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.

April 9, 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 MARCH 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. SUP-48411 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACADEMY MEDICAL EQUIPMENT/ATMS - OWNER: SUSAN ACKERMAN - For possible action on a request for a Special Use Permit FOR A GENERAL RETAIL STORE, OTHER THAN LISTED at 2400 North Tenaya Way, Suite #150 (APN 138-15-810-009), C-PB (Planned Business Park) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

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

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

10. ABEYANCE - 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.

11. ABEYANCE - 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.

12. GPA-48408 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT, LLC - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL) on 1.4 acres at 3925 Coran Lane and 1881 Cypress Trail (APNs 139-19-703-002 and 007), Ward 5 (Barlow). Staff recommends APPROVAL.

13. GPA-48471 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), Ward 6 (Ross). Staff recommends APPROVAL.

14. ZON-48472 - REZONING RELATED TO GPA-48471 - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Rezoning FROM: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), Ward 6 (Ross). Staff recommends APPROVAL.

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

16. VAR-48460 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Variance TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

17. SUP-48462 - SPECIAL USE PERMIT RELATED TO VAR-48460 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A PARKING STRUCTURE TO BE LOCATED ALONG THE STREET FRONTAGE OF THE DEVELOPMENT SITE at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

18. VAC-48465 - VACATION RELATED TO VAR-48460 AND SUP-48462 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Petition to Vacate the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street, Ward 3 (Coffin). Staff recommends APPROVAL.

19. SDR-48464 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-48460, SUP-48462 AND VAC-48465 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-STORY MIXED-USE DEVELOPMENT CONSISTING OF 166 RESIDENTIAL UNITS AND 47,100 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINE WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED AND TO ALLOW A 51-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE A 279-FOOT SETBACK IS REQUIRED on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

20. MSP-48470 - MASTER SIGN PLAN - NON-PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Master Sign Plan FOR A PROPOSED 219,100 SQUARE-FOOT SHOPPING CENTER on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way (APN 163-06-416-006), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

21. SDR-48469 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MSP-48470 - PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 219,100 SQUARE-FOOT SHOPPING CENTER WITH A WAIVER TO ALLOW A ZERO-FOOT PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way (APN 163-06-416-006), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

22. SUP-48175 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,936 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) WITH A WAIVER TO ALLOW SUCH USE TO BE LOCATED ON A 16 ACRE PARCEL WITHIN THE SERVICE COMMERCIAL DISTRICT WHERE THE MINIMUM PARCEL SIZE REQUIRED IS 50 ACRES at 5643 Centennial Center Boulevard, Suite #160 (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 DENIAL.

23. SUP-48176 - SPECIAL USE PERMIT RELATED TO SUP-48175- PUBLIC HEARING - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED GAMING ESTABLISHMENT,

RESTRICTED WITH A WAIVER TO ALLOW A 30 FOOT SEPARATION DISTANCE WHERE A MINIMUM 330-FOOT SEPARATION DISTANCE FROM ANY SINGLE-FAMILY DETACHED DWELLING IS REQUIRED at 5643 Centennial Center Boulevard, Suite #160 (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 DENIAL.

24. SUP-48184 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 10, 086 SQUARE-FOOT SUPPER CLUB WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 2620 Regatta Drive, Suite #118 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

25. SDR-48185 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-48184 - PUBLIC HEARING - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC - For possible action on a request for a Site Development Plan Review FOR A 2,607 SQUARE-FOOT ADDITION TO AN EXISTING SHOPPING CENTER on 4.36 acres at 2620 Regatta Drive (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

26. SUP-48455 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VEGAS MART #3 - OWNER: EYW OF NEVADA, LLC, ET AL - 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 2,400 SQUARE-FOOT CONVENIENCE STORE at 6711 West Alexander Road, Suite #103 (APN 138-10-502-003), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

27. SDR-48398 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC - For possible action on a request for a Site Development Plan Review TO MODIFY A PREVIOUSLY APPROVED LANDSCAPE PLAN FOR AN EXISTING 34,983 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.58 acres at 2020 Palomino Lane (APN 139-32-705-008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 1 (Tarkanian). Staff recommends DENIAL.

28. SDR-48456 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA - For possible action on a request for a Site Development Plan Review TO INSTALL FIFTEEN 27-FOOT TALL SOLAR PANELS AND ONE 30-FOOT WEATHER TOWER on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facility) Cliff's Edge Special Land Use Designation], Ward 6 (Ross) PRJ-48348. Staff recommends APPROVAL.

DIRECTOR'S BUSINESS:

29. TXT-48482 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.12.070 and 19.18.020 regarding the Beer/Wine/Cooler On-Sale Establishment use by revising the description, requirements and definition to update regulations associated with the use and to provide for other related matters. Staff recommends APPROVAL.

CITIZENS PARTICIPATION:

30. 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: APRIL 9, 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: APRIL 9, 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: APRIL 9, 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: APRIL 9, 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: APRIL 9, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 12, 2013

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 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: APRIL 9, 2013

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

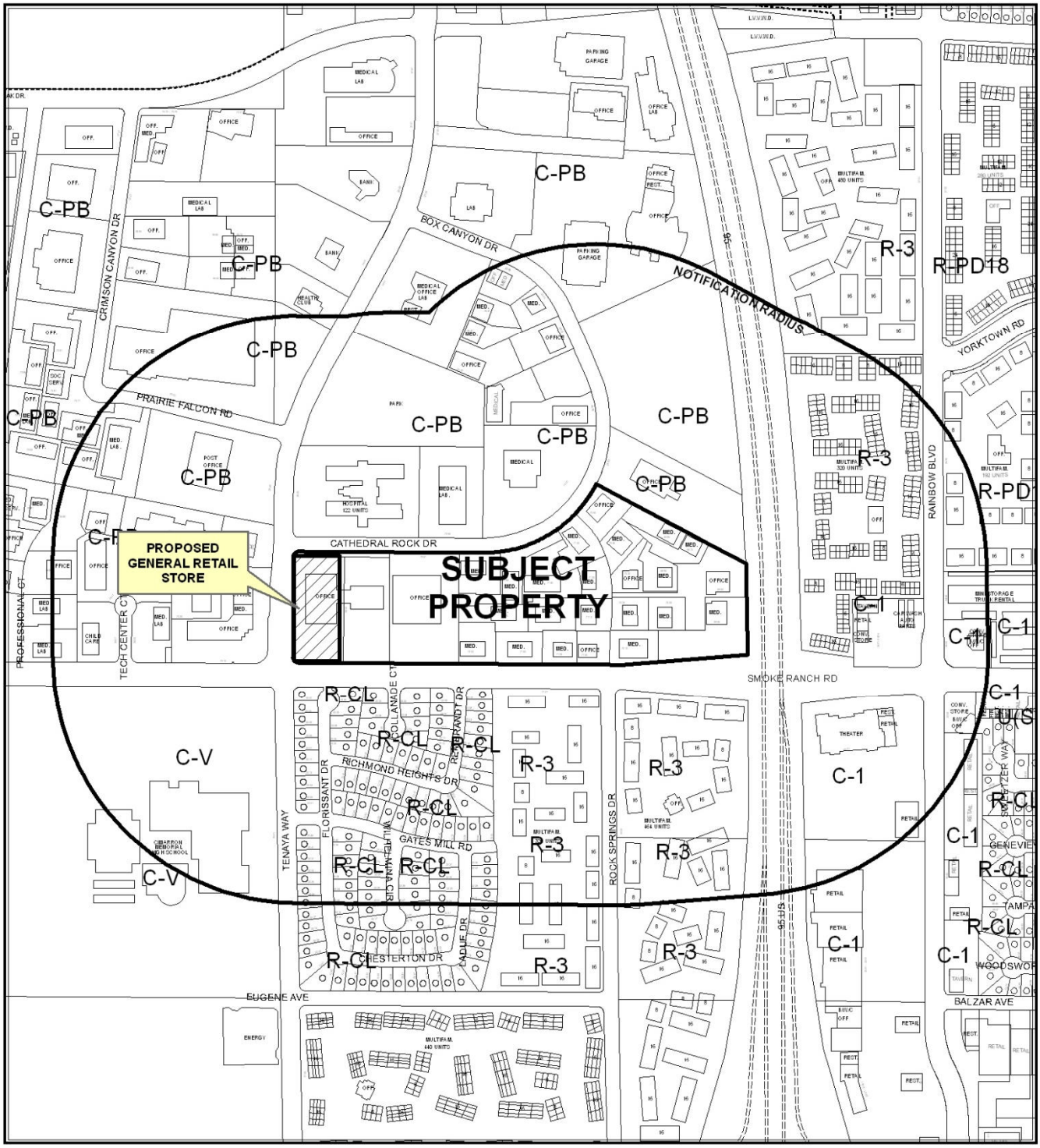
SUBJECT:
SUP-48411 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACADEMY MEDICAL EQUIPMENT/ATMS - OWNER: SUSAN ACKERMAN - For possible action on a request for a Special Use Permit FOR A GENERAL RETAIL STORE, OTHER THAN LISTED at 2400 North Tenaya Way, Suite #150 (APN 138-15-810-009), C-PB (Planned Business Park) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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



0 400 800

Feet

CASE: **SUP-48411**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

0 400 800 Feet

CASE: **SUP-48411**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ACADEMY MEDICAL EQUIPMENT/ATMS - OWNER: SUSAN ACKERMAN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48411	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48411 CONDITIONS

Planning

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

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a General Retail Store, Other Than Listed use within a portion of existing Suite Number 150 at 2400 North Tenaya Way. The proposed use will be for the sale of wheelchairs with accessory service and repair. The proposed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval. If the application is denied, the General Retail Store, Other Than Listed use would not be allowed at this location.

ISSUES

- The approval of a Special Use Permit is required for a General Retail Store, Other Than Listed use in the C-PB (Planned Business Park) Zoning District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
There is no history of relevant actions taken related to the proposed use.

Most Recent Change of Ownership	
02/23/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/16/06	A business license (M18-03619) was issued for a Management or Consulting Service at 2400 North Tenaya Way, Suite #150. This license remains active.
01/2209	A business license (M18-04609) was issued for a Management or Consulting Service at 2400 North Tenaya Way, Suite #150. This license remains active.
06/28/11	A business license (R60-02696) was issued for a Repair and Maintenance at 2400 North Tenaya Way, Suite #116. This license remains active.
08/22/11	A business license (Q01-01083) was issued for a Real Estate Firm at 2400 North Tenaya Way, Suite #101. This license remains active.
05/17/12	A business license (I50-00680) was issued for an Instruction Services at 2400 North Tenaya Way, Suite 101. This license is in collections status.
07/05/12	A business license (A23-02561) was issued for a Bookkeeper at 2400 North Tenaya Way, Suite #150. This license remains active.
12/20/13	A business license (B20-01919) was issued for a Business Support Service at 2400 North Tenaya Way, Suite #101. This license remains active.

Pre-Application Meeting	
01/28/13	A pre-application meeting was held with the applicant and submittal requirements for a Special Use Permit for a General Retail Store, Other Than Listed use were discussed with the applicant.

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

Field Check	
02/28/13	Staff conducted a field check of the subject property and noted the site was a well maintained commercial development. The rear of Suite #150 has two large warehouse rooms the applicant will use. There are doorways between the two rooms as well as the connecting hallway to the remainder of Suite #150.

Details of Application Request	
Site Area	
Net Acres	2.16

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
North	Hospital	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Office, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
West	Office, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)

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
A-O (Airport Overlay) District (175)	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*
Smoke Ranch Road	Primary Arterial	Planned Streets and Highways Map	100	Y
Tenaya Way	Major Collector	Planned Streets and Highways Map	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	
Office, Other than Listed	15,436 SF	1:300 SF	52				
General Retail Store, Other Than Listed	7,936 SF	1:175 SF	46				
TOTAL SPACES REQUIRED			98		140		Y
Regular and Handicap Spaces Required			94	4	135	5	Y

ANALYSIS

The proposed General Retail Store, Other Than Listed use is located within the A-O (Airport Overlay) District and meets the height requirements of the district.

The General Retail Store, Other Than Listed use is defined as "A facility for the retail sale of general merchandise to the general public for direct consumption and not wholesale. This use:

1. Includes such uses as an antique/collectible store, retail bakery, convenience store, grocery store, drug store, service station and specialty merchandise store.

2. Includes other general retail uses that may be specifically defined in LVMC Chapter 19.18 and whose definitions may include specific limitations and restrictions, which shall apply as described in that Chapter.

3. Does not include uses that are specifically listed in LVMC Chapter 19.12."

The proposed use meets the definition, as the retailer will specialize in the sale of wheelchairs. The applicant has stated in the submitted justification letter the sales of wheelchairs are done at the consumer's home due to their lack of mobility. The applicant will provide ancillary repair service that will represent 30% of the business. The hours of operation are compatible with typical office hours. The use will be in two large warehouse rooms at the rear of the building and has doorways connecting each room and the hallway to the remainder of suite #150.

The General Retail Store, Other Than Listed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding land uses; therefore, staff recommends approval.

FINDINGS (SUP-48411)

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 land use of General Retail Store, Other Than Listed is located within a complex with office uses. The nature and operation of the specialty retailer is can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

   No significant changes are proposed to the existing structure or the site with this application that would increase the intensity of the proposed land use.

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

Smoke Ranch Road, designated as a Primary Arterial and Tenaya Way designated as a Major Collector by the city's Planned Streets and Highways Map, provides access to the property. Theses roadway facilities are adequate to serve the General Retail Store, Other Than Listed 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 land use of General Retail Store, Other Than Listed at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular to inspections and licensing requirements.

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

There are no applicable requirements for a General Retail Store, Other Than Listed use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 44

NOTICES MAILED 490

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

RECEIVED
FEB 20 2013

Case Number: SUP-48411 APN: 138-15-810-009

Name of Property Owner: Susan Ackerman

Name of Applicant: Academy Medical Equipment, Inc

Name of Representative: William Paul

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Susan Ackerman

Print Name: Susan Ackerman

Subscribed and sworn before me

This 20 day of February 2013

Roxana Z.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROXANA FIERRO
Appt. No. 06-104290-1
My Appt. Expires Aug. 26, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

FEB 20 2013

Application/Petition For: RETAIL SALES IN CPB

Project Address (Location) 2400 N. Tenaya Way

Project Name Ackerman Professional Plaza **Proposed Use** _____

Assessor's Parcel #(s) 138-15-810-009 **Ward #** _____

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

Commercial Square Footage 38,000 **Floor Area Ratio** _____

Gross Acres 4.08 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Susan Ackerman **Contact** Sasha Ackerman

Address 2400 N. Tenaya Way **Phone:** (702) 982-8800 **Fax:** (702) 982-5579

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

E-mail Address Sasackerman@gmail.com

APPLICANT Academy Medical Equipment / ATMS **Contact** William Paul

Address 2651 Crimson Cyn Lvi. NV 89128 **Phone:** 3829991 **Fax:** _____

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

E-mail Address bpaul@AME-LV.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* Susan Ackerman

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

Print Name Susan Ackerman

Subscribed and sworn before me

This 20 day of February, 2013.

Roxana Fierro

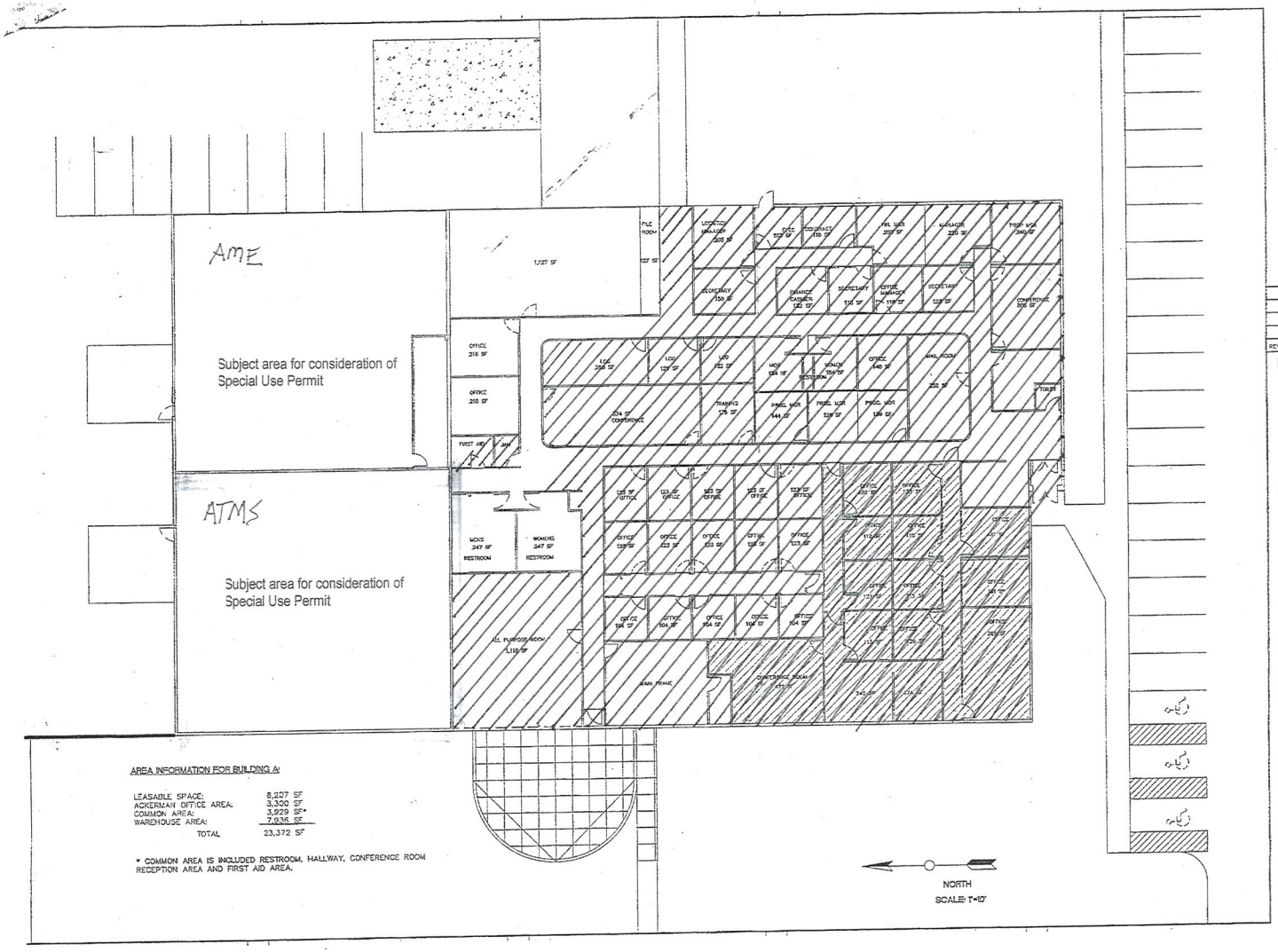
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROXANA FIERRO
Appt. No. 06-104290-1
My Appt. Expires Aug. 26, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-48411
Meeting Date:	4/9/2013
Total Fee:	$1030.00
Date Received:*	2/20/2013
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.



TITANIUM CONSTRUCTION, LLC
3220 POST ROAD
LAS VEGAS, NV 89118
702-475-8929 MAIN
888-002-0725 FAX

REVISIONS

REV	REVISION	DATE

PROJECT
ACKERMAN PROFESSIONAL PROPERTY
AT
2400 N TENAYA WAY

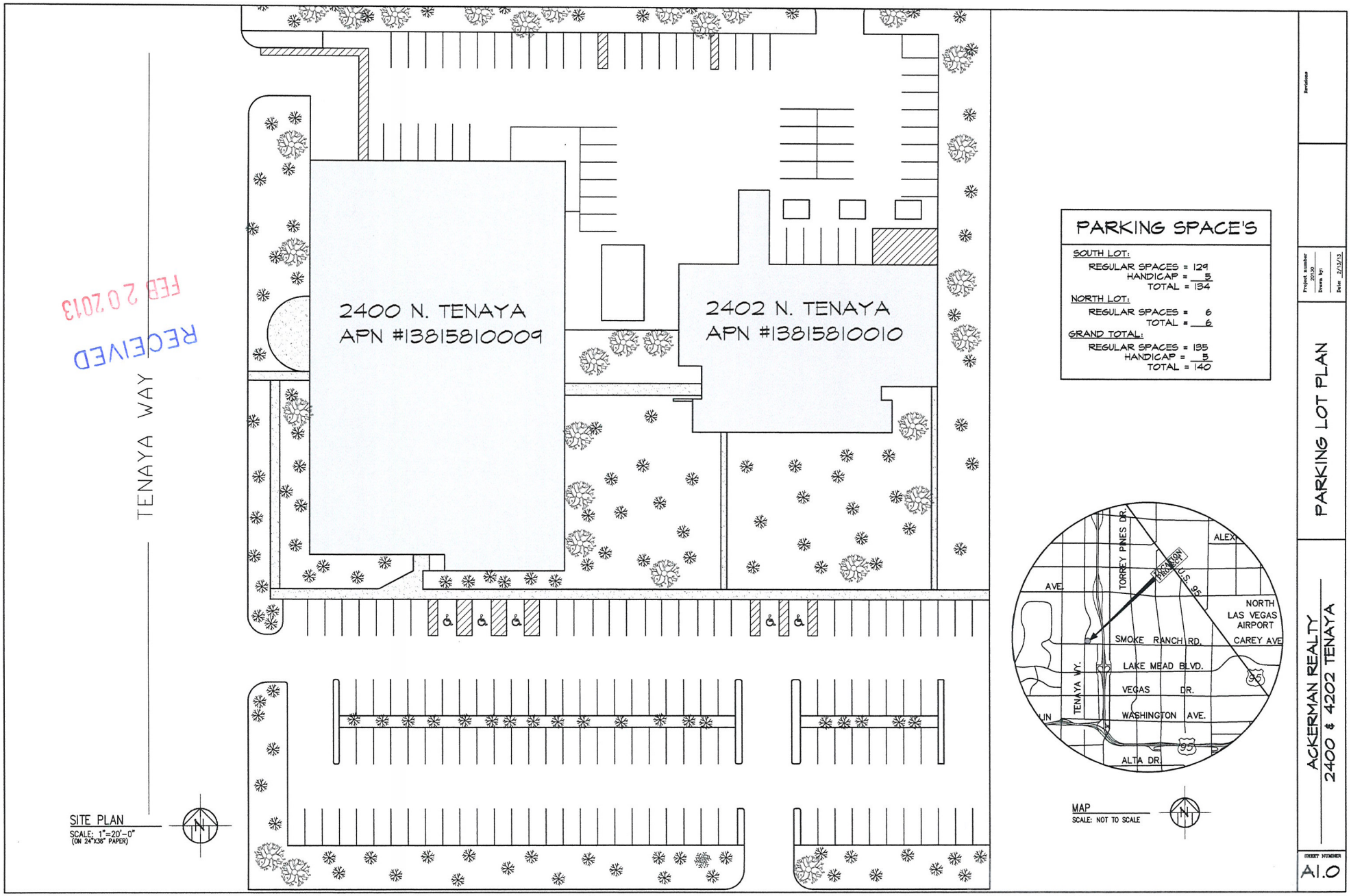
RECEIVED
FEB 20 2013

CLIENT

CONTENT
SQUARE FOOT AREA EXHIBIT FOR BUILDING A

DRAWN BY:
CHECKED BY:
DATE: JUNE 2010
DRAWING NO:

SUP-48411



RECEIVED
FEB 20 2013

SUP-48411

SUP-48411 – APPLICANT: ACADEMY MEDICAL EQUIPMENT/ATMS - OWNER: SUSAN ACKERMAN
2400 NORTH TENAYA WAY, SUITES #110 AND #120

02/28/13

ACADEMY
MEDICAL EQUIPMENT
an ATMS company
ACHC
ACCREDITED
2651 Crimson Canyon Dr. Suite 180
Las Vegas, NV 89128
Ph # (702) 382-9991 Fax # (702) 382-9636

February 15, 2013

City of Las Vegas
Planning Department
Special Use Permit Pre-Application Meeting
Academy Medical Equipment, Inc & ATMS

Justification for Special Use Permit

The businesses listed above are requesting a special use permit to occupy approximately 7500 sq ft of devised warehouse space (approx 3750 sq ft ea) located at 2400 Tenaya Way, Las Vegas NV 89129 (NE corner of Smoke Ranch and Tenaya). The warehouses are side by side with an existing devising wall with a double door connector opening. The warehouse areas are both accessible to the main office areas by a common access door. Both companies have common ownership. The space is part of a larger 26,500 square foot building know as the Ackerman Suites.

The above location is approximately one block from our current location and in the same zoning. The business is compatible with the area. There are no loud noises or outside work activity associated with the business operations. There are no other zoning requirements except Council approval.

Both companies provide sales of assistive technology mobility equipment (wheelchairs) to the consumer. Additionally, Academy provides ancillary after sale repair services representing about 30% of total revenues.

The company operates Monday thru Friday, 8am – 6pm, Saturday 9am – 4pm. The company employs approximately 28 FTE employees.

The companies provide virtually the same products and services. The difference in the business' are that AME works with Rehab consumers and ATMS is strictly public consumers.

Due to the nature of the consumer's lack of mobility, the point of sale is almost exclusively at the consumers home. Our companies have sales and service representatives that go to the consumer's home to demonstrate new mobility products or to conduct a service call.

Thank you,

William M. Paul

RECEIVED
MAR 1 1 2013
City of Las Vegas
Department of Planning

SUP-48411
REVISED

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

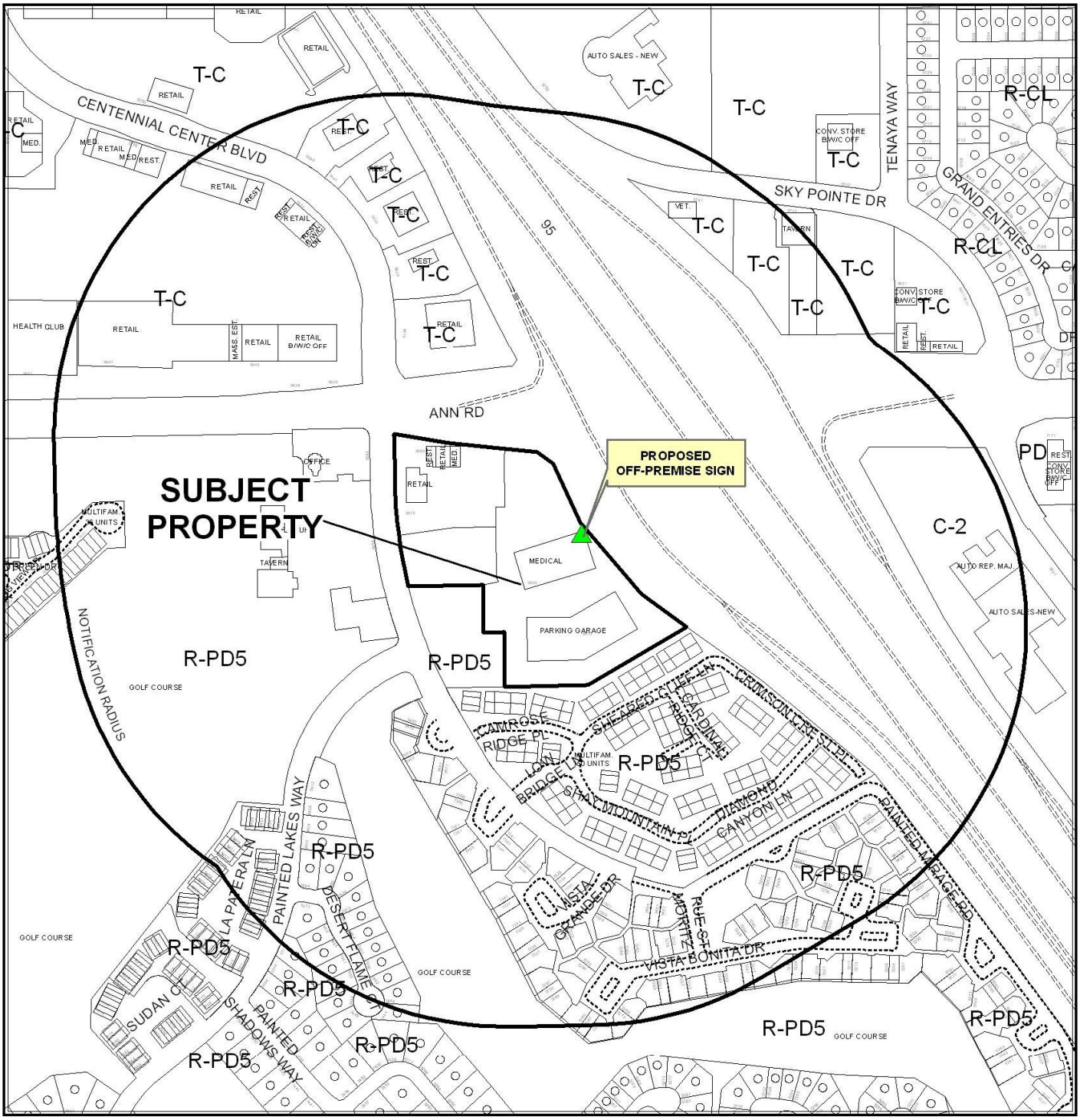
SUBJECT:
ABEYANCE - VAR-47835 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW AN OFF-PREMISE SIGN TO BE ATTACHED TO A BUILDING WHERE OFF-PREMISE SIGNS ARE REQUIRED TO BE DETACHED AND PERMANENTLY SECURED TO THE GROUND on 8.14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

MAY GO TO CITY COUNCIL ON 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – VAR-47835 and SUP-47834
2. Conditions and Staff Report – VAR-47835 and SUP-47834
3. Supporting Documentation – VAR-47835 and SUP-47834
4. Photos – VAR-47835 and SUP-47835
5. Justification Letter – VAR-4835 and SUP-47834
6. Support Postcard - VAR-47834 and VAR-47835



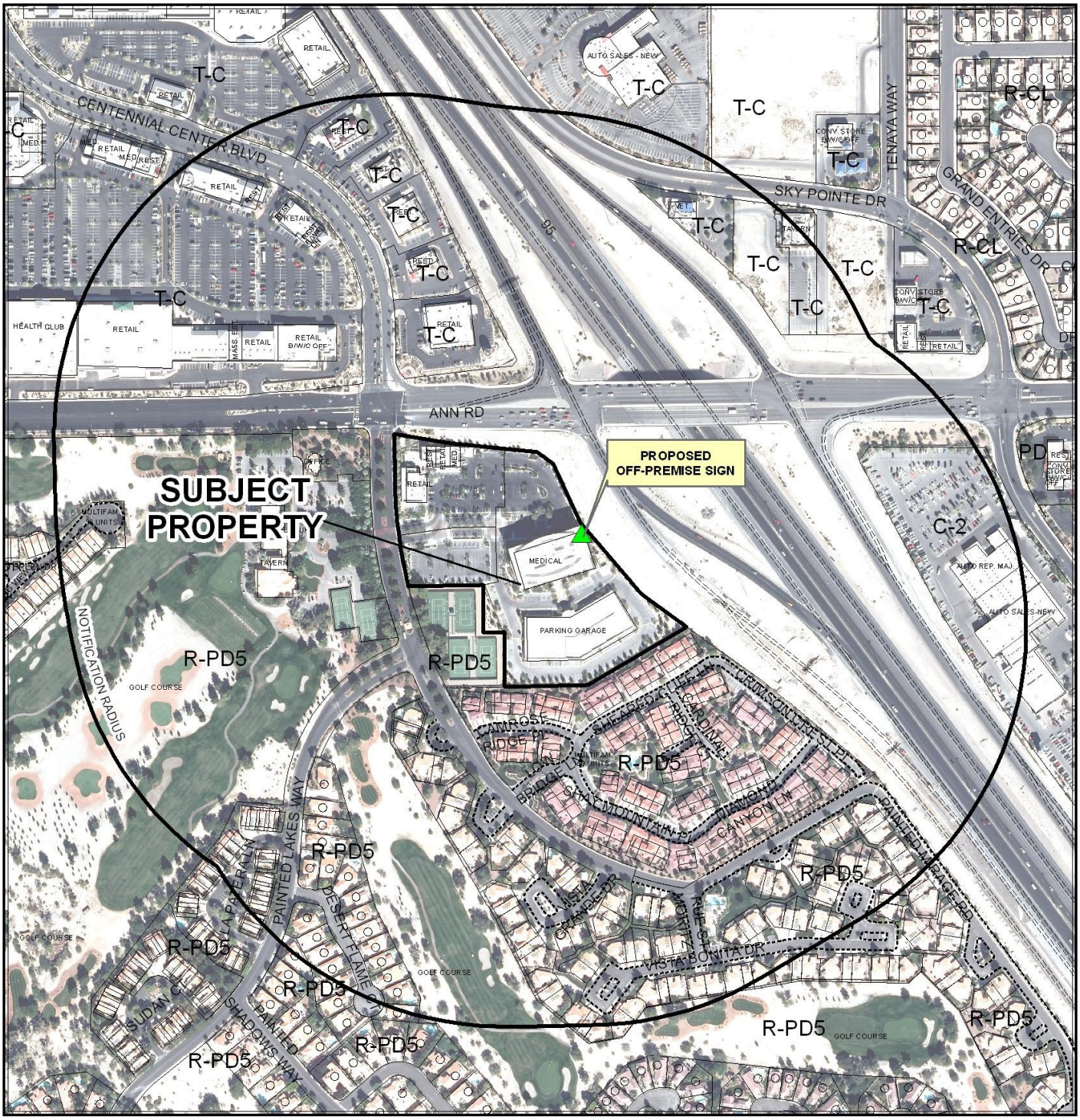
0 375 750 Feet

CASE: VAR-47835 & SUP-47834

RADIUS: 1000 FEET

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

N



0 375 750 Feet

CASE: VAR-47835 & SUP-47834

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: KHANEH HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-47835	Staff recommends DENIAL, if approved subject to conditions:	
SUP-47834	Staff recommends DENIAL, if approved subject to conditions:	VAR-47835

** CONDITIONS **

VAR-47835 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-47834).

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

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

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

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

SUP-47834 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Off-Premise Sign use, except as modified herein.

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

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

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

5. This Special Use Permit shall be reviewed in 3 year(s), at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

6. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

7. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

8. Only one advertising sign is permitted per sign face.

9. If the Off-Premise Sign is voluntarily demolished, this Special Use Permit and related Variance (VAR-47835) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

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

Staff Report Page One
April 9, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting an approved 20 x 32-foot LED wall sign on the east elevation of an office building at 5550 Painted Mirage Road to be converted to an Off-Premise Sign. Per code, all Off-Premise Signs shall be freestanding and firmly attached to the ground. Since the proposed Off-Premise Sign is attached to the building, a variance is required. Staff recommends denial of the request, since it does not meet minimum standards for such a use.

ISSUES

- A Variance is required to allow an Off-Premise Sign to be attached to a building, as the code requirement is for it to be freestanding and attached to the ground. Staff does not support this request.
- A Special Use Permit is required for an Off-Premise Sign to be located in a C-2 (General Commercial) district. Staff does not support this request due to the related Variance.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/20/64	The City Council approved the annexation of 10,136 acres of property in the northwest part of the Las Vegas Valley, including the subject site (A-0003-64). The effective date of the annexation was 05/29/64.
10/16/96	The City Council approved a request for a Rezoning (Z-0097-96) from R-E (Residence Estates) to C-2 (General Commercial) on 8.2 acres adjacent to the southwest corner of U.S. 95 and Ann Road. The Planning Commission and staff recommended approval.
12/08/97	The City Council approved an Extension of Time [Z-0097-96(1)] for the subject site, and removed the time limit so that further extensions would be unnecessary. The Planning Commission and staff recommended approval.
12/05/02	The Planning Commission approved Site Development Plan Review (SDR-1199) for a five-story office/retail building on 8.14 acres adjacent to the southwest corner of U.S. 95 and Ann Road. Staff recommended approval.
11/17/05	The Planning Commission approved a Master Sign Plan (MSP-9591) for an office/retail building on 8.14 acres adjacent to the southwest corner of U.S. 95 and Ann Road. Staff recommended approval.

11/15/12	Planning Department staff Administratively approved a Master Sign Plan (MSP-47179) for the addition of an electronic wall sign at 5550 Painted Mirage Road. The sign has not been installed at this time.

Most Recent Change of Ownership	
09/30/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/12/07	The Building and Safety Department issued a Certificate of Occupancy (#99832) for the Centennial Corporate Center at 5550 Painted Mirage Road.
10/17/07	There have been numerous sign permits issued since this project was completed in conformance with the Master Sign Plan (MSP-9591).

Pre-Application Meeting	
12/10/12	Staff met with the applicant and provided the information for an Off-Premise Sign at 5550 Painted Mirage Road. This is the wall sign that was recently approved for the east elevation of the office tower building. It requires a Variance to allow such a sign to be attached to the building and a Special Use Permit.

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

Field Check	
01/02/13	Staff visited the site and found the office building to be adjacent to the U.S. 95 Freeway, which is substantially elevated from the natural grade. A temporary banner sign is located where the proposed Off-Premise Sign is to be located. The overall property was well maintained and free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	8.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office/General Retail	GC (General Commercial)	C-2 (General Commercial)
North	General Retail	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
South	Apartments	ML (Medium Low Density Residential)	R-PD5 (Residential-Planned Development, 5 units per acre)
East	U.S. 95	U.S. 95	U.S. 95
West	Tennis Courts	GC (General Commercial)	R-PD5 (Residential-Planned Development, 5 units per acre)
	Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential-Planned Development, 5 units per acre)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Ann Road	Primary Arterial	Master Plan of Streets and Highways Map/ Town Center Development Standards Manual	100	Y

YK

U.S. 95	Freeway	Master Plan of Streets and Highways Map	N/A	N/A
Painted Mirage Road	N/A	N/A	80	N/A

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	The sign is located in an C-2 (General Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 630 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 76 feet tall. Height is permitted due to the adjacent elevated freeway.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 850 feet from another Off-Premise Sign (not along U.S. 95).	Y

Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to a building and is located on property zoned C-2 (General Commercial)	N

ANALYSIS

The applicant is proposing to convert an approved wall sign into an Off-Premise Sign. The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition as described in the applicant's justification letter.

The sign is not freestanding and firmly attached to the ground. This requires a Variance. All other minimum Special Use Permit requirements are being met. The intent of the code requirement is to not allow Off-Premise Signs to be attached to buildings, which would distract from the aesthetics of the architecture. For this reason, staff recommends denial of both applications.

FINDINGS (VAR-47835)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to attach an Off-Premise Sign to the side of a building. Alternatively, the proposed Off-Premise Sign could be installed as a freestanding sign which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-47834)

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

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

   The proposed Off-Premise Sign use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the Variance request to allow an Off-Premise Sign to be attached to the façade of a building.

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

   The C-2 (General Commercial) zoned site is suitable for the proposed use.

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

   Site access is provided from Painted Mirage Road, 70-foot Local Street and is adequate in size to accommodate the proposed Off-Premise Sign use.

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

   Approval of the proposed Special Use Permit will not be inconsistent with or compromise the public health, safety and general welfare as the use will be subject to regular inspections for business licensing.

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

   The proposed Off-Premise Sign use does not comply with the minimum Special Use Permit requirements. The proposed use is not freestanding and firmly attached to the ground. A variance has been requested from this requirement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 314

APPROVALS 1

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-47835 APN: 125-34-116-004

Name of Property Owner: Khaneh Holdings LLC

Name of Applicant: Khaneh Holdings LLC

Name of Representative: G. C. Garcia, Inc.

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Mgr / Or

Print Name: Mehry Taheri / Mehry Taheri

Subscribed and sworn before me

This 18 day of Dec, 2012

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

DEC 20 2012

City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 5550 Painted Mirage / US-95 & Ann Rd

Project Name Off Premise LED Sign **Proposed Use** Off Premise LED

Assessor's Parcel #(s) 125-34-116-004 **Ward #** 4

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

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

Gross Acres 5.25+/- **Lots/Units** _____ **Density** _____

Additional Information MSP-9591, MSP-47179

PROPERTY OWNER Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

APPLICANT Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com

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

Property Owner Signature* Mehry Taheri

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

Print Name Mehry Taheri

Subscribed and sworn before me

This 10TH day of DEC., 20 12.

Notary Public in and for said County and State

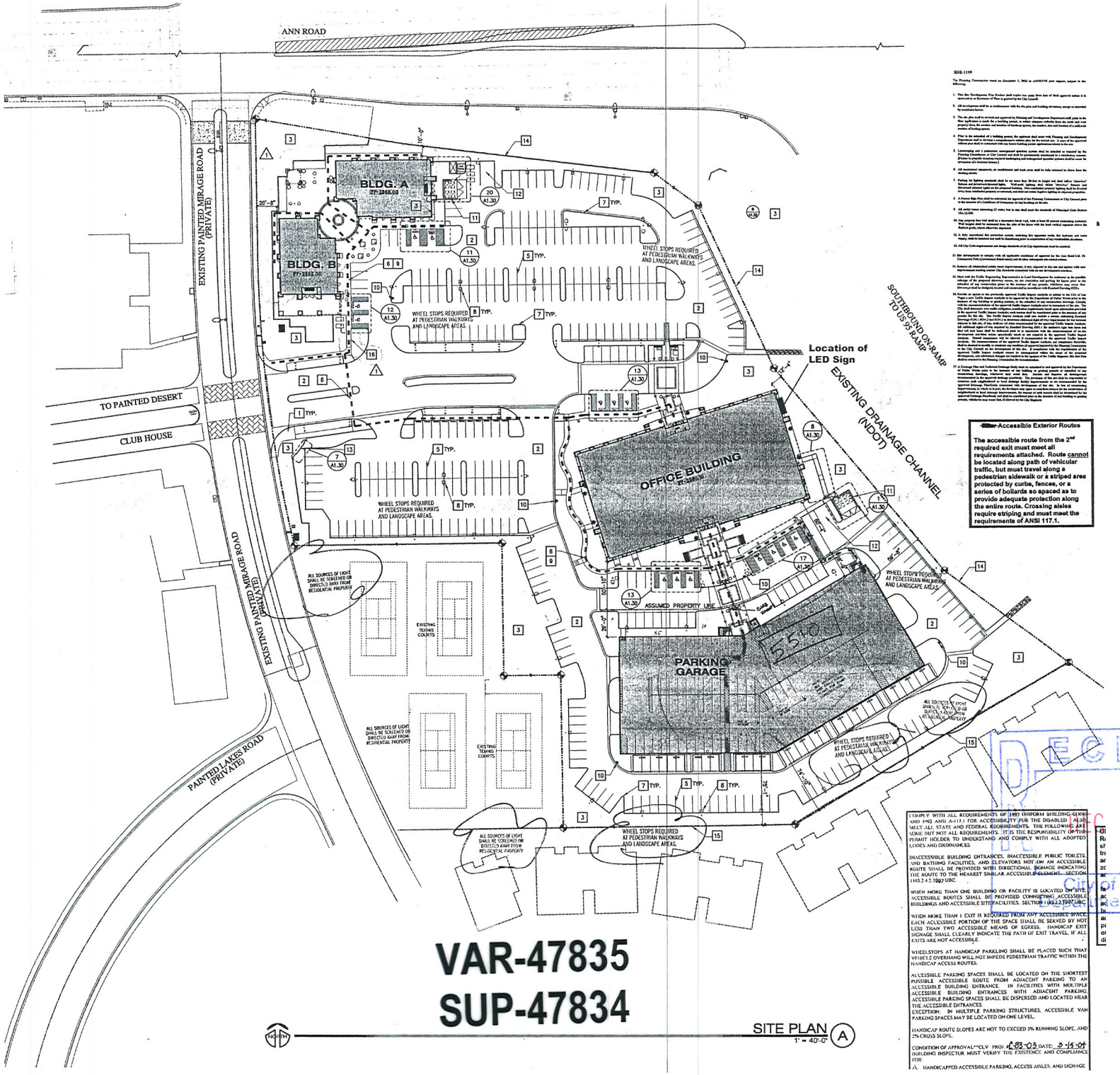
LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-47835
Meeting Date:	2/12/2013
Total Fee:	830.00
Date Received:*	12/20/2012
Received By:	MLeX

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

Revised 10/27/08



VAR-47835
SUP-47834

SITE PLAN (A)
1" = 40'-0"

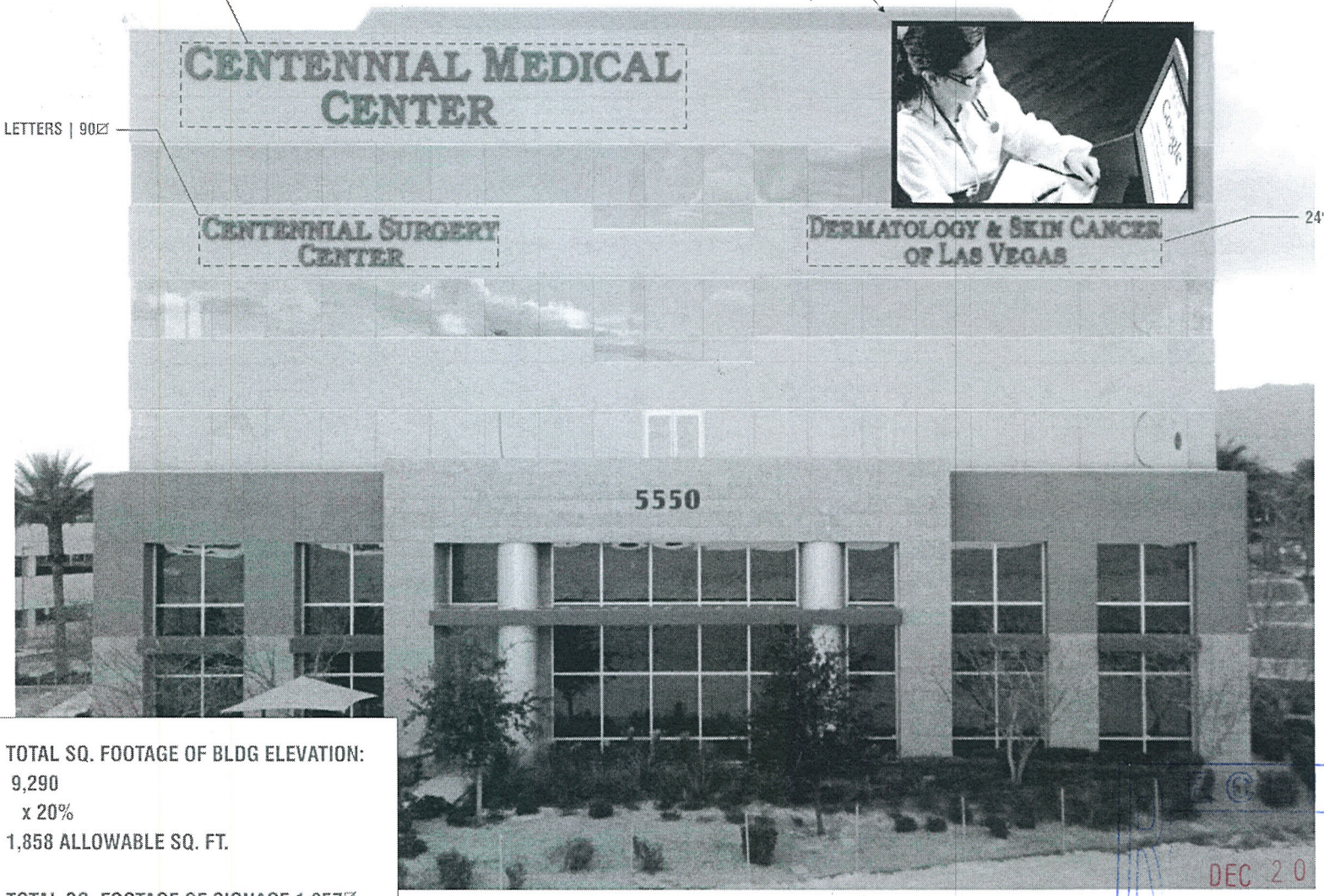
LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB

36" LETTERS | 236☑

NEW LED UNIT | 627☑

24" LETTERS | 90☑

24" LETTERS | 104☑



TOTAL SQ. FOOTAGE OF BLDG ELEVATION:
9,290
x 20%
1,858 ALLOWABLE SQ. FT.

TOTAL SQ. FOOTAGE OF SIGNAGE 1,057☑

EAST ELEVATION w/ LED UNIT
SCALE: 3/32" = 1'-0"

VAR-47835
SUP-47834

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Department of Planning

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-895-7474
NV CONTRACTOR LICENSE #42776

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO.	15170
DATE	02.23.12
DRAWN	DERRICK
SCALE	RGB M.
FILE NAME	CENTENNIALCORPCTR15170.CDR

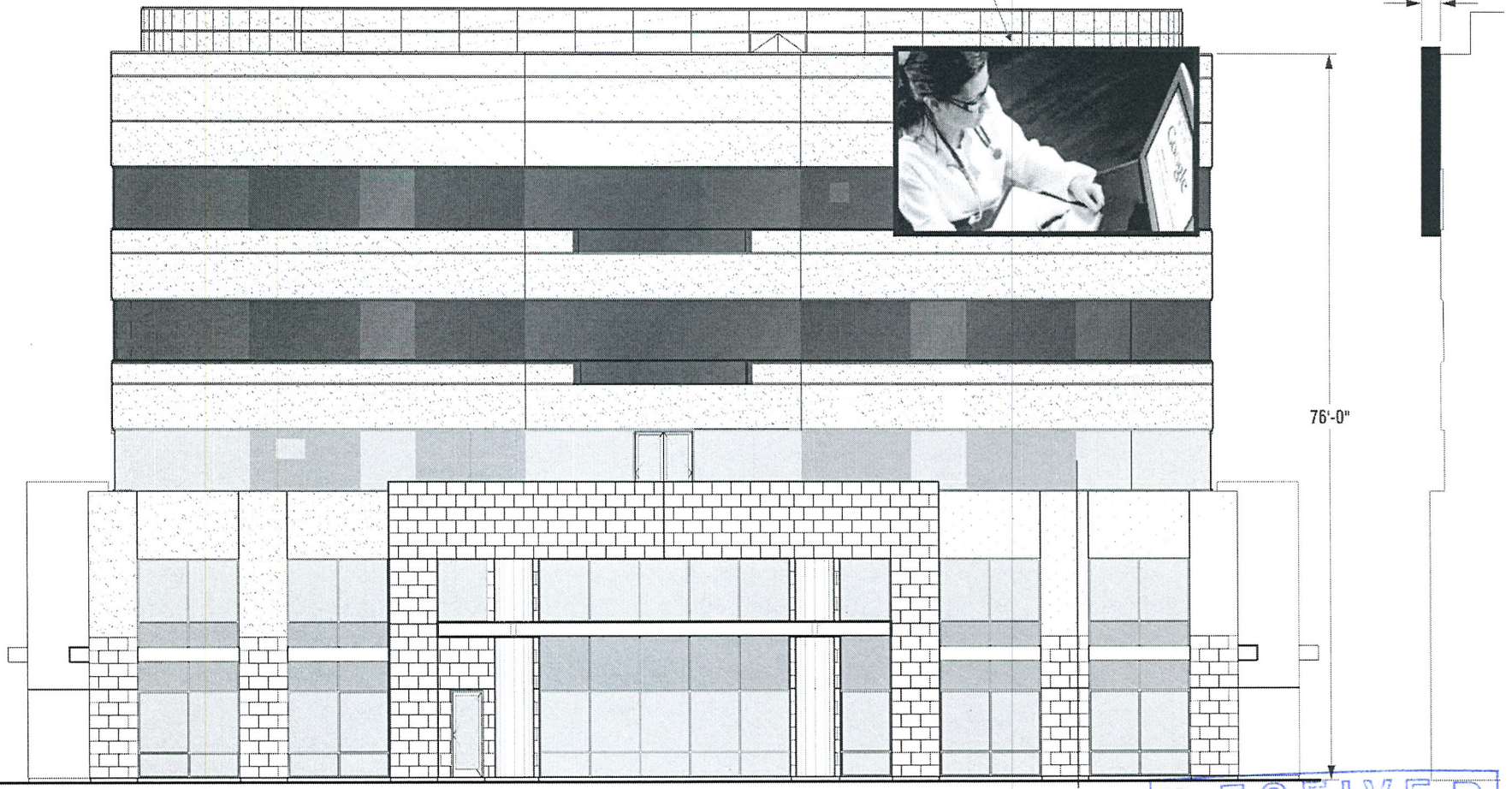
REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE

FINAL SIGN-OFF
DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
001

LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB



EAST ELEVATION w/ LED UNIT
SCALE: 3/32"=1'-0"

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-895-7474

These plans are prepared and submitted by this contractor as an exemption to NRS 624.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO.	15170
DATE	02.23.12
DRAWN	DERRICK
SCALE	RGB M.
FILE NAME	CENTENNIALCORPCTR15170.CDR
REVISION	

REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE

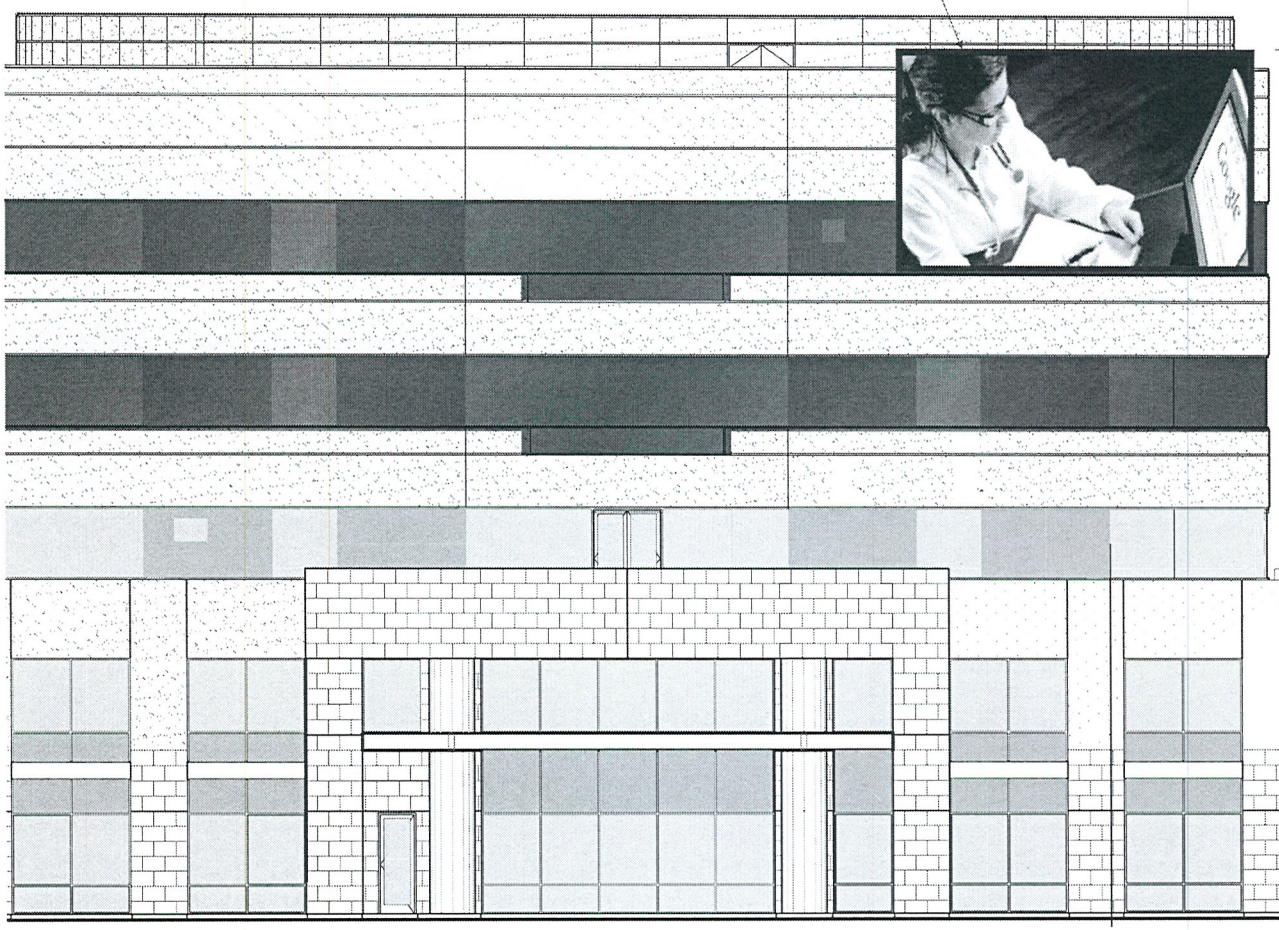
FINAL SIGN-OFF
DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
002

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

VAR-47835
SUP-47834

LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB



30' ABOVE INTERCHANGE ELEVATION

24"

30'-0"

FREEWAY INTERCHANGE HEIGHT

77'-0"
TO TOP
OF SIGN

EAST ELEVATION w/ LED UNIT
SCALE: 3/32"=1'-0"

VAR-47835
SUP-47834

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-595-7474

These plans are prepared and submitted by the contractor as an examination by NRS 624.340 for work under contractor license category numbered under NRS 624.

NV CONTRACTOR LICENSE 942778

THIS ARTWORKS WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO: 15170
DATE: 02.23.12
DESIGN: DERRICK
SHEET: ROB M
FILENAME: CENTENNIALCORPCTR15170.CDR
CHECK:

REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE
12-20-12 DN	SHOW FREEWAY INTERCHANGE HT.

FINAL SIGN-OFF

DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
002

VAR-47835 & SUP-47834 – APPLICANT/OWNER: KHANEH HOLDINGS, LLC
5550 PAINTED MIRAGE ROAD

01/03/13

VAR-47835 & SUP-47834 – APPLICANT/OWNER: KHANEH HOLDINGS, LLC
5550 PAINTED MIRAGE ROAD

01/03/13

December 20, 2012

Flinn Fagg, Director
Planning and Development Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: US-95 & Ann Road Commercial Park Office Building
Request: SUP and Variances for Allowing an Off-Premise Wall Sign from an Approved On-Premise LED Wall Sign
APN#s: 125-34-116-004

Dear Mr. Fagg:

On behalf of our client, KHANEH Holdings LLC, please accept this justification letter for a Special Use Permit and Variances and any changes if needed to the Master Sign Plan Amendment (MSP-9591 and as amended MSP-47179) to allow an approved LED wall sign to be used as an Off-Premises Sign on an existing commercial/professional building at the southwest of the US-95 and Ann Road (5550 Painted Mirage). This sign will use an already approved and permitted on premise LED wall sign on the northeast corner of the office building use.

The site is a C-2 (General Commercial) zoned site located on the 5.25 +/- net acres. The office building is a five story structure with a parking garage. The approved on premises LED sign is about 19'9" high and 31'9" wide (630 sf) and located on the upper levels at the northeast corner of the building facing the freeway. The total wall signage of the building is about 1,060 square feet or well below the allowed 1,858 square feet.

The Variance requests are necessary to address the fact that the Code expects off-premise signs to look like conventional billboards that are pole mounted (LVMC 19.12.120.D.2) and due to the height of the sign on the building being taller than the Code expected billboard height of 40 feet or maximum of 55 feet (LVMC 19.12.120 C.7.b).

The sign request meets the applicable SUP Locational Provisions of the Code. Most significantly, the proposed sign is 1a) within 660' of the US-95 ROW; is less than the maximum allowable sizes of 30' high by 60' wide for off-premise sign; 1b) is within the 672 square feet allowed for other off-premise signs; 2) is located appropriately above the standard sign height due the proximity to an elevated freeway interchange; & 3) more than 300 feet from the nearest residential property line.

Approval Criteria for a Special Use Permit LVMC 19.16.110
L. Special Use Permit Determinations—Approval
In order to approve a proposed rezoning, the Planning Commission or City Council must determine that:

1. In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:

VAR-47835
SUP-47834

GCGARCIA

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

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

This change would only add the ability to do off-premise advertising. The Sign is not a typical "billboard" as it is aesthetically designed to fit into a quality office park and surrounding neighborhood. The sign will comply with the applicable Locational Provisions for Off-Premise Signs (19.12.120). The sign orients to faces the freeway and does not face residential. Elevating the sign allows it to be functional as well as not in the face of drivers at the interchange overpass.

Furthermore, the sign will help sustain and promote the existing commercial facilities and other businesses. The sign is done in a manner consistent with the zoning and General Plan. The use and design will therefore comply with the SUP, MSP, conditions of approval and other Code requirements.

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

The site is planned and zoned for the existing office park and five story office building. An LED wall sign has already been approved for the building so no additional sign or structure is required. The total building signage is substantially lower than allowed.

The location of the approved sign is suitably located as it is oriented toward the US-95 and away from the residential. It is within the required proximity to the US-95 as well as elevated appropriately given the depressed finished floor elevation of the building relative to the freeway interchange; visibility to serve the intended use; and aesthetics of the building.. The use will, except as requested, be done in compliance all with City requirements.

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

The use of an approved LED wall sign for an off-premises sign will not create any additional demand on the street or highway infrastructure. All necessary infrastructures to serve the office building is already built, in place and approved.

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

The proposed business will not compromise the health, safety and welfare or objectives of the Plan. The investment into the building will help maintain the economic vitality of property and promote business economic well being and not visibly impact the residential or infrastructure of the City and will thus serve to protect the health, safety and welfare.

Approval Criteria for a Variance LVMC 19.16.140
L. Variance Determinations—Approval

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or

VAR-47835
SUP-47834

DEC 10 2012
City of Las Vegas
Department of Planning

hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

To provide for adequate sign visibility addition height is required. The topography of the site relative to the elevated freeway interchange makes a conventional billboard height unsuitable for the subject property and also provides the basis for an extraordinary and exceptional situation or condition. The elevated freeway interchange was located, designed and built by governmental action and not due to the property owner.

Additionally, the strict application of the height and requirement to build on a freestanding pole would create peculiar and exceptional practical difficulties as well as an undue hardship due to where such a pole would have to be located in a parking lot closer to the freeway that would result in obscuring the quality of building design; making a less attractive sign to the public; and be more imposing due to is proximity to the traveling public.

As proposed the sign will relive the topographic, extraordinary circumstances. The sign as propose provides the necessary relief while providing a benefit to the pubic good by removal of the unsightliness of a conventional billboard structure closer to the roadways. The sign will also comply with the approved MSP and permit for on- premise LED wall sign.

SUMMARY JUSTIFICATION

In summary, we believe the requested off-premise SUP and associated Variances to increase the height and eliminate an unsightly billboard structure will help enhance the office park and provide an advertising venue for other businesses on an approved sign and serve the traveling public consistent with the Code requirement, determinations or any conditions.

We respectfully request your favorable consideration of this request. Please contact me if you have any questions or need additional information.

Sincerely,

George Garcia,
President

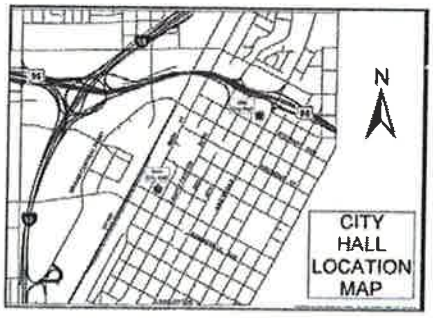
VAR-47835
SUP-47834

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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-47835 & SUP-47834
Planning Commission Meeting of 02/12/2013

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

Case: VAR-47835
12534117039
CHADBAND JAMES CRAIG
12310 CALLE CELESTINA
GILROY CA 95020-9438 95020-9438

#28-29 A

108 LRDFNMP 95020

2/12/13 #28-29

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

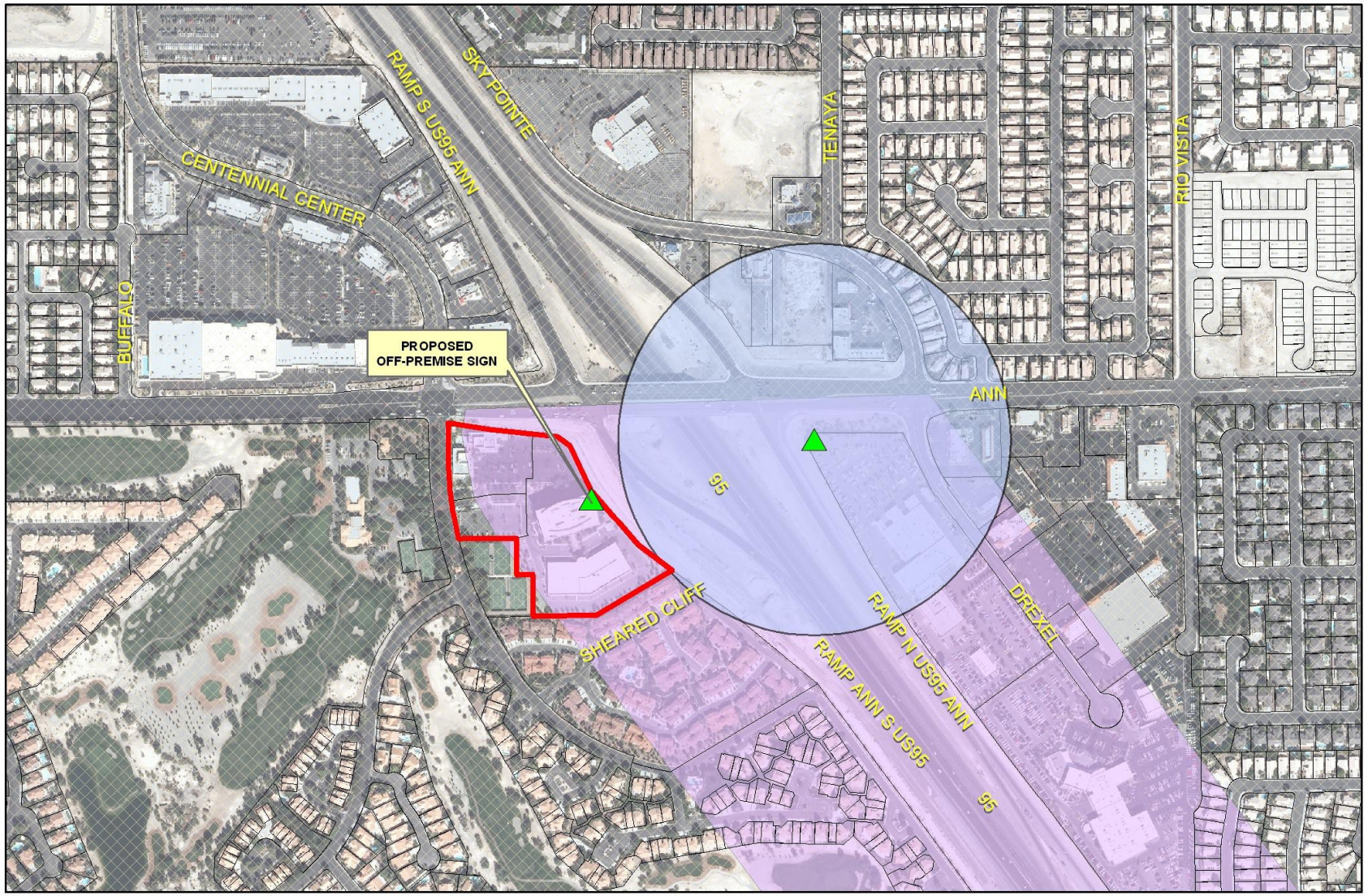
SUBJECT:
ABEYANCE - SUP-47834 - SPECIAL USE PERMIT RELATED TO VAR-47835 - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 5550 Painted Mirage Road (APN 125-34-116-004), C-2 (General Commercial) Zone, Ward 4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

MAY GO TO CITY COUNCIL ON 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Special Map
2. Consolidated Back-up
3. Supporting Documentation



SUP-47834

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-47834** APN: 125-34-116-004

Name of Property Owner: Khaneh Holdings LLC

Name of Applicant: Khaneh Holdings LLC

Name of Representative: G. C. Garcia, Inc.

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Melroy Taheri

Subscribed and sworn before me

This 18 day of Dec., 2012

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 5550 Painted Mirage / US-95 & Ann Rd

Project Name Off Premise LED Sign **Proposed Use** Off Premise LED

Assessor's Parcel #(s) 125-34-116-004 **Ward #** 4

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

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

Gross Acres 5.25+/- **Lots/Units** _____ **Density** _____

Additional Information MSP-9591, MSP-47179

PROPERTY OWNER Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

APPLICANT Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com

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

Property Owner Signature* _____

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

Print Name Mehry Taheri

Subscribed and sworn before me

This 18TH day of Dec, 20 12.

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-47834
Meeting Date:	2/12/2013
Total Fee:	1030 00
Date Received:*	12/20/2012
Received By:	MRoyo

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

Revised 10/27/08

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

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

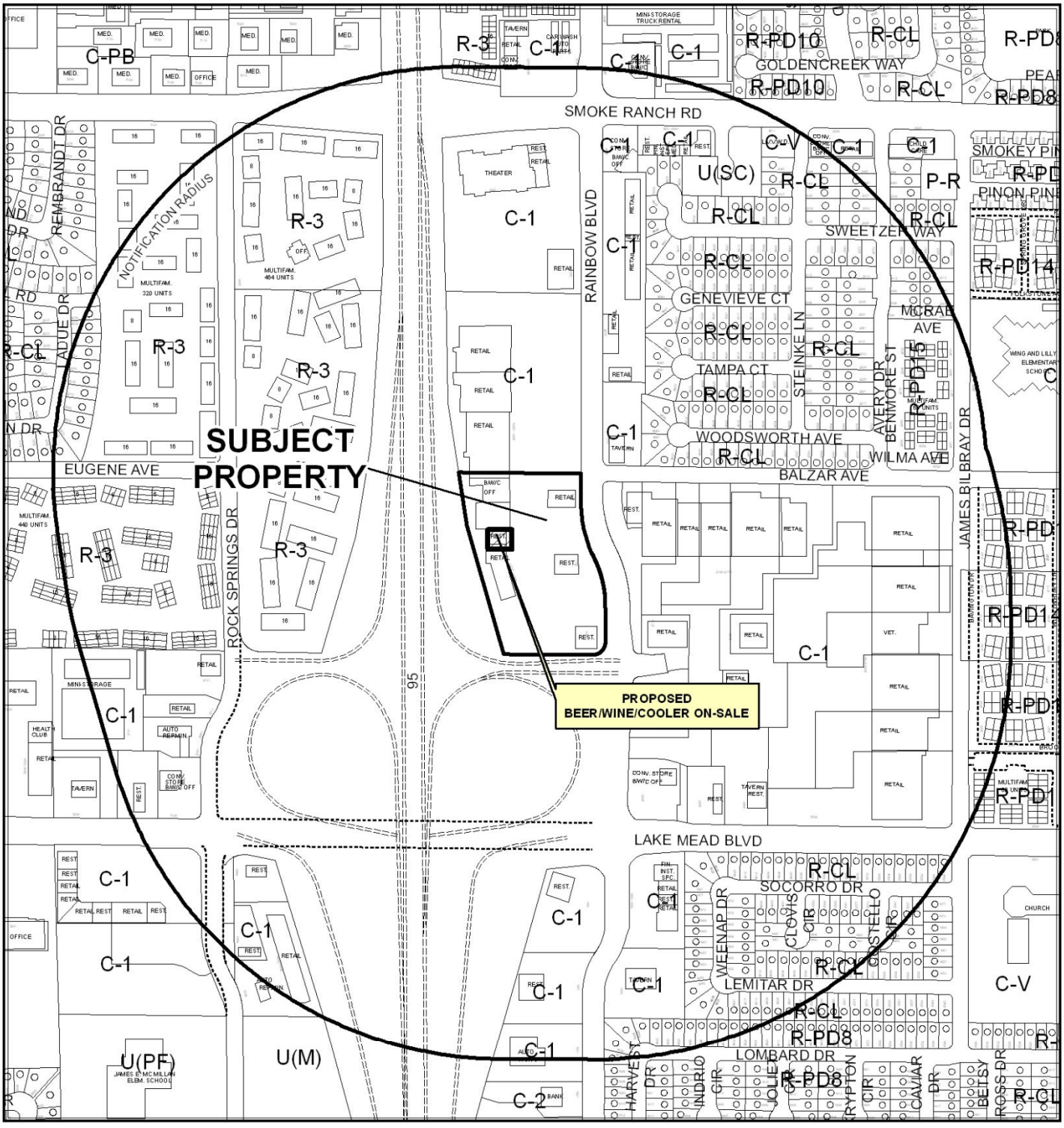
SUBJECT:
ABEYANCE - SUP-48146 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OHJAH JAPANESE STEAKHOUSE SUSHI AND HIBACHI - OWNER: PK I RAINBOW PROMENADE, LLC - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 4,992 SQUARE-FOOT 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 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

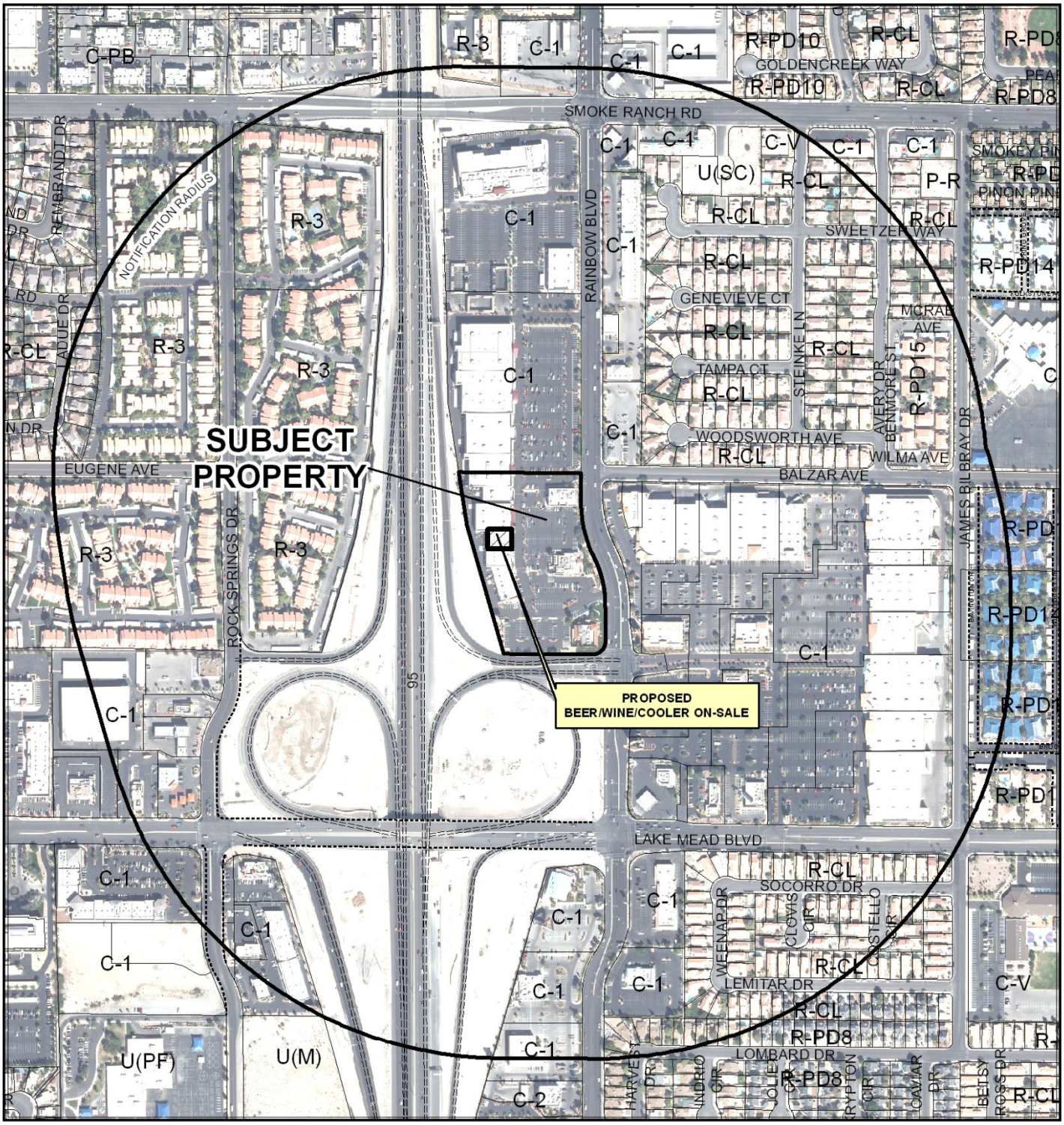
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest/Support Postcards



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: APRIL 9, 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.

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 44

NOTICES MAILED 904

APPROVALS 1

PROTESTS 3

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

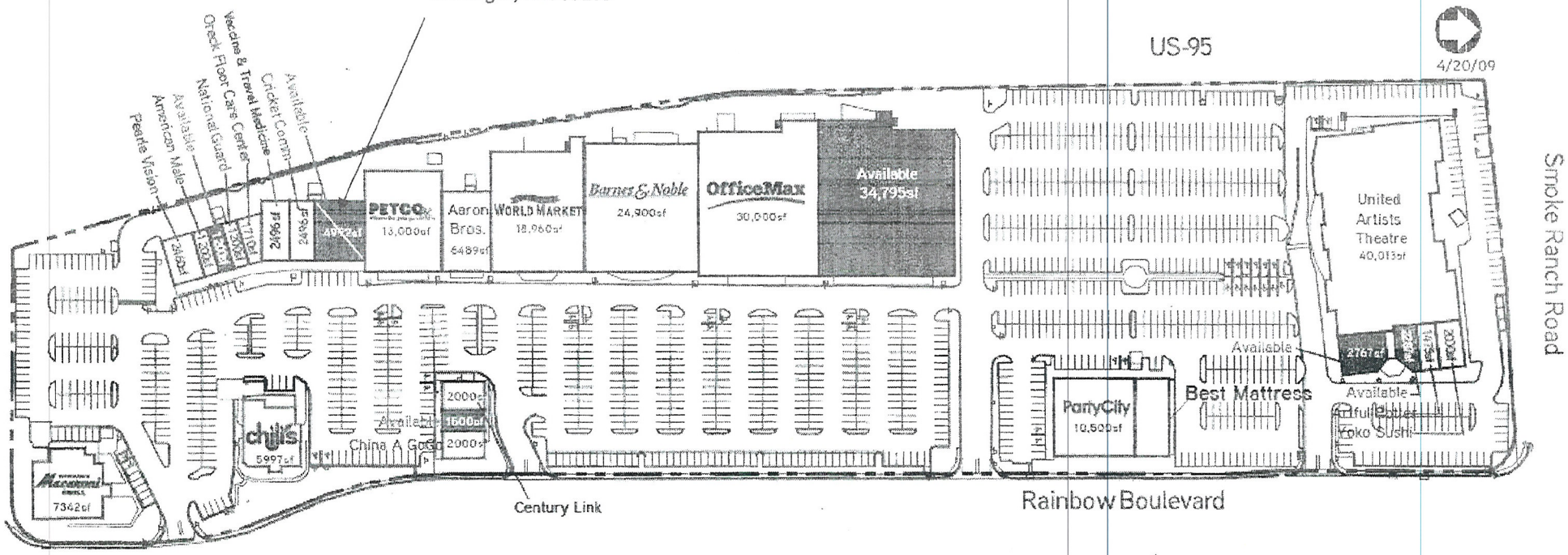
SUP-48146

HAN CHENG LLC

OHJAH JAPANESE STEAKHOUSE SUSHI & HIBACHI

2051 N. Rainbow Blvd #102 & 103

Las Vegas, NV. 89108



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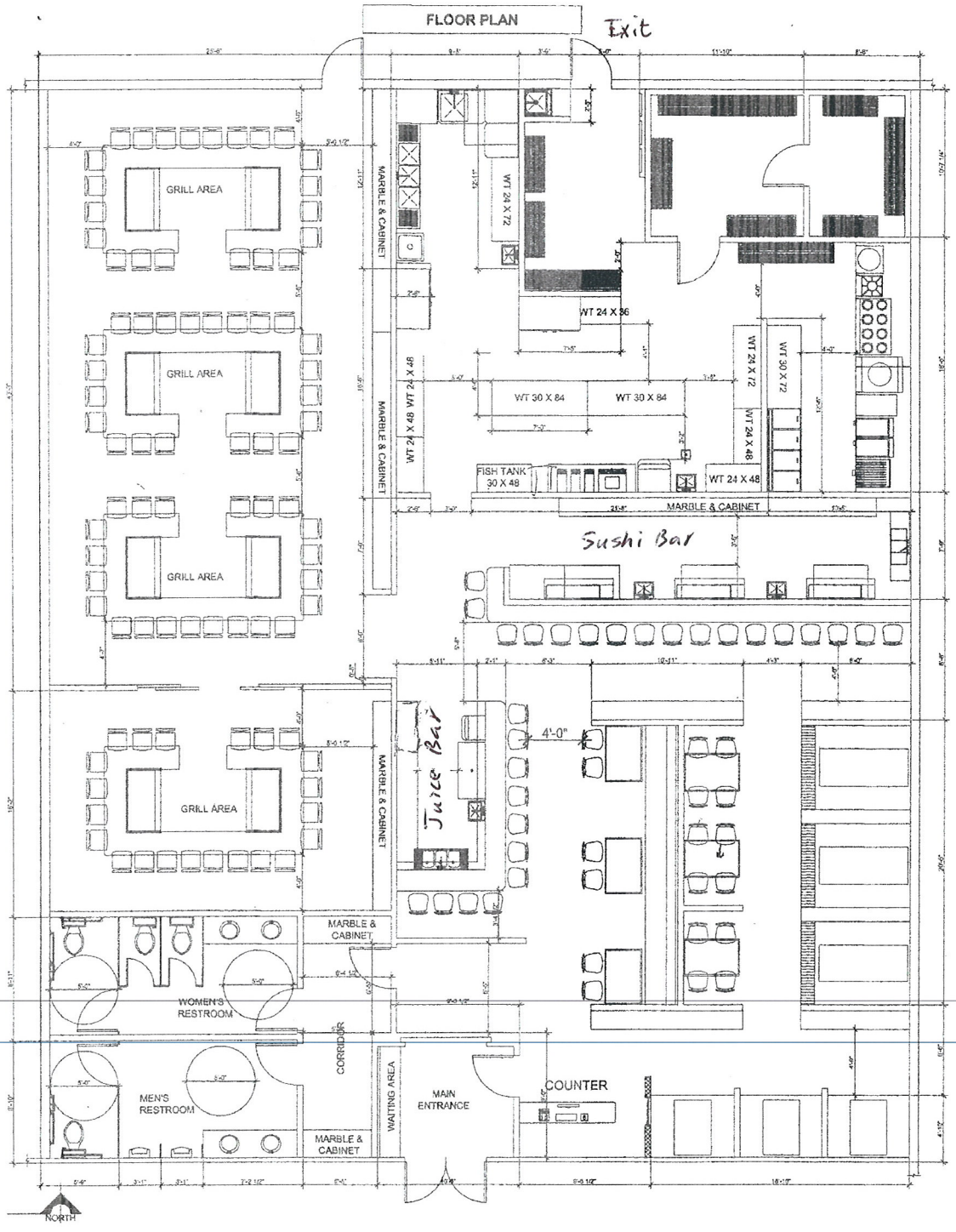
JAN 23 2013

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

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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.

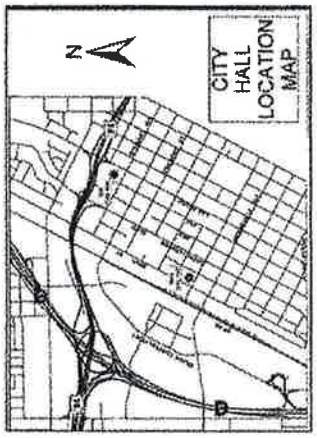
Sincerely,

Zhi Gang Wang

SUP-48146

ity of Las Vegas
epartment of Planning
evelopment Services Center
33 North Rancho Drive, 3rd Floor
as Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



you wish to file your protest or support on this request, check the
ppropriate box below and return this card in an envelope with postage to the
epartment of Planning, Case Planning Division at the address listed above or
x this side of this card to (702) 385-7268. If you would like to contact your
ouncil Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

lease use available blank space on card for your comments.
UP-48146
lanning Commission Meeting of 3/12/2013

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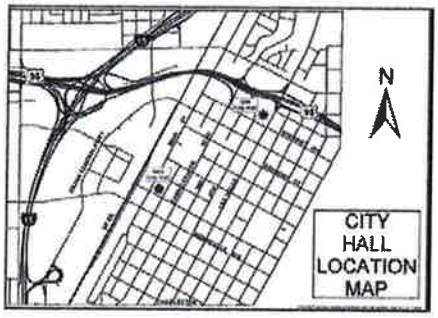
MAR 06 2013
City of Las Vegas
Dept. of Planning

87 LRDGNMP 90804

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

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-48146
Planning Commission Meeting of 3/12/2013

PRESORTED FIRST CLASS
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02 1M $ 00.43³
0004279218 FEB 28 2013
MAILED FROM ZIP CODE 89101

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MAR 07 2013
City of Las Vegas
Department of Planning

Case: SUP-48146
13823122024
JOVENAL REMY B
2309 JAMES BILBRAY DR
LAS VEGAS NV 89108-7319 89108-7319

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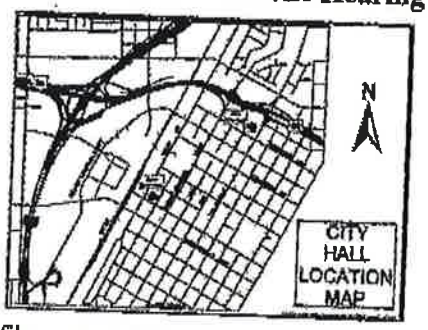
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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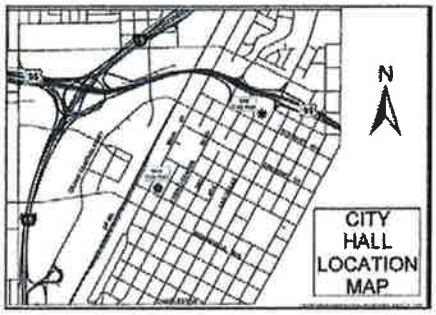
City of Las Vegas
Dept. of Planning

13822610010 Case: SUP-48146
L M MINI STORAGE L P
2990 S DURANGO DR
LAS VEGAS NV 89117-4412 89117-4412

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-48146
Planning Commission Meeting of 3/12/2013

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES 02 1M 0004279218 $ 00.43³ FEB 28 2013 MAILED FROM ZIPCODE 89101

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MAR 11 2013
City of Las Vegas
Dept. of Planning

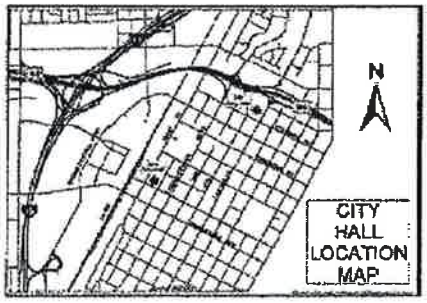
13815811205 Case: SUP-48146
TAMBO VICENTE L & MARILYN B
8910 HIGH HAVEN DR
HOUSTON TX 77083-5822 77083-5822

99 LRDGNMP 77083

27
2A

ty of Las Vegas
epartment of Planning
evelopment Services Center
3 North Rancho Drive, 3rd Floor
is Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



RECEIVED
MAR 05 2013
City of Las Vegas
Dept. of Planning

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Case: SUP-48146
13815811002
CHRISTIAN MICHAEL SR & GWENDOLYN
2636 PORT OF CALL DR
LAS VEGAS NV 89128-7113 89128-7113

☑ I SUPPORT this Request ☐ I OPPOSE this Request

ease use available blank space on card for your comments.
JP-48146
anning Commission Meeting of 3/12/2013

1 1 LRDGNHP 89128

27A

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

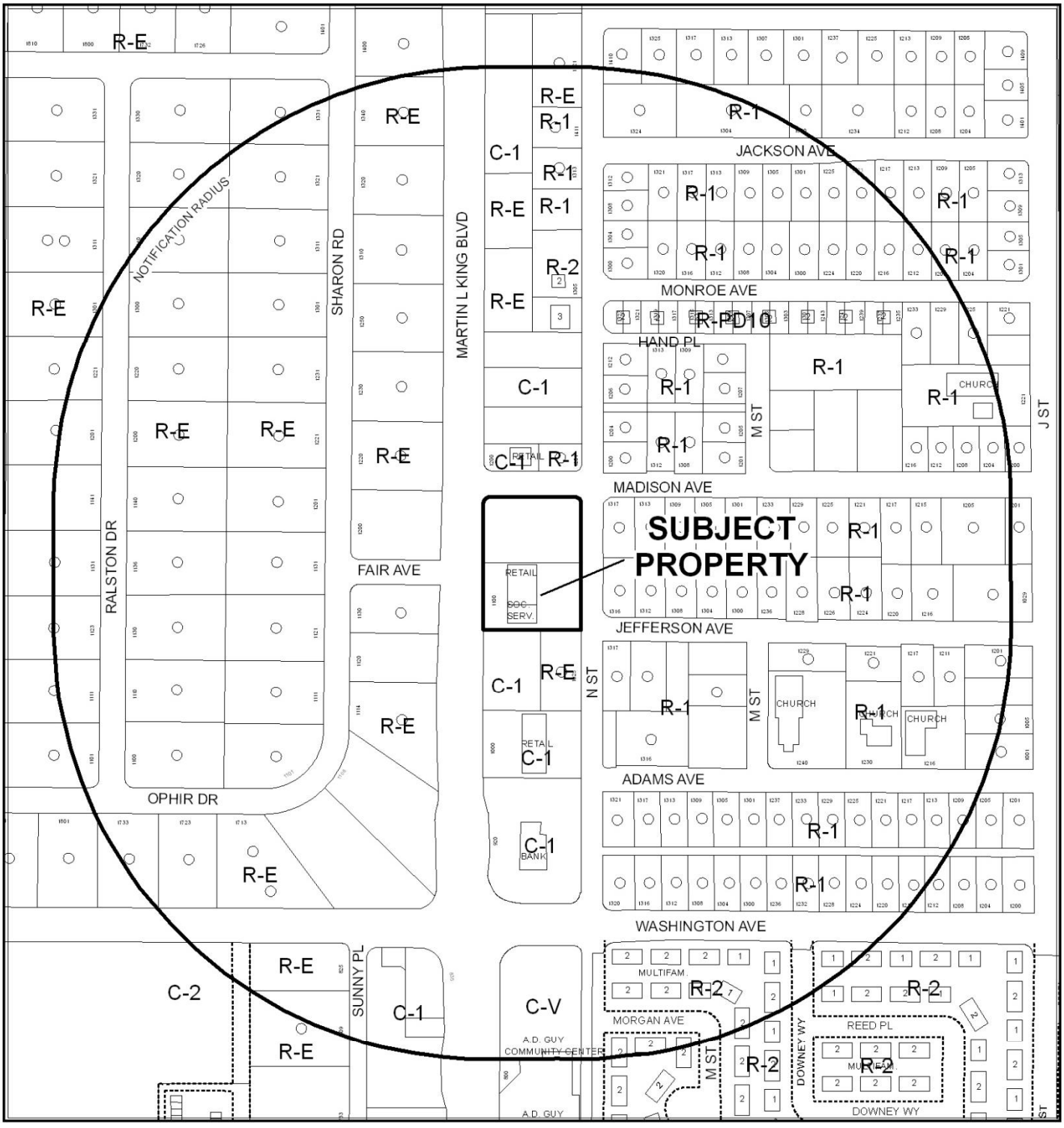
SUBJECT:
ABEYANCE - SDR-48148 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LONNIE WALSTON - For possible action on a request for a Site Development Plan Review FOR A 1,900 SQUARE-FOOT ADDITION TO AN EXISTING 9,471 SQUARE-FOOT RETAIL BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE 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 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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



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: APRIL 9, 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. 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
April 9, 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 48

NOTICES MAILED 203

APPROVALS 2

PROTESTS 1

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

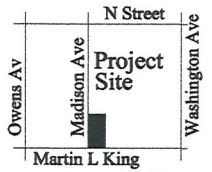
FOR DEPARTMENT USE ONLY

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.

RECEIVED
JAN 23 2013
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

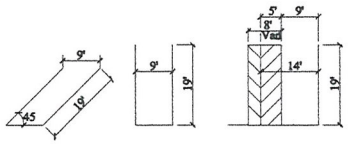
Total Building Area	9,471 gsf
FAR	0.134

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

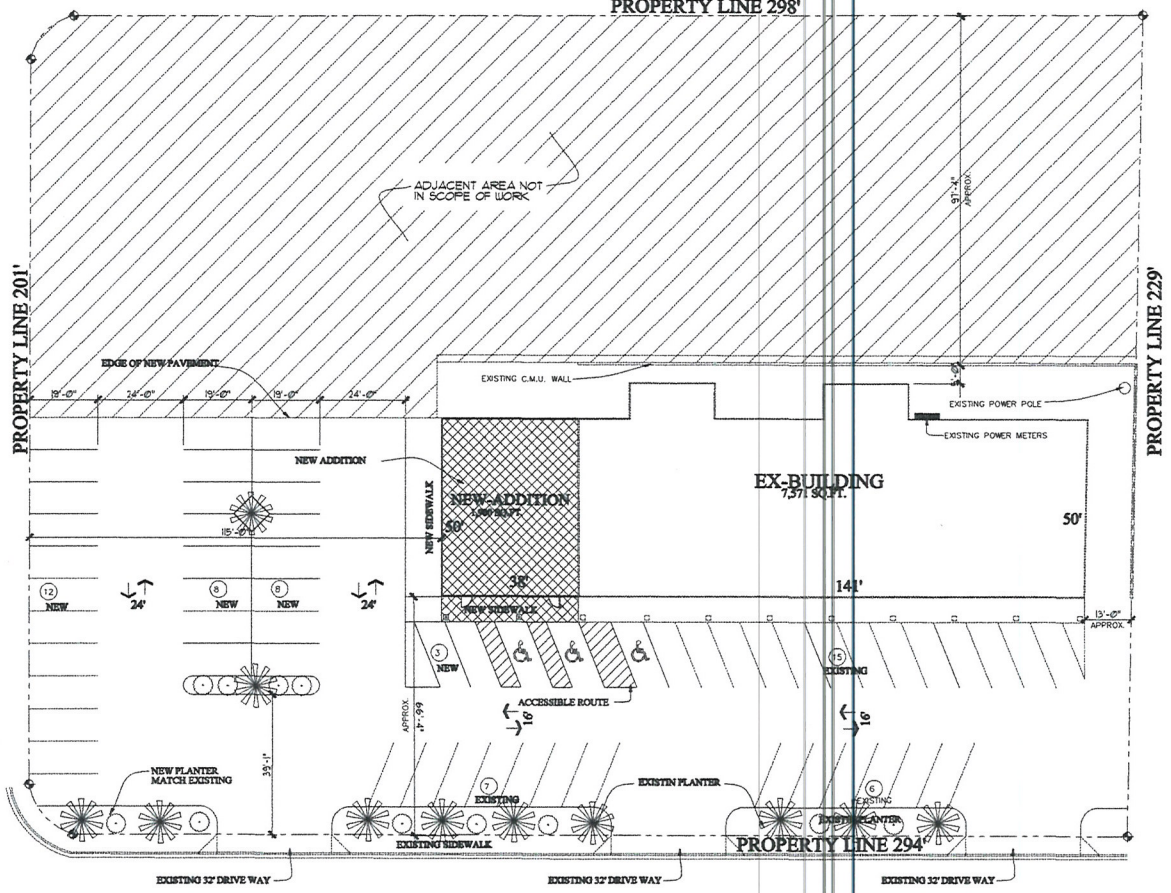


Typical Parking Spaces

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

RECEIVED
JAN 23 2013
City of Las Vegas
Dept. of Planning

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:

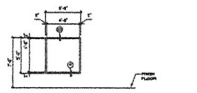
PLOT: 06.04.12 DRAWN: RLS

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



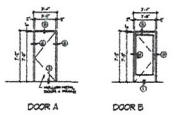
WINDOW TYPE-A

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

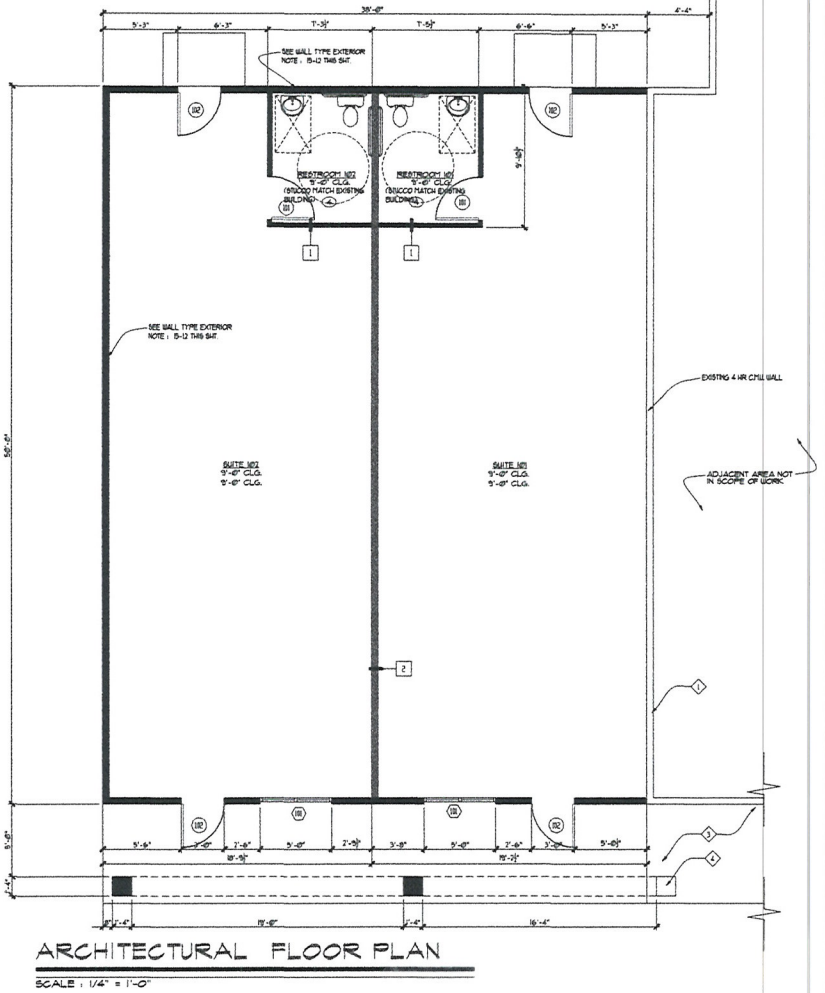
GENERAL DESCRIPTION

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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SDR-48148

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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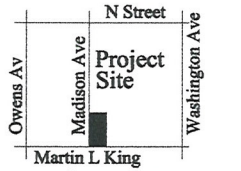


Location Map

VICINITY MAP

NOT TO SCALE

Site Information

ZONING
C1- Commercial District

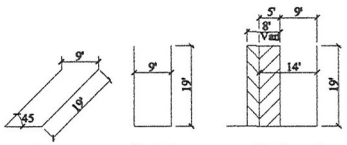
AREA (Approximate)

Net Area:	70,296 sf	1.61 acres

BUILDING AREA

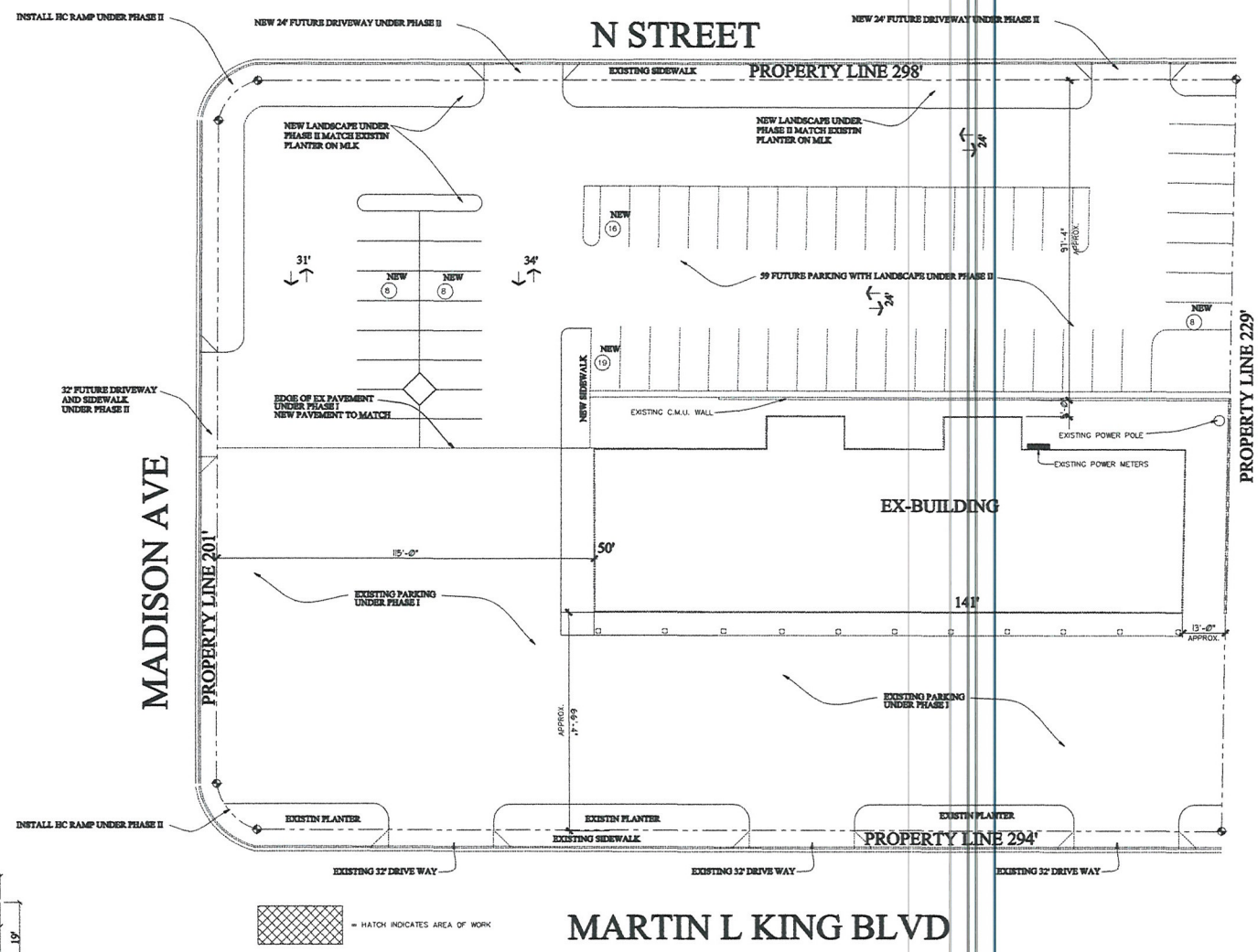
Existing Building	7,571 gsf
New Addition	1,900 gsf

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

SDR-48148

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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

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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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

SDR-48148 – APPLICANT/OWNER: LONNIE WALSTON
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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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City of Las Vegas
Dept. of Planning

SDR-48148

Public Comment Form

Item 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.

Tracking Number PC03122013-38-1

Name Karl W. Armstrong

Address 1931 Fair Ave

City Las Vegas

State Nevada

Zip 89106

Comment I am against item 38 on the Planning Commission agenda for March 12, 2013. It requires landscape buffer variances along the perimeter of the building which requires landscaping in these areas. The landscaping is needed for the aesthetics of the building presently sitting at this location. I question the need for the extension if in order to accomodate the property addition this many waivers are needed to prepareit for its intended use. Further, I wonder whether the lot will support adequate parking for the businesses that presently occupy this commercial plaza.

Vote Against

A DOLLAR BAIL BONDS (702)385-5634 P.1

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 $ 00.43
0004279218 FEB 28 20
MAILED FROM ZIP CODE 891

Return Service Requested
Official Notice of Public Hearing

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48148

Planning Commission Meeting of 3/12/2013

Case: SDR-48148
13928501009
STOWERS STEVIE D & TERRY D
WINDER CHARLES II
8530 GLADE MINNOW AVE
LAS VEGAS NV 89113-1740 89113-1740

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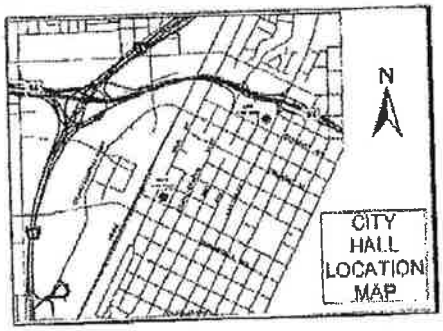
MAR 11 2013
City of Las Vegas
Department of Planning

3/11/13 L 38

Mar 10 13 01:45a Rutha Mcroy 7026476432 p.1

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48148
Planning Commission Meeting of 3/12/2013

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MAR [illegible] 13
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Dept. of Planning

Case: SDR-48148
13928110026
MCROY RUTHA M
1331 SHARON RD
LAS VEGAS NV 89106-2032 89106-2032

26 LRDGNMP 89106

38
A

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

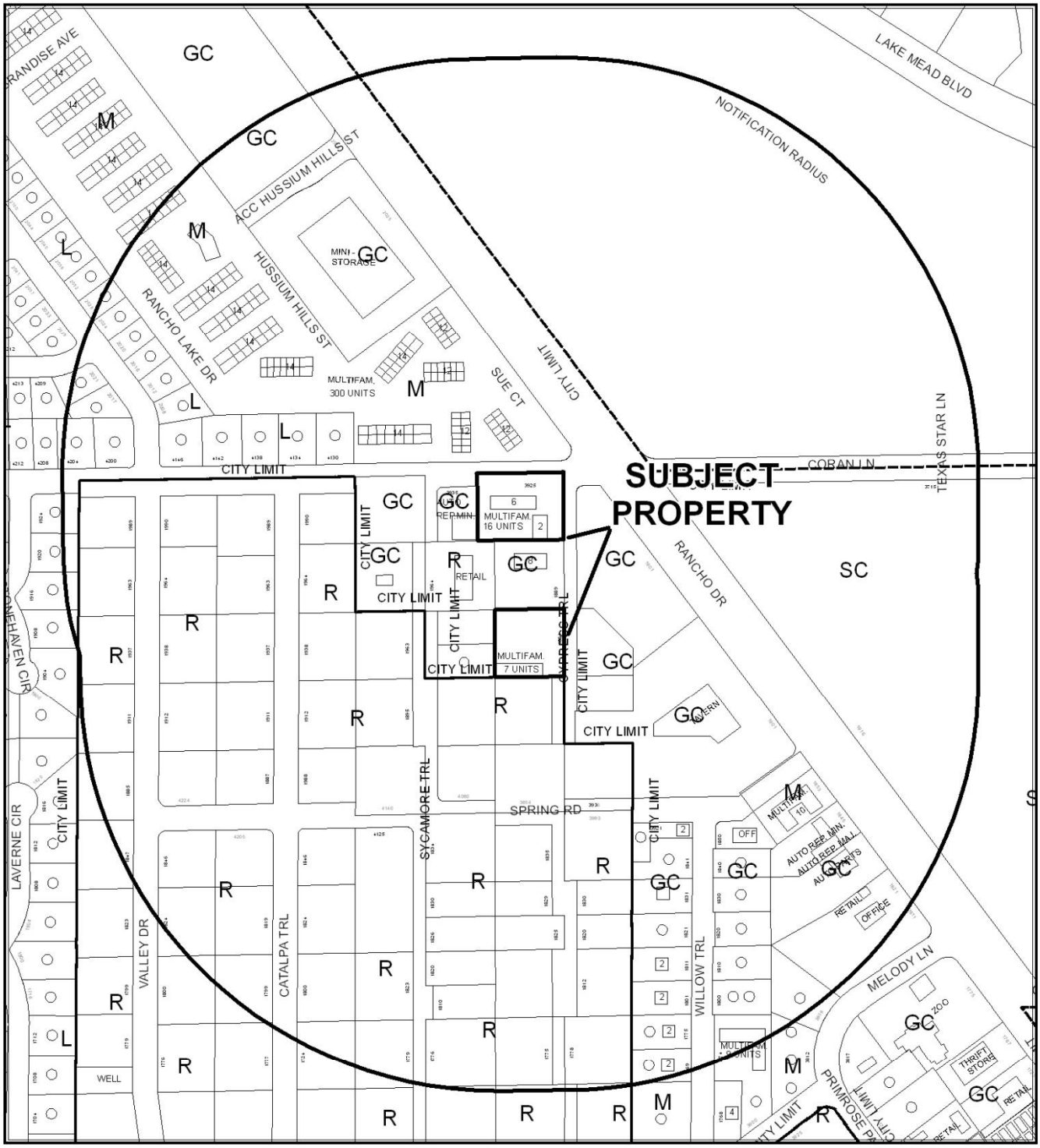
SUBJECT:
GPA-48408 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT, LLC - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL) on 1.4 acres at 3925 Coran Lane and 1881 Cypress Trail (APNs 139-19-703-002 and 007), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

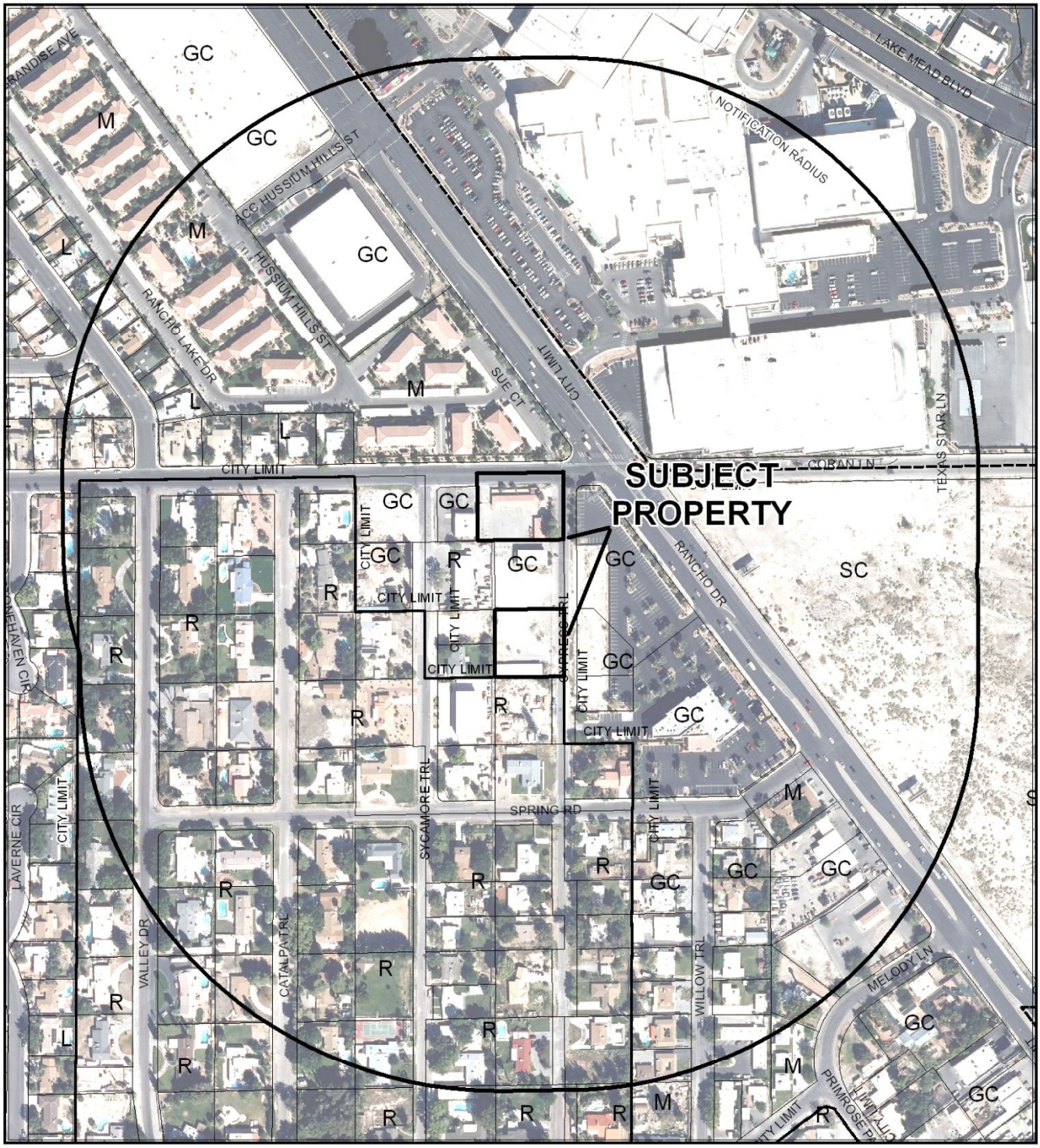


CASE: GPA-48408

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: GC (GENERAL COMMERCIAL)



CASE: GPA-48408

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: GC (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WEST, EAST ASSET MANAGEMENT

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-48408	Staff recommends APPROVAL.	

YK

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant recently purchased two parcels that have inconsistent zoning and general plan classifications due to the fact that the existing zoning designation is C-2 (General Commercial), but the General Plan Land Use designation is M (Medium Density Residential). Currently, apartments are on the sites. The applicant would like to convert these apartments into office and/or retail spaces. In order to move this project forward, the discrepancy in zoning and land use must be corrected. The applicant is requesting to change the General Plan Land Use designation from M (Medium Density Residential) to GC (General Commercial). This change would match the surrounding area and bring the properties into conformance with current zoning and land use policies. Staff supports this request and recommends approval.

ISSUES

- These properties have inconsistent zoning and land use designations due to their incompatible land use designations and corresponding existing zoning categories. Staff supports this application to bring these properties into conformance with existing zoning categories.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/05/63	The Board of Commissioners approved Annexation (A-0011-63) for three acres located on the southwest corner of Cypress Trail and Coran Lane. Staff recommended approval.
10/21/12	A code enforcement notice was issued (#121251) for a temporary fence installed without the proper building permit at 3925 Coran Lane. The case was resolved on 11/08/12.
01/15/13	A code enforcement notice was issued (#123934) for graffiti at 3925 Coran Lane. The case was resolved on 01/22/13.

Most Recent Change of Ownership	
10/22/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No permits on file.

Pre-Application Meeting	
12/12/12	Staff met with the applicant and reviewed the project. At this time, the applicant wasn't sure about the details of how best to use the property. The intent was conveyed to convert the apartments into some type of office/retail use. Since no details were available, staff signed off for a General Plan Amendment checklist only. This is required in order to bring the property into conformance with the existing C-2 (General Commercial) zoning.

Neighborhood Meeting	
03/18/13	Meeting Start Time: 5:45 Meeting End Time: 6:30 Attendance: Public – 1 Applicant – 3 Staff – 1 (Planning) Questions and concerns: • Questions were raised about whether the project would stay on the Eastland Heights water system, or be required to connect to the LVVWD system. • Concerns were raised about the proposed office development; the applicant provided a site plan at the meeting showing the proposed landscaping and parking lot configuration. • Questions were raised about the viability of an office complex based on location and current market conditions. • No issues were raised about the proposed General Plan Amendment, as the properties are already zoned for commercial uses.

Field Check	
02/28/13	Staff visited the site and found the property to be fenced with a six-foot chain link fence. The site was in disrepair with all the buildings vacant. There were several trailers on the site and trash, outside storage and debris throughout the site.

Details of Application Request	
Site Area	
Net Acres	1.39

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property 139-19-703-002	Multi-Family Residential (Apartment)	M (Medium Density Residential)	C-2 (General Commercial)
North	Multi-Family Residential (Apartment)	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	General Retail	R (Rural Density Residential)	C-2 (General Commercial)
	Apartment	GC (General Commercial)	
East	Retail	GC (General Commercial)	C-2 (General Commercial)
West	Auto Repair Garage, Minor	GC (General Commercial)	C-2 (General Commercial)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property 139-19-703-007	Multi-Family Residential (Apartment)	M (Medium Density Residential)	C-2 (General Commercial)
North	Multi-Family Residential (Apartment)	GC (General Commercial)	C-2 (General Commercial)
South	Undeveloped	R (Rural Density Residential)	H-2 (General Highway Frontage) Clark County
East	Undeveloped Retail Pad and Parking lot	GC (General Commercial)	C-2 (General Commercial)
West	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
	Single Family, Detached		R-D (Single Family Residential-Restricted)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (35 Feet) and (70 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

YK

ANALYSIS

These two properties were annexed into the city in 1963 as developed multi-family properties. The land use designation assigned was M (Medium Density Residential), which was appropriate. However, the zoning designation was assigned as C-2 (General Commercial), creating incompatibility between the zoning and land use designation. The property recently had a change of ownership and the new owner would like to explore more commercial uses for the property in line with the existing C-2 (General Commercial) zoning designation. In order for any new commercial uses to be permitted, the General Plan Land Use designation must be changed to correspond with the existing zoning. As a result, the applicant is requesting that the land use designation be changed from M (Medium Density Residential) to GC (General Commercial). The proposed designation is compatible with adjacent land use designation and would bring these properties into conformance with the development patterns of the area and the current zoning district. Staff recommends approval.

FINDINGS (GPA-48408)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The proposed GC (General Commercial) General Plan designation is compatible with the adjacent residential and commercial land uses. The designation would allow for the existing C-2 zoning district to be fully utilized.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The properties are currently zoned C-2 (General Commercial) and the amendment will bring this zoning classification into conformance with the land use designation of the General Plan.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   The infrastructure is currently fully built out adjacent to these properties and is adequate to meet the development needs of the allowed uses under a GC (General Commercial) land use designation.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

The proposed amendment would bring these nonconforming parcels into conformance with all existing City plans and documents.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 395

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-48408** APN: 139-19-703-002, 139-19-703-004, 139-19-703-007

Name of Property Owner: West East Asset Management, LLC

Name of Applicant: West East Asset Management

Name of Representative: James Guan

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: 戴義

Print Name: Yi Dai

Subscribed and sworn before me

This 19 day of February 20 13

Notary Public in and for said County and State

ROXANA M. NIETO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-14-2013
Certificate No: 10-1613-1

RECEIVED
FEB 20 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: West East Asset Management, LLC

Project Address (Location) 3925 Coran Lane

Project Name Rancho Office Park **Proposed Use** office

Assessor's Parcel #(s) 139-19-703-002, ~~139-19-703-004~~, 139-19-703-009 **Ward #**

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

Commercial Square Footage 10,695 **Floor Area Ratio** 0.157

Gross Acres 1.56 **Lots/Units** 3 lots **Density** N/A

Additional Information N/A

PROPERTY OWNER West East Asset Management **Contact** James Guan

Address 325 S. 3rd St. #1-310 **Phone:** 626-384-7037 **Fax:** N/A

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

E-mail Address Jamesg888@hotmail.com

APPLICANT SAME AS ABOVE **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE SAME AS ABOVE **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* 戴義

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

Print Name DAI, YI

Subscribed and sworn before me

This 19 day of February, 20 13.

Roxana Nieto

Notary Public in and for said County and State

ROXANA M. NIETO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-14-2013
Certificate No: 10-1613-1

RECEIVED
FEB 20 2013
City of Las Vegas
Dept. of Planning

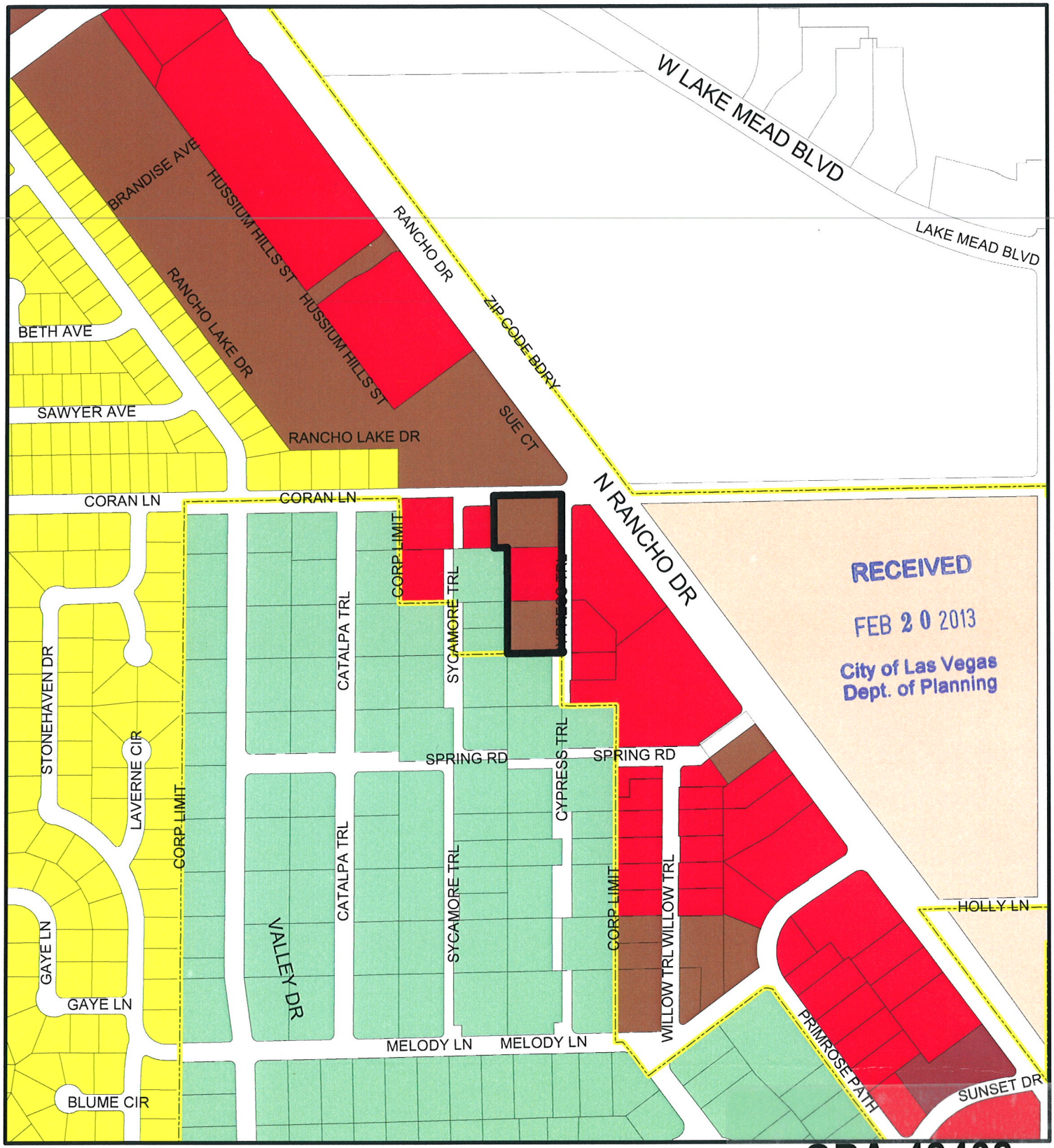
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	GPA-48408
Meeting Date:	04/09/13
Total Fee:	$1500.00
Date Received:*	02/20/13
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.

GENERAL PLAN AMENDMENT Parcel: 139-19-703-002,004,007



GENERAL PLAN AMENDMENT

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Downtown Redevelopment Area
- Park / Recreation / Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Subject Parcel
- City Limits

GPA-48408
FROM M TO GC

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

Printed: February 19, 2013

GPA-48408 - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT
3925 CORAN LANE AND 1881 CYPRESS TRAIL

02/28/13

GPA-48408 - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT
3925 CORAN LANE AND 1881 CYPRESS TRAIL

02/28/13

GPA-48408 - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT
3925 CORAN LANE AND 1881 CYPRESS TRAIL

02/28/13

GPA-48408 - APPLICANT/OWNER: WEST, EAST, ASSET MANAGEMENT
3925 CORAN LANE AND 1881 CYPRESS TRAIL

02/28/13

February 18, 2013

City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada

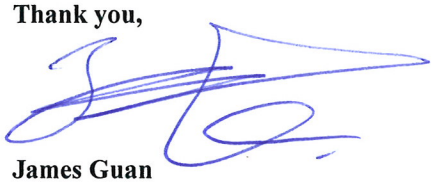
Re: Justification Letter for Application

APN 139-19-703-002,004 & 007 – 3925 Coran st-clv

We are planning on use the (4) existing buildings on property 139-19-703-002,004 & 007. The improvements will be to install new sidewalk along Coran Ln and Cypress trl, with New Driveways, utility services, improvements and landscape per City of Las Vegas Building and IBC requirements. We will incorporate some of the site development additional parking per city std for office complex, the existing building will receive new paint and replace window and new door with energy affection to the IECC 2009 standards and upgrade to restroom per the city std and 2003 ADA requirements. It would also help to create additional jobs for the existing business and enable them to serve more customers. This in turn would bring more people into the area, helping other businesses in the area

If I can be of further assistance, please contact me at your earliest convenience.

Thank you,



James Guan
Property Representative
West East Asset Management, LLC

RECEIVED
FEB 20 2013
City of Las Vegas
Dept. of Planning

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

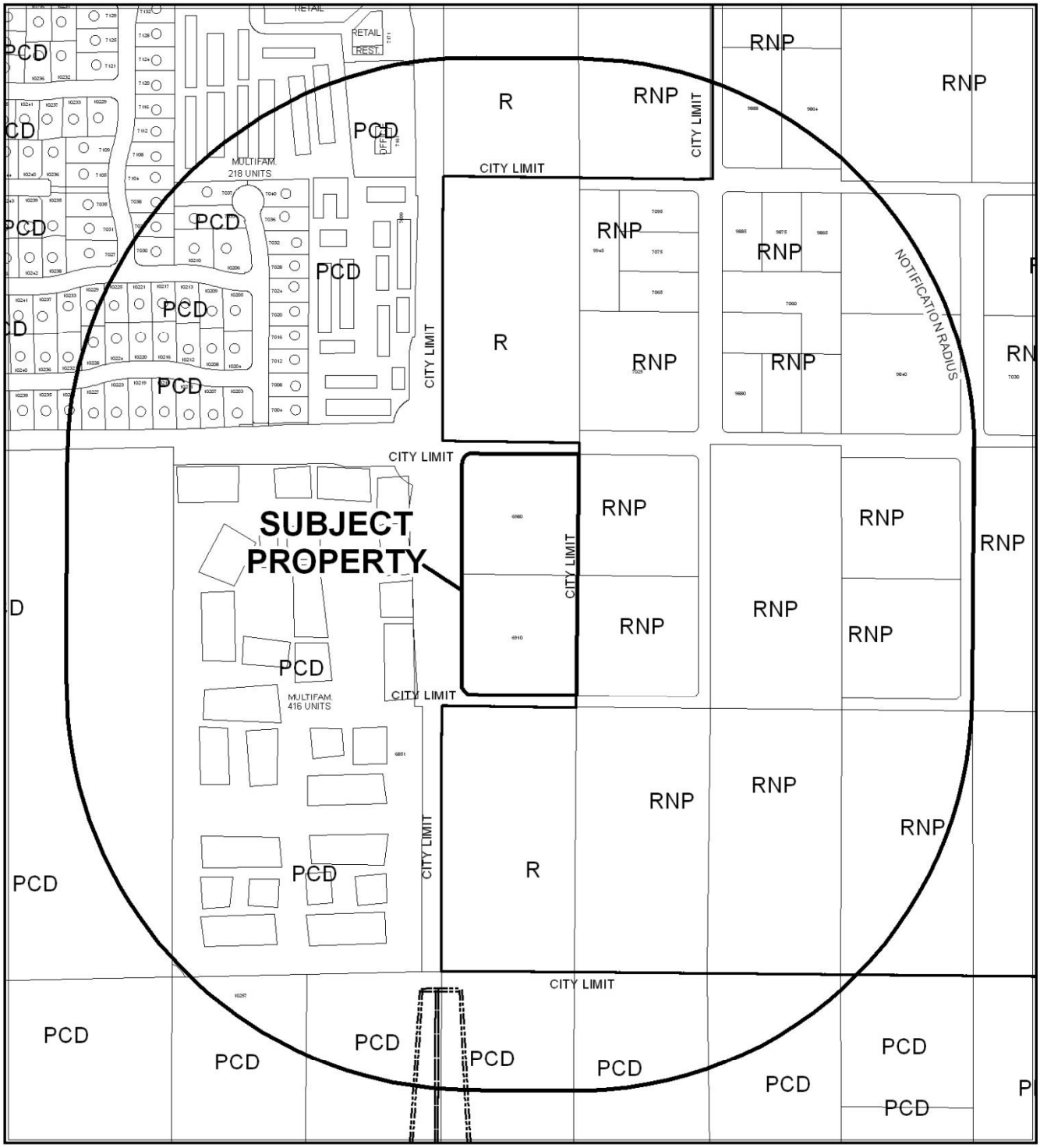
SUBJECT:
GPA-48471 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), Ward 6 (Ross). Staff recommends APPROVAL.

C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Staff Report - GPA-48471 and ZON-48472
3. Supporting Documentation
4. Photos - GPA-48471 and ZON-48472
5. Justification Letter



CASE: GPA-48471

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)

CASE: GPA-48471

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: DR HORTON, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-48471	Staff recommends APPROVAL.	
ZON-48472	Staff recommends APPROVAL.	GPA-48471

SS

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to rezone 4.14 acres of undeveloped land at the southeast corner of Hualapai Way and Dorrell Lane for construction of a future residential development. The applicant is also requesting a General Plan Amendment in order to allow for a higher density development than is currently allowed by the General Plan. As the proposed L (Low Density Residential) designation will provide an adequate transition from rural residential uses to the east of the subject property to multi-family uses west of Hualapai Way, staff recommends approval of the General Plan Amendment. The requested rezoning to R-1 (Single Family Residential) is likewise appropriate for this site and will conform to the L designation; therefore, staff recommends approval of the proposed Rezoning. If denied, the current zoning and land use designations will remain, and the site could not otherwise be developed.

ISSUES

- The subject site can no longer be developed under the existing R-PD3 (Residential Planned Development – 3 Units per Acre) zoning designation, as the approvals for the residential development tied to the current zoning approval have expired and the Unified Development Code (UDC) does not support R-PD districts. Therefore, in order to be developed, the site must be rezoned to a standard zoning district.
- The applicant requests a General Plan Amendment to change the land use designation on the subject site from R (Rural Density Residential) to L (Low Density Residential) to allow for a wider range of density for future residential development.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/04/04	The City Council approved a Petition to Annex (ANX-4451) approximately 5.35 acres at the southeast corner of Hualapai Way and Dorrell Lane. The annexation became effective 08/13/04.
01/19/05	The City Council approved a Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential)] to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/19/05	The City Council approved a Variance (VAR-5377) to allow no open space where 13,633 SF was required on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-4626) for a proposed 19-lot single-family residential development on 5.35 acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
04/06/05	The City Council approved a Waiver of Title 18 (WVR-6035) to allow a 209-foot separation between intersections where 220 feet is required for a proposed residential development on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
09/07/05	The City Council approved a Petition to Vacate (VAC-7657) U.S. Government Patent Easements generally located adjacent to Hualapai Way between Dorrell Lane and Haley Avenue. The Order of Relinquishment of Interest was recorded 08/29/06.
02/07/07	The City Council approved Extensions of Time (EOT-18955, EOT-18954, EOT-18952) for the approved Rezoning (ZON-4623), Variance (VAR-5377) and Site Development Plan Review (SDR-4626) through 01/19/09. Staff recommended approval.
09/05/07	The City Council approved a Major Amendment (SDR-22253) of the approved Site Development Plan Review (SDR-4626) to change the access to the development from Dorrell Lane to Haley Avenue (19 lots remained). An accompanying Title 18 Waiver (WVR-22255) was also approved to adjust the intersection distance separation on the new development. The Planning Commission and staff recommended approval.
10/25/07	The Planning Commission approved a Tentative Map (TMP-24461) for a 19-lot single family residential subdivision on 5.36 acres at the southeast corner of Hualapai Way and Dorrell Lane. The map expired 10/25/11, as no final map on at least a portion of the site was recorded within four years of the approval.
02/04/09	The City Council approved Extensions of Time (EOT-32752 and EOT-32753) for the approved Rezoning (ZON-4623) and Variance (VAR-5377) through 01/19/11. Staff recommended approval.
10/07/09	The City Council approved Extensions of Time (EOT-35681 and EOT-35680) for the amended Waiver (WVR-22255) and Site Development Plan Review (SDR-22253) through 01/19/11. Staff recommended approval.
03/02/11	The City Council approved Extensions of Time (EOT-40746, EOT-40744 and EOT-40745) for the approved Variance (VAR-5377), amended Site Development Plan Review (SDR-22253) and Waiver (WVR-22255). Staff recommended approval. The approvals expired 01/19/13. The approval for ZON-4623 was extended indefinitely (EOT-40742) and hard zoned to R-PD3 (Residential Planned Development – 3 Units Per Acre).

Most Recent Change of Ownership	
09/22/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No permits or licenses are related to the subject site.

Pre-Application Meeting	
02/14/13	A pre-application meeting was held with the applicant to discuss submittal requirements for General Plan Amendment and Rezoning applications. The following issues were discussed: • The property cannot be developed as a residential planned development under the UDC, and the approvals for the previous development have expired. • The surrounding streets have all been dedicated; therefore, the gross area of the site cannot include any right-of-way. • Design of any future subdivision will be reviewed separately, after approval of the Rezoning and General Plan Amendment. • A neighborhood meeting is required.

Neighborhood Meeting	
03/18/13	A neighborhood meeting was held at the Centennial Hills Library, 6711 North Buffalo Drive. Seven members of the public, one member of the development team, one member from the Council Office and one member of Planning staff were in attendance. Issues and concerns raised and discussed at the meeting included the following: • Grading so as not to fill beyond the current grade • No three story product • Opposed to any density above 2.00 units/acre • Traffic on Hualapai Way is too much now; this would add even more traffic • Request for a traffic study • Request that landscaping match Cliff's Edge Development Standards • Keep the area as Rural Preservation land use One person was in support of the project.

Field Check	
02/28/13	The site is undeveloped, containing rocky soil and native vegetation. Neighboring properties to the east are also undeveloped. An ungraded road follows the Dorrell Lane alignment to the east. The site is partially cleared along the eastern boundary. A subdivision sign is located on the south end of the property.

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

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
North	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
South	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
East	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
West	Multi-Family Resdiential	Medium Density Residential	PD (Planned Development)

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

DEVELOPMENT STANDARDS

Pursuant to 19.06, the following standards apply:

Standard	*Required*
Min. Lot Size	6,500 SF
Min. Lot Width	65 Feet
Max. Lot Coverage	50%
Min. Setbacks: Front Side Corner Side Rear	 20 Feet 5 Feet 15 Feet 20 Feet

Existing Zoning	*Permitted Density*	*Units Allowed*
R-PD3 (Residential Planned Development – 3 Units Per Acre)	Up to 3.49 units/acre	14
Proposed Zoning	***Permitted Density***	***Units Allowed***
R-1 (Single Family Residential)	Up to 8.49 units/acre	35
General Plan	***Permitted Density***	***Units Allowed***
R (Rural Density Residential)	Up to 3.59 units/acre	14
Proposed General Plan	***Permitted Density***	***Units Allowed***
L (Low Density Residential)	Up to 5.49 units/acre	22

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

ANALYSIS

The subject property is situated on the boundary between the City of Las Vegas and unincorporated Clark County and is located within the Interlocal Planning Area. As the property is not within an excepted area of the Interlocal Area, the density can be increased on the property. Properties to the east of the subject site are designated RNP (Rural Neighborhood Preservation) by the Centennial Hills Interlocal Land Use Plan and are limited to two dwelling units per acre.

If approved, the maximum number of units that can be approved for the subject site under the L (Low Density Residential) land use designation is 22. This is a difference of eight units (single-family lots) from the current R (Rural Density Residential) designation. (See table above.)

As the subject site is located along a 100-foot right-of-way (Hualapai Way), an appropriate use is multi-family residential. However, as the area to the east of the site can be characterized as rural residential, the submitted requests will allow for lower densities that will provide a harmonious transition to existing multi-family uses on the west side of Hualapai Way.

FINDINGS (GPA-48471)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The proposed amendment to L (Low Density Residential) will allow for single-family residential densities that will provide an appropriate transition from R (Rural Density Residential) designated properties on the east to M (Medium Density Residential – Cliff's Edge) designated properties to the west.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The General Plan allows for the subject site to be rezoned to R-1 (Single Family Residential), R-MH (Mobile/Manufactured Home Residence) or R-E (Residence Estates). The R-1 and R-E Districts would be compatible with the adjacent Clark County zoning districts as a buffer from the existing multi-family uses on the west side of Hualapai Way.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   The subject property is located along a 100-foot right-of-way that will be fully improved concurrent with development of the site. Bozarth Elementary School, Escobedo Middle School and Centennial High School serve the vicinity. According to the Clark County School District, the elementary and high schools are currently over capacity; however, no new schools are planned in the area. The number of additional students that could be generated by future development on the subject site is expected to be small.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

   The proposed General Plan amendment conforms to the Interlocal Agreement between the City of Las Vegas and Clark County. The proposal is the first step in creating future residential development that provides more opportunities for home ownership and housing choice. The request is in line with Policy 3.2.1 of the Las Vegas 2020 Master Plan which states, "that 'rural preservation neighborhoods,' as defined by the State of Nevada, be afforded the required transitional buffer where such portions of the required buffer area fall within the City of Las Vegas and are lands that are currently vacant."

FINDINGS (ZON-48472)

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

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

   With approval of the companion General Plan Amendment to the L (Low Density Residential) land use designation, the proposed Rezoning to R-1 (Single Family Residential) will conform to the density requirements of the General Plan.

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

   The R-1 (Single Family Residential) District would allow for single family dwellings and accessory uses on lots of at least 6,500 square feet. The properties east of Hualapai Way are undeveloped, but are limited to a maximum residential density of two units per acre. Future single family development on this site would provide an appropriate buffer between the existing multi-family uses to the west and rural residential uses to the east.

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

   The existing zoning designation of R-PD3 (Residential Planned Development – 3 Units Per Acre) is no longer developable, as the development review approval that accompanied the zoning approval has expired, and Title 19 (Unified Development Code) no longer supports new R-PD zones. A medium density zone is appropriate as a buffer between multi-family and rural residential designated lands. The R-1 (Single Family Residential) District is therefore appropriate for residential development of the subject site.

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

Access to the property may be from Hualapai Way, a Primary Arterial, or from Dorrell Lane and Haley Avenue, two Minor Streets. Access to residential developments is not recommended from a large capacity roadway such as Hualapai Way.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 79

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-48471** APN: 125-19-201-001 and 003

Name of Property Owner: DR Horton, Inc.

Name of Applicant: DR Horton, Inc.

Name of Representative: Slater Hanifan Group

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Bradley F. Burns

Subscribed and sworn before me

This 20th day of February, 2013

Barbara A. Bross

Notary Public in and for said County and State

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

RECEIVED

FEB 21 2013

City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: General Plan Amendment

Project Address (Location) Dorrell/Hualapai

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

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

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

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

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

Additional Information _____

PROPERTY OWNER DR Horton, Inc. **Contact** _____

Address 330 Carousel Parkway **Phone:** (702) 635-3650 **Fax:** _____

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

E-mail Address _____

APPLICANT DR Horton, Inc. **Contact** _____

Address 330 Carousel Parkway **Phone:** (702) 635-3650 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE Slater Hanifan Group **Contact** Chelsea Peltier

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

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

E-mail Address cpeltier@shg-inc.com

RECEIVED
FEB 21 2013
City of Las Vegas
Department of Planning

Property Owner Signature* _____

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

Print Name Bradley E Burns

Subscribed and sworn before me

This 20th day of February, 2013

Barbara A. Bross

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

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	GPA-40421
Meeting Date:	4/9/13
Total Fee:	2000.00
Date Received:*	2/21/13
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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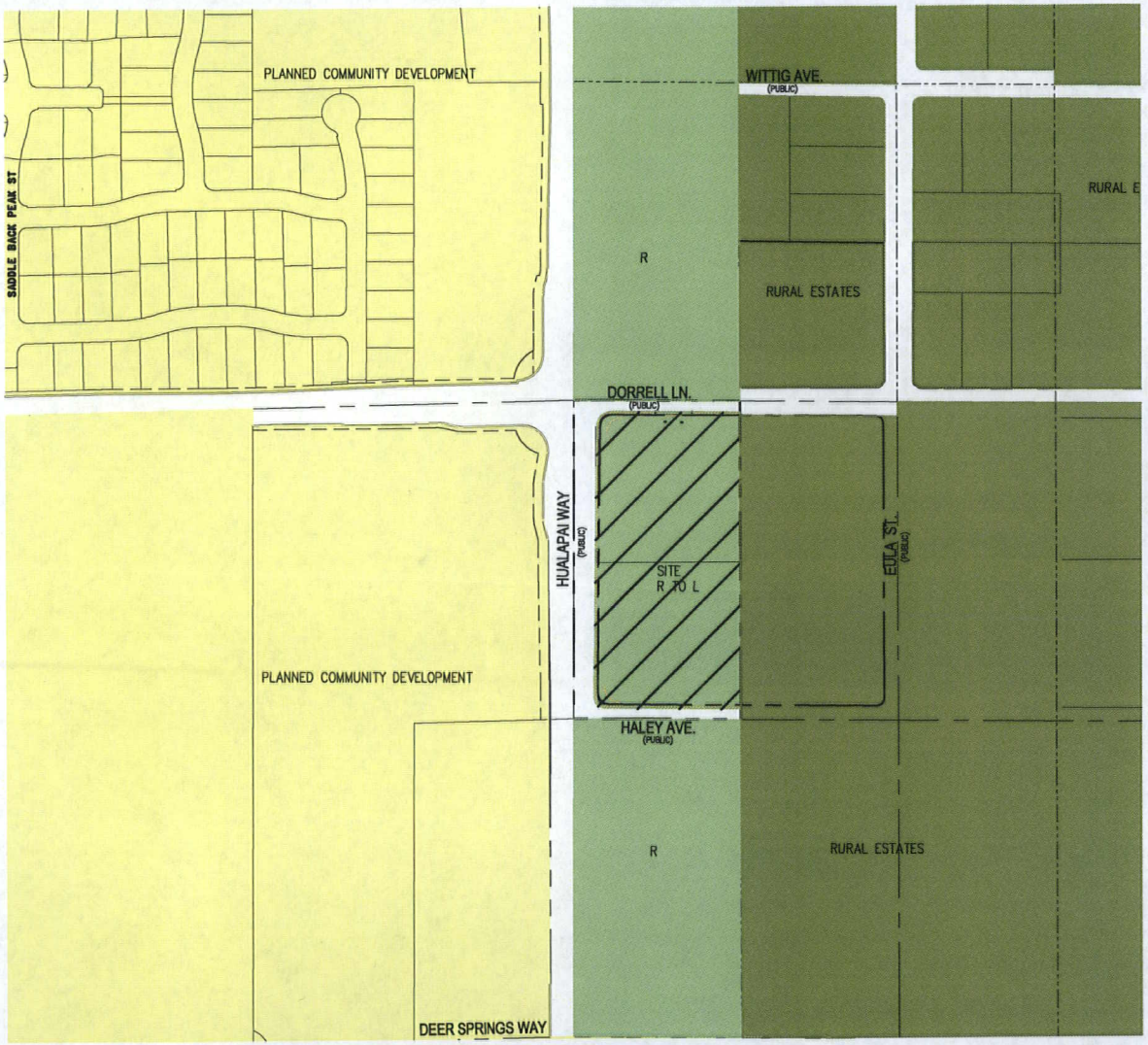
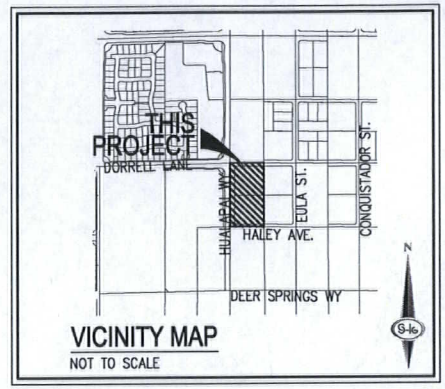




LEGEND

- PLANNED COMMUNITY DEVELOPMENT
- R (RURAL DENSITY RESIDENTIAL)
- RURAL ESTATES

RECEIVED
MAR 2 6 2013
City of Las Vegas
Department of Planning

0 250 500
SCALE – 1"=250' FEET

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. ARVILLE STREET #219, LAS VEGAS, NV 89118
PHONE (702) 394-5300 FAX (702) 394-5399

NO.	DESCRIPTION	DATE	BY	APP'D

DR HORTON

DORRELL / HUALAPAI WEST
LOCATION MAP - GENERAL PLAN

DATE: 2/21/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO. DRH1230.000

EX-1
SHEET 1 OF 1

GPA-48471
REVISED

F:\drh1230-000 dorrell hualapai\dwg\entitlements\drh1230.000-land_use.dwg 3/26/2013 2:22 PM Efraim Balizan

GPA-48471 & ZON-48472 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

02/28/13

GPA-48471 & ZON-48472 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

02/28/13

GPA-48471 & ZON-48472 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

02/28/13

GPA-48471 & ZON-48472 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

02/28/13

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

DRH1230-001

February 21, 2013

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

RECEIVED
FEB 21 2013
City of Las Vegas
Department of Planning

SUBJECT: **Justification Letter for a General Plan Amendment and Zone Change Request for Dorrell/Hualapai West.**

Slater Hanifan Group, on behalf of the applicant, D.R. Horton, respectfully submits this justification letter in support of a General Plan Amendment (GPA) and Zone Change (ZON) for the subject site.

The subject site is located at the southeast corner of Hualapai Way and Dorrell Lane. The Assessor's Parcel Numbers are 125-19-201-001 and 003. The parcels are approximately 4.14 gross acres combined.

The purpose of the GPA request is to revise the General Plan from *Rural Density Residential* (R) to *Low Density Residential* (L) which would allow up to 5.49 dwelling units per gross acre (du/ac). The requested zone change would be from Residential Planned Development (R-PD3) to Single Family Residential (R-1).

The proposed development includes 18 single family residential lots on the 4.14 acres, which results in a density of 4.35 dwelling units per acre (du/ac). The minimum lot square footage would be 6,500 with a minimum lot width of 60 feet.

The proposed development would serve as transitional zoning from the properties to the east, which are currently in the County and zoned Rural Estates Residential, from the existing Planned Development District (PD) across Hualapai Way, east of the site, which consists of a higher density, apartment development. The properties to the immediate north and south are undeveloped and located within the County and are currently zoned Rural Estates Residential. The proposed

GPA-48471

development would fit in to the character of the neighborhood in terms of providing a large lot single family subdivision.

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

Slater Hanifan Group, Inc.

Darrin Pappa, P.E.
Project Manager

Cc:
Brad Burns, DR Horton
Matt Stark, DR Horton
Chelsea Peltier, SHG

RECEIVED
FEB 21 2013
City of Las Vegas
Department of Planning

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
ZON-48472 - REZONING RELATED TO GPA-48471 - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Rezoning FROM: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), Ward 6 (Ross). Staff recommends APPROVAL.

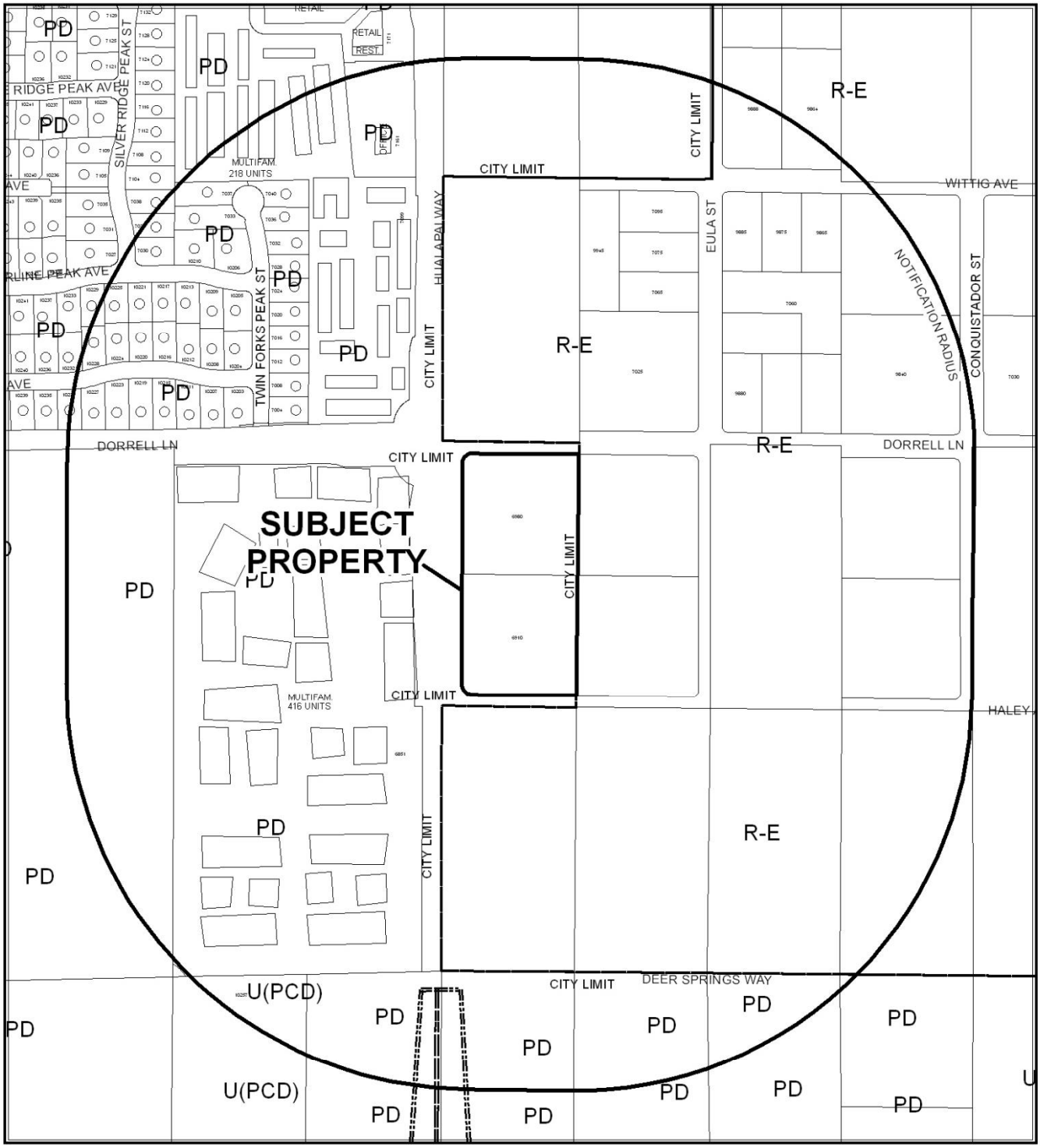
C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Justification Letter

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



CASE: ZON-48472

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

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

0 200 400 Feet

CASE: ZON-48472

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

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

N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-48472** APN: 125-19-201-001 and 003

Name of Property Owner: DR Horton, Inc.

Name of Applicant: DR Horton, Inc.

Name of Representative: Slater Hanifan Group

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Bradley F. Burns

Subscribed and sworn before me

This 20th day of Feb, 2013

Barbara A. Bross

Notary Public in and for said County and State

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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Rezone

Project Address (Location) Dorrell/Hualapai

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

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

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

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

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

Additional Information _____

PROPERTY OWNER DR Horton, Inc. **Contact** _____

Address 330 Carousel Parkway **Phone:** (702) 635-3650 **Fax:** _____

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

E-mail Address _____

APPLICANT DR Horton, Inc. **Contact** _____

Address 330 Carousel Parkway **Phone:** (702) 635-3650 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE Slater Hanifan Group **Contact** Chelsea Peltier

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

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

E-mail Address cpeltier@shg-inc.com

Property Owner Signature* _____

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

Print Name Bradley F Burns

Subscribed and sworn before me

This 20th day of February, 20 13.

Barbara A. Bross

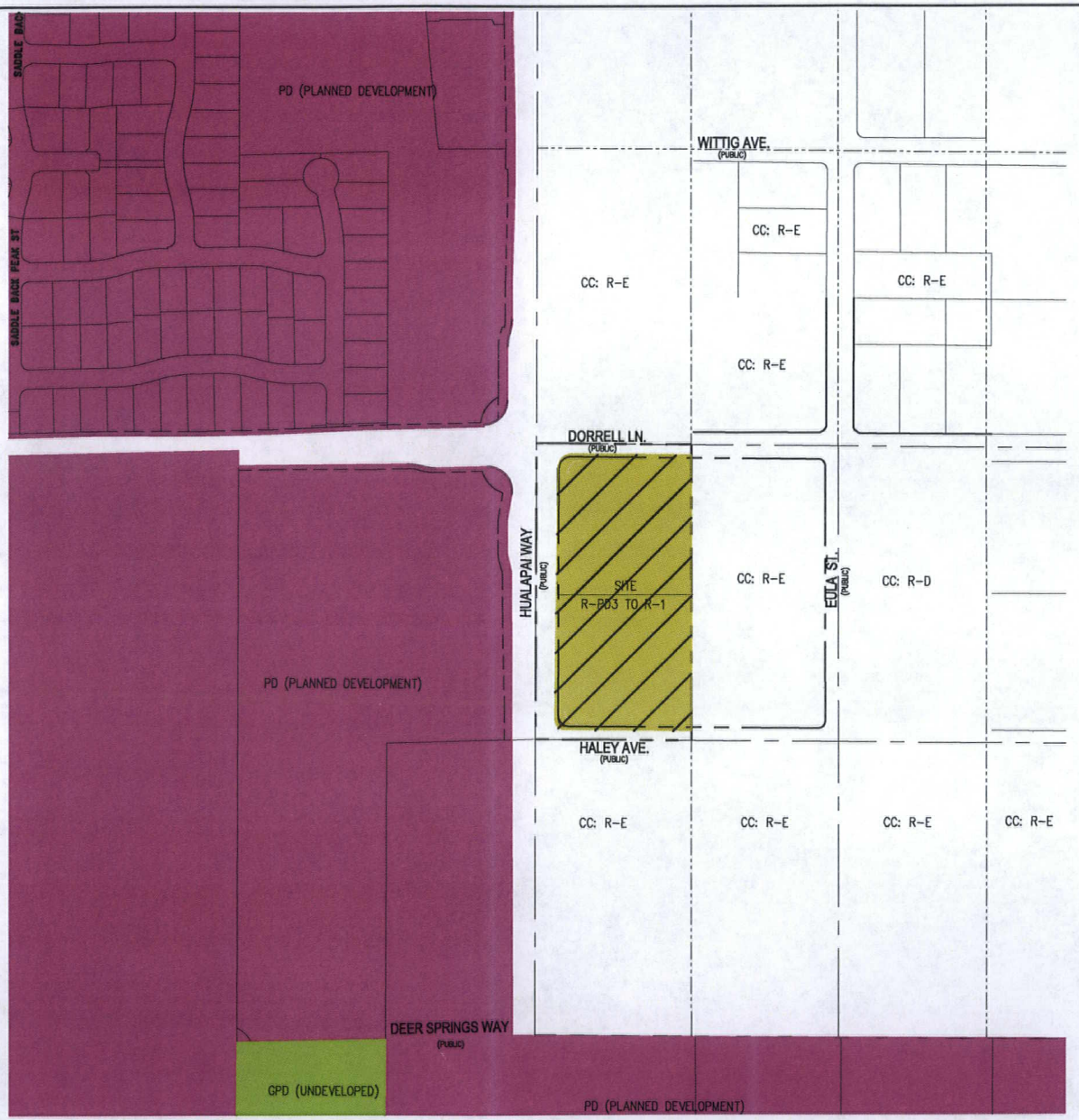
Notary Public in and for said County and State

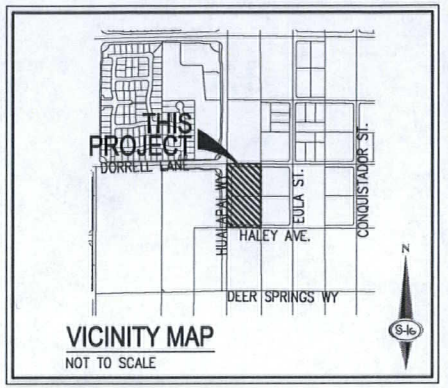
BARBARA A. BROSS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 98-2673-1
My Appt. Expires Mar 23, 2014

FOR DEPARTMENT USE ONLY

Case #	ZON-48472
Meeting Date:	4/9/13
Total Fee:	$ 1200.-
Date Received:*	2/21/13
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
NOT TO SCALE

LEGEND

- PD – PLANNED DEVELOPMENT
- R-PD3 – RESIDENTIAL PLANNED DEVELOPMEN
- U- (GPA DESIGNATION) UNDEVELOPED
- CLARK COUNTY

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City of Las Vegas
Department of Planning

N

0 250 500
SCALE – 1"=250' FEET

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
8740 A. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-3388 FAX (702) 284-3389

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

DR HORTON

DORRELL / HUALAPAI WEST
LOCATION MAP - ZONING DISTRICTS

DATE: 2/21/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO. DRH1230.000

EX-1
SHEET 1 OF 1

j:\drh1230-000 dorrell hualapai\dwg\entitlements\drh1230.000-zoning.dwg 3/26/2013 2:21 PM Efraim Balizon

ZON-48472
REVISED

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

DRH1230-001

February 21, 2013

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

SUBJECT: **Justification Letter for a General Plan Amendment and Zone Change Request for Dorrell/Hualapai West.**

Slater Hanifan Group, on behalf of the applicant, D.R. Horton, respectfully submits this justification letter in support of a General Plan Amendment (GPA) and Zone Change (ZON) for the subject site.

The subject site is located at the southeast corner of Hualapai Way and Dorrell Lane. The Assessor's Parcel Numbers are 125-19-201-001 and 003. The parcels are approximately 4.14 gross acres combined.

The purpose of the GPA request is to revise the General Plan from *Rural Density Residential* (R) to *Low Density Residential* (L) which would allow up to 5.49 dwelling units per gross acre (du/ac). The requested zone change would be from Residential Planned Development (R-PD3) to Single Family Residential (R-1).

The proposed development includes 18 single family residential lots on the 4.14 acres, which results in a density of 4.35 dwelling units per acre (du/ac). The minimum lot square footage would be 6,500 with a minimum lot width of 60 feet.

The proposed development would serve as transitional zoning from the properties to the east, which are currently in the County and zoned Rural Estates Residential, from the existing Planned Development District (PD) across Hualapai Way, east of the site, which consists of a higher density, apartment development. The properties to the immediate north and south are undeveloped and located within the County and are currently zoned Rural Estates Residential. The proposed

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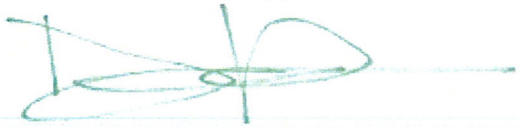
City of Las Vegas
Department of Planning

ZON-48472

development would fit in to the character of the neighborhood in terms of providing a large lot single family subdivision.

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

Slater Hanifan Group, Inc.



Darrin Pappa, P.E.
Project Manager

Cc:
Brad Burns, DR Horton
Matt Stark, DR Horton
Chelsea Peltier, SHG

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City of Las Vegas
Department of Planning

ZON-48472

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

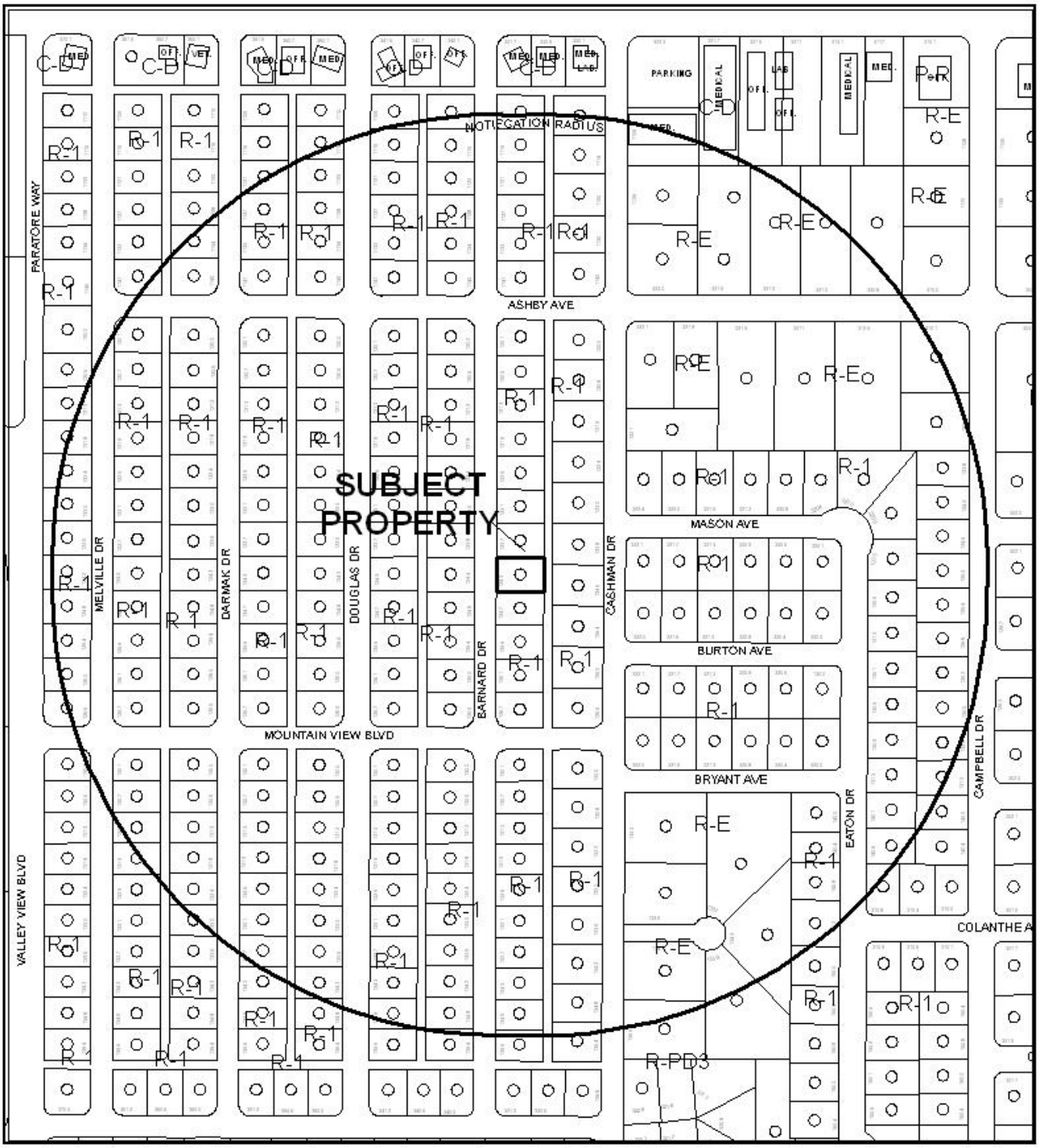
SUBJECT:
VAR-47494 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM BIRTHISEL - For possible action on a request for a Variance TO ALLOW AN EXISTING ACCESSORY STRUCTURE (CLASS II) TO BE LOCATED IN THE FRONT YARD WHERE SUCH IS NOT PERMITTED AND TO ALLOW SETBACKS OF NINE FEET IN THE FRONT YARD AND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

MAY GO TO CITY COUNCIL ON 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**5**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

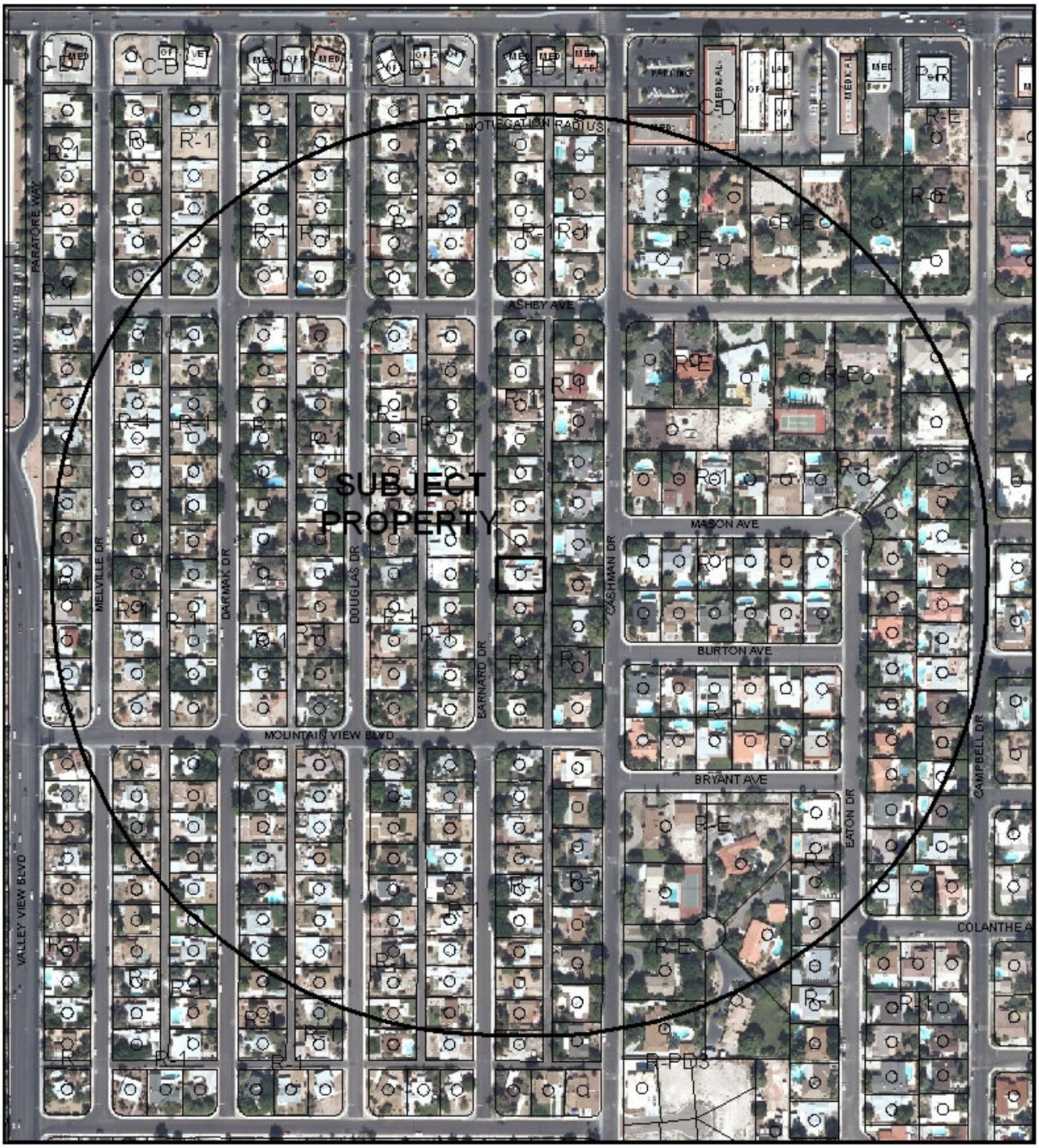
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Support Letters



CASE: **VAR-47494**

RADIUS: 1000 FEET

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



0 260 520 Feet

CASE: **VAR-47494**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WILLIAM BIRTHISEL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-47494	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-47494 CONDITIONS

Planning

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

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

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

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

Staff Report Page One
April 9, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a carport to encroach into the front yard and to side yard setbacks, as well as to allow an existing addition to the south side of the main dwelling with a zero-foot side yard setback. The site is located at 1243 Barnard Drive. The proposed Variance is self-imposed and does not meet the minimum standard for the zoning district; therefore, staff recommends denial. If the application is denied, the existing structures will have to be removed or altered to meet the minimum R-1 (Single Family Residential) Zoning District standards.

ISSUES

- A Variance is required to allow an existing carport to be nine feet from the front property line and zero feet from the side property lines where 20 and five feet are the required setback distances, respectively.
- A Variance is required to allow an existing addition and awning to be zero feet from the south property line where five feet is the required setback distance.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/01/12	A Code Enforcement case (#120321) was processed due to a construction of a carport on site w/o permit at 1243 Barnard Drive. The enforcement case is pending.

Most Recent Change of Ownership	
09/16/88	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C. 1952	The building was constructed in 1952.

Pre-Application Meeting	
11/14/12	A pre-application meeting was held with the applicant and submittal requirements for a Variance to allow a carport in the front yard area of and additions to the single family residence were discussed with the applicant.
01/16/13	A meeting was held with the applicant to accept revised Site Plans. The building Department discussed the permitting process for the carport in the front yard and additions to the single family residence.

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

Field Check	
11/29/12	Staff conducted a field check of the subject property and noted the site was a well maintained residential property with a carport in the front driveway and additions to the main structure that extended to the concrete block wall.

Details of Application Request	
Site Area	
Net Acres	0.19

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (200 Feet)	Y

Other Plans or Special Requirements	*Compliance*
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	20 Feet	9 Feet	N
• North Side (Main Building)	5 Feet	0 Feet	N
• South Side (Main Building)	5 Feet	0 Feet	N
Min. Distance Between Buildings	6 Feet	11 Feet	Y

ANALYSIS

This property is located within the A-O (Airport Overlay) District and is in compliance with the standards of the district. There are two instances on the site that require a Variance from the R-1 (Single Family Residential) Zoning District setback standards. The first is the existing carport and the second is the existing addition to the south façade of the main dwelling.

An accessory structure is not allowed in the front yard of an R-1 (Single Family Residential) Zoning District and is subject to the main dwelling setbacks of five feet from the side property line and 20 feet from the front property line. The carport was built on the concrete for the driveway. The structure is nine feet from the front property line and the posts are two feet from the north property line with overhang of the carport ending at the property line. The carport exceeds the main dwelling setbacks by 55%.

The addition to the south side of the main dwelling is composed of an enclosed room and awnings that extend out from the main dwelling and addition to the top of the concrete block wall separating the two properties. The side yard setback for main dwelling is five feet from the property line. The addition is zero feet from the property line and exceeds the main dwelling setbacks by 100%. The applicant did not secure a building permit for the construction of the carport or the addition and permits will be required if the Variance is approved.

The intent of the R-1 (Single Family Residential) district is to provide a low density residential setting with a buffer from the street and other residences. The proposed addition is inconsistent with the intent of the district and the request is a self-imposed hardship. The existing structure does not meet the minimum standard for the zoning district; therefore, staff recommends denial.

FINDINGS (VAR-47494)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by constructing structures that do not meet the R-1 (Single Family Residential) Zoning District standards. Removal or modification to the structures would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 70

NOTICES MAILED 285

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-47494 APN: _____

Name of Property Owner: William Bithisel

Name of Applicant: William Bithisel

Name of Representative: _____

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: William J Bithisel

Print Name: William L Bithisel

State of: NEVADA County of: CLARK

Subscribed and sworn before me

This 10th day of November, 2012

Kathryn A. Shortledge

Notary Public in and for said County and State

KATHRYN A. SHORTLEDGE
Notary Public State of Nevada
No. 06-104367-1
My Appt. Exp. May 24, 2014

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NOV 14 2012

162-05-114-009

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Car Port 19.06.040(c2) ACC STRUCT-FRONT

Project Address (Location) 1243 Barnard Dr Las Vegas NV 89102

Project Name Birthisel car port **Proposed Use** car shade

Assessor's Parcel #(s) Lot 17 Block 10 WestLeigh Tract 2 **Ward #** 1

General Plan: existing L proposed N/A **Zoning:** existing R-1 proposed N/A

Commercial Square Footage 468 sq ft **Floor Area Ratio**

Gross Acres 0.19 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER William Birthisel **Contact** same

Address 1243 Barnard Dr **Phone:** 702 870 7119 **Fax:**

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

E-mail Address bstdnvegas@Hotmail.com

APPLICANT William Birthisel **Contact** same

Address 1243 Barnard Dr **Phone:** 702 870 7119 **Fax:**

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

E-mail Address bstdnvegas@hotmail.com

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

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

Property Owner Signature* William L Birthisel

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

Print Name William L Birthisel

State of: NEVADA County of: CLARK

Subscribed and sworn before me

This 16th day of November, 20 12.

Kathryn A Shortledge

Notary Public in and for said County and State

KATHRYN A. SHORTLEDGE
Notary Public State of Nevada
No. 06-104367-1
My Appt. Exp. May 24, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-47494
Meeting Date:	1-8-13
Total Fee:	$830.00
Date Received:*	11-14-12
Received By:	

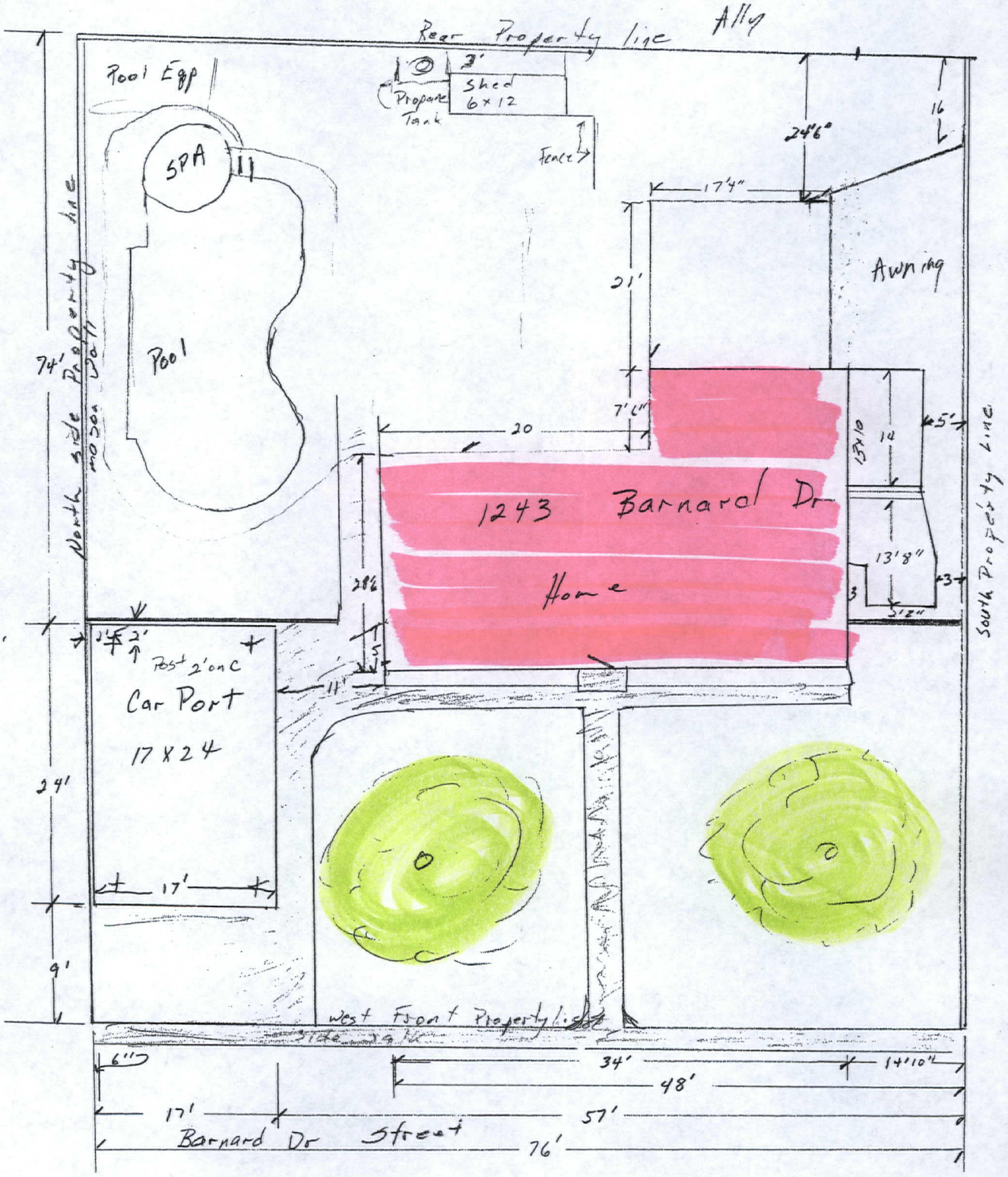
PC

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

Revised 10/27/08

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

17'x24' solid Alumawood Car Port
white in Color



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VAR-47494

VAR-47494

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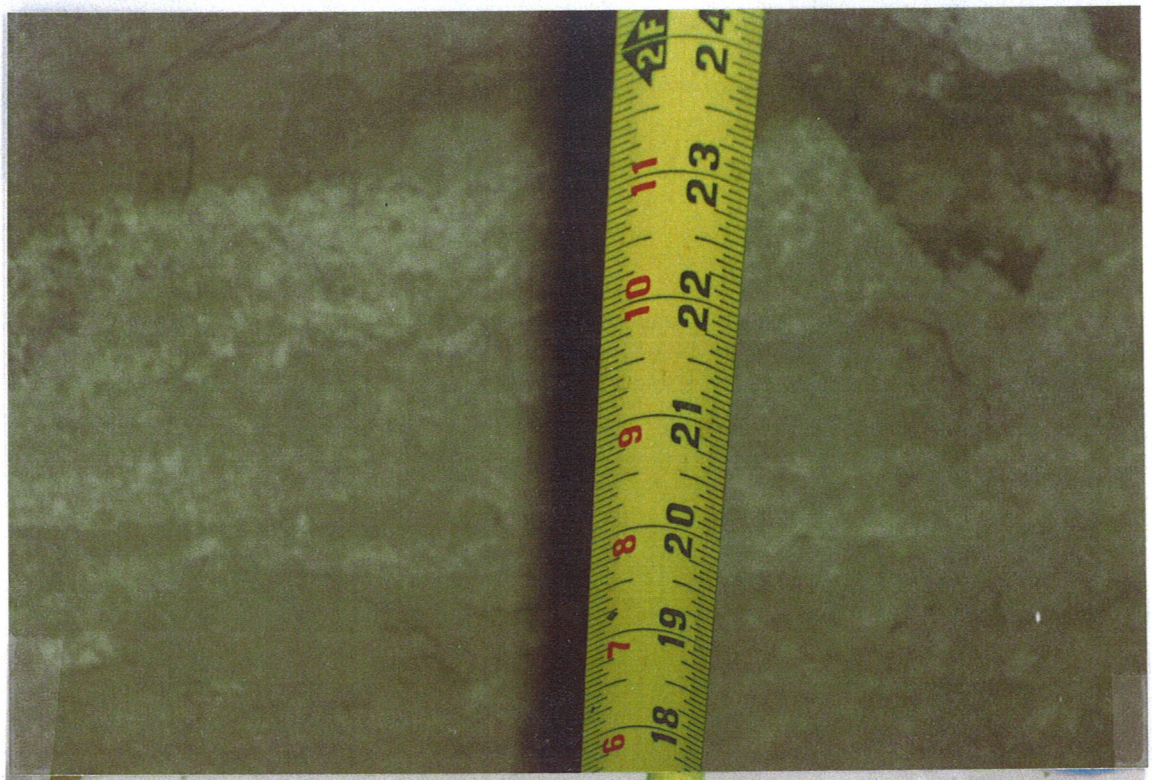

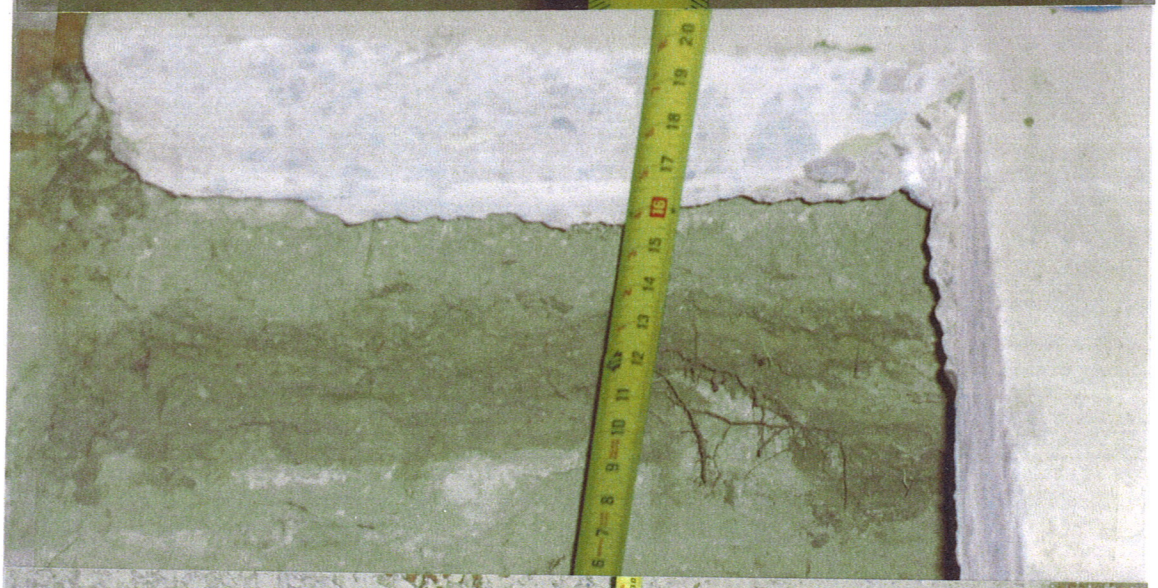

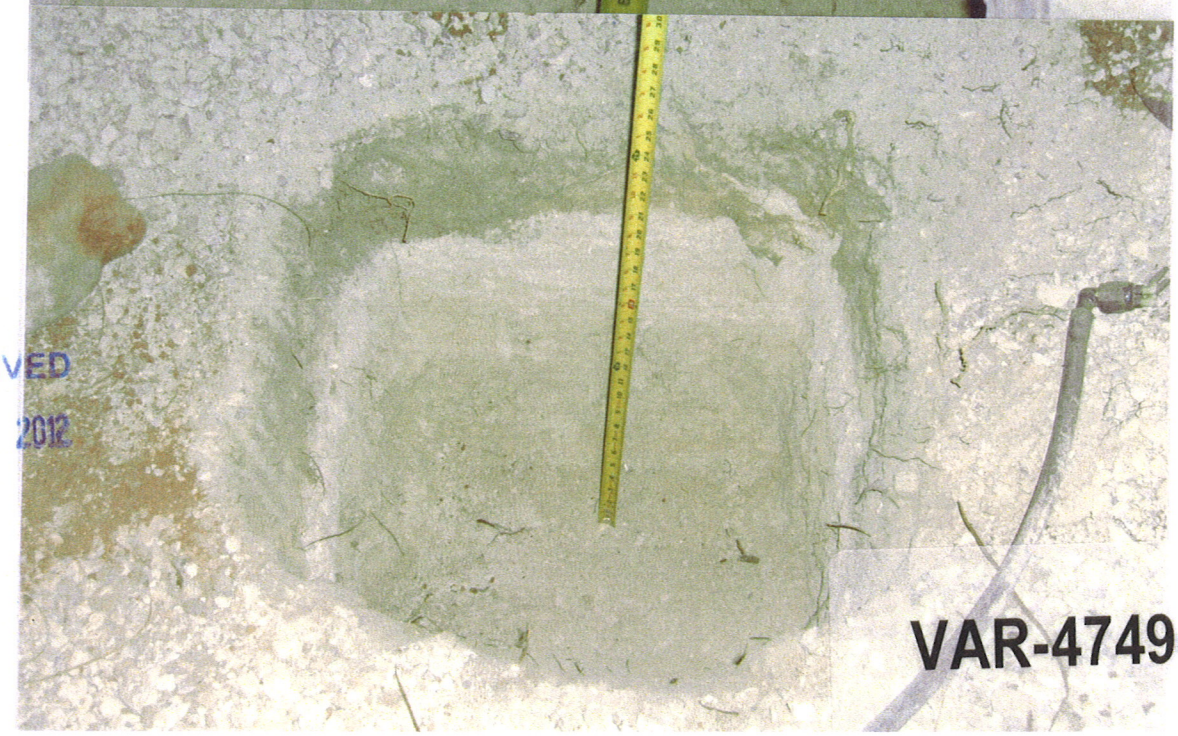

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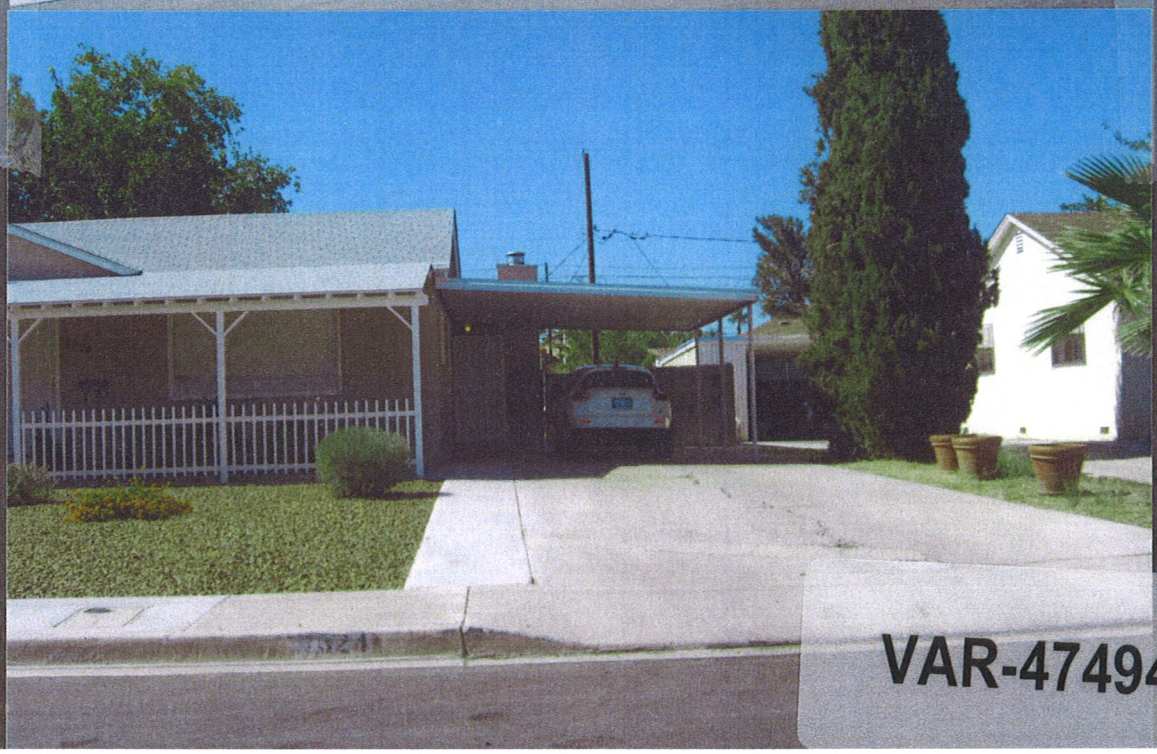
VAR-47494

VAR-47494



VAR-47494

RECEIVED
NOV 14 2012

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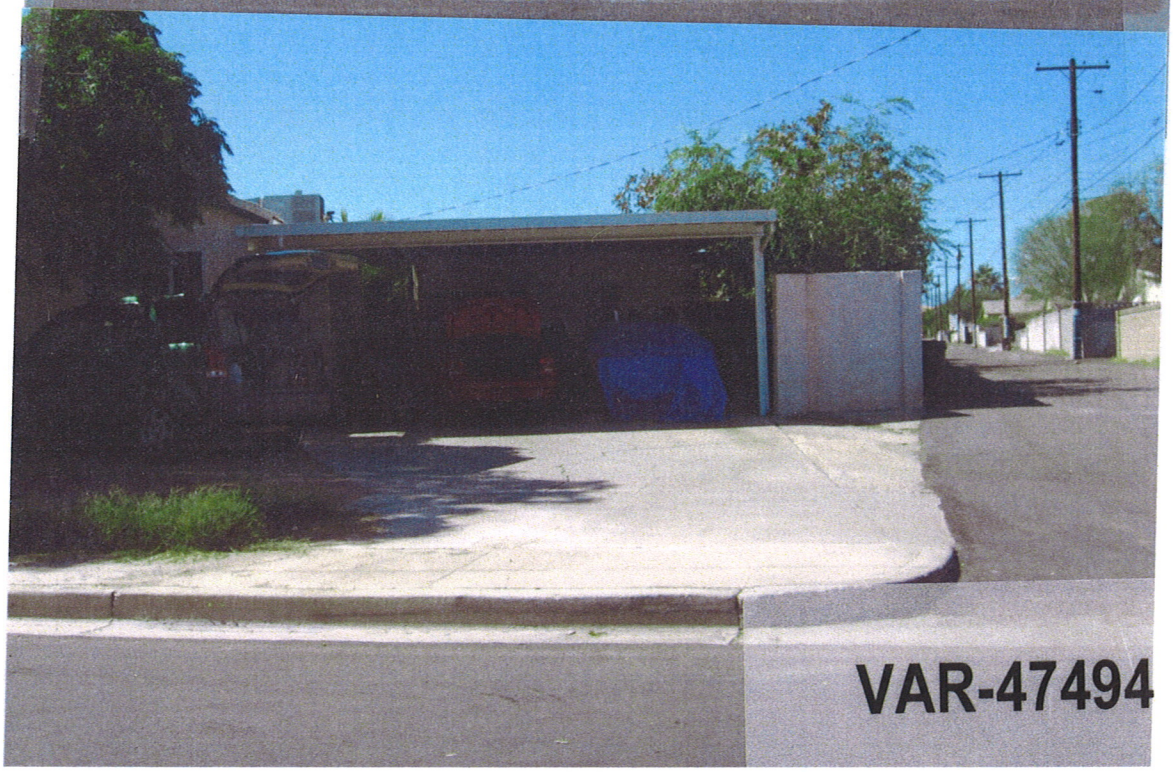
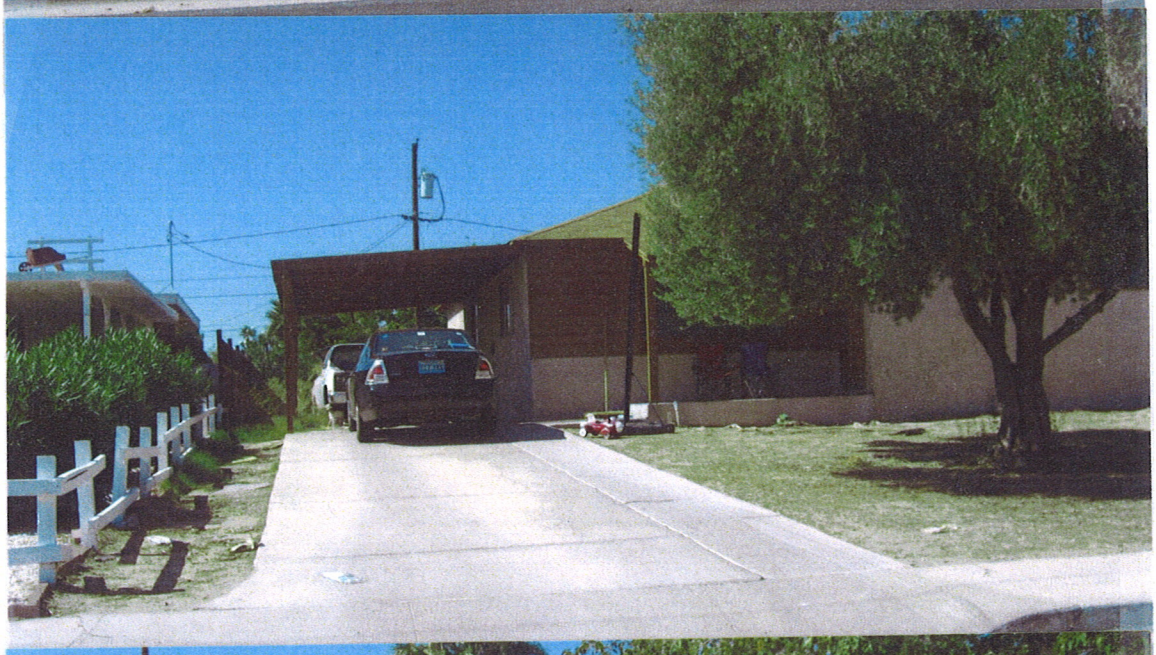
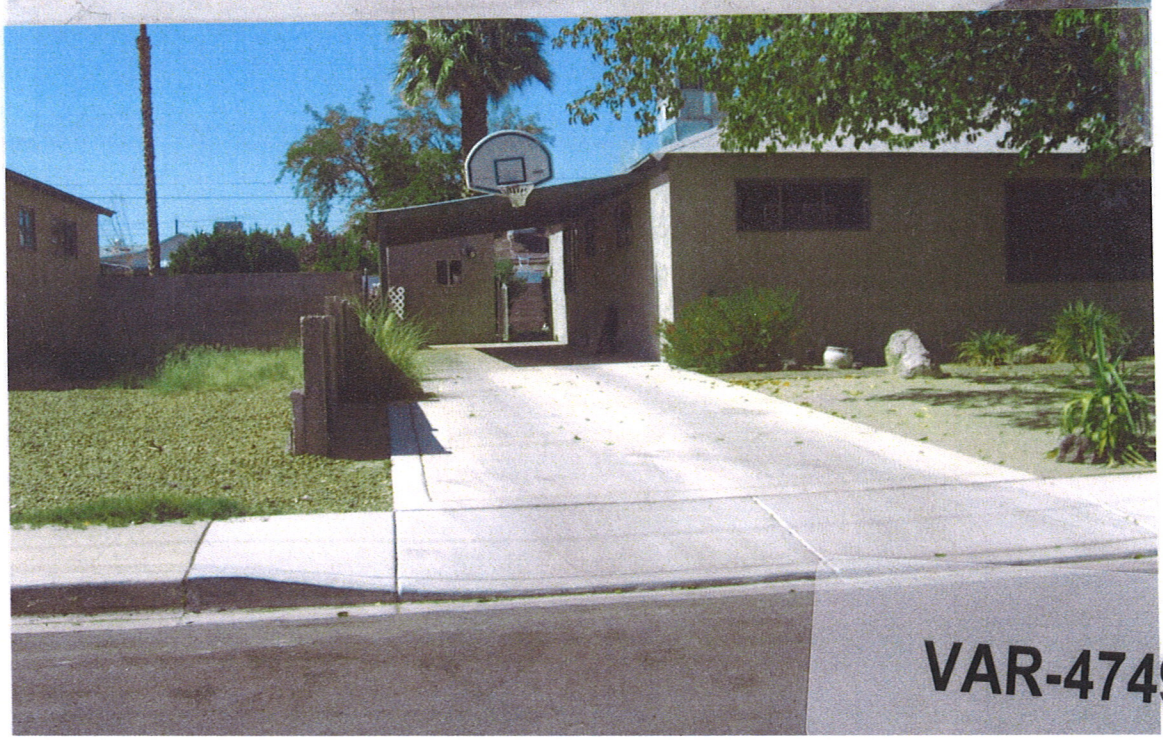
RECEIVED
NOV 14 2012



VAR-47494





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VAR-47494

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VAR-47494

JUSTIFICATION LETTER FOR VARIANCE FOR CARPORT LOCATED IN THE WESTLEIGH TRACT
1243 BARNARD DR, LAS VEGAS, NV

Homes were built in the Westleigh Tract in the early 1950's. The original homes did not have attached garages. The garages that were built were in the rear of the property with access from the alley running behind the homes. All automobile parking was on the street or in a driveway from the alley. Things were much different 60 years ago. Families only had one car and life was much simpler.

Today in the Westleigh Tract, many homes have opted for more parking options, e.g., attached garages with a driveway to the street, driveways to one side of the lot to accommodate off street parking, and carports, many of which are built to the property line.

I am requesting a variance for the carport on the existing concrete driveway to the front side of the property. I desire the shade for the preservation of my car. The aluma wood carport kit I purchased is top of the line. I spent extra money for the corple ends to beautify the structure. It is white in color to match my home's windows and blend in with the overall scheme of the dwelling. I have obtained written support letters from most impacted neighbors.

In review, the improving of a 60 year old neighborhood is necessary to improve the lifestyle of a modern family home. The carport structure at 1243 Barnard Dr. blends in well and looks very nice. It affords me the protection from the sun and street parking.

Respectfully,

William Birthisel

William Birthisel
1243 Barnard Drive
Las Vegas, NV 89102
702-870-7119
bstdnvegas@hotmail.com

RECEIVED
NOV 14 2012
VAR-47494

To Whom it May Concern~

I would like to request a "Front Yard Setback" Variance to allow a carport that I built in my front yard, which does not meet the 20' required by the Unified Development Code in the R-1 zoning district.

Regards,

William Birthisel

William J. Birthisel

10/11/2012

RECEIVED
NOV 14 2012
VAR-47494

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I DENNIS BALLEW, owner of the home at 1238 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Dennis Ballew 10-20-12

Signature and Date

BEST LOOKING CAR PORT IN Neighborhood.

RECEIVED
NOV 14 2012

RECEIVED
NOV 13 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I Constance Dunham, owner of the home at 1244 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Constance Dunham 10/25/12

Signature and Date

RECEIVED

NOV 4 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I Vicki J Platt, owner of the home at 1248 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Vicki J Platt

Signature and Date

Nothing wrong with this carport. Done very nicely.

RECEIVED

NOV 14 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I TINA FELPS, owner of the home at 1237 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

10/22/12

Signature and Date

RECEIVED
NOV 14 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I David Devereaux, owner of the home at 1247 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

D. J Devereaux 10/20/12

Signature and Date

RECEIVED
NOV 14 2012

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

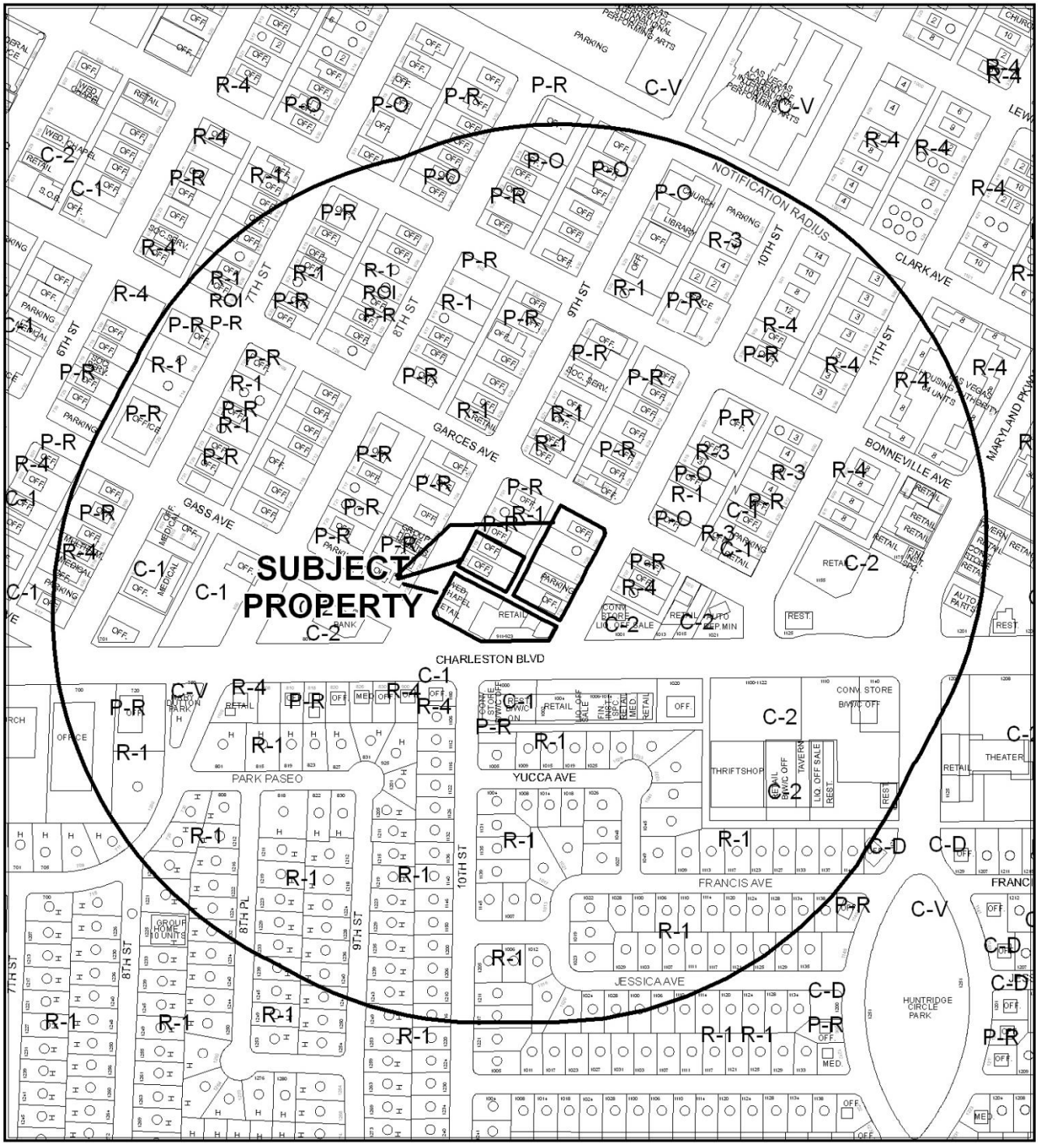
SUBJECT:
VAR-48460 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Variance TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

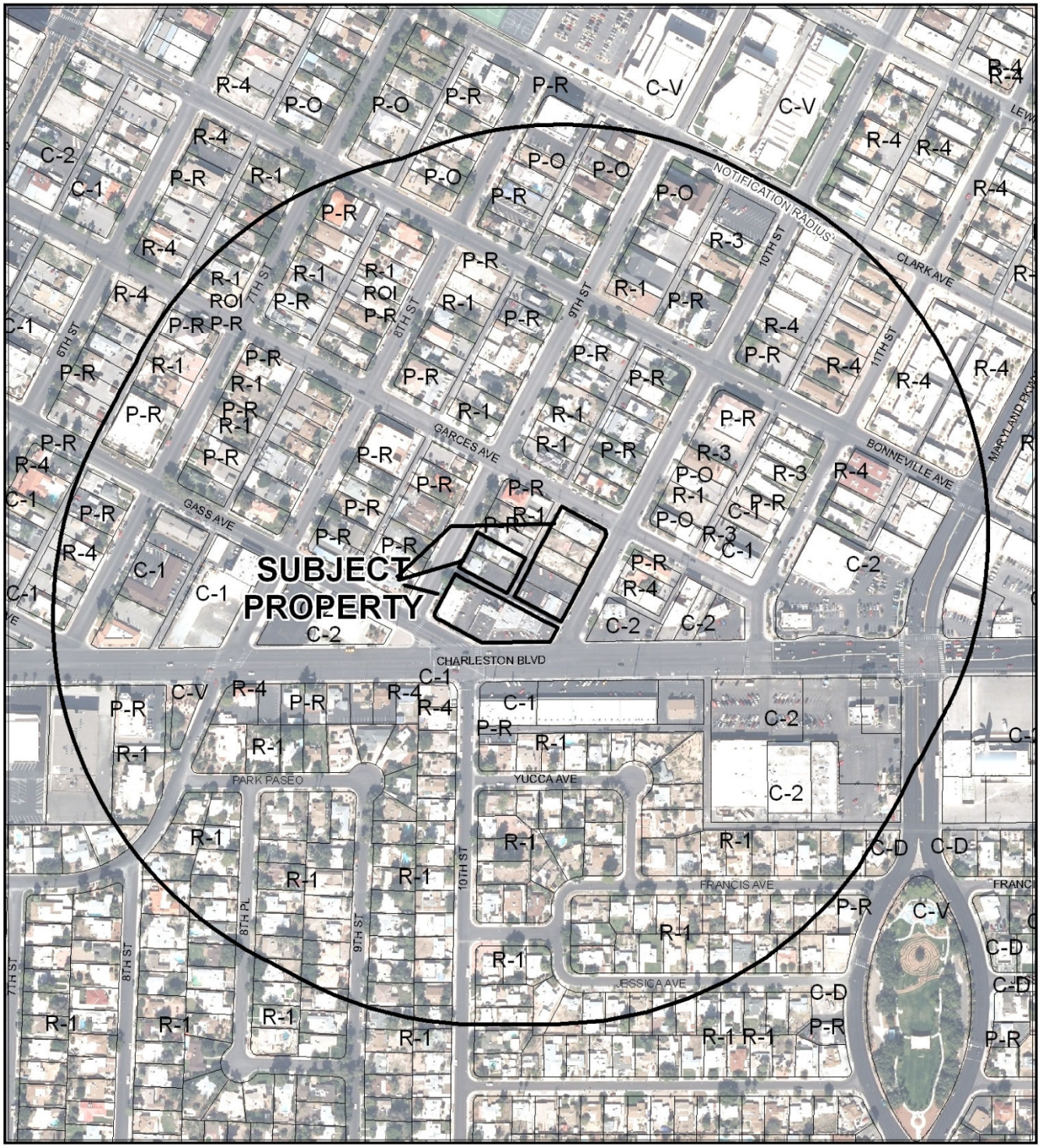
BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-48460, SUP-48462 and SDR-48464
2. Conditions and Staff Report - VAR-48460, SUP-48462, VAC-48465 and SDR-48464
3. Supporting Documentation
4. Photos - VAR-48460, SUP-48462, VAC-48465 and SDR-48464
5. Justification Letter - VAR-48460, SUP-48462, VAC-48465 and SDR-48464



CASE: VAR-48460,SUP-48462 & SDR-48464

RADIUS: 1000 FEET

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



0 300 600 Feet

CASE: VAR-48460,SUP-48462 & SDR-48464

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CHARLESTON TOWERS, LLC

** STAFF RECOMMENDATIONS **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-48460	Staff recommends APPROVAL, subject to conditions:	N/A
SUP-48462	Staff recommends APPROVAL, subject to conditions:	VAR-48460
VAC-48465	Staff recommends APPROVAL, subject to conditions:	VAR-48460 SUP-48462
SDR-48464	Staff recommends APPROVAL, subject to conditions:	VAR-48460 SUP-48462 VAC-48465

** CONDITIONS **

VAR-48460 CONDITIONS

Planning

1. Variance (VAR-14345) shall be expunged upon final approval of this request.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-48462), Vacation (VAC-48465), and Site Development Plan Review (SDR-48464) shall be required, if approved.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. 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.

MH

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

SUP-48462 CONDITIONS

Planning

1. Special Use Permit (SUP-14339) shall be expunged upon final approval of this request.

2. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mixed-Use development.

3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48464) shall be required.

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

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

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

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

VAC-48465 CONDITIONS

1. The limits of this Vacation shall be the portions of the public alleys south of Assessor's Parcel #139-34-810-076, north of Charleston Boulevard, between 9th Street and 10th Street.

2. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties so that an unmaintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.

3. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation.

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-48464 may be used to satisfy this requirement provided that it addresses the area to be vacated**.** Alternatively, a public drainage easement, acceptable to the Flood Control Section shall be reserved in the Order of Vacation.

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

6. All development shall be in conformance with code requirements and design standards of all City Departments.

7. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

8. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

9. If the Order of Vacation is not recorded within two (2) years after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

SDR-48464 CONDITIONS

Planning

1. Site Development Plan Review (SDR-14349) shall be expunged upon final approval of this request.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-48460), (Special Use Permit (SUP-48462), and Vacation (VAC-48465) shall be required, if approved.

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

4. All development shall be in conformance with the site plan, landscape plan, floor plans, and building elevations, date stamped 02/21/13, except as amended by conditions herein.

5. A Waiver from Title 19.08.040(H) is hereby approved, exempting the height of the proposed development from compliance with the Residential Adjacency Proximity Slope requirements.

6. A Waiver from Title 19.08.070 is hereby approved, to allow no landscape buffer adjacent to the rear alley way where an eight-foot wide landscape buffer is required.

7. An Exception from Title 19.08.040(F)(8)(b) is hereby approved, to allow no shrubs per 24-inch box tree where four 5-gallon shrubs per tree are required.

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

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

10. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

11. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

12. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

13. 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.

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

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

16. Reflective glass at the pedestrian level is prohibited. Glass on the second floor and above shall not be greater than 22% reflectivity.

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

Public Works

18. A Petition of Vacation, such as VAC-48465, to eliminate the existing alley rights-of-way in conflict with this site plan shall record prior to the recordation of a Final Map for this site. Dedicate a 20-foot wide alley along the northern side of Assessor's Parcel No. 139-34-810-075 to connect to Ninth Street (including a radius) acceptable to the City Engineer immediately after recordation of the Order of Vacation. Alternatively, grant appropriate Public Roadway, Sewer, and Drainage Easements over the same area required for dedication.

19. Dedicate a 25-foot radius on the northwest corner of 10th Street and Charleston Boulevard and on the corner of Charleston Boulevard and Gass Avenue. Dedicate an additional 10 feet of right-of-way for a total 25-foot radius corner on the northeast corner of Gass Avenue and Ninth Street.

20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. A geotechnical soils report, to determine the condition of the adjacent pavement, shall be submitted concurrent with the submittal of off-site construction drawings for the site and shall be approved prior to the issuance of any offsite permits.

21. Construct all incomplete half-street improvements to meet current City Standards 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.

22. A sanitary sewer relocation plan must be submitted to and approved by the Collection Systems Planning Section of the Department of Public Works prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

23. 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.

24. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Ninth Street, Garces Avenue, and Tenth Street public rights-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed six-story mixed-use development consisting of 166 residential units and 47,100 square feet of commercial floor area on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street. The requested Site Development Plan review requires waivers. The following associated cases will be considered concurrently with this request: Variance (VAR-48460) to allow 56% lot coverage where 50% lot coverage is the maximum allowed, Special Use Permit (SUP-48462) to allow the parking structure of the proposed Mixed-Use development to be visible from the public right-of-way, and a petition to Vacate (VAC-48464) portions of the public alleys. The applicant has requested waivers to allow a 50-foot setback where the Residential Adjacency Standard requires a 279-foot setback from the single-family, detached use to the west and to allow a zero-foot landscape buffer along the rear property lines where an eight-foot wide buffer is required. The scale of the project has been reduced from the previously entitled 14-story, 355-unit development to a more suitable scale with the nearby office and limited commercial development in the immediate vicinity, and will assist in redevelopment for the area.

Staff recommends approval of the requested Site Development Plan Review with waivers, in association with the requested Special Use Permit for a Mixed-Use development, the Variance for increased lot coverage, and the petition to vacate portions of the adjacent alleys. If denied, the applicant will not be allowed to construct the proposed development at this location.

ISSUES

- The existing approved entitlements for a larger mixed-use development on this site will be expunged upon final approval of the requested entitlements. The requested Extensions of Time scheduled for the 04/17/13 City Council meeting will expire, if denied.
- A Variance is required to allow 56% building lot coverage where 50% is the maximum allowed in the C-1 (Limited Commercial) zoning district. Due to the unique shape of the lot creating an undue hardship, staff recommends approval of this request.
- A Special Use Permit is required for not meeting the conditional use requirement to screen the parking structure from the public right-of-way. Staff recommends approval of this request, as the applicant has mitigated the visual impact with key design features.
- A waiver to allow a 50-foot Residential Adjacency Setback where a 279-foot setback is required has been requested with the Site Development Plan Review. Staff supports this waiver.

- The applicant has requested a waiver to deviate from the standard Title 19.08.070 landscape requirements in order to meet the urban context of this particular area. The proposed landscape plan shows the appropriate amount of trees with substantial hardscaping that creates a functional streetscape that integrates with the existing conditions along Charleston Boulevard. Staff supports this waiver.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/06/91	The City Council approved a Rezoning (Z-0150-90) from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), P-R (Professional Office and Parking) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for five of the parcels that comprise the subject development. The Planning Commission recommended approval.
11/01/06	The City Council approved a request to amend the Downtown Redevelopment Area Land Use Plan (GPA-14325) from MXU (Mixed-Use) to C (Commercial) on 1.33 acres at 700, 708, 712, 714, and 716 South 10th Street and 715 and 717 South 9th Street. The Planning Commission recommended denial with staff recommending approval.
	The City Council approved a related request for Rezoning (ZON-14338) from P-R (Professional Office and Parking) and R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.52 acres at 700, 708, and 712 South 10th Street. The Planning Commission recommended and staff recommended denial.
	The City Council approved a related request for a Variance (VAR-14342) to allow no stepback beyond the building setback line where a 1:1 stepback to height ratio is required along a street classified as collector or larger in conjunction with a proposed mixed-use development. The Planning Commission and staff recommended denial.
	The City Council approved a related request for a Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed.
	The City Council struck a related request for a Variance (VAR-14347) to allow 624 parking spaces where 635 is the minimum number of parking spaces required.
	The City Council approved a related request for a Special Use Permit (SUP-14339) for a proposed mixed-use development. The Planning Commission recommended and staff recommended denial. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a related request for a Petition to Vacate (VAC-12884) public alley ways generally located south of Garces Avenue between 9th Street and 10th Street. The Planning Commission and staff recommended

	approval.

11/01/06	The City Council approved a related request for a Site Development Plan Review (SDR-14349) for a proposed mixed-use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a waiver of the residential adjacency requirements on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street. The Planning Commission and staff recommended denial.
12/19/07	The City Council approved a request for an Extension of Time (EOT-25372) of a previously approved Rezoning (ZON-14338) from P-R (Professional Office and Parking) and R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.52 acres at 700, 708, and 712 South 10th Street.
	The City Council approved a related request for an Extension of Time (EOT-25370) of a previously approved Site Development Plan Review (SDR-14349) for a proposed mixed-use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a waiver of the residential adjacency requirements on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street..
12/20/07	The Planning and Development Department approved a request for an Administrative Extension of Time (EOT-25371) of a previously approved Petition to Vacate (VAC-12884) public alley ways generally located south of Garces Avenue between 9th Street and 10th Street.
12/15/08	The Planning and Development Department approved a request for an Administrative Extension of Time (EOT-31555) of a previously approved Petition to Vacate (VAC-12884) public alley ways generally located south of Garces Avenue between 9th Street and 10th Street.
12/17/08	The City Council approved a request for an Extension of Time (EOT-31557) of a previously approved Rezoning (ZON-14338) from P-R (Professional Office and Parking) and R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.52 acres at 700, 708, and 712 South 10th Street.
	The City Council approved a related request for an Extension of Time (EOT-31559) of a previously approved Variance (VAR-14342) to allow no stepback beyond the building setback line where a 1:1 stepback to height ratio is required along a street classified as collector or larger in conjunction with a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-31563) of a previously approved Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed.
	The City Council approved a related request for an Extension of Time (EOT-31560) of a previously approved Special Use Permit (SUP-4339) for a proposed mixed-use development.

12/17/08	The City Council approved a related request for an Extension of Time (EOT-39849) of a previously approved Site Development Plan Review (SDR-14349) for a proposed mixed-use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a waiver of the residential adjacency requirements on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street.
10/20/10	The City Council approved a request for a Special Use Permit (SUP-38864) for a 1,000 square-foot Bailbond Service at 714 and 716 South 10th Street. The Planning Commission and staff recommended approval.
11/17/10	The City Council approved a related request for an Extension of Time (EOT-31559) of an approved Variance (VAR-14342) to allow no stepback beyond the building setback line where a 1:1 stepback to height ratio is required along a street classified as collector or larger in conjunction with a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-31563) of an approved Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed.
	The City Council approved a related request for an Extension of Time (EOT-31560) of an approved Special Use Permit (SUP-4339) for a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-39849) of an approved Site Development Plan Review (SDR-14349) for a proposed mixed-use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a waiver of the residential adjacency requirements on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street..
11/07/12	The requested Extensions of Time associated with the current series of related entitlements, EOT-46998 (VAR-14345), EOT-47000 (SUP-14339), EOT-47001 (SDR-14349), EOT-47002 (VAR-14342), have all been abeyed to the 04/17/13 City Council Meeting. Staff recommends denial of these requests.

Most Recent Change of Ownership	
05/28/10	A deed was recorded for a change in ownership.

Related Business Licenses	
10/25/12	A business license was issued for an event promoter (M18-05614) at 717 South 9th Street. This license is active.
09/019/02	A business license was issued for a wedding chapel (W01-00093) and retail wedding accessories (G50-05439) at 727 South 9th Street. These licenses are active.

04/07/03	A business license was issued for a wedding chapel (W01-00067) and miscellaneous wedding accessories (G50-05320) at 727 South 9th Street. These licenses are active.
02/06/04	A business license was issued for a body piercing studio (B21-00005), for jewelry and gifts (G50-04905) and a Tattoo Shop (T08-00047) at 911 East Charleston Boulevard. These licenses remain active and the Tattoo Parlor/Body Piercing Studio is a legally nonconforming use.
01/07/13	A business license was issued for a contractor (C25-03882) at 923 East Charleston Boulevard. This license remains active.
10/06/11	A business license was issued for a contractor (C25-01156), a mobile car wash (A45-00870), landscape maintenance services (L33-01173), and a contractor (C25-00972) at 716 South 10th Street. These licenses remain active.

Pre-Application Meeting	
02/12/13	A pre-application conference was held with the applicant's representative to discuss the modified proposal to the existing entitlements for the proposed mixed use development. The applicant's representative was informed of the recent changes to the zoning code that were not in effect at the time of the original approval such as the parking requirements, residential adjacency requirements and the conditional use requirements for a mixed-use proposal.

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

Field Check	
02/28/13	Staff visited the site and found the group of properties that compose the proposed site plan to be well maintained. There are existing legally nonconforming buildings that are located at the property line and a legally nonconforming Tattoo Parlor/Body Piercing Studio located within the site. There are two single family detached uses remaining in the area, one of which is part of the subject site and the other located adjacent to the proposal to the west.

Details of Application Request	
Site Area	
Gross Acres	2.05

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	C (Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed		
	General Retail, Other Than Listed		
North	Office, Other Than Listed	MXU (Mixed Use)	R-1 (Single Family Residential)
	Single Family, Detached		P-R (Professional Office and Parking)
South	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	General Retail, Other Than Listed		
East	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed		R-4 (High-Density Residential)
	General Retail, Other Than Listed		C-2 (General Commercial)
West	Single-Family, Detached	MXU (Mixed Use)	R-1 (Single Family Residential)
	Office, Other Than Listed		P-R (Professional Office and Parking)

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

DEVELOPMENT STANDARDS

Pursuant to 19.08.070, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	324 Feet	Y
Min. Setbacks			
• Front	10 Feet	20 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	10 Feet	15 Feet	Y
• Rear	20 Feet	33 Feet	Y
Max. Lot Coverage	50 %	56 %	N
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Internally located within the garage structure	Y
Mech. Equipment	Screened	Internally located within the building	Y

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	279 Feet	50 Feet	N
Adjacent development matching setback	20 Feet	33 Feet	Y
Trash Enclosure	50 Feet	50 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• Garces Ave	1 Tree / 20 Linear Feet	6 Trees	6 Trees	Y
• Charleston Blvd/Gass Ave	1 Tree / 20 Linear Feet	16 Trees	16 Trees	Y
• 9th Street	1 Tree / 20 Linear Feet	10 Trees	10 Trees	Y
• 10th Street	1 Tree / 20 Linear Feet	15 Trees	15 Trees	Y
• Interior (Alleys)	1 Tree / 20 Linear Feet	15 Trees	0 Trees	N
TOTAL PERIMETER TREES		**62 Trees**	**47 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• Garces Ave	15 Feet		15 Feet	Y
• Charleston Blvd/Gass Ave	15 Feet		20 Feet	Y
• 9th Street	15 Feet		15 Feet	Y
• 10th Street	15 Feet		15 Feet	Y
• Alleys	8 Feet		0 Feet	N

MH

Street Name	***Functional Classification of Streets***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Planned Streets and Highways Map	100 Feet	Y
Garces Avenue	N/A	Planned Streets and Highways Map	80 Feet	N/A
Gass Avenue	N/A	Planned Streets and Highways Map	80 Feet	N/A
10th Street	N/A	Planned Streets and Highways Map	80 Feet	N/A
9th Street	N/A	Planned Streets and Highways Map	80 Feet	N/A

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	
Multi-Family • 1 Br • 2 Br • Guest	 67 Units 99 Units 166 Units	 1.25:Unit 1.75:Unit 1: 6 Units	 87 170 28				
		Subtotal	288				
General Retail, Other Than Listed	47,100 SF	1:250 SF	189				
Total spaces required per use			477		430		
Regular and Handicap Spaces Required			468	9	421	9	Y*
Loading Spaces	47,100 SF	3			3		Y

**Please refer to the Mixed-Use Parking Table provided below.*

Pursuant to Title 19.18.030(D)(4)(c), the following parking standards apply:

Parking Requirement						
Land Use	***Weekdays***			***Weekends***		
	Mid – 7am	*7am – 6pm*	*6pm - Mid*	*Mid – 7am*	*7am – 6pm*	*6pm - Mid*

Residential 288 spaces	**100%** (288 spaces)	**55%** (159 spaces)	**85%** (245 spaces)	**100%** (288 spaces)	**65%** (188 spaces)	**75%** (216 spaces)

Retail & Personal Services 189 spaces	**0%** (0 spaces)	**100%** (189 spaces)	**80%** (152 spaces)	**0%** (0 spaces)	**100%** (189 spaces)	**60%** (114 spaces)
Parking Spaces Required	288 spaces	348 spaces	**397 spaces**	288 spaces	377 spaces	330 spaces

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 279-foot setback is required from the single family, detached structure to the west of the proposal.	To allow a 51-foot residential adjacency setback.	Approval
An eight-foot wide landscape buffer is required along the rear property line.	A zero-foot wide landscape buffer along the interior property lines adjacent to the alleyways.	Approval
Parking structures may not be located along the street frontage of the development site or visible from the public right-of-way.	To allow a parking structure to be located along the street frontage of the development site and visible from the right-of-way.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Four 5-gallon shrubs are required for every 24-inch box tree.	To provide a tree grate in lieu of shrubs for trees located within the proposed hardscape areas.	Approval

ANALYSIS

In regards to the Special Use Permit, the Mixed Use use is a conditional use in the C-1 (Limited Commercial) zoning district and defined by Title 19.18 as:

> "The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof."

The proposed use meets this definition, in that 166 one and two-bedroom residential units are proposed above 47,100 square feet of commercial space with a shared private drive and parking garage.

The Conditional Use Permit Requirements for this use include:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as conditional uses within a C-1 or C-2 Zoning District.

   The proposed use meets this requirement, as the applicant is providing 166 units of Multi-Family Residential units in the C-1 (Limited Commercial) zoning district.

2. Commercial uses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and the principal entryway for those uses shall be directly accessed from and oriented to the public sidewalk.

   The proposed use meets this requirement, as the proposed commercial uses are all located on the ground level with entrances gained from public sidewalks.

3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.

   The proposed use meets this requirement, as the residential uses are all located on the second through sixth levels of the proposed building.

4. Surface parking lots shall be located to the side or the rear of the principle building(s) on the site, and shall be screened from the view of the adjacent rights-of-way by the principle building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08 Parking Structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principle building(s).

   The proposed use does not meet this requirement, as the upper levels of the parking garage are in view from the public rights-of-way from 9th Street and Garces Avenue. This condition requires an approved waiver and is the reason for the requested Special Use Permit.

In view of the requested waiver to Conditional Use Permit Requirement #4, the garage will remain visible from 9th Street and partially from Garces Avenue; however, the impact of the massing and location of the structure has been mitigated to notable extent. Staff recommends approval of this waiver and the Special Use Permit, as this application is an essential component to the overall proposal, and the applicant has made diligent efforts in shielding the parking structure with the commercial and residential components of the building.

The proposed development is also accompanied by a request for a waiver of the proximity slope requirement of the Residential Adjacency Standards, as allowed per Title 19.08.040(H) for any mixed-use project with a significant residential element. As the residential use occupies the majority of the development, the project qualifies for the submittal of the waiver request. The proposed development has reduced the overall height from the original entitlement from 14 stories to six stories. As the long-range plan for the area is to allow the transition to office and commercial uses, the request for the waiver to the Residential Adjacency Setback requirement is justified.

The development site is located in an area that is transitioning from single-family residential uses to professional office and commercial uses. Properties surrounding the subject site have a MXU (Mixed Use) land use designation, and properties along Charleston Boulevard have a C (Commercial) land use designation.

The commercial space is divided between one 34,000 square-foot retail space suitable for a small Grocery Store, and two additional retail spaces of 6,600 and 6,500 square feet, all accessible at the street level. Onsite parking and commercial loading is adequately provided with one level of subterranean parking, some surface parking, and two additional levels of structured parking. The proposed 166 units of residential housing are made up of one and two-bedroom units varying in size from roughly 600 to 900 square feet. The proposed site design is substantially pedestrian oriented, with a pedestrian plaza featured at the front of the property where Charleston Boulevard, Garces Avenue, and 10th Street meet. The provision of streetscape landscaping, rather than the 15-foot wide landscape buffer typical of more suburban areas, provides a contextually appropriate design for the existing conditions of the surrounding neighborhood. A waiver to Title 19.08.070 landscape buffer width requirement has been requested in order to not provide an eight-foot landscape buffer for a small portion of the interior property lines adjacent to the proposed alley ways. Staff supports this request, as the applicant has provided nine-foot wide landscape buffers adjacent to the building, inside of the alleyways. The applicant has also provided additional internal landscaping throughout the site in order to offset this deficiency. Also, an exception to reduce the amount of required shrubs per tree is recommended for approval, as the applicant has provided the appropriate amount of street trees and surface treatments that are in context with the existing environment.

Staff recommends approval of the Variance (VAR-48460), Special Use Permit (SUP-48462), Vacation (VAC-48465), and Site Development Plan Review (SDR-48464) with all associated waivers. The proposed development is adequately scaled towards the growing needs of the surrounding area without creating any undue hardships on the neighboring properties and is harmonious and compatible with the land uses in the immediate vicinity.

FINDINGS (VAR-48460)

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."

There is evidence of a unique or extraordinary circumstance, in that the unique shape of the property does not lend itself to the ability to meet the onsite parking demands, the development setbacks and landscape requirements while retaining the required 50% lot coverage. The L-shaped lot has created an undue hardship. Any alternative to meet the 50% lot coverage in order to meet the Title 19 requirements may hinder the other development requirements for this mixed-use proposal. In view of the hardship imposed by the site's physical lot shape, it is within the realm of NRS Chapter 278 for staff to recommend approval of this Variance.

FINDINGS (SUP-48462)

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 Mixed-Use development is harmonious and compatible with the underlying C (Commercial) land use and adjoining MXU (Mixed Use) land use parcels. The proposal adequately separates the residential components from the street-level commercial uses and will contribute to the adjacent commercial land uses.

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

The site is physically suitable for the mixed-use development, as proposed. The six-story structure is appropriate for its surrounding context of multi-story office buildings located along Charleston Boulevard and the lower intensity office properties to the north of the project. All parking has been provided for the residential and commercial uses onsite.

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 immediately abuts Charleston Boulevard, a 100-foot Primary Arterial, but is accessed via three separate driveways, two of which are served by an alley way. The adjacent rights-of-way have adequate capacity to serve the proposed development and all required parking is provided for onsite. The proposed development has a very strong pedestrian orientation along 9th and 10th Streets with a pedestrian plaza feature on Charleston Boulevard.

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 Mixed-Use development for the subject site will not be inconsistent with the General Plan, nor would it compromise the public health, safety, and welfare. The proposed development will satisfy numerous redevelopment goals by providing residential and commercial space, while providing pedestrian improvements to the surrounding area.

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

The proposed Mixed-Use development does not meet the conditional conditions listed in Title 19.12, hence the need for a Special Use Permit. Staff recommends approval of the waiver and Special Use Permit, as the applicant has provided consideration to specific site design to minimize the impact of the parking structure's location and visibility to the public right-of-way. Although the parking structure will be visible from 9th Street and Garces Avenue, the structure has some surface treatment to the façade, with the majority of the structure located behind the residential component of the development.

FINDINGS (VAC-48465)

The Department of Public Works has provided the following information concerning the request to vacate certain portions of the public street rights-of-way (alleyways):

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform, as it is to vacate the full width of the public alleys south of Garces Avenue between 9th Street and 10th Street.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as the alleys only provide rear access to parcels.*

C. Does it appear that the vacation request involves only excess right-of-way? *No.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *A Site Development Plan Review has not been submitted for the properties affected by this Petition of Vacation.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

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

G. Does the Department of Public Works have an objection to this vacation request? *There is not an objection; however the Department of Public Works is always concerned when vacations of public right-of-way are approved prior to the submittal and approval of a Site Development Plan Review for the proposed project. The applicant for this vacation has provided conceptual drawings for a proposed mixed-use project.*

FINDINGS (SDR-48464)

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 has been reduced in scale and massing from the initial entitlement to a level that is compatible with surrounding development. The project retains the mixture of uses and improvements to surrounding streetscape. The proposed development will provide both the needed streetfront commercial development along with 166 units of multi-family housing to meet the growing demands of the surrounding area.

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

The proposed Mixed-Use development is in compliance with the C (Commercial) General Plan Land Use designation and the project will advance redevelopment within the existing urban area. Although this proposal is accompanied by a waiver of the Residential Adjacency Setback requirement, only the multi-family portion of the building height encroaches within the 3:1 setback slope and at less than half the height of the previous entitlement. The requested Variance to allow 56% lot coverage where 50% is the maximum allowed is supported by staff, as the unique shape of the lot cannot attain strict adherence to the code without causing an undue hardship to the property owner.

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

The site immediately abuts Charleston Boulevard, a 100-foot Primary Arterial, but is accessed via three separate driveways, two of which are served by an alley way. The remainder of the site is bordered by 80-foot wide local streets, which helps distribute the vehicular access to the sides and rear of the property. The adjacent rights-of-way have adequate capacity to serve the proposed development and all required parking is provided for onsite.

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

The proposed materials and landscaping are appropriate for the immediate area and for the City, and are generally in compliance with the Commercial Development Standards. The overall color scheme is made up of light earth-toned colors applied to a smooth coat stucco finish.

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;

There is appropriate variation in the façade elements of the residential component, and the overall massing has been reduced from the previous approval to a level compatible with the emerging office development in the immediate area. The street-level commercial component is furnished with aluminum storefront windows and fixtures typical of urban streetfront retail development. Staff finds that the design of the proposed development creates an orderly and pleasing environment oriented towards substantial improvements to the pedestrian experience along the public rights-of-way.

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

   The development will be initially subject to civil plan and building permit reviews, and followed with business licensing requirements and inspections for the commercial spaces. Ongoing measures will be adequately taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 296 (VAR-48460, SUP-48462 & SDR-48464)
1 (VAC-48465)

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-48460** APN: 139-34-810-101 thru 105, 074, 075 & 139-34-812-003

Name of Property Owner: Charleston Towers, LLC

Name of Applicant: Charleston Towers, LLC

Name of Representative: G. C. Garcia

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: Mark S. Dix

Subscribed and sworn before me

This 19th day of February, 2013

Jackson L. Burton

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance - lot Coverage

Project Address (Location) Charleston & 10th

Project Name Charleston Towers **Proposed Use** Mixed-Use Office, Retail & Resid.

Assessor's Parcel #(s) 139-34-810-101 thru 105,074,075&139-34-812-003 **Ward #** 3 (Coffin)

General Plan: existing C proposed N/C **Zoning:** existing C-1 proposed N/C

Commercial Square Footage 47,100 sq ft **Floor Area Ratio** 4.2

Gross Acres 1.91 +/- **Lots/Units** 166 **Density**

Additional Information

PROPERTY OWNER Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

APPLICANT Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com (Andrea)

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 Mark Dix

Subscribed and sworn before me

This 19th day of February, 20 13.

Jackson L. Burton, Jackson L. Burton

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

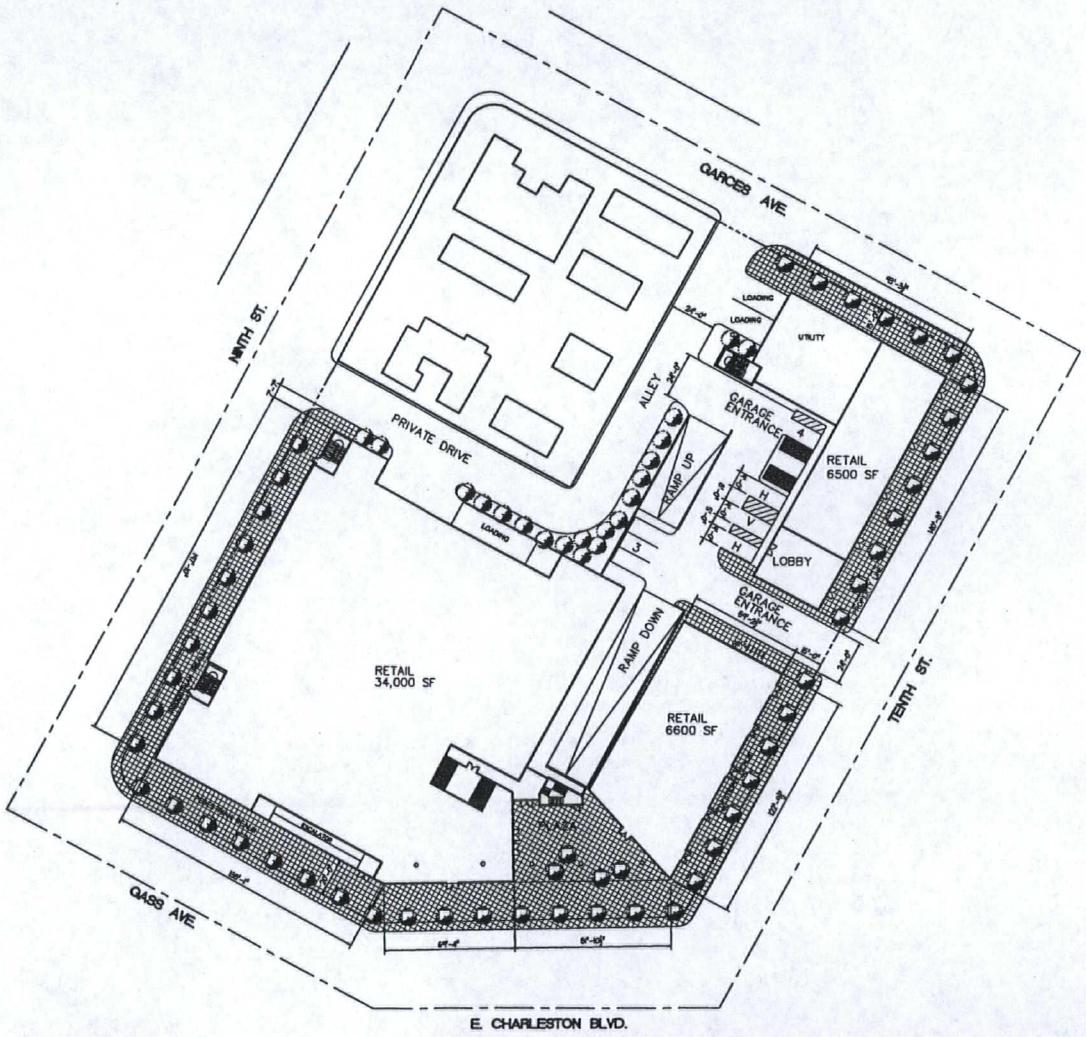
FOR DEPARTMENT USE ONLY

Case #	VAR-48460
Meeting Date:	4/9/13
Total Fee:	$830.-
Date Received:*	2/21/13
Received By:	[signature]

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

Revised 10/27/08

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



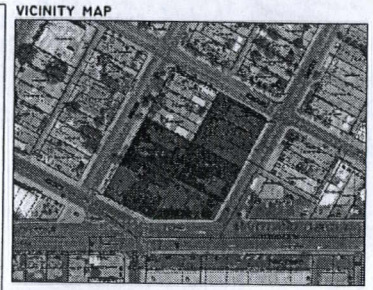
PROJECT SITE PLAN

N

0 30' 60'

SCALE: 1"= 30'-0"

VICINITY MAP



PROJECT DATA:

OVERALL SITE AREA:	±94,800 SF
EXISTING ZONING:	C-1
APN:	13934812003
RETAIL:	±47,100 SF
APARTMENT:	±204,501 SF
(69 ONE-BEDROOM UNITS, 97 TWO-BEDROOM UNITS)	
PARKING GARAGE:	±146,532 SF
TOTAL BUILDING AREA:	±398,133 SF
FLOOR TO AREA RATIO:	4.2
COVERAGE:	56%

PARKING ANALYSIS:

TOTAL REQUIRED (MIXED USE CHART): 406 SPACES

MIXED USE PARKING ANALYSIS

General Land Use Classification	Total Area	Actual Parking	Weekdays			Weekend		
			M-F 7am	7am-6pm	6pm-M-F	M-F 7am	7am-6pm	6pm-M-F
Office & Professional	0	0	0	0	0	0	0	0
Retail	47100	189	1	189	3512	0	189	113.4
Residential	69 1BR	299.00	299.0	364.45	294.35	299	218.85	294.35
Restaurant	0	0	0	0	0	0	0	0
Hotel	0		0	0	0	0	0	0
Theater/Entertainment	0		0	0	0	0	0	0
total		488	299	353.45	439.35	299	407.85	337.65

PARKING PROVIDED:

UNDERGROUND PARKING	180 CARS
GROUND FLOOR PARKING	7 CARS
MEZZANINE LEVEL PARKING	42 CARS
2ND FLOOR PARKING	101 CARS
3RD FLOOR PARKING	101 CARS
HANDICAP PARKING:	±13 CARS (VAN 3 CARS)
TOTAL PROVIDED:	± 430 CARS

RECEIVED
FEB 21 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

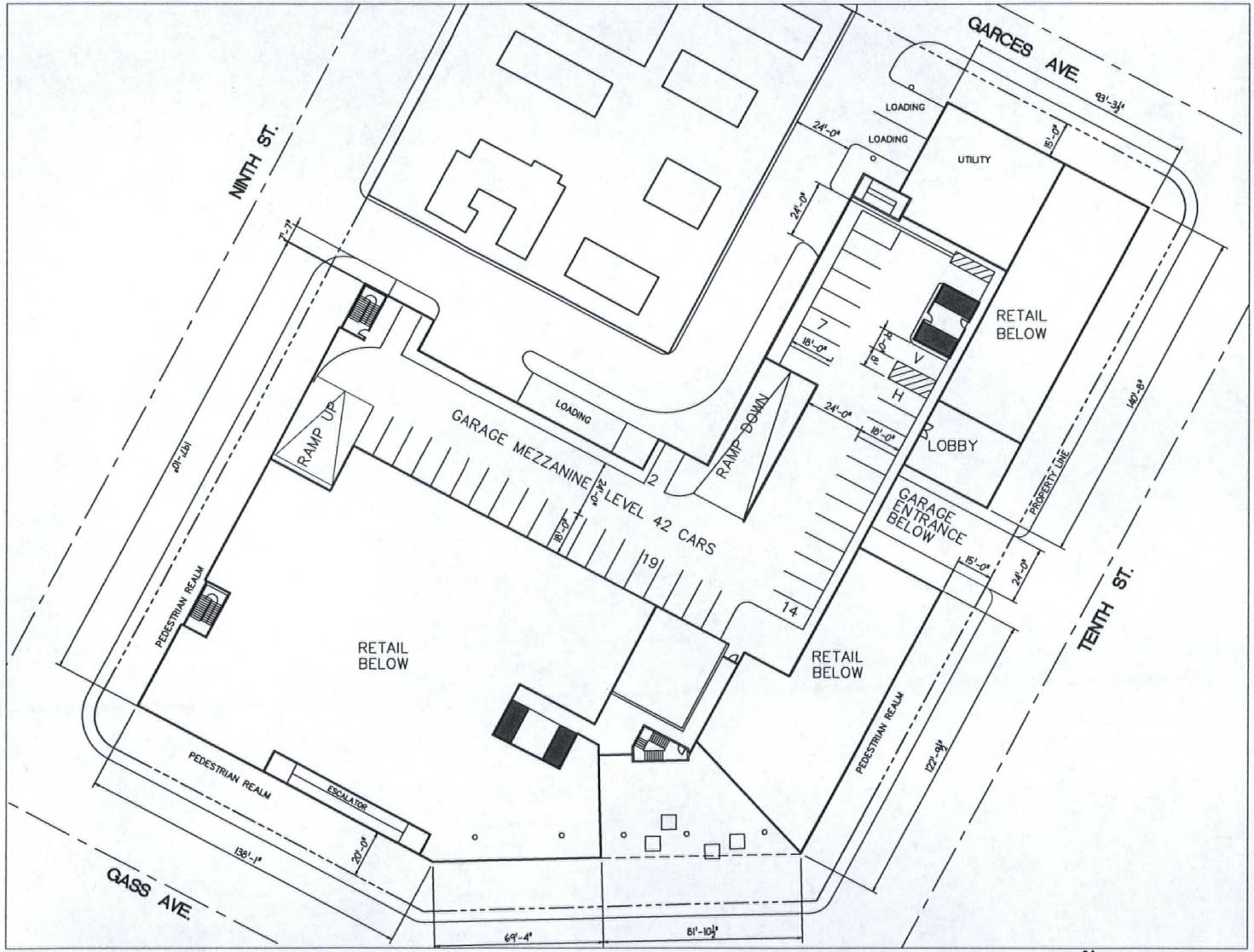
YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
www.yihonglaw.com
6600 arown road st
las vegas, nv 89118
(702) 214-2414
(702) 945-2822 fx

These drawings, building, all design, plans, specifications, and concepts are the property of Yihong Liu & Associates, Inc. and are not to be used in any way without the prior written authorization of Yihong Liu & Associates, Inc.

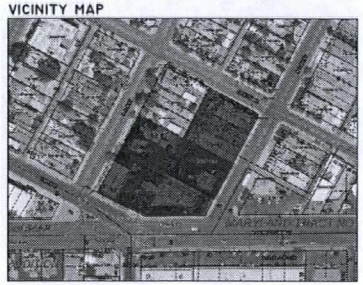
FEB 18, 2013

CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave
LAS VEGAS, NV

VAR-48460 SUP-48462
VAC-48465 SDR-48464



VICINITY MAP



MEZZANINE PARKING

N

0 20' 40'

SCALE: 1"= 20'-0"

CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave

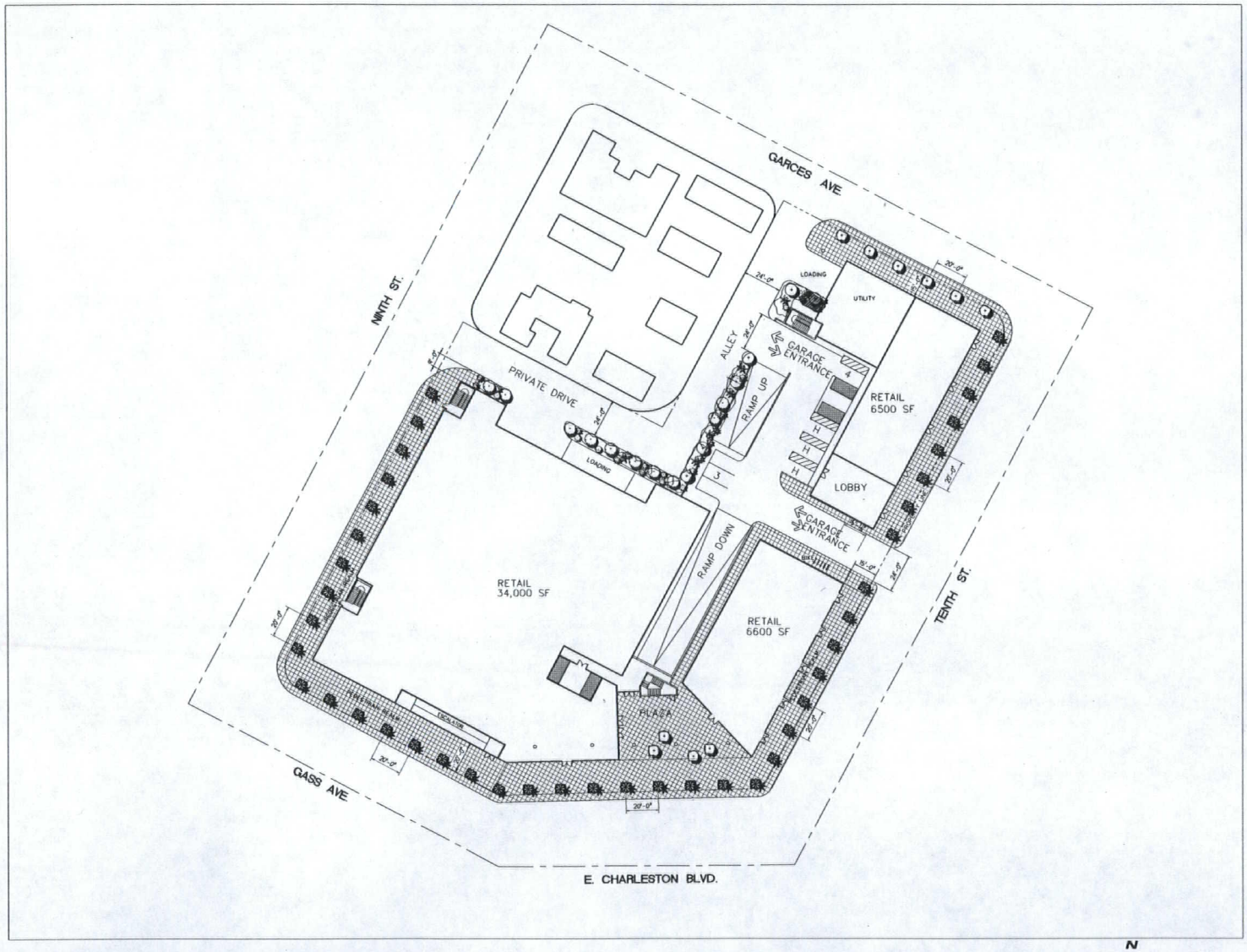
LAS VEGAS, NV

RECEIVED
FEB 21 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

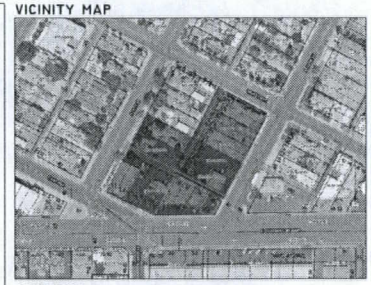
YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR

FEB 18, 2013

VAR-48460 SUP-48462
VAC-48465 SDR-48464



VICINITY MAP



TREE LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	CHITALPA TASHKENTENSIS CHITALPA	36" BOX AT BLDG. 24" BOX	STD. D.S.
	RHUS LANCEA AFRICAN SUMAC	24" BOX	STD. D.S.
	PHOENIX DACTILIFERA DATE PALM	20' " HEIGHT	SKINNED TRUNK W 35' PINEAPPLE
	PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE	24" BOX	STD. D.S.
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	22' HEIGHT	SKINNED TRUNK TO PALM HEAD
	VITEX AGNUS-CASTUS CHASTE TREE	24" BOX	STD. D.S.

SHRUB LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL	12" O.C.
	CASSIA NEMOPHILA CASSIA	5 GAL	60" O.C.
	CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM	15 GAL, 24" BOX	15 GAL EACH POT 24" BOX IN GROUND
	COTONEASTER GLAUCOPHYLLUS BRIGHT BEAD COTONEASTER	5 GAL	42" O.C.
	ELAEAGNUS PUNGENS SILVERBERRY	5 GAL	48" O.C.
	HESPERALOE PARVIFLORA RED YUCCA	5 GAL	36" O.C.
	LEUCOPHYLLUM F. 'COMPACTA' DWARF TEXAS RANGER	5 GAL	30" O.C.
	LEUCOPHYLLUM F. 'GREEN CLOUD' GREEN CLOUD TEXAS RANGER	5 GAL	48" O.C.
	MUHLENBERGIA C. 'REGAL MIST' REGAL MIST	5 GAL	36" O.C.
	MUHLENBERGIA RIGENS DEER GRASS	5 GAL	36" O.C.
	PENNISETUM SETACEUM 'CUPREUM' PURPLE FOUNTAIN GRASS	5 GAL	36" O.C.
	SALVIA GREGGII AUTUMN SAGE	5 GAL	24" O.C.

GROUND COVER / ACCENT PLANT LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	ACACIA R. 'DESERT CARPET' CREEPING ACACIA	1 GAL	54" O.C. PLANT 54" BACK OF CURBS AND WALKS
	DALEA CAPITATA 'SIERRA GOLD' SIERRA GOLD DALEA	1 GAL	30" O.C. PLANT 30" BACK OF CURBS AND WALKS
	LANTANA CAMARA 'NEW GOLD' NEW GOLD LANTANA	1 GAL	30" O.C. PLANT 30" BACK OF CURBS AND WALKS
	ROSMARINUS O. 'PROSTRATUS' DWARF ROSEMARY	1 GAL	36" O.C. PLANT 36" BACK OF CURBS AND WALKS

ROCK MULCH

APPLY A 2" DEEP LAYER OF 3/4" SIZE SCREENED 'PALOMINO TAN' ROCK MULCH IN ALL PLANTING AREAS. THE CONTRACTOR SHALL SUBMIT A SAMPLE OF THE ROCK MULCH TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION. THERE ARE TO BE NO BARE AREAS WITHOUT ROCK MULCH. TOP OF ROCK MULCH SHALL BE 1" BELOW FINISH SURFACE OF ADJACENT PAVING.

ALL SLOPES 2-1/2:1 OR GREATER SHALL HAVE 2" TO 4" ROCK TO MATCH THE 'PALOMINO TAN' ROCK SOURCE.

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ARCHITECTURE PLANNING INTERIOR

www.yiaarchitecture.com

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las vegas, nv 89139
(702) 313-6118
(702) 946-0027 fax

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PROJECT LANDSCAPE PLAN

N

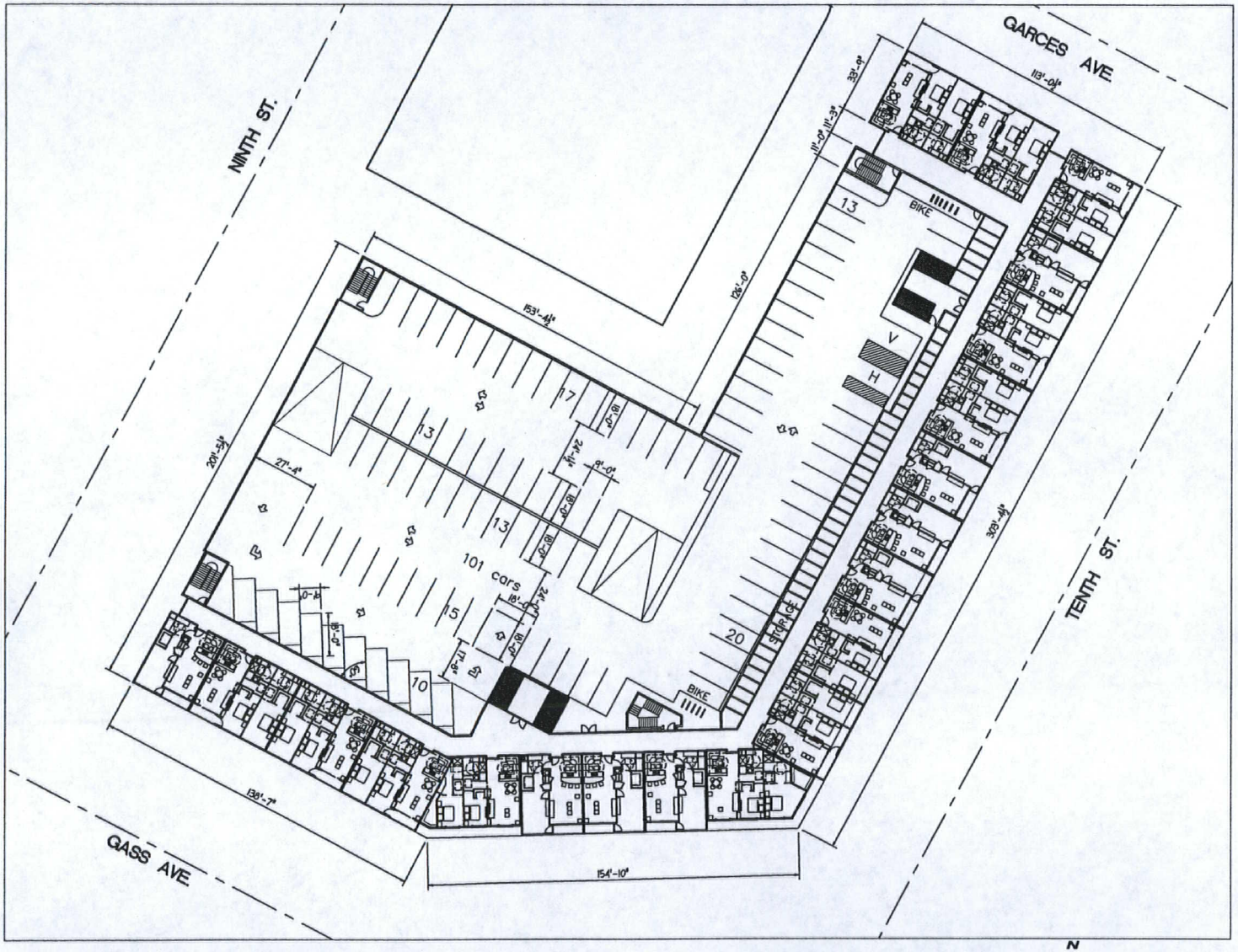
0 30' 60'

SCALE: 1"= 30'-0"

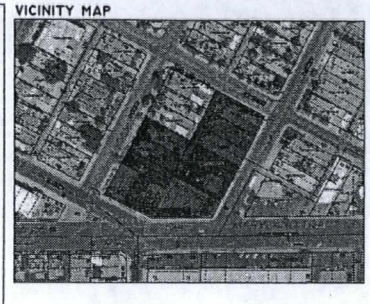
CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave

LAS VEGAS, NV

VAR-48460 [redacted]
SUP-48462 VAC-48465
SDR-48464



VICINITY MAP



2ND FLOOR LAYOUT

N

0 20' 40'

SCALE: 1"= 20'-0"

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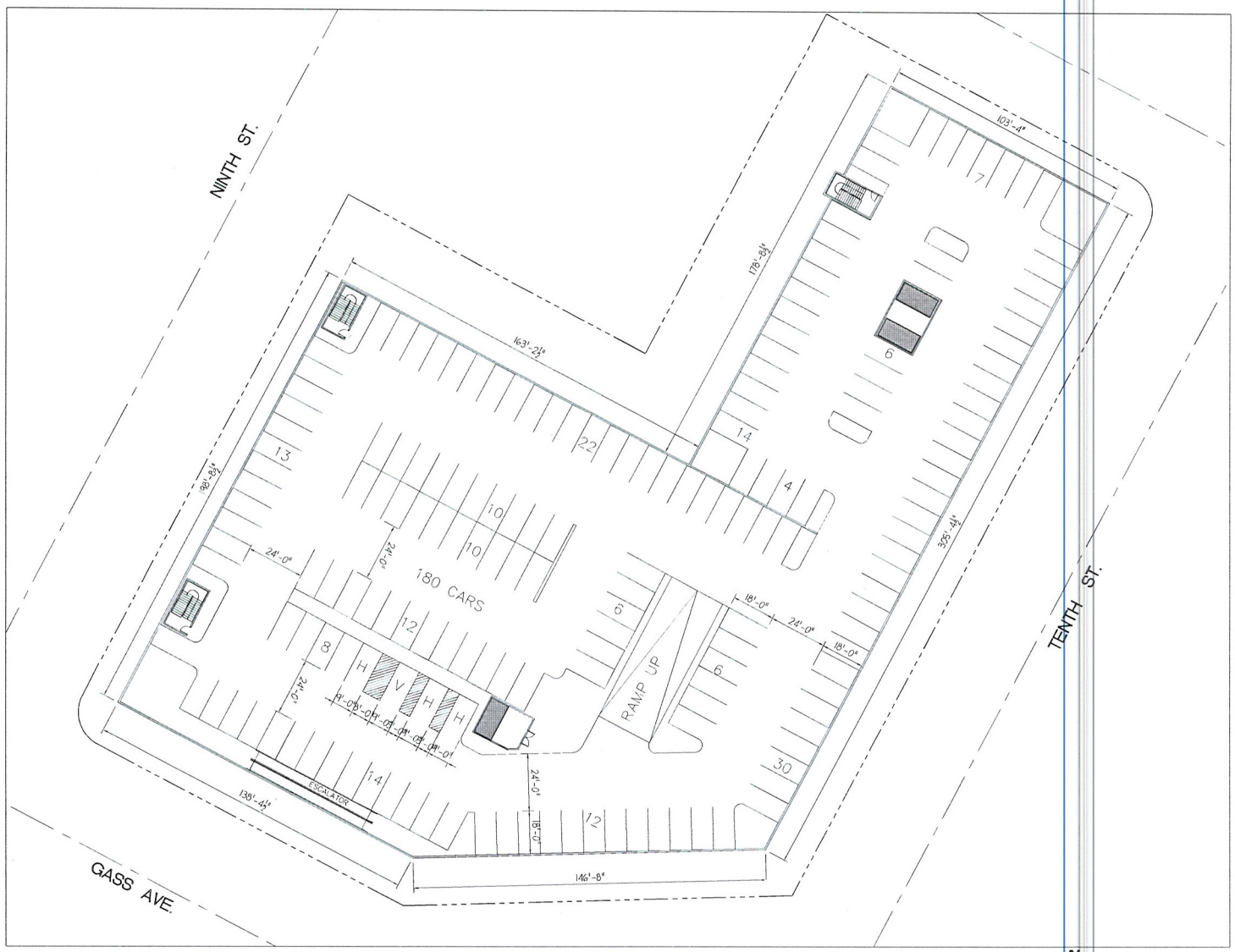
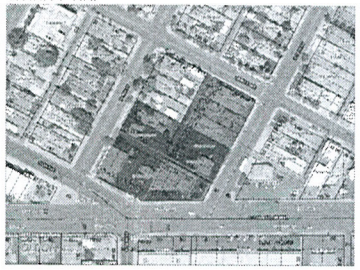
CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave

LAS VEGAS, NV

VAR-48460 SUP-48462
VAC-48465 SDR-48464



VICINITY MAP



UNDERGROUND PARKING

N

0 20' 40'

SCALE 1"= 20'-0"

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SDR-48464

ELEVATION KEYNOTE

1. STUCCO - INTEGRAL SMOOTH FINISH
2. GLASS BALCONY RAILING
3. FIBERGLASS VERTICAL BAR - WOOD LOOK
4. DUALPANE LOW-E GLASS WINDOW
5. DUAL PANE STOREFRONT GLASS
6. METAL COLUMN COVER
7. CORRUGATED METAL
8. METAL TRELLIS OVERHANG
9. CONCRETE WITH PAINT
10. ELEVATOR TOWER
11. STAIR TOWER

CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave

LAS VEGAS, NV

EAST ELEVATION

0 16' 32'

SCALE 1/16"=1'-0"

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4. DUALPANE LOW-E GLASS WINDOW
5. DUAL PANE STOREFRONT GLASS
6. METAL COLUMN COVER
7. CORRUGATED METAL
8. METAL TRELLIS OVERHANG
9. CONCRETE WITH PAINT
10. ELEVATOR TOWER
11. STAIR TOWER

NORTH ELEVATION

0 16' 32'

SCALE 1/16"=1'-0"

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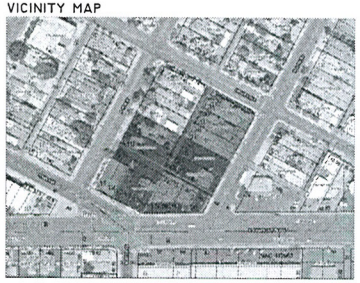
VICINITY MAP



ELEVATION KEYNOTE

1. STUCCO - INTEGRAL SMOOTH FINISH
2. GLASS BALCONY RAILING
3. FIBERGLASS VERTICAL BAR - WOOD LOOK
4. DUALPANE LOW-E GLASS WINDOW
5. DUAL PANE STOREFRONT GLASS
6. METAL COLUMN COVER
7. CORRUGATED METAL
8. METAL TRELLIS OVERHANG
9. CONCRETE WITH PAINT
10. ELEVATOR TOWER
11. STAIR TOWER

SOUTH ELEVATION

0 16' 32'

SCALE 1/16"=1'-0"

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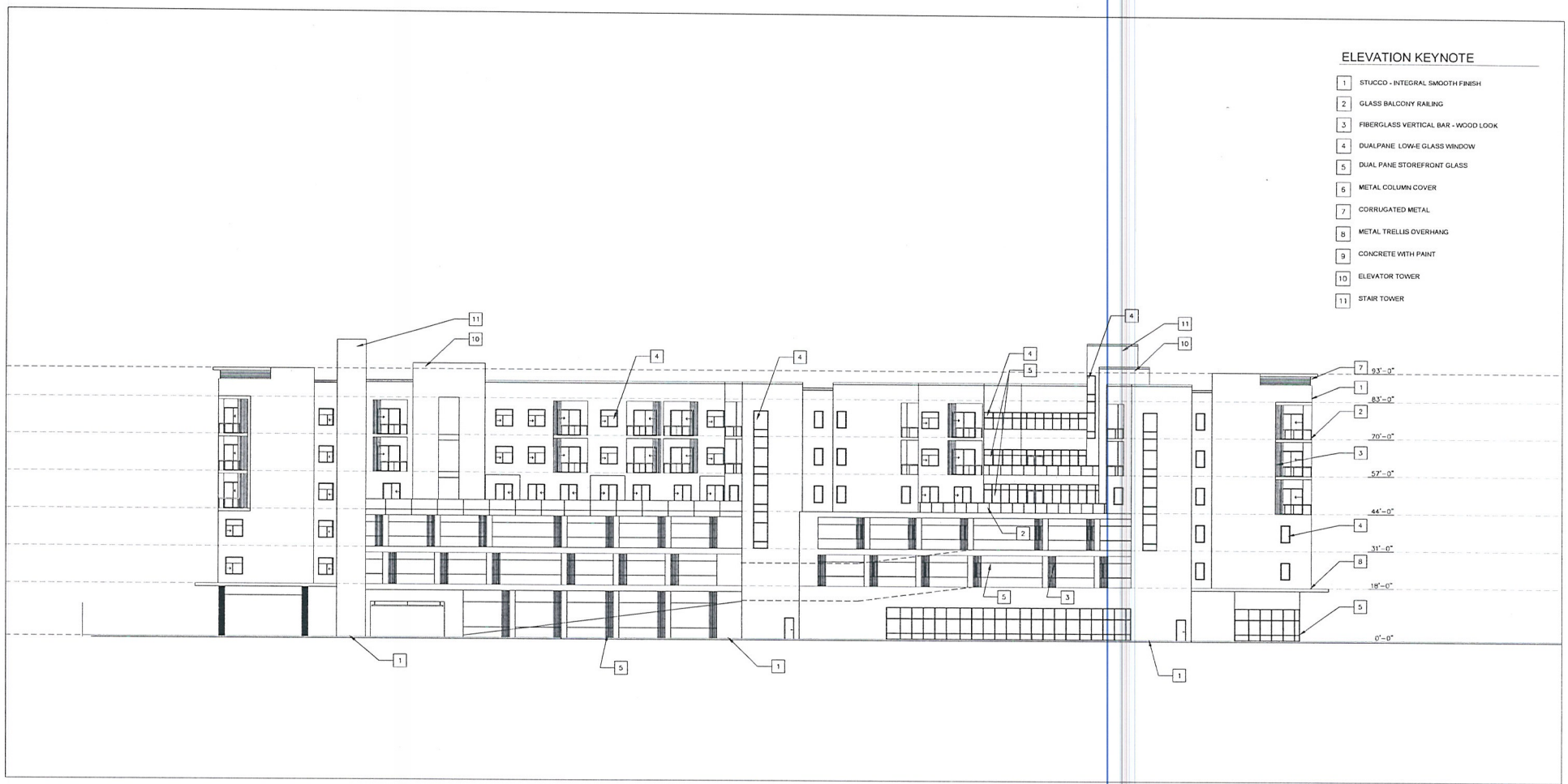

WEST ELEVATION

0 16' 32'

SCALE 1/16"=1'-0"

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JAN 17, 2013

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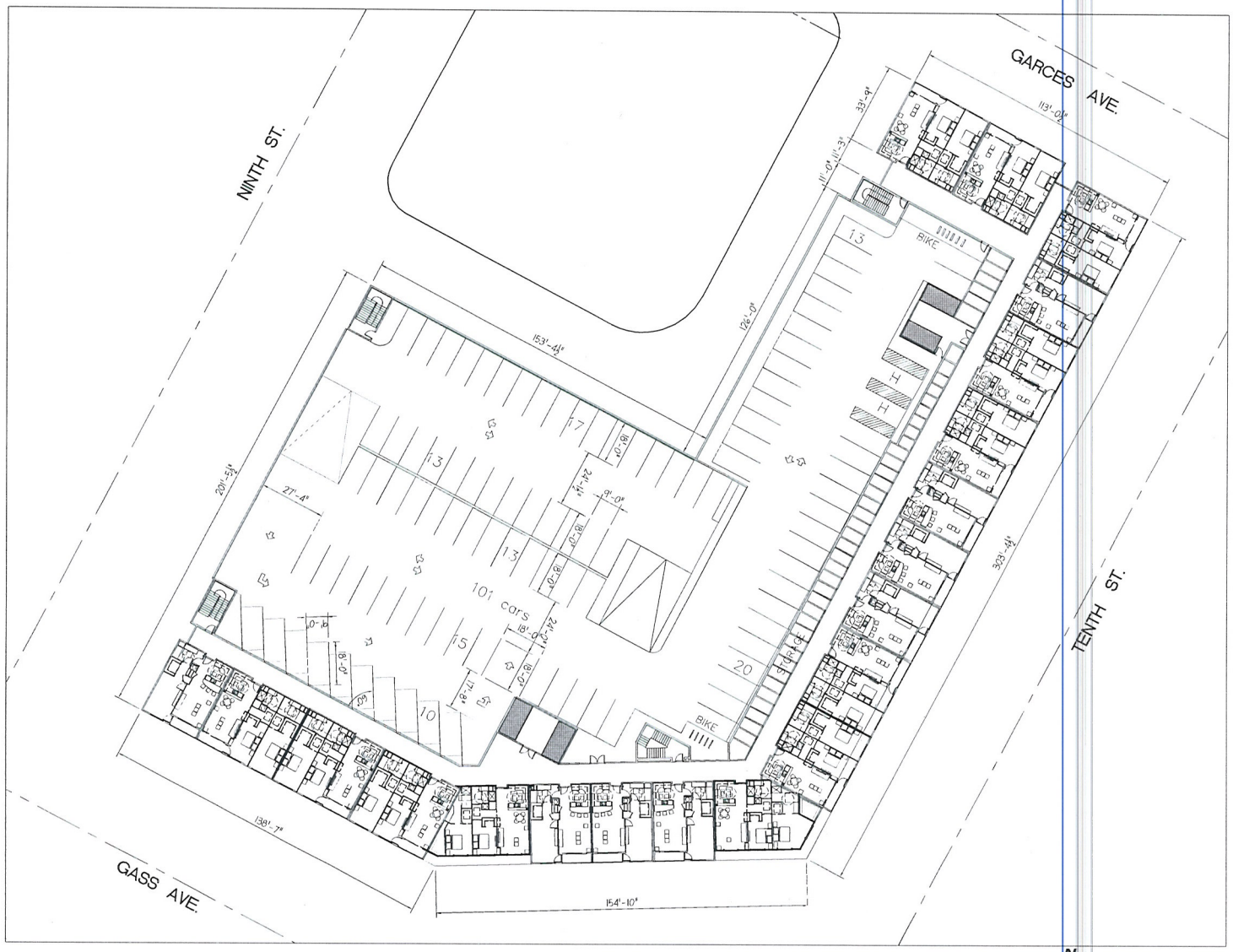

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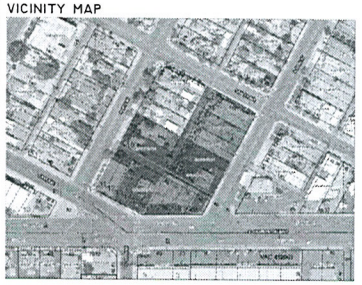

3RD FLOOR LAYOUT

0 20' 40'

SCALE: 1"= 20'-0"

N

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at charleston blvd & gass ave

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SDR-48464

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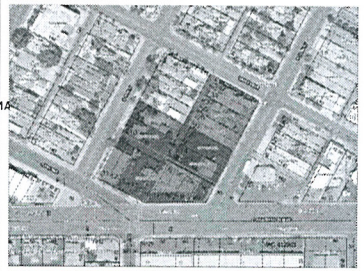

APARTMENT AMENITY 4TH LEVEL FLOOR PLAN

N

0 20' 40'
SCALE: 1"= 20'-0"

CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave

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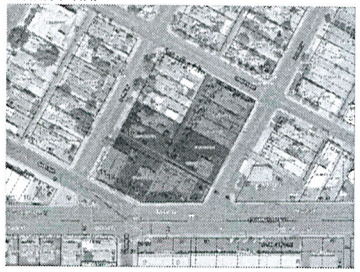
VICINITY MAP



APARTMENT 5TH LEVEL FLOOR PLAN

0 20' 40'
SCALE: 1"= 20'-0"

N

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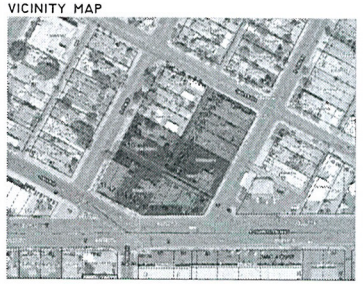
VICINITY MAP



APARTMENT 6TH LEVEL FLOOR PLAN

0 20' 40'

SCALE: 1"=20'-0"

N

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STUCCO COLOR-1
DE 6135 VERONA BEACH

STUCCO COLOR -2
DE 5184 BRILLIANT BEIGE

STUCCO COLOR -3
DE 6130 WOOD ACRE

METAL PAINT
DE 6338 SHINY NICKEL

CONCRETE PAINT
DE 6339 ADIRONDACK

LOW-E
BLUE GREEN GLASS

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COLOR & MATERIALS

CHARLESTON TOWER MIXED USE
at charleston blvd & gass ave
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NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET

02/28/13

VAR-48460, SUP-48462, VAC-48465 & SDR-48464 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC
NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET

02/28/13

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02/28/13

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02/28/13

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NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET

02/28/13

February 21, 2013

Flinn Flagg, Director
c/o Michael Howe
Planning and Development Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Letter of Justification – Charleston at 10th Mixed Use
Location: Charleston Boulevard & 10th, Northwest Corner
Request: Special Use Permit for Mixed Use; Variance to Lot Coverage; Site Development Plan Review; Vacation
APNs: 139-34-812-003; 139-34-810-101 thru 105; 139-34-810-074 & 075

Dear Flinn:

On behalf of our client, Charleston Towers Management, LLC, please accept this justification letter for a new Special Use Permit, Site Development Plan Review and associated Variance(s) and Alley Vacation(s) to allow a reduction in the previously approved height and intensity to create a more appropriate scale, intensity and overall design to support a Mixed Use for office, retail and residential that will both be a major reinvestment into the area and major upgrade to the property. It will also bring it into substantially greater conformance with the existing City codes and better fit with the neighborhood. This project is located on eight parcels comprising 2.05 +/- gross acres located at the northwest corner of Charleston Boulevard & 10th Street

The request is for a new set of entitlements that maintain the Mixed Use but significantly alter the scale, mass and overall intensity by altering the height and exterior elevations while creating the potential for a ground floor grocery store, retail and office with residential units above. The design fits within the design parameter previously approved as to the setbacks, parking ratios, and variances but with a dramatic reduction in height and units (see table below). The existing lots would ultimately be combined into a single development lot.

	Prior Approvals	Current Proposal
Residential Units	350 Units	166 Units
Height	195 feet	93 feet
Stories	17 Max	6 Max
Commercial	18,000 Sq ft	47,100 Sq Ft
Zoning	C-1	C-1

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Planning & Development

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SDR-48464

GCGARCIA
A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

On behalf of our client, please accept the application package for the 2.05 +/- acre property located on the north side of Charleston Boulevard, between 9th and 10th Streets. The proposal is a mixed-use retail, office and residential project consisting of 47,100 square feet of ground floor for retail space with 166 units in a six story high or 93 foot high building. The following applications are submitted with this request:

1) Special Use Permit for a Mixed Use Project in Limited Commercial (C-1) for the entire property including proposed vacation(s);

2) Waiver or Variance to Title 19.06.040.I.2.a.I of the City of Las Vegas Zoning Ordinance Residential Adjacency standards to allow a setback of 45 feet from Single Family Residential (R-1) where a 3:1 slope, or 279 feet, is required.

3) Variance to Title 19.08.070, Table 1, C-A Limited Commercial District to allow a maximum lot coverage of 56% where 50% is the maximum allowed.

4) Site Development Plan Review for a Mixed Use Project in Limited Commercial (C-1).

CURRENT LAND USE AND ZONING CONDITIONS

The site is currently designated Commercial (C –Downtown Land Use) on the City of Las Vegas Southeast Sector Land Use Designation Map; the remainder of the site is designated Mixed Use District (MXU). The entire block to the east, from Charleston Boulevard to Garces, between 10th and 11th Street is designated Commercial (C) as well as all the properties fronting along the south side of Charleston Boulevard are also designated Commercial(C). The blocks to the north and west of the site are all designated Mixed Use (MXU); in fact the entire area north of Charleston is shown for both Mixed Use and Commercial development.

The subject site is already zoned Limited Commercial (C-1), the three parcels on the southeast corner of Garces and 9th Street are Professional Office (P-R) and Residential (R-1); the zoning on the southeast corner of Garces & 10th is High Density Residential (R-4) and Professional Office (P-R).

APPROVAL CRITERIA- SPECIAL USE PERMIT Title 19.16.110-(L)

The following are the determinations to be made for approval of a Special Use Permit:

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

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Department of Planning

The Southeast Sector Land Use Map shows that the entire area of the City north of this site and the Charleston Boulevard corridor, from Main Street to Bruce Street, up to Bonanza Road, is designated predominately Commercial or for Mixed Use, which clearly indicates that modern, mixed use projects are a key component to encouraging reinvestment and redevelopment in this area of the City. The proposed use is oriented toward the Charleston Boulevard. The Redevelopment Plan encourages the assemblages of parcels to promote the type and intensity of development to stimulate the economy of the downtown area.

The site is currently approved for a far more intense mixed use SUP and was found compatible at the time. The result will dramatically improve and reduce the visual, traffic and neighborhood impacts to create a far more compatible design than currently approved and a better fit with the City's evolving downtown district. The proposed revisions retain the use but reflect compatibility in scale, mass, and intensity more compatible and harmonious for the current times.

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

In terms of land use designation, a the site is already designated for Commercial land uses In terms of the actual project proposed for the property, it can accommodate the proposed mix of residential and commercial uses, while providing all parking in a six level parking garage. Adequate on-site access and circulation will be provided to ensure free-flow of pedestrian, traffic movements and accommodate all emergency services.

c) ***Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; and***

The surrounding street network should be adequate to provide access and traffic carrying capacity. A traffic study was done for the currently approved more-intense mixed use and an updated study will be submitted if needed to determine additional improvements that will be needed to accommodate traffic and circulation needs.

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

Approval of this Special Use Permit will implement the core vision and objectives of the Redevelopment Plan of the City of Las Vegas. It will spur economic activity; provide places for new and current residents to live, work, shop and play. It will lead to additional investment and needed redevelopment in the immediate area and other parcels located within the Redevelopment Plan area. Therefore, it will contribute to the overall well-being of the City, and enhance the public health, safety and welfare.

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APPROVAL CRITERIA- VARIANCES
Title 19.16.140 (L)

The following is the substantive criterion for determining approval of variance applications:

2) **Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or 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.**

There are two possible variances requested from the strict application of the Code. One may not be required if it meets the Waiver test. They are:

Waiver & Variance
19.06.040.I.2.a.I *the residential adjacency standards, which states that no non-residential building shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of the chapter*

We believe this variance is not required as the project meets the requirements for a Waiver as provide in subsection 2.e.I:

2e1. *Any mixed-use development that contains a significant residential element.*

The proposed project contains commercial and residential with 166 units on 2.05 acres, which is a significant amount of residential.

a. Strict application of the Code standard would make it difficult for any reasonable commercial property to be built on the site without some variance to the standard. This development pattern is not a result of any action taken by the applicant, or their predecessor in title. Also, this and all the other surrounding properties are designated for Commercial or for Mixed Use Development, which should be a factor in determining the appropriateness of a variance application.

b. While on its face the variance may seem excessive, it is not in terms of factoring the overall objectives of the Redevelopment Plan. The long term vision of the plan is for re-planning and redeveloping stagnant areas of the City that no longer contribute to its tax or economic base. Therefore, the variance to allow a

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modern, forward-looking mixed use development should be considered.

c. Paragraph 5.b. entitled Waiver, states any mixed-use development that contains a significant residential element is eligible for a waiver by the City Council. The gross building size of the project is 398,133 square feet; with 166 dwelling units and 47,100 sf of retail Clearly, this is a residential driven project that given its importance to continued implementation of the Redevelopment Plan should be considered for a waiver.

d. The boundaries of the Downtown Centennial Plan extend to one-half block east of 6th Street, north of Charleston Boulevard. This is only two blocks away from the western edge of this project. If the project were in the Downtown Centennial Plan, Code standards would not be automatically applied. This is, obviously, in close proximity to the Plan area, and when reviewing the Future Land Use Maps of the Downtown Plan, Redevelopment Plan and Southeast Sector of the General Plan, all allow and encourage either commercial or mixed-use development; there is no real difference of lying within, or outside the Downtown Plan boundaries in terms of actual land use.

Title 19.08.070, Table 1, C-A Limited Commercial District *allow a maximum building coverage of 50 %, where 56% is requested. The variance is warranted for the following reasons:*

a. The six percent increase in lot coverage is minor and will not result in any detriment to the overall health, safety and general welfare to this area of the City.

b. As previously identified, the site is in close proximity to the area covered by the City of Las Vegas Downtown Centennial Plan, where the automatic application of Code standards is not applied.

c. The waiver was previously deemed appropriate.

APPROVAL CRITERIA- SITE DEVELOPMENT PLAN REVIEW Title 19.16.100 (E)

The following criteria are to be considered for approval of a Site Development Plan Review:

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

While the predominant existing development pattern to the north of Charleston Boulevard is a mixture of professional office and some remaining single family units, the Redevelopment Plan encourages mixed-use as a major tool for redevelopment. Also, the project is constructed so as to not encourage any cut-through traffic for the businesses north of Charleston, or any of the residential neighborhoods south of Charleston Boulevard. The parcels to the east

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Department of Planning

are zoned C-2, which not only allows mixed use with a special use permit, but more intense commercial uses as well.

The prior approval was more intense, taller, and massive than the current design. As proposed the proposed development is more compatible.

2) ***The proposed development is consistent with the General Plan, this title, the Design Standards manual, the Landscape Wall and Buffer Standards an other duly-adopted city plans, policies and standards:***

The project is in substantial accordance with development related ordinances of the City. All landscaping, open space and required recreational amenities for a project of this size and scale will be provided. The Waiver or Variances to the residential adjacency standards and building coverage are reasonable and not beyond the scope of the type of intensity and density that will be needed to reinvigorate this area of the City.

The architectural changes and enhancements to the building and site help make the design more compatible, more attractive, walkable, safe and inviting. The changes comply with and substantially improve upon the previous approvals. The 2020 policy does suggest incentives for relaxing standards when balanced against the quality of the improvements.

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

All access will be directed to Charleston Boulevard, to minimize any impacts to business owners or residents in the area. The north/south alley, if vacated, will continue to operate as it currently does, in terms of access and traffic flow. The proposed development is significantly less intense than the previously approved project.

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

The buildings will be constructed of Low E clear glass, vision and spandrel glazing in aluminum framed curtain walls, with storefront retail glazing. This will be an exciting, vibrant addition to this area of the City, spurring additional redevelopment and reinvestment in the area. Therefore, the building and landscape material effectively implement the long-term vision of the Redevelopment Plan.

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 the area***

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Department of Planning

The existing development on the property is unsightly, undesirable and obnoxious in appearance, which has led to an overall decay along the

Charleston Boulevard corridor. This project will bring an attractive, exciting environment to Charleston Boulevard and will be an important first step in changing the face of this area of the City.

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

The redevelopment of this area is in the highest interest of all resident of the City of Las Vegas. Making the Redevelopment Plan objectives a reality will bring new development, new investment and a new, much needed vibrant atmosphere to this area.

APPROVAL CRITERIA- VACATIONS Title 19.16.080.E.3

If, following the public hearing, the City Council is satisfied what the public will not be materially injured by the proposed vacation, it may order the right-of-way vacated. The City Council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation is to modify the current alley way to reflect the project design and lot assemblage. The vacation is entirely fronted by the applicant's properties. The resultant alley way and private drive will provide for service deliveries and emergency services

SUMMARY

In summary, we believe this project will set a new standard and can be the impetus for the north side of the Charleston Boulevard corridor. It assembles parcels that are stagnant, underutilized and in need of redevelopment into an exciting mixed-use project that will spur future redevelopment activity. The intent is to enhance the environment of the business owners to the north, while having minimal impacts, in terms of views, traffic and shading to the John S. Park neighborhood to the South.

The new plans a first step in implementing the overall objectives of the Redevelopment Plan along the north side of Charleston Boulevard. The new plans are a recognition of the need to lessen the visual impacts and create a more compatible and harmonious relationship to surrounding properties.

We respectfully ask for your favorable consideration of this project; please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

for George Garcia

GCG:dw

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FEB 2 1 2013

City of Las Vegas
Department of Planning

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
SUP-48462 - SPECIAL USE PERMIT RELATED TO VAR-48460 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A PARKING STRUCTURE TO BE LOCATED ALONG THE STREET FRONTAGE OF THE DEVELOPMENT SITE at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48462** APN: 139-34-810-101 thru 105, 074, 075 & 139-34-812-003

Name of Property Owner: Charleston Towers, LLC

Name of Applicant: Charleston Towers, LLC

Name of Representative: G. C. Garcia

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: Mark S. Dix

Subscribed and sworn before me

This 19th day of February, 2013

Jackson L. Burton

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit (Mixed Use)

Project Address (Location) Charleston & 10th

Project Name Charleston Towers **Proposed Use** Mixed-Use Office, Retail & Resid.

Assessor's Parcel #(s) 139-34-810-101 thru 105,074,075&139-34-812-003 **Ward #** 3 (Coffin)

General Plan: existing C proposed N/C **Zoning:** existing C-1 proposed N/C

Commercial Square Footage 47,100 Sq ft **Floor Area Ratio** 4.2

Gross Acres 1.91 +/- **Lots/Units** 166 **Density**

~~**Additional Information**~~

PROPERTY OWNER Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

APPLICANT Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com (Andrea)

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 Mark Dix

Subscribed and sworn before me

This 19th day of February, 20 13.

[signature]
Jackson L. Burton

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

FOR DEPARTMENT USE ONLY

Case #	SUP-48462
Meeting Date:	4/9/13
Total Fee:	$1030.-
Date Received:*	2/21/13
Received By:	[signature]

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

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
VAC-48465 - VACATION RELATED TO VAR-48460 AND SUP-48462 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Petition to Vacate the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street, Ward 3 (Coffin). Staff recommends APPROVAL.

SETA DATE: 05/01/2013
C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Justification Letter

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

CASE: VAC-48465

0 100 200
Feet

N

CASE: VAC-48465

0 100 200
Feet

N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-48465** APN: 139-34-810-101 thru 105, 074, 075 + 139-34-812-003

Name of Property Owner: Charleston Towers, LLC

Name of Applicant: Charleston Towers, LLC

Name of Representative: G. C. Garcia

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: Mark S. Dix

Subscribed and sworn before me

This 14th day of February, 2013

Jackson L. Burton

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Vacation

Project Address (Location) Charleston & 10th

Project Name Charleston Towers **Proposed Use** Mixed-Use Office, Retail & Resid.

Assessor's Parcel #(s) 139-34-810-101 thru 105,074,075&139-34-812-003 **Ward #** 3 (Coffin)

General Plan: existing C proposed N/C **Zoning:** existing C-1 proposed N/C

Commercial Square Footage 47,100 sq ft **Floor Area Ratio** 4.2

Gross Acres 1.91 +/- **Lots/Units** 166 **Density**

Additional Information

PROPERTY OWNER Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

APPLICANT Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com (Andrea)

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 Mark Dix

Subscribed and sworn before me

This 19th day of February, 20 13.

Jackson L. Burton, Jackson L. Burton

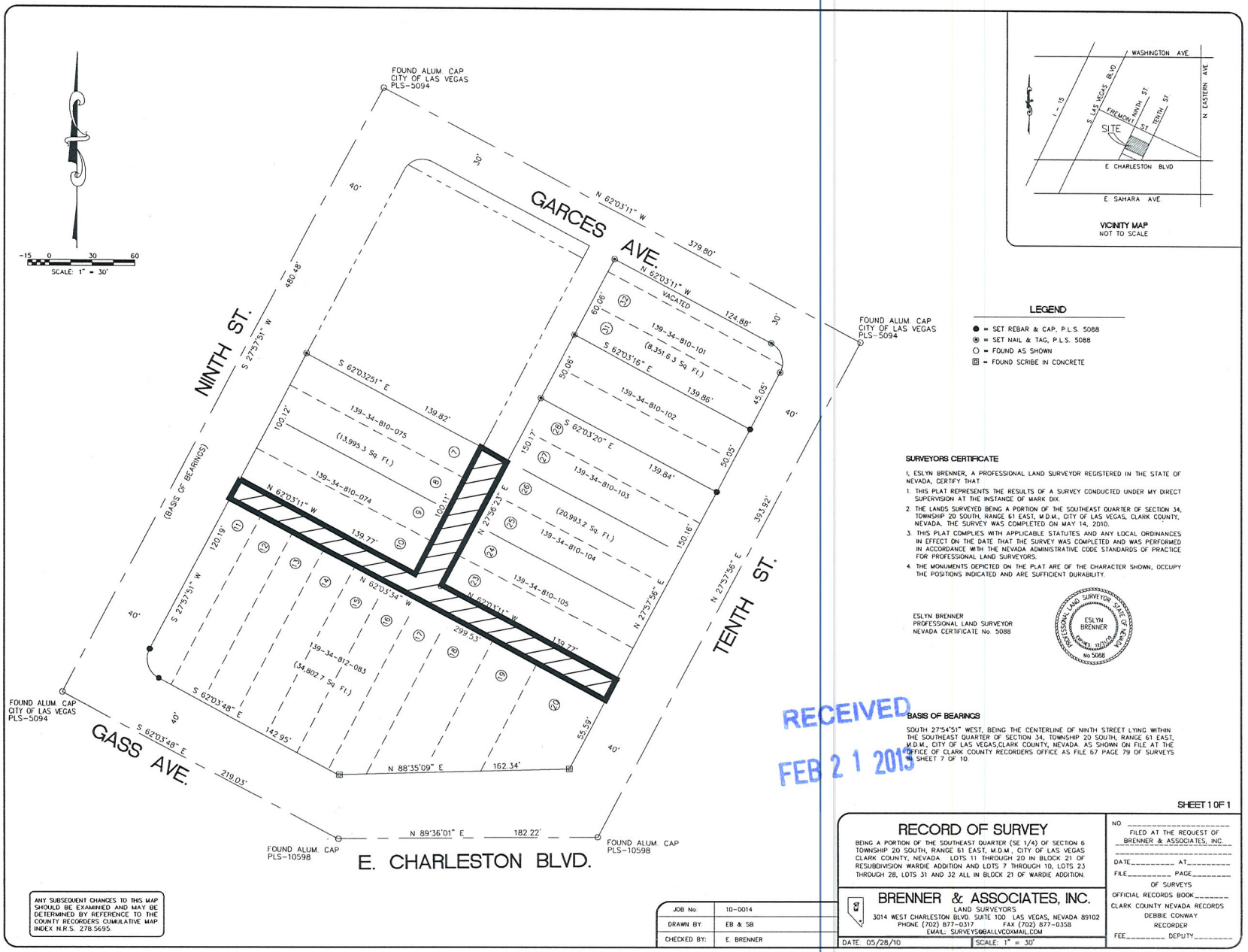
Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC-CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

FOR DEPARTMENT USE ONLY

Case #	VAC-48465
Meeting Date:	4/9/13
Total Fee:	1000.-
Date Received:*	2/21/13
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
NOT TO SCALE

LEGEND

- ● = SET REBAR & CAP, P.L.S. 5088
- ◉ = SET NAIL & TAG, P.L.S. 5088
- ○ = FOUND AS SHOWN
- ⊡ = FOUND SCRIBE IN CONCRETE

SURVEYORS CERTIFICATE

I, ESLYN BRENNER, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF MARK DIX.
2. THE LANDS SURVEYED BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA. THE SURVEY WAS COMPLETED ON MAY 14, 2010.
3. THIS PLAT COMPLIES WITH APPLICABLE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED AND WAS PERFORMED IN ACCORDANCE WITH THE NEVADA ADMINISTRATIVE CODE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT DURABILITY.

ESLYN BRENNER
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE No. 5088

PROFESSIONAL LAND SURVEYOR · STATE OF NEVADA · ESLYN BRENNER · No 5088

BASIS OF BEARINGS

SOUTH 27°54'51" WEST, BEING THE CENTERLINE OF NINTH STREET LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA. AS SHOWN ON FILE AT THE OFFICE OF CLARK COUNTY RECORDERS OFFICE AS FILE 67 PAGE 79 OF SURVEYS IN SHEET 7 OF 10.

RECEIVED
FEB 21 2013

SHEET 1 OF 1

RECORD OF SURVEY

BEING A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 6 TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS CLARK COUNTY, NEVADA. LOTS 11 THROUGH 20 IN BLOCK 21 OF RESUBDIVISION WARDIE ADDITION AND LOTS 7 THROUGH 10, LOTS 23 THROUGH 28, LOTS 31 AND 32 ALL IN BLOCK 21 OF WARDIE ADDITION.

NO. _____
FILED AT THE REQUEST OF
BRENNER & ASSOCIATES, INC.
DATE_____ AT_____
FILE_____ PAGE_____
OF SURVEYS
OFFICIAL RECORDS BOOK_____
CLARK COUNTY NEVADA RECORDS
DEBBIE CONWAY
RECORDER
FEE_____ DEPUTY_____

BRENNER & ASSOCIATES, INC.
LAND SURVEYORS
3014 WEST CHARLESTON BLVD. SUITE 100 LAS VEGAS, NEVADA 89102
PHONE (702) 877-0317 FAX (702) 877-0358
EMAIL: SURVEYS@ALLVOXMAIL.COM

JOB No.	10-0014
DRAWN BY:	EB & SB
CHECKED BY:	E. BRENNER

DATE: 05/28/10 SCALE: 1" = 30'

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDERS CUMULATIVE MAP INDEX N.R.S. 278.5695.

VAC-48465

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
SDR-48464 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-48460, SUP-48462 AND VAC-48465 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SIX-STORY MIXED-USE DEVELOPMENT CONSISTING OF 166 RESIDENTIAL UNITS AND 47,100 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINE WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED AND TO ALLOW A 51-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE A 279-FOOT SETBACK IS REQUIRED on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

C.C.: 05/15/2013

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-48464** APN: 139-34-810-101 thru 105,074,075 & 139-34-81 + 139-34-812-003

Name of Property Owner: Charleston Towers, LLC

Name of Applicant: Charleston Towers, LLC

Name of Representative: G.C. Garcia, Inc.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

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FEB 21 2013

Signature of Property Owner: [signature]

Print Name: Mark S. Dix

Subscribed and sworn before me

This 13th day of February, 2013

Mark S. Dix

Notary Public in and for said County and State

Jackson L. Burton, Notary Public

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Riverside

Subscribed and sworn to (or affirmed) before me on this

13th (Date) day of February (Month), 2013 (Year), by

(1) MARK S. DIX (Name of Signer),

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

(and

(2) _____ (Name of Signer),

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

Signature Jackson L. Burton, Notary Public (Signature of Notary Public)

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

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.

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: 2/13/13 Number of Pages: 1

Signer(s) Other Than Named Above: _____

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

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5910 Reorder: Call Toll-Free 1-800-876-6827

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) Charleston & 10th

Project Name Charleston Towers **Proposed Use** Mixed-Use Office, Retail & Resid.

Assessor's Parcel #(s) 139-34-810-101 thru 105,074,075&139-34-812-003 **Ward #** 3 (Coffin)

General Plan: existing C proposed N/C **Zoning:** existing C-1 proposed N/C

Commercial Square Footage 47,100 sqft **Floor Area Ratio** 4.2

Gross Acres 1.91 +/- **Lots/Units** 166 **Density**

Additional Information

PROPERTY OWNER Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

APPLICANT Charleston Towers, LLC **Contact** Mark Dix

Address 18501 Collier Ave #B-106 **Phone:** **Fax:**

City Lake Elsinore **State** CA **Zip** 92530

E-mail Address mark.dix@tiltupsbysci.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com (Andrea)

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 Mark Dix

Subscribed and sworn before me

This 13th day of February, 20 13.

Mark S. Dix

Jackson L. Burton, Notary Public

Notary Public in and for said County and State

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

FOR DEPARTMENT USE ONLY

Case #	SDR-48464
Meeting Date:	4/9/13
Total Fee:	$1030.-
Date Received:*	2/21/13
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.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Riverside

Subscribed and sworn to (or affirmed) before me on this

13th day of February, 2013, by
Date Month Year

(1) Mark S. Dix,
Name of Signer

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

(and

(2) _____,
Name of Signer

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

Signature Jackson L. Burton Notary Public
Signature of Notary Public

JACKSON L. BURTON
COMM. # 1936711
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
MY COMM. EXP. MAY 15, 2015

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.

Further Description of Any Attached Document

Title or Type of Document: Planning Application Form

Document Date: 2/13/13 Number of Pages: 1

Signer(s) Other Than Named Above: _____

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

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SDR 48464
Charleston Towers, LLC

NWC Charleston Blvd & 10th St

Proposed 166 unit multi-family residential development.

Traffic produced by proposed development:

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	166	6.65	1,104
AM Peak Hour			0.51	85
PM Peak Hour			0.62	103

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER/GENERAL RETAIL [1000 SF]	47.1	42.94	2,022
AM Peak Hour			1.00	2
PM Peak Hour			3.73	176

Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	166	6.65	3,126
AM Peak Hour			0.51	87
PM Peak Hour			0.62	279

Existing traffic on all nearby streets:

Charleston Blvd.	
Average Daily Traffic (ADT)	31,613
PM Peak Hour (heaviest 60 minutes)	2,529

10th St.	
Average Daily Traffic (ADT)	2,375
PM Peak Hour (heaviest 60 minutes)	190

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Charleston Blvd.	34,500
10th St.	16,300

This project is expected to increase traffic on Charleston Blvd. & 10th St. by about 3,126 trips per day. Currently, Charleston is at about 92 percent of capacity and 10th is at about 15 percent of capacity. With this project, Charleston is expected to be over capacity and 10th to be at about 34 percent of capacity.

Based on Peak Hour use, this project will increase traffic by about 279 trips in the peak hour, or about nine every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

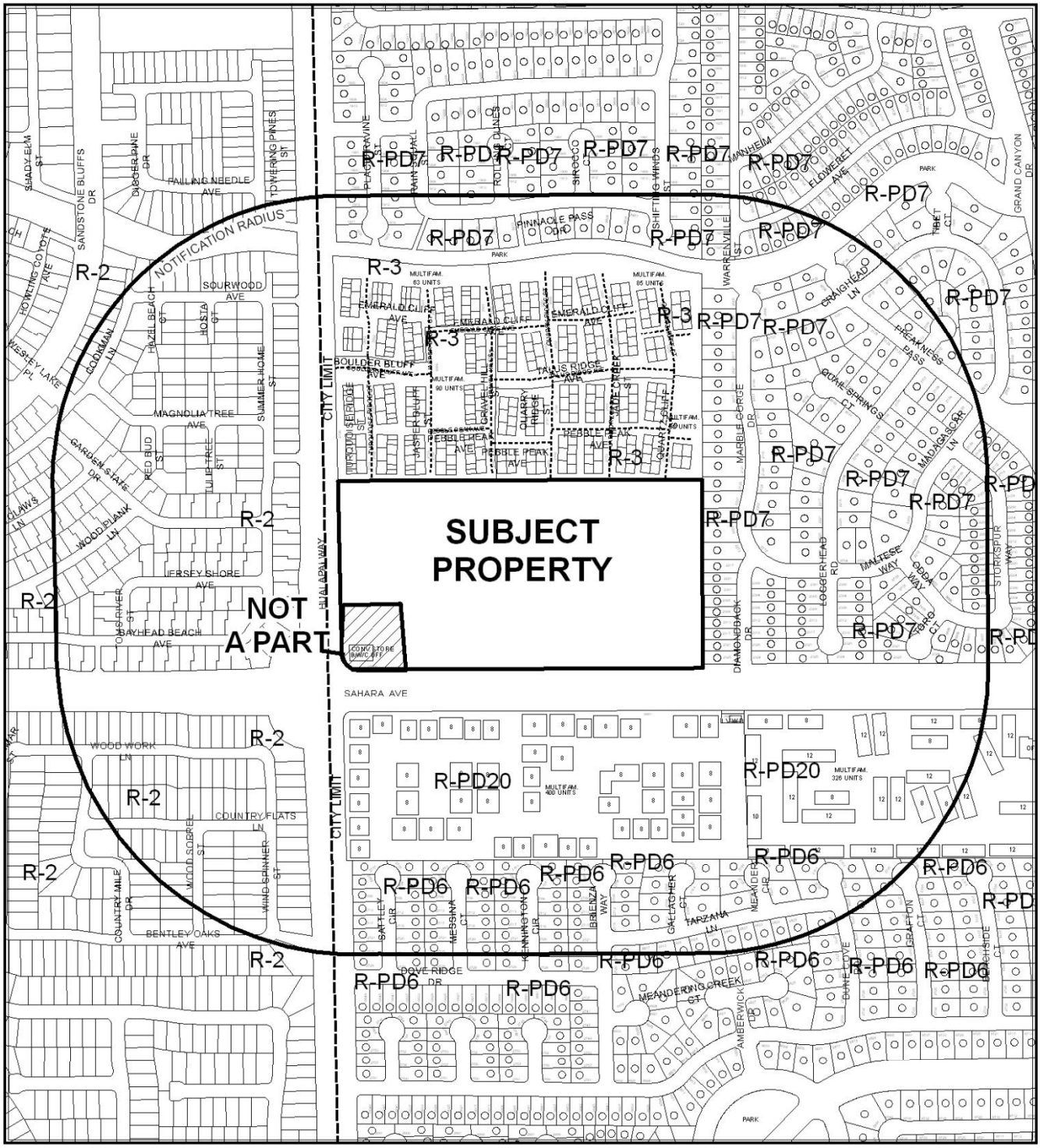
SUBJECT:
MSP-48470 - MASTER SIGN PLAN - NON-PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Master Sign Plan FOR A PROPOSED 219,100 SQUARE-FOOT SHOPPING CENTER on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way (APN 163-06-416-006), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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:

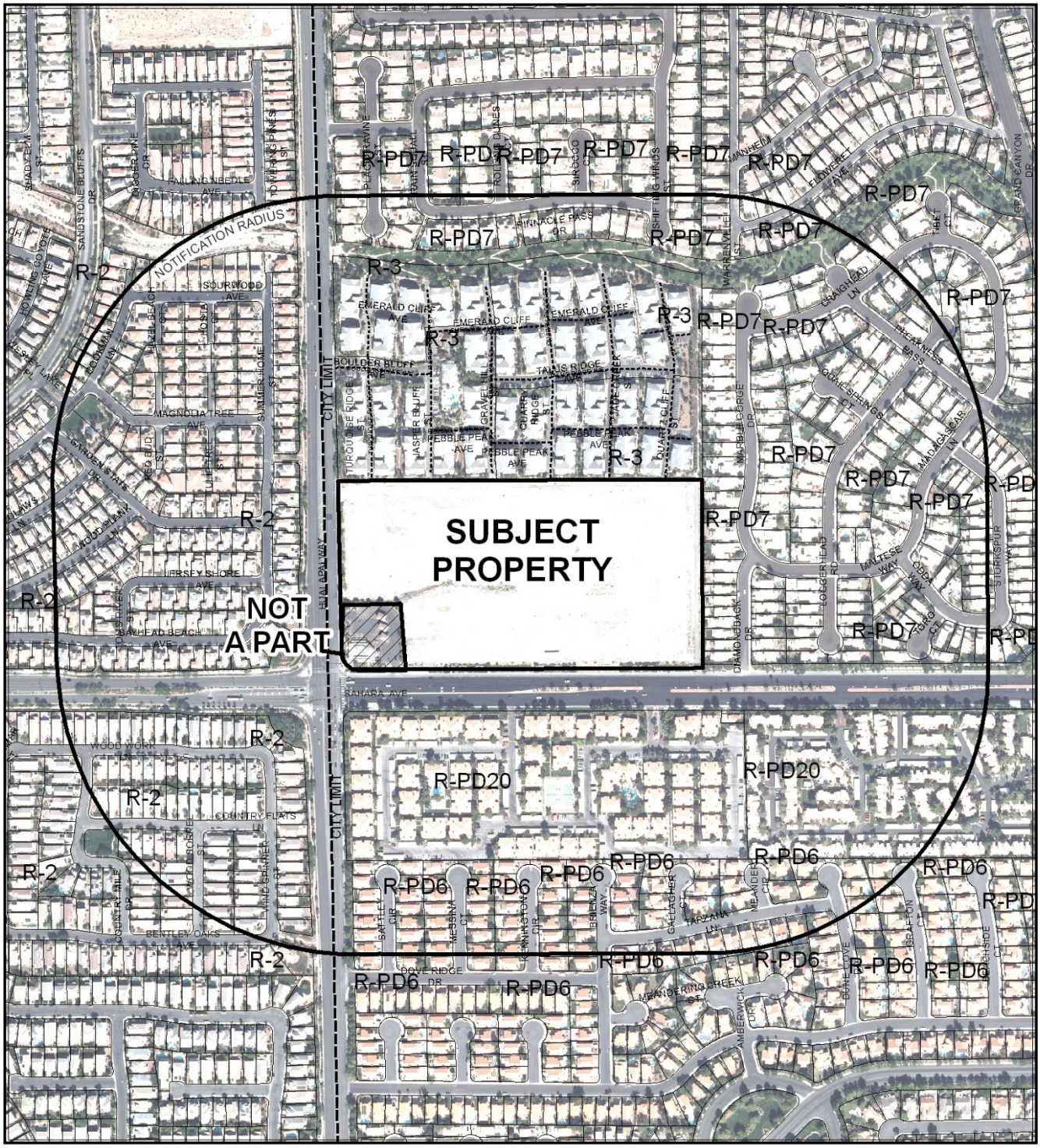
BACKUP DOCUMENTATION:
1. Location and Aerial Maps - MSP-48470 and SDR-48469
2. Conditions and Staff Report - MSP-48470 and SDR-48469
3. Supporting Documentation
4. Photos - MSP-48470 and SDR-48469
5. Justification Letter



CASE: **MSP-48470 & SDR-48469**

RADIUS: 1000 FEET

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



CASE: **MSP-48470 & SDR-48469**

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
MSP-48470	Staff recommends APPROVAL, subject to conditions:	
SDR-48469	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

MSP-48470 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48469) 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. Conformance with the site plan date stamped 03/12/13, and the sign elevations and documentation date stamped 02/28/13 and 03/12/13, except as amended by conditions herein.

4. All building permits for signage 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. Any future amendments to the approved signage within the Master Sign Plan in conformance with Title 19 standards may be reviewed and approved administratively by the Department of Planning.

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

Public Works

8. The proposed signs shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted bases shall not be located within existing or proposed public sewer or drainage easements.

SDR-48469 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for a Master Sign Plan (MSP-48470) 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 and landscape plan, date stamped 03/27/13 and building elevations, date stamped 02/21/13and 02/28/13, except as amended by conditions herein.

4. A Waiver from Title 19.08.070 is hereby approved, to allow a zero-foot perimeter landscape buffer along a portion of the west and south property lines where an eight-foot buffer is required.

5. An Exception from Title 19.08.040 is hereby approved, to allow 10 trees within portions of the south and west perimeter buffers where 51, 24-inch box trees spaced 20 feet on center are required.

6. If the sewer line and easement along the eastern property line are not relocated as required by the Department of Public Works, thereby eliminating the ability to provide sufficient landscaped visual screening from adjacent residential properties, the applicant shall work with Department of Planning staff to determine an acceptable solution.

7. An Exception from Title 19.08.040 is hereby approved, to allow 15-gallon or 24-inch box trees within the east perimeter buffer where 24-inch box trees are required.

8. An Exception from Title 19.08.110 is hereby approved, to allow zero trees where one 24-inch box tree is required at the end of each parking row (12 missing), and to allow zero trees where one 24-inch box tree is required within each parking lot landscape island (15 missing).

9. A revised conceptual landscape plan shall be submitted to and approved by the Department of Planning, prior to the time application is made for a building permit, to provide streetscaped amenity zones along Sahara Avenue and Hualapai Way per Title 19.04 Complete Streets Standards.

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

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

12. A 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 incorporate the streetscape changes required for the revised conceptual landscape plan.

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

14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Public Works

16. Grant Pedestrian Walkway Easements for all sidewalks not located within the existing public right of way prior to occupancy of this site.

17. Remove and replace any substandard offsite improvements concurrent with development of this site.

18. A Petition of Vacation to vacate portions of the existing Drainage Easement, which crosses this site, shall be submitted and acted upon prior to the submittal of construction drawings, the issuance of any building permits, or the recordation of a map for this site, whichever may occur first. If the Petition of Vacation is not approved, this Site Plan shall be void and a new Site Plan shall be submitted.

19. Relocate the existing public sewer along the east side of the lot and grant a new public sewer easement in a location which will allow drivable access to all public sewer manholes as required by the Sanitary Sewer Section of the Department of Public Works. The new sewer line shall be fully operational and inspected prior to the abandonment of the existing sewer line. No vegetation higher than three feet shall be allowed within the public sewer easement.

20. The design and layout of all interior drive aisles shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

21. Extend the median north on Hualapai Way to a location acceptable the City Traffic Engineer concurrent with on-site development activities. The northern driveway on Hualapai Way and the western driveway on Sahara Avenue shall not be allowed to have left out access. The eastern driveway on Sahara Avenue may be signalized provided that warrants are met and the developer funds the signal as required in the approved Traffic Study.

22. 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.

23. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Hualapai Way and Sahara Avenue public rights of way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right¬ of way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

24. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

25. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing a 219,100 square-foot Shopping Center on undeveloped land near the northeast corner of Hualapai Way and Sahara Avenue, consisting of a 202,290 square-foot in-line multitenant retail building and five perimeter pads ranging in size from 2,080 to 6,000 square feet. Two pedestrian plazas are provided at the front of the multitenant building, and one is provided along each frontage adjacent to Pad A and Pad C. Access to the site would be from two driveways along each street, and secondary access is planned from the existing commercial corner parcel. The pad sites are located along the street frontages and allow for two drive-through uses. The site will be extensively landscaped, including interior medians and around traffic circles. However, instead of perimeter trees along the two frontages, decorative stone pedestals containing tiers of planters are proposed; this design requires an exception from Title 19 landscape requirements. The amenity zones required along the two Primary Arterials are also provided; however, no landscaping is proposed within these areas. A condition has been added for conformance to Title 19.04 Complete Streets Standards. A waiver and exceptions are needed to allow no buffer adjacent to the corner parcel, a modified parking lot design that omits some trees, and to allow smaller screening trees along the east property line. As the waiver and exceptions are minor, the development as a whole meets the intent of Title 19 and the site is adequately screened so as to be compatible with existing adjacent development, staff recommends approval of the applicant's requests with conditions that include provision of the streetscape within the amenity zones. If denied, the site will remain undeveloped.

ISSUES

- Per Title 19.16.270, a Master Sign Plan is required for the subject commercial site, as it exceeds 15 net acres. Any proposed change not in conformance with Title 19 signage requirements will require a Variance and a Major Amendment of the Master Sign Plan.
- A waiver is needed to allow a zero-foot perimeter landscape buffer along a portion of the west and south property lines where an eight-foot buffer is required. Access to the existing corner retail parcel is proposed in lieu of the buffer. Staff recommends approval of the waiver.
- An exception is required to allow 10 trees within the provided perimeter landscape buffers along the south and west property lines where 51, 24-inch box trees spaced a maximum of 20 feet on center are required. The applicant instead is proposing a series of decorative stone pedestals topped with flower plantings as part of the streetscape along Sahara Avenue and Hualapai Way. Staff supports the exception.

- An exception is required to allow a modified parking lot landscape design that omits 12 required trees at the ends of parking rows and 15 required parking lot islands. Staff recommends approval, as more trees overall will be provided in the parking field than required; trees will be regularly spaced and will provide adequate coverage of the entire lot.
- An existing 20-foot wide public sewer easement is located along the east property line. The existing sewer line must be abandoned and relocated to allow for paved access to manholes. A condition of approval addresses this issue. An exception is also necessary to allow smaller trees (15-gallon Italian Cypress) than required within the standard perimeter landscape buffer. Staff recommends approval of the exception.
- Portions of an existing 20-foot wide public drainage easement running east to west across the site must be vacated prior to development and remapping of the site. A condition of approval addresses this issue.
- A condition of approval will require revision of the landscape plan to show streetscape within the three-foot amenity zones between the street curb and proposed meandering sidewalk along Sahara Avenue and Hualapai Way per the Unified Development Code Complete Streets Standards; otherwise, a Variance is required.
- If the proposed pad sites are to be individually owned, the site must be remapped as a commercial subdivision, or each new parcel must comply with Title 19 requirements.
- The existing perimeter walls will be used for screening from existing residential development. No new perimeter walls are proposed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/15/89	The City Council approved the Peccole Ranch Master Plan. The subject site is included in Phase 2 of the Master Plan and is designated for neighborhood commercial uses.
04/04/90	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval.
08/21/02	The City Council accepted a request to Withdraw With Prejudice a Site Development Plan Review [Z-0017-90(38)] for a proposed 202,722 square-foot retail building (Super Walmart) on 18.30 acres adjacent to the northeast corner of Sahara Avenue and Hualapai Way. The Planning Commission and staff recommended denial.
07/16/03	The City Council approved a Special Use Permit (SUP-2288) for a Liquor Establishment (Off-Premise Consumption, Beer and Wine) in conjunction with a proposed Convenience Store at the northeast corner of Hualapai Way and Sahara Avenue. The Planning Commission and staff recommended approval.

07/16/03	The City Council approved a Site Development Plan Review (SDR-2286) for a Convenience Store with Fuel Pumps on 1.1 acres at the northeast corner of Hualapai Way and Sahara Avenue. The Planning Commission and staff recommended approval.
09/04/03	A two-lot Parcel Map (PMP-1902) on 19.22 acres at the northeast corner of Hualapai Way and Sahara Avenue was recorded.

Most Recent Change of Ownership	
11/13/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There are no business licenses associated with the subject property.	
05/05/11	A building permit (187176) was issued for a wood fence at 10050 West Sahara Avenue. A final inspection has not been approved, and the permit expired 05/07/12.

Pre-Application Meeting	
02/11/13	A pre-application meeting was held with the applicant to discuss submittal requirements and issues concerning a Site Development Plan Review for a proposed shopping center. A Master Sign Plan will be required, as the site exceeds 15 acres. A Development Impact and Notice Assessment (DINA) will be required, based on average daily trips exceeding 6,250 and the site locating within one-half mile of the City's boundary with unincorporated Clark County. Waivers will be required concurrent with the development review for a reduction in perimeter landscaping, and exceptions may be needed for screening of loading areas, size of required pedestrian plazas, and for deviations in the provision of planting materials. The required size of trees cannot be provided within the existing 20-foot sewer easement along the east property line, and staff will work with the applicant to determine an acceptable solution. There is also a 20-foot public drainage easement running east-west across the property that is planned to be vacated at a future date.

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

Field Check	
02/28/13	The site is undeveloped, consisting of gently sloping rocky soil with no vegetation. There is some pre-existing streetscape on Sahara Avenue, containing sparse trees, turf and a hedge on both sides of a meandering sidewalk. Paved access to the existing sewer line along the east property line is provided. Existing perimeter walls separate the property from residential development to the north and east. A large real estate development sign has been posted on the Sahara Avenue frontage. (No permit has been issued for this sign.)

Details of Application Request	
Site Area	
Net Acres	18.11

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Beer/Wine/Cooler Off-Sale Establishment (Convenience Store)	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential (Apartments)	M (Medium Density Residential)	R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units Per Acre)
West	Beer/Wine/Cooler Off-Sale Establishment (Convenience Store)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	SF (Single Family – Summerlin South)	R-2 (Medium Density Residential) - Clark County

Master Plan Areas	***Compliance***
Peccole Ranch Master Plan Area (Phase 2)	Y
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	788,813 SF	N/A
Min. Lot Width	100 Feet	430 Feet	Y
Min. Setbacks			
• Front	10 Feet	95 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	10 Feet	25 Feet	Y
• Rear	20 Feet	72 Feet	Y
Max. Lot Coverage	50 %	28 %	Y
Max. Building Height	N/A	48 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof	Y
Mech. Equipment	Screened	Parapet screened	Y

Pursuant to Title 19.08.040, residential adjacency standards do not apply to the proposal, as the adjacent residential properties are not zoned R-E, R-1 or R-CL. However, the applicant has provided drawings showing that the buildings will maintain both the 3:1 proximity slope (setback-to-height) and the matching setback of the adjacent residential properties.

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees: • North	1 – 24" Box Tree / 20 Linear Feet	60 Trees	62 Trees	Y
• South	1 – 24" Box Tree / 20 Linear Feet	39 Trees	4 Trees	N
• South (adjacent to commercial)	1 – 24" Box Tree / 30 Linear Feet	5 Trees	0 Trees	N
• East	1 – 24" Box Tree / 20 Linear Feet	30 Trees	109 Trees	N (some are 15-gallon size)
• West	1 – 24" Box Tree / 20 Linear Feet	12 Trees	6 Trees	N
• West (adjacent to commercial)	1 – 24" Box Tree / 30 Linear Feet	6 Trees	0 Trees	N
TOTAL PERIMETER TREES		**152 Trees**	**181 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	209 Trees	247 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width: • North • South • East • West	8 Feet 15 Feet 8 Feet 15 Feet		20 Feet 0 Feet 15 Feet 0 Feet	Y N Y N
Streetscape Amenity Zones	3 Feet along Sahara Ave. and Hualapai Way		3 Feet, no streetscape indicated	N
Wall Height	6 to 8 Feet Adjacent to Residential		Existing 8-Foot CMU wall along north and east PL	Y
Open Space/Plaza	Min. 50 SF open space per acre = 906 SF		1,160 SF	Y
	Min. 250 SF per area		260 SF	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways Map	150	Y
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	135	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	219,100 SF	1 space per 250 SF GFA	877				
TOTAL SPACES REQUIRED			877		906		Y
Regular and Handicap Spaces Required			859	18	873	33	Y
Loading Spaces	219,100 SF	3 spaces, plus 1 add'l space per 100,000 SF over 50,000	5		11		Y

Freestanding Signs: *[Pylon Signs F1 and F2]*			
Standards	***Allowed***	***Provided***	***Compliance***
Maximum Number	Sahara Avenue (1 per 200 feet of street frontage) 5 total	1 total	Y
	Hualapai Way (1 per 200 feet of street frontage) 2 total	1 total	Y
Maximum Area	Sahara Avenue (2 SF per foot of frontage) 2,098 SF	706 SF	Y
	Hualapai Way (2 SF per foot of frontage) 862 SF	706 SF	Y

Freestanding Signs: *[Pylon Signs F1 and F2]*			
Standards	***Allowed***	***Provided***	***Compliance***
Maximum Height	40 Feet	40 Feet	Y
Minimum Setback	5 Feet	5 Feet	Y
Minimum Separation Between Signs	100 Feet along the same frontage	400 Feet	Y
Illumination	Internal/External	Internal	Y

Monument Signs: *[Sign M1]*			
Standards	***Allowed***	***Provided***	***Compliance***
Maximum Number	Sahara Avenue (1 per 200 feet of street frontage) 5 total (4 with freestanding)	1 total	Y
	Hualapai Way (1 per 200 feet of street frontage) 2 total (1 with freestanding)	None proposed at this time	N/A
Maximum Area	75 SF per sign	75 SF	Y
Maximum Height	10 Feet	7 Feet	Y
Minimum Setback	5 Feet	5 Feet	Y
Minimum Separation	100 Feet along the same frontage	400 Feet	Y
Illumination	Internal/External	Internal	Y

Wall Signs: *[South Elevation Tenant Spaces 1-7, West and East Elevations of In-line Retail Bldg.]*		
Standards	***Allowed***	***Provided***
Maximum Number	No limit, based on area of each elevation	No limit, based on area of each elevation
Maximum Area	20% of east building elevation (6,336 SF * 0.20 = 1,267 SF)	East elevation: 500 SF (8%)
	20% of west building elevation (6,336 SF * 0.20 = 1,267 SF)	West Elevation: 500 SF (8%)
	20% of each tenant on south and north multitenant elevations	500 SF per tenant to be centered over entrances (max. 18.6%)
Maximum Projection	4 Feet	4 Feet
Illumination	Internal/External	Internal

Waivers		
Requirement	***Request***	***Staff Recommendation***
Minimum 8-foot perimeter landscape buffers along interior property lines	Zero-foot buffers along portions of the south and west property lines (adjacent to corner parcel; includes all trees/shrubs)	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
24-inch box trees within perimeter buffer areas spaced 20 feet on center with four 5-gallon shrubs per tree	15-gallon Italian Cypress along east property line	Approval
	10 trees within portions of the south and west perimeter buffer areas	Approval
One 24-inch box tree per 6 spaces in islands and one tree at ends of each parking row	12 missing trees at ends of rows and 15 missing islands	Approval

ANALYSIS

The site is located within the Peccole Ranch Master Plan Area, which is largely built out and contains a comprehensive mix of residential, commercial and recreational uses. This plan identifies the area's boundaries, uses and characteristics, but does not contain development standards. The subject undeveloped site is designated for commercial uses by the Plan. The Peccole Ranch Design Review Committee will review the proposed development against its own requirements and issue private conditions of approval to the developer.

The one-half mile area surrounding the intersection of Sahara Avenue and Fort Apache Road constitutes the Sahara West Walkable Community Plan, which was adopted in November 2011 to recommend improvements that will allow residents to easily walk to community amenities such as parks, schools, bus stops and shopping centers, and to conduct daily activities. Although the subject property is west of the Plan boundary, the developer provides some of the same recommended features on this site, such as meandering sidewalks within large landscaped buffer areas and pedestrian plazas along the major streets of Sahara Avenue and Hualapai Way. There are no required municipal trails adjacent to the site.

Pursuant to Title 19.16.010(E) and (F), a Development Impact Notice and Assessment is required for the proposed project, and the development is determined to be a Project of Regional Significance. The site is estimated to generate approximately 17,000 additional trips around the vicinity of Sahara Avenue and Hualapai Way, and bring traffic on those streets to 78 percent and 65 percent of their improved capacity. However, these streets will be adequate to meet the demands of the proposed commercial development. Other impacts are expected to public transit and utilities in the area. No comments from affected agencies were received.

Pursuant to Title 19.16.270, a Master Sign Plan is required for any commercial site exceeding 15 net acres. The sign plan approval must occur prior to issuance of any certificate of occupancy or permits for signage on the site. The applicant has chosen to request a Master Sign Plan concurrently with the Site Development Plan Review.

The submitted sign plan contains a generalized location plan for freestanding, monument and wall signage on the site. Phase 1 of the sign plan includes freestanding, monument and wall signage for the property frontage and for the proposed multitenant building on the north side of the property. One 40-foot tall pylon sign is proposed along each frontage at the primary entrances. This sign will list the various tenants on individual sign faces within a cabinet that resembles the angled design element of the multitenant building. The sign will be situated on a decorative stone base. The monument sign is located along the secondary Sahara Avenue entrance and is fashioned in a similar style to the pylon signs. Additional freestanding signs are allowed on this site per Title 19 but are not proposed at this time; a future amendment to the Master Sign Plan would be necessary. Wall signage for the various tenants of the multitenant building are subject to review and approval by the developer prior to the submittal of sign permits to the City.

Phase 2 includes all signage for the Pad Sites A through E. Because the size and height of the proposed buildings may be subject to change, the sign elevations indicated on the plans are in concept only, and a future amendment will be needed detailing the location and types of signage for those sites. The amendment may be reviewed administratively if all signs are in conformance with Title 19 requirements.

Care was taken by the developer to meet the specific sign requirements and Residential Protection Standards of Title 19.08 for the C-1 (Limited Commercial) zoning district, and no variances are required. Additional signage, such as incidental signs, must also meet Title 19 requirements, or a Variance is required. The plan does contain some inaccuracies that must be revised by condition prior to issuance of any sign permits. The sign area limits provided are incorrect—non-street frontages were not excluded from the calculation. Wall signage area limits and dimensions must also be graphically indicated on the north elevation of the multitenant building and on the pad buildings. All Title 19 references must be cited as "UDC as adopted March 16, 2011 and as updated from time to time."

The proposal as a whole is designed as an orderly, aesthetically appealing commercial development that is compatible with the adjacent residential and commercial uses. This type of development is appropriate for this site and the C-1 (Limited Commercial) zoning district, and landscaping and screening measures will be taken to mitigate impacts to the residential properties to the north and east. In particular, rear trash and loading areas will be screened from views on all sides and the multitenant building will be set back by at least a 3-to-1 horizontal to vertical distance ratio, although not required for this site. The existing 20-foot wide sewer easement along the east property line will be required to be relocated by condition to allow for

paved access to sewer manholes. If relocated, this would allow for adequate screening from adjacent residential properties. Per the Sanitary Sewer Division of the Department of Public Works, vegetation may be planted within the easement as long as it is not planted over the relocated sewer line and does not grow over three feet in height. The applicant has proposed tightly spaced 15-gallon Italian Cypress trees 2.5 feet from the existing wall, along with a second row of one- to five-gallon shrubs to the west within the 15-foot perimeter buffer. An exception of Title 19.08.040 will be necessary to allow the smaller trees within the perimeter landscape buffer. Staff recommends approval of the exception.

The other exceptions from Title 19 are also supported by staff. In some cases, three smaller parking lot trees (Blue Palo Verde) are proposed within a single landscape island to make up for fewer islands and missing trees at the ends of parking rows. As a result, more trees are provided than required, and they are logically spaced to provide adequate shading for customers. Instead of trees along the two Primary Arterials, decorative stone pedestals with tiered planting beds are proposed with sidewalks that meander around these features. Additionally, access is planned between the subject site and the existing commercial parcel at the corner of Sahara Avenue and Hualapai Way; provision of a landscape buffer along the edges of this parcel would be disjointed and eliminate parking spaces needed for the proposed pad sites. Staff therefore recommends approval of the request to waive the buffer requirement on this portion of the south and west perimeter.

The proposed buildings are in conformance with the architectural design standards of Title 19.08. They are sufficiently articulated for visual interest and create a pleasing environment. The textured limestone provides a counterpoint to the stucco commonly found in similar centers. The most prominent architectural feature is the sweeping facades on the south side of the multitenant building that angle up to 48 feet in height. (The buildings themselves are 32 feet in height.) Pad buildings will have flat roofs with parapet screens, metal awnings and other materials similar to the multitenant building. The pad sites are situated at the front of the property and meet the minimum conditional requirements for drive-through uses. Circulation around the site is logical and is designed to reduce traffic conflicts.

As the development as a whole meets the intent of Title 19, the site is adequately screened so as to be compatible with existing adjacent development and the requested waiver and exceptions are minor, staff recommends approval of the Site Development Plan Review and accompanying Master Sign Plan with conditions that include provision of the amenity zones along Sahara Avenue and Hualapai Way per Complete Streets Standards. Changes to the approved elevations will require an amendment to the Site Development Plan Review.

FINDINGS (MSP-48470)

With regard to the requirements for signage that the Planning Commission may consider as part of a Master Sign Plan (as described by Title 19.16.270), the proposed plan conforms to the standards of the C-1 (General Commercial) zoning district and the Residential Protection Standards, contains signage that is aesthetically compatible with the proposed commercial development and proposes signage that will be developer-approved and professionally fabricated. However, any proposed signage that is not shown on the submitted plans cannot be approved as part of this request.

FINDINGS (SDR-48469)

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 commercial development is designed to connect with the existing corner retail parcel. Buildings are set back away from existing residential development and further screened by landscape buffers. The proposed plazas and pathways provide safe areas for pedestrians away from traffic.

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 conforms to the existing SC (Service Commercial) land use designation and the Peccole West Master Plan, which has designated this site for commercial uses. It is generally consistent with the intent of Title 19, although a waiver and several minor exceptions that staff supports are needed to maintain the theme and integrity of the development. Area in the right-of-way has been set aside for the amenity zones required per the Title 19 Complete Streets Standards; however, complete streetscaping has not been provided and will be required as a condition of approval.

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

   Sahara Avenue and Hualapai Way have been fully improved adjacent to the site and are designed for a large traffic capacity. The additional trips generated by the site are expected to increase traffic by 33 percent on both arterials; however, a new traffic signal is proposed at the primary Sahara Avenue entrance to control movements to and from the development and the existing apartments to the south.

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

   The proposed buildings will employ a range of materials including textured limestone and white stucco that are distinctive compared to other shopping facilities in the area. Italian Cypress, chosen for its narrowness and screening ability, is an appropriate planting along the east property line adjacent to existing residential development. Blue Palo Verde is appropriate for parking lot shading; however, these trees must also be regularly maintained, given that they are proposed to be clustered within landscape islands.

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 elevations are uniform in appearance, contain sufficient articulation and variance in materials, and are at a height and size compatible with the existing single family and multi-family residential development in the area.

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

   The proposed development will be subject to construction permits and inspection, thereby protecting the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 958 (SDR-48469 only)

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-48470** APN: 163-06-416-006

Name of Property Owner: SH Northeast Land Co.

Name of Applicant: SH Northeast Land Co.

Name of Representative: Frank Pankratz

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Frank Pankratz

Subscribed and sworn before me

This 21 day of February, 2013

Tawnia M. Alvis

Notary Public in and for said County and State

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

RECEIVED

FEB 21 2013

City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-48470** APN: 163-06-416-006

Name of Property Owner: SH Northeast Land Co.

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☐ **Yes** ☒ **No**

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City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Frank Pankratz

Subscribed and sworn before me

This 21 day of February, 2013

Dawnia M. Alvis

Notary Public in and for said County and State

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

RECEIVED
FEB 21 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Sahara Center

Project Address (Location) NE corner of Sahara and Hulapai

Project Name Sahara Center **Proposed Use** Commercial

Assessor's Parcel #(s) 163-06-416-006 **Ward #** 2

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

Commercial Square Footage 219,100 **Floor Area Ratio** _____

Gross Acres 18.11 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER SH Northeast Land Co. **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

APPLICANT SH Northeast Land Co. **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

REPRESENTATIVE Frank Pankratz **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

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

Property Owner Signature* _____

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

Print Name Frank Pankratz

Subscribed and sworn before me

This 21 day of February, 20 13.

Tawnia M. Alvis

Notary Public in and for said County and State

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City of Las Vegas
Dept. of Planning

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

FOR DEPARTMENT USE ONLY

Case #	MSP-48470
Meeting Date:	04/09/13
Total Fee:	$330.00
Date Received:*	02/21/13
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.

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Sahara Center

Project Address (Location) NE corner of Sahara and Hulapai

Project Name Sahara Center **Proposed Use** Commercial

Assessor's Parcel #(s) 163-06-416-006 **Ward #** 2

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

Commercial Square Footage 219,100 **Floor Area Ratio** _____

Gross Acres 18.11 **Lots/Units** N/A **Density** N/A

Additional Information _____

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TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

FOR DEPARTMENT USE ONLY

Case #	MSP-48470
Meeting Date:	4/9/13
Total Fee:	$300.00
Date Received:*	2/21/13
Received By:	RECEIVED

*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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Dept. of Planning

Revised 10/27/08

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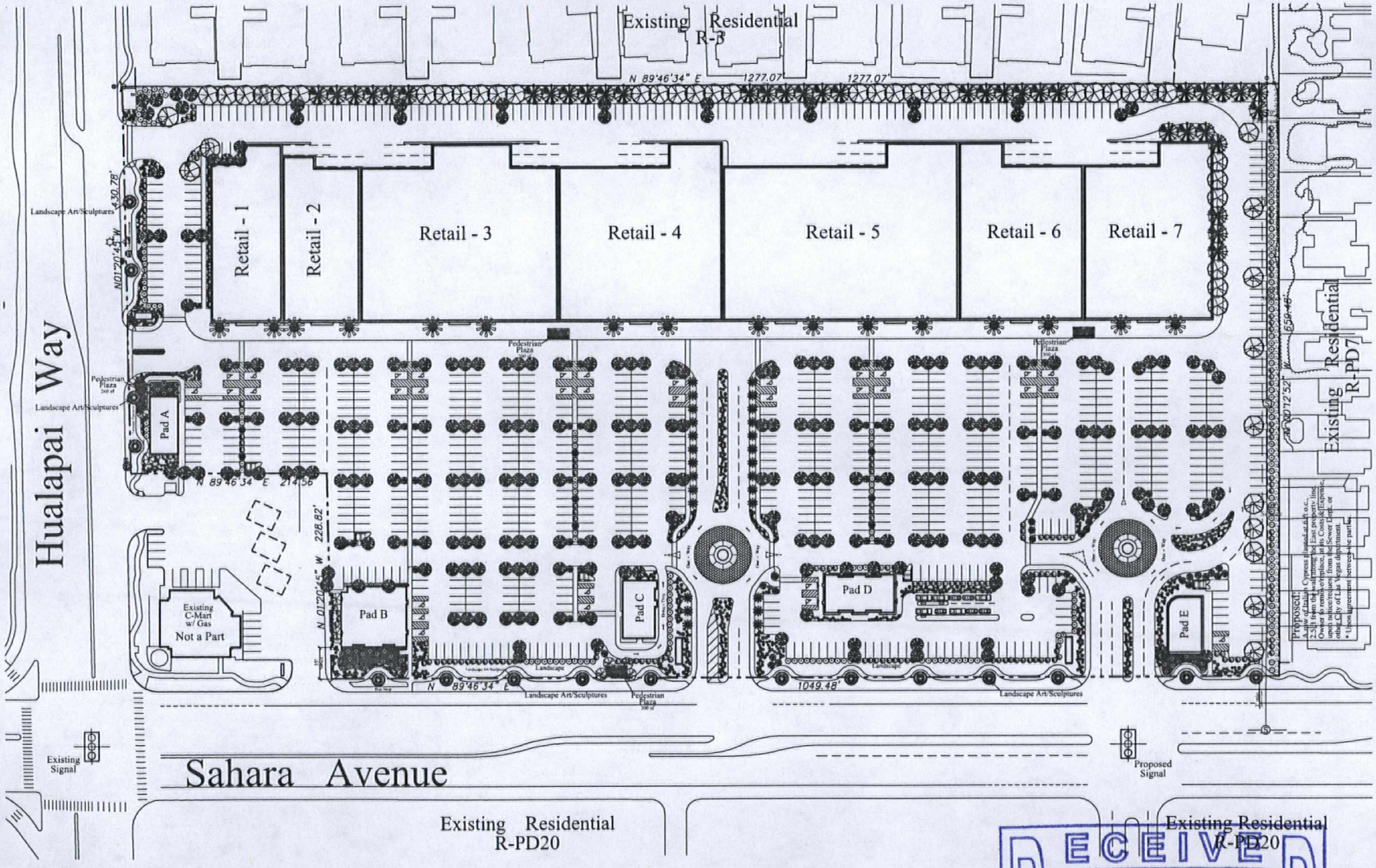
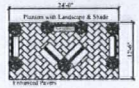


TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	49	24" Box	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	57	24" Box	20'-30' On Center	MONDEL PINE	Pinus pigra
	235	15 gal/ 24" Box	20'-30' On Center	BLUE PALO VERDE	Cercidium floridum
	16	Height Varies	Varies, See Schedule, Reassessment	CANARY PALM	Phoenix canariensis
	28	Height Varies	Varies, See Schedule, Reassessment	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	100	15 gal/ 24" Box	Varies, See Schedule, Reassessment	ITALIAN CYPRESS	Cupressus sempervirens
	1650	1-5 Gallon	N/A	Ornamental Ground Shrubs and Cover	From Approved SNRPC List Only
		N/A	N/A	Xeriscape / Turf	



Pedestrian Plaza
300 sf

Vicinity Map

North

Scale: 1" = 50'

0 50 100 200

Project No.: 112032 March 20, 2013

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Landscape Plan

Sahara Center

Las Vegas, Nevada

SH Northeast Land Company, LLC

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SDR-48469
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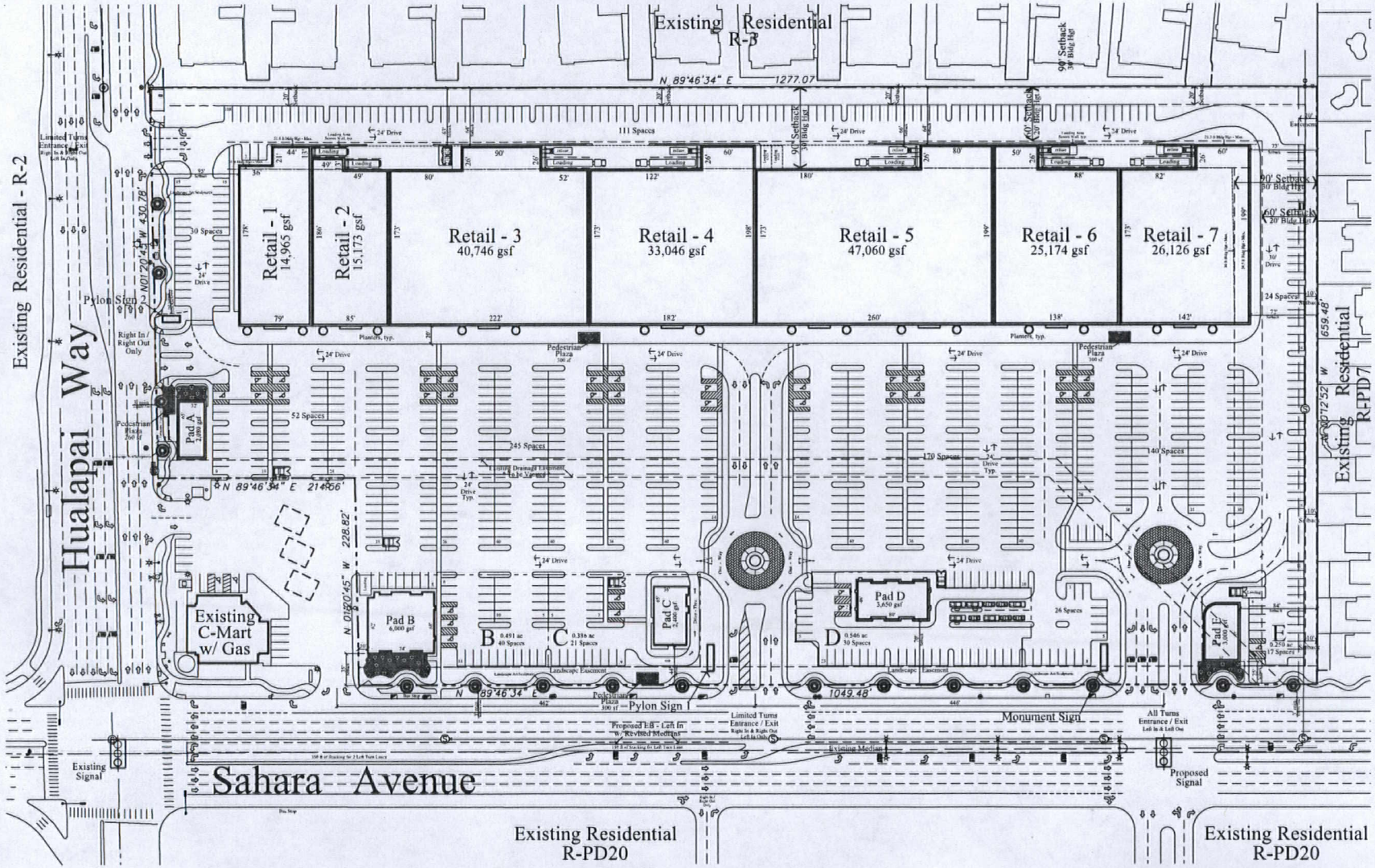
LAS VEGAS • SCOTTSDALE



PROJECT - INFORMATION

Parcel:

Zoning: Limited Commercial District : C-1

Area: (To be Verified)

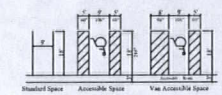
Gross Area:	888,952 sf	**20.408 ac**
Net Area:	788,813 sf	**18.109 ac**

Retail:

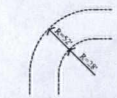
Retail	202,290 gsf
Pads	16,810 gsf
Total Retail Area	**219,100 gsf**
FAR net (778,813 sf)	**.281**

Parking Calc's

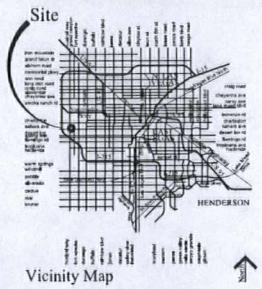
Parking Required:		
Shopping Center	1 per 250 sf	
Total Required:	219.1 * 4 =	**877**
Parking Required:		
Parking Field		798
Parking Pads		108
Total Provided:		**906**
Parking Ratio:	4.14 per 1000	1 per 242
H/C Required:	2% of Required Parking	19
Provided:	3.6 %	**33**



Typical Parking Spaces
All Dimensions are Minimum



Typical Turning Radius



Vicinity Map

Scale: 1" = 50'

0 50 100 200

North

Project No.: 112032 March 20, 2013

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Site Plan

Sahara Center

Las Vegas, Nevada

SH Northeast Land Company, LLC

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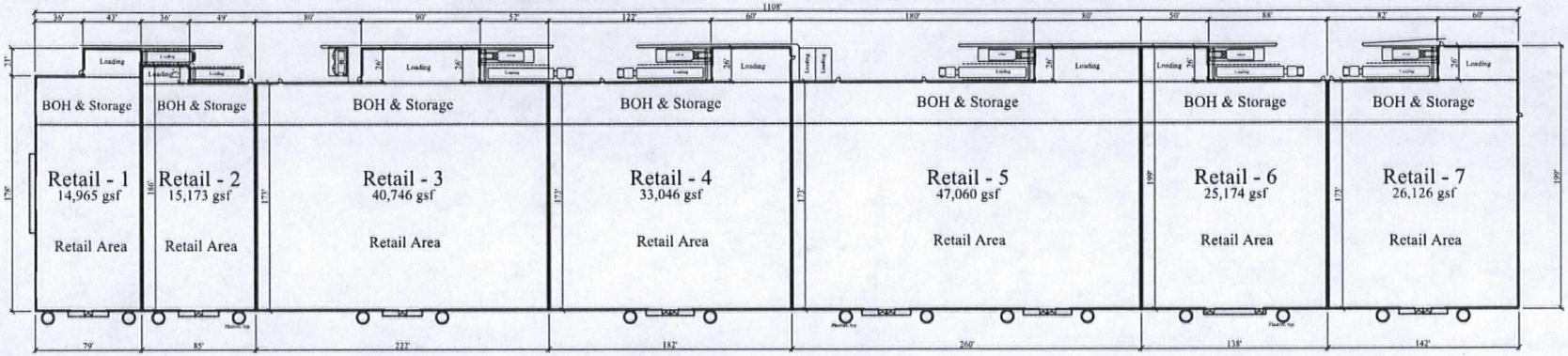
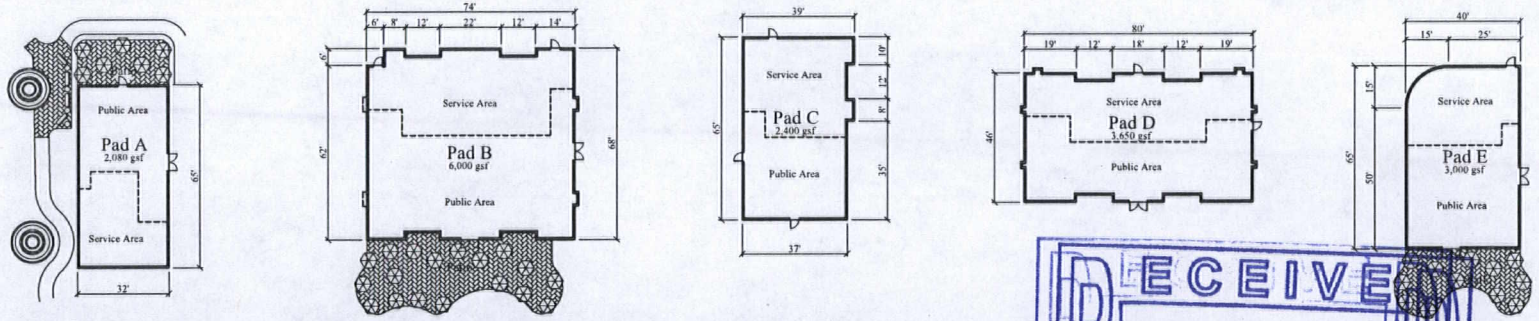


Retail 1 ~ 7 - Floor Plans

Scale: 1" = 40'



Pads A ~ E - Floor Plans

Scale: 1" = 20'

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MAR 27 2013
City of Las Vegas
Department of Planning

North

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Floor Plans

Sahara Center

Las Vegas, Nevada

Project No.: 112032 February 21, 2013

SH Northeast Land Company, LLC

MSP-48470
SDR-48469
REVISED

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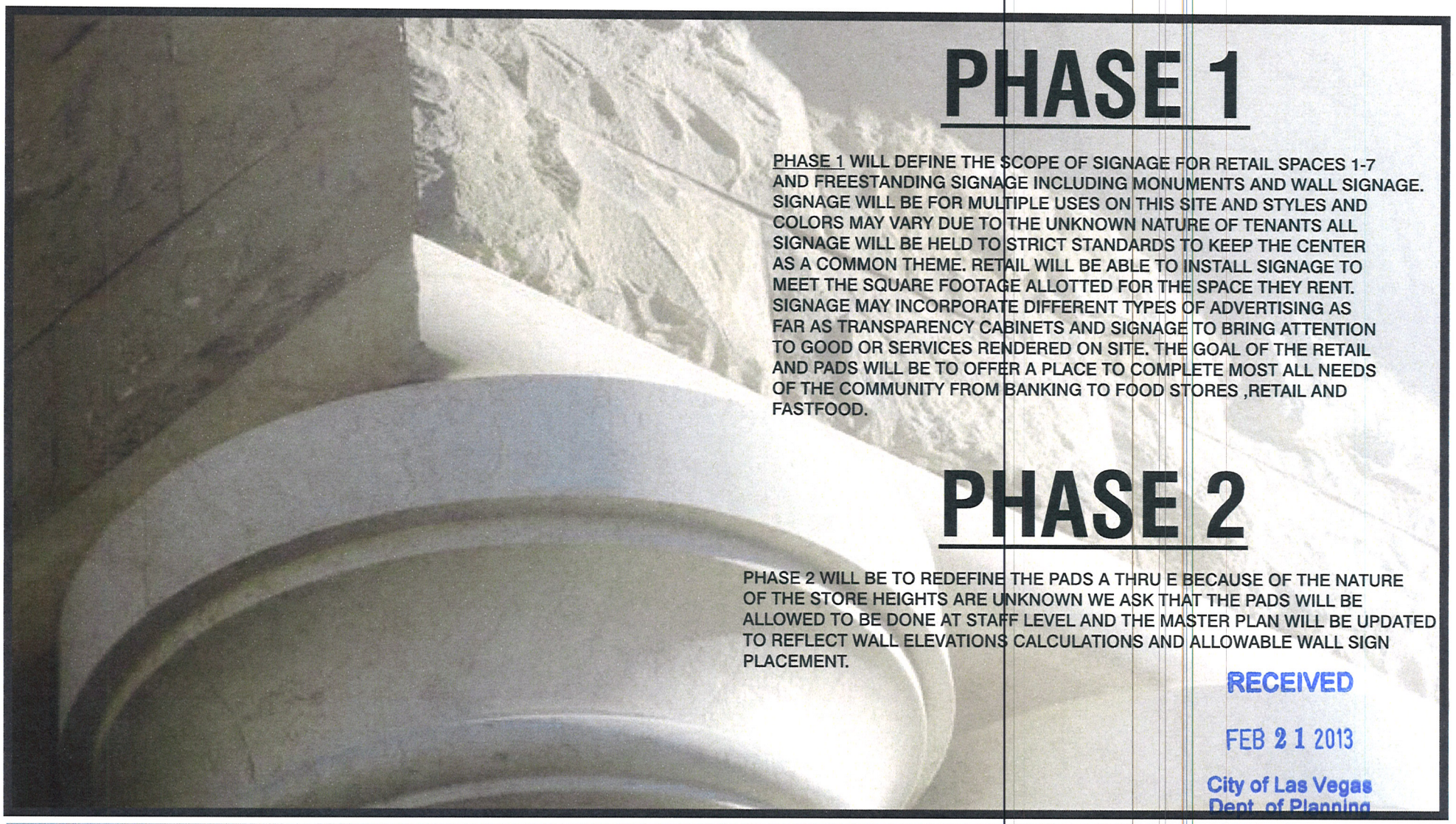
LAS VEGAS • SCOTTSDALE



PHASE 1

PHASE 1 WILL DEFINE THE SCOPE OF SIGNAGE FOR RETAIL SPACES 1-7 AND FREESTANDING SIGNAGE INCLUDING MONUMENTS AND WALL SIGNAGE. SIGNAGE WILL BE FOR MULTIPLE USES ON THIS SITE AND STYLES AND COLORS MAY VARY DUE TO THE UNKNOWN NATURE OF TENANTS ALL SIGNAGE WILL BE HELD TO STRICT STANDARDS TO KEEP THE CENTER AS A COMMON THEME. RETAIL WILL BE ABLE TO INSTALL SIGNAGE TO MEET THE SQUARE FOOTAGE ALLOTTED FOR THE SPACE THEY RENT. SIGNAGE MAY INCORPORATE DIFFERENT TYPES OF ADVERTISING AS FAR AS TRANSPARENCY CABINETS AND SIGNAGE TO BRING ATTENTION TO GOOD OR SERVICES RENDERED ON SITE. THE GOAL OF THE RETAIL AND PADS WILL BE TO OFFER A PLACE TO COMPLETE MOST ALL NEEDS OF THE COMMUNITY FROM BANKING TO FOOD STORES ,RETAIL AND FASTFOOD.

PHASE 2

PHASE 2 WILL BE TO REDEFINE THE PADS A THRU E BECAUSE OF THE NATURE OF THE STORE HEIGHTS ARE UNKNOWN WE ASK THAT THE PADS WILL BE ALLOWED TO BE DONE AT STAFF LEVEL AND THE MASTER PLAN WILL BE UPDATED TO REFLECT WALL ELEVATIONS CALCULATIONS AND ALLOWABLE WALL SIGN PLACEMENT.

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FEB 21 2013

City of Las Vegas
Dept. of Planning

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
3900 W. Dewey Drive Las Vegas, NV 89118
(702) 739-9466 Fax (702) 795-0378

Manufacturing Facilities:
Oceanside, CA - Euless, TX - Jacksonville, TX - Delaware, OH

Office Locations:
Oceanside, CA - Las Vegas, NV - Laughlin, AZ
Idaho Falls, ID - Euless, TX - Jacksonville, TX - San Antonio, TX
Houston, TX - Corpus Christi, TX - Indianapolis, IN
Louisville, KY - Knoxville, TN - Grafton, WI - Delaware, OH
Willowbrook, IL - Tunica, MS - Atlanta, GA
Tampa, FL - Daytona Beach, FL - Orlando, FL

Building Quality Signage Since 1901

Revisions:
Revisions
Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match.
Client Approval/Date:
Landlord Approval/Date:

Account Rep: D.CONNOR
Project Manager: R.SHADE
Drawn By: M.ELLIS

Underwriters Laboratories Inc. — ELECTRICAL TO USE U.L. LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
THE CENTER
EHB COMPAINES
Parcel: 163-06-416-006
S H NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

Job Number:
Date: 02-21-13
Sheet Number 1 Of 9
Design Number:

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MSP-48470

OWNER REQUIRMENTS

ALL SIGNS MUST BE APPROVED BY YOHAN LOWIE BEFORE RECEIVING A PERMIT ALL SIGNAGE MUST BE ACCOUNTED FOR AND MSP MUST BE UPDATED UPON APPLYING FOR A PERMIT. ALL PERMITS MUST BE SIGNED BY YOHAN LOWIE AND OR DESIGNATED REPRESENTATIVES APPROVED BY YOHAN LOWIE.

ALL SIGNS MUST BE INSTALLED BY A UL CERTIFIED SIGN COMPANY AND SIGN COMPANY MUST BE AN CLARK COUNTY APPROVED FABRICATOR IN GOOD STANDINGS WITH THE NEVADA STATE CONTRACTORS BOARD.

TENANT SIGNS INSTALLED ON THE WALL WILL BE ATTACHED TO BUILDING BY A RECEIVER TUBE PROVIDED BY OWNER, CONTRACTOR WILL BE LIABLE FOR ANY DAMAGE AFTER INSTALL PICTURES OF DEFECTS MUST BE SUBMITTED TO OWNER BEFORE INSTALL OR DAMAGE TO BUILDING WILL BE ASSUMED BY SIGN CONTRACTOR. ALL PENETRATIONS MUST BE APPROVED BY OWNER AND ALL TENANT SIGNS MUST BE ON RACEWAYS OR APPROVED MOUNTING SURFACE. ALL SIGN STRUCTURAL ELEMENTS MUST MATCH BUILDING COLORS

FEDERAL HEATH SIGN COMPANY IS THE PREFERRED SIGN MANUFACTURER AND SERVICE PROVIDER FOR THIS SITE. CONTACT THE FOLLOWING FOR YOUR SIGNAGE NEEDS.
Dennis Connor @ 702 739-9466 or Cell: 340-5765 for Signage Sales
David Bullock @ 702 739-9466 for Sign Service
Richard Shade @ 702 739-9466 or Cell: 702 604-7597 for Zoning / MSP

PROHIBITED SIGNS

PROHIBITED SIGNS

The following signs are prohibited:
(1) All signs not expressly permitted or exempted under this Chapter;
(2) Any on-premise sign that is associated with a use that no longer occupies the premises on which it is located;
(3) Pole signs placed or erected after August 1, 2002 that do not meet the freestanding sign design standards contained in this Chapter;
(4) A private sign of any kind located on or over any public street, walkway, parking or other public property except as otherwise provided for in this Chapter;
(5) Displays that employ white, red or blue rotating lights or any lights that simulate emergency vehicle lights;
(6) Except as lawfully permitted as a temporary special event or civic event sign, beacons, pennants, inflatable signs, tethered balloons, portable signs and similar attention gaining devices;
(7) Signs placed on parked vehicles or trailers, or parked commercial vehicles where the vehicle or trailer is not used by the business advertised for the transportation of persons or goods in the ordinary course of business;
(8) Permanent balloon signs; and
(9) Outdoor, portable electric signs, except as permitted under the provisions for temporary signs.

MAINTENANCE

(1) All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Chapter at all times.
(2) All materials used in sign construction shall be maintained in such a manner as to be free from fading, peeling, chipping and other states of general deterioration.

REVOCATION

A sign certificate is revocable if the sign is abandoned or allowed to become unsafe or dangerous, or is otherwise condemned. The owner(s) shall maintain the sign in safe condition at all times and shall remove the sign if abandoned.

SIGN CERTIFICATE APPLICATION AND CONTENTS

An application for a sign certificate shall be accompanied by:
(1) A site plan, which clearly depicts the location of proposed the sign;
(2) A description, drawing or picture of the proposed sign; and
(3) A description of the means by which the sign will be fastened or secured.

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Dept. of Planning

FEDERAL HEATH
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www.FederalHeath.com
3900 W. Dewey Drive Las Vegas, NV 89118
(702) 739-9466 Fax (702) 795-0378

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Building Quality Signage Since 1901

Revisions: Revisions:

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: D.CONNOR
Project Manager: R.SHADE
Drawn By: M.ELLIS

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L. LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
THE CENTER
EHB COMPAINES
Parcel: 163-06-416-006
S H NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

Job Number:
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19.20 SIGN DEFINITIONS

Arcade Sign. A wall or projecting sign attached to the roof or the wall of an arcade and totally within the outside limits of the structural surfaces that delineate the arcade.
{Ord 5496 – 07/17/02}

Attached Sign. Any sign that is attached to an occupied building or building designed for occupancy.
{Ord 5496 – 07/17/02}

Attention Gaining Device. Any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention to a use or business being conducted either on or off site

Awning Sign. Any sign that is a part of or attached to an awning, or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.
{Ord 5496 –0 7/17/02}

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Building Marker. Any sign indicating the name of a building, date or incidental information about its construction. Building markers are cut into the exterior building materials or made of bronze or other permanent material.
{Ord 5496 – 07/17/02}

Canopy. A rigid roof, generally supported at all corners or extremities by poles, posts or direct attachment to a building. A canopy typically has little vertical or wall space on it and is only as thick as necessary to create a functional roof. See "Marquee" and "Awning."
{Ord 5496 – 07/17/02}

Canopy Sign. A sign attached to or painted on a canopy.
{Ord 5496 – 07/17/02}

Changeable Copy Sign. Any sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. The message may be changed manually or electronically. Animated signs shall not be considered changeable copy signs.
{Ord 5496 – 07/17/02}

Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church or religious institution, civic fraternal or other organization.

Commercial Message. Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, idea or commercial activity. The term does not include sign copy that consists solely of the electronic indication of time, temperature, or both.

Community Interior Directional Sign. A sign placed within the interior of a subdivision to provide directions within the subdivision.
{Ord 5496 – 07/17/02}

Consolidated Sign. An oversized freestanding ground sign which advertises one or more tenants within a non-residential development. Consolidation occurs when the conditions for such signs are met, and the area for multiple signs is consolidated into one sign.

Construction Permit. A permit issued pursuant to the City's building and technical codes for the construction of any sign.
Construction Sign. A sign advertising a construction project and the parties involved in its development, proposed to be located on the lot or parcel of land on which the sign is located.
{Ord 5496 – 07/17/02}

Design. The design elements of a development site, including the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; land to be dedicated for parks or recreational purposes; building design and configuration; landscaping and open space; and other such specific physical requirements.

Development Entry Statement Sign. A sign placed at the entry to a subdivision, apartment development, or identifiable community to identify the subdivision, apartment development, or identifiable community.
{Ord 5496 – 07/17/02}

Development Standards. Documentation that identifies the requirements and standards for commercial and residential development, including, but not limited to, densities; building height, bulk and setback requirements by land use type; signage; landscaping; parking; open space. The "Design Standards Manual," to the extent adopted by the City Council, contains required development standards for development within the City.
Directory Sign. A sign that provides a map or listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only.
{Ord 5496 – 07/17/02}

Electric Message Unit. A sign or portion of a sign which provides a message, image or combination of the two that is changed electronically. A sign that is changed fewer than eight times per 24-hour period or that is changed only to reflect changing time or temperature shall not be considered an electric message unit under this Chapter.
{Ord 5496 – 07/17/02}

Electronic Reader Board. A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

Elevation. (1) A vertical distance above or below a fixed reference level; (2) A fully dimensional drawing of the front, rear and sides of a building showing features such as
construction materials, design, height, dimensions, windows, doors, other architectural features and relationship of grade to floor level.

Embellishment. A frame or bracket around the outside of a sign that is used to define the boundaries of or hold the sign, or an extension around the outside of the sign that is used as decoration.
{Ord 5496 – 07/17/02}{Ord. 5959 – 01/09/08}

Freestanding Sign. A detached sign which is supported by columns, uprights, poles or braces from the ground or from an object on the ground, or a detached sign which is erected on the ground, provided that no part of the sign is attached to any part of any building, structure, or other sign.
{Ord 5496 – 07/17/02}

Harmonious Relationship. The design, arrangement and location of buildings or other created or natural elements of the urban environment that are sufficiently consistent in design, scale, height, color, character and siting with other buildings, or created or natural elements in the area so as to avoid abrupt or severe differences or incompatibilities.

Historic Sign. A sign designated as historic in accordance with Section 19.14.080. Home Occupation. An income producing activity conducted in a residential zone pursuant to Subchapter 19.18.110.
{Ord 5496 – 07/17/02

Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and "telephone" signs; directory signs and drive-through menu boards; and other similar directives or identifying messages. In order to qualify as an incidental sign, a sign may contain the logo or name of the business that is on the same parcel as the sign but shall not contain any other commercial message legible from a position off the lot on which the sign is located.
{Ord 5496 – 07/17/02}

Institutional Sign. An on-premise sign designed to communicate information about any house of worship, school, or other institution that is a permitted use in the subject zoning district.
{Ord 5496 – 07/17/02}

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Revisions: Revisions:

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Project / Location:
THE CENTER
EHB COMPAINES
Parcel: 163-06-416-006
S N NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

Job Number:
Date: 02-21-13
Sheet Number: 3 Of 9
Design Number:

MSP-48470

19.20 SIGN DEFINITIONS

Marquee or Porte Cochere. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
{Ord 5496 – 07/17/02}

Marquee Sign or Porte Cochere Sign. Any sign attached to, in any manner, or made a part of a marquee or porte cochere.
{Ord 5496 – 07/17/02}

Master Sign Plan. A plot plan and accompanying documentation which identifies all existing and proposed on-premise signage on a development or complex of buildings.

Miscellaneous Residential Sign. Any incidental or real estate sign on a single dwelling unit lot or other residential lot.
{Ord 5496 – 07/17/02}

Monument Sign. A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the lowest point of the ground adjacent to the sign.
{Ord 5496 – 07/17/02}

Non-Conforming Sign. Unless otherwise provided, any sign that conformed to existing sign regulations at the time it was erected but that would no longer be permitted by virtue of the adoption of this Title, or an amendment thereto.

Off-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not located nor available on the lot where the sign is erected or placed.
{Ord 5842 – 08/02/06}
{Ord 5496 – 07/17/02

On-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot, same site, or within the same Master Sign Plan area where the sign is erected or placed.
{Ord 5496 – 07/17/02}

Painted Wall Sign. Means any sign that is painted directly on a building wall surface.
{Ord 5496 – 07/17/02}

Pennant. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wires, or string, usually in a series, designed to move in the wind. A pennant shall be considered a temporary sign.
{Ord 5496 – 07/17/02}

Pole Sign. A Freestanding sign supported by one column, upright, pole, or brace in or upon the ground the sum width/diameter of which is less than 25 percent of the width of the sign.
{Ord 5496 – 07/17/02}

Political Sign. Any sign relating to a candidate, issue, proposition, ordinance or other matter in a public election or referendum, or any sign pertaining to the advocacy of political views or policies by persons, groups, or parties.
{Ord 5496 – 07/17/02}

Portable Sign. Any sign which is not permanently attached to the ground or to another permanent structure; including, but not limited to, temporarily placed signs designed to be transported; signs by means of wheels; signs converted to A- or T-frames; movable menu and sandwich board signs; tethered balloons used as signs; and signs attached to or painted on a vehicle or trailer which is parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.
{Ord 5496 – 07/17/02}

Projecting Sign. Any sign affixed to a building in such a manner that its leading edge extends more than twelve inches beyond the surface of the building. The term does not include a decorative awning or canopy.
{Ord 5496 – 07/17/02}

Pylon Sign. A freestanding sign supported by two or more columns, uprights, poles, or braces in or upon the ground, or a freestanding sign supported by a single column, upright, pole or brace in or upon the ground the sum width/diameter of which is 25 percent or more of the width of the sign.
{Ord 5496 – 07/17/02}

Real Estate Sign. A sign to advertise a commercial or residential property for sale, lease, or rent.
{Ord 5496 – 07/17/02}

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof or parapet of the building.

Sign. Any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign, Animated. Any sign that uses any of the following: animation or movement; mechanical devices such as spinning, rotating, revolving or oscillating mechanical or structural components; flashing, sequential or oscillating lights; lighting that moves from bright to dim and back to bright; or other similar continuously automated methods or dynamic devices, such as steam, fog, misting, or change of lighting or message, to depict action or create a special effect or alternating scene that results in movement, the appearance of movement, or the changing of sign image or message. The term includes any sign or portion thereof with characters, letters or illustrations, that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is the electronic indication of time, temperature, or both.

Sign, Off-Premise. Any sign whose copy advertises or announces any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed.

Sign, On-Premise. Any sign whose copy is limited to advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot where the sign is erected or placed.

Sign Certificate. A certificate issued by the Department of Planning and Development to authorize a sign pursuant to Chapter 19.14

Structure. An object, including a mobile object, constructed or installed including, but not limited to, a building, tower, crane, smokestack, earth formation, sign, overhead transmission line and an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Suspended Sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by the surface.

Temporary Sign. Any sign not constructed or intended for long term use, such as for sale or for rent signs, pennants, political campaign signs or other similar signs. The term does not include a temporary special event sign.
{Ord 5496 – 07/17/02}

Temporary Special Event Sign. Any sign that is used only temporarily and is not permanently mounted, such as banners, pennants, inflatable signs, tethered balloons, portable signs and similar devices.
{Ord 5496 – 07/17/02}

Wall Sign. Any sign (other than a projecting sign) which is attached parallel to a wall or building, or to a canopy or awning attached to a building. The sign may be painted on or erected upon the building, awning, or canopy.
{Ord 5496 – 07/17/02}

Window Sign. Any sign, picture, symbol or combination thereof, designed to communicate information about an on-premises activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is legible from the exterior of the window from a public right-of-way a distance of more than three feet beyond the lot line of the lot or parcel on which the sign is located.
{Ord 5496 – 07/17/02}

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Revisions: Revisions

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Landlord Approval/Date:

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Project / Location:
THE CENTER
EHB COMPAINES
Parcel: 163-06-416-006
S H NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

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MSP-48470

THE CENTER

RETAIL TENANT SIGN AREA CALCULATIONS

Wall Signs

(a) Maximum number. There is no specific limit on the number of signs, although total area limits apply.

(b) Maximum area. The total amount of wall signage allowed per building elevation is equivalent to 20 percent of the building elevation. In multi-tenant buildings, the 20 percent maximum sign area for each tenant will be based upon that portion of the building elevation of the leased/occupied area only, except as may be approved through a Master Sign Plan.

(c) Maximum height. A wall sign shall not extend more than 12 inches above top of wall, marquee or parapet to which it is attached.

(d) Minimum setback. NA.

(e) Maximum projection. A wall sign shall not project more than four feet from the structure to which it is attached. There shall be no additional message on the additional horizontal surface created by the projection.

(f) Illumination permitted. Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use.

(g) Additional standards.

(i) Signs shall be an integral part of or be supported by the wall or wall element (such as awning or marquee) to which they are attached.

(ii) See also Residential Protection Standards in Section 19.14.070.

(h) Certificate required. Yes.

19.14.070 RESIDENTIAL PROTECTION STANDARDS

(B) ILLUMINATED SIGNS

Any illuminated sign requiring a sign certificate and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use shall be subject to the following additional lighting standards:

(1) If the sign is located within 40 feet of the property planned or zoned for residential use and is or will be visible from such property, it may be internally illuminated or lighted with direct white light;

(2) If the sign is located more than 40 feet from the property planned or zoned for residential use but within 200 feet of such property and the sign is or will be visible from such property, it may be interior-lit or lighted with direct white light, but it shall not contain bare bulbs, exposed neon tube, animation or a electronic message unit; and

(3) Direct lighting fixtures for such signs shall be aimed up and/or away from the property planned or zoned for residential use.

(C) ELECTRONIC MESSAGE UNIT, ANIMATED AND FLASHING SIGNS

Electronic message units, animated signs and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensure that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use.

RETAIL SPACE	BUILDING ELEVATION	BUILDING HEIGHT	BUILDING LENGHT	ELIGIBLE WALL SIGN AREA	20% OF ELIGIBLE SIGN AREA
RETAIL #1	SOUTH	32'	79'	2,528.00	505.60
RETAIL #1	NORTH	32'	79'	2,528.00	505.60
RETAIL #1	WEST	32'	198'	6,336.00	1,267.20
RETAIL #2	SOUTH	32'	85'	2,720.00	544.00
RETAIL #2	NORTH	32'	85'	2,720.00	544.00
RETAIL #3	SOUTH	32'	222'	7,104.00	1,420.80
RETAIL #3	NORTH	32'	222'	7,104.00	1,420.80
RETAIL #4	SOUTH	32'	182'	5,824.00	1,164.80
RETAIL #4	NORTH	32'	182'	5,824.00	1,164.80
RETAIL #5	SOUTH	32'	260'	8,320.00	1,664.00
RETAIL #5	NORTH	32'	260'	8,320.00	1,664.00
RETAIL #6	SOUTH	32'	138'	4,416.00	883.20
RETAIL #6	NORTH	32'	138'	4,416.00	883.20
RETAIL #7	SOUTH	32'	142'	4,544.00	908.80
RETAIL #7	NORTH	32'	142'	4,544.00	908.80
RETAIL #7	EAST	32'	198'	6,336.00	1,267.20

WALL SIGN TYPES ALLOWED BY OWNER

HALO ILLUMINATED LETTERS
TRANSPARENCY CABINETS
FACE ILLUMINATED SIGNS
WALL ILLUMINATED CABINETS
EMU IF MORE THAN 200' FROM RESIDENTIAL

MSP-48470
SDR-48469
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Building Quality Signage Since 1901

Revisions:
R1 CHANGE IN ELEVATION HEIGHT FROM 34 TO 32 CHANGE IN CALC.

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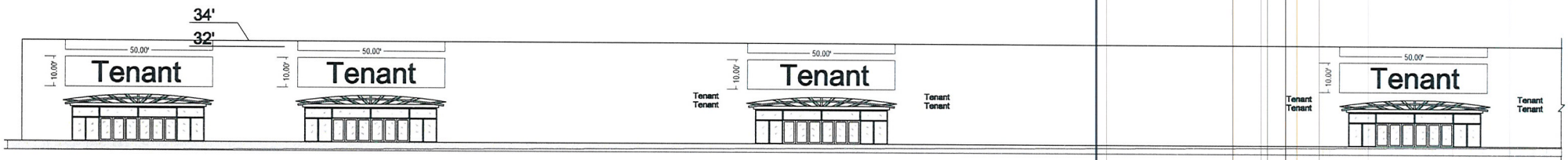
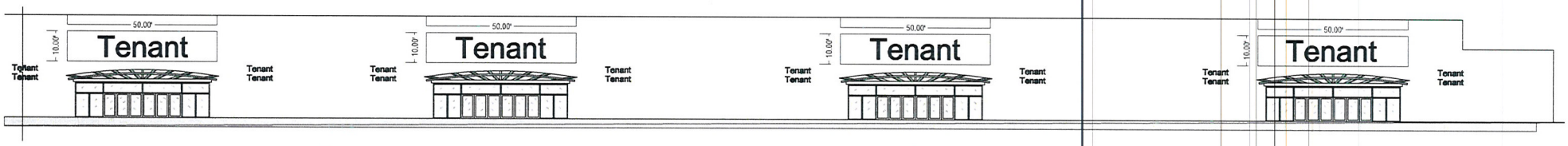
LOCATION OF MAIN TENANT SPACES ARE TO CENTER OVER ENTRANCE IF TENANT SPACES ARE SUB DIVIDED IN TO SMALLER AREAS THEN M.S.P. WILL BE AMENDED TO SHOW CURRENT CONDITION. ALL CHANGES MUST BE APPROVE BY YOHAN LOWIE.

TENANT LOCATIONS WITH OUT BOARDERS SHOW OPTION OF DURATRANS CABINETS OR SMALLER CABINETS TO ADVERTISE GOODS THESE SIGNS WILL NOT EXCEED SQUARE FOOTAGE ALLOWED FOR EACH ELEVATION, UNUSED SQUARE FOOTAGE MAYBE USED TO FOR ALTERNATE LOCATIONS CHANGES MUST BE APPROVE BY YOHAN LOWIE.



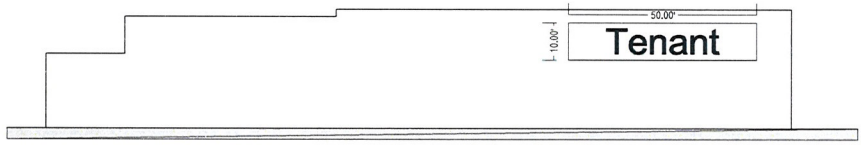
South Elevation

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

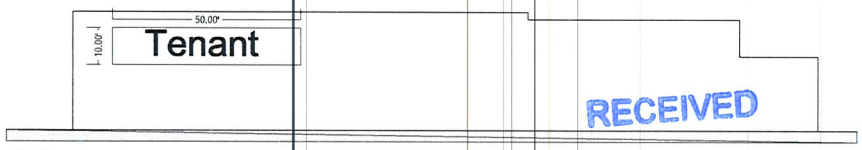


South Elevation, Cont.

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



West Elevation



East Elevation

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Revisions:

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: D.CONNER
Project Manager: L.MADEC
Drawn By: M.ELLIS

Underwriters Laboratories Inc. — ELECTRICAL TO USE U.L.48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
THE CENTER
EHB COMPANIES
Parcel: 163-06-416-006
S H NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

Job Number:
Date: 02-21-13
Sheet Number: 6 Of 9
Design Number: MSP 02-21-13

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THE CENTER

FREESTANDING SIGN CALCULATIONS

Freestanding Signs

(a) Maximum number.
(i) One freestanding sign per each 200 lineal feet of street frontage or portion thereof. The total number of all freestanding and monument signs shall not exceed one per each 200 lineal feet of street frontage or portion thereof.
(ii) Corner lots are permitted to have signs for each street frontage and signs shall maintain a minimum separation of 100 feet measured along the street frontage.
(b) Maximum area.
(i) The total area of all freestanding and monument signs shall not exceed two square feet of sign area for each lineal foot of street frontage. On lots with multiple street frontages, the allowable area for each street frontage shall be calculated separately unless consolidated into one sign, then each street frontage shall be added and total square footage permitted may be allowed in one consolidated sign.
(ii) Signs within 40 feet of existing developed residential property, or property designated in the General Plan as appropriate for future residential development, the maximum sign area shall be 50 square feet. For each additional foot of setback from the property, the area of a sign may be increased an additional two square feet, with a maximum size of 400 square feet unless the site meets criteria for consolidated freestanding signs.
(c) Maximum height.
40 feet, subject to the following:
(i) A freestanding sign within 200 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected up to 30 feet above the elevation of the elevated freeway or highway nearest the sign.
(ii) In addition, signs within 200 feet of the right-of-way line and which can be read from Interstates 15 and 215, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 may be increased to a height equal to 80 feet, when authorized by the City Council, after review by the Planning Commission.
(d) Minimum setback. Five feet from all property lines.
(e) Additional standards.
(i) All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage.
(ii) See also Residential Protection Standards in Section 19.14.070.
(f) Illumination permitted. Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use.
(g) Certificate required. Yes.

Monument Signs

See Figure 7 for an example of a monument sign.
(a) Maximum number. One monument sign per each 200 lineal feet of street frontage or portion thereof. The total number of all freestanding and monument signs shall not exceed one per each 200 lineal feet of street frontage or portion thereof.
(b) Maximum area. 75 square feet per sign.
(c) Maximum height. 10 feet.
(d) Minimum setback. Five feet from all property lines.
(e) Additional standards.
(i) All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage.
(ii) See also Residential Protection Standards in Section 19.14.070.
(f) Certificate required. Yes.

FREESTANDING SIGN & MONUMENT

CALCULATIONS

HUALAPAI WAY 659 LF OF STREET FRONTAGE
SAHARA AVENUE 1,277 LF OF STREET FRONTAGE
ALLOWED SQUARE FOOTAGE OF FREESTANDING

HUALAPAI WAY: 2 SQFT X 659 STREET FRONTAGE= 1,318 SQFT ALLOWED
SAHARA AVENUE: 2 SQFT X 1,277 STREET FRONTAGE = 2,554 SQFT ALLOWED

FREESTANDING SIGNAGE
F1 HUALAPAI WAY: 40' H X 17'-8" W = 706.66 SQFT - 1,318 SQFT = 611.34

F2 SAHARA AVE. : 40' H X 17'-8" W = 706.66 SQFT - 2,554 SQFT = 1,847.34.
MONUMENT SIGNAGE
M1 SAHARA AVE. 6'-11" H X 10'-10" W = 74.93 SQFT - 1,847.34 SQFT = 1,772.41

SAHARA AVENUE SQUARE FOOTAGE REMAINING 1,772.41
HUALAPAI WAY SQUARE FOOTAGE REMAINING 611.34

REMAINING SQUARE FOOTAGE TO BE USED IN THE FUTURE FOR MONUMENTS OR DIRECTIONAL SIGNAGE ALL FREESTANDING TO BE ILLUMINATED INTERNALLY AND DIRECT LIGHTING FOR ACCENT.

SEE LARGE PRINT FOR LOCATIONS AND SET BACKS.

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Revisions:

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Client Approval/Date:

Landlord Approval/Date:

Account Rep: D.CONNOR
Project Manager: R.SHADE
Drawn By: R.SHADE

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ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
THE CENTER
EHB COMPAINES
Parcel: 163-06-416-006
S H NORTHEAST COMPANY L L C
Site Address: 10050 W SAHARA AVE
Jurisdiction: Las Vegas - 89117
Limited Commercial District (C-1)

Job Number:
Date: 02/20/13
Sheet Number: 7 Of 9
Design Number:

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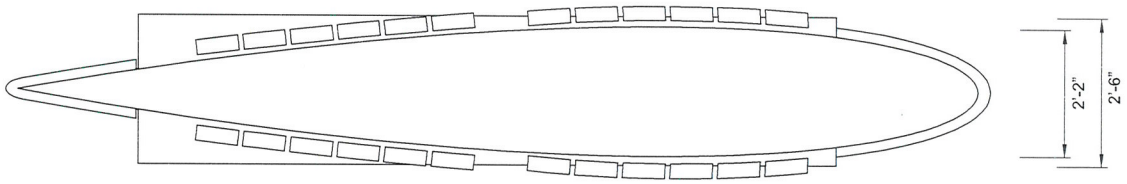
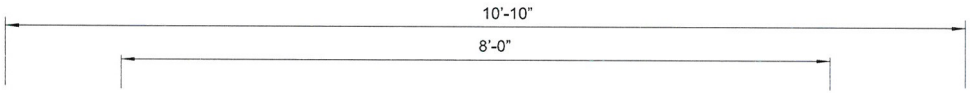
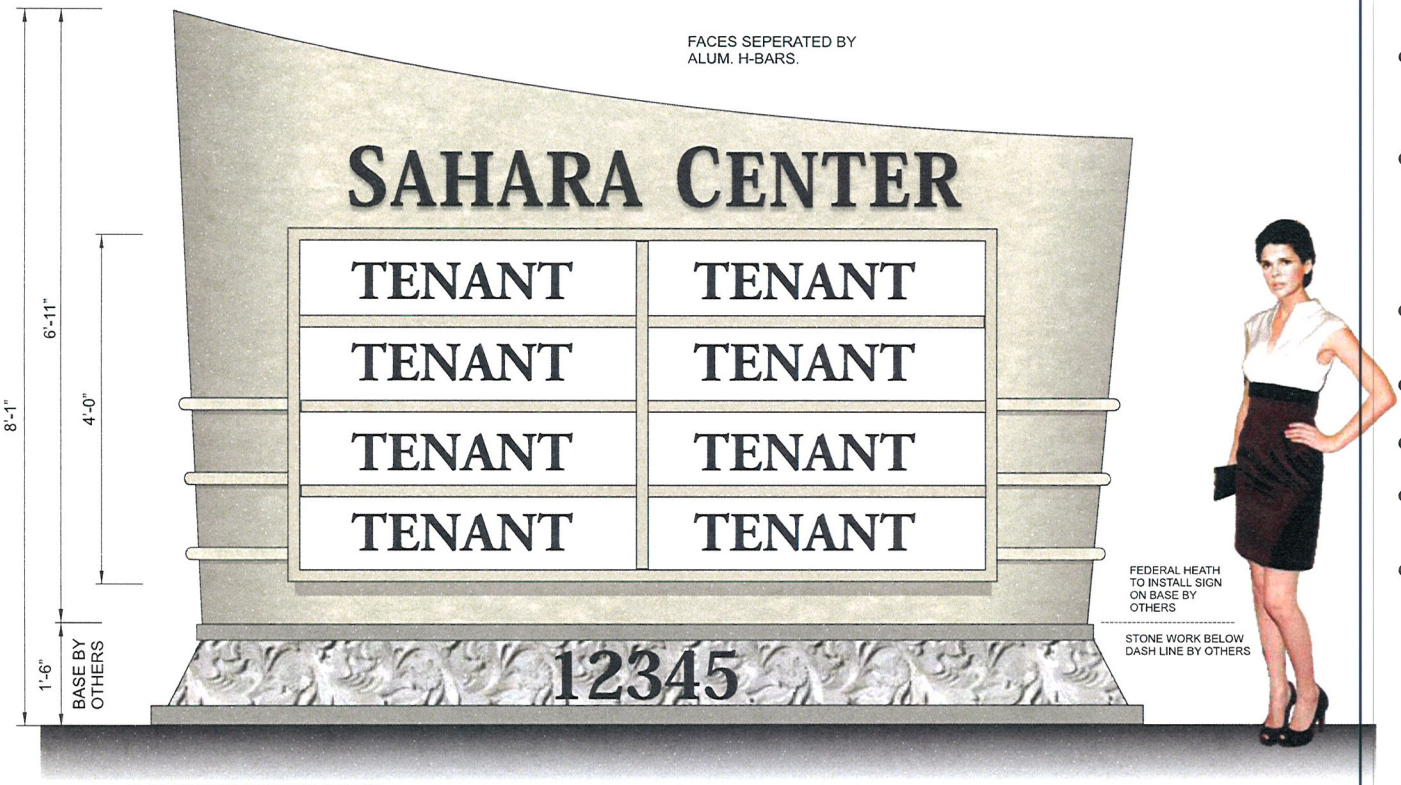


PLAN VIEW





D/F MONUMENT SIGN S: 1/2"

NOTE: ALL COLORS T.B.D.

- REVERSE CHANNEL LETTERS PTD. SATIN BLACK. INCLUDES WHITE LEDS FOR HALO ILLUM.
- FABRICATED ALUM. CABINET WITH ANGLE IRON FRAME & STRUCTURAL STEEL SUPPORT COLUMNS. CABIENT HAS STUCCO FINISH & INTERNAL ILLUMINATION (C.W. H.O. FLUORESCENT LAMPS)
- WHITE POLYCARBONATE FACES W/ DIGITAL PRINTED LOGOS (U.V. PROTECTED)
- FACES SEPERATED BY ALUM. H-BARS.
- DECORATIVE ELEMENTS (HARD COATED FOAM)
- WHITE POLYCARBONATE FACES W/ DIGITAL PRINTED LOGOS (U.V. PROTECTED)
- FACES SEPERATED BY ALUM. H-BARS.

10'-10" X 6'-11"
SQ.FT. 74.93

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Revisions:
1
2
3
4
5
6

Account Rep: D.CONNOR
Project Manager: C.RODERY
Drawn By: M.ELLIS

Project / Location:

EHB COMPAINES
10050 W. SAHARA
LAS VEGAS NV.

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Client Approval/Date:

Landlord Approval/Date:

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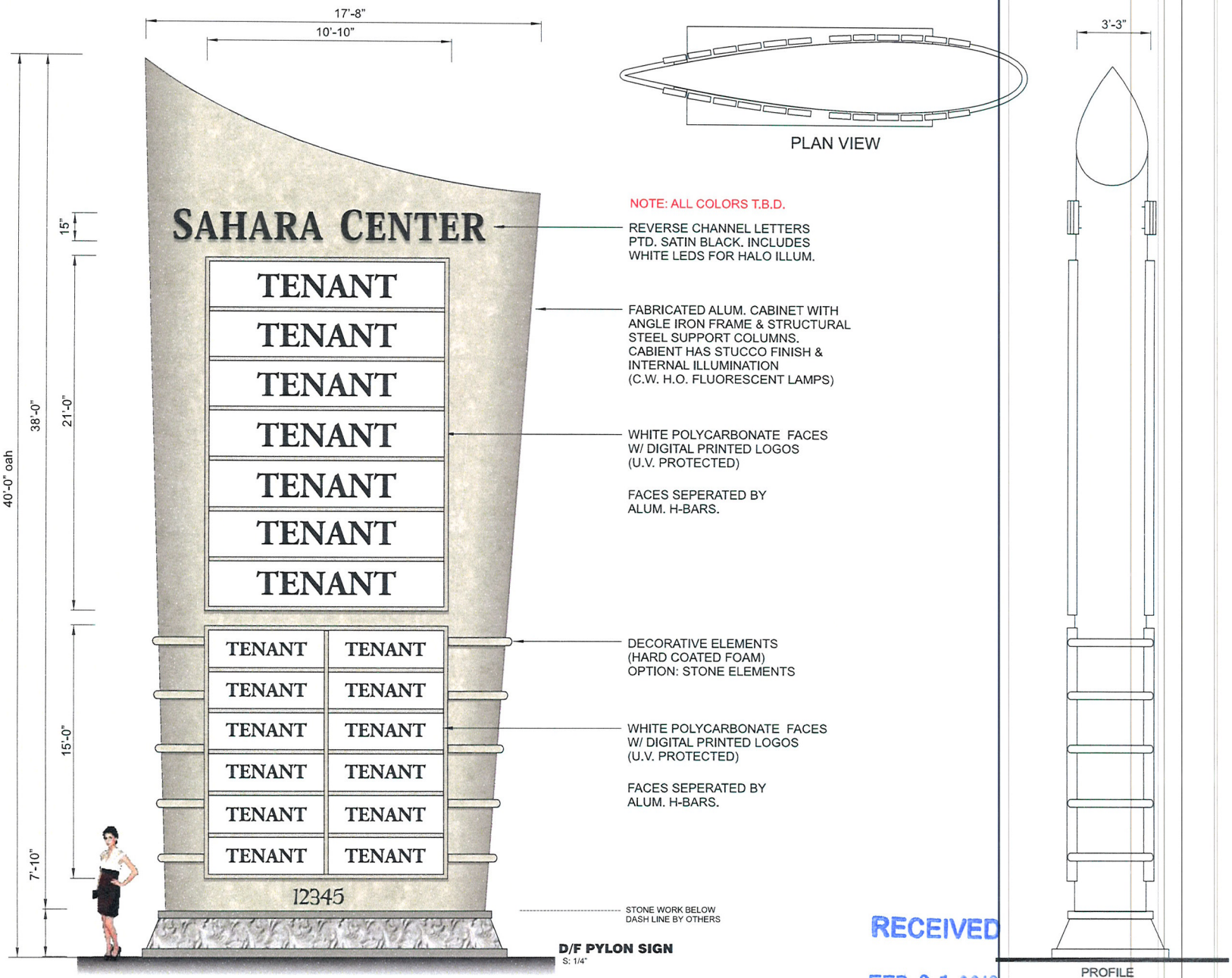
Job Number:
Date: 2-15-13
Sheet Number: 8 Of 9
Design Number: 210544300



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PROFILE

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Revisions:
1
2
3
4
5
6

Account Rep: D.CONNOR
Project Manager: C.RODERY
Drawn By: M.ELLIS

Project / Location:

EHB COMPAINES
10050 W. SAHARA
LAS VEGAS NV.

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Client Approval/Date:

Landlord Approval/Date:

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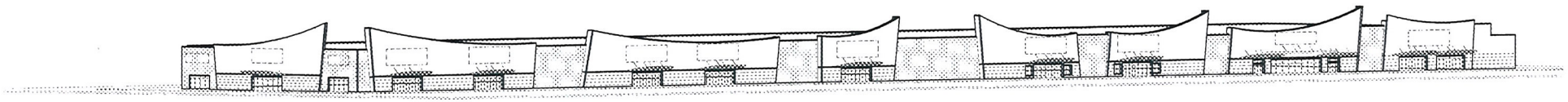
Job Number:
Date: 2-15-13
Sheet Number: 9 Of 9
Design Number: 210544300



SOUTH HUALAPAI WAY

WEST SAHARA AVE

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3D Perspective

Not To Scale Project No. 112032 February 21, 2013

SH Northeast
Land Company, LLC

Sahara Center
Las vegas, Nevada

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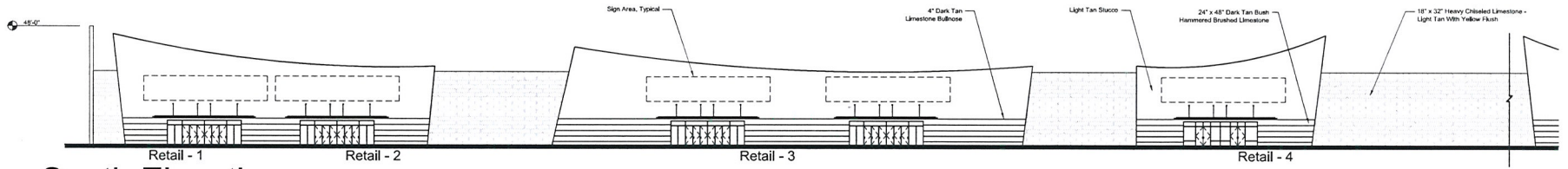
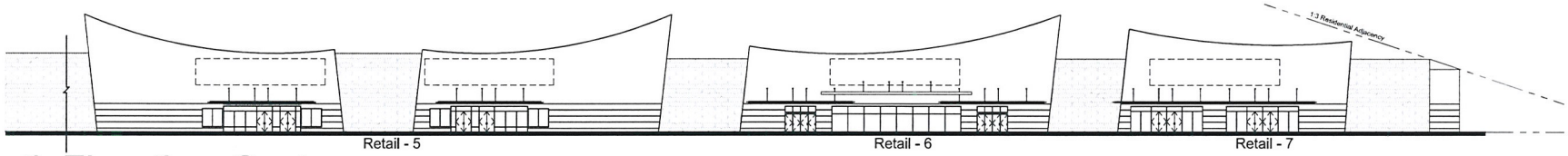
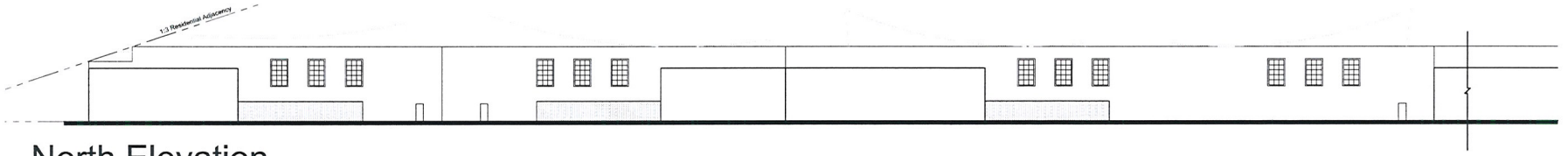


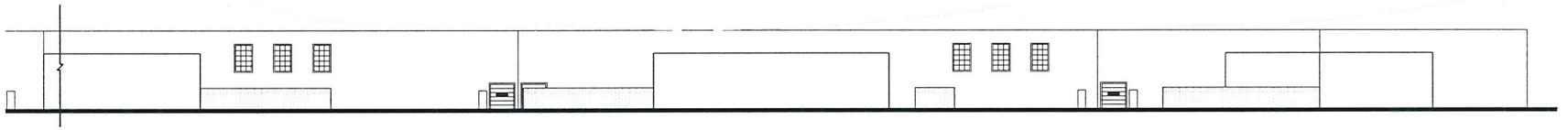
South Elevation



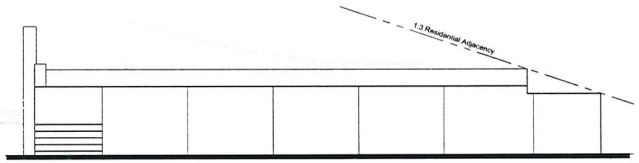
South Elevation, Cont.



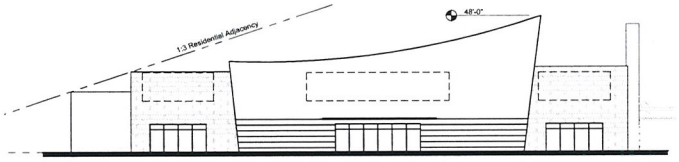
North Elevation



North Elevation, Cont.



East Elevation



West Elevation

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Retail 1-7 Elevations

Sahara Center

Las Vegas, Nevada

Scale: 1" = 20'

0 20 40 80

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LAS VEGAS • SCOTTSDALE

Stucco Primary
DEW 380 White

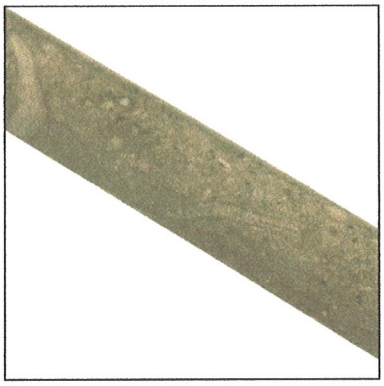
Stucco Secondary
DEW 339 Bone China

Materials

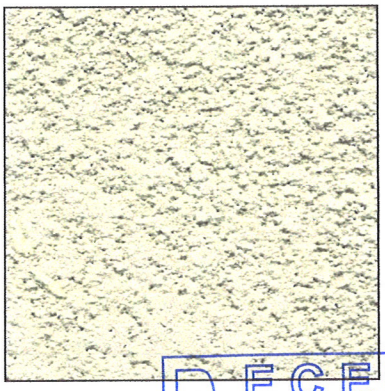
Stone
Bush Hammered Limestone

Stone
Heavy Chiseled Limestone

Trim
Limestone Bullnose



Stucco



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Color and Materials Board

Project No. 112032 February 21, 2013

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Land Company

Sahara Center
Las Vegas, Nevada

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NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 220 FEET EAST OF HUALAPAI WAY

02/28/13

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NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 220 FEET EAST OF HUALAPAI WAY

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NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 220 FEET EAST OF HUALAPAI WAY

02/28/13

SH Northeast Land Co.
9755 W. Charleston Blvd.
Las Vegas, NV 89128

March 27, 2013

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

Re: Justification Letter
Commercial Development- Northeast Corner of Sahara Avenue and Hualapai Way
APN 163-06-416

To Whom It May Concern:

This letter is to accompany the application for a Site Development Plan Review of the subject project. As shown on the attached site plan, the project will include service and retail commercial development, which is consistent with the current zoning of C-1, Limited Commercial District.

This parcel is located in the Peccole Ranch Phase 2 Master Plan, which has indicated for many years that this parcel is for neighborhood commercial uses. The project is located at the intersection of two primary arterials with adequate capacity to accommodate the vehicular traffic without disturbance to residential neighborhoods. The plan provides adequate setbacks to surrounding uses and conforms to codes for height and lot coverage restrictions. The developer intends to maintain compatibility with walkability initiatives in the Lakes/Peccole Ranch neighborhoods through the provision of generous setbacks and meandering sidewalks along the Sahara Avenue and Hualapai Way frontages.

Only one waiver of standards is anticipated for the project at this time. This would be the requirement for a landscape buffer along the Property Line between this project and the existing C-mart property on the northeast corner of Sahara and Hualapai. Due to the anticipated interlinking of the two properties, with drives and parking, into one cohesive commercial site plan, the landscaping requirement would be nearly impossible to achieve.

In addition, there are three landscape exceptions that would be requested by the developer: one would be for the requirement of landscape fingers located every six parking spaces (due to dimensional and geometry limitations). The second is the requirement for trees in the landscape area along the Sahara & Hualapai street frontages. In lieu of trees, the developer is proposing the use of Sculptural Art on stone pedestals which integrate plant and flower beds on several tiers. These are also interlinked with the sidewalk and pedestrian plazas while at the same time providing a unique experience for the walker along both streets as well as a strong architectural statement for drive-by motorists. The third is a conflict with the landscape buffering requirements along the East property line and the sewer easement (20 foot wide along the said property line) landscape requirement of no plants above three feet high in the easement. The developer would prefer to provide the necessary landscape buffering for both the developer and the adjacent property owners' benefit; the Developer will work with the Sewer Department to try

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to work out an amicable compromise between the three parties (developer, property owners and sewer dept).

The developer is known for unique and attractive projects which increase neighborhood property values and community vitality. The development of this property will be consistent with that philosophy.

We respectfully request your approval of the site plan as provided. Please do not hesitate to contact the undersigned should you have any questions or concerns.

Respectfully,

Frank Pankratz
Manager

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SDR-48469
REVISED

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
SDR-48469 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MSP-48470 - PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 219,100 SQUARE-FOOT SHOPPING CENTER WITH A WAIVER TO ALLOW A ZERO-FOOT PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way (APN 163-06-416-006), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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
3. Justification Letter

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48469 APN: 163-06-416-006

Name of Property Owner: SH Northeast Land Co.

Name of Applicant: SH Northeast Land Co.

Name of Representative: Frank Pankratz

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Frank Pankratz

Subscribed and sworn before me

This 21 day of February, 2013

Tawnia M. Alvis

Notary Public in and for said County and State

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City of Las Vegas
Dept. of Planning

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Sahara Center

Project Address (Location) NE corner of Sahara and Hulapai

Project Name Sahara Center **Proposed Use** Commercial

Assessor's Parcel #(s) 163-06-416-006 **Ward #** 2

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

Commercial Square Footage 219,100 **Floor Area Ratio** _____

Gross Acres 18.11 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER SH Northeast Land Co. **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

APPLICANT SH Northeast Land Co. **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

REPRESENTATIVE Frank Pankratz **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

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

Property Owner Signature* _____

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

Print Name Frank Pankratz

Subscribed and sworn before me

This 21 day of February, 20 13.

Tawnia M. Alvis

Notary Public in and for said County and State

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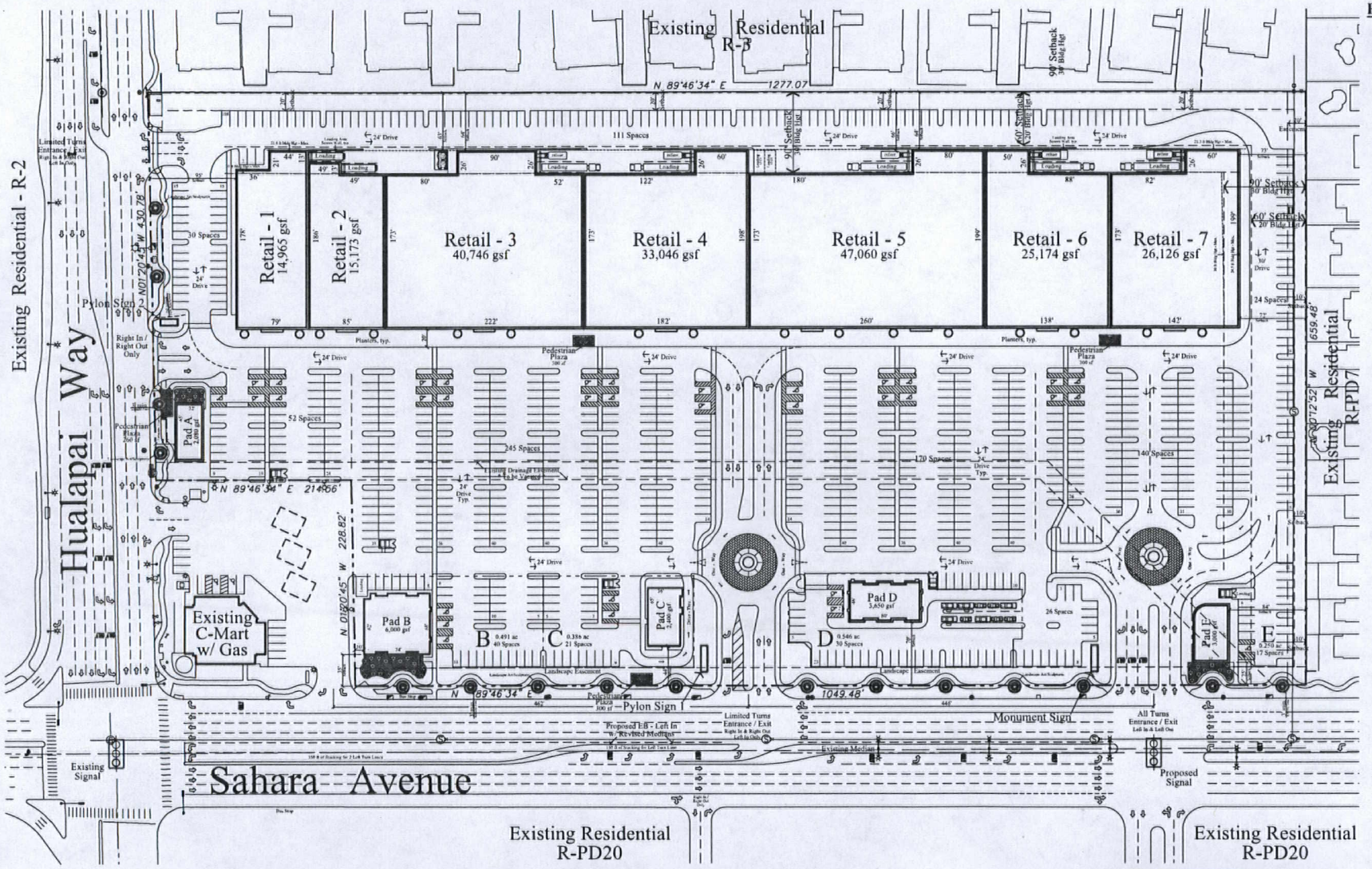
Dept. of Planning

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

FOR DEPARTMENT USE ONLY

Case #	SDR-48469
Meeting Date:	04/09/13
Total Fee:	$1030.00
Date Received:*	02/21/13
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.



PROJECT - INFORMATION

Parcel:

Zoning: Limited Commercial District : C-1

Area: (To be Verified)

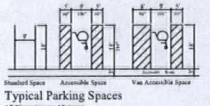
Gross Area:	888,952 sf	20.408 ac
Net Area:	788,813 sf	18.109 ac

Retail:

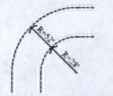
Retail	202,290 gsf
Pads	16,810 gsf
Total Retail Area	219,100 gsf
FAR net (778,813 sf)	.281

Parking Calc's

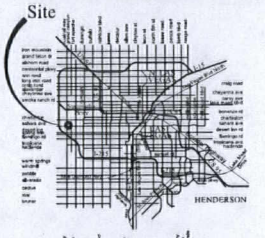
Parking Required:		
Shopping Center	1 per 250 sf	
Total Required:	219.1 * 4 =	877
Parking Required:		
Parking Field		798
Parking Pads		108
Total Provided:		906
Parking Ratio:	4.14 per 1000	1 per 242
H/C Required: 2% of Required Parking		19
Provided:	3.6 %	33



Typical Parking Spaces
All Dimensions are Minimum



Typical Turning Radius



Vicinity Map

North

Scale: 1" = 50'

0 50 100 200

Project No.: 112032

March 20, 2013

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Site Plan

Sahara Center

Las Vegas, Nevada

SH Northeast
Land Company, LLC

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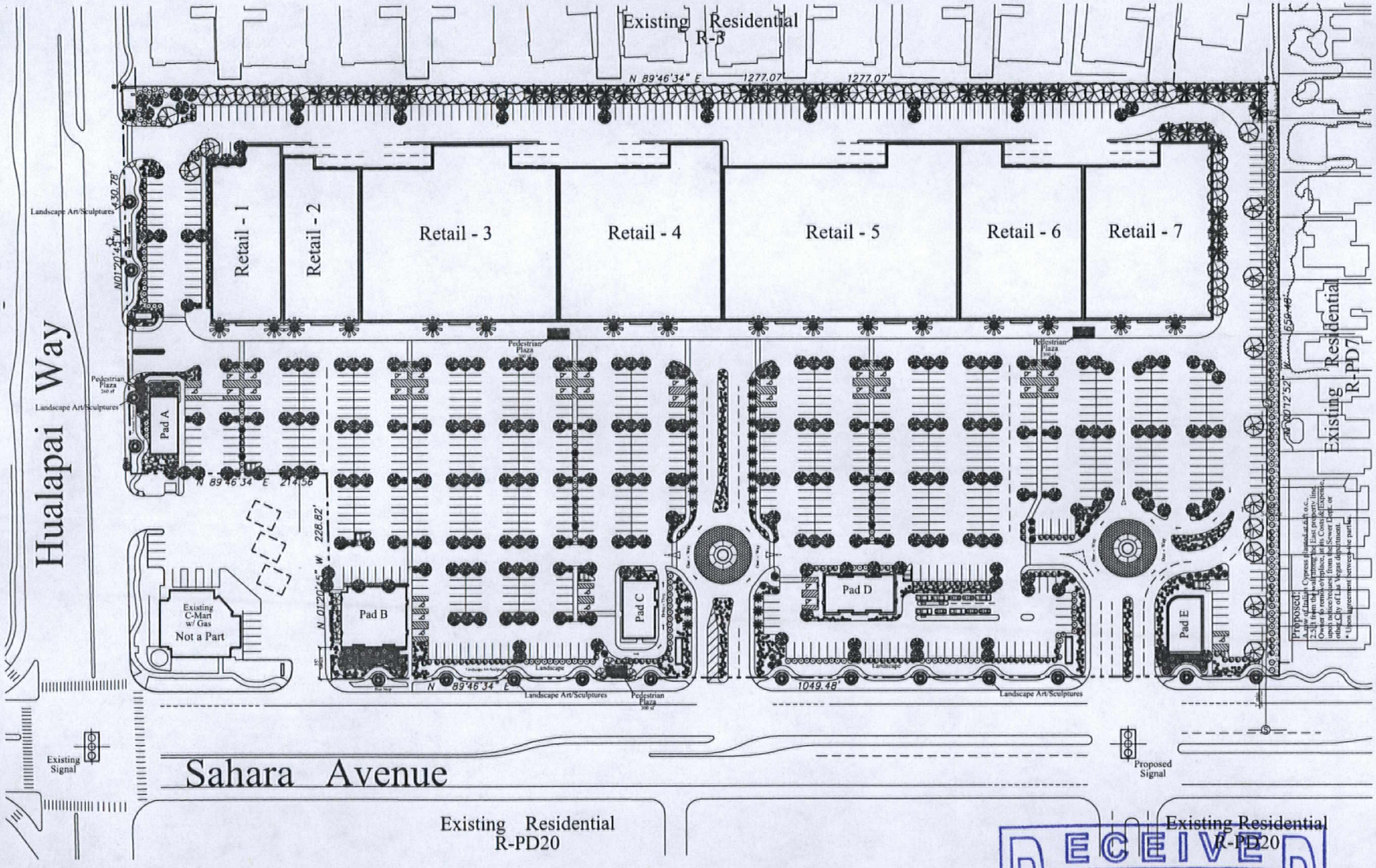
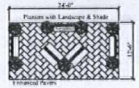


TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	49	24" Box	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	57	24" Box	20'-30' On Center	MONDEL PINE	Pinus pigra
	235	15 gal/ 24" Box	20'-30' On Center	BLUE PALO VERDE	Cercidium floridum
	16	Height Varies	Varies, See Schedule, Reassessment	CANARY PALM	Phoenix canariensis
	28	Height Varies	Varies, See Schedule, Reassessment	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	100	15 gal/ 24" Box	Varies, See Schedule, Reassessment	ITALIAN CYPRESS	Cupressus sempervirens
	1650	1-5 Gallon	N/A	Ornamental Ground Shrubs and Cover	From Approved SNRPC List Only
		N/A	N/A	Xeriscape / Turf	



Pedestrian Plaza
300 sf

Vicinity Map

Scale: 1" = 50'

0 50 100 200

North

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Landscape Plan

Sahara Center

Las Vegas, Nevada

SH Northeast Land Company, LLC

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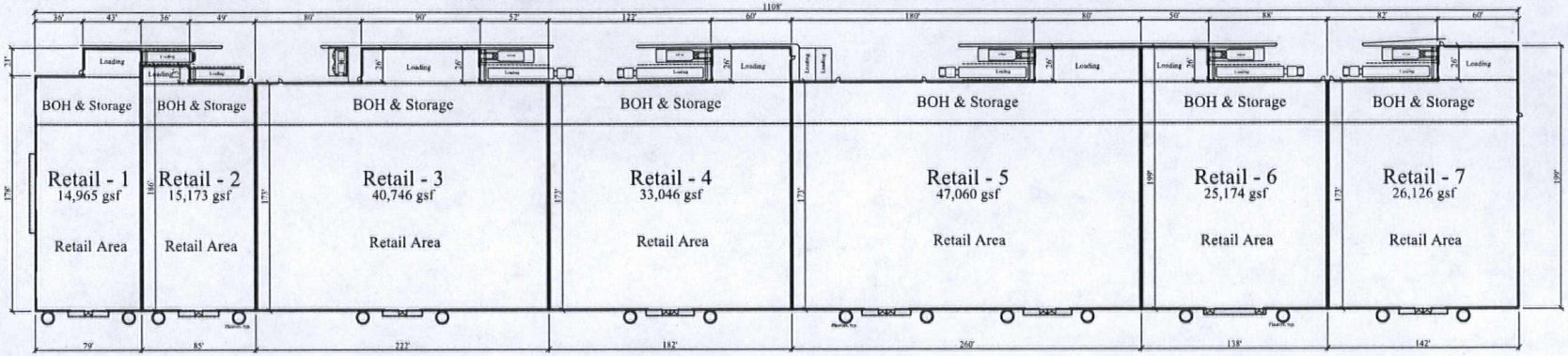
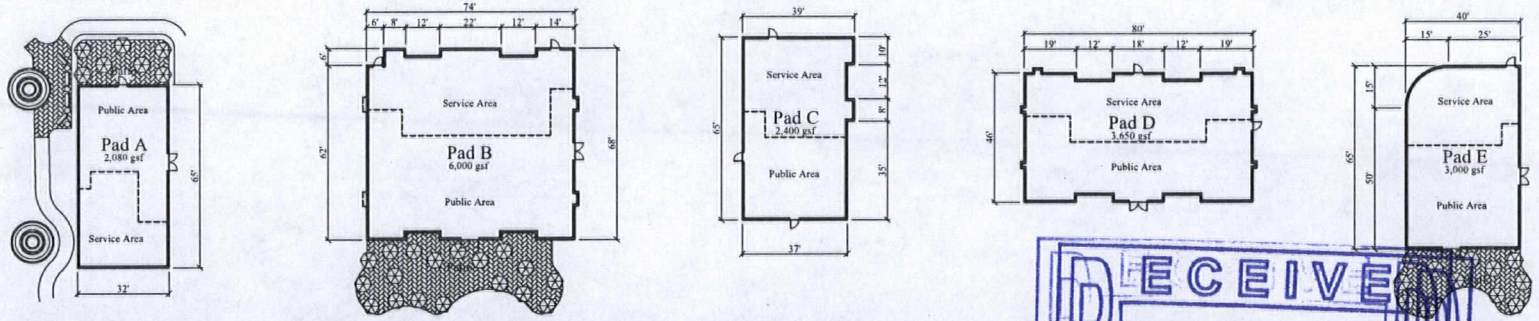


Retail 1 ~ 7 - Floor Plans

Scale: 1" = 40'



Pads A ~ E - Floor Plans

Scale: 1" = 20'

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North

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Floor Plans

Sahara Center

Las Vegas, Nevada

Project No.: 112032 February 21, 2013

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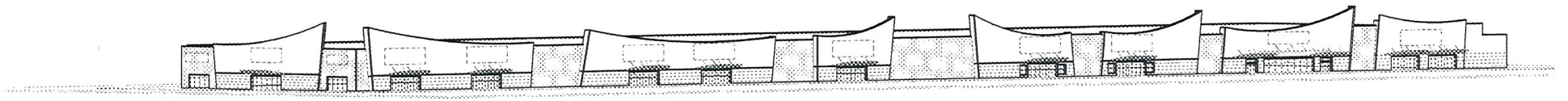

SOUTH HUALAPAI WAY

WEST SAHARA AVE

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3D Perspective

Not To Scale Project No. 112032 February 21, 2013

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Land Company, LLC

Sahara Center
Las vegas, Nevada

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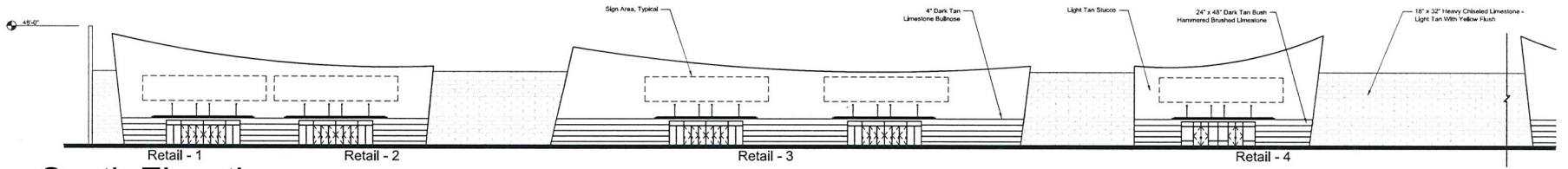
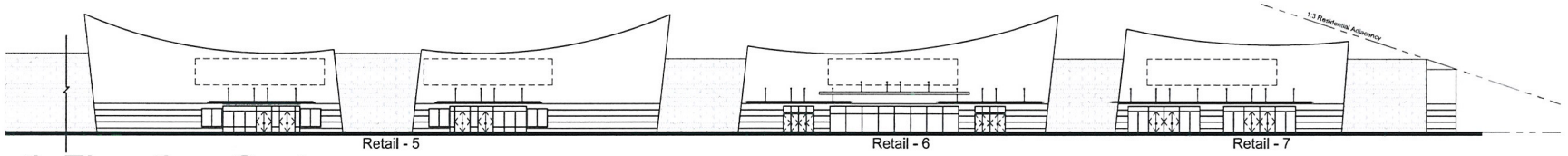
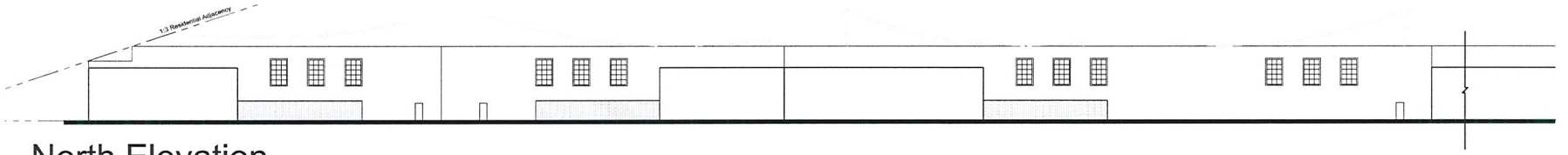


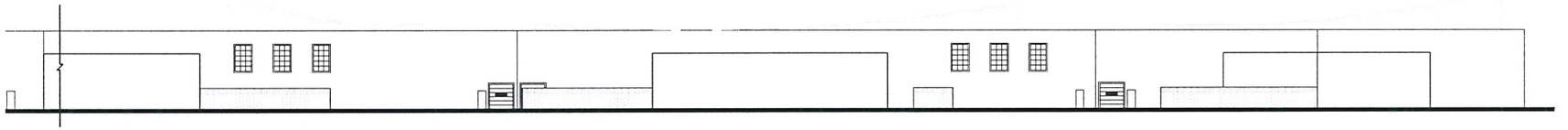
South Elevation



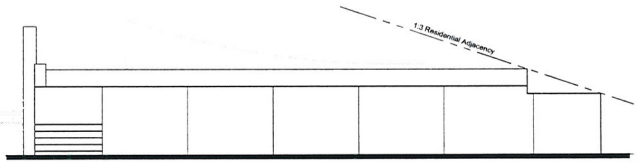
South Elevation, Cont.



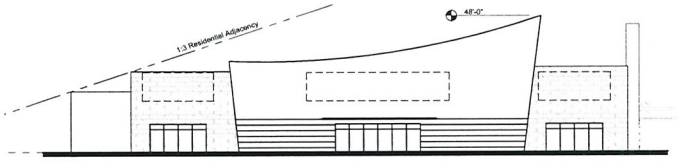
North Elevation



North Elevation, Cont.



East Elevation



West Elevation

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Retail 1-7 Elevations

Sahara Center

Las Vegas, Nevada

Scale: 1" = 20'

0 20 40 80

Project No.: 112032 February 21, 2013

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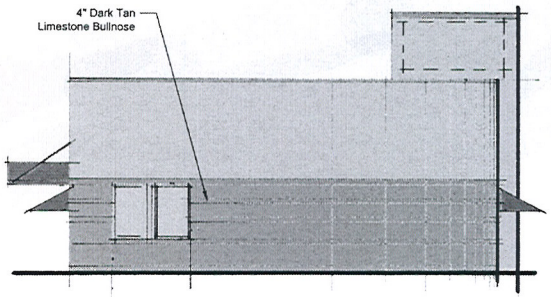
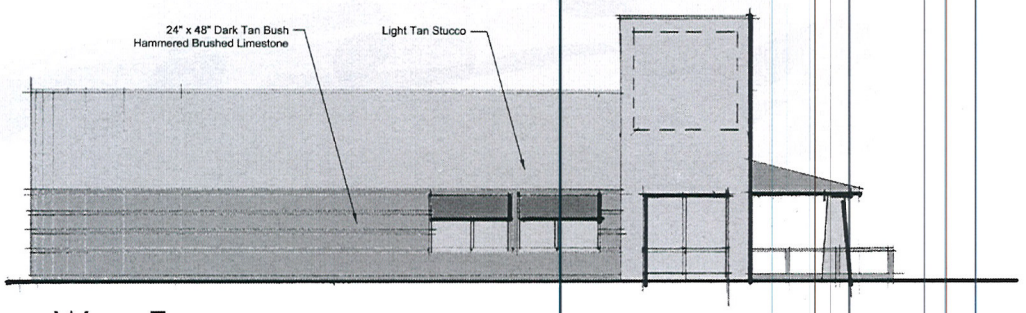
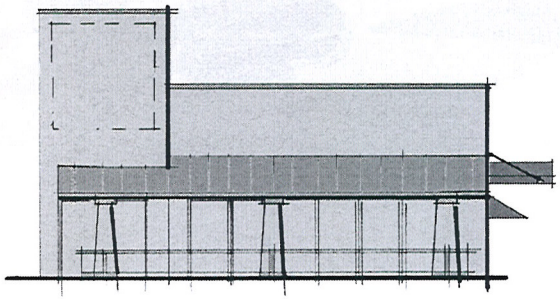


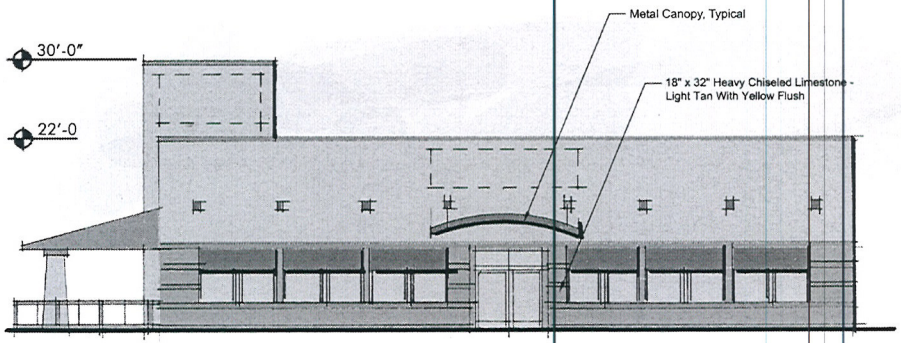
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

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SH Northeast
Land Company, LLC

PAD A & E ELEVATIONS

SAHARA CENTER

Las vegas, Nevada

Scale: 1" = 5'
0 5 10 20

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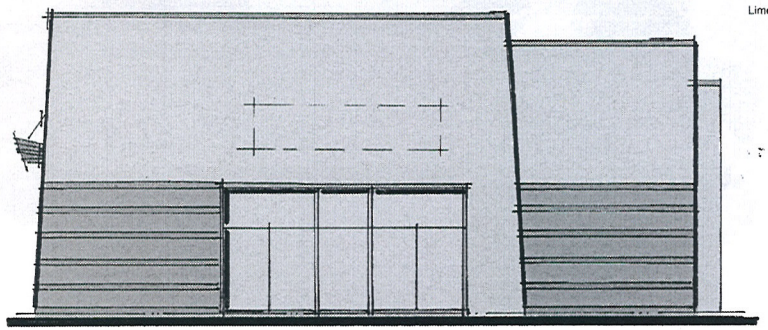
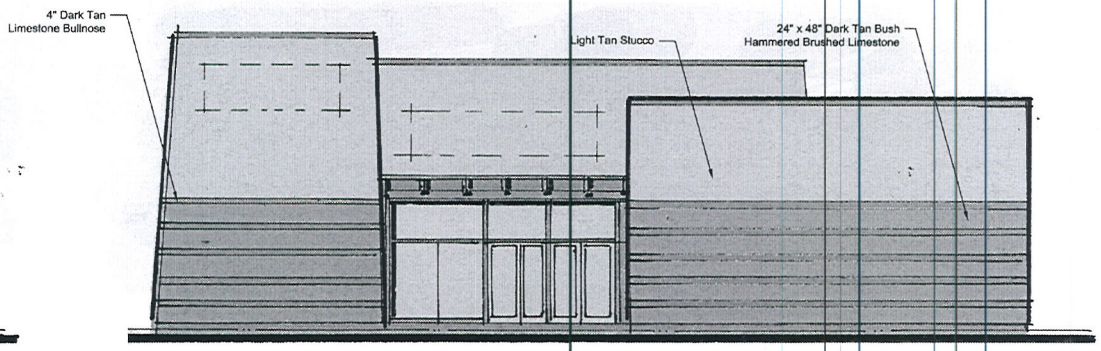
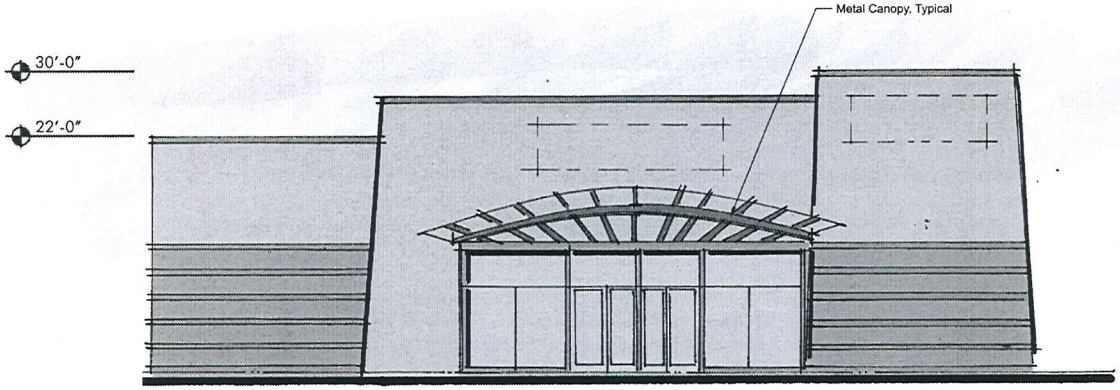


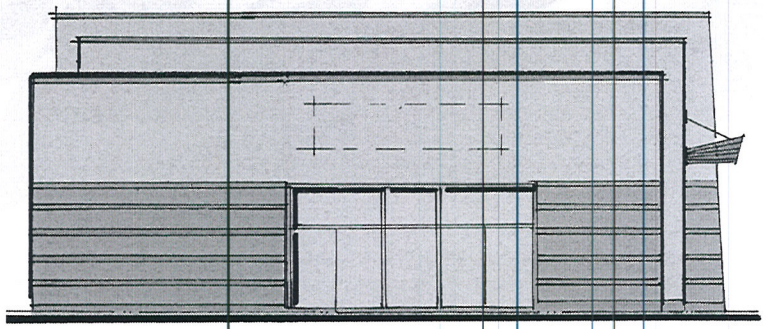
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

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PAD B ELEVATIONS

SAHARA CENTER

LAS VEGAS, NEVADA

SCALE: 1" = 5'

0 5 10 20

PROJECT No. 112032 FEBRUARY 21, 2013

SH NORTHEAST
LAND COMPANY, LLC

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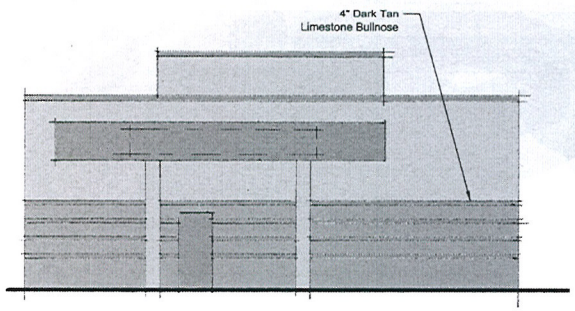
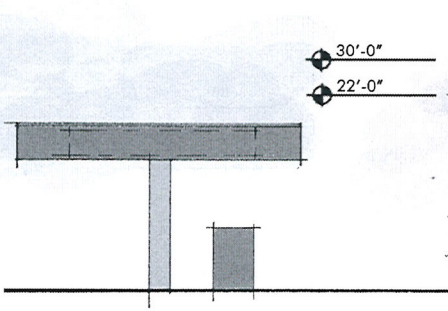
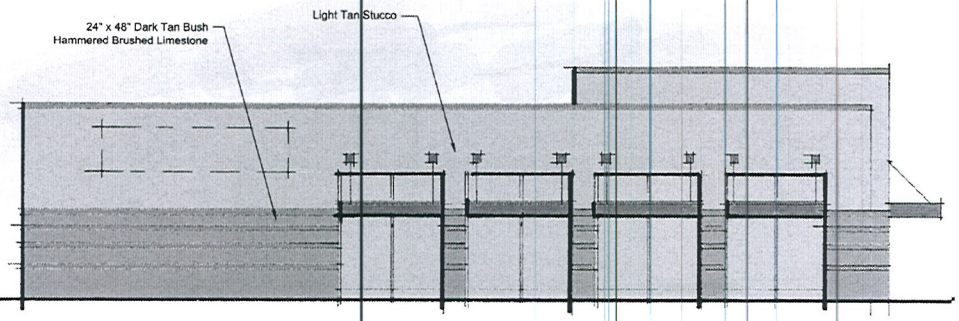
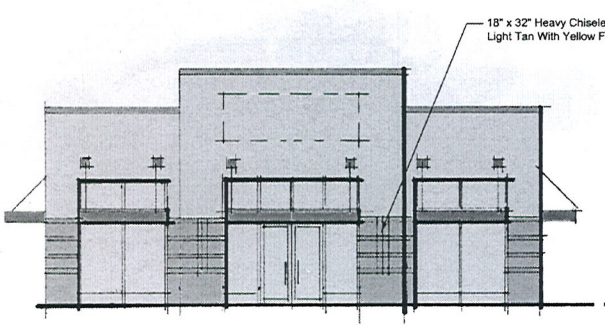


EAST ELEVATION

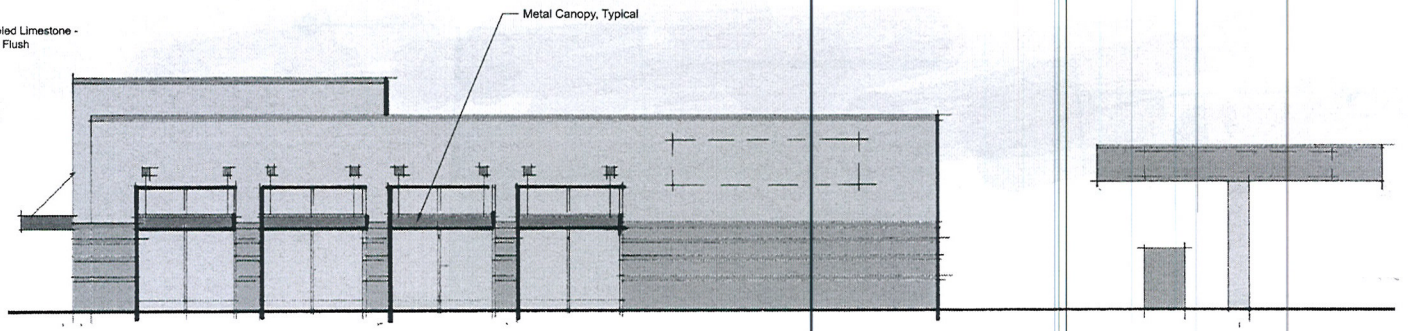


NORTH ELEVATION





WEST ELEVATION



SOUTH ELEVATION

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Land Company, LLC

PAD D ELEVATIONS

SAHARA CENTER

Las vegas, Nevada

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Dept. of Planning

SDR-48469

SCALE: 1" = 5'
0 5 10 20

PROJECT No. 112032 FEBRUARY 21, 2013

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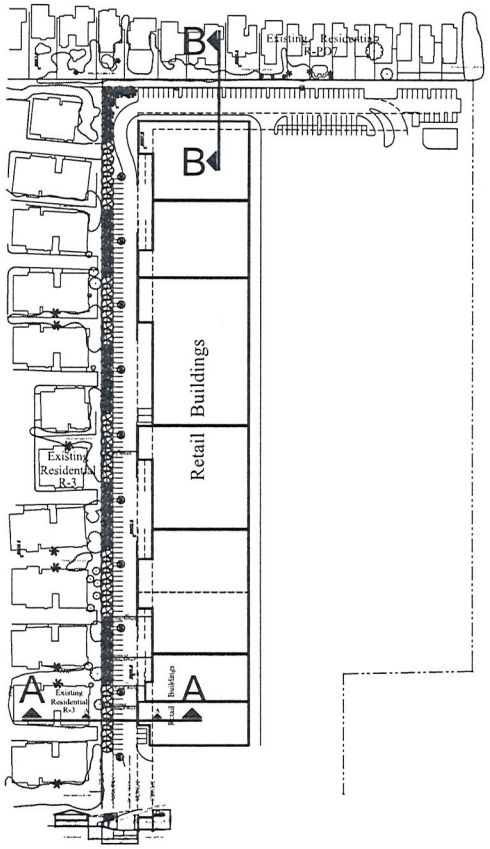
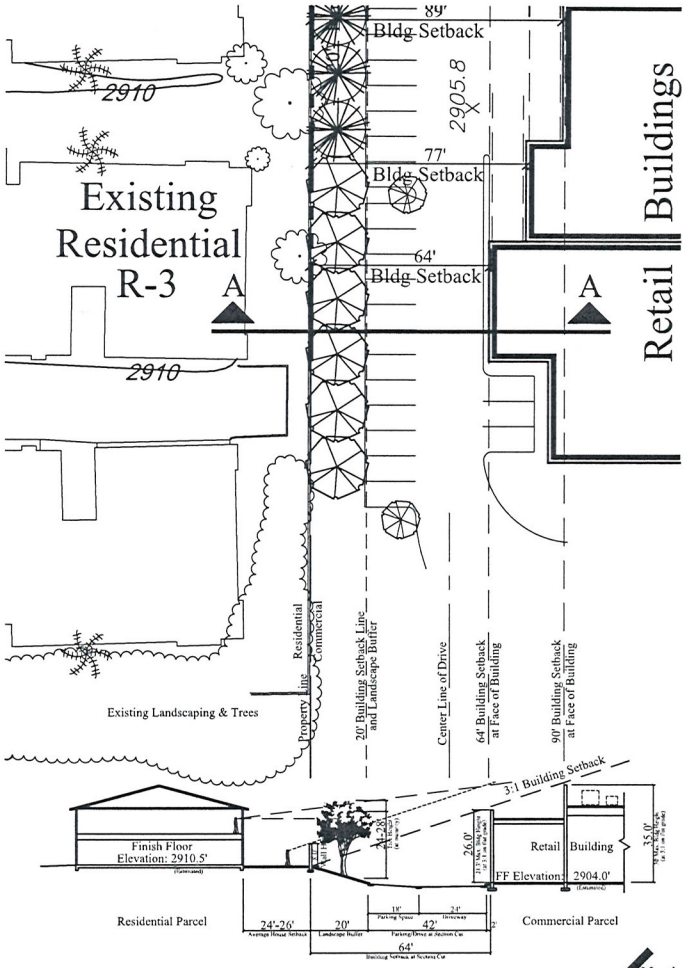
Note:
This Exhibit was Created by Available Civil Drawings, Aerial Maps and Information Provided to the Architect, Some of which May or May Not be Current or Correct.
The Actual On-Site Conditions, (i.e. Property Lines, Elevations, etc.) may Differ from that Represented with this Exhibit.



Cross Section Key Plan

Not to Scale

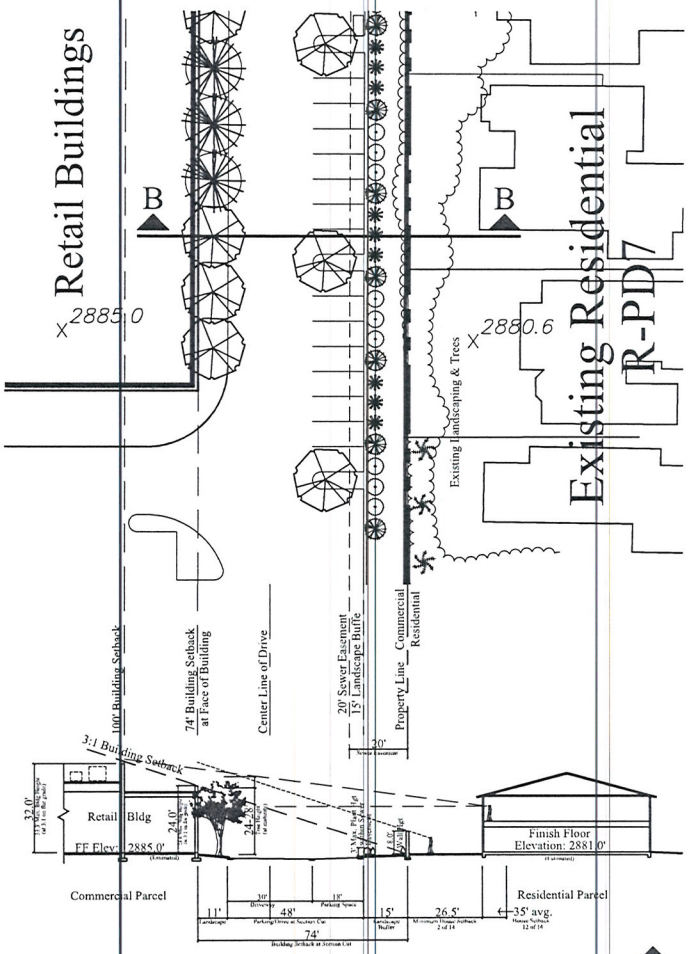
North



Cross Section A-A

Scale: 1" = 20'

North



Cross Section B-B

Scale: 1" = 20'

North

Residential Adjacency Exhibit

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Dept. of Planning

Scale: 1" = 10'
0 10 20 40

Project No.: 112032 February 21, 2013

SH Northeast Land Company, LLC

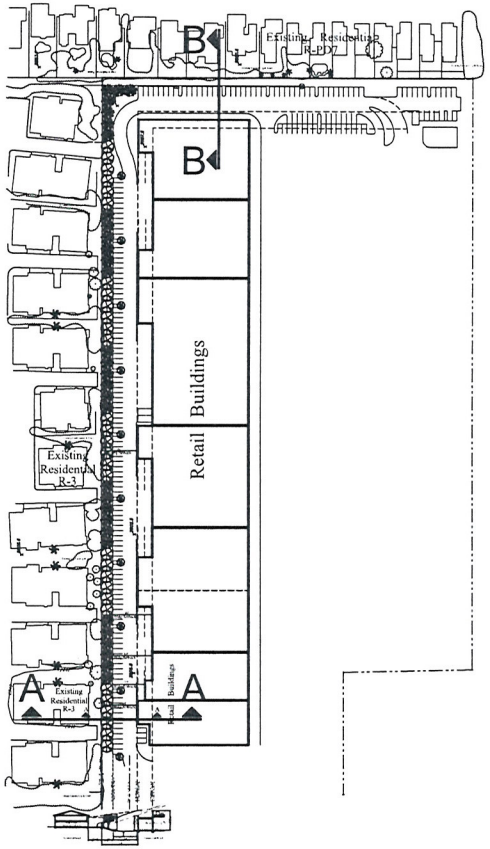
Sahara Center

Las Vegas, Nevada

SDR-48469

Environmental DESIGN GROUP
ARCHITECTURE ▪ PLANNING ▪ INTERIORS
LAS VEGAS ▪ SCOTTSDALE

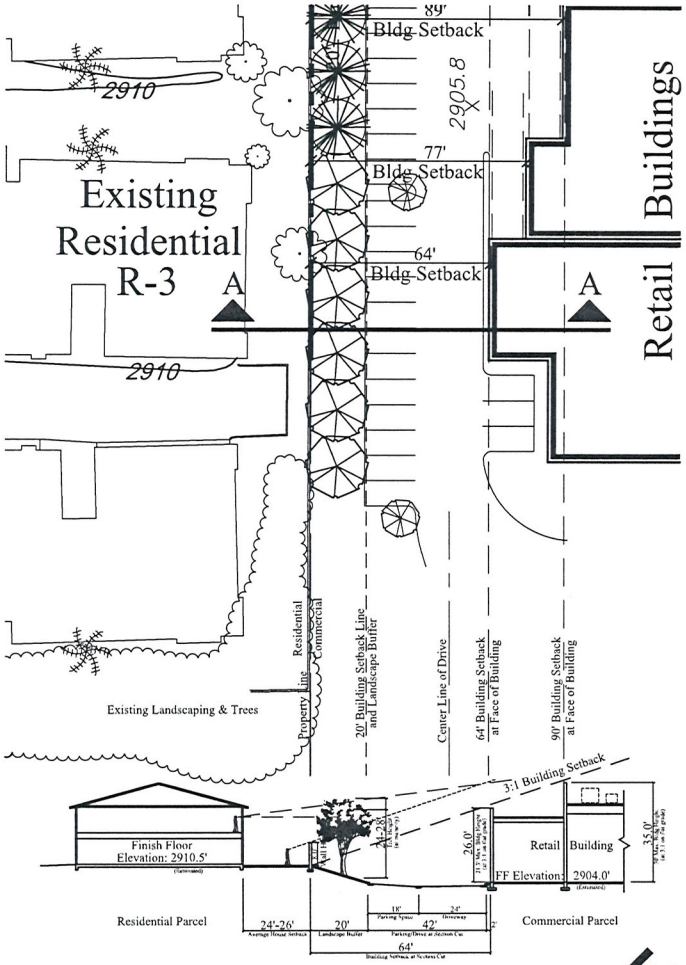
Note:
This Exhibit was Created by Available Civil Drawings, Aerial Maps and Information Provided to the Architect, Some of which May or May Not be Current or Correct.
The Actual On-Site Conditions, (i.e. Property Lines, Elevations, etc.) may Differ from that Represented with this Exhibit.



Cross Section Key Plan

North

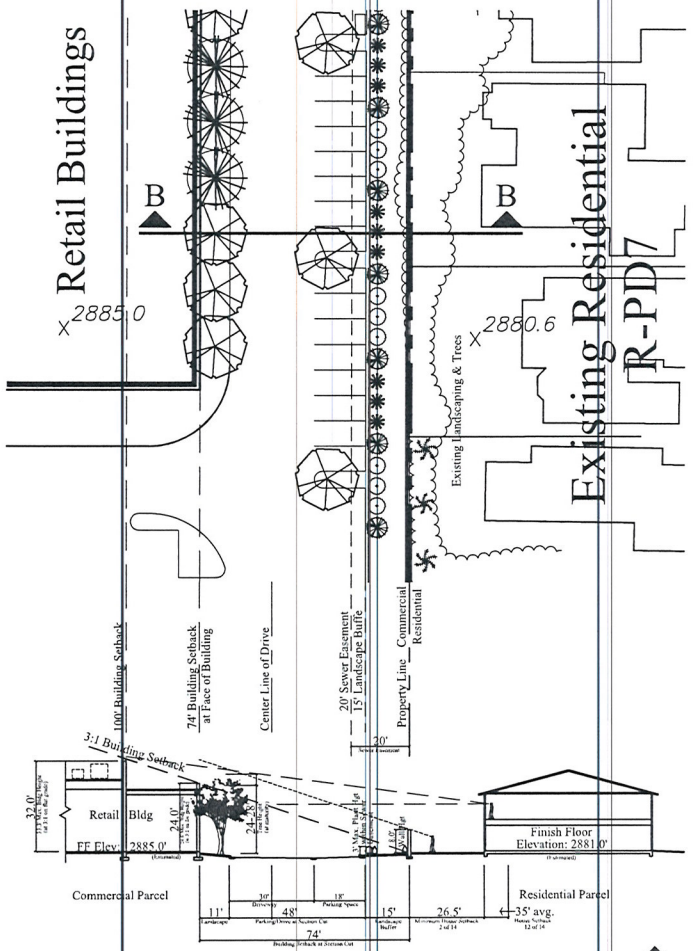
Not to Scale



Cross Section A-A

North

Scale: 1" = 20'



Cross Section B-B

North

Scale: 1" = 20'

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Residential Adjacency Exhibit

Scale: 1" = 10'

Project No.: 112032 February 21, 2013

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SH Northeast Land Company, LLC

Sahara Center

Las Vegas, Nevada

SDR-48469

Environmental DESIGN GROUP
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LAS VEGAS ▪ SCOTTSDALE

Stucco Primary
DEW 380 White

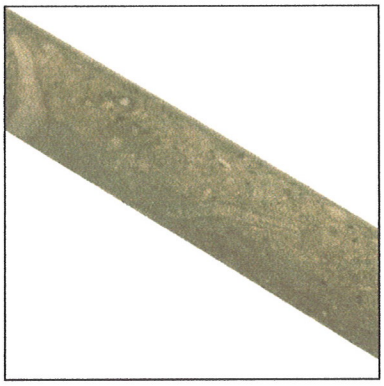
Stucco Secondary
DEW 339 Bone China

Materials

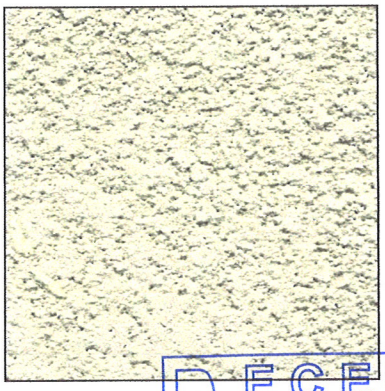
Stone
Bush Hammered Limestone

Stone
Heavy Chiseled Limestone

Trim
Limestone Bullnose



Stucco



MSP-48470
SDR-48469
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Department of Planning

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Color and Materials Board

Project No. 112032 February 21, 2013

SH Northeast
Land Company

Sahara Center
Las Vegas, Nevada

Environmental
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LAS VEGAS ▪ SCOTTSDALE

SDR 48469
SH Northeast Land Company, LLC

NEC Sahara Ave & Hualapai Way

Proposed 219.1 thousand square foot retail development.

Traffic produced by proposed development:

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER/GENERAL RETAIL [1000 SF]	202.29	42.94	8,686
AM Peak Hour			1.00	202
PM Peak Hour			3.73	755

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD WITH DRIVE-THRU [1000 SF]	16.81	496.12	8,340
AM Peak Hour			49.35	2
PM Peak Hour			33.84	569

Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER/GENERAL RETAIL [1000 SF]	219.1	42.94	17,026
AM Peak Hour			1.00	204
PM Peak Hour			3.73	1,323

Existing traffic on all nearby streets:

Sahara Avenue	
Average Daily Traffic (ADT)	23,550
PM Peak Hour (heaviest 60 minutes)	1,884

Hualapai Way	
Average Daily Traffic (ADT)	16,725
PM Peak Hour (heaviest 60 minutes)	1,338

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Sahara Avenue	51,800
Hualapai Way	51,800

This project is expected to increase traffic on Sahara Ave. & Hualapai Way by about 17,026 trips per day. Currently, Sahara is at about 45 percent of capacity and Hualapai is at about 32 percent of capacity. With this project, Sahara is expected to be at about 78 percent of capacity and Hualapai to be at about 65 percent of capacity.

Based on Peak Hour use, this project will increase traffic by about 1,323 trips in the peak hour, or about twenty-two every minute.

Note that this report assumes all traffic from this development uses all named streets.

SH Northeast Land Co.
9755 W. Charleston Blvd.
Las Vegas, NV 89128

February 21, 2013

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

Re: Justification Letter
Commercial Development- Northeast Corner of Sahara Avenue and Hualapai Way APN 163-06-416

To Whom It May Concern:

This letter is to accompany the application for a Site Development Plan Review of the subject project. As shown on the attached site plan, the project will include service and retail commercial development, which is consistent with the current zoning of C-1, Limited Commercial District.

This parcel is located in the Peccole Ranch Phase 2 Master Plan, which has indicated for many years that this parcel is for neighborhood commercial uses. The project is located at the intersection of two primary arterials with adequate capacity to accommodate the vehicular traffic without disturbance to residential neighborhoods. The plan provides adequate setbacks to surrounding uses and conforms to codes for height and lot coverage restrictions. The developer intends to maintain compatibility with walkability initiatives in the Lakes/Peccole Ranch neighborhoods through the provision of generous setbacks and meandering sidewalks along the Sahara Avenue and Hualapai Way frontages.

Only one waiver of standards is anticipated for the project at this time. This would be the requirement for a landscape buffer along the Property Line between this project and the existing C-mart property on the northeast corner of Sahara and Hualapai. Due to the anticipated interlinking of the two properties, with drives and parking, into one cohesive commercial site plan, the landscaping requirement would be nearly impossible to achieve. In addition there are two landscape exceptions that would be requested by the developer: one would be for the requirement of landscape fingers located every six parking spaces (due to dimensional and geometry limitations). The second is a conflict with the landscape buffering requirements along the East property line and the sewer easement (20 foot wide along the said property line) landscape requirement of no plants above three feet high in the easement. The developer would prefer to provide the necessary landscape buffering for both the developer and the adjacent property owners' benefit. And will work with the Sewer Department to try to work out an amicable compromise between the three parties (developer, property owners and sewer dept.)

The developer is known for unique and attractive projects which increase neighborhood property values and community vitality. The development of this property will be consistent with that philosophy.

We respectfully request your approval of the site plan as provided. Please do not hesitate to contact the undersigned should you have any questions or concerns.

Respectfully,

Frank Pankratz

MSP-48470
SDR-48469
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City of Las Vegas
Department of Planning

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

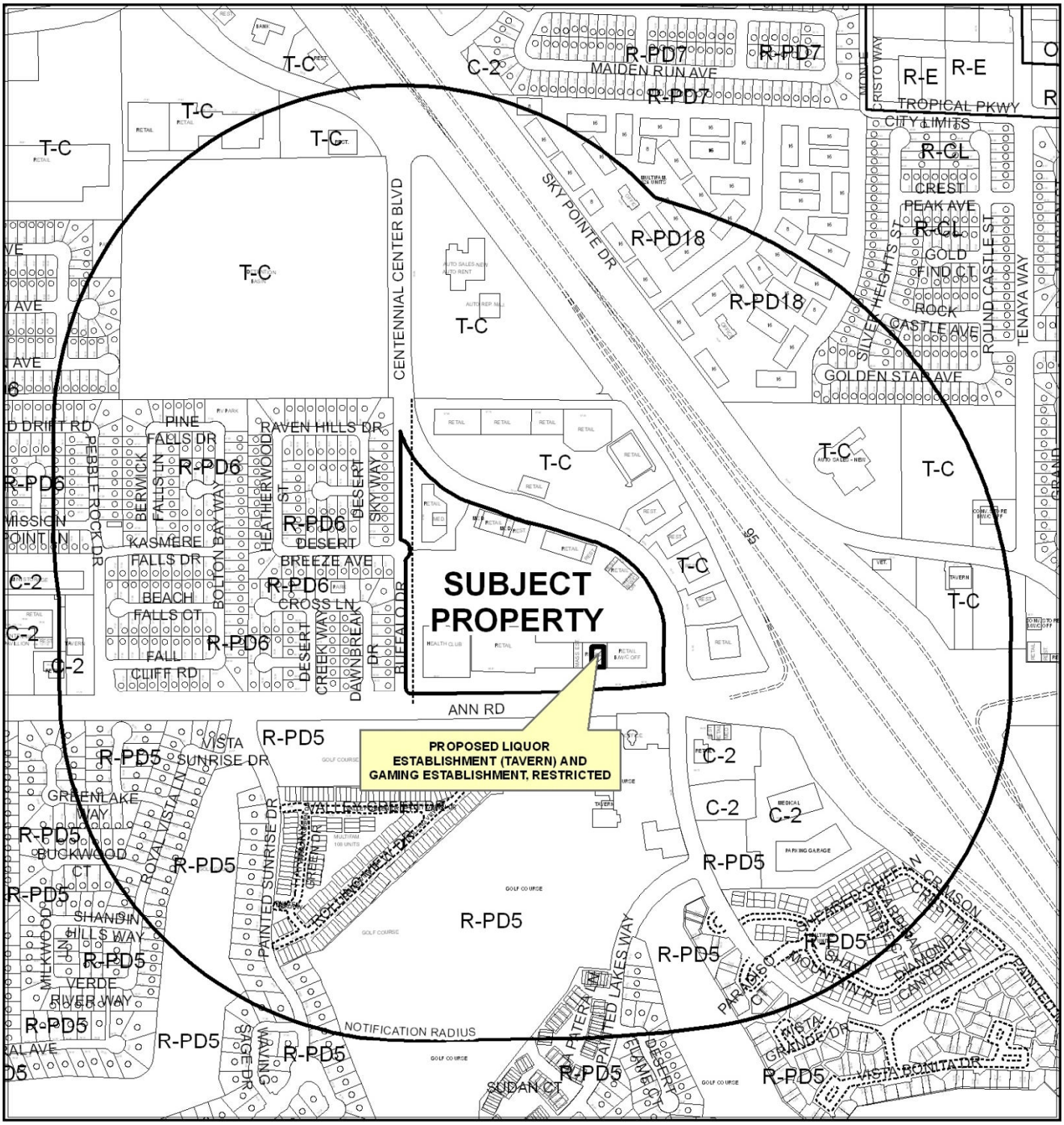
SUBJECT:
SUP-48175 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,936 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) WITH A WAIVER TO ALLOW SUCH USE TO BE LOCATED ON A 16 ACRE PARCEL WITHIN THE SERVICE COMMERCIAL DISTRICT WHERE THE MINIMUM PARCEL SIZE REQUIRED IS 50 ACRES at 5643 Centennial Center Boulevard, Suite #160 (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 DENIAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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 - SUP-48175 and SUP-48176
2. Special Map
3. Conditions and Staff Report - SUP-48175 and SUP-48176
4. Supporting Documentation - SUP-48175 and SUP-48176
5. Photo - SUP-48175 and SUP-48176
6. Justification Letter - SUP-48175 and SUP-48176



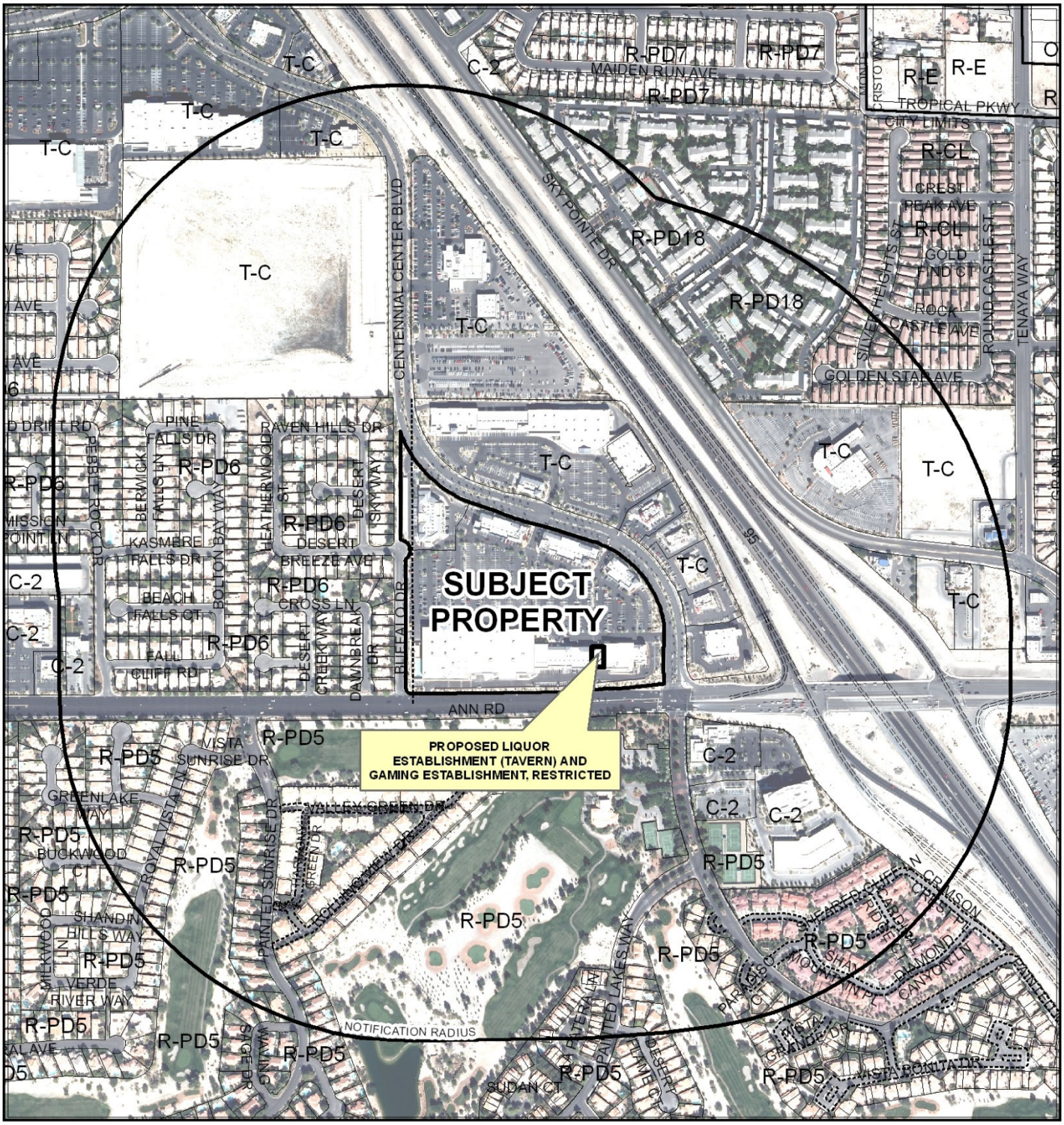
0 500 1,000 Feet

CASE: **SUP-48175 & SUP-48176**

RADIUS: 1500 FEET

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

N



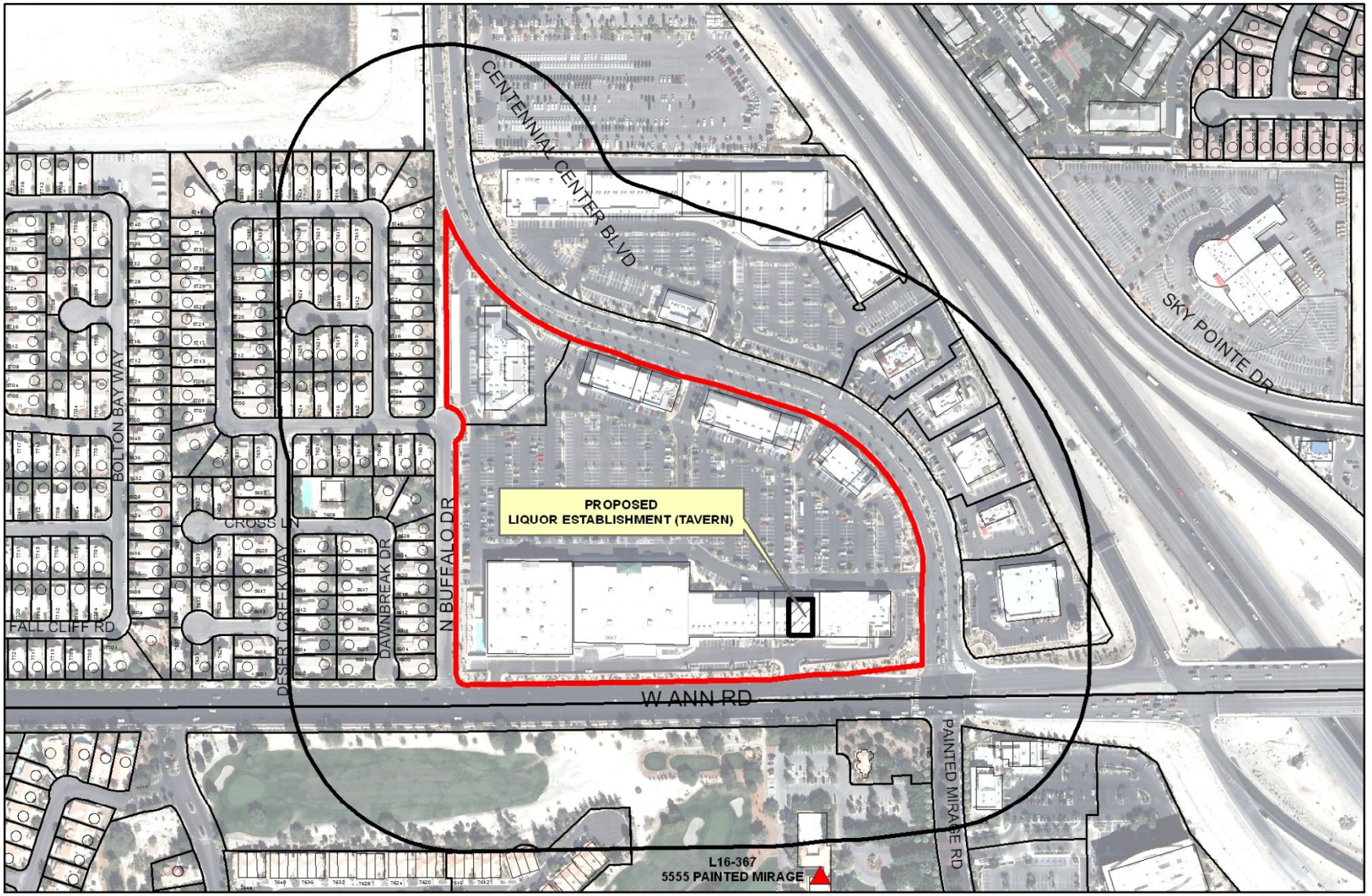
0 500 1,000 Feet

CASE: **SUP-48175 & SUP-48176**

RADIUS: 1500 FEET

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

N



SUP-48175

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 160 320 640 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC

** STAFF RECOMMENDATIONS **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48175	Staff recommends DENIAL, if approved subject to conditions:	N/A
SUP-48176	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-48175 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) use.

2. Conformance to the approved conditions for Special Use Permit (SUP-48176), if approved.

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

4. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow the Liquor Establishment (Tavern) use to be located on a 16-acre parcel within the Service Commercial Land Use District where the minimum parcel size is 50 acres.

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.

MH

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

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

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

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

SUP-48176 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Gaming Establishment, Restricted use.

2. Conformance to the approved conditions for Special Use Permit (SUP-48175), if approved.

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

4. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow a Gaming Establishment, Restricted use to have a thirty-foot separation distance where a 330-foot minimum separation is required from any single-family detached dwelling.

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

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

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

Staff Report Page One
April 9, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting approval of a proposed 2,936 square-foot Liquor Establishment (Tavern) with a Gaming Establishment, Restricted use, located at 5643 Centennial Center Boulevard, Suite #160. The proposed uses are located in the SC (Service Commercial – Town Center) Special Land Use District on a 16-acre parcel 30 feet to the east of a single-family detached residential neighborhood. Each of the proposed uses requires a separate Special Use Permit; the tavern requires a waiver for lot size and the gaming use a waiver from the minimum separation distance.

Staff recommends denial of the proposed uses, as the waiver to the required lot size for the Liquor Establishment (Tavern) use and the waiver from the minimum separation distance for the Gaming Establishment, Restricted use demonstrates that the proposed development is not harmonious and compatible with the surrounding area. If denied, the applicant will not be permitted to operate a Liquor Establishment (Tavern) with a Gaming Establishment, Restricted use at this location.

ISSUES

- The Liquor Establishment (Tavern) use is permitted in the SC-TC (Service Commercial – Town Center) Special Land Use District with the approval of a Special Use Permit. The proposed use does not meet the Minimum Special Use Permit Requirements for minimum lot size.
- A Waiver is required to allow the proposed Liquor Establishment (Tavern) use on a 16-acre parcel where the Minimum Special Use Permit Requirement calls for a minimum lot size of 50 acres.
- A Text Amendment has been recommended for approval by the Planning Commission to include language that will modify the Town Center Development Standards Manual. Included in this revision is the correction of a scrivener's error to remove language regarding the use of an asterisk to denote the Special Use Permit conditions that may not be waived.
- The Gaming Establishment, Restricted use is permitted in the SC-TC (Service Commercial – Town Center) Special Land Use District with the approval of a Special Use Permit. The proposed use does not meet the Minimum Special Use Permit Requirements for required minimum distance separation.
- A Waiver is required to allow the proposed Gaming Establishment, Restricted use to have a 30-foot separation distance from residentially zoned property where the Minimum Special Use Permit Requirement calls for a minimum 330-foot separation distance.

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.
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.
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 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.
10/04/06	The City Council approved Bill No. 2006-53, adopting a revised Town Center Development Standards Manual that did not include language regarding the use of asterisks prohibiting specific Special Use Permit conditions from being waived.
05/16/07	The City Council approved Bill No. 2007-17 amending the Town Center Development Standards Manual with respect to Secondhand Dealer establishments. Due to a scrivener's error, the published version of the Town Center Development Standards Manual included language regarding the use of an asterisk to denote non-waiveable Special Use Permit conditions.
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	A Minor Amendment (SUP-48172) of an approved Special Use Permit (SUP-44890) to relocate an existing Secondhand Dealer use from Suite #105 to Suite #130 at 5643 Centennial Center Boulevard was administratively approved.
03/12/13	The Planning Commission approved a request for a Special Use Permit (SUP-48171) for a proposed Secondhand Dealer at 5643 Centennial Center Boulevard, Suite #110. Staff recommended approval.
03/12/13	The Planning Commission and staff recommended approval of a proposed Text Amendment (TXT-46131) to update the Town Center Development Standards with various clarifications related to changes made to LVMC Title 19 with the adoption of the Unified Development Code and to revise the language regarding the use of asterisks for denoting nonwaivable Special Use Permit conditions.

Most Recent Change of Ownership	
12/28/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/19/09	A building permit (#133983) was issued for a 1,610 square-foot tenant improvement to 5643 Centennial Center Boulevard, Suite #160. A final inspection was completed on 07/14/09.

Pre-Application Meeting	
01/09/13	A pre-application was held with the applicant's representative to discuss the submittal process for the Special Use Permit required for a proposed Liquor Establishment (Tavern) and the Special Use Permit required for a proposed Gaming Establishment, Restricted use. The applicant was informed that both of the proposed uses did not meet the Minimum Special Use Permit Requirements and would require subsequent waivers of those requirements.

Neighborhood Meeting	
04/04/13	A neighborhood meeting is scheduled at 6:00 p.m. at the Centennial Hills Community Center to discuss the associated waivers with the requested Special Use Permits for a Liquor Establishment (Tavern) (SUP-48175) and a related Gaming Establishment, Restricted (SUP-48176). The results of this meeting will be available at the Planning Commission meeting.

Field Check	
02/28/13	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center. The proposed location, 5643 Centennial Center Boulevard, Suite #160 and the adjacent tenant space were currently unoccupied.

Details of Application Request	
Site Area	
Net Acres	16

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	N
Special Purpose and Overlay Districts	***Compliance***
T-C (Town Center) District – SC-TC (Service Commercial – Town Center)	N
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 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 (Liquor Establishment (Tavern) and Gaming Establishment, Restricted)	211,606 SF	1:250 SF					
TOTAL SPACES REQUIRED			862		1,014		
Regular and Handicap Spaces Required			846	16	990	24	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
No tavern shall be located within any Service Commercial Special Land Use District unless it is a part of a development with an aggregate acreage exceeding 50 acres with a majority of the acreage located within a zone which allows taverns.	To locate a proposed Liquor Establishment (Tavern) use on a 16-acre parcel in the Service Commercial Special Land Use District.	Denial
The Gaming Establishment, Restricted use may not locate within 330 feet of any single-family detached dwelling.	To locate a Gaming Establishment, Restricted use 30 feet from a single-family detached dwelling.	Denial

ANALYSIS

The Minimum Special Use Permit Requirements listed in the Town Center Development Standards Manual for the Liquor Establishment (Tavern) use are distinct from the Minimum Special Use Permit Requirements listed in Title 19.12 of the Unified Development Code. Also, Town Center Development Standards Manual requires a Special Use Permit for the Gaming Establishment, Restricted use whereas Title 19.12 allows such use as an accessory use. Due to a scrivener's error, the Town Center Development Standards Manual currently contains text from a published version of the manual that was never formally adopted by any action of the City Council. At issue is the current language pertaining to the use of asterisks to denote Special Use Permit conditions that cannot be waived. There are no land uses that utilize the asterisk and may create confusion in the Town Center Development Standards Manual.

A proposed Text Amendment (TXT-46131) has been approved by the Planning Commission and will be forwarded to City Council in ordinance to provide updated references to the current Unified Development Code and to remove the language regarding the use of asterisks for denoting Special Use Permit conditions that may not be waived.

Additionally, the Town Center Special Area Plan does not provide a definition of the proposed uses; therefore, the following Title 19.18 definition of the Liquor Establishment (Tavern) use is provided as follows:

> "A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold."

The following Minimum Special Use Permit Requirements, as listed in the Town Center Development Standards Manual for the Liquor Establishment (Tavern) use include:

a. No tavern shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or city park.

   The proposed Liquor Establishment, (Tavern) use meets this requirement, as there are no protected uses within 400 feet of the subject site.

b. Uses licensed as taverns or other comparable establishments, shall have no specific spacing requirements between similar uses. However, the Las Vegas City Council may consider the concentration and spacing of such uses as part of its deliberation and approval of any requests for such establishments.

   The proposed use meets this requirement upon approval of a requested Special Use Permit.

c. The distances referred to in paragraphs ***a.*** and ***b.*** shall be measured in a straight line from the property line of the church, synagogue, school, child care facility or from the nearest property line of a city park to the property line of the proposed liquor premises, and in a straight line from the property line of the proposed tavern to the property line of any existing tavern or comparable establishment, disregarding all intervening obstacles.

   The proposed Liquor Establishment, (Tavern) use meets this requirement, as there are no protected uses within 400 feet of the subject site.

d. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC 6.50.

   The proposed use will be required to continuously meet this requirement as a condition of approval of a requested Special Use Permit.

e. No tavern shall be located within any Service Commercial District unless it is part of a development with an aggregate acreage exceeding 50 acres with a majority of the acreage located within a zone which allows taverns.

The proposed use does not meet this requirement, as the subject site is a 16-acre parcel.

The Gaming Establishment, Restricted use is not defined by the Town Center Development Standards Manual. The definition for this use is provided by Title 19.18 as:

"An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations are limited to not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device."

The Minimum Special Use Permit Requirements for this use include:

a. A Specia1 Use Permit is required for any new gaming establishment.

The applicant will meet this condition if the requested Special Use Permit is approved.

b. May not locate within 330 feet if any single-family detached dwelling.

The proposed use meets does not meet this requirement, as there are single-family detached dwellings located 30 feet to the west of the commercial subdivision, separated by right-of-way of a minimum width of 30 feet, where the Gaming Establishment, Restricted use is proposed.

FINDINGS (SUP-48175)

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 Liquor Establishment (Tavern) use will be located in a 16-acre lot in the SC-TC (Service Commercial – Town Center) Special Land Use District land use district. The proposed use requires a waiver to the Minimum Special Use Permit Requirement for minimum lot size. The requested waiver to allow such use on a 16-acre lot where a minimum 50-acre lot is required demonstrates that the use is not 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 is unsuitable for the Liquor Establishment (Tavern) use, as the existing lot size of the site is 16 acres where the Minimum Special Use Permit Requirement is part of a development with an aggregate acreage exceeding 50 acres.

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, and has sufficient size to accommodate the needs of the proposed Liquor Establishment (Tavern) use located within an existing Shopping Center. The proposed use will occupy existing suites and will not require any additional parking beyond what has been provided for the existing Shopping Center.

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

   Approval of a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

   There are no applicable conditions per Title 19.12 for the Liquor Establishment (Tavern) use; however, the proposed use does not meet the Minimum Special Use Permit Requirement listed in the Town Center Development Standards Manual for a 50-acre minimum lot size.

FINDINGS (SUP-48176)

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 Gaming Establishment, Restricted use will be located in a Shopping Center in the SC-TC (Service Commercial – Town Center) Special Land Use District. The proposed use requires a waiver to the Minimum Special Use Permit Requirement for a 30-foot separation distance from a single-family detached dwelling where a 330-foot separation distance is required.

The requested waiver for the separation distance demonstrates that the use is not 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 is unsuitable for the Gaming Establishment, Restricted use, as the proposed location provides a 30-foot separation distance from a single-family detached use where a 330-foot separation distance is required.

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

Site access is provided from Centennial Center Boulevard, a 90-foot Town Center Frontage Road, and has sufficient size to accommodate the needs of the proposed Gaming Establishment, Restricted use located within an existing Shopping Center. The proposed use will occupy existing suites and will not require any additional parking beyond what has been provided for the existing Shopping Center.

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

Approval of a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

There are no applicable conditions per Title 19.12 for the Gaming Establishment, Restricted use; however, the proposed use does not meet the Minimum Special Use Permit Requirement listed in the Town Center Development Standards Manual for a 330-foot separation from a single-family dwelling, as there are single-family detached dwellings located 30 feet to the west of the proposed use.

NOTICES MAILED 765

APPROVALS 0

PROTESTS 0

MH

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48175 APN: 125-27-411-013

Name of Property Owner: Inland Diversified Las Vegas Centennial Gateway, LLC

Name of Applicant: Nevada Restaurant Services, Inc.

Name of Representative: G.C. Garcia, Inc.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: By LS president

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

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) 5643 Centennial Center Blvd, Suite 160

Project Name Tavern @ Centennial Center **Proposed Use** Tavern

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

General Plan: existing SC-TC proposed NC **Zoning:** existing T-C proposed NC

Commercial Square Footage 2,936 sq ft **Floor Area Ratio**

Gross Acres 16.79+/- **Lots/Units** **Density**

Additional Information

PROPERTY OWNER Inland Diversified Las Vegas Centennial Gateway, LLC **Contact** BARRY L. LAZARUS

Address 2901 Butterfield ROAD **Phone:** 630-218-8000 **Fax:**

City OAK BROOK **State** IL **Zip** 60523

E-mail Address blazarus@inlandgroup.com

APPLICANT Nevada Restaurant Services, Inc. **Contact** Mike Eide

Address 835 W. Bonanza Rd. **Phone:** (702) 531-7161 **Fax:** (702) 383-2903

City Las Vegas **State** NV **Zip** 89106

E-mail Address MEide@dottys.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com

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

Property Owner Signature* By RS Pres.

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

Print Name Barry Lazarus

Subscribed and sworn before me

This 23 day of January, 20 13.

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-48175
Meeting Date:	03/12/13
Total Fee:	$1280.00
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.

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City of Las Vegas
Dept. of Planning

Revised 10/27/08

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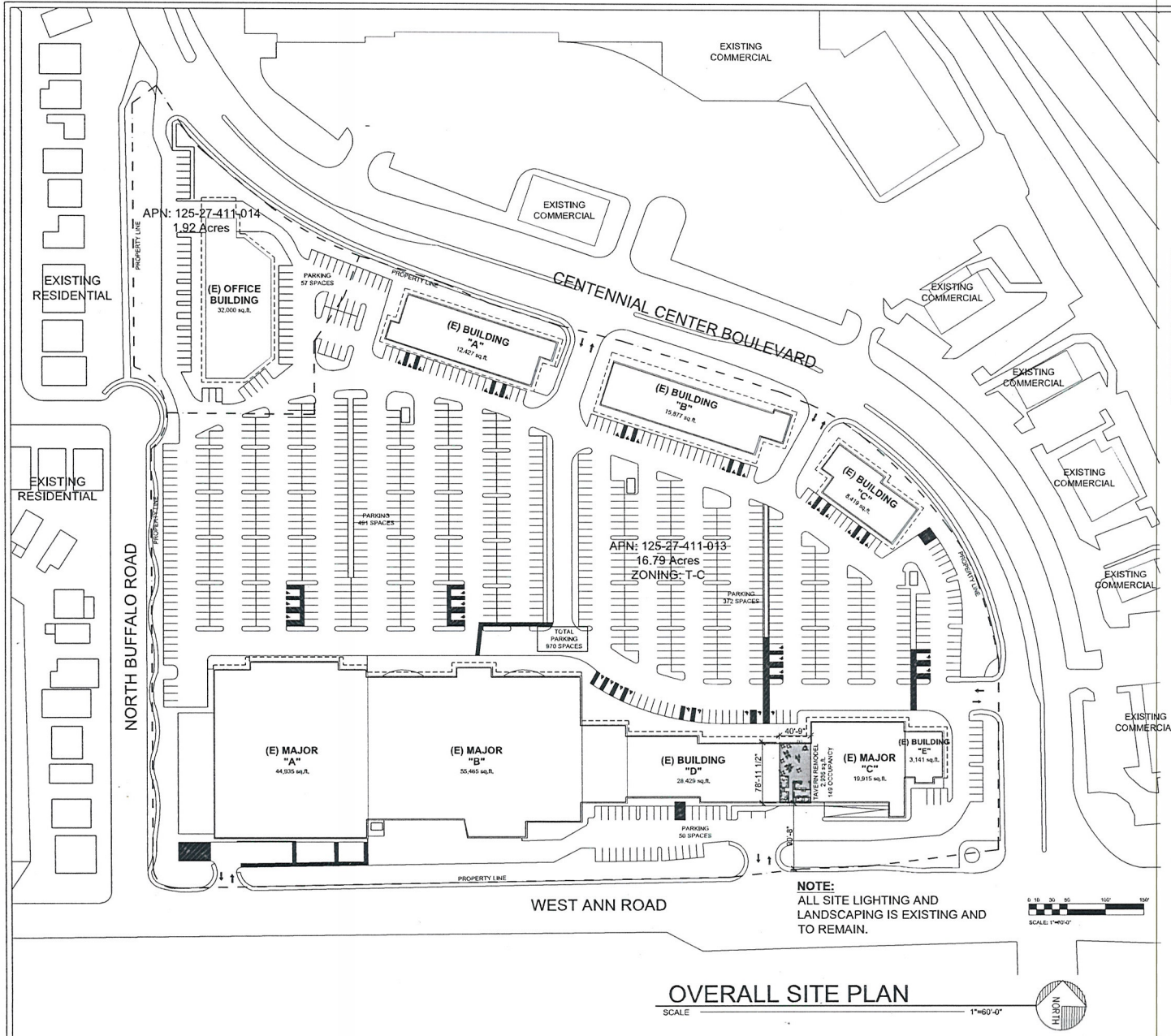

NOTE:
ALL SITE LIGHTING AND LANDSCAPING IS EXISTING AND TO REMAIN.

OVERALL SITE PLAN

SCALE 1"=60'-0"

NORTH

PARCEL PARKING ANALYSIS:

USE	AREA	SPACE RATIO	PARKING REQUIRED	PARKING PROVIDED
MAJOR "A"	44,935 sq.ft.	350	129 SPACES	385 SPACES
MAJOR "B"	55,465 sq.ft.	350	159 SPACES	392 SPACES
MAJOR "C"	19,915 sq.ft.	350	57 SPACES	60 SPACES
BUILDING "A"	12,427 sq.ft.	350	36 SPACES	69 SPACES
BUILDING "B"	15,877 sq.ft.	350	45 SPACES	84 SPACES
BUILDING "C"	8,419 sq.ft.	350	24 SPACES	34 SPACES
BUILDING "D"				
RETAIL	22,429 sq.ft.	350	64 SPACES	141 SPACES
(NEW) TAVERN	2,936 sq.ft.			
PUBLIC AREA	1,780 sq.ft.	150	8 SPACES	9 SPACES
NON-PUBLIC AREA	1,156 sq.ft.	750	5 SPACES	6 SPACES
BUILDING "E"	3,141 sq.ft.	350	9 SPACES	52 SPACES
OFFICE BUILDING "A"	32,000 sq.ft.	350	92 SPACES	64 SPACES
UNALLOCATED				145 SPACES
TOTAL PARKING			665 SPACES	975 SPACES
HANDICAP PARKING REQUIRED @ 2%				20 SPACES
				4 VAN
				16 REGULAR

AREA CALCULATIONS:

USE		AREA
MAJOR "A"	*Retail*	44,935 sq.ft.
MAJOR "B"	*Retail*	55,465 sq.ft.
MAJOR "C"	*Retail*	19,915 sq.ft.
BUILDING "A"	*Retail*	12,427 sq.ft.
BUILDING "B"	*Retail*	15,877 sq.ft.
BUILDING "C"	*Retail*	8,419 sq.ft.
BUILDING "D"	*Mixed*	
RETAIL		22,429 sq.ft.
(NEW) TAVERN		**2,936 sq.ft.**
PUBLIC AREA		**1,780 sq.ft.**
NON-PUBLIC AREA		**1,156 sq.ft.**
TOTAL		25,359 sq.ft.
BUILDING "E"	*Retail*	3,141 sq.ft.
OFFICE BUILDING "A"	*Office*	32,000 sq.ft.

VICINITY MAP

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SUP-48175
SUP-48176

COPYRIGHT NEVADA RESTAURANT SERVICES, INC. 2010. NEVADA RESTAURANT SERVICES, INC. AND ITS AFFILIATES CLAIM EXCLUSIVE RIGHTS IN THE DOTTY'S MARK AND DOTTY'S TRADE DRESS UNDER FEDERAL LAW. ALL RIGHTS RESERVED.

REVISIONS

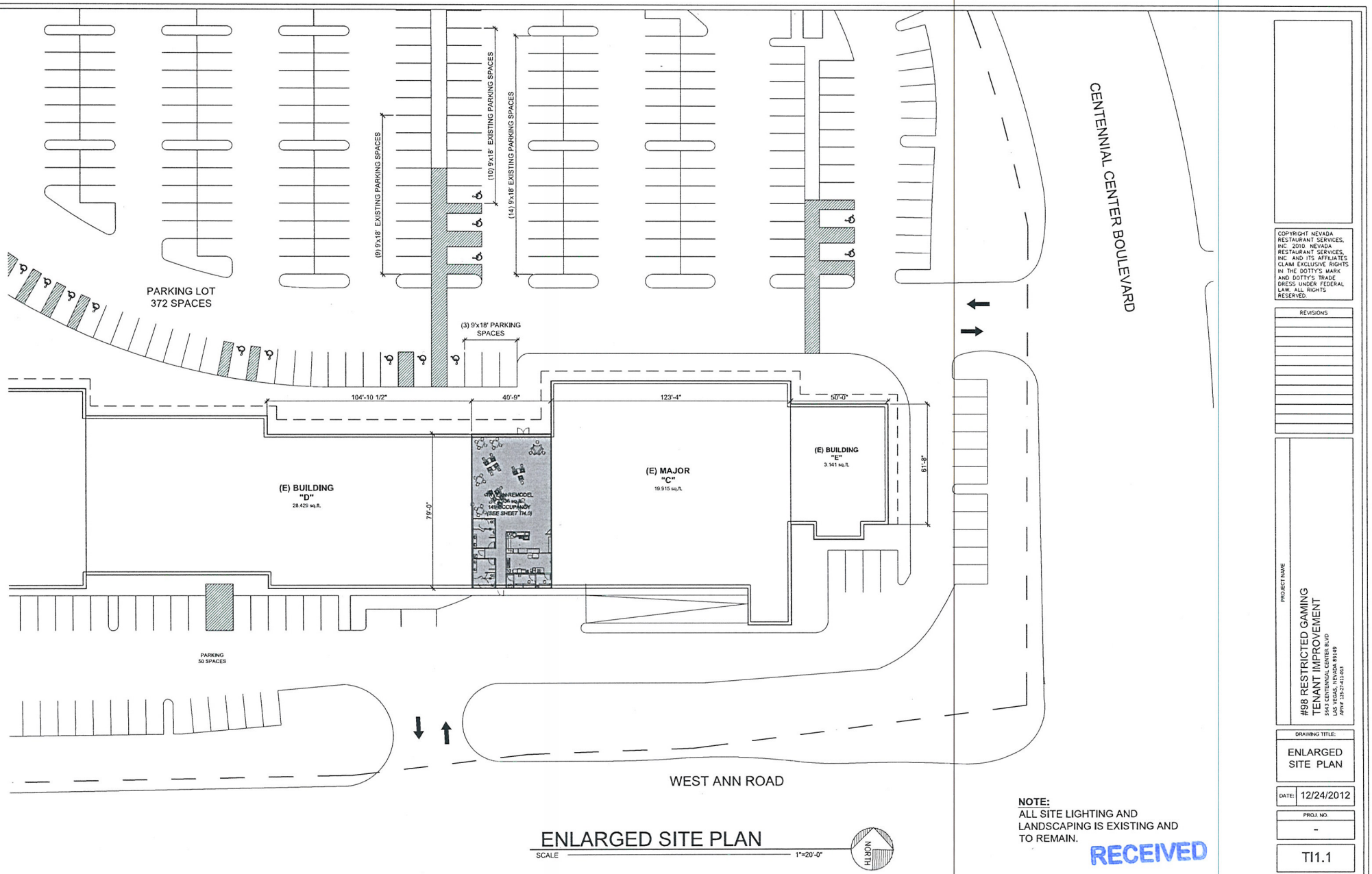
PROJECT NAME
#98 RESTRICTED GAMING
TENANT IMPROVEMENT
5643 CENTENNIAL CENTER BLVD
LAS VEGAS, NEVADA 89149
APN # 125-27-411-013

DRAWING TITLE:
OVERALL SITE PLAN

DATE: 12/24/2012

PROJ. NO.
-

TI1.0



ENLARGED SITE PLAN

SCALE 1"=20'-0"

NORTH

NOTE:
ALL SITE LIGHTING AND LANDSCAPING IS EXISTING AND TO REMAIN.

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Dept. of Planning

SUP-48175
SUP-48176

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REVISIONS

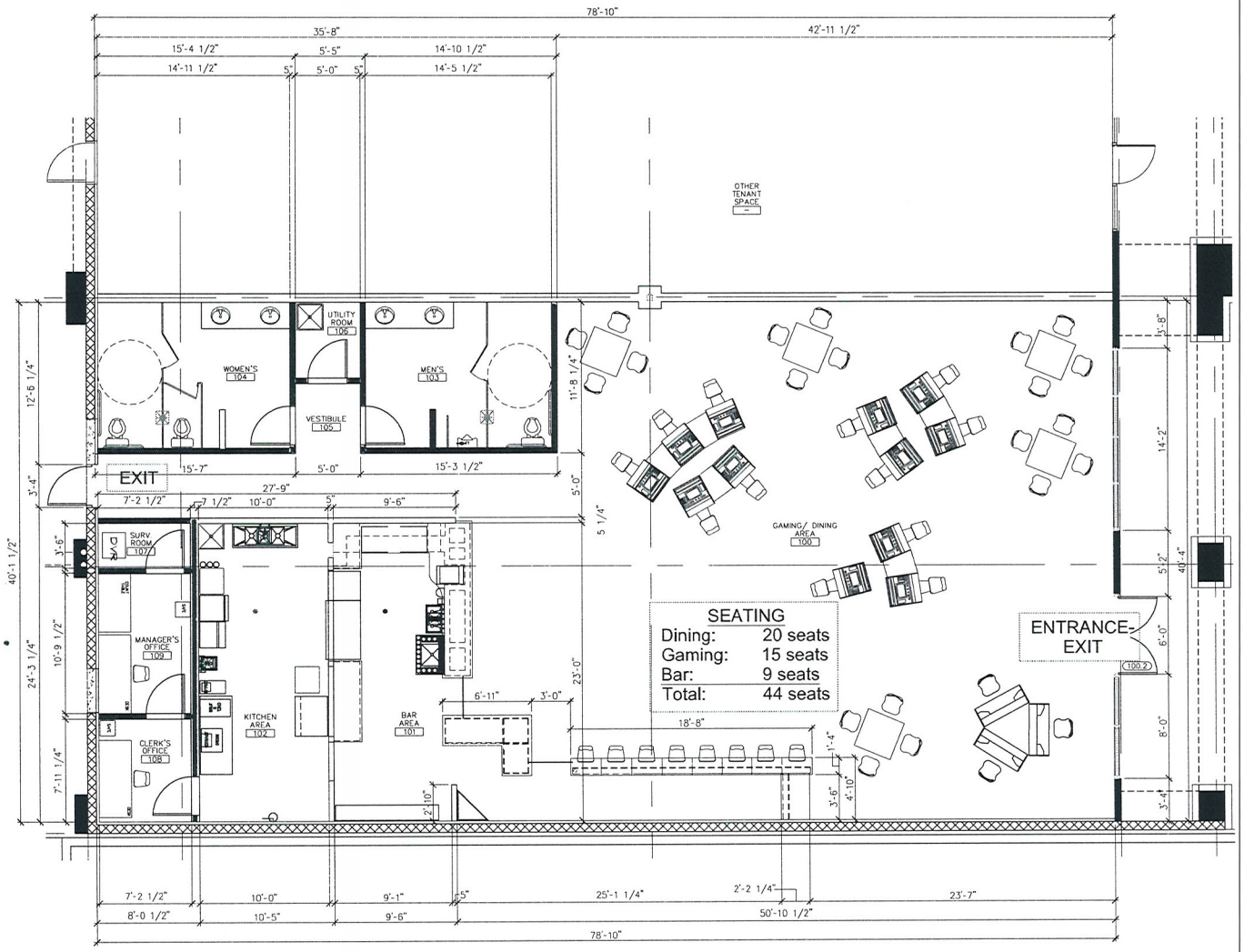
PROJECT NAME
#98 RESTRICTED GAMING
TENANT IMPROVEMENT
5543 CENTENNIAL CENTER BLVD
LAS VEGAS, NEVADA 89149
APN # 125-21-401-003

DRAWING TITLE:
ENLARGED SITE PLAN

DATE: 12/24/2012

PROJ. NO.
-

TI1.1



1 TI4.0 FLOOR PLAN
SCALE: 1/4"=1'-0"

NORTH

OCCUPANCY CALCULATION

Actual		Area	SF	Occupancy Calculation	Occupants
1588		Gaming	1588	11	144
0		Dining	0	15	0
475		Bar/Cleaning	475	200	2
134		Offices	134	100	1
25		Surv.	25	100	1
165		Vest. / Corr.	165	0	0
328		Restrooms	328	0	0
29		Utility Room	29	0	0
192		Walkway	192	0	0
0		Corridor	0	0	0
0		Display	0	0	0
2936	Total		2936		149

0 1 2 3 4 5 10' 15'
SCALE: 1/4"=1'-0"

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REVISIONS

PROJECT NAME:
#98 TENANT IMPROVEMENT
5613 CENTENNIAL CENTER BLVD., SUITE 160 &165
LAS VEGAS, NV 89149
APN: 125-27-411-013

DRAWING TITLE:
FLOOR PLAN

DATE: 12/21/2012

PROJ. NO.
#98

TI4.0

SUP-48175
SUP-48176

SUP-48175 & SUP-48176 - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC
5643 CENTENNIAL CENTER BOULEVARD, SUITE #160

01/31/13

January 23, 2013

Flinn Fagg, Director
Planning and Development Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Justification Letter – Dotty's Tavern at Centennial Center Blvd & Ann
Request SUP & Waivers: Liquor Establishment with Restricted Gaming
At 5643 Centennial Center Boulevard, Suite 160
APN#s: 125-27-411-013

Dear Mr. Fagg:

On behalf of our client, Nevada Restaurant Services Inc., please accept this justification letter for a Special Use Permit to allow a Liquor Establishment with Restricted Gaming in an existing shopping center on the northwest corner of Centennial Center Boulevard and Ann Road.

The site is a SC-TC (Service Commercial -Town Center) zoned site located within a 16.79 +/- net acre fully developed commercial parcel. The location of the Liquor Establishment is within the in-line building which backs up along Ann Road but faces Centennial Center Blvd. The tenant space is a little less than 3,000 square feet and depicted on the attached site plan.

The requested use requires waivers to the Town Center Development Standards for 50 acres for a Tavern and property line distance separation of 330 feet to residential but will otherwise conform to the Code requirements of the City.

Approval Criteria for a Special Use Permit LVMC 19.16.110
L. Special Use Permit Determinations—Approval
In order to approve a proposed SUP, the Planning Commission or City Council must determine that:

1. In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:

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

The use would be part of a well-established commercial shopping center that has ample parking, approved design, on-going property management and recognized ability to have multiple commercial uses operating in a harmonious manner. The actual tenant space is about double the minimum distance from any residential use. The substantial intervening commercial buildings act as a major buffer as does the major arterial, golf course and orientation of the commercial to Centennial Center Blvd. Additionally, this particular tenant does not have any greater impact than other retail establishments.

SUP-48175
SUP-48176

GCGARCIA

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City of Las Vegas
Dept. of Planning

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

Furthermore, the use will help sustain and promote the existing commercial facilities and other businesses. The use is done in a manner consistent with the zoning and General Plan. The use and design will therefore comply with the SUP, conditions of approval and other Code requirements.

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

The site is planned and zoned for the existing shopping center. The location will fill an existing tenant space so no major external changes are anticipated. The location of the approved use is near a major freeway interchange; is designed and suitable for the use with ample parking, major surface streets and regional roadways; within a major commercial node and not abutting any residential; buffered by buildings and roads; and offering goods and services where liquor establishments are typically and suitably located. The use will be done in compliance with City requirements.

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

The use does not generate any higher level of traffic than tenants typically found in a shopping center of this size, type and location and will not create any additional demand on the street or highway infrastructure. All necessary off-site infrastructures to serve use are already built, in place and approved.

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

The proposed business will not compromise the health, safety and welfare or objectives of the Plan. It meets the spirit and intent of Town Center as there is no concentration of Taverns. It meets the requirements for separation rom any church, school or daycare for twelve children. IT will comply with the provisions of 6.50 of the Municipal Code.

This specific user has no greater impact than other retail uses and less than many as to parking, noise, light and traffic. The new investment into the building will help maintain the economic vitality of property and promote business economic well being and not visibly impact the residential or infrastructure of the City and will thus serve to protect the health, safety and welfare.

WAIVERS REQUESTED: Waiver of Town Center Design Standards

D. Waiver – Development Standards

Approval Criteria: 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.

Request to Waive Town Center Development Uses – Special Use Permit Requirements:

1) *#26 Gaming Establishment, Restricted License: May not locate within 330 feet of any single-family detached dwelling.*

Request & Justification: *The shopping center parcel line is less than the minimum distance from residential. The actual tenant space is substantially greater than the minimum at nearly twice the distance.*

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Dept. of Planning

SUP-48175
SUP-48176

Additionally, there is a substantial buffering provided by commercial buildings, golf course and arterial roads. Additionally the site activity is oriented along a major commercial corridor so as to minimize any residential impacts.

2) *#33(e) Liquor Establishment (Tavern): No tavern shall be located within and Service Commercial District unless it is part of a development with an aggregate exceeding 50 acres with a majority of the acreage located within a zone that allows taverns.*

   Request & Justification: *The shopping center is nearly 17 acres in size and in an intense commercial node close to a freeway interchange. This location is less than the 50 acre minimum but the entire area north of Ann along Centennial Center is all Service Commercial and collectively exceeds the minimum although no individual property does.*

Based on the above, there is convincing and substantial evidence that the proposed use and waivers meet the intent of the Town Center Land Use Plan and not contrary to the intended purpose.

SUMMARY JUSTIFICATION

In summary, we believe the requested SUP for a Liquor Establishment with restricted gaming will help enhance the commercial center and provide additional goods and services to the area and help attract customers that help support other business.

We respectfully request your favorable consideration of this request. Please contact me if you have any questions or need additional information.

Sincerely,

for George Garcia,
President

SUP-48175
SUP-48176

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
SUP-48176 - SPECIAL USE PERMIT RELATED TO SUP-48175- PUBLIC HEARING - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED WITH A WAIVER TO ALLOW A 30 FOOT SEPARATION DISTANCE WHERE A MINIMUM 330-FOOT SEPARATION DISTANCE FROM ANY SINGLE-FAMILY DETACHED DWELLING IS REQUIRED at 5643 Centennial Center Boulevard, Suite #160 (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 DENIAL.

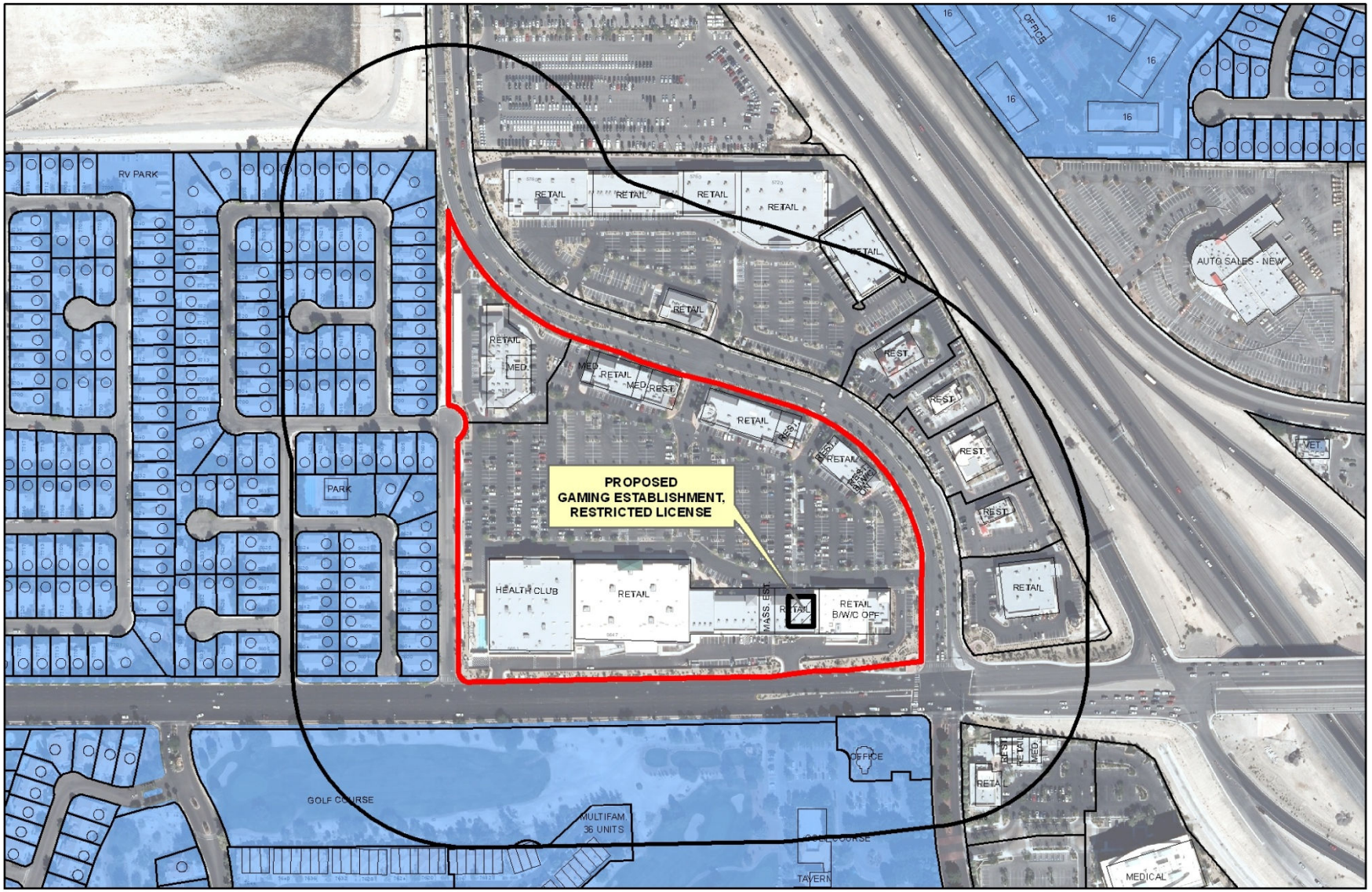
MAY GO TO CITY COUNCIL ON 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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. Special Map
3. Supporting Documentation

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



SUP-48176

Gaming Restricted Locations

Gaming Restricted

Subject Property

Residential Property

400ft Buffer

N

0 212.5 425 850 Feet

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48176 APN: 125-27-411-013

Name of Property Owner: Inland Diversified Las Vegas Centennial Gateway, LLC

Name of Applicant: Nevada Restaurant Services, Inc.

Name of Representative: G.C. Garcia, Inc.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: By R S president

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

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) 5643 Centennial Center Blvd, Suite 160

Project Name Tavern @ Centennial Center **Proposed Use** Gaming

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

General Plan: existing SC-TC proposed NC **Zoning:** existing T-C proposed NC

Commercial Square Footage 2,936 sq ft **Floor Area Ratio**

Gross Acres 16.79+/- **Lots/Units** **Density**

Additional Information

PROPERTY OWNER Inland Diversified Las Vegas Centennial Gateway, LLC **Contact** BARRY L. LAZARUS

Address 2901 Butterfield Road **Phone:** 630-218-8000 **Fax:**

City OAK BROOK **State** IL **Zip** 60523

E-mail Address blazarus@inlandgroup.com

APPLICANT Nevada Restaurant Services, Inc. **Contact** Mike Eide

Address 835 W. Bonanza Rd. **Phone:** (702) 531-7161 **Fax:** (702) 383-2903

City Las Vegas **State** NV **Zip** 89106

E-mail Address MEide@dottys.com

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

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

E-mail Address acole@gcgarciainc.com

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

Property Owner Signature* BRJ pres.

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

Print Name Barry Lazarus

Subscribed and sworn before me

This 23 day of January, 20 13.

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-48176
Meeting Date:	03/12/13
Total Fee:	$1030.00
Date Received:*	01/24/13
Received By:	Jonathan B.

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

Revised 10/27/08

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City of Las Vegas
Dept. of Planning

\depot\Application Packet\Application Form.pdf

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

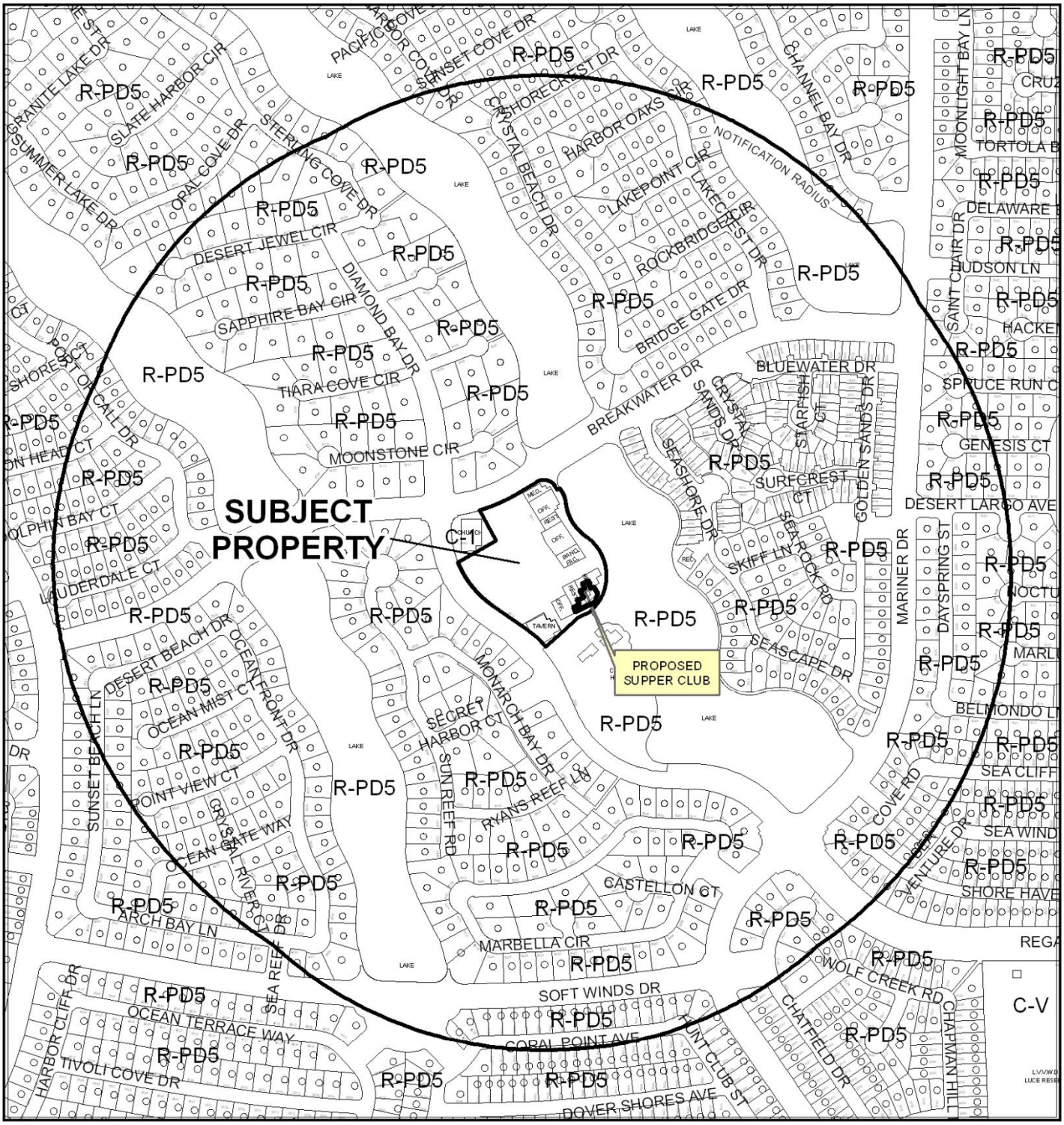
SUBJECT:
SUP-48184 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 10,086 SQUARE-FOOT SUPPER CLUB WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 2620 Regatta Drive, Suite #118 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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.

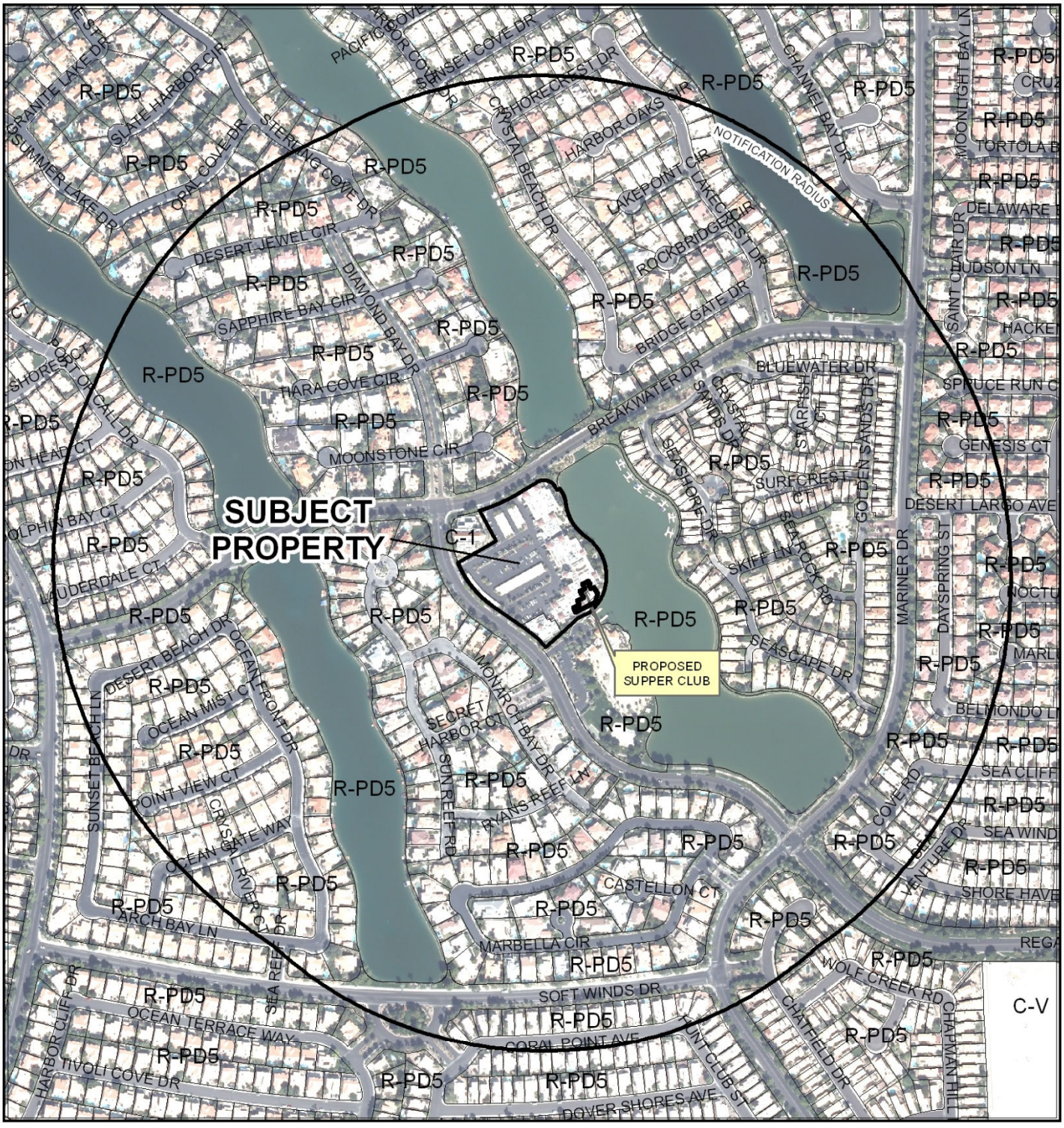
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report - SUP-48184 and SDR-48185
3. Supporting Documentation - SUP-48184 and SDR-48185
4. Photos - SUP-48184 and SDR-48185
5. Justification Letter - SUP-48184 and SDR-48185



CASE: **SUP-48184**

RADIUS: 1500 FEET

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



CASE: **SUP-48184**

RADIUS: 1500 FEET

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

SUP-48184
Supper Club

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: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT - IVY GRILL, LLC - OWNER: WFT NV, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48184	Staff recommends DENIAL, if approved subject to conditions:	SDR-48185
SDR-48185	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48184 CONDITIONS

Planning

1. Special Use Permit (SUP-17307) shall be expunged with this approval.

2. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot distance separation from a protected synagogue use, where 400 feet is required.

3. Conformance with the floor plan, date stamped 02/28/13, except as amended by conditions herein.

4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48185) shall be required.

5. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Supper Club use.

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.

YK

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

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

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

SDR-48185 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, date stamped 02/28/13, and building elevations date stamped 03/21/13**,** except as amended by conditions herein.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety within 60 days of final approval.

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

5. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Public Works

7. 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.

8. Comply with all previous conditions of approval for Z-121-87 and all other subsequent site development review actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to replace an existing Restaurant with Service Bar use with a Supper Club use and to expand the shopping center by 2,607 square feet, with 1,499 square feet of the expansion going towards the 10,086 square-foot total of the Supper Club at 2620 Regatta Drive, Suite 118. The proposed expansion has already been completed without obtaining the proper building permits. This included enclosing three different patio areas on the north, west and south sides of the building, all pertaining to Suite 118. The expansions are within all code required setbacks and once proper building permits are secured will be to current code standards. For this reason, staff recommends approval of the Site Development Plan Review. However, staff recommends denial for the Special Use Permit due to the required Waiver of the distance separation between a Supper Club and a protected use.

ISSUES

- A Special Use Permit is required for a Supper Club in a C-1 (Limited Commercial) district. Staff does not support this request.
- A Waiver is required to allow a Supper Club to have a zero-foot distance separation from a Synagogue, where a minimum of 400 feet is required. Staff does not support this request.
- There are several outstanding building permit issues associated with this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/06/88	The City Council approved a Reclassification of Property (Z-0121-87) on the subject site as part of a larger request for a proposed residential and commercial development.
01/26/89	The Board of Zoning Adjustment approved a Variance (V-0154-88) to allow 315 parking spaces where 394 are required in conjunction with a proposed commercial shopping center.
02/19/92	The City Council approved a Special Use Permit (U-0311-91) for the sale of packaged liquor in conjunction with a market on the subject site. The Board of Zoning Adjustment recommended approval.
12/06/00	The City Council approved a Special Use Permit (U-0169-00) for a restaurant service bar in conjunction with a market/deli on the subject site. The Planning Commission recommended approval.

12/19/01	The City Council approved a Site Development Plan Review [Z-0121-87(1)] for a proposed 8,325 square-foot synagogue and a Variance (V-0073-01) to allow 315 parking spaces where 405 are required on the subject site. The Planning Commission recommended approval of both applications.
01/03/07	The City Council approved a Special Use Permit (SUP-17307) for a Restaurant with Service Bar Use at 2620 Regatta Drive, Suite 118. The Planning Commission recommended approval and staff recommended denial.
02/06/08	The City Council approved an Extension of Time (EOT-26119) of an approved Special Use Permit (SUP-17307) for a proposed restaurant service bar and a waiver of the 400-foot distance separation requirement from an existing religious establishment at 2620 Regatta Drive, Suite #118. Staff recommended approval.
01/07/09	The City Council approved an Extension of Time (EOT-31990) of an approved Special Use Permit (SUP-17307) for a proposed restaurant service bar and a waiver of the 400-foot distance separation requirement from an existing religious establishment at 2620 Regatta Drive, Suite #118. Staff recommended approval.

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

Related Building Permits/Business Licenses	
09/19/91	A Building Permit (#91120333) was issued for a Tenant Improvement at 2620 Regatta Drive, Suite 119.
10/30/91	A Building Permit (#9112481) was issued for Shell Improvements at 2620 Regatta Drive, Suite 118.
11/06/91	A Building Permit (#91125627) was issued for Electrical at 2620 Regatta Drive, Suite 118.
02/25/08	A Building Permit (#109087) was issued to enclose a patio and covered walkway at 2620 Regatta Drive, Suite 18. The permit was finalized on 04/02/10.
11/18/08	A Building Permit (#128545) was issued for an outdoor banquet bar at 2620 Regatta Drive, Suite 118. The permit was finalized on 05/24/10.
03/02/09	A Building Permit (#134591) for exterior façade improvements at 2620 Regatta Drive, Suite 118. The permit has not been finalized.
06/26/09	A Business License (#L18-00042) for a Liquor Caterer was issued for 2620 Regatta Drive, Suite 118. The license is active.
	A Business License (#L19-00013) for a Restaurant with Service Bar was issued for 2620 Regatta Drive, Suite 118. The License is active.
	A Business License (#R09-01514) for a Restaurant was issued for 2620 Regatta Drive, Suite 118. The license is active.

Pre-Application Meeting	
01/08/13	Staff met with the applicant and discussed the ongoing building permit and business licensing issues at 2620 Regatta Drive, Suite 118. The applicant would like to add a Supper Club use to the location. Staff met at length with the applicant to explain all the issues that needed to be resolved with the property. In addition, staff reviewed the requirements for a Special Use Permit and Site Development Plan Review applications for a Supper Club use and expansion of an existing restaurant.
02/19/13	Staff had a follow-up meeting with the project architect and representative regarding the ongoing issues with the project and provided direction on how to resolve them.

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

Field Check	
01/31/13	Staff visited the site and found an open restaurant (Garfield's) in Suite 118. It appears as if several of the proposed improvements and expansions have been completed. The property was well maintained.
02/28/13	Staff visited the site and found a fire safety hazard in the form of three propane heaters being used inside fully enclosed, non-ventilated rooms. Staff notified City Fire Inspectors who inspected the site and addressed the concern.

Details of Application Request	
Site Area	
Net Acres	4.36

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	Residential	L (Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
South	Residential	PR-OS (Parks Recreation/Open Space)	R-PD5 (Residential Planned Development – 5 Units Per Acre)

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
East	Residential	PR-OS (Parks Recreation/Open Space)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West	Residential	L (Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)

Master Plan Areas	*Compliance*
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport 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 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	275 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	10 Feet	147 Feet	Y
• Rear	20 Feet	5 Feet	N*
Max. Lot Coverage	50 %	28.4 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof	Y
Mech. Equipment	Screened	Screened	Y

*Approved prior to current code standards.

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Regatta Drive	N/A	N/A	55	N/A
Breakwater Drive	N/A	N/A	55	N/A

YK

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	69,904 SF	1/250 SF	280				
TOTAL SPACES REQUIRED			280		315		Y
Regular and Handicap Spaces Required			273	7	307	8	Y
Loading Spaces	69,904 SF	3/50,000 SF plus 1 for every 50,000 or fraction of thereafter	4		4		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
To maintain a minimum 400-foot distance separation between a Supper Club and a Synagogue.	To allow a zero-foot distance separation between a Supper Club and a Synagogue.	Denial

ANALYSIS

The applicant has expanded the square-footage of an existing shopping center without obtaining the proper building permits. In addition, the applicant is requesting to change the entitlement of an existing Restaurant with Service Bar use to a Supper Club use. The Site Development Plan Review and the Special Use Permit applications address these two requests. The 2,607 square-foot addition has all taken place within the existing building footprint and thus meets all setback requirements. City staff has been working with the applicant for several years to bring this shopping center up to code standards. The only outstanding issue regarding the expanded square footage of the shopping center is for the applicant to obtain the proper building permits. This concern is addressed as a condition of approval and with it staff recommends approval of the Site Development Plan Review.

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; since the establishment will have more than 125 seats separated from the bar area and meals will be served during all open hours.

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 applicant has applied for a Waiver to allow a supper club to be zero-feet from a synagogue.*

2. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. *The applicant will be required to obtain and maintain a City business license, which will ensure compliance.*

Although the applicant has operated a Restaurant with Service Bar for several years at this location, the Supper Club use would intensify the overall liquor use at the site. The distance separation of 400 feet was established to protect the synagogue use located in the same shopping center. Staff does not support this request due to the Waiver required. If denied, the applicant would need to file a Major Amendment to SUP-17307 in order to utilize the expanded square-footage of the Restaurant with Service Bar use.

FINDINGS (SUP-48184)

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 Supper Club use cannot be conducted in a manner that is compatible with the existing surrounding land uses and with future surrounding land uses as projected by the General Plan due to the required distance separation Waiver.

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

   The subject site is physically suitable for the proposed use within the existing shopping center, only if permits are obtained for the improvements made.

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 Regatta and Breakwater Drives, both are 55--foot streets. The site access and circulation do not impact the adjacent roadways or neighborhood traffic and it is part of the existing shopping center.

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

   Approval of the Special Use Permit at this location for a Supper Club use as indicated on the site plan will not compromise the public health, safety, or general welfare of the public, if permits are obtained for the improvements made. However, the overall objectives of the General Plan will not be met, due to the required distance separation Waiver.

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

   The proposed use does not meet Title 19.12, Minimum Special Use Permit Requirement 1 for a Supper Club use to be located a minimum 400 feet away from a synagogue.

FINDINGS (SDR-48185)

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 expanded square-footage of the existing shopping center is compatible with adjacent development and development in the area as conditioned.

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;**

   Once proper building permits are secured, the shopping center will be consistent with all codes and city policies and standards.

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

   The site is accessed from Regatta and Breakwater Drives, both 55-foot streets. The site access and circulation do not impact the adjacent roadways or neighborhood traffic.

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

   The existing building material is appropriate for the area and for the City.

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

   The existing building elevations are not unsightly or obnoxious, and are compatible with the rest of the shopping center and other development in the area.

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

   The expansion is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 807

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48184** APN: 138-16-717-002

Name of Property Owner: WFT NV LLC

Name of Applicant: Ivy Grill

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: _____ M.M

Print Name: ERIC R WATTS / H WATTS

Subscribed and sworn before me

This 24th day of January, 2013

Cori Sue Cole

Notary Public in and for said County and State

Clark County State, NEVADA

CORI SUE COLE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-15
Certificate No: 11-5465-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for supper club

Project Address (Location) 2620 Regatta Dr

Project Name Lakeside Center **Proposed Use** Supper Club

Assessor's Parcel #(s) 138-16-717-002 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER WFT NV LLC **Contact** _____

Address 435 N. Oakhurst **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90210-3981

E-mail Address _____

APPLICANT Ivy Grill LLC **Contact** Erik Watts

Address 2620 Regatta Dr. #116 **Phone:** (702) 240-5220 **Fax:** (702) 853-0697

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

E-mail Address ewatts@trendshift.com

REPRESENTATIVE Lucy Stewart **Contact** same

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

Property Owner Signature* _____ M.M.

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

Print Name ERIK R WATTS / H V WATTS

Subscribed and sworn before me

This 24th day of January, 20 13.

_____

Notary Public in and for said County and State

County Clark, State Nevada

Revised 10/27/08

CORI SUE COLE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-15
Certificate No: 11-5465-1

FOR DEPARTMENT USE ONLY

Case #	SUP-48184
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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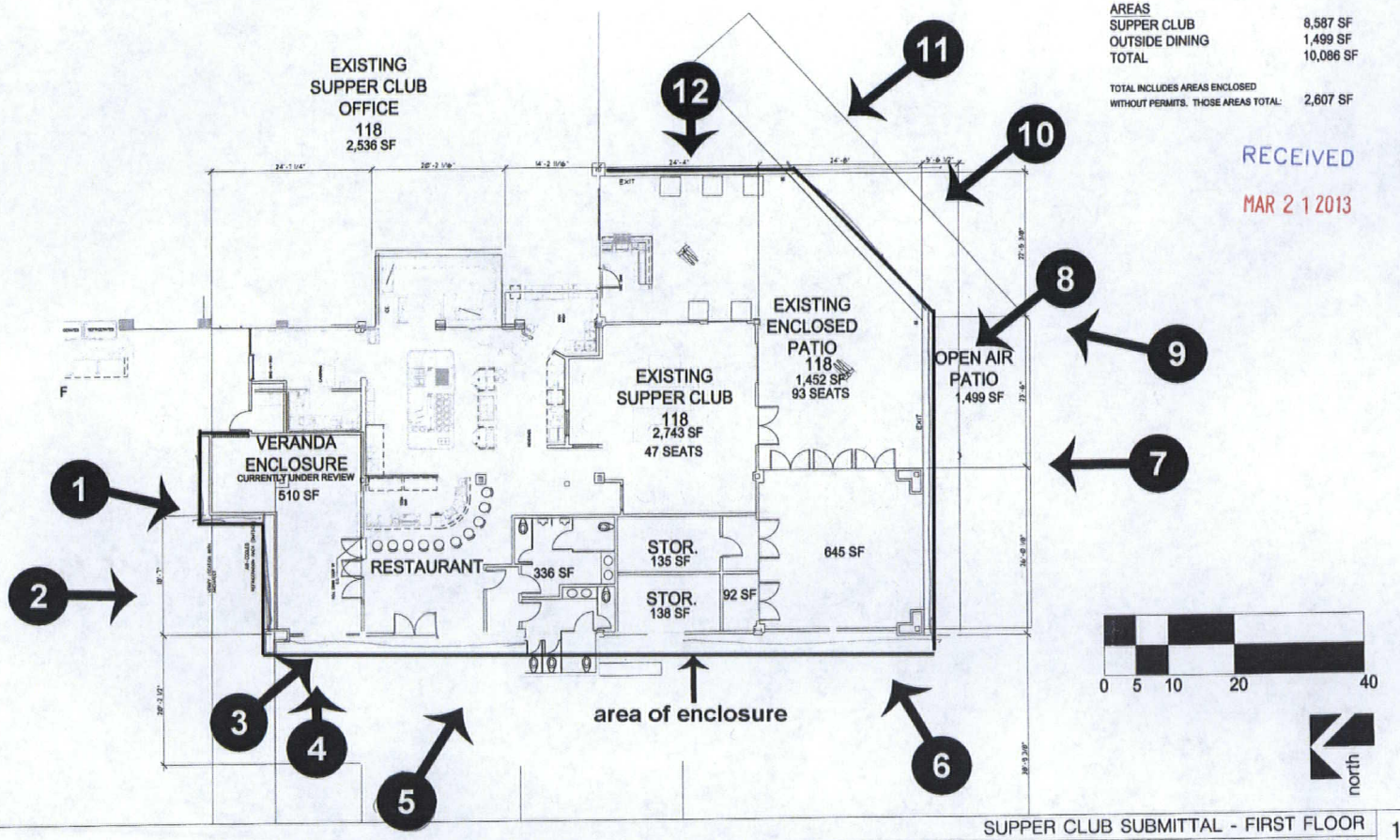

AREAS	
SUPPER CLUB	8,587 SF
OUTSIDE DINING	1,499 SF
TOTAL	10,086 SF
TOTAL INCLUDES AREAS ENCLOSED WITHOUT PERMITS. THOSE AREAS TOTAL:	2,607 SF

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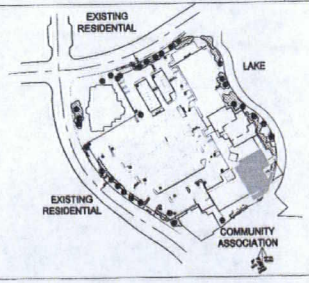
SUPPER CLUB SUBMITTAL - FIRST FLOOR 1

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



KEY PLAN

SUP-48184
SDR-48185
REVISED

REVISIONS

DLR Group

Client Information

LAKESIDE CENTER
SUPPER CLUB SUBMITTAL
2820 REGATTA DRIVE
LAS VEGAS, NEVADA

PROJECT:

ISSUE DATE: 3-21-13
JOB NUMBER: 06-12
PLOT DATE:
DRAWN BY: TEAM
SHEET TITLE: PHASE 5 TENANT IMPROVMT PLAN
SHEET NO.

A1.14
plan

photo 01

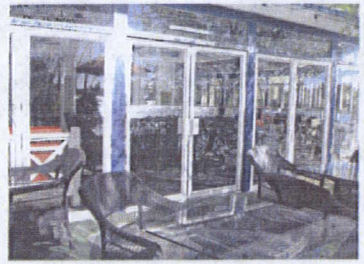
photo 02

photo 03

photo 04

photo 05

photo 06



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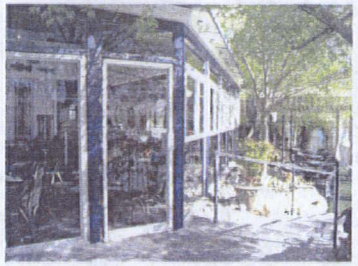

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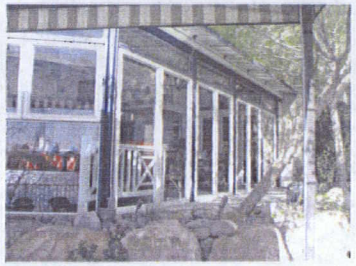

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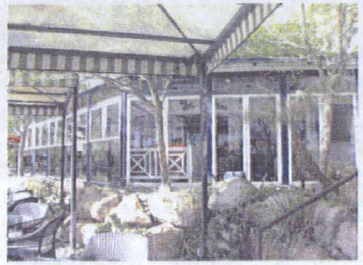

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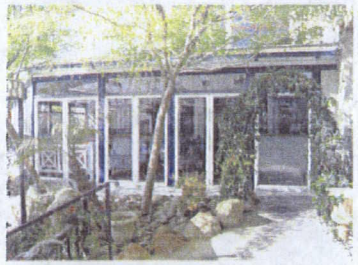

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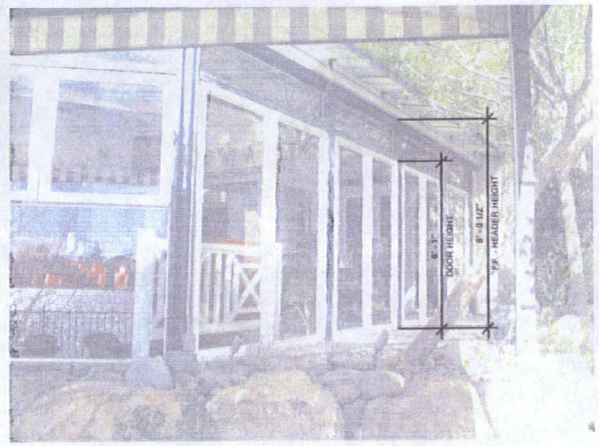

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RECEIVED

MAR 2 1 2013

SUP-48184
SDR-48185
REVISED

REVISIONS

DLR Group

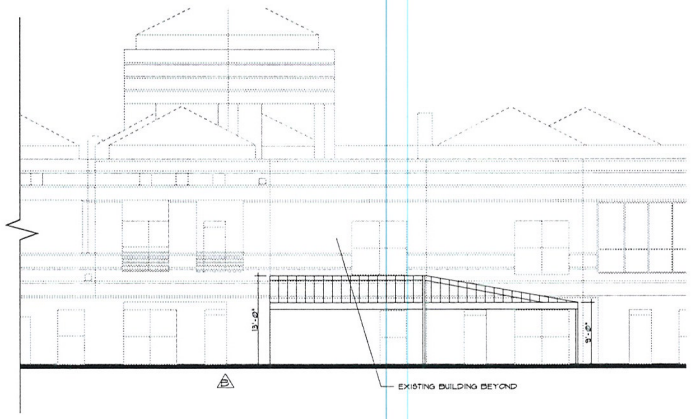
LAKESIDE CENTER
SUPPER CLUB SUBMITTAL
2620 REGATTA DRIVE
LAS VEGAS, NEVADA

PROJECT:

ISSUE DATE: 3-11-13
JOB NUMBER 09-12
PLOT DATE:
DRAWN BY TEAM
SHEET TITLE PHASE 3 TENANT IMPROVMT PLAN
SHEET NO

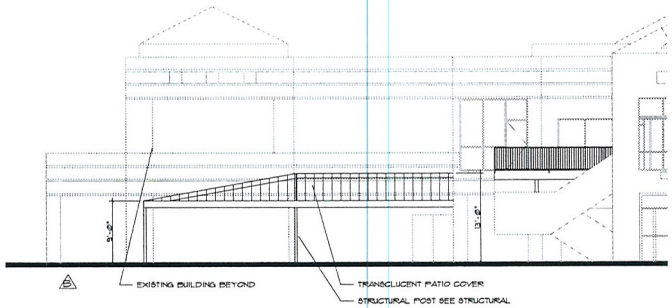
A1.14
photos

I:\00 - R at rsj architecture\06-Projects\06-112 Lakeside Center 2nd floor TI\300 - Construction Documents\1 - Sheets\1B-Patio Cover\1 - Sheets\A4.0.dwg, 1/24/2013 3:28:1



ELEVATION 1

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



ELEVATION 2

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

RECEIVED
JAN 2 4 2013

SUP-48184
SDR-48185

REVISIONS
- PLAN CHECK 07-27-2008
- PLAN CHECK 04-25-2008
- PLAN CHECK 05-04-2008

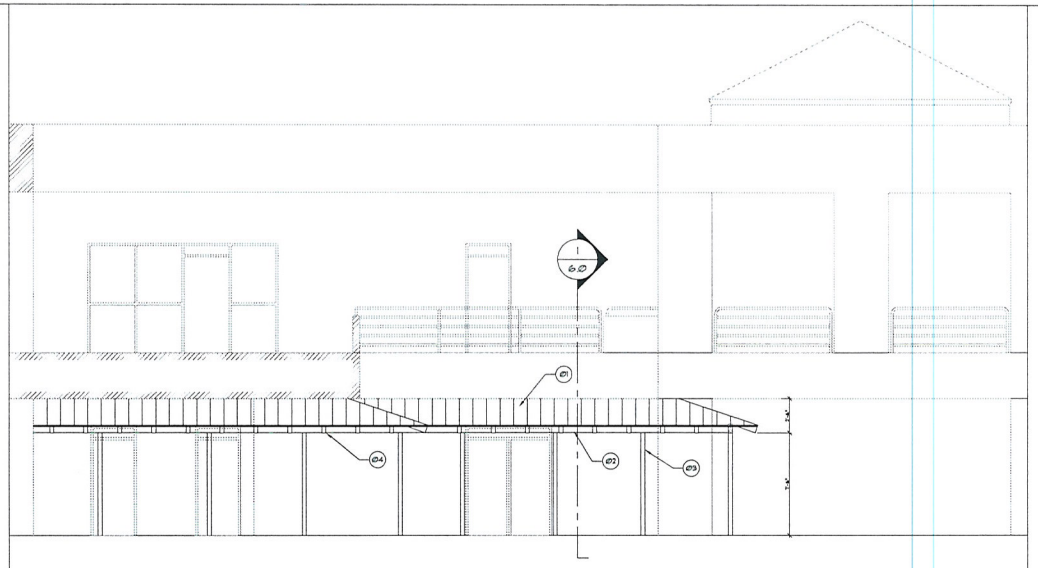
Client Information

NAC 623.180
Drawings and specifications remain the property of the design professional. Copies of the drawings and specifications retained by the client may be utilized only for his use and for developing the project for which they were prepared, and not for the construction of any other project.

PROJECT:
LAKESIDE CENTER
IVY GRILL EXTERIOR ENHANCEMENT
2620 REGATTA DRIVE
LAS VEGAS, NEVADA

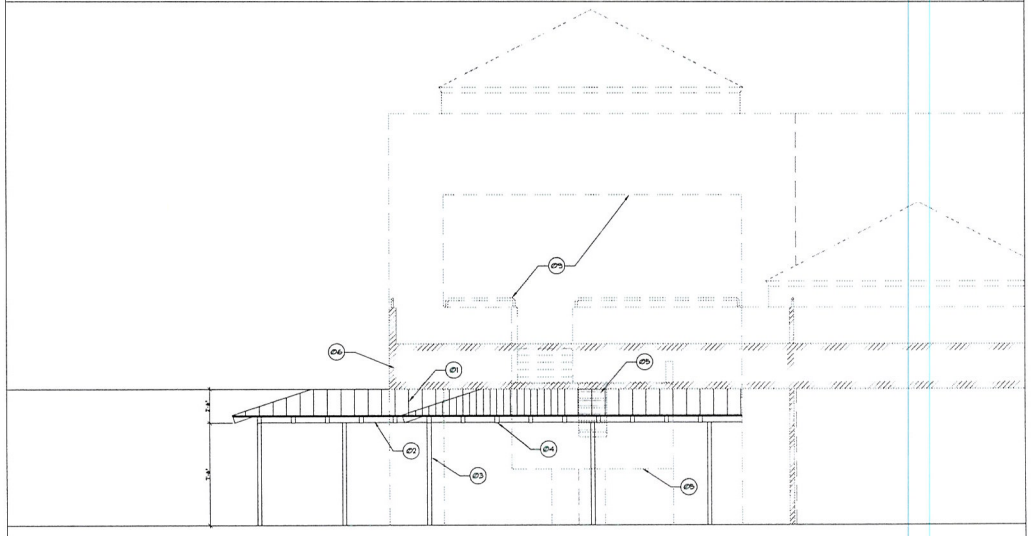
ISSUE DATE: 2-25-09
JOB NUMBER: 06-112R6
PLOT DATE:
DRAWN BY: TEAM
SHEET TITLE: EXTERIOR ELEVATIONS
SHEET NO.
A4.0

I:\00 - R at rsj architecture\06-Projects\06-112 Lakeside Center 2nd floor TI\300 - Construction Documents\1 - Sheets\1F- Ivy Grill Exterior Enhancement\1 - Sheets\A4.0.dwg



NORTH ELEVATION 3

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



WEST ELEVATION 2

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

WALL SECTION NOTES

01 STANDING SEAM GALVANIZED METAL ROOFING ON 1 X 2 RUNNERS @ 16" O. C.

02 WOOD HEADER (STAIN & VARNISH TO BE SELECTED BY OWNER)

03 WOOD POST (SEE FLOOR PLAN FOR LOCATIONS REQUIRED)

04 WOOD RAFTER (STAIN & VARNISH TO BE SELECTED BY OWNER)

05 EXISTING BUILDING BEYOND

06 1ST FLOOR CEILING/ 2ND FLOOR CONCRETE SLAB & FRAMING (EXISTING)

ELEVATION NOTES 1

SCALE: N/A

RECEIVED

JAN 2 4 2013

REVISIONS

Client Information

NAC 623.380
Drawings and specifications remain the property of the design professional. Copies of the drawings and specifications returned by the client may be utilized only for the use and for occupying the project for which they were prepared, and not for the construction of any other project.

PROJECT:
LAKESIDE CENTER
IVY GRILL EXTERIOR ENHANCEMENT
2620 REGATTA DRIVE
LAS VEGAS, NEVADA

ISSUE DATE: 2-25-13

JOB NUMBER: 06-112RG

PLOT DATE:

DRAWN BY: TEAM

SHEET TITLE: EXT ELEVATIONS

SHEET NO.
A4.0

SUP-48184
SDR-48185

Rear - OFF White Stucco

SUP-48184
SDR-48185

Google

Address **Regatta**

Address is approximate

Front - of white stucco

SUP-48184
SDR-48185

RECEIVED
JAN 2 4 2013

SUP-48184 & SDR-48185 - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC
2620 REGATTA DRIVE, SUITE #118

01/31/13

SUP-48184 & SDR-48185 - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC
2620 REGATTA DRIVE, SUITE #118

01/31/13

SUP-48184 & SDR-48185 - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC
2620 REGATTA DRIVE, SUITE #118

01/31/13

SUP-48184 & SDR-48185 - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC
2620 REGATTA DRIVE, SUITE #118

01/31/13

RECEIVED

FEB 28 2013

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

February 28, 2013

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

RE: 2620 Regatta /SUP-48184, SDR-48185 Revised Justification Letter

Dear Mr. Kagafas:

Please accept this letter as our justification for a Special Use Permit (SUP) for the above referenced property. This site was originally approved as a shopping center with a tavern, and subsequently two restaurants with service bars have been approved and built and also a Chabad (place of worship) was built on a pad site on the corner.

There is a private reception area where they hold private parties and the center has a wedding chapel license and holds receptions on site through a caterer's license. The request is for:

Expansion of the Service Bar to a Supper Club to include to include additional space currently being used for private parties

We are requesting a Site Development Review for areas of the building that have been enclosed. Permits were issued for covers in the front and rear of the property and the owner has enclosed them with glass without benefit of a building permit. The architect has been working with the Building Department square feet of the new/enclosed area is the bar area in front of the room designated Existing Garden that is used for receptions and private parties.

The supper club is 8,587 square feet of enclosed space. There are 1499 square feet of outside dining area, for a total of 10,086. A future SDR will be filed for the revisions to the remainder of the center.

SUP-48184
SDR-48185
REVISED

We believe this to be a good use of the property; it basically clarifies the uses of the property. Thank you for your consideration in this matter; please do not hesitate to contact me with any questions.

Yours truly,

Lucy Stewart

Lucy Stewart

SUP-48184
SDR-48185
REVISED

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
SDR-48185 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-48184 - PUBLIC HEARING - APPLICANT: IVY GRILL, LLC - OWNER: WFT NV, LLC - For possible action on a request for a Site Development Plan Review FOR A 2,607 SQUARE-FOOT ADDITION TO AN EXISTING SHOPPING CENTER on 4.36 acres at 2620 Regatta Drive (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

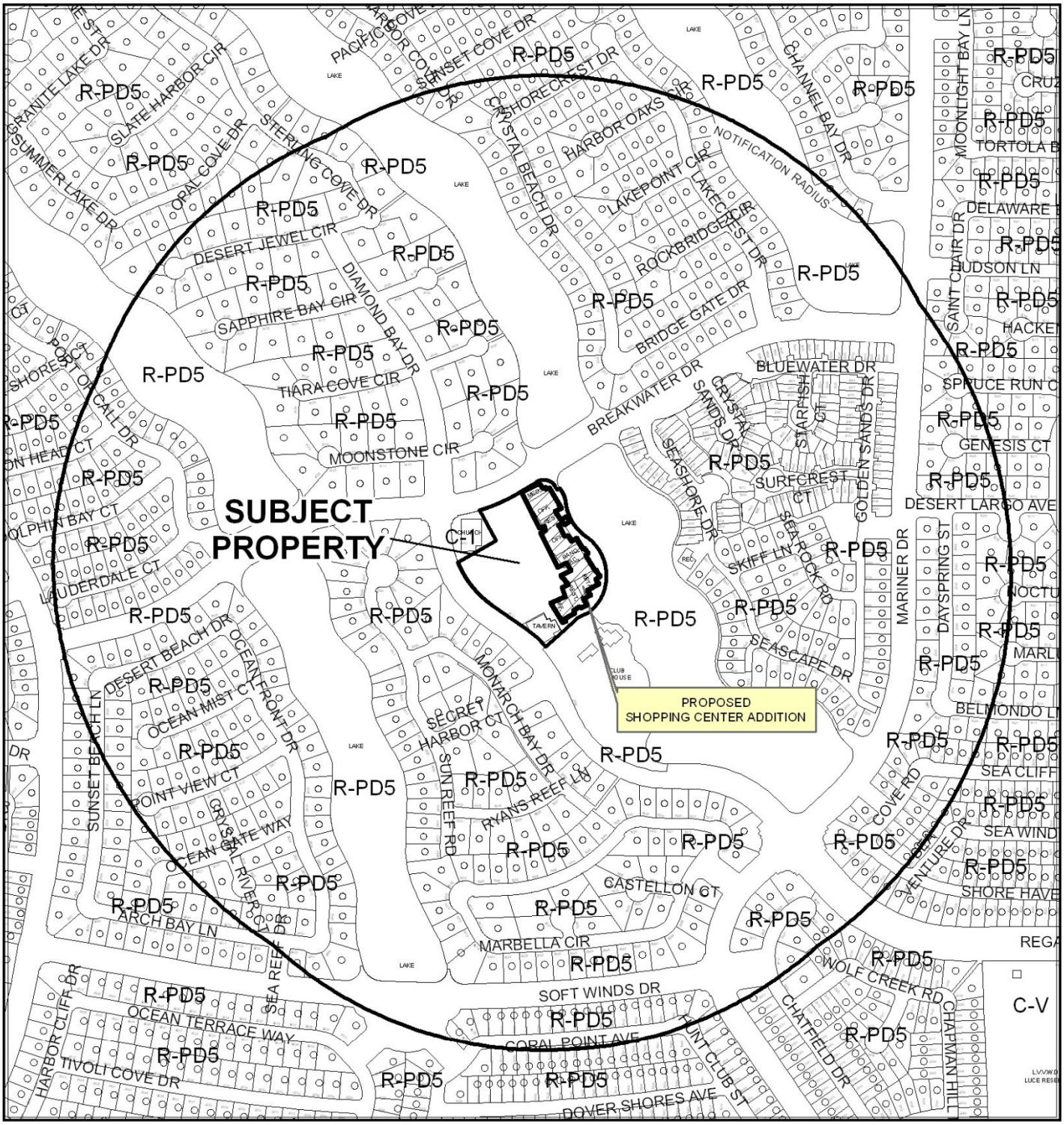
MAY GO TO CITY COUNCIL ON 05/15/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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 and Aerial Maps
3. Supporting Documentation

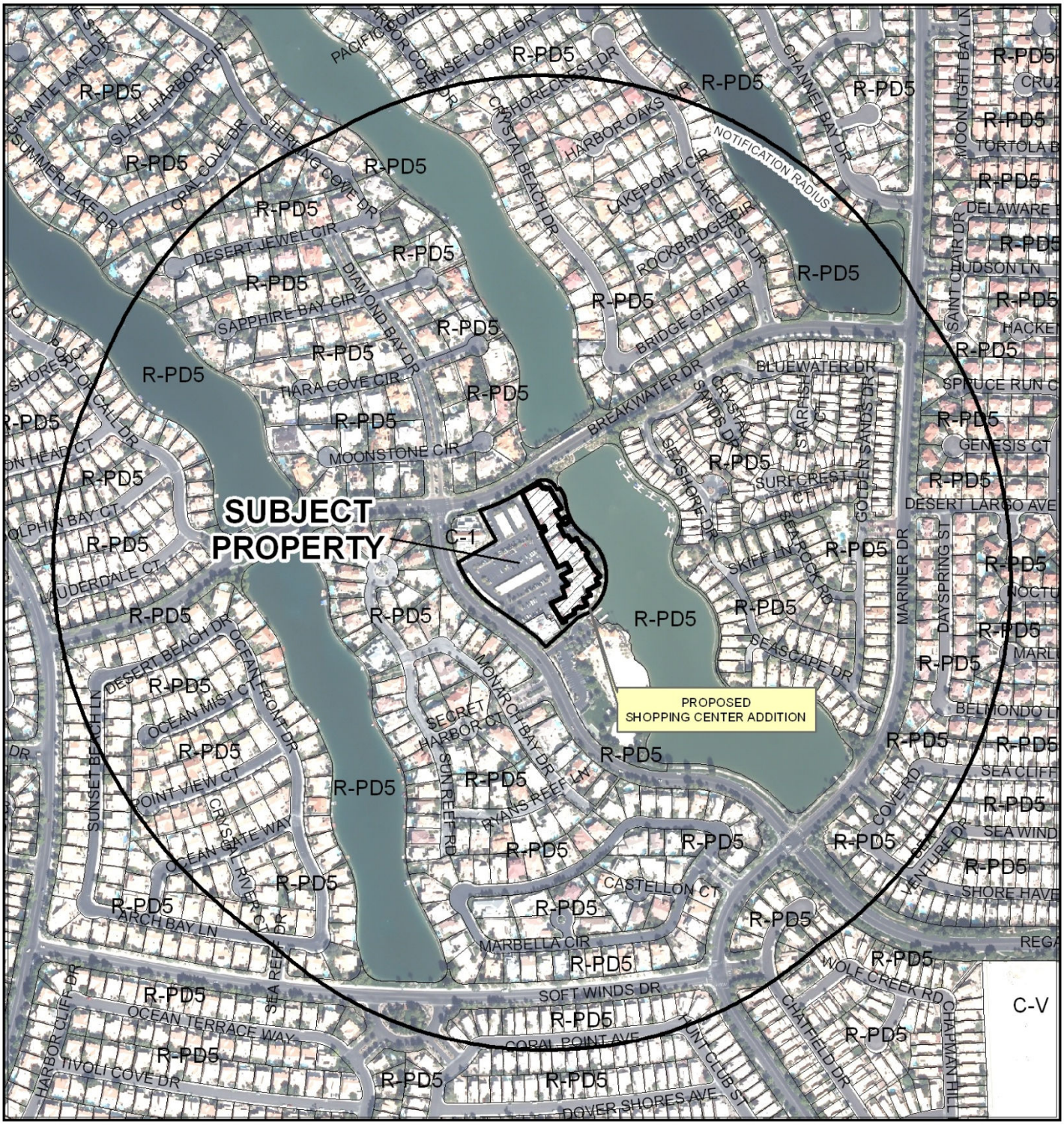
Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda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



CASE: **SDR-48185**

RADIUS: 1500 FEET

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



CASE: **SDR-48185**

RADIUS: 1500 FEET

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48185 APN: 138-16-717-002

Name of Property Owner: WFT NV LLC

Name of Applicant: Ivy Grill

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: _____ M·M

Print Name: ERIC R WATTS / H WATTS

Subscribed and sworn before me

This 24th day of January, 2013

Cori Sue Cole

Notary Public in and for said County and State

Clark County State, NEVADA

CORI SUE COLE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-15
Certificate No: 11-5465-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: ~~SUP for~~ supper club SDR FOR ENCLOSED AREAS

Project Address (Location) 2620 Regatta Dr

Project Name Lakeside Center **Proposed Use** Supper Club

Assessor's Parcel #(s) 138-16-717-002 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER WFT NV LLC **Contact** _____

Address 435 N. Oakhurst **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90210-3981

E-mail Address _____

APPLICANT Ivy Grill LLC **Contact** Erik Watts

Address 2620 Regatta Dr. #116 **Phone:** (702) 240-5220 **Fax:** (702) 853-0697

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

E-mail Address ewatts@trendshift.com

REPRESENTATIVE Lucy Stewart **Contact** same

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

Property Owner Signature* _____ M.M.

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

Print Name ERIK R WATTS / H V WATTS

Subscribed and sworn before me

This 24th day of January, 20 13.

_____

Notary Public in and for said County and State

County Clark, State Nevada

Revised 10/27/08

CORI SUE COLE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-15
Certificate No: 11-5465-1

FOR DEPARTMENT USE ONLY

Case #	SDR-48185
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 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.: **26.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

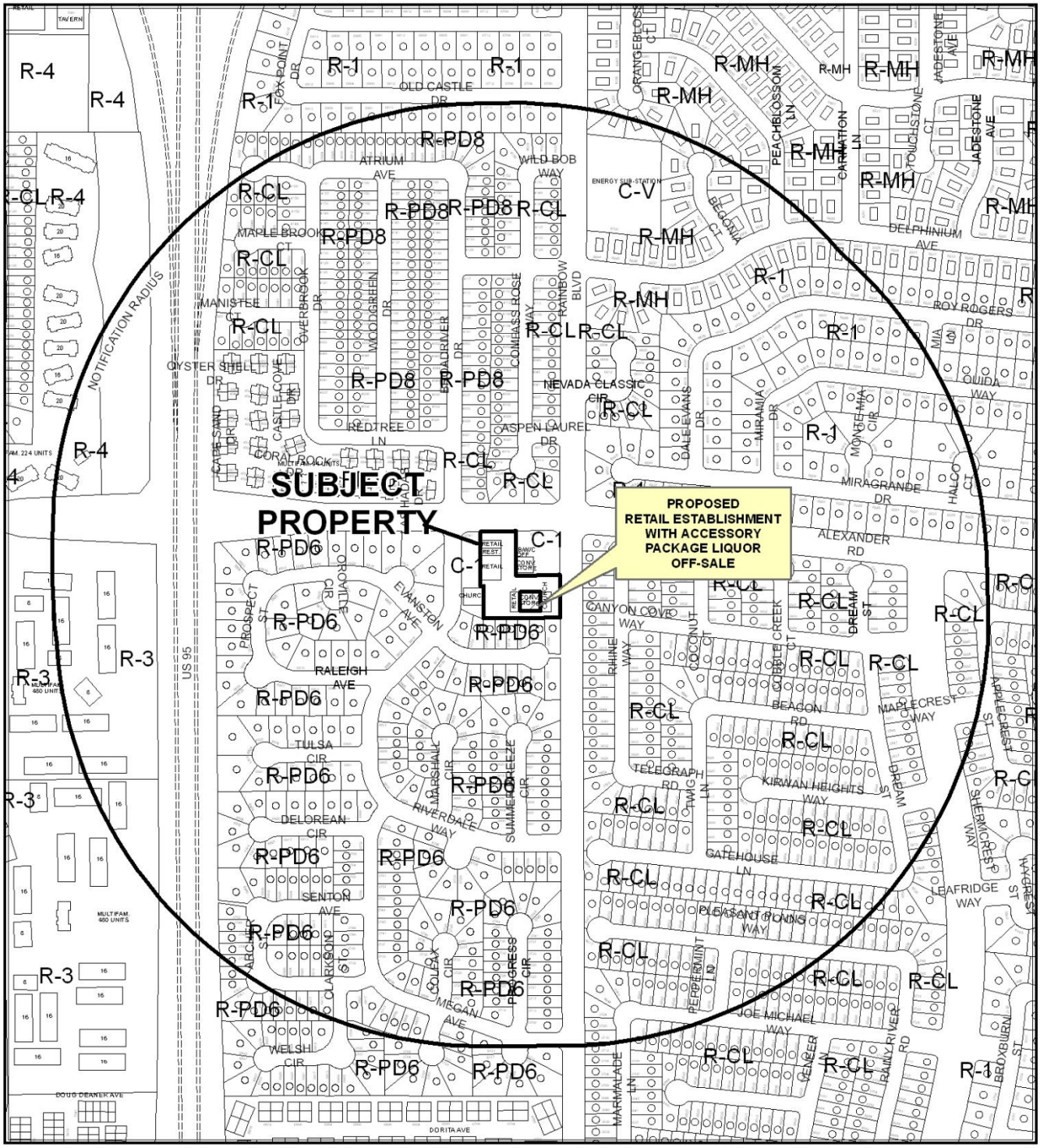
SUBJECT:
SUP-48455 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VEGAS MART #3 - OWNER: EYW OF NEVADA, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE at 6711 West Alexander Road, Suite #103 (APN 138-10-502-003), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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:

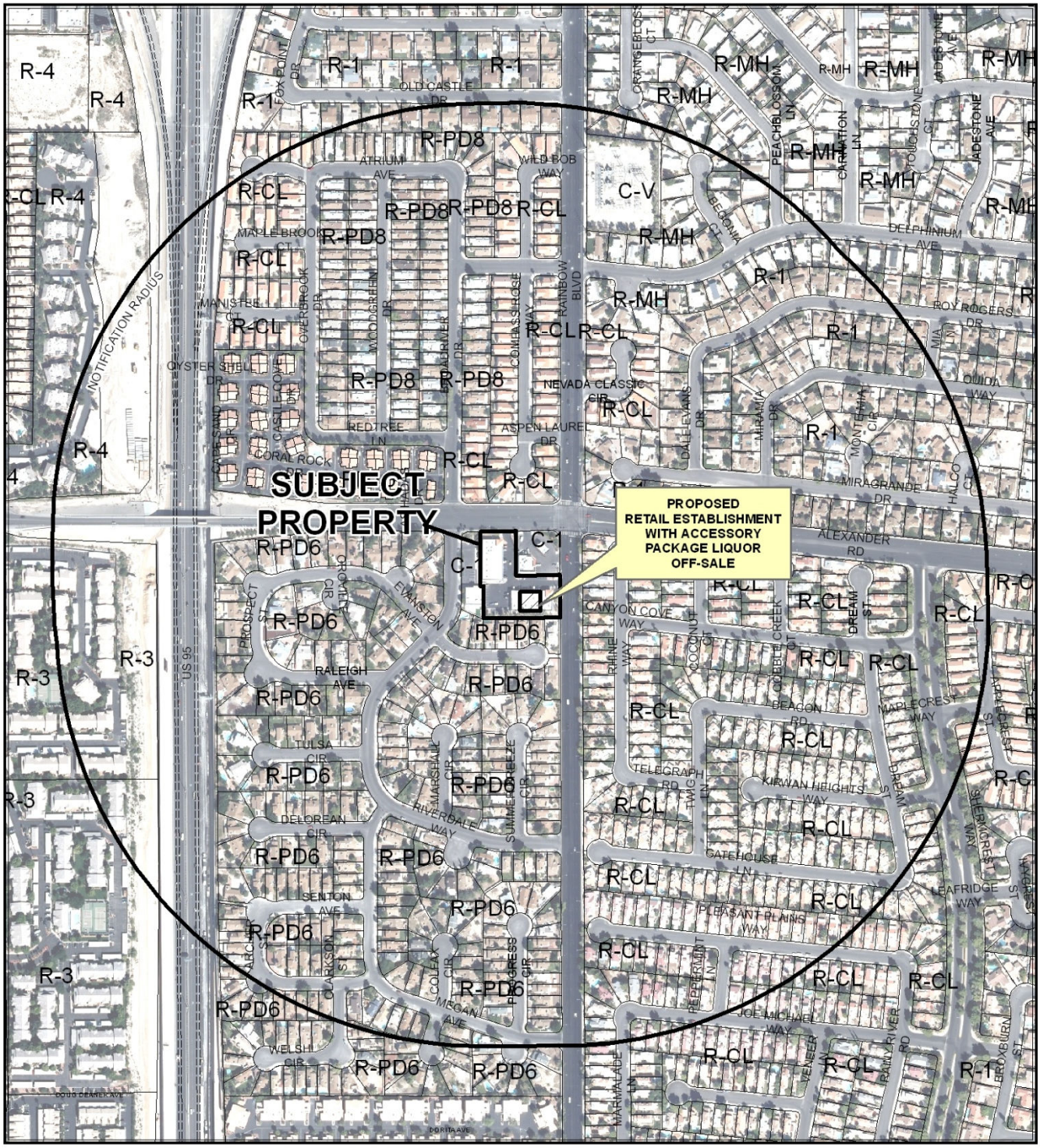
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-48455**

RADIUS: 1500 FEET

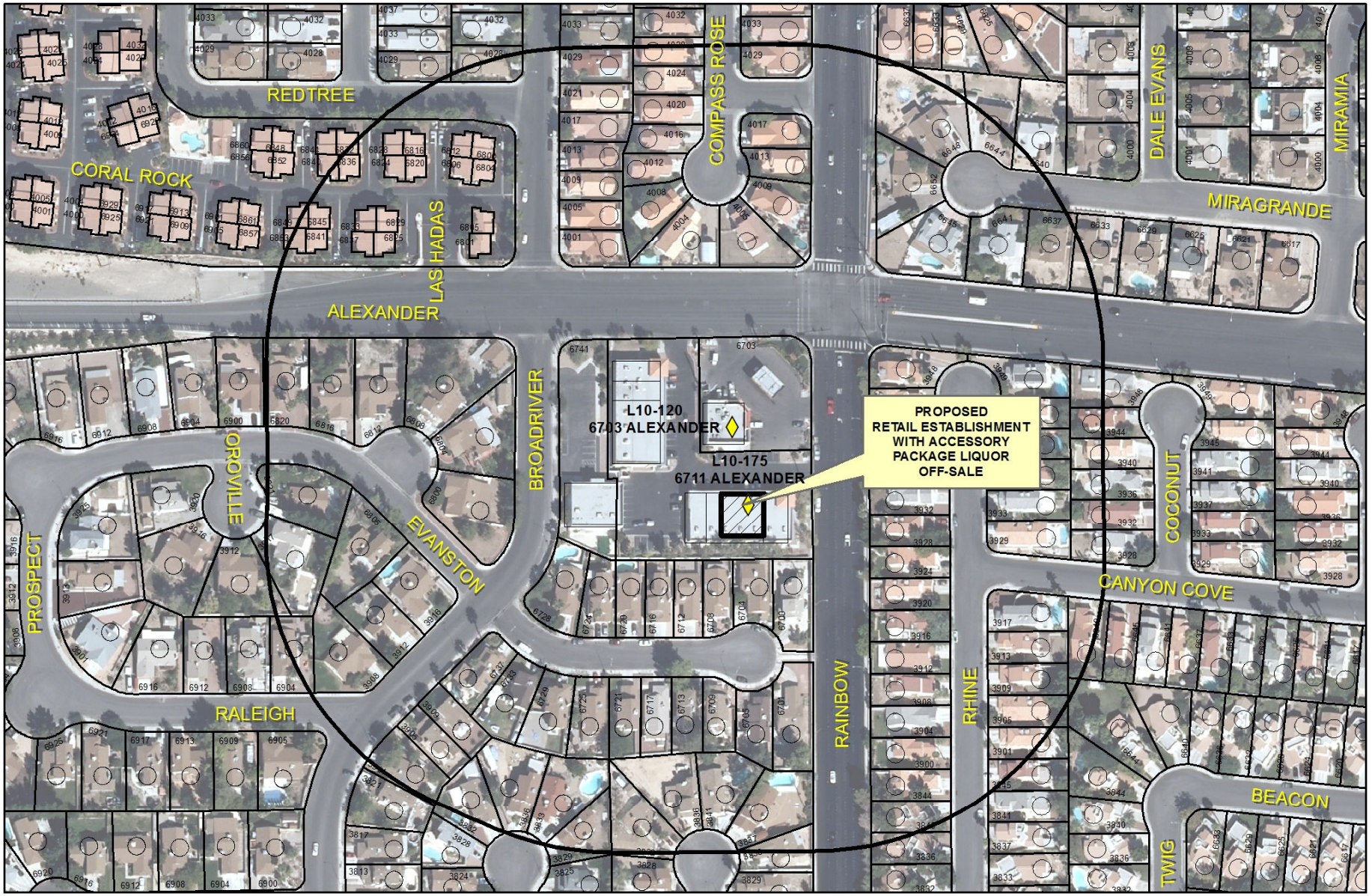
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-48455**

RADIUS: 1500 FEET

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



SUP-48455

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: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: VEGAS MART #3 - OWNER: EYW OF NEVADA, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48455	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48455 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. Conformance to the approved conditions for Rezoning (Z-0035-81), Special Use Permit (U-0131-97) and Plot Plan Review (Z-0035-81).

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
April 9, 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 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 to add the display and retail sale of package liquor at an existing 2,400 square-foot Convenience Store at 6711 West Alexander Road, Suite #103. The store has sold only beer and wine since 1998. Approximately 91 square feet of the 1,750 square-foot retail area would be dedicated to the display and merchandising of package liquor. The proposed use meets Title 19.12 minimum requirements and can be conducted in a manner that is harmonious and compatible with the adjacent commercial and residential land uses. Therefore, staff recommends approval with conditions. If denied, a business license for the sale of package liquor at this location could not be approved, but the sale of beer and wine for off-premise consumption may continue.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is permitted in the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit.
- No waivers of minimum Special Use Permit requirements are necessary, and a Metro report shows there have been no significant incidents on the site in the past two years that can be linked to the operation of the current business.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/03/81	The City Council approved a Rezoning (Z-0035-81) from N-U (Non-Urban) to C-1 (Limited Commercial) on 2.3 acres at the southwest corner of Lorenzi (Rainbow) Boulevard and Alexander Road as part of a larger request. The Planning Commission recommended denial of this portion of the request; staff recommended approval.
12/26/89	The Planning Commission approved a request for a Plot Plan Review (Z-0035-81) for a proposed 21,600 square-foot retail center consisting of two single-story buildings and gasoline pumps on 2.3 acres at the southwest corner of Lorenzi (Rainbow) Boulevard and Alexander Road. Staff recommended approval.
02/23/90	A three-lot Parcel Map (PM-0007-90) on property located at the southwest corner of Lorenzi (Rainbow) Boulevard and Alexander Road was recorded in the Office of the Clark County Recorder.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/19/92	The City Council approved a Special Use Permit (U-0320-91) for sales of beer, wine and gasoline at a proposed Convenience Store at the southwest corner of Alexander Road and Rainbow Boulevard.
01/26/98	The City Council approved a Special Use Permit (U-0131-97) for the Off-Premise Sale of Beer, Wine and Wine Coolers at 6731 West Alexander Road, Suites #103 and #104. The Planning Commission and staff recommended approval. As a condition of approval, the City Council amended the request from Package Liquor Sales to sales of beer, wine and coolers only.

Most Recent Change of Ownership	
10/20/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/05/96	A building permit (#96023860) was issued for a shell building (Building 1) at 6711 West Alexander Road. A final inspection was approved 05/21/97.
02/04/98	A building permit (#98002352) was issued for a tenant improvement for a retail store at 6711 West Alexander Road, Suites #103 and #104. A final inspection was approved 03/12/98.
03/12/98	A business license (L10-00175) was issued for the off-premise sale of beer, wine and wine coolers at 6711 West Alexander Road, Suites #103 & #104. The license was marked out 03/30/10.
03/29/10	A business license (L10-00310) was issued for the off-premise sale of beer, wine and wine coolers at 6711 West Alexander Road, Suites #103 & #104. The license is still active.

Pre-Application Meeting	
01/22/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit application. It was noted that no Building and Safety records could be found certifying the occupancy change to a church at 6741 W. Alexander Rd., which is within 400 feet of the subject property; therefore, the applicant can legally request a Special Use Permit at this location.

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

Field Check	
02/28/13	The subject suite, which contains an existing Convenience Store that sells beer and wine only, is located within an in-line retail building. The vacant suite to the east has signs posted announcing the coming of a church in that tenant space. A church is already established in an office building on the lot to the west, but is not legally permitted as such.

Details of Application Request	
Site Area	
Net Acres	1.35

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Restaurant General Personal Service Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	Church/House of Worship	ML (Medium Low Density Residential)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, 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	Master Plan of Streets and Highways Map	80	Y
Alexander Road	Primary Arterial	Master Plan of Streets and Highways Map	96	N

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail	16,800 SF	N/A	61				
Restaurant							
General Personal Service							
Office							
TOTAL SPACES REQUIRED			61		61		Y*
Regular and Handicap Spaces Required			58	3	57	4	Y

*Parking impaired site. See analysis for details.

ANALYSIS

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 this definition, as the place of business is applying for a license to sell alcoholic beverages in sealed containers in conjunction with the existing sale of other retail goods. The area proposed to be devoted to the display and sale of package liquor is 91 square feet, or 5.2 percent of the total retail floor area in the tenant space. This use is permitted in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit. If the requested Special Use Permit is approved, alcoholic beverages may only be sold 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 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. (Nonwaivable)

   The proposed use meets this requirement, as there are no protected uses located within 400 feet of 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. (Nonwaivable)

   The proposed use meets this requirement, as the subject fee simple parcel has direct access to both Alexander Road and Rainbow Boulevard, and measurement is taken from the existing property line of Lot 2 as mapped by File 63 Page 79 of Parcel Maps.

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

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

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

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

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

   Neither condition applies to the proposed use.

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

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

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

   a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
   b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan;
   c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or
   d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

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

The proposed use would be located within an established in-line retail development that serves as neighborhood commercial center for the surrounding residential area. Other than the minimum use requirements in Title 19.12, there are no special development requirements pertaining to this site.

The site is parking impaired. It was approved for 61 spaces in 1996; however, retail uses alone require 68 spaces under the UDC. No additional parking is required for this use, as it is ancillary to the primary retail use of the Convenience Store.

The proposed Accessory Package Liquor Off-Sale use meets all of the applicable Title 19.12 requirements for this use. An office building on the parcel to the west (at 6741 West Alexander Road) has been used as a church for several years; however, the use has not been considered a Church/House of Worship pursuant to Title 19, as no building permit was issued to change the occupancy of the building for assembly, and no inspections were requested to ensure the building was safe for assembly uses. The suite to the east of the subject tenant space had previously been issued a Certificate of Occupancy for a church, but was vacant at the time the applicant submitted for a Special Use Permit, and thus is also not considered a church. This is of note, as under the minimum requirements of Title 19.12, distance separation requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use cannot be waived at this location, and therefore no Special Use Permit for this use could otherwise have been approved if protected uses were within 400 feet of the subject property.

According to Las Vegas Metropolitan Police reports, no significant incidents related to the purveying of alcoholic beverages have been noted at this location within the last two years.

As the existing use has been shown to be compatible with the surrounding residential properties with little incident, the proposed use, which meets Title 19.12 requirements, can also be conducted in a manner that is harmonious with the adjacent commercial and residential land uses. Staff therefore recommends approval with conditions.

FINDINGS (SUP-48455)

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

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

The proposed use would be located within an established retail store among other commercial uses. The applicant will display package liquor behind the cashier and near the cashier counter. The current business has sold beer and wine at this location since 1998 compatibly with other nearby uses, which includes another convenience store that also sells beer and wine. This is not a 24-hour use.

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

The subject site is suitable for the proposed Accessory Package Liquor Off-Sale use. No additional parking demand will be placed on the subject site, as the proposed package liquor use will be accessory to the primary retail 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.

Rainbow Boulevard, classified as a Major Collector, and Alexander Road, classified as a Primary Arterial by the Master Plan of Streets and Highways Map, provide access points to the property and are adequate in size to meet the needs of the proposed use.

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

The proposed alcohol use at this site will be subject to licensing and regular inspection, thereby protecting the public health, safety and welfare.

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

The proposed use conforms to Conditions 1, 2 and 6 for the Retail Establishment with Accessory Package Liquor Off-Sale use in Title 19.12. The remaining conditions are not applicable to the proposal.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 1025

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48455 APN: 138-10-502-003

Name of Property Owner: EYW of Nevada, LLC

Name of Applicant: David Bidi

Name of Representative: Brown, Brown and Premsrirut

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: Robinson Leung

Subscribed and sworn before me

This 8TH day of FEBRUARY, 20 13

_____

Notary Public in and for said County and State

TERRY LU
Commission # 1916839
Notary Public - California
San Mateo County
My Comm. Expires Dec 13, 2014

RECEIVED
FEB 21 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Retail with accessory package liquor

Project Address (Location) 6711 West Alexander Road Suite 103

Project Name Vegas Market @ Alexander **Proposed Use**

Assessor's Parcel #(s) 138-10-502-003 **Ward #** 4 - Anthony

General Plan: existing Comm proposed Com **Zoning:** existing C-1 proposed same

Commercial Square Footage **Floor Area Ratio**

Gross Acres 1.35 **Lots/Units** **Density**

Additional Information Allow packaged liquor in a store that sells beer and wine

PROPERTY OWNER EYW of Nevada, LLC **Contact** Robinson Leung

Address 2770 Churchill Dr. **Phone:** 6504504388 **Fax:**

City Hillsborough **State** CA **Zip** 94010

E-mail Address gwhcofnevada@gmail.com

APPLICANT David Bidi **Contact**

Address 6711 W Alexander #104 **Phone:** 7023963077 **Fax:** 7023963277

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

E-mail Address davidbidi@hotmail.com

REPRESENTATIVE Brown, Brown and Premsrirut **Contact** Lora Dreja

Address 520 S. 4th Street **Phone:** 7023845563 **Fax:** 7023851023

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

E-mail Address lora@brownlawlv.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 Robinson Leung

Subscribed and sworn before me

This 8TH day of FEBRUARY, 2013.

_____

Notary Public in and for said County and State

TERRY LU
Commission # 1916839
Notary Public - California
San Mateo County
My Comm. Expires Dec 13, 2014

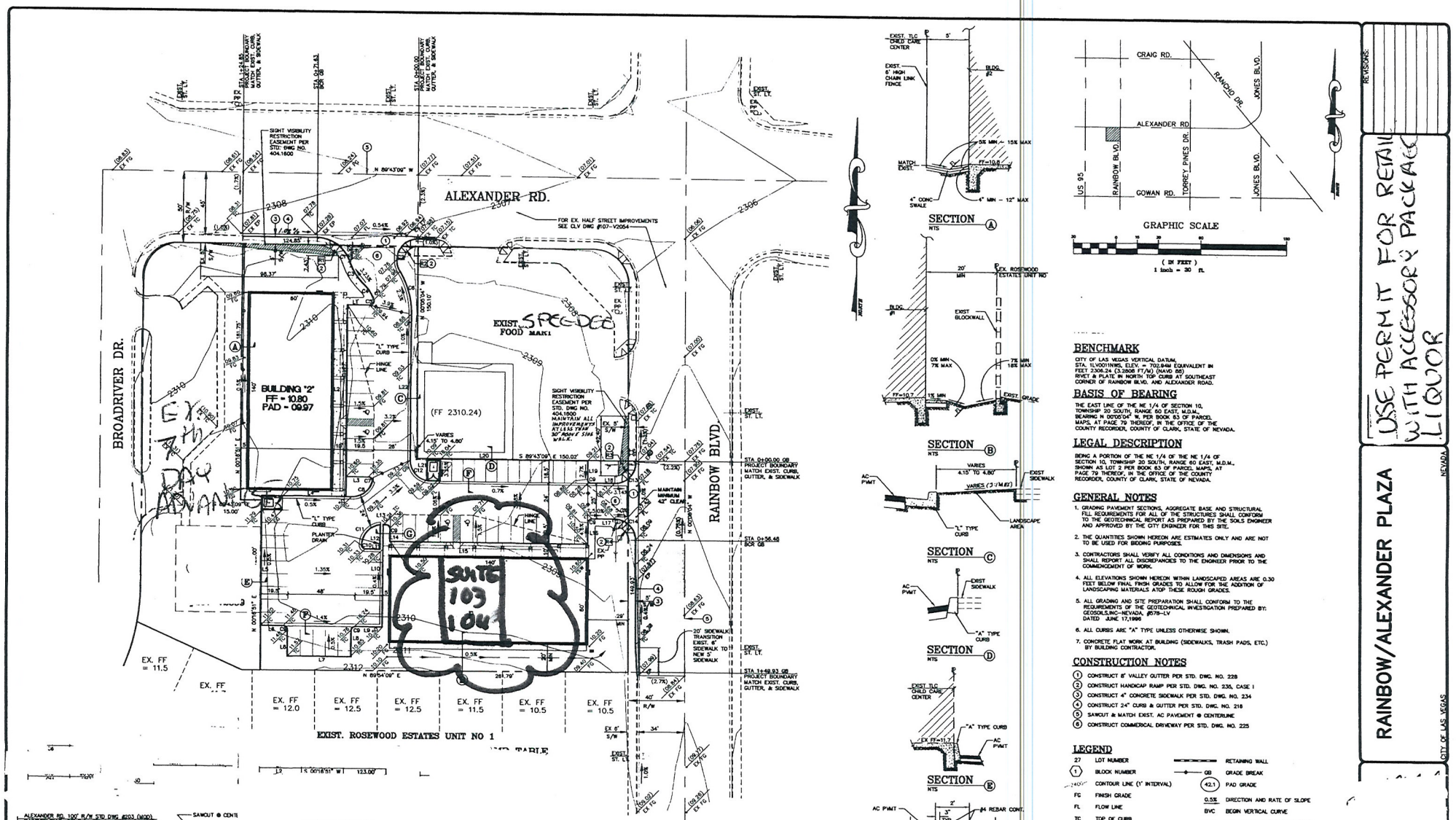
RECEIVED
FEB 21 2013
City of Las Vegas
Dept. of Planning

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48455
Meeting Date:	04/09/13
Total Fee:	$ 1280.00
Date Received:*	02/21/13
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.



SECTION A NTS

SECTION B NTS

SECTION C NTS

SECTION D NTS

SECTION E NTS

SECTION F NTS

SECTION G NTS

BENCHMARK

CITY OF LAS VEGAS VERTICAL DATUM,
STA. 1LV0011NWS, ELEV. = 702.84M EQUIVALENT IN FEET 2306.24 (3.2808 FT/M) (NAVD 88)
RIVET & PLATE IN NORTH TOP CURB AT SOUTHEAST CORNER OF RAINBOW BLVD. AND ALEXANDER ROAD.

BASIS OF BEARING

THE EAST LINE OF THE NE 1/4 OF SECTION 10, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., BEARING N 00°03'04" W, PER BOOK 63 OF PARCEL MAPS, AT PAGE 79 THEREOF, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF CLARK, STATE OF NEVADA.

LEGAL DESCRIPTION

BEING A PORTION OF THE NE 1/4 OF SECTION 10, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., SHOWN AS LOT 2 PER BOOK 63 OF PARCEL MAPS, AT PAGE 79 THEREOF, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF CLARK, STATE OF NEVADA.

GENERAL NOTES

1. GRADING PAVEMENT SECTIONS, AGGREGATE BASE AND STRUCTURAL FILL REQUIREMENTS FOR ALL OF THE STRUCTURES SHALL CONFORM TO THE GEOTECHNICAL REPORT AS PREPARED BY THE SOILS ENGINEER AND APPROVED BY THE CITY ENGINEER FOR THIS SITE.
2. THE QUANTITIES SHOWN HEREON ARE ESTIMATES ONLY AND ARE NOT TO BE USED FOR BIDDING PURPOSES.
3. CONTRACTORS SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
4. ALL ELEVATIONS SHOWN HEREON WITHIN LANDSCAPED AREAS ARE 0.30 FEET BELOW FINAL FINISH GRADES TO ALLOW FOR THE ADDITION OF LANDSCAPING MATERIALS ATOP THESE ROUGH GRADES.
5. ALL GRADING AND SITE PREPARATION SHALL CONFORM TO THE REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION PREPARED BY: GEOSOILS,INC--NEVADA, #578--LV DATED JUNE 17,1996
6. ALL CURBS ARE "A" TYPE UNLESS OTHERWISE SHOWN.
7. CONCRETE FLAT WORK AT BUILDING (SIDEWALKS, TRASH PADS, ETC.) BY BUILDING CONTRACTOR.

CONSTRUCTION NOTES

1. CONSTRUCT 8' VALLEY GUTTER PER STD. DWG. NO. 228
2. CONSTRUCT HANDICAP RAMP PER STD. DWG. NO. 235, CASE I
3. CONSTRUCT 4" CONCRETE SIDEWALK PER STD. DWG. NO. 234
4. CONSTRUCT 24" CURB & GUTTER PER STD. DWG. NO. 218
5. SAWCUT & MATCH EXIST. AC PAVEMENT @ CENTERLINE
6. CONSTRUCT COMMERCIAL DRIVEWAY PER STD. DWG. NO. 225

LEGEND

27	LOT NUMBER		RETAINING WALL
(1)	BLOCK NUMBER	QB	GRADE BREAK
2400'	CONTOUR LINE (1' INTERVAL)	42.1	PAD GRADE
FG	FINISH GRADE	0.5%	DIRECTION AND RATE OF SLOPE
FL	FLOW LINE	BVC	BEGIN VERTICAL CURVE
TC	TOP OF CURB	MVC	MID-POINT OF VERTICAL CURVE
BC	BACK OF CURB	EVC	END VERTICAL CURVE
BCR	BEGIN CURB RETURN		FLOOD WALL OR GRAOUTED AS SHOWN ON PLANS
EX	EXISTING		EXISTING WALL
VG	VALLEY GUTTER		
	SCARP AREA	2100	PROPOSED CONTOURS
	CONCRETE BLOCK WALL		
NG	NATURAL GROUND		
FF	FINISH FLOOR ELEVATION		
BFE	BASE FLOOD ELEVATION		

DRAINAGE CERTIFICATION

I CERTIFY THAT THIS GRADING PLAN IS IN CONFORMANCE WITH THE APPROVED DRAINAGE STUDY ON FILE AT THE CITY OF LAS VEGAS FOR THIS PROJECT.

MICHAEL J. CRICHTON P.E. #10664 — DATE 11/22/96

Call before you dig. It's a Law. 1-800-227-2600

TYPICAL STREET SECTION NTS

ON-SITE PVMT SECTION NTS

"L" CURB DETAIL C STD DWG #216 NTS

"A" CURB DETAIL STD DWG # 219 NTS

SLAB DETAIL NTS

RECEIVED FEB 21 2013 City of Las Vegas Dept. of Planning

SUP-48455

107-V2547

REVISIONS:

USE PERMIT FOR RETAIL WITH ACCESSORY PACKAGE LIQUOR

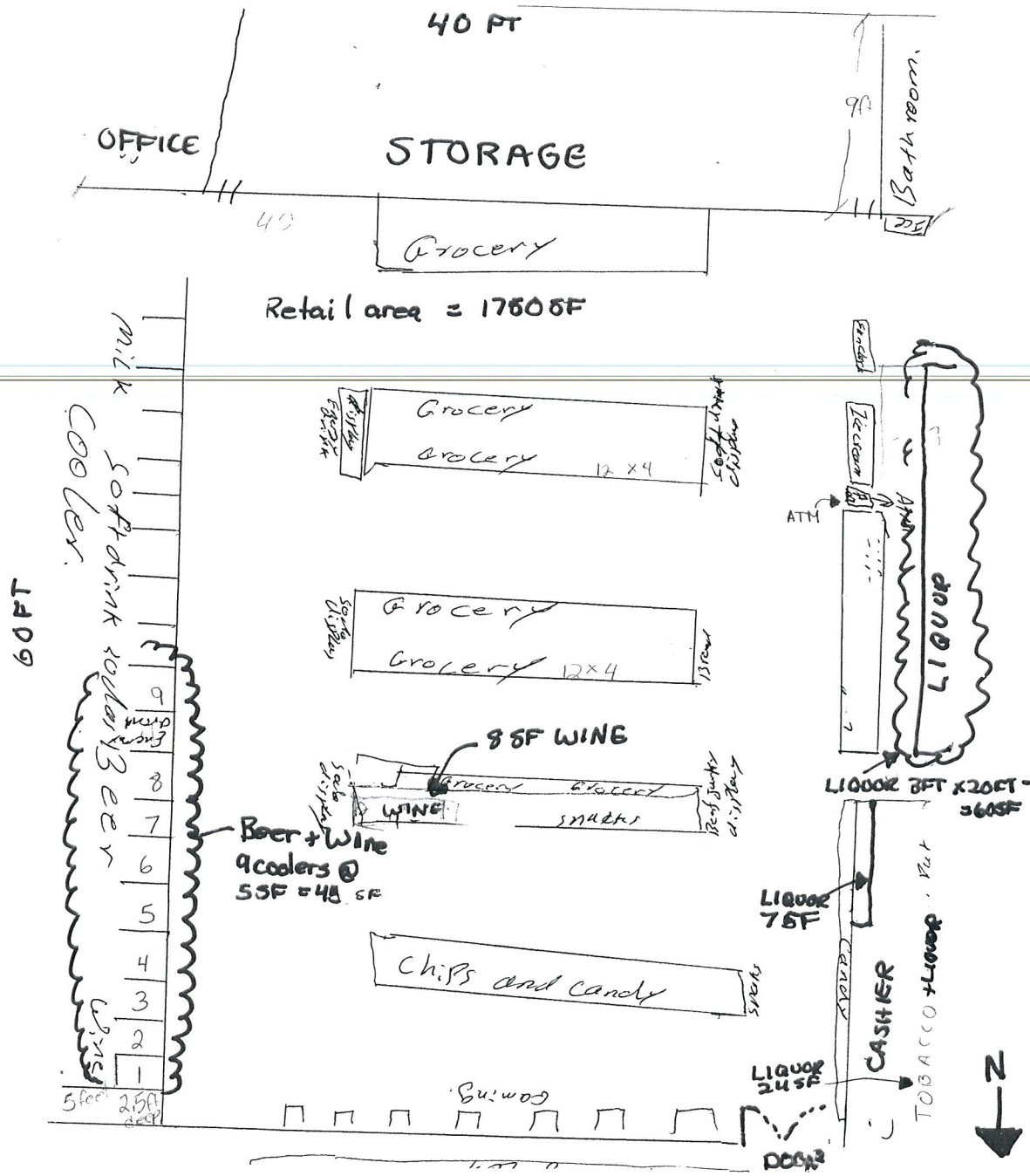
RAINBOW/ALEXANDER PLAZA

CITY OF LAS VEGAS NEVADA

JOB NO.: 960527
FILE: 6527001
DESIGNER: PAO
DRAWN BY: PAO
CHECKED BY: MC
DATE: 7/18/96

SHEET NO. 2 OF 3

P:\6960\1960527\6527001 Fri Nov 22 12:26:31 1996 MCS



VEGAS MARKET #3

6711 WEST ALEXANDER #104

SUP FOR RETAIL WITH ACCESSORY PACKAGE LIQUOR.

RECEIVED

FEB 21 2013

City of Las Vegas
Dept. of Planning

SUP-48455

SUP-48455 - APPLICANT: VEGAS MART #3 - OWNER: EYW OF NEVADA, LLC, ET AL
6711 WEST ALEXANDER ROAD, SUITE #103

02/28/13

SUP-48455 – APPLICANT: VEGAS MART #3 - OWNER: EYW OF NEVADA, LLC, ET AL
6711 WEST ALEXANDER ROAD, SUITE #103

02/28/13

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

February 19, 2013

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

Re: Request for Accessory Package Liquor off-sale 6711 West Alexander Road, 138-10-502-003

Dear Sir/Madam

Please consider our request for permission to sell off sale package liquor at an existing convenience store located at 6711 West Alexander Road. This property is fully developed and is operating as a convenience store that offers off-sale beer and wine. The applicant leases 2400 SF. Of this 2400 SF approximately 1750 SF is retail accessible to the public. The applicant would like to use 10% of this retail space for sale of beer, wine and liquor.

All provisions outlined in the Las Vegas Title 6 privileged licenses will be adhered to. Per Staff's research, (attached) there are no protected uses within 400 feet of the site.

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

Very truly yours,

L U Dreja

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut

RECEIVED
FEB 21 2013
City of Las Vegas
Dept. of Planning

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

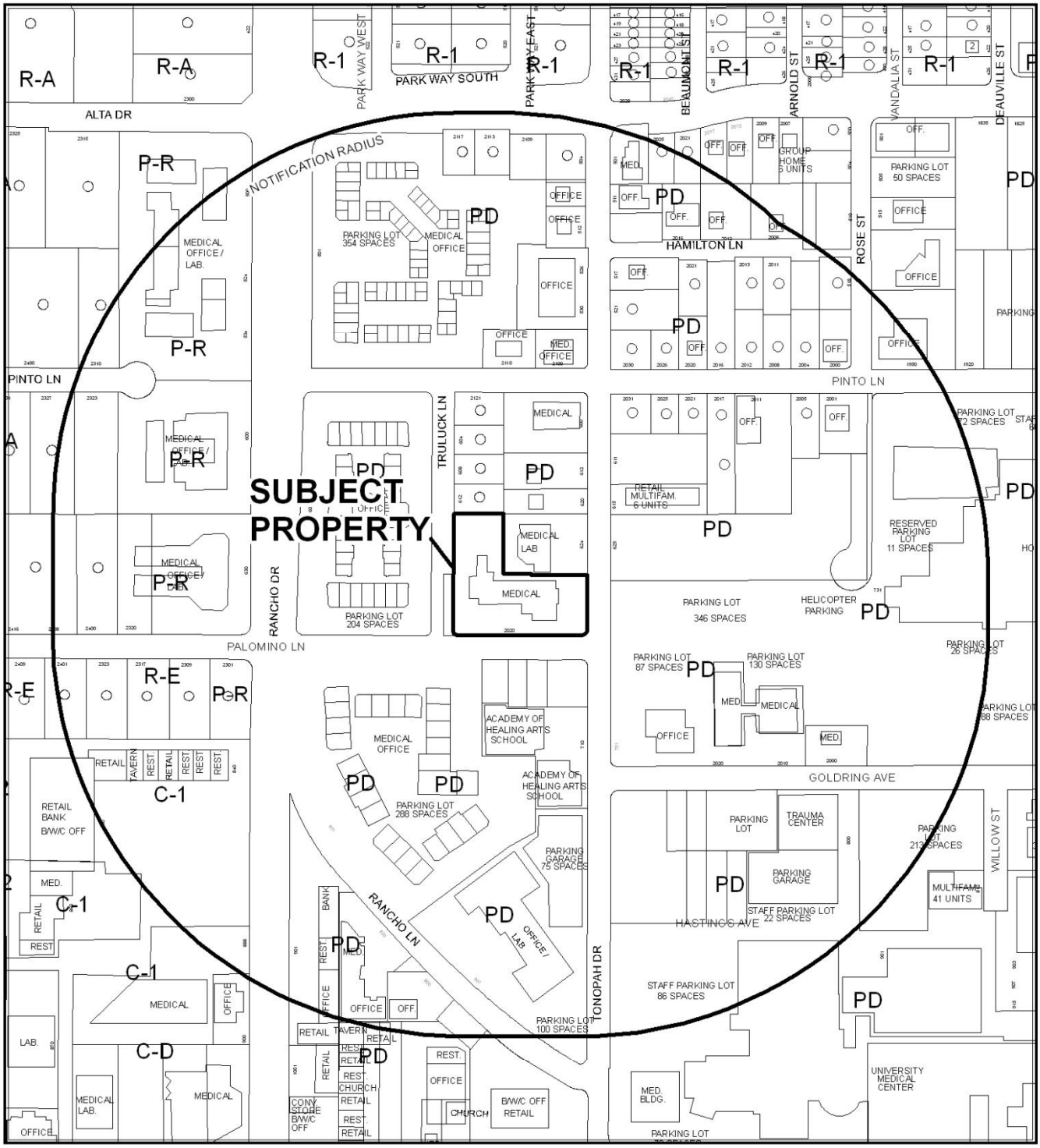
SUBJECT:
SDR-48398 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC - For possible action on a request for a Site Development Plan Review TO MODIFY A PREVIOUSLY APPROVED LANDSCAPE PLAN FOR AN EXISTING 34,983 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.58 acres at 2020 Palomino Lane (APN 139-32-705-008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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.

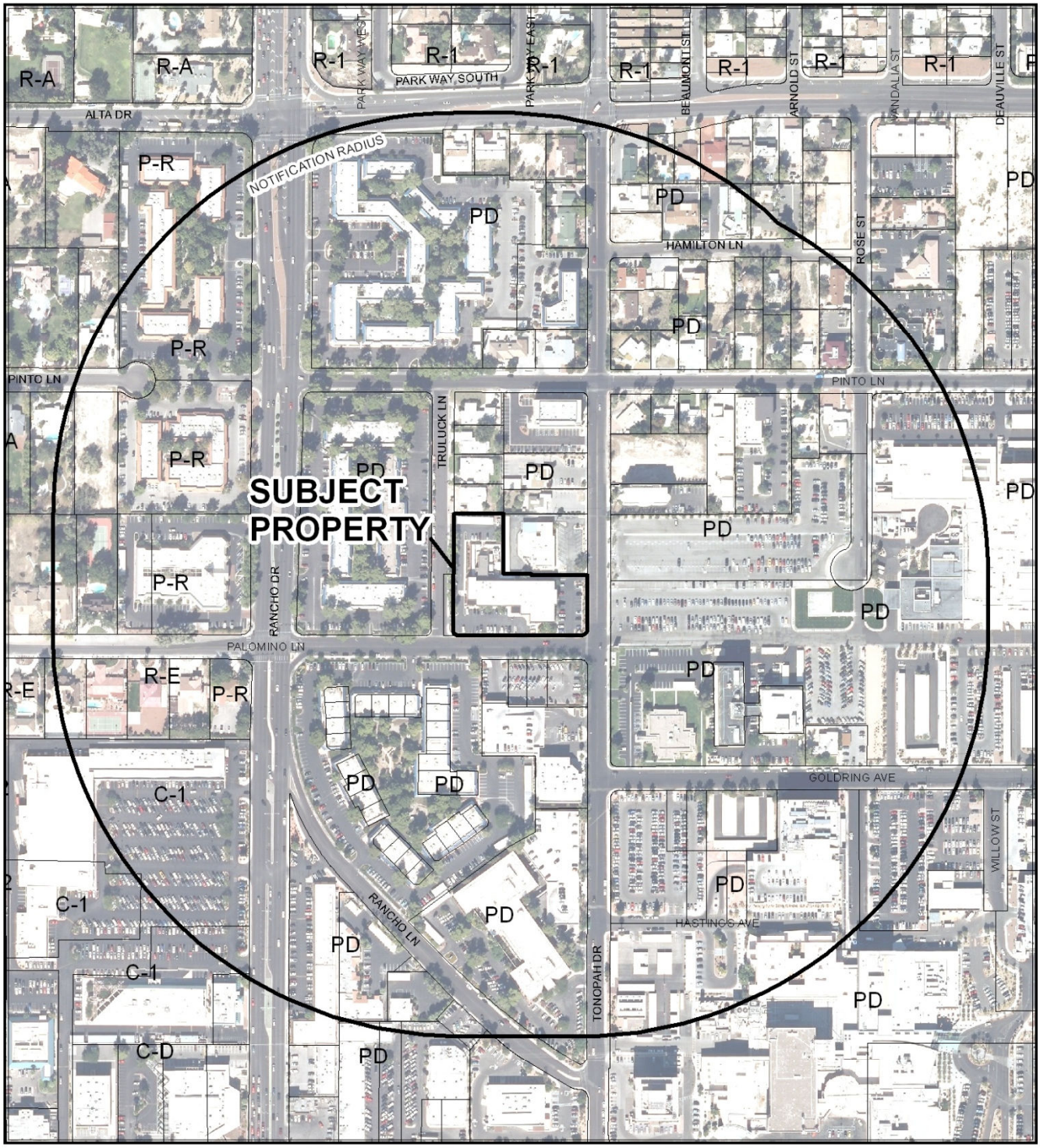
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SDR-48398**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[P-O (PROFESSIONAL OFFICE) Las Vegas Medical District Special Land Use Designation]



0 200 400 Feet

CASE: **SDR-48398**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[P-O (PROFESSIONAL OFFICE) Las Vegas Medical District Special Land Use Designation]

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48398	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-48398 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 landscape plan date stamped 02/19/13, except as amended by conditions herein.

3. An Exception from the Las Vegas Medical District Plan is hereby approved, to allow zero trees along the south perimeter landscape buffer where 14 trees are required.

4. An Exception from the Las Vegas Medical District Plan is hereby approved, to allow zero trees along the east perimeter landscape buffer where six are required.

5. An Exception from the Las Vegas Medical District Plan is hereby approved, to allow seven trees along the north perimeter landscape buffer where 14 trees are required.

6. An Exception from the Las Vegas Medical District Plan is hereby approved, to allow seven trees along the west perimeter landscape buffer where nine trees are required.

7. An Exception from Title 19.08.110 is hereby approved, to allow zero parking lot shade trees, where nine are required.

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

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

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 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 of providing all the required shade trees.

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

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

Public Works

13. Dedicate 25 feet of right-of-way adjacent to this site for Truluck Lane prior to the issuance of any permits.

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

15. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Truluck Lane public right-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the

Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

YK

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has made extensive changes to the approved landscaping at 2020 Palomino Lane without obtaining the proper permits. The applicant now comes before the City to request five Exceptions to the required landscaping plan that was originally approved for the project. These Exceptions all pertain to the number of 24-inch box trees required. The lack of trees provides no shade for pedestrians along the east and south sides of the property as required in the Las Vegas Medical District Plan. Over two dozen trees were removed from this property and not replaced, creating a major change in the overall aesthetic of the project. Staff recommends denial, as the intent of the Las Vegas Medical Plan to provide a comfortable pedestrian environment is not being met. If denied, the applicant would be required to replace all the trees that were originally approved with this project in 1986.

ISSUES

- The applicant changed existing landscaping to drought tolerant landscaping approximately five years ago without replacing the required trees. During a standard inspection a notice was given to replace the previously approved landscaping or amend the Site Development Plan Review.
- Five Exceptions for reduced perimeter and parking lot trees are requested with this application. Staff does not support these requests.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/11/85	The City Council approved a request for Rezoning (Z-0011-85) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed medical building at 2120 Palomino Lane. Staff recommended approval.
11/20/85	The City Council approved a request for Rezoning (Z-0076-85) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) north of Palomino Lane between Truluck Lane and Tonopah Drive. Staff recommended approval.
08/06/86	The City Council approved a request for Rezoning (Z-0049-86) from R-1 [(Single Family Residential) Under Resolution of Intent to P-R (Professional Office and Parking)] and P-R (Professional Office and Parking) to P-R (Professional Office and Parking) north of Palomino Lane between Truluck Lane and Tonopah Drive. Staff recommended approval.

Most Recent Change of Ownership	
01/08/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/28/86	A Building Permit (#2337-1) was issued for landscaping at 2020 Palomino Lane.

Pre-Application Meeting	
01/23/13	Staff met with the applicant and reviewed the requirements for a Site Development Plan Review application in order to modify the previously approved landscaping of the property. The applicant stated that the landscaping was changed to drought tolerant plants as part of the Water Districts conservation efforts.

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

Field Check	
02/28/13	Staff visited the site and found a well maintained and landscaped medical office complex. The lack of trees was noticeable along the east and south perimeters.

Details of Application Request	
Site Area	
Net Acres	1.58

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)
North	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
South	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)
East	Hospital	LVMD [(Las Vegas Medical District) MD-2 (Major Medical)]	PD (Planned Development)
West	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)

Master Plan Areas	***Compliance***
Las Vegas Medical District	N
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (175 Feet)	N/A
Live/Work Overlay District	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 approved building plans date stamped 10/06/86, the following standards apply:

Landscaping and Open Space Standards			
Standards	***Required Trees***	***Provided***	***Compliance***
Buffer Trees:			
• North	14 Trees	7 Trees	N
• South	14 Trees	0 Trees	N
• East	6 Trees	0 Trees	N
• West	9 Trees	7 Trees	N
TOTAL PERIMETER TREES	**43 Trees**	**14 Trees**	**N**
Parking Area Trees	9 Trees	0 Trees	N

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Truluck Lane	N/A	N/A	55	N/A
Palomino Lane	N/A	N/A	60	N/A
Tonapah Drive	N/A	N/A	55	N/A

Exceptions		
Requirement	***Request***	***Staff Recommendation***
To install 14 landscape buffer trees along the north perimeter.	To install 7 landscape buffer trees along the north perimeter.	Denial
To install 14 landscape buffer trees along the south perimeter.	To install zero landscape buffer trees along the south perimeter.	Denial
To install 6 landscape buffer trees along the east perimeter.	To install zero landscape buffer trees along the east perimeter.	Denial
To install 9 landscape buffer trees along the west perimeter.	To install 7 landscape buffer trees along the west perimeter.	Denial
To install 9 trees in the parking lot area.	To install zero trees in the parking lot area.	Denial

ANALYSIS

The applicant removed dozens of trees from the property and did not replace them, creating a much different aesthetic than originally approved for the site. The applicant is requesting approval of their actions, after-the-fact. The existing landscaping does not meet the requirements of the Las Vegas Medical Plan. The lack of trees is especially noticeable along the south and east perimeters adjacent to the sidewalks. Due to the high pedestrian traffic in the area and that the pedestrians tend to be seniors and/or people with medical conditions; shading the sidewalks with trees is especially important.

The applicant justifies the request by claiming that trees would distract from the award winning building. There are several award winning buildings in Las Vegas that also have the required number of landscape perimeter trees without distracting from the building. Staff recommends that the required number of perimeter landscape and parking lot trees required by the current Las Vegas Medical Plan be required. This would require one 24-inch box tree every 20-feet on center within the perimeter landscape buffers. This is very similar to what was originally approved for the site.

Staff cannot justify having no perimeter landscape buffer trees in such a high pedestrian traffic area. The landscaping was removed without obtaining the proper entitlements and does not meet the minimum standards of the Las Vegas Medical Plan; therefore, staff recommends denial.

FINDINGS (SDR-48398)

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 is an existing medical office building that is compatible with adjacent development.

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 development is consistent with the General Plan, but requires five Exceptions to the required number of perimeter landscape buffer and parking lot trees. The project does not meet the Las Vegas Medical Plan landscape standards.

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

   Circulation of the site does not have a negative impact on adjacent streets.

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

   The landscape materials are not appropriate for the area in that they are lacking the minimum required number of perimeter trees. This lack of trees does not conform to the goals and objectives of either the Las Vegas Medical District Plan or the Conservation Element of the General Plan.

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 lack of perimeter landscape and parking lot trees creates an undesirable appearance and is not harmonious with surrounding streetscape and landscape aesthetics.

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

The applicant will be required to obtain proper permits for all work completed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 48

NOTICES MAILED 106

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-48398** APN: 139-32-705-008

Name of Property Owner: Palomino Tonopah Associates, LLC

Name of Applicant: Luther Creed, M.D.

Name of Representative: Connie Gamble

RECEIVED
FEB 19

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: Luther Creed

Print Name: Luther Creed, Manager

Subscribed and sworn before me

This 6th day of February, 2013

Connie Gamble

Notary Public in and for said County and State

CONNIE GAMBLE
Notary Public State of Nevada
No. 99-26229-14
My Appt. Exp. Jan. 14, 2016

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Palomino Tonopah Associates LLC

Project Address (Location) 2020 Palomino Lane, Las Vegas NV

Project Name N/A **Proposed Use**

Assessor's Parcel #(s) 139-32-705-008 **Ward #**

RECEIVED
FEB 19 2013

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

Commercial Square Footage 34,983 **Floor Area Ratio**

Gross Acres 1.58 **Lots/Units** **Density**

Additional Information Landscape Plan update

PROPERTY OWNER Palomino Tonopah Assoc. LLC **Contact** Connie Gamble

Address 2200 Paseo Verde Pkwy, St 350 **Phone:** 702-798-7970 **Fax:** 702-798-1029

City Henderson **State** NV **Zip** 89052

E-mail Address ConnieG@VistaLV.Com

APPLICANT Palomino Tonopah Associates LLC **Contact** Connie Gamble

Address Same as Above **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

REPRESENTATIVE Vista Realty, Inc **Contact** Connie Gamble

Address 2200 Paseo Verde Pkwy St 350 **Phone:** 798-7970 **Fax:** 798-1029

City Henderson **State** NV **Zip** 89052

E-mail Address ConnieG@VistaLV.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* Luther Creed, Manager

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

Print Name LUTHER CREED

Subscribed and sworn before me

This 19th day of November, 20 12.

Connie Gamble

Notary Public in and for said County and State

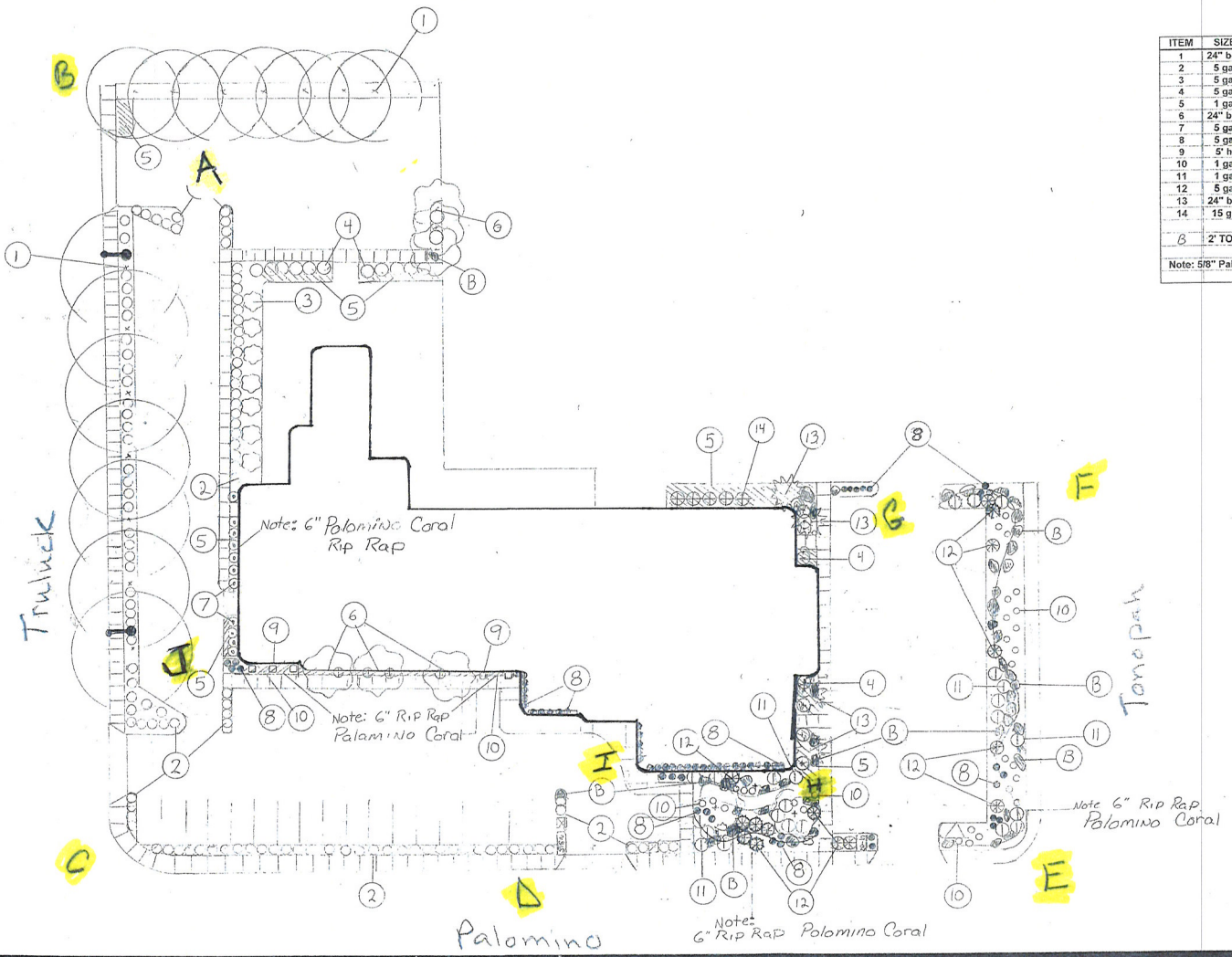
CONNIE GAMBLE
Notary Public State of Nevada
No. 99-26229-14
My Appt. Exp. Jan. 14, 2016

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-48398
Meeting Date:	4/9/2013
Total Fee:	1030.00
Date Received:*	2/19/2013
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.



ITEM	SIZE	BOTANICAL NAME	COMMON NAME
1	24" box	PINUS HALEPENSIS	ALEPPO PINE
2	5 gal	NERIUM OLEANDER 'PETITE PINK'	DWARF OLEANDER
3	5 gal	LEUCOPHYLLUM	TEXAS RANGER, GREEN CLOUD
4	5 gal	CONGESTUM	XYLOSMA
5	1 gal	TRACHELOSPERMUM	STAR JASMINE
6	24" box	RHUS LANCEA	AFRICAN SUMAC - MULTI
7	5 gal	MYRTUS COMMUNIS COMPACTI	MYRTLE
8	5 gal	HESPERALOE PARVIFLORA	RED YUCCA
9	5' ht	FOUQUIERIA SPLENDENS	OCOTILLO
10	1 gal	TEUCRIUM	GERMANDER
11	1 gal	VERBENACEAE	LANTANA, NEW GOLD
12	5 gal	DASYLIRION WHEELERI	DESERT SPOON
13	24" box	ACACIA STENOPHYLLA	SHOESTRING ACACIA
14	15 gal	ROSACEAE MAJESTIC BEAUTY	RHAPHIOLEPIS/MAJESTIC BEAUTY
B	2' TO 4'		BOULDERS

Note: 5/8" Palomino Coral, 2" deep in all planters unless otherwise noted.

RECEIVED

Revision #:	Landscape Plan: #1
Date: 12/7/2012	Desert Radiologists 2020 PALOMINO
Scale: 0' 1" = 20' 0"	Landscape Design by: J Cuglietta
	High Desert Landscape & Design

SDR-48398

Viewpoint A looking Southeast

Viewpoint A looking South

Viewpoint A looking Northeast

Viewpoint A looking North

Viewpoint B looking Southeast

Viewpoint C looking Northwest

Viewpoint C looking Northwest

Viewpoint C looking North

RECEIVED
FEB 19 2013
SDR-48398

Viewpoint D looking North

Viewpoint D looking Northwest

Viewpoint D looking Northeast

Viewpoint D looking North

Viewpoint D looking Northeast

RECEIVED
FEB 19 2013

SDR-48398

Viewpoint E looking West

Viewpoint E looking North

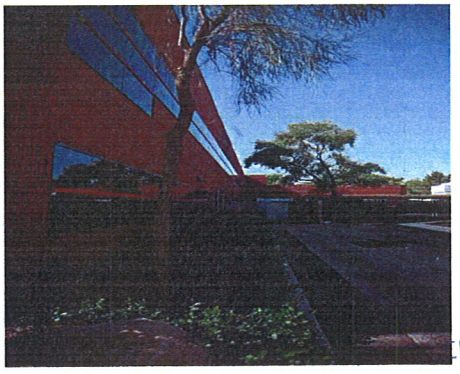
Viewpoint E looking Northwest

Viewpoint F looking Southwest

Viewpoint F looking West

Viewpoint F looking South

Viewpoint G looking East



Viewpoint G looking West

FEB 19 2013

Viewpoint H looking North

Viewpoint H away from building looking North

Viewpoint I looking East

Viewpoint D looking East

Viewpoint J looking East

Viewpoint J looking East

Viewpoint J looking Southeast

RECEIVED
FEB 15 20

SDR-48398 – APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC
2020 PALOMINO LANE

02/28/13

SDR-48398 – APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC
2020 PALOMINO LANE

02/28/13

SDR-48398 – APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC
2020 PALOMINO LANE

02/28/13

VISTA Realty Inc.
A Division of The Vista Group

RECEIVED
FEB 19 2013

February 15, 2013

City of Las Vegas Department of Planning
Attention Yorgo Kagafas, Senior Planner

Dear Yorgo,

Thank you for your time meeting with Dr. Luther Creed and myself with regard to the violation at 2020 Palomino Lane. The Ownership has made the decision to apply for a Major Site Development Plan Review in order to keep the current landscaping in place. We have provided the requested documents as well as photos, site plans and landscape plans.

We are requesting this major change to the originally submitted landscape plan for the following reasons: The plan which was originally approved by the City of Las Vegas in 1986 was never the landscape that was installed as it was determined at the time that because the building was an award winning building for design that putting in the trees on the South side of the building would significantly detract from the building itself. This has never until this time been questioned by the City of Las Vegas. Also, the trees which were originally on the East side of the building near the road were originally Olive trees, as I am sure you are aware these trees cause a lot of allergy problems and are very dirty, therefore when the building converted to xeroscape to save water per the water districts requests the olive trees and grass were removed and no trees were replanted in this area because the area between the parking lot and the sidewalk is so narrow and they believed it caused issues for drivers turning onto Palomino Lane.

We respectfully request this Major change to the originally approved landscape plan to the current landscape as we believe as you can see from the attached pictures that the current landscape is maintained very well and there are many trees on the property if not on the perimeters.

Thank you for your time and if you should require any further information, do not hesitate to contact me.

Sincerely,

Vista Realty, Inc.

Connie Gamble
Broker

Enc.

2295-A Renaissance Drive Las Vegas, Nevada 89119
(702) 798-7970 FAX (702) 798-1029

SDR-48398

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

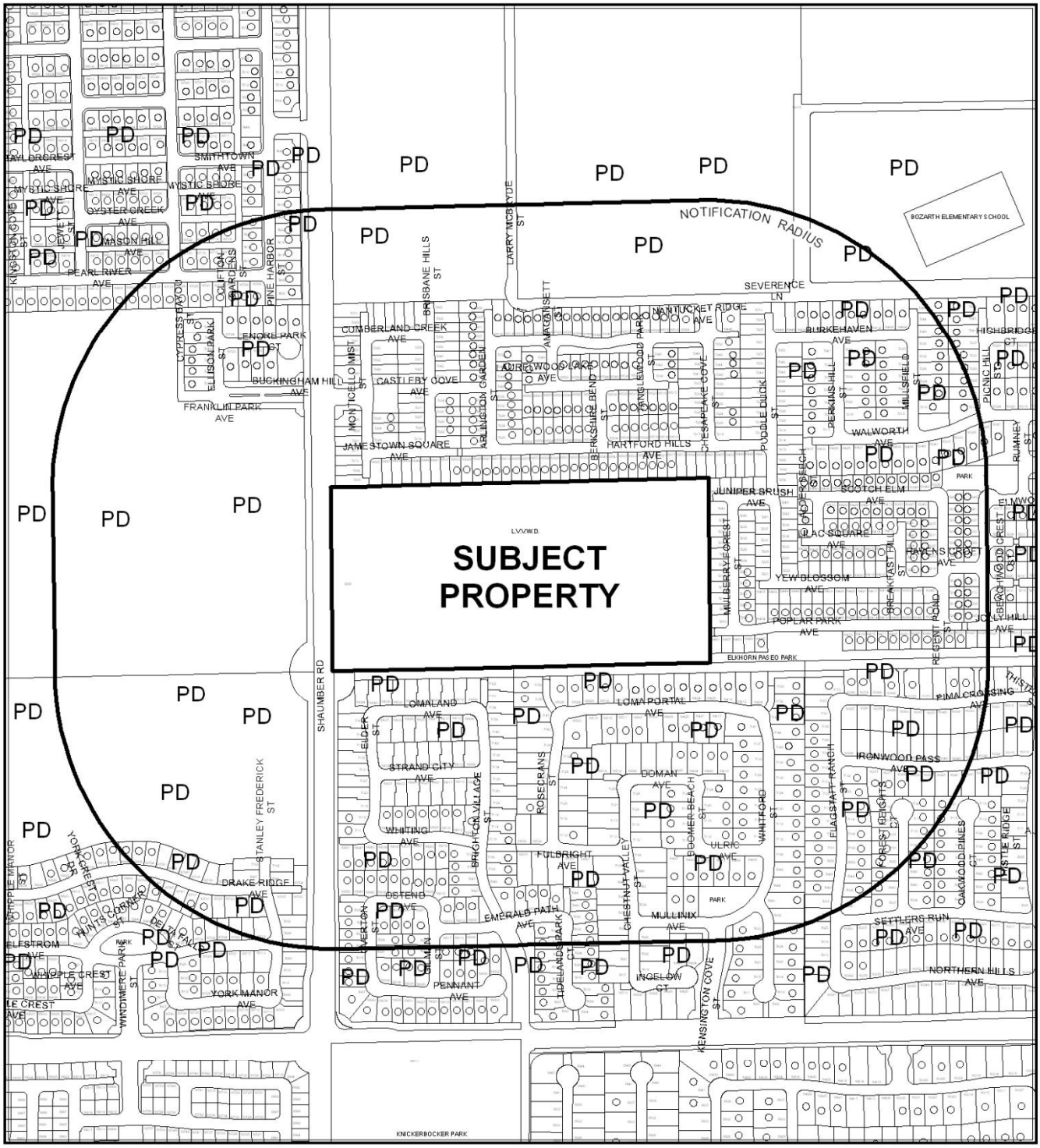
SUBJECT:
SDR-48456 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA - For possible action on a request for a Site Development Plan Review TO INSTALL FIFTEEN 27-FOOT TALL SOLAR PANELS AND ONE 30-FOOT WEATHER TOWER on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facility) Cliff's Edge Special Land Use Designation], Ward 6 (Ross) PRJ-48348. Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/15/2013
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
6. Neighborhood Meeting Comments



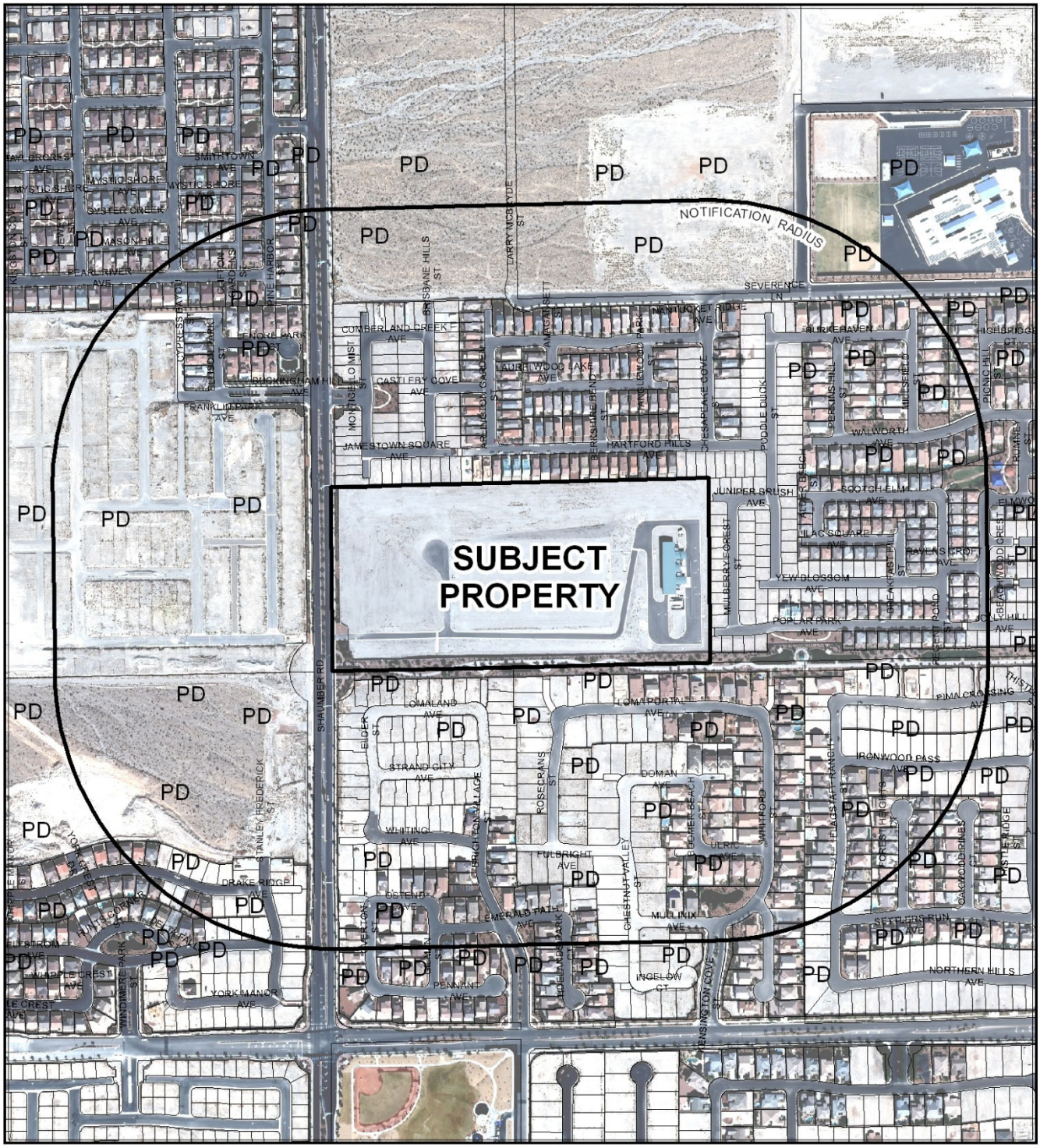
0 400 800 Feet

CASE: **SDR-48456**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[PF (PUBLIC FACILITIES) Cliff's Edge Special Land Use Designation]

N



CASE: **SDR-48456**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[PF (PUBLIC FACILITIES) Cliff's Edge Special Land Use Designation]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA

**** STAFF RECOMMENDATION ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48456	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SDR-48456 CONDITIONS

Planning

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

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/12/13, except as amended by conditions herein.

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

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

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

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

Public Works

7. An Update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

8. Site development to comply with all applicable conditions of approval for SDR-3900 and all other applicable site-related actions.

Staff Report Page One
April 9, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct fifteen 27-foot tall 1,200 square-foot Solar Panels and a 33-foot tall weather tower within an enclosed pumping station. The solar panels will generate electrical power onsite to offset the costs and infrastructural burden of routing high-voltage power on site and the weather tower will provide monitoring and testing equipment for the Nevada Regional Test Center (NRTC). The proposed equipment will have negligible visual and audible impact, and will provide an alternative means of meeting the high energy demands of water conveyance without depending on emission-intensive power sources such as coal or natural gas. Staff supports this request, as it meets the stated goals of the Las Vegas 2020 Master Plan – Conservation Element. If denied, the applicant will not be allowed to install the requested solar power panels or the weather tower.

ISSUES

- The requested solar power use and antenna (weather tower) are ancillary to the existing water facility and is a permissible use, as the proposal is not subject to the Cliff's Edge/Providence Master Plan.
- Per Title 19.08.040(H)(2)(c)(ii), municipal utility facilities are exempt from the maximum height provisions typically required for residential adjacency setbacks.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/16/03	The City Council approved a Rezoning from the U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] zoning district to the PD (Planned Development) zoning district on 704 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. Planning Commission and staff recommended approval.
04/08/04	The Planning Commission approved a Site Development Plan Review (SDR-3900) for a Reservoir and Pumping Station on 20.0 acres at the northwest corner of the Elkhorn Road and Alpine Ridge Way. Staff recommended approval.
06/14/11	The Planning Commission approved a Site Development Plan Review (SDR-41591) for a Solar Power Generating Facility consisting of two 93-foot tall solar collection towers at 7210 Shaumber Road. Staff recommended approval.

Most Recent Change of Ownership
The subject parcel is owned by the Federal government and operates under a long-term lease by the Bureau of Land Management (BLM).

Related Building Permits/Business Licenses	
09/22/04	A Building Permit (#27484) was issued for perimeter walls for a reservoir and pumping station. This permit was finaled 02/11/07.

Pre-Application Meeting	
01/23/13	Staff met with the applicant to discuss the Site Development Plan Review submittal requirements for a the proposed solar panels and weather tower.

Neighborhood Meeting	
03/13/13	A voluntary neighborhood meeting was held from 4:00 p.m. to 7 p.m. at the Centennial Hills YMCA, 6601 North Buffalo Drive. The five representatives for the applicant, one city staff member, and eight members of the public were present. General concerns were raised regarding the height of the solar panels and weather tower; the applicant explained that the panels would rarely be in a full upright position and would be maintained in a horizontal mode at night. There were also concerns raised regarding blocked views; the applicant responded that only three of the panels would be constructed in the first phase and that the panels installed during later stages would be smaller in size.

Field Check	
02/28/13	The existing muniplcal utility facility (covered water reservoir) is screened from view by an eight-foot perimeter wall and features a well-maintained 20-foot wide landscape buffer along Shaumber Road with mature plants and meandering sidewalk that adjoins the neighboring parcels to the east and west.

Details of Application Request	
Site Area	
Net Acres	20.69

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Utility Station, Other Than Listed	PCD (Planned Community Development)	PD (Planned Development)
North	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
South	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
East	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)

Master Plan Areas	***Compliance***
Cliff's Edge	Y
Special Purpose and Overlay Districts	***Compliance***
PD (Planned Development)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, there are no established development standards for the PF (Public Facility) Cliff's Edge Special Land Use Designation). The development standards are established upon approval of the requested Site Development Plan Review, and referenced by the Site Plans and Elevations submitted by the applicant. This proposal features fifteen 27-foot tall Solar Tower units that are placed at the western side of the subject property, setback approximately 81 feet south of the north property line, 170 feet north of the south property line, and 45 feet east of the west property line. Each 27-foot tall tower is topped with an approximately 1,200 square-foot photovoltaic array, and are partially screened by the existing eight to 12 foot high screen walls.

ANALYSIS

The proposed facilities will provide an alternative means of meeting the high energy demands of water conveyance without depending on emission-intensive power sources such as coal or natural gas. The applicant states that the solar power generating facility will generate approximately 300 kW of electrical energy using an array of photovoltaic panels. The proposed structures meet the Master Plan 2020 goals by satisfying Action Item EC6, as listed in the Conservation Element. The policy states, "The City shall investigate ways of promoting the development and use of alternative sources of energy." This proposal meets the intent of the stated action item and is handled in a manner that provides a positive contribution in the quality of life of the Cliff's Edge Master Plan Area and the greater Las Vegas Valley. Staff recommends approval of this request with conditions.

FINDINGS (SDR-48456)

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

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

   The proposed solar power installation is compatible with the PF (Public Facility) land use designation, is appropriate along this segment of Shaumber Road and will be compatible with future, adjacent development in the area.

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

   The proposed project actively supports the Master Plan 2020 goals by satisfying Action Item EC6, as listed in the Conservation Element. The existing perimeter walls meet the current development standards, and effectively screen the ancillary equipment related to the pumping reservoir.

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

   There are no anticipated changes to the existing site access and circulation based on the requested proposal.

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

The building materials that are exposed to public view are painted in muted earth-tones so as to create as little visual intrusion as possible. The photovoltaic arrays are located within the enclosed pumping reservoir and are screened from view.

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

The proposed solar power installation has been presented in a manner that seeks to reduce the visual and audible impacts to the neighboring properties. The towers are architecturally and aesthetically harmonious and compatible with the area and adjacent development by means of a perimeter screen wall, which will reduce sounds and screen the view of the photovoltaic arrays onsite.

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

All development will require permits and inspections that will maintain the public health, safety and welfare. The proposed use will actively contribute to the reduction of green house gas emissions and the avoidance of constructing high-voltage transmission lines to the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 46

NOTICES MAILED 596

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48456 APN: 126-13-401-014

Name of Property Owner: Patricia Mulroy, General Manager, Las Vegas Valley Water District

Name of Applicant: Shawn P. Mollus, Director of Las Vegas Valley Water District Engineering

Name of Representative: Peter J. Jauch, Engineering Design Manager

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: P Mulroy

Print Name: Patricia Mulroy

Subscribed and sworn before me

This 20th day of February, 2013

Joan S. Wakley

Notary Public in and for said County and State

JOAN S. WAKLEY
Notary Public State of Nevada
No. 08-7913-1
My Appt. Exp. July 17, 2016

PRJ-48348
03/12/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 7210 Shaumber Road

Project Name C1341 - Renewal Energy Project, Phase II **Proposed Use** Utility Installation

Assessor's Parcel #(s) 126-13-401-014 **Ward #** _____

General Plan: existing PCD proposed _____ **Zoning:** existing PD/PF proposed _____

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

Gross Acres 20.69 ac **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Las Vegas Valley Water District **Contact** Patricia Mulroy

Address 1001 S. Valley View Boulevard **Phone:** 258-3266 **Fax:** 862-7452

City Las Vegas **State** Nevada **Zip** 89153

E-mail Address _____

APPLICANT Las Vegas Valley Water District **Contact** Shawn P. Mollus

Address 1001 S. Valley View Boulevard **Phone:** 258-3266 **Fax:** 862-7452

City Las Vegas **State** Nevada **Zip** _____

E-mail Address _____

REPRESENTATIVE Las Vegas Valley Water District **Contact** Peter J. Jauch

Address 1001 S. Valley View Boulevard **Phone:** 258-3240 **Fax:** 862-7452

City Las Vegas **State** Nevada **Zip** _____

E-mail Address _____

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

Property Owner Signature* P Mulroy

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

Print Name Patricia Mulroy

Subscribed and sworn before me

This 20th day of February, 20 13.

Joan S Wakley

Notary Public in and for said County and State

JOAN S. WAKLEY
Notary Public State of Nevada
No. 08-7913-1
My Appt. Exp. July 17, 2016

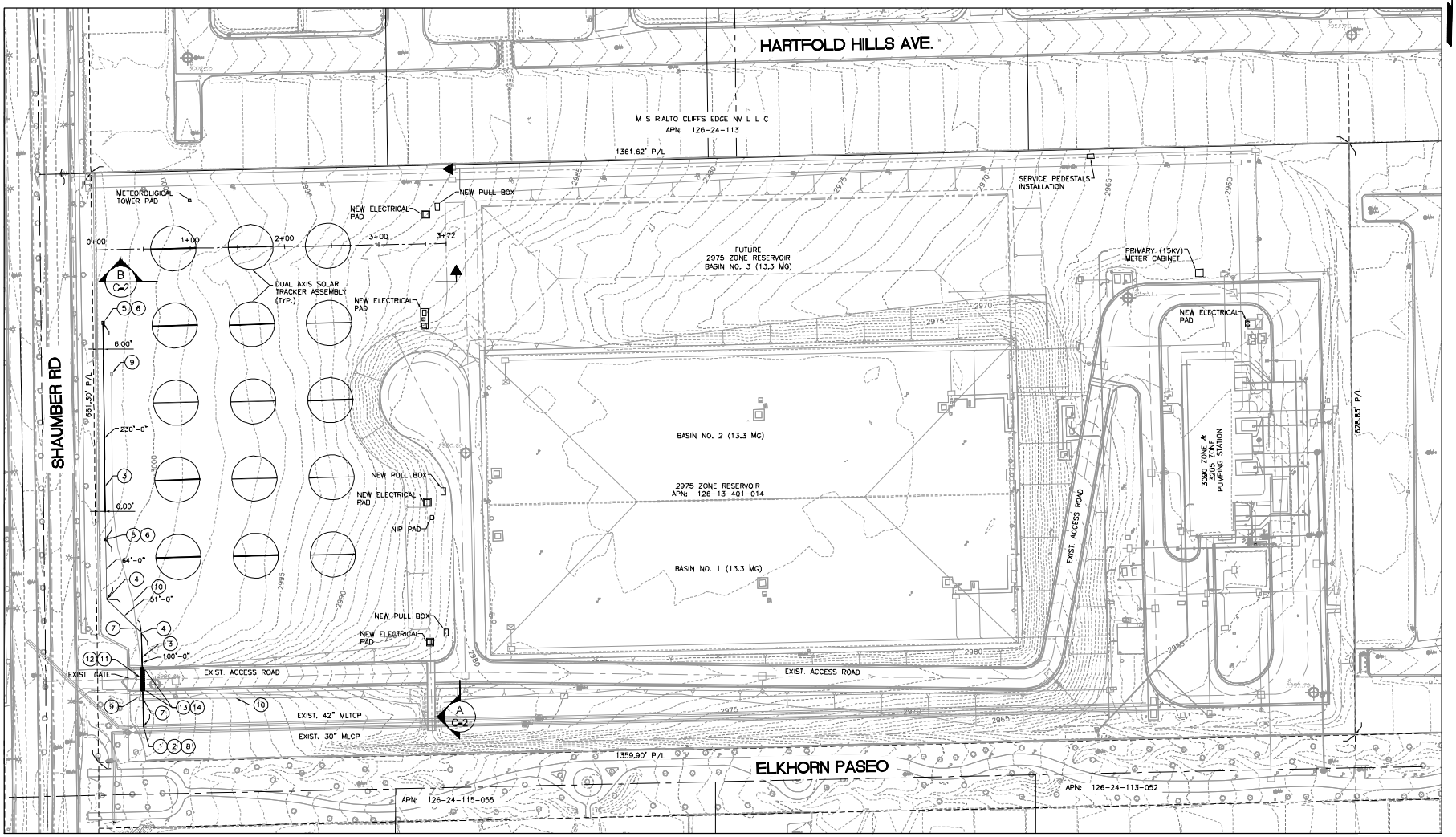
FOR DEPARTMENT USE ONLY

Case #	SDR-48456
Meeting Date:	
Total Fee:	
Date Received:*	
Received By:	

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

PRJ-48348
03/12/13

Revised 10/27/08



CONSTRUCTION NOTES

1. INTALL 2" PRV PRESSURE REDUCING VALVE (1/CD1)
2. INSTALL 2" BACKFLOW (1/CD1)
3. INSTALL 2" SCH 40 PVC WATERLINE, SEE TRENCH BACKFILL DETAIL (3/CD1)
4. 45° BEND
5. 2" POLYMER WATER METER BOX AND COVER WITH CONCRETE COLLAR (4/CD1)
6. 3/4" BALL VALVE THREADED INLETS WITH LEVER HANDLE (4/CD1)
7. CONTRACTOR TO LOCATE EXIST. UTILITY
8. CONNECT TO EXIST. 4" AVAR WATERLINE (1/CD1)
9. EXIST. PULLBOX
10. EXIST. CONDUIT
11. SAWCUT AND REMOVE EXIST. AC PAVEMENT
12. REPLACE AC PAVEMENT WITH TYPE II AGGREGATE BASE, FOR TRENCH BACKFILL, SEE DETAIL (2/CD1)
13. REMOVE AND DISPOSE EXIST. 30" ROLE TYPE C&G
14. CONSTRUCT 30" ROLE TYPE C&G PER USD #217,S1

LEGEND

SAWCUT AND REMOVE EXISTING AC PAVEMENT

ESTIMATED QUANTITIES	
AC PAVEMENT	80 SQFT
CURB AND GUTTER	8 LF

SDR-48465

PRJ-48348
03/12/13

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-4011

VERIFY SCALE
BAR REPRESENTS ONE AND ONE-HALF INCHES ON ORIGINAL

RENEWABLE ENERGY PROJECT, PHASE II

SITE PLAN

SCALE 1" = 50'

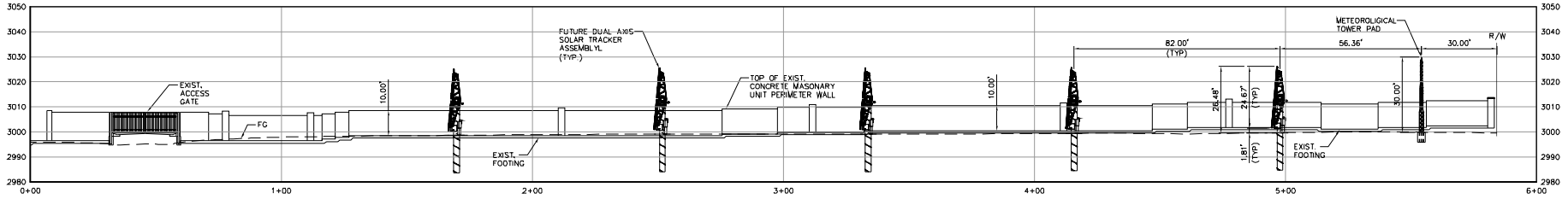
DRAWN BY: NAN
CHECKED BY: DAVID LEVINE
RECOMMENDED BY: JOSEPH Y. LIN
ACCEPTED BY: PETER J. JAUCH
DATE

100% SUBMITTAL

CONTRACT NUMBER
C1341

DRAWING NUMBER C1
SHEET 4 OF 14

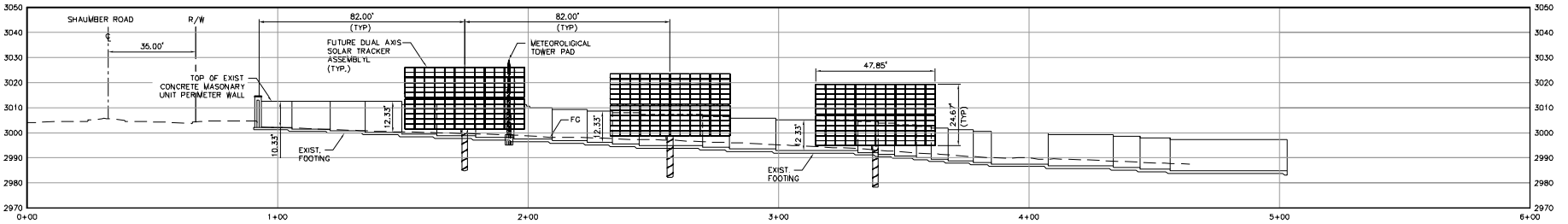
REVISIONS:



GRADING SECTION

A
C2

SCALE: VERT. 1" = 20'
HORZ. 1" = 20'



GRADING SECTION

B
C2

SCALE: VERT. 1" = 20'
HORZ. 1" = 20'

SDR-48456

PRJ-48348

03/12/13

Call before you OVERHEAD 1-702-227-2929

Call

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-4011

VERIFY SCALE
BAR REPRESENTS ONE AND ONE-HALF INCHES ON ORIGINAL

RENEWABLE ENERGY PROJECT, PHASE II

GRADING SECTIONS

SCALE 1" = 20'

DRAWN BY: NAN
CHECKED BY: DAVID LEVINE
RECOMMENDED BY: JOSEPH Y. LIN
ACCEPTED BY: PETER J. JAUCH
DATE

REVISIONS:

CONTRACT NUMBER

DRAWING NUMBER C2
SHEET 2 OF 2

L 6

Inst #: 201203220001050
Fees: $23.00
N/C Fee: $25.00
03/22/2012 09:13:40 AM
Receipt #: 1105154
Requestor:
LAS VEGAS VALLEY WATER DIST
Recorded By: MJM Pgs: 7
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN# 126-13-401-014
11-digit parcel number may be obtained at:
http://redrock.co.clark.nv.us/assrealprop/ownr.aspx

RIGHT-OF-WAY GRANT /
TEMPORARY USE PERMIT
Type of Document
(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested by:
LAS VEGAS VALLEY WATER DISTRICT

Return To:
Name LAS VEGAS VALLEY WATER DISTRICT
Address P.O. BOX 99956
City/State/Zip LAS VEGAS, NEVADA 89193-9956

This page added to provide additional information required by NRS 111.312 Section 1-2
(An additional recording fee of $1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

CS 02/07

PAGE 1 OF 6 N-6/4/12/C/

PRJ-48348
03/12/13

SDR-48456

Form 2800-14
(August 1985)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/~~TEMPORARY USE PERMIT~~

Issuing Office
Las Vegas Field Office
Serial Number
N-61412/C/

1. A (right-of-way) (~~permit~~) is hereby granted pursuant to:

   a. ■ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776 43 U.S.C. 1761);

   b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);

   c. ☐ Other (describe)_____.

2. Nature of Interest:

   a. By this instrument, the holder, Las Vegas Valley Water District, receives a right to operate, maintain, and terminate a water reservoir, pumping station and solar system with related appurtenance on public lands (~~or Federal land for MLA Rights-of-Way~~) described as follows:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
section 13, S½SE¼SW¼.

A map showing the location of the right-of-way is on file with the Bureau of Land Management, Las Vegas Field Office in casefile N-61412.

b. The right-of-way or permit area granted herein is N/A feet wide, N/A feet in length, and contains N/A acres, more or less. If a site type facility, the facility contains 20 acres.

c. This instrument shall be granted in perpetuity, unless prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument ☐ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. NOT APPLICABLE

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

(Continued on page 2)

PRJ-48348
03/12/13

SDR-48456

Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices. NOT APPLICABLE

4. Terms and Conditions:

a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.

b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 120 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.

c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

d. The stipulations, plans, maps, or designs set forth in Exhibits A, B and C dated MAR 0 1 202 are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Richard B. Holmes
Rick B. Holmes

Vanessa L. Hice
Assistant Field Manager
Division of Lands

Deputy General Manager
(Title)

(Title)

2/15/12
(Date)

3/1/12
(Effective Date of Grant)

PRJ-48348
03/12/13

SDR-48456

Exhibit A
Stipulations N-61412/C/

1. **General Stipulations**

1.1. The right-of-way is issued subject to all valid existing rights.

1.2. No signs of advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.

1.3. The right-of-way shall be maintained in a sanitary condition at all times. Waste materials at those sites shall be disposed of promptly at an approved waste disposal site. "Waste", as used in this paragraph, shall mean all discarded matter of any kind.

1.4. Holder shall mark the exterior boundaries of the right-of-way with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Holder. Holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

1.5. The Holder, as a political subdivision of the State of Nevada, shall be held liable in accordance with the provisions of 43 CFR 2807.13(a) which replaces 43 CFR 2803.1-5(f).

1.6. Holder shall conduct all activities associated with construction, operation, maintenance and termination of this right-of-way within its authorized limits.

1.7. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

1.8. Holder shall maintain copy of the authorization along with stipulations on construction site at all times. In the event that the public land underlying the right-of-way (N-87448), encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800][2880], including any rights to have the holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning

MAR 0 1 2012

SDR-48456

compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW Holder.

1.9. Within 90 days of construction completion, the Holder shall provide the Authorized Officer with data in a format compatible with the Bureau's Arc-Info Geographic Information System to accurately locate and identify the right-of-way:

Acceptable data formats are:
Corrected Global Positioning System files with sub-meter accuracy or better, in UTM NAD 83; Zone 11;
ARCGIS export files on a CD ROM, shapefile, geodatabase.

Data may be submitted in any of the following formats:
ARCGIS interchange, shapefile or geodatabase format.
CD ROM in compressed or uncompressed format.

All data shall include metadata for each coverage, and conform to the Content Standards for Digital Geospatial Metadata Federal Geographic Data Committee standards. Contact the GIS Department at (702) 515-5000.

2. **Air Quality**

2.1. The Holder shall not violate applicable air standards or related facility siting standards established by or pursuant to applicable federal, state, or local laws or regulations. The Holder shall be responsible for dust abatement within the limits of the right-of-way and is responsible for obtaining all necessary permits from appropriate authorities for acceptable dust abatement and control methods (e.g., water, chemicals). The Holder shall be solely responsible for all violations of any air quality permit, law or regulation, as a result of its action, inaction, use or occupancy of the right-of-way.

Notwithstanding whether a violation of any air quality permit, law or regulation results, the Holder will cooperate with the Authorized Officer in implementing and maintaining reasonable and appropriate dust control methods in conformance with law and appropriate to the circumstances at the sole cost of the Holder.

Prior to relinquishment, abandonment, or termination of this right-of-way, the Holder shall apply reasonable and appropriate dust abatement and control measures to all disturbed areas. The abatement and measures shall be designed to be effective over the long-term (e.g., rock mulch or other means) and acceptable to the Authorized Officer.

2.2. During excavation, backfilling, and contouring, the disturbed soil should be wetted sufficiently in order to effectively reduce airborne dust and reduce soil erosion.

3. **Cultural**

3.1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf on public or Federal lands

SDR-48456

shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation. Any decision regarding suitable mitigation measures will be made by the Authorized Officer after consulting with the Holder. Holder shall be responsible for the resultant mitigation costs.

4. **Hazardous Material/Pesticides/Liability**

4.1 If any hazardous material will used, the product, stored, or transported on or within the right-of-way area or facilities located thereon, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities, the Holder shall submit a Plan of Development in accordance with the requirements enumerated in the BLM Handbook 2801-1.

5. **Mineral Material**

5.1 Mineral material generated, and not needed for the development of the proposed action within the right-of-way site, requires a specific BLM use authorization in accordance with regulations at 43 CFR 3600 prior to the removal of in place excess mineral material.

6. **Survey Monuments**

6.1. Holder shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations, the holder shall secure the services of a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and Nevada Revised Statutes, Chapter 329, Perpetuation of Corners. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the holder shall be responsible for the survey cost.

7. **Vegetation/Noxious Weeds/Land surface Treatment/Soil/Water/Riparian**

7.1. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the right-of-way stipulations.

MAR 0 1 2012

SDR-48456

7.2. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

7.3. Land surface treatment for areas previously undisturbed: Strip the top three to six inches of soil material with associated plant material over all surfaces to be disturbed by construction. Stockpile this material along the course of construction will be salvaged and transplanted out of harm's way but still within the right of way. At the conclusion, including trench backfilling and compaction, replace the stockpiled soil with plant debris uniformly back on the surface of the disturbed area.

7.4. Soil/Water/Riparian: If work is to occur in Ephemeral channels, need to consult with Army Corp of Engineers (ACOE) and Nevada Department of Environmental Protection (NDEP). If drilling boreholes, holder needs to follow Nevada Administrative Code (NAC) protocols for drilling.

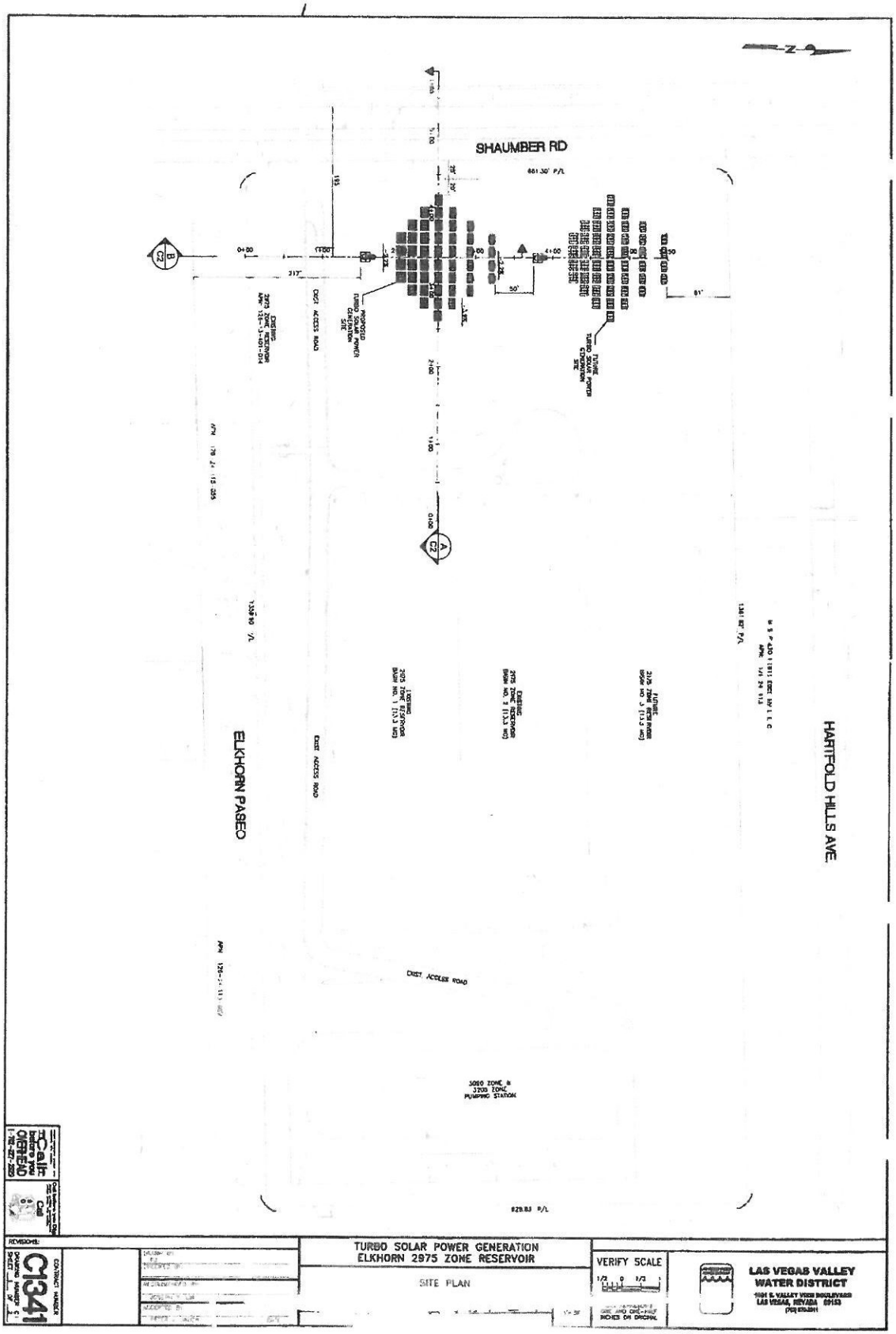
8. **Migratory Birds**

8.1. The Holder agrees to survey for nests of migratory birds between the periods of March 15 through July 30, and should a nesting be found the Holder will use a properly qualified personnel, as agreed upon by BLM and the Holder, to avoid the nest or minimize adverse impact to the nest and nestling, including relocation of the nest if appropriate. The Holder will consult with the Authorized Office on a case by case basis to determine the appropriate minimization efforts.

9. **Threatened and Endangered Wildlife and Plant Species Stipulations**

9.1. The Holder will comply with the terms and conditions of the **Biological Opinion, File No. 1-5-96-F-023R.3 for the Las Vegas Valley** on file at the Bureau of Land Management, Las Vegas Field Office.

MAR 0 1 2012

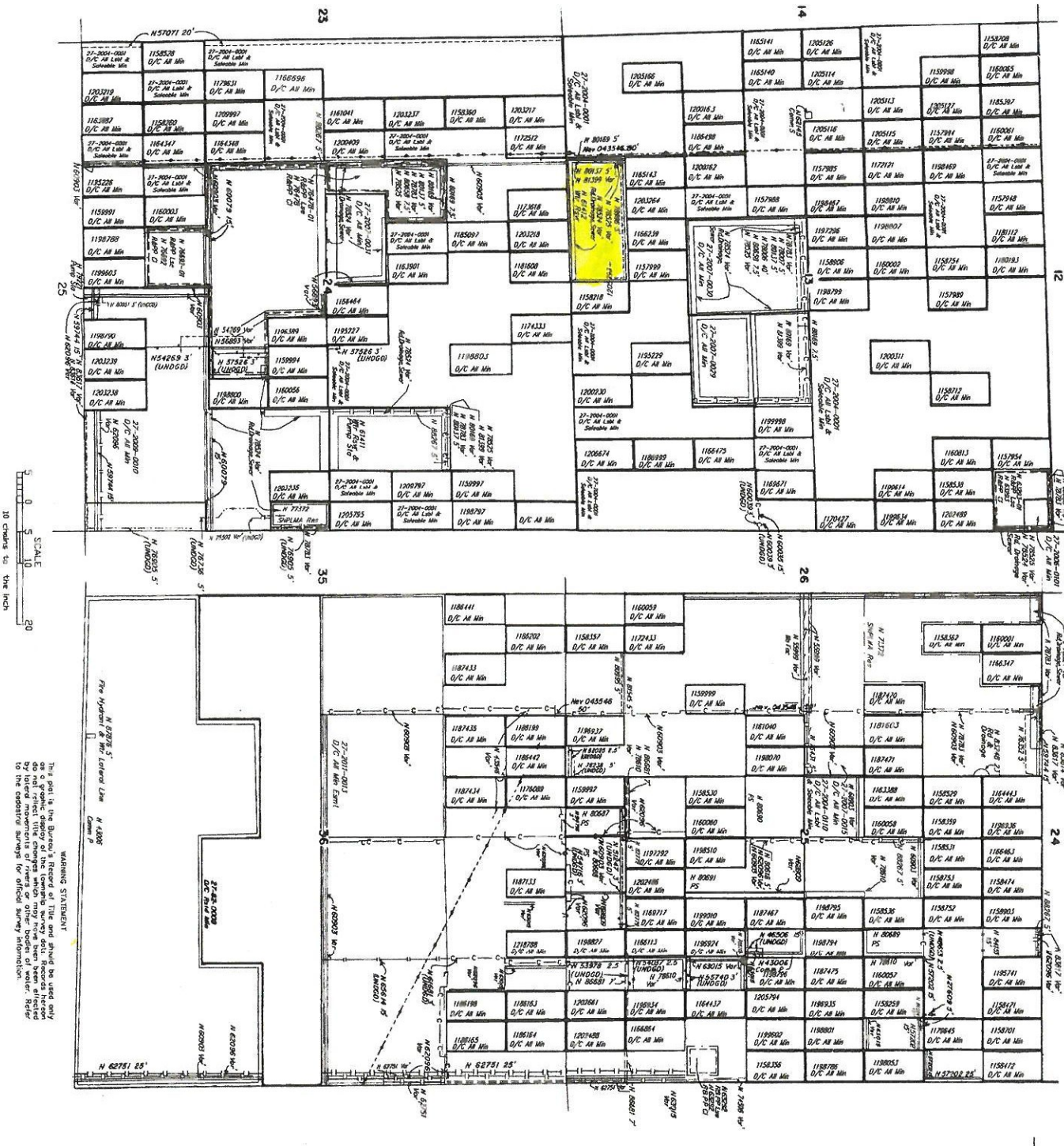


N-61412/C/ Exhibit B

MDM, T. 19 S., R. 59 E.,
sec. 13, S½SE¼SW¼.

Approximately 20 acres

SDR-48456
MAP 01 2012
PRJ-48348
03/12/13


TOWNSHIP 19 SOUTH RANGE 59 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA
STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES
MT PLAT
Suppl Sec 13,24,25,36
INDEX TO SEGREGATED TRACTS
RESURVEY
ORIGINAL SURVEY
TRACT NO
T
R
SEC
SUBDIVISION
WARNING STATEMENT
SCALE
10 chains to the inch
N57071 20'
N 62751 25'
N 62781 25'
N 63715 Var
N 63708 Var
N 63714 Var
N 63717 Var
N 63719 Var
N 63720 Var
N 63721 Var
N 63722 Var
N 63723 Var
N 63724 Var
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N 63726 Var
N 63727 Var
N 63728 Var
N 63729 Var
N 63730 Var
N 63731 Var
N

SDR-48456 – APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA
7210 SHAUMBER ROAD

02/28/13

SDR-48456 – APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA
7210 SHAUMBER ROAD

02/28/13

LAS VEGAS VALLEY
WATER DISTRICT

February 21, 2013

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

SUBJECT: CONTRACT NO. C1341 – RENEWABLE ENERGY PROJECT, PHASE II, REQUEST FOR SITE DEVELOPMENT PLAN REVIEW AMENDMENT (SDR-41591)

The Las Vegas Valley Water District (District) is in the process of designing renewable energy facilities on a portion of 20.69 acres of Bureau of Land Management land (Right-of-Way Grant N-61412) located at the northeast corner of Shaumber Road and the Elkhorn Road alignment (APN: 126-13-401-014). The District will install infrastructure to provide Sandia National Laboratories with a fully functional Nevada Regional Test Center (NRTC) at the District's Elkhorn 2975 Zone Reservoir site, located at 7210 Shaumber Road, Las Vegas, Nevada. The NRTC will be approximately four acres in size, located on the western-most portion of the site.

The NRTC will include monitoring and testing equipment on the site that will be housed to provide protection from the weather. Additionally, the NRTC will include provisions for daily collection of weather data on the site.

Site infrastructure will include a 480 volt, 3-phase service transformer for each photovoltaic test vendor to connect to the power grid, up to a total of 300 kVA. Auxiliary power infrastructure will also be provided and will consist of 120/240 volt single-phase service used for monitoring and communications equipment, and maintenance and construction power.

At this time, the District respectfully requests Site Development Plan Review SDR-41591, previously approved by the City of Las Vegas Planning Commission on June 14, 2011, be amended to replace the 93-foot tall solar collector tower with multiple solar collectors no larger than 30 feet tall by 48 feet wide sola panels and a 30-foot tall weather collection tower. The western property line is bounded by Shaumber Roa and the southern property line is bounded by a 70-foot wide paseo, minimizing the impact on the surrounding residential development. The perimeter walls are of varying height and are constructed of natural finish cement masonry units; wall dimensions are shown on the exhibit drawings. The installation will be maintained by way of washing of the panels every six weeks with a typical garden hose. Access will be limited through a locked gate, as indicated on the plans.

The project is scheduled to begin construction in spring 2013 and to be completed in mid-2013.

If you have any questions, or require additional information, please contact Joseph Lin, Engineering Project Manager, at (702) 875-7062.

Sincerely,

Peter J. Jauch, P.E.
Manager
Engineering Design Division

PJJ:JYL:DML:jlr
Attachments

SDR-48456
PRJ-48348
03/12/13

LAS VEGAS VALLEY WATER DISTRICT

PEOPLE LEADING THE WAY

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I LIKE THE IDEA OF RENEWABLE ENERGY IN NEVADA, HOWEVER, THIS TEST FACILITY SHOULD NOT BE BUILT AT THIS LOCATION.

THIS FACILITY WILL DECREASE PROPERTY VALUES TODAY AND IN THE FUTURE AND SHOULD NOT BE BUILT IN A NEW RESIDENTIAL AREA.

THE EQUIPMENT WILL BE VISABLE AND AN EYE SORE TO ANYONE LIVING OR POSSIBLE PURCHASING A HOME HERE.

IN ADDITION, THIS FACILITY MAY GENERATE ADDITIONAL NOISE CAUSED BY PA SYSTEMS OR ADDITIONAL CONTRUCTION & MAINTENANCE TRAFFIC & OPERATIONS.

PLEASE FIND ANOTHER LOCATION FOR THIS PROJECT. THERE IS SO MUCH OPEN LAND IN NEVADA. WHY WOULD YOU BUILD THIS IS A RESIDENTIAL AREA?

Name MICHAEL P. SMITH
Email LASVEGASMICHAEL@yahoo.com

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I AM NOT FAVORABLE OF THIS SOLAR PROJECT IN OUR NEIGHBORHOOD. IT CANT DO ANYTHING POSITIVE FOR OUR INDIVIDUAL HOME VALUES. THE HOME OWNERS ARE NOT GETTING ANY BENEFITS FROM THIS PROJECT IN A "NEWER" HOUSING DEVELOPMENT. I AM IN FAVOR OF RENEWABLE ENERGY BUT I DONT WANT IT IN MY NEIGHBORHOOD AND MY NEIGHBORS DONT LIKE IDEA EITHER. I DID NOT BUY THIS HOUSE 2.5 YEARS AGO TO CONTEMPLATE SELLING IT AT A MAJOR LOSS JUST BECAUSE OF A SOLAR PROJECT THAT REDUCED MY HOME VALUES. I DRIVE A HYBRID THAT GETS 46 MPG. I SUPPORT ALTERNATIVE ENERGY BUT I JUST THINK SOLAR IN OUR NEIGHBORHOOD IS THE WAY TO GO. I AM SORRY. I THINK A HUGE SOLAR "FIELD" WOULD BE MORE PRODUCTIVE, INFORMATIVE, INFORMATION GATHERING THAN A SMALL ONE. THANK YOU FOR YOUR TIME.

Name MIKE MONTGOMERY
Email gtaduece@yahoo.com

LAS VEGAS VALLEY WATER DISTRICT

PEOPLE LEADING THE WAY

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I am extremely concerned that this project as currently proposed (with one 33' tower and up to 12 27' x 45' panels) will be an eyesore in our community in Providence, and will cause a decrease in our home values in the entire Providence community.

Although I am concerned about our environment, I would rather not see this happen in Providence at all due to these concerns.

However, if there were much smaller panels that were not visible as we walk through our promenade, and drive through our neighborhood in Providence, I would be far less resistant to this project. Also, there should be no more than one tower of 33' in height or less used for the entire project.

I am a fan of the idea of renewable energy, but I am not a fan of the appearance of the panels and towers.

Name Mar Montgomery

Email marmarmar72@yahoo.com

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 9, 2013

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

SUBJECT:
TXT-48482 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.12.070 and 19.18.020 regarding the Beer/Wine/Cooler On-Sale Establishment use by revising the description, requirements and definition to update regulations associated with the use and to provide for other related matters. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-48482	Staff has NO RECOMMENDATION.	N/A

** PROPOSED AMENDMENT **

1. Title 19.12.070, Permissible Uses – Permissible Use Descriptions and Applicable Conditions and Requirements, is hereby amended by amending the description for the "Beer/Wine/Cooler On-Sale Establishment" entry as follows:

   Description: 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~~.

2. Title 19.18.020, Definitions & Measures – Words and Terms Defined, is hereby amended by amending the definition of the "Beer/Wine/Cooler On-Sale Establishment" term as follows:

   Beer/Wine/Cooler On-Sale Establishment. 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 thirty or more people may be served with meals at any one time at tables or stools~~.

RTS

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend LVMC 19.12.070 and 19.18.020 regarding the Beer/Wine/Cooler On-Sale Establishment use by revising the description, requirements and definition to update regulations associated with the use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/13/11	The Planning Commission recommended adoption of a Text Amendment (TXT-41699) regarding revising the name, description and requirements for the Supper Club use as part of a larger set of changes to the City's liquor code.
03/20/13	Bill 2013-14 was introduced to City Council to establish the Beer and Wine Room license category. A public hearing on the bill is anticipated on April 2nd and the bill would be eligible for adoption April 17th.

Since early 2011 the Department of Planning has been actively working to clarify and streamline the number of alcohol related uses and license categories detailed in Titles 6 (Business Taxes, Licenses and Regulations) and 19 (Unified Development Code). As part of these on-going efforts, additional proposed changes are being prepared for Planning Commission (Title 19) and City Council (Titles 6 and 19) review and consideration.

ANALYSIS

The amendment as proposed would modify the description and definition of the "Beer/Wine/Cooler On-Sale Establishment" use to allow the associated land use to apply more generally to any establishment that sells beer, wine or coolers for consumption on the premises of the establishment by elimination of the language limiting the use to a restaurant meeting certain requirements. This change will allow a number of businesses that qualify for any one of a number of alcohol related business licenses under current and in process license categories to obtain a land use entitlement for the on premise consumption of beer, wine or coolers via the Special Use Permit provisions of Title 19 to the extent that the license allows. For example, under the proposed modification to the use description/definition a location entitled as a Beer/Wine/Cooler On-Sale Establishment could get a Beer/Wine/Cooler On-Sale license, currently limited to restaurants, or, once adopted by City Council, the new Beer and Wine Room license. Each of these licenses has their own definitions and licensing requirements and limitations but would be consistent with the amended Beer/Wine/Cooler On-Sale Establishment land use.

The current limitation encapsulated in the Beer/Wine/Cooler On-Sale Establishment use's description and definition with regard to being 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 thirty or more people may be served with meals at any one time at tables or stools" is addressed by the current Chapter 6.50 requirements for the Beer/Wine/Cooler On-Sale Establishment license as indicated below:

> **6.50.050 Alcoholic Beverage License – Beer/Wine/Cooler On-Sale**
>
> A beer/wine/cooler on-sale license authorizes the sale only of beer, wine and coolers for consumption only in connection with and during the consumption of a meal on the premises where the same is sold, and where such beverages are served by the licensee or an authorized employee of the licensee. Such a license may be issued only in connection with a restaurant, and the actual seating available at all times for the service of meals (whether at tables, counters or booths) must accommodate at least thirty persons.

The modified description and definition will also facilitate other changes to the use and licensing regulations being examined for the future such as consolidating the Beer/Wine/Cooler Art Event license and other on premise categories under the Beer/Wine/Cooler On-Sale Establishment land use.

FINDINGS

The proposed text amendment is intended to achieve the following:

- Generalize the Beer/Wine/Cooler On-Sale Establishment land use to any establishment that sells beer, wine, or cooler for on premise consumption while maintaining business activity limitations specific to the business via the business licensing provisions under Title 6;

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 9, 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