**Carolyn G. Goodman, Mayor (At-Large)**
**Michele Fiore, Mayor Pro Tem (Ward 6)**
**Brian Knudsen (Ward 1)**
**Victoria Seaman (Ward 2)**
**Olivia Diaz (Ward 3)**
**Stavros S. Anthony (Ward 4)**
**Cedric Crear (Ward 5)**

**City Manager Scott Adams**
**City Attorney Bradford R. Jerbic**
**City Clerk LuAnn D. Holmes**

# City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

**March 18, 2020**
**9:00 AM**
**A lunch break may be taken at the discretion of the Mayor.**

Items listed on the agenda may be taken out of the order presented; two or more agenda items for consideration may be combined; and any item on the agenda may be removed or related discussion may be delayed at any time. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

The Mayor and City Council welcome your attendance, public comment related to the items on the agenda and citizen participation on items under the jurisdiction of the City Council at this meeting. If you wish to speak, we respectfully ask you to complete and submit a speaker card to the City Clerk. Cards are available online, in the Clerk's Office or at the front of the Chambers as you enter.

These proceedings are being video recorded as well as presented live on KCLV, Cable Channel 2, and are Closed Captioned for our hearing impaired viewers. Please note customers of Centurylink and Cox Communications can view this program in High Definition on Channel 1002. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. The proceedings will be rebroadcast on KCLV Channel 2 and the web the Wednesday of the meeting at 8:00 PM, and also on Friday at 4:00 AM, Saturday at 7:00 PM, Sunday at 7:00 AM and the following Monday at 5:00 PM.

Note: Cellular phones are to be turned off during the Council Meeting.

## CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Pastor Jason Adams, Reformation Lutheran Church
4. Pledge of Allegiance

5. Recognition of the Las Vegas Mayor's Cup International Showcase Local Winners

6. Recognition of Patricia Cunningham

7. Recognition of the Maniakz Cheer Teams

## BUSINESS ITEMS - 9 A.M. SESSION

## PUBLIC COMMENT

8. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

## BUSINESS ITEMS - 9 A.M. Session

9. For Possible Action - Any items from the 9 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

10. For possible action to approve the Final Minutes by reference of the February 5 and 19, 2020 Regular City Council Meetings

## CONSENT AGENDA

**Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.**

## CITY ATTORNEY - CONSENT

11. For possible action to approve consulting services for East Fremont Street Revitalization relating to architecture and revitalization of East Fremont Street and the surrounding downtown vicinity - Award recommended to CivicVisions LP (Not-to-Exceed $110,000 - General Fund) - Wards 3 and 5 (Diaz and Crear)

## COMMUNITY SERVICES - CONSENT

12. For possible action to approve the allocation of $1,400,000 of HOME Investment Partnerships Program Grant Funds and Account for Affordable Housing Trust Funds (AAHTF) to Nevada HAND, for the construction of Decatur / Alta Phase 1 Senior Apartments located at 400 South Decatur Boulevard, APN 138-36-601-009 - Ward 1 (Knudsen)

13. For possible action to approve the Regional Analysis of Impediments to Fair Housing 2020 that was created in collaboration with Clark County and the cities of Henderson, North Las Vegas, Mesquite, and Boulder City as a requirement by the US Department of Housing and Urban Development (HUD) for Office of Community Services to continue receiving the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Housing Opportunities for Persons with AIDS (HOPWA) and Emergency Solutions Grant (ESG) - All Wards

## ECONOMIC AND URBAN DEVELOPMENT - CONSENT

14. For possible action to approve a Special Use Permit between the City of Las Vegas and the State of Nevada granting the use of the Grant Sawyer Building employee parking area, located at 555 East Washington Avenue, for control and use of overflow parking (a portion of APN 139-26-201-012) - Ward 5 (Crear)

## FINANCE - PURCHASING AND CONTRACTS - CONSENT

15. For possible action to approve award of Contract No. 200093-PH, State Legislative Representative Services - Office of Government and Community Affairs - Award recommended to: THE FERRARO GROUP (Not-to-Exceed $236,000 per Two-Year Term - General Fund)

16. For possible action to approve award of Contract No. 200180-SK, Blanket Services Contract for Construction Manager As Agent and Staff Augmentation Services - Department of Public Works - Award recommended to: DIVERSIFIED CONSULTING SERVICES, INC. (Not-to-Exceed $1,600,000 - Various Funds)

17. For possible action to approve award of Sales Agreement for the Refurbishment of Vintage Motel Signs on East Fremont Street - 8th Street through 14th Street - Office of the City Attorney - Award recommended to: VISION SIGN INC. (Not-to-Exceed $176,710 - General Capital Project Fund) - Ward 3 (Diaz)

## OFFICE OF GOVERNMENT AND COMMUNITY AFFAIRS - CONSENT

18. For possible action to approve the ratification of Karl Catarata in a Council support position as a Special Assistant to Council in the Ward 1 office ($63,203 + Benefits - General Fund) - Ward 1 (Knudsen)

19. For possible action to approve the ratification of Kasim Hakim in a Council support position as a Special Assistant to Council in the Ward 2 office ($59,625 + Benefits - General Fund) - Ward 2 (Seaman)

## OPERATIONS AND MAINTENANCE - CONSENT

20. For possible action to approve an Application For Land For Recreation or Public Purposes from the Bureau of Land Management (BLM) to lease approximately 135 acres of land for the future Northwest Regional Park located in the vicinity of North Skye Canyon Park Drive and Log Cabin Way, APN's 125-05-101-004, 125-05-201-002, -003 and -004 ($100 - General Fund) - Ward 6 (Fiore)

21. For possible action to approve an Interlocal Contract between the City of Las Vegas and the Clark County School District for the sale of surplus personal property consisting of a 400 square-foot modular located at 4291 Pennwood Avenue, commonly known as Ed W. Clark High School - Ward 1 (Knudsen)

## PLANNING - BUSINESS LICENSING - CONSENT

22. For possible action to approve a Tavern-Limited License for NEVADA BREW WORKS, LLC dba NEVADA BREW WORKS at 1327 South Main Street, Suite #160 [Jason Nicholas Taylor, Managing Member] - Ward 3 (Diaz)

23. For possible action to approve an Ancillary Brew Pub License for NEVADA BREW WORKS, LLC dba NEVADA BREW WORKS at 1327 South Main Street, Suite #160 [Jason Nicholas Taylor, Managing Member] - Ward 3 (Diaz)

24. For possible action to approve a Temporary Alcoholic Beverage Caterer License for ROLLIN SPIRITS, LLC dba ROLLIN SPIRITS at 5000 West Oakey Boulevard, Suite D20 - Ward 1 (Knudsen)

25. For possible action to approve a new Beer/Wine/Cooler Off-Sale License for FAYMAG, LLC dba LAKE MINI MARKET at 2934 Lake East Drive - Ward 2 (Seaman)

26. For possible action to approve a Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: GIANNI HOLDINGS, LLC TO: P & K SIAM, LLC dba SECRET OF SIAM at 5705 Centennial Center Boulevard, Suite #170 [Khavi Weller, Managing Member] - Ward 6 (Fiore)

27. For possible action to approve a Two-Day Opening for a Non-Restricted Gaming License for FIFTH STREET GAMING, LLC dba FIFTH STREET GAMING, LLC db at GOLD SPIKE HOTEL at 217 North Las Vegas Boulevard - Ward 5 (Crear)

## PUBLIC WORKS - CONSENT

28. For possible action to approve Interlocal Contract 1167 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Northwest Area Intelligent Transportation System (ITS) Improvements Project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

29. For possible action to approve Supplemental Interlocal Contract No. 1 - 1132a between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering and construction for the Arterial Reconstruction: Fiscal Year 2020 City of Las Vegas Maintenance (Package 8) Project located at various locations ($2,000,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

30. For possible action to approve Supplemental Interlocal Contract No. 4 - 1027d between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering and construction for the Arterial Reconstruction: Fiscal Year 2019 City of Las Vegas Maintenance (Package 7) Project located at various locations ($6,500,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

31. For possible action to approve Interlocal Contract 1168 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Martin L. King Boulevard Extension, Oakey Boulevard to Desert Inn Road Project ($3,000,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)

32. For possible action to approve Supplemental Interlocal Contract No. 2 - 883b between the City of Las Vegas (CLV), Clark County (County) and the Regional Transportation Commission of Southern Nevada (RTC) for construction for the Desert Inn Road, Nellis Boulevard to Hollywood Boulevard Project - Clark County

## RESOLUTIONS - CONSENT

33. R-11-2020 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Owner Participation Agreement (OPA) between the RDA and WSP USA Inc., (Owner) located on the twelfth floor of the Bank of America Plaza, at 300 South Fourth Street for the installation of tenant improvements in a 11,818 square foot office space to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area - Ward 3 (Diaz) [NOTE: This item is related to RDA Item 5 (RA-4-2020)]

# DISCUSSION/ACTION ITEMS

## BOARDS AND COMMISSIONS - DISCUSSION

34. Discussion for possible action regarding the appointment of nominee Micaela Keller to a Ward 3 seat of the Parks and Recreation Advisory Commission

## RECOMMENDING COMMITTEE REPORT - DISCUSSION

## BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

35. Bill No. 2020-4 - For possible action - Annexation No. ANX-78110 - Property location: the southwest corner of Tee Pee Lane and Centennial Parkway; Petitioned by: Threshold Capital, LLC; Acreage: 5.06 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore

36. Bill No. 2020-5 - For possible action - Amends LVMC Chapter 6.50, related to the licensing of alcoholic beverage establishments, to update provisions regarding the removal of bottles of wine from certain types of establishments. Sponsored by: Councilman Stavros S. Anthony

37. Bill No. 2020-6 - For possible action - Continues to authorize, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses to be established within the Las Vegas Medical District, and adds to the list of qualifying businesses an establishment with a tavern-limited alcoholic beverage license. Sponsored by: Councilman Brian Knudsen

38. Bill No. 2020-7 - For possible action - Amends LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, and amends various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments. Sponsored by: Councilman Brian Knudsen

## NEW BILLS

**There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.**

39. Bill No. 2020-8 - Adopts that certain document entitled “First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community,” regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning

40. Bill No. 2020-9 - Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter. Proposed by: Robert Summerfield, Director of Planning

# NOT TO BE HEARD BEFORE 10 A.M. - 41 THROUGH 65

## BUSINESS ITEMS - 10 A.M. Session

41. Any items from the 10 a.m. session that the Council, 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.

## PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

## PLANNING - CONSENT

PM Session – All items listed on the Consent Agenda are considered to be routine and have been recommended “for approval”. All items on the consent agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the Discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

42. EOT-78164 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC. - For possible action on a request for a first Extension of Time for an approved Variance (VAR-72050) TO ALLOW A TWO-FOOT REAR YARD SETBACK WHERE 50 FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

43. EOT-78163 - EXTENSION OF TIME RELATED TO EOT-78164 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC. - For possible action on a request for a first Extension of Time for an approved Site Development Plan Review (SDR-71856) FOR A PROPOSED DELIVERY AND SERVICE VEHICLE STORAGE DEVELOPMENT WITH A 4,500 SQUARE-FOOT BUILDING WITH WAIVERS TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH, WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

44. EOT-78318 - EXTENSION OF TIME - VARIANCE - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY - For possible action on a request for a first Extension of Time of an approved Variance (VAR-72144) TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE INTERIOR PROPERTY LINES AND ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, A 10-FOOT BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED AND NO PERIMETER BUFFER TREES ALONG THE WEST, SOUTH AND EAST PROPERTY LINES WHERE 67 TREES ARE REQUIRED FOR AN APPROVED PARKING LOT on a portion of 3.80 acres at 1300 Pauline Way (APNs 162-02-203-007 and 162-02-101-001), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

45. EOT-78320 - EXTENSION OF TIME RELATED TO EOT-78318 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY, ET AL - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-72145) FOR THE PROPOSED RECONFIGURATION OF THE ONSITE PARKING LOT AND IMPROVEMENTS TO AN EXISTING OFFSITE PARKING LOT AT AN EXISTING SCHOOL on a portion of 9.96 acres at 1300 Pauline Way (APNs 162-02-203-007, 162-02-101-001, 162-02-501-003 and 162-02-601-002), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

**PLANNING - ONE MOTION/ONE VOTE**

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items. All public hearing and non-public hearing items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council 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.

46. SUP-78135 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC - For possible action on a request for a Special Use Permit FOR A 1,235 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH 3,880 SQUARE FEET OF OUTDOOR SEATING AREA at 623 South 4th Street (APN 139-34-311-138), C-1 (Limited Commercial) Zone under resolution of intent to C-2 (General Commercial), Ward 3 (Diaz) [PRJ-78123]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

47. DIR-78185 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL - For possible action on a request for AN AMENDMENT TO SECTION 7.06 OF THE FIFTH AMENDMENT AND RESTATEMENT OF THE SKYE CANYON DEVELOPMENT AGREEMENT on approximately 1,032 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive (APNs Multiple), Ward 6 (Fiore) [PRJ-78186]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

**PLANNING - DISCUSSION**

48. VAR-76939 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO ALLOW 23 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

49. VAR-76940 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-76939 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO

ALLOW A 90-FOOT RESIDENTIAL ADJACENCY SETBACK FROM THE SOUTH PROPERTY LINE WHERE 138 FEET IS REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

50. SDR-76941 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76939 AND VAR-76940 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,031 SQUARE-FOOT COMMERCIAL SHELL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

51. VAR-77932 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE AND REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AN EXISTING 720 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE 514 SQUARE FEET IS THE MAXIMUM ALLOWED; A FIVE-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AND TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHED] THAT ARE NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY RESIDENCE WHERE SUCH IS REQUIRED on 0.14 acres at 1916 Constantine Avenue (APN 139-26-711-072), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77847]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

52. ROC-78044 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WALMART STORES, INC. - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST - For possible action on a request for a Review of Condition of an approved Special Use Permit (SUP-3815) TO REMOVE CONDITION NUMBER 6 WHICH STATES, "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO AN AREA NOT TO EXCEED 10% OF THE RETAIL FLOOR SPACE OF THE MARKET" AND TO REMOVE CONDITION NUMBER 7 WHICH STATES, "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" on 4.31 acres at 6310 West Charleston Boulevard (APN 138-35-816-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78041]. Staff recommends DENIAL.

53. SUP-77365 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC - For possible action on an Appeal of the Approval by the Planning Commission on a request for a Special Use Permit FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

54. SDR-77366 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77365 - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC - For possible action on an Appeal of the Approval by the Planning Commission on a request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

55. VAR-78088 - VARIANCE - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Variance TO ALLOW A ROOF SIGN, WALL SIGNS AND MARQUEE SIGNS TO COVER 100 PERCENT OF THE BUILDING ELEVATION WHERE 20 IS THE MAXIMUM ALLOWED; AND TO ALLOW A NINE-FOOT TALL ROOF SIGN WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

56. SUP-77686 - SPECIAL USE PERMIT RELATED TO VAR-78088 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Special Use Permit

FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

57. MSP-77687 - MASTER SIGN PLAN RELATED TO VAR-78088 AND SUP-77686 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Major Amendment to an existing Master Sign Plan (MSP-0004-02) FOR A PROPOSED LED DISPLAY ROOF SIGN at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

58. SDR-77688 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-78088, SUP-77686 AND MSP-77687 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 250 SQUARE-FOOT RESTAURANT on 1.11 acres at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

59. VAR-78137 - VARIANCE - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW NO OFFSITE IMPROVEMENTS ON VIRGINIA CITY AVENUE WHERE SUCH ARE REQUIRED on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-77865]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

60. VAR-78142 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ERIC H. WOODS - For possible action on a request for a Variance TO ALLOW A 28-FOOT TALL FREESTANDING SIGN WHERE 20 FEET IS THE MAXIMUM ALLOWED, A 298 SQUARE-FOOT SIGN AREA WHERE 100 SQUARE FEET IS THE MAXIMUM ALLOWED AND A 140-FOOT SEPARATION FROM AN EXISTING RESIDENTIAL PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED FREESTANDING SIGN WITH VISIBLE INTERNAL AND EXTERNAL ILLUMINATION AND TO ALLOW AN ELECTRONIC MESSAGE UNIT WHERE SUCH IS PROHIBITED on 1.10 acres at 2055 West Charleston Boulevard (APN 162-04-116-001), C-D (Designed Commercial) Zone, Ward 1 (Knudsen) [PRJ-78122]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

61. VAR-78073 - VARIANCE - PUBLIC HEARING - APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST - For possible action on a request for an Appeal of the Denial by the Planning Commission on a request for a Variance TO ALLOW A ZERO-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED; AN ACCESSORY STRUCTURE THAT IS NOT AESTHETICALLY COMPATIBLE AND IN FRONT OF THE MAIN BUILDING WHERE SUCH IS PROHIBITED FOR A PROPOSED 237 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.14 acres at 1425 Norman Avenue (APN 162-02-115-071), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77823]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

62. SUP-78107 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: MBSB NV-TX HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,160 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW AN EIGHT-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,160 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 3149 North Rancho Drive, Suite D (APN 138-13-511-002), C-2 (General Commercial), Ward 5 (Crear) [PRJ-78045]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

63. SUP-78109 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,170 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,170 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW

SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 1942 East Sahara Avenue, Suite A (APN 162-02-811-116), C-1 (Limited Commercial), Ward 3 (Diaz) [PRJ-78046]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

64. SUP-78144 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GAS STATION LOT, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,450 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 343-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2051 East Sahara Avenue (APN 162-02-811-209), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78126]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

65. ROC-78317 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC - For possible action on a request for a Review of Condition of an approved Petition to Vacate (VAC-75859) the north half of Darling Road east of Hualapai Way TO REMOVE CONDITION NUMBER 2, WHICH STATES, "A CLARK COUNTY ORDER OF VACATION TO REMOVE ADJACENT CLARK COUNTY RIGHTS-OF-WAY AND PATENT EASEMENTS SO THAT NO 'ORPHAN' DEDICATION OR PATENT EASEMENT IN CLARK COUNTY REMAINS SHALL RECORD CONCURRENT WITH THIS ORDER OF VACATION UNLESS SPECIFICALLY ALLOWED IN WRITING BY CLARK COUNTY," Ward 6 (Fiore) [PRJ-78275]. Staff recommends DENIAL.

## REPORTS AND PRESENTATIONS

66. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

67. Report from Brad Jerbic, City Attorney, regarding an update on the purchase, sale and assignment of the Huntridge Theater and four related parcels of real property located at the southeast corner of East Charleston Boulevard and South Maryland Parkway - Ward 3 (Diaz)

## SET DATE

68. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

## CITIZENS PARTICIPATION

69. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

## COUNCIL MEMBER RECOGNITION

70. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

**********

This meeting has been properly noticed and posted at the following locations:
City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**1**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Call to Order

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**2**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Announcement Regarding: Compliance with Open Meeting Law

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**3**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Invocation - Pastor Jason Adams, Reformation Lutheran Church

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**4**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Pledge of Allegiance

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**5**

**DEPARTMENT: Communications** **Ceremonial**
**DIRECTOR: David Riggleman**

**SUBJECT:**
Recognition of the Las Vegas Mayor's Cup International Showcase Local Winners

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**6**

**DEPARTMENT: Communications** **Ceremonial**
**DIRECTOR: David Riggleman**

**SUBJECT:**
Recognition of Patricia Cunningham

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**7**

**DEPARTMENT: Communications** **Ceremonial**
**DIRECTOR: David Riggleman**

**SUBJECT:**
Recognition of the Maniakz Cheer Teams

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**8**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**9**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
For Possible Action - Any items from the 9 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**10**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
For possible action to approve the Final Minutes by reference of the February 5 and 19, 2020 Regular City Council Meetings

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**11**

**DEPARTMENT: City Attorney** **CONSENT**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
For possible action to approve consulting services for East Fremont Street Revitalization relating to architecture and revitalization of East Fremont Street and the surrounding downtown vicinity - Award recommended to CivicVisions LP (Not-to-Exceed $110,000 - General Fund) - Wards 3 and 5 (Diaz and Crear)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $110,000
Funding Source: General Fund
Dept./Division: City Attorney

**PURPOSE/BACKGROUND:**
As part of the Vision 2045 Downtown Las Vegas Master Plan and Project Enchilada, the City is proposing a multi-faceted project for the downtown area. Phase 1 of the project involved on-going significant improvements to East Fremont Street from Las Vegas Boulevard to Fourteenth Street. This contact addresses work related to the revitalization of the mid-century modern hotel fabric of East Fremont Street and advice regarding comparable models of urban revitalization and preservation for the surrounding downtown vicinity.

**RECOMMENDATION:**
Approve as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

**BACKUP DOCUMENTATION:**
1. CivicVisions LP Engagement Letter and Standard Terms and Conditions

CivicVisions LP
Civic Identity from Cultural Values

Susan Nigra Snyder
George E. Thomas, Ph.D.

238 South 21st Street
Philadelphia, PA 19103
215.563.1555

12.27.19

sent via email

Mr. Bradford Jerbic
City Attorney
495 S. Main Street, 6th Floor
Las Vegas, NV 89101

Re: Project Enchilada & East Fremont Street Revitalization

Dear Mr. Jerbic,

We are pleased to continue advising the City of Las Vegas in efforts to achieve a revitalized and stable downtown core by the revitalization of the East Fremont Street corridor and adjacent neighborhoods.

This letter will serve to extend the 04.18.2018 contract with the City of Las Vegas for services in 2020.

We will continue to work as consultant members of the team. The scope of our work will be defined as the project develops. Our work may include but is not limited to attending team meetings in Las Vegas; work with the Nevada State Historic Preservation office to secure Historic Tax Credits for the Huntridge Theater; working collaboratively with economic advisers on economic tools such as New Market Tax Credits, Opportunity Zones and Historic Tax Credits that can apply to development in this area; continued work on Project Enchilada street lighting; continued work on color selection and paint schedules for five Fremont Street mid-century motels; work with Mayfair and Westside neighborhood communities; work with Downtown Works to prepare revitalization guidelines for a Project Enchilada Fremont Street overlay for land, mixed occupancy and retail uses; researching and developing narratives for the project as well as material and narratives for videos and location-based sound apps; researching and advising on issues relating to Las Vegas's history and historic preservation; providing digital photography; working collaboratively with team members. Work that we produce will be delivered electronically in PDF.

We therefore propose to continue to work hourly within the estimate range of $110,000.00 (plus reimbursable expenses) for work during 2020. We have based this range on the assumption of three trips to Las Vegas (four days each) and an estimate of 145 hours of office work (approximately 14 hours per month for ten months) in 2020. The actual work may be distributed in a different way throughout the year as the project develops. Because of the unusual nature of this work, should we encounter circumstances that require more time to accomplish work to achieve your goal, we will discuss that additional work with you.

We are prepared to continue this work now but have to note that we have an already contracted teaching schedule at Harvard that we have to work around—every Monday beginning end of August and three days (M-W) every month. We'll work with you to establish Las Vegas trips that are mutually compatible for schedules.

This letter and the accompanying CivicVisions Standard Terms and Conditions ("Terms & Conditions") will serve as the agreement between CivicVisions LP and the City of Las Vegas for work related to the East Fremont Street Revitalization as described above.

The City of Las Vegas and/or its agents will provide Civic**Visions** LP with necessary information about the project, the site and background information on the process-to-date as needed to prepare work (Adobe Creative Suite, Word, Excel and Adobe PDF are formats that we support).

Our fees for professional services for this work will be billed hourly plus reimbursable expenses. We will invoice for actual time expended. In the event that we encounter circumstances that change the scope of work or if additional services are requested, if we do not otherwise agree in writing, we will bill you on a time and materials basis at the rates set forth herein and in accordance with the Terms & Conditions.

The reimbursable expenses will not exceed $3,000.00 per trip and will cover travel (airfare, parking, car rental) and breakfast and lunch meals. The City will provide non-smoking lodging and cover the expenses for dinners and any the cost of image licenses necessary for the work.

We request that you return a signed copy (electronically is fine) of this letter that authorizes us to begin the project. We will send a W-9 upon receipt of signed contract. Signing of this proposal indicates that you will be responsible party for payment. If we run into issues that appear to require extensive additional hours, we will contact you before we undertake the additional work.

The Terms & Conditions of this contract are used for all of our projects. We are concerned that any substantive changes will have to be reviewed by our lawyer and insurance company and will add additional costs and time to the schedule.

In compliance with Regulation Z of the Federal Truth in Lending Act, there will be a finance charge of 1 and 1/2% per month added to any balance which has aged more than 45 days. This is a true annual rate of 18%. In the event that costs and expenses must be incurred to obtain recovery of any amounts due, attorneys' fees plus reasonable costs and expenses shall be added to the balance due. Any use of the instruments of our professional services constitutes acceptance of these terms.

The 2020 hourly rate for Civic**Visions** LP is $325 per hour per principal. All expenses associated with the work including but not limited to travel/meals, postage/delivery, reproduction, photographic licenses obtained for the report be in addition to our fees for professional services.

We appreciate the opportunity to work with you and your organization on this project. Would you please countersign and date this letter below indicating that you, on behalf of your organization have (i) read this agreement, including the Civic**Visions** Standard Terms Conditions made a part hereof and (ii) agree to this agreement, including the Civic**Visions** Terms & Conditions. You can return it to us electronically.

Yours truly,

Civic**Visions** LP

By: Civic**Visions** LLC, general partner of Civic**Visions** LP

Susan Nigra Snyder

Susan Nigra Snyder, member

George E. Thomas Ph. D.

George E. Thomas, member

It is expressly agreed and acknowledged that Civic**Visions** LP has made no representations, warranties or guarantees as to the determinations to be made by reviewing agencies at local, state or federal level, that our work is being provided for use of the Owner for negotiations with parties having jurisdiction; that payment for Civic**Visions** LP's services shall not be dependent on the outcome of the negotiations; and that Civic**Visions** LP shall not be liable or responsible to Owner for the negotiations nor is Civic**Visions** LP liable for outcome of negotiations.

It is acknowledged and agreed that the components of any reports or work—including images, photographs and illustrations remain the Civic**Visions** LP's property but are licensed to Owner for their use in this report.

It is also acknowledged and agreed that the images, photographs and illustrations for which licenses are obtained from other sources cannot be used by Owner separate from the report that have been purchased for without obtaining additional licenses for additional use.

I have read the foregoing letter agreement and the enclosed Terms & Conditions, which form a part hereof and intending to be legally bound agree their terms.

**Signature Block**

**City of Las Vegas**

By: _____ _____

Carolyn G. Goodman, Mayor Date

Attest

By: _____ _____

LuAnn D. Holmes. MMC, City Clerk

Approved as to Form:

By: John S. Ridilla 3/4/2020

Deputy City Attorney Date

John S. Ridilla, Deputy City Attorney

**CIVIC<u>VISIONS, LP</u> ("CivicVisions")**
**STANDARD TERMS AND CONDITIONS**

1. Billings will be on a monthly basis for portions of work conducted. All payments are due upon receipt, and full payment must be received within 30 days of the invoice date. Interest at a rate of 1.5% monthly will be added to any unpaid bills plus a $25.00 late payment fee. Payments shall be applied to the interest and late payment fees first, then to the billing amount. Should any invoice or portion thereof remain unpaid beyond its due date requiring referral of the matter to an attorney, collection agency, and/or the courts for collection, the client will be liable for all costs and expenses including, but not limited to court costs, collection fees and or reasonable attorney's fees. In addition to any bank fees incurred by Civic**Visions**, the client shall be responsible for a $25.00 fee for any returned checks.

2. In addition to its other rights under this agreement and under law Civic**Visions** has the right to (i) stop work (ii) not produce deliverables and/or (iii) terminate the agreement with the client due to lack of full payment or breach of other terms of the agreement with the client. All work in progress that has been authorized and all expenses shall be paid in full based upon the rates then in effect.

3. The client agrees to limit Civic**Visions**' and/or its principals' professional liability to the client and to all contractors, subcontractors and/or consultants working on and/or connected to the project due to any negligent acts, errors or omissions, and/or breach of contract, such that the total aggregate liability to all those named shall not exceed $20,000, or the Civic**Visions** total fee for services rendered on this project, whichever is less. Should the client find the above terms unacceptable, an equitable surcharge to absorb any increase in insurance premiums will be negotiated. No personal liability shall accrue hereunder against any individual member of Civic**Visions**.

4. It is understood that Civic**Visions** will use their best efforts to provide advice, consultation and its services on the proposed project. The client clearly and explicitly recognizes that the services, materials and resultant concepts are limited in their nature and accuracy to the time and dollars expended by the client. Civic**Visions** will use their best judgment within those constraints and consequently makes no express and/or implied warranties and/or any representation as to the accuracy of the base data and assumptions upon which any material(s) is based.

The client will be the applicant on any private, governmental and/or quasi-governmental application, and therefore responsible for the ultimate outcome of any such application. Fees and other payments to Civic**Visions** are in no way contingent and/or dependent upon the outcome of any application, presentation and/or other matter involving the project. Fees and other payments to Civic**Visions** are in no way contingent and/or dependent upon the project financing or lack thereof.

5. Reimbursable expenses and/or services shall include, but are not limited to the following: meetings and reviews with the client and other consultants, governmental agencies, or other parties part of the project not specifically included in the proposal; travel and mileage costs (at IRS allowable mileage charges) to include tolls, parking, tickets, meals, and lodging; revisions to documents required due to a change in program; graphics, image licenses, photo reduction and/or reproduction costs; postage; and long distance telephone costs. Archival CDs required for government submissions are $10.00 each. Such costs are in addition to the fees contained in the contract.

6. Receipt of a retainer in the amount specified in the engagement letter is required prior to the initiation of any work by Civic**Visions**. Any retainer shall be applied against the final invoice. Receipt of a signed engagement letter agreeing to the terms of that letter and these terms and conditions shall be required. The letter must be signed by the party responsible for payment.

7. All work will be performed as expeditiously as is consistent with professional practice. Any schedule provided is our best estimate, and it is understood that the schedule shall be adjusted as conditions prevailing at the time of the project initiation are altered. The client, at client's sole cost and expense shall timely provide Civic**Visions** with all background/base information, data and/or materials as has been requested by Civic**Visions** in order to allow Civic**Visions** to commence and/or complete work on the project.

8. The services outlined in the proposal, are detailed to the extent possible at the time of its preparation. The fees contained herein reflect the project understanding and represent our best estimate of the time and costs involved.

It is not unusual for both the extent of services and products to change based on governmental requests, requests of other consultants and/or changes in the scope of the project. Civic**Visions** will expend its best efforts to advise the client of any resultant changes as it affects the fee. If a new arrangement is not reached in writing for additional work, additional work shall be billed at the then current hourly rates of those performing the work. Likewise reimbursable services and expenses shall be billed at then current Civic**Visions** rates. All of these Terms and Conditions shall remain in full force and effect.

9. This proposal is valid for 7 days. After this period, we reserve the right to review the fees and work schedule. If the project exceeds six months in length, we reserve the right to increase the fee to reflect any new billing rates then in effect.

10. Additional services beyond those specified in the contract shall be provided as requested by the client such services shall be authorized either verbally or in writing by the client. Additional services shall be billed at the then current hourly rates of those performing the work. Likewise reimbursable services and expenses shall be billed at then current Civic**Visions** rates. All of these Terms and Conditions shall remain in full force and effect.

11. Drawings, materials, photography, documents, reports and/or specifications, graphic presentations (collectively "Civic**Visions** Documents") prepared in connection with this project are and shall remain the property of Civic**Visions**. The client shall be permitted to retain copies for information and reference only in connection with the client's use of the project and shall credit Civic**Visions**. Civic**Visions** does not provide copies of graphic presentations, such as PowerPoints to the client for any use or reference. No use of Civic**Visions** documents shall be made by the client for other uses, projects, additions to this project, and/or for completion of this project, by the client without the prior written authorization of Civic**Visions** and purchase of photographic licenses for Civic**Visions** photography. Civic**Visions** shall have the right to use and/or refer to the work or any portion thereof in any type of media. Civic**Visions** shall credit the client in any publication references.

12. These Terms and Conditions shall form a part of the agreement between Civic**Visions** and the client. They may be referred to herein as the "agreement" or as the Terms and Conditions. The Agreement between Civic**Visions** and the Client shall be interpreted in accordance with the laws of the Commonwealth of Pennsylvania.

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**12**

**DEPARTMENT: Community Services** **CONSENT**
**DIRECTOR: Kathi Thomas-Gibson**

**SUBJECT:**
For possible action to approve the allocation of $1,400,000 of HOME Investment Partnerships Program Grant Funds and Account for Affordable Housing Trust Funds (AAHTF) to Nevada HAND, for the construction of Decatur / Alta Phase 1 Senior Apartments located at 400 South Decatur Boulevard, APN 138-36-601-009 - Ward 1 (Knudsen)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $1,400,000
Funding Source: HOME Investment Partnership Grant Funds / Account for Affordable Housing Trust Funds (AAHTF)
Dept./Division: Office of Community Services/Community Resources

**PURPOSE/BACKGROUND:**
The Affordable Housing Development Review Committee received an application for HOME and AAHTF funds in the amount of $1,400,000. The committee recommended this project for funding. This project would provide the construction of 59 units of affordable housing for seniors.

**RECOMMENDATION:**
Staff recommends that the City Council approve the allocation and authorizes the Mayor to sign any and all related documents following approval as to form by the City Attorney.

**BACKUP DOCUMENTATION:**
1. Affordable Housing Project Fact Sheet

***AFFORDABLE HOUSING PROJECT FACT SHEET***

***Construction Start Date:*** *April 2020* ***Council Date:*** *3/18/2020 for HOME*
***Completion Date:*** *April 2022*
(Dates are tentative)

***Project:*** Decatur / Alta PHASE 1 ***Ward:*** 1 (Knudsen)
400 S Decatur Blvd
Las Vegas, 89117

***Developer:*** Nevada HAND **(CHDO Project)**

***Partners:*** George Gekakis

***Project Type:*** New Construction of Senior Housing

***Home Funds Requested:*** $1,400,000.00
(9% of total project cost)

***Total Project Cost:*** $16,353,514.00

***Funding Sources:***

| | *Requested* | *% of* |
|---|---|---|
| City HOME Funds | $1,400,000.00 | 9 |
| Bank Loan Funds | $1,769,430.00 | 11 |
| Tax Credit Equity | $12,123,787.00 | 74 |
| Deferred Developer's Fee | $460,297.00 | 3 |
| Federal Home Loan Bank Funds | $600,000.00 | 3 |
| Total | $ 16,353,514.00 | 100.00 |

***Total Units:*** 60 (33 1-bedroom, 27 2-bedroom)

***Income Targeting:***
8 units below 30% AMI
51 units below 31% - 50% AMI

***Affordable Units:*** 59

***Amenities***

| | | |
|---|---|---|
| Community Building | Community Exercise Room | Utilities Included in Rent |
| Recreation Area Outside | Hard Flooring in Kitchen and Bath | Washer/Dryer Hook Ups |
| Ceiling Fans | Wellness Room | Community Room with Kitchen |

***Narrative***

Nevada HAND has served low income families for over 20 years, and has targeted this neighborhood due to its immense need as an underserved community. Due to the aged nature of the existing housing units, area families are left with no choice but pay large portions of their income to rent aging or obsolete housing. This proposed development will add new affordable housing options to the market area and likely provide approximate discounts to market rents between 30% - 60%. Rent growth in the subject area will continue to accelerate and further the rent burden issue. This development will mitigate these market forces that are putting upward pressure on market rents by providing quality, affordable housing options. Further exacerbating the rent burden issue is that the senior age group is a growing demographic within the area and demand for low income senior apartments will increase over the next five years.

Nevada HAND's affordable housing development will boost area housing quality and providing 60 brand new units for the most disadvantaged. Floor plans will include a mix of one and two bedroom units, each at approximately 600 sf and 800 sf respectively. Common area structures will house a leasing office including an exercise room, pool, community recreation space, and other appropriate amenities. Non-residential spaces will be improved to accommodate the needs of seniors, and will include open spaces, walking paths, and desert friendly xeriscaping.

Financing will be originated from multiple sources. The development will likely be financed with 9% LIHTC Tax Credits, AHP funds, senior debt, and developer financing. This development will not be possible without City of Las Vegas HOME funds. Nevada HAND is requesting $1,400,000 in City of Las Vegas HOME funds to make the development a reality.

Safe, clean and affordable housing is a basic human need - with the City's support, we can truly make a difference and improve the lives of parents and children who need it most.

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**13**

**DEPARTMENT: Community Services** **CONSENT**
**DIRECTOR: Kathi Thomas-Gibson**

**SUBJECT:**
For possible action to approve the Regional Analysis of Impediments to Fair Housing 2020 that was created in collaboration with Clark County and the cities of Henderson, North Las Vegas, Mesquite, and Boulder City as a requirement by the US Department of Housing and Urban Development (HUD) for Office of Community Services to continue receiving the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Housing Opportunities for Persons with AIDS (HOPWA) and Emergency Solutions Grant (ESG) - All Wards

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The city of Las Vegas is an entitlement community receiving Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Housing Opportunities for Persons with AIDS (HOPWA) and Emergency Solutions Grant (ESG) from the US Department of Housing and Urban Development (HUD). These programs promote the development of viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of very low- and low-income. In order to receive these grants, the City must complete an Analysis of Impediments to Fair Housing Choice (Analysis). The Analysis is a report of impediments or barriers that affect the rights of fair housing choice. It covers public and private policies, practices, and procedures affecting housing choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based upon race, color, religion, sex, disability, familial status, or national origin. The Analysis covers the period of July 1, 2020 to June 30, 2025 and was created in collaboration with Clark County, City of Henderson, City of North Las Vegas, Boulder City and the City of Mesquite. The draft analysis is posted on the city of Las Vegas website, and is available in person at the city of Las Vegas, Office of Community Services for public comment from February 13, 2020 to March 14, 2020.

**RECOMMENDATION:**
Staff recommends acceptance of the report and final plan.

**BACKUP DOCUMENTATION:**
1. Regional Analysis of Impediments to Fair Housing 2020
2. Submitted at Meeting - Concern Documentation Not Vetted - E-Comment Form

# Regional Analysis of Impediments to Fair Housing 2020

Clark County
City of Las Vegas
City of Henderson
City of North Las Vegas
City of Boulder City
City of Mesquite

FINAL

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# EXECUTIVE SUMMARY

As a requirement of receiving funds under the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships (HOME program), the Emergency Solutions Grant (ESG), and the Housing for Persons with AIDS (HOPWA) program entitlement jurisdictions must submit certification of affirmatively furthering fair housing to the U.S. Department of Housing and Urban Development (HUD). This certification has three elements:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI).
2. Take actions to overcome the effects of any impediments identified.
3. Maintain records reflecting the actions taken in response to the analysis.

In the Fair Housing Planning Guide, pages 2-8, HUD provides a definition of impediments to fair housing choice as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect.

The list of protected classes included in the above definition is drawn from the federal Fair Housing Act, which was first enacted in 1968. However, state and local governments may enact fair housing laws that extend protection to other groups, and the AI is expected to address housing choice for these additional protected classes as well. Nevada state law also includes protections based on ancestry, sexual orientation, and gender identity or expression. Fair housing laws apply to all types of housing and housing- related transactions, including rental, sales, lending, insurance, and advertising.

The process of affirmatively furthering fair housing involves a thorough examination of a variety of sources related to housing, the fair housing delivery system, and housing transactions, particularly for persons who are protected under fair housing law. The development of an AI also includes public input and review via direct contact with stakeholders and public meetings to collect input from citizens and interested parties along with actions to overcome the identified impediments.

## Methodology

As part of the consolidated planning process, and as a requirement for receiving HUD formula grant funding, the entitlement jurisdictions of unincorporated Clark County, Boulder City, Henderson, Mesquite, Las Vegas, and North Las Vegas are undertaking this update to the 2015 Regional Analysis of Impediments to Fair Housing to evaluate impediments to fair housing choice within the Southern Nevada region. The Analysis of Fair housing requires reasonable opportunities for involvement in the development of the Assessment of Fair Housing. The Fair

Housing Act prohibits discrimination and mandates that HUD funded programs and participants "take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice and foster inclusive communities that are free from discrimination," per Affirmatively Furthering Fair Housing rules and regulations.

Therefore, the purpose of this report is to determine current impediments to fair housing choice at work in Southern Nevada and to suggest actions that the local community can consider in order to overcome the identified impediments. Thus, this report represents only the first step in the three-part certification process presented on the previous page. This AI was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in the region included:

- Socio-economic and housing data from the U.S. Census Bureau.
- Employment data from the U.S. Bureau of Labor Statistics.
- Economic data from the U.S. Bureau of Economic Analysis.
- Investment data gathered in accordance with the Community Reinvestment Act (CRA).
- Home loan application data from the Home Mortgage Disclosure Act.
- Housing complaint data from HUD.

Qualitative research included evaluation of relevant existing fair housing research and fair housing complaints. Additionally, this research included the evaluation of information gathered from several public input opportunities conducted in relation to this AI, including a survey distributed to stakeholders and citizens, stakeholder interviews, and public focus groups.

Ultimately, a list of impediments to fair housing choice was drawn from these sources and further evaluated based on HUD's definition of impediments to fair housing choice, as presented on the previous page. Impediments to fair housing choice present within the region were identified; along with actions the jurisdictions may consider in attempting to address possible impediments.

## Overview of Findings

This AI includes a review of both public and private sector housing market contexts within the jurisdictions to identify practices or conditions that may operate to limit fair housing choice in the region. Analysis of demographic, economic, and housing data included in that review establish the context in which housing choices are made. Demographic data indicate the sizes of racial and ethnic populations and other protected classes; economic and employment data show additional factors in influencing housing choice; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the Southern Nevada residents.

The contextual analysis described above provides a foundation for detailed review of fair housing laws, studies, complaints, and public involvement data. The structure provided by local,

state, and federal fair housing laws shapes the complaint and advocacy processes available to residents, as do the services provided by local, state, and federal agencies. Private sector factors in the homeownership and rental markets, such as home mortgage lending practices, have a substantial influence on fair housing choice. In the public sector, policies and practices can also significantly affect housing choice. Complaint data and AI public involvement feedback further help define problems and possible impediments to housing choice for persons of protected classes and confirm suspected findings from the contextual and supporting data.

The following findings were made. Details are provided in Chapter 9.

**DEMOGRAPHICS**

The region experienced an increase in diversity across Clark County – mostly in black and Hispanic households, however, Henderson has seen a tripling of Asian households.

Mesquite's population is aging, and many seniors live with disabilities and/or on a fixed income.

Income is growing throughout the region, but Black residents earn less than any other racial or ethnic group, with the exception of North Las Vegas where they earn the second lowest amount.
Non-white residents of the region are more likely to live in poverty.

Single female households with children are concentrated in central and northeast part of the County. Further, the region has few true family shelter options.

The eastern part of the County, particularly the northeast, tend to have higher unemployment rates that are sometimes greater than 15%.

**MORTGAGES AND HOMEOWNERSHIP**

Since 2010, the number of subprime loan originations has grown by 1,055%, compared to 47 percent growth for prime originations.

Black and Hispanic borrowers experience higher denial rates than white borrowers even though originations are beginning to rebound after crisis in 2007.

Homeownership rates have fallen since 2000 with rental rates up 40% in most jurisdictions above with the exception of Mesquite.

**TRANSPORTATION**

About 24% of the region's population do not own their own vehicles.

Residents in the central county have longer commute times, which may be the result of low vehicle ownership and lack of good transportation options. Many residents have to commute to get to public transportation routes.

Thirty-six percent of survey respondents noted that distance to employment and transportation/access to public transportation was a common barrier.

**HOUSING**

Within the region, there is a clear line where housing affordability stops – this is around the south and southwest sections of the county.

Multifamily housing options have declined while single-family housing options increased by 15%.

Participants in the focus groups and the surveys noted that rental housing production has not kept up with need. Further, NIMBYism toward multifamily development is a concern in some parts of the region, particularly affordable multifamily developments.

Boulder City's housing stock is aging with 51% of units built before 1980, and therefore, at-risk of containing lead.

The vacancy rate in the County is at 15% and up to 25% in southern and central tracts.

Among renters, 70% of the County's black population are renters compared to 42% of the County's white population.

Clark County, Las Vegas, North Las Vegas, Henderson, and Boulder City have an estimated $315,000 median home value and Mesquite has a $260,000 median home value. This increased sharply between 2017-2018.

The region's renters are more cost-burdened than homeowners. About 50% of renters are cos-burdened compared to 32% of owners.

Respondents to the survey cited that the primary barrier to housing choice was cost of housing, with 73% of respondents citing it as one of their top choices, followed by the concentration of affordable housing in certain neighborhoods (53%).

**CHILDREN AND YOUTH**

Service providers indicate that the population of homeless youth is increasing but services are not keeping up.

Focus group participants indicated that the expense of daycare is an impediment. The County does not have enough of lower cost daycare options.

**LACK OF FAIR HOUSING KNOWLEDGE**

Responses to the online survey were split between those that did know their fair housing rights (53%) and those that did not (47%). In terms of education on fair housing issues, most respondents were not aware of any fair housing or anti-discrimination education opportunities in their community (63%), and the majority of them (87%), have never participated in any kind of educational opportunity.

Stakeholders noted that people with disabilities are most likely to experience fair housing violations, particularly in the area of reasonable accommodations.

## Overview of Impediments to Fair Housing and Actions

Based on the findings above, the following impediments and actions were determined. Further detail is provided in Chapter 9.

### Impediments

**Impediment #1** Lack of knowledge of fair housing related laws and fair housing resources exists among the general public and housing providers.

**Impediment #2** Economic barriers due to limited supply of adequate and accessible affordable housing especially affect protected classes.

**Impediment #3** Subprime lending is on the rise and protected classes are more likely to secure subprime loans.

**Impediment #4** Lack of access to transportation options reduces housing and economic opportunities.

### Actions

**Action #1** Address Lack of Knowledge of Fair Housing

- Support fair housing training and education opportunities throughout the region, specifically for rental properties that will be directed to housing service providers, management companies, and rental residents.

- Ensure training opportunities for rental residents to clearly inform this population on their rights and responsibilities, particularly in the area of disabilities. Ensure these trainings are offered in English and Spanish.

**Action #2** Address Disproportionate Housing Problems and Economic Barriers

- During the grant allocation process give special consideration to rental housing development which includes at least 10% accessible units and single-family housing which includes universal design.

- Consider the placement of developments funded by the jurisdictions so that access to opportunities for low income residents is enhanced.

- Provide homebuyer education using HUD approved counselors. Ensure training is available in Spanish and English.

**Action #3** Educate on and deter subprime lending

- Offer or partner with providers to educate the community on subprime lending through financial literacy courses. Ensure courses are available in Spanish and English.

**Action #4** Address Lack of Access to Transportation Options Reducing Housing and Economic Opportunities

- Explore options for coordinating transportation across the region.

- Locate affordable housing along transportation routes.

# CHAPTER 1. INTRODUCTION

## Purpose of the Regional Analysis of Impediments to Fair Housing

Like all jurisdictions that receive community development block grant funds from the U.S. Department of Housing and Urban Development (HUD), the jurisdictions covered by this analysis of impediments to fair housing—unincorporated Clark County, Boulder City, Henderson, City of Mesquite, Las Vegas, and North Las Vegas—are obligated to affirmatively further fair housing. To fulfill this long–standing obligation to foster a genuinely free market in housing that is not distorted by housing discrimination, these jurisdictions have identified, analyzed, and devised solutions to both private and public sector barriers to fair housing choice that may exist within its borders. As is the case throughout the nation, the impediments to fair housing choice are both local and regional in nature—and the approaches to mitigate them necessarily have local and regional components.

VISION FOR SOUTHERN NEVDA

Clark County, Boulder City, Henderson[1], Las Vegas, and North Las Vegas are partners in Southern Nevada Strong, a regional planning effort with the purpose to build a foundation for long–term economic prosperity and community livelihood by better integrating transportation, housing, and job opportunities throughout Southern Nevada. The most recent RAI for Southern Nevada was completed as part of the Southern Nevada Strong Regional process in 2015.

A genuinely free market in housing undistorted by discrimination is essential to achieving this goal and reducing living costs for all Southern Nevada households. Southern Nevada Strong's regional plan, which was adopted in 2015, shows a possible future for Southern Nevada in which:

- New growth occurs in existing neighborhoods and vacant and underused sites are redeveloped.
- Multiple modes of transportation—including walking, biking and transit—are available, safe and convenient.

[1] The key barriers recommended to address in Henderson in the 2015 RAI included: updating the "residential facility for groups" regulations in the City's zoning code to ensure compliance with state and federal housing laws, editing the definition of "family unit" to include community residences for people with disabilities in accordance with the Fair Housing Act and establishing a formal "reasonable accommodation" request process to afford residents with disabilities an equal opportunity to use and enjoy a dwelling.

The regional update is still ongoing to the 2015 RAI, primarily focusing on changes to the housing market and quantitative analysis. Efforts to implement the recommendations of the current RAI and promote fair housing through the creation of well-designed housing options for all Henderson residents are key priorities for Henderson planning efforts and are reflected in the City's Strategic Plan and the Henderson Strong Comprehensive Plan.

- More people can live close to work because jobs, services and schools are located within easy reach of a variety of housing types for all budgets and preferences.
- Underutilized retail and industrial land along key corridors is repurposed and attracts small businesses and companies in targeted economic industries.
- Redevelopment occurs along future transit corridors, including North 5th Street, Maryland Parkway, Flamingo Road and Boulder Highway.
- The region's downtowns provide a variety of jobs and services for local residents; dense housing combined with vibrant commercial spaces; and new employment and workforce development opportunities.
- Through regional collaboration, schools are located in walkable and bikeable communities.

The Southern Nevada Strong Regional Plan identifies four main challenges facing the Southern Nevada region in realizing this vision:

- Uncoordinated Growth and Disconnected Land Uses;
- Economic Volatility and Over-Reliance on Gaming, Tourism and Construction;
- Social Disparities and Vulnerable Communities; and
- Continued Growth and Changing Demographics.

It is vital that the region has a clear understanding of the status of fair housing in Southern Nevada in order to make the changes necessary to achieve its vision. This report will identify where the region has challenges to fair housing and will make recommendations for change.

## CHAPTER 2: PAST IMPEDIMENTS

The following chart summarizes the impediments identified in the 2015 Analysis of Impediments and provides an update on actions taken.

| Past Impediment | | Recommended Actions | Actions Taken Towards Progress and Outcomes |
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| 1 | Lack of fair housing enforcement in Nevada. | Advocate for statewide fair housing enforcement | 2019 Certificate of Postings<br><br>Fair Housing and Section 501 Compliance Checklist, Non-discrimination Policy Yearly Public Notices sent to all developers/organizations and Clark County obtains Certificate of Posting for all locations. Clark County provides yearly notification and training for all Clark County phone operators to refer all calls about housing discrimination to the jurisdiction's Fair Housing Officer or to Silver State Fair Housing Council. The Clark County Community Resources Management Webpage contains information informing people of the resources available if they have fair housing concerns. |
| | | Identify funding sources for fair housing organizations to enhance enforcement | Clark County has entered into an agreement with Silver State Fair Housing Council to provide fair housing consulting services for a fixed fee of $125,000. The City of Henderson has entered into an agreement with Silver State Fair Housing Council to raise awareness in the Henderson community by providing Fair Housing training, advertisement, enforcement, monitoring and reporting for a fixed fee of $30,000 per year from 2019-2020. Silver State Fair Housing Council is the only Fair Housing organization in the State. |
| | | Build support for NV Attorney General's Office | Ongoing. |

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| | | to prosecute fair housing cases | |
| | | Conduct fair housing testing | Silver State Fair Housing's grant agreement with Clark County specifies that they use Clark County funding to conduct testing only on bona fide allegations from service area residents. SSFH has conducted 22 paired phone tests and 13 paired site tests. |
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| 2 | Lack of awareness and understanding of social equity and policies that affect inequality. | Analyze policy decisions and capital improvements for potential to disproportionately impact people of color and other protected classes. | Part of the analysis by CDAC and Commission on capital projects includes their ability to positively impact protected classes.<br><br>Planning activities will follow the same steps each year although the timing may vary somewhat. These steps are: Dissemination of CDBG information to cities, towns, agencies, and individuals; Identification of community development issues, needs, and concerns (joint effort of staff and citizens committees); Formulation of community development goals and preliminary strategies. Development of project selection criteria (staff and citizen committees); Submission of project applications; and Project selection and development of CDBG Statement of Objectives for submission to HUD:<br><br>a. Meetings and hearings to obtain citizen input<br><br>b. Review of project applications by CDAC and staff<br><br>c. Project recommendations of CDAC to the Clark County Board of Commissioners<br><br>d. Public hearing before the Board of County Commissioners and final |

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| | | | selection of projects for application submission to HUD.<br><br>Henderson's Citizen Participation Plan provide all citizens adequate opportunity to participate in the planning, implementation, and assessment of the CDBG and HOME programs. The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the process, with special emphasis on encouraging participation by persons of low and moderate incomes and residents of areas where community development funds are utilized. The City highly encourages input from citizens living in areas designated by the City as revitalization areas, slum and blighted areas and neighborhoods where CDBG funds are supported. This plan encourages participation by residents of the Southern Nevada Regional Housing Authority (SNRHA) including their resident councils, resident advisory boards and resident management corporations. The City has consulted with the SNRHA on public housing needs and updates on the affirmatively furthering fair housing strategies. The plan gives citizens reasonable and timely access to local meetings, opportunities to review proposed activities and comment on the City's federal program performance. |
| | | Commit to a range of public outreach techniques to ensure participating in public sector decision-making is designed to include vulnerable populations. | FY2015-2020, Clark County maintained a contract with Silver State Fair Housing (SSFH), which includes provision of Fair Housing Discrimination Testing, trainings and presentations, and claim assistance.<br><br>During fiscal years 2015-2019, SSFH assisted 2,155 people with general housing inquiries and fair housing complaints. Silver State Fair Housing processed 71 allegations of housing discrimination. The agency assisted clients in filing 42 housing discrimination complaints |

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| | | | with HUD, then worked closely with HUD to track the complaints throughout the process and facilitated communication with complainants. Of the complaints forwarded to HUD, two were settled by HUD and resulted in changes to policies and procedures, granting of reasonable accommodation requests and monetary compensation totaling $1,000.<br><br>The City of Henderson is committed to public outreach techniques that include vulnerable populations. The City hosted a Drake Street Open House Event in a CDBG low-income area, which was a collaborative outreach event at the Drake Street Boys & Girls Club. Staff gathered feedback from the community on desired amenities in their park. The citizen responses were developed into the Drake Street Community Garden Capital improvement project for FY 2020-2021.<br><br>The City of Henderson initiated various public outreach engagements to gain insight into housing and community development for the City's overreaching future growth and development plans. These guiding documents included the Henderson Housing and Community Development Strategy, the Henderson Comprehensive Plan, the Consolidated Plan, and the Regional Analysis of Impediments. During public engagement outreach, the City's residents, stakeholder groups, industry experts, local businesses and government agencies helped to set housing priorities, identify housing and community development goals, policies and implementations strategies. |

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| | | Continue to invite local, statewide and nationally recognized speakers and leaders that have developed Equity Atlases and other tools to directly and proactively address social equity. | A portion of the CRM contract with Silver State Fair Housing Council (SSFHC) the provision of Trainings and Presentations to local governments, landlords, Real Estate associations and the public as well as publish advertisements addressing fair housing issues. Between FY2015-2019 SSFH held multiple trainings; Disability Awareness Day, La Oportunidad Consumer Expo, fair housing trainings for real estate licensees, property managers, HOA managers and Board members, and property owners, exhibit by photographer Bernie Kleina who shared the history behind the color photos of Martin Luther King, Jr. These trainings, exhibits and events served 463 attendees. SSFH also ran 14 print ads in publications in Las Vegas, Mesquite, Laughlin and Moapa and conducted a three-month bus kiosk campaign with fair housing ads placed on bus kiosks in unincorporated Clark County.<br><br>In 2019, the City of Henderson hosted a variety of Fair Housing events for City Employees, elected and appointed officials to increase awareness and provide resources to residents about fair housing rights. Events included training opportunities as civil servants under the Fair Housing Act, Section 504 of the Rehabilitation Act and the ADA, with emphasis on disability discrimination and reasonable accommodation requests. The City further hosted an APA webinar entitled “Affordable Housing Series” that discussed the nuances of affordable housing development from the perspectives of planners, developers, and architects and how to inspire city leaders and local jurisdiction to affirmatively further fair housing. During fair housing month in April 2019, Silver State Fair Housing hosted an informational resource table where Residents and City Employees spoke with trained staff regarding housing rights and how to spot and report suspected discrimination. In addition, a historic photo exhibit entitled “The Chicago Freedom Movement, 1965-1966 by Bernard J. Kleina |

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| | | | documented the first large scale fair housing campaign in the country. In addition, the City Council recognized the importance of Fair Housing month by proclamation during the April 16, 2019 City Council meeting. |
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| 3 | Lack of housing choice for people living in public housing and a general dissatisfaction of quality, safety and locations of some public housing properties and neighborhoods. | Continue to encourage the Southern Nevada Housing Authority, non-profit affordable housing developers, and local governments to advocate for and locate affordable housing in areas of high opportunity. | As housing prices continue to rise in Clark County, affordable housing, particularly for renters at 50 percent of area median income and below, continues to be an issue of concern. In order to address this issue, Clark County is working to fund projects that serve people of extremely low-income or who are experiencing homelessness. For example, Patriot Place recently completed construction and includes housing vouchers for the majority of residents. Stepping Stone is another supportive housing example that offers supportive housing to low-income adults with traumatic brain injuries, reducing the need for these individuals to be residents in an institutional care facility. Southern Nevada Regional Housing Authority is also undertaking the redevelopment of Marble Manor, originally built in 1958, 235 one-story units.<br><br>To proactively respond to changing and growing population and housing needs, in 2018, the City of Henderson's Community Development and Services Department collaborated with housing developers, housing experts, and local government in the community wide effort to draft a plan called the Henderson Housing and Community Development Strategy (HHCDS) to address current and future housing needs in Henderson. The HHCDS is expanding on one of the primary housing goals in the City's Comprehensive Plan and Henderson Strong Plan which is: *to Encourage a variety of well-designed housing choices throughout the city to meet the needs of all* |

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| | | | *residents and with convenient access to goods and services.* |
| | | Support funding initiatives to provide improvements to current Southern Nevada Housing Authority properties, through partnerships with non-profits and other public/private partnerships to provide prompt responses to property management issues. | The SNRHA has 93 partnering agencies as a part of the Program Coordinating Council (PCC) and the SNRHA agency continues to develop partnerships with local service providers, training resources and educational institutions with the goal of making self-sufficiency available to all residents and participants. Commitments with these organizations are established either verbally or through MOU's.<br><br>Clark County and the City of Henderson funded Espinoza Terrace, a major rehabilitation of an existing 100 unit SNRHA senior development located at 171 W. Van Wagenen St., Henderson, NV 89015 which was completed in January 2020 |

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| | | Promote, encourage and expand self-sufficiency programs to Southern Nevada Housing Authority residents. | As of June 30, 2019, the Family Self-Sufficiency (FSS) program had 412 voluntary slots and has completed its commitment for HCV mandatory slots; furthermore, graduated Fifty-six residents – 7 or 9% of whom went on to homeownership. |
| | | Support the Housing Authority's programs and efforts to expand funding and public-private partnership opportunities. | The SNRHA has two homeownership programs under the Housing Choice Voucher and Public Housing Programs; each program continues to assist low-income families reach the dream of owning a home of their own. In particular, the SNRHA utilizes homeownership counseling as a part of regular programming for the Housing Choice Voucher and Public Housing Programs as FSS Households use Section 8 vouchers towards a home mortgage payment. Seminars are also provided on home purchasing, financial literacy, and housing retention as staff provides housing counseling.<br><br>SNRHA expects to expand its Community Partners program with public, private, and faith-based agencies.<br><br>The SNRHA continues to maintain a job-bank of Section 3 available workers to gain employment with SNRHA Contractors and Service providers as well as other public contracts within the Clark County vicinity. One breakthrough partnership regarding services provided by the SNRHA is a partnership with the AD Guy Knowledge Center/University of Nevada Cooperative extension to provide education and training opportunities for residents interested in pest control, medical field training, and soon they will expand into remediation for mold and asbestos removal. |
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| 4 | Lack of diversity in leadership positions at all levels of government. | Support minority leadership through the Urban Chamber, Latin Chamber and Asian Chamber. | Ongoing, Clark County and the City of Henderson continue to support minority leadership. Henderson's Human Resources philosophy is a commitment to leading and fostering an inclusive environment where diversity is valued, and every employee is treated with dignity and respect. |
| | | Cultivate minority leadership in high schools, higher education, local governments and private companies with strong diversity programs. | Clark County, Nevada ("Clark County" or "County") is an equal opportunity employer and will not discriminate on the basis of race, color, religion, sex including pregnancy, age, national origin, disability status, sexual orientation, gender identity or expression, or genetic information in employment. In accordance with state and/or federal laws, the Clark County Board of County Commissioners ("BCC" or "County Commission") is committed to this Equal Opportunity, Non-Discrimination and Anti-Harassment Policy ("Policy"), which prohibits unlawful discrimination in the workplace.<br><br>Clark County Small Business Opportunity Program (SBOP) |

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| | | | Online information:<br><br>Build your capacity to win and complete government contracts:<br>• Learn about bidding and procurement directly from County purchasing agents and experts<br>• Develop best business practices to grow by<br>• Build your small business referral network<br>• Gain valuable insights and mentoring from successful entrepreneurs and organizations<br>• Learn about new contract opportunities and how to bid<br>• Gain access to local small business resources<br><br>For small business owners who:<br>• Have been in business at least one year<br>• Have an active Nevada State Business License<br>• Have not been awarded a County contract in the past two years<br>• Provide a product or service that may be procured by Clark County<br>• Are willing to commit to12 training sessions over a 4-month period, one day per week |
| | | Encourage local government, city councils and the County Commission to consider representative leadership in appointments they make and consider creative ways to advertise and recruit for appointments. | Ongoing, Clark County continues to encourage local government to use creative advertising and recruiting. |
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| 5 | A lack of regional governance. | Encourage leaders of urban and low income areas to collaborate with regional leaders in the public and private sectors to develop shared priorities for economic growth and prosperity | Ongoing, Clark County continues to encourage leaders in urban and low income areas to develop shared priorities for economic growth. The Nevada Housing Coalition, formed in 2018, recognized Nevada's severe affordable housing shortfall. The Coalition represented by over 30 organizations of housing experts collaboratively address affordable housing issues across the state. The Coalition's mission is to create sustainable solutions through community awareness, capacity building and advocacy to ensure housing options for all Nevadans. Many of the local jurisdictions are founding members of the Coalition and serve as members of the Board of Director. |
| | | Support and enhance regional governance structures through implementation efforts of Southern Nevada Strong as the Regional Transportation Commission of Southern Nevada transitions as core administrator of the Regional Plan. | Completed. |
| | | Promote the Regional Housing Authority Governance Board as a regional body on issues of housing. | Completed. |
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| 6 | Lower usage of Housing Choice Vouchers in areas of high opportunity. | Encourage participating property owners to advertise Housing Choice Voucher eligible properties in ethnic and racial papers and radio stations. | Southern Nevada Regional Housing Authority recruits landlords and service providers in areas that expand housing choice to program participants.<br><br>SNRHA ensures all participants and residents are aware of the Scattered-Site and Section 8 Housing Choice Voucher homeownership option by ensuring notices in both English and Spanish are available in all lobbies and adding a brief description for the programs to our initial and annual recertification process.<br><br>If there are any under-served categories of families including Limited English Proficiency (LEP persons) determine where those families are currently located and design a marketing campaign to reach those families. |

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| | | Encourage the Southern Nevada Housing Authority and other fair housing advocates to assist residents to research housing options in a variety of neighborhoods throughout the region. | Southern Nevada Regional Housing Authority recruits landlords and service providers in areas that expand housing choice to program participants.<br><br>SNRHA ensures all participants and residents are aware of the Scattered-Site and Section 8 Housing Choice Voucher homeownership option by ensuring notices in both English and Spanish are available in all lobbies and adding a brief description for the programs to our initial and annual recertification process.<br><br>NVHousingSearch.org is a free rental-housing search and listing site for Nevada that includes options for choosing accessibility features to help people with disabilities locate suitable housing. It is updated regularly and always free to search and list. Nevada Rural Housing Authority (https://nvrural.org) - Affordable housing, rental support, resident services, home financing, needs assessments, economic development and more for Nevada's 15 rural counties and rural portions of Clark and Washoe counties.<br><br>The Southern Nevada Regional Housing Authority Section 8 website (snvrha.gosection8.com) allows landlords and tenants to list and locate available properties that participate in the Housing Choice Voucher program. |

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| | | Support the Regional Transportation Commission to secure funding for the expansion, operation and maintenance of transit systems and routes (from the Southern Nevada Strong Regional Plan) in order to allow transit-dependent residents more flexibility in housing choice. | Clark County participated in discussions with Southern Nevada Strong and the Regional Transportation Commission related to Transit Oriented Development along the Maryland Parkway corridor. The RTC is exploring policies that can result in mixed income development along the corridor, so that transportation such as light rail or buses might serve seniors and other populations who will benefit from public transportation. The group has been considering the impact of Transit Oriented Development on housing in the area. |
| | | Consider partnerships between the RTC and private developers to create Park & Ride facilitates in outlying areas. | Clark County participated in the drafting of the RTC Coordinated Transportation Plan addressing in part the transportation needs of seniors. The Clark County Consolidated Land Use Goals support Transit Oriented Development and pedestrian and vehicular connections between developments. |
| | | Promote the use of NVHousingSearch.org to potential residents, landlords, and property managers as a comprehensive tool for locating and advertising affordable homes. | Clark County continues to support NVHousingSearch.org, the housing locator database of the Housing Division. Households seeking rental property can use the resource and Clark County Social Service and the City of Henderson works with the NVHousingSearch.org to develop lists of permanent supportive housing for the most vulnerable populations. |

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| | | Encourage the purchase of “scattered site” properties in higher opportunity areas. | Neighborhood Stabilization Program (NSP1) funds were used for the acquisition and/or redevelopment of foreclosed and abandoned properties for both rental and sale. Clark County and its development partners for NSP1 purchased 247 units of single family housing, rehabilitated those units and then either sold them to qualified households or rented them to low-moderate income households.<br><br>Additional NSP3 funds were provided for the acquisition and installation of 10 manufactured housing units at Rulon Earl Mobile Manor, a SNRHA development. Funding was also awarded to North Las Vegas for their Buena Vista Springs project; the acquisition, demolition and redevelopment of a large dilapidated and blighted multifamily property.<br><br>Remaining NSP1 funds will be expended on the following projects:<br><br>NCEP Spencer Street Project, a 22-unit development of a homeless medical respite facility and residential rehabilitation facility for low income adults with traumatic brain injury (TBI) and other neurological deficiencies.<br><br>The construction of Stepping Stone, a 10-unit supportive housing development for survivors of Traumatic Brain Injury (TBI) and other neurological impairments. |

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| | | Provide more education for landlords and rental complex managers to learn the benefits of accepting Housing Choice Vouchers. | Southern Nevada Regional Housing Authority recruits landlords and service providers in areas that expand housing choice to program participants.<br><br>SNRHA ensures all participants and residents are aware of the Scattered-Site and Section 8 Housing Choice Voucher homeownership option by ensuring notices in both English and Spanish are available in all lobbies and adding a brief description for the programs to our initial and annual recertification process.<br><br>Clark County utilizes coordinated outreach efforts to ensure that homeless households are assessed and offered services. On September 24-25, 2018, a jointly hosted Community Training event was provided to incorporate landlord engagement activities and case management training into a single conference. The “Improving Lives: A Community Partnership” event was funded by a CABHI States grant and organized by the Resource & Development and Behavioral Health Units of Clark County Social Service, as well as the Joint Housing Working Group of the Continuum of Care. |
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| 7 | Poor quality schools near lower income areas. | Ensure a wide range of housing options, including affordable housing options, are available near the best performing private and public schools throughout the region. Enlist the business community, fair housing advocates, local governments, educators and parents to counteract NIMBYism. | Clark County continues to ensure a wide range of housing options near the best performing private and public schools; one example is the Boulder Highway Collaborative Campus addresses providing community facilities and infrastructure that will increase the quality of life for residents of low to moderate income and provide opportunities for growth and development for families and children. The co-location of the Boys and Girls Club and the Lutheran Social Services facilities with affordable housing provides a set of assets that are uniquely accessible to families, including education, activities and resources for both children and adults.<br>Clark County has used discounted Bureau of Land Management (BLM) land under the Southern Nevada Public Lands Management Act (SNPLMA) for affordable housing purposes and is moving forward on releasing an RFP for senior housing on a parcel located at Pebble and Eastern (17714802021). A second family housing RFP will be made public later in the summer for a parcel (APN #176-20-601-009) near Blue Diamond and Durango. These projects are mostly located in the Southwest where housing and schools are newer and higher performing.<br><br>One of Henderson priorities in becoming America's premier community is to support high performing quality education for all Henderson residents. In 2017, The City of Henderson created a Community Education Advisory Board (CEAB). The is a board and commission is comprised of 15 members of the community including business owners, community leaders, educators, parents appointed by the City Council to assess and monitor Henderson students and provide recommendations on potential strategies and interventions and priorities for funding the City's educational grant program. Through this collaborative effort, it is the intent that poor quality schools will improve academically. |

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| | | Work with the Clark County School District to increase school transfer mobility by expanding school transfer and school choice programs. | Through the HelpHopeHome.org site Clark County School District (CCSD) Title I - Homeless Outreach Program for Education (HOPE) serving students lacking a fixed, regular, and adequate nighttime residence. The Title I Homeless Outreach Program for Education of the Clark County School District works to remove barriers for homeless students to enroll in school of origin and educate school personnel, parents and unaccompanied youth of the educational options under McKinney-Vento federal law.<br><br>School of origin is defined as the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. The placement of students experiencing homelessness will be based on the student's best interest. |
| | | Work closely with the Clark County School District Real Property Management Division, local governments and developers to develop thoughtful school and service siting criteria. | CCSD has internal policies addressing school mobility. |
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| 8 | Discrimination against all protected classes, including minority races and ethnicities, people with disabilities, and families with children, especially young children or teens. | Conduct trainings and presentations directed to property management companies, local governments, landlords, real estate associations and publications to address discrimination. | Ongoing.<br><br>The City of Henderson hosted a training from Silver State Fair Housing Council on Accommodations and Modifications to housing Asset Managers. This training covered discrimination against protected classes. The City of Henderson distributed brochures on Fair Housing Protections for Families with Children, LGBTQ community members and persons with disabilities in both English and Spanish. Brochures were distributed all Henderson's Senior and Recreation Centers. Henderson will continue to offer regular, fair housing education and training opportunities for internal and external audiences. |
| | | Enforce regulations to protect from discrimination. | Ongoing. |

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| | | Expand the existing ad campaign to include rental magazines and related publications and online sources to educate prospective renters of fair housing violations and direct them to Silver State Fair Housing Council for complaints. | Silver State Fair Housing Council (SSFHC) has extensively expanded their ad campaign to the public and to housing providers. Some examples include; bus stop ads, mail out brochures, flyers and pamphlets provided to housing authority and postings in Starbucks all of these marketing items are provided in multi-languages.<br><br>SSFHC also offers a variety of educational opportunities to the public and to housing providers. Each year, Silver State Fair Housing Council hosts a fair housing poster contest open to first through eighth grade students in Nevada. The contest is designed to teach young people that all Nevadans have equal access to housing regardless of race, color, religion, sex, national origin, family status, disability, ancestry, sexual orientation and gender identity/expression.<br><br>The contest helps foster a better sense of understanding, acceptance, and appreciation for the diversity in our neighborhoods and throughout our community. Each year, it incorporates themes of civil rights and equal opportunity particularly appropriate for existing Martin Luther King, Jr. Day and Black History Month observations.<br><br>Silver State Fair Housing Council advertised Fair Housing Campaigns in "The Challenger Newspaper" which is an independent newspaper serving people with disabilities. Silver State Fair Housing Council also has a reoccurring publication in the Henderson Happenings magazine. Fair Housing information and how to report a discrimination case is listed on Henderson's website. |
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| 9 | Inconvenient and | Locate affordable and | |

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| | unreliable transportation services. | senior housing near existing and future transit corridors. | Between FY2015-2019 Clark County added 978 senior units through the HOME/LIHTF grant program, location and nearby transit, grocery, shopping or medical are taken into consideration prior to funding these developments. |
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| 10 | Lack of personal safety and pedestrian/bicyclist safety in racially and ethnically concentrated areas of poverty. | Pursue the objectives in the Southern Nevada Strong Regional Plan in the Increasing Transportation Choice element (see examples in RAI). | Highway Safety Plan (SHSP) is to reach zero fatalities. Nevada's Pedestrian Safety Critical Emphasis Area Fact Sheet provides information on who is involved in fatal and serious-injury pedestrian crashes, where and when these crashes occurred, and why they happened. The Fact Sheet also outlines critical strategies and action steps the State of Nevada plans to take in reducing pedestrian-involved crashes in efforts to reach our goal of zero fatalities.<br><br>Nevada's Mortorcycle Safety Highway Safety Plan (SHSP) provides information on who is involved in fatal and serious-injury motorcycle crashes, where and when these crashes occurred, and why they happened. The Fact Sheet also outlines critical strategies and action steps the State of Nevada plans to take in reducing motorcycle-related crashes in efforts to reach our goal of zero fatalities.<br><br>TASK FORCE LEADERS:<br>Chair: Erin Breen, UNLV Vulnerable Road Users Project<br>Vice Chair: Bill Story, Nevada Department of Transportation<br>Facilitator: Molly O'Brien, Kimley-Horn<br><br>PEDSafe - Pedestrian Safety Nevada partners with RTC to offer Pedestrian safety classes both in English and Spanish. |
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| 11 | Public reinvestment needs to be prioritized in lower-income areas. | Emphasize redevelopment of the region's downtowns, prioritizing existing neighborhoods and infill development. | Clark County spends millions in CDBG funds in low-income neighborhoods, some recently completed projects include; Alexander Villas Park Improvements, Cora Coleman Senior Center Expansion, Nevada Partners, Inc. Regional Workforce Development Center, Winchester Cultural Center Expansion and Von Tobel Park Splash Pad.<br><br>For the upcoming CDBG Capital improvement plan FY2020-2024 Clark County has received 28 applications for a total requested amount of $81,845,395 and estimates the approximate CIP funding to be $28.5 million over the next 5 years. |
| | | Prioritize maintenance of public facilitates in low and moderate income neighborhoods to ensure they are inviting, safe places for families and remain relevant as changing demographics and demand shift. | Ongoing. |
| | | Support the Southern Nevada Strong Regional Plan Goal to Stabilize and strengthen existing neighborhoods through placemaking improvements. | |
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| 12 | Lack of options for extended family and cultural traditions. | Support the Southern Nevada Strong Regional Plan Invest in Complete | Ongoing |

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| | | Communities goals, objectives and strategies. | |
| | | Coordinate with Spanish LED support services to promote the dissemination of information on homeownership and rental opportunities | SSFH provided fair housing information at 6 Financial Guidance Center first-time homebuyer seminars. Other activities included holding 6 fair housing trainings for real estate licensees, property managers, HOA managers and Board members, and property owners. These included trainings for Spanish speaking providers |
| | | Develop new lines of communication across jurisdictions with residents to inform them of their rights and how they can deal with housing challenges. | A portion of the CRM contract with Silver State Fair Housing Council (SSFHC) the provision of Trainings and Presentations to local governments, landlords, Real Estate associations and the public as well as publish advertisements addressing fair housing issues. Between FY2015-2019 SSFH held multiple trainings; Disability Awareness Day, La Oportunidad Consumer Expo, fair housing trainings for real estate licensees, property managers, HOA managers and Board members, and property owners, exhibit by photographer Bernie Kleina who shared the history behind the color photos of Martin Luther King, Jr. These trainings, exhibits and events served 463 attendees. SSFH also ran 14 print ads in publications in Las Vegas, Mesquite, Laughlin and Moapa and conducted a three-month bus kiosk campaign with fair housing ads placed on bus kiosks in unincorporated Clark County. |
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| 13 | Shortage of knowledge and available research in all areas related to fair housing. | Expand the role of non-profits and academic institutions in testing and researching these areas to find out if impediments do exist and to suggest further action items to remedy the situation. | SSFHC invites individuals to become testers; testing refers to the process of monitoring the housing market to determine the nature and extent of discriminatory treatment accorded to home seekers. Two individuals, alike in every aspect except the variable being tested, are sent to the same rental or sales office. These testers play the role of home seekers – persons looking for a housing unit in which to live. Testers make objective reports of what transpires. Testers must be objective, careful observers, accurate reporters, and truthful witnesses. Any differences in treatment may form the basis for the successful resolution of a housing discrimination complaint.<br><br>SSFHC also offers Housing Discrimination training that all testers are required to complete. The three-hour tester training provides an overview of fair housing law, reviews the nature and structure of housing discrimination tests, and teaches prospective testers to report their experiences in an objective, professional manner.<br><br>The Clark County Community Resources Management Webpage contains information informing people of the resources available if they have fair housing concerns. |
| | | Expand training by HUD and fair housing experts, to educate elected officials, local government employees who influence fair housing. | Clark County provides yearly notification and training for all Clark County phone operators to refer all calls about housing discrimination to the jurisdiction's Fair Housing Officer or to Silver State Fair Housing Council. |
| | | Partner with UNLV and other academic researchers to provide necessary research and | Clark County continues to partner with UNLV and other academic researchers for necessary data. |

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| | | data for fair housing. | |
| | | Increase information sharing capabilities for the SNRHA and all local agencies that provide public housing assistance in order to more effectively understand our region's needs. | The Southern Nevada Community Development Consortium serves as a major collaborative effort through which the various municipalities, agencies and other federally funded entities in southern Nevada coordinate efforts. Clark County, Las Vegas, North Las Vegas, Boulder City, Mesquite, and Henderson, along with the Southern Nevada Homeless Continuum of Care, Southern Nevada Regional Housing Authority, the Nevada Housing Division, and other agencies communicate with one another about projects and other efforts. The members of the Consortium hold bi-monthly meetings at which they report on various activities, coordinate applications for programs and discuss policy and implementation issues. A focus on housing continues to be an emphasis of the CoC plan; therefore, coordination among various HUD programs is essential. |
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| 14 | Few affordable housing options for residents who do not qualify for public assistance but still fall into protected groups. | Jursidictions need to implement recommendations to increase the affordable housing options across Southern Nevada and take the necessary steps to amend their Zoning Codes and Comprehensive Plans to support these changes. | Clark County waives the fees for rezoning parcels that will be sites for affordable housing. Clark County also subsidizes the building permit fees and impact fees for HOME projects. |
| | | Support the Southern Nevada Strong Regional Plan Goal to encourage an adequate supply of | Clark County continues to support the SNS Regional Plan Goal through its Master Plan, Housing Element, Zoning Overlays and Consolidated Plan. |

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| | | housing with a range of price, income, density, ownership and building types. | |
| | | Encourage state and local government agencies to utilize the Southern Nevada Public Lands Management Act, Section 7(b), Affordable Housing Disposals, to locate affordable housing developments on land that has been identified as suitable for disposal by BLM. | Clark County continues to use the SNPLMA Section 7(b) provision, thus making available public lands for affordable housing developments and is exploring options to move developments forward on this land.<br>Density bonuses are available for senior and supportive housing through a special permitting process, so that developers can incorporate higher density into these projects. The maximum density allowed in an R-3 zone is 18 dwelling units per gross acre and in an R-4 zone is 25 dwelling units per gross acre. The density bonus increases the R-3 zone to 22 dwelling units per gross acre and the R-4 zone to 39 dwelling units per gross acre for senior and supportive housing developments, thus assisting with barriers to projects such as Veterans Supportive Housing I and II and various senior housing projects. |
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| 15 | Outdated zoning code regulations. | The jurisdictions should research and revise their Community Residence zoning sections to comply with recent court opinions. | Completed. |
| | | The jurisdictions should analyze their affordability status and their density regulations in order to ensure they are not | In progress, ongoing. |

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| | | unintentionally limiting housing choice. | |

## FAIR HOUISING BARRIERS

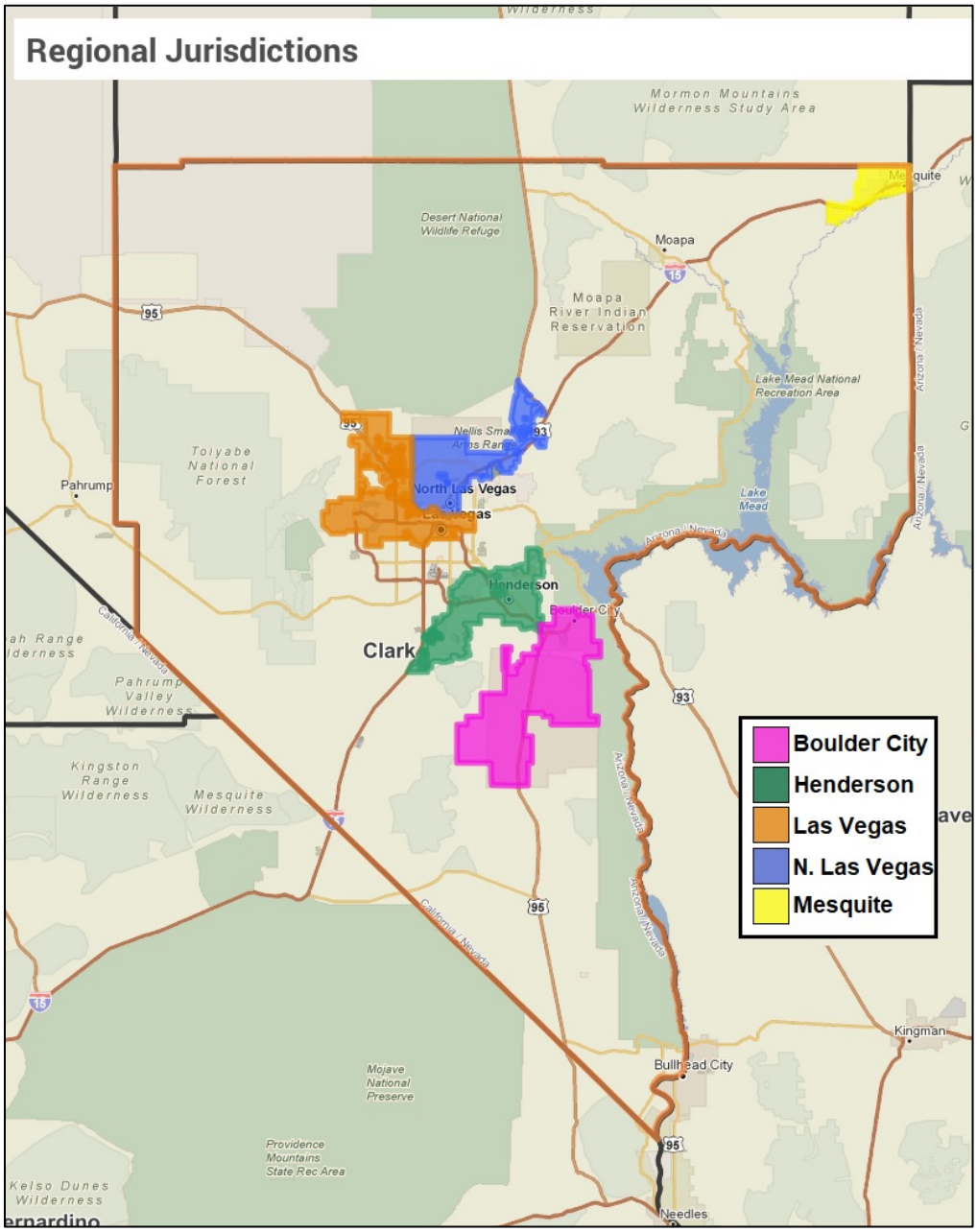
A regional analysis of impediments (RAI) identifies private -and public sector barrier to fair housing choice that may exist and recommend actions for the pursuit of a housing market that is free of racial, ethnic, familial status, and disability status discrimination. The most recent RAI for Southern Nevada was completed as part of the Southern Nevada Strong Regional process in 2015. The key barriers recommended to address in Henderson in the 2015 RAI included: updating the "residential facility for groups" regulations in the City's zoning code to ensure compliance with state and federal housing laws, editing the definition of "family unit" to include community residences for people with disabilities in accordance with the Fair Housing Act and establishing a formal "reasonable accommodation" request process to afford residents with disabilities an equal opportunity to use and enjoy a dwelling.

The regional update is still ongoing to the 2015 RAI, primarily focusing on changes to the housing market and quantitative analysis. Efforts to implement the recommendations of the current RAI and promote fair housing through the creation of well-designed housing options for all Henderson residents are key priorities for Henderson planning efforts and are reflected in the City's Strategic Plan and the Henderson Strong Comprehensive Plan.

# CHAPTER 3: DEMOGRAPHIC SUMMARY

This Regional Analysis of Impediments to Fair Housing includes unincorporated Clark County and five incorporated jurisdictions: Las Vegas, Henderson, North Las Vegas, Mesquite, and Boulder City as seen in the map below.

**Figure 1 Southern Nevada Jurisdictions: Clark County, Las Vegas, Henderson, North Las Vegas, Boulder City and Mesquite**



## Population and Demographics

Population change is one of the most pressing issues facing the Clark County region. Fast population growth that is not accompanied by housing production can lead to an increase in housing costs that leave many people in substandard conditions, cost burdened, or at risk of homelessness. It is important to recognize these trends and attempt to address them before they cause any impediments to housing choice.

**Population Growth**

The jurisdictions in the region have seen incredible population growth since 2000. The City of North Las Vegas more than doubled in size in 17 years, while the City of Mesquite grew by 86% and the City of Henderson and Clark County as a whole both grew by more than 50%. Only the City of Boulder City grew at a slower rate than the national average, 4.6% vs 14.1%.

**Table: Population change, U.S., Nevada, Clark County, and select cities, 2000 to 2017**

| | 2000 | 2010 | 2017 | Percent Change from 2000 to 2017 |
|---|---|---|---|---|
| Clark County | 1,375,765 | 1,951,269 | 2,112,436 | 53.6% |
| Nevada | 1,998,257 | 2,700,551 | 2,887,725 | 44.5% |
| United States | 281,421,906 | 308,745,538 | 321,004,407 | 14.1% |
| | | | | |
| Las Vegas | 478,434 | 583,756 | 621,662 | 29.9% |
| North Las Vegas | 115,488 | 216,961 | 234,389 | 103.0% |
| Henderson | 175,381 | 257,729 | 284,817 | 62.4% |
| Boulder City | 14,966 | 15,023 | 15,648 | 4.6% |
| Mesquite | 9,389 | 15,276 | 17,467 | 86.0% |

Source: 2000 Census (SF1), 2010 Census (SF3), 2013-2017 ACS 5-Year Estimates

**Population Change**

The Center for Business and Economic Research at the University of Nevada, Las Vegas predicts that Clark County will continue to see significant growth for the next 20 years. However, the growth rate will steadily decrease annually. By the end of the time period it is forecasted that the county will only grow by approximately 10,000 per year, or about 1/5$^{th}$ the forecasted rate at the beginning of the time period.

**Table: Population Change**

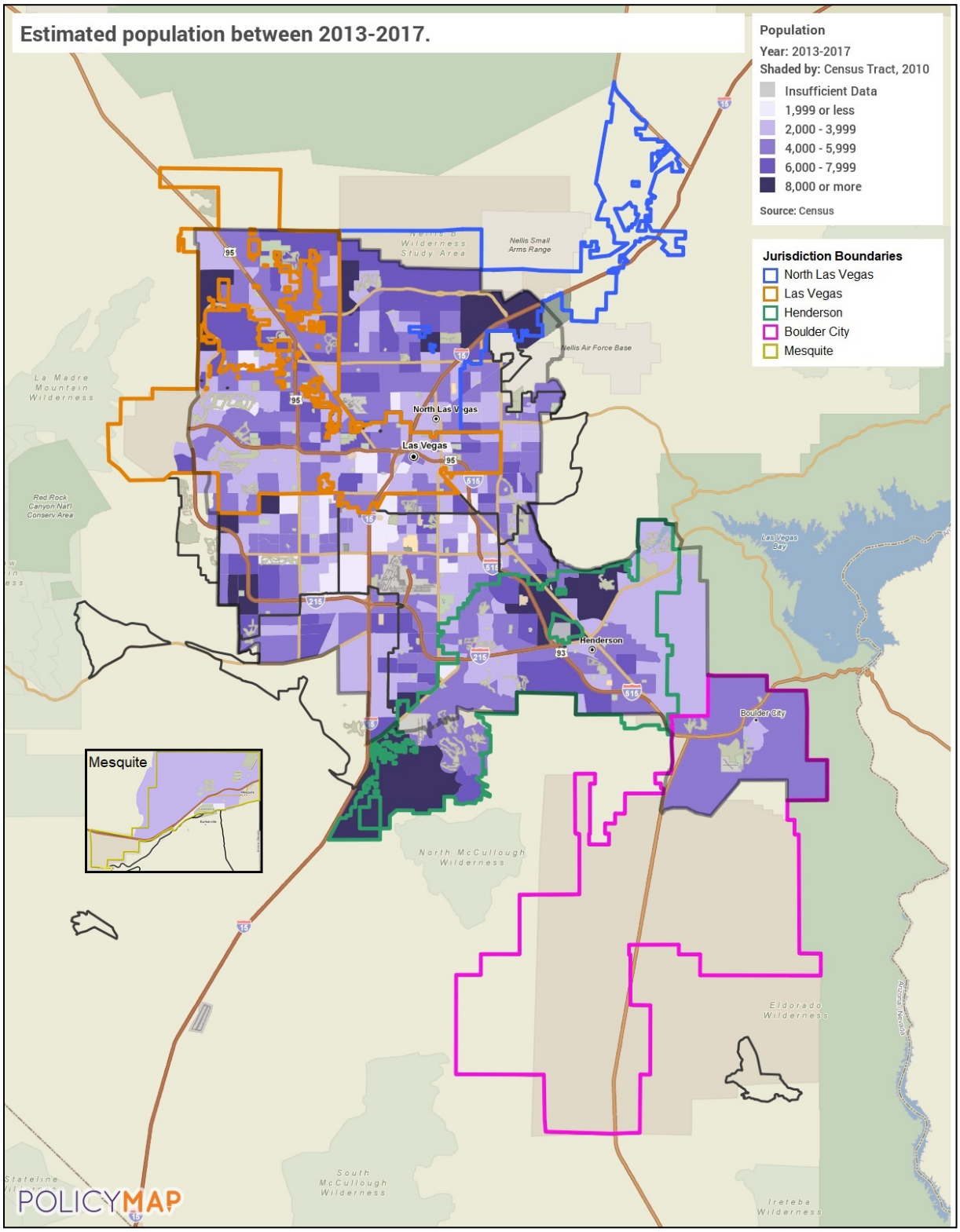
| Year | Population Forecast | Change in Population | Percent Growth |
|---|---|---|---|
| **2018** | 2,296,000 | 47,609 | 2.1% |
| **2019** | 2,344,000 | 48,000 | 2.1% |
| **2020** | 2,389,000 | 45,000 | 1.9% |
| **2021** | 2,423,000 | 34,000 | 1.4% |
| **2022** | 2,452,000 | 29,000 | 1.2% |
| **2023** | 2,481,000 | 29,000 | 1.2% |
| **2024** | 2,507,000 | 26,000 | 1.0% |
| **2025** | 2,530,000 | 23,000 | 0.9% |
| **2026** | 2,550,000 | 20,000 | 0.8% |
| **2027** | 2,568,000 | 18,000 | 0.7% |
| **2028** | 2,585,000 | 17,000 | 0.7% |
| **2029** | 2,600,000 | 15,000 | 0.6% |
| **2030** | 2,615,000 | 15,000 | 0.6% |
| **2031** | 2,628,000 | 13,000 | 0.5% |
| **2032** | 2,640,000 | 12,000 | 0.5% |
| **2033** | 2,651,000 | 11,000 | 0.4% |
| **2034** | 2,662,000 | 11,000 | 0.4% |
| **2035** | 2,672,000 | 10,000 | 0.4% |

Source: "Long-Term Projections for Clark County, Nevada 2018-2060," Center for Business and Economic Research, UNLV.

The following maps show the distribution of the population throughout the jurisdiction and the density within individual tracts. Generally, large population census tracts (8,000 people or more) are along the outer edges of the jurisdiction while lower population census tracts (less than 2,000) are more centrally located. These outer edge tracts are geographically larger, sometimes significantly due to the way census tracts are calculated. Every decade the census tracts are drawn with approximately 4,000 people in it, so the areas with "high" population are really areas that grew the most since 2010.

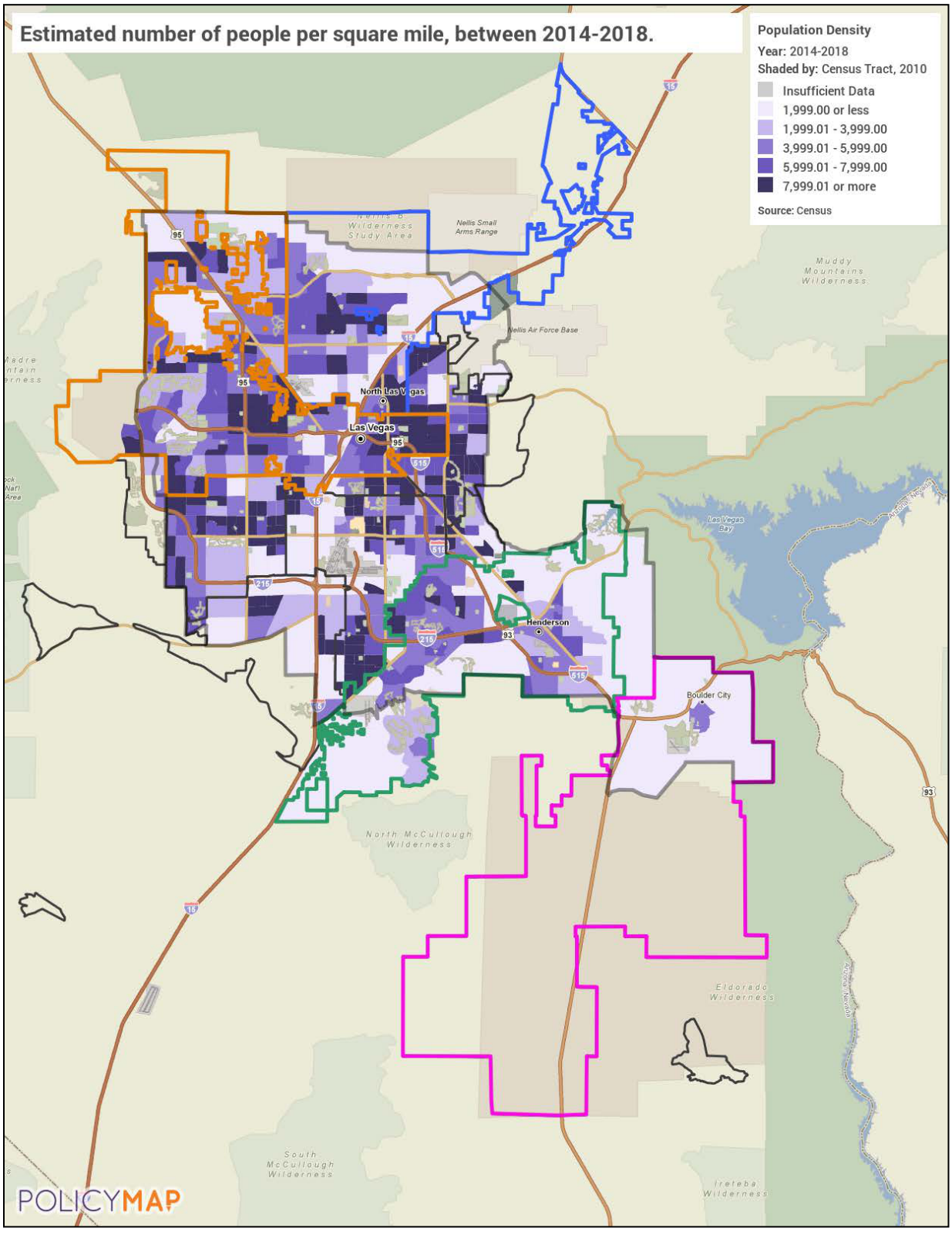
The Density map provides a more accurate depiction of highly populated areas in the Las Vegas Valley. While the urban environment is still thriving, there has been an increase in residents moving to the suburban areas.

**Map: Population**




Source: 2013-2017 ACS via PolicyMap

**Map: Population Density**




Source: 2014-2018 ACS via PolicyMap

## Demographic Trends

The change in population is not the only trend that should be analyzed. The demographics of that population are also important. Community needs can vary significantly based on the age of the population, ethnicity, education, and other factors. There is no "one-size fits all" policy that will bring about the best results for all communities. It is necessary to tailor support to match particular needs.

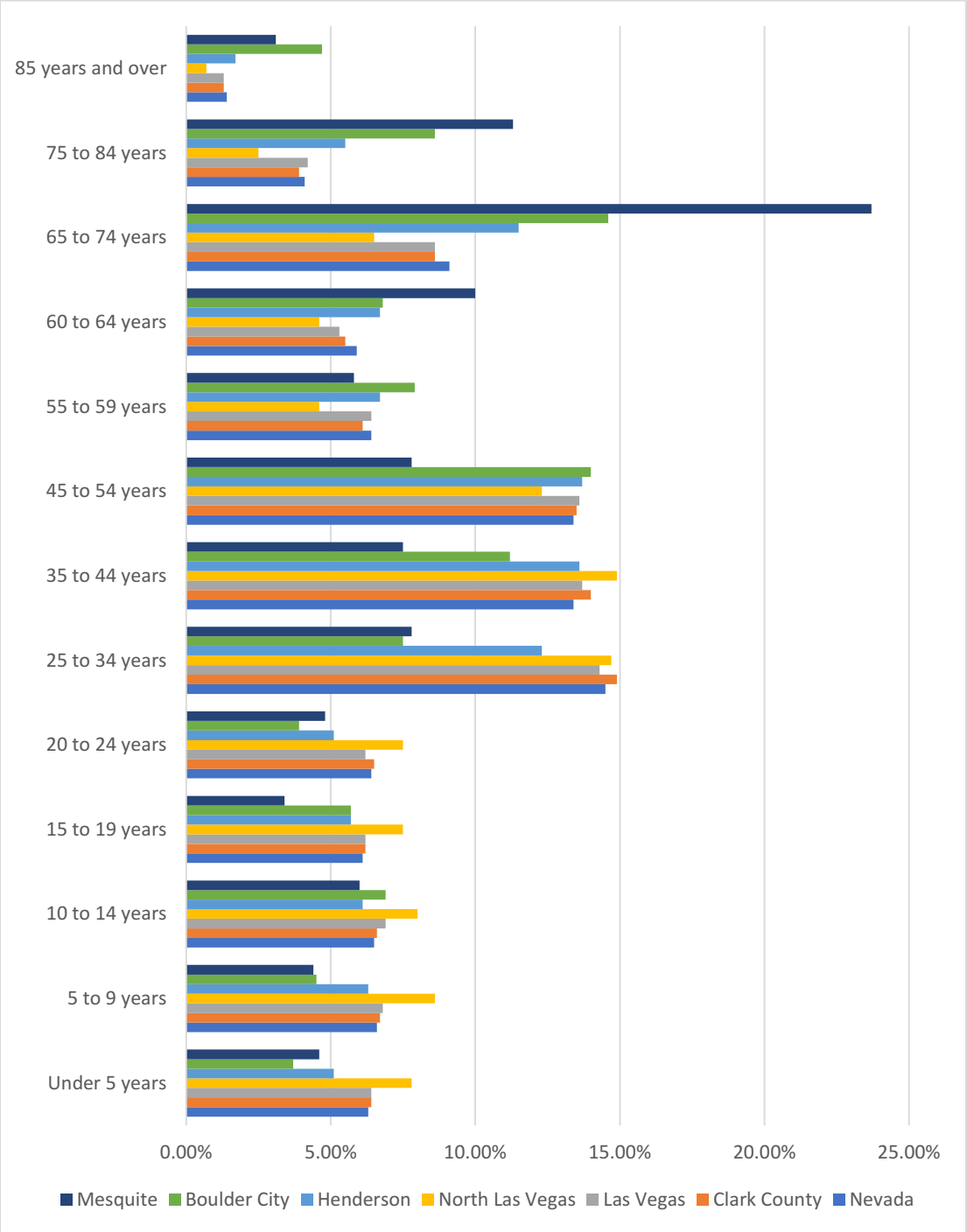
**Age**

Overall, the median age of the jurisdictions is going up, which matches the trend seen nationwide. The rate of growth in Clark County, Nevada, and Boulder City are both relatively similar to the national growth rate. The City of Mesquite saw the largest increase in Median Age with 48.1%, growing from 39.5 years old to 58.5 years old, making it the oldest jurisdiction analyzed. Las Vegas and the City of Henderson both saw a much larger increase in the median age since 2000, 29.9% and 17.6%, respectively. North Las Vegas is the only jurisdiction to have the median age go down and has the lowest age at 32.2.

| **Table: Median age, Nation, Clark County, and select cities, 2000, 2010 & 2017** | | | | |
|---|---|---|---|---|
| **Area** | **2000** | **2010** | **2017** | **% Change from 2000 to 2017** |
| Nation | 35.3 | 37.2 | 37.8 | 7.1% |
| Nevada | 35.0 | 36.3 | 37.7 | 7.7% |
| Clark County | 34.4 | 35.5 | 36.9 | 7.3% |
| Las Vegas | 28.8 | 35.9 | 37.4 | 29.9% |
| North Las Vegas | 34.5 | 30.6 | 32.2 | -6.7% |
| Henderson | 35.9 | 39.6 | 42.2 | 17.6% |
| Boulder City | 47.0 | 49.9 | 50.2 | 6.8% |
| Mesquite | 39.5 | 50.6 | 58.5 | 48.1% |
| Source: U.S. Census 2000, U.S. Census 2010, 2013-2017 ACS (DP05) | | | | |

The following chart shows the distribution of different age groups by jurisdictions. The City of Mesquite clearly has a much larger older population than other jurisdictions; over 38% of the City's population is over the age of 65. The needs of Mesquite will differ greatly from those of a City like North Las Vegas where less than 10% of the population is over 65.

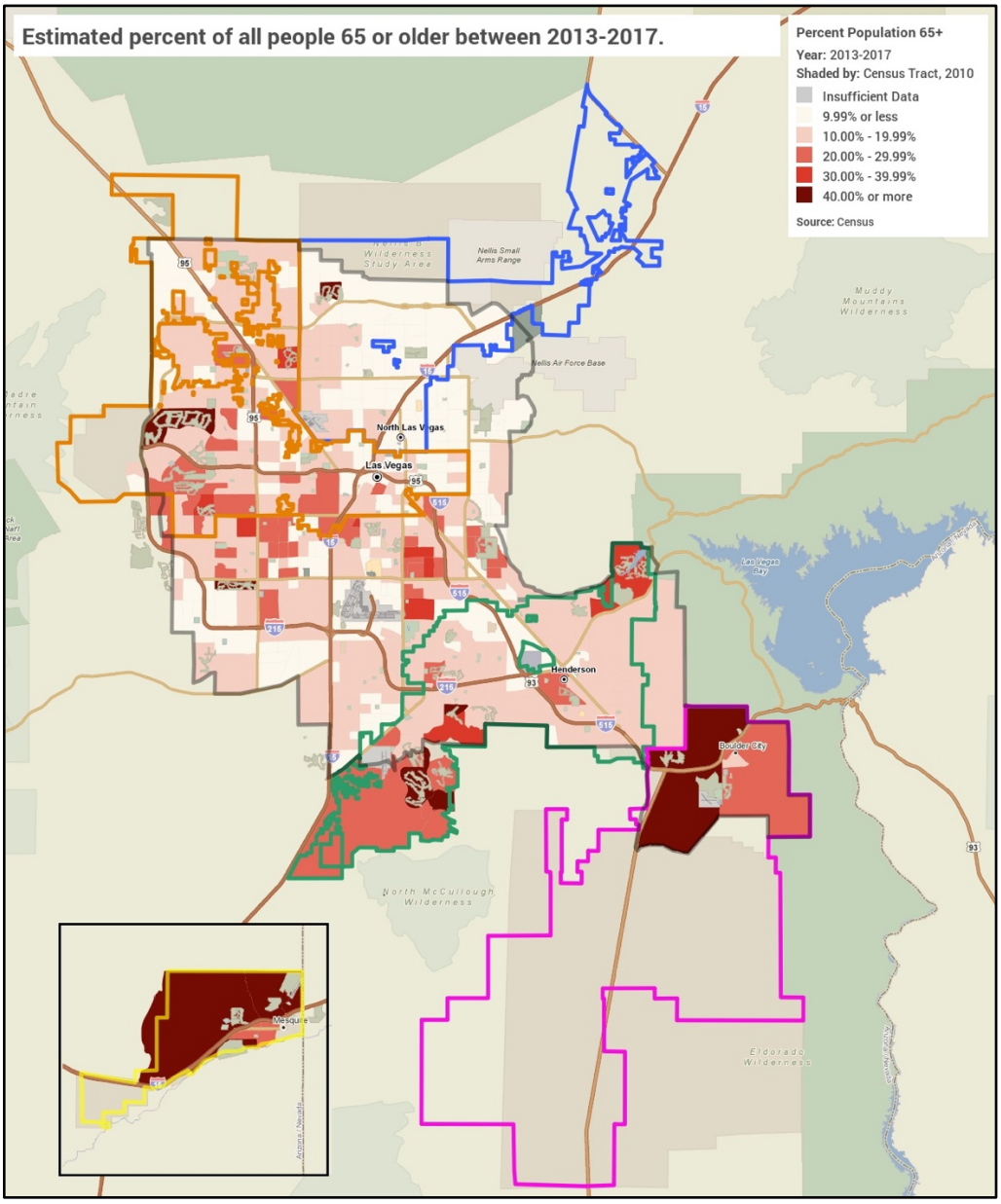
**Chart: Population by age, Nevada, Clark County, Southern Nevada cities, 2017**




Source: 2013-2017 ACS (DP05)

**Elderly**

The region has a significant elderly population who has unique needs. Boulder City and Mesquite both have a relatively large population of elderly residents. In those areas there are tracts where over 40% of the population is over the age of 65.




**Race & Ethnicity**

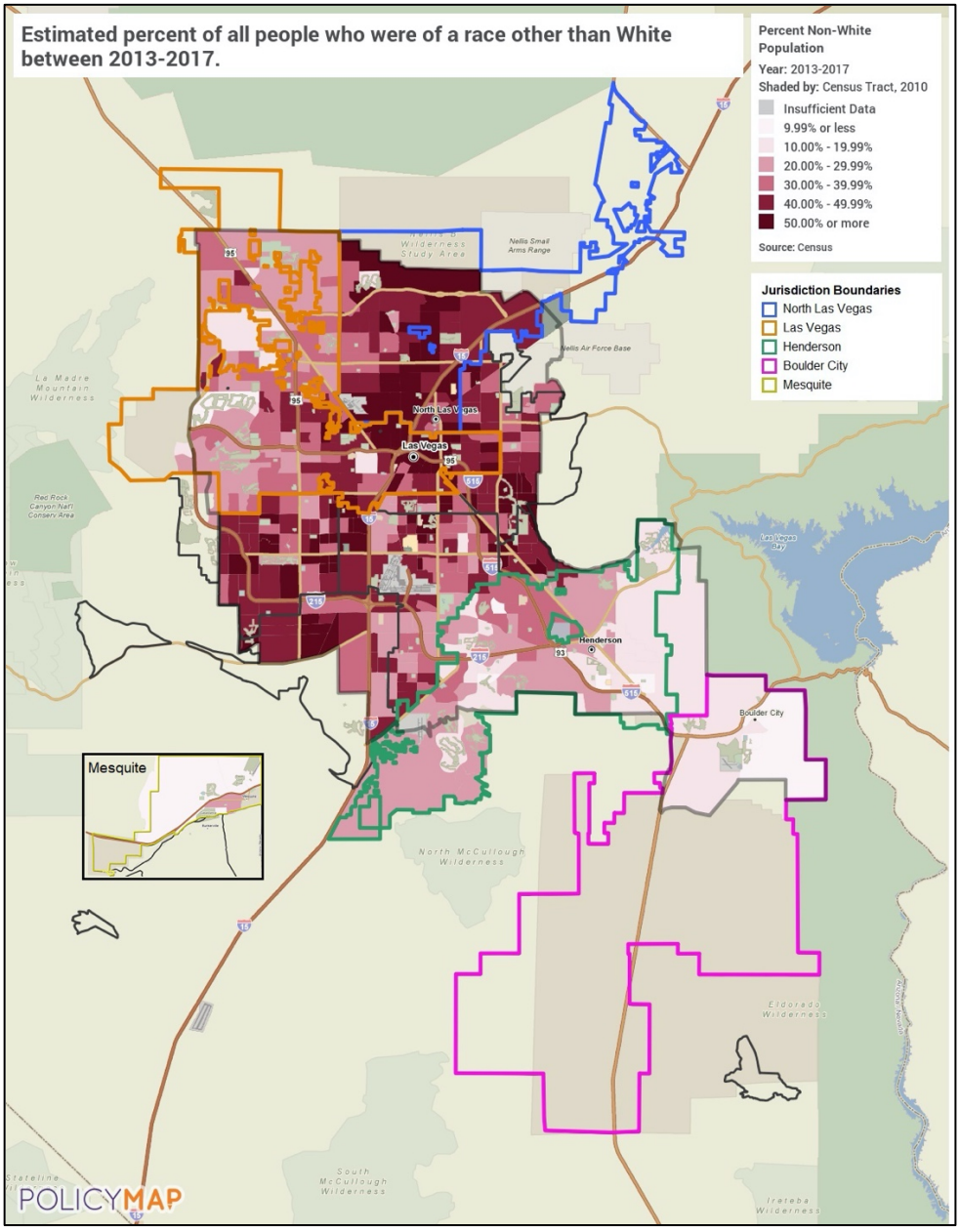
The United States has long been a diverse country with people of all races and ethnicities calling it home. While the country, and the Clark County region, are still majority White there has been

a consistent trend towards greater racial and ethnic diversity. Since 2000, the non-White population has grown in every jurisdiction. The City of Boulder City, which also has one of the oldest populations, has the most homogenous population; over 90% of the population is White. The City of North Las Vegas, which has been trending towards a younger population, is the most diverse with 46.3% of the population identifying as non-White.

| **Table: Population by race in 2000 and 2017, Nevada, Clark County, and select cities** | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Area** | **2000** | | | | **2017** | | | |
| | **White** | **Black** | **Asian** | **Other** | **White** | **Black** | **Asian** | **Other** |
| Nevada | 75.2 | 6.8 | 4.5 | 13.5 | 67.1 | 8.8 | 8.1 | 16.2 |
| Clark County | 71.6 | 9.1 | 5.3 | 14.1 | 61.6 | 11.2 | 9.6 | 17.5 |
| Las Vegas | 69.9 | 10.4 | 4.8 | 14.9 | 62.7 | 12.2 | 6.7 | 18.5 |
| North Las Vegas | 55.9 | 19.0 | 3.2 | 21.8 | 53.7 | 20.2 | 6.3 | 19.7 |
| Henderson | 84.5 | 3.8 | 4.0 | 7.8 | 77.2 | 5.4 | 8.0 | 9.3 |
| Boulder City | 94.5 | 0.7 | 0.7 | 4.1 | 91.2 | 0.3 | 2.4 | 6.0 |
| Mesquite | 80.3 | 0.6 | 1.3 | 14.6 | 85.4 | 0.8 | 2.0 | 9.9 |
| Source: U.S. Census 2000 (DP-1), 2013-2017 ACS Table (DP05) | | | | | | | | |

Throughout the area, there are many census tracts with a non-White population of over 40%. The two areas that are most notable are the northwest area of Las Vegas and southeast (Cities of Henderson and Boulder City). These areas have a much smaller non-White population with most of the Census tracts reporting 30% or less non-White populations.

**Map: Minority (Non-white) Population by Census Tract**




Source: 2013-2017 ACS via PolicyMap

Over the years, Clark County has increased in diversity and analyzing the details of that change can provide valuable insight. The racial groups that have seen the most noticeable growth are Black or African-Americans, Asian, and residents who identify as a race other than what was available on the Census. Ethnically, the area has a growing Hispanic population, as well. The overall Hispanic population more than doubled since 2000 and now over 30% of residents identify as Hispanic.

| Table: Racial and Ethnic Composition of Clark County: 2000, 2010 & 2017 | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 984,796 | 71.6% | 1,188,112 | 60.9% | 1,301,043 | 61.6% |
| Black or African American | 124,885 | 9.1% | 204,379 | 10.5% | 237,543 | 11.2% |
| American Indian and Alaska Native | 10,895 | 0.8% | 14,422 | 0.7% | 13,399 | 0.6% |
| Asian | 72,547 | 5.3% | 168,831 | 8.7% | 203,606 | 9.6% |
| Native Hawaiian/Other Pac Islander | 6,412 | 0.5% | 13,628 | 0.7% | 15,583 | 0.7% |
| Some other race | 118,465 | 8.6% | 262,506 | 13.5% | 235,631 | 11.2% |
| Two or more races | 57,765 | 4.2% | 99,391 | 5.1% | 105,631 | 5.0% |
| **Ethnicity** | | | | | | |
| Hispanic | 302,143 | 22.0% | 568,644 | 29.1% | 648,211 | 30.7% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

The City of Las Vegas has seen a population shift that is similar to the County as a whole. Again, we see growth in the Black or African American, Asian, and residents who identify as a race other than what was available on the Census. The Hispanic population has also grown by over 90,000 people and make up nearly one-third of the population.

| **Table: Racial and Ethnic Composition of Las Vegas: 2000, 2010 & 2017** | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 334,230 | 69.9% | 362,264 | 62.1% | 389,475 | 62.7% |
| Black or African American | 49,570 | 10.4% | 64,858 | 11.1% | 76,145 | 12.2% |
| American Indian and Alaska Native | 3,570 | 0.7% | 4,125 | 0.7% | 4,091 | 0.7% |
| Asian | 22,879 | 4.8% | 35,620 | 6.1% | 41,394 | 6.7% |
| Native Hawaiian/Other Pac Islander | 2,145 | 0.4% | 3,426 | 0.6% | 4,479 | 0.7% |
| Some other race | 46,643 | 9.7% | 84,785 | 14.5% | 76,183 | 12.3% |
| Two or more races | 19,397 | 4.1% | 28,678 | 4.9% | 29,895 | 4.8% |

| **Ethnicity** | | | | | | |
|---|---|---|---|---|---|---|
| Hispanic | 112,962 | 23.6% | 183,859 | 31.5% | 203,054 | 32.7% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

The City of North Las Vegas has also seen a demographic shift that is similar to the County. The racial groups mentioned before also have seen the most growth in this area. The percent growth in the number of Hispanic residents is not as dramatic in this City but they currently represent over 40% of the City's population.

| **Table: Racial and Ethnic Composition of North Las Vegas: 2000, 2010 & 2017** | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 64,591 | 55.9% | 102,829 | 47.4% | 125,973 | 53.7% |
| Black or African American | 21,970 | 19.0% | 43,153 | 19.9% | 47,424 | 20.2% |
| American Indian and Alaska Native | 943 | 0.8% | 1,680 | 0.8% | 1,334 | 0.6% |
| Asian | 3,740 | 3.2% | 13,564 | 6.3% | 14,767 | 6.3% |
| Native Hawaiian/Other Pac Islander | 610 | 0.5% | 1,822 | 0.8% | 1,677 | 0.7% |
| Some other race | 18,224 | 15.8% | 41,283 | 19.0% | 30,582 | 13.0% |
| Two or more races | 5,410 | 4.7% | 12,630 | 5.8% | 12,632 | 5.4% |
| **Ethnicity** | | | | | | |
| Hispanic | 43,435 | 37.6% | 84,134 | 38.8% | 95,908 | 40.9% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

In the City of Henderson, there has been a slight growth in non-White residents. While the non-white population has increased more in Henderson than in other areas of Clark County in recent years, the city's population is still less racially and ethnically diverse than the County averages. The largest growth was seen in Asian households that tripled since 2000. They are the largest non-White racial group but make up only 8% of the population. There is a growing Hispanic population but, much like the non-White racial groups, it is far smaller than in the above jurisdictions, making up only 15.6% of the population.

| **Table: Racial and Ethnic Composition of Henderson: 2000, 2010 & 2017** | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 148,181 | 84.5% | 198,170 | 76.9% | 219,844 | 77.2% |
| Black or African American | 6,590 | 3.8% | 13,142 | 5.1% | 15,435 | 5.4% |
| American Indian and Alaska Native | 1,236 | 0.7% | 1,683 | 0.7% | 1,245 | 0.4% |
| Asian | 6,983 | 4.0% | 18,614 | 7.2% | 22,907 | 8.0% |
| Native Hawaiian/Other Pac Islander | 728 | 0.4% | 1,445 | 0.6% | 1,197 | 0.4% |

| | | | | | | |
|---|---|---|---|---|---|---|
| Some other race | 5,549 | 3.2% | 12,309 | 4.8% | 11,831 | 4.2% |
| Two or more races | 6,114 | 3.5% | 12,366 | 4.8% | 12,358 | 4.3% |
| **Ethnicity** | | | | | | |
| Hispanic | 18,785 | 10.7% | 38,377 | 14.9% | 44,562 | 15.6% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

As mentioned above, the City of Boulder City is the most homogenous City in the area with over 91% of the population identifying as white. Unlike the other areas, this City has seen its population growth stagnate. The Hispanic population has doubled since 2000 but represents only 9% of the population.

| **Table: Racial and Ethnic Composition of Boulder City: 2000, 2010 & 2017** | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 14,149 | 94.5% | 13,866 | 92.3% | 14,278 | 91.2% |
| Black or African American | 107 | 0.7% | 130 | 0.9% | 49 | 0.3% |
| American Indian and Alaska Native | 108 | 0.7% | 125 | 0.8% | 167 | 1.1% |
| Asian | 107 | 0.7% | 169 | 1.1% | 383 | 2.4% |
| Native Hawaiian/Other Pac Islander | 24 | 0.2% | 40 | 0.3% | 39 | 0.2% |
| Some other race | 190 | 1.3% | 242 | 1.6% | 113 | 0.7% |
| Two or more races | 281 | 1.9% | 451 | 3.0% | 619 | 4.0% |
| **Ethnicity** | | | | | | |
| Hispanic | 650 | 4.3% | 1061 | 7.1% | 1,412 | 9.0% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

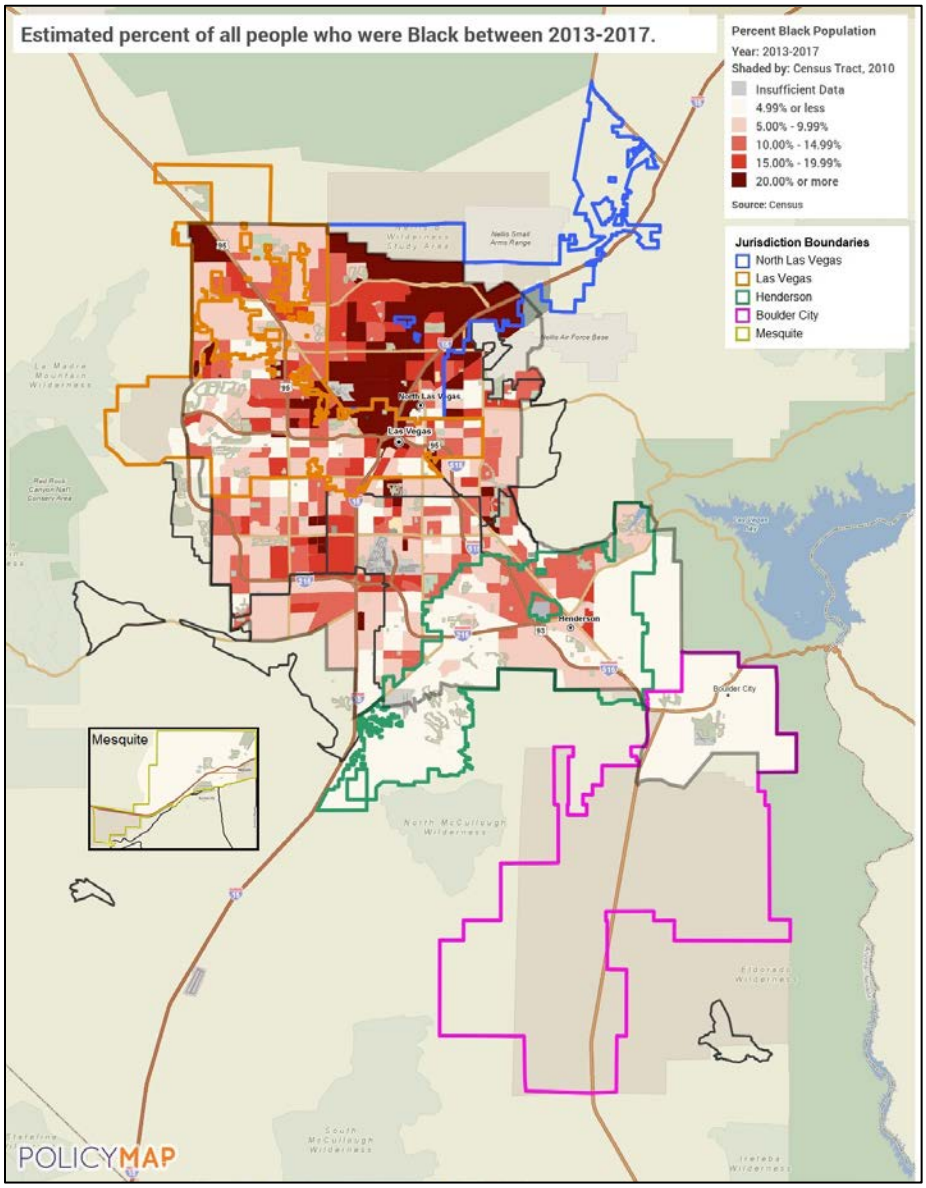
Unlike every other jurisdiction in this report, the City of Mesquite has become less diverse over the years even as the population has nearly doubled. In 2000, approximately 20% of the population was non-White but by 2017 less than 15% do not identify as White. Representation of every major group, except for White and Asian, fell during this time period.

| **Table: Racial and Ethnic Composition of Mesquite: 2000, 2010 & 2017** | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **2000** | **Percent** | **2010** | **Percent** | **2017** | **Percent** |
| White | 7,539 | 80.3% | 12,757 | 83.5% | 14,923 | 85.4% |
| Black or African American | 61 | 0.6% | 146 | 1.0% | 132 | 0.8% |
| American Indian and Alaska Native | 92 | 1.0% | 143 | 0.9% | 66 | 0.4% |
| Asian | 119 | 1.3% | 274 | 1.8% | 344 | 2.0% |
| Native Hawaiian/Other Pac Islander | 7 | 0.1% | 34 | 0.2% | 32 | 0.2% |
| Some other race | 1,367 | 14.6% | 1,614 | 10.6% | 1,736 | 9.9% |

| | | | | | | |
|---|---|---|---|---|---|---|
| Two or more races | 204 | 2.2% | 308 | 2.0% | 234 | 1.3% |
| **Ethnicity** | | | | | | |
| Hispanic | 2,324 | 24.8% | 3,658 | 23.9% | 3,643 | 20.9% |
| Sources: 2000 and 2010 U.S. Census, 2013-2017 ACS (DP05) | | | | | | |

Throughout the jurisdiction the northern census tracts appear to have a substantially larger Black or African American population than elsewhere. Many tracts from the center of the jurisdiction to the northern border have over 20% of their population that is Black. Southern tracts have significantly smaller Black populations with less than 5% in many cases.

**Map: Black & African American Population by Census Tract**




Source: 2013-2017 ACS via PolicyMap

**Ethnic Hispanic**

As noted above, the Hispanic population has grown throughout the area. North Las Vegas has seen the lowest rate of growth, but this is likely due to the relatively large Hispanic population that has been present for decades. Currently, Hispanic residents make up over 40% of the City of North Las Vegas' population. The City of Boulder City saw the highest rate of growth, but this is due to the relatively small Hispanic population, only 9%. The City of Mesquite was the only place that saw a relative reduction in the Hispanic population.

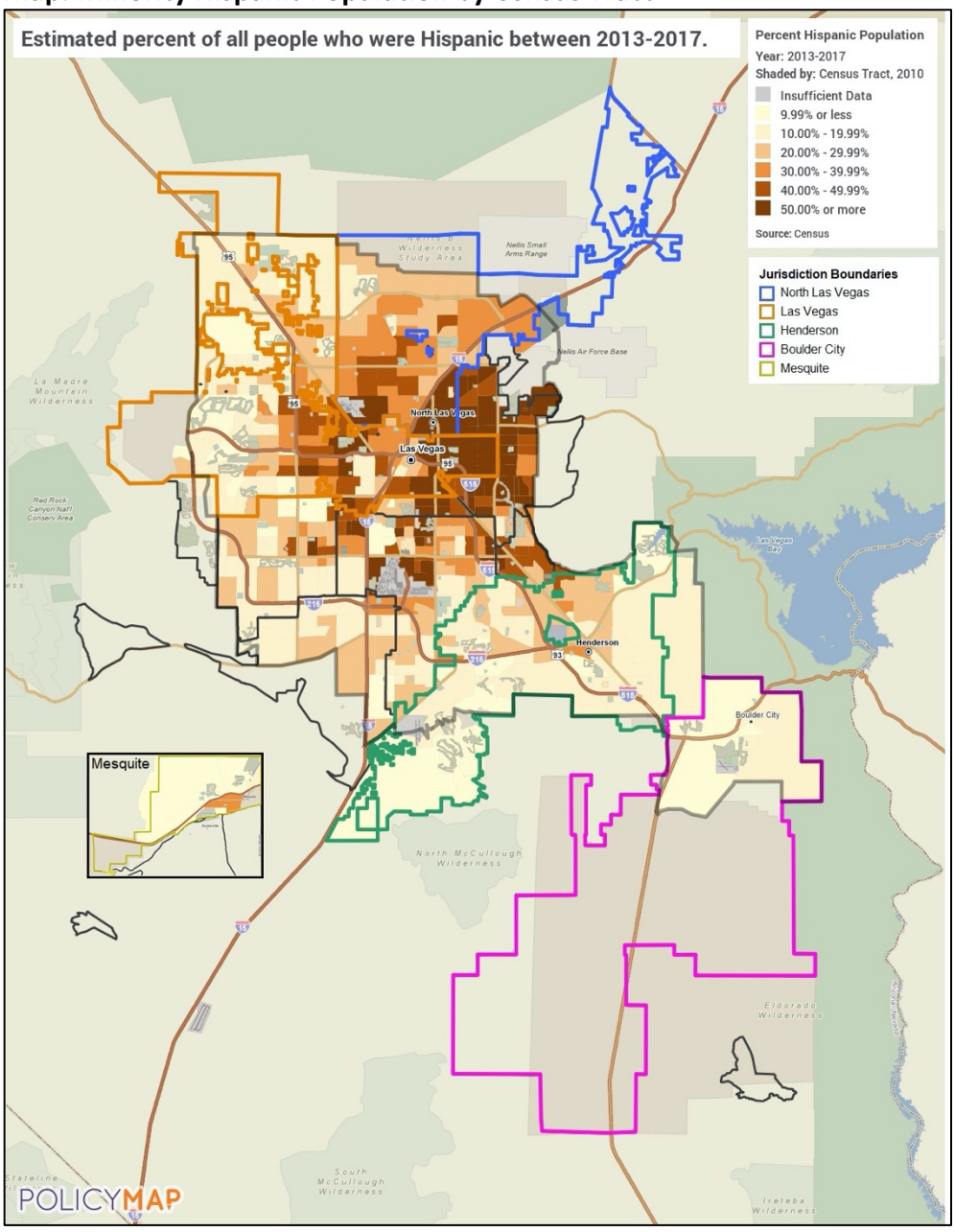
**Table: Hispanic Population in Clark County, and select cities, 2000 and 2017**

| Area | 2000 | | 2017 | | % Change from 2000-2017 |
|---|---|---|---|---|---|
| | Estimate | Percent | Estimate | Percent | |
| Clark County | 302,143 | 22.0% | 648,211 | 30.7% | 39.6% |
| Las Vegas | 112,962 | 23.6% | 203,054 | 32.7% | 38.6% |
| North Las Vegas | 43,435 | 37.6% | 95,908 | 40.9% | 8.8% |
| Henderson | 18,785 | 10.7% | 44,562 | 15.6% | 45.8% |
| Boulder City | 650 | 4.3% | 1,412 | 9.0% | 109.3% |
| Mesquite | 2,324 | 24.8% | 3,643 | 20.9% | -15.7% |

Sources: 2000 U.S. Census, 2013-2017 ACS (DP05)
Data note: % Change from 2000-2017 is by change in percentage.

The northeastern and eastern parts of the area (North Las Vegas and Las Vegas) have census tracts with the largest Hispanic populations. Over 50% in most tracts are ethnically Hispanic in that area. Southern and western tracts have a much smaller Hispanic population with less than 20% in many tracts.

**Map: Minority Hispanic Population by Census Tract**




Source: 2013-2017 ACS via PolicyMap

**Foreign Born**

Since 2000, nearly every jurisdiction has seen the proportion of their population that is foreign-born grow. Mesquite and North Las Vegas are the only Cities that go against that trend; however, North Las Vegas has consistently had a relatively large foreign-born population when compared to other jurisdictions. Boulder City saw the largest growth in this population, 62.5%, but they still only make up 5.2% of the overall population, which is significantly lower than the approximately 20% throughout the rest of the area.

**Table: Population by place of birth 2000 and 2017, Nevada, Clark County, and select cities**

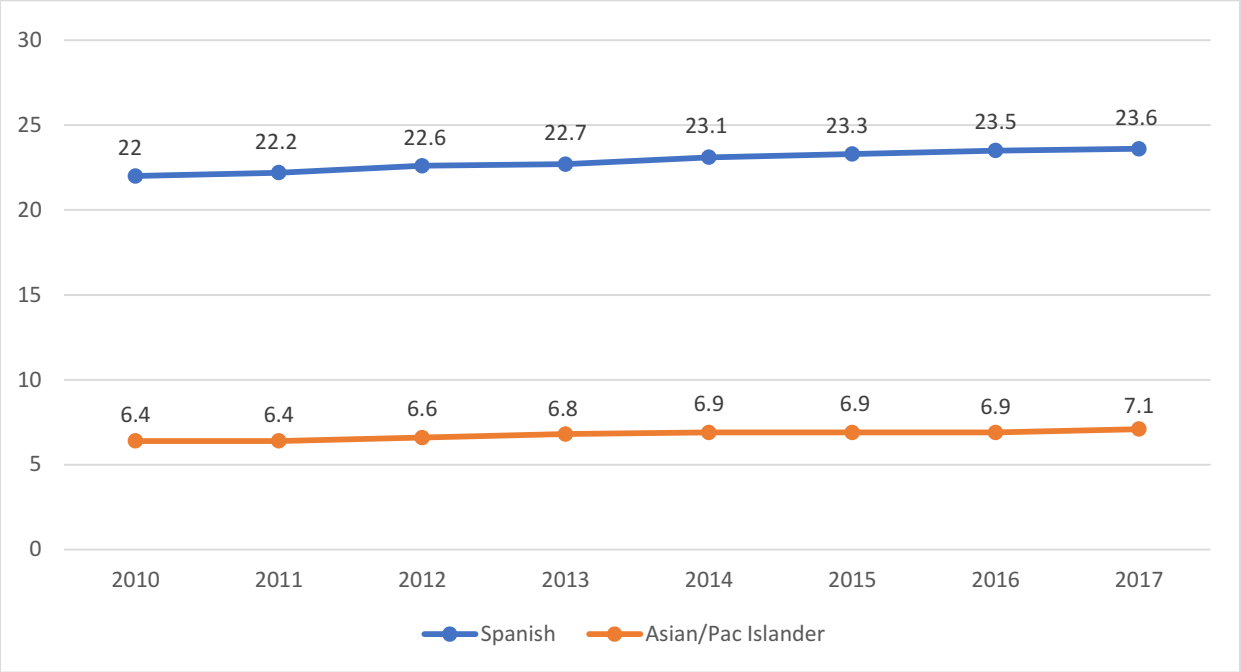
| Area | 2000 | | | 2017 | | | % Change 2000-2017 (%) |
|---|---|---|---|---|---|---|---|
| | Total Population | Foreign Born | % Foreign Born | Total Population | Foreign Born | % Foreign Born | |
| Nevada | 1,998,257 | 316,593 | 15.8% | 2,887,725 | 561,734 | 19.5% | 23.4% |
| Clark County | 1,375,765 | 247,751 | 18.0% | 2,112,436 | 470,645 | 22.3% | 23.9% |
| Las Vegas | 478,434 | 90,656 | 18.9% | 621,662 | 131,944 | 21.2% | 12.2% |
| North Las Vegas | 115,488 | 28,948 | 25.1% | 234,389 | 50,286 | 21.5% | -14.3% |
| Henderson | 175,381 | 14,678 | 8.4% | 284,817 | 36,078 | 12.7% | 51.2% |
| Boulder City | 14,966 | 478 | 3.2% | 15,648 | 806 | 5.2% | 62.5% |
| Mesquite | 9,504 | 1,516 | 16.0% | 17,467 | 1,729 | 9.9% | -38.1% |

Source: U.S. Census 2000 (DP-2), ACS 2013-2017 (DP02)
Data note: % Change from 2000-2017 is by change in percentage.

Expectedly, the number of households who speak a language other than English at home is very similar to the number of foreign-born households. The most common language spoken at home is Spanish, which is spoken by 23.6% of households. It is also relatively common for a household to speak an Asian or Pacific Islander language in Clark County.

**Language Spoken at Home**

Chart: Language Spoken at Home in Clark County, from 2010 to 2017




Source 2006-2010 ACS to 2013-2017 ACS (S1601)

## Comparison to Other Jurisdictions

When compared to Washoe County, Clark County is more diverse. The non-White population is approximately 18% larger and the Hispanic population is 7% larger. In Washoe County, the American Indian and Alaska Native population makes up a larger proportion than it does in Clark County.

| **Table: Population by Race/Ethnicity Comparison of Clark County & Washoe County, 2017** | | |
|---|---|---|
| **Race/Ethnicity** | **Clark County** | **Washoe County** |
| Total Population | 2,112,436 | 445,551 |
| White | 61.6% | 79.6% |
| Black or African American | 11.2% | 2.3% |
| American Indian and Alaska Native | 0.6% | 1.6% |
| Asian | 9.6% | 5.4% |
| Native Hawaiian/Other Pac Islander | 0.7% | 0.6% |
| Some other race | 11.2% | 6.2% |
| Two or more races | 5.0% | 4.3% |
| **Ethnicity** | | |
| Hispanic | 30.7% | 23.9% |
| Sources: 2013-2017 ACS (DP05) | | |

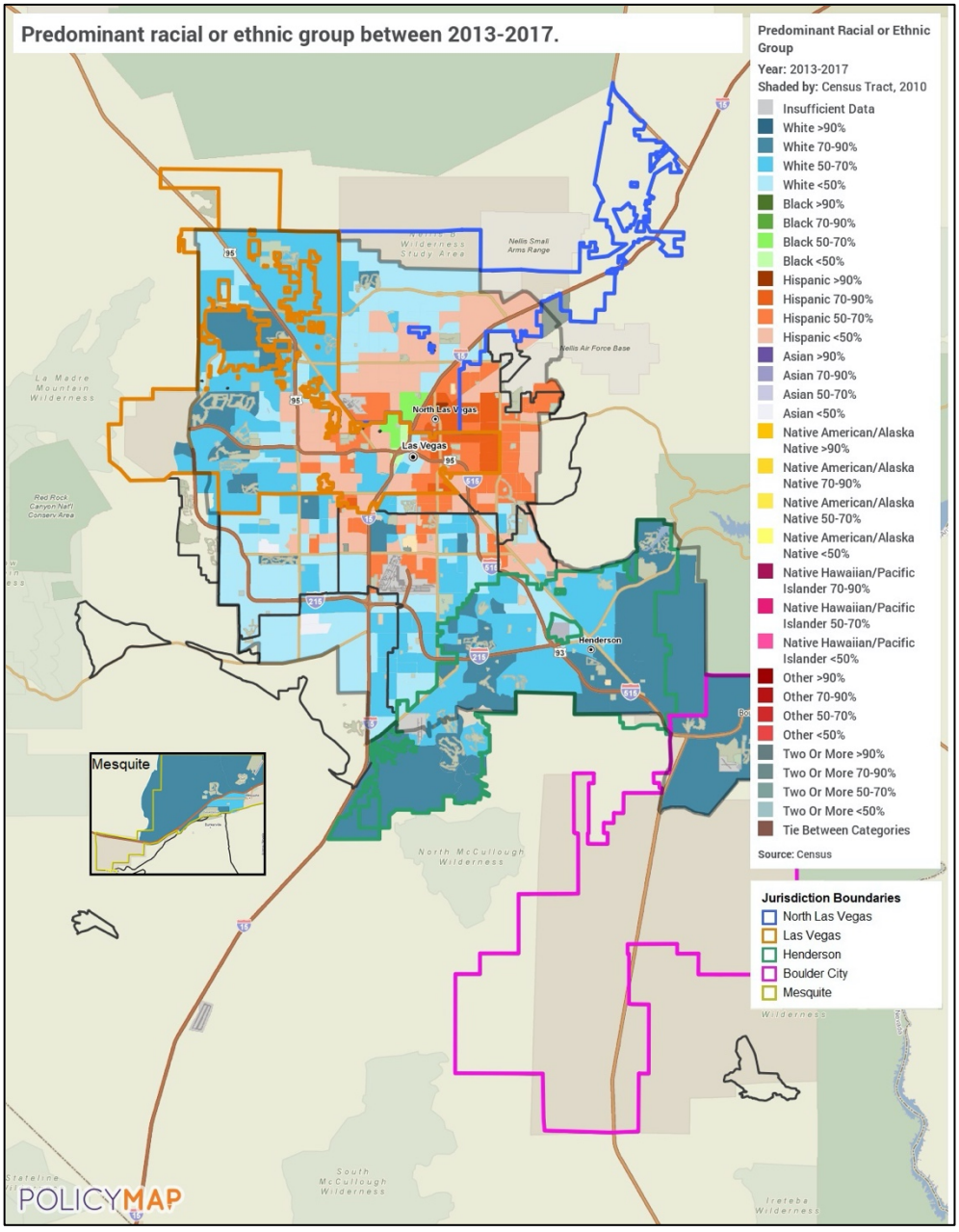
Comparing the cities in the county to those in the region brings some interesting information to light. Las Vegas and North Las Vegas both have a much larger Black population than Reno or Phoenix. The Hispanic population is larger in Phoenix and smaller in Reno. Overall, Henderson has similar demographics to Phoenix and Reno, Las Vegas and North Las Vegas are more diverse, and Boulder City is significantly more homogenous racially and ethnically.

| **Table: Population by Race/Ethnicity Comparison of Phoenix, Reno and Southern Nevada cities, 2017** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Race/Ethnicity** | **Phoenix** | **Reno** | **Las Vegas** | **North Las Vegas** | **Henderson** | **Boulder City** | **Mesquite** |
| Total Population | 1,574,421 | 239,732 | 621,662 | 234,389 | 284,817 | 15,648 | 17,467 |
| White | 71.9% | 77.5% | 62.7% | 53.7% | 77.2% | 91.2% | 85.4% |
| Black or African American | 6.9% | 2.6% | 12.2% | 20.2% | 5.4% | 0.3% | 0.8% |
| American Indian and Alaska Native | 2.0% | 1.2% | 0.7% | 0.6% | 0.4% | 1.1% | 0.4% |
| Asian | 3.6% | 6.4% | 6.7% | 6.3% | 8.0% | 2.4% | 2.0% |
| Native Hawaiian/Other Pac Islander | 0.2% | 0.8% | 0.7% | 0.7% | 0.4% | 0.2% | 0.2% |
| Some other race | 11.7% | 6.8% | 12.3% | 13.0% | 4.2% | 0.7% | 9.9% |
| Two or more races | 3.7% | 4.7% | 4.8% | 5.4% | 4.3% | 4.0% | 1.3% |
| **Ethnicity** | | | | | | | 20.9% |
| Hispanic | 42.5% | 25.2% | 32.7% | 40.9% | 15.6% | 9.0% | 85.4% |
| Sources: 2013-2017 ACS (DP05) | | | | | | | |

**Diversity**

The following two maps visually display different ways of showing diversity in an area. The first shows what the prominent racial or ethnic group is in a census tract and how large that group is. The map shows that there are many predominantly Hispanic areas in the central and eastern parts of the County. There are a few tracts where Black households are predominant near the Las Vegas and North Las Vegas border, and most of the tracts along the outer edges to the south, west, and north are predominantly White.

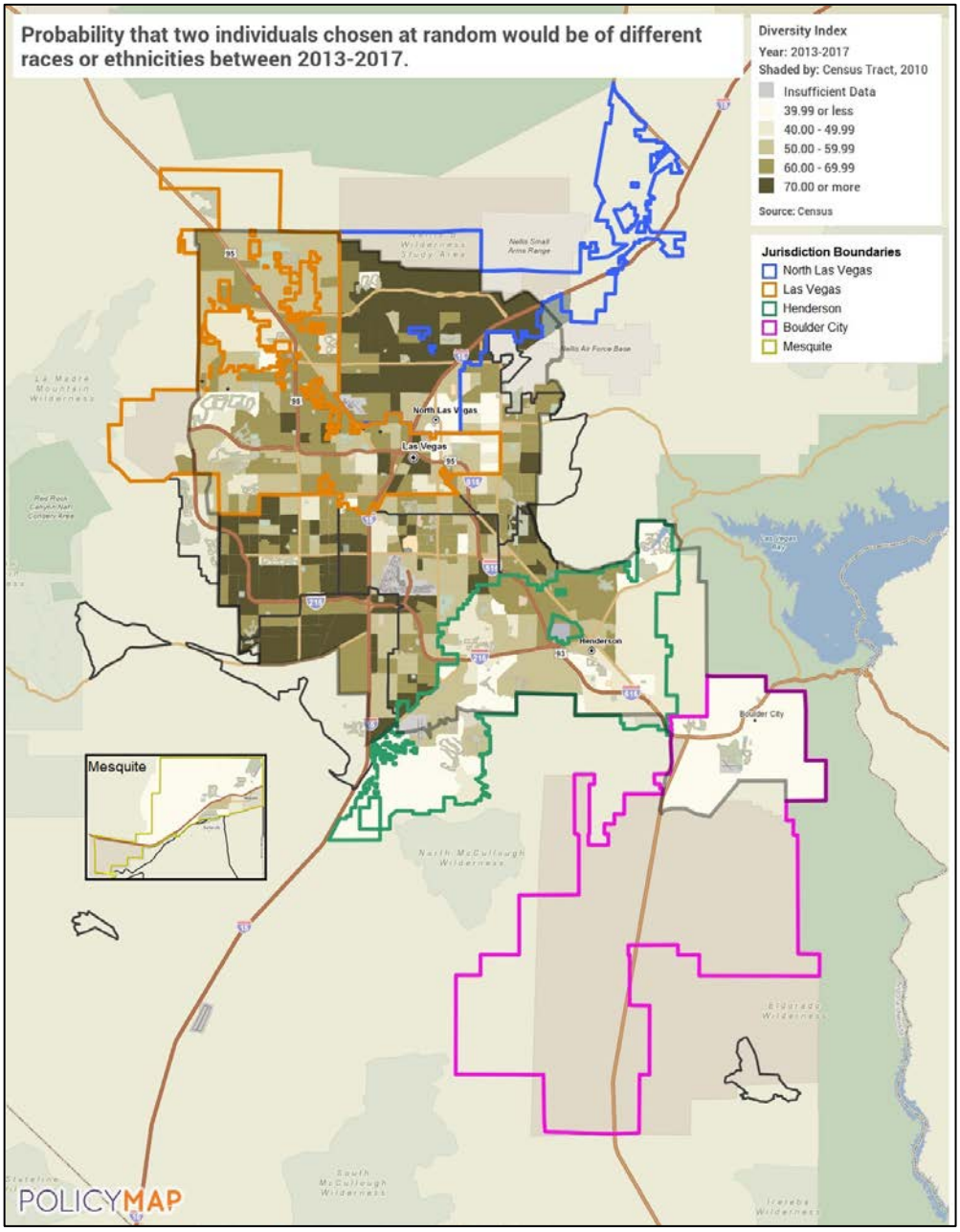
**Map: Diversity – Prominent racial or ethnic group by census tract**




Source: 2013-2017 ACS via PolicyMap

The next map displays the Diversity Index, which is a score that measures how likely it is that two individuals chosen at random will be a different race or ethnicity. Areas with low scores tend to be more homogenous while those with high scores are more heterogeneous. Unsurprisingly, the areas that showed high concentrations of one race or ethnicity have lower scores and the other areas are more diverse.

**Map: Diversity Index**




Source: 2013-2017 ACS via PolicyMap

**Disability Status**

As the population ages the disability rate in a community starts to go up. Residents who reported having disabilities (includes self-reported disabilities and formal medical diagnoses) often have unique housing needs and may have reduced opportunities to earn an income. In Clark County, the disability rate by age is similar to the rate in the state, as a whole. Nearly 50% of residents over 75 years and over have a disability. This elderly population is likely on a fixed income and may need support to maintain or secure safe and stable housing.

| Table: Disability and Age for Clark County and Nevada, 2017 | | | | |
|---|---|---|---|---|
| **Age** | **Clark County** | | **Nevada** | |
| | **With a Disability** | **Percent of Age Group** | **With a Disability** | **Percent of Age Group** |
| Under 5 years | 1,382 | 1.0% | 2,765 | 1.5% |
| 5 to 17 years | 17,593 | 4.8% | 25,501 | 5.2% |
| 18 to 34 years | 28,258 | 5.8% | 41,921 | 6.4% |
| 35 to 64 years | 108,646 | 13.3% | 152,692 | 13.7% |
| 65 to 74 years | 48,974 | 27.2% | 71,378 | 27.3% |
| 75 years and over | 53,251 | 49.8% | 76,124 | 49.2% |
| Source: 2013-2017 ACS (S1810)<br>Data note: Disability status for the civilian non-institutionalized population 5 years and over. | | | | |

Since 2000, the disability rate has gone down in the County and in each City, except Mesquite. North Las Vegas, which as noted above is the youngest City in the area, had the overall disability rate go down by nearly 50% and currently only 10.8% of the population report having a disability. Boulder City, the oldest City in the area, saw the smallest reduction with a disability rate drop from 19.3% to 15.7%. Mesquite, as the city with the largest growth in median age, had the only increase in disability rate, growing to 20%.

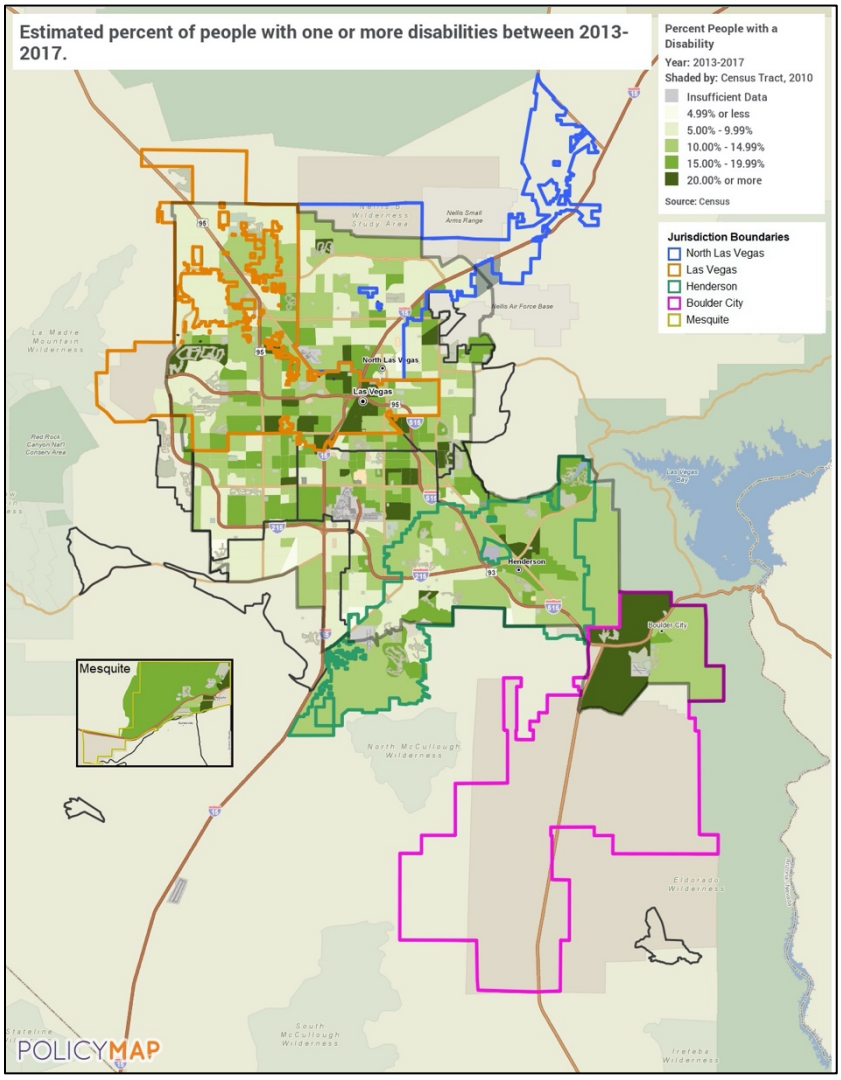
| Table: Disability status for Nevada, Clark County, and selected cities, 2000 and 2017 | | | | | |
|---|---|---|---|---|---|
| **Area** | **2000** | | **2017** | | **% Change from 2000-2017** |
| | **Estimate** | **Percent** | **Estimate** | **Percent** | |
| Clark County | 264,470 | 21.1% | 258,104 | 12.4% | -41.2 |
| Las Vegas | 96,564 | 22.2% | 80,162 | 13.1% | -40.1 |
| North Las Vegas | 21,330 | 21.0% | 24,889 | 10.8% | -48.6 |
| Henderson | 26,262 | 16.1% | 34,343 | 12.1% | -24.8 |
| Boulder City | 2,761 | 19.3% | 2,393 | 15.7% | -18.7 |
| Mesquite | 1,732 | 18.2% | 3,460 | 20.0% | 9.8% |
| Source: 2013-2017 ACS (S1810)<br>Data note: Disability status for the civilian non-institutionalized population 5 years and over.<br>Data note: % Change from 2000-2017 is by change in percentage. | | | | | |

When comparing the disability rate by race between Clark County and Nevada we see very similar statistics. For each group, the disability rate in the County is within 1% of the statewide rate. American Indian and Alaska Native residents are the most likely to report a disability (18.2%) and Hispanic residents are the least likely (8.2%).

| **Table: Disability and Race Comparison for Clark County and Nevada, 2017** | | | | |
|---|---|---|---|---|
| **Race** | **Clark County** | | **Nevada** | |
| | **Estimate** | **Percent of Group** | **Estimate** | **Percent of Group** |
| White | 171,096 | 13.3% | 267,663 | 14.0% |
| Black or African American | 32,653 | 14.1% | 34,450 | 14.1% |
| American Indian and Alaska Native | 2,385 | 18.2% | 5,808 | 18.3% |
| Asian | 19,146 | 9.4% | 21,256 | 9.2% |
| Native Hawaiian/Other Pac Islander | 1,788 | 11.6% | 2,349 | 12.6% |
| Some other race | 21,512 | 9.2% | 26,330 | 9.5% |
| Two or more races | 9,524 | 9.1% | 12,525 | 9.4% |
| **Ethnicity** | | | | |
| Hispanic | 52,533 | 8.2% | 68,985 | 8.6% |
| Source: 2013-2017 ACS (S1810) | | | | |

Overall, there is not a strong geographic concentration of persons with disabilities in Clark County. Tracts with relatively high rates (18% or more) and relatively low rates (under 9%) are often found next to each other. Unsurprisingly, the North Las Vegas area appears to have lower disability rates, particularly in the north, and Boulder City has higher rates.

**Map: Disability by Census Tracts**




Source: 2013-2017 ACS via PolicyMap

**Income**

Since 2000, Nevada and the Clark County area have both seen median incomes rise. The statewide median household income (MHI) grew by 24.3%, which is higher than any of the jurisdictions in the Clark County Area. The City of North Las Vegas grew more than any other City (21.2%) and the City of Boulder City grew the least (14.5%). Currently, the City of Henderson has the highest MHI by nearly $10,000 and the rest of the jurisdictions have an MHI between $53,000 and $58,000, except Mesquite. The City of Mesquite saw moderate growth in the Median Household Income, 17.9%, but has an MHI that is between approximately $5,500 and $19,000 less than other communities.

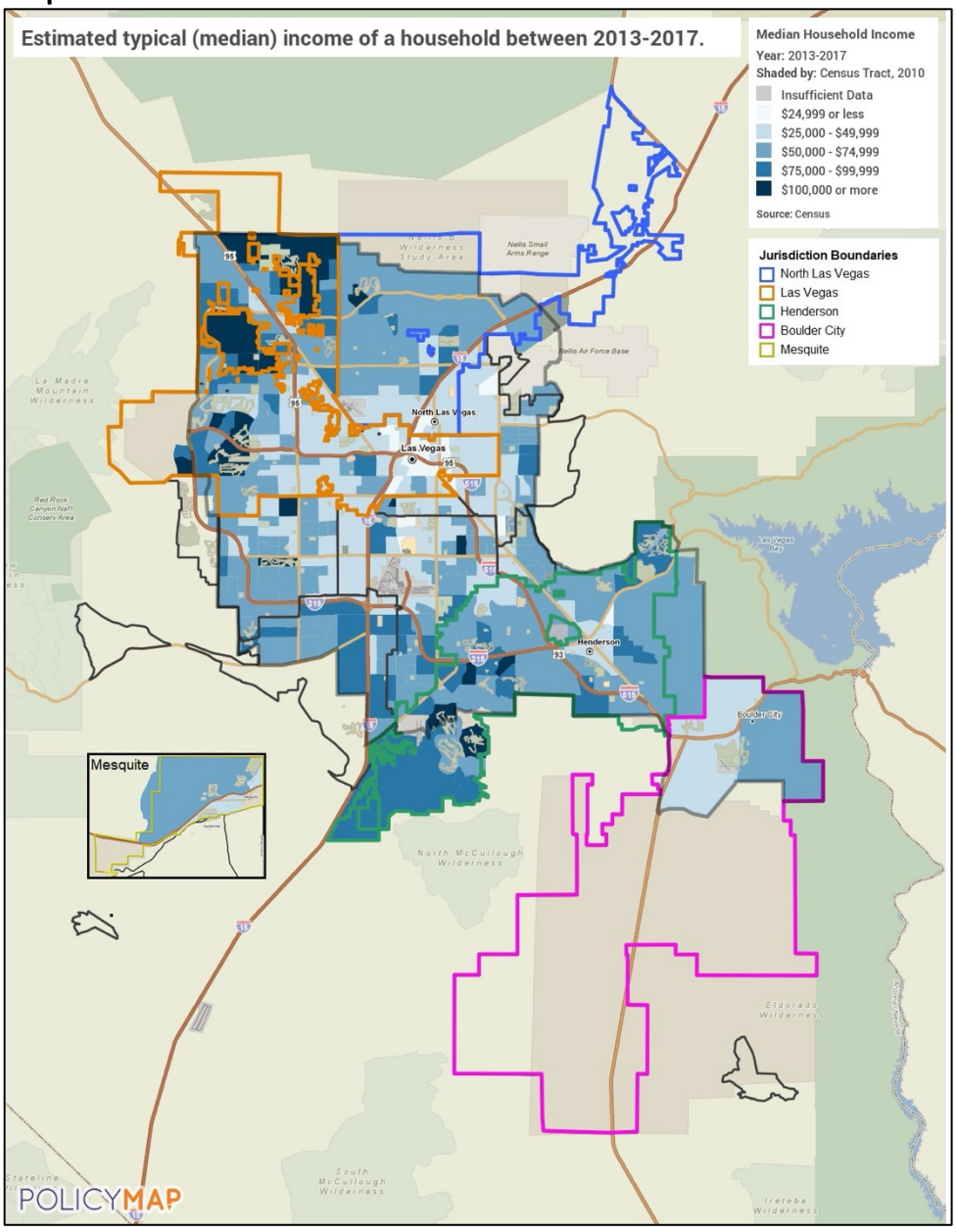
When pairing this information with the demographic data identified earlier, there appears to be a couple of different things happening. The younger, more diverse area of North Las Vegas is growing economically faster than most of the region while the older, less diverse area of Boulder City is growing more slowly or has lower incomes like Mesquite. As noted before, older residents are more likely to have a disability and/or be on a fixed income, if expenses in Boulder City or Mesquite rise faster than the MHI then residents may become cost-burdened or face substandard living conditions.

**Table: Median Household Income in 2017, Nevada, Clark County, and select cities**

| | 2000 | 2017 | Percent Change |
|---|---|---|---|
| Nevada | $44,581 | $55,434 | 24.3% |
| Clark County | $44,616 | $54,882 | 23.0% |
| Las Vegas | $44,069 | $53,159 | 20.6% |
| North Las Vegas | $46,057 | $55,828 | 21.2% |
| Henderson | $55,949 | $66,939 | 19.6% |
| Boulder City | $50,523 | $57,843 | 14.5% |
| Mesquite | $40,392 | $47,642 | 17.9% |
| Source: 2000 Census (DP3), 2013-2017 ACS (DP03) | | | |

In general, the MHI in the area is not heavily dependent on geography. Census tracts with a relatively low LMI (less than $40,000) are found throughout the County, as are higher income census tracts ($100,000 or more). There is a slight trend towards higher incomes in the northwest and southeast, but it is not highly correlated.

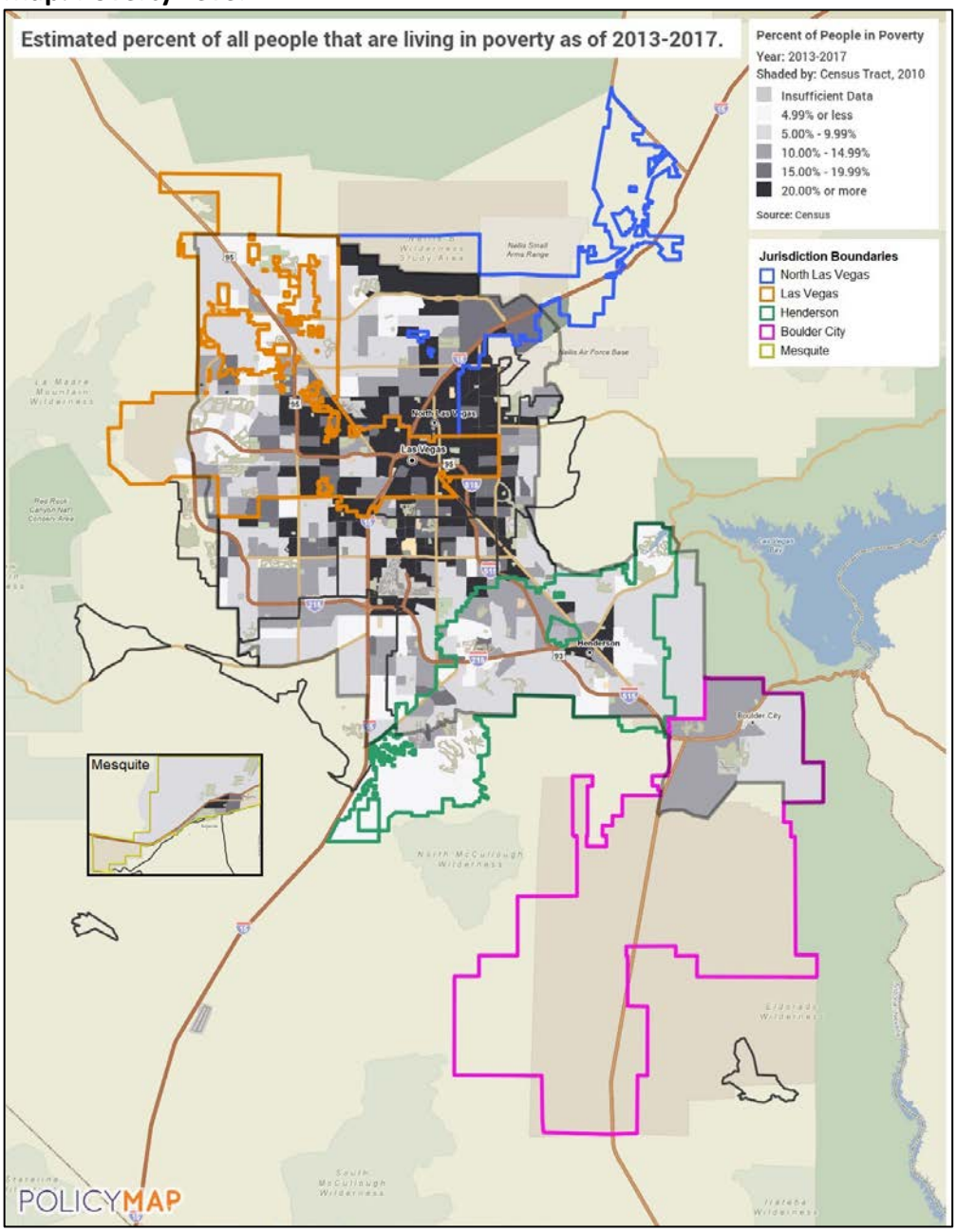
**Map: Median Household Income**




Source: 2013-2017 ACS via PolicyMap

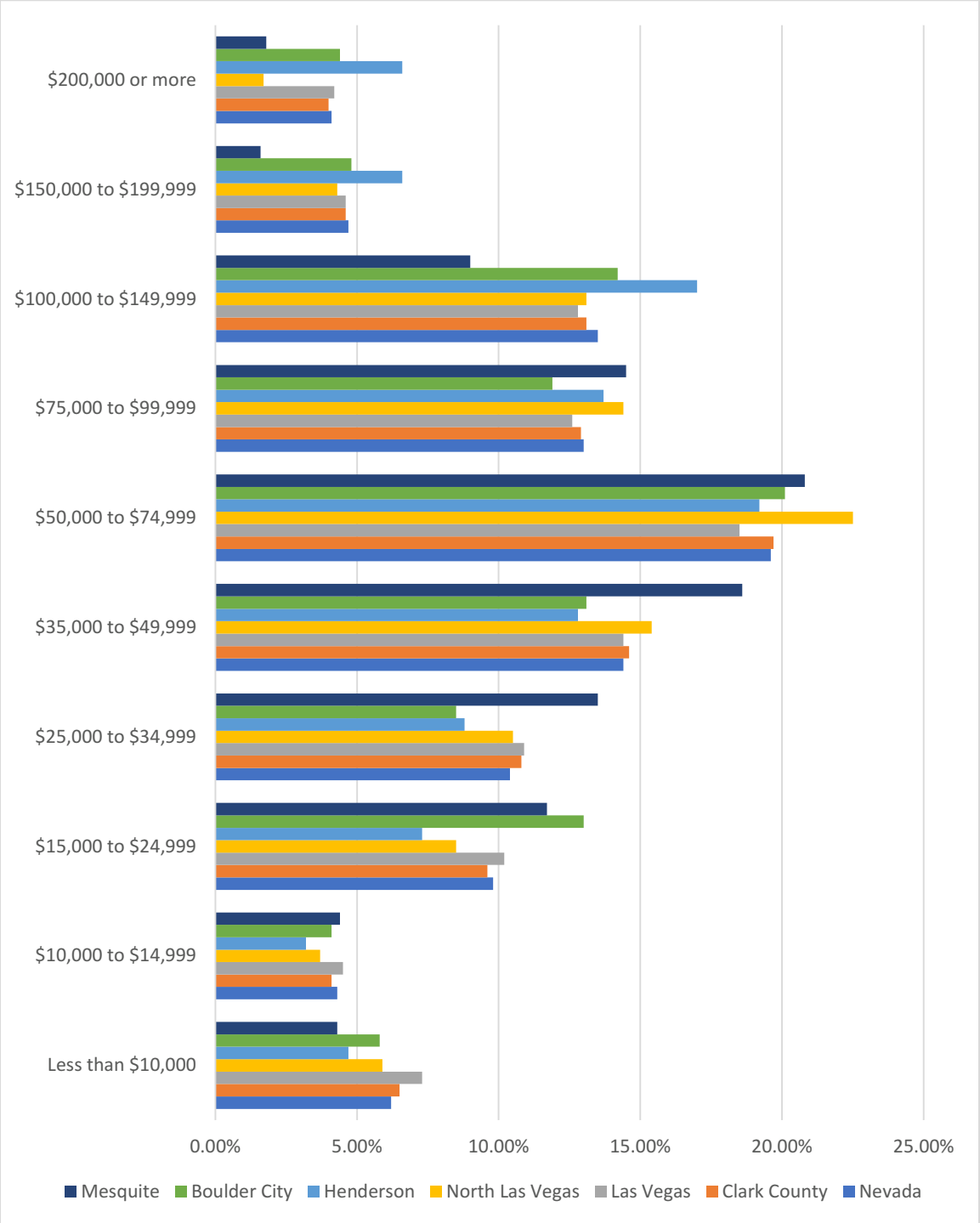
The following map of the poverty level by census tract paints a clearer picture of potential economic segregation or reduced opportunities based on where a household lives. High poverty areas (20% or higher) are much more concentrated in the central parts of the County and up through the northeast. Conversely, low poverty areas (5% or less) are more common along the outer edges in the south, west, and northwest. The concentrations of poverty are generally located where the social service providers and non-profits are located.

**Map: Poverty Level**




Source: 2013-2017 ACS via PolicyMap

Chart: Household income in 2017, Nevada, Clark County, and select cities



The Center for Business and Economic Research and the University of Nevada, Las Vegas provides economic forecasts for Clark County for a variety of indicators. All economic indicators are predicted to grow with the Price Index growing the most, by over 70%. Real disposable income is expected to grow more slowly than other indicators by 59%.

| **Table: Economic Forecast in Clark County from the present to 2040** | | | | | | |
|---|---|---|---|---|---|---|
| **Variable** | **2018** | **2019** | **2020** | **2030** | **2040** | **% Change 2018-2040** |
| Personal Income | $102.77 | $106.02 | $109.40 | $133.56 | $165.36 | 60.9% |
| Disposable Personal Income | $92.36 | $95.46 | $98.42 | $119.64 | $147.47 | 59.7% |
| PCE – Price Index (w/ housing price) | $111.98 | $114.53 | $117.51 | $149.98 | $190.64 | 70.2% |
| Real Personal Income (w/ housing price) | $91.86 | $94.62 | $97.50 | $118.69 | $147.18 | 60.2% |
| Real Disposable Personal Income (w/ housing price) | $82.55 | $85.19 | $87.72 | $106.32 | $131.26 | 59.0% |
| Source: "Long-Term Projections for Clark County, Nevada 2018-2060," Center for Business and Economic Research, UNLV. | | | | | | |

Overall, the per capita income is forecasted to grow more quickly than the population. By 2040, the population is expected to grow 18.3% while the per capita income by 35%. The largest growth period is expected to be between 2030 and 2040 when the per capita income will grow by nearly $1,000 per year, or twice the growth rate between 2020 and 2030.

| **Table: Forecast of Change of Income in Clark County from the present to 2040** | | | | | | |
|---|---|---|---|---|---|---|
| **Variable** | **2018** | **2019** | **2020** | **2030** | **2040** | **% Change 2018-2040** |
| Disposable Personal Income (real) | $92.36 | $95.46 | $98.42 | $119.64 | $147.47 | 59.7% |
| Population | 2,295,610 | 2,343,810 | 2,389,340 | 2,6004,50 | 2,715,900 | 18.3% |
| Per Capita Income | $40,233 | $40,728 | $41,191 | $46,007 | $54,299 | 35.0% |
| Source: "Long-Term Projections for Clark County, Nevada 2018-2060," Center for Business and Economic Research, UNLV. | | | | | | |

**Median Income by Race/Ethnicity**

Unfortunately, it is often the case that there is a correlation between a person's median income and their race or ethnicity. Throughout the area Black or African-American residents earn less than any other racial or ethnic group, with the exception of North Las Vegas where they earn the second lowest amount. Generally, Asian and White residents have the highest median income by race or ethnicity, sometimes by a significant amount.

**Table: Median Income by Race/Ethnicity in Clark County and select cities in 2017**

| Race | Clark County | Las Vegas | N. Las Vegas | Henderson | Boulder City | Mesquite |
|---|---|---|---|---|---|---|
| White | $59,075 | $58,727 | $60,625 | $68,678 | $57,791 | $48,258 |
| Black or African American | $38,679 | $36,915 | $47,155 | $45,275 | - | - |
| American Indian and Alaska Native | $45,758 | $40,218 | $55,893 | $61,528 | - | - |
| Asian | $63,526 | $57,924 | $66,716 | $74,701 | - | $38,523 |
| Native Hawaiian/Other Pac Islander | $54,867 | $54,271 | $48,438 | $54,671 | - | - |
| Some other race | $43,268 | $40,674 | $45,772 | $52,757 | - | $42,240 |
| Two or more races | $55,295 | $59,640 | $63,333 | $65,603 | - | $44,167 |
| **Ethnicity** | | | | | | |
| Hispanic | $47,092 | $44,669 | $49,644 | $60,208 | $53,656 | $44,975 |

Source: 2013-2017 ACS (S1903)
- Reliable estimates unavailable due to large margin of error

**Poverty**

The current poverty rate and change in poverty rate since 2000 varies between jurisdictions. The City of North Las Vegas' poverty rate grew by only 2%; however they had the highest poverty rate in 2000 and currently have the second highest. The City of Boulder City had the greatest increase in poverty rate (65.7%) but still maintains one of the lowest poverty rates in the area.

| Table: Poverty Rate | | | |
|---|---|---|---|
| | **2000** | **2017** | **Percent Change** |
| Nevada | 10.5% | 14.2% | 35.2% |
| Clark County | 10.8% | 14.6% | 35.2% |
| Las Vegas | 11.9% | 16.2% | 36.1% |
| North Las Vegas | 14.8% | 15.1% | 2.0% |
| Henderson | 5.6% | 9.1% | 62.5% |
| Boulder City | 6.7% | 11.1% | 65.7% |
| Mesquite | 10.2% | 11.4% | 11.7% |
| Source: 2000 Census (DP3), 2013-2017 ACS (S1701) | | | |

**Poverty and Race**

Much like median income, poverty and race are often related in a community. Nationwide, the poverty rate for Black or African American residents is higher than any other race or ethnicity. On the other end of the spectrum, the poverty rate for Asian households is generally less than any other race or ethnicity, often less than 10%. County wide, this trend is the consistent with 25% of Black or African American residents being in poverty. American Indian and Alaska Native and Some other race are both also above 20%, though American Indian and Alaska Native represent a smaller portion of the population.

| Table: Poverty Level by Race/Ethnicity in Clark County and select cities in 2017 | | | | | | |
|---|---|---|---|---|---|---|
| **Race** | **Clark County** | **Las Vegas** | **N. Las Vegas** | **Henderson** | **Boulder City** | **Mesquite** |
| White | 12.0% | 13.1% | 11.5% | 7.7% | 9.8% | 10.1% |
| Black or African American | 25.1% | 25.8% | 22.7% | 22.8% | 15.4% | -- |
| American Indian and Alaska Native | 21.5% | 20.0% | 19.5% | 17.2% | 33.0% | -- |
| Asian | 9.4% | 11.0% | 6.8% | 8.6% | 4.2% | -- |

| | | | | | | |
|---|---|---|---|---|---|---|
| Native Hawaiian/Other Pac Islander | 17.9% | 17.2% | 27.1% | 23.0% | 38.2% | -- |
| Some other race | 21.7% | 24.2% | 21.5% | 12.3% | 19.6% | 26.7% |
| Two or more races | 15.8% | 18.4% | 14.3% | 12.6% | 36.9% | 5.6% |
| **Ethnicity** | | | | | | |
| Hispanic | 19.6% | 21.8% | 17.9% | 11.5% | 14.6% | 19.8% |
| Source: 2013-2017 ACS (S1701)<br>Data note: Percent below poverty level. | | | | | | |

## Household Composition

There is a noticeable difference in the household composition across jurisdictions. The City of Mesquite has the lowest average household size at 2.25 while North Las Vegas has the highest at 3.31. This trend is due to the younger demographics in North Las Vegas, which may include families, while the older residents of Mesquite are less likely to have children still living at home.

**Table: Average household size of occupied housing units by tenure in 2017, Clark County and select cities**

| | Clark County | Las Vegas | N. Las Vegas | Henderson | Boulder City | Mesquite |
|---|---|---|---|---|---|---|
| Average Household Size | 2.79 | 2.77 | 3.31 | 2.56 | 2.39 | 2.25 |
| Owner-occupied Units | 2.82 | 2.80 | 3.26 | 2.60 | 2.31 | 2.17 |
| Renter-occupied Units | 2.75 | 2.74 | 3.38 | 2.50 | 2.55 | 2.42 |
| Source: 2013-2017 ACS (DP04, S1101) | | | | | | |

Throughout the area, the most common household composition is a married family household with between 42% and 54% of households across all jurisdictions. The next most common household composition is non-family households, which is least common in North Las Vegas. Single adult households (both male and female) are much more common in North Las Vegas and least common in Boulder City and Mesquite.

**Table: Household composition in 2017, Clark County and select cities**

| | Total HHs | Married Couple-Family HH | % Married Couple-Family HH | Single Male Adult HH | % Single Male Adult HH | Single Female Adult HH | % Single Female Adult HH | Non-Family HH | % Non-Family HH |
|---|---|---|---|---|---|---|---|---|---|
| Clark County | 749,858 | 328,365 | 43.8% | 48,596 | 6.5% | 103,526 | 13.8% | 269,371 | 35.9% |
| Las Vegas | 221,584 | 94,015 | 42.4% | 14,253 | 6.4% | 32,110 | 14.5% | 81,206 | 36.6% |
| North Las Vegas | 70,121 | 34,412 | 49.1% | 5,348 | 7.6% | 12,578 | 17.9% | 17,783 | 25.4% |
| Henderson | 110,569 | 55,012 | 49.8% | 4,971 | 4.5% | 11,328 | 10.2% | 39,258 | 35.5% |
| Boulder City | 6,403 | 3,076 | 48.0% | 327 | 5.1% | 576 | 9.0% | 2,424 | 37.9% |
| Mesquite | 7,729 | 4,131 | 53.4% | 221 | 2.8% | 539 | 6.9% | 2,838 | 36.7% |

Source: 2013-2017 ACS (S1101)

The likelihood that a household has a child less than 18 years of age has declined significantly since 2000 across jurisdictions. Every area saw a decline of at least 10%. The City of Mesquite had the sharpest decline among the cities (45.4%) while Las Vegas saw the lowest decline (10.7%). In the City of Boulder City, the number of households with children has actually decreased in number since 2000, which may be impacted by the lack of population growth in that area.

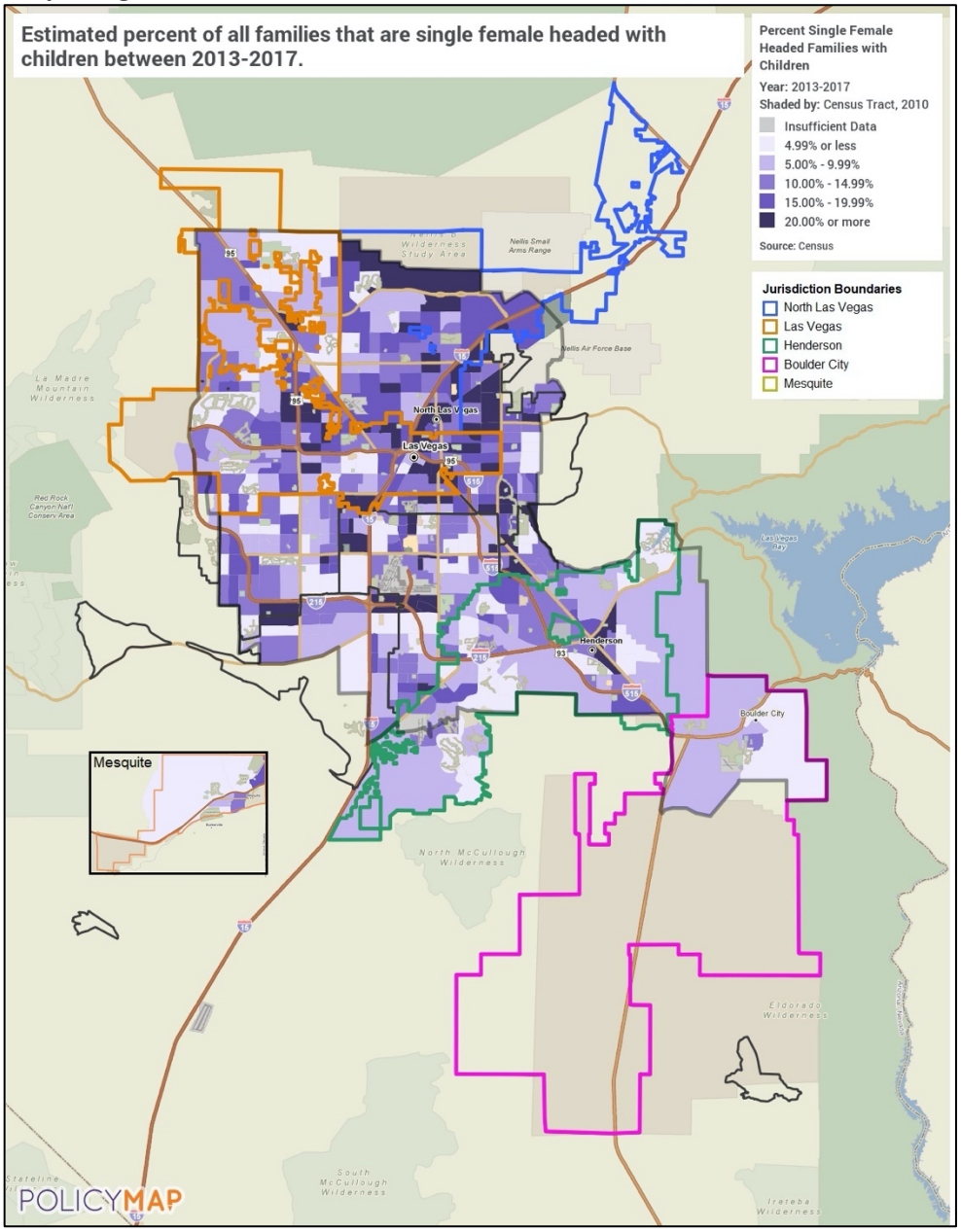
**Table: Households with own children under 18 years, 2000 and 2017, Nevada, Clark County, and selected cities**

| Area | 2000 | | | 2017 | | | Percent change From 2000-2017 (%) |
|---|---|---|---|---|---|---|---|
| | Total HHs | HHs w/ Children | % HHs w/ Children | Total HHs | HHs w/ Children | % HHs w/ Children | |
| Clark County | 512,253 | 162,295 | 31.7% | 749,858 | 213,075 | 28.4% | -10.4% |
| Las Vegas | 176,750 | 56,363 | 31.9% | 221,584 | 63,068 | 28.5% | -10.7% |
| North Las Vegas | 34,018 | 16,246 | 47.8% | 70,121 | 26,816 | 38.2% | -20.1% |
| Henderson | 66,331 | 21,893 | 33.0% | 110,569 | 28,231 | 25.5% | -22.7% |
| Boulder City | 6,385 | 1,507 | 23.6% | 6,403 | 1,312 | 20.5% | -13.1% |
| Mesquite | 3,498 | 1,003 | 28.6% | 7,729 | 1,208 | 15.6% | -45.4% |

Source: 2000 US Census (DP-1), 2013-2017 ACS (S1101)

Single-female head of households with children are often the most at risk demographic for homelessness or substandard living. Throughout Clark County there are many census tracts where 20% or more of the households are single-female head of households with children. This household type seems somewhat more common in the central and northeast part of the area. Focused policy and programs that promote and open access to fair and affordable housing is vital for the County to reach these households.

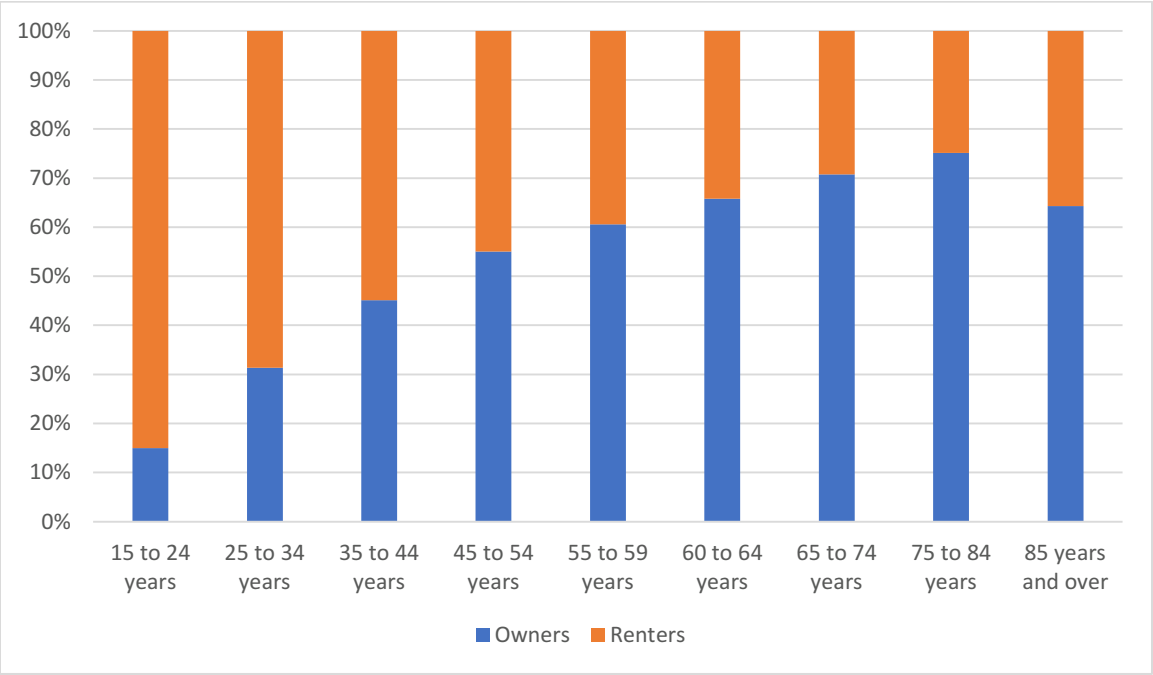
**Map: Single-female head of households with children**




Source: 2013-2017 ACS via PolicyMap

In general, residents grow increasingly likely to be homeowners as they age. The rate of homeownership is over 50% for all age groups over the age of 45. When residents reach approximately the age of 85 the rate of homeownership starts to decline.

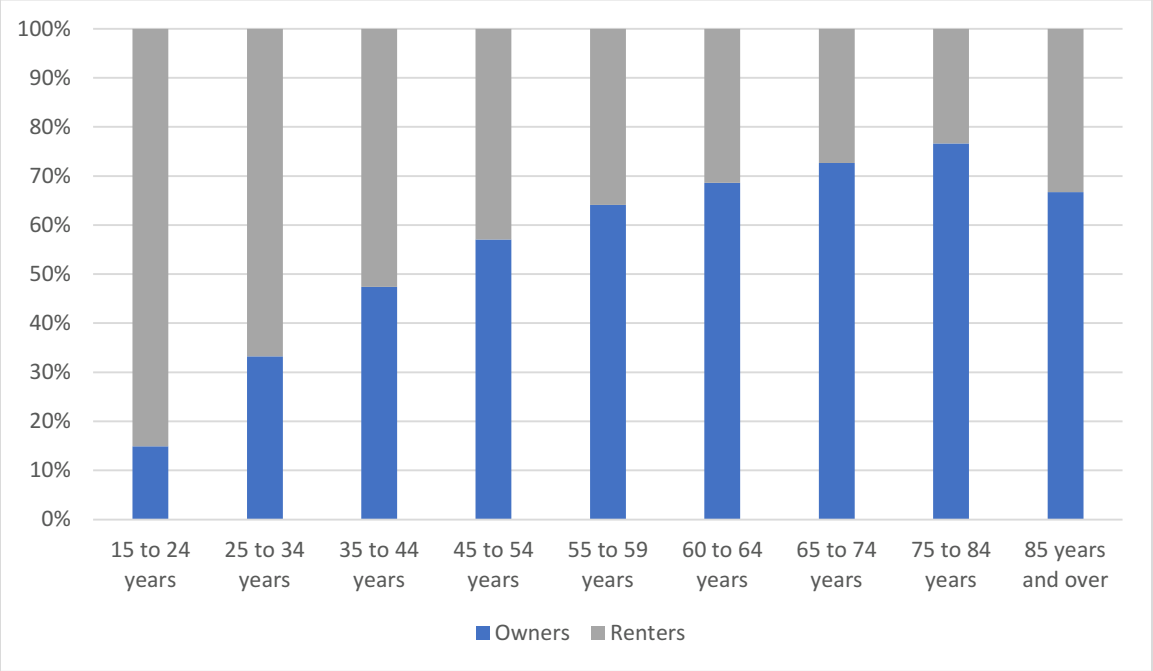
**Chart: Households by tenure and age of householder in 2017, Clark County**




Source: American Community Survey 2011 B25007

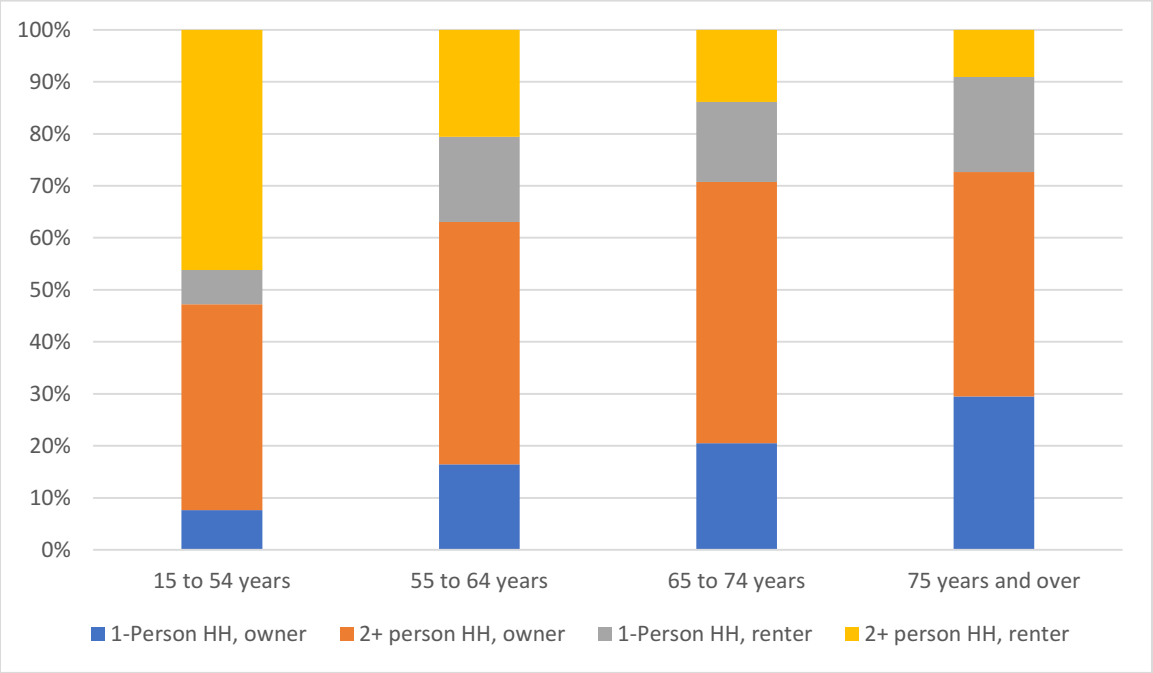
The pattern seen above in Clark County is very similar to the one seen in the state as a whole. Again, homeownership rates increase until the 85 years or older age group when it decreases slightly.

**Chart: Households by tenure and age of householder in 2017, Nevada**



The following chart shows the tenure demographic change that happens after residents become 55 years old or older. Before 55, the largest group is renters in 2+ household homes. As the population gets older the prevalence of multi-person homes decreases and single person homes become more common. Homeownership rates also increase significantly.

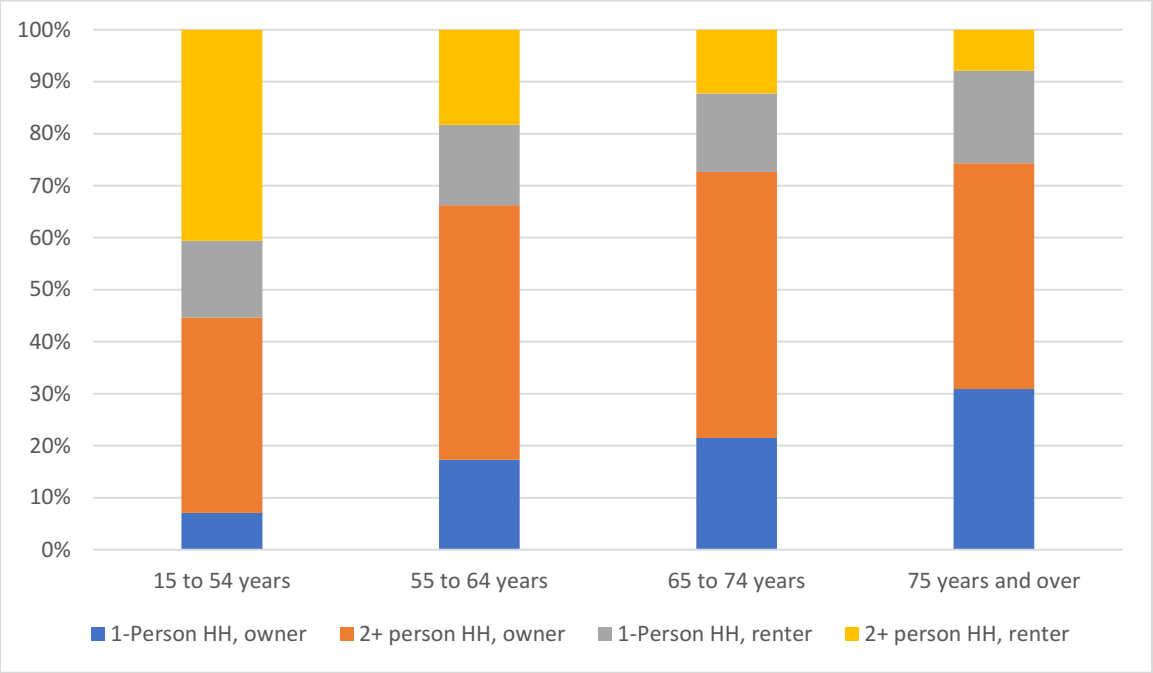
**Chart: Tenure by household size and age of householder in 2017, Clark County**




Source: 2013-2017 ACS (B25116)

In the state as a whole there is a similar shift in tenure and household size. Older residents are more likely to be in 1-person households with rates of homeownership increasing after 55.

**Chart: Tenure by household size and age of householder in 2017, Nevada**




Source: 2013-2017 ACS (B25116)

For all jurisdictions compared, the homeownership rate has decreased since 2000. In 2000, between approximately 30% and 40% of residents were renters in most areas, with Boulder City being the exception with a lower rate (23.9%). By 2017, all jurisdictions had rental rates of over 30% with most being in the low and mid-40's. The City of Las Vegas has the highest rental rate at 48.2% while Mesquite has the lowest at 30.0%. The homeownership rate in Cark County went from 59% in 2000 to 55.4% in 2017. National trends during the same time period also had a decline. Current national homeownership rate is about 64.1%.

**Table: Homeownership rates 2000, 2010, and 2017, Nevada, Clark County, and select cities**

| Area | 2000 | | 2010 | | 2017 | |
|---|---|---|---|---|---|---|
| | Owner-occupied | Renter-occupied | Owner-occupied | Renter-occupied | Owner-occupied | Renter-occupied |
| Nevada | 60.9% | 39.1% | 60.1% | 39.9% | 55.4% | 44.6% |
| Clark County | 59.1% | 40.9% | 58.2% | 41.8% | 52.7% | 47.3% |
| Las Vegas | 59.1% | 40.9% | 57.7% | 42.3% | 51.8% | 48.2% |
| North Las Vegas | 70.1% | 29.9% | 63.4% | 36.6% | 55.7% | 44.3% |
| Henderson | 70.5% | 29.5% | 67.6% | 32.4% | 62.5% | 37.5% |
| Boulder City | 76.1% | 23.9% | 73.8% | 26.2% | 67.2% | 32.8% |
| Mesquite | 63.8% | 36.1% | 62.7% | 37.3% | 70.0% | 30.0% |

Source: 2000 U.S. Census (H004), 2006-2010 ACS (DP04), 2013-2017 ACS (DP04)

Like many economic indicators, race and ethnicity appears to be correlated with homeowner status. Throughout Clark County, Black or African American and Native Hawaiian/Pacific Islander residents have lower homeownership rates than other racial or ethnic groups. White and Asian residents consistently have higher rates of homeownership. Mesquite stands out for the incredibly high homeownership rate among White residents and low rate among all other groups.

**Table: Homeowner Status by Race/Ethnicity in Clark County and select cities in 2017**

| Race | Clark County | Las Vegas | N. Las Vegas | Henderson | Boulder City | Mesquite |
|---|---|---|---|---|---|---|
| White | 58.1% | 58.8% | 59.6% | 64.9% | 67.9% | 92.1% |
| Black or African American | 29.1% | 28.5% | 43.1% | 35.6% | -- | 0.3% |
| American Indian and Alaska Native | 42.4% | 37.4% | 62.0% | 56.2% | 69.6% | 0.5% |
| Asian | 62.1% | 58.6% | 78.0% | 69.1% | 73.3% | 1.6% |
| Native Hawaiian/Other Pac Islander | 28.5% | 22.9% | 36.7% | 58.5% | -- | - |
| Some other race | 38.2% | 34.1% | 49.8% | 41.1% | 72.5% | 4.7% |
| Two or more races | 42.3% | 43.5% | 56.1% | 55.6% | 45.4% | 0.8% |
| **Ethnicity** | | | | | | |
| Hispanic | 42.8% | 41.0% | 52.5% | 50.4% | 60.7% | 11.0% |

Source: 2013-2017 ACS (S2502)
Data note: Percent of the race/ethnicity households that are homeowners.

**Veterans**

Many communities across the country are beginning to address the unique needs that face many veterans. With the War on Terror beginning nearly 18 years ago and subsequent military enlistment/turnover figures, the number of veterans continues to grow. In Clark County, veterans are much more likely to have a disability than non-veterans. However, most economic indicators show that veterans are more stable than non-veterans. The median income for veterans is over $10,000 higher than non-veterans and both the poverty rate and unemployment rate is lower for veterans. This is likely due to the benefits of serving in the military such as the GI Bill and VA resources that are available.

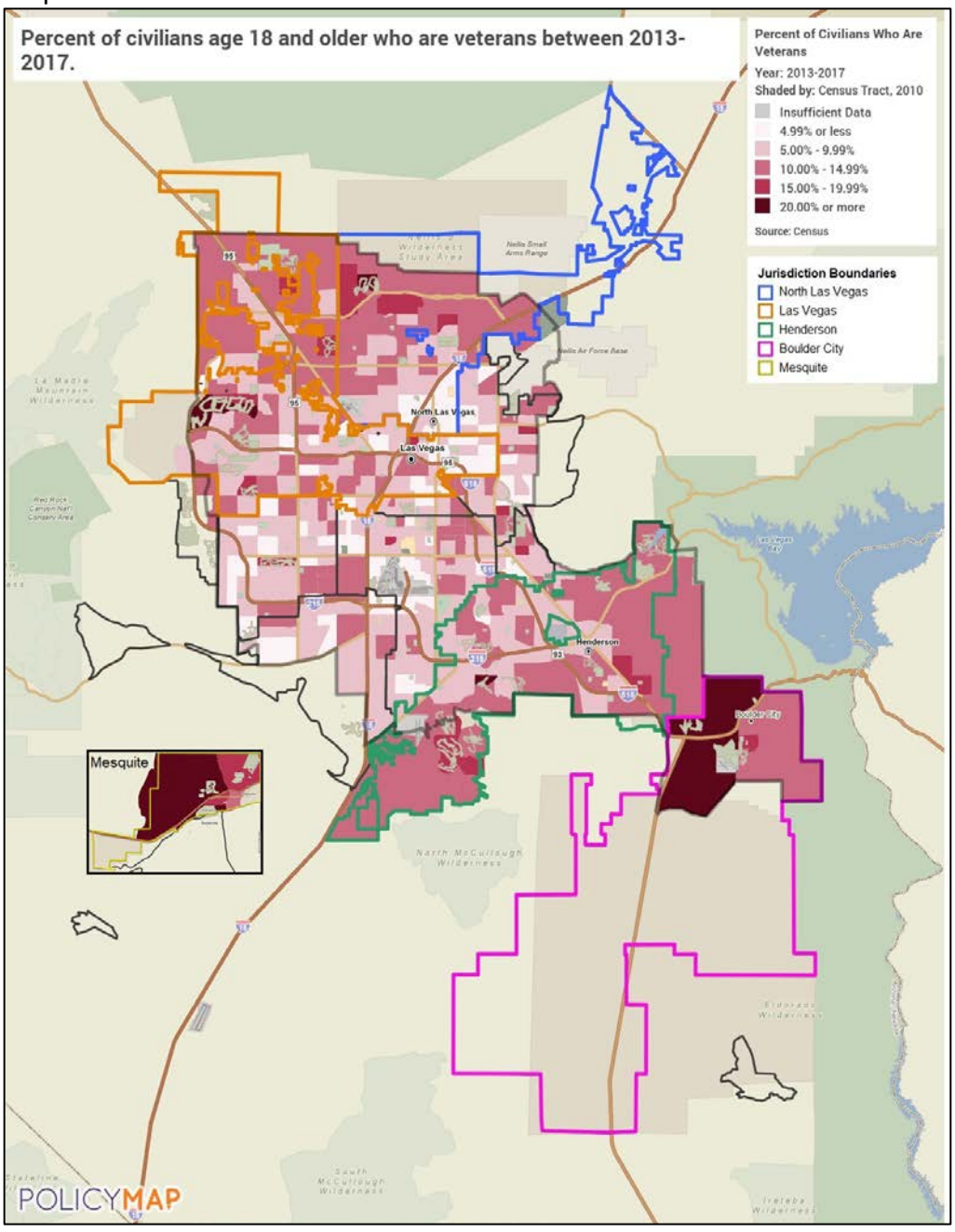
| **Table: Veterans Economic Status in Clark County in 2017** | | |
|---|---|---|
| | **Veterans** | **Non-Veterans** |
| Civilian population over 18 years old | 144,652 | 1,461,696 |
| Median Income | 39,344 | 27,917 |
| Labor force participation rate | 75.2% | 77.0% |
| Unemployment rate | 7.4% | 8.2% |
| Below poverty in the past 12 months | 7.9% | 13.1% |
| With any disability | 27.5% | 13.8% |
| Source: 2013-2017 ACS (S2101) | | |

Clark County is home to a large number of Nevada's veterans. As such, the economic indicators for County veterans are very similar to veterans in the state as a whole. The difference between the two jurisdictions is less than 1% for each indicator.

| **Table: Veterans Economic Status, Clark County vs State Comparison, 2017** | | |
|---|---|---|
| | **Clark County Veterans** | **Nevada Veterans** |
| Civilian population over 18 years old | 144,652 | 210,461 |
| Median Income | 39,344 | 39,284 |
| Labor force participation rate | 75.2% | 74.7% |
| Unemployment rate | 7.4% | 7.5% |
| Below poverty in the past 12 months | 7.9% | 7.8% |
| With any disability | 27.5% | 28.5% |
| Source: 2013-2017 ACS (S2101) | | |

Veterans in Clark County tend to be more heavily concentrated in census tracts along the outer edges of the County. In both the Boulder City and near Nellis Air Force Base there are tracts where over 20% of the population are veterans. Given the demographics of Boulder City, it is a reasonable hypothesis that the veterans in that area are from the Korean and Vietnam-era veterans while those near the base are from the Wars in the Gulf.

Map: Veteran Concentration




Source: 2013-2017 ACS via PolicyMap

# CHAPTER 4. HOUSING STATUS

## Current Housing Conditions

**Housing Unit Type**

The most common housing type in Clark County is the 1-unit, detached structure. These units make up nearly 60% of the current housing stock, up from 51.4% in 2000. The 1-unit, detached structure saw the most growth in the last 17 years. While only Mobile Homes and Boat, RV, and Van home types saw a decrease in the number of properties in the county, nearly every group saw a relative decrease as production of those units were slower than single-family detached.

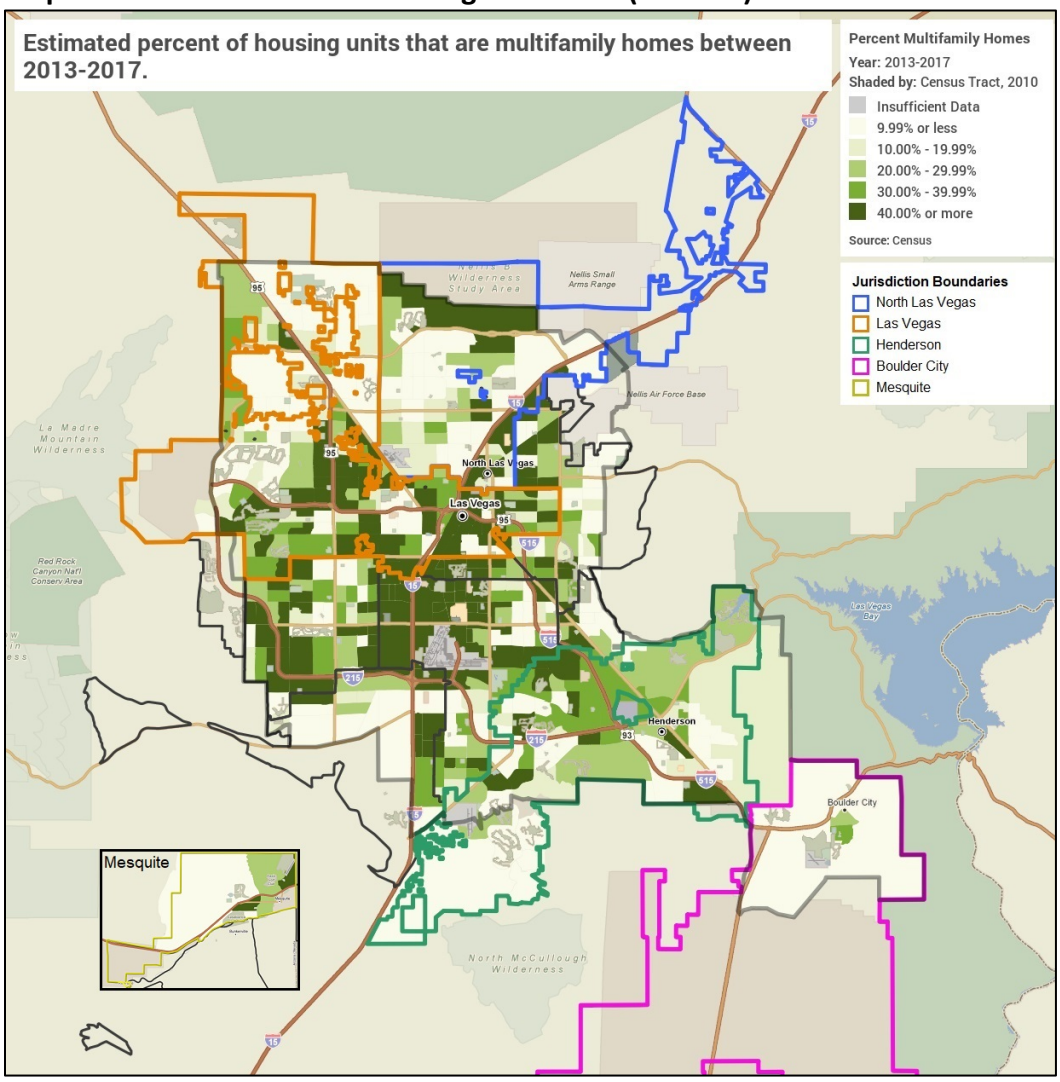
**Table: Properties by Type in Clark County from 2000 to 2017**

| Type | 2000 | Percent | 2017 | Percent | Percent Change (%) |
|---|---|---|---|---|---|
| 1-unit, detached | 288,011 | 51.4% | 516,822 | 58.9% | 14.6% |
| 1-unit, attached | 33,790 | 6.0% | 42,240 | 4.8% | -20.0% |
| 2 units | 6,229 | 1.1% | 8,776 | 1.0% | -9.1% |
| 3 or 4 units | 47,037 | 8.4% | 59,653 | 6.8% | -19.1% |
| 5 to 9 units | 51,944 | 9.3% | 82,522 | 9.4% | 1.1% |
| 10 to 19 units | 36,018 | 6.4% | 56,383 | 6.4% | 0.0% |
| 20 or more units | 62,183 | 11.1% | 84,724 | 9.7% | -12.6% |
| Mobile home | 32,962 | 5.9% | 25,708 | 2.9% | -50.9% |
| Boat, RV, van, etc. | 1,625 | 0.3% | 789 | 0.1% | -66.7% |
| Total | 559,799 | 100.0% | 877,617 | 100.0% | |

Source: 2000 Census, 2013-2017 ACS (DP04, B25024)

Multi-unit housing structures are commonplace throughout the County. The downtown area has a higher concentration than elsewhere, but in most areas of the county there are tracts where 40% or more of the housing units are in multi-unit structures.

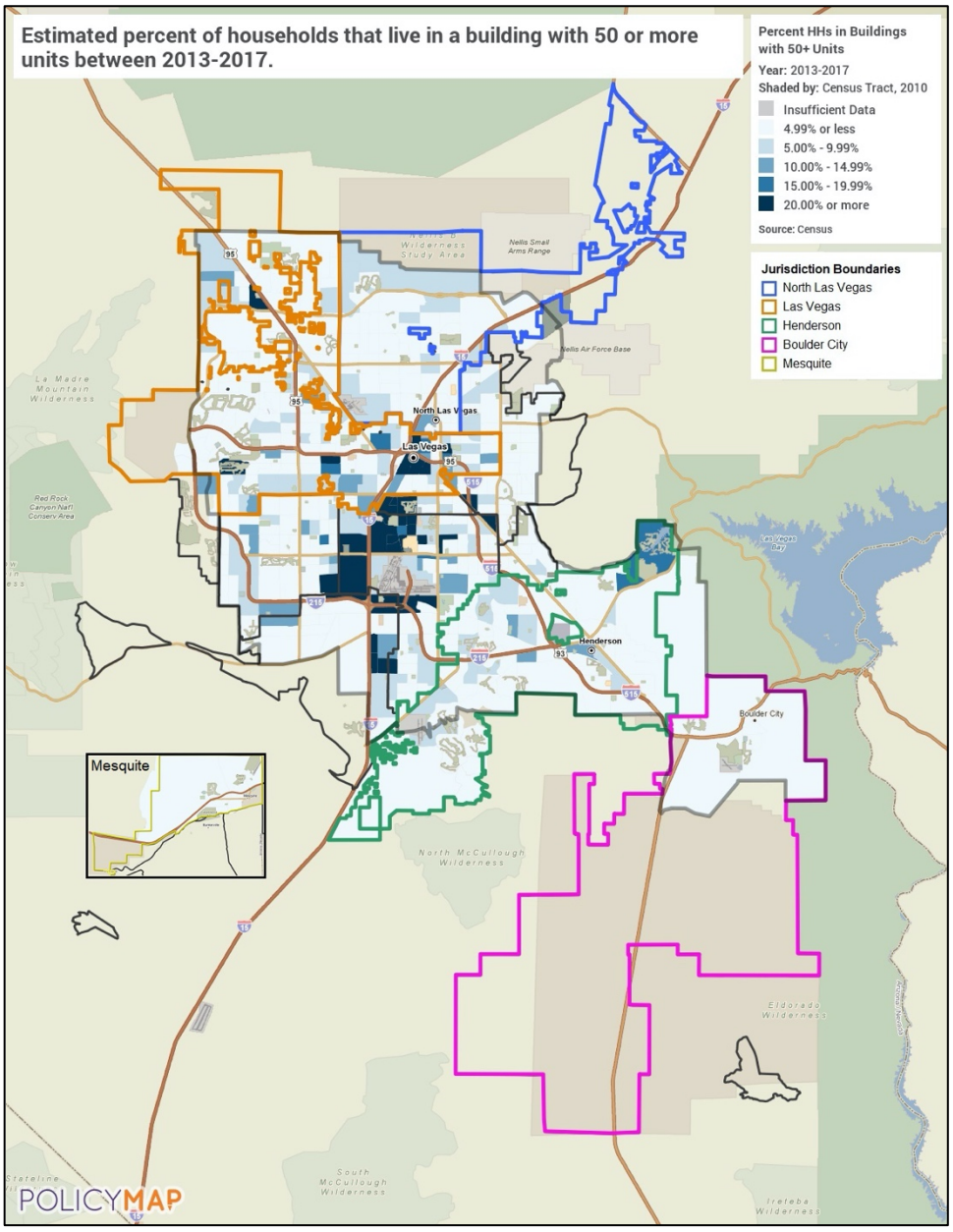
**Map: Percent of Multi-Unit Housing Structures (3+ units)**




Source: 2013-2017 ACS via PolicyMap

Large multi-unit structures (+50 units) are uncommon in most of Clark County. They are mostly found in the downtown and central southern tracts where 20% or more of the units are in these large buildings.

**Map: Percent of Large Multi-Unit Housing Structures (50+ units)**



Source: 2013-2017 ACS via PolicyMap

**Housing Unit Size**

The trend in Clark County is a move towards larger homes. Units with less than four rooms are less common now than they were in 2000 while large homes are becoming more commonplace. The largest house size is five rooms and makes up 20.8% of the housing stock.

| Table: Housing Units by Size in Clark County from 2000 to 2017 | | | | | |
|---|---|---|---|---|---|
| **Rooms** | **2000** | **Percent** | **2017** | **Percent** | **Percent Change (%)** |
| 1 room | 19,739 | 3.5% | 25,050 | 2.9% | -55.4% |
| 2 rooms | 39,653 | 7.1% | 30,827 | 3.5% | -50.1% |
| 3 rooms | 71,118 | 12.7% | 100,886 | 11.5% | -9.5% |
| 4 rooms | 97,332 | 17.4% | 164,605 | 18.8% | 8.1% |
| 5 rooms | 117,914 | 21.1% | 182,972 | 20.8% | -1.4% |
| 6 rooms | 97,359 | 17.4% | 155,691 | 17.7% | 1.7% |
| 7 rooms | 58,188 | 10.4% | 95,886 | 10.9% | 4.8% |
| 8 rooms | 32,644 | 5.8% | 59,984 | 6.8% | 17.2% |
| 9 or more rooms | 25,852 | 4.6% | 61,716 | 7.0% | 52.2% |
| | | | | | |
| Median (rooms) | 4.9 | -- | 5.1 | -- | 4.1% |
| Source: 2000 Census, 2013-2017 ACS (DP04, B25041) | | | | | |

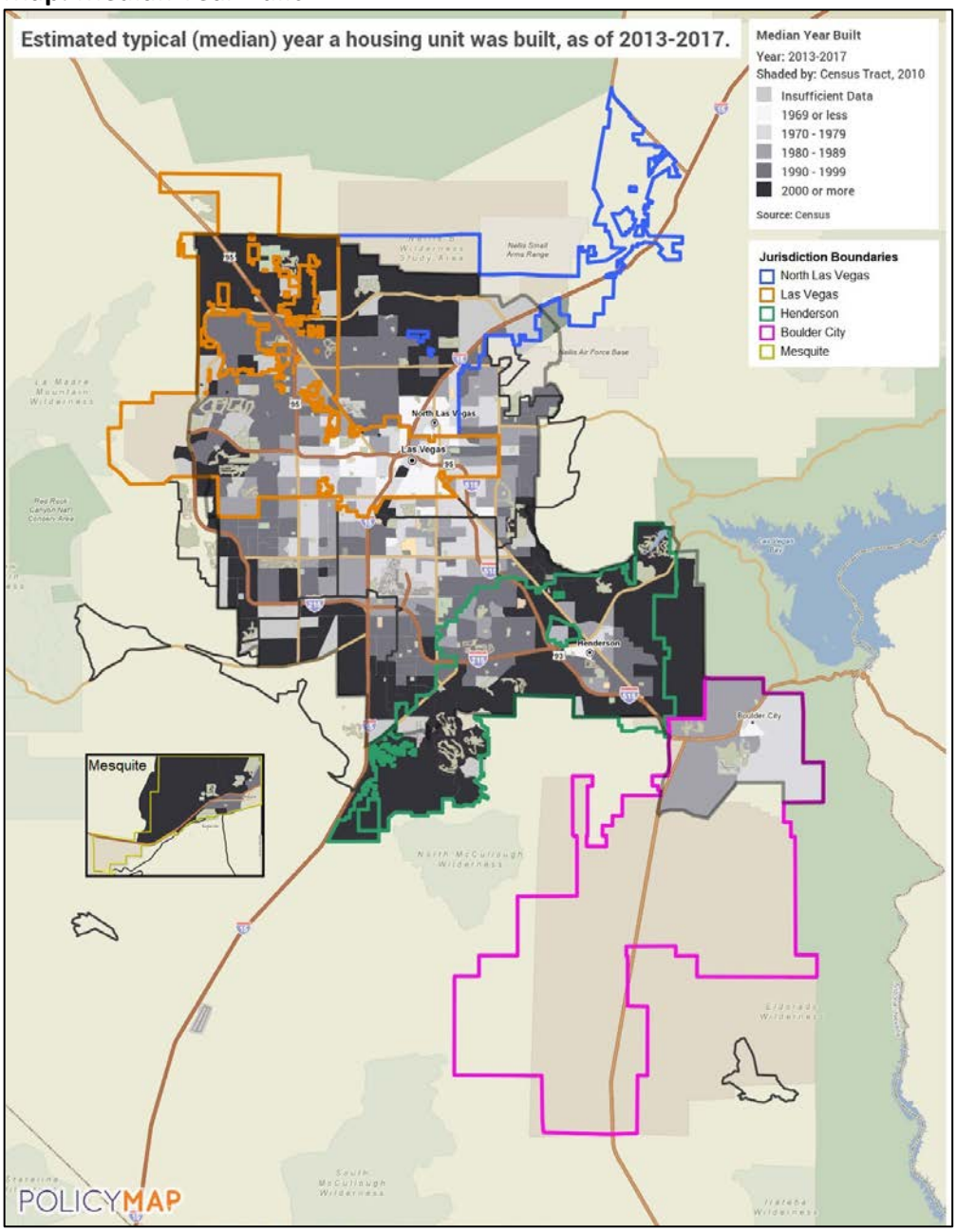
**Housing Conditions**

Homes in the region are relatively new with the majority being built after 1980. Homes built before 1980 have a risk of lead-based paint and additional remediation may be necessary when rehabilitating these homes. The City with the largest pre-1980 housing stock is Boulder City where over 51% of the homes are at risk of lead-based paint. This is much larger than the countywide rate of 19.5%.

| Table: Year Unit Built in Clark County and select cities | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Clark County | | Boulder City | | Mesquite | | Henderson | | Las Vegas | | N. Las Vegas | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| 2010 or later | 37,731 | 4.3% | 14 | 0.2% | 783 | 8.0% | 6469 | 5.2% | 7849 | 3.1% | 3719 | 4.8% |
| 2000 to 2009 | 280,762 | 32.0% | 845 | 11.1% | 4,573 | 46.5% | 43,515 | 34.9% | 61,105 | 24.2% | 37,420 | 48.3% |
| 1990 to 1999 | 255,880 | 29.2% | 1,399 | 18.4% | 3,327 | 33.8% | 48,899 | 39.2% | 80,726 | 31.9% | 19,731 | 25.4% |
| 1980 to 1989 | 132,776 | 15.1% | 1,421 | 18.7% | 567 | 5.8% | 16,477 | 13.2% | 44,012 | 17.4% | 4,020 | 5.2% |
| 1970 to 1979 | 94,892 | 10.8% | 2,132 | 28.0% | 416 | 4.2% | 5,371 | 4.3% | 25,339 | 10.0% | 4,303 | 5.5% |
| 1960 to 1969 | 46,499 | 5.3% | 615 | 8.1% | 90 | 0.9% | 1,525 | 1.2% | 18,825 | 7.4% | 5,027 | 6.5% |
| 1950 to 1959 | 19,921 | 2.3% | 245 | 3.2% | 82 | 0.8% | 1,400 | 1.1% | 10,748 | 4.2% | 2,706 | 3.5% |
| 1940 to 1949 | 5,972 | 0.7% | 406 | 5.3% | 0 | 0.0% | 884 | 0.7% | 3,245 | 1.3% | 297 | 0.4% |
| 1939 or earlier | 3,184 | 0.4% | 526 | 6.9% | 0 | 0.0% | 212 | 0.2% | 1,063 | 0.4% | 331 | 0.4% |
| Source: 2013-2017 ACS (DP04) | | | | | | | | | | | | |

Homes in the center part of the Las Vegas Valley tend to be older than along the outskirts. This is a common growth pattern where new homes are built increasingly far away from the city center as it grows. Generally, central tracts have a median year built of before 1970 while those along the edge of the Las Vegas Valley were built after 2000.

**Map: Median Year Built**




Source: 2013-2017 ACS via PolicyMap

**Housing Occupancy**

Since 2000, the only household size to increase comparatively is the 1-person household unit. The growth was relatively modest, from 24.5% to 28.2% of the population, but the growth points to a trend where larger households are less common than in the past. Supplying housing options to meet this trend can help match the demand of fair housing choice.

| Table: Occupancy in Clark County from 2000 to 2017 | | | | | |
|---|---|---|---|---|---|
| | **2000** | **Percent of Total** | **2017** | **Percent of Total** | **% Change 2000-2017** |
| Total Occupied Units | 512,253 | 100.0% | 749,858 | 100.0% | -- |
| 1-person household | 125,473 | 24.5% | 211,490 | 28.2% | 15.1% |
| 2-person household | 175,189 | 34.2% | 244,194 | 32.6% | -4.7% |
| 3-person household | 82,923 | 16.2% | 115,728 | 15.4% | -4.9% |
| 4-or-more-person household | 128,668 | 25.1% | 178,446 | 23.8% | -5.2% |
| Source: 2000 Census (H013, SF1), 2013-2017 ACS (S2501) | | | | | |

The vacancy rate in Clark County has nearly doubled since 2000. Currently, approximately 14.6% of homes are vacant in the County. This amounts to 127,759 homes. Some vacancy is natural and healthy in a community but a vacancy rate that is high may point to a disconnect between the homes available and those that residents desire. The vacancy rate is closer to 10% when seasonal/recreational vacancy is not included (see below).

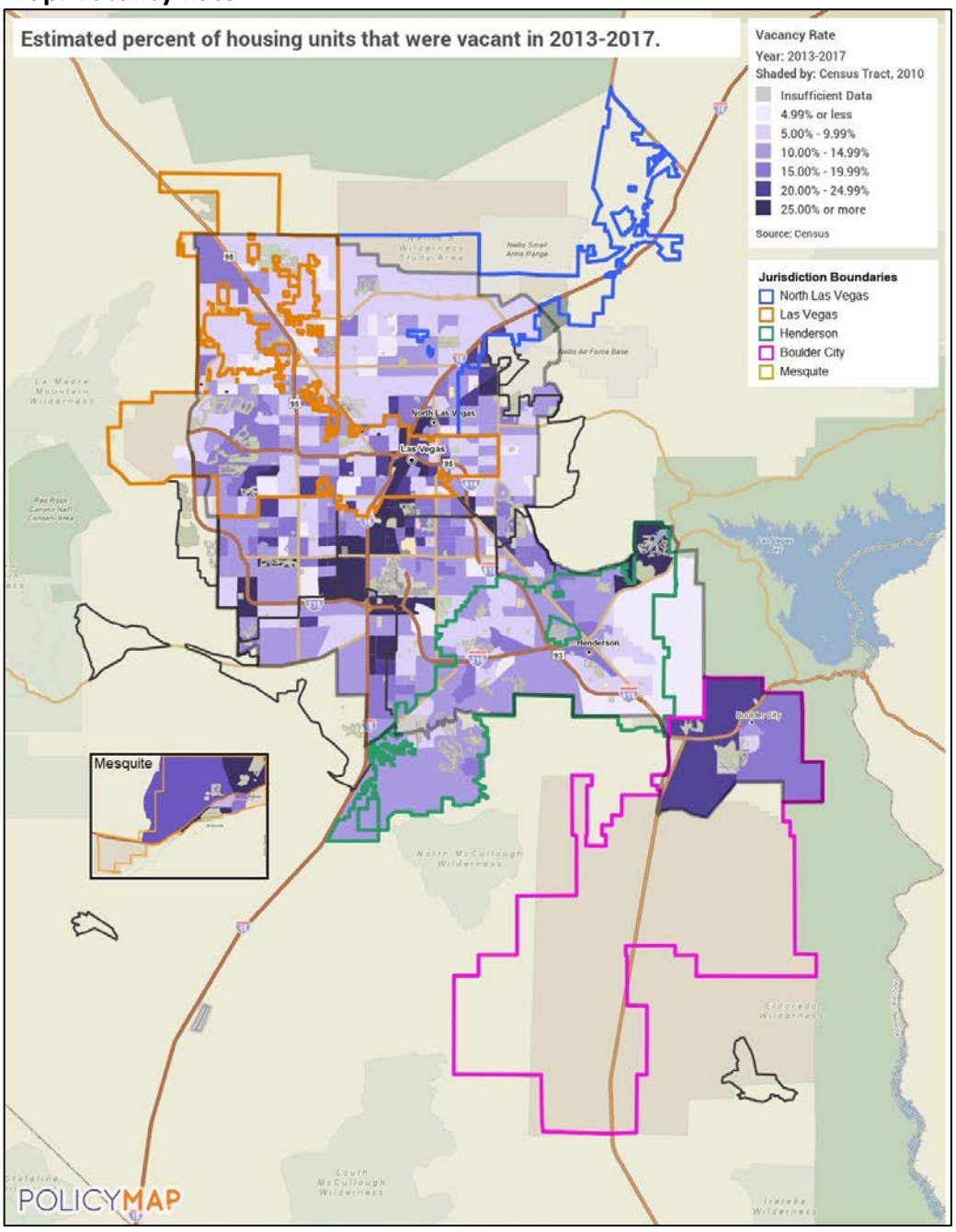
| Table: Vacancy Rate in Clark County from 2000 to 2017 | | | | | |
|---|---|---|---|---|---|
| | **2000** | **Percent** | **2017** | **Percent** | **% Change 2000-2017** |
| Total Units | 559,799 | 100.0% | 877,617 | 100.0% | -- |
| Vacant Units | 47,546 | 8.5% | 127,759 | 14.6% | 71.8% |
| Source: 2000 Census (H006, SF3), 2013-2017 ACS (DP04) | | | | | |

In addition to the increase in vacant units, the type of common vacancies has changed. In 2000, nearly half of all vacancies were units for rent but by 2017 less than 30% were in that group. Properties that are set aside for seasonal, recreational, or occasional use grew substantially during this time period, as did properties classified as “other vacant”. Other Vacant often refers to properties that are too dilapidated to rent out or to sell on the market.

| **Table: Vacancy Rate in Clark County from 2000 to 2017** | | | | | |
|---|---|---|---|---|---|
| | **2000** | **Percent** | **2017** | **Percent** | **% Change 2000-2017** |
| Total Vacant Units | 47,546 | | 127,759 | | |
| For rent | 22,439 | 47.2% | 36,450 | 28.6% | -18.6% |
| Rented or sold, not occupied | 2,785 | 5.6% | 10,742 | 8.4% | 2.8% |
| For sale only | 8,128 | 17.1% | 9,598 | 7.5% | -9.6% |
| For seasonal, recreational, or occasional use | 8,392 | 17.7% | 37,823 | 29.6% | 11.9% |
| For migrant workers | 14 | 0.1% | 82 | 0.1% | 0.0% |
| Other vacant | 5,788 | 12.2% | 33,064 | 25.9% | 13.7% |
| Source: 2000 Census (H005), 2013-2017 ACS B25004 | | | | | |

Census tracts in the central part of the city south along I-515 and I-15 tend to have higher vacancy rates than elsewhere in the County. Rates reach higher than 25% in some of these tracts.

**Map: Vacancy Rate**




Source: 2013-2017 ACS via PolicyMap

As noted above, race and ethnicity are often linked to a household's economic situation. Residents who have lower incomes or less economic stability are less likely to be homeowners. In Clark County, housing tenure varies significantly by race. Black residents are much more likely to be renters than any other group. Over 70% of Black residents are renters while only 41.8% of White and 37.9% of Asian residents are not homeowners. Hispanic residents are more likely to be homeowners than Black residents but not as likely as White or Asian residents.

**Table: Housing Tenure By Race/Ethnicity in Clark County**

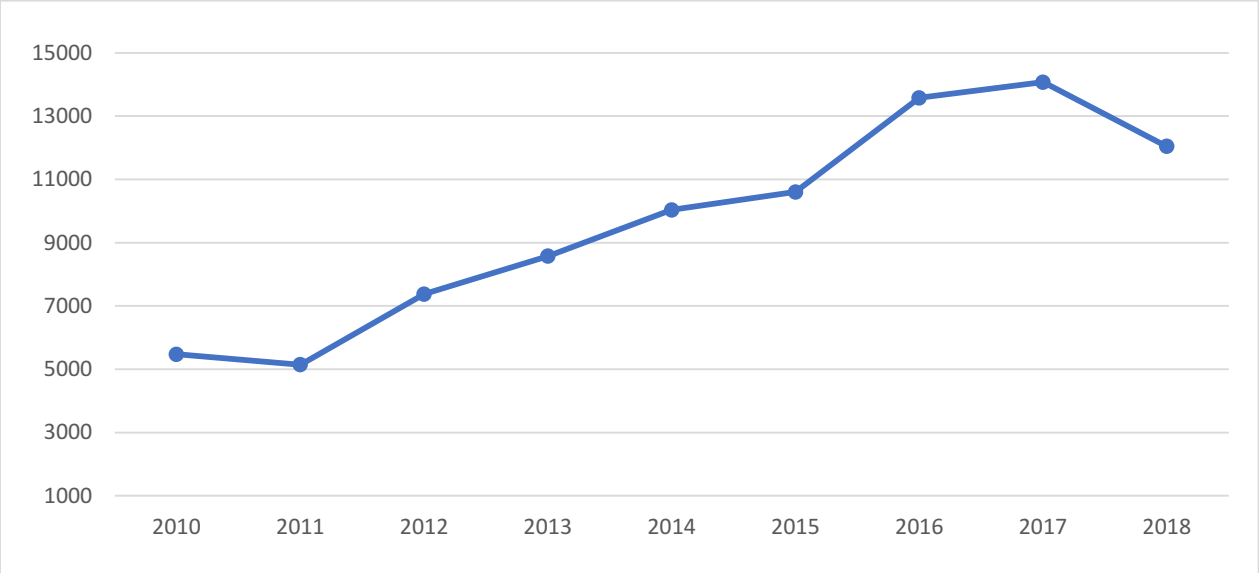
| Race | Total | Owner-occupied | Percent Owner | Renter-occupied | Percent Renter |
|---|---|---|---|---|---|
| White | 502,761 | 292,505 | 58.2% | 210,256 | 41.8% |
| Black | 86,321 | 25,077 | 29.1% | 61,244 | 70.9% |
| Asian | 64,604 | 40,116 | 62.1% | 24,488 | 37.9% |
| **Ethnicity** | | | | | |
| Hispanic | 171,801 | 73,547 | 42.8% | 98,254 | 57.2% |
| Total | 749,858 | 395,201 | 52.7% | 354,657 | 47.3% |

Source: 2013-2017 ACS (B25003, B25003A, B25003B, B25003D, B25003I)

**Building Permits & Construction Activity**

In 2011, there was a slight decrease in the number of permits issued but since then the number has grown significantly. In 2017, over 14,000 permits were issued, nearly 9,000 more than were issued in 2011.

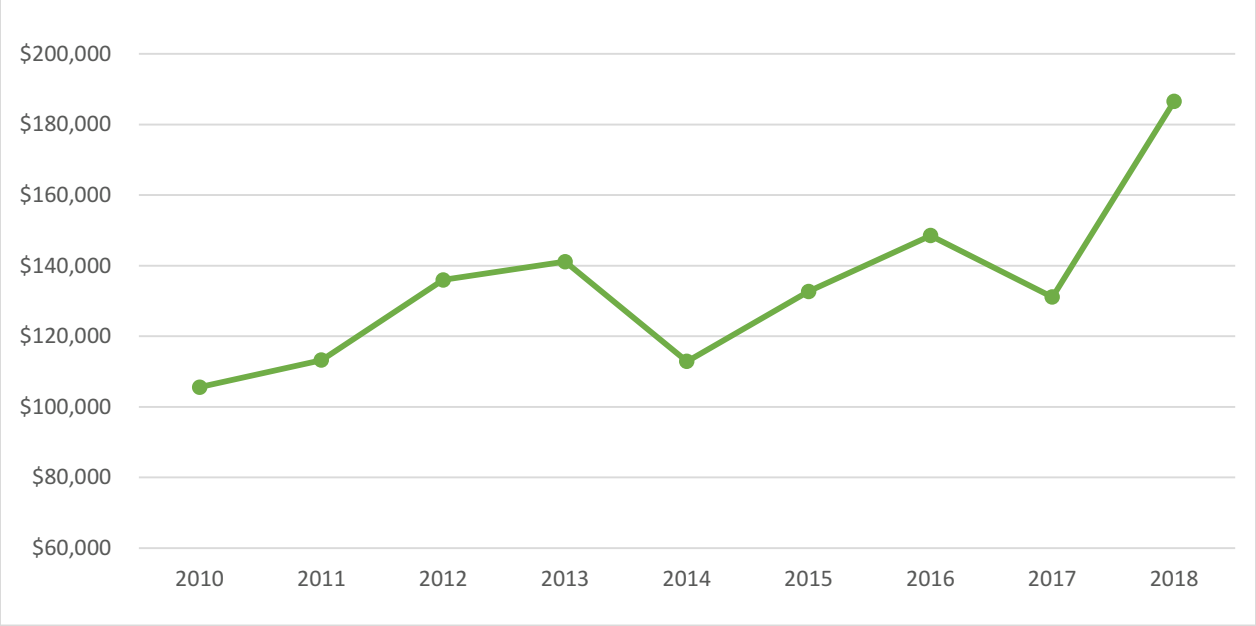
**Chart: Total Residential Construction Permits Issued in Clark County**




Source: US Census Bureau, Building Permits Survey

As more permits have been issued the price per unit in the County has grown. The growth was relatively slow between 2010 and 2017 but in 2018 the PPU went up sharply to nearly $200,000. Homes in that price range are unaffordable to many residents, particularly low-income.

**Chart: New Construction Cost by Price Per Unit (PPU) in County**




Source: US Census Bureau, Building Permits Survey

Single-unit buildings tend to be the most expensive type of housing unit available. When multi-unit buildings are built it reduces the need to reproduce many of the systems that go into a home. As the table below shows, the multi-unit buildings consistently have a lower price per unit than the average or 1-unit properties.

**Table: Residential Construction Permits Issued**

| | 1-Unit | | 2-Units | | 3-4 Units | | 5+ Units | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|
| | # | PPU | # | PPU | # | PPU | # | PPU | # | PPU |
| **2010** | 4,623 | $112,739 | 4 | $83,322 | 138 | $86,644 | 709 | $62,696 | 5474 | $105,578 |
| **2011** | 3,817 | $133,759 | 24 | $20,435 | 39 | $86,987 | 1267 | $53,991 | 5147 | $113,240 |
| **2012** | 6,108 | $140,790 | 36 | $50,706 | 40 | $76,743 | 1191 | $115,798 | 7375 | $135,967 |
| **2013** | 7,067 | $157,397 | 38 | $70,323 | 185 | $73,348 | 1283 | $63,527 | 8573 | $141,149 |
| **2014** | 6,809 | $138,263 | 26 | $50,385 | 95 | $69,772 | 3106 | $59,115 | 10036 | $112,892 |
| **2015** | 7,805 | $151,342 | 32 | $106,610 | 21 | $125,163 | 2747 | $80,188 | 10605 | $132,725 |
| **2016** | 8,805 | $190,970 | 18 | $84,719 | 27 | $67,939 | 4727 | $70,231 | 13577 | $148,548 |
| **2017** | 9,812 | $145,917 | 42 | $173,793 | 171 | $171,069 | 4048 | $93,057 | 14073 | $131,101 |
| **2018** | 9,721 | $213,255 | 22 | $142,258 | 30 | $125,966 | 2271 | $73,325 | 12044 | $186,523 |

Source: US Census Bureau, Building Permits Survey

PPU = Price Per Unit

**Foreclosure Rate**

The foreclosure rate in Clark County has trended down over the last five years. The number of foreclosures across the Las Vegas Valley has decreased over 96% since the spike in 2008. The fall in state and county foreclosure levels is in line with the nation's positive direction nationwide in the last year.

Distressed sales — purchases at foreclosure auctions and sales of foreclosed or underwater homes — accounted for 3.3% of resales in the valley in 2019, down from almost 73% in 2011. Last year saw the lowest rate of distressed activity nationwide since 2005, which was the height of the real estate bubble.

## Housing Costs

**Owner Occupied Housing Costs**

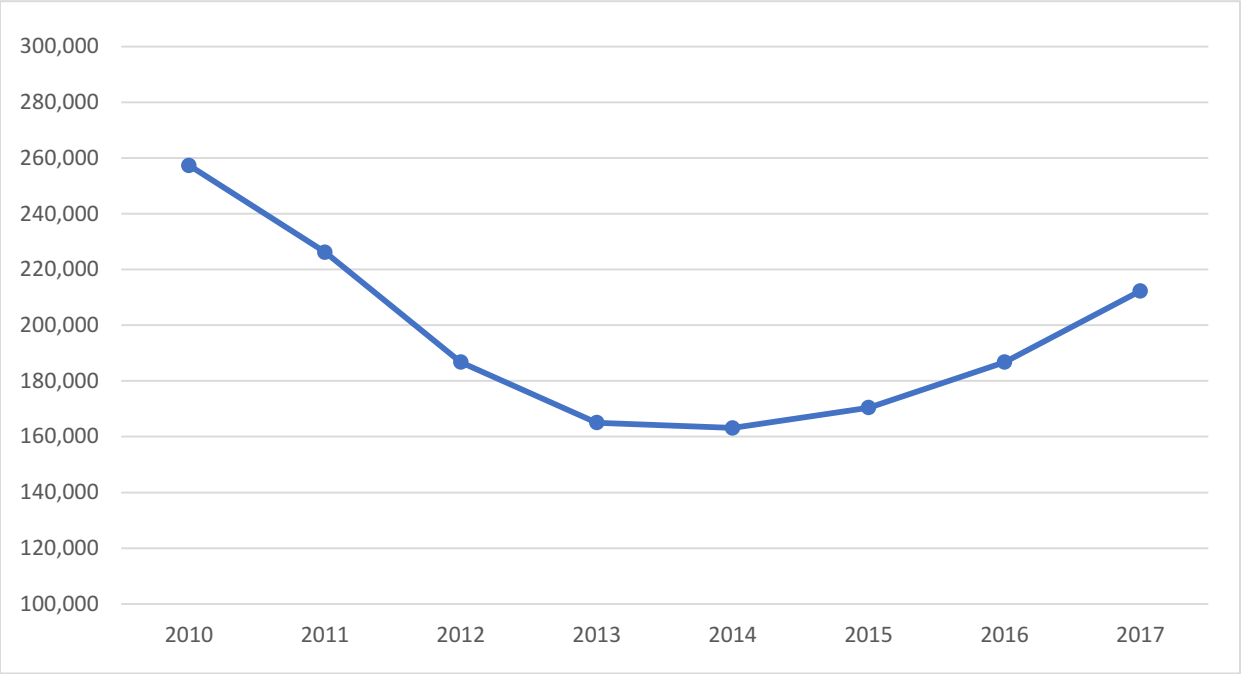
Since 2000, the average home value has increased throughout the region, but that growth was not steady. In every location, the home value has decreased from 2010 to 2017 (most recent ACS data). However, local data from 2017-2019 shows an increase in median home values throughout the area. According to the Greater Las Vegas Association of Realtors, the median sales price of previously owned single-family homes (bulk of the market) was $310,000 in September 2019. This increase is on pace to surpass the price peak if 2006 before the economic and housing crash. Clark County, Las Vegas, North Las Vegas, Henderson, and Boulder City have an estimated $315,000 median home value and Mesquite has a $260,000 median home value. Though the housing market recovery in recent sales prices and value is a sign of a healthy economy, the sharp increase in prices have reduced access to the LMI population.

**Table: Median Home Value of Owner-Occupied Units**

| Municipality | 2000 | 2010 | 2017 | Percent Change | | |
|---|---|---|---|---|---|---|
| | | | | 2000-2010 | 2010-2017 | 2000-2017 |
| Clark County | $139,500 | $257,300 | $212,300 | 84.4% | -17.5% | 52.2% |
| Las Vegas | $137,300 | $251,300 | $209,700 | 83.0% | -16.6% | 52.7% |
| North Las Vegas | $123,000 | $236,400 | $179,700 | 92.2% | -24.0% | 46.1% |
| Henderson | $156,000 | $311,600 | $266,200 | 99.8% | -14.6% | 70.6% |
| Boulder City | $172,500 | $314,000 | $241,600 | 82.0% | -23.1% | 40.1% |
| Mesquite | $133,500 | $232,100 | $204,400 | 73.8% | -11.9% | 53.1% |

Source: 2000 Census (DP4, SF4), 2006-2010 ACS (DP04), 2013-2017 ACS (DP04)

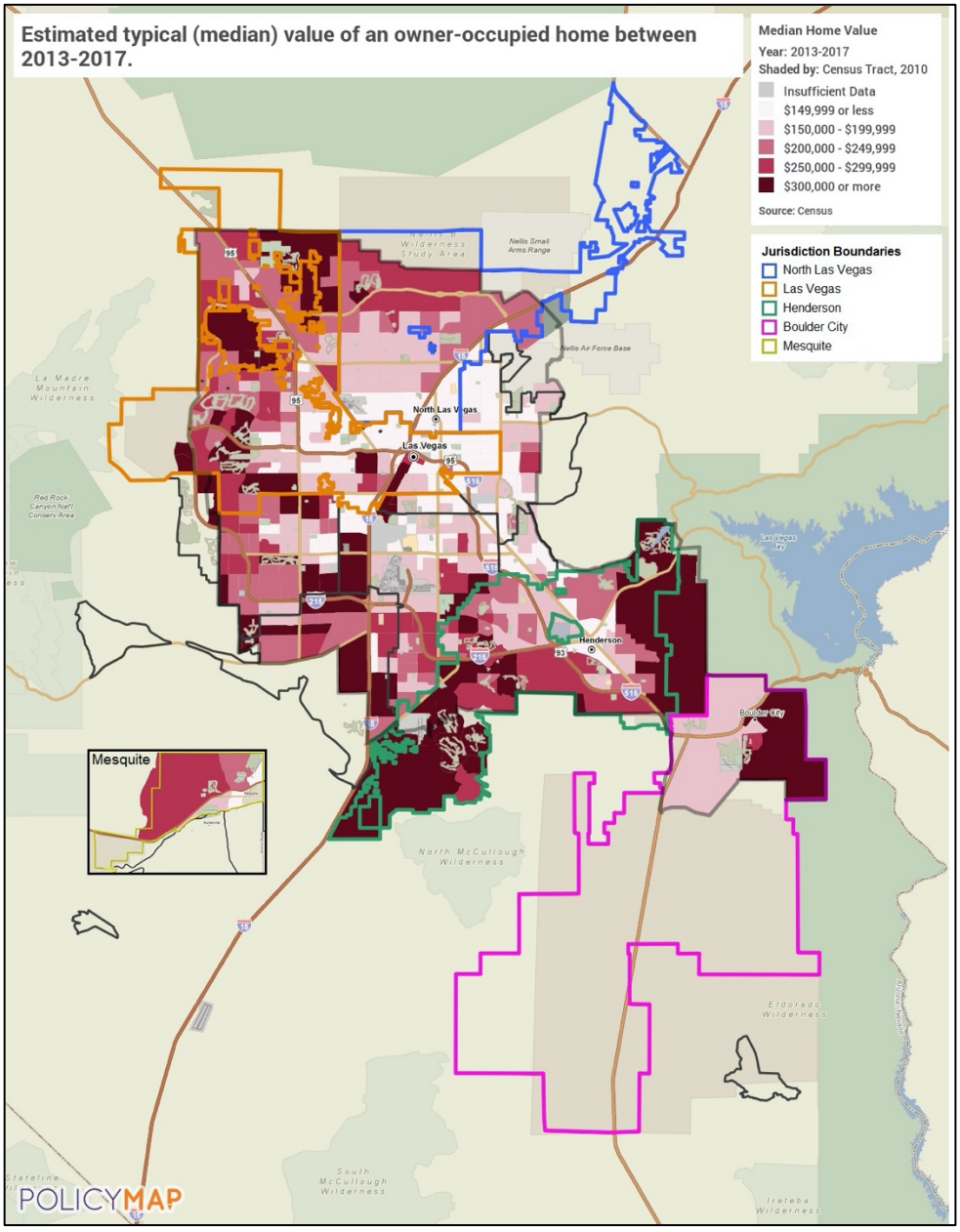
**Chart: Median Home Value Between Years 2010-2017 (DP04)**




Source: 2006-2010 to 2013-2017 ACS (DP04)

Median home values are much higher around the outskirts of the County than in the downtown or northeast areas. There are many tracts where the median home value is over $315,000 and border tracts where the median home value is less than half that.

**Map: Median Home Value**




Source: 2013-2017 ACS via PolicyMap

**Renter Occupied Housing Costs**

The median rent in the area has also increased substantially in the area. Between 2000 and 2010 most jurisdictions saw their rents increase by over 40%, including Henderson which increased by 77%. Rent prices were relatively stable between 2010 and 2017, except in Boulder City where the rents grew by 23.9%. The highest median rent in the area is in Henderson while the lowest is in Mesquite. Local data and insight confirms the ongoing increases in rent, with a noted spike for multi-family unit's rents.

Given the limits of data from the US Census Bureau it is important to include additional data sources when possible. According to research by Betsy Fadali, an Economist with the Nevada Housing Division, a major factor in local rental prices is the disparity between the change in household income and the change in rent. Since 2001, rents in Nevada have increased every six out of seventeen years. When adjusted for inflation, renter income in the state has only increased two out of seventeen years. The affordability gap in the state is growing in a way that is not fully apparent by looking only at the five-year averages from the US Census Bureau.[2]

**Table: Median Rental**

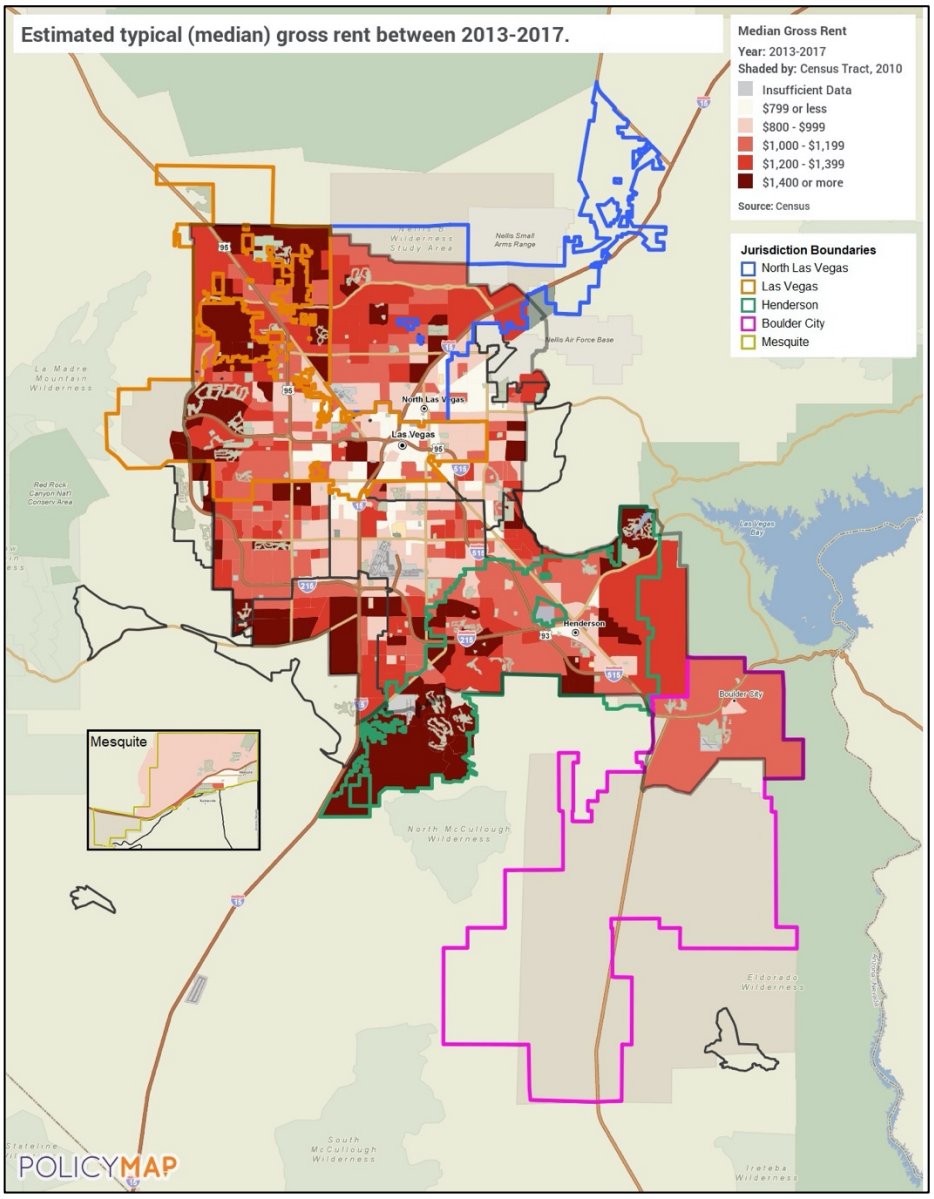
| Municipality | 2000 | 2010 | 2017 | Percent Change 2000-2010 | Percent Change 2010-2017 |
|---|---|---|---|---|---|
| Clark County | $716 | $1,036 | $1,048 | 44.7% | 0.1% |
| Las Vegas | $699 | $999 | $1,024 | 42.9% | 2.5% |
| North Las Vegas | $644 | $1,140 | $1,140 | 46.3% | 0.0% |
| Henderson | $857 | $1,188 | $1,184 | 77.0% | -0.3% |
| Boulder City | $693 | $795 | $985 | 14.7% | 23.9% |
| Mesquite | $626 | $886 | $816 | 41.5% | -7.9% |

Source: 2000 Census (DP4, SF4, H056), 2006-2010 ACS (DP04), 2013-2017 ACS (DP04, B25058)
Note: Occupied units paying rent.

[2] "Nevada Renters' Incomes Decrease While Rents Increase," E. Fadali, 10/01/2018

The geographic distribution of median rent is similar to that of median home value but not as pronounced. There is a more even distribution even with central tracts having generally a lower median rent than the tracts along the edge of the Las Vegas Valley.

**Map: Median Rent**




Source: 2013-2017 ACS via PolicyMap

## Housing Affordability

**Homeowners**

In Clark County, there are over 90,000 homeowner households with a mortgage that are cost burdened. These residents pay over 30% of their income to housing expenses. Nearly one quarter of their residents pay over 35% of their income to housing costs.

| Table: Selected Monthly Housing Costs of Owner's with a Mortgage in Clark County | | |
|---|---|---|
| | **Estimate** | **Percent** |
| Total | 280,057 | 100.0% |
| Less than 20.0 percent | 114,521 | 40.9% |
| 20.0 to 24.9 percent | 44,183 | 15.8% |
| 25.0 to 29.9 percent | 30,953 | 11.1% |
| 30.0 to 34.9 percent | 21,683 | 7.7% |
| 35.0 percent or more | 68,717 | 24.5% |
| | | |
| Not computed | 1,927 | -- |
| Source: 2013-2017 ACS (DP04) | | |

Residents without a mortgage are much less likely to be cost burdened than those with a mortgage. Only 11.7% of this population pays over 30% of their income to housing costs.

| Table: Selected Monthly Housing Costs of Owner's Without a Mortgage in Clark County | | |
|---|---|---|
| | **Estimate** | **Percent** |
| Total | 111,186 | 100.0% |
| Less than 10.0 percent | 57,448 | 51.7% |
| 10.0 to 14.9 percent | 19,380 | 17.4% |
| 15.0 to 19.9 percent | 10,935 | 9.8% |
| 20.0 to 24.9 percent | 6,629 | 6.0% |
| 25.0 to 29.9 percent | 3,769 | 3.4% |
| 30.0 to 34.9 percent | 2,862 | 2.6% |
| 35.0 percent or more | 10,163 | 9.1% |
| | | |
| Not computed | 2,031 | -- |
| Source: 2013-2017 ACS (DP04) | | |

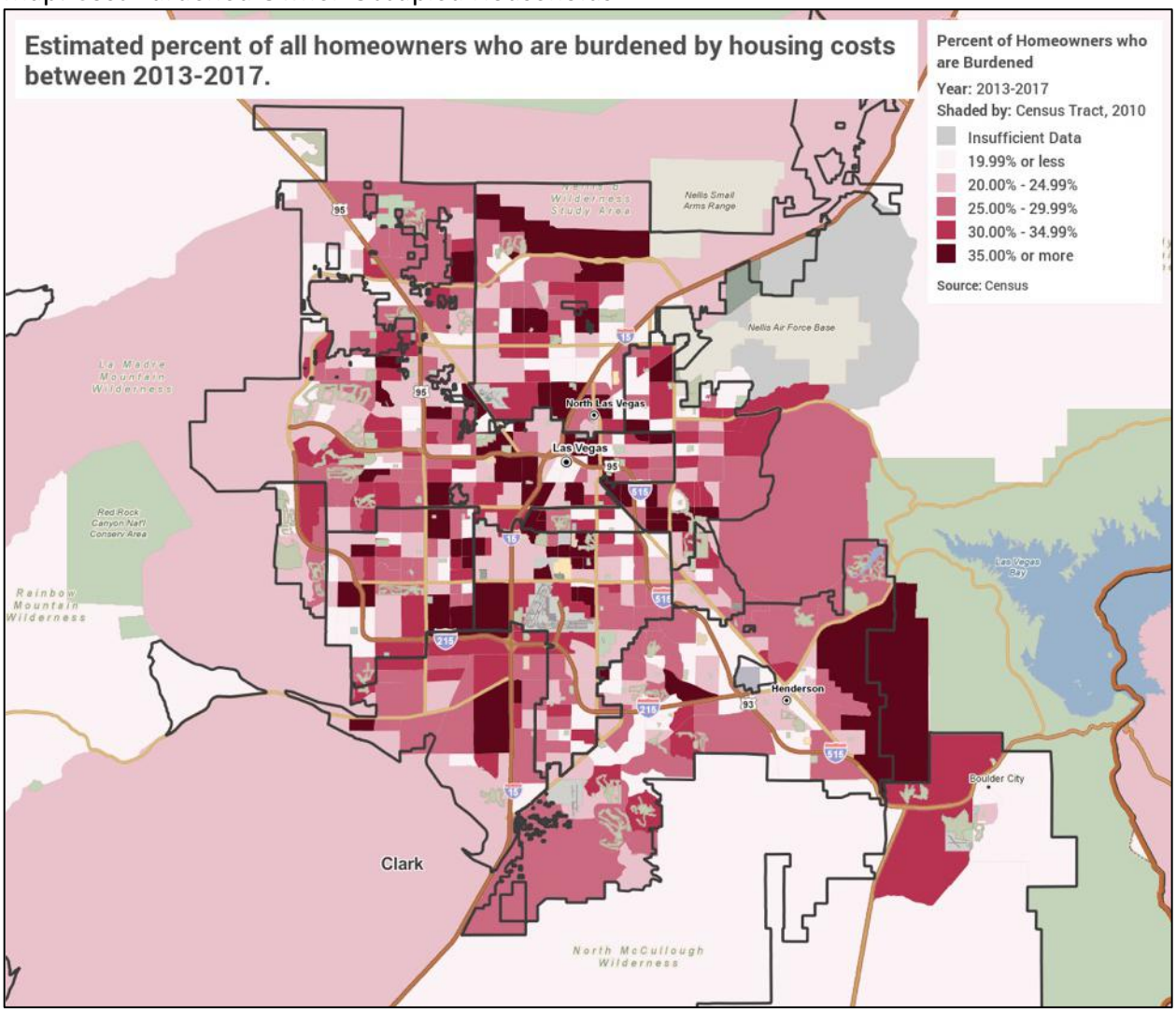
**Renters**

Renters are significantly more likely to be cost burdened than homeowners. Half of all renters in Clark County are paying more than 30% of their income to housing costs and most of them are actually paying over 35% (severely cost burdened).

| Table: Selected Monthly Housing Costs of Renters in Clark County | | |
|---|---|---|
| | **Estimate** | **Percent** |
| Total | 336,653 | 100.0% |
| Less than 15.0 percent | 38,531 | 11.4% |
| 15.0 to 19.9 percent | 44,160 | 13.1% |
| 20.0 to 24.9 percent | 46,266 | 13.7% |
| 25.0 to 29.9 percent | 39,192 | 11.6% |
| 30.0 to 34.9 percent | 30,338 | 9.0% |
| 35.0 percent or more | 138,166 | 41.0% |
| | | |
| Not computed | 18,004 | (X) |
| Source: 2013-2017 ACS (DP04) | | |

Cost burdened owner-occupied households are distributed all over the Las Vegas Valley. There are no areas where they are more heavily concentrated than elsewhere.

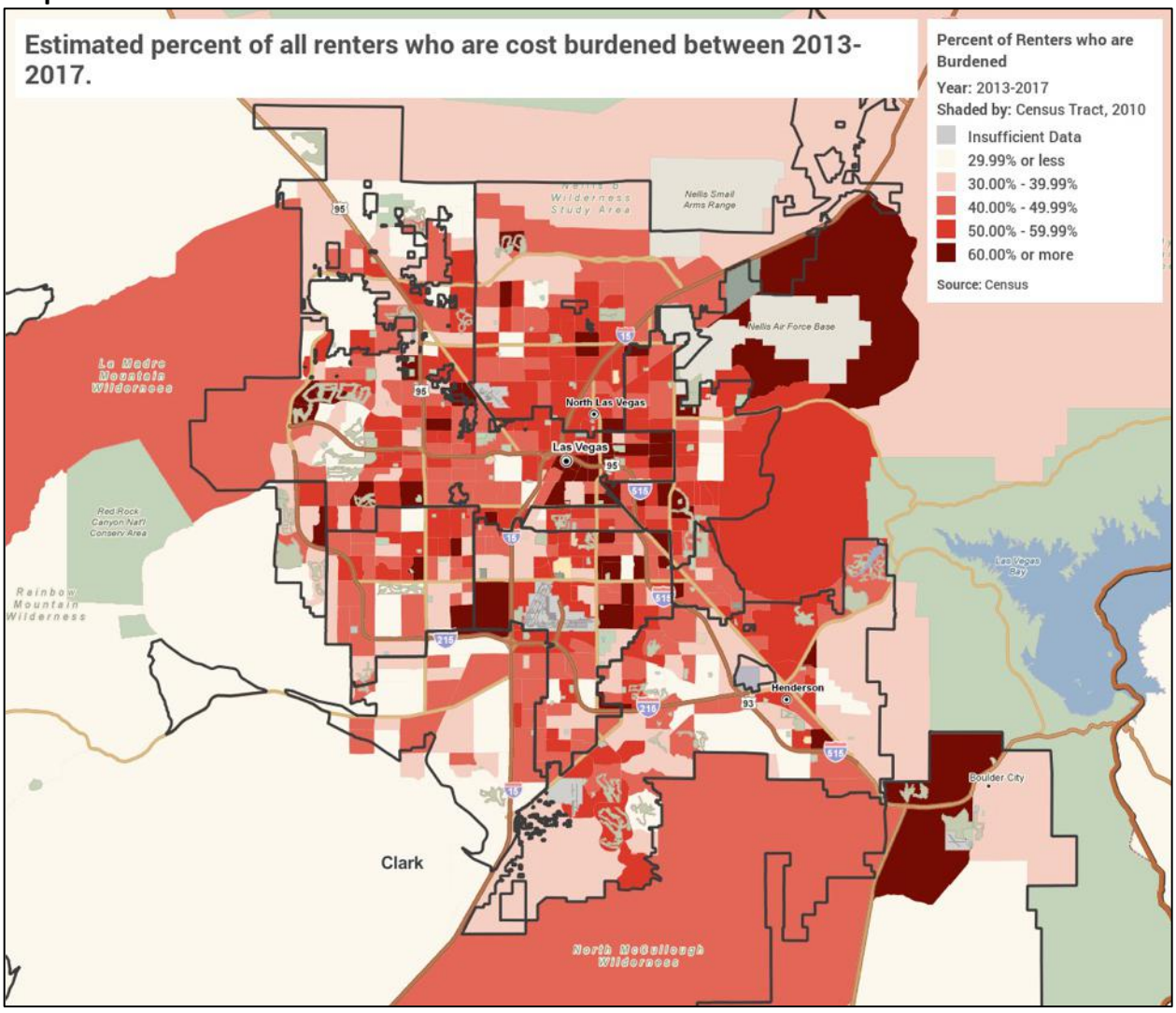
Map: Cost Burdened Owner-Occupied Households




Source: 2013-2017 ACS

Renters, like homeowners, do not have a strong correlation between location and being cost burdened. However, there is a slight concentration of renters in the downtown area of the County.

**Map: Cost Burdened Renters**




Source: 2013-2017 ACS

## Public Housing Status

The Southern Nevada Regional Housing Authority (SNRHA) is the public housing and voucher agency for Clark County, Las Vegas, Henderson, North Las Vegas and Boulder City. SNRHA was created in 2010 as a consolidation of several different housing authorities within the Las Vegas Valley. They were created into one with the hopes of better serving the residents and of benefiting from a single management and funding system.

| Table: SNRHA PHA Management | | |
|---|---|---|
| **Program Name** | **Units/Families Served at start of 2019** | **Expected Turnover** |
| Public Housing | 2,651 | 18.7% |
| Section 8 Vouchers | 7,388 | 7.4% |
| Special Purpose Section 8 Vouchers | | |
| - VASH | 1,419 | 18.4% |
| - NED | 1,576 | 4.6% |
| - MAIN5 | 95 | 4.2% |
| - FUP | 365 | 9.3% |
| - RAD PH | 323 | 5.9% |
| - PBV | 118 | 7.6% |
| - VASH/PBV | 13 | 0.0% |
| ***Total Vouchers*** | ***13,948*** | -- |
| Source: SNRHA, 2019 PHA Plan | | |

There are nearly 10,000 families currently on the public housing waiting list in Clark County. The vast majority of these (89%) are extremely low-income and the majority (53.4%) is families with children. Over 63% of the families on the waiting list are Black, the largest racial or ethnic group by far.

| Table: Public Housing Waiting List 2019 | | |
|---|---|---|
| **Description** | **Number of Families** | **Percent of Total** |
| Waiting List Total | 9,831 | -- |
| Extremely Low-Income <30% AMI | 8,747 | 89.0% |
| Very Low-Income >30%-50% AMI | 904 | 9.2% |
| Low Income >50%-80% AMI | 180 | 1.8% |
| Families and Children | 5,248 | 53.4% |
| Elderly Families | 954 | 9.7% |
| Families with a Disability | 2,040 | 20.8% |
| White | 2,163 | 22.0% |
| Black | 6,202 | 63.1% |
| Asian | 140 | 1.4% |
| Native American Indian/Alaska Native | 156 | 1.6% |
| Native Hawaiian/Other Pac Islander | 135 | 1.4% |
| Hispanic or Latino | 1,397 | 14.2% |
| Source: SNRHA, 2019 PHA Plan | | |

There are over 2,000 families currently on the Section 8 waiting list. Approximately 87% are extremely low income and 60% have a family member with a disability. Again, Black residents are more likely to be on the waiting list than members of other racial or ethnic groups.

| **Table: Section 8 Waiting List 2019** | | |
|---|---|---|
| **Description** | **Number of Families** | **Percent of Total** |
| Waiting List Total | 2,038 | -- |
| Extremely Low-Income <30% AMI | 1,774 | 87.0% |
| Very Low-Income >30%-50% AMI | 218 | 10.7% |
| Low Income >50%-80% AMI | 46 | 2.3% |
| Families and Children | 533 | 25.9% |
| Elderly Families | 118 | 6.0% |
| Families with a Disability | 1,234 | 60.0% |
| White | 558 | 27.3% |
| Black | 1,400 | 68.3% |
| Asian | 10 | 0.5% |
| Native American Indian/Alaska Native | 13 | 0.6% |
| Native Hawaiian/Other Pac Islander | 23 | 1.1% |
| Hispanic or Latino | 199 | 9.7% |
| Source: SNRHA, 2019 PHA Plan | | |

# CHAPTER 5. FAIR HOUSING IN THE PRIVATE SECTOR

## Lending Practices

Countywide lending practices were analyzed using data gathered from lending institutions in compliance with the Home Mortgage Disclosure Act (HMDA). The HMDA was enacted by Congress in 1975 and is implemented by the Federal Reserve Board as Regulation C. The intent of the Act is to provide the public with information related to financial institution lending practices and to aid public officials in targeting public capital investments to attract additional private sector investments.

Since enactment of the HMDA in 1975, lending institutions have been required to collect and publicly disclose data regarding applicants including: location of the loan (by Census tract, County, and MSA); income, race and gender of the borrower; the number and dollar amount of each loan; property type; loan type; loan purpose; whether the property is owner-occupied; action taken for each application; and, if the application was denied, the reason(s) for denial. Property types examined include one-to-four family units, manufactured housing and multi-family developments.

HMDA data is a useful tool in accessing lending practices and trends within a jurisdiction. While many financial institutions are required to report loan activities, it is important to note that not all institutions are required to participate. Depository lending institutions – banks, credit unions, and savings associations – must file under HMDA if they hold assets exceeding the coverage threshold set annually by the Federal Reserve Board, have a home or branch office in one or more metropolitan statistical areas (MSA), or originated at least one home purchase or refinancing loan on a one-to-four family dwelling in the preceding calendar year. Such institutions must also file if they meet any one of the following three conditions: status as a federally insured or regulated institution; originator of a mortgage loan that is insured, guaranteed, or supplemented by a federal agency; or originator of a loan intended for sale to Fannie Mae or Freddie Mac. For-profit, non-depository institutions (such as mortgage companies) must file HMDA data if: their value of home purchase or refinancing loans exceeds 10 percent of their total loan originations or equals or exceeds $25 million; they either maintain a home or branch office in one or more MSAs or in a given year execute five or more home purchase, home refinancing, or home improvement loan applications, originations, or loan purchases for properties located in MSAs; or they hold assets exceeding $10 million or have executed more than 100 home purchase or refinancing loan originations in the preceding calendar year.

It is recommended that the analysis of HMDA data be tempered by the knowledge that no

one characteristic can be considered in isolation, but must be considered in light of other factors. For instance, while it is possible to develop conclusions simply based on race data, it is more accurate when all possible factors are considered, particularly in relation to loan denials and loan pricing. According to the FFIEC, "with few exceptions, controlling for borrower-related factors reduces the differences among racial and ethnic groups." Borrower-related factors include income, loan amount, lender, and other relevant information included in the HMDA data. Further, the FFIEC cautions that the information in the HMDA data, even when controlled for borrower-related factors and the lender, "is insufficient to account fully for racial or ethnic differences in the incidence of higher-priced lending." The FFIEC suggests that a more thorough analysis of the differences may require additional details from sources other than HMDA about factors including the specific credit circumstances of each borrower, the specific loan products that they are seeking, and the business practices of the institutions that they approach for credit.

The following analysis is provided for the Clark County, Nevada summarizing 2017 HMDA data (the most recent year for which data are available), and data between 2007 and 2017 where applicable. Where specific details are included in the HMDA records, a summary is provided below for loan denials including information regarding the purpose of the loan application, race of the applicant and the primary reason for denial. For the purposes of analysis, this report will focus only on the information available and will not make assumptions regarding data that is not available or was not provided as part of the mortgage application or in the HMDA reporting process.

**2017 County Overview**

In 2017, there were approximately 131,000 applications within Clark County for home loans to purchase, refinance or make home improvements for a single family home - not including manufactured homes. Of those applications, around 65,500 or 50 percent were approved and originated. This represents a decrease of approximately 3,800 originations from 2016 and a percentage decrease of approximately 5 percent, a more modest decline than the national decrease of 13 percent. Of the remaining 65,300 applications, approximately 16,500 or 13 percent of all applications were denied. The top two application denial reasons within the County were debt-to-income ratio (27 percent) and credit history (25 percent), representing over half of the County's total denials. Lack of collateral and incomplete applications represented 15 percent and 14 percent of denials respectively. It is important to note that financial institutions are not required to report reasons for loan denials, although many do so voluntarily. In addition, while many loan applications are denied for more than one reason, HMDA data reflects only the primary reason for the denial of each loan. The balance of the approximately 48,800 applications, that were not originated or denied, were closed for one reason or another including a) the loan was approved but not accepted by the borrower, b) the

application was closed because of incomplete information or inactivity by the borrower or c) in many instances the application may have been withdrawn by the applicant.

**Disposition of Application by Loan Type and Purpose, 2017**

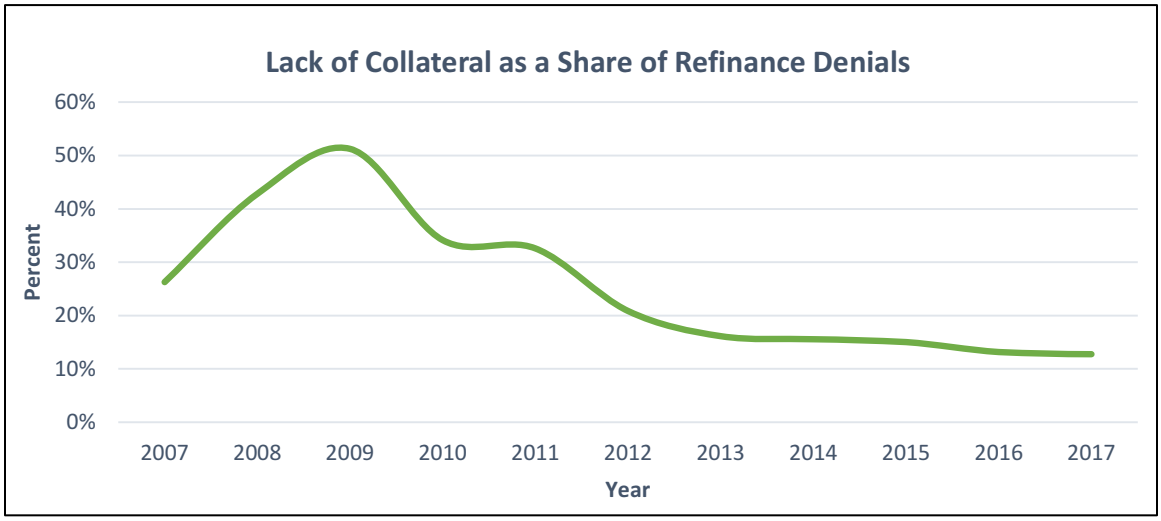
**Single Family Homes (excluding manufactured homes)**

| | Loan Type | Home Purchase | Refinance | Home Improvement |
|---|---|---|---|---|
| Total Applications | | | | |
| | Conventional | 42,523 | 32,851 | 5,898 |
| | FHA | 21,284 | 9,001 | 503 |
| | VA | 9,319 | 8,799 | 504 |
| | FSA/RHS | 137 | 10 | 0 |
| Loans Originated | | | | |
| | Conventional | 24,512 | 15,147 | 2619 |
| | FHA | 10,146 | 3603 | 246 |
| | VA | 5,088 | 3,758 | 320 |
| | FSA/RHS | 67 | 3 | 0 |
| Loans Approved but Not Accepted | | | | |
| | Conventional | 1,188 | 885 | 133 |
| | FHA | 403 | 268 | 13 |
| | VA | 146 | 209 | 7 |
| | FSA/RHS | 0 | 0 | 0 |
| Applications Denied | | | | |
| | Conventional | 3,559 | 6,066 | 2116 |
| | FHA | 1,270 | 1374 | 82 |
| | VA | 603 | 1,400 | 45 |

| | | | | |
|---|---|---|---|---|
| | FSA/RHS | 8 | 3 | 0 |
| Applications Withdrawn | | | | |
| | Conventional | 4,938 | 6,018 | 680 |
| | FHA | 1,882 | 1622 | 97 |
| | VA | 1,008 | 1,532 | 81 |
| | FSA/RHS | 7 | 3 | 0 |
| Files Closed for Incompleteness | | | | |
| | Conventional | 722 | 2,133 | 182 |
| | FHA | 238 | 881 | 31 |
| | VA | 92 | 731 | 24 |
| | FSA/RHS | 5 | 1 | 0 |

**Source: 2017 HMDA**

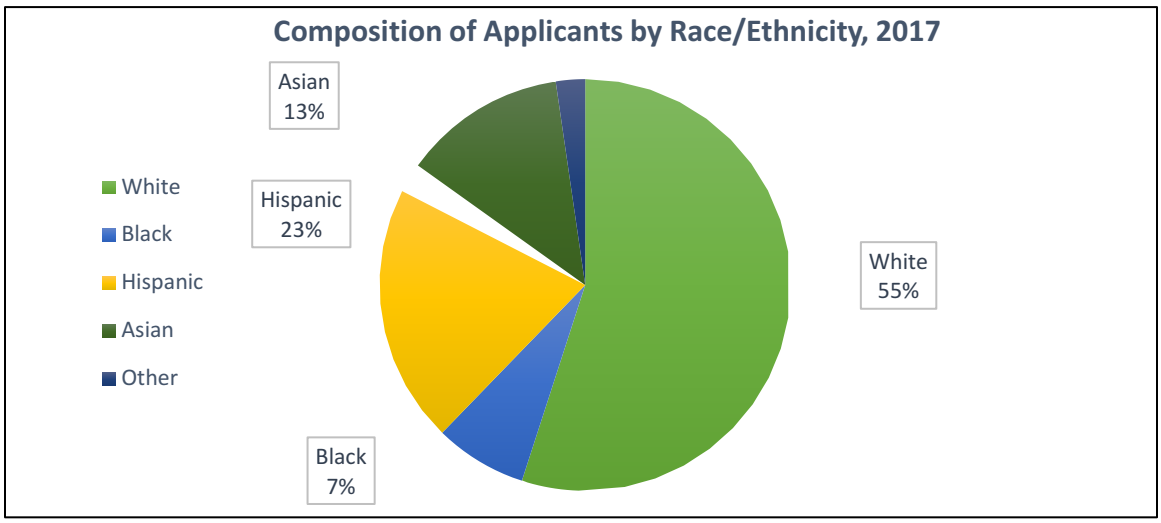
A further examination of the 16,526 denials within Clark County during 2017 indicates that approximately 50 percent were for applicants seeking to refinance existing mortgages for owner-occupied, primary residences. The number one reason for denial of refinance applications was debt-to-income ratio (26 percent of refi. denials), followed by credit history (25 percent of refi. denials). Lack of collateral represented 13 percent of all refinance denials. Typically, homeowners, seeking to refinance their existing home mortgage are able to use their home as collateral. When the denial reason given for a refinance is a lack of collateral, this would indicate the home is worth less than the existing mortgage and, therefore, refinancing is not an option – these homes are commonly referred to as "under-water" or the borrowers are "upside-down" in their mortgage. Shown below, the percentage of refinance denials given for the reason of lack of collateral has declined significantly since the peak of the housing crisis, suggesting that the number of "under-water" homes in Clark County has declined since 2009.



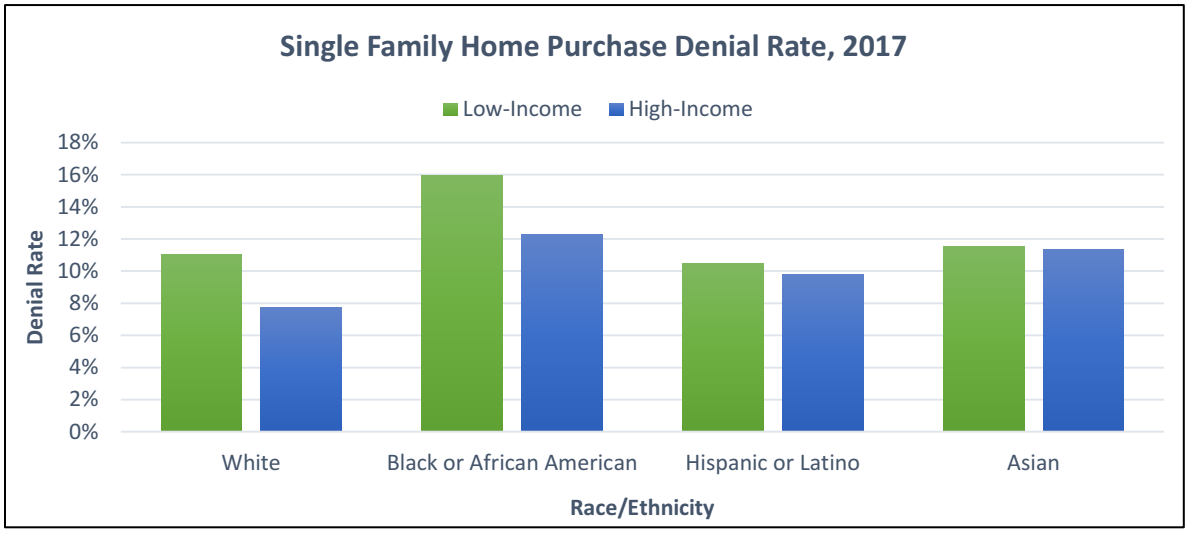

**Home Purchase Lending in Clark County**

Of the home purchase loans for single-family homes that were originated in 2017, (39,813 loans originated) approximately 62 percent of these originations were provided by conventional lenders, consistent with the national conventional home purchase share of 64 percent. The remaining 38 percent of home purchase loans in Clark County were provided by federally backed sources including the Federal Housing Administration, the Farm Service Agency, and the Department of Veterans Affairs. Nonconventional loans, including the FHA and VA lending programs, have relatively lower down-payment requirements in comparison to conventional lenders. The FHA, FSA, and VA lenders had application/approval ratios of 45 percent, 48 percent, and 49 percent respectively. Conventional lenders, by contrast, originated home purchase loans at a higher 52 percent of all applications.

The share of applications and percentage of loan application denials for traditional home purchase loans in Clark County varies by race/ethnic groups. The largest applicant group in 2017 were non-Hispanic Whites (55 percent) followed by Hispanics (23 percent). Asians represented 13 percent of all home purchase applications while Black applicants represented 7 percent. In 2017, Whites were least likely to be denied for conventional single-family home purchases, being denied at a rate of 8 percent. Hispanics were denied at a rate of 10 percent, respectively, while Black and Asian applicants faced the highest conventional home purchase denial rate at 11 percent.




Additionally, a closer look at home purchase denial rates by race/ethnicity and income group within Clark County, shown below, demonstrates that High Income Blacks (having greater than 120 of Area Median Income) were more likely to be denied for a single family home purchase, at 12 percent, than Low Income Whites (having less than 80 percent of Area Media Income), at 11 percent. Additionally, Low Income Blacks were the group with the highest home purchase denial rate at 16 percent. High Income Whites were denied at a rate of 8 percent, the lowest of all groups examined.

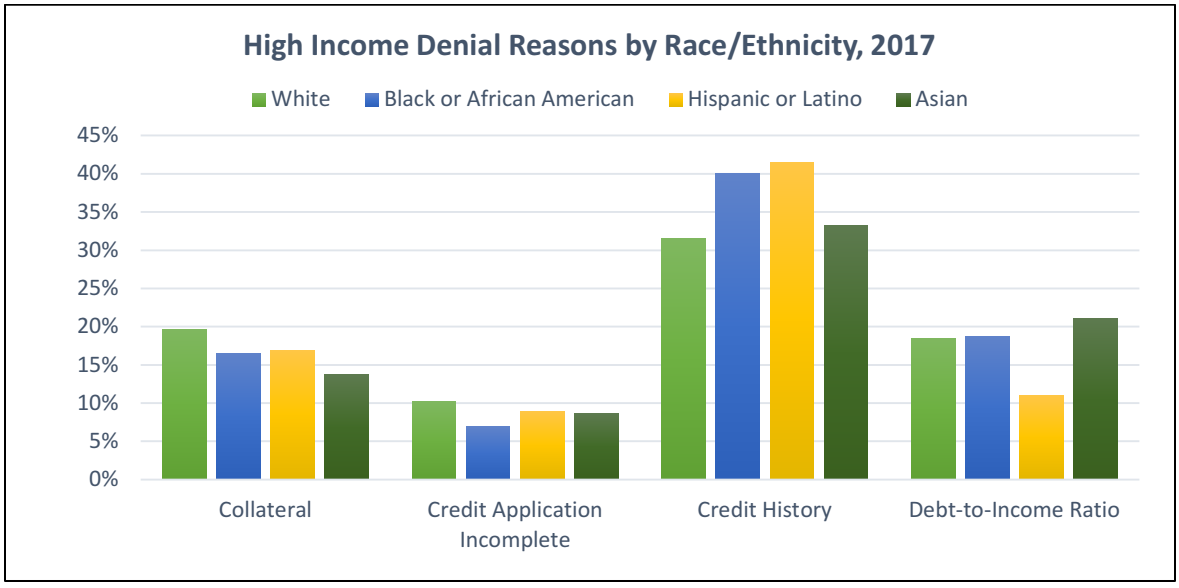



**Application Denial Reasons by Income Group**

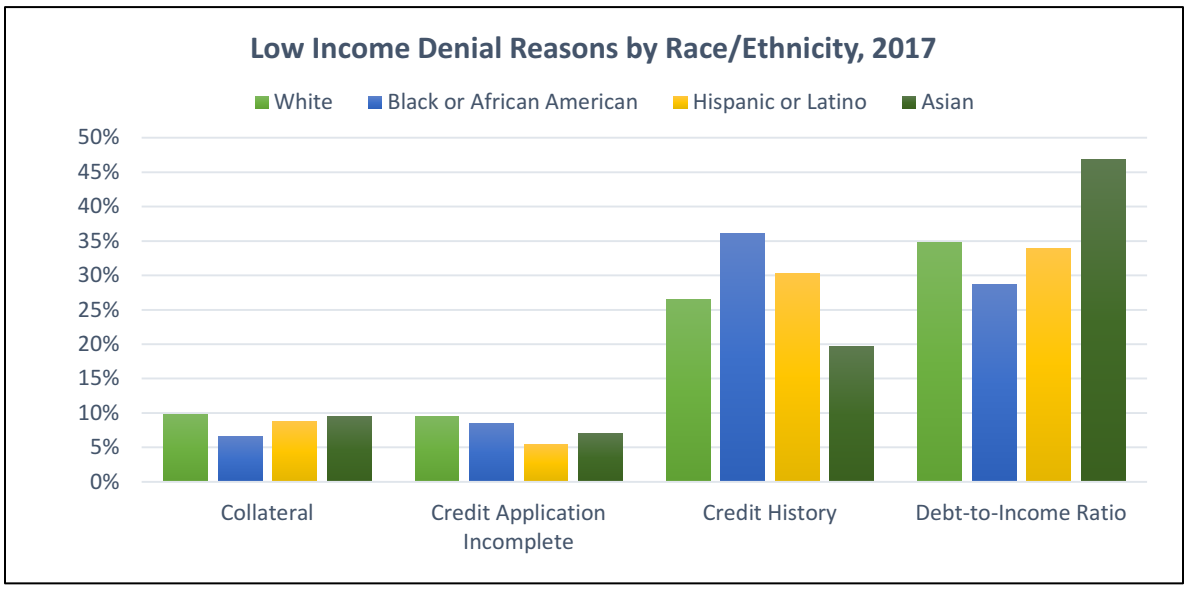
The below charts compare denial reasons among White, Black, Hispanic, and Asian applicants in

Clark County for 2017 by income group.

As of 2017, the leading denial reason for High Income White, Black, Asian, and Hispanic applicants was credit history. For Black and Hispanic applicants, this represented 40 and 42 percent of each group's respective denials, more than double the share of debt-to-income ratio and lack of collateral. High Income Whites has the highest share of applicants denied for lack of collateral, while High Income Asians had the highest share for debt-to-income ratio.




For Low Income denials, debt-to-income ratio was the top reason for all groups except Black applicants, where credit history was the top reason in 2017, similar to High Income Black denials. All Low Income groups were denied for debt-to-income ratio at a higher rate than their High Income counterparts, and in the case of Hispanics and Asians, the difference relative to High Income applicants was more than 20 percent. Additionally, Low Income applicants in all groups were less likely to be denied due to lack of collateral or credit history relative to High Income applicants.

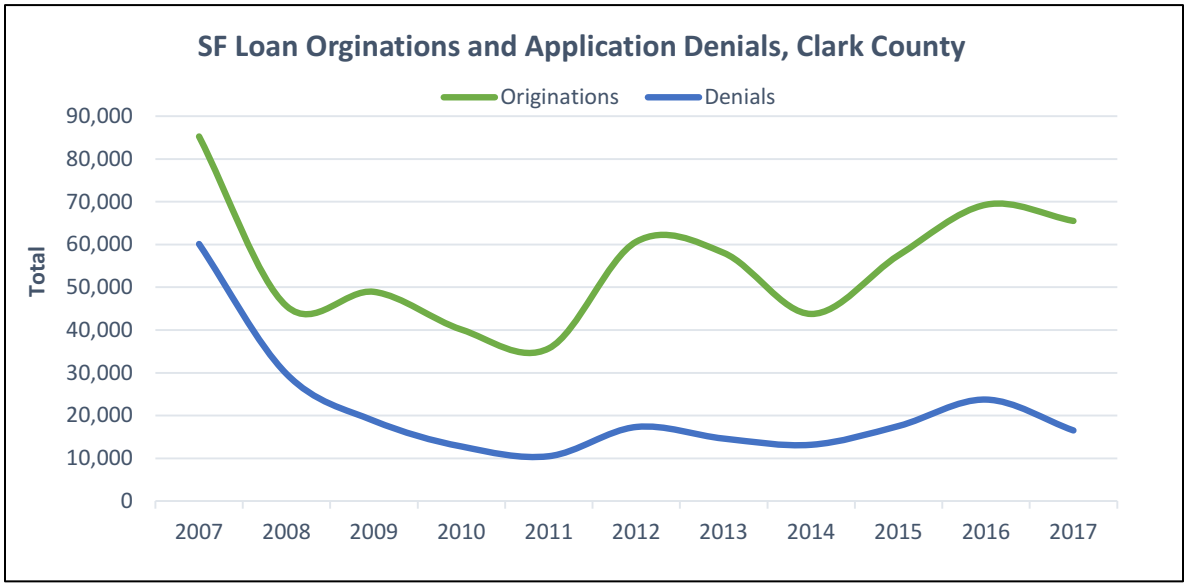



## Clark County's Single Family Lending Market, 2007-2017

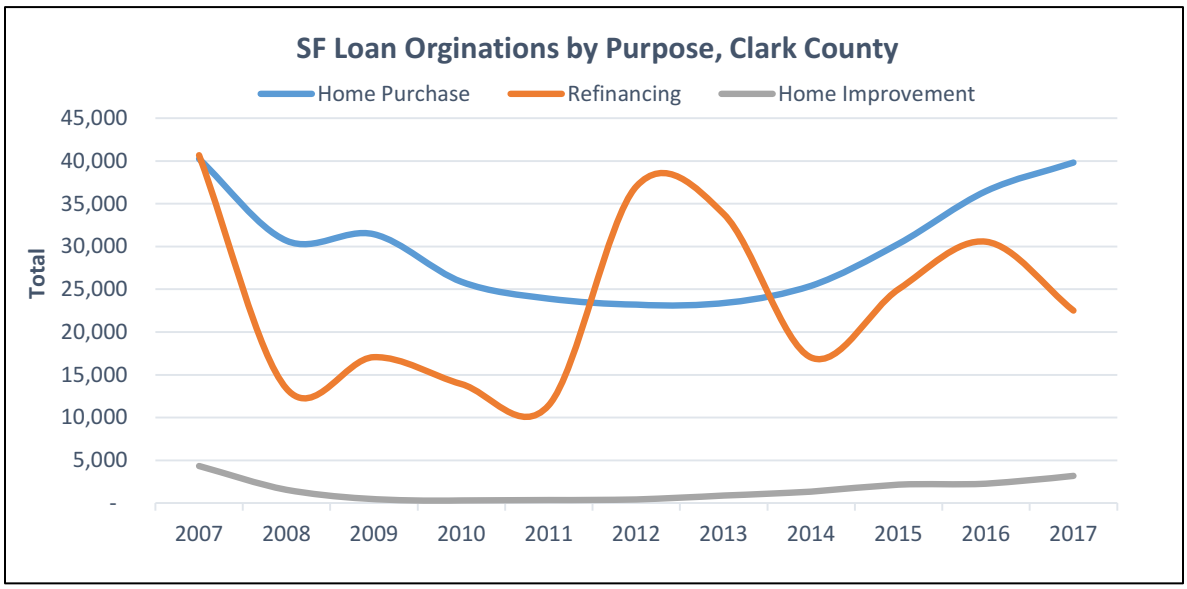
The following section will examine HMDA data over the time period 2007-2017, for Clark County.

Highlighted below, the number of single-family loan originations in Clark County followed a dynamic trajectory between 2007 and 2017. At the onset of the housing crisis, originations declined 47 percent between 2007 and 2008, followed by a mild increase of 7 percent between 2008 and 2009. Subsequently, originations trended downward between 2009 and 2011, followed by a year-over-year increase of 70 percent between 2011 and 2012. Loan originations then fell by 28 percent between 2012 and 2014, though grew steadily between 2014 and 2016, the latter year having the highest post-2007 number of originations at over 69,000. Between 2016 and 2017, originations fell by 6 percent, and as of 2017, total originations in Clark County are about 77 percent of the level prior to the housing crisis.

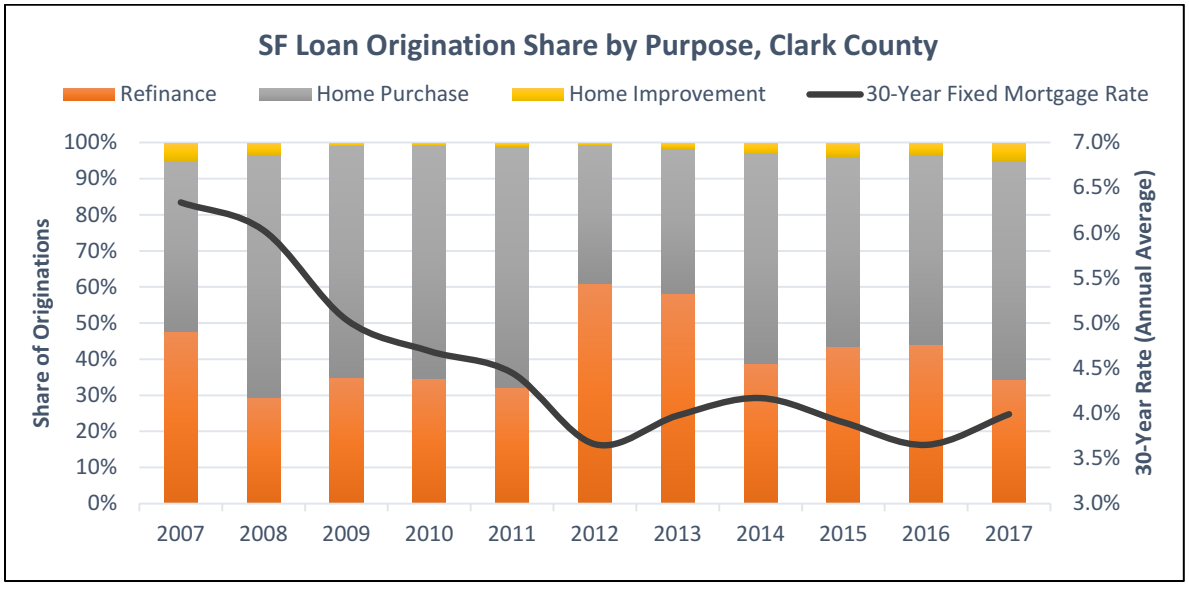
In contrast to originations, the number of application denials within Clark County demonstrated less extreme changes between 2007 and 2017, though fell dramatically between 2007 and 2010. As of the most recent data year, denials are 73 percent below the level experienced in 2007. Relatedly, the share of denials as a percent of total originations and total denials has declined markedly since the housing bust, from 41 percent in 2007 to approximately 20 percent as of 2017.




Shown below, much of the year-to-year fluctuations in total originations that occurred between 2007 and 2017 were the result of refinancing originations. Home purchases and refinances were nearly evenly split in 2007, though home purchases became the top loan purpose between 2008 and 2011. Refinancing became the dominant loan purpose in 2012 and 2013, as interest rates were broadly falling, discussed further below. In 2017, home purchases comprised 61 percent of the County's total originations, and the 39,800 home purchase loans originated is the highest annual total since 2007. The consistent growth of home purchase originations since 2012 (72 percent growth rate between 2012 and 2017) reflects a steady and recovering demand for housing within the County.

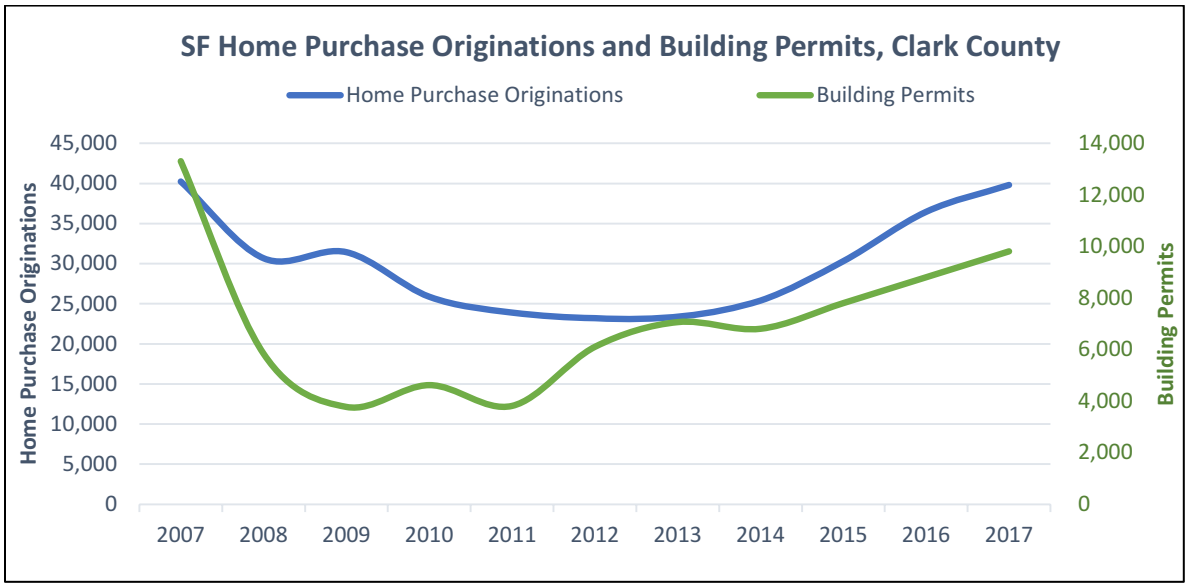



The share of refinance originations in Clark County appears to move generally with the 30-year fixed rate mortgage average, shown below. In 2012, for example, when the average 30-year fixed rate mortgage was at its lowest level of all the years examined, refinance originations reached the highest level in both absolute number and percentage terms of all data years analyzed. Similarly, when interest rates rose between 2012 and 2014, the share of refinance originations fell from 61 percent to 39 percent. The increase in the annual average of the 30-year fixed mortgage rate between 2016 and 2017 is consistent with Clark County's 26 percent reduction in the number of refinance loan originations over the same time period.



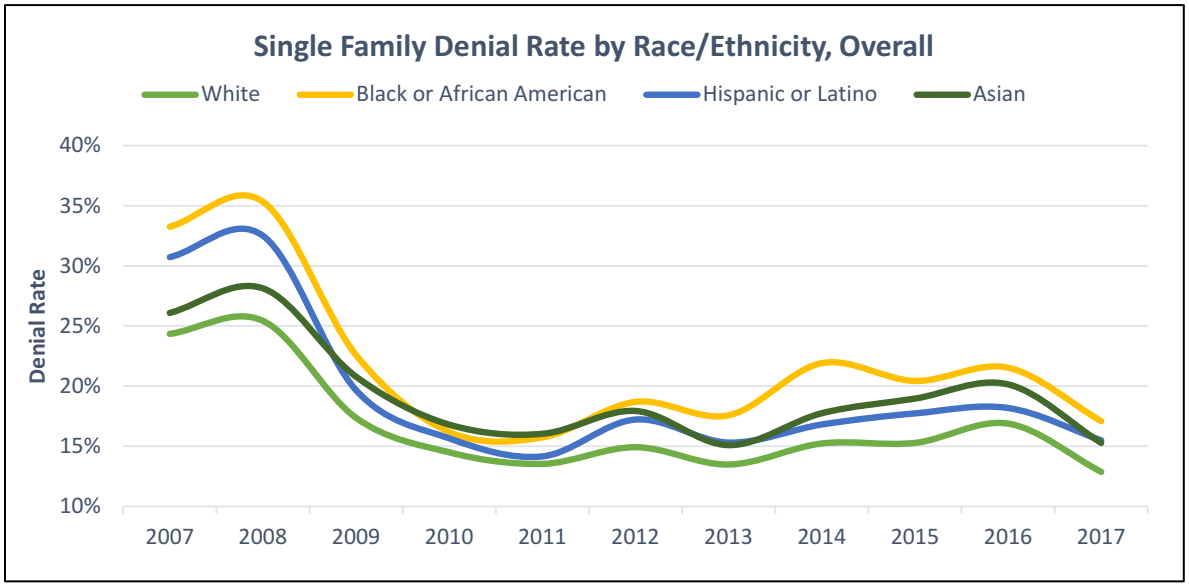

Source: HMDA, Federal Reserve Bank of St. Louis

For home purchase loans, the movement of originations often tracks trends in the number of single-family building permits issued, as shown below. Both trends are indicative of steady and consistent growth in housing demand within the County.

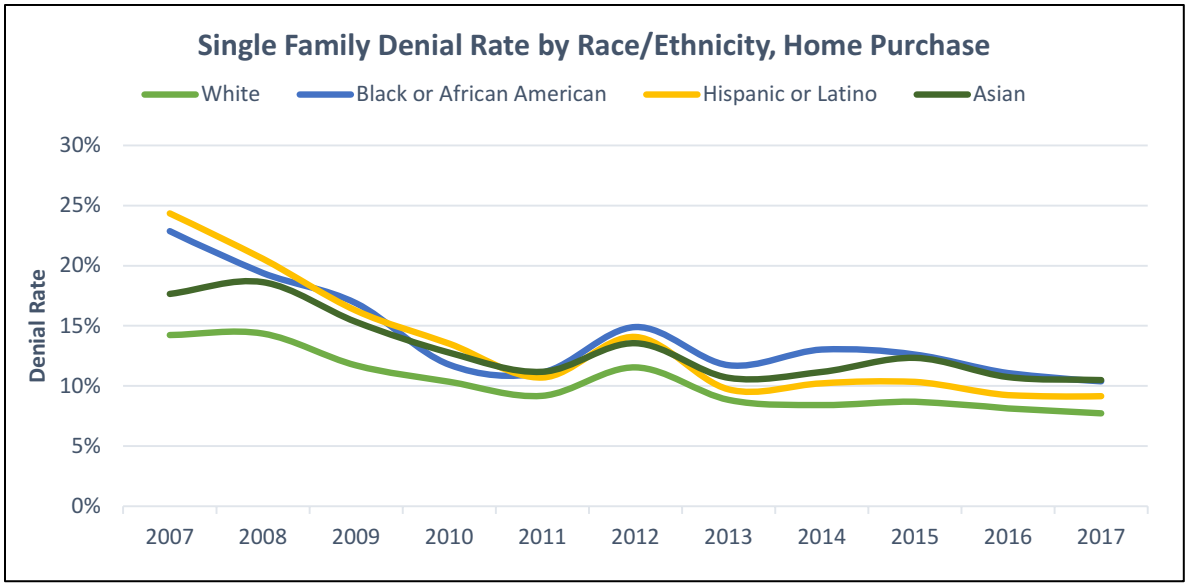



**Income, Race, and Single Family Loan Denials in Clark County**

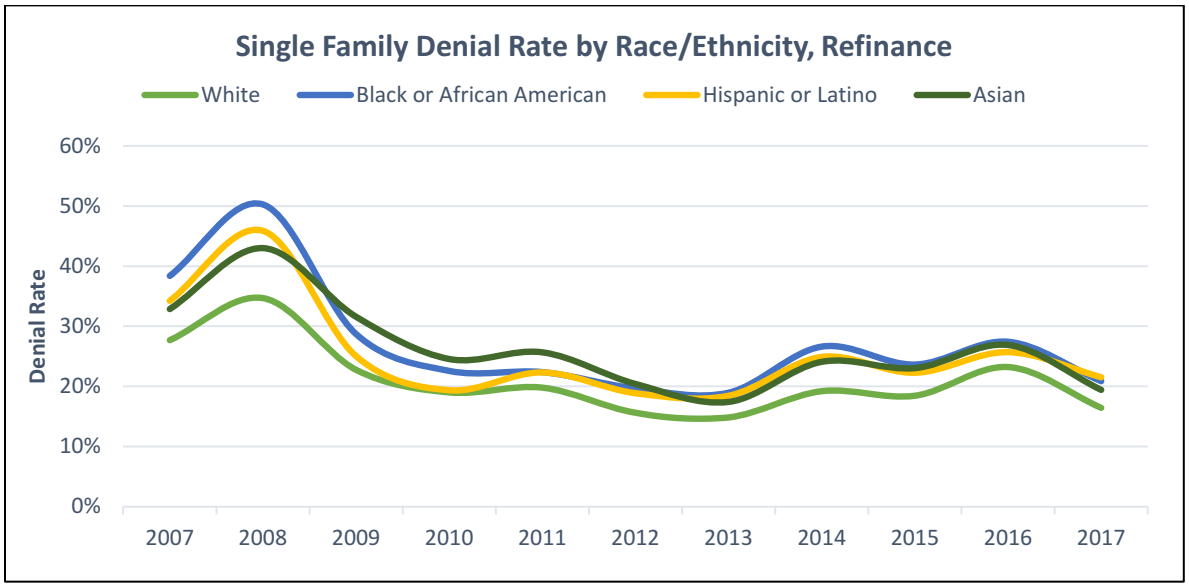
Denial rates for single-family loans in Clark County over time vary by race and ethnicity. The charts below show that between 2007 and 2017, White applicants were generally less likely to be denied relative to Black and Hispanic applicants. In every year examined, Whites were the least likely racial/ethnic group to be denied. The overall denial rate for all groups has fallen during the analysis period, and the disparity between White and Hispanic applicants all fell, with Hispanic applicants approximately 1.2 times more likely to be denied than White applicants as of 2017, compared to 1.7 in 2007.



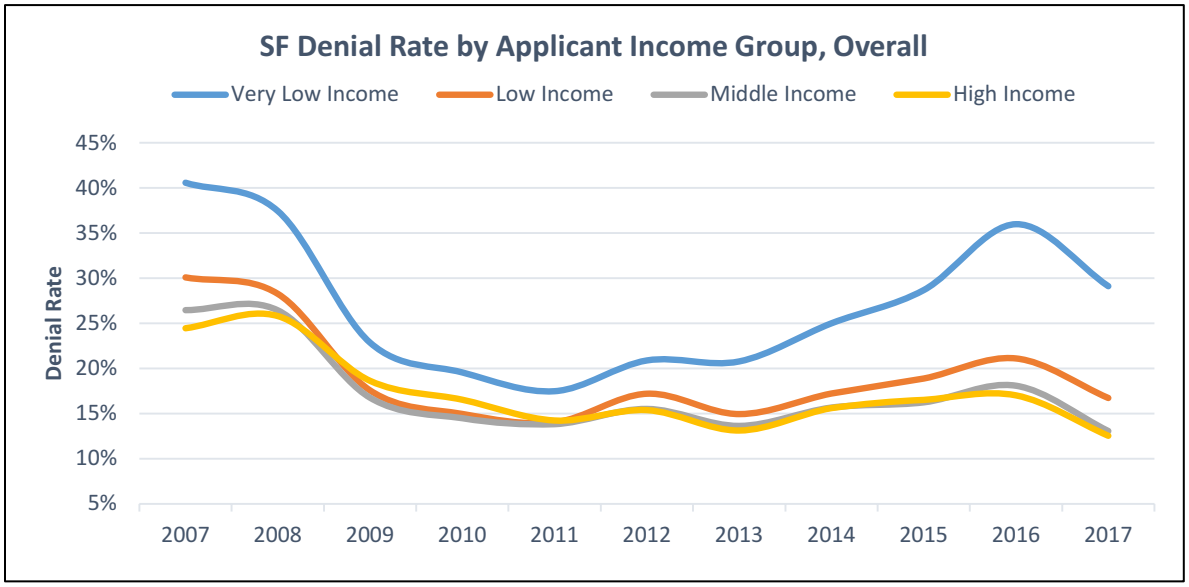

Home purchase applications exhibit lower denial rates for all applicant groups relative to overall denial rates. Similar to overall rates, Whites were the least likely to be denied in every year examined. As of the most recent data year, Black and Asian applicants experienced the highest home purchase denial rates at approximately 10 percent.



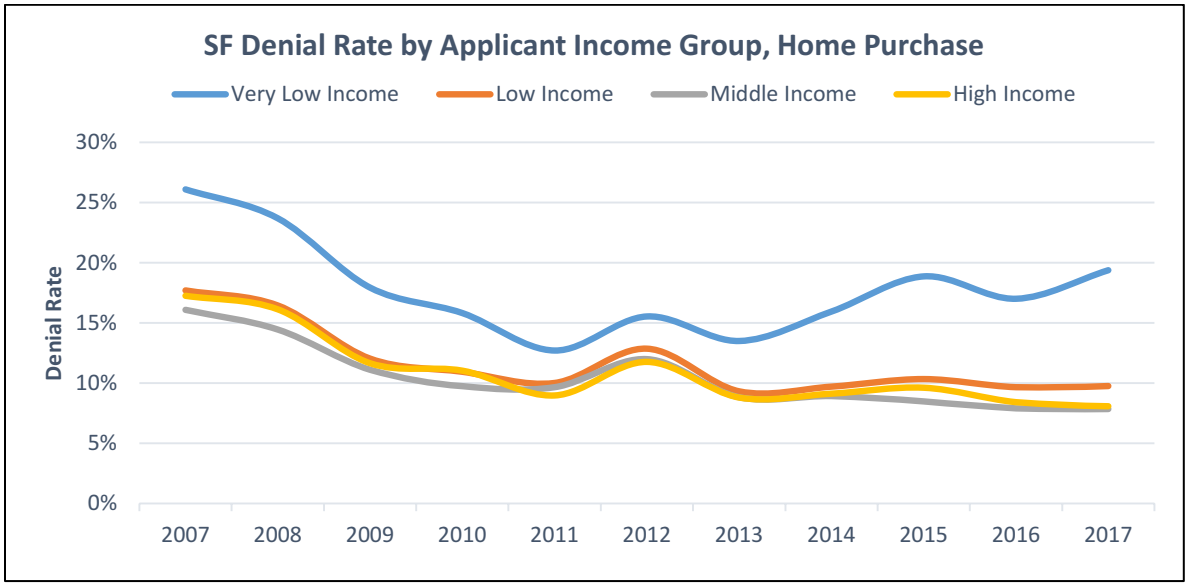

Similar to the overall denial rate and home purchases, White applicants were the least likely to be denied a refinance in every year between 2007 and 2017. Refinance denials rates have fallen by over 10 percent for all groups between 2007 and 2017, with Black applicants experiencing the greatest percentage decrease at 18 percent.



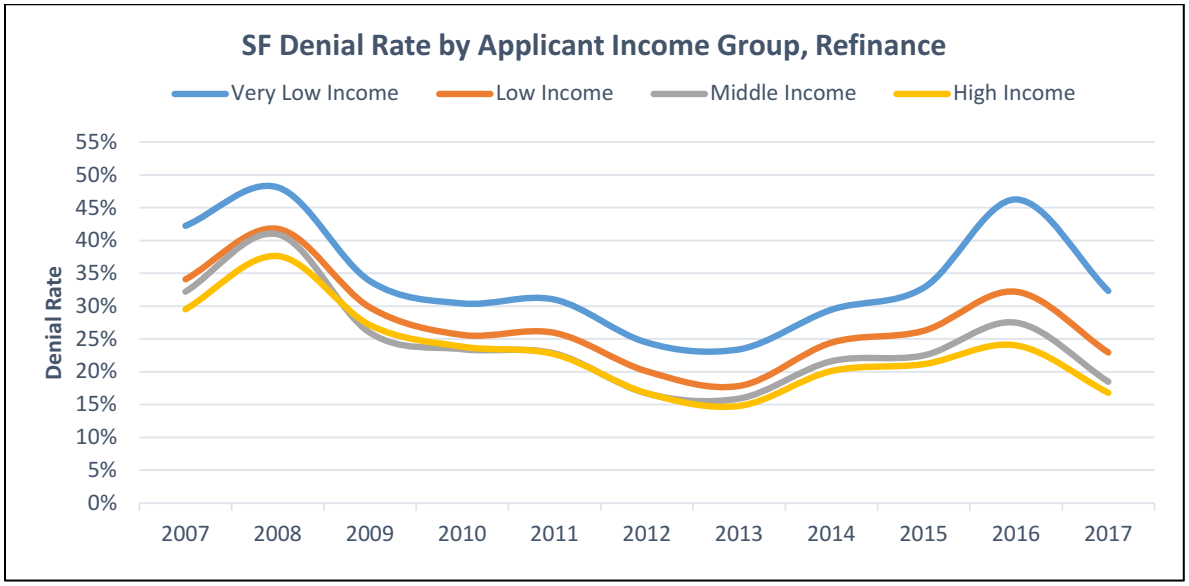

A view of single-family denial rates by applicant income group within Clark County, highlighted below, generally shows the expected outcome of higher income groups experiencing lower denial rates than lower income groups. However, Very Low Income applicants (50 percent of less of Area Median Income) have remained well above other income groups, with generally increasing divergence since 2013, despite a decrease from 36 percent to 29 percent between 2016 and 2017. High Income (greater than 120 percent of Area Median Income) and Middle Income (80 to 120 percent of Area Median Income) applicants have been the lowest and second-lowest denied groups respectively since 2012, with Low Income (between 50 percent and 80 percent of Area Median Income) the third-lowest. The single-family denial rate declined for all income groups between 2007 and 2017.



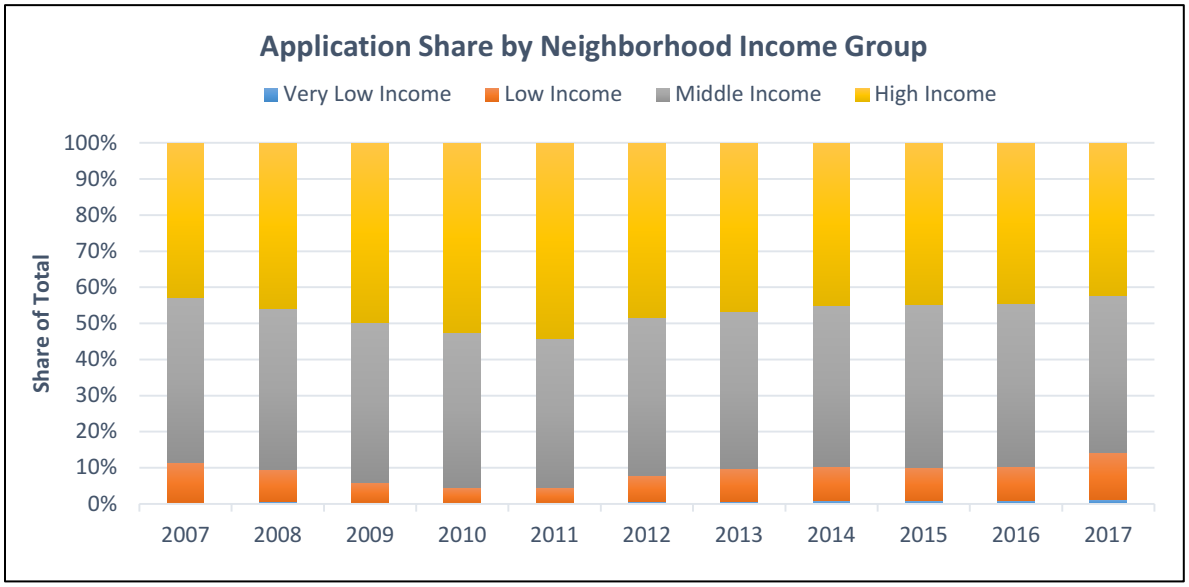

Similar to overall denial rates by income group, home purchase applications were denied at a much higher rate for Very Low Income applicants between 2007 and 2017 while Low, Middle, and High Income applicants have remained closer to each other. Between 2016 and 2017, home purchase denial rates were stable, with all income groups except Very Low Income experiencing a change of less than a half percent. As of the most recent data year, Very Low Applicants are over twice as likely to be denied for a home purchase relative to High Income and Middle Income applicants.



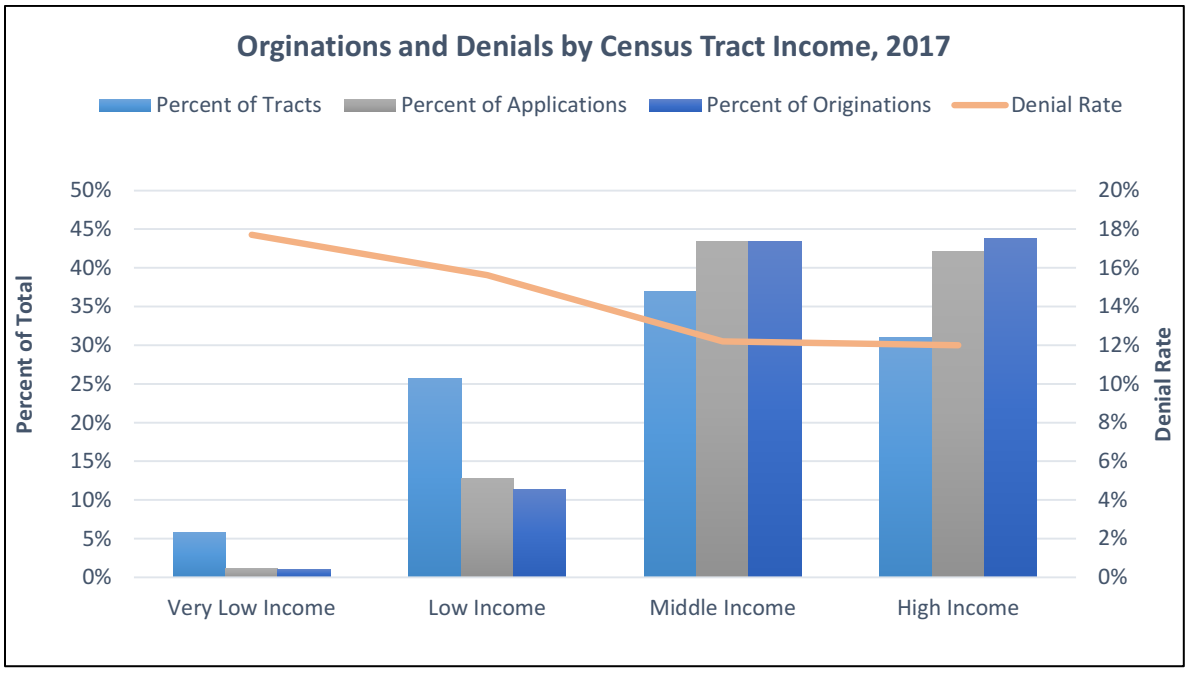
For all income groups, denial rates for refinance applications were higher than overall denial rates as well as those for home purchases in every year examined. Additionally, the refinance denial rate for all income groups declined between 2016 and 2017.




As a percentage of total applications within Clark County, the distribution among neighborhoods by income group (defined as median income of property's Census tract) shows that for every year examined, Middle and High Income neighborhoods represented the vast majority of applicants (86 percent as of 2017).

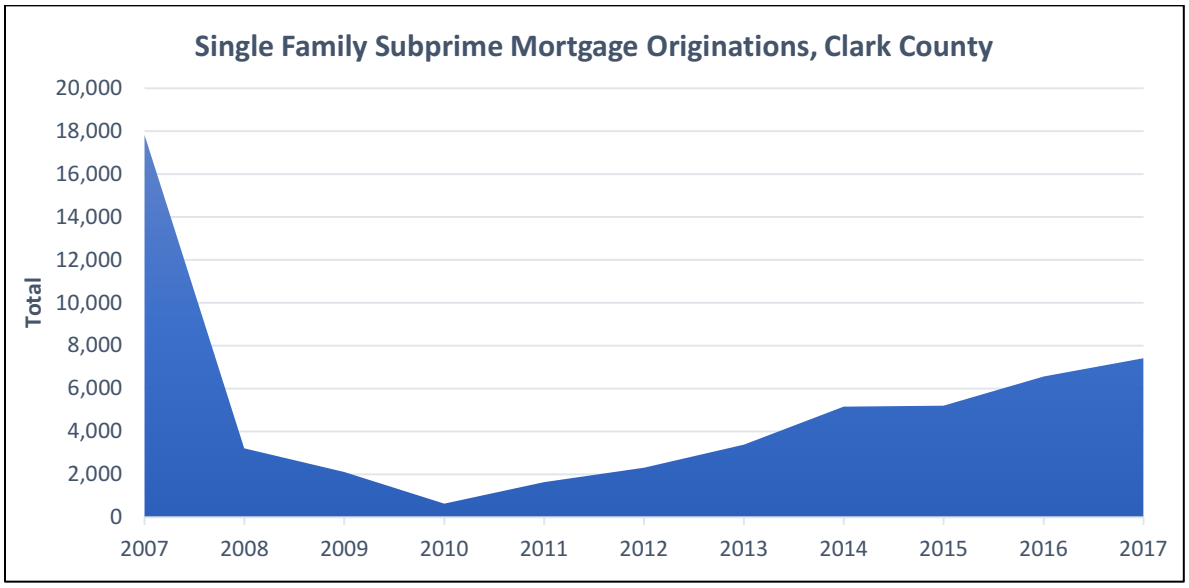


Within Clark County, Very Low Income and Low Income neighborhoods represent 32 percent of the County's total neighborhoods, although they are represented by approximately 13 percent of total originations and 14 percent of total applications as of 2017, shown below. This suggests that Low and Very Low Income neighborhoods within the County are less likely to participate in the single family lending market relative to other neighborhoods. By contrast, loan applications and originations within Clark County are disproportionately likely to occur for properties in High and Middle Income neighborhoods. For example, High Income neighborhoods represent 31 percent of the County total, though they accounted for 42 percent of applications and 44 percent of all single-family loans originations throughout the County in 2017.



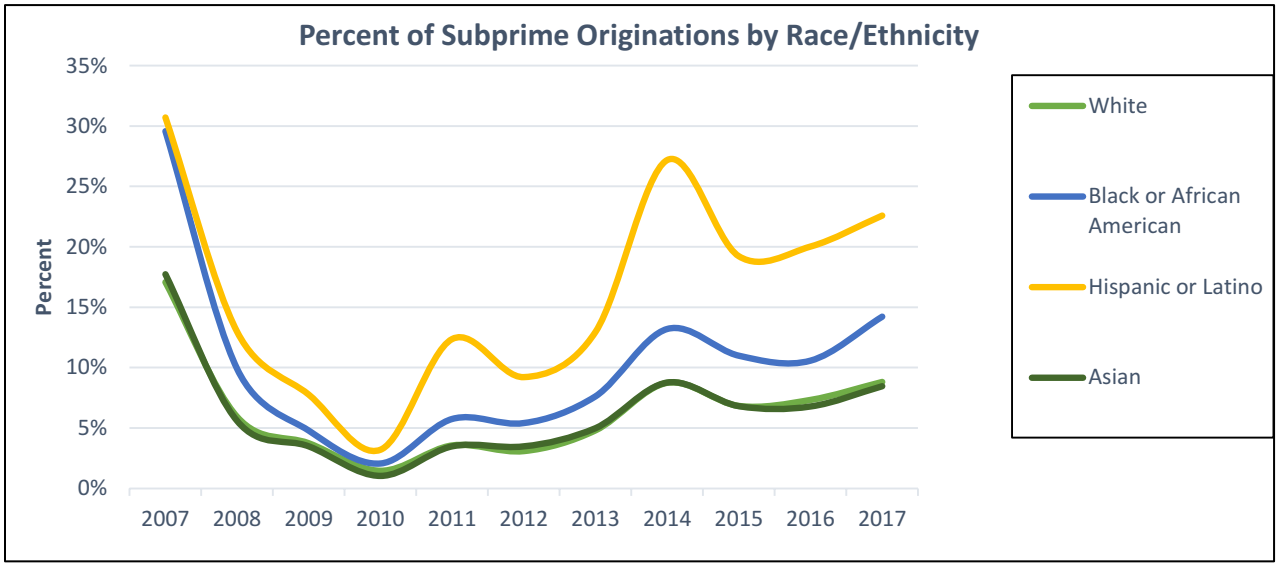

## The Subprime Market

Illustrated below, the subprime mortgage market in Clark County declined significantly between 2007 and 2010, dropping by 96 percent. However, subprime originations increased by more than 10 times between 2010 and 2017, to about 7,400 per year (approximately 42 percent of the 2007 total). Subprime loans are defined as those with an annual percentage rate that exceeds the average prime offer rate by at least 1.5 percent. The total number of subprime loan originations decreased by approximately 58 percent on net between 2007 and 2017, while prime originations decreased by 7 percent during the same time period. Since 2010, however, the number of subprime loan originations has grown by 1,055 percent, compared to 47 percent growth for prime originations. As a percent of Clark County's total, subprime originations declined from 21 percent to 11 percent between 2007 and 2017.

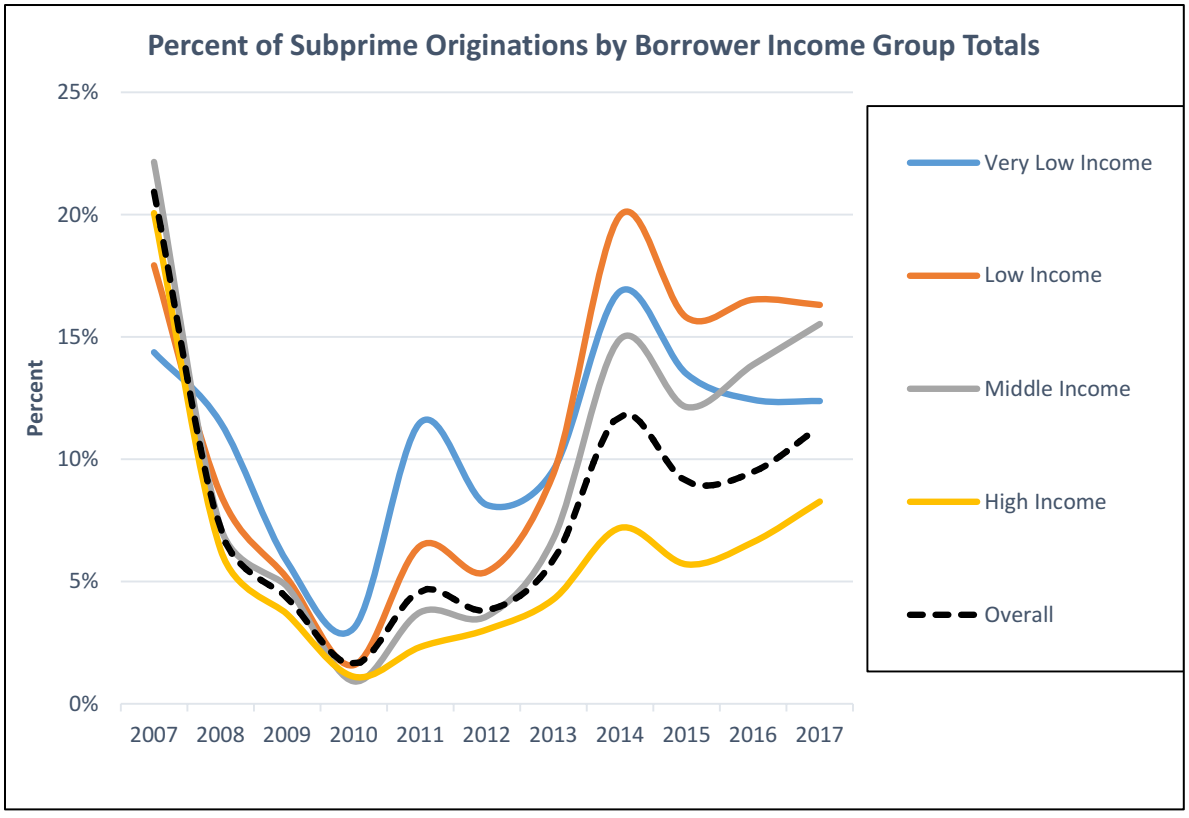



Looking at the share of subprime loans as a percentage of total originations by race/ethnicity reveals that Hispanic loan recipients were approximately 1.8 times as likely to be subprime relative to White loan recipients in 2007 while Black applicants were approximately 1.7 times as likely. This trend is consistent with the broader national pattern of minorities being disproportionately subjected to predatory subprime lending leading up to the housing crash, as outlined in a post-crisis report by the US Department of Housing and Urban Development.[3] The period between 2007 and 2010 saw the subprime share for Black and Hispanic borrowers decline substantially, falling from 30 percent to 2 percent and 31 percent to 3 percent, respectively. However, the Hispanic subprime share increased by more than 8 times between 2010 and 2014 while the Black subprime share increased by more than 6 times. Relative to the pre-crisis share of subprime originations, White, Black, and Asian originations are at approximately half of the 2007 share, while Hispanic subprime originations are at approximately 74 percent of the 2007 share as of 2017.

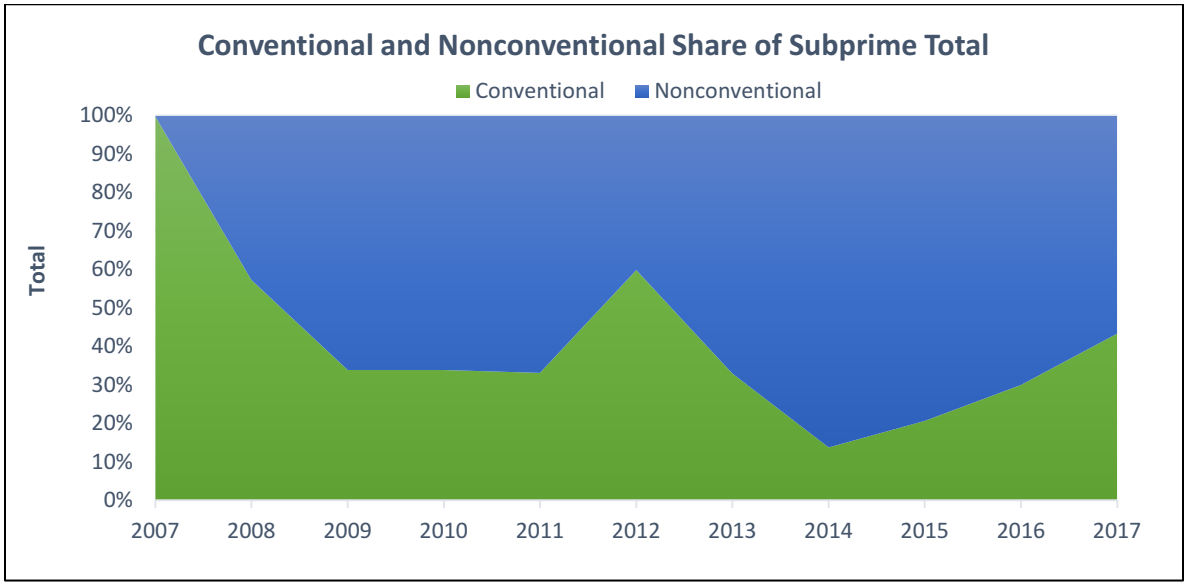
[3] https://www.huduser.gov/portal/publications/foreclosure_09.pdf



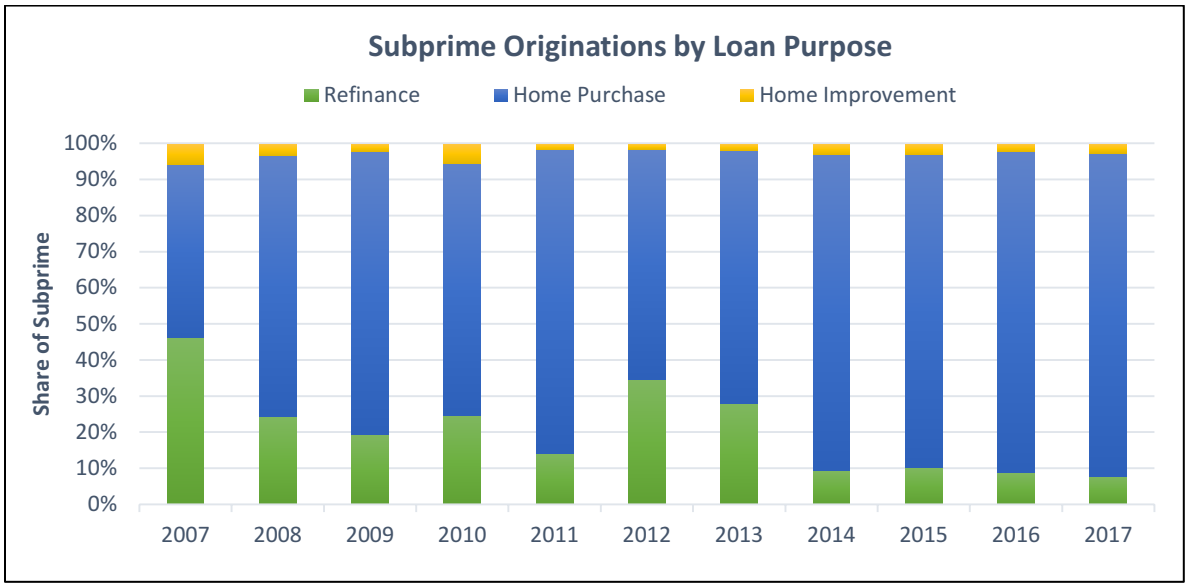

A view of subprime originations by income group totals shows a sharp decline between 2007 and 2010 among all groups, with overall increases from 2012 to 2017, led by the Very Low, Low, and Middle Income groups.



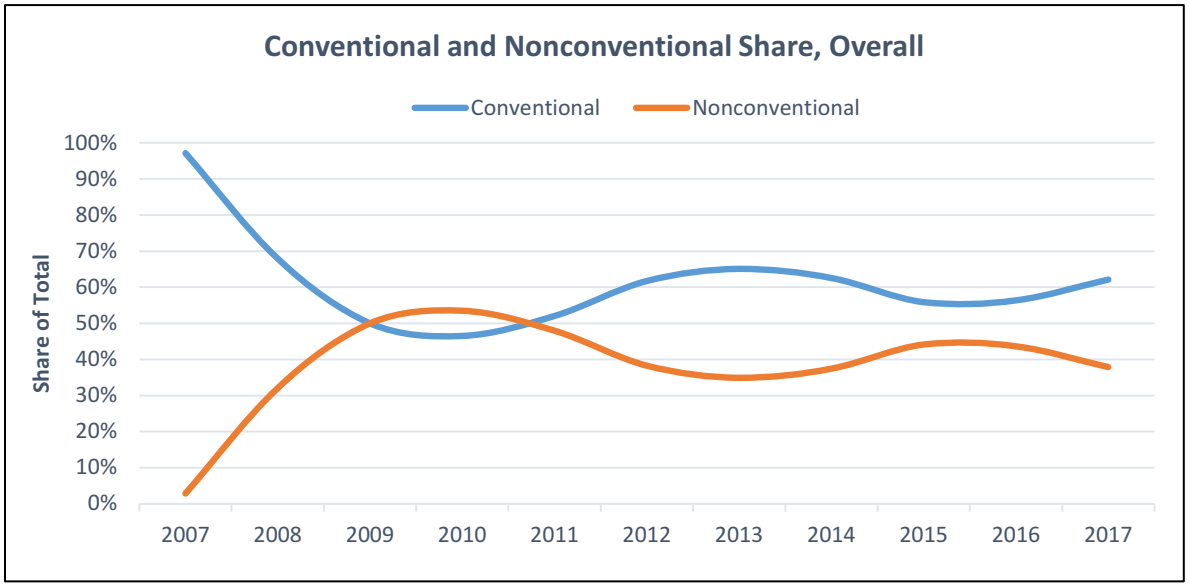
Consistent with broader national trends, the composition of subprime loans within Clark County has shifted from conventional loans to government-insured nonconventional loans in recent years. In 2007, 99.7 percent of subprime loans within the County were originated by conventional lenders. As of 2017, that percentage is 43 percent, up from a low of 14 percent in 2014. Of the nonconventional subprime loans originated in Clark County the overwhelming majority are insured by the Federal Housing Administration (over 98 percent in 2018). By contrast, the FHA's share of nonconventional prime loans is 52 percent, while 48 percent are insured by the Department of Veterans Affairs.

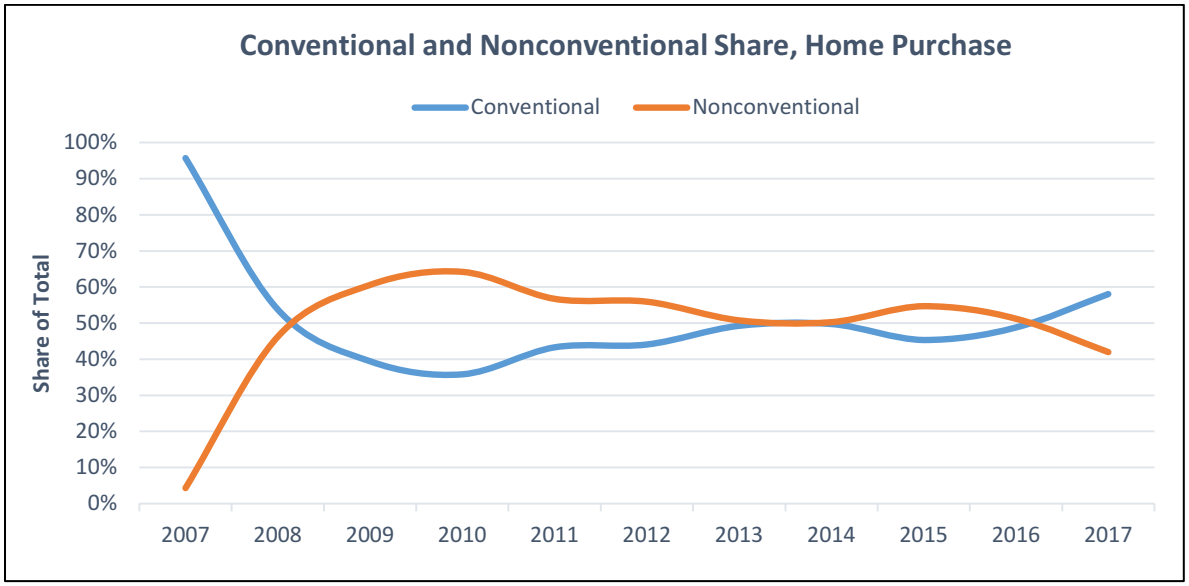


As a percentage of all subprime loan originations within Clark County, home purchases represented 90 percent in 2017, the highest share of all years examined. The subprime home purchase share is up from its share of 48 percent in 2007.




Though subprime loans within Clark County are mostly nonconventional, 62 percent of all single-family originations in 2017 were from conventional lenders. The highest share of nonconventional originations for any loan purpose was for home purchase loans in 2010 at 64 percent. The share of conventional lending in Clark County has stabilized to around 55 percent since 2009.


Conventional and Nonconventional Share, Overall
Conventional
Nonconventional
Share of Total
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017


Conventional and Nonconventional Share, Home Purchase
Conventional
Nonconventional
Share of Total
100%
90%
80%
70%
60%
50%
40%
30%
20%
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2007
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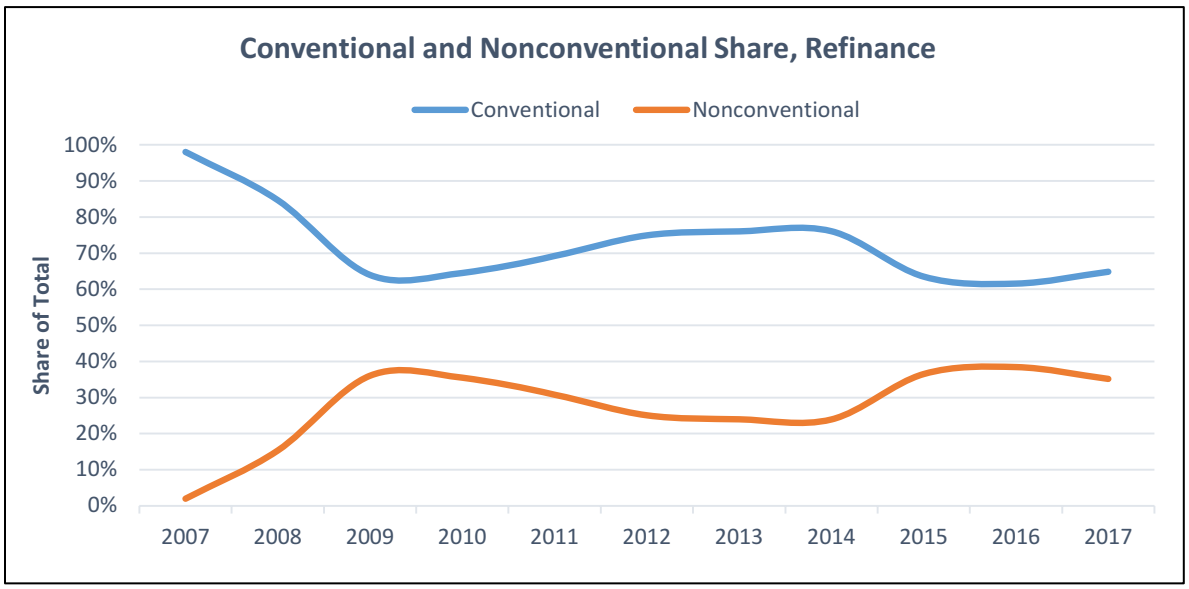



## Conclusion

Mortgage lending activity in Clark County is consistent with many of the broader trends that have occurred in the wake of the housing crash, Great Recession, and subsequent economic recovery.

Further, Clark County exhibits relatively strong mortgage market fundamentals. Home purchase originations have increased every year since 2012 and in 2017 were at the highest level since 2007, suggesting signs of growing housing demand and a housing market recovery within the County. Additionally, the share of refinance applications denied for lack of collateral, suggesting an "under-water" home, has declined substantially since the peak of the housing crisis.

The County has also been subject to cyclical trends that reflect broader economic conditions in recent years, including changes in mortgage rates that influence the prevalence of refinance originations and a subprime lending market that remains well below its peak prior to the housing bust, despite steady and significant growth since 2010. Government-insured mortgages have increased, consistent with tighter credit conditions and a more active regulatory environment in the wake of the housing crash.

Some trends, however, have continued despite business cycle fluctuations, such as higher denial rates for Black and Hispanic applicants relative to White applicants, in addition to higher denial rates for lower income applicants and neighborhoods.

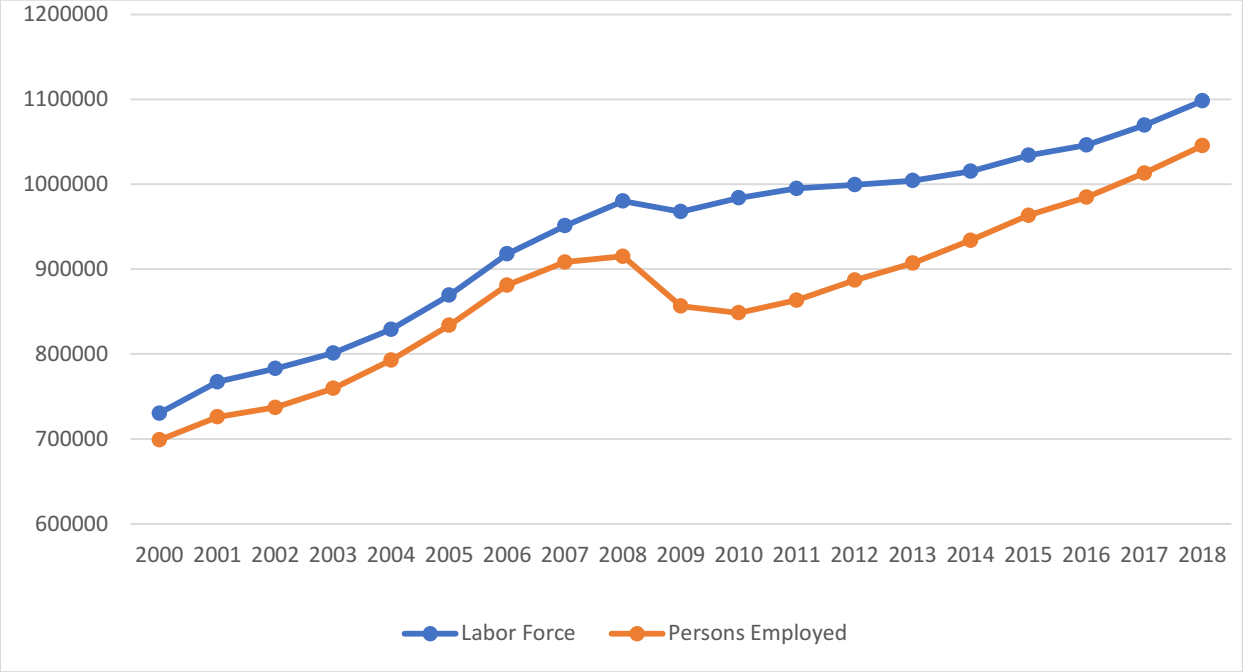
# CHAPTER 6. ACCESS TO COMMUNITY ASSETS AND QUALITY OF LIFE

## Labor Force and Industry

**Employment**

The labor force participation and number of persons employed are linked in Clark County. Since 2000, they have followed a similar pattern of growth, though the changes in the labor force have not been as extreme as the number of persons employed. Both indicators grew between 2000 and 2008 until the economic crash, and then there was a drop in both rates that did not really begin to recover until 2011.

**Chart: Employment in Clark County from 2000 to 2017**




Source: BLS, Local Area Unemployment Statistics, Not seasonally adjusted

Clark County has maintained an unemployment rate that is similar to the statewide rate since 2010. The City of North Las Vegas tends to have a higher than average unemployment rate and the City of Henderson has a slightly lower rate than is found in other jurisdictions.

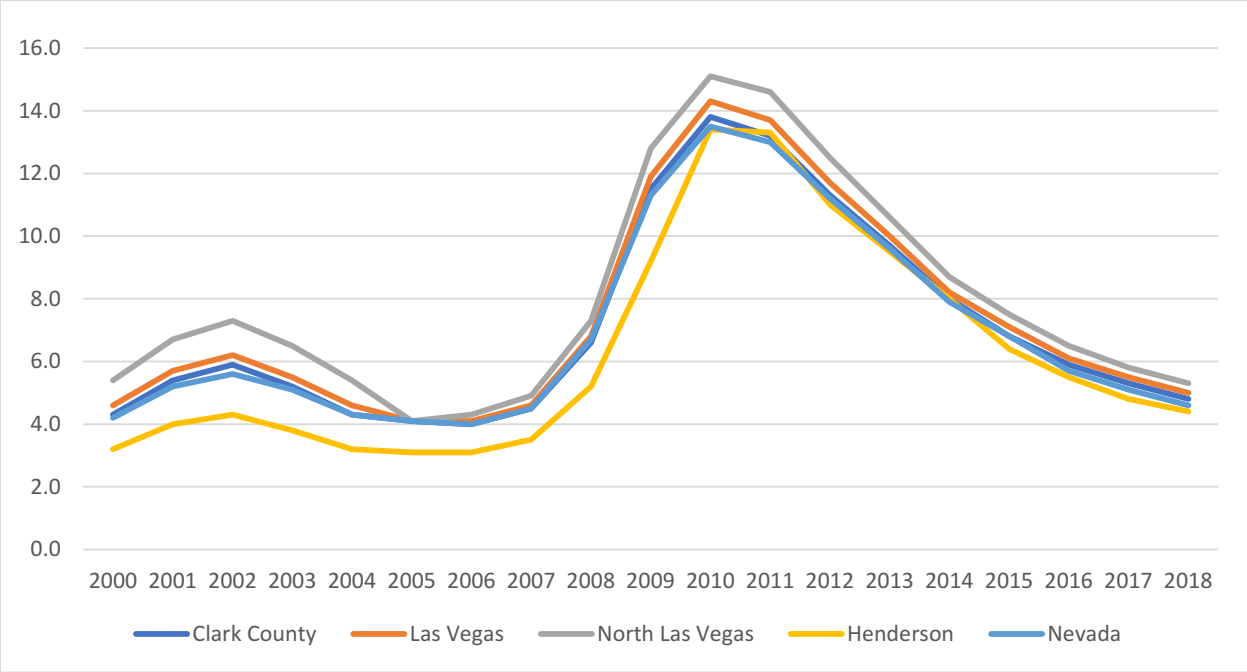
**Table: Unemployment Rates in Clark County and select cities from 2009 to 2018**

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|---|---|---|---|---|---|---|---|---|
| Nevada | 13.5 | 13.0 | 11.2 | 9.6 | 7.9 | 6.8 | 5.7 | 5.1 | 4.6 |
| Clark County | 13.8 | 13.2 | 11.3 | 9.7 | 8.0 | 6.8 | 5.9 | 5.3 | 4.8 |
| Las Vegas | 14.3 | 13.7 | 11.7 | 10.0 | 8.2 | 7.1 | 6.1 | 5.5 | 5.0 |
| North Las | 15.1 | 14.6 | 12.5 | 10.6 | 8.7 | 7.5 | 6.5 | 5.8 | 5.3 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Vegas | | | | | | | | | |
| Henderson | 13.4 | 13.3 | 11.0 | 9.5 | 8.0 | 6.4 | 5.5 | 4.8 | 4.4 |
| Source: BLS, Local Area Unemployment Statistics, Not seasonally adjusted<br>Data note: Unemployment rates are annual averages. Data unavailable for jurisdictions with fewer than 25,000 residents | | | | | | | | | |

The following chart visualizes the above table. Through this visualization it is clear that the analyzed jurisdictions have highly correlated and similar unemployment rates.

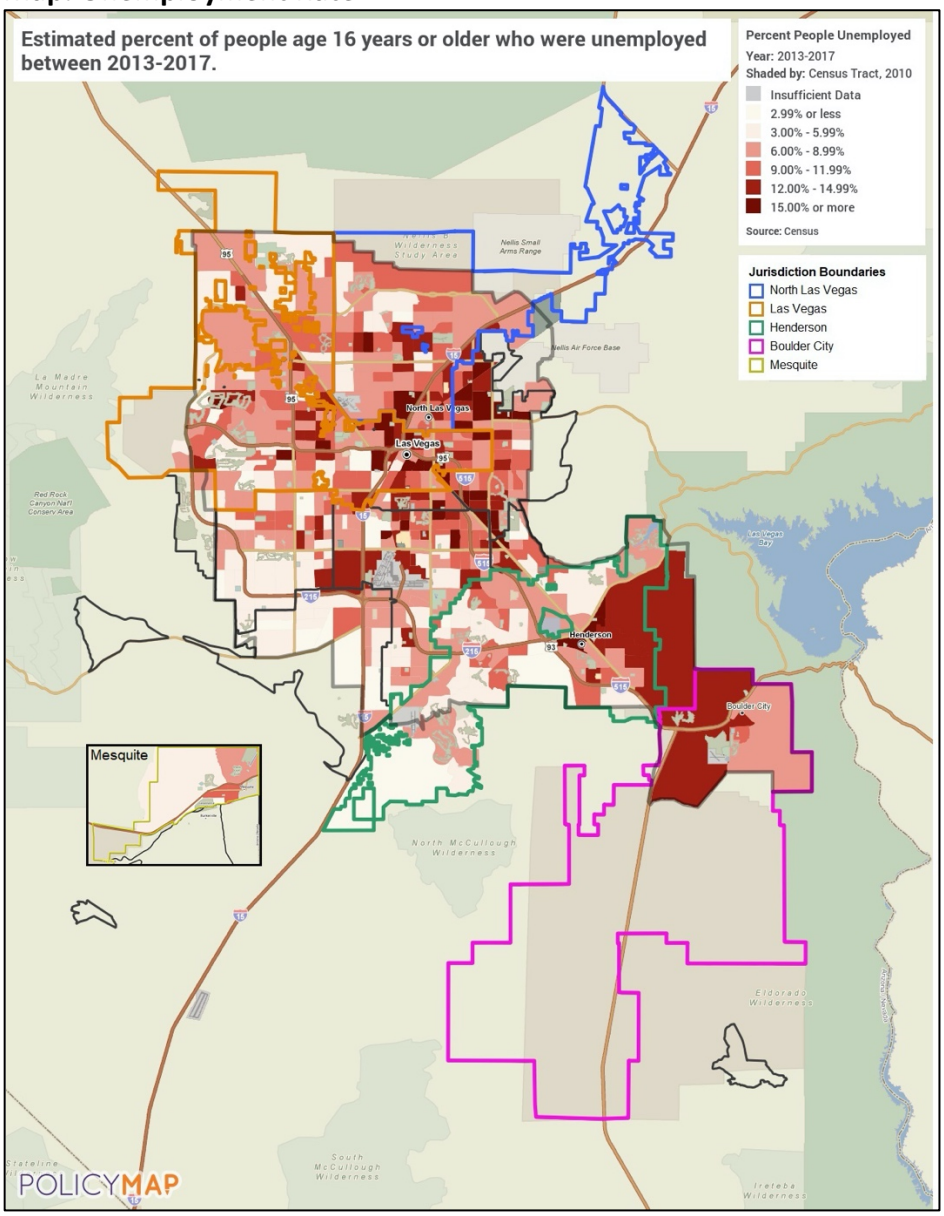
**Chart: Unemployment Rates Comparison**




Source: BLS, Local Area Unemployment Statistics, Not seasonally adjusted

Throughout the jurisdiction the unemployment rate can vary significantly based on location. The eastern part of the Las Vegas Valley, particularly the northeast, tend to have higher unemployment rates that are sometimes greater than 15%. On the south and west side of the Las Vegas Valley the unemployment rate is often less than 6%.

**Map: Unemployment Rate**

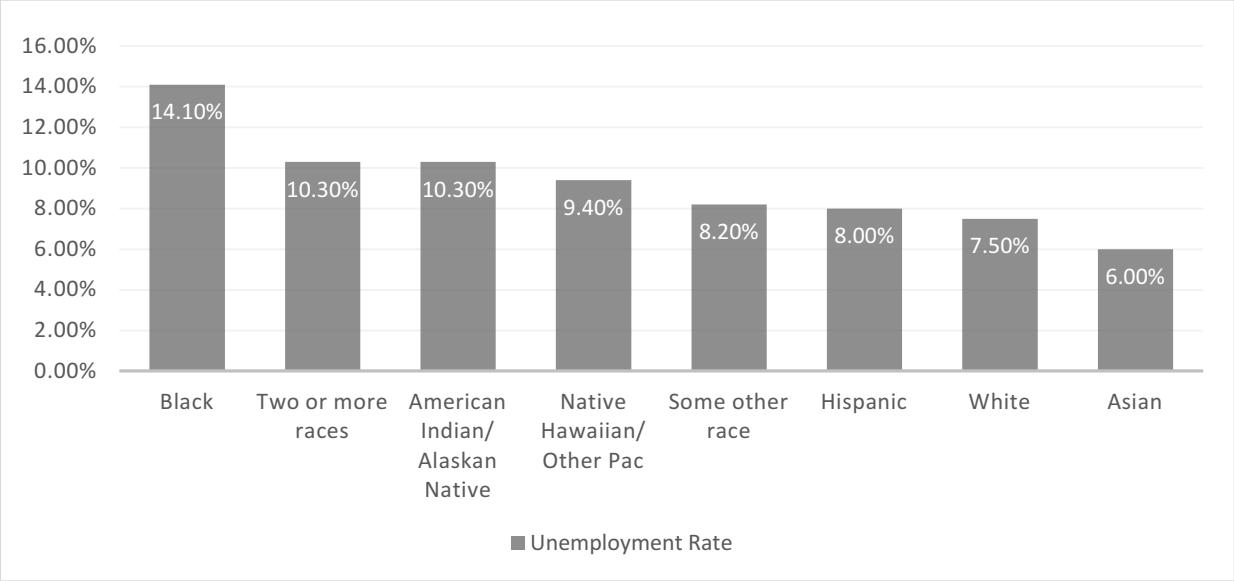



Source: 2013-2017 ACS via PolicyMap

**Unemployment and Race**

Race and ethnicity appears to be correlated with unemployment rate. Black residents have a much higher unemployment rate than the other races or ethnicities at 14.1%. The Black unemployment rate is over twice the Asian unemployment rate of 6%. Determining why these discrepancies exist is difficult but it is important to be aware of them and address them, if possible.

**Chart: Unemployment Rate by Race**




Source: 2013-2017 ACS (S2301)

**Jobs by Industry**

The "Arts, Entertainment, Recreation, Accommodation, and Food" industry employs the most residents, by far. Given the presence of Las Vegas and the associated tourist industry it is unsurprising that this industry is so large. The second most common industry is "Educational Services, Health Care, Social Assistance" with 14.9% and the third most common is "Retail Trade" with 12%. Overall, Clark County's employment patterns are very similar to the state as a whole.

**Table: Industry**

| | Clark County | | Nevada | |
|---|---|---|---|---|
| | **Estimate** | **Percent** | **Estimate** | **Percent** |
| Agriculture, forestry, fishing, hunting, mining | 2,927 | 0.3% | 21,843 | 1.6% |
| Construction | 60,671 | 6.2% | 85,110 | 6.3% |
| Manufacturing | 32,500 | 3.3% | 57,681 | 4.3% |
| Wholesale trade | 17,910 | 1.8% | 27,859 | 2.1% |
| Retail trade | 117,649 | 12.0% | 159,110 | 11.9% |
| Transportation and warehousing, and utilities | 53,577 | 5.5% | 73,135 | 5.5% |
| Information | 15,673 | 1.6% | 21,423 | 1.6% |
| Finance, insurance, real estate, rental, leasing | 58,529 | 6.0% | 76,045 | 5.7% |
| Professional, scientific, manage, admin, waste | 112,737 | 11.5% | 148,248 | 11.1% |
| Educational services, health care, social assist | 146,382 | 14.9% | 210,560 | 15.7% |
| Arts, entertainment, rec, accommodate, food | 281,839 | 28.7% | 339,668 | 25.3% |
| Other services | 45,361 | 4.6% | 61,677 | 4.6% |
| Public administration | 36,278 | 3.7% | 58,999 | 4.4% |

Source: 2013-2017 ACS (DP03)

**Largest Employers**

Las Vegas and Unincorporated Clark County are hugely dependent on the gaming and tourist industries with few other large employers other than the Clark County School District, the University of Nevada Las Vegas, and the County and local governments.

From the State of Nevada Department of Employment, Training & Rehabilitation:

*The list below identifies the top employers for the second half of 2019. This data is not comparable to what was produced in the past as the data source differs. This data comes from Infogroup (www.infogroup.com). This data is estimated at the worksite level and therefore will be grouped differently than how similar information has been presented in the past. An example of this is a school district. This data set lists each school and/or department separately instead of aggregating it.*

*Finally, this data is not derived from state records, is not created by DETR, and should not be compared to BLS employment estimates.*

| Table: Largest Employers in Clark County, 2019 | | | | | |
|---|---|---|---|---|---|
| **Employer Name** | **City** | **NAICS Code** | **NAICS Description** | **Ownership Type** | **Employment Range** |
| Venetian Hotel & Casino | Las Vegas | 721110 | Hotels & Motels | Private | 10,000+ |
| US Air Force Base | Nellis AFB | 928110 | Military Bases | Federal Govt. | 5,000-9,999 |
| Las Vegas Metropolitan Police | Las Vegas | 922120 | Police Departments | Municipality | 5,000-9,999 |
| MGM Grand | Las Vegas | 713210 | Casinos | Private | 5,000-9,999 |
| Flamingo Hotel | Las Vegas | 721110 | Hotels & Motels | Private | 5,000-9,999 |
| Orleans Hotel & Casino | Las Vegas | 713210 | Casinos | Private | 5,000-9,999 |
| Las Vegas Sands Corp | Las Vegas | 721110 | Hotel & Motel Mngt | Private | 5,000-9,999 |
| Mandalay Bay | Las Vegas | 721199 | Resorts | Private | 5,000-9,999 |
| Caesars Palace Las Vegas Hotel | Las Vegas | 713210 | Casinos | Private | 5,000-9,999 |
| Las Vegas Metro Police Dept | Las Vegas | 922120 | Police Departments | Local Government | 5,000-9,999 |
| Aquarius Casino Resort | Laughlin | 713210 | Casinos | Private | 5,000-9,999 |
| Planet Hollywood | Las Vegas | 722511 | Restaurants | Private | 5,000-9,999 |
| Gold Coast Hotel & Casino | Las Vegas | 722511 | Restaurants | Private | 1,000-4,999 |
| Harrah's Las Vegas | Las Vegas | 713210 | Casinos | Private | 1,000-4,999 |
| UNLV Dance Dept | Las Vegas | 611610 | Dancing Instruction | Private | 1,000-4,999 |
| Intercontinental Alliance | Las Vegas | 721110 | Hotels & Motels | Private | 1,000-4,999 |
| Sahara Las Vegas Hotel & Casino | Las Vegas | 721110 | Hotels & Motels | Private | 1,000-4,999 |
| Marshall Rousso In the Monte | Las Vegas | 713210 | Casinos | Private | 1,000-4,999 |
| Rio All-Suite Las Vegas Hotel | Las Vegas | 713210 | Casinos | Private | 1,000-4,999 |
| Paris Spa By Mandara | Las Vegas | 713940 | Health Spas | Private | 1,000-4,999 |
| Source: Infogroup via State of Nevada Department of Employment, Training & Rehabilitation, 2019 | | | | | |

| Table: Educational attainment of population 25 years and over in 2017, Clark County, and select cities | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **Clark County** | | **Boulder City** | | **Henderson** | | **Las Vegas** | | **N. Las Vegas** | | **Mesquite** | |
| | **#** | **%** | **#** | **%** | **#** | **%** | **#** | **%** | **#** | **%** | **#** | **%** |
| Population 25 years and over | 1,428,870 | -- | 11,791 | -- | 204,318 | -- | 419,100 | -- | 142,060 | -- | 13,426 | -- |
| Less than 9th grade | 90,260 | 6.3% | 197 | 1.7% | 4,084 | 2.0% | 28,771 | 6.9% | 12,145 | 8.5% | 569 | 4.2% |
| 9th-12th grade, no diploma | 120,134 | 8.4% | 550 | 4.7% | 9,821 | 4.8% | 38,097 | 9.1% | 16,163 | 11.4% | 1,163 | 8.7% |
| High school graduate or equal | 411,807 | 28.8% | 3,214 | 27.3% | 53,791 | 26.3% | 118,165 | 28.2% | 43,863 | 30.9% | 3,594 | 26.8% |

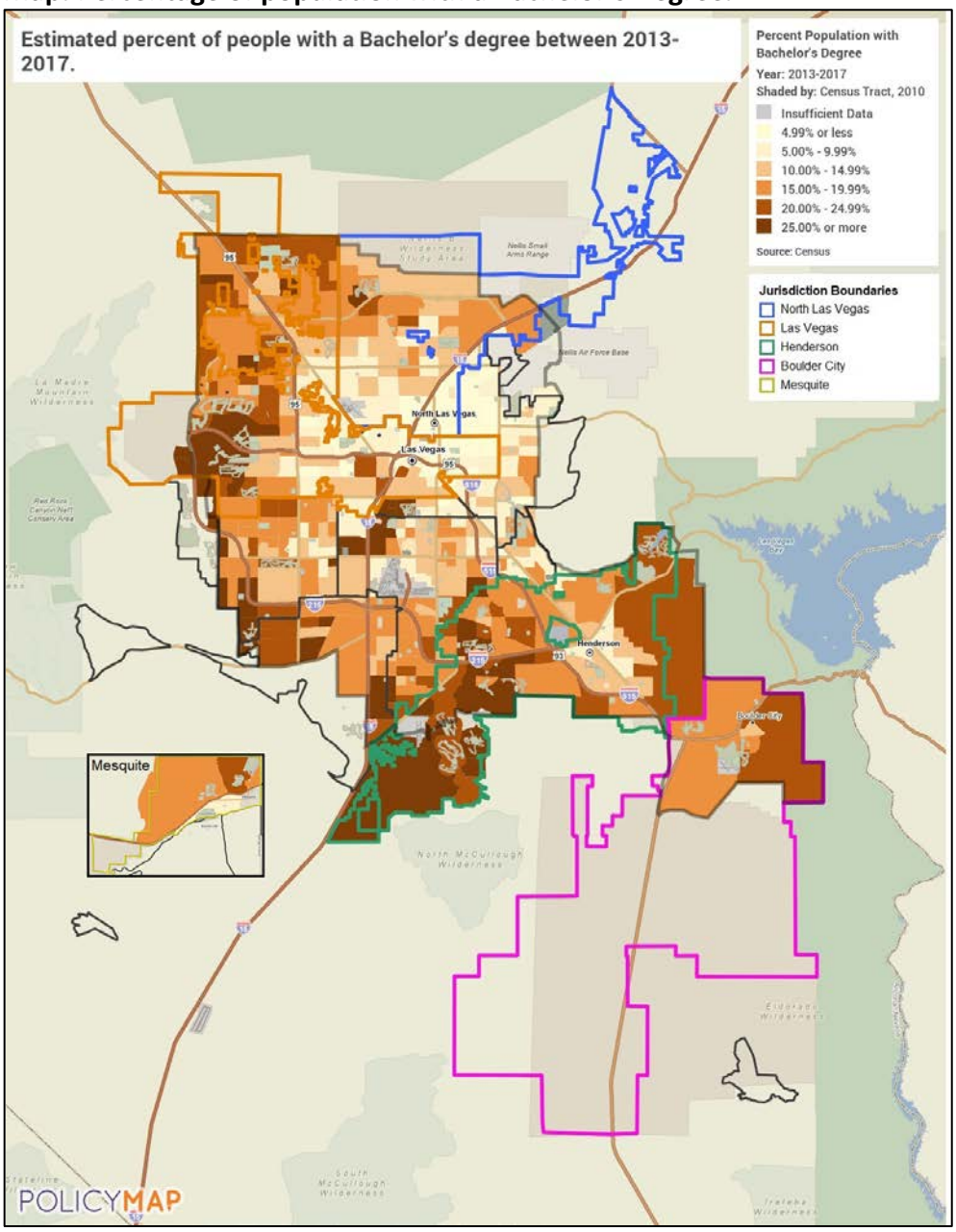
**Educational Attainment**

Obtaining a high quality education is one of the best ways to attain fiscal and social security. Job opportunities expand greatly upon attaining a college degree and income is linked with education. In Clark County, over 56% of the population has at least some college. However, the largest group is those who have a high school diploma or equal at 28.8%. In Boulder City and Henderson, over 66% of the population has some college. The likelihood that a resident has at least some college is lower in Las Vegas (55.9%) and North Las Vegas (49.3%).

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Some college, no degree | 361,598 | 25.3% | 3,579 | 30.4% | 54,346 | 26.6% | 104,299 | 24.9% | 35,044 | 24.7% | 4,056 | 30.2% |
| Associate's degree | 112,318 | 7.9% | 906 | 7.7% | 17,462 | 8.5% | 32,725 | 7.8% | 11,649 | 8.2% | 1,145 | 8.5% |
| Bachelor's degree | 222,051 | 15.5% | 2,076 | 17.6% | 40,616 | 19.9% | 63,604 | 15.2% | 16,016 | 11.3% | 1,827 | 13.6% |
| Graduate/ professional degree | 110,702 | 7.7% | 1,269 | 10.8% | 24,198 | 11.8% | 33,439 | 8.0% | 7,180 | 5.1% | 1,072 | 8.0% |
| Source: 2013-2017 ACS (DP02) | | | | | | | | | | | | |

Residents with Bachelor's degrees are much more common outside of the central and eastern parts of the County. In many tracts over 25% of the population has a Bachelor's degree but in the central area around Las Vegas and North Las Vegas often less than 10% of the population has a degree.

**Map: Percentage of population with a Bachelor's Degree.**




Source: 2013-2017 ACS via PolicyMap

## Transportation

Driving a personal vehicle alone is the most common form of transportation for residents going to work. Between the cities, this number is highest in Henderson (83.1%) and lowest in Las Vegas (77%). Carpooling in Clark County is on par with national trends at nearly 10% of the population. Public transportation, walking, and cycling are relatively uncommon forms of transportation in the area.

**Table: Commuting to Work in Clark County, 2017**

| | Clark County | Boulder City | Mesquite | Henderson | Las Vegas | N. Las Vegas | Nevada |
|---|---|---|---|---|---|---|---|
| | Estimate | Estimate | Estimate | Estimate | Estimate | Estimate | Estimate |
| Workers 16 years and over | 968,735 | 6,175 | 5,299 | 131,093 | 278,766 | 101,776 | 1,323,151 |
| Car, truck, or van -- drove alone | 78.9% | 82.1% | 76.3% | 83.1% | 77.7% | 81.7% | 78.2% |
| Car, truck, or van -- carpooled | 9.9% | 5.9% | 11.8% | 7.3% | 10.4% | 11.3% | 10.4% |
| Public transportation ex. taxicab | 3.7% | 1.4% | 0.5% | 1.4% | 4.2% | 2.6% | 3.5% |
| Walked | 1.6% | 3.4% | 2.3% | 1.3% | 1.6% | 0.8% | 2.0% |
| Bicycle | 0.4% | 0.9% | 1.2% | 0.2% | 0.4% | 0.1% | 0.4% |
| Taxi, motorcycle, other means | 1.9% | 2.0% | 2.2% | 1.5% | 2.3% | 1.4% | 1.7% |
| Worked at home | 3.6% | 4.4% | 5.8% | 5.2% | 3.5% | 2.1% | 3.8% |
| | | | | | | | |
| Mean travel time to work (minutes) | 24.5 | 24.1 | 13.8 | 23.2 | 25.4 | 26.3 | 24.0 |

Source: 2013-2017 ACS (DP03, S0801)

Very few people in the area commute more than an hour to work. Long commute times are associated with a number of negative health consequences and contribute to climate change. All things being equal, residents would rather commute less, which would allow for more leisure time and less stress. The commuting time breakdown is fairly similar across geographic regions, except for Mesquite where the commute times are noticeably shorter.

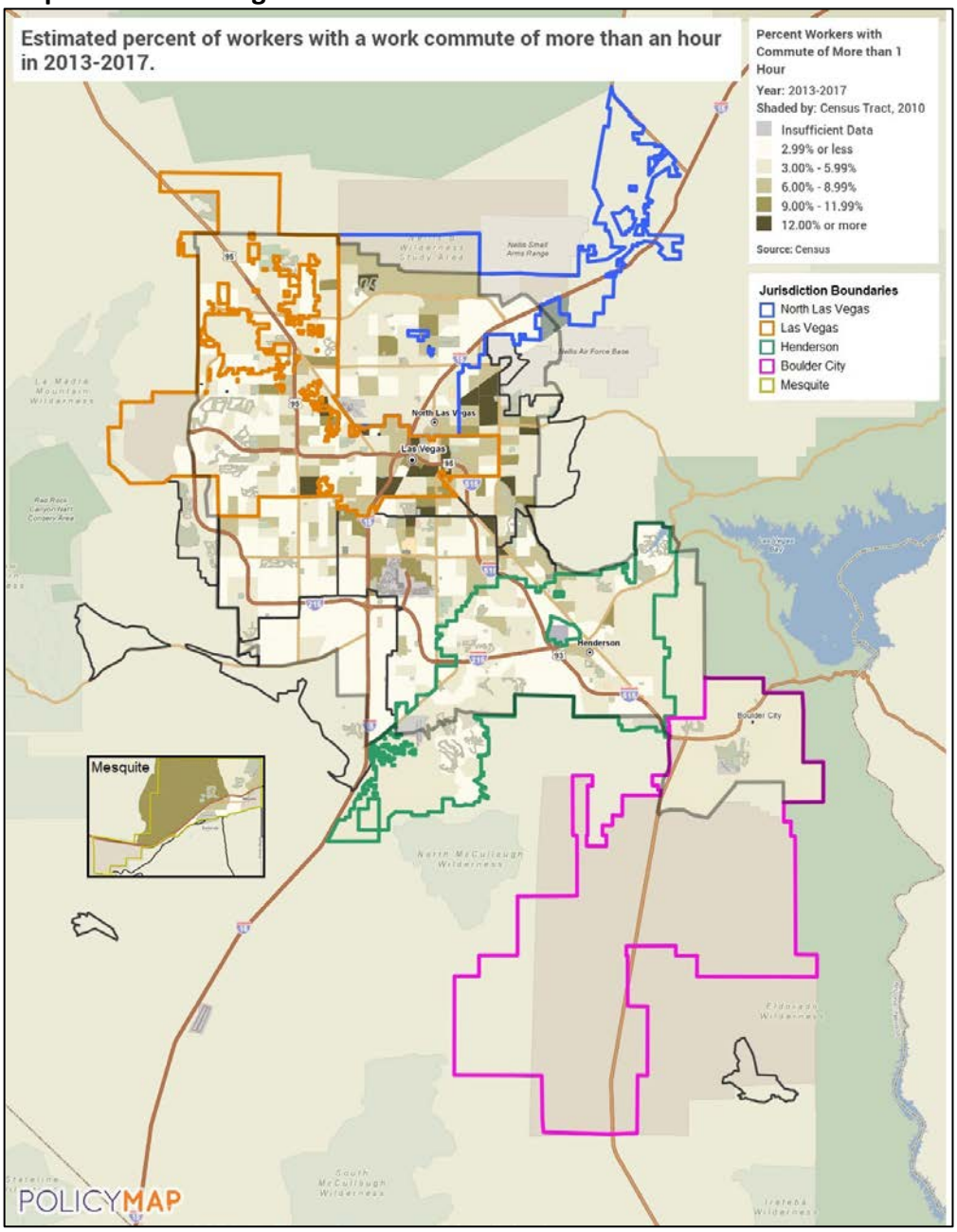
**Table: Travel Time to Work in Clark County and Southern Nevada cities, 2017**

| | Clark County | Boulder City | Mesquite | Henderson | Las Vegas | N. Las Vegas |
|---|---|---|---|---|---|---|
| | **Estimate** | **Estimate** | **Estimate** | **Estimate** | **Estimate** | **Estimate** |
| Workers 16 years over* | 933,740 | 5,904 | 5,299 | 124,235 | 268,945 | 99,647 |
| Less than 10 minutes | 7.8% | 25.0% | 49.3% | 9.3% | 7.2% | 6.0% |
| 10 to 14 minutes | 11.7% | 11.1% | 26.8% | 13.6% | 10.4% | 9.5% |
| 15 to 19 minutes | 16.6% | 9.7% | 8.8% | 18.2% | 15.1% | 14.2% |
| 20 to 24 minutes | 20.2% | 5.5% | 1.4% | 18.7% | 20.2% | 18.2% |
| 25 to 29 minutes | 9.6% | 8.6% | 0.8% | 10.6% | 9.5% | 9.3% |
| 30 to 34 minutes | 19.0% | 17.8% | 1.5% | 16.2% | 20.9% | 22.8% |
| 35 to 44 minutes | 6.0% | 8.9% | 3.7% | 6.4% | 6.7% | 7.3% |
| 45 to 59 minutes | 4.9% | 8.7% | 3.1% | 3.9% | 5.6% | 8.1% |
| 60 or more minutes | 4.3% | 4.8% | 4.7% | 3.2% | 4.5% | 4.5% |

Source: 2013-2017 ACS (DP03, S0801)
Data note: *Workers 16 years and over who did not work at home.

Residents in the central part of the Las Vegas Valley are more likely to have a commute time of more than an hour than elsewhere. Generally, less than 6% of the population of any tract must commute that long. A significant portion of the population who commute more than an hour use public transportation. In Clark County, nearly 50% or residents who commute by public transportation take more than an hour to get to and from work.

**Map: Commute Longer Than One Hour**




Source: 2013-2017 ACS via PolicyMap

## Displacement and Gentrification

An analysis of displacement and gentrification in the jurisdiction between 2010 and 2017 found several census tracts that experienced racial displacement, but none that crossed the threshold of gentrification or segregation. Ten tracts showed racial displacement.

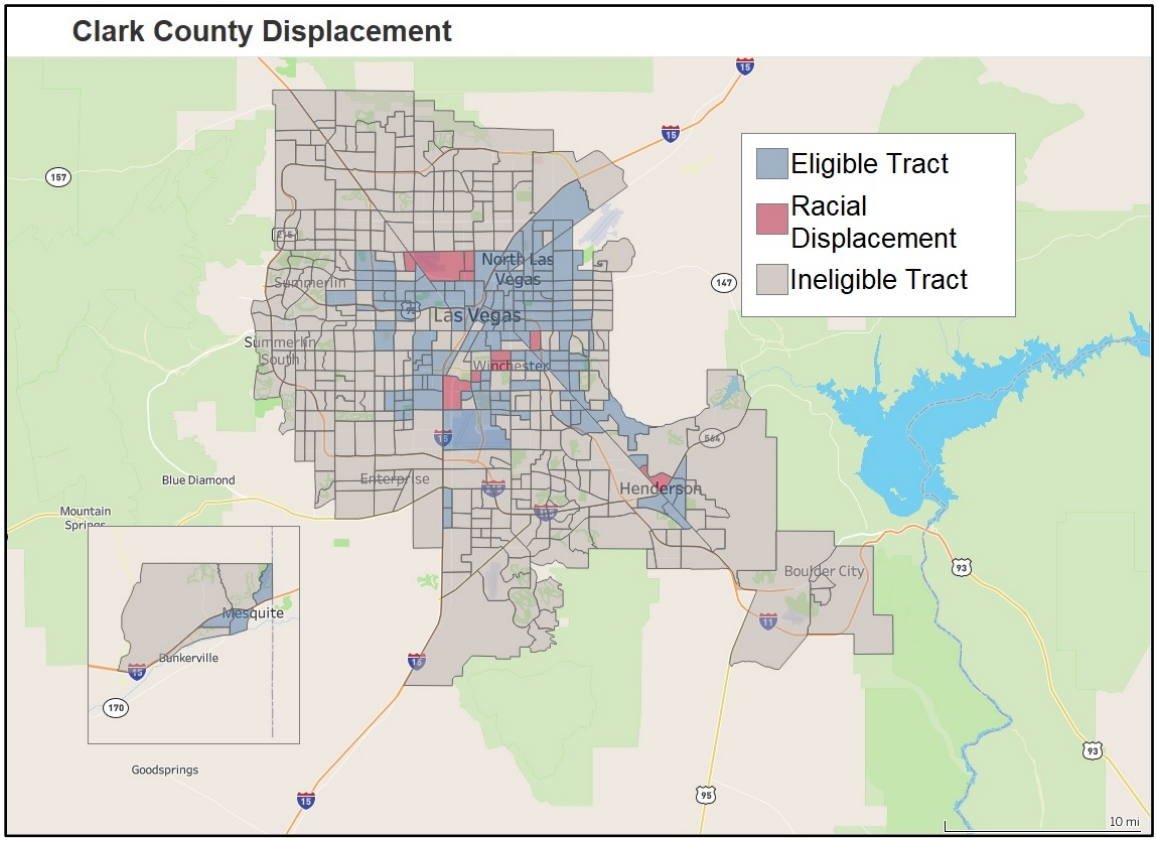
For the purpose of this analysis the following definitions were used:

*Eligible Tract:* Any tract who was in the 40th percentile in both median household income and median home value in 2010.

*Experience Gentrification:* Any eligible tract that was in the 60th percentile in both median home value and college-educated population in 2017.

*Racial Displacement:* Any eligible tract that saw a 5% reduction in the non-White population between 2010 and 2017.

*Segregation:* Any eligible tract that displayed both gentrification and racial displacement.



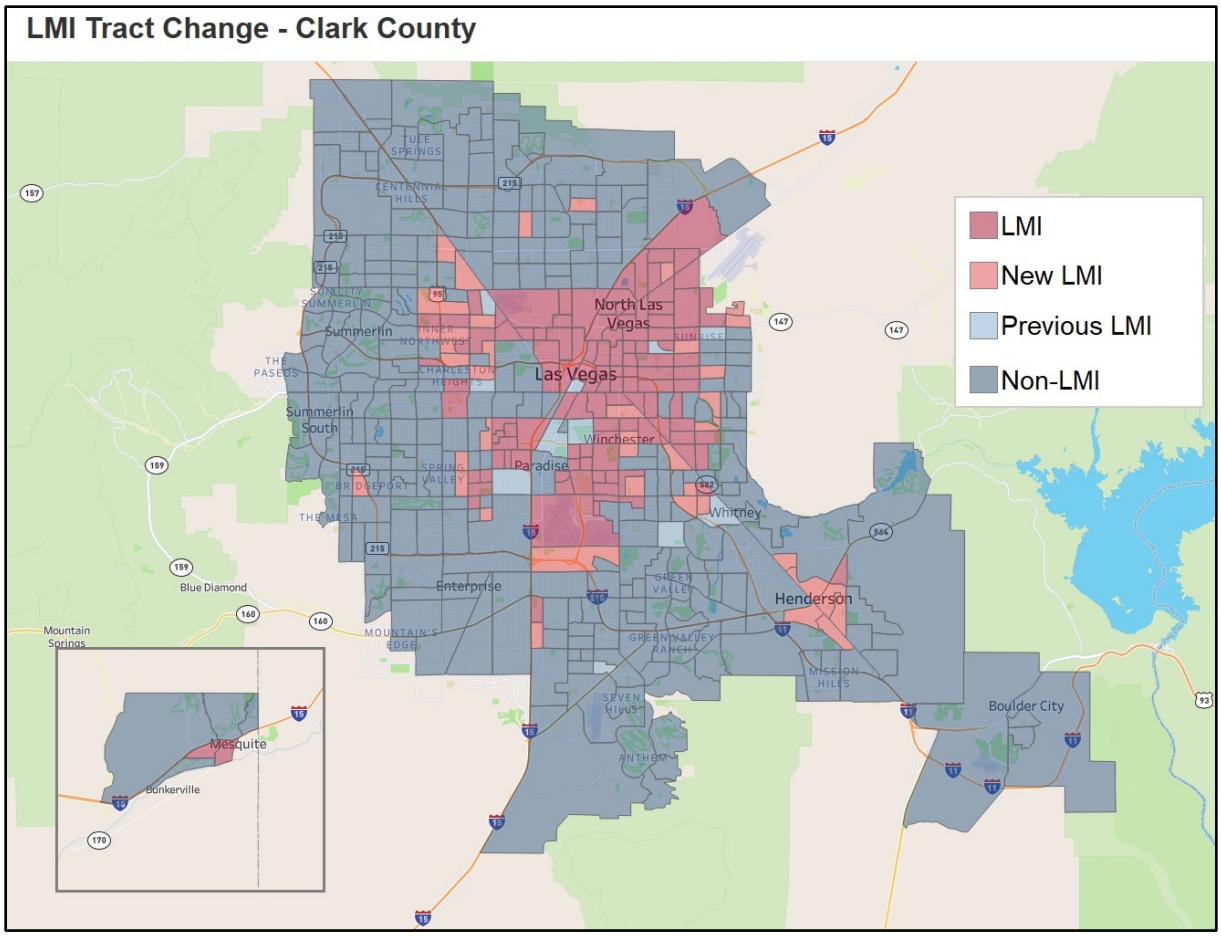

The largest change was tract 6700 with 19.5%. The non-White population was nearly reduced by half. This tract surrounds the intersection of S Las Vegas Blvd and Flamingo Road.

Three other tracts saw the non-White population decrease by over 15%, tract 3500 in Vegas Heights, tract 5438 on the north side of the Boulder and Lake Mead intersection in Henderson, and 5703

| Tracts Showing Racial Displacement Between 2010 and 2017 | | | |
|---|---|---|---|
| Tract | Non-White Population (2010) | Non-White Population (2017) | Change |
| 32003001502 | 44% | 37.5% | -6.5% |
| 32003001901 | 48.2% | 41.8% | -6.4% |
| 32003001902 | 40.1% | 26.6% | -13.5% |
| 32003002403 | 44.4% | 38.7% | -5.7% |
| 32003003427 | 45.3% | 32.5% | -12.8% |
| 32003003500 | 87.9% | 71.8% | -16.1% |
| 32003003616 | 75.2% | 63.9% | -11.3% |
| 32003003617 | 72.0% | 63.8% | -8.2% |
| 32003005438 | 40.0% | 24.0% | -16.0% |
| 32003006700 | 41.7% | 22.2% | -19.5% |
| Source: American Community Survey 5-Year Estimates 2006-2010, 2012-2017 | | | |

## LMI Changes

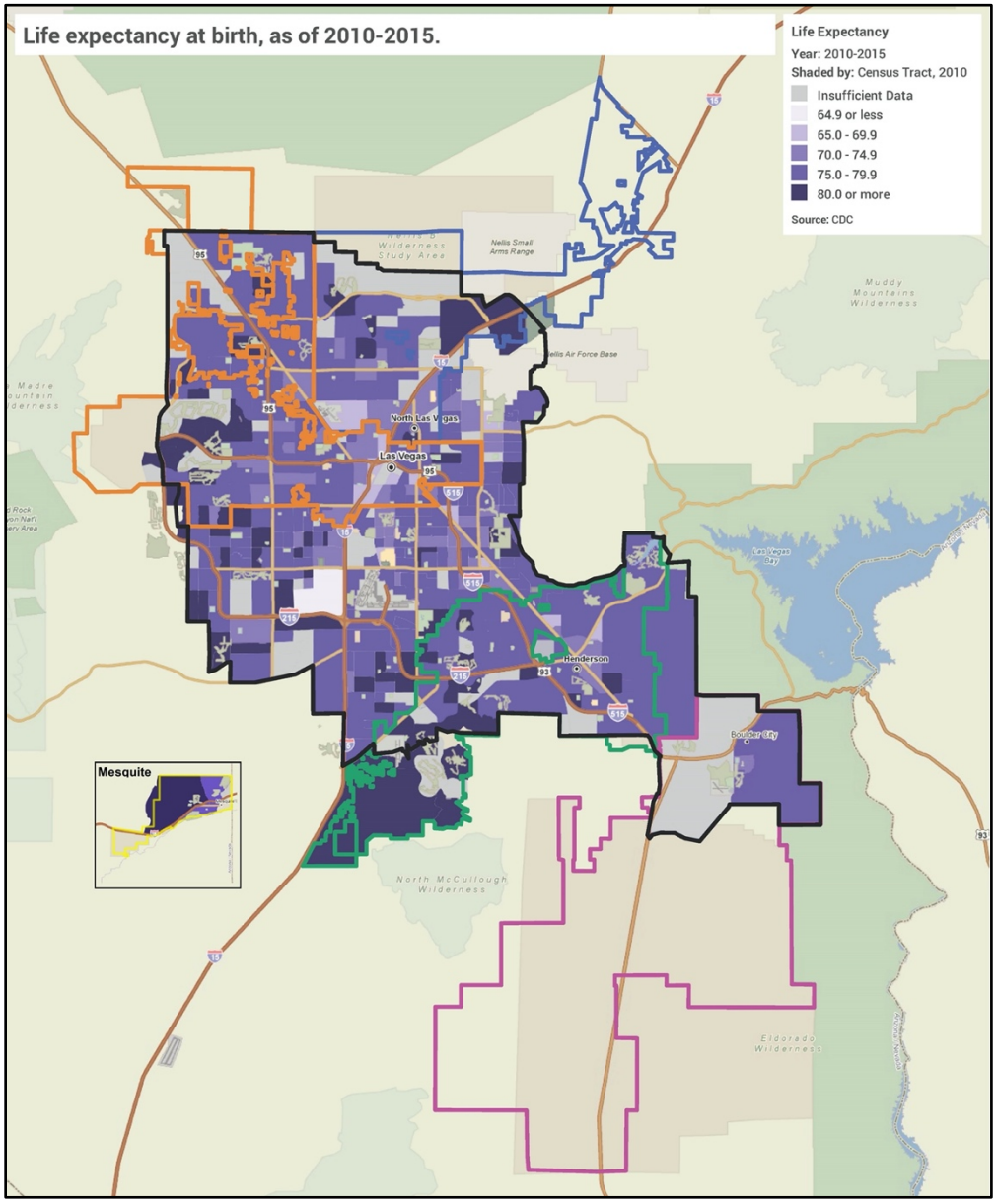
Every five years HUD publishes an update to the LMI Status of tract block groups. LMI tracts are locations where at least 51% of the residents are LMI, which allows HUD grant programs to be classified as LMA benefit. In the jurisdiction there were 57 tracts that changed status. Forty-four tracts are now LMI that were not before, and 13 tracts are no longer LMI but previously were.



## Other Quality of Life Indicators

### Life Expectancy

The factors that impact a person's life expectancy are varied but include both economic stability and access to safe and secure housing. In general, tracts in the downtown area have a life expectance lower than many suburban tracts. The difference between a low life expectancy tract and high life expectancy tract can be over 10 years, a substantial difference.




### Crime Generally

Each year, the FBI's Uniform Crime Reporting (UCR) Program compiles standardized incident reports from local law enforcement agencies in order to produce reliable and uniform crime data. This data is categorized in several areas including violent crimes and property crimes. Violent crimes include subcategories such as aggravated assault, murder, rape and robbery while property crimes include burglary and motor vehicle theft.

From 2010 to 2017, violent crimes ranged from 12,000 to 17,000 reported cases per year. That is a crime rate of roughly 600 to 800 per year in Clark County, which has been consistently higher than the state violent crime rates.

For property crimes, since 2010 reported cases ranged from 50,000 to 60,000 a year, which was a property crime rate of around 2500 to 3000 a year. These crime rates were also slightly higher in Clark County than in the state for each reporting year.

**Table: Crimes Reported in Clark County**

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|---|---|---|
| Violent Crimes | 15,162 | 12,272 | 13,894 | 13,729 | 15,351 | 17,208 | 16,611 | 13,386 |
| Violent Crime Rate | 777.03 | 623.72 | 696.18 | 677.69 | 742.88 | 814.79 | 770.47 | 607.53 |
| | | | | | | | | |
| Property Crimes | 55,936 | 50,771 | 59,115 | 61,063 | 57,643 | 59,495 | 58,705 | 61,170 |
| Property Crime Rate | 2866.65 | 2580.19 | 2962.07 | 3014.17 | 2789.51 | 2817.04 | 2722.93 | 2776.23 |

Source: FBI Uniform Crime Reports
Data note: Violent crimes include aggravated assault, murder, rape and robbery. Property crimes include burglary and motor vehicle theft.

Note: FBI UCR data is not analyzed geographically as the FBI UCR does not provide standard geographic identifiers and data for mapping is compiled at city or county levels.

### Hate Crimes

Hate crime statistics that account for bias-motivated criminal events can be a measurement of community issues that may have a subcultural prejudice based on race, ethnicity, ancestry, religion, sexual orientation, disability, gender, or gender identity. However, an accurate measurement of such crimes can be difficult due to a lack of local law enforcement's support and participation in the program. Fluctuations in annual reporting can give false impressions of decrease or increase in hate crime events. The sheer nature of determining whether a crime is motivated by hate is also a factor in the overall reported numbers.

In 2017, Henderson reported one hate crime and the Clark County School District also reported one case (both based on ethnic/race). Las Vegas Metropolitan Police Department, North Las Vegas, and Boulder City reported zero hate crimes in 2017. However, Las Vegas Metropolitan Police Department reported 26 hate crime events in 2016 while Henderson reported 11 and North Las Vegas reported four. In 2015, Las Vegas Metropolitan Police Department reported 41 hate crimes, Henderson reported eight, and North Vegas reported six. With the large gap in 2017 reporting, it is difficult at this time to compare annual hate crime reporting and analyze trends of bias in Clark County communities. The issues with reporting are receiving federal attention and may serve as a more valuable tool in future years.

### Sexually Transmitted Diseases

Sexually transmitted diseases (STDs) can have serious health consequences and long-term negative effects on a person's quality of life if left untreated. According to the Centers for Disease Control and Prevention, STDs are common and are preventable. One of the most important ways to protect yourself is to know and understand STDs. The Nevada Department of Health and Human Services, Division of Public and Behavioral Health collects data on STDs in the state and provides annual updates on its website.

In 2017, there were 439 new diagnoses of HIV in the county bringing the total of persons living with HIV to 10,079. Of new diagnoses reporting with HIV, Black and Whites had the most cases with 139 for both race groups – 32% each. Persons who identified as Hispanic had 133 cases reported (30%). All other races accounted for less than 7%.

There were 154 new diagnoses of Stage 3 (AIDS). Data was not currently available for the total number of persons living with Stage 3 (AIDS).

**Table: HIV Diagnosis in 2017 in Clark County**

| New & Total Diagnosis | HIV Cases | | |
|---|---|---|---|
| | 2016 | 2017 | Percent Change |
| New Diagnosis | 458 | 439 | -4% |
| Total Persons Living w/ HIV | 9,347 | 10,079 | 8% |
| Source: Division of Public and Behavioral Health, HIV/AIDS Surveillance Program Fast Facts | | | |

**Table: HIV Diagnosis in 2017 by Race/Ethnicity in Clark County**

| Race/Ethnicity | Number | Percent of Total New Cases |
|---|---|---|
| White, non-Hispanic | 139 | 32% |
| Black, non-Hispanic | 139 | 32% |
| Hispanic | 133 | 30% |
| Asian/Hawaiian/Pac Islander | 25 | 6% |

| | | |
|---|---|---|
| American Indian/Alaskan Native | 5 | 1% |
| Multi/Other Race | 1 | 0% |
| Total | 439 | 100% |
| Source: Division of Public and Behavioral Health, HIV/AIDS Surveillance Program Fast Facts<br>Data Note: Percentages may not add up to 100% due to rounding. | | |

The three other STDs reported for the County were Chlamydia, Gonorrhea and Syphilis. As of 2017, Chlamydia was by far the most prevalent STD among these cases reported with 11,899 total cases, followed by Gonorrhea with 4,430. In all STD categories, Blacks were overrepresented in the STD population when compared to the race group's percentage of the total population, which was 11.2%. At this time, race/ethnicity is unknown for a large portion of cases for Chlamydia and Gonorrhea. If left untreated, chlamydia can cause serious and permanent damage to a woman's reproductive system and make it difficult for a woman to get pregnant. Other side effects are abnormal discharge, a burning sensation when urinating and rectal bleeding.

**Table: Sexually Transmitted Diseases in Clark County (all cases)**

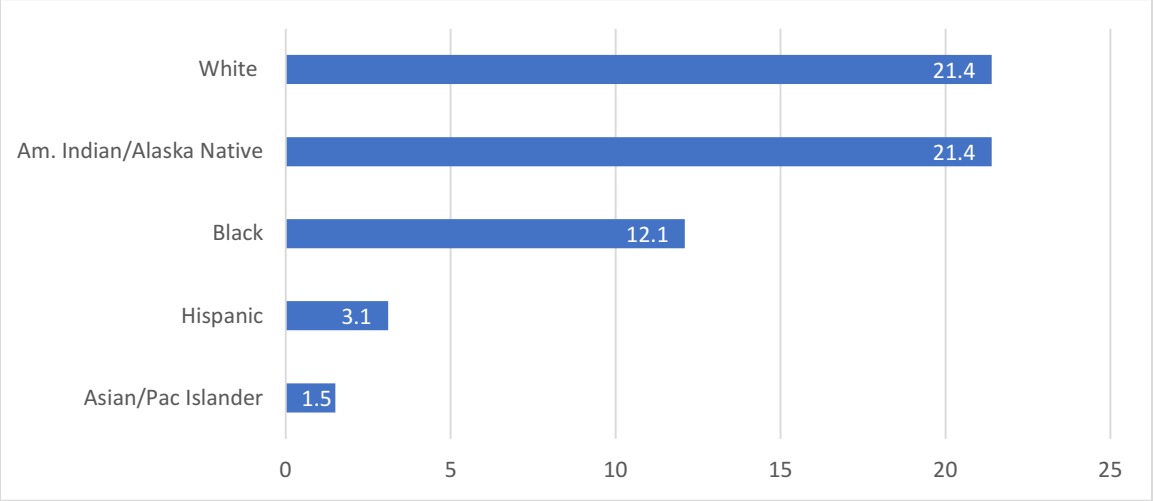
| Clark County | Chlamydia | Percent | Gonorrhea | Percent | Syphilis* | Percent |
|---|---|---|---|---|---|---|
| White, non-Hispanic | 1,475 | 12.4% | 764 | 17.2% | 167 | 32.2% |
| Black, non-Hispanic | 2,168 | 18.2% | 1,197 | 27.0% | 140 | 27.0% |
| Hispanic | 1,802 | 15.1% | 633 | 14.3% | 145 | 27.9% |
| Am. Indian/Alaskan Native | 19 | 0.2% | 8 | 0.2% | 2 | 0.4% |
| Asian/Hawaiian/Pac Islander | 339 | 2.8% | 113 | 2.6% | 37 | 7.1% |
| Unknown/Other Race | 6,096 | 51.2% | 1,715 | 38.7% | 28 | 5.4% |
| Total | 11,899 | 100.0% | 4,430 | 100.0% | 519 | 100.0% |
| Source: Division of Public and Behavioral Health, HIV/AIDS Surveillance Program Fast Facts<br>Data Note: Syphilis counts include primary and secondary cases. | | | | | | |

## Opioid Use

According to the NV Division of Public and Behavioral Health (DHSS), in 2016 Clark County had 271 opioid overdose deaths, a death rate of 12.3 (per 100,000 people). That was approximately 70% of all opioid overdose deaths in the state, which had 387 for a death rate of 12.8.

Data for death rates was available by race and ethnicity at the state level. Whites and American Indians/Alaskan Natives were the race groups most affected by opioid overdose deaths.

**Chart: Opioid Overdose Death Rates by Race/Ethnicity in Nevada, 2016**




Source: Division of Public and Behavioral Health, 2018 NV Opioid Crisis Needs Assessment

# CHAPTER 7: FAIR HOUSING STATUS

## Federal Overview

### Fair Housing Laws

Federal laws provide the backbone for U.S. fair housing regulations. While some laws have been previously discussed in this report, a brief list of laws related to fair housing, as defined on the U.S. Department of Housing and Urban Development's (HUD's) website, is presented below:

*Fair Housing Act Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)*, as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and persons securing custody of children under the age of 18), and handicap (disability).

*Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act*. In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multi-family dwellings developed for first occupancy on or after March 13, 1991.

*Title VI of the Civil Rights Act of 1964.* Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

*Section 504 of the Rehabilitation Act of 1973.* Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

*Section 109 of the Housing and Community Development Act of 1974.* Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

*Title II of the Americans with Disabilities Act of 1990.* Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

*Architectural Barriers Act of 1968.* The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 be accessible to and useable by handicapped persons.

*Age Discrimination Act of 1975.* The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

*Title IX of the Education Amendments Act of 1972.* Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

## Fair Housing Related Presidential Executive Orders

*Executive Order 11063.* Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

*Executive Order 11246.* Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

*Executive Order 12892.* Executive Order 12892, as amended, requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

*Executive Order 12898.* Executive Order 12898 requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

*Executive Order 13166.* Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally assisted and federally conducted programs and activities.

*Executive Order 13217.* Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

## HUD Fair Housing Guidance

*Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records*
The Fair Housing Act prohibits discrimination in the sale, rental, financing of dwellings and in other housing-related activities on the basis of race, color, religion, sex, disability, familial status or national origin. In April 2016, HUD's Office of General Counsel issued guidance on the discriminatory effect of using criminal history to make housing decisions. If a policy or practice that restricts access to housing on the basis of criminal history has a disparate impact on a protected class (whether or not that affect is intentional), it is in violation of the Fair Housing Act – unless there is a "substantial, legitimate, nondiscriminatory interest" served by the policy.

While it is impossible to know the precise number of people transitioning from a correctional facility at any one point in time, the ability to access safe, secure, and affordable housing is critical for a formerly incarcerated person's reintegration into society. HUD's guidance is intended to eliminate barriers to securing housing for that population, and jurisdictions can assist by making a clear effort to eliminate any discriminatory barriers these individuals may face. In order for former inmates to avoid recidivism and work in society, they must have access to housing free of discrimination.

*Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity*

On September 21, 2016 HUD published a final rule entitled "Equal Access in Accordance with an Individual's Gender Identity in CPD programs." Through this final rule, HUD ensures equal access to individuals in accordance with their gender identity for all HUD funded programs. This rule builds upon the 2012 final rule, "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity" (2012 Equal Access Rule). This final rule ensures that HUD's housing programs would be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.

Furthermore, as HIV/AIDS disproportionally affects the LGBT community, it is important to note that HIV/AIDS is protected under the Fair Housing Act as a disability. HUD specifically states that housing discrimination because of HIV/AIDS is Illegal.

The HUD Office of Policy Development and Research conducted a study in 2013, *An Estimate of Housing Discrimination Against Same-Sex Couples*, as the first large-scale, paired-testing study to assess housing discrimination against same-sex couples in metropolitan rental markets via advertisements on the Internet. Two emails were sent out, with the only difference between the two emails was the sexual orientation of the prospective renting couples. The study finds:

> *"[… same-sex couples experience less favorable treatment than heterosexual couples in the online rental housing market. The primary form of adverse treatment is that same-sex couples receive significantly fewer responses to e-mail inquiries about advertised units than heterosexual couples. Study results in jurisdictions with state-level protections against housing discrimination on the basis of sexual orientation unexpectedly show slightly more adverse treatment of same-sex couples than results in jurisdictions without such protections. "*

### June 2015 Supreme Court Ruling on Fair Housing

On June 25, 2015 the Supreme Court handed down a landmark fair housing ruling that upheld the ability to bring "disparate impact" claims under Fair Housing Act. The Fair Housing Act of 1968, an integral legislative victory of the Civil Rights Movement, protects people from discrimination when they are renting, buying, or securing financing for housing. The case, Texas Department of Housing and Community Affairs v. Inclusive Communities Project, centered on

the question of whether a policy or action has to be intentionally discriminatory, or merely have a discriminatory effect, in order to qualify as a valid basis for a discrimination claim under the Act.

Inclusive Communities, a Dallas-based non-profit, claimed that the Texas Department of Housing and Community Affairs was guilty of housing discrimination because the way in which the state allocated Low Income Housing Tax Credits perpetuated racial segregation by limiting the development of affordable housing into areas that were historically impoverished with high concentrations of minorities. The state claimed that no discrimination occurred because its intention was not to promote racial segregation but to revitalize these underserved areas by injecting much needed capital for the development of new affordable housing. Inclusive Communities claimed that regardless of intention, the state's decision to fund tax-credit projects only in minority and poverty-laden neighborhoods resulted in segregation, and thus had a discriminatory effect (disparate impact).

Fair housing advocates across the nation watched the case closely and worried if the Supreme Court ruled against disparate impact claims that it would essentially "defang" the Fair Housing Act by removing a key basis for liability. Intent is much harder to prove than effect. In the end the Court ruled 5-4 to uphold the lower court decisions in favor of Inclusive Communities, salvaging fair housing disparate impact claims.

## State Overview

### Fair Housing Laws

Nevada's fair housing law requires that all people in the State have equal opportunity to inherit, purchase, lease, rent, sell, hold and convey real property without discrimination, distinction or restriction because of race, religious creed, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex. This law adds sexual orientation, gender identity or expression and ancestry to the federal protected classes, (NRS 118.020))

With respect to disability, the federal Fair Housing Amendments Act of 1988 (FHAA) puts a duty upon landlords to "make reasonable accommodations in rules, policies, practices, or services" to provide equal access to housing to a person with a disability. NRS 118.100 mirrors the federal anti-discrimination requirements. Landlords must grant the reasonable accommodation request even if the request results in a financial cost to the landlord. However, landlords are not required to grant the request if the financial cost will cause an "undue financial or administrative burden" on the landlord. Whether there is an undue burden is determined on a case-by-case basis.

## Fair Housing Complaints

### Structure

For questions about fair housing rights and responsibilities, or to file a housing discrimination complaint, the following agencies can provide information and/or complaint intake services. Note that you have up to one year after the last incident of discrimination to file an administrative complaint, and up to two years to file a court case.

**Silver State Fair Housing Council:** A private, nonprofit agency providing a comprehensive program of fair housing outreach, education, and enforcement services.
(888) 585-8634 toll-free/(702) 749-3288 Southern Nevada
Relay Nevada 711
Website: www.ssfhc.org
Email: fairhousing@ssfhc.org

**U.S. Department of Housing and Urban Development:** Regional Office in San Francisco Federal agency enforcing the federal Fair Housing Act; receives and investigates bona fide claims of housing discrimination.
(800) 347-3739
(415) 489-6564 TTY
Website: www.portal.hud.gov/hudportal/HUD

**Nevada Equal Rights Commission:** State agency enforcing state fair housing laws; receives and investigates bona fide claims of housing discrimination.
(702) 486-7161 Southern Nevada
NV Relay 711 or (800) 326-6868
Website: www.nvdetr.org/nerc.htm

### Analysis

The jurisdictions collected fair housing complaint data from HUD's Office of Fair Housing Enforcement. The information received is summarized below. It should be noted that based on the information received, the City cannot fully assess the extent to which this data duplicates complaints received elsewhere.

Analysis of fair housing complaints submitted to HUD between 2017 and 2019 from residents of Clark County reveals that 96 complaints were filed between 2017 and 2019 with some complaints citing multiple bases for their claims. The table below shows the number of complaints filed in each year with the most active year in 2017. Across these years, the majority of complaints come from residents in Las Vegas, but Henderson and North Las Vegas saw some complaints in each year as well.

**Table: HUD Fair Housing Complaints - Number of complaints filed per year throughout the County**

| Year | Number of Complaints Across County | Las Vegas | North Las Vegas | Henderson | Mesquite | Boulder City | Other Jurisdictions |
|---|---|---|---|---|---|---|---|
| **2017** | 38 | 32 | 2 | 2 | 2 | 0 | 0 |
| **2018** | 24 | 17 | 3 | 3 | 0 | 0 | 1 |
| **2019** | 33 | 23 | 4 | 4 | 0 | 1 | 1 |
| **TOTAL** | **95** | **72** | **9** | **9** | **2** | **1** | **2** |

The analysis further revealed that disability, by far, is the most commonly cited bases for complaints with disability cited in about 54% of the bases across all complaints. Race follows and is cited at a rate of about 12.7%. Other bases cited include Familial Status (9.3%), Sex (5.9%), and National Origin (5%). Interestingly, retaliation is cited as often as race at 12.7%. This is supported by discussions in focus groups where it was shared that retaliation is prevalent in fair housing discrimination cases across the region. The table below shows how many times each basis was cited in each year between 2017 and 2019.

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year across County**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 6 | 5 | 4 | **15** |
| **Disability** | 27 | 15 | 22 | **64** |
| **National Origin** | 2 | 2 | 2 | **6** |
| **Sex** | 2 | 1 | 4 | **7** |
| **Familial Status** | 3 | 4 | 4 | **11** |
| **Retaliation** | 6 | 4 | 5 | **15** |

Among disability complaints, all but 7 of the complaints citing this basis included failure to make or allow reasonable accommodations as a basis for their complaint. Throughout focus groups and stakeholder interviews, participants noted a particular concern about failure to make reasonable accommodations as well.

Breakdowns of the bases for complaints across the jurisdictions follows.

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year Las Vegas**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 6 | 2 | 4 | **12** |
| **Disability** | 22 | 12 | 13 | **47** |
| **National Origin** | 2 | 2 | 1 | **5** |
| **Sex** | 2 | 1 | 4 | **7** |
| **Familial Status** | 2 | 4 | 3 | **9** |
| **Retaliation** | 6 | 3 | 4 | **13** |

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year North Las Vegas**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 0 | 2 | 0 | **2** |
| **Disability** | 1 | 0 | 4 | **5** |
| **National Origin** | 0 | 0 | 0 | **0** |
| **Sex** | 0 | 0 | 0 | **0** |
| **Familial Status** | 1 | 0 | 1 | **2** |
| **Retaliation** | 0 | 1 | 0 | **1** |

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year Henderson**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 0 | 1 | 0 | **1** |
| **Disability** | 2 | 2 | 3 | **7** |
| **National Origin** | 0 | 0 | 1 | **1** |
| **Sex** | 0 | 0 | 0 | **0** |
| **Familial Status** | 0 | 0 | 0 | **0** |
| **Retaliation** | 0 | 0 | 0 | **0** |

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year Mesquite**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 0 | 0 | 0 | **0** |
| **Disability** | 2 | 0 | 0 | **2** |
| **National Origin** | 0 | 0 | 0 | **0** |
| **Sex** | 0 | 0 | 0 | **0** |
| **Familial Status** | 0 | 0 | 0 | **0** |
| **Retaliation** | 0 | 0 | 0 | **0** |

**Table: HUD Fair Housing Complaints - Number of times basis for complaint was cited per year Boulder City**

| Basis for Complaint | 2017 | 2018 | 2019 | TOTAL |
|---|---|---|---|---|
| **Race** | 0 | 0 | 0 | **0** |
| **Disability** | 0 | 0 | 1 | **1** |
| **National Origin** | 0 | 0 | 0 | **0** |
| **Sex** | 0 | 0 | 0 | **0** |
| **Familial Status** | 0 | 0 | 0 | **0** |
| **Retaliation** | 0 | 0 | 1 | **1** |

Of the 95 complaints filed between 2017 and 2019, 28 (29.4%) were closed with conciliation or a successful settlement. Eight cases have not been determination yet, and the remainder were either withdrawn, had a non-responsive or uncooperative complainant or a no cause determination, or were dismissed by the Department of Justice.

# CHAPTER 8: COMMUNITY OUTREACH

## Fair Housing Survey

Clark County, Nevada conducted an online survey that was available to residents and other community stakeholders in both English and in Spanish. In addition to the survey being available online (using computers, smart phones, and other handheld devices), the survey was also made available to residents in a paper-based version. Access to the survey was provided through the Clark County and Regional AI participating cities' websites, through stakeholder email lists, posted in public convening locations, and published in print with QR Codes made available for residents to scan and link to the survey. Background on the Analysis of Impediments process and definitions of fair housing were provided in the survey introduction. The importance of community participation was also highlighted in the survey introduction.

There were three surveys that were prepared to collect responses. Two in English; one for representatives of organizations and the other for community members. The Spanish survey was for community members. The organizational survey was comprised of 25 questions covering a range of data points including demographic information, residential information, knowledge of fair housing rights, experiences with fair housing discrimination, opinions on access to information on fair housing, and questions related to housing and community development more generally. The average response time was 8 minutes and the completion rate was 100%. The citizen survey was comprised of 28 questions and covered the same topics with three more questions capturing demographic information.

There were 33 responses in English and 2 responses in Spanish for the community member survey; and 29 responses in English for the organizational survey. The low participation rate overall points to an area of improvement in community engagement and communications in the future. Despite the fact that the survey was open for 5 months with multiple opportunities and reminders for stakeholders and residents to participate, survey participation fell short of expectations.

## Respondent Profile

The respondents to the resident survey were mostly African American (41%) women (67%) over the age of forty-five (51%). They were mostly long-time residents of Clark County, with 65% of them having lived in the County for more than 10 years. The respondents were distributed throughout the County, although 38% of them live within Las Vegas. Over a third of those responding to the survey identified as White at 34%. Asians made up 9% of respondents and 13% responded they were more than one race, and 19% were of Latino or Hispanic origin. English was the most common language spoken at home at 91%, 3% said Spanish, and 6% of respondents said that they speak a language other than Spanish or English. Twenty-one percent (21%) of those that responded said they have a disability or disabling condition.

In terms of earnings data, 19% of respondents said they earned $75,000 per year or above, 34% earned between $30,000-$74,999, and nearly half, at 47% earned below $30,000. Of note is that 37% of the respondents stated they earned less than $20,000 per year. Thirty-three percent (33%) of respondents live with 3-5 other people. In addition, most of the respondents (47%) own their home, and most of those (44%) with a mortgage.

When asked what the most common issues they had faced in the last two years was related to their housing and neighborhoods, the most common responses where that they had difficulty paying for their mortgages, that they had difficulty paying their utilities, that they had experienced problems with the maintenance of their plumbing, electrical, appliances and other items in their homes, and that their neighborhoods had abandoned homes or homes in disrepair.

For the organizational survey, most of the respondents worked for non-profits in the housing and supportive service sectors. Their responses to their clients pressing needs generally tracked with individual responses, especially when it came to the difficulty of paying for housing costs.

## Fair Housing Questions

There were 12 questions in the survey that specifically focused on fair housing; beginning with whether respondents were familiar with fair housing or anti-discrimination laws. Nineteen percent (19%) of those that answered were not familiar with the laws. Forty-four percent (44%) were somewhat familiar, and 19% were familiar or very familiar. When asked about protected classes, most respondents knew about religion, race, national origin, and age, but were less sure about the other classes. When the questions delved deeper into whether people were aware of their rights, the responses were split between those that did know their rights (53%) and those that did not (47%). Of note is that neither of the respondents in the Spanish survey said they knew their rights. Knowledge of rights under Fair Housing law was partially reflected in the responses about whether they were aware of any housing discrimination incidents. Twenty-five percent (25%) of respondents were not sure if they knew of any incidents. That said, 50% said that they were not aware of any and 25% said they did know of incidents.

Out of the 25% that said they were aware of an incident, income level and race were cited most often as the basis of the discrimination; followed by disability, criminal background, and sexual orientation. The rest of the responses to this question were distributed among the 7 other possible choices. According to the survey, these incidents occurred most often in apartment complexes (45%). Most did not report the incident (58%), and the most common reason given was that they did not think it would make a difference. One open response stated, “scared of homelessness”.

In terms of education on fair housing issues, most respondents were not aware of any fair housing or anti-discrimination education opportunities in their community (63%), and the

majority of them (87%), have never participated in any kind of educational opportunity. They did cite the primary barrier to housing choice was cost of housing, with 73% of respondents citing it as one of their top choices, followed by the concentration of affordable housing in certain neighborhoods (53%), and the respondents also noted that distance to employment and transportation/access to public transportation was a common barrier (36%).

For open responses, many respondents said that there was a problem with availability of affordable housing, both in terms of paying for the housing itself – rents and mortgages – and utility costs. They also noted that there needs to be more tenant and landlord education around fair housing issues.

For the organizational survey, respondents were well versed in Fair Housing law. This survey added a question on whether they felt that progress had been made on impediments from the previous AI, and the responses were that only some progress was made on "lack of diversity leadership positions at all levels of government" and "discrimination against all protected classes, including minority races and ethnicities, people with disabilities, and families with children, especially young children or teens". For all of the other ten impediments, respondents felt that no progress had been made. They also noted that many of their clients struggled with the cost of housing and that the affordable options that were available were concentrated in certain neighborhoods. This tracked with the responses given in the resident survey. They also shared that much of the discrimination they were aware of happened in apartment complexes.

### Focus Group Discussions

Four focus groups were planned and three community focus groups were held throughout Clark County. Community engagement was more successful with the focus groups than through the survey. While outreach was done by the County and the City of Las Vegas through listserve announcements and website postings for the first focus group held at City Hall in Las Vegas, no stakeholders were able to attend. There were other concurrent events that drew from a similar audience. The second one was offered at the County offices in the City of Las Vegas on October 29, 2019. This focus group drew seven participants, mostly developers, housing advocates, and county staff. The third focus group was held in in the City of Henderson the same day at the community space at the City Hall. This focus group was well attended with community organizations, residents, and staff from the housing authority. This was the session with the most participants with twelve people in attendance. Staff from the participating cities and county attended all the focus groups. The last focus group took place on October 30, 2019 at the City Hall of the City of North Las Vegas.

The focus groups began by getting participants on the same page about definitions of fair housing and fair housing choice and describing the range of issues affecting fair housing including access to jobs, transportation, quality education, and affordable housing. The discussion was guided and facilitated, but it was made clear that participants should feel free to discuss the topics that were top of mind related to fair housing. Participation was encouraged, and it was pointed out that community input is a critical component of the Analysis of

Impediments (AI) process. To encourage thinking about suggestions for solutions, time was set aside at the end of the hour-long session to talk about priorities and thoughts around action items. Participants were encouraged to think of the AI as a living document that can help guide solutions to impediments identified.

## Observations

There were several common themes across the focus groups. Key among them was the rising cost of housing, the lag in wages to keep up with those housing costs, and that there are disparities in access to affordable housing, services, and notably transportation options across the County.

The discussion in the second focus group opened with assessing what they felt people's general knowledge is related to fair housing. Like many other jurisdictions that are addressing fair housing challenges, the consensus among participants was that for the most part people are not aware about what encompasses fair housing and what their rights are. They felt that there is a need for more education around the issue.

The participants in the second focus group wanted to discuss the challenges they saw in their community around availability of and access to affordable housing and supportive services. They noted that there is a clear dividing line in the County and in the City in particular about where people of modest means and low incomes can live. It is generally accepted that in Las Vegas, for example, there is a clear dividing line between south/southwest, which is higher income and has less affordable housing, and north/northwest which sees more of a concentration of lower income housing. They noted the typical barriers to entry for developers of affordable housing including land costs (acquisition), pre-development, lease-up/stabilization – all related to location (e.g., land that is ideal for development is too expensive to justify affordable rents/for-sale units).

Much of the conversation focused on land use planning and zoning, and how set policies reinforce some of the challenges. They also expressed frustration at how pervasive NIMBYISM is, and how important more education around fair housing and affordable housing are to combatting it. They commented that the County's development standards allow for gated communities and wondered if they even encouraged segregation.
This group also discussed how a growing homeless youth and people living with HIV/AIDS population has posed a challenge to supportive service providers and housing advocates. They commented on the challenges for these populations have in finding suitable affordable housing and how the waiting lists for housing choice vouchers and public housing are in the tens of thousands.

The third focus group echoed many of the themes from the second. They explored issues of fair housing education and NIMBYISM at length. They commented on what they perceived to be limited knowledge (at best) of fair housing laws and rights and how many felt that legal rights are obscure. There was a deep conversation about age discrimination in housing, especially as it affects young, pregnant, and teen mothers. When senior developments are

proposed, there is not as much concern from neighbors. They noted that the senior population has grown and that many are in need of supportive services. Seniors are frequent visitors to local foodbanks due to increasing cost of housing. They often live with family, in substandard housing, or in a home that they can no longer afford to maintain.

Participants described NIMBYISM in Henderson as particularly vitriolic, especially for multifamily development targeted to families; much less so for senior developments. Public meetings forums are often hostile, and affordable housing developers have encountered obstruction and vandalism during construction. Opponents of developments have been known to describe potential tenants as "those people," that can bring "higher crime," and "decrease in home value". The group felt that there is a need for more public education prior to development to clearly outline and define project scope and what "affordable housing" actually is: LIHTC, Section 8, Public Housing, HCV, etc. Compounding housing affordability, participants cited the lack of access to reliable public transportation as an impediment to seeking quality housing, services, jobs, and education.

The fourth focus group again focused on similar issues. Participants felt that fair housing education is still a need, and that generally there is not an understanding about fair housing rights. People often come to Clark County expecting a lower cost of living than where they came from, but that information is dated and they find a lack of affordable housing in Clark County as well. They often are not familiar with the eviction process in Clark County compared to other places. They end up shocked, upset, and do not know where to turn. The process of providing services, especially housing, can be complicated if they do not arrive in Clark County with a voucher that they can transfer. There was the agreement that the public's knowledge base is lacking when it comes to these issues.

Participants in the focus group discussed how before, there was a perception that it was easy to get on disability in Clark County. They commented on how now it feels like the requirements and approvals have drastically slowed, but there are a lot of individuals trying to get it that do not qualify, are trying to get it, and are causing delays in the system. The truly disabled and needy will not get disability in a short enough time. There was general agreement that the disability process is broken; overburdened by those that do not truly need it.

In terms of economic opportunity, participants highlighted the geographical challenges of connecting people to opportunities. A discussion about transportation commented on how there are there are transportation deserts throughout the County. There are many residents who have to commute to get on the public transportation routes to get to their places of employment. The difficulty in access to transportation also compounds the difficulty to getting quality, affordable childcare. Late fees can make childcare options infeasible, and when a parent is reliant on public transportation, these fees can add up.

## List of Key Points

There are several key points that were identified throughout the focus groups as priority items:

Education about fair housing issues
Availability of affordable housing
Lack of access to quality, affordable childcare
Growing homeless youth and special needs population and challenges with housing availability
More access to accessible transportation. Transportation access has a domino effect on access to housing, jobs, and education

## Stakeholder Interviews

Through the interview process, stakeholders from across the County had the opportunity to provide input on their views around fair housing. Their backgrounds were diverse and included affordable housing developers, service providers, state and local government representatives, and advocacy organizations. Their input gave insight into how fair housing issues have been addressed in the past and where to focus efforts going forward. The topics covered were far ranging – from construction costs to transportation issues to housing discrimination, to name a few. What follows are summaries of what was expressed through the interview process.
Each interview lasted between 30 to 45 minutes. The questions included:

- Please explain what role your organization has in addressing fair housing issues and what your organization may have done to help address concerns raised by the 2015 AI findings.

- To your knowledge, which of the findings do you think the County has made the most progress in addressing since 2015?

- Based on your knowledge of the housing and community development issues throughout the County, what would you identify as the current major impediments to fair housing in the following categories?
    - Economy
    - Protected Classes (Race, Color, Religion, National Origin, Sex, Familial Status, Disability)
    - Community Awareness
    - Local Government

- Which category do you think presents the greatest challenges and why?

- In your opinion, what cities or areas of the County have the most significant fair housing challenges and why?

- What do you think the role of the County should be in addressing fair housing concerns in the future? How do you think your organization could assist in addressing the challenges you've mentioned?

The main issues that were discussed included housing affordability, the economy and access to jobs, education around fair housing issues, and thoughts on how to address ongoing challenges. Interviewees shed additional light on what issues were still challenging since the last Analysis of Impediments. They noted that the education and outreach issue continues to be an impediment to people knowing their rights under Fair Housing law. They commented that people do not get educated until they need a service. Some also noted that people with disabilities and families continue to face challenges with access to safe, decent, affordable housing. Especially for people living with disabilities, it can be difficult to receive reasonable accommodations. One fair housing organization added that many clients suffered retaliation if they complained, and in some cases faced eviction times of 5-7 days. Interviewees also noted that they can participate in and conduct outreach and education around fair housing issues, but that enforcement is still a challenge. There are only a handful of organizations doing education throughout the state.

# CHAPTER 9: FINDINGS, IMPEDIMENTS, AND ACTIONS

The purpose of fair housing planning and analysis is to foster a careful examination of the factors restricting fair housing choice. These factors are described throughout this report and are summarized in the list of findings below. After analyzing the findings, the jurisdictions established a list of impediments that are contributing to the fair housing conditions in the region.

HUD provides a definition of impediments to fair housing choice as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices, or the availability of housing choices (and)
- Any actions, omissions, or decisions which have this effect.

Further, there are three components of an impediment:

- A fair housing impediment must be an identified matter that directly or indirectly (has the effect of) creating a barrier to fair housing choice.
- An impediment must have a disproportionate effect on a protected class.
- An impediment must be caused by an "action, omission or decision."

Finally, jurisdictions have set forth actions it can take within its authority and resources to begin addressing the identified impediments.

## Findings

**DEMOGRAPHICS**

The region experienced an increase in diversity across Clark County – mostly in black and Hispanic households, however, Henderson has seen a tripling of Asian households. Las Vegas and North Las Vegas are 30% to 40% Hispanic. Mesquite, Henderson, and Boulder City are mostly white at rates of 85%, 77%, and 91%, respectively.

Mesquite's population is aging and many seniors live with disabilities and/or on a fixed income. If expenses in Boulder City or Mesquite rise faster than the median household income, then residents may become cost-burdened or face substandard living conditions.

Income is growing throughout the region, but Black residents earn less than any other racial or ethnic group, with the exception of North Las Vegas where they earn the second lowest amount.

Non-white residents of the region are more likely to live in poverty. Twenty-five percent of the region's black population lives in poverty and around 20% of Hispanic, Native American, and Pacific Islander residents live in poverty. In contrast, only 12% of white residents and 9% of Asian residents live in poverty in the region. Las Vegas has the highest poverty rate at over 16%

with an increase of 36% since 2000. While Henderson and Boulder City have the lowest poverty rate of the jurisdictions studied (about 9%), poverty rates in these areas are on the rise with increases of over 60% since 2000.

Single female households with children are concentrated in central and northeast part of the County. Further, the region has few true family shelter options.

The eastern part of the County, particularly the northeast, tend to have higher unemployment rates that are sometimes greater than 15%. On the south and west side of the county the unemployment rate is often less than 6%. Among those unemployed, Blacks represent 14%, White represent 8%, Asian represent 6%, and about 8% are Hispanic.

**MORTGAGES AND HOMEOWNERSHIP**

Since 2010, the number of subprime loan originations has grown by 1,055%, compared to 47 percent growth for prime originations. The Hispanic subprime share increased by more than 8 times between 2010 and 2014 while the Black subprime share increased by more than 6 times.

Black and Hispanic borrowers experience higher denial rates than white borrowers even though originations are beginning to rebound after crisis in 2007. The most common reason for denials in these groups was debt-to-income ratios.

Homeownership rates have fallen since 2000 with rental rates up 40% in most jurisdictions above with the exception of Mesquite. Mesquite stands out for the incredibly high homeownership rates among White residents and low rates among all other groups.

**TRANSPORTATION**

About 24% of the region's population does not own their own vehicles.

Residents in the central county have longer commute times, which may be the result of low vehicle ownership and lack of good transportation options. Many residents have to commute to get to public transportation routes.

Thirty-six percent of survey respondents noted that distance to employment and transportation/access to public transportation was a common barrier.

**HOUSING**

Within the region, there is a clear line where housing affordability stops – this is around the south and southwest sections of the county.

Multifamily housing options have declined while single-family housing options increased by 15%. Still, 40% of housing stock is multifamily with the highest concentrations in center of the county.
The region's trend is for larger homes with 1 and 2 bedrooms.

Participants in the focus groups and the surveys noted that rental housing production has not kept up with need. Further, NIMBYism toward multifamily development is a concern in some parts of the region, particularly affordable multifamily developments.

Boulder City's housing stock is aging with 51% of units built before 1980, and therefore, at-risk of containing lead.

The vacancy rate in the County is at 15% and up to 25% in southern and central tracts.

Among renters, 70% of the County's black population are renters compared to 42% of the County's white population.

Clark County, Las Vegas, North Las Vegas, Henderson, and Boulder City have an estimated $315,000 median home value and Mesquite has a $260,000 median home value. This increased sharply between 2017-2018.

The region's renters are more cost-burdened than homeowners. About 50% of renters are cos-burdened compared to 32% of owners.

Respondents to the survey cited that the primary barrier to housing choice was cost of housing, with 73% of respondents citing it as one of their top choices, followed by the concentration of affordable housing in certain neighborhoods (53%).

**CHILDREN AND YOUTH**
Service providers indicate that the population of homeless youth is increasing but services are not keeping up.

Focus group participants indicated that the expense of daycare is an impediment. The County does not have enough of lower cost daycare options.

**LACK OF FAIR HOUSING KNOWLEDGE**

Responses to the online survey were split between those that did know their fair housing rights (53%) and those that did not (47%). In terms of education on fair housing issues, most respondents were not aware of any fair housing or anti-discrimination education opportunities in their community (63%), and the majority of them (87%), have never participated in any kind of educational opportunity.

Stakeholders noted that people with disabilities are most likely to experience fair housing violations, particularly in the area of reasonable accommodations.

## Impediments

This section of the study presents impediments to fair housing choice among the jurisdictions based upon the findings of the study. As with the findings, the list reflects the quantitative and qualitative analysis of information collected through a variety of means. The impediments to fair housing choice identified as a result of this Analysis of Impediments are summarized below.

**Impediment #1** *Lack of knowledge of fair housing related laws and fair housing resources exists among the general public and housing providers.*

- Based on survey results and focus group discussions, the general public and housing service providers often do not understand complaint processes and may be unaware of resources available through various agencies for resolving fair housing disputes (per focus group reports);
- Although there may be understanding of fair housing law among some, enforcement is an issue; the public is not sufficiently aware of how to obtain assistance necessary to protect fair housing rights.

**Impediment #2** *Economic barriers due to limited supply of adequate and accessible affordable housing especially affect protected classes.*

- The region has high housing costs, especially for extremely low- and very low- income renters who face significant affordability "gap." Fifty percent of the region's renters are cost burdened.
- Among renters, 70% of the County's black population are renters compared to 42% of the County's white population.
- Housing prices for those hoping to purchase a home are rising across the region and homeownership unit production is outpacing rental production.
- Non-white borrowers are more likely to be denied a home loan.
- Twenty-five percent of the region's black population lives in poverty and around 20% of Hispanic, Native American, and Pacific Islander residents live in poverty.

- Survey respondents and focus group participants noted that concentration of affordable housing in certain neighborhoods that lack good schools and services is a barrier to fair housing choice. Further, NIMBYism affects the placement of housing in areas of opportunity.

**Impediment #3** *Subprime lending is on the rise and protected classes are more likely to secure subprime loans.*

- There are higher denial rates for Black and Hispanic applicants for conventional home loans relative to White applicants.
- There are higher denial rates for lower income applicants and neighborhoods (minority populations are more likely to be low income than their white counterparts).
- Subprime lending has increased over 1000% since 2010. Minority populations are more likely to obtain a subprime mortgage with higher interest rates.

**Impediment #4** *Lack of access to transportation options reduces housing and economic opportunities.*

- Areas of the city that are outside major corridors struggle with access to public transportation;
- Lack of access impedes residents' ability to efficiently get to job centers, educational opportunities, and services for basic needs such as health care and grocery stores; and
- People with disabilities and the elderly have greater challenges in finding accessible transportation.

## Actions

This update to the AI builds upon the previous studies, surveys and public input. It analyzes data and identifies the private and public sector conditions that foster housing discrimination and provides recommended actions to overcome the effects of the fair housing issues identified. Several of these actions address multiple impediments and linkages among them are noted.

It is the goal of the jurisdictions to undertake actions that can help reduce and eliminate existing housing discrimination and prevent its reemergence in the future, as well as to address other impediments to equal housing opportunity. While the jurisdictions cannot control systemic issues related to fair housing and fair housing choice challenges, they can work to coordinate actions that improve fair housing, encourage coordination among disparate public entities, encourage stakeholders to act and report on fair housing issues, analyze existing data sources, report progress on fair housing issues, highlight findings from data analyses, and encourage meaningful action and cooperation at community levels.

Given these constraints, the jurisdictions will undertake actions each year aimed at addressing fair access to housing and fairness of housing choices for the region's residents. These may include some of the actions outlined below, or other actions that may be subsequently identified as relevant and potentially effective in combating and eliminating impediments to fair housing choice. Specific activities that may support those actions are itemized as well.

***Action #1*** *Address Lack of Knowledge of Fair Housing*

- Support fair housing training and education opportunities throughout the region, specifically for rental properties that will be directed to housing service providers, management companies, and rental residents.

- Ensure training opportunities for rental residents to clearly inform this population on their rights and responsibilities, particularly in the area of disabilities. Ensure these trainings are offered in English and Spanish.

***Action #2*** *Address Disproportionate Housing Problems and Economic Barriers*

- During the grant allocation process give special consideration to rental housing development, which includes at least 10% accessible units, and single-family housing, which includes universal design.

- Consider the placement of developments funded by the jurisdictions so that access to opportunities for low-income residents is enhanced.

- Provide homebuyer education using HUD approved counselors. Ensure training is available in Spanish and English.

***Action #3*** *Educate on and deter subprime lending*

- Offer or partner with providers to educate the community on subprime lending through financial literacy courses. Ensure courses are available in Spanish and English.

**Action #4** *Address Lack of Access to Transportation Options Reducing Housing and Economic Opportunities*

- Explore options for coordinating transportation across the region.
- Locate affordable housing along transportation routes.

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 17, 2020 6:24 pm |
| Browser: | Chrome Mobile 80.0.3987.95 / iOS |
| IP Address: | 107.77.229.128 |
| Unique ID: | 590932204 |
| Location: | 34.231300354004, -118.14859771729 |

| | |
|---|---|
| **First Name** | Chiara |
| **Last Name** | Martel |
| **Agenda Item Number** | 13 |
| **Choose One** | Concerned |
| **Council Comment** | How will the analysis reports' methodologies protect those Nevadans most in need of housing support; specifically, how will the report approach income inequality at the housing level? |

Submitted at City Council
Date 3/18/20 Item 13



ONline Comment
NON-public HEARING
CONSENT

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**14**

**DEPARTMENT: Economic & Urban Development** **CONSENT**
**DIRECTOR: Bill Arent**

**SUBJECT:**
For possible action to approve a Special Use Permit between the City of Las Vegas and the State of Nevada granting the use of the Grant Sawyer Building employee parking area, located at 555 East Washington Avenue, for control and use of overflow parking (a portion of APN 139-26-201-012) - Ward 5 (Crear)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
Parking Services wishes to use the Grant Sawyer Building employee parking area for the use and control of overflow parking for the Las Vegas Lights (LV Lights) upcoming season. No revenue will be collected for the overflow parking use. The Grant Sawyer Building is located directly across the street from Cashman Center where the LV Lights games are played.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. State of Nevada Department of Administration Division of Public Works Leasing Service Special Use Permit

**STATE OF NEVADA**
**DEPARTMENT OF ADMINISTRATION**
**DIVISION OF PUBLIC WORKS**
**LEASING SERVICES**

**SPECIAL USE PERMIT**

IN ACCORDANCE WITH NRS 331.070 and in consideration of the provisions contained herein, the STATE OF NEVADA, DEPARTMENT OF ADMINISTRATION, DIVISION OF PUBLIC WORKS, hereinafter called "STATE", does hereby grant this Special Use Permit, hereinafter referred to as "Permit", to **CITY OF LAS VEGAS NEVADA, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA** hereinafter referred to as "PERMITTEE". This permit authorizes the use of the following areas:

**Grant Sawyer Building employee parking area**, located at *555 East Washington Avenue* in *Las Vegas, Nevada*. See **EXHIBIT 'A'**, attached, indicating areas of use.

Subject to the stipulations contained herein.

**A. PERMITTED USE.** Overflow parking for Las Vegas Lights games, to be used after hours; after 5:00 PM to 12:00 AM Monday through Friday and 8:00 AM to 12:00 AM Saturday and Sunday.

**B. TERM.** This Permit is for Las Vegas Lights games:

- **Saturday, March 14, 2020 – 5:30 PM to 8:30 PM;** and
- **Saturday, March 28, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, April 18, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, May 2, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, May 9, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, May 30, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, June 13, 2020 - 5:30 PM to 8:30 PM;** and

- **Saturday, June 20, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, July 4, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, July 11, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, July 25, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, August 15, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, August 22, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, September 5, 2020 - 5:30 PM to 8:30 PM;** and
- **Wednesday, September 16, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, September 26, 2020 - 5:30 PM to 8:30 PM;** and
- **Saturday, October 3, 2020 - 5:30 PM to 8:30 PM;** and

will become effective when a *fully executed and notarized original is returned to the State Public Works Division, Leasing Services, at the address indicated in Section E below.*

**C. INDEMNIFICATION.** PERMITTEE(S) agrees to indemnify, defend and hold harmless the State of Nevada, its officers, employees and agents from and against any and all claims, actions, liabilities, damages, losses, costs and expenses including attorney's fees, arising from or in any way connected with this Permit and use of STATE property by PERMITTEE(S), PERMITTTEE'S guests, invitees, agents, contractors, sub-contractors, the general public, and all other parties except the State, its officers, employees, agents and invitees. Claims, damages and losses include, but are not limited to, bodily injury, sickness, disease or death, or injury to or destruction of tangible property including loss of use resulting therefrom and caused in whole or in part by any act, negligence, or omission of the PERMITTEE(S), PERMITTEE'S guests, invitees, agents, contractors, sub-contractors, the general public and

all other parties except the State, its officers, employees, agents or invitees.

**D. PROPERTY DAMAGE.** PERMITTEE(S) agrees to pay for and be responsible for all damages to STATE property described above, and any improvements and personal property situated thereon, caused by PERMITTEE(S), PERMITTEE'S guests, invitees, agents, contractors and sub-contractors during the term of this Permit.

**E. INSURANCE.** CONTRACTORS AND SUB-CONTRACTORS: PERMITTEE(S) agrees to carry their own General Liability Policy and to require their contractors and sub-contractors to carry their own General Liability Insurance Policy issued by an insurance company authorized to do business in the State of Nevada and is currently rated by A. M. Best as A-VII or better. The insurance policy is to be kept in full force and effect during the term of this Permit. Such insurance policy shall be at the minimum, in the amount of **$2,000,000.00 General Liability and $1,000,000.00 per occurrence** for bodily injury and property damage and shall via an endorsement, name the State of Nevada, its officers, employees and agents, as additional insureds for all liability arising from the use of STATE property. Each liability insurance policy shall also provide for a waiver of subrogation as to all additional insureds. PERMITTEE(S) agrees to provide the Public Works Division, Leasing Services an **ACORD 25 Certificate of Insurance** or similar as proof of the insurance AND **an Additional Insured Endorsement**, signed by an authorized insurance company representative, to evidence the endorsement of the STATE as additional insureds. **The Certificate of Insurance and Additional**

THIS SECTION WAIVED

**Insured Endorsement shall be provided to the State prior to PERMITTEE(S) entering upon State property and shall be delivered to:**

**State of Nevada**
**Department of Administration**
**Public Works Division**
**Leasing Services**
**515 East Musser Street**
**Carson City, Nevada 89701**
**Telephone: (775) 684-1815**
**Fax: (775) 684-1817**

The State of Nevada is not liable for the payment of any premiums, deductibles or assessments on any insurance policies required to be obtained hereunder. Said insurance policy will not be canceled or materially altered without 30 days prior written notice to STATE.

F. **CONDITIONS, PROHIBITED ACTS AND PENALTIES.** This Permit and the authorization given hereunder is subject to the provisions NRS 331.190 through NRS 331.220 (inclusive) as well as the following terms and conditions:

1. PERMITTEE(S) must obtain all required local, regional, state and federal permits and approvals.

2. STATE property shall be used during designated hours in accordance with Paragraph B, above.

3. The policing authority for STATE property is the Capitol Police whose telephone number is (702)486-2935.

4. The State of Nevada, Division of Public Works, Buildings and Grounds Section designee is the onsite contact for maintenance issues. Their designee may be contacted at the following telephone numbers: (702) 486-4300 or after 5:00 P.M. weekdays or weekends at (702) 528-2021.

5. PERMITTEE(S), PERMITTEE'S guests, invitees, agents, contractors and sub-contractors shall at all times comply with all state laws and regulations.

6. PERMITTEE(S), shall provide adequate portable toilets and trash containers for persons attending the event and place them where instructed by the Buildings and Grounds Section designee.

7. PERMITTEE(S) will maintain and operate STATE property in a clean, safe, wholesome and sanitary condition, free of trash, garbage, or obstructions and shall collect and remove all garbage, debris, and toilets resulting from PERMITTEE'S use of STATE property. Street and parking lot sweeping will be completed prior to 7:00 AM the following day for during the event if necessary.

8. PERMITTEE(S), PERMITTEE'S guests, invitees, agents, contractors and sub-contractors will not block or obstruct STATE parking lots, drive ways, or streets. There are to be no vehicles left unattended in driveways, on sidewalks, or loading areas unless part of a display.

9. PERMITTEE(S) is responsible for patrolling and providing security for PERMITTEE'S guests, invitees, agents, contractors and sub-contractors in conjunction with PERMITTEE'S use under this Permit.

10. PERMITTEE(S) is to provide staff for traffic control two (2) hours prior to the start of the event, throughout the event and one (1) hour after the end of the event, unless necessary for a longer period to prevent disruption to the flow of traffic in adjacent areas.

11. No food is to be sold on STATE Grounds or adjacent areas.

12. No alcoholic beverages will be allowed on STATE property at any time.

13. No open flames of any kind including, sterno flames, barbeques (wood, gas or charcoal) will be allowed on STATE property at any time, with the exception of self-contained mobile concession stands approved by a Leasing Section designee.

14. PERMITTEE(S) agrees horse/animal access will be limited to sidewalks and roadways and is prohibited on grass or landscaped areas. PERMITTEE(S) will maintain areas where animals are or have been present in a clean and sanitary condition and will dispose of waste at an offsite location.

15. No banners are to be erected on STATE property in accordance with NRS 331.200(1)(a).

16. No markings, temporary (such as sidewalk chalk) or permanent, may be made on STATE property.

17. STATE reserves the right of ingress and egress to inspect, investigate and survey STATE property and PERMITTEE'S use of same, as deemed necessary by the STATE at any time.

18. STATE reserves the right to do any or all work of any nature necessary for preservation, maintenance, and operation of STATE property at any time.

19. PERMITTEE(S) hereby waives all claims and recourse against STATE, its officers, agents and employees, including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this Permit

except claims arising from concurrent or sole negligence of STATE, its officers, agents or employees.

20. The State of Nevada will not waive and intends to assert available statutory liability limitations in all cases, including, without limitation, the provisions of NRS Chapter 41.

21. Reservations of the grounds are subject to cancellation at any time.

**G. ENTIRE AGREEMENT:** This Permit and the items incorporated herein contain all of the agreements between the parties with respect to the matters contained herein. No prior agreement, understanding or verbal statement made by any party is a part hereof. No provisions of this Permit may be amended or modified in any manner whatsoever unless incorporated in writing and executed by both parties. No transfer or assignment of any rights of PERMITTEE(S) under this Permit may be made without the express written approval of the STATE.

**H. CHOICE OF LAWS; ATTORNEYS' FEES:** This Permit shall be governed by the laws of the State of Nevada; any question arising hereunder shall be construed or determined according to such law. In the event of any controversy, claim, or dispute relating to this Permit or breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable legal expenses, attorneys' fees (not to exceed $125 per hour) and court costs.

This Permit and the authorization given herein by STATE does not give any property rights either in real estate or material nor does it obviate the necessity of obtaining other required governmental approvals for PERMITTEE'S use under this Permit.

**This Permit shall not be effective until this form is signed and notarized and along with the required insurance documentation is delivered to the Public Works Division, Leasing Services.**

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**IN WITNESS WHEREOF**, the parties hereto have executed this Permit.

**STATE OF NEVADA**

DEPARTMENT OF ADMINISTRATION
PUBLIC WORKS DIVISION

By_____
Ward D. Patrick, PE
Administrator

Date_____

**Approved as to Form and compliance with the law only:**

AARON D. FORD
ATTORNEY GENERAL

By_____
Susan K. Stewart
Deputy Attorney General

Date_____

**PERMITTEE**

By_____ By_____
*(Print name)* *(Signature)*

Date_____

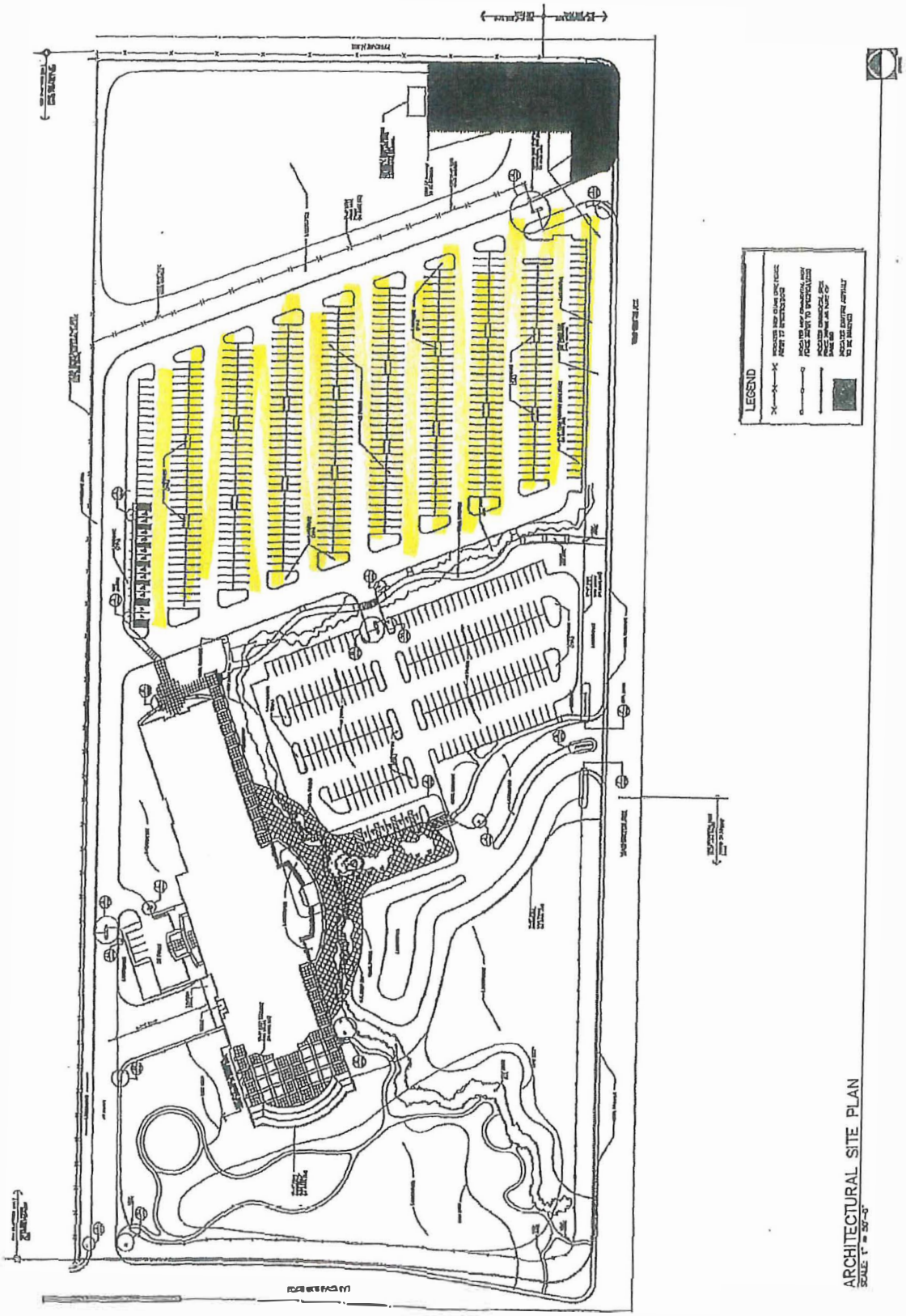
Approved as to Form
2-26-20

STATE OF NEVADA )
) SS
COUNTY OF _____)

On this _____ day of _____, 2020, before me, personally appeared _____, personally known to me, or proved on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon their behalf of which the person acted, executed the instrument.

_____
NOTARY PUBLIC

**EXHIBIT 'A'**



CITY OF LAS VEGAS
DECLARATION OF SELF-INSURANCE
LIABILITY AND WORKERS' COMPENSATION

To Whom It May Concern:

In accordance with Section 41.038 of the Nevada revised Statutes, the City of Las Vegas has adopted a Self-Insured Liability Program effective July 1, 1985. The City totally self-insures each occurrence.

The self-insured liability program is established through a funded reserve system appropriately known as the "Self-Insurance Liability Trust Fund", and is supported by an annual budgetary allocation.

In addition, in accordance with Section 354.580 of the Nevada Revised Statutes, the City of Las Vegas has adopted a Self-Insured Workers' Compensation Program, effective December 19, 1985. The City self-insures each occurrence up to $1 million for non-public safety personnel and up to $4 million for public safety personnel, and purchases commercial excess insurance, with $50 million limits.

This self-insured workers' compensation program is established by a funded reserve system appropriately known as the "Industrial Self-Insurance Expendable Trust Fund" and is supported by an annual budgetary allocation.

Questions regarding this matter can be forwarded to the City of Las Vegas, Risk Management Section at 702-229-5048.

THIS DECARATION HAS NO EXPIRATIN DATE.

By:

Vince Zamora
Human Resources Manager

Carolyn G. Goodman
*Mayor*
Lois Tarkanian *Mayor Pro Tem* | Ricki Y. Barlow | Stavros S. Anthony | Bob Coffin | Steven G. Seroka | Michele Fiore

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**15**

**DEPARTMENT: Finance** **CONSENT**
**DIRECTOR: Venetta Appleyard**

**SUBJECT:**
For possible action to approve award of Contract No. 200093-PH, State Legislative Representative Services - Office of Government and Community Affairs - Award recommended to: THE FERRARO GROUP (Not-to-Exceed $236,000 per Two-Year Term - General Fund)

**FISCAL IMPACT:**
Budget Funds Available
Amount: Not-to-Exceed $236,000 per Two-Year Term
Funding Source: General Fund
Dept./Division: Office of Government & Community Affairs

**PURPOSE/BACKGROUND:**
This contract provides for technical assistance and legislative advocacy for State legislative matters. The contract will run for up to six two-year terms from August to July, to coincide with the State legislative cycle, with the first two-year term, through July 31, 2021. The contract amount shall not exceed $236,000 per two-year term, to be reduced in a pro-rated amount based on date of contract award. The Ferraro Group was selected as a result of a Request for Proposals process. The Ferraro Group is located in Nevada.

**RECOMMENDATION:**
Approve as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

**BACKUP DOCUMENTATION:**
1. Contract No. 200093-PH
2. Certificate - Disclosure of Ownership/Principals

# STATE LEGISLATIVE REPRESENTATIVE SERVICES

THIS CONTRACT is being entered into this _____ day of _____, 2020, by and between the CITY OF LAS VEGAS (hereinafter the "City"), a municipal corporation within the State of Nevada having its principal office at 495 South Main Street, Las Vegas, Nevada 89101, and THE FERRARO GROUP, (hereinafter the "Company"), [a corporation organized and existing under the laws of the State of Nevada having its principal office at 165 West Liberty Suite 210, Reno, Nevada 89501.

## SECTION A – Contract Overview

### A-1 Summary of Contract [CAO-06/20/19]

This Contract sets forth the terms and conditions for the performance of services described herein, and the execution hereof by the parties hereto forms a legally binding contract. This is a Non-Exclusive Contract.

(a)

| | | | |
|---|---|---|---|
| **Contract Synopsis**<br>The legally binding Statement of Work is more fully defined in Section C | Professional services as a legislative representative for the City. | | |
| **Performance Dates**<br>The Performance Period is more fully defined in Section A-2 | **Award Date**<br>See first paragraph | **Expiration Date**<br>July 31, 2021 | **Option Periods**<br>Five 2-year renewal periods |
| **Contract Type**<br>As defined in Section B-1, "Definitions" | The contract type is Firm Fixed Fee. | | |
| **Contract Amount**<br>This Not-to-Exceed Amount is subject to Section C-2 | $236,000 per contract term | Not-to-Exceed | |

(b)

| **Contract Exhibits / Attachments** The following documents are hereby incorporated into this Contract |
|---|
| Exhibit A – Scope of Work |
| Exhibit B – Company Proposal |
| Attachment 1 – Certificate of Disclosure |

(c)

| | | | |
|---|---|---|---|
| **City Project Manager**<br>See Section D-4, (a) | **Name**<br>Ted Olivas | **Phone**<br>(702) 229-6519 | **Email**<br>tolivas@lasvegasnevada.gov |
| **Company Representative**<br>See Section D-4, (b) | **Name**<br>Bob Ostrovsky | **Phone**<br>(702) 498-9477 | **Email**<br>rao@theferrarogroup.com |

### A-2 Performance Period

(a) The performance period commences on the Award Date and continues through the expiration date, unless extended in writing in accordance with Section E-13 "Modification/Amendment".

(b) The City may at its sole option extend the contract for the periods set forth above. The City shall provide written notice to the Company of such extension(s), and the Company may not assume an automatic renewal. Exercise of an option does not commit the City to exercise further options.

(c) The City reserves the right to exercise an option to temporarily extend this Contract for up to one hundred eighty (180) calendar days from the expiration date, for any reason.

## SECTION B – Basic Terms

**B-1 Definitions** [CAO-06/20/19]

The following definitions apply to this Contract:

(a) *"Award Date"* means the date that a Contract becomes effective. It is the date entered into the first paragraph of a Contract upon execution by an authorized representative of the City.

(b) *"Contract"* means this document, consisting of Sections A through E, which is binding and effective only upon execution by the City.

(c) *"Contract Amount"* means the maximum amount of compensation that may be paid to the Company for performance of the Contract, which includes, without limitation, compensation for all direct and indirect expenses.

(d) *"Deliverable"* means any report, software, hardware, data, documentation or other tangible item that the Company is required to provide to the City under the terms of the Contract.

(e) *"Firm Fixed Fee"* means a contract that provides for a firm price that is not subject to any adjustment on the basis of the Company's cost experience in performing the Contract.

(f) *"Non-Exclusive Contract"* means a Contract under which the City agrees to obtain some, but not necessarily all, of the City's requirements for a particular service.

## SECTION C – Statement of Work

Services and deliverables will be provided in accordance with the Scope of Work attached as Exhibit A, and the Proposal attached as Exhibit B.

## SECTION D – Special Conditions

**D-1 Pricing**

(a) Phased Retainer Schedule (24 months)

| | | |
|---|---|---|
| For twelve months during the legislative interim | $6,000 per month | (August – July) |
| For six months leading up to legislative session | $10,000 per month | (August - January) |
| For six months of legislative session | $14,000 per month | (February - July) |
| For one calendar year of Reimbursable Expenses | $10,000 per year | |

(b) For the term of this Contract, pricing shall remain firm.

**D-2 Payment** [CAO-01/20/16]

(a) Payment. Payment to the Company will be made only for the actual Services performed and accepted by the City, upon receipt of an invoice submitted in accordance with Section D-3, "Invoices".

(b) Reimbursable Travel Expenses. If travel is required in performance of services under this Contract, reasonable travel expenses will be paid. Travel to and from Carson City to provide services in connection with a regular legislative session will not be reimbursed. Reimbursement is subject to certain limitations. The City will reimburse airfare up to the cost of a coach fare, with 7-day advance purchase. Reimbursement for all other expenses including, but not limited to, lodging, meals, transportation, rental cars, parking, and incidental expenses, will be paid at a per diem rate of $167 per day. This per diem rate will start concurrently with the first day of work performed on site at the City and end with the last

day of scheduled on site work at the City. The Company must complete a minimum of six (6) hours of work for every day a per diem is paid. Company shall coordinate all travel in advance with the City's Project Manager. The City will not reimburse personal entertainment expenses, alcoholic beverages, travel expenses for family members, use of health facilities (unless included in the basic price of hotel accommodations), movies in a hotel, or other non-business related costs. The City's Project Manager must approve any deviations to these procedures.

(c) Reimbursable Expenses. The City will reimburse other reasonable expenses, when authorized by the City's Project Manager, provided such expenses are directly related to the performance of this Contract and are accompanied by receipts. The City will not reimburse expenses that are included in the Company's overhead accounts, in accordance with the Company's normal accounting practices. Other expenses specifically excluded from reimbursement are: office supplies, routine meals, local communication costs, local travel, and expenses not solely for the benefit of the City of Las Vegas (unless fairly and clearly apportioned.)

**D-3 Invoices** [CAO-01/20/16]

(a) The Company will submit a detailed invoice to the City monthly, for work performed to date. Each invoice shall contain the following information:

(i) the date of the invoice and invoice number;
(ii) the purchase order number;
(iii) the Contract Item(s) against which charges are made;
(iv) performance dates covered by the invoice;
(v) receipts for any Reimbursable Travel or other Expenses, if applicable, associated with the invoice; and
(vi) a summary of the meetings, phone calls, and other activity performed on behalf of the City.

Upon reconciliation of all errors, corrections, credits, and disputes, payment to the Company will be made in full within 30 calendar days. **Invoices received without a valid purchase order number will be returned unpaid.** The Company shall submit the original invoice to:

ATTN: Accounts Payable
Department of Finance
City of Las Vegas
495 South Main Street, 4th Floor
Las Vegas, NV 89101 – 2986

(b) The Company shall forward a copy of the invoice to the City's Project Manager, identified in Section D-4, "Project Manager/Company Representative."

**D-4 Project Manager/Company Representative** [CAO-06/20/19]

(a) The City's designated Project Manager for this Contract is named in Section A-1 (c). The City will provide written notice to the Company should there be a subsequent Project Manager change. The Project Manager will be the Company's principal point of contact at the City regarding any matters relating to this Contract, will provide all general direction to the Company regarding Contract performance, and will provide guidance regarding the City's goals and policies. *The Project Manager is not authorized to waive or modify any material scope of work changes or terms of the Contract.*

(b) The Company's designated Company Representative for this Contract is named in Section A-1 (c). The Company will provide written notice to the City should there be a subsequent Company Representative change. The City has the right to assume that the Company Representative has full authority to act for the Company on all matters arising under or relating to this Contract.

**D-5 Insurance** [CAO-06/20/19]

(a) The Company shall procure and maintain, at its own expense, during the entire term of the Contract, the following coverage(s):

(i) Industrial/Workers' Compensation Insurance protecting the Company and the City from potential Company employee claims based upon job-related sickness, injury, or accident, during performance of this Contract, and

must submit proof of such insurance on a certificate of insurance issued by an insurer qualified to underwrite workers' compensation insurance in the State of Nevada, in accordance with NRS 616A-616D, inclusive. If Company is a sole proprietor, it will be required to submit an affidavit indicating that the company has elected not to be included in the terms, conditions and provisions of NRS 616A-616D, inclusive, and is otherwise in compliance with those terms, conditions and provisions. The Company's Workers' Compensation policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas.

(ii) Commercial General Liability Insurance (bodily injury, property damage) with respect to the Company's agents assigned to the activities performed under this Contract in a policy limit of not less than $1,000,000.00 per occurrence and $2,000,000.00 in the aggregate, for bodily injury, products, completed operations, personal injury and property damages. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis, and be provided on either a Commercial General Liability or a Broad Form Comprehensive General Liability (including a Broad form CGL endorsement) insurance form. The form must be written on an ISO Form CG 00 01 10 01, or an equivalent form. The Company's General Liability policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas, and shall be endorsed to include the City, its officers, and employees as additional insured.

(iii) Commercial Automobile Liability Insurance of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used in the performance of services under this Contract. The policy must insure all vehicles **owned** by the Company and include coverage for **hired** and **non-owned** vehicles. If the services requested do not require the use of vehicle to perform, Commercial Automobile Liability Insurance requirements, as described in this paragraph do not apply. The Company's Automobile Liability policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas, and shall be endorsed to include the City, its officers, and employees as additional insured.

(iv) Professional Liability Insurance of limits no less than $1,000,000, combined single limit and in the aggregate. If coverage is on a "claims made" basis, then it must continue for a period of two years beyond the completion or termination of this Contract. Any retroactive coverage must coincide with or predate the beginning of this Contract and may not be changed without the consent of the City.

(b) Company must provide compliant certificates of insurance and required endorsements to the City or its designated certificate tracking service immediately upon request. The Company shall maintain coverage for the duration of this Contract, and any renewal periods if applicable. The Company shall annually provide the City's designated certificate tracking service with a certificate of insurance and endorsements as evidence that all insurance requirements have been met. A certified, true and exact copy of each of the project specific insurance policies (including renewal policies) required under this Section shall be provided to the City or it's designated certificate tracking service if so requested.

(c) All required aggregate limits must be disclosed and amounts entered on the certificate(s) of insurance. The certificates must identify the Contract number and the Contract description. The Company and/or insurance carrier shall provide the City with a 30-day advance notice of policy modification, cancellation or erosion of insurance limits, sent by certified mail "return receipt requested".

(d) The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. Each insurance carrier's rating as shown in the latest Best's Key Rating Guide shall be fully disclosed and entered on the required certificate of insurance. The City requires insurance carriers to maintain a Best's Key rating of A- VII or higher, (i.e., A- VII, A- VIII, A- IX, A- X, etc.). The adequacy of the insurance supplied by the Company, including the rating and financial health of each insurance carrier providing coverage, is subject to the approval of the City.

(e) All deductibles and self-insurance retentions shall be fully disclosed in the certificate of insurance. No deductible or self-insured retention may exceed $25,000.00 without the prior written approval of the City.

(f) **Companies requesting increased deductibles or self-insured retentions must provide the City a written request stating the desired amounts along with recent audited financial statements for review.** The City will review the request and determine if the requested deductibles or self-insured retentions are acceptable. In the event the request for increased deductibles or self-insured retentions is denied, the Company is obligated to provide the deductibles or self-insured retentions established in the Contract at no additional expense to the City.

(g) If the Company fails to carry the required insurance, the City may (i) order the Company to stop further performance hereunder, declare the Company in breach, pursuant to Section E-5, terminate the Contract if the breach is not remedied and, if permitted, assess liquidated damages, or (ii) purchase replacement insurance and withhold the costs or premium

payments made from the payments due to the Company or charge the replacement insurance costs back to the Company.

(h) Any subcontractor or subconsultant approved by the City shall be required to procure, maintain and submit proof of insurance to the City of the same insurance requirements as specified above, and as required in this paragraph.

(i) The Company is encouraged to purchase any additional insurance it deems necessary.

(j) The Company is required to remedy all injuries to persons and damage or loss to any property of the City caused in whole or in part by the Company, its subcontractors or anyone employed, directed or supervised by the Company.

**D-6 Warranty – Services** [CAO-5/2/12]

The Company warrants that the services shall be performed in full conformity with this Contract, with the professional skill and care that would be exercised by those who perform similar services in the commercial marketplace, and in accordance with accepted industry practice. In the event of a breach of this warranty, or in the event of non-performance or failure of the Company to perform the services in accordance with this Contract, the Company shall, at no cost to the City, re-perform or perform the services so that the services conform to the warranty.

**D-7 Performance Reviews**

(a) During the term of this Contract, the Company's compliance with the specific provisions of the Contract is subject to review by the City. Should deficiencies be found, the Company shall correct the deficiencies in a commercially reasonable period of time. Uncorrected material deficiencies may be subject to the provisions of Paragraph E-5 (Event of Default)

(b) If continuing non-material deviations from expected performance are found, the City may terminate the Contract in whole or in part with no liability to the City. Should the City determine that the performance deviations are material, the City reserves the right to terminate for default.

**D-8 Conflict of Interest – Clients**

(a) The Company shall not lobby on behalf of the City on any issue on which the City's lobbying interests are directly and materially in conflict with the lobbying, regulatory or litigation interests of another client's. If a potential conflict of interest becomes known, the Company shall immediately inform the Project Manager, who will make a determination regarding the extent and impact that such conflict of interest has on the City's lobbying interest. The Company shall take action to mitigate the effect of the conflict of interest as may be reasonably requested by the City, and if the conflict cannot be mitigated to the satisfaction of the City, the City reserves the right to immediately terminate this Contract.

(b) The Company has a continuing obligation, during the entire term of this Contract, to disclose any potential conflicts of interest described herein. The Company is expected to zealously promote the interests of the City.

## SECTION E – General Conditions

**E-1 Legal Notice** [CAO-01/08/15]

(a) All legal notices required pursuant to the terms and conditions of this Contract shall be in writing, unless an emergency situation dictates otherwise. Any notice required to be given under the terms of this Contract shall be deemed to have been given when (i) received by the party to whom it is directed by hand delivery or personal service, (ii) transmitted by facsimile with confirmation of transmission, (iii) transmitted by email with confirmation of receipt by addressee, or (iv) sent by U.S. mail via certified mail-return receipt requested at the following addresses:

FOR THE CITY:
Manager, Purchasing and Contracts
City of Las Vegas
495 South Main Street, 4rd Floor
Las Vegas, Nevada 89101-2986
Fax: (702) 384-9964
Email: purchasing@lasvegasnevada.gov

FOR THE COMPANY:
Attn: Greg Ferraro
The Ferraro Group

165 West Liberty Street, Suite 210
Reno, Nevada 89501
Fax: (775) 324-2794
Email: greg@theferrarogroup.com

(b) The parties shall provide written notification of any change in the information stated above.

(c) An original signed copy, via U. S. Mail, shall follow facsimile transmissions.

(d) For purposes of this Contract, legal notice shall be required for all matters involving potential termination actions, litigation, indemnification, and unresolved disputes. This does not preclude legal notice for any other actions having a material impact on the Contract.

(e) Routine correspondence should be directed to the Project Manager or the Company Representative, as appropriate.

**E-2 Disputes** [CAO-08/01/13]

(a) For each claim or dispute arising between the parties under this Contract, the parties shall attempt to resolve the matter through escalating levels of management. In the event the matter cannot be successfully resolved in this manner, the City is granted the right, regardless of which party is asserting the claim or dispute, to determine between arbitration and litigation as the forum in which the party desiring to proceed further shall file to resolve the claim or dispute. For any and all claims or disputes asserted by the Company, the Company shall notify the City of its intent to proceed further with the claim or dispute and in response thereto, the City shall notify the Company as to its selected forum for resolution. For any and all claims or disputes asserted by the City, the City shall notify the Company in the notice of its intent to proceed with further resolution whether it has selected arbitration or litigation as the forum to resolve the claim or dispute. In the event arbitration is the designated forum, such arbitration shall be binding on the parties.

(b) If arbitration is selected by the City as the forum for further resolution, the claim or dispute shall be filed with the American Arbitration Association under its then current Commercial Arbitration Rules, Expedited Procedures, regardless of the amount of the claim or dispute.

(c) The laws of the State of Nevada shall govern this Contract and the venue for purposes of such litigation or arbitration shall be the Eighth Judicial District Court, Clark County, Nevada.

**E-3 Notice of Delay** [CAO-01/20/16]

(a) If timely performance by the Company is jeopardized by the non-availability of City provided personnel, data, or equipment, the Company shall notify the City immediately in writing of the facts and circumstances causing such delay. Upon receipt of this notification, the City will advise the Company in writing of the action which will be taken to remedy the situation.

(b) The Company shall advise the City in writing of an impending failure to meet established milestones or delivery dates based on the Company's failure to perform. Notice shall be provided as soon as the Company is aware of the situation; however, such notice shall not relieve the Company from any existing obligations regarding performance or delivery.

**E-4 Termination for Convenience** [CAO-5/2/12]

The City shall have the right at any time to terminate further performance of this Contract, in whole or in part, for any reason whatsoever (including no reason). Such termination shall be effected by written notice from the City to the Company specifying the extent and effective date of the termination. On the effective date of the termination, the Company shall terminate all work and take all reasonable actions to mitigate expenses. The Company shall submit a written request for incurred costs for services performed through the date of termination, and shall provide any substantiating documentation requested by the City. In the event of such termination, the City agrees to pay the Company within thirty (30) days after receipt of a correct, adequately documented written request. The City's sole liability under this Section is for payment of costs for services requested by the City and actually performed by the Company.

**E-5 Event of Default** [CAO-01/20/16]

(a) If, during the term of this Contract, the Company (i) fails to deliver services that comply with the specifications, (ii) fails to deliver the services within the time specified in the Purchase Order or any extension thereof, (iii) fails to make progress

so as to endanger the performance of this Contract, (iv) becomes insolvent, bankrupt or makes an assignment for the benefit of creditors, or if a receiver or trustee in bankruptcy is appointed for the Company, or if any proceeding in bankruptcy, receivership, or liquidation is instituted against the Company and is not dismissed within thirty (30) days following commencement thereof, or (v) fails to perform any of the other obligation or requirement of this Contract, then any of the aforementioned failures shall constitute an "Event of Default" under this Contract.

(b) If there occurs an Event of Default, the Company shall be entitled to ten (10) calendar days from written notice thereof to remedy the Event of Default, provided, however, such is capable of being remedied within that period. If the Event of Default can be remedied, but the remedy cannot be completed within the ten day period, the Company may be allowed such additional time as may be reasonably necessary to remedy the Event of Default, provided, however, the remedy is commenced within the ten day period and is diligently pursued to completion. If the Event of Default is incapable of remediation, or is not remedied as required herein, the City may, in addition to any other remedies available in law or equity, invoke any of the remedies provided for under Section E-6, "Termination for Default", below.

**E-6 Termination for Default** [CAO-01/20/16]

(a) If the Event of Default is not remedied as required pursuant to Section E-5, "Event of Default", the City may, by written notice to the Company pursuant to Section E-1, "Legal Notice", terminate this Contract in whole or in part.

(b) If this Contract is terminated in whole or in part because the Company has failed to provide services in compliance with the specifications by the deadline of remediation period, the City may acquire, under reasonable terms and in a manner it considers appropriate, replacement goods that are comparable to the services that the Company failed to deliver to the City, and the Company shall be liable to the City for any excess costs related thereto. If the City terminates this Contract only in part, the Company shall continue to perform the un-terminated obligations or portions of this Contract.

(c) The Company shall not be liable for any excess costs if the failure to perform the Contract arises from circumstances beyond the control of, and without the fault or negligence on the part of, the Company. These circumstances are limited to such causes as (i) acts of God or of the public enemy, (ii) acts of governmental bodies, (iii) fires, (iv) floods, (v) epidemics, (vi) quarantine restrictions, (vii) labor strikes, (viii) freight embargoes, or (ix) unusually severe weather. The time of performance of the Company's obligations under this Contract shall be extended by such period of enforced delay; provided, however, that such reasonably extended time period shall not exceed sixty (60) days. If the foregoing circumstances result in a delay greater than 60 days, the City may terminate the affected portion of the Contract pursuant to the terms of Section E-4, "Termination for Convenience".

(d) The City retains the right to terminate for default immediately if the Company fails to maintain the required levels of insurance, fails to comply with applicable local, state, and Federal statutes governing performance of these services, or fails to comply with statutes involving health or safety.

(e) If the City fails to perform any of its obligations required under this Contract, and the City does not remedy the failure after notice thereof is provided to the City by the Company pursuant to the requirements of Section E-1, "Legal Notice" above, the Company shall have the right to treat the failure as a claim or dispute subject to the resolution provisions of E-2, "Disputes" of this Contract. During the period of such resolution, the Company shall continue with its performance under the Contract.

**E-7 Limitation of Funding** [CAO-7/24/08]

The City reserves the right to reduce estimated or actual quantities, in whatever amount necessary, without prejudice or liability to the City, if funding is not available or if legal restrictions are placed upon the expenditure of monies for the services required under this Contract.

**E-8 Reserved**

**E-9 Entire Contract, Section and Paragraph Headings** [CAO-7/24/08]

(a) This Contract represents the entire and integrated agreement between the City and the Company. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Contract.

(b) The section and paragraph headings appearing in this Contract are inserted for the purpose of convenience and ready reference. They do not purport to define, limit or extend the scope or intent of the language of the sections and paragraphs to which they pertain.

**E-10 Order of Precedence** [CAO-7/24/08]

In the event of a conflict between the specific language set forth in Sections A through E of this Contract and any Attachment or Exhibit, the specific language in Sections A through E shall prevail. Any exception to this order of precedence will be addressed through specific language elsewhere in Sections A through E.

**E-11 Severability** [CAO-7/24/08]

The invalidity, illegality, or unenforceability of any provision of this Contract or the occurrence of any event rendering any portion or provision of this Contract void shall in no way affect the validity or enforceability of any other portion or provision of this Contract. Any void provision shall be deemed severed from this Contract, and the balance of this Contract shall be construed and enforced as if this Contract did not contain the particular portion or provision held to be void. The parties further agree to amend this Contract to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this clause shall not prevent this entire Contract from being void should a provision which is of the essence of this Contract be determined void.

**E-12 Waiver** [CAO-7/24/08]

Waiver of any of the terms of this Contract shall not be valid unless it is in writing signed by each party. The failure of the City to enforce any of the provisions of this Contract, or to require performance of any of the provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Contract, or to affect the right of the City to thereafter enforce each and every provision of this Contract. Waiver of any breach of this Contract shall not be held to be a waiver of any other or subsequent breach of this Contract.

**E-13 Modification/Amendment** [CAO-7/24/08]

This Contract shall not be modified or amended except by the express written agreement of the parties, signed by a duly authorized representative for each party. Any other attempt to modify or amend this Contract shall be null and void, and may not be relied upon by either party.

**E-14 Assignment** [CAO-7/24/08]

Neither party may assign their rights nor delegate their duties under this Contract without the written consent of the other party. Such consent shall not be withheld unreasonably. Any assignment or delegation shall not relieve any party of its obligations under this Contract.

**E-15 Indemnification** [CAO-5/2/12]

(a) In addition to the insurance requirements set forth in Section D-5, “Insurance”, the Company shall protect, indemnify and hold harmless the City, its officers, employees, agents, and consultants (collectively herein the “City”) from any and all claims, liabilities, damages, losses, suits, actions, decrees, and judgments including, attorney's fees, court costs or other expenses of any and every kind or character (collectively herein the “Liabilities”) which may be recovered from or sought against the City, as a result of, by reason of, or as a consequence of, any act or omission, negligent or otherwise, on the part of the Company, its officers, employees, or agents in the performance of the terms, conditions and covenants of the Contract, regardless of whether the Liabilities were caused in part by the City.

(b) If a third party claim against the City for negligent performance by the Company is within the limits of its liability insurance, and the insurance company has accepted the City’s tender of defense, then the City will pay the Company what is due and owing to them within the payment method specified in this Contract. However, if the claim is greater than the coverage amount, the City, for its protection, may retain any money due and owing the Company under this Contract, until the claim has been resolved. In the event no money is due and owing, the surety, if required, of the Company, may be held until all of the Liabilities have been settled and suitable evidence to that effect furnished to the City.

(c) It is expressly agreed that the Company shall defend the City against the Liabilities and in the event that the Company fails to do so, the City shall have the right, but not the obligation, to defend the same and to charge all direct and incidental costs, including attorney’s fees and court costs, to the Company.

**E-16 Patent Indemnity** [CAO-7/24/08]

The Company hereby indemnifies and shall defend and hold harmless the City and its representatives respectively from and against all claims, losses, costs, damages, and expenses, including attorney’s fees, incurred by City and its

representatives, respectively, as a result of or in connection with any claims or actions based upon infringement or alleged infringement of any patent and arising out of the use of the equipment or materials furnished under the contract by the Company, or out of the processes or actions employed by, or on behalf of the Company in connection with the performance of the Contract. The Company shall, at its sole expense, promptly defend against any such claim or action unless directed otherwise by the City or its representative; provided that the City or its representatives shall have notified the Company upon becoming aware of such claims or actions, and provided further that the Company's aforementioned obligations shall not apply to equipment, materials, or processes furnished or specified by the City or its representatives.

**E-17 Audit of Records** [CAO-5/2/12]

(a) The Company agrees to maintain the financial books and records (including supporting documentation) pertaining to the performance of this Contract according to standard accounting principles and procedures. The books and records shall be maintained for a period of three (3) years after completion of this Contract, except that books and records which are the subject of an audit finding shall be retained for three (3) years after such finding has been resolved. If the Company goes out of business, the Company shall forward the books and records to the City to be retained by the City for the period of time required herein.

(b) The City or its designated representative(s) shall have the right to inspect and audit (including the right to copy and/or transcribe) the books and records of the Company pertaining to the performance of this Contract during normal business hours. The City will provide prior written notice to the Company of the audit and inspection. If the books and records are not located within Clark County, the Company agrees to deliver them to the City, or to an address designated by the City within Clark County. In lieu of such delivery, the Company may elect to reimburse the City for the cost of travel (including transportation, lodging, meals and other related expenses) to inspect and audit the books and records at the Company's office. If the books and records provided to the City are incomplete, the Company agrees to remedy the deficiency after written notice thereof from the City, and to reimburse the City for any additional costs associated therewith including, without limitation, having to revisit the Company's office. The Company's failure to remedy the deficiency shall constitute a material breach of this Contract. The City shall be entitled to its costs and reasonable attorney fees in enforcing the provisions of this Section.

(c) If at any time during the term of this Contract, or at any time after the expiration or termination of the Contract, the City or the City's designated representative(s) find the dollar liability is less than payments made by the City to the Company, the Company agrees that the difference shall be either: (i) repaid immediately by the Company to the City or (ii) at the City's option, credited against any future billings due the Company.

**E-18 Confidentiality – City Information** [CAO-7/24/08]

(a) All information, including but not limited to, oral statements, computer files, databases, and other material or data supplied to the Company is confidential and privileged. The Company shall not disclose this information, nor allow to it be disclosed to any person or entity without the express prior written consent of the City. The Company shall have the right to use any such confidential information only for the purpose of providing the services under this Contract, unless the express prior, written consent of the City is obtained. Upon request by the City, the Company shall promptly return to the City all confidential information supplied by the City, together with all copies and extracts.

(b) The confidentiality requirements shall not apply where (i) the information is, at the time of disclosure by the City, then in the public domain; (ii) the information is known to the Company prior to obtaining the same from the City; (iii) the information is obtained by the Company from a third party who did not receive the same directly or indirectly from the City; or (iv) the information is subpoenaed by court order or other legal process, but in such event, the Company shall notify the City. In such event the City, in its sole discretion, may seek to quash such demand.

(c) The obligations of confidentiality shall survive the termination of this Contract.

**E-19 Marketing Restrictions** [CAO-7/24/08]

The Company may not publish or sell any information from or about this Contract without the prior written consent of the City. This restriction does not apply to the use of the City's name in a general list of customers, so long as the list does not represent an express or implied endorsement of the Company or its services.

**E-20 Intellectual Property Rights** [CAO-7/24/08]

All deliverables produced under this Contract, as well as all data, notes and documentation collected on behalf of the City, are exclusively the property of the City.

**E-21 Taxes/Compliance with Laws** [CAO-08/01/13]

(a) The City is exempt from paying Sales and Use Taxes under the provisions of Nevada Revised Statutes 372.325(4), and Federal Excise Tax, under Registry Number 88-87-0003k. The Company shall pay all taxes, levies, duties and assessments of every nature and kind which may be applicable to any work under this Contract. The Company shall make any and all payroll deductions required by law. The Company agrees to indemnify and hold the City harmless from any liability on account of any and all such taxes, levies, duties, assessments and deductions.

(b) The Company, in the performance of the obligations of this Contract, shall comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Contract including, but not limited to, the Federal Occupational Safety and Health Act.

**E-22 Licenses/Registrations** [CAO-01/20/16]

During the entire performance period of this Contract, the Company shall maintain all federal, state, and local licenses, certifications and registrations applicable to the work performed under this Contract, including maintaining an active City of Las Vegas business license if required by Las Vegas Municipal Code 6.02.060.

**E-23 Non-Discrimination and Fair Employment Practices** [CAO-07/31/13]

(a) Discrimination: The City of Las Vegas is committed to promoting full and equal business opportunity for all persons doing business in Las Vegas. The Company acknowledges that the City has an obligation to ensure that public funds are not used to subsidize private discrimination. Company recognizes that if the Company or their subcontractors or subconsultants are found guilty by an appropriate authority of refusing to hire or do business with an individual or company due to reasons of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, or any other legally protected status; City may declare the Company in breach of contract and terminate Contract.

(b) Fair Employment Practices: In connection with the performance of work under this Contract, the Company agrees not to discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, national origin, or any other legally protected status. Such agreement shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

(c) The Company further agrees to insert this provision in all subcontracts hereunder. Any violation of such provision by a Company shall constitute a material breach of this Contract.

**E-24 Employment of Unauthorized Aliens** [CAO-01/20/16]

In accordance with the Immigration Reform and Control Act of 1986, the Company agrees that it will not employ unauthorized aliens in the performance of this Contract.

**E-25 Conforming Services** [CAO-7/24/08]

The services performed under this Contract shall conform in all respects with the requirements set forth in this Contract. The Company shall furnish the City with sufficient data and information needed to determine if the services performed conform to all the requirements of this Contract.

**E-26 Independent Contractor** [CAO-7/24/08]

In the performance of services under this Contract, the Company and any other person employed by it shall be deemed to be an independent contractor and not an agent or employee of the City. The Company shall be liable for the actions of any person, organization or corporation with which it subcontracts to fulfill this Contract. The City shall hold the Company as the sole responsible party for the performance of this Contract. The Company shall maintain complete control over its employees and all of its subcontractors. Nothing contained in this contract or any subcontract awarded by the Company shall create a partnership, joint venture or agency with the City. Neither party shall have the right to obligate or bind the other party in any manner to any third party.

**E-27 Official, Agent and Employees of the City Not Personally Liable** [CAO-01/20/16]

It is agreed by and between the parties of this Contract, that in no event shall any official, officer, employee, or agent of the City in any way be personally liable or responsible for any covenant or agreement therein contained whether expressed or implied, nor for any statement, representation or warranty made herein or in any connection with this Contract.

**E-28 Conflict of Interest (City Officials)** [CAO-5/2/12]

(a) An official of the City, who is authorized on behalf of the City to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Contract, payments under this Contract, or work under this Contract, shall not be directly or indirectly interested personally in this Contract or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for the City, who is authorized on behalf of the City to exercise any legislative, executive, supervisory or other similar functions in connection with this Contract, shall become directly or indirectly interested personally in this Contract or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Contract.

(b) Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City relating to this Contract. Notwithstanding any other provision of this Contract, if such interest becomes known, the City may immediately terminate this Contract for default or convenience, based on the culpability of the parties.

(c) The Company represents and warrants that it has, in accordance with the current policy of the City, disclosed the ownership and principals of the Company on Attachment 1 (Certificate – Disclosure of Ownership/Principals), and that it has a continuing obligation to update this disclosure whenever there is a material change in the information contained therein.

**E-29 Public Records** [CAO-5/2/12]

The City is a public agency as defined by state law. As such, it is subject to the Nevada Public Records Law (Chapter 239 of the Nevada Revised Statutes). The City's Records are public records, which are subject to inspection and copying by any person (unless declared by law to be confidential). This Contract and all supporting documents are deemed to be public records.

**E-30 Use By Other Government Entities** [CAO-01/20/16]

A governing body or its authorized representative and the State of Nevada may join or use the contracts of local governments located within or outside this State with the authorization of the contracting vendor. In the event the Company allows another governmental entity to join the Contract, it is expressly understood that the City shall in no way be liable for the obligations of the joining governmental entity.

**E-31 Certification – No Israel Boycott** [CAO 6/11/18]

By signing this Contract, Company certifies that, at the time of Contract signature, it is not engaged in, and agrees for the duration of the Contract not to engage in, a boycott of the State of Israel per NRS 332.065.

"Boycott of Israel" means refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with Israel; or a person or entity doing business in Israel or in territories controlled by Israel, if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion. It does not include an action which is based on a bona fide business or economic reason; is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law.

**E-32 Counterpart Signatures** [CAO-9/24/08]

This Contract may be executed in counterparts. All such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized representatives.

**CITY OF LAS VEGAS**

Purchasing and Contracts Manager — Date

**THE FERRARO GROUP**

GREG FERRARO
President — Date: 2/26/20

ATTEST:

LUANN D. HOLMES, MMC
City Clerk — Date

APPROVED AS TO FORM:

Seth T. Floyd
Deputy City Attorney — 2/25/20

Deputy City Attorney — Date

# EXHIBIT A – SCOPE OF WORK

## 1. Scope of Work

The Company will provide advice and services with respect to matters concerning the City in connection with general state legislative issues. Services will generally include, but may not be limited to:

(i) Prepare documents, research, and fiscal analysis for legislative committees, meet with legislators, monitor legislative committees and statewide financial committees, monitor and provide updates of pending legislation for the interim and upcoming legislative session.

(ii) Assist the City in formulating and finalizing a legislative strategy for upcoming legislative sessions, develop bill drafts for local or regional issues, and work with legislators, legislative staff, state departments, Nevada League of Cities, Nevada Association of Counties, other local governments, and trade associations and organiations regarding legislative issues and the submittal and lobbying of bill drafts to the legislature.

(iii) Monitor and provide updates of the interim legislative committees and state agency public meetings as they relate to the City of Las Vegas.

(iv) Identify state legislation and legislative proposals that may impact the City.

(v) Identify proposed state regulatory changes that may impact the City.

(vi) Work with City staff to develop positions on relevant legislation as appropriate.

(vii) Draft legislation and amendments as necessary.

(viii) Identify alternative legislative methods if a bill appears to be in jeopardy.

(ix) Lobby for the City's position on legislation and regulatory matters of interest.

(x) Draft letters and talking points on legislation as necessary, for the legislators, City management, and elected officials.

(xi) Testify on behalf of the City at hearings before legislative and interim legislative committees.

(xii) During legislative session, meet daily with City staff and with others as requested by the City. Proactively assist in coordinating and establishing meetings as-needed.

(xiii) Act solely in an advisory and consulting capacity. The Company cannot and will not make decisions on behalf of the City. The City has the sole final decision with regard to any matters for which the Company has been retained.

## 2. Long-Term Legislative Strategy Development

The Company shall work with City staff to develop a long term legislative strategy based on known or anticipated areas of legislative concern or opportunity.

## 3. Meetings and Deliverables

The Company shall provide regular deliverables and attend regular meetings as follows:

(i) Once per week during legislative session, and once per month outside of legislative session, the Company shall submit a written update summarizing key issues, legislative activity, and actions taken on behalf of the City during that period, to include meetings held, topics discussed, and potential upcoming issues.

(ii) Once per month throughout the Contract term, the Company shall schedule with the City a Monthly Status Update meeting, to include key Company and City representatives.

(i) On the final day of each calendar quarter, the Company shall submit a Quarterly Report summarizing important actions of the previous calendar quarter, and issues and plans for the upcoming quarter. The Quarterly Report may include, but need not be limited to:

- Summary of meetings held, and topics discussed.

- Summary of deliverables or achievements in the previous quarter.
- Strategic communication and meeting suggestions.
- Updates on known or potential issues.

(ii) Assist in preparation of a summary report after each legislative session, and presentation of the report before Mayor and Council, within thirty days of adjournment sine die.

**4. Annual Review**

Once per calendar year, the City will schedule a meeting with the Company, and will provide feedback from the City's perspective, to include successes from the past year, and areas for improvement in the upcoming year.

**5. Key Issues**

Key state legislative issues for the City may include, but are not limited to:

(i) Annexation
(ii) Business Licensing
(iii) Collective bargaining
(iv) Economic development
(v) Elections
(vi) Homeland Security
(vii) Homelessness
(viii) Judicial regulations
(ix) Local government authority
(x) Presumptive benefits
(xi) Prevailing wage
(xii) Public Safety
(xiii) Public Works
(xiv) Purchasing
(xv) Redevelopment
(xvi) Taxation
(xvii) Unfunded mandates
(xviii) Zoning

# 200093-PH Addendum 2
# The Ferraro Group
# Supplier Response

## Event Information

Number: 200093-PH Addendum 2
Title: State Legislative Representation
Type: Request for Proposal
Issue Date: 11/25/2019
Deadline: 1/9/2020 01:30 PM (PT)
Notes: The City of Las Vegas (City) hereby invites qualified firms or individuals (Offerors) to submit written proposals for professional services in connection with the Nevada Sta te Legislature.

*Persons with a disability may request accommodations or assistance to participate in the solicitation process by contacting Purchasing & Contracts at 702-229-6231 or 7-1-1 (TTY). To insure the City is able to meet your needs, please submit requests at least 2 business days in advance.*

## The Ferraro Group Information

Contact: Holly Silvestri
Address: 9205 W. Russell Rd., Suite 340
Las Vegas
Las Vegas, NV 89148
Phone: (702) 367-7771
Email: holly@theferrarogroup.com

This Proposal constitutes an offer to enter into a Contract for the scope of services described herein. Execution of this document by the Offeror shall represent that the Offeror is familiar with all local conditions and correlated this knowledge with the requirements of this RFP.
The undersigned Offeror has received, read and fully understands and agrees to all terms, conditions and specifications set forth in this RFP. The Offeror hereby agrees to contract with the City to perform all work and/or furnish all materials specified in the manner and time prescribed in the RFP. By signing below, I certify under penalty of perjury that all information provided to the City is truthful and correct, and that I am authorized to sign this document and bind the Offeror organization.

Greg Ferraro — *Signature*
greg@theferrarogroup.com — *Email*
*Submitted at 1/8/2020 11:58:04 AM*

## Requested Attachments

**RESPONSE ATTACHMENT 1 - PROPOSAL** Response to RFP - Project No. 200093-PH - The Ferraro Group.pdf

Upload Proposal as a single discrete file. Proposal MUST NOT contain confidential information. Refer to "Instructions to Offerors" and "Proposal Content & Statement of Work" under the Attachments Tab for detailed information on submitting a Proposal.

**CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS** Disclosure of Ownership - The Ferraro Group.pdf

Upload the completed "Certificate - Disclosure of Ownership/Principals" form, available on the Attachments Tab.

## Bid Attributes

| | |
|---|---|
| 1 | **PROJECT OVERVIEW**<br>The City is seeking advice and services with respect to matters concerning the City in connection with general state legislative issues. Reference additional information under the Attachments Tab for specific requirements, terms and conditions. |
| 2 | **ACKNOWLEDGEMENT OF DESIGNATED CONTACT**<br>The Purchasing & Contracts Representative named on the Event Details Tab is the one designated point of contact for the entirety of this process. Participants acknowledge that communication with non-purchasing City staff during the period beginning with issuance of the solicitation and ending with award of a Contract or cancellation of the solicitation may result in immediate disqualification from this RFP. This prohibition includes communication with City Council members and City legislative affairs staff.<br>Acknowledged |

**3 OFFICIAL RFP DOCUMENTS**

RFP Documents obtained from any source other than NGEM may not be accurate or complete and each Offeror as sumes all risks by its reliance on such documents. Any Offeror who has not obtained RFP Documents from NGEM m ay not be notified of Addenda issued by the City, which could contain material changes such as additions or change s to the scope of work, extensions of time, etc. Offerors who wish to submit hard copy Proposals rather than using t he NGEM system must request official submittal forms from the Purchasing & Contracts Representative named on t he NGEM Event Details Tab.

Acknowledged

**4 ACKNOWLEDGEMENT OF ADDENDA**

Offeror acknowledges responsibility for ascertaining the issuance of any and all Addenda via NGEM prior to the Clo se Date, and agrees to comply with all terms, conditions and specifications contained therein.

Acknowledged

**5 BEST VALUE AWARD CRITERIA**

Pursuant to the provision of NRS 332.115, award of this Contract is not subject to the competitive bidding requireme nts of NRS 332.065. Any Contract resulting from this RFP will be awarded to the Offeror whose Proposal has been determined to be responsive to the requirements of the RFP, and to provide the best value, both determined in the sole judgment of the City. Best value means the greatest overall benefit to the City after taking into consideration fa ctors other than price alone. The City reserves the right to consider any other factors when evaluating Proposals, w hen such consideration serves the goals and interests of the City. Offeror acknowledges review of the ”Instructions t o Offerors” and ”Proposal Format & Statement of Work”, available under the Attachments Tab, and accepts this RF P as a best value procurement.

Acknowledged

**6 PUBLIC RECORDS**

Proposals will become public records following recommendation to award. Confidential information MUST NOT be su bmitted through NGEM. Requirements for submitting confidential information can be found in Section 6 of the ”Instru ctions to Offerors” document under the Attachments Tab.

Acknowledged

**7 CONTRACT TYPE**

The Sample Agreement is provided under the Attachments Tab and should be thoroughly reviewed. SHOULD AN O FFEROR BE SELECTED FOR AWARD, ANY RESULTANT CONTRACT SHALL CONTAIN SUBSTANTIALLY THE TER MS AND CONDITIONS SET FORTH HEREIN.

Acknowledged

**8 PERFORMANCE PERIOD**

It is intended that the initial performance period will be from Award Date through July 31, 2021, with up to five two-ye ar options for renewal. The City reserves the right to exercise an option to temporarily extend the Contract term for up to one hundred eighty (180) calendar days from expiration date, for any reason.

Acknowledged

**9 CERTIFICATION - NO ISRAEL BOYCOTT**

The Successful Offeror will be required to certify they are not boycotting the State of Israel. By signing any Contract as a result of this solicitation, Offeror certifies that it is not engaged in, and agrees for the duration of the Contract n ot to engage in, a boycott of the State of Israel as defined in NRS 332.065.

Acknowledged

**10 INSURANCE DEDUCTIBLES**

Do the Offeror's insurance deductibles meet the requirements of the Insurance clauses contained in Contract Section D - Special Conditions (see sample Contract under the **Attachments Tab**)? Offerors *selecting 'No' must provide the details requested below in Insurance Deductible Increase Request.*

Yes; Contract deductible requirements will be met

**11 INSURANCE DEDUCTIBLE INCREASE REQUEST**

Indicate actual deductible amounts for each insurance type where those amounts exceed the requirements of the sample Contract. In accordance with the Insurance clauses contained in Contract Section D - Special Conditions, the City will review the request and determine if the requested deductibles or self-insured retentions are acceptable. The City may request an audited financial statement for review

*No response*

**12 INSURANCE CONTACT INFORMATION**

Provide the name, phone number and email address of a responsible individual within your company who will provide required insurance documentation.

Joe Rahmeyer, (775) 331-4555, joe@theferrarogroup.com

The Ferraro Group
PUBLIC RELATIONS & PUBLIC AFFAIRS

# Response to Request for Proposal
# Project No. 200093-PH
# Nevada Legislative Representation
# January 7, 2020

## Section 1 – Qualifications and Experience

### A. Offeror's Name and Address

The Ferraro Group
9205 W. Russell Road, Suite 340
Las Vegas, NV 89148

### B. Individual Authorized to Bind the Offeror

Greg Ferraro
President
(702) 367-7771
greg@theferrarogroup.com

### C. Authorized Representative

Greg Ferraro
President
(702) 367-7771
greg@theferrarogroup.com

### D. Offeror Licenses

Nevada State Business License
No. NV20041598724

Clark County Business License
No. 2000572-528

City of Las Vegas Business License
No. G65-00774

## Section 2 – Qualifications and Experience

### A. Offeror's Experience

The Ferraro Group (TFG) is a leading public affairs firm with offices in Las Vegas, Reno, Carson City, Phoenix and Washington, D.C. Collectively, TFG has over 100 years of experience in the public affairs arena, with several of its team members representing clients at the Nevada Legislature for over 20 years. TFG is proud to represent many of Nevada's most prominent businesses and associations, including JPMorgan Chase, Apple, Cisco, the Nevada Resort Association, NV Energy, SilverSummit Health Plan, The Nevada State Contractors Board, and Employers Insurance Company, to name a few.

In 2001, Ostrovsky and Associates began representing the City of Las Vegas before the Nevada Legislature. In 2012, Ostrovsky and Associates merged with TFG and subsequently TFG began representing the City. TFG is honored to again be considered for the opportunity to represent the City of Las Vegas.

### B. Joint Venture

TFG is submitting this RFP response to serve as the exclusive legislative representative of the City of Las Vegas. TFG is not in a joint venture with any other firm.

### C. Key Personnel Experience

TFG's public affairs team consists of 6 people: Greg Ferraro, Robert Ostrovsky, Mike Sullivan, Misty Grimmer, Gabriel McGregor and Tommy Ferraro.

The lead members of the team for the City will be Bob Ostrovsky, Mike Sullivan and Misty Grimmer. All three are located in the southern Nevada office of TFG; however, during the legislative session, Mr. Sullivan and Ms. Grimmer relocate to Carson City full-time while Mr. Ostrovsky alternates his time between Carson City and Las Vegas, testifying when necessary from either location.

Considered to be the "dean" of labor/management issues, Mr. Ostrovsky has had a meaningful presence at the Legislature since 1979. During that time, he has worked on a myriad of issues for clients with a specific focus on worker's compensation, union contracts, and local- state governance. His experience and knowledge have been critical for many of the City's most important bills for nearly three decades.

Mr. Sullivan's tenure at the legislature began in 1999 and includes representation focusing on transportation, local governance and technology. A member of the City's external lobbying team since 2001, Mr. Sullivan also is the TFG lead on issues before local governments in southern Nevada.

Ms. Grimmer began her career at the legislature in 1997 with a focus on areas such as health care, utilities, taxation, technology and employment issues. Her vast relationships and trust

among legislative leadership has helped the City accomplish much of its agenda in the past 17 years.

As president and founder of The Ferraro Group, Greg Ferraro has three decades of experience working in Carson City. Prior to founding The Ferraro Group in 2004, Mr. Ferraro spent 12 years at R&R Partners, a national communications company based in Las Vegas, where he served as president of the government and public affairs division.

Gabriele McGregor joined The Ferraro Group in 2013 after interning with the firm during the 77th Session of the Nevada Legislature. Her current role as Public Affairs Manager includes monitoring and working with regulatory, local government, and state government bodies to represent the needs of our clients and providing assistance on multiple levels for campaigns.

Tommy Ferraro joined The Ferraro Group in December of 2018. As a member of The Ferraro Group's public affairs team, Mr. Ferraro is responsible for monitoring and reporting on clients' issues during and outside of legislative sessions, helping manage candidate and ballot question campaigns, and assisting in strategic communications planning for the firm's clients.

**D. Workload Accomplishment**

During the legislative session, TFG has a client list of approximately 20 clients. In addition to designated lead team members, TFG has staff members available for research, bill tracking, scheduling, drafting amendment language, and attendance of and reporting on legislative committees. During the legislative session, TFG also brings on interns or additional junior members for the purpose of committee attendance, floor session monitoring, and bill/amendment review. Previously, TFG has also assigned one intern to work at least half-time exclusively on City of Las Vegas needs at the City's request.

**E. Clients currently represented at the Nevada State Legislature:**

3M Corporation
Apple
CAWA
Cisco Systems
Cox Communications
Dacole
E.L. Wiegand Foundation
Employers
Golden Entertainment
Herbst Oil
JPMorgan Chase Holdings LLC
Las Vegas Police Protective Association
MHM Services
Nevada Power
Nevada Resort Association
Nevada State Athletic Commission
Nevada State Contractors Board
North Vista Hospital
NV Energy
Oakland Raiders
Reno Aces
Scientific Games
Sierra Pacific Power
SilverSummit Health Plan
South Tahoe Alliance of Resorts (STAR)
The Ferraro Group
Waste Management
Western Governors University

**Conflict of Interest**

The Ferraro Group has no current clients that would present a conflict of interest. While under contract, we would decline any other potential clients that would present a conflict to The City of Las Vegas.

**D. References:**

Margi Grein
Executive Officers – Nevada State Contractors Board
702-486-1133
mgrein@nscb.state.nv.us

Virginia Valentine
CEO – Nevada Resort Association
702-735-4888
valentine@nevadaresorts.org

Jim Werbeckes
VP of Government and Regulatory Affairs – Employers Insurance Company
775-327-2458
jwerbeckes@eigwc.com

**Section 3 – Work Plan**

**A. Work Plan Development**

As TFG, and as Ostrovsky and Associates before 2012, has done for the past 17 years, we have worked with City staff from each department and internal government affairs staff to identify the issues of interest to the City that need to be addressed during the legislative session.

On a going forward basis, TFG will identify legislative and the executive branch members who could be helpful in achieving the desired outcomes for each of the issues. TFG will also work with City staff to plan meetings and educational sessions to fully inform legislators and staff on the background, details, and potential solutions for key issues. If the issues are going to be addressed through the City's own bill draft requests (BDRs), TFG will work with City staff to draft the bills and ensure the BDRs make their way through the legislative process and the regulatory approval process. This will include assistance in drafting bill language, preparing written and oral testimony for hearings and meetings, identifying and building coalitions, regular communication with city staff as a bill may require amendments throughout the process, monitoring bills as they make their way through both houses and to the Governor, answering questions from legislators, executive branch staff and/or state agencies about bills, and, if necessary, identifying alternative vehicles if a bill appears to be in jeopardy.

## B. Methods

TFG has offices in Carson City, Las Vegas, Reno and Washington, D.C. Our offices in Carson City are located directly across the street from the legislative building and are always available for use by City staff for conference calls and meetings. During the legislative session, we have a regularly scheduled meeting with CLV staff. Our team is available all day, every day, either in person or via phone or email, during the legislative session. In the legislative interim, we have monthly meetings in Las Vegas with City staff. Whether in or out of session, we ensure proper City personnel are aware of and involved in hearings and meetings addressing City concerns.

## C. Relationship Development

It is easier for other interests to oppose legislation that is sponsored and/or advocated solely by the City rather than bills championed by a coalition of legislators. Therefore, TFG strongly recommends the City establish strong relationships with legislators who are willing to advocate on behalf of the City's priorities. In the past, the City has often "gone it alone" or merely relied on working with other local governments as partners. Going forward, TFG recommends building coalitions with other interested private parties and public entities to develop legislative champions long before the start of session.

There are several issues important to the City that are of regional or statewide interest. TFG would assist the City in strategically positioning itself in a leadership role on the priority issues. TFG would also help City staff identify which issues it should maintain a background role while ensuring the City's voice is heard and those in which the City should take a visible leadership role. Through TFG's decades of experience in the Legislature, and working on behalf of the City's for so long, we are well positioned to help achieve the aforementioned objectives.

## D. Legislative Bill Tracking Technology

For assistance with legislative bill tracking, TFG subscribes to the NELIS tracking service offered by the Legislative Council Bureau. Having previously used other systems, we find this system to be the best one for quickly updating and providing information regarding hearing schedules and changes.

Additionally, through the NELIS system, we maintain separate tracking reports for each TFG client, all of which are kept current and delivered to clients on a weekly basis.

In the past, the City has chosen to maintain its own internal tracking system. Regardless of which system the City selects, TFG and City staff will work collaboratively to prioritize legislation on tracking systems.

## Section 4 – Exceptions

N/A

**Section 5 – Pricing proposal**

As directed in the RFP:
For the months during the legislative interim (2/1/2020 – 7/31/2020) –
$6,000 per month

For the months leading up to legislative session (8/1/2020 – 1/31/2021) –
$10,000 per month

For the months during the legislative session (2/1/2021 – 7/31/2021) –
$14,000 per month

Expenses would be capped at $15,000 for the 18-month term of the contract as described in the RFP.

Expenses would include costs outside the normal course of everyday business such as travel outside of the legislative session, purchasing tables at legislative or charitable events, preparation and production of presentation materials if considered to be in large quantities, etc. Travel expenses would require pre-approval from City management.

## CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS

### 1. Definitions

*"City"* means the City of Las Vegas.

*"City Council"* means the governing body of the City of Las Vegas.

*"Contracting Entity,"* means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal*" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

### 2. Policy

In accordance with Resolutions 79-99, 105-99 and RA-4-99, adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

### 3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted.

### 4. Incorporation

An updated and notarized Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

| **Block 1: Contracting Entity** | |
|---|---|
| **Name:** The Ferraro Group | |
| **Address:** 9205 W Russell RD, STE 340 | **City / ST / Zip:** Las Vegas, NV 89148 |
| **Telephone:** (702) 367-7771 | **EIN or DUNS :** 76-0765402 |
| **Block 2: Description / Subject Matter of Contract** | |
| **Services for:** Legislative Representation | **Project Number:** 200093-PH |

**Block 3:** **Type of Business**

☐ Individual ☐ Partnership ■ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:

## CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

**Block 4: Disclosure of Ownership and Principals**

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

| | FULL NAME/TITLE | BUSINESS ADDRESS | BUSINESS PHONE |
|---|---|---|---|
| 1 | Greg Ferraro | 165 W Liberty ST, STE 210, Reno, NV 89501 | (775) 331-4555 |
| 2 | Holly Silvestri | 9205 W Russell RD, STE 340, Las Vegas, NV | (702) 367-7771 |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership/Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

**Block 5: Disclosure of Ownership and Principals – Alternate**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: ____

**Contracting Party Certification** ***(Notarized signature required in event of contract award per seetion 4, "Incorporation")***

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Signature

1/6/2020
Date

Subscribed and sworn to before me this 6th day of January, 2020

Cynthia Perry
Notary Signature

CYNTHIA PERRY
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 98-5140-2 - Expires Oct. 23, 2022

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**16**

**DEPARTMENT: Finance** **CONSENT**
**DIRECTOR: Venetta Appleyard**

**SUBJECT:**
For possible action to approve award of Contract No. 200180-SK, Blanket Services Contract for Construction Manager As Agent and Staff Augmentation Services - Department of Public Works - Award recommended to: DIVERSIFIED CONSULTING SERVICES, INC. (Not-to-Exceed $1,600,000 - Various Funds)

**FISCAL IMPACT:**
Budget Funds Available
Amount: Not-to-Exceed $1,600,000
Funding Source: Various Funds
Dept./Division: Public Works

**PURPOSE/BACKGROUND:**
This is a task order contract which may include Construction Manager as Agent and Staff Augmentation Services in support of the City's Capital Improvement Program. Award of this Contract is recommended by the City of Las Vegas Consultant Selection Committee based on the 2018 Statement of Qualifications process. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1. (b), Professional Services. Diversified Consulting Services, Inc. is located in Las Vegas, Nevada.

**RECOMMENDATION:**
Approve as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

**BACKUP DOCUMENTATION:**
1. Contract No. 200180-SK
2. Certificate - Disclosure of Ownership/Principals

# BLANKET SERVICES CONTRACT
## FOR
# CONSTRUCTION MANAGER AS AGENT AND STAFF AUGMENTATION SERVICES

THIS CONTRACT is made and entered into this _____ day of _____, 2020, by and between the **CITY OF LAS VEGAS**, a municipal corporation within the State of Nevada (herein the "City") whose address is **333 North Rancho Drive, Las Vegas, Nevada 89106**, and **Diversified Consulting Services, Inc.** (the "Consultant"), a **Corporation organized and existing under the laws of the State of Nevada , whose address is 8872 South Eastern Avenue, Suite 200, Las Vegas, Nevada 89123**.

## W I T N E S S E T H:

WHEREAS, the City intends to construct **Various Projects Related to the City's Capital Improvement Program** (herein individually and collectively the "Project" and "Projects," respectively) which may be known or unknown to the City at the time of the execution of this Contract; and

WHEREAS, with respect to each Project, the City desires to retain the Consultant who will be responsible for providing the professional services more fully described below and in the exhibits attached hereto; and

WHEREAS, the Consultant is properly licensed pursuant to NRS Chapter 338, 623, 623A, 624, or 625, whichever is legally required for the services to be provided within the State of Nevada, and if applicable to the Consultant's business organization, is in compliance with NRS 623.349 for architects, interior designers, and residential designers and NRS 623A.250 for landscape architects, which requires that control and no less than two-thirds ownership of the business organization or association be held by persons registered or licensed in the State of Nevada pursuant to NRS Chapters 623, 623A, or 625, and possesses the special knowledge, skills and expertise to perform the services hereinafter set forth within the time required under this Contract;

WHEREAS, with respect to the Project, the City intends to retain a qualified and licensed contractor (herein the "Contractor") to construct the Project having been designed and engineered by professional architects and engineers;

WHEREAS, the Consultant has not and will not take part in the design or construction of the Project;

WHEREAS, the Consultant will not be assuming the Contractor's overall responsibility for ensuring the Project is completed in a satisfactory manner, or the Contractor's responsibility for the cost, quality or timely completion of the construction;

WHEREAS, the parties hereto intend with the execution of this Contract to give to the City the flexibility and ability to determine what services are to be provided by the Consultant on a project by project basis through the issuance of a Project Task Order (herein defined in Section 1.01) thereby eliminating the need of executing separate contracts with the Consultant for each Project.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree to the following terms, conditions and covenants set forth in Sections One through Ten hereof:

## SECTION ONE
## CONSULTANT RESPONSIBILITIES

**1.01** ***Description of Consultant's Services.***

**A.** ***Definition.*** A "Project Task Order" refers to that document which sets forth the specific services to be provided by the Consultant in connection with a particular Project.

**B.** ***Issuance.*** If so requested by the City, the Consultant shall assist the City in preparing a Project Task Order setting further the services to be provided in connection with a particular Project. The Project Task Order shall be prepared substantially in conformance with the form attached hereto as Exhibit "H." Each executed Project Task Order shall be attached hereto as Exhibit "H" with the appropriate numerical sequence (e.g., H-1, H-2, H-3, etc.) and shall become a part of this Contract.

**C.** ***Services.*** For each Project Task Order approved and executed by the City, the Consultant hereby agrees to provide the services set forth therein subject to the terms and conditions of this Contract. For the compensation set forth in Section Seven, the Consultant hereby agrees to perform the basic services set forth in the Scope of Services, **Exhibit "A"** attached thereto and incorporated therein as a part of this Contract and, if so requested, the additional services set forth in the Additional Compensation, **Exhibit "E"** attached thereto and incorporated therein as a part of this Contract and to provide the submittals described in the Required Submittals **Exhibit "B,"** attached thereto.

**1.02** ***Performance Standards.*** In performing the services set forth in this Contract, the Consultant shall follow the practices consistent with the generally accepted standards in the profession of the services being provided to the City pursuant to this Contract.

**1.03** ***Document Review.*** The Consultant shall review each document prepared by the Consultant and its subconsultants including, without limitation, the plans, drawings and specifications for conformance with quality control requirements, Project standards and applicable federal, state and local laws and other regulations. Consultant shall also review each document for violations or infringements upon any patent rights.

**1.04** ***Waiver.*** The City's approval of any documents or services furnished by the Consultant shall not in any way relieve the Consultant of responsibility for the professional and technical accuracy of its documents or services. The City's review, approval, acceptance or payment for any of the Consultant's services shall not be construed to operate as a waiver of any rights enjoyed by the City under this Contract or of any cause of action arising out of the performance of this Contract. The Consultant shall remain liable for any damages to the City caused by the Consultant's negligent act or omission committed in the performance of this Contract.

**1.05** ***Designation of Consultant's Representative.*** The Consultant's representative is the individual identified in the Key Personnel List, **Exhibit "F"** attached hereto (the "Consultant Representative") to act in that capacity, who shall be responsible for the services required under this Contract. The services specified by this Contract and each Project Task Order shall be performed by the personnel identified in the Key Personnel List and by the personnel identified in each Project Task Order provided that such associates and employees perform under the personal supervision of the Consultant Representative.

If any person or subconsultant who is expected to provide any of the services required under this Contract is objectionable to the City for any reason, the Consultant shall, without additional compensation, replace such person or subconsultant with someone acceptable to the City.

If the Consultant's personnel are unable to complete their responsibilities for any reason under this Contract, or the Consultant desires for any reason to substitute personnel assigned to the Project, the Consultant agrees to obtain the approval of the City for the substitution. The City shall not unreasonably deny approval unless the City adjudges the substitution to not be in the interest of the City or the Project.

If the Consultant fails to make an acceptable replacement within thirty (30) days, the City may terminate this Contract for default as provided in Section 10.03 of this Contract.

**1.06** ***Correspondence Review.*** The Consultant shall furnish the City Representative draft copies of each correspondence to be sent to any contractor involved with the Project, and to any regulatory agencies, for approval and review prior to mailing such correspondence.

**1.07** ***Cooperation with the City.*** The Consultant agrees that its officers, associates, employees and subconsultants will cooperate with the City in providing the services under this Contract and will be, with advance notice, available for consultation with the City at such reasonable times as to not conflict with the City's other responsibilities.

## SECTION TWO
## CITY RESPONSIBILITIES

**2.01** ***City Representative.*** The Director of Public Works or his authorized representative identified in the Key Personnel List is hereby designated as the City's representative (the "City Representative") with respect to this Contract. The City Representative shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services of the Consultant. The City Representative is not authorized to change or waive any of the provisions set forth in Sections 1.01 through 10.24 of this Contract.

**2.02** ***Review of Consultant's Services and Documents.*** The services to be performed by the Consultant shall be subject to periodic review by the City Representative. To prevent an unreasonable delay in the Project, the City Representative will endeavor to examine and comment in writing on the documents furnished by the Consultant including, without limitation, test results, evaluations, and reports within

twenty-one (21) days of receipt of such documents, unless the Contract provides for a different review time with respect to the document.

**2.03** ***Access to Records.*** The City shall, without charge, furnish a copy to, or make available for examination or use by, the Consultant, as it may request, any documents and data which the City has available including, without limitation, reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, and other documents related to the services required under this Contract. The City shall assist the Consultant in obtaining data and documents from public agencies and from private citizens and business firms whenever the City determines that such material is necessary for the completion of the services required by this Contract.

**2.04** ***Cooperation with Consultant.*** The City agrees that its officers and employees will cooperate with the Consultant in the performance of this Contract and will be, with advance notice, available for consultation with the Consultant at such reasonable times as to not conflict with the Consultant's other responsibilities. The City shall provide access to the Consultant on to the Project site as may be required to perform the services under this Contract.

## SECTION THREE
## CHANGES TO CONSULTANT'S SERVICES

**3.01** ***Requested Changes.*** The City may at any time, by written order of the City Representative, make a change in the services to be performed by the Consultant under this Contract.

**3.02** ***Adjustment of Compensation.*** If the change requested by the City causes an increase or decrease in the cost or time required to perform any of the services required under this Contract, an equitable adjustment shall be made in the compensation to be paid to the Consultant under Section Seven, or in the performance schedule under Section Eight, or both, and this Contract shall be modified in writing accordingly. Each claim for adjustment under this Section must be asserted in writing within thirty (30) days from the date of receipt by the Consultant of written notification of the change, unless the City grants in writing an extension. Provided proper notice has been given to the City as required herein, the claim for an adjustment shall be handled pursuant to the provisions of 10.20B and 10.20C of this Contract. The failure to provide notification of the claim within the time required herein shall constitute a waiver of the right to seek any equitable or legal adjustment in compensation with respect to that change.

## SECTION FOUR
## ADDITIONAL SERVICES OF CONSULTANT

**4.01** ***Additional Services.*** The Consultant shall provide the additional services described in the Additional Compensation if, and only if, so requested in writing by the City. Payment for the additional services will be made to the Consultant in accordance with Section Seven of this Contract.

**4.02** ***Attendance at Meetings or Public Hearings.*** The Consultant shall notify the City in advance of any estimated additional costs which may be incurred prior to attending any meetings or public hearings as may be necessary in connection with the services performed by the Consultant under this Contract.

## SECTION FIVE
## SUBCONSULTANT CONTRACT

**5.01** ***Subconsultant Provisions.*** If, with the approval of the City as required pursuant to Section 10.07, the Consultant enters into an contract with a subconsultant for the performance of any of its obligations under this Contract, the Consultant agrees to include in each subconsultant contract a provision that:

(i) the Consultant agrees to pay the subconsultant when paid by the City for that portion of the services provided to the City and that no liability arises on the part of the Consultant for payment of the subconsultant services until payment has been made by the City. If the City has paid the Consultant for the subconsultant services, the subconsultant's only recourse is against the Consultant and not against the City, either through the institution of legal or equitable action or the attachment of any lien,

(ii) the subconsultant shall have no more rights against the City than that of the Consultant,

(iii) the subconsultant agrees to be bound by the terms, conditions and obligation of this Contract unless the City has approved any deviation, change or modification in writing, and

(iv) unless otherwise approved in writing by the City Representative, the subconsultant shall obtain and maintain professional liability insurance (Errors and Omissions coverage) in connection with the subconsultant services in an amount equal to that required of the Consultant in this Contract.

## SECTION SIX
## TERM OF CONTRACT

**6.01** ***Term.*** This Contract shall commence on the day it is approved by the City (which date shall be inserted in the introductory paragraph of this Contract) and shall remain in force and effect for **TWO YEARS** unless terminated earlier pursuant to Section 10.02 or 10.03 of this Contract. Such termination shall not release either party from any of its continuing obligations under this Contract. The City reserves the right to exercise an option to temporarily extend this Contract for up to thirty (30) calendar days from the expiration date, for any reason.

**6.02** ***Task Orders.*** Task Orders executed during the term of this Contract shall remain in force under the terms of this Contract until the responsibilities for each Task Order are completed, even if this Contract is no longer in effect.

**6.03** ***Disputes.*** This Section shall not be construed to preclude the filing of any dispute arising out of the performance of this Contract or in connection with the subject matter hereof, nor shall this Section be construed to change the date or the time on which a cause of action arising out of the performance of this Contract or in connection with the subject matter hereof, would otherwise accrue under the statutes of limitation or doctrines of law.

## SECTION SEVEN
## COMPENSATION AND TERMS OF PAYMENT

**7.01** ***Compensation: Basic Services.*** For the services to be performed by the Consultant under this Contract and set forth in the Scope of Services, the City agrees to pay the Consultant on the basis of Consultant's direct salary, times a Multiplier, as defined in Section 7.02 plus City approved reimbursable expenses identified in Section 7.04. In no event shall the fee exceed the fee identified in the Fee Breakdown, Exhibit "D" and direct salary rates, Exhibit "E," attached hereto, pursuant to invoices submitted in accordance with Section 7.05 of this Contract.

***7.02*** ***Multiplier.*** Exhibit D, Article 401.1 provides the multiplier is established for this contract. The multiplier includes costs associated with, but not be limited to: overhead, general and administrative costs, profit, vehicles, printing, and travel, unless directly identified as reimbursable per Contract Section 7.04 and Exhibit E. Documentation used to establish this multiplier is considered part of the project records and shall be maintained in accordance with Section 9.01.

**7.03** ***Compensation: Additional Services.*** For any services not set forth in the Scope of Services, the City shall pay to the Consultant on the basis of Consultant's direct salary, times the multiplier set forth in Exhibit D in accordance with Exhibit E, provided prior written approval for such services is given by the City Representative..

***7.03*** ***Compensation: Reimbursable Expenses***. Direct reimbursable expenses incurred by the Consultant for work performed under this Contract eligible for reimbursement include subconsultant or subcontractor services (provided the Owner has authorized, in writing, said services) and additional line items specified in Exhibit E. The Consultant agrees that all of its authorized reimbursable expenses associated with the performance of this Contract shall be billed at the actual cost incurred by the Consultant without mark-up of any kind.

**7.05** ***Payment Invoicing.*** The Consultant shall submit an invoice for payment for the services provided by the Consultant based on the manner or method of payment set forth in Exhibit A, Article 101 (Preliminary and General Items and Exhibit D (Fee Breakdown). The City Representative will notify the Consultant of any problems regarding the invoice within fourteen (14) days from receipt thereof. If no response is received from the City Representative within the aforementioned period of time, the Consultant may expect payment within a period of (60) days from the date of receipt by the City. If payment has not been received within the sixty (60) days, the Consultant agrees to contact the City Representative to resolve the problem causing the delay. If resolution of the delay is not satisfactory to the Consultant, the Consultant may submit a claim pursuant to Section 10.20A of this Contract.

**7.06** ***Right to Off-Set.*** The City Representative may subtract or offset from any unpaid invoice from the Consultant any claims, which the City may have for failure of the Consultant to comply with the terms, conditions or covenants of this Contract, or any damages, costs and expenses caused by, resulting from, or arising out of the negligent act or omission of the Consultant in the performance of the services under this Contract including, without limitation, any error or deficiency in the report or other documents prepared by the Consultant. Within

seven (7) days, the City Representative shall provide a written statement to the Consultant of the off-set which has been subtracted from any payment to the Consultant along with appropriate documentation and receipts, if any, and a description of the failure, error or deficiency attributed to the Consultant. The Consultant may dispute the right or amount of the off-set made by the City by providing written notification to the City within fourteen (14) days after receipt of the City's written notice. The City Representative shall provide a written response to the Consultant within seven (7) days of receipt of the Consultant's written dispute notice. If the Consultant disputes the City Representative's determination, the Consultant may file a claim pursuant to Section 10.21 of this Contract.

**7.07** ***Final Payment.*** Upon completion of the services required under this Contract, and acceptance thereof by the City (which acceptance will not be unreasonably withheld), the Consultant will, within sixty (60) days of the City's acceptance, be paid the balance of any money due for such services.

## SECTION EIGHT
## PERFORMANCE SCHEDULE

**8.01** ***Performance Schedule.*** The Consultant shall perform and complete the services required under this Contract according to the schedule (the "Performance Schedule") set forth in the Schedule of Performance, **Exhibit "C"** attached hereto. If the performance of services is delayed or submittals are not delivered in the time period as outlined in the Performance Schedule, the Consultant shall notify the City Representative in writing of the reasons for the delay and include a plan which brings the Consultant's performance into compliance with the Performance Schedule.

## SECTION NINE
## AUDIT: ACCESS TO RECORDS

**9.01** ***Records.*** The City shall have the right to audit the Consultant's books, records and other documents directly pertinent to the performance of this Contract. The Consultant agrees to maintain books, records and other documents directly pertinent to performance of this Contract in accordance with generally accepted accounting principles and practices. The Consultant shall also maintain the financial information and data used to prepare or support the invoices submitted to the City. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards, procedures and guidelines of the City, or its designated representative. The City, or its duly authorized representatives, shall have access to such books, records, and documents for the purpose of inspection, audit and copying. The Consultant will provide proper facilities for such access and inspection.

**9.02** ***Disclosure.*** The Consultant shall be afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include the written comments, if any, of the Consultant.

**9.03** ***Period of Maintenance.*** The books, records and other documents under Sections 9.01 and 9.02 of this Contract shall be maintained for six (6) years after the date of the final payment for the services under this Contract. In addition, those records and other documents which relate to any arbitration, litigation or the settlement of any claim arising out of this Contract, or to which an audit exception has been taken, shall be maintained and made available until three (3) years after the date that the arbitration, litigation or exception has been resolved.

**9.04** ***Subcontract Provisions.*** The Consultant agrees to include Sections 9.01 through 9.03 of this Contract in all its subcontracts directly related to performance of services specified in this Contract which are in excess of $10,000.

## SECTION TEN
## MISCELLANEOUS PROVISIONS

**10.01** ***Suspension.*** The City may suspend, without cause, the performance by the Consultant under this Contract for such period of time as the City, in its sole discretion, may prescribe by providing written notice to the Consultant. The suspension shall be effective as of the date set forth in the written notice. With such suspension, the City agrees to pay to the Consultant the amount of compensation, based on work performed and accepted by the City, earned as of the effective date of suspension less all previous payments. The Consultant shall not provide any further services under this Contract after the effective date of suspension until otherwise notified in writing by the City. In no event shall the City be liable to the Consultant for services in excess of the actual hourly wages or reimbursable costs directly related to execution of the Contract at the time of suspension.

If, after notice to resume performance has been given by the City, the suspension was for a period in excess of ninety (90) days, which has resulted in an increase in the performance of the This Contract to the Consultant and:

(i) the Consultant was not a contributing cause for the suspension,

(ii) the Consultant has not received an equitable adjustment under another provision of this Contract, and

(iii) the Consultant could not mitigate the increase in the performance cost,

then the Consultant's fee shall be reviewed by the City and, if justified, equitably adjusted to provide for any additional expenses resulting from the suspension.

**10.02.** ***Termination for Convenience.*** The City reserves the right to terminate this Contract without cause or default on the part of the Consultant with ten (10) days' prior written notification to the Consultant served pursuant to Section 10.18 of this Contract. In the event of termination, without cause or default, the City agrees to pay to the Consultant the reasonable value for the services performed as of the date that notification of termination is received by the Consultant. In no event shall the City be liable to the Consultant for services in excess of the percentage completed at the time of termination.

**10.03** ***Termination for Cause or Other Resolution.***

**A.** ***Default.*** The occurrence of any of the following events shall constitute a default by the Consultant hereunder (herein "Event of Default"). If, during the term of this Contract, the Consultant:

(i) defaults in the due observance and performance of any term, condition or covenant contained in this Contract,

(ii) (a) voluntarily terminates operations or consent to the appointment of a receiver, trustee or liquidator of the Consultant for all or a substantial portion of its assets, (b) is adjudicated bankrupt or insolvent or files a voluntary petition in bankruptcy, or admits in writing to the inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by the Consultant for the purpose of effecting any of the foregoing,

(iii) allows any warrant, execution or other writ to be issued or levied upon any property or assets of the Consultant which continues unvacated and in effect for a period of thirty (30) days, or

(iv) fails, in the judgment of the City, to provide the services hereunder properly and with proper dispatch in accordance with the time schedule set forth in this Contract,

and the default continues five (5) days after written notice is given to the Consultant pursuant to Section 10.18.

**B.** ***City's Rights.*** Upon the occurrence of an Event of Default, and without prejudice to any other right or remedy it may have at law or equity, the City may:

(i) terminate this Contract, suspend payment of all pending invoices otherwise due to the Consultant hereunder, and finish this Contract by such means as deemed appropriate by the City, reserving the right to deduct from any balance due Consultant the cost of completing this Contract. In the event the cost of finishing the Consultant's performance of this Contract exceeds the balance due the Consultant, the excess shall be paid by the Consultant to the City within thirty (30) days of invoicing by the City,

(ii) terminate this Contract, and the obligations imposed hereunder, including the obligation of any further payment for the services of the Consultant except for the reasonable value for the services performed to the date of termination, or

(iii) continue with performance by the Consultant and serve within a reasonable time after completion of this Contract a notice of claim or dispute pursuant to the procedure set forth in Section 10.20.

In the event that the City elects to implement (i) above, the costs and expenses of completing this Contract shall be computed and audited by the City's designated representative. The audit shall be conducted in accordance with generally accepted accounting principles and the cost thereof shall be paid by the City.

**10.04** ***Ownership of Documents.***

**A.** The Consultant agrees that all documents of any kind whatsoever, and in whatever medium expressed, prepared by the Consultant and the Consultant's subconsultants in connection with the Project or otherwise pursuant to this Contract (collectively, the "Documents") and all rights therein (including without limitation trademarks, trade names, rights or use and reuse, copyrights and/or all other proprietary rights) shall be and remain the sole property of the City (regardless of whether the City or Consultant terminates this Contract for any reason whatsoever). The Consultant hereby agrees that the Documents are or shall be deemed to be "Works for Hire" within the meaning of Section 101 of the Copyright Act, and the Consultant hereby assigns to the City all right, title, and interest therein. If for any reason the Documents should not be considered a "Work for Hire" under applicable law by a court or other tribunal of competent jurisdiction, then it is mutually agreed that that under this Section 10.04, the Consultant shall hereby be deemed to have transferred to the City, its successors and assigns, the Consultant's entire right, title and interest in and to the Documents and the legal rights therein including, but not limited to, copyright, included therein.

The Consultant further agrees that neither it nor any of its employees shall exercise any of the rights embodied in the copyrights in or to such Documents, unless authorized to do so by the City under the terms of a separate written agreement executed by the Consultant and the City. The Consultant shall place a conspicuous notation upon each such Document that indicates that the copyright thereto is owned by the City.

City agrees to waive any and all claims against the Consultant and to defend, indemnify, and hold the Consultant harmless from and against any and all claims, losses, liabilities and damages arising out of or resulting from the City's use, reuse, or alteration by any new consultant or other agent of the City, of the Documents. The Consultant shall be entitled to retain a reproducible copy of the Documents furnished to the City; however, the Consultant shall not sell, license, or otherwise market the Documents in any way.

**B.** ***Delivery of Documents.***

(i) In the event of the completion of this Contract and upon the City's payment in the services rendered by the Consultant, the City shall have the right to require delivery of any and all of the plans, drawings, specifications, and all other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in the possession of the City.

(ii) In the event of the suspension or termination of this Contract, the Consultant shall have the right to invoice the City to request full payment for all services performed or furnished in accordance with this Contract through the suspension or termination date. Any dispute regarding the amount of any payment to be made by the City under this Contract shall not diminish, restrict or limit the right of the City to promptly receive delivery of any and all plans, drawings, specification, and all other documents (including without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in possession of the City. The Consultant may file a claim pursuant to Section 10.20 of this Contract for any disputed payment claims.

**C.** ***Confidentiality*****.** The plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies) (including the magnetic or electronic media of the aforementioned documents) which are prepared or assembled by the Consultant, or its subconsultants, under this Contract shall not be made available to any individual or organization without the prior written consent of the City. Except for marketing pamphlets and submittals to clients, the Consultant shall not publish, submit for publication, or publicly display the Project without the written consent of the City. The obligations of confidentiality shall survive the termination of this Contract.

**D.** ***Contractual Rights.*** Notwithstanding the provisions of 10.04 A above, the City is hereby licensed to use all design concepts developed by the Consultant and subconsultants under this Contract, including the right to construct derivative works of the Project, and to use the design concepts for other projects of the City. Provided, that however, none of the documents or materials are intended or represented by Consultant to be suitable for reuse by the City, or others on extension of the project or on any other project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to Consultant. The City agrees to indemnify, defend and hold harmless Consultant for any claims related to the City's or City's authorized use of the design concepts developed by the Consultant. The design concepts include, but are not limited to, the form, aesthetic appeal, site layout, the arrangement and composition of spaces and elements, the use of colors and materials, system designs, construction methods and interior design.

**10.05** ***Insurance.*** The Consultant shall procure and maintain, at its own expense, during the entire term of this Contract, the following insurances:

**A.** ***Worker's Compensation Insurance.*** This insurance shall protect the Consultant and the City from employee claims based on job-related sickness, disease, or accident.

**B.** ***Commercial General Liability Insurance.*** This insurance shall protect the Consultant, its agents and vehicles used to provide the services required under this Contract from claims of personal injury (including death) and property damage. Such coverage shall be

in a minimum amount of $1,000,000 combined single limit for the period of time covered by this Contract. The Consultant's general liability insurance policies shall be endorsed to include the City as an additional insured. Any deductible or self-insured retention under the commercial general liability policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

**C.** ***Commercial Automobile Liability Insurance.*** This insurance shall protect the Consultant from claims of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used to the performance of services under this Contract. The policy must insure all vehicles owned by the Company and include coverage for hired and non-owned vehicles. The Consultant's automobile liability insurance policies shall be endorsed to include the City as an additional insured. Any deductible or self-insured retention under the commercial automobile liability policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

**D.** ***Professional Liability Insurance (Errors and Omissions Coverage).*** This insurance shall protect the Consultant from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable. Such coverage shall be in a minimum amount of $1,000,000 for the period of time covered by this Contract. Any deductible or self-insured retention under the professional liability insurance policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

**E.** ***Cancellation or Modification of Coverage.*** The Consultant's Commercial General Liability Insurance Policies shall automatically include or be endorsed to cover the Consultant's contractual liability to the City under this Contract, and with respect to its Commercial General Liability Policy, to waive subrogation against the City, its officers employees and agents. The policies shall provide that the City will be given thirty (30) days' notice in writing of any cancellation of, or material change in, the policies.

**F.** ***Certificates and Endorsements.*** The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retentions shall be fully disclosed in the Certificate of Insurance. The Consultant shall deliver to the City's authorized designated representative named in **Exhibit "B"** (Required Submittals) certificates indicating that such insurance is in effect before any services are provided under this Contract and renewal certificates not less than 30 days prior to the expiration date of any policy.

**G.** ***Period of Coverage*** If the insurance coverage is underwritten on a "claims made" basis, the retroactive date shall be prior to or coincident with the date of this Contract and the Certificate of Insurance shall state that coverage is "claims made" and the retroactive date. The Consultant shall maintain all insurance coverages specified in Section 10.05 for the duration of this Contract. Claims made insurance (Professional Liability-10.05 D) shall be kept in place after construction of the Project is substantially complete until the "Statute of Repose" in the State of Nevada has expired. In the event if a claims made policy has a lapse or cancellation of coverage before the Statute of Repose has expired, the Consultant shall be responsible for any claim made in the absence of valid collectable insurance.

***H. Certificates of Insurance.***

(i) Company must provide compliant certificates of insurance and required endorsements to the City or its designated certificate tracking service immediately upon request. The Company shall maintain coverage for the duration of this Contract, and any renewal periods if applicable. The Company shall annually provide the City's designated certificate tracking service with a certificate of insurance and endorsements as evidence that all insurance requirements have been met. A certified, true and exact copy of each of the project specific insurance policies (including renewal policies) required under this Section shall be provided to the City or it's designated certificate tracking service if so requested.

(ii) All required aggregate limits must be disclosed and amounts entered on the certificate(s) of insurance. The certificates must identify the Contract number and the Contract description. The Company and/or insurance carrier shall provide the City with a 30-day advance notice of policy modification, cancellation or erosion of insurance limits, sent by certified mail "return receipt requested".

The required certificates must be signed by the authorized representative of the insurance company shown on the certificate with proof that such

person is an authorized representative thereof, and is authorized to bind the named underwriter(s) and the Consultant to the coverage, limits, and termination provisions shown thereon.

**10.06** ***Indemnity.***

**A.** ***Claims Not Based Upon or Arising out of Professional Services.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall defend, indemnify, and hold the City, its Mayor, Councilmen, officers, employees, and agents (herein the "Indemnities"), harmless from any and all claims (including, without limitation, patent infringement, and copyright claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards, or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Claims") to the extent that such Claims are caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant, its employees, subcontractors, agents, or anyone employed by the Consultant's subcontractors or agents (herein the "Consultant Parties"), which are not based upon or arising out of the professional services performed by the Consultant Parties in the performance of this Contract.
As part of its obligation hereunder, the Consultant shall, at its own expense, defend the Indemnitees against the Claims brought against them, or any of them, which is caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant, its employees, subcontractors, or agents, for and against which the Consultant is obligated to indemnify the Indemnitees pursuant to this Section, unless the Indemnitees, or any of them elect to conduct their own defense which, in such case, shall not relieve the Consultant of its obligation of indemnification set forth herein. If the Consultant or the Consultant's insurer fails to defend the Indemnities as required herein, the Indemnitees shall have the right, but not the obligation, to defend the same and, if the Consultant is adjudicated by the trier of fact to be liable, the Consultant agrees to pay the direct and incidental costs of such defense (including reasonable attorney fees and court costs) which is proportionate to the liability of the Consultant.

**B.** ***Claims Based Upon or Arising out of Professional Services.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall indemnify and hold the Indemnities, harmless from any and all claims (including, without limitation, patent infringement and copyright claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards, or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Professional Liability Claims") to the extent that such Professional Liability Claims are caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant Parties, which are based upon or arising out of the professional services performed by the Consultant Parties in the performance of this Contract.

If the Consultant Parties are adjudicated to be liable by a trier of fact, the trier of fact shall award reasonable attorney's fees and costs to be paid by the Consultant to the Owner, as reimbursement for the attorney's fees and costs incurred by the Owner in defending the Professional Liability Claims, in an amount proportionate to the liability of the Consultant.

As used in this Section 10.06, "agents" means those persons who are directly involved in and acting on behalf of the City or the Consultant, as applicable, in furtherance of the contract or the public work to which the Contract pertains.

**10.07** ***Assignment.*** The City and the Consultant each bind itself and its partners, successors, administrators and assigns to the other party of this Contract and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this Contract, except the Consultant shall not assign, sublet or transfer any obligation or benefit under this Contract without the written consent of the City. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of the City.

**10.08** ***Waiver.*** No consent or waiver, express or implied, by either party to this Contract, or of any breach or default by the other in the performance of any obligations hereunder, shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act, or failure to act of the other party, or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment, or tentative approval or acceptance by the City or the failure of the City to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release the Consultant of any of its obligations hereunder.

**10.09** ***Consultant Warranties.*** The Consultant hereby represents and warrants that:

(i) it is financially solvent, able to pay its debts as they mature, and is possessed of sufficient working capital to complete this Contract; that it is experienced, competent, qualified and able to furnish the plant, tools, materials, supplies, equipment and labor which is used to perform the services contemplated by this Contract, and that it is authorized to do business in the City of Las Vegas and the State of Nevada,

(ii) it holds a license, permit or other special license to perform the services included in this Contract, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license,

(iii) its computer hardware, software, and firmware will continue functioning without interruption, and will continue to accurately process date, time, and data necessary to the performance of this Contract, and

(iv) it has, pursuant to the requirements of Resolution 79-99 adopted by the City Council on August 4, 1999, (effective October 1, 1999), as amended by resolution 105-99 (adopted by the City Council on November 17, 1999), disclosed on the form attached hereto as **Exhibit "G"** (Disclosure of Ownership/Principals) all of the principals, including partners, of the Consultant, as well as all persons and entities holding more than a one percent (1%) interest in the Consultant or any principals of the Consultant. If the Consultant, or its principals or partners, are required to provide disclosure under federal law (such as Securities and Exchange Commission or the Employee Retirement Income Act) and current copies of such federal disclosures are attached to **Exhibit "G,"** the requirements of this Section shall be deemed satisfied. During the term of this Contract, the Consultant shall notify the City in writing of any material change in the above disclosure on **Exhibit "G"** within fifteen (15) days of such change.

**10.10** ***Consultant's Employees.*** The Consultant shall be responsible for maintaining satisfactory standards of competency, conduct and integrity, of personnel assigned to the Project, and shall be responsible for taking such disciplinary action with respect to such personnel as may be necessary. In the event the Consultant fails to remove any employee from the work of this Contract whom the City deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the City to be contrary to the public interest, the City reserves the right to require such removal as a condition for the continuation of this Contract.

**10.11** ***Independent Contractor.*** It is hereby expressly agreed and understood that in the performance of the services required herein, the Consultant and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the City.

**10.12** ***Applicable Law.*** This Contract shall be construed and interpreted in accordance with the laws of the State of Nevada.

**10.13** ***Compliance with Laws.*** The Consultant shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Contract including, without limitation, the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

***10.14 Certification – No Israel Boycott.*** By signing this Contract, Company certifies that, at the time of Contract signature, it is not engaged in, and agrees for the duration of the Contract, not to engage in a boycott of the State of Israel.

"Boycott of Israel" means, refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with Israel; or a person or entity doing business in Israel or in territories controlled by Israel, if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion. It does not include an action which is based on a bona fide business or economic reason; is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law.

**10.15** ***Severability.*** In the event that any provisions of this Contract shall be held to be invalid or unenforceable, the remaining provisions of this Contract shall remain valid and binding on the parties hereto.

**10.16** ***Confidentiality.*** The Consultant shall treat the information relating to the Project, which has been produced by the Consultant or provided by the City, as confidential and proprietary information of the City and shall not permit its release to other parties or make any public announcement or publicity release without the City's written authorization. The Consultant shall also require each subconsultant to comply with this requirement. The submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication relieving the Consultant of its confidentiality obligation imposed herein.

**10.17** ***Site Inspection.*** The Consultant represents that, prior to executing each Project Task Order, it has visited the location of the Project and has satisfied itself as to the general condition thereof and that the Consultant's compensation as provided for in this Contract is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

**10.18** ***Modification.*** All modification, amendments, and change orders to this Contract are null and void unless reduced in writing and signed by the parties hereto.

**10.19** ***Notice.*** Any written notice required to be given under Sections 1.01 through 10.24 of this Contract shall be deemed to have been given when the written notice is (i) received by the party to whom it is directed by personal service or (ii) deposited with the United States Postal Service, postage prepaid, addressed to the City Representative or the Consultant Representative, whomever is the proper recipient, and mailed to the address set forth in the introductory paragraph to this Contract.

**10.19** ***Prohibition Against Contingent Fees.*** The Consultant warrants that no person or entity has been employed or retained to solicit or secure this Contract with the Contract or understanding that a commission, percentage, brokerage or contingent fee would be paid to that person. For breach or violation of this provision, the City shall have the right to annul this Contract without liability or, in its discretion, to deduct from the compensation to be paid to the Consultant, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

**10.20** ***Claim or Dispute Resolution.***

**A.** ***Notice of Claim or Dispute.*** For each claim or dispute which the Consultant has against or with the City (except for any claim for an equitable adjustment under Section 3.02 which is subject to the 30-day limitation set forth therein), notice thereof must be submitted in writing to the City Representative within a reasonable time after the claim or dispute arises, but no later than thirty (30) days after final payment is made to the Consultant. The purpose of written notification is to place the City on notice so that proper measures can be taken to properly defend against the claim or dispute, and the failure to give such notice shall preclude the Consultant from subsequently mediating that particular claim or dispute pursuant to Section 10.20C of this Contract, and the Consultant shall have no further recourse against the City. Pending a final decision on the claim or dispute under Sections 10.20B or 10.20C, the Consultant shall proceed diligently with the performance of this Contract.

**B.** ***Resolution by Management.*** The City Representative and the Consultant Representative shall meet within a reasonable time after receipt of the written notice received pursuant to Section 10.20A in an attempt to resolve the claim or dispute to the mutual satisfaction of the parties. If the matter is not disposed of by mutual Contract between the City Representative and the Consultant Representative, the claim or dispute shall be decided by the Director of Public Works, whose decision shall be reduced to writing and mailed or otherwise furnished to the Consultant. The decision of the Director of Public Works shall be final and conclusive unless, within thirty (30) days after the date on which the Consultant receives its copy of such decision, the Consultant mails or otherwise furnishes to the Director of Public Works a written request to mediate the claim or dispute, in which event the parties shall proceed pursuant to provisions of Section 10.20C. The failure to make such request shall preclude the Consultant from proceeding any further on the claim or dispute, and the Consultant shall have no further recourse against the City.

**C.** ***Resolution by Mediation.*** Upon receipt of the request to mediate authorized pursuant Section 10.03B or Section 10.20B, the City and the Consultant shall come to an Contract as to the appointment of a mediator for purposes of hearing the appeal. If the parties cannot agree upon an independent private mediator within 45 days after notice of the receipt of the request to mediate, the party may proceed to file a judicial action with the Eighth Judicial District Court, Clark County, Nevada. The mediation shall take place in Clark County, Nevada, unless otherwise agreed to by the parties. The fees and expenses of the mediator shall be equally shared by both parties. Each party is responsible for their own costs, expenses, consultant fees and attorney fees incurred in the presentation or defense of any claim, dispute or controversy that is subject to mediation between the parties. The decision of the mediator shall be non-binding.

**D.** ***Right of Judicial Action.*** Any claim, dispute, or other matter in question between the parties concerning any provisions of this Contract that cannot otherwise be resolved between the parties through the use of mediation required herein may be submitted for judicial action. Prior to the exercise of this right, the party seeking judicial relief shall have provided the other party 30 days prior written notice before filing such judicial action.

**10.21** ***Attorney Fees.*** The City or the Consultant as the prevailing party that brought any litigation or arbitration to enforce the provisions of this Contract shall be entitled to reasonable attorney fees and court costs.

**10.22** ***Calendar Day.*** All references in this Contract to days are to calendar days unless otherwise indicated.

**10.23** ***Exhibits.*** All exhibits referenced in this Contract are hereby incorporated by this reference as a part of this Contract. Any conflict between the provisions of this Contract and the Exhibits incorporated herein shall be governed by the provisions of this Contract.

**10.24** ***Counterparts; Electronic Delivery.*** This Contract may be executed in any number of counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument. It shall not be necessary for any counterpart to bear the signature of all parties hereto. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

**10.25** ***Contract Version.*** This document reflects the current standard provisions for the City's Professional Services Contract updated as of December 2018.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed the day and year first above written.

**CITY OF LAS VEGAS**

By_____
Tressa Fernandez, Acting Manager, Purchasing & Contracts — Date

ATTEST

_____
LuAnn D. Holmes, MMC
City Clerk — Date

APPROVED AS TO FORM

John S. Ridilla 2/26/2020
Deputy City Attorney — Date

John S. Ridilla
Deputy City Attorney

**CONSULTANT**

By_____
Construction Manager as Agent Signer's Name,
Diversified Consulting Services, Inc

# LIST OF EXHIBITS

Any conflicts between the proceeding Contract and the following Exhibits shall be governed by the Contract.

**EXHIBIT " A " SCOPE OF SERVICES**

**EXHIBIT " B " REQUIRED SUBMITTALS**

**EXHIBIT " C " PERFORMANCE SCHEDULE**

**EXHIBIT " D " FEE BREAKDOWN**

**EXHIBIT " E " COMPENSATION**

**EXHIBIT " F " KEY PERSONNEL LIST**

**EXHIBIT " G " CERTIFICATE OF DISCLOSURE**

**EXHIBIT " H " PROJECT TASK ORDER**

# EXHIBIT "A"

# SCOPE OF SERVICES

## ARTICLE 100: GENERAL

**100.1** The Scope of Services for this Contract shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

**100.2** If increased scope or workload is encountered, the Consultant is to notify the City in writing and receive written confirmation to proceed prior to the performance of any work related to the increased scope or workload.

**100.3** The Scope of Services included in each Project Task Order may include any professional services that the Consultant is capable of providing in support of the City's Capital Improvement Program including, but not limited, to the following: Error! Reference source not found.

**100.4** The Consultant agrees to include in all its subcontracts related to the Project, and require the same of all sub-subconsultant contracts at all tiers, the provisions of this Contract related to the City's and Consultant's rights (including copyright), ownership and uses of the concepts, designs, documents, intellectual property, and tangible property.

**100.5** Should any portions of the Project contain works provided protection under the Visual Artists Rights Act of 1990 ("VARA"), the Consultant and his subconsultants at all tiers agree to waive and do hereby waive voluntarily all rights to attribution and integrity with respect to any and all claims as may arise under VARA, Nevada Revised Statutes "Works of Art" NRS 597, or any other local, state, foreign, or international law, as currently drafted or as may be hereafter amended, that conveys the same or similar moral rights with respect to any or all portions of the Project, including but not limited to display, removal from display, exhibition, installation, restoration, conservation, storage, study, alteration, destruction, relocation, and any other activities conducted by the City, its officers, employees, agents, contractors, licensees, successors or assigns. The Consultant acknowledges that all such decisions concerning the Project shall be made in the sole discretion of the City, its officers, employees, agents, contractors, licensees, successors or assigns. In addition to the extent such rights may not be waived, Consultant and his subconsultants at all tiers covenant not to assert such rights against the City, its officers, employees, agents, contractors, licensees, successors or assigns.

**100.6** Project Management Software. Upon City request, Consultant shall utilize the City's online project management software (MasterWorks) as the primary means of communication with the City for this Project including, but not limited to, correspondence, contract changes, claims, reports, schedules, invoices, photos, drawing and specification submittals, and construction administration.

**100.6.1** The City shall provide:

**100.6.1.1** A limited training manual for the MasterWorks software and a maximum of two hours of MasterWorks software training for up to four people at the City's offices.

**100.6.1.2** The cost of any software licenses required by the MasterWorks software manufacturer or distributor.

**100.6.1.3** User accounts for Consultant's access to the MasterWorks software.

**100.6.2** The Consultant shall provide:

**100.6.2.1** Training of Consultant personnel required to utilize the MasterWorks software, except as provided by the City above.

**100.6.2.2** Information using the forms, screen views, and information fields provided in the software and training materials.

**100.6.2.3** Electronic notification in the MasterWorks software of any submittals that cannot be transmitted electronically, such as material samples.

**100.6.2.4** Large format scanning capabilities with file size, resolution, and file naming convention as directed by the City.

**100.6.2.5** Computer hardware, software, peripheral equipment, accessories, and Internet access as needed to integrate with and fully utilize the MasterWorks software, such as Adobe Acrobat, Internet Explorer, and Microsoft Word.

**100.6.2.6** Frequent monitoring of the MasterWorks software.

**100.6.3** Documents approved in the MasterWorks software shall have the same effect as ink-signed originals. Accordingly, the Consultant is required to safeguard his usernames and passwords, particularly those that have been given the rights within the MasterWorks software to provide approvals, and no excuse will be entertained by the City for unauthorized MasterWorks software access that uses the Consultant's assigned usernames. The Consultant shall ink-sign documents, in addition to or instead of the MasterWorks approvals, upon City request.

**100.7** Photos. The requirement for the Consultant to obtain a City issued Film Permit to photograph the Project is waived for the Term of the Task Order. Photographs of the Project taken by the Consultant after final Consultant payment of the Task Order will again require a City issued Film Permit. Reference 10.04, E. Confidentiality for the allowed uses of Consultant photographs.

END OF EXHIBIT "A"

# EXHIBIT "B"

# REQUIRED SUBMITTALS

## ARTICLE 200: GENERAL

**200.1** The Required Submittals for this Contract shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

**200.2** Throughout the course of each Project Task Order, the Consultant shall brief the City Representative on a regular and frequent basis about the progress of the Project. Unless specified otherwise in the Project Task Order, briefings shall occur no less frequently than monthly and shall accompany invoices for payment. The briefings shall be a written report and shall include the following as appropriate to the Project: the status of and impacts to the Project schedule, milestones, budget, land acquisitions, right of way dedications, easements, utility and regulatory agency review status, all Project activity since the last report, current issues, and a forecast of upcoming activity.

**200.3** All reports shall be on acid-free white paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet form.

**200.4** It is understood that the City may make and distribute copies of the reports as necessary in connection with the Project without incurring obligation for additional compensation.

END OF EXHIBIT "B"

# EXHIBIT "C"

# PERFORMANCE SCHEDULE

## ARTICLE 300: GENERAL

**300.1** TASK ORDER. The Performance Schedule for each executed Project Task Order shall be as stated in the Task Order, the format of which is attached hereto as Exhibit "H".

END OF EXHIBIT "C"

# EXHIBIT "D"

# FEE BREAKDOWN

## ARTICLE 400: GENERAL

**400.1** The Fee Breakdown for this Contract shall be as set forth in each executed Project Task Order, the format of which is attached hereto as Exhibit "H".

**400.2** The total Blanket Contract maximum not-to-exceed fee for all of the Project Task Orders is **$1,600,000.**

## ARTICLE 401: BASIC SERVICES PAYMENT BASED UPON COMPLETION OF TASKS

**401.1** The City agrees to pay the Consultant on the basis of direct salary (Exhibit E – Article 500), times a multiplier of 3.05, plus approved non-salary expenses identified in Section 7.03, Section 7.04, and Exhibit E based on the Consultant's acceptable completion of the Scope of Services per individual task orders. The Consultant agrees to perform the services necessary to complete each task and, if applicable, each subtask, not to exceed the fee set forth in this Exhibit "D" (Fee Breakdown). Payment shall be made for completed tasks pursuant to monthly invoices submitted in accordance with this Contract.

**401.2** Payments made under this contract will be in accordance with Section Seven - Compensation and Terms of Payment.

**401.3** The City Representative shall have the authority to make such work scope adjustments to the line items within the task orders without processing this Contract for an amendment or additional services authorization, if (1) the revisions are documented and agreed to by the Consultant and City in writing prior to performance and (2) the Total Not to Exceed Cost for the contract/task order are not exceeded.

END OF EXHIBIT "D"

# EXHIBIT "E"

# COMPENSATION

## ARTICLE 500: CONSULTANT HOURLY RATES

## ARTICLE 501:

**501.1** The following hourly rates represent the maximum allowable direct salary rate billable for payment of basic and additional services, as well as the basis for negotiation of added and reduced services. These hourly rates are valid for the duration of the Project and are representative of maximum direct salary costs. The Multiplier included in Exhibit D (Fee Breakdown) shall include associated overhead, administration, direct costs except as detailed in Section 7.03 and Exhibit E, and profit. This includes, but is not limited to, all support personnel who normally work on non-specific project tasks including but not limited to receptionists, senior executives together with their assistants, financial accounting personnel, and personnel maintaining facilities, equipment and computers.

| CLASSIFICATION | MAXIMUM HOURLY RATE* |
|---|---|
| Principal | $95.00 |
| Project Manager | $85.00 |
| Engineer | $85.00 |
| Construction Manager | $75.00 |
| Construction Coordinator | $75.00 |
| Senior Inspector | $65.00 |
| Inspector | $55.00 |
| CADD Technician | N/A |
| Document Administrator | $40.00 |
| Scheduler | $65.00 |

* Hourly rates represent straight-time salary. Rates may be adjusted for city-approved overtime

## ARTICLE 502: ADDITIONAL SERVICES RATES

**502.1** The cost of the following potential future Additional Services have been negotiated as of the date of this Contract.

| ADDITIONAL SERVICE | SUBMITTALS | SCHEDULE IMPACT | FIXED FEE |
|---|---|---|---|
| None authorized or anticipated as of the date of this Contract. | | | $0 |
| | | | $0 |
| | | | $0 |

**502.2** These Additional Services Rates are valid for the duration of the Project and include salary costs, equipment, overhead, administration and profit.

**502.3** For Additional Services of sub-consultants, the City shall compensate the Consultant a multiple of **one (1.0)** times the amounts billed to the Consultant for such services. The Consultant may bill for their expenses in managing the Additional Service of sub-consultants, the amount of which is already included in the above Additional Service Rates or, if not listed in the above Additional Service Rates, shall be approved by the City in writing prior to the Consultant or sub-consultant providing the services.

**502.4** The Consultant agrees to provide services in connection with the Project, which are in addition to those required by Exhibit "A" for Basic Services, as Additional Services if so requested by the City in writing. Such requests may include, but are not limited to, and are not necessarily indicated by this statement as being Additional Services rather than Basic Services: (i) significant changes in the Project's size, quality, complexity, budget, or time schedule, (ii) changes required due to conflicting instructions previously given by the City, (iii) changes required by the enactment or amendment to codes, laws or regulations subsequent to the preparation of such documents, (iv) services concerning the replacement of that portion of the Project damaged by fire or other cause, and (v) services made necessary by the default or failure of the Contractor including major defects or deficiencies in the construction.

## ARTICLE 503: REIMBURSABLE EXPENSES

**503.1** The following Reimbursable Expenses are allowed:

| **REIMBURSABLE EXPENSE** |
|---|
| None authorized or anticipated as of the date of this Contract. |
| |
| |

**503.2** For Reimbursable Expenses of the Consultant, the City shall compensate the Consultant a multiple of **one (1.0)** times the actual direct costs incurred by the Consultant. The multiplier includes all compensation for overhead and profit.

**503.3** Reimbursable Expenses are limited to specific pre-authorized items or services purchased from third parties to this Contract, dedicated to only this Project. Additions to the above allowed Reimbursable Expenses may only be granted as a written amendment to this Contract.

**503.4** If Reimbursable Expenses are established in this Contract as a fixed sum or a not-to-exceed amount, the Consultant has determined that this Reimbursable Expense amount will not be exceeded for the allowed Reimbursable Expenses for performance of the Services set forth in Exhibit "A" (Scope of Services), and accordingly does hereby assume the risk to complete the performance of this Contract without further compensation for Reimbursable Expenses should the costs exceed this fixed sum or not-to-exceed amount for Reimbursable Expenses.

**503.5** Travel and per diem expenses are included in the Basic Services Fees, Consultant Hourly Rates, Sub-Consultant Hourly Rates, and Additional Services Rates shown in this Contract, and may otherwise only be authorized as reimbursable expenses by written amendment to this Contract. Expenses incurred prior to written authorization shall not be considered for reimbursement.

**503.6** Should travel and per diem expenses be so authorized by the City:

**503.6.1** Expenses shall be based on actual costs submitted for reimbursement with valid original receipts. If a receipt is not normally provided for the expense, a certification signed by the traveler shall be submitted. Submitted receipts for travel and per diem reimbursement shall name each traveler covered.

**503.6.2** Rates for lodging and individual meals shall not exceed the published U.S. General Services Administration rates at Clark County, Nevada, including the 75% limitation on the day of departure and return.

**503.6.3** Passenger vehicle mileage shall be reimbursed at the rate stipulated by the Internal Revenue Service.

**503.6.4** Examples of expenses that will not be reimbursed include alcoholic beverages, entertainment, laundry, dry cleaning and pressing, parking fines, gratuities and tips excepting for taxicab and meals a 15% tip if shown on the receipt, costs related to making reservations or other accommodations for travel, phone calls, computer or Internet access costs, car rentals larger than mid-size and car rental insurance, air travel other than the lowest coach fair available and travel insurance, premature departure and extended stays for personal reasons, and indirect route for personal preference.

END OF EXHIBIT "E"

# EXHIBIT "F"

# KEY PERSONNEL

## ARTICLE 600: CITY PERSONNEL

**600.1** CITY REPRESENTATIVE for this Blanket Contract: Tom Hayes
**600.2** CITY REPRESENTATIVE'S SUPERVISOR: Rosa Cortez

**600.3** CITY REPRESENTATIVE for each subsequent Project Task Order: As stated in each Project Task Order.

## ARTICLE 601: CONSULTANT'S PROJECT STAFF

**601.1** Unless stated otherwise in the Project Task Order, the following personnel will be assigned by the Consultant to work on the subsequent Project Task Order work. Any changes or additions require City approval.

**601.2** CONSULTANT REPRESENTATIVE (who may also be one of the following staff): Jeffrey Radke
**601.3** CONSULTANT REPRESENTATIVE'S SUPERVISOR: Jeffrey Radke

**601.4** CONSTRUCTION COORDINATOR: As stated in each Project Task Order
**601.5** CONSTRUCTION INSPECTOR: As stated in each Project Task Order
**601.6** DOCUMENT ADMINISTRATOR: As stated in each Project Task Order
**601.7** OTHER PERSONNEL: As stated in each Project Task Order

**601.8** RESPONSIBLE IN CHARGE PERSON (Mandatory under NRS 338 Construction Manager as Agent, who may also be one of the above staff)
List name of individual Architect, individual Engineer, or Contractor company name as licensed: Jeffrey Radke
List Architect, Engineer, or Contractor license number: 016036

## ARTICLE 602: CONSULTANT'S SUBCONSULTANTS

**602.1** Unless stated otherwise in the Project Task Order, the following subconsultants will be contracted with and utilized by the Consultant to work on the Project. Any changes or additions require City approval.

**602.1.1** All work will be performed by the Consultant's employees or the following subconsultants:
**602.1.1.1** MATERIAL TESTING: GeoTek, Inc
**602.1.1.2** ENVIRONMENTAL MONITORING: N/A
**602.1.1.3** CIVIL ENGINEER: N/A
**602.1.1.4** STRUCTURAL ENGINEER: N/A
**602.1.1.5** MECHANICAL ENGINEER: N/A
**602.1.1.6** ELECTRICAL ENGINEER: N/A
**602.1.1.7** LANDSCAPE DESIGN: N/A
**602.1.1.8** COST ESTIMATOR: Innovative Contracting & Engineering
**602.1.1.9** GEOTECHNICAL ENGINEER: GeoTak, Inc.
**602.1.1.10** LAND SURVEYOR: N/A

END OF EXHIBIT "F"

# EXHIBIT "H"

## PROJECT TASK ORDER Number H- ___

| |
|---|
| Blanket Contract Project Name: |
| Blanket Contract Date: |
| Blanket Contract Maximum Not-to-Exceed Fee: |
| Total Aggregate Fee Commitments prior to this Task Order: |
| Consultant's Business Name: |

Whereas the City and Consultant have signed a Blanket Contract for the Consultant to provide professional services described in the Contract for the above named project(s), containing a not-to-exceed maximum aggregate fee that has not been fully utilized, and the City desires to utilize the Blanket Contract to provide services for the following particular specific Project:

| |
|---|
| Project Name: |
| Location: |
| Description: |
| Construction Cost Budget: |

The parties do hereby agree to the follow terms and conditions for this Project Task Order:

**Section A - Scope of Services:**

**Section B – Required Submittals:**

**Section C – Performance Schedule:**

**Section D – Fee Breakdown:**

**Section E – Additional Compensation:**.

**Section F – Key Personnel List:**

**Section G – Disclosure:**

Upon execution hereof, this Project Task Order shall be attached to the Blanket Contract.

Dated this _____ day of _____, _____.

By: _____ By: _____
Consultant City

# CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS

**1. Definitions**

*"City"* means the City of Las Vegas.

*"City Council"* means the governing body of the City of Las Vegas.

*"Contracting Entity,"* means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

**2. Policy**

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

**3. Instructions**

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

**4. Incorporation**

This Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

| **Block 1: Contracting Entity** | **Block 2: Description / Subject Matter of Contract** |
|---|---|
| **Name:** Diversified Consulting Services, Inc. | **Services for:** Project Name |
| **Address:** 8872 S. Eastern Ave. Suite 200<br>Las Vegas, NV 89123 | |
| **Telephone:** 702-776-7566 | **Project Number:** |
| **EIN or DUNS :** 88-0257507 | |

**Block 3: Type of Business**

☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:

## CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

**Block 4: Disclosure of Ownership and Principals**

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

| | FULL NAME/TITLE | BUSINESS ADDRESS | BUSINESS PHONE |
|---|---|---|---|
| 1. | Mike Glock, President | 6490 S. McCarran Blvd., Building D1, Suite 31<br>Reno, NV 89509 | 775-829-8383 |
| 2. | Jeffrey Radke, Treasurer | 8872 S. Eastern Ave., Suite 200<br>Las Vegas, NV 89123 | 702-776-7566 |
| 3. | Michael Johnson, Secretary | 8872 S. Eastern Ave., Suite 200<br>Las Vegas, NV 89123 | 702-776-7566 |
| 4. | Chad McDermott | 8872 S. Eastern Ave., Suite 200<br>Las Vegas, NV 89123 | 775-776-7566 |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership/Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

**Block 5: Disclosure of Ownership and Principals – Alternate**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: ____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

_____
Name

12/19/19
_____
Date

Subscribed and sworn to before me this 19 day of December, 2019

M Splinter see Attached
_____
Notary Public

MICHAEL C. SPLINTER
Notary Public, State of Nevada
Appointment No. 17-3525-1
My Appt. Expires Sep 22, 2021

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**17**

**DEPARTMENT: Finance** **CONSENT**
**DIRECTOR: Venetta Appleyard**

**SUBJECT:**
For possible action to approve award of Sales Agreement for the Refurbishment of Vintage Motel Signs on East Fremont Street - 8th Street through 14th Street - Office of the City Attorney - Award recommended to: VISION SIGN INC. (Not-to-Exceed $176,710 - General Capital Project Fund) - Ward 3 (Diaz)

**FISCAL IMPACT:**
Budget Funds Available
Amount: Not-to-Exceed $176,710
Funding Source: General Capital Project Fund
Dept./Division: City Attorney

**PURPOSE/BACKGROUND:**
In 2018, the Commission for the Las Vegas Centennial awarded a grant to the City for restoration and maintenance of the historic neon signs on East Fremont Street generally located between 8th Street and 14th Street in the Historic Motel District. On February 6, 2019, City Council approved the Neon Sign Maintenance Agreement between the City and Downton Project (DTP) for maintenance of the restored signs. The restoration and maintenance work is funded by the remaining Commission for the Las Vegas Centennial grant funds. Vision Sign Inc. will restore the Las Vegas Motel and Star View Motel signs for an amount not to exceed $176,710. Award of this contract is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services. Vision Sign, Inc. is located in Las Vegas, Nevada.

**RECOMMENDATION:**
Approve as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

**BACKUP DOCUMENTATION:**
1. Vision Sign Sales Agreement

# VISION SIGN INC.

# SALES AGREEMENT

6630 Arroyo Springs Street Suite 600 - Las Vegas, NV 89113
Phone: 702-895-7474 - Fax: 702-895-7444

Contractors License Unlimited
#NV42776 #AZ149529

| Submitted To | Phone | Email | Date |
|---|---|---|---|
| Brad Jerbic | 702-807-3917 | bjerbic@lasvegasnevada.gov | 03/04/2020 |
| **Firm Name** | **Job Name & Address** | | |
| City of Las Vegas | Las Vegas Motel 1200 E. Fremont St Las Vegas, NV 89101 | | |
| **Address** | **Salesperson** | **Design #** | **Date of Design** |
| 495 S. Main Street Las Vegas, NV 89101 | Keith Kochan | | |

**Description of work contracted as follows:**

**LAS VEGAS MOTEL:**

Remove one (1) 15' X 10' + - double face pylon from existing steel pole and transport to Vision Sign.
Repaint existing sheet metal on double face pylon and manufacture new neon units for "LAS VEGAS MOTEL", "AAA" & oval, "VACANCY".
Supply and install light bulb sockets, wiring and LED yellow LED light bulbs with a chasing flasher.
Manufacture and install 10' x 2'-6" + - new sheet metal arrow with yellow LED light bulbs with a chasing flasher painted a single stage yellow color (TBD).
Refurbish one (1) 3' x 6'-2" + - white acrylic panel with LED illumination and H-tracks.
Manufacture one (1) 2' x 3' + - d/f sign cabinet with LED illumination and white acrylic faces with first surface green vinyl with white show thru letters repaint existing pole and add (2) sets of white vinyl numbers on pole M&I (1) d/f sheet metal star with s/s yellow neon transport refurbished double face pylon sign and reinstall on pole

**This contract is void if City Council does not approve.**

Keith Kochan
702-348-8470
kkochan@visionsigninc.com

**Approved as to form**
John S. Ridilla 3/4/2020
**John S. Ridilla Date**
**Deputy City Attorney**

*Exclusions*
Time Clock & Photocell
Signage location is the responsibility of customer
Customer is to supply primary electrical to the signage
Abnormal digging conditions (caliche, hard pan, water table, etc)
Customer will supply any and all landscaping or under ground repair
Overtime Premium for installation (work hours 6 AM to 2:30 PM)
Permits, engineering and any 'Third Party' inspections (QAA) (if required) will be billed separately

| | |
|---|---|
| **Labor:** | $ 14,648.00 |
| **Material:** | $ 65,036.00 |
| **Tax on Material::** | |
| **Total:** | $79,684.00 |

*All copy, sizes, and colors as per Vision Sign Inc. print # dated.*

+ Permits

**QUOTATION IS VOID AFTER 30 DAYS. PERMITS WILL BE BILLED AT COST PLUS STAFF TIME REQUIRED FOR PERMIT ACQUISITION. THESE FEES ARE NOT INCLUDED IN THE CONTRACT PRICE, UNLESS OTHERWISE SPECIFIED IN WRITING.**

**ACCEPTANCE OF PROPOSAL CONSTITUTES A BINDING AGREEMENT BETWEEN PURCHASER AND SELLER UPON PURCHASER'S SIGNING THE CUSTOMER ACCEPTANCE ON PAGE ONE, THE UNDERSIGNED AGREES TO THE STANDARD CONTRACT CONDITIONS ON PAGE TWO AND THE SELLER'S SIGNING THE VISION SIGN ACCEPTANCE ON PAGE ONE.**

**TERMS: 50% deposit to begin work, net 30 days on the balance after completion.**

APPROVED BY _____
Vision Sign Inc. Acceptance

APPROVED BY _____
Customer Acceptance

_____
Print Name

## STANDARD CONTRACT CONDITIONS

1. Vision Sign Inc. (hereinafter referred to as "SELLER") expressly warrants the product manufactured by Seller and the components thereof to be free from defects in material and workmanship, under normal conditions, for a period of 90 days. Seller will repair or replace, at its option, any parts found defective by Vision Sign Inc. This warranty is null and void if another party, to this display, performs any repairs or alterations. **There are no warranties including the implied warranty of merchantability beyond the express warranty specifically set forth herein.**

2. Contract shall be binding upon Seller only when signed by a Corporate Officer.

3. FORCE MAJEURE Seller shall not be liable for delays due to events beyond Sellers control. Events including, but not limited to, acts of God, civil commotion, labor disputes strikes, fire, flood, government regulation, and weather conditions.

4. Purchase price is due in full, at Sellers office, within 10 days after completion of work. Unless otherwise agreed in writing, unpaid balance shall incur interest @ 1_% per month.

5. Purchaser agrees to pay all costs, including reasonable attorney's fees, incurred in enforcing any of the Sellers rights under this contract.

6. All words herein shall be deemed of the number and gender properly applicable to the Purchaser(s).

7. Purchaser agrees that seller, its agents, representatives or assigns shall not be liable for any changes or alterations required at the location display is installed, by reason of the installation, repossession of the same.

8. Upon signed acceptance of Purchaser, this contract shall become binding upon the heirs, administrators, executors, assignees and successors of the undersigned.

9. It is expressly agreed this contract shall not be construed to be a conditional sale in any part thereof.

10. Purchaser agrees to all specifications, plans and blueprints submitted to Seller as of date of this contract.

11. Purchaser agrees to pay all additional costs of display caused by structural changes, deviations, deletions or inaccurate information provided by the Purchaser(s) including its agents, representatives or assigns.

12. Purchaser of display shall be responsible for insurance of display.

13. This contract represents the entire agreement between the Seller and the Purchaser. It is understood that no representative of the Seller has any power to change, modify, waive or amend the terms of this agreement. Neither will be bound by any such change unless agreed to in writing and signed by both parties.

14. It is understood that the representative is acting as a special agent and all representations not herein set out are deemed waived or void.

15. The excavation of caliche, rock, hard pan, water or unusual soil conditions are to be performed on a time and material basis at cost unless otherwise agreed to in writing by both Seller and Purchaser.

16. Seller shall not be responsible for the repair of any landscaping, sprinkler pipes, on-site underground utilities, asphalt, sidewalks or curbing. Location and re-routing of all underground equipment, not located through Digsafe are Buyer's responsibility.

17. Purchaser shall bring feed wires of suitable capacity and approved type to all locations of transformers in or at the display, and shall be responsible for the supply thereof, at the time of installation. Electrical must be furnished to the base of freestanding signs.

18. All material is warranted solely as set forth above. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices.

19. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the total stated on this agreement.

20. Purchaser to carry fire, tornado and necessary insurance.

ACCEPTANCE OF ABOVE TERMS: X_____

Customer Acceptance Date

# VISION SIGN INC.

# SALES AGREEMENT

6630 Arroyo Springs Street Suite 600 - Las Vegas, NV 89113
Phone: 702-895-7474 - Fax: 702-895-7444

Contractors License Unlimited
#NV42776 #AZ149529

| Submitted To | Phone | Email | Date |
|---|---|---|---|
| Brad Jerbic | 702-807-3917 | bjerbic@lasvegasnevada.gov | 03/04/2020 |
| **Firm Name** | **Job Name & Address** | | |
| City of Las Vegas | Star View Motel 1218 E. Fremont St Las Vega, NV 89101 | | |
| **Address** | **Salesperson** | **Design #** | **Date of Design** |
| 495 S. Main Street Las Vegas, NV 89101 | Keith Kochan | | |

**Description of work contracted as follows:**

**Star View Motel:**

Remove one (1) 25'-5" X 27-0" + - double face pylon from existing steel pole and transport to Vision Sign.
Repaint existing sheet metal on double face pylon and manufacture new neon units for "STAR VIEW MOTEL", "POOL" & TELEPHONE SYMBOL.
Manufacture one (1) 4'-0" x 8'-0" + - double face sign cabinet with LED internal illumination and white acrylic faces with first surface green vinyl with white show thru letters repaint existing pole.
Manufacture and install one (1) double face sheet metal star with exposed neon.
Reinstall sign cabinet on at site.

**This contract is void if City Council does not approve.**

Keith Kochan
702-348-8470
kkochan@visionsigninc.com

Approved as to form
John S. Ridilla 3/4/2020
John S. Ridilla Date
Deputy City Attorney

*Exclusions*

Time Clock & Photocell
Customer is to supply primary electrical to the signage
Abnormal digging conditions (caliche, hard pan, water table, etc)
Customer will supply any and all landscaping or under ground repair
Overtime Premium for installation (work hours 6 AM to 2:30 PM)
Permits, engineering and any 'Third Party' inspections (QAA) (if required) will be billed separately

| | |
|---|---|
| **Labor:** | $ 14,648.00 |
| **Material:** | $ 82,378.00 |
| **Tax on Material::** | |
| **Total:** | $97,026.00 |

*All copy, sizes, and colors as per Vision Sign Inc. print # dated .*

+ Permits

**QUOTATION IS VOID AFTER 30 DAYS. PERMITS WILL BE BILLED AT COST PLUS STAFF TIME REQUIRED FOR PERMIT ACQUISITION. THESE FEES ARE NOT INCLUDED IN THE CONTRACT PRICE, UNLESS OTHERWISE SPECIFIED IN WRITING.**

**ACCEPTANCE OF PROPOSAL CONSTITUTES A BINDING AGREEMENT BETWEEN PURCHASER AND SELLER UPON PURCHASER'S SIGNING THE CUSTOMER ACCEPTANCE ON PAGE ONE, THE UNDERSIGNED AGREES TO THE STANDARD CONTRACT CONDITIONS ON PAGE TWO AND THE SELLER'S SIGNING THE VISION SIGN ACCEPTANCE ON PAGE ONE.**

**TERMS: 50% deposit to begin work, net 30 days on the balance after completion.**

APPROVED BY _____
Vision Sign Inc. Acceptance

APPROVED BY _____
Customer Acceptance

_____
Print Name

## STANDARD CONTRACT CONDITIONS

1. Vision Sign Inc. (hereinafter referred to as "SELLER") expressly warrants the product manufactured by Seller and the components thereof to be free from defects in material and workmanship, under normal conditions, for a period of 90 days. Seller will repair or replace, at its option, any parts found defective by Vision Sign Inc. This warranty is null and void if another party, to this display, performs any repairs or alterations. **There are no warranties including the implied warranty of merchantability beyond the express warranty specifically set forth herein.**

2. Contract shall be binding upon Seller only when signed by a Corporate Officer.

3. FORCE MAJEURE Seller shall not be liable for delays due to events beyond Sellers control. Events including, but not limited to, acts of God, civil commotion, labor disputes strikes, fire, flood, government regulation, and weather conditions.

4. Purchase price is due in full, at Sellers office, within 10 days after completion of work. Unless otherwise agreed in writing, unpaid balance shall incur interest @ 1_% per month.

5. Purchaser agrees to pay all costs, including reasonable attorney's fees, incurred in enforcing any of the Sellers rights under this contract.

6. All words herein shall be deemed of the number and gender properly applicable to the Purchaser(s).

7. Purchaser agrees that seller, its agents, representatives or assigns shall not be liable for any changes or alterations required at the location display is installed, by reason of the installation, repossession of the same.

8. Upon signed acceptance of Purchaser, this contract shall become binding upon the heirs, administrators, executors, assignees and successors of the undersigned.

9. It is expressly agreed this contract shall not be construed to be a conditional sale in any part thereof.

10. Purchaser agrees to all specifications, plans and blueprints submitted to Seller as of date of this contract.

11. Purchaser agrees to pay all additional costs of display caused by structural changes, deviations, deletions or inaccurate information provided by the Purchaser(s) including its agents, representatives or assigns.

12. Purchaser of display shall be responsible for insurance of display.

13. This contract represents the entire agreement between the Seller and the Purchaser. It is understood that no representative of the Seller has any power to change, modify, waive or amend the terms of this agreement. Neither will be bound by any such change unless agreed to in writing and signed by both parties.

14. It is understood that the representative is acting as a special agent and all representations not herein set out are deemed waived or void.

15. The excavation of caliche, rock, hard pan, water or unusual soil conditions are to be performed on a time and material basis at cost unless otherwise agreed to in writing by both Seller and Purchaser.

16. Seller shall not be responsible for the repair of any landscaping, sprinkler pipes, on-site underground utilities, asphalt, sidewalks or curbing. Location and re-routing of all underground equipment, not located through Digsafe are Buyer's responsibility.

17. Purchaser shall bring feed wires of suitable capacity and approved type to all locations of transformers in or at the display, and shall be responsible for the supply thereof, at the time of installation. Electrical must be furnished to the base of freestanding signs.

18. All material is warranted solely as set forth above. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices.

19. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the total stated on this agreement.

20. Purchaser to carry fire, tornado and necessary insurance.

ACCEPTANCE OF ABOVE TERMS: X_____

Customer Acceptance Date

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**18**

**DEPARTMENT: Office of Government and Community Affairs** **CONSENT**
**DIRECTOR: Ted Olivas**

**SUBJECT:**
For possible action to approve the ratification of Karl Catarata in a Council support position as a Special Assistant to Council in the Ward 1 office ($63,203 + Benefits - General Fund) - Ward 1 (Knudsen)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $63,203 + Benefits
Funding Source: General Fund
Dept./Division: City Council - Ward 1

**PURPOSE/BACKGROUND:**
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Councilman Knudsen has requested the appointment of Karl Catarata to the position of Special Assistant to the Ward 1 office.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
None

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**19**

**DEPARTMENT: Office of Government and Community Affairs** **CONSENT**
**DIRECTOR: Ted Olivas**

**SUBJECT:**
For possible action to approve the ratification of Kasim Hakim in a Council support position as a Special Assistant to Council in the Ward 2 office ($59,625 + Benefits - General Fund) - Ward 2 (Seaman)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $59,625 + Benefits
Funding Source: General Fund
Dept./Division: City Council - Ward 2

**PURPOSE/BACKGROUND:**
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Councilwoman Seaman has requested the appointment of Kasim Hakim to the position of Special Assistant to the Ward 2 office.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
None

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**20**

**DEPARTMENT: Operations & Maintenance** **CONSENT**
**DIRECTOR: Jerry Walker**

**SUBJECT:**
For possible action to approve an Application For Land For Recreation or Public Purposes from the Bureau of Land Management (BLM) to lease approximately 135 acres of land for the future Northwest Regional Park located in the vicinity of North Skye Canyon Park Drive and Log Cabin Way, APN's 125-05-101-004, 125-05-201-002, -003 and -004 ($100 - General Fund) - Ward 6 (Fiore)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $100
Funding Source: General Fund
Dept./Division: Operations and Maintenance/Real Estate

**PURPOSE/BACKGROUND:**
Historically, the northwest sector of the City of Las Vegas has been one of the fastest growing areas in the City. Staff has identified this area as a park to ensure these services are available in the future as needed. In the application process for this Northwest Regional Park the City will relinquish an existing five acre future park and a two and a half acre future fire station that are within this new lease application area.

**RECOMMENDATION:**
Approval. If approved, the City Real Estate Administrator is hereby authorized to execute any documents related to the BLM application.

**BACKUP DOCUMENTATION:**
1. Application For Land For Recreation or Public Purposes

Form 2740-1
(May 2016)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0012
Expires: March 31, 2019

# APPLICATION FOR LAND FOR RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

| Date | Serial Number *(BLM use only)* |
|---|---|
| | |

Home phone *(include area code)*

| 1a. Applicant's name | b. Address *(include zip code)* | Business phone *(include area code)* |
|---|---|---|
| City of Las Vegas | 333 N. Rancho Dr., Las Vegas NV,89 | |

2. Give legal description of lands applied for *(include metes and bounds description, if necessary)*

| SUBDIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|
| NW 1/4 | 5 | 19 South | 60 East | Mount Diablo |

| County of | State of | Containing *(acres)* |
|---|---|---|
| Clark | Nevada | 135 +/- |

3a. This application is for: ☑ Lease ☐ Purchase *(If lease, indicate year )*

b. Proposed use is ☑ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

The city of Las Vegas in conjunction with Clark County has designed a new regional park that will provide vital green space and extensive recreational opportunities for thousands of city and county residents who crave connectivity with nature. This will be a space where families can recreate, play, interact with the community and find a respite from the daily obligations of life.

The new regional park will provide needed recreation and cultural amenities to northwest Las Vegas residents and will serve as the starting point for trails connecting to the Tule Springs Fossil Beds National Monument. Over the next few years, several new developments will be constructed in northwest Las Vegas making this new park even more significant to residents' quality of life.

Phase one development includes four little league fields, two softball fields, one baseball field, an adaptive field, a gateway entry area, perimeter trails, public restrooms, concession areas, associated drives and parking areas.
The proposed park will provide much needed facilities for local residents and will be able to accommodate large-scale tournaments, youth and adult leagues, swim teams and a wide variety of special events. This park will be the first of its kind in the northwest that incorporates multiple sporting fields and two pools. There is a strong demand for additional fields to accommodate the diverse array of sporting events, adaptive services and recreational facilities in the Las Vegas Valley.

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or public purposes pursuant to the Recreation and Public Purposes Act, consider this application as a petition for such classification.

(Continued on page 2)

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☑ Yes ☐ No *(If "no," describe the situation or activity and your plans for achieving compliance.)*

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? ☑ Yes ☐ No *(If "no," describe the situation or activity and the reasons for nonaccessibility).*

| Applicant's Signature | Date |
|---|---|

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

## GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and related plans to the BLM District or Resource Area Office in which the land is located.
3. Study controlling regulations in 43 CFR 2740 *(Sales)* and 43 CFR 2912 *(Leases)*.
4. If applicant is non-governmental association or corporation, attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

## SPECIFIC INSTRUCTIONS

*(Items not listed are self - explanatory)*

*Item*

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.

3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.

4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:
   a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
   b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.
   c. Type and general location of all proposed improvements, including public access *(roads, trails, etc.)*. This showing may take the form of inventory lists, maps, plats, drawings, or blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.
   d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.
   e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.
   f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.
   g. Applications for solid waste disposal sites must comply with guidelines established by the Environmental Protection Agency (40 CFR 258) and must include a detailed physical description of the site including a map, description of ground water situation, soil characteristics and management plan.

6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or the like.

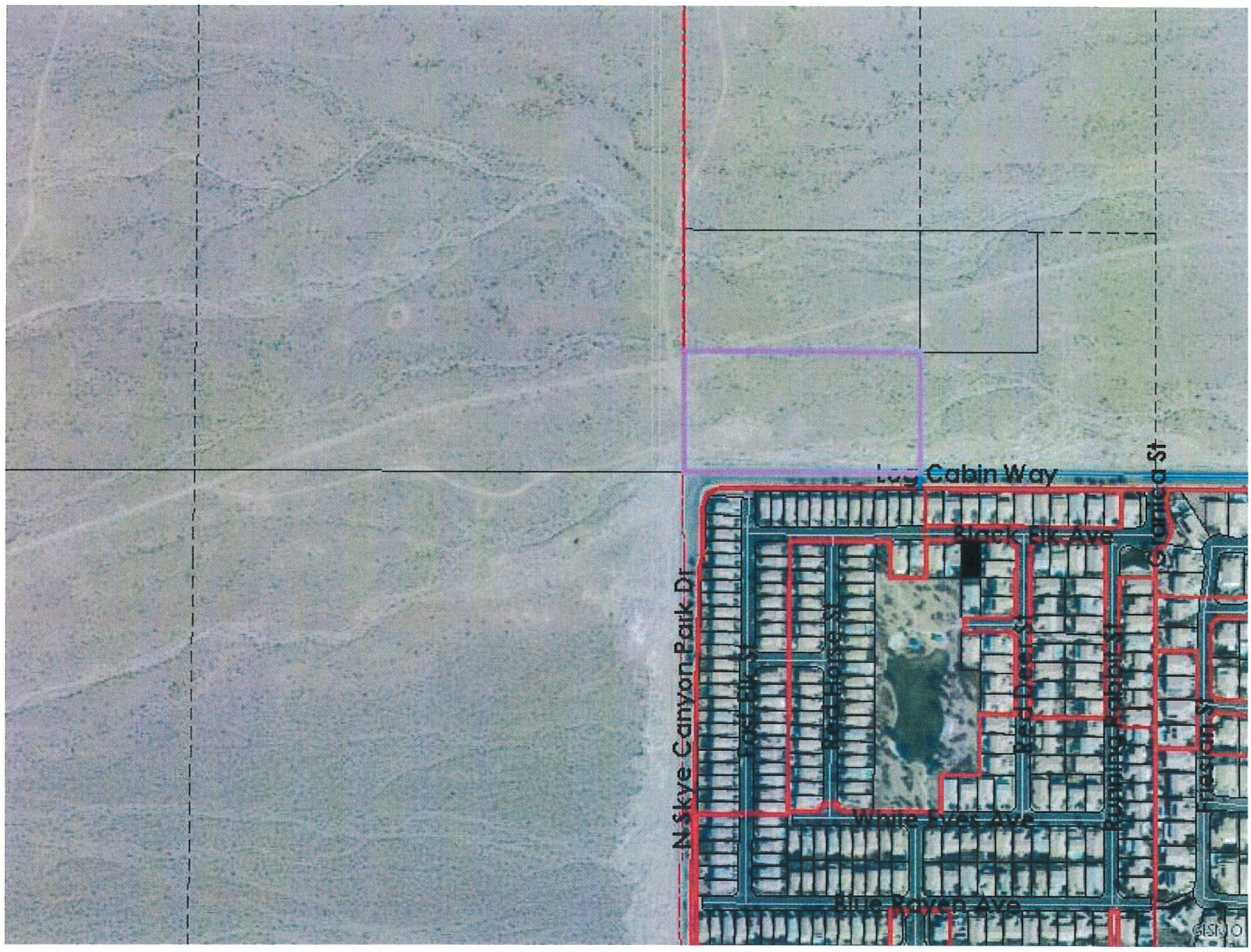
(Continued on page 3)

## NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48 (d) require that you be furnished the following information in connection with information required by this application.
AUTHORITY: 43 U.S.C. 869 et seq.; 43 CFR Part 2740
PRINCIPAL PURPOSE: The information is to be used to process your application.
ROUTINE USES: In accordance with the System of Records titled, "Land and Minerals Authorization Tracking System—Interior, LLM-32," disclosure outside the Department of the Interior may be made: (1) To appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources, (2) To Federal, State, or local agencies or a member of the general public in response to a specific request for pertinent information, (3) To the U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department, or when represented by the government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled, (4) To an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, regulation, rule, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation, (5) To a member of Congress or a Congressional staff member from the record of an individual in response to an inquiry made at the request of that individual, (6) To the Department of the Treasury to effect payment to Federal, State, and local government agencies, nongovernmental organizations, and individuals, and (7) To individuals involved in responding to a breach of Federal data. The BLM will only disclose this information in accordance with the Freedom of Information Act, the Privacy Act, and the provision in 43 CFR 2.56(c).

The Paperwork Reduction Act of 1995 requires us to inform you that:
BLM collects this information to process your request for Federal lands under the provisions of June 14, 1926 (43 U.S.C. 869 as amended), Recreation and Public Purposes Act.
Information will be used to illustrate whether the applicant meets requirements of regulations found in 43 CFR Subpart 2740.
BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.
EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary for processing of the application. If all the information is not provided, the application may result in delay or preclude the BLM's acceptance of your form.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated at 40 hours per response, including the time for reviewing instructions, gathering, and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the U.S. Department of the Interior, Bureau of Land Management (1004-0012), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.




The MAPS and DATA are provided without warranty of any kind, expressed or implied.
Date Created: 02/13/2020

## Property Information

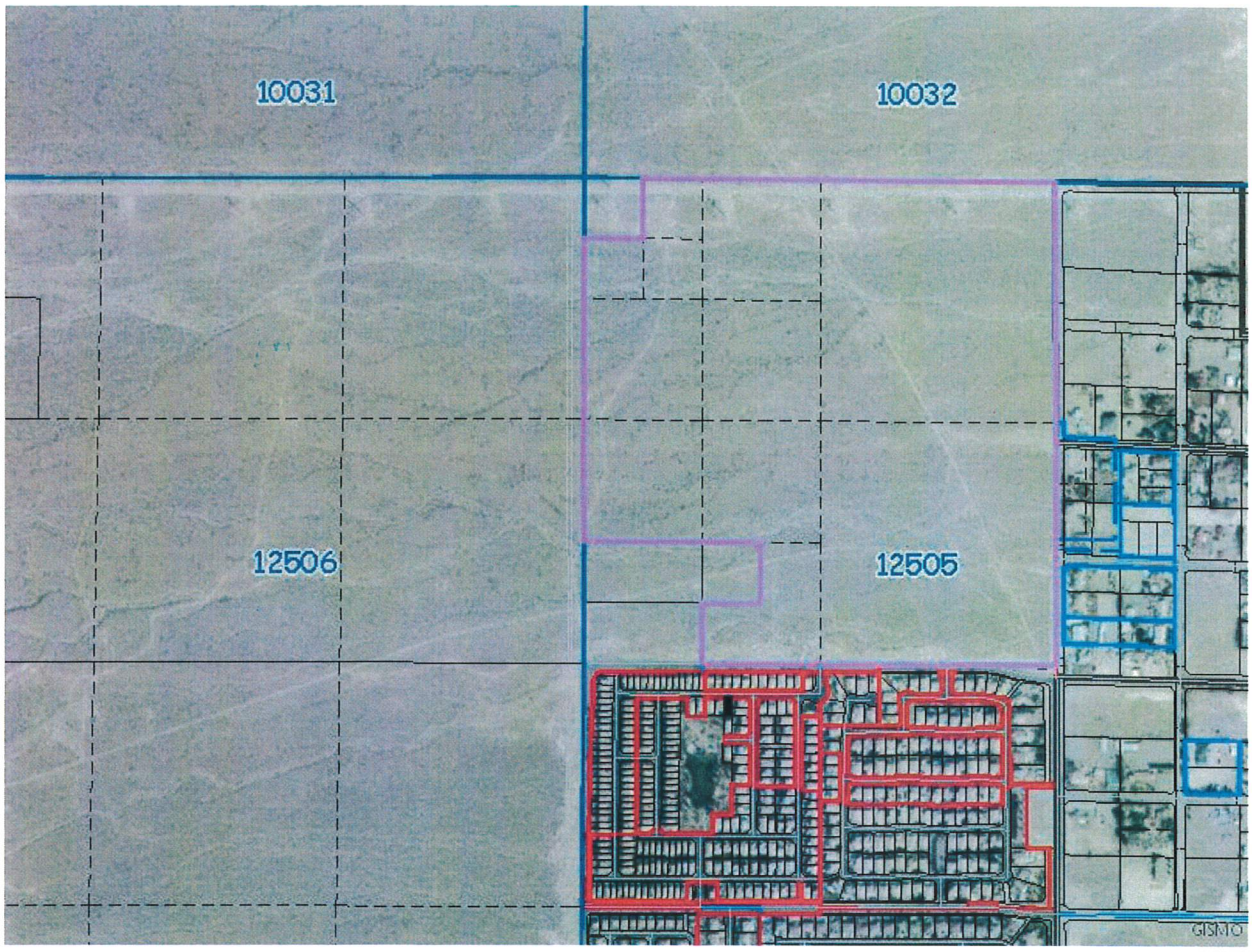
| | |
|---|---|
| **Parcel:** | 12505201004 |
| **Owner Name(s):** | USA |
| **Site Address:** | 0 |
| **Jurisdiction:** | Las Vegas - null |
| **Zoning Classification:** | Residence Estates District (R-E) |
| **Planned Landuse:** | |

## Misc Information

| | | | |
|---|---|---|---|
| **Subdivision Name:** | null | | |
| **Lot Block:** | Lot: Block: | **Construction Year:** | |
| **Sale Date:** | Not Available | **T-R-S:** | 19-60-5 |
| **Sale Price:** | Not Available | **Census tract:** | 3316 |
| **Recorded Doc Number:** | 99999999 99999999 | **Estimated Lot Size:** | 5 |
| **Flight Date:** | Mar.16.2019 | | |

## Elected Officials

| | | | |
|---|---|---|---|
| **Commission:** | B - Marilyn Kirkpatrick (D) | **City Ward:** | 6 - Michele Fiore |
| **US Senate:** | Dean Heller, Catherine Cortez-Masto | **US Congress:** | 4 - Steven A. Horsford (D) |
| **State Senate:** | 18 - Scott T. Hammond (R) | **State Assembly:** | 13 - Tom Roberts (R) |
| **School District:** | E - Lola Brooks | **University Regent:** | 13 - John Moran |
| **Board of Education:** | 4 - Mark Newburn | **Minor Civil Division:** | Las Vegas |




The MAPS and DATA are provided without warranty of any kind, expressed or implied.
Date Created: 02/13/2020

## Property Information

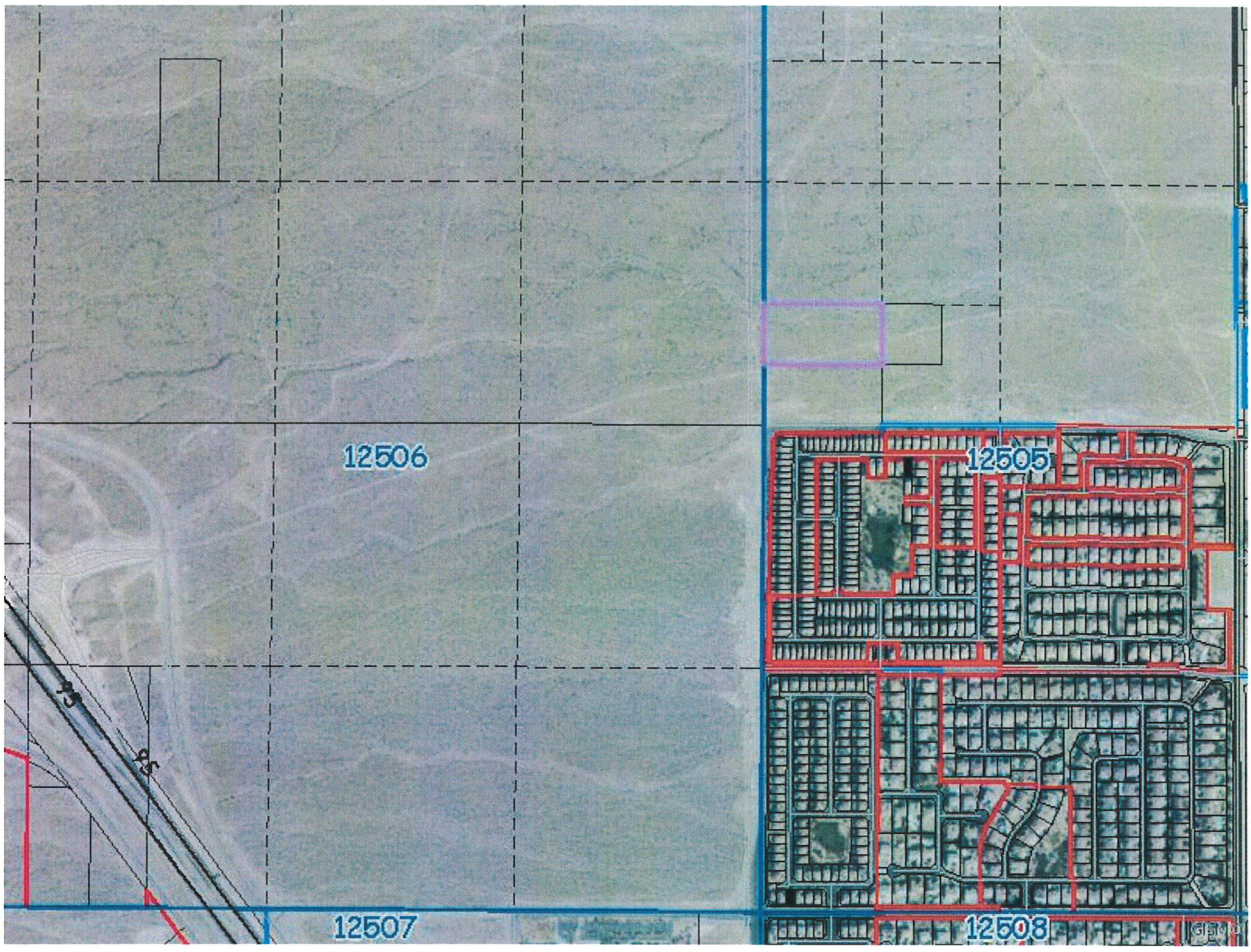
| | |
|---|---|
| **Parcel:** | 12505101004 |
| **Owner Name(s):** | USA |
| **Site Address:** | 0 |
| **Jurisdiction:** | Las Vegas - null |
| **Zoning Classification:** | Residence Estates District (R-E) |
| **Planned Landuse:** | |

## Misc Information

| | | | |
|---|---|---|---|
| **Subdivision Name:** | null | | |
| **Lot Block:** | Lot: Block: | **Construction Year:** | |
| **Sale Date:** | Not Available | **T-R-S:** | 19-60-5 |
| **Sale Price:** | Not Available | **Census tract:** | 3316 |
| **Recorded Doc Number:** | 99999999 99999999 | **Estimated Lot Size:** | 147.98 |
| **Flight Date:** | Mar.16.2019 | | |

## Elected Officials

| | | | |
|---|---|---|---|
| **Commission:** | B - Marilyn Kirkpatrick (D) | **City Ward:** | 6 - Michele Fiore |
| **US Senate:** | Dean Heller, Catherine Cortez-Masto | **US Congress:** | 4 - Steven A. Horsford (D) |
| **State Senate:** | 18 - Scott T. Hammond (R) | **State Assembly:** | 13 - Tom Roberts (R) |
| **School District:** | E - Lola Brooks | **University Regent:** | 13 - John Moran |
| **Board of Education:** | 4 - Mark Newburn | **Minor Civil Division:** | Las Vegas |




The MAPS and DATA are provided without warranty of any kind, expressed or implied.
Date Created: 02/13/2020

## Property Information

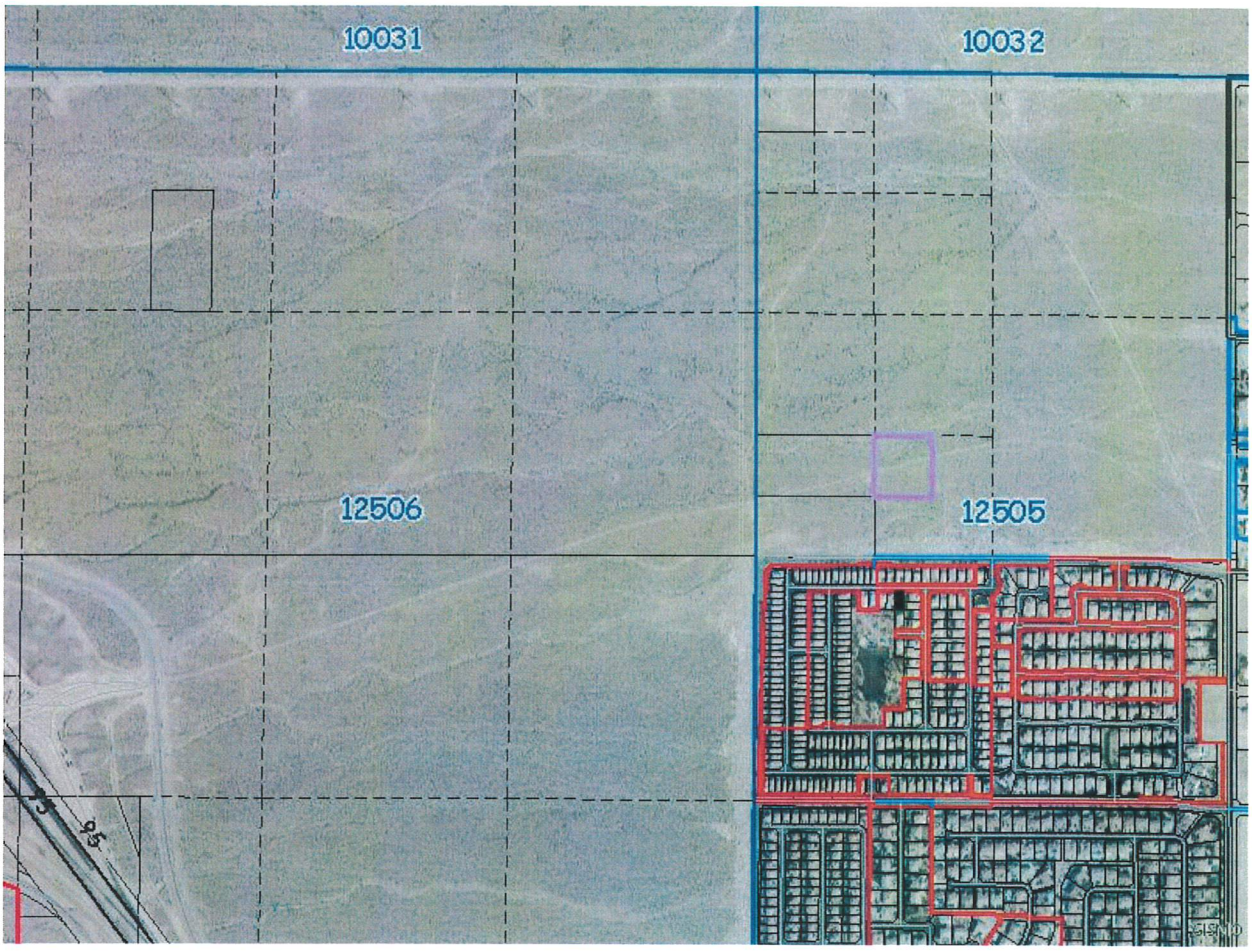
| | |
|---|---|
| **Parcel:** | 12505201003 |
| **Owner Name(s):** | USA |
| **Site Address:** | 0 |
| **Jurisdiction:** | Las Vegas - null |
| **Zoning Classification:** | Residence Estates District (R-E) |
| **Planned Landuse:** | |

## Misc Information

| | | | |
|---|---|---|---|
| **Subdivision Name:** | null | | |
| **Lot Block:** | Lot: Block: | **Construction Year:** | |
| **Sale Date:** | Not Available | **T-R-S:** | 19-60-5 |
| **Sale Price:** | Not Available | **Census tract:** | 3316 |
| **Recorded Doc Number:** | 99999999 99999999 | **Estimated Lot Size:** | 5 |
| **Flight Date:** | Mar.16.2019 | | |

## Elected Officials

| | | | |
|---|---|---|---|
| **Commission:** | B - Marilyn Kirkpatrick (D) | **City Ward:** | 6 - Michele Fiore |
| **US Senate:** | Dean Heller, Catherine Cortez-Masto | **US Congress:** | 4 - Steven A. Horsford (D) |
| **State Senate:** | 18 - Scott T. Hammond (R) | **State Assembly:** | 13 - Tom Roberts (R) |
| **School District:** | E - Lola Brooks | **University Regent:** | 13 - John Moran |
| **Board of Education:** | 4 - Mark Newburn | **Minor Civil Division:** | Las Vegas |




The MAPS and DATA are provided without warranty of any kind, expressed or implied.
Date Created: 02/13/2020

## Property Information

| | |
|---|---|
| **Parcel:** | 12505201002 |
| **Owner Name(s):** | USA |
| **Site Address:** | 0 |
| **Jurisdiction:** | Las Vegas - null |
| **Zoning Classification:** | Residence Estates District (R-E) |
| **Planned Landuse:** | |

## Misc Information

| | | | |
|---|---|---|---|
| **Subdivision Name:** | null | | |
| **Lot Block:** | Lot: Block: | **Construction Year:** | |
| **Sale Date:** | Not Available | **T-R-S:** | 19-60-5 |
| **Sale Price:** | Not Available | **Census tract:** | 3316 |
| **Recorded Doc Number:** | 99999999 99999999 | **Estimated Lot Size:** | 2.5 |
| **Flight Date:** | Mar.16.2019 | | |

## Elected Officials

| | | | |
|---|---|---|---|
| **Commission:** | B - Marilyn Kirkpatrick (D) | **City Ward:** | 6 - Michele Fiore |
| **US Senate:** | Dean Heller, Catherine Cortez-Masto | **US Congress:** | 4 - Steven A. Horsford (D) |
| **State Senate:** | 18 - Scott T. Hammond (R) | **State Assembly:** | 13 - Tom Roberts (R) |
| **School District:** | E - Lola Brooks | **University Regent:** | 13 - John Moran |
| **Board of Education:** | 4 - Mark Newburn | **Minor Civil Division:** | Las Vegas |

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**21**

**DEPARTMENT: Operations & Maintenance** **CONSENT**
**DIRECTOR: Jerry Walker**

**SUBJECT:**
For possible action to approve an Interlocal Contract between the City of Las Vegas and the Clark County School District for the sale of surplus personal property consisting of a 400 square-foot modular located at 4291 Pennwood Avenue, commonly known as Ed W. Clark High School - Ward 1 (Knudsen)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The City agrees to transfer title of the City owned modular to the Clark County School District (CCSD) located on CCSD land to promote the continuation and expansion of services by Future Smiles. The Current Memorandum of Understanding dated May 8, 2007 between the City and CCSD for use of the modular on CCSD land will terminate upon transfer of the property.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Interlocal Contract
2. Bill of Sale

**INTERLOCAL CONTRACT BETWEEN**
**THE CITY OF LAS VEGAS**
**AND**
**THE CLARK COUNTY SCHOOL DISTRICT**
**FOR THE**
**SALE OF SURPLUS PERSONAL PROPERTY**

This Interlocal Contract for the Sale of Surplus Personal Property ("Agreement") is made and entered into this _____ day of _____, 2020, by and between the City of Las Vegas, a municipal corporation with the State of Nevada ("City") and Clark County School District, also a political subdivision of the State of Nevada ("District"). City and the District may hereinafter be individually referred to as "Party" or collectively referred to herein as the "Parties."

**RECITALS**

**WHEREAS**, Nevada Revised Statute ("NRS") 277.180 authorizes any two or more public agencies to contract with each other to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

**WHEREAS**, the Parties to this Agreement are public agencies and authorized to enter into this Agreement in accordance with Nevada law; and

**WHEREAS**, the City is the owner of a 400 square foot (10x40) modular unit, ("Personal Property"), serial number 47645-01, currently located on District real property located at Ed W. Clark High School, 4291 Pennwood Avenue, Las Vegas, NV 89102, Assessor's Parcel Number 162-07-701-001, as depicted on Exhibit "A" attached hereto; and

**WHEREAS**, Nevada Revised Statues 334.030 permits, "any governmental entity to take full advantage of the available surplus properties of any other governmental entity" by permitting the entities to enter into a contract for sale of the surplus personal property between them, and further, that "any provisions of any law, charter, ordinance, resolution, bylaws, rule or regulation which are inconsistent with the provisions" of NRS 334.030 are suspended to the extent such provisions are inconsistent with the ability of one governmental entity to sell surplus property to another governmental entity; and

**WHEREAS**, the City has determined that the Personal Property is surplus personal property of City with a value of less than Twenty Five Thousand Dollars ($25,000.00); and

**WHEREAS,** the Personal Property will be utilized initially by Future Smiles, a non-profit organization whose goal is to increase access to oral health care (primarily preventative dental services) in at risk populations through school based health care; and

**WHEREAS,** the City desires to promote the continuation of services by allowing Future Smiles to contract directly with the District for the use of the Personal Property; and

**WHEREAS**, the City desires to transfer title of the Personal Property, including all utility connections and other existing related facilities, through a sale for One Dollar and No Cents ($1.00) to the District in order to simplify the contracting process between Future Smiles and the District; and

**WHEREAS**, the District desires to purchase the Personal Property consisting of a 400 square foot (10x40) modular unit, serial number 47645-01, from the City to promote the continuation and expansion of services by Future Smiles; and

**WHEREAS**, the District and City entered into that certain Memorandum of Understanding dated May 8, 2007, for the modular facility to be placed on District property which will terminate upon the transfer of title of the Personal Property.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

## AGREEMENT

1. The above Recitals and all Exhibits attached hereto are incorporated by this reference and expressly made part of this Agreement.

2. City agrees to sell the Personal Property to District for the purchase price of One Dollar and No Cents ($1.00).

3. Subsequent to the payment of the purchase price and signature of the Bill of Sale, the form of which is attached hereto as Exhibit "B", by an authorized official of the District, District may move the Personal Property at its discretion and sole cost and expense.

District acknowledges and understands that upon its execution of this Agreement, its execution of the Bill of Sale, and City's presentation of the keys to the Personal Property to an authorized official of District, the Personal Property is the sole property of District and the sole responsibility of District.

District acknowledges and agrees that it must take possession of the Personal Property at the current location of the Personal Property as above. If District desires to transfer the Personal Property to a new location, the Personal Property must be moved in a lawful manner. If the Nevada State Department of Motor Vehicles requires some means of transfer or registration, it is the responsibility of District to complete any and all necessary legal requirements prior to the delivery of the Personal Property by City. City will take all necessary reasonable steps to assist in the transfer of title or other legal requirements as requested by District.

4. AS-IS Condition. District acknowledges that the Personal Property is surplus and no longer needed by the City. District agrees that the sale and delivery of the Personal Property is in an AS-IS condition, and City makes no warranties of any kind, express or implied, and expressly disclaims all other warranties.

5. District will hold harmless, defend and indemnify City, its elected officials, officer and employees against any actions, claims or lawsuits of any kind resulting from the ownership of the Personal Property. This indemnification shall survive any termination or natural expiration of this Agreement.

6. Jurisdiction for judicial review under this Agreement shall rest exclusively with the Eighth Judicial District Court, County of Clark, state of Nevada.

7. Each Party shall bear its own attorneys' fees and court costs in connection with any legal proceeding hereunder.

8. The Parties acknowledge that this Agreement has been presented to the governing body of each of the Parties for consideration and duly approved at a properly noticed meeting of each governing body.

IN WITNESS WHEREOF, the Parties have set their hands the day and year first above written

[LEFT BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGES]

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

By: _____
LuAnn D. Holmes, MMC, City Clerk Date

APPROVED AS TO FORM:

John S. Ridilla
Deputy City Attorney

By: John S. Ridilla 3/3/2020
Deputy City Attorney Date

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

This instrument was acknowledged before me on the _____ day of _____, 20__, by Carolyn G. Goodman as Mayor of the City of Las Vegas, a Nevada municipal corporation.

(NOTARY STAMP BELOW)

_____
Notary Public Signature

_____
My commission expires (date)

[LEFT BLANK INTENTIONALLY AND SIGNATURES CONTINUED ON NEXT PAGE]

**CLARK COUNTY BOARD OF SCHOOL TRUSTEES DESIGNEE**

By: _____

Jeff Wagner, Interim Chief of Facilities

APPROVED AS TO FORM:

By: _____ 2/27/20

Eleissa Lavelle, General Counsel

Reviewed by 2-27-20
Carrie Bourdeau, Esq. (OGC)

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

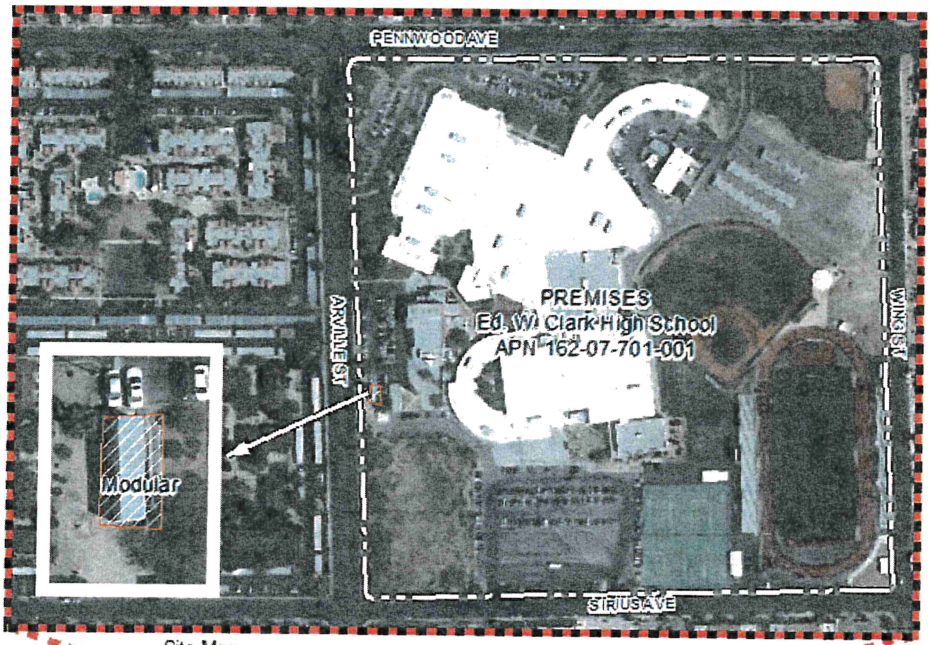
This instrument was acknowledged before me on the _____ day of _____, 20__, by Jeff Wagner, Interim Chief of Facilities of the Clark County School District.

(NOTARY STAMP BELOW)

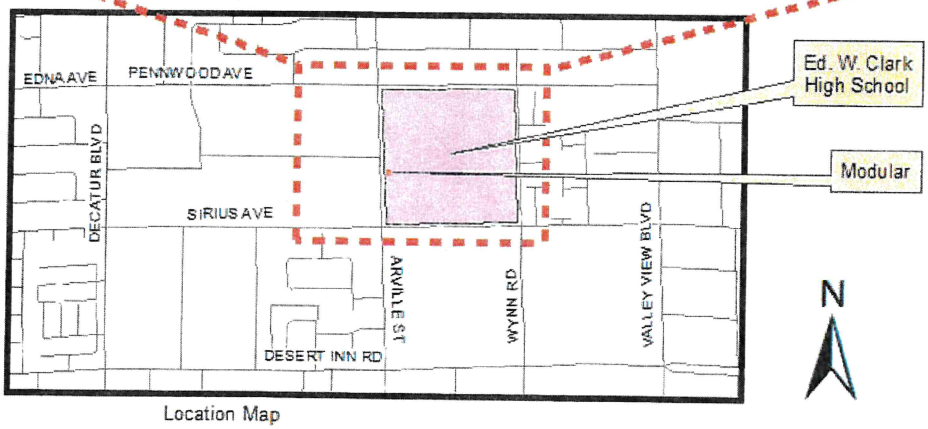
_____
Notary Public Signature

_____
My commission expires (date)

# EXHIBIT A




Site Map




Location Map

**INTERLOCAL CONTRACT BETWEEN
THE CITY OF LAS VEGAS AND
THE CLARK COUNTY SCHOOL DISTRICT
FOR THE SALE OF SURPLUS PERSONAL PROPERTY**

EXHIBIT B

BILL OF SALE

**BILL OF SALE**
**FOR THE DISPOSAL OF SURPLUS CITY OF LAS VEGAS PROPERTY**
**TO THE CLARK COUNTY SCHOOL DISTRICT**

In accordance with that certain AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE CLARK COUNTY SCHOOL DISTRICT REGARDING THE DISPOSITION OF A SURPLUS CITY OF LAS VEGAS PERSONAL PROPERTY, the City of Las Vegas (the "City") grants, sells and transfers full ownership of surplus personal property to the Clark County School District (the "District") as follows:

Know all Men by these Presents, that the City, for and in consideration of One Dollar and No Cents ($1.00), the receipt of which is hereby acknowledged, do by and these presents BARGAIN AND SELL, unto the District, the following described Personal Property, to-wit:

**Surplus personal property of City consisting of 400 square feet (10x40) modular unit, serial number 47645-01, currently located at Ed W. Clark High School, 4291 Pennwood Avenue, Las Vegas, NV 89102, Assessor's Parcel Number 162-07-701-001,**

The City warrants that it is the lawful owner in every respect of the described personal property and that it is free and clear of all liens, security arrangements, encumbrances, claims, demands, and charges of every kind whatsoever.

City binds City, to warrant and defend the title to the described personal property to District, against every personal lawfully claiming the described personal property or any part of it.

THE DESCRIBED PERSONAL PROPERTY IS SOLD "AS-IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, AS TO THE CONDITION OF SUCH PERSONAL PROPERTY. BY ACCEPTING THIS BILL OF SALE, BUYER(S) REPRESENT THAT DISTRICT HAS PERSONALLY INSPECTED THE DESCRIBED PERSONAL PROPERTY AND ACCEPTS THE PERSONAL PROPERTY "AS-IS".

IN WITNESS WHEREOF, City hereby executes this Bill of Sale on the _____ day of _____, 2020.

[LEFT BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGES]

**CITY OF LAS VEGAS**

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

By: _____
LuAnn D. Holmes, MMC, City Clerk Date

APPROVED AS TO FORM:

By: _____
Deputy City Attorney Date

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

This instrument was acknowledged before me on the _____ day of _____, 20__, by Carolyn G. Goodman as Mayor of the City of Las Vegas, a Nevada municipal corporation.

(NOTARY STAMP BELOW)

_____
Notary Public Signature

_____
My commission expires (date)

[LEFT BLANK INTENTIONALLY AND SIGNATURES CONTINUED ON NEXT PAGE]

**CLARK COUNTY BOARD OF SCHOOL TRUSTEES**
**DESIGNEE**

By: _____

Jeff Wagner, Interim Chief of Facilities

APPROVED AS TO FORM:

By: _____

Eleissa Lavelle, General Counsel

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

This instrument was acknowledged before me on the _____ day of _____, 20__, by Jeff Wagner, Interim Chief of Facilities of the Clark County School District.

(NOTARY STAMP BELOW)

_____
Notary Public Signature

_____
My commission expires (date)

**BILL OF SALE**
**FOR THE DISPOSAL OF SURPLUS CITY OF LAS VEGAS PROPERTY**
**TO THE CLARK COUNTY SCHOOL DISTRICT**

In accordance with that certain AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE CLARK COUNTY SCHOOL DISTRICT REGARDING THE DISPOSITION OF A SURPLUS CITY OF LAS VEGAS PERSONAL PROPERTY, the City of Las Vegas (the "City") grants, sells and transfers full ownership of surplus personal property to the Clark County School District (the "District") as follows:

Know all Men by these Presents, that the City, for and in consideration of One Dollar and No Cents ($1.00), the receipt of which is hereby acknowledged, do by and these presents BARGAIN AND SELL, unto the District, the following described Personal Property, to-wit:

**Surplus personal property of City consisting of 400 square feet (10x40) modular unit, serial number 47645-01, currently located at Ed W. Clark High School, 4291 Pennwood Avenue, Las Vegas, NV 89102, Assessor's Parcel Number 162-07-701-001,**

The City warrants that it is the lawful owner in every respect of the described personal property and that it is free and clear of all liens, security arrangements, encumbrances, claims, demands, and charges of every kind whatsoever.

City binds City, to warrant and defend the title to the described personal property to District, against every personal lawfully claiming the described personal property or any part of it.

THE DESCRIBED PERSONAL PROPERTY IS SOLD "AS-IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, AS TO THE CONDITION OF SUCH PERSONAL PROPERTY. BY ACCEPTING THIS BILL OF SALE, BUYER(S) REPRESENT THAT DISTRICT HAS PERSONALLY INSPECTED THE DESCRIBED PERSONAL PROPERTY AND ACCEPTS THE PERSONAL PROPERTY "AS-IS".

IN WITNESS WHEREOF, City hereby executes this Bill of Sale on the _____ day of _____, 2020.

[LEFT BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGES]

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**BILL OF SALE**
**FOR THE DISPOSAL OF SURPLUS CITY OF LAS VEGAS PROPERTY**
**TO THE CLARK COUNTY SCHOOL DISTRICT**
Signature Page

**CITY OF LAS VEGAS**

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

By: _____
LuAnn D. Holmes, MMC, City Clerk Date

APPROVED AS TO FORM: John S. Ridilla
Deputy City Attorney

By: John S. Ridilla 3/3/2020
Deputy City Attorney Date

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

This instrument was acknowledged before me on the _____ day of _____, 20__, by Carolyn G. Goodman as Mayor of the City of Las Vegas, a Nevada municipal corporation.

(NOTARY STAMP BELOW)

_____
Notary Public Signature

_____
My commission expires (date)

[LEFT BLANK INTENTIONALLY AND SIGNATURES CONTINUED ON NEXT PAGE]

**CLARK COUNTY BOARD OF SCHOOL TRUSTEES**
**DESIGNEE**

By: _____

Jeff Wagner, Interim Chief of Facilities

APPROVED AS TO FORM:

By: EPL 2/27/20

Eleissa Lavelle, General Counsel

Reviewed by 2-27-20
Carrie Bourdeau, Esq. (OGC)

(NOTARY USE ONLY)

STATE OF_____ COUNTY OF_____

This instrument was acknowledged before me on the _____ day of _____, 20__, by Jeff Wagner, Interim Chief of Facilities of the Clark County School District.

(NOTARY STAMP BELOW)

_____
Notary Public Signature

_____
My commission expires (date)

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**22**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

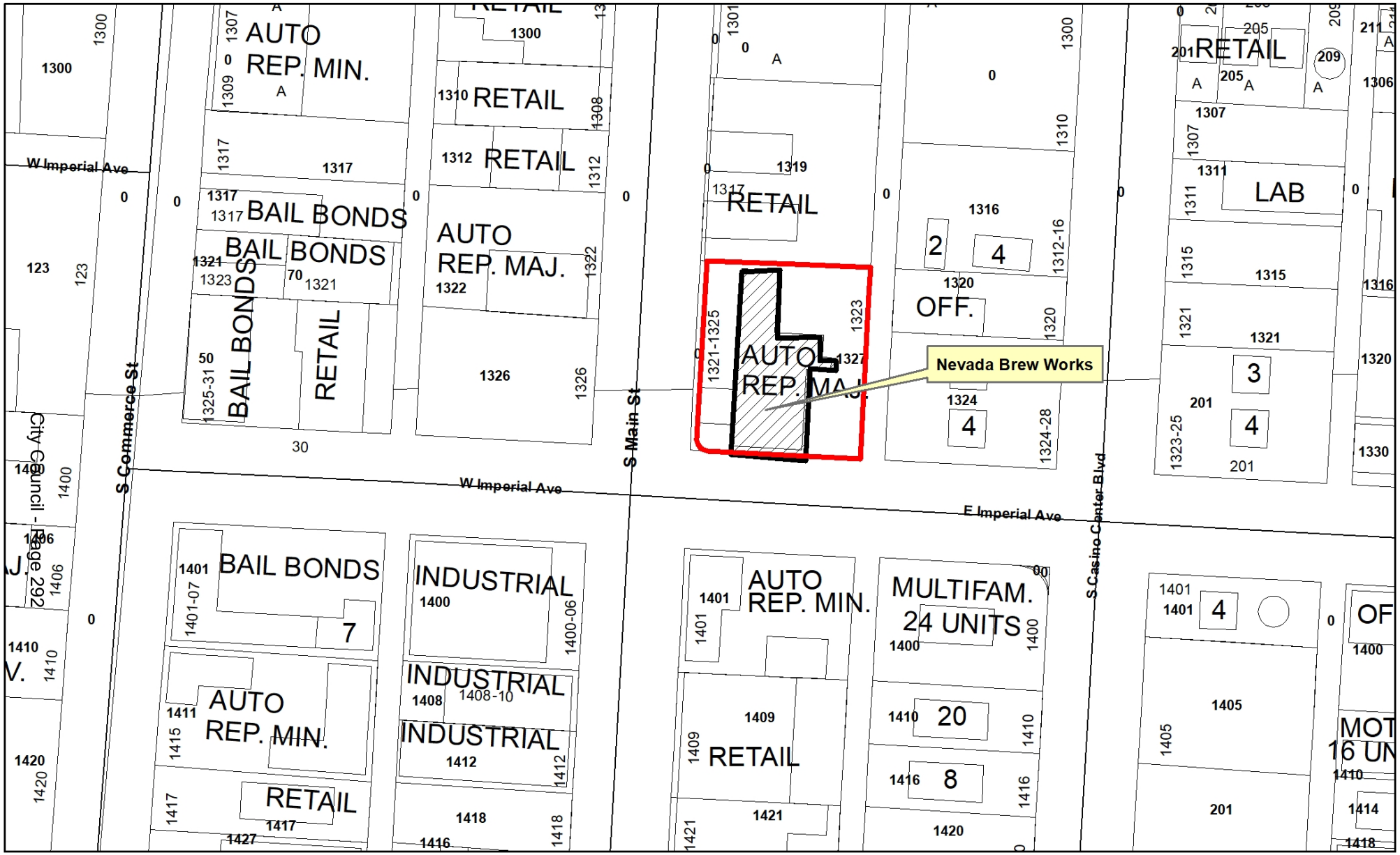
**SUBJECT:**
For possible action to approve a Tavern-Limited License for NEVADA BREW WORKS, LLC dba NEVADA BREW WORKS at 1327 South Main Street, Suite #160 [Jason Nicholas Taylor, Managing Member] - Ward 3 (Diaz)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve a Tavern-Limited License.

**RECOMMENDATION:**
Staff recommends APPROVAL, subject to City of Las Vegas Fire Department, City of Las Vegas Building & Safety Department, and Southern Nevada Health District approvals.

**BACKUP DOCUMENTATION:**
1. Location Map




**Nevada Brew Works**
**1327 South Main Street, Suite #160**
**Ward 3**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Monday, February 24, 2020

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**23**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

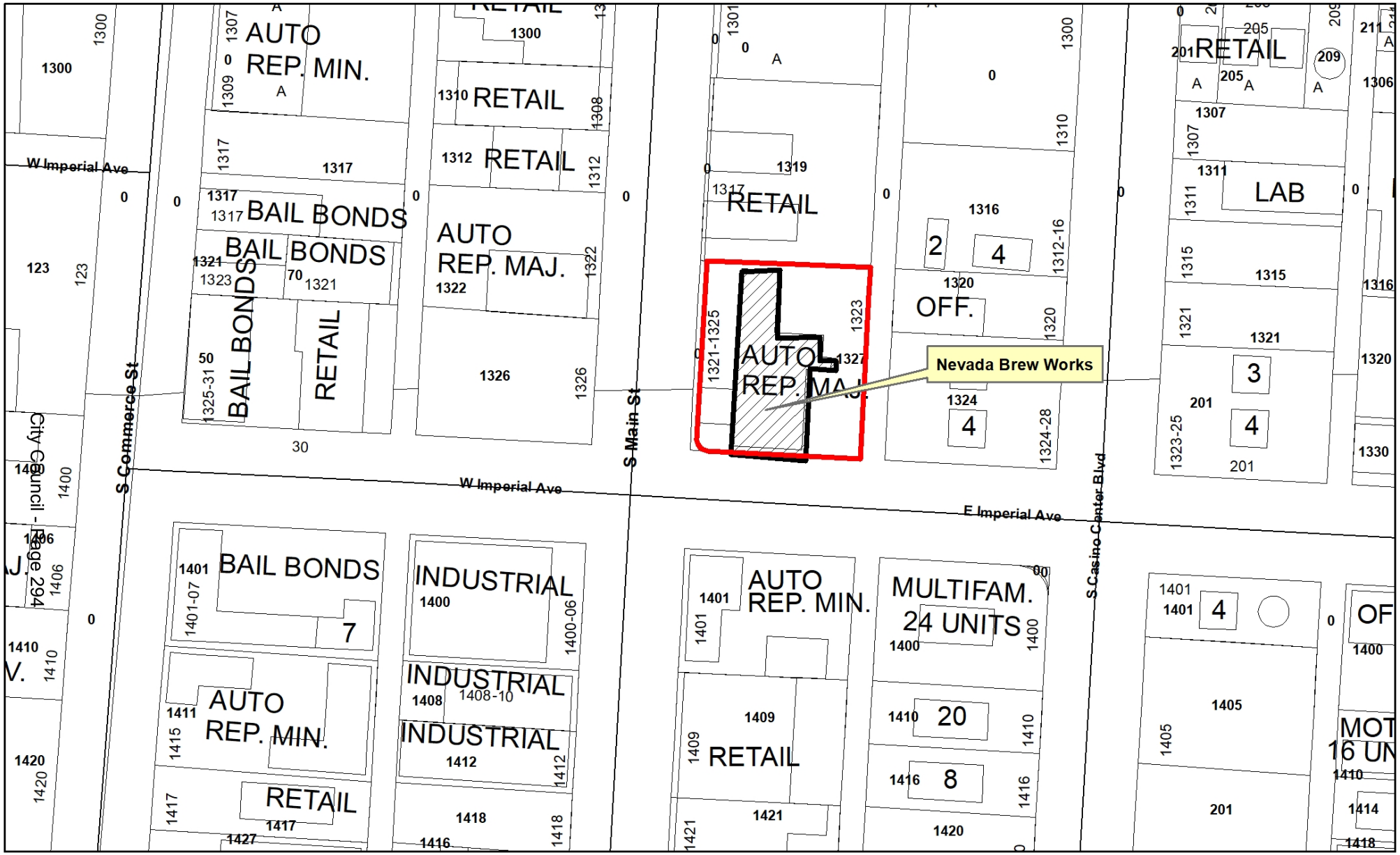
**SUBJECT:**
For possible action to approve an Ancillary Brew Pub License for NEVADA BREW WORKS, LLC dba NEVADA BREW WORKS at 1327 South Main Street, Suite #160 [Jason Nicholas Taylor, Managing Member] - Ward 3 (Diaz)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve an Ancillary Brew Pub License.

**RECOMMENDATION:**
Staff recommends APPROVAL, subject to City of Las Vegas Fire Department, City of Las Vegas Building & Safety Department, Southern Nevada Health District, and Nevada Department of Taxation approvals.

**BACKUP DOCUMENTATION:**
1. Location Map




**Nevada Brew Works**
**1327 South Main Street, Suite #160**
**Ward 3**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Monday, February 24, 2020

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**24**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
For possible action to approve a Temporary Alcoholic Beverage Caterer License for ROLLIN SPIRITS, LLC dba ROLLIN SPIRITS at 5000 West Oakey Boulevard, Suite D20 - Ward 1 (Knudsen)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve a Temporary Alcoholic Beverage Caterer License.

**RECOMMENDATION:**
Staff recommends APPROVAL of a temporary alcoholic beverage caterer license with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report.

**BACKUP DOCUMENTATION:**
1. Ownership
2. Location Map

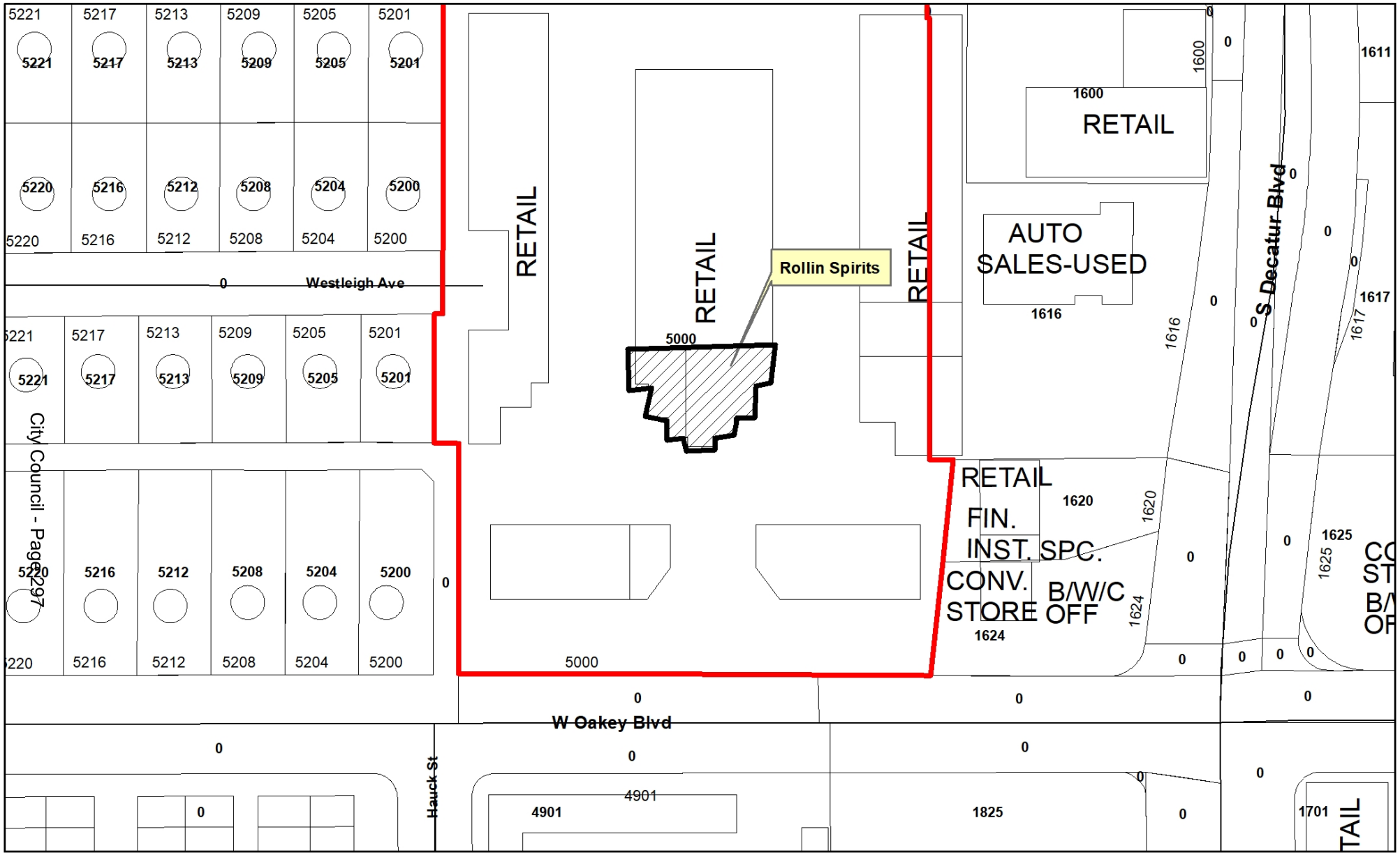
City of Las Vegas

## *AGENDA MEMO*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: For possible action to approve a Temporary Alcoholic Beverage Caterer License for ROLLIN SPIRITS, LLC dba ROLLIN SPIRITS at 5000 West Oakey Boulevard, Suite D20 - Ward 1 (Knudsen)**

**OWNERSHIP:**

**ROLLIN SPIRITS, LLC**
Larry Eugene Dismond, Managing Member
Alex Sabate, Managing Member




**Rollin Spirits**
**5000 West Oakey Boulevard, Suite D20**
**Ward 1**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Monday, February 24, 2020

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**25**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
For possible action to approve a new Beer/Wine/Cooler Off-Sale License for FAYMAG, LLC dba LAKE MINI MARKET at 2934 Lake East Drive - Ward 2 (Seaman)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve a Beer/Wine/Cooler Off-Sale License.

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Ownership
2. Location Map

City of Las Vegas

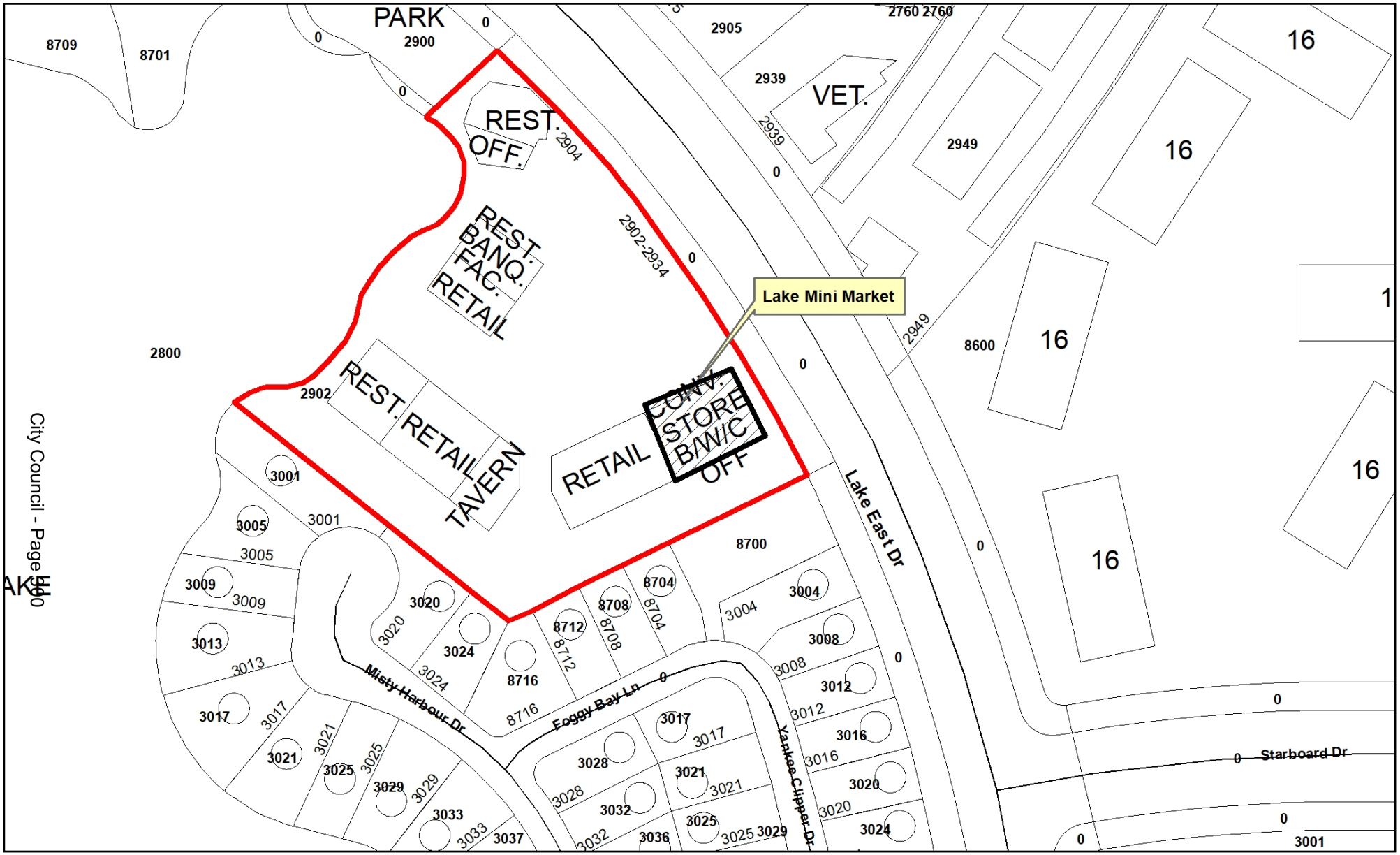
## *AGENDA MEMO*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: For possible action to approve a new Beer/Wine/Cooler Off-Sale License for FAYMAG, LLC dba LAKE MINI MARKET at 2934 Lake East Drive - Ward 2 (Seaman)**

---

**OWNERSHIP:**

**FAYMAG, LLC**
Sean Shahriar Fayeghi, Managing Member
Hamid Reza Maghamfar, Managing Member




**Lake Mini Market**
**2934 Lake East Drive**
**Ward 2**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Tuesday, February 25, 2020

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**26**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

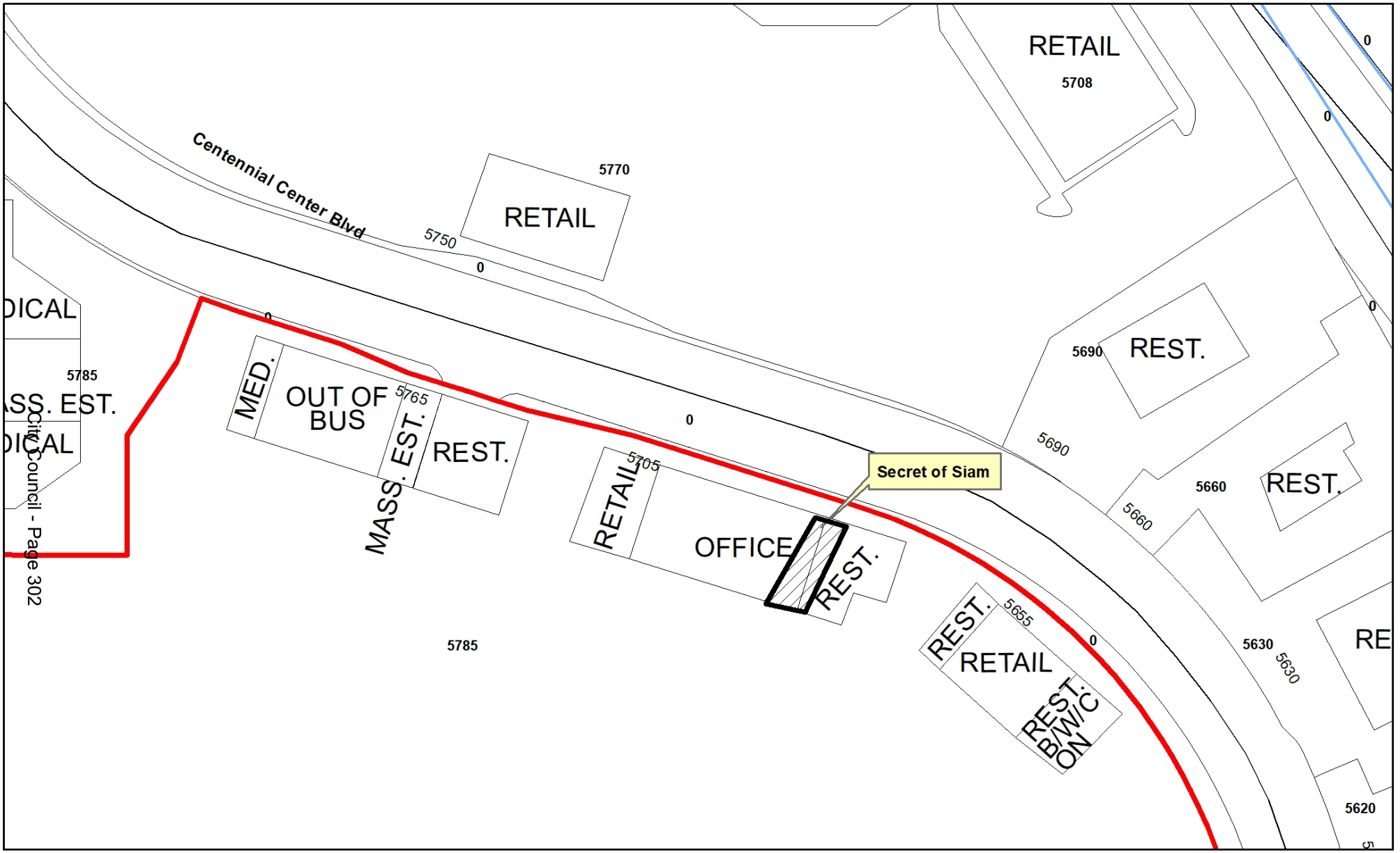
**SUBJECT:**
For possible action to approve a Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: GIANNI HOLDINGS, LLC TO: P & K SIAM, LLC dba SECRET OF SIAM at 5705 Centennial Center Boulevard, Suite #170 [Khavi Weller, Managing Member] - Ward 6 (Fiore)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve a Beer/Wine/Cooler On-Sale License for a Change of Ownership.

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Location Map




**Secret of Siam**
**5705 Centennial Center Boulevard, Suite #170**
**Ward 6**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Tuesday, February 25, 2020

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**27**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
For possible action to approve a Two-Day Opening for a Non-Restricted Gaming License for FIFTH STREET GAMING, LLC dba FIFTH STREET GAMING, LLC db at GOLD SPIKE HOTEL at 217 North Las Vegas Boulevard - Ward 5 (Crear)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
For possible action to approve a Two-Day Opening on March 31, 2020 from 4:00pm to April 1, 2020 at 8:00am to retain Non-Restricted Gaming rights.

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Ownership
2. Location Map

City of Las Vegas

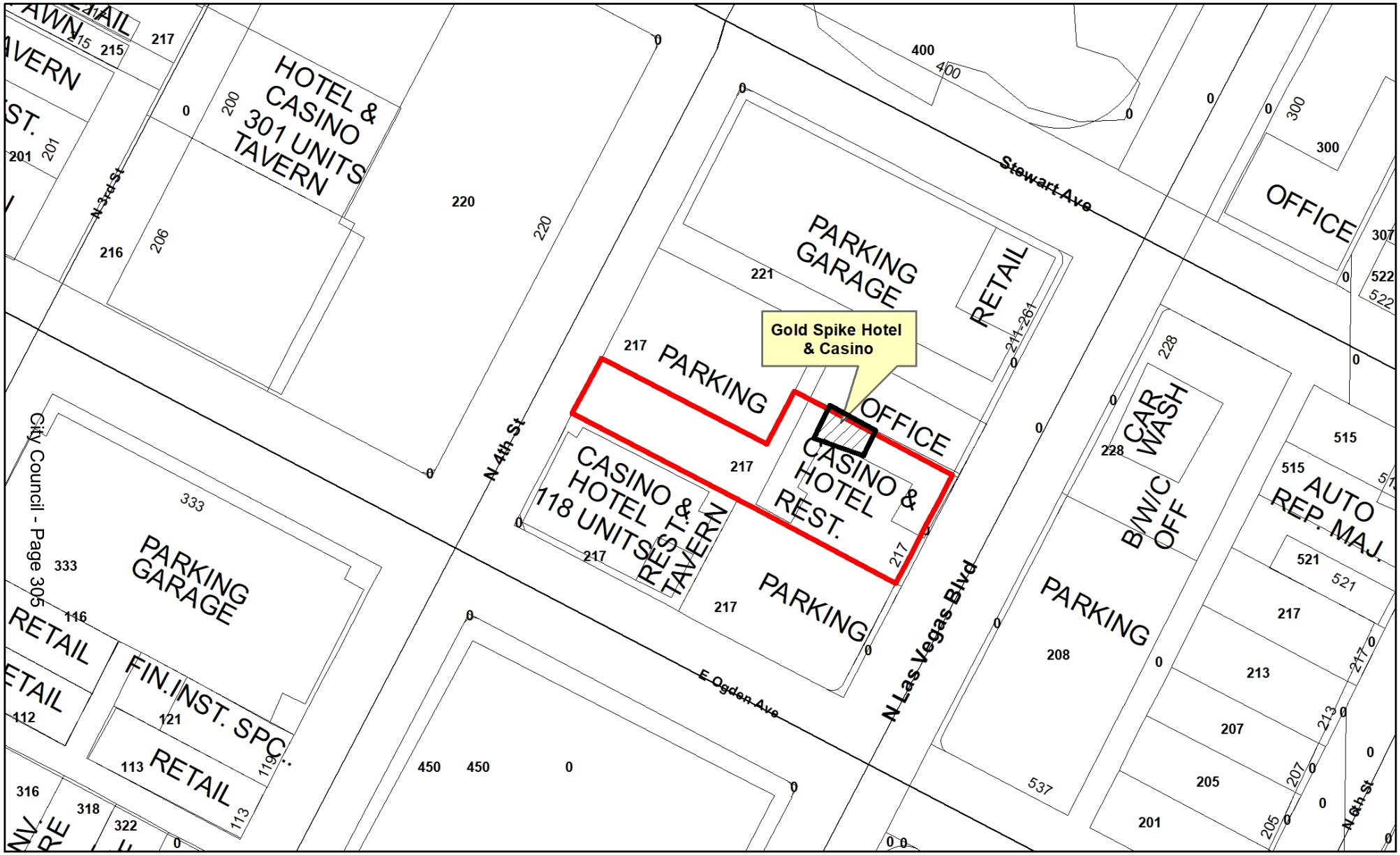
## *AGENDA MEMO*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: For possible action to approve a Two-Day Opening for a Non-Restricted Gaming License FIFTH STREET GAMING, LLC dba FIFTH STREET GAMING, LLC db at GOLD SPIKE HOTEL at 217 North Las Vegas Boulevard - Ward 5 (Crear)**

---

**OWNERSHIP:**

**FIFTH STREET GAMING, LLC**
SMS Hospitality, LLC, Member
Seth Schorr, Managing Member
Jeffrey Aaron Fine Separate Property Trust, Member
Jeffrey Aaron Fine, Trustee, Beneficiary




**Gold Spike Hotel & Casino**
**217 North Las Vegas Boulevard**
**Ward 5**

Freeways
Subject Property
City Limits
Site Location

N

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

Date: Monday, February 24, 2020

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**28**

**DEPARTMENT: Public Works** **CONSENT**
**DIRECTOR: Mike Janssen**

**SUBJECT:**
For possible action to approve Interlocal Contract 1167 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Northwest Area Intelligent Transportation System (ITS) Improvements Project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $500,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

**PURPOSE/BACKGROUND:**
The CLV has requested funding to commence the design of fiber optic communications and associated Intelligent Transportation System (ITS) improvements for monitoring and management of traffic conditions in the vicinity of the Centennial Bowl throughout the next phases of construction. Total funding for the project from Fuel Revenue Indexing Extension funds shall not exceed $500,000. The RTC approved this contract at their February 13, 2020 Board Meeting.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Interlocal Contract 1167

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9



# INTERLOCAL CONTRACT
# NORTHWEST AREA INTELLIGENT TRANSPORTATION SYSTEM (ITS) IMPROVEMENTS

**THIS INTERLOCAL CONTRACT** is made and entered into this 13TH day of February 2020, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as "CITY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC."

## W I T N E S S E T H

**WHEREAS**, the CITY intends to implement City of Las Vegas Northwest Area Fiber Optic Communications and Intelligent Transportation System (ITS) Improvements, which is included on the adopted RTC Capital Improvements Plan, hereinafter referred to as "PROJECT," located wholly within the City of Las Vegas; and

**WHEREAS**, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal agreement; and

**WHEREAS**, the CITY agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

**WHEREAS**, the CITY is requesting funds to commence engineering for the PROJECT; and

**NOW, THEREFORE**, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

## SECTION I: SCOPE OF PROJECT

This Interlocal Contract #1166 applies to the design of fiber optic communications and associated intelligent transportation system (ITS) improvements for monitoring and management of traffic conditions in the vicinity of the Centennial Bowl throughout the next phases of construction. Proposed project improvements may include, but are not limited to, fiber optic cable, ITS conduit, traffic signal video detection systems, closed circuit television (CCTV) cameras, and all related appurtenances to complete the project. The project limits are more specifically defined in Exhibit "A" which is hereto and by this reference incorporated herein.

## SECTION II: PROJECT COSTS

The RTC agrees to provide Fuel Revenue Indexing Extension funding for all costs associated with the PROJECT as outlined below:

1. The total cost for this contract shall not exceed $500,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $500,000.00
    b. RIGHT-OF-WAY not to exceed $0.00
    c. CONSTRUCTION not to exceed $0.00

3. At the time the ATP for construction is granted, the CITY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

## SECTION III: GENERAL

1. The title sheet of both the plans and specifications shall designate the RTC as the funding agency. If construction funds are provided by sources other than the RTC, the plans, contract documents, special provisions, and PROJECT signs shall also show the RTC as a funding agency.

2. Preliminary engineering, design and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.

3. The design, construction, right-of-way acquisition and contract administration of the PROJECT shall comply with the requirements as set forth in the current "Policies and Procedures" of the RTC.

4. The CITY's Department of Public Works has a policy which effectively prohibits utility cuts through the pavement for a period of five years after the completion of a PROJECT.

5. Upon completion of the construction of the PROJECT, it shall be maintained by the CITY and no funding is provided by this Contract for such maintenance.

6. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of December 31, 2028. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

7. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the PROJECT. The CITY will be responsible for the actions or inactions of its Officers and Employees. The RTC's sole responsibility is to facilitate funding for the PROJECT. The RTC disavows any responsibility for the actions or inactions of the CITY, its Officers, Employees, or agents.

8. Should the construction funds be provided by sources other than the RTC, the CITY will reimburse the RTC for a percentage of the preliminary engineering and design costs associated with other funding sources, as mutually agreed upon by the RTC and the CITY.

**IN WITNESS WHEREOF**, this Interlocal Contract #1167 is effective as of the date first set forth above.

Date of Commission Action:

February 13, 2020

REGIONAL TRANSPORTATION COMMISSION

BY: DocuSigned by: Lawrence L. Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

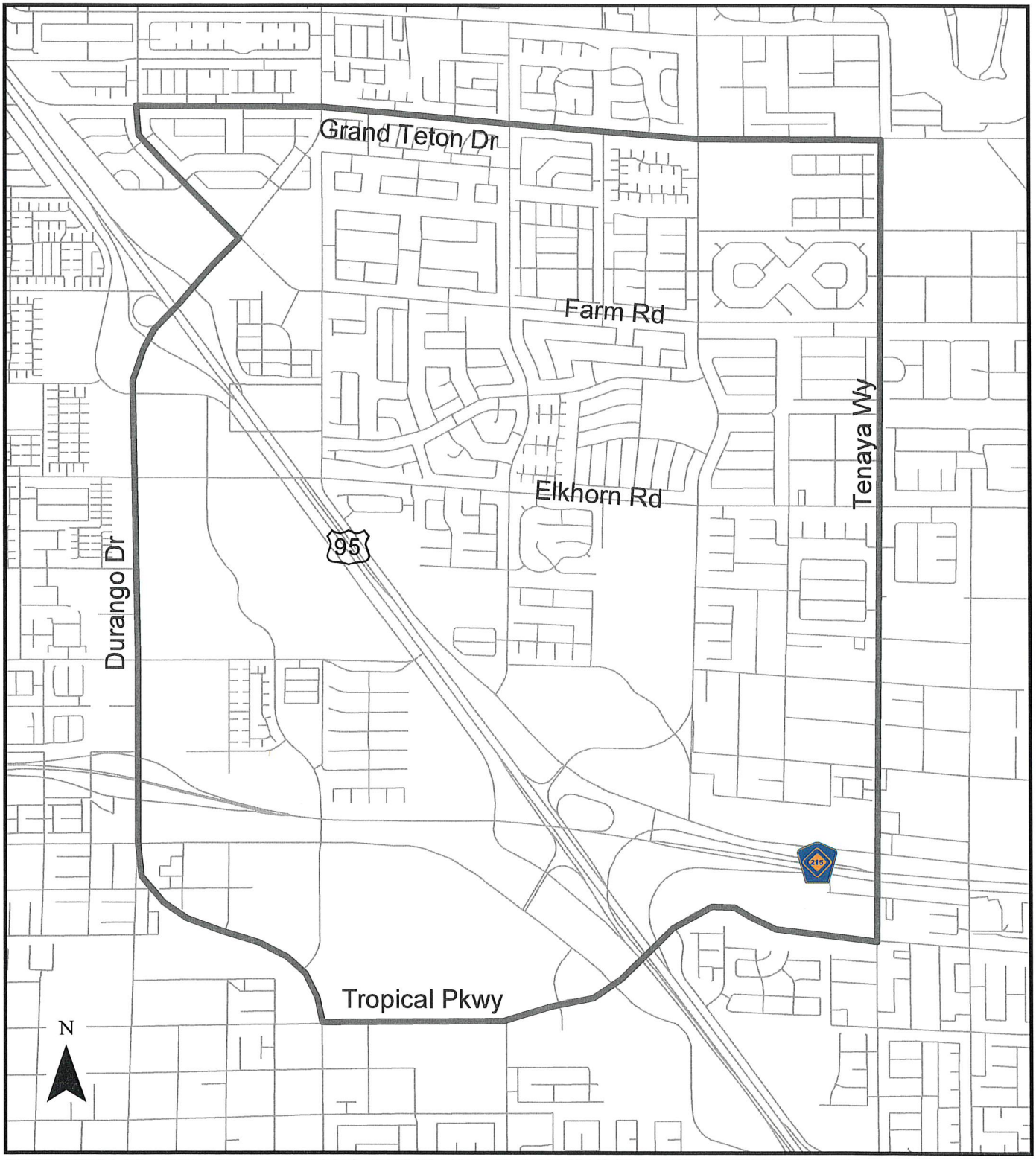
John S. Ridilla
Deputy City Attorney

John S. Ridilla 2/25/2020

Deputy City Attorney Date

144AF-FTI2: Northwest Area ITS Improvements

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9




# NORTHWEST INTELLIGENT TRANSPORTATION SYSTEM IMPROVEMENTS

EXHIBIT A



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# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**29**

**DEPARTMENT: Public Works** **CONSENT**
**DIRECTOR: Mike Janssen**

**SUBJECT:**
For possible action to approve Supplemental Interlocal Contract No. 1 - 1132a between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering and construction for the Arterial Reconstruction: Fiscal Year 2020 City of Las Vegas Maintenance (Package 8) Project located at various locations ($2,000,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

**FISCAL IMPACT:**
Budget Funds Available
Amount: $2,000,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

**PURPOSE/BACKGROUND:**
The CLV entered into an interlocal contract with the RTC for the Arterial Reconstruction: Fiscal Year 2020 City of Las Vegas Maintenance (Package 8) Project. This Supplemental Interlocal Contract No. 1 - 1132a will provide an additional $2,000,000 for construction. Total funding for the project from Motor Vehicle Fuel Tax funds shall not exceed $2,800,000. The RTC approved this contract at their February 13, 2020 Board Meeting.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Supplemental Interlocal Contract No. 1 - 1132a

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9



# SUPPLEMENTAL INTERLOCAL CONTRACT NO. 1
# ARTERIAL RECONSTRUCTION: FISCAL YEAR 2020 CITY OF LAS VEGAS MAINTENANCE

**THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 1** is made and entered into this 13$^{tTH}$ day of February, 2020 by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as "CITY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC."

## W I T N E S S E T H

**WHEREAS**, the RTC approved an Interlocal Contract #1132 dated October 10, 2019 for roadway improvements for Arterial Reconstruction: 2020 City of Las Vegas Maintenance, which is included on the adopted RTC Capital Improvements Plan, hereinafter referred to as "PROJECT," located wholly within the City of Las Vegas; and

**WHEREAS**, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal agreement; and

**WHEREAS**, the CITY agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

**WHEREAS**, the RTC previously granted "Authorization to Proceed" for engineering for the PROJECT; and

**WHEREAS**, the CITY wishes to increase total PROJECT funding to commence construction of the PROJECT; and

**NOW, THEREFORE**, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

**SECTION II: PROJECT COSTS; shall be revised to read as follows:**

The RTC agrees to provide Motor Vehicle Fuel Tax funding for all costs associated with the PROJECT as outlined below:

1. The total cost for this contract shall not exceed $2,800,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $800,000.00
    b. RIGHT-OF-WAY not to exceed $0.00
    c. CONSTRUCTION not to exceed $2,000,000.00

3. An invitation to bid will not be issued for the construction of this project as the work will

be completed through the CITY's annual maintenance contracts. At the time the ATP for construction is granted, the CITY will make all attempts to issue a Notice to Proceed for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

The remainder of the Interlocal Contract #1132 dated October 10, 2019 shall remain unchanged.

*The remainder of this page is left intentionally blank.*

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9

**IN WITNESS WHEREOF**, this Supplemental Interlocal Contract No. 1 is effective as of the date first set forth above.

Date of Commission Action:

February 13, 2020

REGIONAL TRANSPORTATION COMMISSION

BY: DocuSigned by: Lawrence L. Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67E25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla
Deputy City Attorney

John S. Ridilla 2/25/2020

Deputy City Attorney Date

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**30**

**DEPARTMENT: Public Works** **CONSENT**
**DIRECTOR: Mike Janssen**

**SUBJECT:**
For possible action to approve Supplemental Interlocal Contract No. 4 - 1027d between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering and construction for the Arterial Reconstruction: Fiscal Year 2019 City of Las Vegas Maintenance (Package 7) Project located at various locations ($6,500,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

**FISCAL IMPACT:**
Budget Funds Available
Amount: $6,500,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

**PURPOSE/BACKGROUND:**
The CLV entered into an interlocal contract and supplemental interlocal contracts with the RTC for the Arterial Reconstruction: Fiscal Year 2019 City of Las Vegas Maintenance (Package 7) Project. This Supplemental Interlocal Contract No. 4 - 1027d will provide an additional $6,500,000 for construction. Total funding for the project from Motor Vehicle Fuel Tax funds shall not exceed $9,400,000. The RTC approved this contract at their February 13, 2020 Board Meeting.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Supplemental Interlocal Contract No. 4 - 1027d

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9



# SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4
# ARTERIAL RECONSTRUCTION: 2019 CITY OF LAS VEGAS MAINTENANCE

**THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4** is made and entered into this 13TH day of February, 2020, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC."

## W I T N E S S E T H

**WHEREAS**, the RTC approved an Interlocal Contract #1027 dated August 9, 2018 and supplemental interlocal contracts dated September 13, 2018, January 10, 2018 and March 14, 2019 for roadway improvements for Arterial Reconstruction: 2019 City of Las Vegas Maintenance, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as "PROJECT," located wholly within the City of Las Vegas; and

**WHEREAS**, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal agreement; and

**WHEREAS**, the CITY agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

**WHEREAS**, the RTC previously granted "Authorization to Proceed" for engineering and construction for the PROJECT; and

**WHEREAS**, the CITY wishes to increase total PROJECT funding for construction of the PROJECT; and

**NOW, THEREFORE**, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

## SECTION II: PROJECT COSTS; shall be revised to read as follows:

The RTC agrees to provide Motor Vehicle Fuel Tax funding for all costs associated with the PROJECT as outlined below:

1. The total cost for this contract shall not exceed $9,400,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $1,400,000.00
    b. RIGHT-OF-WAY not to exceed $0.00
    c. CONSTRUCTION not to exceed $8,000,000.00

3. An invitation to bid will not be issued for the construction of this project as the work will be completed through the CITY's annual maintenance contracts. At the time the ATP for construction is granted, the CITY will make all attempts to issue a Notice to Proceed for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

The remainder of the Interlocal Contract #1027 dated August 9, 2018 and supplemental interlocal contracts dated September 13, 2018, January 10, 2018 and March 14, 2019 shall remain unchanged.

*The remainder of this page is left intentionally blank.*

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9

**IN WITNESS WHEREOF**, this Supplemental Interlocal Contract No. 4 is effective as of the date first set forth above.

Date of Commission Action:

February 13, 2020

REGIONAL TRANSPORTATION COMMISSION

BY: DocuSigned by: Lawrence L. Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409D6D774C0...

, RTC Legal Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla
Deputy City Attorney

John S. Ridilla 2/25/2020

Deputy City Attorney Date

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**31**

**DEPARTMENT: Public Works** **CONSENT**
**DIRECTOR: Mike Janssen**

**SUBJECT:**
For possible action to approve Interlocal Contract 1168 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Martin L. King Boulevard Extension, Oakey Boulevard to Desert Inn Road Project ($3,000,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)

**FISCAL IMPACT:**
Budget Funds Available
Amount: $3,000,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

**PURPOSE/BACKGROUND:**
The CLV has requested funding to perform the 30 percent design for roadway and pedestrian improvements along Martin L. King Boulevard between Oakey Boulevard and Desert Inn Road. This project was recommended in the Regional Transportation Commission of Southern Nevada's adopted Transportation Investment Business Plan (TIBP), as it would improve both Core Area access from the I-15 and downtown circulation and access. Total funding for the project from Fuel Revenue Indexing Extension funds shall not exceed $3,000,000. The RTC approved this contract at their February 13, 2020 Board Meeting.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Interlocal Contract 1168
2. Submitted at Meeting - Support Documentation Not Vetted - E-Comment Form

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9

Contract #1168

# INTERLOCAL CONTRACT
# MARTIN L. KING BOULEVARD EXTENSION, OAKEY BOULEVARD TO DESERT INN ROAD

**THIS INTERLOCAL CONTRACT** is made and entered into this 13TH day of February 2020, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as "CITY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC."

## W I T N E S S E T H

**WHEREAS**, the CITY intends to design and construct Martin L. King Boulevard Extension, Oakey Boulevard to Desert Inn Road, which is included on the adopted RTC Capital Improvements Plan, hereinafter referred to as "PROJECT," located wholly within the City of Las Vegas; and

**WHEREAS**, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal agreement; and

**WHEREAS**, the CITY agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

**WHEREAS**, the CITY is requesting funds to commence engineering for the PROJECT; and

**NOW, THEREFORE**, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

## SECTION I: SCOPE OF PROJECT

This Interlocal Contract #1168 applies to the 30 percent design of roadway and pedestrian improvements along Martin L. King Boulevard between Oakey Boulevard and Desert Inn Road, adjacent to I-15. The project limits are more specifically defined in Exhibit "A" which is hereto and by this reference incorporated herein.

## SECTION II: PROJECT COSTS

The RTC agrees to provide Fuel Revenue Indexing Extension funding for all costs associated with the PROJECT as outlined below:

1. The total cost for this contract shall not exceed $3,000,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $3,000,000.00
    b. RIGHT-OF-WAY not to exceed $0.00
    c. CONSTRUCTION not to exceed $0.00

3. At the time the ATP for construction is granted, the CITY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

## SECTION III: GENERAL

1. The title sheet of both the plans and specifications shall designate the RTC as the funding agency. If construction funds are provided by sources other than the RTC, the plans, contract documents, special provisions, and PROJECT signs shall also show the RTC as a funding agency.

2. Preliminary engineering, design and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.

3. The design, construction, right-of-way acquisition and contract administration of the PROJECT shall comply with the requirements as set forth in the current "Policies and Procedures" of the RTC.

4. The CITY's Department of Public Works has a policy which effectively prohibits utility cuts through the pavement for a period of five years after the completion of a PROJECT.

5. Upon completion of the construction of the PROJECT, it shall be maintained by the CITY and no funding is provided by this Contract for such maintenance.

6. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of December 31, 2025. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

7. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the PROJECT. The CITY will be responsible for the actions or inactions of its Officers and Employees. The RTC's sole responsibility is to facilitate funding for the PROJECT. The RTC disavows any responsibility for the actions or inactions of the CITY, its Officers, Employees, or agents.

8. Should the construction funds be provided by sources other than the RTC, the CITY will reimburse the RTC for a percentage of the preliminary engineering and design costs associated with other funding sources, as mutually agreed upon by the RTC and the CITY.

*The remainder of this page is left intentionally blank.*

**IN WITNESS WHEREOF**, this Interlocal Contract #1167 is effective as of the date first set forth above.

Date of Commission Action: REGIONAL TRANSPORTATION COMMISSION

February 13, 2020 BY: DocuSigned by: Lawrence L. Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action: CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

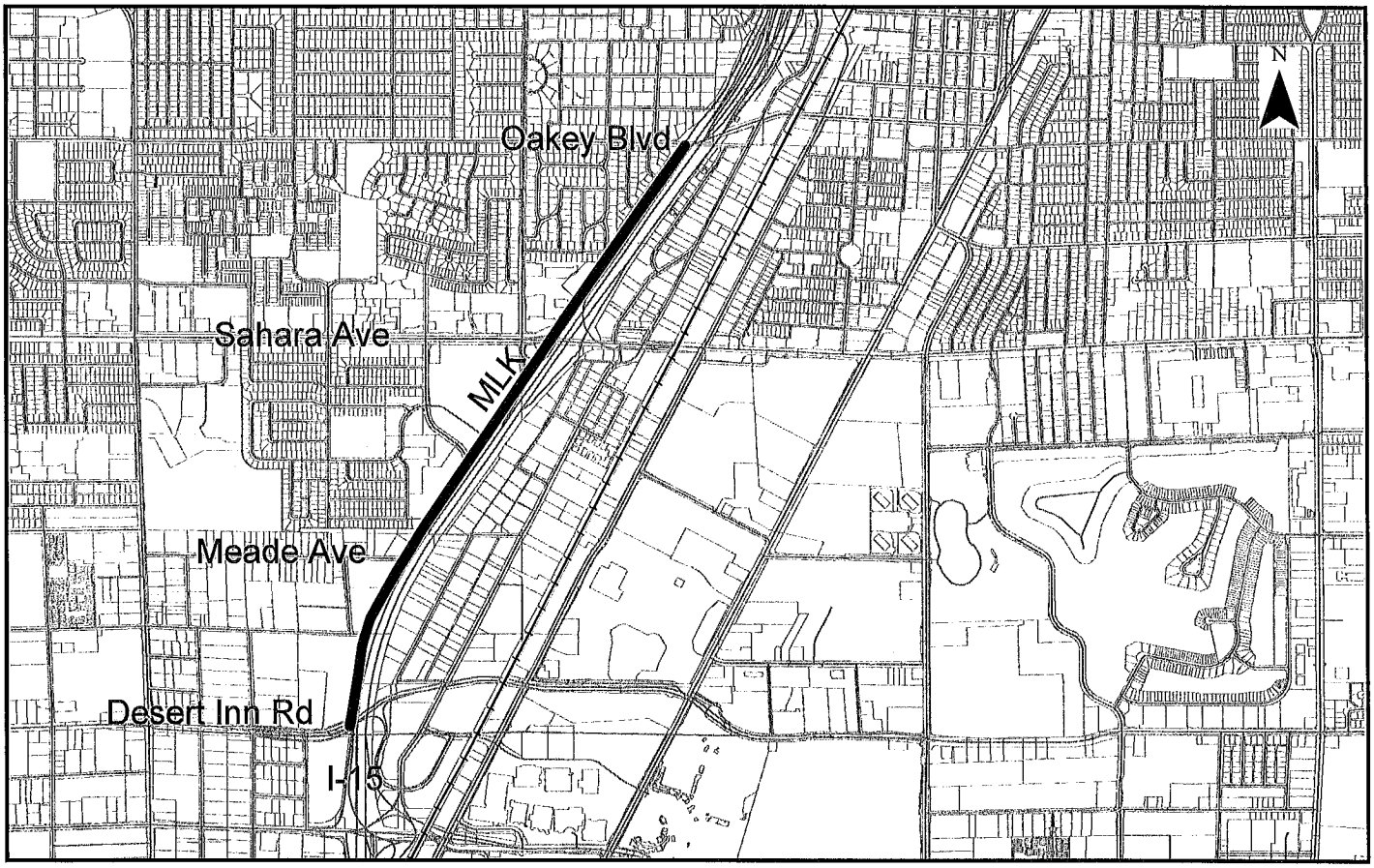
Approved as to Form:

John S. Ridilla
Deputy City Attorney

John S. Ridilla 2/25/2020

Deputy City Attorney Date

DocuSign Envelope ID: 630551A9-35B7-478C-B4A3-BE56196217A9




1/6/2020

EXHIBIT A

MARTIN L. KING BOULEVARD EXTENSION,
OAKEY BOULEVARD TO DESERT INN ROAD

N:\pavement\RWPGIS\Greg\Exhibit As\MLK EXTENSION Exhibit A.mxd

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:30 am |
| Browser: | Mobile Safari 13.0.5 / iOS |
| IP Address: | 107.77.228.184 |
| Unique ID: | 591117422 |
| Location: | 34.231300354004, -118.14859771729 |

| | |
|---|---|
| **First Name** | Aleta |
| **Last Name** | Dupree |
| **Agenda Item Number** | 31 |
| **Choose One** | Support |
| **Council Comment** | I support this road improvement in my neighborhood. Thank you. |

Submitted at City Council
Date 3/18/20 Item 31
By Aleta Dupree
Record after vote.
slc

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**32**

**DEPARTMENT: Public Works** **CONSENT**
**DIRECTOR: Mike Janssen**

**SUBJECT:**
For possible action to approve Supplemental Interlocal Contract No. 2 - 883b between the City of Las Vegas (CLV), Clark County (County) and the Regional Transportation Commission of Southern Nevada (RTC) for construction for the Desert Inn Road, Nellis Boulevard to Hollywood Boulevard Project - Clark County

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The County is the lead agency for construction of the Desert Inn Road, Nellis Boulevard to Hollywood Boulevard Project (054G-MVFT); whereas the CLV will provide funding and coordination for the CLV's portion of the Desert Inn Road. This multi-agency supplemental interlocal contract will provide an additional $2,500,000 for the CLV's improvements within the project. Total RTC funding for the project from Motor Vehicle Fuel Tax funds shall not exceed $20,600,000. The RTC approved this contract at their November 4, 2019 Board Meeting.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Supplemental Interlocal Contract No. 2 - 883b

DocuSign Envelope ID: 6778C022-6F02-46FC-AA0D-0CDAD4E87663



# SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2
# DESERT INN ROAD, NELLIS BOULEVARD TO HOLLYWOOD BOULEVARD

**THIS SUPPLEMENTAL INTERLOCAL CONTRACT** is made and entered into this 14TH day of November 2019, by and between Clark County, a political subdivision of the State of Nevada, hereinafter referred to as "COUNTY", the City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC."

## W I T N E S S E T H

**WHEREAS**, the RTC approved Interlocal Contract #883 dated February 11, 2016 and Supplemental Interlocal No. 1 dated March 14, 2019, for improvements to Desert Inn Road, Nellis Boulevard to Hollywood Boulevard, hereinafter referred to as "PROJECT," located partially within Clark County and partially within the City of Las Vegas; and

**WHEREAS**, Nevada Revised Statue (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental services, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal agreement; and

**WHEREAS**, the CITY requests that the COUNTY include a portion of their Desert Inn Road project in with the construction of the PROJECT; and

**WHEREAS**, the COUNTY will take the lead role for the construction of the PROJECT; and

**WHEREAS**, the COUNTY wishes to increase total PROJECT funding for the CITY portion of Desert Inn Road; and

**WHEREAS**, the COUNTY will coordinate with and include the CITY during construction of the PROJECT; and

**WHEREAS**, the COUNTY agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

**NOW, THEREFORE**, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

### SECTION II: PROJECT COSTS; shall be revised to read as follows:

The RTC agrees to provide Motor Vehicle Fuel Tax funding for all costs associated with the PROJECT as outlined below:

1. The total cost for this contract shall not exceed $20,600,000.00.

///

2. Authorizations to Proceed (ATP) are granted as follows:

    a. CONSTRUCTION not to exceed $19,500,000.00
    b. ENGINEERING not to exceed $1,090,000.00
    c. RIGHT-OF-WAY not to exceed 10,000.00

3. At the time the ATP for construction is granted, the COUNTY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

The remainder of the Interlocal Contract #883 dated February 11, 2019, and supplemental interlocal contract dated March 14, 2019, shall remain unchanged.

*The remainder of this page is left intentionally blank.*

**IN WITNESS WHEREOF**, this Supplemental Interlocal Contract No. 2 is effective as of the date first set forth above:

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

November 14, 2019

BY: DocuSigned by: Lawrence L Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Commission Action:

CLARK COUNTY BOARD OF COMMISSIONERS

BY:

MARILYN KIRKPATRICK, Chair

Attest:

LYNN MARIE GOYA
City Clerk

Approved as to Form:

CHRISTOPHER FIGGINS
Chief Deputy District Attorney

DocuSign Envelope ID: 6778C022-6F02-46FC-AA0D-0CDAD4E87663

Date of Council Action:

CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

Attest:

_____

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla 2/25/2020

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**33**

**DEPARTMENT: Economic & Urban Development** **CONSENT**
**DIRECTOR: Bill Arent**

**SUBJECT:**
RESOLUTIONS:

R-11-2020 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Owner Participation Agreement (OPA) between the RDA and WSP USA Inc., (Owner) located on the twelfth floor of the Bank of America Plaza, at 300 South Fourth Street for the installation of tenant improvements in a 11,818 square foot office space to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area - Ward 3 (Diaz) [NOTE: This item is related to RDA Item 5 (RA-4-2020)]

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
This is related to a Redevelopment item regarding assisting WSP USA Inc., with the cost of improvements to the property located on the twelfth floor at 300 South Fourth Street to undertake improvements that include the installation of tenant improvements in 11,818 square foot office space in an office building located in the Redevelopment Area with approximately 77 work points of office improvements, new HVAC, sprinkler and FA distribution, and new plumbing in select areas, redistribution of HVAC and fire protection, installation of required fire alarm devices, installation of new plumbing fixtures and piping in select areas and other related improvements and the relocation of approximately 54 jobs into the redevelopment area. This OPA will assist with the cost of improvements. Approval will adopt findings that the OPA is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

**RECOMMENDATION:**
Approval

**BACKUP DOCUMENTATION:**
1. Resolution No. R-11-2020
2. Site Map
3. Submitted at Meeting – PowerPoint Presentation (Shown under Item 5 of the March 18, 2020 Redevelopment Agency Meeting)

**RESOLUTION NO.** R-11-2020

**RESOLUTION CONSENTING TO CERTAIN UNDERTAKINGS OF THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY IN CONNECTION WITH THE OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY AND WSP USA INC., A NEW YORK CORPORATION LOCATED IN BANK OF AMERICA PLAZA, AT 300 S. FOURTH ST LAS VEGAS, NV.**

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830, and on December 16, 2015, by Ordinance 6448 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the "Redevelopment Area") as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the AGENCY is an incorporated entity of the State of Nevada that was created to revitalize the Redevelopment Area by creating new jobs, maintaining existing employment opportunities, eliminating blight, and diversifying the local economy; and

WHEREAS, the City Council of the city of Las Vegas has considered the findings that the improvements to the twelfth (12th) floor of the Bank of America Plaza located at 300 South Fourth Street, Las Vegas, Nevada 89101(the "Project") are of benefit to the Redevelopment Area by (i) the installation of tenant improvements in 11,818 square foot office space in an office building located in the Redevelopment Area with approximately 77 work points of office

improvements, new HVAC, sprinkler and fire alarm distribution, and new plumbing in select areas, redistribution of HVAC and fire protection, installation of required fire alarm devices, installation of new plumbing fixtures and piping in select areas and other related improvements and (ii) the relocation of approximately 54 jobs into the redevelopment area; and

WHEREAS, the City Council of the city of Las Vegas has considered the findings that no other reasonable means of financing the improvements of the Project are available; and

WHEREAS, the City Council of the city of Las Vegas has considered the undertakings of the Agency in connection with the Owner Participation Agreement (the "Agreement" and attached hereto as **Exhibit A**), which provides for the reimbursement of Developer of a portion of the costs of constructing the improvements of the Project by the issuance to Developer of a certificate of completion upon completion of the Project, all as more fully set forth in the Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Las Vegas hereby finds and determines that the construction of the Project is of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby finds and determines there are no reasonable means of financing the improvements of the Project; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby consents to the undertakings of the Agency in connection with the Agreement.

THE FOREGOING RESOLUTION was passed, adopted and approved this _____ day of _____, 2020.

CITY OF LAS VEGAS

By:_____
CAROLYN G. GOODMAN, MAYOR

ATTEST:

By:_____
LUANN D. HOLMES, MMC
CITY CLERK

APPROVED AS TO FORM:

By: M. Nichols 2-27-20
Counsel to City of Las Vegas Date
Michael Nichols

**EXHIBIT A**

# OWNER PARTICIPATION AGREEMENT

THIS AGREEMENT ("Agreement") is entered into as of the ____ day of _____ 2020 by and between the City of Las Vegas Redevelopment Agency, a public body, corporate and politic (the "Agency") and WSP USA Inc., a New York corporation (the "Developer").

## 1. Purpose of this Agreement

(a) The purpose of this Agreement is to effectuate the Redevelopment Plan (defined below) for the Las Vegas Redevelopment Area (the "Redevelopment Area") by providing for the installation of improvements into the building located on that certain real property included within the boundaries of the Redevelopment Area (the "Site").

(b) Developer has entered into an of office lease for office space ("Leased Space") in the office building located on the Site (the "Lease") and in connection therewith has (i) installed tenant improvements into the Leased Space and (ii) relocated its local headquarters into the Leased Space relocating numerous jobs into the Redevelopment Area.

(b) The installation of the interior improvements to the Leased Space in the building pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City of Las Vegas, Nevada (the "City"), and the health, safety and welfare of its residents, and in accord with the public purposes and provisions of applicable federal, state and local laws and requirements.

(c) As a result of the installation of the QI (defined below), Developer has increased the investment in the Redevelopment Area and relocated approximately 54 jobs into the Redevelopment Area.

(d) As part of the installation of the QI to the Site and in order to increase the investment into the Redevelopment Area and to achieve the relocation of jobs into the Redevelopment Area, Agency has agreed to reimburse Developer for Developer's installation of the QI.

## 2. The Redevelopment Plan

This Agreement is subject to the provisions of the Redevelopment Plan which was approved and adopted on March 5, 1986, by the City Council of the City by Ordinance No. 3218, and any amendments thereto (the "Redevelopment Plan"). The Redevelopment Plan, as it now exists, and as it may be subsequently amended, is incorporated herein by reference and made a part hereof as though fully set forth herein.

## 3. The Redevelopment Area

The Redevelopment Area is located in the City and the exact boundaries thereof are specifically described in the Redevelopment Plan.

## 4. The Site

The Site is that portion of the Redevelopment Area located at 300 South Fourth Street, Las Vegas, Nevada 89101, Las Vegas, Nevada, APN 139-34-210-077, as shown on the Map of the Site attached hereto as Attachment "A".

5. **Parties to this Agreement**

(a) Agency is a public body, corporate and politic, exercising governmental functions and powers and organized and existing under the Community Redevelopment Law of the State of Nevada (NRS 279.382 et seq.). The office of Agency is located at 495 S. Main Street, 6th Floor, Las Vegas, Nevada 89101. "Agency" is used in this Agreement means the City of Las Vegas Redevelopment Agency and any assignee of, or successor to, its rights, powers and responsibilities.

(b) The Developer is WSP USA, Inc, a New York corporation. The office of Developer is located at 300 South Fourth Street, 12th Floor, Las Vegas, Nevada 89101. Wherever the term "Developer" is used herein, such term shall include any permitted nominee, assignee or successor in interest as herein provided.

(c) The qualifications and identity of the Developer and of the Managing Member and owners of Developer are of particular concern to the City and Agency, and it is because of such qualifications and identity that Agency has entered into this Agreement with the Developer. No voluntary or involuntary successor in interest of the Developer shall acquire any rights or powers under this Agreement except as expressly set forth herein. This Agreement may be terminated by Agency if there is any significant change (voluntary or involuntary) in the ownership and management of Developer prior to the completion of the Development (defined below) as evidenced by the issuance of a Certificate of Completion therefor.

(d) Except as specifically set forth herein, the Developer shall not assign all or any part of this Agreement without the prior written approval of Agency, which approval may be withheld by Agency at Agency's sole discretion.

6. **The Development**

(a) The improvements constructed upon the Site are described on Attachment "B" attached hereto and is hereinafter referred to as the "Development." Developer represents that it has constructed the Development in strict conformance with Attachment "B and has installed those improvements described on Attachment "C" and referred to herein as the "QI" in strict conformance with Attachment "C".

(c) The Developer hereby represents and warrants to Agency that (i) Developer has leased on an exclusive basis the Office Space pursuant to the Lease dated August 23, 2019, between Developer, as tenant, and CCRP/AG BOFA PLAZA OWNER, LLC, as landlord and (ii) a true and accurate summary of the Lease is attached hereto as Attachment "D".

(b) Developer hereby represents and warrants to Agency that the receipt of the QI Reimbursement (defined below) was required in order for Developer to be able to complete the Development and to move its local headquarters and employees to the Redevelopment Area.

**7. Reimbursement of QI Costs**

(a) Subject to Developer fulfilling the conditions precedent to receiving reimbursement below, Agency agrees to reimburse Developer for the cost of the QI not to exceed Ninety-Five Thousand Dollars ($95,000) toward the costs of the QI ("QI Reimbursement").

(b) In order for Developer to qualify for the OI Reimbursement, the following conditions must be met ("Conditions"):

(i) The Development must be completed in conformance with Attachment "B";

(ii) All of the QI must be completed in conformance with Attachment "C" as established by photographs in formats approved by Agency;

(iii) A certificate of occupancy must be issued by the City of Las Vegas permitting occupancy and use of the Development for its intended use;

(iv) The issuance of a City of Las Vegas business license for Developer at the location of the Development;

(v) Developer has submitted to Agency proof in the form of materials and other information required by Agency that the cost of construction of the Development and the QI has been paid in full and that there are no outstanding mechanics liens or claims related to the Development and the QI. Such poof shall include, but not limited to, the following: invoices and/or receipts, dated, marked paid and cancelled checks and/or credit card statements showing payment and a current title report; and

(vi) Developer and Agency have entered into a certificate of Completion in the form of Attachment "F" hereto, as more fully described in Section 13 below.

Upon the fulfillment of the conditions set forth in this Section 7(b), Agency shall pay the QI Reimbursement to Developer within forty-five (45) days.

(c) Developer agrees that in the event all of the Conditions are not fulfilled by June 1, 2020 (subject to permitted delays under Section 18), then Agency shall have the right to terminate this Agreement upon written notice to Developer. Upon such termination this agreement shall be null and void and Agency shall thereafter have no obligation to make the QI Reimbursement to Developer.

**8. General Representations**

Developer hereby represents and warrants that:

1. This Agreement and all agreements, instruments and documents herein provided to be executed are duly executed and binding on Developer.

2. No approvals or consents not heretofore obtained by Developer are necessary in connection with the execution of this Agreement by Developer or with the performance by Developer of its obligations hereunder.

3. This Agreement does not now or shall not hereafter breach, invalidate, cancel, make inoperative or interfere with any contract, agreement, instrument, mortgage, deed of trust, promissory note, lease, bank loan or credit agreement to which Developer is subject.

**9. Indemnification**

Developer shall assume and be responsible for, and shall protect, indemnify, defend and hold harmless Agency and the City of Las Vegas, and their respective officers, members, consultants, agents and employees, from and against any and all claims, demands, liabilities, losses, expenses and/or costs (including reasonable attorneys' fees and court costs) incurred by Agency which may arise out of or in any manner be connected with the subject matter of this Agreement, including the construction of the Development and/or the QI.

**10. Rights of Access**

For the purposes of assuring compliance with this Agreement, representatives of Agency shall have the right of reasonable access to the Site and Development without charges or fees and at normal construction hours during the period of construction for the purposes of this Agreement, including, but not limited to, the inspection of the work being performed in constructing the improvements. Such representatives of Agency shall be those who are so identified in writing by the Executive Director of Agency.

**11. Antidiscrimination During Construction**

The Developer, for itself and its successors and assigns, represents and warrants that in the construction of the Development provided for in this Agreement, the Developer did not discriminate against any employee or applicant for employment because of race, color, reed, religion, sex, age, ancestry or national origin.

**12. Intentionally omitted.**

**13. Certificate of Completion**

The Developer shall request that a Certificate of Completion be issued by Agency after completion of the construction of the Development and QI. The issuance of the Certificate of Completion shall be subject to the City of Las Vegas' issuance of a Certificate of Occupancy and the Developer has submitted, to Agency's satisfaction, the required documentation pursuant to the Employment Plan. The Certificate of Completion for the Development shall be in the form attached hereto as Attachment "F".

The Certificate of Completion for the Development shall be, and shall so state therein that it is, a conclusive determination of the satisfactory completion of the construction required by this Agreement upon the Site or such portion thereof and of full compliance with the terms hereof. After issuance of the Certificate of Completion for the Development, any party then owning or thereafter purchasing, leasing or otherwise acquiring any interest in the Site or such portion thereof

covered by said Certificates of Completion shall not (because of such ownership, purchase lease or acquisition) incur any obligation or liability under this Agreement. Except as otherwise provided herein, after the issuance of the Certificate of Completion for the Development, neither Agency, the City nor any other person shall have any rights, remedies or controls with respect to the Site or such portion thereof that it would otherwise have or be entitled to exercise under this Agreement as a result of a default in or breach of any provision of this Agreement.

Agency shall not unreasonably withhold the Certificate of Completion. If Agency refuses or fails to furnish the Certificate of Completion for the Development after written request from the Developer, Agency shall, within ten (10) days of such written request, provide the Developer with a written statement of the reasons Agency refused or failed to furnish the Certificate of Completion. The statement shall also contain Agency's opinion of the action the Developer must take to obtain a Certificate of Completion. If Agency shall have failed to provide such written statement within said 10 day period, the Developer shall be deemed entitled to the Certificate of Completion.

The Certificate of Completion for the Development shall not constitute evidence of compliance with or satisfaction of any obligation of the Developer to any holder of a mortgage or any insurer of a mortgage securing money loaned to finance the improvements or any part thereof.

**14. Maintenance**

The Developer hereby covenants and agrees for itself, its successors, assigns and every successor in interest (i) to maintain the Development in good condition and repair at all times and (ii) and to keep the Development free from any accumulation of debris or waste materials.

**15. Notices, Demands and Communications Between the Parties**

Formal notices, demands and communications between Agency and Developer shall be sufficiently given if dispatched by reputable overnight courier or registered or certified mail, postage prepaid, return receipt requested, to the principal offices of Agency and Developer as set forth in Sections 5(a) and 5(b) hereof, and shall be deemed given two (2) business days after delivery to a reputable overnight courier for next business day delivery, or five (5) days after delivery to the U.S. Postal Service for delivery by registered or certified mail. Such written notices, demands and communications may be sent in the same manner to such other addressees as either party may from time-to-time designate by mail.

**16. Conflict of Interests**

No member, official or employee of Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is directly or indirectly interested.

The Developer warrants that it has not paid or given, and will not pay or give, any third person any money or other consideration for obtaining this Agreement.

**17. Non-liability of Agency Officials and Employees**

No member, official or employee of Agency shall be personally liable to the Developer in the event of any default or breach by Agency or for any amount which may become due to the Developer or on any obligations under the terms of this Agreement.

### 18. Enforced Delay: Extension of Times of Performance

Any party hereunder shall not be deemed to be in default where delays or defaults are due to war; insurrection, strikes, lock-outs, riots, floods, earthquakes, fires, casualties, acts of God, acts of the public enemy, epidemics, quarantine, restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, including delays beyond the reasonable control of Agency, unusually severe weather, inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor or supplier, acts of another party, acts or the failure to act of any public or governmental agency or entity (except that acts or the failure to act of Agency shall not excuse performance by Agency) or any other causes beyond the control or without the fault of the party claiming an extension of time to perform. An extension of time for any such cause shall only be for the period of the enforced delay, which period shall commence to run from the time of the commencement of the cause. If, however, notice by the party claiming such extension is sent to the other parties more than thirty (30) days after the commencement of the cause, the period shall commence to run only thirty (30) days prior to the giving of such notice.

### 19. Amendments to this Agreement

The Developer and Agency agree to mutually consider reasonable requests for amendments to this Agreement which may be made by any of the parties hereto, lending institutions, or bond counsel or financial consultants to Agency, provided such requests are consistent with this Agreement and would not substantially alter the basic business terms included herein.

### 20. Disclosure of Principals

Pursuant to Resolution RA-4-99 adopted by the governing board of Agency effective October 1, 1999, Developer warrants that it has disclosed, on the form attached hereto as Attachment "F", all principals, including partners of Developer, as well as all persons and entities holding more than 1% interest in Developer and or any principal of Developer. Until such time as the Certificate of Completion is issued, Developer shall notify RDA in writing of any material change in the above disclosure within 15 days of any such change.

### 21. Default

If during the existence of this Agreement, the following shall constitute a "Developer Event of Default":

(a) the Developer and/or the owners of Developer transfer or assigns or attempt to transfer or assign the rights, benefits or duties under this Agreement, the ownership interests of Developer, in the Site or any improvements thereon, in violation of the provisions of Section 5;

(b) the Developer fails to proceed with, abandons or substantially suspends the construction of the improvements required by this Agreement;

(c) any of the representations and warranties of Developer are untrue in any material respect;

(d) the Developer fails to perform any other material obligation imposed under the provisions of this Agreement; or

(e) the filing of a petition or the institution of proceedings of, by, or against Developer pursuant to the Bankruptcy Reform Act of 1978, as amended, or any successor statute or pursuant to any state bankruptcy, insolvency, moratoria, reorganization, or similar laws which is not dismissed within ninety (90) days; or Developer's making a general assignment for the benefit of its creditors or the entering by Developer into any compromise or arrangement with its creditors generally; or Developer's becoming insolvent in the sense that Developer is unable to pay its debts as they mature or in the sense that Developer's debts exceed the fair market value of Developer's assets.

In the event of Developer Event of Default, Agency shall have, in addition to all other rights and remedies available to Agency, the right to terminate, and this Agreement shall so terminate on the date that the written notice of termination is received by the Developer or such other date as may be specified in the written notice. If the QI Reimbursement has not been disbursed to the Developer, Agency shall be relieved of the obligation to disburse the QI Reimbursement to Developer.

**22. Entire Agreement Waivers and Amendments and Counterparts**

This Agreement is executed in 2 duplicate originals, each of which is deemed to be an original. This Agreement Attachments "A" to "F", attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties.

This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. Time for acceptance by agency

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of Agency and the Developer and all amendments hereto must be in writing and signed by the appropriate authorities of Agency and the Developer.

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. This Agreement shall become binding when one or more counterparts hereof, individually or taken together, shall bear the signatures of all of the parties reflected hereon as the signatories. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

**23. Time for Acceptance by Agency**

**23. Time for Acceptance by Agency**

This Agreement, when executed by the Developer and delivered to Agency, must be authorized, executed and delivered by Agency fifteen (15) days from the date of signature by the Developer or this Agreement shall be void, except to the extent that the Developer shall consent in writing to further extensions of time for the authorization, execution and delivery of this Agreement.

By executing this Agreement and submitting it to Agency, Developer is making an irrevocable offer to enter into this Agreement, which offer shall continue for the period of time specified above. The effective date of this Agreement shall be the date when this Agreement has been signed by Agency.

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, Chair

ATTEST:

_____
LUANN D. HOLMES, MMC
Secretary

APPROVED AS TO FORM:

_____ 2-27-20
Date

WSP USA INC. a New York corporation

By: _____

Name: _____

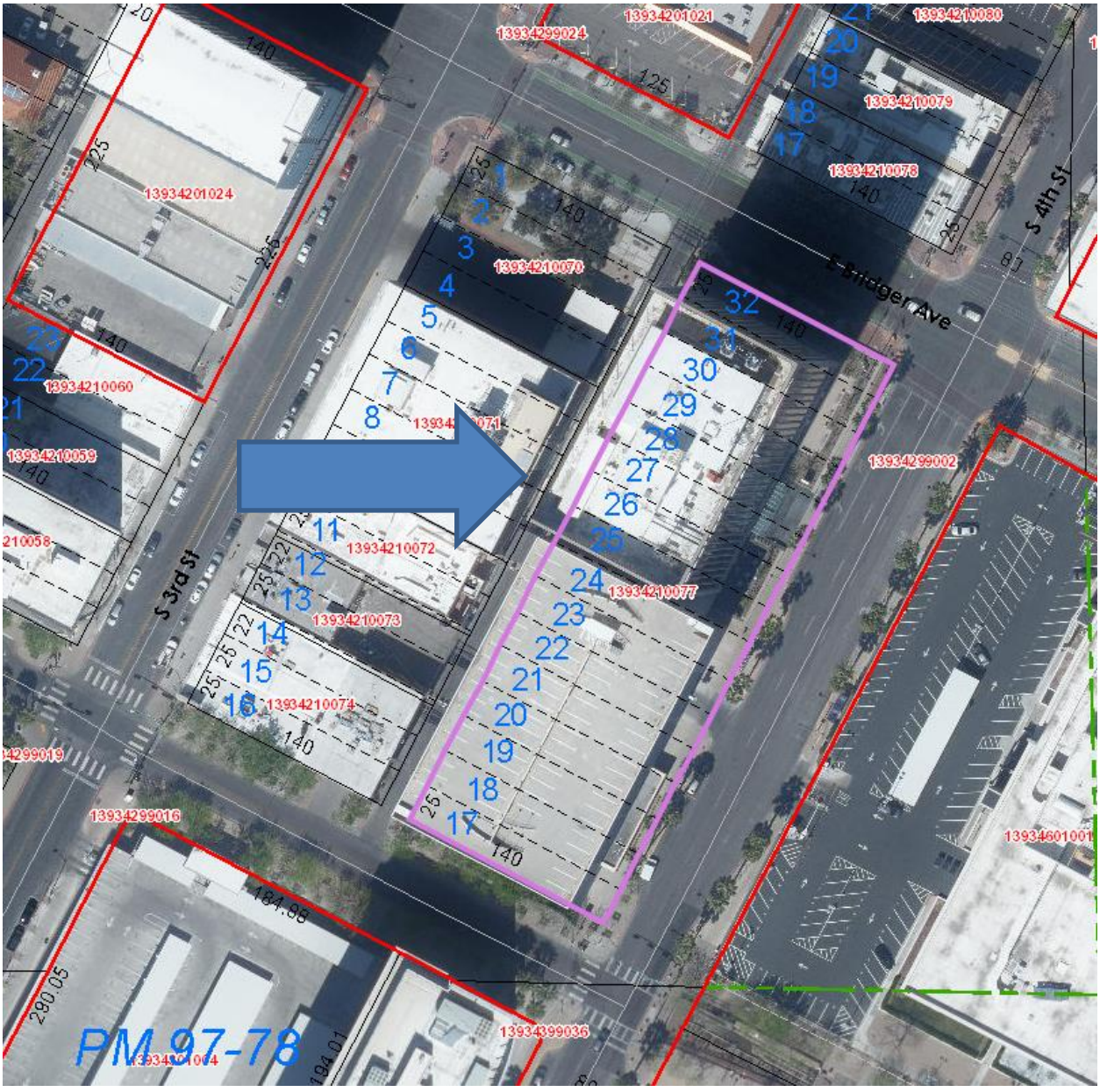
Title: _____

## ATTACHMENTS

| | |
|---|---|
| Attachment A | Site Map |
| Attachment B | Scope of Development |
| Attachment C | Description of Qualified Improvements |
| Attachment D | Lease Summary |
| Attachment E | Form of Certificate of Completion |
| Attachment F | Disclosure of Principals |

# ATTACHMENT A

**SITE MAP**
**Bank of America Plaza, 300 S. Fourth Street WSP USA, Inc.**



## ATTACHMENT B

## SCOPE OF DEVELOPMENT

Tenant improvements in 11,818 square foot office space with approximately 77 work points of office improvements, new HVAC, sprinkler and FA distribution, and new plumbing in select areas, redistribution of HVAC and fire protection, installation of required fire alarm devices, installation of new plumbing fixtures and piping in select areas and other related improvements.

## ATTACHMENT C
## QUALIFIED IMPROVEMENTS

- New HVAC, sprinkler and FA distribution.
- Some new partitions, new power for furniture, new lighting and lighting controls.
- Add conference and collaboration space
- Renovate the existing pantry
- Distribute new power for work points and conference locations
- Provide new wall and floor finishes
- New acoustical ceilings in select areas
- New reproduction space
- Redistribute HVAC, and fire protection, install required fire alarm devices,
- Install new case work in select areas
- Distribute communication cable throughout
- Install new plumbing fixtures and piping in select areas
- New distribution of duct work and diffusers throughout
- Kitchen area modernized.
- New cabinets, appliances, plumbing fixtures, and finishes
- Salvage of light fixtures for reuse.

**ATTACHMENT D**

LEASE SUMMARY

BUILDING: Bank of America Plaza, 300 South Fourth Street, las Vegas, Nevada 89101

PREMISES: 11,818 square feet of office space on 12th floor consisting of entire floor.

TERM OF LEASE: Ninety-One (91) months

EXTENSION OPTIONS: Two (2) five (5) year options to extend at market rent rates.

## ATTACHMENT E

## CERTIFICATE OF COMPLETION

### CERTIFICATE OF COMPLETION OF CONSTRUCTION AND DEVELOPMENT

WHEREAS, pursuant to the Owner Participation Agreement (OPA) dated _____, 2020, the City of Las Vegas Redevelopment Agency, a public body, corporate and politic, hereinafter referred to as the "Agency," provided assistance to WSP USA Inc., a New York corporation, hereinafter referred to as the "Developer," for construction and development of a certain redevelopment project situated in the City of Las Vegas, Nevada, in the twelfth floor of 300 South Fourth Street, Las Vegas, Nevada 89101 (the "Site"); and

WHEREAS, as referenced in the OPA, the Developer shall certify to Agency that all construction and development on the Site has been substantially completed in compliance with the OPA; and

WHEREAS, as referenced in the OPA, Agency shall furnish the Developer with a Certificate of Completion of all construction and development upon the Site; and

WHEREAS, such certificate shall be conclusive determination of satisfactory completion of the construction and development on the Site required by the OPA.

NOW, THEREFORE:

1. The Developer hereby certifies to Agency that all construction on the Site has been completed in compliance with the OPA, including without limitation, the issuance of a certificate of occupancy for the core and shell of the project.

2. Agency agrees and does hereby certify that the construction development on the Site has been fully and satisfactorily performed and completed as required by the OPA.

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
Carolyn G. Goodman, Chair

ATTEST:

_____
LuAnn D. Holmes, Secretary

WSP USA INC., a New York corporation

By: _____

Name: _____

Its: _____

STATE OF NEVADA )
)ss.
COUNTY OF CLARK )

This instrument was acknowledged before me, a notary public, on this _____ day of _____, 20_____, by _____, CHAIR of the City of Las Vegas Redevelopment Agency.

_____
Notary Public

STATE OF )
)ss.
COUNTY OF )

This instrument was acknowledged before me, a notary public, on this _____ day of _____, 20_____, by _____, as _____of WSP USA INC., a New York corporation.

_____
Notary Public

# ATTACHMENT F

# DISCLOSURE OF PRINCIPALS

## CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. **Definitions**

*"City"* means the City of Las Vegas.

*"City Council"* means the governing body of the City of Las Vegas.

*"Contracting Entity,"* means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

*"Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. **Policy**

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. **Instructions**

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. **Incorporation**

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

| **Block 1** Contracting Entity | **Block 2** Description |
|---|---|
| **Name** WSP USA Inc. | 100% owner is Parsons Brinckerhoff Holdings Inc. |
| **Address** One Penn Plaza | |
| New York, NY 10119 | |
| **Telephone** 212-465-5000 | |
| **EIN or DUNS** EIN - 11-1531569 | |

**Block 3** Type of Business

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
**(CONTINUED)**

**Block 4** **Disclosure of Ownership and Principals**
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

| | FULL NAME/TITLE | BUSINESS ADDRESS | BUSINESS PHONE |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | **Please refer to attachment** | | |
| 6. | | | |
| 7. | | | |

The Contracting Entity shall continue the above list on a sheet of paper entitled "disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____.

**Block 5** **DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document:
_____

Date of Attached Document: _____ Number of Pages: _____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Name Suzanne Puccino
Senior Vice President

Date February 25, 2020

Subscribed and sworn to before me this 25 day of February, 2020

Notary Public

HILARY SYLVESTER
Notary Public, State of New York
No. 01SY6263386 Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 11, 2020

- 2 -

## WSP USA INC.

## OFFICERS AND DIRECTORS

| Title | Name | Business Address* | Business Address Reference Number | Director |
|---|---|---|---|---|
| President and CEO | Bernard P. McNeilly | New York, NY | ( 1 ) | X |
| Executive Vice President | Lewis P. Cornell | Orange, CA | ( 2 ) | |
| Senior Vice President | Roger W. Blair | Houston, TX | ( 3 ) | X |
| Senior Vice President | Gerald S. Jannetti | New York, NY | ( 1 ) | |
| Senior Vice President | Sam Knaster | Philadelphia, PA | ( 4 ) | |
| Senior Vice President | Garry E. Nunes | New York, NY | ( 1 ) | |
| Senior Vice President | J. Steven Paquette | New York, NY | ( 1 ) | |
| Senior Vice President | Christopher L. Peters | Orange, CA | ( 2 ) | |
| Senior Vice President | John D. Porcari | Washington, DC | ( 5 ) | |
| Senior Vice President | Joseph G. Pulicare | New York, NY | ( 1 ) | |
| Senior Vice President | Eric R. Roecks | Seattle, WA | ( 6 ) | |
| Senior Vice President & Treasurer | Patrick T. Sheridan | New York, NY | ( 1 ) | |
| Senior Vice President | Arpit Talati | Dallas, TX | (7) | |
| Senior Vice President | David B. Terry | Upper Saddle River, NJ | ( 8 ) | |
| Senior Vice President | Pamela Townsend | Raleigh, NC | ( 9 ) | |
| Senior Vice President | John Trotta | Chicago, IL | ( 10 ) | |
| Senior Vice President | Joseph B. Willhite | Chicago, IL | ( 10 ) | |
| Vice President | Andrew J. Lynn | New York, NY | ( 1 ) | |
| Vice President | Kevin B. Reed | San Diego, CA | ( 11 ) | |
| Assistant Vice President | Sandy Bishay | New York, NY | ( 1 ) | |
| Assistant Vice President | Amir J. Degany | Boston, MA | ( 12 ) | |
| Assistant Vice President | Leslie Gartner | Atlanta, GA | ( 13 ) | |
| Assistant Vice President | David Patterson | Baltimore, MD | ( 14 ) | |
| Assistant Vice President | Robert Rohlfs | Kansas City, MO | ( 15 ) | |
| Assistant Vice President | Fadi S. Walieddine | San Francisco, CA | ( 16 ) | |
| Secretary | Hillary F. Jassey | New York, NY | ( 1 ) | |
| Assistant Secretary | W. Stephen Dale | New York, NY | ( 1 ) | |
| Assistant Secretary | Cary M. Siegel | New York, NY | ( 1 ) | |
| Controller | Nicholas P. Mitrakis | New York, NY | ( 1 ) | |
| Assistant Controller | Christopher J. D'Aquino | Ephrata, PA | ( 17 ) | |
| Board Director | Michael J. Abrahams | New York, NY | ( 1 ) | X |
| Board Director | Gregory P. Benz | Eliot, ME | ( 18 ) | X |
| Board Director | Peter F. Donahue | Boston, MA | ( 12 ) | X |

## WSP USA INC.

## OFFICERS AND DIRECTORS

| Title | Name | Business Address* | Business Address Reference Number | Director |
|---|---|---|---|---|

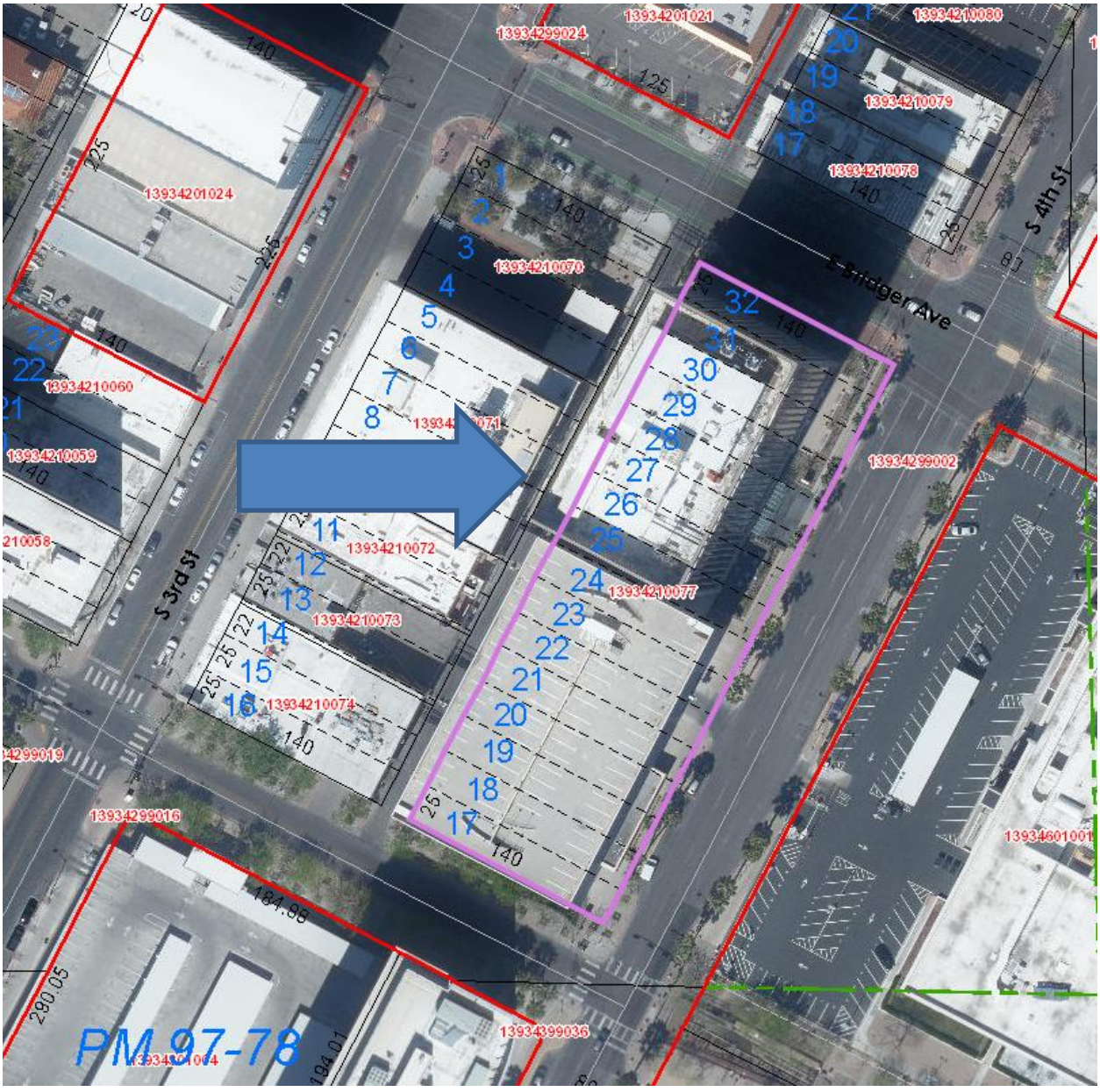
* Business Addresses

( 1 ) One Penn Plaza, New York, NY 10119
( 2 ) 1100 Town and Country Road, Suite 200, Orange, CA 92868
( 3 ) 16200 Park Row, Suite 200, Houston, TX 77084
( 4 ) 4 Penn Center, 1600 JKF Blvd., Suite 510, Philadelphia, PA 19103
( 5 ) 1015 Half Street, SE, Suite 650, Washington, DC 20003
( 6 ) 999 Third Avenue, Suite 3200, Seattle, WA 98104
( 7 ) 2777 N Stemmons Freeway, Suite 1600, Dallas, TX 75207
( 8 ) 600 East Crescent Ave., Suite 200, Upper Saddle River, NJ 07458
( 9 ) 434 Fayetteville Street, Suite 1500, Raleigh, NC 27601
(10 ) 30 N. LaSalle Street, Suite 4200, Chicago, IL 60602
(11 ) Wells Fargo Bldg., 401 B Street, Suite 1650, San Diego, CA 92101
(12 ) 75 Arlington Street, 9th Floor, Boston, MA 02116
(13 ) 1123 Zonolite Road, Suite 25, Atlanta, GA 30306
(14 ) 1 East Pratt Street, 3rd Floor, Baltimore, MD 21202
(15 ) 300 Wyandotte Street, Kansas City, MO 64105
(16 ) 425 Market Street, 17th Floor, San Francisco, CA 94105
(17 ) 4139 Oregon Pike, Ephrata, PA 17522
(18 ) 428 Dow Highway, Eliot, ME 03903

**SITE MAP**

**Bank of America Plaza, 300 S. Fourth Street**

**WSP USA, Inc.**





# City of Las Vegas

Submitted at Redevelopment Agency
Date 3/18/20 Item 5



# Economic and Urban Development
# Owner Participation Agreement
# March 18, 2020

# WSP USA INC.

300 S. Fourth St.

Las Vegas, Nevada 89101

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# Owner Participation Agreement

Las Vegas Redevelopment Agency

March 18, 2020

# Site Map

**Bank of America Plaza, 300 S. Fourth Street**

**WSP USA, Inc.**



# Property

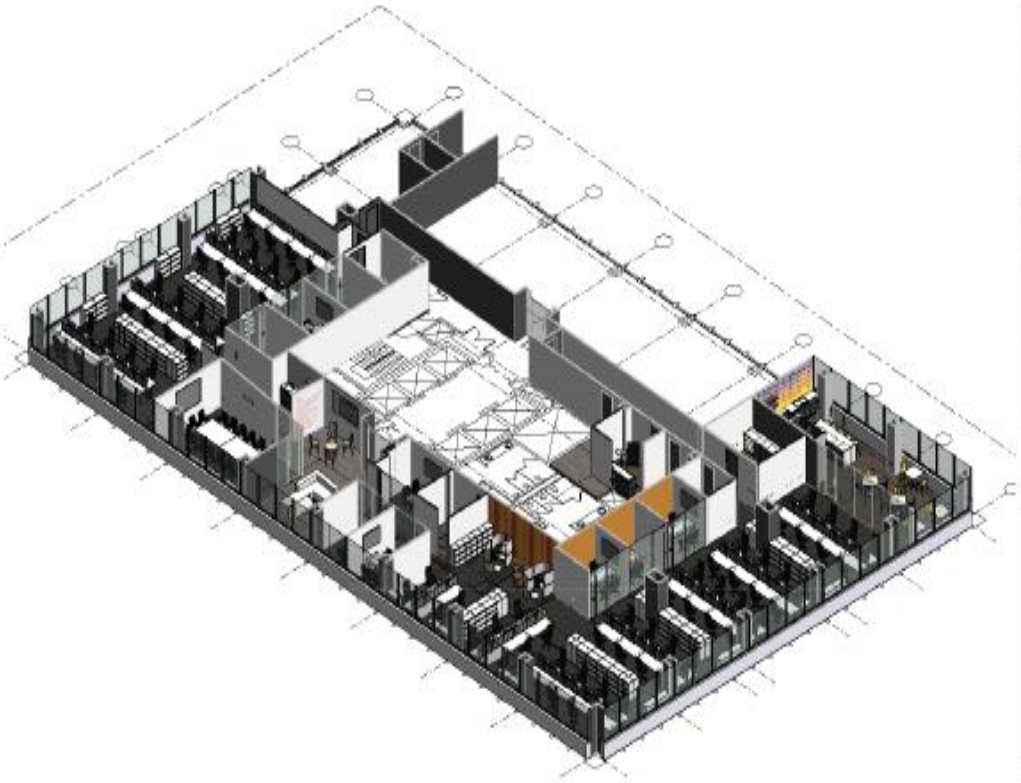
## Project:

- Located on the twelfth floor at the Bank of America Plaza at 300 South Fourth Street
- Floor size approx. 11,818 sq. ft.
- Estimated 54 jobs for the downtown area
- Improvements include new HVAC, sprinkler and fire alarm distribution, and new plumbing in select areas, redistribution of HVAC and fire protection, installation of required fire alarm devices, installation of new plumbing fixtures and piping in select areas and other related improvements

**Total Cost Approx. $1,000,000**

# Property After

WSP LAS VEGAS









AXON (shown in Natural Palette)

08.19.2019

# Property After

WSP LAS VEGAS









RENDERING - RECEPTION (shown in Natural Palette)

08.19.2019

# Property After

WSP LAS VEGAS



RENDERING - CAFE (shown in Natural Palette)

08.19.2019



# Economic and Urban Development
# VIP Agreement
# March 4, 2020

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**34**

**DEPARTMENT: City Clerk** **DISCUSSION**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
BOARDS & COMMISSIONS:

Discussion for possible action regarding the appointment of nominee Micaela Keller to a Ward 3 seat of the Parks and Recreation Advisory Commission

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The Parks and Recreation Advisory Commission consists of 15 members appointed by the City Council. Terms are for three years, unexpired terms must be filled and there is no limit to the number of terms that may be served. Ward 3 is entitled to appoint two representatives to the board. Mr. Armando Lozano occupied one of the Ward 3 seats, his term is expired and he is not interested in reappointment. Ms. Keller is eligible and wishes to serve.

**RECOMMENDATION:**
Options are: That Ward 3 appoint Ms. Keller or advise staff to bring an item forward at a future meeting to consider a new nominee for the Ward 3 seat.

**BACKUP DOCUMENTATION:**
1. Current Listing and Authority

## PARKS & RECREATION ADVISORY COMMISSION

| | MEMBERS | ORIGINAL APPT. | TERM EXPIRES |
|---|---|---|---|
| 1. | **ADROUSHAN (ANDY) ARMENIAN**<br>Mayor Goodman's Appointment | 6-4-2008<br>(Reappt 1-21-2009) (Reappt 2-1-2012)<br>(Reappt 2-4-2015) (Reappt 3-21-2018) | 2-5-2021 |
| 2. | **MELODY HOWARD**<br>Ward 6 Appointment | 12-6-2017 | 12-6-2020 |
| 3. | **JESUS JIMENEZ**<br>Ward 3 Appointment | 3-6-2019 | 3-6-2022 |
| 4. | **ERIC FOEMMEL**<br>Ward 1 Appointment | 2-7-2018 | 2-7-2021 |
| 5. | **RICHARD BECKER**<br>Ward 2 Appointment | 10-3-2012<br>(Reappt 12-19-2012) (Reappt 1-6-2016)<br>(Reappt 3-6-2019) | 1-7-2022 |
| 6. | **STEVEN NEIGER**<br>Ward 4 Appointment | 11-15-2015<br>(Reappt 1-3-2018) | 12-3-2021 |
| 7. | **ARMANDO LOZANO**<br>Ward 3 Appointment | 2-15-2017 | 2-15-2020 |
| 8. | **AUDREY ASSELIN**<br>Ward 4 Appointment | 11-15-2017 | 11-15-2020 |
| 9. | **MALCOLM D. WHITE**<br>Mayor Appointment | 11-7-2001<br>(Reappt 4-7-2004) (Reappt 3-7-2007)<br>(Reappt 3-17-2010) (Reappt 3-6-2013)<br>(Reappt 5-4-2016) (Reappt 8-7-2019) | 4-7-2022 |
| 10. | **LISA B. SHERMAN**<br>(Formerly Lisa Cavaretta)<br>Mayor Appointment | 4-1-1992<br>(Reappt 4-5-1995) (Reappt 3-23-1998)<br>(Reappt 3-7-2001) (Reappt 3-17-2004)<br>(Reappt 3-7-2007) (Reappt 3-17-2010)<br>(Reappt 3-6-2013) (Reappt 5-4-2016)<br>(Reappt 8-7-2019) | 4-1-2022 |
| 11. | **ELIZABETH GEBRE**<br>Ward 5 Appointment | 7-1-2015<br>(Reappt 8-1-2018) | 4-15-2021 |
| 12. | **BOB BRIARE**<br>Ward 1 Appointment | 9-20-2017 | 9-20-2020 |
| 13. | **MIKE HENLEY**<br>Ward 2 Appointment | 11-16-2016<br>(Reappt 4-18-2018) | 4-15-2021 |
| 14. | **WILLIAM MCCURDY**<br>Ward 5 Appointment | 12-5-2001<br>(Reappt 1-22-2003) (Reappt 1-18-2006)<br>(Reappt 1-21-2009) (Reappt 2-15-2012)<br>(Reappt 3-4-2015) (Reappt 5-2-2018) | 2-20-2021 |
| 15. | **LARRY SCHULTZ**<br>Ward 6 Appointment | 1-6-2016<br>(Reappt 12-6-2017) | 11-19-2020 |

**ON APRIL 12, 2000 MEMBER JEANNE A. ROBERTS WAS NAMED "MEMBER EMERITUS" BY THE PARKS AND RECREATION ADVISORY COMMISSION FOR HER LONG SERVICE TO THIS COMMISSION.**

**ON NOVEMBER 14, 2007 MEMBER DR. DONALD ROMEO WAS NAMED "MEMBER EMERITUS" BY THE PARKS AND RECREATION ADVISORY COMMISSION FOR HIS LONG SERVICE TO THIS COMMISSION.**

**NOTE:** On 1-8-1992 the Council adopted Bill 91-1977, which terminated the Golf Board and added the functions previously handled by the Golf Board as functions of the Parks & Recreation Board.

**AUTHORITY:** LVMC 2.42

**MEMBERS:** 15 members appointed by the City Council. (Increased from 11 to 15 on 2-6-1991, Ord. 3554)

**TERM:** 3 years (no limit to number of terms)
(Must fill unexpired terms)

**NOTES:** No City residency requirement.
NO FINANCIAL DISCLOSURE REQUIREMENT per Bill 2001-70, PER Ordinance 5346, adopted 8-1-2001.

**MEETINGS:** Meets 1st Tuesday of each month, 4:00 P.M., 495 South Main Street 2nd Floor Clerk's Conference Room

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**35**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2020-4 - For possible action - Annexation No. ANX-78110 - Property location: the southwest corner of Tee Pee Lane and Centennial Parkway; Petitioned by: Threshold Capital, LLC; Acreage: 5.06 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The proposed ordinance annexes certain real property generally located on the southwest corner of Tee Pee Lane and Centennial Parkway. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (March 26, 2020) is set by this ordinance.

**RECOMMENDATION:**
ADOPTION at the 3/18/2020 City Council Meeting pursuant to the 3/2/2020 Recommending Committee Meeting

First Read - 2/19/2020 First Publication - 3/5/2020

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-4 and location map
2. Submitted after Final Agenda - Request Letter to Strike by Threshold Capital LLC

**BILL NO. 2020-4**

**ORDINANCE NO. _____**

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-78110)

Sponsored by: Councilwoman Michele Fiore

Summary: Annexes property described as generally located on the southwest corner of Tee Pee Lane and Centennial Parkway.

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

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

BEING THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

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

A. The area to be annexed was contiguous to the City's boundaries at the time

the annexation proceedings were instituted;

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

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

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

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

applications.

SECTION 4: The annexation of the described territory shall become effective on the 26th day of March, 2020, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 26th day of March, 2020, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 26th day of March, 2020.

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

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

. . .

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 1-30-2020
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____ _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

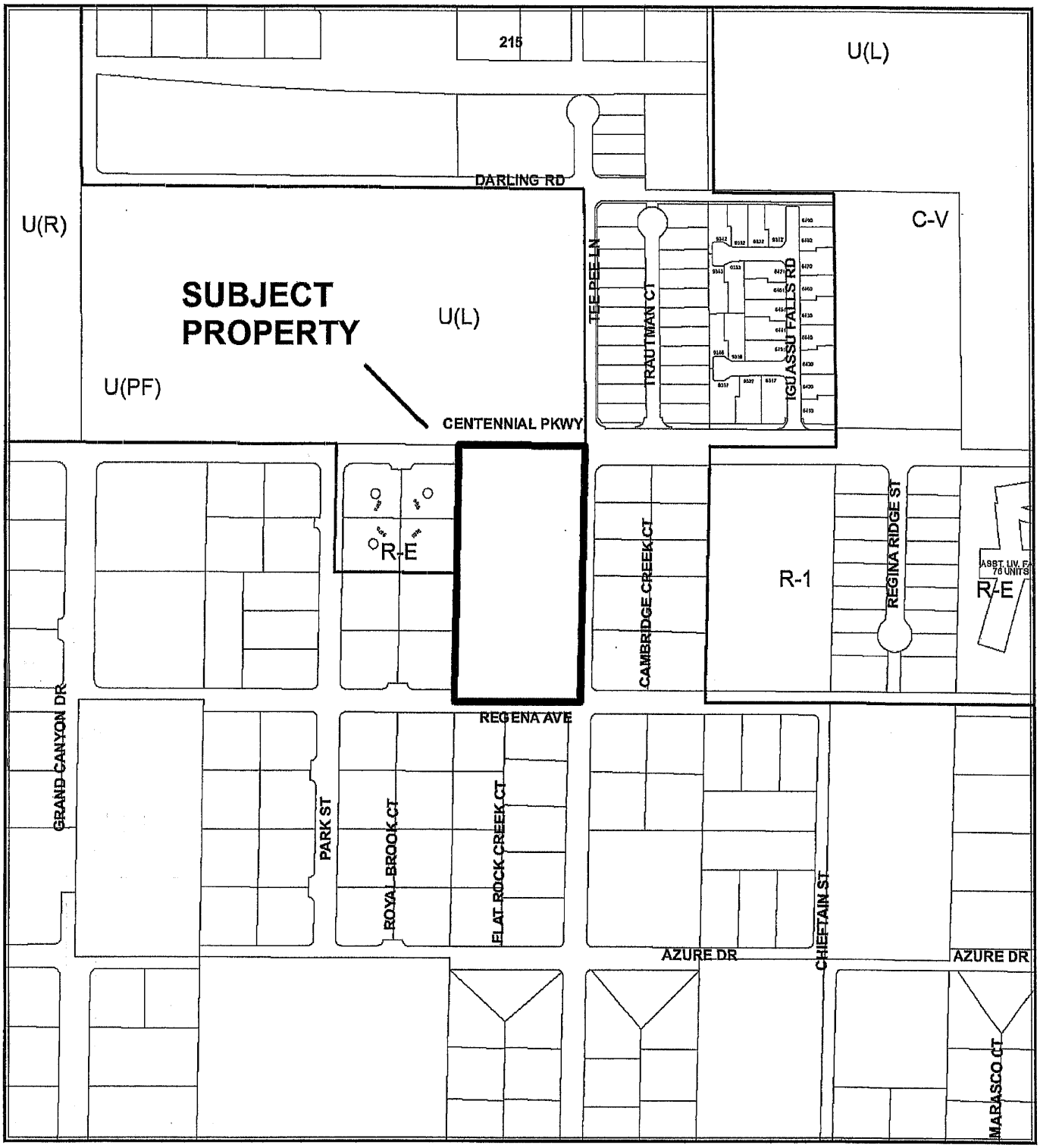
ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk




CASE: **ANX-78110**

0 295 590 Feet

N

Threshold Capital LLC
5854 Melarkey Way
Reno, NV 89511
billdreamlv@gmail.com
marydreamlv@gmail.com
(702) 340-2455

March 12, 2020

**ATTN:**
**Mr. Fred Solis, AICP**
Senior Planner
Department of Planning| Long Range Planning Division
**702-229-5409**
333 North Rancho Drive | Las Vegas, NV 89106

RE: Item 35 Bill No. 2020-4 · Annexation No. ANX-78110
APN 125-30-502-006

Mr. Solis,

Please strike this item from the March 18, 2020 agenda as we NO longer wish to pursue annexation into the City of Las Vegas. Accept this letter as formal revocation of all annexation requests for our parcel. Should you have any questions or concerns please call me at 702-340-2455.

Respectfully,

Bill O'Donnell, Manager

Bill O'Donnell—Manager

Mary O'Donnell, manager

Mary O'Donnell--Manager

Submitted after final agenda

Date 3/16/20 Item 35

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**36**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2020-5 - For possible action - Amends LVMC Chapter 6.50, related to the licensing of alcoholic beverage establishments, to update provisions regarding the removal of bottles of wine from certain types of establishments. Sponsored by: Councilman Stavros S. Anthony

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The bill will amend LVMC Chapter 6.50, related to the licensing of alcoholic beverage establishments, to update provisions regarding the removal of bottles of wine from certain types of establishments. The bill describes the circumstances under which certain types of establishments that hold a restaurant license may allow bottles of wine brought in by customers to be served with a meal, as well as the circumstance under which partially consumed bottles of wine may be taken from an establishment, including bottles purchased on-site for consumption with a meal.

**RECOMMENDATION:**
ADOPTION at the 3/18/2020 City Council Meeting pursuant to the 3/2/2020 Recommending Committee Meeting

First Read - 2/19/2020 First Publication - 3/5/2020

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-5

**BILL NO. 2020-5**

**ORDINANCE NO. _____**

AN ORDINANCE TO AMEND LVMC CHAPTER 6.50, RELATED TO THE LICENSING OF ALCOHOLIC BEVERAGE ESTABLISHMENTS, TO UPDATE PROVISIONS REGARDING THE REMOVAL OF BOTTLES OF WINE FROM CERTAIN TYPES OF ESTABLISHMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Stavros S. Anthony

Summary: Amends LVMC Chapter 6.50, related to the licensing of alcoholic beverage establishments, to update provisions regarding the removal of bottles of wine from certain types of establishments.

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

SECTION 1: Title 6, Chapter 50, Section 430, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.50.430:** (A) Notwithstanding any other provision of this Chapter, but subject to Subsection **[**(D)**]** (E) of this Section, **[**the following types of establishments may permit a customer to bring a bottle of wine into the establishment for purposes of having the establishment pour and serve the wine in connection with a meal served to the customer:

(1) Beer/wine/cooler on-sale;

(2) Tavern;

(3) Restaurant service bar; and

(4) Restaurant with alcohol.**]**

an establishment that qualifies under Subsection (B) of this Section may permit a customer to bring a bottle of wine into the establishment for purposes of having the establishment pour and serve the wine in connection with a meal served to the customer.

(B) Establishments that are eligible to provide the service referred to in Subsection (A) are the following, but only if in each case the establishment also holds a restaurant license:

(1) Beer/wine/cooler on-sale;

(2) Tavern;

(3) Restaurant service bar;

(4) Restaurant with alcohol;

(5) Tavern-limited;

(6) Tavern-restricted;

(7) Urban lounge;

(8) Beer and wine room;

(9) Ancillary lounge bar; and

(10) General on-sale, as described in LVMC 6.50.060.

[(B)] (C) An establishment that provides the service referred to in Subsection (A) may charge a fee for the service (a "corking fee").

[(C)] (D) The licensee of an establishment that provides the service referred to in Subsection (A) is responsible for ensuring that:

(1) The contents of the bottle of wine brought into the establishment are fully consumed on the premises;

(2) The bottle of wine remains on the premises and is disposed of by the establishment; or

(3) If the contents of the bottle of wine are not fully consumed and the bottle is to be returned to the customer, the bottle is properly re-corked and placed in a tamper proof sealed single use bag manufactured expressly for the removal of partially consumed bottles of wine before it is returned to the customer to be taken off the premises.

[(D)] (E) This Section is a reflection of the City's authority to regulate businesses serving alcoholic beverages and sets forth the parameters of regulation insofar as the City is concerned. Nothing in this Section is intended to diminish or otherwise affect the application of State laws or regulations governing the subject.

SECTION 2: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada,

1983 Edition, is hereby amended by adding thereto a new section, designated as Section 435, reading as follows:

**6.50.435:** (A) Notwithstanding any other provision of this Chapter, and in accordance with the provisions of this Section, an establishment that qualifies under Subsection (B) of this Section may permit a customer who has purchased a bottle of wine from the establishment for consumption in connection with a meal served to the customer to take the bottle off the premises if the contents of the bottle have not been fully consumed.

(B) Establishments that are eligible to provide the service referred to in Subsection (A) are the following, but only if in each case the establishment also holds a restaurant license:

(1) Beer/wine/cooler on-sale;

(2) Tavern;

(3) Restaurant service bar;

(4) Restaurant with alcohol;

(5) Tavern-limited;

(6) Tavern-restricted;

(7) Urban lounge;

(8) Beer and wine room;

(9) Ancillary lounge bar; and

(10) General on-sale, as described in LVMC 6.50.060.

(C) An establishment that provides the service referred to in this Section may charge a fee for the service.

(D) The licensee of an establishment that provides the service referred to in this Section is responsible for ensuring that, before an unfinished bottle is removed from the premises, it has been properly re-corked and placed in a tamper proof sealed single use bag manufactured expressly for the removal of partially consumed bottles of wine.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase

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

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

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 2-4-2020
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**37**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2020-6 - For possible action - Continues to authorize, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses to be established within the Las Vegas Medical District, and adds to the list of qualifying businesses an establishment with a tavern-limited alcoholic beverage license. Sponsored by: Councilman Brian Knudsen

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
Last year the City Council adopted an ordinance to authorize, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses to be established within the Las Vegas Medical District. This bill will continue and extend that authorization for another 2 years, as well as add to the list of qualifying businesses an establishment with a tavern-limited alcoholic beverage license.

**RECOMMENDATION:**
ADOPTION at the 3/18/2020 City Council Meeting pursuant to the 3/2/2020 Recommending Committee Meeting

First Read - 2/19/2020 First Publication - 3/5/2020

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-6

**BILL NO. 2020-6**

**ORDINANCE NO. _____**

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF CERTAIN BUSINESS LICENSE-RELATED FEES AND CHARGES FOR QUALIFYING NEW BUSINESSES TO BE ESTABLISHED WITHIN THE LAS VEGAS MEDICAL DISTRICT; TO ADD TO THE LIST OF QUALIFYING BUSINESSES AN ESTABLISHMENT WITH A TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSE; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Brian Knudsen

Summary: Continues to authorize, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses to be established within the Las Vegas Medical District, and adds to the list of qualifying businesses an establishment with a tavern-limited alcoholic beverage license.

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

SECTION 1: In February 2019, the City Council adopted Ordinance No. 6675, which authorized, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses within the Las Vegas Medical District. The intent of that ordinance was to encourage within that District the establishment of new businesses of the types listed. The City Council desires to extend for another two years the effects of that ordinance for new applications. Therefore, the Department of Planning or its successor, in accordance with Ordinance No. 6675 and this Ordinance, may waive the license-related fees and charges listed in Section 2 of Ordinance No. 6675 for qualifying businesses.

SECTION 2: In addition to the qualifying new businesses listed in Section 3 of Ordinance No. 6675, the waiver provisions of Ordinance No. 6675 and this Ordinance shall be available to establishments with a tavern-limited alcoholic beverage license.

SECTION 3: Except with respect to establishments described in Section 2 of this Ordinance, a waiver referred to in Section 1 of this Ordinance may be granted pursuant to a qualifying waiver application that is filed with the Department between February 23, 2019, and February 23, 2023. A waiver with respect to establishments described in Section 2 of this Ordinance may be granted pursuant to a qualifying waiver application that is filed with the Department between the effective date of this Ordinance

and February 23, 2023. Any such waiver shall be conditioned upon activation of the business license within the following time periods after the submittal of a qualifying waiver application:

(A) One year, for a business to be located within an existing structure; or

(B) Two years, otherwise.

SECTION 4: Sections 4 and 5 of Ordinance No. 6675 shall remain in full force and effect with respect to applications under both Ordinance No. 6675 and this Ordinance.

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

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 2-6-2020
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**38**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2020-7 - For possible action - Amends LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, and amends various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments. Sponsored by: Councilman Brian Knudsen

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
This bill will amend LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, instead of just portions of that District as is the case currently. The bill will also amend various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments.

**RECOMMENDATION:**
ADOPTION at the 3/18/2020 City Council Meeting pursuant to the 3/2/2020 Recommending Committee Meeting

First Read - 2/19/2020 First Publication - 3/5/2020

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-7

**BILL NO. 2020-7**

**ORDINANCE NO. _____**

AN ORDINANCE TO AMEND LVMC 6.50.250 TO MAKE TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSES AVAILABLE THROUGHOUT THE DOWNTOWN LAS VEGAS OVERLAY DISTRICT; AMEND VARIOUS PROVISIONS OF THE UNIFORM DEVELOPMENT CODE ADOPTED AS TITLE 19 TO MAKE CORRESPONDING LAND USE-RELATED ADJUSTMENTS; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Brian Knudsen

Summary: Amends LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, and amends various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments.

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

SECTION 1: Title 6, Chapter 50, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.50.250:** (A) A tavern-limited license:

(1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold, except as otherwise provided in Subsection (C) of this Section.

(2) May only be issued for premises that are located entirely within [Area 1 of the Downtown Las Vegas Overlay District or the Symphony Park District, as shown in Figures 2 and 3 of the Development Standards adopted in LVMC 19.10.010(B).] the Downtown Las Vegas Overlay District, as described in LVMC 19.10.110.

(3) In the case of a tavern-limited license issued under Subsection (C) of this Section, may only be issued with respect to an outdoor entertainment complex.

(4) Is not transferable, except to a location for which a new license of that type would qualify under Paragraph (2) of Section (A) above and to an operator who has been approved by the City Council.

(B) Except with respect to a tavern-limited license issued under Subsection (C) of this

Section, a tavern-limited license, the transfer of a license, or in the case of Paragraphs (5), (6), (7) and (8) below, the renewal of a license as well, may be conditioned upon one or more of the following:

(1) That the establishment be a themed establishment, the theme to be approved by the Director after submission of a written description of at least three operational elements establishing a theme.

(2) That the establishment provide live entertainment at least two nights per week, including, but not limited to the following:

(a) Music entertainment venue, with live music or disc jockey (jazz, blues, reggae, hip hop, rock'n'roll, etc.);

(b) Nightclub venue with dancing and live music or live disc jockey;

(c) Comedy entertainment venue, with live comedic performers;

(d) Karaoke entertainment venue, with amateur guest performers; and

(e) Other live entertainment venues, to be determined by the City Council for acceptability and conformity to the goals and objectives of the district in which it is located.

(3) That the establishment provide for outdoor seating in a number and manner approved by the City Council.

(4) Establishment of an annual review for conformity to the licensing standards and conditions, for a period of time to be established by the City Council.

(5) Submittal of a security plan, to be approved by the City; provided, however, that this condition shall be mandatory for establishments located within the Downtown Entertainment Overlay District. In the case of a mandatory security plan for establishments within the Downtown Entertainment Overlay District, the security plan must address all aspects of the establishment's operations. In particular, and in connection with the approval of such a mandatory security plan, the Director may do one or more of the following:

(a) Require the establishment to comply with the provisions of LVMC 6.39.040 regarding the presence of minors.

(b) Apply to the establishment the provisions of LVMC 6.39.050(B) regarding security plans.

(c) Require the establishment to:

(i) Perform security-related searches, including searches using metal detectors or wanding and searches based on the results of those devices, and limit the types of items that can be brought into the establishment, including without limitation weapons, backpacks, bags and other carrying devices.

(ii) Provide adequate security to manage lines of patrons seeking entry.

(iii) Provide minimum levels of security both inside and outside the establishment, at a ratio of security to attendees that is commensurate with the size and operation of the establishment.

(iv) Ensure that security officers are trained in areas such as use of force, counter-terrorism and de-escalation.

(v) Engage special events officers of Metro for occasions and events where such a presence is deemed important by the Director.

(vi) Provide fully operational and adequate video surveillance for the venue especially for restroom entries, ingress/egress areas, and the front of the establishment.

(vii) Provide for the presence of medical personnel for events with over one thousand patrons.

(viii) Provide for the vetting of independent hosts, special guest DJ's, live acts, etc. through open sources.

(ix) Engage qualified companies or individuals on an undercover basis to monitor or audit operations for compliance, such as the use of "mystery shoppers."

(x) Establish, maintain in place, and implement written policies and procedures that seek to foster the public health, safety, morals, good order, and general welfare of the

patrons.

(xi) Implement a program by which employees and others retained by the establishment have received copies of, and training, regarding the written policies and procedures referred to above.

(xii) Ensure that the establishment's management is actively involved in oversight of operations and the implementation of the written policies and procedures referred to above.

(xiii) Provide a policy or plan under which the establishment would conduct background investigations on any person potentially to be hired as an employee, security provider, independent host, vendor or entertainer.

(6) For establishments located within the Downtown Entertainment Overlay District that will have patrons waiting outside the establishment for entry into the establishment, that the licensee organize and maintain its patrons in line in accordance with this Paragraph (6). Each outdoor patron line must be on private property or on a public sidewalk. If on a public sidewalk, an outdoor patron line shall:

(a) Be parallel to and against the structure of the licensed establishment;

(b) Be maintained so that not more than two persons are abreast (next to one another);

(c) Not restrict reasonable pedestrian movement on the sidewalk; and

(d) Not obstruct the entrance to any other establishment that is open for business.

(7) For establishments located within the Downtown Entertainment Overlay District, that outdoor speakers or other sound amplification devices:

(a) Will not be located on sidewalks or within the public right-of-way; and

(b) Will be directed toward the establishment's lounge or dining area

and away from public rights-of-way.

(8) For establishments located within the Downtown Entertainment Overlay District that will provide entertainment other than what has been required as a condition of City Council approval pursuant to Paragraph (2) of this Subsection (B), that such entertainment be approved in advance by the Director.

(9) Such other conditions as may be recommended by City staff and imposed by the City Council.

(C) Independent of the provisions contained in Subsection (B) of this Section, a person who owns or controls an outdoor entertainment complex, or a person who is associated with such a person by means of license or lease or other written consent to operate an outdoor entertainment complex, may only engage in the business of selling alcoholic beverages, advertise the same or permit the consumption of alcoholic beverages upon the premises of an outdoor entertainment complex by obtaining and thereafter maintaining a valid unexpired tavern-limited license specific for an outdoor entertainment complex pursuant to this Code. Unless otherwise restricted by conditions imposed on a license by the City Council, such a license authorizes the sale of alcoholic beverages for consumption at any location within an outdoor entertainment complex, but subject to compliance with the provisions of Subsections (D) and (E) of this Section.

(D) The issuance of a tavern-limited license under Subsection (C) of this Section shall be contingent upon the following:

(1) Submittal of a site plan for the outdoor entertainment complex that indicates all uses included within the complex, the controlled points access as required herein, locations where alcohol may be consumed within the boundaries of the complex, and any areas where minors may be segregated from persons over twenty-one years of age that are consuming alcohol, if any.

(2) Submittal of a business security plan that:

(a) Is designed to ensure that minors are not served or permitted to consume alcoholic beverages; and

(b) Specifically identifies how the operator of the outdoor entertainment complex will ensure that patrons will not remove alcoholic beverages from the complex.

(3) Submittal of an internal signage plan that, at a minimum, is designed to ensure the existence and maintenance of signage that reasonably and appropriately:

(a) Indicates that minors are not to be served nor consume alcohol; and

(b) Displays the scheduled entertainment to be provided to the public.

(4) Approval by the Director of the plans identified in Paragraphs (1) through (3) above, taking into account any review and recommendation of Metro regarding those plans.

(E) A tavern-limited license under Subsection (C) of this Section shall be conditioned upon compliance by the licensee and the operator of the outdoor entertainment complex with the following requirements:

(1) That at least one restaurant within the outdoor entertainment complex is open and fully operational whenever any alcoholic beverage service is available, except when the complex is closed to minors or a special event permit has been issued for an event pursuant to LVMC Chapter 12.02.

(2) That no alcoholic beverages are allowed to be consumed within any enclosed business establishment operating within the outdoor entertainment complex, unless the establishment has an alcoholic beverage license appropriate for the establishment.

(3) That patrons and guests are not allowed to leave the outdoor entertainment complex with an alcoholic beverage.

(4) That access into and out of the outdoor entertainment complex is controlled so that there are no more than four points of ingress and egress.

(5) Such other conditions as may be recommended by City staff and imposed by the City Council.

(F) The transfer of a license issued under Subsection (C) of this Section shall be subject to the contingencies and conditions regarding an initial license that are identified in Subsections (D) and (E) of this Section.

(G) Notwithstanding any other provision of this Section, no tavern-limited alcoholic beverage license is eligible to operate as a nightclub, as defined in LVMC 6.39.050, or to engage in the operation of a nightclub, as if it were a nightclub under LVMC Chapter 6.39, or to operate as a tavern-limited establishment with ancillary nightclub operation under LVMC Title 19 if the holder of the license or any principal thereof previously has had a nightclub license revoked, or an application for a temporary or permanent nightclub license denied.

SECTION 2: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 3 to 5, inclusive, of this Ordinance. The amendments in those sections are deemed to be amendments to Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 3: Section 19.09.050.E.008.I, pertaining to Use Types for the T6 Urban General Zone, is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T6-Urban General Zone by means of special use permit. In order to reflect that amendment, a new row shall be added to the Use Types table, under the Retail Trade category, for the Tavern-Limited Establishment use, with an "S" to be inserted for that use in the column for the T6-UG Zone and an "N" inserted for that use in the column for the T6-UG-L (Limited) Sub-zone.

SECTION 4: Section 19.09.050.E.012.I, pertaining to Use Types for the T5 Maker Zone, is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T5 Maker Zone by means of special use permit. In order to reflect that amendment, a new row shall be added to the Use Types table, under the Retail Trade category, for the Tavern-Limited Establishment use, with an "S" to be inserted for that use in the column for the T5-M Zone.

SECTION 5: Section 19.09.050.E.016.I, pertaining to Use Types for the T5 Corridor Zone, is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T5 Corridor Zone by means of special use permit. In order to reflect that amendment, a new row shall be added to the Use Types table, under the Retail Trade category, for the Tavern-Limited Establishment use, with an "S" to be inserted for that use in the column for the T5-C Zone.

SECTION 6: For purposes of Section 2.100(3) of the City Charter, Section 19.09.050 is deemed to be a subchapter rather than a section.

SECTION 7: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendments set forth in Sections 3 to 5, inclusive, of this Ordinance.

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

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 2-6-2020
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**39**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
NEW BILLS:

Bill No. 2020-8 - Adopts that certain document entitled “First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community,” regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
This bill will formally adopt the document entitled “First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community,” regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. The agreement itself is scheduled to be approved by the City Council at its meeting of March 18, 2020. This bill will formalize the adoption in accordance with State law.

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

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-8

**BILL NO. 2020-8**

**ORDINANCE NO. _____**

AN ORDINANCE TO ADOPT THAT CERTAIN DOCUMENT ENTITLED "FIRST AMENDMENT TO FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert Summerfield, Director of Planning

Summary: Adopts that certain document entitled "First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive.

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

SECTION 1: That certain document entitled "FIRST AMENDMENT TO FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY," the substance of which was approved by the City Council on March 18, 2020, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: Following adoption of this Ordinance, the document adopted by

Section 1 shall be attached to this Ordinance and recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

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

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-4-20
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____ _____;

thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**40**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
NEW BILLS:

Bill No. 2020-9 - Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter. Proposed by: Robert Summerfield, Director of Planning

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
This bill represents a scheduled follow-up to the adoption last year of LVMC Title 19's Form-Based Code provisions. Among other things, the bill will adjust LVMC Chapter 19.09 to 1) eliminate inconsistencies discovered in that chapter since its adoption, 2) make the chapter more user-friendly, 3) modify requirements that are not practical due to downtown geography, and 4) refine provisions to better align with development conditions within the Fremont East and Medical Districts.

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

**BACKUP DOCUMENTATION:**
1. Bill No. 2020-9
2. Exhibit A
3. Exhibit B
4. Exhibit C

**BILL NO. 2020-9**

**ORDINANCE NO. _____**

AN ORDINANCE TO UPDATE LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO REFINE AND ADJUST VARIOUS PROCEDURES AND STANDARDS PERTAINING TO PROPERTY AND APPLICATIONS THAT ARE GOVERNED BY THAT CHAPTER, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert Summerfield, Director of Planning

Summary: Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter.

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

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 to 66, inclusive, of this Ordinance. The amendments are deemed to be amendments to Ordinance No. 6289 and to the Unified Development Code adopted as Title 19.

SECTION 2: Section 19.09.030.I, including Tables 1 and 2 appearing therein, are amended to read as follows:

**19.09.030.I [Minor Modifications] <u>Exceptions</u> and Post-Approval Adjustments**

1. Purpose

Pre-Entitlement [Minor Modifications] <u>Exceptions</u> and Post-Approval Adjustments are intended to provide administrative-level discretion over minor deviations from the standards in Chapter 19.09 (Form-Based Code). Pre-Entitlement [Minor Modifications] <u>Exceptions</u> set forth standards for deviations during the review and approval of the project. Post-Approval Adjustments set forth standards for deviations after the entitlement of the project but before the issuance of the Certificate of Occupancy. [Other deviations may be allowed in compliance with LVMC Section 19.16.120 (Administrative Deviation).]

2. Pre-Entitlement [Minor Modification] <u>Exceptions</u>

a. The Pre-Entitlement [Minor Modifications] <u>Exceptions</u> in Table 1 (Pre-Entitlement [Minor

Modifications] Exceptions) are allowed in all transect zones in order to allow prescribed flexibility during the review and approval of the project, prior to entitlement.

[b. Findings and Decision

The Director shall approve, with or without conditions, a Minor Modification application, only after the following findings are made:

i. There are special circumstances applicable to the property (e.g., size, shape, topography, location, surroundings, etc.);

ii. The special circumstances applicable to the property are not self-imposed by any person presently having an interest in the property;

iii. Approval of Minor Modification will not grant special privileges inconsistent with the limitation upon other properties in the vicinity and the zone in which the property is located;

iv. The requested Minor Modification will not allow the establishment of a use that is not allowed in the zone;

v. Granting the Minor Modification will not be materially detrimental to the public health, safety, or welfare and will not impair an adequate supply of light and air to adjacent property; and

vi. The proposed project is consistent with all other applicable standards in Chapter 19.09 (Form-Based Code).

c. Review Procedures

The review processes for Pre-Entitlement Minor Modifications are set forth in LVMC Section 19.16.120 (Administrative Deviation).]

b. Review Procedures

A request for Exception must be submitted in writing to the Director in connection with the submittal of a pre-application conference request. In order for an Exception to be eligible for consideration, the applicant must show through convincing and substantial evidence that the Exception furthers the goals of the 2045 Downtown Master Plan and does not detrimentally affect the public health, safety or general welfare. Any such Exception shall be considered for endorsement by the Director prior to the submittal of an application

for Site Development Plan Review. In cases where the Director does not endorse a requested Exception, the relief sought is available only by means of a Waiver pursuant to LVMC 19.16.130.

**Table 1 Pre-Entitlement [Minor Modifications] Exceptions**

| **Type of [Minor Modification] Exception Allowed** | | **Additional Required Findings** | **Maximum [Modification] Exception** |
|---|---|---|---|
| **Building Placement Standards** | An increase or decrease of the minimum or maximum required setback for primary buildings. | Existing building(s) on adjacent lots on the same block face is/are greater or less than the required setback; and the variation will allow the proposed project to blend in with the adjacent buildings). | 2 ft. |
| | A decrease of the minimum façade zone standards. | The building is consistent with the intent of the zone and all other applicable standards of the zone. | 10% |
| **Building Form Standards** | An increase of the maximum lot coverage standard. | The project is consistent with the intent of the zone and all other applicable standards of the zone. | 5% |
| **Building Type Standards** | An increase or decrease of the minimum or maximum building, or a portion of a building, width or depth. | The building is consistent with the intent of the zone and all other applicable standards of the zone. | 10% |
| **Frontage Type Standards** | An increase or decrease of the standards for building frontages. | The building is consistent with the intent of the zone and all other applicable standards of the zone; and may not be combined with any modification to the façade zone. | 10% |
| **Encroachments into Façade Zone Standards** | Alternative driveway access to the property. | The preferred access point is not a feasible alternative due to site constraints, and the alternate driveway access does not compromise public safety. | Front or corner side driveway access |
| **Parking Standards** | An increase or decrease of the minimum or maximum required setback for parking. | The parking is screened by a building frontage, open space, or landscaping features, all as approved by Department staff. | 2 ft, |
| | An increase or decrease of the minimum or maximum parking requirement percentages as identified in LVMC 19.19.100.G, | N/A | 15% |

| | | | |
|---|---|---|---|
| | Table 1. | | |
| **Other** | A reasonable deviation from the prescribed standards where necessary to install features that facilitate access and mobility of disabled persons with limited mobility. | The building is consistent with the intent of the zone and all other applicable standards of the zone. | [10%] 20% |

3. Post-Approval Adjustment

a. Post-Approval Adjustments Allowed

To avoid penalizing applicants for minor, inadvertent, and unforeseen [errors in construction,] circumstances post-entitlement, this Subsection allows administrative-level [de minimis] adjustments to specific standards after entitlement of the project, but before issuance of the Certificate of Occupancy. The Post-Approval Adjustments in Table 2 (Post-Approval Adjustments) are allowed in all transect zones.

b. Findings and Decision

The Director shall approve, with or without conditions, a Post-Approval Adjustment [application,] request, but only after the following findings are made:

i. The Adjustment is the minimum amount necessary to address [construction errors made inadvertently and in good faith,] a code deficiency that is due to unforeseen site conditions or other circumstances beyond the applicant's control;

ii. Granting the Adjustment will not be materially detrimental to the public health, safety, or welfare; and [will not impair an adequate supply of light and air to adjacent property; and]

iii. The proposed project [is consistent with all other applicable standards in Chapter 19.09 (Form-Based Code).] remains in substantial conformance with the original approved Site Development Plan Review.

c. Review Procedures

i. [The review processes for Post-Approval Adjustments are set forth in LVMC Section 19.16.120 (Administrative Deviation), unless otherwise indicated in this Subsection.] A request for Post-Approval Adjustment must be submitted in writing to the Director prior to the issuance of any related

off-site permit, building permit, or combination thereof. In order for a Post-Approval Adjustment to be eligible for consideration, the applicant must demonstrate conformance with Subparagraphs b.i through b.iii above (regarding Findings and Decision). The granting of any such Post-Approval Adjustment by the Director shall be in conjunction with the approval of the related off-site permit or building permit, as applicable.

ii. [The Director may not grant an Adjustment under this Subsection in connection with approval of a building permit or site plan. An Adjustment may only be approved to address errors in construction as follows:

1. The error was performed under an approved building permit or site plan; and

2. The error was discovered during an inspection required under the LVMC for issuance of a Certificate of Occupancy.] Post-Approval Adjustments not specified in Table 2 below shall be reviewed in accordance with the process for amending Site Development Review Plans set forth in LVMC 19.16.100(H).

**Table 2 Post-Approval Adjustments**

| **Type of [Minor Modification] Post-Approval Adjustments Allowed** | | **Maximum [Modification] Adjustment** |
|---|---|---|
| Building Placement Standards | An increase or decrease of the minimum or maximum required setback for primary buildings. | 10% |
| Building Form Standards | An increase of the maximum height limit. | 8 ft. |
| | An increase of the maximum lot coverage standard. | 5% |
| | A decrease in minimum floor-to-floor heights.[1] | 1 ft. |

Notes: [1] Must comply with all applicable building code and fire code requirements.

4. Prerequisite to Waiver or Variance

If a deviation from the standards in LVMC Chapter 19.09 (Form-Based Code) falls within the scope of relief set forth by this Subsection, an applicant must request a Pre-Entitlement [Minor Modification] Exception or a Post-Approval Adjustment before seeking approval of a Waiver or Variance.

SECTION 3: Section 19.09.030.J is amended to read as follows:

**19.09.030.J Waiver**

An applicant may apply for a Waiver pursuant to LVMC 19.16.130 if it is determined that specific development standards cannot be met. The Planning Commission may approve, approve with conditions, or deny an application for a Waiver in compliance with LVMC Section 19.16.130 (Waiver).

SECTION 4: Section 19.09.030.K is amended to read as follows:

**19.09.030.K Variance**

The Planning Commission and the City Council may act upon a Variance application in compliance with LVMC Section 19.16.140 (Variance). A Variance application is required to allow an increase of the maximum height.

SECTION 5: Section 19.09.030.O is amended to read as follows:

**19.09.030.O Nonconformities**

[Reinvestment in nonconforming structures and associated uses in Transect Zones to achieve public safety, environmental, economic, or fiscal benefits in concert with the goals of the Downtown Master Plan is encouraged. Additionally, compliance with the number of parking spaces required shall not be prioritized over other standards during the review for nonconforming structures and associated uses in Transect Zones.

1. Uses, structures, parcels, and lots that were lawful before the adoption or amendment of the FBC, and which become nonconforming by reason of the adoption of the FBC, shall be permitted to renovate provided any such expansion, enlargement or improvement will decrease the nonconformity to Title 19.09 standards. Renovations may extend to the maximum amount allowed by the applicable Transect Standards. In addition, such renovations may only be approved in addition to the following findings by the Department of Planning (LVMC Section 19.16.100.F.2 Minor Review Process):

a. A least one of the following benefits is provided to the community: demonstrable economic, fiscal, public health, safety, or environmental benefits;

b. The change does not result in a significant increase in the overall intensity of the existing nonconforming use(s);

c. Any expansion or extension in the life of any nonconforming use results solely from the improved operational efficiency and is incidental to the primary purpose of improving public health and safety or providing economic, fiscal, or environmental benefit; and

2. Any use or structure that was established in violation of the applicable zoning regulations at the time of the establishment or construction is not nonconforming, and remains in violation of all Title 19 zoning regulations.

3. If an applicant seeks to reduce the building footprint by more than 10%, a Major Site Development Plan Review (LVMC Section 19.16.100) shall be required.]

Reinvestment in nonconforming structures and associated uses in Transect Zones to achieve public safety, environmental, economic, or fiscal benefits in concert with the goals of the Downtown Master Plan is encouraged. However, within Transect Zones established pursuant to this Chapter, there may exist lots, structures and uses of land which were lawful before the effective date of this Chapter or an amendment thereto and which would be prohibited, regulated, or restricted under the terms of this Chapter, as amended. It is generally the intent of this Chapter to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. Notwithstanding that general intent, the provisions of this Chapter, rather than any inconsistent general nonconforming provisions of this Title, shall govern lots, structures and uses which became or become nonconforming by reason of the adoption of this Chapter or an amendment thereto. The application of this Chapter to govern nonconformities pursuant to the preceding sentence shall be effective as of the date of the adoption of this Chapter or the amendment thereto (as applicable), whichever action created the nonconformity.

1. Renovations may extend to the maximum amount allowed by the applicable Transect Standards in accordance with this Chapter, but no renovation may increase the extent of nonconformity to the standards set forth in this Chapter.

2. Except as otherwise provided in this Chapter, the continuation, expansion or relocation of nonconforming uses shall be subjection to Chapter 19.14.

3. Any use or structure that was established or constructed in violation of the then-applicable zoning regulations at the time of the establishment or construction is deemed not to be a nonconforming use recognized as such under this Chapter and Chapter 19.14, and remains in violation of the applicable zoning regulations set forth in this Title.

SECTION 6: Section 19.09.050.E.004.D is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" so that the entry for "Access Standards" reads as follows:

**Access Standards**

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 7: Section 19.09.050.E.004.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 8: Section 19.09.050.E.004.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height**[1] | Stories | N |
| Primary Building | 5-20 max. | |
| **Primary Building** | | |
| **[Ground-Floor Finish Level**[2,3]**]** | | [O] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail Uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | P |
| Upper floors | 9 ft min. | Q |
| **Footprint** | | |
| Lot coverage | 95% max. | |
| **Depth** | | |

| | | |
|---|---|---|
| Ground floor space | [30] 20 ft min. | R |

Notes:

[1] Additional setbacks may be required for buildings with 5+ stories. Refer to Table E for setback distance.

[[2] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[3] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 9: Section 19.09.050.E004.H is amended by amending the entry for Driveways as follows, with all other contents of the table remaining unchanged:

| Encroachment Type | Front (max.) | Corner Side (max.) | Interior Side (max.) | Rear (max.) |
|---|---|---|---|---|
| Driveways[3] | A[3] | A[3] | A[3] | A[3] |

SECTION 10: Section 19.09.050.E004.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **W** | **X** | **Y** | **Z** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| [No new surface parking lots are allowed adjacent to primary or side street frontages.] | | | | |
| Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street. | | | | |
| When a lot has an adjoining side street, parking must be accessed only from the side street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. | | | | |
| **Required Parking** | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side

setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 11: Section 19.09.050.E004.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf - < 20,000 sf] | [8] |
| [≥ 20,000 sf] | [As required on all street frontages] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 12: Section 19.09.050.E.008.D is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" to delete in its entirety the second entry listed under Access Standards. Using brackets to show the language so deleted:

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 13: Section 19.09.050.E.008.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 14: Section 19.09.050.E.008.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height** | **Stories** | **P** |
| Primary Building | 4 min. 12 max. | |

| | | |
|---|---|---|
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [Q] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail Uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | R |
| Upper floors | 9 ft min. | S |
| **Footprint** | | |
| Lot coverage | 90% max. | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | T |

[Notes:

[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 15: Section 19.09.050.E008.J is amended to read as follows:

| **J. Parking Standards** | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **Y** | **Z** | **AA** | **BB** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| [No new surface parking lots are allowed adjacent to primary or side street frontages.] | | | | |
| Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street. | | | | |
| When a lot has an adjoining side street, parking must be accessed only from the side street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. | | | | |
| **Required Parking** | | | | |

| |
|---|
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 16: Section 19.09.050.E008.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf - < 20,000 sf] | [8] |
| [≥ 20,000 sf] | [As required on all street frontages] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 17: Section 19.09.050.E.012.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 18: Section 19.09.050.E.012.D is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" so that the entry for "Access Standards" reads as

follows:

**Access Standards**

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 19: Section 19.09.050.E.012.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 20: Section 19.09.050.E.012.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| Building Height | Stories | P |
| Primary Building | 5 max. | |
| Accessory Structure | 4 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [Q] |
| [Residential] | [1.50 ft min. above curb] | |
| [All other uses] | [2 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | R |
| Upper floors | 9 ft min. | S |
| **Footprint** | | |
| Lot coverage | 90% max. | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | T |

[Notes:

[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 21: Section 19.09.050.E.012.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **Y** | **Z** | **AA** | **BB** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| [No new surface parking lots are allowed adjacent to primary or side street frontages.] | | | | |
| Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street. | | | | |
| When a lot has an adjoining side street, parking must be accessed only from the side street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. | | | | |
| **Required Parking** | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 22: Section 19.09.050.E012.K is amended to read as follows:

| K. Required Street Trees | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf - < 20,000 sf] | [8] |
| [≥ 20,000 sf] | [As required on all street frontages] |
| **Miscellaneous** | |

| |
|---|
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 23: Section 19.09.050.E.016.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 24: Section 19.09.050.E.016.D is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" so that the entry for "Access Standards" reads as follows:

**Access Standards**

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 25: Section 19.09.050.E.016.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 26: Section 19.09.050.E.016.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| Building Height | Stories | K |
| Primary Building | 2 min. – 7 max.[1,2] | |

| | | |
|---|---|---|
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[3,4]] | | [L] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | M |
| Upper floors | 9 ft min. | N |
| **Footprint** | | |
| Lot coverage | | |
| Mixed-use with residential uses | 95% max. | |
| All other uses | 85% max. | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | O |

Notes:

[1] Max. 10 stories allowed for only the Flex High-Rise Building Type subject to Major Site Development Plan Review (Refer to LVMC Section 19.16.100.G (Major Review of Site Development Plans).

[2] The residential adjacency standards established in LVMC Section19.08.040.H (Residential Adjacency Standards) will apply.

[[3] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[4]Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 27: Section 19.09.050.E.016.J is amended to read as follows:

| **J. Parking Standards** | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **T** | **U** | **V** | **W** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| [Driveways may be shared between adjacent parcels.] Where feasible, driveways must be shared between adjacent parcels. | | | | |
| [No new surface parking lots are allowed adjacent to primary or side street frontages.] | | | | |

| |
|---|
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. |
| **Required Parking** |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 28: Section 19.09.050.E016.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 1,000 sf] | [--] |
| [≥ 1,000 sf - < 2,500 sf] | [2] |
| [≥ 2,500 sf] | [4] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 29: Section 19.09.050.E.020.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type

is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 30: Section 19.09.050.E.020.E is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" so that the entry for "Access Standards" reads as follows:

**Access Standards**

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 31: Section 19.09.050.E.020.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 32: Section 19.09.050.E.020.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height** | **Stories** | **P** |
| Primary Building | 2 min. – 7 max. | |
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [Q] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] <u>Floor-to-Floor</u>** | | |
| Ground floor | [14] <u>13</u> ft min. | R |
| Upper floors | 9 ft min. | S |
| **Footprint** | | |
| Lot coverage | 90% max. | |
| **Depth** | | |
| Ground floor space | [30] <u>20</u> ft min. | T |

[Notes:

[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 33: Section 19.09.050.E.020.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **Y** | **Z** | **AA** | **BB** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. | | | | |
| **Required Parking** | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Note:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 34: Section 19.09.050.E020.K is amended to read as follows:

| K. Required Street Trees | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[1] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 2,500 sf] | [--] |
| [≥ 2,500 sf - < 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf] | [As required on all street frontages] |

| Miscellaneous | |
|---|---|
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 35: Section 19.09.050.E.024.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 36: Section 19.09.050.E.024.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 37: Section 19.09.050.E.024.F is amended to read as follows:

| F. Building Form [Standards] | | |
|---|---|---|
| **Building Height** | **Stories** | **K** |
| Primary Building | 2 min. – 5 max. | |
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [L] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or retail uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] <u>Floor-to-Floor</u>** | | |
| Ground floor (service or retail uses) | [14] <u>13</u> ft min. | M |
| Upper floors | 8 ft min. | N |
| **Footprint** | | |
| Lot coverage | 85% max. | |

| Depth | | |
|---|---|---|
| Ground floor space | [30] 20 ft min. | O |

[Notes:

[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 38: Section 19.09.050.E.024.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **T** | **U** | **V** | **W** |
| [Ground Floor] Surface Lots | [35] 10 ft | 10 ft | [5] 0 ft | [5] 0 ft |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| Parking spaces may be enclosed, covered, or open. | | | | |
| Tandem parking is allowed for off-street parking to meet the requirements for a residential unit. | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. | | | | |
| **Required Parking** | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 39: Section 19.09.050.E024.K is amended to read as follows:

| K. Required Street Trees | |
|---|---|
| [Infill or Replacement Street Trees] Improvements Threshold | Min. [No.] Number of Trees |

| | |
|---|---|
| Addition, Renovation, or New Building[1] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 2,500 sf] | [--] |
| [≥ 2,500 sf - < 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf] | [As required on all street frontages] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 40: Section 19.09.050.E.028.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 41: Section 19.09.050.E.028.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 42: Section 19.09.050.E.028.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height** | **Stories** | **K** |
| Primary Building | 2 min. – 5 max.[1,2] | |
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[3,4]] | | [L] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail uses] | [0.50 ft max. above curb] | |

| | | |
|---|---|---|
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | M |
| Upper floors | 9 ft min. | N |
| **Footprint** | | |
| Lot coverage | | |
| Mixed-use with residential uses | 85% max. | |
| All other uses | 75% max. | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | O |

Notes:

[1] Max. 8 stories allowed for only the Flex Mid-Rise Building Type subject to Major Site Development Plan Review (Refer to LVMC Section 19.16.100.G (Major Review of Site Development Plans)).

[2] The residential adjacency standards established in LVMC Section19.08.040.H (Residential Adjacency Standards) will apply.

[[3] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[4] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 43: Section 19.09.050.E.028.J is amended to read as follows:

| **J. Parking Standards** | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **T** | **U** | **V** | **W** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| [Driveways may be shared between adjacent parcels.] Where feasible, driveways must be shared between adjacent parcels. | | | | |
| [No new surface parking lots are allowed adjacent to primary or side street frontages.] | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street | | | | |

| |
|---|
| frontage shall be incorporated, as approved by staff of the Department. |
| **Required Parking** |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 44: Section 19.09.050.E028.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[1] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 1,000 sf] | [--] |
| [≥ 1,000 sf - < 2,500 sf] | [2] |
| [≥ 2,500 sf] | [4] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 45: Section 19.09.050.E.032.D is amended by amending the entry pertaining to "Miscellaneous" to read as follows:

**Miscellaneous**

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 46: Section 19.09.050.E.032.E is amended by deleting from the table the entire

entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 47: Section 19.09.050.E.032.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height** | **Stories** | **P** |
| Primary Building | 2 min. – 5 max. | |
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [Q] |
| [Residential] | [1.50 ft min. above curb] | |
| [Service or Retail uses] | [0.50 ft max. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | [14] 13 ft min. | R |
| Upper floors | 9 ft min. | S |
| **Footprint** | | |
| Lot coverage | 85% max. | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | T |

Notes:

[[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 48: Section 19.09.050.E.032.J is amended to read as follows:

| **J. Parking Standards** | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **Y** | **Z** | **AA** | **BB** |
| [Ground Floor] Surface Lots | [40] 10 ft | 10 ft | 0 ft | 0 ft |
| [Upper Floor] | [40 ft] | [40 ft] | [0 ft] | [0 ft] |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works. | | | | |

| |
|---|
| Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. |
| **Required Parking** |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) |

Notes:

[1] **[**No vehicle parking in the front or corner side yard is allowed.**]** Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 49: Section 19.09.050.E032.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 2,500 sf] | [--] |
| [≥ 2,500 sf - < 5,000 sf] | [2] |
| [≥ 5,000 sf - < 10,000 sf] | [4] |
| [≥ 10,000 sf] | [As required on all street frontages] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

**[**Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)**]**

SECTION 50: Section 19.09.050.E.036.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

**[Miscellaneous**

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.**]**

SECTION 51: Section 19.09.050.E.036.F is amended to read as follows:

| F. Building Form [Standards] | | |
|---|---|---|
| **Building Height** | **Stories** | **K** |
| Primary Building | 3 max. | |
| Accessory Structure | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[1,2]] | | [L] |
| [Residential] | [1.50 ft min. above curb] | |
| [Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level] | | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor[[3]][1] | 9 ft min. | M |
| Upper floors | 8 ft min. | N |
| **Footprint** | | |
| Lot coverage | 75% max | |
| **Depth** | | |
| Ground floor space | [30] 20 ft min. | O |

Notes:

[[1] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[2] Primary buildings located on lots sloping down and away from the street are exempt.]

[[3] 14] [1] 13 ft minimum when ground floor is directly adjacent to sidewalk for commercial uses.

SECTION 52: Section 19.09.050.E.036.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **T** | **U** | **V** | **W** |
| [Ground Floor] Surface Lots | [20] 10 ft | [20] 10 ft | 0 ft | 0 ft |
| **Parking Driveway** | **One-way** | | **Two-way** | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| Parking spaces may be enclosed, covered, or open. | | | | |
| Tandem parking is allowed for off-street parking to meet the requirements for a residential unit[.], if approved by staff of the Department. | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| **Required Parking** | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side

setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 53: Section 19.09.050.E036.K is amended to read as follows:

| **K. Required Street Trees** | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[1] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 1,000 sf] | [--] |
| [≥ 1,000 sf - < 2,500 sf] | [2] |
| [≥ 2,500 sf] | [4] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 54: Section 19.09.050.E.040.F is amended to read as follows:

| **F. Building Form [Standards]** | | |
|---|---|---|
| **Building Height** | **Stories** | **K** |
| Primary Building | 2 max. | |
| ADU or Accessory Structure[1] | 2 max. | |
| **Primary Building** | | |
| [Ground-Floor Finish Level[2,3]] | | [L] |
| [Residential] | [1.50 ft min. above curb] | |
| **[Floor-to-Ceiling] Floor-to-Floor** | | |
| Ground floor | 8 ft min. | M |
| Upper floors | 8 ft min. | N |
| **Footprint** | | |
| Lot coverage | 65% max. | |

Notes:

[1] ADUs or accessory structures must not exceed the overall height of the primary building.

[[2] Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

[3] Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 55: Section 19.09.050.E.040.J is amended to read as follows:

| J. Parking Standards | | | | |
|---|---|---|---|---|
| **Setback from Lot Line (min.)** | **Front[1]** | **Corner Side[1]** | **Interior Side** | **Rear** |
| | **T** | **U** | **V** | **W** |
| [Ground Floor] Surface Lots | [20] 10 ft | [20] 10 ft | 0 ft | 0 ft |
| Parking Driveway | One-way | | Two-way | |
| Width | 12 ft min. – 14 ft max. | | 32 ft min. – 34 ft max. | |
| **Miscellaneous** | | | | |
| Where feasible, driveways must be shared between adjacent parcels. | | | | |
| Parking spaces may be enclosed, covered, or open. | | | | |
| Tandem parking is allowed for off-street parking to meet the requirements for a residential unit[.], if approved by staff of the Department. | | | | |
| When a lot has an adjoining secondary street, parking must be accessed only from the secondary street. | | | | |
| Required Parking | | | | |
| Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards. | | | | |
| Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives) | | | | |

Notes:

[1] [No vehicle parking in the front or corner side yard is allowed.] Where an alley is present, parking shall be accessed from the rear.

SECTION 56: Section 19.09.050.E040.K is amended to read as follows:

| K. Required Street Trees | |
|---|---|
| **[Infill or Replacement Street Trees] Improvements Threshold** | **Min. [No.] Number of Trees** |
| Addition, Renovation, or New Building[[1]] | Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards) |
| [< 1,000 sf] | [--] |
| [≥ 1,000 sf - < 2,500 sf] | [2] |
| [≥ 2,500 sf] | [4] |
| **Miscellaneous** | |
| All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies. | |
| All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft. | |

[Note:

[1] Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 57: Section 19.09.070.K is amended by amending that portion of the table pertaining to "Shopfront" so that it reads as follows:

| Shopfront | | |
|---|---|---|
| 2 Size | | |
| Distance between Glazing | 2 ft min | |
| Ground Floor Transparency | [75%] 50% min. | |
| Depth of Recessed Entries[1] | 5 ft max. | |

SECTION 58: Section 19.09.090.C is amended by adding thereto two new Paragraphs 5 and 6, reading as follows:

5. Site Improvement Thresholds

a. For change of use, interior remodels, facade rehabs, or fire/life safety and ADA upgrades, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 do not apply.

b. For modifications to an existing structure resulting in net floor area expansion not to exceed 10% or 5,000 SF (whichever is less) of floor area of the existing structure, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 do not apply; however, a covenant running with the land is required to obtain property owner's consent for future streetscape improvements.

c. For modifications to an existing structure resulting in net floor area expansion exceeding 10% or 5,000 SF (whichever is less) of floor area of the existing structure, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 apply to development that exceeds the majority block frontage (50%). For partial block frontage (50% or less), a covenant running with the land is required to obtain property owner's consent for future streetscape improvements.

d. For new development or development of a new principal structure on the site, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 apply to development that exceeds the majority block frontage (50%). For partial block frontage (50% or less), a covenant running with the land is required to obtain property owner's consent for future streetscape improvements.

6. Consistency with Adjacent Development

In locations where the required street improvements have been installed by an adjacent property owner as specified by this Title, all future adjacent development shall match the dimensions of the existing improvements for the remainder of the block. Continuity of landscape and hardscape materials is preferred; however, an Exception to allow variation of materials may be considered by the Director by written request at the time of the preapplication conference.

SECTION 59: Section 19.09.100.G is amended to read as follows:

19.09.100.G Parking Standards

1. Minimum and maximum on-site parking requirements for parcels mapped with a Transect Zone are based on a combination of LVMC 19.12.060 (Parking Requirements), weighted by calculations using Table 1 (Form-Based Code Parking Requirements) below, and Figure 2 (Downtown Parking Load Map), which indicate the estimated parking load based on neighborhood context, location, access, and current and future infrastructure. The first 2,000 square feet of Gross Floor Area (GFA) of nonresidential uses (Refer to Section 19.09.050.I Tables) are exempt from this calculation.

2. Required parking calculated in LVMC Section 19.09.100.G.1 above may be further reduced as established in LVMC Section 19.18.030.D.4 (Parking Alternatives).

3. The standards for the design and layout of parking areas for all commercial and multi-family residential uses are established in LVMC Section 19.08.030.4.D (Commercial and Industrial Parking Design Standards).

4. [If not compliant with the requirement, the project will need the approval of a Variance as established in LVMC Section 19.16.140 (Variance). In the instance where the maximum parking requirement cannot be met due the presence of parking stalls lawfully existing prior to June 15, 2019, and the requirement does not deviate by more than 30%, no Variance is required.] If a project is not compliant with the parking requirements of this Subsection G, a request for Exception must be submitted in writing to the Director in connection with the submittal of a pre-application conference request. In order for an Exception to be eligible for consideration, the applicant must show through convincing and substantial evidence that the Exception furthers the goals of the 2045 Downtown Master Plan and does not detrimentally affect the public health,

safety or general welfare. Any such Exception shall be considered for endorsement by the Director prior to the submittal of an application for Site Development Plan Review. In cases where the Director does not endorse a requested Exception, the relief sought is available only by means of a Waiver pursuant to LVMC 19.16.130.

5. A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the on-site parking requirements of this Chapter, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

a. Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with the on-site parking requirements of this Chapter, provided that such work does not result in a change of use that will increase the parking impairment.

b. For any remodeling, alteration, or expansion of a parking-impaired development that requires an increase or decrease in the number of required parking spaces, only the net change in the number of parking spaces shall be considered. If the parking provided, including the net change in the number of parking spaces due to a change of use or building area on the site, falls outside of the parking maximum and minimum range required by this Chapter and results in an increase in the parking impairment, an Exception shall be required pursuant to Paragraph 4 of this Subsection.

SECTION 60: Section 19.09.100 is amended to add a new Subsection H, reading as follows, with existing Subsections H, I and J being relettered I, J and K, respectively:

19.09.100.H Temporary Parking Lot Standards

A temporary parking lot is a parking lot that is developed as an interim use of land for a limited time period, and is not intended to serve as required parking for a development. Approval for a temporary parking lot may be for a period not to exceed three years. Any request to extend this time period shall be by means of an Extension of Time application, as set forth in this Title, and shall be subject to review and approval by the

City Council. The lot shall have a paved surface and shall be striped. Bumpers or tire stops shall be provided for all parking spaces directly abutting a sidewalk, landscape area, street, or alley. A minimum of two of the following options must be provided to satisfy the landscaping and screening requirements for the parking lot:

a. Streetscape amenities in accordance with the applicable streetscape standards herein for the street frontage(s) that immediately abut the site;

b. A 42-inch high ornamental screen fence installed along the street frontage line(s) in conformance with the applicable parking screening standards herein;

c. A permanent artistic installation as approved by staff of the Department for the street frontage(s) that immediately abut the site, to be properly maintained through the duration of the temporary parking lot interim use;

d. A five-foot wide perimeter landscape buffer provided along the front and comer side yard setback lines, planted with a minimum of five-gallon shrubs so as to form a continuous hedge along the frontage lines of the property; or

e. A minimum of ten square feet of landscape area for each parking space, with a minimum of one, 15-gallon sized shade tree for every six parking spaces with four 1-gallon sized shrubs per tree.

→Applications for temporary parking lots shall be reviewed and processed in accordance with the process and standards for a Minor Review of Site Development Plan under this Title.

SECTION 61: Section 19.09.110 is amended by amending the definition of the term "Downtown Retail" to read as follows:

**Downtown Retail.** Stores and shops selling many lines of merchandise to the ultimate consumer for any purpose, [other than for resale,] including, for example, the following stores and lines of merchandise: Art galleries, retail; Auction House; Banquet Facility; Copy Center; Desktop Publishing; General Retail Store, Other Than Listed; Garden Supply/Plant Nursery; Internet/Catalogue Sales Office; Laundry, Self-Service; Pet Shop; Rental Store; Secondhand Dealer; Shopping Center; Sound Stage; Thrift Shop.

SECTION 62: Appendix F of the Unified Development Code, which contains and is titled Interim Downtown Las Vegas Development Standards, is amended as set forth in Sections 63 to 66, inclusive,

of this Ordinance.

SECTION 63: Section A of Appendix F is hereby amended by replacing Figure 2 with an updated Figure 2 as depicted in the attached Exhibit A.

SECTION 64: Section C of Appendix F is hereby amended by replacing Figure 28 with an updated Figure 28 as depicted in the attached Exhibit B.

SECTION 65: Section C of Appendix F is hereby amended by replacing Figure 33 with an updated Figure 33 as depicted in the attached Exhibit C.

SECTION 66: Section D of Appendix F is hereby amended deleting in its entirety Paragraph D.1.b. Using brackets to show the language so deleted:

[b. Requirements

Outdoor dining is only allowed within Area 1 of the DTLV-O (Downtown Las Vegas Overlay) (Fig. 3) in conjunction with a licensed food or beverage establishment permanently located at the subject site. This section does not apply to open air vendors, food carts, and food trucks.]

SECTION 67: For purposes of Section 2.100(3) of the City Charter, Sections 19.09.030, 19.09.050, 19.09.070, 19.009.090, 19.09.100 and 19.09.110 are deemed to be subchapters rather than sections.

SECTION 68: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendments set forth in Sections 2 to 66, inclusive, of this Ordinance, including, as deemed necessary or appropriate, making technical corrections, renumbering, relettering, or making other nonsubstantive adjustments associated with codification and publication.

SECTION 69: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 70: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2020.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-4-20
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2020, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2020, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

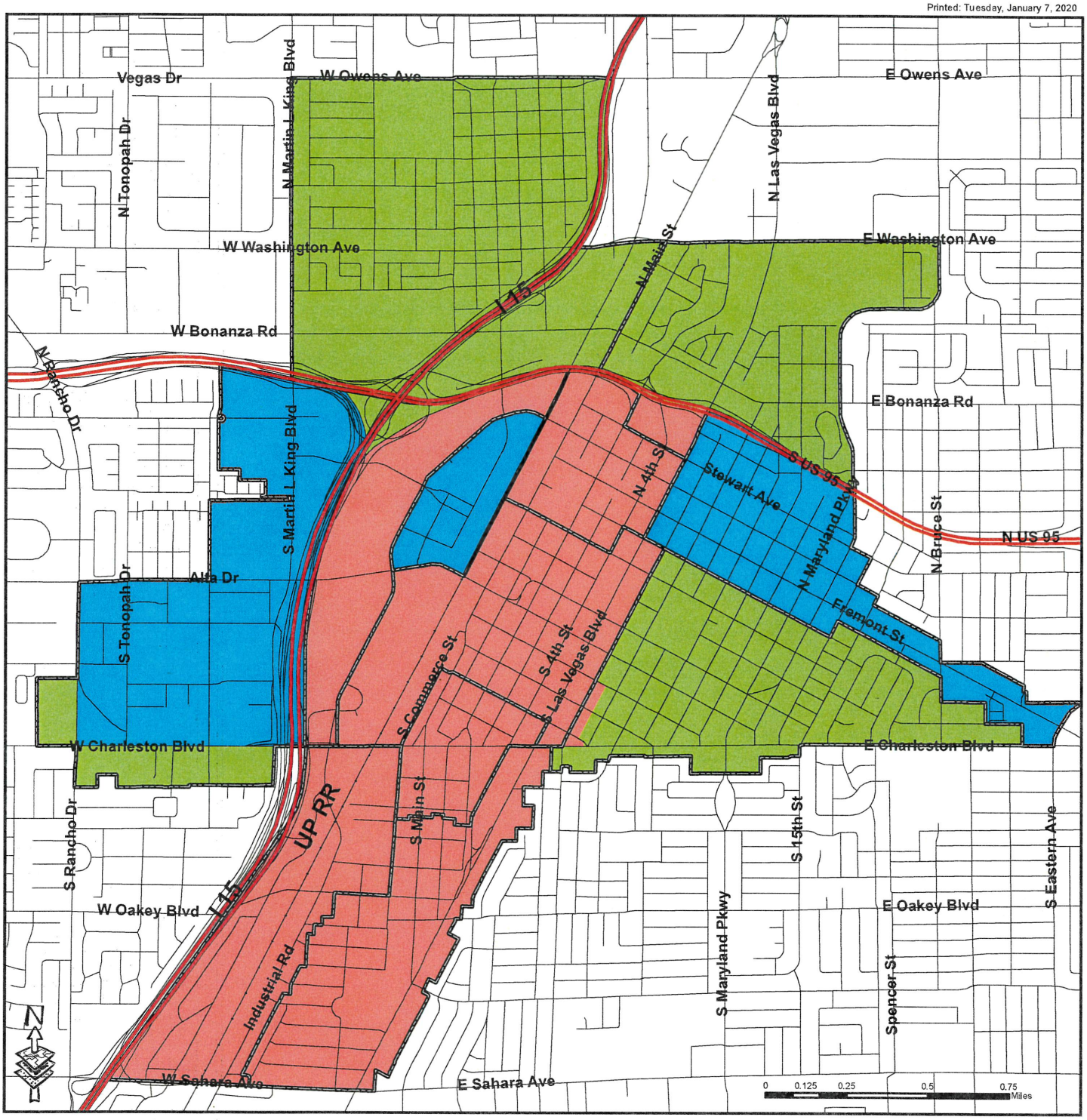
_____
LUANN D. HOLMES, MMC
City Clerk

Figure 2

# DTLV-O Areas 1-3

# City of Las Vegas

Printed: Tuesday, January 7, 2020




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

Exhibit A

## Legend

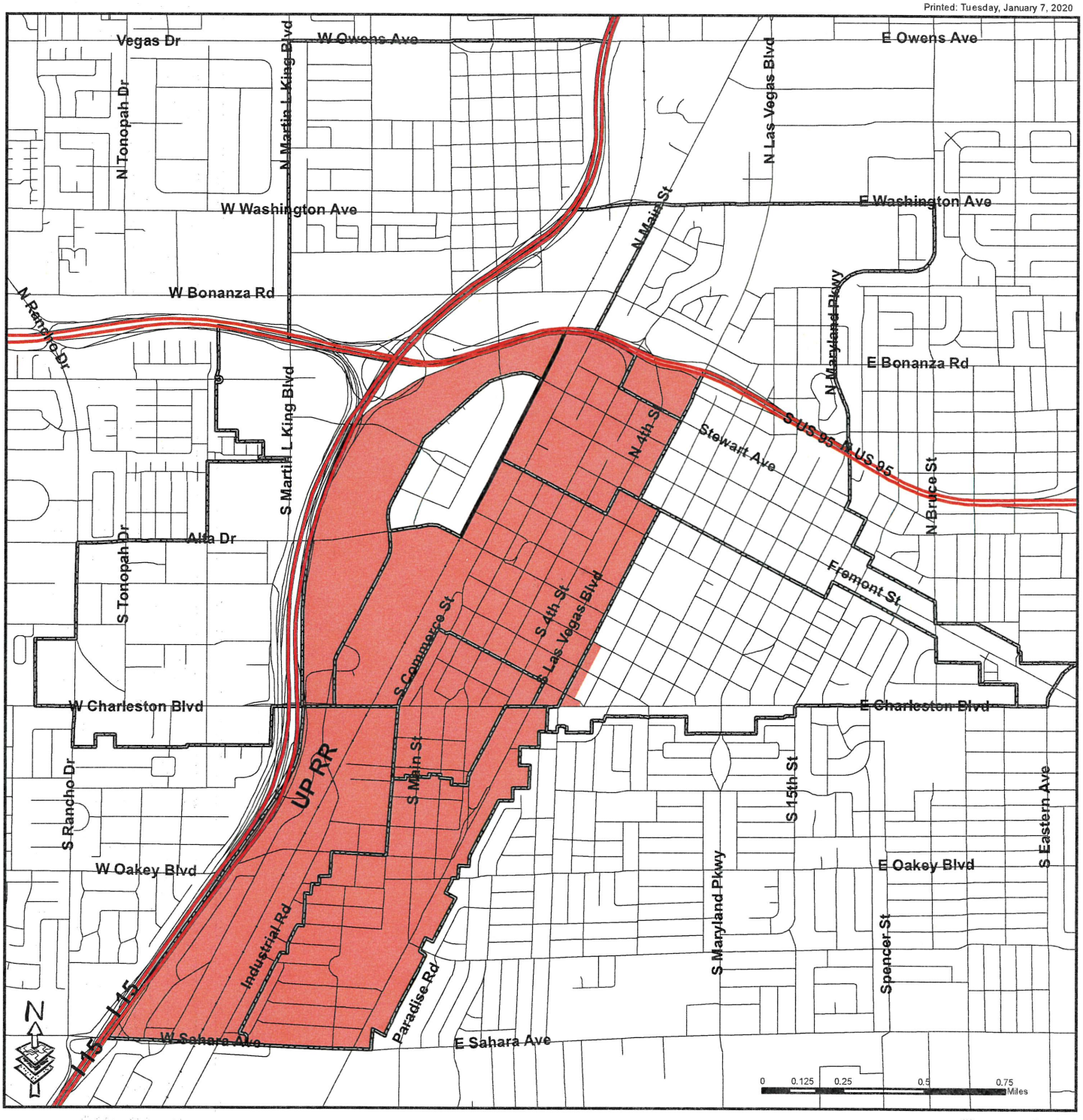
Area 1 Area 2 Area 3

Figure 28

# DTLV-O Area 1

# City of Las Vegas

Printed: Tuesday, January 7, 2020




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

Exhibit B

## Legend

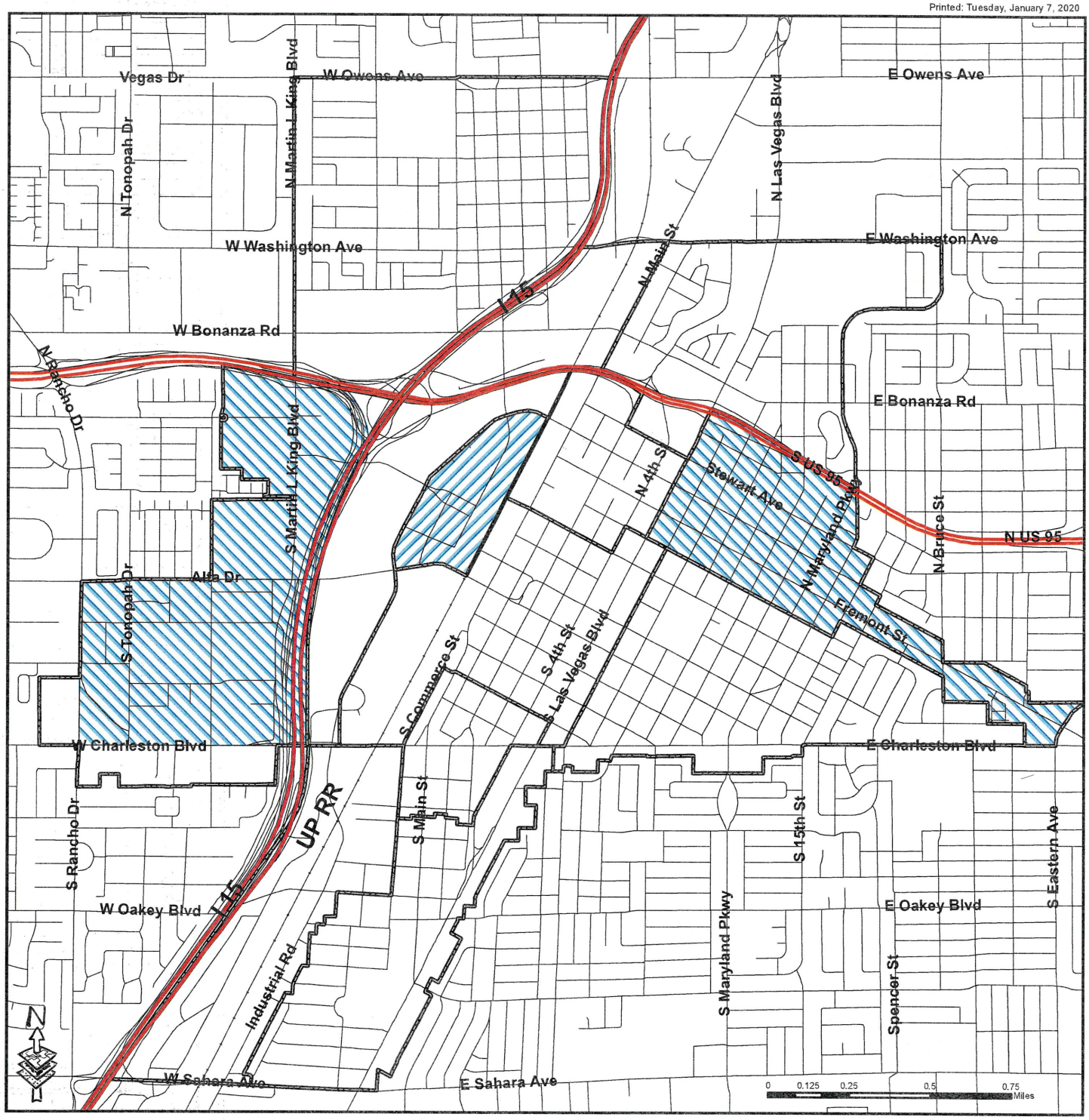
Area 1

Figure 33

# DTLV-O Area 3

# City of Las Vegas

Printed: Tuesday, January 7, 2020




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

## Legend

- Area 3a
- Area 3b

Exhibit C

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**41**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Any items from the 10 a.m. session that the Council, 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.

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**42**

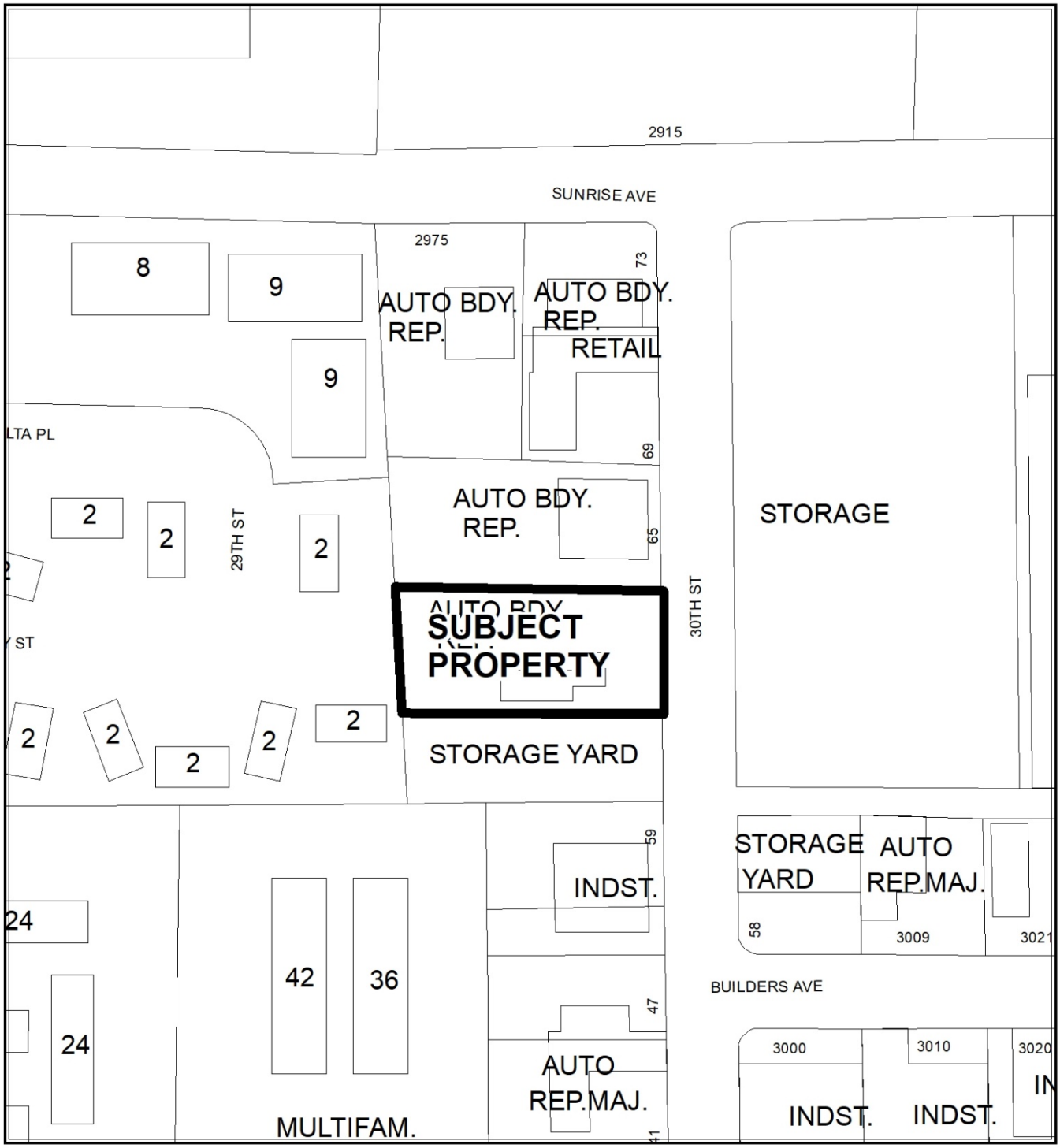
**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
EOT-78164 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC. - For possible action on a request for a first Extension of Time for an approved Variance (VAR-72050) TO ALLOW A TWO-FOOT REAR YARD SETBACK WHERE 50 FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

| **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 - EOT-78163 and EOT-78164
2. Conditions and Staff Report - EOT-78163 and EOT-78164
3. Supporting Documentation
4. Photo(s) - EOT-78163 and EOT-78164
5. City Council Approval Letter - VAR-72050 [PRJ-71698]
6. Justification Letter - EOT-78163 and EOT-78164




**CASE:** **EOT-78163, EOT-78164**

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




0 90 180 Feet

**CASE:** **EOT-78163, EOT-78164**

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **EOT-78163** | Staff recommends APPROVAL, subject to conditions: | |
| **EOT-78164** | Staff recommends APPROVAL, subject to conditions: | EOT-78163 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**NOTICES MAILED** N/A

**PROTESTS** 0

**APPROVALS** 0



AS

**** CONDITIONS ****

# EOT-78163 CONDITIONS

***Planning***

1. This approval shall expire on January 17, 2022 unless another Extension of Time is approved.

2. Conformance to the conditions of approval for Site Development Plan Review (SDR-71856) and all other site related actions as required by the Department of Planning and the Department of Public Works.

# EOT-78164 CONDITIONS

***Planning***

1. This approval shall expire on January 17, 2022 unless another Extension of Time is approved.

2. Conformance to the conditions of approval for Site Development Plan Review (SDR-71856) and all other site related actions as required by the Department of Planning and the Department of Public Works.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for Extensions of Time related to a proposed 4,500 square-foot Delivery and Service Vehicle Storage Development with Waivers of the required landscape buffers at 63 30th Street.

## ISSUES

- This is the first request for Extensions of Time for an approved Site Development Plan Review (SDR-71856) and Variance (VAR-72050).
- The City Council approved a Site Development Plan Review (SDR-71856) and Variance (VAR-72050) with a two-year expiration on 01/17/18.
- The applicant submitted the request for an Extension of Time on 12/31/19.

## ANALYSIS

This is the first request for Extensions of Time for a previously approved Site Development Plan Review (SDR-71856) and Variance (VAR-72050). These entitlements allowed for a proposed 4,500 square-foot Delivery and Service Vehicle Storage Development with Waivers of the required landscape buffers. A Variance allowing a two-foot rear yard setback was needed, as 50 feet are required in M (Industrial) zones when adjacent to residential districts.

Per Title 19.16.100 and 19.16.140 of the Unified Development Code, a Site Development Plan Review and Variance are both exercised upon the issuance of a building permit. The applicant has submitted building plans for commercial development on 08/08/19 to the Department of Building and Safety with a plan check number (PRC19-00145). This permit has completed its first round of reviews; however, no building permit has been issued for this property.

In a justification letter date stamped 12/30/19, the applicant states that the Extensions of Time are due to an unforeseen approval delay of the civil plans, which were approved on 12/12/19.

## FINDINGS (EOT-78163 and EOT-78164)

Since the original approvals, there have been no significant changes in land use that would render the approved development incompatible with the surrounding land uses and zoning districts. Staff, therefore, recommends approval of the requested Extensions of Time for two years with conditions. If denied, the approved entitlements will be deemed expired as of January 17, 2020.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 01/11/63 | The Board of Commissioners approved a request for a Rezoning (Z-0156- 62) from R-E (Residence Estates) and R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on property generally located on the north side of Charleston Boulevard, west of Pecos Road, extending north to Stewart Avenue. |
| 08/13/64 | The Board of Zoning Adjustment approved a Rezoning (Z-0066-64) from C-1 (Limited Commercial) to M (Industrial) on property located on Charleston Boulevard bounded Mojave Road and Stewart Avenue |
| 01/17/18 | The City Council approved a Site Development Plan Review (SDR-71856) for a proposed delivery and service vehicle storage development with a 4,500 square-foot building with waivers to allow zero-foot perimeter landscape buffers along the north, west, and south property lines where eight feet is required at 63 30th Street. Planning Commission recommended approval while staff recommended denial. |
| | The City Council approved a Variance (VAR-72050) to allow a two-foot rear yard setback where 50 feet is required at 63 30th Street. Planning Commission recommended approval while staff recommended denial. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/30/17 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/11/13 | A Code Enforcement case (CE-124764) was processed for a fire in a trailer on property located at 63 30th Street. The case was resolved on 02/26/13. |
| 12/07/16 | A Code Enforcement case (CE-172836) was processed for zoning violations on property located at 63 30th Street. The case was resolved on 09/25/17. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 06/05/18 | A building permit (C18-02292) was issued for a new block wall at 63 30th Street. |
| 07/31/18 | A building permit (C18-02901) was issued for a sliding gate at 63 30th Street. |
| 08/08/19 | A building permit (C19-03613) is currently being processed for onsite improvements to a parking lot, trash enclosure, and landscaping at 63 30th Street. |
| | A building permit (C19-03614) is currently being processed for a ground-up commercial building at 63 30th Street. |
| | A building permit (C19-03615) is currently being processed for a carport at 63 30th Street. |
| 12/12/19 | A building permit (L18-02487) was issued for civil improvements to a vehicle storage lot at 63 30th Street. |

| ***Pre-Application Meeting*** |
|---|
| A pre-application meeting was not required, nor was one held. |

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

| ***Field Check*** | |
|---|---|
| 02/20/20 | A routine field check was conducted by staff; multiple graffiti tags were observed on the site's temporary construction fencing. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.50 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | LI/R (Light Industrial/ Research) | M (Industrial) |
| North | Warehouse | | |
| South | Storage Yard | | |
| East | | | |
| West | Multi-Family Residential | M (Medium Density Residential) | R-2 (Medium-Low Density Residential) |



AS

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

## DEVELOPMENT STANDARDS

***Pursuant to 19.08.100, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 100 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 137 Feet | Y |
| • Side | 10 Feet | 10 Feet | Y |
| • Corner | 10 Feet | 10 Feet | Y |
| • Rear | 50 Feet | 2 Feet | Y* |
| Max. Building Height | N/A Feet | 20.5 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | *Not Indicated | Y |
| Mech. Equipment | Screened | | Y |

**The City Council approved a Variance (VAR-72050) to allow a two-foot rear yard setback*

***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 / 30 Linear Feet | 7 Trees | 0 Trees | Y* |
| • South | 1 Tree / 30 Linear Feet | 7 Trees | 0 Trees | Y* |
| • East | 1 Tree / 20 Linear Feet | 5 Trees | 0 Trees | Y* |
| • West | 1 Tree / 20 Linear Feet | 5 Trees | 0 Trees | Y* |
| **TOTAL PERIMETER TREES** | | **24 Trees** | **0 Trees** | **Y*** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 6 Trees | 0 Trees | Y** |



AS

***Pursuant to Title 19.08, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 8 Feet | | 0 Feet | Y* |
| • South | 8 Feet | | 0 Feet | Y* |
| • East | 15 Feet | | 15 Feet | Y |
| • West | 8 Feet | | 0 Feet | Y* |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | Not Indicated | Y |

**The City Council approved a Waiver of the perimeter landscape buffer requirements as a part of SDR-71856.*
***The City Council approved an Exception of the perimeter landscape buffer requirements as a part of SDR-71856.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| 30th Street | Local Street | Title 13 | 60 Feet | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Delivery and Service Vehicle Storage (Eight Employees and Ten Vehicles) | 4,500 SF | 0.75 spaces per employee on the large shift, plus one space per delivery or service vehicle | 16 | | | | |
| **TOTAL SPACES REQUIRED** | | | 16 | | 19 | | Y |
| **Regular and Handicap Spaces Required** | | | 15 | 1 | 18 | 1 | Y |



AS

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To install an eight-foot-wide landscape buffer along all interior lot lines. | To allow zero-foot perimeter landscape buffers along the north, west, and south property lines where eight feet is required. | Approval |

**The City Council approved a Waiver of the perimeter landscape buffer requirements as a part of SDR-71856.*

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To install one parking lot landscape islands for every six parking spaces and at the end of each row of parking. | To allow no interior parking lot landscaping islands | Approval |
| To install one 24-inch box tree for every 20 linear feet within all provided landscape buffers. | To allow only shrubs with no 24-inch box trees in the front landscape buffer adjacent to 30th Street. | Approval |

**The City Council approved an Exception of the perimeter landscape buffer requirements as a part of SDR-71856.*

# EOT-78164

**Department Use**

| | |
|---|---|
| Case # | 78163 |
| Meeting Date | 2/19/2020 |
| Total Fee | $300 |
| Received By/Date | RM 12/30/19 |

Case 78164 $300 3/10/20 PC

# DEPARTMENT OF PLANNING

## Application / Petition Form & Statement of Financial Interest

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

**Project Address** (Location) 63 30TH ST. L.V. NV. 89101

**Project Name** SAMMY'S FOOD SERVICES **Proposed Use** _____

**Assessor's Parcel #(s)** 139-36-402-006 **Ward #** 3

**General Plan:** Existing ✓ Proposed _____ **Zoning:** Existing M Proposed _____

**Additional Information** _____

**Property Owner** SAMMY'S FOOD SERVICES **Contact** CRISTOBAL SANTOS

Address 6127 ROCKY TOP AVE. City L.V. State NV Zip 89101

E-mail CRIS-SANTOS389@HOTMAIL.COM Phone 702-210-0032

**Applicant** _____ **Contact** _____

Address SAME IS ABOVE City _____ State _____ Zip _____

E-mail _____ Phone _____

**Representative** CRISTOBAL SANTOS **Contact** CRISTOBAL SANTOS

Address 6127 ROCKY TOP AVE. City L.V. State NV Zip 89101

E-mail CRIS-SANTOS389@HOTMAIL.COM Phone 702-210-0032

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** CRISTOBAL SANTOS

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

**Print Name** CRISTOBAL SANTOS

Subscribed and sworn before me

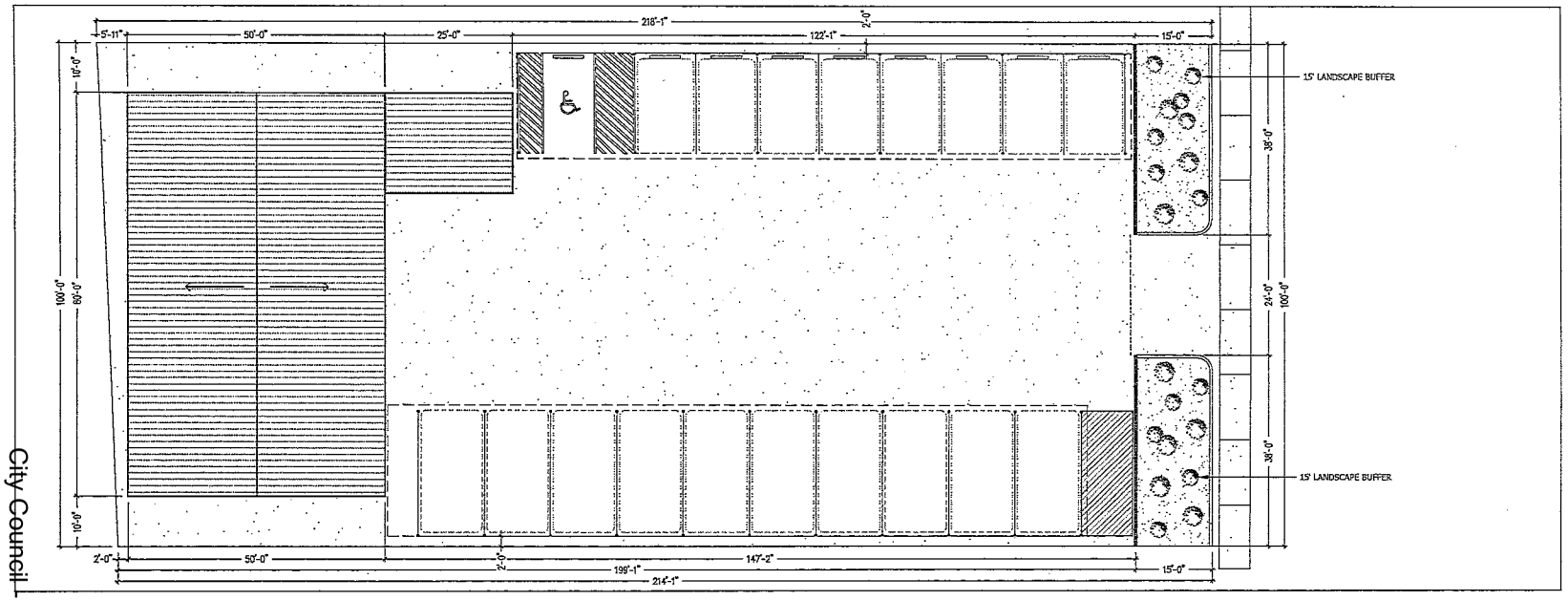
This 26TH day of DECEMBER, 20 19

CLARK / Nevada

Notary Public in and for said County and State

JENNIFER ARELLANO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-01-2023
Certificate No: 19-4297-01

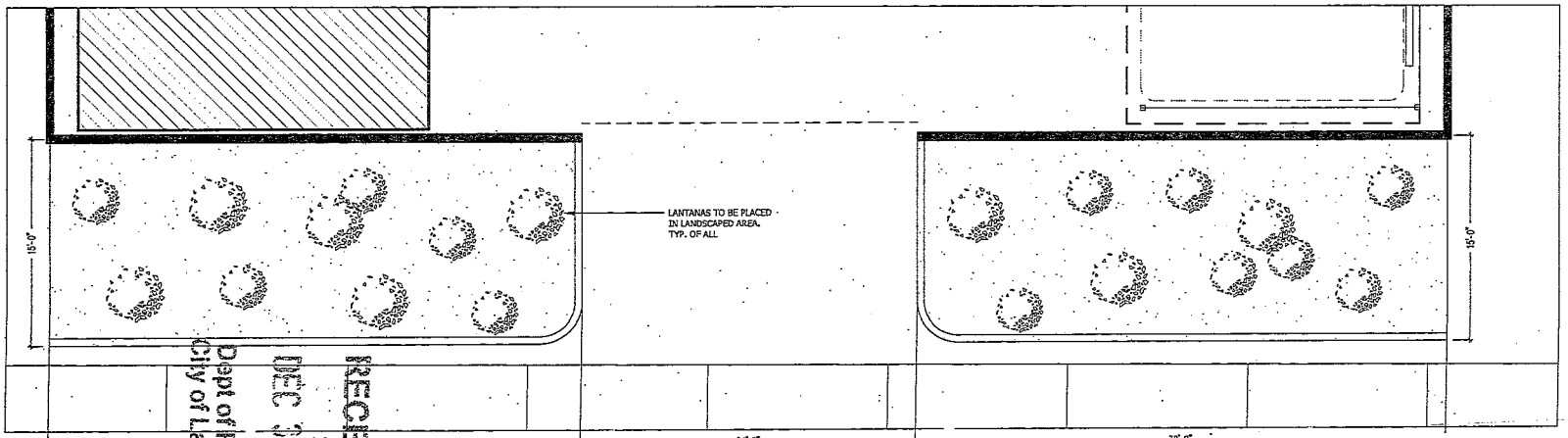
RECEIVED
DEC 30 2019
Dept of Planning
City of Las Vegas




LANDSCAPE PLAN
SCALE: 3/32" = 1'-0"

NORTH

| LANDSCAPE SCHEDULE | | | |
|---|---|---|---|
| QTY | SIZE | SPACING | NAME |
| 20 | 10 GALLON | 5' STAGGERED | LANTANAS |
| – | – | – | – |




2 ENLARGED LANDSCAPE PLAN
SCALE: 1/4" = 1'-0"

SITE:
63 N 30th St.
LAS VEGAS, NV 89101

PROJECT:
SAMMY'S FOOD SERVICE
PRJ71698

CRISTOBAL SANTOS
63 N 30th St.
LAS VEGAS, NV 89101

SEAL:

REVISIONS

| NO. | DESCRIPTION |
|---|---|

LANDSCAPE PLAN

DATE: 10/4/2017
SCALE: 3/32" = 1'-0"
SHEET: LP.01

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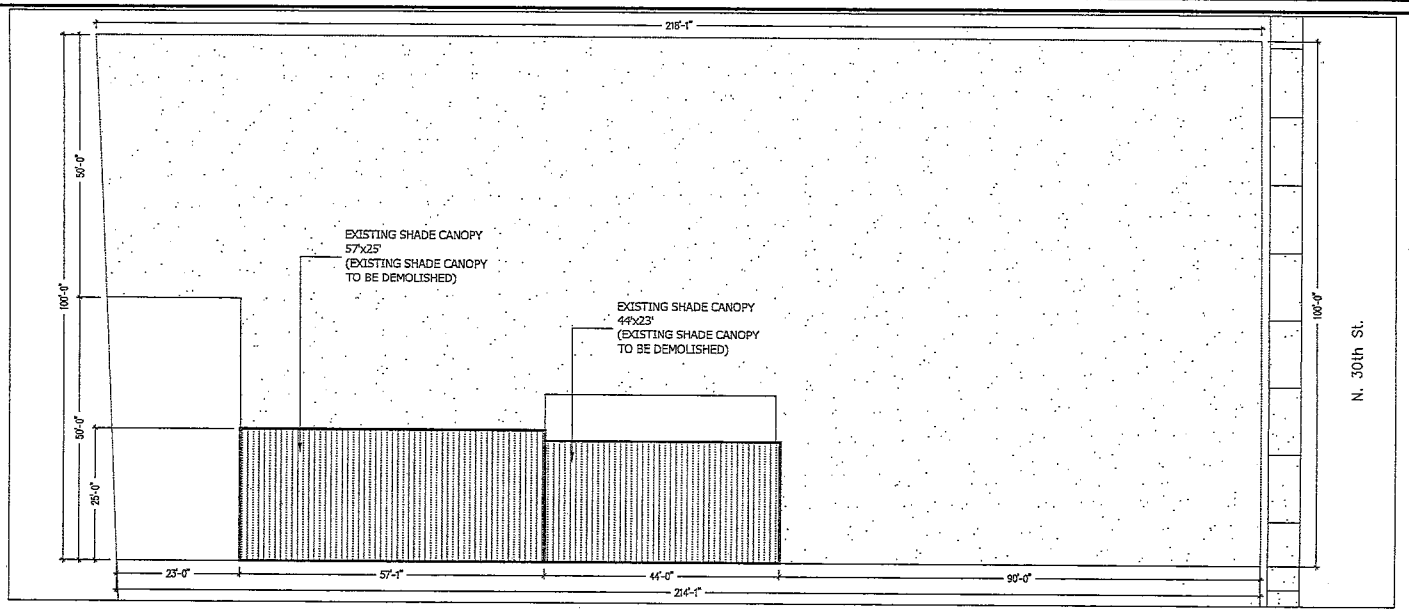
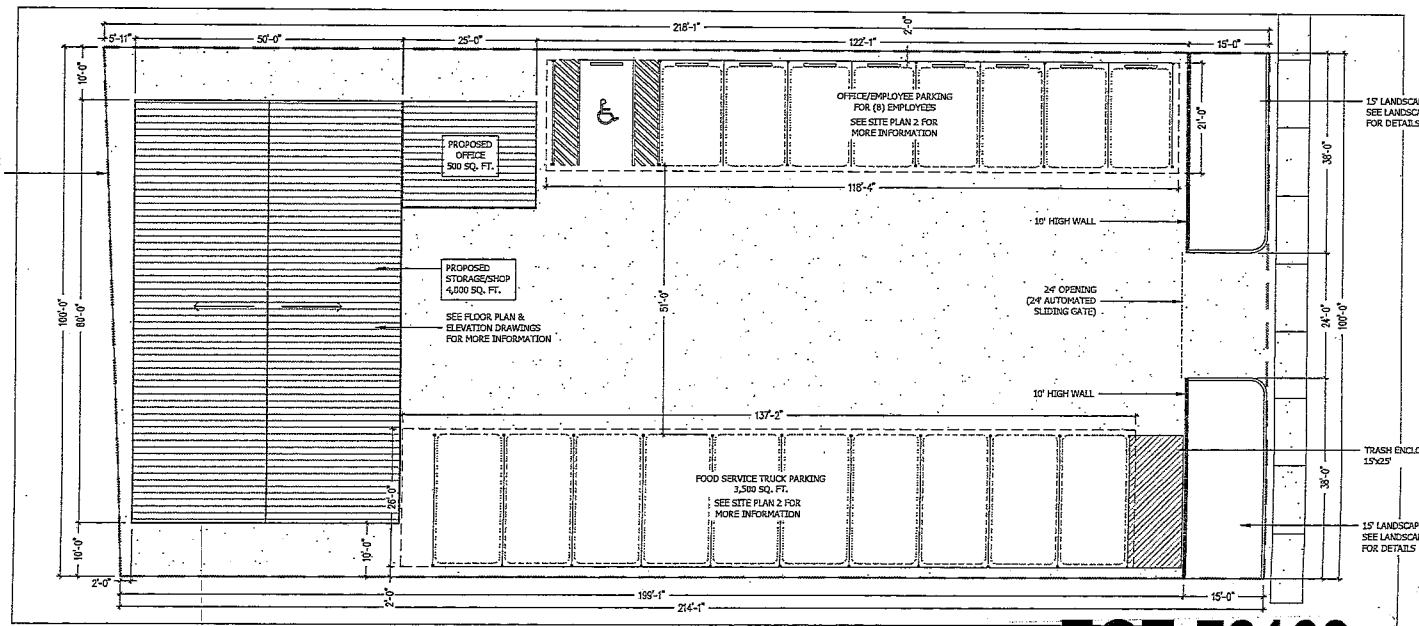
DEC 30
Dept of Planning
City of Las Vegas

EOT-78163
EOT-78164




EXISTING SITE PLAN
SCALE: 3/32" = 1'-0"

NORTH




PROPOSED SITE PLAN (1)
SCALE: 3/32" = 1'-0"

NORTH

SITE:
63 N 30th St.
LAS VEGAS, NV 89101

PROJECT:
SAMMY'S FOOD SERVICE
PRJ71698

CRISTOBAL SANTOS

63 N 30th St.
LAS VEGAS, NV 89101

SEAL:

REVISIONS
NO. DESCRIPTION

SITE PLAN 1

DATE: 10/5/2017
SCALE: 3/32" = 1'-0"
SHEET: SP.01

City Council - Page 453

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DEC 28 2017
Dept of Planning
City of Las Vegas

EOT-78163
EOT-78164



**EOT-78163 AND EOT-78164 - APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC.**
**63 30TH STREET**

02/19/20

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
STEVEN G. SEROKA
MICHELE FIORE

SCOTT D. ADAMS
*City Manager*

**DEVELOPMENT SERVICES CENTER**
DEPARTMENT OF PLANNING
333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106
702.229.6301 | VOICE
702.474.7463 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

**January 17, 2018**

Mr. Cristobal Santos
Sammy's Food Services
6127 Rocky Top Avenue
Las Vegas, Nevada 89110

***RE: VAR-72050 [PRJ-71698] - VARIANCE RELATED TO SDR-71856 CITY COUNCIL MEETING OF JANUARY 17, 2018***

Dear Mr. Cristobal Santos:

The City Council at a regular meeting held on January 17, 2018 voted to ***APPROVE*** a request for a Variance TO ALLOW A TWO-FOOT REAR YARD SETBACK WHERE 50 FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-71698].

This approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-71856) shall be required.

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

3. All 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.

The Notice of Final Action was filed with the Las Vegas City Clerk on January 18, 2018.

Sincerely,

Peter Lowenstein, AICP
Acting Director
Department of Planning

PL:RTS:nl:clb

December 26, 2019

Cristobal Santos
6127 Rocky Top Avenue
Las Vegas, NV 89110

City of Las Vegas
Department of Planning

Re: Justification Letter
SDR-71856 (PRJ-71698
Approval Date: January 17, 2018

To Whom It May Concern:

I am requesting an extension of time for the variances/waivers that were originally granted on January 17, 2018. The request for an extension is caused by a delay in receiving approval for the civil plans. Civil plans were approved by the City Engineer on December 12, 2019. Our Civil Engineer received the mylars on December 17, 2019. This also caused delays in our building department permit applications.

My business, Sammy's Food Service, is a mobile food vending company. The trucks used in the operation of my company will be parked and stored on property. Our hours of operation begin at 4am and conclude before 7pm each day.

Thank you for your consideration.

Sincerely,

Cristobal Santos

EOT-78163
EOT-78164



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DEC 30 2019
Dept of Planning
City of Las Vegas

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**43**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
EOT-78163 - EXTENSION OF TIME RELATED TO EOT-78164 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: SAMMY'S FOOD SERVICE, INC. - For possible action on a request for a first Extension of Time for an approved Site Development Plan Review (SDR-71856) FOR A PROPOSED DELIVERY AND SERVICE VEHICLE STORAGE DEVELOPMENT WITH A 4,500 SQUARE-FOOT BUILDING WITH WAIVERS TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH, WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

| **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. City Council Approval Letter - SDR-71856 [PRJ-71698]

**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.**

# EOT-78163

**Department Use**

| | |
|---|---|
| Case # | 78163 |
| Meeting Date | ~~2/19/2020~~ |
| Total Fee | $300 |
| Received By/Date | BM 12/30/19 |

Case 78164 $300 3/10/20 PC

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

**Project Address** (Location) 63 30TH ST. LV. NV. 89101

**Project Name** SAMMY'S FOOD SERVICES **Proposed Use** _____

**Assessor's Parcel #(s)** 139-36-402-006 **Ward #** 3

**General Plan:** Existing ✓ Proposed _____ **Zoning:** Existing M Proposed _____

**Additional Information** _____

**Property Owner** SAMMY'S FOOD SERVICES Contact CRISTOBAL SANTOS
Address 6127 ROCKY TOP AVE. City L.V. State NV Zip 89101
E-mail CRIS-SANTOS389@HOTMAIL.COM Phone 702-210-0032

**Applicant** _____ Contact _____
Address SAME IS ABOVE City _____ State _____ Zip _____
E-mail _____ Phone _____

**Representative** CRISTOBAL SANTOS Contact CRISTOBAL SANTOS
Address 6127 ROCKY TOP AVE. City L.V. State NV Zip 89101
E-mail CRIS-SANTOS389@HOTMAIL.COM Phone 702-210-0032

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** CRISTOBAL SANTOS
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

**Print Name** CRISTOBAL SANTOS

Subscribed and sworn before me

This 26TH day of December, 20 19

CLARK | Nevada

Notary Public in and for said County and State

JENNIFER ARELLANO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-01-2023
Certificate No: 19-4297-01

RECEIVED
DEC 30 2019
Dept of Planning
City of Las Vegas

5.✓

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
STEVEN G. SEROKA
MICHELE FIORE

SCOTT D. ADAMS
*City Manager*

**January 17, 2018**

Mr. Cristobal Santos
Sammy's Food Services
6127 Rocky Top Avenue
Las Vegas, Nevada 89110

***RE: SDR-71856 [PRJ-71698] - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-72050***
***CITY COUNCIL MEETING OF JANUARY 17, 2018***

Dear Mr. Cristobal Santos:

The City Council at a regular meeting held on January 17, 2018 voted to ***APPROVE*** a request for a Site Development Plan Review FOR A PROPOSED DELIVERY AND SERVICE VEHICLE STORAGE DEVELOPMENT WITH A 4,500 SQUARE-FOOT BUILDING WITH WAIVERS TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH, WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.50 acres at 63 30th Street (APN 139-36-402-006), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-71698].

This approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-72050) shall be required.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/10/17, except as amended by conditions herein.

4. A Waiver from 19.08.100 is hereby approved, to allow zero-foot perimeter landscape buffers along the north, west and south property lines where eight feet is required.

5. An Exception from Title 19.08 is hereby approved, to allow no interior parking lot landscaping islands and to allow only shrubs with no 24-inch box trees in the front landscape buffer.

**DEVELOPMENT SERVICES CENTER**
DEPARTMENT OF PLANNING
333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106
702.229.6301 | VOICE
702.474.7463 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

3✓

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

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

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

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

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

Public Works

11. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along 30th Street adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer 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. The "pan style" driveway on 30th Street may remain as long as the sidewalk path along 30th Street complies with Americans with Disabilities Act (ADA) guidelines. Grant an appropriate Pedestrian Access Easement if required.

12. Concurrent with onsite development, this site shall connect to the public sewer system as recommended by the Sanitary Sewer Section of the Department of Public Works.

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

14. 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.

The Notice of Final Action was filed with the Las Vegas City Clerk on January 18, 2018.

Sincerely,

Peter Lowenstein, AICP
Acting Director
Department of Planning

PL:RTS:nl:clb

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**44**

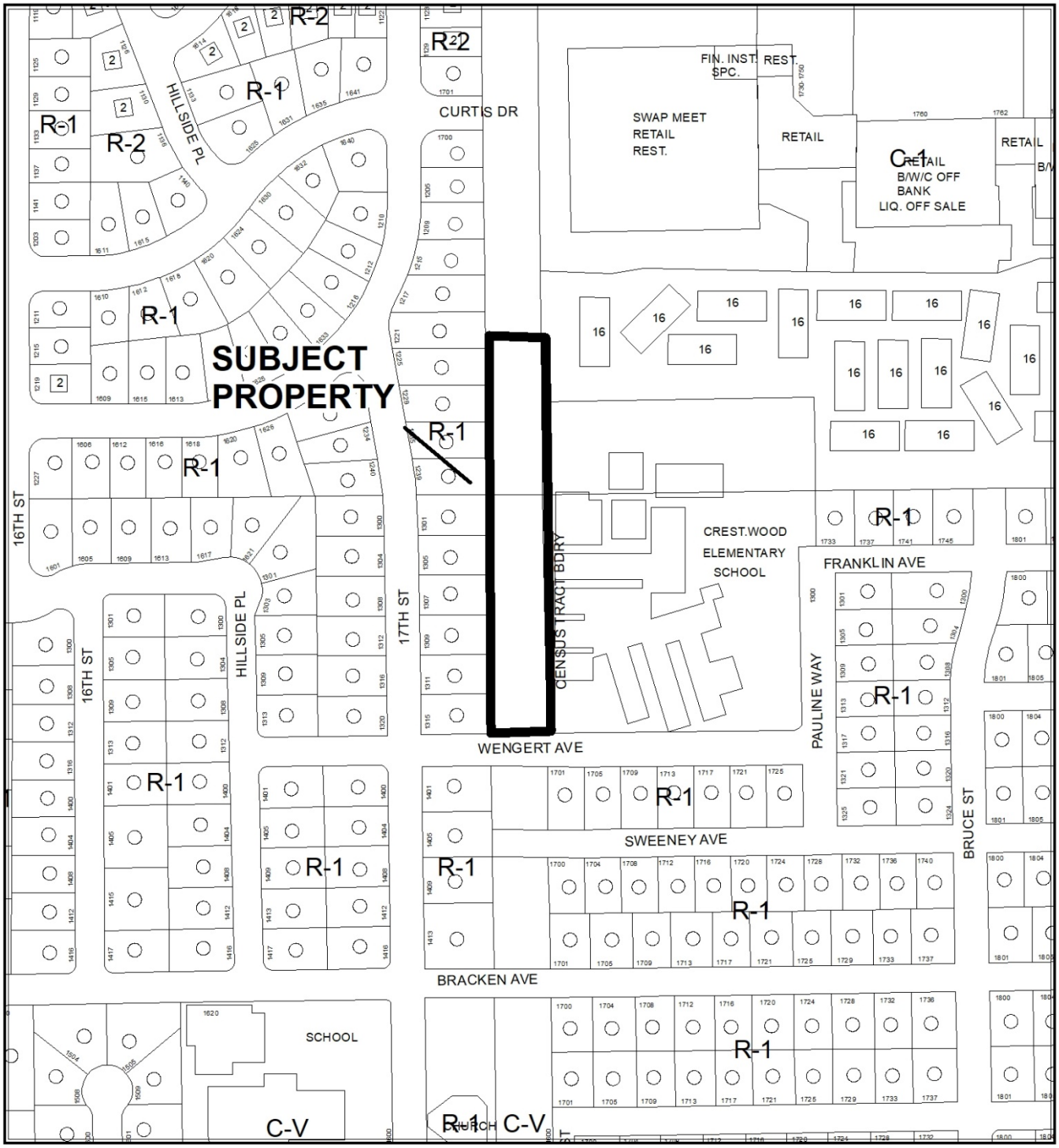
**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
EOT-78318 - EXTENSION OF TIME - VARIANCE - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY - For possible action on a request for a first Extension of Time of an approved Variance (VAR-72144) TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE INTERIOR PROPERTY LINES AND ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, A 10-FOOT BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED AND NO PERIMETER BUFFER TREES ALONG THE WEST, SOUTH AND EAST PROPERTY LINES WHERE 67 TREES ARE REQUIRED FOR AN APPROVED PARKING LOT on a portion of 3.80 acres at 1300 Pauline Way (APNs 162-02-203-007 and 162-02-101-001), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

| **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 - EOT-78318 and EOT-78320
3. Supporting Documentation - EOT-78318 and EOT-78320
4. Photo(s) - EOT-78318 and EOT-78320
5. City Council Approval Letter - VAR-72144 [PRJ-72105]
6. Justification Letter - EOT-78318 and EOT-78320




**CASE: EOT-78318**

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC




**CASE:** **EOT-78318**

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC

0 200 400 Feet

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **EOT-78318** | Staff recommends APPROVAL, subject to conditions: | |
| **EOT-78320** | Staff recommends APPROVAL, subject to conditions: | EOT-78318 |

## ** NOTIFICATION **

**NOTICES MAILED** N/A

**PROTESTS** 0

**APPROVALS** 0



SS

**** CONDITIONS ****

# EOT-78318 CONDITIONS

***Planning***

1. This approval shall expire on February 21, 2022 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Variance (VAR-72144) and all other site related actions as required by the Department of Planning and Department of Public Works.

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

# EOT-78320 CONDITIONS

***Planning***

1. This approval shall expire on February 21, 2022 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-72145) and all other site related actions as required by the Department of Planning and Department of Public Works.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant requests Extensions of Time for entitlements related to changes to onsite and off-site parking lots in conjunction with an existing public school (Crestwood Elementary) at 1300 Pauline Way.

## ISSUES

- This is the first request for Extensions of Time for the approved Variance (VAR-72144) and Site Development Plan Review (SDR-72145).
- Since the original approvals in 2018, the school site has been remapped into a single legal lot in accordance with a condition of approval of Site Development Plan Review (SDR-71690); however, two Assessor's parcels remain.
- If denied, the VAR-72144 and SDR-72145 approvals will be deemed expired as of February 21, 2020.

## ANALYSIS

The applicant is requesting Extensions of Time for the following entitlements approved February 21, 2018:

- A Variance (VAR-72144) to allow no perimeter landscape buffers along interior property lines and along a portion of the east property line where eight feet is required, a 10-foot perimeter landscape buffer along the south property line where 15 feet is required and no perimeter buffer trees along the west, south and east property lines where 67 trees are required for a C-V (Civic) zoned offsite parking lot adjacent to residentially zoned property; and
- A Site Development Plan Review (SDR-72145) for the proposed reconfiguration of an existing onsite parking lot and improvements to an existing offsite parking lot in conjunction with an existing school.

As part of an approved addition to the school, the applicant proposed a bus drop off lane that reduced required onsite parking by 62 percent. The deficit was to be made up by applying parking spaces from the adjacent parcels owned by NV Energy and entering into a shared parking agreement. As part of the improvements, the offsite lot is proposed to contain 91 parking spaces, parking lot islands, shrubs (but no trees due to overhead power lines), a turnaround and direct access to the school. A Variance (VAR-72144) had been required because Title 19.10 requires C-V zoned properties that are adjacent to residential uses to meet the landscape buffer standards of the P-O (Professional Office) zoning district, which require 15-foot wide buffers along public rights-of-way and eight-foot buffers along interior property lines as well as buffer trees every 20 linear feet.

According to the applicant, construction has not begun on the planned parking lot improvements; no explanation was given as to the reason for the delay. Civil improvement plans have been approved and installed for the school addition but have not been submitted for the onsite or offsite parking lot improvements.

The zoning and land use designations of the adjacent properties have remained unchanged since the 2018 approval of these items. The school is located in a long-established residential area zoned R-1 (Single Family Residential), with a senior citizen apartment complex adjacent to the north zoned C-1 (Limited Commercial).

## FINDINGS (EOT-78318 and EOT-78320)

Conditions in the area have not changed that would affect the relationship between the approved parking lot development and the surrounding uses. Staff therefore recommends approval of the requested Extensions of Time for an additional two years, subject to conditions. If the Extension of Time requests are denied, the original entitlements will be deemed expired as of February 21, 2020.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 01/07/09 | The City Council approved a request for a Rezoning (ZON-29204) from R-1 (Single Family Residential) to C-V (Civic) on 12.33 acres at the northwest corner of Sahara Avenue and Spencer Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Site Development Plan Review (SDR-29203) for an existing Electric Utility Substation with 13 proposed transmission line poles ranging in height from 50 to 155 feet on 3.86 acres at the northwest corner of Sahara Avenue and Spencer Street. The Planning Commission recommended approval; staff recommended denial. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 09/01/10 | The City Council approved a request for General Plan Amendment (GPA-38526) to amend the land use designation from C (Commercial) to PF (Public Facilities) on 1.76 acres at 1300 Pauline Way. The Planning Commission and staff recommended approval. |
| 11/14/17 | The Planning Commission approved a request for a Variance (VAR-71688) to allow a 39-foot building height where 35 feet is allowed, a two-foot perimeter landscape buffer along a portion of the east property line where 15 feet is required and no parking lot landscape islands where four islands are required on 6.16 acres at 1300 Pauline Way. Staff recommended denial. |
| | The Planning Commission approved a request for a Variance (VAR-71796) to allow 17 additional parking spaces where 66 additional spaces are required on 6.16 acres at 1300 Pauline Way. Staff recommended denial. |
| | The Planning Commission approved a request for a Site Development Plan Review (SDR-71690) for a proposed two-story, 34,440 square-foot addition to an existing 47,451 square-foot Public or Private School, Primary on 6.16 acres at 1300 Pauline Way. Staff recommended denial. |
| 02/21/18 | The City Council approved a request for a Variance (VAR-72144) to allow zero-foot perimeter landscape buffers along the interior property lines and along a portion of the east property line of the proposed parking lot where eight feet is required, a 10-foot buffer along the south property lines of the proposed parking lot where 15 feet is required and no perimeter buffer trees along the west, south and east property lines of the proposed parking lot where 67 trees are required on 4.83 acres at 1300 Pauline Way. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Site Development Plan Review (SDR-72145) for the proposed reconfiguration of the onsite parking lot and improvements to an existing offsite parking lot at an existing primary public school on a portion of 9.96 acres at 1300 Pauline Way. The Planning Commission and staff recommended approval. |
| 03/21/18 | A one-lot Parcel Map (PMP-72537) on 6.16 acres at 1300 Pauline Way was recorded. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/31/39 | A deed was recorded for a change in ownership on APNs 162-02-101-001 and 162-02-203-007. |
| 02/06/51 | A deed was recorded for a change in ownership on APN 162-02-601-002. |
| 12/30/63 | A deed was recorded for a change in ownership on APN 162-02-501-003. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1952 | The existing elementary school at 1300 Pauline Way was constructed. |
| 03/20/61 | A building permit (3734) was issued for a multipurpose school building at 1300 Pauline Way. A final inspection was completed 06/28/62. |
| 05/21/18 | Civil improvement plans (CLV Drawing #715-201) were approved for a two-story addition to an existing school at 1300 Pauline Way. A final inspection was approved 04/24/19. |

| ***Pre-Application Meeting*** |
|---|
| A pre-application meeting was not required, nor was one held. |

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

| ***Field Check*** | |
|---|---|
| 02/18/20 | The two-story school addition and adjacent improvements appear to be completed. No improvements have occurred on the onsite or offsite parking lots. There are no changes to the existing development in the vicinity of the site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 9.96 |

APNs 162-02-501-003 and 162-02-601-002

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Public or Private School, Primary | PF (Public Facilities) | C-V (Civic) |
| North | Multi-Family Residential (Apartments) | C (Commercial) | C-1 (Limited Commercial) |
| South | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |

APNs 162-02-501-003 and 162-02-601-002

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| East | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Satellite Parking Lot (Utility Installation) | PF (Public Facilities) | C-V (Civic) |
| | Utility Installation | C (Commercial) | R-1 (Single Family Residential) |

APNs 162-02-203-007 and 162-02-101-001

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Satellite Parking Lot (Utility Installation) | PF (Public Facilities) | C-V (Civic) |
| | Utility Installation | C (Commercial) | R-1 (Single Family Residential) |
| North | Utility Installation | C (Commercial) | R-1 (Single Family Residential) |
| South | Utility Installation | PF (Public Facilities) | C-V (Civic) |
| East | Public or Private School, Primary | PF (Public Facilities) | C-V (Civic) |
| West | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Rafael Riviera Walkable Community Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| No Applicable Special Area or Overlay Districts | N/A |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails (Pedestrian Path – NV Energy easement) | Y* |
| Las Vegas Redevelopment Plan Area (Area 1) | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

*A condition of approval of SDR-72145 requires the applicant to coordinate the design and construction of the Spencer Trail with the City of Las Vegas Transportation Engineering Section of the Department of Public Works.

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08 and 19.10, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | N/A | N/A | 0 Trees | N/A |
| • South | 1 Tree / 20 Linear Feet | 3 Trees | 0 Trees | N |
| • East | 1 Tree / 20 Linear Feet | 32 Trees | 0 Trees | N |
| • West | 1 Tree / 20 Linear Feet | 32 Trees | 0 Trees | N |
| **TOTAL PERIMETER TREES** | | **67 Trees** | **0 Trees** | **Y*** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 31 Trees | 0 Trees | Y** |
| **LANDSCAPE BUFFER WIDTHS (offsite lot)** | | | | |
| Min. Zone Width | | | | |
| • North | 0 Feet | | 12 Feet | Y |
| • South | 15 Feet | | 10 Feet | Y*** |
| • East | 8 Feet | | 0 Feet | Y*** |
| • West | 8 Feet | | 15 Feet | Y |
| • Interior | 8 Feet | | 0 Feet | Y*** |

*A Variance (VAR-72144) approved zero trees within the offsite parking lot where 67 trees were required.
**An Exception was approved through SDR-72145 to allow no parking lot trees within the offsite parking lot where 31 trees were required.
***A Variance (VAR-72144) approved reduced width perimeter buffers within the offsite parking lot.

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Wengert Avenue | Minor Street | Title 13 | 60 | Y |
| Pauline Way | Minor Street | Title 13 | 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 | |
| Public or Private School, Primary (existing) | 46 classrooms | existing | 30 | | | | |
| Public or Private School, Primary (approved addition) | 22 classrooms | approved | 17* | | | | |
| **TOTAL SPACES REQUIRED** | | | 47 | | 109** | | Y |
| **Regular and Handicap Spaces Required** | | | 45 | 2 | 104 | 5 | Y |

*As approved by VAR-71796, which allowed 17 additional parking spaces where 66 were required on a parking impaired development.

**Per condition of approval of SDR-72145, a perpetual shared parking agreement between the two owners is required prior to issuance of a building permit for new construction.

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| One 24” box tree for each six uncovered parking spaces and at the ends of each parking row (31 trees required) | To allow no trees in the offsite parking lot | Approval |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

**Department Use**

| | |
|---|---|
| Case # | EOT-78318 |
| Meeting Date | 03/18/20 |
| Total Fee | $800.00 |
| Received By/Date | AL 02/04/20 |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Extension of Time

**Project Address** (Location) 1300 Pauline Way, Las Vegas, NV 89104

**Project Name** Crestwood Elementary School - Parking Addition **Proposed Use** Public School

**Assessor's Parcel #(s)** 162-02-203-007, 162-02-101-001 **Ward #** 3 - Olivia Diaz

**General Plan:** Existing X Proposed _____ **Zoning:** Existing C-V Proposed C-V

**Additional Information** Extension of time for Variance, VAR-72144

**Property Owner** Nevada Power Company Contact Randal Cagle

Address PO Box 98910 City Las Vegas State NV Zip 89193

E-mail rcagle@nvenergy.com Phone 702-402-5484

**Applicant** School Board of Trustees Contact Linda Perri

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail perrilk@nv.ccsd.net Phone 702-799-5214

**Representative** CCSD Real Property Management Contact Lucia Gonzalez

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail gonzal13@nv.ccsd.net Phone 702-799-5219

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)** _____

**Partner(s)** _____

• 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Randal D Cagle

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

**Print Name** RANDAL D. CAGLE

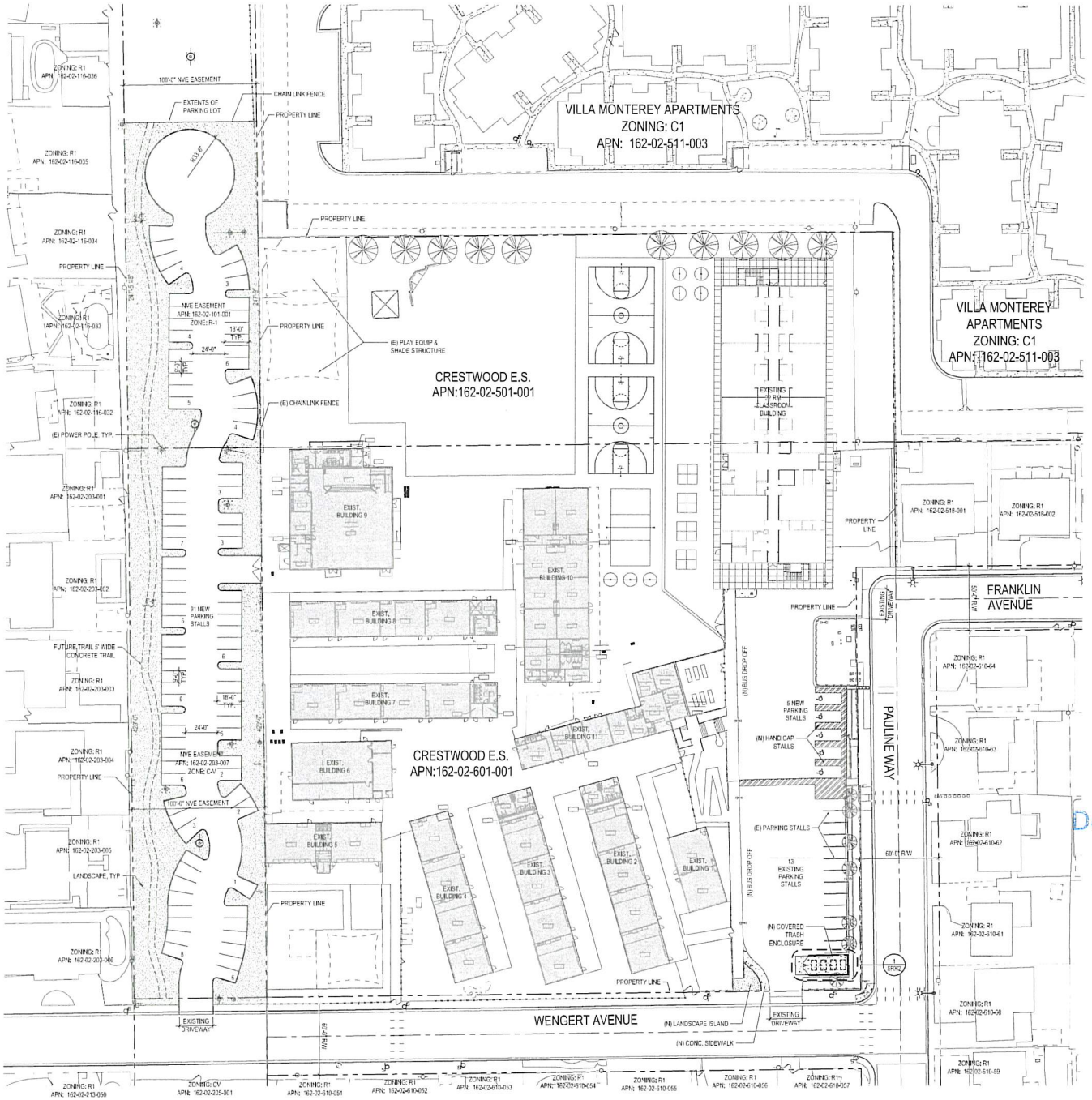
Subscribed and sworn before me

This 28 day of JANUARY, 20 20

Lynda F. Beeman

Notary Public in and for said County and State

LYNDA F. BEEMAN
Notary Public-State of Nevada
APPT. NO. 09-11128-1
My Appt. Expires 09-10-2021




CRESTWOOD ELEMENTARY SCHOOL - SITE PLAN - NVE SCHEME
SCALE: 1" = 30'-0"

## SITE INFORMATION

| | |
|---|---|
| JURISDICTION: | CITY OF LAS VEGAS |
| ZONING: | C-V ( CIVIC DISTRICT) R-1 ( SINGLE FAMILY RESIDENT DISTRICT) |
| APN: | 162-02-101-001 162-02-203-007 162-02-601-001 |

### PARKING

| | |
|---|---|
| EXISTING | |
| (CRESTWOOD E.S.) EXISTING | 43 STALLS |
| REQUIRED | |
| (CRESTWOOD E.S.) EXISTING | 43 STALLS PER CLV PLANNING #SDR-7169 |
| PROVIDED | |
| (CRESTWOOD E.S.) EXISTING | 13 STALLS |
| (CRESTWOOD E.S.) NEW | 5 STALLS |
| (NVE EASEMENT) NEW | 91 STALLS |
| TOTAL PROVIDED | 109 STALLS |

### NVE EASEMENT AREA

| | |
|---|---|
| PROPOSED AREA: | 66,759 SF 1.53 ACRES |

REVISIONS

| REV. | DESCRIPTION | DATE | BY |
|---|---|---|---|

| CONSTRUCTION MANAGEMENT | DATE |
|---|---|
| BUILDING DEPARTMENT | |

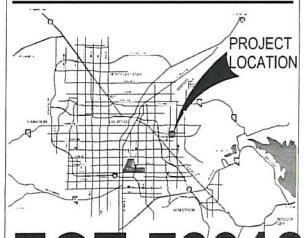
ASBESTOS WORK IS: REQUIRED ☐ NOT REQUIRED ☒

JOB ID/MPID: MPID - 0013505

RECEIVED
FEB 10 2020
City of Las Vegas
Department of Planning

Drawing North

## VICINITY MAP




EOT-78318
EOT-78320

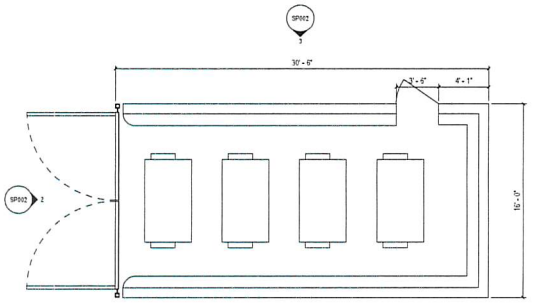
Gensler
3883 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89169
Tel: 702.893.2800
Fax: 702.893.2805

CLARK COUNTY SCHOOL DISTRICT
CONSTRUCTION MANAGEMENT DEPARTMENT 1150 MILITARY TRIBUTE PL HENDERSON NV 89074 PHONE: 702-799-8710

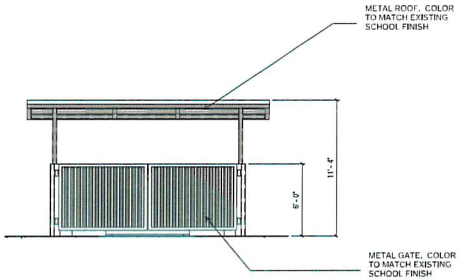
PROJECT: CRESTWOOD E.S. - PARKING LOT
PROJECT ADDRESS: 1300 Pauline Way Las Vegas NV 89104
DRAWING TITLE: NVE ARCHITECTURAL SITE PLAN
FACILITY: CRESTWOOD E.S. - LOCATION 211

SHEET NO: SP001

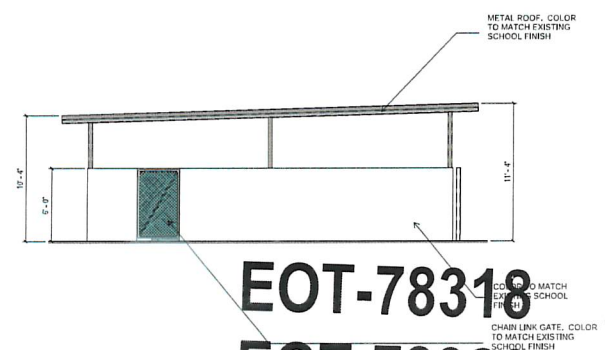
City Council - Page 476




1 ENLARGED PLAN - TRASH ENCLOSURE
SCALE: 1/4" = 1'-0"
REF 1 / SP001




2 ELEVATION - TRASH ENCLOSURE 1
SCALE: 1/4" = 1'-0"
REF 1 / SP002




3 ELEVATION - TRASH ENCLOSURE 2
SCALE: 1/4" = 1'-0"
REF 1 / SP002

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City of Las Vegas
partment of Planning

EOT-78319
EOT-78320

| REV. | DESCRIPTION | DATE | BY |
|---|---|---|---|

KEY PLAN

MPID - 0013505

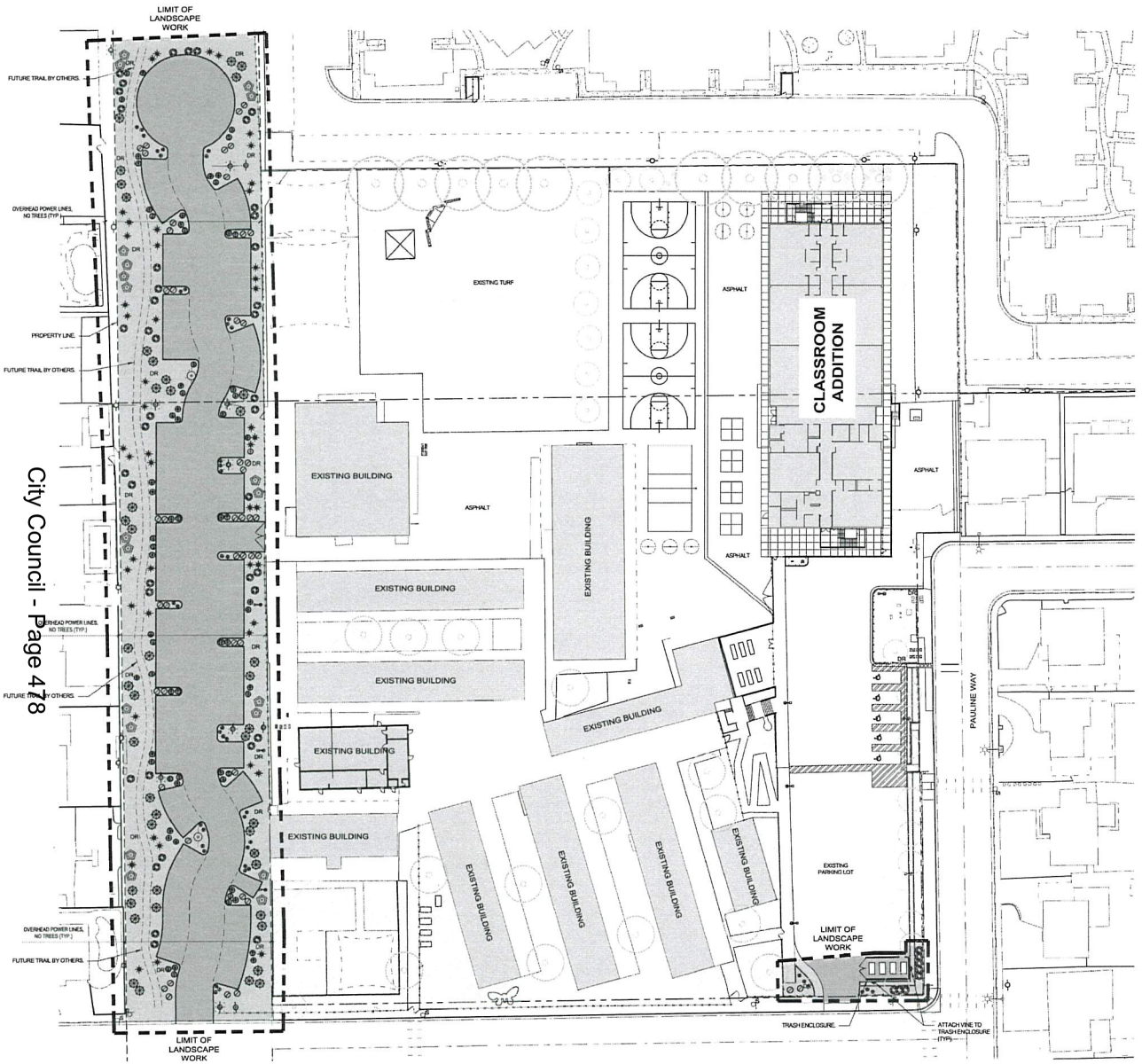
MPID - 0013505

Author
Checker

Gensler
3883 Howard Hughes Pkwy
Suite 650
Las Vegas NV 89169
Tel 702 893 2300
Fax 702 893 2305

CLARK COUNTY SCHOOL DISTRICT
CRESTWOOD ES - PARKING LOT
TRASH ENCLOSURE

SP002




## PLANTING LEGEND

TREES

| SYMBOL | BOTANICAL NAME COMMON NAME | QTY. | CALIPER MINIMUM SIZE |
|---|---|---|---|
| | EXISTING TREE AND SHRUB TO REMAIN PROTECT IN PLACE | | |

SHRUBS

| SYMBOL | BOTANICAL NAME COMMON NAME | QTY. | MINIMUM SIZE |
|---|---|---|---|
| | DALEA CAPITATA 'SIERRA GOLD' TM SIERRA GOLD DALEA | 69 | 5 GALLON |
| | DASYLIRION WHEELERI DESERT SPOON | 45 | 5 GALLON |
| | HESPERALOE FUNIFERA GIANT HESPERALOE | 48 | 5 GALLON |
| | HESPERALOE PARVIFLORA 'RED' RED YUCCA | 47 | 5 GALLON |
| | LANTANA SP. 'NEW GOLD' GOLDEN LANTANA | 44 | 5 GALLON |
| | LEUCOPHYLLUM L. 'LYNN'S LEGACY' LYNN'S TEXAS RANGER | 49 | 5 GALLON |
| | SENNA ARTEMISIOIDES FEATHERY CASSIA | 20 | 5 GALLON |
| | MACFADYENA UNGUIS CATI CAT'S CLAW VINE | 2 | 5 GALLON |

LANDSCAPE ELEMENTS

| SYMBOL | DESCRIPTION | QTY. | DETAIL |
|---|---|---|---|
| DR | DECORATIVE ROCK. SIZE TO BE 3/8 MINUS, COLOR TO MATCH EXISTING ON SITE. ALL PLANTER AREAS TO RECEIVE 3" MINIMUM DEPTH LAYER UNLESS OTHERWISE NOTED . SEE NOTE #1 | 35,200 S.F. | - |
| | EXISTING TURF, PROTECT IN PLACE. REPLACE DAMAGED TURF OR TURF REMOVED FOR CONSTRUCTION AS NECESSARY. REPLACE WITH HYBRID BERMUDA SODDED TURF. TIFWAY II OR EQUAL. | - | - |
| | EXISTING LANDSCAPE AREA, PROTECT IN PLACE. | - | - |

## PLANTING NOTES

1. DECORATIVE ROCK (DR) - INSTALL THE MINIMUM LAYER OF DECORATIVE ROCK IN ALL LANDSCAPE AREAS WITHIN LANDSCAPE LIMIT OF WORK EXCEPT WHERE OTHERWISE NOTED. CONTRACTOR TO PROVIDE SAMPLES OF DECORATIVE ROCK FOR APPROVAL PRIOR TO INSTALLATION. COMPACT SUB-GRADE TO 85% AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING ROCK, RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE, APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF ROCK. DO NOT ALLOW ROCK TO TOUCH THE TRUNK OF ANY TREE. TO BE INSTALLED AFTER INSTALLATION OF PLANT MATERIAL.
2. ANY TREE PLANTED WITHIN 5 FEET OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT GUARD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
3. CONTRACTOR TO PRESERVE AND PROTECT EXISTING TREES IDENTIFIED ON PLAN BY AN EXISTING TREE SYMBOL. CONTRACTOR TO PRESERVE AND PROTECT LANDSCAPE OUTSIDE LIMIT OF LANDSCAPE WORK.
4. PRIOR TO BEGINNING WORK, CONTRACTOR TO INVENTORY EXISTING PLANTS AND MARK THOSE TO REMAIN FOR APPROVAL BY OWNER. CONTRACTOR TO VERIFY THAT EXISTING TREES TO REMAIN WILL NOT BE DAMAGED BY DEMOLITION OR CONSTRUCTION. IF EXISTING TREES AND/OR LANDSCAPE TO REMAIN IS DAMAGED DURING DEMOLITION OR CONSTRUCTION, TREE(S)/SHRUB(S) TO BE REPLACED AT CONTRACTORS EXPENSE WITH PLANT(S) OF SAME GENUS, SPECIES, VARIETY, FORM AND 60" BOX SIZE.
5. CONTRACTOR TO PROTECT IN PLACE EXISTING UTILITIES. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION. CONTRACTOR TO USE CAUTION. CALL BEFORE YOU DIG AND CALL BEFORE YOU OVER HEAD.

## SITE ANALYSIS:

| | |
|---|---|
| TOTAL LANDSCAPE AREA: | 106,976 SF |
| TOTAL OPEN SPACE AREA: | 284,099 SF |
| TOTAL AREA: | 348,304 SF |

RECEIVED
FEB 10 2020
City of Las Vegas
Department of Planning

Call before you Dig
Call 811
1-800-227-2600

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

SCALE: 1" = 30'

EOT-78318
EOT-78320

City Council - Page 478

REVISIONS

| REV. | DESCRIPTION | DATE | BY |
|---|---|---|---|
| | | | |

PLANNING & DESIGN — DATE
DESIGN MANAGER
CM MANAGER
CONSTRUCTION MANAGEMENT
PROJECT MANAGER
CM MANAGER
REQUIREMENTS
NOTE ADMINISTRATOR
CODE COMPLIANCE
ADA/TAS REVIEW
FINISHES

ASBESTOS WORK IS:
REQUIRED ☐ NOT REQUIRED ☒

JOB ID/MPID
MPID - 0013218

PRELIMINARY NOT FOR CONSTRUCTION FOR PERMITTING ONLY

DATE: NOVEMBER 21, 2017
DESIGNED BY: MED
CHECKED BY: SWS
SUBMITTAL: PLANNING
CM PROJECT NO.: 59.7277.000


southwick LANDSCAPE ARCHITECTS
1050 Fairmont Ridge Pkwy, Suite 250 702.837.5100
Henderson, NV 89014 www.southwickla.com

Gensler
3883 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89169
Tel: 702.893.3600
Fax: 702.893.2805


CLARK COUNTY SCHOOL DISTRICT
PLANNING AND DESIGN DEPARTMENT 4190 MAGER DRIVE LAS VEGAS, NV. 89121 PHONE: 702.799.5450

PROJECT: CRESTWOOD E.S.

DRAWING TITLE: NVE LANDSCAPE PLAN

FACILITY: LOCATION 259

SHEET NO: L0.00



EOT-78318 AND EOT-78320 - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY
1300 PAULINE WAY

10/01/18



EOT-78318 AND EOT-78320 - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY
1300 PAULINE WAY

10/01/18




EOT-78318 AND EOT-78320 - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY
1300 PAULINE WAY

10/01/18

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

STAVROS S. ANTHONY
BOB COFFIN
STEVEN G. SEROKA
MICHELE FIORE

SCOTT D. ADAMS
*City Manager*

February 22, 2018

Mr. Randal Cagle
Nevada Power Company
P.O. Box 98910
Las Vegas, Nevada 89151

***RE: VAR-72144 [PRJ-72105] - VARIANCE RELATED TO GPA-72140, ZON-72142 AND SDR-72145***
***CITY COUNCIL MEETING OF FEBRUARY 21, 2018***

Dear Mr. Cagle:

The City Council at a regular meeting held on February 21, 2018 voted to ***APPROVE*** a request for a Variance TO ALLOW ZERO-FOOT PERIMETER LANDSCAPE BUFFERS ALONG THE INTERIOR PROPERTY LINES AND ALONG A PORTION OF THE EAST PROPERTY LINE OF THE PROPOSED PARKING LOT WHERE EIGHT FEET IS REQUIRED, A 10-FOOT BUFFER ALONG THE SOUTH PROPERTY LINE OF THE PROPOSED PARKING LOT WHERE 15 FEET IS REQUIRED AND NO PERIMETER BUFFER TREES ALONG THE WEST, SOUTH AND EAST PROPERTY LINES OF THE PROPOSED PARKING LOT WHERE 67 TREES ARE REQUIRED on a portion of 4.83 acres at 1300 Pauline Way (APNs 162-02-203-007 and a portion of 162-02-101-001), C-V (Civic) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)], Ward 3 (Coffin) [PRJ-72105].

This approval is subject to the following conditions:

***Planning***

1. Approval of a General Plan Amendment (GPA-72140) and Rezoning (ZON-72142) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-72145) 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.

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FEB 10 2020
City of Las Vegas
Department of Planning

**EOT-78318**

**CITY HALL**
495 S. MAIN ST.
LAS VEGAS, NV 89101
702.229.6011 | VOICE
711 | TTY

cityoflasvegas
lasvegasnevada.gov

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.

The Notice of Final Action was filed with the Las Vegas City Clerk on February 22, 2018.

Sincerely,

Robert Summerfield

Robert Summerfield, AICP
Director
Department of Planning

RTS:PL:clb

cc: Ms. Linda Perri
School Board of Trustees
1180 Military Tribute Place
Henderson, Nevada 89074

Ms. Gabrielle Greer
CCSD Real Property Management
1180 Military Tribute Place
Henderson, Nevada 89074

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Department of Planning

EOT-78318

Facilities Division, *Real Property Management*

1180 Military Tribute Drive • Henderson, NV 89074 • (702) 799-5214

CCSD
CLARK COUNTY
SCHOOL DISTRICT

BOARD OF SCHOOL TRUSTEES

Lola Brooks, President
Linda P. Cavazos, Vice President
Danielle Ford, Clerk
Irene A. Cepeda, Member
Chris Garvey, Member
Deanna L. Wright, Member
Dr. Linda E. Young, Member

Jesus F. Jara, Ed.D., Superintendent

February 4, 2020

City of Las Vegas
Planning Department
Development Services Center, 3rd Floor
333 N. Rancho Boulevard
Las Vegas, Nevada 89106

Re: Extension of Time Justification Letter

Please consider this letter a request by the Clark County School District (District) for approval of an extension of time on portions of application PRJ-72105, for the Crestwood Elementary located at 1300 Pauline Way, Las Vegas, Nevada 89104. The District is requesting extensions of time are on the site development plan review (SDR-7214) and the variance (VAR-72144) portions of approval.

The District is respectfully requesting extensions of time on these land use applications to complete construction. There are no significant changes to the plans originally approved with these applications.

The District continues to believe the design and construction of parking amenities for the School will accommodate the needs of the staff, students, and community of this area. Thank you for your consideration of this request. Please do not hesitate to contact Lucia Gonzalez with any questions at (702) 799-5214 extension 5419.

Cordially,

Linda K. Perri, Director
Real Property Management

Cc: Justin Lam, Gensler Architecture
File

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City of Las Vegas
Department of Planning

**EOT-78318**
**EOT-78320**



*Main Office*: 5100 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89146 • TELEPHONE (702) 799-CCSD (2273)

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**45**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

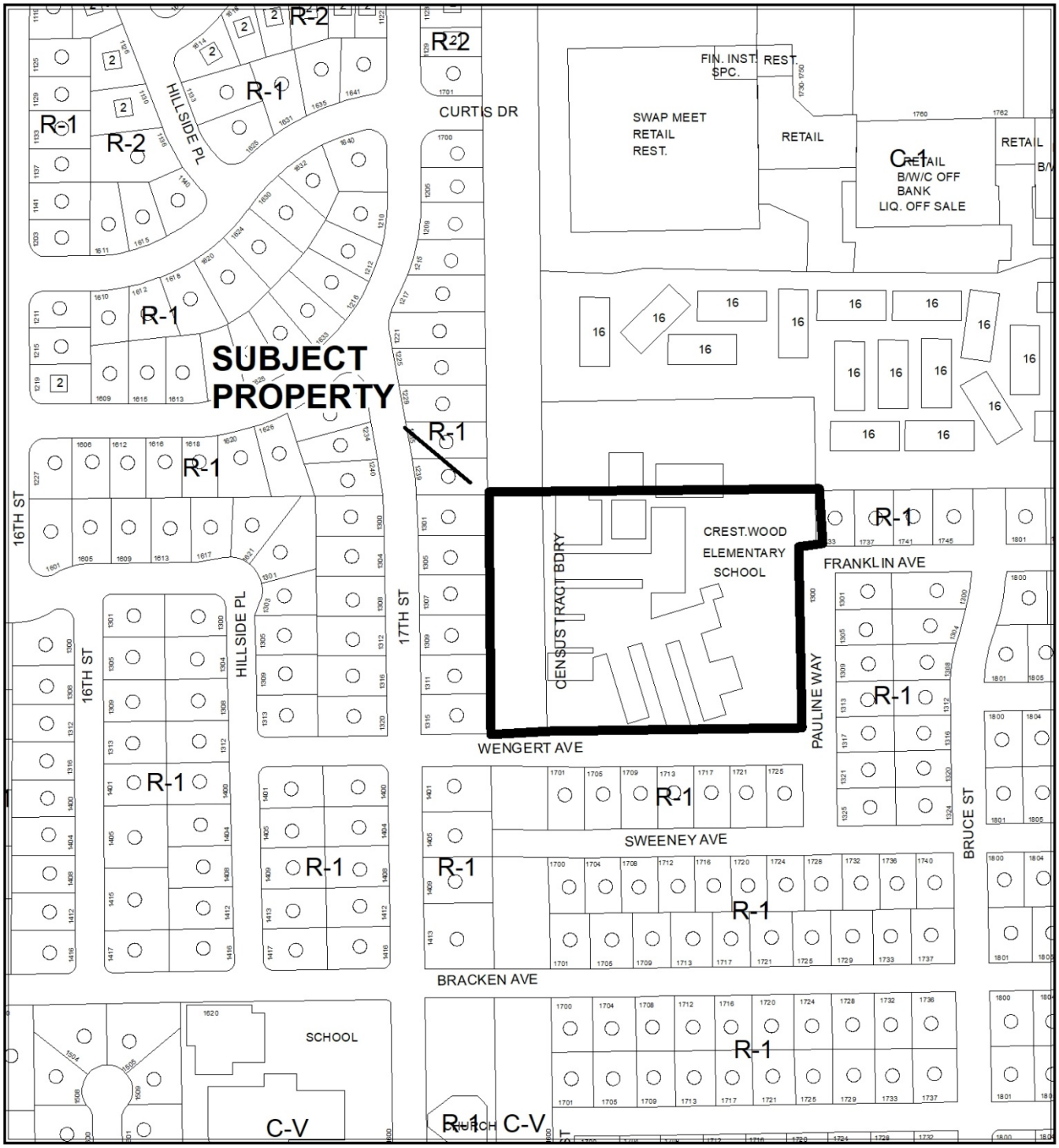
**SUBJECT:**
EOT-78320 - EXTENSION OF TIME RELATED TO EOT-78318 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: SCHOOL BOARD OF TRUSTEES - OWNER: NEVADA POWER COMPANY, ET AL - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-72145) FOR THE PROPOSED RECONFIGURATION OF THE ONSITE PARKING LOT AND IMPROVEMENTS TO AN EXISTING OFFSITE PARKING LOT AT AN EXISTING SCHOOL on a portion of 9.96 acres at 1300 Pauline Way (APNs 162-02-203-007, 162-02-101-001, 162-02-501-003 and 162-02-601-002), C-V (Civic) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

| **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. City Council Approval Letter - SDR-72145 [PRJ-72105]

**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.**




0 200 400 Feet

**CASE: EOT-78320**

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC

N




**CASE:** **EOT-78320**

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC

0 200 400 Feet

N

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

STAVROS S. ANTHONY
BOB COFFIN
STEVEN G. SEROKA
MICHELE FIORE

SCOTT D. ADAMS
*City Manager*

February 22, 2018

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FEB 10 2020
City of Las Vegas
Department of Planning

Mr. Randal Cagle
Nevada Power Company
P.O. Box 98910
Las Vegas, Nevada 89151

***RE: SDR-72145 [PRJ-72105] - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-72140, ZON-72142 AND VAR-72144 CITY COUNCIL MEETING OF FEBRUARY 21, 2018***

Dear Mr. Cagle:

The City Council at a regular meeting held on February 21, 2018 voted to ***APPROVE*** a request for a Major Amendment of an approved Site Development Plan Review (SDR-71690) FOR THE PROPOSED RECONFIGURATION OF THE ONSITE PARKING LOT AND IMPROVEMENTS TO AN EXISTING OFFSITE PARKING LOT AT AN EXISTING PUBLIC SCHOOL, PRIMARY on a portion of 9.96 acres at 1300 Pauline Way (APNs multiple), C-V (Civic) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)], Ward 3 (Coffin) [PRJ-72105].

This approval is subject to the following conditions:

***Planning***

1. Approval of a General Plan Amendment (GPA-72140) and Rezoning (ZON-72142) and approval of and conformance to the Conditions of Approval for Variance (VAR-72144) 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 to the conditions of approval of Site Development Plan Review (SDR-71690), except as amended herein.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/21/17, except as amended by conditions herein.

5. Prior to the issuance of a building permit for new construction, record a perpetual shared parking agreement against Assessor's Parcel Numbers 162-02-203-007 and 162-02-101-001 for a minimum of 29 parking spaces to be used for the school. The agreement shall be submitted to the Department of Planning and approved by the City Attorney prior to recordation. The applicant shall provide a copy of the recorded agreement to the Department.

**CITY HALL**
495 S. MAIN ST.
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**EOT-78320**

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Department of Planning

6. An Exception from Title 19.08.110 is hereby approved, to allow zero parking lot trees where 31 trees are required.

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

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

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

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

***Public Works***

11. Correct all Americans with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Wengert Avenue adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

13. Submit a License Agreement for landscaping and private improvements in the Wengert Avenue public right of way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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 License 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 License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).



**EOT-78320**

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City of Las Vegas
Department of Planning

14. Concurrent with onsite development, coordinate the design and construction of the Spencer Trail project with the City of Las Vegas Transportation Engineering Section of the Department of Public Works (702-229-2142). Comply with the recommendations of the Transportation Engineering Section.

15. 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.

16. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-71690 and all other applicable site related actions.

The Notice of Final Action was filed with the Las Vegas City Clerk on February 22, 2018.

Sincerely,

Robert Summerfield, AICP
Director
Department of Planning

RTS:PL:clb

cc: Ms. Linda Perri
School Board of Trustees
1180 Military Tribute Place
Henderson, Nevada 89074

Ms. Gabrielle Greer
CCSD Real Property Management
1180 Military Tribute Place
Henderson, Nevada 89074



EOT-78320

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**46**

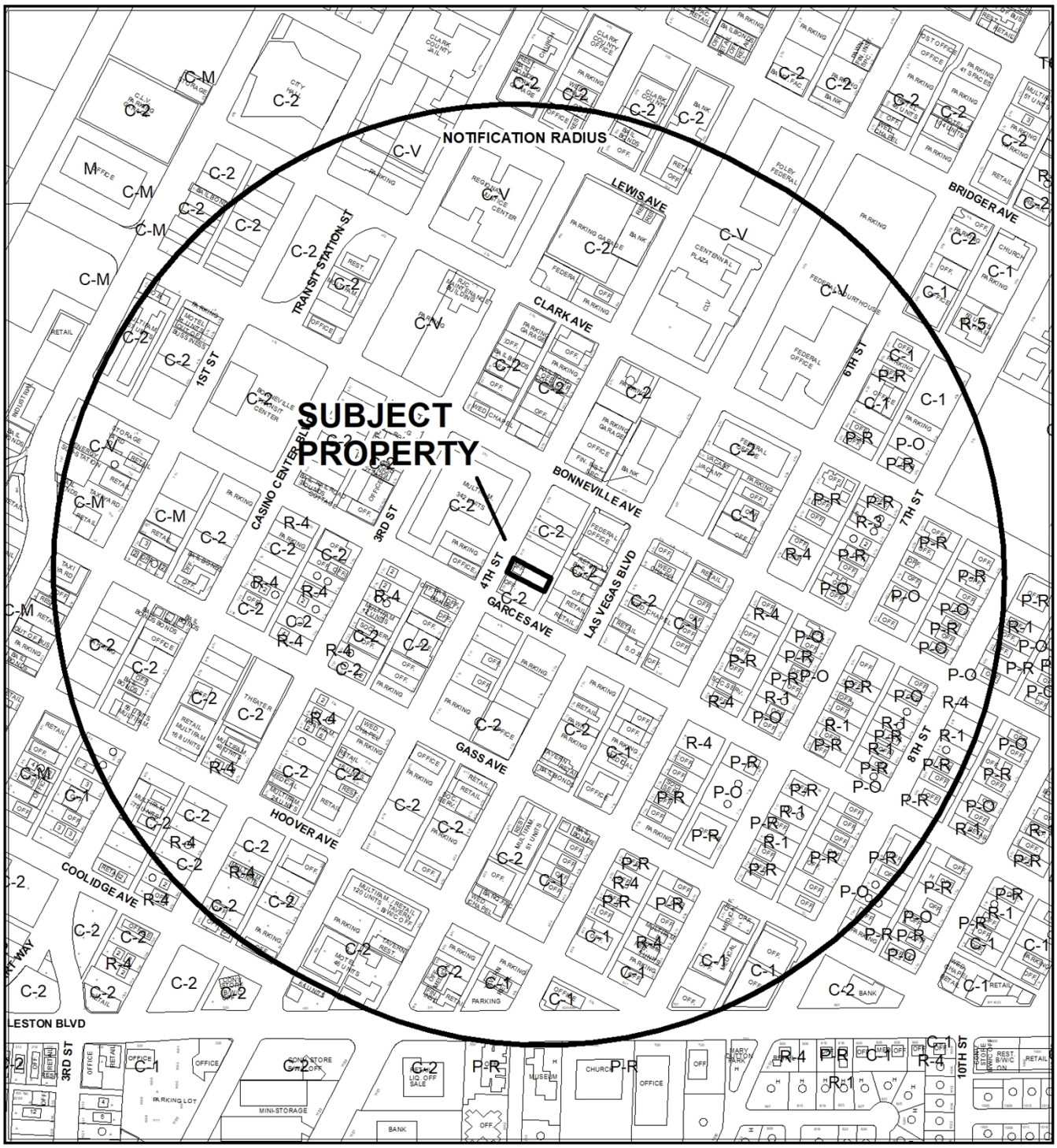
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-78135 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC - For possible action on a request for a Special Use Permit FOR A 1,235 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH 3,880 SQUARE FEET OF OUTDOOR SEATING AREA at 623 South 4th Street (APN 139-34-311-138), C-1 (Limited Commercial) Zone under resolution of intent to C-2 (General Commercial), Ward 3 (Diaz) [PRJ-78123]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 8 | Planning Commission Mtg. | 10 |
| City Council Meeting | 2 | City Council Meeting | 6 |

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Support Postcards
8. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Protest/Support Postcards
9. Backup Submitted for the February 11, 2020 Planning Commission Meeting




**CASE:** **SUP-78135 (PRJ-78123)**

**RADIUS:** 1500 FEET

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




**CASE:** **SUP-78135 (PRJ-78123)**

**RADIUS:** 1500 FEET

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




# SUP-78135 (PRJ-78123)

## Tavern-Limited Establishment

### Business Licenses

- Tavern
- Tavern-Limited
- Urban Lounge
- Ancillary Brew Pub

### Protected Uses

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

### Entitlements

- Subject Property
- 1500 foot buffer
- Entertainment District

N

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

Date: Monday, January 6, 2020

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-78135** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 32

**NOTICES MAILED** 1,148 (By City Clerk)

**PROTESTS** 8

**APPROVALS** 10



JB

**** CONDITIONS ****

# SUP-78135 CONDITIONS

***Planning***

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

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

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

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

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

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

***Public Works***

7. Remove the unused driveway on 4th Street and replace with curb, gutter, and sidewalk meeting Downtown Master Plan requirements.

8. Parking spaces off the alley are to be a minimum 22 feet in depth to accommodate backing out into a 20-foot alley.

9. An eight-foot minimum clear pedestrian path in accordance with Title 19 appendix F.D.2.a.i is required to be maintained in conjunction with the outdoor dining activities.

10. Submit a License Agreement for outdoor dining in the 4th Street public right-of-way, if any, prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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 License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant has proposed to rehabilitate a vacant building located within the Downtown Redevelopment Area and the Downtown Las Vegas Overlay – Civic & Business District at 623 South 4th Street into a 1,235 square-foot Tavern-Limited Establishment with 3,880 square-feet of outdoor seating area.

## ISSUES

- The Tavern-Limited Establishment use is permitted in the C-1 (Limited Commercial) and the C-2 (General Commercial) zoning districts with the approval of a Special Use Permit.
- The subject site zoned C-1 (Limited Commercial) is under a Resolution of Intent to C-2 (General Commercial).

## ANALYSIS

The subject site is currently zoned C-1 (Limited Commercial) under a Resolution of Intent (ROI) to the C-2 (General Commercial) zoning district. The Tavern-Limited Establishment use is permitted with an approved Special Use Permit in both the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts. Once the proposed use is established, the Resolution of Intent will be executed at an appropriate time in the future by ordinance.

On March 8th, 2016 the Planning Commission approved a request for a Special Use Permit (SUP-63046) for a 1,235 square-foot Tavern-Limited Establishment use with 3,080 square feet of outdoor seating area at the subject site. Since the entitlement expired on March 9th, 2018, the applicant has requested re-entitlement of the project.

A Tavern-Limited Establishment is described in Title 19.12 as: “An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.” There are no Minimum Special Use Permit Requirements for this use. This use is permitted in the C-1 (Limited Commercial) zoning district with an approved Special Use Permit. There are no Minimum Special Use Permit Requirements for this use.

The applicant has proposed to renovate the existing building located at 623 South 4th Street located within the Downtown Las Vegas Overlay – Civic & Business district into a Tavern-Limited Establishment. The renovations include façade improvements in order to covert the former office building into a Mexican themed establishment, with patio space in both the rear and front of the existing building and outdoor yard area located in the rear of the building. Pursuant to the Downtown Las Vegas Overlay – Threshold Matrix the proposed site improvements can be approved via building permit approval, as the improvements will not result in a net floor area expansion of 10% or 5,000 square feet. The applicant has proposed a 1,480 square-foot front patio area and a 2,400 square-foot rear outdoor yard area in addition to the existing 1,235 square-foot building for a total of 5,115 square feet. Music, themed drinks and staff attire will enhance the proposed Mexican theme.

Staff finds the proposed Tavern-Limited Establishment to be in accordance with the goals and objectives of the Downtown Redevelopment Plan by rehabilitating a vacant, blighted building within the Downtown Las Vegas Overlay – Civic & Business District. Furthermore, staff finds the proposed use can be conducted in a harmonious and compatible manner with the existing uses in the surrounding area is recommends approval of this application.

**FINDINGS (SUP-78135)**

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

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

   The subject site, as well as the surrounding properties, have a General Plan designation of C (Commercial). The existing surrounding land uses consist of a Mixed-Use development, general retail establishments, a Bailbond Service, and offices. The proposed Tavern-Limited Establishment can be conducted in a manner that is harmonious and compatible with the existing surrounding uses.

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

   The subject site can physically accommodate the proposed Tavern-Limited Establishment use and is in close proximity of other commercial uses in the area.

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

   The subject site is located on 4th Street, an 80-foot Major Collector Street as defined by the Master Plan of Streets and Highways, which is adequate in size to meet the requirements of the proposed Tavern-Limited Establishment use.

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

   The proposed Tavern-Limited Establishment will be subject to regular inspections during rehabilitation of the building itself by the Department of Building and Safety, and regular inspections by the Department of Planning – Business Licensing Division once a business license is issued protecting the public health, safety, and welfare. The objectives of the General Plan will be met by the conversion of the subject site into a commercial use.

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

   The proposed Tavern-Limited Establishment use has met the requirements set forth by both Title 19.12 and Title 6.50.250.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 12/16/64 | The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east and Charleston Boulevard on the south. Planning Commission and staff recommended approval. |
| 04/26/13 | A Code Enforcement case (#128041) was processed for vagrants and dead vegetation at 623 South 4th Street. The case was resolved on 05/17/13. |
| 03/08/16 | The Planning Commission approved a request for a Special Use Permit (SUP-63046) for a 1,235 square-foot Tavern-Limited Establishment use with 3,080 square feet of outdoor seating area at 623 South 4th Street. Staff recommend approval of the request. The Special Use Permit expired on 03/09/18. |



JB

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Special Use Permit (SUP-78135) FOR A 1,235 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH 3,880 SQUARE FEET OF OUTDOOR SEATING AREA at 623 South 4th Street (APN 139-34-311-138), C-1 (Limited Commercial) Zone under resolution of intent to C-2 (General Commercial), Ward 3 (Diaz) [PRJ-78123]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/25/15 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| Pre - 1991 | A business license (Q01-00008) was issued for a Real Estate Business at 623 South 4th Street. The license went inactive on 09/12/14. |
| 04/06/92 | A building permit (#92141391) was issued for a new roof at 623 South 4th Street. The permit went inactive on 11/18/92. |
| 03/15/95 | A building permit (#95370287) was issued for a service change at 623 South 4th Street. The permit received its final inspection on 03/28/95. |
| 06/05/98 | A building permit (#98011880) was issued for plumbing repairs at 623 South 4th Street. The permit expired on 12/12/98. |
| 09/20/10 | A building permit (#172456) was issued to cap off the water supply to a vacant building at 623 South 4th Street. The permit is still open. |
| 10/02/13 | A demolition permit (#246008) was issued for 623 South 4th Street. The permit received its final inspection on 09/09/14. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/19/19 | Staff conducted a pre-application meeting where the submittal requirements for a Special Use Permit were discussed. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | Staff performed a routine field check where staff observed a vacant building with chain link fencing enclosing the rear portion of the lot. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.16 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant | C (Commercial) | C-1 (Limited Commercial) Under Resolution of Intent to C-2 (General Commercial) |
| North | Vacant | C (Commercial) | C-2 (General Commercial) |
| South | Office, Other Than Listed | C (Commercial) | C-2 (General Commercial) |
| East | Office, Other Than Listed<br>General Retail, Other Than Listed<br>Bailbond Service | C (Commercial) | C-2 (General Commercial) |
| West | Mixed-Use | C (Commercial) | C-2 (General Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| DTLV-O (Downtown Las Vegas Overlay) Civic & Business District- Area 1 | Y |
| LW-O (Live/Work Overlay) District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | Y |
| Interlocal Agreement | 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* |
|---|---|---|---|---|
| 4th Street | Major Collector | Master Plan of Streets and Highways | 80 | Y |

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Tavern-Limited Establishment | 5,115 SF | 1:50 SF public seating and waiting (514 + 3,880 SF); 1:200 SF of remaining gross floor area (721 SF). | 92 | | | | |
| **TOTAL SPACES REQUIRED** | | | 92 | | 2 | | Y* |
| **Regular and Handicap Spaces Required** | | | 88 | 4 | 1 | 1 | Y* |

*Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

***Las Vegas Valley Water District (LVVWD):***

| ***Comments: 139-34-311-138*** |
|---|
| This parcel is currently served by LVVWD for domestic use. The customer should be advised, any development will require to bring the services into compliance with state regulations. In addition, civil improvement plans must be submitted to verify adequate domestic and fire service. |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use Permit

**Project Address** (Location) 623 South 4th Street

**Project Name** Downtown Sanchez **Proposed Use** Tavern-Limited

**Assessor's Parcel #(s)** 139-34-311-138 **Ward #** 3 - Diaz

**General Plan:** Existing C Proposed N/C **Zoning:** Existing C-1 Proposed ROI C-2

**Additional Information** Previously approved SUP-63046

**Property Owner** Downtown Sanchez, LLC **Contact** Darren Petersen

Address 5052 S Jones Blvd, Suite 110 City Las Vegas State NV Zip 89118

E-mail dpetersen@visiconlv.com Phone 702.734.9393

**Applicant** Downtown Sanchez, LLC **Contact** Darren Petersen

Address 5052 S Jones Blvd, Suite 110 City Las Vegas State NV Zip 89118

E-mail dpetersen@visiconlv.com Phone 702.734.9393

**Representative** IZ design studio **Contact** Zach Broyles

Address 7229 W Sahara Avenue, Suite 120 City Las Vegas State NV Zip 89117

E-mail zach@izdesignstudio.com Phone 702.441.0026

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** _____

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

**Print Name** DARREN C. PETERSEN

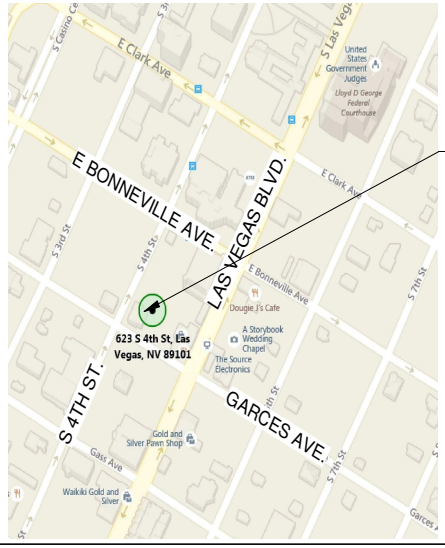
Subscribed and sworn before me

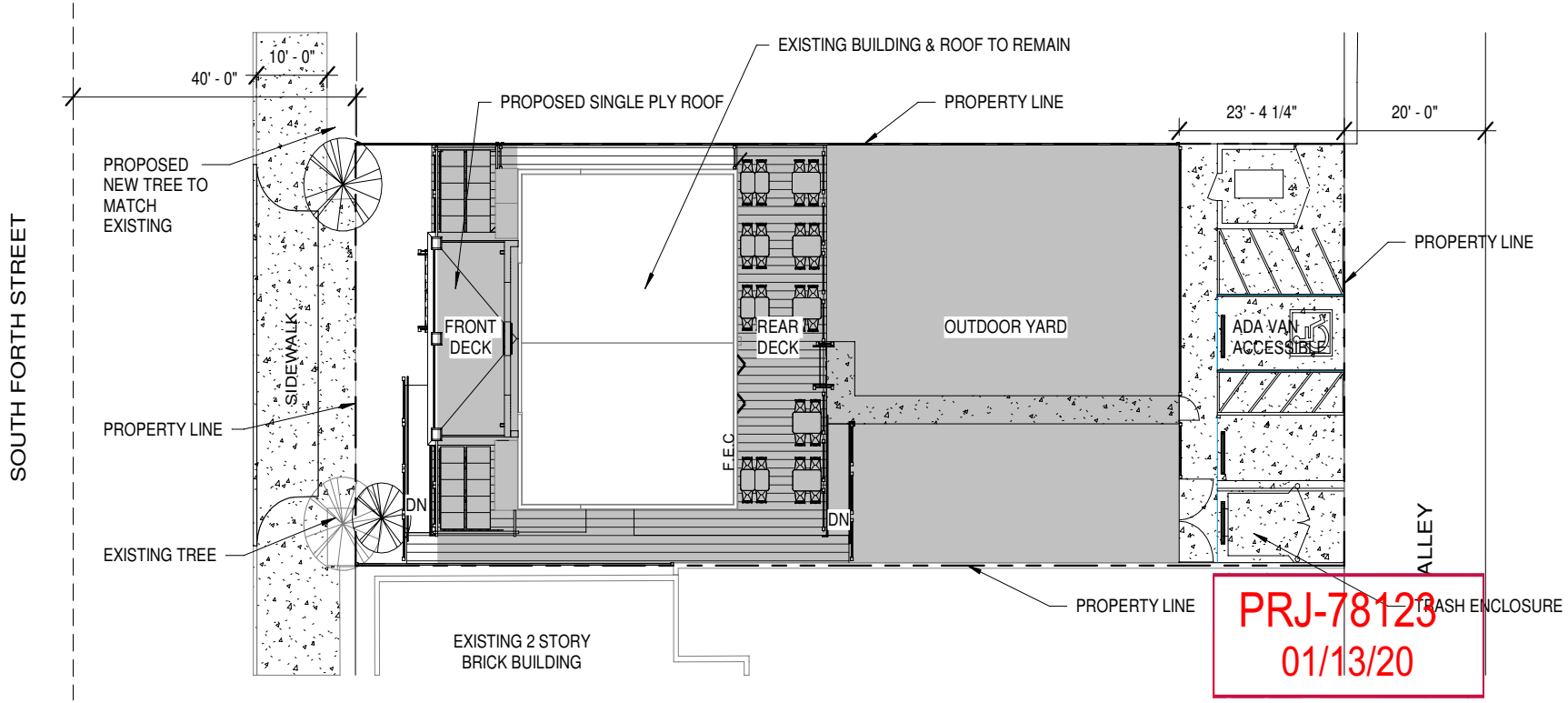
This 20 day of December, 20 19

Notary Public in and for said County and State

Kelly Miller
Notary Public
State of Nevada
My Commission Expires: 06-26-22
Certificate No: 14-14403-1

PRJ-78123
12/23/19

| SITE INFORMATION | VICINITY MAP | PARKING ANALYSIS | EGRESS ANALYSIS |
|---|---|---|---|
| APN: 139-34-311-138<br><br>ADDRESS: 623 SOUTH 4TH STREET LAS VEGAS, NV 89101<br><br>PROPERTY SIZE: 0.16 ACRE<br><br>EXISTING BUILDING: 1,235 SF<br><br>PROPOSED DECK AREAS: 1,480 SF<br><br>PROPOSED REAR YARD: 2,400 SF |  | SEATING AREA: 1,893 / 50 SF = 38 SPACES<br>REMAINING GROSS FLOOR AREA: 500 / 200 = 3 SPACES<br><br>TOTAL SPACES = 38 + 3 = 41<br><br>PROJECT LOCATED AT LAS VEGAS DOWNTOWN CENTENNIAL PLAN AREA. NO PARKING IS REQUIRED.<br><br>PROVIDED PARKING:<br><br>1 ADA PARKING<br>2 STANDARD PARKINGS | OCCUPANCY CALCULATION:<br><br>FRONT PATIO: 600 SF/15 = 40 PERSONS<br>BAR : 685 SF / 15 + 2 SVC= 47 PERSONS<br>BACK PATIO: 608 SF /15 = 41 PERSONS<br>TOTAL: 128 PERSONS<br><br>TWO EXITS PROVIDED FOR BUILDING |




PRJ-78123
01/13/20

SP

SITE PLAN & INFORMATION

**DOWNTOWN SANCHEZ**

VISICON GROUP

Scale 1/16" = 1'-0"  Date 12.20.2019

Orientation



IZ design studio
design...sustainability...architecture.
1701 W Charleston Blvd, Suite 230, Las Vegas, NV 89102 PH.702.441.0026 FX.702.475.4755 www.IZdesignstudio.com

1/11/2020 9:29:55 AM

12/20/2019 1:27:24 PM




PRJ-78123
01/13/20

EV

FRONT ELEVATION

**DOWNTOWN SANCHEZ**

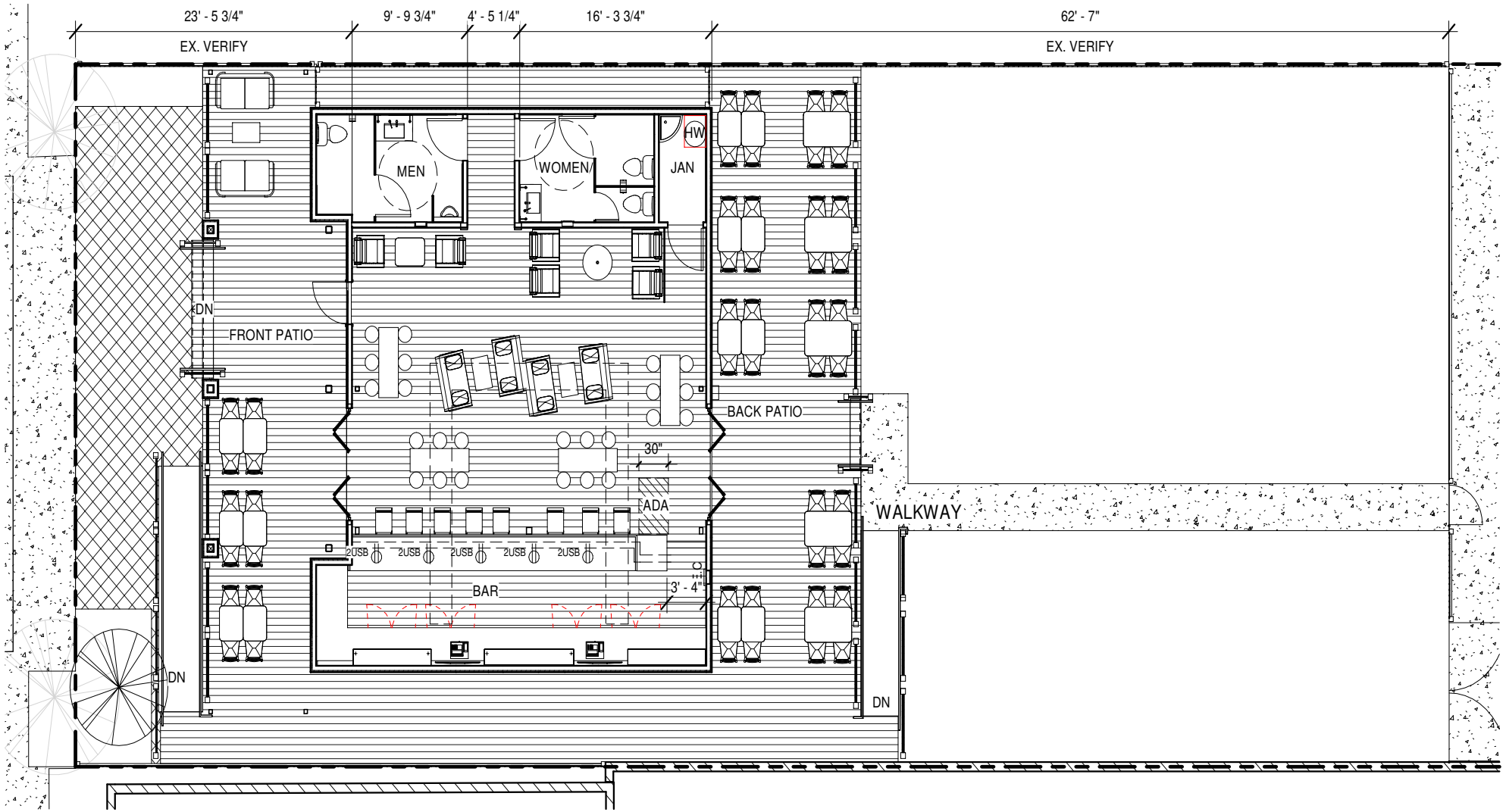
VISICON GROUP

Scale 1/4" = 1'-0"  Date 12.20.2019



IZ design studio
design...sustainability...architecture.
1701 W Charleston Blvd, Suite 230, Las Vegas, NV 89102 PH.702.441.0026 FX.702.475.4755 www.IZdesignstudio.com

12/20/2019 1:35:12 PM




PRJ-78123
01/13/20

FP

FLOOR PLAN

**DOWNTOWN SANCHEZ**

VISICON GROUP

Scale 1/8" = 1'-0"

Date 12.20.2019

Orientation



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design...sustainability...architecture.
1701 W Charleston Blvd, Suite 230, Las Vegas, NV 89102 PH.702.441.0026 FX.702.475.4755 www.IZdesignstudio.com




**SUP-78135 [PRJ-78123] - SPECIAL USE PERMIT - APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC**
**623 SOUTH 4TH STREET**

01/02/2020

IZ design studio
design...sustainability...architecture.

December 20, 2019

**Re: PRJ-78123 – Downtown Sanchez – Tavern Limited SUP**
**623 S 4th Street**

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

Dear Mr. Boyles,

I am submitting for a special use permit per our original site development review meeting for the renovation and remodel of an existing building located at 623 S 4th Street in downtown Las Vegas to create a Tavern Limited Establishment. We have no changes in the plans that we submitted and reviewed in our pre-application conference. Once again, we truly appreciate your dedication to the process and all of your help and constructive suggestions up to this point.

In order to meet the Tavern-Limited requirements, we propose designing an authentic Mexican themed establishment, the sort of a bar you would walk into on any street in Tijuana. We're going to offer our patrons an authentic and well-designed atmosphere that will work with the existing architecture of the building and build upon its charm with the addition of the exterior patios and the façade improvements. We will further enhance this theme by providing great music (not live unless at a special event), great drinks, and themed staff attire.

As per our previously approved design, the plan for the site is to create a tavern that does not have a kitchen on-site to serve food. We are still open to the potential to host food trucks for special events but this is not a critical aspect of the business model. We feel that the concept that we have developed will clean up the building and site. In addition, the type of project will work in conjunction with existing developments in the Juhl across the street and bring new life to the block.

We would like to execute the ROI and have the property administratively rezoned to C-2 as discussed.

We are excited about the opportunity to improve the downtown area and are enjoying the partnership atmosphere you and your colleagues at the City are creating.

If you need any additional information or should have any questions regarding this submittal, please do not hesitate to contact me directly on my cell phone, (702) 327-1754.

Thank you for your consideration,

Sincerely,

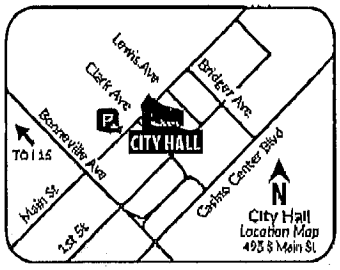
Zach Broyles
Principal, IZ design studio

7229 West Sahara Avenue – Suite 120 – Las Vegas, Nevada 89117
Phone: 702.441.0026 Fax: 702.475.4755 www.izdesignstudio.com

PRJ-78123
12/23/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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

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PRJ-78123
13934810061
ZIRZOW BUILDING L L C
850 E BONNEVILLE AVE
LAS VEGAS NV 89101-70[illegible]

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**



Mar. 6. 2020 3:54PM Larson Zirzow Kaplan No. 2585 P. 1

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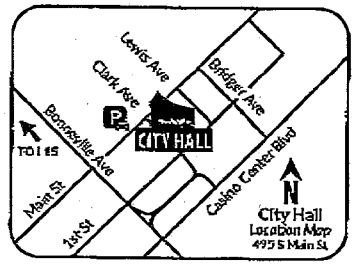


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☑ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**

City Council Meeting of **03/18/2020**

PRJ-78123
13934303002
L V LAND COMPANY L L C
1215 S FORT APACHE RD # 120
LAS VEGAS NV 89117

143 ARDFNP1 89117

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2020 MAR -9 A 6:13

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Las Vegas, Nevada 89101

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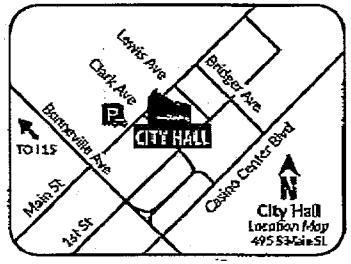
**Official Notice of Public Hearing**

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934303004
L V LAND COMPANY II L L C
1215 S FORT APACHE RD # 120
LAS VEGAS NV 89117

143 ARDFNF1 89117

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

*Department of Planning*
*333 North Rancho Drive, 3rd Floor*
*Las Vegas, Nevada 89106*
*(702) 229-6301 Phone (702) 464-7499 Fax*

**CASE:** SUP-78135 [PRJ-78123] – SPECIAL USE PERMIT – PUBLIC HEARING

**SUBJECT:** APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***MARCH 18, 2020 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Carman Burney*** at ***(702)464-7499*** or e-mail to ***cburney@lasvegasnevada.gov***. If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM *TUESDAY, MARCH 17, 2020.*

Signature — 03/12/2020 Date

DARREN A. PETERSEN
Please Print Name

DOWNTOWN SANCHEZ, LLC
Company Name

Sincerely,

Robert Summerfield, AICP
Planning Director
Department of Planning

Submitted after final agenda

**AGENDA ITEM #46**
**RECEIVED 03.12.20**

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Office of The City Clerk
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Las Vegas, Nevada 89101

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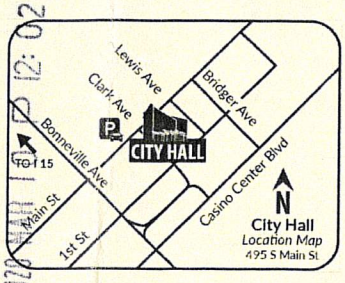


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934410203
DOCTOR L L C
ISTRA IRREVOCABLE TRUST
601 E CHARLESTON BLVD
LAS VEGAS NV 89104-1508

93 ARDFNP1 89104



Submitted after final agenda
46

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Las Vegas, Nevada 89101

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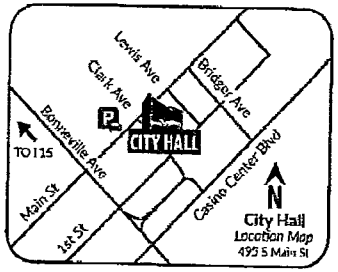


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**

City Council Meeting of **03/18/2020**

PRJ-78123
13934410126
COLLURA JOSEPH WILLIAM
COLLURA MARY
3220 BRYANT AVE
LAS VEGAS NV 89102-2055

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Las Vegas, NV
Permit No. 1630

89 ARDFNP1 89102



p.1
Mar 10 20,05:13p

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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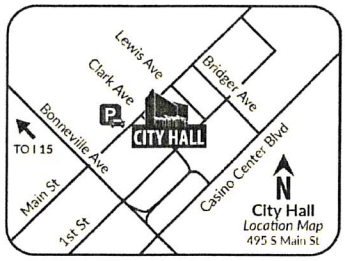


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934810019
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

46 ARDFNP1 91605

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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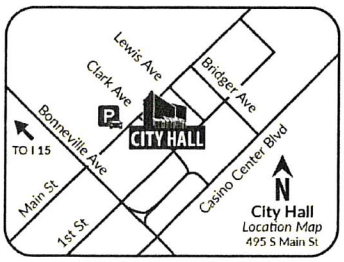
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934710041
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

Submitted after final agenda

46



46 ARDFNP1 91605

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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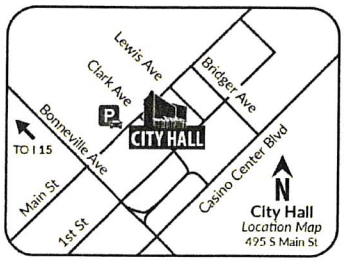


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934710045
SAKEN JOEL PROPERTIES L L C
C/O J SAKEN MGT
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

46 ARDFNP1 91605

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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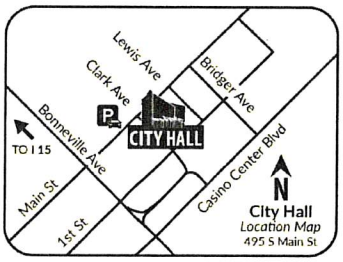


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934410070
TRINAYSTICH CATHERINE
FITZGERALD WILLIAM
693 TYNEDALE CT
LAS VEGAS NV 89123



95 ARDFNP1 89123

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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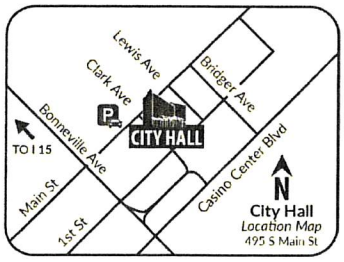


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934710046
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

46 ARDFMP1 91605

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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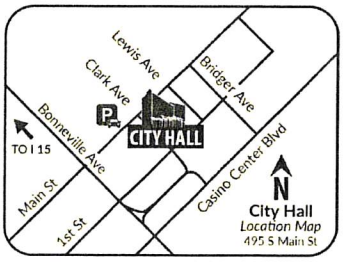
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
City Council Meeting of **03/18/2020**

PRJ-78123
13934810044
SAKEN JOEL PROPERTIES L L C
C/O J SAKEN MGT
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605



46 ARDFMP1 91605

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

RECEIVED
FEB 11 2020
Dept of Planning
City of Las Vegas

**CASE:** SUP-78135 [PRJ-78123] - SPECIAL USE PERMIT

**SUBJECT:** APPLICANT/OWNER: DOWNTOWN SANCHEZ, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***FEBRUARY 11, 2020*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to nlares@lasvegasnevada.gov. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM *MONDAY, FEBRUARY 10, 2020.*

Signature — Date: 02/11/2020

DARREN C. PETERSEN
Please Print Name

DOWNTOWN SANCHEZ, LLC
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda



Item #14

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

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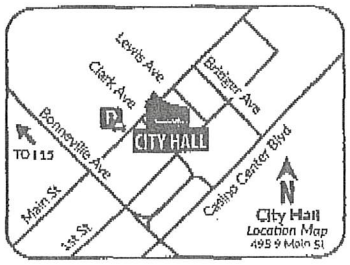


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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**

Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934310025
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

87 LRDFNP1 89101

14P

City of Las Vegas
Department of Planning
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Las Vegas, Nevada 89106

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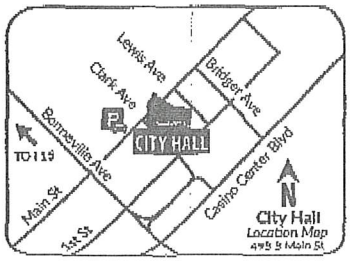


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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934310027
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

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City of Las Vegas
Department of Planning
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Las Vegas, Nevada 89106

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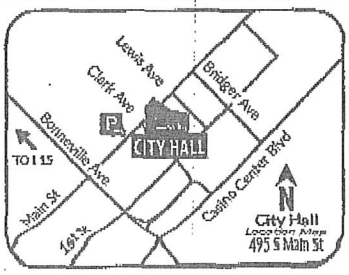


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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**

Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934310024
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

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Department of Planning
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Las Vegas, Nevada 89106

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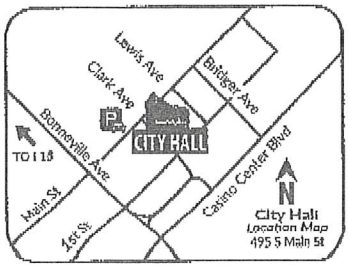


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Planning Commission Meeting of **2/11/2020**

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PRJ-78123
13934310026
ROE DAVID G & MARY E FAMILY TRUS
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LAS VEGAS NV 89101

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Las Vegas, Nevada 89106

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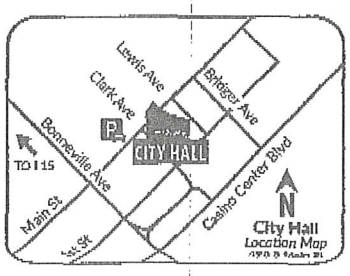


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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934310023
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

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

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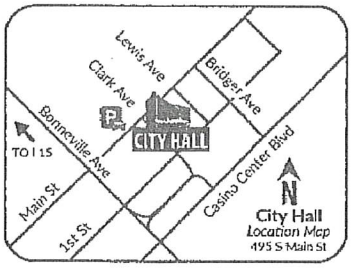


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934310022
721 SOUTH FIRST STREET L L C
4560 VICKI AVE
LAS VEGAS NV 89139-8156

113 LRDFNP1 89139

14A

PAGE 01/02
HENDERSON STEEL
7025660957
01/31/2020 13:08

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

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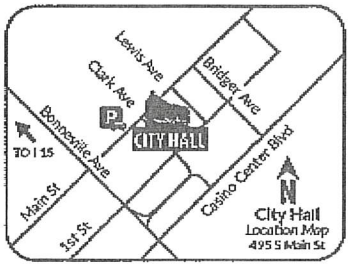


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934303002
L V LAND COMPANY L L C
1215 S FORT APACHE RD # 120
LAS VEGAS NV 89117

14A

PAGE 02/02
HENDERSON STEEL
7025660957
01/31/2020 13:08

City of Las Vegas
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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934303004
L V LAND COMPANY II L L C
1215 S FORT APACHE RD # 120
LAS VEGAS NV 89117

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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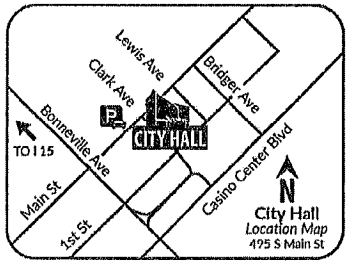


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934312061
BENELLI RONALD J & PRISCILLA R
353 E BONNEVILLE AVE # 307
LAS VEGAS NV 89101

87 LRDFNP1 89101

Submitted after final agenda

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City of Las Vegas
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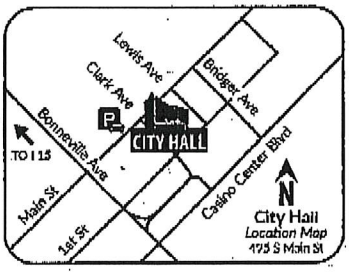


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**SUP-78135 [PRJ-78123]**

Planning Commission Meeting of **2/11/2020**

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PRJ-78123
13934411059
WALLACE 2014 TRUST
WALLACE DAVID M & NADIA M TRS
1414 E LAKE MEAD BLVD # 365130
NORTH LAS VEGAS NV 89036

ST LRDFMP1 89036

Submitted after final agenda 14P

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

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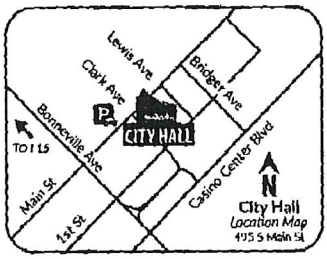


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934410126
COLLURA JOSEPH WILLIAM
COLLURA MARY
3220 BRYANT AVE
LAS VEGAS NV 89102-2055

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89 LRDFNP1 89102

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Las Vegas, Nevada 89106

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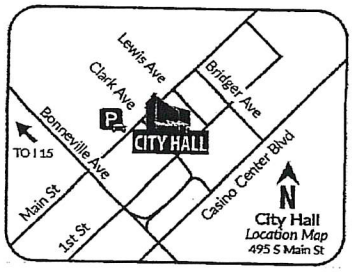


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**SUP-78135 [PRJ-78123]**

Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934410070
TRINAYSTICH CATHERINE
FITZGERALD WILLIAM
693 TYNEDALE CT
LAS VEGAS NV 89123

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Las Vegas, Nevada 89106

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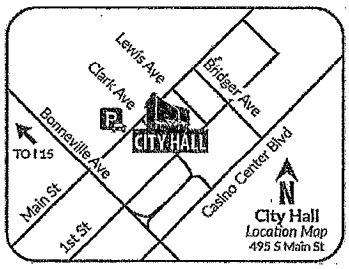


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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934810019
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

45 LADFNP1 91605

Submitted after final agenda 14A

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

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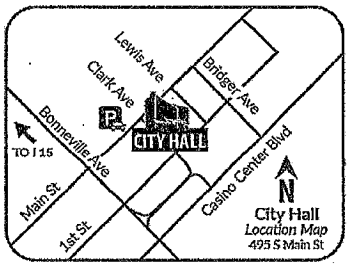


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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934710046
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

46 LRDFNP1 91605

Submitted after final agenda

14A

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

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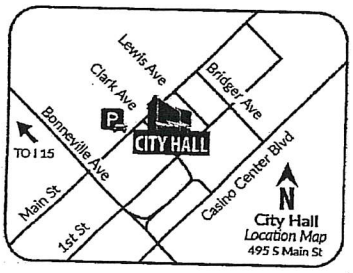


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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934412156
FROEHLS MICHAEL
200 HOVER AVE # 2013
LAS VEGAS NV 89101

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Las Vegas, Nevada 89106

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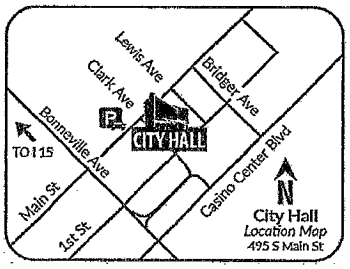


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**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934710045
SAKEN JOEL PROPERTIES L L C
C/O J SAKEN MGT
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

Submitted after final agenda

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Department of Planning
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Las Vegas, Nevada 89106

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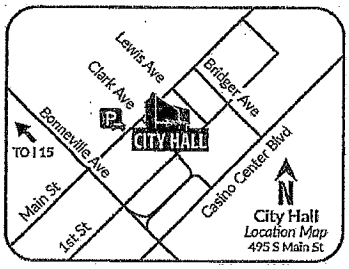


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Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934710041
JOEL SAKEN PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

45 LRDFMP1 91605

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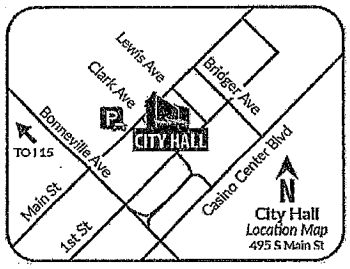
**Return Service Requested**
**Official Notice of Public Hearing**




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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78135 [PRJ-78123]**
Planning Commission Meeting of **2/11/2020**

PRJ-78123
13934810044
SAKEN JOEL PROPERTIES L L C
C/O J SAKEN MGT
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

46 LRDFNP1 91505

Submitted after final agenda 14A

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**47**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
DIR-78185 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL - For possible action on a request for AN AMENDMENT TO SECTION 7.06 OF THE FIFTH AMENDMENT AND RESTATEMENT OF THE SKYE CANYON DEVELOPMENT AGREEMENT on approximately 1,032 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive (APNs Multiple), Ward 6 (Fiore) [PRJ-78186]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

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

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

**BACKUP DOCUMENTATION:**
1. Staff Report
2. Supporting Documentation
3. Submitted after Final Agenda - Executed Condition Confirmation Documentation

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **DIR-78185** | Staff recommends APPROVAL. | |

## ** NOTIFICATION **

**NOTICES MAILED** Newspaper Notification Only

**PROTESTS** 0

**APPROVALS** 0



PL

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The request is for an amendment to Section 7.06(vi) of the Fifth Amendment and Restatement of the Development Agreement for Skye Canyon Master Planned Community.

## ISSUES

- The request is to delete Section 7.06(vi) in its entirety and replace it with new language outlining the deadline in which the Master Developer is have completed the construction of the interim improvements of the Sheep Mountain Parkway from Grand Teton Drive to Iron Mountain Road.
- This amendment modifies language in Section 7.06(vi) only.

## ANALYSIS

During the design and construction of the Sheep Mountain Parkway from Grand Teton Drive to Iron Mountain Road, coordination efforts between the Master Developer and the Las Vegas Valley Water District (LVVWD) resulted in the understanding that future water lines will need to cross the proposed roadway improvements. Such water line improvements include the installation of a 36” water line, as well as smaller water lines. The construction timing of the LVVWD improvements is proposed at a future date that exceeds that of the current deadline denoted with Section 7.06(vi) of the Development Agreement. This amendment seeks to extend the date in which all interim improvements of the Sheep Mountain Parkway from Grand Teton Drive to Iron Mountain Road are to be completed, so as to eliminate conflicts and reduce redundant roadway construction efforts. The language agreed to by the City and the Master Developer will replace Section 7.06(vi) in its entirety.

| ***Fifth Amendment and Restatement of the Skye Canyon Development Agreement*** | | | |
|---|---|---|---|
| ***Section*** | ***Existing Development Agreement Language*** | ***Proposed Language*** | ***Staff Recommendation*** |
| 7.06(vi) | The interim improvements of Sheep Mountain Parkway from Grand Teton Road to Iron Mountain Road shall be constructed all at once and completed by February 13, 2020. | The interim Improvements of Sheep Mountain Parkway from Grand Teton Drive to Iron Mountain Road shall be constructed all at once and completed by September 2021 or 3 months following Las Vegas Valley Water District's work with the Sheep Mountain right-of-way, whichever is sooner. This date may be delayed if both the Master Developer and the Director of Public Works mutually agree to a delay in writing. In no case shall the construction be delayed later than the City's interim roadway construction within the Sheep Mountain Parkway Corridor (Iron Mountain Road to Kyle Canyon Road). | Approval |

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 12/01/04 | The City Council approved a Resolution (R-176-2004) adopting guidelines for development within the Kyle Canyon Gateway area |
| 01/18/06 | The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the General Plan to change land use designations from PCD (Planned Community Development), SC (Service Commercial) and PF (Public Facilities) to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval. |
| 05/16/07 | The City Council approved a request to amend the Master Plan of Streets and Highways (MSH-21013) to select the Northern Alternative Freeway/Expressway Alignment for Sheep Mountain Parkway and to remove the Southern Alternative Freeway/Expressway Alignment from the Master Plan of Streets and Highways. The Planning Commission and staff recommended approval. |
| 05/16/07 | The City Council approved a Development Agreement (DIR-21605) between Kyle Acquisition Group, LLC and the city of Las Vegas on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road for the development of the Kyle Canyon Master Plan. The Planning Commission and staff recommended approval. In a related item, the City Council voted to approve a Parks Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas. Staff recommended approval. |
| 05/16/07 | The City Council approved a request for a Rezoning (ZON-20543) from U (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] and R-E (Residence Estates) to T-D (Traditional Development) on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road. The Kyle Canyon Development Standards and Design Guidelines were approved as part of this action. The Planning Commission and staff recommended approval. |
| 05/16/07 | The City Council adopted Ordinance No. 5910, thereby adopting the Development Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 06/20/07 | The Development Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas was recorded in the Office of the County Recorder. The approved Parks Agreement was recorded together with the Development Agreement. This is the Effective Date of the Development Agreement. |
| 08/08/07 | The City Council approved a Major Modification (MOD-22589) of the Kyle Canyon Development Standards and Design Guidelines to realign Iron Mountain Road between Hualapai and Grand Canyon Drive, and to add street cross sections. The Planning Commission and staff recommended approval |
| 08/15/07 | The City Council approved a parent Tentative Map (TMP-22586) for a 213- lot mixed use subdivision on the Community property. The Planning Commission and staff recommended approval. This map was expunged by TMP-25492. |
| 08/15/07 | The City Council approved a parent Tentative Map (TMP-22586) for a 213- lot mixed use subdivision on the Community property. The Planning Commission and staff recommended approval. This map was expunged by TMP-25492. |
| 09/05/07 | The City Council approved a Petition to Annex (ANX-21949) 15.56 acres generally located on the south side of Kyle Canyon Road, approximately 1,030 feet east of Shaumber Road; and a Petition to Annex (ANX-21950) 5.15 acres generally located on the south side of Kyle Canyon Road, east of Alpine Ridge Way. The Planning Commission and staff recommended approval. The effective date of the annexations was 09/14/07. |
| 09/19/07 | The City Council approved a request (GPA-20469) to amend the Centennial Hills Sector Plan of the General Plan to change land use designations from PCD (Planned Community Development) and SC (Service Commercial) to TND (Traditional Neighborhood Development) on 7.27 acres on the west side of Oso Blanca Road, approximately 2,190 feet south of Kyle Canyon Road. The City Council also approved a Rezoning (ZON-22351) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], C-1 (Limited Commercial) and C-2 (General Commercial) to TD (Traditional Development) on the same 7.27 acres. This action also updated the Kyle Canyon Development Standards and Design Guidelines. The Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 09/19/07 | The City Council approved a request (ZON-20475) to establish a Gaming Enterprise Overlay District on 51.38 acres at the southeast corner of Hualapai Way and Oso Blanca Road. The City Council also approved a Special Use Permit (SUP-20478) for a Non-Restricted Gaming use on this site. The Planning Commission and staff recommended approval. |
| 10/23/07 | Staff completed the first Final Map Technical Review for the Kyle Canyon Gateway Parent Final Map (FMP-24541) and conducted a workshop pursuant to Subsection 3.05(c)(ii) of the Development Agreement to discuss comments with the Master Developer. The Final Map was deemed not to be in substantial compliance with the approved parent Tentative Map (TMP- 22586). Staff and the Master Developer agreed to retain the Final Map and have the Master Developer submit a new Tentative Map that matched the Final Map. The Final Map would be subject to a subsequent review once the Tentative Map was approved. |
| 12/20/07 | The Planning Commission approved a parent Tentative Map (TMP-25492) for a 105-lot mixed-use subdivision on the 1,712-acre Community property. Staff recommended approval. |
| 01/31/08 | Planning and Development and Public Works Department staff conditionally approved a Final Map Technical Review for the Kyle Canyon Gateway Parent Final Map (FMP-24541). As of 07/06/09, Final Map mylars based on the current Tentative Map have not been submitted for staff review. |
| 02/06/08 | The City Council approved a request (MSH-25695) to amend the Master Plan of Streets and Highways to rename Horse Drive west of Grand Canyon Drive to Kyle Heights Parkway; to realign a portion of the Iron Mountain Road alignment between Horse Drive and the Northern Beltway; to reclassify various streets as identified by the special design designations adopted as part of the Kyle Canyon Development Standards and Design Guidelines; and to add or remove various roadway segments. The Planning Commission and staff recommended approval. The City Council also approved a Major Modification (MOD-25875) of the Kyle Canyon Development Standards and Design Guidelines to amend various street names and to clarify street cross section drawings within the Community. A subsequent Street Name Change application will be required prior to issuance of the first residential permit in the Community. The Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/06/08 | The City Council tabled a Petition to Vacate a BLM right-of-way grant generally located north of Grand Teton Drive, south of Moccasin Road, between Puli Road and Fort Apache Road (VAC-23811). The area to be vacated was the original alignment of Sheep Mountain Parkway. The Planning Commission and staff had recommended approval. The Petition cannot record until "Section 1 Land," "Providence Land," and "On-Property Land" are dedicated to the city for creation of the right-of-way for the northern alignment of Sheep Mountain Parkway, pursuant to Subsection 7.05(a)(v) of the Development Agreement. |
| 08/06/08 | The City Council approved a required review (DIR-28767) of a development report pursuant to Subsection 9.01 of the Kyle Canyon Development Agreement. Staff recommended approval. A condition of approval required a follow-up review on 10/01/08. |
| 09/23/08 | Wachovia Bank, National Association, acting as the managing creditor of 41 creditors, foreclosed on the Kyle Canyon property. A new entity called KAG Property, LLC was formed to assume ownership of the Kyle Canyon property. |
| 12/03/08 | The City Council approved a follow-up required review (DIR-29916) of a development report pursuant to Subsection 9.01 of the Kyle Canyon Development Agreement between the city of Las Vegas and Kyle Acquisition Group, LLC (abeyed from 10/01/08). Staff recommended approval. |
| 02/02/09 | Notice of Noncompliance and Opportunity to Cure was sent to KAG Property, LLC for failure to commence construction of Indian Hills Park prior to 09/13/08. |
| 08/05/09 | The City Council approved the required review (DIR-34955) of a development report pursuant to Subsection 9.01 of the Kyle Canyon Development Agreement. Staff recommended approval. |
| 09/02/09 | The City Council approved an Extension of Time (EOT-35315) of a previously approved Special Use Permit (SUP-20478) for a proposed Non-Restricted Gaming Facility at the southwest corner of Oso Blanca Road and Hualapai Way alignment. Staff recommended approval. |
| 10/02/09 | The Master Developer presented to the city a summary report from Hart Howerton Strategic Planning Consultants outlining a strategic plan and recommendations for development of the Kyle Canyon property. |
| 08/04/10 | The City Council approved a required review (DIR-38680) of a development report pursuant to Subsection 9.01 of the Kyle Canyon Development Agreement. Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 08/17/11 | The City Council approved a request or possible action on a request for required review (DIR-42369) of a development report as required by Subsection 9.01 of that certain Development Agreement between the city of Las Vegas and Kyle Acquisition Group, LLC dated August 8, 2007. Staff recommended approval. |
| 10/19/11 | The City Council approved an Extension of Time (EOT-43127) of a previously approved Special Use Permit (SUP-20478) for a proposed Non-Restricted Gaming Facility at the southwest corner of Oso Blanca Road and Hualapai Way alignment. Staff recommended approval. |
| 11/16/11 | The City Council approved a request to Amend the Master Plan of Streets and Highways (GPA-41958) to realign Sheep Mountain Parkway between Grand Teton Drive and Fort Apache Road and delete master planned roadways within the Kyle Canyon master plan area. Planning Commission and staff recommended approval. |
| 11/16/11 | The City Council approved a request for a Petition to Vacate (VAC-42250) portions of the Sheep Mountain Parkway right-of-way grant. Planning Commission and staff recommended approval. |
| 11/16/11 | The City Council approved a request regarding the amending of the Development Agreement (DIR-42266) for the Kyle Canyon Development on approximately 1,662 acres at the southwest corner of Fort Apache Road and Moccasin Road. Planning Commission and staff recommended approval. The Development Agreement (Doc. #201206260000001) was recorded on 06/26/12. |
| 04/08/14 | The Planning Commission approved a Tentative Map (TMP-53058) for a 45- lot subdivision (Parent Tentative Map) on 1,661.8 acres approximately 1,800 feet north of Horse Drive on the west side of Oso Blanca Road. Staff recommended approval. |
| 05/08/14 | City staff issued an action letter for a Final Map Technical Review (FMP-53700) for a proposed four-pod residential subdivision (Skye Canyon Phase 1 Parent Map) on 163.65 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive. |
| 06/10/14 | The Planning Commission approved a Petition to Vacate (VAC-53843) Bureau of Land Management Right-of-Way Grant Easement generally located north of the northern alignment of Grand Teton Drive between Hualapai Way and Grand Canyon Drive. Staff recommended approval. |
| 08/06/14 | The City Council approved a request or possible action on a request for required review (DIR-54776) of a development report as required by Subsection 9.01 of that certain Development Agreement between the city of Las Vegas and Kyle Acquisition Group, LLC dated August 8, 2007. Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 11/05/14 | The City Council approved an Extension of Time (EOT-55920) of an approved Special Use Permit (SUP-20478) for a proposed Non-Restricted Gaming Facility at the southwest corner of Oso Blanca Road and Hualapai Way alignment. Staff recommended approval. |
| 12/09/14 | The Planning Commission approve a Petition to Vacate (VAC-56656) a four-foot wide pedestrian access easement generally located approximately 1,461 feet east of the intersection of Hualapai Way and Eagle Canyon Avenue. Staff recommended approval. |
| 01/21/15 | The City Council approved a Variance (VAR-55892) to allow deviations from the Street Naming Guidelines and Street Naming Configuration sections of the City of Las Vegas Street Naming and Addressing Assignment Regulations, 2009 Edition on Horse Drive between the US 95 and Iron Mountain Road, Fort Apache Road between the US 95 and Moccasin Road, as well as on Hualapai Way from Grand Teton Drive to Moccasin Road, respectively. The Planning Commission and staff recommended approval. |
| 01/21/15 | The City Council approved a request a Street Name Change (SNC-55060) from Horse Drive tot: W Skye Canyon Park Drive (between the US 95 and Iron Mountain Road); from Fort Apache Road to N Skye Canyon Park Drive (between the US 95 and Moccasin Road); and from Hualapai Way to Skye Village Road (between Grand Teton Drive and Moccasin Road). The Planning Commission and staff recommended approval. |
| 03/18/15 | The City Council approved a General Plan Amendment (GPA- 56951) to amend the Public Facilities & Building Element of the Las Vegas 2020 Master Plan. This amendment eliminates the Nevada Energy Substation and associate corridor within the Kyle Canyon Master Planned Community |
| 04/15/15 | The City Council approved a Directors Business item (DIR-57816) for the 2nd amendment to the Kyle Canyon Development agreement. The Planning Commission and Staff recommended approval on 03/10/15. |
| 05/04/15 | Department of Planning staff approved an administrative site plan (SDR-58930) for a conceptual review of Skye Canyon parks 1.5, 1.6, and 2.13. |
| 05/12/15 | The Planning Commission approved a Parent Tentative Map (TMP-58560) for a proposed 66-lot mixed-use subdivision at the northeast corner of Grand Teton Drive and Puli Drive. Staff had recommended approval. |
| 07/15/15 | The City Council approved a Director's Business item (DIR-59826) regarding the adoption of a parks agreement accompanying the 2nd amendment to the Sky Canyon development agreement. Staff and the Planning Commission had recommend approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 09/08/15 | The Planning Commission approved a Special Use Permit (SUP-60399) to allow a Liquor Establishment (Tavern) within a community recreational facility at the southwest corner of West Skye Canyon Park Dr. and Skye Village Road. Staff had recommend approval. |
| 03/16/16 | The City Council approved a Major Modification (MOD-62679) to the Kyle Canyon Development Standards to amend the Blended Use Design Guidelines. Staff and the Planning Commission had recommended approval. |
| 07/20/16 | The City Council approved a General Plan Amendment (GPA-64013) for an amendment of the Master Plan of Streets and Highways, a Variance (VAR-63963) to allow natural flood control channels instead of concrete channels, and Director's Business item (DIR-63962) for the third restatement and amendment of the Sky Canyon Development Agreement. Staff and the Planning Commission recommended approval on 06/14/16. |
| 07/20/16 | The City Council approved a Director's Business item (DIR-65021) regarding the adoption of a parks agreement accompanying the 3rd amendment to the Sky Canyon development agreement. Staff recommended approval. |
| 3/21/18 | The City Council approved a Director's Business item (DIR-72522) for an amendment to Section 7.08 of the 3rd Amendment and Restatement of the Skye Canyon Development Agreement on approximately 1,664 acres at the southwest corner of North Skye Canyon Park Drive and Moccasin Road |
| 11/21/18 | The City Council approved a Director's Business item (DIR-74354) for the he adoption of a telecommunication facility map for the third amendment and restatement of the Skye Canyon Development Agreement on approximately 1,664 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive. |
| 11/21/18 | The City Council approved a Director's Business item (DIR-74292) for the 4th amendment and restatement of the Skye Canyon Development Agreement. |
| 11/21/18 | The City Council approved a Director's Business item (DIR-76293) for the adoption of the Parks Agreement included with the 4th amendment and restatement of the Skye Canyon Development Agreement. |
| 06/19/19 | The City Council approved a Director's Business item (DIR-76242) for the 5th amendment and restatement of the Skye Canyon Development Agreement. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 06/19/19 | The City Council approved a Director's Business item (DIR-76243) for the second amendment and restatement of the Parks Agreement as included within the fifth amendment and restatement of the Skye Canyon Development Agreement on approximately 1,030 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive |
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a Director's Business item (DIR-78185) AN AMENDMENT TO SECTION 7.06 OF THE FIFTH AMENDMENT AND RESTATEMENT OF THE SKYE CANYON DEVELOPMENT AGREEMENT on approximately 1,032 acres at the northwest corner of Grand Teton Drive and Grand Canyon Drive (APNs Multiple), Ward 6 (Fiore) [PRJ-78186]. |

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

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 1,032.72 |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Amendment to DA

**Project Address** (Location) Skye Canyon

**Project Name** First Amendment to the Fifth ARDA for Skye Canyon **Proposed Use** _____

**Assessor's Parcel #(s)** 126-12-499-002, 126-12-399-003, 126-12-299-001, 126-12-199-001 **Ward #** 6 - Fiore

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**Property Owner** KAG Development West, LLC Contact _____

Address 11411 Southern Highlands Parkway City Las Vegas State NY Zip 89141

E-mail _____ Phone _____

**Applicant** Ninety-Five Management , LLC Contact Chris Armstrong

Address 11411 Southern Highlands Parkway City Las Vegas State NV Zip 89141

E-mail carmstrong@olympiacompanies.com Phone 702-616-3800

**Representative** Kaempfer Crowell Contact Bob Gronauer

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail RJG@kcnvlaw.com Phone 702-792-7000

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** _____

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

**Print Name** Chris Armstrong

Subscribed and sworn before me

This 15th day of January, 20 20

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LISA MORRISON
Appt. No. 15-1908-1
My Appt. Expires May 18, 2023

PRJ-78186
01/16/20

**FIRST AMENDMENT TO FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY**

THIS FIRST AMENDMENT TO FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY ("Amendment") is made and entered into as of the last date reflected on the signature page hereto ("Effective Date"), by and between the City of Las Vegas, a municipal corporation of the State of Nevada (the "City"), and KAG Property, LLC, a Delaware limited liability company ("KAG" or "Master Developer", and together with the City, collectively herein the "Parties" and individually, a "Party").

RECITALS

WHEREAS, the City and KAG's predecessor entered into a development agreement, which became effective on August 8, 2007, as restated by that certain First Amendment and Restatement to the Development Agreement, dated February 1, 2012, as further restated by that certain Second Amendment and Restatement of the Development Agreement, effective as of July 15, 2015 and recorded as instrument number 20150723-0001557, as further restated by that certain Third Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community, adopted by ordinance on October 19, 2016 and recorded on November 17, 2016 as instrument number 20161117-0000713, as further restated by that certain Fourth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community, adopted by ordinance on January 16, 2019 and recorded on May 16, 2019 as instrument number 20190516-0000832, and as further restated by that certain Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community, adopted by ordinance on August 7, 2019 and recorded on August 29, 2019 as instrument number 20190829-0004542 (the "Agreement"), regarding the development of certain real property located in Clark County, Nevada, as more particularly described in the Agreement;

WHEREAS, pursuant to Section 11.11 of the Agreement, the Agreement may be amended in a writing signed by the appropriate officers of the City and Master Developer in a form suitable for recordation in the Official Records of Clark County, Nevada; and

WHEREAS, the Parties now deem it to be in their respective best interests to enter into this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which are hereby incorporated herein by this reference, the mutual covenants and conditions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

PRJ-78186
01/16/20

1. Interpretation. Except as expressly modified hereby, the terms and provisions of the Agreement shall remain in full force and effect. In the event of a conflict between the terms of the Agreement and the terms of this Amendment, this Amendment shall govern and control. All capitalized terms undefined herein shall have the meaning ascribed to them in the Agreement.

2. Flood Control. Section 7.06(vi) of the Agreement is hereby deleted in its entirety and replaced with the following:

> ***"(vi) The interim Improvements of Sheep Mountain Parkway from Grand Teton Drive to Iron Mountain Road shall be constructed all at once and completed by September 2021 or 3 months following Las Vegas Valley Water District's work with the Sheep Mountain right-of-way, whichever is sooner. This date may be delayed if both the Master Developer and the Director of Public Works mutual agreed to a delay in writing. In no case shall the construction be delayed later than the City's interim roadway construction within the Sheep Mountain Parkway Corridor (Iron Mountain Road to Kyle Canyon Road)."***

3. Miscellaneous. The Agreement as modified by this Amendment is the entire understanding with respect to the subject matter contemplated herein and therein. This Amendment shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns. The persons executing below on behalf of the Parties hereby represent and warrant that they have all requisite and necessary power and authority to execute and bind the Parties, respectively. Each Party shall be responsible for its own fees and costs in the negotiation and preparation of this Amendment. The prevailing party in any action shall be entitled to recover from the non-prevailing party reasonable attorneys' fees and costs. This Amendment may be executed in counterparts and distributed via facsimile or PDF/email. Time is of the essence.

[Signature and Acknowledgements Pages to Follow]

PRJ-78186
01/16/20

IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the Effective Date.

**City Council, City of Las Vegas**

By: _____
Mayor

Approved as to Form:

_____
Deputy City Attorney

Attest:

City Clerk

By: _____
LuAnn Holmes, City Clerk

**MASTER DEVELOPER**

KAG Property, LLC,
a Delaware limited liability company

By: Ninety Five Management, L.L.C., a Nevada limited liability company, as authorized Development Manager

By: _____
Name: _____
Title: _____

SUBSCRIBED AND SWORN TO before me
on this _____ day of _____, 2020.

_____
Notary Public in and for said County and State

PRJ-78186
01/16/20

NINETY FIVE MANAGEMENT, L.L.C.
a Nevada limited liability company

---

Written Consent of the Managers

The undersigned Managers of Ninety Five Management, L.L.C., a Nevada limited liability company ("Company"), hereby consent to and affirm the adoption of the following resolution and declare the same to be in full force and effect.

RESOLVED, the Company did enter into a certain Management Agreement, dated as of November 8, 2013, among KAG Property, LLC, Royal Elk Investments, LLC and acknowledged and agreed to by KA (as amended from time to time, the "Management Agreement") to provide certain services thereunder and otherwise act as "Manager" as defined therein. In connection with the Company's duties as required and contemplate under the Management Agreement to Company hereby authorizes, empowers and directs the following persons in the capacity so noted to effectuate and perform the Company's obligations and exercise its rights under the Management Agreement and undertakings contemplated thereby, to take all actions and to execute, deliver and, where appropriate, cause to be filed or recorded of record, any deeds, certifications, agreements, declarations, applications, bonds, permits, documents, consents and other instruments to fully discharge the Company's duties under the Management Agreement and undertakings contemplated thereby as necessary, desirable or appropriate for the purpose of, or in any way in connection with or relating to the Management Agreement and undertakings contemplated thereby, or the transactions contemplated therein, and also to take, on behalf of the Company, any and all other actions required or contemplated by the Management Agreement and undertakings contemplated thereby and as may be necessary or appropriate for purposes of carrying out the intent of these resolutions in each case, the taking of any such actions and the execution, delivery, filing and/or recordation of any such documents, consents or agreements being evidence of such determination:

Garry V. Goett, Manager
Guy Inzalaco, Manager
R. Brett Goett, Duly Authorized Signatory
Douglas Hensley, Duly Authorized Signatory
Marc Bolduc, Duly Authorized Signatory
Chris Armstrong, Duly Authorized Signatory

FURTHER RESOLVED, that any actions previously taken by the persons set forth above in connection with the Management Agreement and undertakings



PRJ-78186
01/16/20

contemplated thereby or the transactions contemplated thereby are hereby approved, ratified, and confirmed in all respects.

Effective the 31st day of October, 2013.

By: _____
Garry V. Goett, Manager

By: _____
Guy Inzalaco, Manager



PRJ-78186
01/16/20

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

*Department of Planning*
*333 North Rancho Drive, 3rd Floor*
*Las Vegas, Nevada 89106*
*(702) 229-6301 Phone (702) 464-7499 Fax*

**CASE:** DIR-78185 [PRJ-78186] – DIRECTOR'S BUSINESS

**SUBJECT:** APPLICANT: NINETY FIVE MANAGEMENT, LLC - OWNER: KAG PROPERTY, LLC, ET AL

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***MARCH 18, 2020 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Carman Burney*** at ***(702)464-7499*** or e-mail to ***cburney@lasvegasnevada.gov***. If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, MARCH 17, 2020.***

Signature

3.17.2020
Date

Chris Bronstony
Please Print Name

Ninety-Five Management, LLC
Company Name

Sincerely,

Robert Summerfield, AICP
Planning Director
Department of Planning

Submitted after final agenda
**AGENDA ITEM #47**
**RECEIVED 03.17.20**

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**48**

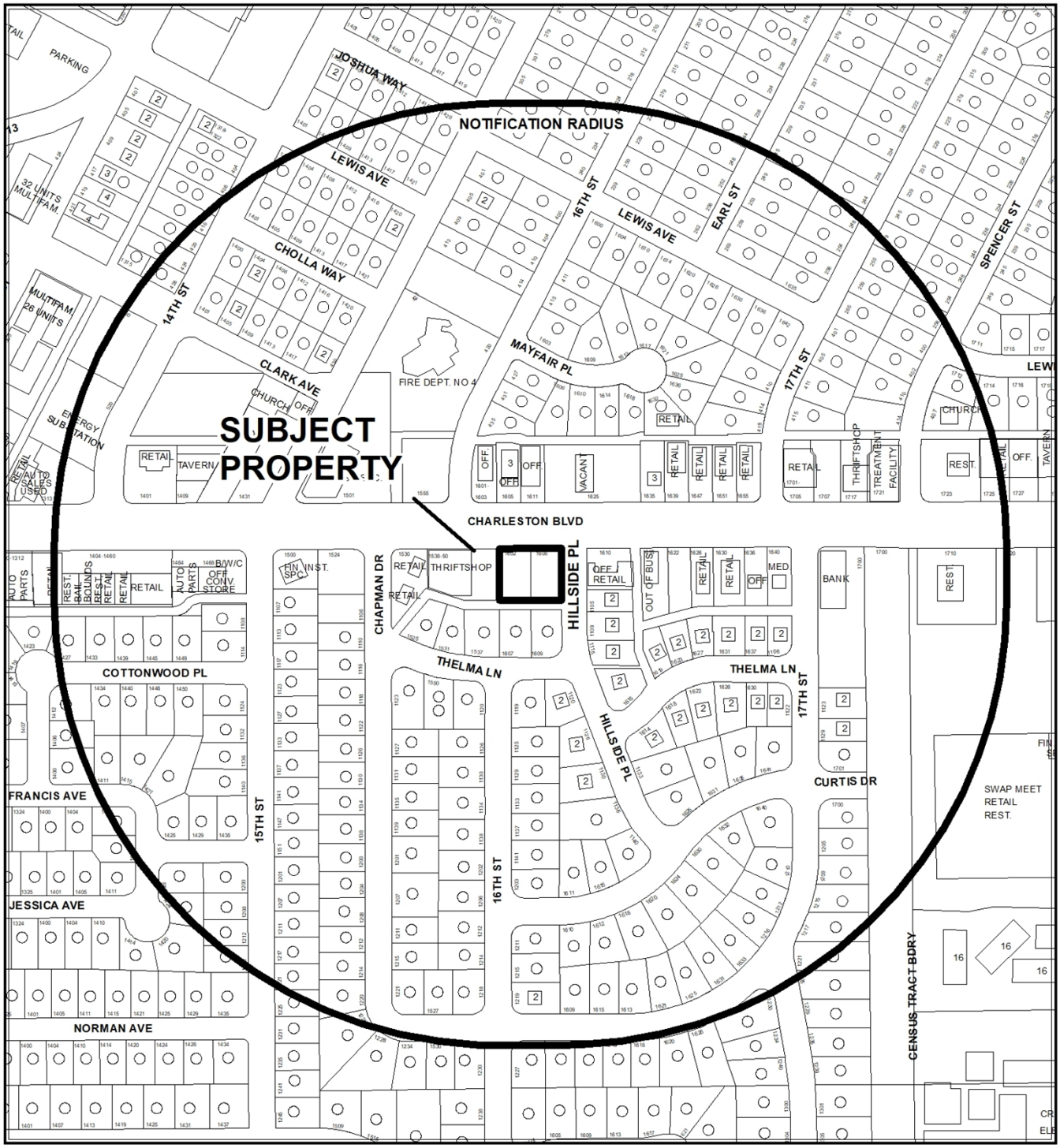
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-76939 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO ALLOW 23 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 2 |
| City Council Meeting | 3 | City Council Meeting | 2 |

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

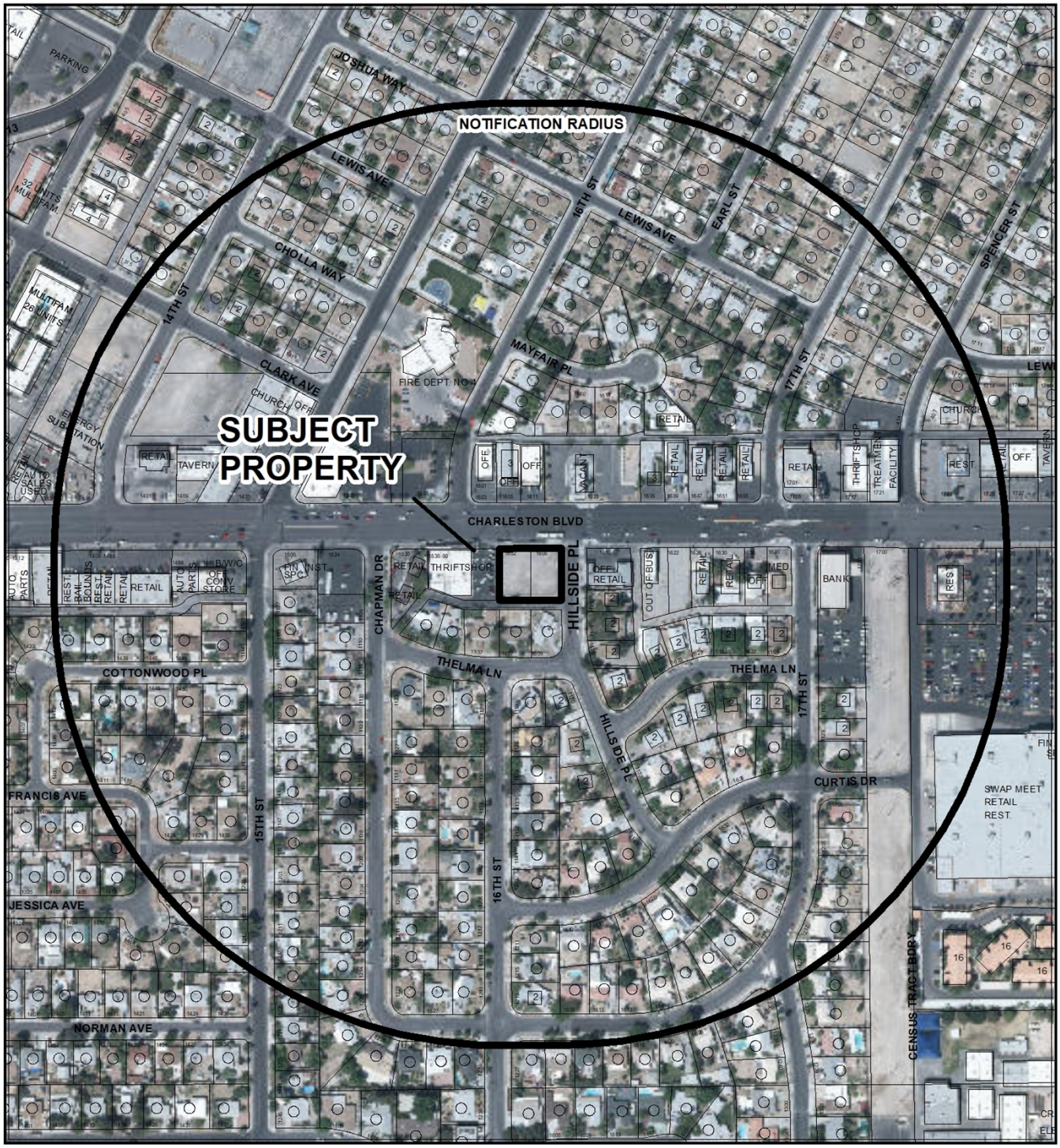
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
2. Conditions and Staff Report - VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
3. Supporting Documentation - VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
4. Photo(s) - VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
5. Justification Letter - VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
6. Backup Submitted for the February 19, 2020 City Council Meeting
7. Submitted after Final Agenda - Revised Site Plan for VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615]
8. Backup Submitted for the October 22, 2019 Planning Commission Meeting




**CASE:** **VAR-76939, VAR-76940, SDR-76941 (PRJ-75615)**

**RADIUS:** 1000 FEET

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




0 255 510 Feet

**CASE:** **VAR-76939, VAR-76940, SDR-76941 (PRJ-75615)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-76939** | Staff recommends DENIAL, if approved subject to conditions: | |
| **VAR-76940** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76939 |
| **SDR-76941** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76939<br>VAR-76940 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 39

**NOTICES MAILED**
322 - VAR-76939 and VAR-76940 (By City Clerk)
322 - SDR-76941 (By City Clerk)

**PROTESTS**
4 - VAR-76939 and VAR-76940
4 - SDR-76941

**APPROVALS**
4 - VAR-76939 and VAR-76940
4 - SDR-76941



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** CONDITIONS **

# VAR-76939 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76940) and Site Development Plan Review (SDR-76941) shall be required, if approved.

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

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

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

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

# VAR-76940 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76939) and Site Development Plan Review (SDR-76941) 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.



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

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

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

# SDR-76941 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76939) and Variance (VAR-76940) shall be required, if approved.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/27/19, except as amended by conditions herein.

4. A Waiver from Title 19.08 is hereby approved, to allow a five-foot wide landscape buffer where 15 is required adjacent to the east property line.

5. A Waiver from Title 19.08 is hereby approved, to allow a three-foot wide landscape buffer where eight is required adjacent to the west property line.

6. An Exception from Title 19.08 is hereby approved, to allow three trees where six are required within the west perimeter landscape buffer.

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. 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.

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.

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. 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.

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

***Public Works***

14. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Charleston Boulevard and Hillside Street adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

15. This site shall connect to the public sewer in Hillside Place.

16. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Flamingo – Boulder Highway – Charleston Storm Drain and Maryland Storm Drain project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

17. 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.

18. Submit a License Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. 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 landscaping and private improvements 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 structures 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.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits for the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This application is for a two-story, 5,031 square foot multi-tenant commercial building located at the southwest corner of Charleston Boulevard and Hillside Place.

## ISSUES

- **The applicant has submitted revisions to reflect: An Exception is required to allow three trees in the parking lot area where four trees are required. Staff does not support this request.**
- **The applicant has submitted revisions to reflect: A Waiver is requested to allow four trees where six are required within the east landscape buffer. Staff does not support this request.**
- A Variance is requested to allow 23 parking spaces where 29 spaces are required. Staff does not support this request.
- A Variance is requested to allow a 90-foot Residential Adjacency Setback from the south property line where 138 feet is required. Staff does not support this request.
- A Waiver is requested to allow a five-foot-wide landscape buffer adjacent to the east property line where 15 feet is required. Staff does not support this request.
- A Waiver is requested to allow a three-foot-wide landscape buffer adjacent to the west property line where eight feet is required. Staff does not support this request.
- An Exception is requested to allow three trees where six are required within the west landscape buffer. Staff does not support this request.

## ANALYSIS

The applicant is proposing to develop a two-story, 5,031 square-foot multi-tenant commercial building on a 0.36-acre undeveloped parcel within the C-1 (Limited Commercial) zoning district.

The applicant is requesting a Variance to allow 23 parking spaces where 29 are required. Title 19.12 requires one parking space for every 175 square feet of floor area for General Retail, Other Than Listed when the development is less than 25,000 square feet. Staff finds this to be a self-imposed hardship as this request could be negated by reducing the size of the proposed development; therefore, staff is recommending denial of the requested parking Variance.



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When a commercial building is proposed for a lot adjacent to residentially zoned property, Title 19.08 sets forth Residential Adjacency Standards. Residential Adjacency Standards are one of many standards that ensures the scale of commercial development is compatible with surrounding land uses and provides a sensitive transition to less intensive uses such as residential. Residential Adjacency Standards state, "no 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 standard." In this instance, the subject site is required to provide a 138-foot setback from the residentially zoned property to the south. The applicant is requesting a Variance to allow a 90-foot setback. Staff finds this to be a self-imposed hardship as this request could be negated by reducing the height of the proposed structure; therefore, staff is recommending denial of the Residential Adjacency Standard Variance.

The building elevations demonstrate a two-story stucco structure with architectural details such as sliding glass doors, wrought iron fencing and stone veneering. All sides of the proposed building are coherently designed and treated with a consistent level of detailing and finish in compliance with Title 19.08. The floor plan demonstrates "vanilla" shell suites to be individualized by future tenants through a building permit (tenant improvement).

The proposed landscape plan includes Waivers to allow a reduction in the perimeter landscape buffer requirements. Adjacent to the east property line, a Waiver is requested to allow a five-foot-wide landscape buffer where 15 feet is required. Similarly, adjacent to the west property line, a Waiver is requested to allow a three-foot-wide landscape buffer where eight feet is required. An Exception is also requested to allow three trees where six are required within the west perimeter landscape buffer. Along with the requested Variances, these Waivers and Exception are evidence of the applicant's attempt to overdevelop the subject site. The proposed Variances, Waivers, and Exception are self-imposed hardships and are not the result of an irregular shaped lot and/or topographic conditions and are self-imposed hardships that staff is not able to support.

The project will add approximately 190 trips per day on Charleston Boulevard, Hillside Place, and 15th Street, Currently, Charleston Boulevard is at about 62 percent capacity and 15th Street is at about 23 percent of capacity. With this project, Charleston Boulevard is expected to be at about 63 percent of capacity and 15th Street is expected to be at about 24 percent of capacity. Counts are not available for Hillside Place, but it is believed to be under capacity. Based on Peak Hour use, this development will add into the area roughly 19 additional peak hour trips, or about one every three minutes.

These parcels are currently served by LVVWD domestic service and neither have the backflow prevention required for this use per NAC 445A.67195. Civil and plumbing plans must be submitted for domestic meter sizing. Proof of consolidation of parcels or recorded commercial subdivision map is required.

The site is located within Redevelopment Area 1 and if approved would support the goals of the Redevelopment Agency by eliminating a blighted vacant lot that has been subject to previous code enforcement actions for violations such as homeless encampments.

The subject site is located just outside the Founders District of the Vision 2045 Downtown Master Plan area, which only includes the north side of Charleston Boulevard. The Founders District is lacking catered standards that are needed to preserve the character of the area. The integration of high capacity transit with a station at the northern portion of Huntridge Circle Park will catalyze a mixed-use transit-oriented development hub. Along Maryland Parkway and Charleston Boulevard, many properties are underutilized and auto-oriented, presenting significant opportunities for corridor redevelopment that include mixed use residential, creative office space over ground-floor retail, and community-oriented amenity spaces. The type and character of these developments will add a new dimension to the neighborhood, while improving affordability, amenity, and overall quality of life for residents. Moderate density residential, both for sale and rental, with ground floor amenities especially at key intersections could create an attractive live/work/shop atmosphere. Pedestrian activity will be promoted through engagement by ground-floor restaurants, cafes and live/work units oriented towards the street.

While the proposed development is in close proximity to the Founders District and supports the goal of the Founders District, it is not part of the district and subject to the development standards set forth by Title 19.08. The applicant is proposed to over-develop the subject as evidenced by the requested Variances, Waivers, and Exception; therefore, staff is recommending denial of the Site Development Plan Review and all associated applications.

## FINDINGS (VAR-76939 and VAR-76940)

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.”



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Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a development that is too intense for the subject site. A less intense commercial development would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (SDR-76941)**

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

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

   While the proposed development is compatible with adjacent commercial development along the Charleston Boulevard corridor, the proposed development does not provide an adequate residential adjacency setbacks and is not compatible with the adjacent residential development to the south.

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

   The proposed development is not consistent with Title 19.08 or Title 19.12 as evidenced by the requested Variances for Residential Adjacency Standards and parking, in addition to Waivers and an Exception for the perimeter landscape buffer requirements and plant materials.



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

   Access to the site is provided by Charleston Boulevard and Hillside Place. The circulation around the site does not negatively impact adjacent roadways.

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

   The proposed building and landscape materials are appropriate for a desert climate and 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;**

   Building elevations and design characteristics are not unsightly or obnoxious in appearance, and create an orderly and aesthetically pleasing environment; but are not harmonious and compatible with the residential development to the south as evidenced by the Variance requested for the Residential Adjacency Standards.

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

   The development of the site will be subject to building permit review and inspection, thereby protecting the health, safety and general welfare of the public.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 08/14/03 | Code Enforcement processed a vehicle infraction Case (#2851) for a vehicle for sale at 1602 East Charleston Boulevard. |
| 05/25/05 | Code Enforcement processed a Case (#30444) for high weeds on a vacant lot at 1602 East Charleston Boulevard. The case was resolved on 06/28/05. |
| 03/11/08 | Code Enforcement processed a Case (#63222) for temporary and window sings located at 1602 East Charleston Boulevard. The case was resolved on 03/13/08. |
| | Code Enforcement processed a Case (#63224) for temporary and window sings located at 1602 East Charleston Boulevard. The case was resolved on 03/13/08. |



AS

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 05/16/08 | Code Enforcement processed a Case (#65657) for a yard sale on a vacant lot at 1602 East Charleston Boulevard. The case was resolved on 05/20/08. |
| 02/05/10 | Code Enforcement processed a Case (#86240) for signs on both sides of the street advertising a beauty salon at 1602 Charleston. The case was resolved on 02/17/10. |
| 12/09/13 | Code Enforcement processed a Case (#136043) for a homeless camp with trash and debris at 1602 East Charleston Boulevard. The case was resolved on 01/13/14. |
| 12/23/13 | Code Enforcement processed a Case (#136383) for trash, a homeless camp, and weeds at 1608 East Charleston Boulevard. The case was resolved on 01/09/14. |
| 07/22/15 | Code Enforcement processed a Case (#157618) for garbage and liter on a vacant lot with four-foot-tall weeds at 1608 East Charleston Boulevard. The case was resolved on 08/06/15. |
| 12/07/19 | Code Enforcement processed a Case (#161509) for overgrown vegetation and trash at 1608 East Charleston Boulevard. The case was resolved on 01/19/16. |
| 08/24/16 | Code Enforcement processed a Case (#170019) for an unkempt vacant lot with high weeds, trash, and a fence that was falling down at 1602 East Charleston Boulevard. The case was resolved on 10/05/16. |
| 09/12/16 | Code Enforcement processed a Case (#170489) for overgrown weeds, sagebrush, and a garbage fence 1608 East Charleston Boulevard. The case was resolved on 09/27/16. |
| 07/28/17 | Code Enforcement processed a Case (#181072) for vagrants, homeless, trash, and junk on a vacant lot at 1602 East Charleston Boulevard. The case was resolved on 07/26/17. |
| 07/31/17 | Code Enforcement processed a Case (#181174) for trash left outside the fence of a vacant lot 1608 East Charleston Boulevard. The case was resolved on 08/15/17. |
| 11/14/17 | Code Enforcement processed a Case (#184175) for trash, carts with junk inside and litter at 1608 East Charleston Boulevard. The case was resolved on 11/15/17. |
| 11/15/17 | Code Enforcement processed a Case (#184210) for weeds, a broken fence, and vagrants camping in the unfenced area at 1602 East Charleston Boulevard. The case was resolved on 03/21/18. |
| 02/20/18 | Code Enforcement processed a Case (#186216) for weeds and waste at 1608 East Charleston Boulevard. The case was resolved on 03/21/18. |
| 04/25/19 | Code Enforcement processed a Case (#199360) for a homeless camp on vacant land at 1602 East Charleston Boulevard. The case has not been resolved. |



AS

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/22/19 | The Planning Commission voted (7-0) to hold in ABEYANCE VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615] to the November 26, 2019 Planning Commission meeting. |
| 11/26/19 | The Planning Commission voted (6-0) to hold in ABEYANCE VAR-76939, VAR-76940 and SDR-76941 [PRJ-75615] to the January 14, 2020 Planning Commission meeting. |
| 01/14/20 | The Planning Commission unanimously voted to recommend APPROVAL on the following requests:<br>• Variance (VAR-76939) TO ALLOW 23 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED<br>• Variance (VAR-76940) TO ALLOW A 90-FOOT RESIDENTIAL ADJACENCY SETBACK FROM THE SOUTH PROPERTY LINE WHERE 138 FEET IS REQUIRED<br>• Site Development Plan Review (SDR-76941) FOR A PROPOSED 5,031 SQUARE-FOOT COMMERCIAL SHELL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. |
| 02/19/20 | The City Council voted to hold the on the following requests in abeyance to the March 18, 2020 City Council Meeting.<br>• Variance (VAR-76939) TO ALLOW 23 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED<br>• Variance (VAR-76940) TO ALLOW A 90-FOOT RESIDENTIAL ADJACENCY SETBACK FROM THE SOUTH PROPERTY LINE WHERE 138 FEET IS REQUIRED<br>• Site Development Plan Review (SDR-76941) FOR A PROPOSED 5,031 SQUARE-FOOT COMMERCIAL SHELL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/17/07 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 05/24/99 | Building permits (#9900994 and #9900995) were issued for the demolition of Charleston Square at 1602 and 1608 East Charleston Boulevard. |



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| ***Pre-Application Meeting*** | |
|---|---|
| 01/16/19 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Site Development Plan Review and Variances for a new commercial building. |

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

| ***Field Check*** | |
|---|---|
| 09/11/19 | A field check by staff was conducted for the subject site. Nothing of concern was noted by staff. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.36 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | C-1 (Limited Commercial) |
| North | Office, Other than Listed | | |
| South | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | General Retail Store | C (Commercial) | C-1 (Limited Commercial) |
| West | Secondhand Dealer | | |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| No Applicable Special Area or Overlay Districts | N/A |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area 1 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |



AS

## DEVELOPMENT STANDARDS

***Pursuant to 19.08.070, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 140 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 13 Feet | Y |
| • Side | 10 Feet | 10 Feet | Y |
| • Corner | 10 Feet | 13 Feet | Y |
| • Rear | 20 Feet | 67 Feet | Y |
| Max. Lot Coverage | 50 % | 30.6 % | Y |
| Max. Building Height | 35 Feet | 28 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated | Y |
| ***Residential Adjacency Standards*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
| 3:1 proximity slope | 138 Feet | 90 Feet | N* |
| Adjacent development matching setback | 8 Feet | 67 Feet | Y |
| Trash Enclosure | 50 Feet | 67 Feet | Y |

**The applicant is requesting a Variance of the Residential Adjacency Standards.*

***Pursuant to 19.08.070, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 4 Trees | 4 Trees | Y |
| • South | 1 Tree / 20 Linear Feet | N/A | N/A | Y |
| • East | 1 Tree / 20 Linear Feet | 6 Trees | 6 Trees | Y |
| • West | 1 Tree / 20 Linear Feet | 6 Trees | 3 Trees | N** |
| **TOTAL PERIMETER TREES** | | **16 Trees** | **13 Trees** | **N**** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 4 Trees | 4 Trees | Y |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 13 Feet | | 13 Feet | Y |
| • South | 0 Feet | | 0 Feet | Y |
| • East | 15 Feet | | 5 Feet | N* |
| • West | 8 Feet | | 3 Feet | N* |

**The applicant is requesting a Waiver of the perimeter landscape buffer requirements.*
***The applicant is requesting an Exception of the perimeter landscape buffer requirements.*



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| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Charleston Boulevard | Major Street | Master Plan of Streets & Highways | 100 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| General Retail Store | 5,031 SF | 1:175 SF | 23 | | | | |
| **TOTAL SPACES REQUIRED** | | | 23 | | 29 | | N* |
| **Regular and Handicap Spaces Required** | | | 21 | 2 | 27 | 2 | Y |
| Percent Deviation | | | 21% | | | | |

**The applicant is requesting a Variance of the parking requirement.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Landscape buffers adjacent to right-of-way must be 15 feet in width. | To allow a five-foot-wide landscape buffer adjacent to the east property line. | Denial |
| Landscape buffers adjacent to interior lot lines must be eight feet wide. | To allow a three-foot-wide landscape buffer adjacent to the west property line. | Denial |

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| One 24-inch box tree every 20 linear feet within the west perimeter landscape buffer. | To allow three trees where six are required within the west perimeter landscape buffer. | Denial |



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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** _____

**Project Address (Location)** 1602 & 1608 E Charleston BLVD

**Project Name** Hillside Retail **Proposed Use** Retail

**Assessor's Parcel #(s)** 162-02-111-040; 041 **Ward #** _____

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

**Commercial Square Footage** 5441 sf **Floor Area Ratio** _____

**Gross Acres** 0.37 acres **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** _____ **Fax:** _____

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

**E-mail Address** _____

**APPLICANT** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.com

**REPRESENTATIVE** Greene-Tindall **Contact** Chris Dyka

**Address** 3047 E Warm Springs Rd Suite 500 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.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** HAMLET HOVSEPIAN

Subscribed and sworn before me

This 31 day of Jan, 20 18.

Aaron Breda, Notary Public

Notary Public in and for said County and State

*FOR DEPARTMENT USE ONLY*

| |
|---|
| **Case #** |
| **Meeting Date:** |
| **Total Fee:** |
| **Date Received:*** |
| **Received By:** |

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

PRJ-75615
08/27/19

Revised 10/27/08



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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT** **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Los Angeles )

On 1-31-18 before me, Aaron Breda, Notary Public,
*Date* *Here Insert Name and Title of the Officer*

personally appeared Hamlet Hovsepian
*Name(s) of Signer(s)*

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

AARON BREDA
Notary Public - California
Los Angeles County
Commission # 2165433
My Comm. Expires Sep 23, 2020

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

WITNESS my hand and official seal.

Signature
*Signature of Notary Public*

*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**
Title or Type of Document: App / Petition Form Document Date: 1-31-18
Number of Pages: 1 Signer(s) Other Than Named Above:

**Capacity(ies) Claimed by Signer(s)**

| Signer's Name: | Signer's Name: |
|---|---|
| ☐ Corporate Officer — Title(s): | ☐ Corporate Officer — Title(s): |
| ☐ Partner — ☐ Limited ☐ General | ☐ Partner — ☐ Limited ☐ General |
| ☐ Individual ☐ Attorney in Fact | ☐ Individual ☐ Attorney in Fact |
| ☐ Trustee ☐ Guardian or Conservator | ☐ Trustee ☐ Guardian or Conservator |
| ☐ Other: | ☐ Other: |
| Signer Is Representing: | Signer Is Representing: |

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PRJ-75615
06/27/19

# PROJECT DATA:

## SITE BREAKDOWN

| | | |
|---|---|---|
| A.P.N. | : | 162-02-111-040<br>162-02-111-041 |
| CURRENT ZONING | : | C-1 |
| PROPOSED ZONING | : | UNCHANGED |
| NET SITE SQ. FT. | : | 15,922 SQ. FT. |
| NET AREAGE: | : | 0.36 ACRES |
| MEDICAL SQ. FT. | : | 4,886 SQ. FT. |
| LOT COVERAGE | : | 30.6% |

## SETBACKS

| | | |
|---|---|---|
| FRONT YARD | : | 10' |
| REAR YARD | : | 20' |
| INTERIOR SIDE YARD | : | 10' |
| ANTERIOR SIDE YARD | : | 10' |
| ALLOWABLE BLDG HT | : | 35' |
| ACTUAL BLDG HT | : | 28' |

## PARKING BREAKDOWN

| | | | |
|---|---|---|---|
| FIRST FLOOR AREA | : | 1,567 | SQ. FT. |
| SECOND FLOOR AREA | : | 3,464 | SQ. FT. |
| TOTAL MEDICAL SQ. FT. | : | 5,031 | SQ. FT. |
| PARKING REQUIRED | : | | |
| 1 : 175 SQ FT | : | 29 | SPACES |
| PARKING PROVIDED | : | | |
| STANDARD PARKING | : | 20 | SPACES |
| COMPACT PARKING (13%) | : | 3 | SPACES |
| TOTAL PARKING PROVIDED | : | 23 | SPACES |
| ACCESSIBLE REQUIRED | : | 2 | SPACE |
| ACCESSIBLE PROVIDED | : | 2 | SPACE |

# LANDSCAPE LEGEND:

## 24" BOX TREES

| QUANTITY | SYMBOL | TYPE |
|---|---|---|
| 16 | | QUERCUS ILEX |

## 5 GALLON SHRUBS

| QUANTITY | SYMBOL | TYPE |
|---|---|---|
| 60 | | PYRACANTHA 'SANTA CRUZ' |
| 68 | | LANTANA 'DALLAS RED' |
| 61 | | ROSMARINUS 'PROSTRATA' |

## GROUND GOVER

GROUND COVER TO BE DROUGHT TOLERANT




VICINITY MAP




SITE PLAN

GREENE TINDALL DESIGN

CHARLESTONE & HILLSIDE

PRJ-75613
06/27/19

# HILLSIDE RETAIL

## 1602 & 1608 E CHARLESTON BLVD.
## LAS VEGAS, NEVADA 89104


**OWNER**
LAND CAPITAL PARTNERS, LLC
601 E CHARLESTON BLVD STE 100
LAS VEGAS, NV 89104
**Contact:** HAMLET HOVSEPIAN
**Phone:** (702) 597-5597
**Fax:** (– )
**EMAIL:** chris@ltrdcorp.com

**ARCHITECT**
LTRD DEVELOPMENT
3047 E WARM SPRINGS RD #500
LAS VEGAS, NV 89120
**Contact:** CHRIS DYKA
**Phone:** (702) 597-5597
**Fax:** ( – )
**EMAIL:** chris@ltrdcorp.com

**CIVIL ENGINEER**
PER4MANCE CONSULTING & ENGINEERING
197 CARLSBAD CAVERNS ST.
HENDERSON, NV 89012
**Contact:** RAY FREDERICKSON, P.E.
**Phone:** (702) 569-9770
**Fax:** (N/A)
**EMAIL:** ray@per4mancelv.com

**STRUCTURAL ENGINEER**
VECTOR STRUCTUARL ENGINEERING, LLC
651 W GALENA PARK BLVD STE 101
DRAPER, UT 84020
**Contact:** ROGER ALWORTH, SE
**Phone:** (801) 990-1775
**Fax:** (N/A)
**EMAIL:** roger@vectorse.com

**MECHANICAL SUB-CONTRACTOR**
LOVE ENGINEERING INC
5740 N TEE PEE LANE
LAS VEGAS, NV 89149
**Contact:** MONTEZ LOVE, PE
**Phone:** (702) 658-2587
**Fax:** (TBD)
**EMAIL:** montez@loveengr.com

**PLUMBING SUB-CONTRACTOR**
LOVE ENGINEERING INC
5740 N TEE PEE LANE
LAS VEGAS, NV 89149
**Contact:** MONTEZ LOVE, PE
**Phone:** (702) 658-2587
**Fax:** (TBD)
**EMAIL:** montez@loveengr.com

**ELECTRICAL SUB-CONTRACTOR**
LOVE ENGINEERING INC
5740 N TEE PEE LANE
LAS VEGAS, NV 89149
**Contact:** MONTEZ LOVE, PE
**Phone:** (702) 658-2587
**Fax:** (TBD)
**EMAIL:** montez@loveengr.com

**FIRE PROTECTION**
TBD
TBD
TBD
**Contact:** TBD
**Phone:** (TBD)
**Fax:** (TBD)
**EMAIL:** TBD

**SPECIAL INSPECTION SERVICES**
TBD
TBD
TBD
**Contact:** TBD
**Phone:** (TBD)
**Fax:** (– )
**EMAIL:** TBD


## CODE ANALYSIS

| | | | |
|---|---|---|---|
| 2012 | IBC | 2009 | ADAAG (AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES) WITH LOCAL AMENDMENTS. |
| 2012 | IFC | | |
| 2011 | NEC | | |
| 2012 | IECC | | |
| 2012 | UMC | | |
| 2012 | UPC | | |
| 2012 | SOUTHERN NEVADA BUILDING CODE AMENDMENTS, DEVELOPMENT CODE OF THE CLARK COUNTY MUNICIPAL CODE (TITLE 30). | | |
| | CONDITIONS OF APPROVAL FROM PRIOR ZONING, DESIGN REVIEW, AND MAP APPLICATIONS. | | |
| 2009 | ICC / ANSI GENERAL CONSTRUCTION HUD FAIR HOUSING DESIGN MANUAL (A HUD DESIGNATED SAFE HARBOR) FOR INTERIOR OF DWELLING UNITS. | | |

SEE ELECTRICAL AND MECHANICAL SHEETS FOR CURRENT ENERGY COMPLIANCE CODE VERSION AND REPORTS.

### SUB CONTRACTOR NOTE:

REGARDLESS OF WHAT IS ON THE PLANS ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH, BUT NOT LIMITED TO THE CODE VERSIONS AS LISTED IN THE CODE ANALYSIS ON COVER SHEETS.

## DEFERRED SUBMITTALS

PLANS FOR SIGNAGE, GATES, FIRE SPRINKLER, FIRE ALARM, AND/OR FIRE MONITORING, SHALL BE SUBMITTED SEPARATELY AS DEFERRED SUBMITTALS BY A NEVADA LICENSED CONTRACTOR. THESE SUBMITTALS SHALL BE REVISED AND APPROVED PRIOR TO INSTALLATION.

## SCOPE OF WORK

CONSTRUCT TENANT IMPROVEMENT ON EXISTING SHELL UNIT AS REQUESTED BY OWNER / TENANT FOR OFFICE SPACE.

## SUB-CONTRACTOR NOTE

A. SUBCONTRACTORS SHALL PROVIDE ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY TO PERFORM HIS TRADE AND COMPLETE THE WORK IN STRICT ACCORDANCE WITH THE ATTACHED DRAWINGS AND SPECIFICATIONS. SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL FHA AND V.A. REQUIREMENTS, APPLICABLE LOCAL, STATE, AND FEDERAL CODES. ANY WORK, MATERIAL, OR PROCESS WHICH MAY HAVE BEEN UNINTENTIONALLY OMITTED FROM THE DESCRIPTION OF WORK, BUT WHICH IS CLEARLY NECESSARY FOR PROPER AND COMPLETE PERFORMANCE OF THE JOB, SHALL BE FURNISHED BY SUBCONTRACTOR AS IF IT HAD BEEN SPECIFIED.

B. REGARDLESS OF WHAT IS ON THE PLANS, ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH, BUT NOT LIMITED TO, CURRENT CODES LISTED IN THE CODE ANALYSIS.

C. PRIOR TO START OF CONSTRUCTION, GENERAL CONTRACTOR SHALL PROVIDE TO THE BUILDING DEPARTMENT, TRUSS ENGINEERING, PLUMBING ISOMETRICS, HVAC LAYOUT, ELECTRICAL LOAD CALCULATIONS, AND ANY OTHER DOCUMENTATION REQUIRED TO COMPLETE CONSTRUCTION.

D. ALL WORK SHALL BE EQUAL OR EXCEED CURRENT BUILDING CODES AS LISTED ON THE COVER SHEET AND / OR ORDINANCES INCLUDING, BUT NOT LIMITED TO, ELECTRICAL, PLUMBING, MECHANICAL, SAFETY, AND FIRE.

E. IT SHALL BE THE SUBCONTRACTOR'S RESPONSIBILITY TO COMPLETELY FAMILIARIZE THEMSELVES WITH THESE DRAWINGS AND THE EXISTING SITE CONDITIONS AND TO NOTIFY THE DESIGNER/ARCHITECT OF ANY DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION.

F. ANY DEVIATIONS FROM THE STAMPED AND / OR APPROVED CONSTRUCTION DOCUMENTS WITHOUT PROPER WRITTEN NOTIFICATION TO THE DESIGNER / ARCHITECT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.

G. WHEN NECESSARY, THE CONTRACTOR AND / OR SUBCONTRACTOR IS TO PROVIDE LINE DIAGRAMS, LOAD CALCULATIONS, SHOP DRAWINGS, ETC TO THE BUILDING DEPARTMENT, DESIGNER / ARCHITECT, AND / OR OWNER FOR APPROVAL. ALSO TO PROVIDE SAME FOR CHANGE ORDERS OR SUBMITTALS. COPIES OF SUCH INFORMATION SHALL BE FORWARDED TO DESIGNER FOR REVIEW AND APPROVAL AS REQUIRED.

H. INTERIOR DESIGN AND FINISH INQUIRIES ARE TO BE DIRECTED TO THE OWNER AND DESIGNER / ARCHITECT.

I. ALL ITEMS SPECIFICALLY CALLED FOR ON THESE DRAWINGS SHALL BE AS STATED OR AN APPROVED EQUAL UNLESS OTHERWISE NOTED.

J. STREET ADDRESS SHALL BE POSTED ON BUILDINGS IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY.

K. EACH TRADE SHALL BE RESPONSIBLE FOR KNOWLEDGE OF RELATIVE INFORMATION CONTAINED IN THESE DOCUMENTS AND THE CONDITIONS UNDER WHICH HE WILL BE EXPECTED TO PERFORM.

L. THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS SHALL CAREFULLY AND THOROUGHLY EXAMINE THE PROJECT SITE, FIELD VERIFY ALL CONDITIONS, GRADES, ELEVATIONS, AND DIMENSIONS OF THE VARIOUS FEATURES OF THE PROJECT SITE AND SHALL COMPARE THE DRAWINGS WITH THE EXISTING SITE CONDITIONS. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE DESIGNER / ARCHITECT IN WRITING PRIOR TO BEGINNING AND WORK.

M. ALL CONSTRUCTION, FABRICATION AND INSTALLATIONS SHALL CONFORM TO THE LATEST ADOPTED EDITIONS OF THE IBC, IFC, UMC, UPC, NEC, AND ANY FEDERAL, STATE, AND LOCAL CODES, REGULATIONS, AND ORDINANCES OF THE GOVERNING AGENCY HAVING JURISDICTION OVER THE PROJECT AS LISTED ON THE COVER PAGE. SUCH APPLICABLE CODES, ETC ARE THOSE WHICH ARE IN EFFECT AT THE TIME THE PERMIT APPLICATION IS ISSUED AND RECORDED.

N. EACH SUB CONTRACTOR IS CONSIDERED A SPECIALIST IN HIS RESPECTIVE FIELD / TRADE AND SHALL (BEFORE SUBMISSION OF BID OR PERFORMANCE OF WORK) NOTIFY THE GENERAL CONTRACTOR AND THE DEVELOPER, IN WRITING, OF ANY WORK CALLED OUT ON THE DRAWINGS OR IN THE SPECIFICATIONS WHICH CANNOT BE FULLY GUARANTEED OR CONSTRUCTED AS DESIGNED AND / OR DETAILED.

O. DUE TO REPROGRAPHIC PROCESSES, THESE DRAWINGS MAY NOT BE ACCURATE TO SCALE. ALL DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE SHOWN AND IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM PLANS, SECTIONS, OR ELEVATIONS OR DETAILS.

P. THE STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS ARE SUPPLEMENTARY TO THE ARCHITECTURAL DRAWINGS. SHOULD THERE BE ANY DISCREPANCY BETWEEN THE VARIOUS DRAWINGS, IT SHALL BE BROUGHT TO THE DESIGNER / ARCHITECT'S ATTENTION FOR CLARIFICATION.

Q. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER'S REPRESENTATIVE FOR INSTALLATION OR SPECIAL MANUFACTURING EQUIPMENT NOT SHOWN IN THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY EQUIPMENT LOCATIONS WITH THE OWNER'S REPRESENTATIVE AND / OR EQUIPMENT MANUFACTURER PRIOR TO POURING THE SLAB FOR PROPER SIZE AND LOCATION OF FOUNDATION DEPRESSIONS, DRAINS, AND WARPS.

R. UNLESS OTHERWISE NOTED, MANUFACTURER'S ITEMS SHALL BE PROVIDED. CONTRACTOR SHALL VERIFY SUBSTITUTIONS WITH THE OWNER AND DESIGNER / ARCHITECT PRIOR TO BID AND / OR INSTALLATION.

S. WHERE CONSTRUCTION DETAILS ARE NOT SHOWN OR NOTED FOR ANY PART OF THE WORK, DETAILS SHALL BE THE SAME AS FOR OTHER SIMILAR FIRST CLASS WORK FOR THE TRADE INVOLVED, THE DEVELOPER SHALL BE NOTIFIED IMMEDIATELY, IN WRITING, OF ANY ALTERNATE NON-STANDARD OR UNTESTED METHOD(S) PROPOSED.

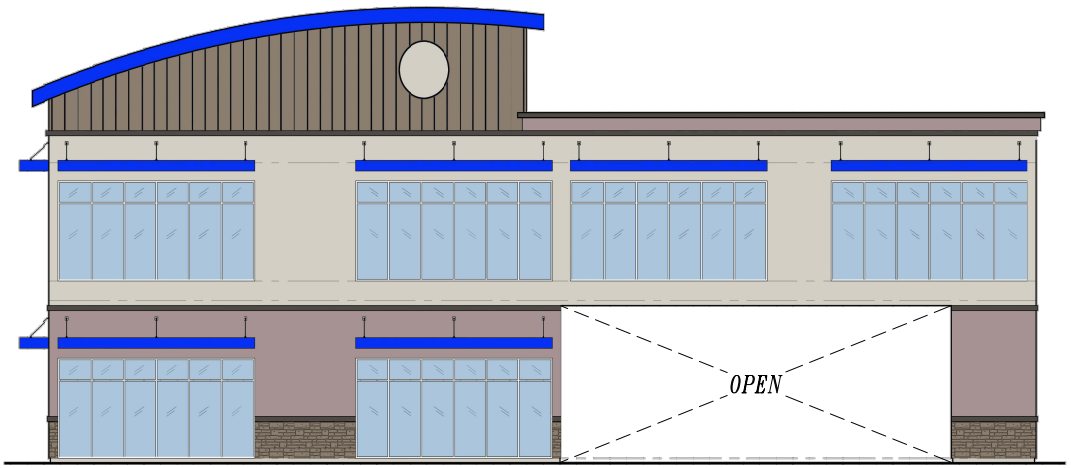
T. ALL EXISTING KNOWN UTILITIES OR STRUCTURES ARE INDICATED ON THESE DRAWINGS. CAUTIONARY MEASURES TO PROTECT THE UTILITY LINES NOT ON RECORD OR BASED ON INFORMATION ON RECORD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH OCCUR DUE TO HIS FAILURE TO LOCATE AND PROTECT ANY AND ALL UNDERGROUND UTILITIES.

U. THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF ALL REQUIREMENTS AND REGULATIONS AND SHALL PERFORM ALL WORK ON THIS PROJECT IN COMPLIANCE WITH THE STATE OF NEVADA OCCUPATIONAL SAFETY AND HEALTH ACT.

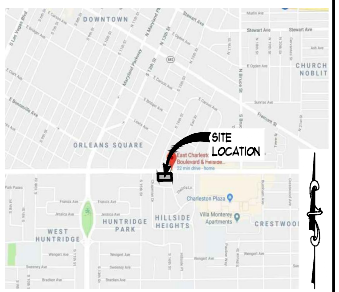
V. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING ANY 'BUILDING STANDARD' FIXTURES AND FINISHES IN ADDITION TO THOSE NOTED ON PLAN.

W. CONTRACTOR SHALL INSTALL REQUIRED FIRE ALARM SYSTEM. PER LOCAL CODES (IF REQUIRED), A SPRINKLER NOTIFICATION SYSTEM (A HORN / STROBE) IS REQUIRED IN EACH APARTMENT IN ACCORDANCE WITH IFC 903.4.2.

X. EACH STRUCTURE INCLUDED IN THIS PLAN SET REQUIRES A SEPARATE PERMIT AND APPLICATION.




## VICINITY MAP




## SITE INFORMATION

| | |
|---|---|
| SITE TABULATIONS FOR: | 1602 & 1608 E CHARLESTON BLVD |
| APN NUMBERS/S.I. | 162-02-11-004 & 162-02-11-041 |
| ZONING: | LIMITED COMMERCIAL (C-1) |
| GROSS LOT AREA: | 0.37 ACRES |
| BOOK / PAGE: | BOOK: 2 PAGE: 99 |
| LOT BLOCK: | LOT: 1 & 2 BLOCK: 1 |
| T-R-S: | 21-61-2 |
| SPRINKLERED: | YES |
| SQUARE FOOTAGES: | |
| TOTAL UNIT AREA: | 5,031 SQ FT |
| TOTAL OCCUPANTS: | 91 OCCUPANTS |
| MERCANTILE AREA: | 5,031 SQ FT / 60 84 OCCUPANTS |

## SHEET INDEX


ARCHITECTURAL
CVR-1.0 COVER SHEET / GENERAL NOTES
AGN-1.0 GENERAL NOTES / PARKING
AGN-2.0 GENERAL SITE DETAILS
AS-1.0 SITE / LANDSCAPE PLAN
AS-1.1 SUPPLEMENTAL SITE DETAILS
A-1.0 FLOOR PLAN
A-1.1 ROOF PLAN
A-1.2 EXTERIOR ELEVATIONS
A-3.0 BUILDING SECTIONS
AD-1 SITE DETAILS
AD-2 SITE DETAILS

STRUCTURAL
S-1.0 STRUCTURAL PLAN
S-2.0 STRUCTURAL PLAN
S-3.0 STRUCTURAL PLAN
S-1.0 STRUCTURAL PLAN
S-2.0 STRUCTURAL PLAN
S-3.0 STRUCTURAL PLAN

MECHANICAL
M-1.0 MECHANICAL PLAN
M-2.0 MECHANICAL PLAN
M-3.0 MECHANICAL PLAN

PLUMBING
P-1.0 PLUMBING PLAN

ELECTRICAL
E-0.0 NOTES AND SPECIFICATIONS
E-0.1 SITE LIGHTING PLAN
E-1.0 ELECTRICAL LIGHTING PLAN
E-2.0 ELECTRICAL OUTLET PLAN
E-3.0 SINGLE-LINE DIAGRAMS
E-4.0 PANEL SCHEDULES


## GENERAL NOTES

TYPICAL GENERAL NOTES:

A. ALL INTERIOR WALLS / PARTITIONS WITH GYP BOARD SHALL BE TAPED, SANDED & TEXTURED, READY FOR PAINT, UNO.
B. ACCESSIBLE UNITS (2% IBC ACCESSIBLE UNITS) MUST HAVE ACCESSIBLE FIXTURES.
C. AT LEAST 2% OF THE TOTAL UNITS ARE REQUIRED TO BE ACCESSIBLE DWELLING UNITS AND SPREAD OUT THROUGHOUT THE ENTIRE COMPLEX.
D. AT ACCESSIBLE UNITS (2% IBC ACCESSIBLE UNITS) PROVIDE A NON-PERMANENT BENCH AT THE TUB/SHOWER COMBINATION.
E. ALL WATER HEATERS AND WASHING MACHINES TO HAVE A WATERTIGHT PAN OF CORROSION RESISTANT MATERIAL BELOW 4 A 3/4"Ø DRAIN.
F. ALL NON-PLUMBING STUD WALLS ARE 2x4 UNO. VERIFY W/STRUCTURAL. STRUCTURAL STUD SIZES TAKE PRIORITY OVER ARCHITECTURAL.
G. ALL APPLIANCES ARE TO BE ELECTRIC POWERED.
H. PROVIDE EACH ENTRY DOOR WITH A PRIVACY LOCK & DEADBOLT. SEE INTERIOR DESIGN FOR DOOR, HARDWARE, AND PANEL SPECIFICATIONS.
I. ELECTRICAL OPENINGS IN EXCESS OF 16" SQ. MUST BE FIRE PROTECTED IN FIRE RATED WALLS.
J. PENETRATIONS THROUGH FIRE RATED WALLS, FLOOR, CEILINGS AND ROOF/CEILING ASSEMBLIES SHALL BE PER UL APPROVED DETAILS. SEE FIRE DETAIL SHEETS AFD-2.0 TO AFD-2.2.
K. ROOF PENETRATIONS SHALL NOT BE LOCATED WITHIN 5'-0" OF 1 HOUR FIRE RESISTANT EXTERIOR WALLS MEASURED FROM INSIDE OF EXTERIOR WALL.
L. ROOF COVERING TO BE CLASS 'B' MINIMUM ROOF COVERING.
M. 1-HOUR CONSTRUCTION IS REQUIRED ON ALL EXTERIOR WALLS WHEN BUILDING SEPARATION IS LESS THAN 30'-0", PER IBC SECTION 1015.1.
N. STAIR WALLS TO BE 1 HOUR RATED CONSTRUCTION.
O. RISER ROOM SHALL BE SEPARATED FROM THE REST OF THE BUILDING BY 1 HOUR FIRE PARTITION PER SECTION 516.4.
P. RECESSED LIGHT FIXTURES TO BE FIRE RATED JUNCTION BOX TYPE.

## ACCESSIBILITY NOTES

ADAPTABILITY NOTES:

ENTRY DOORS:
MAXIMUM 1/2" HIGH THRESHOLDS. SEE GN-3 FOR CLEARANCE REQUIREMENTS.
INTERIOR DOORS:
SEE AGN-3.0 FOR CLEARANCE REQUIREMENTS.
CONTROLS:
ALL ACCESSIBLE CONTROLS TO BE MOUNTED 15" MIN. – 48" MAX.
HALLS:
36" MIN. CLEARANCE AT ALL WALKWAYS.
KITCHEN:
- TYPE A UNITS GOVERNED BY ANSI 117.1 PER CVR–1.0.
- TYPE B UNITS GOVERNED BY FAIR HOUSING GUIDELINES SAFE HARBOR PER CVR–1.0.
- PULLMAN TYPE APPLIANCES WITH 40" CLEARANCE BETWEEN APPLIANCES, COUNTERTOPS AND FIXTURES. EXCLUDES HANDLES. PROVIDE 30"X48" CLEAR FLOOR SPACE AT ALL APPLIANCES AND FIXTURES.
- COUNTERTOP MICROWAVES SHALL BE AVAILABLE TO TENANTS OF ACCESSIBLE UNITS UPON REQUEST FROM LEASING AGENTS.

BATH:
- DOOR CLEAR FLOOR SPACE – 30"X48" (CLEAR OF DOOR).
- WATER CLOSET CLEAR FLOOR SPACE – 56"X48" W/ 18" CENTER OF FIXTURE TO ADJACENT WALL – PARALLEL APPROACH.
- TUB CLEAR FLOOR SPACE – 30"X60" – PARALLEL APPROACH.
- SHOWER CLEAR FLOOR SPACE – 30"X48" – PARALLEL APPROACH.
- SINK CLEAR FLOOR SPACE – 30"X48". MIN. 15" CLEAR FROM CENTER OF FIXTURE TO SIDEWALL.
- PROVIDE GRAB BAR PER MANUFACTURER REQUIRED FOR ADAPTABLE BATHROOM WATER CLOSET, TUBS AND SHOWER.

GRAB BARS:
- GRAB BARS TO COMPLY WITH ICC/ANSI A117.1
- REINFORCEMENT SHALL BE PROVIDED FOR FUTURE INSTALLATION OF GRAB BARS AND SHOWER SEATS AT WATER CLOSETS, BATHTUBS, AND SHOWER COMPARTMENTS. REINFORCEMENT SHALL BE PROVIDED FOR THE FUTURE INSTALLATION OF GRAB BARS AND SEATS. SECTIONS 604.5, 607.4, 608.3, 608.4.
- GRAB BARS SHALL BE PROVIDED ON THE REAR AND SIDE WALL CLOSEST TO THE WATER CLOSET PER AGN–3.0.


City Council - Page 580
RECEIVED 06/27/19



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CHARLESTONE & HILLSIDE SHOPPING CENTER
GREENE TINDALL DESIGN
LAS VEGAS, NEVADA 89120 OFFICE (702) 597-5597
3047 E WARM SPRINGS ROAD, SUITE 500

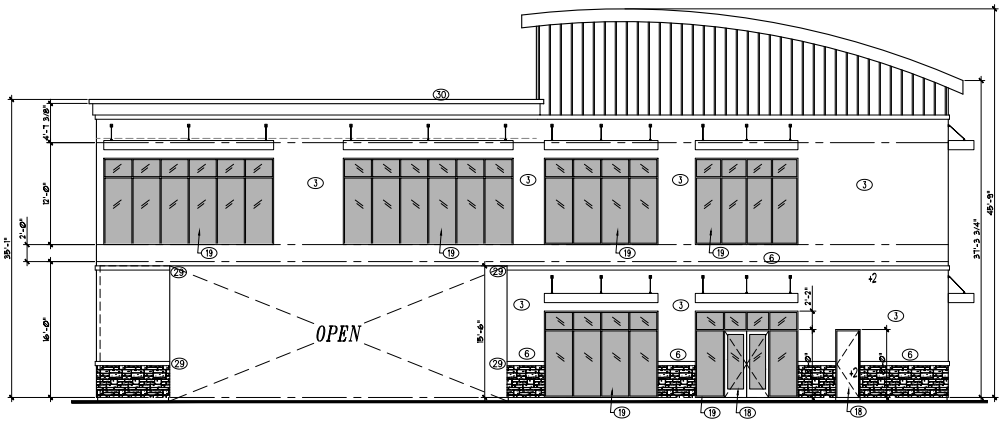
REVISION | DATE | NOTES

ISSUE DATE: 11/5/2018

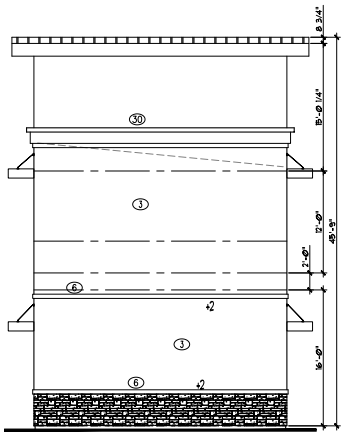
COVER SHEET / GENERAL NOTES

CVR-1

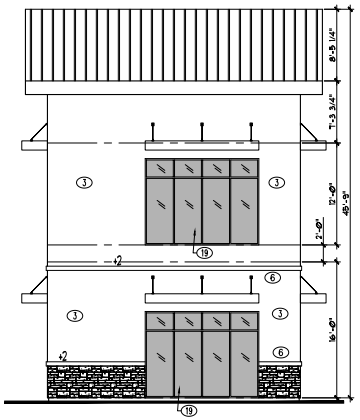
FILE: 0-CVR-1.DWG LAST SAVE: 12/20/2018 2:48:07 PM BY: SERGIO PLOT DATE: 6/24/2019 12:04:24 PM



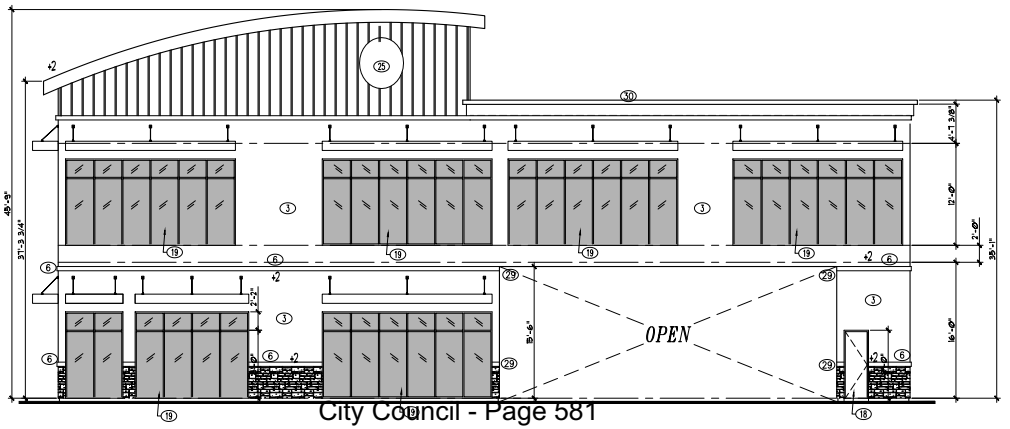

4 BUILDING REAR ELEVATION
SCALE: 1/8" = 1'-0"



3 BUILDING RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



2 BUILDING LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"




1 BUILDING FRONT ELEVATION
SCALE: SCALE: 1/4"=1'-0"

## ELEVATION KEYNOTES:

1. FIRE RATED ROOFING PER ROOF PLAN
2. --
3. TYPICAL STUCCO EXTERIOR FINISH SYSTEM. SEE STUCCO SCHEDULE.
4. STUCCO WRAPPED FASCIA
5. STUCCO EXPANSION JOINT
6. 6" WIDE MIN. STUCCO OVER POPOUT. SEE STUCCO SCHEDULE.
7. --
8. TYPICAL GUARD RAIL.
9. ILLUMINATED FIRST FLOOR UNIT ADDRESS TYPICAL. LETTERS TO BE 5" MIN. HEIGHT AND Ø.5" MIN. WIDTH ON CONTRASTING BACKGROUND MOUNTED 8'-0" AFF TO TOP OF LETTERS OR FRAME.
10. ILLUMINATED SECOND FLOOR UNIT ADDRESS TYPICAL. LETTERS TO BE 5" MIN. HEIGHT AND Ø.5" MIN. WIDTH ON CONTRASTING BACKGROUND MOUNTED 8'-0" AFF TO TOP OF LETTERS OR FRAME.
11. VERIFY ELECTRICAL PANEL LOCATION, WIDTHS, AND INSTALLATION REQUIREMENTS WITH NEVADA POWER PRIOR TO PANEL INSTALLATION OR AWNING CONSTRUCTION. ELECTRICAL EQUIPMENT TO BE PAINTED TO MATCH BUILDING COLOR. SEE A5-1.0
12. APPROXIMATE LOCATION OF MECHANICAL EQUIPMENT. COORDINATE WITH MECHANICAL PLANS PRIOR TO CONSTRUCTION.
13. RISER ROOM, SEE FLOOR PLAN FOR NOTES.
14. DECORATIVE VENT PER DETAIL 15A/AGN-3.0
15. DECORATIVE VENT PER DETAIL 15B/AGN-3.0
16. DECORATIVE VENT PER DETAIL 15C/AGN-3.0
17. DECORATIVE VENT PER DETAIL 15D/AGN-3.0
18. EXTERIOR DOOR, REFER TO FLOOR PLANS FOR DOOR SIZES. REFER TO INTERIOR DESIGN FOR MANUFACTURER, MODEL SPECS, AND HARDWARE.
19. WINDOW, REFER TO UNIT FLOOR PLANS FOR WINDOW SIZES. REFER TO INTERIOR DESIGN FOR MANUFACTURER AND MODEL SPECS.
20. SLIDING GLASS DOOR, REFER TO UNIT FLOOR PLANS FOR SIZES. REFER TO INTERIOR DESIGN FOR MANUFACTURER, MODEL SPECS, AND HARDWARE. ACCESSIBLE UNIT REQUIRE ADA APPROVED TRACK AT SLIDING GLASS DOORS.
21. GARAGE DOOR, REFER TO UNIT FLOOR PLANS FOR DOOR SIZES. REFER TO INTERIOR DESIGN FOR MANUFACTURER AND MODEL SPECS.
22. 6'0" A.F.F. WROUGHT IRON FENCE/GATE.
23. 6'0" A.F.F. HIGH GLASS RAILING.
24. APPROXIMATE LOCATION OF PROJECT IDENTIFICATION SIGN.
25. BUILDING LOGO
26. 1" INSULATED GLAZING
27. SCUPPER + METAL DOWNSPOUT
28. OPEN FRAMED DECORATIVE WALL.
29. WAINSCOT SOP. AT THE END
30. STUCCO WRAPPED WOOD FRAMED POPOUT SEE DETAIL SEE DETAIL 16/AD-1.0

## STUCCO SCHEDULE

TYP. 3-COAT STUCCO
+1 3-COAT STUCCO WITH 1" FOAM. SEE DETAIL 2 / AD-2.0 (SIMILAR)
+2 3-COAT STUCCO WITH 2" FOAM. SEE DETAIL 2 / AD-2.0 (SIMILAR)
+3 3-COAT STUCCO WITH 3" FOAM. SEE DETAIL 2 / AD-2.0
+4 3-COAT STUCCO WITH 4" FOAM. SEE DETAIL 1 / AD-2.0
+12 3-COAT STUCCO OVER WOOD FRAMED POPOUT. SEE DETAIL 3 / AD-2.0

## STUCCO NOTES:

A. USE FOAM FOR BANDING ONLY.
B. WHEN POPOUTS COVER LARGE WALL AREAS, USE WOOD FRAMED CONSTRUCTION PER DETAIL 3 / AD-2.0 FOR VARIOUS DEPTHS.
C. SEE INTERIOR DESIGN FOR COLOR BLOCKING AND SPECIFICATIONS.
D. ALL VENEER TO BE MOUNTED OVER STUCCO SCRATCH COAT.

## ADDRESSING NOTES:

A. ADDRESS NUMBER, BUILDING NUMBERS, OR APPROVED BUILDING IDENTIFICATION SHALL BE PLACED ON ALL BUILDING SIDES, IN A VISIBLE POSITION FROM STREET OR ROAD FRONTAGE.
B. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND.
C. NUMBERS SHALL BE ARABIC NUMERALS OF ALPHABET LETTERS.
D. ADDRESS IDENTIFICATION SHALL BE COMPLIANT WITH THE REQUIREMENTS OF THE FIRE CODE OFFICIAL AND THE ORDINANCES OF THE JURISDICTION.
E. UNIT ADDRESSING LETTERS TO BE 5" MIN. HEIGHT AND Ø.5" MIN. WIDTH
F. UNIT ADDRESSING SIGNAGE TO BE MOUNTED 8'-0" AFF TO TOP OF LETTERS OR FRAME.
G. UNIT ADDRESSING SHALL CONSIST OF THE LEVEL OR STORY OF EACH UNIT WITHIN ITS BUILDING AND A UNIT NUMBER.
H. BUILDING ADDRESSING SHALL BE 12" MIN. HEIGHT.
I. BUILDING ADDRESSING TO BE MOUNTED 10'-0" ABOVE FINISHED FLOOR OF TALLEST UNIT TO TOP OF LETTERS OR FRAME.
J. ALL ADDRESS NUMBERS MUST BE ILLUMINATED AT NIGHT EITHER INDIVIDUALLY OR BY STREET LIGHTS, SECURITY LIGHTS, ETC.
K. DIRECTIONAL SIGNAGE TO BE 6" MIN. HEIGHT.
L. DIRECTIONAL SIGNAGE TO BE MOUNTED 7'-0" MAXIMUM ABOVE FINISHED GRADE.
M. SEE LOCAL JURISDICTION FOR SUBMITTAL / APPROVAL PROCESS ON ALL SIGNAGE.

## BUILDING STEPS:

A. SEE CIVIL AND STRUCTURAL PLANS FOR LOCATION OF BUILDING STEPS.

## LEGEND

- TYPICAL FINISHED FLOOR OR FINISHED CEILING
- TYPICAL FINISHED ROOF DECK
- GRADE. SEE CIVIL / GRADING PLANS FOR HEIGHTS AND STEP LOCATIONS.
- GLAZING. SEE FLOOR PLANS.

PRJ-75615
06/27/19



GREENE TINDALL

CHARLESTONE & HILLSIDE
SHOPPING CENTER
GREENE TINDALL DESIGN

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3047 WARM SPRINGS ROAD, SUITE 500 LAS VEGAS, NEVADA 89120 OFFICE (702) 897-2597

| REVISION | DATE | NOTES |
|---|---|---|
| | | |

ISSUE DATE: 1/15/2019

ELEVATIONS

A-1.2

FILE: 4-HILLSIDE-DRAWINGS-ELEV.DWG LAST SAVE: 12/20/2018 2:53:35 PM BY: SERGIO PLOT DATE: 6/24/2019 12:06:41 PM

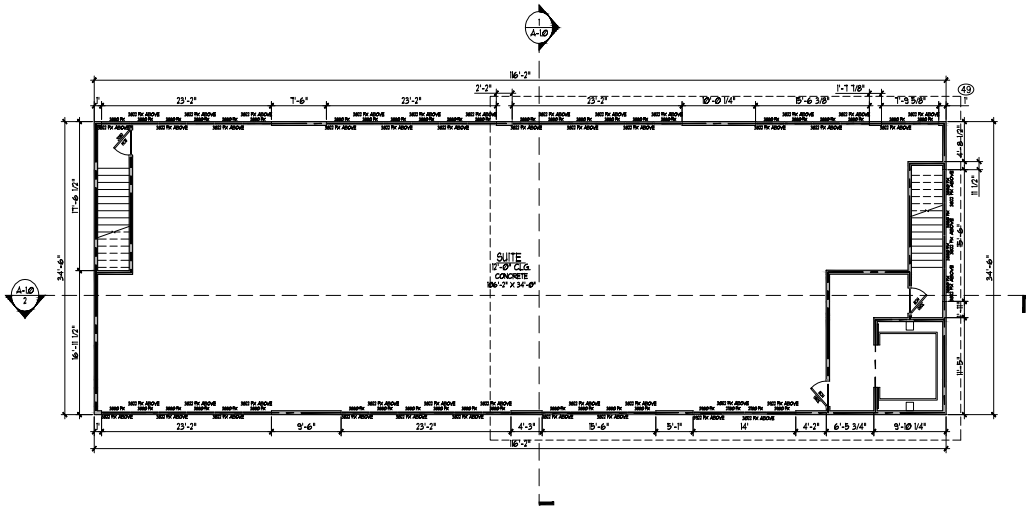
## GENERAL NOTES

A. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER(S).
B. ALL BASES SHALL BE REVERSIBLE GRADE.
C. PROVIDE GREEN BOARD ON SHOWER WALLS TYPICAL.
D. TEMPERED GLASS:
PROVIDE SAFETY GLAZING INT HE FOLLOWING LOCATIONS PER IBC FOR ALL GLASS DOORS AND STOREFRONT GLAZING IN BOTH INTERIOR AND EXTERIOR WALLS OF THE CLUBHOUSE.
- GLASS SLIDING OR SWINGING DOORS
- GLASS TUB AND / OR SHOWER ENCLOSURES
- ANY AND ALL GLAZING WITHIN A 24" ARC OF A DOOR.

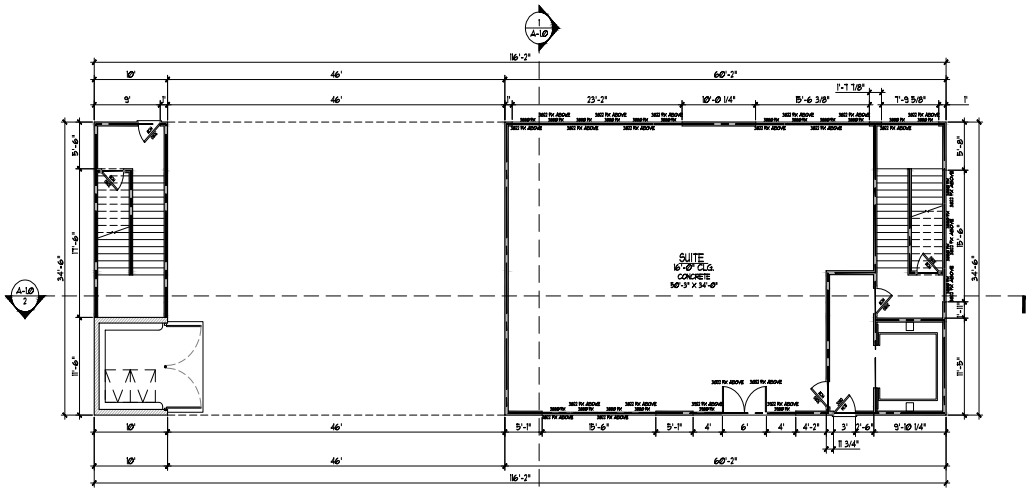
E. DOOR(S)
- FRONT ENTRY DOOR SHALL HAVE WEATHER STRIPPING & METAL THRESHOLD, AND BE PROVIDED WITH A LOCKSET AND DEADBOLT U.N.O.
- PROVIDE PRIVACY LOCKS AT ALL OFFICE AND BATHROOMS DOORS U.N.O.

F. BASE
- SEE DETAIL G / AC-3

G. ALL SMOKE DETECTORS SHALL BE INTERCONNECTED. SMOKE DETECTORS SHALL SOUND AN ALARM AUDIBLE IN ALL AREAS. SMOKE DETECTORS SHALL HAVE A BATTERY BACKUP AND WILL EMIT A SIGNAL WHEN THE BATTERIES ARE LOW.
H. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.
I. ONLY APPROVED STUCCO MATERIALS AND METHODS WILL BE ACCEPTABLE. SUBMIT SPECIFICATIONS FOR APPROVAL.
J. COORDINATE THE FIRE EXTINGUISHER LOCATIONS WITH INTERIOR FURNISHING LAYOUTS PRIOR TO PLACEMENT. CONTACT ARCHITECT PRIOR TO PLACEMENT WITH ANY CONFLICTS. 2A 10BC PORTABLE FIRE EXTINGUISHER IN ACCORDANCE WITH IFC SECTION 906.2 AS AMENDED
K. ALL ASSEMBLY ROOMS AND SPACES SHALL HAVE AN OCCUPANCY LOAD SIGN POSTED IN A CONSPICUOUS SPACE.
L. FURNITURE TO BE SUPPLIED BY OTHERS.
M. SUB CONTRACTOR TO SUBMIT ALL MILLWORK SHOP DRAWINGS TO ARCHITECT PRIOR TO CONSTRUCTION.
N. SEE INTERIOR DESIGN DWG'S FOR COLOR BOARD BLOCKING INFORMATION FOR EXTERIOR COLOR/PAINTING.
O. CABLE/SATELLITE, AUDIO/VIDEO, SPEAKERS, TELEPHONE AND ALL OTHER LOW VOLTAGE TO BE COORDINATED WITH THE OWNER BY THE SUB-CONTRACTOR PRIOR TO WORK BEING DONE.
P. SUB CONTRACTOR TO INSTALL TWO RUNS OF COAXIAL CABLES FOR TABLE AND SATELLITE CONCURRENTLY.
Q. PLATFORM TO BE PLACED BY CONTRACTOR ON ALL ROOFS TO ACCOMMODATE FUTURE PLACEMENT OF SATELLITES.
R. FINISHED AND MATERIALS PER INTERIOR DESIGN SCHEDULES, SHEET IF-1.
S. SOLES, PLATES, AND STUD PENETRATIONS PER 14 / AD-3.0




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




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

## TYPICAL KEYNOTES

1. PROVIDE WATER HEATER W/ RELIEF VALVE AND EXHAUST DRAIN VENTED TO DAYLIGHT ON 18" HIGH PLYWOOD PLATFORM W/ 5/8" TYPE 'X' DRYWALL OVER. PROVIDE COMBUSTIBLE AIR FOR GAS WATER HEATER PER NOTE #2.
2. PROVIDE TWO OPENINGS IN EXTERIOR DOOR, PROVIDE (2) 20" X 20" MIN. SEE EXTERIOR ELEVATIONS.
3. SEE MECHANICAL PLANS FOR MECHANICAL EQUIPMENT LOCATIONS
4. 30" HIGH FURNITURE DESK
5. MIRROR – WALL LENGTH X 72" MOUNTED 96" A.F.F.
6. 1/2" THRESHOLD
7. SUB CONTRACTOR TO SUBMIT SHOP DRAWING FOR STOREFRONT GLASS AND INTERIOR GLAZING SYSTEMS.
8. THIS DOOR TO HAVE KEYED LOCKS
9. CONCRETE SIDEWALKS. SEE LANDSCAPE PLAN FOR CONNECTIONS
10. SUB-CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR WOOD FRAMED BENCHES.
11. PROVIDE PANIC HARDWARE ON THIS DOOR.
12. A READILY VISIBLE DURABLE SIGN IS POSTED ON THE EGRESS SIDE ON OR ADJACENT TO THE DOOR STATING: "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". THE SIGN SHALL BE IN LETTERS 1 INCH HIGH ON A CONTRASTING BACKGROUND.
13. PROVIDE BACKING FOR TV MOUNTS. SEE ELECTRICAL DWG'S FOR PLACEMENT.
14. PROJECTION SCREEN SHALL BE COMPATIBLE WITH CLOSED/OPEN CAPTIONING. PROVIDE ASSISTIVE LISTENING DEVICE. MFG AUDEX (AUDEX.COM) OR APPROVED EQUAL.
15. TELEVISIONS SHALL BE COMPATIBLE WITH CLOSED/OPEN CAPTIONING. PROVIDE ASSISTIVE LISTENING DEVICE.
16. 30"X48" CLEAR FLOOR AREA
17. NON-FIXED SEATS TYPICAL
18. ACCESSIBLE SHOWER TO CONSIST OF:
    - SINGLE LEVER MIXING VALVE
    - ADJUSTABLE HEIGHT SHOWER SPRAY UNIT, MOUNTED 32" – 48" AFF, THAT CAN BE USED BOTH AS FIXED SHOWER HEAD AND A HAND-HELD UNIT. 60" MINIMUM HOSE LENGTH.
    - GRAB BARS
    - STANDARD SHOWER HEAD MOUNTED 6'-0" AFF.
19. ACCESSIBLE SHOWER HEAD MOUNTED 4'-0" AFF.
20. 42" HIGH GUARDRAIL W/INSIDE HANDRAIL 34"-38" ABOVE NOSING.
21. WALL MOUNTED HANDRAIL 34"-38" ABOVE NOSING AT ALL STAIRS. EXTEND RAILS TO 12" BEYOND NOSING.
22. UNDER COUNTER FREEZER / DISHWASHER. SEE PLUMBING PLAN.
23. 2X6 SOUND WALL R-19 BATT INSULATION W/ 1/2" R.C. CHANNELS EACH SIDE.
24. FULL HEIGHT CABINET W/ (5) 24" SHELVES EQUALLY SPACED. PAINTED HEAVY DUTY.
25. GARBAGE DISPOSAL.
26. FRP 48" X 96". MOUNTED 2 SIDES.
27. ROOF HATCH – REFER TO DETAILS.
28. METAL LADDER – REFER TO DETAILS.
29. ADA COMPATIBLE HIGH / LOW DRINKING FOUNTAINS.
30. EXTERIOR STAIRS AT 2 STORY CLUBHOUSE ONLY – REFER TO ENLARGED STAIR PLAN ELEVATION, AND DETAILS.
31. 60" A.F.F. RAILING POOL FENCE.
32. 60" A.F.F. GATE POOL FENCE.
33. DECORATIVE METAL TRIM ABOVE – REFER TO SECTIONS AND DETAILS.
34. VENDING MACHINES BY OTHERS – SUPPLY POWER AS REQUIRED – REFER TO ELEC DWG'S.
35. PLANTER AREA – REFER TO LANDSCAPE DWG'S.
36. 24" DEEP COUNTER AT 30" AFF – FINISH TBD.
37. 18" X 18" X 3" DEEP SUMP PIT AT 2 STORY CLUBHOUSE ONLY. COORDINATE EXACT LOCATION WITH ELEVATOR MANUFACTURER PRIOR TO CONSTRUCTION.
38. 18" WIDE METAL LADDER AT 2 STORY CLUBHOUSE ONLY – COORDINATE WITH ELEVATOR MANUFACTURER FOR LOCATION AND STYLE PRIOR TO CONSTRUCTION.
39. ELECTRICAL EQUIPMENT – REFER TO ELECTRICAL DRAWINGS FOR SIZE AND LOCATION.
40. SCUPPER WITH OVERFLOW AND DOWNSPOUT.
41. EQUIPMENT SUPPLIED BY OTHERS
42. DOOR TO BE EQUIPPED WITH SELF CLOSER WITH MAXIMUM 5 POUNDS OF FORCE REQUIRED TO OPERATE.
43. PARTITIONS AND PARTITION DOORS PER MANUFACTURER'S SPECIFICATIONS.
44. PRE-MANUFACTURED COVERINGS SUPPLIED BY OTHERS
45. ROOF DECKS TO BE COVERED WITH UL APPROVED ROOF COVERING TO MEET OR EXCEED CODE. ELASTOMETRIC COATING SYSTEM W/ GRANULE SURFACE.
46. SUPPLY POWER/DATA/TV IN FLOOR ADJACENT TO PLANTER BOX.
47. 1" INSULATED GLAZING
48. 1 HOUR FIRE PROTECTION REQUIRED ON WALLS AND CEILING.
49. LINE OF ROOF ABOVE
50. DROP BOX MOUNTED @ 48" AFF.
51. 60" A.F.F. GLASS POOL FENCE
52. 42" UPPER CABINETS.
53. GAS FIRE PLACE: HEAT & GLO MODEL RED40ST; CUSTOM HEARTH.
54. 1 HOUR FIRE RATED ATTIC ACCESS – REFER TO DETAILS.
55. DEPRESS FLOOR 2" AND SLOPE MIN. 1/4:12 TOWARDS DOOR.
56. FIRE CONTROL PANEL.
57. LOW VOLTAGE BOARD.
58. G.I. 26 GA GALVANIZED FLASHING CAP.
59. CRICKET.
60. CANT STRIP.
61. SPLASH BLOCK, SEE DETAILS.
62. FLOOR SAFE

## RISER ROOM NOTES:

A. A KEY BOX SHALL BE PROVIDED FOR EACH FIRE RISER ROOM.
A.A. KNOX SERIES 5300 RECESSED FOR FIRE DEPARTMENT USE IN ACCORDANCE WITH IFC 506.1
A.B. THE DOOR LEADING TO THE SPRINKLER RISER ROOM AND FACP SHALL BE PROVIDED WITH A FIRE DEPARTMENT REFLECTIVE ALERT DECAL.
A.C. KEY BOXES SHALL BE INSTALLED ADJACENT TO THE MAIN DOORWAY, 5 TO 6-1/2 FEET TO THE TOP OF THE BOX ABOVE FINISHED GRADE. FOR BUILDINGS WITH PUMP HOUSES AND / OR SPRINKLER VALVE ROOMS THAT HAVE ACCESS SERIES 5300 RECESSED KNOX BOX SHALL BE INSTALLED ADJACENT TO THE PUMP HOUSE AND / OR RISER ROOM EXTERIOR DOOR.
A.D. KEY BOXES MAY BE ORDERED DIRECTLY FROM THE KNOX COMPANY AT WWW.KNOXBOX.COM
B. MIN. 2" HIGH LETTERS IN ACCORDANCE WITH IFC SECTIONS 5101.1 AND 505.1.1.2
B.A. RISER ROOM SIGN TO READ: "FIRE SPRINKLER VALVE ROOM"
B.B. EXTERIOR DOOR SHALL BE LABELED WITH "FIRE RISER ROOM" OR "FIRE SPRINKLER VALVE ROOM".
C. UTILITIES AND FIRE RISER ROOMS TO BE ON THE HIGH SIDE OF ALL STEPPED BUILDINGS.
RISER ROOM LAYOUTS PER 2 / AFD-0.0

## FIRE DEPARTMENT NOTES:

A. FIRE RISER ROOM SHALL COMPLY WITH SECTION 903.3, 1206.5, AND IFC SECTIONS 5101.1, 903.1.2, AND LOCAL AMENDMENTS.
B. PROVIDE 2A10BC PORTABLE FIRE EXTINGUISHER IN EVERY UNIT AT KITCHEN AREA IN ACCORDANCE WITH IFC 906.

Approved 6645
Clark County Fire Department

## WALL LEGEND

- 2X6 FIRE RATED WALL
- 2X4 FIRE RATED WALL

GREENE TINDALL

HARRY GREENE
REGISTERED
No. 682
ARCHITECT
STATE OF NEVADA

CHARLESTONE & HILLSIDE
SHOPPING CENTER
GREENE TINDALL DESIGN
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| REVISION | DATE | NOTES |
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FLOOR PLAN

ISSUE DATE: 11/5/2018

A-1.0

FILE: 4-HILLSIDE-DRAWINGS-ELEVDWG LAST SAVE: 12/20/2018 2:53:35 PM BY: SERGIO PLOT DATE: 6/24/2019 12:01:35 PM




**VAR-76939 [PRJ-75615] - VARIANCE RELATED TO VAR-76940 AND SDR-76941 - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC**
**SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND HILLSIDE PLACE**

09/11/2019




**VAR-76939 [PRJ-75615] - VARIANCE RELATED TO VAR-76940 AND SDR-76941 - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC**
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09/11/2019




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**SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND HILLSIDE PLACE**

09/11/2019

09-23-2019

Department of Planning
City of Las Vegas
495 S. main Street
Las Vegas, NV 89101

**PROJECT NAME: HILLSIDE RETAIL BUILDING**
**PROJECT NUMBER (PAC): PRJ-75615**

Planning Official(s),

We, as the applicant, respectfully request review of a proposed 2-story, multi-tenant retail building totaling 5,031 sq. ft., located on the South West corner of East Charleston Boulevard and Hillside Place in the City of Las Vegas.

The Project has been designed to meet height requirements. The project will require 3 waivers of standards, as follows.

- Variance for residential adjacency at the rear property to 90' where 138' adjacency is required. This is a common trait amongst the adjacent properties with 11' residential adjacency to our west and 18' residential adjacency to our east.
- Waiver for a parking deduction from 28 stalls required to the 23 stalls provided. This is common for the surrounding lots with the property to the east consisting of 14 stalls provided where approximately 18 are required, and the property to the west consisting of 16 stalls where approximately 57 stalls are required.
- Side landscaping requirements to be reduced to the landscape design as proposed. This landscape design has been created in a way to create more landscape than the neighboring properties, create a more visually appealing project, and maintain a balanced site design.

Not only does a new 5,031 sq. ft. commercial building create job opportunities for the nearby residential communities, but the building aesthetics will bring an appealing look and contribute to the beautification of the surrounding neighborhood.

If you have any questions or require additional clarification, please contact me at 702.597.5597 or via email at chris@ltrdcorp.com.

Thank you,

**Christopher Dyka**
Residential Designer
702.597.5597
chris@ltrdcorp.com

**LTRD Corporation / GreeneTindall Design Group**
3047 East Warm Springs Road Suite 500
Las Vegas, Nevada 89120
Office (702) 597-5597

PRJ-75615
09/24/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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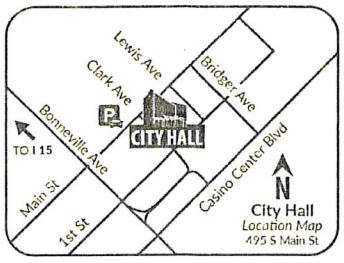
**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202111054
STUART LAIRD
1215 CHAPMAN DR
LAS VEGAS NV 89104

93 LRDFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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CITY CLERK

2020 FEB 11 P 12:25

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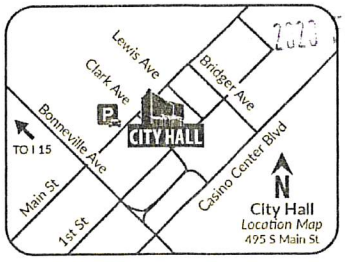


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

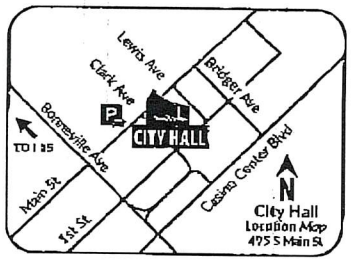
Submitted after final agenda
Hms 2/19/02



93 LRDFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-76939 and VAR-76940 [PRJ-75615]**

City Council Meeting of **02/19/2020**

PRJ-75615
16202113012
BETKE ANGELA A
224 FOXLAKE AVE
LAS VEGAS NV 89148

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2020 FEB 18 A 7:06

Submitted after final agenda
Item 98 & 99

No. 4137 P. 1

Feb. 14. 2020 2:36PM GANZ HAUF

City Council - Page 590

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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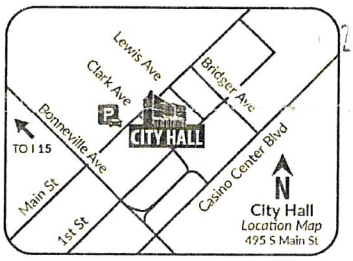
Las Vegas, NV
Permit No. 1630

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

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202115077
APSTAR APPRAISAL SERV 401K TR
MIRKOVICH THOMAS R TRS
1712 CHAPMAN DR
LAS VEGAS NV 89104

93 LADFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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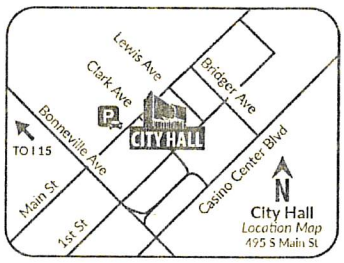
Las Vegas, NV
Permit No. 1630

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

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202116013
HALL VIRGINIA LEE & CLAUDIA A
1210 S 17TH ST
LAS VEGAS NV 89104-1833



93 LADFNP1 89104

# PROJECT DATA:

## SITE BREAKDOWN

| | | |
|---|---|---|
| A.P.N. | : | 162-02-111-040<br>162-02-111-041 |
| CURRENT ZONING | : | C-1 |
| PROPOSED ZONING | : | UNCHANGED |
| NET SITE SQ. FT. | : | 15,922 SQ. FT. |
| NET AREAGE: | : | 0.36 ACRES |
| MEDICAL SQ. FT. | : | 4,886 SQ. FT. |
| LOT COVERAGE | : | 30.6% |

## SETBACKS

| | | |
|---|---|---|
| FRONT YARD | : | 10' |
| REAR YARD | : | 20' |
| INTERIOR SIDE YARD | : | 10' |
| ANTERIOR SIDE YARD | : | 10' |
| ALLOWABLE BLDG HT | : | 35' |
| ACTUAL BLDG HT | : | 28' |

## PARKING BREAKDOWN

| | | | |
|---|---|---|---|
| FIRST FLOOR AREA | : | 1,567 | SQ. FT. |
| SECOND FLOOR AREA | : | 3,464 | SQ. FT. |
| TOTAL MEDICAL SQ. FT. | : | 5,031 | SQ. FT. |
| PARKING REQUIRED | : | | |
| 1 : 175 SQ FT | : | 29 | SPACES |
| PARKING PROVIDED | : | | |
| STANDARD PARKING | : | 20 | SPACES |
| COMPACT PARKING (13%) | : | 3 | SPACES |
| TOTAL PARKING PROVIDED | : | 23 | SPACES |
| ACCESSIBLE REQUIRED | : | 2 | SPACE |
| ACCESSIBLE PROVIDED | : | 2 | SPACE |

# LANDSCAPE LEGEND:

## 24" BOX TREES

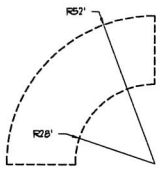
| QUANTITY | SYMBOL | TYPE |
|---|---|---|
| 16 | | QUERCUS ILEX |

## 5 GALLON SHRUBS

| QUANTITY | SYMBOL | TYPE |
|---|---|---|
| 60 | | PYRACANTHA 'SANTA CRUZ' |
| 68 | | LANTANA 'DALLAS RED' |
| 61 | | ROSMARINUS 'PROSTRATA' |

## GROUND GOVER

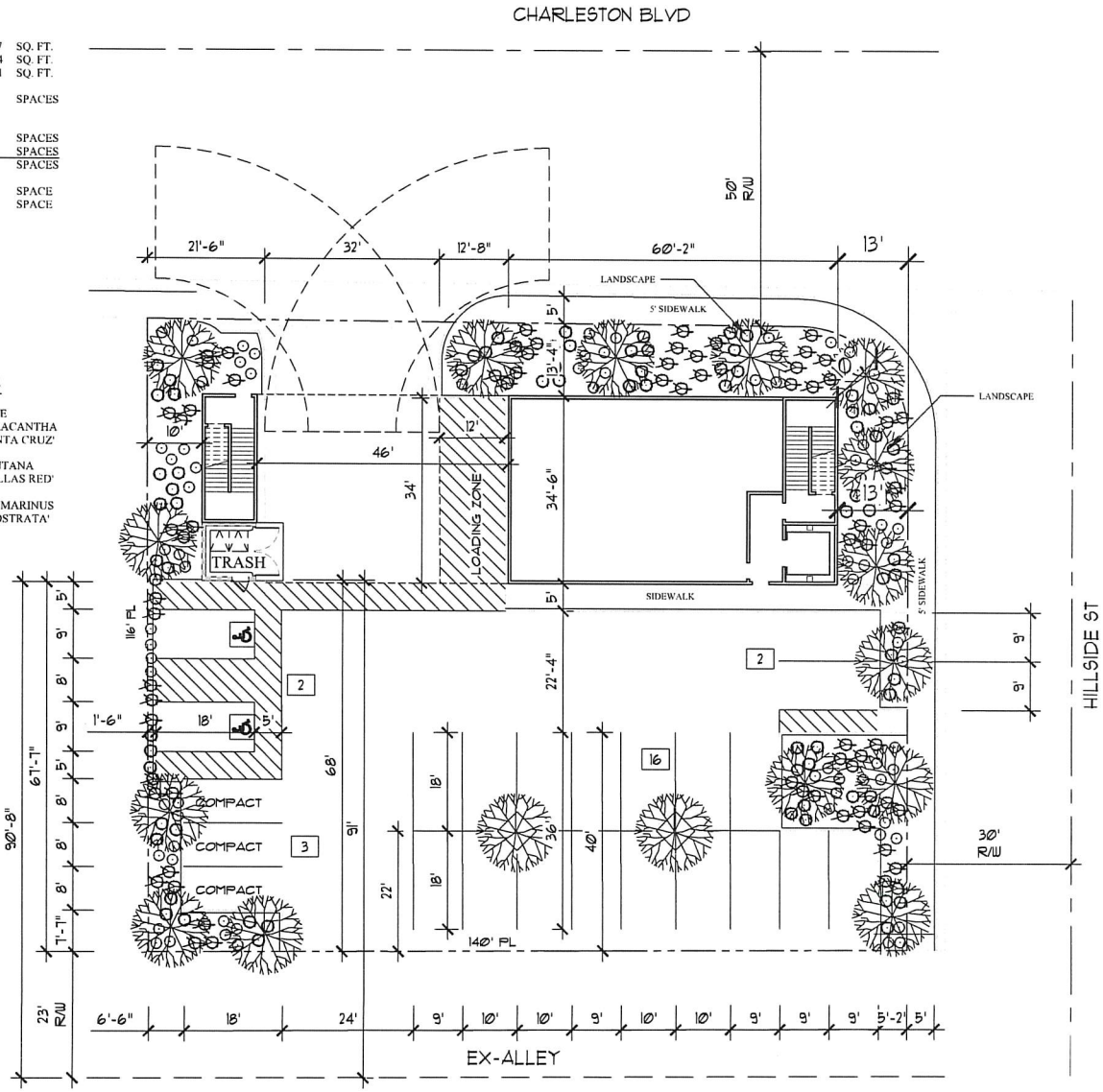
GROUND COVER TO BE DROUGHT TOLERANT




2 FIRE ENGINE TURN AROUND
SCALE: NO SCALE




1 VICINITY MAP
SCALE: NO SCALE




SITE PLAN / LANDSCAPE PLAN
SCALE: 1:10

NORTH

PRJ-75615
12/16/19

GREENE TINDALL

CHARLESTONE & HILLSIDE
SHOPPING CENTER
GREENE TINDALL DESIGN
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LAS VEGAS, NEVADA 89120 OFFICE (702) 597-5597
3047 WARM SPRINGS ROAD, SUITE 500

| REVISION | DATE | NOTES |
|---|---|---|
| | | |

ISSUE DATE: 1/15/2018
SITE PLAN / LANDSCAPE PLAN
AS-1.0

Submitted after final agenda

Date 3/17/20 Item 48-50

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

GREENE TINDALL DESIGN

10-21-2019

RECEIVED
OCT 2 1 2019
Dept of Planning
City of Las Vegas

Department of Planning
City of Las Vegas
495 S. main Street
Las Vegas, NV 89101

**PROJECT NAME:** **HILLSIDE RETAIL BUILDING**
**PROJECT NUMBER (PAC): PRJ-75615**

To whom it may concern,

On request of the owner/applicant, we would like to formally request a 30 day stay due internal factors. We hope to have these internal items resolved as quickly as possible and appreciate your understanding on this matter. If you have any questions or require additional clarification, please contact me at 702.597.5597 or via email at chris@ltrdcorp.com.

Thank you,

**Christopher Dyka**
Residential Designer
702.597.5597
chris@ltrdcorp.com

**LTRD Corporation / GreeneTindall Design Group**
3047 East Warm Springs Road Suite 500
Las Vegas, Nevada 89120
Office (702) 597-5597

Submitted after final agenda

VAR-76939
VAR-76940
SDR-76941
Items 42-44

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

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Las Vegas, NV
Permit No. 1630

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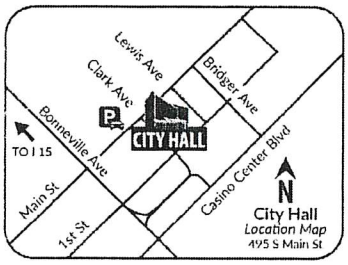
**Official Notice of Public Hearing**




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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-76939 and VAR-76940 [PRJ-75615]**

Planning Commission Meeting of **10/22/2019**

PRJ-75615
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

12-13P

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

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Las Vegas, NV
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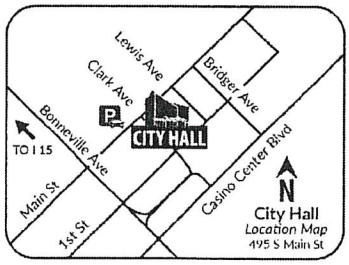
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
Planning Commission Meeting of **10/22/2019**

PRJ-75615
16202115096
ALVAREZ FRANCISCO
1424 JESSICA AVE
LAS VEGAS NV 89104

93 HRDFNP1 89104



R-BA

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

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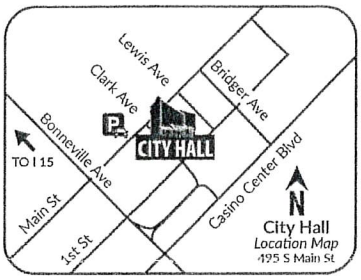
Permit No. 1630

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

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Please use available blank space on card for your comments.
**VAR-76939 and VAR-76940 [PRJ-75615]**
Planning Commission Meeting of **10/22/2019**

PRJ-75615
13935413025
J W B PROPERTY MANAGEMENT L L C
1601 E CHARLESTON BLVD
LAS VEGAS NV 89104

93 HRDFNP1 89104

Submitted after final agenda



42A
43A

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Monday, October 14, 2019 10:27 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 10/14/19 10:27 PM

| | |
|---|---|
| Meeting Date: | Tuesday, October 22, 2019 |
| Project Number: | PRJ-75615 |
| Position: | I OPPOSE the project and all related applications. |
| Name: | Laird Stuart |
| Residential or Business Address: | 1215 Chapman Drive<br>Las Vegas, NV 89104 |
| Comments: | I OPPOSE VAR-76939, VAR-76940 and SDR-76941.<br><br>THANK YOU |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



42-44 P

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**49**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-76940 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-76939 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Variance TO ALLOW A 90-FOOT RESIDENTIAL ADJACENCY SETBACK FROM THE SOUTH PROPERTY LINE WHERE 138 FEET IS REQUIRED on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 2 |
| City Council Meeting | 3 | City Council Meeting | 2 |

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) 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

## APPLICATION / PETITION FORM

**Application/Petition For:** _____

**Project Address (Location)** 1602 & 1608 E Charleston BLVD

**Project Name** Hillside Retail **Proposed Use** Retail

**Assessor's Parcel #(s)** 162-02-111-040; 041 **Ward #** _____

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

**Commercial Square Footage** 5441 sf **Floor Area Ratio** _____

**Gross Acres** 0.37 acres **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** _____ **Fax:** _____

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

**E-mail Address** _____

**APPLICANT** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.com

**REPRESENTATIVE** Greene-Tindall **Contact** Chris Dyka

**Address** 3047 E Warm Springs Rd Suite 500 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.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** HAMLET HOVSEPIAN

Subscribed and sworn before me

This 31 day of Jan, 20 18.

Aaron Breda, Notary Public

Notary Public in and for said County and State

*FOR DEPARTMENT USE ONLY*

| |
|---|
| **Case #** |
| **Meeting Date:** |
| **Total Fee:** |
| **Date Received:*** |
| **Received By:** |

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

PRJ-75615
08/27/19

Revised 10/27/08



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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT** **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Los Angeles )

On 1-31-18 before me, Aaron Breda, Notary Public,
*Date* *Here Insert Name and Title of the Officer*

personally appeared Hamlet Hovsepian
*Name(s) of Signer(s)*

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

AARON BREDA
Notary Public - California
Los Angeles County
Commission # 2165433
My Comm. Expires Sep 23, 2020

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

WITNESS my hand and official seal.

Signature
*Signature of Notary Public*

*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**
Title or Type of Document: App / Petition Form Document Date: 1-31-18
Number of Pages: 1 Signer(s) Other Than Named Above:

**Capacity(ies) Claimed by Signer(s)**

| Signer's Name: | Signer's Name: |
|---|---|
| ☐ Corporate Officer — Title(s): | ☐ Corporate Officer — Title(s): |
| ☐ Partner — ☐ Limited ☐ General | ☐ Partner — ☐ Limited ☐ General |
| ☐ Individual ☐ Attorney in Fact | ☐ Individual ☐ Attorney in Fact |
| ☐ Trustee ☐ Guardian or Conservator | ☐ Trustee ☐ Guardian or Conservator |
| ☐ Other: | ☐ Other: |
| Signer Is Representing: | Signer Is Representing: |

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PRJ-75615
06/27/19

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**50**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-76941 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76939 AND VAR-76940 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,031 SQUARE-FOOT COMMERCIAL SHELL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS on 0.37 acres at the southwest corner of Charleston Boulevard and Hillside Place (APNs 162-02-111-040 and 041), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-75615]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 2 |
| City Council Meeting | 3 | City Council Meeting | 2 |

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division
4. Backup Submitted for the February 19, 2020 City Council Meeting
5. Backup Submitted for the October 22, 2019 Planning Commission Meeting

**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

## APPLICATION / PETITION FORM

**Application/Petition For:** _____

**Project Address (Location)** 1602 & 1608 E Charleston BLVD

**Project Name** Hillside Retail **Proposed Use** Retail

**Assessor's Parcel #(s)** 162-02-111-040; 041 **Ward #** _____

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

**Commercial Square Footage** 5441 sf **Floor Area Ratio** _____

**Gross Acres** 0.37 acres **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** _____ **Fax:** _____

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

**E-mail Address** _____

**APPLICANT** Land Capital Partners, LLC **Contact** Hovsepian Hamlet

**Address** 1601 E Charleston BLVD Suite 100 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.com

**REPRESENTATIVE** Greene-Tindall **Contact** Chris Dyka

**Address** 3047 E Warm Springs Rd Suite 500 **Phone:** 702-597-5597 **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89120

**E-mail Address** chris@ltrdcorp.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** HAMLET HOVSEPIAN

Subscribed and sworn before me

This 31 day of Jan, 20 18.

Aaron Breda, Notary Public

Notary Public in and for said County and State

*FOR DEPARTMENT USE ONLY*

| |
|---|
| **Case #** |
| **Meeting Date:** |
| **Total Fee:** |
| **Date Received:*** |
| **Received By:** |

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

PR-75615
08/27/19

Revised 10/27/08



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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT** **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Los Angeles )

On 1-31-18 before me, Aaron Breda, Notary Public,
*Date* *Here Insert Name and Title of the Officer*

personally appeared Hamlet Hovsepian
*Name(s) of Signer(s)*

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

AARON BREDA
Notary Public - California
Los Angeles County
Commission # 2165433
My Comm. Expires Sep 23, 2020

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

WITNESS my hand and official seal.

Signature
*Signature of Notary Public*

*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**
Title or Type of Document: App / Petition Form Document Date: 1-31-18
Number of Pages: 1 Signer(s) Other Than Named Above:

**Capacity(ies) Claimed by Signer(s)**

| Signer's Name: | Signer's Name: |
|---|---|
| ☐ Corporate Officer — Title(s): | ☐ Corporate Officer — Title(s): |
| ☐ Partner — ☐ Limited ☐ General | ☐ Partner — ☐ Limited ☐ General |
| ☐ Individual ☐ Attorney in Fact | ☐ Individual ☐ Attorney in Fact |
| ☐ Trustee ☐ Guardian or Conservator | ☐ Trustee ☐ Guardian or Conservator |
| ☐ Other: | ☐ Other: |
| Signer Is Representing: | Signer Is Representing: |

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PRJ-75615
06/27/19

**SDR 76941**
**Land Capital Partners, LLC**

# SWC Charleston Boulevard and Hillside Place

Proposed 5.031 thousand square foot commercial building.

**Traffic produced by proposed development:**

| Proposed Use | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | SHOPPING CENTER [1000 SF] | 5.031 | 37.75 | **190** |
| AM Peak Hour | | | 0.94 | **5** |
| PM Peak Hour | | | 3.81 | **19** |

*(heaviest 60 minutes)*

**Existing traffic on all nearby streets:**

**Charleston Boulevard**

| | |
|---|---|
| Average Daily Traffic (ADT) | 33,345 |
| PM Peak Hour | 2,668 |

*(heaviest 60 minutes)*

**15th Street**

| | |
|---|---|
| Average Daily Traffic (ADT) | 2,861 |
| PM Peak Hour | 229 |

*(heaviest 60 minutes)*

**Traffic Capacity of adjacent streets:**

| | Adjacent street ADT Capacity |
|---|---|
| Charleston Boulevard | 53,445 |
| 15th Street | 12,480 |

This project will add approximately 190 trips per day on Charleston Blvd., Hillside Pl. and 15th St. Currently, Charleston is at about 62 percent of capacity and 15th is at about 23 percent of capacity. With this project, Charleston is expected to be at about 63 percent of capacity and 15th is expected to be at about 24 percent of capacity. Counts are not available for Hillside, but it is believed to be under capacity.

Based on Peak Hour use, this development will add into the area roughly 19 additional peak hour trips, or about one every three minutes.

Note that this report assumes all traffic from this development uses all named streets.

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Office of The City Clerk
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Las Vegas, Nevada 89101

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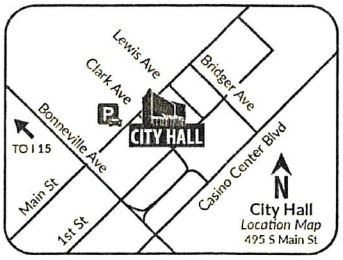


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76941 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202111054
STUART LAIRD
1215 CHAPMAN DR
LAS VEGAS NV 89104

93 LADFNP1 89104

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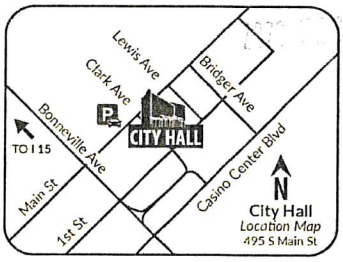


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

Submitted after final agenda
item 83



93 LADFNP1 89104

Feb. 14. 2020 2:37PM GANZ HAUF No. 4138 P. 1/1

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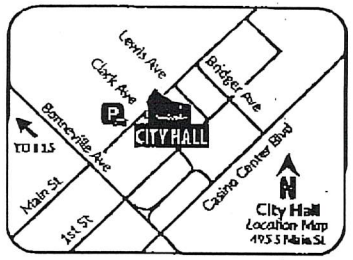


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**

City Council Meeting of **02/19/2020**

PRJ-75615
16202113012
BETKE ANGELA A
224 FOXLAKE AVE
LAS VEGAS NV 89148

141 LRDFNP1 89148

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Item 83

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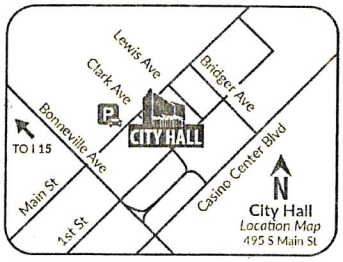


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202116013
HALL VIRGINIA LEE & CLAUDIA A
1210 S 17TH ST
LAS VEGAS NV 89104-1833

93 LADFNP1 89104

City of Las Vegas
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Las Vegas, Nevada 89101

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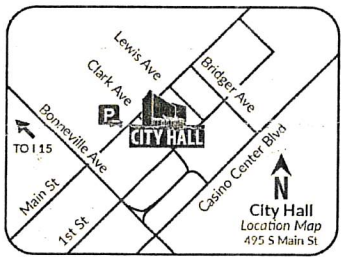


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**
City Council Meeting of **02/19/2020**

PRJ-75615
16202115077
APSTAR APPRAISAL SERV 401K TR
MIRKOVICH THOMAS R TRS
1712 CHAPMAN DR
LAS VEGAS NV 89104

Submitted after final agenda
Item 83



93 LADFNP1 89104

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

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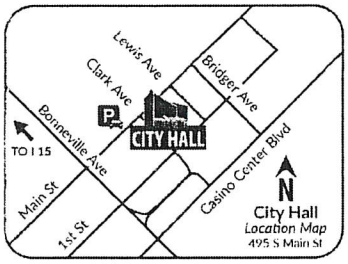


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**

Planning Commission Meeting of ~~**10/22/2019**~~

PRJ-75615
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

14P

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

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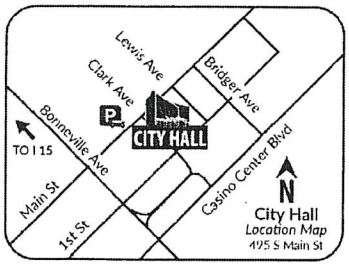


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SDR-76941 [PRJ-75615]**
Planning Commission Meeting of **10/22/2019**

PRJ-75615
16202115096
ALVAREZ FRANCISCO
1424 JESSICA AVE
LAS VEGAS NV 89104


33 HRDFMP1 89104




14A

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

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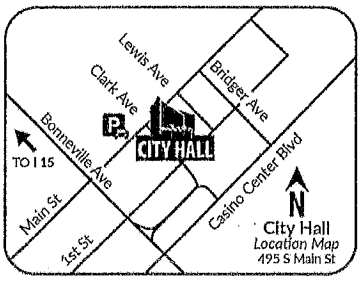


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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76941 [PRJ-75615]**
Planning Commission Meeting of **10/22/2019**

PRJ-75615
13935413025
J W B PROPERTY MANAGEMENT L L C
1601 E CHARLESTON BLVD
LAS VEGAS NV 89104

89 HRDFMP1 89104

Submitted after final agenda



44A

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**51**

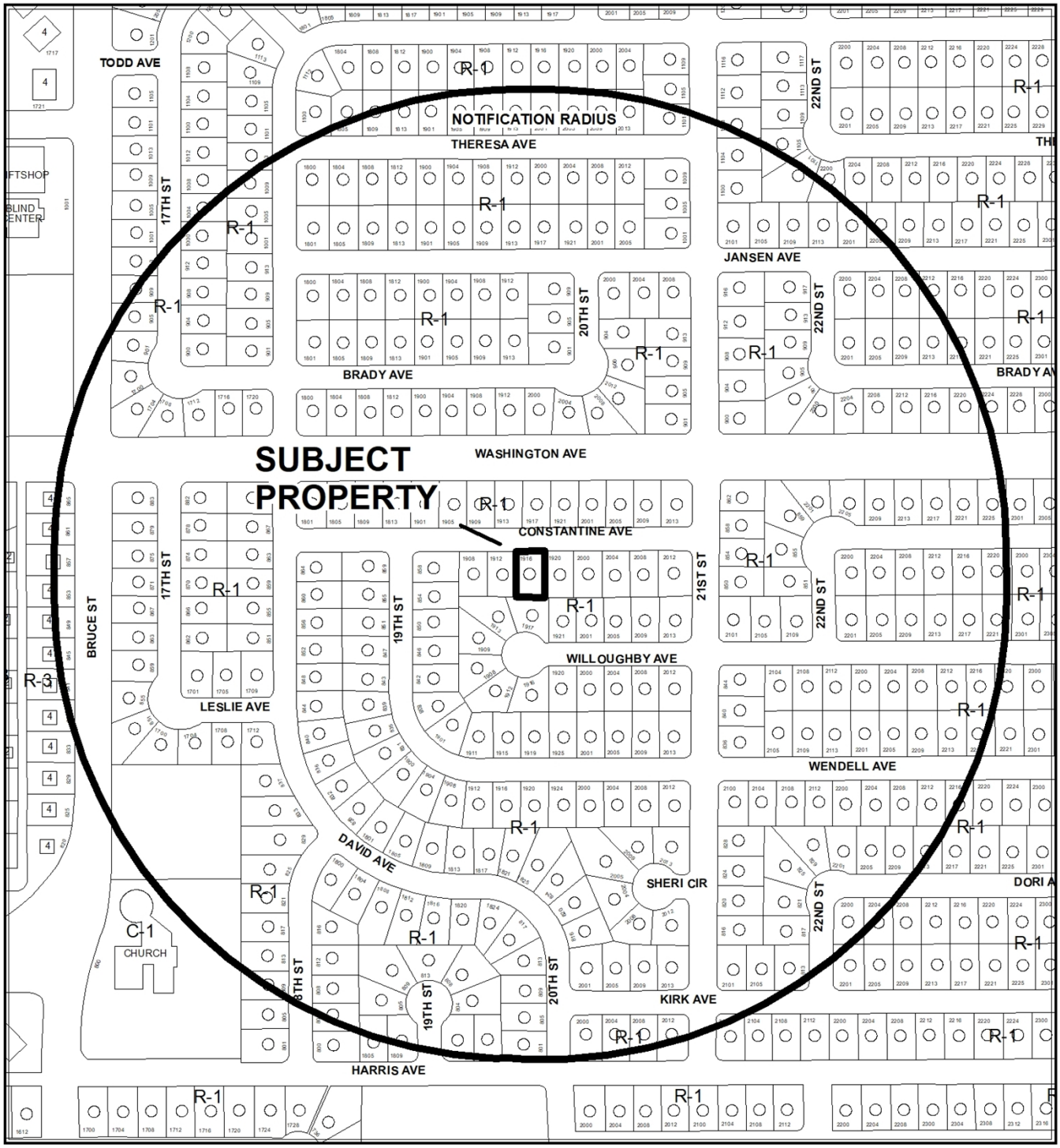
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-77932 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE AND REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AN EXISTING 720 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE 514 SQUARE FEET IS THE MAXIMUM ALLOWED; A FIVE-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AND TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHED] THAT ARE NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY RESIDENCE WHERE SUCH IS REQUIRED on 0.14 acres at 1916 Constantine Avenue (APN 139-26-711-072), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77847]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 2 |
| City Council Meeting | 3 | City Council Meeting | 3 |

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Backup Submitted for the February 19, City Council Meeting
7. Backup Submitted for the January 14, 2020 Planning Commission Meeting



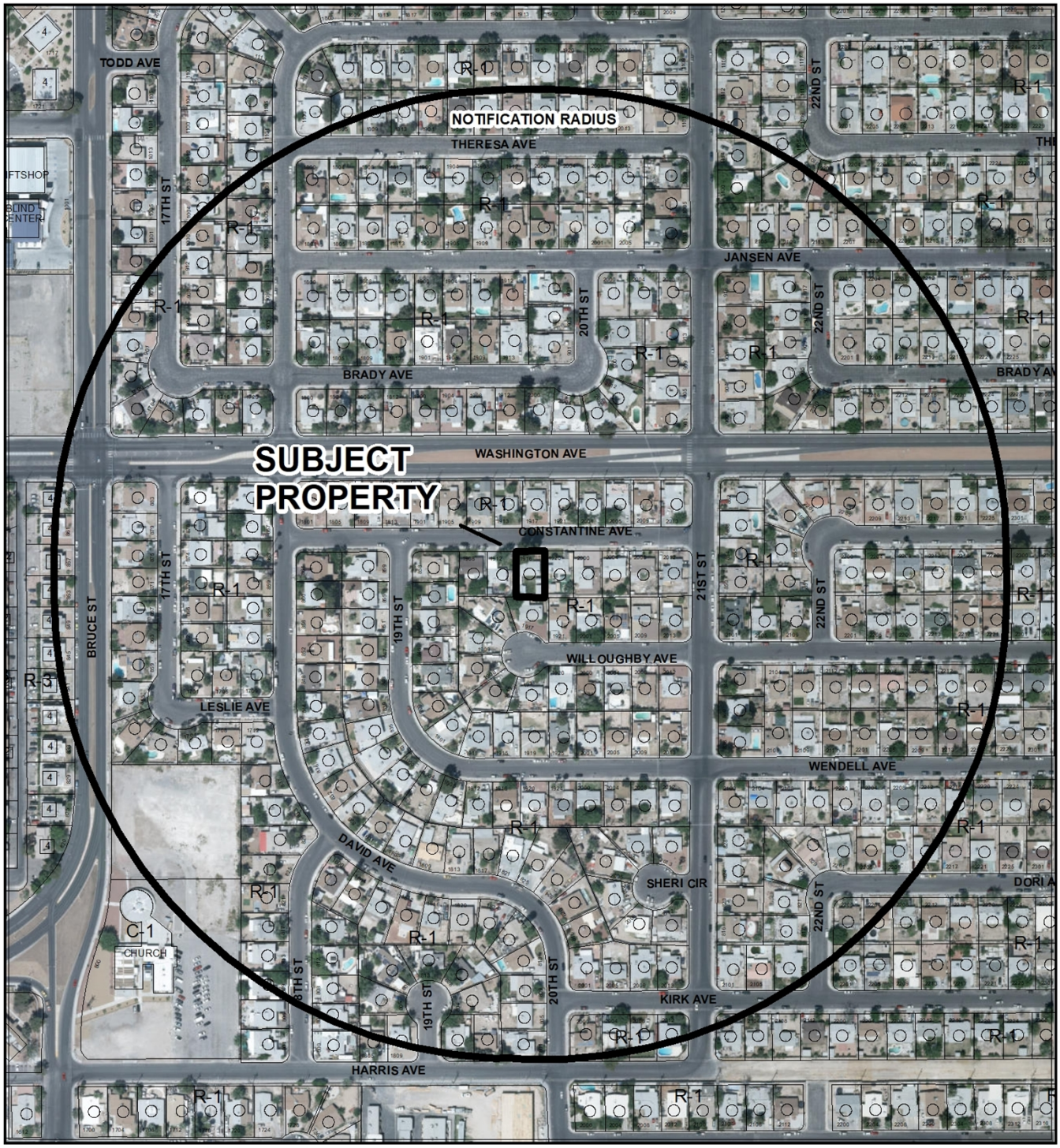

0 245 490 Feet

**CASE:** **VAR-77932 (PRJ-77847)**

**RADIUS:** 1000 FEET

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

N




**CASE:** **VAR-77932 (PRJ-77847)**

**RADIUS:** 1000 FEET

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

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-77932** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 406 (By City Clerk)

**PROTESTS** 4

**APPROVALS** 5



JB

**** CONDITIONS ****

# VAR-77932 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 Variance to allow two existing Accessory Structures Class II [Sheds] located on the east perimeter of the rear yard which were erected without obtaining building permits and do not comply with Title 19 development standards pertaining to setbacks, size and aesthetic compatibility to remain at 1916 Constantine Avenue.

## ISSUES

- On 05/20/68 a building permit (#49747) was issued for a detached shed located in the southwest corner of the rear yard at the subject site.
- On 05/21/19 a Code Enforcement case (#200320) was processed for sheds in rear yard which were constructed without building permits at the subject site. The case has not been resolved.
- A Variance is required to allow an Accessory Structure (Class II) [Shed] to be located zero feet from the side yard and rear yard property line where three feet is the minimum required by Title 19.06.070. Staff does not support this request.
- A Variance is required to allow 720 square feet of accessory structure floor area where 514 square feet is the maximum floor area allowed by Title 19.06.070. Staff does not support this request.
- A Variance is required to allow a five-foot distance separation from the main building where six feet is required. Staff does not support this request.
- A Variance is required to allow two structures which are not aesthetically compatible with the primary residence where such is required by Title 19.06 development standards. Staff does not support this request.
- The existing legal nonconforming Accessory Structure (built 1968) located in the southwest corner of the rear yard has added a patio cover to the eastern perimeter of this structure, which will require the issuance of a building permit.
- During the site visit staff noted that there is an existing canvas covered mobile shade structure located in between the existing legal nonconforming Accessory Structure (built 1968) and primary residence. The applicant has indicated that the structure will be removed from the rear yard area as it is not intended to be a permanent structure.

## ANALYSIS

An Accessory Structure (Class II) is described in Title 19.12 as: “An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an “Accessory Structure (Class I).”

Accessory structures in this residential development must adhere to Title 19.06.070 Development Standards. The subject property lot size is 62 feet wide, which is consistent with the R-1 (Single Family Residential) zoning district. Title 19.06 requires accessory structures in the R-1 (Single Family Residential) zoning district to maintain a minimum setback of three feet from the rear and side property lines, maintain minimum distance of six feet from the primary structure and aesthetically match the primary residence.

There are three existing Accessory Structures Class II [Sheds] located in the rear yard of the subject site. Staff has determined that the existing Accessory Structure located in the southwest corner of the rear yard is a legal nonconforming structure, as a building permit (#49747) was issued for the structure on 05/20/68. The applicant has added a patio cover to the eastern perimeter of this structure, which will require the issuance of a building permit.

However, the two Accessory Structures Class II [Sheds] located on the east perimeter of the rear yard were erected without obtaining building permits and do not comply with Title 19 development standards pertaining to setbacks, size and aesthetic compatibility. The two existing non-permitted structures are labeled as “Small Shed (built 1998)” and “Large Shed (built 1972)” on the submitted site plan. A Code Enforcement case (#200320) was processed on 05/21/19 for sheds in the rear yard, which were constructed without building permits at the subject site. As a result the applicant has submitted a Variance (VAR-77932) to allow the two nonconforming existing structures to remain on the subject site.

The submitted site plan indicates the existing Small Shed (built 1998) maintains a seven-foot separation from the principal dwelling where six feet is required and a two-foot setback from the eastern side yard property line where three feet is required. However, photographs taken by staff during site visits conducted on 11/26/19 indicated that the primary residence has a two-foot roof overhang which reduces the separation of these structures from seven feet to five feet. The second structure (Large Shed - built 1972) located on the southeastern perimeter of the rear yard maintains a 22-foot separation from the principal dwelling where six feet is required and a zero-foot setback from the eastern side yard and southern rear yard property line where 10 feet is required.

The submitted elevations and site visit photos indicate the existing one-story Accessory Structures are approximately 12 feet in height measured to the top of the roof. The applicant has indicated on the site plan that the existing structures are utilized as detached sheds. No kitchen facilities are proposed to be installed within with the existing structures. The two accessory structure have not been designed to aesthetically match the roof and trim of the principal dwelling. Photographs from staff’s site visit conducted on 11/26/19, indicate the two structures are constructed with a combination of white and yellow metal paneling, which does not match the existing pink stucco and white trim color scheme used on the primary residence.

In addition, the aggregate floor area of the three Accessory Structures is approximately 720 square-feet in size, which exceeds Title 19.06.070 development standards, which indicate the aggregate total of Accessory Structures cannot exceed 50% of the existing 1,028 square-foot primary residence *(see table below)*.

| **Structure Type** | **Square-Footage** | |
|---|---|---|
| Main Building | 1028 | |
| (Small Shed – Built 1998) | | 120 |
| (Large Shed – Built 1972) | | 280 |
| (Shed – Built 1968) | | 320 |
| **TOTAL:** | **1028/2 = 514** | **720** |

No substantial evidence has been presented to warrant the requested Variance, as the two existing Accessory Structures were constructed without building permits and do not comply with Title 19 development standards; therefore, this is considered a self-created hardship that NRS 278 does not permit as grounds for a Variance. As the applicant has provided no compelling evidence of a unique or extraordinary circumstance related to the site itself, staff recommends denial.

**FINDINGS (VAR-77932)**

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 constructing two accessory structures which do not comply with Title 19.06 development standards. An alternative design would allow conformance to Title 19.06 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.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 05/21/19 | A Code Enforcement case (#200320) was processed for sheds in rear yard without permits at 1916 Constantine Avenue. The case has not been resolved. |
| 01/14/20 | The Planning Commission unanimously voted to recommend DENIAL on a Variance (VAR-77932) request for TO ALLOW A ZERO-FOOT SIDE AND REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AN EXISTING 720 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE 514 SQUARE FEET IS THE MAXIMUM ALLOWED; A FIVE-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AND TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHED] THAT ARE NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY RESIDENCE WHERE SUCH IS REQUIRED on 0.14 acres at 1916 Constantine Avenue (APN 139-26-711-072), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77847]. |
| 02/19/20 | The City Council voted to HOLD IN ABEYANCE a request for a Variance (VAR-77932) request for TO ALLOW A ZERO-FOOT SIDE AND REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AN EXISTING 720 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE 514 SQUARE FEET IS THE MAXIMUM ALLOWED; A FIVE-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED]; AND TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHED] THAT ARE NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY RESIDENCE WHERE SUCH IS REQUIRED on 0.14 acres at 1916 Constantine Avenue (APN 139-26-711-072), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77847]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/31/95 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 05/20/68 | A building permit (#49746) was issued for an electrical permit for a detached shed at 1916 Constantine Avenue. |
| | A building permit (#49747) was issued for a detached shed located in the southwest corner of the rear yard at 1916 Constantine Avenue. |
| 09/25/95 | A building permit (#95878361) was issued for City of Las Vegas designed masonry at 1916 Constantine Avenue. The permit was finalized on 10/17/95. |

| ***Pre-Application Meeting*** | |
|---|---|
| 11/06/19 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Variance. |

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

| ***Field Check*** | |
|---|---|
| 11/26/19 | A field check was conducted on the subject property and revealed a well maintained single-family residence. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.14 |

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

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.070, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 60 Feet | 62 Feet | Y |
| Min. Setbacks (Small Shed – Built 1998)<br>• Separation from Main Building<br>• Side<br>• Rear | <br><br>6 Feet<br>3 Feet<br>3 Feet | <br><br>5 Feet<br>2 Feet<br>26 Feet | <br><br>N*<br>N*<br>Y |
| Min. Setbacks (Large Shed – Built 1972)<br>• Separation from Main Building<br>• Side<br>• Rear | <br><br>6 Feet<br>3 Feet<br>3 Feet | <br><br>22 Feet<br>0 Feet<br>0 Feet | <br><br>Y<br>N*<br>N* |
| Size and Coverage | Not to exceed 50% of the floor area of the principal dwelling unit (514 SF) | 720 SF | N* |
| | The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area. Approximately (50x62 = 3100) 3100/2= (1,550 SF) | 720 SF | Y |



JB

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| | The aggregate total of the ground floor areas of all structures and dwellings, including accessory structures, shall not exceed the percentage of lot coverage permitted (50 %) = 3,049 SF | 29 % | Y |
| Accessory Structure Max. Building Height | One Story | One Story | Y |

* The applicant has requested a Variance (VAR-77932) to allow a zero foot side and rear yard setback where three feet is the minimum required, to allow a 720 square feet of accessory structure floor area where 514 square feet is the maximum floor area allowed and to allow a five-foot distance separation from the main building where six feet is required.

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Constantine Avenue | Local Street | Title 13 | 50 | Y |

# DEPARTMENT OF PLANNING

## Application / Petition Form & Statement of Financial Interest

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

**Project Address** (Location) 1916 CONSTANTINE AVE LV, NV 89101

**Project Name** SHEDS **Proposed Use** 3

**Assessor's Parcel #(s)** 139-26-711-072 **Ward #** _____

**General Plan:** Existing X Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**Property Owner** Scow, CLARK REVOCABLE LIVING TR **Contact** KENT Scow

Address 1916 CONSTANTINE AVE City LV State NV Zip 89101

E-mail _____ Phone _____

**Applicant** KENT Scow **Contact** _____

Address 1916 CONSTANTINE AVE City LV State NV Zip 89101

E-mail SUPRANR7@YAHOO.COM Phone 7025254779

**Representative** _____ **Contact** _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Kent Scow

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

**Print Name** KENT Scow

Subscribed and sworn before me

This 18 day of November, 20 19

Joshua Mercado

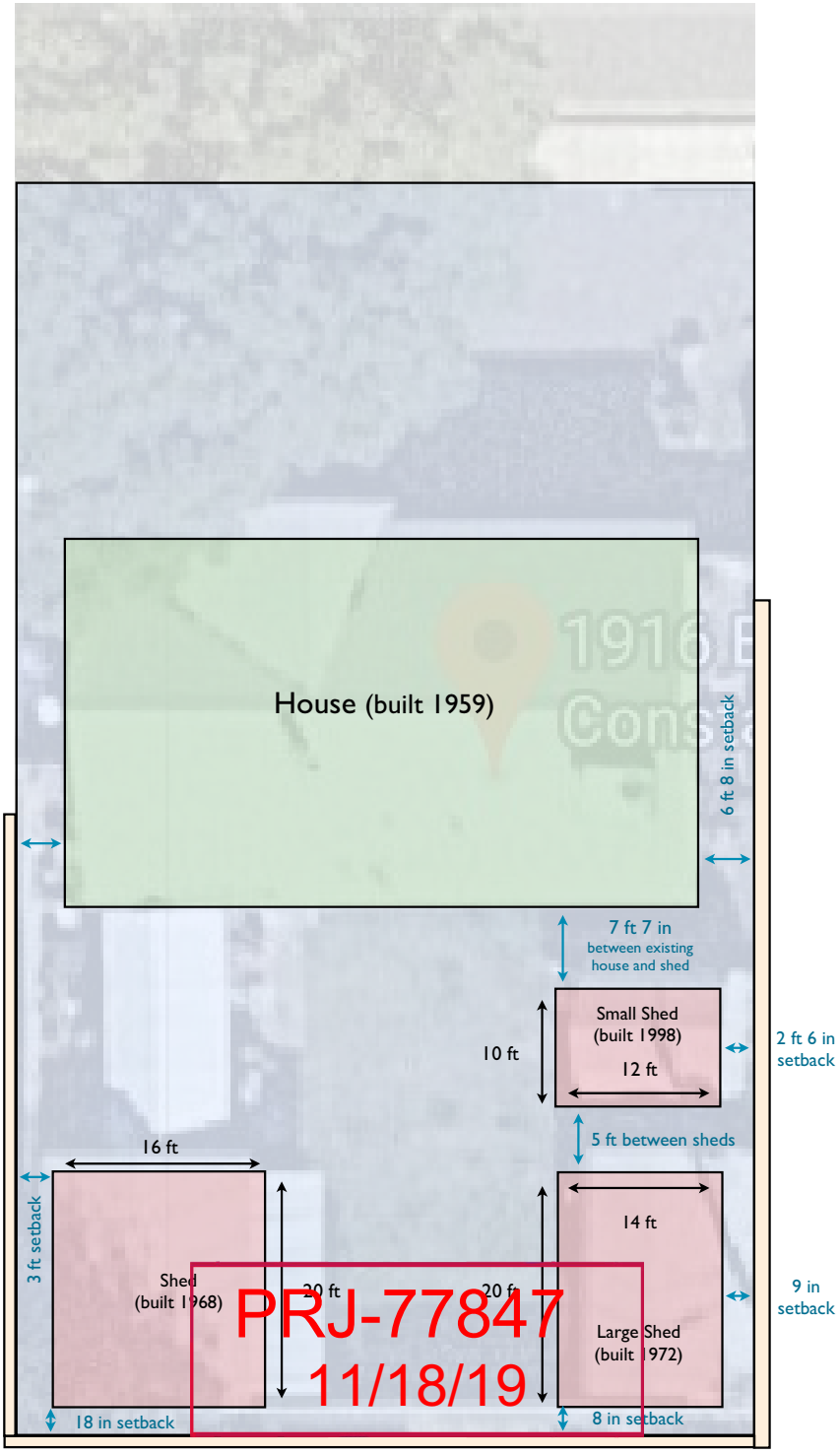
Notary Public in and for said County and State

JOSHUA MERCADO
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 18-3465-1
MY APPT. EXPIRES APR. 15, 2022

PRJ-77947
11/18/19

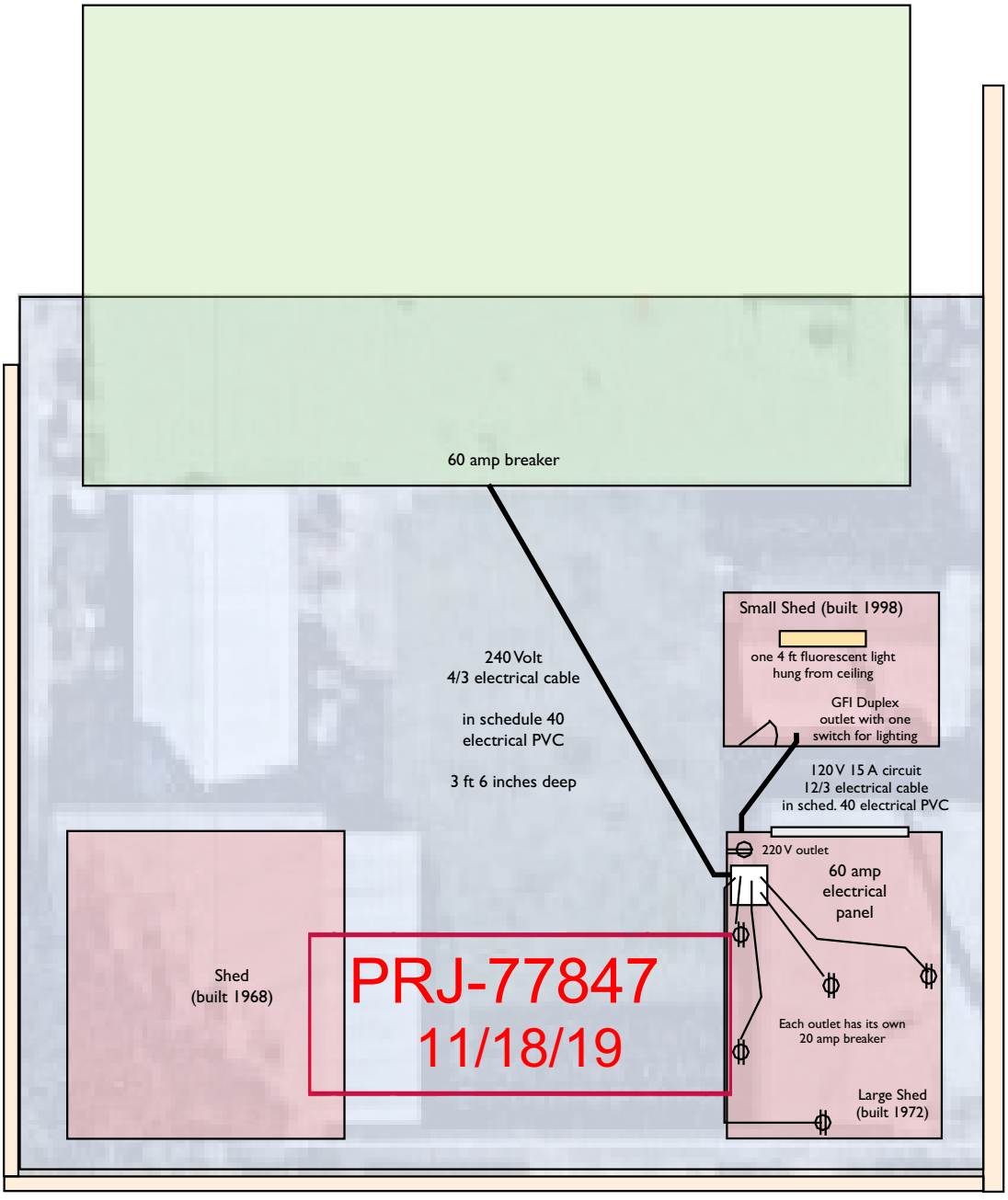
# 1916 East Constantine

## Lot lines, walls, and locations of sheds



# 1916 East Constantine

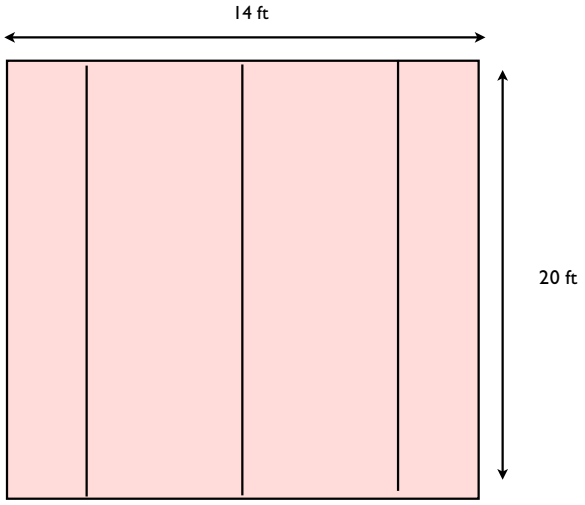
## Electrical to existing sheds



# 1916 East Constantine
## Shed Construction

Concrete Foundation, 5 inches thick with
12x12 footers, bolts for attaching walls

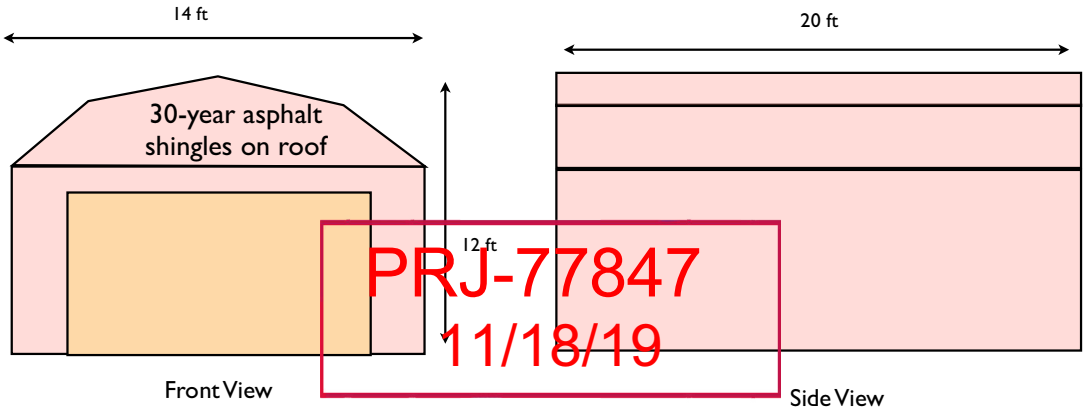
Top View



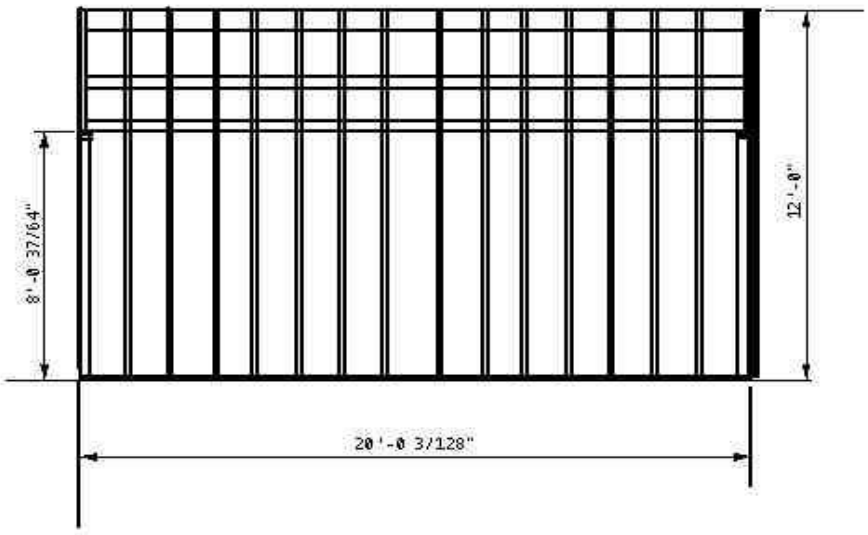

2x4 construction
T-111 exterior wood
with Tin siding over
Exterior wood

Studs are 16“ on center

Insulated and 5/8” sheet
rock interior

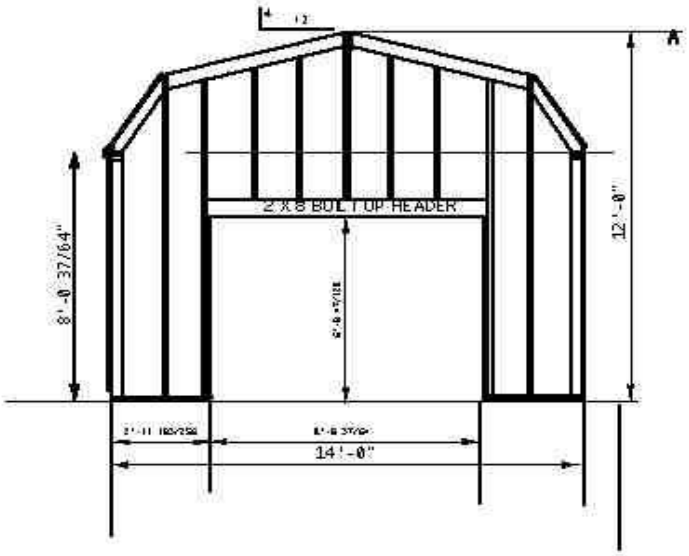



PRJ-77847
11/18/19



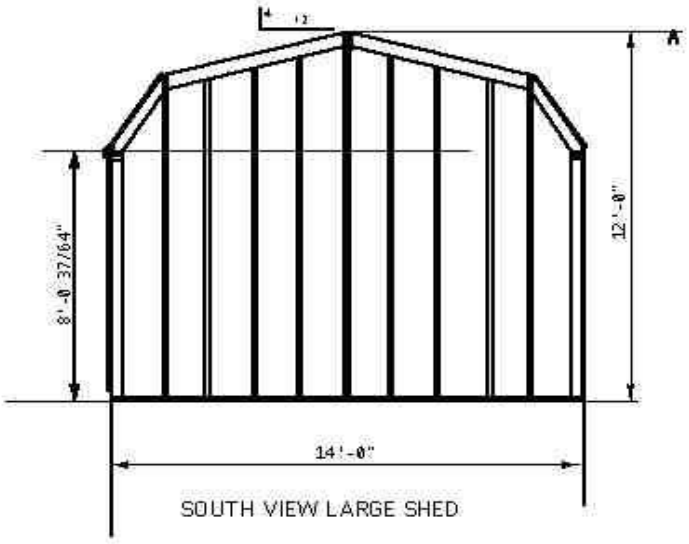

WEST VIEW LARGE SHED

PRJ-77847
11/18/19



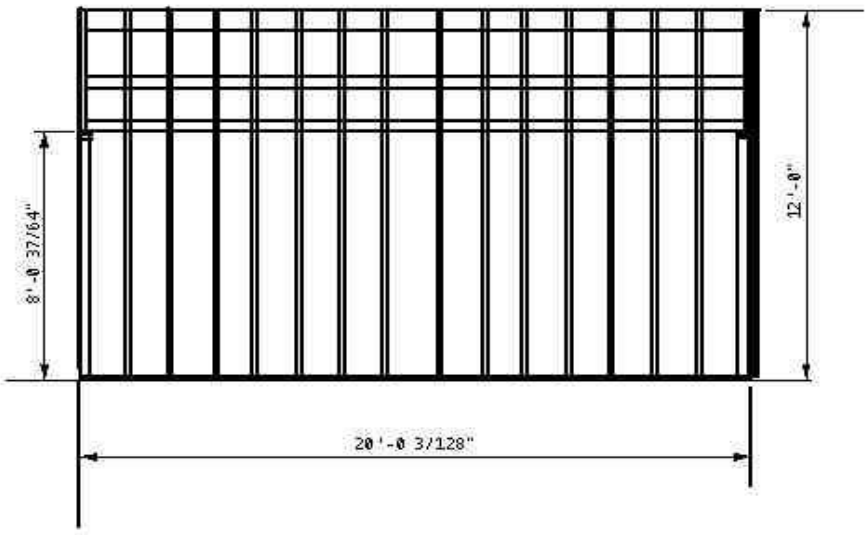

FRONT VIEW LARGE SHED

PRJ-77847
11/18/19



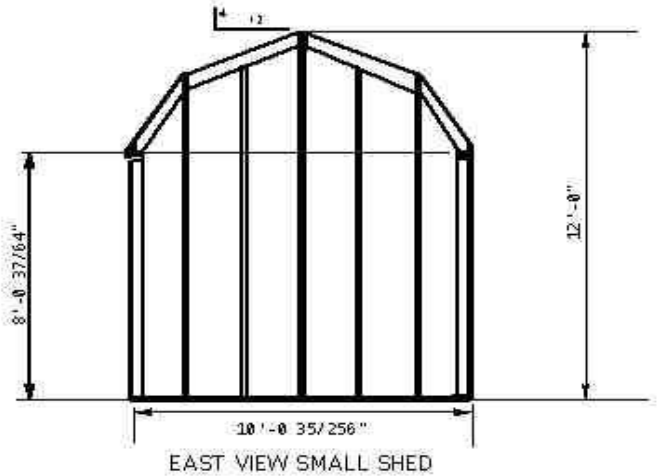
SOUTH VIEW LARGE SHED

PRJ-77847
11/18/19



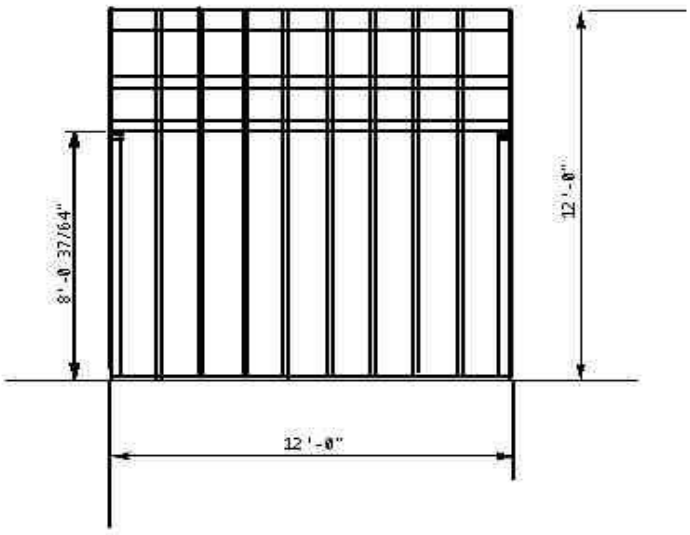

WEST VIEW LARGE SHED

PRJ-77847
11/18/19



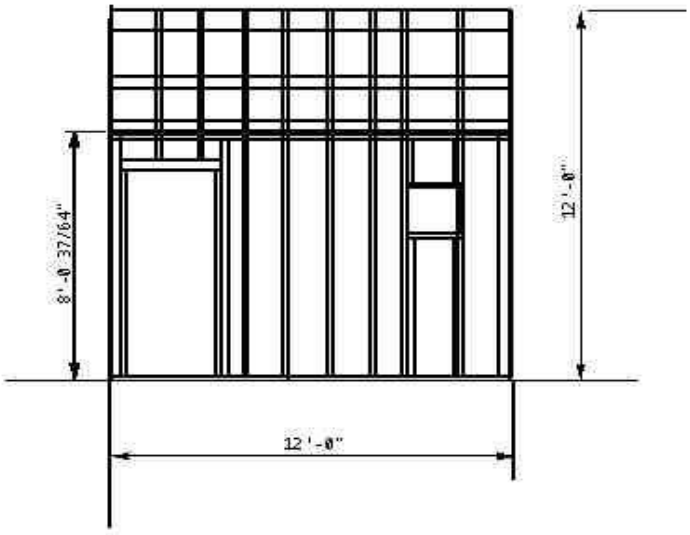
EAST VIEW SMALL SHED

PRJ-77847
11/18/19



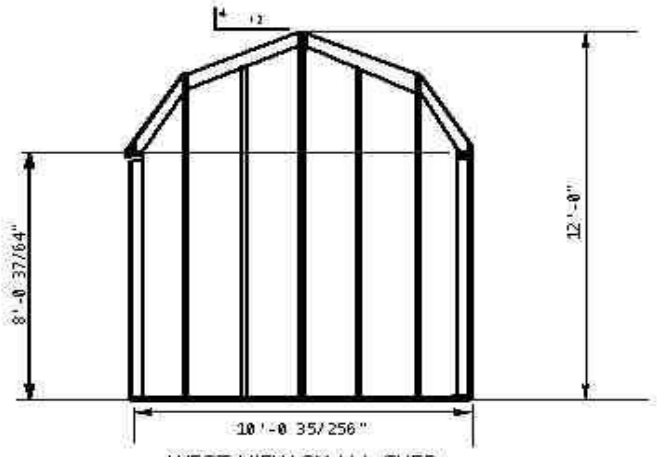

FRONT (NORTH) VIEW SMALL SHED

PRJ-77847
11/18/19




SOUTH VIEW SMALL SHED

PRJ-77847
11/18/19



WEST VIEW SMALL SHED

PRJ-77847
11/18/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19



**VAR-77932 [PRJ-77847] - VARIANCE - APPLICANT: KENT SCOW - OWNER: SCOW CLARK REVOCABLE LIVING TRUST AND SCOW CLARK TRUST**
**1916 CONSTANTINE AVENUE**

11/26/19

JUSTIFICATION FOR WAIVER OF CURRENT (UBC 2015) CODE PROPERTY LINE SETBACK REQUIREMENTS FOR REAR YARD SHED LOCATED AT 1916 CONSTANTINE CONSTRUCTED IN 1972.

I (Kent Scow) am requesting a variance for the sheds that are supposedly too close to the property line at my inherited property.

HISTORY

This property was inherited in 2007. Prior to this date, the owner constructed 3 sheds in the back yard of this property. According to City Permit Records, they owner obtained a permit for a shed (288sqf) in 1969 and in 1972 he constructed a shed (240sqf), the owner also obtained a permit for the property line concrete block wall in the rear yard in Sept 25, 1995. In 1997 the third shed (120sqf) was constructed, no permit suggested/required. No other permits were found in the City records.

If my father would have been informed at the time of the wall contruction, He would have complied with the codes of that time, at that time.

My father taught me to be proactive, not reactive, as what is happening here.

However, the previous owner, my father always complied with various permitting requirements and was never cited by the City for any code violations. Of significance in this situation is that the City inspected the completed concrete block walls in 1995, and no questions or issues were found during the inspection regarding the distance of the sheds to the property line.

In 1995, the City of Las Vegas building codes allowed the construction sheds within 12" of the property line provided that the exterior of the shed had at least a 1-hour fire rating.

CITATION FROM THE CITY

The City of Las Vegas cited the current owner as follows on 5/21/2019:

"19.06.070. R1, ACCESS STRUCTURE Violation Date: 5/21/2019"

However, this Citation appears to reference an incorrect section of the code.
The City of Las Vegas Code 19.06.070 is as follows:

19.06.070 G-O GAMING ENTERPRISE OVERLAY DISTRICT
A. Intent
The intent of the Gaming Enterprise Overlay District is to reflect the implementation of the provisions of LVMC Chapter 6.40 and State law that pertain to gaming enterprise districts. The boundaries of the Gaming Enterprise Overlay District are as set forth in the map or maps established under LVMC Chapter 6.40.B.

Change Of Boundaries

Any change to the boundaries of the Gaming Enterprise Overlay District shall be in accordance with the rezoning procedures established in LVMC 19.18.040, as well as the requirements of State law and LVMC 6.40.160.19.06.080

PRJ-77847
11/18/19

Clearly, this Citation by the City is in error since this is an R-1 home and not a "Gaming Enterprise."

However, this citation later mentions a "minimum side yard and rear yard setback of 3'." This set back is what the current City of Las Vegas code requires, but it is not what the Code required in 1973.

The City of Las Vegas Code in 1968 through 1973 followed the Uniform Building Code. The UBC classified "sheds" under "Structures" in Occupancy U-1. Specifically Code Table 5-A J3 required as follows a:

"One-hour, N/C (non-combustible) (for shed walls that are) less than 3 feet" (from the property line.)

(See attached Uniform Building Code Table 5-A J3.)

As one can see, the codes at this time, clearly permitted a structure (shed) to be less than 3 feet from the side and rear property lines. Therefore, in this situation

**a variance is being requested to allow these sheds to comply only with the applicable code at the time the shed was constructed and not required to comply with 2019 UBC.**

It is impossible to relocate these sheds to comply with the current UBC, because they are on concrete foundations and would have to be demolished and reconstructed in order to comply with the current code.

The reasoning the third shed was constructed at 2'6" from the property line was to be symmetrically to the existing shed (the large shed south of it).

The sheds in question have been kept in an orderly manner exteriorly without weather damage, due to their original construction.

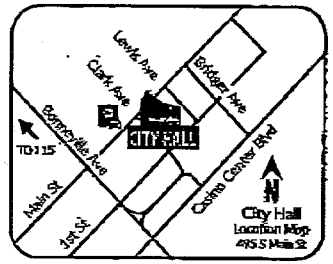
While I was a child living at this residence my father built a shed in the south west corner of the property and got a permit for it, later in mid 70s he had a slab poured in the south east corner and erected a one car tin shed on the slab, in early 90s our neighbor to the east didn't take care of a tree in his backyard, and in a wind storm, it fell down and damaged the fence and my fathers shed. The owner of the house at 1920 Constantine ave. claimed it under his home owners insurance, which (whom is still the current owner) covered the replacement of the shed and fence repair, my father added a few extra dollars and had a style of tough shed erected on same slab dimensions. I was under the understanding that it was permitted too.

PRJ-77847
11/18/19

001/001

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

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2020 FEB 10 P 4:43

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Submitted after final agenda
Item 88

PRJ-77847
13926712032
PLASTER BRIAN ROBERT SEP PPTY TR
PLASTER BRIAN ROBERT TRS
801 S RANCHO DR # E-4
LAS VEGAS NV 89106-3812

97 LRDFNP1 89106



02/10/2020 MON 16:06 FAX 702 385 6967 Signature Mgmt.

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

go to city Hall

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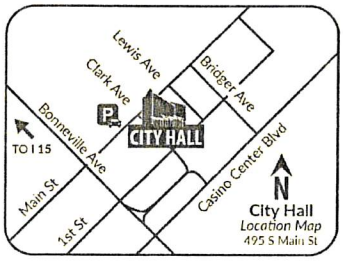


2020 FEB 11 P 12:25

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

PRJ-77847
13926711073
BOIRUM STEVEN KEITH
1920 CONSTANTINE AVE
LAS VEGAS NV 89101-2213

87 LRDFNP1 89101

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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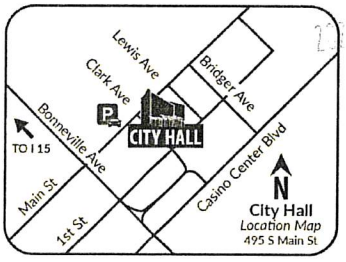
Las Vegas, NV
Permit No. 1630

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

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

PRJ-77847
13926711018
MCGHIE KENT A
2001 CONSTANTINE AVE
LAS VEGAS NV 89101-2224

87 LRDFNP1 89101

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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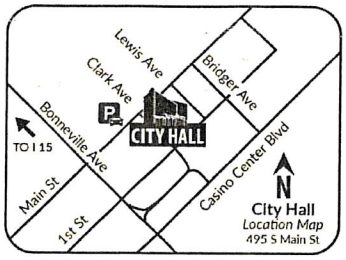


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

PRJ-77847
13926710001
JOAJOEWBR L L C
3224 LAUGHING THRUSH CT
NORTH LAS VEGAS NV 89084

41 LRDFNP1 89084

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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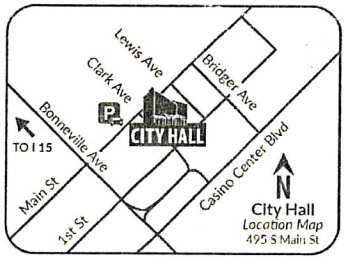
**Official Notice of Public Hearing**




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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

PRJ-77847
13926710026
JOAJOEWBR L L C
3224 LAUGHING THRUSH CT
NORTH LAS VEGAS NV 89084

Submitted after final agenda
Item 66



41 LRDFNP1 89084

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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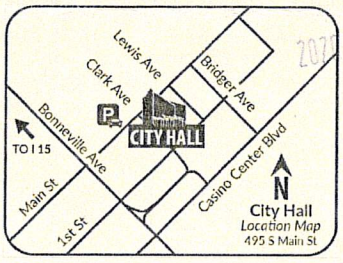


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
City Council Meeting of **02/19/2020**

PRJ-77847
13926710002
JOAJOEWBR L L C
3224 LAUGHING THRUSH CT
NORTH LAS VEGAS NV 89084

41 LADFMP1 89084

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2020 FEB 12 P 5:14

Submitted after final agenda
Item 68

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

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Las Vegas, NV
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City Council - Page 665

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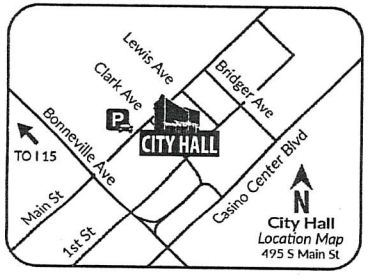
**Official Notice of Public Hearing**

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JAN 29 2020
City of Las Vegas
Department of Planning

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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**

Planning Commission Meeting of **01/14/2020**

PRJ-77847
13926611098
INGALLS SHAUN E
CHATAEVA AIGUL O
328 REDONDO ST
HENDERSON NV 89014

Rationale: Due to the close proximity to neighboring property and incompatible aesthetics, I feel that the proposed variance is unsafe and will negatively impact property values by setting a negative precedant.

29 LRDFNP1 89014

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

LAS VEGAS NV 890
06 JAN 2020 PM 3 L

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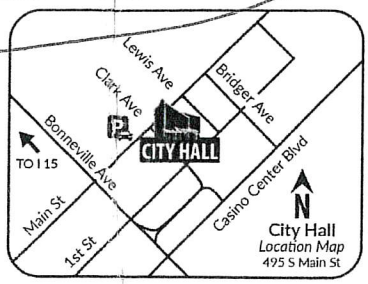


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JAN 13 2020
Department of Planning
City of Las Vegas

PRJ-77847
13926711073
BOIRUM STEVEN KEITH
1920 CONSTANTINE AVE
LAS VEGAS NV 89101-2213

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**

Planning Commission Meeting of **01/14/2020**

67 LADFNP1 89101

Submitted after final agenda

54P

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

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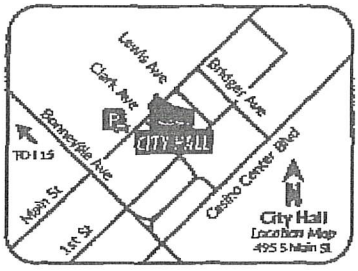
Dept of Planning
City of Las Vegas

JAN - 6 2020

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
Planning Commission Meeting of **01/14/2020**

PRJ-77847
13926712032
PLASTER BRIAN ROBERT SEP PPTY TR
PLASTER BRIAN ROBERT TRS
801 S RANCHO DR # E-4
LAS VEGAS NV 89106-3812

87 LADFNP1 89106

Submitted after final agenda

54A

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

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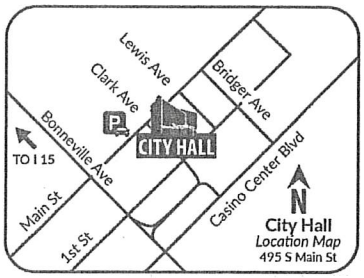
**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JAN 13 2020
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-77932 [PRJ-77847]**
Planning Commission Meeting of **01/14/2020**

PRJ-77847
13926711067
PETERS WILLIAM L & IDA H FAM TR
PETERS WILLIAM L & IDA H TRS
850 N 19TH ST
LAS VEGAS NV 89101-2263

87 LADFNP1 89101

54A

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person William Peters

Address: 2303 W. Mesquite Bay Ave

Phone number: 702 642 6960

Date: 1-6-2020

To whom it may concern:

I have lived in my home for 15 (number of years), and have known Kent Scow and his past father Clark Scow for 40+ (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: William Peters

Signature: William Peters



Submitted at Planning Commission

Date 1/14/2020 Item 54

Submitted by Kent Scow

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person DAVID ORTON

Address: 4108 BORATKO

Phone number: (702)219-5810

Date: 1/10/20

To whom it may concern:

I have lived in my home for 25 (number of years), and have known Kent Scow and his past father Clark Scow for 6 (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: DAVID ORTON

Signature: DO Ort

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person NORMA QUIROS

Address: 1913 E. CONSTANTINE AVE.

Phone number: 702-640-6770

Date: 01-09-20

To whom it may concern;

I have lived in my home for 26 (number of years), and have known Kent Scow and his past father Clark Scow for 26 (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: NORMA QUIROS

Signature: Norma Quiros

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Erika Chavez

Address: 1917 Constantine Ave.

Phone number: (702) 403-2277

Date: 01/08/2020

To whom it may concern;

I have lived in my home for one (number of years), and have known Kent Scow and his past father Clark Scow for one (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Erika Chavez

Signature:

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Maximino Trujillo

Address: 1912-E constantine

Phone number: 7021 301-0487

Date: 1-8-20-20

To whom it may concern;

I have lived in my home for 17 (number of years), and have known Kent Scow and his past father Clark Scow for 17 (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Maximino Trujillo

Signature: Maximino Trujillo

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Mario Ortega

Address: 1921 Constantine Ave

Phone number: 678-739-5034

Date: 01-08-20

To whom it may concern;

I have lived in my home for 7 (number of years), and have known Kent Scow and his past father Clark Scow for _____ (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Mario Ortega

Signature: Mario Ortega

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Steve Peters

Address: 850 N. 19th St.

Phone number: 702-642-6427

Date: 1/8/2020

To whom it may concern;

I have lived in my home for 59 (number of years), and have known Kent Scow and his past father Clark Scow for 55 (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Steve Peters

Signature: Steve Peters

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Carlos Lopez

Address: 658 N. 21 St

Phone number: 702- 401-6014

Date: 1-8-2020

To whom it may concern;

I have lived in my home for 10 years (number of years), and have known Kent Scow and his past father Clark Scow for 9 years (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Carlos Lopez

Signature: Carlos Lopez

Reference variance **VAR-77932** Project number **PRJ-77847**

Name of person Wenceslao Cipres

Address: 2005 Constantine Ave.

Phone number: (702) 267-7547

Date: 1/8/20

To whom it may concern;

I have lived in my home for 10 years (number of years), and have known Kent Scow and his past father Clark Scow for 8 years. (number of years). I have found him to be a good neighbor and an outstanding person. I would like to see the zoning variance for this property approved, as these structures have been existing for many years with no detriment to the neighborhood.

Best regards,

Printed name: Wenceslao Cipres

Signature: Wenceslao Cipres

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**52**

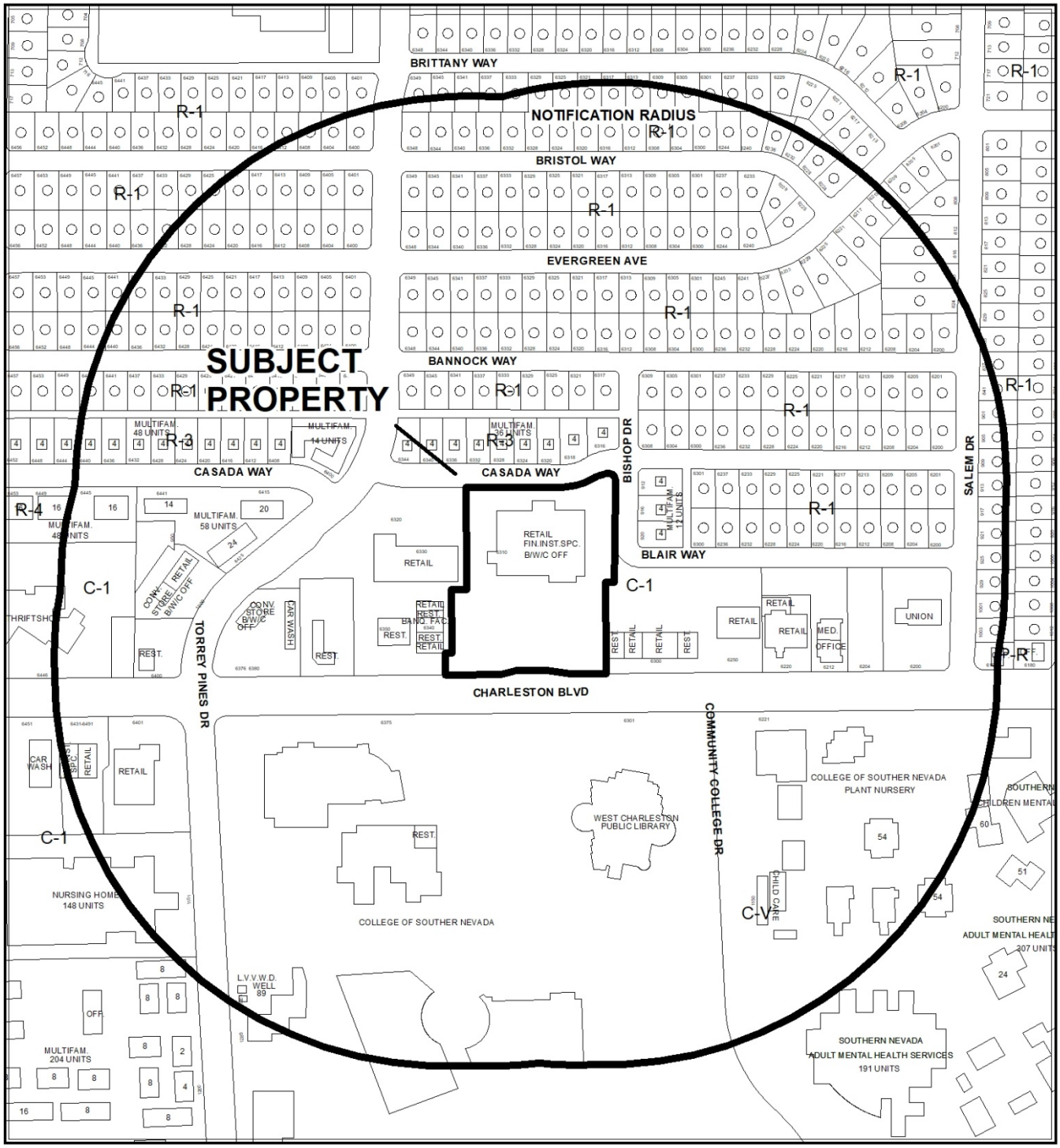
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ROC-78044 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WALMART STORES, INC. - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST - For possible action on a request for a Review of Condition of an approved Special Use Permit (SUP-3815) TO REMOVE CONDITION NUMBER 6 WHICH STATES, "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO AN AREA NOT TO EXCEED 10% OF THE RETAIL FLOOR SPACE OF THE MARKET" AND TO REMOVE CONDITION NUMBER 7 WHICH STATES, "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" on 4.31 acres at 6310 West Charleston Boulevard (APN 138-35-816-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78041]. Staff recommends DENIAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. City Council Approval Letter - ROC-54248 [PRJ-53864]
6. City Council Approval Letter - SUP-3815
7. Justification Letter
8. Backup Submitted for the February 19, 2020 City Council Meeting
9. Submitted after Final Agenda - Abeyance Request E-mail
10. Submitted at Meeting - Support Documentation Not Vetted - E-Comment Form



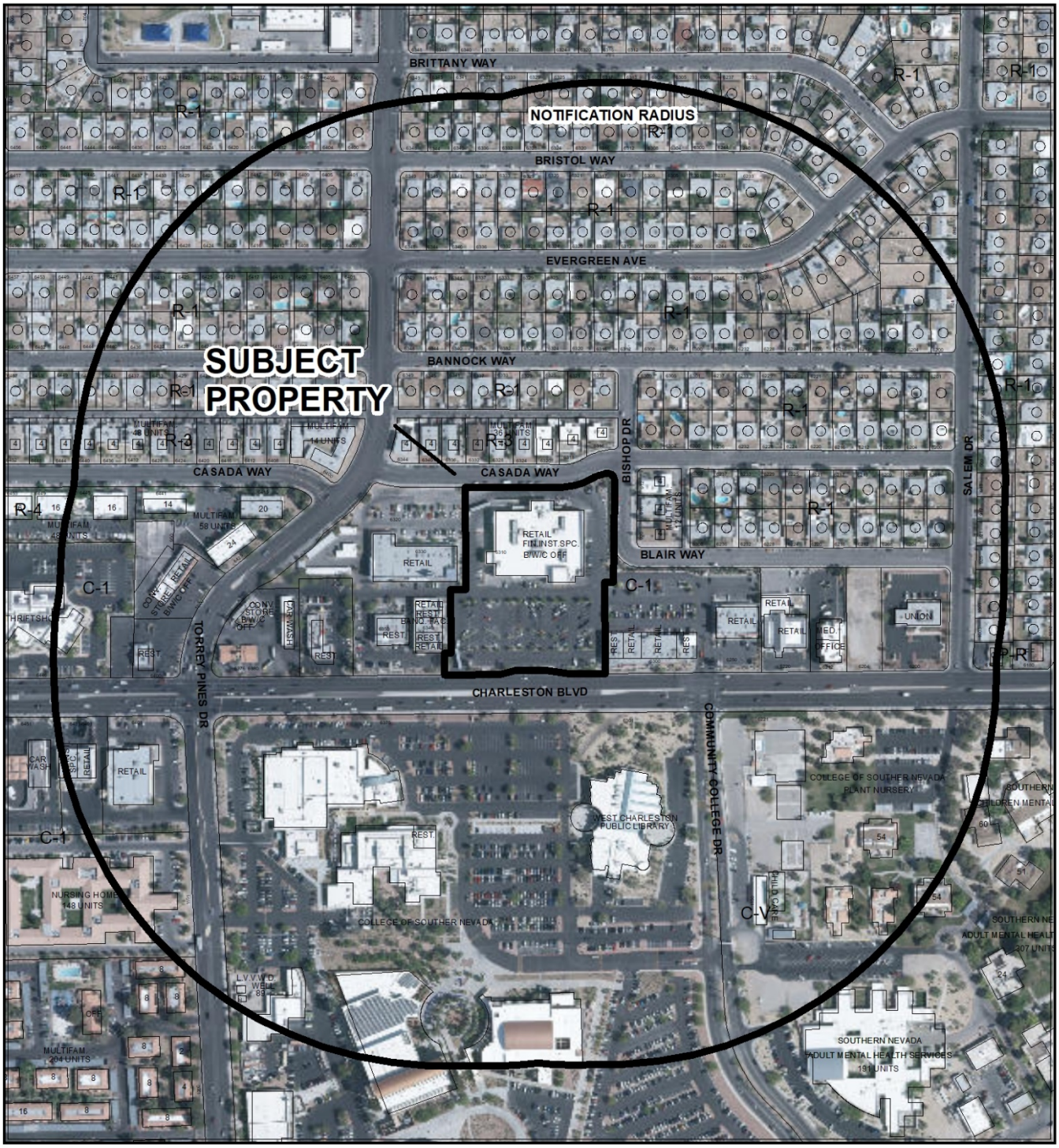

0 290 580 Feet

**CASE:** **ROC-78044 (PRJ-78041)**

**RADIUS:** 1000 FEET

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

N




0 290 580 Feet

**CASE:** **ROC-78044 (PRJ-78041)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: WALMART STORES, INC. - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ROC-78044** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**NOTICES MAILED** 290 (By Planning)

**PROTESTS** 3

**APPROVALS** 0

## ** CONDITIONS **

# ROC-78044 CONDITIONS

***Planning***

1. Condition Number 6 of Special Use Permit (SUP-3815) shall be deleted in its entirety.

2. Condition Number 7 of Special Use Permit (SUP-3815) shall be deleted in its entirety.

3. Conformance to all other approved conditions for Special Use Permit (SUP-3815) and all other site-related actions as required by the Department of Planning and Department of Public Works.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant has requested to remove conditions of approval for an approved Special Use Permit (SUP-3815) restricting packaged liquor sales at an existing grocery store at 6310 West Charleston Boulevard.

## ISSUES

- Condition #6 of the approved Special Use Permit (SUP-3815) states that the sale of alcoholic beverages shall be limited to an area not to exceed 10 percent of the retail floor space of the market. The applicant is requesting to delete this condition.
- Condition #7 of the approved Special Use Permit (SUP-3815) prohibits individual container sales of any size of beer, wine coolers or screw cap wine. This condition was amended in 2014 (ROC-54248) to allow the sales of individual 750mL or greater containers of screw cap wine. The applicant is requesting to delete the amended condition.
- Under current LVMC Title 19 requirements, this use would be termed a Grocery Store with Alcohol, which by definition restricts display and sales of alcoholic beverages to 10 percent of retail floor space.

## ANALYSIS

The grocery store (Walmart Neighborhood Market) is part of a larger retail and office development near the northeast corner of Charleston Boulevard and Torrey Pines Drive. Alcohol sales, including beer, wine and spirits, have been licensed at this location since 2006. The applicant does not believe the restrictions imposed on the use by the two conditions (as amended in 2014) are warranted and therefore requests to have them removed. The applicant claims that all but two of these stores within the city of Las Vegas do not have these restrictions on alcohol sales.

A Special Use Permit (SUP-3815) for Liquor Sales for Off-Premise Consumption was approved in 2004. Condition #6, which limits the sale of alcoholic beverages to no more than 10 percent of the retail floor area of the market, was not part of Title 19 minimum use requirements for the Liquor Establishment (Off-Premise Consumption) use at that time. In 2006, this use thenceforward was replaced in Title 19.12 by two separate uses through Ordinance 5842: the Package Liquor Off-Sale Establishment use and the Retail Establishment with Accessory Package Liquor use. Accessory package liquor uses were intended to be located within retail stores where alcohol sales were not the primary use and

were accordingly limited to 10 percent retail floor space through the minimum special use permit requirements, while there was no limit on retail floor space for the Package Liquor Off-Sale use. The primary uses of the subject business are Grocery Store and General Retail Store; alcohol sales are ancillary to the primary uses.

Under current Title 19 requirements, the use would be termed a Grocery Store with Alcohol, and no Special Use Permit would be required if distance separation requirements were met and no more than 10 percent of retail floor space consisted of the display and sales of alcoholic beverages. As there is an Individual Care Center within 400 feet of the subject site, under today's code a Special Use Permit with a waiver of the distance separation requirement would be necessary to allow the use. If more than 10 percent of retail floor space were to be devoted to sale and display of alcoholic beverages, the use would be classified as a Package Liquor Off-Sale Establishment, which requires a Special Use Permit with nonwaivable distance separation requirements.

There are four other similar stores within the city of Las Vegas that received approval of a Special Use Permit for package liquor sales. The table below indicates where special conditions of approval regarding the sale and display of alcohol were imposed on the applicant.

| ***General Location*** | ***Address*** | ***Case Number*** | ***Approved*** | ***Special Conditions for this use*** |
|---|---|---|---|---|
| Craig/Jones | 5850 W Craig Rd | U-0071-02 | 10/16/02 | No special conditions |
| Lake Mead/Jones | 6151 W Lake Mead Blvd | U-0128-02 | 11/20/02 | No special conditions |
| Cheyenne/Shady Timber | 10440 W Cheyenne Ave | SUP-3653 | 05/19/04 | Condition #6: Beer and wine only* |
| | | | | Condition #7: Sales of individual containers prohibited* |
| Nellis/Stewart | 201 N Nellis Blvd | SUP-49152 | 07/09/13 | Condition #7: Beer and wine coolers shall remain in original manufacturer's package configuration |

*Condition removed by Review of Condition (ROC-44510). Staff recommended approval.

The applicant's floor plan indicates that alcohol is displayed within a single aisle on the east side of the building and behind a counter. The display area takes up 818 square feet of retail floor area. The building as a whole is 39,690 gross square feet; most of this area consists of retail display.

Las Vegas Metropolitan Police Department data from the past 180 days indicates that there were 28 calls for service within the 6300 Block of West Charleston Boulevard. The most common incidents reported were labeled "Other Disturbance." Specific crime types in this block include robbery, assault/battery, assault/battery with other deadly weapon, malicious destruction of property, indecent exposure, juvenile disturbance, stolen vehicle recovery and larceny (non-robbery).

The Planning Commission and City Council have discretion to place restrictions on the sale of individual containers of alcohol through Special Use Permit conditions of approval over and above those restrictions contained within LVMC Title 6.50 or Title 19. This was the case concerning the subject Special Use Permit (SUP-3815) for package liquor sales at this location.

## FINDINGS (ROC-78044)

Staff defers to the conditions placed on the approved Special Use Permit by the City Council in this case and therefore recommends denial of the Review of Condition request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 03/22/61 | The Board of City Commissioners approved a request for Rezoning (Z-0057-60) to R-3 (Medium Density Residential) and C-1 (Limited Commercial) on property generally located on the north side of Charleston Boulevard, east of Torrey Pines Drive. The Planning Commission recommended approval. |
| 04/07/04 | The City Council approved a request for a Site Development Plan Review (SDR-3790) and Waivers of perimeter buffering and landscaping standards for a proposed 101,000 square-foot retail center adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Special Use Permit (SUP-3815) for a Liquor Establishment (Off-Premise Consumption) use adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval. |
| 11/18/04 | The Planning Commission approved a Tentative Map (TMP-5400) for a one lot commercial subdivision on 9.74 acres adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 03/02/05 | The City Council approved a request for a Review of Condition (ROC-5940). The request for a Review of Condition Number 17 of an approved Site Development Plan Review (SDR-3790) was amended to allow for delivery hours to be between 5:30 a.m. and 10:00 p.m. A one-year review from the time a temporary or permanent Certificate of Occupancy is issued for the delivery hours. |
| 05/04/05 | The City Council approved a request for a Site Development Review (SDR-6023) for a proposed 94,978 square-foot commercial development on 10.21 acres at the southeast corner of Casada Way and Torrey Pines Drive. The Planning Commission and staff recommended approval. |
| 12/07/05 | The Department of Planning and Development administratively approved a Site Development Review (SDR-9904) to combine two buildings into one on 10.21 acres at 6310 West Charleston Boulevard. |
| 01/18/06 | The City Council approved a request for a Special Use Permit (SUP-9493) for a Financial Institution, Specified (Check Cashing) with 24 hour service at 6310 West Charleston Boulevard. The Planning Commission and staff recommended approval. |
| 03/02/06 | The City Council approved a Master Sign Plan (MSP-10761) for a commercial/retail development on 10.10 acres adjacent to the north side of Charleston Boulevard, approximately 400 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval. |
| 04/19/06 | The City Council approved a request for an Extension of Time (EOT-12150) of an approved Special Use Permit (SUP-3815) for Liquor Sales (Off-Premise Consumption) at 6310 West Charleston Boulevard. |
| 08/01/06 | A Final Map (FMP-8401) for a one-lot commercial subdivision (Charleston Festival) on 9.74 acres adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive was recorded. |
| 08/02/06 | The City Council adopted Ordinance 5842, which repealed the extant Title 19 land use tables and other development standards and adopted new tables and standards for land uses, including the Package Liquor Off-Sale Establishment and Retail Establishment with Accessory Package Liquor Off-Sale uses. |
| 07/11/07 | The City Council approved a Required Review (RQR-22348) of an approved Review of Condition (ROC-5940) to allow delivery hours to be between 5:30 a.m. and 10:00 p.m. at 6310 West Charleston Boulevard. Staff recommended approval. |
| 04/18/12 | The City Council approved a General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and to change the future land use designation within Redevelopment Area 2 to Mixed Use (MXU) at 6310 West Charleston Boulevard. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/31/12 | Business Licensing Enforcement failed an inspection (1349386) regarding the licensing of alcohol beverage sales at 6310 West Charleston Boulevard (BLE121671). Issues were corrected at a follow-up inspection on 02/25/13. |
| 03/20/13 | The City Council denied a request for a Review of Condition (ROC-48170) to delete Condition #7 of a previously approved Special Use Permit (SUP-3815) at 6310 West Charleston Boulevard, which prohibits the sale of individual containers of any size beer, wine coolers or screw cap wine. Staff recommended approval. |
| 07/02/14 | The City Council approved a request for a Review of Condition (ROC-54248) to amend Condition #7 of an approved Special Use Permit (SUP-3815) to allow the sales of individual 750mL or greater containers of screw cap wine at 6310 West Charleston Boulevard. Staff recommended approval. |
| 10/13/15 | Code Enforcement processed a Case (CE-160261) regarding noise after 12:00 midnight at 6310 West Charleston Boulevard. The case was resolved 11/03/15. |
| 04/16/18 | Code Enforcement processed a Case (CE-187622) regarding a homeless camp at 6310 West Charleston Boulevard. The case was resolved 04/17/18. |
| 04/23/18 | Code Enforcement processed a Case (CE-187886) regarding a homeless camp at 6310 West Charleston Boulevard. The case was resolved 04/26/18. |
| 08/30/19 | Business Licensing Enforcement failed an inspection (675451) regarding the licensing of alcohol beverage sales at 6310 West Charleston Boulevard (BLE777799). Issues were corrected at a follow-up inspection on 10/08/19. |
| 02/19/20 | The City Council voted to hold in abeyance a request for a Review of Condition to the March 18, 2020 City Council meeting at the request of the applicant. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/05/08 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 10/12/05 | A building permit (#05007216) was issued for a retail building at 6310 West Charleston Boulevard. A final inspection was approved 07/11/06. |
| | A building permit (#05007217) was issued for onsite improvements at 6310 West Charleston Boulevard. A final inspection was not approved and the permit expired 04/15/06. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/21/05 | A building permit (#05009010) was issued for onsite improvements at 6330 West Charleston Boulevard. A final inspection was approved 10/13/06. |
| 06/30/06 | A business license (G60-00056) was issued for a grocery/retail store at 6310 West Charleston Boulevard. The license is still active. |
| | A business license (L15-00132) was issued for Package Liquor at 6310 West Charleston Boulevard. The license is still active. |
| | A business license (P55-00064) was issued for a Pharmacy at 6310 West Charleston Boulevard. The license is still active. |
| | A business license (N02-00097) was issued for a Non-Depository Lender at 6310 West Charleston Boulevard. The license is still active. |
| 12/07/06 | A business license (C05-02491) was issued for a Tobacco Dealer at 6310 West Charleston Boulevard. The license is still active. |
| 08/25/15 | A building permit (C-287727) was issued for a retail tenant improvement remodel at 6310 West Charleston Boulevard. A final inspection was completed 11/24/15. |
| 03/22/17 | A building permit (C-334795) was issued for a retail tenant improvement at 6310 West Charleston Boulevard. A final inspection was completed 05/18/17. |
| 02/05/18 | A building permit (C17-00424) was issued for onsite improvements at 6310 West Charleston Boulevard. A final inspection has not been approved. |
| | A building permit (C17-00425) was issued for an interior retail tenant improvement at 6310 West Charleston Boulevard. A final inspection was completed 02/15/18. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/04/19 | A pre-application meeting was held with the applicant to discuss submittal requirements for a Review of Condition application. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | The subject site contains a built-out retail center. The grocery store/retail market that is the subject of this case is set back from Charleston Boulevard, with parking and landscaping in front. Nothing of concern was noted. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 4.31 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | MXU (Mixed Use) | C-1 (Limited Commercial) |
| North | Multi-Family Residential | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| South | College, University or Seminary | PF (Public Facilities) | C-V (Civic) |
| | Library, Art Gallery or Museum (Public) | | |
| East | General Retail Store, Other Than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| | Multi-Family Residential | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| West | Restaurant | MXU (Mixed Use) | C-1 (Limited Commercial) |
| | Multi-Family Residential | | |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (200 Feet – partial) | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area (Area 2) | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Rezoning

**Project Address** (Location) Walmart #3788- 6310 W Charleston Blvd, Las Vegas, NV 89146

**Project Name** Walmart review of conditions of special use permits SUP-49152 and SUP-3815 **Proposed Use** Same/General Commercial/Retail Stores and Shops

**Assessor's Parcel #(s)** 138-35-816-002 **Ward #** 1

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**Property Owner** WAL-MART REAL ESTATE BUSINESS TRUST Contact _____

Address PO BOX 8050, MS 0555 City BENTONVILLE State AR Zip 72712-8055

E-mail _____ Phone 479-277-7257

**Applicant** Walmart #3788 Contact Dan Rice

Address 6310 W. Charleston Blvd. City Las Vegas State NV Zip 89146

E-mail Dan.Rice@walmart.com Phone 702-452-9998

**Representative** Dickinson Wright PLLC Contact Jennifer Gaynor

Address 8363 W. Sunset Road, #200 City Las Vegas State NV Zip 89113

E-mail JGAYNOR@DICKINSONWRIGHT.COM Phone 702-550-4462

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)** _____

**Partner(s)** _____

• 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** _____

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

**Print Name** Dan Rice

Subscribed and sworn before me

This 12 day of December, 20 19

Takeisha James

Notary Public in and for said County and State

TAKEISHA JAMES
BENTON COUNTY
NOTARY PUBLIC – ARKANSAS
My Commission Expires Nov. 15, 2023
Commission No. 12396580

PRJ-78041
12/16/19




ROC-78044 [PRJ-78041] - APPLICANT: WAL-MART STORES, INC. - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
6310 WEST CHARLESTON BOULEVARD

1/2/20

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

July 3, 2014

Mr. Kevin Gladden
Wal-Mart Real Estate Business Trust
c/o Tax Department
PO Box 8050 MS 0055
Bentonville, Arkansas 72712-8055

RE: ROC-54248 [PRJ-53864] - REVIEW OF CONDITION
CITY COUNCIL MEETING OF JULY 2, 2014

Dear Mr. Gladden:

The City Council at a regular meeting held July 2, 2014 APPROVED the request for a Review of Condition TO AMEND CONDITION #7 OF SPECIAL USE PERMIT (SUP-3815) "TO ALLOW THE SALES OF INDIVIDUAL CONTAINERS OF SCREW CAP WINE" at 6310 West Charleston Boulevard (APN 138-35-816-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 3, 2014.

Planning

1. Condition #7 of Special Use Permit (SUP-3815) shall be amended to allow the sales of individual 750 ML or greater containers of screw cap wine.

2. Conformance to the conditions of approval of Special Use Permit (SUP-3815) and all other site related actions as required by the Department of Planning and Department of Public Works.

Sincerely,

Debra A. Outland
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

cc: Ms. Alisha Medrano
Wal-Mart Store, Inc.
dba Walmart #3788
6310 West Charleston Boulevard
Las Vegas, Nevada 89146

Mr. Andrew Moore
Brownstein Hyatt Farber Schreck, LLP
100 North City Parkway, Suite #1600
Las Vegas, Nevada 89106

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

PRJ-78041
12/16/19




MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

April 8, 2004

Mr. Carl Peterson
PSA Land Investment, Limited Liability Company
One Arrowhead Drive
Kansas City, Missouri 64129

RE: SUP-3815 - SPECIAL USE REVIEW
CITY COUNCIL MEETING OF APRIL 7, 2004
Related to SDR-3790

Dear Mr. Peterson:

The City Council at a regular meeting held April 7, 2004 APPROVED the request for a Special Use Permit FOR LIQUOR SALES (OFF-PREMISE CONSUMPTION) adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-35-801-002; 138-35-803-001), C-1 (Limited-Commercial) Zone, Ward 1.

The Notice of Final Action was filed with the Las Vegas City Clerk on April 8, 2004. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3790].

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

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

6. The sale of alcoholic beverages shall be limited to an area not to exceed 10% of the retail floor space of the market

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

PRJ-78041
12/16/19



68112-012-6/03

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Theodore Kruger
Bullseye Commercial Real Estate
29100 Old Mill Creek Lane
Agoura, California 91301

Ms. Deborah McCutchen
Perkowitz & Ruth Architects
3980 Howard Hughes Parkway
Las Vegas, Nevada 89109

PRJ-78041
12/16/19

DICKINSON WRIGHT PLLC

8363 W. SUNSET RD., STE. 200
LAS VEGAS, NV 89113
TELEPHONE: (702) 550-4400
FACSIMILE: (844) 670-6009
http://www.dickinsonwright.com

JENNIFER J. GAYNOR
JGAYNOR@DICKINSONWRIGHT.COM
(702) 550-4462

November 27, 2019

City of Las Vegas Department of Planning
Development Services Center
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

**Re: Justification Letter in support of Request for Review of Conditions for:**
- **Special Use Permit #3815, Walmart Neighborhood Market (Store #3788), and**
- **Special Use Permit #49152, Walmart (Store #1599)**

To Whom It May Concern:

This Justification Letter is in support of my client, Walmart Stores, Inc. (Walmart"). Walmart operates a number of stores throughout the City of Las Vegas, including the subject two Walmart stores:

1) Store #3788, at 6310 W. Charleston Boulevard, APN 138-35-801-002, Special Use Permit # SUP-3815 ("Store #3788") and;

2) Store #1559, at 201 North Nellis Blvd., APN 140-32-701-003, Special Use Permit # SUP-49152 ("Store #1599").

Walmart is requesting review and an amendment to the Conditions for the Special Use Permits for these two stores, as explained below.

Background

**Store #3788** was initially granted a Special Use Permit ("SUP") for off-premise liquor sales in April of 2004. That SUP contained the following conditions:

- "The sale of alcoholic beverages shall be limited to an area not to exceed 10% of the retail floor space of the market" (Condition #6);

- "The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All Such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted." (Condition #7)

In July of 2014, this council reviewed these SUP conditions (ROC-54248) and amended Condition #7, to allow the sale of individual containers of screw-cap wine, in sizes 750 ML or greater.

PRJ-78041
12/16/19

**Store #1559** was initially granted an SUP for off-premise liquor sales in July of 2013. That SUP contained a condition (Condition #7) that:

- "All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale."

The conditions for this SUP have not been reviewed or amended since the initial grant.

The Requested Amendments

The request that Walmart is making today is to remove the above-listed conditions from these two stores. This change will bring the SUP conditions regarding liquor sales for these two stores into line with the conditions on the sale of liquor for all of the other Walmart stores in the City of Las Vegas. We have checked with the City regarding SUP conditions for liquor sales by Walmart stores throughout the city, and have found that only these two stores have such conditions on liquor sales.

In fact, we did find one other Walmart store, Store #3655 at 10440 West Cheyenne Avenue (ROC-44510), which had previously had similar conditions limiting the sale of alcoholic beverages to beer and wine only, prohibiting the sale of individual containers of any size of beer, wine coolers or screw top wine, and prohibiting the "repackaging of containers into groups smaller than the original shipping container size." These conditions were removed by the City Council in their meeting on March 21, 2012.

Each of these stores are located in established commercial zoning districts and have already been granted liquor licenses, demonstrating that the City has previously found that retail liquor sales at each are compatible with the areas surrounding each store. The stores are already selling beer, wine and hard liquor to their customers at each location. With this request, Walmart will simply be able to have consistent policies and procedures across all of their stores in the City of Las Vegas.

If there is anything further we can provide to assist with your review of this, please let me know.

Thank you for your consideration of this request.

Sincerely,

Jennifer J. Gaynor, counsel for applicant,
Walmart Stores, Inc.

JJG:JJG:hd

PRJ-78041
12/16/19

DICKINSON WRIGHT PLLC

8363 West Sunset Road, Suite 200
Las Vegas, NV 89113-2210
Telephone: (702) 550-4400
Facsimile: (844) 670-6009
http://www.dickinsonwright.com

Jennifer J. Gaynor
JGaynor@dickinsonwright.com
(702) 550-4462

February 18, 2020

**VIA E-MAIL**

Steve Swanton, AICP
Senior Planner
Department of Planning, Case Planning Division
333 N. Rancho Drive, Third Floor
Las Vegas, NV 89106
*sswanton@LasVegasNevada.gov*

RE: Walmart Review of Conditions

Dear Mr. Swanton:

With this letter I am requesting to abey ROC-78044, which is on the agenda as item 91 for the City of Las Vegas City Council meeting scheduled for tomorrow, February 19, 2020. Please abey this item for a period of 30 days.

The reason for this request is that this ROC is for one of two stores where we are asking to remove conditions for on behalf of our client, Walmart Stores, Inc., and I have already requested to have the second store, ROC-78043 held in abeyance for 30 days at the request of a City Council member so that their office could complete their due diligence on this item before it is heard. I believe it is important that all questions and due diligence on both items are completed before we hear either, and would like them both heard at or around the same time.

I appreciate your assistance with this request. Please let me know if you have any questions.

Best regards,

Jennifer Gaynor

JJG/jac
4826-3038-7125 v1 [45276-911]

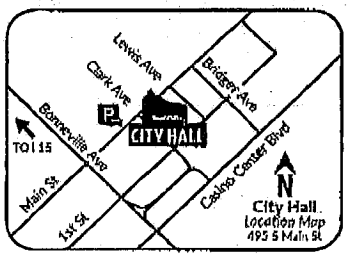
Submitted after Final Agenda
AGENDA ITEM #91
RECEIVED 02.18.20

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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

RECEIVED
CITY CLERK
2020 FEB 10 P 2:06




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ROC-78044 [PRJ-78041]**
City Council Meeting of **02/19/2020**

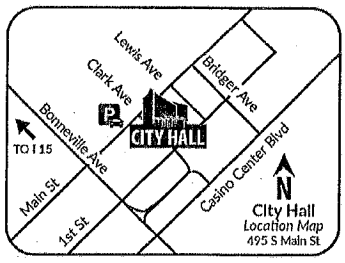
PRJ-78041
13835402008
ASSISTANCE LEAGUE LAS VEGAS
6446 W CHARLESTON BLVD
LAS VEGAS NV 89146-1120

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Las Vegas, NV

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

RECEIVED
CITY CLERK
2020 FEB 10 P 12:09




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**ROC-78044 [PRJ-78041]**
City Council Meeting of **02/19/2020**

PRJ-78041
13835810009
GALINDO CESAR A & M C REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

Submitted after final agenda
Item 91

FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1553

RECEIVED
CITY CLERK

2020 FEB 13 A 7:05

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-8905. 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.

**ROC-78044 [PRJ-78041]**
City Council Meeting of **02/19/2020**

PRJ-78041
13833810088
GUBERLAND L L C
354 OLD COURSE ST
LAS VEGAS NV 89122



Submitted after final agenda
Item 91

| | |
|---|---|
| **From:** | Stacey Campbell |
| **To:** | Brian Knudsen |
| **Cc:** | LuAnn D. Holmes; Jennifer J. Gaynor; Dorian Stonebarger; Antonia Preciado; City Clerk, Deputies |
| **Subject:** | RE: Abey Item # 52 |
| **Date:** | Wednesday, March 18, 2020 8:04:03 AM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png<br>image004.png<br>image005.png |

Ok, thank you. We'll add to notes new.

**From:** Brian Knudsen <bknudsen@lasvegasnevada.gov>
**Sent:** Wednesday, March 18, 2020 8:02 AM
**To:** Stacey Campbell <slcampbell@LasVegasNevada.GOV>
**Cc:** LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; Jennifer J. Gaynor <JGaynor@dickinson-wright.com>; Dorian Stonebarger <dstonebarger@lasvegasnevada.gov>; Antonia Preciado <apreciado@lasvegasnevada.gov>
**Subject:** Abey Item # 52

Stacey,
The applicant has requested to abey item #52 (Wal-Mart Real Estate Business) until the next council meeting.

Thank you.


## Brian Knudsen
City Councilman, Ward 1
**702-229-2299 (office)**
**702-493-1547 (cell)**
495 S. Main St. Las Vegas, NV 89101
lasvegasnevada.gov


Submitted after final agenda

Date 3/18/20 Item 52

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 9:50 am |
| Browser: | Mobile Safari 13.0.5 / iOS |
| IP Address: | 107.77.228.184 |
| Unique ID: | 591103242 |
| Location: | 34.231300354004, -118.14859771729 |

| | |
|---|---|
| **First Name** | Aleta |
| **Last Name** | Dupree |
| **Agenda Item Number** | 52 |
| **Choose One** | Support |
| **Council Comment** | I'm in support, I know Walmart to be a responsive and responsible retailer. I wish to be able to purchase small quantities of liquor for my cooking needs. This location is useful to me as I also buy food and sundries here as well. Thank you. |



Submitted at City Council
Date 3/18/20 Item 52
By Aleta Dupree
Online Comments

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**53**

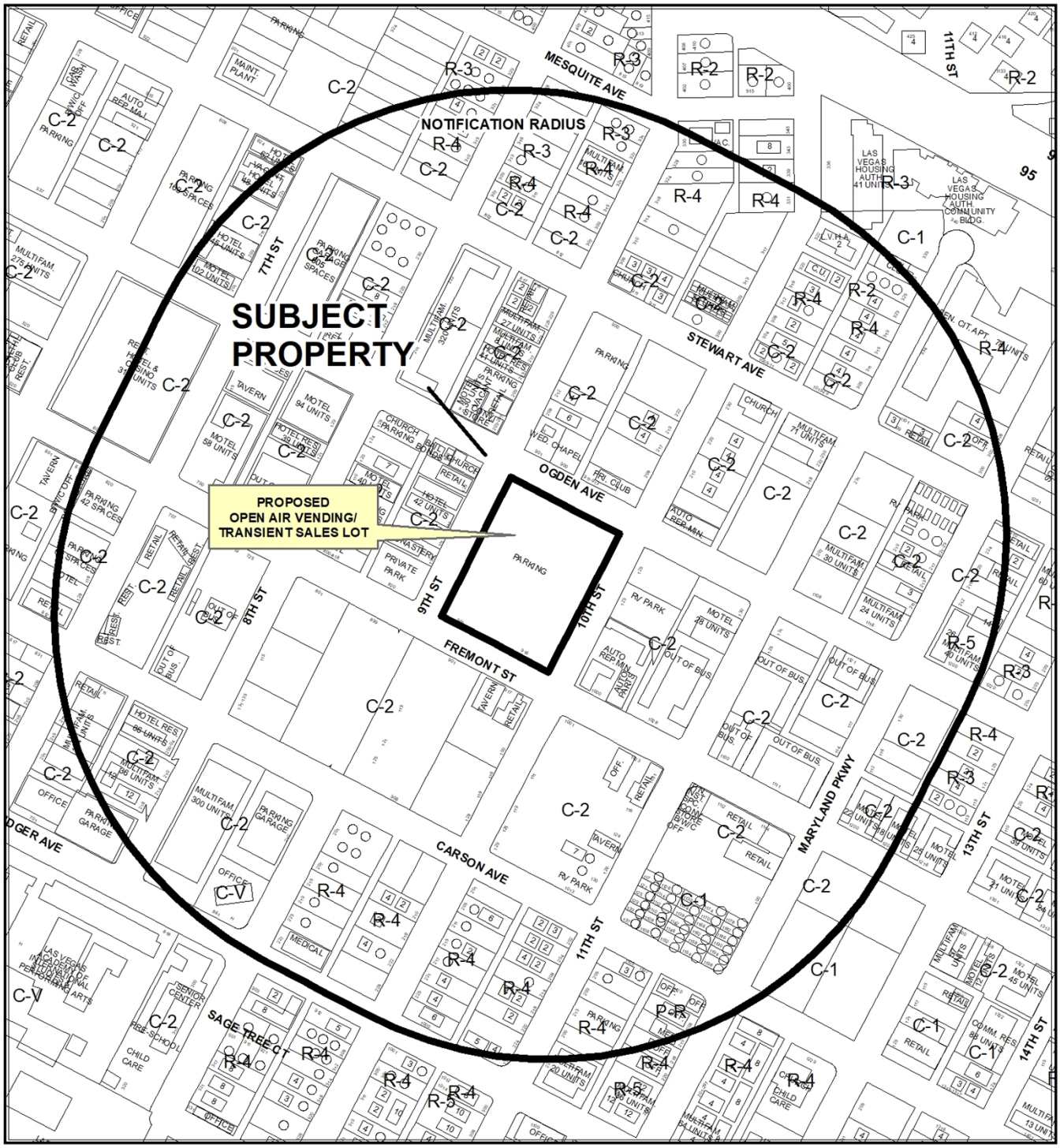
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-77365 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC - For possible action on an appeal of the Approval by the Planning Commission on a request for a Special Use Permit FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 4 | Planning Commission Mtg. | 2 |
| City Council Meeting | 4 | City Council Meeting | 2 |

**RECOMMENDATION:**
The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - SUP-77365 and SDR-77366 [PRJ-77256]
2. Special Map
3. Appeal Documentation - SUP-77365 and SDR-77366 [PRJ-77256]
4. Conditions and Staff Report - SUP-77365 and SDR-77366 [PRJ-77256]
5. Supporting Documentation - SUP-77365 and SDR-77366 [PRJ-77256]
6. Photo(s) - SUP-77365 and SDR-77366 [PRJ-77256]
7. Justification Letter - SUP-77365 and SDR-77366 [PRJ-77256]
8. Backup Submitted from the February 5, 2020 City Council Meeting
9. Backup Submitted from the December 4, 2019 City Council Meeting
10. Backup Submitted from the March 4, 2020 City Council Meeting
11. Submitted at Meeting - Backup Documentation Not Vetted - Support E-Comment Form
12. Backup Submitted for the October 22, 2019 Planning Commission Meeting



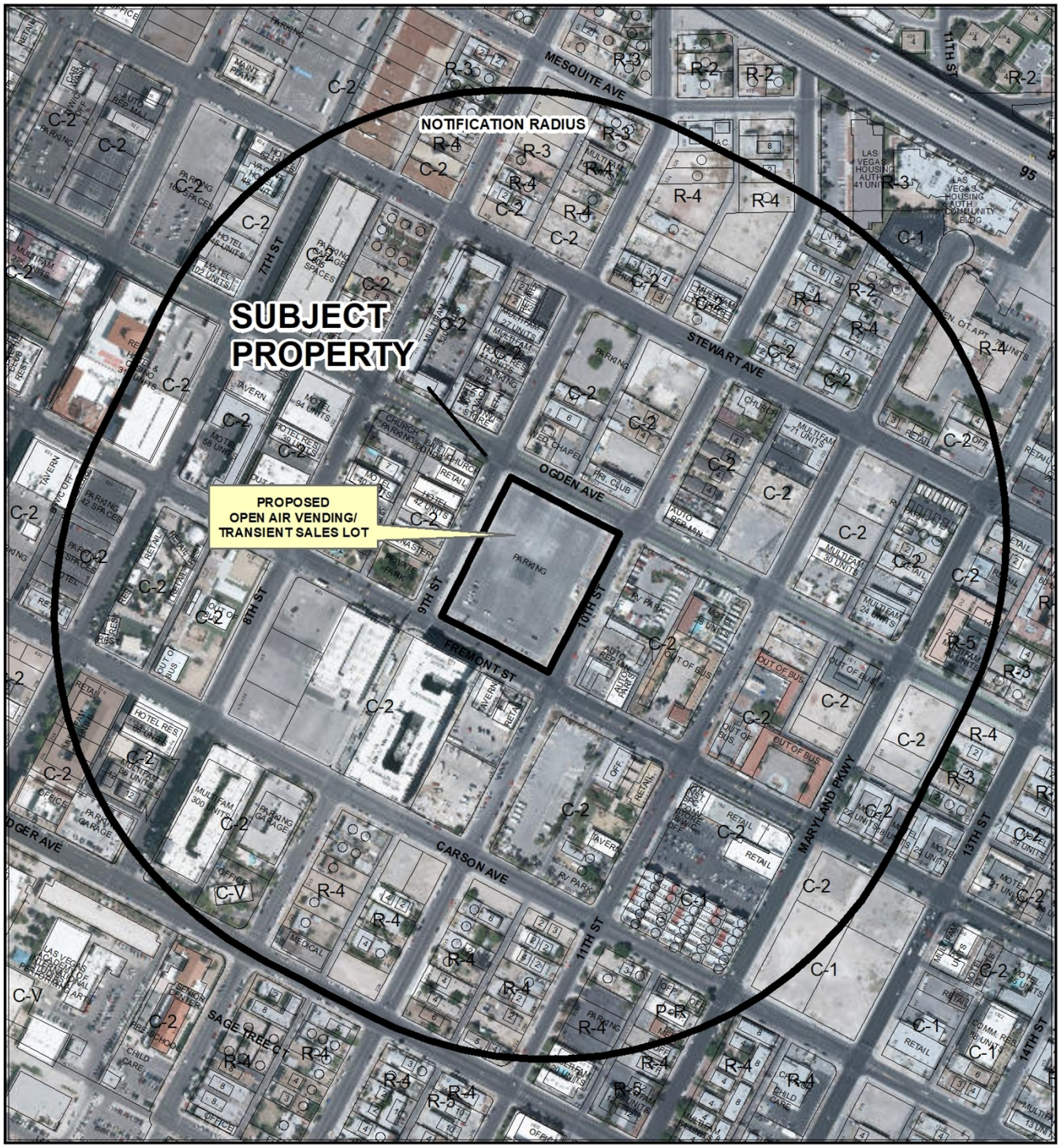

0 295 590 Feet

**CASE:** **SUP-77365, SDR-77366 (PRJ-77256)**

**RADIUS:** 1000 FEET

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

N




0 295 590 Feet

**CASE:** **SUP-77365, SDR-77366 (PRJ-77256)**

**RADIUS:** 1000 FEET

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

N




**SUP-77365 (PRJ-77256)**

**Open Air Vending**

**Business Licenses**

- Open Air Vending Non-Conforming
- Open Air Vending Conforming to Bill 2012-37

**Protected Uses**

- Residential Property

**Entitlements**

- APPROVED
- SCHEDULED

- Subject Property
- 150ft Buffer

N

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

Date: Tuesday, October 15, 2019

**LAS VEGAS CITY COUNCIL**
CAROLYN G. GOODMAN
*Mayor*
MICHELE FIORE
*Mayor Pro Tem*
STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
*City Manager*

OFFICE OF THE
CITY CLERK
**LUANN HOLMES**
CITY CLERK

**CITY HALL**
495 S. MAIN ST.
LAS VEGAS, NV 89101
702.229.6011 | VOICE
702.382.4803 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

October 29, 2019

Mr. Donald Walford
Hawiian I LLC
c/o Hawiian Eye LLC
2716 Boyd Court
Las Vegas, NV 89102

RE: Planning Commission Appeal Confirmation
SUP-77365 and SDR-77366

Dear Mr. Walford:

The City of Las Vegas has received your request for appeal to the Planning Commission decision on October 22, 2019. The notification fee of $1,000 has been collected, and the item is scheduled to be heard at the December 4, 2019 City Council Meeting. You will also receive a postcard confirming this date.

Please contact the City Clerk's office at 702-229-6311 or the Planning Department at 702-229-6301 in the event you have any questions.

Sincerely,

**LUANN D. HOLMES, MMC**
City Clerk

/dao

cc: Planning Department

900 Fremont, LLC
701 E. Bridger Avenue, Ste. 850
Las Vegas, NV 89101

Ms. Laurie Dorough
701 E. Bridger Avenue, Ste. 850
Las Vegas, NV 89101

I Donald Walford request
an appeal of the Oct. 22 2019
Planning meeting #Item 17 SUP-~~77365~~ ~~76716~~ 77365
and Item #18 SDR-77366

Hawiian I LLC
c/o HawIIAN Eye LLC
2716 Toyo ct
Los Vegas nevada 89102

RECEIVED
CITY CLERK
2019 OCT 28 P 3:54

I am a part of a neighborhood group
of property owners, business owners
Also churches and residents.
Some were notified some not. we
request a meeting with the persons
for the sup. As to what their
plans of operation are.

Donald Walford

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: October 29, 2019

| TO: | FROM: |
|---|---|
| DEPARTMENT OF PLANNING | CITY CLERK |
| **SUBJECT:** APPEAL OR CITY COUNCIL REVIEW INFORMATION ON PLANNING COMMISSION ACTIONS | **COPIES TO:** |

This is to certify that the following action relative to the Planning Commission decision on the application of:

**FILE NO.:** **SUP-77365 [PRJ-77256] - SPECIAL USE PERMIT RELATED TO SDR-77366**

**APPLICANT:** APPLICANT/OWNER: 900 FREMONT, LLC

**WARD:** **Ward 3 (Diaz)**

Appeal by applicant or any other aggrieved person: (Yes) No

Review requested by City Council: Yes (No)

10/29/2019
DATE

Debra A. Outland
DEBRA A. OUTLAND, DEPUTY CITY CLERK

**PLANNING AND DEVELOPMENT DEPARTMENT INFORMATION:**

Date of Planning Commission Action: **October 22, 2019**

Last day for filing an appeal by applicant or any other aggrieved person. (Appeal period is 10 days after the date of the PC decision): **November 4, 2019**

Last day for a review being requested by the City Council. (Review period is 10 days after the date of the PC decision.): **November 4, 2019**

SET DATE: 11-20-2019

CITY COUNCIL: 12-4-2019

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: October 29, 2019

| TO: | FROM: |
|---|---|
| DEPARTMENT OF PLANNING | CITY CLERK |
| **SUBJECT:** | **COPIES TO:** |
| APPEAL OR CITY COUNCIL REVIEW INFORMATION ON PLANNING COMMISSION ACTIONS | |

This is to certify that the following action relative to the Planning Commission decision on the application of:

**FILE NO.:** **SDR-77366 [PRJ-77256] - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77365**

**APPLICANT:** APPLICANT/OWNER: 900 FREMONT, LLC

**WARD:** **Ward 3 (Diaz)**

Appeal by applicant or any other aggrieved person: (Yes) No

Review requested by City Council: Yes (No)

10/29/2019
DATE

Debra A. Outland
DEBRA A. OUTLAND, DEPUTY CITY CLERK

**PLANNING AND DEVELOPMENT DEPARTMENT INFORMATION:**

Date of Planning Commission Action: October 22, 2019

Last day for filing an appeal by applicant or any other aggrieved person. (Appeal period is 10 days after the date of the PC decision): November 4, 2019

Last day for a review being requested by the City Council. (Review period is 10 days after the date of the PC decision.): November 4, 2019

SET DATE: 11-20-2019

CITY COUNCIL: 12-4-2019

CITY OF LAS VEGAS
DEPARTMENT OF CITY CLERK

Operator ID: SMAYS
Transaction: 383911
Reference #:

Today's Date: 10/28/2019 3:50:30 PM
Posting Date: 10/28/2019

| Account Description | Account Number | | Amount Due |
|---|---|---|---|
| GENERAL FUND.Meeting Management.Miscellaneous Fees.Meeting Services | 100000.04401.270100.C21000.000.000 | $ | 1,000.00 |
| | **Total Amount Due** | $ | **1,000.00** |

| Method of Payment | Number | Authorization | | Amount Paid |
|---|---|---|---|---|
| Visa/MC/ATM | 4405 | 07809 | $ | 1,000.00 |
| | | **Tendered** | $ | **1,000.00** |
| | | **Change** | $ | **.00** |

Customer Information:

Walford Donald
1780 Bridlegate Avenue
Henderson, NV 89012

Comments:
Appeal:

Planning Commission of 10/22/2019
SUP-77365 and SDR-77366

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 4, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: 900 FREMONT, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-77365** | Staff recommends APPROVAL, subject to conditions: | |
| **SDR-77366** | Staff recommends APPROVAL, subject to conditions: | SUP-77365 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 36

**NOTICES MAILED** 317 - SUP-77365 and SDR-77366 (By City Clerk)

**PROTESTS** 8 - SUP-77365 and SDR-77366

**APPROVALS** 4 - SUP-77365 and SDR-77366



AS/NE

**** CONDITIONS ****

# SUP-77365 CONDITIONS

***Planning***

1. Approval of this Special Use Permit allows no limit on the number of vendors; no limit on hours allowed for each vendor to occupy the site and no limit for the square-footage occupied by each vendor; and no limit on hours of operation. Otherwise, conformance to all regulations under LVMC Title 19.12 for an Open Air Vending/Transient Sales Lot use is required, except as amended herein.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-77366) shall be required.

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

4. No signage, including temporary signage, is allowed except signs which can be affixed to the vehicles of the portable units to the extent such signage is not prohibited by LVMC 19.08.120(E)(3).

5. The site shall be kept free of litter and debris at all times.

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

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

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

# SDR-77366 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76975) shall be required, if approved.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/03/19, except as amended by conditions herein.

4. A Waiver from Appendix F, Interim Downtown Las Vegas Development Standards is hereby approved, to allow no additional landscaping within the perimeter landscape buffers or the interior of the site [parking facility].

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

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

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

***Public Works***

8. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer 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.

9. Prior to the issuance of any permits for this site contact the Sanitary Sewer Section of the Department of Public Works to coordinate connection to the public sewer in Ogden Avenue.

10. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Fremont Street – Las Vegas Boulevard to Eastern Avenue" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

11. All events that impact traffic on the public streets shall be coordinated with the City of Las Vegas Special Events staff.

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

13. Submit a License Agreement for landscaping and private improvements in the public rights-of-way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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 License 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 License Agreement.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to operate a variety of events within an existing parking lot at the northeast corner of Fremont Street and 9th Street.

## ISSUES

- A Waiver of Appendix F, Interim Downtown Las Vegas Development Standards for landscaping is requested. Staff supports this request.

## ANALYSIS

The applicant is proposing to operate a variety of events multiple times a month on an existing 2.75-acre surface parking lot at the northeast corner of Fremont Street and 9th Street. Currently, special events are operated on the subject site through Special Event and Temporary Commercial Event permits. These permits limit the duration of the events as well as how many times a year the events may occur. The applicant is seeking to entitle the subject site as a Commercial Recreation/Amusement(Outdoor) use in order to operate an unlimited number of events on the subject site. As part of the request, the applicant is also requesting a Special Use Permit in order to have multiple food trucks on the same lot for extended periods of time (more than four hours), as part of the proposed multiple events when appropriate.

The subject site is zoned C-2 (General Commercial), which is designed to provide the broadest scope of compatible services for both the general and traveling public, including the proposed Commercial Recreation/Amusement, Outdoor use and the proposed Open Air Vending/Transient Sales Lot use. The Open Air Vending/Transient Sales Lot is a conditional use in the C-2 zone. The proposed event space is not able to meet the Conditional Use Regulations set forth by Title 19.12 for the Open Air Vending/Transient Sales Lot use and a Special Use Permit has been requested to allow multiple food vendors on the subject site at any given time, with no time limit, and to allow the set-up of tables and chairs for such events.



AS/NE

The Open Air Vending/Transient Sales Lot is described by Title 19.12 as "an outdoor area or lot that is used exclusively, or on a regular or periodic basis, for the sale or taking of orders for any merchandise, including food items, where such merchandise is displayed or sold within or upon the area or lot. This use includes the display or sale of merchandise by means of Open Air Vending, Mobile Food Vending and a Farmer's Market."

This use includes the display or sale of merchandise by means of Open Air Vending and Mobile Food Vending.

The Conditional Use Regulations include:

1. Except as provided in this Conditional Use Regulation 1, no signage is allowed, including temporary signage. Signage that is allowed by this Conditional Use Regulation 1 is not subject to the sign regulations and processes of Title 19 that otherwise would apply, except as specifically provided. The limited signage allowed by this Conditional Use Regulation 1 is as follows:
   a. In the case of Open Air Vending or Mobile Food Vending, the vehicle or portable unit may include signage which is affixed thereto but only to the extent such signage is not prohibited by LVMC 19.08.120(E)(3).
   b. In the case of a Farmer's Market, on-premises market event signage is permitted, but shall be limited to a single sign of no more than 32 square feet. Individual vendor signage is permitted, but is limited to one sign per vendor, and not to exceed 15 square feet per vendor space. All signage is prohibited at any time other than during a market event.

2. The site must be kept free of any litter or debris at all times.

3. No structures shall be allowed within the public right-of-way.

4. The installation of permanent or temporary tables, chairs, tents, or coverings for dining areas (including tarps and umbrellas) is prohibited, except when the use of such facilities:
   a. Has been approved by means of a Site Development Plan Review;
   b. Is within the plaza area of a commercial lot; or
   c. Is in accordance with Conditional Use Regulation 9 below.

5. Vehicles or portable units used in the operation may not occupy:
   a. Required parking spaces or required drive aisles; or
   b. Required loading zones, unless otherwise permitted under Conditional Use Regulation 8.

6. The vending/sales activity must be located at least 150 feet from residential development, except where the location is part of a mixed-use development.

7. For Open Air Vending, in addition to Conditional Use Regulations 1 through 6:
   a. No such vending is permitted in the O (Office) Zoning District;
   b. No such vending is permitted on undeveloped lots or developed lots with unoccupied structures or unpaved surfaces;
   c. No such vending is permitted within landscaped areas;
   d. No more than one vendor is permitted on any one lot, and the vending area shall be limited to a maximum of 500 square feet; provided, however, that these limitations do not apply:
      i. In connection with a Special Event Permit that allows a greater level of vending activity by means of Open Air Vending;
      ii. On a parcel whose development approval or approvals contemplate a greater level of vending activity by means of Open Air Vending; or
      iii. Within the plaza area of a commercial lot;
   e. At a location other than the plaza area of a commercial lot, vending operations shall comply with required building setbacks for that location;
   f. On any lot that is adjacent to a residentially zoned lot, the hours of operation shall be limited to the period between 10 a.m. and 8 p.m.; and
   g. No supply or drainage pipes or power supply cords that pertain to the vending operation may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the vending operation is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby.

8. For Mobile Food Vending, in addition to Conditional Use Regulations 1 through 6:
   a. No vendor may operate on any one parcel, lot or commercial subdivision for more than 4 hours within any 24-hour period;

      *The applicant is proposing to host multiple food vendors on the site at any given time and for more than four hours at a time.*

   b. No more than two vendors are permitted on one parcel, lot or commecial subdivision within any 24-period;

      *The applicant is proposing to host more than two vendors on the same lot over the 24-hour time period.*

   c. No vendor may operate within a required loading zone except as approved in conjunction with a Special Event Permit;

   d. Such vending is permissible on undeveloped lots, or developed lots with unoccupied structures or unpaved surfaces, but only to the extent that such vending complies with all applicable air quality standards adopted by the Clark County Department of Air Quality; and



AS/NE

e. On unpaved lots, such vending is limited to a maximum disturbance area (including vehicles, parking and customer areas) of 5,000 square feet, regardless of the overall lot size, unless a greater disturbance area is approved in connection with a dust mitigation permit from the Clark County Department of Air Quality.

9. For Farmer's Markets, in addition to Conditional Use Regulations 1 through 6:
   a. The use is not permitted in the O (Office) Zoning District;
   b. The use is not permitted on undeveloped lots or developed lots with unoccupied structures or unpaved surfaces;
   c. The use is not permitted within landscaped areas;
   d. At a location other than the plaza area of a commercial lot, the use shall comply with required building setbacks for that location;
   e. On any lot that is adjacent to a residentially zoned lot, the hours of operation of the use shall be limited to the period between 10 a.m. and 8 p.m.; and
   f. No supply or drainage pipes or power supply cords that pertain to the use may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the use is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby.
   g. The use may include the installation of use of temporary booths, tables, chairs, and similar structures.

The subject site is part of Area 1 of the Downtown Las Vegas Overlay, which has Site Planning Standards which include:

- 70% of the first story façade shall align along the front property line; arcades, shade structures, or civic amenities such as plazas and courtyards may satisfy up to 50% of this requirement. Minor deviations from this requirement, not to exceed a distance of five (5) feet from the property line, are allowed and will be reviewed by Staff on a case-by-case basis upon verification of special and unique conditions applicable to a specific lot or structures.
- 70% of the first story façade shall align along the front property line; arcades, shade structures, or civic amenities such as plazas and courtyards may satisfy up to 50% of this requirement. Minor deviations from this requirement, not to exceed a distance of five (5) feet from the property line, are allowed and will be reviewed by Staff on a case-by-case basis upon verification of special and unique conditions applicable to a specific lot or structures.
- No side or rear yard setback is required.

*Area 1 Architectural Design Standards:*

- Roofs and rooftops shall be designed with consideration of minimization of the Urban Heat Island effect. Light color paint or materials with albedo of 0.50 or higher shall be used, as approved by Staff. All mechanical equipment shall be screened from street level and surrounding building views.



AS/NE

- An articulated roofline and/or an articulated cornice shall be designed as a major feature at or near the top of all new buildings and be continuous on all sides.
- Extensions of more than 10 feet of blank, expressionless walls at the street level shall be prohibited. The use of expression lines and expression zones utilizing materials, colors, and/or relief shall be required in the pedestrian zone to create visually interesting facades.
- The use of arcades, awnings and canopies on the ground floor of a building is required unless waived by City Council as part of a site development plan review. A license agreement to encroach as approved by the Department of Public Works Staff is required.
- The main entry of the building from the street shall be appropriately articulated in the architectural design of the building. This shall be accomplished through change in materials, colors, and/or the amount of detailing around the entry; having the entry slightly recessed or protruding from the primary building line; and/or through the use of canopies or awnings, etc.
- Reflective or tinted glass shall not exceed 60 percent of the overall exterior enclosure of any building. Reflectivity of any glass shall not exceed 22 percent reflectivity index. Only non-reflective clear glass or non-reflective tinted glass with a visible light transmittance of about 60 percent shall be used on ground floors in all pedestrian-oriented areas.
- Architectural details shall be carried on all sides of a building.

  *These standards do not apply as the proposed outdoor event space does not include permanent structures.*

Area 1 of the Downtown Las Vegas Overlay also has landscape standards that the applicant is requesting a Waiver for. The applicant is proposing no additional landscaping within the site or adjacent to the perimeter of the site as required. Staff supports this request as the subject site currently operates as a parking facility, and host for special events that are temporary and have no permanent structures associated with them. By not installing permanent landscaping, this allows the continued flexibility with the use of the site. Landscape materials in portable planters may be incorporated with outdoor events as desired by the applicant and the event operator.

The applicant has provided five of the most common layouts that the site would operate as during an event. The event layouts (Layouts #1, #2, and #3) generally consist of food vendors, stage areas, activity areas, vehicular parking, seating areas and a bar varying by the event. For the occasional event that offers alcohol, a special event license will be issued by the Department of Planning Business Licensing Division, whom will also ensure the security of the alcohol from minors meets Title 6 requirements for serving alcoholic beverages. Layout #4 consist of 14 mobile food vendors with activity areas, and lastly, Layout #5 is using the site as the existing temporary parking lot.

The proposed site is also located within Redevelopment Area 1 and if approved would support the goals of the Redevelopment Agency by creating a space that retains and invites new business activity to the area, as well as encourages participation by all members of the community.

Staff finds the proposed outdoor event space with mobile food vendors supports the goals of the Vision 2045 Downtown Master Plan which envisions and encourages downtown Las Vegas to achieve a compact, vibrant, urban environment, with a focus on higher density mixed-use developments around transit hubs and activity nodes. The proposed provides an activity node that will activate a parking facility when not in use. Therefore, staff recommends approval of the requested Special Use Permit and Site Development Plan Review with conditions

**FINDINGS (SUP-77365)**

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 can be conducted in a manner that is harmonious and compatible with existing surrounding land uses as the use contributes to the pedestrian friendly atmosphere for continued success and growth.

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

   The subject site is located within the Fremont East district of the Vision 2045 Downtown Master Plan area which encourages pedestrian friendly events and activities.

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.**

   Street facilities are adequate in size to meet the requirements 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 use is subject to licensing requirements and regular inspections to ensure the public health, safety, and welfare are not compromised.

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

   The proposed Open Air Vending/Transient Sales Lot use does not meet Conditional use Regulation #8 that requires no more than two vendors per lot, and no more than four hours of operation by a single vendor in 24 hours, and therefore requires a Special Use Permit.

## FINDINGS (SDR-77366)

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

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

   The proposed outdoor event space is compatible with the existing development along the Fremont East corridor.

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

   The proposed outdoor event space is consistent with, and furthers the goals of the Vision 2045 Downtown Master Plan.

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

   Existing access to the site is provided primarily by Fremont Street and Ogden Avenue and no change is proposed as part of the application. The existing site access and circulation does not negatively impact the adjacent roadways.

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

   Building and landscape materials are not part of this application as the subject site is an existing parking facility.

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 outdoor event space is harmonious and compatible with the existing development in the area.

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

The subject site is subject to review by the Fire Department prior to each event to ensure the public health, safety, and general welfare is secure.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 02/12/13 | The Planning Commission approved a Variance (VAR-47821) to allow a six-foot-tall fence in the front yard where a maximum height of five feet is allowed at 902 and 916 Fremont Street. Staff recommended denial. |
| | The Planning Commission approved a Site Development Plan Review (SDR-47823) for a temporary parking lot with a waiver to the Downtown Centennial Plan parking lot screening fence design standards at 902 and 916 Fremont Street. Staff recommended denial. |
| 10/16/19 | The City Council is scheduled to hear a request for a Rezoning (ZON-76747) from C-1 (Limited Commercial), C-2 (General Commercial), R-5 Apartment), R-4 (High Density), R-3 (Medium Density), and R-2 (Medium Low Density) to T4-N (T4 Neighborhood), T4-MS (T4 Main Street), T4-C (T4 Corridor), T5-N (T5 Neighborhood), T5-MS (T5 Main Street), and T6-UC (T6 Urban Core) on approximately 226 acres in the Fremont East District generally located south of U.S. Highway 515, east of Las Vegas Boulevard, north of Carson Avenue, and west of Eastern Avenue. The approval of this application would rezone the subject site from C-2 (General Commercial) to T5-MS (T5 Main Street). The Planning Commission and staff recommended approval. |
| 10/22/19 | The Planning Commission voted (6-0-1) to APPROVE the following requests:<br>• Special Use Permit (SUP-77365) FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77366) FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/28/19 | The Office of the City Clerk received an Appeal of the Approval by the Planning Commission on a Special Use Permit (SUP-77365) and Site Development Plan Review (SDR-77366) which will be considered by the City Council on December 4, 2019. |
| 12/4/19 | The City Council voted to hold in abeyance the following requests to the December 18, 2019 City Council Meeting.<br>• Special Use Permit (SUP-77365) FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77366) FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. |
| 12/18/19 | The City Council voted to hold in abeyance the following requests to the January 15, 2020 City Council Meeting.<br>• Special Use Permit (SUP-77365) FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77366) FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. |
| 01/15/20 | The City Council voted to hold in abeyance the following requests to the February 5, 2020 City Council Meeting.<br>• Special Use Permit (SUP-77365) FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77366) FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 02/05/19 | The City Council voted to hold in abeyance the following requests to the March 4, 2020 City Council Meeting.<br>• Special Use Permit (SUP-77365) FOR AN OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77366) FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 09/19/12 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/19/13 | A building permit (#245184) was issued for an ornamental iron fence located at 916 Fremont Street. |
| 10/09/13 | A building permit (#246572) was issued for onsites, hardscaping, and stripping for a parking lot located at 902 Fremont Street. |
| 03/03/15 | A business license (PMT15-01111) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/13/15. |
| 04/29/15 | An electrical permit (#286177) was issued relating to special event #282347 at 910 Fremont Street. |
| 05/13/16 | A business license (PMT15-01334) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 05/23/15. |
| 02/25/16 | A business license (PMT16-01135) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/05/16. |
| 03/31/16 | A business license (PMT16-01285) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 04/03/16. |
| 04/12/16 | A special event permit (#315401) was approved for Vegas Streats 04/16/16 until 04/17/16. |
| 05/11/16 | A special event permit (#317411) was approved for Citrix Synergy Party at 910 Fremont Street from 05/25/16 until 05/27/16. |
| 02/16/17 | A business license (PMT17-01121) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/04/17. |
| 02/21/17 | A business license (PMT17-01137) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/03/17. |
| 02/21/17 | A business license (PMT17-01142) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/03/17. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 03/01/17 | An electrical permit (#336932) was pulled for special event #333923 at 910 Fremont Street. |
| 04/20/17 | A special event permit (#352420) was approved for Last Call Static Car Show Lot event at 910 Fremont Street on 05/27/19. |
| 12/27/18 | A special event permit (#349546) was processed for Classic Car Block Party at 910 Fremont Street. The permit application was never completed. |
| 02/21/18 | A business license (PMT18-01215) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/08/18. |
| 02/28/18 | A business license (PMT18-01244) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/09/18. |
| 03/07/18 | A business license (PMT18-01264) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/08-18. |
| 05/23/18 | A special event permit (#346776) was approved for the World Art Car Championship at 916 Fremont Street from 06/07/18 through 06/10/18. |
| 07/10/18 | A special event permit (#347799) was approved for the Vegas Strong 5K/1M at 916 Fremont Street on 09/30/18. |
| 1/28/19 | A business license (PMT19-01116) was issued for an alcohol beverage catering permit at 902 Fremont Street. The license expired on 03/02/19. |
| 02/28/19 | A business license (PMT19-01243) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/08/19. |
| 02/28/19 | A business license (PMT19-01246) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 03/08/19. |
| 05/28/19 | A special event permit (#351185) was approved for Real Awesome Food Park at 916 Fremont Street on 06/14/19, 06/15/19, 06/21/19, 06/22/19, 06/28/19, and 06/29/19. |
| 06/27/19 | A special event permit (#351462) was approved for Real Awesome Food Park at 916 Fremont Street on 07/05/19 and 07/06/19. |
| 08/07/19 | A special event permit (#351876) was approved for Real Awesome Food Park at 916 Fremont Street on 08/16/19, 08/17/19, 08/23/19, 08/24/19, 08/30/19, and 08/31/19. |
| 09/25/19 | A special event permit (#352385) was approved for Real Awesome Food Park at 916 Fremont Street on 10/11/19, 10/12/19, 10/18/19, 10/19/19, 11/15/19, 11/16/19, 11/22/19, 11/23/19, 12/13/19, and 12/14/19. |
| 09/26/19 | A business license (PMT19-02240) was issued for an alcohol beverage catering permit at 910 Fremont Street. The license expired on 10/05/19. |
| | A special event permit (#352420) was approved for Oktoberfest @ The Lama Lot event at 910 Fremont Street on 10/05/19. |

| ***Pre-Application Meeting*** | |
|---|---|
| 08/15/19 | A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit and Site Development Plan Review. |

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

| ***Field Check*** | |
|---|---|
| 09/11/19 | A routine filed check was conducted by staff. Nothing of concern was noted by staff. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.75 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Parking Facility | C (Commercial) | C-2 (General Commercial) |
| North | Vacant | MXU (Mixed Use) | |
| South | Mixed-Use | C (Commercial) | |
| | Tavern | | |
| | General Retail | | |
| East | RV Park | | |
| | Vacant (Future Skate Park) | | |
| West | Dog Park | | |
| | Church/House of Worship | | |
| | Bailbond Service | | |
| | Vacant | | |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Vision 2045 Downtown Master Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| DTLV-O (Downtown Las Vegas Overlay) District- Area 1 (Fremont East District | Y |
| LW-O (Live/Work Overlay) District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area 1 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |



AS/NE

## DEVELOPMENT STANDARDS

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Fremont Street | Collector | Master Plan of Streets and Highways | 80 | Y |
| Ogden Avenue | Collector | Master Plan of Streets and Highways | 80 | Y |
| 9th Street | Collector | Master Plan of Streets and Highways | 80 | Y |
| 10th Street | Collector | Master Plan of Streets and Highways | 75 | Y |

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Commercial Recreational/ Amusement (Outdoor) | 119,790 SF | 1:200 SF | 599 | | | | |
| **TOTAL SPACES REQUIRED** | | | 599 | | 371 | | Y* |
| **Regular and Handicap Spaces Required** | | | 587 | 12 | 362 | 9 | Y* |

**Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| DTLV-O Area 1 Landscape Standards. | To provide no landscape materials, adjacent to the perimeter or interior to the site. | Approval |

| ***Las Vegas Valley Water District Comments:*** |
| --- |
| This parcel is currently served by LVVWD domestic service and does not have the backflow prevention required for this use per NAC 445A.67195. Civil and plumbing plans must be submitted for domestic meter sizing and backflow installation. |

# DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SUP/SDR

**Project Address** (Location) 916 Fremont Street, Las Vegas, NV 89101

**Project Name** Llama Lot **Proposed Use** Comml Recreation/ ~~Amusement (Outdoor)~~

**Assessor's Parcel #(s)** 139-34-601-008 **Ward #** 3-Diaz

**General Plan:** Existing C Proposed C **Zoning:** Existing C Proposed C

**Additional Information** Proposed use change from parking lot to Commercial Recreation/Amusement (Outdoor)

**Property Owner** 900 Fremont, LLC Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail legal@dtplv.com Phone 702-359-9979

**Applicant** 900 Fremont, LLC Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail legal@dtplv.com Phone 702-359-9979

**Representative** Laurie Dorough Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail lauried@dtplv.com Phone 702-556-9431

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**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 Carlson

Subscribed and sworn before me

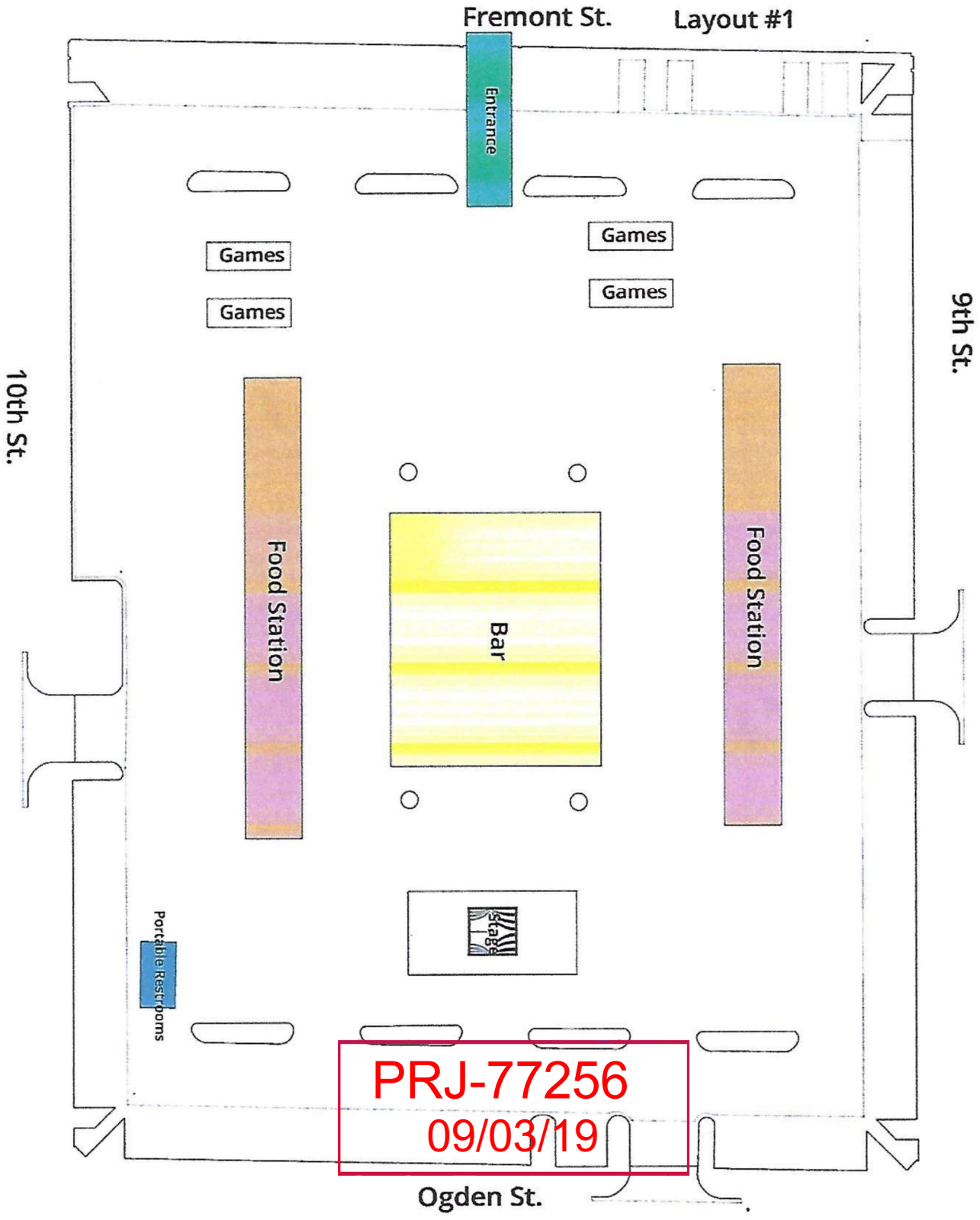
This 30th day of August, 20 19

Notary Public in and for said County and State

CATHERINE MARTINEZ
Notary Public-State of Nevada
Appointment No. 18-3023-1
My Appointment Expires July 12, 2022

PRJ-77256
09/09/19

# DOWNTOWN PROJECT




PRJ-77256
09/03/19





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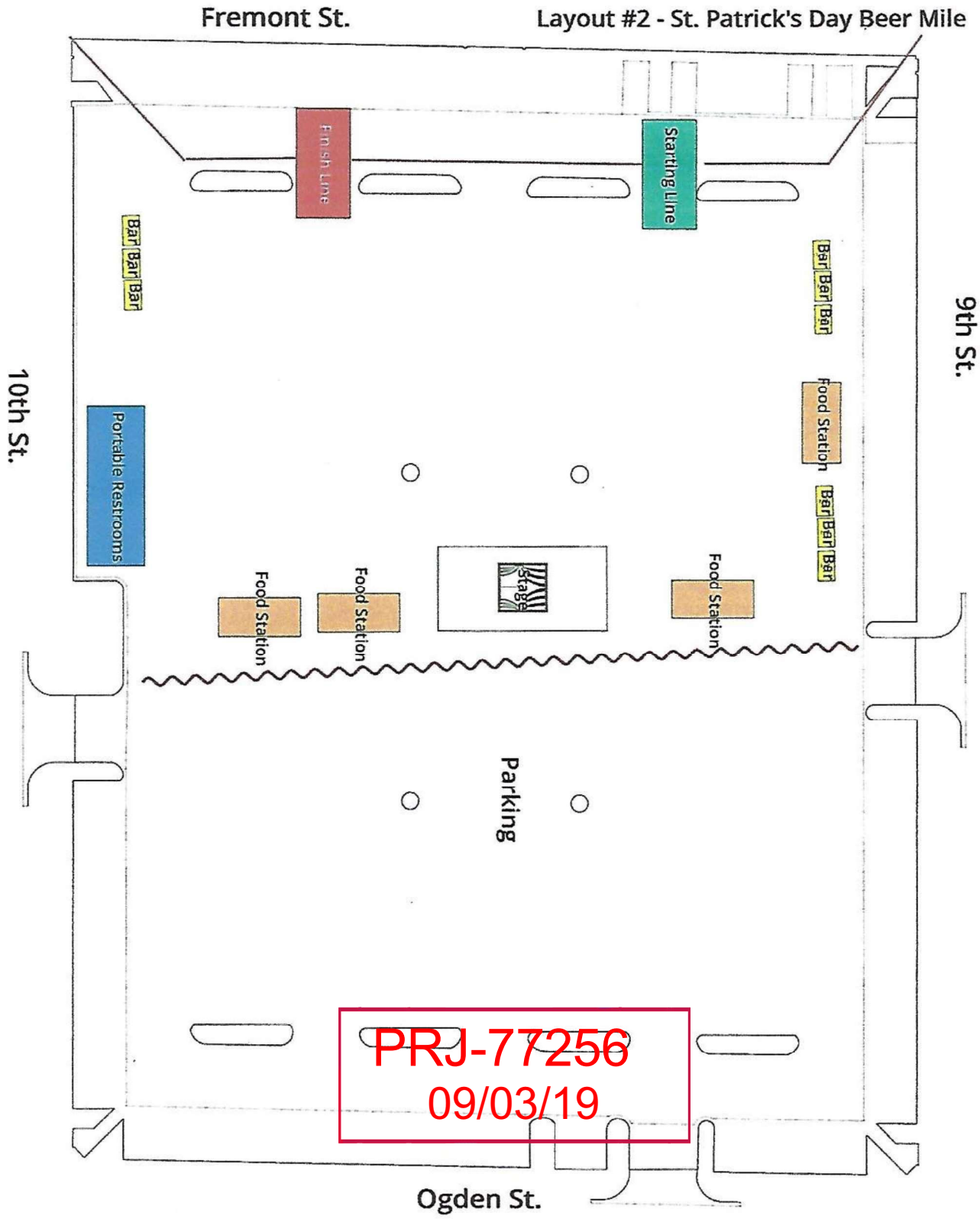
# DOWNTOWN PROJECT




PRJ-77256
09/03/19





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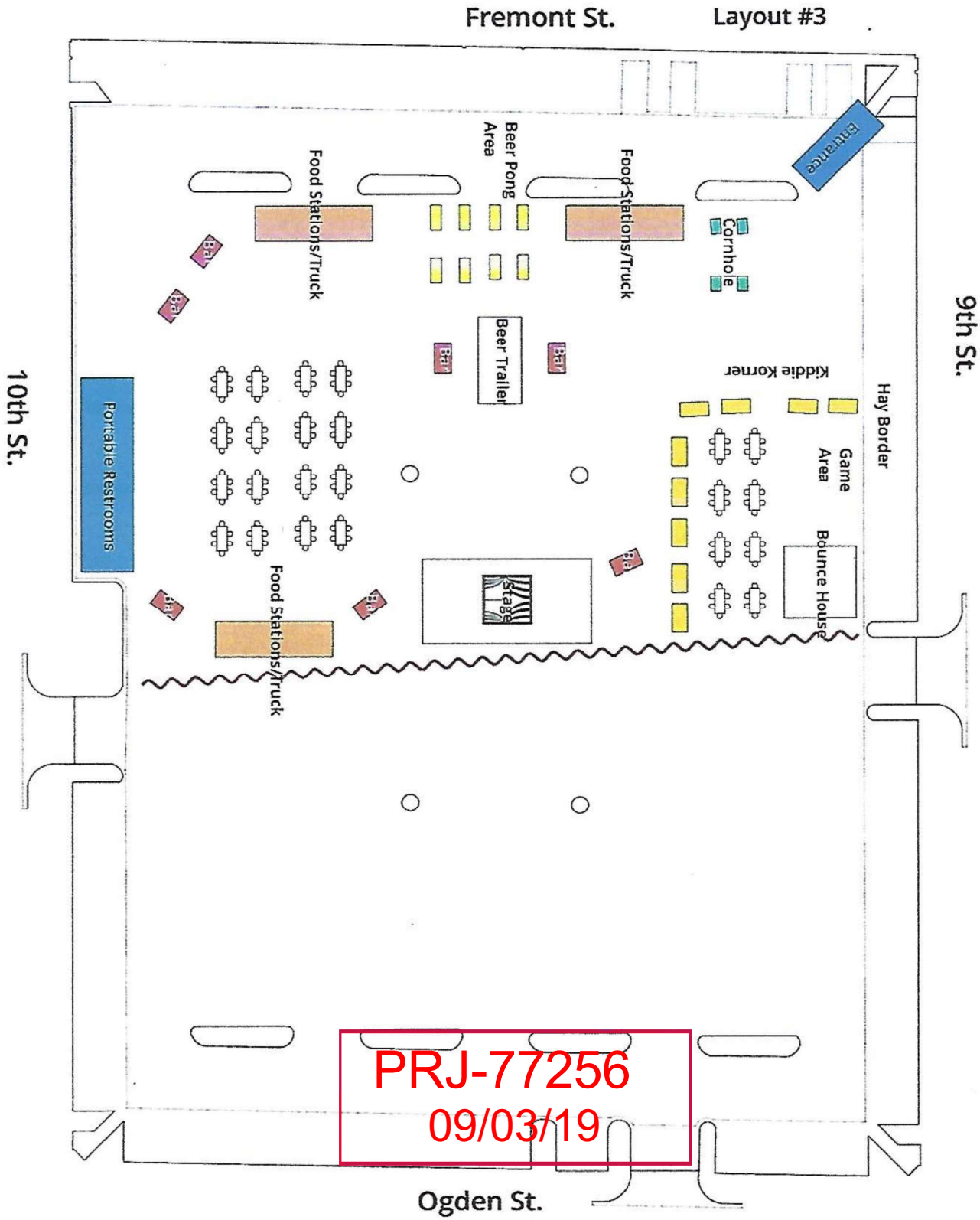
# DOWNTOWN PROJECT




PRJ-77256
09/03/19





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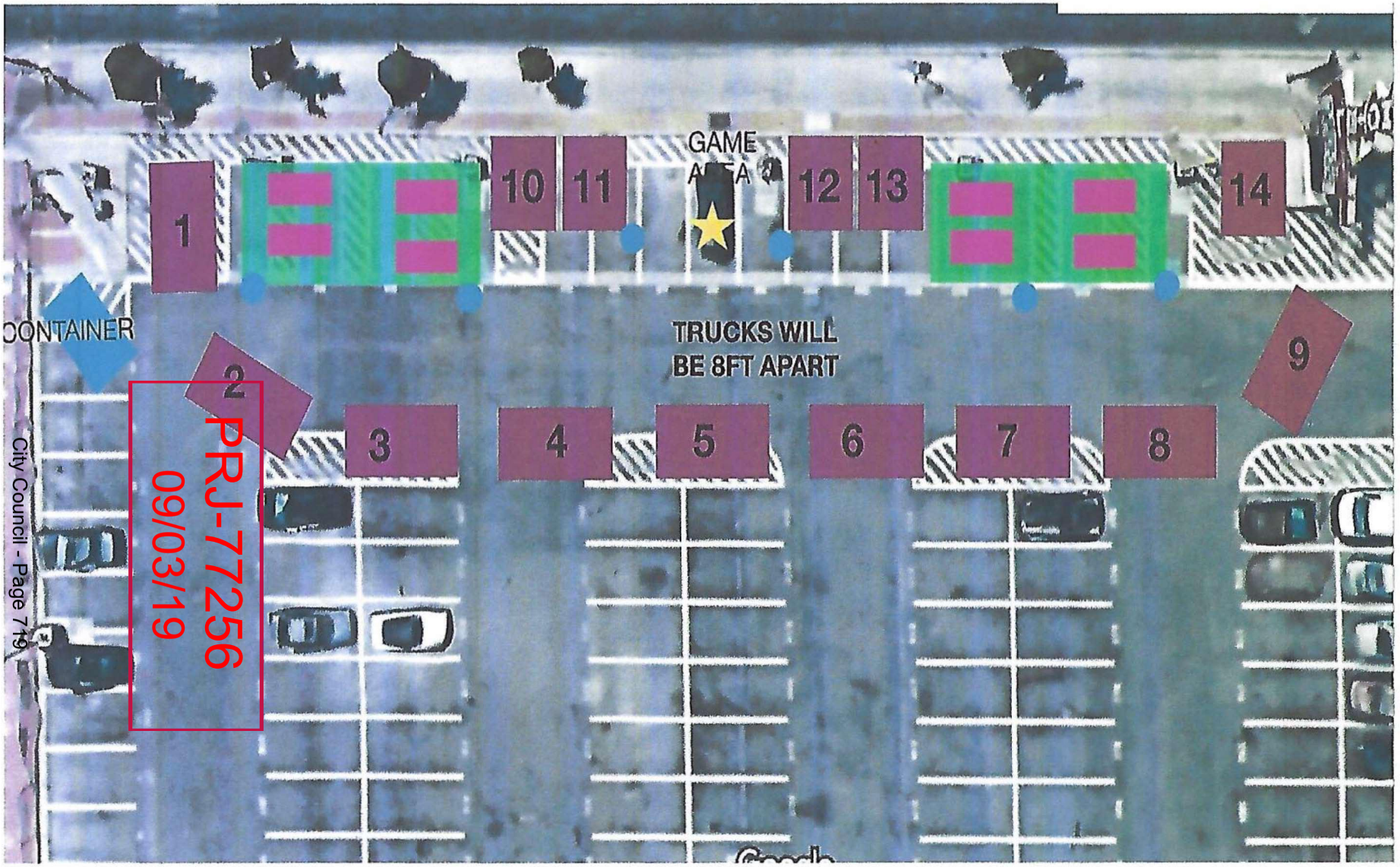
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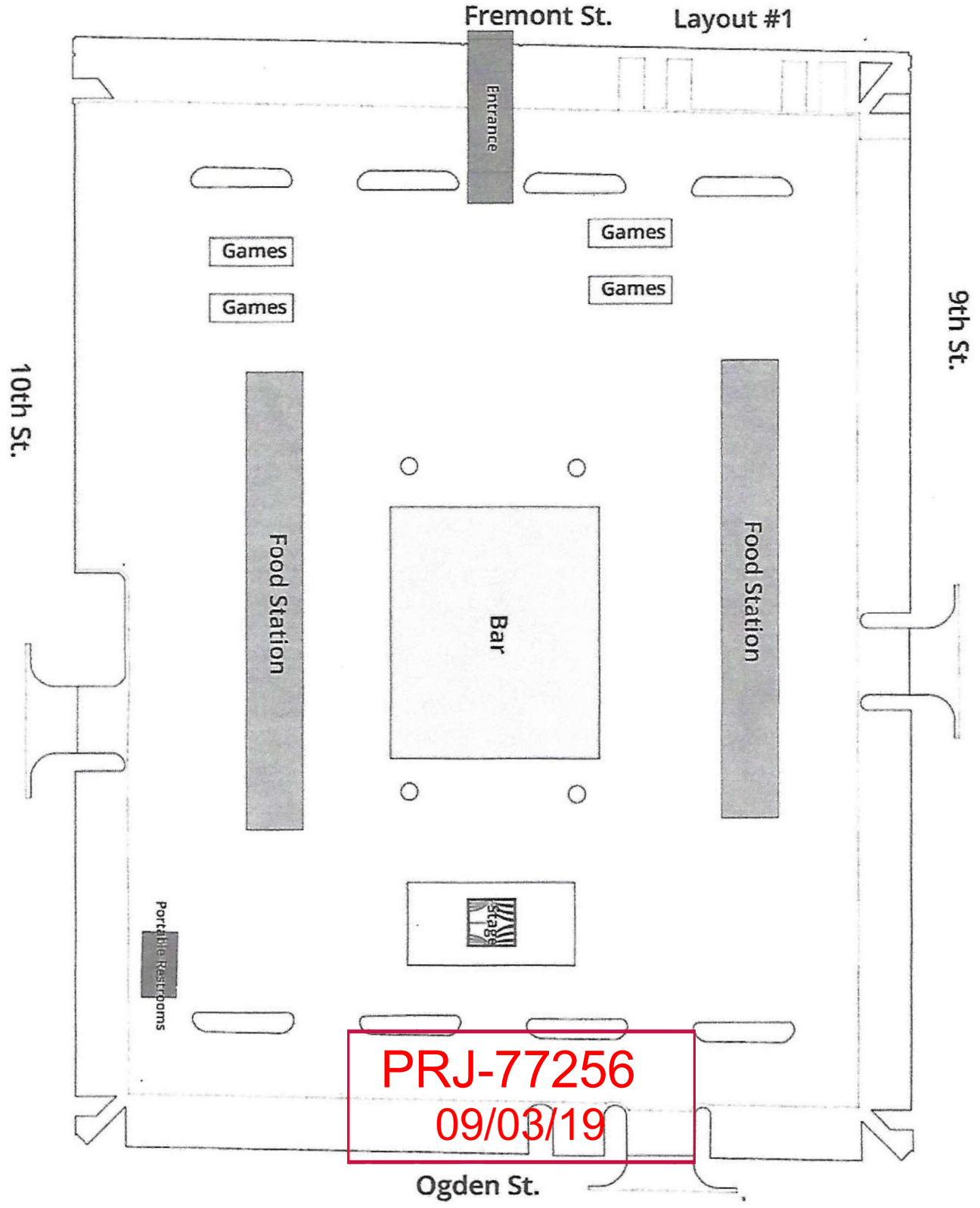
PRJ-77256
09/03/19

**Layout #4**




**Layout #5 – Parking Spaces**

# DOWNTOWN PROJECT




PRJ-77256
09/03/19





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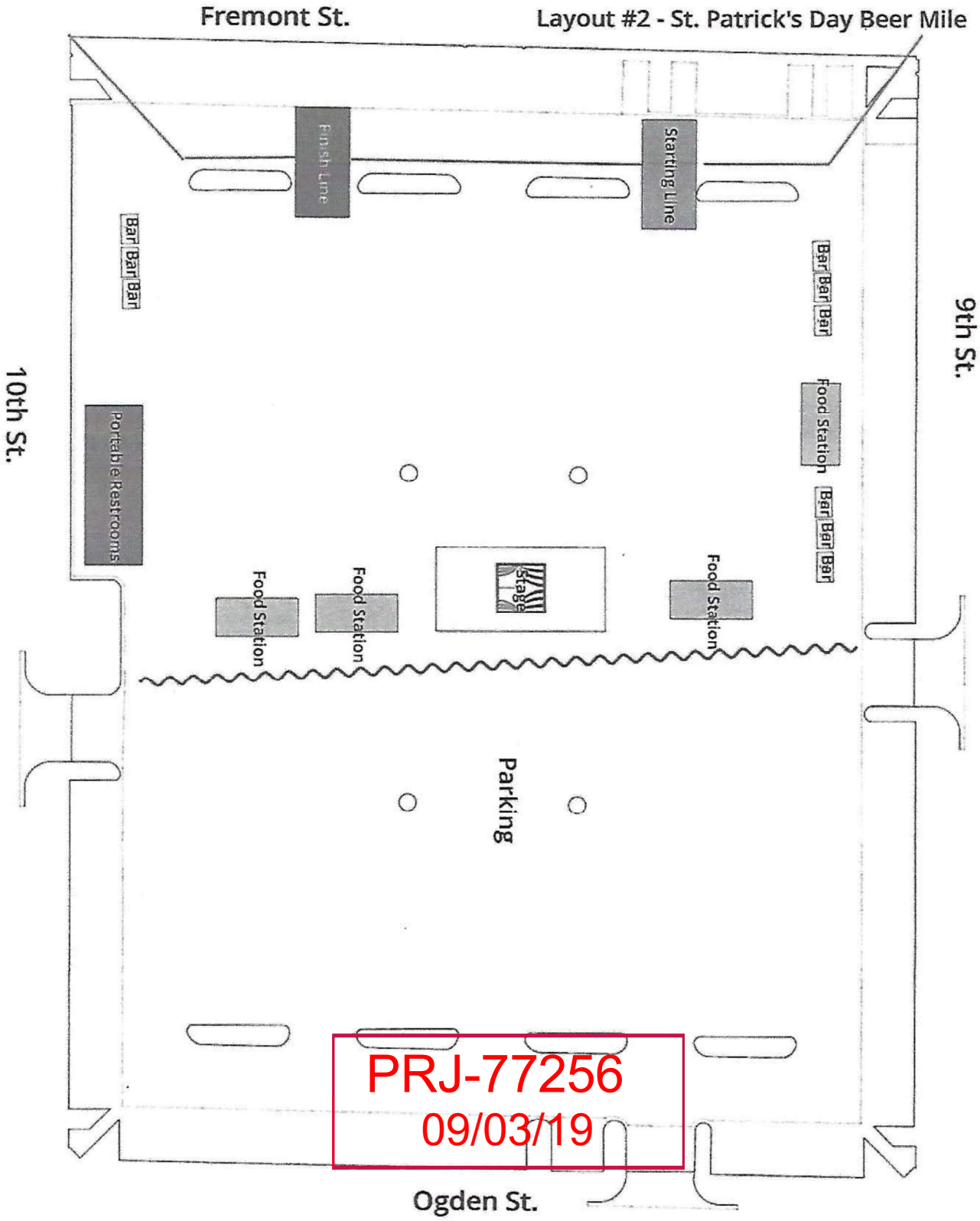


PRJ-77256
09/03/19





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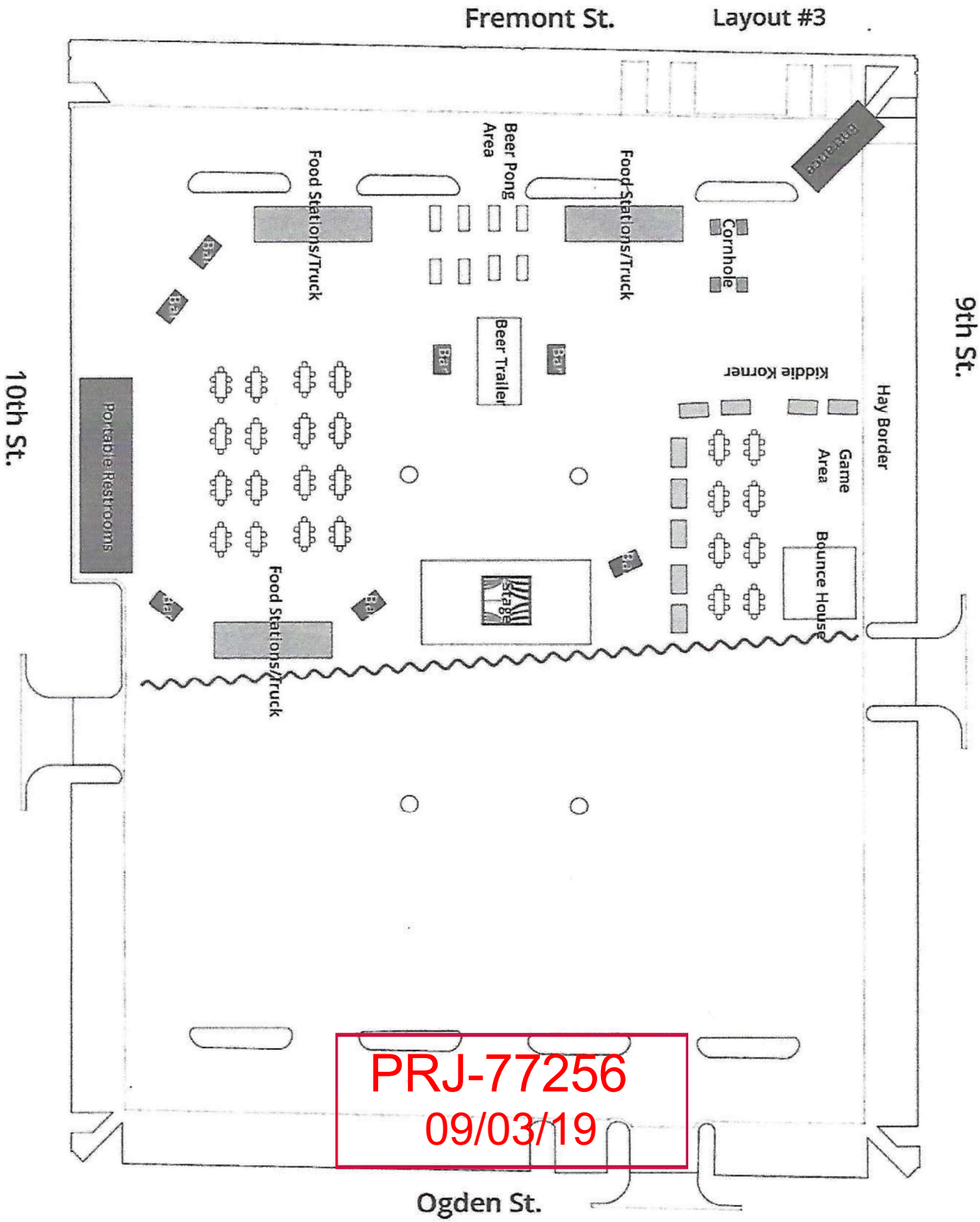
# DOWNTOWNPROJECT





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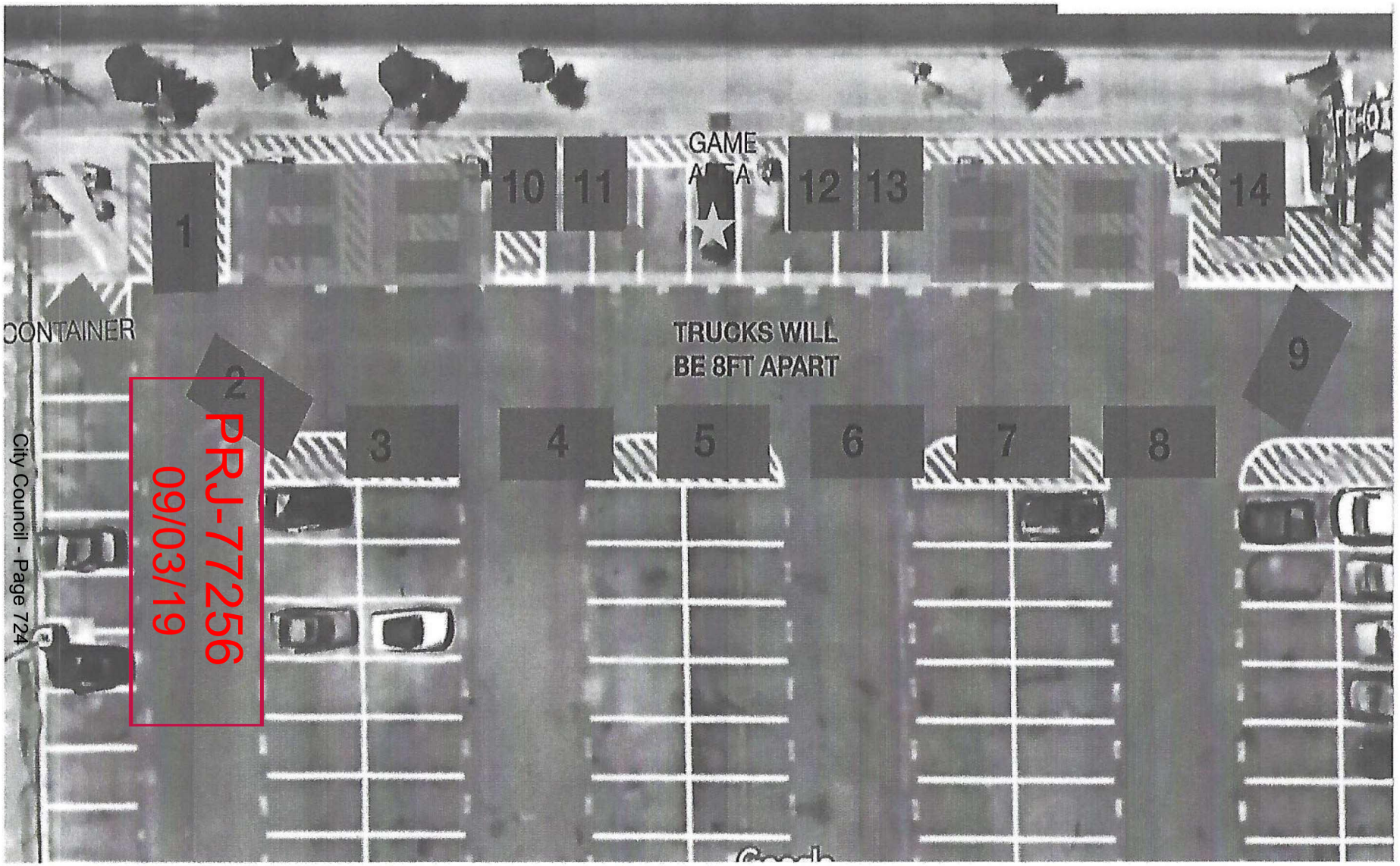
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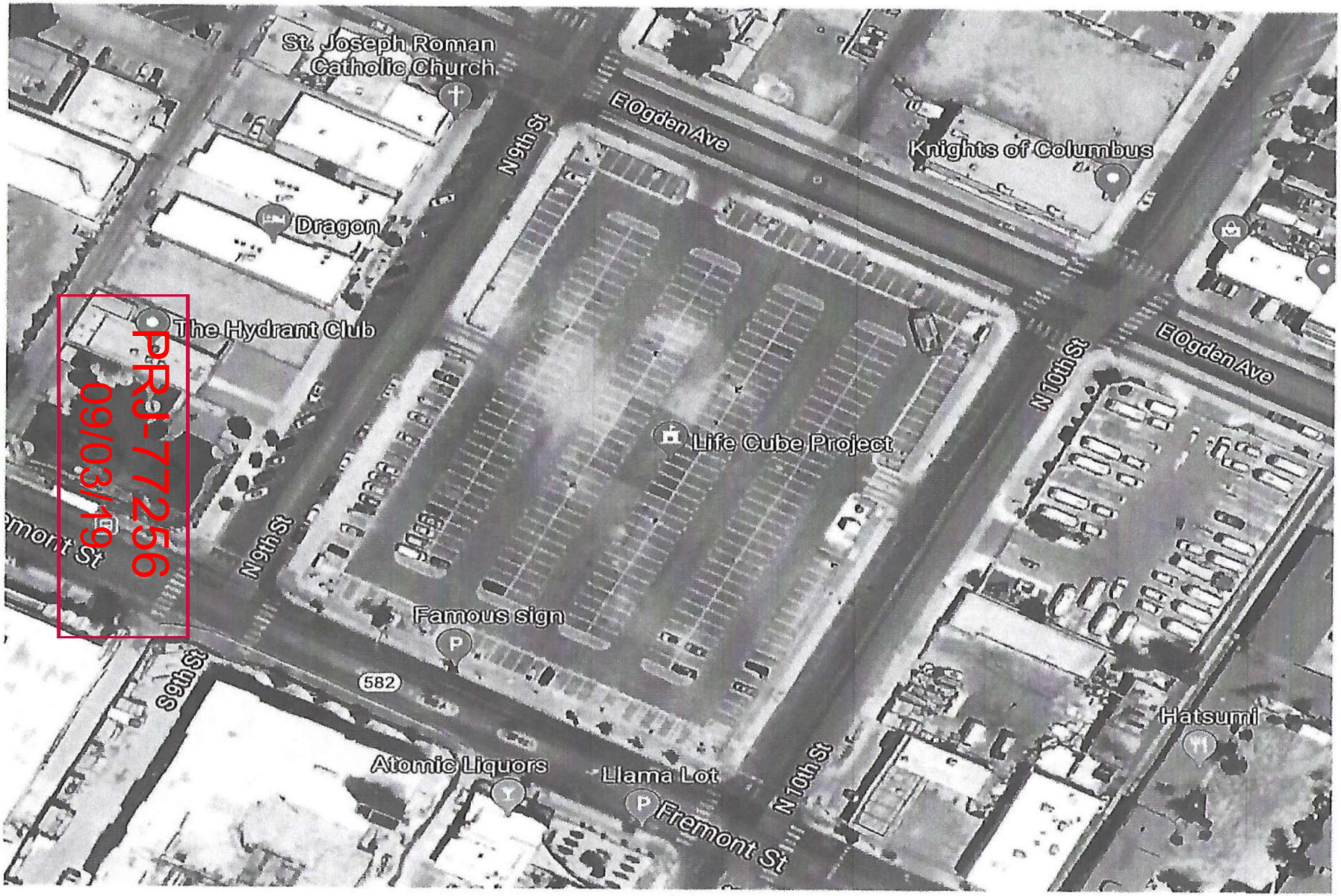
PRJ-77256
09/03/19

**Layout #4**




**Layout #5 – Parking Spaces**



**SUP-77365 [PRJ-77256] - SPECIAL USE PERMIT RELATED TO SDR-77366 - APPLICANT/OWNER: 900 FREMONT, LLC**
**916 FREMONT STREET**

09/11/2019



**SUP-77365 [PRJ-77256] - SPECIAL USE PERMIT RELATED TO SDR-77366 - APPLICANT/OWNER: 900 FREMONT, LLC**
**916 FREMONT STREET**

09/11/2019

September 3, 2019

City of Las Vegas Department of Planning
333 N Rancho Drive, Suite 500
Las Vegas, NV 89106

To Whom It May Conern:

Per application PRJ-77256, we are requesting a change of use for 916 Fremont Street, Las Vegas, NV 89101. The previous use for this space has been for parking and events *using a Special Event Permit*. In the future, we would like to hold more special events without limitation to the number of events as dictated by the current code/use.

Use for the future would include parking (operated by the City of Las Vegas) when a special event is not taking place. The special events would include but not be limited to Food Truck Events, Beer/Wine Tasting, Walks, Runs, Musical Events, Private Corporate Events, etc.

We feel these events will continue to bring awareness around the revitalization of the Downtown Las Vegas area. Further, we are able to support special causes by providing our Llama Lot free of charge for many of these non-profit events.

We thank you in advance for your consideration.

Regards,

Mark Carlson
VP of Operations

900 Fremont, LLC
P.O. Box 7516
Las Vegas, NV 89125



PRJ-77256
09/03/19

February 4, 2020

The Hydrant Club

The Honorable Mayor Carolyn Goodman
Mayor
City of Las Vegas
495 S. Main Street
Las Vegas, NV 89101

Dear Mayor Goodman,

Though we don't know each other well, I know you're familiar with me and my business. You participated in the "grand unleashing" of our operations in April 2015. We cross paths at myriad events (including shul for the high holidays). Your office also has contacted me on a few occasions for input regarding pet-related matters, and I have been proud and honored to provide my insights and support where needed.

Today I write you asking the support you have shown, not merely for me but also for the growth and development of Downtown as a thriving space for small business, not waver.

Special Use Permits 77365 and 77366 on tomorrow's agenda are, at best, overreaching, overly broad, and vague. If permitted to pass without any further consideration or modification, without inclusion of any parameters, checks and balances or oversight, will create an environment directly obstructive and unsafe for all small businesses nearby and create potentially unsafe environments for their staff and customers.

This week, seven years ago, I moved to Las Vegas. I moved here specifically to live and work downtown. I have lived many places – Philadelphia, PA; Chicago, IL, and for the longest stretch, San Francisco, CA. There has never been a place of which I have been more proud to call home. Being a part of the effort to reclaim, revitalize and energize the Fremont East District has been, perhaps, one of the most gratifying experiences of my life to date. I am deeply proud to call the Silver State home. Though I can never say I was Vegas Born, I am most certainly Vegas Baptized.

It was in December 2013 I opened the first phase of my business. The following year we began construction on the Clubhouse (located in the old "Odd Fellows" Lodge at 109 N 9th Street). And then, as noted, in April 2015 we held our "Grand Unleashing" an event that drew several hundred attendees, including yourself. By this point the struggle with the Downtown Companies operations team, most notably the events production team, already was well underway. Week after week, month after month, my clients would be obstructed by unannounced closures, parking obstruction or blockage and, most importantly, events the nature of which created unreasonable increases of the kind of traffic that made safety and security for my clients and staff problematic.

Submitted at City Council
Date 2/5/20 Item 48 and 49
By: Cathy Brooks

Weeks after the Grand Unleashing, the conversation with the Downtown Companies began that nearly led to the closure of The Hydrant Club. They were unwilling, at first, to amend their processes. After nearly six months of intense negotiation, extensive lawyer meetings and finally some compromise, we agreed on parameters for moving forward. That lasted less than a year.

From there problems increased again, and became worse. This time any effort I made to reach out to event organizers was met with disdain and, in some cases, overt subjugation of my business, defamation of my business (as well as myself) and obstruction of commerce. In the last year alone, attempts to engage with five different events (The Santa Run, Susan G. Komen Run, Mint400, The Color Run and the recent XScapers RV event) revealed something more directly problematic. In the case of the XScapers event, the organizers – who specifically asked about my property and business in an interest of working with me when they came to town – were told specifically that "I hated events downtown"; that I "Would not work with them"; and to "Stay away from me." Besides the damage to my brand and personal reputation that these defamatory statements made, more importantly they could not have been more untrue.

We all want the same thing. We all want a vibrant, economically viable, sustainable and growing Downtown. Such a thing has many parts – places to live, businesses and services and – yes – events of all kinds. It includes parades and festivals, 5Ks and corporate gatherings. These events bring people downtown who'd otherwise never come. It helps strengthen our City's image and expands people's experiences. This all requires, however, communication and compromise. These are two things that those who submitted these SUPs have failed entirely in doing thus far with the events they already do.

It is for this reason that the process that allowed these SUPs to progress to this point, a process that failed entirely with regards to any in-depth business impact, must be examined and an abeyance on this SUP should be considered. A delay of 2-3 weeks would be a more than acceptable compromise that would allow for a proper collection of business impact statements from the operators adversely effected by events on the Llama lot; and allowing the opportunity to find reasonable mitigation measures so that we all may enjoy a truly successful downtown, one that allows all parties to engage and thrive.

I enclose with this letter copies of statements from a selection of my clients. I also enclose a partially redacted copy of my current client list. As I take my clients' privacy seriously I have only included names of those who have provided letters or who gave permission for me to identify them.

Regards,

Cathy Brooks
Owner, The Hydrant Club

Cc: Mayor Pro Tem Michele Fiore, Councilman Brian Knudsen, Councilwoman Victoria Seaman, Councilwoman Olivia Diaz, Councilman Stavros Anthony, Councilman Cedric Crear

| Last Name | First Name | Dog name | Member # |
|---|---|---|---|
| Allen | Jonathan | Mac | 308 |
| Andress | Don and Madeleine | Angelina | 215 |
| Cancela | Yvanna | Louie | 342 |
| | | | |
| Crockett | Tracy and Jim | Binks | 310 |
| | | | |
| Dabah | Adrienne | Sister | 44 |
| Daum/Schwartz | Karen/Brett | Maddux | 340 |
| DeChellis | Matthew | Onyx | 353 |
| DeKorte | Jeffrey | Gaston | 283 |
| Delaney | Kathleen | Elvia, Sasha and Parker | 361 |
| Erickson | Patricia | Katara & Chloe | 18 |
| Falconer | Mike | Dapple & Chip & Jet | 107 |
| Farrar | Roxanne | Tinker Bella | 202 |
| Finkelstein | Elizabeth | Charlie F. | 59 |
| | | | |
| Fobes | Christopher | Beauregard | 106 |
| Gale | Harrison, Janie & Jeff | Bonnie Blue & Scrappy Doo | 335 |
| | | | |
| Garin | Monica | Shamrock | 315 |
| Greenspun | Robin & Danny | Elliot & Po | 270 |
| Harmon | Heather | Amelia | 351 |
| | | | |
| Jackel & Rather | Stefanie and Wendy | Dixie (Bijou & Sookie) | 307 |
| | | | |
| Jones | Annmarie | Winston | 163 |
| | | | |
| Kenny | Leslie | Snoop | 343 |
| Kenny & Lopez | Thomas & Jilian | Sable | 268 |
| Klai & Sparer | John & Jon | Dexter and Sadie | 312 |
| Kraft | Amy and Ken | Lulu and Joey | 47 |
| Kraft | Kathleen (Kathy) | Lily Pearl | 282 |
| Lee | Dana | Pippa and Kora | 358 |
| | | | |
| Levine/Woods | Lisa/Andrew | Lacey | 210 |
| Lindquist | Felicia and Niklas | Ragnar | 234 |
| | | | |
| Marsh | Michelle & Mathew | Mikey & Molly | 280 |
| | | | |
| McGarry | Tim and Kris | Sadie and Teddy | 355 |

| | | | |
|---|---|---|---|
| Michael | Susan and Paul | Tucker | 175 |
| Mirman | Sue and Rich | Eddie | 246 |
| O'Neill/Gonya | Katie/Chris | Lola O. | 212 |
| | | | |
| Polly | Marjorie | Einstein | 302 |
| | | | |
| Quinn | Michele | Frida Kahlo Quinn Andelbrat & Pearl | 370 |
| Reid | Rory and Cindy | Oakey | 250 |
| | | | |
| Russo | Nick & Karen | Duke & Blackie | 265 |
| | | | |
| Saxe | Ben & Rebecca | Zola | 299 |
| Schoolmeester | Jules | Joey & Vonnegut | 286 |
| Schorr | Emily & Seth | Ace | 373 |
| Schulhofer | Ellen | Sadie S. | 186 |
| | | | |
| Sloan | Naomi | Brisket | 369 |
| Small and Carillo | Theo and Antioco | Sophie S,Archie,Remy,Polaris | 146 |
| Smith | Tim | Lucie | 322 |
| Snyder | Abbie & Jim | Philly, Norman, Ringo | 173 |
| Sottile | Nicole | Penny | 58 |
| | | | |
| Ullman | Jonathan | Minty | 291 |
| Vaknin | Uri | Gypsy | 324 |
| Valdez | Denise | Penny, Dutch, Ollie & Louie | 274 |
| | | | |
| Walton | Jacqueline (Jacque) | Franklin | 356 |
| Weinbaum and Sanborn | Sara and Jonathan | Tully | 42 |
| Welch/Yeh | Don/Connie | Zoey & Benson | 22 |
| | | | |
| Young | Toni | Targon | 51 |
| Young | Jennifer, Greg & Devon | Coconut, Teddy, Lola (Otto) | 326 |

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Thank you Hydrant Club!

1 message

**Heather Harmon** <harmonheather@icloud.com> Tue, Feb 4, 2020 at 9:05 PM
To: Cathy Brooks <Cathy@hydrantclub.com>

Dear Cathy,

We write you today to express our love of and admiration for your business. The level of care you give to your clients is a reflection of the Hydrant Club's deep understanding of family and community. When moving back to Las Vegas, I did not expect to find a playground for Amelia that would exceed (!!) the facilities we worked with in New York and Los Angeles. Not only did your business compete- it has proven to be far more wonderful- largely in part to the best practices the Hydrant Club exemplifies. The jewel that is a home away from home for many of our city's most beloved four legged friends is a place of peace and happiness and we are grateful to be among your clients and friends.

We look forward to many years of continued patronage and support!

Sincerely,
Heather Harmon and James Aston

Heather Harmon
harmonheather@icloud.com
+1 310 980 3840

To: Las Vegas City Council:
I am a resident of the City of Las Vegas and a client of Cathy Brooks's Hydrant Club in Downtown Las Vegas.

I'm writing on behalf of The Hydrant Club and in opposition to The Downtown Project's request for an Unrestricted Use Permit for the Llama Lot directly across the street from The
Hydrant Club.

I understand the objective of Downtown Project is to generate business for downtown. That's great and certainly what everyone wants. But, granting an unrestricted use permit is simply unfair to neighboring businesses that thrive on regulated, orderly and mutually understood practices.

Ideally all businesses in a commercial zone should be willing to communicate with and accommodate each other for the greatest good. Every business in downtown Las Vegas benefits when all work toward a common, prosperous environment.

It is only reasonable that a new event permit adhere to the same rules and regulations as everyone else in the area. It is unreasonable to license a space for unrestricted and unspecified events, with no allowance for adequate parking, no limitations on hours of operations and no notice to its neighbors. It is reasonable that there be parameters for events - understood and agreed to by neighboring businesses.

I believe it would be a huge mistake to jeopardize the normal operation of existing businesses by approving an event operation with zero restrictions.

As a patron of numerous downtown business, I implore you to reject this request for an "unrestricted" use permit. Thank you in advance for your consideration of the matter.
Madeleine C. Andress

Madeleine Andress
madeleineandress@mac.com
cell: 1(702)232-4442

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Special Use Permit Public Hearing - Agenda Item Nos. 48 and 49 - February 5, 2020

1 message

**Kathleen Delaney** <delaneyrescue@gmail.com> Wed, Feb 5, 2020 at 12:15 AM
To: Cathy Brooks <cathy@hydrantclub.com>
Cc: bknudsen@lasvegasnevada.gov

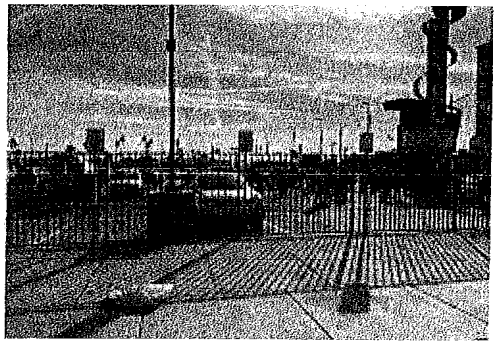
Dear Cathy,

I sincerely apologize for the lateness of this letter, but I am backed up at work due to an ongoing trial, and this has been my first opportunity to write since I became aware of the Special Use Permit ("SUP") Public Hearing on the City Council's agenda for tomorrow at 9:00 a.m. Because of my schedule, I do not expect to be able to appear in person, although I will certainly try, but my concern is great enough that I wanted to reach out in my hope that it is not too late for you to add my voice, through this email and attachments, or any reference thereto, to those rightfully opposing the Llama Lot's SUP application.

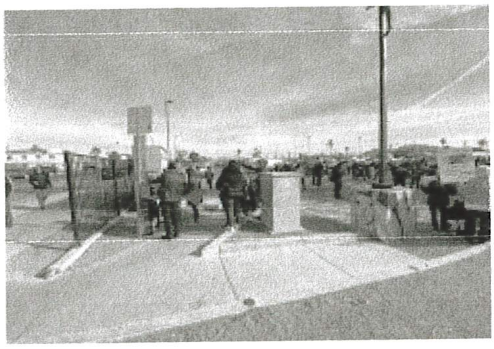
As I read the owner's application, they are seeking essentially unfettered discretion to conduct any event on any day for any duration, without notification or other appropriate requirements. As you know, I recently experienced first-hand your business interference when the event organizers proceeded without notification with a Women's March event. On January 18, 2020, I arrived to drop off my dog, Parker, for day care when I observed people gathered in the Llama Lot in a way that blocked the Hydrant Club's designated parking spaces. I also observed attendees of the event walking the Hydrant Club's fence line, both with and without dogs. I saw you engaging in a positive way with those walking the fence line, but of course I know from experience how much this can disturb operations. When I asked you what was happening, I was astounded to learn that the event was occurred without any prior notice.

Please find attached several pictures, which I took of my own volition at the time in order to document our mutual concerns. I am a native of the City of Las Vegas, I proudly live in Ward 1 in the same neighborhood as Councilman Knudsen, I work at the Regional Justice Center, and I regularly patronize numerous downtown businesses. I am greatly concerned that any SUP would put the discretion of event scheduling solely in the hands of the property owner without accountability for, at the very minimum, advance notification and reasonable compensation for any documented business disturbance. I strongly urge the City Council to deny Agenda Item Nos. 48 and 49 as currently drafted. Thank you for you assistance to ensure my voice is heard.

**3 attachments**



**January 18 Picture 1.jpg**
1966K



**January 18 Picture 2.jpg**
2523K



**January 18 Picture 3.jpg**
1717K

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

## Why Hydrant Club is important

**Robin Greenspun** <robin@culturedog.com>
To: Cathy Brooks <cathy@hydrantclub.com>

Mon, Jan 13, 2020 at 9:08 PM

To Whom It May Concern:

We have been bringing our two youngest dogs, Elliot and Po, to the Hydrant Club since we first adopted them from the Animal Foundation almost 3 years ago. We have two older dogs and the two younger ones needed training, socialization and the two older ones needed a break each week from being tormented by their new younger "siblings" and we decided that "Doggie Daycare" was necessary.

We live in Green Valley but we found that the best facility in the valley for our newest family members was in Downtown Las Vegas and for as long as we have had our two youngest dogs we have been making the drive twice a week to Hydrant Club for them to be with their doggie friends and keep up with their socialization skills. We wouldn't take them anywhere else.

And because of the Hydrant Club, we've realized that Downtown Las Vegas is really not that far or that hard to get to from Green Valley. We have discovered great restaurants and have found that we spend more time downtown than we have in the past.

It's all because of the Hydrant Club and Cathy Brooks. We hope that the City Council will continue to support this phenomenal facility which has clients from all over the valley.

Sincerely,

Robin Greenspun

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Special Use Permit Impact on Hydrant Club

**Dana Lee** <danasulee@gmail.com> Mon, Feb 3, 2020 at 8:25 AM
To: Cathy Brooks <cathy@hydrantclub.com>

Dear City Council Members:

My dogs are members of the Hydrant Club and enjoy Cathy Brooks fine business for daycare and for boarding. This is an exceptional facility made even more exceptional by the lovely outdoor play area enjoyed by the canine members.

My dogs, who are 16 +++ years old and 9 years old, have never been to daycare or boarded anywhere until we met Cathy. It is precisely her care and philosophy which makes the Hydrant Club so special and special for all canine members. This includes keen observation of its charges by her staff. Whenever there are distractions or people loitering around the perimeter play area, the dogs are shepherded to a spot where they won't become noisy or aggravated. This practice keeps the canine charges happy and secure. It's a win-win for all.

Should the Llama Lot be allowed an unlimited SUP without restrictions for type of event, time or duration, it would severely impact the Hydrant Club business and its ability for its canine members to enjoy its chief attraction: a beautiful outdoor play area.

I respectfully ask you to consider the impact this SUP would have not only on this stretch of the downtown area, but also on the Hydrant Club. The Hydrant Club has been a benefit for so many of us, adding a dynamism to the mix of businesses downtown. Please allow Cathy Brooks the peace of mind that will allow her to continue her business successfully.

Yours sincerely,
Dana Lee

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Support for Hydrant Club

1 message

**Michele Quinn** <michele@mcqfineart.com> Tue, Feb 4, 2020 at 5:48 AM
To: Cathy Brooks <cathy@hydrantclub.com>

To the attention of City Council:

I have recently become a client of the Hydrant Club and have discovered what an important gem they are within our downtown community. As a lifelong resident of Las Vegas and also a business owner at 620 S 7th street from 2007-2019 I have watched the area and neighborhood shift from a very marginal unsafe environment to one where we now feel safe bringing our dogs downtown! Small businesses like myself and the Hydrant Club - have been the backbone of this transformation. We have invested in the community when no one else would. We created a place where businesses now WANT to be! We are NOT The strip and we are not going to be, nor should we want to be. We want downtown to be a place that is authentic and welcoming to locals and tourists alike.

Now I value economic growth but NOT at the expense of those who have created a place, and are too small to take giant leaps. DTP has been BOTH a catalyst AND a hindrance to the local business community. At the same time one of their businesses or efforts succeed- three others fail. They should NOT be given free reign to continue to take advantage of a place that is now beginning to thrive. Large events are fine, but they MUST come with response both to the city and the neighborhood involved. If small business are crushed financially every time they hold an event - then we will only see businesses close.

If the city TRULY wants to be a supporter of small businesses then it will not allow DTP to operate without regulation. They need to work WITH their neighborhood- not with disregard. They have to realize they are not the only ones here. I believe communication and conscience is the only way to proceed

Respectfully,

Michele C Quinn
MCQ Fine Art, LLC
2601 Mason Ave
LV. 89102

702-219-0131 mobile

Sent from my iPhone

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Special Use Permits

**Tracy Reagan Crockett** <clarksgrebe@mac.com> Tue, Jan 14, 2020 at 1:01 PM
To: Brooks Cathy <cathy@hydrantclub.com>
Cc: Crockett Jim <jim.crockett@mac.com>

Hi Cathy,
I was devastated to read that DTP has submitted a Special Use Permit that would allow unrestricted use & closures downtown.
Unfortunately, I can't attend the City Council meeting on Wednesday.
Will you please bring this email to them?

To The Las Vegas City Council,
My husband and I have been bringing our dog, Binks to The Hydrant Club for the past 2 yrs.
I had taken Binks to several other facilities and I'm very thankful a friend told us about Cathy Brooks and The Hydrant Club.
There's no other place like it in Las Vegas!
I've trained with Binks there (Cathy showing me how my behavior & pitch of voice was triggering for Binks, changed everything!), we drop Binks off for daycare and we board her there too.
Binks LOVES The Hydrant Club!!!
And it's so much more than a place to "drop off your dog."
Cathy has created a community, with many events to enjoy while your dog has a safe place to romp with other vetted, healthy dogs.
Such a gift, to socialize with our furry babies.
I've also met several people in my training classes, that live in the high rises downtown & depend on The Hydrant Club.
Please don't take all of that away from us.

My husband works downtown but I have no problem driving her there, when he can't drop her off or pick her up.
We live in Summerlin, so it's about an hour, round trip drive for me.
That's how much The Hydrant Club means to us & our Binksie girl.
Every time The Hydrant Club has to close because of events like "Life is Beautiful," it has a huge impact us and how we care for Binks.

I have lived here since 1984 and know that there are many other options and places for these events, that don't have such a negative impact on businesses.
Please don't allow these Special Use Permits to continue closing businesses downtown, such as The Hydrant Club.

Respectfully,
Tracy Reagan Crockett
10869 Eden Ridge Ave
Las Vegas, NV 89135

Gmail

Cathy Brooks <hydrantclubweb@gmail.com>

# Permit for City Council Meeting

1 message

**Emily Schorr** <emilycschorr@gmail.com> Tue, Feb 4, 2020 at 3:23 PM
To: Cathy Brooks <hydrantclubweb@gmail.com>

Hey Cathy,

I'm sorry I cant be at the city council meeting but I'm very upset with the special use permit that has been proposed for the Llama Lot. I feel it is overreaching and too vague , and jeopardizes the safety at the dogs being cared for at the Hydrant Club. My furry son and our family relies on your facility to care for our pup and we expect the highest standards for safety and professionalism.

Please let me know what happens next and if there is anything father Seth and I can do.

Emily Schorr MD

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# City Council Meeting

**Michelle Marsh** <michelle@firstclassvending.com> Mon, Jan 13, 2020 at 6:06 PM
To: "Cathy@hydrantclub.com" <Cathy@hydrantclub.com>

To whom it may concern,

I have been a patron of The Hydrant Club for almost 3 years. My dogs go to weekly daycare and spend many weeks a year there when we are out of town.
I have been a dog owner my entire life and I have never seen a more beautiful, well run facility. A place that beautifies the downtown area and is an integral part of many community members lives.
Cathy Brooks runs her business with integrity and more heart than anyone I know. She employs professional, caring staff, who do an outstanding job.
It is very disconcerting to me that her business can be shut down several times year. For me personally it is an inconvenience. I do not want to take my business elsewhere as I value Cathy and the outstanding service she provides. I would hate to see her lose business.
Michelle Marsh
15 Flying Cloud Lane
Las Vegas, NV 89135
702-832-2609

Sent from my iPhone

# JEFFREY J. DE KORTE

3101 Greenscape Lane, Las Vegas, NV 89138


**February 4, 2020**

The Honorable Carolyn G. Goodman
Mayor
City of Las Vegas
495 S. Main Street
Las Vegas, NV 89101

Dear Mayor Goodman,

I'm writing to comment on the Special Use Permit (SUP) for the Llama Parking Lot which is being heard at the city council meeting of February 5, 2020. I urge that the SUP be modified to reflect the very real needs of the local business community and reflect the very spirit of partnership and cooperation necessary for the success of a revitalized downtown district.

I moved to Las Vegas in June of 2018, recruited by Caesars Entertainment, to lead a department in their marketing team. In the subsequent years I have enjoyed getting to know the amazing Las Vegas community and exploring the best this city has to offer. As I do so, I am thrilled to see how downtown is evolving, even in the short time I've been here. I recognize this because I've seen it before.

Prior to living in Las Vegas, I lived in vibrant and evolving communities of Washington, DC (Shaw), New York, NY (Hell's Kitchen), and Miami, FL (Wynwood.) Each of these cities had a revolution in their downtown projects, carefully coordinating the growth and balancing the needs of small business owners, residents, investors, and more. It was the secret to their success.

I know you strive to do the same with Downtown Las Vegas. That is why I urge you to consider the very real needs of small businesses who have pioneered Downtown Las Vegas, taking risks ahead of the others, and establishing the foothold for renewal. Cathy Brooks and the Hydrant club is a prime example of those pioneers who need your support.

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Downtown

1 message

**Smith, Tim** <Tim.Smith@cirquedusoleil.com> Mon, Feb 3, 2020 at 2:50 PM
To: "Cathy@HydrantClub.com" <Cathy@hydrantclub.com>

Hi Cathy

I am writing to continue our conversation re. the accessibility to your business Downtown.

I am aware you are doing your best in trying to work with the City surrounding events that come and go in the Downtown footprint, but often these events hinder and even close your business at times.

Being a person that likes to access Downtown businesses, mainly yours, I truly believe that unrestricted Downtown events are a negative not a positive. I am in full support to the development of Downtown however - there must be a fair and regulated way to service everyone.

I fully support you and wanted to send a note.

Tim Smith

CIRQUE DU SOLEIL
**TIM SMITH**
Senior Artistic Director
Resident Shows Division
C. 702-493-5682

See you at :
MYSTÈRE & THE BEATLES LOVE & ZUMANITY

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Asking for Help - The Future of Hydrant Club

**Naomi Sloan** <naomi5bgma@me.com> Mon, Feb 3, 2020 at 12:58 PM
To: Cathy Brooks <cathy@hydrantclub.com>

Good morning madam mayor, councilpersons, applicants...
In support of the outstanding work you have done to revitalize and refresh the downtown area to people like myself, a suburbanite,I congratulate you and thank you for a continuing job well done. As a new customer of the hydrant club, I was so pleasantly surprised to discover the impressive transformation of development that has and is occurring in this long neglected neighborhood.
As a long time resident of the Las Vegas suburbs, I hesitated to go to these neighborhoods for business, or lunch with friends. Under your guidance,though, it has been such a pleasant surprise to be able to move around with ease and safety, and discover the 'city' again.
As you guide the city further along this path of positive development please take care that these neighborhoods are consistent with the policies and ordinances you oversee elsewhere in regards to noise abatement, parking, hours of operation, and proper notification of events.
It is important for the people who have moved into the residences, and opened businesses, restaurants and shops to rely and trust the city to enforce a consistent set of ordinances and good neighbor policies for them to be successful.
Thank you,
N
Naomi Fine Sloan
Cell: 702 271 0161

On Feb 2, 2020, at 9:43 PM, Cathy Brooks <cathy@hydrantclub.com> wrote:

[Quoted text hidden]

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Asking for Help - The Future of Hydrant Club

**Jane Gale** <janie@greengale.net> Sun, Feb 2, 2020 at 10:04 PM
To: Cathy Brooks <cathy@hydrantclub.com>

Hi Cathy,
We're in Maui. Can't be at meeting. My money's on you, though. Make the case for the pups!
Wishing you a great outcome,
Janie

Sent from my iPad

> On Feb 2, 2020, at 7:43 PM, Cathy Brooks <cathy@hydrantclub.com> wrote:
>
> [Quoted text hidden]

January 30, 2020

Councilwoman Olivia Diaz - ward3@lasvegasnevada.gov
495 S. Main Street
Las Vegas, NV 89101

Re: Special Use Permit – Llama Lot

Dear Ms. Diaz:

We live in downtown Las Vegas in Ward 1. Although we are not residents of Ward 3, we are sending this to express our concerns about DTP's request for Special Use Permit (SUP) for the Llama Lot. We spend a lot of time downtown and we specifically utilize the services of the Hydrant Club on 9th and Freemont 3-4 times per week. The proposed SUP will have a severe impact on Hydrant Club and other businesses in the area. **We strongly oppose this SUP due to the fact that it would impact any business at any time and our freedom and ability to get to those local businesses.** We support DTP and growth of the city, however this SUP does the opposite because it would hinder businesses like Hydrant Club and their customers/clients.

Feel free to contact us. Joe Garin (702) 219-7395 and/or Monica Garin (702) 375 7448.

Sincerely,

Joe and Monica Garin

cc: Brian Knudsen, Ward 1 ward1@lasvegasnevada.gov

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Asking for Help - The Future of Hydrant Club

**Three Sheets NV** <threesheetsbeernv@gmail.com> Tue, Feb 4, 2020 at 11:17 AM
To: Cathy Brooks <cathy@hydrantclub.com>

Good Morning Cathy – unfortunately we are unable to attend the City Council Meeting tomorrow morning as we have meetings planned at the same time that have been on our calendar for quite some time. That being said, we wanted to support you and other Small Business Owners in Downtown and the Arts District via written communication in our physical absence.

We are so thankful for the efforts of the Downtown Companies and the City of Las Vegas for their commitment to revitalizing Downtown and the Arts District. We are wholeheartedly aware that without their efforts and those of entrepreneurs, like yourself, willing to be pioneers in the area we would not be in the position we're in with a growing business in the thriving Arts District. This investment in the area includes not only beautification efforts, but also Marketing and Advertising spends that bring people (tourists and locals) to our area. We know events are part of this equation. While we acknowledge events bring people Downtown, they also keep people from coming Downtown.

As Small Business Owners in the Downtown/Arts District we realize the importance of tourist dollars coming into our area; however, more importantly for us, we value and rely upon the repeat support and continued patronage of our local community, our neighbors!

Without our regular customers coming in day to day and week to week, we would not be able to remain in business in this wonderful community. We constantly hear feedback when events are going on in the area that our regular customers, the ones that keep us in business, avoid the area and wait until the event is over to return Downtown. We understand it's a delicate balance as events can encourage new patrons to come Downtown, but we are concerned about the prospect of unlimited events Downtown that can be scheduled without notice, restrictions, or parameters.

It is our understanding that if this Special Use Permit (SUP) passes, the Downtown Companies Organization can "pop up" an event without any concern or communication to the local area. This would debilitate business like ours. We rely upon our everyday regular customers. It would make coming Downtown less appealing and a "crap shoot" for locals as events Downtown cause street closures and traffic delays. On the surface it seems as if this proposed SUP is contrary to everything that the Downtown Companies, City of Las Vegas, and Small Business owners are working so hard to continue to foster – a vibrant, inviting, economically impactful area where you can leave traffic and chaos behind in other parts of the City and enjoy real, Downtown Las Vegas.

We support the idea of a purposeful use of the Llama Lot and leveraging it as an event space. However, it must be done in such a way, whereas all members of the Community who live, work, and play Downtown benefit.

Cheers!
Stefanie and Wendy
Three Sheets Craft Beer Bar (Arts District, Las Vegas)
Good People. Great Beer.

On Sun, Feb 2, 2020 at 9:43 PM Cathy Brooks <cathy@hydrantclub.com> wrote:
[Quoted text hidden]

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Cheers!
Stefanie and Wendy
Three Sheets Craft Beer Bar
Good People. Great Beer.

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Asking for Help - The Future of Hydrant Club

**Marjorie Polly** <mpolly7347@aol.com> Mon, Feb 3, 2020 at 7:56 AM
To: Cathy Brooks <Cathy@hydrantclub.com>

To who it may concern;
As a 30 year resident of Las Vegas, and one, who has chosen to move from Canyon Gate to McNeil estates, 25 years ago, I have lived and supported the "real" downtown both professionally and personally. Also as a taxpayer, for real estate, car registration, and much sales tax, I have supported the downtown. The addition of the Hydrant club, has greatly enhanced life for me and my dog. I eat, at downtown restaurants regularly, and practice yoga downtown regularly. Twenty seven years ago, I, along with the captain Jerry Keller, completely revitalized the meadow village.
All of that being said, I am not opposed to special events, and occasions downtown.. I welcome them. However, this is our home, and all the brave pioneers who have settled their businesses and lives downtown, come before once a year people no matter how much "new" money, they generate.
The laws and statues that are on the books, should be honored and enforced to the letter. We are called sin city for a number of reasons. For marketing, Ok. But if we make the outsiders more important than those who support us 365 days a year and 24/ 7, that really would be a sin, and those of us who have supported downtown revitalization since it inception, might consider leaving and moving uptown, to downtown Summerlin.
Please show your compassion, understanding, and respect for the law, and the people who originally wrote it, and do the right thing. Greed, is NOT good
Thank you
Marjorie Polly

Sent from my iPad

> On Feb 2, 2020, at 9:43 PM, Cathy Brooks <Cathy@hydrantclub.com> wrote:
>
> [Quoted text hidden]

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Objection to Proposed SUP

**Schulhofer, Ellen L.** <ESchulhofer@bhfs.com> Mon, Jan 13, 2020 at 7:17 PM
To: "cathy@hydrantclub.com" <cathy@hydrantclub.com>

Cathy,

I'm personally very concerned about the DTP request for a Special Use Permit to do special events virtually without restriction. I frankly don't like the idea of their doing any other events, period. These events do not benefit anyone other than possibly the City (maybe) and large hotels who fill rooms and may serve more meals. They cause traffic, congestion, pollution, trash, noise and inconvenience for residents and those who work downtown; meanwhile the small businesses including restaurants to which access is blocked as well as the Hydrant Club suffer. It is very disappointing that the City is even considering this SUP. As if the never-ending construction were not bad enough, the thought of more road blockages and closures due to additional special events is a horrifying prospect.

I am not downtown just because of Hydrant Club – I've been using the Club for years now in part because I work downtown so it is convenient for me to drop off and pick up my pup. But the very fact that I work downtown makes me even more aware of the inconvenience caused by these concerts and other special events. The attorneys and staff in our office would like to frequent downtown restaurants over the lunch hour but we either can't get to them without taking circuitous routes (which eats into our lunch hour) or the restaurants have to close because of the events. It definitely makes working downtown far less desirable and, frankly, the next time our lease is up, it will be a consideration. Many other law firms have moved to Summerlin where they don't have to deal with this.

I object to the Special Use Permit and its incredibly broad scope. These events already interfere with our access to the Hydrant Club and to add even more disruption is a terrible idea. How do businesses like Hydrant Club survive? How do restaurants and other small businesses survive? All of us are inconvenienced when we need to drop off and pick up our pups or when you are closed, and now the City is going to increase the frequency? Very upsetting.

Please note that, while I am sending this email from my work email, it is just because I'm working at the moment and it was easier to send from this email. I make this plea in my personal capacity and my position on this topic is not necessarily endorsed by my employer, although I truly believe that many others here at the firm would be distressed by this news.

I hope the City Council will do the right thing and stop DTP before they do even more damage to downtown businesses including yours.

Sincerely,

Ellen Schulhofer

Home address:

10701 Beringer Drive

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Hydrant Club - City Council

**Jules Schoolmeester** <jschooly@gmail.com> Mon, Jan 13, 2020 at 6:04 PM
To: Cathy Brooks <cathy@hydrantclub.com>

Hey Cathy,

We wanted to reach out to let you know how important Hydrant Club is to our family. When we were visiting and looking at houses in June 2017, we had some time to kill after putting in an offer, so we headed downtown to wander around and see where the day might take us. The giant yellow hydrant on the corner of 9th and Fremont was one of the first things we saw and it immediately endeared us to what would become our new city. Little did we know we would also find a community of creative, fantastic, and diverse dogs and humans within the membership of the Hydrant Club.

Special events are important to any community, but those events should enhance the neighborhood, not come at the expense of the businesses who are there 365 days a year. The street closures for special events are excessive--and in some cases, the length of closures feels like it gets longer every year.

We sincerely hope that Mayor Goodman and the City Council Members, including our Ward One Councilperson, Brian Knudsen, do not support the Special Use Permit requested by the Downtown Project.

Best,

Jules Schoolmeester and Stephen T. Bright
3312 Calle De El Cortez
Las Vegas, NV 89102

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# To whom it may concern

**Mike Falconer** <michaeldfalconer@gmail.com> Mon, Jan 13, 2020 at 6:02 PM
To: cathy@hydrantclub.com

I have been a supporter of Hydrant Club since it opened in 2013. I occasionally use daycare and the boarding facilities, but the primary service I use is access to the park at Hydrant Club. I have also attended the vast majority of Hydrant club events held in and around Downtown, and I have also rented out the space for a business function. I generally use the club twice a week, on my days off, when I drive from
North Las Vegas with my two dogs.

Why do I drive from North Las Vegas?

I pass multiple parks on the way, I even pass a major dog park. I have a relatively large back yard with grass.

I choose to come Downtown because of the safe environment that The Hydrant Club provides for my dog. Having had numerous incidents in the past at dog parks, having a safe environment for my dogs to socialize with both other dogs and humans is a big deal to both me and them. When Hydrant Club is closed, or park access is restricted, myself and my dogs lose a substantial part of our week.

I care a great deal about Downtown, and consider myself a supporter of DTP, however, I would not be able to run a business that was impacted the way Hydrant Club is impacted on a regular basis by events that Hydrant Club has nothing to do with. Life is Beautiful is an untenable burden for any business which can not cater to attendees, and I say that as someone who has enjoyed multiple Life is Beautifuls! I can't imagine making something like that a routine occurrence and trying to maintain customer trust and therefore a customer base.

Mike Falconer
Hospital Administrator
Craig Road Animal Hospital

Thomas Kenny <thomas.kenny@gmail.com> Tue, Jan 14, 2020 at 8:05 AM
To: Cathy Brooks <Cathy@hydrantclub.com>
Hey Cathy!

I'm sorry to hear this is happening. While I believe the DTP has done a good job injecting funds into the downtown economy, I absolutely agree with you that there should be restrictions due to the impacts on local businesses in the area. I'm a fan of the work they have done in many respects but think it should be a balancing act.

I believe appropriate restrictions would include some sort of limit on the number of business days events which cause traffic issues/access restrictions for could impact specific areas of downtown (e.g. the Fremont section from 8-9 would only be available for X days per year and other events would need to use a different block). This would ensure that specific businesses aren't disproportionately impacted. Then if DTP wanted an exception, they would need to coordinate with the businesses having more frequent impacts to get them on board or would have to find an alternate location in the area that hasn't been overdone.

Good luck with the meeting! I hope you are successful.

Thomas Kenny
150 Las Vegas Blvd N
Las Vegas, NV 89101

Sent from my iPhone

On Jan 13, 2020, at 5:57 PM, Cathy Brooks <Cathy@hydrantclub.com> wrote:

February 2, 2020

To the Las Vegas City Council:

We are writing to you and Councilwoman Diaz in the Third Ward regarding the upcoming City Council Review February 5th for a Special Use Permit (SUP) on the Llama Lot. This empty lot is directly east across Ninth Street and Fremont from our long time Dog Day Care provider: Hydrant Club. The pets at Hydrant Club come from a multitude of owners and families, who treasure their dogs as important, vital family members and we all enjoy the special attention and care the animal receive from the owner Cathy Brooks and her staff. The socialization and play therapy with other dogs in such a lovely outdoor environment is invaluable for their well -being. Be it boarding at nights and weekends or through the regular Day Care experiences, this business is providing a special and unique service for the Downtown area, and many of us bring our pets from distances away including Henderson and Summerlin.

A new usage of the property immediately across the street from our family pet's "home -away -from home" including events held without notice or restrictions of any kind, including noise and traffic, will have an immediate and maybe long-lasting effect on the business conducted at Hydrant Club. As well the Council should consider all the effects on our pets' physical and emotional well-being from exposure to potentially unlimited traffic and noises, with people walking by this beautiful outdoor park, traffic congestion and limited access during events for all of Ms. Brooks' patrons and staff. The current use of the area at Ninth and Fremont, without this new Special Use Permit (SUP), appears to be working well for the families utilizing Hydrant Club and the Downtown Companies wanting special walks, festivals and events with normal notifications and permit applications.

Imagine, if you will, Council members and Mayor Goodman, having a lovely park directly across the street from your son, daughter or grand-childrens' school or day care center. Now picture the ability or permission for anything, essentially, to happen in that park, including music and gatherings that you were never aware or notified in advance about. This would affect the kid's ability to play and experience being outside or even get picked up in the car by a family member. For the families, like ours, who are invested in the experiences and services provided by this wonderful business of Hydrant Club, why should we be forced to lose out and Ms. Brook's service be stressed to such an unreasonable request from shared neighbors?

We urge the Council to continue the standard use of this area and NOT grant a SUP for such a valuable and unique property.

Sincerely,

Drs Paul and Susan Michael

On Tue, Jan 14, 2020 at 9:06 PM Richard Mirman <remirman@yahoo.com> wrote:
Hi Cathy -- hope you are well. Here is a letter from Sue, Eddie and me. Hope this helps...

Dear Councilwoman Diaz,

Thank you for giving us an opportunity to share our views concerning the permitting of events downtown. We spend a lot of time and money enjoying the various downtown experiences. In fact, we are in the process of renovating a home and look forward to being a downtown neighbor.

Sue and I have been clients of the Hydrant Club for more than three years. Sue drops Eddie (our dog) at daycare Monday thru Friday on her way to work downtown. Every Saturday morning, we drive downtown to enjoy the benefits of the club to let Eddie run around with his friends while we socialize with other dog owners.

I think it is important for the City Council to understand that many of these large scale events are disruptive to those of us who work and play downtown. The Hydrant Club has had to adjust hours, modify its "drop off" process and close for extended periods of time in reaction to various organized events (e.g., Life Is Beautiful). The obvious impact is that Eddie doesn't get to go to daycare or run around the club on Saturday. However, the indirect impact is that Sue and I don't get to spend money in support of all the terrific downtown restaurants, shops and small businesses like the Hydrant Club.

It is clear that the downtown events attract a lot of visitors and likely drive significant benefits to those directly involved. However, it is important to recognize that not everyone, every business or every dog benefits directly or indirectly by these events. We hope you incorporate these negative externalities into your decision process as you consider approving additional permits for events downtown.

With appreciation,
Rich, Sue and Eddie

Gmail Cathy Brooks <hydrantclubweb@gmail.com>

# Dear City Council Members,

1 message

**saxerebecca@gmail.com** <saxerebecca@gmail.com> Tue, Feb 4, 2020 at 9:53 AM
To: Cathy Brooks <cathy@hydrantclub.com>, Cathy Brooks <hydrantclubweb@gmail.com>

Dear City Council Members,

It has come to our attention that DTP is attempting to obtain a Special Use Permit (SUP) for the Llama lot. We are deeply concerned that this SUP, if approved without any additional restrictions, will negatively affect Hydrant Club.

We have been members of Hydrant Club for several years. Hydrant Club is a vital business not only for downtown Las Vegas but also for us, personally. We take our dogs to Hydrant Club two times a week for doggy daycare, in addition to bringing our dogs to the Hydrant Club dog park on the weekends.

In the last few years, there have been a few events at the Llama lot that have caused disruption to Hydrant club. For example, at times there have been closed streets and/or no parking available to access Hydrant Club. Additionally, when large crowds congregate around the area, especially around the fencing at Hydrant Club, it causes stress on our dogs and elevates the risk of issues occurring among them.

It is our understanding that this SUP would allow them to do any event, of any kind, of any duration, any day of the week, at any time for any period of time. No notification. No restrictions. No parameters whatsoever.

This is deeply concerning to us. To be clear, we work downtown and support the downtown projects and events wholeheartedly. We have been to every Life is Beautiful festival and regularly eat downtown. So, this letter is not a request to deny the SUP outright. However, it also is not unreasonable to require some restrictions on the SUP that take into consideration the concerns of other small businesses that are essential to our community, like Hydrant Club.

Hydrant Club is not a typical doggy daycare. Cathy and her team care deeply about our dogs and provide the structure and training they need when they are in her care. We have a Doberman and Shar-Pei, breeds that are known to have difficulty getting along with others. Hydrant Club has been amazing in working with both of them and it is the only doggy day care we trust to take our dogs.

In addition, Cathy puts on regular events at Hydrant Club (i.e. Dog Yoga, VGK watch parties, etc) which help to get members more involved in the downtown community — a goal I believe the Las Vegas City Council and DTP share with Hydrant Club.

If this SUP permit was approved without any additional restrictions, it not only would affect us personally, but it would also affect the success of Hydrant Club as a business. Ensuring that the expansion of DTP does not infringe on the small businesses in downtown Las Vegas should be a primary goal of the Las Vegas City Council. Indeed, small businesses have been a huge factor in the success of downtown Las Vegas.

We look forward to seeing downtown Las Vegas grow and expand. However, we also hope it is not done at the expense of small businesses, like Hydrant Club. To that end, it is so important that the voices and concerns of small business owners, like Cathy Brooks, are sincerely heard and considered.

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Letter for Meeting

1 message

**Jonathan Sanborn** <sanborn.jonathan@gmail.com> Tue, Feb 4, 2020 at 7:29 AM
To: Cathy Brooks <cathy@hydrantclub.com>

To Whom It May Concern:

We have been a customer of the Hydrant Club for about 6 years now when it opened Downtown as part of the Fremont East expansion.

We love coming downtown for special events and believe Downtown is a fantastic canvas to show visitors that Vegas is more than just casinos and bars. That being said, it's businesses like The Hydrant Club that make this neighborhood truly special. It makes it feel like a place people actually live, not just visit for a few hours and then drive somewhere else. Business owners should have at least some notice when large events roll up and affect their business hours, customers and ultimately revenue.

We would appreciate if this kind of courtesy were to be provided for businesses like the Hydrant Club to help the Fremont East area thrive and become the unique neighborhood that it is.

Thanks

Jonathan Sanborn

---------- Forwarded message ---------
From: **kris mcgarry** <engelstadfoundation@gmail.com>
Date: Mon, Feb 3, 2020 at 4:17 PM
Subject: SUP
To: Cathy Brooks <hydrantclubweb@gmail.com>

I am writing this to demonstrate my support for Cathy Brooks & The Downtown Hydrant Club. With the enthusiasm that Cathy has demonstrated as well as her desire to be a good neighbor I am confused why the pending Special Use Permit has become an issue.
As a life long Las Vegan we are accustomed to development & growth however; it can't be accomplished without taking into consideration all the other businesses like Cathys that will be affected. The city promises growth & support to businesses considering the downtown area but in order to sustain these businesses there must be guidelines and regulations that everyone has to adhere to & those regs aren't manipulated or at worst disregarded depending on whom youre dealing with.
If you want good neighbors you have to first be one.
Thank you,
Kris Engelstad McGarry

February 3, 2020

To whom it may concern:

This letter is to intended to bring to your attention some of the hassles and hardships brought to everyday citizens and businesses, small and large, due to the special events arrangements for street closures in the downtown Las Vegas corridor.

I am a longtime resident of this city, so long in fact that I remember playing in a youth orchestra on the lawn near the circular driveway of the train station where the Plaza now stands. I am so happy that our downtown has developed and is currently still developing a new face for Las Vegas. You should be highly commended for that.

*But herein lies the problem. It seems that due to your department's seemingly overzealous commitment to* the money making events machine, you have forgotten about the businesses and their loyal customer bases that also fuel downtown Las Vegas. It is the reason myself, my family, my circle of friends, and anyone else I converse with about Las Vegas are told not only to avoid the "Strip", but to patronize our downtown Fremont Street area. It has the best entertainment, best restaurants, shops of all kinds, and to my reason for writing, The Hydrant Club for our four legged family members.

There is a hardship caused by special events that reaches far beyond what your pencil pushers, and guys with ties have missed in their traffic studies, if done at all. Not only does a special event cause the consumer of the Hydrant Club services a hassle, it actually causes the Hydrant Club business itself irreparable financial damage. Let us put this in elementary terms so that the pencil pushers, and guys with ties, and the "focused on the one goal of dollars for downtown" powers that be can understand.

Imagine that you don't get money if you don't show your face at the office. And moreover, your company introduces a policy that says "If the employee is absent for ANY reason, they will have to pay the company their wages for time missed". Then one day, due to circumstances far beyond your control, you can't get into your office. Not only do you not get paid, but you have to write a check to the company! I know your reaction to this is "Oh how ridiculous and archaic". If you think about it, really think about it, this is what is happening to the Hydrant Club and any number of other businesses downtown.

I'm not saying you must stop special events. On the contrary, continue please. But I'm sure that you should be able to plan a better system for us consumers to continue to use businesses, and a better system to compensate businesses for revenue lost during events. I'm sure that all those expensive college degrees being put to use to redevelop downtown Las Vegas can come up with a plan to take care of, and treat the people and business who support downtown Las Vegas better than you currently are. Don't forget that we spend, we talk to other consumers, and most importantly, we vote.

Thank you for you attention,

Nick Russo
Resident and Patron of Downtown Las Vegas since 1957

February 2, 2020

To Whom It May Concern:

**RE: Unrestricted Events**

Downtown is already congested and difficult to get around on a normal day. While I love to patronize establishments in the downtown area, I avoid the area when they have events like Life is Beautiful, marathons, etc., because it is a nightmare to get around during that time.

I take my pups to the Hydrant Club and when there is such an event, I am unable to utilize the services of the Hydrant Club, therefore, the Hydrant Club does not get paid for the services I cannot utilize. And the the domino effect of financial hardship ensues.

I don't like going to the Strip and love the establishments in the downtown area, but if you start to have events anytime, for any length of time, we might have to start going to other suburban neighborhood restaurants, etc. and avoid downtown all together.

As a resident of the City of Las Vegas, approving the Special Use Permit (SUP) to the The Downtown Companies (formerly Downtown Project) to allow them to do any event, of any kind, for any duration, any day of the week, at any time for any period of time, is not right and just plain inconsiderate.

I am not asking that you forgo all events, but please have some consideration and do the right thing for the residents, those that work in the area, and last but not least, the small local businesses that depend on their patrons (like me) in order for their businesses to prosper and thrive.

I can only hope that you do the right thing, actually beg you, to do the right for all those involved.

Sincerely,

Karen Russo (Resident since 1982)
2708 Sidonia Ave.
Las Vegas, NV 89102

Mailing Address:
P.O. Box 46021
Las Vegas, NV 89114

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Strong objection to unlimited use permit for DTP

2 messages

**Patricia Erickson** <pme@pmericksonlaw.com> Mon, Jan 13, 2020 at 3:37 PM
To: "cathy@hydrantclub.com" <cathy@hydrantclub.com>

Hi Cathy,

I give you permission to submit this email and voice my strong opposition to the City Counsel regarding an unlimited use permit for DTP.

At this point in time, I believe the number of DTP's permitted events is too much. As you know, I work downtown and having to find different ways to get to my office is particularly bothersome. Also, I've had clients express their dissatisfaction with the trouble they had to go through to get to my office when different events have closed off downtown roads.

Moreover, not being able to bring my two dogs to the Hydrant Club because of DTP events is more than annoying. As you know, my Great Dane is very active and needs to be able to play at the Hydrant Club often. When she can't play she begins to terrorize the miniture poodle.

My objection would be withdrawn if DTP had to make sure that downtown businesses, that aren't supported or part of DTP, are not impacted by their events. I'm sure there are ways to encourage people to come downtown to enjoy festivals without causing other downtown businesses - like my office and Hydrant Club - to lose revenue.

Sincerely,

Patricia M. Erickson

Patricia M. Erickson

Attorney at Law

Nevada Bar no. 3506

601 S. Tenth St., Suite 108

Las Vegas, NV 89101

702-388-1055

Facsimile: 702-384-3664

*** NOTICE - this electronic message and any attachment(s) contain information from the Law Office of Patricia M. Erickson that are confidential work product and communication. This information is intended to be for the use of the addressee only. If you are NOT the addressee, do not distribute or reproduce this transmission. Any disclosure, copying,

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Hydrant Club <cathy@hydrantclub.com>

# Asking for Help - The Future of Hydrant Club

**Nicole Sottile** <nikkisprocket@gmail.com> Tue, Feb 4, 2020 at 4:24 PM
To: Cathy Brooks <cathy@hydrantclub.com>

To Whom it may concern:
I am writing this message to implore that the members of the City Council reconsider thier stance on unrestricted events in Downtown Las Vegas.
As a homeowener in DTLV and a frequent patron of the Hydrant Club and other businesses located on Fremont Street, I feel that unrestricted events will disrupt the lives of residents
and the businesses of entrepreneurs who deserve the peace of mind that comes with knowing what kind of events will be held and that a schedule exists for said events.
Thank you.
Respectfully,
Nicole Sottile
702-580-4529.

On Feb 2, 2020, at 9:43 PM, Cathy Brooks <cathy@hydrantclub.com> wrote:

[Quoted text hidden]

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Special use permit for the Llama Lot

1 message

**Kathleen Kahr** <kattkahr@gmail.com> Tue, Feb 4, 2020 at 5:26 PM
To: Olivia Diaz <odiaz@lasvegasnevada.gov>
Bcc: cathy@hydrantclub.com

Good evening Councilwoman,
I've just finished my big project. Heading over to the DTAC First Tuesday shortly. A recent SUP on my block got me looking at the next City Council agenda and Woah!!!
I'm shocked that the City of Las Vegas would write a blank check for the Llama Lot. No limit on events, time, duration, noise. I think this is awful for the dog park and the church that border the lot. It also concerns me in that I don't think it recognizes the existing residents and does little to encourage residential density.
If there's any way to represent a very vocal opposition to this - please consider me highly opposed. Wow! - The precedent this could set is scary too! What if we get beautiful high rise residential living in Symphony Park. Would we then add an amusement lot with a blank check for events? I hope not.
I know that you know I'm a fan of downtown, but this seems to be way too much leash being given.
All the best and I'm sure I'll see you soon!
Kathleen Kahr

February 4, 2020

Dear Mayor Goodman and City Councilors,

I would like to express my concern regarding **#48 (SUP-77365 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC ) and #49 (SDR-77366 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77365 - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC).**

Although I do not live in the City of Las Vegas, I certainly spend my money there. I am a longtime supporter, patron, and advocate of Downtown Las Vegas. As a real estate broker, I love to sing the praises of the urban core and all it has to offer making recommendations to clients and visitors all the time. I am also one of the earliest members of The Hydrant Club and am concerned that approval of an unrestricted SUP to operate any events at any time will have a negative impact on my patronage of the Hydrant Club and downtown on weekends.

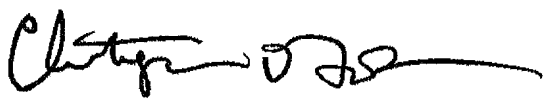
The city has spent a lot of time, energy and money redeveloping East Fremont and I applaud the achievement and continued beautification. To now favor one business over others that could restrict access and parking to the 9th & Fremont area seems counterproductive. Encouraging business to come downtown and then make it difficult, if not impossible, to patronize them does not bode well for their continued growth and success.

I understand that events in the area are key to that success and bring lots of local and out of town visitors to parts of Downtown they might not normally come, but it must be in coordination and cooperation with the neighboring businesses impacted by the events. Events must be mutually beneficial to all the businesses or you will lose them.

This is especially true of The Hydrant Club and it's location at the corner of 9th & Fremont. People love dogs. It stops them in their tracks to watch them play or take pictures, etc. But they also come to the fence and try to interact with the dogs which is not a good practice for people or dogs. It may not be safe for them and it agitates the dogs. If there are going to be events in the area with lots of additional people there needs to be communication, cooperation, and compromise for the public and the business. Knowing the timing, parking or access restrictions and other details is vital to the safe operation of the HC. Providing secondary fencing or a buffer from the gates may be necessary at times. This info is also needed to notify the members in a timely manner, so they can plan for day care, boarding or visiting the outdoor play space.

I live 2 blocks from Dog Fanciers Park, the largest dog park in the County, and go seven miles out of my way to downtown on the weekends with my dog to enjoy the HC and a good coffee or bite to eat after. If parking, access, and use of the park is made difficult or interrupted repeatedly without notice, I may have to reconsider and use other parks in the County and Henderson instead of coming downtown every weekend.

Thank you for your consideration,



Christopher Fobes

4780 Longshot Drive, Las Vegas, 89122

Gmail by Google

Hydrant Club <cathy@hydrantclub.com>

# Letter for City

1 message

**Sara Weinbaum** <s.weinbaum@gmail.com> Tue, Feb 4, 2020 at 8:41 PM
To: Cathy Brooks <Cathy@hydrantclub.com>

To Whom it May Concern,

As someone who works downtown and has seen the great transformation that has happened in the past 6 years, I can say that I LOVE the new businesses, restaurants, and many of the events that make Las Vegas feel like home. I have attended Life is Beautiful every year and look forward to the growing catalog of events in town.

Without doubt, Hydrant Club has been the #1 most enjoyed downtown business for me and my family. It is right to inform affected businesses like Hydrant Club when there will be an event in the area surrounding them - not just because that is being a good partner and neighbor, but because the ability to run an effective business is vital to keeping locals coming back and fostering community in our city. Surprise events make it needlessly difficult for these business to adjust in order to continue serving their customers and keep people coming downtown.

Thanks,
Sara Weinbaum

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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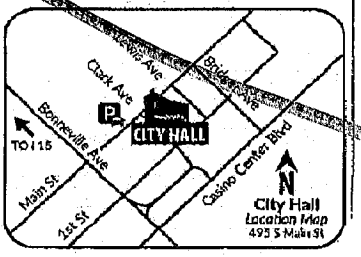


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
City Council Meeting of **12/04/2019**

PRJ-77256
13934612049
CHURCH ST JOSEPH CATHOLIC INC
131 N 9TH ST
LAS VEGAS NV 89101

123 N. 9th Street
Bob's Bail Bonds oppose this request because the allow events every week would cause parking problems for our clients, excessive trash, litter and noise

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Parking?
Toilet facilities
Impact on Residents
Businesses and Churches
Clean up of area

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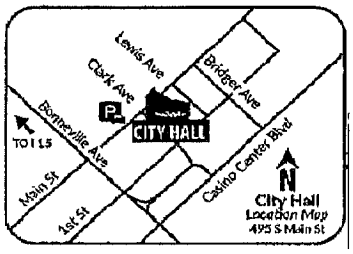


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PRJ-77256
13934612035
CHURCH ST JOSEPH CATHOLIC INC
131 N 9TH ST
LAS VEGAS NV 89101-4225

RECEIVED
CITY CLERK
2019 DEC -2 A 7:38

Submitted after final agenda
Items 59 - 60

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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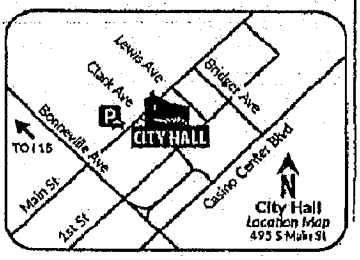


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2019 DEC -2 A 7:18

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13934612049
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131 N 9TH ST
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123 N. 9th Street
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cause parking problems for
Clients, excessive trash litte
and noise

EP JRDFMF3 EB3C3

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City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Parking?
Toilet facilities
Impact on Residents
Businesses and Churches
Clean up of area

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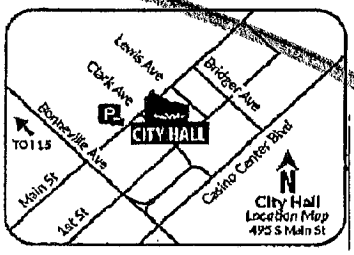


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EP JRDFMF3 EB3C3

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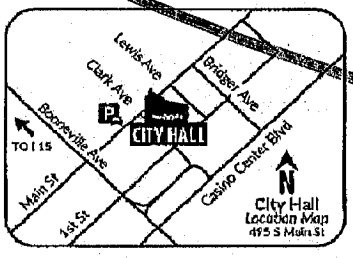


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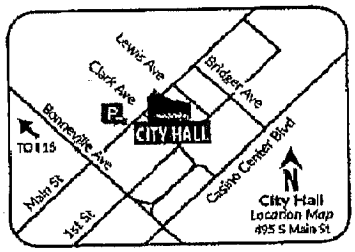


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
City Council Meeting of **12/04/2019**

PRJ-77256
13934612050
CHURCH SAINT JOSEPH CATHOLIC
131 N 9TH ST
LAS VEGAS NV 89101-4225

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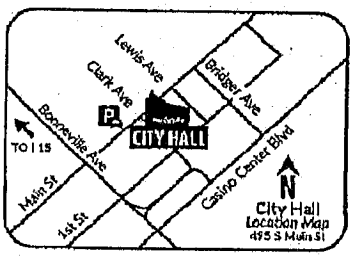
Parking?
Toilet facilities
Impact on Residents
businesses and Churches
Clean up of area

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City Council Meeting of **12/04/2019**

PRJ-77256
13934612051
CHURCH ST JOSEPH CATHOLIC INC
131 N 9TH ST
LAS VEGAS NV 89101

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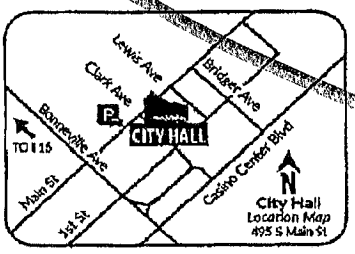
Parking?
Toilet facilities?
Impact on Residents &
businesses and Churches
Clean up of area?

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**SUP-77365 and SDR-77366 [PRJ-77256]**
City Council Meeting of **12/04/2019**

PRJ-77256
13934612050
CHURCH SAINT JOSEPH CATHOLIC
131 N 9TH ST
LAS VEGAS NV 89101-4225

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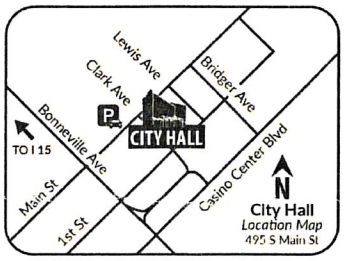


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
City Council Meeting of **12/04/2019**

PRJ-77256
13935317008
CHALOUPKA WILLIAM JOHN
1142 E CARSON AVE
LAS VEGAS NV 89101-5360

87 JRDFNP1 89101

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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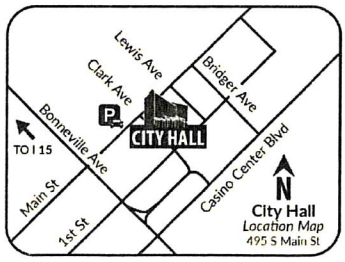


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
City Council Meeting of **12/04/2019**

PRJ-77256
13935211052
U L P LIVING TRUST
PELLICCIA UGO & LINDA TRS
3055 S BRONCO ST
LAS VEGAS NV 89146-6601

Submitted after final agenda
Items 59 & 60



87 JRDFNP1 89146

| | |
|---|---|
| **From:** | LuAnn D. Holmes |
| **To:** | Mark Carlson |
| **Cc:** | City Clerk, Deputies; Robert Summerfield; Ydo Yturralde |
| **Subject:** | RE: Abeyance Item 44 and 45 |
| **Date:** | Tuesday, March 3, 2020 11:21:13 AM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png<br>image004.png |

Thank you Mr. Carlson. We have received your requests.

**LuAnn Holmes, MMC, MAOM** | City Clerk
Office of the City Clerk
495 South Main Street, 2nd Fl.
Las Vegas, Nevada 89101
702-229-2456

lasvegasnevada.gov

*Please note, we are open Monday-Thursday, 7 AM – 5:30 PM, and closed on Fridays as well as major holidays..*

**From:** Mark Carlson <mark.carlson@dtplv.com>
**Sent:** Tuesday, March 3, 2020 11:18 AM
**To:** LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
**Subject:** Abeyance Item 44 and 45

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

LuAnn,

My name is Mark Carlson, the applicant for item 44, SUP-77365 and item 45, SDR-77366. We would like to request an abeyance of the items for two weeks while we meet with a few additional stakeholders. If you have any questions, please let me know. Thanks

mark

--

Logo

**Mark Carlson**
VP of Operations

mobile: 702.400.5511
email: mark.carlson@dtplv.com
dtplv.com

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender.

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:03 am |
| Browser: | Mobile Safari 13.0.5 / iOS |
| IP Address: | 107.77.228.184 |
| Unique ID: | 591107813 |
| Location: | 34.231300354004, -118.14859771729 |

| | |
|---|---|
| **First Name** | Aleta |
| **Last Name** | Dupree |
| **Agenda Item Number** | 53 |
| **Choose One** | Support |
| **Council Comment** | I am in support. This location is close to RTC bus stops. I am looking for more diverse events in Downtown, an area I believe in. Food trucks are something that I value. I want to have more options for making downtown a place for all to enjoy. |



Submitted at City Council
Date 3/18/20 Item 53
online comment

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

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OCT 2 1 2019
Dept of Planning
City of Las Vegas

**CASE:** SUP-77365 [PRJ-77256] - SPECIAL USE PERMIT RELATED TO SDR-77366

**SUBJECT:** APPLICANT/OWNER: 900 FREMONT, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***OCTOBER 22, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, OCTOBER 21, 2019.***

Signature

10/18/19
Date

Mark Carlson
Please Print Name

900 Fremont, LLC by DTP Mgmt, LLC its manager
Company Name

Sincerely,

Eric McCammond
Senior Management Analyst
Case Planning Division

Submitted after final agenda

**Item 17**

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

1) Need parking accommodation for events that do not deprive local establishments of their front parking as also residents.

2) Noise limitations for residents and churches

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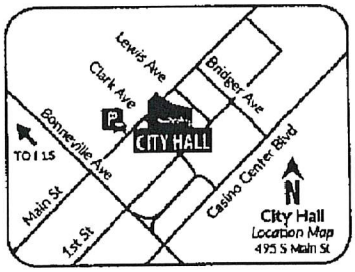


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City of Las Vegas

PRJ-77256
13934612051 ←
CHURCH ST JOSEPH CATHOLIC INC
131 N 9TH ST
LAS VEGAS NV 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
Planning Commission Meeting of **10/22/2019**

17-18P

87 HRDFNP1 89101

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

1) Need parking accomodation that does not consume business access to establishments already

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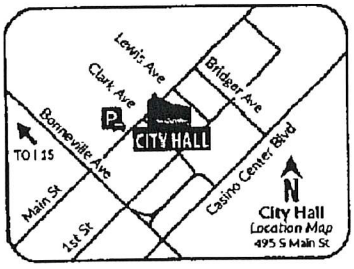


2) Noise limitations for residents and churches

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City of Las Vegas

PRJ-77256
13934612035 ←
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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-77365 and SDR-77366 [PRJ-77256]**
Planning Commission Meeting of **10/22/2019**

Submitted after final agenda

17-18P



87 HRDFNP1 89101

(x2)

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

① Need parking accomodation w/o depriving establishments of front parking access

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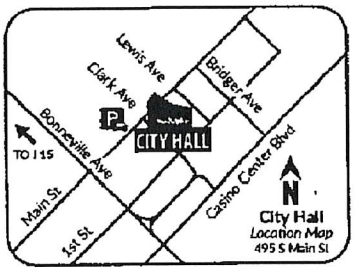


② Noise limitations for residents and churches

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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Planning Commission Meeting of **10/22/2019**

PRJ-77256
13934612050 ←
CHURCH SAINT JOSEPH CATHOLIC
131 N 9TH ST
LAS VEGAS NV 89101-4225

17-18P

67 HRDFNP1 89101

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

① There is no parking for apartments - street parking is already consumed by non-customers of establishments. This will also not have parking accomodation

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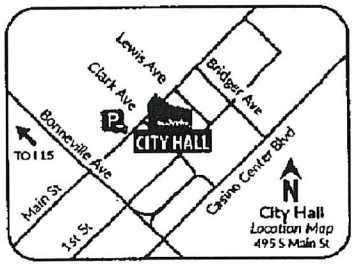


② Time restriction and interference with residents and churches because of noise.

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17-18 P (X2)

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Development Services Center
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Las Vegas, Nevada 89106

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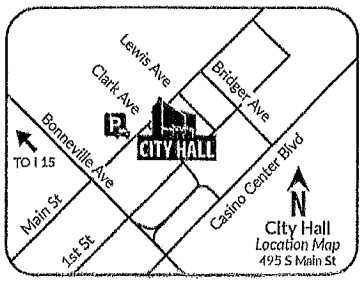


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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.
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Planning Commission Meeting of **10/22/2019**

PRJ-77256
13935211052
U L P LIVING TRUST
PELLICCIA UGO & LINDA TRS
3055 S BRONCO ST
LAS VEGAS NV 89146-6601

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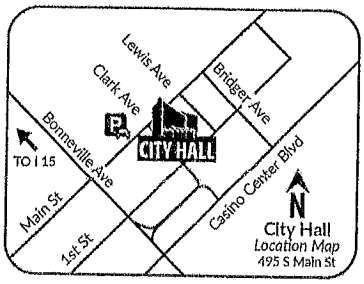


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-77365 and SDR-77366 [PRJ-77256]**
Planning Commission Meeting of **10/22/2019**

PRJ-77256
13935317008
CHALOUPKA WILLIAM JOHN
1142 E CARSON AVE
LAS VEGAS NV 89101-5360

87 MRDFNP1 89101



17A
18A

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, October 18, 2019 10:15 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

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formstack

## Formstack Submission For: Planning Application Comments 2019

Submitted at 10/18/19 10:14 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, October 22, 2019 |
| **Project Number:** | SUP-77365 |
| **Position:** | I SUPPORT the project and all related applications. |
| **Name:** | Michael Coxen |
| **Residential or Business Address:** | 214 S 11th St<br>Las Vegas, NV 89135 |
| **Phone:** | (702) 339-8891 |
| **Email:** | michael@michaelcoxen.com |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda



17A 18

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**54**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-77366 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77365 - PUBLIC HEARING - APPLICANT/OWNER: 900 FREMONT, LLC - For possible action on an Appeal of the Approval by the Planning Commission on a request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) FACILITY WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 2.75 acres at 916 Fremont Street (APN 139-34-601-008), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77256]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 4 | Planning Commission Mtg. | 2 |
| City Council Meeting | 4 | City Council Meeting | 2 |

**RECOMMENDATION:**
The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Backup Submitted for the October 22, 2019 Planning Commission Meeting

**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

Application / Petition Form & Statement of Financial Interest

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SUP/SDR

**Project Address** (Location) 916 Fremont Street, Las Vegas, NV 89101

**Project Name** Llama Lot **Proposed Use** Comml Recreation/ ~~Amusement (Outdoor)~~

**Assessor's Parcel #(s)** 139-34-601-008 **Ward #** 3-Diaz

**General Plan:** Existing C Proposed C **Zoning:** Existing C Proposed C

**Additional Information** Proposed use change from parking lot to Commercial Recreation/Amusement (Outdoor)

**Property Owner** 900 Fremont, LLC Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail legal@dtplv.com Phone 702-359-9979

**Applicant** 900 Fremont, LLC Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail legal@dtplv.com Phone 702-359-9979

**Representative** Laurie Dorough Contact

Address 701 E Bridger Ave, Suite 850 City LV State NV Zip 89101

E-mail lauried@dtplv.com Phone 702-556-9431

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**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 Carlson

Subscribed and sworn before me

This 30th day of August, 20 19

Notary Public in and for said County and State

CATHERINE MARTINEZ
Notary Public-State of Nevada
Appointment No. 18-3023-1
My Appointment Expires July 12, 2022

PRJ-77256
09/09/19

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

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OCT 2 1 2019
Dept of Planning
City of Las Vegas

**CASE:** **SDR-77366 [PRJ-77256] - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-77365**

**SUBJECT:** APPLICANT/OWNER: 900 FREMONT, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***OCTOBER 22, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, OCTOBER 21, 2019.***

Signature

10/18/19
Date

Mark Carlson
Please Print Name

900 Fremont, LLC by DTP Mgmt, LLC its manager
Company Name

Sincerely,

Eric McCammond
Senior Management Analyst
Case Planning Division

Submitted after final agenda

**Item 18**

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**55**

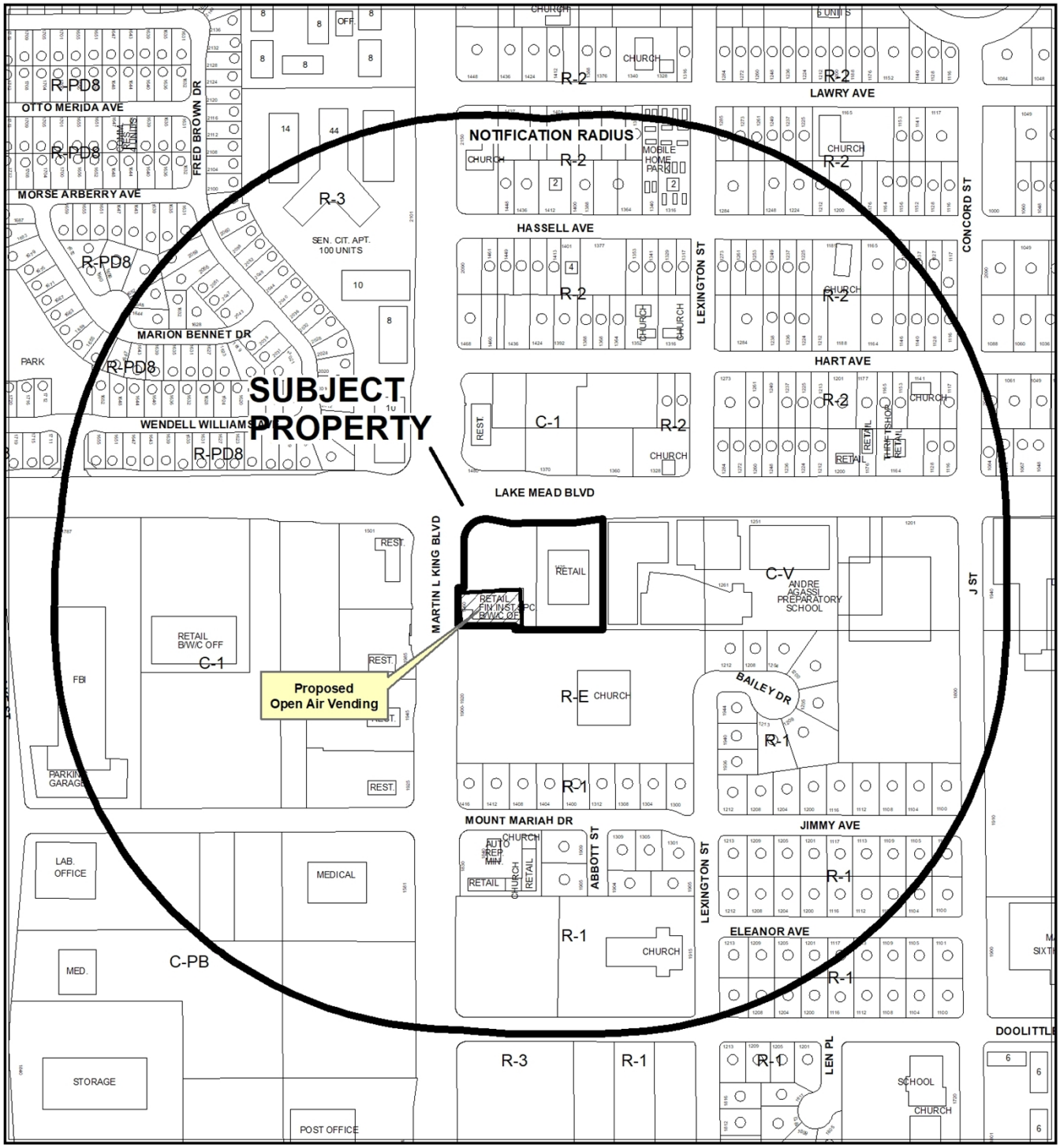
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-78088 - VARIANCE - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Variance TO ALLOW A ROOF SIGN, WALL SIGNS AND MARQUEE SIGNS TO COVER 100 PERCENT OF THE BUILDING ELEVATION WHERE 20 IS THE MAXIMUM ALLOWED; AND TO ALLOW A NINE-FOOT TALL ROOF SIGN WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions:

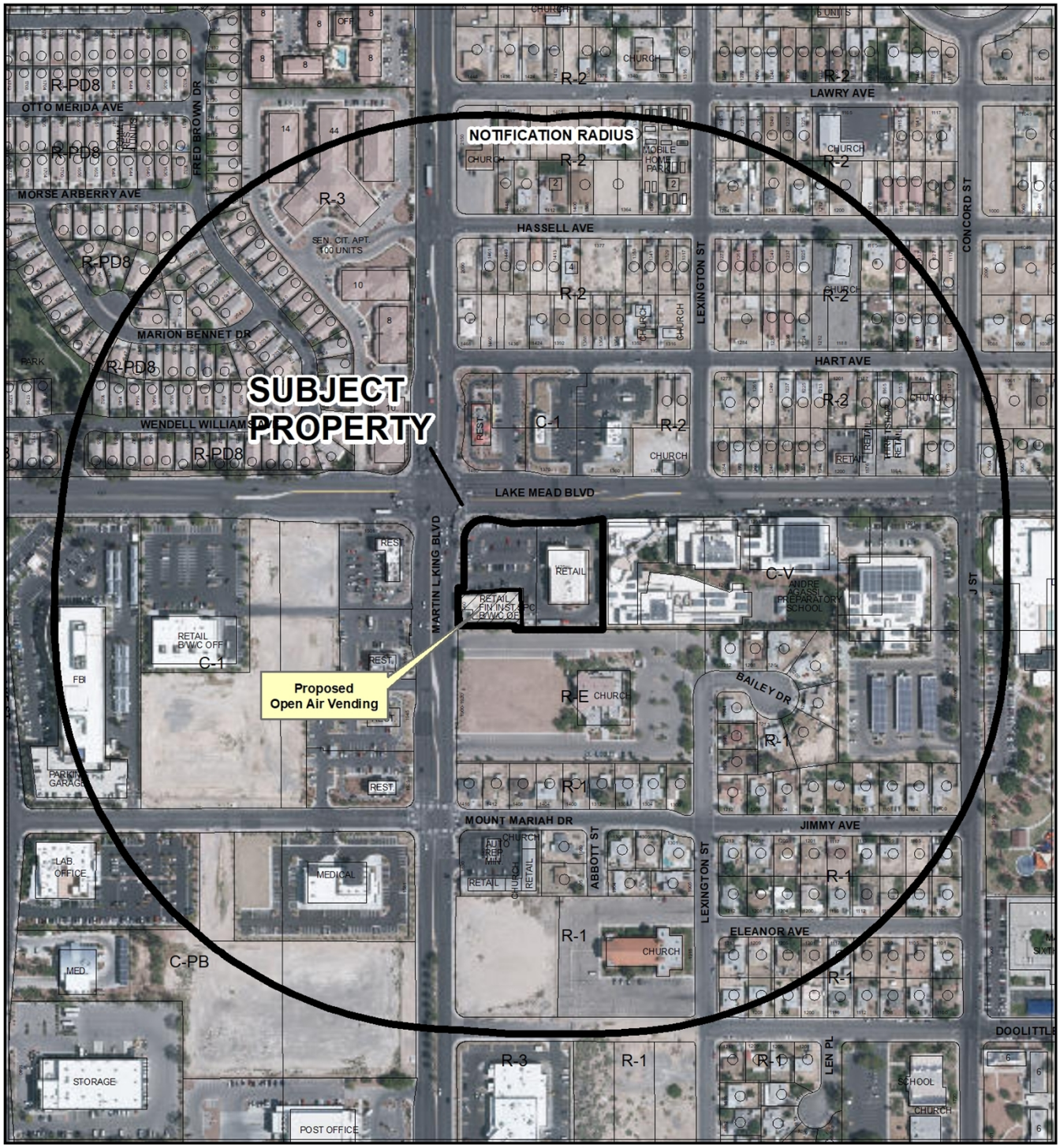
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
2. Conditions and Staff Report - VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
3. Supporting Documentation - VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
4. Photo(s) - VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
5. Justification Letter - VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
6. Structural Observation Report
7. Submitted after Final Agenda - Support Postcard for VAR-78088 and SUP-77686 [PRJ-77553]
8. Submitted at Meeting - Support Letter by Lora Dreja for VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553] and Support Documentation Not Vetted - E-mail for VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553]
9. Backup Submitted for the January 14, 2020 Planning Commission Meeting
10. Backup Submitted for the February 11, 2020 Planning Commission Meeting




**CASE:** **VAR-78088, SUP-77686, MSP-77687, SDR-77688 (PRJ-77553)**

**RADIUS:** 1000 FEET

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




**CASE:** **VAR-78088, SUP-77686, MSP-77687, SDR-77688 (PRJ-77553)**

**RADIUS:** 1000 FEET

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

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: GREYSTONE NEVADA, LLC - OWNER: THE SANDENO 1996 FAMILY LIMITED PARTNERSHIP**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-78088** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SUP-77686** | Staff recommends DENIAL, if approved subject to conditions: | VAR-78088 |
| **MSP-77687** | Staff recommends DENIAL, if approved subject to conditions: | VAR-78088<br>SUP-77686 |
| **SDR-77688** | Staff recommends DENIAL, if approved subject to conditions: | VAR-78088<br>SUP-77686<br>MSP-77687 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**NOTICES MAILED**
285 - VAR-78088 and SUP-77686 (By City Clerk)
285 - MSP-77687 and SDR-77688 (By City Clerk)

**PROTESTS**
0 - VAR-78088 and SUP-77686
0 - MSP-77687 and SDR-77688

**APPROVALS**
2 - VAR-78088 and SUP-77686
2 - MSP-77687 and SDR-77688



NE

**** CONDITIONS ****

# VAR-78088 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-77686), Master Sign Plan (MSP-77687) and Site Development Plan Review (SDR-77688) shall be required, if approved.

2. Conformance to the approved conditions for Variance (V-0010-02), Master Sign Plan (MSP-0004-02), Master Sign Plan (MSP-2840) and Site Development Plan Review (SD-0006-02).

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

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

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

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

# SUP-77686 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Open Air Vending / Transient Sales Lot use, except as amended herein.

2. The hours of operation shall be limited to the period between 10 a.m. and 12:00 a.m.

3. Tables and chairs are prohibited.

4. Approval of and conformance to the Conditions of Approval for Variance (VAR-78088), Master Sign Plan (MSP-77687) and Site Development Plan Review (SDR-77688) shall be required.

5. Conformance to the approved conditions for Variance (V-0010-02), Master Sign Plan (MSP-0004-02), Master Sign Plan (MSP-2840) and Site Development Plan Review (SD-0006-02).

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, as well as submitted as part of any business license application.

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

# MSP-77687 CONDITIONS

***Planning***

1. Prior to issuance of building permits, applicant will submit updated elevation drawings depicting wall signage occupying no more than 20% of any elevation, a roof sign not to exceed 8 feet, and no wall or marquee signage on the west elevation.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of 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 sign elevations date stamped 10/07/19.

4. Approval of and conformance to the Conditions of Approval for Variance (VAR-78088), Special Use Permit (SUP-77686) and Site Development Plan Review (SDR-77688) shall be required.

5. Conformance to the approved conditions for Variance (V-0010-02), Master Sign Plan (MSP-0004-02), Master Sign Plan (MSP-2840) and Site Development Plan Review (SD-0006-02).

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

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

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

9. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.08.120 for Commercial and Industrial District Sign Standards may be reviewed and approved administratively by the Planning Department.

# SDR-77688 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-78088), Special Use Permit (SUP-77686) and Master Sign Plan (MSP-77687) shall be required, if approved.

2. Conformance to the approved conditions for Variance (V-0010-02), Master Sign Plan (MSP-0004-02), Master Sign Plan (MSP-2840) and Site Development Plan Review (SD-0006-02).

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

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/07/19, except as amended by conditions herein.

5. The temporary power pole shall be removed and a permanent power source shall be provided in accordance with current building code regulations for the remote kitchen / open air vending prior to licensing and operation.

6. Tables and chairs are prohibited.

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

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

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
    - Perimeter landscape buffers shall contain one, 24-inch box shade tree planted every 20 linear feet with four, 5-gallon shrubs planted for every required shade tree.

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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant has installed a remote kitchen or food truck on the southeast corner of Lake Mead Boulevard and Martin L. King Boulevard. This is a request to update the existing Master Sign Plan for the existing commercial center to include the installed signage associated with the remote kitchen; to obtain a Special Use Permit to allow the remote kitchen to operate past 8:00 p.m.; a Variance to allow the existing signage to exceed the size limitations set forth by Title 19.08; and to establish the remote kitchen as a permanent structure that is part of the commercial center.

## ISSUES

- These applications are the result of Code Enforcement case (#200524) that is currently open and unresolved for an unpermitted portable structure with a LED screen installed upon the roof of the portable structure. This Code Enforcement case is dependent upon the outcome of these applications.
- The temporary power pole currently being utilized as a power source for the remote kitchen / food truck was permitted in conjunction with a Temporary Commercial Permit (TCP-77621) that was granted for November 7th through November 10, 2019 only. The matter has been reported to Code Enforcement for further action.

## ANALYSIS

The subject of these applications is a remote kitchen or an Open Air Vendor as defined by Title 19.12 that was installed without permits within an existing parking lot at the southeast corner of Lake Mead Boulevard and Martin L. King Boulevard. The remote kitchen/food truck operates as an after hours location for Mario's Market located within the same commercial center at 1960 North Martin L. King Boulevard. The remote kitchen sells prepared food available at Mario's Market during normal business hours, after hours to area patrons. The applicant is proposing to maintain the remote kitchen with signage as installed and to operate past 8:00 p.m. as required by Title 19.12.

### *Variance and Master Sign Plan*

Installed upon the existing food truck are walls signs, marquee signs and a roof sign that exceed the size and height limitations set forth by Title 19.08, thus requiring an approved Variance to remain. In addition to the requested Variance, the applicant is also requesting to update the site's existing Master Sign Plan in order to include the signage installed upon the remote kitchen or food truck (Open Air Vendor).



NE

Below are charts for each sign type that define the signs to be added to the existed Master Sign Plan and those signs that do not meet the size and height limitations set forth by Title 19.08 that require a Variance in order to remain as installed.

| ***Wall Signs:*** *On each side of remote kitchen [Food Truck] for a total of four (4).* | | | |
|---|---|---|---|
| ***Standard*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Maximum Number | Limited by building elevation area. | Limited by building elevation area. | Y |
| Maximum Area | 20% of building elevation or tenant area. | 100% of building elevation. | N* |
| Maximum Projection | 4 feet | Zero Feet | Y |
| Illumination | Internal/External | No Illumination | Y |

| ***Roof Sign:*** | | | |
|---|---|---|---|
| ***Standard*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Maximum Number | 1 sign per building elevation. | 1 sign per building elevation. | Y |
| Maximum Area | 20% of the building elevation to which the sign is most nearly parallel to, up to a maximum of 150 square feet. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached. | 100% of the building elevation to which the sign is parallel to, with the wall sign being 250 square feet and the roof sign being 50 square feet for a total of 300 square feet. | N* |
| Maximum Height | A roof sign shall not extend more than 8 feet above the top of wall, marquee or parapet to which it is attached. The total height of the building, including the sign, shall not exceed permitted height of the building in the zoning district in which it is located. | 8.5 Feet | N* |



NE

| ***Roof Sign:*** | | | |
|---|---|---|---|
| ***Standard*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Minimum Setback | N/A | N/A | N/A |
| Minimum Projection | A roof sign shall not project horizontally more than 4 feet from the roof to which it is attached. There shall be no additional message on the additional horizontal surface created by the projection. | No projection. | Y |
| Additional Standards | Residential Protection Standards. | | |
| Illumination Permitted | Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. | Animated and visible by property zoned for single-family residential use. | N* |
| Certificate Required | Yes | By Condition | |



NE

| ***Marquee Sign:*** | | | |
|---|---|---|---|
| ***Standard*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Maximum Number | One marquee sign per building elevation. | Two Marquee signs per building elevation. | N* |
| Maximum Area | 1. 20% of the building elevation to which it is attached.<br>2. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached. | The combined wall and marquee sign is 100% of the building elevation. | N* |
| Maximum Height | A marquee sign shall not extend beyond the top or sides of the building elevation to which it is attached. | Does not extend above the top or sides of the building. | Y |
| Minimum Setback | May project over public right-of-way, provided marquee maintains minimum setback of three feet from back of curb. | Does not project over the public right-of-way. | |
| Minimum Clearance | 8 feet from the ground to the bottom of the sign. | 8 Feet | Y |
| Additional Standards | 1.Shall not be located on a building elevation oriented to adjoining residential property.<br>2.Subject to review by Department of Public Works, to the extent they extend over or near public right-of-way. | Not extended over the public right-of-way. | Y |
| Illumination Permitted | Internal, external, animated and electronic message unit signage. | Not illuminated or electronic. | Y |
| Certificate Required | Yes | By Condition | |

**Variance required.*



NE

Staff finds the requested Variance to be a self-imposed hardship as the applicant installed the signage without proper permitting which if proper procedures were followed by the applicant, the applicant would have been denied a building permit for the subject signage. This could have prevented the installation of the existing signage as it exceeds the elevation coverage limitation by 80 percent. Title 19.08 allows a maximum of 20 percent of the building elevation to contain signage. This includes walls signs, marquee signs and roof signs combined. The current coverage for all is 100 percent. Staff is recommending denial of the Variance and Major Amendment of the Master Sign Plan.

***Special Use Permit***

Title 19.12 specifies that when Open Air Vending occurs "on any lot that is adjacent to a residentially zoned lot, the hours of operation shall be limited to the period between 10 a.m. and 8 p.m." The applicant is requesting this Special Use Permit in order to operate the remote kitchen/food truck past 8:00 p.m., to midnight (12:00 a.m.). The subject site shares a property line with a lot to the south that is zoned R-E (Residence Estates) and operates as a religious facility. In addition, Title 19.12 requires that "no supply or drainage pipes or power supply cords that pertain to the vending operation may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the vending operation is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby." On November 6, 2019 a building permit (C19-03632) was issued for a temporary power pole in conjunction with Temporary Commercial Permit (TCP-77621) to power a stage for a special event at 1960 North Martin L. King Boulevard from November 7, 2019 to November 10, 2019. The building permit did not receive a final inspection nor was the temporary power pole removed after the special event. The power pole is currently being used as a power source for the remote kitchen or food truck. This temporary power pole is not appropriate as a permanent, long term power source and is a potential hazard as a power cord is coiled within the parking lot in between the power pole and the mobile food vending (remote kitchen) and is not secure from public access. Staff finds this to be a potential hazard as the power cords are above ground, not secured and able to be a hazard to the public. The temporary power pole was installed as a temporary power source for a special event approved for November 7th through November 10th, 2019 only and is now in violation. The matter has been reported to Code Enforcement for further action.

The Open Air Vending / Transient Sales Lot use is described as "an outdoor area or lot that is used exclusively, or on a regular or periodic basis, for the sale or taking of orders for any merchandise, including food items, where such merchandise is displayed or sold within or upon the area or lot. This use includes the display or sale of merchandise by means of Open Air Vending, Mobile Food Vending and a Farmer's Market. This use includes the display or sale of merchandise by means of Open Air Vending and Mobile Food Vending."

The Open Air Vending / Transient Sales Lot use is a Conditional Use in the C-1 zoning district. The Conditional Use Regulations for this use include:

1. Except as provided in this Conditional Use Regulation 1, no signage is allowed, including temporary signage. Signage that is allowed by this Conditional Use Regulation 1 is not subject to the sign regulations and processes of Title 19 that otherwise would apply, except as specifically provided. The limited signage allowed by this Conditional Use Regulation 1 is as follows:
   a. In the case of Open Air Vending or Mobile Food Vending, the vehicle or portable unit may include signage which is affixed thereto but only to the extent such signage is not prohibited by LVMC 19.08.120(E)(3).
   b. In the case of a Farmer's Market, on-premises market event signage is permitted, but shall be limited to a single sign of no more than 32 square feet. Individual vendor signage is permitted, but is limited to one sign per vendor, and not to exceed 15 square feet per vendor space. All signage is prohibited at any time other than during a market event.

2. The site must be kept free of any litter or debris at all times.

3. No structures shall be allowed within the public right-of-way.

4. The installation of permanent or temporary tables, chairs, tents, or coverings for dining areas (including tarps and umbrellas) is prohibited, except when the use of such facilities:
   a. Has been approved by means of a Site Development Plan Review;
   b. Is within the plaza area of a commercial lot; or
   c. Is in accordance with Conditional Use Regulation 9 below.

5. Vehicles or portable units used in the operation may not occupy:
   a. Required parking spaces or required drive aisles; or
   b. Required loading zones, unless otherwise permitted under Conditional Use Regulation 8.

6. The vending/sales activity must be located at least 150 feet from residential development. Except where the location is part of a mixed-use development.

7. For Open Air Vending, in addition to Conditional Use Regulations 1 through 6:
   a. No such vending is permitted in the O (Office) Zoning District;
   b. No such vending is permitted on undeveloped lots or developed lots with unoccupied structures or unpaved surfaces;
   c. No such vending is permitted within landscaped areas;



NE

d. No more than one vendor is permitted on any one lot, and the vending area shall be limited to a maximum of 500 square feet; provided, however, that these limitations do not apply:
    i. In connection with a Special Event Permit that allows a greater level of vending activity by means of Open Air Vending;
    ii. On a parcel whose development approval or approvals contemplate a greater level of vending activity by means of Open Air Vending; or
    iii. Within the plaza area of a commercial lot;
e. At a location other than the plaza area of a commercial lot, vending operations shall comply with required building setbacks for that location;
f. On any lot that is adjacent to a residentially zoned lot, the hours of operation shall be limited to the period between 10 a.m. and 8 p.m.; and
g. No supply or drainage pipes or power supply cords that pertain to the vending operation may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the vending operation is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby.

8. For Mobile Food Vending, in addition to Conditional Use Regulations 1 through 6:
    a. No vendor may operate on any one parcel, lot or commercial subdivision for more than 4 hours within any 24-hour period;
    b. No more than two vendors are permitted on one parcel, lot or commercial subdivision within any 24-period;
    c. No vendor may operate within a required loading zone except as approved in conjunction with a Special Event Permit;
    d. Such vending is permissible on undeveloped lots, or developed lots with unoccupied structures or unpaved surfaces, but only to the extent that such vending complies with all applicable air quality standards adopted by the Clark County Department of Air Quality; and
    e. On unpaved lots, such vending is limited to a maximum disturbance area (including vehicles, parking and customer areas) of 5,000 square feet, regardless of the overall lot size, unless a greater disturbance area is approved in connection with a dust mitigation permit from the Clark County Department of Air Quality.

9. For Farmer's Markets, in addition to Conditional Use Regulations 1 through 6:
    a. The use is not permitted in the O (Office) Zoning District;
    b. The use is not permitted on undeveloped lots or developed lots with unoccupied structures or unpaved surfaces;
    c. The use is not permitted within landscaped areas;
    d. At a location other than the plaza area of a commercial lot, the use shall comply with required building setbacks for that location;

e. On any lot that is adjacent to a residentially zoned lot, the hours of operation of the use shall be limited to the period between 10 a.m. and 8 p.m.; and
f. No supply or drainage pipes or power supply cords that pertain to the use may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the use is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby.
g. The use may include the installation of use of temporary booths, tables, chairs, and similar structures.

The proposed use does not meet Conditional Use Regulations numbers six (6) and seven (7f). The applicant is requesting a Special Use Permit to allow the use to operate zero feet from a residentially zoned lot and to operate past 8 p.m., until midnight. Staff is not able to support this request as the minimal conditional use regulations set forth by Title 19.12 were established in order to allow the Open Air Vending / Transient Sales Lot use to operate in a harmonious manner with surrounding land uses. Therefore, staff recommends denial of the requested Special Use Permit.

Staff finds this request as proposed, could potentially compromise the public health, safety, and welfare due to the above ground utility power lines that are coiled within the parking lot and accessible by the public. A building permit (C19-03632) for a temporary meter pole was issued on November 6, 2019 and was to be used temporarily between November 7th through the 10th for a special event. This is not a permanent power source and not in compliance with current building regulations. In addition, while the adjacent residentially zoned property to the south is operated as a religious facility, there are existing single-family homes south and southeast of the religious facility that may be disturbed by late night business activity at the open air vendor, remote kitchen. Therefore, staff supports Title 19.12 that limits the hours of operation until 8:00 p.m. and is recommending denial of the request. If approved staff has added a recommended Condition of Approval requiring a permanent power source be installed in accordance with current building code regulations.

***Site Development Plan Review***

The applicant is proposing to maintain the existing remote kitchen / open air vendor as a permanent structure within the existing commercial center. As described in the justification letter date stamped 10/07/19, the applicant is proposing to prepare food within the main market and then offer the prepared food within the remote kitchen after regular store hours, which are 7:00 a.m. to 9:00 p.m. The remote kitchen would be open nightly until midnight. The remote kitchen does not provide restroom facilities and the applicant is proposing for the store employees to escort customers to the main store in order to utilize the restroom facilities. The structure itself is temporary in nature as demonstrated by the need for a temporary power pole and for employees to escort customers to a closed market in order to

utilize restroom facilities. Staff finds the existing remote kitchen / open air vendor is appropriate for temporary use and not as a permanent structure open for business on a regular basis and is recommending denial of the site development plan review. If approved, staff has added recommended Conditions of Approval to require a permanent power source be installed in accordance with current building codes and prohibition of tables and chairs to ensure the remote kitchen operates as purely a pick-up point for prepared foods and not a place for gathering which would minimize the need for restroom access and minimize the noise impact to adjacent residential neighborhoods.

## FINDINGS (SUP-77686)

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.**

   While the adjacent residentially zoned property is not used as a residence and is instead utilized for a Church, House of Worship, located south and southeast of the religious facility is existing single-family residences that may be disturbed by afterhours business activity and staff finds the proposed open air vending is not able to be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

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

   The subject site is a commercially zoned property designed to accommodate such uses as the proposed open air vending if operated during normal business hours as specified by Title 19.12.

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

   The subject site is accessed by Lake Mead Boulevard and Martin L. King Boulevard, both of which are 100-foot wide primary arterials adequate in size to meet the requirements of the proposed open air vendor.

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 existing open air vendor is powered by a temporary utility pole that was installed adjacent to the remote kitchen/food truck. This temporary power pole provides power to the remote kitchen via power cords coiled within the parking lot and accessible to the public. This configuration could compromise the public health, safety and welfare.

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

   The proposed use does not meet the Conditional Use Regulations set forth by Title 19.12, thus requiring an approved Special Use Permit in order to operate on the proposed site.

**FINDINGS (SDR-77688)**

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

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

   The proposed remote kitchen, open air vendor contains signage that exceeds the maximum limits set forth by Title 19.08, is proposing to operate past 8:00 p.m. with existing single-family residences to the south and southeast of the subject site which is not compatible with adjacent development or development in the area.

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

   The proposed development is not consistent with Title 19.08 or Title 19.12 and requires an approved Variance and Special Use Permit in order to operate as constructed.

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

   The proposed open air vending occupies existing parking spaces and does not alter or interfere with the existing site access or circulation.

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

No landscape materials are proposed as part of this review. Staff has added a recommended Condition of Approval to ensure the existing landscape buffers adjacent to right-of-way are landscape in accordance with Title 19.08. The building materials are those usually associated with a mobile food vendor, food truck and are temporary in nature and not intended as a permanent structure. Temporary structures are not appropriate as permanent structures within a commercial center.

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

   The building elevations are 100 percent signage where Title 19 maximizes sign coverage for building elevations at 20 percent. This is undesirable and does not create an aesthetically pleasing environment.

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

   If approved, the proposed restaurant and signage will be subject to building permit review and approval prior to operation in order to protect the public health, safety and general welfare.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 06/07/00 | The City Council approved a Rezoning (Z-0018-00) from R-E (Residence Estates) to C-1 (Limited Commercial) on the southeast corner of the intersection of Martin L. King Boulevard and Lake Mead Boulevard. The Planning Commission recommended denial. |
| | The City Council approved a Special Use Permit (U-0056-00) for a wireless communications monopole on the southeast corner of the intersection of Martin L. King Boulevard and Lake Mead Boulevard. The Planning Commission recommended denial. |
| 04/17/02 | The City Council approved a Site Development Plan Review (SD-0006-02) of a proposed 13,919 square-foot drug store/pharmacy, and a request for a Waiver to allow reduction of the required landscaping on property located adjacent to the southeast corner of Lake Mead Boulevard and Martin L. King Boulevard. The Planning Commission recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 04/17/02 | The City Council approved a Variance (V-0010-02) to allow 100 parking spaces where 137 parking spaces is the minimum amount required for a proposed drug store/pharmacy and existing retail building on property located adjacent to the southeast corner of Lake Mead Boulevard and Martin L. King Boulevard. The Planning Commission recommended approval. |
| 08/21/02 | The City Council approved a Master Sign Plan (MSP-0004-02) for a Master Sign Plan for a CVS pharmacy and Mario's Market on 2.09 acres located adjacent to the southeast corner of Lake Mead Boulevard and Martin L. King Boulevard. The Planning Commission recommended approval. |
| 10/29/03 | The City Council approved a Master Sign Plan (MSP-2840) for a Modification to an existing Master Sign Plan (MSP-0004-02) for an existing retail complex on 2.11 acres adjacent to the southeast corner of Martin L. King Boulevard and Lake Mead Boulevard. The Planning Commission and Staff recommended approval. |
| 04/26/07 | The Department of Planning administratively approved a Site Development Plan Review (SDR-20332) to allow a proposed interior co-location of antennas on an existing 60-foot wireless communication facility, stealth at 1960 Martin L. King Boulevard |
| 07/26/07 | The Department of Planning administratively approved a Site Development Plan Review (SDR-20332) to allow a proposed co-location of antennas on an existing 60-foot tall wireless communications facility, stealth at 1960 Martin L. King Boulevard. |
| 03/11/07 | A Code Enforcement case (#51149) was opened for unpermitted vendor activity at 1960 Martin L. King Boulevard. The case was resolved on 03/11/07 |
| 11/25/08 | A Code Enforcement case (#72221) was opened for unpermitted swap meets at 1960 Martin L. King Boulevard. The case was resolved on 12/21/08. |
| 08/11/09 | The Department of Planning staff administratively approved a Temporary Commercial Permit (TCP-35559) for a fundraising event with food sales at 1960 Martin L. King Boulevard. |
| 11/01/12 | A Business License Enforcement case (#121822) was opened for an alcohol employee card violation at 1960 Martin L. King Boulevard. The case was resolved on 01/26/13. |
| 04/12/16 | A Code Enforcement case (#165459) was opened for multiple unpermitted banners throughout property. The case was resolved on 04/27/16. |
| 10/11/17 | The Department of Planning administratively approved a Conditional Use Verification (CUV-71886) for a wireless communication facility, non-stealth design at 1960 Martin L. King Boulevard. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 05/30/19 | A Code Enforcement case (#200524) was opened for an unpermitted portable structure with an LED screen on top. The case is active as of 11/26/19. |
| 01/14/20 | The Planning Commission voted (7-0) to hold in ABEYANCE VAR-78088, SUP-77686, MSP-77687 and SDR-77688 [PRJ-77553] to the February 11, 2020 Planning Commission meeting. |
| 02/11/20 | The Planning Commission (6-1 vote) to recommend APPROVAL on the following items:<br>• Variance (VAR-78088) TO ALLOW A ROOF SIGN, WALL SIGNS AND MARQUEE SIGNS TO COVER 100 PERCENT OF THE BUILDING ELEVATION WHERE 20 IS THE MAXIMUM ALLOWED; AND TO ALLOW A NINE-FOOT TALL ROOF SIGN WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED<br>• Master Sign Plan (MSP-77687) Major Amendment to an existing Master Sign Plan (MSP-0004-02) FOR A PROPOSED LED DISPLAY ROOF SIGN at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. |
| 02/11/20 | The Planning Commission unanimously voted to recommends APPROVAL on the following requests:<br>• Special Use Permit (SUP-77686) FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE<br>• Site Development Plan Review (SDR-77688) FOR A PROPOSED 250 SQUARE-FOOT RESTAURANT on 1.11 acres at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 12/05/14 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| Pre 1990 | A business license (G60-00054) was issued for grocery sales at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| | A business license (C05-01380) was issued for tobacco sales at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| 07/30/92 | A business license (L15-00077) was issued for package liquor sales at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| 03/19/03 | A business license (D11-00203) was issued for a drug store at 1425 West Lake Mead Boulevard. The license is active as of 11/26/19. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/18/08 | A business license (P55-00115) was issued for a pharmacy firm at 1425 West Lake Mead Boulevard. The license is active as of 11/26/19. |
| 04/14/09 | A business license (W10-00259) was issued for a wire transfer service at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| 11/03/16 | A business license (G64-07262) was issued for a wire transfer service at 1425 West Lake Mead Boulevard. The license is active as of 11/26/19. |
| 07/12/18 | A business license (G66-05010) was issued for an automated teller machine (ATM) at 1425 West Lake Mead Boulevard. The license is active as of 11/26/19. |
| 03/07/19 | A business license (G67-01535) was issued for a non-profit sports league at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| 03/19/19 | A business license (G67-01364) was issued for a wire transfer service at 1960 North Martin L. King Boulevard. The license is active as of 11/26/19. |
| 11/06/19 | A building permit (C19-03632) was issued for a temporary power pole in conjunction with Temporary Commercial Permit (TCP-77621) to power a stage for a special event at 1960 North Martin L. King Boulevard from November 7, 2019 to November 10, 2019. The permit did not receive a final inspection nor was the temporary power pole removed after the special event. The matter has been reported to Code Enforcement for further action. |

| ***Pre-Application Meeting*** | |
|---|---|
| 08/27/19 | Staff conducted a pre-application meeting to discuss the proposed project and the submittal requirements for a Special Use Permit, an amendment to a previously approved Master Sign Plan and a Site Development Plan Review. |

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

| ***Field Check*** | |
|---|---|
| 12/04/19 | Staff performed a routine field check and found the commercial location to be free of graffiti, liter and debris. Staff noticed a temporary power pole with sand around the base and power cords leading to the remote kitchen coiled in the parking lot, and not secured from the public. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.11 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Restaurant<br>Beer/Wine/Cooler Off-Sale<br>General Retail, Other Than Specified | C (Commercial) | C-1 (Limited Commercial) |
| North | Restaurant | C (Commercial) | C-1 (Limited Commercial) |
| South | Church/House of Worship | MXU (Mixed-Use) | R-E (Residence Estates) |
| East | General Retail, Other Than Listed | C (Commercial) | C-1 (Limited Commercial) |
| West | Restaurant | LI/R (Light Industrial/Research) | C-1 (Limited Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District – 105 Feet | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| West Las Vegas Plan | Y |
| Las Vegas Redevelopment Plan Area 1 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |



NE

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Lake Mead Boulevard | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |
| Martin L. King Boulevard | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| General Retail Store, Other Than Listed | 22,679 SF | 1:175 | 130 | | | | |
| Restaurant | 250 SF | 1:200 | 2 | | | | |
| **TOTAL SPACES REQUIRED** | | | 100* | | 101 | | Y* |
| **Regular and Handicap Spaces Required** | | | 96 | 4 | 97 | 4 | Y* |

**The City Council approved a Variance (V-0010-02) to allow 100 parking spaces where 137 were required on April 17, 2002.*



NE

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) USE PERMIT / MSP UPDATE

**Project Address** (Location) 1960 N. Martin Luthor King Blvd.

**Project Name** Mario's Westside Market **Proposed Use** Outdoor addition

**Assessor's Parcel #(s)** 139-21-701-009 **Ward #** 5 - Crear

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing C-1 Proposed C-1

**Additional Information** SUP OPEN AIR VENDING AFTER 8:00PM AMENDMENT TO MSP TO INCLUDE SIGNAGE ON ACCESSORY STRUCTURE

**Property Owner** Johnson Family Trust Contact Carol and Samuel Johnson

Address 10112 Button Willow Drive City Las Vegas State NV Zip 89134

E-mail _____ Phone _____

**Applicant** Mario's Westside Market Contact Bill O'Connor

Address 1960 N. Martin L. King Blvd City Las Vegas State NV Zip 89106

E-mail Marioswestsidemarket@yahoo.com Phone (702) 499-2909

**Representative** Brown, Brown & Premsrirut Contact Lora Dreja

Address 520 South 4th Street City Las Vegas State NV Zip 89101

E-mail Lora@brownlawlv.com Phone (702) 598-1408

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Samuel M Johnson

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

**Print Name** SAMUEL M. JOHNSON

Subscribed and sworn before me

This 24th day of September, 20 19

County of Clark State of Nevada Ricardo Suarez

Notary Public in and for said County and State

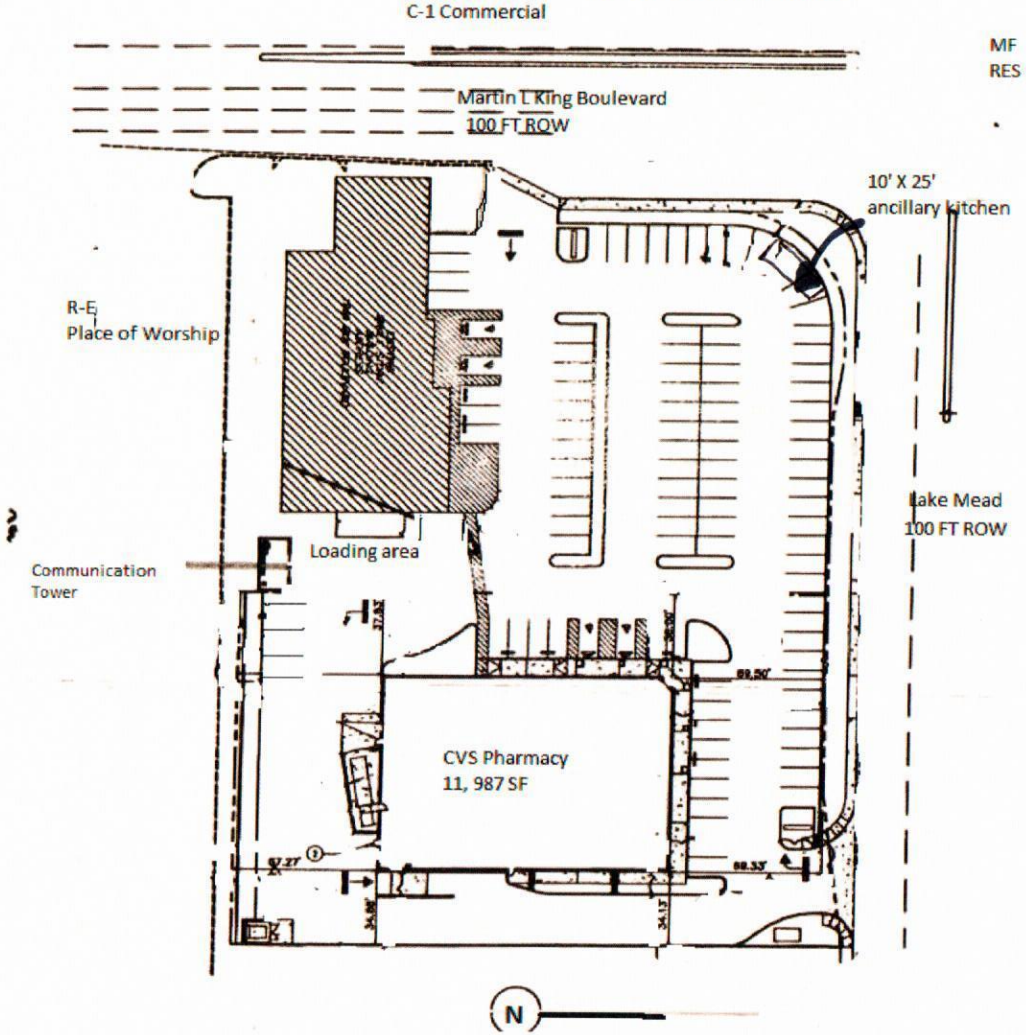
RICARDO SUAREZ
Notary Public, State of Nevada
Appointment No. 18-4092-1
My Appt. Expires Nov 3, 2022

PRJ-77553
10/07/19

# MARIO's WESTSIDE MARKET

USE PERMIT FOR OPEN AIR VENDING

## 1960 Martin Luther King Boulevard
## 139-21-701-009




### Parking Analysis

Per V-0010-02 100 parking spaces are required on the site.

105 spaces are provided on the site.

The food vendor encroaches on three spaces.

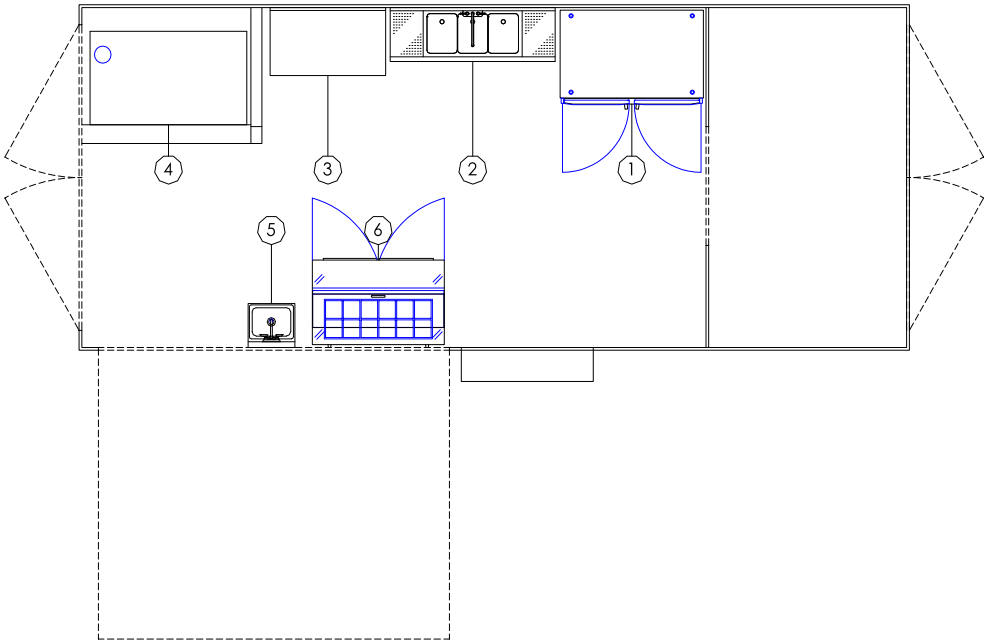
zone : C-1
Setbacks: 10 feet

PRJ-77553
10/07/19

PRJ-77553
10/07/19

PRJ-77553
10/07/19

PRJ-77553
10/07/19




## EQUIPMENT SCHEDULE

| NO. | QTY | DESCRIPTION |
|---|---|---|
| 1 | 1 | REACH-IN REFRIGERATOR |
| 2 | 1 | THREE COMPARTMENT SINK |
| 3 | 1 | WORK TABLE |
| 4 | 1 | PIZZA OVEN |
| 5 | 1 | HAND SINK |
| 6 | 1 | SANDWICH TOP REFRIGERATOR |

REVISION | DATE | No.

LC KITCHEN & BAR DESIGNS
(702) 768-1900 • Lisa@LCKitchendesigns.com • www.LCKitchendesigns.com

# MARIO'S WESTSIDE MARKET
## EQUIPMENT FLOOR PLAN

Date 9/23/2019

Scale 3/8" = 1'-0"

Sheet FS101

PRJ-77553
10/07/19




**VAR-78088 [PRJ-77553] - VARIANCE RELATED TO SUP-77686, MSP-77687 AND SDR-77688 - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II**
**1960 NORTH MARTIN L. KING BOULEVARD AND 1425 LAKE MEAD BOULEVARD**

12/04/19




**VAR-78088 [PRJ-77553] - VARIANCE RELATED TO SUP-77686, MSP-77687 AND SDR-77688 - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II**
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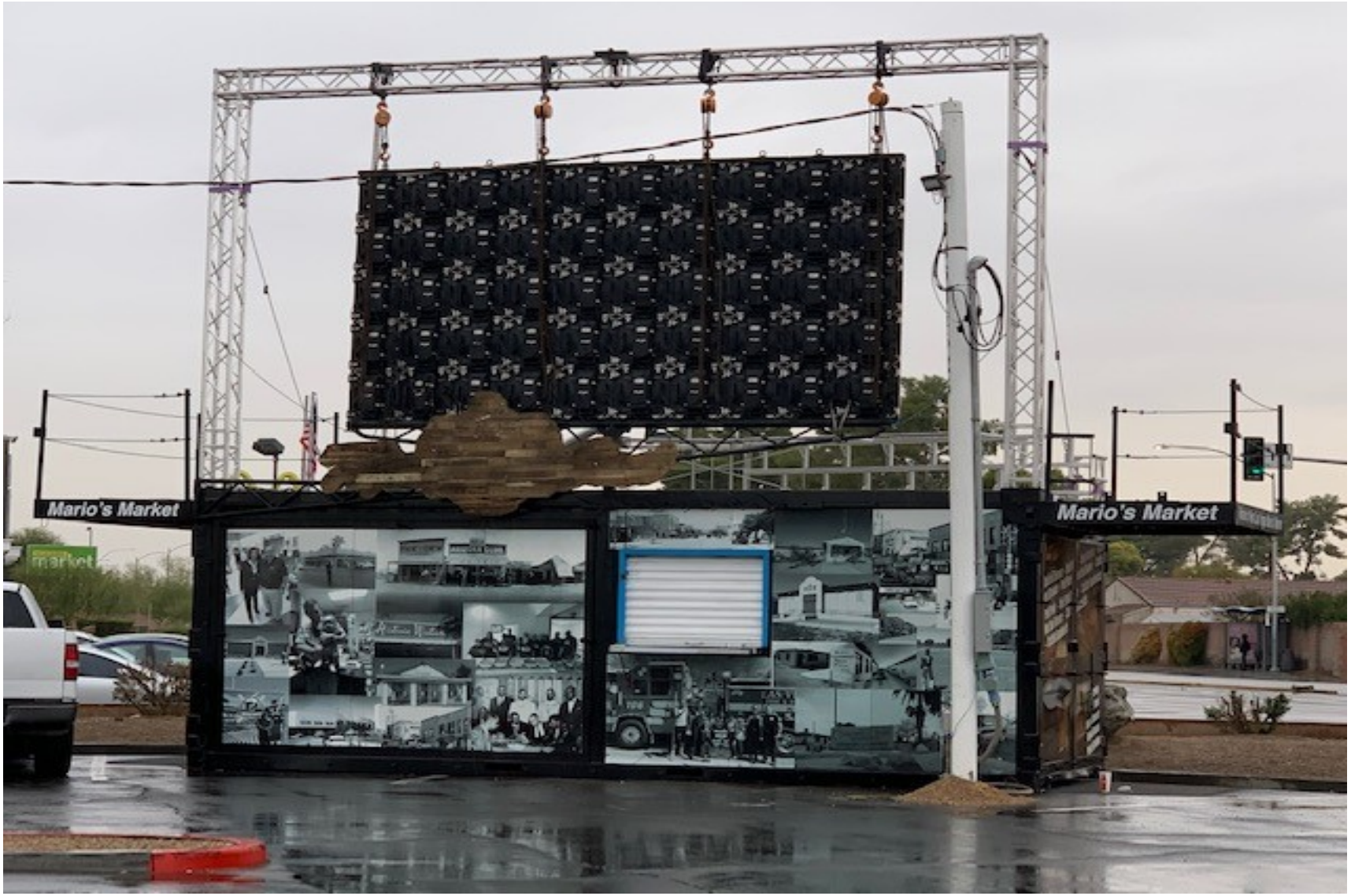


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**1960 NORTH MARTIN L. KING BOULEVARD AND 1425 LAKE MEAD BOULEVARD**

12/04/19

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

October 1, 2019

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

**RE: Use Permit for Open Air Vending after 8:00 PM, Amendment to Master Sign Plan. 139-21-701-009**

Dear Sir/Madam:

Our client has owned and operated a grocery store located at 1960 Martin Luthor Kind Blvd for several decades. Mario's market is a 9,228 square foot store. Approximately 1/3 of the floor area is fresh meats and produce. Another area that provides the area provides cafeteria style food service. It is a very popular establishment in an area that would otherwise be considered a food desert. The food service often has a line-up and tables are always full. Mario was awarded Citizen of the Month by the City of Las Vegas in recognition of his contributions to the community and the importance of his store within this community. His business has stood the test of time due to his efforts to provide unique southern food items that residents seek. The eating area is documented as a meaningful gathering place for area citizens (McGee 2014).

Currently the hours of the store are 7:00 AM to 9:00 PM. The community has demonstrated an interest in patronizing the store for the freshly prepared southern style cafeteria food after hours. Rather than undertaking the overhead to keep a grocery store staffed, Mario wishes to prepare food inside his store, then serve it from a walk up window in the kitchen shown in the elevations. Hours requested for the temporary permit are 8:00 PM to 12:00 AM. Although the store is not fully staffed after 9:00 PM, cooks or clerks will be on-site to escort patrons to the restrooms when needed.

*19.12 Open Air Vending 7.f) for conditional use reads on any lot that is adjacent to a residentially zoned lot, the hours of operation shall be limited to between 10 a.m. and 8 p.m.* The nearest residential property line is more than 200 feet away at the closest point. Because there is a residential property on the opposite side of a 100 foot intersection, this use permit is needed to serve after 8:00 PM.

This facility is located on the portion of the parcel furthest from both CVS Pharmacy and Mario's Market. This placement ensures minimal disruption to drive aisles and parking patterns. The structure sits three parking spaces. Currently the site is overparked by providing 105 spaces where only 100 are necessary. Given that the counter operates outside store hours, parking or drive aisle conflicts are not expected.

PRJ-77553
10/07/19

Note also:

1) 10 foot setbacks are met
2) Line of sight for traffic is maintained
3) The site is paved
4) Power is provided to the structure from overhead cables
5) The proposed activity is an extension of the existing business
6) The structure has previously been used within the city and meets all health codes
7) While the structure is adorned with Historic West Side Images and the menu, signage will be reviewed in the subsequent application.

**Signage: MSP-2840** was approved in October 2003. Any change to this signage tabulations must be processed through a public hearing. The ancillary kitchen adds the following square footage to the signage plan.

| | | | |
|---|---|---|---|
| West mural with text | 18'X 9' | 162 SF | Wall sign |
| North and South Awning signs | .5' X 8' | 8 SF total | Awning |
| East and West Awning signs | .5' X 3 X 4 | 6 SF total | Awning |
| North and South menu with images | 7' X 8.5' X 2 | 119 SF | Wall Sign |
| Wooden sign seen in EV003 | Approximately 8' X 3' | 24 SF | Projecting |
| LED sign on Roof | 10' X 5' | 50 SF | Roof on premise / placemaking |
| East Mural | n/a | n/a | placemaking |

Thank you for your consideration in this matter. I can be reached at (702) 598-1408 if you would like to discuss concerns.

With appreciation,

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut
(702) 598-1408

PRJ-77553
10/07/19

# STRUCTURAL OBSERVATION REPORT

S³ ENGINEERS

**DATE:** February 11, 2020 **PAC #:**

**TO:** Bill O'Connor
Mario Berlanga Jr.
1960 Martin King Blvd.
Las Vegas, Nevada 89106

**PHONE:** 702-648-1482
**E-MAIL:** marioswestsidemarket@yahoo.com

**CC:** Jay H Brown, Attorney
Brown, Brown & Premsrirut

**E-MAIL:** jbrown@brownlawlv.com
lora@brownlawlv.com

Anthony Williams
City of Las Vegas
Planning Commission

awilliams@lasvegasnevada.gov

**PROJECT:** Mario's Westside Market – LED Signage at shipping container
1960 Martin Luther King Blvd.
Las Vegas, Nevada 89106

**PROJ NO:** **20696**

---

Bill & Mario:
I visited your market on January 24, 2020 to review the support of the existing LED sign that was mounted to a shipping container placed diagonally at the corner of the parking area. I was asked to review the structural stability of the sign. I requested a ladder and climbed on the roof of the shipping container. I reviewed the structural frame & mounting details of the sign. See the attached photos.

**OBSERVATIONS:**

1. Shipping Container: The shipping container is an 8 ft by 20 ft module with which I am very familiar as I provided structural engineering services for the Downtown Container Park on Fremont St. (Photo1)

2. LED Sign: The LED sign consists of 5x10 modules bolted together and mounted to a steel pipe truss frame at the base, which is, in turn mounted to the shipping container roof edge beam. The sign is approximately 8ft high by 12 ft. long. The sign is estimated to weigh 20 lbs. per module or approximately 1000 lbs. (Photos 1 & 2)

3. Black Pipe Truss Frame at base: The black steel pipe truss frame consists of a 4" pipe top chord, a 3" pipe bottom chord and 2" pipe diagonals. This frame is deemed to provided adequate support for gravity loads. The edge beam and container wall have adequate strength to support this load as well. The pipe base support is seen to extend down thru the roof of the container. **Bolts are missing at pipe base** (Photos 1-3)

4. Aluminum lighting truss: The aluminum truss system surrounding the sign consists of 12" square aluminum lighting support trusses which are bolted to the shipping container at the bottom of each vertical leg.

5. Sign tiebacks: The LED sign is tied back at the top to the aluminum truss system with (4) cable winches and at each side by 3/8" wire cables which extend back to short truss elements mounted to the roof. **Cables are slack and can only take wind load In one direction**. (Photos 1, 4 & 5)

Submitted at Planning Commission by
Lora Drejd
Date 2/11/2020 Item 21-24

S3 Engineers LLC
27 Antero Drive, Henderson, Nevada 89074
702-882-6830 rich@s3engineers.com

S³ ENGINEERS

**RECOMMENDATIONS**

1. Black Steel Truss Frame: At pipe base, install new bolts with lock washers. (Photo 3)

2. Cable Tiebacks: Replace cable tiebacks with 2" x 3/16" 6061 round aluminum tube with end connections to mount to existing aluminum trusses.

3. Winches at top: The winches at top will provide limited lateral support in windy conditions as they utilize chain which will allow some swinging motion. Winches could be left in place, or they could be replaced with 2"aluminum tube downriggers with can be mounted to both the top and bottom chords of the truss above to provide fixity and can extend down to the LED modules and be bolted to them with an end connection.

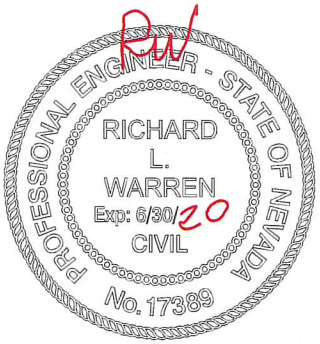
4. Check with 4Wall Entertainment - Las Vegas for aluminum component design and availability. They sell and install lighting trusses. www.4wall.com

Respectfully,

Richard L Warren

Digitally signed by Richard L Warren
Date: 2020.02.11 14:55:03 -08'00'

Richard L. Warren P.E.
Senior Engineer




02-11-20

S3 Engineers LLC
27 Aptero Drive, Henderson, Nevada 89074
702-882-6830 rich@s3engineers.com

S³ ENGINEERS

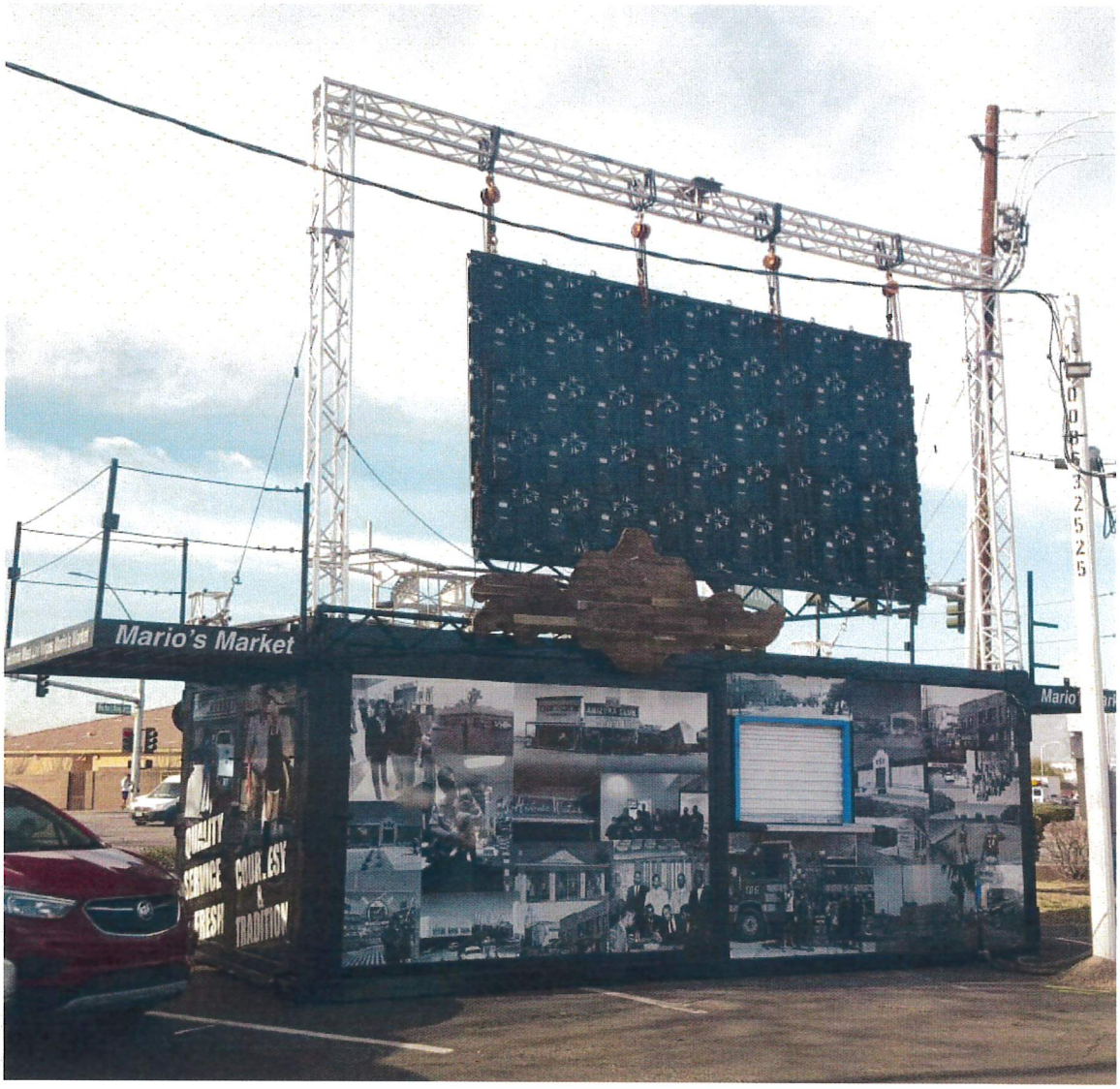



Photo 1 Rear of Sign and Shipping Container

S3 Engineers LLC
27 Antero Drive, Henderson, Nevada 89074
702-882-6850 rich@s3engineers.com



Photo 2 Front of Sign from Shipping Container Roof
Showing steel pipe frame at base



Photo 3 Steel pipe frame mounting at shipping container

S3 Engineers LLC
27 Antero Drive, Henderson, Nevada 89074
702-882-6830 hch@s3engineers.com



Photo 4 Brace cable at Aluminum truss frame



Photo 5 Brace cable mounting at shipping container roof

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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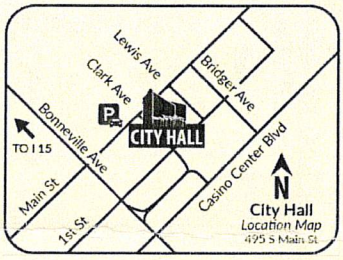
2020 MAR 11 A 11:38

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

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78088 and SUP-77686 [PRJ-77553]**
City Council Meeting of **03/18/2020**

PRJ-77553
13921610150
MAHILL L L C
8144 MADDINGLEY AVE
LAS VEGAS NV 89117-7638

143 ARDFNP1 89117

Submitted after final agenda
55 & 56

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
JOSEPH LOMBARDO, Sheriff

Partners with the Community

March 16, 2020

Dear Honorable Mayor and City Council:

In conversations with Mr. Mario Berlanga, I would like to express my support for his desire to display/advertise on a digital community billboard on his property, Mario's Westside Market, located at 1960 N. Martin Luther King, Las Vegas, NV 89106. The expectation would be to advertise different community events, job opportunities, Amber Alerts and other relevant local news.

Mario has been a community partner with the Las Vegas Metropolitan Police Department (LVMPD) for many years. He is a member of the Sheriff's Multi-Cultural Advisory Council (MMAC) and has been very generous in his support of West Las Vegas. Mario has been the driving force behind the Bolden Little League program, giving hundreds of children the opportunity to play baseball under the coaching and mentorship of a Metro officer. Mario has also been a significant supporter of the Backpack Giveaway back-to-school event.

This digital community billboard is just another example of Mario's commitment to his neighbors, first-responders, community partners, business owners and most of all, the youth. I ask that you consider granting Mario permission to display/advertise on this billboard.

Respectfully,

Joseph Lombardo, Sheriff

Submitted at City Council
Date 3/18/20 Item 55-58
By Lora Dueja

400 S. Martin L. King Blvd. • Las Vegas, Nevada 89106-4372 • (702) 828-3111
www.lvmpd.com • www.protectthecity.com

**From:** info <info@lawrenceweekly09.com>
**Sent:** Wednesday, March 18, 2020 12:07 PM
**To:** LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
**Subject:** Item #55-58

**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Good afternoon Honorable Mayor and City Council,
Mario's Westside Market will one day qualify to be listed on the the Historic Registry.
When businesses have come and gone...Mario's stayed. This establishment has been a true blessing in 89106.
I ask for your support, subject to conditions.
Thank you,
Lawrence Weekly

Sent from my Verizon, Samsung Galaxy smartphone

Submitted at City Council
Date 3/18/20 Item 55-58

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

January 13, 2020

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

**RE: PRJ77553Abeyance from January 14, 2020, Planning Commission Hearing. Items 49 – 52. 139-21-701-009, 010**

Dear Ms. Eddowes;

This firm is representing Mario's Westside Market in the above mentioned matter. We respectfully request the matter be held over to the February 11, 2020 meeting. The extra time is needed to consider the viability of the Conditions of Approval.

Respectfully,

Lora Dreja
Land Entitlements
(702) 598-1408

CC: Nora Lares

**VAR-78088, SUP-77686, MSP-77687 and SDR-77688**

**RECEIVED**
**01.14.2020**

Submitted after final agenda

**Items 49-52**

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

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Las Vegas, NV
Permit No. 1630

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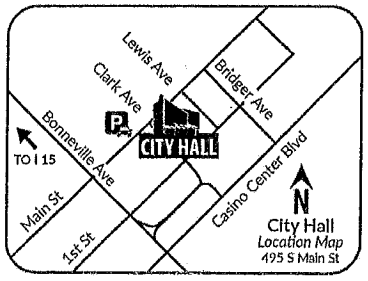
**Official Notice of Public Hearing**

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City of Las Vegas

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

Please use available blank space on card for your comments.
**VAR-78088 and SUP-77686 [PRJ-77553]**
Planning Commission Meeting of **01/14/2020**

PRJ-77553
13921701009
JOHNSON FAMILY TRUST II
JOHNSON CAROL A & SAMUEL G JR TR
9112 VISTA GREENS WAY UNIT 104
LAS VEGAS NV 89134

Submitted after final agenda

49A
50A

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

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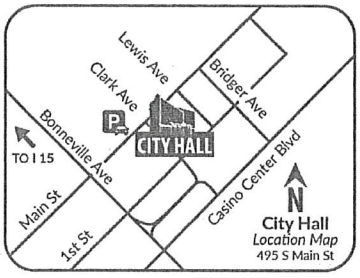


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City of Las Vegas

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JAN 14 2020
Dept of Planning
City of Las Vegas

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78088 and SUP-77686 [PRJ-77553]**
Planning Commission Meeting of **01/14/2020**

Mario is an Asset to this Community. He is such a giver to those in need

87 LRDFNP1 89106

PRJ-77553
13921610203
CHURCH BAPTIST PLEASANT GROVE
C/O K ROSS
1189 W HASSELL AVE
LAS VEGAS NV 89106-2328

21-22A

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

Submitted at Planning Commission by Joseph Abraham

Date 2/11/2020 Item 21-24

**Dear City of Las Vegas:**

I am a resident of out city in the area of the Historic Westside. I am writing to express my support for Mario's Westside Market and their attempt to make improvements to their store, increase their business and become an even more integral part of the community. They recently brought a community billboard into the parking lot and had the base wrapped in photos of out historic district and its residents, with "Historic Westside" facing the corner of Lake Mead and Martin L. King, welcoming people to our community. We are hoping to see this utilized for the good of our neighborhood. Although it is a lighted sign, it does not appear, at night, to put out any more light than that of McDonalds, Jack in the Box, or Panda Express on opposing corners,

Mario's Westside Market has consistently lent tremendous support to our community, whether through donations or volunteering their time to our organizations and youth groups, as well as employing many people from the area. It would seem that approving their new community billboard would bring increased growth and thus a better economy. Additionally, this sign will be used as a method to communicate activities and other information to the residents and others within the 89106.

Therefore, I would like to add my name to the list of people supporting Mario's request for a variance

**1.**

| | | | |
|---|---|---|---|
| DATE: | FEBRUARY 3, 2020 | NAME: | JIN KIM |
| ADDRESS: | 1408 JIMMY AVE. Las Vegas, NV 89106 | SIGNATURE: | |
| | | TELEPHONE: | 702 786-5107 |

**2.**

| | | | |
|---|---|---|---|
| DATE: | FEBRUARY 3, 2020 | NAME: | Chris Sanchez |
| ADDRESS: | 1400 Jimmy Las Vegas, NV 89106 | SIGNATURE: | |
| | | TELEPHONE: | (702) 628-3288 |

**3.**

| | | | |
|---|---|---|---|
| DATE: | FEBRUARY 3, 2020 | NAME: | L Y Davis |
| ADDRESS: | 1308 Jimmy Las Vegas, NV 89106 | SIGNATURE: | L Y DAVIS |
| | | TELEPHONE: | 7206476635 |

**4.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1304 Jimmy Ave
Las Vegas, NV 89106

NAME: Dock Hines
SIGNATURE: Dock Hines
TELEPHONE: 702 250 8790

**5.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1205 Bailey
Las Vegas, NV 89106

NAME: Gary Fore
SIGNATURE: Gary Fore
TELEPHONE: 725-200-7684

**6.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1205 Bailey
Las Vegas, NV 89106

NAME: Bryan Houghton
SIGNATURE:
TELEPHONE: 702-325-8056

**7.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1213 Bailey Dr.
Las Vegas, NV 89106

NAME: Verlean Whitley
SIGNATURE: VERLEAN WHITLEY
TELEPHONE: 702-645-9797

**8.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1944 lexington St
Las Vegas, NV 89106

NAME: Cilleli Arango
SIGNATURE:
TELEPHONE: 702-941-2382

**9.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1940 Lexington St.
Las Vegas, NV 89106

NAME: Loretta Gordon
SIGNATURE: Loretta Gordon
TELEPHONE: (702) 624-4262

**10.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1936 Lexington St.
Las Vegas, NV 89106

NAME: Thelma Lee
SIGNATURE: 702-648-4535
TELEPHONE:

**11.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1208 Jimmy Ave
Las Vegas, NV 89106

NAME: Adalberto Hernandez
SIGNATURE: (702) 793 8200
TELEPHONE:

**12.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1200 Jimmy Ave
Las Vegas, NV 89106

NAME: Fernando Benitez
SIGNATURE: [illegible]
TELEPHONE: (702) 690-8549

**13.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1116 Jimmy Ave
Las Vegas, NV 89106

NAME: 702 6483228
SIGNATURE: [illegible]
TELEPHONE:

**14.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1112 Jimmy Ave
Las Vegas, NV 89106

NAME: Jordan Alexander
SIGNATURE: Jordan Alexander
TELEPHONE: 702-475-0057

**15.**

DATE: FEBRUARY 3, 2020
ADDRESS: 1104 Jimmy Ave
Las Vegas, NV 89106

NAME:
SIGNATURE: [illegible]
TELEPHONE: Tel Var Gus

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**56**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

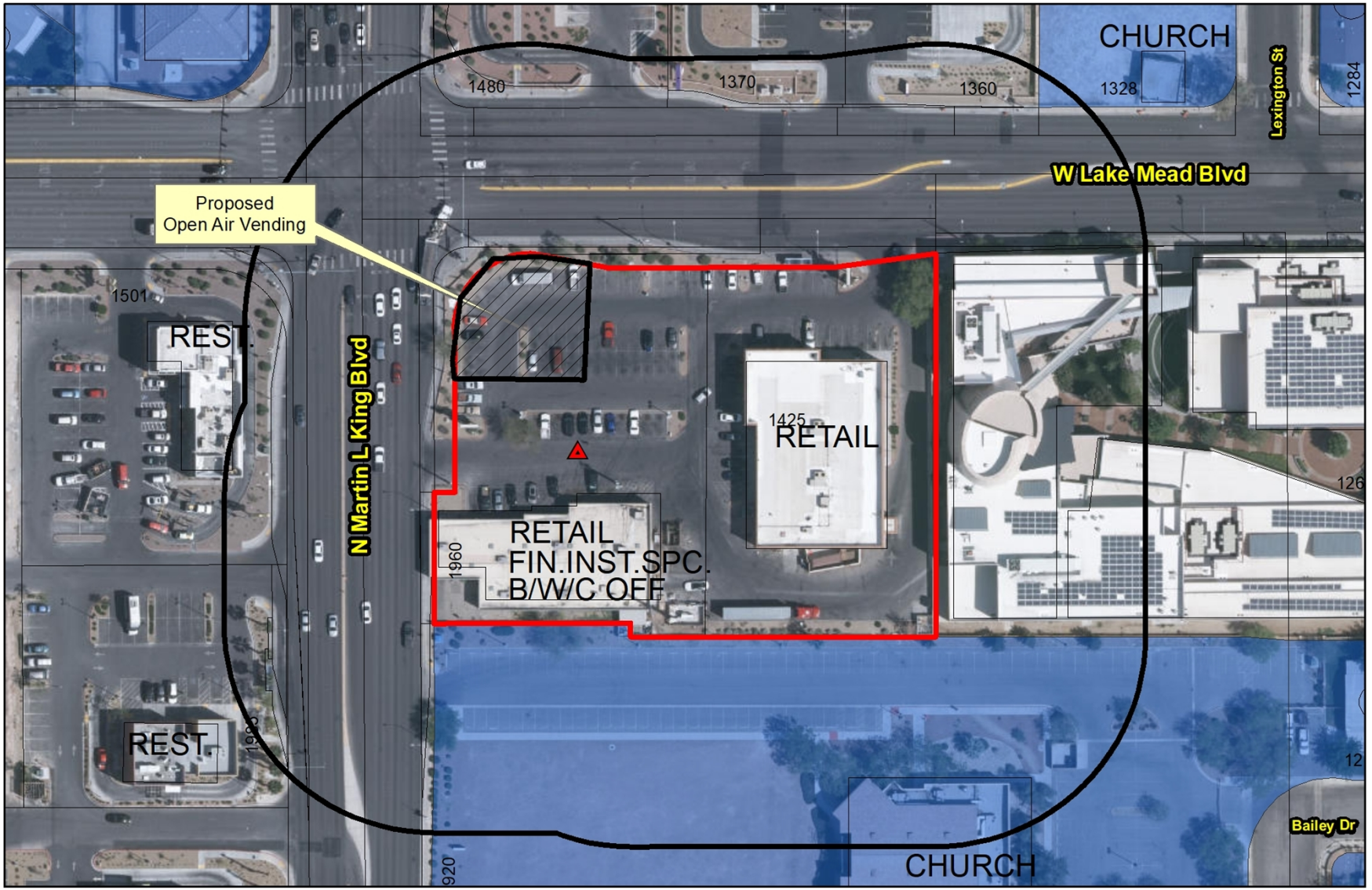
**SUBJECT:**
SUP-77686 - SPECIAL USE PERMIT RELATED TO VAR-78088 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Special Use Permit FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE on 2.11 acres at 1960 North Martin L. King Boulevard and 1425 Lake Mead Boulevard (APNs 139-21-701-009 and 010), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

**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-77686 (PRJ-77553)**

**Open Air Vending**

**Business Licenses**

- Open Air Vending Non-Conforming
- Open Air Vending Conforming to Bill 2012-37

**Protected Uses**

- Residential Property

**Entitlements**

- APPROVED
- SCHEDULED

- Subject Property
- 150ft Buffer

N

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

Date: Thursday, December 12, 2019

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) USE PERMIT / MSP UPDATE

**Project Address** (Location) 1960 N. Martin Luthor King Blvd.

**Project Name** Mario's Westside Market **Proposed Use** Outdoor addition

**Assessor's Parcel #(s)** 139-21-701-009 **Ward #** 5 - Crear

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing C-1 Proposed C-1

**Additional Information** SUP OPEN AIR VENDING AFTER 8:00PM AMENDMENT TO MSP TO INCLUDE SIGNAGE ON ACCESSORY STRUCTURE

**Property Owner** Johnson Family Trust Contact Carol and Samuel Johnson

Address 10112 Button Willow Drive City Las Vegas State NV Zip 89134

E-mail _____ Phone _____

**Applicant** Mario's Westside Market Contact Bill O'Connor

Address 1960 N. Martin L. King Blvd City Las Vegas State NV Zip 89106

E-mail Marioswestsidemarket@yahoo.com Phone (702) 499-2909

**Representative** Brown, Brown & Premsrirut Contact Lora Dreja

Address 520 South 4th Street City Las Vegas State NV Zip 89101

E-mail Lora@brownlawlv.com Phone (702) 598-1408

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Samuel M Johnson

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

**Print Name** SAMUEL M. JOHNSON

Subscribed and sworn before me

This 24th day of September, 20 19

County of Clark State of Nevada

Notary Public in and for said County and State

RICARDO SUAREZ
Notary Public, State of Nevada
Appointment No. 18-4092-1
My Appt. Expires Nov 3, 2022

PRJ-77553
10/07/19

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**57**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
MSP-77687 - MASTER SIGN PLAN RELATED TO VAR-78088 AND SUP-77686 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Major Amendment to an existing Master Sign Plan (MSP-0004-02) FOR A PROPOSED LED DISPLAY ROOF SIGN at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Support Postcard for MSP-77687 and SDR-77688 [PRJ-77553]
4. Backup Submitted for the January 14, 2020 Planning Commission Meeting

**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

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) USE PERMIT / MSP UPDATE

**Project Address** (Location) 1960 N. Martin Luthor King Blvd.

**Project Name** Mario's Westside Market **Proposed Use** Outdoor addition

**Assessor's Parcel #(s)** 139-21-701-009 **Ward #** 5 - Crear

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing C-1 Proposed C-1

**Additional Information** SUP OPEN AIR VENDING AFTER 8:00PM AMENDMENT TO MSP TO INCLUDE SIGNAGE ON ACCESSORY STRUCTURE

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**Applicant** Mario's Westside Market Contact Bill O'Connor

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E-mail Marioswestsidemarket@yahoo.com Phone (702) 499-2909

**Representative** Brown, Brown & Premsrirut Contact Lora Dreja

Address 520 South 4th Street City Las Vegas State NV Zip 89101

E-mail Lora@brownlawlv.com Phone (702) 598-1408

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
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**Property Owner Signature** Samuel M Johnson

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

**Print Name** SAMUEL M. JOHNSON

Subscribed and sworn before me

This 24th day of September, 20 19

County of Clark State of Nevada

Notary Public in and for said County and State

RICARDO SUAREZ
Notary Public, State of Nevada
Appointment No. 18-4092-1
My Appt. Expires Nov 3, 2022

PRJ-77553
10/07/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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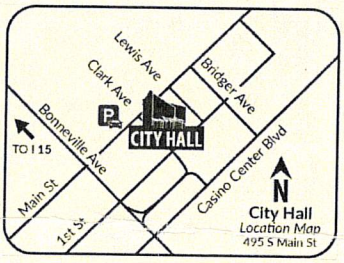


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**MSP-77687 and SDR-77688 [PRJ-77553]**
City Council Meeting of **03/18/2020**

PRJ-77553
13921610150
MAHILL L L C
8144 MADDINGLEY AVE
LAS VEGAS NV 89117-7638

143 ARDFNP1 89117

Submitted after final agenda



57-58

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

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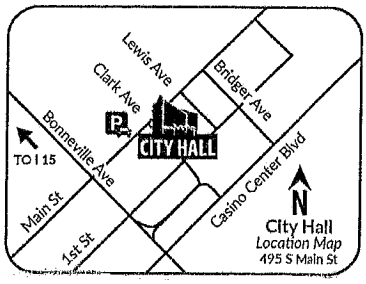


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**MSP-77687 and SDR-77688 [PRJ-77553]**
Planning Commission Meeting of **1/14/2020**

PRJ-77553
13921701009
JOHNSON FAMILY TRUST II
JOHNSON CAROL A & SAMUEL G JR TR
9112 VISTA GREENS WAY UNIT 104
LAS VEGAS NV 89134

131 LRDFNP1 89134

Submitted after final agenda



51A
52A

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

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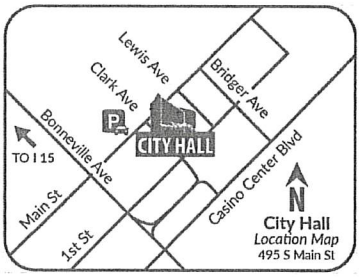


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Dept of Planning
City of Las Vegas

RECEIVED
JAN 14 2020
Dept of Planning
City of Las Vegas

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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**MSP-77687 and SDR-77688 [PRJ-77553]**
Planning Commission Meeting of **1/14/2020**

PRJ-77553
13921610128
CHURCH BAPTIST PLEASANT GROVE
1189 HASSELL AVE
LAS VEGAS NV 89106-2328

Mario is an asset to this community. He is a giver to those in need!

07 LRDFNP1 89106



23-24A

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**58**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-77688 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-78088, SUP-77686 AND MSP-77687 - PUBLIC HEARING - APPLICANT: MARIOS MARKET - OWNER: JOHNSON FAMILY TRUST II - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 250 SQUARE-FOOT RESTAURANT on 1.11 acres at 1960 North Martin L. King Boulevard (APN 139-21-701-009), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-77553]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) 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

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) USE PERMIT / MSP UPDATE

**Project Address** (Location) 1960 N. Martin Luthor King Blvd.

**Project Name** Mario's Westside Market **Proposed Use** Outdoor addition

**Assessor's Parcel #(s)** 139-21-701-009 **Ward #** 5 - Crear

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing C-1 Proposed C-1

**Additional Information** SUP OPEN AIR VENDING AFTER 8:00PM AMENDMENT TO MSP TO INCLUDE SIGNAGE ON ACCESSORY STRUCTURE

**Property Owner** Johnson Family Trust Contact Carol and Samuel Johnson

Address 10112 Button Willow Drive City Las Vegas State NV Zip 89134

E-mail _____ Phone _____

**Applicant** Mario's Westside Market Contact Bill O'Connor

Address 1960 N. Martin L. King Blvd City Las Vegas State NV Zip 89106

E-mail Marioswestsidemarket@yahoo.com Phone (702) 499-2909

**Representative** Brown, Brown & Premsrirut Contact Lora Dreja

Address 520 South 4th Street City Las Vegas State NV Zip 89101

E-mail Lora@brownlawlv.com Phone (702) 598-1408

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Samuel M Johnson

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

**Print Name** SAMUEL M. JOHNSON

Subscribed and sworn before me

This 24th day of September, 20 19

County of Clark State of Nevada

Notary Public in and for said County and State

RICARDO SUAREZ
Notary Public, State of Nevada
Appointment No. 18-4092-1
My Appt. Expires Nov 3, 2022

PRJ-77553
10/07/19

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**59**

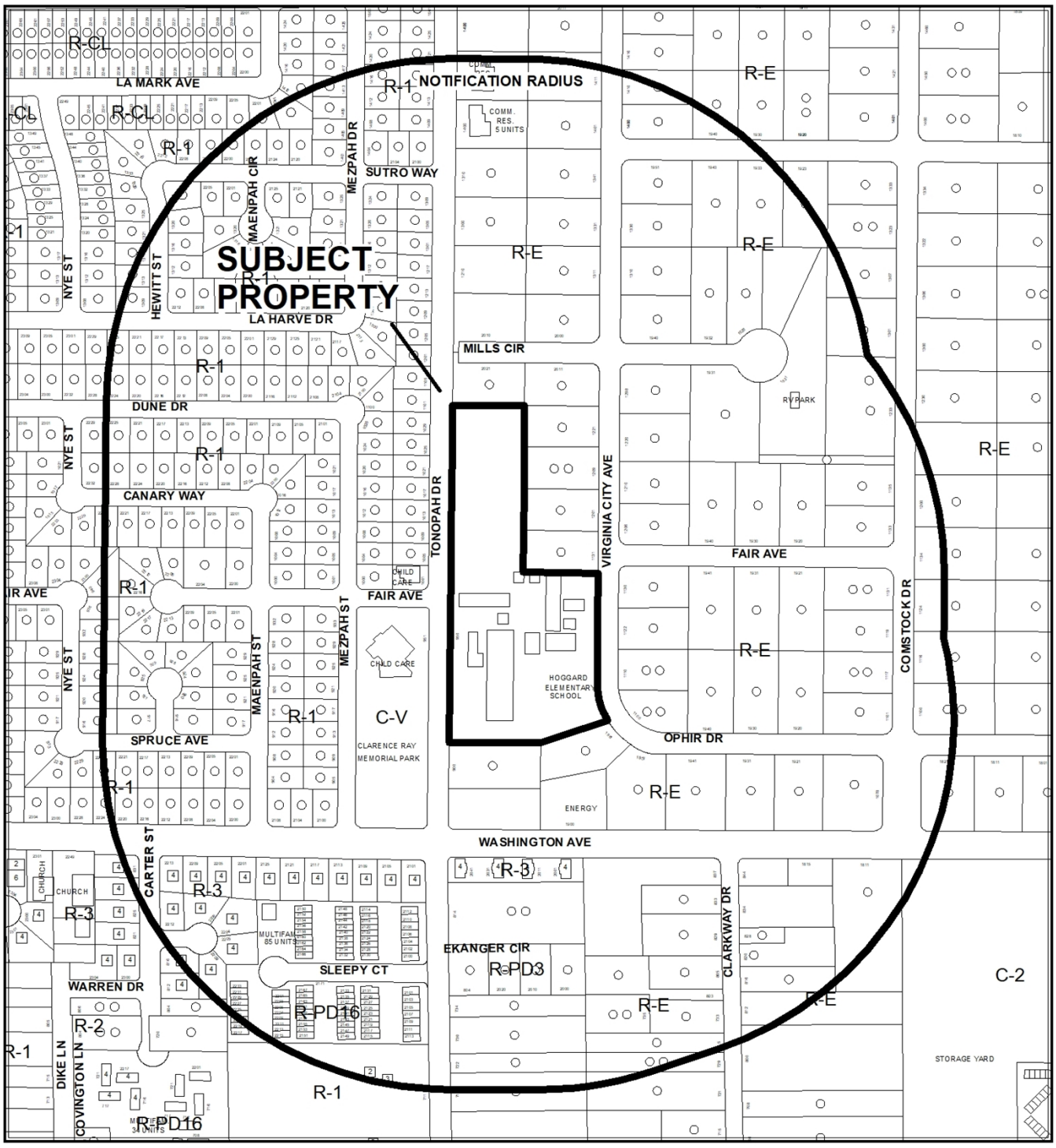
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-78137 - VARIANCE - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW NO OFFSITE IMPROVEMENTS ON VIRGINIA CITY AVENUE WHERE SUCH ARE REQUIRED on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-77865]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 9 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. City Council Action Letter - SDR-76079 [PRJ-75793]
7. Backup Submitted for the February 11, 2020 Planning Commission Meeting




0 330 660 Feet

**CASE:** **VAR-78137 (PRJ-77865)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)

N




0 330 660 Feet

**CASE:** **VAR-78137 (PRJ-77865)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-78137** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 2

**NOTICES MAILED** 436 (By City Clerk)

**PROTESTS** 9

**APPROVALS** 1



SS

**** CONDITIONS ****

# VAR-78137 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Site Development Plan Review (SDR-76079), except as amended by this Variance.

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.

***Public Works***

6. Half street improvements for Virginia City Avenue are hereby deferred provided the Clark County School District submits a Covenant Running with Land application to secure such deferred improvements, or alternatively, provides the City of Las Vegas a letter on District letterhead acknowledging the obligation and agreeing to construct such deferred improvements upon receipt of a written notification from the City that such improvements are required.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant requests a Variance to allow no half-street improvements on Virginia City Avenue where such improvements are required adjacent to an approved school at 950 North Tonopah Drive.

## ISSUES

- The approved Site Development Plan Review (SDR-76079) for the school site requires construction of all incomplete half-street improvements on Virginia City Avenue and Tonopah Drive concurrent with site development. The applicant intends to comply with the requirement for improvements on Tonopah Drive but not Virginia City Avenue.
- There are currently no sidewalks throughout the adjacent Bonanza Village development.

## ANALYSIS

In June 2019, the City Council approved a Site Development Plan Review (SDR-76079) for the redevelopment of an existing elementary school at this location. Typical for proposed developments, Condition Number 10 of this approval required all incomplete half-street improvements to be constructed on the adjacent rights-of-way concurrent with development of the site; this includes Virginia City Avenue, which currently contains no sidewalks. Virginia City Avenue contains 60 feet of public right-of-way. Approximately 28 feet is paved; the remaining area contains dirt, gravel and signage. About 14 feet remains unimproved adjacent to the school site.

Virginia City Avenue is located within the Bonanza Village development, which does not contain sidewalks on any of its streets. The applicant states that neighboring residents do not want this street to be improved consistent with the other streets in Bonanza Village. In respecting the wishes of the neighbors, the applicant requests no current or future improvements on Virginia City Avenue, which requires approval of a Variance. The Department of Public Works recommends implementation of code requirements and therefore does not support this request. There are no physical characteristics of the site or adjacent right-of-way that would prevent the applicant from meeting these requirements. Staff therefore recommends denial. If approved, a condition would allow indefinite deferral of the required improvements provided the applicant submits a Covenant Running With Land or acknowledgment of a similar obligation for future installation of the improvements at such time as the City may require them.

## FINDINGS (VAR-78137)

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 not to construct half-street improvements on Virginia City Avenue next to new development where such improvements are required. Providing these improvements 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.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 12/26/62 | The Board of City Commissioners adopted Ordinance 1014, which reaffirmed the C-V (Civic) zoning district on this property. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 05/14/98 | Department of Planning staff administratively approved a Minor Exception (ME-0006-98) to allow an eight-foot tall wall around the periphery of Bonanza Village, including all of the east property line and a portion of the north and south property lines of Mabel Hoggard Elementary School. |
| 08/13/98 | The Planning Commission approved a request for a Site Development Plan Review (SD-0027-98) for a proposed 8,748 square-foot addition to an existing 34,637 square-foot school on the east side of Tonopah Drive, north of Washington Avenue. Staff recommended approval. |
| 04/05/08 | A Code Enforcement case (CE-64192) was processed for a large tree stump next to the street along Virginia City Avenue at the back of the existing school at 950 North Tonopah Drive. The case was resolved on 04/05/08. |
| 06/19/19 | The City Council approved a request for a Variance (VAR-76077) to allow a building height of 39.33 feet where 35 is allowed, to allow a zero-foot landscape buffer along the east perimeter where 15 feet is required and to allow fewer perimeter and parking lot trees than required on 7.03 acres at 950 North Tonopah Drive. The Planning Commission recommended approval; staff recommended denial. |
| | The City Council approved a request for a Site Development Plan Review (SDR-76079) for a proposed two-story, 88,540 square-foot Primary Public School on 7.03 acres at 950 North Tonopah Drive. The Planning Commission recommended approval; staff recommended denial. |
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Variance (VAR-78137) TO ALLOW NO OFFSITE IMPROVEMENTS ON VIRGINIA CITY AVENUE WHERE SUCH ARE REQUIRED on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-77865]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/06/59 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1960 | The public school at 950 North Tonopah Drive was constructed. |

| ***Pre-Application Meeting*** | |
|---|---|
| 11/13/19 | A pre-application meeting was held with the applicant to discuss issues and submittal requirements for a Review of Condition application. Public Works indicated it would not likely support the request. A Variance was later determined to be the appropriate application type for this request. |

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

| ***Field Check*** | |
|---|---|
| 11/26/19 | There are no sidewalks adjacent to the school along Virginia City Avenue or Tonopah Drive. Chain link fencing is installed along the property lines next to these streets. A striped parking lane is located along the east side of Tonopah Drive; no lanes are striped along Virginia City Avenue. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 7.03 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Public School, Primary | PF (Public Facilities) | C-V (Civic) |
| North | Single Family, Detached | R (Rural Density Residential) | R-E (Residence Estates) |
| South | Single Family, Detached | R (Rural Density Residential) | R-E (Residence Estates) |
| East | Single Family, Detached | R (Rural Density Residential) | R-E (Residence Estates) |
| West | Public Park or Playground | PF (Public Facilities) | C-V (Civic) |
| | Government Facility | | |
| | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| West Las Vegas Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (105/140 Feet) | Y |
| C-V (Civic) District | Y* |
| RP-O (Rural Preservation Overlay) District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

*A Variance (VAR-76077) was approved to allow deviations from C-V (Civic) development standards adjacent to parcels zoned for residential uses.

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Variance

**Project Address** (Location) 950 N. Tonopah Drive, Las Vegas, NV 89106

**Project Name** Mabel W. Hoggard Elementary School **Proposed Use**

**Assessor's Parcel #(s)** 139-28-210-007 **Ward #**

**General Plan:** Existing Proposed **Zoning:** Existing C-V Proposed

**Additional Information** To waive half street improvements on Virgina City Avenue

**Property Owner** School Board of Trustees Contact Linda K. Perri

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail perrilk@nv.ccsd.net Phone (702) 799-5214

**Applicant** Clark County School District Contact Linda K. Perri

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail perrilk@nv.ccsd.net Phone (702) 799-5214

**Representative** Clark County School District - Real Property Management Contact Chris Dingell

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail dingec@nv.ccsd.net Phone (702) 799-5214 Ext. 5417

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature**

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

**Print Name** Linda K. Perri

State of Nevada
County of Clark

Subscribed and sworn before me

This 2nd day of January, 20 20

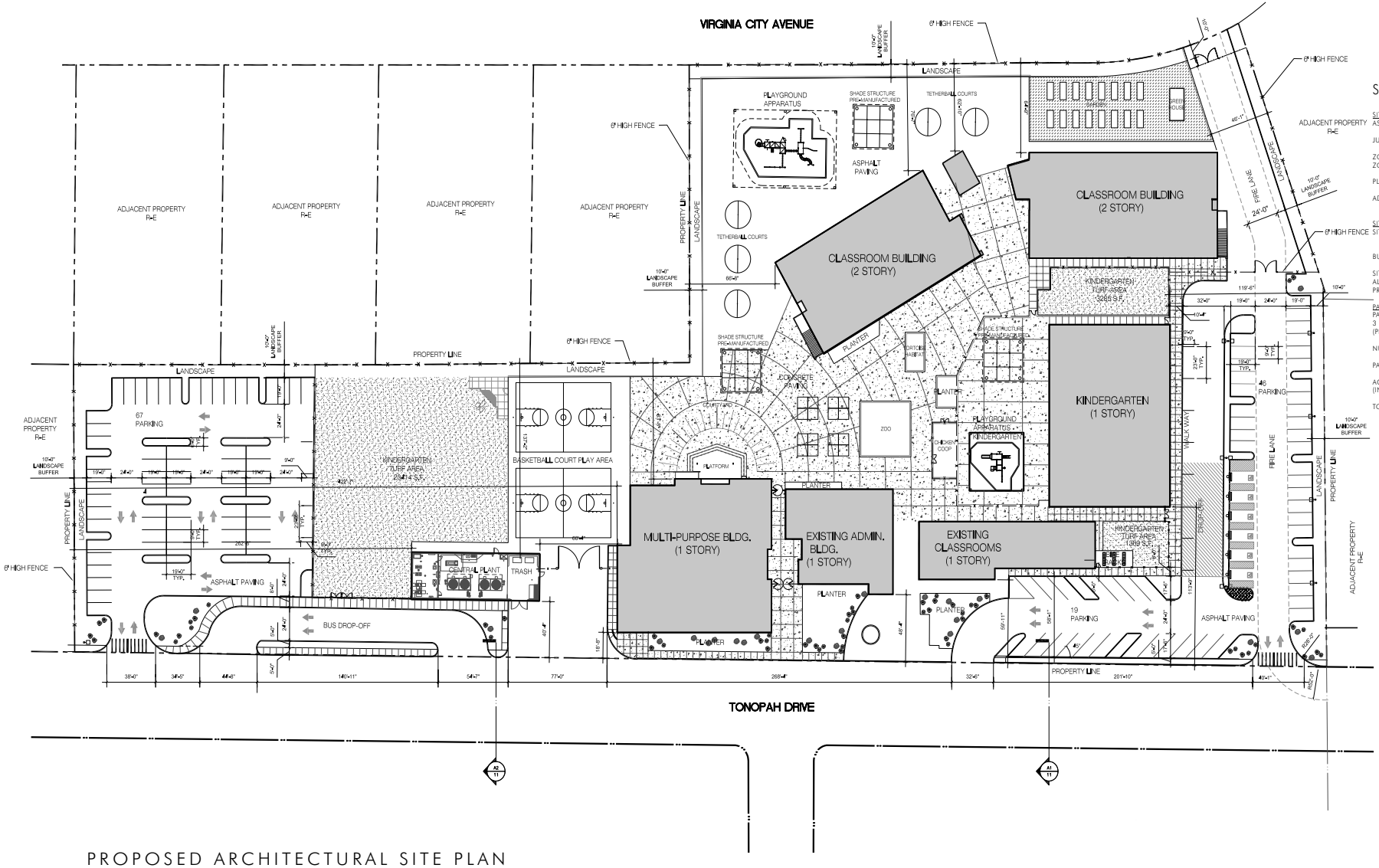
Cheryl Bace

Notary Public in and for said County and State

CHERYL BACE
Notary Public, State of Nevada
Appointment No. 17-1678-1
My Appt. Expires Feb. 15, 2021

PRJ-77865
01/02/20

CCSD
CLARK COUNTY
SCHOOL DISTRICT




## SITE DATA

| | | |
|---|---|---|
| ADJACENT PROPERTY R-E | SITE INFORMATION: | |
| | ASSESSOR'S PARCEL NUMBER: | 139-28-210-007 |
| | JURISDICTION: | CITY OF LAS VEGAS |
| | ZONING - EXISTING: | C-V |
| | ZONING - PROPOSED: | C-V |
| | PLANNED USE: | E - EDUCATION |
| | ADDRESS: | 950 N. TONOPAH DRIVE, LAS VEGAS, NV 89106 |
| | SITE TABULATION: | |
| | SITE AREA: | 7.03 ACRES 306,226.8 SF |
| | BUILDING FOOTPRINT SF: | 62,030 SF |
| | SITE COVERAGE | |
| | ALLOWED: | 50% |
| | PROVIDED: | 20% |
| | PARKING TABULATION: | |
| | PARKING REQUIRED: 3 PARKING STALLS PER CLASSROOM (PER TITLE 19 CLV 19.12.070) | 129 |
| | NUMBER OF CLASSROOMS | 43 |
| | PARKING PROVIDED STANDARD STALL: | 126 |
| | ACCESSIBLE PARKING: (INCLUDING 1 VAN ACCESSIBLE) | 6 |
| | TOTAL PARKING PROVIDED: | 132 |

PROPOSED ARCHITECTURAL SITE PLAN

0 30' 60' 120' NORTH

# MABEL HOGGARD ELEMENTARY SCHOOL REPLACEMENT
## CLARK COUNTY SCHOOL DISTRICT
ZONING PACKAGE

DATE: 03.04.2019 SHEET: 1 OF 13 SH PROJECT NO.: 180111



PRJ-77865
11/21/19

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




**VAR-78137 [PRJ-77865] - VARIANCE - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES**
**950 NORTH TONOPAH DRIVE**

11/26/2019




**VAR-78137 [PRJ-77865] - VARIANCE - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES**
**950 NORTH TONOPAH DRIVE**

11/26/2019



**VAR-78137 [PRJ-77865] - VARIANCE - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES**
**950 NORTH TONOPAH DRIVE**

11/26/2019

OPERATIONAL SERVICES UNIT, *Facilities Division*

1180 Military Tribute Place • Henderson, NV 89074 • (702) 799-0591 • FAX (702) 799-8745

CCSD
CLARK COUNTY
SCHOOL DISTRICT

BOARD OF SCHOOL TRUSTEES

Lola Brooks, President
Linda P. Cavazos, Vice President
Chris Garvey, Clerk
Irene A. Cepeda, Member
Danielle Ford, Member
Deanna L. Wright, Member
Dr. Linda E. Young, Member

Jesus F. Jara Ed.D., Superintendent

November 19, 2019

Robert Summerfield, Planning Director, AICP
City of Las Vegas Planning Department
Development Services Center
333 N. Rancho Boulevard, 3rd Floor
Las Vegas, Nevada 89106

Re: Justification Letter for Review of Condition

Dear Mr. Summerfield:

Pursuant to Title 19, Section 19.16.240 of the City of Las Vegas Unified Development Code, the Clark County School District (District) respectfully requests a review of condition.

A Site Development Plan Review (SDR-76079) for the replacement of Mabel Hoggard Elementary School was approved by the City Council on June 20, 2019. Public Works condition #10 states, *"Construct all incomplete half street improvements on Tonopah Drive and Virginia City Avenue meeting current City Standards adjacent to this site concurrent with the development of this site..."* At the time the District conducted its neighborhood meeting on May 2, 2019, the residents residing on Virginia City Avenue stated they would prefer the street to remain unimproved, to coincide with the other streets in the development. In order to support the wishes of the residents, the District is requesting a waiver of the half-street improvements on Virginia City Avenue. The District will comply with the remainder of the condition to improve Tonopah Drive.

The District would appreciate your consideration of a recommendation of approval. Please contact Chris Dingell at 702-799-5214 x5417 if you should have any questions or require additional information.

Cordially,

Linda Perri, Director
CCSD Real Property Management

Cc: Alan Imperial, CCSD Construction Project Manager
Mark McGinty, SH Architecture

PRJ-77865
11/21/19



*Main Office*: 5100 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89146 • TELEPHONE (702) 799-CCSD (2273)

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR
WARD 2 *(Vacant)*

SCOTT D. ADAMS
*City Manager*

DEPARTMENT OF PLANNING

**ROBERT SUMMERFIELD**
DIRECTOR

**DEVELOPMENT SERVICES CENTER**

333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106

702.229.6301 | VOICE
702.474.7463 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

June 20, 2019

Ms. Linda K. Perri
School Board of Trustees
1180 Military Tribute Place
Henderson, Nevada 89074

***RE: SDR-76079 [PRJ-75793] - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76077***
***CITY COUNCIL MEETING OF JUNE 19, 2019***

Dear Ms. Perri:

The City Council at a regular meeting held on June 19, 2019 voted to ***APPROVE*** a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 88,540 SQUARE-FOOT PRIMARY PUBLIC SCHOOL DEVELOPMENT on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75793].

This approval is subject to the following conditions:

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76077) shall be required, if approved.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/18/19, except as amended by conditions herein.

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

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

PRJ-77865
11/21/19

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

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

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

***Public Works***

9. Appropriate Mapping action(s), if required, shall record prior to the approval of off-site construction drawings for this site.

10. Construct all incomplete half street improvements on Tonopah Drive and Virginia City Avenue meeting 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.

11. The school shall send all wastewater to the 8-inch public sewer in Virginia City Avenue and abandon the private sewer connection to the private sewer manhole near the south property line.

12. Design and construct an off-site relief sewer in Martin Luther King Boulevard from Fair Avenue to Owens Avenue, at a depth and location acceptable to the Sanitary Sewer Planning Section of the Department of Public Works. Meet with Sanitary Sewer Planning to discuss reimbursement for constructing an oversized sewer in Martin Luther King Boulevard.

13. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

PRJ-77865
11/21/19

14. A Traffic Impact Analysis or other information acceptable to the City Traffic Engineer must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Comply with the recommendation of the City Traffic Engineer.

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

The Notice of Final Action was filed with the Las Vegas City Clerk on June 20, 2019.

Sincerely,

Robert Summerfield, AICP
Director
Department of Planning

RTS:PL:clb

cc: Ms. Linda K. Perri
Clark County School District
1180 Military Tribute Place
Henderson, Nevada 89074

Ms. Diana Salazar
Clark County School District
Real Property Management
1180 Military Tribute Place
Henderson, Nevada 89074

PRJ-77865
11/21/19

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

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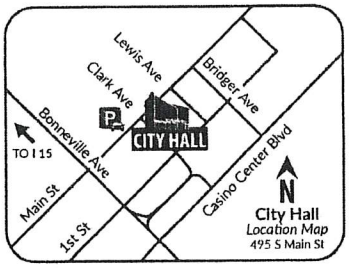


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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928301009
D F A L L C
1401 MINERAL AVE
LAS VEGAS NV 89106

87 LRDFNP1 89106

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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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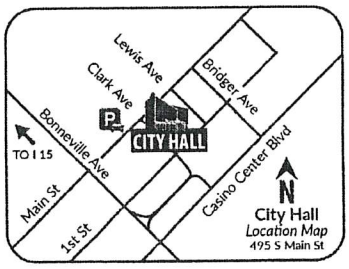


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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

87 LRDPNP1 89106

31P

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Development Services Center
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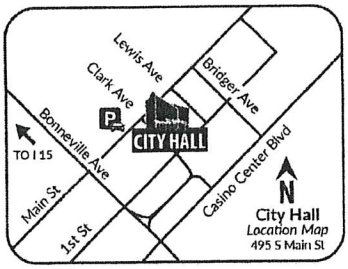


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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

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PRJ-77865
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D F A L L C
1401 MINERAL AVE
LAS VEGAS NV 89106-4342

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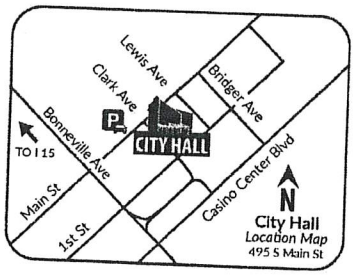


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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928302012
D F A L L C
1401 MINERAL AVE
LAS VEGAS NV 89106-4342

87 LRDFNP1 89106

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Department of Planning
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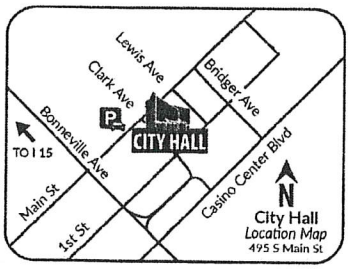


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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**

Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928302014
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1401 MINERAL AVE
LAS VEGAS NV 89106-4342

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

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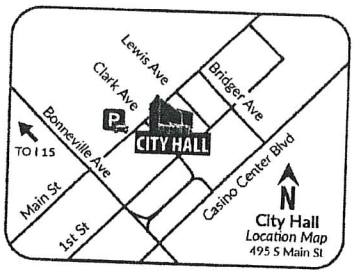


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☐ I SUPPORT this Request

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**VAR-78137 [PRJ-77865]**

Planning Commission Meeting of **2/11/2020**

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LAS VEGAS NV 89106-4342

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Development Services Center
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Las Vegas, Nevada 89106

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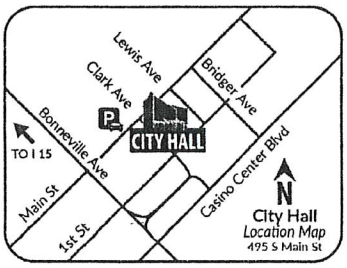


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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928302032
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1401 MINERAL AVE
LAS VEGAS NV 89106-4342

87 LADFNP1 89106

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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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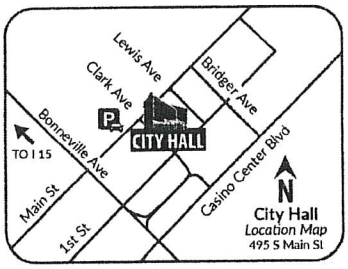


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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928302034
D F A L L C
1401 MINERAL AVE
LAS VEGAS NV 89106-4342

87 LRDFNP1 89106

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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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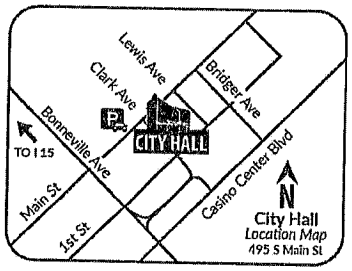


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**

Planning Commission Meeting of **2/11/2020**

LAS VEGAS NV 890

05 FEB 2020 PM 3 L




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From:
PRJ-77865
13928210001
RAY JOHN S
PO BOX 26095
LAS VEGAS NV 89126

TO:
✓
TO: Dept PLANNING
Dev. Services
333 NO. RANCHO DR 3RD Floor
LAS VEGAS NV. 89106

Submitted after final agenda

31P

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

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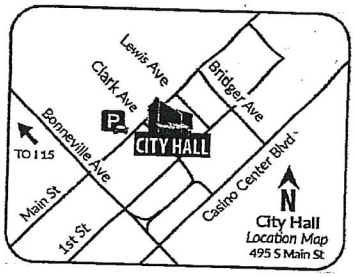


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**VAR-78137 [PRJ-77865]**

Planning Commission Meeting of **2/11/2020**

PRJ-77865
13929514089
~~GLOVER ADA LIVING TRUST~~
GLOVER ADA TRS
1404 MEZPAH DR
LAS VEGAS NV 89106-1936

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City of Las Vegas

87 LRDFNP1 89106

Submitted after final agenda 31A

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Las Vegas, Nevada 89106

APN 139-28-210-007

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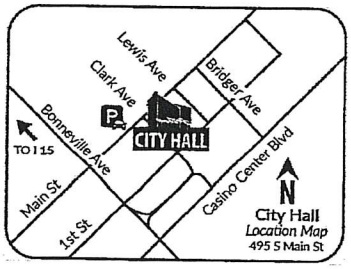


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City of Las Vegas

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-78137 [PRJ-77865]**
Planning Commission Meeting of **2/11/2020**

PRJ-77865
13928210003
ROBINSON ROBERT L
1221 VIRGINIA CITY AVE
LAS VEGAS NV 89106-2047

97 LRDFNP1 89106

Submitted after final agenda

31A
Pg 1 of 3

1221 Virginia City Ave.
Las Vegas, NV 89106
February 10, 2020

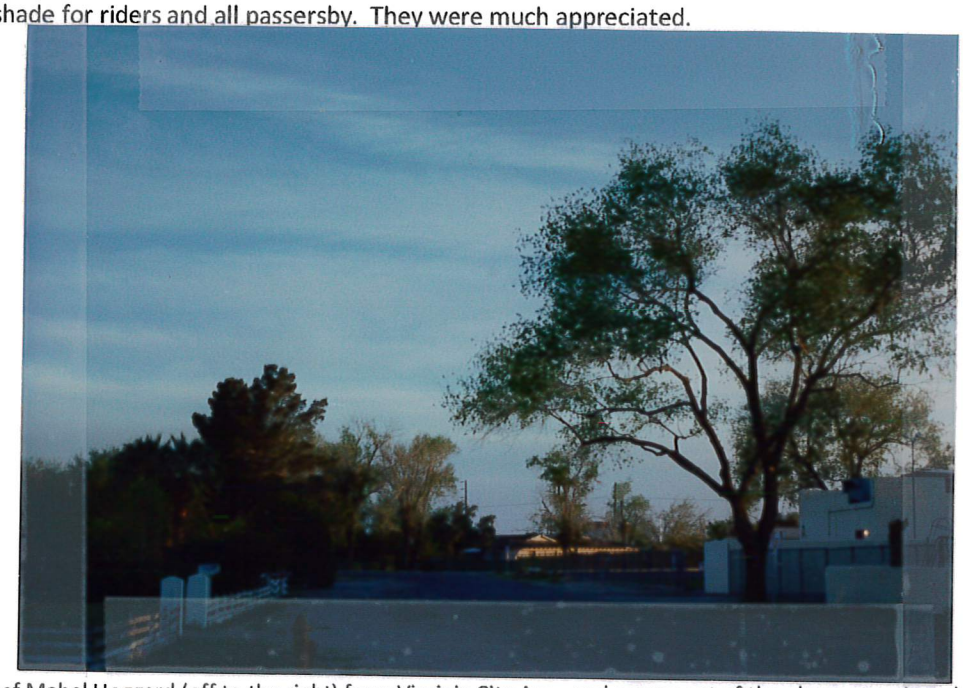
City of Las Vegas
Department of Planning
Development Services Center
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Dear City Planners:

Greetings.

I would like to voice my support of the Clark County School District's request not to perform any "Offsite Improvements" on Virginia City Ave. (VAR-78137, PRJ-77865). I assume the "Offsite Improvements" would involve adding drainages/ curbs and gutters, light posts, and/or sidewalks in the right-of-way on Virginia City Ave. behind Mabel Hoggard Elementary School.

Even though the elementary school is zoned C-V, it has been our neighborhood school, tucked within the residence estates since their beginning, accepting and reflecting the rural environment of Bonanza Village. (Please see attachment). The undeveloped right-of-ways have long-served as bridle paths for the horse-owners in the neighborhood. For decades, the school and neighbors maintained large elm trees in the bridle paths which provided shade for riders and all passersby. They were much appreciated.



A rear view of Mabel Hoggard (off to the right) from Virginia City Ave., and a remnant of the above-mentioned elms, mid-1990s

I think we should support the school's interest in keeping Virginia City Ave. an R-E neighborhood street.

Thank you for the opportunity to weigh in on this matter.

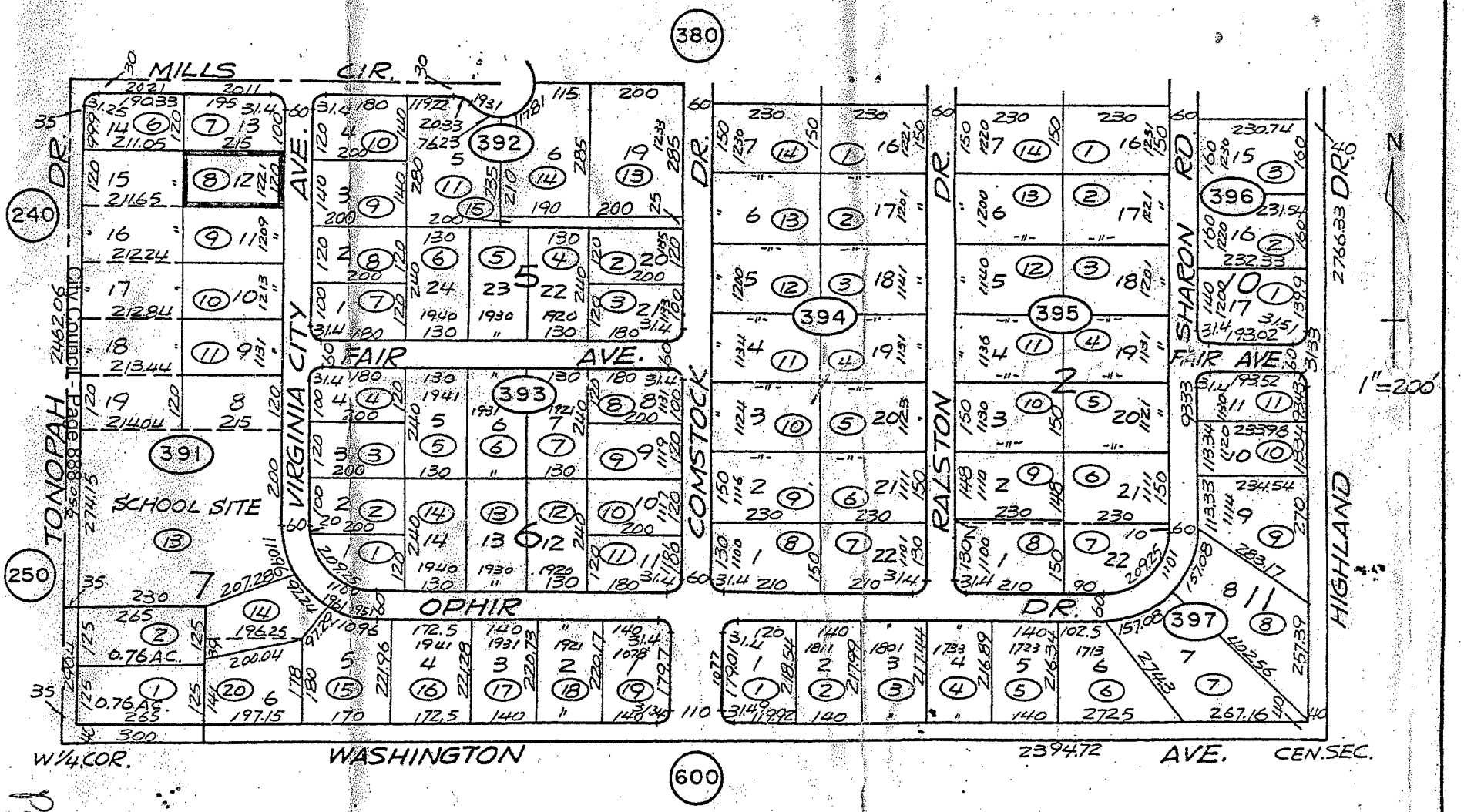
Sincerely,

The Robinsons

# BONANZA VILLAGE TRACT

PT. NW4 SEC.28 T-20S R-61E

010-390




LVC-200

MASTER APPRAISALS

Pg 3 of 3

31

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**60**

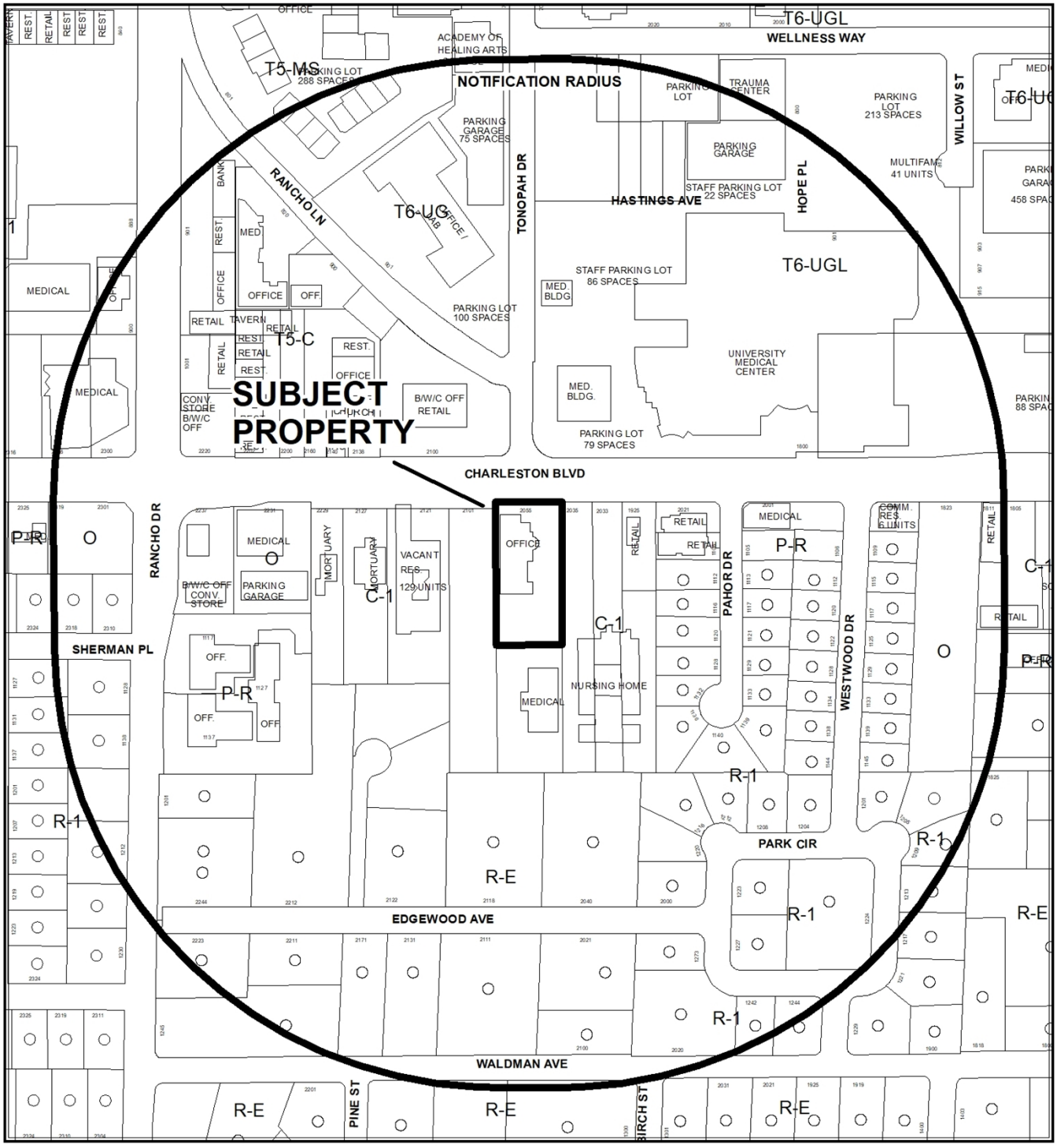
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-78142 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ERIC H. WOODS - For possible action on a request for a Variance TO ALLOW A 28-FOOT TALL FREESTANDING SIGN WHERE 20 FEET IS THE MAXIMUM ALLOWED, A 298 SQUARE-FOOT SIGN AREA WHERE 100 SQUARE FEET IS THE MAXIMUM ALLOWED AND A 140-FOOT SEPARATION FROM AN EXISTING RESIDENTIAL PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED FREESTANDING SIGN WITH VISIBLE INTERNAL AND EXTERNAL ILLUMINATION AND TO ALLOW AN ELECTRONIC MESSAGE UNIT WHERE SUCH IS PROHIBITED on 1.10 acres at 2055 West Charleston Boulevard (APN 162-04-116-001), C-D (Designed Commercial) Zone, Ward 1 (Knudsen) [PRJ-78122]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 4 | Planning Commission Mtg. | 0 |
| City Council Meeting | 5 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Protest Postcards
7. Backup Submitted for the February 11, 2020 Planning Commission Meeting



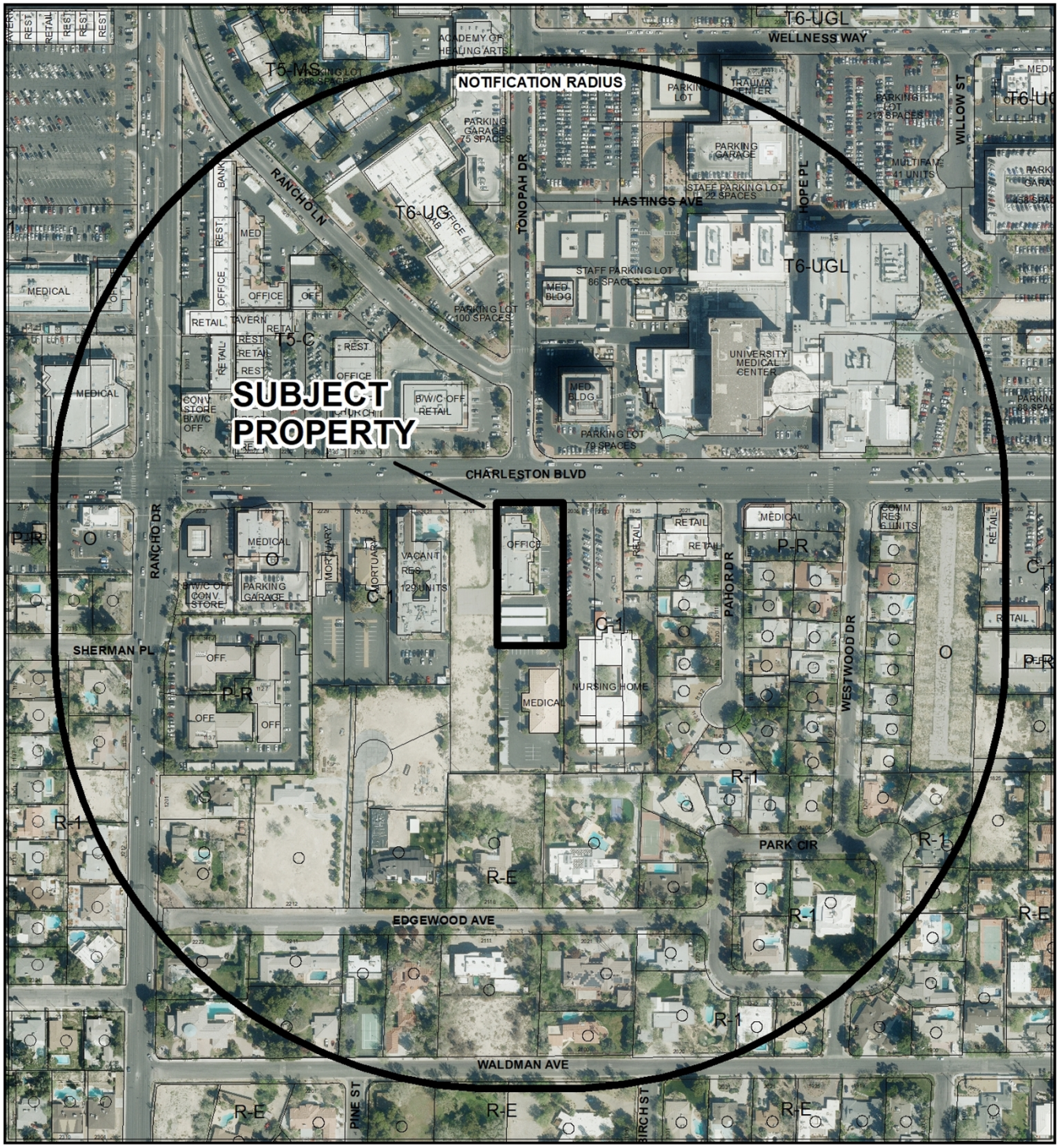

**CASE:** **VAR-78142 (PRJ-78122)**

0 260 520 Feet

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** C-D (DESIGNED COMMERCIAL)

N




**CASE:** **VAR-78142 (PRJ-78122)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** C-D (DESIGNED COMMERCIAL)

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: ERIC H. WOODS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-78142** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 25

**NOTICES MAILED** 140 (By City Clerk)

**PROTESTS** 4

**APPROVALS** 0



JB

**** CONDITIONS ****

# VAR-78142 CONDITIONS

***Planning***

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant has requested a Variance to allow for the relocation of an existing Freestanding Sign at an existing Office development at 2055 West Charleston Boulevard. Proposed changes to the sign are not in conformance with Title 19 sign standards, prompting the Variance request.

## ISSUES

- A Variance is required to allow a 28-foot tall freestanding sign where 20 feet is the maximum allowed. Staff does not support this request.
- A Variance is required to allow a 298 square-foot sign area where 100 square feet is the maximum allowed. Staff does not support this request.
- A Variance is required to allow a 140-foot separation from an existing residential property where 200 feet is the minimum required for a proposed freestanding sign with visible internal and external illumination and an electronic message unit. Staff does not support this request.
- A Variance is required to allow an electronic message unit where such is prohibited. Staff does not support this request.

## ANALYSIS

The subject site is zoned C-D (Designed Commercial) and is currently utilized as a Office commercial development. Currently, the subject site has one freestanding sign located along the Charleston Boulevard street frontage. On October 2nd, 1996 the City Council approved a request to allow a 40-foot tall, 280 square-foot On-Premise Advertising Ground Sign where 12 feet and 48 square feet are the maximum height and area allowed on the subject site.

The applicant has proposed to relocate the existing freestanding sign and replace it with a new 28-foot tall, 298 square-foot freestanding sign which will be placed on the northeastern perimeter of the subject site. The relocated sign as proposed must comply with current Title 19.08.120(F)(16) freestanding sign development standards.

As proposed, the subject sign does not comply with current Title 19.08.120(F)(16) freestanding sign development standards pertaining to maximum area, residential protection standards and permitted illumination. The proposed freestanding sign will provide approximately 298 square feet in signage area, where 100 square feet is the maximum allowed. The proposed 28-foot overall height of the new freestanding sign exceeds Title 19.08.120 development standards, which indicates 20 feet as the maximum allowable height. The proposed freestanding sign proposes to utilize internal and external illumination which will be located 140 feet away from an R-E (Residence Estates) residentially zoned property located on the western perimeter of the subject site where 200 feet is required. In addition, the applicant has proposed to utilize an electronic message unit on a portion of the sign, which will be visible from the R-E (Residence Estates) residentially zoned property located on the western perimeter of the subject site were such is prohibited.

Staff notes that there is currently a City of Las Vegas Capital Improvement Project (CIP-53512) scheduled to start construction in Quarter 1 of 2021, which will provide streetscape improvements to Charleston Boulevard between Martin L King Boulevard and Rancho Drive. The streetscape improvements will slightly widen Charleston Boulevard, which will require the relocation of multiple monument and freestanding signs located adjacent to Charleston Boulevard. Since the City has initiated the proposed streetscape improvements, signs that are impacted by the street widening project can relocate to a new location on their subject property via building permit if they remain in their current condition with internal illumination. However, the applicant has proposed to modify the existing freestanding sign by adding a new electronic message unit. Since the sign will be modified from its current internal illumination by adding the electronic message unit, it must be treated as a new sign and held subject to all current Title 19.08.120 freestanding sign development standards.

However, no evidence of a unique or extraordinary circumstance has been presented to support the applicant's request to deviate from Title 19.08.120 development standards for the C-D (Designed Commercial) zoning district pertaining to freestanding sign height, sign area, illumination adjacent to residentially zoned property and electronic sign installation. Staff has determined that the proposed signage is inconsistent with the Title 19.08.120 development standards; therefore, staff recommends denial of this project.

## FINDINGS (VAR-78142)

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 requesting to install signage that does not comply with Title 19.08.120 development standards for the C-D (Designed Commercial) zoning district pertaining to freestanding sign height, sign area, illumination adjacent to residentially zoned property and electronic sign installation. Staff notes that since the City has initiated the proposed streetscape improvements on Charleston Boulevard in the area, signs that are impacted by the street widening project can relocate to a new location on their subject property via building permit if they remain in their current configuration. However, the applicant has proposed to modify the existing freestanding sign by adding a new electronic message unit. Since the sign will be modified from its current condition, it must be treated as a new sign and held subject to all current Title 19.08.120 freestanding sign development standards. Alternative design 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.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 04/06/94 | The City Council approved a request for a Rezoning (Z-0140-93) from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed Medical and Professional Office at 2047 West Charleston Boulevard. This request was amended from C-1 (Limited Commercial) to C-D (Designed Commercial) zoning district. The Planning Commission recommended denial of the request. |
| 09/18/96 | The City Council approved a request for a Plot Plan Review and Building Elevation Review [Z-0140-93(2)] for a proposed 8,718 square-foot Medical Office building at 2047 West Charleston Boulevard. The Planning Commission recommended denial of the request. |
| 10/02/96 | The City Council approved a request for a Variance (V-0085-96) to allow a 40-foot high, 280 square foot On-Premise Advertising Ground Sign where a 12 feet and 48 square feet are the maximum height and area allowed at 2047 West Charleston Boulevard. A condition was added which indicated the sign shall not exceed 25 feet in height. The Board of Zoning Adjustment recommended approval of the request. |
| 11/10/97 | The City Council denied a request for a Plot Plan Review and Building Elevation Review [Z-0140-93(3)] for a proposed 16,200 square-foot, two-story Office building at 2047 West Charleston Boulevard. The request included a review of condition that limits the building height to a maximum height of one-story. The Planning Commission recommended denial of the request. |
| 02/28/11 | A Code Enforcement case (#98381) was processed for graffiti on block walls and building at 2055 West Charleston Boulevard. The case was resolved on 03/01/11. |
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Variance (VAR-78142) TO ALLOW A 28-FOOT TALL FREESTANDING SIGN WHERE 20 FEET IS THE MAXIMUM ALLOWED, A 298 SQUARE-FOOT SIGN AREA WHERE 100 SQUARE FEET IS THE MAXIMUM ALLOWED AND A 140-FOOT SEPARATION FROM AN EXISTING RESIDENTIAL PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED FREESTANDING SIGN WITH VISIBLE INTERNAL AND EXTERNAL ILLUMINATION AND TO ALLOW AN ELECTRONIC MESSAGE UNIT WHERE SUCH IS PROHIBITED on 1.10 acres at 2055 West Charleston Boulevard (APN 162-04-116-001), C-D (Designed Commercial) Zone, Ward 1 (Knudsen) [PRJ-78122]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/13/97 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/01/99 | A business license (P50-01362) was issued for a Law Firm (Law Offices of Eric H. Wood) at 2055 West Charleston Boulevard, Suite A. The license is still active. |
| 07/26/01 | A business license (P50-00194) was issued for Professional Services (Nevada Behavioral Health) at 2055 West Charleston Boulevard, Suite B. The license was marked inactive on 11/10/15. |
| 03/11/05 | A business license (P50-01841) was issued for a Law Firm (Mark L. Zalaoras) at 2055 West Charleston Boulevard, Suite A. The license is still active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/19/19 | A pre-application meeting with the applicant was held where elements of submitting a Variance for a proposed freestanding sign for an existing Office use. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | During a routine site inspection staff observed a well maintained commercial development free of trash and debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.10 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Office | O (Office) | C-D (Designed Commercial) |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| North | Hospital | FBC (Form Based Code) | T-6 UGL (Transect Six) |
| | General Retail | FBC (Form Based Code) | T-5 C (Transect Five) |
| South | Medical Office | O (Office) | C-D (Designed Commercial) |
| East | Convalescent Care Facility | O (Office) | C-1 (Limited Commercial) |
| West | Undeveloped | O (Office) | R-E (Residence Estates) |

| *Master and Neighborhood Plan Areas* | *Compliance* |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District – 200 feet | Y |
| CD-O (Designed Commercial Overlay) District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Charleston Boulevard | Primary Arterial | Master Plan of Street & Highways | 100 | Y |

***Pursuant to Title 19.08.120(F)(16) Sign Development Standards***

| ***Freestanding Sign*** | | | |
|---|---|---|---|
| ***Standards*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Maximum Number | 1 sign per street frontage, provided that no more than one sign shall be allowed on lots 43,000 square feet or less in area (Subject Site is 47,916 Square feet – One Sign Allowed) | 1 Proposed Freestanding Sign | Y |
| Maximum Area | 75 square feet, if the sign does not exceed 16 feet in height<br>100 square feet, if the sign does not exceed 20 feet in height | 298 square feet | N* |
| Maximum Height | 20 Feet | 28 Feet | N* |
| Minimum Setback | 5 feet from all property lines | 15 Feet | Y |
| Additional Standards - Title 19.08.120 - Residential Protection Standards | 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; | Not applicable, the proposed Freestanding Sign is located 140 feet from the existing property to the west which is planned or zoned for residential use | Y |

| ***Freestanding Sign*** | | | |
|---|---|---|---|
| ***Standards*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Additional Standards - Title 19.08.120 - Residential Protection Standards | 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 an electronic message unit; and | Internal and external electronic message unit illumination, 140 feet from a property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. | N* |
| | Direct lighting fixtures for such signs shall be aimed up and/or away from the property planned or zoned for residential use. | To allow lighting to be aimed toward the existing property to the west which is planned or zoned for residential use | N* |
| | 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. | To allow an external electronic message unit illumination, 140 feet from a property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. | N* |

| ***Freestanding Sign*** | | | |
|---|---|---|---|
| ***Standards*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Illumination | Internal and external illumination of freestanding signs is permitted except on a sign elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use | Internal and external illumination, 140 feet from a property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. | N* |

* The applicant has requested a Variance (VAR-78142) to allow a 28-foot tall freestanding sign where 20 feet is the maximum allowed, to allow a 298 square-foot sign area where 100 square feet is the maximum allowed and to allow a 140-foot separation from an existing residential property where 200 feet is the minimum required for a proposed freestanding sign with visible internal and external illumination and to allow an electronic reader board where such is prohibited.

# DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

**Project Address** (Location) 2055 W. Charleston Blvd.

**Project Name** Eric Woods Law Offices **Proposed Use** _____

**Assessor's Parcel #(s)** 162-04-116-001 **Ward #** 1

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** Variance to allow a 140 ft separation from an existing residential property where 200 ft is the minimum required for a proposed freestanding sign with an electronic message unit.

**Property Owner** Woods Eric H **Contact** Eric Woods
Address 2055 W. Charleston Blvd City LV State NV Zip 89102
E-mail eric114@cox.net Phone 702-737-0000

**Applicant** Eric Woods **Contact** Eric Woods
Address 2055 W. Charleston Blvd City LV State NV Zip 89102
E-mail eric114@cox.net Phone 702-737-0000

**Representative** YESCO LLC **Contact** Michael LeBlue
Address 5119 S. Cameron St. City Las Vegas State NV Zip 89118
E-mail mleblue@gmail.com Phone 702-348-7414

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

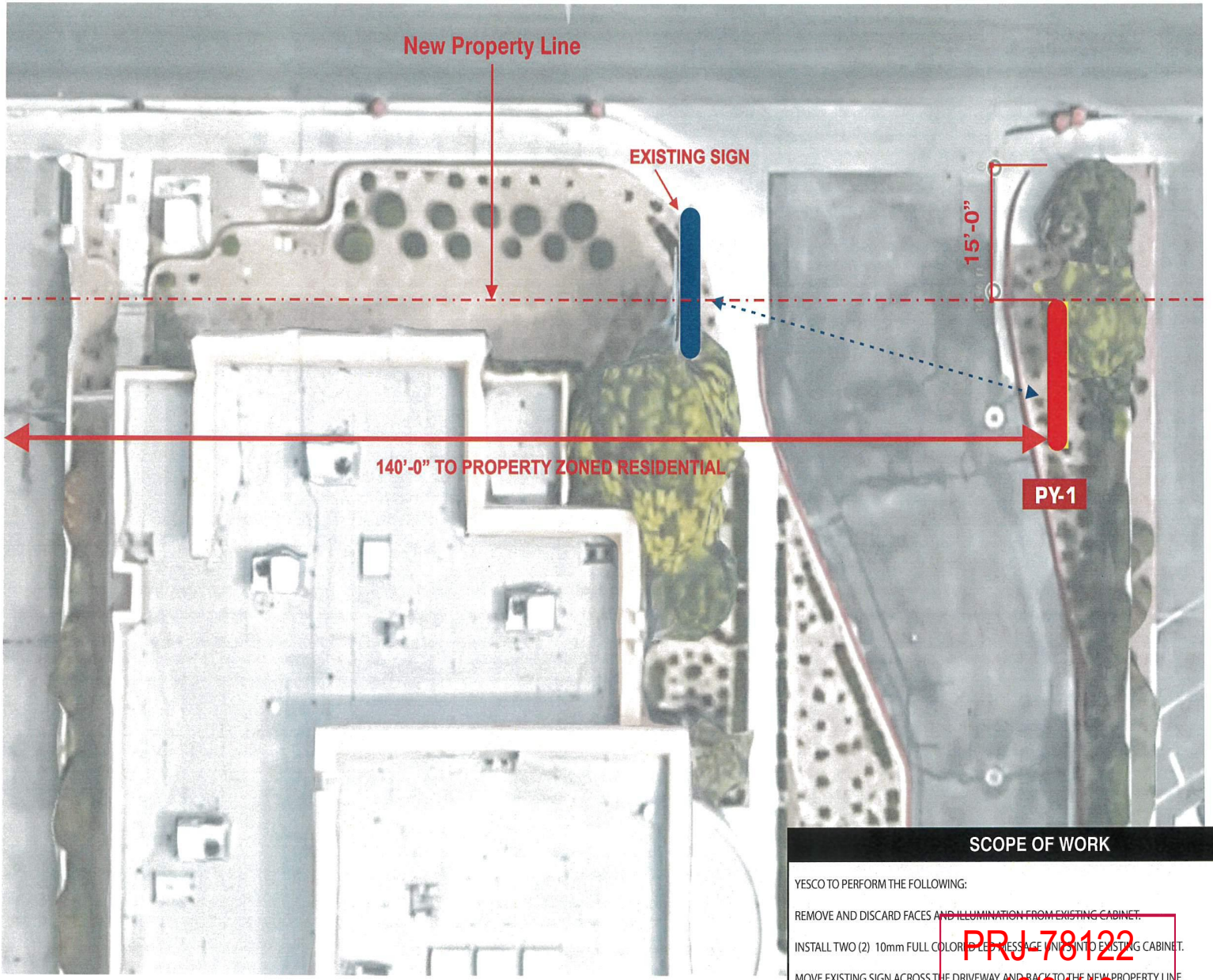
**Property Owner Signature** E Woods
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

**Print Name** ERIC WOODS

Subscribed and sworn before me
This 20th day of December, 20 19
Cynthia Chavez
Notary Public in and for said County and State

CYNTHIA CHAVEZ
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 02-77508-1
MY APPT. EXPIRES SEPTEMBER 16, 2022

PRJ-78122
12/24/19




## SCOPE OF WORK

YESCO TO PERFORM THE FOLLOWING:

REMOVE AND DISCARD FACES AND ILLUMINATION FROM EXISTING CABINET.

INSTALL TWO (2) 10mm FULL COLOR LED MESSAGE UNITS INTO EXISTING CABINET.

MOVE EXISTING SIGN ACROSS THE DRIVEWAY AND BACK TO THE NEW PROPERTY LINE.

NEW PROPERTY LINE IS 15' SOUTH OF THE OLD PROPERTY LINE.

NEW FOOTING AND PIPE WILL BE NEEDED.

PRJ-78122
12/24/19

QTY = ONE (1) REQ'D

**SP-1** SITE PLAN
SCALE: NTS



YESCO LLC
LAS VEGAS DIVISION
5419 SEGAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE: #0074209, #0074290 & #0075739

YESCO

Client Name & Address:
LAW OFFICES OF ERIC WOODS
2055 W CHARLESTON BLVD STE A
LAS VEGAS NV 89102

OPPORTUNITY NUMBER
26213

Project Name:
EXISTING SIGN RELOCATION

Account Executive:
SCOTT HILL

Designer:
STEPHEN SHORTELL

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer
08/29/19 - SS
R1 12/02/19 - SS

Description:

Classification:
SP-1

Reference Design:

O.E.M Serial:
000000

Sheet:
1.0

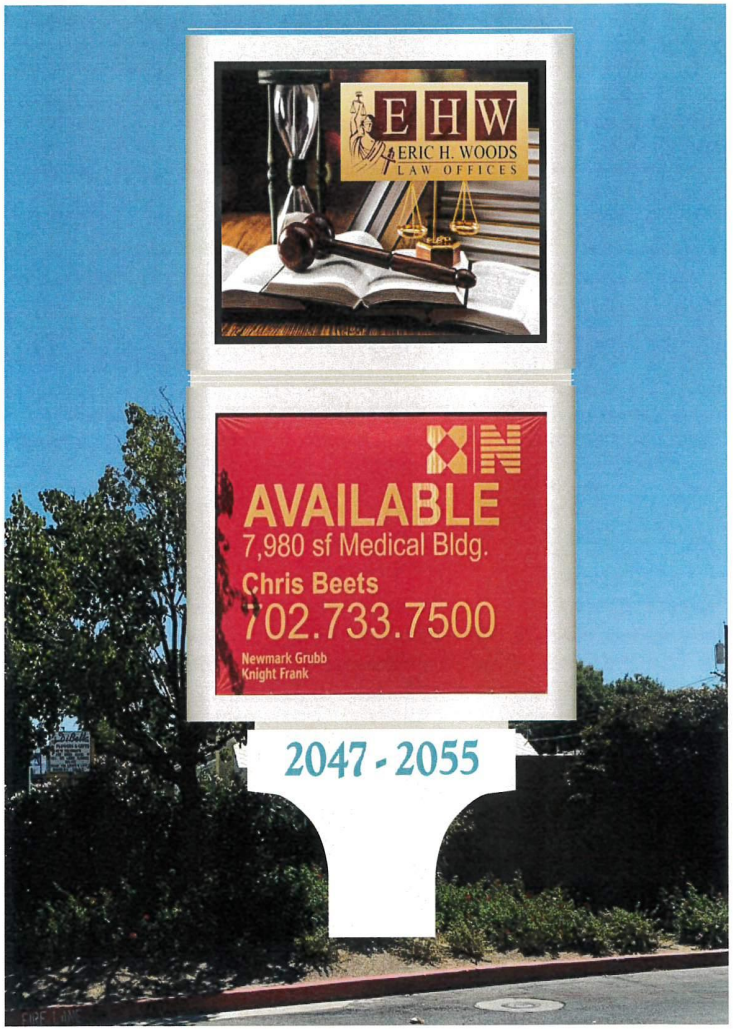
# EXISTING PYLON RELOCATION




PY-1 ELEVATION
SCALE: 1/4"=1'-0"
QTY = ONE (1) REQ'D




EXISTING PYLON LOCATION




RELOCATED PYLON

## SCOPE OF WORK

YESCO TO PERFORM THE FOLLOWING:

REMOVE AND DISCARD FACES AND ILLUMINATION FROM EXISTING CABINET.

INSTALL TWO (2) 10mm FULL COLOR LED MESSAGE UNITS INTO EXISTING CABINET.

MOVE EXISTING SIGN ACROSS THE DRIVEWAY AND BACK TO THE NEW PROPERTY LINE.

NEW PROPERTY LINE IS 15' SOUTH OF THE OLD PROPERTY LINE.

NEW FOOTING AND PIPE WILL BE NEEDED.

PRJ-78122
12/24/19



YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0074269, #0074284 & #0075739

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Client Name & Address:
LAW OFFICES OF ERIC WOODS
2055 W CHARLESTON BLVD STE A
LAS VEGAS NV 89102

OPPORTUNITY NUMBER
26213

Project Name:
EXISTING SIGN RELOCATION

Account Executive:
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Design Approvals

Checked by:

Creative Director:

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Account Executive:

Client:

Rev. / Date / Designer
08/29/19 - SS
R1 12/02/19 - SS

Description:

Classification:
PY-1

Reference Design:

O.E.M Serial:
000000

Sheet:
1.1




**VAR-78142 [PRJ-78122] - VARIANCE - APPLICANT/OWNER: ERIC H. WOODS**
**2055 WEST CHARLESTON BOULEVARD**

01/02/2020



**VAR-78142 [PRJ-78122] - VARIANCE - APPLICANT/OWNER: ERIC H. WOODS**
**2055 WEST CHARLESTON BOULEVARD**

01/02/2020

YESCO. Custom Electric Signs

February 21, 2017

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

**Re: Justification Letter for**
**Eric Woods Law Office**
**2055 W Charleston Blvd**
**Las Vegas, Nevada 89102**

To Whom It May Concern:

Please accept this justification letter to request a variance to decrease the minimum separation from an animated sign to a residential lot from 200' to 140'. The residential property west of the subject property is the only residential zoned property on that side of the street from Rancho Dr to Pahor Dr. also reduce the setback from 10' to a 0' due to the owner being forced to move the sign to a new location on the lot because of the street widening project and the sign would be hidden from east bound travel. YESCO will remove the existing sign from its current location, dig new footings at the signs new loction, install new pipe and footing, reinstall bottom cabinet, retrofit top cabinet with a new 8'2"H X 11'8"W LED display and reinstall.

We thank you and appreciate your consideration of this request. If you should have any questions regarding this, please do not hesitate to contact me on my cell phone at 702-348-7414.

Sincerely,

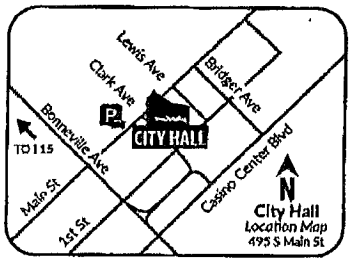
Michael LeBlue
mleblue@yesco.com
702-348-7414

**YESCO Las Vegas**
702-876-8080 » Phone
702-944-4500 » Fax
5119 South Cameron Street
Las Vegas, Nevada 89118

PRJ-78122
12/24/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**
City Council Meeting of **03/18/2020**

PRSRT
FIRST CLASS MAIL
U.S. Postage
**PAID**
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2020 MAR 12 P 2:56

PRJ-78122
16204101016
RUDIAK GEORGE REVOCABLE LIVING T
RENTCHLER JOHN TRS
C/O J RENTCHLER TRS
1201 S RANCHO DR
LAS VEGAS NV 89102

Submitted after final agenda
60



MAR-12-2020 02:38P FROM:RENTCHLER 7023847880 TO:7023824803 P:1/2

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
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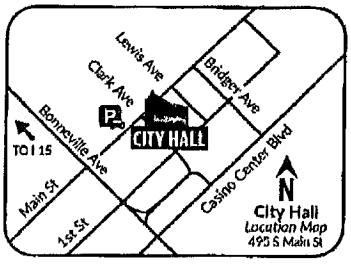
Las Vegas, NV
Permit No. 1630

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




RECEIVED
CITY CLERK
2020 MAR 12 P 2:59

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**
City Council Meeting of **03/18/2020**

PRJ-78122
16204101015
RENTCHLER JOHN M
RAMAGE DANI LEE RENTCHLER
1201 S RANCHO DR
LAS VEGAS NV 89102-2216

89 ARDFNP1 89102



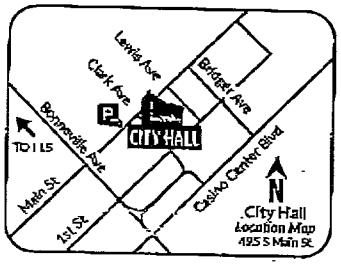
MAR-12-2020 02:38P FROM:RENTCHLER 7023847880 TO:7023824803 P:2/2

Mar. 13. 2020 6:15PM No. 2337 P. 1

City Council - Page 911

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**

City Council Meeting of **03/18/2020**

PRJ-78122
13932802020
CLARK COUNTY CREDIT UNION
2625 N TENAYA WAY
LAS VEGAS NV 89133

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U.S. Postage
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Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2020 MAR 16 A 7:21

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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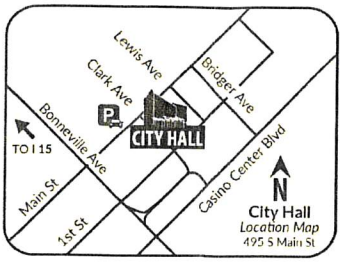
Las Vegas, NV
Permit No. 1630

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

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**
City Council Meeting of **03/18/2020**

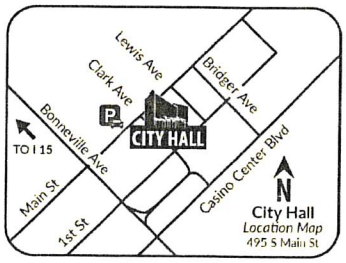
TO:
PRJ-78122
16204114001
FOX REVOCABLE FAMILY TRUST
FOX HERMAN & KATHRYN TRS
1244 PARK CIR
LAS VEGAS NV 89102-2449

89 ARDFNP1 89102

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

**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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Why? This would only cast more lite into the neighborhood

**VAR-78142 [PRJ-78122]**
City Council Meeting of **03/18/2020**

PRJ-78122
16204114005
VANHAVERBEKE C JOSEPH TR NO II
VANHAVERBEKE C JOSEPH TRS
9999 SW WILSHIRE ST # 104
PORTLAND OR 97225

Submitted after final agenda
60



134 ARDFNP1 97225

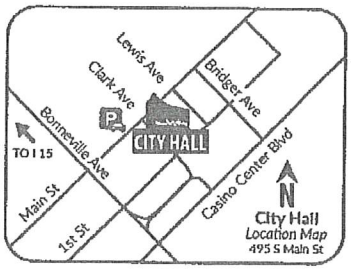
**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

JAN-31-2020 05:26P FROM:RENTCHLER 7023847880 TO:7024647499 P:1/1

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

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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




RECEIVED
FEB 4 2020
Dept of Planning
City of Las Vegas

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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**

Planning Commission Meeting of **2/11/2020**

PRJ-78122
16204101015
RENTCHLER JOHN M
RAMAGE DANI LEE RENTCHLER
1201 S RANCHO DR
LAS VEGAS NV 89102-2216

89 LRDFNP1 89102

32P

JAN-31-2020 05:27P FROM:RENTCHLER 7023847880 TO:7024647499 P:1/1

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

PRSRT
FIRST CLASS MAIL
U.S. Postage
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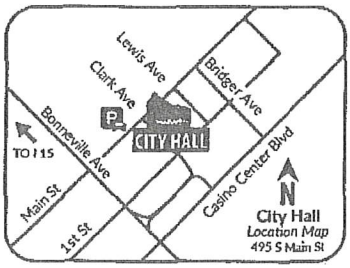
Las Vegas, NV
Permit No. 1630

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

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Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**

Planning Commission Meeting of **2/11/2020**

PRJ-78122
16204101016
RUDIAK GEORGE REVOCABLE LIVING T
RENTCHLER JOHN TRS
C/O J RENTCHLER TRS
1201 S RANCHO DR
LAS VEGAS NV 89102

89 LADFNP1 89102

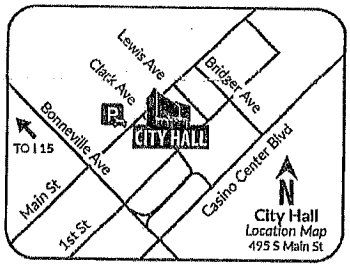


32P

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

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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




RECEIVED
[illegible]
Dept. of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78142 [PRJ-78122]**

Planning Commission Meeting of **2/11/2020**

PRJ-78122
16204101020
DROBKIN BILL S & ERMINIA FAM TR
DROBKIN BILL S & ERMINIA TRS
2040 EDGEWOOD AVE
LAS VEGAS NV 89102-2203

89 LRDFNP1 89102

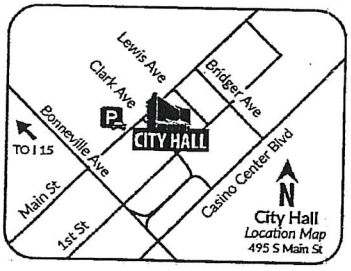
Submitted after final agenda

32P

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

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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

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☐ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

~~VAR-78142~~ **[PRJ-78122]**

Planning Commission Meeting of **2/11/2020**

PRJ-78122
16205513032
MOSLEY DONALD M
1127 WESTLUND DR
LAS VEGAS NV 89102-2139

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

89 LRDFNP1 89102

Submitted after final agenda 32P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Thursday, February 6, 2020 11:43 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

formstack

## Formstack Submission For: Planning Application Comments 2020
Submitted at 02/06/20 11:42 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, February 11, 2020 |
| **Project Number:** | PRJ-78122 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | CAROL LEWIS |
| **Residential or Business Address:** | 2021 Edgewood Ave<br>LAS VEGAS, NV 89102 |
| **Phone:** | (702) 383-2000 |
| **Email:** | carollewis99@gmail.com |
| **Comments:** | I oppose this variance request. Encroaching o a resident and requesting a sign height variance is ridiculous. I'm not sure that Mr. Woods would appreciate it near his own home either. Enough. |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



Submitted after final agenda

32P

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**61**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

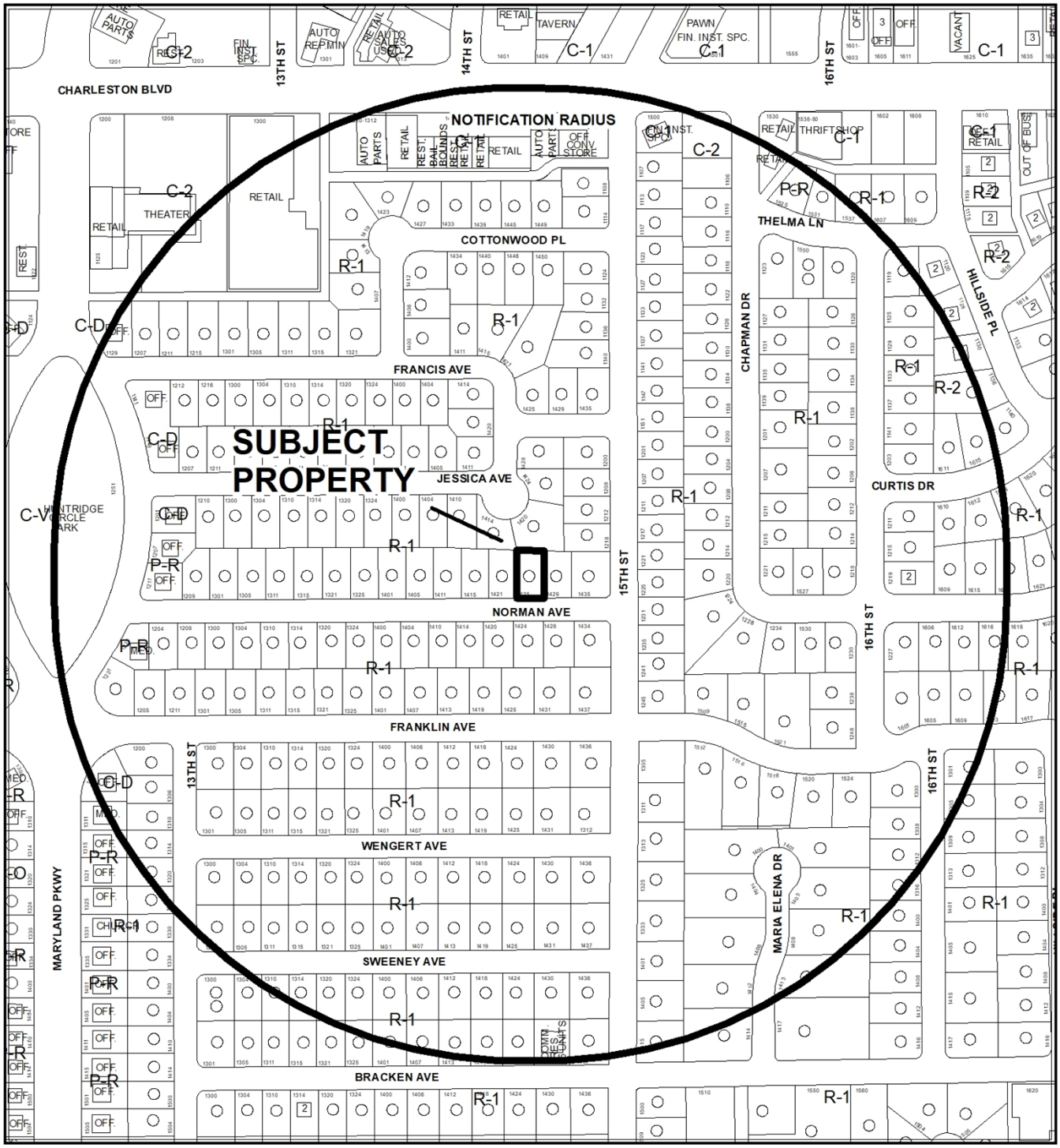
**SUBJECT:**
VAR-78073 - VARIANCE - PUBLIC HEARING - APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST - For possible action on a request for an Appeal of the Denial by the Planning Commission on a request for a Variance TO ALLOW A ZERO-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED; AN ACCESSORY STRUCTURE THAT IS NOT AESTHETICALLY COMPATIBLE AND IN FRONT OF THE MAIN BUILDING WHERE SUCH IS PROHIBITED FOR A PROPOSED 237 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.14 acres at 1425 Norman Avenue (APN 162-02-115-071), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77823]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 5 | Planning Commission Mtg. | 2 |
| City Council Meeting | 7 | City Council Meeting | 3 |

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and Staff recommend DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Appeal Documentation
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest Postcards
8. Submitted after Final Agenda - Protest/Support Postcards
9. Submitted at Meeting - Appeal Letter by Robert Colvin and Support Documentation Not Vetted - Letters
10. Backup Submitted for the February 11, 2020 Planning Commission Meeting




0 245 490 Feet

**CASE:** **VAR-78073 (PRJ-77823)**

**RADIUS:** 1000 FEET

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

N




0 245 490 Feet

**CASE:** **VAR-78073 (PRJ-77823)**

**RADIUS:** 1000 FEET

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

N

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

MICHELE FIORE
*Mayor Pro Tem*

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
*City Manager*

OFFICE OF THE
CITY CLERK

**LUANN HOLMES**
CITY CLERK

**CITY HALL**
495 S. MAIN ST.
LAS VEGAS, NV 89101
702.229.6011 | VOICE
702.382.4803 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

February 19, 2020

Mr. Robert J. Colvin
Sanchez Civil Engineering
7844 Soaring Brook St
Las Vegas, NV 89131

RE: Planning Commission Appeal Confirmation
VAR-78073

Dear Mr. Colvin:

The City of Las Vegas has received your request for appeal to the Planning Commission decision on February 11, 2020. The notification fee of $500 has been collected, and the item is scheduled to be heard at the March 18, 2020 City Council Meeting. You will also receive a postcard confirming this date.

Please contact the City Clerk's office at 702-229-6311 or the Planning Department at 702-229-6301 in the event you have any questions.

Sincerely,

**LUANN D. HOLMES, MMC**
City Clerk

/jlm

cc: Planning Department

Mr. Darren Petersen
Downtown Sanchez, LLC
5052 S. Jones Blvd., Ste. 110
Las Vegas, Nevada 89118

Mr. Zach Broyles
IZ design studio
7229 W. Sahara Avenue, Ste. 120
Las Vegas, Nevada 89117

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date
February 19, 2020

| TO: | FROM: |
|---|---|
| DEPARTMENT OF PLANNING | CITY CLERK |
| **SUBJECT:** | **COPIES TO:** |
| APPEAL OR CITY COUNCIL REVIEW INFORMATION ON PLANNING COMMISSION ACTIONS | |

This is to certify that the following action relative to the Planning Commission decision on the application of:

**FILE NO.:** **VAR-78073 [PRJ-77823] - VARIANCE**

**APPLICANT:** APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST

**WARD:** **Ward 3 (Diaz)**

Appeal by applicant or any other aggrieved person: (Yes) No

Review requested by City Council: Yes (No)

2/19/2020
DATE

Jacquie Miller
JACQUIE MILLER, SR. DEPUTY CITY CLERK

**PLANNING AND DEVELOPMENT DEPARTMENT INFORMATION:**

Date of Planning Commission Action — **February 11, 2020**

Last day for filing an appeal by applicant or any other aggrieved person. (Appeal period is 10 days after the date of the PC decision). — **February 24, 2020**

Last day for a review being requested by the City Council. (Review period is 10 days after the date of the PC decision.) — **February 24, 2020**

**SET DATE: 3/4/2020**
**COUNCIL: 3/18/2020**

**Sanchez Civil Engineering**
**7844 Soaring Brook St Las Vegas, NV 89131**
**Phone (702) 340-7927**
**Email: larry7405@yahoo.com**

RECEIVED
CITY CLERK

2020 FEB 18 P 3:44

**February 12, 2020**

**City of Las Vegas**
**Department of Building & Safety**
**333 N. Rancho Drive Las Vegas, NV 89106**

**Attention:** **Dr. Olivia Diaz, Las Vegas City Councilwoman**
**Applicant:** **Robert J. Colvin-Owner Colvin Living Trust**
**Subject:** **Variance-78073- New Carport at Front Driveway**
**Address:** **1425 Norman Ave Las Vegas, NV 89104**
**APN:** **162-02-115-071**

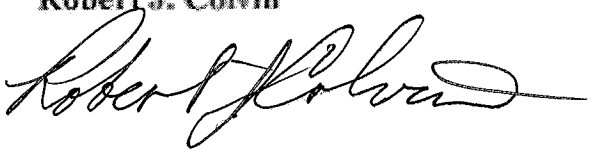
I am filing a written appeal letter to allow a zero-foot front yard setback for a new carport attached to the front of my house. My justification for this appeal is because my daughter has a medical condition (Multiple Sclerosis) and is in need of reducing her MS episodes due to excessive heat when she enters her vehicle during sunny and hot days. The new carport shall give her the shade she needs to alleviate her condition. The carport shall also be architecturally compatible with the existing roof and have matching color scheme.

Finally, this new carport shall be aesthetically pleasing to the neighborhood and not be a hinderance to the Huntridge Community.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (702) 250-4320.

Sincerely,

**Robert J. Colvin**



CITY OF LAS VEGAS
DEPARTMENT OF CITY CLERK

Operator ID: BPERKINS

Transaction: 385334

Reference #:

Today's Date: 02/18/2020 3:50:59 PM

Posting Date: 02/18/2020

| Account Description | Account Number | | Amount Due |
|---|---|---|---|
| GENERAL FUND.Meeting Management.Miscellaneous Fees.Meeting Services | 100000.04401.270100.C21000.000.000 | $ | 500.00 |
| | **Total Amount Due** | $ | **500.00** |

| Method of Payment | Number | Authorization | | | Amount Paid |
|---|---|---|---|---|---|
| Visa/MC/ATM | 6767 | 05200 | | $ | 500.00 |
| | | | **Tendered** | $ | **500.00** |
| | | | **Change** | $ | **.00** |

Customer Information:

Robert Colvin
1500 13th Street
Las Vegas, NV 89104

Comments:

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-78073** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 38

**NOTICES MAILED** 359 (By City Clerk)

**PROTESTS** 5

**APPROVALS** 2



JB

**** CONDITIONS ****

# VAR-78073 CONDITIONS

***Planning***

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting a Variance (VAR-78073) to allow a proposed 237 square-foot, one-story detached Accessory Structure (Class II) [Carport] structure in the front yard, which does not comply with Title 19.06 development standards pertaining to setbacks, location and aesthetic compatibility at 1425 Norman Avenue.

## ISSUES

- A Variance is required to allow an Accessory Structure (Class II) [Carport] to be located zero feet from the front yard property line where 20 feet is required by Title 19.06.070. Staff recommends denial of the request.
- A Variance is required to allow an Accessory Structure (Class II) [Carport] to be located zero feet from the principal dwelling where six feet is required by Title 19.06.070. Staff recommends denial of the request.
- A Variance is required to allow an Accessory Structure (Class II) [Carport] in the front yard where such is not allowed. Staff does not support this request.
- A Variance is required to allow an Accessory Structure (Class II) [Carport], which is not aesthetically compatible with the primary residence where such is required by Title 19.06 development standards. Staff does not support this request.

## ANALYSIS

An Accessory Structure (Class II) is described in Title 19.12 as: “An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an “Accessory Structure (Class I).”

Accessory structures in this residential development must adhere to Title 19.06.070 Development Standards. The subject property lot size is 60 feet wide, which is consistent with the R-1 (Single Family Residential) zoning district. Title 19.06 requires that accessory structures in the R-1 (Single Family Residential) zoning district not be located in the front yard area, maintain a minimum setback of 20 feet from the front property line, maintain a minimum distance of six feet from the primary structure and aesthetically match the primary residence.

The submitted site plan indicates the proposed Accessory Structure (Class II) [Carport] will be located in the front yard area where such is prohibited and is located zero feet away from the front property line adjacent to Norman Avenue where 20 feet is required. Also, the proposed accessory structure maintains a zero-foot separation from the principal dwelling where six feet is required. The submitted elevation drawings indicate the Accessory Structure (Class II) [Carport] will be attached to the roof of the existing home by a decorative flashing material which will match the color of the color scheme of the home. However, the supporting beams of the carport have not been incorporated into the structural elements of the existing home, therefore staff has determined the carport is detached accessory structure.

Also, the submitted elevation drawings indicate the proposed one-story Accessory Structure (Class II) [Carport] is approximately 9.33 feet in height measured to the top of the roof. The proposed structure will be constructed with corrugated metal sliding and roof materials with tubular steel pole support beams that have not been designed to aesthetically match the roof and trim of the principal dwelling. Photographs from staff's site visit conducted on 01/02/19, depict a beige and light blue wood panel building façade with red brick accents materials used on the primary residence.

No substantial evidence has been presented to warrant the requested Variance, as the applicant has proposed to install an Accessory Structure (Class II) [Carport], which does not comply with Title 19 development standards pertaining to setbacks, location and aesthetic compatibility; therefore, this is considered a self-created hardship that NRS 278 does not permit as grounds for a Variance. As the applicant has provided no compelling evidence of a unique or extraordinary circumstance related to the site itself, staff recommends denial.

## FINDINGS (VAR-78073)

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 install an Accessory Structure (Class II) [Carport] which does not comply with Title 19 development standards pertaining to setbacks, location and aesthetic compatibility. Alternative building location and design 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.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/16/07 | A Code Enforcement case (#58929) was processed for front yard full of trash, tents & broken down vehicles in back yard at 1425 Norman Avenue. The case was resolved on 11/27/07. |
| 12/14/07 | A Code Enforcement case (#60646) was processed for front yard full of trash and debris at 1425 Norman Avenue. The case was resolved on 12/31/07. |
| 02/11/20 | The Planning Commission unanimously voted to DENY a request for a Variance (VAR-78073) TO ALLOW A ZERO-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED; AN ACCESSORY STRUCTURE THAT IS NOT AESTHETICALLY COMPATIBLE AND IN FRONT OF THE MAIN BUILDING WHERE SUCH IS PROHIBITED FOR A PROPOSED 237 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.14 acres at 1425 Norman Avenue (APN 162-02-115-071), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77823]. |
| 02/19/20 | The Office of the City Clerk received an appeal of the Denial by the Planning Commission on Variance (VAR-78073) which will be considered by the City Council on March 18, 2020. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/04/10 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/14/06 | A building permit (#59741) was issued for a water heater at 1425 Norman Avenue. The permit expired on 09/06/06. |
| 08/17/09 | A building permit (#145641) was issued for a six-foot tall rear and right side yard wall/fence at 1425 Norman Avenue. The permit has not been finalized. |
| 04/10/12 | A building permit (#208583) was issued for a roof mounted photovoltaic energy system at 1425 Norman Avenue. The permit was finalized on 05/17/12. |

| ***Pre-Application Meeting*** | |
|---|---|
| 11/04/19 | A pre-application meeting was conducted with the applicant to discuss the submittal requirements for a Variance of the front yard setback requirements for an existing front yard carport addition. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | A field check conducted by staff observed a well maintained single family detached dwelling on the subject site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.14 |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.06.070, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Accessory Structure Setbacks | | | |
| • Front | 20 Feet | 0 Feet | N* |
| • Side | 3 Feet | 5 Feet | Y |
| • Separation from Main Building | 6 Feet | 0 Feet | N* |
| Accessory Structure Max. Building Height | One Story | One Story | Y |

* The applicant has requested a Variance (VAR-78073) to allow a zero-foot front yard setback where 20 feet is required and a zero-foot distance separation from the main building where six feet is required.

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Norman Avenue | Local Street | Title 13 | 50 Feet | Y |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

**Project Address** (Location) 1425 E Norman Ave

**Project Name** Colvin Carport **Proposed Use** _____

**Assessor's Parcel #(s)** 162-02-115-071 **Ward #** _____

**General Plan:** Existing _____ Proposed X **Zoning:** Existing _____ Proposed X

**Additional Information** _____

**Property Owner** Colvin Living Trust dated Aug 3, 1998 **Contact** Robert J Colvin
Address 1500 So 13th St City Las Vegas State NV Zip 89104
E-mail robertjcolvin@gmail.com Phone 702-386-0253

**Applicant** Robert J Colvin **Contact** Robert J Colvin
Address 1500 So 13th St City Las Vegas State NV Zip 89104
E-mail _____ Phone 702-386-0253

**Representative** Sanchez Civil Engineering **Contact** Larry Sanchez
Address 7570 Norman Rockwell Lane Suite 140 City Las Vegas State NV Zip 89143
E-mail lscivilengineering@gmail.com Phone 702-340-7927

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)** _____

**Partner(s)** _____

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Robert J Colvin
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

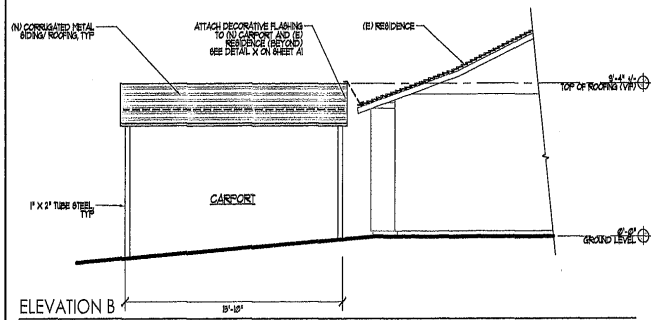
**Print Name** Robert J Colvin

Subscribed and sworn before me
This 7th day of Nov, 20 19
M. Murphy
Notary Public in and for said County and State

M. MURPHY
Notary Public - State of Nevada
County of Clark
APPT. NO. 14-14803-1
My App. Expires Sept. 27, 2022

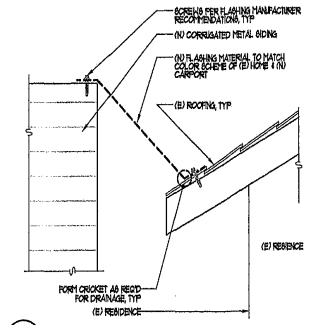
State of Nevada
County of Clark

PRJ-77823
12/11/19



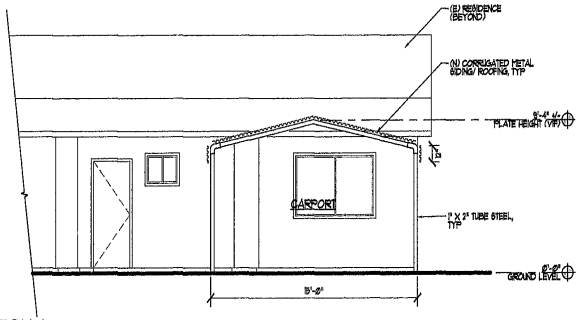

ELEVATION B

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



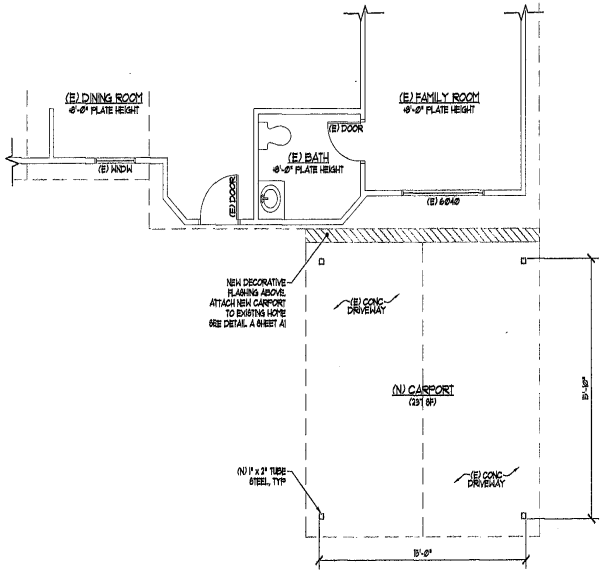

X FLASHING DETAIL

NTS



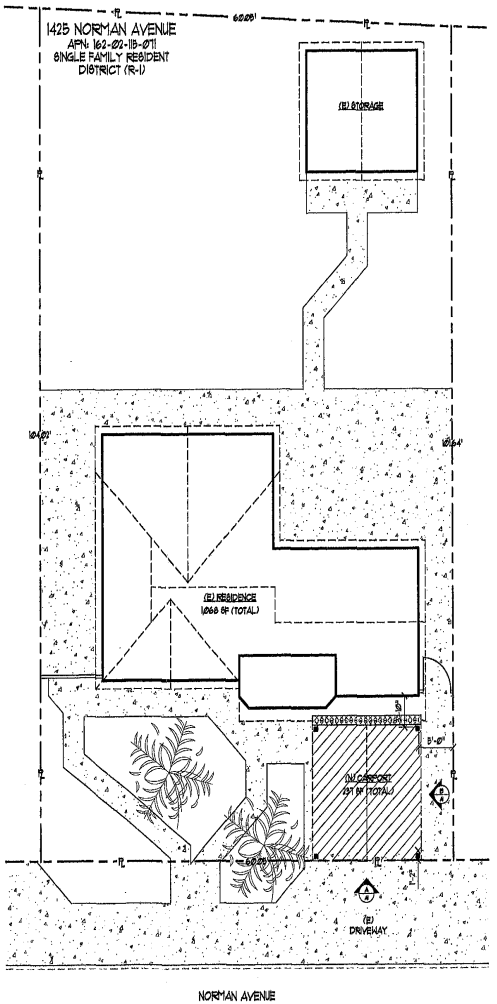

ELEVATION A

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




FLOOR PLAN

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




SITE PLAN

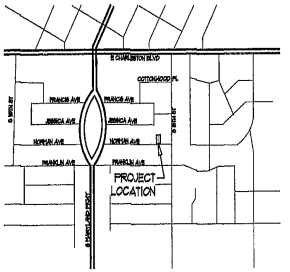
SCALE: 1/8" = 1'-0"

## SCOPE OF WORK

NEW CARPORT (231 SF) AT THE SOUTH END (FRONT) OF AN EXISTING RESIDENCE (1,068 SF).

## VICINITY MAP

NTS




## CODE ANALYSIS

THIS PROJECT SHALL COMPLY WITH THE FOLLOWING:

2018 IBC
2018 IRC
2018 IECC
AND THE SOUTHERN NEVADA CODE AMENDMENTS

| | |
|---|---|
| LOT LOCATION: | 1425 NORMAN AVENUE LAS VEGAS, NV 89104 |
| PARCEL: | 162-02-118-011 |
| ESTIMATED LOT SIZE: | 0.14 ACRES |
| JURISDICTION: | CITY OF LAS VEGAS |
| ZONING CLASSIFICATION: | SINGLE FAMILY RESIDENTIAL (R-1) |
| OCCUPANCY CLASSIFICATION: | R-3 |
| CONSTRUCTION TYPE: | V-B |
| HEIGHT: ACTUAL: | 15' |
| ALLOWABLE: | 25' |
| STORIES: ACTUAL: | (1) |
| ALLOWABLE: | (2) |
| AREA: (E) 1ST FLOOR: | 1,068 SF |
| (N) CARPORT: | 231 SF |

PRJ-77823
12/11/19

City Council - Page 935

SANCHEZ CIVIL ENGINEERING
7844 SOARING BROOKS ST.
LAS VEGAS, NV 89131
#702.340.7927

ENGINEER

PROFESSIONAL ENGINEER STATE OF NEVADA
LARRY SANCHEZ
Exp. 06-30-20
CIVIL
NO. 15702

CONSULTANT

COLVIN CARPORT

PROJECT:
162-02-118-011
1425 NORMAN AVENUE
LAS VEGAS, NV 89104

CLIENT:
ROBERT COLVIN
3009 13TH STREET
LAS VEGAS, NV 89104

THESE ILLUSTRATIONS, & STRUCTURES PRESENTED EXCEPT WITH WRITTEN CONSENT OF THE ENGINEER, PRIOR TO USE THEREON. THESE DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS, TIES, AND ELEVATIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTOR, OR ANY OF THEIR AGENTS OR EMPLOYEES, OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK. THESE DRAWINGS ARE NOT TO BE USED ON ANY OTHER PROJECT AND ARE NOT TO BE USED ON ANY OTHER ARE TO BE USED FULLY WITH RESPECT TO THIS PROJECT.

| | |
|---|---|
| PROJECT NO: | 887 |
| DRAWN BY: | DRC |
| CHECKED BY: | LJS |
| DWG FILE NO: | A0 |

| REV | DATE | DESCRIPTION |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

SHEET TITLE
SITE PLAN
CODE ANALYSIS

SHEET
A0

1 OF 2

DATE: 10/23/2019



**VAR-78073 [PRJ-77823] - VARIANCE - APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST**
**1425 NORMAN AVENUE**

01/02/2020

10/24/19

TO WHOM IT MAY CONCERNS

HOME OWNER IS REQUESTING 0' LOT LINE VARIANCE AT FRONT SETBACK FOR NEW ATTACHED 237 SF CARPORT. HOME OWNER NEEDS SHADE FOR PARKING CAR ON DRIVEWAY. AND A VARIANCE TO ALLOW OTHER THAN A DETACHED GARAGE (SIDE LOADED) WHICH IS ALLOWED.

SINCERELY

PRJ-77823
12/11/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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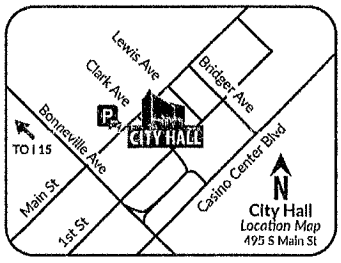


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TERRIBLE IDEA!

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

PRJ-77823
16202115077
APSTAR APPRAISAL SERV 401K TR
MIRKOVICH THOMAS R TRS
1712 CHAPMAN DR
LAS VEGAS NV 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

**Return Service Requested**
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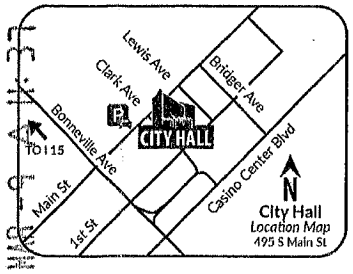
Please uphold the Planning Commission's denial of this request. The placement of the proposed structure is completely incompatible with our neighborhood and should not be allowed. HOMES and neighborhoods are only aesthetically pleasing when they have yards and landscaping. That is why there are set back requirements in the first place. Our neighborhood needs cleaned up, not junked up more than it is. Uphold the planning commission's DENIAL!!!

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PRJ-77823
16202204009
TSITOURAS JOHN C LIVING TRUST ET
TSITOURAS JOHN C TRS
1401 MARIA ELENA DR
LAS VEGAS NV 89104-1808

☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

93 ARDFMP1 89104

---

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

**Return Service Requested**
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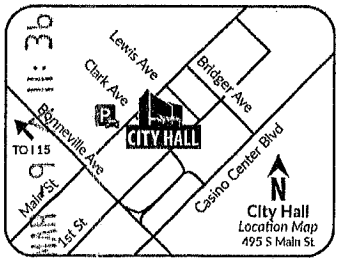
It is unfathomable that this property owner is appealing the denial of the Planning commission, and this is the second time I have written to oppose this owner's request. The proposed use is absolutely incompatible with the neighborhood and should NOT be allowed. We don't want the neighborhood junked up with all buildings and no yards. If they don't like the rules, they are free to move out!!

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PRJ-77823
16202204016
BROWN STACIE
KABRICH PATRICIA
1414 MARIA ELENA DR
LAS VEGAS NV 89104-1846

☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**



93 ARDFMP1 89104

City of Las Vegas
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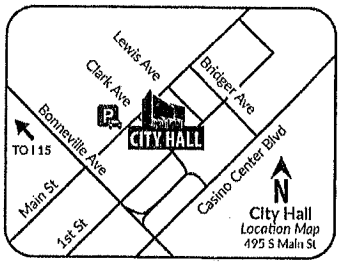


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

PRJ-77823
16202115005
MESSINGER OWEN & CHANDA
1301 FRANCIS AVE
LAS VEGAS NV 89104-1703

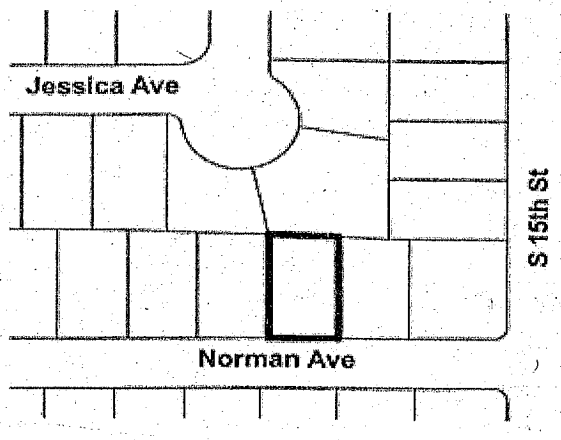
89 ARDFNP1 89104

## Application Information

**VAR-78073 - VARIANCE - PUBLIC HEARING - APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST** - For possible action on a request for an Appeal of the Denial by the Planning Commission on a request for a Variance TO ALLOW A ZERO-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED; AN ACCESSORY STRUCTURE THAT IS NOT AESTHETICALLY COMPATIBLE AND IN FRONT OF THE MAIN BUILDING WHERE SUCH IS PROHIBITED FOR A PROPOSED 237 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.14 acres at 1425 Norman Avenue (APN 162-02-115-071), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77823]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

THIS IS ABOVE AND BEYOND A SIMPLE STRUCTURE - WE HAVE NOT ONE IN THE AREA, WHY NOW NO, NO, NO,

## Application Location




The proposed project may not pertain to the entire highlighted project site.

## Public Hearing Information

| | |
|---|---|
| **Meeting:** | City Council |
| **Date:** | 03/18/2020 |
| **Location:** | City Council Chambers<br>495 South Main St, 2nd Fl.<br>Las Vegas, Nevada |
| **Not to be heard before:** | 10:00 a.m. |

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

City of Las Vegas
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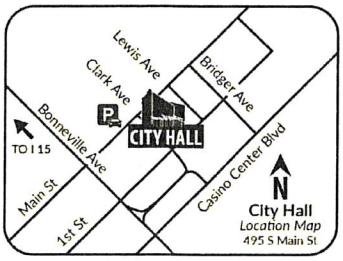


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

PRJ-77823
16202111054
STUART LAIRD
1215 CHAPMAN DR
LAS VEGAS NV 89104

93 ARDFNP1 89104

City of Las Vegas
Office of The City Clerk
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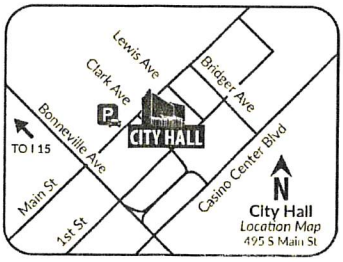


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

PRJ-77823
16202215006
CLARY MELISSA R
1431 SWEENEY AVE
LAS VEGAS NV 89104

Submitted after final agenda
61



93 ARDFNP1 89104

City of Las Vegas
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Las Vegas, Nevada 89101

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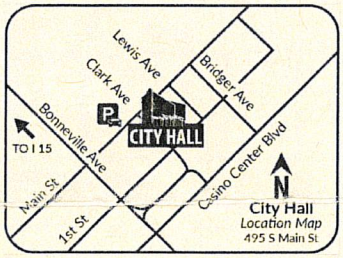


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

PRJ-77823
16202111018
MCGRAW BARBARA JOY TRUST
MCCRAW BARBARA JOY TRS
1228 CHAPMAN DR
LAS VEGAS NV 89104-1810

I would not want this to set a precedent in the surrounding areas, possibly affecting my street.

93 ARDFNP1 89104

Submitted after final agenda
61

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**

City Council Meeting of **03/18/2020**

PRJ-77823
16202115042
ROEBLING EDWIN E & JEAN M
BOSSHARDT RENAE
1424 NORMAN AVE
LAS VEGAS NV 89104-1724

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2020 MAR 10 P 12:01

93 ARDFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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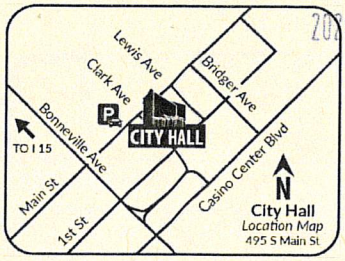


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**

City Council Meeting of **03/18/2020**

PRJ-77823
16202115046
ALTER WILLIAM THOMAS & DOLORES M
1404 NORMAN AVE
LAS VEGAS NV 89104-1724

93 ARDFNP1 89104



Submitted after final agenda
61

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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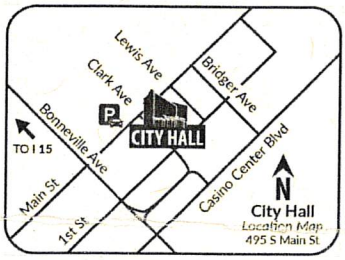


PRJ-77823
16202115026
MADAR COHEN MICHELLE B
1133 S 15TH ST
LAS VEGAS NV 89104

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
City Council Meeting of **03/18/2020**

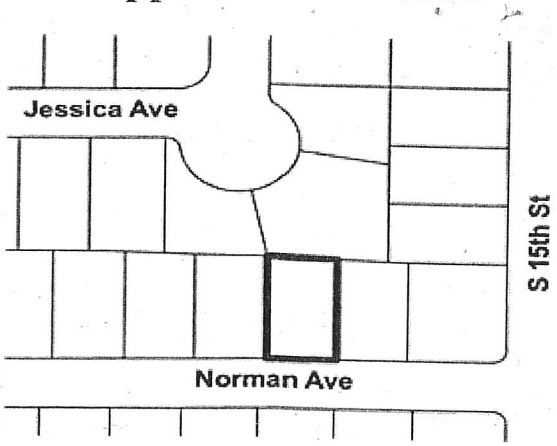
93 AFDFNF1 89104

## Application Information

**VAR-78073 - VARIANCE - PUBLIC HEARING - APPLICANT: ROBERT J. COLVIN - OWNER: COLVIN LIVING TRUST** - For possible action on a request for an Appeal of the Denial by the Planning Commission on a request for a Variance TO ALLOW A ZERO-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED; AN ACCESSORY STRUCTURE THAT IS NOT AESTHETICALLY COMPATIBLE AND IN FRONT OF THE MAIN BUILDING WHERE SUCH IS PROHIBITED FOR A PROPOSED 237 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [CARPORT] on 0.14 acres at 1425 Norman Avenue (APN 162-02-115-071), R-1 (Single Family Residential) Zone, Ward 3 (Diaz) [PRJ-77823]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

I support having a carport shed. That is very important and especially needed in the scorching heat of this city.
I support this man who knows and cares to build a beautiful, clean strong and stable carport that fits the house and the street trees, that neighbors can see through, so when you look down the st you see beauty clean line that blend in with the st and really don't see that there is a car port.

## Application Location




The proposed project may not pertain to the entire highlighted project site.

## Public Hearing Information

| | |
|---|---|
| **Meeting:** | City Council |
| **Date:** | 03/18/2020 |
| **Location:** | City Council Chambers<br>495 South Main St, 2nd Fl.<br>Las Vegas, Nevada |
| **Not to be heard before:** | 10:00 a.m. |

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

To: VAR 78073 (PRJ-77893) 3/18/20

I support having a carport shed. That is very important and especially needed in the scorching heat of this city.

RECEIVED
CITY CLERK
2020 MAR 16 A 11:14

I support this man who knows and cares to build a beautiful, clean strong and steble carport that fits the house and the street trees, that neighbors can see through, so when you look down the street you see beauty clean line that blend in with the street and really don't see that there is a carport.

Michelle Madar Cohen
1133 S. 15th St
Las Vegas
NV 89104
310 739 0058

# Sanchez Civil Engineering

**7844 Soaring Brook St Las Vegas, NV 89131**
**Phone (702) 340-7927**
**Email:** larrv7405@yahoo.com


**February 12, 2020**

**City of Las Vegas**
**Department of Building & Safety**
**333 N. Rancho Drive Las Vegas, NV 89106**

**Attention:** **Dr. Olivia Diaz, Las Vegas City Councilwoman**
**Applicant:** **Robert J. Colvin-Owner Colvin Living Trust**
**Subject:** **Variance-78073- New Carport at Front Driveway**
**Address:** **1425 Norman Ave Las Vegas, NV 89104**
**APN:** **162-02-115-071**

I am filing a written appeal letter to allow a zero-foot front yard setback for a new carport attached to the front of my house. My justification for this appeal is because my daughter has a medical condition (Multiple Sclerosis) and is in need of reducing her MS episodes due to excessive heat when she enters her vehicle during sunny and hot days. The new carport shall give her the shade she needs to alleviate her condition. The carport shall also be architecturally compatible with the existing roof and have matching color scheme.

Finally, this new carport shall be aesthetically pleasing to the neighborhood and not be a hinderance to the Huntridge Community.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (702) 250-4320.

Sincerely,

**Robert J. Colvin**



Submitted at City Council
Date 3/18/20 Item 61
Robert Colvin

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

| | |
|---|---|
| Attention: | **Neighbor's Consent** |
| Subject: | **New Carport at front driveway** |
| PAC #: | **1425 Norman Ave** |

Dear Planning Commission:

As the home owner to the above address, I would like your support for a new accessory carport shade structure encroaching into the front setback distance of 20'-0". Currently, there is a 20'-0" front setback and I am asking to allow this carport shade structure to encroach into such setback distance. Thus, I am applying for a variance.

Please sign below if you are in favor of such entitlement.

[illegible] 1311 Sweeney Ave.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Jeena Marshall 1300 Sweeney Ave LV NV 89104

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

1321 Wengert HH

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

Hector Hernandez

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Maritza Avina 1424 Franklin Ave, LVNV 89104

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Suzanne Baxter 1504 S. 13th St 89104

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Angel 1400 NORMAN AVE Las Vegas, NV 89104

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Dolores Ch. [illegible] 1404 Norman Ave Las Vegas NV

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Mary D Miller 1410 Norman

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement. Tina Simos

[signature] 1413 Norman Ave.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Mercedes Trejede 1420 Norman Ave

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Janene Mueller-Corica 1421 Norman Ave

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

Jean Rolling 1424 Norman Ave

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
**Steve Wichmann**

November 6, 2019

Clark County
Department of Building Safety
333 N. Rancho Drive

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Please sign below if you are in favor of such entitlement.

1429 Norman ave.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (913) 220-8823.

Sincerely,
Steve Wichmann

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

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

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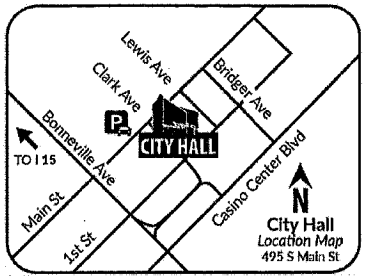
Las Vegas, NV
Permit No. 1630

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




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

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**
Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202115026
MADAR COHEN MICHELLE B
1133 S 15TH ST
LAS VEGAS NV 89104

Submitted at Planning Commission
by Michelle Madar
Date 2/12/2020 Item 28

93 LRDFMP1 89104

2/11/20

Submitted at Planning Commission by Michelle Madar

Date 2/12/2020 Item 28

To the city of Las Vegas.

My comments to: VAR-78073 (PRJ-77823).
First I support this Request.
I think that the City of Las Vegas need to change things that We the people who live in this old town that are mostly middle to low Income will be able to get regular permit to put a shed CARPORT to protect our car in this city wether. of Las vegas, without going through all these committees that cost a lot as well as much suffering to the Residents.
As far as I know and if I'm not mistaken the County of Las Vegas do give regular permits for metal carport on the 90 feet set back detached or attached I'm not sure.
I'm sure that I can arrange hundreds of signatures of this neighborhood residents who would be very happy with this idea to have regular permet to have Car-Port.
I hope that the municipalities will be willing to consider the local residents and allow the necessary change in the law to allow a Regular/normal permit regarding the carport to shelter from the harsh heat in this City.

Thank you Michelle Madar Cohen

1133 S. 15th St Las Vegas NV 89104 310-739 0058

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Monday, February 3, 2020 11:50 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

formstack

## Formstack Submission For: Planning Application Comments 2020
Submitted at 02/03/20 11:49 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, February 11, 2020 |
| **Project Number:** | PRJ-77823 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | SQN LLC |
| **Residential or Business Address:** | 1434 Norman Ave<br>Las Vegas, NV 89104 |
| **Comments:** | I oppose this variance. This structure will negatively change the appearance of the street/neighborhood. The application itself states it's an "accessory structure that is not aesthetically compatible....where such is prohibited..." I would rather see trees planted along the street than carports constructed. |

Copyright © 2020 Formstack, LLC. All rights reserved. This is a customer service email.

Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

28P

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

I CAN'T EVEN Believe that the Calvin Living Trust has the audacity to make this request. I don't care what their Sob story is, the proposed use is incompatible with the neighborhood and should NOT be allowed. They want the rules bent for them, to the neighbors' detriment.

PRSRT
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Las Vegas, NV
Permit No. 1630

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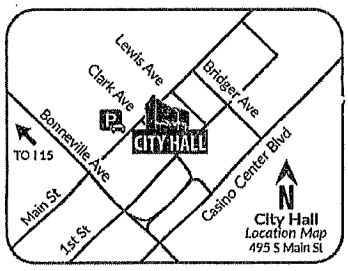
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-78073 [PRJ-77823]**
Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202204016
BROWN STACIE
KABRICH PATRICIA
1414 MARIA ELENA DR
LAS VEGAS NV 89104-1846

If they don't like the rules, they can MOVE out!!!

RECEIVED
Dept of Planning
City of Las Vegas

93 LADFNP1 89104

**Submitted after final agenda**

29P

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

OUR NEIGHBORHOOD NEEDS CLEANED UP, NOT JUNKED UP MORE THAN IT IS. WE NEED HOMES TO HAVE YARDS, NOT INCOMPATIBE STRUCTURES! VOTE NO!

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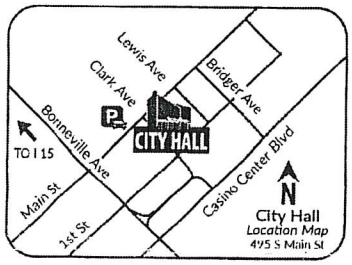
Las Vegas, NV
Permit No. 1630

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

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☐ I SUPPORT this Request

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**VAR-78073 [PRJ-77823]**

Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202204009
TSITOURAS JOHN C LIVING TRUST ET
TSITOURAS JOHN C TRS
1401 MARIA ELENA DR
LAS VEGAS NV 89104-1808

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

93 LRDFNP1 89104

Submitted after final agenda 2 of P

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

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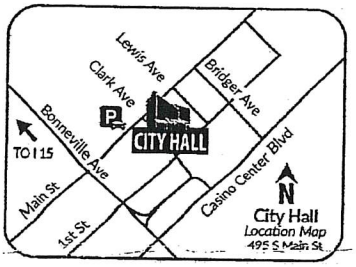


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**

Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202115005
MESSINGER OWEN & CHANDA
1301 FRANCIS AVE
LAS VEGAS NV 89104-1703

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

93 LRDFNP1 89104

Submitted after final agenda 28P

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

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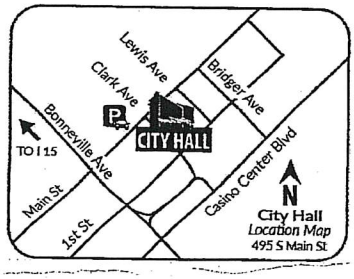


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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**

Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202115111
BONANNO BERT L L C
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

47 LADFNP1 89147



Submitted after final agenda 28P

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

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Las Vegas, NV
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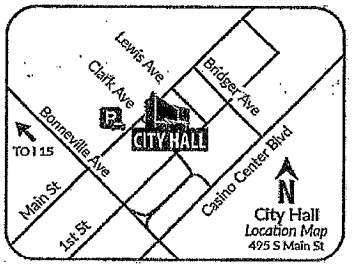
**Official Notice of Public Hearing**




RECEIVED
FEB 11 2020
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-78073 [PRJ-77823]**

Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202216002
TRAPLETTI EDEA LIVING TRUST
TRAPLETTI EDEA TRS
1407 BRACKEN AVE
LAS VEGAS NV 89104-3345

 **Submitted after final agenda** 20P

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

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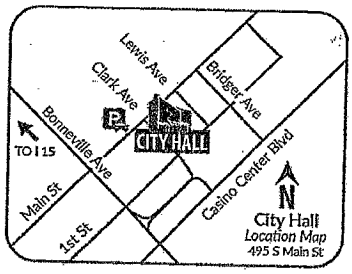


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[✓] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-78073 [PRJ-77823]**
Planning Commission Meeting of **2/11/2020**

PRJ-77823
16202115071
COLVIN LIVING TRUST
COLVIN ROBERT J & ROBBIE L TRS
1500 S 13TH ST
LAS VEGAS NV 89104-3306

93 LRDFNP1 89104

Submitted after final agenda

28A

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Wednesday, February 5, 2020 8:19 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

formstack

## Formstack Submission For: Planning Application Comments 2020
Submitted at 02/05/20 8:19 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, February 11, 2020 |
| **Project Number:** | PRJ-77823 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Laura Convers |
| **Residential or Business Address:** | 1211 Chapman Drive<br>Las Vegas, NV 89104 |
| **Comments:** | No. No good. Don't allow. |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda 28 P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, February 7, 2020 7:14 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.**

formstack

**Formstack Submission For:** Planning Application Comments 2020
Submitted at 02/07/20 7:14 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, February 11, 2020 |
| **Project Number:** | Prj-77823 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | LAIRD STUART |
| **Residential or Business Address:** | 1215 CHAPMAN DRIVE<br>LAS VEGAS, NV 89104 |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda 20P

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**62**

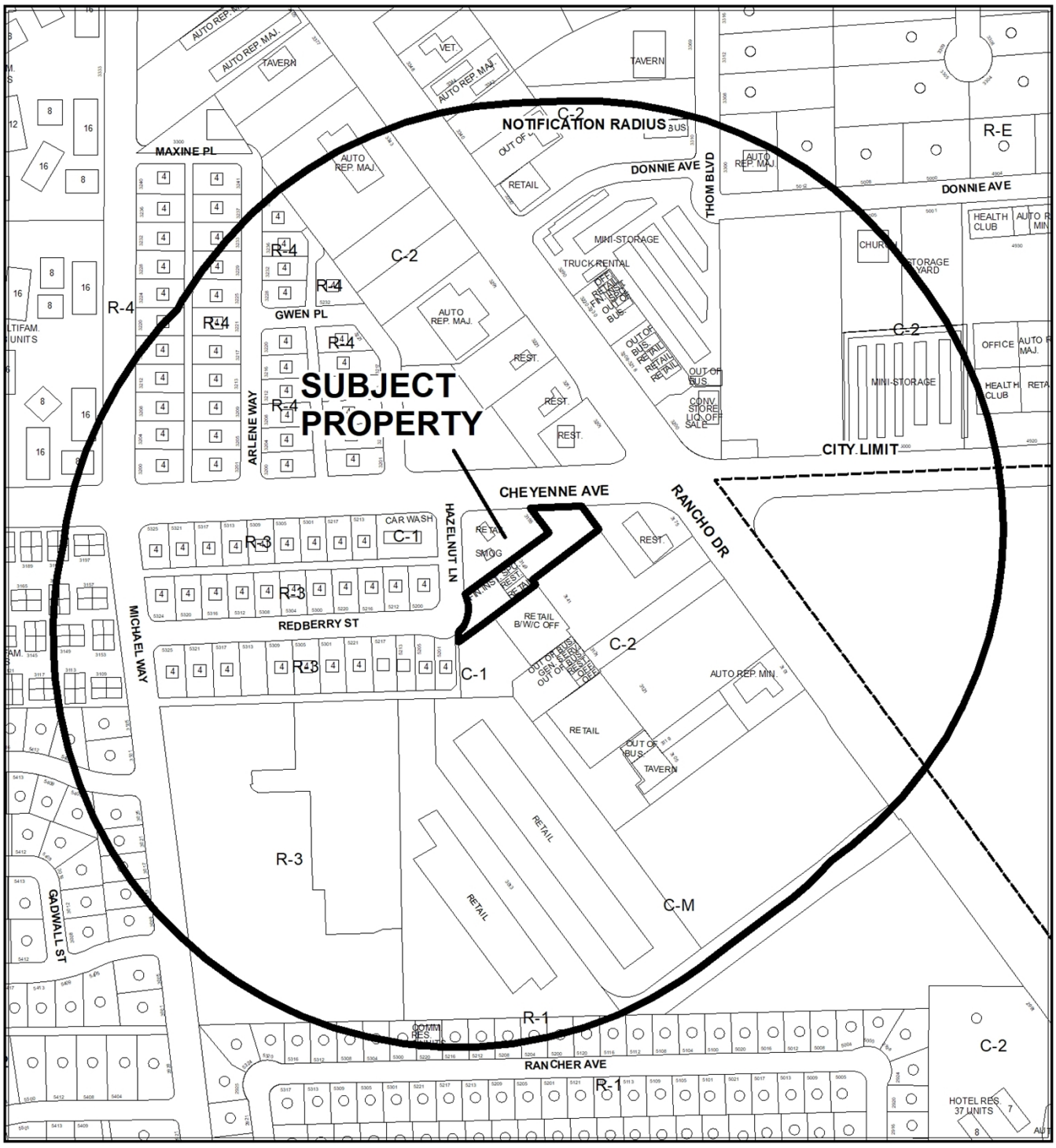
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-78107 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: MBSB NV-TX HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,160 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW AN EIGHT-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,160 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 3149 North Rancho Drive, Suite D (APN 138-13-511-002), C-2 (General Commercial), Ward 5 (Crear) [PRJ-78045]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

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

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Submitted after Final Agenda - Support Postcard
8. Backup Submitted for the February 11, 2020 Planning Commission Meeting




0 280 560 Feet

**CASE:** **SUP-78107 (PRJ-78045)**

**RADIUS:** 1000 FEET

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

N



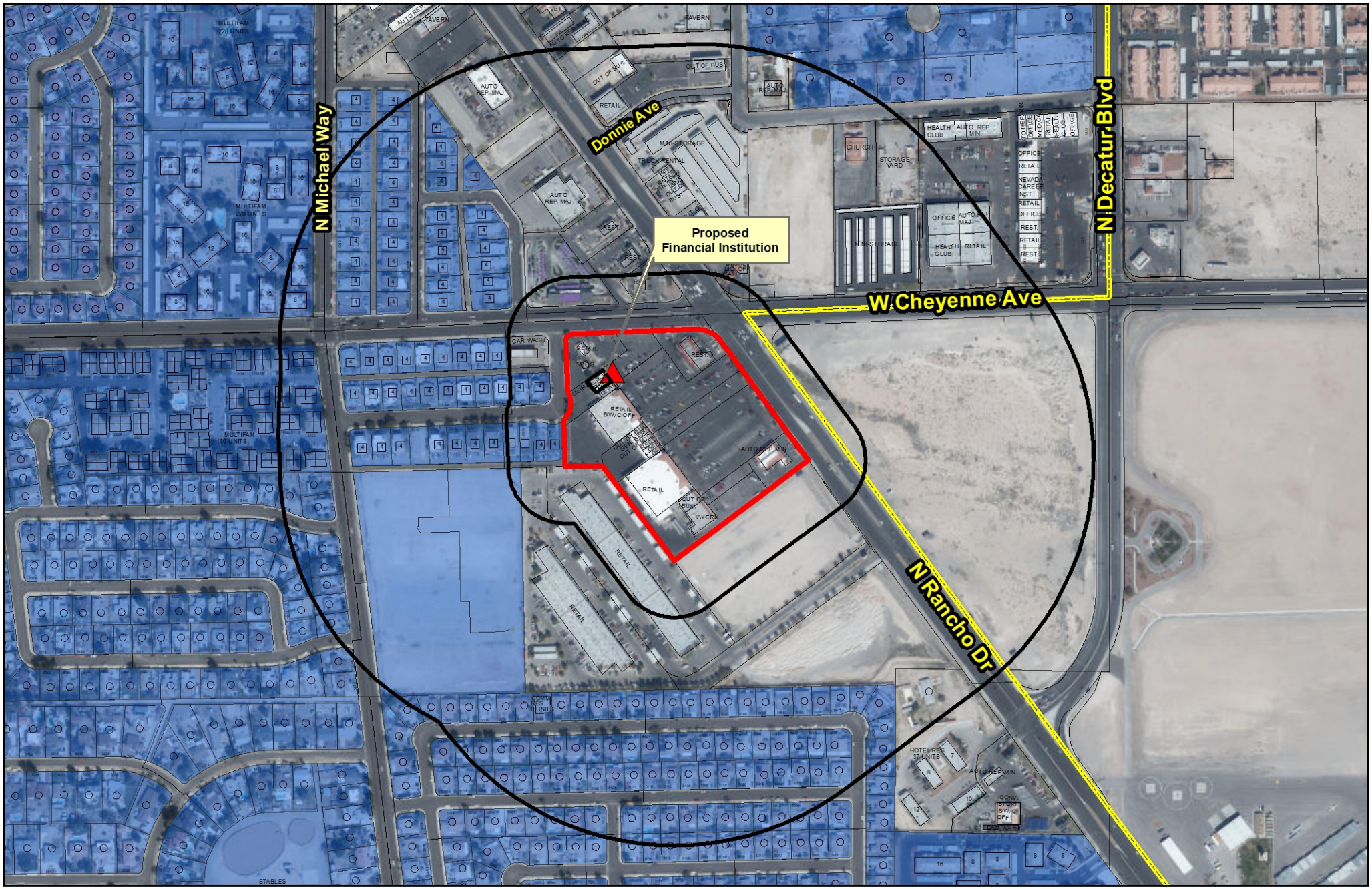

0 280 560 Feet

**CASE:** **SUP-78107 (PRJ-78045)**

**RADIUS:** 1000 FEET

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

N




**SUP-78107 (PRJ-78045)**

**Financial Institution**

**Business Licenses**

- Financial Institution, Specified
- Automobile Title Loan
- Pawnshops

**Protected Uses**

- Residential Property

- Subject Property
- 200ft & 1000ft Buffer

N

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

Date: Wednesday, January 29, 2020

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: MBSB NV-TX HOLDINGS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-78107** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 11

**NOTICES MAILED** 133 (By City Clerk)

**PROTESTS** 0

**APPROVALS** 1

**** CONDITIONS ****

# SUP-78107 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Title Loan use.

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

3. A Waiver from Title 19.12 is hereby approved, to allow window signage with text other than text that indicates the hours of operation and whether the business is open or closed.

4. A Waiver from Title 19.12 is hereby approved, to allow the area dedicated to the use to be 1,160 square feet.

5. A Waiver from Title 19.12 is hereby approved, to allow an eight–foot distance separation from a residentially zoned parcel.

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to add an Auto Tile Loan use at an existing 1,160 square foot Financial Institution, Specified use located at 3149 North Rancho Drive, Suite D.

## ISSUES

- The Auto Title Loan use is permitted in C-2 (General Commercial) with an approved Special Use Permit; no vehicles will be stored on-site.
- The existing establishment currently operates as a Financial Institution, Specified use.
- A Waiver is requested to allow window signage with text other than text that indicates the hours of operation and whether the business is open or closed. Staff recommends approval of the request.
- A Waiver is requested to allow the area dedicated to the use to be less than 1,500 square feet. Staff recommends approval of the request.
- A Waiver is requested to allow an eight-foot distance separation from a residentially-zoned property where 200 feet is required. Staff recommends approval of the request.

## ANALYSIS

The Auto Title Loan use is defined as, “A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself”. The applicant has ensured in their Justification Letter, that there will be no vehicle storage on-site. Therefore, the proposed use meets the definition.

The Minimum Special Use Permit Requirements for this use include:

1. The use shall comply with all applicable requirements of LVMC Title 6.

   *The proposal will be subject to review by Business Licensing, and compliance and enforcement of the LVMC Title 6.*

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

*The proposed use is to be located in an existing, nonconforming Financial, Specified use within an existing shopping center. When staff conducted a routine site visit on 01/02/20, they observed that the shopping center would provide a harmonious and compatible location for this use.*

3. No temporary signs (as described in LVMC 19.08.120(G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
   *No signs have been requested, nor will they be approved, as laid out above.*

4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

   *The applicant has requested a Waiver to allow window signs to include any other text other than text that indicates the hours of operation and whether the business is open or closed.*

5. The hours of operation shall not extend beyond the hours of 8:00a.m. to 11:00p.m.

   *The hours of operation will not extend beyond 8:00 am to 11:00 pm, per the submitted Justification Letter date stamped 01/16/20.*

6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

   *The proposed use is to be located in an existing, nonconforming Financial, Specified use within a shopping center that is 1,160 square feet. The applicant is requesting a Waiver to allow for the area dedicated to the use to be less than 1,500 square feet.*

7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

   *The applicant is requesting a Waiver to be located eight feet from a residential use, as they are going into an existing, nonconforming Financial, Specified use within a shopping center.*

The existing establishment at the subject site is a nonconforming Financial Institution, Specified. The Financial Institution, Specified and Auto Title Loan uses have the same Special Use Permit requirements, and the proposal will not be expanding the square footage of the existing establishment. Staff has determined that this proposal will not intensify the use of what is currently operating, and therefore, recommends approval of this Special Use Permit with Waivers.

## FINDINGS (SUP-78107)

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 Auto Title Loan use will be located within an existing Financial, Specified use in the C-2 (General Commercial) Zone with a SC (Service Commercial). This zone and general plan designation allows for higher intensity commercial such as the proposed use.

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

   The subject site is within an existing shopping center, and the current location of an existing Financial Institution, Specified use, that is physically suitable for the intensity of the Auto Title Loan use proposed.

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

   The Auto Title Loan use is located along Rancho Drive, a 125-foot Freeway/Expressway, as defined by the Mater Plan of Streets and Highways. This is sufficient for access to the proposed use.

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

   Approval of the Auto Title Loan use will not compromise the public health, safety and welfare of the public. At this location, there is currently a Financial Institution, Specified use, and this new proposal will not expand or intensify what is already existing.

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

   This proposal meets all of the conditions per Title 19.12, except for those which Waivers are requested: to be less than 200 feet from a residential use, to allow text other than text that indicates the hours of operation and whether the business is open or closed, and for the area dedicated to the use to be less than 1,500 square feet.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc*** | |
|---|---|
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Special Use Permit (SUP-78107) FOR A PROPOSED 1,160 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW AN EIGHT-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,160 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 3149 North Rancho Drive, Suite D (APN 138-13-511-002), C-2 (General Commercial), Ward 5 (Crear) [PRJ-78045]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/19/19 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 04/20/98 | A business license (N02-00083) was issued for a Non-depository Lender at 3149 N Rancho Drive, Suite D. The license is still active. |
| 08/31/09 | A business license (W10-00331) was issued for Wire Transfers at 3149 N Rancho Drive, Suite D. The license is still active. |
| | A business license (G50-05666) was issued for Money Order Sales at 3149 N Rancho Drive, Suite D. The license is still active. |
| 10/26/16 | A business license (G64-07316) was issued for Wire Transfer Service at 3149 N Rancho Drive, Suite D. The license closed 08/03/17. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/12/20 | A pre-application conference was held over the phone, to discuss the submittal requirements for a Special Use Permit. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | During a routine field inspection, staff observed an existing tenant operating within a shopping center. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.79 |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Financial Institution, Specified | SC (Service Commercial) | C-2 (General Commercial) |
| North | General Retail | SC (Service Commercial) | C-2 (General Commercial) |
| South | Shopping Center | SC (Service Commercial) | C-2 (General Commercial) |
| East | Undeveloped (Clark County) | N/A | C-2 (General Commercial) |
| West | Multifamily Residential | M (Medium Density Residential) | R-3 (Medium Density Residential) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District – 35 Feet | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | Y |
| 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* |
|---|---|---|---|---|
| Rancho Drive | Freeway/ Expressway | Master Plan of Streets and Highways | 125 | N |
| Cheyenne Avenue | Freeway/ Expressway | Master Plan of Streets and Highways | 100 | N |

***Pursuant to approved Plot Plan and Rezoning Z-0076-78, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 77,149 SF | NA | | | | | |
| **TOTAL SPACES REQUIRED** | | | 368 | | 591 | | Y* |
| **Regular and Handicap Spaces Required** | | | 368 | NA | 591 | NA | Y* |

*The existing establishment is a Financial Institution, Specified, which has the same parking requirement as the proposed Auto Title Loan use. Therefore, the proposal will not intensify parking requirement.

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Window signs shall not include any text other than text that indicates the hours of operation and whether the business is open or closed. | To allow text other than text that indicates the hours of operation and whether the business is open or closed. | Approval |
| The area dedicated to the use shall have a minimum size of 1,500 square feet. | For the area dedicated to the use to be 1,160 square feet. | Approval |
| No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. | To be located eight feet from a residential use. | Approval |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SPECIAL USE PERMIT

**Project Address** (Location) 3149 N RANCHO DRIVE, STE D

**Project Name** PRJ-78045 **Proposed Use** AUTO TITLE LENDER

**Assessor's Parcel #(s)** 138-13-511-002 **Ward #** 5-CREAR

**General Plan:** Existing SC Proposed SC **Zoning:** Existing C-2 Proposed C-2

**Additional Information** CURRENTLY A PAYDAY LENDER, ADDING AUTO TITLE LENDING

**Property Owner** MBSB NV-TX HOLDINGS LLC Contact CINDY McCAUGHEY

Address 24910 JOHN FREMONT ROAD City HIDDEN HILLS State CA Zip 91302

E-mail cindymccaughey@aol.com Phone 818-888-2511 714-283-8640

**Applicant** QC FINANCIAL SERVICES, INC. Contact DAWN BURY

Address 8208 MELROSE DRIVE City LENEXA State KS Zip 66214

E-mail dawn.bury@qcholdings.com Phone 913-234-5059

**Representative** Contact

Address City State Zip

E-mail Phone

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Cynthia B McCaughey

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

**Print Name** Cynthia Burns McCaughey

Subscribed and sworn before me

This 16TH day of Dec , 20 19

Dawn E. McManus

Notary Public in and for said County and State

DAVID E. MCMANUS
Commission # 2135011
Notary Public - California
Los Angeles County
My Comm. Expires Dec 22, 2019

PRJ-78045
12/17/19

731

Google Maps 3149 N Rancho Dr




Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 200 ft



vacinity map

## 3149 N Rancho Dr

Las Vegas, NV 89108

Directions Save Nearby Send to your phone Share

PRJ-78045
12/17/19

6Q8P+FM Las Vegas, Nevada

### Photos

Google Maps 3149 N Rancho Dr




Imagery ©2019 Maxar Technologies, U.S. Geological Survey, Map data ©2019 50 ft



## 3149 N Rancho Dr

Las Vegas, NV 89108

Directions Save Nearby Send to your phone Share

PRJ-78045
12/17/19

6Q8P+FM Las Vegas, Nevada

### Photos

Google Maps 3149 N Rancho Dr




Map data ©2019 , Map data ©2019 20 ft



## 3149 N Rancho Dr

Las Vegas, NV 89108

Directions Save Nearby Send to your phone Share

PRJ-78045
12/17/19

6Q8P+FM Las Vegas, Nevada

### Photos

Google Maps Las Vegas, Nevada

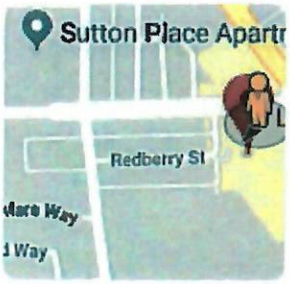



Image capture: Apr 2019 © 2019 Google

Google

Street View - Apr 2019

front entry




Lend Nation Sign
12'4 x 2'6

PRJ-78045
12/17/19

Google Maps Las Vegas, Nevada




Image capture: Mar 2018 © 2019 Google

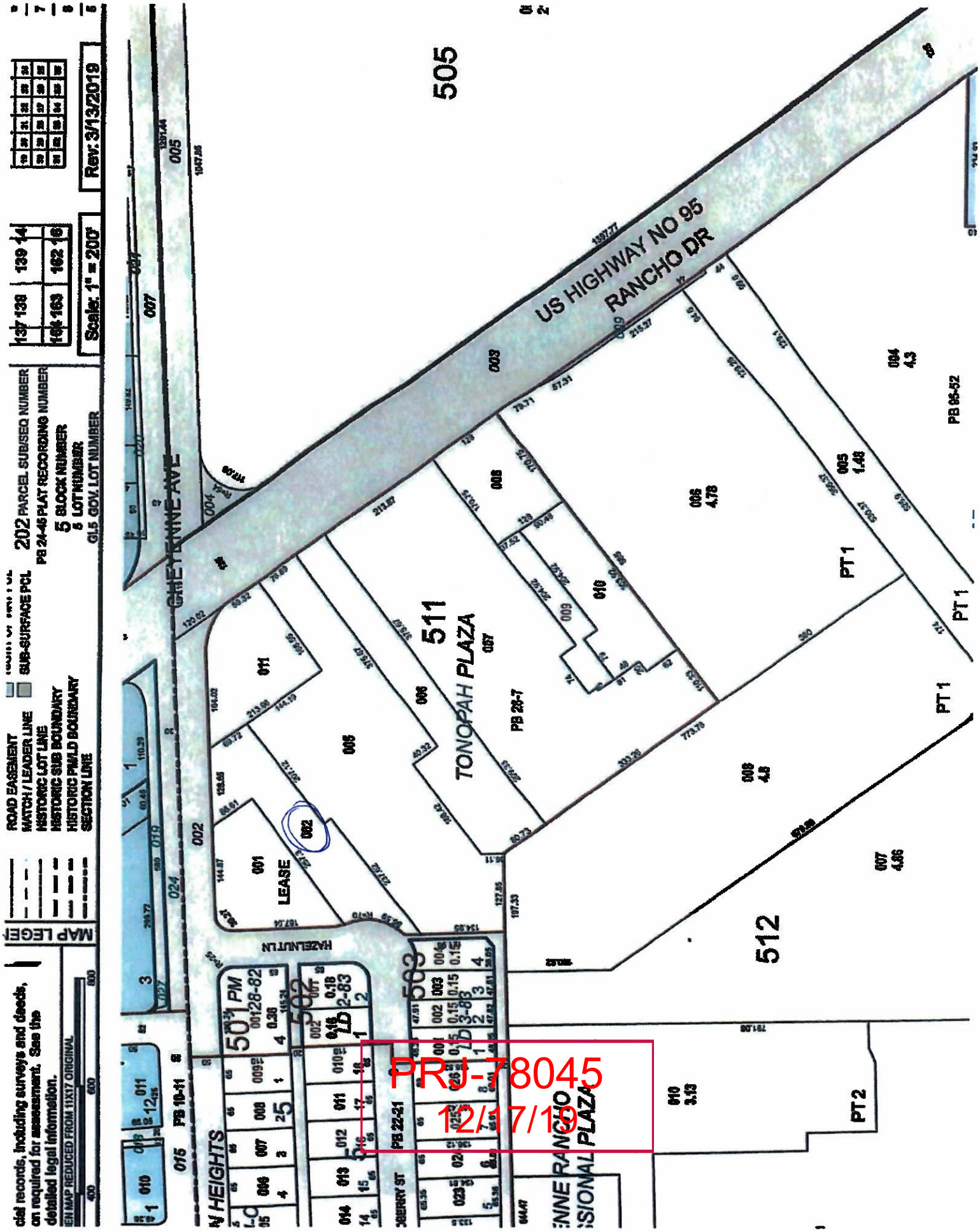
Google

Street View

back entry

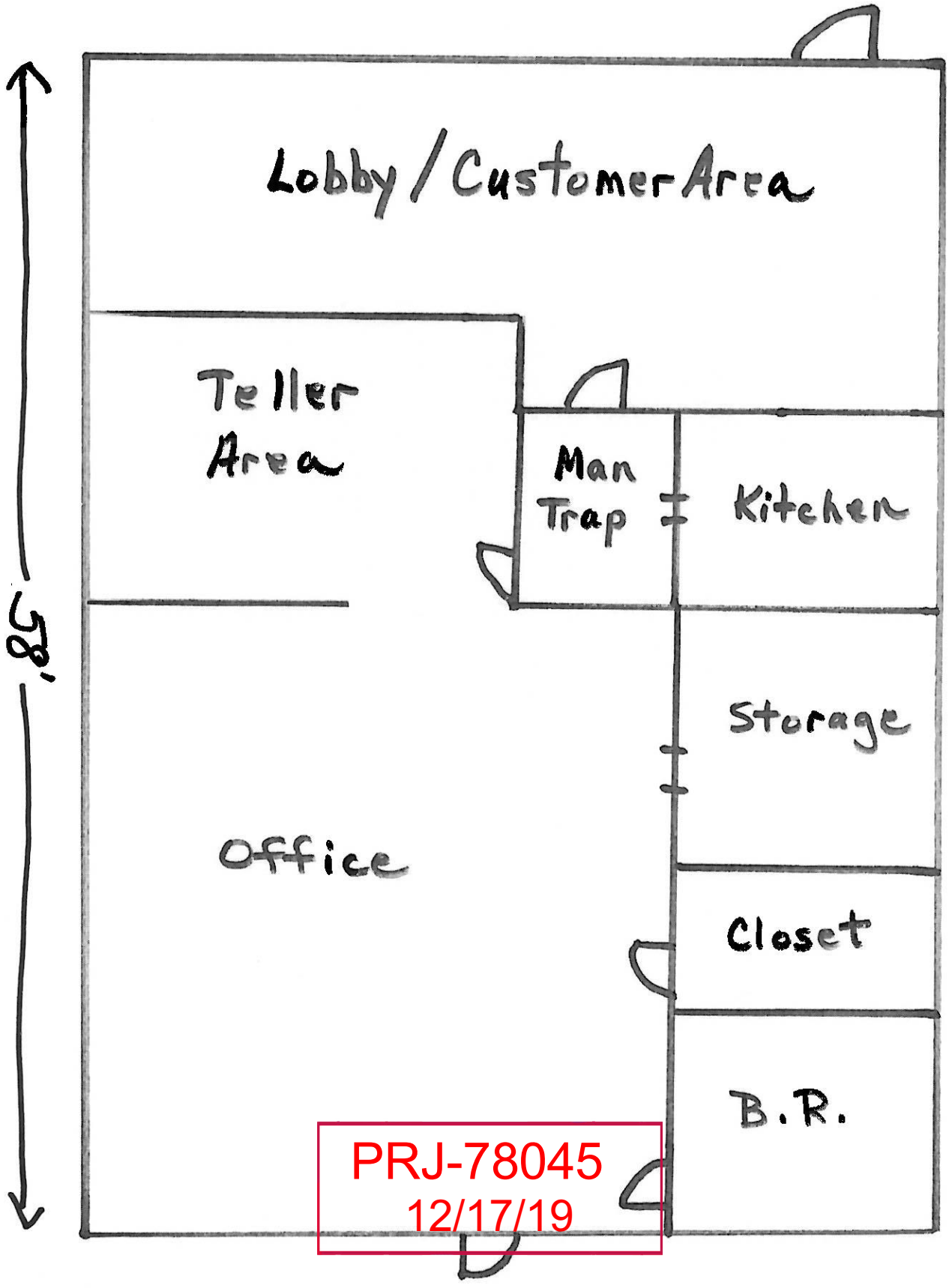



PRJ-78045
12/17/19



US HIGHWAY NO 95
RANCHO DR
CHEYENNE AVE
TONOPAH PLAZA
LEASE
HAZELNUT LN
505
511
512
PT 1
PT 2
PB 95-52
PB 28-7
PB 22-21
PB 10-11
202 PARCEL SUB/SEQ NUMBER
PB 24-45 PLAT RECORDING NUMBER
5 BLOCK NUMBER
5 LOT NUMBER
GL5 GOV. LOT NUMBER
ROAD EASEMENT
MATCH / LEADER LINE
HISTORIC LOT LINE
HISTORIC SUB BOUNDARY
HISTORIC PM/LD BOUNDARY
SECTION LINE
SUB-SURFACE PCL
Scale: 1" = 200'
Rev: 3/13/2019
MAP LEGEND
PRJ-78045
12/17/19

3149 N Rancho Dr, Ste D 89130




Total SQ FT 1160




**SUP-78107 [PRJ-78045] - SPECIAL USE PERMIT - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: MBSB NV-TX HOLDINGS, LLC**
**3149 NORTH RANCHO DRIVE, SUITE D**

01/06/2020

8208 Melrose Drive
Lenexa, KS • 66214
913-234-5000
www.qchi.com

January 16, 2020

QC Financial Services, Inc. DBA LendNation
8208 Melrose Drive
Lenexa, Kansas, 66214

Re: PRJ-78045_JF001

To Whom It May Concern;

We are requesting a Special Use Permit to add Auto Title Loans as an additional product to our 3149 N Rancho Drive, Ste D location. There will be no vehicle storage on-site.

The permit would be for the entire square footage of this location, which is 1160.

We are requesting waivers for the following:

- Distance to residential
- To allow window signage that include any text other than text that indicates the hours of operation and whether the business is open or closed
- To allow this location to have less square footage than the required 1500 square feet

Hours of operation: Monday – Friday 9:00 am to 7:00 pm Saturday 9:00 am to 4:00pm and closed on Sunday.

We currently hold Deferred Deposit and Check Cashing licenses for this location.

There has been a great deal of requests for the Title Loan product at this location. We currently offer Auto Title Loans in 2 other Las Vegas locations, and would like to have brand consistency in all our Las Vegas market, and the opportunity to service all our client's needs.

Please feel free to contact me at 913-234-5059 if you have additional questions.

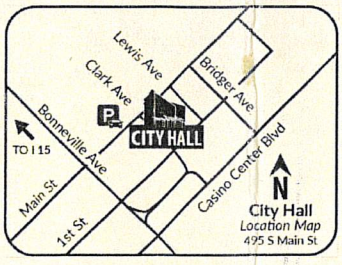
Cordially,

Dawn Bury
Compliance Manager
QC Holdings, Inc.
8208 Melrose Drive
Lenexa, Kansas, 66214

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
**PAID**
Las Vegas, NV
Permit No. 1630

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




RECEIVED
CITY CLERK
2020 MAR 16 A 11:11

RECD MAR 09

PRJ-78045
13812810046
REBEL LAND & DEVELOPMENT L L C D
1450 N BENSON AVE UNIT A
UPLAND CA 91786

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78107 [PRJ-78045]**
City Council Meeting of **03/18/2020**

15 ARDFNP1 91786

Submitted after final agenda
62

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

RECEIVED
FEB 6 2020
Dept of Planning
City of Las Vegas

**CASE:** **SUP-78107 [PRJ-78045] - SPECIAL USE PERMIT**

**SUBJECT:** APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: MBSB NV-TX HOLDINGS, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***FEBRUARY 11, 2020*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, FEBRUARY 10, 2020.***

Dawn Bury
Signature

2/5/2020
Date

Dawn Bury
Please Print Name

QC Financial Services, Inc.
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

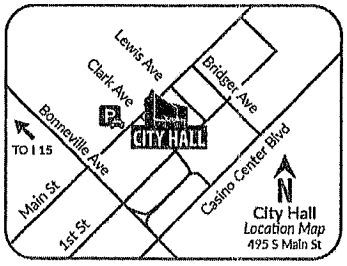
Submitted after final agenda

Item #11

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

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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




RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

FEB 03

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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78107 [PRJ-78045]**
Planning Commission Meeting of **2/11/2020**

PRJ-78045
13812810045
REBEL LAND & DEVELOPMENT L L C D
1450 N BENSON AVE UNIT A
UPLAND CA 91786

1E LRDFMP1 91705

Submitted after final agenda

11A

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**63**

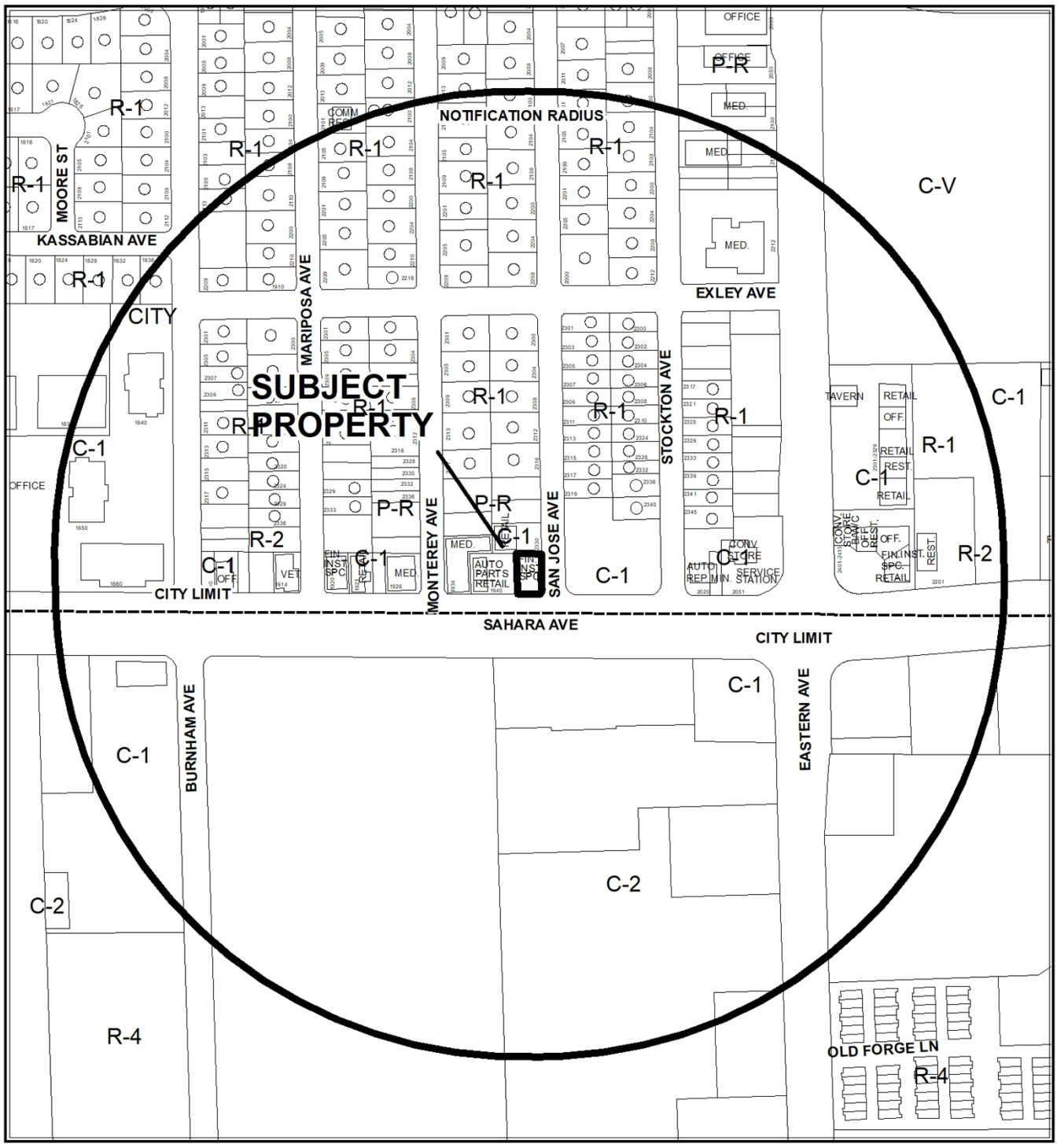
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-78109 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,170 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,170 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 1942 East Sahara Avenue, Suite A (APN 162-02-811-116), C-1 (Limited Commercial), Ward 3 (Diaz) [PRJ-78046]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 0 |
| City Council Meeting | 3 | City Council Meeting | 2 |

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest/Support Postcards
8. Submitted after Final Agenda - Abeyance Request E-mail, Protest/Support Postcards and Support Documentation Not Vetted - Altered Postcard
9. Backup Submitted for the February 11, 2020 Planning Commission Meeting



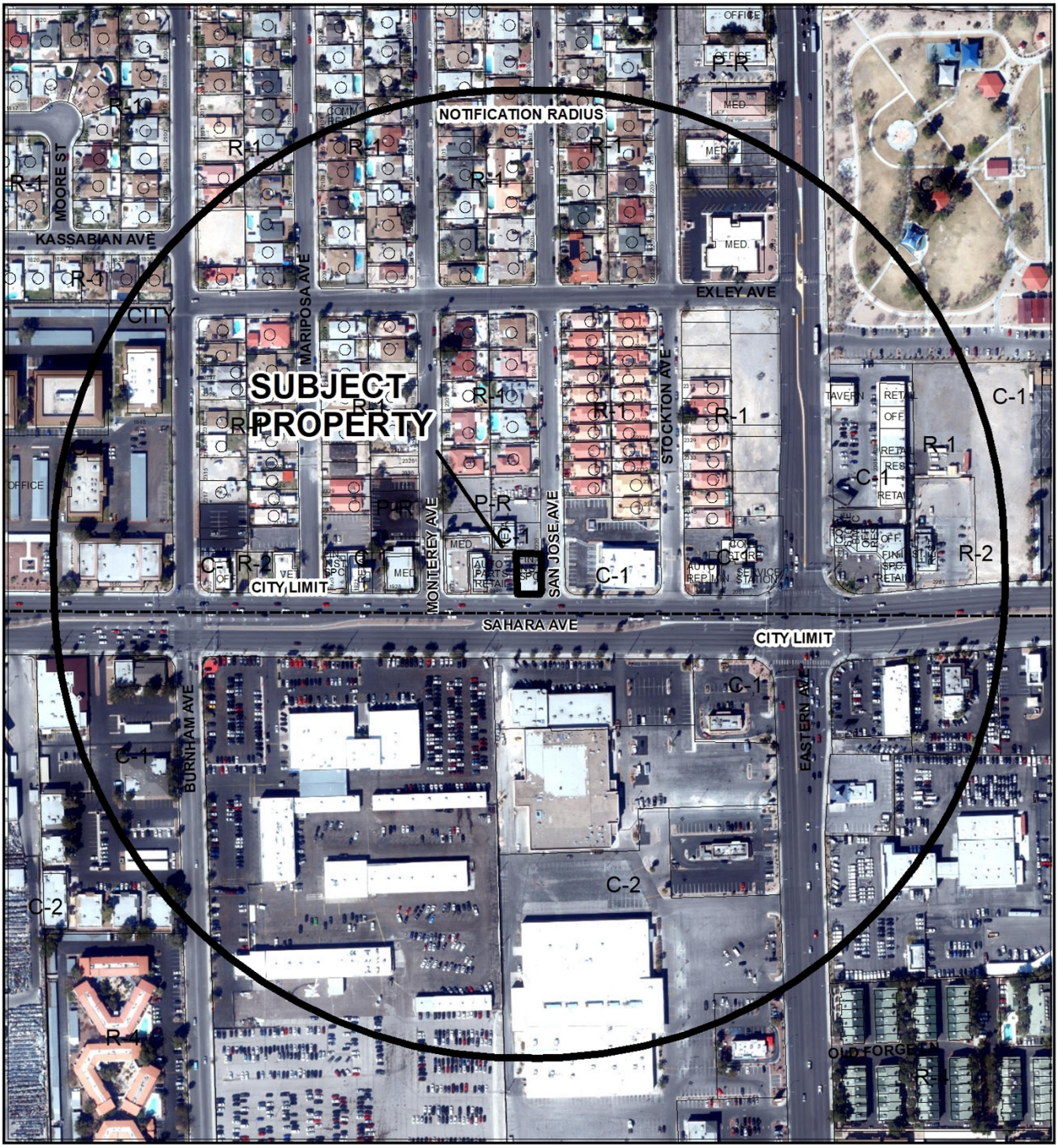

0 245 490 Feet

**CASE:** **SUP-78109 (PRJ-78046)**

**RADIUS:** 1000 FEET

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

N



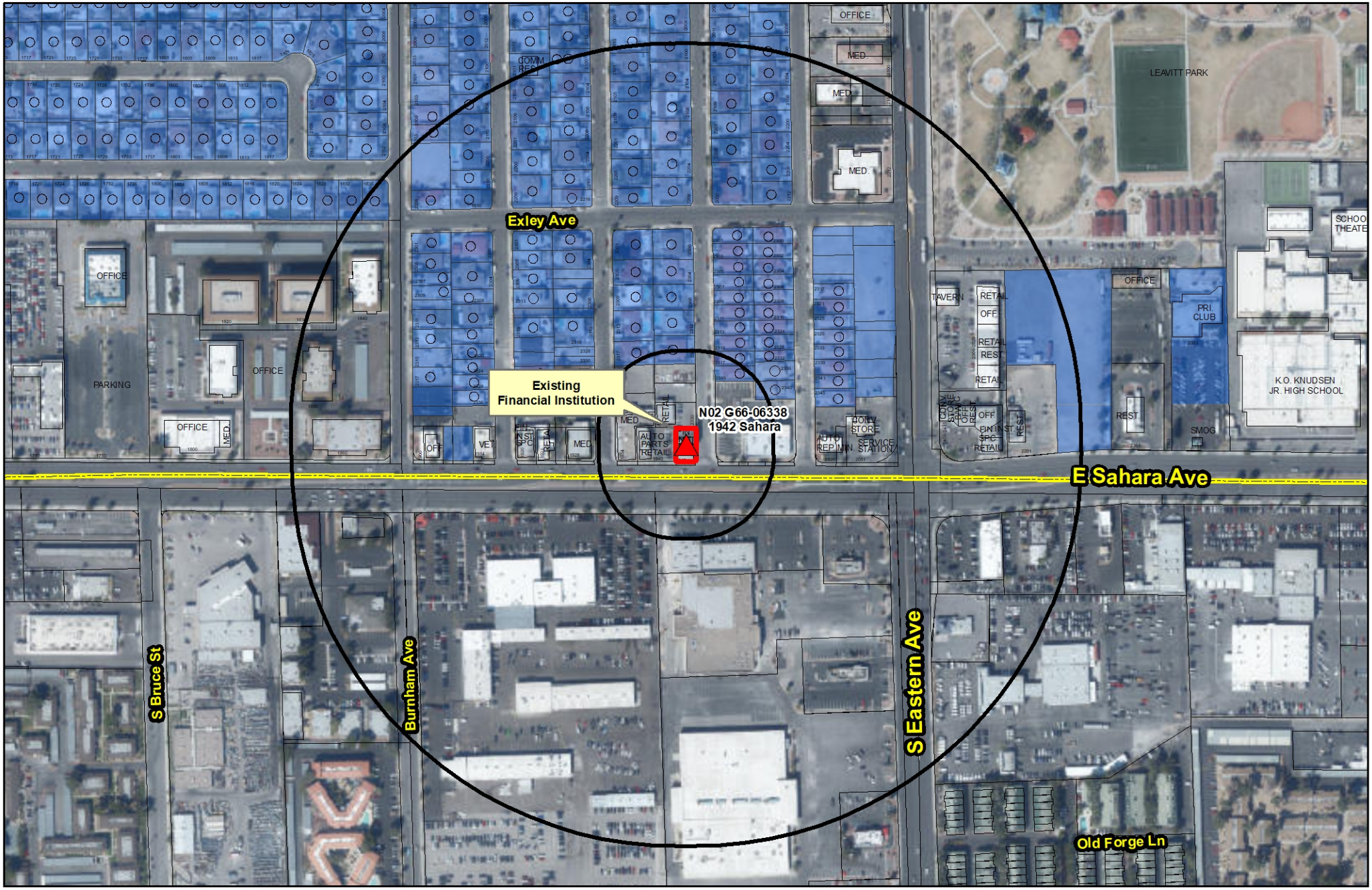

0 245 490 Feet

**CASE:** **SUP-78109 (PRJ-78046)**

**RADIUS:** 1000 FEET

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

N




**SUP-78109 (PRJ-78109)**

**Financial Institution**

**Business Licenses**

- Financial Institution, Specified
- Automobile Title Loan
- Pawnshops

**Protected Uses**

- Residential Property

- Subject Property
- 200ft & 1000ft Buffer

N



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

Date: Wednesday, January 29, 2020

City of Las Vegas

## AGENDA MEMO - PLANNING

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST**

## ** STAFF RECOMMENDATION(S) **

| CASE NUMBER | RECOMMENDATION | REQUIRED FOR APPROVAL |
|---|---|---|
| **SUP-78109** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**NOTICES MAILED** 212 (By City Clerk)

**PROTESTS** 2

**APPROVALS** 0

**** CONDITIONS ****

# SUP-78109 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Title Loan use.

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

3. A Waiver from Title 19.12 is hereby approved, to allow window signage with text other than text that indicates the hours of operation and whether the business is open or closed.

4. A Waiver from Title 19.12 is hereby approved, to allow the area dedicated to the use to be 1,170 square feet.

5. A Waiver from Title 19.12 is hereby approved, to allow a 130–foot distance separation from a residentially zoned parcel.

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to add an Auto Title Loan use to an existing 1,170 square foot Financial Institution, Specified use located at 1942 East Sahara Avenue, Suite A.

## ISSUES

- The Auto Title Loan use is permitted in C-1 (Limited Commercial) with an approved Special Use Permit; no vehicles will be stored on-site.
- The existing establishment currently operates as a Financial Institution, Specified use.
- A Waiver is requested to allow window signage with text other than text that indicates the hours of operation and whether the business is open or closed. Staff recommends approval of the request.
- A Waiver is requested to allow the area dedicated to the use to be less than 1,500 square feet. Staff recommends approval of the request.
- A Waiver is requested to allow a 130-foot distance separation from a residentially-zoned property where 200 feet is required. Staff recommends approval of the request.

## ANALYSIS

The Auto Title Loan use is defined as, “A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself”. The applicant has ensured in their Justification Letter, that there will be no vehicle storage on-site. Therefore, the proposed use meets the definition.

The Minimum Special Use Permit Requirements for this use include:

1. The use shall comply with all applicable requirements of LVMC Title 6.

   *The proposal will be subject to review by Business Licensing, and compliance and enforcement of the LVMC Title 6.*

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

*The proposed use is to be located in an existing, nonconforming Financial, Specified use within an existing commercial development. When staff conducted a routine site visit on 01/02/20, they observed that the commercial development would provide a harmonious and compatible location for this use.*

3. No temporary signs (as described in LVMC 19.08.120(G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
   *No signs have been requested, nor will they be approved, as laid out above.*

4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

   *The applicant has requested a Waiver to allow window signs to include any other text other than text that indicates the hours of operation and whether the business is open or closed.*

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

   *The hours of operation will not extend beyond 8:00 am to 11:00 pm, per the submitted Justification Letter date stamped 01/16/20.*

6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

   *The proposed use is to be located in an existing, nonconforming Financial, Specified use within a commercial development that is 1,170 square feet. The applicant is requesting a Waiver to allow for the area dedicated to the use to be less than 1,500 square feet.*

7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

   *The applicant is requesting a Waiver to be located 130 feet from a residential use, as they are going into an existing, nonconforming Financial, Specified use within a commercial development.*

The existing establishment at the subject site is a nonconforming Financial Institution, Specified. The Financial Institution, Specified and Auto Title Loan uses have the same Special Use Permit requirements and parking requirements, and the proposal will not be expanding the square footage of the existing establishment. Therefore, the proposal will not intensify the parking requirement. A Plot Plan (Z-0082-70) was approved to establish a shared parking area of 11 spaces. Later in 1971, an additional Plot Plan (Z-0055-71) was approved to add an additional 11 spaces to the shared parking area, resulting in 22 parking spaces total. The General Retail use to the north requires 15 parking spaces while the Auto Title Loan use requires 5 parking spaces.

Staff has determined that this proposal will not intensify the use of what is currently operating, and therefore, recommends approval of this Special Use Permit with Waivers.

## FINDINGS (SUP-78109)

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 Auto Title Loan use will be located within an existing Financial, Specified use in the C-1 (Limited Commercial) Zone with a SC (Service Commercial). This zone and general plan designation allows for higher intensity commercial such as the proposed use.

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

   The subject site is within an existing commercial development, and the current location of an existing Financial Institution, Specified use, that is physically suitable for the intensity of the Auto Title Loan use proposed.

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

   The Auto Title Loan use is located along Sahara, a 127-foot Primary Arterial, as defined by the Mater Plan of Streets and Highways. This is sufficient for access to the proposed use.

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

   Approval of the Auto Title Loan use will not compromise the public health, safety and welfare of the public. At this location, there is currently a Financial Institution, Specified use, and this new proposal will not expand or intensify what is already existing.

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

   This proposal meets all of the conditions per Title 19.12, except for those which Waivers are requested: to be less than 200 feet from a residential use, to allow text other than text that indicates the hours of operation and whether the business is open or closed, and for the area dedicated to the use to be less than 1,500 square feet.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc*** | |
|---|---|
| 01/27/71 | The Planning Commission approved a Plot Plan and Rezoning (Z-82-70) from R-2 (Medium Density Residential) to C-1 (Limited Commercial) at 1942 Sahara Avenue. This mapped the subject site with the parcel directly the north (APNs 162-02-811-116, 117) and established a shared parking area of 11 parking spaces. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc*** | |
|---|---|
| 09/10/71 | The Planning Commission approved a Plot Plan and Rezoning (Z-82-70) from R-1 (Single Family Residential) to P-R (Professional Office). This mapped the subject site with the parcels directly the north (APNs 162-02-811-116 through 118), and established an additional 11 parking spaces, resulting in 22 shared parking spaces. |
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Special Use Permit (SUP-78109) FOR A PROPOSED 1,170 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,170 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 1942 East Sahara, Suite A (APN 162-02-811-116), C-1 (Limited Commercial), Ward 3 (Diaz) [PRJ-78046]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 09/24/18 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no relevant Building Permits or Business Licenses at this location. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/12/19 | A pre-application conference was held over the phone to discuss the submittal requirements for a Special Use Permit. |

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

| ***Field Check*** | |
|---|---|
| 01/02/20 | During a routine field inspection, staff observed an existing tenant operating within a commercial development. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.11 |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Financial Institution, Specified | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | House of Worship, Parking Lot | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Clark County | N/A | N/A |
| East | General Commercial, Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | General Commercial | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Master and Neighborhood Plan Areas* | *Compliance* |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area 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 |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | Y |
| 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* |
|---|---|---|---|---|
| Eastern Avenue | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |
| Sahara Avenue | Primary Arterial | Master Plan of Streets and Highways | 127 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Financial Institution, Specified | 1,170 SF | 1:250 SF | 5 | | | | |
| General Retail | 2,552 SF | 1:175 | 15 | | | | |
| **TOTAL SPACES REQUIRED** | | | 20 | | 22 | | Y* |
| **Regular and Handicap Spaces Required** | | | 19 | 1 | 22 | 0 | Y* |

*The existing establishment is a Financial Institution, Specified, which has the same parking requirement as the proposed Auto Title Loan use. Therefore, the proposal will not intensify the parking requirement. The subject site was mapped with multiple actions (Z-0082-70, Z-0055-71) and multiple parcels (162-02-811-116 through 118) to establish a shared parking area of 22 spaces. The General Retail use to the north requires 15 parking spaces while the Auto Title Loan use requires 5 parking spaces.

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Window signs shall not include any text other than text that indicates the hours of operation and whether the business is open or closed. | To allow text other than text that indicates the hours of operation and whether the business is open or closed. | Approval |
| The area dedicated to the use shall have a minimum size of 1,500 square feet. | For the area dedicated to the use to be 1,160 square feet. | Approval |
| No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. | To be located eight feet from a residential use. | Approval |

***Las Vegas Valley Water District (LVVWD):***

| ***Comments: 162-02-811-116*** |
| --- |
| This parcel is currently served by LVVWD for domestic use and does not have the backflow prevention required for this use per NAC 445A.67195. The customer should be advised, any development will require the installation of backflow prevention to bring the services into compliance with state regulations. In addition, civil improvement plans must be submitted to verify adequate domestic and fire service. |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SPECIAL USE PERMIT

**Project Address** (Location) 1942 E SAHARA AVENUE, STE A

**Project Name** PRJ-78046 **Proposed Use** AUTO TITLE LENDER

**Assessor's Parcel #(s)** 162-02-811-116 **Ward #** 3-DIAZ

**General Plan:** Existing SC Proposed SC **Zoning:** Existing C-1 Proposed C-1

**Additional Information** CURRENTLY A PAYDAY LENDER, ADDING AUTO TITLE LENDING

**Property Owner** RIBAUDO FAMILY TRUST Contact ANTONIO CANZONA

Address PO BOX 291698 City LOS ANGELES State CA Zip 90029

E-mail antonio.canzona@yahoo.com Phone 323-447-2067

**Applicant** QC FINANCIAL SERVICES, INC. Contact DAWN BURY

Address 8208 MELROSE DRIVE City LENEXA State KS Zip 66214

E-mail dawn.bury@qcholdings.com Phone 913-234-5059

**Representative** _____ Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

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)** _____

**Partner(s)** _____

• 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Concetta Ribaudo Canzona, Trustee

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

**Print Name** Concetta Ribaudo Canzona

Subscribed and sworn before me

This 10th day of December, 20 19

SEE ATTACHED DOCUMENT

PRJ-78046 12/11/19

Notary Public in and for said County and State

**CALIFORNIA JURAT WITH AFFIANT STATEMENT** **GOVERNMENT CODE § 8202**

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

*Signature of Document Signer No. 1* *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 16th day of December, 2019,
*Date* *Month* *Year*
by
(1) CONCETTA CANZONA
(and (2) ),
*Name(s) of Signer(s)*

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

MARINE TER-POGOSYAN
Notary Public - California
Los Angeles County
Commission # 2257424
My Comm. Expires Oct 1, 2022

Signature Marine Ter-Pogosyan
*Signature of Notary Public*

*Seal*
*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: application/petition Form... Document Date: 12.16.2019

Number of Pages: 1 Signer(s) Other Than Named Above:

©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5910

PRJ-78046
12/17/19

728

Google Maps 1942 E Sahara Ave




Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 200 ft




vacinity map

## 1942 E Sahara Ave

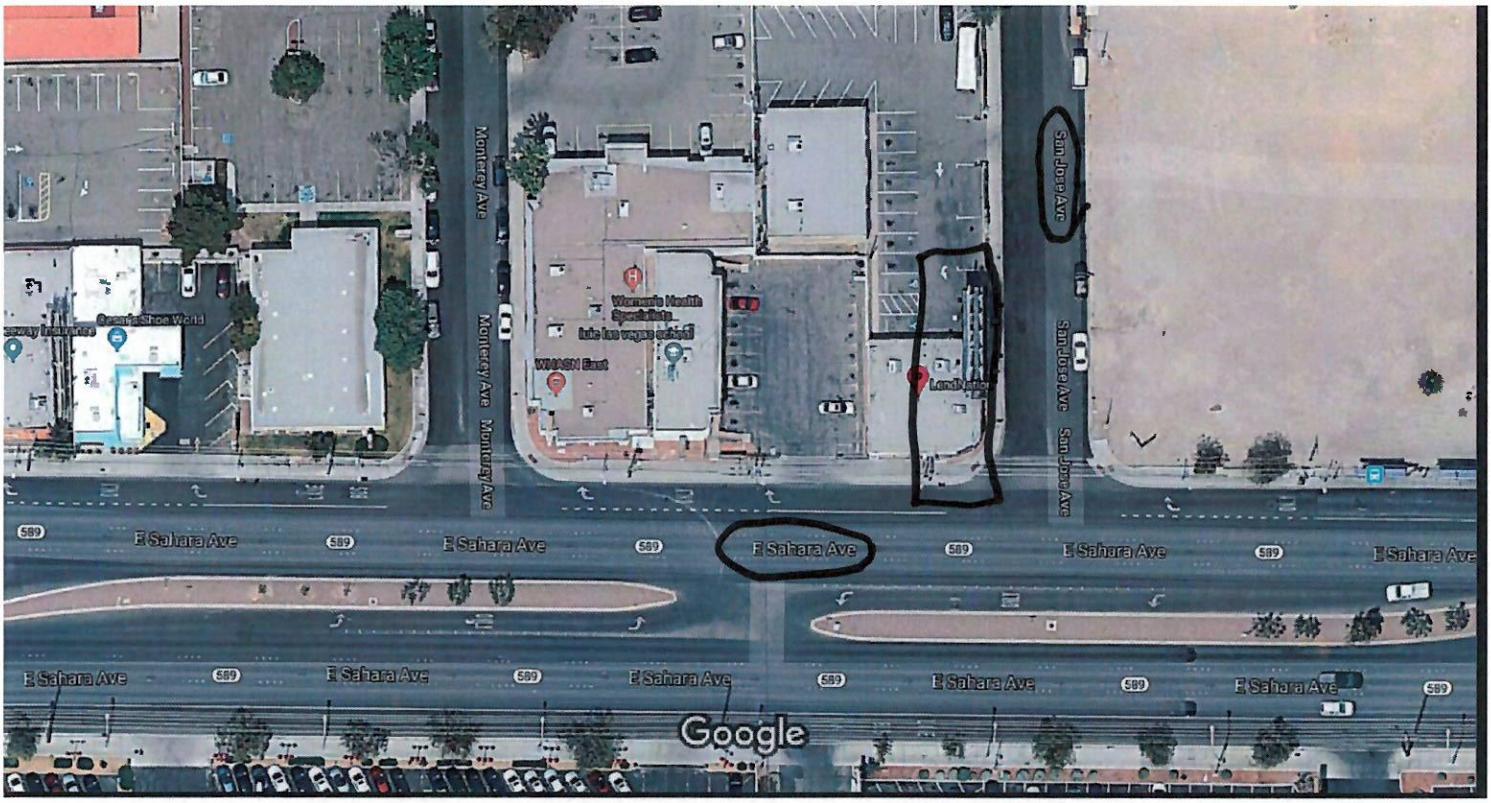
Las Vegas, NV 89104

Directions Save Nearby Send to your phone Share

**Photos**

PRJ-78046
12/17/19

Google Maps LendNation




Map data ©2019 , Map data ©2019 20 ft

LendNation

## LendNation

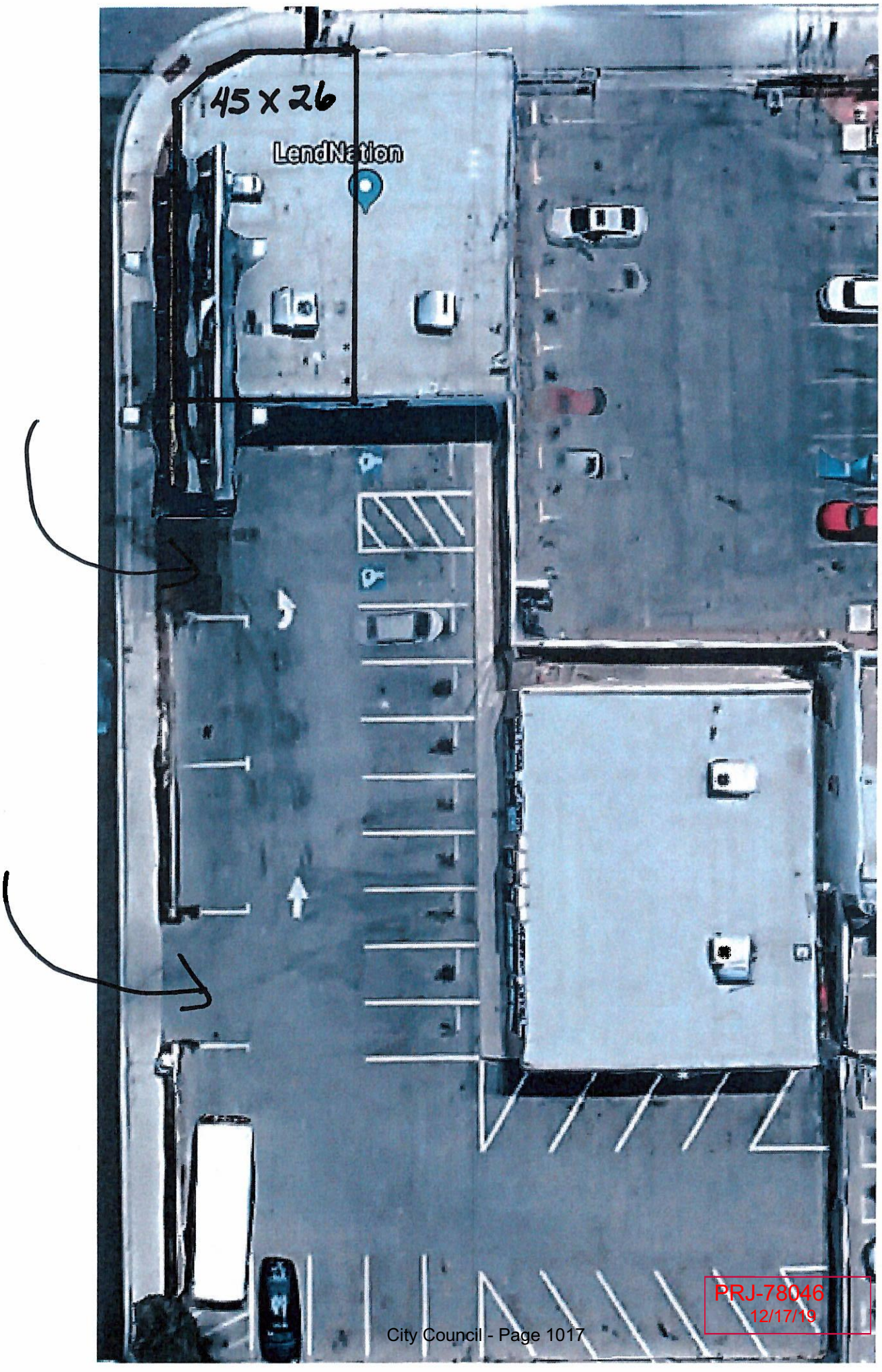
2.2 ★★ (5)

Loan agency

Directions Save Nearby Send to your phone Share

1942 E Sahara Ave Ste A, Las Vegas, NV 89104

PRJ-78046
12/17/19




PRJ-78046
12/17/19

Google Maps Las Vegas, Nevada

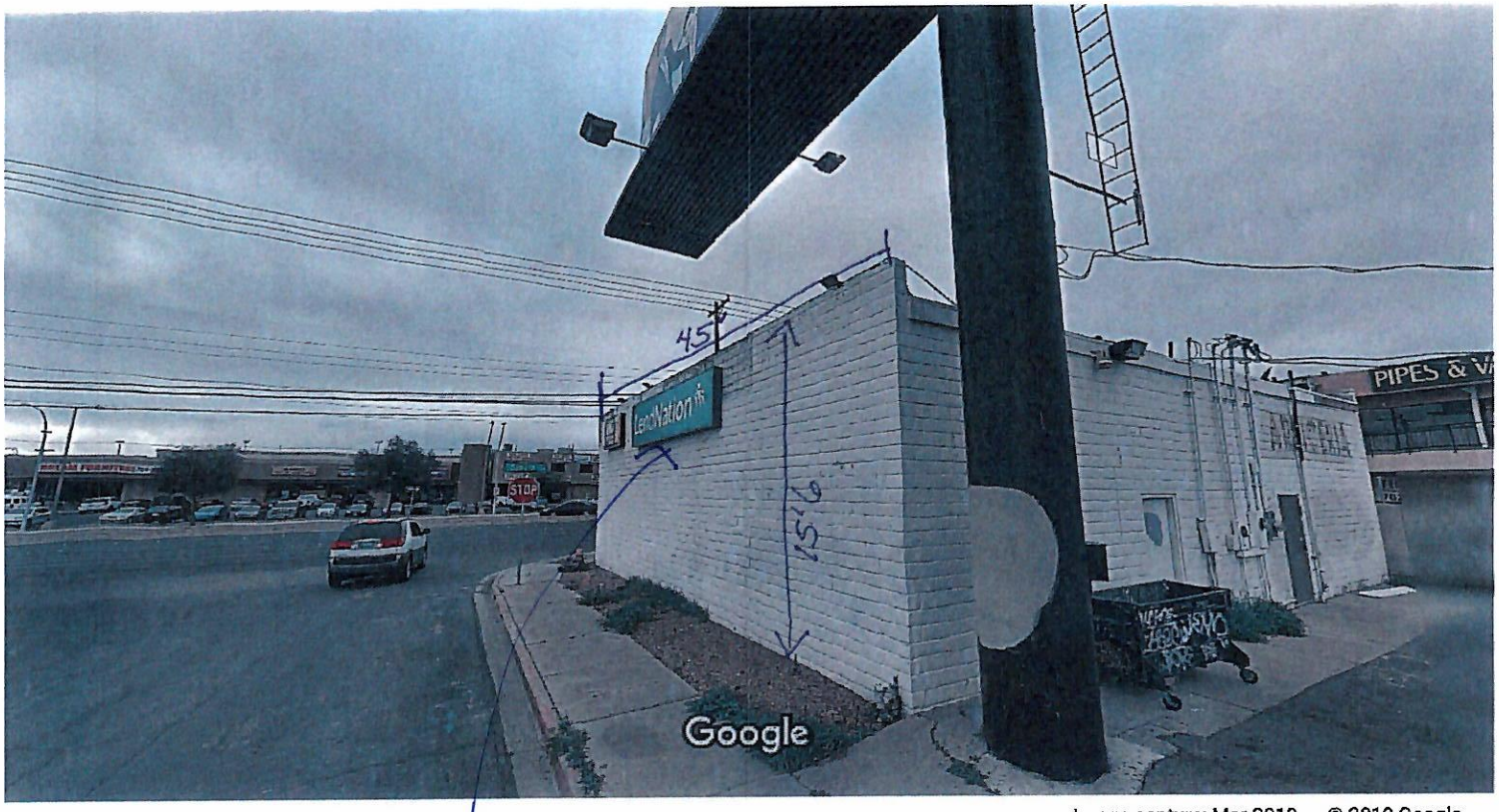
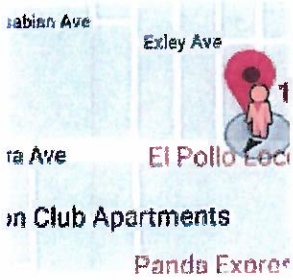



Image capture: Mar 2019 © 2019 Google

Google

Street View




Lend Nation Sign
16' X 3'3

PRJ-78046
12/17/19

Google Maps 1942 E Sahara Ave

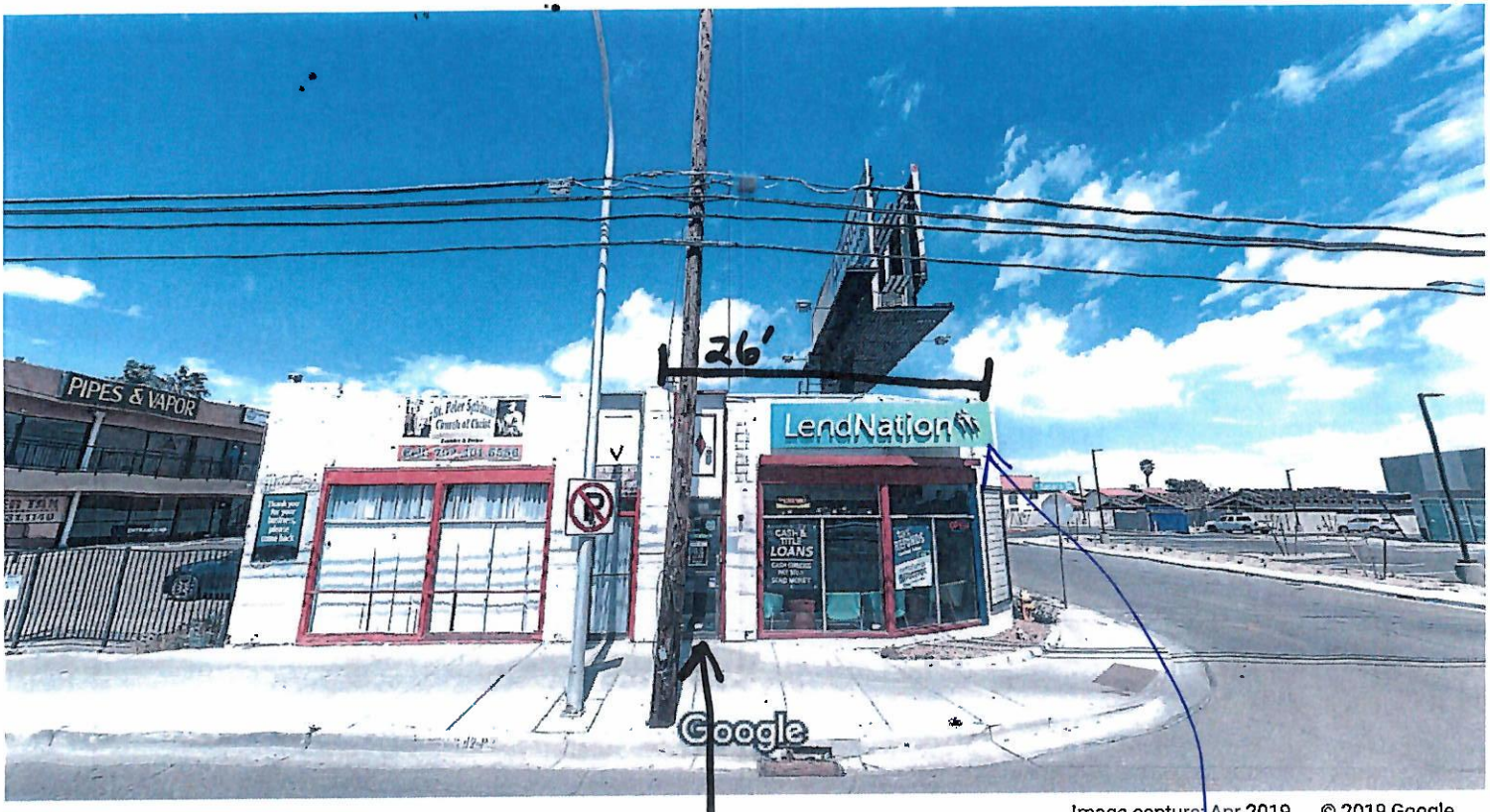



Image capture: Apr 2019 © 2019 Google

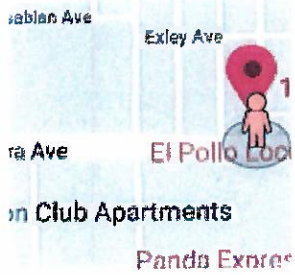
Las Vegas, Nevada

Google

Street View

entry

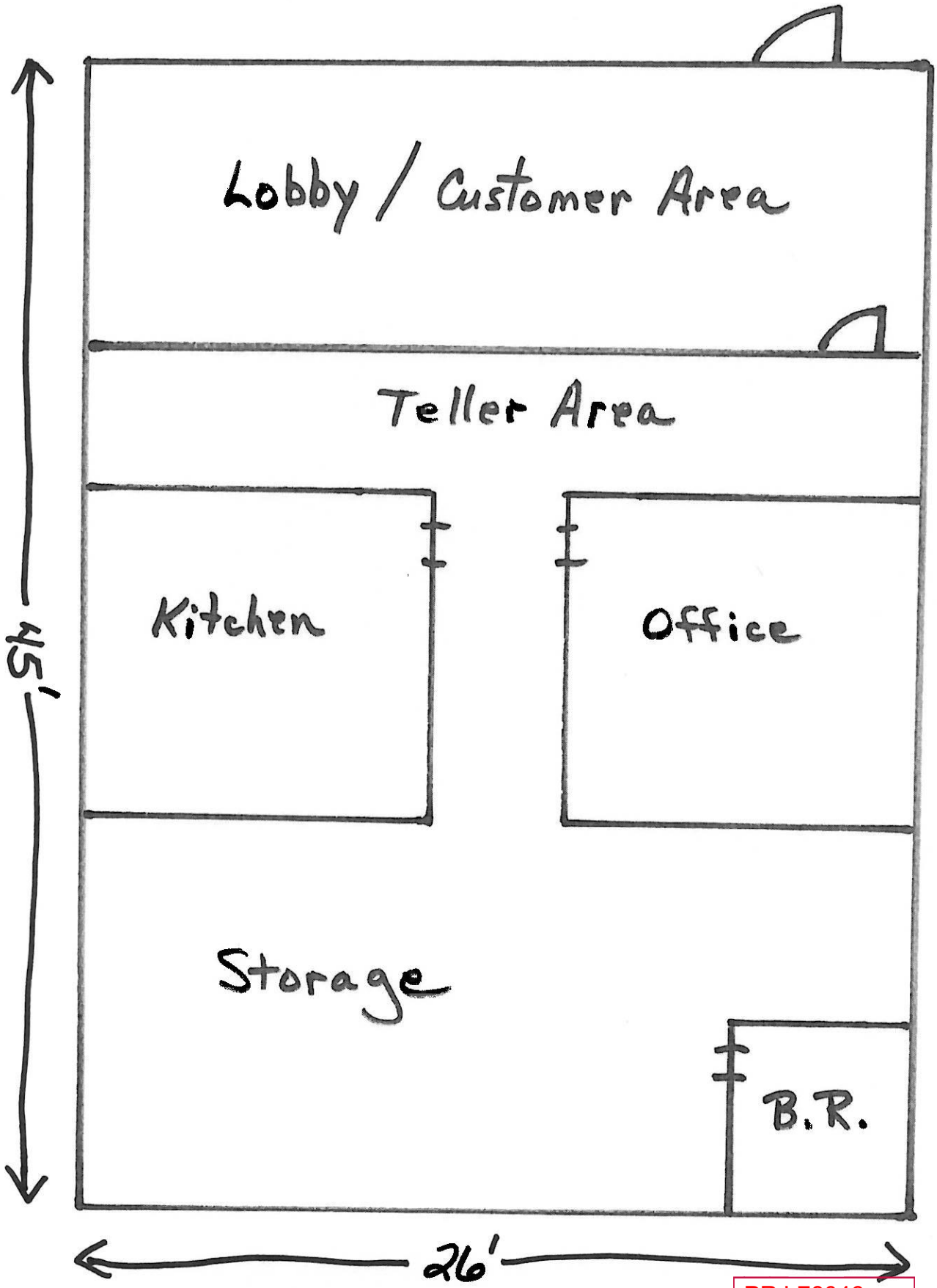
LendNation Sign
14'10 x 3'




PRJ-78046
12/17/19

728

1942 E Sahara Ave, Ste A 89104




Total Sq Ft 1170

PRJ-78046
12/17/19




**SUP-78109 [PRJ-78046] - SPECIAL USE PERMIT - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST**
**1942 EAST SAHARA, SUITE A**

01/02/2020

8208 Melrose Drive
Lenexa, KS • 66214
913-234-5000
www.qchi.com

January 16, 2020

QC Financial Services, Inc. DBA LendNation
8208 Melrose Drive
Lenexa, Kansas, 66214

Re: PRJ-78046_JF001

To Whom It May Concern;

We are requesting a Special Use Permit to add Auto Title Loans as an additional product to our 1942 E Sahara Avenue, Ste A location. There will be no vehicle storage on-site.

The permit would be for the entire square footage of this location, which is 1170.

We are requesting waivers for the following:

- Distance to residential
- To allow window signage that include any text other than text that indicates the hours of operation and whether the business is open or closed
- To allow this location to have less square footage than the required 1500 square feet

Hours of operation: Monday – Friday 9:00 am to 7:00 pm Saturday 9:00 am to 4:00pm and closed on Sunday.

We currently hold Deferred Deposit and Check Cashing licenses for this location.

There has been a great deal of requests for the Title Loan product at this location. We currently offer Auto Title Loans in 2 other Las Vegas locations, and would like to have brand consistency in all our Las Vegas market, and the opportunity to service all our client's needs.

Please feel free to contact me at 913-234-5059 if you have additional questions.

Cordially,

Dawn Bury
Compliance Manager
QC Holdings, Inc.
8208 Melrose Drive
Lenexa, Kansas, 66214

PRJ-78046
01/16/20

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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

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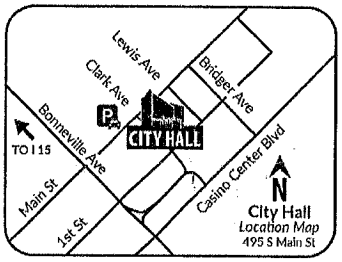
2020 MAR -9 A 11:37




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

PRJ-78046
16202811068
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

97 ARDFNP1 89107

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City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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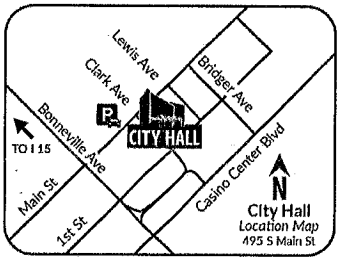


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**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

PRJ-78046
16202811069
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107



97 ARDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
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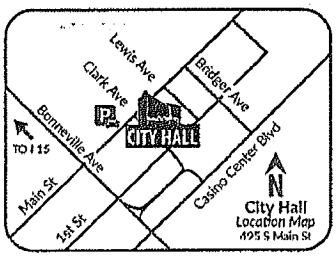


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

Case: SUP-78109
Mr. Antonio Canzona
Ribaudo Family Trust
P.O. Box 291698
Los Angeles, CA 90029

90025-95959

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
05 MAR '20
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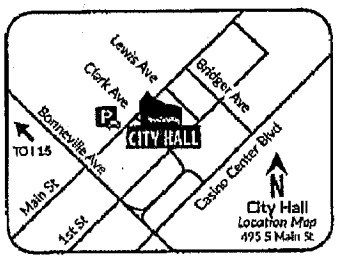
**Official Notice of Public Hearing**

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CITY CLERK
2020 MAR -9 P 3:5

Case: SUP-78109
Mr. Antonio Canzona
Ribaudo Family Trust
P.O. Box 291698
Los Angeles, CA 90029

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[redacted] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

90029-[illegible]

Duplicate
not counted

| | |
|---|---|
| **From:** | Stacey Campbell |
| **To:** | Ydo Yturralde; Peter Lowenstein; Robert Summerfield; LuAnn D. Holmes; City Clerk, Deputies |
| **Cc:** | Anastacio Del Real; Olivia Diaz |
| **Subject:** | Re: Abey Items 63 and 64 |
| **Date:** | Tuesday, March 17, 2020 8:51:19 PM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png<br>image004.png<br>image005.png<br>image006.png |

We will add them to Notes New as requested by the Councilwoman, thanks.

Get Outlook for Android

**From:** Ydo Yturralde <yyturralde@LasVegasNevada.GOV>
**Sent:** Tuesday, March 17, 2020 8:47:50 PM
**To:** Peter Lowenstein <plowenstein@LasVegasNevada.GOV>; Robert Summerfield <rsummerfield@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; Stacey Campbell <slcampbell@LasVegasNevada.GOV>
**Cc:** Anastacio Del Real <adelreal@LasVegasNevada.GOV>; Olivia Diaz <odiaz@lasvegasnevada.gov>
**Subject:** Abey Items 63 and 64

Hello,
We will likely abey items 63 and 64 for two weeks. I was able to reach the applicant for Item 64 and he understood. I left a message for the applicant of Item 63. I will be available on cell, if needed.

Thank you.


## Ydoleena Yturralde

Special Assistant to Councilwoman Olivia Diaz
Office of City Council
**Office: 702-229-2359** Cell: 702-882-0715
yyturralde@lasvegasnevada.gov
495 S. Main St. Las Vegas, NV 89101

lasvegasnevada.gov/ward3


Submitted after final agenda

Date 3/17/20 Item 63

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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




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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

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PRJ-78046
16212101008
ZHANG FAMILY TRUST
ZHANG MENG LIN TRS
2485 ROANOKE RD
SAN MARINO CA 91108

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2020 MAR 16 A 7:28

**Submitted after final agenda**
63

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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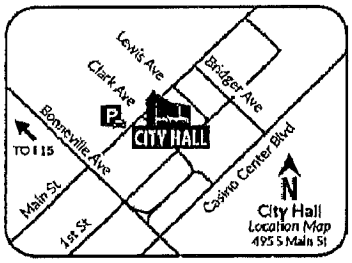
**Official Notice of Public Hearing**

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I SUPPORT this Request

I OPPOSE this Request

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**SUP-78109 [PRJ-78046]**

City Council Meeting of **03/18/2020**

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PRJ-78046
16202811116
RIBAUDO FAMILY TRUST
CANZONA CONCETTA RIBAUDO TRS
C/O C CANZONA
PO BOX 291698
LOS ANGELES CA 90029

32 ARDFNP1 90029

Submitted after final agenda

63

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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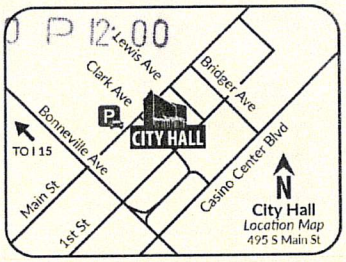
2020 MAR 10 P 12:00

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box below and return this card in an envelope with postage to
City Clerk at the address listed above or fax this side of this
4803. If you would like to contact your Council Represer
(702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your
**SUP-78109 [PRJ-78046]**
City Council Meeting of **03/18/2020**

93 ARDFNP



Submitted after final agenda
63

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

728

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

RECEIVED
FEB 6 2020
Dept of Planning
City of Las Vegas

**CASE:** **SUP-78109 [PRJ-78046] - SPECIAL USE PERMIT**

**SUBJECT:** APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***FEBRUARY 11, 2020*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, FEBRUARY 10, 2020.***

Dawn Bury
Signature

2/5/2020
Date

Dawn Bury
Please Print Name

QC Financial Services, Inc.
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda

Item #12

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

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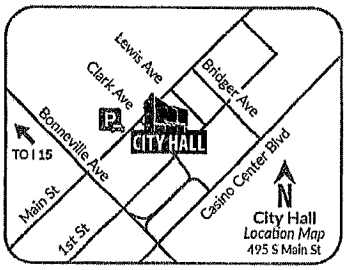


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FEB 0 [illegible]
Dept of Planning
City of Las Vegas

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

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78109 [PRJ-78046]**
Planning Commission Meeting of **2/11/2020**

PRJ-78046
16202811068
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

97 LRDFMP1 89107

Submitted after final agenda 12P

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

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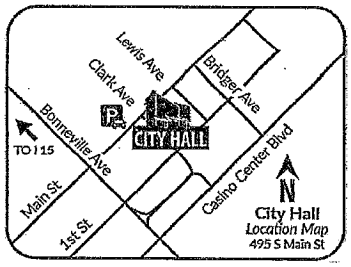


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FEB 06 2020
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78109 [PRJ-78046]**
Planning Commission Meeting of **2/11/2020**

PRJ-78046
16202811069
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

97 LRDFNP1 89107

Submitted after final agenda

12P

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**64**

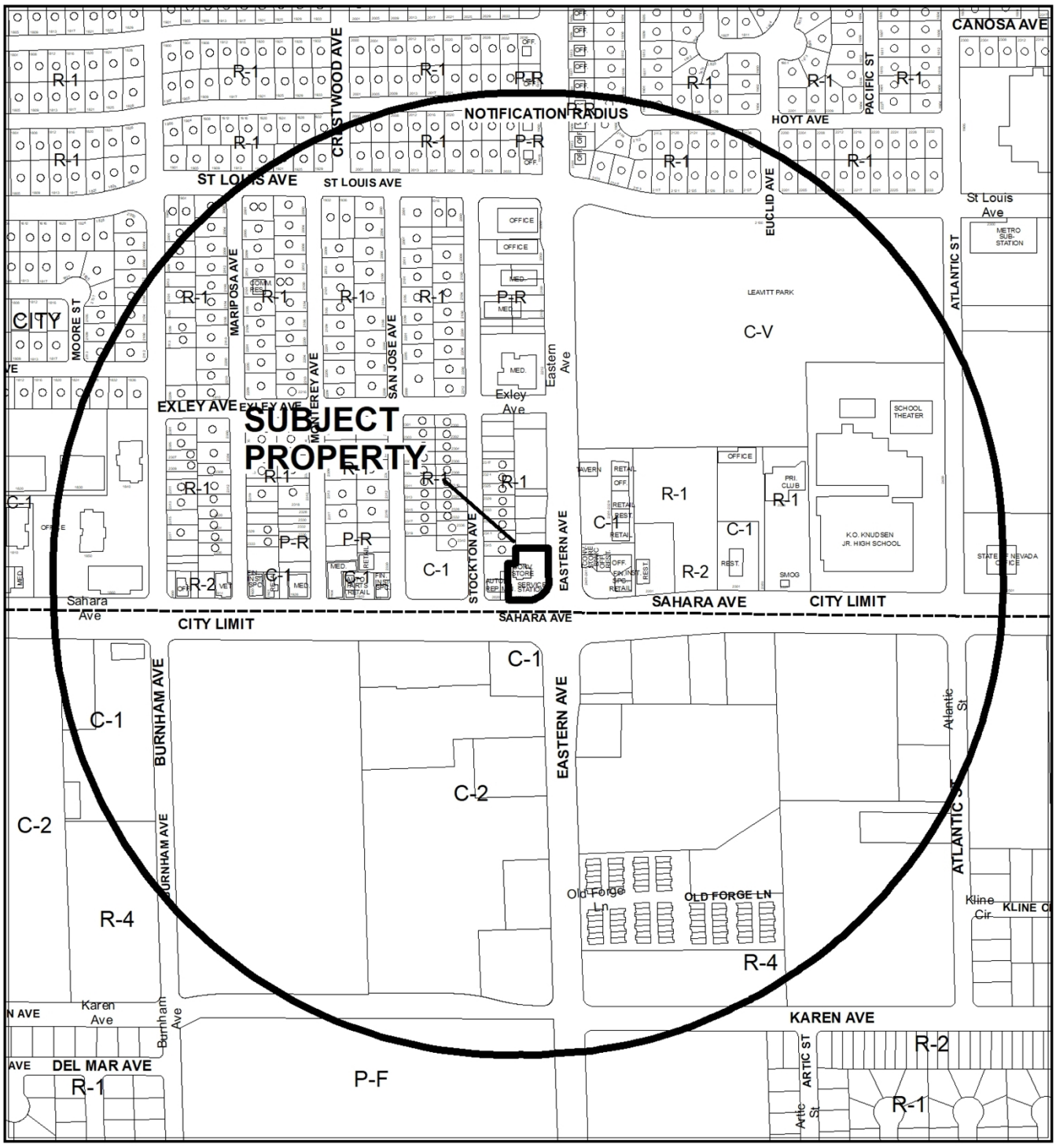
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-78144 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GAS STATION LOT, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,450 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 343-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2051 East Sahara Avenue (APN 162-02-811-209), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78126]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

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

**RECOMMENDATION:**
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest Postcards
8. Submitted after Final Agenda - Abeyance Request E-mail, Support Postcard and Support Documentation Not Vetted - Altered Postcard
9. Backup Submitted for the February 11, 2020 Planning Commission Meeting




0 375 750 Feet

**CASE:** **SUP-78144 (PRJ-78126)**

**RADIUS:** 1000 FEET

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

N




0 375 750 Feet

**CASE:** **SUP-78144 (PRJ-78126)**

**RADIUS:** 1000 FEET

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

N




# SUP-78144 (PRJ-78126)

## Beer/Wine/Cooler Off-Sale

### Business Licenses

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

### Protected Uses

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

### Liquor Entitlements

- APPROVED
- SCHEDULED

- Subject Property
- 400 foot buffer

N

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

Date: Thursday, December 26, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GAS STATION LOT, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-78144** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 541 (By City Clerk)

**PROTESTS** 1

**APPROVALS** 1



CS

**** CONDITIONS ****

# SUP-78144 CONDITIONS

***Planning***

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

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

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

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

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request to allow a Beer/Wine/Cooler Off-Sale Establishment use within a proposed convenience store at 2051 East Sahara Avenue.

## ISSUES

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

## ANALYSIS

A Beer/Wine/Cooler Off-Sale Establishment use is defined by Title 19.12 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where business is conducted, and is operated in connection with a grocery store, drugstore, convenience store, restaurant or general retail store."

This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19. The Minimum Special Use Permit Regulations for this use include:

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

*This requirement is not met as a Waiver is requested to allow a 343-foot distance separation from a City Park where 400 feet is required.*

* 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 since this is the measurement method used in determining compliance with Requirement Number One.*

* 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 is not applicable, as the subject site is located on a 0.47-acre parcel.*

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 is met as the Planning Commission will consider the distance policy in their recommendation regarding the requested waiver.*

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

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

*Neither condition applies to the proposed use; as the subject site does not have a non-restricted gaming license, nor does it have 50,000 square-feet in retail floor area.*

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

*If approved, the proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.50.*

7. The minimum distance requirements set forth in Requirement 1, which are otherwise non-waivable 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, if no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; 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 is met as (D) applies to the subject property. The retail establishment is less than 20,000 square feet and it is separated by a 100-foot right of way.*

8. No beer/wine/cooler off-sale establishment shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

*This requirement does not apply, as the subject site is not located adjacent to an existing Pedestrian Mall, as defined in LVMC Chapter 11.68.*

The Las Vegas Valley Water District commented the following, "This parcel is currently served by LVVWD for domestic use and does not have the backflow prevention required for this use per NAC 445A.67195. The customer should be advised, any development will require the installation of backflow prevention to bring the services into compliance with state regulations. In addition, civil improvement plans must be submitted to verify adequate domestic and fire service."

While the applicant has requested a distance separation Waiver from a City Park, Staff finds the subject site to be suitable and the uses to be compatible with the existing surrounding uses, and therefore recommends approval.

## FINDINGS (SUP-78144)

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 is compatible with the other general retail and commercial uses in the surrounding area.

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

   The subject commercial development is physically suitable for a Beer/Wine/Cooler Off-Sale Establishment use. No additional parking is required beyond the existing general retail (proposed convenience store) use.

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

   The subject site can be accessed from Sahara Avenue, a 140-foot Primary Arterial as defined by the Master Plan of Streets and Highways, is adequate in size to serve the proposed use.

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

   The proposed use will be subject to business license review and periodic inspection, thereby safeguarding the public health, safety and general welfare.

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

   The applicant has requested a 343-foot distance separation from a City Park where 400 feet is required. Staff supports the request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc*** | |
|---|---|
| 02/19/64 | The City Council approved the request to Rezone (Z-0005-64) the subject parcel from the R-2 (Two Family Residence) zoning district to the C-2 (General Commercial) zoning district. |
| 12/03/79 | The City Planning Commission approved a Plot Plan Review (Z-0005-64) to allow an auto service center on property generally located at the northwest corner of Eastern Avenue and Sahara Avenue. |
| 08/15/12 | The City Council approved Site Development Plan Review request (SDR-45542) to allow a proposed 2,450 square-foot convenience store on 0.47 acres at 2051 East Sahara Avenue. The Planning Commission and Staff recommended approval. |
| | The City Council approved Special Use Permit request (SUP-45540) to allow a proposed 2,450 square-foot Beer/Wine/Cooler Off-Sale Establishment use with a waiver to allow a 343-foot distance separation from a park where 400 feet is required at 2051 East Sahara Avenue. The Planning Commission and Staff recommended approval. |
| 02/11/20 | The Planning Commission unanimously voted to recommend APPROVAL on a request for a Special Use Permit (SUP-78144) FOR A PROPOSED 2,450 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 343-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2051 East Sahara Avenue (APN 162-02-811-209), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78126]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/07/17 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/02/91 | A building permit (91-127648) was issued for the remodel of an existing Service Station at 2051 East Sahara Avenue. This permit was completed on 02/26/92. |
| 06/01/15 | Business License (#G63-03911) was issued to allow a Gas Sales and Automotive Garage Sales use at 2051 East Sahara Avenue. The license remains active. |
| 07/15/15 | Business License (#G63-04854) was issued to allow a Minor Automotive Services use at 2051 East Sahara Avenue. The license remains active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/23/19 | Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit. |

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

| ***Field Check*** | |
|---|---|
| 01/02/19 | Staff conducted a routine field check and found an existing commercial building. No issues were noted. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.47 |

| ***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 | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Undeveloped | SC (Service Commercial) | R-1 (Single Family Residential) |
| South | Clark County – Restaurant | Clark County – SC (Service Commercial) | Clark County – C-1 (Local Business) |
| East | Convenience Store w/ Beer/Wine/Cooler Off-Sale | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Auto Repair Garage, Minor | SC (Service Commercial) | C-1 (Limited Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area 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 |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Sahara Avenue | Primary Arterial | Planned Streets and Highways Map | 140 | Y |
| Eastern Avenue | Primary Arterial | Planned Streets and Highways Map | 110 | Y |

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Provide a 400-foot distance separation from a City Park | To allow a 343-foot distance separation from a City Park | Approval |

PRJ-78126
12/24/19

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SUP

**Project Address** (Location) 2051 E. Sahara

**Project Name** Convenience Store at sahara/EASTERN **Proposed Use** Mini MART
EASTERN

**Assessor's Parcel #(s)** 162-07-811-209 **Ward #**

**General Plan: Existing** 2450 **Proposed** 2450 **Zoning: Existing** **Proposed**

**Additional Information** Auto Repair & GAS STATION To / GAS STATION MINI MART

**Property Owner** HANNA CHEHADE **Contact** 6163227914

**Address** 915 La Colina Cir **City** Henderson **State** NV **Zip** 89012

**E-mail** DRHCHEHADE@HOTMAIL.COM **Phone** 6163227914

**Applicant** Same above **Contact**

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

**E-mail** **Phone**

**Representative** Dirk Phanthip **Contact** 7023724898

**Address** 4881 W. Hacienda **City** LV **State** NV **Zip** 89118

**E-mail** Phanthip@cox.net **Phone** 7023724898

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

**Property Owner Signature** Hanna Chehade

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

**Print Name** HANNA CHEHADE

State of Nevada County of Clark

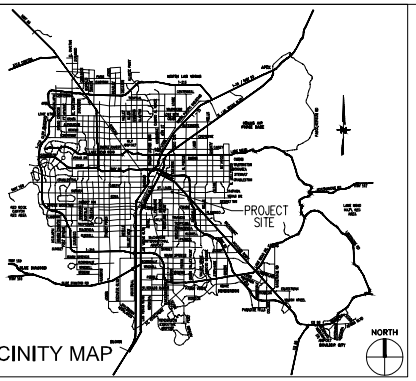
Subscribed and sworn before me

This 23rd day of Dec, 2019 by Hanna Chehade

Notary Public in and for said County and State

MICHAEL J. MOORE
Notary Public State of Nevada
No. 08-7991-1
My Appt. Exp. September 11, 2020

**CONVENIENCE STORE AT**
**SAHARA EASTERN**
**2051 E. SAHARA**
**LAS VEGAS NV. 89104**
**APN. 162-02-811-209**



VICINITY MAP

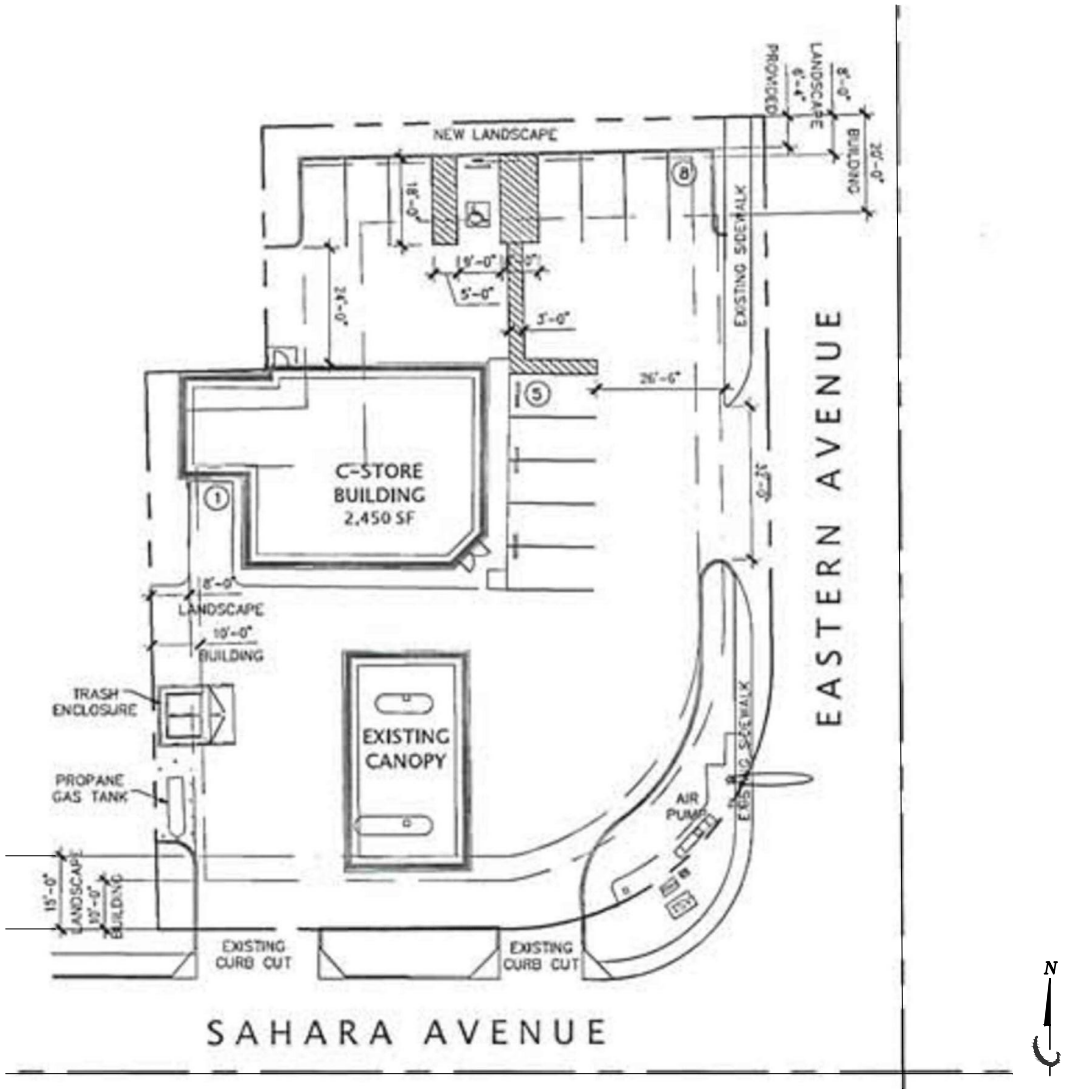
12-614 PROJECT DATA (CITY OF LAS VEGAS)

| | | |
|---|---|---|
| CURRENT ZONING | C-1 (LIMITED COMMERCIAL DISTRICT) | |
| DESIRED ZONING | C-1 (LIMITED COMMERCIAL DISTRICT) | |
| FRONT | 10'-0" | EXISTING |
| CORNER | 10'-0" | EXISTING |
| SIDE | 10'-0" | EXISTING |
| REAR | 20'-0" | EXISTING |
| ACCESSOR'S PARCEL | 162-02-811-209 | |
| NET SITE AREA | = 20,473.2 S.F. = 0.47 ACRES | |
| COVERAGE | = MAX: 50% | ACTUAL: EXISTING |
| BUILDING HEIGHT | = ALLOWABLE N/A | PROVIDED EXISTING |

| BUILDING NAMES | | BUILDING AREAS | REQUIRED PARKING |
|---|---|---|---|
| A RETAIL | = | 2,450 SF | 1 SPACE/ 175 S.F. |
| B GAS PUMPS | = | 4 PUMPS | |
| TOTAL | = | 2,450 SF | |

| ON SITE PARKING | | | | |
|---|---|---|---|---|
| REQUIRED 1 HANDICAP SPACE | = | 14 | SPACES | (TOTAL SITE) |
| PROVIDED 1 HANDICAP SPACE | = | 14 | SPACES | |
| LOADING ZONES REQUIRED: | = | 1 | SPACES | (TOTAL SITE) |
| LOADING ZONES PROVIDED: | = | 0 | SPACES | |

PRJ-78126
12/4/19




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

City Council - Page 1048

**CONVENIENCE STORE AT**
**SAHARA EASTERN**
**2051 E. SAHARA**
**LAS VEGAS NV. 89104**
**APN. 162-02-811-209**

| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

Drawn By: -
Checked By: -
Date: 10-20-2019
Project Number: -
Sheet Title: -
Sheet Number: **A-1**

CONVENIENCE STORE AT
SAHARA EASTERN
2051 E. SAHARA
LAS VEGAS NV. 89104
APN. 162-02-811-209




LANDSCAPING PLAN
SCALE: 1/16"=1'-0"

N

PLAN SCHEDULE

| SYMBOL | BOTANICAL NAME | COMMON NAME | SIZE | QTY. | REMARKS |
|---|---|---|---|---|---|
| | CAESALPINIA PULCHERRIMA | MEXICAN BIRD OF PARADISE | 5 GAL. | PER PLAN | |
| | RAPHIOLEPIS INDICA | INDIAN HAWTHORNE | 5 GAL. | PER PLAN | |
| | PINUS ELDARICA | MONDELL PINE | 24" BOX | 8 | |
| | FRAXINUS VELUTINA | ARIZONA ASH | 24" BOX | 11 | |
| | | DECORATIVE BOULDERS | | | |



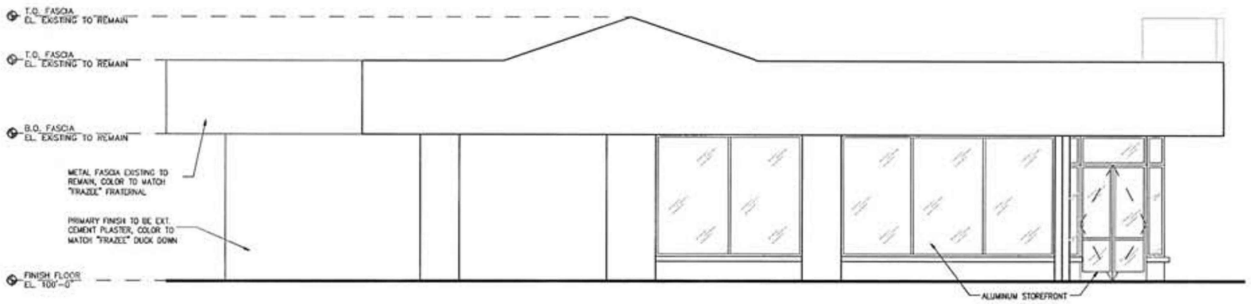

VICINITY MAP

PRJ-78126
12/24/19

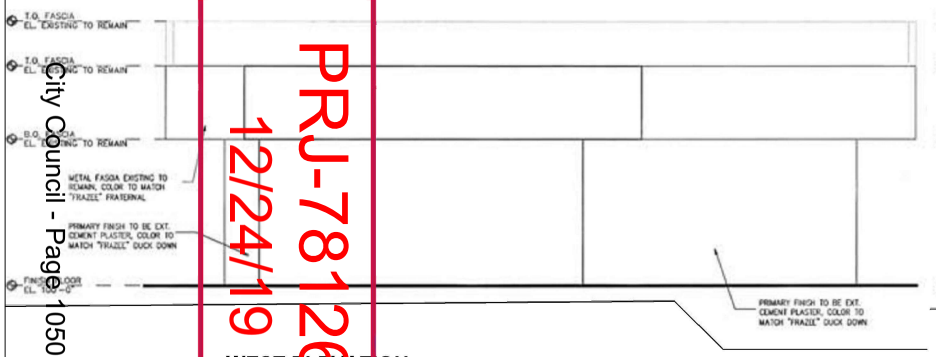
| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

CONVENIENCE STORE AT
SAHARA EASTERN
2051 E. SAHARA
LAS VEGAS NV. 89104
APN. 162-02-811-209

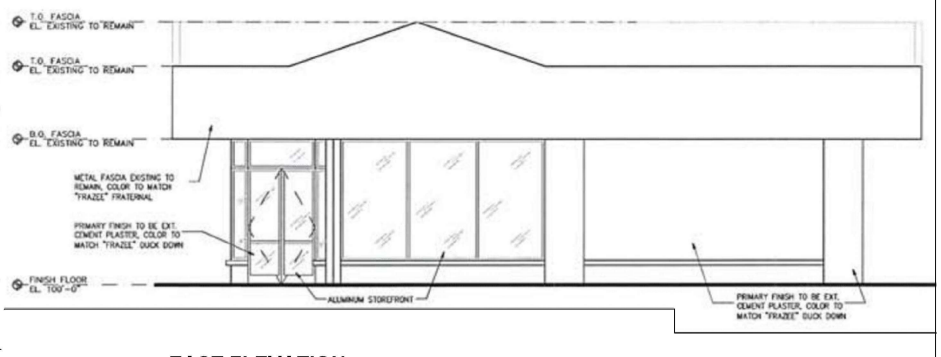
Drawn By: -
Checked By: -
Date: 10-20-2019
Project Number: -
Sheet Title: -
Sheet Number: A-2



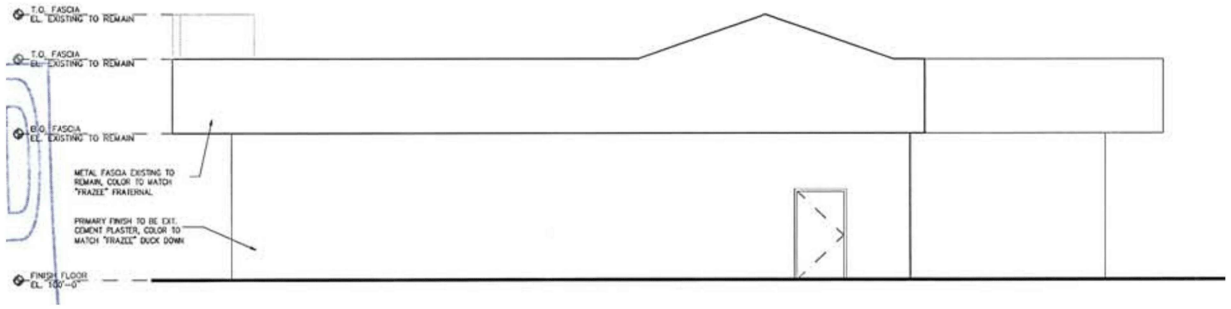

**SOUTH ELEVATION**
SCALE: 1/4"=1'-0"




**WEST ELEVATION**
SCALE: 1/4"=1'-0"




**EAST ELEVATION**
SCALE: 1/4"=1'-0"




**NORTH ELEVATION**
SCALE: 1/4"=1'-0"

PRJ-78126
12/24/19

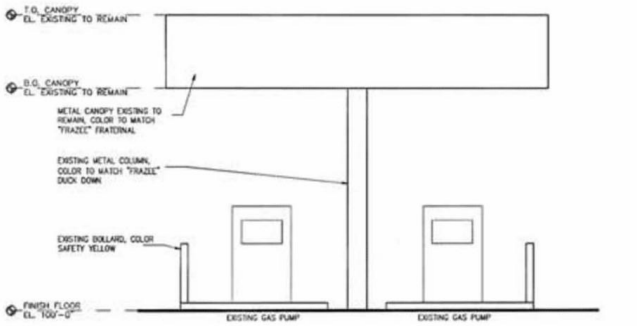
City Council - Page 1050

**CONVENIENCE STORE AT SAHARA EASTERN**
**2051 E. SAHARA**
**LAS VEGAS NV. 89104**
**APN. 162-02-811-209**

| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

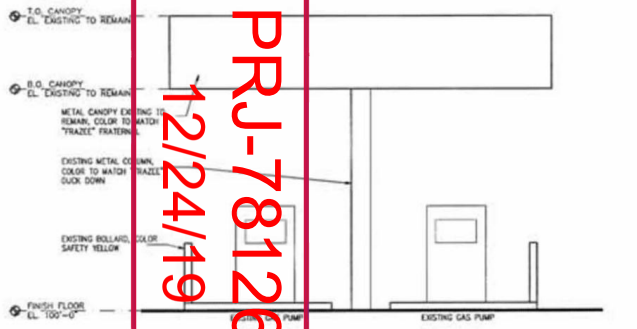
Drawn By: -
Checked By: -
Date: 10-20-2019
Project Number: -
Sheet Title: -

Sheet Number:
**A-4**



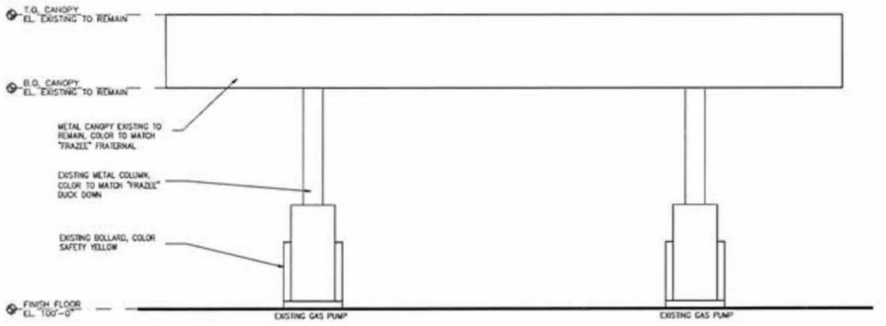

## CANOPY NORTH ELEVATION

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



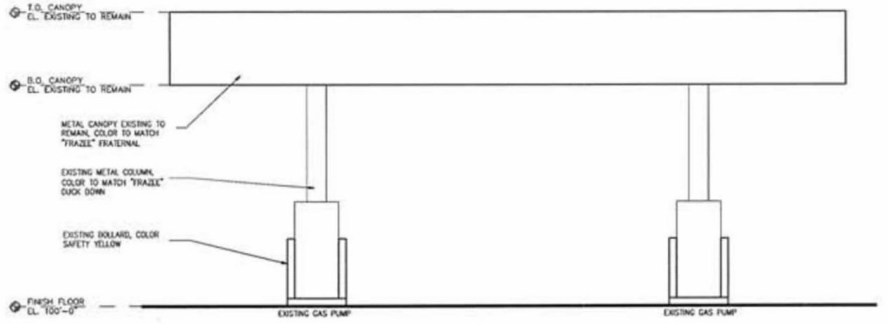

## CANOPY SOUTH ELEVATION

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




## CANOPY EAST ELEVATION

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




## CANOPY WEST ELEVATION

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

PRJ-78126
12/24/19

City Council - Page 1051

CONVENIENCE STORE AT
SAHARA EASTERN
2051 E. SAHARA
LAS VEGAS NV. 89104
APN. 162-02-811-209

| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

Drawn By: -
Checked By: -
Date: 10-20-2019
Project Number: -
Sheet Title: -
Sheet Number: **A-5**

CONVENIENCE STORE AT
SAHARA EASTERN
2051 E. SAHARA
LAS VEGAS NV. 89104
APN. 162-02-811-209

| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

Drawn By: -
Checked By: -
Date: 10-20-2019
Project Number: -
Sheet Title: -
Sheet Number: A-3




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

PRJ-78126
12/24/19




**SUP-78144 [PRJ-78126] - SPECIAL USE PERMIT - APPLICANT/OWNER: GAS STATION LOT, LLC**
**2051 EAST SAHARA AVENUE**

01/02/2020




**SUP-78144 [PRJ-78126] - SPECIAL USE PERMIT - APPLICANT/OWNER: GAS STATION LOT, LLC**
**2051 EAST SAHARA AVENUE**

01/02/2020

To. **City of Las Vegas**
**Planning Department**

Date: Nov .16, 2019

On behave owner of GAS STATION LOT, LLC are Proposed USE Permit of existing auto repair with gas station convert to Mini mart beer/wine/cooler with 7 slot machine and gas pump remain.

**On previous Agenda,** The City Council at a regular meeting held August 15, 2012, APPROVED the request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN A PROPOSED 2,450 SQUARE-FOOT CONVENIENCE STORE WITH A WAIVER TO ALLOW A 343-FOOT DISTANCE SEPARATION FROM A PARK WHERE 400 FEET IS REQUIRED at 2051 East Sahara Avenue (APN 162-02-811-209), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2012.
This approval is subject to:
Planning
1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler Off-Sale use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-45542) shall be required.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.

Your approved for this USE PERMIT would grateful appreciated.

Thank you:
Airr Phanthip
Rept.
702-372-4898
phanthip@cox.net
*AP*

PRJ-78126
12/24/19

PRJ-78126
12/24/19

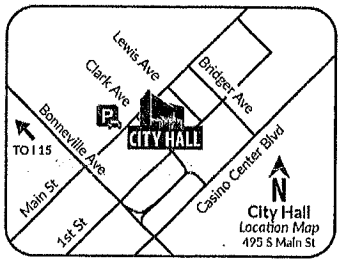
City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2020 MAR -9 A 11:37

**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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78144 [PRJ-78126]**
City Council Meeting of **03/18/2020**

PRJ-78126
16202811068
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

89107 $ 000.47
02 4W
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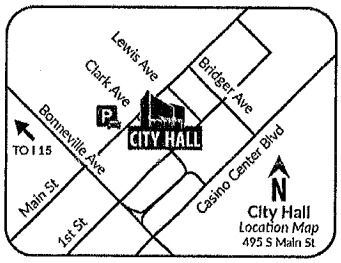
PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2020 MAR -9 A 11:37

**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-78144 [PRJ-78126]**
City Council Meeting of **03/18/2020**

PRJ-78126
16202811069
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

89107 $ 000.47
02 4W
0000396 MAILED FROM ZIPCODE 89101

| | |
|---|---|
| **From:** | Stacey Campbell |
| **To:** | Ydo Yturralde; Peter Lowenstein; Robert Summerfield; LuAnn D. Holmes; City Clerk, Deputies |
| **Cc:** | Anastacio Del Real; Olivia Diaz |
| **Subject:** | Re: Abey Items 63 and 64 |
| **Date:** | Tuesday, March 17, 2020 8:51:19 PM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png<br>image004.png<br>image005.png<br>image006.png |

We will add them to Notes New as requested by the Councilwoman, thanks.

Get Outlook for Android

**From:** Ydo Yturralde <yyturralde@LasVegasNevada.GOV>
**Sent:** Tuesday, March 17, 2020 8:47:50 PM
**To:** Peter Lowenstein <plowenstein@LasVegasNevada.GOV>; Robert Summerfield <rsummerfield@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; Stacey Campbell <slcampbell@LasVegasNevada.GOV>
**Cc:** Anastacio Del Real <adelreal@LasVegasNevada.GOV>; Olivia Diaz <odiaz@lasvegasnevada.gov>
**Subject:** Abey Items 63 and 64

Hello,
We will likely abey items 63 and 64 for two weeks. I was able to reach the applicant for Item 64 and he understood. I left a message for the applicant of Item 63. I will be available on cell, if needed.

Thank you.


## Ydoleena Yturralde

Special Assistant to Councilwoman Olivia Diaz
Office of City Council
Office: 702-229-2359 Cell: 702-882-0715
yyturralde@lasvegasnevada.gov
495 S. Main St. Las Vegas, NV 89101

lasvegasnevada.gov/ward3


Submitted after final agenda

Date 3/17/20 Item 64

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78144 [PRJ-78126]**
City Council Meeting of **03/18/2020**

PRJ-78126
16212101008
ZHANG FAMILY TRUST
ZHANG MENG LIN TRS
2485 ROANOKE RD
SAN MARINO CA 91108

PRSRT
FIRST CLASS MAIL
U.S. Postage
**PAID**
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2020 MAR 16 A 7:28

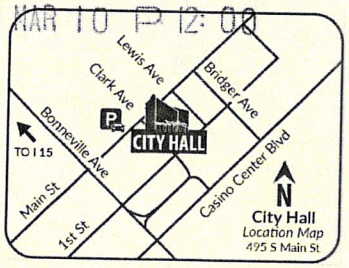
**Submitted after final agenda**
64

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

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

2020 MAR 10 P 12:02




If you wish to file your protest or support on this request, chec
box below and return this card in an envelope with postage to t
City Clerk at the address listed above or fax this side of this c
4803. If you would like to contact your Council Representa
(702) 229-6405.

☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your com

**SUP-78144 [PRJ-78126]**
City Council Meeting of **03/18/2020**

93 ARCFMP 1

Submitted after final agenda
64

**NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL**

# CITY OF LAS VEGAS

## ONE MOTION / ONE VOTE

**Planning and Development Department**
**Case Planning Division**
**333 North Rancho Drive, 3rd Floor**
**Las Vegas, Nevada 89106**
**(702) 229-6301 Phone (702) 464-7499 Fax**

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

**CASE:** **SUP-78144 [PRJ-78126] - SPECIAL USE PERMIT**

**SUBJECT:** APPLICANT/OWNER: GAS STATION LOT, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***FEBRUARY 11, 2020*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, FEBRUARY 10, 2020.***

Hanna Chehade
Signature

2/7/2020.
Date

HANNA CHEHADE
Please Print Name

GAS STATION LOT
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda

Item #16



**Scanned with CamScanner**

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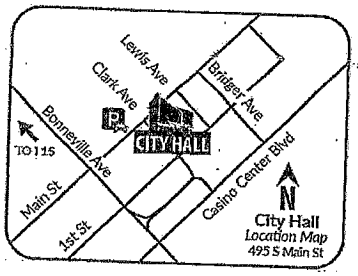
Las Vegas, NV
Permit No. 1690

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




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

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-78144 [PRJ-78126]**

Planning Commission Meeting of **2/11/2020**

RECEIVED
FEB
Dept of Planning
City of Las Vegas

PRJ-78126
16202811069
GALINDO CESAR & MARY REV LIV TR
GALINDO CESAR A & MARY C TRS
4518 LORNA PL
LAS VEGAS NV 89107-4107

97 LRDFNP1 89107

Submitted after final agenda

1 LeP

2/4/20, 10:29 AM To: +1 702-464-7499 From: +1 831-464-5000 - Approve Application SUP-78144 (PRJ-78126) Page 1/1

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

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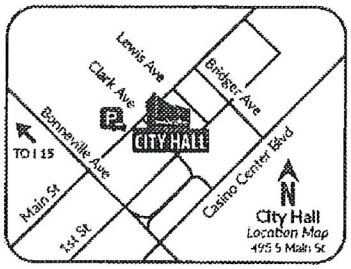
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

**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-78144 [PRJ-78126]**
Planning Commission Meeting of **2/11/2020**

PRJ-78126
16211511093
OMNI FINANCIAL L L C
1260 41ST AVE # O
CAPITOLA CA 95010

RECEIVED
FEB 10 2020
Dept of Planning
City of Las Vegas

124 LADFNP1 95010

Submitted after final agenda 16A

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**65**

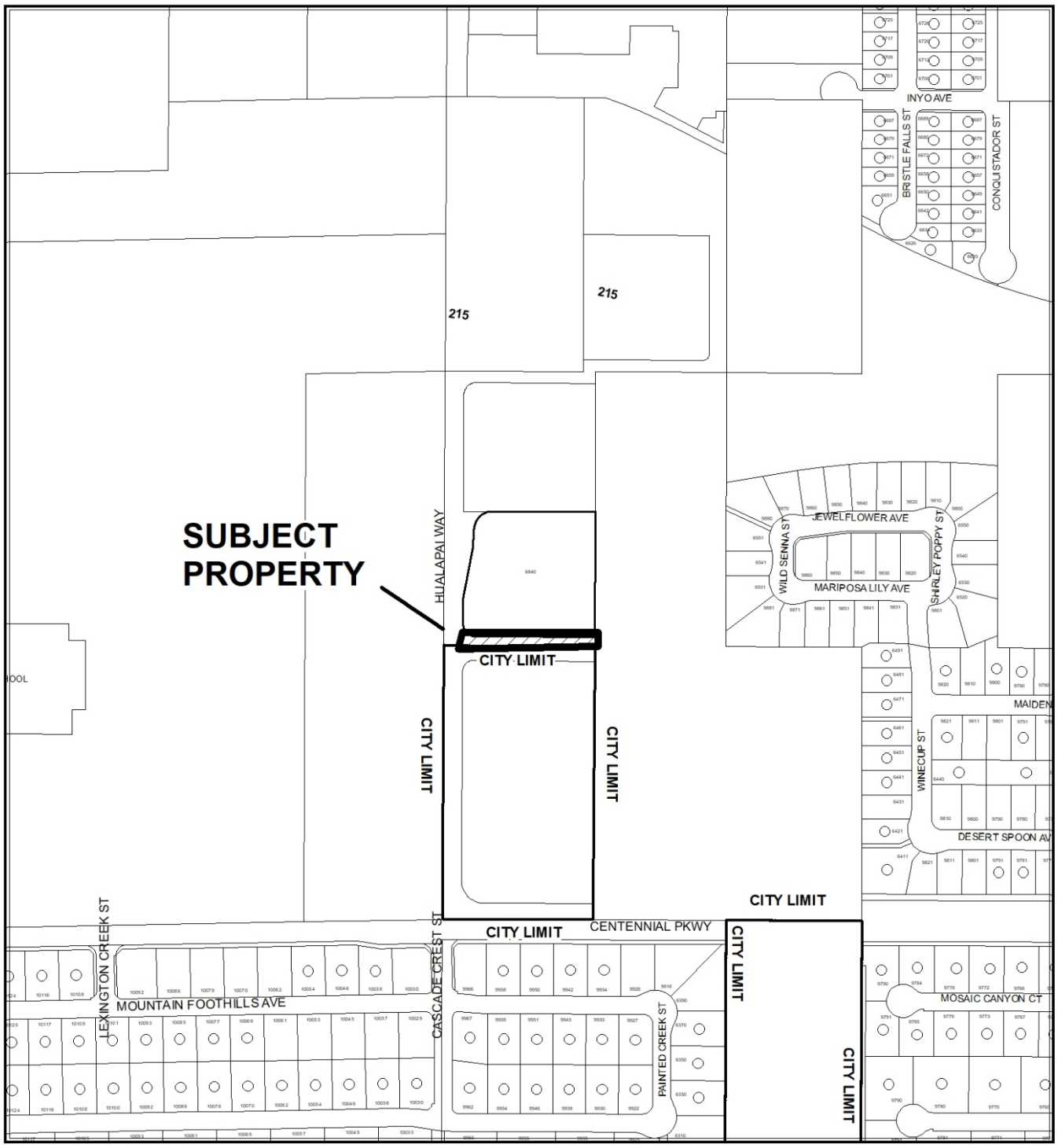
**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ROC-78317 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC - For possible action on a request for a Review of Condition of an approved Petition to Vacate (VAC-75859) the north half of Darling Road east of Hualapai Way TO REMOVE CONDITION NUMBER 2, WHICH STATES, "A CLARK COUNTY ORDER OF VACATION TO REMOVE ADJACENT CLARK COUNTY RIGHTS-OF-WAY AND PATENT EASEMENTS SO THAT NO 'ORPHAN' DEDICATION OR PATENT EASEMENT IN CLARK COUNTY REMAINS SHALL RECORD CONCURRENT WITH THIS ORDER OF VACATION UNLESS SPECIFICALLY ALLOWED IN WRITING BY CLARK COUNTY," Ward 6 (Fiore) [PRJ-78275]. Staff recommends DENIAL.

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

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. City Council Approval Letter - VAC-75859 [PRJ-75736]
6. Justification Letter
7. Submitted after Final Agenda - Abeyance Request E-mail by Julia Izzolo




**CASE: ROC-78317 (PRJ-78275)**




CASE: **ROC-78317 (PRJ-78275)**

0 280 560 Feet

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**CITY COUNCIL MEETING DATE: MARCH 18, 2020**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ROC-78317** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NOTICES MAILED** 1 (By Planning)

**PROTESTS** 0

**APPROVALS** 0



AS

**** CONDITIONS ****

# ROC-78317 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Site Development Plan Review (SDR-75860) and Vacation (VAC-75859), except as amended herein.

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

***Public Works***

3. Original Condition #2 of VAC-75859, shall be revised to read as follows:

   The Order of Vacation shall be permitted to Record for the northern half of Darling Road located within jurisdiction of the City of Las Vegas, without regard to the status of adjacent rights-of-way existing within Clark County jurisdiction.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to remove Condition of Approval Number Two (2) of a previously approved Vacation (VAC-75859).

## ISSUES

- Condition of Approval Number Two (2) states, “A Clark County Order of Vacation to remove adjacent Clark County rights-of-way and patent easements so that no “orphan” dedication or patent easement in Clark County remains shall record concurrent with this Order of Vacation unless specifically allowed in writing by Clark County.” The Department of Public Works staff imposed this condition.

## ANALYSIS

The Vacation application referenced by this Review of Condition, VAC-75859, is associated with the proposed commercial site (reviewed through SDR-75860, which was approved by the City Council on May 15, 2019). Public Works had previously recommended denial of the associated Petition of Vacation due to access concerns for parcels to the east. However, VAC-75859 was approved on May 15, 2019, with the requirement that the south half of Darling Road would also be vacated through Clark County jurisdiction. That Petition of Vacation has since been denied by the County Commission, due to opposition by the owner to the south and access concerns to the east. If the southern half cannot be vacated, Public Works recommends denial of this Review of Condition.

Staff supports the Conditions of Approval imposed upon applicants at the time of approval and is recommending denial of the request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 02/07/07 | The City Council approved the Annexation (ANX-12215) of 207.83 acres generally located north of Centennial Parkway between Shaumber Road and Fort Apache Road, including Centennial High School on the west side of Hualapai Way. The Planning Commission and staff recommended approval. The annexation became effective on 02/15/07. |
| 09/24/09 | Department of Planning staff denied a request for a Minor Site Development Plan Review (SDR-35394) for the installation of an 80-foot tall Wireless Communication Facility, Stealth Design (Monopine) on property located at the northeast corner of Darling Road and Hualapai Way. |
| 06/20/18 | A neighborhood meeting was held to discuss a proposed commercial development at the southeast corner of Clark County 215 and Hualapai Way. An application was not submitted for this design of the project |
| 11/21/18 | The City Council approved a request for a General Plan Amendment (GPA-73572) from R (Rural Density Residential) to SC (Service Commercial) at the southeast corner of Clark County 215 and Hualapai Way. The Planning Commission and Planning Department Staff recommended approval. |
| | The City Council approved a request for Rezoning (ZON-73573) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to C-1 (Limited Commercial) at the southeast corner of Clark County 215 and Hualapai Way. The Planning Commission and Planning Department Staff recommended approval. |
| | The City Council approved a request for Special Use Permit (SUP-73574) for a proposed 3,043 square-foot Beer/Wine/Cooler Off-Sale Establishment use with a waiver to allow a 385-foot distance separation from a school where 400 feet is required at the southeast corner of Clark County 215 and Hualapai Way. The Planning Commission and Planning Department Staff recommended approval |
| | The City Council approved a request for Site Development Plan Review (SDR-73576) to allow a proposed 9,043 square-foot commercial development with a waiver to allow buildings to not orient to the corner and street frontages where such is required at the southeast corner of Clark County 215 and Hualapai Way. The Planning Commission and Planning Department Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 05/15/19 | The City Council approved a Vacation (VAC-75859) to Vacate a U.S. Government Patent Easement located on the north and east perimeter of the site and a 30-foot portion of the north half of Darling Road located east of Hualapai Way. Planning Commission recommended approval while staff recommended denial. |
| | The City Council approved a Site Development Plan Review (SDR-75860) Major Amendment to a previously approved Site Development Plan Review (SDR-73576) for the proposed expansion of the subject site and parking lot reconfiguration for a 9,043 square-foot commercial development with a Waiver to allow an eight-foot landscape buffer on the south perimeter where 15 feet is required on 2.02 acres at 6840 North Hualapai Way |
| 08/13/19 | A Tentative Map Plan (TMP-76890) was approved for a one-lot commercial subdivision at 6840 North Hualapai Way. |
| 08/15/19 | Department of Planning staff administratively approved a Minor Amendment (SDR-77123) of an approved Site Development Plan Review (SDR-73576) for the proposed 2,541 square-foot expansion of a 6,000 square-foot building on the north perimeter and parking lot reconfiguration for an approved 9,043 square-foot commercial development on 2.29 acres at the southeast corner of Clark County 215 and Hualapai Way. |
| 12/03/19 | The Clark County Planning Commission denied a request to Vacate and Abandon (VS19-0763) a portion of Darling Road between Hualapai Way and Grand Canyon Drive within Lone Mountain Township. Staff recommended approval. The Lone Mountain Town Advisory Board recommended denial. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/18/19 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no relevant building permits or business licenses related to this request. |

| ***Pre-Application Meeting*** | |
|---|---|
| 01/28/20 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Conditions. |

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

| ***Field Check*** | |
|---|---|
| 01/20/20 | A routine field check was conducted by staff; nothing was noted of concern. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.02 |

| ***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 | Clark County I-215 Right-of-Way | Clark County I-215 Right-of-Way | Clark County I-215 Right-of-Way |
| South | Undeveloped | RL (Residential Low – Clark County) | R-E (Residence Estates) |
| East | | R (Rural Density Residential) | U (Undeveloped) |
| West | | PR-OS (Parks/ Recreation/Open Space) | C-V (Civic) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Areas | N/A |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| No Applicable Special Area or Overlay Districts | N/A |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| Trails | N/A |
| Rural Preservation Overlay District | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| 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* |
|---|---|---|---|---|
| Hualapai Way | Freeway/Expressway | Title 13 | 80-86 | N |

# DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

| Department Use | |
|---|---|
| Case # | |
| Meeting Date | |
| Total Fee | |
| Received By/Date | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Review of Condition

**Project Address** (Location) 6840 N. Hualapai Way

**Project Name** 215 and Hualapai **Proposed Use** Commercial

**Assessor's Parcel #(s)** 125-19-401-002 **Ward #** 6

**General Plan:** Existing SC Proposed SC **Zoning:** Existing C-1 Proposed C-1

**Additional Information**

**Property Owner** Red Rupee LLC Contact Rupee Chima
Address 6890 N. Hualapai Way City Las Vegas State NV Zip 89149
E-mail rapinderchima@gmail.com Phone 702-498-6058

**Applicant** Arjun Hualapai Way LLC Contact Rupee Chima
Address 6890 N. Hualapai Way City Las Vegas State NV Zip 89149
E-mail rapinderchima@gmail.com Phone 702-498-6058

**Representative** Zenith Engineering Contact Julia Izzolo
Address 1980 Festival Plaza Dr. Suite 450 City Las Vegas State NV Zip 89135
E-mail julia.izzolo@zenith-lv.com Phone 702-835-3496

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)**

**Partner(s)**

- 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 the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

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

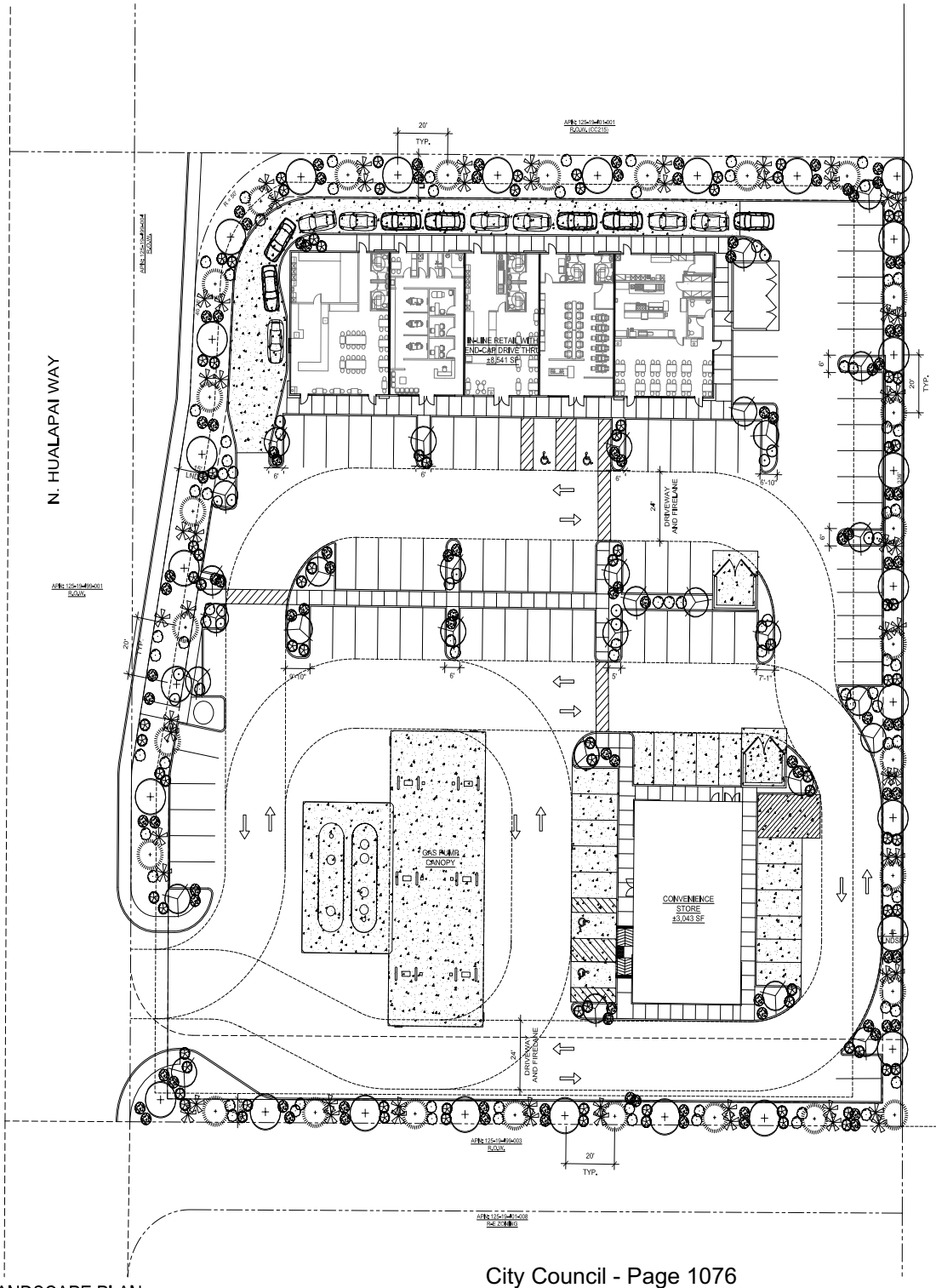
**Print Name** Jaswinder Grover

Subscribed and sworn before me
This 29th day of January, 20 20

Notary Public in and for said County and State

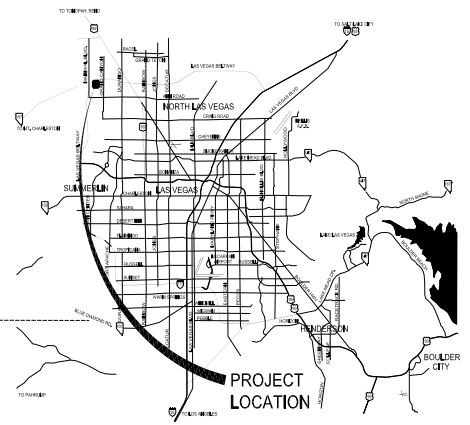
ELIZABETH LOPEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-21-20
Certificate No: 07-1598-1

PRJ-78275
02/04/20




| SYMBOL | SIZE | COMMON NAME | BOTANICAL NAME | QUANTITY |
|---|---|---|---|---|
| | 24 INCH BOX | BLUE PALO VERDE | PARKINSONIA FLORIDA | 28 |
| | 24 INCH BOX | CAROLINA LAUREL CHERRY | PRUNUS CAROLINIANA | 31 |
| | 24 INCH BOX | SHOESTRING ACACIA | ACACIA STENOPHYLLA | 28 |

| SYMBOL | SIZE | COMMON NAME | BOTANICAL NAME | QUANTITY |
|---|---|---|---|---|
| | 5 GALLON | TRAILING LANTANA-ORANGE | LANTANA MONTEVIDENSIS - ORANGE | 104 |
| | 5 GALLON | TRAILING LANTANA-YELLOW | LANTANA MONTEVIDENSIS - YELLOW | 85 |
| | 5 GALLON | AUTUMN SAGE | SALVIA GREGGII | 79 |
| | 5 GALLON | GREEN DESERT SPOON | DASYLIRION ACROTRICHE | 18 |
| | 5 GALLON | PURPLE FOUNTAIN GRASS | PENNISETUM SETACEUM 'RUBRUM' 'CUPREUM' | 58 |




OVERALL VICINITY MAP
SCALE: NOT TO SCALE

A CONCEPTUAL LANDSCAPE PLAN
SCALE: 1"=20'-0" SCALE 1" = 20'
0 10 20 40



PRA-78275
02/04/20

ARCHITECT OF RECORD
1980 Festival Plaza Drive, Suite 420, Las Vegas, NV 89135, 702.270.2888, www.PURISdesign.com
PURIS design studio
CLIENT

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JOHN JOSEPH CARROLL JR. REGISTERED No. 7612 ARCHITECT STATE OF NEVADA
07.19.2019

COMMERICAL DEVELOPMENT AT HUALAPAI AND 215
6840 N. HUALAPAI WAY,
LAS VEGAS, NV 89149
APN: 125-19-401-002

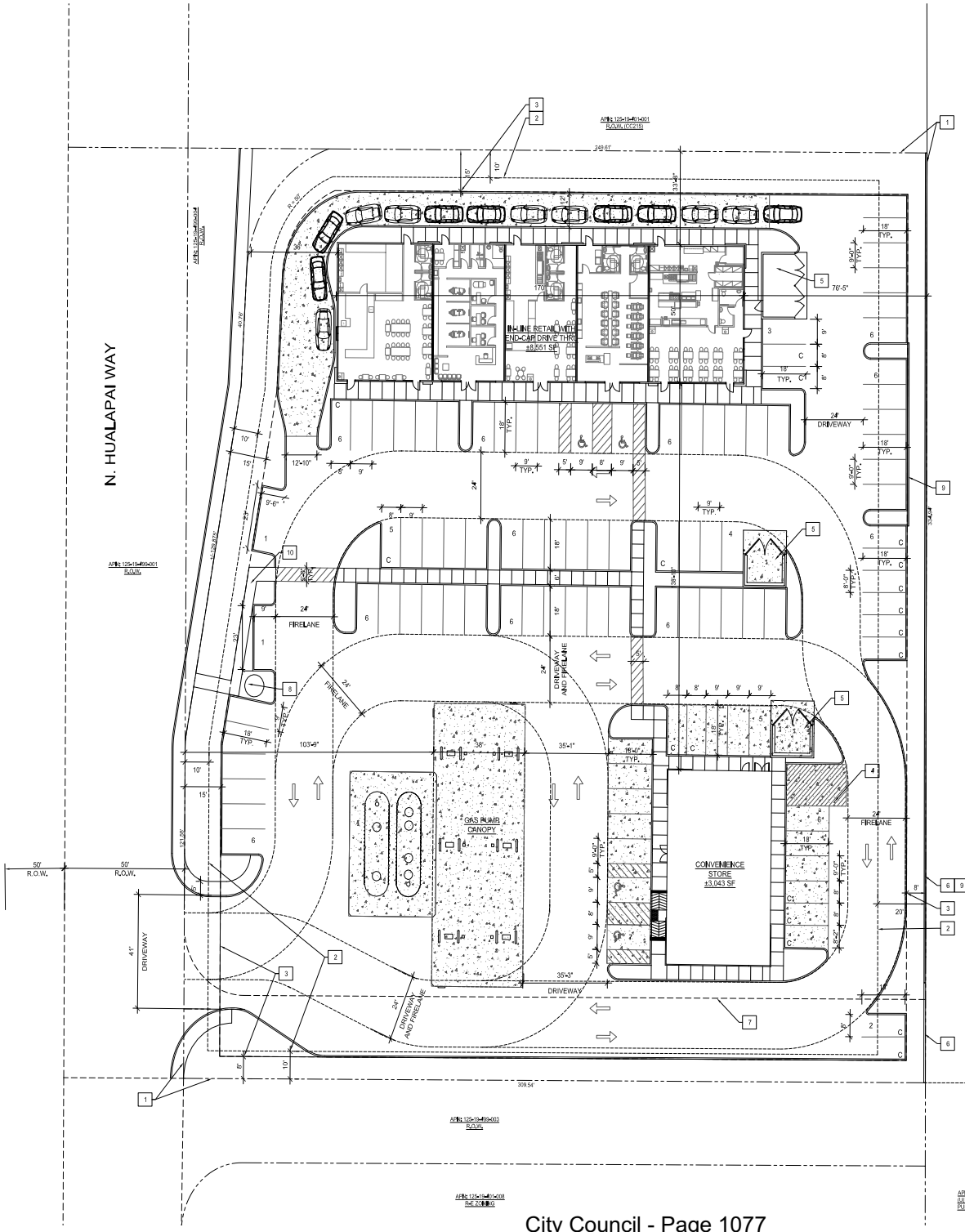
| Issue | Date | Description |
|---|---|---|
| | | |

| | |
|---|---|
| Project No. | 18-016 |
| Date: | JULY 16, 2019 |
| Drawn: | A. CARROLL |
| Reviewed: | J. CARROLL |

Drawing Title:
CONCEPTUAL LANDSCAPE PLAN

Sheet No.:
CLP1.01

CONCEPTUAL LANDSCAPE PLAN




A | CONCEPTUAL SITE PLAN

SCALE: 1"=20'-0" SCALE 1" = 20' 0 10 20 40

## SITE DATA

| | |
|---|---|
| JURISDICTION: | CITY OF LAS VEGAS |
| PARCEL #: | 125-19-401-002 |
| CURRENT ZONING CLASSIFICATION: | (C-1) LIMITED COMMERICAL DISTRICT |
| SITE AREA: | +/- 2.29 ACRES |
| TOTAL BUILDING AREA: | ±11,594 SF THIS APPLICATION (±15,458 SF INCLUDING GAS CANOPY) |

## SITE PARKING DATA:

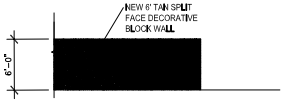
| BUILDING NAMES | BUILDING AREA (SF) | PARKING REQUIRED |
|---|---|---|
| IN-LINE RETAIL W/ DRIVE-THRU | TOTAL BUILDING SQUARE FOOTAGE: 8,551 S.F. (SEE BREAKDOWN BELOW)<br>TENANT 1 (RESTAURANT) - 2,015 S.F.<br>403 S.F. SEATING/STANDING<br>1,612 S.F. REMAINING FL. AREA<br>TENANT 2 (RETAIL) - 1,505 S.F.<br>TENANT 3 (RESTAURANT) - 1,505 S.F.<br>346 S.F. SEATING/STANDING<br>1,159 S.F. REMAINING FL. AREA<br>TENANT 4 (RETAIL) - 1,505 S.F.<br>TENANT 5 (RESTAURANT) - 2,021 S.F.<br>483 S.F. SEATING/STANDING<br>1,538 S.F. REMAINING FL. AREA | PARKING REQUIRED BY TENANT:<br>TENANT 1 (RESTAURANT):<br>(1:50 SEATING/STANDING=9 STALLS<br>(1:200 REMAINING FL. AREA = 9 STALLS<br>TENANT 2 (RETAIL):<br>(1:175 S.F.)=9 STALLS<br>TENANT 3 (RESTAURANT):<br>(1:50 SEATING/STANDING=7 STALLS<br>(1:200 REMAINING FL. AREA = 6 STALLS<br>TENANT 4 (RETAIL):<br>(1:175 S.F.)=9 STALLS<br>TENANT 5 (RESTAURANT):<br>(1:50 SEATING/STANDING=10 STALLS<br>(1:200 REMAINING FL. AREA = 8 STALLS |
| CONVENIENCE STORE: | ±3,043 S.F. | 1:175 S.F. = 18 STALLS |
| GAS STATION PUMP CANOPY: | NOT APPLICABLE | NOT APPLICABLE |
| WATER VENDING KIOSK | NOT APPLICABLE | NOT APPLICABLE |

**TOTAL REQUIRED PARKING = 85 STALLS**
TOTAL SITE PARKING (REGULAR STALL): 81
TOTAL SITE PARKING (ACCESSIBLE STALLS): 4

**TOTAL PROVIDED PARKING = 100 STALLS**
TOTAL SITE PARKING (REGULAR STALL): 76
TOTAL SITE PARKING (COMPACT STALL): 18
TOTAL SITE PARKING (PARALLEL STALL): 2
TOTAL SITE PARKING (ACCESSIBLE STALL): 4

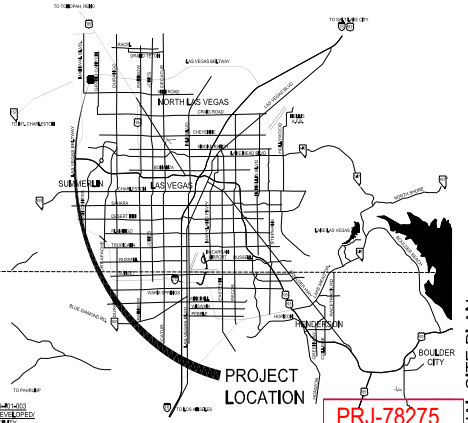
## KEYNOTES

1. PROPERTY LINE
2. 10' BUILDING SETBACK LINE
3. LANDSCAPE SETBACK
4. 15'X25' LOADING ZONE
5. TRASH ENCLOSURE
6. 6' HIGH CMU WALL - SEE BCSP.1.01
7. PREVIOUSLY VACATE RIGHT OF WAY LINE
8. WATER VENDING KIOSK
9. 4' RETAINING WALL
10. ACCESSIBLE SIDEWALK TO STREET




B | EAST PROP. DECORATIVE BLOCK WALL

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




OVERALL VICINITY MAP

SCALE: NOT TO SCALE

PRJ-78275
02/04/20

ARCHITECT OF RECORD
1980 Festival Plaza Drive, Suite 420, Las Vegas, NV 89135, 702.210.2688, www.PRISdesign.com
PLIRIS design studio
CLIENT

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JOHN JOSEPH CARROLL JR. REGISTERED No. 7612 STATE OF NEVADA ARCHITECT
07.19.2019

COMMERICAL DEVELOPMENT AT HUALAPAI AND 215
6840 N. HUALAPAI WAY,
LAS VEGAS, NV 89149
APN: 125-19-401-002

| Issue | Date | Description |
|---|---|---|

| | |
|---|---|
| Project No. | 18-016 |
| Date: | JULY 16, 2019 |
| Drawn: | A. CARROLL |
| Reviewed: | J. CARROLL |

Drawing Title:
CONCEPTUAL SITE PLAN

CONCEPTUAL SITE PLAN

Sheet No.:
CSP1.01



**ROC-78317 - APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC**
**NORTH HALF OF DARLING ROAD, EAST OF HUALAPAI WAY**

02/20/20

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR
WARD 2 *(Vacant)*

SCOTT D. ADAMS
*City Manager*

DEPARTMENT OF PLANNING

**ROBERT SUMMERFIELD**
DIRECTOR

**DEVELOPMENT SERVICES CENTER**
DEPARTMENT OF PLANNING
333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106
702.229.6301 | VOICE
702.474.7463 | FAX
711 | TTY

cityoflasvegas
lasvegasnevada.gov

May 16, 2019

Mr. David Saltman
VFR Southwest Desert Equities, LLC
8215 South Eastern Avenue, Suite #205
Las Vegas, Nevada 89123

***RE: VAC-75859 [PRJ-75736] - VACATION RELATED TO SDR-75860 CITY COUNCIL MEETING OF MAY 15, 2019***

Dear Mr. Saltman:

The City Council at a regular meeting held on May 15, 2019 voted to ***APPROVE*** a request for a Petition to Vacate a U.S. Government Patent Easement located on the north and east perimeter of the site and a 30-foot portion of the north half of Darling Road located east of Hualapai Way, Ward 6 (Fiore) [PRJ-75736].

This approval is subject to the following conditions:

1. The limits of this Petition of Vacation shall be the U.S. Government Patent Easements located along the north and east sides of assessor parcel number #125-19-401-002 and the north half of Darling Road, east of Hualapai Way.

2. A Clark County Order of Vacation to remove adjacent Clark County rights-of-way and patent easements so that no "orphan" dedication or patent easement in Clark County remains shall record concurrent with this Order of Vacation unless specifically allowed in writing by Clark County.

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-75860 may be used to satisfy this requirement provided that it addresses the area to be vacated.

4. 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.

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.

PRJ-78275
02/04/20

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

8. If the Order of Vacation and Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2019.
Sincerely,

Robert Summerfield, AICP
Director
Department of Planning

RTS:PL:clb

cc: Mr. Joseph Bonifatto
BP Holdings, Inc.
3960 Howard Hughes Parkway, Suite #150
Las Vegas, Nevada 89169

Ms. Julia Izzolo
Zenith Engineering
1980 Festival Plaza Drive, Suite #450
Las Vegas, Nevada 89135

PRJ-78275
02/04/20

ZENITH ENGINEERING

January 16, 2020

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

**Re: Commercial Development at 215 and Hualapai, Zenith Project No. 181001**
**Review of Condition VAC-75859 [PRJ-75736]**

Dear Sir or Madam:

Zenith Engineering has been retained by Arjun Hualapai, LLC to file a Review of Condition Application to review Condition of Approval Number 2 on VAC-75859 that reads "A Clark County Order of Vacation to remove adjacent Clark County rights-of-way and patent easements so that no "orphan" dedication or patent easement in Clark County remains shall record concurrent with this Order of Vacation unless specifically allowed in writing by Clark County."

We submitted a vacation application to Clark County to vacate the south half of Darling Road per the above condition of approval, and although it was recommended for approval by staff, the Planning Commission denied out application due to the parcel owner affected by the right-of-way vacation (Assessor's Parcel Number 125-19-401-008) not being in agreeance with the application.

Currently, Darling Road is not dedicated to the east of the subject site, and furthermore, the proposed residential development approximately 600-feet to the east of the subject site has previously vacated Darling Road. It is not anticipated that Darling Road will be utilized east of the subject site as there is an existing waterline in Hualapai Way and Centennial Parkway. There is also existing sanitary sewer in Centennial Parkway that would allow for APN 125-19-401-008 to gravity feed any future development. The parcel to the south of our proposed development (APN 125-19-401-008) has public access via Hualapai Way and Centennial Parkway. The parcel to the east of our development (APN 125-19-401-003) has public access via Centennial Parkway.

In order to vacate the south half of Darling Road, we would be impacting a property that we do not hold ownership to, and therefore would be difficult to change the property limits and/or boundary. Also, in order for our proposed project to move forward, we require the north half of Darling Road to be vacated. It would detrimentally impact the project if we were unable to vacate the north half of Darling Road as there would not be sufficient area for the proposed development nor would there be sufficient frontage for a driveway off a main arterial, which is crucial to the successfulness of the development and a stipulation of the proposed end user tenants.

PRJ-78275
02/04/20

ZENITH
ENGINEERING

We hereby request that you review Condition of Approval Number 2 on our right-of-way vacation application and allow the condition to be removed from this application in order to move forward with the proposed project.

Please feel free to contact me with any questions or comments at (702) 866-9535. Thank you.

Sincerely,

**ZENITH ENGINEERING**

Julia Izzolo, PE
Principal

PRJ-78275
02/04/20

**From:** LuAnn D. Holmes
**Sent:** Tuesday, March 17, 2020 1:14 PM
**To:** City Clerk, Deputies
**Subject:** Abey Item 65 to 4/16 FW: PRJ-78275 (Hualapai/215 Review of Condition)

---

**From:** Eric McCammond <emccammond@LasVegasNevada.GOV>
**Sent:** Tuesday, March 17, 2020 12:22 PM
**To:** Peter Lowenstein <plowenstein@LasVegasNevada.GOV>; Carman Burney <cburney@LasVegasNevada.GOV>; Stacey Campbell <slcampbell@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; Arlene Coleman <acoleman@LasVegasNevada.GOV>
**Cc:** Steve Swanton <sswanton@LasVegasNevada.GOV>; Alex Strawser <astrawser@LasVegasNevada.GOV>
**Subject:** FW: PRJ-78275 (Hualapai/215 Review of Condition)

FYI/A...if you would like more than the email below, we can reach out to the applicant.

Thanks,

Eric


## Eric McCammond
Senior Management Analyst
Department of Planning | Case Planning Division
**702.229.6196**
333 N. Rancho Dr. 3rd Floor | Las Vegas, NV 89106
emccammond@lasvegasnevada.gov


---

**From:** Julia Izzolo <julia@zenith-lv.com>
**Sent:** Tuesday, March 17, 2020 12:01 PM
**To:** Steve Swanton <sswanton@LasVegasNevada.GOV>
**Cc:** Eric McCammond <emccammond@LasVegasNevada.GOV>; Alex Strawser <astrawser@LasVegasNevada.GOV>
**Subject:** RE: PRJ-78275 (Hualapai/215 Review of Condition)


**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**


Good Afternoon Steve,

We would like to request a 30 day obeyance on this item. Can you let me know if there is anything further that I need to do to hold this item?


Julia Izzolo, PE
(702) 866-9535 office
(702) 835-3496 cell


Submitted after final agenda
Date 3/17/20 Item 65

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**66**

**DEPARTMENT: City Manager** **DISCUSSION**
**DIRECTOR: Scott Adams**

**SUBJECT:**
REPORTS AND PRESENTATIONS:

Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
The City Manager (CM) Report will be a vehicle for the City Manager to update the Council on emerging issues that may have an impact on the City of Las Vegas. The CM Report will be a recurring item for every Council meeting. If there are no items for the particular meeting, the City Manager will recommend that the item be stricken.

**RECOMMENDATION:**
Report only; no action required.

**BACKUP DOCUMENTATION:**
1. Submitted at Meeting - Proposed Resolution Regarding Ratification of the Mayor's Proclamation Declaring a State of Emergency and Directing Activation of the City's Emergency Management Plan, Proposed Resolution Regarding Confirming a State of Emergency Exists, Requesting the Governor to Proclaim a State of Emergency and Requesting Assistance from the State and Federal Governments and Concern Documentation Not Vetted - E-Comments and E-mails

Resolution No. _____

**A RESOLUTION OF THE CITY OF LAS VEGAS CITY COUNCIL RATIFYING THE MAYOR'S PROCLAMATION DECLARING THAT A STATE OF EMERGENCY EXISTS WITHIN SAID CITY AND DIRECTING THE ACTIVATION OF SAID CITY'S EMERGENCY MANAGEMENT PLAN**

**WHEREAS**, the Mayor of the City of Las Vegas has been informed that as of March 13, 2020, the President of the United States, Donald Trump, has declared a State of Emergency in response to the recent outbreak and defined pandemic of the Coronavirus Disease (COVID-19); and

**WHEREAS**, the Governor of Nevada, Steve Sisolak, has declared a state of emergency in Nevada in response to the COVID-19 within said State; and

**WHEREAS** the COVID-19 pandemic represents a disaster emergency and is a substantial and imminent peril to said city and to the residents thereof and the property therein; and

**WHEREAS**, the Mayor of said City hereby finds that it will be necessary to take appropriate action to protect the public peace, health and safety, and to preserve the lives and property, of the residents of said city; and

**WHEREAS**, in light of the exigencies of this disaster emergency, said Mayor further finds that it will be necessary to take such action without regard to the formalities which are prescribed by law.

**NOW, THEREFORE, BE IT RESOLVED AND DECLARED** by the Mayor of the City of Las Vegas that a state of emergency exists as of 12:30 PM, Tuesday, March 17th, 2020 within said city; and

**IT IS THEREFORE ORDERED** that the City Manager, the Coordinator of Emergency Operations of the City of Las Vegas is hereby authorized, empowered and directed to activate said city's Emergency Management Plan, and that the City Manager is further authorized, empowered and directed to undertake such emergency management



Submitted at City Council
Date 3/18/20 Item 66

operations and to take such other and further actions as may be necessary or appropriate in order to respond to such emergency and to implement the provisions of said plan.

**APPROVED** this 18th day of March, 2020.

**CITY OF LAS VEGAS**

_____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn D. Holmes, City Clerk

Approved as to form

_____
Bradford R. Jerbic, City Attorney

The above and foregoing Resolution was presented at a meeting of said Council and approved by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

_____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn D. Holmes, City Clerk

**Resolution No. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS CONFIRMING THAT A STATE OF EMERGENCY EXISTS WITHIN THE CITY OF LAS VEGAS; REQUESTING THE GOVERNOR OF THE STATE OF NEVADA TO PROCLAIM A STATE OF EMERGENCY THEREIN; AND REQUESTING THE ASSISTANCE OF THE STATE AND FEDERAL GOVERNMENTS**

**WHEREAS**, the Governor has declared a state of emergency and ordered the closure of all public schools as a safeguard against the further spread of COVID-19; and

**WHEREAS**, it appears that a disaster, as defined in the Las Vegas Municipal Code 2.30.020(A), exists requiring emergency operations within the City of Las Vegas; and

**WHEREAS**, said disaster represents a threat to the safety and welfare of the citizens of Las Vegas as well as a threat to their property within the City; and

**WHEREAS**, the Mayor finds that certain administrative functions, under the authority delegated to the City Manager, require flexibility in staffing levels and assignments normally addressed in collective bargaining agreements and merit personnel systems; and

**WHEREAS**, administrative discretion in the enforcement of ordinances, rules and regulations, purchasing, and other government functions, as permitted by the Nevada Revised Statutes and the Las Vegas Municipal Code, will assist in the response and recovery of the emerging issues related to the spread of COVID-19.

**WHEREAS**, the City Council of the City of Las Vegas further finds that, even with the expenditure of all of such resources, the City of Las Vegas is or will be unable to cope with such disaster emergency.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the members of the City Council of the City of Las Vegas that the Governor of the State of Nevada be, and he hereby is, requested to proclaim that the City of Las Vegas is in a state of emergency, to provide the



Submitted at City Council
Date 3/18/20 Item 6C6

City of Las Vegas with the support of the State of Nevada and to request Federal government assistance for the City of Las Vegas.

**BE IT FURTHER RESOLVED** that the City Clerk of the City of Las Vegas is authorized, empowered and directed forthwith to forward certified copies of this Resolution to the Governor of the State of Nevada and to the Director of the Nevada Office of Emergency Management.

**BE IT FURTHER RESOLVED** that the Mayor of the City of Las Vegas is designated as the authorized representative of the City of Las Vegas for the purpose of the receipt, processing and coordination of all inquiries and requirements that are necessary in order to obtain State and Federal assistance to enable the City of Las Vegas to cope with such emergency and to repair and restore the public properties which are damaged or lost as a result thereof.

**ADOPTED** this _____ day of _____, 2020.

CITY OF LAS VEGAS

_____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn D. Holmes, City Clerk

Approved as to form

_____
Bradford R. Jerbic, City Attorney

The above and foregoing Resolution was presented at a meeting of said Council and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

_____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn D. Holmes, City Clerk

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:03 am |
| Browser: | Safari 13.0.5 / OS X |
| IP Address: | 68.224.148.92 |
| Unique ID: | 591107597 |
| Location: | 36.272899627686, -115.13330078125 |

| | |
|---|---|
| **First Name** | Jeremy |
| **Last Name** | Butler |
| **Agenda Item Number** | 66 |
| **Choose One** | Concerned |
| **Council Comment** | I feel more comfortable leaving the City Council in charge during this emergency. Thanks for your time. |



Submitted at City Council
Date 3/18/20 Item 66
ONLINE COMMENTS

# What is going to happen to all the small businesses that are forced to close?

Piette, Jacquelyn <JPIETTE@mgmresorts.com>

Wed 3/18/2020 4:21 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

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What is going to happen to all the small businesses that are forced to close?

Submitted at City Council
Date 3/18/20 Item 66

# AMNESTY

Kamara Mayberry <mayberrykr@gmail.com>

Wed 3/18/2020 5:06 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

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Why can't you urge banks and other institutions that collect periodic payments to implement an amnesty on mortgage, rent, other housing, utility (halting shutoffs isn't enough, people aren't getting PAID if they aren't working), car notes if the transportation is used for work purposes (i.e. food delivery)? What measures can city council implement to incentivize this kind of amnesty?

Submitted at City Council
Date 3/18/20 Item 66

# Closure of Specialist Medical office to the public!!

Marisela Contreras <marisela363@icloud.com>

Wed 3/18/2020 5:01 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

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@GovSisolak Any Medical Specialist office not involved with the treatment/testing of Covid19 should be CLOSED. We risk medical staff in these clinic being exposed to the virus. This needs to be mandatory closure. They consider them selfs an essential business. Employers are looking to save their business not our health.

Urologist, Dermatologists, etc any elective medical office should be closed. Please stand up for these employees that are scared to lose their job if decided to not go into work.

Sent from my iPhone

Submitted at City Counc.
Date 3/18/20 Item 64

# *AGENDA SUMMARY PAGE*
**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**67**

**DEPARTMENT: City Attorney** **DISCUSSION**
**DIRECTOR: Brad Jerbic**

**SUBJECT:**
REPORTS AND PRESENTATIONS:

Report from Brad Jerbic, City Attorney, regarding an update on the purchase, sale and assignment of the Huntridge Theater and four related parcels of real property located at the southeast corner of East Charleston Boulevard and South Maryland Parkway - Ward 3 (Diaz)

**FISCAL IMPACT:**
None

**PURPOSE/BACKGROUND:**
At the November 6, 2019, City Council meeting, the City Council unanimously approved (1) the Purchase and Sale Agreement and Joint Escrow Instructions to facilitate the purchase of four parcels of real property from King George, LLC, totaling approximately 2.63 acres, to the City and (2) the immediate Assignment of Agreement of Purchase and Sale and Joint Escrow Instructions of that same four parcels of real property, located at the southeast corner of East Charleston Boulevard and South Maryland Parkway, to J Dapper. The City Council requested monthly updates on this transaction, which includes the historic Huntridge Theater. This item is the March update.

**RECOMMENDATION:**
Report only; no action required.

**BACKUP DOCUMENTATION:**
None

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**68**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**69**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

**BACKUP DOCUMENTATION:**
1. Submitted at Meeting - Event Information by Daniel Braisted, Comments by Steven "Captain Truth" Dempsey and Concern/Support Documentation Not Vetted - Non-Item Specific E-Comments and Concern E-mails

**March 2020**

>

> Inventors Summit Sat April 25, 2020
Limited tickets: www.IPtheSummit.com

**>John Laub's Free Weekly Events List**
ToSubscribe Use: ***bit.ly/JohnLaubEventList***
Email of Local Biz- Health - Gov - MJ Events

**>Also Check and Subscribe:**
> InNEVation.com/upcoming-events
> SynShop.org (Co-Working Space)
> www.workinprogress.lv
> YouTube: InventRight; Tony Robbins

**Fun & Event Location**
> Lindy/Swing Dance Fridays Free
The MINT 332 W. Sahara Ave
730pm Lesson
830pm Free Beginner Lesson
See FB: SwingDanceVegas
& SwingDance.Vegas

# One Man's Answer To Our Current Serious Health Mess

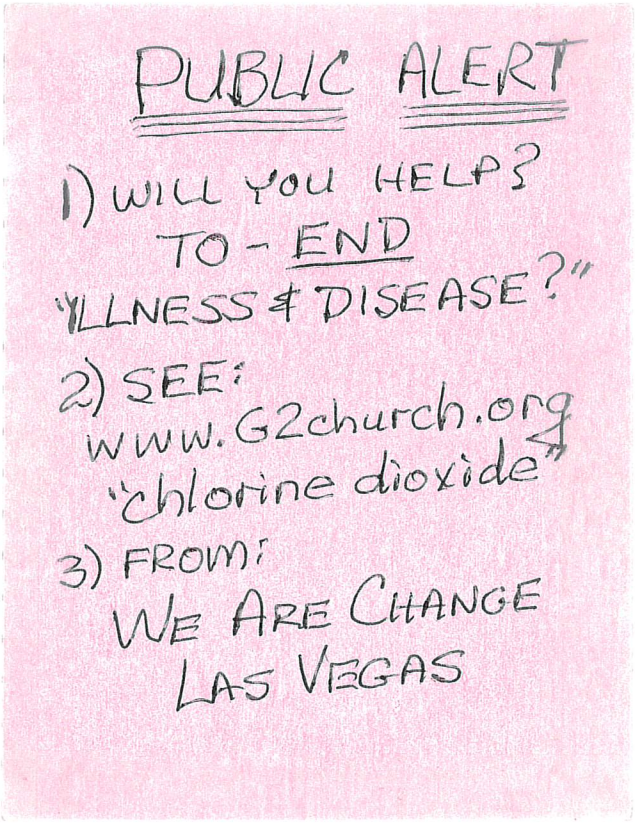
www.drrobertyoung.com/post/the-cause-and-the-cure-for-corona

Robert O. Young, DSc, Phd

Submitted at City Council
Date 3/18/20 Item 69
By Daniel Braisted

All on this Sheet is Subject To Change & At Times Errors
Copyright DB702 Inc DBA VegasInventors
*Meetup.com/VegasInventors*

DanielB702@gmail.com
702-365-1833 ok2txt
March 18 2020






Submitted at City Council
Date 3/18/20 Item 69
By Steven "Captain Truth" Dempsey

# Fwd: Rent

cbaby1920 . <hchelsea49@gmail.com>

Wed 3/18/2020 3:54 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

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---------- Forwarded message ---------

From: **cbaby1920 .** <hchelsea49@gmail.com>

Date: Wed, Mar 18, 2020 at 8:52 AM

Subject: Rent

To: citycouncilLive@lasvegasnevada.giv <citycouncilLive@lasvegasnevada.giv>

I know the evictions are suspended but what will happen to the balances that build up , I feel like the rent should be suspended like everywhere else me and my fiancé both lost our jobs yesterday

Submitted at City Council
Date 3/18/20 Item 69
Non item specific
Citizen Participation
Backup

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 9:52 am |
| Browser: | Chrome 64.0.3282.140 / Windows |
| IP Address: | 64.250.236.100 |
| Unique ID: | 591103895 |
| Location: | 36.151100158691, -115.110496521 |

| | |
|---|---|
| **First Name** | DREW |
| **Last Name** | THOMAS |
| **Agenda Item Number** | 3 |
| **Choose One** | Concerned |
| **Council Comment** | HOW LIKELY ARE THE CHANCES OF A SHELTER IN PLACE GOING INTO EFFECT |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:45 am |
| Browser: | Chrome 80.0.3987.132 / Windows |
| IP Address: | 205.153.114.83 |
| Unique ID: | 591122889 |
| Location: | 36.247299194336, -115.23220062256 |

| | |
|---|---|
| **First Name** | concerned |
| **Last Name** | employee |
| **Agenda Item Number** | 1 |
| **Choose One** | Concerned |
| **Council Comment** | it is wrong to ask facilities to stay open, asking staff to report to work, asking staff to be open to the public, asking the public to still visit city facilities and pay tickets and handle other NON -ESSENTIAL City business during this time. |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 9:32 am |
| Browser: | Mobile Safari 13.0.5 / iOS |
| IP Address: | 174.72.136.84 |
| Unique ID: | 591096940 |
| Location: | 37.750999450684, -97.821998596191 |

| | |
|---|---|
| **First Name** | Stephanie |
| **Last Name** | Cruz |
| **Agenda Item Number** | 1 |
| **Choose One** | Concerned |
| **Council Comment** | I am extremely concerned with the Mayor's response to the pandemic. Her passive stance left many at risk with poor planning and demonstrated leadership from her. Also, it is apparent that her concern is consumerism as opposed to the livelihood of her ppl. |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 17, 2020 8:33 pm |
| Browser: | Mobile Safari 13.0.5 / iOS |
| IP Address: | 174.237.129.20 |
| Unique ID: | 590953515 |
| Location: | 35.084499359131, -106.65110015869 |

| | |
|---|---|
| **First Name** | Lori |
| **Last Name** | Trotter |
| **Agenda Item Number** | 1 |
| **Choose One** | Concerned |
| **Council Comment** | How will we as self employed people get paid? We cannot file For unemployment. |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 9:58 am |
| Browser: | Chrome 80.0.3987.132 / Windows |
| IP Address: | 98.167.88.61 |
| Unique ID: | 591106120 |
| Location: | 36.009700775146, -115.14790344238 |

| | |
|---|---|
| **First Name** | Rebecca |
| **Last Name** | Johnson |
| **Agenda Item Number** | 1 |
| **Choose One** | Concerned |
| **Council Comment** | We need to adopt a shelter in place ordinance. Coronavirus cases are growing at a exponential level. The estimates are that we will lose 2.2 million lives nationally. That is more than the top 10 causes of death combined (cancer, suicide, injury, etc) |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:46 am |
| Browser: | Chrome 80.0.3987.132 / Windows |
| IP Address: | 205.153.114.83 |
| Unique ID: | 591123173 |
| Location: | 36.247299194336, -115.23220062256 |

| | |
|---|---|
| **First Name** | concerned |
| **Last Name** | employee |
| **Agenda Item Number** | 1 |
| **Choose One** | Concerned |
| **Council Comment** | City staff is being asked to remain at their positions where they are exposed to the public, can't maintain six feet of distance and are in closed office space with 10 or more people. The guidelines set by the CDC, WHO and our governor are being violated. |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 10:21 am |
| Browser: | Chrome 79.0.3945.117 / Windows |
| IP Address: | 72.207.152.158 |
| Unique ID: | 591114270 |
| Location: | 37.750999450684, -97.821998596191 |

| | |
|---|---|
| **First Name** | Jeffrey |
| **Last Name** | Luckinbill |
| **Agenda Item Number** | 9 |
| **Choose One** | Support |
| **Council Comment** | I would like to thank the mayor and the city council for meeting during these trying times to keep our citizens informed. |

| | |
|---|---|
| Form Name: | City Council Live |
| Submission Time: | March 18, 2020 12:07 pm |
| Browser: | Chrome 80.0.3987.132 / Windows |
| IP Address: | 174.68.186.111 |
| Unique ID: | 591152317 |
| Location: | 36.221199035645, -115.16850280762 |

| | |
|---|---|
| **First Name** | Tyler |
| **Last Name** | Wilson |
| **Agenda Item Number** | 2 |
| **Choose One** | Concerned |
| **Council Comment** | Is this considered an essential activity?<br>IF so, why are you allowed to be at work, and my place of work is shut down with no fault of my own?<br>WHy is the Governors office not accepting phone calls? |

No item # Public Comment

# [SUSPICIOUS MESSAGE] Handling of the City during the pandemic

JulieAnn Contreras <jujurulz37@gmail.com>

Wed 3/18/2020 4:49 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

I want to say thank you for your continued communication and efforts during this unique and historical event in our world's history. We are living through interesting times that are not only shaping our lives now but will shape the lives of our children now and their futures. We were Vegas Strong during the aftermath of the Route 91 shooting, we came together as a community and showed the world our strength, resiliency and how to care for our neighbors. That horrific event touched more than the lives of Las Vegas citizens its impact reached to those all over the country and world. The impact of Route 91 was so wide because we are a world class city with visitors from all over the world; we are unique in so many ways from most major cities of our size and population in the US. I am proud of our uniqueness and proud of what we offer to the world from gaming, restaurants, shopping, recreation, entertainment, community and much more.

All that being said I am not proud or in agreeament with the City's handling of the current pandemic facing our world today. I speak not only as an employee but out of concern for the citizens of the City of Las Vegas. City facilities are remaining open to the public and staff when agencies who are above our City and with more knowledge on the current health risks have advised non-essential buildings to be closed. City staff is being asked to remain at their positions where they are exposed to the public, can't maintain six feet of distance and are in closed office space with 10 or more people. The guidelines set by the CDC, WHO and our governor are being directly violated and the reason is to minimize "interruption of service to our customers." Our customers are the citizens and their health and safety SHOULD be of top concern, we should not be focused on possible revenue that may be generated from them visiting recreation centers, parking offices and other NON-ESSENTIAL services. Our healthy citizens should be home so they can remain healthy and our citizens who are ill should stay home to get better or go to the hospital so they be properly treated. They should not have access to spread germs unnecessarily to City staff or other citizens.

In that respect our healthy employees should stay home and maintain their health for the time set by the governor of 30 days and any employees who are ill should be able to seek treatment asap without worry of loss of pay or benefits. You are asking facilities to stay open, asking staff to report to work, asking staff to be open to the public, asking the public to still visit city facilities and pay tickets and handle other NON –ESSENTIAL City business during this time. That is wrong and not in line with "Building to Make Life Better" for our citizens or your staff. I appreciate the thought behind the 80 hours leave but to very honest it does not comply with the directive of our Governor of 30 days. I strongly feel the facts indicate our City should be closed and only actual essential services (such as medical and fire) be available.

There are other private businesses that are paying their employees during this time and maintaining their staff's health insurance. With all due respect the finances to pay City staff has ALREADY been budgeted through July 1 and should be paid to City staff. Staff should be home complying with our governor and other agencies with more knowledge and understanding of this pandemic. I don't believe offering "free" daycare was a well thought out answer as our children would be at risk in that type of setting, that is why the schools closed to eliminate the exposure and risk of our young kids. That option itself was limited to a VERY small number of staff and their children, it did not actually provide needed assistance to most of City staff and their children.

I understand the need to keep the City running to a certain extent and as a person of compassion I understand protecting our most vulnerable citizens such as seniors and I am more than happy to provide world class service

to them with the understanding that I and other staff receive proper PPE to do so and we are actually assisting them with their daily food and medical needs.

Please I ask you to exam your handling of the situation and the goals you are hoping to achieve. I hope the ultimate goal is to keep citizens and staff safe and healthy during this time.

--

# Thank goodness for Carolyn Goodman

J White <jameswhite3rd@gmail.com>

Wed 3/18/2020 4:19 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Please continue to expose this sham virus that is killing less people in the USA than cars killing our pedestrians on the streets of Vegas

Go to this CDC website
and you will get the truth and factual numbers:

https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcases-in-us.html

## COVID-19: U.S. at a Glance*

- Total cases: 4,226
- Total deaths: 75
- Jurisdictions reporting cases: 53 (49 states, District of Columbia, Puerto Rico, Guam, and US Virgin Islands)

* Data include both confirmed and presumptive positive cases of COVID-19 reported to CDC or tested at CDC since January 21, 2020, with the exception of testing results for persons repatriated to the United States from Wuhan, China and Japan. State and local public health departments are now testing and publicly reporting their cases. In the event of a discrepancy between CDC cases and cases reported by state and local public health officials, data reported by states should be considered the most up to date.

Carolyn, the mortality rate is only 1.77% of these deaths ALMOST ALL are elderly with prior conditions...AND we are letting the Gov shut down your city?
Citizen Jim W

# Closing OF NV mines is IMPORTANT

Amber Grant <amberlg77@gmail.com>

Wed 3/18/2020 6:16 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

There are many concerned people working at Nevada mines and places like Komatsu Mining that don't feel comfortable going to work during this crisis.
Are these places going to remain open?

There is to many people that ride the bus together, to many at komatsu that travel to the mine sites and come back to the East Elko shop.

Please make these non-essential business close.

# Open Meeting Comments for today 3/18/20

Al Lasso <Al@lassoinjurylaw.com>

Wed 3/18/2020 7:20 PM

To: City Council Live <citycouncillive@lasvegasnevada.gov>

**CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Has anyone thought of our Homeless Population? They have no access to masks, gloves or sanitization products. This is very concerning as they interact on the streets with people all the time. In fact they camp out in business parking lots, peoples yards, sidewalks and streets as they are all over our great city. I don't believe that the Governor's declaration covered the homeless or even addressed the homeless. Has anyone considered humanely moving them from the streets under the Emergency Health Declaration and putting them up in temporary type homes within Sam Boyd Stadium or somewhere else where they can be treated and have access to sanitized products and health officials so we know that none of them are carrying this most contagious disease?

Al Lasso, Esq.
Attorney at Law
Lasso Injury Law, LLC
10161 Park Run Drive
Las Vegas, Nevada 89145
(702) 625-8777 Office
(702) 835-6981 Facsimile

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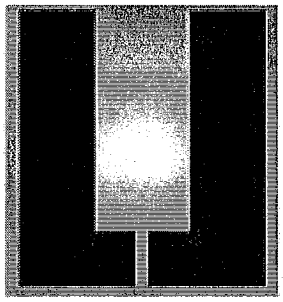


# LASSO INJURY LAW

*We Fight for You*

# *AGENDA SUMMARY PAGE*

**City Council**
**Meeting of: March 18, 2020**

Agenda Item No.:
**70**

**DEPARTMENT: City Clerk**
**DIRECTOR: LuAnn Holmes**

**SUBJECT:**
Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

**BACKUP DOCUMENTATION:**
Submitted at Meeting – Flyers for Adaptive Swing Set Celebration, Meet with Michele, Las Vegas Bluegrass Festival, Happy Birthday to Mayor Carolyn G. Goodman, Nevada Child Seekers Located and Missing Juvenile Bulletins and Corridor of Hope Homeless Success Stories by Councilwoman Fiore; and Flyers for Ward 2, Small Business Sundays, Animal Foundation Pet Adoptions and Social Media Contacts by Councilwoman Seaman

The Las Vegas City Council,

Mayor Pro Tem

# MICHELE FIORE

and the

**Kiwanis Club of Centennial Hills**

Invite you to an



# ADAPTIVE SWING SET CELEBRATION



Together we have created a special swing set that includes seats and equipment to help children with disabilities enjoy fun in the sun!

***Ribbon-Cutting Ceremony***

**Thursday, March 19**

**3 p.m.**

**Polly Gonzalez Memorial Park**

5425 Corbette St.

*For more information, please contact the Ward 6 Council Office at 702.229.5463.*

Kiwanis

cityoflasvegas
lasvegasnevada.gov
#lvward6

W6-2991-02-20 MC

The Las Vegas City Council and

**Mayor Pro Tem Michele Fiore**

Invite you to



# Meet with Michele

Mayor Pro Tem Michele Fiore invites you to stop by for breakfast snacks and coffee to chat about your concerns, your thoughts and our community.

## Friday, March 20 | 9 - 10 a.m.

**Centennial Hills Community Center YMCA**

**6601 N . Buffalo Drive**

For more information, call 702.229.5463 or online www.lasvegasnevada.gov/ward6

cityoflasvegas
lasvegasnevada.gov

CITY OF LAS VEGAS NEVADA

W6-3071-02-20


LAS VEGAS
BLUEGRASS
FESTIVAL
Saturday | March 21, 2020 | 11 a.m.-7 p.m.
Centennial Hills Park | 7101 N. Buffalo Drive
Free
All Ages
702.229.ARTS | ArtsLasVegas.org
CITY OF LAS VEGAS
NEVADA

# Happy Birthday!
# Mayor Carolyn G. Goodman
# March 25

# LOCATED

Sent: 2020-03-05 @ 13:58 Case: 200200125443 Author: JH/NCS

NIC #

Last Name DIAZ

First Name CHARLOTTE

Nickname

Alias

Age 16

Gender FEMALE

Height 5'4

Weight 110

Eyes BROWN

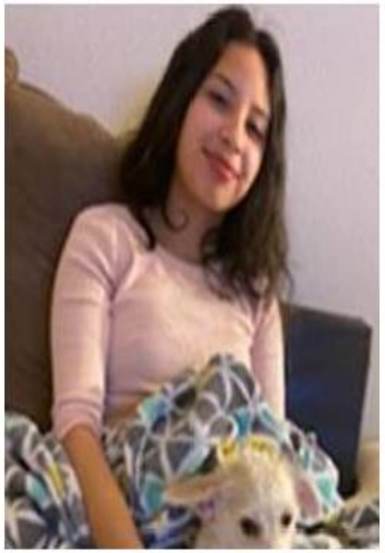
Hair BLACK

Complexion

Race HISPANIC

BirthDate

Last Contact 2/25/2020



Marks

CHILD WAS LAST SEEN IN THE AREA OF TROPICANA & TORREY PINES (LAS VEGAS,NV)

IT IS UNKNOWN WHAT THE CHILD WAS LAST SEEN WEARING

IF YOU HAVE ANY INFORMATION PLEASE CONTACT THE NUMBERS LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

# MISSING JUVENILE

Sent: 2020-03-16 @ 07:48 Case: 200300051927 Author: JH/NCS

NIC #

Last Name MOULTON

First Name AMELIA

Nickname

Alias

Age 16

Gender FEMALE

Height 5'2

Weight 140

Eyes GREN

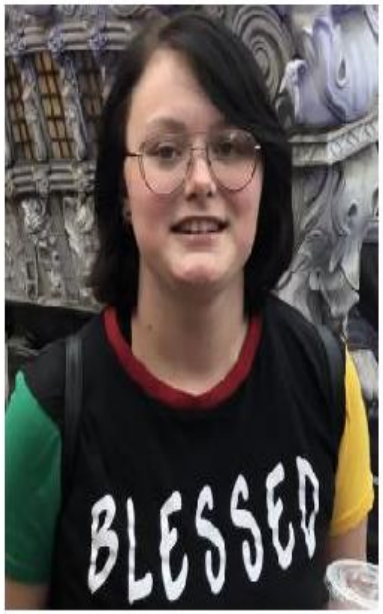
Hair BROWN

Complexion

Race CAUCASIAN

BirthDate

Last Contact 3/12/2020




Marks

AMELIA WAS LAST SEEN IN THE AREA OF S. LAS VEGAS BLVD & W. HARMON AVE (LAS VEGAS,NV)

SHE WAS LAST SEEN WEARING BLACK CONVERSE SWEATER, BLACK LEGGINGS WITH BLACK CONVERSE SHOES

IF YOU HAVE ANY INFORMATION PLEASE CONTACT THE NUMBERS LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

# ENDANGERED MISSING JUVENILE

Sent: 2020-03-14 @ 12:32 Case: 200300059762 Author: ME/NCS

NIC #

Last Name RODRIGUEZ-RIOS

First Name MARIAH JULIENNE

Nickname

Alias

Age 13

Gender FEMALE

Height 5'0

Weight 120

Eyes BROWN

Hair DARK BROWN

Complexion

Race HISPANIC

BirthDate

Last Contact MARCH 13, 2020



Marks

CHILD WAS LAST SEEN IN THE AREA E. CHARLESTON & S. HOLLYWOOD (LAS VEGAS, NV)

CHILD IS INSULINE DEPENDENT AND MAY BE IN NEED OF MEDICAL ASSISTANCE.

ALL HOSPITALS ARE ASKED TO CHECK THEIR REGISTRIES FOR THE MISSING PERSON AND NOTIFY THE POLICE IMMEDIATELY. IT SHOULD BE NOTED THAT HIPAA PERMITS DISCLOSURE UPON REQUEST BY LAW ENFORCEMENT AND IS AUTHORIZED PURSUANT TO 45 C.F.R. SECTION 164.512

LAST SEEN WEARING GREY SWEAT PANTS, AND A CHAMPION SWEAT SHIRT AND BLACK SHOES

CHILD IS WEARING A GRAY BACKPACK

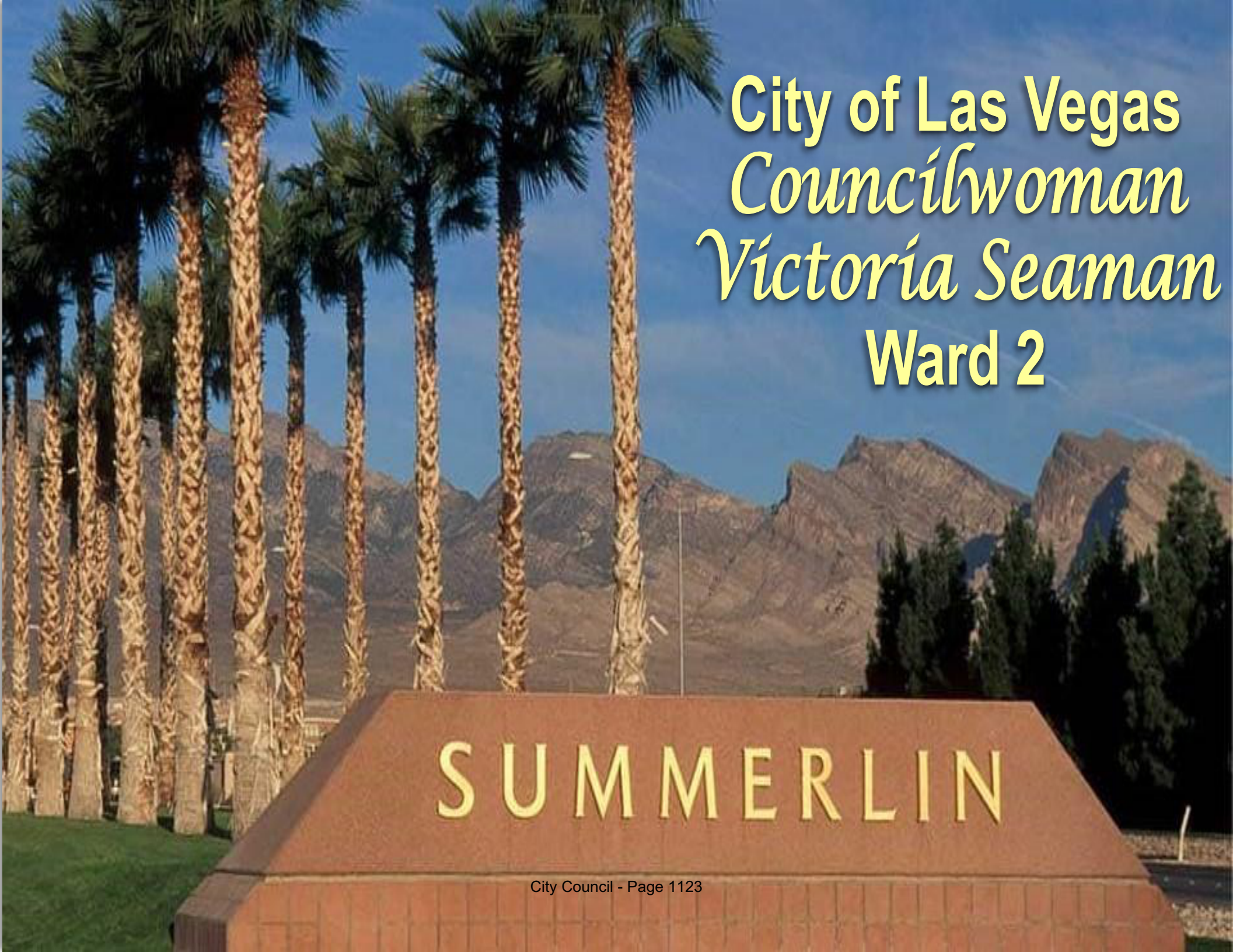
IF YOU HAVE INFORMATION PLEASE CONTACT THE NUMBER LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

# Corridor of Hope







City of Las Vegas
Councilwoman
Victoria Seaman
Ward 2
SUMMERLIN

WARD 2

# Small Business Sundays



# Animal Foundation Pet Adoptions

WARD 2



## Eli

**ID # A1091328**

**Arrived: 3/12/2020**

**Neutered Male**

**Age: 1 YEAR 7 MONTHS**

**Weight: 42 lbs**

# Animal Foundation Pet Adoptions

WARD 2



## PUMBA

**ID # A11223104**

**Arrived: 3/6/2020**

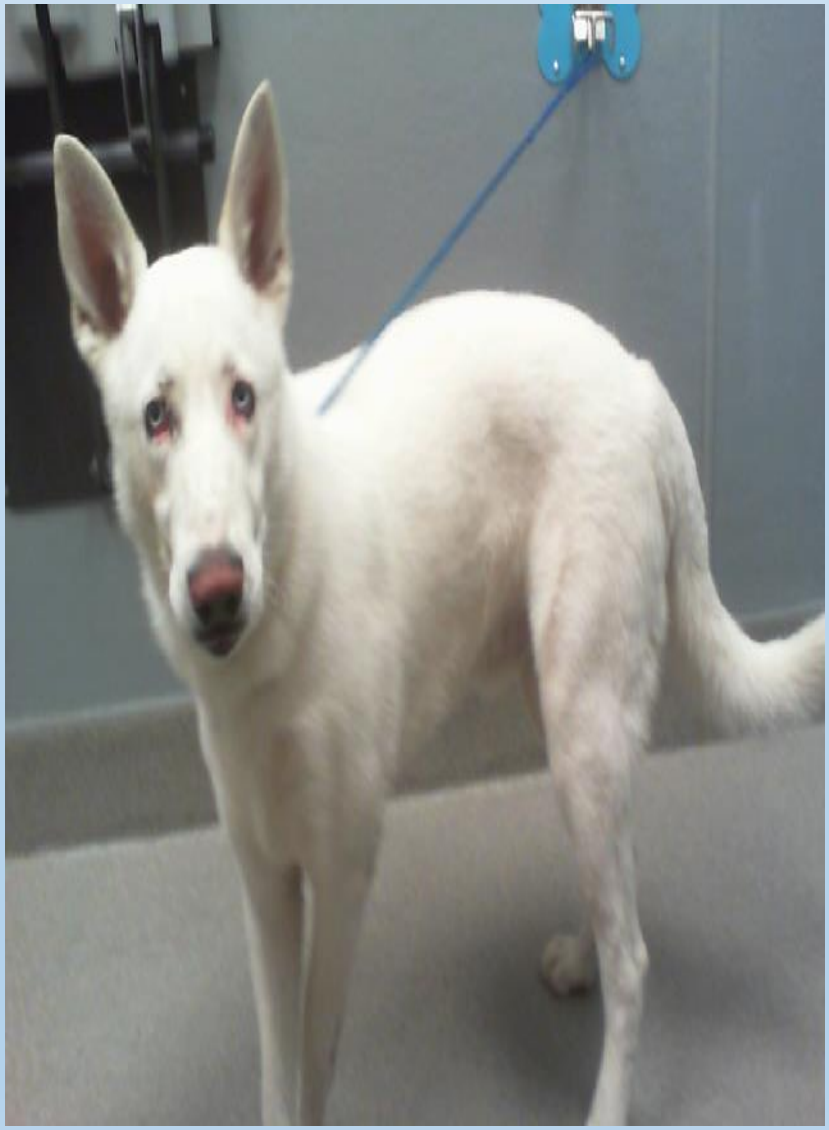
**NEUTERED MALE**

**Age: 2 YEARS**

**Weight: 8.5 lbs**

# Animal Foundation Pet Adoptions

WARD 2



## MOONGLOW

**ID # A1123926**

**Arrived: 1/30/2020**

**Male**

**Age: 1 YEAR 6 MONTHS**

**Weight: 70.4 lbs**

# Animal Foundation Pet Adoptions

WARD 2



## KITTY MINAJ

**ID # A1122430**

**Arrived: 3/2/2020**

**Spayed Female**

**Age: 4 Years**

**Weight: 9.9 lbs**

# Animal Foundation Pet Adoptions

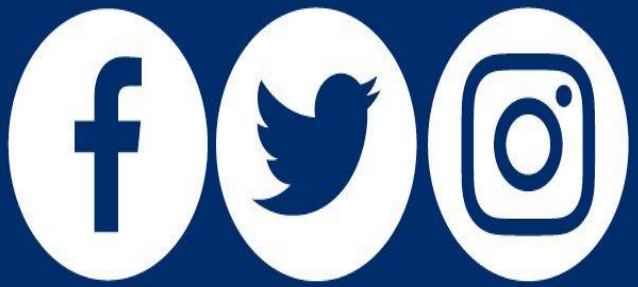
WARD 2

## Contact
## Adoption Department

**Phone:**
**(702) 955-5901**
**Email:**
**adoptions@animalfoundation.com**

# PLEASE FOLLOW UP ON SOCIAL MEDIA AT:

# @victoriadseaman



# VictoriaDSeaman







