Mayor Carolyn G. Goodman (At-Large)
Mayor Pro-Tem Lois Tarkanian (Ward 1)
Vacant (Ward 2)
Councilman Bob Coffin (Ward 3)
Councilman Stavros S. Anthony (Ward 4)
Councilman Cedric Crear (Ward 5)
Councilwoman Michele Fiore (Ward 6)

Commissioner Sam Cherry, Chair
Commissioner Louis De Salvio, Vice Chair
Commissioner Vicki Quinn
Commissioner Trinity Haven Schlottman
Commissioner Donna Toussaint
Commissioner Christina E. Roush
Commissioner Brenda J. Williams

# Planning Commission Agenda

Council Chambers - 495 South Main Street - Phone 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 DEPARTMENT DESIGNEE at 702-229-6301 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

## June 25, 2019
### 6:00 PM

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

Backup material for this agenda may be obtained from Milagros Escuin, Department of Planning, 333 North Rancho Drive, 3RD Floor, (702)-229-6301 or on the City's webpage at www.lasvegasnevada.gov.

ACTIONS: All actions except general plan amendments, rezonings, and related cases thereto are final unless an appeal is filed by the applicant or an aggrieved person, or a review is requested by a member of the city council within ten days and payment of those costs shall be made upon filing of the application.

**PLANNING COMMISSION MEETING RULES OF CONDUCT:**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's condition, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input have been received; the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

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

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

## BUSINESS ITEMS:

1. Call to Order
2. Announcement: Compliance with Open Meeting Law
3. Roll Call
4. Public Comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.
5. For Possible Action to Approve the Final Minutes for the Planning Commission Meetings of May 14 and May 28, 2019.
6. For Possible Action - Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

## CONSENT ITEMS:

Consent items are considered routine by the Planning Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or applicant so desires.

7. EOT-76358 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-58539) FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH A WAIVER TO ALLOW 18,295 SQUARE FEET OF AREA DEDICATED TO THE USE WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76206]. Staff recommends APPROVAL.
8. EOT-76359 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-58540) FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH WAIVERS TO ALLOW A SEVEN-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE AND A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76206]. Staff recommends APPROVAL.
9. EOT-76368 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-68470) FOR A PROPOSED SINGLE-STORY, 34,782 SQUARE-FOOT SHOPPING CENTER on 3.48 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue (APNs 139-34-501-004 and 008), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76348]. Staff recommends APPROVAL.

## ONE MOTION - ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered routine non-public and public hearing items. All public hearings and non-public hearings will be opened at one time. Any person representing an application or a member of the public or a member of the Planning Commission not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

10. ABEYANCE - GPA-75937 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 15.00 acres generally

located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

11. ABEYANCE ZON-75938 - REZONING RELATED TO GPA-75937 - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 15.00 acres generally located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

12. SUP-76456 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY WITH A WAIVER TO ALLOW STORAGE FACILITIES ON THE FIRST FLOOR WHERE SUCH IS NOT ALLOWED AND TO ALLOW THE NORTH, EAST, AND SOUTH BUILDING FACADES TO NOT APPEAR AS AN OFFICE OR RETAIL FACILITY WHERE SUCH IS REQUIRED on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

13. SUP-76457 - SPECIAL USE PERMIT RELATED TO SUP-76456 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Special Use Permit FOR A 79-FOOT TALL WIRELESS COMMUNICATION FACILITY (MONOPALM) on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

14. SDR-76455 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-76456 AND SUP-76457 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 517-UNIT, 75,161 SQUARE-FOOT MINI-STORAGE FACILITY AND A 80-FOOT TALL WIRELESS COMMUNICATION FACILITY (MONOPALM) WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW NONE OF THE BUILDING TO BE BUILT TO THE FRONT SETBACK LINE WHERE A MINIMUM OF 80 PERCENT IS REQUIRED, TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED, AND TO ALLOW A SIX-FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED on 1.11 acres on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

15. SUP-76451 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE USE at 608 South 3rd Street (APN 139-34-311-070), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76334]. Staff recommends APPROVAL.

16. MSP-76356 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT - For possible action on a request for a Master Sign Plan FOR AN EXISTING PUBLIC SCHOOL, PRIMARY on 14.92 acres at 9851 Donald Nelson Avenue (APN 125-18-201-015), C-V (Civic) Zone, Ward 6 (Fiore) [PRJ-76357]. Staff recommends APPROVAL.

17. VAC-76391 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: VICTORY MISSIONARY BAPTIST CHURCH - For possible action on a request for a Petition to Vacate a 20-foot wide alley between "E" Street and "F" Street, south of Jackson Avenue, Ward 5 (Crear) [PRJ-76390]. Staff recommends APPROVAL.

18. VAC-76442 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public right-of-way generally located on Crossbridge Drive, west of Suncreek Drive, Ward 2 (Vacant) [PRJ-76399]. Staff recommends APPROVAL.

19. VAC-76444 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive (portion of APNs 137-28-810-001 and 137-33-512-003), Ward 2 (Vacant) [PRJ-76396]. Staff recommends APPROVAL.

20. VAC-76458 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public sewer and drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive (portion of APN 137-33-512-002), Ward 2 (Vacant) [PRJ-76431]. Staff recommends APPROVAL.

## PUBLIC HEARING ITEMS

21. ABEYANCE - GPA-75668 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a General Plan Amendment FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

22. ABEYANCE - ZON-75669 - REZONING RELATED TO GPA-75668 - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

23. ABEYANCE - ZON-76236 - REZONING- PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends APPROVAL.

24. ABEYANCE - VAR-76237 - VARIANCE RELATED TO ZON-76236 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Variance TO ALLOW A FOUR-FOOT SIDE YARD SETBACK ADJACENT TO THE NORTH AND SOUTH PROPERTY LINES WHERE 10 FEET IS REQUIRED on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL.

25. ABEYANCE - SUP-76310 - SPECIAL USE PERMIT RELATED TO ZON-76236 AND VAR-76237 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY USE at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL. [NOTE: STAFF'S RECOMMENDATION CHANGED TO APPROVAL].

26. ABEYANCE - SDR-76250 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76236, VAR-76237 AND SUP-76310 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 292-UNIT MINI-STORAGE FACILITY CONSISTING OF TWO BUILDINGS FOR A TOTAL OF 57,900 SQUARE FEET WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO THE NORTH AND SOUTH PROPERTY LINE, AND A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO PORTIONS OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL. [NOTE: STAFF'S RECOMMENDATION CHANGED TO APPROVAL].

27. ABEYANCE - RENOTIFICATION - VAR-75852 - VARIANCE - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Variance TO ALLOW 921 PARKING SPACES WHERE 2,869 PARKING SPACES ARE REQUIRED on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

28. SUP-76362 - SPECIAL USE PERMIT RELATED TO VAR-75852 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 213,748 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

29. SUP-76663 - SPECIAL USE PERMIT RELATED TO VAR-75852 AND SUP-76362 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 213,748 SQUARE-FOOT NIGHTCLUB USE at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

30. ABEYANCE - RENOTIFICATION - SDR-75854 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75852, SUP-76362 AND SUP-76663 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Major Amendment of an approved Site Development Plan Review (SDR-70652) FOR A PROPOSED 7,776 SQUARE-FOOT INDOOR

FLOOR AREA ADDITION TO AN APPROVED 205,972 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR AND OUTDOOR) DEVELOPMENT AND PROPOSED EXPANSION OF THE PARKING LOT AREA on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

31. ZON-76110 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), Ward 3 (Coffin) [PRJ-76067]. Staff recommends APPROVAL.

32. WVR-76111 - WAIVER RELATED TO ZON-76110 - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL - For possible action on a request for a Waiver TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 3 (Coffin) [PRJ-76067]. Staff recommends APPROVAL.

33. ZON-76475 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

34. SUP-76476 - SPECIAL USE PERMIT RELATED TO ZON-76475 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MAJOR USE at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

35. SDR-76477 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76475 AND SUP-76476 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED 2,053 SQUARE-FOOT EXPANSION OF AN EXISTING 1,050 SQUARE-FOOT BUILDING on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

36. VAR-76459 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 16 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.19 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-016), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

37. VAR-76460 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 17 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.19 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-017), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

38. VAR-76461 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 18 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.24 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-018), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

39. VAR-76469 - VARIANCE - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Variance TO ALLOW 47 PARKING SPACES WHERE 173 SPACES ARE REQUIRED on 0.76 acres at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

40. SUP-76470 - SPECIAL USE PERMIT RELATED TO VAR-76469 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) [TAVERN-RESTRICTED] USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

41. SUP-76471 - SPECIAL USE PERMIT RELATED TO VAR-76469 AND SUP-76470 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT NIGHTCLUB USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING, IN CONJUNCTION WITH AN ESTABLISHMENT THAT HAS A TAVERN-RESTRICTED LICENSE, WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

42. VAR-76400 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA - For possible action on a request for a Variance TO ALLOW A SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ATTACHED ACCESSORY STRUCTURE [COVERED BARBEQUE] AND TO ALLOW A ZERO-FOOT SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED on 0.70 acres at 1400 Comstock Drive (APN 139-28-110-081), R-E (Residence Estates) Zone, Ward 5 (Crear) [PRJ-76286]. Staff recommends DENIAL.

43. SUP-75826 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC - For possible action on a request FOR A PROPOSED 4,280 SQUARE-FOOT MARIJUANA DISPENSARY USE at the northeast corner of Craig Road and Tenaya Way (APN 138-03-611-014), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75788]. Staff has NO RECOMMENDATION.

44. SDR-75825 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75826 - PUBLIC HEARING - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-59306) FOR A PROPOSED 4,280 SQUARE-FOOT COMMERCIAL BUILDING on 0.95 acres at the northeast corner of Craig Road and Tenaya Way (APN 138-03-611-014), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75788]. Staff has NO RECOMMENDATION.

45. SUP-76446 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-074, 075, 101 through 105; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76401]. Staff recommends APPROVAL.

46. SDR-76448 - SITE DEVELOPMENT PLAN REVIEW RELATED SUP-76446 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED EIGHT-STORY MIXED-USE DEVELOPMENT CONSISTING OF 343 RESIDENTIAL UNITS AND 8,000 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW 331 PARKING SPACES WHERE 522 ARE REQUIRED; A 40-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 282 FEET IS REQUIRED; A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND A ZERO-FOOT LANDSCAPE BUFFER ON THE EAST, SOUTH AND WEST PROPERTY LINES WHERE 15 FEET IS REQUIRED on 2.18 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-074, 075, 101 through 105; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76401]. Staff recommends APPROVAL.

## DIRECTOR'S BUSINESS:

47. TXT-76662- TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.12 Permissible Uses and 19.18 Definitions & Measures to clarify and define distance separation and access requirements, and to provide for other related matters. Staff recommends APPROVAL.

## Citizens Participation:

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

Facilities are provided throughout City Hall for the convenience of persons with disabilities. 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.

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*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**1**

---

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
CALL TO ORDER

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**2**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

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

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**3**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ROLL CALL

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**4**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

**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*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**5**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETINGS OF MAY 14, 2019 AND MAY 28, 2019.

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**6**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
FOR POSSIBLE ACTION - ANY ITEMS FROM THE PLANNING COMMISSION, STAFF AND/OR THE APPLICANT WISH TO BE STRICKEN OR HELD IN ABEYANCE TO A FUTURE MEETING MAY BE BROUGHT FORWARD AND ACTED UPON AT THIS TIME.

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.: **7**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

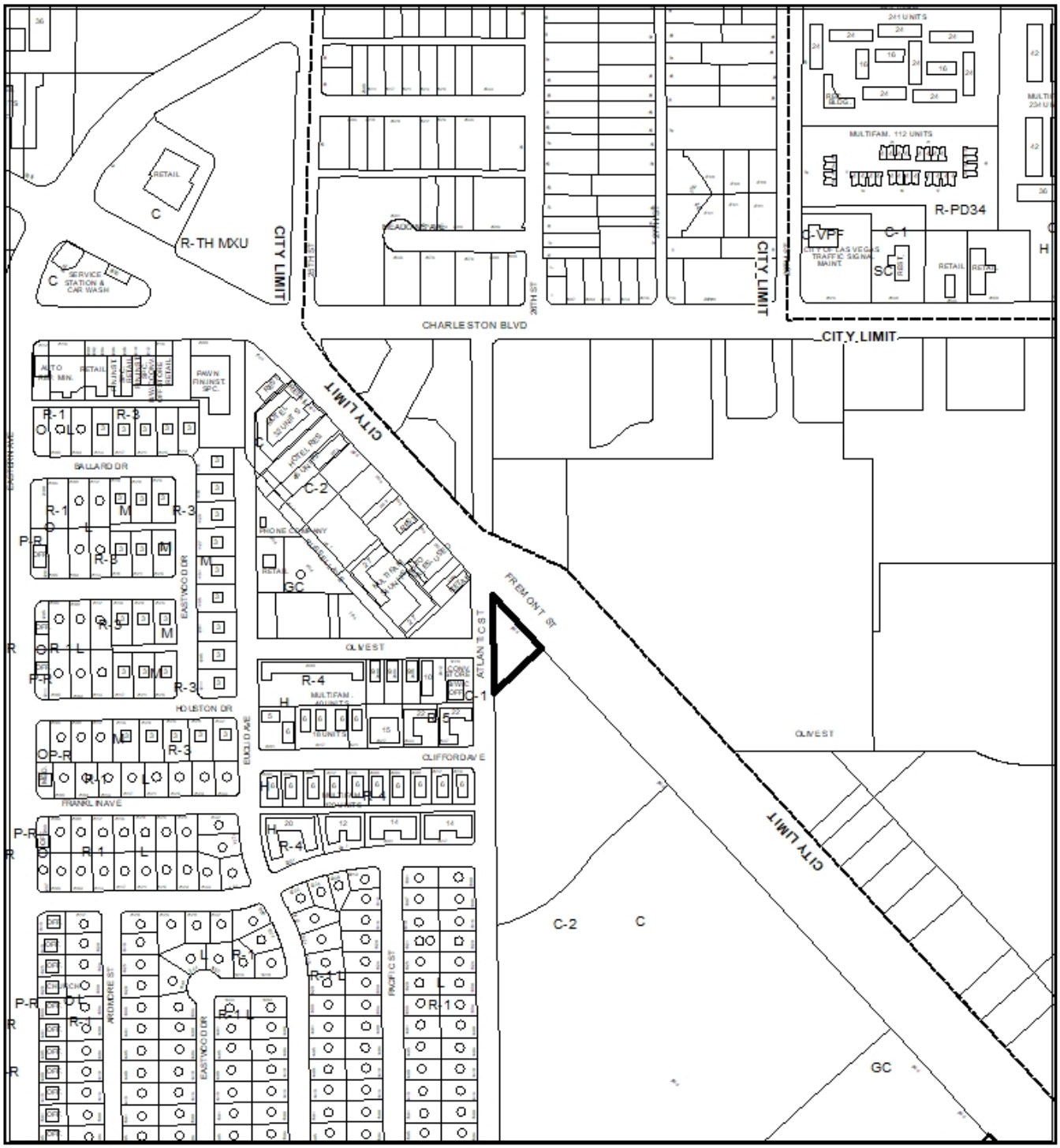
**SUBJECT:**
EOT-76358 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-58539) FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH A WAIVER TO ALLOW 18,295 SQUARE FEET OF AREA DEDICATED TO THE USE WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76206]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - EOT-76358 and EOT-76359 [PRJ-76206]
2. Conditions and Staff Report - EOT-76358 and EOT-76359 [PRJ-76206]
3. Supporting Documentation - EOT-76358 and EOT-76359 [PRJ-76206]
4. Photo(s) - EOT-76358 and EOT-76359 [PRJ-76206]
5. Justification Letter - EOT-76358 and EOT-76359 [PRJ-76206]
6. Action Letter from the May 9, 2017 Planning Commission Meeting for EOT-69527




CASE: **EOT-76358, EOT-76359 (PRJ-76206)**

0 320 640 Feet




CASE: **EOT-76358, EOT-76359 (PRJ-76206)**

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **EOT-76358** | Staff recommends APPROVAL, subject to conditions: | EOT-76359 |
| **EOT-76359** | Staff recommends APPROVAL, subject to conditions: | EOT-76358 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** NA

**NOTICES MAILED** NA

**PROTESTS** 0

**APPROVALS** 0



NE

** CONDITIONS **

# EOT-76358 CONDITIONS

***Planning***

1. Special Use Permit (SUP-58539) shall expire on May 12, 2021 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Special Use Permit (SUP-58539) and all other related actions as required by the Department of Planning and the Department of Public Works.

# EOT-76359 CONDITIONS

***Planning***

1. Site Development Plan Review (SDR-58539) shall expire on May 12, 2021 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-58539) and all other related actions as required by the Department of Planning and the Department of Public Works.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for an Extension of Time of Special Use Permit (SUP-58539) and Site Development Plan Review (SDR-58540) for a proposed Motor Vehicle Sales (Used) lot at 2600 Fremont Street.

## ISSUES

- Special Use Permit (SUP-58539) will expire on May 12, 2019 unless an Extension of Time is approved.
- Site Development Plan Review (SDR-58540) will expire on May 12, 2019 unless an Extension of Time is approved.
- This is a second request for an Extension of Time for Special Use Permit (SUP-58539) and Site development plan Review (SDR-58540).

## ANALYSIS

The purpose of an Extension of Time is to provide a mechanism for extending the approval period of an approved application with time limitations imposed by the City Council or Planning Commission.

An application for an Extension of Time shall be heard by the Planning Commission or City Council, whichever body took final action to approve the item subject to an Extension of Time. In this case, Both Special Use Permit (SUP-58539) and Site Development Plan Review (SDR-58540) were approved by the Planning Commission on May 12, 2015.

This is the second request for an Extension of Time for Special Use Permit (SUP-58539) and Site Development Plan Review (SDR-58540) which entitled a proposed Motor Vehicle Sales (Used) land use with a Waiver to allow the use to operate on a site with 18,295 square feet where the minimum required for the use is 25,000 square feet. Additionally, the proposed development was granted Waivers to allow reduced landscape buffer widths adjacent to the right-of-way.

The applicant has requested an Extension of Time in order to find a tenant or possible buyer for the subject site.

## FINDINGS (EOT-76358 & EOT-76359)

Approval of this request will allow the applicant additional time to find a tenant or a buyer. Since the subject site and immediate adjacent parcels remain unchanged since the original approval, staff is recommending approval of this request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 10/22/14 | Code Enforcement processed a complaint (#147311) for vehicles parked on a vacant lot at 2600 Fremont Street. The case was resolved on 12/10/14. |
| 05/12/15 | The Planning Commission approved a request for a Special Use Permit (SUP-58539) for a proposed Motor Vehicles Sales (Used) use with a Waiver to allow 18,295 square feet of area dedicated to the use where 25,000 square feet is the minimum required at 2600 Fremont Street. Staff recommended approval. |
| | The Planning Commission approved a request for a Site Development Plan Review (SDR-58540) for a proposed Motor Vehicle Sales (Used) use with Waivers to allow a seven-foot wide landscape buffer along the east property line and a five-foot wide landscape buffer along a portion of the west property line where 15 feet is required adjacent to right-of-way on 0.42 acres at 2600 Fremont Street. Staff recommended approval. |
| 12/12/16 | Code Enforcement processed a complaint (#172954) for trash and weeds on a vacant lot at 2600 Fremont Street. The case was resolved on 05/31/17. |
| 05/19/17 | The Planning Commission approved a request for an Extension of Time (EOT-69527) of an approved Special Use Permit (SUP-58539) for a proposed Motor Vehicle Sales (Used) use with a Waiver to allow 18,295 square feet of area dedicated to the use where 25,000 square feet is the minimum required at 2600 Fremont Street. Staff recommended approval. |
| | The Planning Commission approved a request for an Extension of Time (EOT-69529) of an approved Site Development Plan Review (SDR-58540) for a proposed Motor Vehicle Sales (Used) with Waivers to allow a seven-foot wide landscape buffer along the east property line and a five-foot wide landscape buffer along a portion of the west property line where 15 feet is required adjacent to right-of-way at 2600 Fremont Street. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 12/14/12 | A deed was recorded for a change in ownership. |

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

| ***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*** | |
|---|---|
| 05/16/19 | Staff observed the subject site during a routine field check. The site was secure with a chain link fence. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.42 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant/Undeveloped | GC (General Commercial) | C-2 (General Commercial) |
| North | Office, Other Than Listed | CT (Commercial Tourist) Clark County | C-2 (Commercial General) Clark County |
| | Building & Landscape Material/Lumber Yard | | |
| South | Vacant/Undeveloped | C (Commercial) | C-2 (General Commercial) |
| East | Building & Landscape Material/Lumber Yard | CT (Commercial Tourist) Clark County | C-2 (General Commercial District) Clark County |
| West | Vacant/Undeveloped | C (Commercial) | C-2 (General Commercial) |
| | General Retail Store, Other Than Listed | H (High Density Residential) | C-1 (Limited Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| No Applicable Special Purpose or Overlay Districts | N/A |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| 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*** |
|---|---|---|---|---|
| Fremont Street | Primary Arterial | Master Plan of Streets and Highways | 95 | Y |
| Atlantic Street | Local Street | Title 13 | 60 | 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) EOT for SDR-58540

**Project Address** (Location) 2600 Fremont St.

**Project Name** _____ **Proposed Use** Used Car lot

**Assessor's Parcel #(s)** 162-01-103-001 **Ward #** 3

**General Plan:** Existing o42 Proposed _____ **Zoning:** Existing C-2 Proposed _____

**Additional Information** _____

**Property Owner** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City W. Covina State CA Zip 91791

E-mail billfinksos@yahoo.com Phone _____

**Applicant** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City _____ State ____ Zip ____

E-mail billfinksos@yahoo.com Phone _____

**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** William Fink, General Partner

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

**Print Name** William Fink "Bill"

Subscribed and sworn before me

This _____ day of _____, 20 ____

Notary Public in and for said County and State

PRJ-76206
04/23/19

**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)

1
2
3
4
5
6

*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 17TH day of APRIL, 2019,
by *Date* *Month* *Year*

(1) WILLIAM FINK

(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.

KYLIE JADE TANG
COMM. #2178203
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires 01/01/2021

*Place Notary Seal and/or Stamp Above*

Signature _____
*Signature of Notary Public*

**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 & STATEMENT OF FINANCIAL INTEREST CASE: EOT FOR SDR-58540

Document Date: 04/17/2019 Number of Pages: ONE

Signer(s) Other Than Named Above: NO OTHER SIGNERS

©2017 National Notary Association



PRJ-76206
04/23/19

# 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) EOT For SUP-58539

**Project Address** (Location) 2600 Fremont St.

**Project Name** _____ **Proposed Use** Used CAR LOT

**Assessor's Parcel #(s)** 162-01-103-001 **Ward #** 3

**General Plan:** Existing MU Proposed _____ **Zoning:** Existing C-2 Proposed _____

**Additional Information** _____

**Property Owner** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City W. Covina State CA Zip 91791

E-mail billfinksos@yahoo.com Phone _____

**Applicant** Senior Nevada Benefit Group Contact Bill Fink

Address 1835 E. Michelle St. City _____ State _____ Zip _____

E-mail billfinksos@yahoo.com Phone _____

**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** William Fink, General Partner

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

**Print Name** William FINK "Bill"

Subscribed and sworn before me

This _____ day of _____, 20 _____

Notary Public in and for said County and State

PRJ-76206
04/23/19

**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)

1
2
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4
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6

*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 18TH day of APRIL, 2019,
by *Date* *Month* *Year*

(1) WILLIAM FINK

(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.

KYLIE JADE TANG
COMM. #2176203
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires 01/01/2021

*Place Notary Seal and/or Stamp Above*

Signature _____
*Signature of Notary Public*

**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 + STATEMENT OF FINANCIAL INTEREST
CASE: EOT FOR SUP-58539

Document Date: 04/18/2019 Number of Pages: ONE

Signer(s) Other Than Named Above: NO OTHER SIGNERS

©2017 National Notary Association

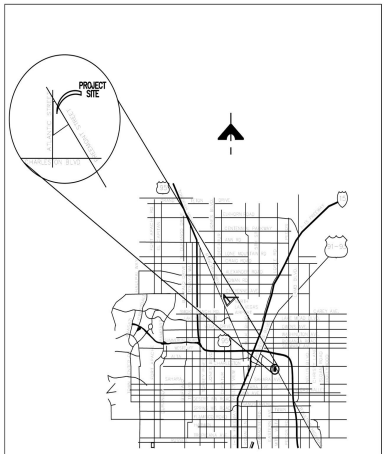


PRJ-76206
04/23/19




## PROJECT DATA:

| | |
|---|---|
| GROSS SITE AREA: | 0.42 AC |
| EXISTING ZONING: | C-2 |
| PROPOSED ZONNING: | C-2 |
| APN: | 162-01-103-001 |
| BLDG AREA | |
| OFFICE | ±400 SF |
| PARKING ANALYSIS: | |
| PARKING REQUIRED: | |
| CUSTOMER (1/500SF): | 1 CARS |
| EMPLOYEE | 1 CARS |
| TOTAL PARKING REQUIRED: | 2 CARS |
| PARKING PROVIDED: | |
| ON SITE PARKING PROVIDED: | 21 CARS |
| HANDICAP PARKING PROVIDED: | 1 CAR |
| LOT COVERAGE: | 2.2% |




VICINITY MAP SCALE: NTS

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# USED CAR LOT

2000 FREMONT STREET LAS VEGAS, NV

Planning Commission - Page 28

A. 001
SITE PLAN

SCHEME C
February 25, 2015

SCALE: 1/16" = 1'-0"

N

PRJ-76206
04/23/19




TREE LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CHITALPA TASHKENTENSIS<br>CHITALPA | 36" BOX, AT BLDG.<br>24" BOX | STD., D.S. |
| | RHUS LANCEA<br>AFRICAN SUMAC | 24" BOX | STD., D.S. |
| | PROSOPIS CHILENSIS<br>THORNLESS CHILEAN MESQUITE | 24" BOX | STD., D.S. |

SHRUB LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS | QUATITY |
|---|---|---|---|---|
| | CAESALPINIA PULCHERRIMA<br>RED BIRD OF PARADISE | 5 GAL | 72" O.C. | 11 |
| | CASSIA NEMOPHILA<br>CASSIA | 5 GAL | 60" O.C. | 11 |
| | COTONEASTER GLAUCOPHYLLUS<br>BRIGHT BEAD COTONEASTER | 5 GAL | 42" O.C. | 11 |
| | ELAEAGNUS PUNGENS<br>SILVERBERRY | 5 GAL | 48" O.C. | 11 |
| | HESPERALOE PARVIFLORA<br>RED YUCCA | 5 GAL | 36" O.C. | 11 |
| | LEUCOPHYLLUM F. 'COMPACTA'<br>DWARF TEXAS RANGER | 5 GAL | 30" O.C. | 11 |
| | LEUCOPHYLLUM F. 'GREEN CLOUD'<br>GREEN CLOUD TEXAS RANGER | 5 GAL | 48" O.C. | 11 |
| | MUHLENBERGIA C. 'REGAL MIST'<br>REGAL MIST | 5 GAL | 36" O.C. | 11 |
| | MUHLENBERGIA RIGENS<br>DEER GRASS | 5 GAL | 36" O.C. | 11 |
| | PENNISETUM SETACEUM 'CUPREUM'<br>PURPLE FOUNTAIN GRASS | 5 GAL | 36" O.C. | 11 |
| | SALVIA GREGGII<br>AUTUMN SAGE | 5 GAL | 24" O.C. | 11 |

GROUND COVER / ACCENT PLANT LEGEND

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

ROCK MULCH

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

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

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# USED CAR LOT

2600 FREMONT STREET, LAS VEGAS, NV

Planning Commission, Page 29

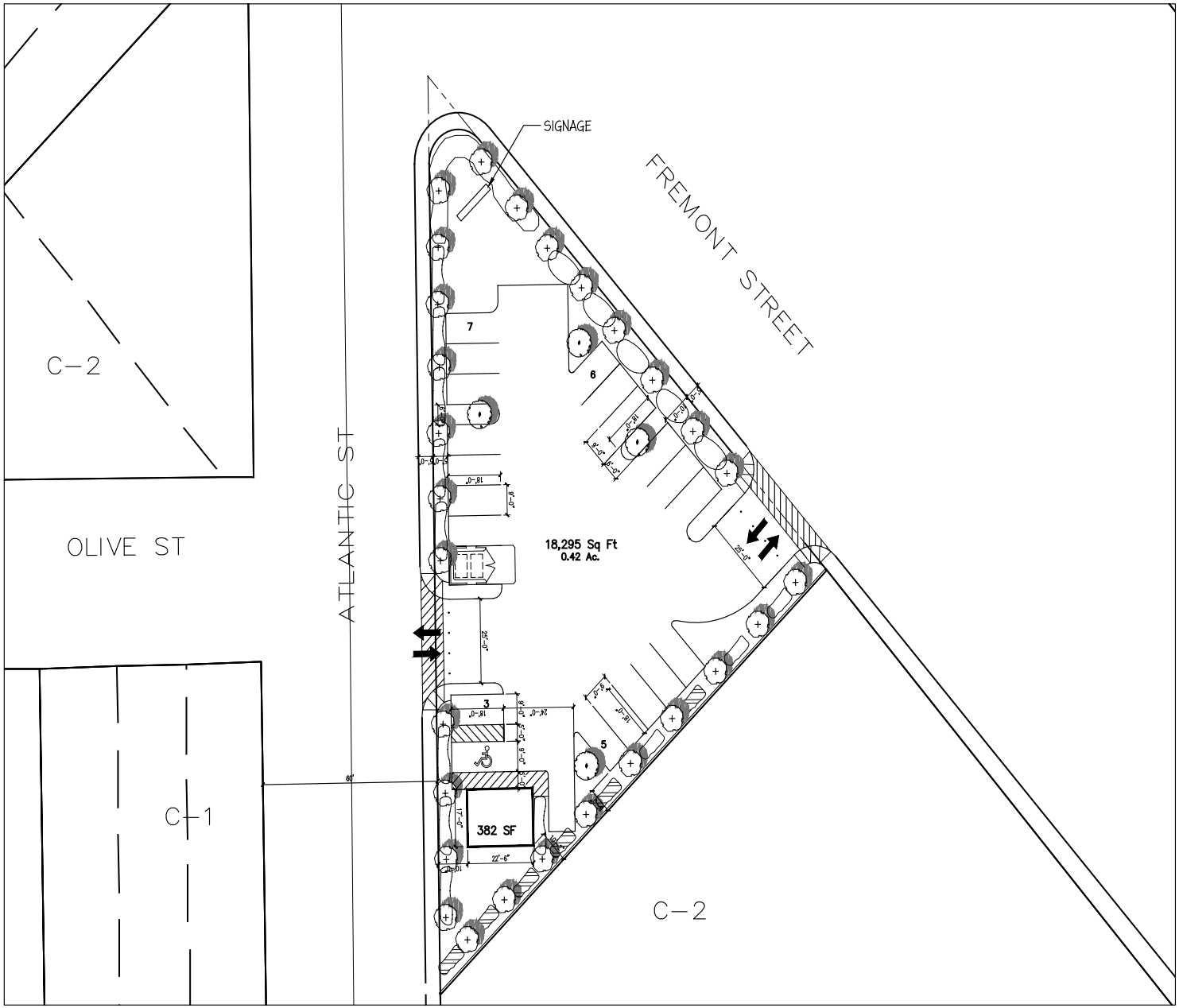
A. 002
LANDSCAPE PLAN

SCHEME A
January 13, 2015

SCALE: 1/16" = 1'-0"

N

PRJ-76206
04/23/19




TREE LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CHITALPA TASHKENTENSIS CHITALPA | 36" BOX, AT BLDG. 24" BOX | STD., D.S. |
| | RHUS LANCEA AFRICAN SUMAC | 24" BOX | STD., D.S. |
| | PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE | 24" BOX | STD., D.S. |

SHRUB LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS | QUATITY |
|---|---|---|---|---|
| | CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE | 5 GAL | 72" O.C. | 11 |
| | CASSIA NEMOPHILA CASSIA | 5 GAL | 60" O.C. | 11 |
| | COTONEASTER GLAUCOPHYLLUS BRIGHT BEAD COTONEASTER | 5 GAL | 42" O.C. | 11 |
| | ELAEAGNUS PUNGENS SILVERBERRY | 5 GAL | 48" O.C. | 11 |
| | HESPERALOE PARVIFLORA RED YUCCA | 5 GAL | 36" O.C. | 11 |
| | LEUCOPHYLLUM F. 'COMPACTA' DWARF TEXAS RANGER | 5 GAL | 30" O.C. | 11 |
| | LEUCOPHYLLUM F. 'GREEN CLOUD' GREEN CLOUD TEXAS RANGER | 5 GAL | 48" O.C. | 11 |
| | MUHLENBERGIA C. 'REGAL MIST' REGAL MIST | 5 GAL | 36" O.C. | 11 |
| | MUHLENBERGIA RIGENS DEER GRASS | 5 GAL | 36" O.C. | 11 |
| | PENNISETUM SETACEUM 'CUPREUM' PURPLE FOUNTAIN GRASS | 5 GAL | 36" O.C. | 11 |
| | SALVIA GREGGII AUTUMN SAGE | 5 GAL | 24" O.C. | 11 |

GROUND COVER / ACCENT PLANT LEGEND

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

ROCK MULCH

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

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

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# USED CAR LOT

2600 FREMONT STREET, LAS VEGAS, NV

Planning Commission - Page 30

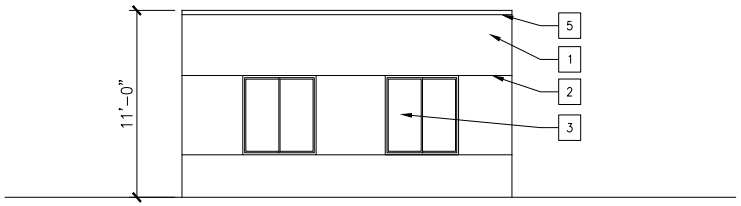
A. 002
LANDSCAPE PLAN

SCHEME A
January 13, 2015

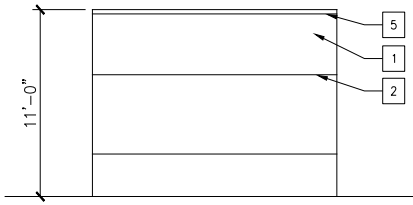
PRJ-76206
04/23/19

N

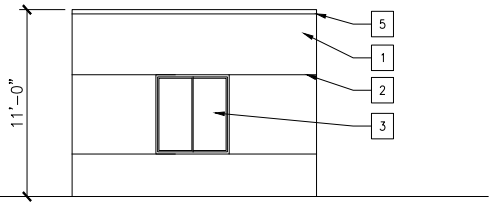
SCALE: 1/16" = 1'-0"



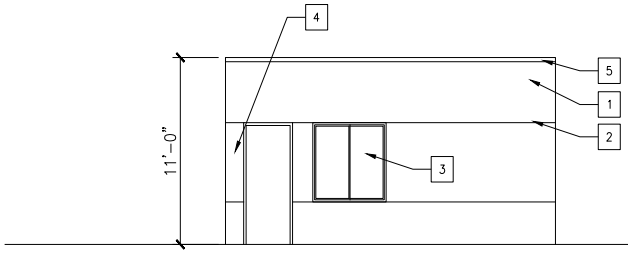

SOUTH ELEVATION
1/4" = 1'-0"




WEST ELEVATION
1/4" = 1'-0"



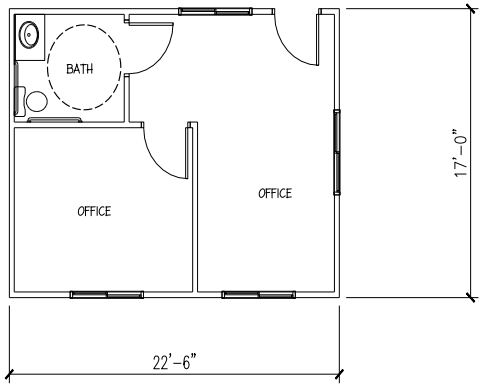

EAST ELEVATION
1/4" = 1'-0"




NORTH ELEVATION
1/4" = 1'-0"

## MATERIAL LEGEND

| | |
|---|---|
| 1 | PAINTED STUCCO |
| 2 | 1/4" REVEAL LINE |
| 3 | VYNLE WINDOW |
| 4 | PAINTED METAL DOOR |
| 5 | PARAPET FLASHING |




BLDG FLOOR PLAN
1/4" = 1'-0"

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# USED CAR LOT

2600 FREMONT STREET, LAS VEGAS, NV

Planning Commission - Page 31

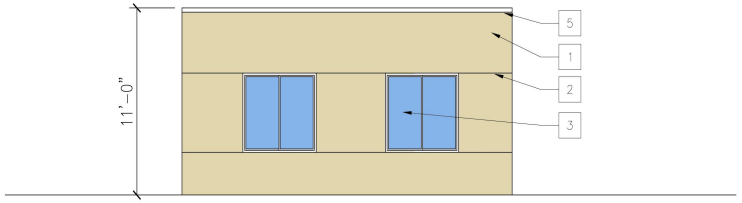
A. 003
FLOOR /ELEV

PRJ-76206
04/23/19

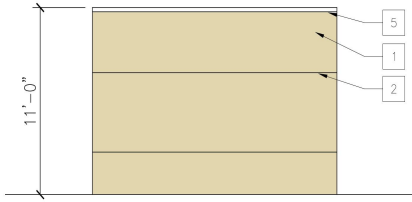
SCHEME A
January 27, 2015

SCALE: 1/4" = 1'-0"

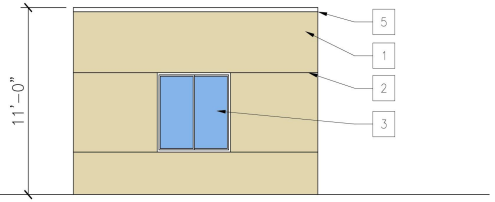
N



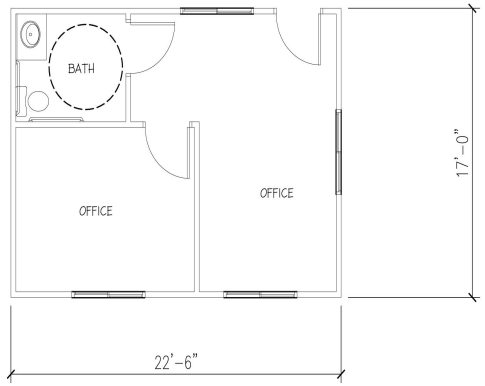

SOUTH ELEVATION
1/4" = 1'-0"



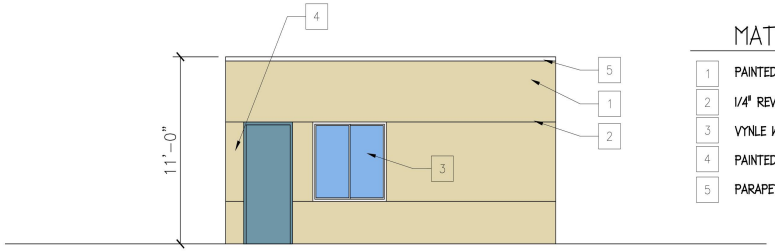

WEST ELEVATION
1/4" = 1'-0"




EAST ELEVATION
1/4" = 1'-0"




BLDG FLOOR PLAN
1/4" = 1'-0"




NORTH ELEVATION
1/4" = 1'-0"

MATERIAL LEGEND

| | |
|---|---|
| 1 | PAINTED STUCCO |
| 2 | 1/4" REVEAL LINE |
| 3 | VYNLE WINDOW |
| 4 | PAINTED METAL DOOR |
| 5 | PARAPET FLASHING |

## MATERIAL BOARD

PAINTED STUCCO
DUNN EDWARDS
DE 5261 CASHEW NUT

PAINTED METAL DOOR
DUNN EDWARDS
DE 5885 DENIM TTRADITION

DUAL PANE LOW E GLASS

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# USED CAR LOT
2600 FREMONT STREET, LAS VEGAS, NV

A. 003
FLOOR /ELEV
SCHEME A
January 27, 2015
SCALE: 1/4" = 1'-0"
N



PRJ-76206
04/23/19



**EOT-76358 [PRJ-76206] - EXTENSION OF TIME  RELATED TO EOT-76359 - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP**
**2600 FREMONT STREET**

05/16/2019



**EOT-76358 [PRJ-76206] - EXTENSION OF TIME  RELATED TO EOT-76359 - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP**
**2600 FREMONT STREET**

05/16/2019

4-16-19

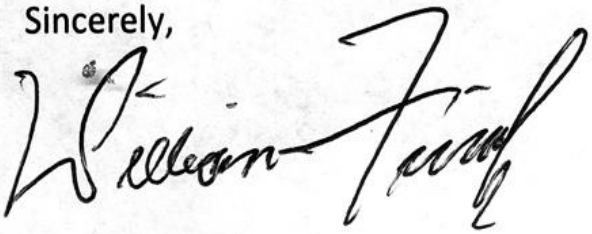
Dear City Council members,
I humbly ask that you please grant me a two-year extension for the waivers and permits For a used car lot located at 2600 Fremont.

I feel confident I will get the used car lot built whether I find someone to lease, or I find Someone to purchase the property who wants to use these city waivers to build the car lot for themselves. Once Bentar Development begins building their large development on the Castaways / Showboat property directly next door to my lot, I should be able to find a car dealer looking for this location by posting or listing at that time, but retaining these city permits to build is essential.

During the last 7 years, I have spent nearly 500,000 dollars in legal fees to fight a person who made and submitted a fake will to the court that was only resolved less than a year ago. The loss of my mother also put things on hold until recently.

Please grant me the two-year extension!!!

Sincerely,



William Fink

PRJ-76206
04/23/19

CITY OF Las Vegas

May 10, 2017

LAS VEGAS CITY COUNCIL
Carolyn G. Goodman
Mayor

Steven D. Ross
Mayor Pro Tem
Lois Tarkanian
Ricki Y. Barlow
Stavros S. Anthony
Bob Coffin
Bob Beers

Elizabeth N. Fretwell
City Manager

DEPARTMENT OF PLANNING
Thomas A. Perrigo
Director

Mr. Bill Fink
Senior Nevada Benefit Group LP
3775 Howard Hughes Pkwy., Ste. 500S
Las Vegas, Nevada 89109

***RE: EOT-69527 - EXTENSION OF TIME RELATED TO EOT-69529 - SPECIAL USE PERMIT***
***PLANNING COMMISSION MEETING OF MAY 9, 2017***

Dear Applicant:

Your request for an Extension of Time of an approved Special Use Permit (SUP-58539) FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH A WAIVER TO ALLOW 18,295 SQUARE FEET OF AREA DEDICATED TO THE USE WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin), was considered by the Planning Commission on May 9, 2017.
The Planning Commission voted to ***APPROVE*** your request, subject to the following:

Planning

1. Special Use Permit (SUP-58539) shall expire on May 12, 2019 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Special Use Permit (SUP-58539) and all other related actions as required by the Department of Planning and the Department of Public Works.

This action by the Planning Commission on **May 9, 2017** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests submitted please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***May 22, 2017***.

DEVELOPMENT SERVICES CENTER
333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106
702.229.6301
702.474.0352 | FAX
TTY 711

cityoflasvegas
lasvegasnevada.gov

PRJ-76206
04/23/19

No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:nl

cc:

Mr. Bill Fink
Senior Nevada Benefit Group LP
1835 E. Michelle Street
West Covina, California 91791

PRJ-76206
04/23/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.: **8**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
EOT-76359 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: SENIOR NEVADA BENEFIT GROUP, LP - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-58540) FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH WAIVERS TO ALLOW A SEVEN-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE AND A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76206]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Action Letter from the May 12, 2015 Planning Commission Meeting for SDR-58540 [PRJ-57899]
4. Action Letter from the May 9, 2019 Planning Commission Meeting for EOT-69529

**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) EOT for SDR-58540

**Project Address** (Location) 2600 Fremont St.

**Project Name** _____ **Proposed Use** Used Car lot

**Assessor's Parcel #(s)** 162-01-103-001 **Ward #** 3

**General Plan:** Existing 42 Proposed _____ **Zoning:** Existing C-2 Proposed _____

**Additional Information** _____

**Property Owner** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City W. Covina State CA Zip 91791

E-mail billfinksos@yahoo.com Phone _____

**Applicant** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City _____ State ____ Zip ____

E-mail billfinksos@yahoo.com Phone _____

**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** William Fink, General Partner

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

**Print Name** William Fink "Bill"

Subscribed and sworn before me

This _____ day of _____, 20 ____

Notary Public in and for said County and State

PRJ-76206
04/23/19

**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)

1
2
3
4
5
6

*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 17TH day of APRIL, 2019,
by *Date* *Month* *Year*

(1) WILLIAM FINK

(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.

KYLIE JADE TANG
COMM. #2178203
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires 01/01/2021

*Place Notary Seal and/or Stamp Above*

Signature _____
*Signature of Notary Public*

**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 & STATEMENT OF FINANCIAL INTEREST CASE: EOT FOR SDR-58540

Document Date: 04/17/2019 Number of Pages: ONE

Signer(s) Other Than Named Above: NO OTHER SIGNERS

©2017 National Notary Association



PRJ-76206
04/23/19

# 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) EOT For SUP-58539

**Project Address** (Location) 2600 Fremont St.

**Project Name** _____ **Proposed Use** Used CAR LOT

**Assessor's Parcel #(s)** 162-01-103-001 **Ward #** 3

**General Plan:** Existing MU-2 Proposed _____ **Zoning:** Existing C-2 Proposed _____

**Additional Information** _____

**Property Owner** Senior Nevada Benefit Group LP Contact Bill Fink

Address 1835 E. Michelle St. City W. Covina State CA Zip 91791

E-mail billfinksos@yahoo.com Phone _____

**Applicant** Senior Nevada Benefit Group Contact Bill Fink

Address 1835 E. Michelle St. City _____ State _____ Zip _____

E-mail billfinksos@yahoo.com Phone _____

**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** William Fink, General Partner

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

**Print Name** William FINK "Bill"

Subscribed and sworn before me

This _____ day of _____, 20 _____

_____

Notary Public in and for said County and State

PRJ-76206
04/23/19

**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)

1
2
3
4
5
6

*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 18TH day of APRIL, 2019,
by *Date* *Month* *Year*

(1) WILLIAM FINK

(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.

KYLIE JADE TANG
COMM. #2176203
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires 01/01/2021

*Place Notary Seal and/or Stamp Above*

Signature _____
*Signature of Notary Public*

**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 + STATEMENT OF FINANCIAL INTEREST
CASE: EOT FOR SUP-58539

Document Date: 04/18/2019 Number of Pages: ONE

Signer(s) Other Than Named Above: NO OTHER SIGNERS

©2017 National Notary Association



PRJ-76206
04/23/19

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
MAYOR

STEVEN D. ROSS
MAYOR PRO TEM

LOIS TARKANIAN
RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING

DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301
FAX 702.474.7463
TTY 7-1-1
www.lasvegasnevada.gov

/city of las vegas

**May 13, 2015**

Mr. Bill Fink
Senior Nevada Benefit Group, LP
2360 Corporate Circle, Suite #400
Henderson, Nevada 89074

***RE: SDR-58540 [PRJ-57899] - SITE DEVELOPMENT PLAN REVIEW RLEATED TO SUP-58539***
***PLANNING COMMISSION MEETING OF MAY 12, 2015***

Dear Applicant:

Your request for a Site Development Plan Review FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE WITH WAIVERS TO ALLOW A SEVEN-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE AND A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY on 0.42 acres at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-57899], was considered by the Planning Commission on May 12, 2015.

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

Planning

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

2. All development shall be in conformance with the site plan and landscape plan dated stamped 04/08/15; and building elevations date stamped 03/25/15, except as amended by conditions herein.

3. A Waiver from Title 19.08.080 is hereby approved, to allow a ten-foot wide landscape buffer along a portion of the east property line with the exception of one spot which is seven-feet wide and a five-foot wide landscape buffer along a portion of the west property line where 15 feet is required adjacent to right-of-way.

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.

PRJ-76206
04/23/19



2014 WINNER OF THE U.S. CONFERENCE OF MAYORS CLIMATE PROTECTION AWARD

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

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. Prior to the issuance of any building permits, dedicate a radius at the intersection of Fremont Street and Atlantic Street to the satisfaction of the City of Las Vegas Traffic Engineer, matching as closely as possible to the existing back of sidewalk location.

10. In accordance with code requirements of Title 13.56, remove all unused driveways and substandard offsite improvements and replace with new improvements meeting Current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

11. Concurrent with development of this site, connect the proposed building to the existing public sewer line in Atlantic Street.

12. Driveways must remain open during business hours.

13. 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.

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

15. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Fremont Street public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction. If NDOT does not approve of the proposed driveway location, the site shall be redesigned to accommodate NDOT requirements.

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

This action by the Planning Commission on **May 12, 2015** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests submitted please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***May 26, 2015***. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Peter Lowenstein, AICP
Planning Section Manager
Case Planning Division

PL:nl

PRJ-76206
04/23/19

cc:

Mr. George Garcia
GC Garcia, Inc.
1055 Whitney Ranch, Suite #210
Henderson, Nevada 89014

PRJ-76206
04/23/19

CITY OF Las Vegas

LAS VEGAS CITY COUNCIL
Carolyn G. Goodman
Mayor

Steven D. Ross
Mayor Pro Tem

Lois Tarkanian
Ricki Y. Barlow
Stavros S. Anthony
Bob Coffin
Bob Beers

Elizabeth N. Fretwell
City Manager

DEPARTMENT OF PLANNING
Thomas A. Perrigo
Director

DEVELOPMENT SERVICES CENTER
333 N. RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NV 89106
702.229.6301
702.474.0352 | FAX
TTY 711

cityoflasvegas
lasvegasnevada.gov

**May 10, 2017**

Mr. Bill Fink
Senior Nevada Benefit Group LP
3775 Howard Hughes Pkwy., Ste. 500S
Las Vegas, Nevada 89109

***RE: EOT-69529 - EXTENSION OF TIME RELATED TO EOT-69527- SITE DEVELOPMENT PLAN REVIEW***
***PLANNING COMMISSION MEETING OF MAY 9, 2017***

Dear Applicant:

Your request for an Extension of Time of an approved Site Development Plan Review (SDR-58540) FOR A PROPOSED MOTOR VEHICLE SALES (USED) WITH WAIVERS TO ALLOW A SEVEN-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE AND A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY on 0.42 acres at 2600 Fremont Street (APN 162-01-103-001), C-2 (General Commercial) Zone, Ward 3 (Coffin), was considered by the Planning Commission on May 9, 2017.

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

Planning

1. Site Development Plan Review (SDR-58539) shall expire on May 12, 2019 unless another Extension of Time is approved.

2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-58539) and all other related actions as required by the Department of Planning and the Department of Public Works.

This action by the Planning Commission on **May 9, 2017** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests submitted please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***May 22, 2017***.

PRJ-76206
04/23/19

No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:nl

cc:

Mr. Bill Fink
Senior Nevada Benefit Group LP
1835 E. Michelle Street
West Covina, California 91791

PRJ-76206
04/23/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.: **9**

**DEPARTMENT: Planning** **CONSENT**
**DIRECTOR: Robert Summerfield**

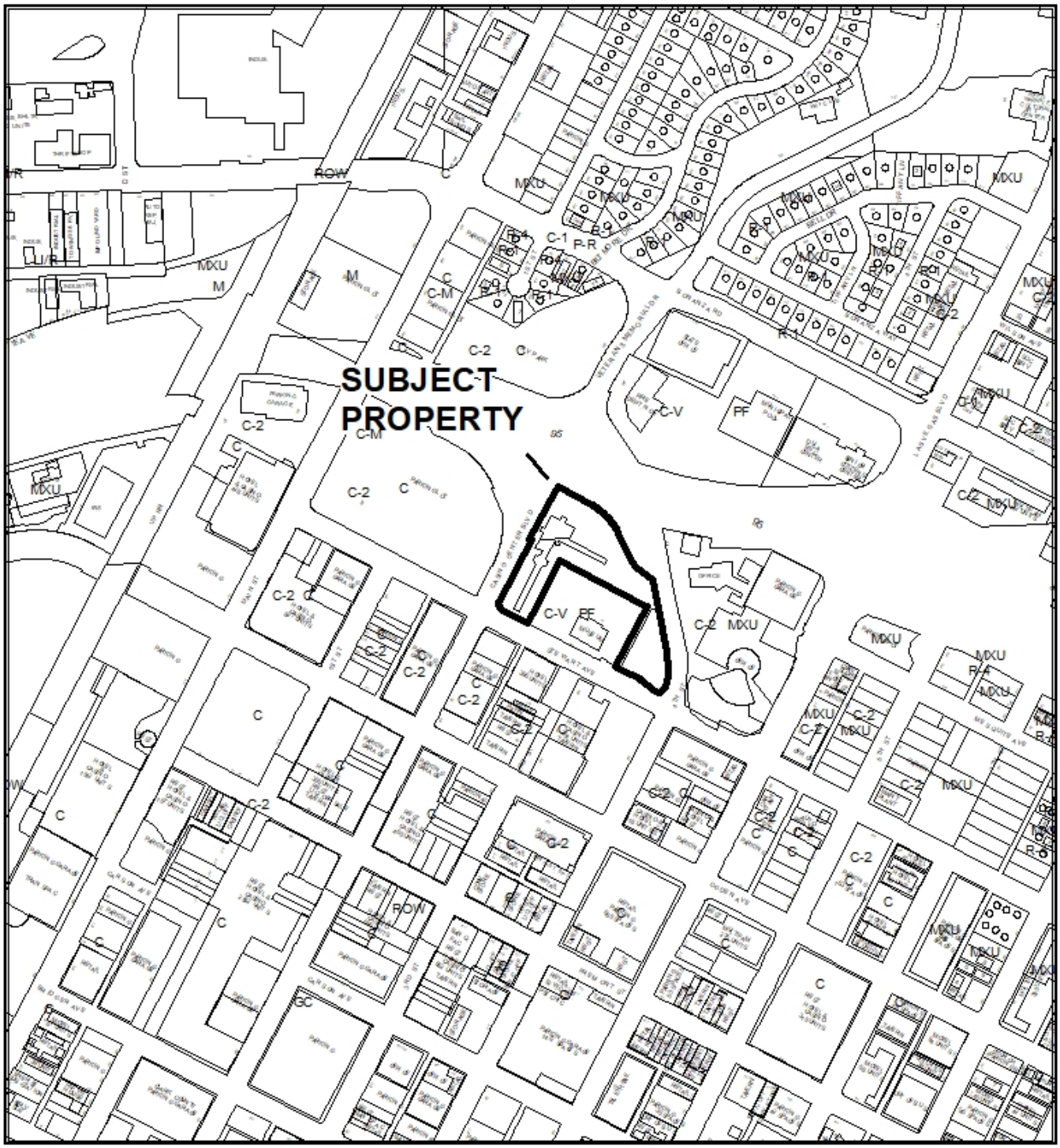
**SUBJECT:**
EOT-76368 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-68470) FOR A PROPOSED SINGLE-STORY, 34,782 SQUARE-FOOT SHOPPING CENTER on 3.48 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue (APNs 139-34-501-004 and 008), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76348]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

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

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

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




CASE: **EOT-76368 (PRJ-76348)**




CASE: **EOT-76368 (PRJ-76348)**

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **EOT-76368** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** NA

**NOTICES MAILED** NA

**PROTESTS** 0

**APPROVALS** 0



SS

**** CONDITIONS ****

# EOT-76368 CONDITIONS

***Planning***

1. This approval shall expire May 9, 2021 unless another extension of time is approved by the City Council.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-68470).

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 is requesting an Extension of Time of an approved Site Development Plan Review (SDR-68470) for a proposed single-story, 34,782 square-foot shopping center at 300 North Casino Center Boulevard and 350 Stewart Avenue.

## ISSUES

- This is the first Extension of Time request for the proposed shopping center development.

## ANALYSIS

According to the applicant's justification letter, the applicant needs additional time to locate tenants for the shopping center. There has been some new development activity in the area (expansion of the Downtown Grand Hotel and Casino); however, existing land use and zoning in the area have not changed, and the shopping center as approved remains compatible with adjacent development.

If this request is denied, the Site Development Plan Review will have already expired (as of May 9, 2019). Approval of a new Site Development Plan Review would then be required for development of the site.

## FINDINGS (EOT-76368)

Conditions in the area have not changed that would affect the compatibility of the approved shopping center use with the surrounding land uses. Staff therefore recommends approval of the requested Extension of Time for an additional two years with conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 09/12/85 | The Planning Commission approved a request for a Civic Review (CV-0002-85) for the purpose of establishing a Transit Passenger Facility (Downtown Transportation Center) on property generally located at Mesquite Avenue and Casino Center Boulevard. Staff recommended approval. |
| 09/25/97 | Department of Planning staff approved a Minor Site Development Plan Review (SD-0016-97) for a proposed 2,581 square-foot expansion of the existing 9,300 square-foot Downtown Transportation Center at 300 North Casino Center Boulevard. |
| 11/17/10 | The City Council approved a General Plan Amendment (GPA-39192) to change the land use designation of the subject site (APNs 139-34-501-004 and 008) from PF (Public Facilities) to MXU (Mixed Use) as part of a larger request on the south side of U.S. 95, east of Casino Center Boulevard. The Planning Commission and staff recommended approval. |
| | The City Council approved a Rezoning (ZON-39193) from C-V (Civic) to C-2 (General Commercial) on 4.07 acres located south of U.S. 95, east of Casino Center Boulevard. The Planning Commission and staff recommended approval. |
| 01/18/12 | The City Council approved a Site Development Plan Review (SDR-42987) for a proposed retail area and plaza on 2.83 acres at 300 North Casino Center Boulevard. The Planning Commission and staff recommended approval. |
| 10/16/13 | The City Council approved a Site Development Plan Review (SDR-48856) for a proposed 102,800 square-foot shopping center with a six-level parking garage per the site plan date stamped 09/12/13 on 3.46 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue, thereby expunging the approval for SDR-42987. The Planning Commission and staff recommended approval. The approval expired 06/19/16. |
| 06/19/14 | Department of Planning staff approved a Minor Amendment (SDR-54002) of an approved Site Development Plan Review (SDR-48856) for a proposed single-story, 95,000 square-foot Shopping Center with rooftop parking where a two-story, 102,800 square-foot Shopping Center with a six-level parking garage was approved on 3.46 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue. The approval expired 06/19/16. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 04/19/17 | The City Council approved a Second Amended and Restated Disposition and Development Agreement between the City of Las Vegas and POB Las Vegas, LLC to amend terms and conditions for the development of parcels at 4th Street and Stewart Avenue totaling 3.46 acres. |
| 05/09/17 | The Planning Commission approved a request for a Site Development Plan Review (SDR-68470) for a proposed single-story, 34,782 square-foot shopping center on 3.48 acres at 300 North Casino Center Boulevard and 350 Stewart Avenue. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/01/47 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 05/06/81 | A building permit (#0995) was issued for a parking garage at 300 North Casino Center Boulevard. A Certificate of Occupancy was issued 01/20/83. |
| 01/31/86 | A building permit (#4280) was issued for the Downtown Transportation Center at 300 North Casino Center Boulevard. A final inspection was approved 12/22/86. |
| 11/12/98 | A building permit (#98022323) was issued for a 7,076 square-foot remodel of the Downtown Transportation Center at 300 North Casino Center Boulevard. A final inspection was approved on 09/09/99. |

| ***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*** | |
|---|---|
| 05/16/19 | The western portion of the site is occupied by a single-story building formerly used as a Transit Passenger Facility and more recently as a farmer's market with accessory parking facilities. The eastern portion of the site is undeveloped; however, it is currently being used for staging for a construction project on another property. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 3.48 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Open Air Vending/ Transient Sales Lot | MXU (Mixed Use) | C-2 (General Commercial) |
| | Undeveloped | | |
| North | Right-of-Way | ROW (Right-of-Way) | ROW (Right-of-Way) |
| South | Parking Facility | C (Commercial) | C-2 (General Commercial) |
| | Hotel/Casino | | |
| | Museum | PF (Public Facilities) | C-V (Civic) |
| East | Office, Other Than Listed | MXU (Mixed Use) | C-2 (General Commercial) |
| | Museum | PF (Public Facilities) | C-V (Civic) |
| West | Hotel/Casino | C (Commercial) | C-2 (General Commercial) |
| | Museum | PF (Public Facilities) | C-V (Civic) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Vision 2045 Downtown Las Vegas Master Plan (Cashman District) | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (200 Feet) | Y |
| DTLV-O (Downtown Centennial Plan Overlay) District (Area 1) | Y |
| LW-O (Live/Work Overlay) District | Y |

| *Other Plans or Special Requirements* | *Compliance* |
|---|---|
| Trails (Cultural Corridor Trail) | Y |
| 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

***Pursuant to the Interim Downtown Las Vegas Development Standards, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 150,718 SF | N/A |
| Min. Lot Width | 100 Feet | 320 Feet | Y |
| Min. Setbacks:<br>• Front | 70% of 1st story façade to align along PL, including plazas | 60% aligned along Stewart Ave with plaza | Y |
| • Side | N/A | N/A | Y |
| • Corner | 70% of 1st story façade to align along PL, including plazas | 70% aligned along Casino Center Blvd and 4th St with plaza | Y |
| • Rear | N/A | N/A | Y |
| Max. Lot Coverage | N/A | 23 % | N/A |
| Max. Building Height | N/A | 26 Feet | N/A |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof | Y |
| Mech. Equipment | Screened | Screened | Y |
| Service Areas | Located away from frontages | None shown | By condition |
| Utilities | Underground | Not provided | By condition |

***Pursuant to the Interim Downtown Las Vegas Development Standards, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Parking Area Trees | N/A | N/A | 53 Trees | N/A |
| Wall Height | 30” low wall adjacent to parking areas that directly face street frontages | | 30-inch low wall adjacent to parking area along Casino Center Blvd. | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Stewart Avenue | Major Collector | Master Plan of Streets and Highways Map | 80 | Y |
| Casino Center Boulevard | Major Collector | Master Plan of Streets and Highways Map | 80 | Y |

***Pursuant to the Interim Downtown Las Vegas Development Standards, the following standards apply:***

| *Streetscape Standards* | *Required* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. sidewalk width | 10 feet along Casino Center Blvd. | 10 feet | Y |
| | 10 feet along Stewart Ave. | 5 feet | N* |
| | 10 feet along 4th St. | 8 feet | N* |
| Min. amenity zone width | 5 feet along Casino Center Blvd. | 5 feet | Y |
| | 5 feet along Stewart Ave. | 5 feet | Y |
| | 5 feet along 4th St. | 5 feet | Y |
| North-south streets (major) | Deglet-Noor date palms (25' BTH) or similar at 30-foot intervals along 4th St. and Casino Center Blvd.<br><br>(12 trees required along 4th St.)<br><br>(12 trees required along Casino Center Blvd.) | 14 palm trees along 4th St.<br>14 palm trees along Casino Center Blvd. | Y |
| East-west streets | 36-inch box shade trees at 15-20-foot intervals along Stewart Ave.<br><br>(11 trees required) | 12 Southern Live Oak trees | Y |
| Right-of-way improvements | Light fixtures, trash receptacles, benches, tree wells | Not indicated | By condition |

*Existing streetscape improvements were previously completed by the City of Las Vegas; therefore, no Covenant Running With Land Agreement is necessary for future improvements to meet Downtown Centennial Plan streetscape requirements.

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

| ***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 | |
| Shopping Center | 34,782 SF GFA | 1 space per 250 SF GFA | 140 | | | | |
| **TOTAL SPACES REQUIRED** | | | 140 | | 241 | | Y |
| **Regular and Handicap Spaces Required** | | | 135 | 5 | 233 | 8 | Y |
| Loading Spaces | 34,782 SF | 3 spaces for 30,000-50,000 SF | 3 | | 1 | | N* |

*Projects located within the Downtown Las Vegas Overlay District (Area 1) are not subject to the automatic application of parking requirements, including loading spaces. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

# 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) Extension of Time for SDR-68470

**Project Address** (Location) 300 North Casino Center Blvd. & 350 Stewart Ave.

**Project Name** DT3R **Proposed Use** Shopping Center

**Assessor's Parcel #(s)** 139-34-501-004 & 139-34-501-008 **Ward #** 5

**General Plan:** Existing X Proposed _____ **Zoning:** Existing X Proposed _____

**Additional Information** Extension of Time Request for SDR-68470 approved by the Planning Commission on May 9, 2017.

**Property Owner** City of Las Vegas Contact Teresa M Boyce

Address 495 South Main Street City Las Vegas State NV Zip 89101

E-mail tboyce@lasvegasnevada.gov Phone 702-229-1022

**Applicant** Lessee: POB Las Vegas, LLC Contact Bradley Aaronson

Address 4700 Wilshire Blvd. City Los Angeles State CA Zip 90010

E-mail BAaronson@cimgroup.com Phone 323-860-4988

**Representative** Bradley Aaronson Contact Bradley Aaronson

Address 4700 Wilshire Blvd. City Los Angeles State CA Zip 90010

E-mail BAaronson@cimgroup.com Phone 323-860-4988

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** Teresa M Boyce

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

**Print Name** Teresa M Boyce

Subscribed and sworn before me — Teresa M. Boyce —

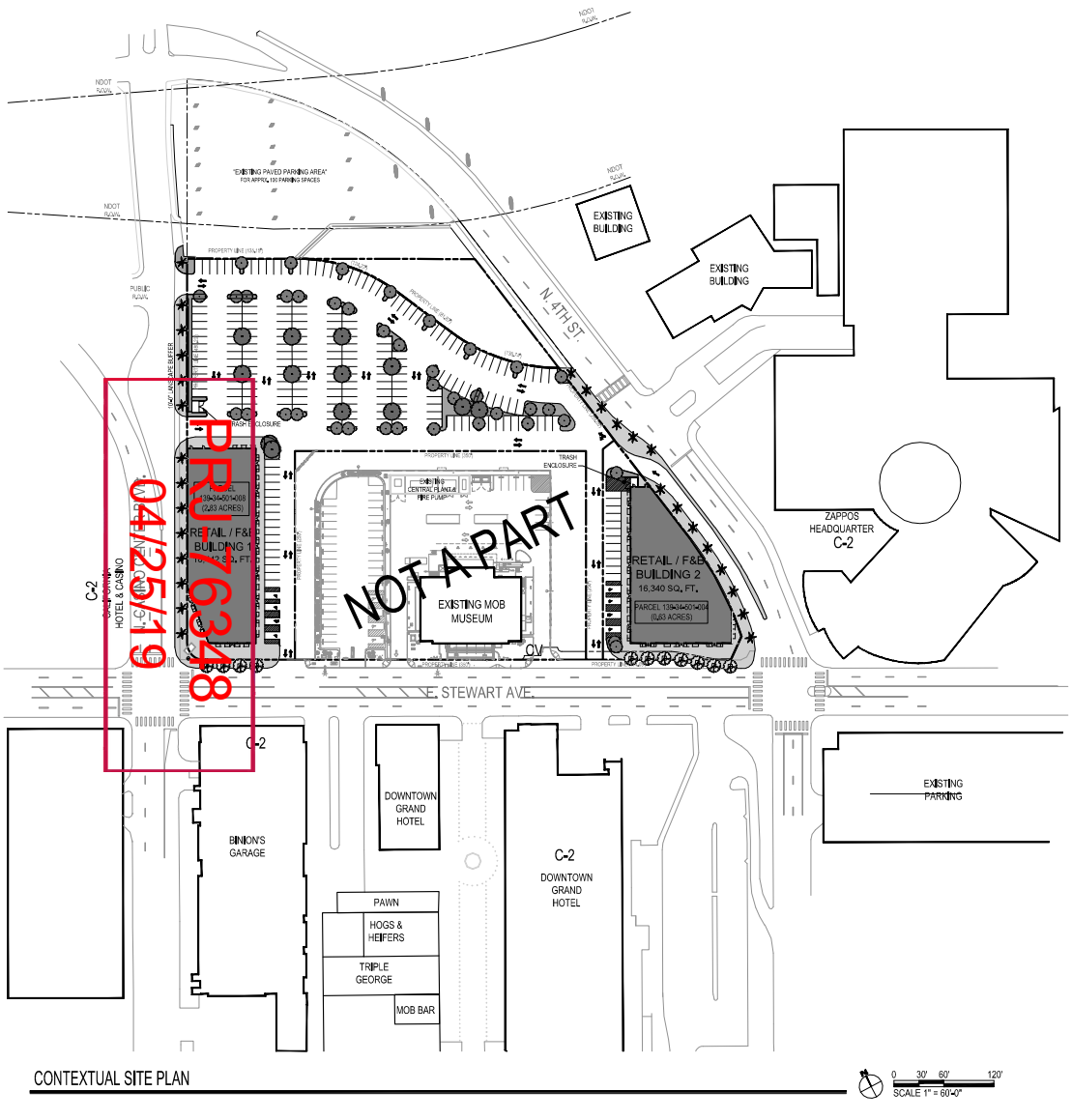
This 23rd day of April, 20 19

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 07-1185-1
My Appt. Expires January 4, 2023

PRJ-76348
04/25/19




## PROJECT DATA

| | |
|---|---|
| ASSESSORS PARCEL NUMBER (S): | |
| DT3R: | 139-34-501-004 (0.63 ACRES) |
| | 139-34-501-008 (2.83 ACRES) |
| ACTION REFERENCE NUMBER (S): | -- |
| GOVERNING JURISDICTION: | CITY OF LAS VEGAS |
| UNIFIED DEVELOPMENT CODE: | TITLE 19 |
| EXISTING LAND USE ZONE: | GENERAL COMMERCIAL DISTRICT (C2) |
| ZONING OVERLAY DISTRICT (S) | N/A |
| LAND USE PLAN: | DOWNTOWN CENTENNIAL GATEWAY DIST |
| SITE AREA: | |
| DT3R: | 3.46 ACRES (150,718 sq. ft.) |
| BUILDING AREA: | |
| DT3R: | 34,782 sq. ft. |
| FLOOR RATIO: | |
| DT3R: | 34,782 sq. ft. / 150,718 sq. ft. = 0.23 |
| TOTAL LOT COVERAGE | |
| DT3R: | 23% |

## BUILDING AREA & OCCUPANT LOAD

*ASSUMED BUILDING USE - ⅔ SALES AREA, ⅓ STORAGE/STOCKROOM/SHIPPING*

**BUILDING 1 TOTAL AREA** **18,442 S.F.**

SALES: 12,172SF / 30 OLF = 405.70 OCCS
STORAGE: 6,270SF / 300 OLF = 20.9 OCCS
TOTAL OCCUPANCY 426.60 >> 427 OCCUPANTS

**BUILDING 2 TOTAL AREA** **16,340 S.F.**

SALES: 10,784SF / 30 OLF = 359.46 OCCS
STORAGE: 5,556SF / 300 OLF = 18.52 OCCS
TOTAL OCCUPANCY 377.98 >> 378 OCCUPANTS

**TOTAL DEVELOPMENT** **34,782 S.F.**

## PARKING ANALYSIS

PARKING REQUIRED

| | | |
|---|---|---|
| RETAIL | = | 34,782 S.F. |
| 34,782 S.F. RETAIL @ (4 SPACES FOR EVERY 1000 S.F.) | = | 140 SPACES |

PARKING PROVIDED ON SITE

| | | |
|---|---|---|
| STANDARD STALLS | = | 230 SPACES |
| ACCESSIBLE STALLS | = | 8 SPACES |
| PARKING PROVIDED ON-SITE | = | 238 SPACES |

## LANDSCAPE REQUIREMENT

STREET MATERIALS

SOUTHERN LIVE OAK, 36" BOX AT 20 FT. O.C.

DEGLET-NOOR PALMS OR EQUAL, 25 FT. HEIGHT AT 30 FT. O.C.

** PROVIDE (4) 5 GAL. DWARF BOTTLEBRUSH AT EACH STREETSCAPE TREE

SITE MATERIALS

FRAXINUS ANGUSTIFOLA " RAYWOOD" RAYWOOD ASH

FRAXINUS VELUTINA "RIO GRANDE" FAN-TEX ASH

## VICINITY MAP (N.T.S.)

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CIM
4700 WILSHIRE BOULEVARD
LOS ANGELES, CA 90010
www.cimgroup.com
[T] 323 860 4900
[F] 323 860 4901

ARCHITECT
PGAL
3379 W. OQUENDO ROAD
LAS VEGAS, NV 89118
[T] 702 435 4448
[F] 702 435 4470
www.pgal.com

CONSULTANT

CONSULTANT NAME
-
-
-
-
-

REGISTRATION
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DRAWING HISTORY

| NO. | DESCRIPTION | DATE |
|---|---|---|

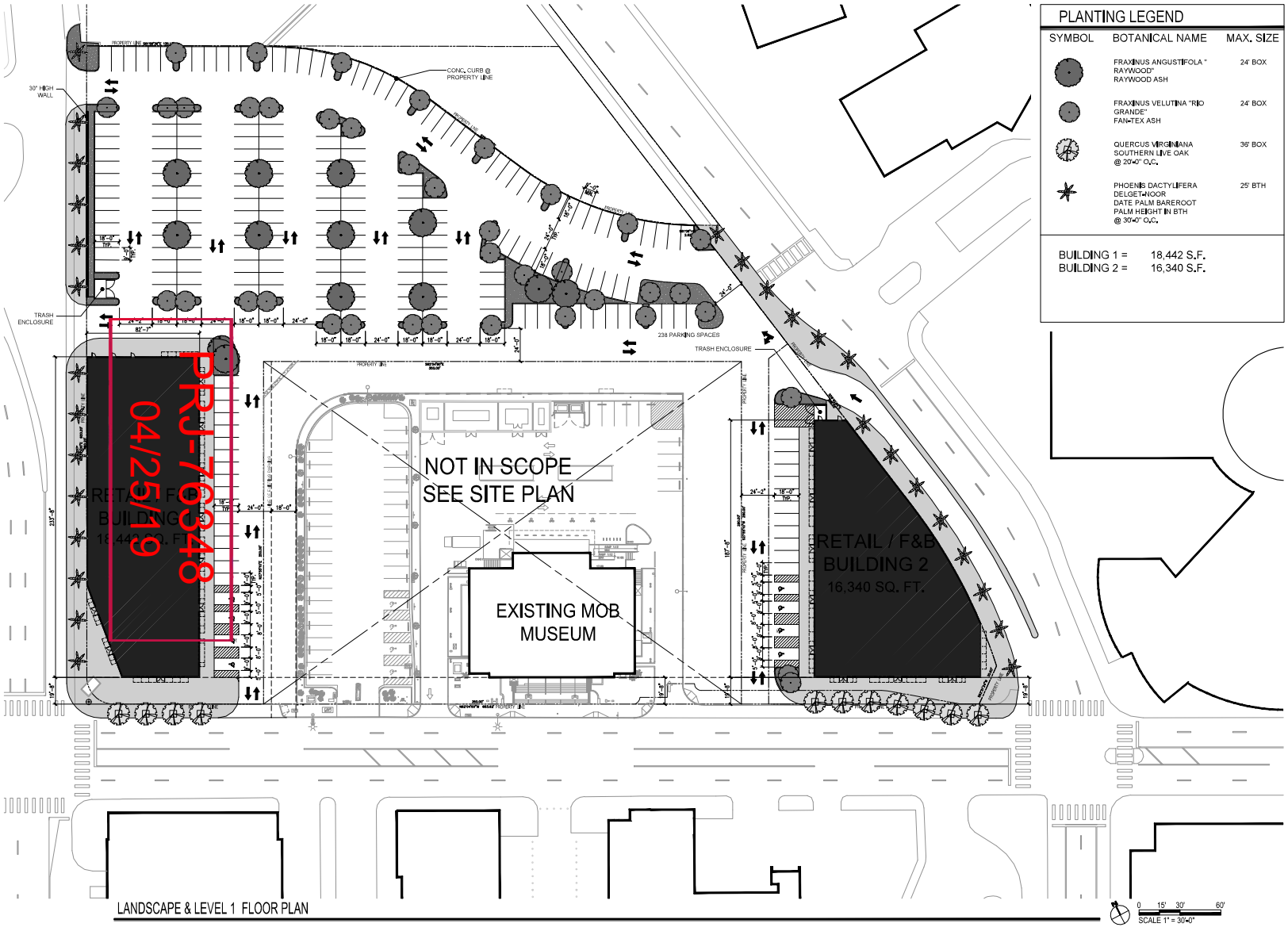
PROJECT NAME
SDR DOWNTOWN TRANSIT CENTER REUSE

PROJECT LOCATION
SDR DOWNTOWN TRANSIT CENTER
300 N. CASINO CENTER
LAS VEGAS, NV 89101

PROJECT NUMBER
NUMBER

SHEET TITLE
GENERAL INFORMATION
CODE ANALYSIS

SHEET NUMBER
A0.01


PLANTING LEGEND
SYMBOL
BOTANICAL NAME
MAX. SIZE
FRAXINUS ANGUSTIFOLA " RAYWOOD" RAYWOOD ASH
24' BOX
FRAXINUS VELUTINA "RIO GRANDE" FAN-TEX ASH
24' BOX
QUERCUS VIRGINIANA SOUTHERN LIVE OAK @ 20'-0" O.C.
36' BOX
PHOENIS DACTYLIFERA DELGET-NOOR DATE PALM BAREROOT PALM HEIGHT IN BTH @ 30'-0" O.C.
25' BTH
BUILDING 1 = 18,442 S.F.
BUILDING 2 = 16,340 S.F.
PRJ-76348
04/25/19
NOT IN SCOPE
SEE SITE PLAN
EXISTING MOB MUSEUM
RETAIL / F&B BUILDING 2
16,340 SQ. FT.
238 PARKING SPACES
TRASH ENCLOSURE
CONC. CURB @ PROPERTY LINE
30" HIGH WALL
LANDSCAPE & LEVEL 1 FLOOR PLAN
SCALE 1" = 30'-0"
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LOS ANGELES, CA 90010
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[F] 323 860 4901
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[F] 702 435 4470
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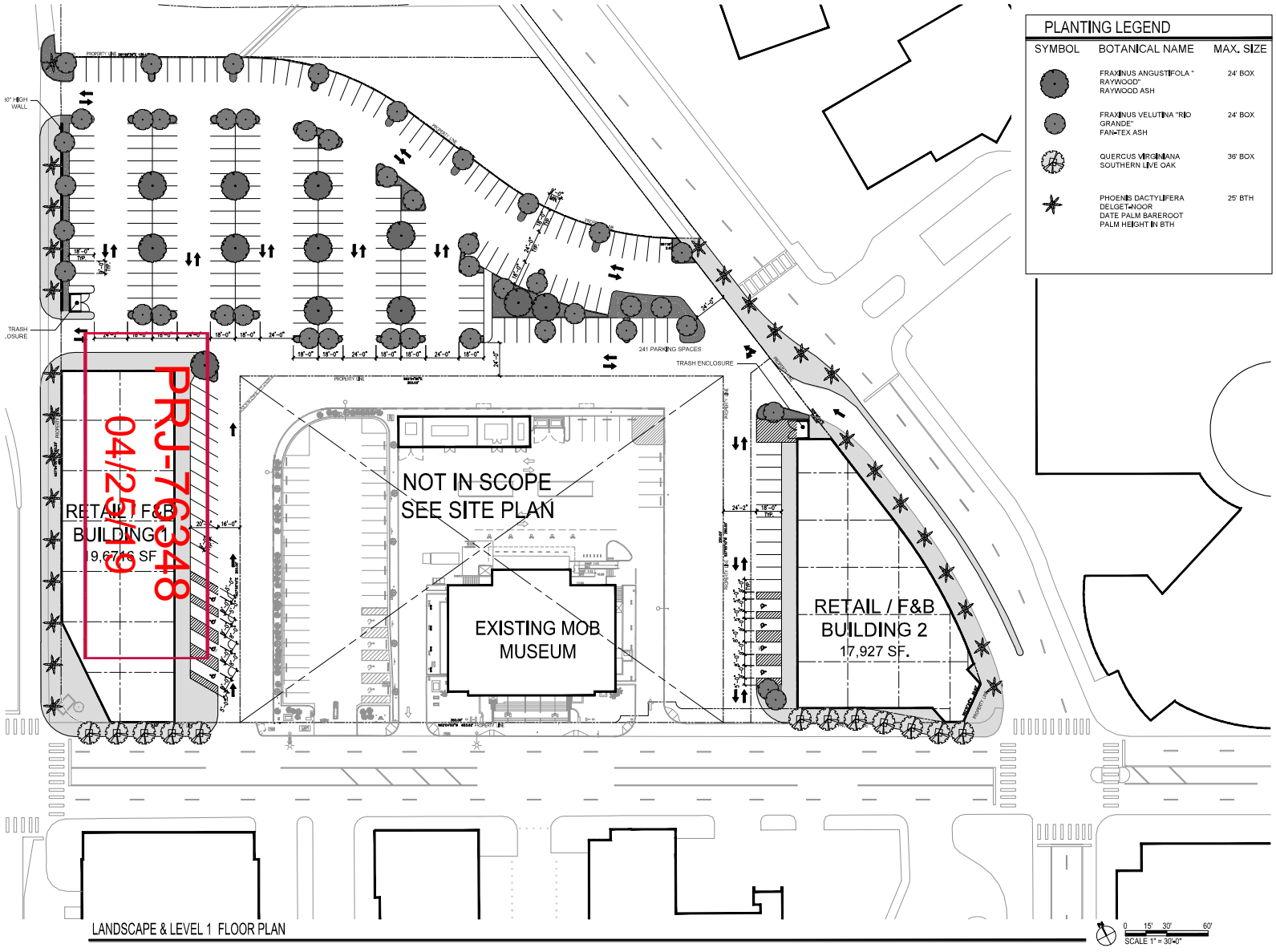
DRAWING HISTORY
PROJECT NAME
SDR DOWNTOWN TRANSIT CENTER REUSE
PROJECT LOCATION
SDR DOWNTOWN TRANSIT CENTER
300 N. CASINO CENTER
LAS VEGAS, NV 89101
PROJECT NUMBER
NUMBER
SHEET TITLE
LANDSCAPE & LEVEL 1 FLOOR PLAN
SHEET NUMBER
A1.00

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SHEET NUMBER
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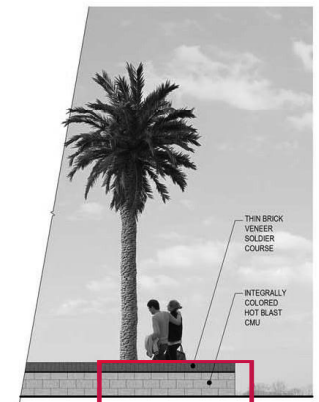
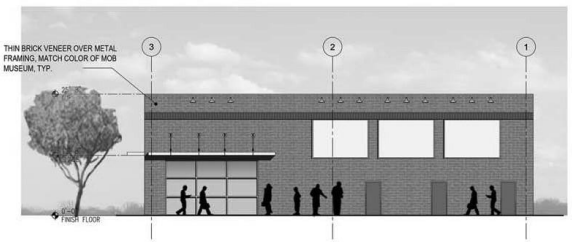
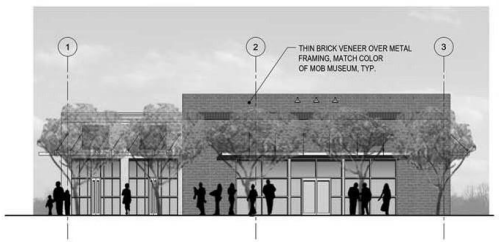



30" SITE WALL ELEVATION

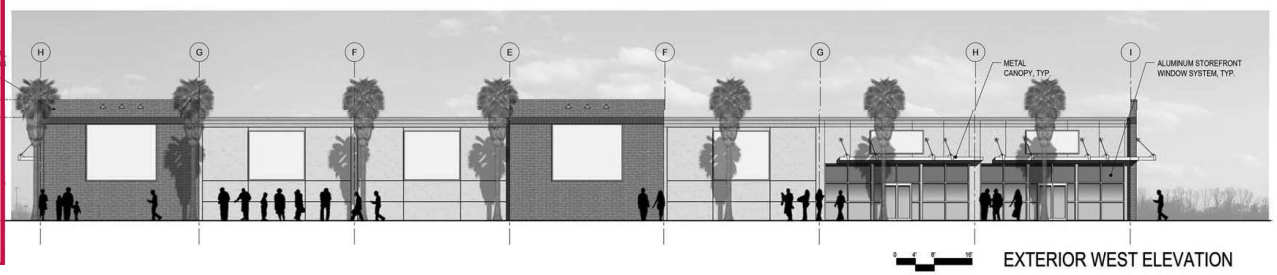



EXTERIOR NORTH ELEVATION




EXTERIOR SOUTH ELEVATION

PRJ-76348
04/25/19

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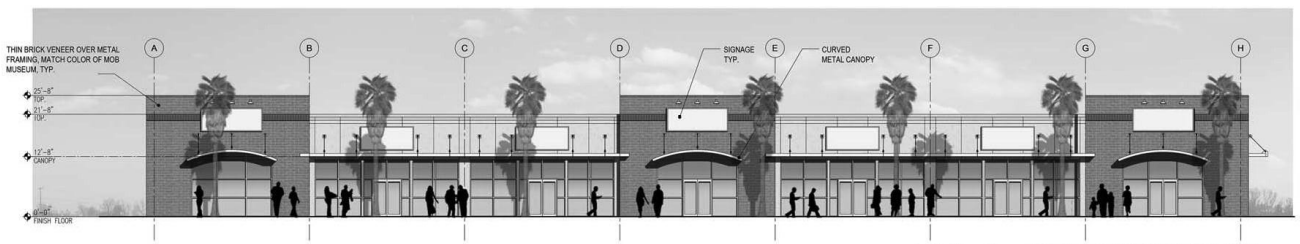


EXTERIOR EAST ELEVATION

FILE NAME:
DATE STAMP:

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DRAWING HISTORY

| No. | DESCRIPTION | DATE |
|---|---|---|

PROJECT NAME

3DR DOWNTOWN
TRANSIT CENTER
REUSE

PROJECT LOCATION

SDR DOWNTOWN
TRANSIT CENTER
300 N. CASINO CENTER
LAS VEGAS, NV 89101

PROJECT NUMBER

NUMBER

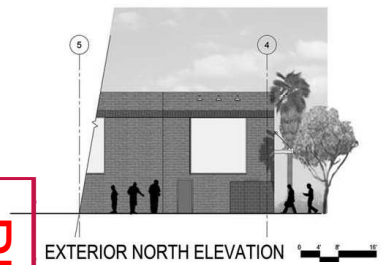
SHEET TITLE

EXTERIOR ELEVATIONS
BUILDING 1

SHEET NUMBER

A6.00

PRJ-76348
04/25/19

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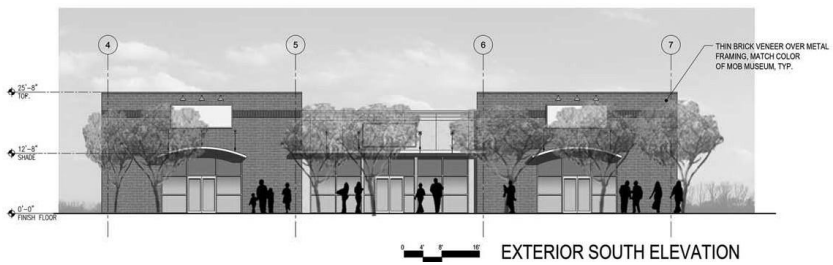


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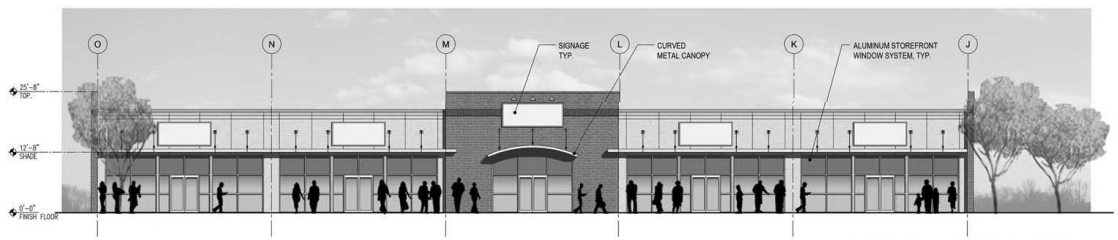


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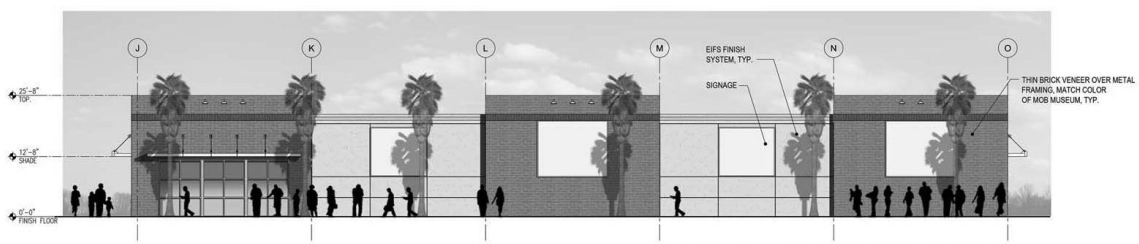


EXTERIOR EAST ELEVATION

FILE NAME:
DATE STAMP:

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DRAWING HISTORY

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|---|---|---|

PROJECT NAME

3DR DOWNTOWN
TRANSIT CENTER
REUSE

PROJECT LOCATION

SDR DOWNTOWN
TRANSIT CENTER
300 N. CASINO CENTER
LAS VEGAS, NV 89101

PROJECT NUMBER

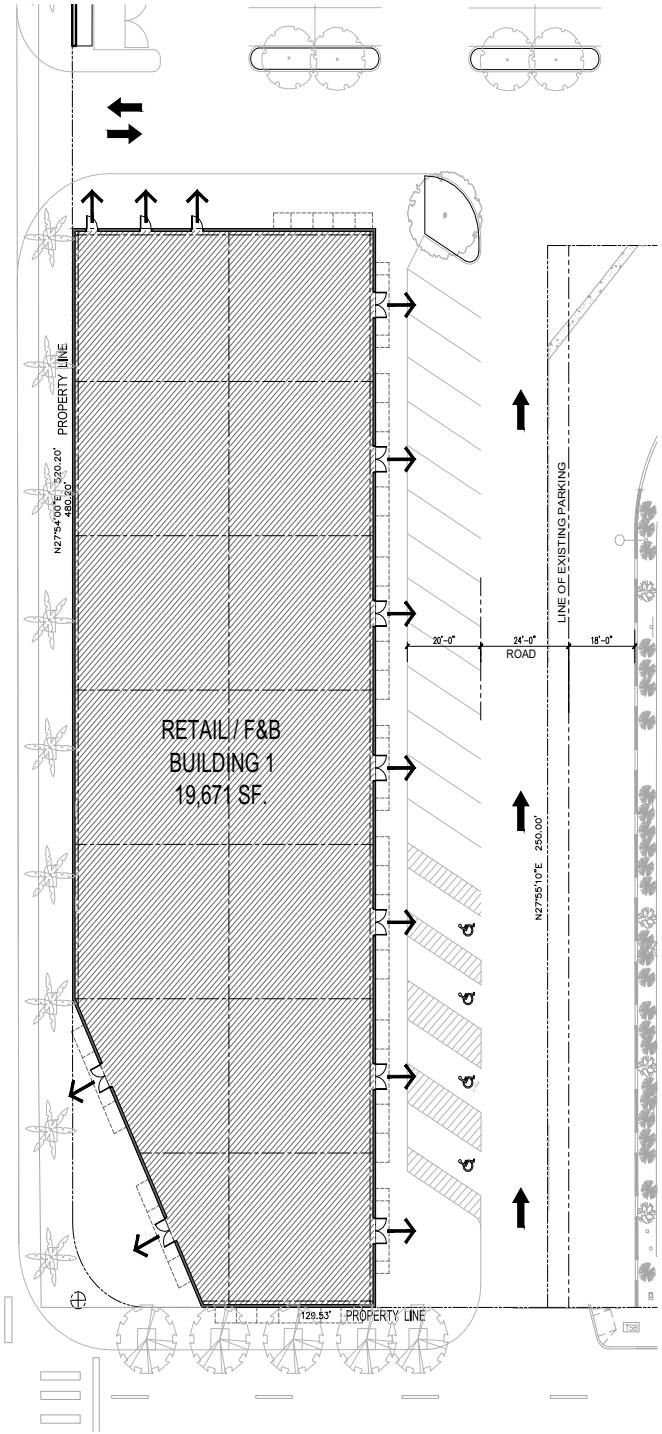
NUMBER

SHEET TITLE

EXTERIOR ELEVATIONS
BUILDING 2

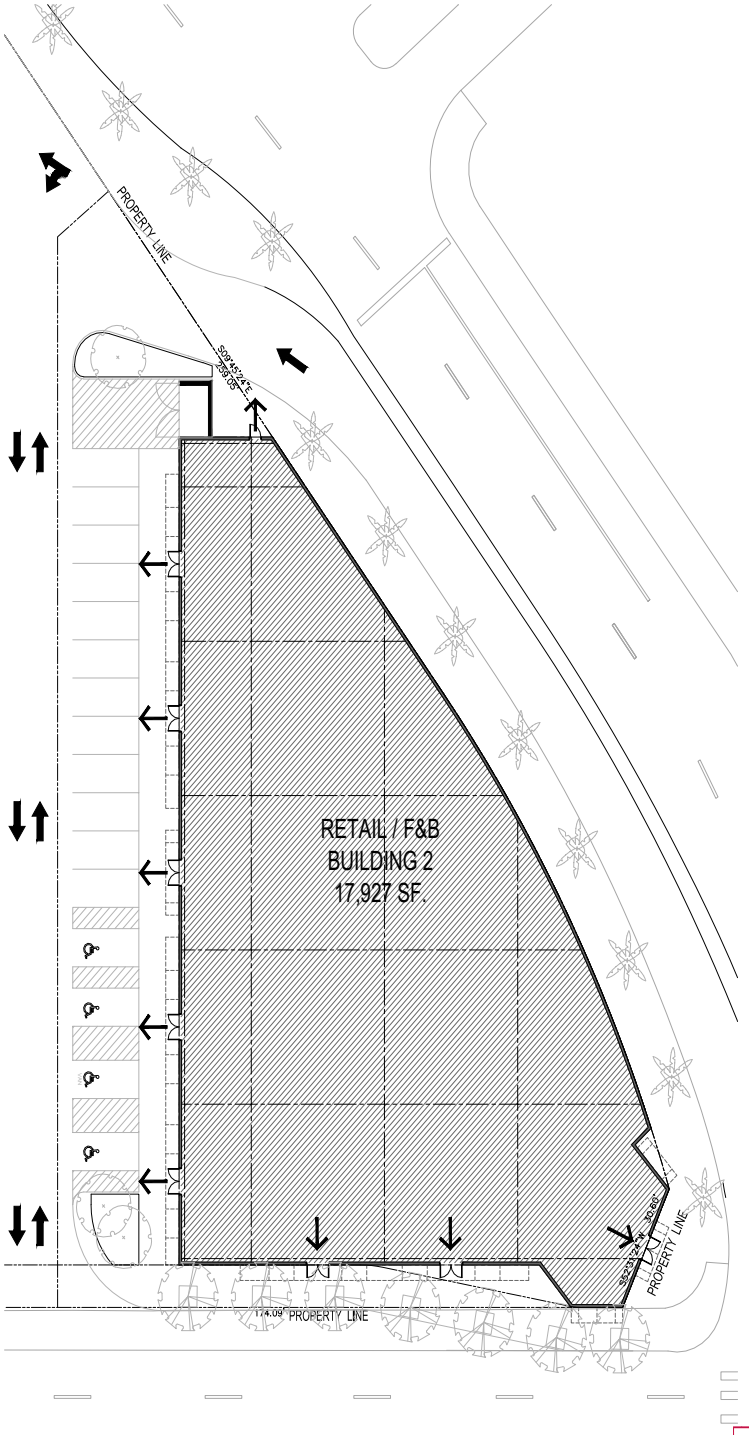
SHEET NUMBER

A6.01




FLOOR PLAN BUILDING 1

0 8' 16' 32'
SCALE: 1/16" = 1'-0"




FLOOR PLAN BUILDING 2

0 8' 16' 32'
SCALE: 1/16" = 1'-0"

PRJ-76348
04/25/19



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DRAWING HISTORY

| No. | DESCRIPTION | DATE |
|---|---|---|

PROJECT NAME

SDR DOWNTOWN
TRANSIT CENTER
REUSE

PROJECT LOCATION

SDR DOWNTOWN
TRANSIT CENTER
300 N. CASINO CENTER
LAS VEGAS, NV 89101

PROJECT NUMBER

NUMBER

SHEET TITLE

FLOOR PLANS
BUILDINGS 1&2

SHEET NUMBER

A2.00

FILE NAME: AL.00 FLOOR PLAN BUILDING
DATE STAMP: 12/29/2016 3:33:59 PM




**EOT-76368 [PRJ-76348] - EXTENSION OF TIME - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS**
**300 NORTH CASINO CENTER BOULEVARD AND 350 STEWART AVENUE**

05/16/2019



**EOT-76368 [PRJ-76348] - EXTENSION OF TIME - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS**
**300 NORTH CASINO CENTER BOULEVARD AND 350 STEWART AVENUE**

05/16/2019




**EOT-76368 [PRJ-76348] - EXTENSION OF TIME - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS**
**300 NORTH CASINO CENTER BOULEVARD AND 350 STEWART AVENUE**

05/16/2019



**EOT-76368 [PRJ-76348] - EXTENSION OF TIME - APPLICANT - POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS**
**300 NORTH CASINO CENTER BOULEVARD AND 350 STEWART AVENUE**

05/16/2019

CIM

April 22, 2019

Department of Planning
Development Services Center,
City of Las Vegas
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Subject: RE: Extension of Time Request
Justification Letter

Project: **DT3R - Shopping Center Development**
**SDR-68470 [PRJ-76348]**
300 North Casino Center Blvd & 350 Stewart Ave
Parcels 139-34-501-004 & 139-34-501-008

To Whom It May Concern,

Please accept this Justification Letter as the formal request for an Extension of Time for the Site Development Plan Review (SDR-68470) approved by the Planning Commission on May 9, 2017. Applicant has been working diligently to find interested retailers and requires an extension of two years of additional time to continue its efforts to attract quality tenants to the Project.

The approved development located on the site of the Old Downtown Transportation Center shall include 34,782 square feet of retail and food & beverage establishments in two (2) separate buildings with ample parking per City Parking requirements. The project continues to conform to the required standards of the various master plans, overlay districts and special areas, including the Downtown Master Plan and the Downtown Centennial Plan.

The approved development will further revitalize Downtown Las Vegas and invigorate this area around the Mob Museum as a vibrant destination for tourists and locals. The project will enhance and broaden the downtown pedestrian experience from the Fremont Street and Third Street hotels and nearby retail venues.

Should you have any questions, please do not hesitate to contact me (323.860.4988, baaronson@cimgroup.com).

Thank you for your and the Planning Commission's consideration of this request.

Sincerely,

Bradley Aaronson
Managing Director, Development, CIM Group
on behalf of POB Las Vegas, LLC ("Applicant")

PRJ-76348
04/25/19



CIM GROUP 4700 WILSHIRE BOULEVARD, LOS ANGELES 90010, PH 323.860.4900 FX 323.860.4901

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**10**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

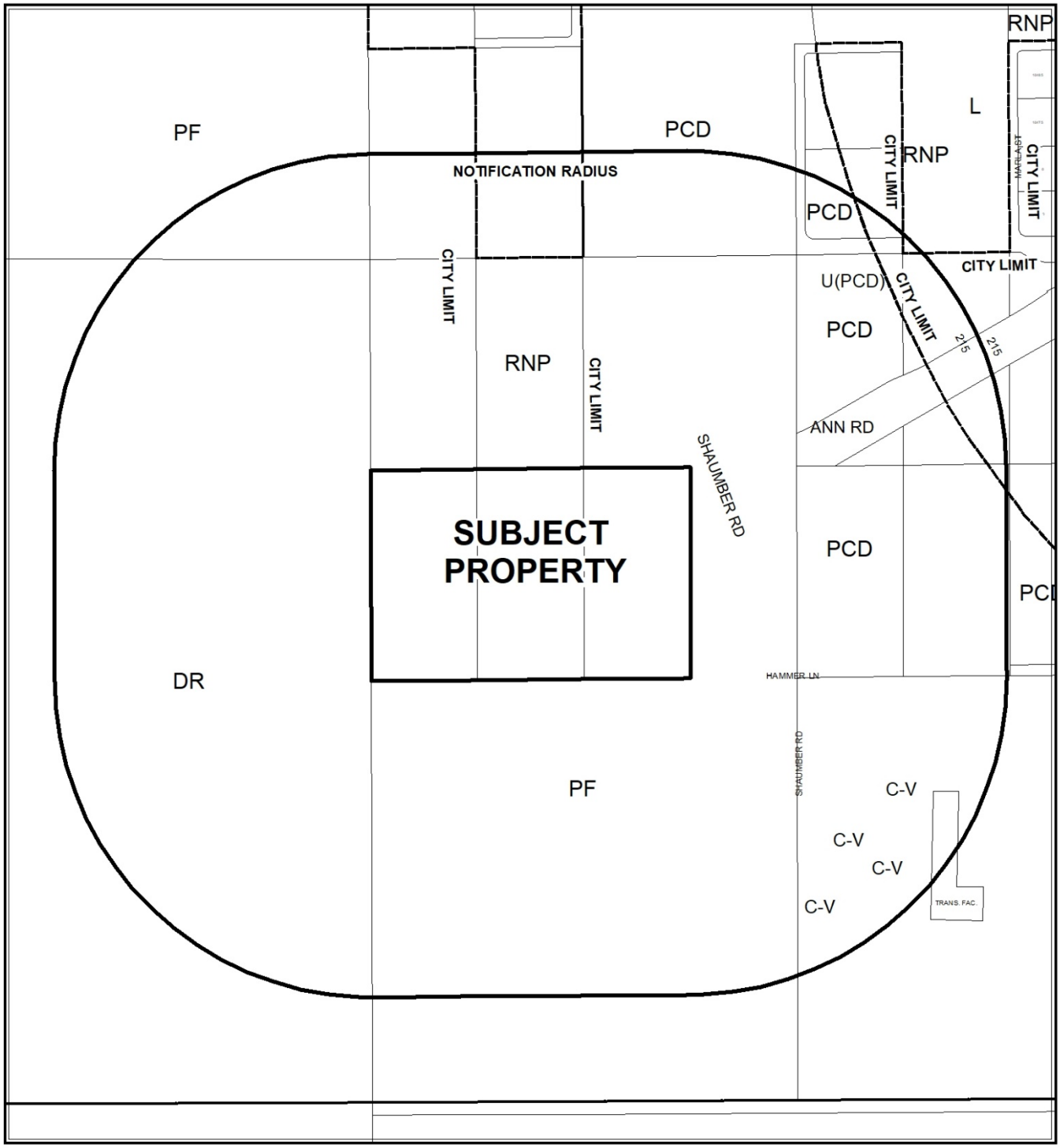
**SUBJECT:**
ABEYANCE - GPA-75937 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 15.00 acres generally located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Land Use Map
3. Staff Report - GPA-75937 and ZON-75938 [PRJ-75900]
4. Supporting Documentation - GPA-75937 and ZON-75938 [PRJ-75900]
5. Photo(s) - GPA-75937 and ZON-75938 [PRJ-75900]
6. Justification Letter - GPA-75937 and ZON-75938 [PRJ-75900]
7. Backup Submitted for the April 23, 2019 Planning Commission Meeting
8. Submitted after Final Agenda - Abeyance Request Letter for GPA-75937 and ZON-75938 [PRJ-75900]




0 360 720 Feet

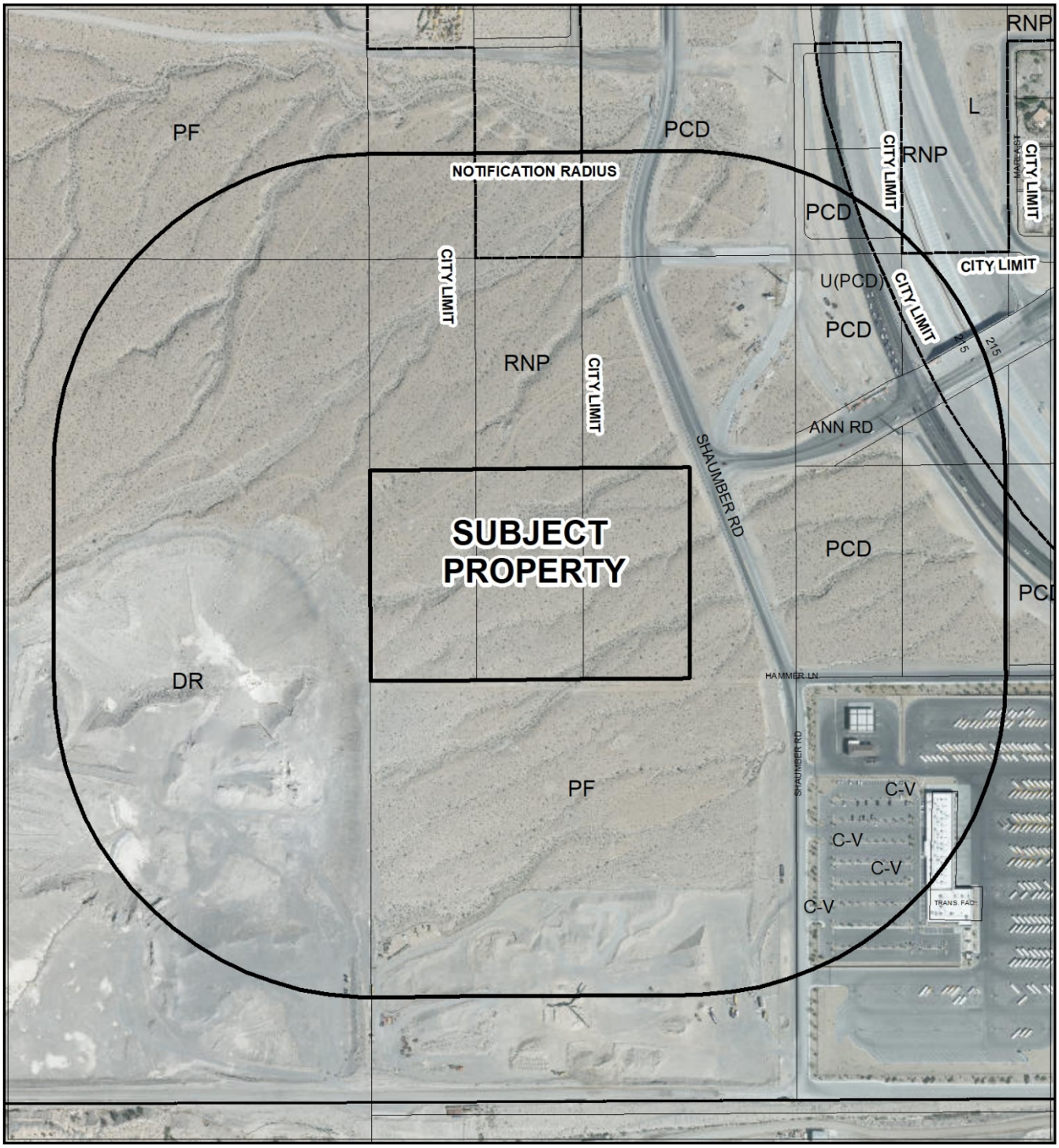
**CASE:** **GPA-75937 (PRJ-75900)**

**RADIUS:** 1000 FEET

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

**PROPOSED GENERAL PLAN OF SUBJECT PROPERTY:** ML (MEDIUM LOW DENSITY RESIDENTIAL

N




0 360 720 Feet

**CASE:** **GPA-75937 (PRJ-75900)**

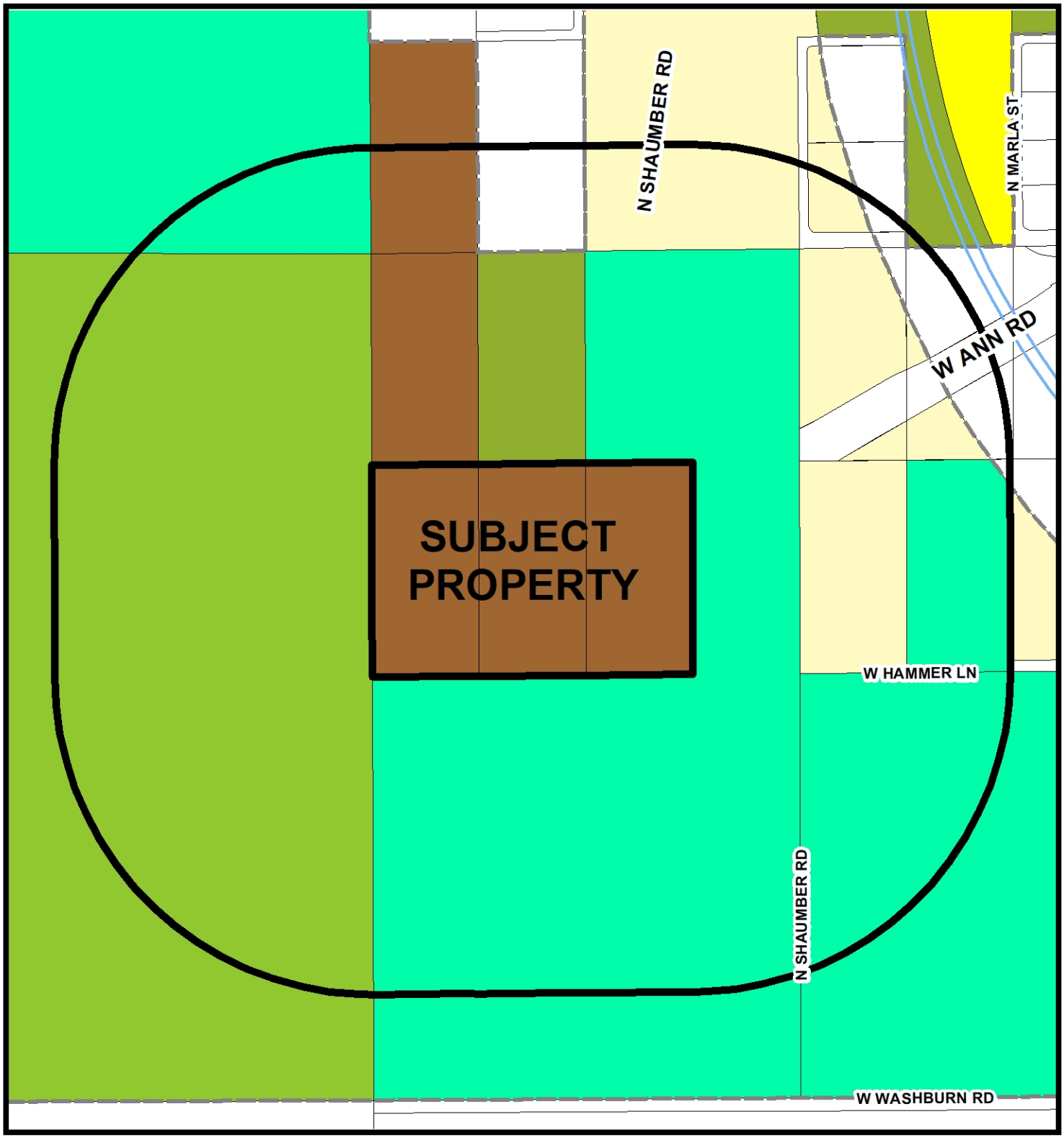
**RADIUS:** 1000 FEET

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

**PROPOSED GENERAL PLAN OF SUBJECT PROPERTY:** ML (MEDIUM LOW DENSITY RESIDENTIAL

N

# GPA-75937




## General Plan Amendment

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High
- Form-Based Code
- Planned Community Development
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industry / Research
- Traditional Neighborhood Development
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facilities
- Public Facilities - School
- Public Facilities - Clark County
- Town Center
- Resource Conservation
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

## FROM M TO ML

- Subject Property
- 1000ft Buffer
- City Limits

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

Date: Monday, March 25, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **GPA-75937** | Staff recommends APPROVAL. | |
| **ZON-75938** | Staff recommends APPROVAL. | GPA-75937 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 4

**NOTICES MAILED** 18 - GPA-75937 and ZON-75938

**PROTESTS** 0 - GPA-75937 and ZON-75938

**APPROVALS** 1 - GPA-75937 and ZON-75938



JAB

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to change the land use designation and rezone 15.00 undeveloped acres generally located west of the intersection of Ann Road and Shaumber Road.

## ISSUES

- A General Plan Amendment is requested to change the land use designation on this site from M (Medium Density Residential) to ML (Medium Low Density Residential). Staff recommends approval.
- A Rezoning is requested on this site from R-3 (Medium Density Residential) to R-CL (Single Family Compact-Lot). Staff recommends approval.
- A Site Development Plan Review for a specific development on this site has not been submitted.

## ANALYSIS

The site consists of three undeveloped parcels located near the western edge of the city limits, northwest of the Clark County School District bus transit yard. The site is surrounded by undeveloped property. West of the site is a 380 acre parcel annexed to the City on 01/14/17. On the south, east, and portions of the north is 58 acres owned by the Bureau of Land Management. A gravel pit operation is located on the southern portion of the parcel to the south, as well as on the parcel to the west. A Site Development Plan Review has not been submitted for any specific development on this site at this time.

The subject site was annexed by the City in two portions in 2007, and has a land use designation of M (Medium Density Residential). According to the Land Use & Rural Neighborhoods Preservation Element of the 2020 Master Plan, the (Medium) designation allows up to 25.49 dwelling units per acre. To the north are parcels designated M (Medium Density Residential) and RNP (Rural Neighborhood Preservation) which allows 2.00 dwelling units per acre. To the south, east, and a portion of the north is a parcel with a PF (Public Facilities) designation where residential density is not applicable. The land to the west is designated DR (Desert Rural) which allows up to 2.49 units per acre.

The applicant is proposing to designate the subject site as ML (Medium Low Density) which allows single family detached homes up to 8.49 units per acre. This is a 66 percent decrease in density from the current (Medium) designation. Ann Road, a 100-foot Primary Arterial, will be extended westward to abut the northern boundary of this site. In addition, the Sheep Mountain Parkway freeway connector is proposed to run from approximately Ann Road north, parallel to the existing 215 freeway corridor. Considering the decrease in density, the adjacent land use designations, and the expected growth in the area, staff is recommending approval of the General Plan Amendment (GPA-75937) request.

The applicant is proposing to Rezone (ZON-75938) the subject site as R-CL (Single Family Compact-Lot) which allows a minimum lot size of 3,000 square feet. According to Title 19.06.080, the proposed R-CL (Single Family Compact-Lot) zone is consistent with the proposed ML (Medium Low Density) land use designation. The final density of any future residential development on the subject site will be limited by the ML (Medium Low Density) designation of 8.49 single family dwelling units; therefore, staff is recommending approval of the Rezoning request.

On 01/13/17, the City annexed approximately 4,500 acres of federal land generally located along the northwest boundaries of the City, including portions of land adjacent to and near the Tule Springs Fossil Beds National Monument and the Red Rock National Conservation Area. These lands include an area extending over one mile west of the subject site. Most of this land carries a Undeveloped zoning designation, which is considered a “holding” zone to prevent haphazard development until such time as another district becomes compatible with neighboring properties. As additional property is developed along Ann Road, the 215, and the proposed Sheep Mountain Parkway, it is expected that higher density uses will be appropriate in the area. The subject site would provide more intense residential development that will provide a buffer for less intense residential development expected to the west within the newly annexed area. Staff therefore recommends approval of the General Plan Amendment and Rezoning. If denied, the site will retain the existing General Plan and zoning designations.

## FINDINGS (GPA-75937)

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

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

   The ML (Medium Low Density Residential) General Plan designation allows for up to 8.49 dwelling units per acre. This is a proposed decrease in existing density, and is compatible with the RNP (Rural Preservation Neighborhood) land use designation to the north. All adjacent property is currently undeveloped.

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

   The zoning districts supported by the proposed ML (Medium Low Density Residential) General Plan Designation include the proposed R-CL (Single Family Compact-Lot), which is compatible with existent and adjacent zoning districts

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

   There is currently no paved access to the subject site. Ann Road, a Primary Arterial roadway, is proposed to be extended west by the City and would provide direct access to the property. A future Site Development Plan Review must be filed to review ingress and egress design and effects to neighborhood traffic, which is currently affected by commuting buses from Clark County School District's bus transit yard facility. The nearest public recreation facility is located approximately 5,450 feet south of this site. Utilities must be extended to serve this site.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

   The proposed amendment conforms to the intent and policies of the 2020 Master Plan. There are no neighborhood plans or special area plans that include this area.

**FINDINGS (ZON-75938)**

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

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

   If approved, the proposed R-CL (Single Family Compact-Lot) zoning district would conform to the proposed ML (Medium Low Density Residential) General Plan designation.

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

The R-CL (Single Family Compact-Lot) zoning district allows for single family residential development with densities up to 8.49 dwelling units per acre. The surrounding area is currently undeveloped and zoning designations are subject to change as development expands west of Shaumber Road.

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

Ann Road, a Primary Arterial, will be extended west along the northern boundary of this site. The city limits were recently extended westward through annexation adjacent to the Red Rock Conservation Area. This land will provide a buffer between the Conservation Area and higher densities.

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

Access to the property will be provided by the future western extension of Ann Road, which will align with the northern boundary of the site. Ann Road is proposed to be a Primary Arterial (100 feet wide) in this area at full build-out, which will be adequate in size to accommodate the densities allowed by the R-CL zoning district.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 05/16/07 | The City Council approved the Annexation (ANX-10156) of approximately 246 acres generally located west of Clark County 215 and east of the Puli Road alignment. The action included the subject area. The annexation became effective 05/25/07. |
| 11/21/07 | The City Council approved an Annexation (ANX-23477) of 5 acres located on the east side of the Puli Road alignment 660 feet south of the Ann Road alignment. The Planning Commission and staff recommended approval. |
| 08/20/08 | The City Council approved a General Plan Amendment (GPA-25625) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from PCD (Planned Community Development) to PF (Public Facilities) on 131.7 acres at the southwest corner of Ann Road and Clark County 215. The Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| | The City Council approved a Rezoning (ZON-25626) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) on 131.7 acres at the southwest corner of Ann Road and Clark County 215. The Planning Commission and staff recommended approval. |
| 07/29/10 | The Planning Commission approved a request for a Variance (VAR-38553) to allow an 11-foot tall retaining wall where six feet is allowed and to allow the combined height of retaining and screening walls to be 14 feet where 12 feet is allowed on a 37.20-acre portion of a 131.70-acre parcel at the northwest corner of Washburn Road and Alpine Ridge Way. Staff recommended approval. |
| | The Planning Commission approved a request for a Site Development Plan Review (SDR-38557) for a proposed 41,000 square-foot Transit Yard on a 37.20-acre portion of a 131.70-acre parcel at the northwest corner of Washburn Road and Alpine Ridge Way. Staff recommended approval. |
| 05/21/14 | The City Council approved a General Plan Amendment (GPA-53055) to amend the Master Plan of Streets and Highways and Map 2A of the Transportation & Streets and Highways Element of the Las Vegas 2020 Master Plan to assign classifications and right-of-way alignments to several roadways in the northwest portion of the city. The Planning Commission and staff recommended approval. |
| 02/15/17 | The City Council approved a General Plan Amendment (GPA-66493) from PCD (Planned Community Development) and PF (Public Facilities) to M (Medium Density Residential) on 15.00 acres on the west side of Shaumber Road, approximately 700 feet south of Ann Road. The Planning Commission and staff recommended approval. |
| | The City Council approved a Rezoning (ZON-66494) from U (Undeveloped) and C-V (Civic) to R-3 (Medium Density Residential on 15.00 acres on the west side of Shaumber Road, approximately 700 feet south of Ann Road. The Planning Commission and staff recommended approval. |
| 04/23/19 | The Planning Commission voted (4-0) to hold in ABEYANCE GPA-75937 and ZON-75938 [PRJ-75900]. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/07/18 | A deed was recorded for a change in ownership on APN 126-36-101-007. |
| 11/27/13 | A deed was recorded for a change in ownership on APN 126-36-101-006. |
| 04/10/18 | A deed was recorded for a change in ownership on APN 126-36-101-027. |

| ***Related Building Permits/Business Licenses*** |
|---|
| No related building permits/business licenses. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/26/19 | A pre-application meeting was conducted over the telephone with the applicant to discuss submittal requirements for a General Plan Amendment and Rezoning applications. |

| ***Neighborhood Meeting*** | |
|---|---|
| 04/11/19 | Centennial Hills Community Center YMCA<br>6:00 - 6:30 pm<br><br>1 Consultant<br>1 Developer<br>1 Planning Staff Member<br>0 Members of the Public |

| ***Field Check*** | |
|---|---|
| 03/13/19 | Staff conducted a routine field check and found an undeveloped area within mountain terrain, and is situated at a higher elevation than Shaumber Road and Ann Road. Shaumber Road is used extensively by commuting buses. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 15.00 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| North | Undeveloped | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| | | RNP (Rural Neighborhood Preservation) | R-E (Residence Estates) |
| | | PF (Public Facilities) | C-V (Civic) |
| South | Undeveloped/ Gravel Pit | PF (Public Facilities) | C-V (Civic) |
| East | Undeveloped | PF (Public Facilities) | C-V (Civic) |
| West | Undeveloped | DR (Desert Rural) | U(DR) |



JAB

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

## DEVELOPMENT STANDARDS

| ***Existing Zoning*** | ***Permitted Density*** | ***Units Allowed*** |
|---|---|---|
| R-3 (Medium Density Residential) | 13-50 du/ac* | 500* |
| ***Proposed Zoning*** | ***Permitted Density*** | ***Units Allowed*** |
| R-CL (Single Family Compact-Lot) | 14.52 du/ac | 217* |
| ***General Plan*** | ***Permitted Density*** | ***Units Allowed*** |
| M (Medium Density Residential) | 25.49 du/ac | 382 |
| ***Proposed General Plan*** | ***Permitted Density*** | ***Units Allowed*** |
| ML (Medium Low Density Residential) | 8.49 du/ac | 127 |

*Density is limited by the maximum number of units per acre allowed by the approved General Plan designation.

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Shaumber Road | Major Collector | Master Plan of Streets and Highways | 80 | Y |
| Ann Road (future alignment) | Primary Arterial | Master Plan of Streets and Highways (GPA-53055) | 80 | Y |



JAB

| ***Las Vegas Valley Water District (LVVWD):*** |
| --- |
| The parcel is not served by LVVWD. The closest distribution line is located in Shaumber Road. A pre-submittal meeting is advised. |

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: PRJ-75900 APN: 126-36-101-007

Name of Property Owner: Vento Bus Yard, LLC

Name of Applicant: Vento Bus Yard, LLC

Name of Representative: Kaempfer Crowell

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 2019

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb. 5, 2023

PRJ-75900
03/01/19

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: PRJ-75900 APN: 126-36-101-006 & -027

Name of Property Owner: Bus Yard Properties, LLC

Name of Applicant: Bus Yard Properties, LLC

Name of Representative: Kaempfer Crowell

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 2019

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb. 5, 2023

PRJ-75900
03/01/19

Revised 03/28/16

# 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) General Plan Amendment

**Project Address** (Location) SEC Ann Rd. & Puli Rd.

**Project Name** Ann & Puli **Proposed Use** Single-Family Compact Lots

**Assessor's Parcel #(s)** 126-36-101-007 **Ward #** 6

**General Plan:** Existing M Proposed ML **Zoning:** Existing R-3 Proposed R-CL

**Additional Information**

**Property Owner** Vento Bus Yard, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Applicant** Vento Bus Yard, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Representative** Kaempfer Crowell Contact Stephanie Allen

Address 1980 Festival Plaza Drive, Ste. 650 City Las Vegas State NV Zip 89135

E-mail SAllen@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** Thomas J. DiVore

Subscribed and sworn before me

This 28th day of February, 20 19

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb 5, 2023

PRJ-73900
03/01/19

# 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) General Plan Amendment

**Project Address** (Location) SEC Ann Rd. & Puli Rd.

**Project Name** Ann & Puli **Proposed Use** Single-Family Compact Lots

**Assessor's Parcel #(s)** 126-36-101-006 & 126-36-101-027 **Ward #** 6

**General Plan:** Existing M Proposed ML **Zoning:** Existing R-3 Proposed R-CL

**Additional Information**

**Property Owner** Bus Yard Properties, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Applicant** Bus Yard Properties, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

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**Representative** Kaempfer Crowell Contact Stephanie Allen

Address 1980 Festival Plaza Drive, Ste. 650 City Las Vegas State NV Zip 89135

E-mail SAllen@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** Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 20 19

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb 5, 2023

PRJ-75900
03/01/19



**GPA-75937 [PRJ-75900] - GENERAL PLAN AMENDMENT RELATED TO ZON-75938 - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL**
**WEST OF THE INTERSECTION OF ANN ROAD AND SHAUMBER ROAD**

03/13/19

<br /><br /><br />Plan



**GPA-75937 [PRJ-75900] - GENERAL PLAN AMENDMENT RELATED TO ZON-75938 - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL**
**WEST OF THE INTERSECTION OF ANN ROAD AND SHAUMBER ROAD**

03/13/19

<br /><br /><br />Plan



**GPA-75937 [PRJ-75900] - GENERAL PLAN AMENDMENT RELATED TO ZON-75938 - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL**
**WEST OF THE INTERSECTION OF ANN ROAD AND SHAUMBER ROAD**

03/13/19

<br /><br /><br />Pla

**BUS YARD PROPERTIES, LLC & VENTO BUS YARD, LLC**
1635 Village Center Circle, Ste. 100
Las Vegas, NV 89134
Ph. (702) 242-4949 ▪ Fax (702) 242-0414

February 18, 2019

Peter Lowenstein, AICP
Planning Section Manager
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

**Re: General Plan Amendment and Zone Change Applications for APNs 126-36-101-006, 126-36-101-007 and 126-36-101-027 (the "Site")**

Dear Peter,

Bus Yard Properties, LLC and Vento Bus Yard, LLC are seeking a General Plan designation of Medium-Low Density Residential (M-L) and a zoning designation of Single-Family Compact-Lot (R-CL) for the subject parcels with the intent to develop a detached single-family compact-lot development (the "Project") on the Site.

The Project will satisfy the requirements of LVMC §§19.16.090 and 19.16.030(I). In particular, approval of the applications is warranted for a number of reasons, including:

1. The Site is located at the intersection of two major arterials - Puli Road and Ann Road. Both roadways are planned for 100-foot wide rights-of-ways, which will be more than capable of handling the traffic generated by the Project.
2. The Site is near the freeway interchange of CC-215 and Ann Road.
3. The Project is compatible with the existing uses in the area, which currently includes the Clark County School District's Northwest Transportation Facility (Bus Yard) and a large gravel pit/excavation facility (to the southwest).
4. Abutting properties are currently undeveloped and zoning designations are subject to change as development expands west of Shaumber Road. The Project will likely serve as a transition/buffer between the Bus Yard and gravel pit and possibly less intense uses north and west of the Site.
5. The Project will not adversely impact any existing residences. The only single-family residences in the area are separated from the Site by vacant land and, in most cases, vacant land and the CC-215 Beltway. There are currently no residences within a quarter mile of the Site.
6. The Project will contribute to the satisfying the need for more affordable housing in the Las Vegas Valley.

We appreciate your consideration. Please do not hesitate to contact me should you have any questions or need anything further.

Sincerely,

Lenny Badger

PRJ-75900
03/01/19

KAEMPFER CROWELL
ATTORNEYS AT LAW
LAS VEGAS OFFICE
STEPHANIE HARDIE ALLEN
sallen@kcnvlaw.com
702.792.7045

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

April 23, 2019

*Via Fax: (702) 382-4803*

Ms. LuAnn D. Holmes, City Clerk
City of Las Vegas
495 S. Mail Street
Las Vegas, NV 89101

***Re: Request to Hold Items 8 and 9***
***April 23, 2019 City of Las Vegas Planning Commission***
***Bus Yard Properties, LLC, et al: GPA-75937 & ZON-75938***

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this application be continued from its presently scheduled hearing date of **April 23, 2019** until the City of Las Vegas Planning Commission hearing of **June 25, 2019**. We also respectfully request that this application be continued from its presently scheduled Las Vegas City Council hearing date of **June 5, 2019** the Las Vegas City Council hearing date of **July 17, 2019**.

Thank you again for your kind consideration and please contact our office if you have any questions.

Very truly yours,

KAEMPFER CROWELL

Stephanie H. Allen

SHA/adb
cc: Lenny Badger (via email)
Peter Lowenstein (via email)
Robert Summerfield (via email)

Submitted after final agenda
Date 4/23/19 Item 8-9

# 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**


**CASE:** GPA-75937 [PRJ-75900] - GENERAL PLAN AMENDMENT RELATED TO ZON-75938

**SUBJECT:** APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***APRIL 23, 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, APRIL 22, 2019.***

Signature

April 17, 2019
Date

Thomas J. DeVore
Please Print Name

Bus Yard Properties, LLC & Vento Bus Yard, LLC
Company Name

Sincerely,

Eric McCammond
Senior Management Analyst
Case Planning Division

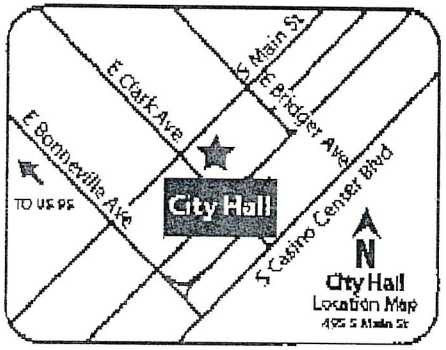


Submitted after final agenda
Date 4/23/19 Item 8

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**




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.

**GPA-75937 and ZON-75938 [PRJ-75900]**
Planning Commission Meeting of **04/23/2019**

PRJ-75900
12636101008
GRAVES MADISON B II & S FAM TR
8375 W FLAMINGO RD #200
LAS VEGAS NV 89147

RECEIVED
APR 23 2019
City of Las Vegas
Department of Planning



A-19-8

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

STEPHANIE HARDIE ALLEN
sallen@kcnvlaw.com
702.792.7045

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Fax: 775.327.2011

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

RECEIVED
CITY CLERK

2019 JUN 24 P 3:45

June 24, 2019

*Via Fax: (702) 382-4803*

Ms. LuAnn D. Holmes, City Clerk
City of Las Vegas
495 S. Mail Street
Las Vegas, NV 89101

***Re: Request to Hold Items 10 and 11***
***June 25th City of Las Vegas Planning Commission***
***Bus Yard Properties, LLC, et al: GPA-75937 & ZON-75938***

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this application be continued from its presently scheduled hearing dates to the revised dates listed below:

Las Vegas City Planning Commission: Currently is **June 25, 2019** moved to **July 23, 2019**.
Las Vegas City Council: Currently is **August 7, 2019** moved to **September 4, 2019**.

Thank you again for your kind consideration and please contact our office if you have any questions.

Very truly yours,
**KAEMPFER CROWELL**

Stephanie H. Allen

SHA/adb
cc: Lenny Badger (via email)
Peter Lowenstein (via email)
Robert Summerfield (via email)

2361177_1.docx 13930.1



Submitted after final agenda

Items 10 & 11

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**11**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE ZON-75938 - REZONING RELATED TO GPA-75937 - PUBLIC HEARING - APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 15.00 acres generally located west of the intersection of Ann Road and Shaumber Road (APNs 126-36-101-006, 007 and 027), Ward 6 (Fiore) [PRJ-75900]. Staff recommends APPROVAL.

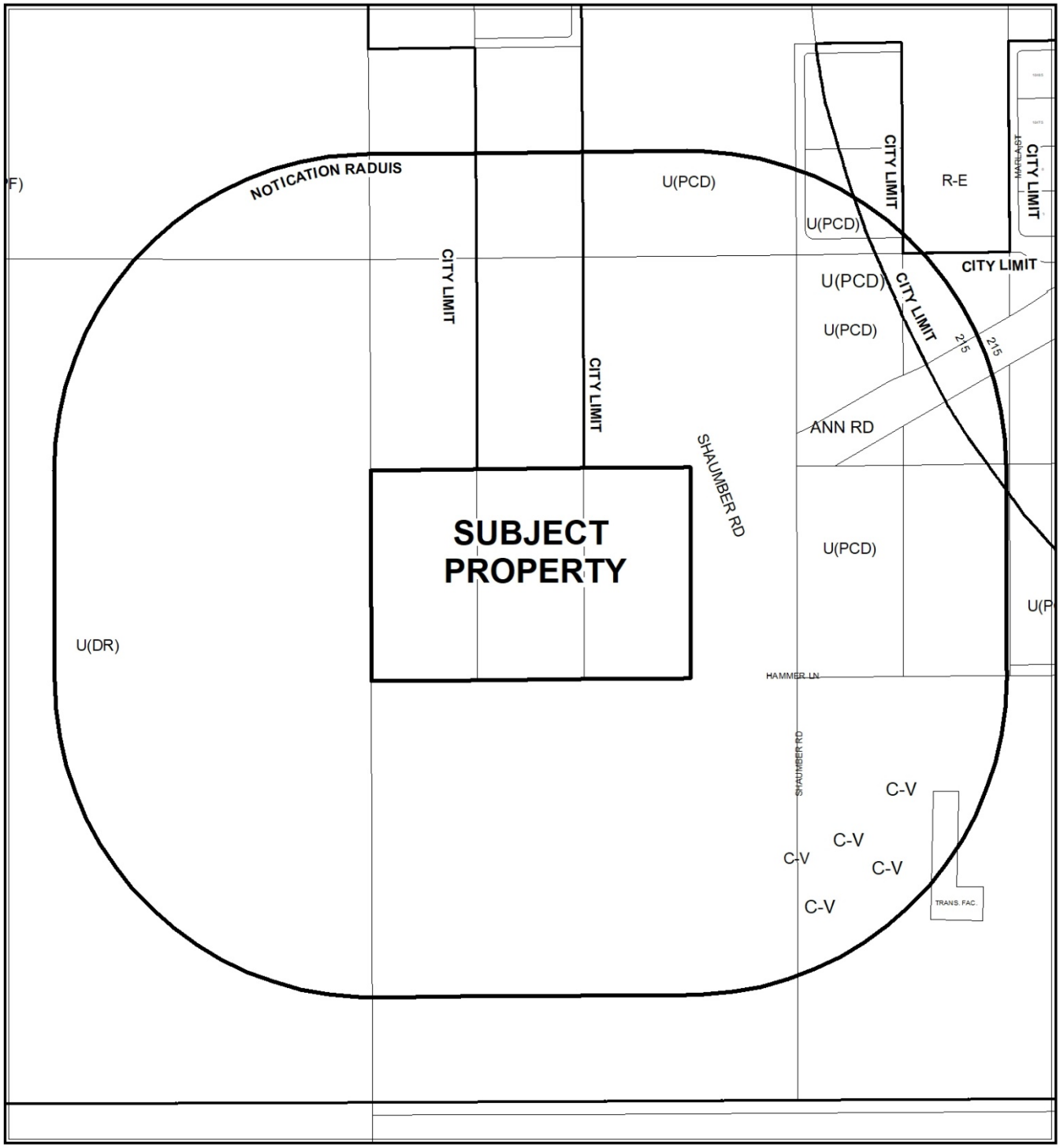
**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Location and Aerial Maps
3. Land Use Map
4. Supporting Documentation
5. Backup Submitted for the April 23, 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.**




0 360 720 Feet

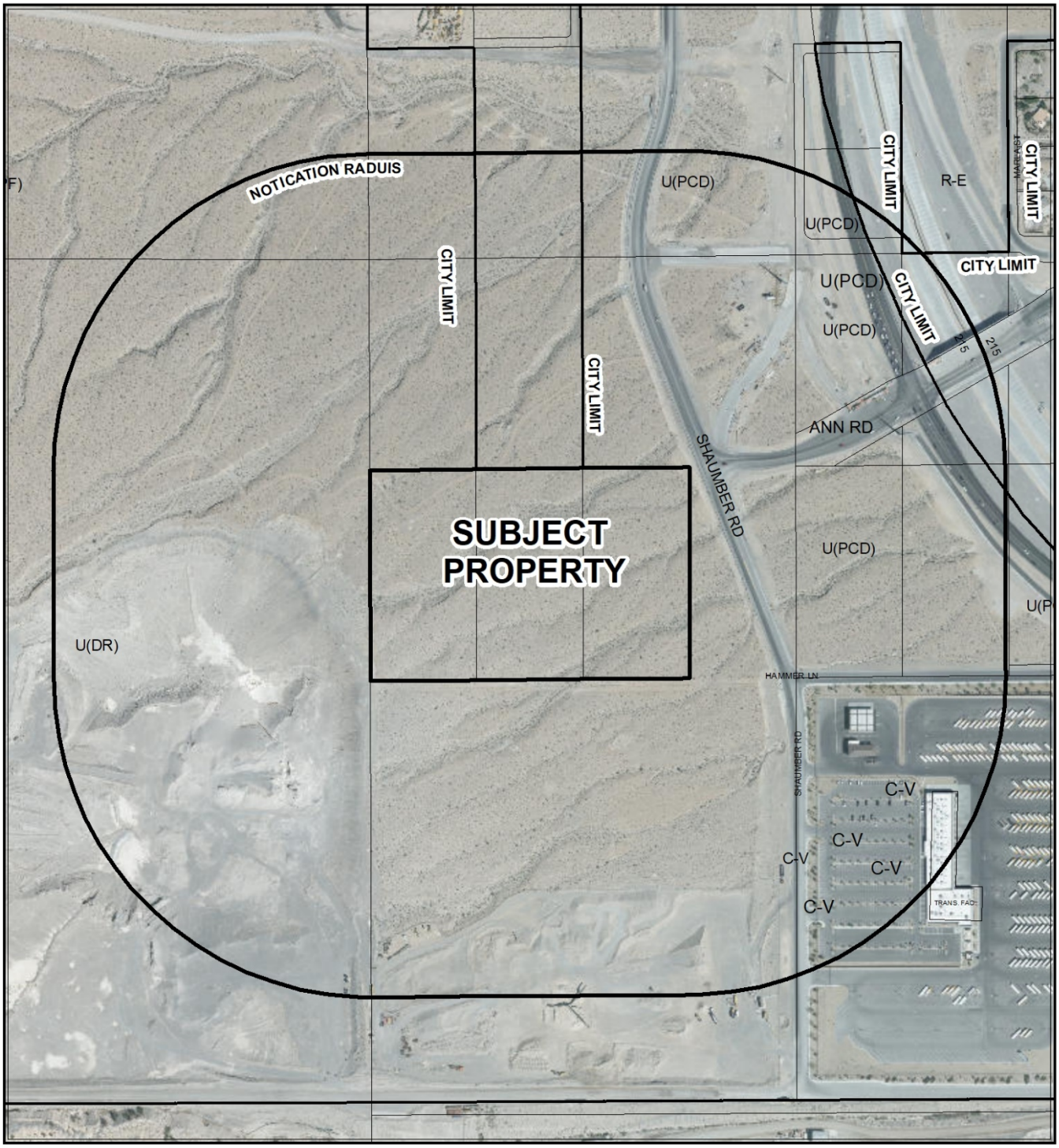
**CASE:** **ZON-75938 (PRJ-75900)**

**RADIUS:** 1000 FEET

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

**PROPOSED ZONING OF SUBJECT PROPERTY:** R-CL (SINGLE FAMILY COMPACT-LOT)

N




0 360 720 Feet

**CASE:** **ZON-75938 (PRJ-75900)**

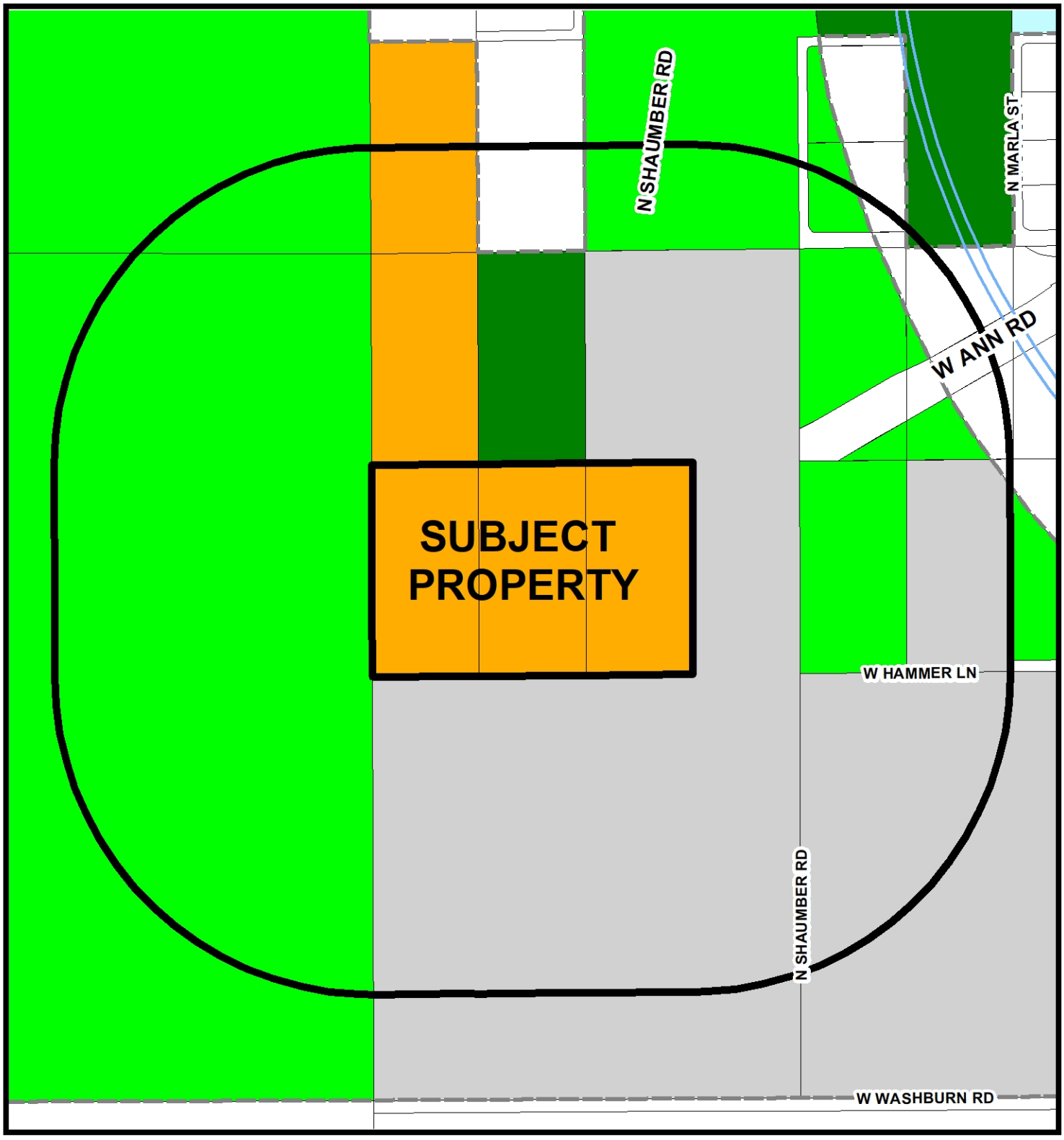
**RADIUS:** 1000 FEET

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

**PROPOSED ZONING OF SUBJECT PROPERTY:** R-CL (SINGLE FAMILY COMPACT-LOT)

N

# ZON-75938




## Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- T5-N - T5 Neighboorhood
- T5-M - T5 Maker
- T5-MS Main Street
- T5-C - T5 Corridor
- T6-UG - Urban Gerneral
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- T-C - Town Center

## FROM R-3 TO R-CL

Subject Property

1000ft Buffer

City Limits

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

Date: Monday, March 25, 2019

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: PRJ-75900 APN: 126-36-101-007

Name of Property Owner: Vento Bus Yard, LLC

Name of Applicant: Vento Bus Yard, LLC

Name of Representative: Kaempfer Crowell

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 2019

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb. 5, 2023

PRJ-75900
03/01/19

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: PRJ-75900 APN: 126-36-101-006 & -027

Name of Property Owner: Bus Yard Properties, LLC

Name of Applicant: Bus Yard Properties, LLC

Name of Representative: Kaempfer Crowell

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 2019

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb. 5, 2023

PRJ-75900
03/01/19

Revised 03/28/16

# 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) General Plan Amendment

**Project Address** (Location) SEC Ann Rd. & Puli Rd.

**Project Name** Ann & Puli **Proposed Use** Single-Family Compact Lots

**Assessor's Parcel #(s)** 126-36-101-007 **Ward #** 6

**General Plan:** Existing M Proposed ML **Zoning:** Existing R-3 Proposed R-CL

**Additional Information**

**Property Owner** Vento Bus Yard, LLC **Contact** Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Applicant** Vento Bus Yard, LLC **Contact** Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Representative** Kaempfer Crowell **Contact** Stephanie Allen

Address 1980 Festival Plaza Drive, Ste. 650 City Las Vegas State NV Zip 89135

E-mail SAllen@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** Thomas J. DiVore

Subscribed and sworn before me

This 28th day of February, 20 19

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb 5, 2023

PR17390
03/01/19

# 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) General Plan Amendment

**Project Address** (Location) SEC Ann Rd. & Puli Rd.

**Project Name** Ann & Puli **Proposed Use** Single-Family Compact Lots

**Assessor's Parcel #(s)** 126-36-101-006 & 126-36-101-027 **Ward #** 6

**General Plan:** Existing M Proposed ML **Zoning:** Existing R-3 Proposed R-CL

**Additional Information**

**Property Owner** Bus Yard Properties, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone (702) 242-4949

**Applicant** Bus Yard Properties, LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

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**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** Thomas J. DeVore

Subscribed and sworn before me

This 28th day of February, 20 19

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb 5, 2023

PRJ-75900
03/01/19

# 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*


**CASE:** ZON-75938 [PRJ-75900] - REZONING RELATED TO GPA-75937

**SUBJECT:** APPLICANT/OWNER: BUS YARD PROPERTIES, LLC, ET AL

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***APRIL 23, 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, APRIL 22, 2019.***

Signature

April 17, 2019
Date

Thomas J. DeVore
Please Print Name

Bus Yard Properties, LLC & Vento Bus Yard, LLC
Company Name

Sincerely,

Eric McCammond
Senior Management Analyst
Case Planning Division



Submitted after final agenda
Date 4/23/19 Item 9

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**12**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

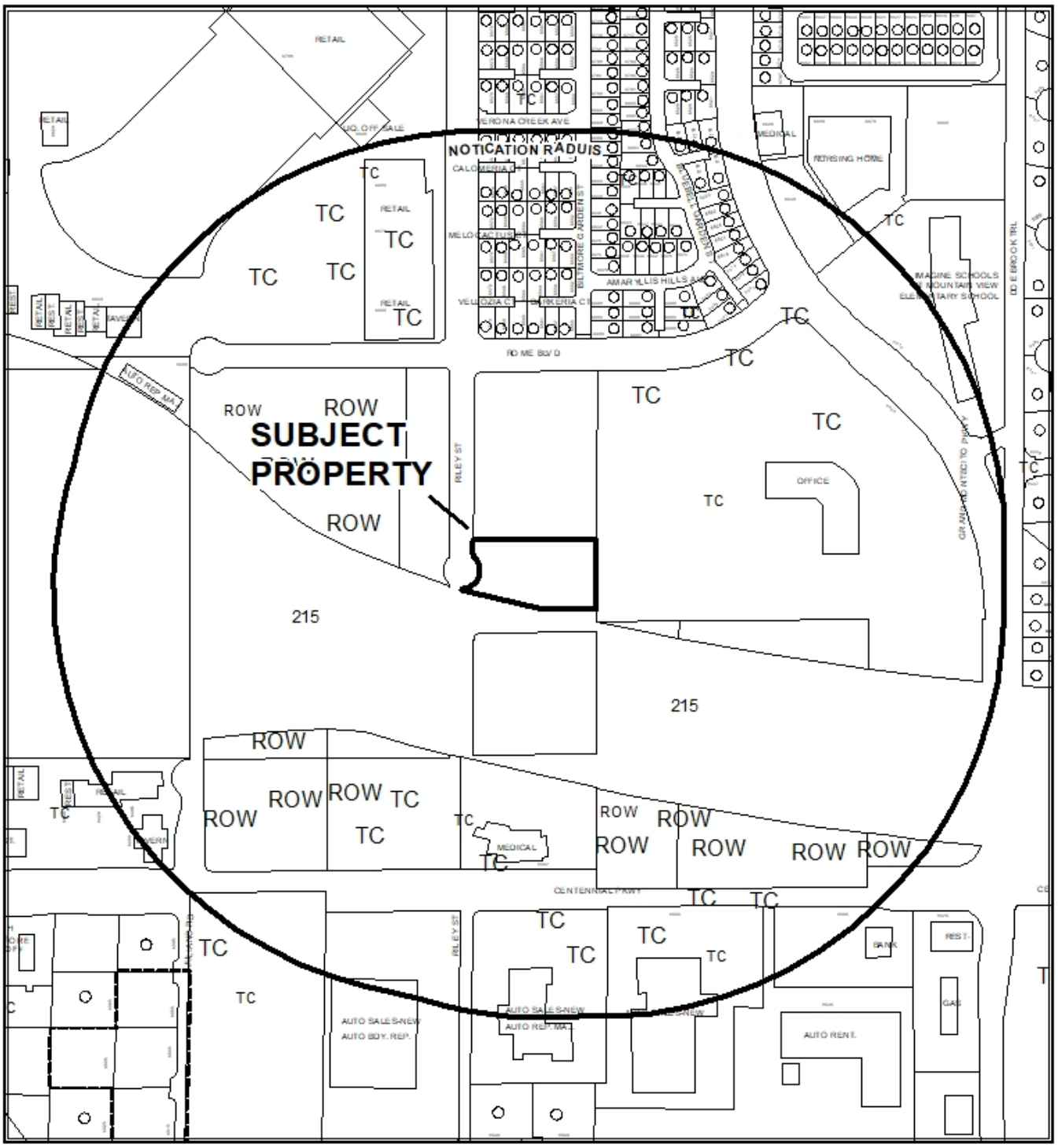
**SUBJECT:**
SUP-76456 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY WITH A WAIVER TO ALLOW STORAGE FACILITIES ON THE FIRST FLOOR WHERE SUCH IS NOT ALLOWED AND TO ALLOW THE NORTH, EAST, AND SOUTH BUILDING FACADES TO NOT APPEAR AS AN OFFICE OR RETAIL FACILITY WHERE SUCH IS REQUIRED on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

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

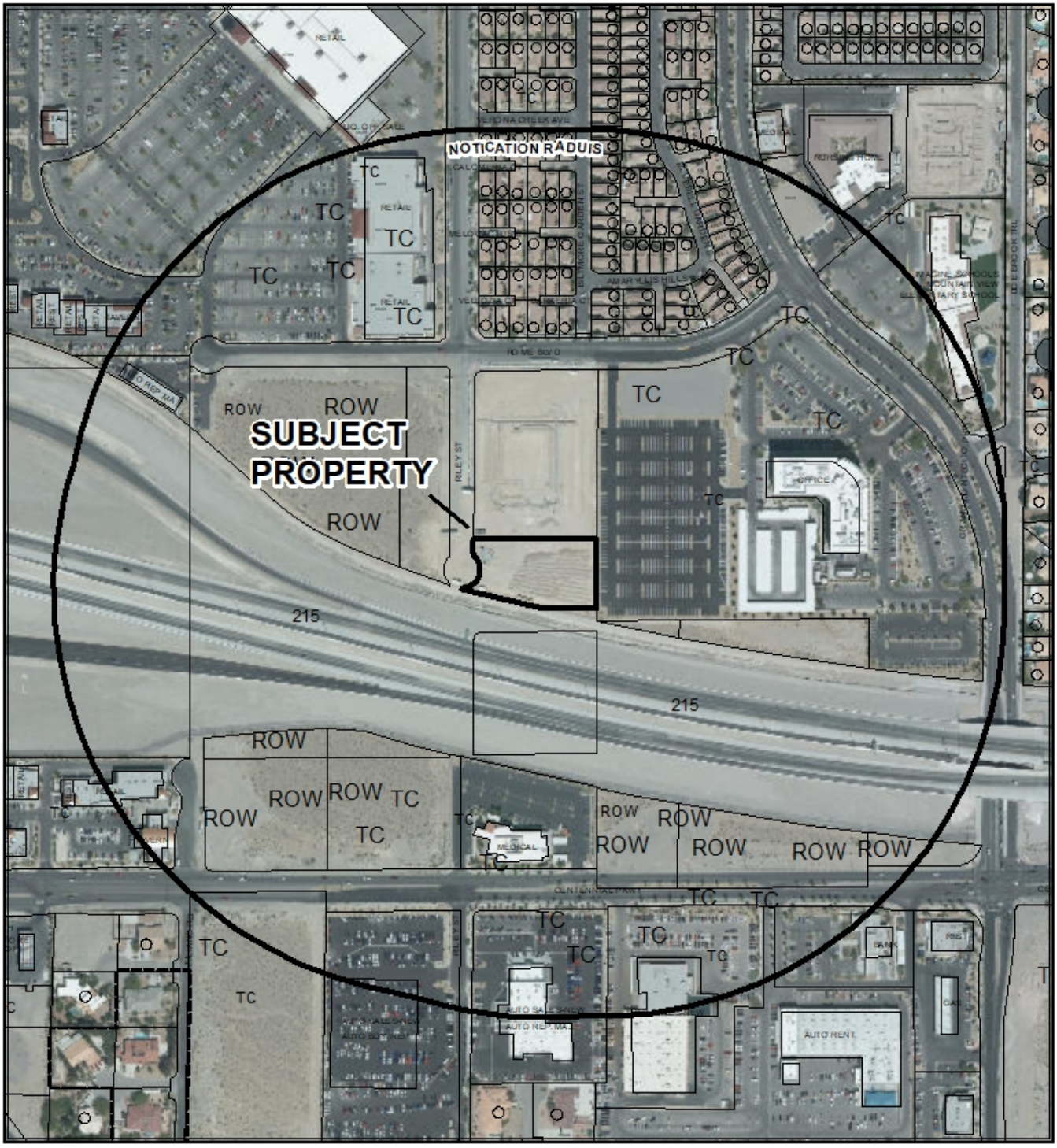
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649]
2. Conditions and Staff Report - SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649]
3. Supporting Documentation - SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649]
4. Photo(s) - SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649]
5. Justification Letter - SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649]
6. Submitted after Final Agenda - Abeyance Request Letter for SUP-76456, SUP-76457 and SDR-76455 [PRJ-75649] and Support Postcard for SUP-76456 [PRJ-75649]




**CASE:** **SUP-76456, SUP-76457, SDR-76455 (PRJ-75649)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) ZONE [MS-TC (MAIN STREET MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]




**CASE:** **SUP-76456, SUP-76457, SDR-76455 (PRJ-75649)**

0 280 560 Feet

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) ZONE [MS-TC (MAIN STREET MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

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City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION:**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-76456** | Staff recommends APPROVAL, subject to conditions: | SUP=76457 |
| **SUP-76457** | Staff recommends APPROVAL, subject to conditions: | SUP-76456 |
| **SDR-76455** | Staff recommends APPROVAL, subject to conditions: | SUP-76456<br>SUP-76457 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 26

**NOTICES MAILED**
115 - SUP-76456
115 - SUP-76457
115 - SDR-76455

**PROTESTS**
0 - SUP-76456
0 - SUP-76457
0 - SDR-76455

**APPROVALS**
0 - SUP-76456
0 - SUP-76457
0 - SDR-76455



NE

** CONDITIONS **

# SUP-76456 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual for a Mini-Storage Facility use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76457) and Site Development Plan Review (SDR-76455) 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. A Waiver from Title 19.12 is hereby approved, to allow storage facilities on the first floor where such is not allowed.

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, as well as submitted as part of any business license application.

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



NE

# SUP-76457 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual for a Wireless Communication Facility use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76456) and Site Development Plan Review (SDR-76455) 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. Conformance to Chapter B, Section 5, subsection E (Mechanical and Electrical Equipment) of the Town Center Development Standards Manual shall be required.

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

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

7. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.

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

# SDR-76455 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76456) and Special Use Permit (SUP-76457) 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 06/05/19, except as amended by conditions herein.

4. Mechanical and electrical equipment shall be screened from view per Section B.5.E of the Town Center Development Standards manual, and roof mounted equipment or other obtrusive features shall be screened from view on all sides and from the top or painted to match the roof or parapet.

5. The Trash Enclosure shall be screened in accordance with Title 19.08.040(E)(4).

6. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow none of the building to be built to the front setback line where a minimum of 80 percent is required.

7. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow a zero-foot side yard setback where 10 feet is required.

8. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow a six-foot rear setback where 20 feet is required.

9. The following exterior materials are prohibited within Town Center:
   a. Mirrored glass
   b. Wood and asphalt shingles
   c. Corrugated fiberglass
   d. Exposed, unfinished tilt-up concrete
   e. Plastic laminate
   f. Neon

10. Perimeter and retaining walls shall be composed of 100 percent decorative material in accordance with the standards of the city of Las Vegas and shall include 20 percent contrasting material and color.

11. 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.

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

13. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
    - Install one, Washingtonian Robusta (Fan Palm) with a minimum trunk height of 25 feet and root barrier, every 20 linear feet within the eastern landscape buffer.
    - Four types of trees shall be used in combination throughout Town Center perimeter landscape buffer areas:
        a. Palm Tree: Washingtonia Robusta Hybrid (Mexican Fan Palm), at least 25 feet in height at the time of installation.
        b. Shade Tree: Fraxinus Velutina Rio Grande (Rio Grande Ash), at least 36 inch box or greater in size, with a minimum three inch caliper diameter at six inches above grade at time of -installation.
        c. Accent Tree: Chitalpa Tashkentensis (Chitalpa), at least 36 inch box or greater in size, with a minimum three inch caliper diameter at six inches above grade at time of -installation.
        d. Flowering Tree: Robinia Ambigua “Purple Robe” (Purple Robe Locust), at least 36 inch box or greater in size, with a minimum three inch caliper diameter at six inches above grade at time of -installation

14. 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.

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

***Public Works***

16. Connect to public sewer by extending public sewer in Riley Street from Rome Boulevard, at a depth and location acceptable to the Sanitary Sewer Planning Section of the Department of Public Works concurrent with on-site development activities. Alternatively, a mapping action such as FMP-74806 shall record prior to issuance of permits for this site.

17. 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.

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 75,161 square-foot, 517-unit Mini-Storage Facility with 4,570 square feet of retail space and a 79-foot tall Wireless Communication Facility (Monopalm) on Riley Street, approximately 290 feet south of Rome Boulevard. The subject site is within the Montecito district of Town Center.

## ISSUES

- The subject site was previously entitled (SUP-69217 / SUP-69218 / SDR-69219) for a 72,851 square-foot, 278-unit Mini-Storage Facility with a 63-foot tall Wireless Communication Facility (Monopalm). The entitlements expired on 04/11/19 during the building permit review process.

- A Waiver is required to allow none of the building to be built to the front setback line (Riley Street) where a minimum of 80 percent is required. Staff supports this request.
- A Waiver is required to allow a zero-foot side yard setback where 10 feet is required. Staff supports this request.
- A Waiver is required to allow a six-foot rear setback where 20 feet is required. Staff supports this request.
- A Special Use Permit is required for a Mini-Storage Facility within Town Center. Staff recommends approval of this request.
- A Special Use Permit is required for a Wireless Communication Facility (Monopalm) in Town Center. Staff recommends approval of this request.

## ANALYSIS

### *Site Development Plan Review*

In January of 2019, the applicant submitted a building permit application for “Building B” of a Mini-Storage Facility. It was during the building permit review process that the approved land entitlements for the proposed mini-storage development expired. It was not realized that the previously approved entitlements had in fact expired until the building permit application was routed to Planning for review. These previous land entitlements allowed a 72,851 square-foot Mini-Storage Facility with a 63-foot tall Wireless Communication Facility (Monopalm). The applicant is now proposing a 75,161 square-foot mini-storage facility with ground floor retail and a 79-foot tall wireless communication facility.



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Additionally, the building plans that were submitted in January demonstrated an increase in the overall floor area of 2,310 square feet, or 3 percent. This would normally be handled administratively through a Minor Amendment to the previously approved entitlements, but since those entitlements are expired, the applicant was not eligible for an administrative review and was required to submit for a public hearing review at Planning Commission.

The subject site is located within the Montecito District which is intended to be a multi-use activity center focused on walkability and the opportunity for residents to have access to a variety of destinations. The Montecito District is the most appropriate area within Centennial Hills for large scale mixed-use and multi-use developments, and is envisioned as having a balanced mix of office, retail, residential and entertainment uses. Within this District there are no rigid design requirements, but instead the focus is on the interaction between the public and private realm, ease of pedestrian circulation, and abundance of open space. The central location of the Montecito District within Town Center supports medium to high density and intensity of diverse uses, which are encouraged in order to create a vibrant neighborhood. Development within this land use designation will typically be multi-storied, having ground floor offices and/or retail with similar or residential uses utilizing the upper floors, and a medium-high building mass. The applicant is proposing to construct a two-building, mini-storage facility with retail on the ground floor of building "B."

The proposed site plan depicts two separate buildings and one equipment enclosure for the proposed Wireless Communication Facility. Storage building "A" as depicted on the site plan is a three-story storage facility with the trash enclosure tucked away along the southern façade of the first floor. Building "A" contains 54,353 square feet and 415 storage units. Building "B" is also three-stories with 20,808 square feet, including 4,570 square feet of retail space and 102 storage units. The first floor of this building also includes the office for the self-storage facility with a breakroom and restroom facility for the employees. The applicant is also proposing a 79-foot tall Wireless Communication Facility, Stealth Design [Monopalm] to be located in the northeast corner of the subject site.

The subject site is located on the eastern side of Riley Street where Riley Street terminates with a cul-de-sac at the Clark County 215 to the south. The subject site is approximately 370 feet away from residential dwellings allowing for compliance with Town Center Development Standards for wireless communication facilities. The Wireless Communication Facility is a stealth design, designed to resemble a palm tree. Faux palm prongs will camouflage the antennas, with the equipment enclosure being constructed of the same materials as the Mini-Storage Facility buildings. Staff has added a Condition of Approval to include palm trees along the eastern landscape buffer to aid in the camouflaging of the tower with the area. Additionally, Washingtonian Robusta (Fan Palms) are able to reach heights of 60-70 feet, with a 10-12-inch trunk diameter making this palm tree a viable choice for a six-foot wide landscape buffer adjacent to a 3-story, 42-foot tall building.

The portion of Riley Street the proposed development is adjacent to is not part of the Town Center Street Hierarchy, but is subject to Title 19.04 for Complete Streets. The Department of Public Works has granted the applicant a Waiver of Complete Streets and has required the applicant to match the streetscape design currently under construction to the north of the subject site. This Waiver provides consistency in the street treatment along this eastern portion of Riley Street. The applicant has proposed a detached sidewalk which is consistent with the Town Center streetscape design, with tree species for the streetscape and overall site that are also in compliance with the Town Center Development Standards.

Given the location of the subject at the terminus of a cul-de-sac adjacent to the Clark County 215, the applicant has requested a Waiver of the side setback for the southern property line that is directly adjacent to the 215. The applicant has requested to place the building on the property line and not provide a landscape buffer along the southern property line. Additionally, the applicant has requested a Waiver of the rear setback to allow six feet where 20 feet is required. With this portion of the Clark County 215 being elevated, and Riley Street terminating at the 215, staff finds this portion of Riley Street to not be conducive to pedestrian traffic and supports the Waiver requests.

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***Special Use Permit***

The Montecito district of Town Center requires a Special Use Permit for both the Mini-Storage Facility and the Wireless Communication Facility. Below are the definitions of each use as defined by Title 19.12, and the minimum Special Use Permit requirements set forth by the Town Center Development Standards manual.

The Mini-Storage Facility use is defined as “a facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.”

The Minimum Special Use Permit Requirements for this use include:

1. Requirement 1: No more than one manager or security residence shall be permitted.

   *A manager residence has not been proposed as part of this development.*

2. Requirement 2: Within the Main Street District, all storage facilities shall be located above the ground floor and no outdoor storage of any kind shall be permitted.

   *The proposed Mini-Storage Facility is located within the Main Street Mixed Use District and has requested a Waiver to have storage facilities on the first floor. Outdoor storage has not been proposed as part of this development.*

3. Requirement 3: No business shall be conducted from or within a mini-warehouse facility.

   *The Mini-Storage Facility will be subject to Business License review and enforcement if necessary.*

4. Requirement 4: Retail sales of stored items on the premises is prohibited.

   *The subject site is subject to the Department of Planning Code Enforcement division if code violations occur.*

5. Requirement 5: The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.

   *The subject site is subject to the Department of Planning Code Enforcement division if code violations occur.*

6. Requirement 6: The operation of spray painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.

   *The subject site is subject to the Department of Planning Code Enforcement division if code violations occur.*

7. Requirement 7: The production, fabrication or assembly of products shall be prohibited.

   *The subject site is subject to the Department of Planning Code Enforcement division if code violations occur.*

8. Requirement 8: Within the Employment Center District, the rental of single-unit trucks and small utility trailers shall be permitted as an accessory use to a mini-warehouse use, provided the business is conducted out of the same office as that of the mini-warehouse facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on the site shall not exceed a ratio of two trucks or trailers for each 100 storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-warehouse complex.

   *No truck or trailer rental has been proposed as part of this development.*

9. Requirement 9: Within the Employment Center District, truck and trailer storage may be permitted when screened from the street and adjacent property by exterior walls.

   *Not applicable, as the subject site is located within the Main Street Mixed Use District of Town Center.*



NE

10. Requirement 10: All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets by exterior walls.

    *No outdoor storage is proposed as part of this development.*

11. Requirement 11: Within the Town Center, all exterior walls of the mini-warehouse facilities shall be constructed with a façade so as to appear as an office or retail facility.

    *The proposed development has been designed to appear as an office building with a commercial storefront.*

The Wireless Communication Facility use is defined as, "an antenna that transmits or receives, or both transmits and receives, wireless communication signals. The term does not include any device, such as a radio antenna, telephone antenna, television antenna, satellite dish antenna or amateur radio antenna that is accessory or incidental to a residential use and is employed by an ultimate user to receive radio, television or other communication signals.

The Minimum Special Use Permit Requirements for this use include:

1. Requirement 1: A wireless communication facility is permitted if it utilizes stealth technology, (made part of another structure and isn't visually discernible) and is not within 330 feet of any single family detached dwelling. Otherwise, a Special Use Permit is required.

   *The proposed Wireless Communication Facility will utilize stealth technology (monopalm), and is approximately 373 feet away from a single-family detached dwelling.*

2. Requirement 2: Towers and mono-poles are subject to LVMC 19.08.040(H) and shall be in conformance with Chapter B, Section 5, subsection E (Mechanical and Electrical Equipment) of this Manual.

   *The proposed use meets this requirement as a condition of approval has been added to ensure the mechanical equipment is appropriately screened.*

Staff finds the proposed development continues to be compatible with existing development in the area, as well as future development to occur west of the site. Therefore, staff recommends approval of all applications with conditions.

**FINDINGS (SUP-76456) [*Mini-Storage Facility*]**

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 Mini-Storage Facility is adjacent to the Clark County 215 on the south, and is surrounded by commercial property. In addition, the undeveloped lot to the west is designated Service Commercial within the Town Center zone. The proposed land use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses as well as with future surrounding land uses.

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

   The subject site is located within the Montecito district of Town Center which is intended to be a multi-use activity center with multi-use developments such as the proposed making it physically suitable for the type and intensity of land use proposed.

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

   Half street improvements (Riley Street) will be constructed in accordance with Title 13 and the Town Center Development Standards as part of the proposed development. Riley Street will be adequate in size to meet the requirements of the proposed Mini-Storage Facility.

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 land use is subject to the Las Vegas Municipal Code ensuring the public health, safety and welfare are not compromised.*

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

   The proposed Mini-Storage Facility use has met all of the applicable conditions of the Town Center Development Standards Manual.



NE

## FINDINGS (SUP-76457) [*Monopalm*]

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 Wireless Communication Facility is a stealth design (monopalm), and will give the appearance of a palm tree. Palm trees are proposed for the landscape buffer areas allowing for the proposed Wireless Communication Facility to be camouflaged and conducted in a manner that is harmonious and compatible with future surrounding land uses.

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

   The subject site is on the east side of Riley Street, and the terminus point of the cul-de-sac, adjacent to the CC 215 beltway. The subject site is physically suited for the proposed Wireless Communication Facility.

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.**

   No additional traffic will be generated by the proposed Wireless Communication Facility. Once constructed, Riley Street will be 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 Wireless Communication Facility has met the minimum standards set forth by the Town Center Development Standards and will be subject to building permit inspections during construction. The proposed Wireless Communication Facility will not compromise the public health, safety, or welfare.

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

   The proposed Wireless Communication Facility use meets all applicable conditions of the Town Center Development Standards Manual.

## FINDINGS (SDR-76455)

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 site is adjacent to the Clark County 215 to the south, a parking lot to the east and a vacant undeveloped land to the west. North of the proposed Mini-Storage Facility is a Convalescent Care Facility/Nursing Home currently under construction. The surrounding area is also within the Montecito district of Town Center which supports multi-use activity centers focused on walkability and the opportunity for residents to have access to a variety of destinations.

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

   The proposed development has met the intent of Montecito Town Center by proposing a building façade that mimics an office building with a commercial storefront and general retail on the first floor of building “B” while operating as a Mini-Storage Facility.

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

   The subject site is located at the terminus of a cul-de-sac and will not negatively impact adjacent roadways or neighborhood traffic.

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

   The proposed landscape materials are not in accordance with the materials recommended by the Town Center Development Standards manual for buffer areas, and staff has added a condition of approval to ensure the proper planting materials are installed. Building materials include painted stucco with metal coping and canopies with clear anodized aluminum and duel pane low-e glass for the storefront façade. The proposed building and landscape materials are appropriate for Town Center 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;**

Town Center requires all exterior walls of a Mini-Storage Facility to be constructed in a manner to appear as an office or retail facility. The proposed Mini-Storage Facility has met this criteria by proposing a building that appears to be an office building with a commercial storefront facing the public right-of-way.

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

The proposed development will be subject to construction document review during the permitting process, and will be inspected on a regular basis during construction protecting the public health, safety and general welfare.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 06/06/12 | The City Council approved a request for a Major Modification (MOD-44703) of the Montecito Town Center Development Agreement to add 1.99 acres to the overall plan under the Mixed Use Commercial Special Land Use Designation at the northeast corner of Riley Street and Clark County 215. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Special Use Permit (SUP-44701) for a Congregate Care Facility at the southeast corner of Riley Street and Rome Boulevard. The Planning Commission recommended approval, staff recommended denial. |
| | The City Council approved a request for a Site Development Plan Review (SDR-44700) for a proposed single-story, 70,539 square-foot Congregate Care Facility with 60 convalescent care beds and 34 assisted living units with Waivers of the Town Center Development Standards to allow none of the building to be built to the front setback line where a minimum of 80 percent is required and a zero-foot corner side setback where 15 feet is required; a Waiver of Montecito Town Center Development Standards to allow a service area to be located within public view and without screening where such is not allowed; and a corresponding request for encroachment into the Rome Boulevard and Riley Street public rights-of-way. The Planning Commission recommended approval, staff recommended denial. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 04/20/16 | The City Council approved an appeal of the approval by Planning Commission for a Special Use Permit (SUP-63115) for a proposed Congregate Care Facility at the southeast corner of Riley Street and Rome Boulevard. Staff had recommended approval. |
| | The City Council approved an appeal of the approval by Planning Commission for a Site Development Plan Review (SDR-63116) for a proposed 41,756 square-foot, 72-bed Congregate Care Facility with a Waiver of the Town Center Development Standards to allow none of the building to be built to the front setback line where a minimum of 80 percent is required on 3.98 acres at the southeast corner of Riley Street and Rome Boulevard. Staff had recommended approval. |
| 06/23/16 | Code Enforcement processed a complaint (#168137) for semi-trucks parked on a vacant lot and dumping on the east side of Riley Street, at the 215 beltway. The case was resolved on 07/05/16. |
| 07/19/16 | A Parcel Map (PMP-65735) was submitted for a Technical Review of a two-lot parcel map on 3.97 acres at the southeast corner of Riley Street and Rome Boulevard. The parcel map has yet to record. |
| 11/16/16 | The City Council approved a request for a Petition to Vacate (VAC-66109) the excess public right-of-way commonly known as the east side of Riley Street approximately 500 feet south of Rome Boulevard. The Planning Commission and staff recommended approval. |
| 04/11/17 | The Planning Commission approved a request for a Special Use Permit (SUP-69217) for a proposed mini-storage facility with a Waiver to allow storage facilities on the first floor where such is not allowed and to allow the north, east, and south building facades to not appear as an office or retail facility where such is required on the east side of Riley Street, approximately 290 feet south of Rome Boulevard. Staff recommended approval. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-69218) for a 63-foot tall wireless communication facility (monopalm) on the east side of Riley Street, approximately 290 feet south of Rome Boulevard. Staff recommended approval. |
| | The Planning Commission approved a request for a Site Development Plan Review (SDR-69219) for a proposed 278-unit, 72,851 square-foot mini-storage facility and a 63-foot tall wireless communication facility (monopalm) with Waivers of the Town Center Development Standards to allow none of the building to be built to the front setback line where a minimum of 80 percent is required, to allow a zero-foot side yard setback where 10 feet is required, and to allow a seven-foot rear setback where 20 feet is required on 1.98 acres on the east side of Riley Street, approximately 290 feet south of Rome Boulevard. Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 12/27/17 | The Planning Department administratively approved a request for an Extension of Time (EOT-72052) of a previously approved Petition to Vacate (VAC-66109) excess public right-of-way commonly known as the east side of Riley Street, approximately 500 feet south of Rome Boulevard. |
| 04/04/18 | A Parcel Map (PMP-65735) was recorded for a two-lot parcel map on 3.97 acres at the southwest corner of Rome Boulevard and Riley Street. |
| 10/18/18 | A Final Map Technical Review (FMP-74806) was submitted for a one-lot commercial subdivision on 3.98 acres on the southwest corner of Rome Boulevard and Riley Street. The map is currently under review. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/10/18 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 01/31/19 | A building permit application (C19-00480) was submitted for a ground up, building "B." The permit application is in the review phase as of 06/06/19. |

| ***Pre-Application Meeting*** |
|---|
| Staff conducted a pre-application via email and the telephone with the applicant after the previous land entitlements expired in April. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff observed the subject site during a routine field check. Staff noted the cul-de-sac is installed. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.11 |



NE

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | TC (Town Center) | T-C (Town Center) |
| North | Convalescent Care Facility/Nursing Home | TC (Town Center) | T-C (Town Center) |
| South | CC 215 Beltway | Right-of-Way | Right-of-Way |
| East | Undeveloped | TC (Town Center) | T-C (Town Center) |
| West | Parking Lot | TC (Town Center) | T-C (Town Center) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Town Center Master Plan | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| T-C (Town Center) District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Centennial Hills Sector Plan | Y |
| Northwest Open Space Plan | Y |
| 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 the Town Center Development Standards, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Setbacks | | | |
| • Front | Zero Feet | 13 Feet | N* |
| • Side | 10 Feet | Zero Feet | N** |
| • Corner | N/A | N/A | N/A |
| • Rear | 20 Feet | 6 Feet | N** |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | By Condition | |
| Mech. Equipment | Screened | By Condition | |

**Town Center Core requires 80 percent of the building to be built to line.*
***The applicant is requesting a Waiver to allow a zero-foot side yard setback and a six-foot rear yard setback.*



NE

***Per the Town Center Development Standards, the following is proposed:***

| ***Landscaping and Open Space Standards*** | |
|---|---|
| ***Standards*** | ***Provided*** |
| Buffer Trees:<br>• North<br>• South<br>• East<br>• West | <br>Zero Trees<br>Zero Trees<br>By Condition of Approval<br>5 Trees |
| | |
| Parking Area Trees | 6 Trees |
| **LANDSCAPE BUFFER WIDTHS** | |
| Min. Zone Width<br>• North<br>• South<br>• East<br>• West | <br>N/A<br>Zero Feet<br>6 Feet<br>5 Feet *(portion of)* |

**Within the MC-TC District, the provisions of LVMC Chapters 19.06 and 19.08 shall not apply.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Riley Street | Local Street | Title 13 | 0 | N* |

**Half street improvements are required as part of this development.*



NE

***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 | |
| Mini-Storage Facility | 517 Units | 1 for every 50 units, plus 5 for customers | 16 | | | | |
| Wireless Communication Facility | No additional parking required. | | | | | | |
| General Retail Store | 4,570 SF | 1:175 | 27 | | | | |
| **TOTAL SPACES REQUIRED** | | | 43 | | 84 | | Y* |
| **Regular and Handicap Spaces Required** | | | | | | | Y* |
| Loading Spaces | 4,570 SF | Less than 10,000 SF | 1 | | 1 | | Y* |

**The proposed mini-storage facility shares parking with the skilled nursing facility to the north.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| 80 percent of the building shall be built to the front setback line. | To allow zero percent of the building to be built to the front setback line. | Approval |
| 10-foot side yard setback. | Zero-foot side yard setback. | Approval |
| 20-foot rear yard setback. | Six-foot rear yard setback. | Approval |



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) _____

**Project Address** (Location) 6520 N RILEY ST

**Project Name** CENTENNIAL STORAGE **Proposed Use** MIN-STORAGE/RETAIL

**Assessor's Parcel #(s)** 125-20-803-021 **Ward #** 6

**General Plan:** Existing TC Proposed TC **Zoning:** Existing TC Proposed TC

**Additional Information** _____

**Property Owner** CENTENNIAL HEALTHCARE L L C Contact MIKE OCHOA

Address 901 N GREEN VALLEY PKWY #130 City HENDERSON State NV Zip 89074

E-mail MICHAEL@WDCNEVADA.COM Phone 702-292-9213

**Applicant** SAME AS OWNER Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

**Representative** LAS CONSULTING Contact LUCY SEWART

Address 1930 VILLAGE CENTER CIRCLE BLDG 3-577 City LAS VEGAS State NV Zip 89134

E-mail STEWPLAN@GMAIL.COM Phone 702-499-6469

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** MICHAEL OCHOA

Subscribed and sworn before me

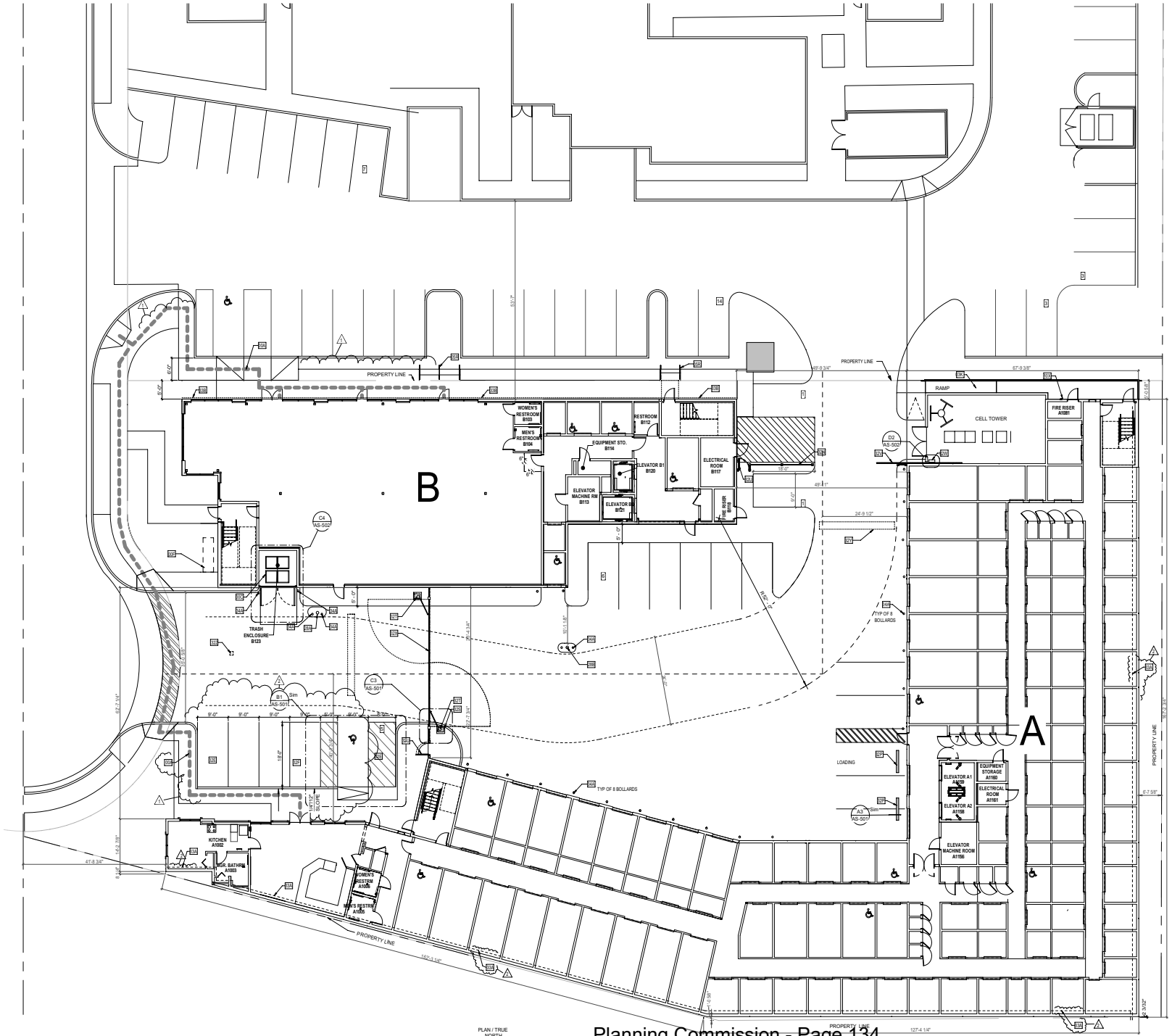
This 3rd day of May, 2019

Karen Lee McClain

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

KAREN LEE MCCLAIN
Notary Public State of Nevada
No. 14-15329-1
My Appt. Exp. November 21, 2022

PRJ-75649
05/06/19




## SITE PLAN GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings, if dimensional information is required & not found, notify architect immediately for clarification.
3. Prior to proceeding with staking or grading operations, parcel or lot dimensions shall be verified be a registered civil engineer.
4. Refer to Landscape drawings for walks, berms, hardscape, landscaping, and irrigation requirements.
5. Refer to Civil drawings for site drainage, catch basins, paving details, curb and gutter swales, and related information
6. HYD denotes location of fire hydrants. Plans for fire hydrants by a civil engineer must be reviewed and approved by Fire Department.
7. On-site fire hydrant locations shall be identified by a blue reflective pavement marker per local fire department standards.
8. Parking stall striping shall be per City of Las Vegas standards
9. Finish floor elevations are shown as Level 1 - 0'-0" for reference only. Refer to civil engineering drawings for finish floor elevations.
10. Standard parking stall sizes shall be 9'-0" wide x 18'-0" long. Refer to Detail 8/1as-501 for striping details.
11. Handicap stall sizes shall be 9'-0" wide x 18'-0" long and 5'-0" wide accessible aisle. (8'-0" wide at van parking stall). Refer to Detail B1/AS-501.
12. All curb dimensions are to face of curb UNO. Dimensions on civil plans may be back of curb
13. Path of travel shall have a maximum 2% cross slope, 5% walks, and 8.3% curb ramps. See Landscape and Civil drawings for additional information.
14. Signs shall be places at all entrances to a fire lane. Private fire lanes shall have curbs painted red with " NO PARKING FIRE LANE" painted on the top of curb in 4" high white letters at 100'-0" OC. Provide fire lane sign at each entrance per Detail B2/AS-501.
15. Any modification from the contractor will need approval from Owner and Designer Consultant.
16. General Contractor to provide knox emergency key lock box outside of the building, next to the Fire Riser Room as well as the outside of the building next to the main entrance and gate.

## SITE INFORMATION:

PARCEL NUMBER: 125-20-810-001
125-20-803-002

CURRENT ZONING: T-C

PROPOSED ZONING:

LOT SIZE: 2.87

BUILDING A:
BUILDING AREA: 54,353 SF
LEVEL 1 : 19,179 SF
LEVEL 2 : 17,587 SF
LEVEL 3 : 17,587 SF

BUILDING B:
BUILDING AREA : 20,808
LEVEL 1 : 7,008 SF
LEVEL 2 : 6,900 SF
LEVEL 3 : 6,900 SF

TOTAL GROSS AREA BUILDING (A & B) : 75,161 SF

## PARKING REQUIREMENTS:

STORAGE UNITS : BUILDING A - 415 UNITS
BUILDING B - 102 UNITS
TOTAL STORAGE UNITS - 517 UNITS
RETAIL (T.I.) 4570 SF

PARKING REQUIRED:
STORAGE: 517 UNITS/1 SPACE/50 UNITS) - 11 CARS
RETAIL SPACE 4570 SF (1/175 SF) - 27 CARS
TOTAL REQUIRED: 38 CARS

PARKING PROVIDED:
TOTAL ON SITE PARKING PROVIDE: 40 CARS
ACCESSIBLE PARKING INCLUDED: 2 CARS

## KEYNOTES - SHEET

| | |
|---|---|
| 00A | 000000 - ACCESSIBLE PATH OF TRAVEL |
| 00C | 000000 - TRASH BIN ENCLOSURE |
| 00F | 000000 - MECHANICAL EQUIPMENT PAD LOCATION |
| 03K | 030500 - CONCRETE RAMP |
| 05R | 057313 - METAL HANDRAIL |
| 10X | 108500 - KNOX BOX |
| 28A | 281300 - ENTRY KEYPAD MOUNTED ON POST, SEE DET. A4/AS-502 |
| 28B | 281300 - EXIT KEYPAD MOUNTED ON POST, SEE DET. A4/AS-502 |
| 32E | 321723 - PARKING STALL |
| 32F | 321723 - HANDICAP PARKING STALL |
| 32N | 323119 - 6' HIGH WROUGHT IRON FENCE. SEE A1/AS-502 |
| 32P | 321700 - CONCRETE WHEEL STOP, SEE DET.A3/AS-501 |
| 32S | 321313 - CONCRETE PAD |
| 32T | 323150 - LIFT MASTER OR EQUAL GATE OPERATOR |
| 32U | 323123 - 6' HIGH WROUGHT IRON PEDESTRIAN GATE WITH PANIC HARDWARE, DOOR CLOSER AND GATE LOCKSET |
| 32V | 323123 - 6' HIGH WROUGHT IRON SLIDING CRASH GATE |
| 32W | 323100 - APOLLO GATE OPERATOR |
| 32X | 323123 - 6' HIGH WROUGHT IRON GATE |
| 32Y | 323100 - FREE EXIT LOOP DETECTOR |
| 32Z | 323100 - GREEN REFLECTOR FOR FIRE DEPARTMENT |
| 33A | 334613 - UNDERSLAB DRAINAGE SYSTEM |
| 33B | 334000 - 1" MICRO DRAIN |
| 34A | 347113 - PIPE BOLLARD. SEE DETAILCS/AS502 |

PLAN / TRUE NORTH

A1 SITE PLAN
3/32" = 1'-0"



PRJ-75649
06/15/19

YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1120 HORIZON RIDGE PKWY, STE 205
HENDERSON, NEVADA 89012
702-795-9711 TEL 702-940-8053 - FAX

Seal
No. 4766
STATE OF NEVADA
05/15/2019

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| Rev | Date | By | Description |
|---|---|---|---|
| 1 | 2019-02-19 | | CLV BLDG. & FIRE DEPT. COMMENTS |
| 2 | 2019-03-01 | | OWNER CHANGES |

**CENTENNIAL SELF STORAGE**
RILEY STREET
LAS VEGAS, NV

B
A

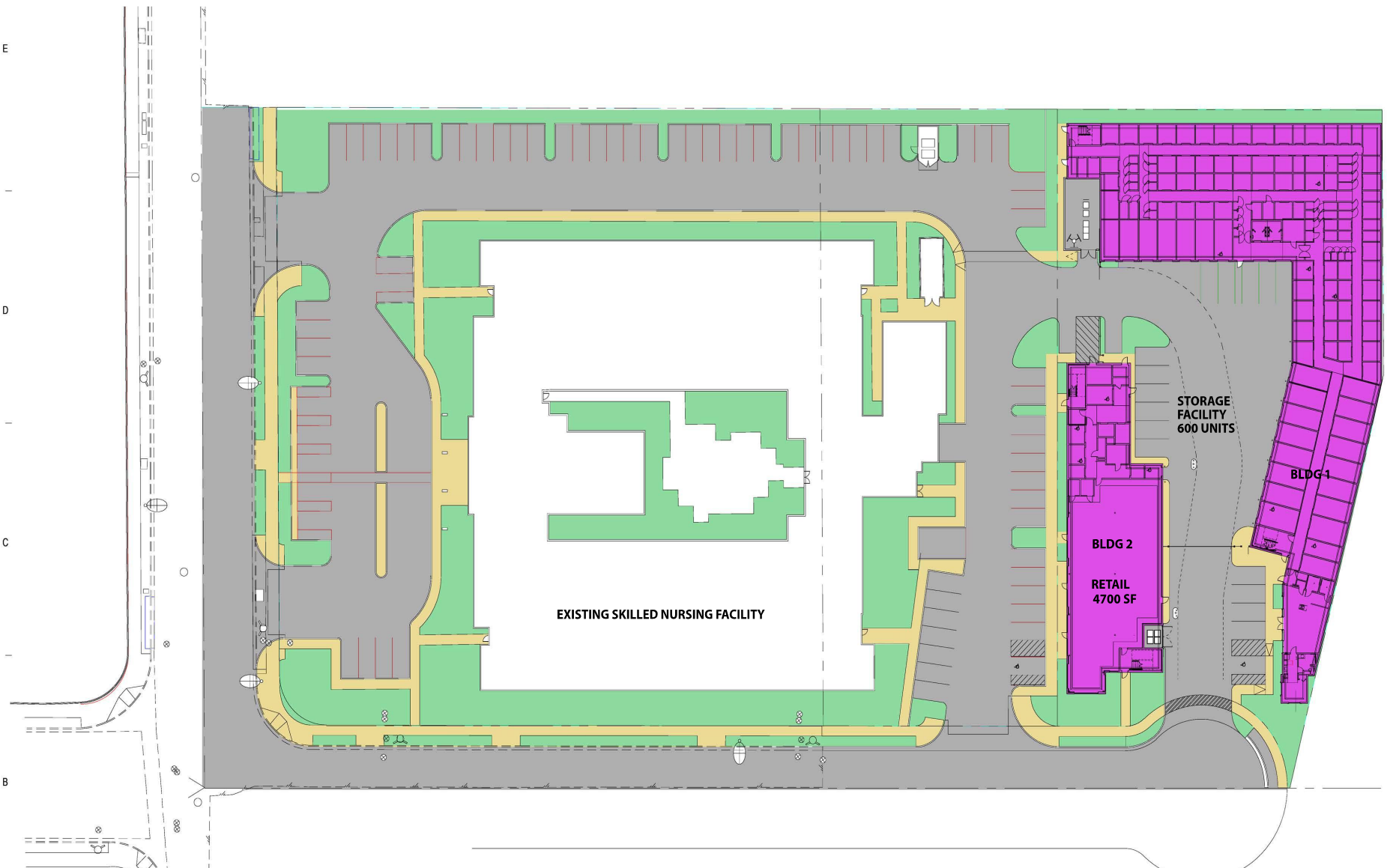
Drawn By/Checked By
AM/SAW / YLA

Date
MAY 20, 2019

Project Number
2016018

Sheet Title
SITE PLAN

Sheet Number
AS-101




## PARKING ALLOCATION

| | |
|---|---|
| SKILLED NURSING FACILITY 72 BEDS (1/6 BEDS) ; | 12 CARS |
| SNF STAFF : | 30 CARS |
| STORE FACILITY 600 UNITS (1/50 UNITS) : | 12 CARS |
| RETAIL SPACE 4570 SF (1/175 SF) : | 27 CARS |
| TOTAL REQUIRED : | 81 CARS |
| TOTAL PROVIDED | 84 CARS |

1 A-201 AS001A OVER-ALL SITE PLAN 1" = 20'-0"


YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
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HENDERSON, NV 89012
702-778-8711 702-946-0033 - FAX


Seal

YIHONG LIU REGISTERED No. 4765 ARCHITECT STATE OF NEVADA


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| Rev | Date | By | Description |
|---|---|---|---|
| | | | |

# CENTENNIAL SELF STORAGE

ROME BLVD. & RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By
AM/YLA

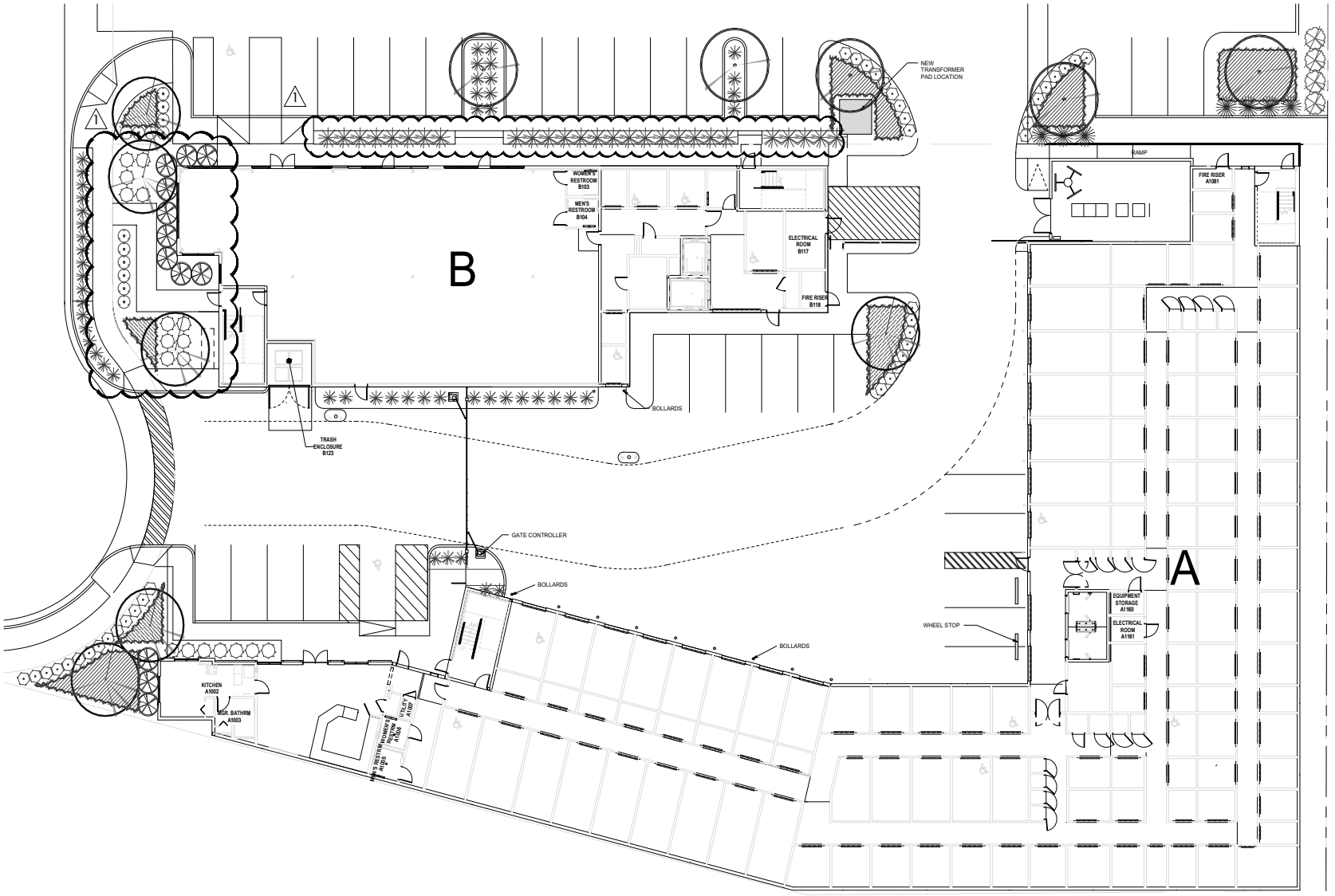
Date
AUGUST 1, 2018

Project Number
2016018

Sheet Title
OVER-ALL SITE PLAN

Sheet Number
AS001A

PRJ-75649
06/05/19




## PLANT LEGEND

### TREES

| KEY | BOTANICAL/ COMMON NAME | SIZE | NOTES | REMARKS |
|---|---|---|---|---|
| | Pistachio chinensis<br>Chinese Pistachio | 24" Box | Standard trunk | |
| | Fraxinus v. "Rio Grande"<br>Fan Tex Ash | 24" Box | Standard trunk | |

### SHRUBS

| KEY | BOTANICAL/ COMMON NAME | SIZE | NOTES | REMARKS |
|---|---|---|---|---|
| | Xylosma congestum "Compacta"<br>Compact Xylosma | 5 GAL. | | |
| | Leucophyllum l. "Rio Bravo"<br>Rio Bravo Sage | 5 GAL. | | |
| | Eremophila glabra<br>Emu Bush | 5 GAL. | | |
| | Ilex vomitoria<br>Yaupon Holly | 5 GAL. | | |
| | Lantana sp.<br>Yellow Lantana | 5 GAL. | | |
| | Dasylirion texanum<br>Green Desert Spoon | 5 GAL. | | |
| | Hesperaloe parvifolia<br>Red Yucca | 5 GAL. | | |

### GROUNDCOVERS

| KEY | BOTANICAL/ COMMON NAME | SIZE | NOTES | REMARKS |
|---|---|---|---|---|
| | Rosemarinus o. 'Huntington Blue'<br>Trailing Rosemary | 5 GAL. | 3' O.C. | PLANT ROOTBALL 3' MIN. FROM HARDSACAPE |
| | Rosa sp.<br>Red Trailing Carpet Rose | 5 GAL. | 3' O.C. | |

### NOTES

ALL LANDSCAPE AREAS SHALL RECEIVE A 2" LAYER OF VISTA GOLD CRUSHED ROCK

ALL TREES WITHIN 5' OF HARDSCAPE MUST HAVE ROOT BARRIERS INSTALLED.

| REVISIONS | BY |
|---|---|
| 1 5/10/19 | |


DesignScapes
Landscape Architecture · Planning
5269 GREEN FOREST WAY
Las Vegas, Nevada 89118
Phone: 327-4523


# PLANTING PLAN
CENTENNIAL SELF STORAGE
ROME BLVD AND RILEY STREET
LAS VEGAS, NV

REGISTERED LANDSCAPE ARCHITECT
THOMAS DELLAQUILA
517
STATE OF NEVADA

Date: 1/29/2019
Scale: 1' = 10'
Drawn by:
Designed by: T.D.
SHEET
LP -1

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UNDERGROUND SERVICE (USA)

AVOID HITTING OVERHEAD POWER LINES. IT'S COSTLY.
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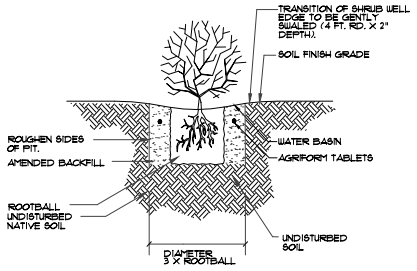
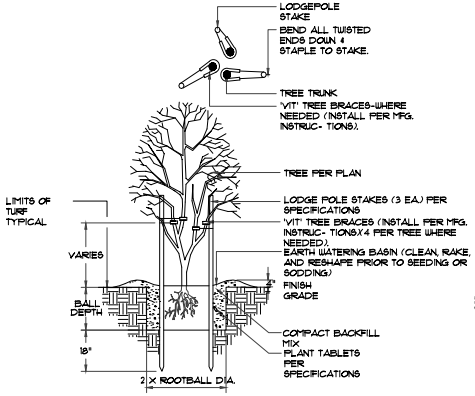
1-702-593-6111

PRJ-15649
06/11/19



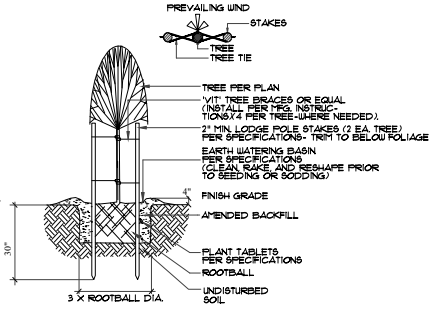

TYP. SHRUB PLANTING

NTS



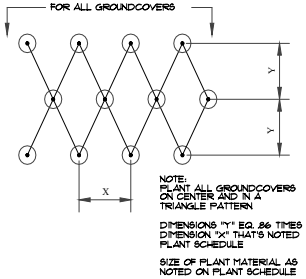

TYP. MULTI-TRUNK TREE PLANTING & STAKING DETAIL

NTS



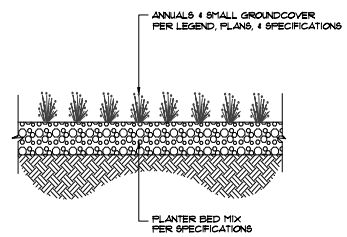

TYP. TREE PLANTING & STAKING DETAIL

NTS




TYP. GROUNDCOVER SPACING

NTS




TYP. GROUNDCOVER PLANTING SECTION

NTS

PLANT BACKFILL:

CONTRACTOR TO UTILIZE EXISTING SITE SOIL AND AMEND PER THE FOLLOWING:

5 PARTS BY VOLUME TOPSOIL
5 PARTS BY VOLUME ORGANIC SOIL CONDITIONER
1 LB. 15-15-15 FERTILIZER PER CUBIC YARD OF MIX
1 LB. IRON SULFATE PER CUBIC YARD OF MIX

IN ALL GROUND COVER AND LAWN AREAS:

CONTRACTOR TO OVER-EXCAVATE BY 12" AND REPLACE WITH PLANTING MIX PER ABOVE. FIRST 6" LIFT TO BE THOUROUGHLY MIXED WITH SUB-GRADE USING A TRACTOR MOUNTED RIPPING BAR.

SOIL MIX AMENDMENTS

YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1699 HORIZON RIDGE PKWY STE 130
HENDERSON, NV 89012
702-778-8711 702-946-0933 - FAX

Seal

date

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| Rev | Date | Description |
|---|---|---|
| | | |

CENTENNIAL SELF STORAGE

ROME BLVD AND RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By
JR

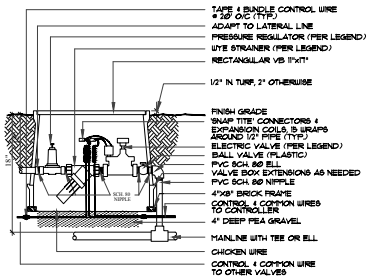
Date
2018-12-20

Project Number
2018010

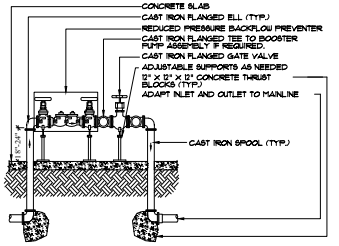
Sheet Title
IRRIGATION DETAILS

Sheet Number
LD.2

PRJ-75649
06/05/19




TYP. DRIP VALVE ASSEMBLY
NTS




TYP. BACKFLOW PREVENTER
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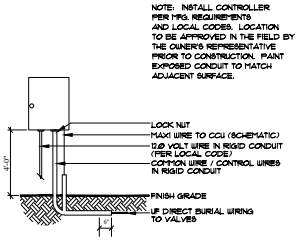


TYP. CONTROLLER DETAIL
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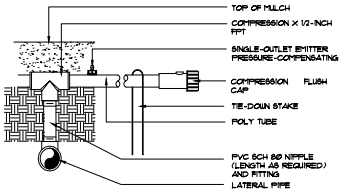


PVC TO PE PIPE CONNECTION
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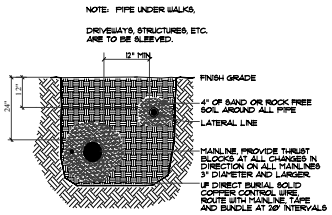


TRENCH SECTION
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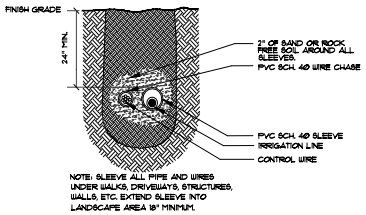


SLEEVE SECTION
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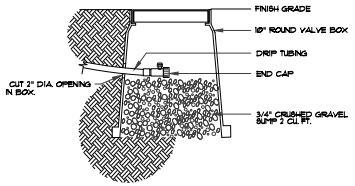
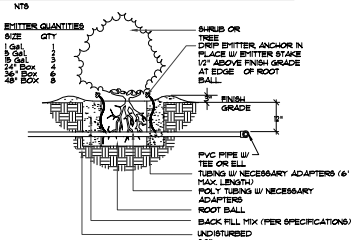



END CAP
NTS




DRIP EMITTER LOCATION
NTS



PRJ-75649
06/05/19

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Seal

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| Rev | Date | Description |
|---|---|---|
| 1 | XX.XX.XX | |
| 2 | XX.XX.XX | |
| 3 | XX.XX.XX | |
| 4 | XX.XX.XX | |
| 5 | XX.XX.XX | |

CENTENNIAL SELF STORAGE
ROME BLVD AND RILEY STREET
LAS VEGAS, NV

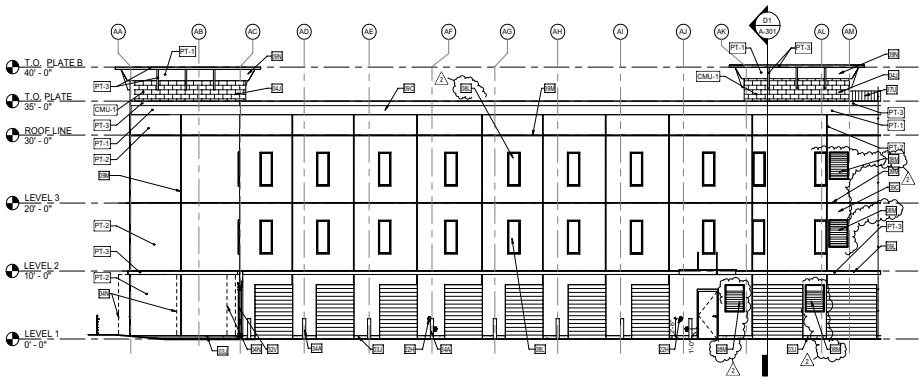
Drawn By/Checked By
JR

Date
2018-12-20

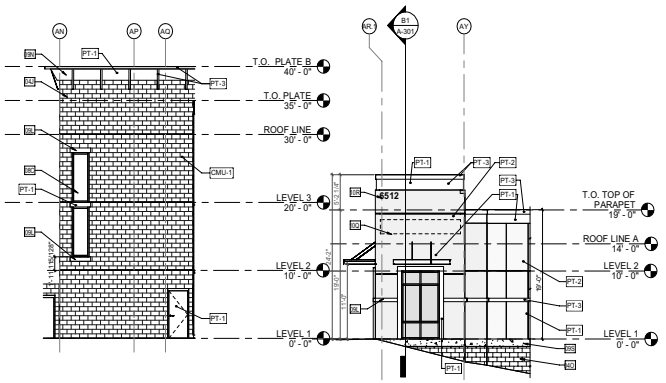
Project Number
2018010

Sheet Title
IRRIGATION DETAILS

Sheet Number
LD.2



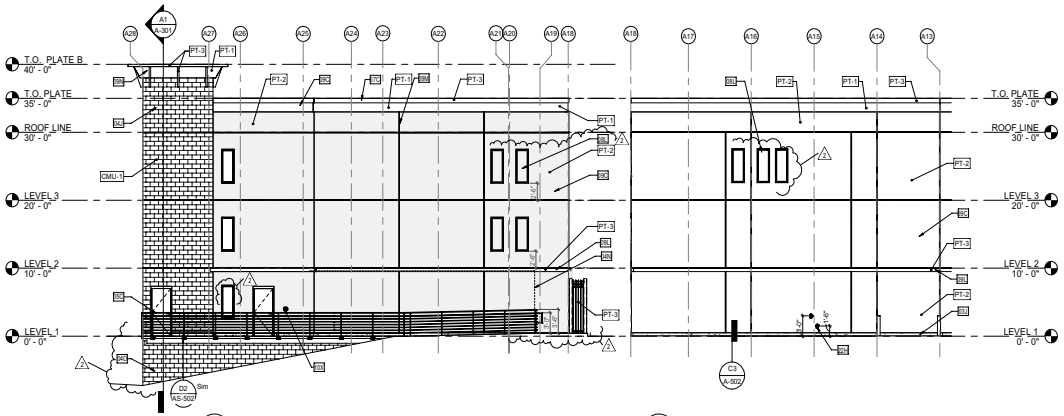
D1 A - WEST
A-101 A-201 1/8" = 1'-0"



D4 A - WEST B
A-101 A-201 1/8" = 1'-0"



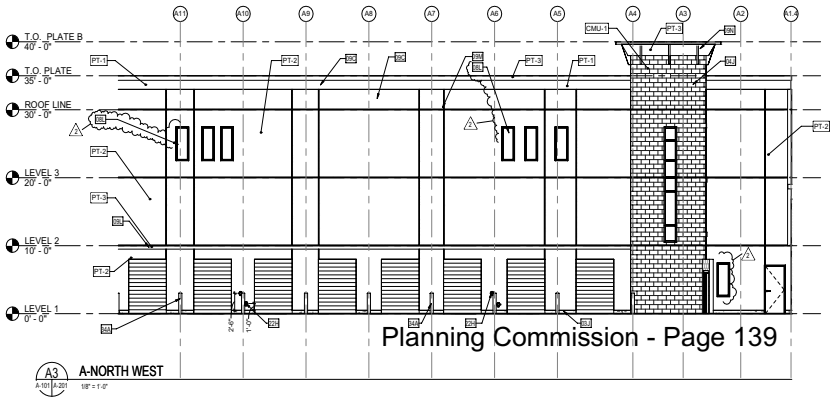
D5 A- WEST A
A-101 A-201 1/8" = 1'-0"



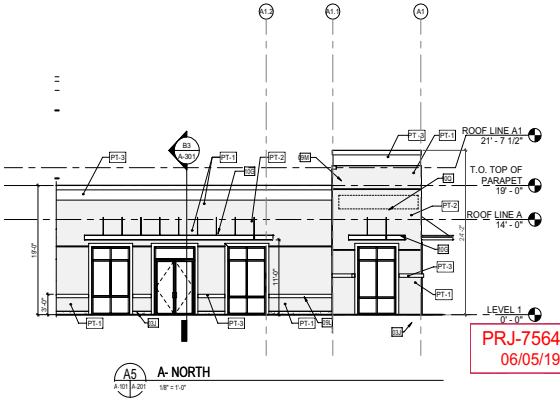
B1 A - NORTH
A-101 A-201 1/8" = 1'-0"



B3 A - NORTH A
A-101 A-201 1/8" = 1'-0"



A3 A-NORTH WEST
A-101 A-201 1/8" = 1'-0"



A5 A- NORTH
A-101 A-201 1/8" = 1'-0"

## EXTERIOR COLOR FINISH LEGEND

DUNN EDWARDS ELASTOMERIC OR EQUIVALENT

| | |
|---|---|
| PT -1 | DE 6110 WARM HEART |
| PT-2 | DE 6108 ENGLISH SCONE |
| PT-3 | DE 6112 CEDAR CHEST |
| CMU-1 | 8" X 16" SPLITFACE CMU (GINGERBREAD) BLOCK WALL BY YORK BUILDING OR EQUIVALENT |

## ELEVATION GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings, if dimensional information is required & not found, notify architect immediately for clarification.
3. Provide cold applied liquid Air and Weather Barrier Membrane at veneer installation per specifications.
4. Class 1 Metal Fabrication as per National Association of Architectural Metal Manufacturers.
   a) Exposed surfaces are finished smooth with oils, mill marks, nicks and scratches filled or ground off. Defects should not show when painted or polished.
   b) Welds should be concealed where possible. Exposed welds are ground to small radius with uniform sized cove unless otherwise noted.
   c) Exposed joints are fitted to a hairline finish.
5. Powder coat exposed metal.
6. Reveal dimensions are on center of reveal.

## KEYNOTES - SHEET

| | |
|---|---|
| 03J | 033000 - CONCRETE CURB. -MATCH THE COLOR OF WALL |
| 04J | 042000 - 8" CMU WALL SPLIT FACE ON EXTERIOR SIDE |
| 04N | 042000 - CMU FENCE (DASHED LINE) |
| 04O | 042000 - SPLIT FACE CMU WALL. PROVIDE MASONRY SEALER |
| 05C | 057313 - METAL GUARDRAIL |
| 07C | 077100 - PREFINISHED METAL COPING - MATCH THE COLOR OF THE WALL/CORNICE |
| 07U | 074213 - SCREEN WALL. MATCH THE COLOR OF THE WALL |
| 08C | 084313 - ALUMINUM STOREFRONT SYSTEM - DARK BRONZE ANODIZED ALUMINUM FINISH |
| 08L | 085000 - FAUX WINDOW FRAME |
| 08M | 089100 - LOUVER, SEE MECHANICAL FOR SIZE |
| 09C | 092400 - STUCCO SYSTEM |
| 09L | 092400 - STUCCO OVER RIGID FOAM TRIM - |
| 09M | 092423 - 1" STUCCO REVEAL |
| 09N | 092400 - FOAM DECORATIVE BRACKET (CORBEL) - PAINT FINISH |
| 09S | 099110 - PAINT FINISH, MATCH THE COLOR OF WALL |
| 10G | 107316 - METAL CANTILEVER CANOPY |
| 10Q | 101400 - SIGNAGE LOCATION (DASHED LINE), BY OTHERS |
| 10R | 101400 - ILLUMINATED BUILDING ADDRESS LOCATION |
| 10X | 108500 - KNOX BOX |
| 22H | 221423 - OVERFLOW METAL DOWNSPOUT NOZZLE - SEE PLUMBING DRAWINGS |
| 32V | 323123 - 6' HIGH WROUGHT IRON SLIDING CRASH GATE |
| 34A | 347113 - PIPE BOLLARD. SEE DETAILCS/AS502 |

Planning Commission - Page 139

PRJ-75649
06/05/19

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HENDERSON, NV 89012
702-776-9711 FAX-949-3053

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No. 4766
05/15/2019

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| Rev | Date | By | Description |
|---|---|---|---|
| A | 2019-03-01 | | OWNER CHANGES |

**CENTENNIAL SELF STORAGE**
RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By
AM/SAW / YLA

Date
MAY 20, 2019

Project Number
2016018

Sheet Title
EXTERIOR ELEVATIONS - BUILDING A

Sheet Number
A-201

## EXTERIOR COLOR FINISH LEGEND

DUNN EDWARDS ELASTOMERIC OR EQUIVALENT

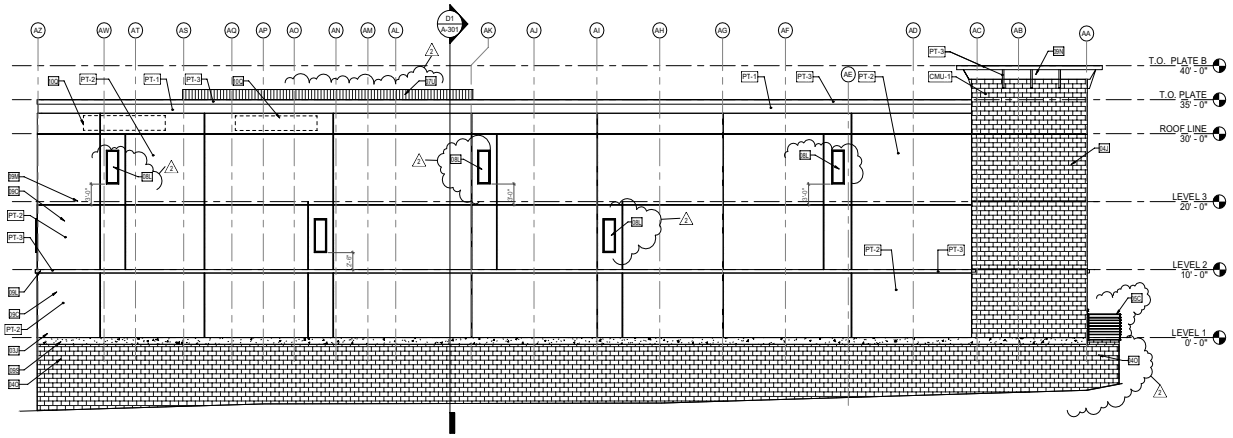
| | |
|---|---|
| PT - 1 | DE 6110 WARM HEART |
| PT-2 | DE 6108 ENGLISH SCONE |
| PT-3 | DE 6112 CEDAR CHEST |
| CMU-1 | 8" X 16" SPLITFACE CMU (GINGERBREAD) BLOCK WALL BY YORK BUILDING OR EQUIVALENT |

## ELEVATION GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings. If dimensional information is required & not found, notify architect immediately for clarification.
3. Provide cold applied liquid Air and Weather Barrier Membrane at veneer installation per specifications.
4. Class 1 Metal Fabrication as per National Association of Architectural Metal Manufacturers.
   a) Exposed surfaces are finished smooth with pits, mill marks, nicks and scratches filled or ground off. Defects should not show when painted or polished.
   b) Welds should be concealed where possible. Exposed welds are ground to small radius with uniform sized cove unless otherwise noted.
   c) Exposed joints are fitted to a hairline finish.
5. Powder coat exposed metal.
6. Reveal dimensions are on center of reveal.

## KEYNOTES - SHEET

| | |
|---|---|
| 03J | 033000 - CONCRETE CURB. -MATCH THE COLOR OF WALL |
| 04J | 042000 - 8" CMU WALL SPLIT FACE ON EXTERIOR SIDE |
| 04O | 042000 - SPLIT FACE CMU WALL. PROVIDE MASONRY SEALER |
| 05C | 057313 - METAL GUARDRAIL |
| 07U | 074213 - SCREEN WALL. MATCH THE COLOR OF THE WALL |
| 08L | 085000 - FAUX WINDOW FRAME |
| 09C | 092400 - STUCCO SYSTEM |
| 09L | 092400 - STUCCO OVER RIGID FOAM TRIM - |
| 09M | 092423 - 1" STUCCO REVEAL |
| 09N | 092400 - FOAM DECORATIVE BRACKET (CORBEL) - PAINT FINISH |
| 09S | 099110 - PAINT FINISH, MATCH THE COLOR OF WALL |
| 10Q | 101400 - SIGNAGE LOCATION (DASHED LINE), BY OTHERS |
| 10R | 101400 - ILLUMINATED BUILDING ADDRESS LOCATION |
| 33A | 334613 - UNDERSLAB DRAINAGE SYSTEM |




D2 A - EAST
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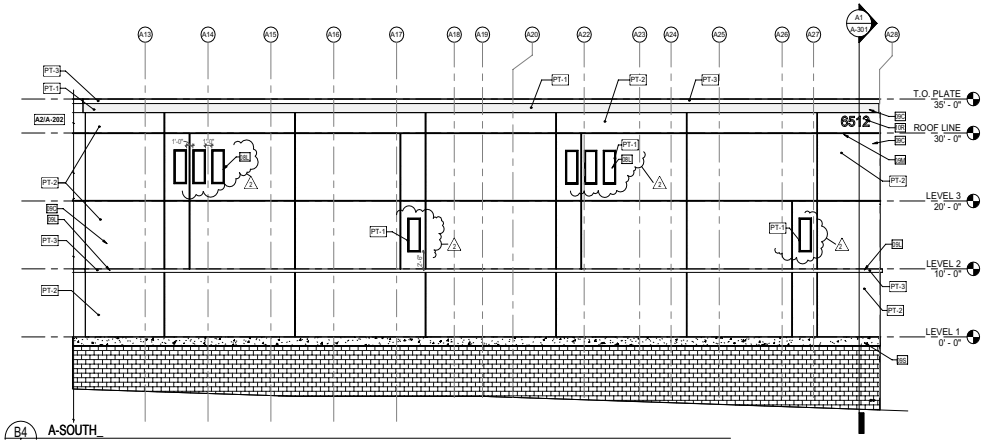
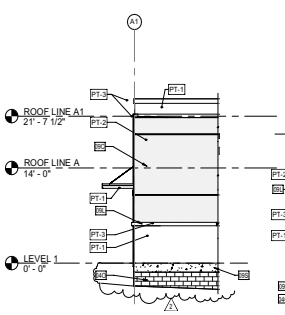
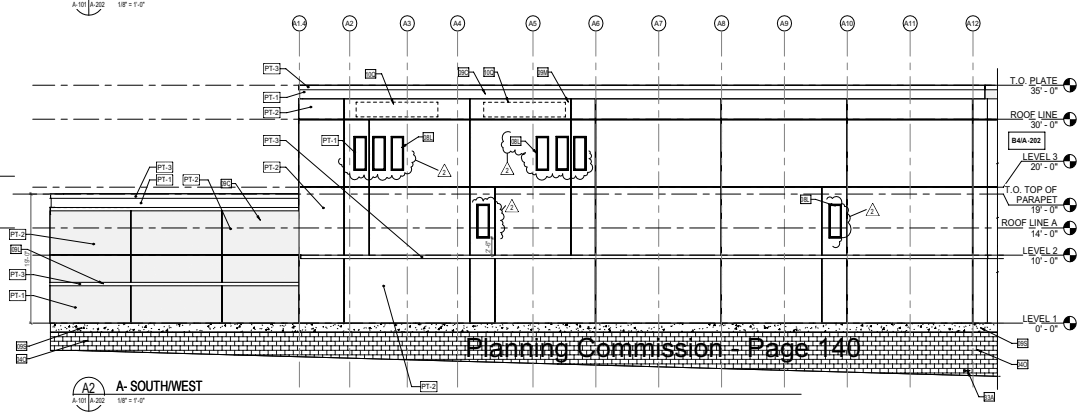



B4 A-SOUTH
A-101 A-202 1/8" = 1'-0"




A1 A- SOUTH A
A-101 A-202 1/8" = 1'-0"




A2 A- SOUTH/WEST
A-101 A-202 1/8" = 1'-0"

Planning Commission - Page 140


YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
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HENDERSON, NV 89012
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05/15/2019

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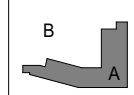
| Rev | Date | By | Description |
|---|---|---|---|
| 1 | 2019-03-01 | | OWNER CHANGES |

# CENTENNIAL SELF STORAGE
RILEY STREET
LAS VEGAS, NV




Drawn By/Checked By
AM/SAW / YLA

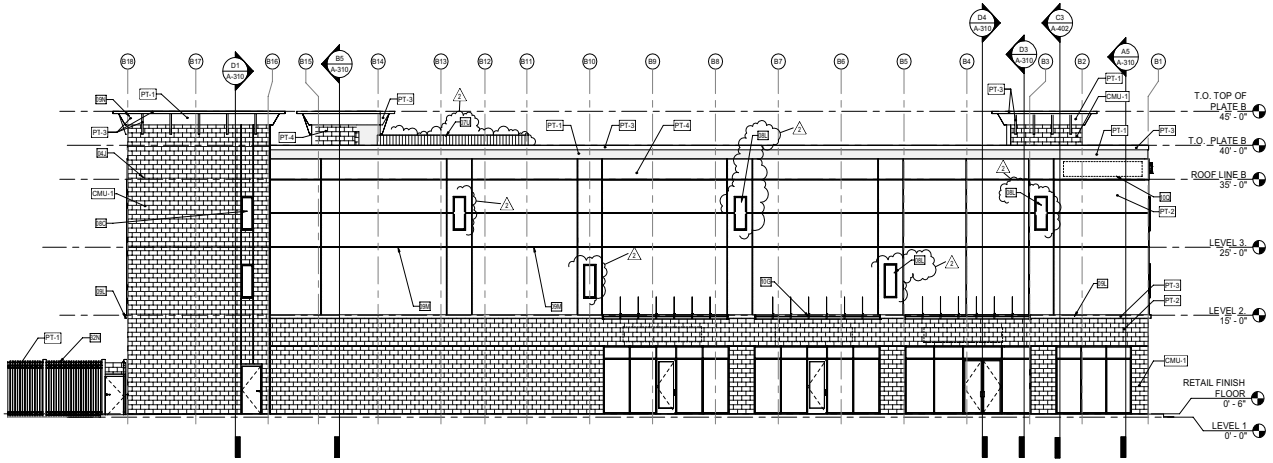
Date
MAY 20, 2019

Project Number
2016018

Sheet Title
EXTERIOR ELEVATION BUILDING A

Sheet Number
A-202

PRJ-75649
06/05/19




D1 B - NORTH ELEVATION
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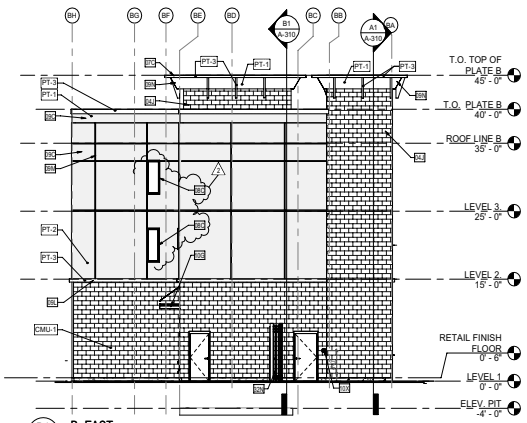


B1 B- EAST
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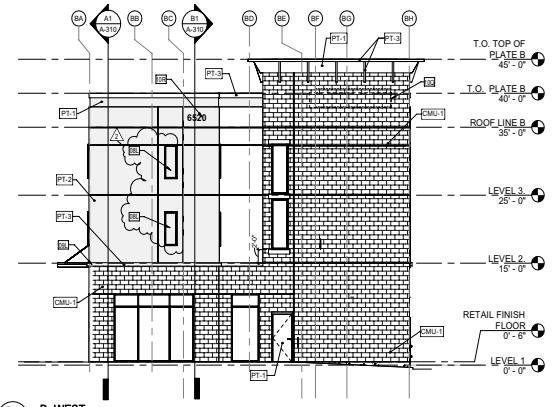
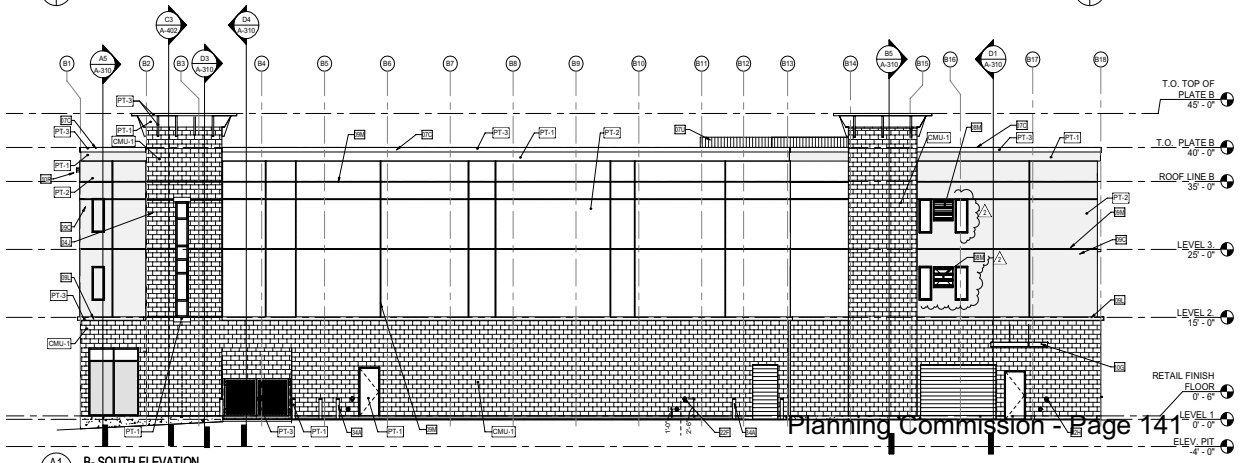



B4 B- WEST
A-101 A-211 1/8" = 1'-0"




A1 B- SOUTH ELEVATION
A-101 A-211 1/8" = 1'-0"

## EXTERIOR COLOR FINISH LEGEND

DUNN EDWARDS ELASTOMERIC OR EQUIVALENT

| | |
|---|---|
| PT -1 | DE 6110 WARM HEART |
| PT-2 | DE 6108 ENGLISH SCONE |
| PT-3 | DE 6112 CEDAR CHEST |
| CMU-1 | 8" X 16" SPLITFACE CMU (GINGERBREAD) BLOCK WALL BY YORK BUILDING OR EQUIVALENT |

## ELEVATION GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings, if dimensional information is required & not found, notify architect immediately for clarification.
3. Provide cold applied liquid Air and Weather Barrier Membrane at veneer installation per specifications.
4. Class 1 Metal Fabrication as per National Association of Architectural Metal Manufacturers.
   a) Exposed surfaces are finished smooth with pits, mill marks, nicks and scratches filled or ground off. Defects should not show when painted or polished.
   b) Welds should be concealed where possible. Exposed welds are ground to small radius with uniform sized cove unless otherwise noted.
   c) Exposed joints are fitted to a hairline finish.
5. Powder coat exposed metal.
6. Reveal dimensions are on center of reveal.

## KEYNOTES - SHEET

| | |
|---|---|
| 04J | 042000 - 8" CMU WALL SPLIT FACE ON EXTERIOR SIDE |
| 07C | 077100 - PREFINISHED METAL COPING - MATCH THE COLOR OF THE WALL/CORNICE |
| 07U | 074213 - SCREEN WALL, MATCH THE COLOR OF THE WALL |
| 08C | 084313 - ALUMINUM STOREFRONT SYSTEM - DARK BRONZE ANODIZED ALUMINUM FINISH |
| 08L | 085000 - FAUX WINDOW FRAME |
| 08M | 089100 - LOUVER, SEE MECHANICAL FOR SIZE |
| 09C | 092400 - STUCCO SYSTEM |
| 09L | 092400 - STUCCO OVER RIGID FOAM TRIM - |
| 09M | 092423 - 1" STUCCO REVEAL |
| 09N | 092400 - FOAM DECORATIVE BRACKET (CORBEL) - PAINT FINISH |
| 10G | 107316 - METAL CANTILEVER CANOPY |
| 10Q | 101400 - SIGNAGE LOCATION (DASHED LINE), BY OTHERS |
| 10R | 101400 - ILLUMINATED BUILDING ADDRESS LOCATION |
| 10X | 108500 - KNOX BOX |
| 22F | 221423 - ROOF DRAIN WITH OVERFLOW DRAIN |
| 22H | 221423 - OVERFLOW METAL DOWNSPOUT NOZZLE - SEE PLUMBING DRAWINGS |
| 32N | 323119 - 8' HIGH WROUGHT IRON FENCE. SEE A1/AS-502 |
| 34A | 347113 - PIPE BOLLARD. SEE DETAILC5/AS502 |

YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1320 HORIZON RIDGE PKWY, STE 320
HENDERSON, NEVADA 89012
702-795-9711 702-940-8053 - FAX

Seal

05/15/2019

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| Rev | Date | By | Description |
|---|---|---|---|
| 3 | 2019-03-01 | | OWNER CHANGES |

**CENTENNIAL SELF STORAGE**
RILEY STREET
LAS VEGAS, NV

B
A

Drawn By/Checked By
AM/SAW / YLA

Date
MAY 20, 2019

Project Number
2016018

Sheet Title
EXTERIOR ELEVATIONS - BUILDING B

Sheet Number
A-211

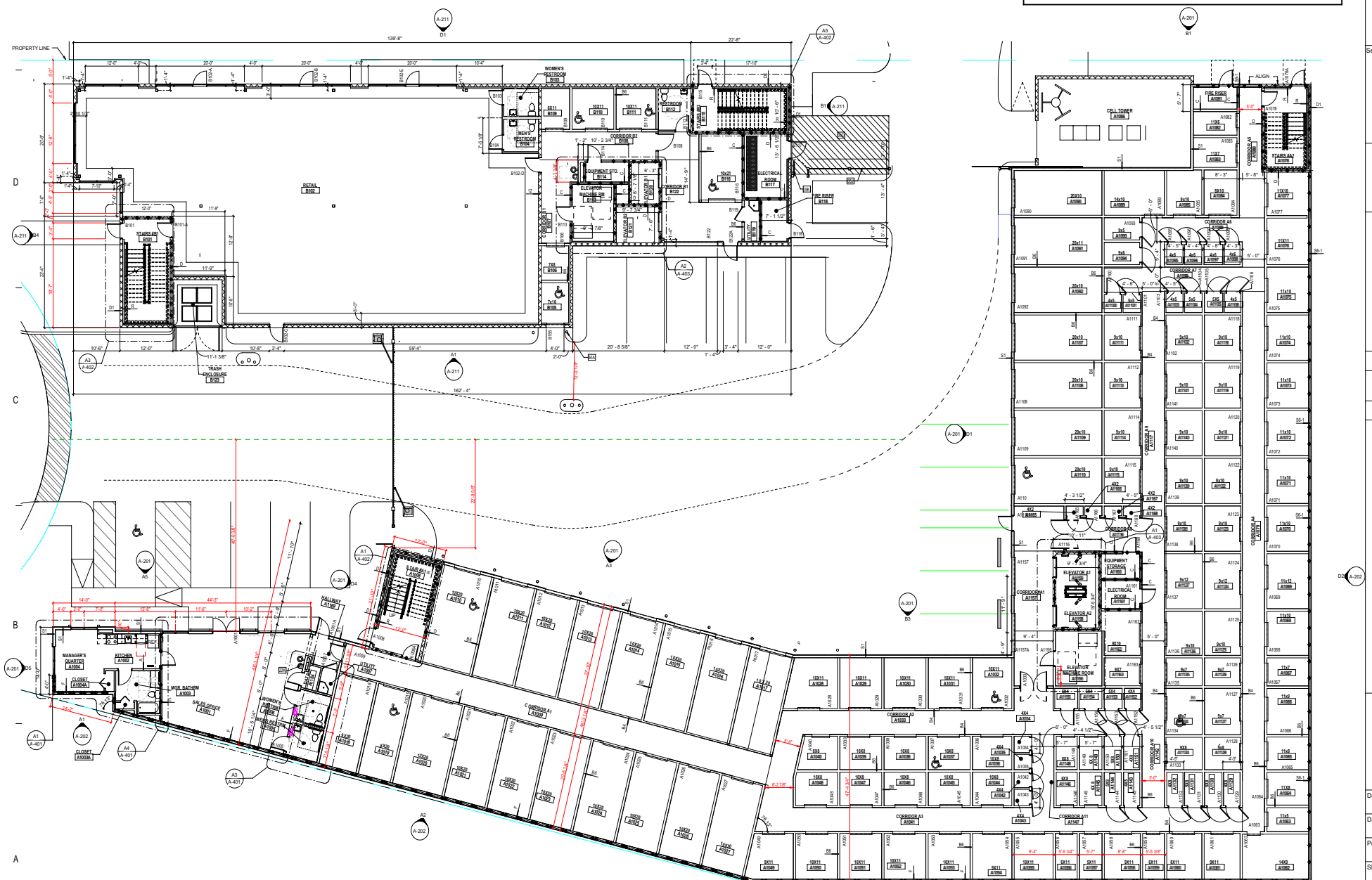
PRJ-75649
06/05/19

## KEYNOTES - SHEET

| | |
|---|---|
| 00D | 000000 - 12' WIDE DRIVABLE ACCESS TO ELECTRICAL ROOM DOOR |
| 05J | 057600 - WROUGHT IRON FENCE |
| 05K | 057600 - WROUGHT IRON PEDESTRIAN GATE |
| 22K | 224713 - ELECTRIC DRINKING FOUNTAIN |
| 34A | 347113 - PIPE BOLLARD. SEE DETAILCS/AS502 |

## FLOOR PLAN GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings, if dimensional information is required & not found, notify architect immediately for clarification.
3. All dimensions are to column centerlines or face of studs unless noted otherwise.
4. All door frames are to be installed 4" away of adjacent perpendicular walls unless noted otherwise.
5. Refer to Life Safety drawings for additional fire / smoke rating requirements.
6. Refer to Structural drawings for additional structural specific information.
7. Refer to MEP drawings for additional MEP specific information.
8. Higher rated fire walls take precedence over lower rated walls & are to continue through all such intersections.
9. Provide backing behind all surface mounted equipment and fixtures.
10. Provide an exit sign for each exit.
11. Provide recessed mounted fire extinguisher cabinet with fire extinguisher mounted in accordance w/ requirements of ADA-provide 40 inch mounting above finish floor to any operating hardware.
12. Means of egress illumination emergency power shall be provided for means of egress illumination in accordance w/ 2012 IBC. The power supply for means of egress illumination shall normally be provided by the premises of electrical supply. In the event of its failure, illuminator shall be automatically provided for an emergency system.
13. Provide 48" high 20 ga. corner guards at all hallway corners.
14. Provide 12"high galv. kickplate within 10 ft. of all hallway corners.
15. Key boxes shall installed within 5 feet to 6 1/2 feet to the top of the box above finished grade.
16. Stand Pipe Signage. In addition to all signage required by NFPA Standard 14, Per City Ordinance Chapter 15.32: Signage Section 905.1.1. An approved architectural floor plan with room numbers shall be provided adjacent to each standpipe hose valve outlet.




A1 LEVEL 1 FLOOR PLAN
1/8" = 1'-0"


YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1080 HORIZON RIDGE PKWY, STE 110
HENDERSON, NV 89012
702-776-6711 702-846-0003 - FAX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YIHONG LIU REGISTERED ARCHITECT No. 4766 STATE OF NEVADA


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| Rev | Date | By | Description |
|---|---|---|---|

# CENTENNIAL SELF STORAGE

ROME BLVD. & RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By
AM/YLA

Date
AUGUST 1, 2018

Project Number
2016018

Sheet Title
FIRST FLOOR PLAN

Sheet Number
A-101

PRJ-75649
06/05/19

KEYNOTES - SHEET

## FLOOR PLAN GENERAL NOTES:

1. Drawings & specifications are consolimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
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6. Refer to Structural drawings for additional structural specific information.
7. Refer to MEP drawings for additional MEP specific information.
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16. Stand Pipe Signage. In addition to all signage required by NFPA Standard 14, Per City Ordinance Chapter 15.32: Signage Section 905.1.1. An approved architectural floor plan with room numbers shall be provided adjacent to each standpipe hose valve outlet.

ROOF BELOW

A1 LEVEL 2 FLOOR PLAN
1/8" = 1'-0"



PRJ-75649
06/05/18

YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1120 HORIZON RIDGE PKWY, STE 205
HENDERSON, NEVADA 89012
TEL: 702-940-8083 - FAX: 702-940-8911

Seal

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| Rev | Date | By | Description |
|---|---|---|---|

# CENTENNIAL SELF STORAGE

ROME BLVD. & RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By: AM/YLA
Date: AUGUST 1, 2018
Project Number: 2016018
Sheet Title: SECOND FLOOR PLAN
Sheet Number: A-102

KEYNOTES - SHEET

## FLOOR PLAN GENERAL NOTES:

1. Drawings & specifications are complimentary components of the contract documents, review all drawings and specifications for the complete scope of work. Notify architect immediately for clarification if inconsistencies, contradictions or omissions are discovered.
2. Do not scale drawings, if dimensional information is required & not found, notify architect immediately for clarification.
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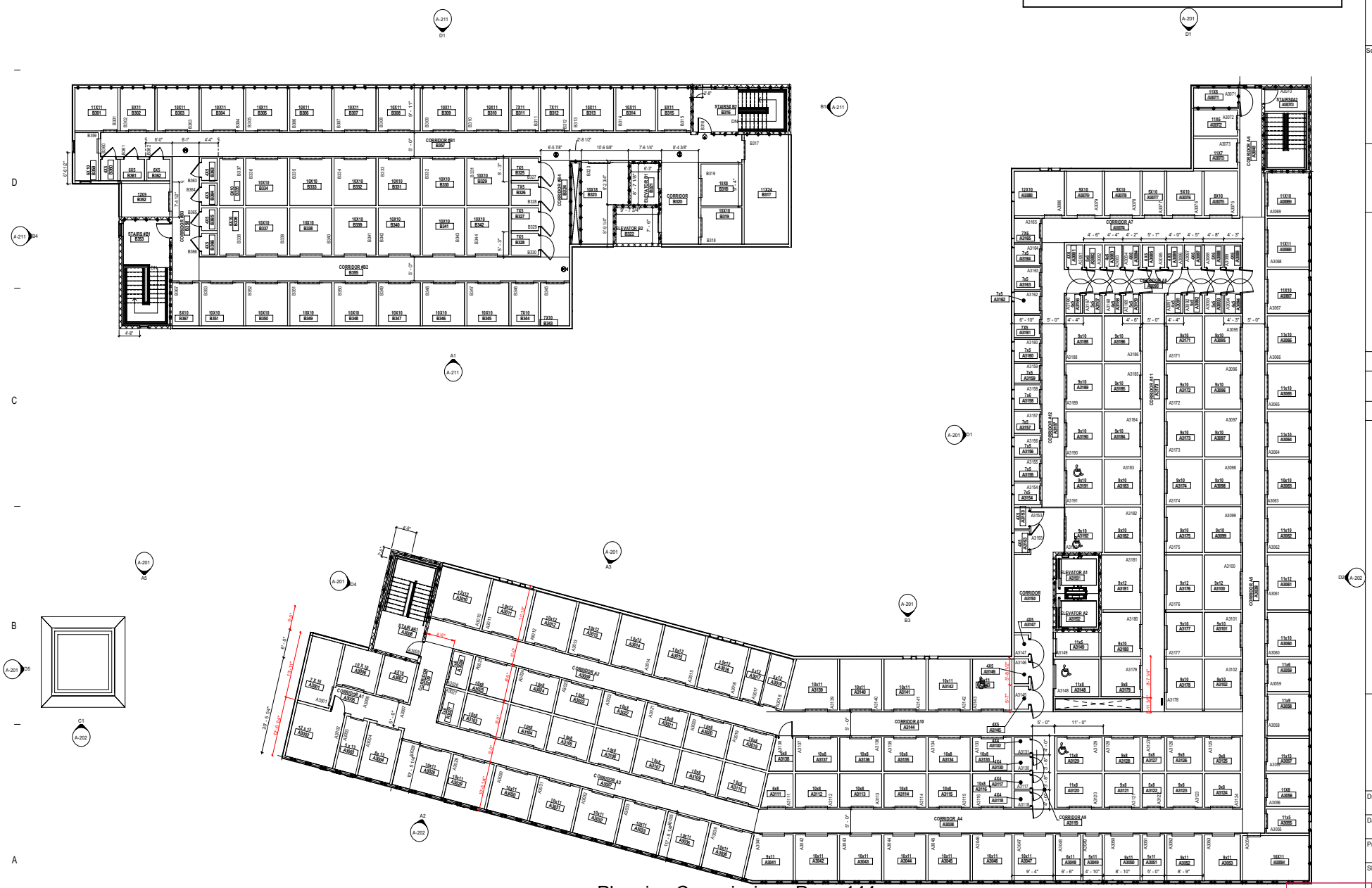

A1 LEVEL 3 FLOOR PLAN
1/8" = 1'-0"


YIHONG LIU + ASSOCIATES
ARCHITECTURE PLANNING INTERIOR
1080 HORIZON RIDGE PKWY, STE 110
HENDERSON, NV 89012
702-776-6711 702-946-0933 - FAX


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| Rev | Date | By | Description |
|---|---|---|---|

# CENTENNIAL SELF STORAGE

ROME BLVD. & RILEY STREET
LAS VEGAS, NV

Drawn By/Checked By
AM/YLA

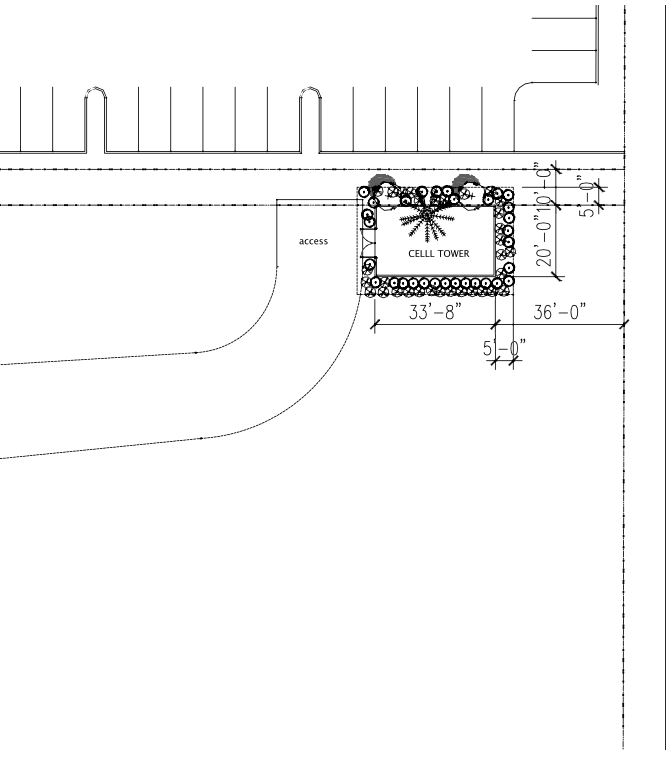
Date
AUGUST 1, 2018

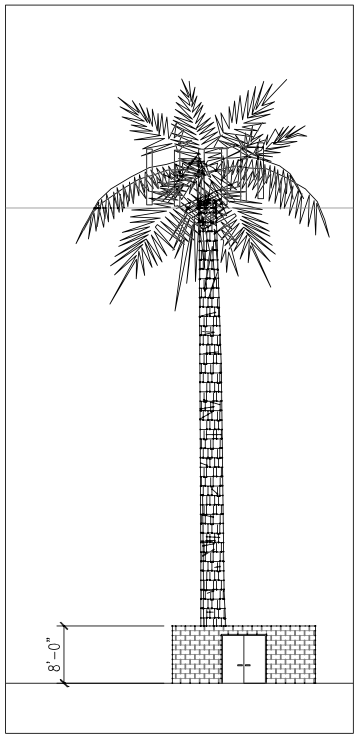
Project Number
2016018

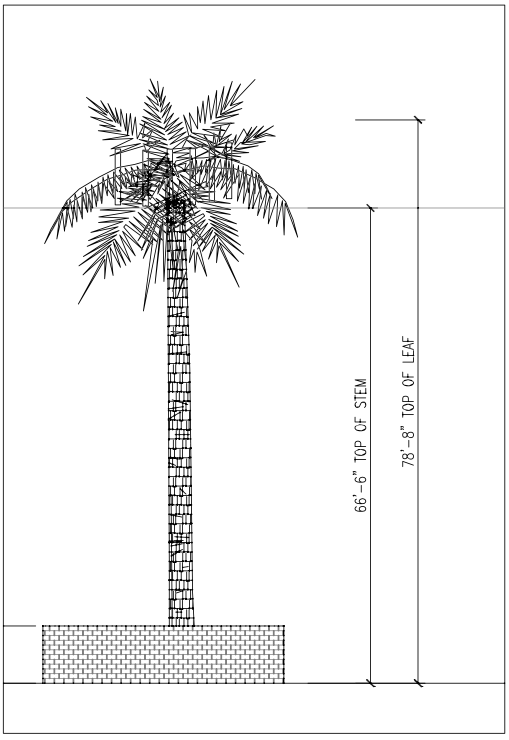
Sheet Title
THIRD FLOOR PLAN

Sheet Number
A-103

PRJ-75649
06/05/19




PRJ-75649
06/05/19



**SUP-76456 [PRJ-75649] - SPECIAL USE PERMIT  RELATED TO SUP-76457 AND SDR-76455 - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC**
**EAST SIDE OF RILEY STREET, SOUTH OF ROME BOULEVARD**

05/16/2019



**SUP-76456 [PRJ-75649] - SPECIAL USE PERMIT  RELATED TO SUP-76457 AND SDR-76455 - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC**
**EAST SIDE OF RILEY STREET, SOUTH OF ROME BOULEVARD**

05/16/2019



**SUP-76456 [PRJ-75649] - SPECIAL USE PERMIT  RELATED TO SUP-76457 AND SDR-76455 - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC**
**EAST SIDE OF RILEY STREET, SOUTH OF ROME BOULEVARD**

05/16/2019

*Lucy Stewart*
*1930 Village Center Circle, Bldg 3-577*
*Las Vegas, NV 89134*
*(702) 499-6469-cell.*
*(702) 946-0857-fax*

May 2, 2019

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

RE: SEC Riley & Rome/ PRJ-75649_JF001

Dear Sir or Madam:

Please accept this letter as our justification for the above referenced property. The property to the north was approved for congregate care/convalescent facility. The approved plan showed the southern portion of the property as future development. The remainder of the site was designated and approved for mini-storage.

The developer would like to develop the self-storage facility with the addition of retail in the front of the storage building, in front of the fenced in area. This portion of the property is adjacent to the highway, where there is an embankment. The property is lower than the highway, and access is provided from Riley. The additional retail is 4800 square feet. The entitlements for the mini-storage expired while waiting for permits and that portion is being submitted for re-approval.

We are requesting reapproval of the previous applications. They were:
**Variance**
-A Variance to allow a 14-froot front setback where zero is required. *Parking is required to be located in the front for mini-warehouses, that makes it difficult to move the building to zero. In addition, this site is at the turnaround of a cul-de-sac. The building would have to be round which is not conducive to mini-storage. The building has been pushed as close as feasibly possible.*

Allow a seven-foot rear setback where 20 feet is required. *This is a small, 2-acre parcel. The building is pushed back because this is on the curve of the cul-de-sac. The adjacent, commercial property is vacant; however, landscaping is being placed along the rear property line to screen the building. This site is adjacent to an elevated freeway, and the topography and curve of the cul-de-sac makes this difficult to provide the setback.*

PRJ-75649
05/06/19
1

-To allow a zero-foot side yard setback where ten-feet is required. *This portion of the property is adjacent to the highway, where there is an embankment. The property is lower than the highway, and because of the topography of the property, we are requesting a reduction in the setback to zero for the self-storage buildings. This reduction will have no impact since the adjacent property is right of way and is significantly at a higher elevation than this property. The intent of a setback to allow for landscaping and a visually appealing streetscape is eliminated by the embankment of the highway., where this portion of the property is not visible from the roadway.*

**Special Use Permits (SUP)**

Special Use Permit- For a 500 unit mini-storage facility. *This is an appropriate location- it is at the end of a dead-end street, behind a 25-foot-high, congregate care facility, next to a highway embankment.*

Special Use Permit- For a 63-foor tall wireless communication tower (monopalm). (MONOPALM). *The cell tower is located - it is at the end of a dead-end street, behind a 25-foot-high, congregate care facility, next to a highway embankment. It will be designed as a palm tree, with landscaping supplemented around it to obscure the view of the tower.*

**Site Development Review (SDR)**
A Site Development Review for a proposed 4800 square foot retail in addition to ministorage facility, with a monopalm wireless communication tower.

We believe this to be an excellent use of the property and respectfully request your approval. Thank you for your consideration in this matter; please do not hesitate to contact me with any questions.

Yours truly,

*Lucy Stewart*

Lucy Stewart

PRJ-75649
05/06/19
2

*Lucy Stewart*
*1930 Village Center Circle, Bldg 3-577*
*Las Vegas, NV 89134*
*(702) 499-6469-cell.*
*(702) 946-0857-fax*

June 24, 2019

RECEIVED
JUN 25 2019
Dept of Planning
City of Las Vegas

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

RE: **Agenda item 12** SUP-76456 & Agenda item 13 SUP-76457 -
Agenda item 14 SDR-76455

Dear Sir or Madam:

Please accept this letter as our request for a hold for the above referenced agenda items. Councilwoman Fiore has some changes she would like so we are requesting to be held until the July 24th Planning Commission meeting. Thank you for your consideration in this matter; please do not hesitate to contact me with any questions.

Yours truly,

*Lucy Stewart*

Lucy Stewart

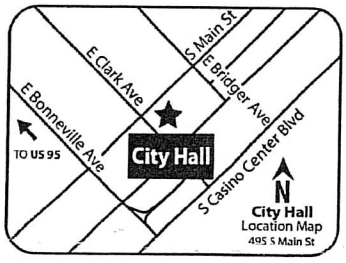


Submitted after final agenda
Items 12-14

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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JUN 18 2019
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-76456 [PRJ-75649]**

Planning Commission Meeting of **06/25/2019**

PRJ-75649
12520712176
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117

111 ORDFNP1 89117



Submitted after final agenda 12A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**13**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76457 - SPECIAL USE PERMIT RELATED TO SUP-76456 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Special Use Permit FOR A 79-FOOT TALL WIRELESS COMMUNICATION FACILITY (MONOPALM) on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

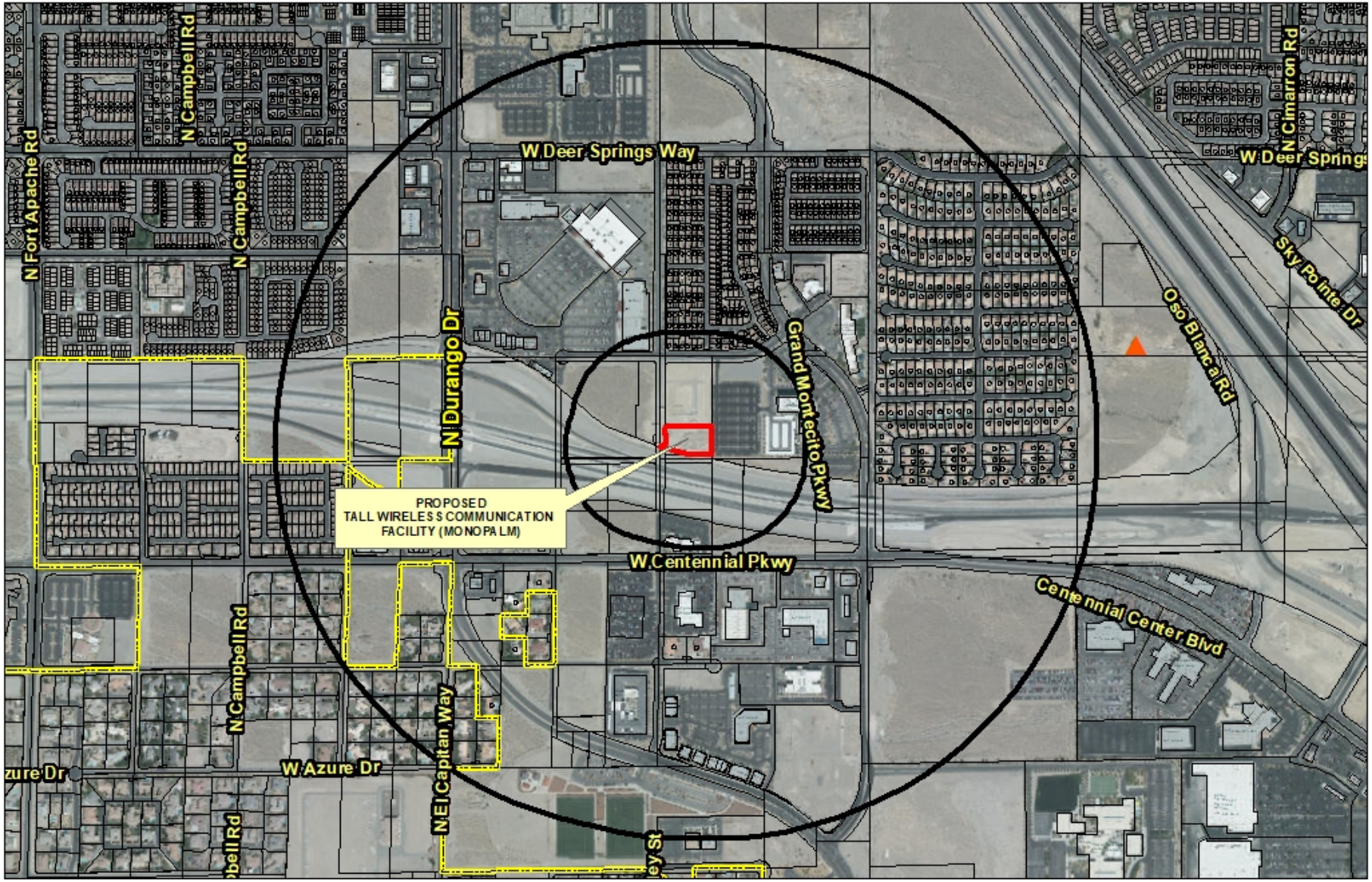
**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Special Map
3. Supporting Documentation
4. Submitted after Final Agenda - Support Postcard

**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-76457 (PRJ-75649)**

**Wireless Facility**

# 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) 6520 N RILEY ST

**Project Name** CENTENNIAL STORAGE **Proposed Use** MIN-STORAGE/RETAIL

**Assessor's Parcel #(s)** 125-20-803-021 **Ward #** 6

**General Plan:** Existing TC Proposed TC **Zoning:** Existing TC Proposed TC

**Additional Information** _____

**Property Owner** CENTENNIAL HEALTHCARE L L C Contact MIKE OCHOA

Address 901 N GREEN VALLEY PKWY #130 City HENDERSON State NV Zip 89074

E-mail MICHAEL@WDCNEVADA.COM Phone 702-292-9213

**Applicant** SAME AS OWNER Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

**Representative** LAS CONSULTING Contact LUCY SEWART

Address 1930 VILLAGE CENTER CIRCLE BLDG 3-577 City LAS VEGAS State NV Zip 89134

E-mail STEWPLAN@GMAIL.COM Phone 702-499-6469

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** MICHAEL OCHOA

Subscribed and sworn before me

This 3rd day of May, 2019

Karen Lee McClain

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

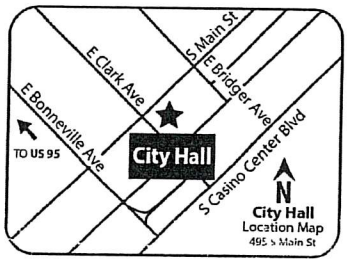
KAREN LEE MCCLAIN
Notary Public State of Nevada
No. 14-15329-1
My Appt. Exp. November 21, 2022

PRJ-75649
05/06/19

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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JUN 1 0 2019
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-76457 [PRJ-75649]**

Planning Commission Meeting of **06/25/2019**

PRJ-75649
12520712176
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117

111 ORDFNP1 89117



Submitted after final agenda 13A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**14**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-76455 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-76456 AND SUP-76457 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC HEALTHCARE III, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 517-UNIT, 75,161 SQUARE-FOOT MINI-STORAGE FACILITY AND A 80-FOOT TALL WIRELESS COMMUNICATION FACILITY (MONOPALM) WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW NONE OF THE BUILDING TO BE BUILT TO THE FRONT SETBACK LINE WHERE A MINIMUM OF 80 PERCENT IS REQUIRED, TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED, AND TO ALLOW A SIX-FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED on 1.11 acres on the east side of Riley Street, approximately 290 feet south of Rome Boulevard (APN 125-20-803-021), T-C (Town Center) Zone [MC-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75649]. Staff recommends APPROVAL.

**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Support Postcard

**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) _____

**Project Address** (Location) 6520 N RILEY ST

**Project Name** CENTENNIAL STORAGE **Proposed Use** MIN-STORAGE/RETAIL

**Assessor's Parcel #(s)** 125-20-803-021 **Ward #** 6

**General Plan:** Existing TC Proposed TC **Zoning:** Existing TC Proposed TC

**Additional Information** _____

**Property Owner** CENTENNIAL HEALTHCARE L L C Contact MIKE OCHOA

Address 901 N GREEN VALLEY PKWY #130 City HENDERSON State NV Zip 89074

E-mail MICHAEL@WDCNEVADA.COM Phone 702-292-9213

**Applicant** SAME AS OWNER Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

**Representative** LAS CONSULTING Contact LUCY SEWART

Address 1930 VILLAGE CENTER CIRCLE BLDG 3-577 City LAS VEGAS State NV Zip 89134

E-mail STEWPLAN@GMAIL.COM Phone 702-499-6469

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** MICHAEL OCHOA

Subscribed and sworn before me

This 3rd day of May, 2019

Karen Lee McClain

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

KAREN LEE MCCLAIN
Notary Public State of Nevada
No. 14-15329-1
My Appt. Exp. November 21, 2022

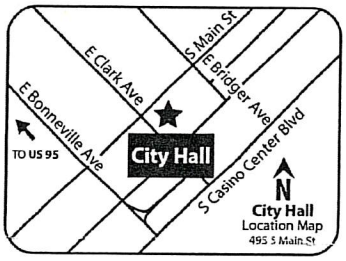
PRJ-75649
05/06/19

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
JUN 1 8 2019
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.

**SDR-76455 [PRJ-75649]**
Planning Commission Meeting of **06/25/2019**

PRJ-75649
12520712176
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117

1 1 1 DRDFNP1 6911?

Submitted after final agenda 14A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**15**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

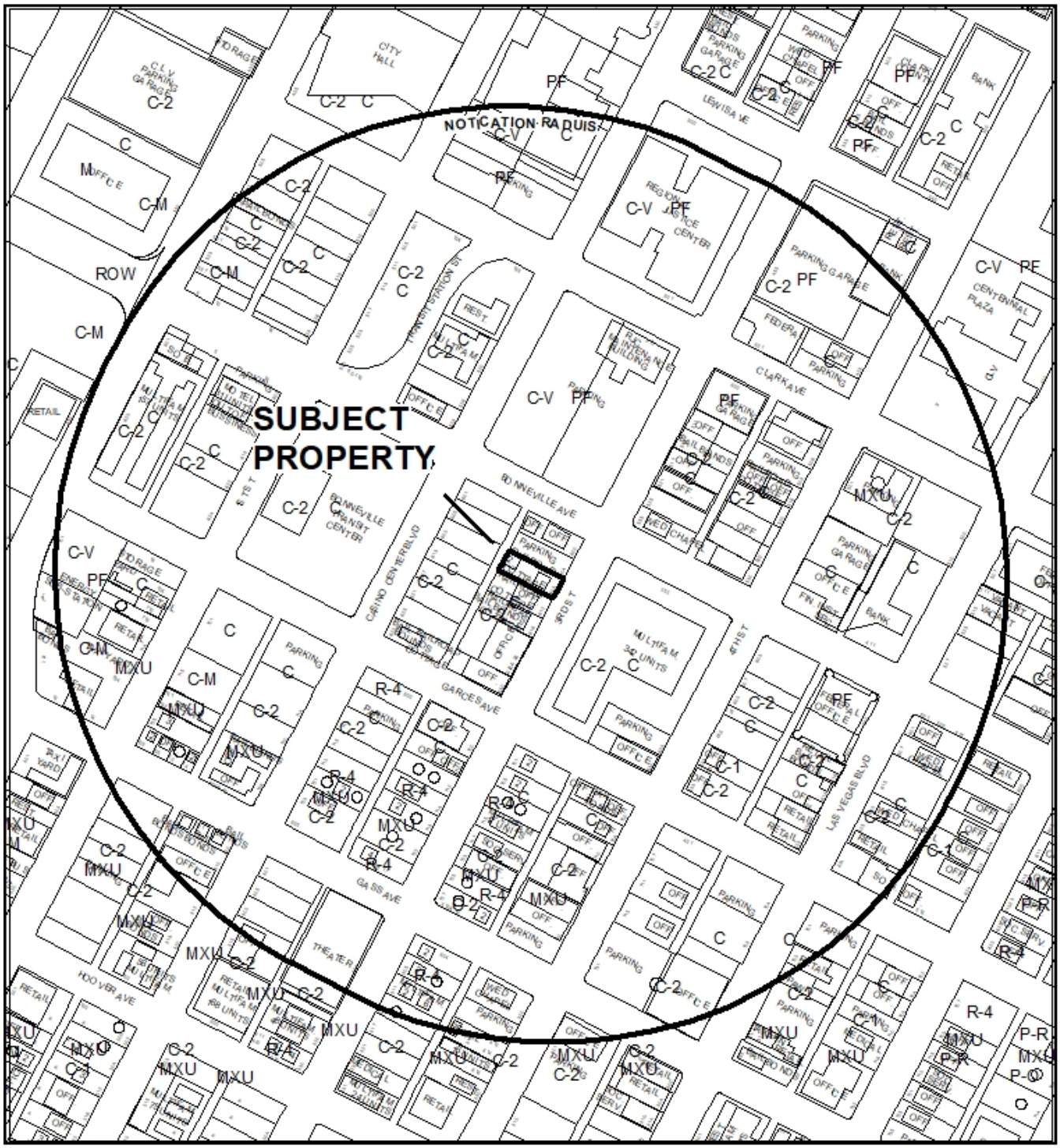
**SUBJECT:**
SUP-76451 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE USE at 608 South 3rd Street (APN 139-34-311-070), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-76334]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 7 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Support Postcards



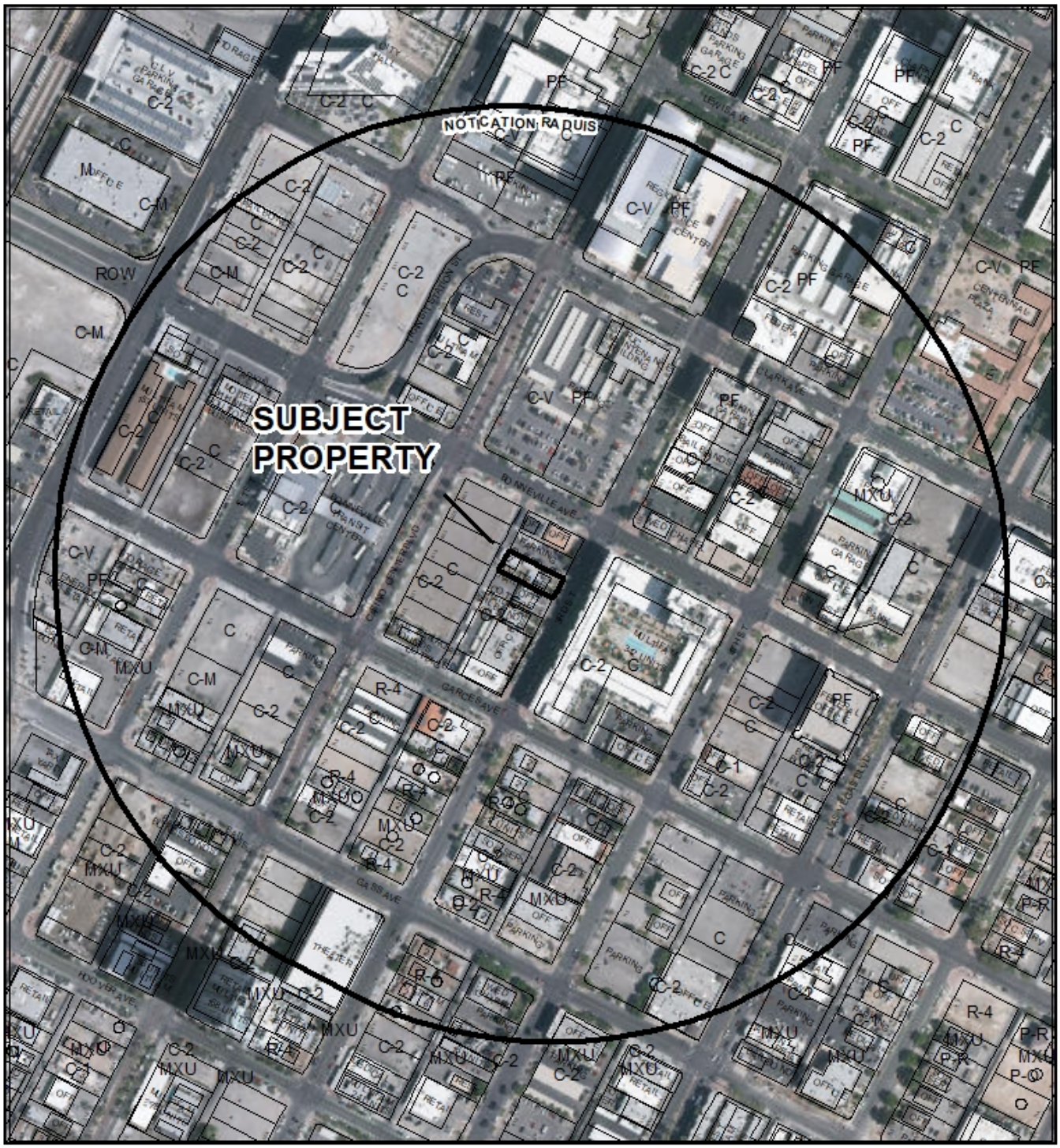

0 255 510 Feet

**CASE:** **SUP-76451 (PRJ-76334)**

**RADIUS:** 1000 FEET

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

N




0 255 510 Feet

**CASE:** **SUP-76451 (PRJ-76334)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-76451** | Staff recommends APPROVAL, subject to conditions. | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 32

**NOTICES MAILED** 610

**PROTESTS** 0

**APPROVALS** 0



JAB

**** CONDITIONS ****

# SUP-76451 CONDITIONS

***Planning***

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to operate a Bailbond Service in an existing building at 608 3rd Street.

## ISSUES

- A Bailbond Service is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

## ANALYSIS

The subject site is the location of a renovated Union Pacific railroad cottage. There are three vacant buildings at the site. The proposed Bailbond Service will be in a single-story, 982 square-foot building adjacent to 3rd Street. The proposed use is a relocation of an existing bailbond service at 600 South 3rd Street, about 50 feet away. The existing bailbond service has been in good standing and under a continuous license since 2013.

The subject site was previously entitled as a Bailbond Service (SUP-3712) by the City Council on 04/07/04. The previous bailbond service was in operation under business license (B01-01117) until 12/31/09. A second Bailbond Service was denied a business license on 09/13/12 for lack of a Special Use Permit. The subject site has been vacant since 2009.

The proposed Bailbond Service use would not require additional parking. The land use requires five parking spaces, but locations within Area 1 of the Downtown Master Plan are not subject to the automatic application of Title 19 parking standards. Nevertheless, the site has a single driveway that can accommodate two side-by-side vehicles. It is adjacent to a parking lot with 23 spaces. On-street parking is widely available in the area.

The subject site is located within the Downtown Master Plan and Redevelopment Plan Area, near the Clark County Jail, the Regional Justice Center, and the Federal Courthouse. There are two other bailbond uses within 400 feet of the subject site. A Bailbond Service near these government facilities is an appropriate land use.

This parcel is currently served by Las Vegas Valley Water District but the services do not have the required backflow prevention per NAC 445A.67195. Civil plans for the backflow retrofit is required at this site.

Per Title 19, the Bailbond Service use is defined as "an establishment that makes available to the public undertakings of bail in connection with judicial proceedings." There are no Minimum Special Use Permit Requirements for this use. Staff finds the proposed Bailbond Service use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

## FINDINGS (SUP-76451)

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

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

   The proposed Bailbond Service is in close proximity to the courthouse facilities and can be operated in a way that is compatible and harmonious with the surrounding uses.

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

   The subject site is located within the Downtown Master Plan and Redevelopment Plan Area, and is physically suitable for the operation of a proposed Bailbond Service.

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

   Access to the site is provided via 3rd Street, which is an 80-foot Collector according to the Master Plan of Streets and Highways. The right-of-way provides adequate capacity to serve the proposed use.

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

The proposed Bailbond Service would be subject to inspections and would therefore not compromise the public health and safety.

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

There are no minimum requirements associated with a Bailbond Service use in Title 19.12.

## 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), 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. The Planning Commission recommended approval. |
| 04/07/04 | The City Council approved a Special Use Permit (SUP-3712) for a bailbond service at 608 South Third Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a Site Development Plan Review (SDR-3713) for a bailbond office at 608 South Third Street. The Planning Commission and staff recommended approval. |
| 07/28/15 | Code Enforcement processed a case (#157892) for an unsecured building with trash and weeds. The case was resolved on 08/13/15. |
| 04/05/17 | Code Enforcement processed a case (#177060) for an open main electrical service panels, exposed live parts. The case was resolved on 01/22/18. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/01/13 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1920 | Structure was built. |
| 03/19/70 | A building permit (#51624) was issued for reroof at 608 S 3rd Street. The permit was finalized on 04/23/70. |
| 12/31/09 | A business license (B01-01117) for a bailbond service has expired at 608 S 3rd Street. |
| 01/13/10 | A business license (B01-01159) was confirmed closed at 608 S 3rd Street. |
| 03/22/11 | A building permit was issued (C-183895) for an ADA ramp at 608 3rd Street. The permit has expired. |
| 09/13/12 | A business license (B01-91552) for a bailbond service was denied at 608 S 3rd Street because the subject site needs a Special Use Permit. The license was inactive as of 01/15/13. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/22/19 | A pre-application meeting was conducted with the applicant to discuss submittal requirements for a Special Use Permit application. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/19/19 | Staff conducted a routine field check of the subject site and found no trash, debris, or graffiti. |

| ***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-2 (General Commercial) |
| North | Parking Lot | C (Commercial) | C-2 (General Commercial) |
| South | Bail Bonds Service | C (Commercial) | C-2 (General Commercial) |
| East | Multi-Family | C (Commercial) | C-2 (General Commercial) |
| West | Undeveloped | C (Commercial) | C-2 (General Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Vision 2045 Downtown Master Plan | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District | Y |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Civic & Entertainment) | 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*** |
|---|---|---|---|---|
| 3rd Street | Collector | Planned Streets and Highways Map | 80 | Y |

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or # of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Bailbond Service | 982 SF | 1 Space per 200 SF | 5 | | | | |
| **TOTAL SPACES REQUIRED** | | | 5 | | 0 | | Y |
| **Regular and Handicap Spaces Required** | | | 4 | 1 | 0 | 0 | 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.*

# 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) 608 South Third St

**Project Name** Dad's Bail Bonds **Proposed Use** bail bonds

**Assessor's Parcel #(s)** 139-34-311-070 **Ward #** _____

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**Property Owner** Bonneville Center, LLC **Contact** Leo Flanges

Address 600 South Third St. City LV State NV Zip 89101

E-mail leo@FLANGASLAWFIRM.com Phone 702-384-1990

**Applicant** Dad's Bail Bonds **Contact** Leo Flanges

Address 600 South Third St City LV State NV Zip 89101

E-mail Leo@FLANGASLAW FIRM Phone 702-384-1990

**Representative** Leo Flanges **Contact** - same -

Address 600 South Third St City _____ State _____ Zip _____

E-mail leo@FlangasLawFirm.com 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** Jason Flanges

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

**Print Name** Jason Flanges

Subscribed and sworn before me

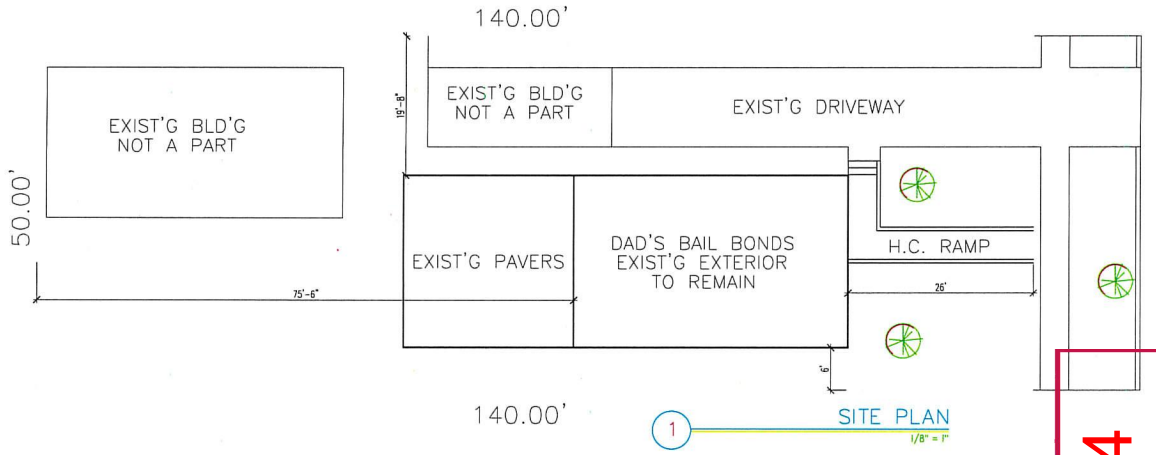
This 6 day of MAY, 20 19

CLARK Co. NV

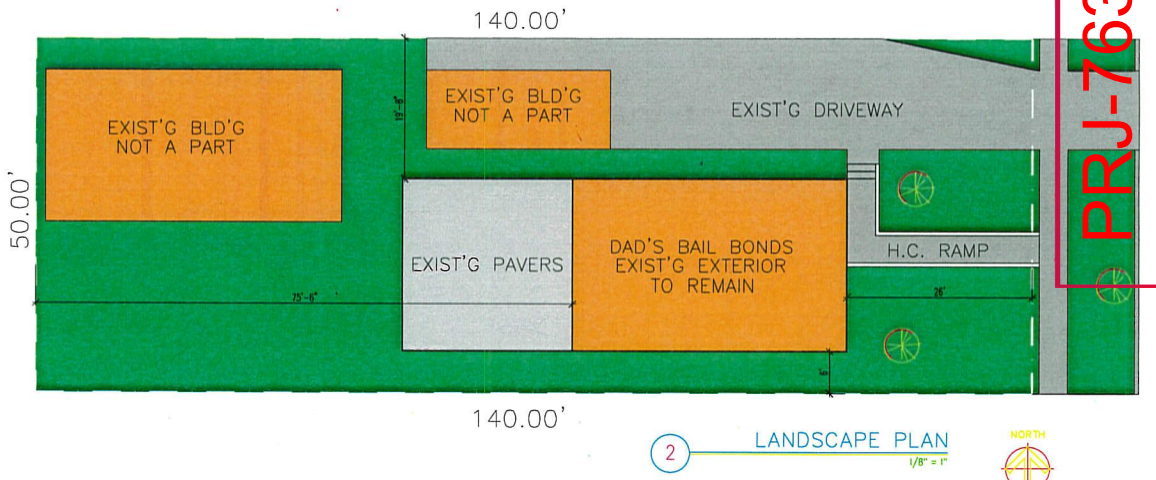
Notary Public in and for said County and State

RUSSELL WEST
Notary Public, State of Nevada
Appointment No. 09-[illegible]
My Appt. Expires Dec 26, 2021

PRJ-76334
05/06/19




1 SITE PLAN 1/8" = 1"




2 LANDSCAPE PLAN 1/8" = 1"

NORTH

| COLOR KEY | |
|---|---|
| | EXIST'G STRUCTURE |
| | LANDSCAPING |
| | PAVEMENT |
| | CURB & SIDEWALKS |
| | POOL & SPA |

| *LANDSCAPE LEGEND* *LANDSCAPE AS PER TITLE 30 30.64.030K4* | | | | |
|---|---|---|---|---|
| | 3 | | PALM TREE | EXISTING |

PRJ-76334
05/06/19

Planning Commission - Page 174

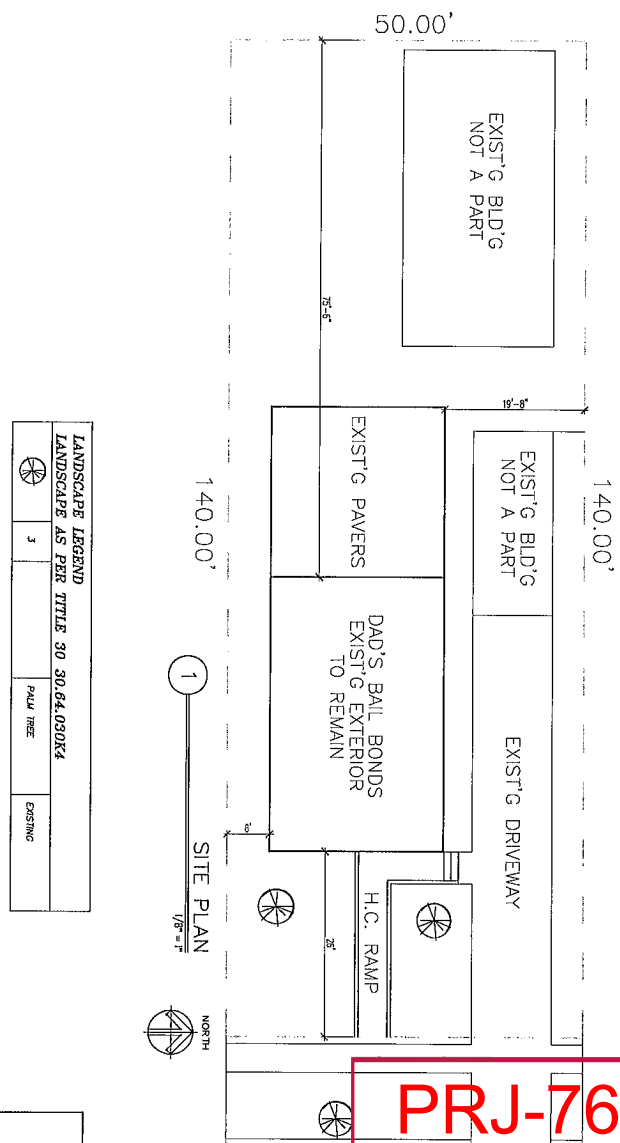
BONNEVILLE CENTER LLC.
LEO FLANGAS
600 SOUTH THIRD STREET
LAS VEGAS, NV
702-384-1990

SITE & LANDSCAPE PLAN

DAD'S BAIL BONDS
608 SOUTH 3RD STREET
LAS VEGAS, NEVADA

Revisions:

Date: 4/2/2019
Project No.: 19-004
Drawn By:
Check By:
Sheet No.: S1.0
of




PRJ-76334
05/06/19

Revisions:

SITE & LANDSCAPE PLAN

**DAD'S BAIL BONDS**
608 SOUTH 3RD STREET
LAS VEGAS, NEVADA

**BONNEVILLE CENTER LLC.**
**LEO FLANGAS**
600 SOUTH THIRD STREET
LAS VEGAS, NV
702-384-1990

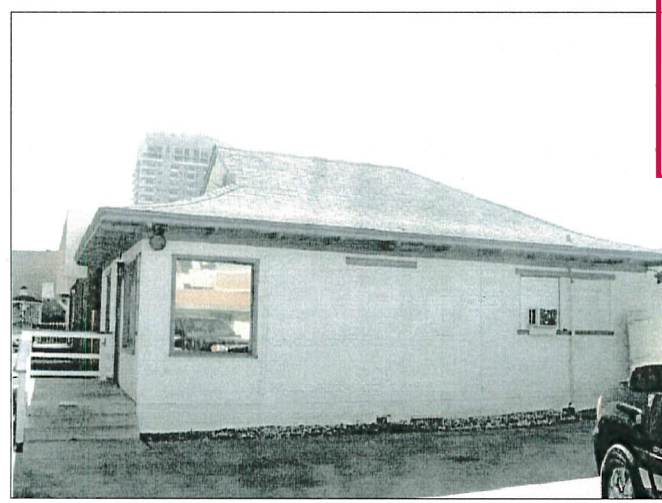
Date: 4/7/2019
Project No.: 19-004
Drawn By:
Check By:
Sheet No.: S11
of



3 EXIST'G RAMP
SCALE: N.T.S.




1 EXIST'G FRONT
SCALE: N.T.S.



2 EXIST'G RIGHT SIDE
SCALE: N.T.S.

PRJ-76334
05/06/19

BONNEVILLE CENTER LLC.
LEO FLANGAS
800 SOUTH THIRD STREET
LAS VEGAS, NV
702-384-1990

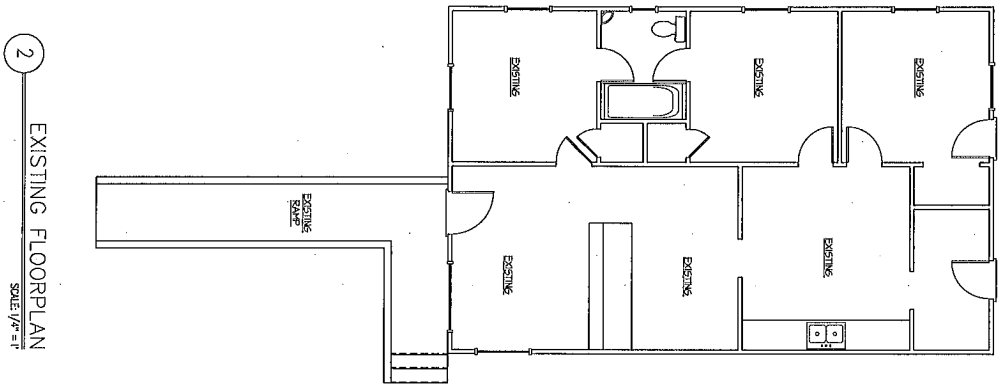
ELEVATIONS

DAD'S BAIL BONDS
608 SOUTH 3RD STREET
LAS VEGAS, NEVADA

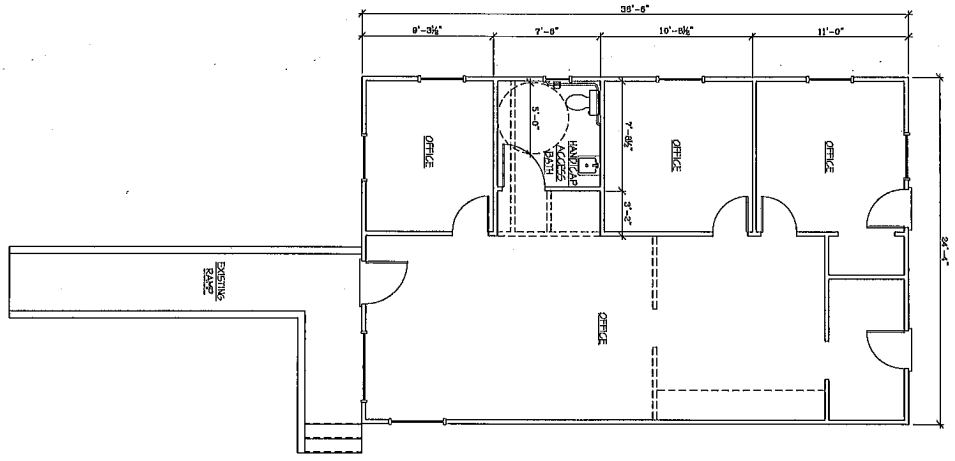
Planning Commission - Page 176

Revisions:

Date: 4/7/2019
Project No.: 19-004
Drawn By:
Check By:
Sheet No.:
A2.0
of




2 EXISTING FLOORPLAN
SCALE: 1/4" = 1'




1 PROPOSED FLOORPLAN
SCALE: 1/4" = 1'

NORTH

PRJ-76334
05/06/19

A1.0

Revisions:

FLOORPLANS

DAD'S BAIL BONDS
608 SOUTH 3RD STREET
APN: 139-34-714-020
LAS VEGAS, NEVADA

BONNEVILLE CENTER LLC.
LEO FLANGAS
600 SOUTH THIRD STREET
LAS VEGAS, NV
702-384-1990




**SUP-76451 [PRJ-76334] - SPECIAL USE PERMIT - APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC**
**608 SOUTH 3RD STREET**

05/16/2019



**SUP-76451 [PRJ-76334] - SPECIAL USE PERMIT - APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC**
**608 SOUTH 3RD STREET**

05/16/2019




**SUP-76451 [PRJ-76334] - SPECIAL USE PERMIT - APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC**
**608 SOUTH 3RD STREET**

05/16/2019

LEO FLANGAS
600 SOUTH THIRD
LAS VEGAS, NV 80101
702-384-1990
leo@flangaslawfirm.com

DATE: April 3, 2019

TO WHOM: City of Las Vegas Planning Department

PROJECT: Dad's Bail Bond
608 South Third

APN 139-34-311-070

ITEM: Special Use Permit

The application is for a Special Use Permit for a Bail Bond Office at 608 South Third Street.

This building is one of the few remaining 1920 Railroad Cottages and the exterior shall remain as is to maintain the original downtown character. Landscaping shall be two existing palm trees and desert landscaping with crushed rock ground cover. Accessible walkway is also existing and in place.

There are three tandem parking spaces on site.

The proximity to the courthouse makes this use compatible to the surrounding area.

Sincerely,

Leo Flangas



PRJ-76334
05/06/19

# 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
JUN 19 2019
Dept of Planning
City of Las Vegas

**CASE:** SUP-76451 [PRJ-76334] - SPECIAL USE PERMIT

**SUBJECT:** APPLICANT: DAD'S BAIL BONDS - OWNER: BONNEVILLE CENTER, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 25, 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, JUNE 24, 2019.***

Signature

6-19-19
Date

Jason Flanges
Please Print Name

Bonneville Center, LLC
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

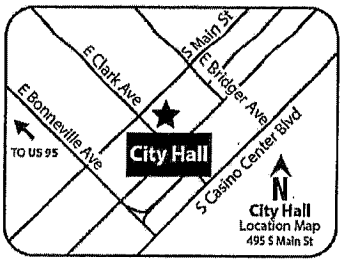


Submitted after final agenda

Item 15

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

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

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☑ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-76451 [PRJ-76334]**
Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934410070
TRINAYSTICH CATHERINE
FITZGERALD WILLIAM
693 TYNEDALE CT
LAS VEGAS NV 89123

95 DRDFNP1 89123

Submitted after final agenda 15A

PAGE 01/01
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06/17/2019

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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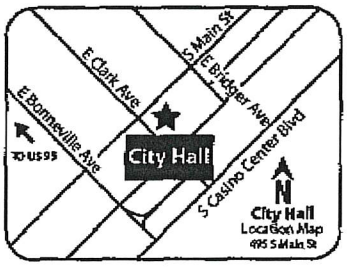


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☑ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-76451 [PRJ-76334]**
Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934303004
L V LAND COMPANY II L L C
1215 S FORT APACHE RD #120
LAS VEGAS NV 89117

111 DROFNP1 89117



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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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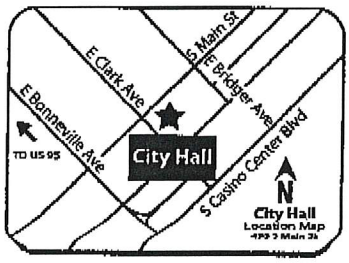


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76451 [PRJ-76334]**

Planning Commission Meeting of **06/25/2019**

PRJ-76334
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
Development Services Center
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Las Vegas, Nevada 89106

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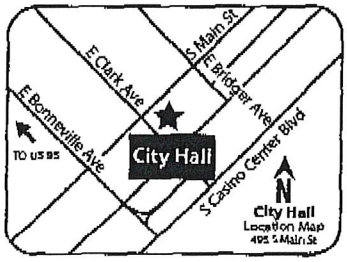


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[V] I SUPPORT this Request  [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76451 [PRJ-76334]**

Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934310024
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

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City of Las Vegas
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Development Services Center
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Las Vegas, Nevada 89106

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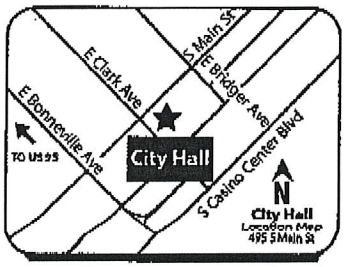


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**SUP-76451 [PRJ-76334]**

Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934310025
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101



ISA

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76451 [PRJ-76334]**
Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934310023
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

ISA

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

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Please use available blank space on card for your comments.

**SUP-76451 [PRJ-76334]**
Planning Commission Meeting of **06/25/2019**

PRJ-76334
13934310026
ROE DAVID G & MARY E FAMILY TRUS
106 GASS AVE
LAS VEGAS NV 89101

15A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**16**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

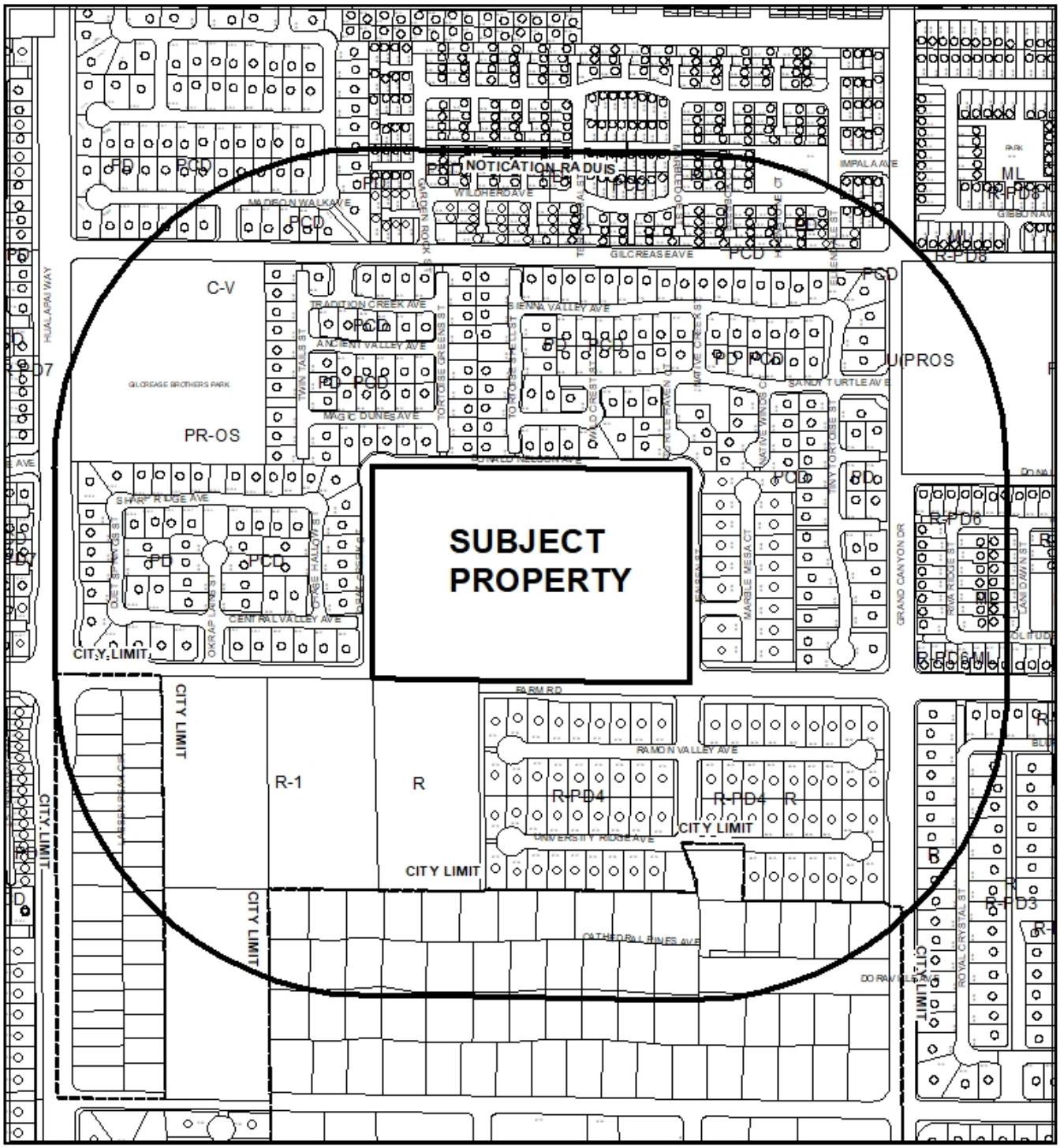
**SUBJECT:**
MSP-76356 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT - For possible action on a request for a Master Sign Plan FOR AN EXISTING PUBLIC SCHOOL, PRIMARY on 14.92 acres at 9851 Donald Nelson Avenue (APN 125-18-201-015), C-V (Civic) Zone, Ward 6 (Fiore) [PRJ-76357]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

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

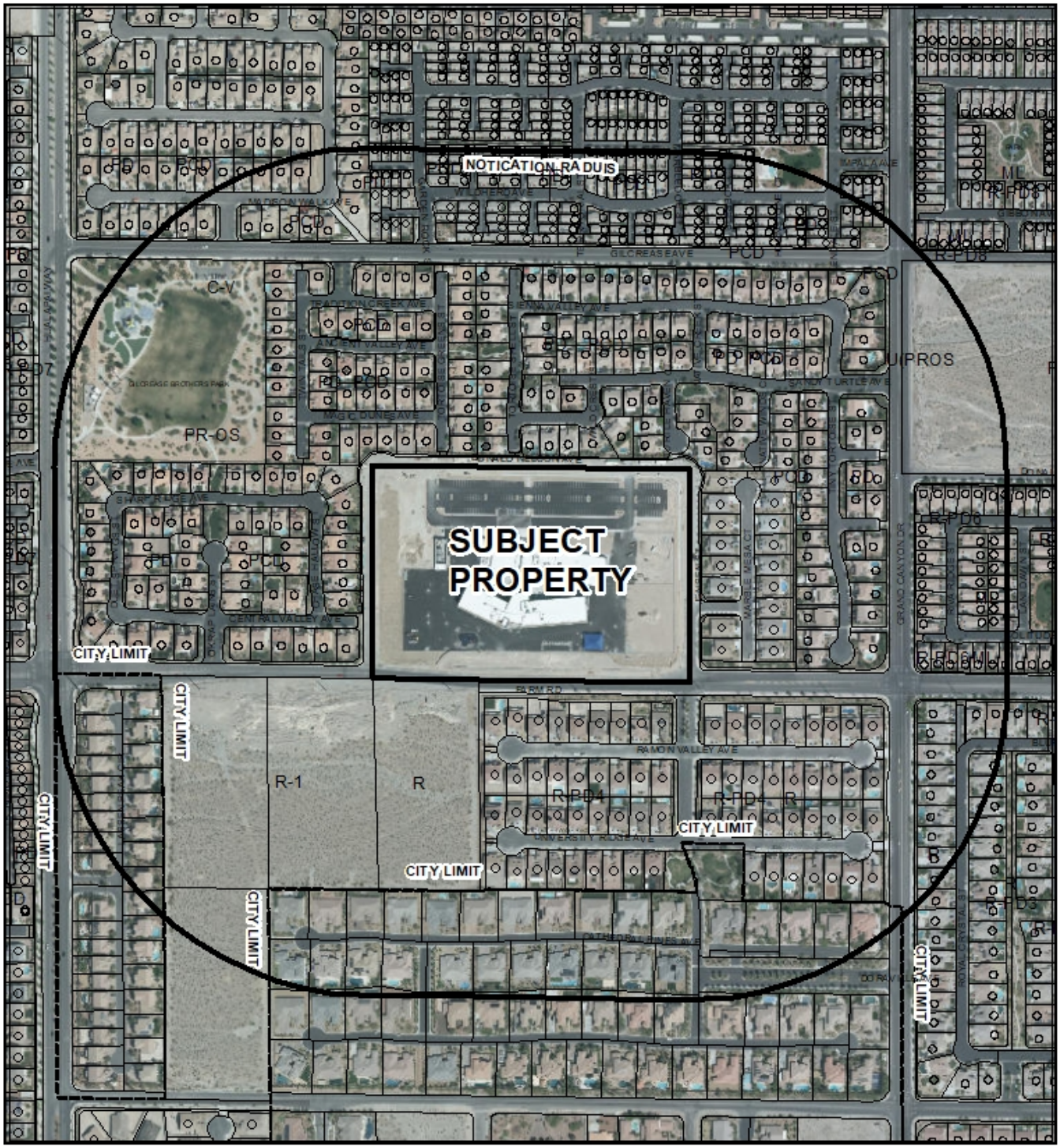
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Protest Postcard




**CASE:** **MSP-76356 (PRJ-76357)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)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PCD

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **MSP-76356** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 54

**NOTICES MAILED** 596

**PROTESTS** 0

**APPROVALS** 0



JAB

**** CONDITIONS ****

# MSP-76356 CONDITIONS

***Planning***

1. 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.

2. All development shall be in conformance with the site plan, the Sign Analysis Table and sign elevations date stamped 05/02/19.

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Master Sign Plan for an existing elementary school at 9851 Donald Nelson Avenue.

## ISSUES

- A Master Sign Plan is requested for an animated sign at a public school. Per Title 19.10.020(H), standards for signage within the C-V (Civic) District, additional signs may be permitted in conjunction with public institutions subject to review and approval of the Planning Commission as to each use. Staff recommends approval.

## ANALYSIS

The Clark County School District is requesting a Master Sign Plan for the newly constructed Kennith Devich Elementary School on Donald Nelson Avenue. The Master Sign Plan is for a single, 32 square-foot, animated wall sign that has internal LED lighting. The wall sign is on the north elevation near the main entrance by the administration office. The school is surrounded on all sides by single family residential neighborhoods.

The subject site is in Grand Teton Village. The Grand Teton Village Master Plan, Section 3.7, states that all signage must meet Title 19 criteria. The subject site is zoned C-V (Civic), and according to Title 19.10.020, all standards for signage within the C-V District shall be the same as those indicated for the P-O (Professional Office) District. The reason the C-V District must follow the sign standards of the P-O District is because the P-O District is intended to allow more intense land uses in areas that are predominantly residential and to provide a transitional zone between public land use and private land use. Consequently, the sign standards in the P-O District are more restrictive than other commercial zones in order to respect the adjacent residential areas.

The P-O District sign standards do not allow animated signs. However, there are three exceptions that pertain to C-V (Civic) properties. Exception Number Three states that “in addition to the indicated signs, additional signs may be permitted in conjunction with public and semi-public institutions subject to review and approval of the Planning Commission as to each use.” In this case, the additional sign is an animated wall sign, the development is a public institution, and the requested Master Sign Plan (MSP-76356) is subject to approval of the Planning Commission.



JAB

The proposed sign is an animated LED message board that will advertise school events. It is an eight-foot by four-foot wall sign that will be flush mounted below the parapet at the main school entrance. It is 263 feet from the nearest residential property line, where 200 feet is the minimum required by Title 19. Animated signs that contain changeable electronic messages are required to have static images with a minimum duration of six seconds for each message. The transition time between each message must be no more than two seconds with no motion or animation during the transition between messages. Additionally, animated signs are restricted to LED illumination not to exceed 300 nits. The applicant has stated that the proposed signage will meet all these conditions. The applicant also stated that the animated sign will only be illuminated during daylight hours.

The applicant has ensured that all Title 19 conditions for a wall sign in a C-V (Civic) District have been met. The applicant requests a Master Sign Plan (MSP-76356) as required by Title 19.10.020(H) for an animated sign. A 32 square-foot sign, illuminated only during daylight, and placed only on one elevation, meets the intent to protect surrounding residential neighborhoods while providing necessary way-finding. Staff finds that the proposed animated sign is small, unobtrusive, and incidental to the principal use, and therefore recommends approval of this request.

## FINDINGS (MSP-76356)

The proposed Master Sign Plan adheres to all other Title 19 requirements. The proposed animated sign is subject to the review and approval of the Planning Commission. The sign is located in a place that does not adversely impact commercial or residential properties in the immediate vicinity. Therefore, staff recommends approval, subject to conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 08/21/02 | The City Council approved a Petition to Annex [A-0008-02(A)] property generally located southeast of the intersection of Grand Teton Drive and Hualapai Way, containing approximately 113.23 acres. The annexation was effective on 08/30/02. |
| 04/02/03 | The City Council approved a Major Modification to the Grand Teton Village Master Plan to revise the standards regarding landscaping, trails, setbacks, parking and open space on 160 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Grand Canyon Drive. The Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 05/21/03 | The City Council approved a General Plan Amendment (GPA-1983) to amend Map Number 2 of the Interlocal Agreement Joint Parks and Trails Plan; Map Number 2 of the Master Plan Transportation Trails Element; and Map Number 2 of the Recreation Trails Element to realign minor sections of trails along Hualapai Way and Grand Teton Drive. The Planning Commission recommended approval. |
| 11/03/04 | The City Council approved a Major Modification to the Grand Teton Village Master Plan to change the land use designation from P (Public Facility) to L (Low Density Residential); to amend Table 1 (Section 2.2) to reflect changes to the land use categories and number of residential units; Figures 2 and 3; and Sections 2.3.5, 5.3.2, and 6.1 regarding common open space on 10.32 acres adjacent to the south side of Gilcrease Avenue, approximately 660 feet east of Hualapai Way. The Planning Commission and staff recommended approval. |
| 10/18/16 | Code Enforcement processed a complaint (#171533) for dumping activity occurring on an undeveloped lot adjacent to Topaz Creek Street and Donald Nelson Avenue. The case was resolved on 10/25/16. |
| 05/17/17 | The City Council approved a request for a General Plan Amendment (GPA-68787) from PR-OS (Parks/Recreation/Open Space) to PF (Public Facilities) on 14.92 acres at the northwest corner of Farm Road and Jensen Street. Planning Commission recommended denial; staff recommended approval. |
| | The City Council approved a Rezoning (ZON-68788) from U (Undeveloped) to C-V (Civic) on 14.92 acres at the northwest corner of Farm Road and Jensen Street. Planning Commission and staff recommended approval. |
| | The City Council approved a Site Development Plan Review (SDR-68790) for a Public or Private School, Primary on 14.92 acres at the northwest corner of Farm Road and Jensen Street. Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/24/07 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 01/09/18 | A Civil Plan was issued (L17-00976) was issued for a public school at 9851 Donald Nelson Ave. The permit is in inspections. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/23/19 | A pre-application meeting was conducted with the applicant to discuss submittal requirements for a Master Sign Plan application. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff conducted a routine field check of the subject site and found no trash, debris, or graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 14.92 |

| ***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 | PCD (Planned Community Development) | PD (Planned Development) |
| South | Single Family Detached | R (Rural) | R-PD4 (Residential Planned Development–4 Units per Acre) |
| | Undeveloped | R (Rural) | R-1 (Single Family Residential) |
| East | Single Family Detached | PCD (Planned Community Development) | PD (Planned Development) |
| West | Single Family Detached | PCD (Planned Community Development) | PD (Planned Development) |

| ***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*** |
| Centennial Hils Sector Plan | N/A |
| Grand Teton Village | Y |
| Northwest Open Space | N/A |
| 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*** |
|---|---|---|---|---|
| Farm Rd | Major Collector | Master Plan of Streets and Highways | 79 | Y |
| Topaz Creek St | Local Street | Title 13 | 57 | Y |
| Donald Nelson Ave | Local Street | Title 13 | 53 | Y |
| Jensen St | Local Street | Title 13 | 57 | Y |

| ***Wall Signs: North Elevation*** | | | |
|---|---|---|---|
| ***Standards*** | ***Allowed*** | ***Provided*** | ***Compliance*** |
| Max Number | 1 / Street frontage | 1 / Street frontage | Y |
| Max Area | 10% of building elevation | 0.40 % | Y |
| Max Height | 12 inches above parapet | N/A | Y |
| Max Projection | 24 inches | 6 inches | Y |
| Illumination | Internal/External | 100% animated, internal LED | N* |
| Certificate Required | Yes | | |

**The applicant is requesting a Master Sign Plan (MSP-76356) in compliance with Title 19.10.020(H)(3).*

# 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) Master Sign Plan

**Project Address** (Location) 9851 Donald Nelson Ave, Las Vegas, NV 89149

**Project Name** Kennith Divich Elementary School **Proposed Use**

**Assessor's Parcel #(s)** 125-18-201-015 **Ward #**

**General Plan:** Existing Proposed **Zoning:** Existing C-V Proposed

**Additional Information** Master Sign Plan for Kennith Divich Elementary School

**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 Diana Salazar

Address 1180 Military Tribute Place City Henderson State NV Zip 89074

E-mail Salazdl@nv.ccsd.net Phone (702) 799-5214 Ext. 5419

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

Subscribed and sworn before me

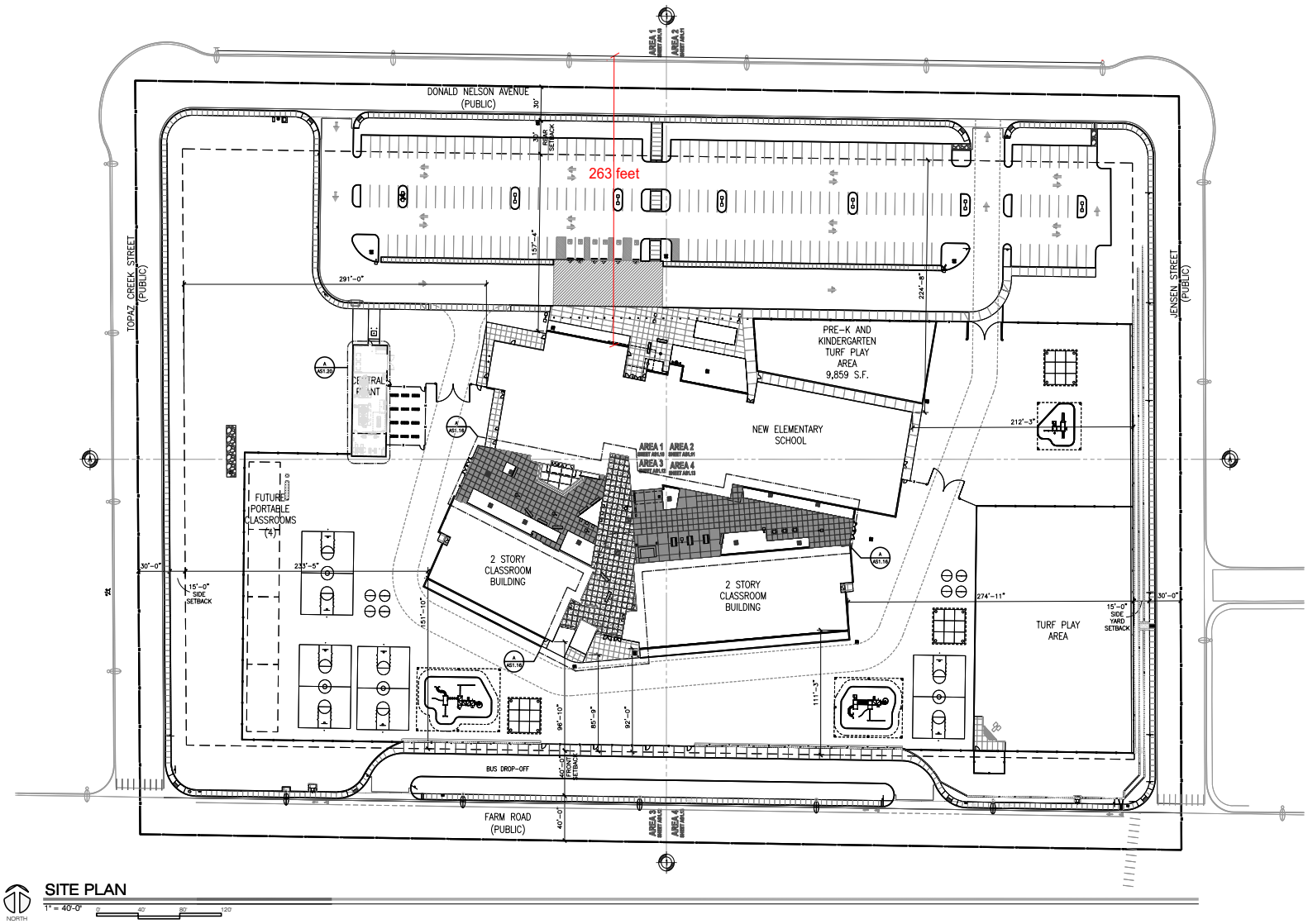
This 30th day of April, 20 19

Irma Coward

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

IRMA COWARD
Notary Public, State of Nevada
Appointment No. 16-1944-1
My Appt. Expires Apr 11, 2020

PRJ-76357
05/02/19




SITE PLAN

1" = 40'-0"

0 40' 80' 120'

NORTH

## REVISIONS

| REV | DESCRIPTION | DATE | BY |
|---|---|---|---|
| | | | |

## LEGEND

- PROPERTY LINE
- AREA DELINEATION LINE
- CHAINLINK FENCE
- STRUCTURE ABOVE
- ACCESSIBLE ROUTE
- BUILDING SETBACK

## SITE DATA

SITE INFORMATION

| | |
|---|---|
| ASSESSOR'S PARCEL NUMBER | 125-18-201-015 |
| ZONING - EXISTING | R-E RURAL ESTATES |
| LAND USE | P-F PUBLIC FACILITY - EDUCATION |

SITE TABULATION

| | |
|---|---|
| SITE AREA (ACRES) | 14.92 ACRES |
| LANDSCAPE AREA (S.F.) | 166,021 S.F. |
| LANDSCAPE COVERAGE | 18% |

| BUILDING COVERAGE | AREA | % |
|---|---|---|
| SHOWN | 69,783 S.F. | 10.7% |

BUILDING(S)

| | |
|---|---|
| BUILDING #1 | |
| LEVEL 1 | 39,034 S.F. |
| BUILDING #2 | |
| LEVEL 1 | 30,749 S.F. |
| LEVEL 2 | 30,749 S.F. |
| TOTAL SQUARE FOOTAGE | 61,498 S.F. |
| TOTAL SQUARE FOOTAGE | 100,532 S.F. |

PARKING TABULATION

| | |
|---|---|
| PARKING PROVIDED | 188 |
| ACCESSIBLE PARKING | 6 |
| TOTAL PARKING PROVIDED | 194 |
| TOTAL PARKING REQUIRED (TITLE 19, CLV) | 165 |

NOTES:
1. PORTABLE CLASSROOMS MAY BE ALLOWED AND SHALL COMPLY WITH ALL APPROPRIATE SETBACKS, LIFE SAFETY, AND PARKING REQUIREMENTS. FURTHERMORE, PRIOR TO THE PLACEMENT OF SUCH CLASSROOMS, A SITE PLAN SHALL BE SUBMITTED FOR STAFF REVIEW AND KEPT ON PERMANENT FILE WITH THE USE PERMIT.

## SHEET NOTES

1. INSTALL NEW CHAIN LINK FENCE PER DETAIL 10/AS1.31. SEE SITE PLAN FOR HEIGHT
2. PORTABLE CLASSROOMS MAY BE ALLOWED AND SHALL COMPLY WITH ALL APPROPRIATE SETBACKS, LIFE SAFETY, AND PARKING REQUIREMENTS. FURTHERMORE, PRIOR TO THE PLACEMENT OF SUCH CLASSROOMS, A SITE PLAN SHALL BE SUBMITTED FOR STAFF REVIEW AND KEPT ON PERMANENT FILE WITH THE USE PERMIT.

NORTH

KEY PLAN

FARM & JENSEN

DO NOT SCALE DRAWINGS

SEAL

CONSULTANT

CCSD WPD NO. 001613
CCSD REVIEW
APPROVED BY
DATE
DRAWN BY JZA
CHECKED BY CT
SUBMITTAL BID DOCUMENTS
A/E PROJECT NO. 160073

DATE 01/16/2017

CCSD CLARK COUNTY SCHOOL DISTRICT
4190 McLEOD DRIVE
LAS VEGAS, NEVADA 89121

PROJECT
PROPOSED UN-NAMED ELEMENTARY SCHOOL AT
FARM & JENSEN

DRAWING TITLE
SITE PLAN

SHEET NO.
AS1.00

ARCHITECTURE
6795 Edmond Street, Suite 210, Las Vegas, Nevada 89118
702.263.3222 www.klorfinkelarchitecture.com

PBJ-76384
05/02/19

Plot Date: January 12, 2017







Building Façade: 7,954 square feet
Sign Area: 32 square feet
% of Area: 0.40%

PRJ-76357
05/02/19







Building Façade: 7,954 square feet
Sign Area: 32 square feet
% of Area: 0.40%

PRJ-76357
05/02/19




**MSP-76356 [PRJ-76357] - MASTER SIGN PLAN - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT**
**9851 DONALD NELSON AVENUE**

05/16/2019

OPERATIONAL SERVICES UNIT, *Real Property Management*

1180 Military Tribute Place • Henderson, NV 89074 • (702) 799-5214

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

April 29, 2019

Robert Summerfield, AICP, Planning Director
City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: Master Sign Plan Application
Kenneth Divich Elementary School

Dear Mr. Summerfield,

Please consider this letter a request by the Clark County School District ("District") for approval of a master sign plan at Kenneth Divich Elementary School, located at 9851 Donald Nelson Avenue, Las Vegas, NV 89149, Assessor's Parcel Number 125-18-201-015.

The sign consists of one four foot by eight foot (4' x 8') wall sign, which includes a 40 x 140 LED animated display. The sign will be located on the main classroom building facing Donald Nelson Avenue and is approximately two hundred and sixty-three (263') feet away from the residential property to the north across Donald Nelson Avenue. The sign meets all the requirements of Title 19.10.020 (H), and meets the residential protection standards as listed in Las Vegas Municipal code 19.08.120 as well as all City of Las Vegas zoning code requirements.

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 K. Perri, Director
Clark County School District, Real Property Management Department

Cc: Duane Resop, Clark County School District, Building Department
Elizabeth Katten, Principal Divich Elementary School
File

PRJ-76357
05/02/19



*Main Office*: 5100 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89146 • TELEPHONE (702) 799-CCSD (2273)

# 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
JUN 2 0 2019
Dept of Planning
City of Las Vegas

**CASE:** MSP-76356 [PRJ-76357] - MASTER SIGN PLAN

**SUBJECT:** APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 25, 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, JUNE 24, 2019.***

X _____ 6/20/19

Signature Date

Linda Perri

Please Print Name

CCSD

Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

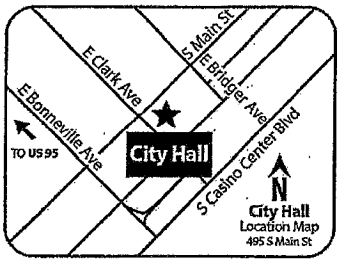


Submitted after final agenda

Item 16

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

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




PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
JUN 24 2019
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-76356 [PRJ-76357]**

Planning Commission Meeting of **06/25/2019**

PRJ-76357
12518210019
VILLAFLORES VIVENCIO A & LEONIDA
7621 TINY TORTOISE ST
LAS VEGAS NV 89149-1926

127 DRDFMP1 89149



Submitted after final agenda

16P

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**17**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

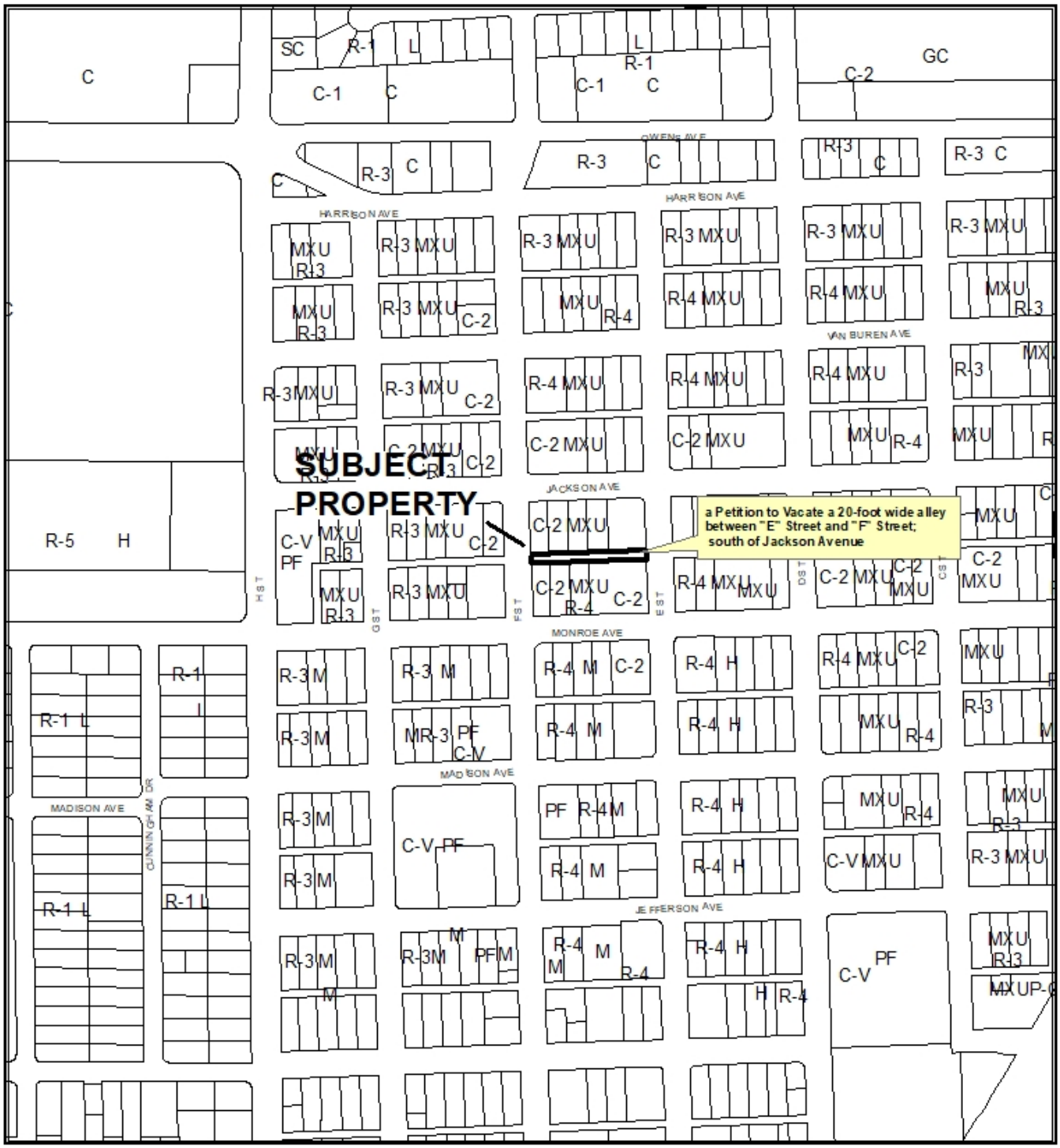
**SUBJECT:**
VAC-76391 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: VICTORY MISSIONARY BAPTIST CHURCH - For possible action on a request for a Petition to Vacate a 20-foot wide alley between "E" Street and "F" Street; south of Jackson Avenue, Ward 5 (Crear) [PRJ-76390].

**C.C.: 08/07/2019**

| **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

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




CASE: **VAC-76391 (PRJ-76390)**

0 300 600 Feet




CASE: **VAC-76391 (PRJ-76390)**

0 300 600 Feet

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: VICTORY MISSIONARY BAPTIST CHURCH**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAC-76391** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**NOTICES MAILED** 9

**PROTESTS** 0

**APPROVALS** 0



NE

**** CONDITIONS ****

# VAC-76391 CONDITIONS

1. The limits of this Petition of vacation shall be the entire alley between “E” Street and “F” Street and between Jackson Avenue and Monroe Avenue.

2. This Petition of Vacation shall be amended to reserve a 20-foot Public Sewer Easement.

3. A Public Drainage Easement to be privately maintained, acceptable to the Flood Control Section of the Department of Public Works, shall be reserved through the Order of Vacation. Alternatively, provide a technical drainage study to justify that a reservation for a drainage easement is not warranted.

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. Existing NV Energy pal lights shall be removed from the City’s streetlight service and billing. Additionally, City of Las Vegas access to the existing streetlight service in the alley must be maintained through the reservation of a streetlight easement.

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

6. 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.

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

8. If the Order of Vacation *(or Order of Relinquishment of Interest if a Patent Reservation)* is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a petition to vacate a 20-foot wide public alley located between E Street and F Street, south of Jackson Avenue and north of Monroe Avenue. The alley will be incorporated into an existing Church/House of Worship site that spans the entire block.

## ANALYSIS

On March 15, 2017, the City Council approved a request to vacate the subject alleyway for the applicant. Due to unforeseen events, the applicant lost track of the previously approved Petition to Vacate (VAC-68554) and it has since expired. The applicant is now requesting the same alleyway to be vacated once again.

The Department of Public Works has presented the following information concerning this request to vacate certain public street right-of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths?

*This is not applicable as the Petition of Vacation will completely eliminate the rights-of-way for the alley between "E" Street and "F" Street and between Jackson Avenue and Monroe Avenue.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?

*No.*

C. Does it appear that the vacation request involves only excess right-of-way?

*No, it is to eliminate an alley which is currently surrounded by property owned by the same church.*

D. Does this vacation request coincide with development plans of the adjacent parcels?

*This is unknown at this time. The surrounding property is all owned by the same church and they may incorporate it into their church campus.*

E. Does this vacation request eliminate public street access to any abutting parcel?

*No, all Parcels have the same access to existing public streets.*

F. Does this vacation request result in a conflict with any existing City requirements?

*No.*

G. Does the Department of Public Works have an objection to this vacation request?

*No.*

## FINDINGS (VAC-76391)

As no existing parcel would be landlocked and the alley segment will not be needed for proposed development, staff recommends approval of the proposed vacation. If denied, the alley would remain in its current configuration.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 03/15/17 | The City Council approved a request for a Petition to Vacate a 20-foot wide alley between "E" Street and "F" Street, south of Jackson Avenue. The Planning Commission and staff recommended approval. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/29/19 | Staff conducted a pre-application meeting via the telephone and created a project number for the applicant to upload their application to. |

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

| ***Field Check*** | |
|---|---|
| Month/date/year | Description |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Alleyway | Right-of-Way | Right-of-Way |
| North | Parking Facility | MXU (Mixed Use) | C-2 (General Commercial) |
| | Church/House of Worship | | |
| South | Parking Facility | MXU (Mixed Use) | R-4 (High Density Residential) |
| | Church/House of Worship | | C-2 (General Commercial) |
| East | E Street | Right-of-Way | Right-of-Way |
| West | F Street | Right-of-Way | Right-of-Way |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| West Las Vegas Plan | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District – 175 Airport | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| West Las Vegas Walkable Community Plan | Y |
| Trails – Pedestrian Path | Y |
| Las Vegas Redevelopment Plan Area – Downtown Redevelopment Area | Y |
| 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*** |
|---|---|---|---|---|
| E Street | Local | Title 13 | 50 | Y |
| F Street | Local | 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) 500 West Monroe Ave.

**Project Name** Vacate Alley - Church **Proposed Use** _____

**Assessor's Parcel #(s)** 139-27-110-118 **Ward #** 5

**General Plan:** Existing X Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**Property Owner** Victory Missionary Baptist Church **Contact** Dr. Robert E. Fowler Sr.

Address 500 West Monroe Ave. City Las Vegas State NV Zip 89106

E-mail rfowler@victorymbc.org Phone 702-648-2630

**Applicant** same as property owner **Contact** _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

**Representative** Dr. Robert E. Fowler Sr. **Contact** Same

Address 500 West Monroe Ave. City Las Vegas State NV Zip 89106

E-mail rfowler@victorymbc.org Phone 702-648-2630

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** Dr Robert E Fowler Sr

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

**Print Name** Dr. Robert E. Fowler Sr.

Subscribed and sworn before me

This 29th day of April, 2019

Rosalyn Collins

Notary Public in and for said County and State

Rosalyn Collins
Notary Public
Clark County
My Commission
Expires 11-13-2019
No: 00-61631-1

PRJ-76390
04/29/19

# EXHIBIT




## PRJ-68175

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

# GRANT, BARGAIN, SALE DEED

**THIS INDENTURE WITNESSETH,** That **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation who erroneously acquired title as** Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear, for a valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation**, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

PRJ-76390
04/29/19

**EXHIBIT "A"**

**PARCEL I:**

LOTS ONE (1) THROUGH TWELVE (12), INCLUSIVE IN BLOCK TWELVE (12) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL II:**

LOTS EIGHT (8), NINE (9) AND TEN (10) IN BLOCK FOUR (4) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL III:**

LOT SEVEN (7) IN BLOCK FOUR (4) OF VALLEY VIEW ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL IV:**

LOT ONE (1) IN BLOCK FIVE (5) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL V:**

LOTS FIVE (5) AND SIX (6) IN BLOCK TWENTY-ONE (21) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

# GRANT, BARGAIN, SALE DEED

**THIS INDENTURE WITNESSETH,** That **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation who erroneously acquired title as** Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear, for a valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation**, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 16th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

PRJ-76390
04/29/19

**EXHIBIT "A"**

**PARCEL I:**

LOTS ONE (1) THROUGH TWELVE (12), INCLUSIVE IN BLOCK TWELVE (12) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL II:**

LOTS EIGHT (8), NINE (9) AND TEN (10) IN BLOCK FOUR (4) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL III:**

LOT SEVEN (7) IN BLOCK FOUR (4) OF VALLEY VIEW ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOT ONE (1) IN BLOCK FIVE (5) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL V:**

LOTS FIVE (5) AND SIX (6) IN BLOCK TWENTY-ONE (21) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

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**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

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04/29/19

**EXHIBIT "A"**

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**PARCEL V:**

LOTS FIVE (5) AND SIX (6) IN BLOCK TWENTY-ONE (21) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

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PRJ-76390
04/29/19

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ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
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ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

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   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
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**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

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   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
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**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

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Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
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NEVADA TITLE LAS VEGAS
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CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
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Escrow #13-03-1261-SD

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COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

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2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

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**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
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04/29/19

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# Declaration of Value Form

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   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

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Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

# GRANT, BARGAIN, SALE DEED

**THIS INDENTURE WITNESSETH,** That **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation who erroneously acquired title as** Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear, for a valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Victory Missionary Baptist Church, Incorporated, a Nevada Non-Profit Corporation**, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

PRJ-76390
04/29/19

**EXHIBIT "A"**

**PARCEL I:**

LOTS ONE (1) THROUGH TWELVE (12), INCLUSIVE IN BLOCK TWELVE (12) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL II:**

LOTS EIGHT (8), NINE (9) AND TEN (10) IN BLOCK FOUR (4) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL III:**

LOT SEVEN (7) IN BLOCK FOUR (4) OF VALLEY VIEW ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL IV:**

LOT ONE (1) IN BLOCK FIVE (5) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

**PARCEL V:**

LOTS FIVE (5) AND SIX (6) IN BLOCK TWENTY-ONE (21) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
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Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

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**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 16th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

PRJ-76390
04/29/19

**EXHIBIT "A"**

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LOTS ONE (1) THROUGH TWELVE (12), INCLUSIVE IN BLOCK TWELVE (12) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOTS EIGHT (8), NINE (9) AND TEN (10) IN BLOCK FOUR (4) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOT SEVEN (7) IN BLOCK FOUR (4) OF VALLEY VIEW ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOTS FIVE (5) AND SIX (6) IN BLOCK TWENTY-ONE (21) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19

Inst #: 201305080003390
Fees: $20.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
05/08/2013 10:47:56 AM
Receipt #: 1606627
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: DHG Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation
500 W Monroe Ave.
Las Vegas, NV 89106-3133

Assessor's Copy

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**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

ASSESSOR'S COPY

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04/29/19

**EXHIBIT "A"**

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LOTS ONE (1) THROUGH TWELVE (12), INCLUSIVE IN BLOCK TWELVE (12) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOTS EIGHT (8), NINE (9) AND TEN (10) IN BLOCK FOUR (4) OF H.F.M & M ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 47, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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LOT SEVEN (7) IN BLOCK FOUR (4) OF VALLEY VIEW ADDITION TO CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
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   b)
   c)
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**FOR RECORDER'S OPTIONAL USE ONLY**
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Notes:

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   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
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   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

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The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

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| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
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| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
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Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

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NEVADA TITLE LAS VEGAS
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A.P. N.: 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
R.P.T.T.: $0.00

Escrow #13-03-1261-SD

Mail tax bill to and when recorded mail to:
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Assessor's Copy

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**SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".**

COMMONLY KNOWN ADDRESS:
500 West Monroe Avenue, Las Vegas, NV

**SUBJECT TO:**

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

PRJ-76390
04/29/19

**TOGETHER WITH** all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ASSESSOR'S COPY

PRJ-76390
04/29/19

**IN WITNESS WHEREOF,** this instrument has been executed this 10th day of May, 20.

Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear

Edd May, President

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on May 6, 2015

by Edd May, President

SHERRY E. ARCHER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 9-1-2013
Certificate No: 01-71052-1

Sherry E. Archer
NOTARY PUBLIC
My Commission Expires: 9/1/2015

Sherry E. Archer
9-1-13
01-71052-1

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PRJ-76390
04/29/19

**EXHIBIT "A"**

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ASSESSOR'S COPY

PRJ-76390
04/29/19

# State of Nevada
# Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-27-110-091 thru -095, 139-27-110-114 thru -119, 139-27-110-122 thru -124, 139-27-111-082
   b)
   c)
   d)

**FOR RECORDER'S OPTIONAL USE ONLY**
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land  b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse  d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg.  f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural  h. ☐ Mobile Home
   x Other Church

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: Exempt 3

   b. Explain Reason for Exemption: To show same vesting on all properties – Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation, no consideration

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTEE/BUYER

| SELLER (GRANTOR) INFORMATION (REQUIRED) | | BUYER (GRANTEE) INFORMATION (REQUIRED) | |
|---|---|---|---|
| Print Name: | Victory Missionary Baptist Church, Inc; Victory Missionary Baptist Church, Incorporated, a non-profit corporation; Victory Missionary Baptist Church and Victory Missionary Babtist Church, a Nevada non profit corporation all as their interest may appear | Print Name: | Victory Missionary Baptist Church Incorporated, a Nevada Non-Profit Corporation |
| Address: | Same as Grantee | Address: | 500 W Monroe Ave |
| City: | | City: | Las Vegas |
| State: | Zip: | State: | NV Zip: 89106-3133 |

Assessor's Copy

PRJ-76390
04/29/19

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

| | | | |
|---|---|---|---|
| Print Name: | Nevada Title Company | Esc. #: | 13-03-1261-SD |
| Address: | 2500 N. Buffalo Drive, Suite 150 | | |
| City: | Las Vegas | State: NV | Zip: 89128 |

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

ASSESSOR'S COPY

PRJ-76390
04/29/19




**VAC-76391 [PRJ-76390] - VACATION - APPLICANT/OWNER: VICTORY MISSIONARY BAPTIST CHURCH BETWEEN "E" STREET AND "F" STREET, SOUTH OF JACKSON AVENUE**

05/16/2019

VICTORY MISSIONARY BAPTIST CHURCH
"Where the Lord is Lifted and the Word is Learned"

Dr. Robert E. Fowler Sr.
Senior Pastor

April 29, 2019

City of Las Vegas
Department of Planning

Ref#- PREAPP2016-006322
parcel#- 139-27-1 10-1 18

Planning Committee,
We had a previously approved Vacation that expired. Our Business Administrator at the time was dealing with cancer, who is now deceased did not transfer the duties/paperwork to another department for us to complete the work/fees that were needed.

We want to vacate the alley that it is directly behind our church/facility and adjacent to our annex. The Alley is not being used as a community public alley, and we want to incorporate it into our site. We currently have parking behind the church and behind the annex and we want to unify the area and gain total responsibility.

Sincerely,

Victory Missionary Baptist Church

Dr. Robert E. Fowler Sr. Senior Pastor

500 West Monroe Avenue, Las Vegas, Nevada 89106
Phone (702) 648-2630 | Fax (702) 648-7836
rfowler@victorymbc.org | www.victorymbc.org

PRJ-76390
04/29/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**18**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

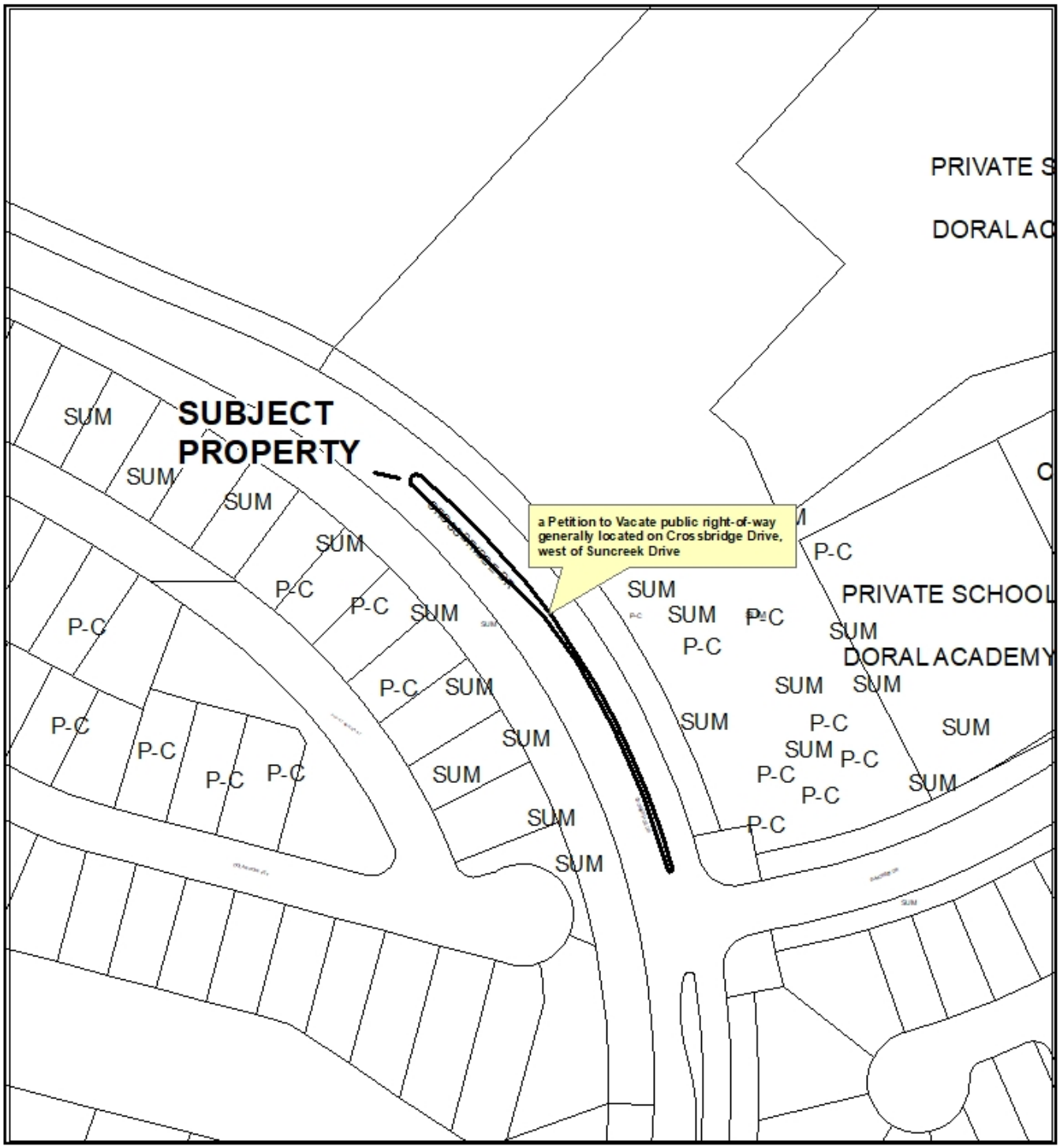
**SUBJECT:**
VAC-76442 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public right-of-way generally located on Crossbridge Drive, west of Suncreek Drive, Ward 2 (Vacant) [PRJ-76399]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

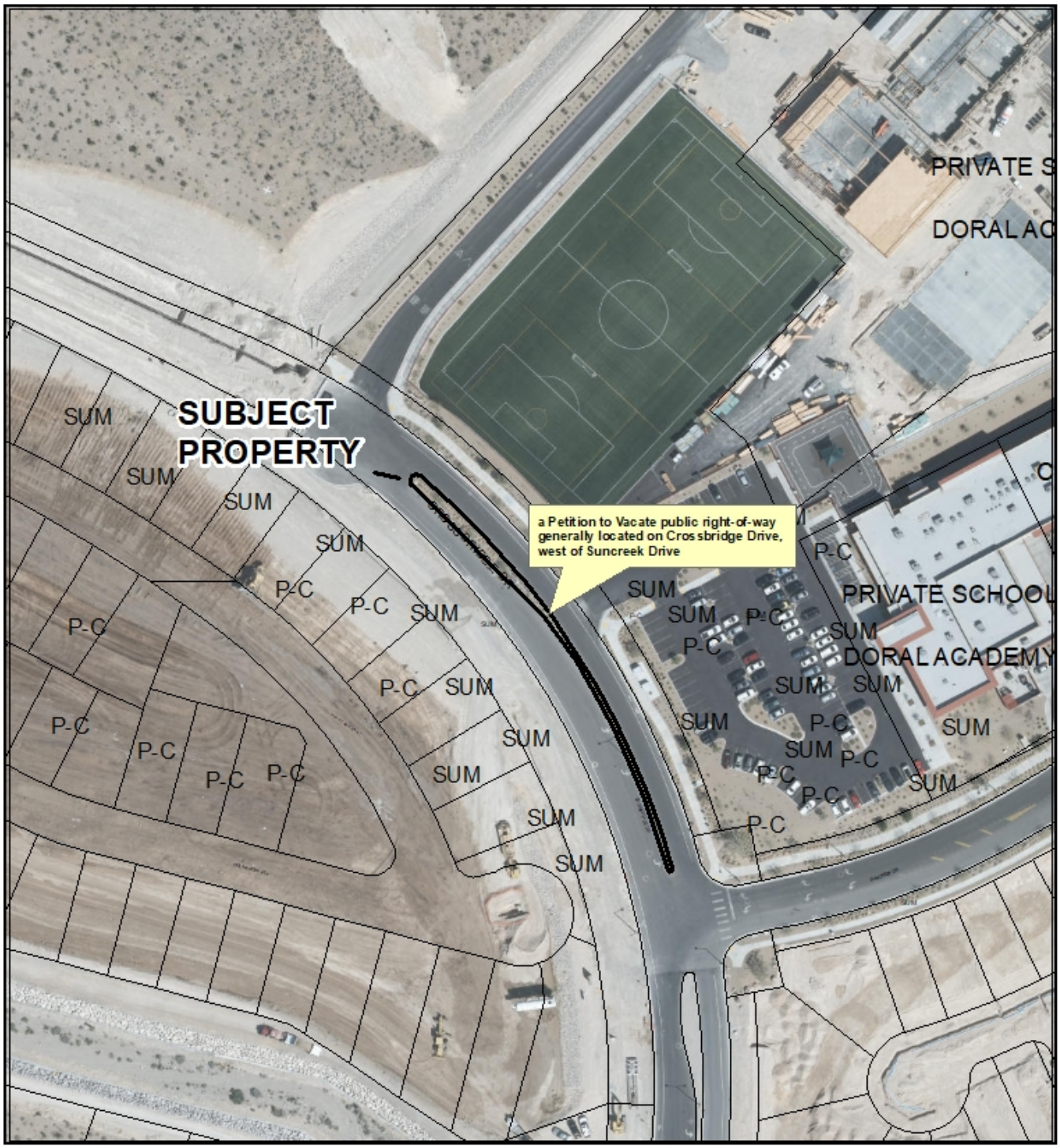
| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 0 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Executed Condition Confirmation Documentation




CASE: **VAC-76442 (PRJ-76399)**




CASE: **VAC-76442 (PRJ-76399)**

0 100 200 Feet

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAC-76442** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**NOTICES MAILED** 1

**PROTESTS** 0

**APPROVALS** 0



NE

**** CONDITIONS ****

# VAC-76442 CONDITIONS

1. The limits of this Petition of Vacation is the area located on Crossbridge Drive as shown on the exhibit and legal description submitted to the City of Las Vegas date stamped May 6, 2019.

2. A Public Sewer Easement, acceptable to the Sanitary Sewer Planning Section of the Department of Public Works, shall be reserved through the Order of Vacation.

3. 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.

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

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

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

7. If the Order of Vacation *(or Order of Relinquishment of Interest if a Patent Reservation)* is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant has proposed to vacate a portion of right-of-way within Crossbridge Drive.

## ANALYSIS

The applicant is requesting to vacation and dedication of right-of-way within Crossbridge Drive as shown in Book 152, Page 41 of plats on file at the Clark County Recorder's office.

The median island from Crossbridge Drive to Doral Academy has been extended and the right-of-way is no longer required.

Staff presents the following information concerning this request to vacate certain public street right-of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths?

*The right-of-way width will remain uniform.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?

*No, as it is for the recently constructed median islands.*

C. Does it appear that the vacation request involves only excess right-of-way?

*No, it is for new median island additions.*

D. Does this vacation request coincide with development plans of the adjacent parcels?

*Yes. The median island for an adjacent school was extended and the right-of-way is no longer required.*

E. Does this vacation request eliminate public street access to any abutting parcel?

*No.*

F. Does this vacation request result in a conflict with any existing City requirements?

*No.*

G. Does the Department of Public Works have an objection to this vacation request?

*No.*

## FINDINGS

Staff has no objection to the proposed right-of-way vacation as it is no longer required; therefore, staff recommends approval with conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** |
|---|
| There are no relevant City actions related to the subject site. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no related building permits or business licenses for the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/30/19 | Staff conducted a pre-application meeting where the submittal requirements for a right-of-way vacation were discussed. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff observed the right-of-way to be vacated and did not note anything of concern. |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Right-of-Way | Right-of-Way | Right-of-Way |
| North | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |
| South | Single Family, Detached | SUM (Summerlin) | P-C (Planned Community) |
| East | Private School | SUM (Summerlin) | P-C (Planned Community) |
| West | Single Family, Detached | SUM (Summerlin) | P-C (Planned Community) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Summerlin | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| P-C (Planned Community) 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 |



NE

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Total Fee | |
| Date Received | |
| Received By | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Vacation

**Project Address (Location)** Summerlin V24 Crossbridge Drive

**Project Name** V24 Crossbridge Drive **Proposed Use**

**Assessor's Parcel #(s)** 137-33-699-001 **Ward #**

**General Plan:** Existing Proposed **Zoning:** Existing Proposed

**Additional Information**

**PROPERTY OWNER** The Howard Hughes Company, LLC

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**APPLICANT** The Howard Hughes Company, LLC/Chris Anderson

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**REPRESENTATIVE** GCW, Inc./Jennifer Veras

Address 1555 S. Rainbow Boulevard State NV Zip 89146

E-mail jveras@gcwengineering.com Phone 702.804.2096

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** Kevin T. Orrock

Subscribed and sworn before me

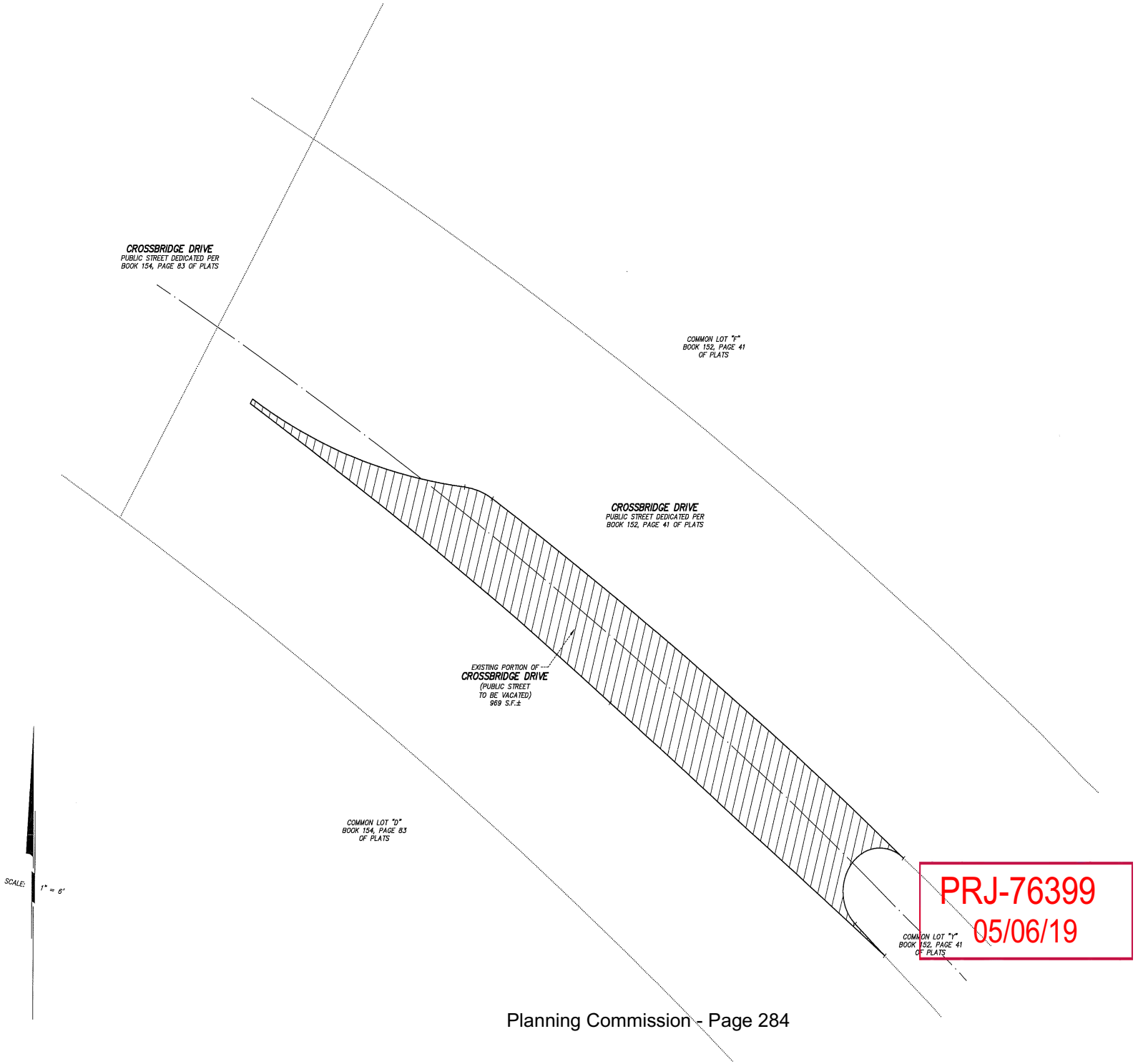
This 5 day of April, 20 19

Rebecca Misty Alasta Clark County

Notary Public in and for said County and State STATE OF NEVADA

REBECCA MISTY ALASTA
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 12-10-2020
Certificate No: 17-4216-1

PR-70399
05/06/19




PRJ-76399
05/06/19



62024-223-5

| REV | DATE | DESCRIPTION |
|---|---|---|
| | | |

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

GCW
ENGINEERS \ SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

# SUMMERLIN VIL. 24 - CROSSBRIDGE DRIVE
## THE HOWARD HUGHES COMPANY LLC
## VACATION EXHIBIT

SHEET
1
OF 1 SHEETS

**EXHIBIT "A"**

**EXPLANATION:** THIS DESCRIPTION REPRESENTS A PORTION OF CROSSBRIDGE DRIVE TO BE VACATED IN SUPPORT OF THE SUMMERLIN VILLAGE 24 PROJECT.

**DESCRIPTION**

THAT PORTION OF CROSSBRIDGE DRIVE DEDICATED TO THE CITY OF LAS VEGAS AS SHOWN IN BOOK 152, PAGE 41 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST NORTHERLY CORNER OF SAID CROSSBRIDGE DRIVE, COINCIDENT WITH THE MOST WESTERLY CORNER OF COMMON LOT "F" AS SHOWN BY SAID BOOK 152, PAGE 41 OF PLATS; THENCE ALONG THE NORTHWESTERLY LINE OF SAID CROSSBRIDGE DRIVE, SOUTH 30°52'19" WEST, 33.78 FEET; THENCE DEPARTING SAID NORTHWESTERLY LINE, SOUTH 59°07'41" EAST, 9.19 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 32°27'00" EAST, 0.66 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 74.67 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 32°27'00" EAST; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°03'32", AN ARC LENGTH OF 33.96 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 9.33 FEET, THROUGH WHICH A RADIAL LINE BEARS SOUTH 06°23'28" WEST; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°58'16", AN ARC LENGTH OF 4.39 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 678.83 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 33°21'44" WEST; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°28'58", AN ARC LENGTH OF 76.81 FEET TO A POINT ON THE NORTHEASTERLY LINE OF COMMON LOT "F" AS SHOWN BY SAID BOOK 152, P0AGE 41 OF PLATS, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 5.54 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 39°50'43" WEST; THENCE ALONG THE LIMITS OF SAID COMMON LOT "F" THE FOLLOWING TWO (2) COURSES: 1) SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 177°56'54", AN ARC LENGTH OF 17.21 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 721.17 FEET, THROUGH WHICH A RADIAL LINE BEARS SOUTH 41°53'48" WEST; 2) SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°28'50", AN ARC LENGTH OF 6.05 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 42°22'38" EAST; THENCE DEPARTING SAID LIMITS OF COMMON LOT "F", NORTH 51°56'26" WEST, 52.26 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 674.67 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°36'34", AN ARC LENGTH OF 66.05 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 969 SQUARE FEET, MORE OR LESS.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GCW, INC.
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146/TEL: (702) 804-2000/FAX: (702) 804-2299

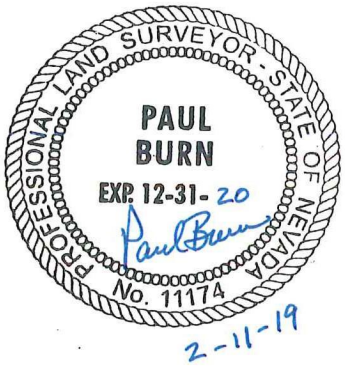
PRJ-76399
05/06/19

**BASIS OF BEARINGS**
SOUTH 30°52'19" WEST, BEING THE BEARING OF THE NORTHWESTERLY LIMITS OF CROSSBRIDGE DRIVE AS SHOWN IN BOOK 152, PAGE 41 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

END OF DESCRIPTION.

(SEE EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174





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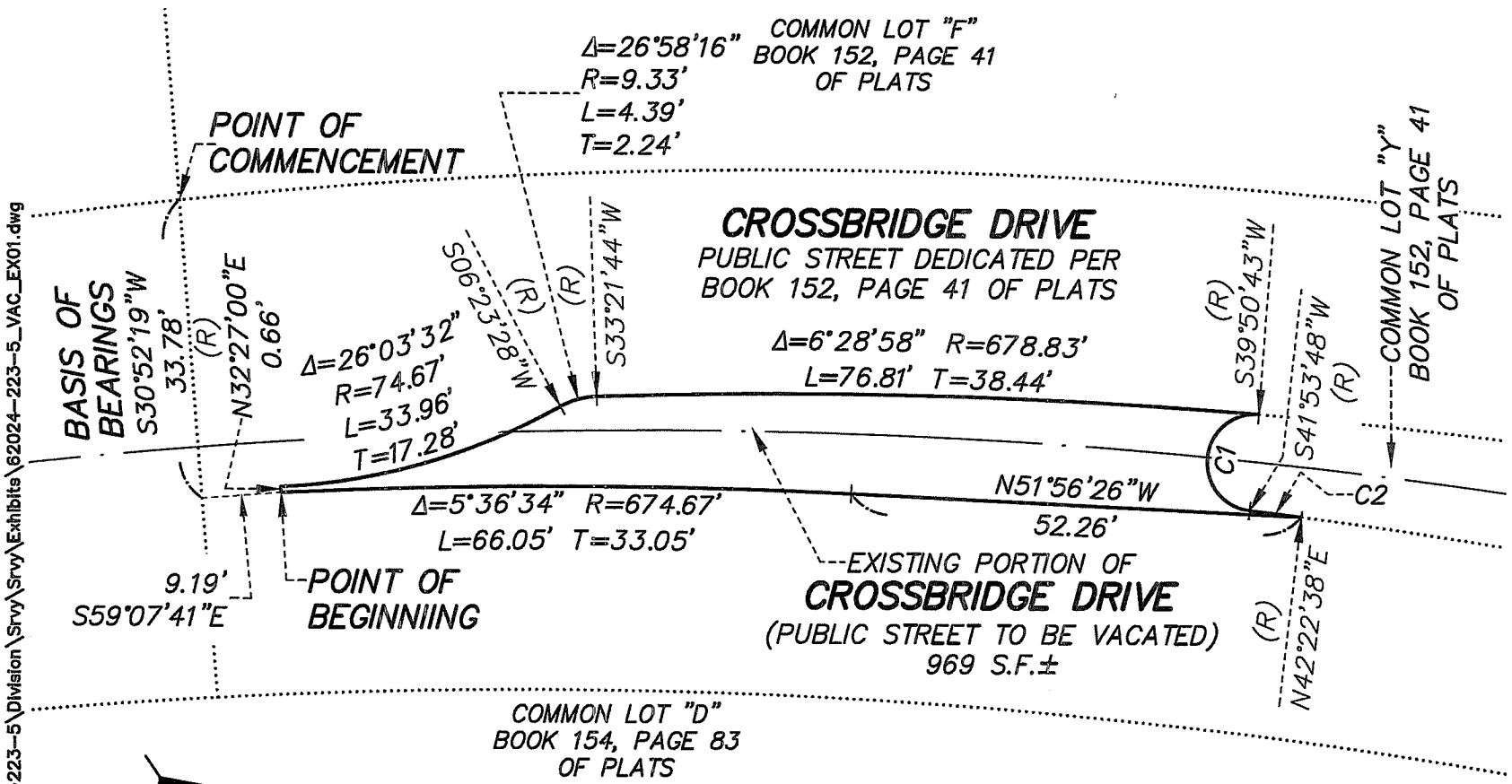
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146/TEL: (702) 804-2000/FAX: (702) 804-2299

PRJ-76399
05/06/19

EXHIBIT "B" TO ACCOMPANY DESCRIPTION




NORTH

1" = 20'

**NOTE:**
SEE PAGE 2 FOR
CURVE DATA

PAGE 1 OF 2

GCW
ENGINEERS & SURVEYORS


1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com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PRJ-76399
05/06/19

EXHIBIT "B" TO ACCOMPANY DESCRIPTION

| CURVE TABLE | | | | |
|---|---|---|---|---|
| NO. | DELTA | RADIUS | LENGTH | TANGENT |
| C1 | 177°56'54" | 5.54' | 17.21' | 309.39' |
| C2 | 0°28'50" | 721.17' | 6.05' | 3.02' |

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GCW ENGINEERS & SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com



PRJ-76399
05/06/19

97121B.910W

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
STEWART TITLE OF NEVADA
3800 Howard Hughes Parkway, Suite 500
Las Vegas, Nevada 89109
Attention: Linda Jones

APN No(s).: 139-18-302-004 (Parcel D)
139-18-401-003
139-19-501-006 (Parcel J)
139-17-401-003 (Parcel M)
139-07-401-004 (Parcel P)
139-17-101-001 (Parcel Q)
139-18-504-001
139-16-510-004
139-18-510-006
139-18-510-018
139-18-510-020
139-18-510-015
139-18-510-012
139-18-510-011
139-18-510-010
139-18-510-009
139-18-510-008
139-18-510-014
139-18-510-001
139-18-510-007
139-18-510-004
177-05-501-001 (LV BLVD. & SUNSET)
177-05-601-001

UNOFFICIAL COPY

14

GRANTEE'S ADDRESS FOR TAX BILLS:
HOWARD HUGHES PROPERTIES,
LIMITED PARTNERSHIP
3800 Howard Hughes Parkway
Las Vegas, Nevada 89109
Attention: General Counsel

(Space above line for Recorder's use)

## GRANT BARGAIN AND SALE DEED

HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, a Delaware limited partnership, as "Grantor," does hereby Grant, Bargain, Sell and Convey to HOWARD HUGHES PROPERTIES, INC., a Nevada corporation, as "Grantee," the real property in the County of Clark, State of Nevada (hereinafter referred to as the "Property") described on

PRJ-76399
05/06/19

9218.DOC

Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT TO:

1. General and special taxes and assessments for the current fiscal tax year and any and all unpaid bonds and/or assessments; and

UNOFFICIAL COPY

2. All covenants, conditions, restrictions, reservations, rights, right-of-way and easements recorded against the Property and all other matters of record.

IN WITNESS WHEREOF, Grantor has caused its name to be affixed hereto and this instrument to be executed by its general partner thereunto duly authorized.

Dated as of December 17, 1997.

HOWARD HUGHES PROPERTIES,
LIMITED PARTNERSHIP, a
Delaware limited partnership

By: THE HOWARD HUGHES
CORPORATION (formerly known as
Summa Corporation), a Delaware
corporation, its sole general partner

By: Michael C. Niarchos
Print Name: Michael C. Niarchos
Print Title: Senior Vice President &
General Counsel

STATE OF NEVADA )
) ss.
COUNTY OF CLARK )

On December 17, 1997, personally appeared before me, a Notary Public, Michael C. Niarchos, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Sharon K. Walker
Notary Public

SHARON K. WALKER
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires July 31, 1998

PRJ-76399
05/06/19

971218.01042

EXHIBIT "A"

PARCEL D

LEGAL DESCRIPTION

OLD SUMMA PARCEL NO. 20

UNOFFICIAL COPY

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, AS SHOWN ON REGISTERED PROFESSIONAL ENGINEERS' MAP IN FILE 11, PAGE 16 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA;
THENCE NORTH 1° 18' 50" EAST A DISTANCE OF 30.01 FEET TO A POINT IN THE NORTH LINE OF SMOKE RANCH ROAD (60.00 FEET WIDE), AS CONVEYED TO THE COUNTY OF CLARK BY DEED RECORDED JUNE 20, 1949 AS DOCUMENT NO. 315223 OF CLARK COUNTY, NEVADA RECORDS, SAID POINT BEING THE **TRUE POINT OF BEGINNING;**

THENCE CONTINUING NORTH 1° 18' 50" EAST A DISTANCE OF 2502.26 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF U.S. HIGHWAY NO. 95 (125.00 FEET WIDE), SAID POINT BEARING SOUTH 1° 18' 50" WEST A DISTANCE OF 109.71 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 18, AS SHOWN ON REGISTERED PROFESSIONAL ENGINEERS' MAP IN FILE 1, PAGE 37, CLARK COUNTY, NEVADA RECORDS;

THENCE SOUTH 36°26' 00"EAST ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 3097.63 FEET TO A POINT IN THE AFOREMENTIONED NORTH LINE OF SMOKE RANCH ROAD;
THENCE SOUTH 89° 42' 57" WEST ALONG SAID NORTH LINE, A DISTANCE OF 1897.04 FEET TO THE **TRUE POINT OF BEGINNING.**

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, AS SHOWN ON REGISTERED PROFESSIONAL ENGINEERS' MAP IN FILE 11, PAGE 16, CLARK COUNTY, NEVADA.
THENCE NORTH 01° 16' 08" EAST A DISTANCE OF 2536.07 FEET TO THE **TRUE POINT OF BEGINNING,** SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 95 (125 FEET SIDE);
THENCE SOUTH 36°25' 33" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 450.00 FEET TO A POINT OF CURVATURE ON A CURVE CONCAVE TO THE WEST, SUBTENDING A CENTRAL ANGLE OF 90° 00' 00" AND HAVING A RADIUS OF 30.00 FEET;

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THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH DISTANCE OF 47.12 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 53° 34' 27" WEST A DISTANCE OF 170.72 FEET TO A POINT OF CURVATURE ON A CURVE CONCAVE TO THE SOUTHEAST, SUBTENDING A CENTRAL ANGLE OF 23° 58' 36" AND HAVING A RADIUS OF 501.03 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH DISTANCE OF 209.67 FEET TO A RADIAL POINT ON SAID CURVE; A RADIAL BEARING FROM SAID POINT BEARS SOUTH 60° 24' 09" EAST;
THENCE NORTH 01° 16' 08" EAST A DISTANCE OF 661.25 FEET TO THE **TRUE POINT OF BEGINNING.**

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FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18,
THENCE NORTH 89° 42' 57" EAST ALONG THE SOUTH LINE OF SAID SECTION 18; A DISTANCE OF 1920.22 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 95 (HAVING A RIGHT OF WAY OF 125.00 FEET);
THENCE NORTH 36° 25' 33" WEST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 95, A DISTANCE OF 101.29 FEET TO THE **TRUE POINT OF BEGINNING;**
THENCE CONTINUING NORTH 36° 25' 33" WEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SAID U.S. HIGHWAY NO. 95, A DISTANCE OF 210.62 FEET;
THENCE SOUTH 53° 34' 27" WEST A DISTANCE OF 150.00 FEET TO A POINT;
THENCE SOUTH 36° 25' 33" EAST A DISTANCE OF 240.45 FEET TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE OF SMOKE RANCH ROAD;
THENCE NORTH 89° 42' 57" EAST ALONG SAID PROPOSED NORTH RIGHT OF WAY LINE OF SAID SMOKE RANCH ROAD, A DISTANCE OF 146.36 FEET TO A POINT ON A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20 FEET;
THENCE ALONG SAID CURVE NORTHERLY A DISTANCE OF 44.06 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 95 (125 FEET WIDE). SAID POINT BEING THE **TRUE POINT OF BEGINNING.**

FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS A AND B AS CONVEYED TO THE CITY OF LAS VEGAS, BY DEED RECORDED FEBRUARY 27, 1967 AS DOCUMENT NO. 626894 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA:

PARCEL A:

A CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATE IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, AS SHOWN ON REGISTERED PROFESSIONAL ENGINEERS' MAP IN FILE 11, PAGE 16, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA;
THENCE NORTH 01° 16' 08" EAST ALONG PROPOSED CENTER LINE OF DECATUR BOULEVARD, A DISTANCE OF 30.01 FEET TO THE **TRUE POINT OF BEGINNING;**
THENCE CONTINUING NORTH 01° 16' 08" EAST, A DISTANCE OF 1844.81 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, A RADIAL BEARING THROUGH SAID POINT BEARS SOUTH 60° 24' 09" EAST;
THENCE TO THE RIGHT ALONG A CURVE OF RADIUS 501.03 THROUGH A CENTRAL ANGLE OF 12° 09' 51", AN ARC LENGTH OF 106.37 FEET TO A POINT BEING DISTANT 60 FEET EASTERLY FROM SAID CENTER LINE AT RIGHT ANGLE;
THENCE SOUTH 01° 16' 08" WEST, A DISTANCE OF 1930.78 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SMOKE RANCH ROAD 60 FEET WIDE (AS OF MAY 2, 1966);
THENCE SOUTH 89° 42' 57" WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SMOKE **RANCH ROAD, A DISTANCE OF 60.02 FEET TO THE TRUE POINT OF** BEGINNING.

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PARCEL B:

A CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATE IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE NORTH 01°16'08" EAST, A DISTANCE OF 30.01 FEET;
THENCE NORTH 89° 42' 57" EAST, A DISTANCE OF 60.02 FEET TO THE **TRUE POINT OF BEGINNING;**
THENCE CONTINUING ALONG THE EXISTING RIGHT-OF-WAY LINE OF SMOKE RANCH ROAD AS OF MAY 2, 1966, NORTH 89° 42' 57" EAST, A DISTANCE OF 1837.48 FEET TO A POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF TONOPAH HIGHWAY 125.00 FEET WIDE AS OF MAY 2, 1966;
THENCE NORTH 36° 25' 33" WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF TONOPAH HIGHWAY, A DISTANCE OF 64.16 FEET TO A POINT OF CUSP; THENCE ALONG A CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 126° 08' 30" AN ARC LENGTH OF 44.03 FEET TO A POINT;
THENCE SOUTH 89° 42' 57" WEST, A DISTANCE OF 1726.44 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY HAVING A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 91° 22' 11", AN ARC LENGTH OF 87.68 FEET TO A POINT OF CUSP;
THENCE SOUTH 01° 16' 08" WEST, A DISTANCE OF 76.52 FEET TO THE **TRUE POINT OF BEGINNING.**

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PARCEL J
(PT. OLD SUMMA PARCEL NO. 33)

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. SHOWN AS PARCEL 2 ON A PARCEL MAP RECORDED IN FILE 83, PAGE 36 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

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PARCEL M
(PT. OLD SUMMA PARCEL NO. 23, 24 & 27)

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. SHOWN AS PARCELS 2, 3 & 4 ON A PARCEL MAP RECORDED IN FILE 84, PAGE 20 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

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971218.01042

PARCEL P
(PT. OLD SUMMA PARCEL NO. 44)

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. SHOWN AS PARCEL 3 ON A PARCEL MAP RECORDED IN FILE 76, PAGE 33 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

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PARCEL Q
(PT. OLD SUMMA PARCEL NO. 5 & 6)

LEGAL DESCRIPTION

PARCEL I

UNOFFICIAL DOCUMENT

THE NORTH HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

EXCEPTING THEREFROM THE NORTHERLY FIFTY (50.00) FEET AND THE WESTERLY FIFTY (50.00) FEET FOR ROADWAYS.

FURTHER EXCEPTING THE FOLLOWING DESCRIBED PARCEL OF LAND:

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. DESCRIBED AS FOLLOWS:

COMMENCING OF THE NORTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 88° 56' 23" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AS SHOWN ON A RECORD OF SURVEY IN FILE 47, PAGE 01, A DISTANCE OF 50.01 FEET; THENCE SOUTH 2° 07' 44" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF ALLEN LANE A DISTANCE OF 471.73 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 88° 21' 52" EAST, 1271.36 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; THENCE SOUTH 2° 09' 38" EAST ALONG SAID EAST LINE, 213.38 FEET; THENCE SOUTH 89° 07' 00" WEST, 1271.73 FEET TO THE EAST RIGHT-OF-WAY LINE OF ALLEN LANE; THENCE NORTH 2° 07' 44" WEST ALONG SAID RIGHT-OF-WAY LINE, 196.68 FEET TO THE **TRUE POINT OF BEGINNING.**

PARCEL II

THE NORTH HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

EXCEPTING THEREFROM THE NORTHERLY FIFTY (50.00) FEET AND THE EASTERLY FIFTY (50.00) FEET FOR ROADWAYS.

FURTHER EXCEPTING THE FOLLOWING DESCRIBED PARCEL OF LAND:

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THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH 88° 56' 26" WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AS SHOWN ON A RECORD OF SURVEY IN FILE 47, PAGE 01, A DISTANCE OF 50.01 FEET; THENCE SOUTH 2° 07' 44" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF ALLEN LANE, 472.63 FEET TO THE **TRUE POINT OF BEGINNING**TR; THENCE CONTINUING SOUTH 2° 07' 44" EAST, ALONG SAID RIGHT-OF-WAY LINE, 195.59 FEET; THENCE SOUTH 88° 59' 29" WEST, 1280.70 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4); THENCE NORTH 2° 02' 36" WEST, 181.56 FEET; THENCE NORTH 88° 21' 50" EAST, 1280.23 FEET TO THE **TRUE POINT OF BEGINNING.**

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LAS VEGAS BOULEVARD & SUNSET ROAD
(OLD SUMMA PARCEL #115 & 116)

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS:

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PARCEL I: (SUMMA PARCEL #115 & 116)

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M., DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTH LINE OF SAID SECTION 5, WHICH POINT BEARS SOUTH 89° 02' 35" WEST A DISTANCE OF 230.08 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 5; THENCE ALONG THE WESTERLY RIGHT OF WAY LINES OF INTERSTATE ROUTE 15 AS CONVEYED TO THE STATE OF NEVADA BY DEEDS RECORDED FEBRUARY 8, 1962 AND OCTOBER 6, 1960 AS DOCUMENT NOS. 276002 AND 213877 OF SAID COUNTY OFFICIAL RECORDS, AS FOLLOWS:

SOUTH 16° 27' 23" WEST 172.93 FEET;
THENCE SOUTH 89° 02' 25" WEST 17.85 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 1930 FEET, RADIAL LINE THROUGH SAID POINT BEARS SOUTH 71° 15' 37" EAST;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 36° 16' 37" AN ARC DISTANCE OF 1,221.42 FEET TO A POINT OF TANGENCY;
THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE OF INTERSTATE ROUTE 15 SOUTH 55° 00' 00" WEST 389.48 FEET TO ITS INTERSECTION WITH THE SOUTH BOUNDARY OF THE NORTH HALF (N ½) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 5, SAID INTERSECTION ALSO BEING THE MOST EASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO PAT I. PRAVORNE, ET UX, BY DEED RECORDED AUGUST 30, 1963 AS DOCUMENT NO. 381513 OF SAID COUNTY OFFICIAL RECORDS;
THENCE CONTINUING SOUTH 55° 00' 00" WEST 1179.4 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL CONVEYED BY DOCUMENT NO. 381513;
THENCE NORTH 0° 03' 05" EAST ALONG THE EAST RIGHT OF WAY OF INTERSTATE ROUTE 15 A DISTANCE OF 683.84 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF NEVADA BY DEED RECORDED OCTOBER 6, 1960 AS DOCUMENT NO. 213376 OF CLARK COUNTY OFFICIAL RECORDS;

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THENCE NORTH 0° 02' 50" EAST ALONG THE EAST LINE OF SAID PARCEL AND ITS NORTHERLY PROLONGATION A DISTANCE OF 1,305.68 FEET TO THE NORTH LINE OF SAID SECTION 5;
THENCE NORTH 89° 07' 20" EAST ALONG SAID NORTH LINE A DISTANCE OF 2,081.91 FEET TO THE **POINT OF BEGINNING.**

EXCEPTING THEREFROM ALL ABUTTER'S RIGHTS AND ACCESS RIGHTS TO THE ADJACENT LANDS AS TAKEN BY THE STATE OF NEVADA UNDER JUDGEMENT AND DECREE OF CONDEMNATION IN ACTION ENTITLED "THE STATE OF NEVADA, PLAINTIFF VS. MAX KLEIGER, ET AL." CASE #107271 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK, FILED JUNE 27, 1963.

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FURTHER EXCEPTING THAT PART CONVEYED TO THE STATE OF NEVADA BY DEED RECORDED JULY 30, 1990 IN BOOK 900730 AS DOCUMENT NO. 00101 DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTH HALF (S ½) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M., AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A POINT ON THE RIGHT OR EASTERLY RIGHT OF WAY LINE OF IR-15 FREEWAY (PROJECT IR-015-1(81)37), 165.46 FEET RIGHT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEER'S STATION "B1" 78+66.13 P.O.T.; SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEARING SOUTH 10° 45' 36" EAST, A DISTANCE OF 1,754.82 FEET FROM THE NORTH QUARTER CORNER OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M.; THENCE FROM A TANGENT WHICH BEARS SOUTH 41° 59' 13" EAST, CURVING TO THE LEFT ALONG SAID RIGHT OR EASTERLY RIGHT OF WAY LINE OF IR-15 FREEWAY, WITH A RADIUS OF 220 FEET, THROUGH AN ANGLE OF 75° 38' 42",AN ARC DISTANCE OF 290.46 FEET TO A POINT; THENCE NORTH 62° 22' 05" EAST, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 232.19 FEET TO A POINT; THENCE SOUTH 55° 00' 00" WEST, ALONG THE FORMER RIGHT OR EASTERLY RIGHT OF WAY LINE OF SAID IR-15 FREEWAY, A DISTANCE OF 575.78 FEET TO A POINT; THENCE NORTH 0° 04' 48" EAST, CONTINUING ALONG SAID FORMER EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 270.30 FEET TO THE **POINT OF BEGINNING.**

FURTHER EXCEPTING THAT PART CONVEYED TO THE CLARK COUNTY, STATE OF NEVADA BY DEED RECORDED NOVEMBER 4, 1992 IN BOOK 921104 AS DOCUMENT NO. 00222 DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SECTION 5;

THENCE NORTH 88° 47' 11" EAST ALONG THE NORTH LINE OF THE SAID NORTHEAST QUARTER (NE 1/4) OF SECTION 5, A DISTANCE OF 329.86 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 15;

THENCE SOUTH 00° 11' 39" EAST, DEPARTING THE SAID NORTH LINE AND ALONG THE SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 1507.45 FEET TO A POINT FOR THE MOST NORTHERLY CORNER AND **POINT OF BEGINNING** OF THIS PARCEL; THE SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1455.15 FEET, AND A RADIAL BEARING OF NORTH 75° 25' 58" EAST;

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THENCE DEPARTING THE SAID EAST RIGHT OF WAY LINE OF INTESTATE HIGHWAY NO. 15, ALONG THE ARC OF SAID CURVE 1455.15 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12° 08' 36", AND AN ARC DISTANCE OF 308.41 FEET TO A POINT FOR THE SOUTHEAST CORNER OF THIS PARCEL ON THE CURVING NORTHERLY RIGHT OF WAY LINE OF THE INTERSTATE HIGHWAY NO. 15 APPROACH RAMP; THE SAID POINT HAVING A RADIUS OF 220.00 FEET AND A RADIAL BEARING OF NORTH 14° 31' 00" EAST;

THENCE NORTHWESTERLY ALONG THE ARC OF THE SAID 220.00 FOOT RADIUS CURVE TO THE RIGHT BEING THE NORTHERLY LINE OF THE SAID APPROACH RAMP, THROUGH A CENTRAL ANGLE OF 33° 15' 04" AND AN ARC DISTANCE OF 126.68 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS PARCEL ON THE SAID EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 15;

THENCE NORTH 00° 11' 39" WEST, ALONG THE SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 222.97 FEET TO THE **POINT OF BEGINNING** OF THIS PARCEL.

FURTHER EXCEPTING THAT PART CONVEYED TO CLARK COUNTY, NEVADA, FOR ROAD PURPOSES BY DEED RECORDED NOVEMBER 15, 1995 IN BOOK 960117 AS DOCUMENT NUMBER 430 DESCRIBED AS FOLLOWS:

BEING PART OF THE NORTH ONE-HALF (N ½) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A MONUMENT AND BRASS DISC FOUND AT THE EAST SIXTEENTH (E 1/6) CORNER IN THE NORTH LINE OF SECTION 5, T22S, R61E, M.D.M.;

THENCE NORTH 88° 50' 40" EAST A DISTANCE OF 1091.40 FEET ALONG THE NORTH LINE OF SAID SECTION, TOWNSHIP AND RANGE TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY (ROW) LINE OF I-15 APPROACH RAMP;

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THENCE SOUTH 16° 59' 57" WEST A DISTANCE OF 57.93 FEET ALONG THE WEST (ROW) LINE O I-15 APPROACH RAMP TO A POINT FOR CORNER;

THENCE NORTH 86° 50' 31" WEST A DISTANCE OF 519.08 FEET TO A POINT FOR CORNER.

THENCE SOUTH 88° 50' 40" WEST A DISTANCE OF 555.71 TO A POINT FOR CORNER;

THENCE SOUTH 88° 43' 42" WEST A DISTANCE OF 9.98 FEET TO A POINT FOR CORNER;

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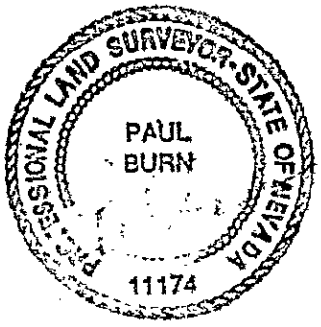
THENCE NORTH 01° 16' 18" WEST A DISTANCE OF 16.00 FEET TO A POINT FOR CORNER IN THE NORTH LINE OF SAID SECTION, TOWNSHIP AND RANGE;

THENCE NORTH 88° 43' 42" EAST A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING.**




CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
STEWART TITLE OF NEVADA

12-18-97 11:47 CDO 14
OFFICIAL RECORDS
BOOK: 971218 INST: 01042
FEE: 20.00 RPTT: EX#010

PRJ-76399
03/06/19




**VAC-76442 [PRJ-76399] - VACATION - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**
**CROSSBRIDGE DRIVE, WEST OF SUNCREEK DRIVE**

05/16/2019

GCW
ENGINEERS \ SURVEYORS

62024-223-5

April 22, 2019

City of Las Vegas Planning Department
500 South Rancho Drive
Las Vegas. Nevada 89102

RE: Justification Letter – Summerlin Village 24 Crossbridge Drive Vacation

Gentlemen:

On behalf of our client, The Howard Hughes Company, LLC, we are respectfully requesting the vacation of right-of-way and the dedication to the City of Las Vegas within Crossbridge Drive as shown in Book 152, Page 41 of plats on file at the Clark County Recorder's Office.

The median island from Crossbridge Drive to Doral Academy was extended and as a result the right-of-way indicated in the exhibit provided is no longer required.

Cordially,

GCW, INC.

Jennifer Veras
Project Coordinator

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146
O 702.804.2000
F 702.804.2299
info@gcwengineering.com
gcwengineering.com



PRJ-76399
05/06/19

# 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
JUN 2 4 2019
Dept of Planning
City of Las Vegas

**CASE:** VAC-76442 [PRJ-76399] - VACATION

**SUBJECT:** APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 25, 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, JUNE 24, 2019.***

Signature

6/24/19
Date

KEVIN T. ORROCK
Please Print Name

6/20/19

THE HOWARD HUGHES COMPANY, LLC.
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division



Submitted after final agenda

Item 18

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**19**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

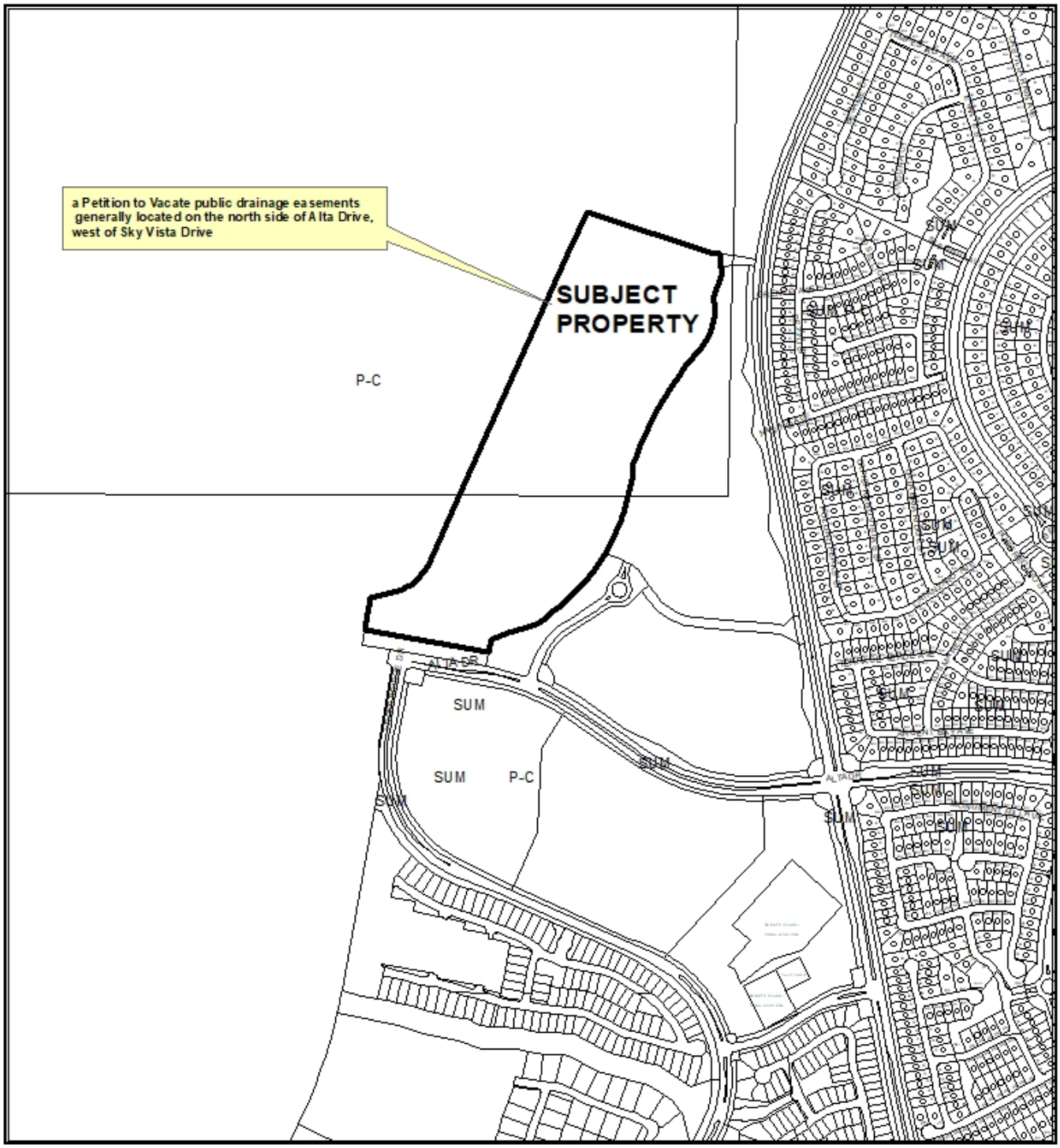
**SUBJECT:**
VAC-76444 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive (portion of APNs 137-28-810-001 and 137-33-512-003), Ward 2 (Vacant) [PRJ-76396]. Staff recommends APPROVAL.

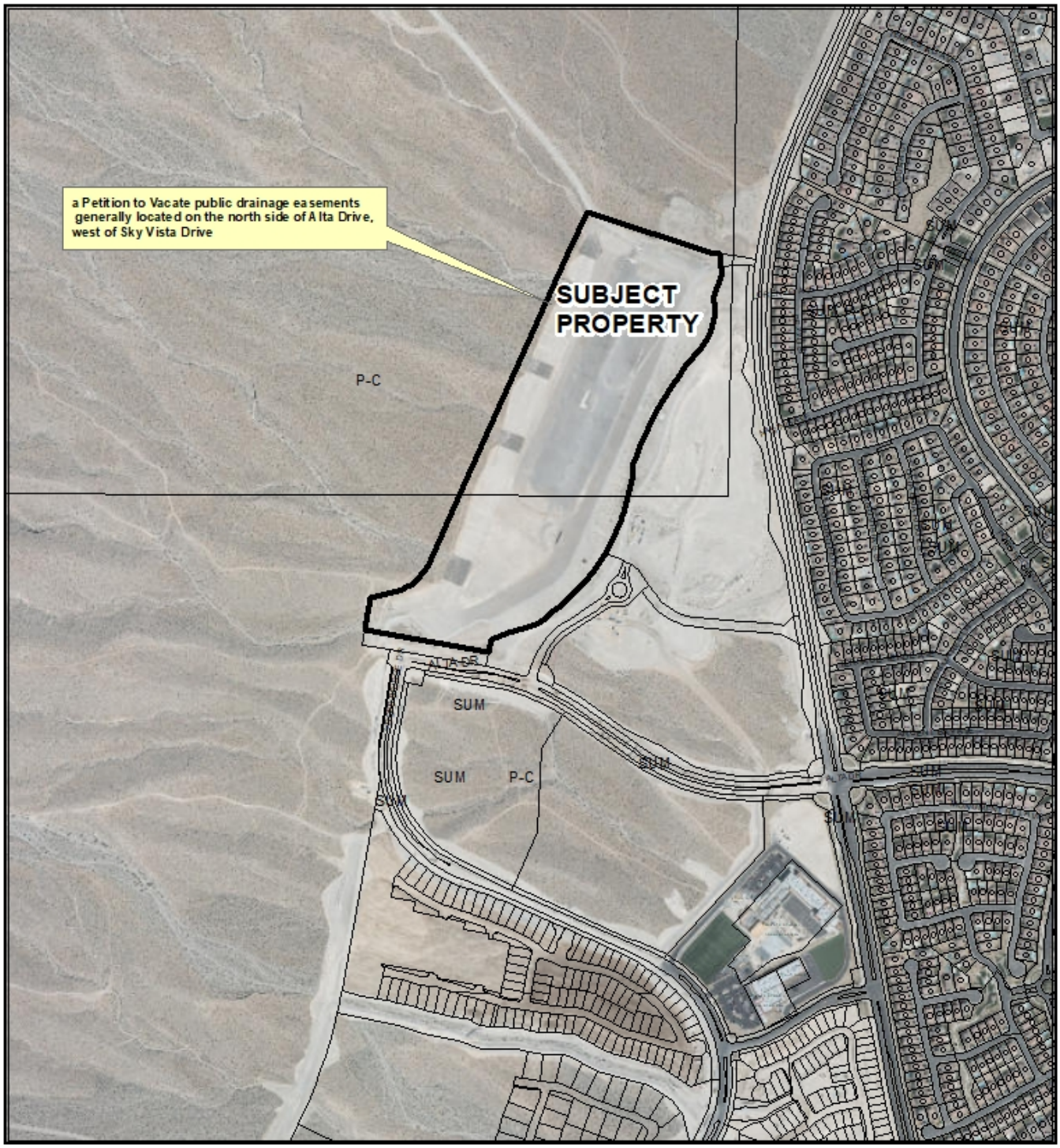
**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Executed Condition Confirmation Documentation


a Petition to Vacate public drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive
SUBJECT PROPERTY
P-C
ALTA DR
SUM
SUM
P-C
SUM
SUM
SUM


a Petition to Vacate public drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive
SUBJECT PROPERTY
P-C
ALTA DR
SUM
SUM
P-C
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SUM
SUM

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAC-76444** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 7

**NOTICES MAILED** 2

**PROTESTS** 0

**APPROVALS** 0



NE

**** CONDITIONS ****

# VAC-76444 CONDITIONS

1. The limits of this Petition of Vacation shall be that portion of the Public Drainage Easement granted per document #19960402:0001120 that are outside the parcel limits of DB 4/5 granted per Book 158, Page 51 of Subdivision Plats.

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

3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed.

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

5. If the Order of Vacation (or Order of Relinquishment of Interest if a Patent Reservation) is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to vacate portions of a public drainage easement located within Summerlin Village 24A Detention Basin.

## ANALYSIS

The purpose of this Petition of Vacation is to vacate portions of a Public Drainage Easement granted per document #19960402:0001120 that are outside the parcel limits of DB 4/5 granted per Book 158, Page 51 of Subdivision Plats. Revisions to the detention basin limits have increased and have been otherwise modified over the years and therefore, the easement needs to be vacated. A new drainage easement was granted by the Final Map for Summerlin Village 24A (FMP-74662), Book 158, Page 51.

As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this vacation request to the utility companies and franchise holders, nor wait for their responses.

## FINDINGS

Staff has no objection to the proposed public drainage easement vacation as it is no longer needed; therefore, staff recommends approval with conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/10/06 | The City Referral Group approved a request for a Summerlin Site Development Plan Review (CRG-16616) for a proposed aggregate processing batch plant on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake Mead Boulevard. Staff recommended approval. |
| 11/19/08 | The City Referral Group approved a request for a two-year extension (CRG-31236) for an existing aggregate processing batch plant (CRG-16616) on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake Mead Boulevard. Staff recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 12/15/10 | The City Referral Group approved a request for an Extension of Time (CRG-40262) of a previously approved Summerlin Site Development Plan Review Plan (CRG-16616) for a proposed aggregate processing batch plant (CRG-16616) on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake Mead Boulevard. Staff recommended approval. |
| 07/20/17 | The City Referral Group approved a request for a Summerlin Site Development Plan Review (CRG-68105) for a proposed zone reservoir and pumping station located on a portion northwest of the future intersection of Far Hills Avenue and Sky Vista Drive. Staff recommended approval. |
| 05/16/18 | The City Council approved a request for a Summerlin Development Plan Review (MDR-72833) for Village 24A on 102.56 acres at the northwest corner of Alta Drive and Sky Vista Drive. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 12/18/97 | A deed was recorded for a change in ownership for APN 137-28-810-001. |
| | A deed was recorded for a change in ownership for APN 137-33-512-003. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no relevant, related building permits or business licenses for the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| Month/date/year | A pre-application meeting was conducted to discuss the submittal requirements for a Petition to Vacate public drainage easements. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff observed the vicinity of the vacation and did not note anything of concern. |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Detention Basin | SUM (Summerlin) | P-C (Planned Community) |
| North | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |
| South | Single Family, Detached | SUM (Summerlin) | P-C (Planned Community) |
| East | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |
| West | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Summerlin | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| P-C (Planned Community) 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 |



NE

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Total Fee | |
| Date Received | |
| Received By | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Vacation

**Project Address (Location)** Summerlin V24A

**Project Name** Summerlin V24A Detention Basin 4/5 **Proposed Use** _____

**Assessor's Parcel #(s)** 137-28-000-003; 137-33-501-001 **Ward #** _____

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

**Additional Information** _____

**PROPERTY OWNER** The Howard Hughes Company, LLC

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**APPLICANT** The Howard Hughes Company, LLC/Chris Anderson

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**REPRESENTATIVE** GCW, Inc./Jennifer Veras

Address 1555 S. Rainbow Boulevard State NV Zip 89146

E-mail jveras@gcwengineering.com Phone 702.804.2096

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** Kevin T. Orrock

Subscribed and sworn before me

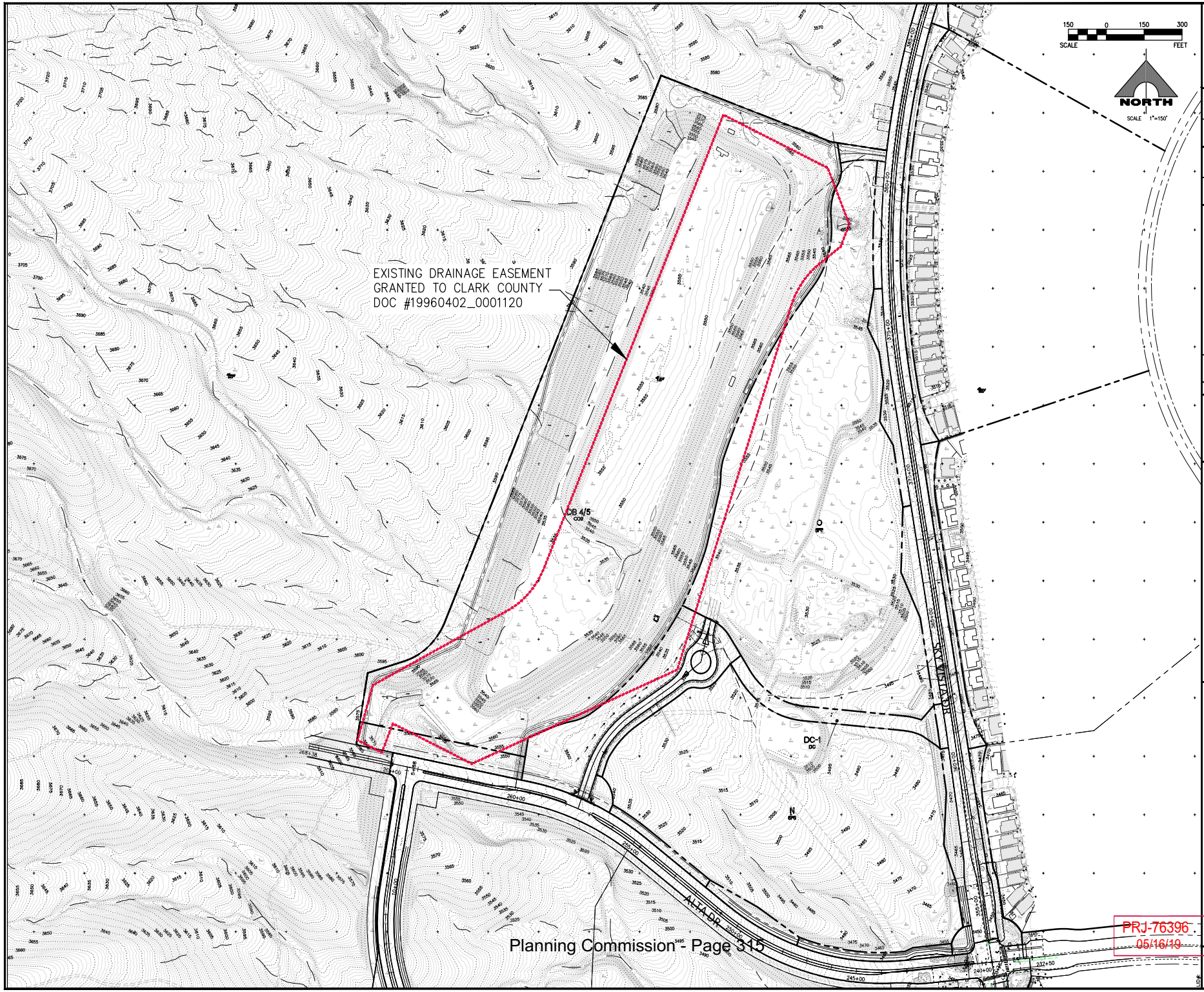
This 23 day of April, 20 19

Rebecca Misty Abasta

Notary Public in and for said County and State

PRJ-76396
05/16/19

REBECCA MISTY ABASTA
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 12-10-2020
Certificate No: 17-4216-1




Planning Commission - Page 315

PRJ-76396
05/16/19

THE HOWARD HUGHES COMPANY, LLC
VILLAGE 24A
DETENTION BASIN 4/5

GCW ENGINEERS \ SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

PROJECT NO. 62024-134
DESIGN:
DRAWN:
CHECK:
PLOT DATE: 04-10-19
PLOT TIME: 18:18:16
F:\PROJECTS\600\62024-134\DWG\EXHIBITS\DB 4-5\V24A DB 4-5 ESMT.DWG
LUPE GRACIA

REV DATE DESCRIPTION DATE AGEN APP DATE GCW APP DATE % COMPLETE

DRAWING 1
1 OF SHTS

HTE: 00-00000

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# GRANT OF EASEMENT FOR DRAINAGE FACILITIES

KNOW ALL MEN BY THESE PRESENTS: That **HOWARD HUGHES PROPERTIES LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP BY ITS SOLE GENERAL PARTNER, THE HOWARD HUGHES CORPORATION, A DELAWARE CORPORATION, GRANTOR(S)**, for and in consideration of One Dollar ($1.00) and other valuable consideration, receipt of which is hereby acknowledged, do(es) hereby grant and convey unto the **COUNTY OF CLARK**, a political subdivision of the State of Nevada, its successors and assigns, **GRANTEE**, a perpetual non-exclusive easement and right-of-way to construct, add to, reconstruct, and maintain a flood control facility consisting of a detention basin, pipes, culverts, ditches, or other structures, over, under, across and through the hereinafter described parcel of land in Clark County, Nevada; together with the right of ingress and egress to and from said parcel of land and all other rights necessary to execute the rights herein granted.

The above referred to parcel of land is described in Exhibit "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD THE SAME unto Clark County, its successors and assigns, for the uses and purposes herein set forth.

Assessor's Parcel Number: 470-510-018
Inquiry Number: 79-96

Reviewed/Approved, date 3-29-96
Phu Simpson, CCPW-COMMUNITY DEVELOPMENT DIVISION

IN WITNESS WHEREOF, the said Grantors have hereunto affixed their signatures and seal this 28th day of March, 1996.

HOWARD HUGHES PROPERTIES LIMITED PARTNERSHIP,
A DELAWARE LIMITED PARTNERSHIP BY ITS SOLE
GENERAL PARTNER, THE HOWARD HUGHES CORPORATION,
A DELAWARE CORPORATION

BY _____
Richard E. Oglesby, Senior Vice-President, Community Development Summerlin Division

STATE OF NEVADA )
) SS
COUNTY OF CLARK )

This instrument was acknowledged before me on the 28th day of March, 1996, by RICHARD E. OGLESBY as Senior Vice President of the Community Development Summerlin Division of the Howard Hughes Properties Limited Partnership, a Delaware Limited Partnership, by its sole General Partner, the Howard Hughes Corporation, a Delaware Corporation.

_____
Notary Public

Notary Public-State Of Nevada
COUNTY OF CLARK
ROSE N. RUDOLPH
My Commission Expires
December 6, 1997

RECORDER'S USE

When recorded, return to:

Phu Simpson
CCPW-COMMUNITY DEVELOPMENT
P. O. BOX 554000
Las Vegas, Nevada 89155-4000



PRJ-76396
05/16/19

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62050.205
FILE: S28 33DB.205
FEBRUARY 27, 1996
BY: SAH
CKD. BY: DWE
(A)

# EXHIBIT "A"

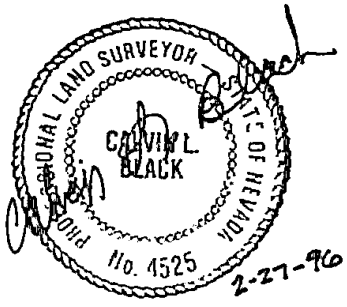
EXPLANATION: THIS LEGAL DESCRIBES A DRAINAGE EASEMENT TO BE GRANTED TO CLARK COUNTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A DETENTION BASIN.

DO NOT RECORD ABOVE THIS LINE

## LEGAL DESCRIPTION

THAT PORTION OF PARCEL 1 AS SHOWN BY MAP THEREOF ON FILE IN FILE 84, PAGE 71 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SECTIONS 28 AND 33, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 33; THENCE ALONG THE WEST LINE OF SAID SECTION 33, NORTH 05°36'48" WEST, 2836.72 FEET TO THE NORTHWEST CORNER OF SAID SECTION 33; THENCE SOUTH 76°46'10" EAST, 3460.28 FEET TO THE POINT OF BEGINNING; THENCE NORTH 17°35'13" EAST, 197.83 FEET; THENCE NORTH 64°06'23" EAST, 592.53 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 39°50'38", AN ARC LENGTH OF 208.62 FEET; THENCE NORTH 24°15'45" EAST, 1704.14 FEET; THENCE SOUTH 66°38'51" EAST, 452.04 FEET; THENCE SOUTH 24°14'08" EAST, 210.32 FEET; THENCE SOUTH 23°21'09" WEST, 83.48 FEET; THENCE SOUTH 54°37'59" WEST, 106.58 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 35°04'15", AN ARC LENGTH OF 183.63 FEET; THENCE SOUTH 19°33'44" WEST, 1321.46 FEET; THENCE SOUTH 68°05'01" WEST, 875.47 FEET; THENCE NORTH 66°38'51" WEST, 341.79 FEET; THENCE SOUTH 23°21'09" WEST, 108.15 FEET; THENCE NORTH 66°38'51" WEST, 105.16 FEET TO THE POINT OF BEGINNING.




CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PUBLIC WORKS CLARK COUNTY
04-02-96 11:43 OFFICIAL RECORDS COD 2
BOOK 960402 INST 01120
FEE .00 APTT .00



PRJ-76396
05/16/19



**VAC-76444 [PRJ-76396] - VACATION - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**
**NORTH SIDE OF ALTA DRIVE, WEST OF SKY VISTA DRIVE**

05/16/2019

62052-3081

April 15, 2019

City of Las Vegas Planning Department
500 South Rancho Drive
Las Vegas, Nevada 89102

RE: Justification Letter – Summerlin Village 24A Detention Basin 4/5 Vacation Request

To Whom It May Concern:

On behalf of our client, The Howard Hughes Company, LLC, we are respectfully requesting the vacation of Public Drainage Easement 19960402-0001120.

Public Drainage Easement 19960402-0001120 was granted in 1996 and revisions to the detention basin limits have increased and modified the detention basin area. A new drainage easement was created per the Summerlin Village 24A Final Map FMP74662, Book 158, Page 51 to house the existing limits in its entirety. We are asking to vacate existing 19960402-0001120 since it is no longer required.

Cordially,

Jennifer Veras
Project Coordinator
GCW, Inc.

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146
O 702.804.2000
F 702.804.2299
info@gcwengineering.com
gcwengineering.com



PRJ-76396
05/16/19

# 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
JUN 2 4 2019
Dept of Planning
City of Las Vegas

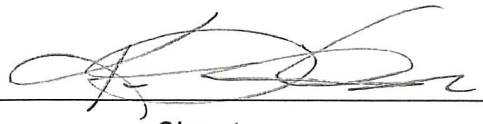
**CASE:** VAC-76444 [PRJ-76396] - VACATION

**SUBJECT:** APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 25, 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, JUNE 24, 2019.***



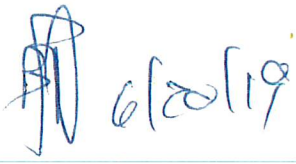
Signature

6/24/19

Date

KEVIN T. ORROCK

Please Print Name



THE HOWARD HUGHES COMPANY, LLC

Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division



Submitted after final agenda
Item 19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**20**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

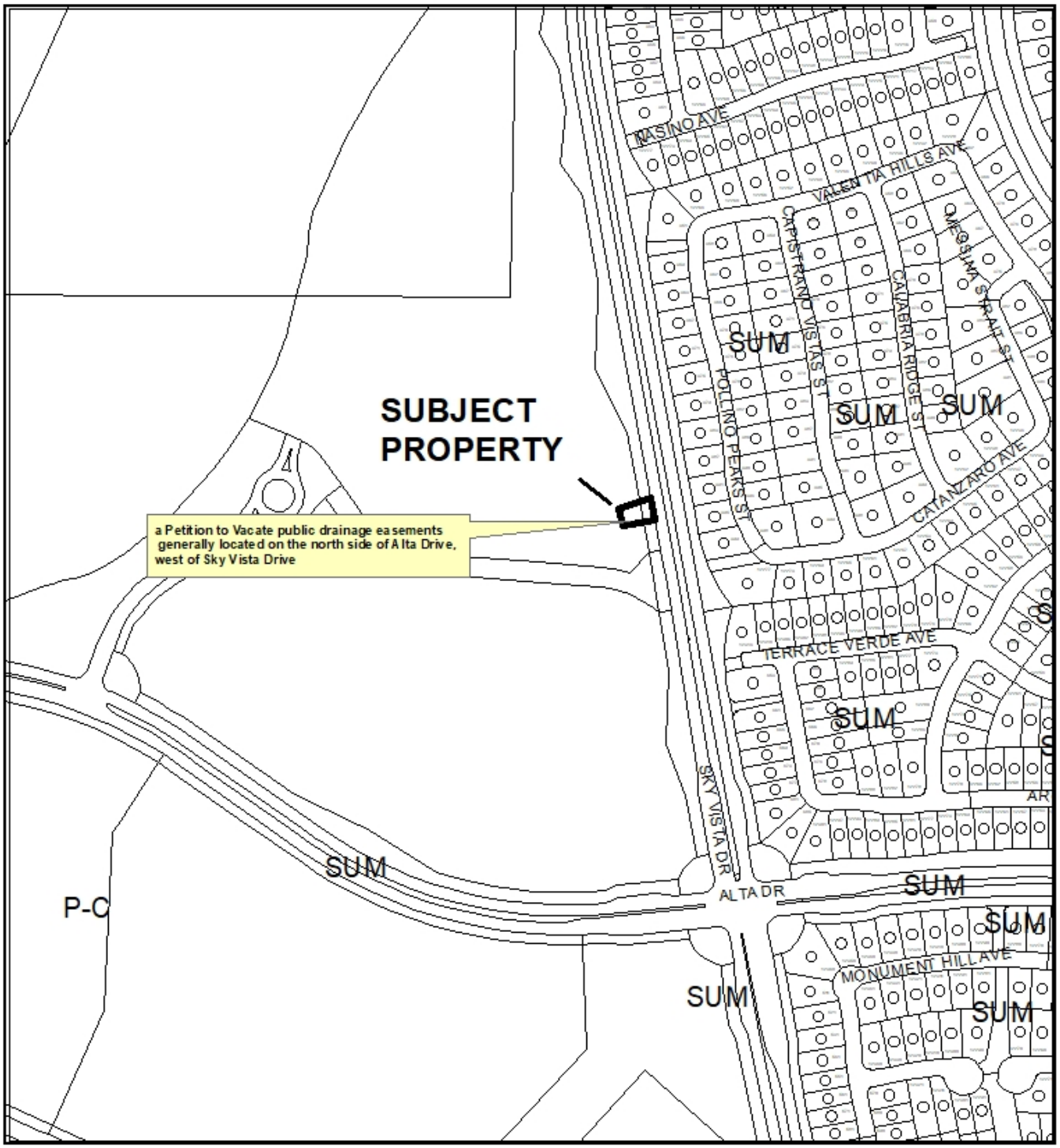
**SUBJECT:**
VAC-76458 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Petition to Vacate public sewer and drainage easements generally located on the north side of Alta Drive, west of Sky Vista Drive (portion of APN 137-33-512-002), Ward 2 (Vacant) [PRJ-76431]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

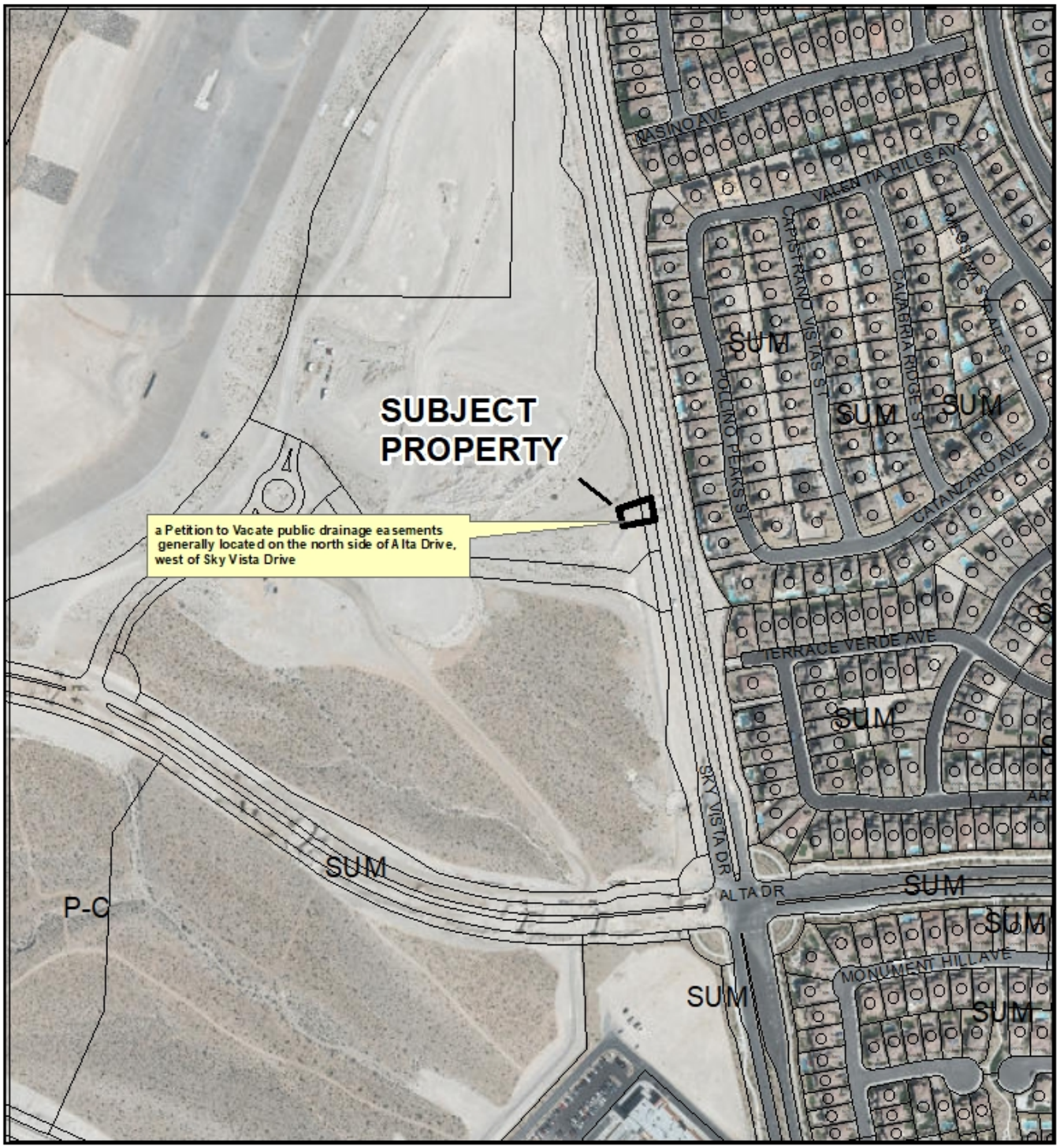
| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 0 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends

**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 - Executed Condition Confirmation Documentation




CASE: **VAC-76458 (PRJ-76431)**




CASE: **VAC-76458 (PRJ-76431)**

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAC-76458** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**NOTICES MAILED** 2

**PROTESTS** 0

**APPROVALS** 0



NE

**** CONDITIONS ****

# VAC-76458 CONDITIONS

1. The limits of this Petition of Vacation shall be that portion of the Public Drainage Easement adjacent to Sky Vista Drive granted in favor of Lot “O” per the Final Map of Summerlin Village 24A, Book 158, Page 51.

2. Replacement public sewer and drainage easements shall record prior to the recordation of the Order of Vacation.

3. 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.

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed.

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

6. If the Order of Vacation (or Order of Relinquishment of Interest if a Patent Reservation) is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to vacate a public drainage and sewer easement located within Lot "O" of Summerlin Village 24A.

## ANALYSIS

The purpose of this request is to vacate a public sewer and drainage easement adjacent to Sky Vista Drive granted in favor of Lot "O" per the Final Map of Summerlin Village 24A, Book 158, Page 51. The developer reconfigured the lots and therefore, the easements need to be vacated.

As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this vacation request to the utility companies and franchise holders, nor wait for their responses.

## FINDINGS

Staff has no objection to the proposed public sewer and drainage easement vacation as they are no longer needed; therefore, staff recommends approval with conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 10/10/06 | The City Referral Group approved a request for a proposed aggregate processing batch plant (CRG-16616) on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake mead Boulevard. Staff recommended approval. |
| 11/19/08 | The City Referral Group approved a request for a two-year Extension of Time (CRG-31236) for an existing aggregate processing batch plant (CRG-16616) on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake mead Boulevard. Staff recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 12/15/10 | The City Referral Group approved a request for an Extension of Time (CRG-40262) of a previously approved Summerlin Site Development Plan (CRG-16616) for a proposed aggregate processing batch plant on 20.00 acres located approximately one-quarter mile west of the CC 215 beltway and 800 feet south of Lake mead Boulevard. Staff recommended approval. |
| 07/20/17 | The City Referral Group approved a request for a Summerlin Site Development Plan (CRG-68105) for a proposed zone reservoir and pumping station located on a portion northwest of the future intersection of Far Hills Avenue and Sky Vista Drive. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 12/18/97 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no related, relevant building permits or business licenses for the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 05/02/19 | A pre-application meeting was conducted to discuss the submittal requirements for a Petition to Vacate public sewer and drainage easements. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff observed the vicinity of the vacation and did not note anything of concern. |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |
| North | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |
| South | Single Family, Detached | SUM (Summerlin) | P-C (Planned Community) |
| East | Single Family, Detached | SUM (Summerlin) | P-C (Planned Community) |
| West | Undeveloped | SUM (Summerlin) | P-C (Planned Community) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| Summerlin | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| P-C (Planned Community) 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 |



NE

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Total Fee | |
| Date Received | |
| Received By | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Vacation

**Project Address (Location)** Summerlin V24A

**Project Name** Summerlin V24A Lot 9 and Lot 0 **Proposed Use**

**Assessor's Parcel #(s)** 137-33-512-002 & 137-34-120-004 **Ward #**

**General Plan:** Existing Proposed **Zoning:** Existing Proposed

**Additional Information**

**PROPERTY OWNER** The Howard Hughes Company, LLC

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**APPLICANT** The Howard Hughes Company, LLC/Chris Anderson

Address 10801 W. Charleston Boulevard State NV Zip 89135

E-mail chris.anderson@howardhughes.com Phone 702.791.4336

**REPRESENTATIVE** GCW, Inc./Jennifer Veras

Address 1555 S. Rainbow Boulevard State NV Zip 89146

E-mail jveras@gcwengineering.com Phone 702.804.2096

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** Kevin T. Orrock

Subscribed and sworn before me

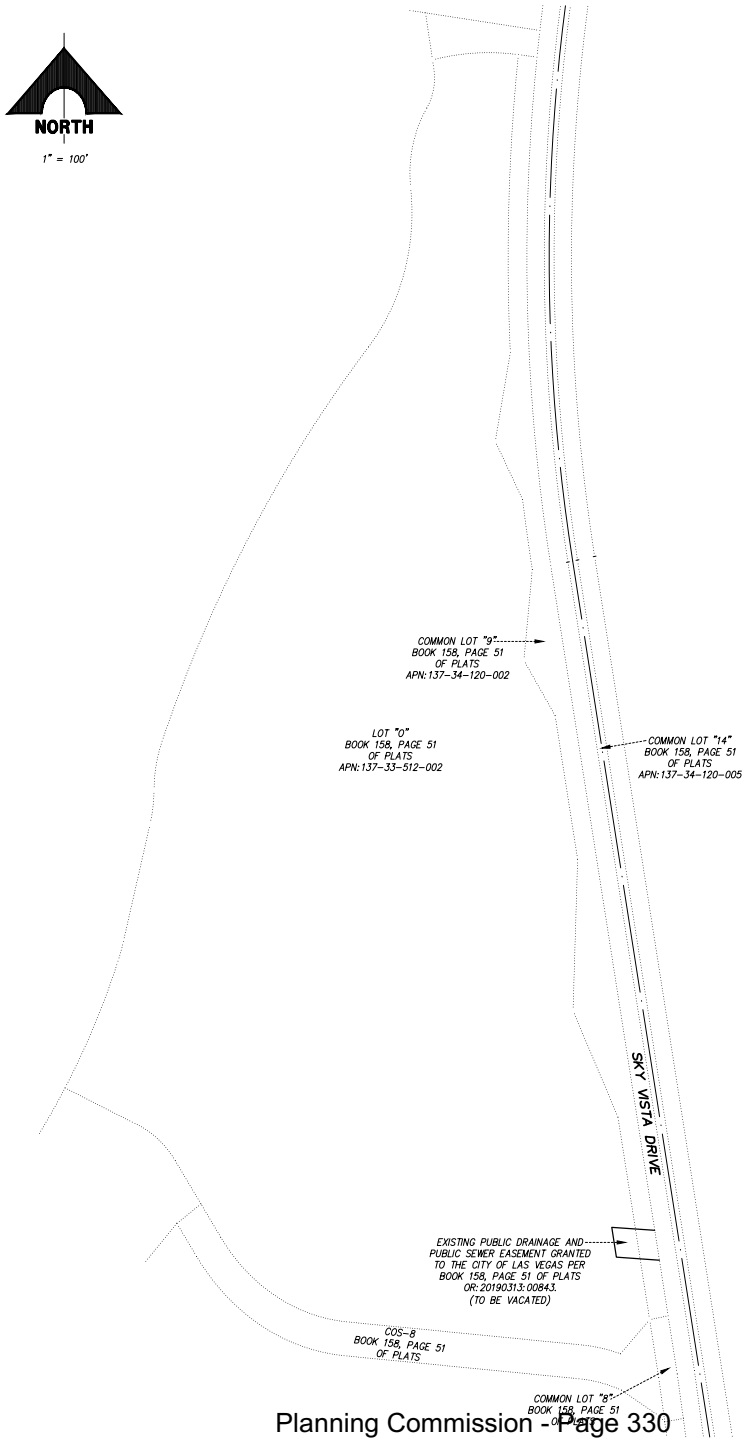
This 23 day of April, 20 19

Rebecca Misty Abasta

Notary Public in and for said County and State

PRJ-76431
05/06/19

REBECCA MISTY ABASTA
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 12-10-2020
Certificate No: 17-4216-1




A PUBLIC SEWER AND PUBLIC DRAINAGE EASEMENT AS GRANTED TO THE CITY OF LAS VEGAS PER BOOK 158, PAGE 51 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE NORTHEAST QUARTER (NE¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

| REV. | DATE | DESCRIPTION |
|---|---|---|
| | | |

GCW
ENGINEERS \ SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

**SUMMERLIN VIL. 24 - ALTA DRIVE**
**THE HOWARD HUGHES COMPANY LLC**
**VACATION EXHIBIT**

SHEET
1
OF 1 SHEETS

PRJ-76431
05/06/19

62024-428

**OWNER: THE HOWARD HUGHES COMPANY, LLC**
**APN: 137-33-512-002 AND 137-34-120-004**

**VAC -19**
**EXHIBIT "A"**

**EXPLANATION:** THIS DESCRIPTION REPRESENTS AN EASEMENT FOR DRAINAGE AND SEWER PURPOSES TO BE VACATED IN SUPPORT OF THE SUMMERLIN VILLAGE 24A PROJECT.

**DESCRIPTION**

A PUBLIC SEWER AND PUBLIC DRAINAGE EASEMENT, BEING A PORTION OF COMMON LOT "9" AND LOT "O" AS SHOWN IN BOOK 158, PAGE 51 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

**COMMENCIN**G AT THE MOST EASTERLY SOUTHEAST CORNER OF SAID COMMON LOT "9"; THENCE ALONG THE EASTERLY LINE THEREOF, NORTH 10°16'29" WEST, 83.09 FEET TO THE **POINT OF BEGINNING**; THENCE DEPARTING SAID EASTERLY LINE, NORTH 86°31'31" WEST, 73.44 FEET; THENCE NORTH 10°16'29" WEST, 44.68 FEET; THENCE SOUTH 86°31'31" EAST, 73.44 FEET TO A POINT ON SAID EASTERLY LINE; THENCE ALONG SAID EASTERLY LINE, SOUTH 10°16'29" EAST, 44.68 FEET TO THE **POINT OF BEGINNING**.

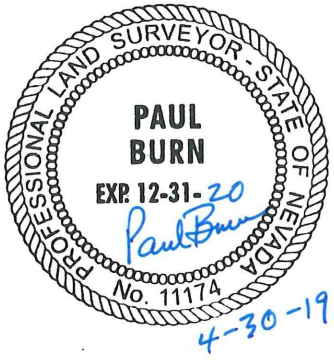
CONTAINING 3,187 SQUARE FEET, MORE OR LESS.

**BASIS OF BEARINGS**
NORTH 10°16'29" WEST, BEING THE BEARING OF THE EASTERLY LINE OF COMMON LOT "9" AS SHOWN IN BOOK 158, PAGE 51 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

END OF DESCRIPTION.

(SEE EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174





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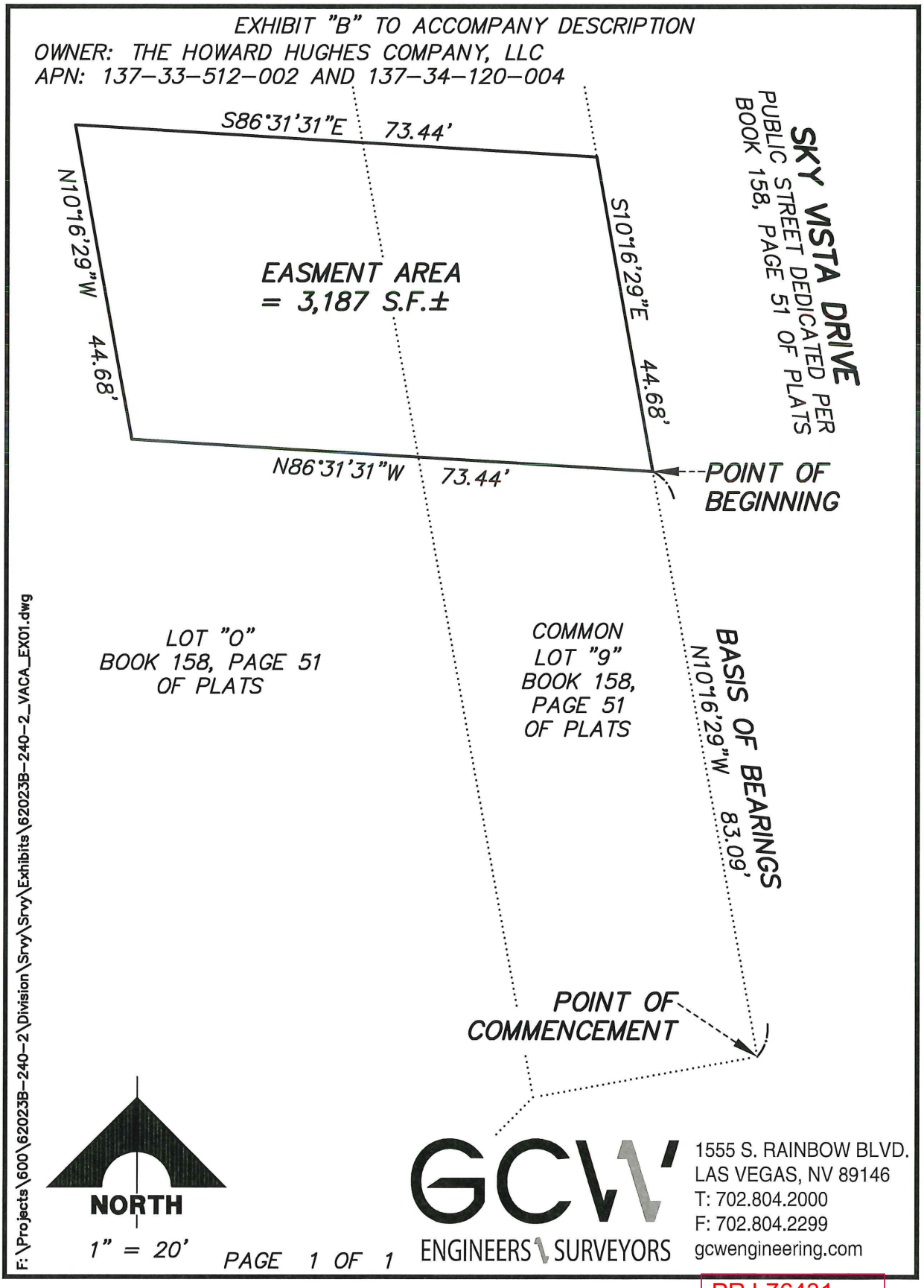
GCW, INC.
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146/TEL: (702) 804-2000/FAX: (702) 804-2299

PRJ-76431
05/06/19




PRJ-76431
05/06/19



**VAC-76458 [PRJ-76431] - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**
**NORTH SIDE OF ALTA DRIVE, WEST OF SKY VISTA DRIVE**

05/16/2019



**VAC-76458 [PRJ-76431] - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**
**NORTH SIDE OF ALTA DRIVE, WEST OF SKY VISTA DRIVE**

05/16/2019

62024-240-2

May 3, 2019

City of Las Vegas Planning Department
500 South Rancho Drive
Las Vegas. Nevada 89102

RE: Justification Letter – Summerlin Village 24A Drainage and Sewer Vacation

Gentlemen:

On behalf of our client, The Howard Hughes Company, LLC, we are respectfully requesting the vacation of a portion of the drainage and sewer easement, being a portion of Common Lot 9 and Lot O as shown in Book 158, Page 51 of plats on file at the Clark County Recorder's Office.

The developer reconfigured their lot layout, therefore the easement needs to be adjusted.

Cordially,

GCW, INC.

Jennifer Veras
Project Coordinator

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146
O 702.804.2000
F 702.804.2299
info@gcwengineering.com
gcwengineering.com

PRJ-76431
05/06/19

# 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
JUN 2 4 2019
Dept of Planning
City of Las Vegas

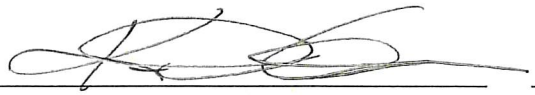
**CASE:** VAC-76458 [PRJ-76431] - VACATION

**SUBJECT:** APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 25, 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, JUNE 24, 2019.***



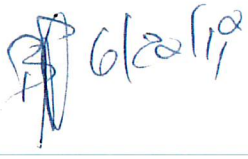
Signature

6/24/19

Date

KEVIN T. ORROCK

Please Print Name



THE HOWARD HUGHES COMPANY, LLC

Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division



Submitted after final agenda

Item 20

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**21**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

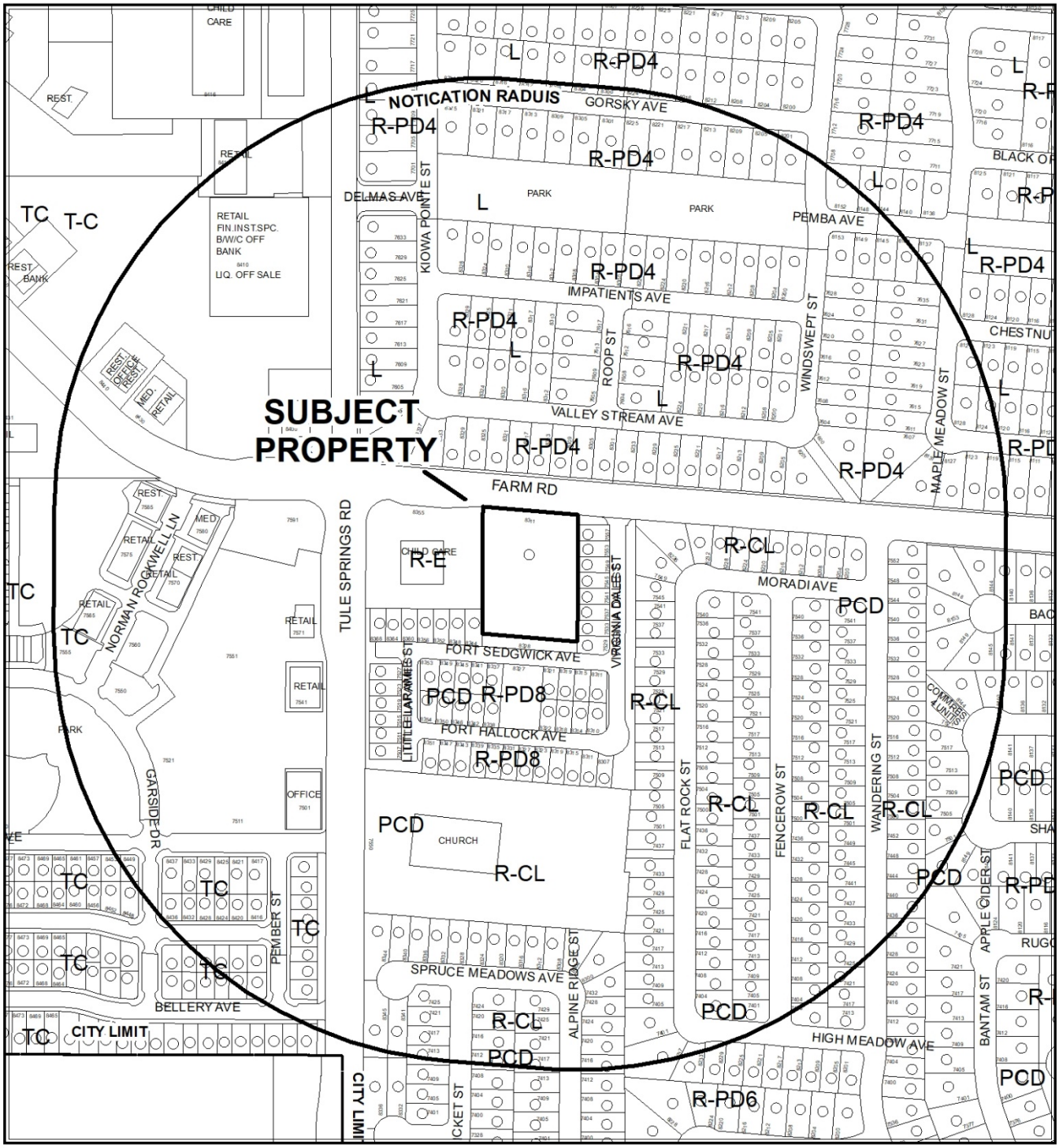
**SUBJECT:**
ABEYANCE - GPA-75668 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a General Plan Amendment FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends DENIAL

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Land Use Map
3. Staff Report - GPA-75668 and ZON-75669 [PRJ-75621]
4. Supporting Documentation - GPA-75668 and ZON-75669 [PRJ-75621]
5. Photo(s) - GPA-75668 and ZON-75669 [PRJ-75621]
6. Justification Letter - GPA-75668 and ZON-75669 [PRJ-75621]
7. Backup Submitted for the April 23, 2019 Planning Commission Meeting
8. Submitted after Final Agenda - Photos and Documentation Not Vetted - Protest/Support Comment Forms for GPA-75668 and ZON-75669 [PRJ-75621]




0 265 530 Feet

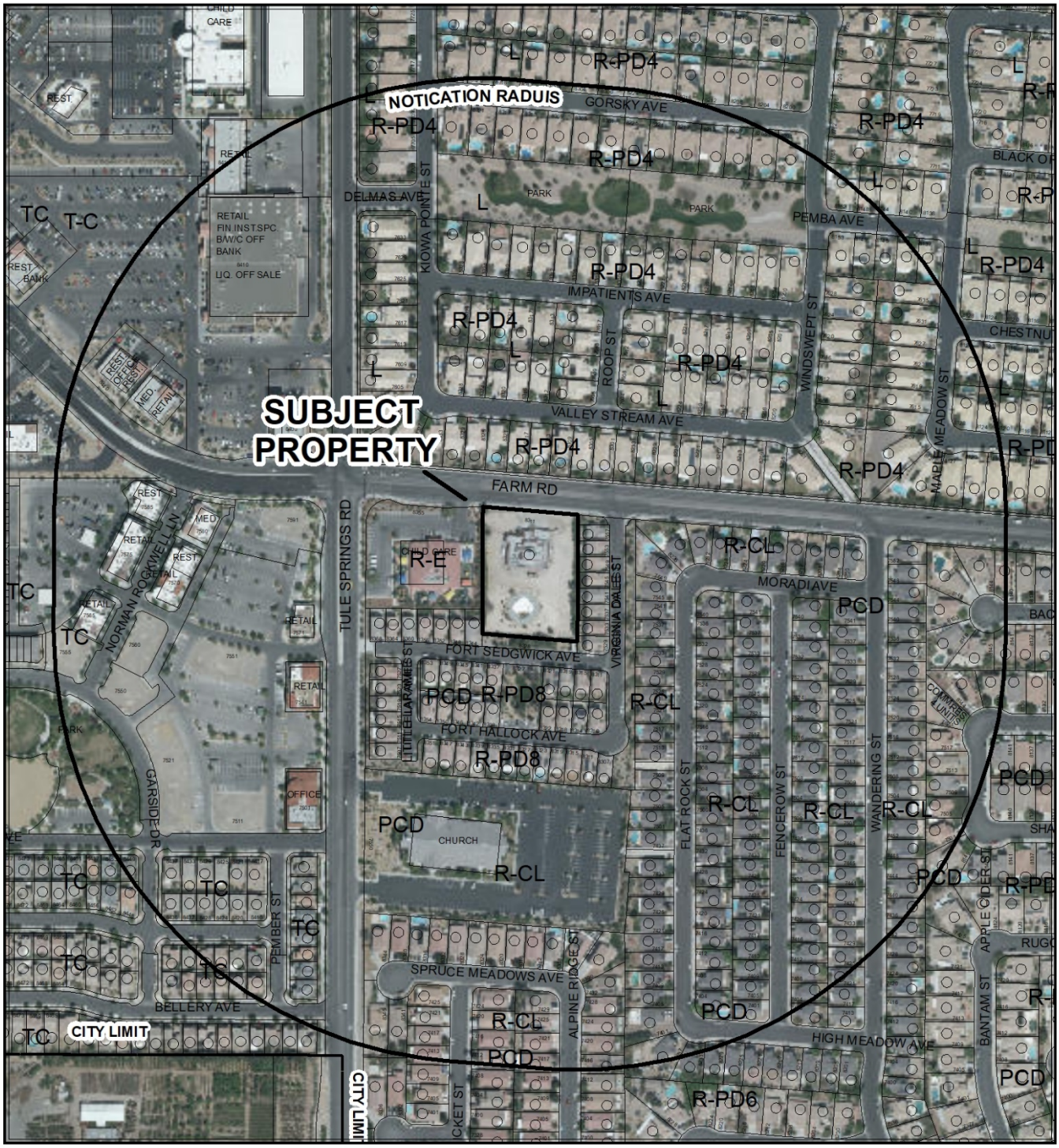
**CASE:** **GPA-75668 (PRJ-75621)**

**RADIUS:** 1000 FEET

**GENERAL PLAN OF SUBJECT PROPERTY:** PCD (PLANNED COMMUNITY

**PROPOSED GENERAL PLAN OF SUBJECT PROPERTY:** SC (SERVICE COMMERCIAL)

N



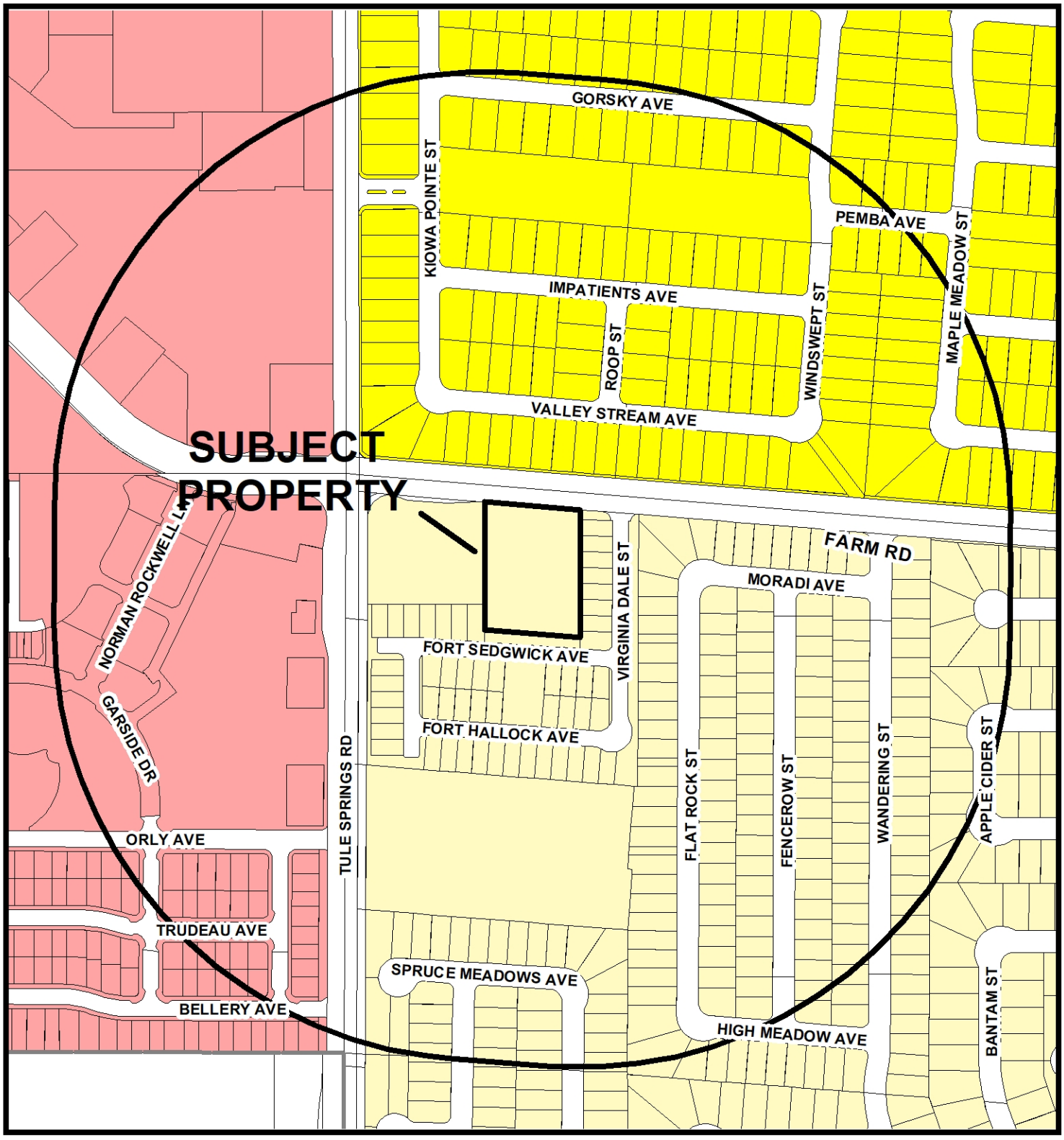

**CASE:** **GPA-75668 (PRJ-75621)**

**RADIUS:** 1000 FEET

**GENERAL PLAN OF SUBJECT PROPERTY:** PCD (PLANNED COMMUNITY

**PROPOSED GENERAL PLAN OF SUBJECT PROPERTY:** SC (SERVICE COMMERCIAL)

# GPA-75668




## General Plan Amendment

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High
- Form-Based Code
- Planned Community Development
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industry / Research Park
- Traditional Neighborhood Development
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facilities
- Public Facilities - School
- Public Facilities - Clark County
- Town Center
- Resource Conservation
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

## FROM PCD TO SC

- Subject Property
- 1000ft Buffer
- City Limits

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

Date: Wednesday, May 22, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: ZION LOVINGIER**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **GPA-75668** | Staff recommends DENIAL. | |
| **ZON-75669** | Staff recommends DENIAL. | GPA-75668 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 49

**NOTICES MAILED** 456 - GPA-75668 and ZON-75669

**PROTESTS** 1 - GPA-75668 and ZON-75669

**APPROVALS** 0 - GPA-75668 and ZON-75669



NE

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing a General Plan Amendment for 8311 Farm Road. The proposal includes designating the 1.50-acre subject site SC (Service Commercial), and Rezoning the site to C-1 (Limited Commercial).

## ISSUES

- A General Plan Amendment is requested to designate the subject site SC (Service Commercial) from PCD (Planned Community Development). Staff does not support this request.
- Rezoning the subject site from R-E (Residence Estates) to C-1 (Limited Commercial) is proposed by the applicant. Staff does not support this proposal.
- The subject site currently operates as a licensed, short-term residential rental use. If approved, these operations would be required to cease and desist and the business license marked out-of-business.

## ANALYSIS

### *General Plan Amendment*

PCD (Planned Community Development) – The Planned Community Development category allows for a mix of residential uses that maintains an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses (e.g., a density of two units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending on compatibility issues) within the PCD. Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.



NE

***Rezoning***

The subject site is currently zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low density residential units located on large lots that convey a rural environment. This is achieved by 20,000 square-foot minimum lot sizes, and conservative setbacks. This zoning district does allow for a limited number of commercial uses either by right, or through an approved Special Use Permit. The chart below demonstrates these uses and the mechanisms necessary to operate such uses within the R-E zoning district:

| ***Permitted Use*** | ***Conditional Use*** | ***Special Use Permit*** |
|---|---|---|
| Single Family, Detached | Animal Keeping & Husbandry | Animal Hospital, Clinic, or Shelter (with Outside Pens) |
| Community Recreational Center (Public) | Community Center, Private (Accessory) | Convalescent Care Facility/Nursing Home |
| Crop Production | Cemetery/Mausoleum | Country Club, Private |
| Individual Care – Family Home | Community Garden | Church/House of Worship |
| Public Park or Playground | Community Residence (including Family Community Residence and Transitional Community Residence) | Horse Corral or Stable |
| | Short-Term Residential Rental | Hospice |
| | | Individual Care – Group Home |
| | | Individual Care Center |
| | | Public or Private School, Primary and/or Secondary |

The proposed C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The subject site is not part of the retail corridor found west of Tule Springs Road nor is it at the intersection of thoroughfares. While Farm Road is an 80-foot wide collector street, east of Tule Springs Road, Farm Road primarily provides access to residential neighborhoods.

Below is a chart that demonstrates a sampling of the type and intensity of the land uses that would be allowed within the proposed C-1 zoning district either by right, as a Conditional use, or via a Special Use Permit:

| ***Permitted Use*** | ***Conditional Use*** | ***Special Use Permit*** |
|---|---|---|
| Banquet Facility | Mixed-Use Development | Assisted Living Apartments |
| Business School | Auto Broker | Auto Repair Garage, Minor |
| Church/House of Worship | Open Air Vending/Transient sales Lot | Bailbond Service |
| Clinic | Pet Shop | Nightclub |
| Employment Agency | Senior Citizen Apartments | Beer/Wine/Cooler On and/or Off-Sale Establishment |
| General Personal Service (Beauty Salon, Dry Cleaners, etc.) | Social Service Provider | Hotel, Motel or Hotel Suites |
| Health Club | Thrift Shop | Massage Establishment |
| General Retail Store | | Motor Vehicle Sales, Used |
| Restaurant | | Mini-Storage Facility |
| Trade School | | Pawn Shop |
| Wedding Chapel | | Restaurant with Alcohol or Service Bar |

Staff finds the proposed C-1 zoning district would permit land uses too intense for direct residential adjacency. These uses such as restaurants and general personal services are typically open past normal business hours and would introduce public activity adjacent to a residential neighborhood that staff finds to be incompatible and not capable of being operated in a harmonious manner with detached, single family residences that exist in the immediate area.

On August 14, 2018, the Planning Commission approved a request for a Special Use Permit (SUP-73820) for a five-bedroom short-term residential rental to be operated at the subject site. If approved, these operations, along with any other residential type use would have to cease immediately as they would not be permitted uses within a commercially zoned property. Staff is prepared to issue a *Cease and Desist* order upon approval of these applications.

According to the Las Vegas Valley Water District (LVVWD), this parcel is currently served by a well. If approved, the Nevada Division of Environmental Protection (NDEP) would be the agency to review the proposed zone change and possibly require the subject site to relinquish well rights and connect to a water service line.

Development factors in the area indicate commercial uses west of Tule Springs Road, with residential uses east of Tule Springs Road. The subject site is surrounded by residentially zoned property used as such with the exception of the property directly west, which is currently used as a daycare center for children. These existing development factors in the area do not indicate the need for the existing commercial west of Tule Springs Road to encroach eastward into the residential neighborhoods; therefore, staff recommends denial of both the requested General Plan Amendment and the Rezoning request.

**FINDINGS (GPA-75668)**

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

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

   The density and intensity of the proposed Service Commercial designation is not compatible with the existing Low Density Residential and Planned Community Development land use designations.

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

   The proposed Service Commercial General Plan designation allows the C-1 (Limited Commercial), O (Office), and P-O (Professional Office) zoning districts. Due to the subject sites adjacency to single-family residential neighborhoods, the P-O zoning district would be the only district compatible with the adjacent residential zoning districts, not the proposed C-1 zoning district.

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

   There are adequate transportation and utility facilities to accommodate the uses permitted by the proposed Service Commercial General Plan designation.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

Amending the existing General Plan designation to Service Commercial does not conform to the intent of the Commercial and Industrial Development Standards, Title 19.08.020, which strives to "*to encourage sensitive design and planning of commercial and industrial development which enhances compatibility between the built environment and the natural environment and will not negatively impact the use and enjoyment of adjacent and neighboring properties*."

## FINDINGS (ZON-75669)

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

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

   If approved, the proposed C-1 (Limited Commercial) zoning district would conform to the proposed SC (Service Commercial) General Plan Designation.

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

   The uses allowed within the proposed C-1 zoning district are not compatible with the surrounding residential land uses and zoning districts.

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

   Growth and development factors in the surrounding community do not indicate the need for commercial zoning to encroach into the residential neighborhoods east of Tule Springs Road.

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

   Farm Road is an 80-foot wide Collector street, which is adequate in size to meet the requirements of the proposed C-1 zoning district.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 08/14/18 | The Planning Commission approved a request for a Special Use Permit (SUP-73820) for a proposed Short Term Residential Rental use at 8311 Farm Road. Staff recommended approval. |
| 04/23/19 | The Planning Commission approved a request for an abeyance until the June 25, 2019 Planning Commission meeting for General Plan Amendment (GPA-75668) and Rezoning (ZON-75669). |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/26/18 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/14/18 | A business license (G66-07437) was issued for a short-term residential rental at 8311 Farm Road. The license is active as of 03/28/19. |

| ***Pre-Application Meeting*** | |
|---|---|
| 01/10/19 | Staff conducted a pre-application meeting where the submittal requirements for a General Plan Amendment and Rezoning application were discussed. |

| ***Neighborhood Meeting*** | |
|---|---|
| 03/28/19 | <u>Centennial Hills Community Center YMCA 6:00 pm – 7:00pm</u><br>• One (1) property owner<br>• One (1) representative for the ownership<br>  ○ Nathan Taylor<br>• Zero (0) representatives present for Council Ward 6<br>• Thirteen (13) members of the public were in attendance.<br><br><u>Issues</u><br><br>1. Concerns were raised about what type of business the property owner was proposing to develop on the subject site.<br>  a. The applicants' representative indicated the property owner would like to conduct weddings on the property. He further indicated that the applicant intended to convert the property through a Site Development Plan Review, which would be presented to the Planning Commission at a later date if the property is rezoned. |

| ***Neighborhood Meeting*** | |
|---|---|
| | 2. Concerns were raised about additional noise which would be created by the proposed Wedding Chapel.<br>a. The applicants' representative indicated the Wedding Chapel use would be subject to all City of Las Vegas noise ordinances and will be monitored by licensing and code enforcement.<br>3. Concerns were raised about additional overflow parking for the proposed Wedding Chapel use and how it would negatively impact the surrounding neighborhood.<br>a. The applicants' representative indicated that some onsite parking would be provided; and overall parking requirements for the proposed Wedding Chapel would be addressed during the Site Development Plan Review process at a later date<br>4. Concerns were raised about the negative impact the existing Short-Term Residential Rental use has to the surrounding neighborhood (noise/traffic/trash/alcohol/parties).<br>a. The applicants' representative indicated the subject site is monitored by City of Las Vegas licensing and code enforcement.<br>City staff indicated to residents that disturbances and concerns should be reported to Code Enforcement if potential violations are taking place. |

| ***Field Check*** | |
|---|---|
| 03/13/19 | Staff observed the subject site during a routine field check. Nothing of concern was noted by staff. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.50 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Short Term Residential Rental | PCD (Planned Community Development) | R-E (Residence Estates) |
| North | Single Family, Detached | L (Low Density Residential) | R-PD4 (Residential Planned Development – 4 Units Per Acre) |
| South | Single Family, Detached | PCD (Planned Community Development) | R-PD8 (Residential Planned Development – 8 Units Per Acre) |
| East | Single Family, Detached | PCD (Planned Community Development) | R-PD8 (Residential Planned Development – 8 Units Per Acre) |
| West | Individual Care Center (Six Children or More) | PCD (Planned Community Development) | R-E (Residence Estates) |

| ***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*** |
| Northwest Open Space Plan | Y |
| 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 19.08, the following standards would apply to future development for the proposed C-1 zoning district:***

| *Standard* | *Required/Allowed* |
|---|---|
| Min. Setbacks* | |
| • Front | 10 Feet |
| • Side | 10 Feet |
| • Corner | 10 Feet |
| • Rear | 20 Feet |

**Residential Adjacency could increase the minimum distance required for each setback requirement.*

***1.50 Acres / 65,340 Square Feet***

| *Existing Zoning* | *Permitted Density* | *Units Allowed* |
|---|---|---|
| R-E (Residence Estates) | 20,000 SF Lots | 6.53 |
| ***Proposed Zoning*** | ***Permitted Density*** | ***Units Allowed*** |
| C-1 (Limited Commercial) | N/A | N/A |
| ***Existing General Plan*** | ***Permitted Density*** | ***Units Allowed*** |
| PCD (Planned Community Development) | 8.00 | 12 |
| ***Proposed General Plan*** | ***Permitted Density*** | ***Units Allowed*** |
| SC (Service Commercial) | N/A | N/A |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Farm Road | Collector | Master Plan of Streets and Highways | 80 | Y |

| ***Las Vegas Valley Water District (LVVWD):*** |
|---|
| The parcel is currently served by a well that is permitted for domestic use only. The applicant will need to show proof of permission from the Nevada Division of Water Resources to allow the well to be used for commercial use. The GWMP number is 12283. |

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Total Fee | |
| Date Received | |
| Received By | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) REZONING/GPA

**Project Address (Location)** 8311 FARM ROAD, LAS VEGAS, NV 89131

**Project Name** LOTUS HOUSE LLC **Proposed Use**

**Assessor's Parcel #(s)** 125-16-301-003 **Ward #** 6

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing R-E Proposed C-1

**Additional Information**

**PROPERTY OWNER** ZION LOVINGIER & LINCOLN ROGERS

Address 8311 FARM ROAD State NEVADA Zip 89131

E-mail _____ Phone _____

**APPLICANT** ZION LOVINGIER & LINCOLN ROGERS

Address 8311 FARM ROAD State NEVADA Zip 89131

E-mail _____ Phone _____

**REPRESENTATIVE** TAYLOR CONSULTING GROUP, INC. (N. TAYLOR)

Address 8311 W. Farm Road, #180 State Nevada Zip 89131

E-mail info@thetaylorconsultinggroup.com Phone 702-483-7045

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** Zion Lovingier

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

**Print Name** ZION LOVINGIER

State of Nevada
County of Clark
Subscribed and sworn before me
This 17th day of January, 20 19

Notary Public in and for said County and State

JONATHAN ESCAPA
Notary Public, State of Nevada
County of Clark
APPT. NO. 14-14771-1
My App. Expires Sept. 17, 2022

PRJ-75621
01/28/19



**GPA-75668 [PRJ-75621] - GENERAL PLAN AMENDMENT RELATED TO ZON-75669 - APPLICANT/OWNER: ZION LOVINGIER**
**8311 FARM ROAD**

03/13/19

<br /><br /><br />Plan



**GPA-75668 [PRJ-75621] - GENERAL PLAN AMENDMENT RELATED TO ZON-75669 - APPLICANT/OWNER: ZION LOVINGIER**
**8311 FARM ROAD**

03/13/19

<br /><br /><br />Plan



**GPA-75668 [PRJ-75621] - GENERAL PLAN AMENDMENT RELATED TO ZON-75669 - APPLICANT/OWNER: ZION LOVINGIER**
**8311 FARM ROAD**

03/13/19

<br /><br /><br />Plan

Taylor Consulting Group, Inc.

Government Affairs & Land Use Consultants • Liquor & Gaming Licensing

January 28, 2019

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

Re: 8311 Farm Road, Las Vegas, NV 89131

To Whom It May Concern:

We are respectfully requesting an amendment to the City's General Plan—the property is currently set to be SC (Service Commercial), but our request is to have the property re-zoned C-1 (Limited Commercial). We believe this zone change is appropriate due to the surrounding commercial in the area. In addition, this property fronts Farm Road—a very busy street with traffic in and out of 3 adjacent commercial centers. We plan to remove the existing building and submit a plan for the property following this application and its public hearings.

Thank you in advance for your time and attention to this matter. Should you have any questions or concerns, please contact me on my mobile phone at: 702-994-3844

Respectfully,

*Nathaniel Taylor*

Nathaniel Taylor
President

PRJ-75621
03/25/19

Taylor Consulting Group, Inc.

Government Affairs & Land Use Consultants • Liquor & Gaming Licensing

April 22, 2019

City of Las Vegas Clerk's Office/Planning Commission
495 S. Main Street
Las Vegas, NV 89101

Re: Agenda Item #24 & 25 4-23-19 (GPA-75668 & ZON-75669)

To Whom It May Concern:

We are respectfully requesting a 60 day abeyance on item #24 & #25 of the April 23, 2019 Planning Commission Agenda. This request is being made so we can hold another neighborhood meeting related to the proposed applications.

Thank you in advance for your time and attention to this matter. Should you have any questions or concerns, please contact me on my mobile phone at: 702-994-3844

Respectfully,

*Nathaniel Taylor*

Nathaniel Taylor
President

Submitted after final agenda
Date 4/23/19 Item 24-25

8414 W. Farm Rd., #180, Las Vegas, Nevada 89131 (702) 483-7045

04/19/2019 09:16 FAX 001/001

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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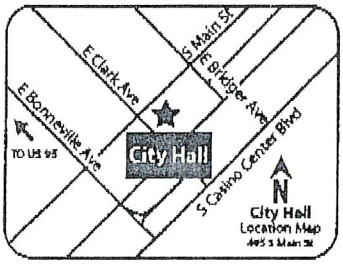
Las Vegas, NV
Permit No. 1630

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




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.

**GPA-75668 and ZON-75669 [PRJ-75621]**

Planning Commission Meeting of **04/23/2019**

PRJ-75621
12516319017
KAWAGUCHI KENNETH R
7523 LITTLE LARAMIE ST
LAS VEGAS NV 89131-8196

129 BRDFNP1 89131

RECEIVED
APR 23 2019
City of Las Vegas
Department of Planning

24-25P

Apr 16 19 01:47p unknown 1111111111 p.1

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

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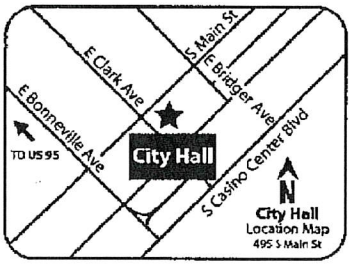
Las Vegas, NV
Permit No. 1630

**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.
**GPA-75668 and ZON-75669 [PRJ-75621]**
Planning Commission Meeting of **04/23/2019**

PRJ-75621
12516311013
SARGENT FAMILY TRUST
SARGENT PHILIP J & REBECCA L TRS
52 SWEETWATER CT
DANVILLE CA 94506-1222

Rec'd 4/15/2019

116 BRDFNP1 94506

24-25P



**GPA-75668 [PRJ-75621] - GENERAL PLAN AMENDMENT RELATED TO ZON-75669 - APPLICANT/OWNER: ZION LOVINGIER**
**8311 FARM ROAD**

05/16/2019



Submitted after final agenda

Items 2 1922



**GPA-75668 [PRJ-75621] - GENERAL PLAN AMENDMENT RELATED TO ZON-75669 - APPLICANT/OWNER: ZION LOVINGIER**
**8311 FARM ROAD**

05/16/2019

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Saturday, April 20, 2019 7:33 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 04/20/19 7:33 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Steven Permann |
| **Residential or Business Address:** | 8344 Fort Sedgwick ave<br>Las Vegas , NV 89131 |
| **Phone:** | (909) 660-2094 |
| **Email:** | ssp452@me.com |
| **Comments:** | I'm aware of the Planning Commission meeting on Tuesday April 23 about the Land Use Entitlement Request for the property at 8311 Farm st. I live at 8344 Fort Sedgwick ave. Which backs up to this property and I will be out of town for business and will not be able to attend. So I wanted to let you know how my family feels and how we have been impacted.<br><br>There is very little buffer for sound and our homes in our neighborhood are 2 |



21-22P
PS 1of2

story. My household can see clearly into the property from 8 windows (half of my home) as well as we can see into the Preschool behind us as well. This is a beautiful property and love the view, unfortunately, with this my family has had to endure loud music at all hours of the day and night. We accepted this for about 2 months and then with parties ,music, cars revving their mothers until 2 am and then starting up again at 4am, we had had enough. We have now started having to call LVMPD to come quiet the guests all different days of the week so our family can get rest and can hear ourselves inside our hen home. The noises that come from this property are so loud that we have to close all our windows and doors, and even turn up the tv. Even with the tv turned up you can still hear the noises. Sometimes we have had to call LVMPD to come our multiple times in a night because they will continue after they leave. We have had some of the guest cussing out loud at our neighborhood for calling LVMPD. As we get into the summer months we know it will only get worse with warmer weather. The guest will utilize the backyard even more, with the pool at the back of the property, basketball courts, and all the area, seating that is also at the back of this property close to my home and community.

The owner is advertising for people to have Bachelor and bachelorette parties at this home. They have already had an "adult themed" party here and I don't believe our community, families, children should have to be subjected to this. There is a preschool next door and I have seen and heard guests cussing, loud music while they are in attendance. There are times when the guest vehicles overflow that property and they park on our streets.

We live in this area because we want to be away from the action of the strip and downtown areas. We really don't want it in our neighborhood when we are home. Currently my wife is stressing out when she comes home from work having to find out what we will have to endure each day. We shouldn't have to live our lives like this. Ask yourselves, how would you like it if this was right next door to your home? People come to Las Vegas to party, gamble and have the opinion that anything goes here.

I believe our LVMPD has better things to do then having to keep going this property every time there is something going on here. I don't like the possibility that the police may be here talking to the guests, when someone has a real emergency and this could delay them seconds or minutes.

Please from my families stand point, please deny this request and help us preserve our community.

Steven, Janeen, Spencer Permann
8344 Fort Sedgwick ave
Las Vegas, NV. 89131
(909) 660-2094

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21-22
pg 2 of 2

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Sunday, April 21, 2019 5:43 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 04/21/19 5:43 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Bobby Blanks |
| **Residential or Business Address:** | 8343 Fort Hallock ave<br>Las Vegas, NV 89131 |
| **Phone:** | (404) 933-5148 |
| **Email:** | bblanks911@gmail.com |
| **Comments:** | Too Loud, not a good fit for families. A great Disturbance for the neighborhood. Should be a regular residential zoning... |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



21-22P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Sunday, April 21, 2019 10:10 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

**Formstack Submission For:** Planning Application Comments 2019
Submitted at 04/21/19 10:09 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Janeen Permann |
| **Residential or Business Address:** | 8344 Fort Sedgwick Ave<br>Las Vegas , NV 89131 |
| **Phone:** | (951) 217-9188 |
| **Email:** | ssp198767@aol.com |

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21-22P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Monday, April 22, 2019 1:55 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 04/22/19 1:55 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Ruthanne Hogan |
| **Residential or Business Address:** | 8323 Fort Hallock Ave<br>Las Vegas, NV 89131 |
| **Phone:** | (702) 271-0719 |
| **Email:** | beadingqueen@cox.net |
| **Comments:** | This entity has not acted in the way that they would and did not follow the laws. They have lied every step of the way and our community does not need to have this kind of interruption all the time. There are children that need to go to sleep due to school and some of the residents work outside of the normal 9am-5pm. |



21-22 P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, May 31, 2019 6:22 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 05/31/19 6:21 PM

| | |
|---|---|
| Meeting Date: | Tuesday, May 28, 2019 |
| Project Number: | Pro-75621 |
| Position: | I OPPOSE the project and all related applications. |
| Name: | Steven Permann |
| Residential or Business Address: | Fort Sedgwick ave<br>Las Vegas , NV 89131 |
| Phone: | (909) 660-2094 |
| Email: | ssp452@me.com |
| Comments: | This property butts up to our property and there is no sound buffer for any noise coming from the property at 8311 Farm rd. There is a preschool next door to that property as well. My family as well as our neighbors have had to deal with the excess loud music, profanity, yelling and screaming, Vehicle motors revving their mothers at all hours of the day/night.<br>I work early mornings, waking up for work at 2am and it is very hard to rest/sleep while the guests at this property are celebrating until 4am when I leave for work. |



21-22P
Pg 1 of 2

My neighbor is a correctional officer and they also leave for work at 4am. I have a hard time accepting that our community is having citizens put at risk so someone can make a profit. I drive a commercial truck in the city of Las Vegas and with lack of sleep I'm risking a possible accident while driving.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas



21-22P
Pg 2 of 2

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, April 19, 2019 4:08 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 04/19/19 4:08 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Steven Permann |
| **Residential or Business Address:** | 8344 Fort Sedgwick ave<br>Las Vegas , NV 89131 |
| **Phone:** | (909) 660-2094 |
| **Email:** | ssp452@me.com |
| **Comments:** | I'm aware of the Planning Commission meeting on Tuesday April 23 about the Land Use Entitlement Request for the property at 8311 Farm st. I live at 8344 Fort Sedgwick ave. Which backs up to this property and I will be out of town for business and will not be able to attend. So I wanted to let you know how my family feels and how we have been impacted.<br><br>There is very little buffer for sound and our homes in our neighborhood are 2 |



21-22P
Pg 1 of 2

story. My household can see clearly into the property from 8 windows (half of my home) as well as we can see into the Preschool behind us as well. This is a beautiful property and love the view, unfortunately, with this my family has had to endure loud music at all hours of the day and night. We accepted this for about 2 months and then with parties ,music, cars revving their mothers until 2 am and then starting up again at 4am, we had had enough. We have now started having to call LVMPD to come quiet the guests all different days of the week so our family can get rest and can hear ourselves inside our hen home. The noises that come from this property are so loud that we have to close all our windows and doors, and even turn up the tv. Even with the tv turned up you can still hear the noises. Sometimes we have had to call LVMPD to come our multiple times in a night because they will continue after they leave. We have had some of the guest cussing out loud at our neighborhood for calling LVMPD. As we get into the summer months we know it will only get worse with warmer weather. The guest will utilize the backyard even more, with the pool at the back of the property, basketball courts, and all the area, seating that is also at the back of this property close to my home and community.

The owner is advertising for people to have Bachelor and bachelorette parties at this home. They have already had an "adult themed" party here and I don't believe our community, families, children should have to be subjected to this. There is a preschool next door and I have seen and heard guests cussing, loud music while they are in attendance. There are times when the guest vehicles overflow that property and they park on our streets.

We live in this area because we want to be away from the action of the strip and downtown areas. We really don't want it in our neighborhood when we are home. Currently my wife is stressing out when she comes home from work having to find out what we will have to endure each day. We shouldn't have to live our lives like this. Ask yourselves, how would you like it if this was right next door to your home? People come to Las Vegas to party, gamble and have the opinion that anything goes here.

I believe our LVMPD has better things to do then having to keep going this property every time there is something going on here. I don't like the possibility that the police may be here talking to the guests, when someone has a real emergency and this could delay them seconds or minutes.

Please from my families stand point, please deny this request and help us preserve our community.

Steven, Janeen, Spencer Permann
8344 Fort Sedgwick ave
Las Vegas, NV. 89131
(909) 660-2094

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21-22
Pg 20 of 22

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, April 19, 2019 11:27 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 04/19/19 11:27 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, April 23, 2019 |
| **Project Number:** | PRJ-75621 |
| **Position:** | I SUPPORT the project and all related applications. |
| **Name:** | Tylor Stone |
| **Residential or Business Address:** | 209 gold castle street<br>Las vegas, NV 89144 |
| **Comments:** | I think this is such a wonderful idea for such a beautiful space. It's great to see Las Vegas bring in more tourism in creative and fun ways. This house is perfectly set away from the others behind so there wouldn't be too much noise traveling to the neighbors. I would truly love to see this succeed. People don't want to come to Vegas and only see hotel rooms and the strip. I would love to have fun small events at a place like this!! |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



21-22A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**22**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE - ZON-75669 - REZONING RELATED TO GPA-75668 - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), Ward 6 (Fiore) [PRJ-75621]. Staff recommends DENIAL.

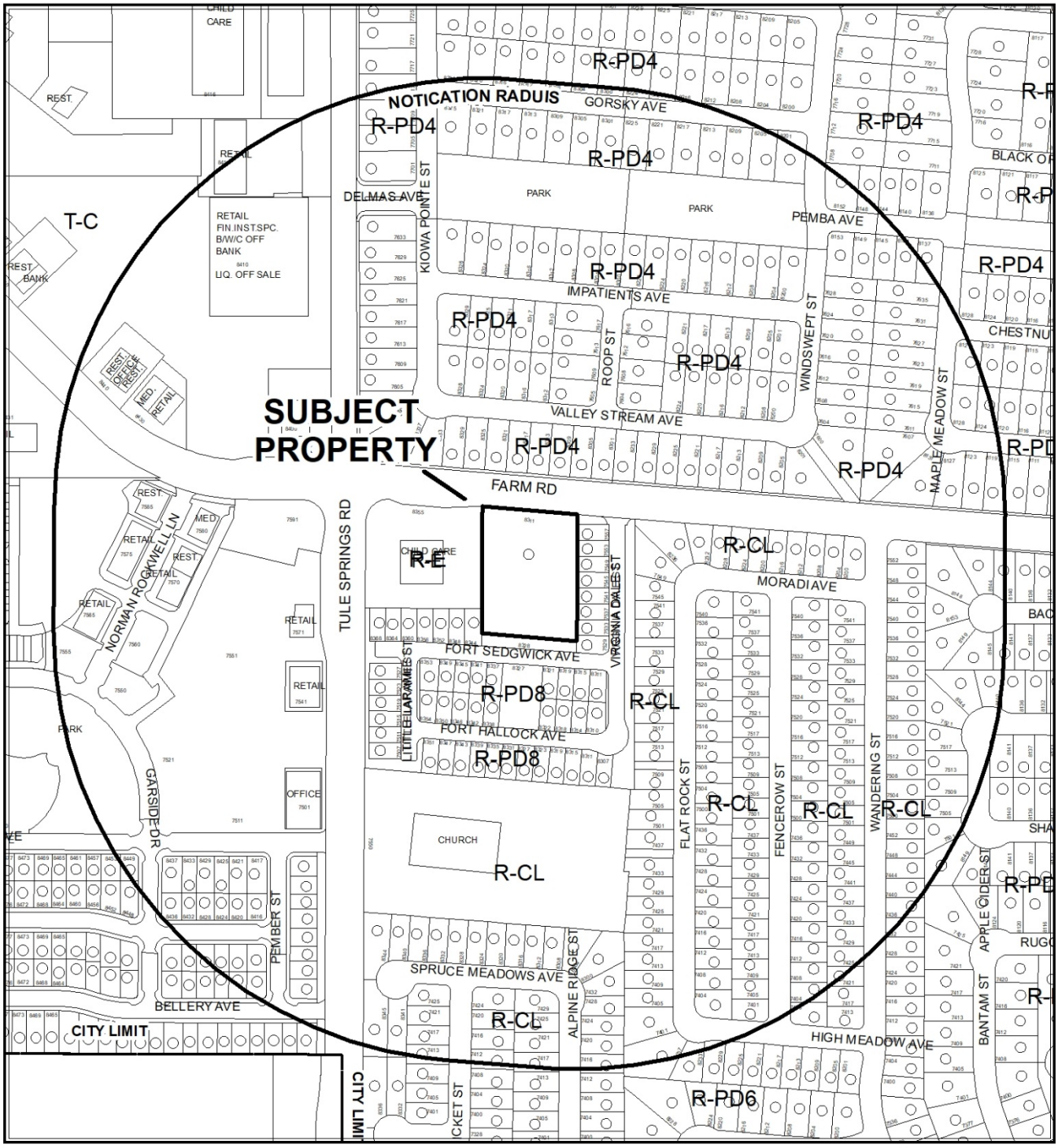
**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends DENIAL

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Location and Aerial Maps
3. Land Use Map
4. Supporting Documentation

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

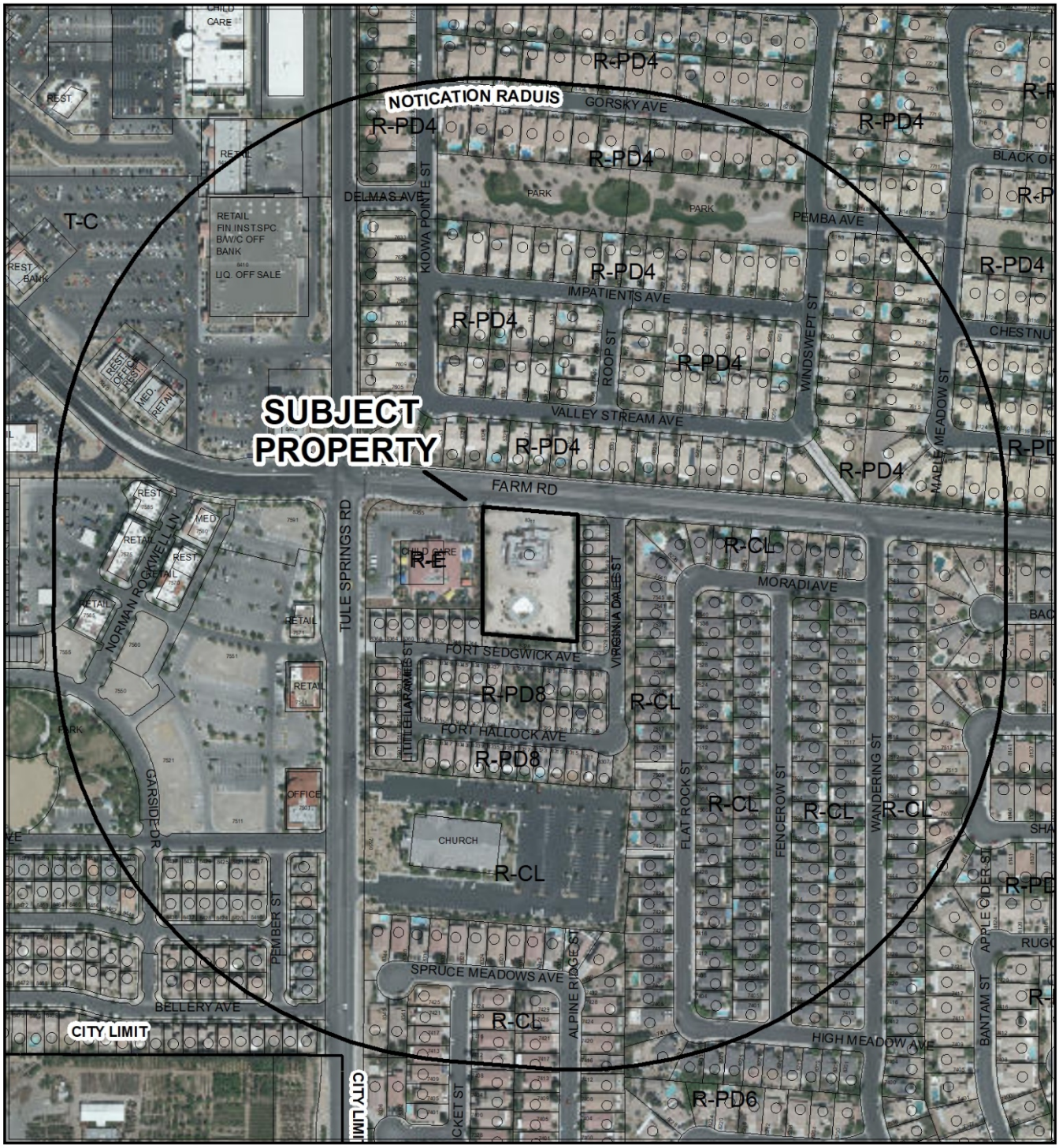



**CASE:** **ZON-75669 (PRJ-75621)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

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




0 265 530 Feet

**CASE:** **ZON-75669 (PRJ-75621)**

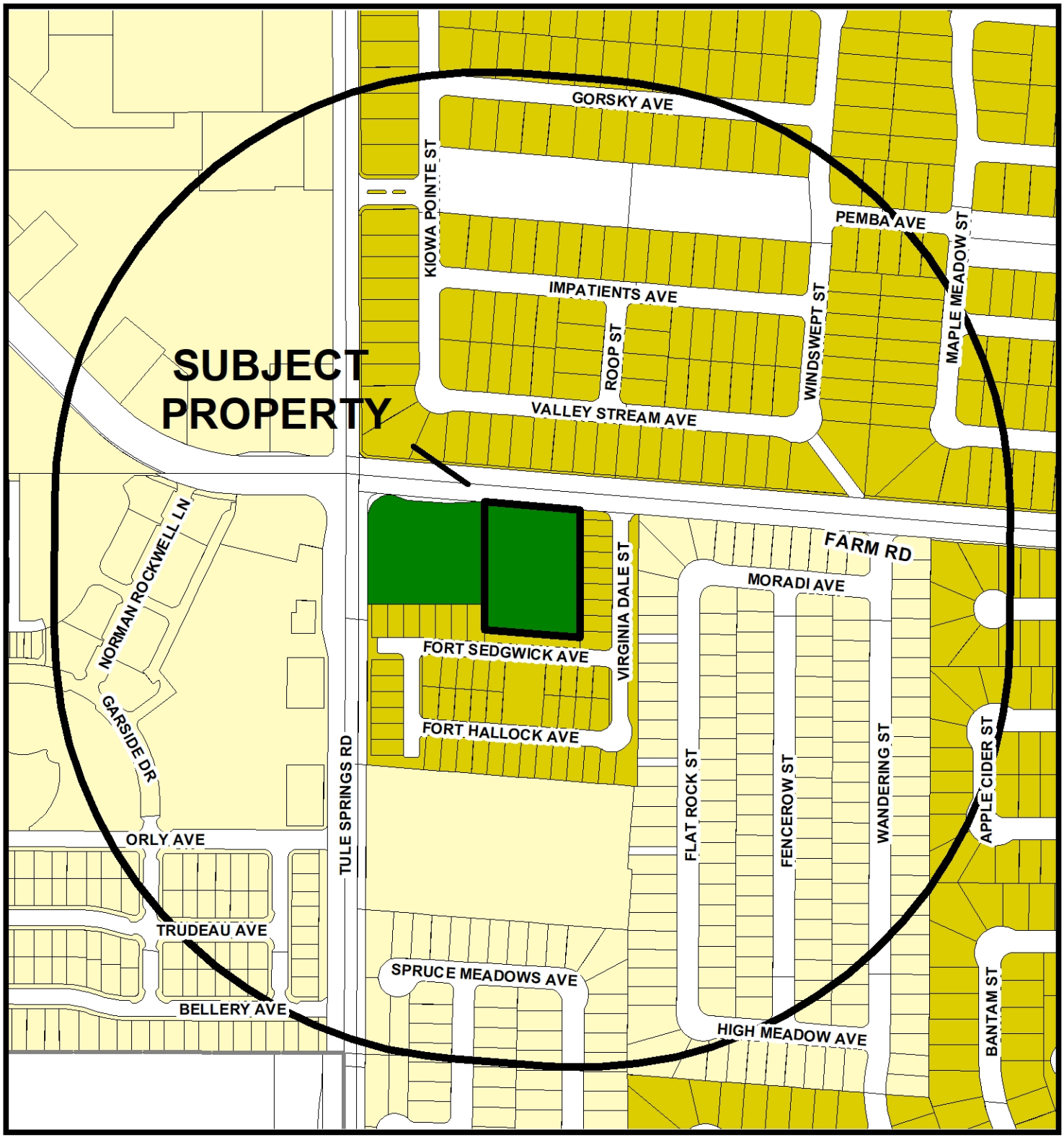
**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

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

N

# ZON-75669




## Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- T5-N - T5 Neighboorhood
- T5-M - T5 Maker
- T5-MS Main Street
- T5-C - T5 Corridor
- T6-UG - Urban Gerneral
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- T/C - Town Center

## FROM RE TO C-1

Subject Property

1000ft Buffer

City Limits

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

Date: Wednesday, May 29, 2019

# DEPARTMENT OF PLANNING

**Application / Petition Form & Statement of Financial Interest**

| Department Use | |
|---|---|
| Case # | |
| Total Fee | |
| Date Received | |
| Received By | |

**Case Type** (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) REZONING/GPA

**Project Address (Location)** 8311 FARM ROAD, LAS VEGAS, NV 89131

**Project Name** LOTUS HOUSE LLC **Proposed Use**

**Assessor's Parcel #(s)** 125-16-301-003 **Ward #** 6

**General Plan:** Existing Proposed **Zoning:** Existing R-E Proposed C-1

**Additional Information**

**PROPERTY OWNER** ZION LOVINGIER & LINCOLN ROGERS

Address 8311 FARM ROAD State NEVADA Zip 89131

E-mail Phone

**APPLICANT** ZION LOVINGIER & LINCOLN ROGERS

Address 8311 FARM ROAD State NEVADA Zip 89131

E-mail Phone

**REPRESENTATIVE** TAYLOR CONSULTING GROUP, INC. (N. TAYLOR)

Address 8311 W. Farm Road, #180 State Nevada Zip 89131

E-mail info@thetaylorconsultinggroup.com Phone 702-483-7045

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** Zion Lovingier

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

**Print Name** ZION LOVINGIER

State of Nevada
County of Clark
Subscribed and sworn before me
This 17th day of January, 20 19

Notary Public in and for said County and State

JONATHAN ESCAPA
Notary Public, State of Nevada
County of Clark
APPT. NO. 14-14771-1
My App. Expires Sept. 17, 2022

PRJ-75621
01/28/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**23**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

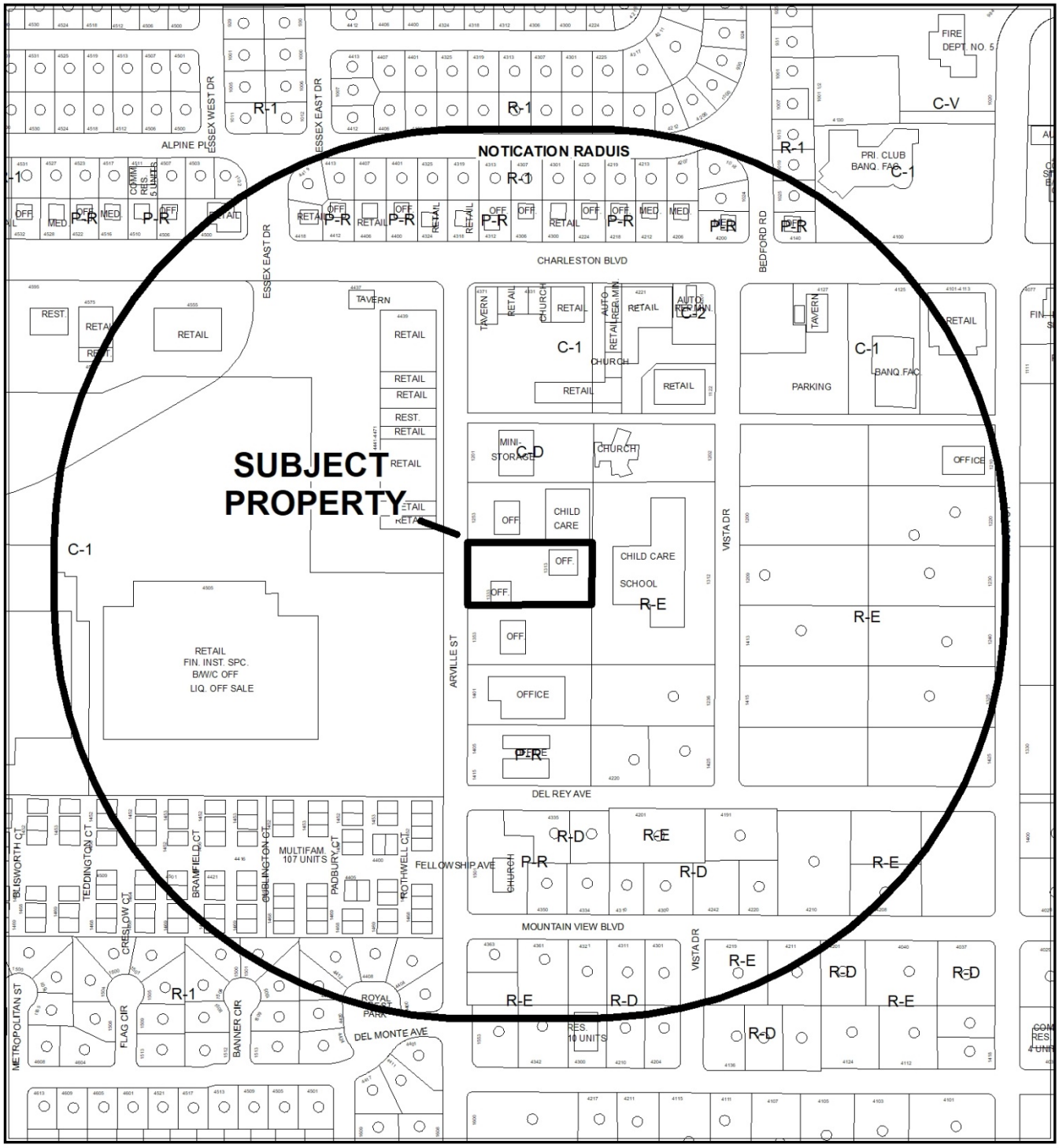
**SUBJECT:**
ABEYANCE - ZON-76236 - REZONING- PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 23 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - ZON-76236, VAR-76237 and SDR-76250 [PRJ-75670]
2. Land Use Map
3. Conditions and Staff Report - ZON-76236, VAR-76237 and SDR-76250 [PRJ-75670]
4. Supporting Documentation - ZON-76236, VAR-76237 and SDR-76250 [PRJ-75670]
5. Photo(s) - ZON-76236, VAR-76237 and SDR-76250 [PRJ-75670]
6. Justification Letter - ZON-76236, VAR-76237 and SDR-76250 [PRJ-75670]
7. Backup Submitted for the May 28, 2019 Planning Commission Meeting




0 275 550 Feet

**CASE:** **ZON-76236, VAR-76237, SDR-76250 (PRJ-75670)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** P-R (PROFESSIONAL OFFICE AND PARKING)

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

N




0 275 550 Feet

**CASE:** **ZON-76236, VAR-76237, SDR-76250 (PRJ-75670)**

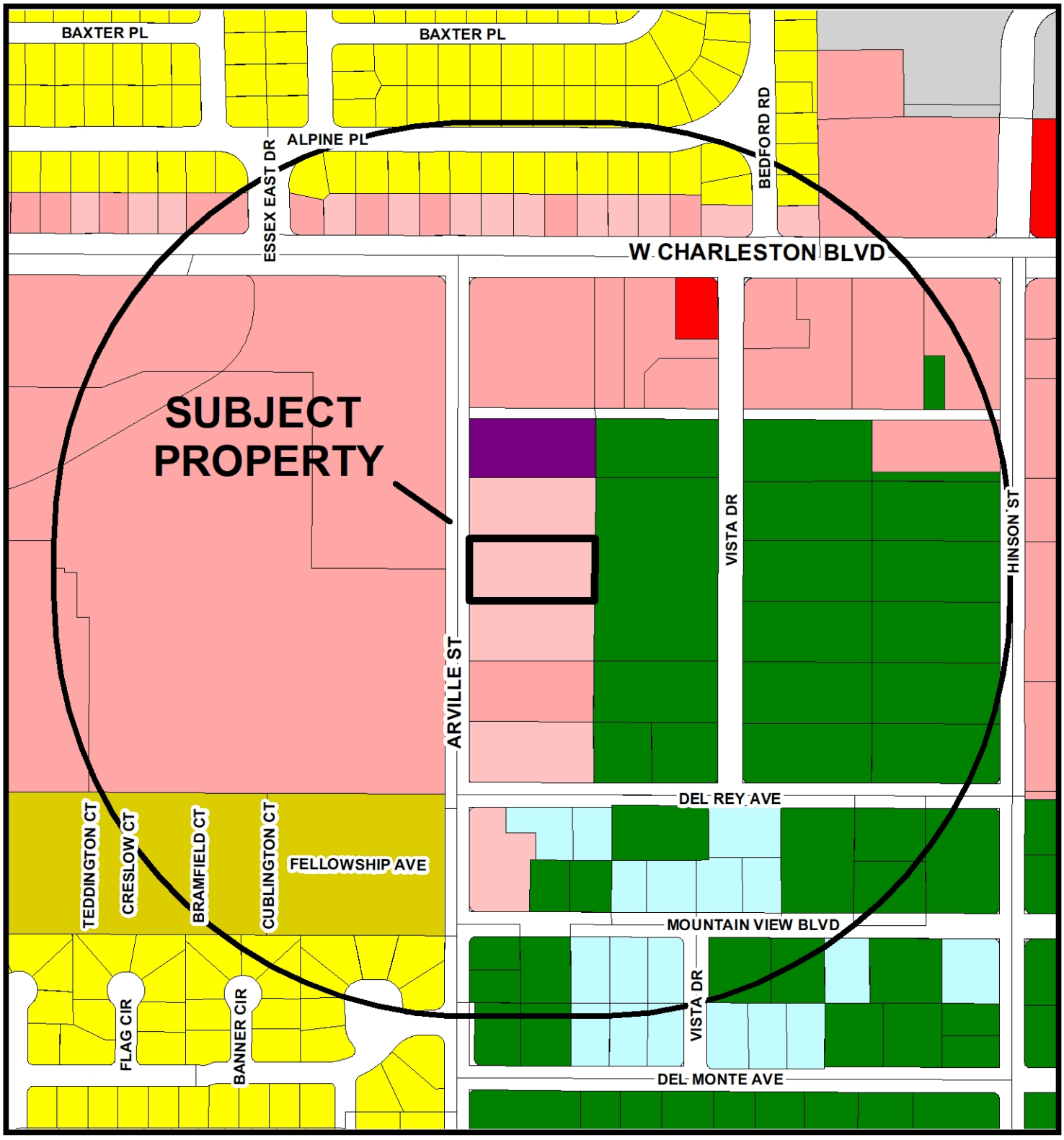
**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** P-R (PROFESSIONAL OFFICE AND PARKING)

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

N

# ZON-76236




## Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- T5-N - T5 Neighboorhood
- T5-M - T5 Maker
- T5-MS Main Street
- T5-C - T5 Corridor
- T6-UG - Urban Gerneral
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- P-R - Professional Offices and Parking
- P-O - Professional Office
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- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- T/C - Town Center

## FROM P-R TO C-1

Subject Property

1000ft Buffer

City Limits

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

Date: Thursday, April 11, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-76236** | Staff recommends APPROVAL. | |
| **VAR-76237** | Staff recommends DENIAL, if approved subject to conditions:<br>***Applicant is requesting to Withdraw Without Prejudice*** | ZON-76236 |
| **SUP-76310** | Staff recommends APPROVAL, if approved subject to conditions: | ZON-76236 |
| **SDR-76250** | Staff recommends APPROVAL, if approved subject to conditions: | ZON-76236<br>SUP-76310 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**
22 - ZON-76236, VAR-76237 and SDR-76250
32 - SUP-76310

**NOTICES MAILED**
224 - ZON-76236 and VAR-76237
224 - SUP-76310
224 - SDR-76250

**PROTESTS**
23 - ZON-76236 and VAR-76237
23 - SUP-76310
23 - SDR-76250

**APPROVALS**
1 - ZON-76236 and VAR-76237
1 - SUP-76310
1 - SDR-76250



NE

** CONDITIONS **

# SUP-76310 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mini-Storage Facility use.

2. Approval of Rezoning (ZON-76236), and approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-76250) shall be required, if approved.

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

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

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

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

# SDR-76250 CONDITIONS

***Planning***

1. Approval of Rezoning (ZON-76236), and approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76310) 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 06/05/19 except as amended by conditions herein.

4. Prior to the issuance of a building permit, approval from Republic Services for the location of the trash enclosure will be required.

5. A new decorative six-foot tall screen wall with 20 percent contrasting material shall be constructed for the north, south and east property lines unless the applicant is able to demonstrate the existing screen wall(s) meet Title 19 requirements for screen walls.

6. A Waiver from Title 19.08 is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a portion of the north and south property lines where eight feet is required.

7. A Waiver from Title 19.08 is hereby approved, to allow a zero-foot wide landscape buffer adjacent to portions of the east property line where eight feet is required.

8. An Exception from Title 19.08 is hereby approved, to allow five shade trees adjacent to the east property line where eight is required.

9. An Exception from Title 19.08 is hereby approved, to allow five parking lot trees where nine are required.

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

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

12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
    - One, 24-inch box tree with four, five-gallon shrubs shall be planted every 20 linear feet within the western landscape buffer adjacent to Arville Street.
    - One, 24-inch box tree with four, five-gallon shrubs shall be planted every 20 linear feet within the landscape buffers adjacent to the north and south property lines.

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

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

***Public Works***

15. Remove all unused driveways and construct the new driveway to meet current City Standards. 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.

16. This site shall connect to the public sewer in Arville Street with a required manhole.

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. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to construct a Mini-Storage Facility at 1313 and 1333 Arville Street.

## ISSUES

- The applicant is proposing to rezone the subject site from P-R (Professional Office and Parking) to C-1 (Limited Commercial). Staff supports this request.
- A Special Use Permit is requested to allow a Mini-Storage Facility use within the C-1 zoning district. Staff supports this request.
- A Waiver to allow a zero-foot wide landscape buffer adjacent to portions of the north, south and east property line is requested. Staff supports this request.
- An Exception is requested to allow five parking lot trees where nine are required. Staff supports this request.
- An Exception is requested to allow five shade trees adjacent to the east property line where eight is required. Staff supports this request.

## ANALYSIS

### *Rezoning*

The applicant is proposing to rezone the subject site from P-R (Professional Office and Parking) to C-1 (Limited Commercial).

The P-R District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R District should be constructed to maintain a residential character. The P-R District is consistent with the Office category of the General Plan.



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The proposed C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

Over time, this section of Arville Street has transitioned from residential uses to office uses. The surrounding area is no longer residential in nature as the site is surrounded by office uses to the north and south, a private school to the east, and a large 50 acre shopping center to the west. The General Plan designation of the subject site is Service Commercial, which supports the proposed C-1 zoning district; therefore, staff is recommending the approval of the rezoning request.

***Special Use Permit***

The Mini-Storage Facility use is defined as "a facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment."

The Minimum Special Use Permit Requirements for this use include:

1. Requirement 1: No more than one manager's security residence shall be permitted.

   *This requirement is not applicable as there is no manager's residence proposed as part of the facility.*

2. Requirement 2: All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.

   *The proposed use meets this requirement as all storage is proposed for an enclosed building. There is no storage of recreational vehicles proposed.*

3. Requirement 3: The following activities are prohibited on or from the premises of a mini-storage facility:

    a. The conducting of a business (other than the mini-storage business itself and permitted accessory uses);
    b. The retail sale of stored items;
    c. The commercial repair of motor vehicles, boats, trailers and other like vehicles;
    d. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment;
    e. The production, fabrication or assembly of products.

    *The proposed use meets this requirement as none of these activities are proposed, and the facility if approved, would be subject to regular inspections to ensure compliance.*

4. Requirement 4: The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage facility, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of 2 trucks or trailers for each 100 storage units.

    *The requirement is not applicable as no truck or utility trailer rental is proposed.*

5. Requirement 5: Truck and trailer storage shall be screened from streets and adjacent properties.

    *The requirement is not applicable as no truck or utility trailer rental is proposed.*

6. Requirement 6: When adjacent to a residential use, the exterior wall of the mini-storage shall be constructed of decorative block.

    *The subject site is not adjacent to a residential use and this requirement is not applicable.*

The proposed land use meets the minimum Special Use Permit requirements and is capable of being operated in a manner that is harmonious with the surrounding properties; therefore, staff is recommending approval of the Special Use Permit.

***Site Development Plan Review***

The applicant is proposing to re-develop the subject site with two, three-story Mini-Storage facilities containing a total of 287 storage units. The northern structure (Building "B") consists of 27,150 square feet, with the southern structure (Building "A") containing 25,050 square feet. The construction materials consists of split face and smooth concrete masonry units, or CMU, and metal panels and doors. The color scheme demonstrates a neutral palette with colors such as "driftwood" and "zinc gray," with the metal doors painted "royal blue."

Building "B" west elevation depicts the storefront with a double door clear glass entry flanked by windows and four windows above. The south elevation contains four windows at the far east end of the building. The east (rear) and north elevations contains any "royal blue" roll-up garage type doorways and a standard doorway on the first floor are depicted.

Building "A" is similar in nature with the west elevation providing windows on the second and third floor with standard doorways on the first floor. The east elevation is the rear of the building with standard "royal blue" doorways on the first floor, and the south elevation depicting more "royal blue" garage type roll-up doors on the first floor. The north elevation depicts 12 windows stacked on the second and third floors on the far west end of the structure.

The structures themselves are three stories, 38.5 feet tall. The proposed building elevations contain metal paneling in addition to the roll-up doors and windows to provide visual breaks in the facades. In order to buffer the three-story structures, the applicant has proposed to landscape the entire 10-foot side yard setback. Staff has added a condition to plant trees every 20 linear feet within the landscape buffer areas. The applicant will need to coordinate with staff to determine the best tree species for the side yard buffer areas.

Order to accommodate the necessary turn-around radii for vehicular traffic on-site, the applicant is requesting a Waiver to allow a zero-foot landscape buffer adjacent to portions of the north, south, and east property lines where eight feet is required. The portions of the landscape buffer that are void of landscaping are adjacent to parking and drive isles and will not negatively impact neighboring properties. In addition, the applicant is proposing to install 8-foot by 10-foot planters in between parking stalls adjacent to the east property line where a continuous eight-foot wide landscape buffer is required with a landscape island for every six parking spaces. A six-foot screen wall is required for the east property line and the tree planters achieve the goal of providing shade for parked vehicles that is normally accomplished with the landscape island. Since the neighboring properties to the north, south, and east are screened from the subject site by a screen wall, and the landscape buffer areas that are proposed achieve the goal of buffering the structure and parking lot areas from neighboring properties and the right-of-way, staff supports the request and is recommending approval of the Site Development Plan Review with conditions.

## FINDINGS (ZON-76236)

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

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

   The General Plan designation of the subject site is Service Commercial. The proposed C-1 zoning district conforms to the Service Commercial designation.

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

   The proposed C-1 zoning district allows uses such as general retail, personal service type uses such as hair and nail salons, and business schools. These land uses are compatible with the surrounding land uses and zoning districts.

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

   Development factors in the area demonstrate land uses evolving to retail shopping and personal services which are supported by the proposed C-1 zoning district.

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

   Arville Street is a 60-foot wide right-of-way adequate in size to meet the requirements of the proposed C-1 zoning district.

## FINDINGS (SUP-76310)

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 Mini-Storage Facility can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

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

   The subject site is physically suited for the type of use proposed as the immediate area has evolved to include large-scale retailers and an existing storage facility north of the subject site.

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

   Street facilities are adequate in size to meet the requirements for 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 Community Design Element of the General Plan states,

   > "*an infill site is typically found within a downtown area or a suburb surrounded by development, with easy access to or already existing infrastructure. Redevelopment refers to improving already developed properties…. Redeveloping properties within a community improves the aesthetics of the area, and creates a more cohesive built environment*."

   The proposed development redevelops a stagnant site and creates a cohesive built environment and is consistent with the objectives of the General Plan.

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

   The proposed Mini-Storage Facility use meets all applicable conditions per Title 19.12.

**FINDINGS (SDR-76250)**

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

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

   The proposed development is compatible with development in the area, as it is surrounded by single and two-story development, which includes large scale retail structures to the west.



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

With the exception of the landscape buffer Waivers requested, the proposed development meets the development standards set forth by Title 19.

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

Site access and circulation does not negatively impact neighborhood traffic or adjacent roadways.

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

The proposed building materials include smooth and split face concrete masonry units (CMU) and metal paneling, which are appropriate for the area. The landscape plan demonstrates four different species of trees, but only one species is utilized on the landscape plan, the 'Shoestring Acacia.' The 'Shoestring Acacia' is an appropriate tree for the area 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;**

The proposed building elevations are not obnoxious in appearance or unsightly and will create an orderly environment. A combination of screen walls and landscape materials will aid in buffering the proposed three-story structure from the neighboring properties and is able to be harmonious with development in the area.

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

If approved, the proposed development is subject to building permit reviews and regular inspections during construction to ensure the public health, safety and general welfare is protected.

## BACKGROUND INFORMATION

| *Related Relevant City Actions by Planning, Fire, Bldg., etc.* | |
|---|---|
| 09/15/99 | The City Council approved a request for a Rezoning (Z-0045-99) from R-E (Residence Estates) to P-R (Professional Office and Parking) for a proposed 2,337 square-foot office at 1333 Arville Street. The Planning Commission recommended approval. |
| 05/28/19 | The Planning Commission approved a request for an abeyance of Rezoning (ZON-76236), Variance (VAR- 76237), Special Use Permit (SUP-76310) and Site Development Plan Review (SDR-76250) to the June 25, 2019 Planning Commission meeting. |

| *Most Recent Change of Ownership* | |
|---|---|
| 09/30/02 | A deed was recorded for a change in ownership. |

| *Related Building Permits/Business Licenses* | |
|---|---|
| Pre 1990 | A business license (I14-00087) was issued for an insurance firm at 1333 Arville Street. The license is active as of 04/18/19. |
| 10/08/96 | A business license (C25-01589) was issued for a contractor at 1313 Arville Street. The license is active as of 04/18/19. |
| 06/28/00 | A business license (S08-00306) was issued for an insurance firm at 1313 Arville Street. The license is active as of 04/18/19. |
| 10/29/03 | A business license (I14-00121) was issued for an insurance firm at 1313 Arville Street. The license is active as of 04/18/19. |
| 08/16/17 | A business license (G65-05767) was issued for an insurance firm at 1333 Arville Street. The license is active as of 04/18/19. |

| *Pre-Application Meeting* | |
|---|---|
| 01/28/19 | Staff conducted a pre-application meeting where the submittal requirements for the proposed project were discussed. |

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

| ***Field Check*** | |
|---|---|
| 04/13/19 | Staff observed the subject site during a routine field check. Nothing of concern was noted by staff. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.04 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Office, Other Than Listed | SC (Service Commercial) | P-R (Professional Office and Parking) |
| North | Religious Facility | SC (Service Commercial) | P-R (Professional Office and Parking) |
| South | Office, Other Than Listed | SC (Service Commercial) | P-R (Professional Office and Parking) |
| East | Private School, Primary | R (Rural Density Residential) | R-E (Residence Estates) |
| West | Shopping Center | MXU (Mixed Use) | 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 – 175 Feet | 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 |



NE

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 151 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 50 Feet | Y |
| • Side | 10 Feet | 10 Feet | Y |
| • Corner | 10 Feet | N/A | N/A |
| • Rear | 20 Feet | 38 Feet | Y |

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Max. Lot Coverage | 50 % | 38 % | Y |
| Max. Building Height | Building heights may be affected by the Residential Adjacency Standards. | 39 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | By Condition | |
| Mech. Equipment | Screened | By Condition | |

***Pursuant to Title 19.08, the following standards apply:***

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| *Standards* | *Required* | | *Provided* | *Compliance* |
| | *Ratio* | *Trees* | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 10 Trees | By Condition | Y |
| • South | 1 Tree / 20 Linear Feet | 10 Trees | By Condition | Y |
| • East | 1 Tree / 20 Linear Feet | 6 Trees | 5 Trees | N* |
| • West | 1 Tree / 20 Linear Feet | 5 Trees | 5 Trees | Y |
| **TOTAL PERIMETER TREES** | | **31 Trees** | **30 Trees** | **N*** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 9 Trees | 5 Trees | N* |



NE

***Pursuant to Title 19.08, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | |
|---|---|---|---|
| **LANDSCAPE BUFFER WIDTHS** | | | |
| Min. Zone Width | | | |
| • North | 8 Feet | Zero Feet | N* |
| • South | 8 Feet | Zero Feet | N* |
| • East | 8 Feet | Zero Feet | N* |
| • West | 15 Feet | 15 Feet | Y |

**The applicant is requesting a Waiver to allow portions of the north, south and east landscape buffers to be reduced to zero feet in width. Staff supports this request.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Arville Street | Local Street | Title 13 | 58 | N* |

**Half-street improvements, including sidewalk will be required if approved.*

***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 | |
| Mini-Storage Facility | 287 Units | One space per 50 storage units, spread throughout the development, | 6 | | | | |
| | | Plus a minimum of 5 spaces on the exterior side of the security fence for customers. | 5 | | | | |
| **TOTAL SPACES REQUIRED** | | | 11 | | 12 | | Y |
| **Regular and Handicap Spaces Required** | | | 10 | 1 | 11 | 1 | Y |



NE

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| An eight-foot wide landscape buffer adjacent to interior lot lines. | To allow a zero-foot wide landscape buffer adjacent to portions of the north, south and east property lines. | Approval |

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| One tree shall be planted for every six uncovered parking spaces. Each landscape island shall have at least one shade tree. | To allow five parking lot trees where nine are required. | Approval |
| One, 24-inch box shade tree planted every 20 linear feet within the landscape buffer adjacent to the east property line (eight required shade trees). | To allow a 24-inch box shade tree every 35 feet (five trees provided). | Approval |

***Department of Public Works Traffic Study***

| ***Proposed Mini-Storage Facility Replacing an Existing Office*** | | | | |
|---|---|---|---|---|
| **Proposed Use** | **Description** | **Unit(s)** | **Rate /Unit** | **Total** |
| Average Daily Traffic (ADT) | Mini-Warehouse [1000SF] | 63.9 | 1.51 | 96 |
| AM Peak Hour | | | 0.10 | 6 |
| PM Peak Hour | | | 0.17 | 11 |
| **Existing Use** | **Description** | **Unit(s)** | **Rate /Unit** | **Total** |
| Average Daily Traffic (ADT) | General Office Building [1000SF] | 5.229 | 9.74 | 51 |
| AM Peak Hour | | | 1.16 | 6 |
| PM Peak Hour | | | 1.15 | 6 |
| **Net Change** | **Description** | **Unit(s)** | **Rate /Unit** | **Total** |
| Average Daily Traffic (ADT) | Mini-Warehouse [1000SF] | 58.671 | 1.51 | 46 |
| AM Peak Hour | | | 0.10 | 0 |
| PM Peak Hour | | | 0.17 | 5 |
| ***Existing Traffic on Nearby Streets*** | | | | |
| **Arville Street** | | | | |
| Average Daily Traffic (ADT) | | | 4,565 | |
| PM Peak Hour (Heaviest 60 Minutes) | | | 365 | |
| **Charleston Boulevard** | | | | |
| Average Daily Traffic (ADT) | | | 35,649 | |
| PM Peak Hour (heaviest 60 minutes) | | | 275 | |
| ***Traffic Capacity of Adjacent Streets:*** | | | | |
| **Adjacent Street ADT Capacity** | | | | |
| Arville Street | | | 16,380 | |
| Charleston Boulevard | | | 50,900 | |
| ***Summary*** | | | | |
| This project will add approximately 46 trips per day on Arville Street and Charleston Boulevard. Currently, Arville Street is at approximately 28 percent of capacity and Charleston Boulevard is at approximately 70 percent of capacity. With this project, these capacities are expected to remain the same. | | | | |
| Based on Peak Hour use, this development will add into the area roughly 5 additional cars, or about one every twelve minutes. | | | | |

Print Form

# 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) 1333 Arville Street

**Project Name** Wheeler Arville Mini-Storage Facility **Proposed Use** _____

**Assessor's Parcel #(s)** 162-06-510-016 **Ward #** 1 - Tarkanlan

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing P-R Proposed _____

**Additional Information** _____

**Property Owner** Stephanie Evans and John C & Stephanie Evans Family Trust **Contact** John Evans

Address 1313 Arville Street City Las Vegas State NV Zip 89102

E-mail mcwardlv@aol.com Phone _____

**Applicant** Wheeler Arville Mini Storage **Contact** Thomas J. Wheeler, Jr.

Address PO Box 80987 City Las Vegas State NV Zip 89180

E-mail tom@lvagency.com Phone _____

**Representative** Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail ajc@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** John C. Evans

Subscribed and sworn before me

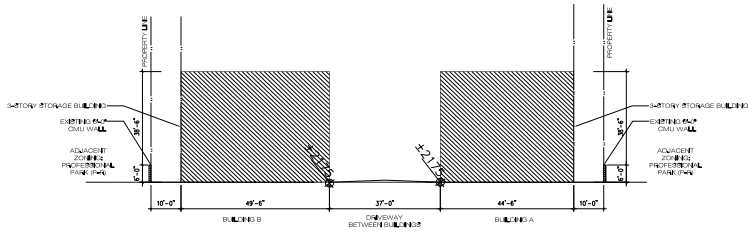
This 9th day of April, 20 2019

Clark, Nevada

Notary Public in and for said County and State

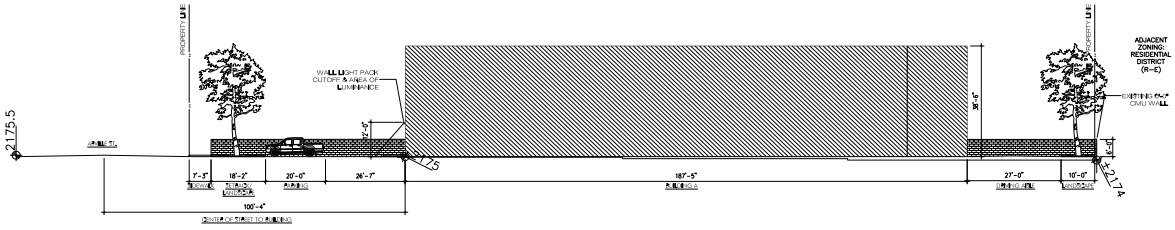
TOMMY S. REED
Notary Public State of Nevada
No. 10-2489-1
My appt. exp. Apr. 4, 2020

ERJ-75670
04/09/19




TRANSVERSE SECTION

3/32"

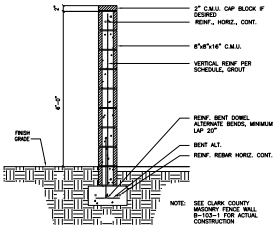



LONGITUDINAL SECTION

3/32"




LIGHTING SPEC.




EXISTING PERIMETER WALL (TO REMAIN) DETAIL

16"

WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 6 OF 8 SH PROJECT NO.: 180155

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office 702.363.2222 www.sh-architecture.com

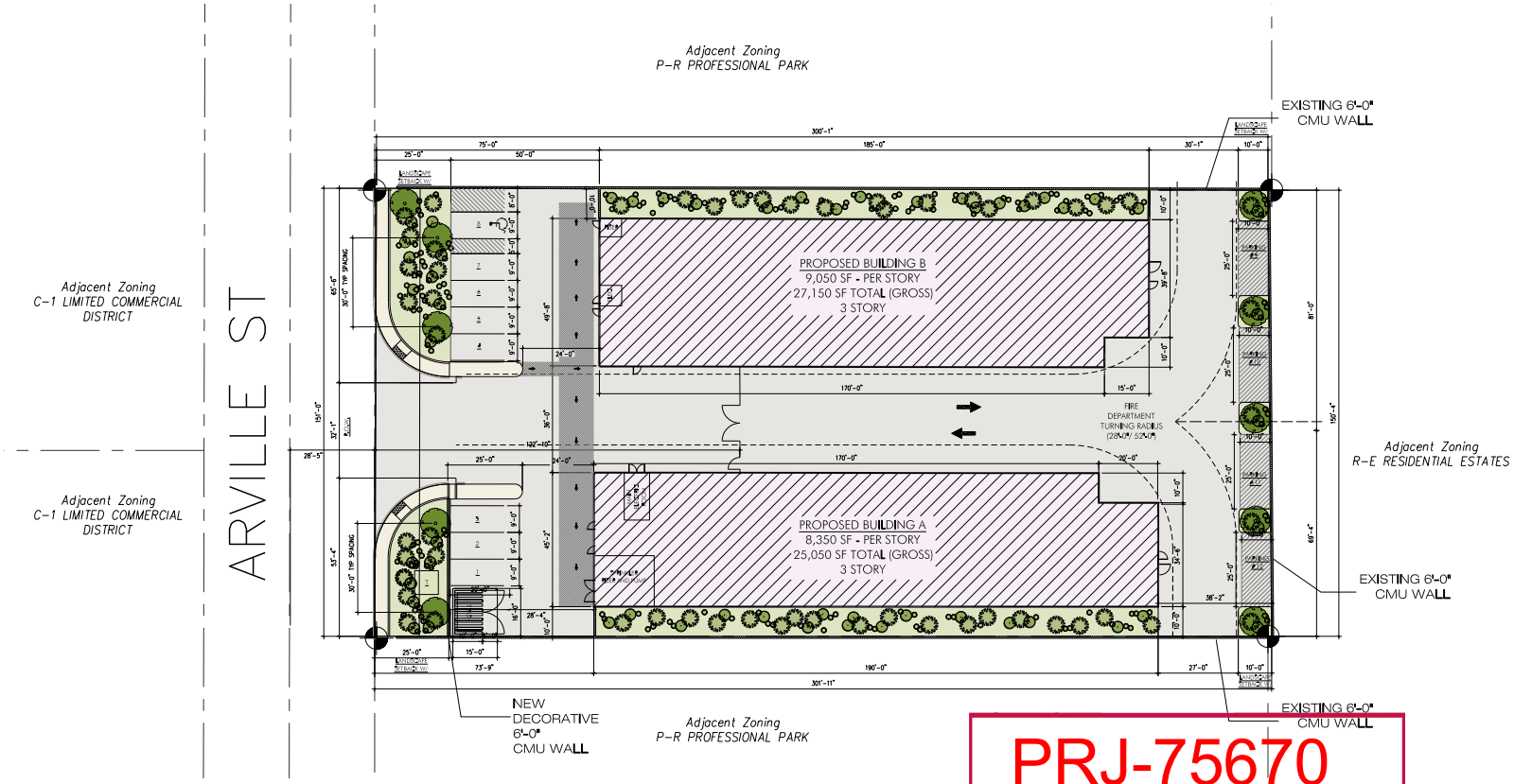
PRJ-75670
06/05/19

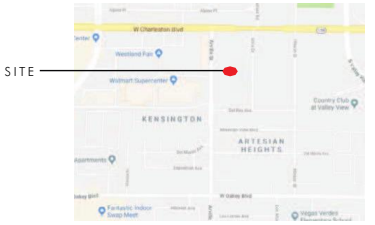
## LANDSCAPE LEGEND

| TYPE | BOTANICAL NAME (COMMON NAME) |
|---|---|
| | ACACIA STENOPHYLLA (SHOESTRING ACACIA) |
| | PARKINSONIA FLORIDA (BLUE PALO VERDE) |
| | CHITALPA TASHKENTENSIS (CHITALPA) |
| | PINUS ELDARICA (MONDEL PINE) |
| | (ASSORTED TYPICAL SHRUBS & GROUND COVER) |
| | PEDESTRAIN PATHWAY |

## SITE DATA

| | |
|---|---|
| APN: | 162-06-510-016 |
| ADDRESS: | 1333 ARVILLE ST LAS VEGAS 89102 |
| LOT SIZE: | 1.04 ACRES (45,302 SF) |
| SITE COVERAGE: (60% MAX.) | 38% |
| BUILDING A (3 STORY) | |
| GROUND FLOOR | 8,350 SF |
| SECOND FLOOR | 8,350 SF |
| THIRD FLOOR | 8,350 SF |
| TOTAL AREA | 25,050 SF |
| BUILDING B (3 STORY) | |
| GROUND FLOOR | 9,050 SF |
| SECOND FLOOR | 9,050 SF |
| THIRD FLOOR | 9,050 SF |
| TOTAL AREA | 27,150 SF |
| GRAND TOTAL AREA | 52,200 SF |
| PARKING: * 1 SPACE PER 50 UNITS | 11 SPACES |
| PROVIDED | 12 SPACES |
| | 11 SPACES<br>1 ADA (INCLUDED IN TOTAL) |
| ZONING: | PROFESSIONAL OFFICES AND PARKING (P-R) |
| PROPOSED ZONING: | C-1 |
| REQUIRED SETBACKS: | 10'-0" FT (FRONT)<br>10'-0" FT (INTERIOR SIDE)<br>10'-0" FT (INTERIOR SIDE)<br>10'-0" FT (REAR) |
| PROPOSED SETBACKS: | 10'-0" FT (FRONT)<br>4'-6" FT (INTERIOR SIDE)<br>4'-6" FT (INTERIOR SIDE)<br>10'-0" FT (REAR) |
| BUILDING HEIGHT: | 38'-6" FT<br>*19.08.12.d NOT PART OF *NEIGHBORHOOD REVITALIZATION AREA |
| TOTAL STORAGE UNITS: | 287 STORAGE UNITS |
| HOURS OF OPERATION | 9 A.M. TO 8 P.M.<br>W/ 24 HOUR AUTHORIZE ACCESS ONLY |
| LANDSCAPE: REQUIRED: | 20'-0" FT (FRONT)<br>8'-0" FT (INTERIOR SIDE)<br>8'-0" FT (INTERIOR SIDE)<br>8'-0" FT (REAR) |
| PROVIDED: | 20'-0" FT (FRONT)<br>10'-0" FT (INTERIOR SIDE)<br>10'-0" FT (INTERIOR SIDE)<br>10'-0" FT (REAR) |




VICINITY MAP NTS NORTH

ALL BUILDING AREAS, LAND COVERAGE AND PARKING TABULATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE. ANY PROPOSED DEVELOPMENT IS SUBJECT TO CONDITIONS OF LOCAL GOVERNMENTAL AGENCIES.

THESE PLANS WERE PREPARED BASED ON LIMITED SITE CIVIL OR SURVEY INFORMATION.

SH ARCHITECTURE MAKES NO IMPLIED WARRANTY OR GUARANTEE AS TO THE ACCURACY OF INFORMATION OR DEVELOPMENT RESTRICTIONS INDENTIFIED OR NOT INDENTIFIED.

THE OWNER/ CIVIL ENGINEER SHALL VERIFY LOCAL LIMITATIONS, UTILITY LOCATIONS, GRADES, RIGHT-OF-WAY, RESTRICTIONS, EASEMENTS, ENCROACHMENTS, ZONING, DEED RESTRICTIONS, BOUNDARIES AND NECESSARY DATA.

PRJ-75670
06/05/19

SITE PLAN & LANDSCAPE PLAN
1'-0" = 1/16" NORTH

# WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 1 OF 8 SH PROJECT NO.: 180155



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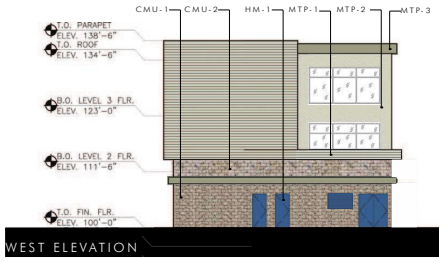
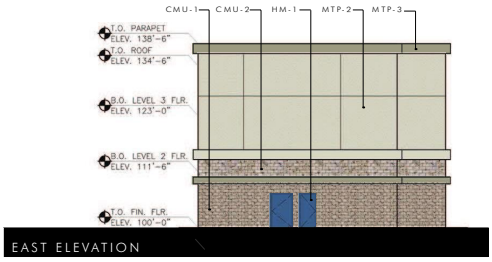
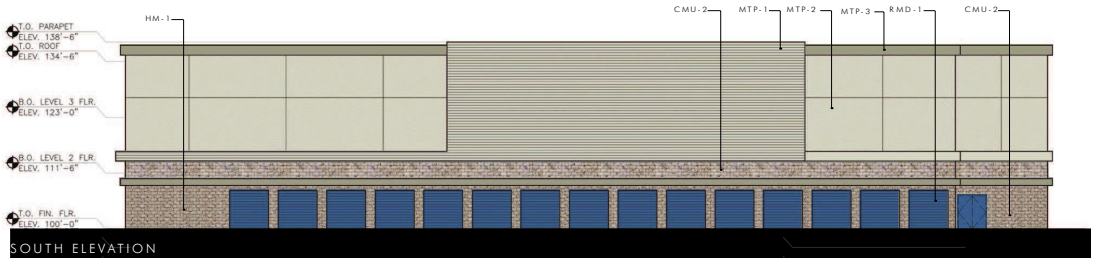


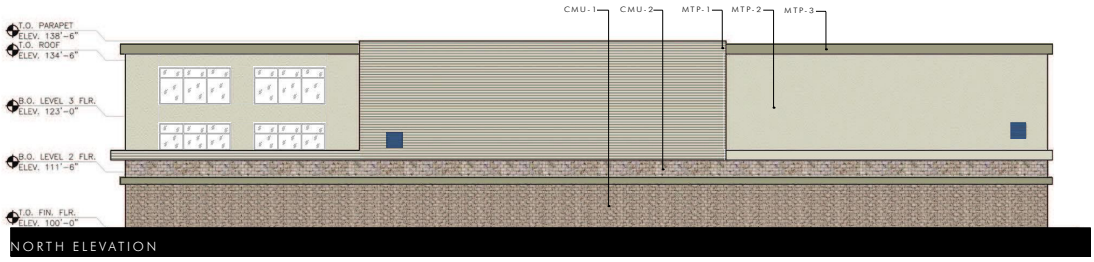
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

BUILDING A EXTERIOR ELEVATIONS

32'

## ELEVATION DATA

BUILDING HEIGHT:
PROVIDED 38'-6"

EXTERIOR MATERIALS:
CMU-1:
(ECHELON MASONRY SMOOTH FACE - GREY

CMU-2:
(ECHELON MASONRY SPLIT FACE - GREY

MTP-1:
(KINGSPAN- KYNAR METAL PANEL) DRIFTWOOD

MTP-2:
(KINGSPAN- KYNAR METAL PANEL) DRIFTWOOD

MTP-3:
(KINGSPAN- KYNAR METAL PANEL) ZINC GRAY

DOOR MATERIAL
HM-1:
(JANUS INTERNATIONAL) COLOR: ROYAL BLUE HOLLOW METAL DOOR

RMD-1:
(JANUS INTERNATIONAL) COLOR: ROYAL BLUE ROLLING METAL DOOR

EXTERIOR SIGNAGE: PROVIDED BY OTHERS

ALL BUILDING AREAS, LAND COVERAGE AND PARKING TABULATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE. ANY PROPOSED DEVELOPMENT IS SUBJECT TO REVIEW AND APPROVAL OF GOVERNMENTAL AGENCIES.

WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 4 OF 8 SH PROJECT NO.: 180155

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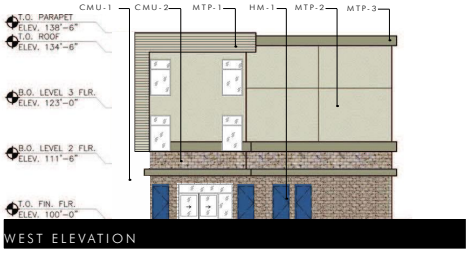
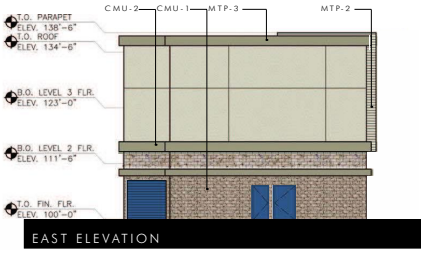
06/05/19



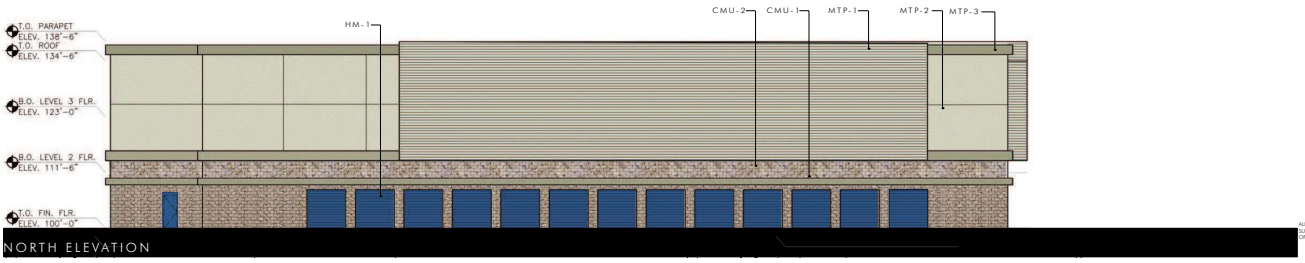

WEST ELEVATION




EAST ELEVATION




SOUTH ELEVATION




NORTH ELEVATION

## ELEVATION DATA

BUILDING HEIGHT:
PROVIDED 38'-6"

EXTERIOR MATERIALS:
CMU-1:
(ECHELON MASONRY SMOOTH FACE - GREY

CMU-2:
(ECHELON MASONRY SPLIT FACE - GREY

MTP-1:
(KINGSPAN- KYNAR METAL PANEL)
DRIFTWOOD

MTP-2:
(KINGSPAN- KYNAR METAL PANEL)
DRIFTWOOD

MTP-3:
(KINGSPAN- KYNAR METAL PANEL)
ZINC GRAY

DOOR MATERIAL
HM-1:
(JANUS INTERNATIONAL)
COLOR: ROYAL BLUE
HOLLOW METAL DOOR

RMD-1:
(JANUS INTERNATIONAL)
COLOR: ROYAL BLUE
ROLLING METAL DOOR

EXTERIOR SIGNAGE: PROVIDED BY OTHERS

ALL BUILDING AREAS, LAND COVERAGE AND PARKING TABULATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE. ANY PROPOSED DEVELOPMENT IS SUBJECT TO REVIEW AND APPROVAL OF GOVERNMENTAL AGENCIES.

BUILDING B EXTERIOR ELEVATIONS

32'

WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 5 OF 8 SH PROJECT NO.: 180155

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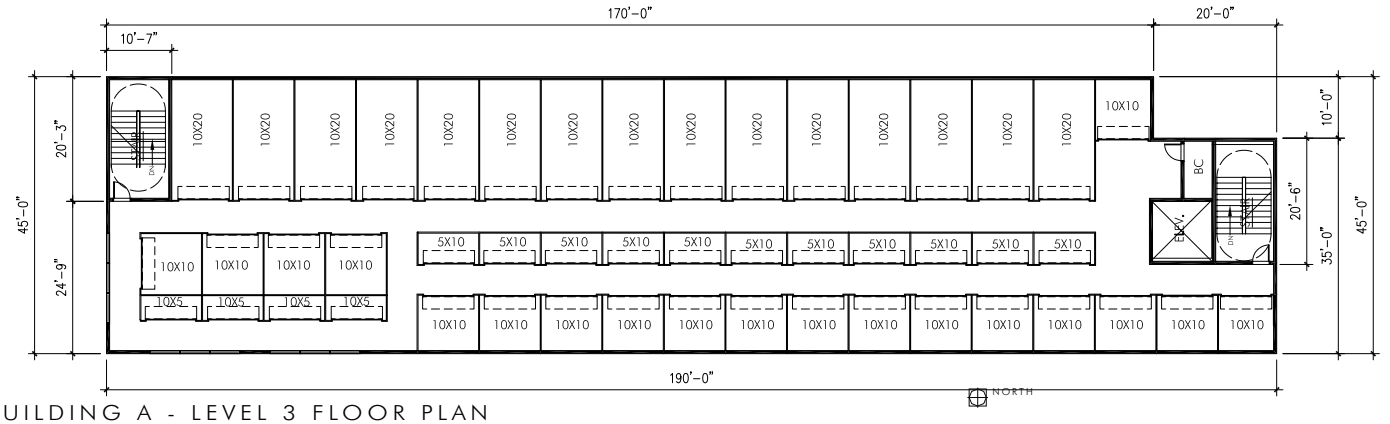
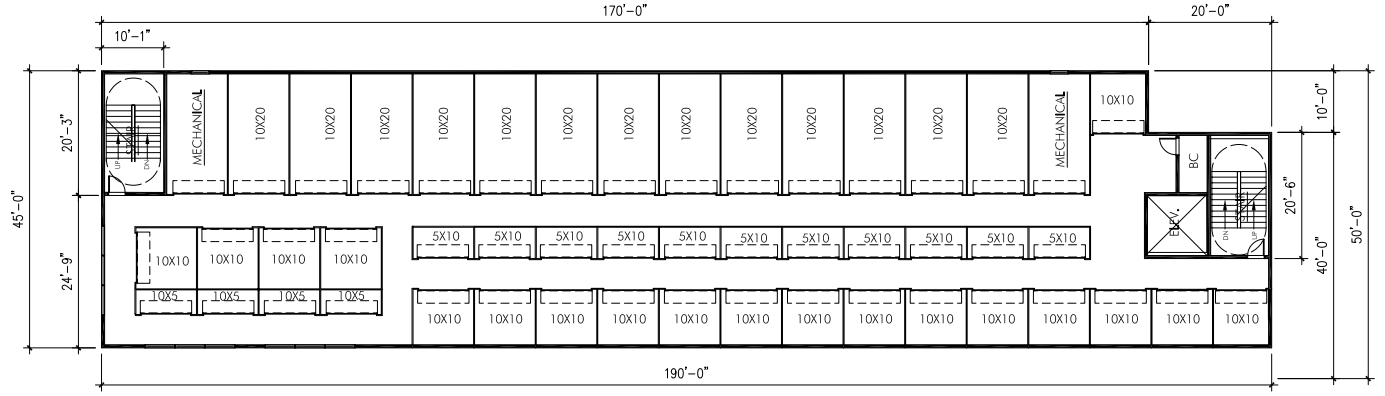
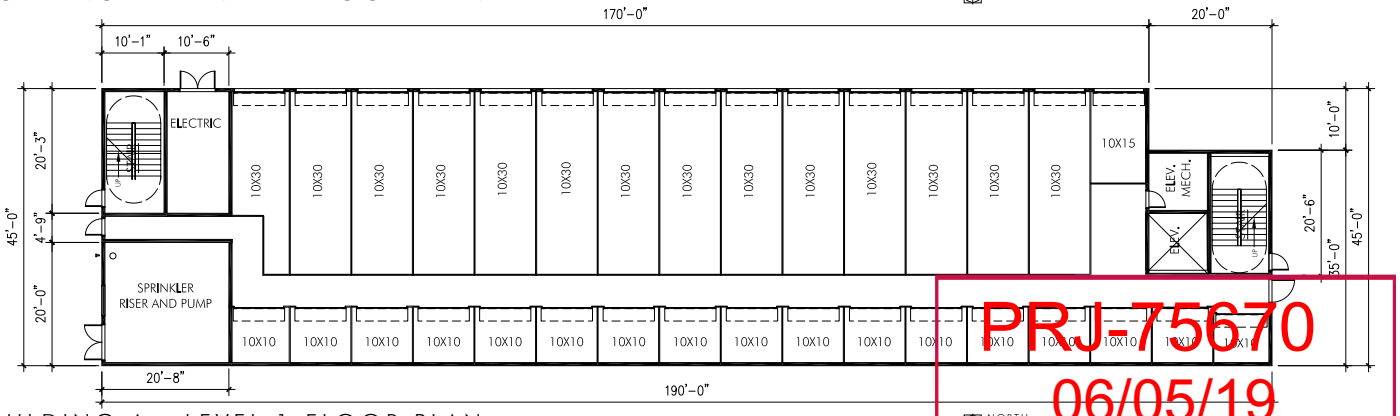
06/05/19




BUILDING A - LEVEL 3 FLOOR PLAN




BUILDING A - LEVEL 2 FLOOR PLAN




BUILDING A - LEVEL 1 FLOOR PLAN

FLOOR PLANS

32'

STORAGE UNIT MIX

| UNIT TABULATION (BUILDING A FLOORS 1, 2 AND 3) | | |
|---|---|---|
| TYPE | SIZE (FEET) | TOTAL |
| A | 5X5 | – |
| B | 10X5 | 30 |
| C | 10X10 | 55 |
| D | 10X15 | 1 |
| E | 10X20 | 29 |
| F | 10X25 | – |
| G | 10X30 | 14 |
| TOTAL UNIT | | 129 |

PRJ-75670
06/05/19

# WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 2 OF 8 SH PROJECT NO.: 180155



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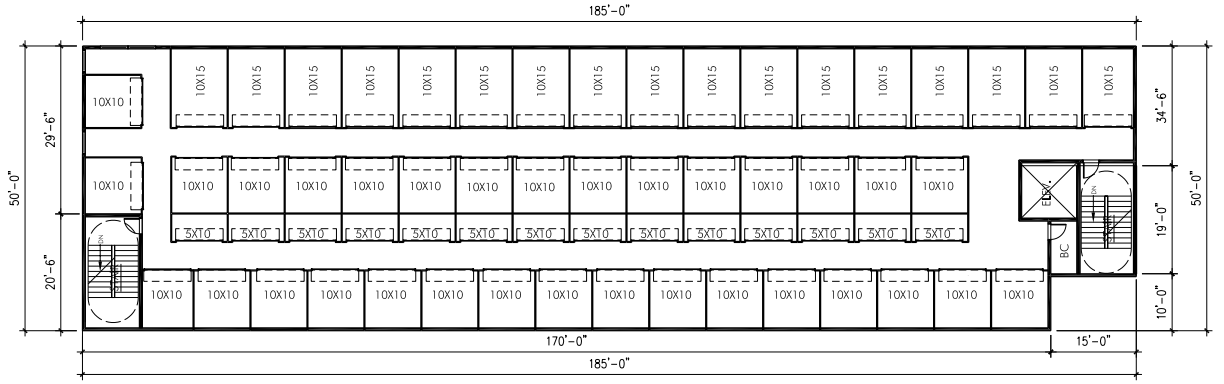
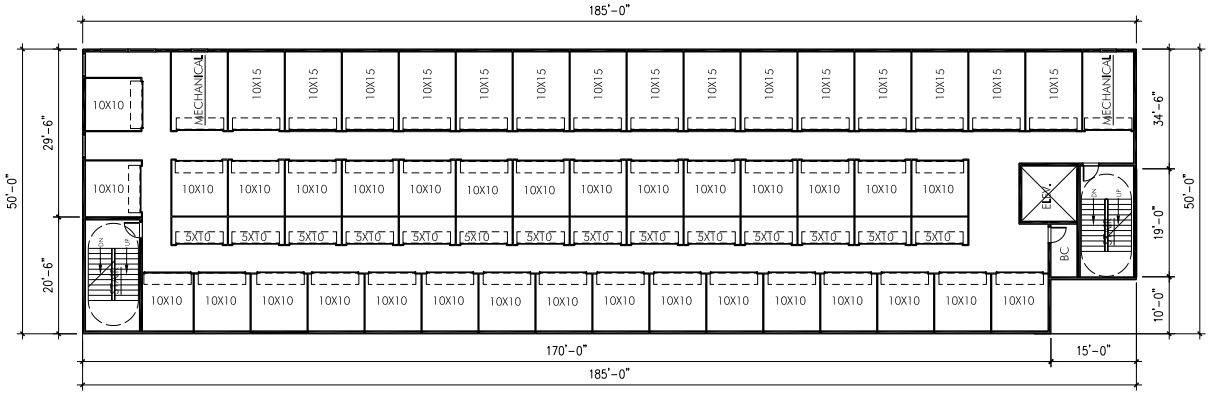


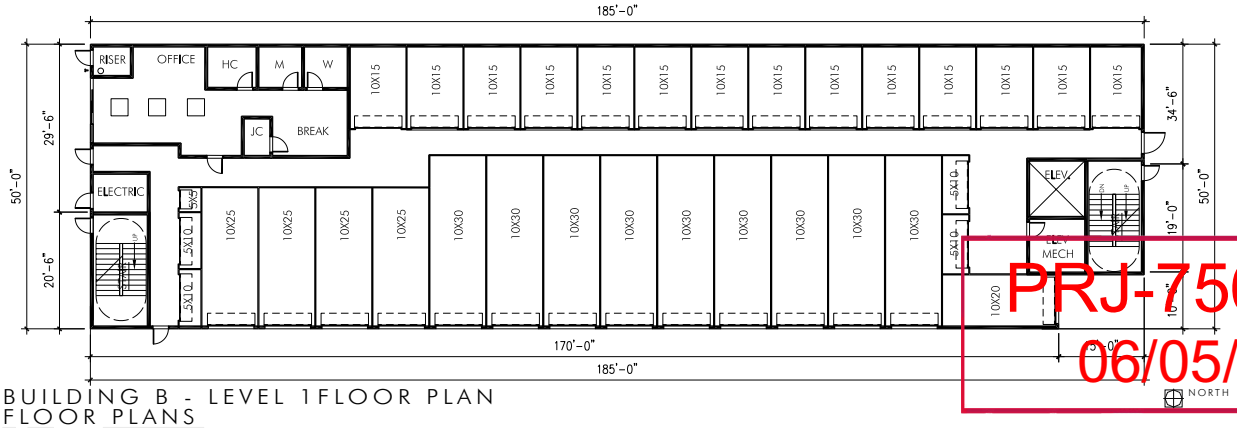

BUILDING B - LEVEL 3 FLOOR PLAN

NORTH




BUILDING B - LEVEL 2 FLOOR PLAN

NORTH




BUILDING B - LEVEL 1FLOOR PLAN

NORTH

FLOOR PLANS

32'

STORAGE UNIT MIX

| UNIT TABULATION (BUILDING B FLOORS 1, 2 AND 3) | | |
|---|---|---|
| TYPE | SIZE (FEET) | TOTAL |
| A | 5X5 | 1 |
| B | 10X5 | 32 |
| C | 10X10 | 64 |
| D | 10X15 | 47 |
| E | 10X20 | 1 |
| F | 10X25 | 4 |
| G | 10X30 | 9 |
| TOTAL UNIT | | 158 |

PRJ-75670
06/05/19

# WHEELER ARVILLE MINI STORAGE

ZONING PACKAGE

DATE: 06.3.2019 SHEET: 3 OF 8 SH PROJECT NO.: 180155



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HM-1 (HOLLOW METAL DOORS)
JANUS INTERNATION: ROYAL BLUE



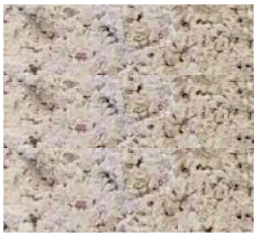
RMD-1 (ROLLING METAL DOORS)
JANUS INTERNATION: ROYAL BLUE



CMU-1 (ECHELON MASONRY)
SMOOTH FACE - GREY



CMU-2 (ECHELON MASONRY)
SPLIT FACE - GREY



MTP-1 (METAL PANEL)
KINGSPAN - DRIFTWOOD



MTP-2 (METAL PANEL)
KINGSPAN - DRIFTWOOD



MTP-3 (METAL PANEL)
KINGSPAN - ZINCC GREY



EXTERIOR MATERIALS



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office 702.363.2222 www.sh-architecture.com

PRJ-75670
06/05/19



**ZON-76236 [PRJ-75670] - REZONING RELATED TO VAR-76237, SUP-76310 AND SDR-76250 - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL**
**1333 ARVILLE STREET**

04/15/19

<br /><br /><br />Pla



**ZON-76236 [PRJ-75670] - REZONING RELATED TO VAR-76237, SUP-76310 AND SDR-76250 - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL**
**1333 ARVILLE STREET**

04/15/19

<br /><br /><br />Pla

KAEMPFER CROWELL
ATTORNEYS AT LAW

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Fax: 775.327.2011

CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

May 7, 2019

COMPREHENSIVE PLANNING DEPARTMENT
333 N. Rancho Drive
Third Floor
Las Vegas, Nevada 89106

***Re: Justification Letter – Zone Change***
***Mini-Storage Facility – 1333 Arville Street***
***APN: 162-06-510-016***

To Whom It May Concern:

This firm represents the Applicants in the above referenced matter. The proposed project is located on approximately 1.04 acres at 1333 Arville Street (the "Property"). The Property is more particularly described as Assessor's Parcel Number 162-06-510-016. The Property is zoned Professional Offices and Parking (P-R). The Applicant is requesting a zone change from P-R to C-1 and a special use permit to allow for a proposed mini-storage facility.

**1. Zone Change and Special Use Permit**

Mini-storage facilities are permitted in C-1 zoned districts upon the approval of a special use permit. The Property is adjacent to an existing school to the east, existing office complexes to the north and south, and existing C-1 developments to the west across Arville Street. The area is trending toward changes to C-1 development along the Arville corridor. To the south of the Property approximately one block away is an existing R-PD12 multi-family development.

The location of this property is ideal for a mini-storage facility. Multi-family residential developments take advantage of mini-storage facilities as they general do not have adequate storage for residents. Additionally, a mini-storage facility is far less intense when it comes to traffic than an office complex. Therefore, re-zoning the Property to allow for the mini-storage facility would be less impactful to the existing school to the east than if the Property were to develop out as office.

PRJ-75670
05/07/19

Currently, there is a single family residential home located on the Property. This would be demolished and replaced with the proposed mini-storage facility.

**2. Design Review**

The proposed mini-storage would front onto Arville Street and include two (2), three (3) story buildings at a total of 57,900 square feet and 292 units. The maximum height of the building would be 38 feet and 6 inches. The building would consist of decorative brick, wood and metal paneling, large decorative windows, and a flat roof to minimize impacts to the surrounding neighborhoods. Hours of operation would be from 9:00am to 8:00pm, with authorized 24 hour access to tenants. There would be a total of 6 parking spaces where 6 are required.

**3. Variance**

Finally, the Applicant is requesting a variance to reduce the minimum side setbacks and side landscaping. However, because there are existing office developments to both the north and south, the reduced landscaping and setbacks will not negatively impact the adjacent neighbors as mini-storage facilities tend to bring less traffic and the need for buffering.

Thank you in advance for your consideration. Please do not hesitate to let me know if you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

PRJ-75670
05/07/19

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MAY 28 2019
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City of Las Vegas

May 28, 2019

*Via Fax: (702) 382-4803*

Ms. LuAnn D. Holmes, City Clerk
City of Las Vegas
495 S. Mail Street
Las Vegas, NV 89101

***Re:*** ***Request for 30 Day Hold***
***May 28, 2019 City of Las Vegas Planning Commission Items 37-40***
***Wheeler Arville Mini-Storage: ZON-76236, VAR-76237, SDR-76250 and SUP-76310***

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this application be continued from its presently scheduled hearing date of **May 28, 2019** until the City of Las Vegas Planning Commission hearing of **June 25, 2019** so that we can allow more time to continue to work with staff.

Thank you again for your kind consideration and please contact our office if you have any questions.

Very truly yours,
**KAEMPFER CROWELL**

Anthony J. Celeste

AJC/adb

Submitted after final agenda

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

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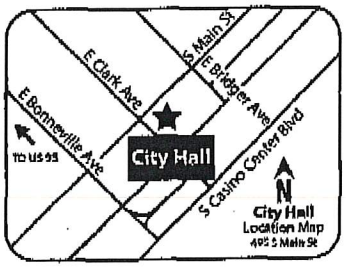


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510034
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102-1600

89 DRDFNP1 89102

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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510039
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102

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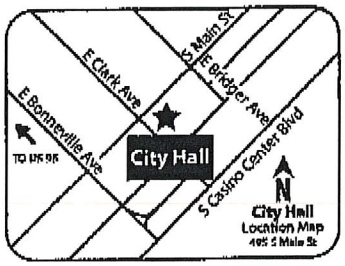


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**ZON-76236 and VAR-76237 [PRJ-75670]**

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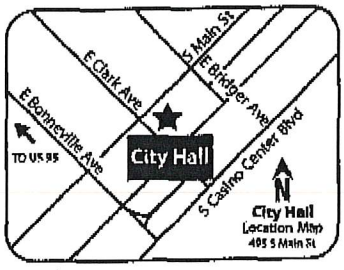


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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510011
CHABAD SOUTHERN NEVADA INC
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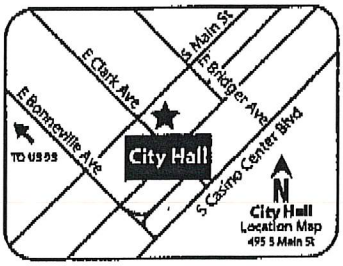


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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

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16206510035
CHABAD SOUTHERN NEVADA INC
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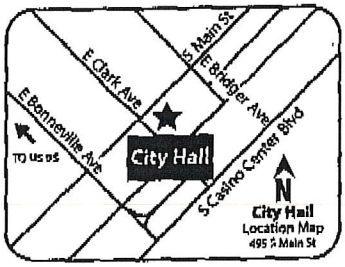


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Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510010
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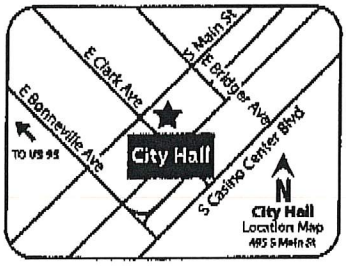


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**ON-76236 and VAR-76237 [PRJ-75670]**
lanning Commission Meeting of **05/28/2019**

PRJ-75670
16206510038
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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510017
CHABAD SOUTHERN NEVADA INC
1254 VISTA DR
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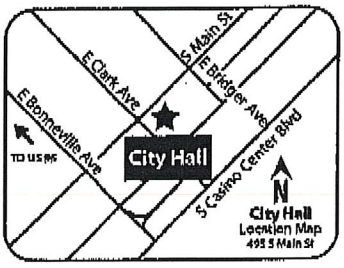


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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206501004
CHABAD SOUTHERN NEVADA INC
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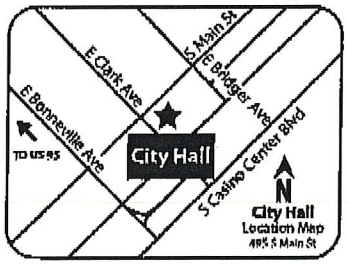


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**VAR-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216010
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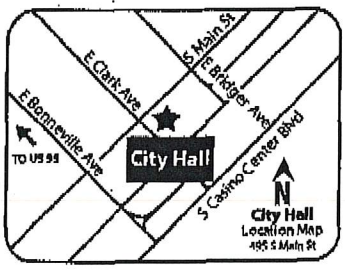


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**ON-76236 and VAR-76237 [PRJ-75670]**
anning Commission Meeting of **05/28/2019**

PRJ-75670
16206610021
Y & D FAMILY TRUST
HARLIG RABBI YEHOSHUA & DINA
4211 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3815

89 DRDFMF1 89102



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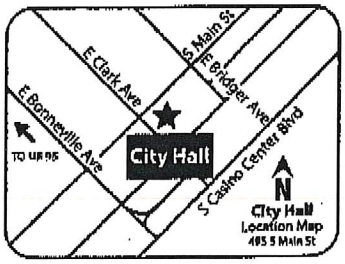


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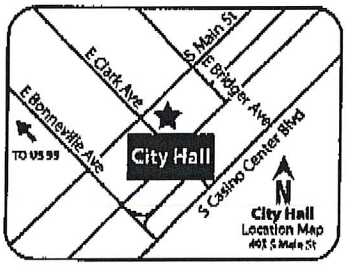


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☒ I OPPOSE this Request

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**ZON-76236 and VAR-76237 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
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1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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Las Vegas, Nevada 89106

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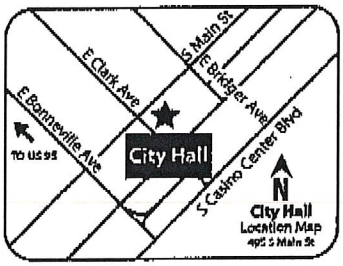


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**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
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1261 S ARVILLE ST
LAS VEGAS NV 89102-1600



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PRJ-75670
16206610020
BANNER CIRCLE L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600



37-38P

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

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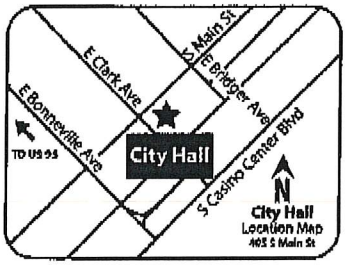


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f you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to 702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you vould 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.
**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610009
BANNER CIRCLE L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600



37-38P

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

PRJ-75670
16206216108
MASON VERA L LIVING TRUST
MASON VERA L TRS
1469 PADBURY CT #4
LAS VEGAS NV 89102-1572

Please use available blank space on card for your comments.
**ZON-76236 and VAR-76237 [PRJ-75670]** there is a reason 10 ft is required.
Planning Commission Meeting of **05/28/2019** 4 Ft. is not enough!

89 DRDFNP1 89102



37-38P

001

SERFUSTINI

05/27/2019 19:41 FAX 7027336918

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610011
PATRON GUADALUPE
4300 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3819

89 DROPNP1 8914



37-38P

y of Las Vegas
partment of Planning
velopment Services Center
3 North Rancho Drive, 3rd Floor
s Vegas, Nevada 89106

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Las Vegas, NV
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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

ease use available blank space on card for your comments.
**N-76236 and VAR-76237 [PRJ-75670]**
anning Commission Meeting of **05/28/2019**

PRJ-75670
13931411037
LUK KAYE & DIANA
10313 POMPEI PL
LAS VEGAS NV 89144

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05/24/2019 10:38 091-702-9148984 LUK PAGE 03

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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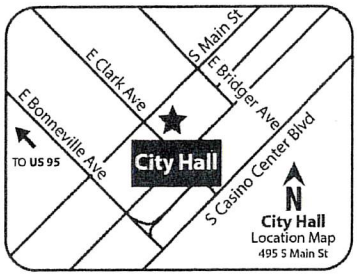


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510029
DAR PROPERTIES L L C
1110 DARMAK DR
LAS VEGAS NV 89102

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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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MAY 23 2019
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City of Las Vegas

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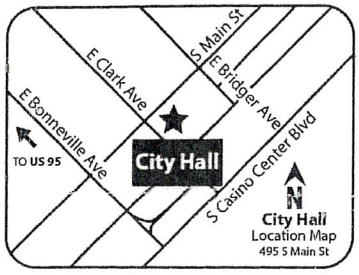
## Official Notice of Public Hearing

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76236 and VAR-76237 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411030
MICHALSKI JOHN LEO TRUST
MICHALSKI JOHN LEO TRS
4219 ALPINE PL
LAS VEGAS NV 89107-4207

97 DROPNP1 89107



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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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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76236 and VAR-76237 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411034
MOORE OVID A & EDNA E TRUST
MOORE OVID A & EDNA E TRS
P O BOX 26627
LAS VEGAS NV 89126-0627

97 DRDFMP1 89126

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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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Las Vegas, NV
Permit No. 1630

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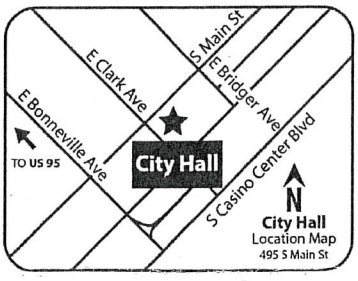
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76236 and VAR-76237 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216116
TERRELL GREGORY A
1465 ROTHWELL CT #1
LAS VEGAS NV 89102-1674

89 DRDFNP1 89102



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Las Vegas, Nevada 89106

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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.

**ZON-76236 and VAR-76237 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510015
GRAHAM S & D PROPERTIES L L C
8175 W PEBBLE RD
LAS VEGAS NV 89113

107 DROFNP1 89113



37A
38A

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, May 24, 2019 9:16 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 05/24/19 9:15 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, May 28, 2019 |
| **Project Number:** | PRJ-75670 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Susan Wainscott |
| **Residential or Business Address:** | 4350 Bossart Ct.<br>las vegas, NV 89102 |
| **Email:** | suewainscott@gmail.com |
| **Comments:** | The proposed rezoning and reduction of setbacks and landscaping will fundamentally harm the character of our neighborhood and increase traffic next to a school. The current zoning is much more consistent with our neighborhood. I urge you to oppose this project and all related applications. |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



37-40P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, May 24, 2019 11:21 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 05/24/19 11:20 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, May 28, 2019 |
| **Project Number:** | 75670 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | MICHAEL SEGELSTEIN |
| **Residential or Business Address:** | 1415 SOUTH ARVILLE SUITE 104<br>Suite 104<br>Las Vegas, NV 89102 |
| **Phone:** | (702) 878-0113 |
| **Email:** | menachmcpa@embarqmail.com |
| **Comments:** | I am totally opposed to this proposal because i have a business which is located on Arville and i feel that this should be zoned only for professional businesses and not a storage business. this side of Arville only has professional businesses as well as medical related businesses. this proposed business would also be in proximity to a house of worship and a school. We have enough security concerns to worry about as it is. we dont need any additional areas which would be perfect cover for either |

37-40P
Pg 1 of 2

thieves from the shopping center across the street, or the countless homeless that line the streets. Please take that into consideration.

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37-40
Pg 2 of 2

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Friday, May 24, 2019 10:27 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 05/24/19 10:27 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, May 28, 2019 |
| **Project Number:** | #75670 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Marisa Apeles |
| **Residential or Business Address:** | 4509 Exposition Ave<br>Las Vegas, NV 89102-1545 |
| **Phone:** | (702) 340-4764 |
| **Email:** | MLATRIX12@gmail.com |
| **Comments:** | Oppose - Neighborhood already struggles with large business and STR's. This is near churches/chabads/schools and has an already growing homeless population living near and around any building/covering they can |

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37-40P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Thursday, May 23, 2019 1:57 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 05/23/19 1:56 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, May 28, 2019 |
| **Project Number:** | PRJ-75670 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Hal Goldblatt |
| **Residential or Business Address:** | 4513 Del Monte Ave<br>Las Vegas, NV 89102 |
| **Phone:** | (702) 349-4538 |
| **Email:** | halgoldblatt@cox.net |
| **Comments:** | This project is right next to our Synagogue and School. A three story building will stick out like a sore thumb and create security issues for both or Synagogue and School. |

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37-40P

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**24**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE - VAR-76237 - VARIANCE RELATED TO ZON-76236 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Variance TO ALLOW A FOUR-FOOT SIDE YARD SETBACK ADJACENT TO THE NORTH AND SOUTH PROPERTY LINES WHERE 10 FEET IS REQUIRED on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 23 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Withdrawal Request Letter
3. Supporting Documentation
4. Backup Submitted for the May 28, 2019 Planning Commission Meeting
5. Submitted after Final Agenda - Withdrawal without Prejudice Request Letter

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

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

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JUN 06 2019
Dept of Planning
City of Las Vegas

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

June 5, 2019

**VIA E-MAIL**
neddowes@LasVegasNevada.gov

Nicole Eddowes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

***Re: Request for Withdrawal Without Prejudice***
***Wheeler Mini-Storage on Arville***
***Application No.: VAR-76237***

Dear Ms. Eddowes:

Please be advised that this office represents the Applicant in the above-referenced matter. We respectfully request this application be withdrawn without prejudice.

Thank you for your kind consideration and please contact our office if you have any questions.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/mao

Print Form

# 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) 1333 Arville Street

**Project Name** Wheeler Arville Mini-Storage Facility **Proposed Use** _____

**Assessor's Parcel #(s)** 162-06-510-016 **Ward #** 1 - Tarkanlan

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing P-R Proposed _____

**Additional Information** _____

**Property Owner** Stephanie Evans and John C & Stephanie Evans Family Trust **Contact** John Evans

Address 1313 Arville Street City Las Vegas State NV Zip 89102

E-mail mcwardlv@aol.com Phone _____

**Applicant** Wheeler Arville Mini Storage **Contact** Thomas J. Wheeler, Jr.

Address PO Box 80987 City Las Vegas State NV Zip 89180

E-mail tom@lvagency.com Phone _____

**Representative** Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail ajc@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** John C. Evans

Subscribed and sworn before me

This 9th day of April, 20 2019

_____

Notary Public in and for said County and State

TOMMY S. REED
Notary Public State of Nevada
No. 10-2489-1
My appt. exp. Apr. 4, 2020

ERJ-75670
04/09/19

Date: 5-21-19

Name: Debra Malton

Address: 1472 Blisworth Ct 101
LV NV 89102

Phone: 702-259-1202

[X] PROTEST [ ] APPROVE

Var-76237

38P

Date: 5-21-19

Name: Pam Maher

Address: 718 Lacy Ln LV
NV 89107

Phone: 702-875-1375

[X] PROTEST [ ] APPROVE

SUP-76233

Disregard email instead

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Submitted after final agenda



38P

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

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JUN 06 2019
Dept of Planning
City of Las Vegas

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

June 5, 2019

**VIA E-MAIL**
neddowes@LasVegasNevada.gov

Nicole Eddowes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

***Re: Request for Withdrawal Without Prejudice***
***Wheeler Mini-Storage on Arville***
***Application No.: VAR-76237***

Dear Ms. Eddowes:

Please be advised that this office represents the Applicant in the above-referenced matter. We respectfully request this application be withdrawn without prejudice.

Thank you for your kind consideration and please contact our office if you have any questions.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/mao

Submitted after final agenda

Item 24



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# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**25**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE - SUP-76310 - SPECIAL USE PERMIT RELATED TO ZON-76236 AND VAR-76237 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY USE at 1333 Arville Street (APN 162-06-510-016), Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL. [NOTE: STAFF'S RECOMMENDATION CHANGED TO APPROVAL].

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 23 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Backup Submitted for the May 28, 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.**

Print Form

# 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) 1333 Arville Street

**Project Name** Wheeler Arville Mini-Storage Facility **Proposed Use** _____

**Assessor's Parcel #(s)** 162-06-510-016 **Ward #** 1 - Tarkanlan

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing P-R Proposed _____

**Additional Information** _____

**Property Owner** Stephanie Evans and John C & Stephanie Evans Family Trust **Contact** John Evans

Address 1313 Arville Street City Las Vegas State NV Zip 89102

E-mail mcwardlv@aol.com Phone _____

**Applicant** Wheeler Arville Mini Storage **Contact** Thomas J. Wheeler, Jr.

Address PO Box 80987 City Las Vegas State NV Zip 89180

E-mail tom@lvagency.com Phone _____

**Representative** Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail ajc@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** John C. Evans

Subscribed and sworn before me

This 9th day of April, 20 2019

Clark, Nevada

Notary Public in and for said County and State

TOMMY S. REED
Notary Public State of Nevada
No. 10-2489-1
My appt. exp. Apr. 4, 2020

ERJ-7567C
04/09/19

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

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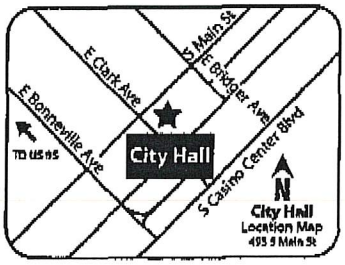


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**UP-76310 [PRJ-75670]**
lanning Commission Meeting of **05/28/2019**

PRJ-75670
16206610016
Y D H L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

Submitted after final agenda
39P

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

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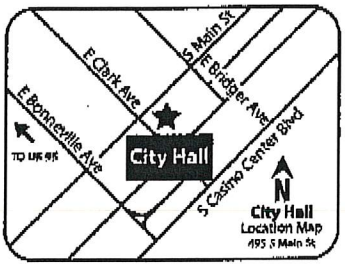


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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

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PRJ-75670
16206610020
BANNER CIRCLE L L C
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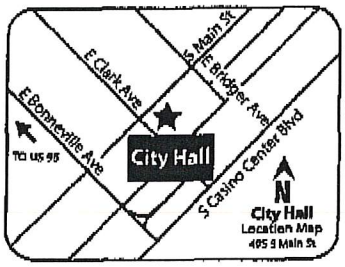


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**UP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510039
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102

89 DEPT NP 1 89102

39P

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Las Vegas, Nevada 89106

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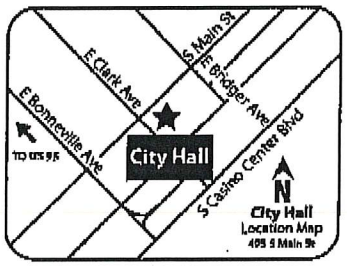


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**UP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510011
CHABAD SOUTHERN NEVADA INC
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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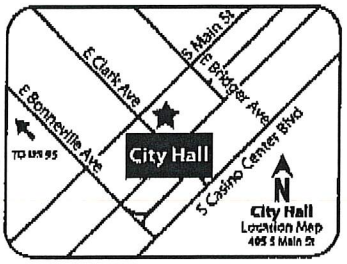


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**UP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510017
CHABAD SOUTHERN NEVADA INC
1254 VISTA DR
LAS VEGAS NV 89102-1610

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City of Las Vegas
Department of Planning
Development Services Center
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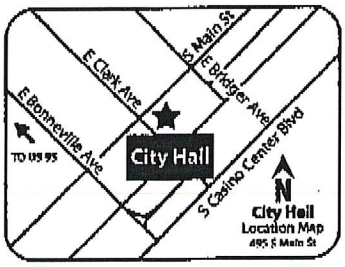


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**SUP-76310 [PRJ-75670]**

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PRJ-75670
16206610009
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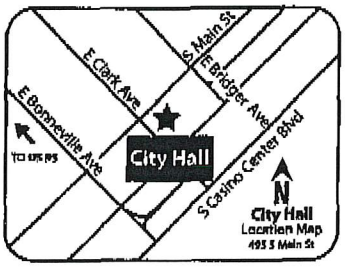


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610021
Y & D FAMILY TRUST
HARLIG RABBI YEHOSHUA & DINA
4211 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3815

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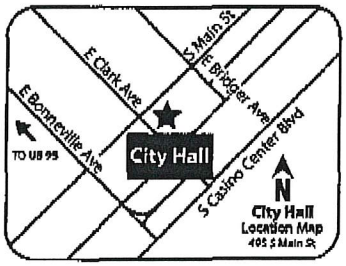


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☒ I OPPOSE this Request

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**;UP-76310 [PRJ-75670]**

'lanning Commission Meeting of **05/28/2019**

PRJ-75670
16206610041
BANNER CIRCLE L L C
1261 ARVILLE ST
LAS VEGAS NV 89102-1600

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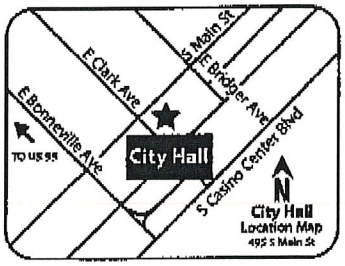


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510010
CHABAD SOUTHERN NEVADA INC
1261 S ARVILLE ST
LAS VEGAS NV 89102



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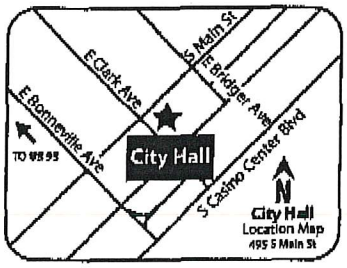


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510035
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102-1600

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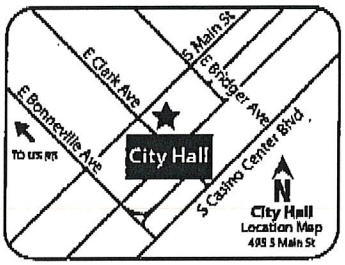


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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510034
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102-1600



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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206217046
DZIALOWSKI JERALD
1261 S ARVILLE ST
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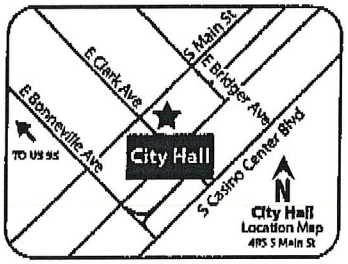


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206501004
CHABAD SOUTHERN NEVADA INC
1254 VISTA DR
LAS VEGAS NV 89102-1610



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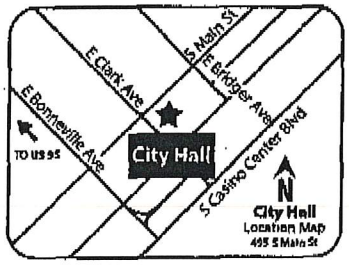


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216010
CHABAD SOUTHERN NEVADA INC
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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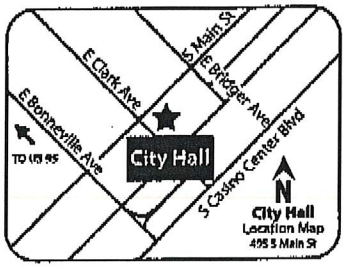


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☒ I OPPOSE this Request

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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510038
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216107
CHABAD SOUTHERN NEVADA INC
%Y HARLIG
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600



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Las Vegas, Nevada 89106

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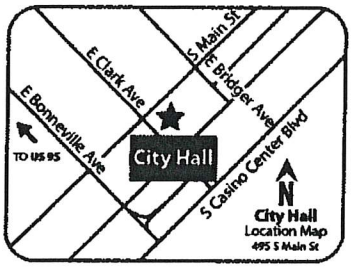


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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019** Too much traffic -

PRJ-75670
16206216108
MASON VERA L LIVING TRUST
MASON VERA L TRS
1469 PADBURY CT #4
LAS VEGAS NV 89102-1572

89 DROPNP1 89102



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05/27/2019 19:42 FAX 7027336918 SERFUSTINI 002

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PRJ-75670
16206610011
PATRON GUADALUPE
4300 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3819

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

89 DRDFNP1 89102



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Las Vegas, Nevada 89106

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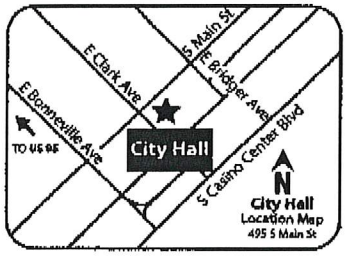


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☒ I OPPOSE this Request

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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411037
LUK KAYE & DIANA
10313 POMPEI PL
LAS VEGAS NV 89144

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05/24/2019 10:38 091-702-91489B4 LUK PAGE 01

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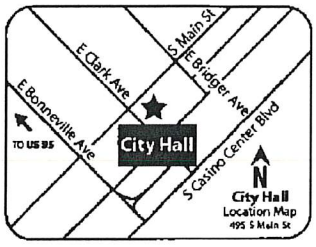


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610036
LUI WILLIAM & JEAN
10231 PIMLICO DR
CYPRESS CA 90630

100 DRDFMP1 90630



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Las Vegas, Nevada 89106

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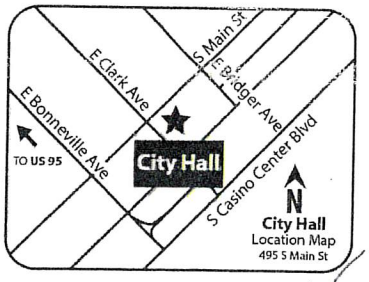


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411030
MICHALSKI JOHN LEO TRUST
MICHALSKI JOHN LEO TRS
4219 ALPINE PL
LAS VEGAS NV 89107-4207

97 DROFMP1 89107



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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510029
DAR PROPERTIES L L C
1110 DARMAK DR
LAS VEGAS NV 89102

89 DRDFNP1 89102



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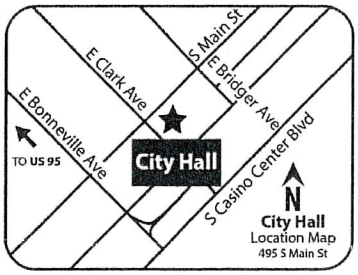


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**SUP-76310 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411034
MOORE OVID A & EDNA E TRUST
MOORE OVID A & EDNA E TRS
P O BOX 26627
LAS VEGAS NV 89126-0627

97 DRDFNP1 89126



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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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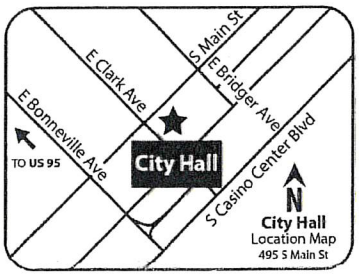


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**SUP-76310 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510015
GRAHAM S & D PROPERTIES L L C
8175 W PEBBLE RD
LAS VEGAS NV 89113

107 DRDFNP1 89113

Submitted after final agenda



39A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**26**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE - SDR-76250 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76236, VAR-76237 AND SUP-76310 - PUBLIC HEARING - APPLICANT: WHEELER ARVILLE MINI STORAGE - OWNER: STEPHANIE EVANS, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 292-UNIT MINI-STORAGE FACILITY CONSISTING OF TWO BUILDINGS FOR A TOTAL OF 57,900 SQUARE FEET WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO THE NORTH AND SOUTH PROPERTY LINE, AND A ZERO-FOOT LANDSCAPE BUFFER ADJACENT TO PORTIONS OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 1.04 acres at 1333 Arville Street (APN 162-06-510-016), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian) [PRJ-75670]. Staff recommends DENIAL. [NOTE: STAFF'S RECOMMENDATION CHANGED TO APPROVAL].

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 23 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Comments from City of Las Vegas Department of Public Works Traffic Engineering Division
4. Backup Submitted for the May 28, 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.**

Print Form

# 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) 1333 Arville Street

**Project Name** Wheeler Arville Mini-Storage Facility **Proposed Use** _____

**Assessor's Parcel #(s)** 162-06-510-016 **Ward #** 1 - Tarkanlan

**General Plan:** Existing _____ Proposed _____ **Zoning:** Existing P-R Proposed _____

**Additional Information** _____

**Property Owner** Stephanie Evans and John C & Stephanie Evans Family Trust **Contact** John Evans

Address 1313 Arville Street City Las Vegas State NV Zip 89102

E-mail mcwardlv@aol.com Phone _____

**Applicant** Wheeler Arville Mini Storage **Contact** Thomas J. Wheeler, Jr.

Address PO Box 80987 City Las Vegas State NV Zip 89180

E-mail tom@lvagency.com Phone _____

**Representative** Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail ajc@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** John C. Evans

Subscribed and sworn before me

This 9th day of April, 20 2019

Clark, Nevada

Notary Public in and for said County and State

TOMMY S. REED
Notary Public State of Nevada
No. 10-2489-1
My appt. exp. Apr. 4, 2020

ERJ-7567C
04/09/19

**SDR 76250**
**Wheeler Arville Mini Storage**

# 1333 Arville Street

Proposed 63.9 thousand square foot mini-storage facility, replacing an existing 5.229 thousand square foot office.

**Traffic produced by proposed development:**

| Proposed Use | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | MINI-WAREHOUSE [1000 SF] | 63.9 | 1.51 | **96** |
| AM Peak Hour | | | 0.10 | **6** |
| PM Peak Hour | | | 0.17 | **11** |

*(heaviest 60 minutes)*

| Existing Use | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GENERAL OFFICE BUILDING [1000 SF] | 5.229 | 9.74 | **51** |
| AM Peak Hour | | | 1.16 | **6** |
| PM Peak Hour | | | 1.15 | **6** |

*(heaviest 60 minutes)*

| Net Change | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | MINI-WAREHOUSE [1000 SF] | 58.671 | 1.51 | **46** |
| AM Peak Hour | | | 0.10 | **0** |
| PM Peak Hour | | | 0.17 | **5** |

*(heaviest 60 minutes)*

**Existing traffic on all nearby streets:**

| **Arville Street** | |
|---|---|
| Average Daily Traffic (ADT) | 4,565 |
| PM Peak Hour | 365 |

*(heaviest 60 minutes)*

| **Charleston Boulevard** | |
|---|---|
| Average Daily Traffic (ADT) | 35,649 |
| PM Peak Hour | 275 |

*(heaviest 60 minutes)*

**Traffic Capacity of adjacent streets:**

| | Adjacent street ADT Capacity |
|---|---|
| Arville Street | 16,380 |
| Charleston Boulevard | 50,900 |

This project will add approximately 46 trips per day on Arville St. and Charleston Blvd. Currently, Arville is at about 28

percent of capacity and Charleston is at about 70 percent of capacity. With this project, these capacities are expected to be unchanged.

Based on Peak Hour use, this development will add into the area roughly 5 additional cars, or about one every twelve minutes.

Note that this report assumes all traffic from this development uses all named streets.

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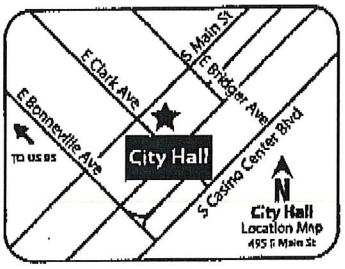


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510039
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102

Submitted after final agenda

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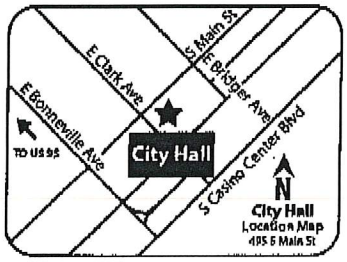


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**WVR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510035
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102-1600

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Las Vegas, Nevada 89106

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510011
CHABAD SOUTHERN NEVADA INC
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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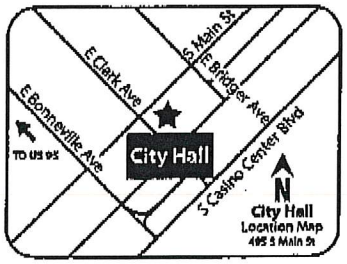


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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610009
BANNER CIRCLE L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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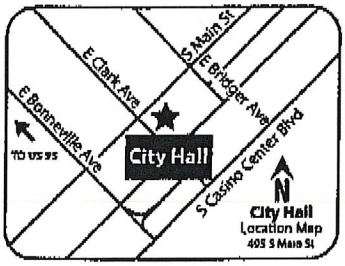


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**DR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216010
CHABAD SOUTHERN NEVADA INC
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510017
CHABAD SOUTHERN NEVADA INC
1254 VISTA DR
LAS VEGAS NV 89102-1610

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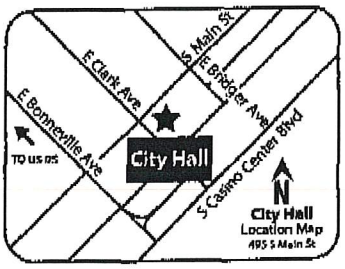


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**SDR-76250 [PRJ-75670]**
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PRJ-75670
16206610041
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1261 ARVILLE ST
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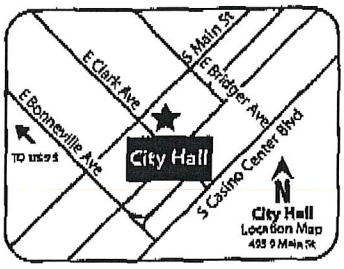


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610016
Y D H L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600



40P

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

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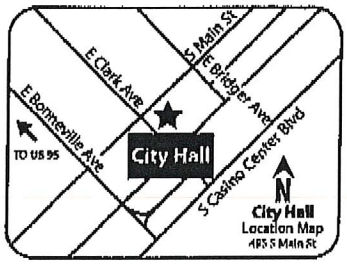


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510034
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102-1600

89 DREPMP1 89102



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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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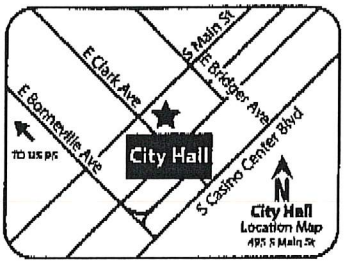


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216107
CHABAD SOUTHERN NEVADA INC
%Y HARLIG
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

89 DRDFNP1 89102

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City of Las Vegas
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Las Vegas, Nevada 89106

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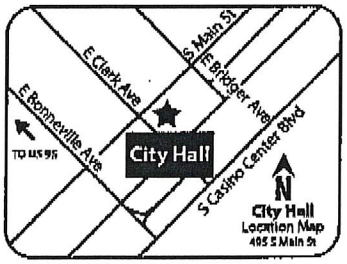


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510038
CHABAD SOUTHERN NEVADA INC
1261 ARVILLE ST
LAS VEGAS NV 89102



40P

City of Las Vegas
Department of Planning
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Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206217046
DZIALOWSKI JERALD
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

89 DEPT 1 89102



40P

City of Las Vegas
Department of Planning
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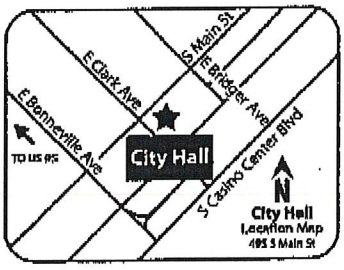


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206501004
CHABAD SOUTHERN NEVADA INC
1254 VISTA DR
LAS VEGAS NV 89102-1610

89 DEPNP1 89102



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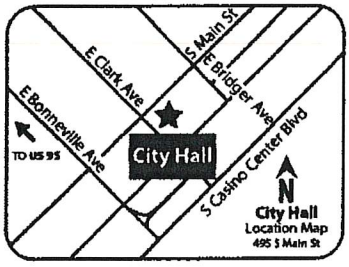


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019** No zero foot buffer!

PRJ-75670
16206216108
MASON VERA L LIVING TRU
MASON VERA L TRS
1469 PADBURY CT #4
LAS VEGAS NV 89102-1572

89 DRDFNP1 89102



40P

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Las Vegas, Nevada 89106

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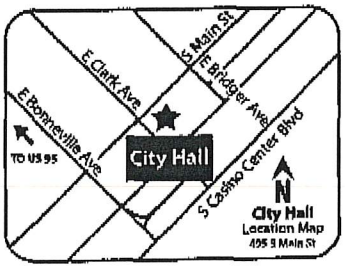


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610021
Y & D FAMILY TRUST
HARLIG RABBI YEHOSHUA & DINA
4211 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3815



40P

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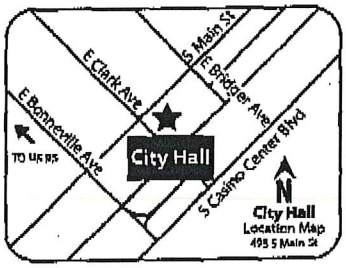


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610020
BANNER CIRCLE L L C
1261 S ARVILLE ST
LAS VEGAS NV 89102-1600

89 DEPT 1 89102

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05/27/2019 19:42 FAX 7027336918 SERFUSTINI 003

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Development Services Center
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Las Vegas, Nevada 89106

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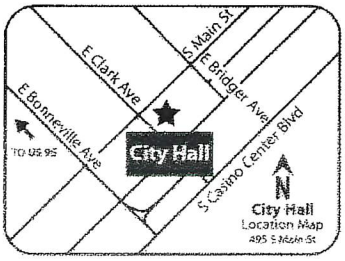


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610011
PATRON GUADALUPE
4300 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3819

89 DRDFNP1 89102



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Las Vegas, Nevada 89106

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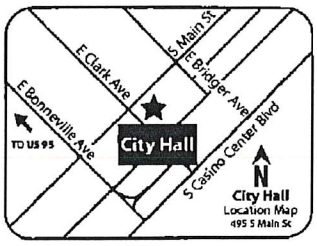


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206610036
LUI WILLIAM & JEAN
10231 PIMLICO DR
CYPRESS CA 90630

100 DRDFHP1 90630



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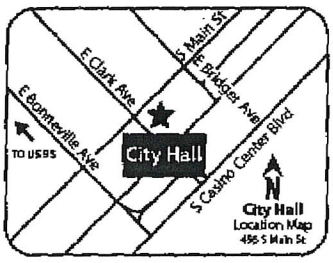


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☐ *I SUPPORT this Request*  ☒ *I OPPOSE this Request*

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**Please use available blank space on card for your comments.**
**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411037
LUK KAYE & DIANA
10313 POMPEI PL
LAS VEGAS NV 89144

091-702-9148984



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

LAS VEGAS NV 890
19 MAY 2019 PM 3 L

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Las Vegas, NV
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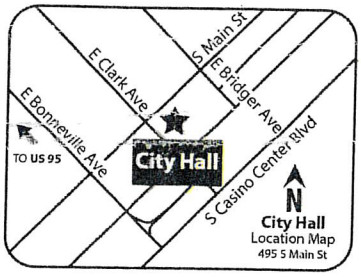


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411030
MICHALSKI JOHN LEO TRUST
MICHALSKI JOHN LEO TRS
4219 ALPINE PL
LAS VEGAS NV 89107-4207

97 DRDFNP1 89107



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City of Las Vegas
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Las Vegas, Nevada 89106

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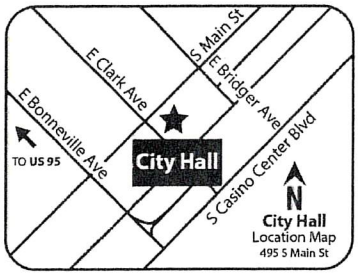


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**

Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510029
DAR PROPERTIES L L C
1110 DARMAK DR
LAS VEGAS NV 89102

89 DRDFNP1 89102



40P

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

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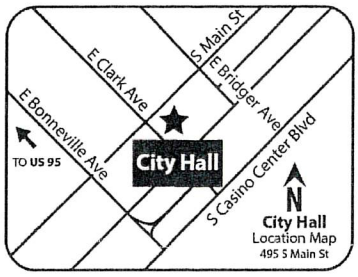


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
13931411034
MOORE OVID A & EDNA E TRUST
MOORE OVID A & EDNA E TRS
P O BOX 26627
LAS VEGAS NV 89126-0627

97 DRDFNP1 89126



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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

I oppose because codes were adopted for a reason, usually safety. Just scale back the size of this project using the existing codes and regulations

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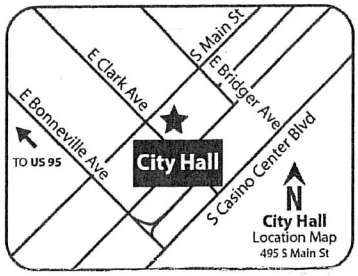


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206216116
TERRELL GREGORY A
1465 ROTHWELL CT #1
LAS VEGAS NV 89102-1674

89 DRDFNP1 89102



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City of Las Vegas
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Development Services Center
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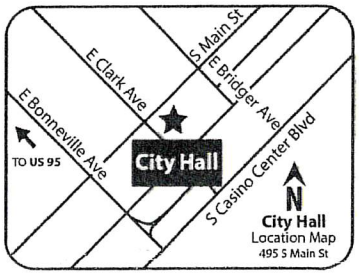


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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76250 [PRJ-75670]**
Planning Commission Meeting of **05/28/2019**

PRJ-75670
16206510015
GRAHAM S & D PROPERTIES L L C
8175 W PEBBLE RD
LAS VEGAS NV 89113

107 ORDFNP1 0941 3

Submitted after final agenda



40A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**27**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

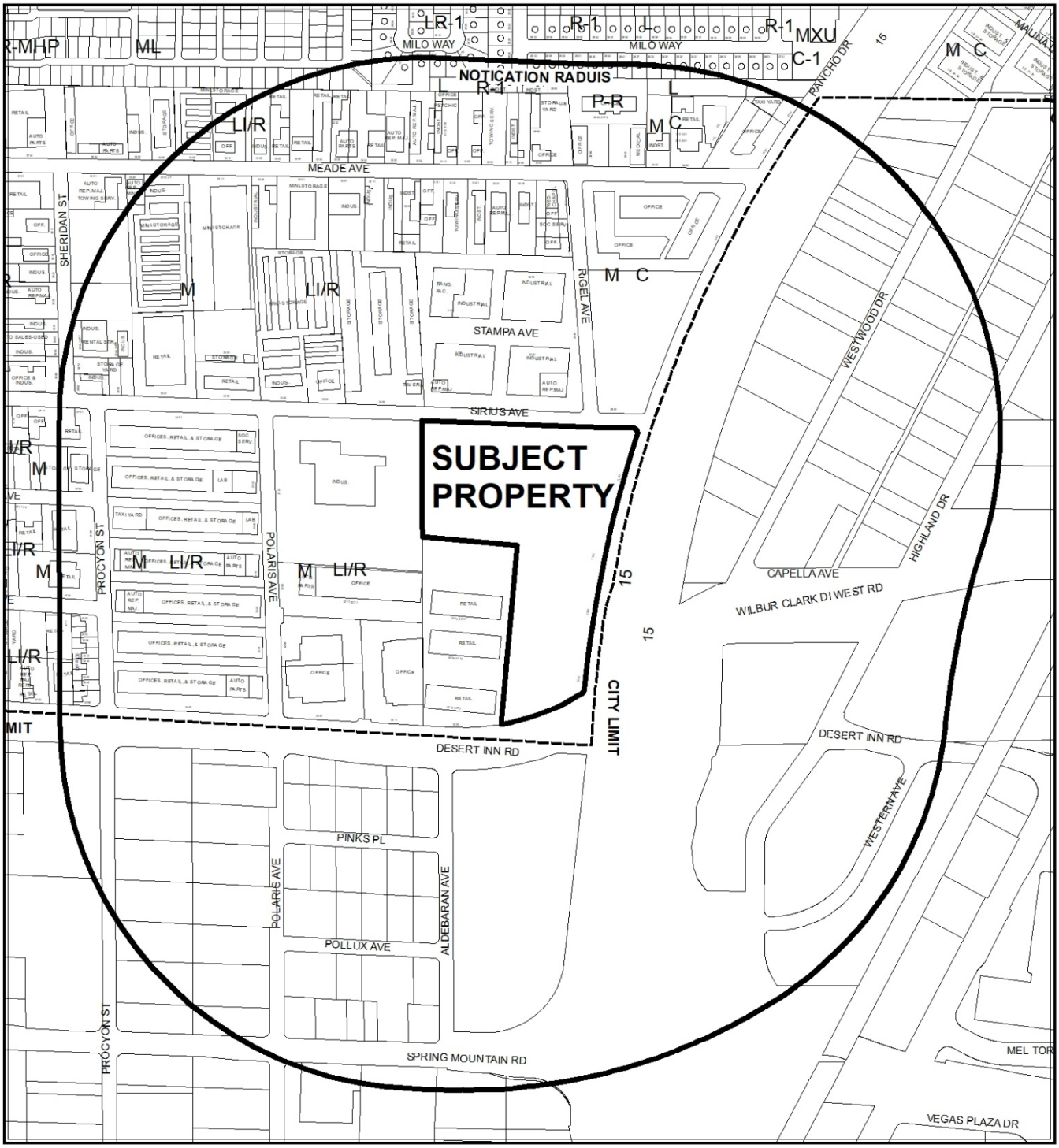
**SUBJECT:**
ABEYANCE - RENOTIFICATION - VAR-75852 - VARIANCE - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Variance TO ALLOW 921 PARKING SPACES WHERE 2,869 PARKING SPACES ARE REQUIRED on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 3 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-75852, SUP-76362, SUP-76663 and SDR-75854 [PRJ-75760]
2. Conditions and Staff Report - VAR-75852, SUP-76362, SUP-76663 and SDR-75854 [PRJ-75760]
3. Supporting Documentation - VAR-75852, SUP-76362, SUP-76663 and SDR-75854 [PRJ-75760]
4. Photo(s) - VAR-75852, SUP-76362, SUP-76663 and SDR-75854 [PRJ-75760]
5. Justification Letter - VAR-75852, SUP-76362, SUP-76663 and SDR-75854 [PRJ-75760]
6. Backup Submitted for the April 9, 2019 Planning Commission Meeting
7. Submitted after Final Agenda - Protest/Support Postcards




0 475 950 Feet

**CASE:** **VAR-75852, SUP-76362, SUP-76663 SDR-75854 (PRJ-75760)**

**RADIUS:** 1500 FEET

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

N

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**RADIUS:** 1500 FEET

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N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-75852** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SUP-76362** | Staff recommends DENIAL, if approved subject to conditions: | VAR-75852 |
| **SUP-76663** | Staff recommends DENIAL, if approved subject to conditions: | VAR-75852 |
| **SDR-75854** | Staff recommends DENIAL, if approved subject to conditions: | VAR-75852 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 32

**NOTICES MAILED**
550- VAR-75852
550 - SUP-76362 and SUP-76663
550 - SDR-75854

**PROTESTS**
0- VAR-75852
0 - SUP-76362 and SUP-76663
0 - SDR-75854

**APPROVALS**
0- VAR-75852
0 - SUP-76362 and SUP-76663
0 - SDR-75854



JB/NE

**** CONDITIONS ****

# VAR-75852 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-75854) shall be required, if approved.

1. Conformance to the approved conditions for Site Development Plan Review (SDR-70652) and Site Development Plan Review (SDR-73309), except as amended herein.

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

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

4. If approved, Special Use Permit (SUP-73921) shall be expunged as the previously approved Alternative Parking Analysis is no longer valid.

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-76362 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-75852) and Site Development Plan Review (SDR-75854) shall be required.

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

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

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

6. 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.

# SUP-76663 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Nightclub use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-75852), Special Use Permit (SUP-76362) and Site Development Plan Review (SDR-75854) shall be required.

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

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

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

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

# SDR-75854 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-75852) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-70652) and Site Development Plan Review (SDR-73309), except where amended herein.

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

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/06/19, except as amended by conditions herein.

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

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

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. Prior to the issuance of any building permits, provide proof of payment to the Clark County Water Reclamation District (CCWRD) for sewer connection fees.

10. Site development to comply with all applicable conditions of approval for SDR-73309, and all other applicable site-related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site is currently entitled as a 205,972 square-foot Commercial Recreation/Amusement (Indoor and Outdoor) at the southwest corner of Sirius Avenue and Rancho Drive. The applicant is proposing to add 7,776 square feet of floor area to a second floor mezzanine that will increase the total interior floor area to 181,294 square feet, 213,748 square feet including the outdoor area. The applicant is also requesting a Special Use Permit for a Liquor Establishment (Tavern) use and a Nightclub use, in addition to a parking Variance.

## ISSUES

- The additional 7,776 square feet of floor area (SDR-75854) requires an increase of 39 parking spaces for the development.
- The applicant has requested a Variance (VAR-75852) to allow 921 parking spaces where 2,869 spaces are required. Staff does not support the request.
- The Liquor Establishment (Tavern) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit (SUP-76362). Staff does not support the request.
- The Nightclub use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit (SUP-76663). Staff does not support the request.

## ANALYSIS

Site development is subject to Title 19 requirements. There are no overlay district regulatory requirements pertaining to the development on this site. Commercial Recreation/Amusement (Indoor) and Commercial Recreation/Amusement (Outdoor) are permitted by right in the C-2 (General Commercial) zoning district.

On August 16th, 2017 the City Council approved Site Development Plan Review (SDR-70652) for a proposed 146,494 square-foot Commercial Recreation/Amusement (Indoor and Outdoor) development with Waivers to allow a building to not be oriented to the corner and street frontages where such is required, a monolithic building design with no changes in wall plane or color, and large windowless areas at the southwest corner of Sirius Avenue and Rancho Drive.



JB/NE

On August 14th, 2018 the Planning Commission approved a Major Amendment (SDR-73309) of the approved Site Development Plan Review (SDR-70652), which increased the total floor area to 173,518 square feet. In addition, the Planning Commission approved an associated Special Use Permit (SUP-73921) for an Alternative Parking Standard to allow 921 parking spaces where 1,031 spaces are required.

***Site Development Plan Review***

The applicant has proposed to add 7,776 square feet of interior floor area to the mezzanine. The approved outdoor theme park area (containing 32,454 square feet) would not be affected by the proposal. As the additional floor area (7,776 square feet) would be added as a mezzanine level inside the approved building, no increase in the approved 46-foot building height is necessary. The elevations would remain as approved, except for the addition of an exterior staircase added to the west elevation that would reach approximately 22 feet in height. The additional floor area intensifies the previously approved Special Use Permit (SUP-73921) for an alternative parking analysis which allowed 921 parking spaces where 1,031 were required. The addition of 7,776 square feet would intensify this by 39 more parking spaces since the Commercial Amusement/Recreation use requires a parking ratio of one required parking space per 200 square feet. Due to the intensification of the previously approved land use without additional parking facilities, staff is unable to support the requested Site Development Plan Review.

***Special Use Permits***

In addition, the applicant is requesting a Special Use Permit (SUP-76362) to entitle the entire facility as a Liquor Establishment (Tavern) and Nightclub (SUP-76663) use. This request would allow for the accommodation of multiple tenants to offer alcoholic beverages and/or events such as concerts that may or may not include dancing. If approved, one "operator" would be permitted to obtain a gaming license with their alcohol license, and the remaining operators would only be able to obtain a general on-sale alcoholic beverage license as required by Title 19.12.070 for a Liquor Establishment (Tavern) use [*Minimum Special Use Permit Requirement 5(f)*]. To allow for flexibility in space programming for future tenants, the request is to entitle the entire facility as a Liquor Establishment (Tavern) and Nightclub use even though not every square-foot will be utilized as such.

Title 19.12 defines a Liquor Establishment (Tavern) use as, "a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold."

*The Minimum Special Use Permit Requirements are as follows:*

*1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed Liquor Establishment (Tavern) use meets this requirement, as there no protected land uses located within 1500 feet of the subject property.*

*2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

*Not applicable, as there no protected land uses located within 1500 feet of the subject property.*

*3. For the purpose of Requirement 2, and for that purpose only:
   a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The "property line" of a liquor establishment (tavern) refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
         B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;



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C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and
D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*Not applicable, as there no protected land uses located within 1500 feet of the subject property.*

4. The distance separation requirement set forth in Requirement 1 does not apply to 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.

*This condition is not applicable as the subject site is not located within an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms.*

5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:
   a. Will be located on a parcel within the C-V District, the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B), the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;
   b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;
   c. Will be located within a regional mall; or
      i. Will be located within a mixed-use development
      ii. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16 ;
      iii. That has a minimum net site area of 15 acres; and
      iv. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or
   d. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet; or
   e. Will have a general on-sale alcoholic beverage license operated in conjunction with an establishment listed in LVMC 6.50.060.

*Not applicable, as there no protected land uses located within 1,500 feet of the subject property.*

*6. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

*The proposed use will be required to continuously meet this requirement as a condition of approval of a requested Special Use Permit.*

Title 19.12 defines a Nightclub use as, "an indoor or outdoor drinking, dancing, or entertainment establishment that conducts its primary business after dark, has a dance floor or open area free of tables and chairs that would allow dancing or assembly occupancies, and has sound equipment to allow live or recorded music played for the purpose of dancing (whether or not dancing actually occurs). The use may (but is not required to) include any of the following: onsite consumption of alcoholic beverages, a bar area, a fee for admittance, a promoter contracted to provide entertainment, and the sale of prepared food. In order to qualify as a nightclub, any sale of prepared food must be accessory to the primary use. The use does not include an erotic dance establishment licensed under LVMC Chapter 6.35 or an establishment that qualifies as a Teen Dance Center."

*The Minimum Special Use Permit Requirements are as follows:*

*1. Because the primary operations of a nightclub often include preparing and serving alcoholic beverages for immediate on-premises consumption and the provision of live entertainment, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a nightclub and other uses that should be protected from the impacts associated with a nightclub. Therefore, except as otherwise provided below, no nightclub may be located within 1500 feet of a church, synagogue, school, individual care center licensed for more than 12 children or City park.

*The proposed Nightclub use meets this requirement, as there no protected land uses located within 1500 feet of the subject property.*

*2. A person that desires to operate a nightclub shall obtain both a nightclub land use entitlement as well as any necessary land use entitlement for the service of alcohol for on-premises consumption. A person lawfully operating a nightclub as defined by this section and LVMC 6.39, prior to December 1, 2014, is not required to obtain a special use permit for the continued operation of such nightclub use. Real property entitled for a nightclub pursuant to this Code shall have no specific spacing requirements between other nightclubs. However, as the nightclub entitlement is a separate and distinct from any land use entitlement permitting the service of alcohol for on-premises consumption, this provision shall not act to waive or otherwise diminish the specific spacing requirements between uses entitled for the service of alcohol for on-premise consumption.

*The applicant is requesting a Special Use Permit for a Liquor Establishment (Tavern) use in conjunction with this request.*

*3. The distance separation referred to in Requirement 1 above and Requirement 8 below shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed nightclub 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 nightclub. The distance shall be measured in a straight line without regard to intervening obstacles.

*Not applicable, as there no protected land uses located within 1500 feet of the subject property.*

*4. For the purpose of Requirement 3, and for that purpose only:
   a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The "property line" of a nightclub refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
         B. The proposed nightclub will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed nightclub will be located;
         C. All parking spaces required by this Section 19.12.070 for the nightclub will be located on the same parcel as the use; and
         D. The owners of all parcels within the commercial subdivision, including the owner of the nightclub parcel, sign an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*Not applicable, as there no protected land uses located within 1500 feet of the subject property.*

5. The distance separation requirement set forth in Requirement 1 does not apply to 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.

*This condition is not applicable as the subject site is not located within an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms.*

6. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C) under the following circumstances:
   a. In connection with a proposed nightclub that will be located on a parcel within the C-V District; the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B);the Gaming Enterprise Overlay District; the Fremont East Entertainment District; the 18b Arts District or the Downtown Casino Overlay District;
   b. In connection with a proposed nightclub to be located on a parcel within that certain area formerly identified as the Office Core District, described as the area bounded on the north by the centerline of Bridger Avenue, on the east by the centerline of 6th Street, on the south by the centerline of Garces Avenue, and on the west by the eastern edge of the Union Pacific Railroad right-of-way line;
   c. In connection with a proposed nightclub that will be located within an establishment which has a non-restricted gaming license and is not exempted pursuant to Requirement 5; or
   d. In connection with a proposed nightclub to be operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

*Not applicable, as there no protected land uses located within 1500 feet of the subject property.*

7. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

*The proposed use will be required to continuously meet this requirement as a condition of approval of a requested Special Use Permit.*

*8. Except as otherwise provided in Requirement 9 below, no nightclub may be located within 500 feet of any single-family dwelling.

*The subject site meets this requirement as it is not within 500 feet of a single family dwelling.*

9. The distance separation requirement set forth in Requirement 8 does 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.

b. A nightclub located within the boundaries of the Downtown Entertainment Overlay District or within the boundaries of the Pedestrian Mall as defined by LVMC Chapter 11.68.
c. A nightclub that meets all the following criteria:
    i. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street;
    ii. Is located on a parcel with a minimum net site area of 0.25 acres; and
    iii. Is located within a building that has a minimum of 5000 square feet of gross floor area dedicated to the nightclub use.
    iv. A nightclub operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

*Not applicable, as the subject site does not meet these requirements.*

*10. Alcohol service, if any, is permitted only in conjunction with the following Title 6 alcoholic beverage licenses: Beer and Wine Room, Tavern, Tavern-Limited, Tavern-Restricted, General On-Sale and Urban Lounge.

*The applicant is requesting approval of a Special Use Permit (SUP-76362) for a Liquor Establishment (Tavern) use in conjunction with the Nightclub use request.*

***Variance***
When a development contains multiple land uses, parking standards are determined by the most intense land use. In this instance, the proposed Nightclub use sets forth the most intense parking requirements, which is one parking space for every three people at maximum capacity. At its current configuration, the maximum capacity of the facility is 8,607 people. This proposed land use requires 2,869 parking spaces. The applicant has proposed to entitle the entire facility for the Liquor establishment (Tavern) and Nightclub in order to accommodate future tenants and provide them flexibility with programming their floor plans, which would not necessarily include all the available square-footage. Nevertheless, staff is unable to support an addition, and two additional land uses that intensify the previously approved alternative parking analysis; therefore, staff is recommending denial of all applications.



JB/NE

## FINDINGS (VAR-75852)

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

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

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a land use too intense for the subject site. Limiting the scope of the proposed land use would allow conformance to the Title 19.12 requirements for parking. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

## FINDINGS (SUP-76362 & SUP-76663)

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 is an approved Commercial Recreation/Amusement (Indoor and Outdoor) development. The applicant has proposed to add interior floor area which furthers the overdevelopment of the site requiring approval of proposed Variance (VAR-75852) to allow a deviation from Title 19.12 parking requirements. Since the proposed use is associated with the increase in floor area, staff has determined that the proposed Liquor Establishment (Tavern) and Nightclub use is not compatible with the surrounding land uses.

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

The subject site is an approved Commercial Recreation/Amusement (Indoor and Outdoor) development that is physically suitable for the intensity of the proposed land use. However, staff does not support the proposed Variance (VAR-75852) to allow a deviation from Title 19.12 parking requirements. Since the proposed use is associated with the increase in floor area, staff has determined that the proposed Liquor Establishment (Tavern) and Nightclub use is not compatible with the surrounding land uses.

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

Access to the site is from multiple driveways from Sirius Avenue, a 60-foot wide minor street and Rancho Drive, a 47-foot wide local street. These roadways are expected to be adequate in size to meet the requirements of the proposed expansion of the approved recreation/amusement facility.

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

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

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

The proposed use meets all applicable conditions of approval for a Liquor Establishment (Tavern) and Nightclub use per Title 19.12.

## FINDINGS (SDR-75854)

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

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

   The proposed development is not compatible with surrounding development in the area as evidenced by the requested Variance to address insufficient on-site parking, which could have a negative impact on the adjacent commercial developments.

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

   The applicant has requested a Variance to address insufficient on-site parking, which is inconsistent with the commercial development standards outlined in Title 19. Staff has determined the proposed project is not compatible with surrounding development in the area, and will have a negative impact to the adjacent commercial developments.

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

   Access to the site is from multiple driveways from Sirius Avenue, a 60-foot wide minor street and Rancho Drive, a 47-foot wide local street. These roadways are expected to be adequate in size to meet the requirements of the proposed expansion of the approved recreation/amusement facility.

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

   Building materials include painted tilt-up concrete panels, architectural metal, corrugated metal containers and open wire fencing. The materials are representative of the theme of the approved facility and are acceptable in this primarily industrial area.

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

The appearance of the provided elevations was previously determined to be harmonious and compatible with the adjacent commercial and industrial uses in Site Development Plan Review (SDR-70652). The proposed alterations to the west elevation are appropriate for the size of the building and are compatible with the existing building.

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

This development will be subject to building permit and business license 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.*** | |
|---|---|
| 07/16/04 | A Final Map (FMP-4056) for a one-lot commercial subdivision (Fletcher Jones Imports Property) on 21.04 acres at 3100 and 3200 South Rancho Drive was recorded. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) to add the subject property to the Las Vegas Redevelopment Area as part of a larger request and designate the area as C (Commercial). The Planning Commission and staff recommended approval. |
| 08/16/17 | The City Council approved a request for a Rezoning (ZON-70650) from C-1 (Limited Commercial) to C-2 (General Commercial) on 14.72 acres at the southwest corner of Sirius Avenue and Rancho Drive. The Planning Commission and staff recommended approval. |
| | The City Council approved a Site Development Plan Review (SDR-70652) for a proposed 146,494 square-foot Commercial Recreation/Amusement (Indoor and Outdoor) Development with Waivers to allow a building to not be oriented to the corner and street frontages where such is required, a non-coherent building design with no changes in wall plane or color, and large windowless areas on 21.03 acres at the southwest corner of Sirius Avenue and Rancho Drive. The Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 08/14/18 | The Planning Commission approved a Major Amendment (SDR-73309) of an approved Site Development Plan Review (SDR-70652) for a proposed 59,478 square-foot addition to an approved 146,494 square-foot Commercial Recreation/Amusement (Indoor and Outdoor) development at the southwest corner of Sirius Avenue and Rancho Drive. Staff recommended approval of the request. |
| | The Planning Commission approved a Special Use Permit (SUP-73921) for an Alternative Parking Standard to allow 921 parking spaces where 1,031 parking spaces are required at the southwest corner of Sirius Avenue and Rancho Drive. |
| 04/09/19 | The Planning Commission approved a request for a Variance (VAR-75636) to allow proposed wall signs to cover 29 percent of the east elevation and 24 percent of the north elevation of the building where 20 percent is the maximum allowed at the southwest corner of Sirius Avenue and Rancho Drive. |
| | The Planning Commission approved a request for a Master Sign Plan (MSP-75637) for an approved Commercial Recreation/Amusement (Indoor and Outdoor) development at the southwest corner of Sirius Avenue and Rancho Drive. |
| | The Planning Commission approved the applicants request for an abeyance of Variance (VAR-75852) to allow 921 parking spaces where 1,065 parking spaces are required acres at the southwest corner of Sirius Avenue and Rancho Drive. The item has been re-scheduled to be heard at the 06/25/19 Planning Commission Meeting. *The request has been revised to allow 921 parking spaces where 1,065 parking spaces are required.* |
| | The Planning Commission approved the applicants request for an abeyance of Site Development Plan Review (SDR-75854) for a Major Amendment of an approved Site Development Plan Review (SDR-70652) for a proposed 6,800 square-foot indoor floor area addition to an approved 205,972 square-foot commercial recreation/amusement (indoor and outdoor) development at the southwest corner of Sirius Avenue and Rancho Drive. The item has been re-scheduled to be heard at the 06/25/19 Planning Commission Meeting. *The request has been revised for a proposed 7,776 square-foot indoor floor area addition.* |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 11/21/05 | A deed was recorded for a change in ownership. |



JB/NE

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 11/03/94 | A building permit (#94355263) was issued for a freestanding sign at 3100 South Rancho Drive. A final inspection was completed 07/06/95. |
| 11/30/95 | A building permit (#95883297) was issued for an off-premise sign at 3200 South Rancho Drive. The permit expired 11/02/96. |
| | A building permit (#95883298) was issued for an off-premise sign at 3200 South Rancho Drive. The permit expired 11/02/96. |
| 01/12/96 | A building permit (#96390565) was issued for an addition to an existing auto showroom at 3100 South Rancho Drive. A final inspection was completed 11/21/96. |
| 01/23/07 | An application (80227) was submitted for a building permit for a chain link fence with barbed wire on top at 3200 South Rancho Drive. A permit was never issued and the application expired on 08/06/07. |
| 04/12/18 | A building permit (C18-01463) was issued for grading, clear and grub and stockpiling on property located at 3215 South Rancho Drive. A final inspection has not been approved. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 04/17/18 | A building permit (L18-00678) was issued for a 4'x5' bell hole at 3200 South Rancho Drive. The permit has not been finalized. |
| | A building permit (L18-00679) was issued for a 4'x5' bell hole at 3200 South Rancho Drive. The permit has not been finalized. |
| 05/31/18 | A building permit (L18-00086) was issued for Civil Improvements for a proposed Commercial Recreation/Amusement (Indoor and Outdoor) development at 3200 South Rancho Drive. The permit has not been finalized. |
| 07/02/18 | Building plan revisions (PRC18-00018-R001) were submitted for a 2nd floor addition to a commercial shell building at 3215 South Rancho Drive. |
| 07/16/18 | A building permit (C18-00607) was issued for a proposed standard commercial shell building at 3215 South Rancho Drive. A final inspection has not been approved. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/11/19 | A pre-application meeting was held with the applicant to discuss submittal requirements for an amendment to an approved Site Development Plan Review. |

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

| ***Field Check*** | |
|---|---|
| 02/28/19 | During a routine site visit staff noted that the subject site was currently under construction and is surrounded by temporary chain link fencing. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 14.72 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Commercial Recreation/Amusement (Indoor and Outdoor) | C (Commercial) | C-2 (General Commercial) |
| North | Commercial Recreation/Amusement (Outdoor) | C (Commercial) | M (Industrial) |
| | Warehouse | LI/R (Light Industry/Research) | |
| | Auto Repair Garage, Major | | |
| South | Office, Other Than Listed | CT (Commercial Tourist) – Clark County | M-1 (Light Manufacturing) – Clark County |
| East | Interstate 15 | Right-of Way | Right-of-Way |
| West | General Retail Store | C (Commercial) | M (Industrial) |
| | Warehouse | LI/R (Light Industry/Research) | |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (140 Feet/175 Feet) | 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 |



JB/NE

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08 and the approved Site Development Plan Review (SDR-70652 and 73309), the following standards apply:***

| *Standard* | *Approved SDR-70652* | *Provided* | *Change* |
|---|---|---|---|
| Min. Setbacks | | | |
| • Front (Sirius Ave) | 186 Feet | 186 Feet | No change |
| • Front (Desert Inn) | 531 Feet | 531 Feet | No change |
| • Side | 10 Feet | 10 Feet | No change |
| • Corner | 65 Feet | 65 Feet | No change |
| • Rear | N/A Feet | N/A | N/A |
| Max. Lot Coverage | 18 % | 18 % | No change |
| Max. Building Height | 46 Feet | 46 Feet | No change |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sirius Avenue | Minor Street | Title 13 | 60 | N/A |
| Rancho Drive | Local Street | Title 13 | 47 | N/A |



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***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 | |
| Nightclub | 8,607 (persons) | One space for every 3 persons at maximum capacity. | 2,869 | | | | |
| **TOTAL SPACES REQUIRED** | | | 2,869 | | 921 | | N* |
| **Regular and Handicap Spaces Required** | | | 2830 | 39 | 897 | 24 | N* |
| Loading Spaces | 213,748 SF | 3, plus 1 add'l per 100,000 SF over 50,000 SF | 5 | | 7 | | Y |
| Percent Deviation | | | 68% | | | | |

**When a development contains multiple land uses, the most intense of the uses is used to determine parking. In this instance, the proposed Nightclub is the most intense in regards to parking requirements*.



JB/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) Site Plan Review

**Project Address** (Location) SWC Rancho Drive & Sirius Avenue

**Project Name** Area 15 **Proposed Use** Indoor/Outdoor Amusements

**Assessor's Parcel #(s)** 162-08-418-002 **Ward #** 1- Tarkanian

**General Plan:** Existing C Proposed n/a **Zoning:** Existing C-2 Proposed n/a

**Additional Information**

**Property Owner** Integral Partners Park Place Centre- Las Vegas, LLC **Contact** Phillip Brohn
Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171
E-mail n/a Phone n/a

**Applicant** Fisher Brothers **Contact** Phillip Brohn
Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171
E-mail n/a Phone n/a

**Representative** Kaempfer Crowell **Contact** Jennifer Lazovich
Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135
E-mail jjl@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

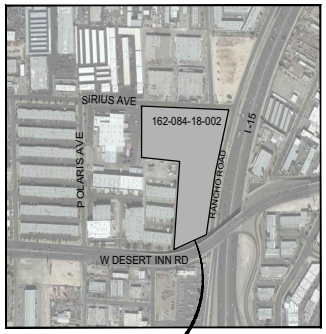
**Print Name** Kenneth Fisher

Subscribed and sworn before me
This 17th day of January, 20 19

_____
Notary Public in and for said County and State

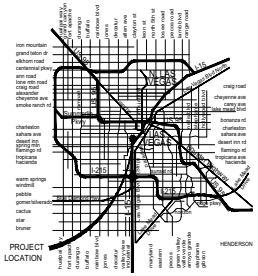
State of New York
County of New York
ARLEEN RIVERA
Notary Public - State of New York
No. 01RI6203706
Qualified In Queens County
My Commission Expires April 13, 2021

PRJ-75760
02/19/19



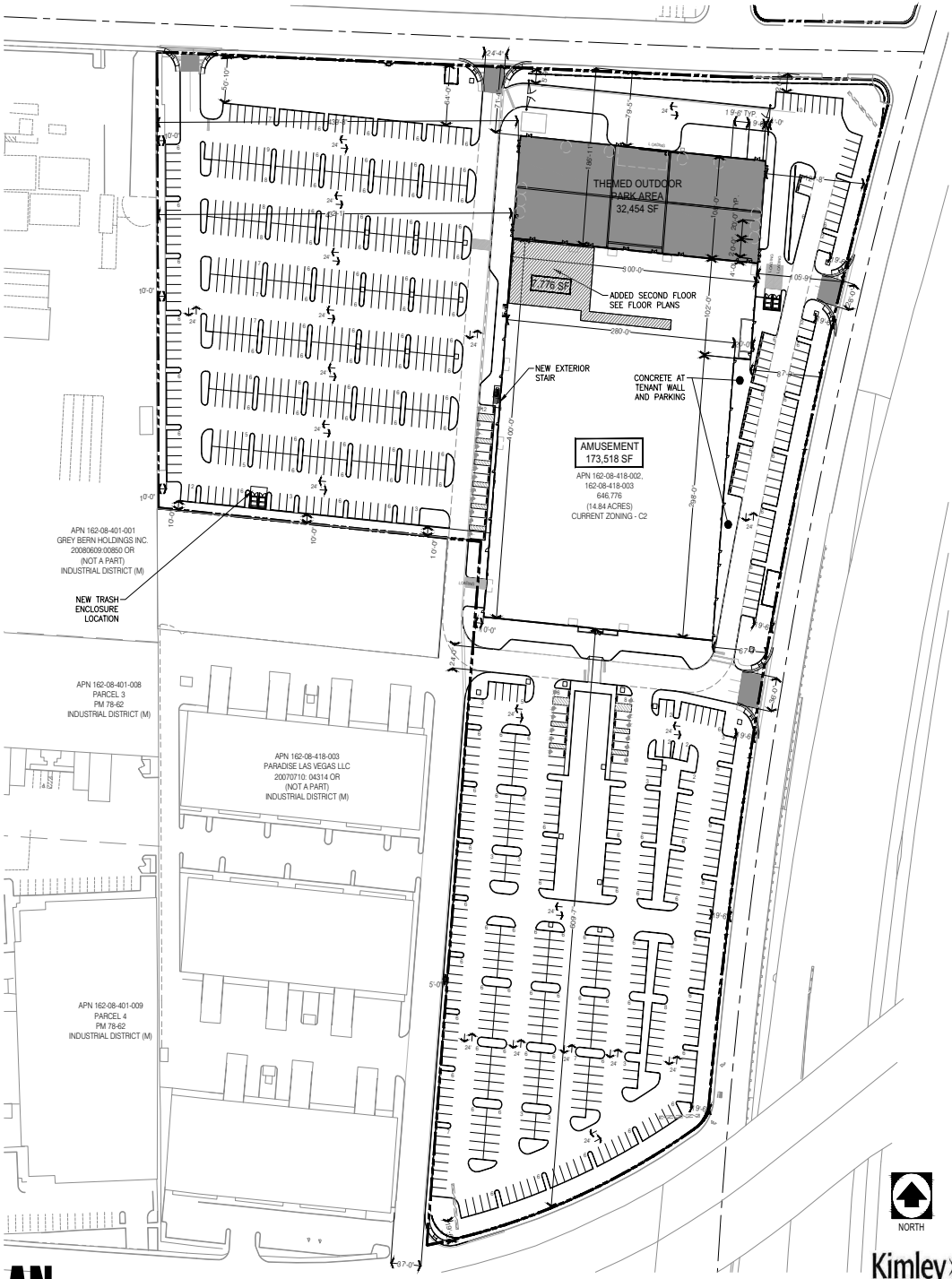

LOCATION MAP

SCALE: NTS




VICINITY MAP

SCALE: NTS




NORTH

## Site Information

Las Vegas Retail

| | |
|---|---|
| **Jurisdiction** | Las Vegas, NV |
| **Current Zoning** | C-2 General Commercial |
| **Planned Land Use** | Limited Commercial District |
| **APN #:** | 162-08-418-002 |
| | 162-08-418-003 (5,612sf actual area used) |

**Area (approximate, to be verified)**

| | | |
|---|---|---|
| Gross Area: | 714,988 s.f | 16.41 acres |
| Net Area: | 646,776 s.f. | 14.84 acres |

**Building Area**

| Buildings by Number see site plan for location | Size/Quantity | Unit |
|---|---|---|
| 1. Amusement Building | 114,040 | sf |
| 2. Second Floor | 59,478 | sf |
| 2a. Additional Second Floor | 7,776 | sf |
| 3. Amusement - Outdoor Space | 32,454 | sf |
| **Total Building Square Footage** | 213,748 | sf |

**Total Parking** — **Required** ( Previously approved

Commercial Recreation - Indoor / Outdoor 1:200 = 1030 **921 Provided** See SUP - 73921)

Nightclub Use 213,748 s.f 1:3 people = 1,947 8605 Occ **0 Provided**

**Handicapped Parking**

501 - 1000 = 2% of total required spaces

19 Required **19 Provided**

**Loading Spaces**

3 + 1 additional for each 100,000 (or fraction thereof) over 50,000 **4 Provided**

**Lot Coverage**

Allowed : **N/A**

**Building Placement** (Title 19: 19.08.100 - Table 1)

| | | | | | |
|---|---|---|---|---|---|
| Front - Rancho Drive | Required: | 10 | ft. | Provided: | 67'-3" |
| Side Street - Sirius Drive | Required: | 10 | ft. | Provided: | 71'-4" |
| Side Street - Desert Inn Road | Required: | 10 | ft. | Provided: | 609'-7" |
| Rear | Required: | 0 | ft. | Provided: | 10'-0" |

**Building Heights** (Title 19: 19.08.100 - Table 3)

| | | |
|---|---|---|
| A. Stories | **N/A** | **Provided: 2** |
| B. Floors | **N/A** | **Provided: 2** |
| C. Flat Roof - Max. Height | **N/A** | **Provided: 46'** |
| D. Pitched Roof - Max. Height | **N/A** | **Provided: N/A** |

**Landscape** (Title 19: 19.08.100 - Table 4) Required

Landscape Islands every six parking stalls.

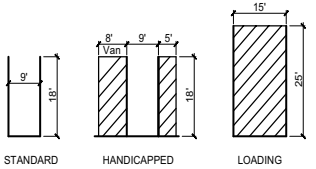
Adjacent to Rancho Drive - 15' / Tree Spacing 1 per 20 lf ***See Alternate Landscape Plan Proposal**

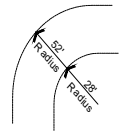
Adjacent to Sirius Drive - 15' / Tree Spacing 1 per 20 lf

Adjacent to Desert Inn - 15' / Tree Spacing 1 per 20 lf

Minimum Zone at Interior Lot Lines- 8' / Tree Spacing 1 per 30 lf

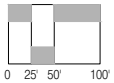
Trees located 1 per 20 linear feet @ Residential Adjacency




## TYPICAL PARKING SPACES

SCALE: NTS




## FIRE TURNING RADIUS

SCALE: NTS

Site Plan : Sheet Title

17-095 : Project Number

May 13, 2019 : Date

# AREA 15 - SITE PLAN

## SIRIUS & RANCHO - LAS VEGAS - NV

Kimley»Horn

BENEVILLE STUDIOS

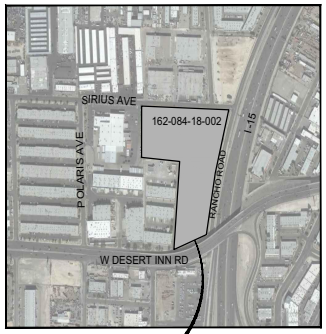
A+I

FISHER BROTHERS

Scale: 1/64" = 1'-0"

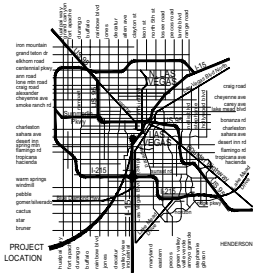
MUSE architecture studio

PRJ-75760
06/06/19



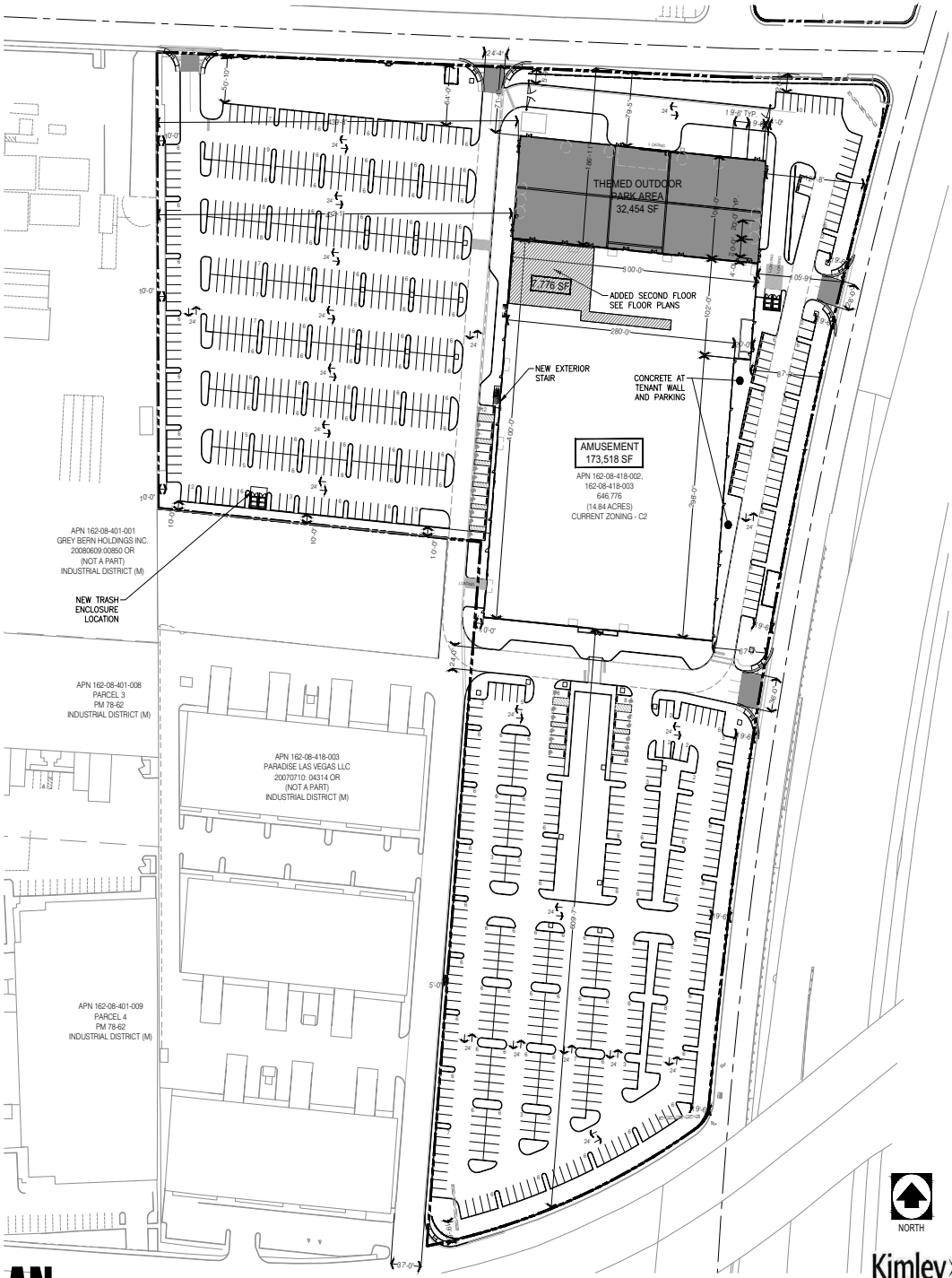

LOCATION MAP

SCALE: NTS




VICINITY MAP

SCALE: NTS




NORTH

## Site Information

Las Vegas Retail

| | | |
|---|---|---|
| **Jurisdiction** | Las Vegas, NV | |
| **Current Zoning** | C-2 General Commercial | |
| **Planned Land Use** | Limited Commercial District | |
| **APN #:** | 162-08-418-002 | |
| | 162-08-418-003 | (5,612sf actual area used) |
| **Area (approximate, to be verified)** | | |
| Gross Area: | 714,988 s.f | 16.41 acres |
| Net Area: | 646,776 s.f. | 14.84 acres |

**Building Area**

| Buildings by Number see site plan for location | Size/Quantity | Unit |
|---|---|---|
| 1. Amusement Building | 114,040 | sf |
| 2. Second Floor | 59,478 | sf |
| 2a. Additional Second Floor | 7,776 | sf |
| 3. Amusement - Outdoor Space | 32,454 | sf |
| **Total Building Square Footage** | 213,748 | sf |

**Total Parking** — **Required**

Amusement - One Space per 3 people — ( Previously approved
2,760 people / 3 = 921 Required — **921 Provided** See SUP - 73921)

Added Second Floor Space 7,776 sf — 1:3 people = 217 — **0 Provided**
651 Occ

**Handicapped Parking**
501 - 1000 = 2% of total required spaces
19 Required — **19 Provided**

**Loading Spaces**
3 + 1 additional for each 100,000 (or fraction thereof) over 50,000 — **4 Provided**

**Lot Coverage**
Allowed : — **N/A**

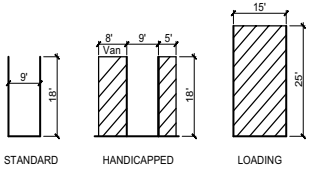
**Building Placement** (Title 19: 19.08.100 - Table 1)

| | | | | |
|---|---|---|---|---|
| Front - Rancho Drive | Required: | 10 | ft. | Provided: 67'-3" |
| Side Street - Sirius Drive | Required: | 10 | ft. | Provided: 71'-4" |
| Side Street - Desert Inn Road | Required: | 10 | ft. | Provided: 609'-7" |
| Rear | Required: | 0 | ft. | Provided: 10'-0" |

**Building Heights** (Title 19: 19.08.100 - Table 3)

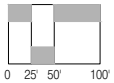
| | | |
|---|---|---|
| A. Stories | **N/A** | **Provided: 2** |
| B. Floors | **N/A** | **Provided: 2** |
| C. Flat Roof - Max. Height | **N/A** | **Provided: 46'** |
| D. Pitched Roof - Max. Height | **N/A** | **Provided: N/A** |

**Landscape** (Title 19: 19.08.100 - Table 4) Required
Landscape Islands every six parking stalls.
Adjacent to Rancho Drive - 15' / Tree Spacing 1 per 20 lf — ***See Alternate Landscape Plan Proposal**
Adjacent to Sirius Drive - 15' / Tree Spacing 1 per 20 lf
Adjacent to Desert Inn - 15' / Tree Spacing 1 per 20 lf
Minimum Zone at Interior Lot Lines- 8' / Tree Spacing 1 per 30 lf
Trees located 1 per 20 linear feet @ Residential Adjacency



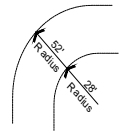

## TYPICAL PARKING SPACES

SCALE: NTS




## FIRE TURNING RADIUS

SCALE: NTS




**Site Plan** : Sheet Title
**17-095** : Project Number
**May 13, 2019** : Date

# AREA 15 - SITE PLAN

## SIRIUS & RANCHO - LAS VEGAS - NV

Kimley»Horn

BENEVILLE STUDIOS

A+I

FISHER BROTHERS

PRJ-75760
06/06/19

MUSE architecture studio



Scale: 1/64" = 1'-0"




## PLANT LEGEND

| SYM | COMMON NAME | BOTANICAL NAME | SIZE | MATURE SIZE |
|---|---|---|---|---|
| | RED PUSH CHINESE PISTACHE | PISTACHIA CHINENSIS 'RED PUSH' | 24" BOX | 25' |
| | SWAN HILL OLIVE | OLEA 'SWAN HILL' | 24" BOX | 25' |
| | TEXAS EBONY | EBENOPSIS EBANO | 24" BOX | 25' |
| | DESERT MUSEUM PALO VERDE | CERCIDIUM 'DESERT MUSEUM' | 24" BOX | 25' |
| | CHILEAN MESQUITE | PROSOPIS CHILENSIS | 24" BOX | 25' |
| | BARHI DATE PALM | PHOENIX DACTYLIFERA 'BARHI' | 14' BTH | 50-60' |
| | SILVER PESO TEXAS MESCAL BEAN | SOPHORA SECUNDIFLORA 'SILVER PESO' | 24" BOX | 6-12' |
| | WEEPING YUCCA | YUCCA RECURVIFOLIA | 5 GAL. | 3'x4' |
| | BLUE AGAVE | AGAVE TEQUILANA | 15 GAL. | 3' |
| | OCTOPUS AGAVE | AGAVE VILMORINIANA | 5 GAL. | 5' |
| | ARTICHOKE AGAVE | AGAVE PALMERII | 5 GAL. | 2.5' |
| | GIANT HESPERALOE | HESPERALOE FUNIFERA | 15 GAL. | 5' |
| | MEXICAN FEATHER GRASS | STIPA TENNUISIMA | 1 GAL. | 2.5' |
| | RED YUCCA | HESPERALOE PARVIFOLIA | 5 GAL. | 3'-4' |
| | GREEN CLOUD TEXAS RANGER | LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' | 5 GAL. | 6' |
| | DESERT SPOON | DASYLIRION WHEELERI | 5 GAL. | 6' |
| | RADIATION LANTANA | LANTANA 'RADIATION' | 1 GAL. | 2'x3-4' |
| | MEXICAN FENCEPOST CACTUS | PACHYCEREUS MARGINATUS | 15 GAL. | 10' |
| | SANTA RITA CACTUS | OPUNTIA 'SANTA RITA' | 5 GAL. | 5' |
| | GOLDEN BARREL CACTUS | ECHINOCACTUS GRUSONII | 5 GAL. | 2' |
| | SANTA CRUZ PYRACANTHA | PYRACANTHA 'SANTA CRUZ' | 1 GAL. | 2.5'x4-5' |
| | DESERT CARPET ACACIA | ACACIA REDOLENS 'DESERT CARPET' | 5 GAL. | 2.5'x6-9' |

GENERAL NOTES

1. LANDSCAPE ARCHITECT/OWNER TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION. NOTIFY 48 HOURS IN ADVANCE OF DELIVERY AND/OR INSTALLATION DATE.
2. PLANT MATERIAL IS TO HAVE SPECIES IDENTIFICATION TAGS ON AT LEAST 10% OF TOTAL # OF EACH SPECIES INDICATING GENUS, SPECIES, CULTIVAR, ETC.
3. ALL PLANTS TO BE INSTALLED A MINIMUM OF 2' FROM OUTER CURB/PATH LINE. SYMBOL PLACEMENT IS NOT EXACT
4. ALL PLANTERS TO RECEIVE A 2" DEPTH OF 5/8" SCREENED APACHE BROWN ROCK MULCH UNLESS OTHERWISE NOTED. AVAILABLE THROUGH KALAMAZOO MATERIALS (702)296.9131

0 25' 50' 100'

Site Plan : Sheet Title
17-095 : Project Number
May 13, 2019 : Date

# AREA 15 - LANDSCAPE PLAN

## SIRIUS & RANCHO - LAS VEGAS - NV



Kimley»Horn

A+I

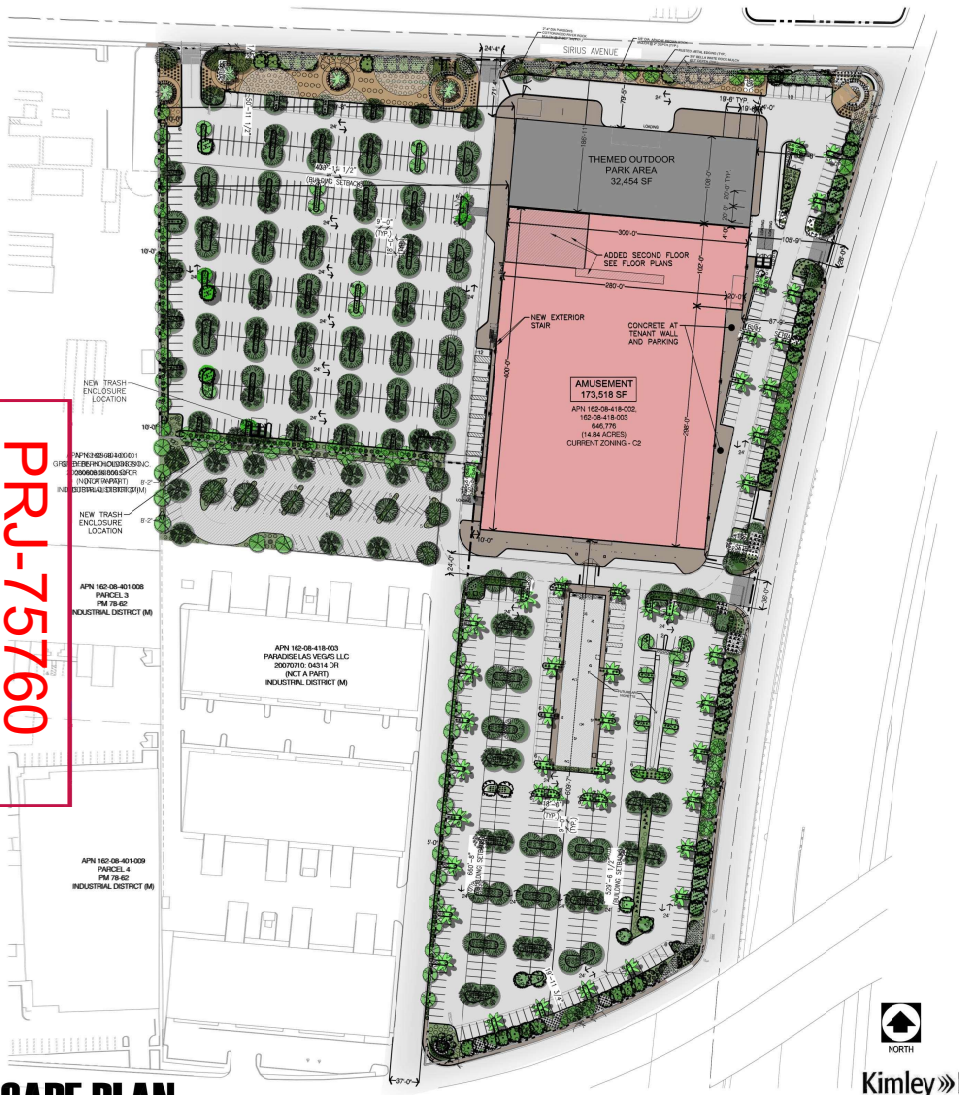
BENEVILLE STUDIOS

FISHER BROTHERS

Scale: 1/64" = 1'-0"

PRJ-75760
06/06/19

MOSER architecture studio




PRJ-75760
06/06/19

## PLANT LEGEND

| SYM | COMMON NAME | BOTANICAL NAME | SIZE | MATURE SIZE |
|---|---|---|---|---|
| | RED PUSH CHINESE PISTACHE | PISTACHIA CHINENSIS 'RED PUSH' | 24" BOX | 25' |
| | SWAN HILL OLIVE | OLEA 'SWAN HILL' | 24" BOX | 25' |
| | TEXAS EBONY | EBENOPSIS EBANO | 24" BOX | 25' |
| | DESERT MUSEUM PALO VERDE | CERCIDIUM 'DESERT MUSEUM' | 24" BOX | 25' |
| | CHILEAN MESQUITE | PROSOPIS CHILENSIS | 24" BOX | 25' |
| | BARHI DATE PALM | PHOENIX DACTYLIFERA 'BARHI' | 14' BTH | 50-60' |
| | SILVER PESO TEXAS MESCAL BEAN | SOPHORA SECUNDIFLORA 'SILVER PESO' | 24" BOX | 6-12' |
| | WEEPING YUCCA | YUCCA RECURVIFOLIA | 5 GAL. | 3'x4' |
| | BLUE AGAVE | AGAVE TEQUILANA | 15 GAL. | 3' |
| | OCTOPUS AGAVE | AGAVE VILMORINIANA | 5 GAL. | 5' |
| | ARTICHOKE AGAVE | AGAVE PALMERI | 5 GAL. | 2.5' |
| | GIANT HESPERALOE | HESPERALOE FUNIFERA | 15 GAL. | 5' |
| | MEXICAN FEATHER GRASS | STIPA TENNUISIMA | 1 GAL. | 2.5' |
| | RED YUCCA | HESPERALOE PARVIFOLIA | 5 GAL. | 3'-4' |
| | GREEN CLOUD TEXAS RANGER | LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' | 5 GAL. | 6' |
| | DESERT SPOON | DASYLIRION WHEELERI | 5 GAL. | 6' |
| | RADIATION LANTANA | LANTANA 'RADIATION' | 1 GAL. | 2'x3-4' |
| | MEXICAN FENCEPOST CACTUS | PACHYCEREUS MARGINATUS | 15 GAL. | 10' |
| | SANTA RITA CACTUS | OPUNTIA 'SANTA RITA' | 5 GAL. | 5' |
| | GOLDEN BARREL CACTUS | ECHINOCACTUS GRUSONII | 5 GAL. | 2' |
| | SANTA CRUZ PYRACANTHA | PYRACANTHA 'SANTA CRUZ' | 1 GAL. | 2.5'x4-5' |
| | DESERT CARPET ACACIA | ACACIA REDOLENS 'DESERT CARPET' | 5 GAL. | 2.5'x6-9' |

GENERAL NOTES

1. LANDSCAPE ARCHITECT/OWNER TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION. NOTIFY 48 HOURS IN ADVANCE OF DELIVERY AND/OR INSTALLATION DATE.
2. PLANT MATERIAL IS TO HAVE SPECIES IDENTIFICATION TAGS ON AT LEAST 10% OF TOTAL # OF EACH SPCCIES INDICATING GENUS, SPECIES, CULTIVAR, ETC.
3. ALL PLANTS TO BE INSTALLED A MINIMUM OF 2' FROM OUTER CURB/PATH LINE. SYMBOL PLACEMENT IS NOT EXACT.
4. ALL PLANTERS TO RECEIVE A 2" DEPTH OF 3/8" SCREENED APACHE BROWN ROCK MULCH UNLESS OTHERWISE NOTED. AVAILABLE THROUGH KALAMAZOO MATERIALS (702)296.9131

NORTH

0 25' 50' 100'

Scale: 1/64" = 1'-0"

Site Plan : Sheet Title
17-029 : Project Number
Jan**April** 22, 2019 : Date

# AREA 15 - LANDSCAPE PLAN

## SIRIUS & RANCHO - LAS VEGAS - NV

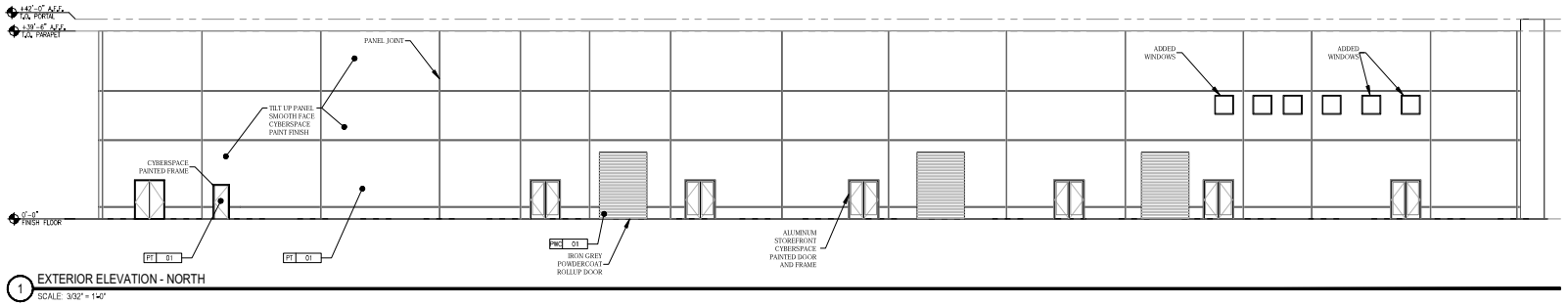
Kimley»Horn

BENEVILLE STUDIOS

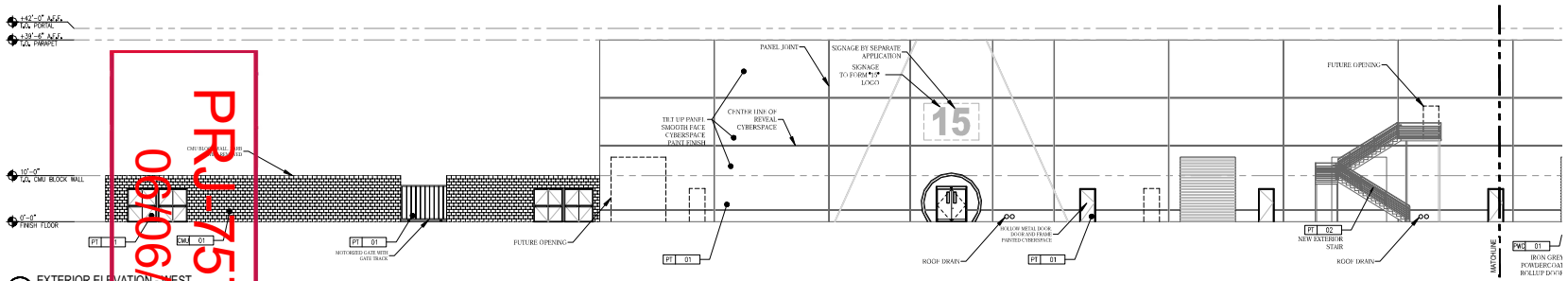
A+I

FB FISHER BROTHERS

MOSER architecture studio

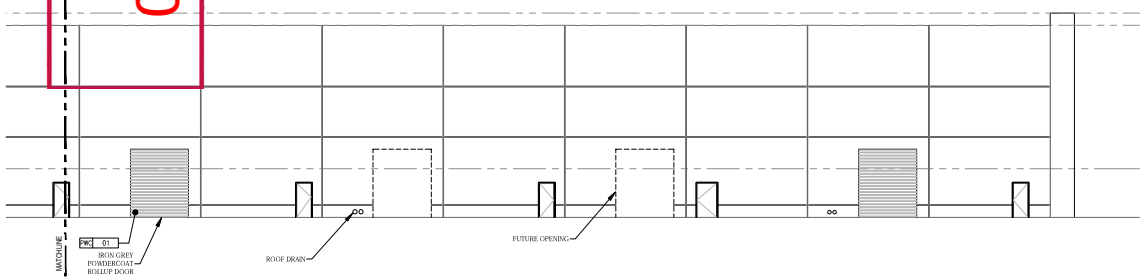



1 EXTERIOR ELEVATION - NORTH
SCALE: 3/32" = 1'-0"




2 EXTERIOR ELEVATION - WEST
SCALE: 3/32" = 1'-0"

PRJ-75760
09/06/19




2 EXTERIOR ELEVATION (CONTINUED) - WEST
SCALE: 3/32" = 1'-0"

FINISH SCHEDULE

| TAG | DESCRIPTION |
|---|---|
| PT 01 | SHERWIN-WILLIAMS SW 7076 CYBERSPACE FINISH SATIN |
| PT 02 | SHERWIN-WILLIAMS SW 7072 ONLINE FINISH SATIN |
| PT 06 | BENJAMIN MOORE 2120-20 BLACK IRON FINISH SATIN |
| PT 07 | SHERWIN WILLIAMS SW 7027 ORIGINAL WHITE FINISH SATIN |
| PWC 01 | CORNELL POWDERCOAT RAL 7015 IRON GREY FINISH |
| CMU 01 | CINDERLITE SPLIT FACE GRAY BLOCK |

# AREA 15 - NORTH AND WEST ELEVATIONS

SIRIUS & RANCHO - LAS VEGAS - NV

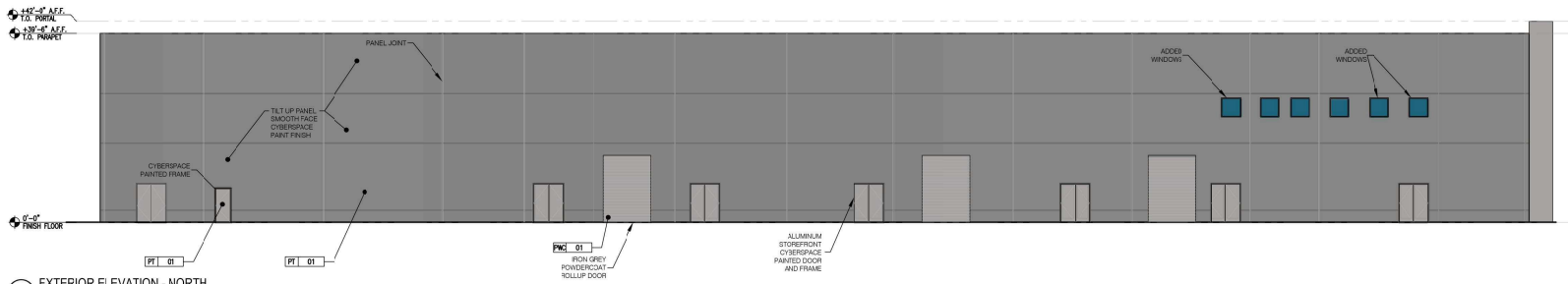
Kimley»Horn
BENEVILLE STUDIOS

* SIGNAGE NOT A PART OF THE APPLICATION

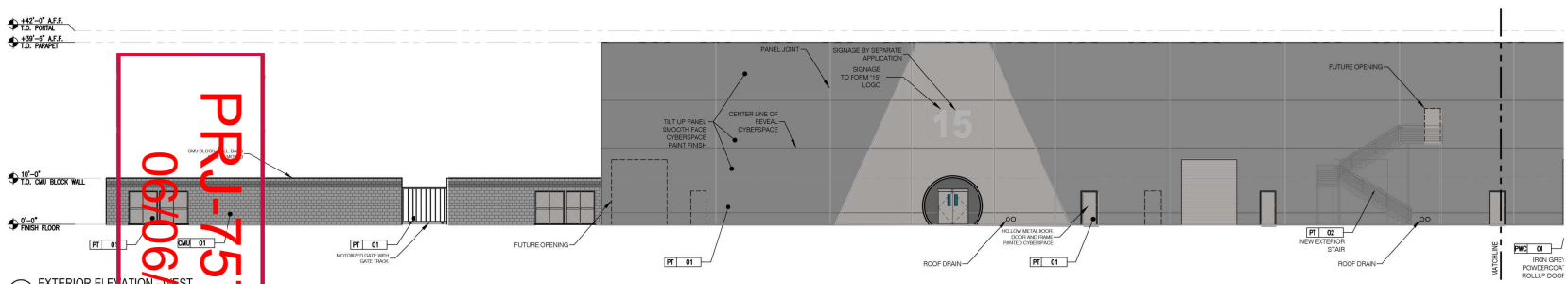
Scale: 3/32" = 1'-0"

MOSER architecture studio

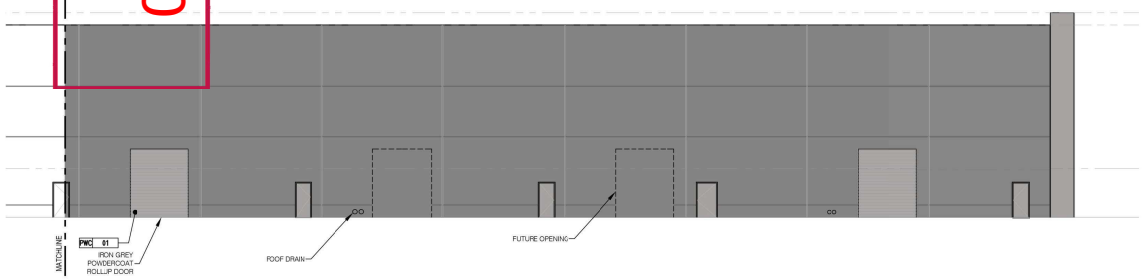
North and West Elevations : Sheet Title
17-029 : Project Number
January 29, 2019 : Date




1 EXTERIOR ELEVATION - NORTH
SCALE: 3/32" = 1'-0"




2 EXTERIOR ELEVATION - WEST
SCALE: 3/32" = 1'-0"




2 EXTERIOR ELEVATION (CONTINUED) - WEST
SCALE: 3/32" = 1'-0"

PRJ-75760
09/06/19

**FINISH SCHEDULE**

| TAG | DESCRIPTION |
|---|---|
| PT 01 | SHERWIN-WILLIAMS: SW 7076 CYBERSPACE FINISH: SATIN |
| PT 02 | SHERWIN-WILLIAMS: SW 7072 ONLINE FINISH: SATIN |
| PT 36 | BENJAMIN MOORE: 2-20-20 BLACK IRON FINISH: SATIN |
| PT 37 | SHERWIN WILLIAMS: SW 7077 ORIGINAL WHITE FINISH: SATIN |
| PWC 01 | CORNELL POWDERCOAT RAL 7015 IRON GREY FINISH: |
| CMU 01 | CINDERLITE SPLIT FACE GRAY BLOCK |

# AREA 15 - NORTH AND WEST ELEVATIONS

## SIRIUS & RANCHO - LAS VEGAS - NV

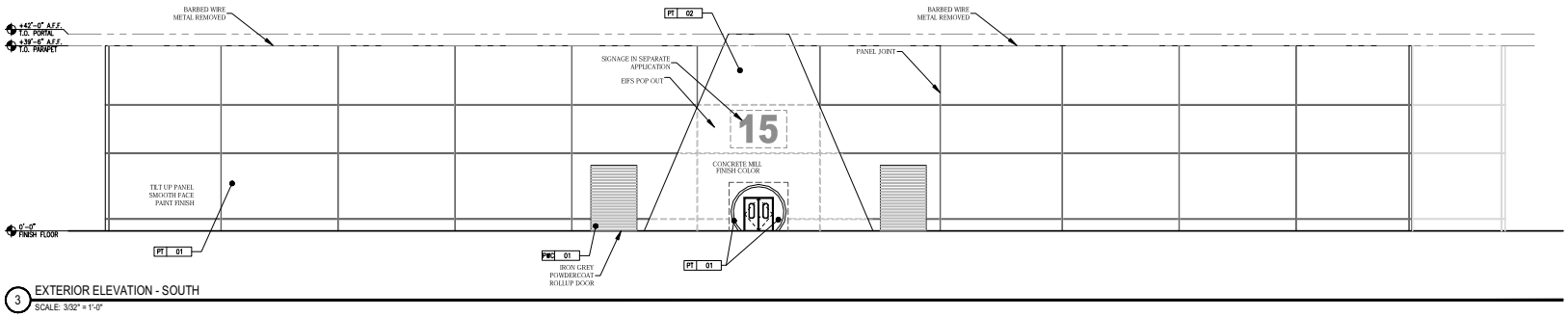
Kimley»Horn
BENEVILLE STUDIOS

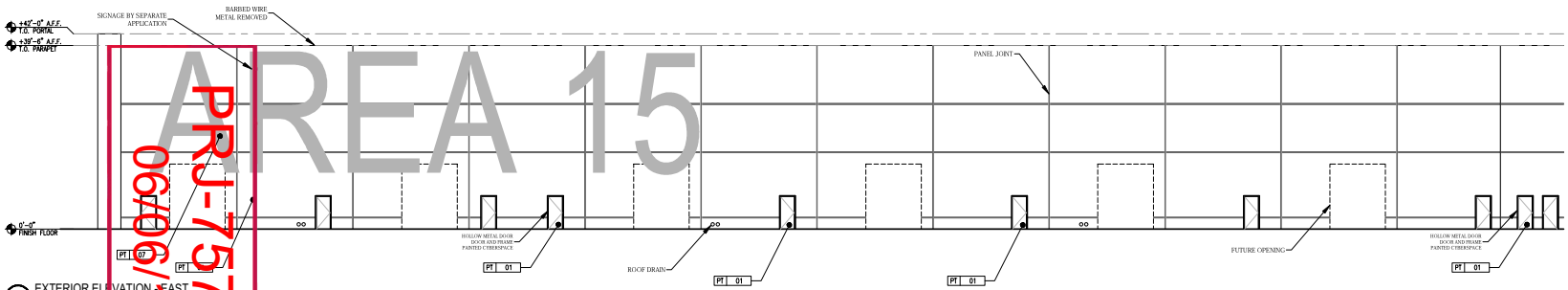
* SIGNAGE NOT A PART OF THE APPLICATION

Scale: 3/32" = 1'-0"

MOSER architecture studio

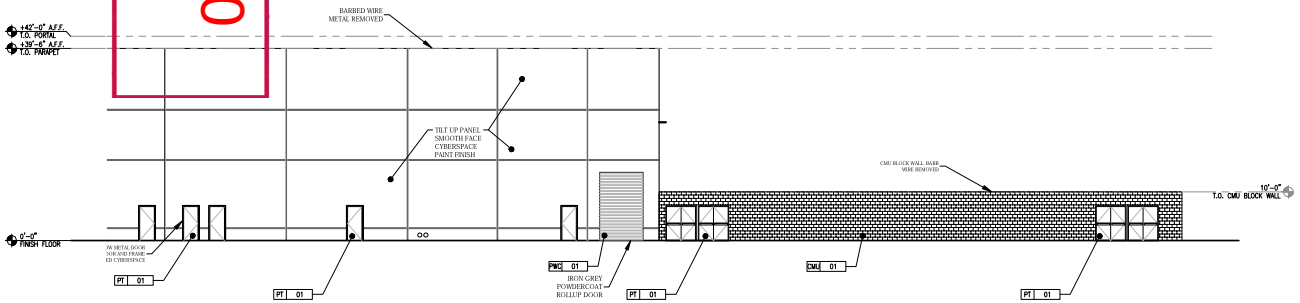
North and West Elevations : Sheet Title
17-029 : Project Number
January 29, 2019 : Date




AREA 15

PRJ-75760
06/06/19




FINISH SCHEDULE

| TAG | DESCRIPTION |
|---|---|
| PT 01 | SHERWIN WILLIAMS: SW 7076 CYBERSPACE FINISH:SATIN |
| PT 02 | SHERWIN WILLIAMS: SW 7072 ONLINE FINISH:SATIN |
| PT 06 | BENJAMIN MOORE: 2120-20 BLACK IRON FINISH:SATIN |
| PT 07 | SHERWIN WILLIAMS: SW 7077 ORIGINAL WHITE FINISH: SATIN |
| PWC 01 | CORNELL POWDERCOAT RAL 7015 IRON GREY FINISH: |
| CMU 01 | CINDERLITE SPLIT FACE GRAY BLOCK |

South and East Elevations : Sheet Title
17-029 : Project Number
January 29, 2019 : Date

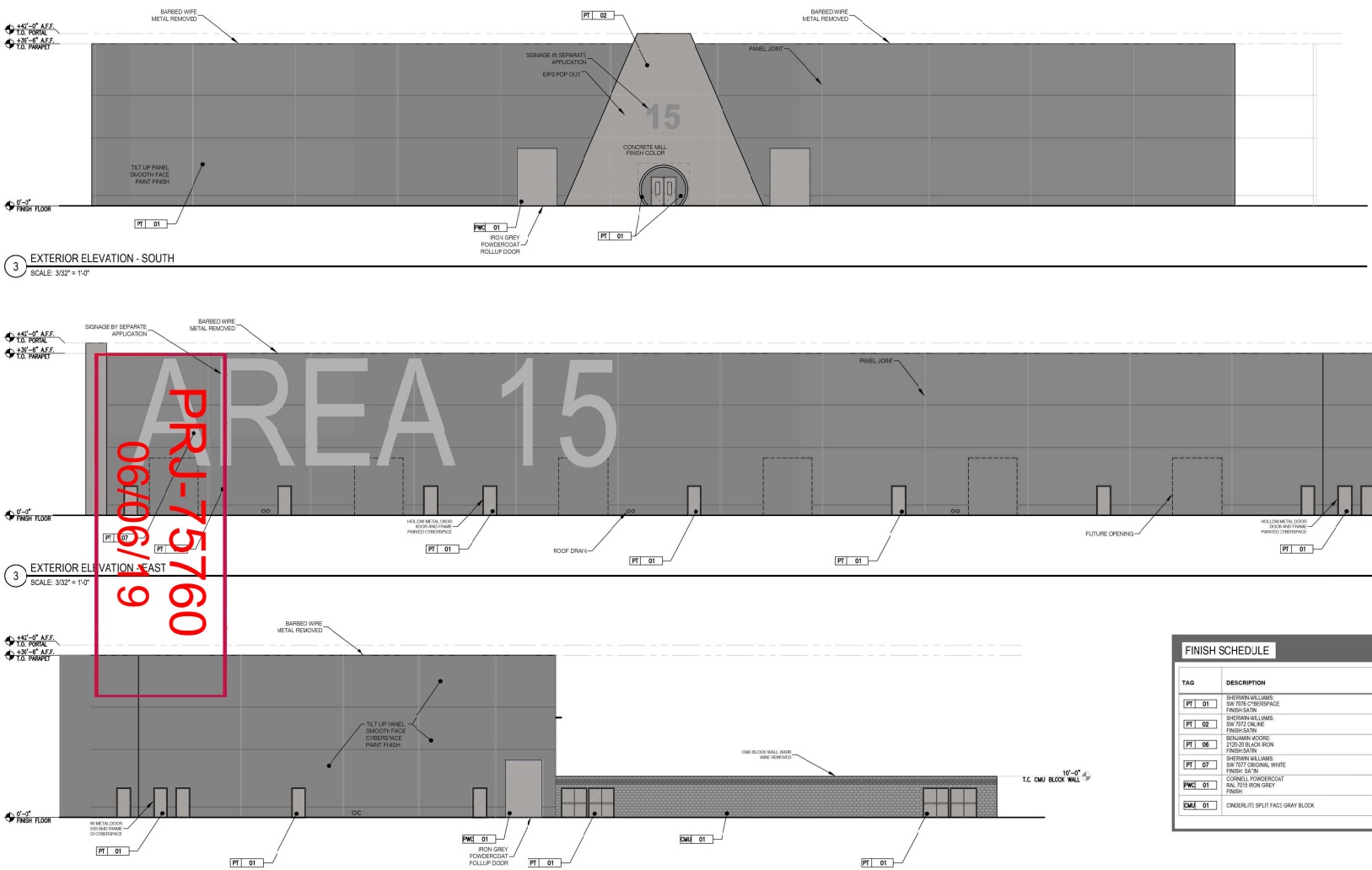
# AREA 15 - SOUTH AND EAST ELEVATIONS

## SIRIUS & RANCHO - LAS VEGAS - NV

* SIGNAGE NOT A PART OF THE APPLICATION

Scale: 3/32" = 1'-0"

MOSER architecture studio




| FINISH SCHEDULE | |
|---|---|
| TAG | DESCRIPTION |
| PT 01 | SHERWIN WILLIAMS: SW 7076 CYBERSPACE FINISH: SATIN |
| PT 02 | SHERWIN WILLIAMS: SW 7072 ONLINE FINISH: SATIN |
| PT 06 | BENJAMIN MOORE: 2120-20 BLACK IRON FINISH: SATIN |
| PT 07 | SHERWIN WILLIAMS: SW 7077 ORIGINAL WHITE FINISH: SATIN |
| PWC 01 | CORNELL POWDERCOAT RAL 7015 IRON GREY FINISH: |
| CMU 01 | CINDERLITE SPLIT FACE GRAY BLOCK |

South and East Elevations : Sheet Title
17-029 : Project Number
January 29, 2019 : Date

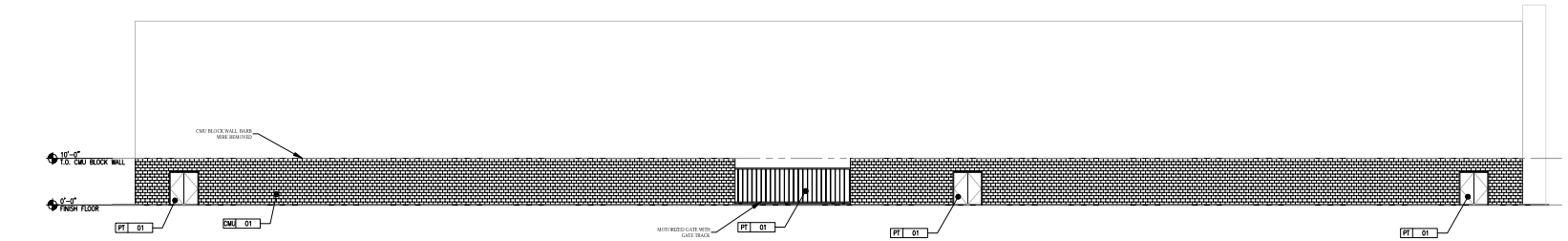
# AREA 15 - SOUTH AND EAST ELEVATIONS

## SIRIUS & RANCHO - LAS VEGAS - NV

* SIGNAGE NOT A PART OF THE APPLICATION

Scale: 3/32" = 1'-0"

MOSER architecture studio




3 EXTERIOR ELEVATION - NORTH
SCALE: 3/32" = 1'-0"

PRJ-75760
06/06/19

FINISH SCHEDULE

| TAG | DESCRIPTION |
|---|---|
| PT 01 | SHERWIN WILLIAMS:<br>SW 7076 CYBERSPACE<br>FINISH: SATIN |
| PT 02 | SHERWIN WILLIAMS:<br>SW 7072 ONLINE<br>FINISH: SATIN |
| PT 06 | BENJAMIN MOORE:<br>2120-30 BLACK IRON<br>FINISH: SATIN |
| PT 07 | SHERWIN WILLIAMS:<br>SW 7077 ORIGINAL WHITE<br>FINISH: SATIN |
| PWC 01 | CORNELL POWDERCOAT<br>RAL 7015 IRON GREY<br>FINISH: |
| CMU 01 | CINDERLITE SPLIT FACE GRAY BLOCK |

South and East Elevations : Sheet Title
17-029 : Project Number
January 29, 2019 : Date

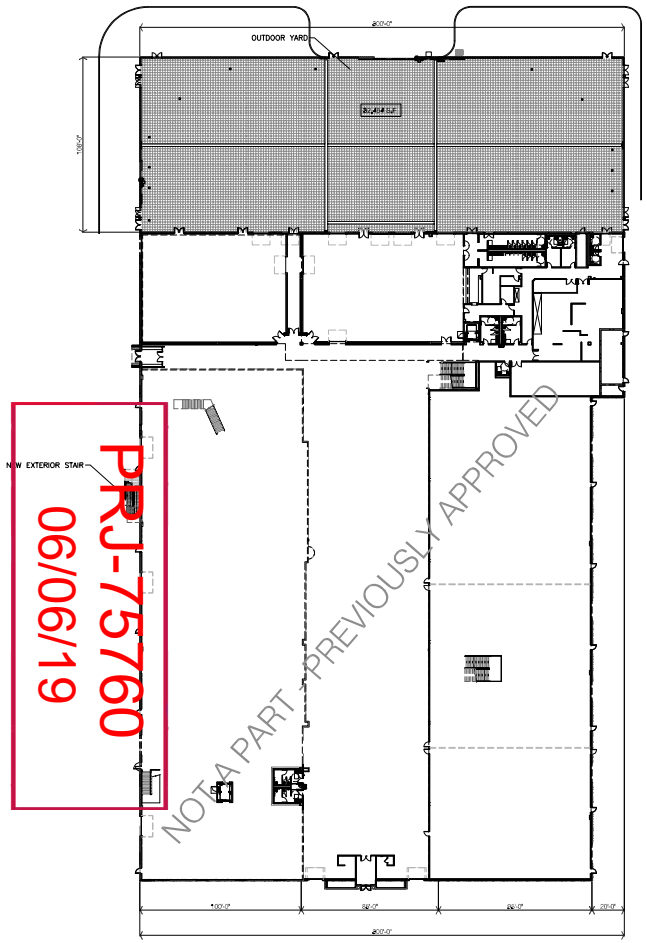
# AREA 15 - NORTH ELEVATION

## SIRIUS & RANCHO - LAS VEGAS - NV

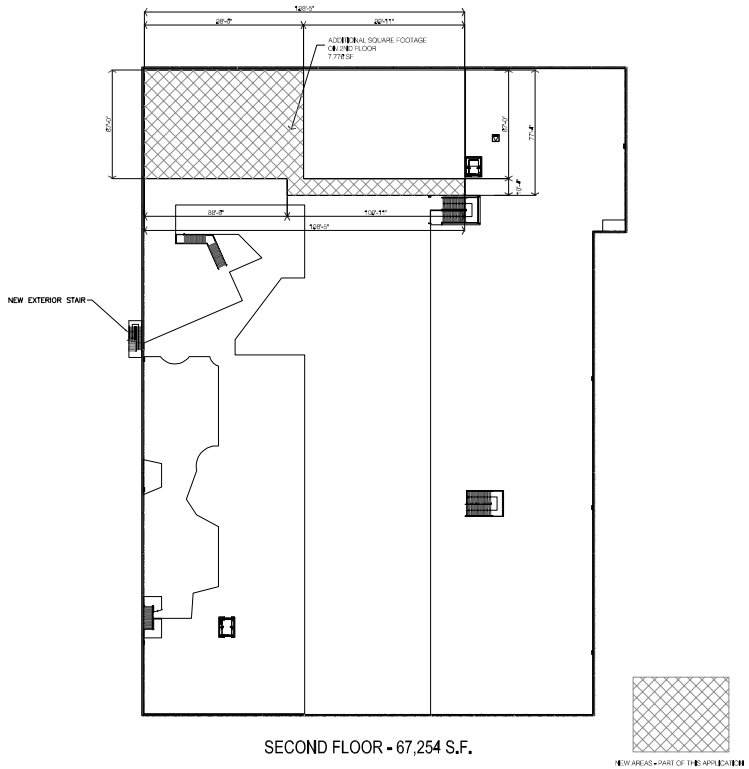
* SIGNAGE NOT A PART OF THE APPLICATION

Scale: 3/32" = 1'-0"

MOSER architecture studio




FIRST FLOOR - 114,040 S.F.




SECOND FLOOR - 67,254 S.F.

NORTH

0 25' 50' 100'

Floor Plan : Sheet Title
17-029 : Project Number
January 29, 2019 : Date

# AREA 15 - FLOOR PLAN

## SIRIUS & RANCHO - LAS VEGAS - NV

Scale: 1/32" = 1'-0"

MOSER architecture studio



**ABEYANCE - RENOTIFICATION - VAR-75852 [PRJ-75760] - VARIANCE RELATED TO SUP-76362, SUP-76663 AND SDR-75854 - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC**
**SOUTHWEST CORNER OF SIRIUS AVENUE AND RANCHO DRIVE**

02/28/2019



**ABEYANCE - RENOTIFICATION - VAR-75852 [PRJ-75760] - VARIANCE RELATED TO SUP-76362, SUP-76663 AND SDR-75854 - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC**
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02/28/2019




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02/28/2019




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**SOUTHWEST CORNER OF SIRIUS AVENUE AND RANCHO DRIVE**

02/28/2019

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

LAS VEGAS OFFICE
1980 Festival Plaza Drive
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Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
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Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

May 15, 2019

***VIA E-MAIL***
***jboyles@lasvegasnevda.gov***

Jonathan Boyles
City of Las Vegas
Planning & Zoning Dept.
333 N. Rancho Drive
Las Vegas, NV 89106

***RE: REVISED Justification Letter***
***APN: 162-08-418-002 & 162-08-418-003***

To Whom It May Concern:

Please be advised, this firm represents Area 15 which is located near Rancho Road and Sirius Avenue and more particularly identified as APN: 162-08-418-002 & 003 (the "Site"). The Site is zoned C-2 and has been approved for a 146,494 square foot commercial recreation/amusement (indoor and outdoor) development (SDR-73309). In August 2018, SUP-73921 and SDR-73309 were approved and allowed for an alternative parking standard to be used as well as the addition of a 59,478 square foot mezzanine level inside the proposed building.

The applicant is now seeking an amendment to a previously approved site development plan review to allow for an additional 7,776 square foot mezzanine area which would bring the total building and outdoor amusement space to 213,748 square feet. Other changes include relocation of trash enclosure, 10 foot tall CMU block wall to surround the outdoor venue area without barb wire, and added exterior stairs. The applicant also added six 4x4 windows on the second floor for the additional 7,776 sf mezzanine expansion.

The applicant is not adding any additional parking to the Site and therefore, a variance to maintain the total parking count of 921 spaces is required. The applicant firmly believes that the Site is adequately parked and will mostly attract tourists who will visit the Site via taxis, transportation network companies and other modes of transportation such as shuttle buses and vans. For any locals that visit the Site, there will still be sufficient parking. Moreover, a portion

PRJ-75760
05/15/19

of the additional 7776 sf mezzanine expansion is for a cat walk or hallway to connect the mezzanine levels and not leasable space.

Finally, the Applicant is submitting a special use permit for a liquor establishment (tavern) for the entirety of the 213,748 square foot project which includes the building and approved outdoor amusement space. By allowing for this land use entitlement, an owner entity, as well as multiple tenants, will be entitled to seek various types of liquor licensing for specified areas within the building and outdoor amusement space. For any outdoor events in the parking lot area, the owner will work with the City of Las Vegas to seek a Special Event permit for up to 24 days per year.

This request conforms to Section 19.12.070(5)(f) which allows for general on-sale (tavern) land use entitlements for indoor/outdoor commercial recreation. Finally, since the Site is located in a heavy commercial and industrial area adjacent to I-15, we believe this use is appropriate and is not detrimental to the surrounding area.

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich

Jennifer Lazovich

JJL/sfm

cc: Philip Brohn

PRJ-75760
05/15/19

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
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Fax: 702.796.7181

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Fax: 775.327.2011

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

RECEIVED
CITY CLERK
2019 APR -9 P 4:02

**REVISED**

April 9, 2019

**VIA FACSIMILE**
702-382-4803

LuAnn D. Holmes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

***Re: Request for Hold – VAR-75852 & SDR-75854***
***Fisher Brothers (Items #40 & 41)***

Dear Ms. Holmes:

Please be advised this office represents the Applicant in the above-referenced matters. We respectfully request that these applications be held for 60 days from the presently scheduled City of Las Vegas Planning Commission hearing of April 9, 2019 until the **June 25, 2019** hearing.

Thank you for your consideration and please do not hesitate to call if you have any questions.

Sincerely,
KAEMPFER CROWELL

Jennifer Lazovich

JJL/sfm

cc: Robert Summerfield (via email)
Jonathan Boyles (via email)
Peter Lowenstein (via email)

Submitted after final agenda
Date 4/9/19 Item 40-41

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

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510 West Fourth Street
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Tel: 775.884.8300
Fax: 775.882.0257

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CITY CLERK
2019 APR -9 A 9:51

April 9, 2019

**VIA FACSIMILE**
702-382-4803

LuAnn D. Holmes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

***Re: Request for Hold – VAR-75852 & SDR-75854***
***Fisher Brothers (Items #40 & 41)***

Dear Ms. Holmes:

Please be advised this office represents the Applicant in the above-referenced matters. We respectfully request that these applications be held for 60 days from the presently scheduled City of Las Vegas Planning Commission hearing of April 9, 2019 until the **June 11, 2019** hearing.

Thank you for your consideration and please do not hesitate to call if you have any questions.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich /sm

Jennifer Lazovich

JJL/sfm

cc: Jonathan Boyles (via email)
Peter Lowenstein (via email)



Submitted after final agenda
Date 4/9/19 Item 40-41

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
JUN 25 2019
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-75852 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303005
R & J EQUITIES L L C
3540 W SAHARA AVE #E6-445
LAS VEGAS NV 89102

89 DEPT 1 89102

Submitted after final agenda 27P

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
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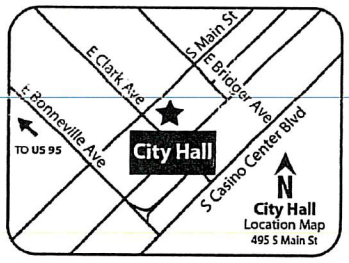
Las Vegas, NV
Permit No. 1630

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




RECEIVED
JUN 24 2019
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-75852 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ_75760
16208201003
Occupant Space 3
Meadows Mobile Home Park
2900 South Valley View Boulevard
Las Vegas, Nevada 89102

89 DRDFHP1 89102



27P

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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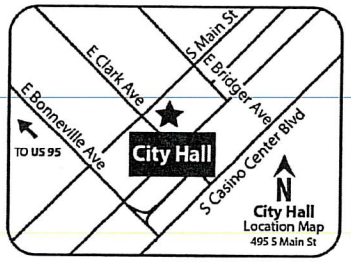


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-75852 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303008
MARTIN ROBERT E & KAYE B
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117



27A

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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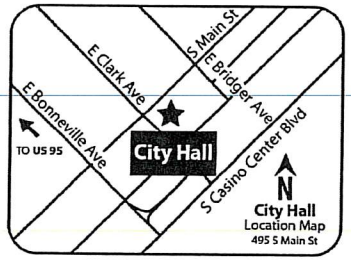


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[✓] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-75852 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208301017
MARTIN ROBERT E & KAYE
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117

111 DRDFMP1 89117



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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-75852 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303019
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

115 ORDFNP1 89118



27A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**28**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76362 - SPECIAL USE PERMIT RELATED TO VAR-75852 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 213,748 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

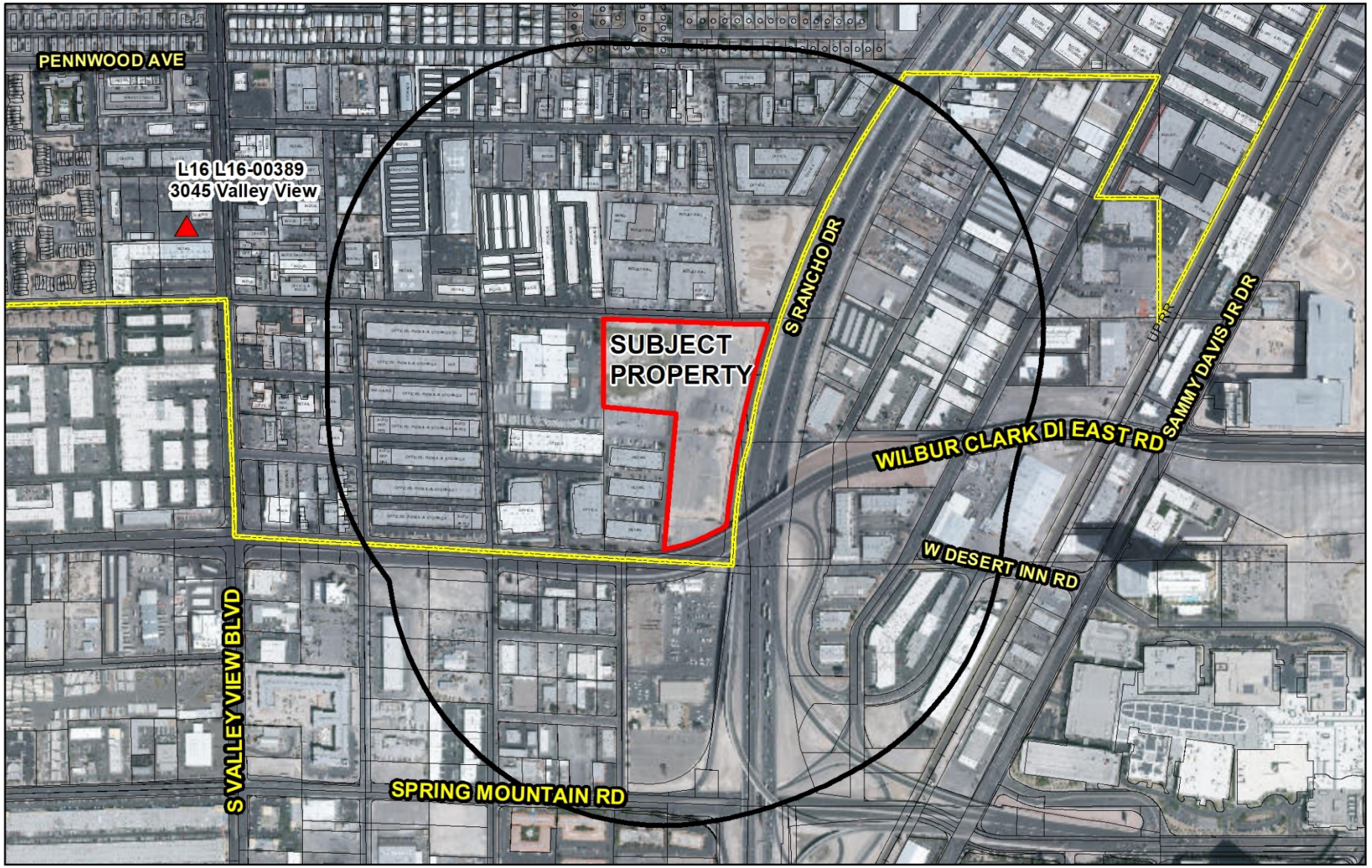
**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 4 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Special Map
3. Supporting Documentation
4. Protest/Support Postcards for SUP-76362 and SUP-76663 [PRJ-75760]

**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-76362 (PRJ-75760)**

**Liquor Establishment (Tavern)**

**Business Licenses**

- Tavern
- Tavern - Limited
- Urban Lounge
- Ancillary Brew Pub

**Protected Uses**

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

- City Limits
- Subject Property
- 1500 ft Buffer

N

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

Date: Tuesday, May 28, 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 FOR LIQUOR ESTABLISHMENT (TAVERN)

**Project Address** (Location) SWC Rancho Drive & Sirius Avenue

**Project Name** Area 15 **Proposed Use** Indoor/Outdoor Amusements

**Assessor's Parcel #(s)** 162-08-418-003 **Ward #** 1-Tarkanian

**General Plan: Existing** C **Proposed** n/a **Zoning: Existing** C-2 **Proposed** n/a

**Additional Information**

**Property Owner** Paradise Las Vegas, LLC **Contact** Phillip Brohn

Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171

E-mail n/a Phone n/a

**Applicant** Fisher Brothers **Contact** Phillip Brohn

Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171

E-mail n/a Phone n/a

**Representative** Kaempfer Crowell **Contact** Jennifer Lazovich

Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135

E-mail jjl@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** Kenneth Fisher

Subscribed and sworn before me

This 17th day of January, 20 19

_____

Notary Public in and for said County and State

State of New York
County of New York

ARLEEN RIVERA
Notary Public - State of New York
No. 01RI6203706
Qualified In Queens County
My Commission Expires April 13, 2021

PRJ-75760
04/23/19

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
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☐ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76362 and SUP-76663 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303005
R & J EQUITIES L L C
3540 W SAHARA AVE #E6-445
LAS VEGAS NV 89102

89 DRDFHP1 89102

Submitted after final agenda 28-29P

06/24/2019 12:54 7023855275 PAGE 07/08

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.
**SUP-76362 and SUP-76663 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303019
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

115 DRDFNP1 89118

28-29A

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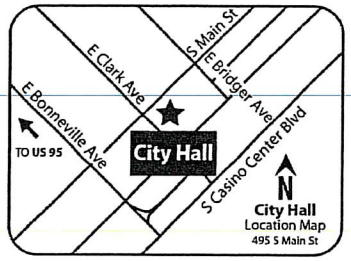
City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-76362 and SUP-76663 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303008
MARTIN ROBERT E & KAYE B
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117

iii DROPNP1 6317



28-29A

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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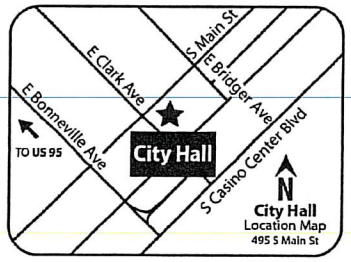


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-76362 and SUP-76663 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208301017
MARTIN ROBERT E & KAYE
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117

DROPPED BELT

28-29A

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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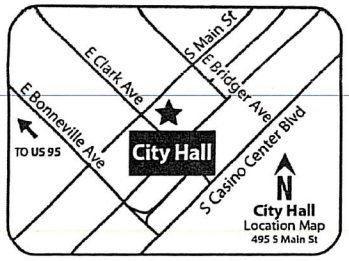


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-76362 and SUP-76663 [PRJ-75760]**
Planning Commission Meeting of **06/25/2019**

PRJ_75760
16208201003
Occupant Space 3
Meadows Mobile Home Park
2900 South Valley View Boulevard
Las Vegas, Nevada 89102

89 DROPNP1 89102



28-29A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**29**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76663 - SPECIAL USE PERMIT RELATED TO VAR-75852 AND SUP-76362 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 213,748 SQUARE-FOOT NIGHTCLUB USE at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 1 | Planning Commission Mtg. | 4 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Special Map
3. Supporting Documentation

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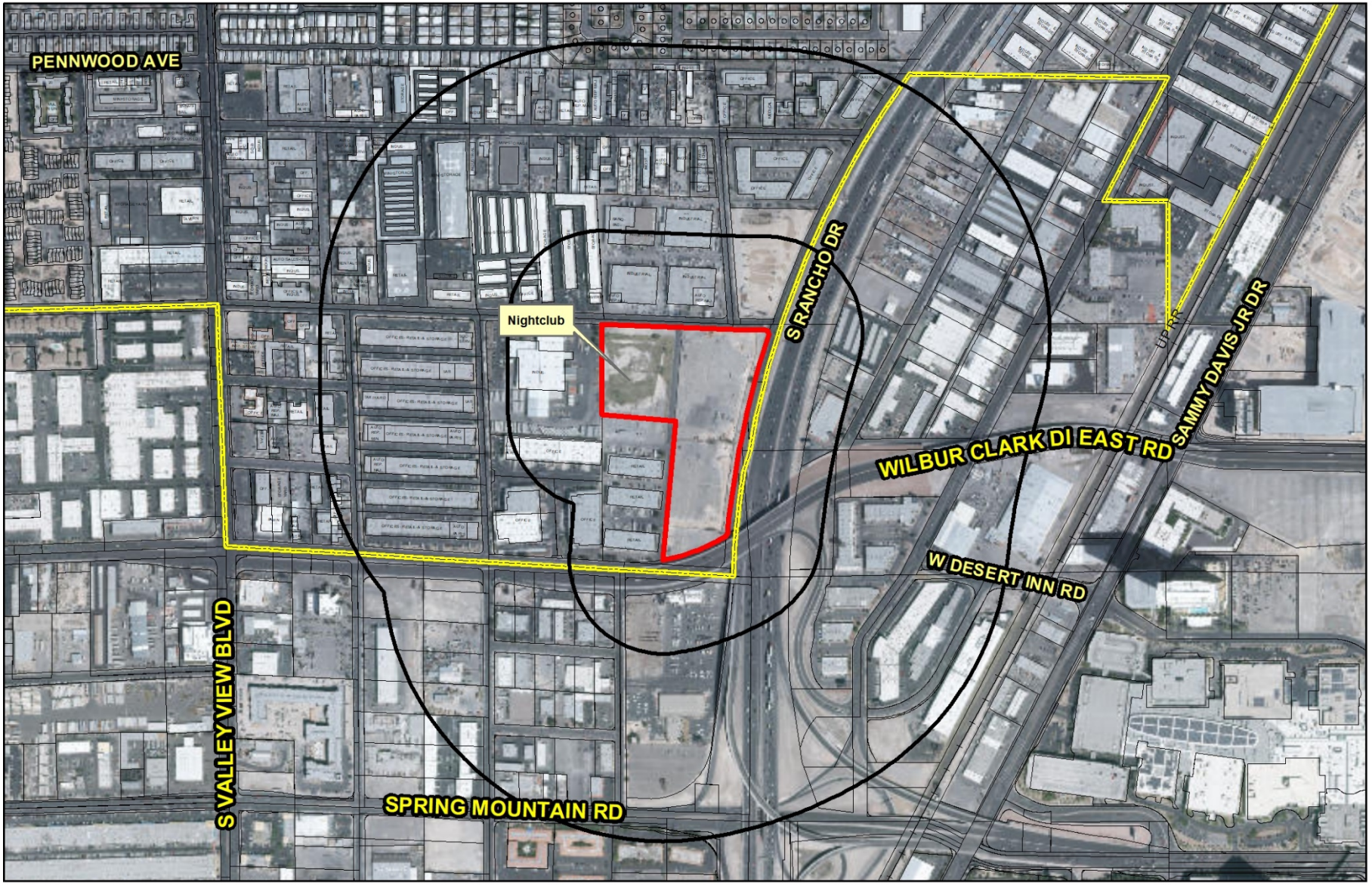


**SUP-76362**

**Nightclub**

**Business Licenses**

Nightclub

City Limits

Subject Property

500 & 1500 ft Buffer

**Protected Uses**

RELIGIOUS

CITY PARKS

SCHOOLS

Residential Property

Child Care/ Children Facility

Private Schools

**Waived Zones**

C-V - Civic

18b Las Vegas Arts District

Downtown Casino Overlay District

Gaming Enterprise Overlay

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: Wednesday, May 29, 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 FOR 4 LIQUOR ESTABLISHMENT (TAVERN)

**Project Address** (Location) SWC Rancho Drive & Sirius Avenue

**Project Name** Area 15 **Proposed Use** Indoor/Outdoor Amusements

**Assessor's Parcel #(s)** 162-08-418-003 **Ward #** 1-Tarkanian

**General Plan: Existing** C **Proposed** n/a **Zoning: Existing** C-2 **Proposed** n/a

**Additional Information**

**Property Owner** Paradise Las Vegas, LLC **Contact** Phillip Brohn

Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171

E-mail n/a Phone n/a

**Applicant** Fisher Brothers **Contact** Phillip Brohn

Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171

E-mail n/a Phone n/a

**Representative** Kaempfer Crowell **Contact** Jennifer Lazovich

Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135

E-mail jjl@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** Kenneth Fisher

Subscribed and sworn before me

This 17th day of January, 20 19

_____

Notary Public in and for said County and State

State of New York
County of New York

ARLEEN RIVERA
Notary Public - State of New York
No. 01RI6203706
Qualified In Queens County
My Commission Expires April 13, 2021

PRJ-75760
04/23/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25 2019**

Agenda Item No.:
**30**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
ABEYANCE - RENOTIFICATION - SDR-75854 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75852, SUP-76362 AND SUP-76663 - PUBLIC HEARING - APPLICANT: FISHER BROTHERS - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - For possible action on a request for a Major Amendment of an approved Site Development Plan Review (SDR-70652) FOR A PROPOSED 7,776 SQUARE-FOOT INDOOR FLOOR AREA ADDITION TO AN APPROVED 205,972 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR AND OUTDOOR) DEVELOPMENT AND PROPOSED EXPANSION OF THE PARKING LOT AREA on 14.71 acres at the southwest corner of Sirius Avenue and Rancho Drive (APN 162-08-418-002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian) [PRJ-75760]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 3 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Protest/Support Postcards

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# 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) Site Plan Review

**Project Address** (Location) SWC Rancho Drive & Sirius Avenue

**Project Name** Area 15 **Proposed Use** Indoor/Outdoor Amusements

**Assessor's Parcel #(s)** 162-08-418-002 **Ward #** 1- Tarkanian

**General Plan:** Existing C Proposed n/a **Zoning:** Existing C-2 Proposed n/a

**Additional Information**

**Property Owner** Integral Partners Park Place Centre- Las Vegas, LLC **Contact** Phillip Brohn
Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171
E-mail n/a Phone n/a

**Applicant** Fisher Brothers **Contact** Phillip Brohn
Address 299 Park Avenue, 42nd Floor City New York State NY Zip 10171
E-mail n/a Phone n/a

**Representative** Kaempfer Crowell **Contact** Jennifer Lazovich
Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135
E-mail jjl@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** Kenneth Fisher

Subscribed and sworn before me
This 17th day of January, 20 19

_____
Notary Public in and for said County and State

State of New York
County of New York
ARLEEN RIVERA
Notary Public - State of New York
No. 01RI6203706
Qualified In Queens County
My Commission Expires April 13, 2021

PRJ-75760
02/19/19

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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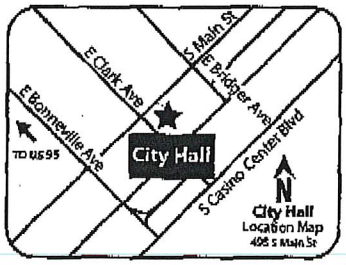
**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 25 2019
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.

**SDR-75854 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303005
R & J EQUITIES L L C
3540 W SAHARA AVE #E6-445
LAS VEGAS NV 89102

Submitted after final agenda

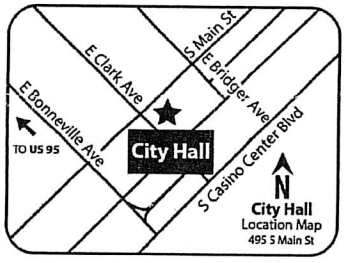
30P

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
JUN 2 4 2019
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.

**SDR-75854 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ_75760
16208201003
Occupant Space 3
Meadows Mobile Home Park
2900 South Valley View Boulevard
Las Vegas, Nevada 89102

89 ORDFNP1 89102



30P

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

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**Official Notice of Public Hearing**

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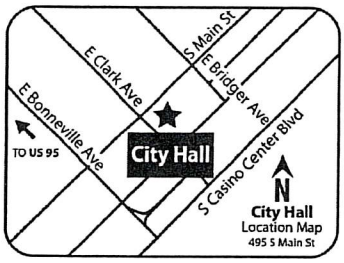
Dept of Planning
City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-75854 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208303008
MARTIN ROBERT E & KAYE B
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117

111 DRDFNP1 89117



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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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Las Vegas, NV
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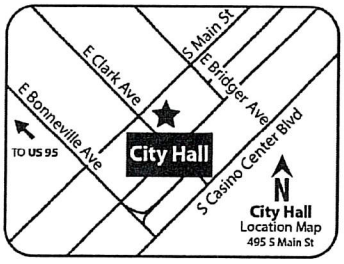
**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 1 [illegible] 2019
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.

**SDR-75854 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

PRJ-75760
16208301017
MARTIN ROBERT E & KAYE
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117

111 ORDFNP1 89117



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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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Las Vegas, NV
Permit No. 1630

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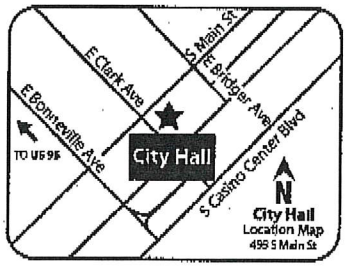
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-75854 [PRJ-75760]**

Planning Commission Meeting of **06/25/2019**

RECEIVED
JUN 2 4 2019
Dept of Planning
City of Las Vegas

PRJ-75760
16208303019
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456



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# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**31**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

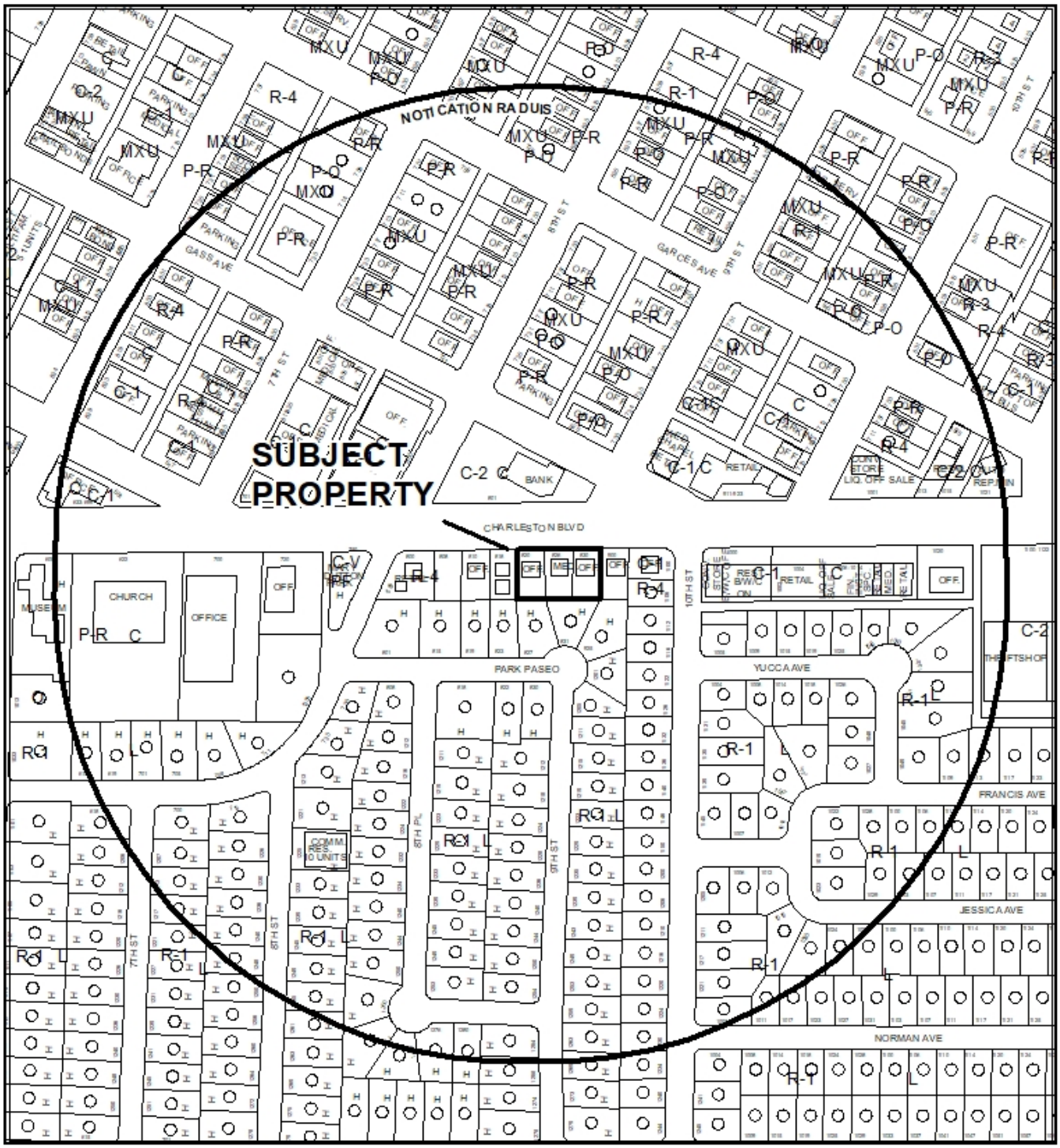
**SUBJECT:**
ZON-76110 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), Ward 3 (Coffin) [PRJ-76067]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 5 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - ZON-76110 and WVR-76111 [PRJ-76067]
2. Land Use Map
3. Conditions and Staff Report - ZON-76110 and WVR-76111 [PRJ-76067]
4. Supporting Documentation - ZON-76110 and WVR-76111 [PRJ-76067]
5. Photo(s) - ZON-76110 and WVR-76111 [PRJ-76067]
6. Justification Letter - ZON-76110 and WVR-76111 [PRJ-76067]
7. Submitted after Final Agenda - Protest/Support Postcards for ZON-76110 and WVR-76111 [PRJ-76067]

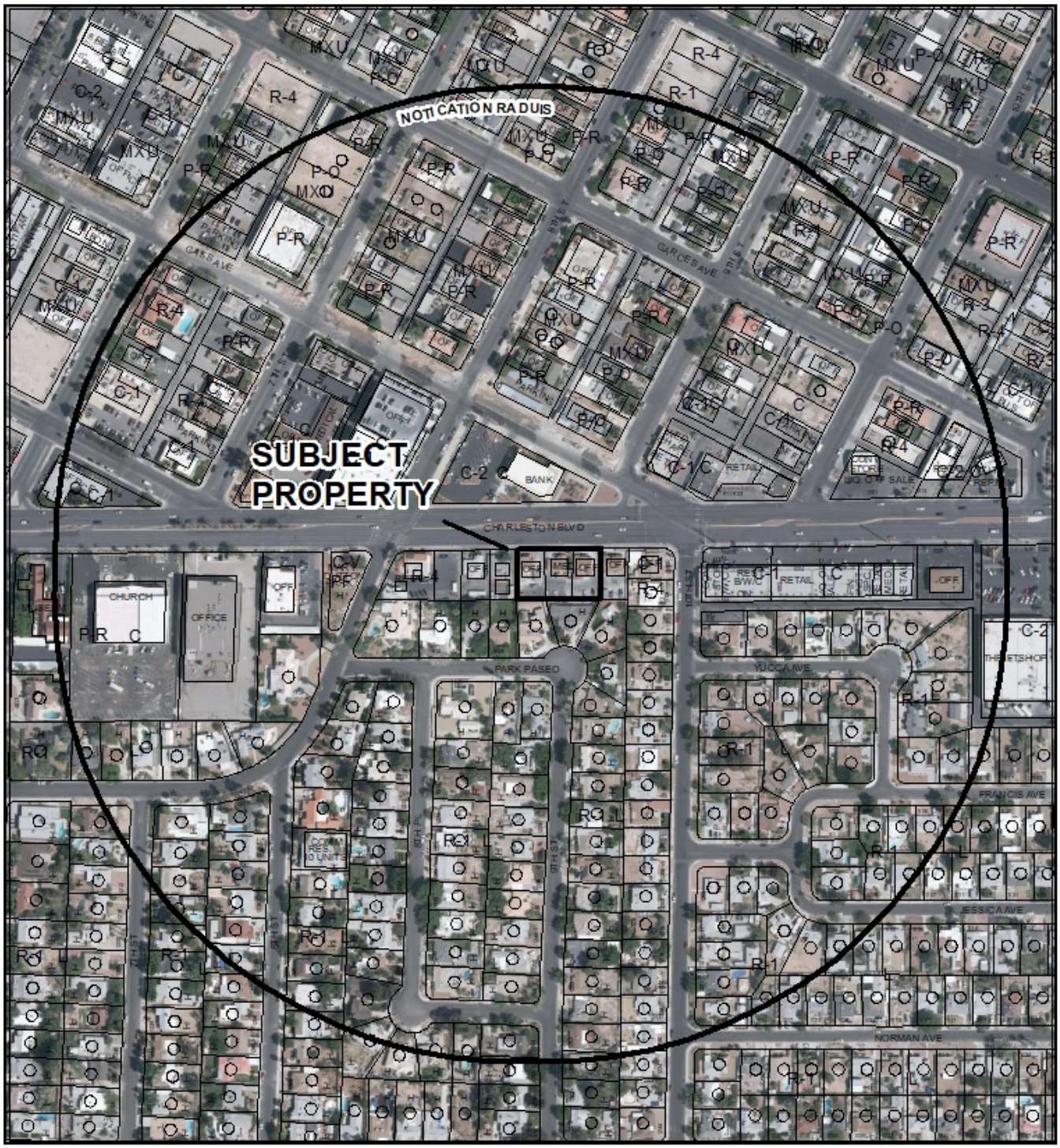



**CASE:** **ZON-76110, WVR-76111 (PRJ-76067)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** P-R (PROFESSIONAL OFFICE AND PARKING)

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



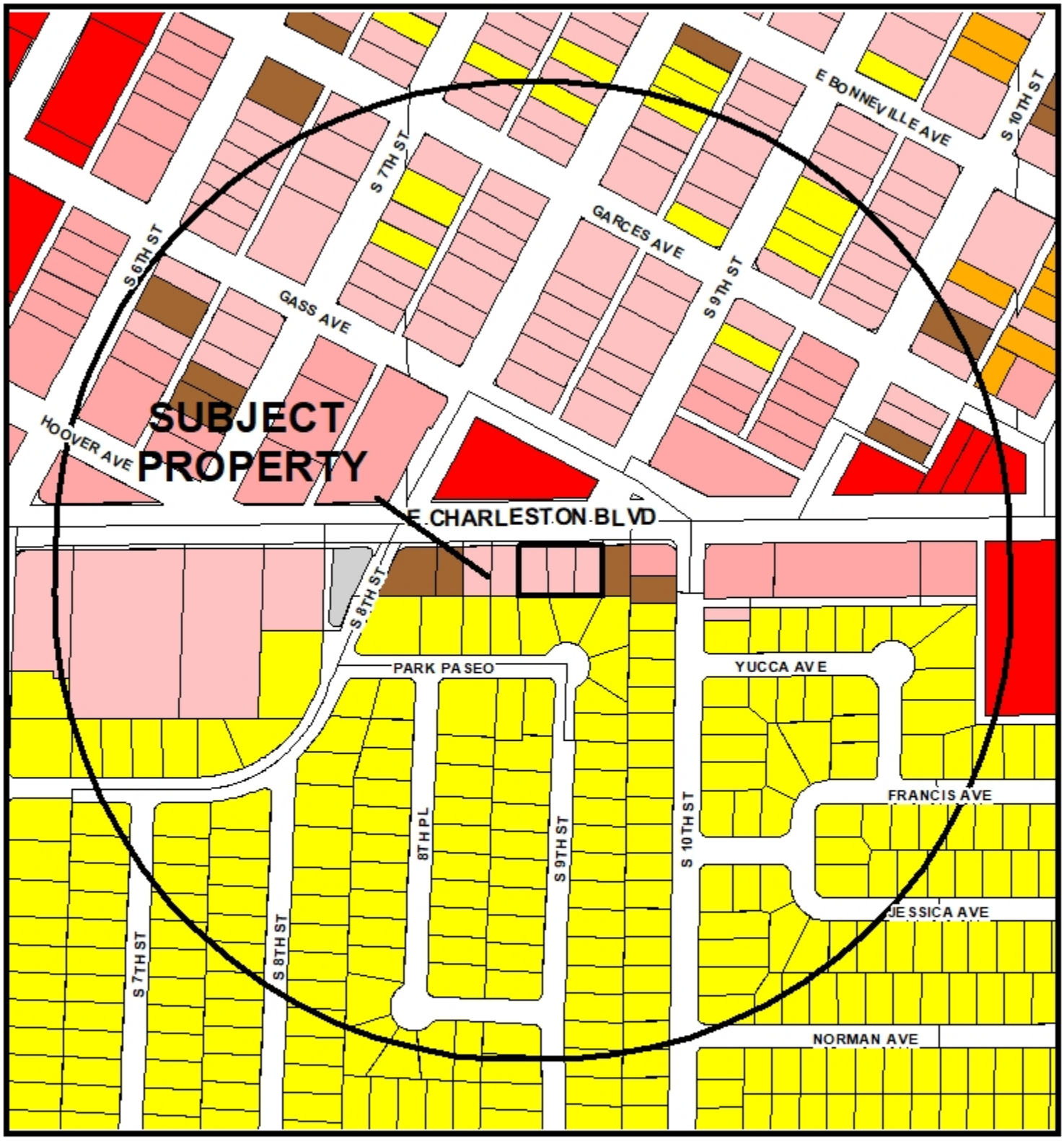

**CASE:** **ZON-76110, WVR-76111 (PRJ-76067)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** P-R (PROFESSIONAL OFFICE AND PARKING)

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

# ZON-76110




## Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS Main Street
- T5-C - T5 Corridor
- T6-UG - Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PS - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development

**FROM PR TO C-1**

Subject Property

1000ft Buffer

City Limits

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

Geographic Information System
Planning & Development Dept.
702.229.6301

Date: Monday, May 13, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-76110** | Staff recommends APPROVAL. | |
| **WVR-76111** | Staff recommends APPROVAL, subject to conditions: | ZON-76110 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 34

**NOTICES MAILED** 305 - ZON-76110 and WVR-76111

**PROTESTS** 0 - ZON-76110 and WVR-76111

**APPROVALS** 0 - ZON-76110 and WVR-76111



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** CONDITIONS **

# WVR-76111 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. Any future Site Development Plan Reviews on this site shall consider the addition of landscape buffers appropriate for the zoning district and adjacent residential parcels.

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.



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# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Rezoning from P-R (Professional Office and Parking) to C-1 (Limited Commercial) and a subsequent side yard setback Waiver on 0.45-acre parcel at 820-830 East Charleston Boulevard.

## ISSUES

- The applicant is requesting a Rezoning (ZON-76110) from P-R (Professional Office and Parking) to C-1 (Limited Commercial). Staff supports this request.
- The applicant is requesting a Waiver to allow a four-foot side yard setback where 10 feet is the maximum allowed. Staff supports this request.

## ANALYSIS

The applicant proposes to change the zoning of a single parcel on Charleston Boulevard from P-R (Professional Office and Parking) to C-1 (Limited Commercial). On 05/02/19, the subject site recorded a reversionary map that consolidated three parcels into one parcel of 0.45 acres. The newly recorded parcel is midblock on the south side of Charleston between 8th and 10th Street. There are three existing structures on the parcel that were built as residential homes in 1938. The addresses are 820, 826, and 830 East Charleston Boulevard. Between 1990 and 1992, the parcels were rezoned P-R (Professional Office and Parking), and the homes were converted to offices. According to City records, the structures have operated as general offices or services throughout this time. The structures at 820 and 826 East Charleston have not had active business licenses since 12/06/17. The structure at 830 East Charleston has an active license for professional medical services.

The subject site is in the City of Las Vegas Redevelopment Plan Area along the Charleston commercial corridor. It is also located in the Founders District of the Downtown Master Plan. The common goals of these plans is to guide the redevelopment and revitalization of the area through the rehabilitation of existing architecture, landscape, and urban design and to encourage private investment in the community using sound land use principles. One of these land use principles is that a primary arterial like Charleston Boulevard should generate an intensification of commercial use, and this intensification can be provided by changing the zoning from P-R (Professional Office and Parking) to C-1 (Limited Commercial).



JAB

The area adjacent to the subject site is zoned to attract a broad category of commercial uses that are appropriate for a downtown primary arterial. Most notably are the C-1 (Limited Commercial) zones on three corners and a C-2 (General Commercial) zone directly across the street. Along with interspersed P-O (Professional Office) and P-R (Professional Office and Parking) zones throughout, this mixed pattern of commercial use is repeated throughout the Charleston Boulevard corridor for a mile on either side of the subject site. The applicant is not proposing to increase the floor area of the existing structures, therefore no Site Development Plan Review is being proposed.

The subject site is also on the northern boundary of the John S. Park Neighborhood Plan, which was formed in 2001 to protect the many historic homes in the area. The purpose of this neighborhood plan is not only to preserve the pedestrian and residential character of the area but also to encourage and guide the appropriate development of adjacent commercial opportunities. The neighborhood plan does not restrict growth, but it serves "as a guide for City leaders and developers to refer to when reviewing projects proposed for the John S. Park neighborhood and to take notice of residents' resolve to preserve the mostly single-family residential nature of the neighborhood." In the spirit of this community resolve, the applicant is not requesting a Site Development Plan Review for new construction. In the justification letter stamped 05/17/19, the applicant states that "this request furthers the description of the Founders District by providing for zoning along Charleston Boulevard that in the future will provide for opportunities for retail development that is not auto-oriented and yet still preserves the residential feel of the American suburb by maintaining existing site plan and elevations of the existing converted circa 1938 homes." A condition has been added that any future development should consider adding landscape buffers between the subject site and the John S. Park residences to the south. The proposed zoning is appropriate to the area and respects the spirit of the historic neighborhood; therefore, staff recommends approval.

The applicant is also requesting a Waiver to allow a four-foot side yard setback where 10 feet is the maximum allowed in the proposed C-1 (Limited Commercial) zone. Pursuant to Appendix F Interim Downtown Las Vegas Development Standards, when specific development standards cannot be met, a Waiver to Title 19 is required. At the subject site, the west property line has not changed and the existing structure was built in 1938. Consequently, to meet development standards, the structure would have to be razed or removed. This is not in keeping with the historic character of the neighborhood. Therefore staff recommends approval of the Waiver request.

**FINDINGS (ZON-76110)**

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

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

   If approved, the proposed C-1 (Limited Commercial) zoning district would conform to the C (Commercial) General Plan designation.

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

   The proposed zoning is compatible with adjacent zoning in the Downtown Master Plan along the Charleston Boulevard commercial corridor. It is also compatible with the vision of the Redevelopment Plan Area and the John S. Park Neighborhood Plan. The existing structures at the subject site are not being changed, so there is no Site Development Plan Review.

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

   Growth and redevelopment at the subject site are guided, in part, by the City of Las Vegas Redevelopment Plan, the John S. Park Neighborhood Plan, and the Downtown Master Plan (Founders District). The rezoning is appropriate because these plans anticipate the proposed intensification of use along primary arterials like Charleston Boulevard.

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

   Access to the property will be provided by Charleston Boulevard, a 100-foot Primary Arterial, which is adequate in size to accommodate the intensity of use allowed by the C-1 zoning district.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 07/26/73 | The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0023-73) for a proposed office in an existing building at 830 E Charleston Boulevard. |
| 05/16/90 | The City Council approved a request for a Rezoning (Z-0036-90) from: R-4 (Apartment Residence), to: P-R (Professional Office and Parking) at 830 E Charleston Boulevard. The Planning Commission recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 11/18/92 | The City Council approved a request for a Rezoning (Z-0075-92) from: R-4 (Apartment Residence), to: P-R (Professional Office and Parking) at 820 and 826 E Charleston Boulevard. The Planning Commission recommended approval. |
| 03/11/08 | A Code Enforcement case (#63171) was initiated for temporary window signs at 820 E Charleston Boulevard. The case was resolved on 03/13/08. |
| 03/11/08 | A Code Enforcement case (#63172) was initiated for temporary window signs at 826 E Charleston Boulevard. The case was resolved on 03/13/08. |
| 03/11/08 | A Code Enforcement case (#63173) was initiated for temporary window signs at 830 E Charleston Boulevard. The case was resolved on 03/13/08. |
| 02/13/17 | A Code Enforcement case (#174724) was initiated for a non-permitted moving LED sign at 820 E Charleston Boulevard. The case was resolved on 02/28/17. |
| 02/13/17 | A Code Enforcement case (#174726) was initiated for a non-permitted moving LED sign at 830 E Charleston Boulevard. The case was resolved on 03/13/17. |
| 10/17/18 | A Code Enforcement case (#193955) was initiated for non-permitted work at 826 E Charleston Boulevard. The case remains open. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/24/14 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1938 | The residential structures were built. |
| 12/12/95 | A General License (P50-01498) was issued for Professional Services at 820 E Charleston Boulevard. The license was inactive on 07/03/12. |
| 07/31/06 | A General License (C25-02752) was issued for a Contractor at 826 E Charleston Boulevard. The license was inactive on 07/09/18. |
| 10/09/08 | A General License (R25-00340) was issued for Residential Property Maintenance at 826 E Charleston Boulevard. The license remains active. |
| 05/17/10 | A General License (P55-01467) was issued for Professional Services – Medical at 830 E Charleston Boulevard. The license remains active. |
| 05/17/10 | A General License (P55-01468) was issued for Professional Services – Medical at 826 E Charleston Boulevard. The license was inactive on 03/16/16. |
| 06/09/14 | A General License (G62-04123) was issued for Publishing & Newspapers at 820 E Charleston Boulevard. The license was inactive on 09/20/17. |
| 09/16/15 | A General License (G63-06469) was issued for Professional Services at 826 E Charleston Boulevard. The license was inactive on 02/09/16. |
| 03/10/16 | A General License (G64-00942) was issued for Professional Services at 826 E Charleston Boulevard. The license was inactive on 08/28/18. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 01/05/17 | A General License (G65-00113) was denied for General Retail Sales at 820 E Charleston Boulevard. |
| 01/05/17 | A General License (G65-00115) was denied for a Photography Business at 820 E Charleston Boulevard. |
| 01/23/17 | A General License (G65-00291) was issued for General Services (Counter / Office) at 820 E Charleston Boulevard. The license was inactive on 12/06/17. |
| 04/11/17 | A General License (G65-02418) was issued for Vocational Rehabilitation Counselor at 826 E Charleston Boulevard. The license was inactive on 12/06/17. |
| 09/15/18 | A General License (G66-06641) was denied for a Cosmetological Establishment at 826 E Charleston Boulevard. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/14/19 | A pre-application meeting was conducted with the applicant to discuss submittal requirements for a Rezoning and Waiver applications. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/16/19 | During a routine field check of the subject site, staff observed three well-maintained commercial structures. No trash or graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.45 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Properties | Office (820 Charleston Blvd) | C (Commercial) | P-R (Professional Office and Parking) |
| | Office, Medical or Dental (826 Charleston Blvd) | | |
| | Office (830 Charleston Blvd) | | |
| North | Bank | C (Commercial) | C-2 (General Commercial) |
| South | Single Family, Detached | L (Low Density) | R-1 (Single Family Residential) |
| East | Office | C (Commercial) | R-4 (High Density Residential) |
| West | Vacant | C (Commercial) | P-R (Professional Office and Parking) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| John S. Park Neighborhood Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 2 (Founders 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

***Pursuant to 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 180 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 15 Feet | Y |
| • Side (East) | 10 Feet | 19 Feet | Y |
| • Side (West) | 10 Feet | 3 Feet | N* |
| • Rear | 20 Feet | 39 Feet | Y |
| Max. Lot Coverage | 50 % | 24 % | Y |
| Max. Building Height | 15 Feet at setback | Single Story | Y |

*The applicant is applying for a Waiver (WVR-76111).

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Charleston Boulevard | Primary Arterial | Planned Streets and Highways Map | 100 | Y |

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

| *Parking Requirement* | | | | | | | |
|---|---|---|---|---|---|---|---|
| *Use* | *Gross Floor Area or # of Units* | *Required* | | | *Provided* | | *Compliance* |
| | | *Parking Ratio* | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Office, Medical | 1,222 SF | 1 space per 200 SF | 7 | | | | |
| General Retail Store, Other Than Listed | 2,783 SF | 1 space per 175 SF | 16 | | | | |
| **TOTAL SPACES REQUIRED** | | | 23 | | 24 | | Y |
| **Regular and Handicap Spaces Required** | | | 22 | 1 | 23 | 1 | Y |



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# 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) 820, 826, & 830 E Charleston Blvd (Charleston & 10th, near SWC)

**Project Name** Charleston & 10th, SWC **Proposed Use** Office/ Retail

**Assessor's Parcel #(s)** 162-03-511-026, 027 & 028 **Ward #** 3

**General Plan:** Existing Commercial Proposed N/A **Zoning:** Existing P-R Proposed C-1

**Additional Information**

**Property Owner** Alberto E & Mericia G Achaval Contact

Address 830 E Charleston Blvd City Las Vegas State NV Zip 89104

E-mail drachaval@gmail.com Phone

**Applicant** Alberto E & Mericia G Achaval Contact

Address 830 E Charleston Blvd City Las Vegas State NV Zip 89104

E-mail drachaval@gmail.com Phone

**Representative** G.C. Garcia, Inc Contact Doug Rankin

Address 1055 Whitney Ranch Dr, Suite 210 City Henderson State NV Zip 89014

E-mail acole@gcgarciainc.com Phone 702-435-9909

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** Alberto Achaval

STATE of NEVADA COUNTY of CLARK

Subscribed and sworn before me

This 12th day of MARCH, 20 19 BY ALBERTO E ACHAVAL.

Notary Public in and for said County and State

RICARDO AYALA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 6-22-2020
Certificate No: 12-8060-1

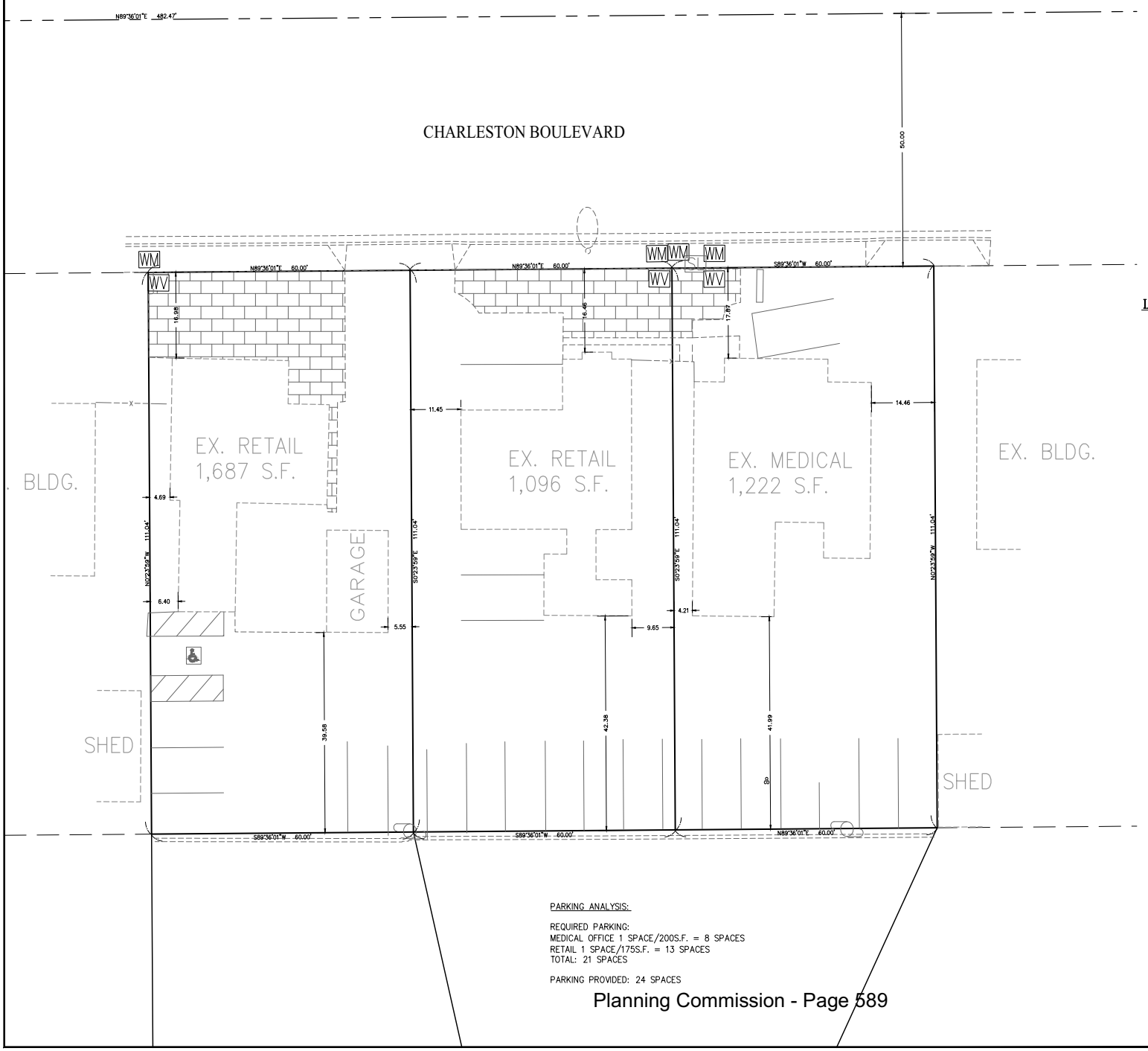
PRJ-76067
05/07/19

GRAPHIC SCALE

( IN FEET )
1 inch = 10 ft.

## BASIS OF BEARING

SOUTH 01°11'34" WEST – BEING THE EAST LINE OF THE NORTHWEST QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 03, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., AS SHOWN IN FILE 159 OF SURVEYS, PAGE 98, CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.




**LEGEND:**

- BOUNDARY LINE
- SECTION LINE
- CENTERLINE
- ADJACENT PROPERTY LINE
- EDGE OF PAVEMENT
- EASEMENT LINE
- BUILDING LINE
- BUILDING SETBACK LINE
- BLOCK WALL
- FENCE
- NOTHING FOUND OR SET
- FOUND MONUMENT AS DESCRIBED
- SQ.FT. SQUARE FEET
- APN ASSESSOR'S PARCEL NUMBER
- O.R. OFFICIAL RECORDS
- B.S.L. BUILDING SETBACK LINE
- (R) RADIAL LINE
- TRAFFIC SIGNAL
- SL STREET LIGHT BOX
- TS TRAFFIC SIGNAL BOX
- WM WATER METER
- W WATER BACKFLOW DEVICE
- WV RPPA
- GM GAS METER
- GV GAS VAULT
- TEL TELEPHONE VAULT
- TV TV BOX
- E ELECTRIC MANHOLE
- G GAS STUB
- B BOLLARD
- EM ELECTRIC METER
- EB ELECTRIC BOX
- EL ELECTRIC PANEL
- EV ELECTRIC VAULT
- T TRANSFORMER
- WATER VALVE
- CLEAN OUT
- S SEWER MANHOLE
- FH FIRE HYDRANT
- AREA LIGHT
- STREET LIGHT
- SIGNS
- GATE
- HANDICAP
- V VAULT
- SIGN
- UM UTILITY METER
- COLUMN
- P DRAIN PIPE
- D STORM DRAIN

PARKING ANALYSIS:

REQUIRED PARKING:
MEDICAL OFFICE 1 SPACE/200S.F. = 8 SPACES
RETAIL 1 SPACE/175S.F. = 13 SPACES
TOTAL: 21 SPACES

PARKING PROVIDED: 24 SPACES

RBJ-76067
05/07/19



| DATE | No. | REVISIONS | APP'D |
|---|---|---|---|

PREPARED FOR :
**A&M CHIROPRACTIC**

| | | | |
|---|---|---|---|
| DATE | 03/14/19 | | |
| DESIGN | LEY | | |
| DRAWN | LEY | | |
| CHECK | DT | | |
| SCALE | NOTED | | |

BAUGHMAN & TURNER, INC.
CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS
1210 HINSON STREET LAS VEGAS, NEVADA 89102
PHONE:(702) 870-8771 FAX:(702) 878-2695

**SITE SURVEY**
SECTION 03, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B.& M. NEVADA
**APN 162-03-511-026, 027 & 028**
CLV

SHEET 1 OF 1
PROJ. NO. A209

# Charleston & 10th, SWC
# Existing Elevations Exhibit

GCGARCIA
A Planning & Development Services Corporation
March 2019

## BUILDING 3



NORTH


EAST

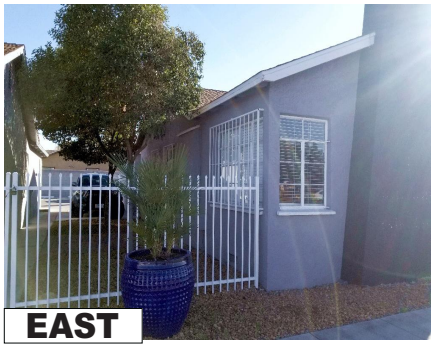

WEST


SOUTH

## BUILDING 2



NORTH


EAST


WEST


SOUTH

## BUILDING 1



NORTH


EAST


WEST



SOUTH



**ZON-76110 [PRJ-76067] - REZONING RELATED TO WVR-76111 - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL**
**820, 826 AND 830 EAST CHARLESTON BOULEVARD**

05/16/2019




**ZON-76110 [PRJ-76067] - REZONING RELATED TO WVR-76111 - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL**
**820, 826 AND 830 EAST CHARLESTON BOULEVARD**

05/16/2019

March 21, 2019

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

RE: Justification Letter: 820, 826 & 830 E. Charleston;
Request for a Zone Change from P-R to C-1 with Waivers
APNs#: 162-03-511-026, -027 & -028

Dear Mr. Summerfield:

On behalf of our clients, Alberto & Mericia Achaval, please accept this letter for an application for a Zone Change with Waivers for existing structures on three parcels located on the south side of Charleston Blvd and west of 10th Street, at 820, 826 & 830 E. Charleston Blvd (APNs# 162-03-511-026, -027 & -028). The request is to rezone the property from Professional Office (P-R) zoning to Commercial, Limited (C-1).

The site consists of three parcels on 0.45 +/- net acres that has Commercial (C) land use and Professional Office (P-R) zoning. The site contains existing professional offices that were converted from homes. Our client's intent is to seek a zone change to Commercial, Limited (C-1) for all three parcels.

The adjacent parcels to the north have a land use of Commercial (C) and are zoned C-2. The parcels to the east and west have a land use of Commercial (C) and zoned R-4 and P-R respectively. The parcels to the south have a land use of Low Density Residential (L) and are zoned R-1.

The request for Commercial, Limited (C-1) zoning land use is consistent with the General Plan and the Vision 2045 Downtown Master Plan and is compatible with the surrounding properties. This site is located within the Founders District of the 2045 Downtown Master Plan As described in Appendix F Interim Downtown Las Vegas Development Standards of Title 19, "the Founders District is described as one of the most well-preserved residential neighborhoods in the region. The Huntridge Theater and Circle Park are remarkable examples of early Las Vegas architecture and urban design. Many of the houses, streets, and landscape features of this area are particularly notable examples of a classic inner ring American suburb. What is lacking are 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. "

This request furthers the description of the Founders District by providing for zoning along Charleston Boulevard that in future will provide for opportunities for retail development that is not auto-oriented and yet still preserves the residential feel of the American suburb by maintaining existing site plan and elevations of the existing converted circa 1938 homes.

The applicant proposes to combine the three existing parcels into one parcel by means of a parcel map. This will provide for a more comprehensive site that will provide cross parking and cross access that functionally exist at the site today. Pursuant to Appendix F Interim Downtown Las Vegas Development Standards the conversion of the site to C-1 requires a waiver of Title 19 standards for the set yard setback for one of the existing buildings. The site provides 24 parking spaces where 21 will be required for conversion of two of the buildings from office uses to retail uses.

**ZONING CLASSIFICATION: Request from Professional Office (P-R) to Commercial Limited (C-1)**

The request for Commercial, Limited (C-1) zoning is consistent with the General Plan and the Vision 2045 Downtown Master Plan and is compatible with the surrounding properties. This site is located within the Founders District of the 2045 Downtown Master Plan as described in Appendix F Interim Downtown Las Vegas Development Standards of Title 19 and will further the Goal and Description of the District.

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

   The Commercial, Limited (C-1) District is consistent with the Commercial category of the General Plan. (UDC 19.08.060).

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

   The requested change in zoning from P-R to C-1 is compatible with the surrounding lands uses of Commercial and Low Density Residential. This request furthers the description of the Founders District by providing for zoning along Charleston Boulevard that in future will provide for opportunities for retail development that is not auto-oriented and the goal for a historic neighborhood by maintaining existing site plan and elevations of the converted 1938 homes.

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

   The need for additional retail services within the Founders is critical at this time as it will provide for more transit-oriented development along Charleston.

PRJ-76067
05/07/19

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**
   Charleston Boulevard is a high capacity primary arterial. The slight increase in traffic anticipated by the development request will not impact the capacity of Charleston Boulevard.

**WAIVER; Request to allow a side yard setbacks of 4.69 feet where 10 feet is required**

Per title 19 Appendix F Interim Downtown Las Vegas Development Standards a waiver is needed to allow a side yard setback of 4.69 feet where 10 feet is required on the west side of the westernmost existing building.

1. **The request does not exceed the prescribed limitations of the applicable provisions of this Title that specifically allow for a Waiver;**
   The request does not exceed the limitations of Title 19 as describe in Appendix F Interim Downtown Las Vegas Development Standards.

2. **Granting the Waiver will not be inconsistent with the spirit and intent of the General Plan;**
   The request waiver is consistent with the spirit and intent of the General Plan; specifically, the request furthers Policy 2.1.5 which encourages revitalization within the downtown area by providing for the relaxations of setback requirements.

3. **That one or more of the following conditions exist:**
   a. **There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;**
   b. **Granting the Waiver is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Waiver is sought;**
   c. **The Waiver will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or**
      Granting of this waiver for a reduction in setbacks for an existing building will not be detrimental to the public health, safety or general welfare as demonstrated by the fact the condition has existed for many years with no negative impact to the surround properties.
   d. **Granting the Waiver does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.**
      Within the Downtown area of the City of Las Vegas this waiver has been granted many times and as such granting this waiver will not provide for a special privilege to this property.

PRJ-76067
05/07/19

**SUMMARY JUSTIFICATION:**

The requested Zone Change and Waiver will meet the plans and policies of the City and help serve the area. It will allow for a change to a more compatible use.

The proposed use of the property, which is located along a primary arterial, has existing infrastructure and easy access to major roadways. It adds to the tax base, creates jobs, and provides additional services not currently available to the area.

We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,

Doug Rankin, AICP
Planning Manager

PRJ-76067
05/07/19

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

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JUN 20
Dept of Planning
City of Las Vegas

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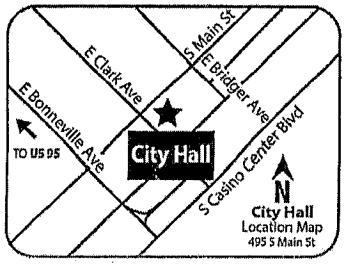
**Official Notice of Public Hearing**




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.

**ZON-76110 and WVR-76111 [PRJ-76067]**

Planning Commission Meeting of **06/25/2019**

PRJ-76067_1
16203511018
R & A TRUST ETAL
RIPP RONALD RAYMOND TRS
823 PARK PASEO
LAS VEGAS NV 89104-1533

Submitted after final agenda



31-32P

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

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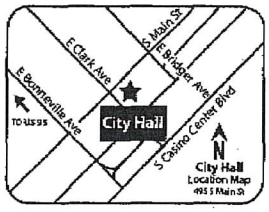


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

131 ORDFNP1 89144

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Las Vegas, NV
Permit No. 1630

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LUK DIANA A & KAYE C
10313 POMPEI PL
LAS VEGAS NV 89144

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JUN 24 2019
Dept of Planning
City of Las Vegas

06/24/2019 14:59 091-702-9148984 LUK PAGE 03



31-32P

City of Las Vegas
Department of Planning
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Las Vegas, Nevada 89106

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

PRJ-76067_1
16203513001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456

31-32A

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

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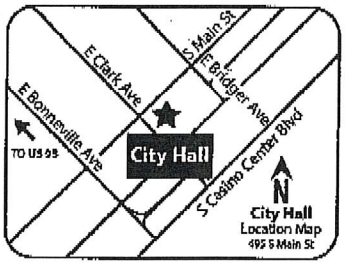


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

PRJ-76067_1
16203512001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456



31-32A

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

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

PRJ-76067_1
16203513003
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456



31-32A

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

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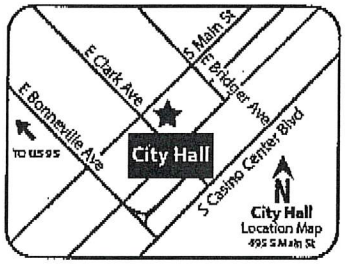


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City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

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16203513002
CHARLESTON BAZAR L L C
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

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31-32A

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

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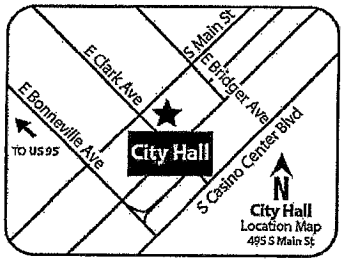


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City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76110 and WVR-76111 [PRJ-76067]**
Planning Commission Meeting of **06/25/2019**

PRJ-76067_1
13934810044
SAKEN JOEL PROPERTIES L L C
%J SAKEN MGT
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605



31-32A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**32**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
WVR-76111 - WAIVER RELATED TO ZON-76110 - PUBLIC HEARING - APPLICANT/OWNER: ALBERTO E. & MERICIA G. ACHAVAL - For possible action on a request for a Waiver TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.45 acres at 820, 826 and 830 East Charleston Boulevard (APN 162-03-501-007), P-R (Professional Office and Parking) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 3 (Coffin) [PRJ-76067]. Staff recommends APPROVAL.

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 5 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

**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) Waiver

**Project Address** (Location) 820, 826, & 830 E Charleston Blvd (Charleston & 10th, near SWC)

**Project Name** Charleston & 10th, SWC **Proposed Use** Office/ Retail

**Assessor's Parcel #(s)** 162-03-511-026, 027 & 028 **Ward #** 3

**General Plan:** Existing Commercial Proposed N/A **Zoning:** Existing P-R Proposed C-1

**Additional Information**

**Property Owner** Alberto E & Mericia G Achaval Contact

Address 830 E Charleston Blvd City Las Vegas State NV Zip 89104

E-mail drachaval@gmail.com Phone

**Applicant** Alberto E & Mericia G Achaval Contact

Address 830 E Charleston Blvd City Las Vegas State NV Zip 89104

E-mail drachaval@gmail.com Phone

**Representative** G.C. Garcia, Inc Contact Doug Rankin

Address 1055 Whitney Ranch Dr, Suite 210 City Henderson State NV Zip 89014

E-mail acole@gcgarciainc.com Phone 702-435-9909

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** Alberto Achaval

State of Nevada County of Clark

Subscribed and sworn before me

This 12th day of March, 20 19 by Alberto E Achaval

Notary Public in and for said County and State

RICARDO AYALA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 6-22-2020
Certificate No: 12-8060-1

PRJ-76067
05/07/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**33**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

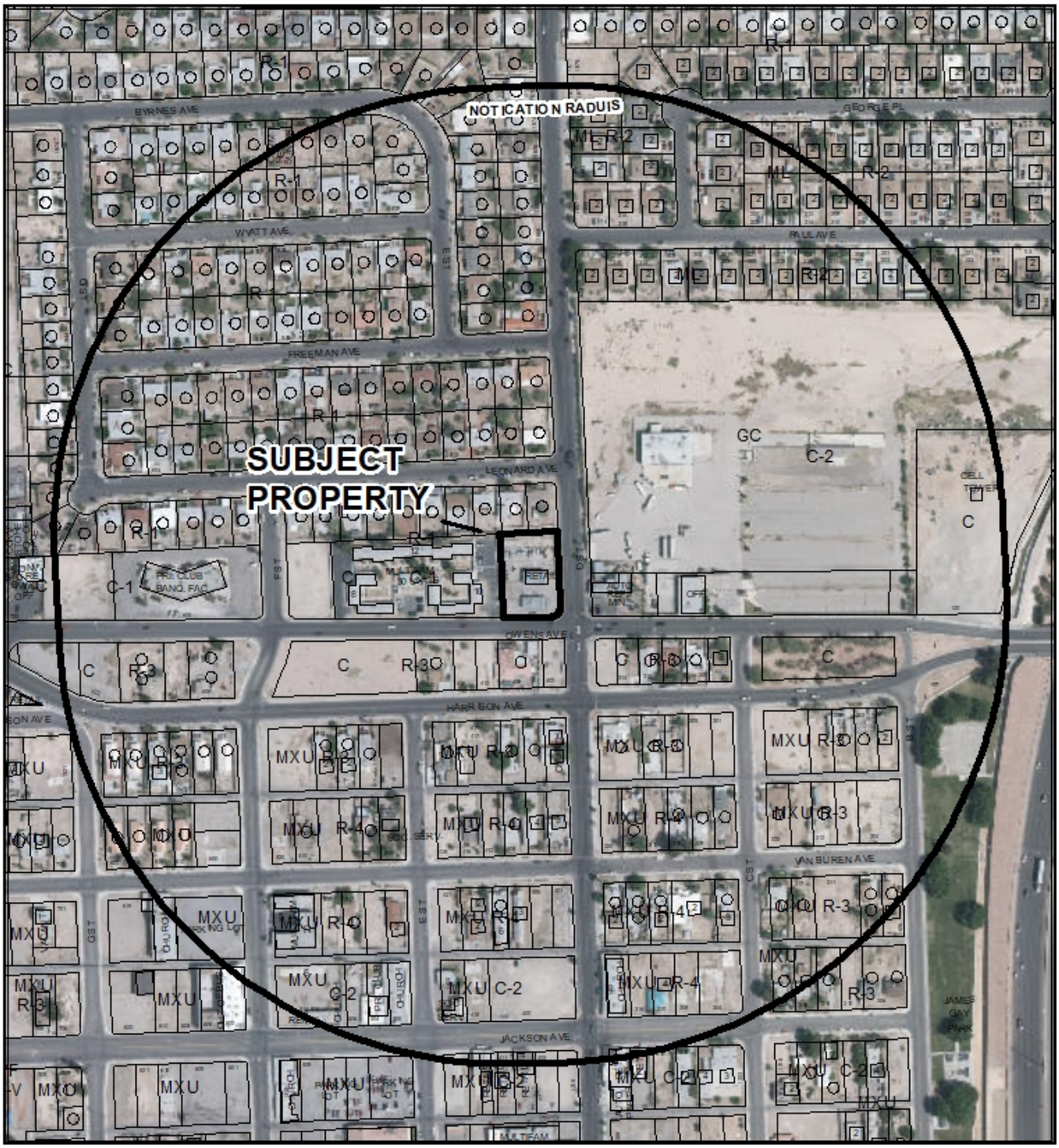
**SUBJECT:**
ZON-76475 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - ZON-76475, SUP-76476 and SDR-76477 [PRJ-74190]
2. Land Use Map
3. Conditions and Staff Report - ZON-76475, SUP-76476 and SDR-76477 [PRJ-74190]
4. Supporting Documentation - ZON-76475, SUP-76476 and SDR-76477 [PRJ-74190]
5. Photo(s) - ZON-76475, SUP-76476 and SDR-76477 [PRJ-74190]
6. Justification Letter - ZON-76475, SUP-76476 and SDR-76477 [PRJ-74190]
7. Submitted after Final Agenda - Support Postcards for ZON-76475 and SUP-76476 [PRJ-74190] and Documentation Not Vetted - Concern Postcard for ZON-76475 and SUP-76476 [PRJ-74190]

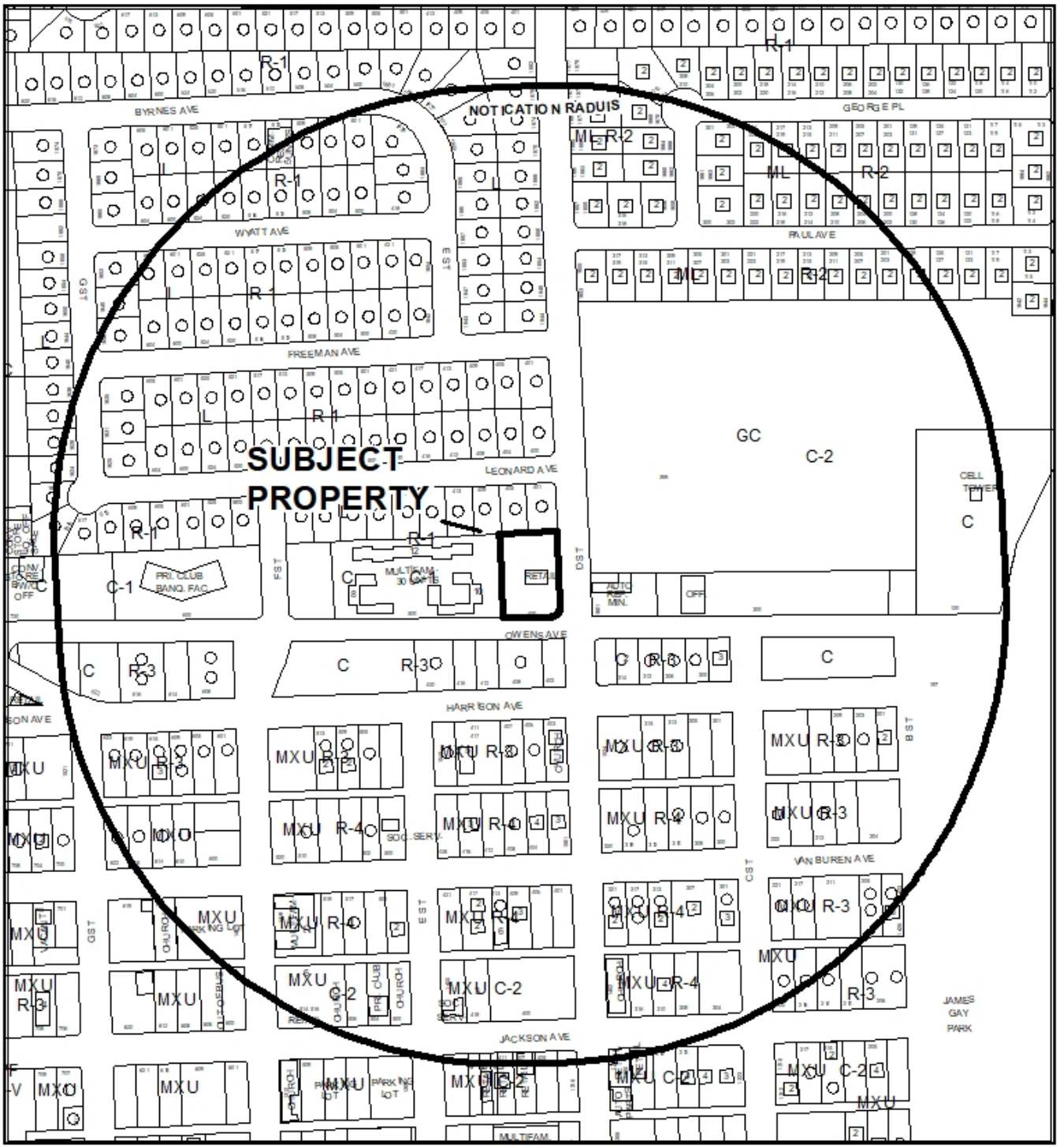



**CASE:** **ZON-76475, SUP-76476, SDR-76477 (PRJ-74190)**

**RADIUS:** 1000 FEET

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

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



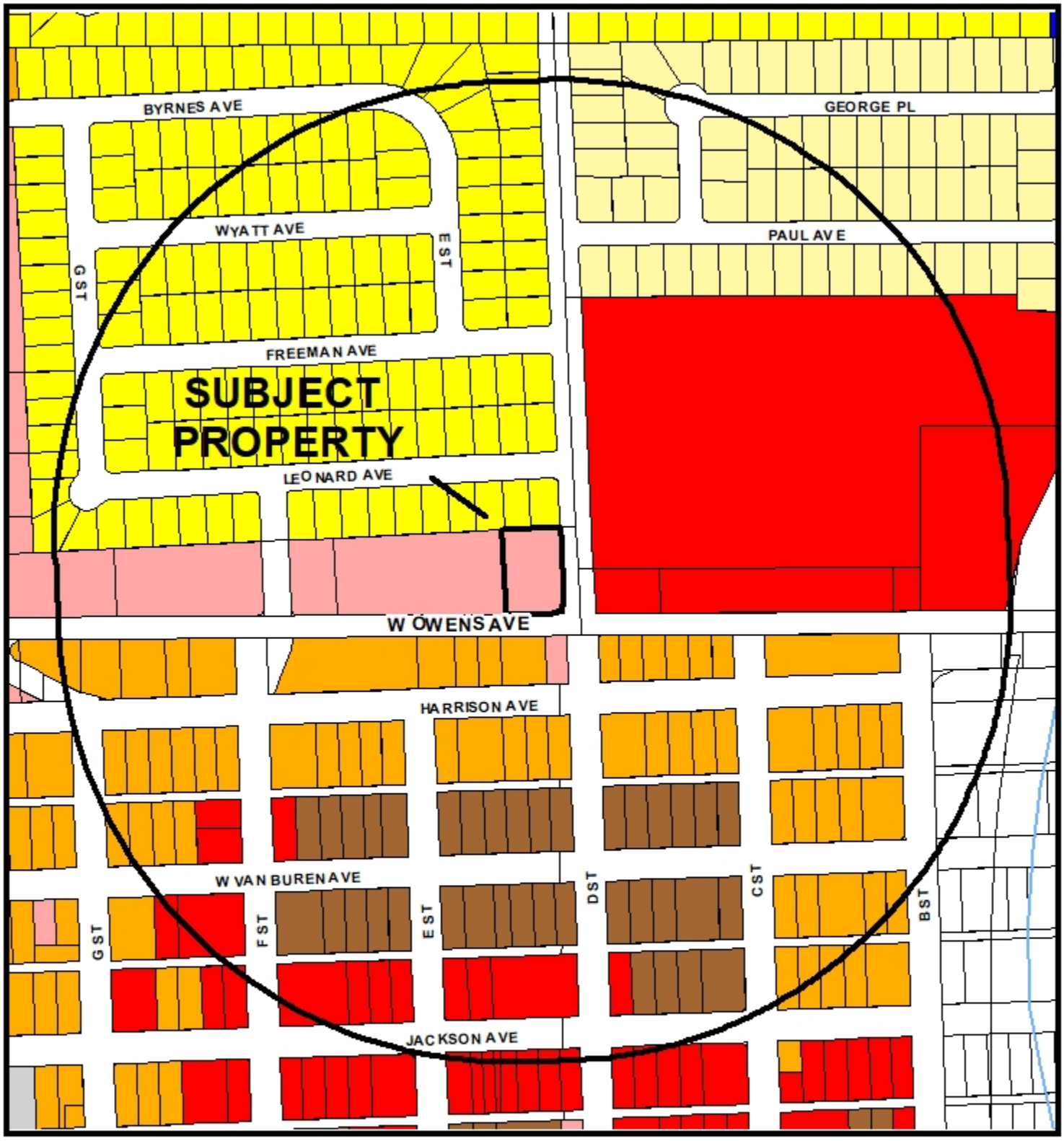

**CASE:** **ZON-76475, SUP-76476, SDR-76477 (PRJ-74190)**

**RADIUS:** 1000 FEET

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

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

# ZON-76475




## Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- TS-N - TS Neighborhood
- TS-M - TS Maker
- TS-MS Main Street
- TS-C - TS Corridor
- T6-UG - Urban General
- T6-UG-L - T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PS - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development

**FROM C-1 TO C-2**

Subject Property

1000ft Buffer

City Limits

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

Geographic Information System
Planning & Development Dept.
703.336.6301

Date: Thursday, May 9, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: JORGE CRUZ DIAZ**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-76475** | Staff recommends DENIAL. | |
| **SUP-76476** | Staff recommends DENIAL, if approved subject to conditions: | ZON-76475 |
| **SDR-76477** | Staff recommends DENIAL, if approved subject to conditions: | ZON-76475<br>SUP-76476 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**NOTICES MAILED**
286 - ZON-76475 and SUP-76476
286 - SDR-76477

**PROTESTS**
0 - ZON-76475 and SUP-76476
0 - SDR-76477

**APPROVALS**
0 - ZON-76475 and SUP-76476
0 - SDR-76477



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** CONDITIONS **

# SUP-76476 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Repair Garage, Major use.

2. Approval of a Rezoning (ZON-76475) and approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-76477) shall be required.

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

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

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

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

# SDR-76477 CONDITIONS

***Planning***

1. Approval of a Rezoning (ZON-76475) and approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76476) shall be required, if approved.

2. The site plan shall indicate a minimum six-foot solid wall adjacent to the residential properties to the north in conformance to Title 19.08.040.

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 05/07/19, except as amended by conditions herein.

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

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include one 24-inch shade tree at the end of each parking row (three additional required).

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

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

***Public Works***

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. Correct all Americans with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along “D” Street and Owens 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.

11. The driveway on “D” Street shall be egress only and the driveway width shall be approved by the City Traffic Engineer.

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 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.

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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to add 2,053 square feet to an existing 1,050 square-foot commercial building at 400 West Owens Avenue for the purposes of a proposed major auto repair garage. The site has previously been used for automotive parts and repair uses.

## ISSUES

- A Rezoning has been requested from C-1 (Limited Commercial) to C-2 (General Commercial) in order to allow a proposed Auto Repair Garage, Major use at this location.
- An Auto Repair Garage, Major use is conditionally permitted in the C-2 zoning district. However, as the use would be adjacent to property zoned R-1 (Single Family Residential), a Special Use Permit is required.
- An Exception is needed to allow two parking lot trees where five trees are required. Staff denies the Exception, as the other trees can easily be provided.
- Per Public Works condition of approval, the driveway on D Street shall be egress only and the driveway width shall be approved by the City Traffic Engineer.
- In accordance with Title 19.08.040, a condition of approval will require construction of a six-foot wall adjacent to the residential properties to the north where currently there is no screening.

## ANALYSIS

The subject property is zoned C-1 (Limited Commercial) and is located at the intersection of two main roadways (D Street and Owens Avenue) within the West Las Vegas Plan area. This zoning classification allows for most retail shopping and personal services, primarily at intersections of primary and secondary thoroughfares along the periphery of residential neighborhoods. The West Las Vegas Plan does not recommend changes to the zoning in this area, and the current zoning is consistent with the General Plan for this area. The parcel is located within the Las Vegas Redevelopment Area with a land use designation of C (Commercial), which remains appropriate for the Owens Avenue corridor.



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Other than property to the east of D Street adjacent to Interstate 15, there are no other properties zoned C-2 in this area. The C-2 District is intended to allow for retail, service, automotive, wholesale, office and other general business uses of an intense character. West of D Street, the Berkley Square residential neighborhood is established to the north, and single family dwellings are still present to the south, although many lots are now vacant. The Hundred Plan, approved in 2016, includes the Historic West Las Vegas neighborhood to the south of this site and was incorporated into the planning strategies for Vision 2045 Downtown Las Vegas Master Plan. The Hundred Plan calls for infill of the vacant areas of the neighborhood with a variety of housing types, gardens and community open spaces. In particular, the vision for Owens Avenue includes three to four-story mixed-use commercial and office uses with townhome development as a buffer to the adjacent residential neighborhoods. Rezoning to C-2 would encourage more intense uses to locate on the periphery of these neighborhoods without adequate buffering from negative effects such as noise, odor and increased traffic.

The Auto Repair Garage, Major use is defined as,

> "A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. This use includes a facility that provides collision services, including body, frame, or fender straightening, repair and painting of vehicles in an appropriate paint booth, and a facility that performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds."

The applicant's justification letter does not provide details explaining specifically which services would be offered at the proposed facility, but engine installation and repair and transmission and differential installation and repair are typically performed, in addition to service of larger vehicles.

An Auto Repair Garage, Major use is permitted conditionally in the C-2 (General Commercial) zoning district. Pursuant to Title 19.12.070 for this use, Conditional Use Regulation Number 7 states that an Auto Repair Garage, Major use shall not be located adjacent to any property zoned R-E, R-D, R-1, R-SL or R-CL unless that property has been developed with a nonresidential use. As the use is proposed on property adjacent to a single family dwelling to the north that is zoned R-1 (Single Family Residential), pursuant to Title 19.12.040 a Special Use Permit is required. There are no Minimum Special Use Permit Requirements for this use.

The proposed expansion of the existing building would contain four new west-facing service bays for an overall total of five bays. The roof of the addition slopes down from 15 feet to approximately 10 feet in height moving northward, allowing conformance to



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residential adjacency standards. Parking will be in conformance with Title 19 standards and includes spaces under the existing canopy. The plan includes new landscape buffers on all sides but in particular a 10-foot buffer along the north side of the property. Several parking lot landscape trees are missing from the ends of parking rows, which could easily be provided within the proposed buffer areas. A condition of approval will require three additional parking lot trees to be provided to meet Title 19 requirements.

Currently there is no screen wall along the north edge of the property to buffer the use from residential development; currently, a chain link fence is set back about 37 feet from the property line but will be removed to allow placement of the building addition. Existing walls and fences are situated on the adjacent residential properties. Per Title 19.08.040, a minimum six-foot (opaque) perimeter wall is required adjacent to any residential zoning district. A condition of approval will require construction of this new wall.

Conditional use regulations for the Auto Repair Garage, Major use prohibit the use from locating adjacent to an R-1 designated property with a single family residential use. There are no physical characteristics of the site that warrant deviating from this regulation. Other than a power line easement, there is no existing buffer (like a major roadway) that intervenes between the subject property and residential property. Moreover, the C-1 zoning district already allows for the Auto Repair Garage, Minor use. As a zone change to C-2 would be incompatible with this area and a minor repair garage is already allowed in this location, staff recommends denial of the Rezoning and Special Use Permit requests, with conditions if approved.

The Department of Public Works has noted that access and circulation for this site allow for ingress and egress from Owens Avenue but egress only onto D Street. Therefore, the driveway width along D Street should be reduced below the 32 feet indicated on the site plan. A condition of approval has been added requiring egress only to D Street and City Engineer approval of an acceptable driveway width.

According to the Traffic Engineering section of Public Works, this project would add approximately 51 trips per day on Owens Avenue and D Street. Currently, Owens Avenue is at about 16 percent of capacity and D Street is at about 26 percent of capacity. With this project, these capacities are expected to remain unchanged. Based on Peak Hour use, this development will add into the area roughly seven additional cars, or about one every nine minutes.

The Las Vegas Valley Water District (LVVWD) has provided the following comment concerning the proposed development:

“This parcel is currently served by LVVWD but the service does not have the required backflow prevention per NAC 445A.67195. Civil and plumbing plans will need to be submitted to LVVWD for domestic meter sizing, fire flow availability and backflow retrofit.”

## FINDINGS (ZON-76475)

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

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

   If approved, the proposed C-2 (General Commercial) zoning district would conform to the existing C (Commercial) General Plan designation on the subject parcel.

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

   The uses allowed in the C-2 zoning district would be compatible with the existing automotive related use to the east. However, such uses would not be compatible with existing residential development to the north and south of the site.

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

   West of D Street there are no properties zoned General Commercial, and properties along the north side of Owens Avenue are appropriately zoned C-1, which allows low intensity commercial and mixed use development. Rezoning the subject site to C-2 would encourage further encroachment of more intense commercial uses into the neighborhoods west of D Street.

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

   D Street lacks full roadway improvements adjacent to this site; however, roadway capacity is very low at this time and not expected to increase significantly. Public Works will require narrowing of the existing driveway along D Street to discourage traffic conflicts.

## FINDINGS (SUP-76476)

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 Repair Garage, Major use is inappropriate for this location, given the potential to be a nuisance use to existing single family development to the north and south.

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

   The subject site can physically accommodate the Auto Repair Garage, Major 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.**

   D Street lacks full roadway improvements adjacent to this site; however, roadway capacity is very low at this time and not expected to increase significantly due to the proposed Auto Repair Garage, Major use. Public Works will require narrowing of the existing driveway along D Street to discourage traffic conflicts.

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

   The proposed Auto Repair Garage, Major use will be subject to licensing review and regular inspection so as to not compromise public health, safety and welfare. As a goal, the Las Vegas 2020 Master Plan states that "mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation." Allowance of an Auto Repair Garage, Major at this location will not further this goal and will not contribute to the public welfare.

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

   The proposed use will not meet Regulation 7 of the Conditional Use Regulations, which prohibits this use adjacent to property zoned R-E, R-D, R-1, R-SL or R-CL except where a nonresidential use is on that property. A Special Use Permit is therefore required. There are no minimum Special Use Permit requirements for the Auto Repair Garage, Major use in the C-2 (General Commercial) zoning district.

**FINDINGS (SDR-76477)**

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 major auto repair garage development, if approved, would be too intense of a use for the area west of D Street, which primarily consists of residential dwellings and low intensity commercial development on the periphery of the residential neighborhoods.

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

   The proposed development substantially conforms to Title 19 development standards. Conditions of approval address correctable deficiencies. The West Las Vegas Plan and General Plan suggest that the existing intensity of commercial development should remain. The West Las Vegas Neighborhood Plan Recommendation 6.3 encourages the development of neighborhood commercial, rather than more intense general commercial development in the area.

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

   Circulation around the site is logical and will not negatively affect neighborhood traffic. Public Works recommends that access to D Street be for egress only and that the existing driveway width should be narrowed accordingly.

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

   Building materials are appropriate for this area. Landscape materials are drought-tolerant. Additional trees are required at the ends of parking rows to meet Title 19 requirements and to provide additional shading.

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

   The proposed building elevations consist of stucco exteriors and metal roll up doors. The elevations are sensitive to adjacent development, as the height of the building slopes down toward residential development, windows are provided facing D Street and service bays face a screened multi-family residential development.

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

Site development is subject to building permit review and inspection, thereby securing the public health, safety and general welfare.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 11/30/78 | The Board of Zoning Adjustment approved a request for a Variance (V-0097-78) to allow a transmission repair shop in conjunction with a service station within a C-1 zoning district where such use is not allowed at 400 West Owens Avenue. Staff recommended denial. The approval has expired. |
| 01/26/89 | The Board of Zoning Adjustment approved a request for a Variance (V-0158-88) to allow a transmission repair shop on property within a C-1 zoning district where such use is not allowed at 400 West Owens Avenue. Staff recommended approval. The approval expired 01/26/90. |
| 08/07/02 | The City Council approved a request for a Special Use Permit (U-0065-02) for a Car Wash, Full Service or Auto Detailing use at 400 West Owens Avenue. The Planning Commission recommended approval. The approval expired 10/30/07. |
| | The City Council approved a request for a Special Use Permit (U-0066-02) for an Auto Parts, Accessory Sales and Service use at 400 West Owens Avenue. The Planning Commission recommended approval. The approval expired 10/30/07. |
| 08/10/06 | The Planning Commission approved a request for a Site Development Plan Review (SDR-14769) for a proposed 1,792 square-foot addition to an existing contractor business and a waiver of perimeter landscaping requirements at 400 West Owens Avenue. Staff recommend approval. This entitlement was not exercised and expired 08/10/08. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/01/18 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/20/62 | A building permit (#14757) was issued for a service station with canopy at 400 West Owens Avenue. The permit was finalized on 03/14/63. |
| 10/09/98 | A business license (#C25-03587) was issued for a contractor at 400 West Owens Avenue. The license was marked out of business on 09/10/13. |
| 01/31/19 | Application (G67-00763) was made for a business license for a minor auto repair garage at 400 West Owens Avenue. Department of Planning staff denied its review, as a Special Use Permit is required for this use in the C-1 zoning district. The application was voided 02/06/19. |

| ***Pre-Application Meeting*** | |
|---|---|
| 08/15/18 | A pre-application meeting was held with the applicant to discuss submittal requirements for Special Use Permit and Site Development Plan Review applications for a Minor Auto Repair Garage. |
| 04/25/19 | After following up with the applicant, staff learned the requested use had changed to Auto Repair Garage, Major, which would require a Rezoning and a Special Use Permit. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | The site contains a vacant commercial building with a detached canopy structure situated along the Owens Avenue frontage. The rear of the site is screened by a wrought iron fence covered with mesh material. The site was clean and well maintained. The site backs up to the rear yards of two single family dwellings. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.57 |

| *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) |
| North | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| South | Single Family, Detached | C (Commercial) | R-3 (Medium-Density Residential) |
| | Undeveloped | | C-1 (Limited Commercial) |
| East | Undeveloped | GC (General Commercial) | C-2 (General Commercial) |
| | Auto Repair Garage, Minor | C (Commercial) | |
| West | Multi-Family Residential | C (Commercial) | C-1 (Limited Commercial) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| West Las Vegas Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (140 Feet/175 Feet) | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| 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 |



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## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 24,829 SF | N/A |
| Min. Lot Width | 100 Feet | 131 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 15 Feet | Y |
| • Side | 10 Feet | 60 Feet | Y |
| • Corner | 10 Feet | 27 Feet | Y |
| • Rear | 20 Feet | 41 Feet | Y |
| Max. Lot Coverage | 50 % | 19 % | Y |
| Max. Building Height | Limited by Residential Adjacency | 16 Feet (canopy is 22 feet) | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof or Trellis | Y |
| Mech. Equipment | Screened | Screened | Y |

***Pursuant to Title 19.08.040 the following standards apply:***

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope | 45 Feet | 89 Feet | Y |
| Adjacent development matching setback | 15 Feet | 41 Feet | Y |
| Trash Enclosure | 50 Feet | 95 Feet | Y |

| *Existing Zoning* | *Permitted Density* | *Units Allowed* |
|---|---|---|
| C-1 (Limited Commercial) | N/A | N/A |
| ***Proposed Zoning*** | ***Permitted Density*** | ***Units Allowed*** |
| C-2 (General Commercial) | N/A | N/A |
| ***General Plan*** | ***Permitted Density*** | ***Units Allowed*** |
| C (Commercial) | N/A | N/A |



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***Pursuant to Title 19.08, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 6 Trees | 6 Trees | Y |
| • South | 1 Tree / 20 Linear Feet | 4 Trees | 4 Trees | Y |
| • East | 1 Tree / 30 Linear Feet | 6 Trees | 7 Trees | Y |
| • West | 1 Tree / 20 Linear Feet | 8 Trees | 8 Trees | Y |
| **TOTAL PERIMETER TREES** | | **24 Trees** | **25 Trees** | **Y** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 5 Trees | 2 Trees | N |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 8 Feet | | 10 Feet | Y |
| • South | 15 Feet | | 15 Feet | Y |
| • East | 15 Feet | | 15 Feet | Y |
| • West | 8 Feet | | 8 Feet | Y |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | 6 Feet existing block and wrought iron | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Owens Ave | Primary Arterial | Master Plan of Streets and Highways Map | 49 | Y* |
| D Street | Minor Collector | Title 13 | 55 | N |

*Special Design Roadway – one-way couplet with Harrison Avenue

***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 | |
| Auto Repair Garage, Major | 3,103 SF | 5 spaces, plus 1 per 200 SF GFA | 21 | | | | |
| **TOTAL SPACES REQUIRED** | | | 21 | | 21 | | Y |
| **Regular and Handicap Spaces Required** | | | 20 | 1 | 20 | 1 | Y |
| Loading Spaces | 3,103 SF | Less than 10,000 SF GFA | 1 | | 1 | | Y |

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| One 24” box shade tree every 6 parking spaces in islands and at end of parking rows (5 trees required) | To allow 2 parking lot trees | Denial |



SS

# 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) 400 W OWENS AVE

**Project Name** 400 OWENS SUP **Proposed Use** AUTO REPAIR - MAJOR

**Assessor's Parcel #(s)** 139-22-403-003 **Ward #** 5 - Cedric Crear

**General Plan:** Existing 1,050.00 Proposed 3,012.00 **Zoning:** Existing C-1 Proposed C-1

**Additional Information**

**Property Owner** DIAZ JORGE CRUZ Contact

Address 2321 E WILSON AVE City LAS VEGAS State NV Zip 89101

E-mail Phone

**Applicant** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

**Representative** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

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** x Jorge Diaz

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

**Print Name** x JORGE CRUZ DIAZ

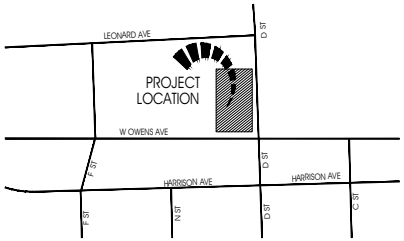
Subscribed and sworn before me

This 07 day of MAY , 20 19

Notary Public in and for said County and State

ROBERTO MORALES RIOS
Notary Public State of Nevada
No. 14-15042-1
My Appt. Exp. September 13, 2022

PRJ-74190
05/08/19




1 VICINITY PLAN
NTS

## CODE ANALYSIS
## PROJECT DATA

| | |
|---|---|
| A.P.N. : | 139-22-403-003 |
| ACREAGE : | 0.57 ACRES |
| ZONING : | LIMITED COMMERCIAL DISTRICT (C-1) |
| SEISMIC ZONE : | D |
| TYPE OF CONSTRUCTION : | V - B |
| BUILDING DEPARTMENT : | LAS VEGAS |
| FIRE SPRINKLERS: | NO |
| MAX. HEIGHT ALLOWED: | EXISTING BUILDING |
| MAX. STORIES ALLOWED: | EXISTING BUILDING |
| EXISTING FLOOR AREA: | 1050.00 SF |
| DISPLAY SPACES: | 6 SPACES |
| OCCUPANCY CALCULATION: | 28 Occupants |

PARKING REQUIRED:

PARKING ANALYSIS

BASIS OF DESIGN
19.12.070 PERMISSIBLE USE DESCRIPTIONS AND APPLICABLE CONDITIONS AND REQUIREMENTS
AUTO REPAIR GARAGE, MAJOR
ON-SITE PARKING REQUIREMENT: FIVE SPACES, PLUS ONE SPACE FOR EACH 200 SQUARE FEET OF GROSS FLOOR AREA.

GROSS FLOOR AREA OF EXISTING BUILDING = 2510" x 420" = 1050.00 SF
GROSS FLOOR AREA OF BUILDING ADDITION = 4810.5" x 420" = 2052.75 SF
TOTAL PARKING REQUIRED= 1050.00 SF + 2052.90 SF = 3102.84 SF
3102.75 SF : 200 SF = 15.51 :. 16
5 + 16 = 21 SPACES

HANDICAP PARKING REQUIREMENTS (TABLE 1 - HANDICAP PARKING REQUIREMENTS 19.18.030(D)

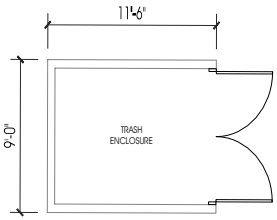
| TOTAL NUMBER OF REQUIRED PARKING SPACES | NUMBER OF HANDICAPPED PARKING SPACES REQUIRED |
|---|---|
| 1 TO 25 | 1 |

| | |
|---|---|
| TOTAL PARKING REQUIRED= | 21 SPACES |
| TOTAL PARKING PROVIDED= | 21 SPACES |
| TOTAL HANDICAPPED PARKING REQUIRED= | 1 SPACE |
| TOTAL HANDICAPPED PARKING PROVIDED= | 1 SPACE |

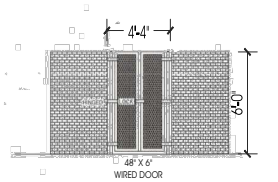
BUILDING CODES : 2012 IBC, UMC, UPC, IECC, IRC, ISPSC, 2011 NEC, 2009 IFC AND SOUTHERN NEVADA AMENDMENTS.

## ARCHITECTURAL PLANS

| | |
|---|---|
| A101 | SITE/LANDSCAPE PLAN |
| A201 | AS BUILT AND NEW FLOOR PLAN |
| A301 | SOUTH AND NORTH ELEVATIONS |
| A302 | EAST AND WEST ELEVATIONS |




3 TRASH ENCLOSURE
1/4"=1'-0"

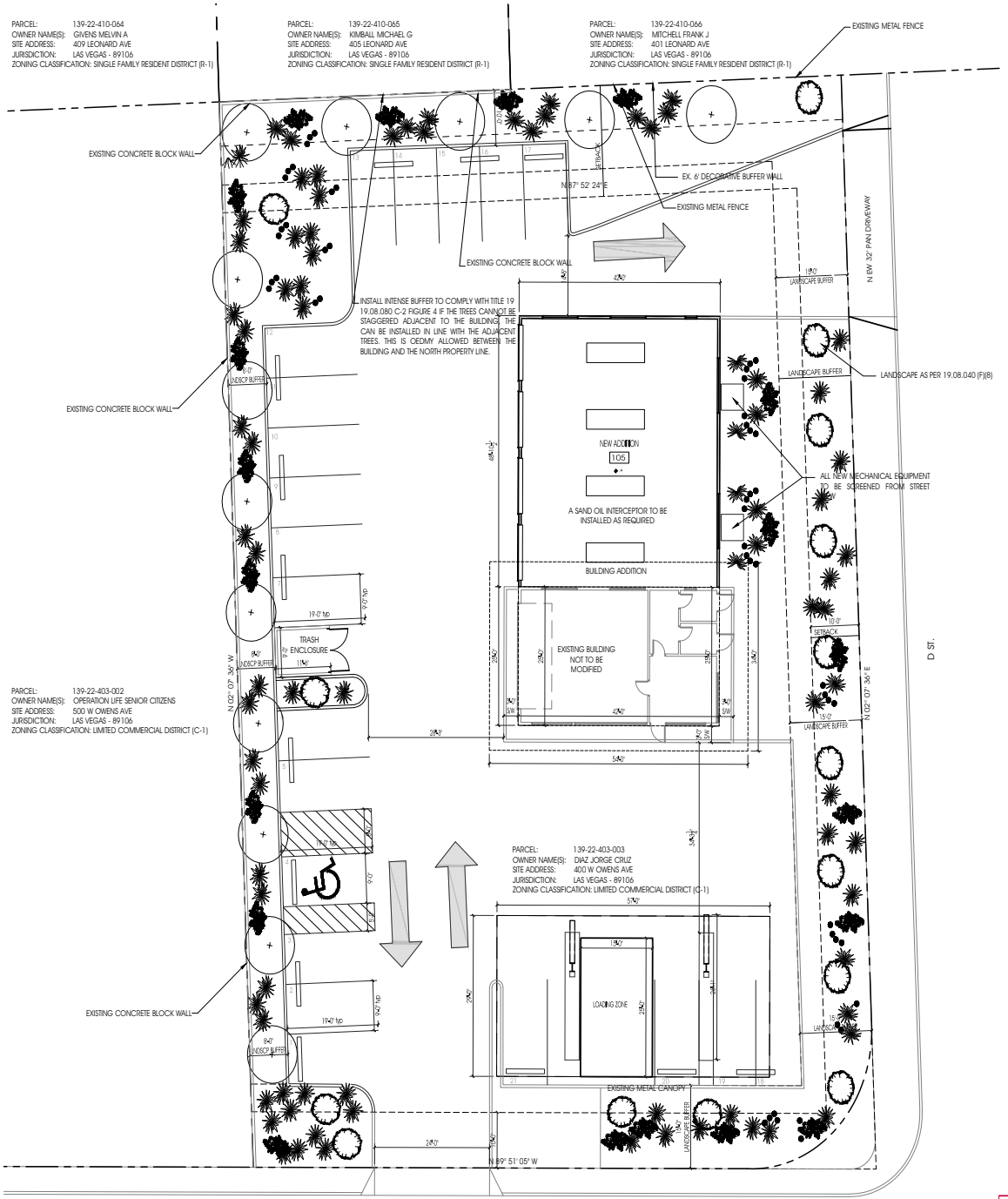



4 GATE DETAIL
1/4"=1'-0"

THE TREES AND SHRUBS INDICATED FOR THIS PROJECT ARE IN COMPLIANCE WITH THE SOUTHERN NEVADA REGIONAL PLANNING COALITION REGIONAL PLANT LIST.

LANDSCAPING LEGEND — ALL THE LANDSCAPING MOST COMPLIANT WITH TITLE 30 STANDARDS.

| SYMBOL | DESIGNATION | SIZE |
|---|---|---|
| | RED YUCCA | 5 GAL |
| | PETITE PINK OLEANDER | 5 GAL |
| | FESTUCA OVINA GLAUCA | 16 GAL @ 18" O.C. |
| | RED PUSH PISTACHE | 24" BOX (LARGE) |
| | MONDELL/AFAGHAN PINE | 24" BOX (LARGE) |




2 SITE PLAN AS PER APPROVED SPECIAL USE PERMIT LAND USE APPLICATION
3/32"=1'-0"



TITLE: SITE/LANDSCAPE PLAN
PROJECT: 400 OWENS SUP
ADDRESS: 400 OWENS AVE LAS VEGAS, NV, 89106 APN 139-22-403-003

REVISIONS

SEAL

DRAWN BY: EDM
DESIGNED BY: EDM
STATUS: IN PROCESS
DATE: 04 25 2019
PROJECT NO. 1824-OWN
SCALE: AS NOTED

PRJ-74190
05/07/19

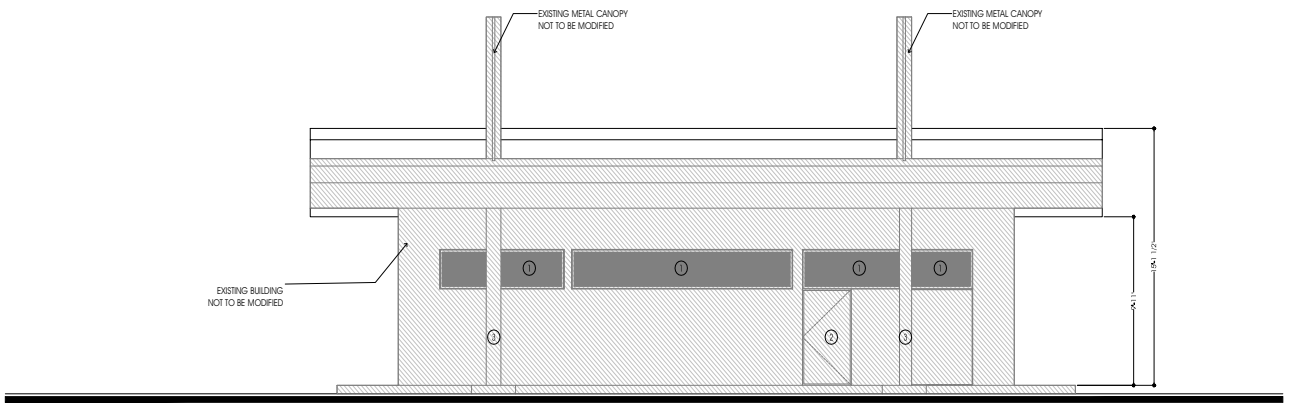
A101

LEGEND

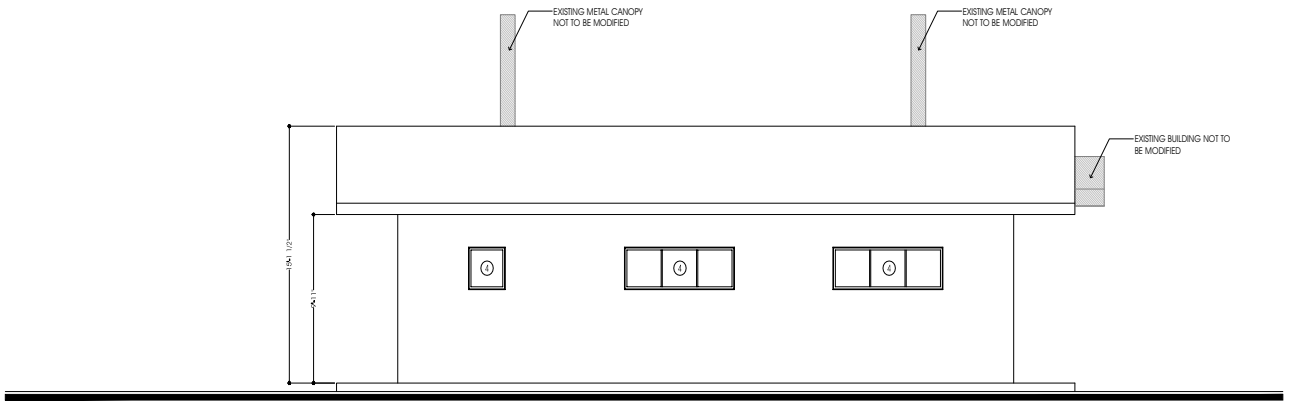
(0) → KEY NOTE ELEVATION

KEY NOTES

1. EXISTING WINDOW.
2. EXISTING DOOR.
3. EXISTING COLUMN.
4. EXISTING WINDOW TO BE RELOCATE.
5. NEW DOOR.
6. NEW WINDOW.
7. NEW METAL FLASHING.




1 SOUTH ELEVATION
1/4" = 1'-0"




2 NORTH ELEVATION
1/4" = 1'-0"



TITLE SOUTH AND NORTH ELEVATIONS

PROJECT 400 OWENS SUP

ADDRESS 400 OWENS AVE
LAS VEGAS, NV, 89106
APN 139-22-403-003

REVISIONS

SEAL

DRAWN BY: EDM
DESIGNED BY: EDM
STATUS: IN PROCESS
DATE: 04 25 2019
PROJECT NO. 1824-OWN
SCALE: AS NOTED

PRJ-74190
05/07/19

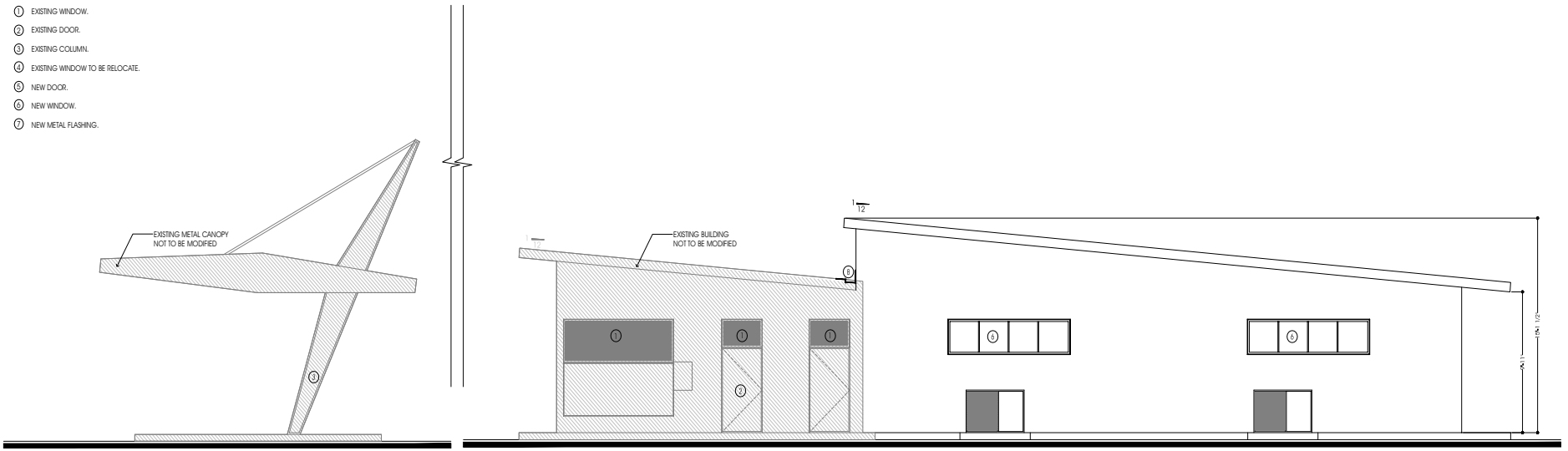
A301

LEGEND

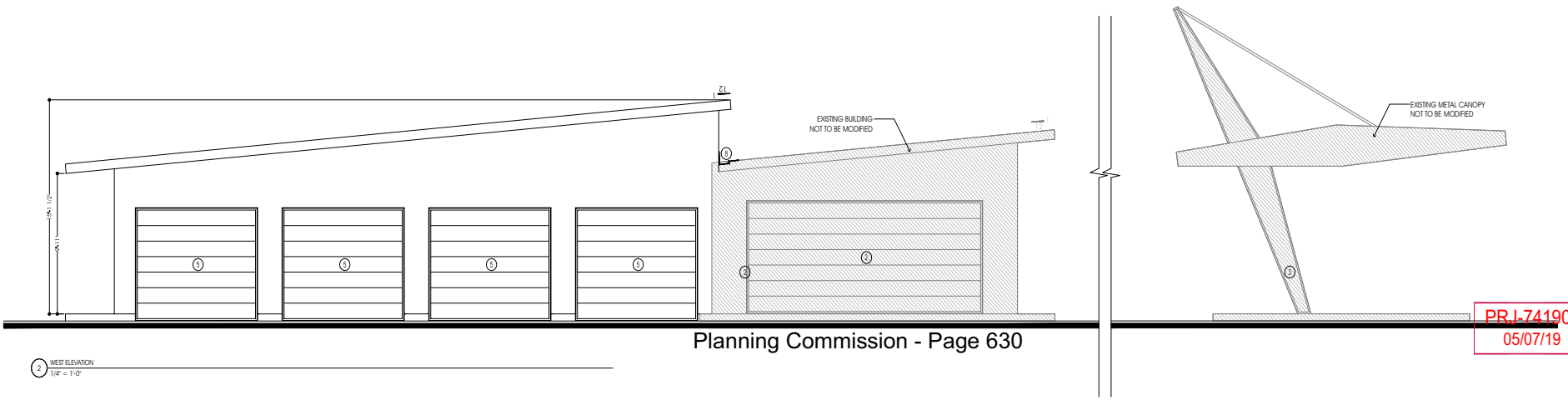
(0) KEY NOTE ELEVATION

KEY NOTES

1. EXISTING WINDOW.
2. EXISTING DOOR.
3. EXISTING COLUMN.
4. EXISTING WINDOW TO BE RELOCATE.
5. NEW DOOR.
6. NEW WINDOW.
7. NEW METAL FLASHING.




1 EAST ELEVATION
1/4" = 1'-0"




2 WEST ELEVATION
1/4" = 1'-0"

TITLE EAST AND WEST ELEVATIONS

PROJECT 400 OWENS SUP

ADDRESS 400 OWENS AVE
LAS VEGAS, NV, 89106
APN 139-22-403-003

REVISIONS

SEAL

DRAWN BY: EDM
DESIGNED BY: EDM
STATUS: IN PROCESS
DATE: 04 25 2019
PROJECT NO. 1824-OWN
SCALE: AS NOTED

PRJ-74190
05/07/19

A302

LEGEND

EXISTING WALL

NEW WALL 6"

KEY NOTE FLOOR

KEY NOTE ELEVATION

INDICATES ROOM/SPACE NO.

INDICATES ROOM/SPACE NAME.

ROOM/SPACE NUMBER

INDICATES ELEVATION NO.

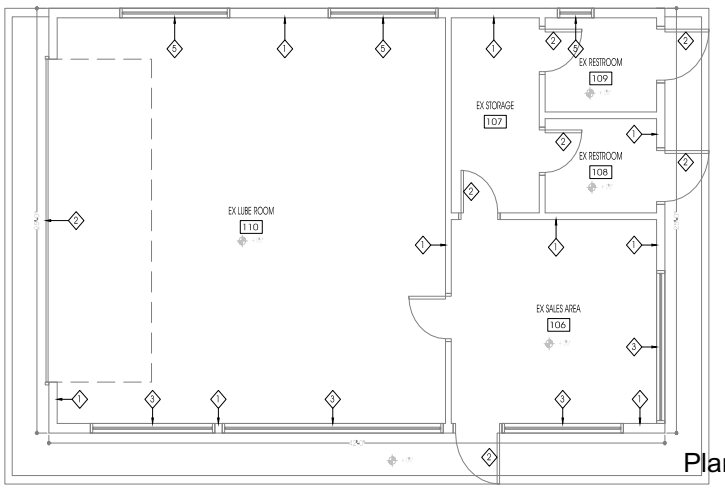
INDICATES DRAWING SHEET NO. ON WHICH ELEVATION IS SHOWN

ELEVATION MARK

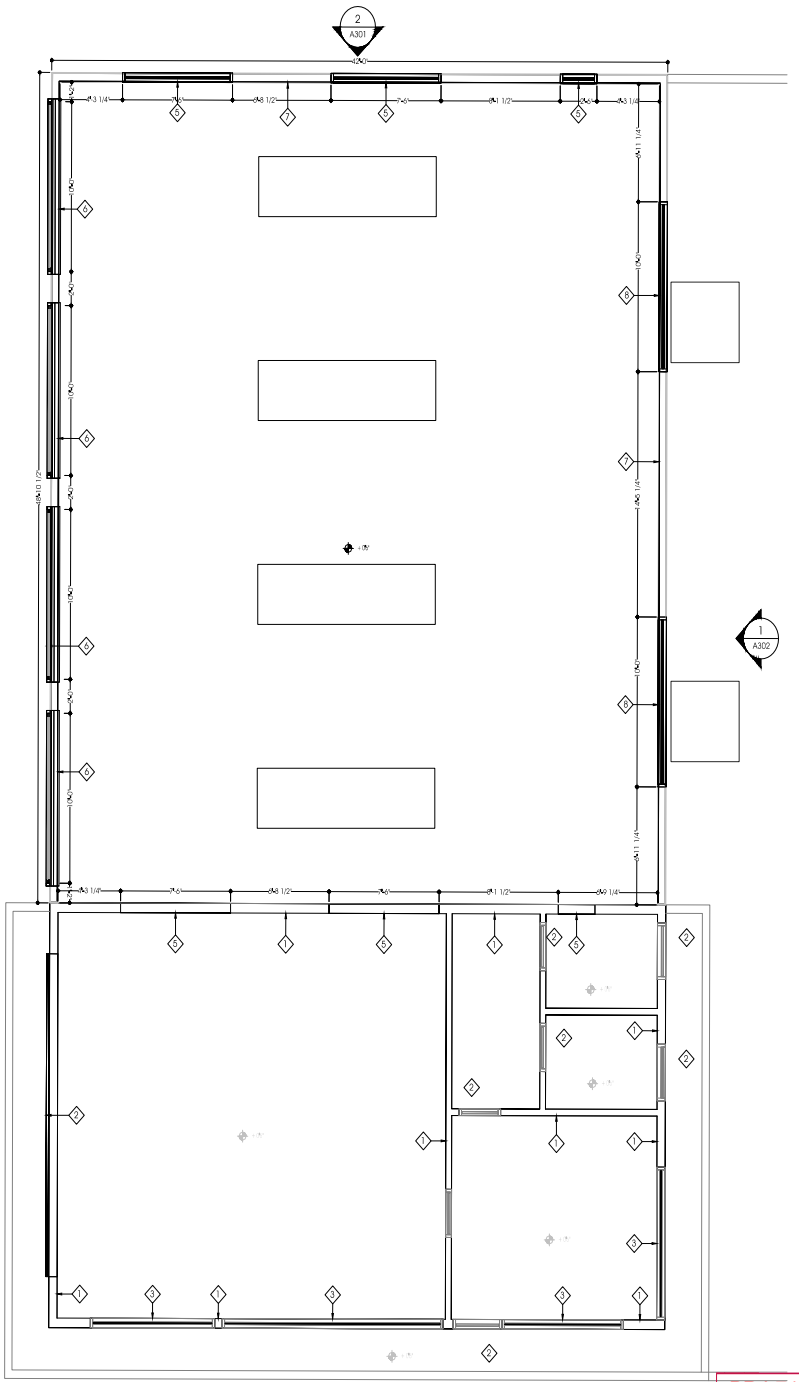
DATUM OR ELEV. POINT

FLOOR PLAN NOTES

1. EXISTING WALL.
2. EXISTING DOOR.
3. EXISTING WINDOW.
4. EXISTING COLUMN.
5. EXISTING WINDOW TO BE REMOVE / RELOCATE.
6. NEW DOOR.
7. NEW WALL.
8. NEW WINDOW.




1 AS BUILT PLAN
1/4" = 1'-0"



2 NEW FLOOR PLAN
1/4" = 1'-0"

TITLE: AS BUILT AND NEW FLOOR PLAN

PROJECT: 400 OWENS SUP

ADDRESS: 400 OWENS AVE
LAS VEGAS, NV, 89106
APN 139-22-403-003

REVISIONS

SEAL

DRAWN BY: EDM
DESIGNED BY: EDM
STATUS: IN PROCESS
DATE: 04.25.2019
PROJECT NO. 1824-OWN
SCALE: AS NOTED

PRJ-74190
05/07/19

A201




**ZON-76475 [PRJ-74190] - REZONING RELATED TO SUP-76476 AND SDR-76477 - APPLICANT/OWNER: JORGE CRUZ DIAZ**
**400 WEST OWENS AVENUE**

05/16/2019



**ZON-76475 [PRJ-74190] - REZONING RELATED TO SUP-76476 AND SDR-76477 - APPLICANT/OWNER: JORGE CRUZ DIAZ**
**400 WEST OWENS AVENUE**

05/16/2019




**ZON-76475 [PRJ-74190] - REZONING RELATED TO SUP-76476 AND SDR-76477 - APPLICANT/OWNER: JORGE CRUZ DIAZ**
**400 WEST OWENS AVENUE**

05/16/2019

APRIL 25, 2019

TO: LAS VEGAS DEPARMENT PLANNING
333 N Rancho Dr.
Las Vegas, NV 89106

# PROJECT JUSTIFICATION LETTER

RE: PRJ-74190

To Whom It May Concern;

We would like to request the approval of a Site Development review, and Zone change from C-1 to C-2 and a Special User Permit, for an existing Automotive Maintenance Building to become an Auto Repair Garage, Major located at the 400 Owens Ave. Las Vegas, NV. 89106 APN 139-22-403-003 adding 4 doors to the building.

We know the property complies with all the City of Las Vegas requirements to be accepted this Special Use Permit and we are aware that this is just part of the process to obtain the approval.

We thank you and have the certainty than you will help us to achieve our goal on making this project reality.

Sincerely

Edgar D. Montalvo

PRJ-74190
05/07/19

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

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




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

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**ZON-76475 and SUP-76476 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

PRSRT
FIRST CLASS MAIL
U.S. Postage
**PAID**
Las Vegas, NV
Permit No. 1630

RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

PRJ-74190
13927110020
WIDOW'S MITE N V NON-PROFIT CORP
500 W VAN BUREN
LAS VEGAS NV 89106

87 DRDFNP1 89106

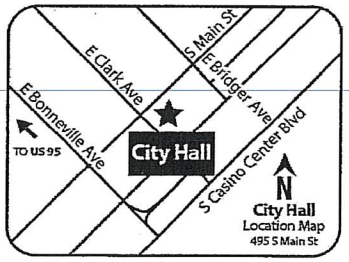
Submitted after final agenda



33-34 A

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

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

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**ZON-76475 and SUP-76476 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

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Las Vegas, NV
Permit No. 1630

We support small business in the neighborhood.

RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

PRJ-74190
13927110043
WIDOW'S MITE INC
500 W VAN BUREN AVE
LAS VEGAS NV 89106-3039

87 DRDFNP1 89106



33-34A

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

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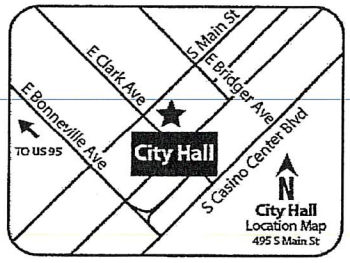
Las Vegas, NV
Permit No. 1630

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




RECEIVED
JUN 24 2019
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.
**ZON-76475 and SUP-76476 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

PRJ-74190
13927110044
WIDOWS MITE
500 W VAN BUREN AVE
LAS VEGAS NV 89106

87 DRDFNP1 89106



33-34A

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

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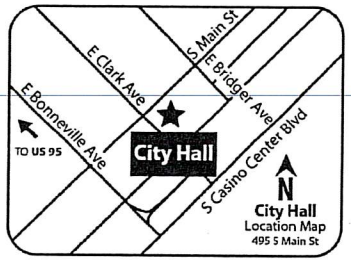
Las Vegas, NV
Permit No. 1630

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




RECEIVED
JUN 19 2019
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.
**ZON-76475 and SUP-76476 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

PRJ-74190
13922410105
GLOVER ADA LIVING TRUST
GLOVER ADA TRS
1404 MEZPAH DR
LAS VEGAS NV 89106-1936

67 ORDFHP1 89106

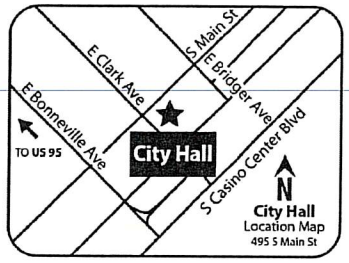


33-34A

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
JUN 19 2019
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.

**ZON-76475 and SUP-76476 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

PRJ-74190
13922410117
GLOVER ADA B
DANIELS DELORES
1404 MEZPAH DR
LAS VEGAS NV 89106-1936

67 DRDFNP1 89106



33-34A

RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

Dear Planners,

You are opening a new business for Owens. 2 mechanic businesses that attract plenty of customers are on Leonard who operate on vehicles between D, F and G Street. It is not fair to have the single houses near F and Leonard abuse repair rights without certification or license. They go undetected with selective hours hiding business. The operators are well aware of flaws in enforcement.

Anonymous

the 600's & 500's addresses

Submitted after final agenda



33-35C

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**34**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76476 - SPECIAL USE PERMIT RELATED TO ZON-76475 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MAJOR USE at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, 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) SPECIAL USE PERMIT

**Project Address** (Location) 400 W OWENS AVE

**Project Name** 400 OWENS SUP **Proposed Use** AUTO REPAIR - MAJOR

**Assessor's Parcel #(s)** 139-22-403-003 **Ward #** 5 - Cedric Crear

**General Plan:** Existing 1,050.00 Proposed 3,012.00 **Zoning:** Existing C-1 Proposed C-1

**Additional Information**

**Property Owner** DIAZ JORGE CRUZ Contact

Address 2321 E WILSON AVE City LAS VEGAS State NV Zip 89101

E-mail Phone

**Applicant** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

**Representative** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

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** x Jorge Diaz

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

**Print Name** x JORGE CRUZ DIAZ

Subscribed and sworn before me

This 07 day of MAY , 20 19

Notary Public in and for said County and State

ROBERTO MORALES RIOS
Notary Public State of Nevada
No. 14-15042-1
My Appt. Exp. September 13, 2022

PRJ-74190
05/08/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**35**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-76477 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-76475 AND SUP-76476 - PUBLIC HEARING - APPLICANT/OWNER: JORGE CRUZ DIAZ - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED 2,053 SQUARE-FOOT EXPANSION OF AN EXISTING 1,050 SQUARE-FOOT BUILDING on 0.57 acres at 400 West Owens Avenue (APN 139-22-403-003), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 5 (Crear) [PRJ-74190]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 4 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Support Postcards

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

# 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) 400 W OWENS AVE

**Project Name** 400 OWENS SUP **Proposed Use** AUTO REPAIR - MAJOR

**Assessor's Parcel #(s)** 139-22-403-003 **Ward #** 5 - Cedric Crear

**General Plan:** Existing 1,050.00 Proposed 3,012.00 **Zoning:** Existing C-1 Proposed C-1

**Additional Information**

**Property Owner** DIAZ JORGE CRUZ Contact

Address 2321 E WILSON AVE City LAS VEGAS State NV Zip 89101

E-mail Phone

**Applicant** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

**Representative** EDGAR DE MONTALVO Contact

Address 2209 TOSCA ST 8-101 City LAS VEGAS State NV Zip 89128

E-mail comments@xpconsult.net Phone 702-479-8664

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** X Jorge Diaz

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

**Print Name** X JORGE CRUZ DIAZ

Subscribed and sworn before me

This 07 day of MAY , 20 19

Notary Public in and for said County and State

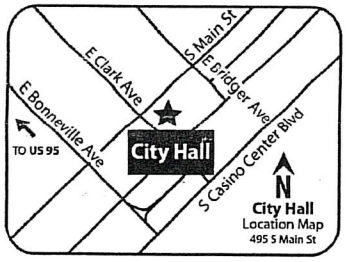
ROBERTO MORALES RIOS
Notary Public State of Nevada
No. 14-15042-1
My Appt. Exp. September 13, 2022

PRJ-74190
05/08/19

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
JUN 18
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.

**SDR-76477 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

PRJ-74190
13927110148
FERNANDEZ-WHEELER NAZAREE
605 HARRISON AVE
LAS VEGAS NV 89106-3018

Submitted after final agenda
35A

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

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




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

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76477 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

Doug's Auto is our mechanic! D & Owens

PRSRT
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**PAID**
Las Vegas, NV
Permit No. 1630

RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

PRJ-74190
13927110020
WIDOW'S MITE N V NON-PROFIT CORP
500 W VAN BUREN
LAS VEGAS NV 89106

87 DRDFNP1 8906

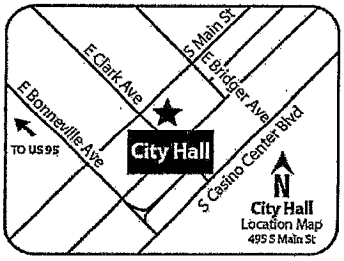


35A

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**




Doug's Auto has been a great mechanic for our vehicles!

RECEIVED
JUN 24 2019
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.

PRJ-74190
13927110044
WIDOWS MITE
500 W VAN BUREN AVE
LAS VEGAS NV 89106

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76477 [PRJ-74190]**
Planning Commission Meeting of **06/25/2019**

87 DRDFNP1 89106



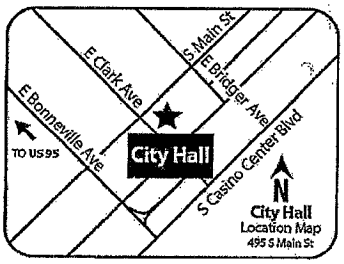
35A

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

RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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




We support small businesses in the neighborhood!

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.

PRJ-74190
13927110043
WIDOW'S MITE INC
500 W VAN BUREN AVE
LAS VEGAS NV 89106-3039

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76477 [PRJ-74190]**

Planning Commission Meeting of **06/25/2019**

87 DRDFNP1 89106



35A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**36**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

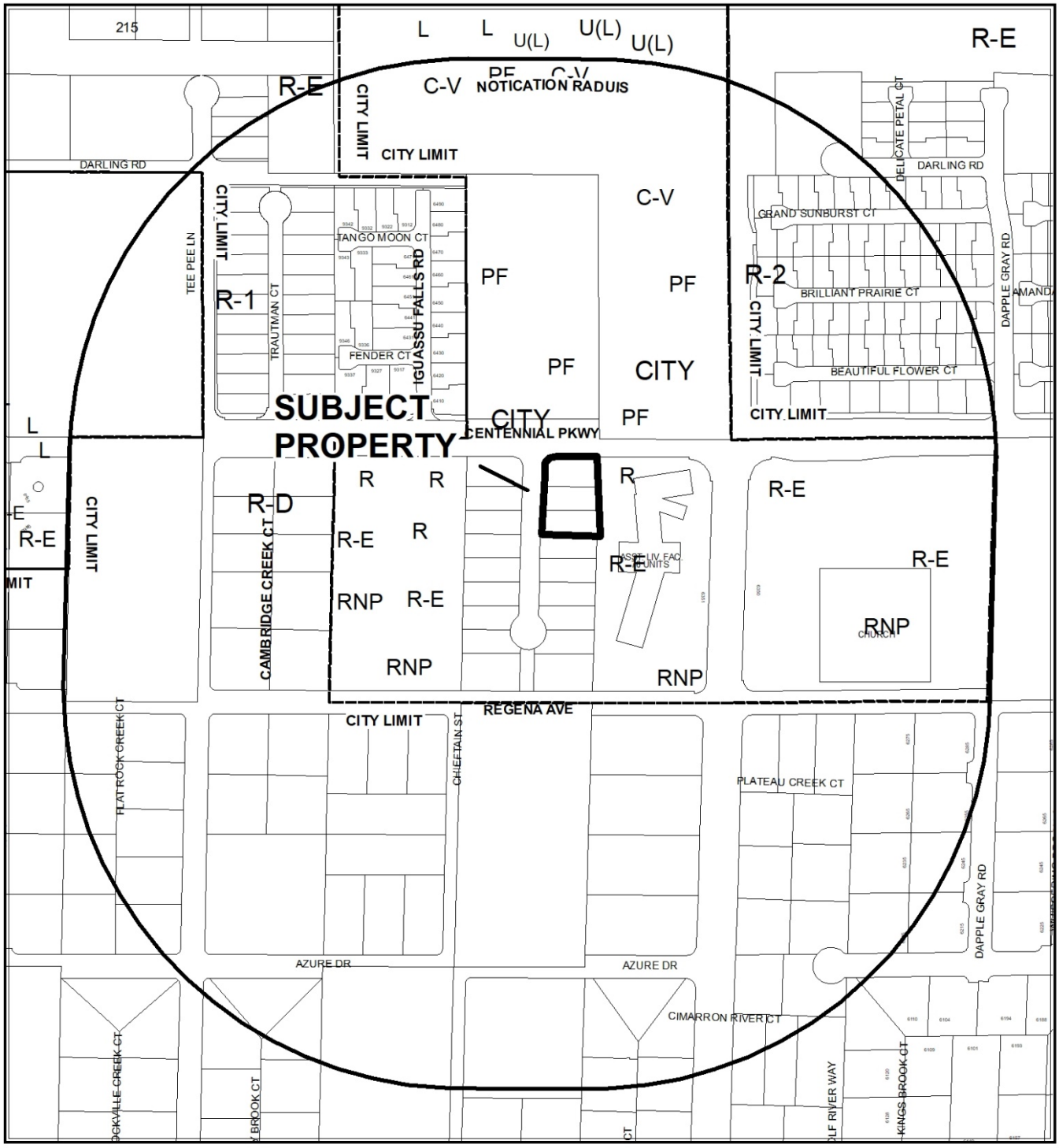
**SUBJECT:**
VAR-76459 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 16 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.19 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-016), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

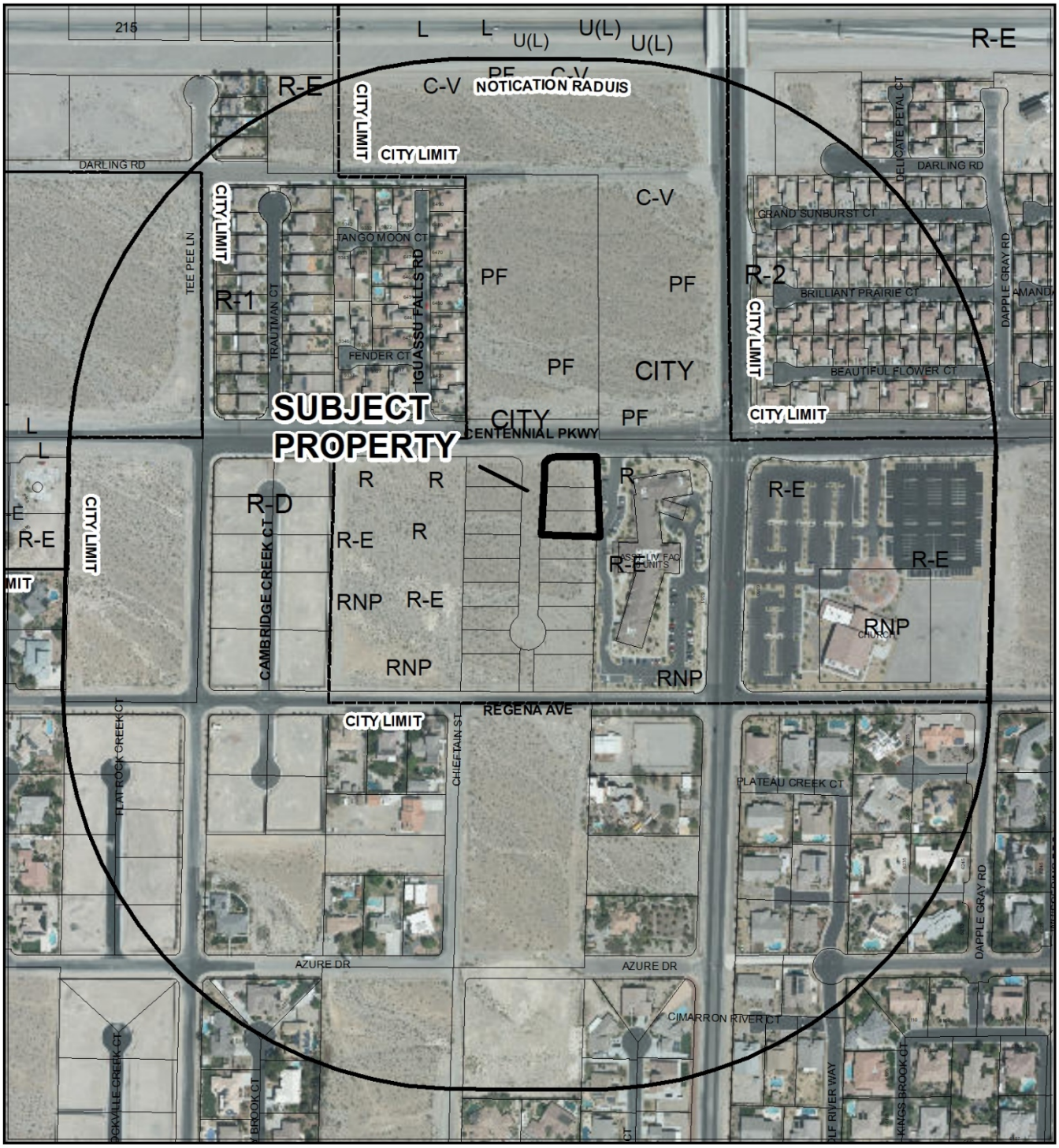
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-76459, VAR-76460 and VAR-76461 [PRJ-76412]
2. Conditions and Staff Report - VAR-76459, VAR-76460 and VAR-76461 [PRJ-76412]
3. Supporting Documentation - VAR-76459, VAR-76460 and VAR-76461 [PRJ-76412]
4. Photo(s) - VAR-76459, VAR-76460 and VAR-76461 [PRJ-76412]
5. Justification Letter - VAR-76459, VAR-76460 and VAR-76461 [PRJ-76412]




**CASE:** **VAR-76459, VAR-76460, VAR-76461 (PRJ-76412)**

**RADIUS:** 1000 FEET

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




**CASE:** **VAR-76459, VAR-76460, VAR-76461 (PRJ-76412)**

**RADIUS:** 1000 FEET

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

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-76459** | Staff recommends APPROVAL, subject to conditions: | |
| **VAR-76460** | Staff recommends APPROVAL, subject to conditions: | |
| **VAR-76461** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**NOTICES MAILED**
208 - VAR-76459
208 - VAR-76460
208 - VAR-76461

**PROTESTS**
0 - VAR-76459
0 - VAR-76460
0 - VAR-76461

**APPROVALS**
0 - VAR-76459
0 - VAR-76460
0 - VAR-76461



SS

** CONDITIONS **

# VAR-76459 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.

# VAR-76460 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.



SS

# VAR-76461 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 proposing to construct a subdivision perimeter wall up to 16 feet in height along the east property line of a recorded residential subdivision west of the intersection of Centennial Parkway and Fort Apache Road. This wall includes a retaining wall of up to 10 feet in height.

## ISSUES

- Three Variances (VAR-76459, VAR-76460 and VAR-76461) have been requested to allow a maximum 16-foot tall wall with up to 10 feet of retaining wall on three separate lots in the Centennial & Fort Apache Subdivision (actual measurements were rounded up to the next foot to allow for error). Staff recommends approval.
- A Final Map (FMP-74994) for Centennial & Fort Apache has been reviewed and was recorded 05/08/19. A permit for offsite civil improvements was issued 04/08/19.

## ANALYSIS

The natural slope across this site exceeds two percent; accordingly, Title 19 allows perimeter walls up to 12 feet in height, including a maximum retaining wall height of six feet. Originally, a maximum five-foot retaining wall was indicated on the approved tentative map for the Centennial & Fort Apache Subdivision (TMP-72410). During review of the technical drainage study, it was determined that flows could not be allowed to pass southward from Centennial Parkway through the site and therefore the interior street would need to be raised to block the flow. Lots 16, 17 and 18 near the subdivision entrance were affected by the addition of this hump. According to the applicant, the retaining wall on the east (rear) side of these lots had to be raised to accommodate the change in drainage flow. The applicant had attempted to grade the lots so that they would drain to the rear of the lot; even so doing, the height of the retaining walls could not be brought into conformance with Title 19 requirements. The perimeter screen wall does not exceed six feet, which conforms to Title 19.

It was determined by Flood Control that once the onsite or Type B drainage option was used, there was no viable alternative that could lower retaining walls on the three lots to meet Title 19 standards.



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The site is located adjacent to an existing Assisted Living Apartment development with a six-foot block wall along its western perimeter. Views of this wall from the assisted living development are partially screened by 12 to 15-foot trees and shrubs, which would somewhat mitigate the impact of the higher walls on the residential development.

**FINDINGS (VAR-76459, VAR-76460 and VAR-76461)**

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."

The three Variances are warranted in this instance, as other alternatives were sought to keep the retaining wall heights below Title 19 requirements but given the constraints of the drainage study and the size of the lots it was not deemed possible. Landscaping on the adjacent site will mitigate the view impact of the taller walls. Staff recommends approval, subject to conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 02/03/16 | The City Council approved a Petition to Annex (ANX-61546) 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. Staff recommended approval. The annexation became effective 02/12/16. |
| 11/16/16 | The City Council approved a request for a General Plan Amendment (GPA-64853) from DR (Desert Rural Density Residential) to L (Low Density Residential) on 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Rezoning (ZON-64854) from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission and staff recommended approval. |
| 03/21/18 | The City Council approved a request for a Waiver (WVR-72408) to allow no streetlights where such are required for a proposed residential subdivision on 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission recommended approval; staff recommended denial. |
| | The City Council approved a request for a Waiver (VAR-72407) to allow no amenity zone where such is required for a proposed residential subdivision on 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission recommended approval; staff recommended denial. |
| | The City Council approved a Petition to Vacate (VAC-72409) U.S. Government Patent Easements generally located on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Tentative Map (TMP-72410) for a proposed 18-lot single family residential subdivision (Centennial & Fort Apache) on 4.49 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. The Planning Commission recommended approval; staff recommended denial. |
| 11/13/18 | The Department of Planning accepted for technical review a Final Map (FMP-74994) for an 18-lot single family residential subdivision on 4.31 acres on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. This map was recorded 05/08/19. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/15/18 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 01/16/19 | A building permit (C19-00181) was issued for grading, clear and grub at 9275 West Centennial Parkway. A final inspection has not been approved. |
| 04/08/19 | A building permit (L18-02344) was issued for offsite civil improvements for an 18-lot single family subdivision on the south side of Centennial Parkway, 275 feet west of Fort Apache Road. A final inspection has not been completed. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/30/19 | A pre-application meeting was held with staff to discuss submittal requirements for a Variance application. As three separate lots would be affected, staff informed the applicant that three separate variances would be required. |

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

| ***Field Check*** | |
|---|---|
| 05/16/19 | The site was partially graded and a trench had been dug for placement of the east perimeter wall. There is an existing block wall on the adjacent property that slopes down with the land running southward. Behind that wall is row of pine trees and shrubs. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 4.49 |



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| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | L (Low Density Residential) | R-1 (Single Family Residential) |
| North | Undeveloped | PF (Public Facilities) | C-V (Civic) |
| South | Undeveloped | RNP (Rural Neighborhood Preservation) – Clark County Designation | R-E (Rural Estates Residential) – Clark County Designation |
| East | Assisted Living Apartments | R (Rural Density Residential)<br>RNP (Rural Neighborhood Preservation) | R-E (Residence Estates) |
| West | Undeveloped | R (Rural Density Residential)<br>RNP (Rural Neighborhood Preservation) | R-E (Residence Estates) |

| ***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 |



SS

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.070, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Max. Retaining Wall Height (>2% grade) | 6 Feet | 10 Feet | N |
| Max. Screening Wall Height (>2% grade) | 6-8 Feet | 6 Feet | Y |
| Max. Perimeter Wall Height (>2% grade) | 12 Feet | 16 Feet | N |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Centennial Pkwy | Primary Arterial | Master Plan of Streets and Highways Map | 44 | N* |

*Half-street improvements are required to be completed as part of residential subdivision requirements, which should increase actual street width to 80 feet.



SS

# 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) Fort Apache & Centennial

**Project Name** Fort Apache & Centennial (Future Lot 16) **Proposed Use** residential

**Assessor's Parcel #(s)** 125-30-502-009 **Ward #** 6

**General Plan:** Existing L Proposed N/A **Zoning:** Existing R-1 Proposed N/A

**Additional Information** TMP-72410, VAC-72409, Final Map: FMP-74994

**Property Owner** Presidio Summit Regena 18 LLC Contact Andrew Acuna

Address 3425 Cliff Shadows Pkwy #110 City Las Vegas State NV Zip 89129

E-mail AndrewA@summithomesnv.com Phone 702-365-8588

**Applicant** Summit Homes of Nevada LLC Contact Andrew Acuna

Address 3425 Cliff Shadows Pkwy #110 City Las Vegas State NV Zip 89129

E-mail AndrewA@summithomesnv.com Phone 702-365-8588

**Representative** Taney Engineering Contact Janna Felipe

Address 6030 S. Jones Blvd. City Las Vegas State NV Zip 89118

E-mail jannaf@taneycorp.com Phone 702-362-8844

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** Nathan White

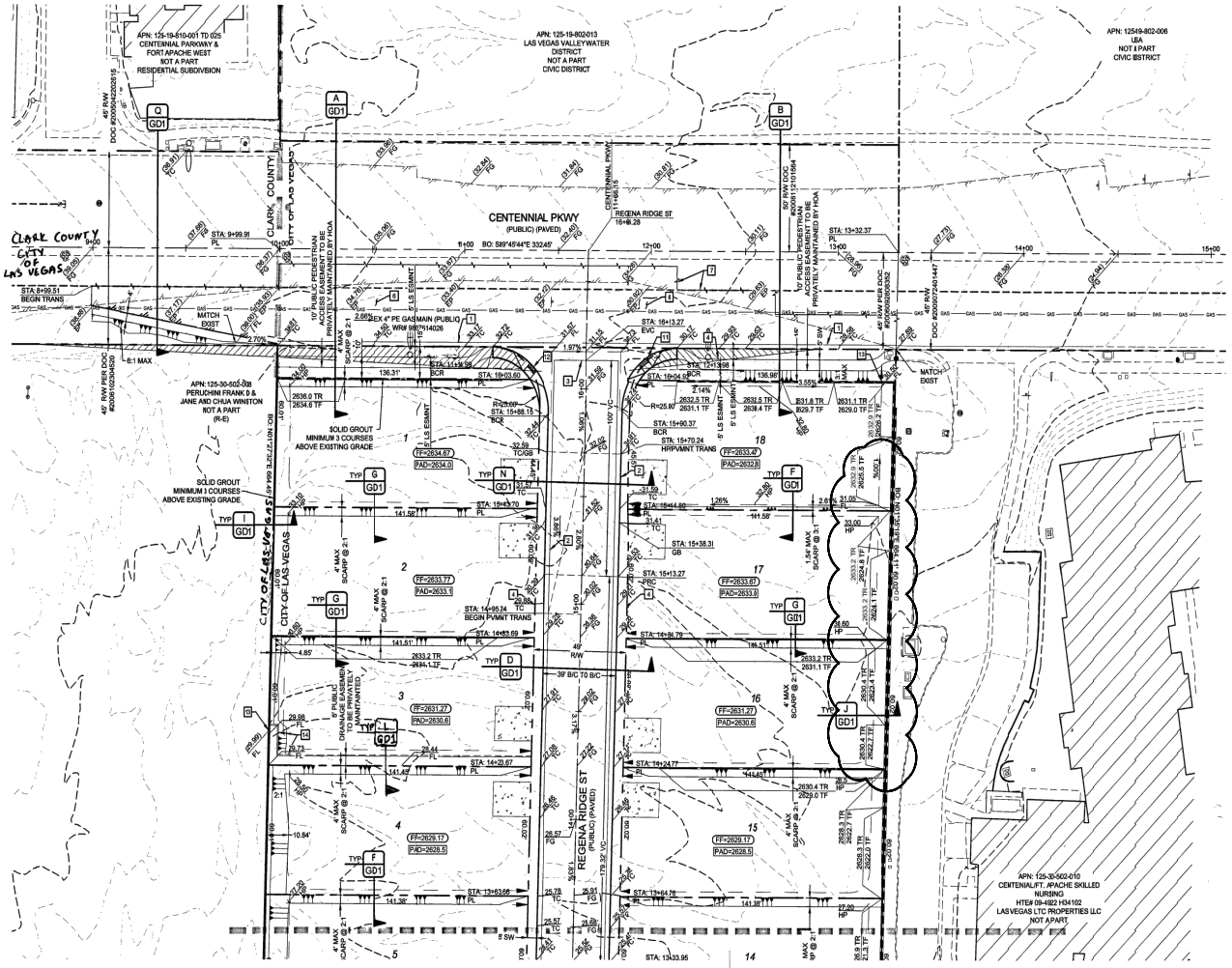
Subscribed and sworn before me

This 23 day of Apr. 1, 2019

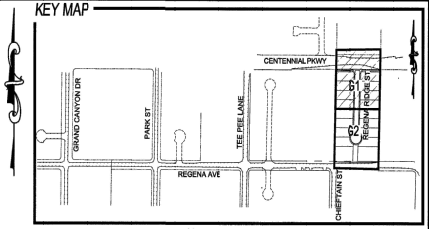
Notary Public in and for said County and State

NANCY FODOR
Notary Public State of Nevada
No. 18-3228-1
My Appt. Exp. August 28, 2022

PR-76412
05/06/19




## KEY MAP




SCALE: 1" = 30'

## CONSTRUCTION NOTES

1. 24" LTYPE CURB & GUTTER (USD #216)
2. INSTALL 30" MODIFIED ROLL CURB AND GUTTER (CCAUSD #217.1)
3. 8.0' CROSS GUTTER (USD #228)
4. 5.0' SIDEWALK (USD #234)
5. 2" AC PAVEMENT OVER 4" TYPE II PER SOILS REPORT (HTE DXXX)
6. 5.5" IC PAVEMENT OVER 6" TYPE II PER SOILS REPORT (HTE XXXX)
7. SAWCUT & MATCH EXISTING AC PAVEMENT (USD #500.3, 504.4, 500.5, & 503)
8. INSTALL CONCRETE VALLEY GUTTER (SEE E/GD1)
9. INSTALL SIDEWALK UNDERDRAIN (CCAUSD #236)
10. L-CURB CUT AND GUTTER (SEE M/GD1)
11. SIDEWALK RAMP USING TRUNCATED DOMES OR EQUIVALEIT (USD #235 CASE I) A=4.5', B=4.5'
12. SIDEWALK RAMP USING TRUNCATED DOMES OR EQUIVALEIT (USD #235) A=6', B=5'
13. INSTALL 16" X 48" BLOCK WALL OPENING (SEE K/GD1)
14. INSTALL SIDEWALK (USD #234) WITH A-TYPE CURB (USD #219)
15. INSTALL REMOVABLE BOLLARD AT 4 O.C (DCSNCS SD-38) DETAIL R/GD1

## EARTHWORK

TOTAL FOR OVERALL DEVELOPMENT: 5,882.51 CY CUT / 12,330.67 CY FILL / 6,448.35 CY NET FILL
NOTE: THIS OPINION OF THE CUT AND FILL QUANTITIES IS PROVIDED AS REQUIRED BY THE GOVERNING ENTITY. THIS INFORMATION SHOULD NOT BE USED FOR BIDDING PURPOSES. ALL CONTRACTORS ARE RESPONSIBLE FOR THEIR OWN QUANTITIES. THESE TOTALS ARE RAW AND DO NOT ACCOUNT FOR SHRINKAGE AND SUBSIDENCE.

## FLOOD ZONE

THIS PROJECT IS LOCATED IN FLOOD ZONE "X", AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN PER FIRM PANEL 32003C1745E REVISED SEPTEMBER 27, 2002.

## UTILITY DISCLAIMER

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

## GRADING NOTES

COMPLETION OF SECTION II OF DRAINAGE COMPLIANCE REPORT REQUIRED.

ADD 2600 FEET TO ALL GRADE TAGS TO GET ACTUAL ELEVATION.

THE ELEVATION DIFFERENCE BETWEEN THE PAD AND FINISH FLOOR IS DETERMINED FROM THE MINIMUM THICKNESS REQUIRED PER THE GEOTECHNICAL REPORT. FINISH FLOORS MAY INCREASE DEPENDING ON THE TYPE OF SOIL AND FOUNDATION PIAN USED. NOTE THAT THE STRUCTURAL PLANS & GEOTECHNICAL REPORT SHALL SUPERSEDE THE CIVIL IMPROVEMENT PLANS.

ALL PRIVATE STREETS AND DRAINAGE EASEMENTS ARE TO BE PRIVATELY OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION (H.O.A.).

ALL WORK TO BE PERFORMED OUTSIDE OF THE PROJECT BOUNDARY AND ON PRIVATE PROPERTY SHALL NOT BE PERFORMED UNTIL WRITTEN PERMISSION AND EASEMENTS HAVE BEEN OBTAINED FROM THE OFFSITE OWNER AND GIVEN TO THE GOVERNING ENTITY.

CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES AND NOTIFY THE DESIGN ENGINEER IMMEDIATELY OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

## BENCHMARK

RIVET AND SQUARE ALUMINUM PLATE IN A CONCRETE MONUMENT, 50' NORTH AND 49' WEST OF CENTENNIAL PKWY AND FORT APACHE RD. STATION: 1C90195ES
ELEVATION (FEET): 2818.96 (798.256 METERS)

## GRADING CERTIFICATION - CLV, CC

I CERTIFY THIS GRADING PLAN COMPLIES WITH THE APPROVED DRAINAGE STUDY, D54994, ON FILE WITH CITY OF LAS VEGAS FOR THIS PROJECT.
I CERTIFY THIS GRADING PLAN COMPLIES WITH THE APPROVED DRAINAGE STUDY, PW18-17756, ON FILE WITH CLARK COUNTY FOR THIS PROJECT.

S. JUSTIN THORNE, PE — DATE 1/9/19

CLARK COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT REVIEW
ACCEPTANCE OF PLANS FOR FILING

BY: _____ DATE: _____

ACCEPTANCE OF THESE PLANS FOR FILING SHALL NOT BE CONSTRUED TO BE A PERMIT FOR OR AN APPROVAL OF ANY VIOLATION OF ANY OF THE PROVISIONS OF THE STATE OR COUNTY LAWS AND/OR SPECIFICATIONS. CLARK COUNTY SHALL BE HELD FREE FROM DAMAGES WHICH MAY RESULT FROM THE CONSTRUCTION OF THE IMPROVEMENTS FROM THE ENGINEERING DESIGN DEPICTED HEREIN.

NOTE: POWER PILES AND/OR OTHER EXISTING FACILITIES NOT IN PROPER LOCATION BASED ON PROPOSED IMPROVEMENTS SHOWN HEREON WILL BE RELOCATED AT NO EXPENSE TO CLARK COUNTY.

APPROVED FOR CONSTRUCTION
LAS VEGAS VALLEY WATER DISTRICT ENGINEERING SERVICES
PROJECT# 135691 FIRST APPROVED DATE 2-6-19
LVVWD APPROVED FIRE FLOW 2000 GPM AT 20 PSI RESIDUAL
MAXIMUM AVAILABLE FIRE SPRINKLER FLOW N/A GPM

Avoid overhead power line contact. It's costly.
Call before you Overhead
1-702-227-2929

Call before you Dig
Avoid cutting underground utility lines. It's costly.
CALL 811 OR 1-800-227-2600

ACCEPTANCE OF PLANS
SOUTHWEST GAI CORPORATION — DATE

PRJ-76412 05/06/19

ACCEPTANCE OF PLANS FOR FILING
BY: _____
DEVELOPMENT AND FLOOD CONTROL — DATE

GEOTECHNICAL
AMERICAN SOILS ENGINEERING, LLC
6000 S. EASTERN AVE., SUITE 6B
LAS VEGAS, NV 89119
(702) 889-9617
REPORT NO: 1916-GEO
DATE: 03/02/18

| NO. | DESCRIPTION | BY | SHTS. | APPR. | DATE |
|---|---|---|---|---|---|
| | REVISIONS | | | | |


ADAVEN HOMES
3425 OLIVE RANCH WAY
LAS VEGAS, NV 89129
(702) 365-8588 FAX:

TANEY ENGINEERING
6030 S. JONES BOULEVARD
LAS VEGAS, NEVADA 89118
(702) 362-8844 FAX: (702) 362-0233


EST. 2000

# CENTENNIAL & FORT APACHE
## A RESIDENTIAL SUBDIVISION
## GRADING PLAN 1

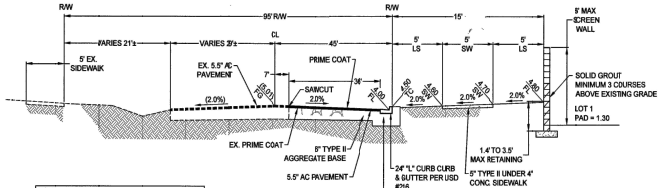
S. JUSTIN THORNE Exp. 06-30-20 CIVIL No. 12841

DATE: 1/9/2019
SCALE: 1"=30'
JOB NO: ADV-17-186
DESIGNED BY: BP CHECKED BY: SJT
SHEET NAME: G1
SHEET NUMBER: 04 OF 20

PW18-18339
107Y5089 L18-02844

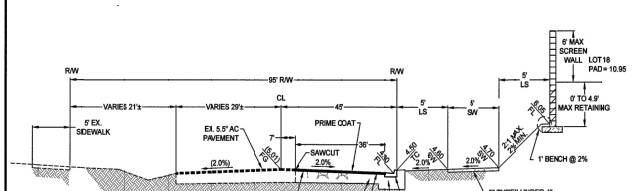
PROJ.#: 135691A QS:125-30-ME

FILE NAME: S:\ACTIVE\ADAVEN HOMES\ADV-17-186 - FORT APACHE & CENTENNIAL\ENGR\PS\PRODUCTION\DWGS\SHEET DWGS\ADV17086_SHT_G_DLDWG




NOTE:
ALL AGGREGATE BASES SHALL BE COMPACTED PER GEOTECHNICAL REPORT PW18-18640. PRELIMINARY PAVEMENT SECTIONS SHALL BE VERIFIED WITH THE FINAL PAVEMENT SECTION RECOMMENDATION REPORT PRIOR TO CONSTRUCTION. IF FINAL PAVEMENT SECTIONS ARE DIFFERENT, AREVISION TO THE IMPROVEMENT PLANS WILL BE REQUIRED.

**SECTION A**
**95' R/W CENTENNIAL AVE (PUBLIC)**
NTS




NOTE:
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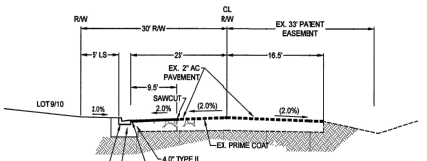
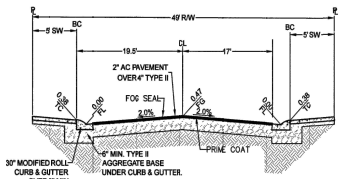
**SECTION B**
**95' R/W CENTENNIAL AVE (PUBLIC)**
NTS



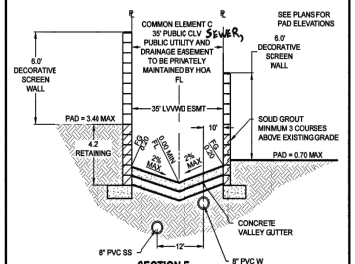

NOTE:
ALL AGGREGATE BASES SHALL BE COMPACTED PER GEOTECHNICAL REPORT PW18-18840. PRELIMINARY PAVEMENT SECTIONS SHALL BE VERIFIED WITH THE FINAL PAVEMENT SECTION RECOMMENDATION REPORT PRIOR TO CONSTRUCTION. IF FINAL PAVEMENT SECTIONS ARE DIFFERENT, A REVISION TO THE IMPROVEMENT PLANS WILL BE REQUIRED.

**SECTION C**
**30' R/W REGENA AVENUE (PUBLIC)**
NTS

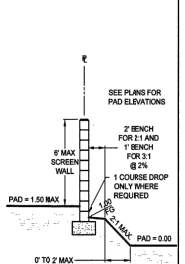



**SECTION D**
**PUBLIC STREET TYPICAL 39-FT WIDE**
NTS

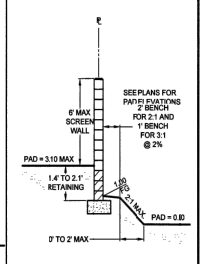
NOTE:
ALL AGGREGATE BASES SHALL BE COMPACTED PER GEOTECHNICAL REPORT PW18-18640. PRELIMINARY PAVEMENT SECTIONS SHALL BE VERIFIED WITH THE FINAL PAVEMENT SECTION RECOMMENDATION REPORT PRIOR TO CONSTRUCTION. IF FINAL PAVEMENT SECTIONS ARE DIFFERENT,A REVISION TO THE IMPROVEMENT PLANS WILL BE REQUIRED.



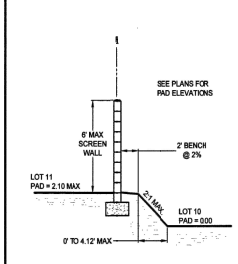

**SECTION E**
**35' PUBLIC DRAINAGE EASEMENT & LVVWD EASEMENT**
NTS



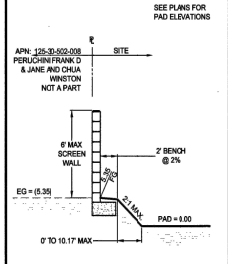

**SECTION F**
**SIDE/SIDE & REAR/SIDE YARDS**
NTS



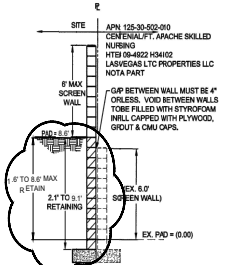

**SECTION G**
**SIDE/SIDE YARDS**
NTS




**SECTION H**
**REARSIDE YARD**
NTS

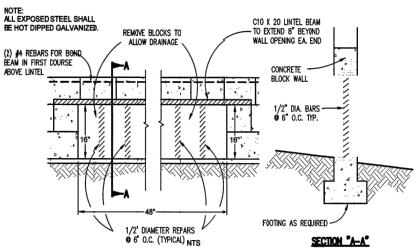



**SECTION I**
**WEST PERIMETER WALL**
NTS

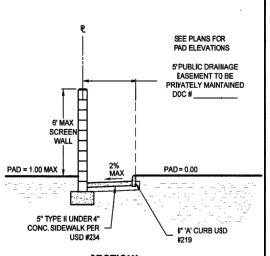



**SECTION J**
**EAST PERIMETER WALL**
NTS

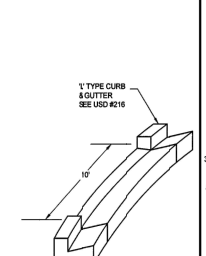
NOTE:
ALL EXPOSED STEEL SHALL BE HOT DIPPED GALVANIZED.



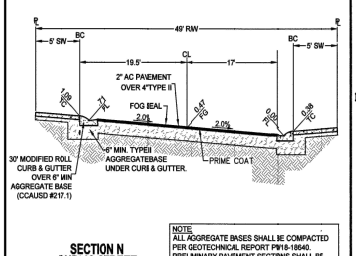

**DETAIL K**
**48" X 16" BLOCK WALL OPENING**
NTS




**SECTIONL**
**SIDE/SIDE & REARSIDE YARDS**
NTS




**DETAIL M**
**CURB CUT**
NTS




NOTE:
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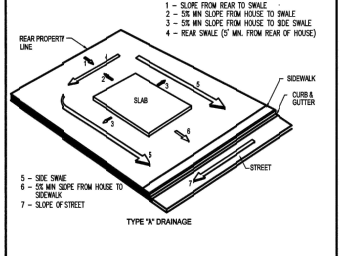
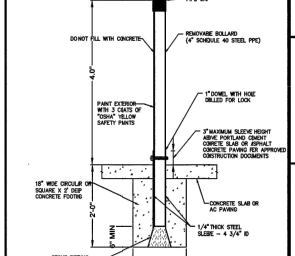
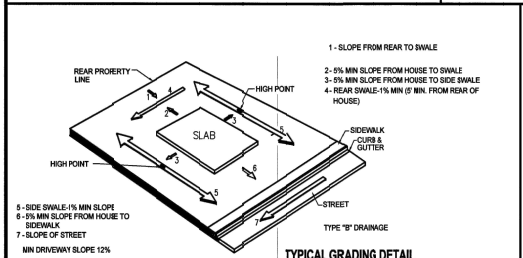
**SECTION N**
**PUBLIC STREET CROSSFALL STREET**
NTS



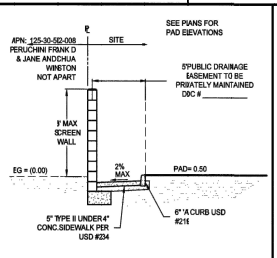

**TYPICAL GRADING DETAIL**
**TYPE A**
NTS



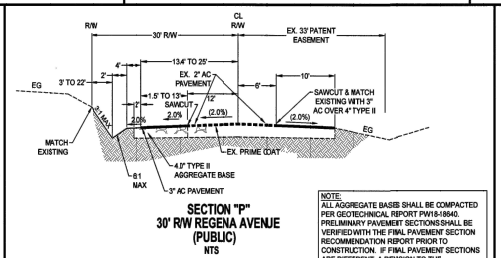

**DETAIL R**
**RENOVABLE BOLLARD (DCSWCS SD-38)**




**TYPICAL GRADING DETAIL**
**TYPE B**
NTS




**SECTION O**
**WEST PERIMETER WALL**
NTS




NOTE:
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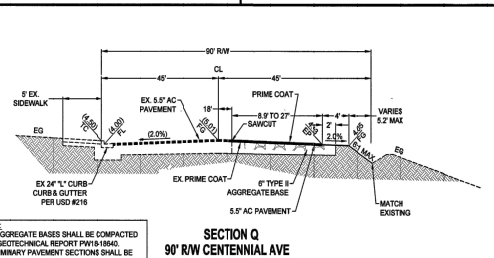
**SECTION "P"**
**30' R/W REGENA AVENUE (PUBLIC)**
NTS




NOTE:
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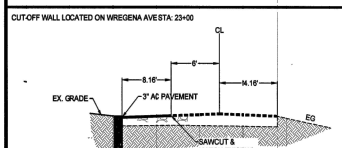
**SECTION Q**
**90' R/W CENTENNIAL AVE (PUBLIC)**
NTS

CUT-OFF WALL LOCATED ON WREGENA AVE STA: 23+00




**SECTION R**
**CUT-OFF WALL**
NTS

NOTE:
DECORATIVE BLOCK WALL WITH 20% CONTRASTING MATERIAL AND CAP.



PRJ-76412
05/06/19

APPROVED FOR CONSTRUCTION
LAS VEGAS VALLEY WATER DISTRICT ENGINEERING SERVICES
PROJECT# 135691 FIRST APPROVED DATE 5-16-19
LVVWD APPROVED FIRE FLOW 2000 GPM AT 20PSI RESIDUAL
MAXIMUM AVAILABLE FIRE SPRINKLER FLOW NA GPM

| NO. | DESCRIPTION | BY | SHTS. | APPR. | DATE |
|---|---|---|---|---|---|
| | REVISIONS | | | | |

ADAVEN HOMES
3425 CLIFF SHADOWS PKWY
LAS VEGAS, NV 89129
(702) 395-8588 FAX:

TANEY ENGINEERING
6030 S. JONES BOULEVARD
LAS VEGAS, NV 89118
(702) 362-8844 FAX: (702) 362-5233

EST. 2000

CENTENNIAL & FORT APACHE
A RESIDENTIAL SUBDIVISION

GRADING DETAILS

PROFESSIONAL ENGINEER
S. JUSTIN THORNE
Exp. 06-30-20
CIVIL
No. 21841
STATE OF NEVADA

DATE: 1/9/2019
SCALE: 1"=30'
JOB NO: ADV-17-086
DESIGNED BY: BP CHECKED BY: SJT
SHEET NAME: GD1
SHEET NUMBER: 06 OF 20
— PW18-18639
107Y5089 L18-02344
PROJ.#:135691A QS:125-30-NE

FILE NAME: S:\ACTIVE\ADAVEN HOMES\ADV-17-086 - FORT APACHE & CENTENNIAL\ENGVPS\PRODUCTION\DWGS\SHEET DWGS\ADV17086_SHT_DET.DWG



**VAR-76459 [PRJ-76412] - VARIANCE RELATED TO VAR-76460 AND VAR-76461 - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC**
**SOUTH SIDE OF CENTENNIAL PARKWAY, WEST OF FORT APACHE ROAD**

05/16/2019

TANEY ENGINEERING
6030 SOUTH JONES BLVD.
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

June 6, 2019

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

**Re: Fort Apache and Centennial – Justification Letter – Wall Waiver (APN: 125-30-502-009) PreApp2019-010120**

To Whom It May Concern:

On behalf of our client, Summit Homes of Nevada LLC, Taney Engineering is respectfully submitting a justification letter for a Waiver to request a 9' retaining wall where 6' is accepted. We are submitting for three future lots: Future Lot 16, Future Lot 17, and Future Lot 18. During drainage review it was noted that the internal street, Regina Ridge Street, needed to have a hump in it to keep the drainage from Centennial Parkway from entering our site. This caused a high point in the road adjacent to lot 17 and raised the retaining height on lots 16 to 18 to be above the 6' allowed retaining. We also utilized Type B drainage along these lots to reduce the retaining as much as we could.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information please call 702-362-8844.

Respectfully,

Justin Thorne
**TANEY ENGINEERING**

PRJ-76412
06/06/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**37**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-76460 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 17 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.19 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-017), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Support Postcard

**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) Variance

**Project Address** (Location) Fort Apache & Centennial

**Project Name** Fort Apache & Centennial (Future Lot 17) **Proposed Use** residential

**Assessor's Parcel #(s)** 125-30-502-009 **Ward #** 6

**General Plan:** Existing L Proposed N/A **Zoning:** Existing R-1 Proposed N/A

**Additional Information** TMP-72410, VAC-72409, Final Map: FMP-74994

**Property Owner** Presidio Summit Regena 18 LLC Contact Andrew Acuna

Address 3425 Cliff Shadows Pkwy #110 City Las Vegas State NV Zip 89129

E-mail AndrewA@summithomesnv.com Phone 702-365-8588

**Applicant** Summit Homes of Nevada LLC Contact Andrew Acuna

Address 3425 Cliff Shadows Pkwy #110 City Las Vegas State NV Zip 89129

E-mail AndrewA@summithomesnv.com Phone 702-365-8588

**Representative** Taney Engineering Contact Janna Felipe

Address 6030 S. Jones Blvd. City Las Vegas State NV Zip 89118

E-mail jannaf@taneycorp.com Phone 702-362-8844

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** Nathan White

Subscribed and sworn before me

This 23 day of Apr. 1, 20 19

Nancy Fodor

Notary Public in and for said County and State

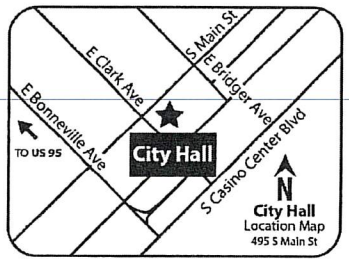
NANCY FODOR
Notary Public State of Nevada
No. 76-4222-1
My Appt. Exp. August 28, 2022

PRJ-76422
05/06/19

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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JUN 2 4 2019
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.

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

Please use available blank space on card for your comments.

**VAR-76460 [PRJ-76412]**
Planning Commission Meeting of **06/25/2019**

PRJ-76412
12530502021
APRIL LIVING TRUST
WOYWOD ANGELA HELEN TRS
9230 AZURE DR
LAS VEGAS NV 89149

127 ORDFNP1 89149

Submitted after final agenda

37A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**38**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
VAR-76461 - VARIANCE - PUBLIC HEARING - APPLICANT: SUMMIT HOMES OF NEVADA, LLC - OWNER: PRESIDIO SUMMIT REGENA 18, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT TALL RETAINING WALL WHERE SIX FEET IS ALLOWED AND AN OVERALL WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED ON LOT 18 OF AN APPROVED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 0.24 acres on the south side of Centennial Parkway, approximately 275 feet west of Fort Apache Road (APN 125-30-512-018), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-76412]. Staff recommends DENIAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Support Postcard

**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) Variance

**Project Address** (Location) Fort Apache & Centennial

**Project Name** Fort Apache & Centennial (Future Lot 18) **Proposed Use** residential

**Assessor's Parcel #(s)** 125-30-502-009 **Ward #** 6

**General Plan:** Existing L Proposed N/A **Zoning:** Existing R-1 Proposed N/A

**Additional Information** TMP-72410, VAC-72409, Final Map: FMP-74994

**Property Owner** Presidio Summit Regena 18 LLC Contact Andrew Acuna

Address 3425 Cliff Shadows Pkwy #110 City Las Vegas State NV Zip 89129

E-mail AndrewA@summithomesnv.com Phone 702-365-8588

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**Representative** Taney Engineering Contact Janna Felipe

Address 6030 S. Jones Blvd. City Las Vegas State NV Zip 89118

E-mail jannaf@taneycorp.com Phone 702-362-8844

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** Nathan White

Subscribed and sworn before me

This 23 day of Apr.1, 2019

Notary Public in and for said County and State

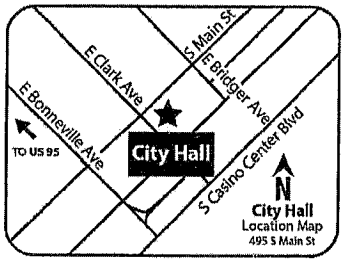
NANCY FODOR
Notary Public State of Nevada
No. 18-3229-1
My Appt. Exp. August 28, 2022

PRJ-76412
05/06/19

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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JUN 2 4 2019
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-76461 [PRJ-76412]**

Planning Commission Meeting of **06/25/2019**

PRJ-76412
12530502021
APRIL LIVING TRUST
WOYWOD ANGELA HELEN TRS
9230 AZURE DR
LAS VEGAS NV 89149

Submitted after final agenda

38A

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**39**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

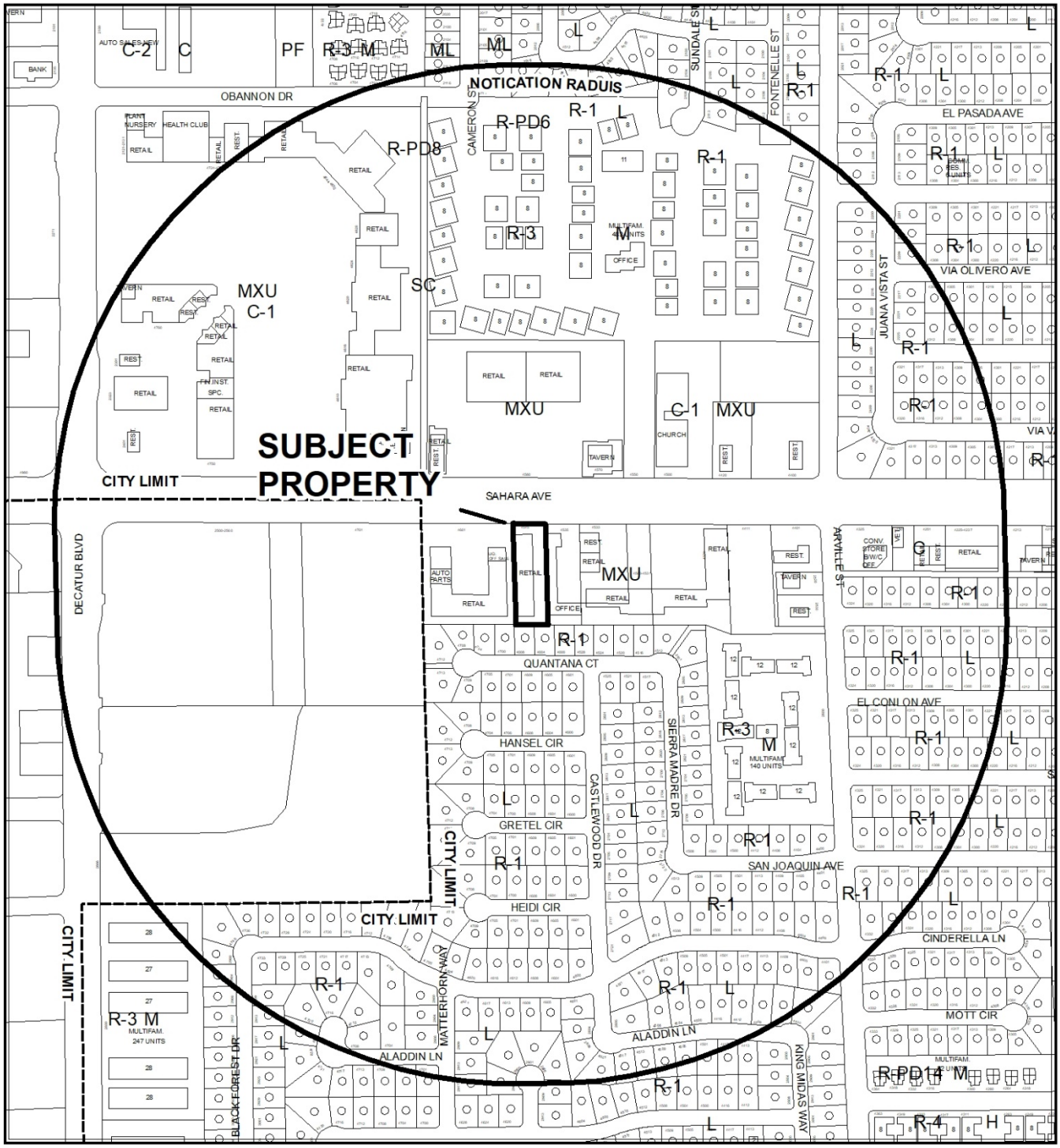
**SUBJECT:**
VAR-76469 - VARIANCE - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Variance TO ALLOW 47 PARKING SPACES WHERE 173 SPACES ARE REQUIRED on 0.76 acres at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]
2. Conditions and Staff Report - VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]
3. Supporting Documentation - VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]
4. Photo(s) - VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]
5. Justification Letter - VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]
6. Submitted after Final Agenda - Abeyance Request Letter and Protest Postcards for VAR-76469 and SUP-76470 [PRJ-76404], Revised Conditions and Staff Report and Documentation Not Vetted - Protest Comment Forms for VAR-76469, SUP-76470 and SUP-76471 [PRJ-76404]



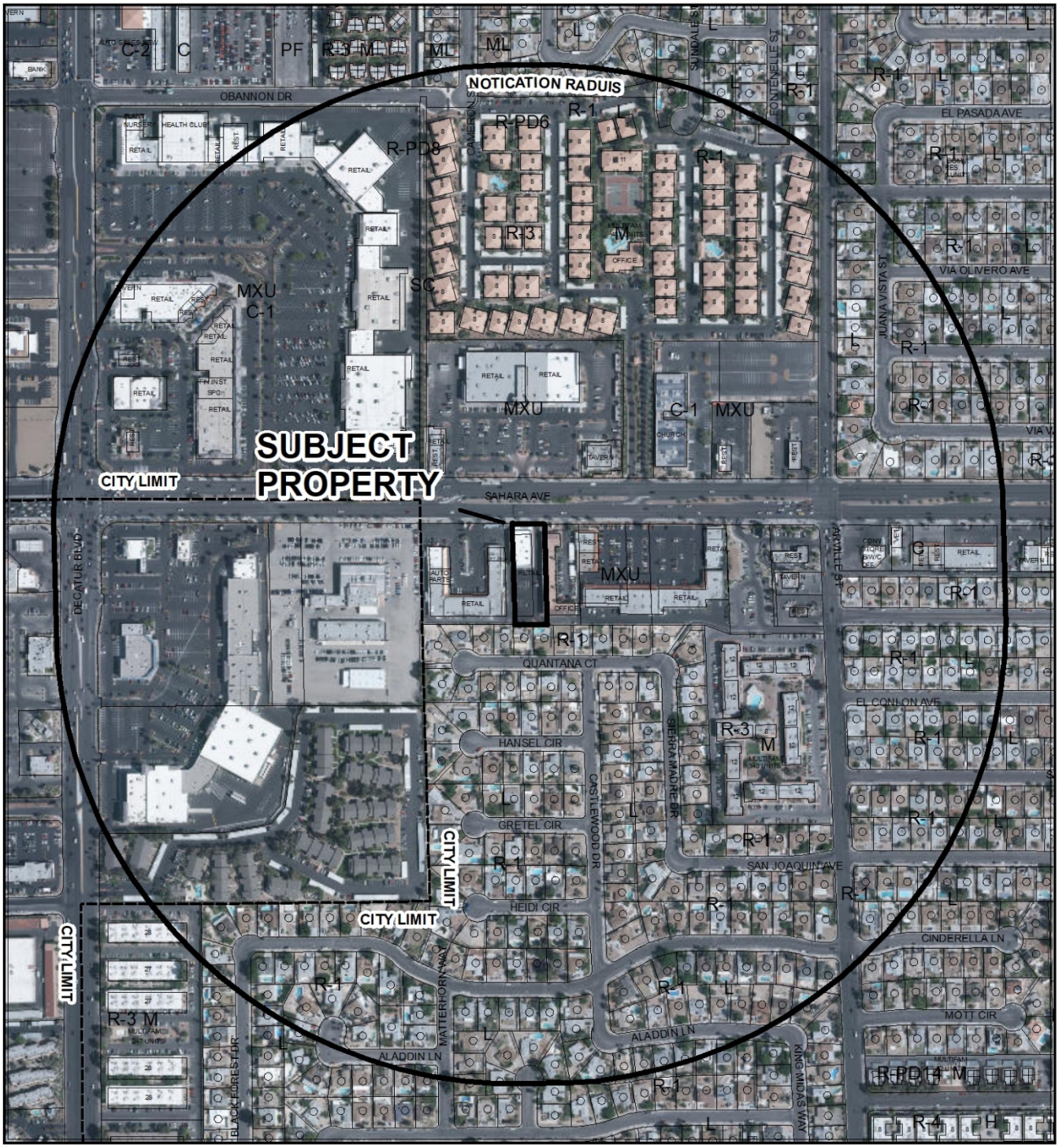

**CASE:** **VAR-76469, SUP-76470, SUP-76471 (PRJ-76404)**

0 375 750 Feet

**RADIUS:** 1500 FEET

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

N




**CASE:** **VAR-76469, SUP-76470, SUP-76471 (PRJ-76404)**

0 375 750 Feet

**RADIUS:** 1500 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-76469** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SUP-76470** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76469 |
| **SUP-76471** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76469<br>SUP-76470 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**NOTICES MAILED**
377 - VAR-76469 and SUP-76470
377 - SUP-76471

**PROTESTS**
0 - VAR-76469 and SUP-76470
0 - SUP-76471

**APPROVALS**
0 - VAR-76469 and SUP-76470
0 - SUP-76471



JAB

** CONDITIONS **

# VAR-76469 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-76470 and SUP-76471) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

3. At such time as this Variance is approved, the Special Use Permit (SUP-65924) for an alternate parking standard is expunged.

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

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

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

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

# SUP-76470 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) [Tavern-Restricted].

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-76469) and Special Use Permit (SUP-76471) shall be required.



JAB

3. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

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

5. This Special Use Permit requires the issuance of a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

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

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

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

# SUP-76471 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Nightclub in conjunction with an establishment that has a tavern-restricted license.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-76469) and Special Use Permit (SUP-76470) shall be required.

3. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

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

5. This Special Use Permit requires operation in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Liquor Establishment (Tavern) [Tavern-Restricted license] and Nightclub, and an associated parking Variance, at 4545 West Sahara Avenue.

## ISSUES

- A Variance (VAR-76469) is requested to allow 47 parking spaces where 173 are required. Staff recommends denial.
- The Liquor Establishment (Tavern) [Tavern-Restricted] use is permitted in the C-1 (Limited Commercial) zone along a segment of West Sahara Avenue with a Special Use Permit with an approved Waiver.
- A Waiver in conjunction with Special Use Permit (SUP-76470) is requested to allow a 150-foot distance separation from a Liquor Establishment (Tavern) where 1,500 feet is required. Staff recommends denial.
- The Nightclub use, in conjunction with an establishment that has a tavern-restricted license, is permitted in the C-1 (Limited Commercial) zone along a segment of Sahara Avenue with a Special Use Permit with a Waiver.
- A Waiver in conjunction with Special Use Permit (SUP-76471) is requested to allow a 150-foot distance separation from a Liquor Establishment (Tavern) where 1,500 feet is required. Staff recommends denial.

## ANALYSIS

The Liquor Establishment (Tavern) [Tavern-Restricted] use is defined as “a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.” The proposed use meets the definition as the applicant intends to serve alcoholic beverages for on-site consumption to guests during dancing events.

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between



JAB

2. liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church/house of worship, school, individual care center licensed for more than 12 children, or City park.

   *The proposed use does not meet this requirement, however, the requirement can be waived pursuant to Requirement 5 below.*

3. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

   *The measurement is the shortest distance between the proposed use and the existing use.*

4. For the purpose of Requirement 2, and for that purpose only:
   a. The “property line” of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The “property line” of a liquor establishment (tavern) refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
         B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;



JAB

C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and
D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*This requirement is not applicable.*

4. The distance separation requirement set forth in Requirement 1 does not apply to 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.

   *This requirement is not applicable.*

5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:
   a. Will be located on a parcel within the C-V District, the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B), the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;
   b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;
   c. Will be located within a regional mall; or
   d. Will be located within a mixed-use development:
      i. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16 ;
      ii. That has a minimum net site area of 15 acres; and
      iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or
   e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet; or
   f. Will have a general on-sale alcoholic beverage license operated in conjunction with an establishment listed in LVMC 6.50.060.
   g. Will have a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.


JAB

*This proposed use meets this requirement (9.g.), as it is a liquor establishment (tavern) that is applying for a tavern-restricted alcoholic beverage license.*

6. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

   *The proposed use meets this requirement, as the subject site is subject to regular inspections to ensure compliance with LVMC Chapter 6.40 and 6.50.*

The Nightclub use, in conjunction with an establishment that has a tavern-restricted alcohol beverage license, is defined by Title 19.12 as "an indoor or outdoor drinking, dancing, or entertainment establishment that conducts its primary business after dark, has a dance floor or open area free of tables and chairs that would allow dancing or assembly occupancies, and has sound equipment to allow live or recorded music played for the purpose of dancing (whether or not dancing actually occurs). The use may (but is not required to) include any of the following: onsite consumption of alcoholic beverages, a bar area, a fee for admittance, a promoter contracted to provide entertainment, and the sale of prepared food. In order to qualify as a nightclub, any sale of prepared food must be accessory to the primary use. The use does not include an erotic dance establishment licensed under LVMC Chapter 6.35 or an establishment that qualifies as a Teen Dance Center." As stated in the justification letter, the applicant would like the ability to bring in bands to provide live music to their patrons, which meets the definition of a Nightclub use.

The Minimum Special Use Permit Requirements for this use include:

1. Because the primary operations of a nightclub often include preparing and serving alcoholic beverages for immediate on-premises consumption and the provision of live entertainment, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a nightclub and other uses that should be protected from the impacts associated with a nightclub. Therefore, except as otherwise provided below, no nightclub may be located within 1500 feet of a church, synagogue, school, child care facility licensed for more than 12 children or City park.

   *The proposed use does not meet this requirement, however this requirement does not apply because the proposed use is subject to Requirement 9 below.*

2. A person that desires to operate a nightclub shall obtain both a nightclub land use entitlement as well as any necessary land use entitlement for the service of alcohol for on-premises consumption. A person lawfully operating a nightclub as defined by this section and LVMC 6.39, prior to December 1, 2014, is not required to obtain a special use permit for the continued operation of such nightclub use. Real property

3. entitled for a nightclub pursuant to this Code shall have no specific spacing requirements between other nightclubs. However, as the nightclub entitlement is a separate and distinct from any land use entitlement permitting the service of alcohol for on-premises consumption, this provision shall not act to waive or otherwise diminish the specific spacing requirements between uses entitled for the service of alcohol for on-premise consumption.

   *The proposed use meets this requirement, as the subject site has an active business license (P65-00307) for an alcohol use (Alcohol Beverage Caterer).*

4. The distance separation referred to in Requirement 1 above and Requirement 8 below shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed nightclub 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 nightclub. The distance shall be measured in a straight line without regard to intervening obstacles.

   *This requirement is not applicable.*

4. For the purpose of Requirement 3, and for that purpose only:
   a. The “property line” of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The “property line” of a nightclub refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
         B. The proposed nightclub will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed nightclub will be located;
         C. All parking spaces required by this Section 19.12.070 for the nightclub will be located on the same parcel as the use; and
         D. The owners of all parcels within the commercial subdivision, including the owner of the nightclub parcel, sign an agreement, satisfactory to the City Attorney that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.



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*This requirement is not applicable.*

5. The distance separation requirement set forth in Requirement 1 does not apply to 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.

   *This requirement is not applicable.*

6. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C) under the following circumstances:
   a. In connection with a proposed nightclub that will be located on a parcel within the C-V District; the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B); the Gaming Enterprise Overlay District; the Fremont East Entertainment District; the 18b Arts District or the Downtown Casino Overlay District;
   b. In connection with a proposed nightclub to be located on a parcel within that certain area formerly identified as the Office Core District, described as the area bounded on the north by the centerline of Bridger Avenue, on the east by the centerline of 6th Street, on the south by the centerline of Garces Avenue, and on the west by the eastern edge of the Union Pacific Railroad right-of-way line; or
   c. In connection with a proposed nightclub that will be located within an establishment which has a non-restricted gaming license and is not exempted pursuant to Paragraph 5.
   d. In connection with a proposed nightclub to be operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

   *This proposed use meets this requirement, as it will be operated in conjunction with an establishment that is applying for a tavern-restricted alcohol beverage license.*

7. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

   *The proposed use meets this requirement, as the subject site is subject to regular inspections to ensure compliance with LVMC Chapter 6.50.*

8. Except as otherwise provided in Requirement 9 below, no nightclub may be located within 500 feet of any single-family dwelling.

   *The proposed use is exempt from this requirement, as it is provided in Requirement 9 below.*

9. The distance separation requirement set forth in Requirement 8 does 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.
   b. A nightclub located within the boundaries of the Downtown Entertainment Overlay District or within the boundaries of the Pedestrian Mall as defined by LVMC Chapter 11.68.
   c. A nightclub that meets all the following criteria:
      i. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street;
      ii. Is located on a parcel with a minimum net site area of 0.25 acres; and
      iii. Is located within a building that has a minimum of 5000 square feet of gross floor area dedicated to the nightclub use.
      iv. A nightclub operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

   *This proposed use meets this requirement (9.c.iv.) as it is a nightclub operated in conjunction with an establishment that is applying for a tavern-restricted alcoholic beverage license.*

10. Alcohol service, if any, is permitted only in conjunction with the following Title 6 alcoholic beverage licenses: Beer and Wine Room, Tavern, Tavern-Limited, Tavern-Restricted, General On-Sale and Urban Lounge.

    *The proposed use meets this requirement, as the subject site is applying for a license as a Tavern-Restricted.*

The proposed Liquor Establishment (Tavern) and Nightclub both meet the Minimum Special Use Permit Requirements in Title 19.12.070. The subject site is on a segment of West Sahara Avenue that was recently approved (Bill No. 2019-11) to establish a new alcoholic beverage licensing category called Tavern-Restricted. In this segment of Sahara Avenue, in conjunction with a Tavern-Restricted license, the applicant can apply for a Waiver that removes the distance separation requirement to protected properties. The applicant is including these distance separation Waivers as part of this request.

The subject site is currently underparked by seven spaces. On 09/23/16, the Planning Commission approved a Special Use Permit (SUP-65924) for an alternative parking standard to allow 47 parking spaces where 54 spaces are required. A Liquor Establishment (Tavern) use has a Title 19.12 parking requirement of one space for every 50 square feet of seating plus one space for each 200 square feet of total remaining space. The subject site has an 8,800 square-foot structure used for dance instruction and special events. The dance rooms are empty and could be used as seating during special



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events. If approved for a Liquor Establishment entitlement, the subject site would require 173 on-site parking spaces where only 47 spaces are available. This is a 73 percent shortfall.

Considering such a large parking shortfall for a use along the busy Charleston Boulevard corridor, staff recommends denial of the proposed Liquor Establishment (Tavern) and Nightclub.

## FINDINGS (VAR-76469)

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

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

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a land use that cannot be supported by the limited amount of on-site parking available. No alternative parking plan would conform to Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances. Therefore, staff recommends denial of the proposed Variance.

## FINDINGS (SUP-76470 and SUP-76471)

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.**

   If the subject site receives a Special Use Permit and a subsequent Tavern-Restricted alcohol beverage consumption license, then the Liquor Establishment (Tavern) and Nightclub are compatible with existing land uses.

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

   The subject site requires 126 additional on-site parking spaces. The site is not physically able to handle the required Title 19 parking for the land use proposed.

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

   Charleston Boulevard is a 100-foot Primary Arterial, and is 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 Tavern-Limited Establishment would not compromise the public health, safety, or welfare, as the use would be subject to regular inspections to ensure compliance with all applicable code requirements. The proposed Special Use Permit request is not inconsistent with objectives of the General Plan.

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

   The proposed use does not meet the required parking requirements of Title 19.12.070. There is a 73 percent shortfall in parking, equivalent to 126 spaces.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 11/07/07 | The City Council approved a Special Use Permit (SUP-21979) for a proposed full service car wash and detail on the south side of West Sahara Avenue, approximately 1,400 feet east of Decatur Boulevard. The Planning Commission recommended approval, staff recommended denial. |
| | The City Council approved a Variance (VAR-21980) to allow a zero side yard setback on the eastern portion of the site where a 10 foot side yard setback is required on the south side of West Sahara Avenue, approximately 1,400 feet east of Decatur Boulevard. The Planning Commission recommended approval, staff recommended denial. |
| 03/28/13 | Code Enforcement processed a complaint (#126905) for graffiti at 4545 W Sahara Ave. The case was resolved on 04/04/13. |
| 11/12/14 | Code Enforcement processed a complaint (#148040) for a vacant lot containing trash and debris, and a television at 4545 W Sahara Ave. The case was resolved on 12/02/14. |
| 04/09/15 | Code Enforcement processed a complaint (#152974) for graffiti on the block walls at 4545 W Sahara Ave. The case was resolved on 06/27/15. |
| 09/23/16 | The Planning Commission approved a Variance (VAR-65923) to allow a zero-foot side yard setback where ten feet is required at 4545 W Sahara Ave. Staff recommended denial. |
| | The Planning Commission approved a Special Use Permit (SUP-65924) for an alternative parking standard to allow 47 parking spaces where 54 spaces are required at 4545 W Sahara Ave. Staff recommended denial. |
| | The Planning Commission approved a Site Development Plan Review (SDR-65925) for a proposed 7,800 square-foot commercial building with a 1,000 square-foot patio with waivers to allow a zero-foot wide side and rear yard landscape buffer where eight feet is required along the east, west and south perimeters at 4545 W Sahara Ave. Staff recommended denial. |
| 10/27/16 | Code Enforcement processed a complaint (#171790) for graffiti on a vacant lot at 4545 W Sahara Ave. The case was resolved on 11/10/16. |
| 03/30/17 | A Parcel Map (PMP-66184) was recorded for reversion to acreage of two lots on 0.76 acres at 4545 W Sahara Ave. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/01/17 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 08/24/04 | A demolition building permit (#25740) was issued for 4545 West Sahara Avenue. The permit received its final inspection on 10/08/04. |
| 03/23/05 | A demolition building permit (#38868) was issued for 4545 West Sahara Avenue. The permit expired on 09/23/05. |
| 01/31/18 | A business license (P65-00307) was issued for an alcohol beverage caterer at 4545 W Sahara Ave. The license is active as of 05/01/19. |
| | A business license (G65-08139) was issued for a banquet facility at 4545 W Sahara Ave. The license is active as of 05/01/19. |

| ***Pre-Application Meeting*** | |
|---|---|
| 05/01/19 | A pre-application meeting was conducted with the applicant to discuss submittal requirements for a Variance and Special Use Permit applications. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff conducted a routine field check of the subject site and found no trash, debris, or graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.76 |



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| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Banquet Facility and General Personal Service | MXU (Mixed Use) | C-1(Limited Commercial) |
| North | Restaurant<br>Liquor Establishment (Tavern)<br>General Retail Store, Other Than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| South | Single Family Residential, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | General Personal Service<br>Office, Other Than Listed<br>General Retail Store, Other Than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| West | Liquor Establishment (Tavern)<br>General Retail Store, Other Than Listed<br>Laundry, Self-Service<br>Restaurant<br>General Personal Service | MXU (Mixed Use) | C-1 (Limited Commercial) |

| ***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 2 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | Y |



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## DEVELOPMENT STANDARDS

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

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or # of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Liquor Establishment | 8,800 SF | 1 space/50 SF of seating plus 1 space/200 SF total remaining | 171 | | | | |
| | | | 2 | | | | |
| **TOTAL SPACES REQUIRED** | | | 173 | | 47 | | N* |
| **Regular and Handicap Spaces Required** | | | 167 | 6 | 45 | 2 | N* |
| Percent Deviation | | | 268% | | | | |

**The applicant is applying for a Variance (VAR-76469).*



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# 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) 4545 West Sahara Avenue, Las Vegas NV 89102

**Project Name** Rhythms Dance Studio & Event Center **Proposed Use** _____

**Assessor's Parcel #(s)** 162-07-101-020 **Ward #** 1

**General Plan:** Existing X Proposed _____ **Zoning:** Existing X Proposed _____

**Additional Information** _____

**Property Owner** Virginia Cano **Contact** Same

Address 4037 Evening Breeze Ct, City Las Vegas State NV Zip 89107

E-mail info@Rhythmslv.com Phone (702) 203-6251

**Applicant** _____ **Contact** _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone _____

**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** _____

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

**Print Name** Virginia Cano

Subscribed and sworn before me

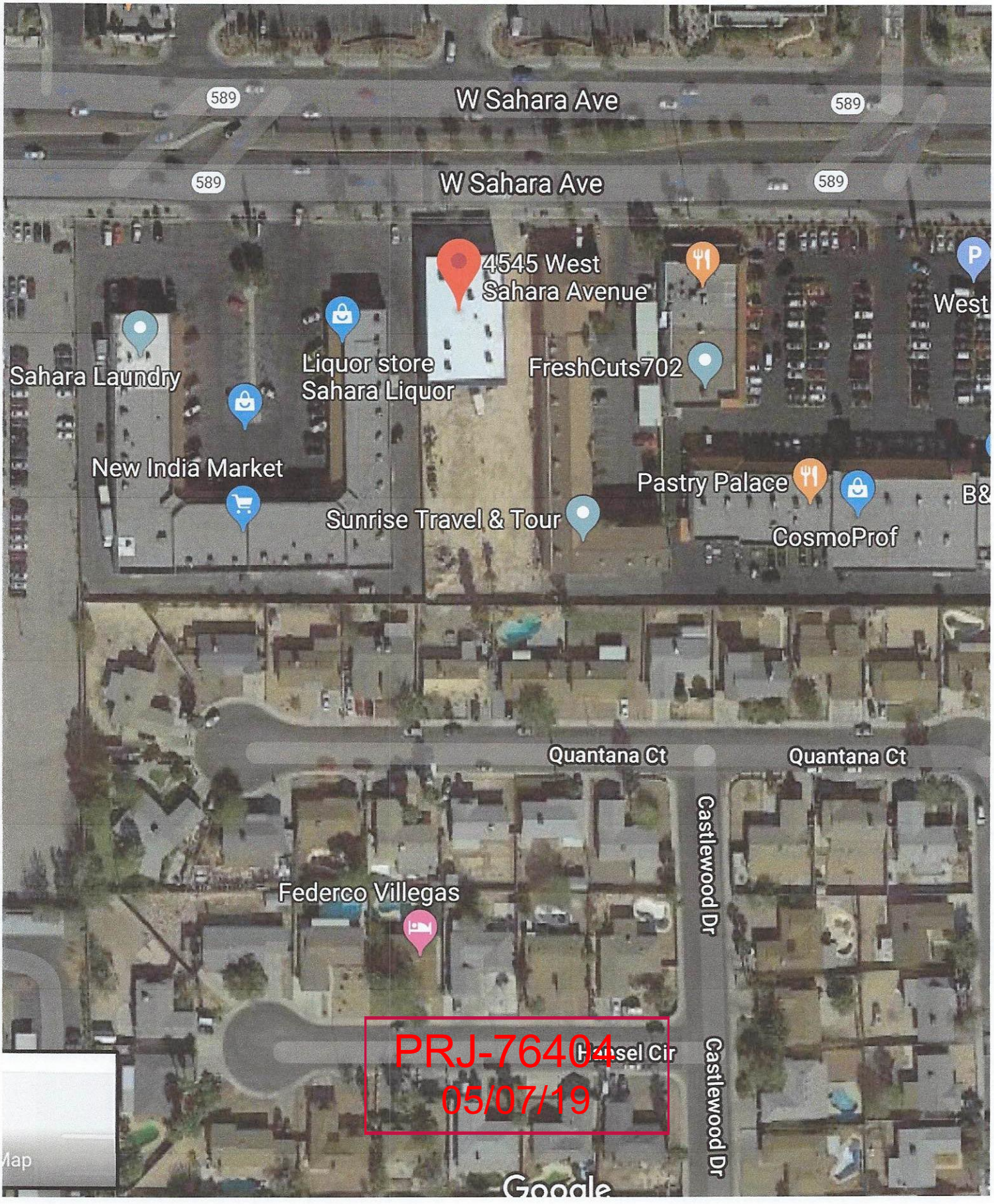
This 6th day of May, 20 19

_____ County of Clark, State of Nevada

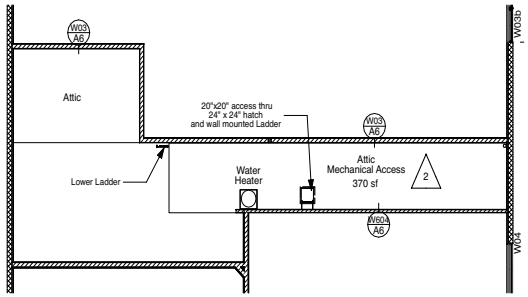
Notary Public in and for said County and State

PRJ-76404
05/07/19

NOTARY PUBLIC
State of Nevada County of Clark
CHANDI MELTON
Appointment Exp. 07-20-2020
Certificate No. 98-49100-1




PRJ-76404
05/07/19




## Attic Plan

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

## Window Schedule

| Window Number | Window Size | Action | Glass Area | Type | Frame Material | Frame Finish | Comment |
|---|---|---|---|---|---|---|---|
| W01 | 4'0" x 4'6" | Vertical Sash | 18 | 3 | Store Front Aluminum | Anodized Aluminum | Scroll Shutter inside |
| W02a | 3-10" x 1'10" | Fixed Pane Double Glazed | 7 | 5 | Store Front Aluminum | Anodized Aluminum | Low E Outer pane |
| W02b | Same as W02a | | 7 | 5 | | | |
| W03a | Same as W02a | | 7 | 5 | | | |
| W03b | Same as W02a | | 7 | 5 | | | |
| W04 | 4'0" x 6'0" | Fixed Pane Double Glazed | 21 | 2 | Store Front Aluminum | Anodized Aluminum | Low E Outer pane |
| W05 | 4'0" x 4'0" | Fixed Pane Double Glazed | 15 | 1 | Store Front Aluminum | Anodized Aluminum | Low E Outer pane |
| W06 | 4'0" x 4'0" | Fixed Pane Double Glazed | 15 | 1 | Store Front Aluminum | Anodized Aluminum | Low E Outer pane |
| W07 | 3'8" x 3'4" | Shuttered Opening | 12 | 4 | Drywall Cased | Enamel | 1/2" Lexan Teller Window W/ Shutter |
| W09 | 3'8" x 3'4" | Shuttered Opening | 12 | 4 | Drywall Cased | Enamel | 1/2" Lexan Teller Window W/ Shutter |

## IBC Code Analysis

| | | | | | |
|---|---|---|---|---|---|
| 1 | Code Year | IBC 2012 | | | |
| | Use | Dance Events Center | | | |
| 2 | Occupancy Classification | **A3** | | | Chapter 3 |
| 3 | Construction Type | **Construction Type III-B** | | | Chapter 6 |
| 4 | Fire Sprinklers | **Fully Sprinkled** | 903.2.1.2 | | IBC903, 903.3 |
| 5 | Fire Alarm | **Fire Alarm -Automatic** | 907.2.1 & 907.2.2 | | IBC 907 |
| | | Manual Alarm not required by IBC | | | 907.2.4 Exception |
| 6 | Height | Height allowed- 55 | Actual Height 15' | | IBCTable 503 |
| 7 | Stories | Stories allowed 2 | Actual stories 1+ Mezzanine | | IBCTable 505.2.3, exc 3 |
| 8 | Area | Area Allowed = 9,500 sf + separation multipliers | | | |
| 9 | Occupant Load | Occupants | | | |

| Room # | Use | Area s.f. | IBC S.f per Occ. | IBC Occup. |
|---|---|---|---|---|
| R01 | Event Center | 2250 | 15 | 150 |
| R02 | Bar | 112 | 100 | 2 |
| R03 | Bar Storage | 72 | 300 | 1 |
| R04 | Riser Room | 30 | 300 | 0 |
| R05 | Sound & Lights | 78 | 100 | 1 |
| R06 | Performing Platform | 616 | 15 | 42 |
| R07 | Office | 160 | 100 | 2 |
| R18 | Janitor Closet | 16 | 300 | 1 |
| **Event Center Portion** | | 3354 | | 199 |
| R08 | Storage | 352 | 300 | 2 |
| R09 | Toilet | 105 | No Load | |
| R10 | Hall | 38 | No Load | |
| R11 | Toilet | 128 | No Load | |
| R12 | Ticket Desk | 75 | 100 | 1 |
| R13 | Lobby | 494 | 15 | 33 |
| R14 | Dance Studio | 800 | 50 | 12 |
| R15 | Dance Studio | 800 | 50 | 12 |
| R16 | Hall | 219 | No Load | |
| R17 | Dance Studio | 1000 | 50 | 20 |
| **Dance Studio Portion** | | 4011 | | 80 |
| | Voids, Walls, and structure | 455 | No Load | |
| | Ground Floor Total | 7820 | | 279 |

| | | | | |
|---|---|---|---|---|
| 10 | Number of Exits | Exits required | 2 | each portion |
| | | Exits provided | 5 | |
| 11 | Fire Resistive Walls | Fire resistive construction - Walls within 1' of property line Rated 1hr for separation 2hr per Typle III construction | | |
| 12 | | Exterior Bearing 2 Hr | <10' 2 Hr | Table 601& 602 |
| | | Wall abutting exit stairs and corridors 2 Hr | | |
| | | Exterior Non Bearing 0 Hr | <10' 1 Hr | Table 601& 602 |
| | Protected Openings | No walls within 15' of property line - No protection required for openings. | | |
| | | Unprotected Openings 5'-10' | | 25% Table 705.8 |
| | | Unprotected Openings 10'-15' | | 45% Table 705.8 |
| 14 | Fire separated Spaces | No fire hazard spaces to be separated from the unit | | |
| 15 | No separated occupancies | | | |
| 16 | Roof Material | Roof Material -Class C assembly (minimum requirement) | | 1505.1 |
| 17 | Plumbing Fixtures | A3 occupancy @ 140 occupants each gender | Toilets | Lavatories |
| | | Female | 3 | 1 Table 2902.1 Amendment |
| | | Male | 2 | 1 Table 2902.1 Amendment |
| | | Required | 5 | 2 |
| | | Drinking Fountain | 1 | |
| | | Service Sink | 1 | 1 Table 2902.1 |
| 18 | Special Inspections | No special inspections (State Inspected and Pre approved) | | |
| 19 | I.E.C.C. reports | Envelope, lighting, mechanical. By "Comcheck" | | |

## Finish Schedule

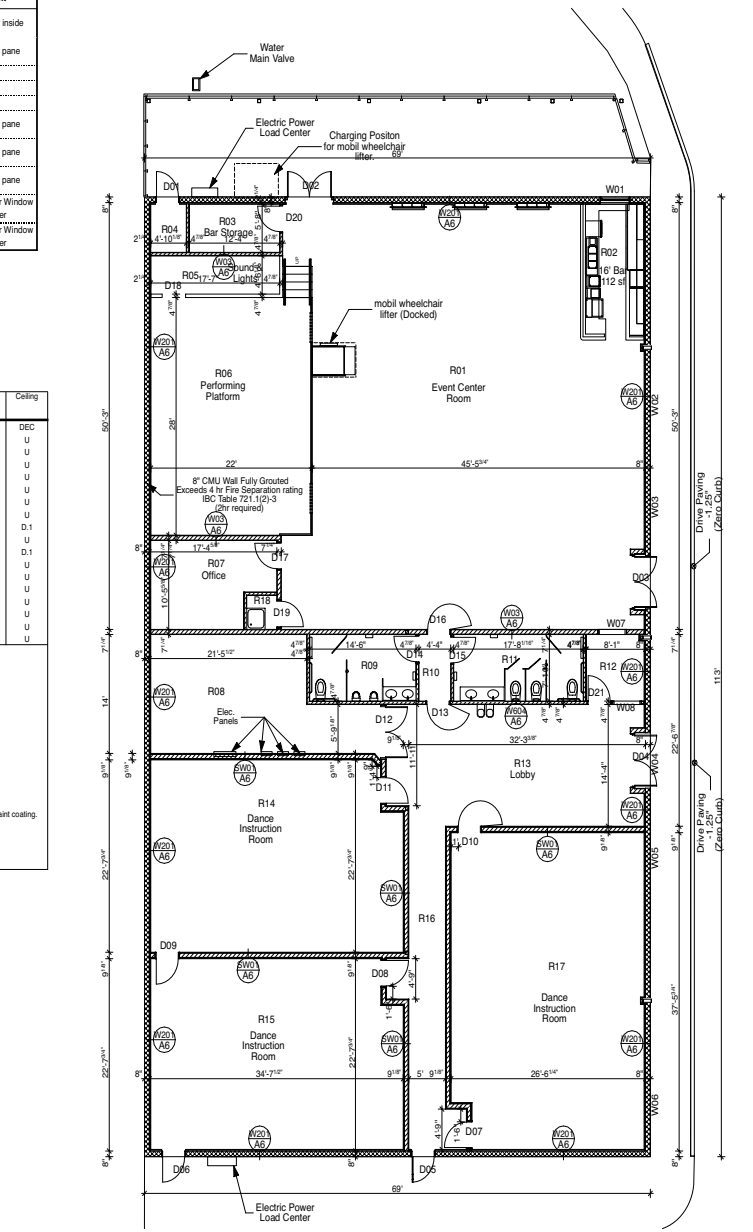
| Room Number | Room Description | North Wall | East Wall | South Wall | West Wall | Floor | Base | Ceiling |
|---|---|---|---|---|---|---|---|---|
| R01 | Event Center | D | D | D | D | C | R | DEC |
| R02 | Bar | FRP | FRP | - | - | C | FRP | U |
| R03 | Bar Storage | FRP | FRP | FRP | FRP | C | R | U |
| R04 | Riser Room | D | D | D | D | C | R | U |
| R05 | Sound & Lights | D | - | D | D | C | R | U |
| R06 | Performing Platform | D | D | D | D | C | R | U |
| R07 | Office | D | D | D | D | C | R | U |
| R08 | Storage | D | D | D | D | C | R | U |
| R09 | Toilet | CT | CT | CT | CT | C | CT | D.1 |
| R10 | Hall | D | D | D | D | C | R | U |
| R11 | Toilet | CT | CT | CT | CT | C | CT | D.1 |
| R12 | Ticket Desk | D | D | D | D | C | R | U |
| R13 | Lobby | D | D | D | D | C | R | U |
| R14 | Dance Studio | D | D | D | D | C | R | U |
| R15 | Dance Studio | D | D | D | D | C | R | U |
| R16 | Hall | D | D | D | D | C | R | U |
| R17 | Dance Studio | D | D | D | D | C | R | U |
| R18 | Janitor Closet | D | D | D | D | C | R | U |

**Legend**

| | |
|---|---|
| B | Ceramic Tile Base Cove |
| B.1 | Non-Slip surface Glazed Ceramic Tile |
| C | Concrete troweled smooth and sealed with liquid polymer coating. |
| Carp | Carpet - Color and texture provided by owner - Meet Flame spread requirement per IBC |
| CB | Glazed Ceramic Tile 6" High wall base |
| CT | Non-Slip surface Glazed Ceramic Tile, Large Format, imitation stone |
| D | Smooth finished Drywall With Semi Gloss Paint Finish . |
| D.1 | Stipple Textured Drywall With Semi Gloss Paint Finish (Moisture Resistant Board). |
| DEC | Decorator Designed Soffits, grids, with some exposed structure |
| Epox | Epoxy Deck Paint |
| F | Accoustic Drop-In tiles in suspended Tee grid per C001 between soffits per ceiling plan |
| FRP | FRP full height of wall |
| G | Water resistant gypsum sheathing (Gold Board) with taped joints, and acrylic I.E.F.S. Or Epoxy paint coating. |
| R | 6" Rubber (or Vinyl) cove base |
| U | unfinished exposed frame and systems |
| VIN | Vinyl Floor Covering |
| W | FRP Wainscot to 48" High with Semi Gloss painted drywall above (Moisture Resistant Board). |

## Door Schedule

| No. | Door Size | Action | Type | Head Height | Door Leaf Description | Frame | Fire Rating | Glazing | Locks/ Hardware | Door Finish | Frame Finish | Closer | Comment |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **D01** | 3'0" x 7'0" | L.H. | A | 7' 0" | Hollow Metal | Hollow Metal | none | none | Lever Action Keyed Entry Set | Enamel | Enamel | Head Mounted | Fire Riser Room |
| **D02** | 6'0" x 8'0" | Double | B | 8' 0" | Hollow Steel Panel | Hollow Metal | None | none | Lever Action Keyed Entry Set North Leaf, Head and foot bolt latch on South leaf. Panic Bar on inside of both leaves. | Enamel | Enamel | Head Mounted Closer with hold-open feature on both leaves | Exit to Patio |
| **D03** | 6'0" x 8'0" | Double | **B** | 8' 0" | Hollow Steel Panel | Hollow Metal | None | none | Lever Action Keyed Entry Set North Leaf, Head and foot bolt latch on South leaf. Panic Bar on inside of both leaves. | Enamel | Enamel | Head Mounted Closer with hold-open feature on both leaves | Entry and Exit Door |
| **D04** | 6'0" x 8'0" | Double | **B** | 8' 0" | Hollow Steel Panel | Hollow Metal | None | none | Lever Action Keyed Entry Set North Leaf, Head and foot bolt latch on South leaf. Panic Bar on inside of both leaves. | Enamel | Enamel | Head Mounted Closer with hold-open feature on both leaves | Entry and Exit Door |
| **D05** | 3'0" x 7'0" | R.H. | E | 7' 0" | Hollow Metal | Hollow Metal | none | narrow light | Lever Action Keyed Entry Set with deadbolt outside Panic Bar Inside. | Enamel | Enamel | Head Mounted | Entry and Exit Door |
| **D06** | 3'0" x 7'0" | R.H. | A | 7' 0" | Hollow Metal | Hollow Metal | none | none | Lever Action Keyed Entry Set with deadbolt outside Panic Bar Inside. | Enamel | Enamel | Head Mounted | Exit Door |
| **D07** | 3'0" x 7'0" | L.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Lever Action Keyed Entry Set Toggle operating inside. | Enamel | Enamel | none | |
| **D08** | 3'0" x 7'0" | L.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D09** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D10** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D11** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D12** | 6'0" x 8'0" | Double | D | 7' 0" | Hollow Metal | Hollow Metal | None | none | Lever Action Keyed Entry Set North Leaf, Head and foot bolt latch on South leaf. | Enamel | Enamel | Head Mounted Closer with hold-open feature on both leaves | Storage Room Door |
| **D13** | 3'0" x 7'0" | L.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D14** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Pull Handle inside Push Plater Outside | Enamel | Enamel | Head Mounted | |
| **D15** | 3'0" x 7'0" | L.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Pull Handle inside Push Plater Outside | Enamel | Enamel | Head Mounted | |
| **D16** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D17** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D18** | 3'0" | Gap | | | no door | | | | | | | | |
| **D19** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Passage Set (No Lock) | Enamel | Enamel | none | Janitor |
| **D20** | 3'0" x 7'0" | R.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |
| **D21** | 3'0" x 7'0" | L.H. | A1 | 7' 0" | Wood Veneer | Timely H.M. | none | none | Same as D07 | Enamel | Enamel | none | |




## Building Floor Plan

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

0 10 20 30 40 50 60 70 80 90 100

Bar Scale

PRJ-76404
05/07/19

D. W. Strait
Architecture & Planning
#2841
dave.dwstrait@cox.net
1223 Heather Oaks Way
North Las Vegas, NV 89031
Tel: 702 239-1838
Fax: 702 642-8600

Sin City Salseros Dance Company
**Dance Studio & Event Center**
4545 West Sahara, Las Vegas, NV - APN 162-07-101-005

Building Plan & Elevations

Revisions
1 Review Corrections 1/12/17 DWS
2 Code Edit 2/1/17 DWS

DAVID WAYNE STRAIT
No. 2841
ARCHITECT
STATE OF NEVADA

Date: 2/1/2017
Job: 1628
Drawn: DWS
Sheet: A1




**VAR-76469 [PRJ-76404] - VARIANCE RELATED TO SUP-76470 AND SDR-76471 - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC**
**4545 WEST SAHARA AVENUE**

05/16/2019




**VAR-76469 [PRJ-76404] - VARIANCE RELATED TO SUP-76470 AND SDR-76471 - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC**
**4545 WEST SAHARA AVENUE**

05/16/2019



**VAR-76469 [PRJ-76404] - VARIANCE RELATED TO SUP-76470 AND SDR-76471 - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC**
**4545 WEST SAHARA AVENUE**

05/16/2019

May 2, 2019

JUSTIFICATION LETTER
4545 West Sahara Avenue LLC

4545 West Sahara Avenue LLC Dba Rhythms Dance Studio & Event Center is a multi-use facility consisting of a dance studio side for dance classes from kids to adults and the other half of our building being an event center. Our event center is composed of a stage, bar, and outdoor patio. The main use of this space for our business is hosting Latin events for our team members and dance students. This space gives us the ability to have our teams and students to perform and showcase. Attendees can come watch and social dance. These events are 21 and over and we have an open bar. We also host day time socials, with no alcohol, for our families and kids to enjoy dancing as well. These events gives our business the ability to promote dance classes to attendees and help generate business for our dance studio.

Aside of our own personal use of the event center, it is also rented out for private and public events. In our first year in business we have hosted weddings, birthdays, baby showers, corporate trainings, Christmas parties, graduation parties, and the like. This event center is our biggest revenue generator. However, with the past restrictions of only 4 public events a month and 16 events total within a month, we have had to turn down rentals in order to stay within our guidelines. This has caused our business financial strain as we struggle to cover our monthly bills or break even.

Our business is requesting a Tavern-restricted license so we may grow our revenue through our event center. In the past we have had to turn away public events such as hair shows, cultural concerts, comedy shows and any other event if it surpassed our public event restriction or monthly event restriction. We would also request that our ending time for public events be extended until 4am. Without this monthly or earlier time restrictions, we can begin to flourish as a business.

Virginia Cano & Nathan Strager,
Owners

PRJ-76404
05/07/19

## Nora Lares

**Subject:** FW: Abeyance of Related Items

**From:** Nathan Strager <strager.n@gmail.com>
**Sent:** Tuesday, June 25, 2019 9:44 AM
**To:** Eric McCammond <emccammond@LasVegasNevada.GOV>
**Cc:** Virginia Cano <info@rhythmslv.com>
**Subject:** Re: Abeyance of Related Items

RECEIVED
JUN 2 5 2019
Dept of Planning
City of Las Vegas

**EXTERNAL EMAIL**

We, the applicant and owner, request abeyance of items 39-40 (VAR-76469 & SUP-76470) to the July 9, 2019 Planning Commission Meeting. Related item number 41 (SUP-76471) is requested by City staff to be abeyed to the July 9, 2019 Planning Commission Meeting due to City staff error. We would like the cases to remain together as they progress through the Public Hearing process.

Sent from my iPhone



Submitted after final agenda

Items 39 & 40

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC**

## ** STAFF RECOMMENDATION(S) **

| CASE NUMBER | RECOMMENDATION | REQUIRED FOR APPROVAL |
|---|---|---|
| **VAR-76469** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SUP-76470** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76469 |
| **SUP-76471** | Staff recommends DENIAL, if approved subject to conditions: | VAR-76469<br>SUP-76470 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**NOTICES MAILED** 377 - VAR-76469 and SUP-76470
377 - SUP-76471

**PROTESTS** 0 - VAR-76469 and SUP-76470
0 - SUP-76471

**APPROVALS** 0 - VAR-76469 and SUP-76470
0 - SUP-76471

JAB



Submitted after final agenda
Items 39-41

** CONDITIONS **

# VAR-76469 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-76470 and SUP-76471) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

3. At such time as this Variance is approved, the Special Use Permit (SUP-65924) for an alternate parking standard is expunged.

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

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

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

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

# SUP-76470 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) [Tavern-Restricted].

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-76469) and Special Use Permit (SUP-76471) shall be required.

JAB

3. A Waiver of Title 19.12 is hereby approved to allow a 150-foot distance separation from a similar use where 1,500 feet is required.

4. A Waiver of Title 19.12 is hereby approved to allow a 385-foot distance separation of from a church/house of worship where 1,500 feet is required.

5. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

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. This Special Use Permit requires the issuance of a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

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

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

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

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

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

## SUP-76471 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Nightclub in conjunction with an establishment that has a tavern-restricted license.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-76469) and Special Use Permit (SUP-76470) shall be required.

JAB

3. A Waiver from Title 19.12 is hereby approved to allow a 385-foot distance separation from a Church/House of Worship where 1,500 feet is required.

4. Conformance to the approved conditions for Site Development Plan Review (SDR-65925).

5. 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.

6. This Special Use Permit requires operation in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

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

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

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

JAB

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Liquor Establishment (Tavern) [Tavern-Restricted license] and Nightclub, with a parking Variance, at 4545 West Sahara Avenue.

## ISSUES

- These applications are the result of Licensing Enforcement action (Case #BLE489425).
- A Variance (VAR-76469) is requested to allow 47 parking spaces where 173 are required. Staff recommends denial.
- The Liquor Establishment (Tavern) [Tavern-Restricted] use is permitted in the C-1 (Limited Commercial) zone along a defined segment of West Sahara Avenue with an approved Special Use Permit.
- A Waiver is requested to allow a 150-foot distance separation from a Liquor Establishment (Tavern) [Tavern-Restricted] where 1,500 feet is required for a similar use. Staff recommends denial.
- A Waiver is requested to allow a 385-foot distance separation from a Church/House of Worship where 1,500 feet is required for a Liquor establishment (Tavern) use. Staff recommends denial.
- The Nightclub use, in conjunction with an establishment that has a tavern-restricted license, is permitted in the C-1 (Limited Commercial) zone along a defined segment of Sahara Avenue with an approved Special Use Permit.
- A Waiver is requested to allow a 385-foot distance separation from a Church/House of Worship where 1,500 feet is required for a Nightclub use. Staff recommends denial.

## ANALYSIS

On September 13, 2016 the subject site was entitled as a 7,800 square-foot commercial building with a 1,000 square-foot patio area. The subject site also received approval of an alternative parking standard that allowed 47 parking spaces where 54 parking spaces were required for a proposed Banquet Facility and General Personal Service (Instructional Dance Studio). At the time, the applicant indicated in the justification letter the development would be used as an instructional dance studio and banquet facility. There was no mention of a liquor establishment and/or nightclub land use.

JAB

On July 26, 2017 the building permit (PRC-68136) issued for an assembly building received its final inspection, and business licenses for a banquet facility, an alcohol caterer, a professional promoter and dance instruction were issued on January 31, 2018.

Business Licensing received a complaint on June 1, 2018 that the subject site is being operated as a nightclub with weekly activities and is open until 3 a.m. on Saturday nights. The complainant also stated there are events on Sunday evenings that are promoted on social media as public events open to all ages. They charge an entry fee and alcohol is sold in the presence of minors. The business also offers bottle service with cocktail waitresses, DJ's playing music, with bands and concerts also open to the public with an entry fee. The complainant went on to explain that membership services are being offered without the proper business licensing, classes are taught by unlicensed instructors, and that the noise is unacceptable for the surrounding residential neighborhood.

Business Licensing Enforcement performed a status check on June 2, 2018 and upon arrival could hear music audible from the parking lot adjacent to the subject site at 4601 West Sahara Avenue. The subject site was observed operating as a nightclub with bar, dance floor, lounge seating and music. A ten dollar cover fee was being charged upon entry. Licensing Enforcement Officers advised the business owner that the noise (music) must be mitigated as it was disturbing the adjacent residential neighborhood. Similar issues were raised during a status check on September 28, 2018 where the music was also heard from the rear parking lot disturbing the adjacent residential neighborhood. The owner was once again advised to comply with the conditions of approval and mitigate the noise.

Staff is recommending denial of the parking Variance and both Special Use Permit applications as the proposed land uses are too intense for the subject site. This is evidenced by the parking variance and the distance separation requirements not being met for either the proposed Liquor Establishment (Tavern) use or the Nightclub use as there are existing taverns and a Church/house of Worship on the north side of Sahara Avenue. In addition, single family detached dwellings are directly adjacent to the south end of the subject site. A tavern-restricted license with nightclub is too intense for residential adjacency and is not able to be conducted in a manner that is harmonious or compatible with the neighboring single family residences as the hours of activity for the proposed uses are typically at night when most residents are sleeping.

***Special Use Permit – Liquor Establishment (Tavern)***
The Liquor Establishment (Tavern) [Tavern-Restricted] use is defined as "a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold." The proposed use meets the definition as the applicant intends to serve alcoholic beverages for on-site consumption to guests during dancing events.

JAB

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church/house of worship, school, individual care center licensed for more than 12 children, or City park.

   *The proposed use does not meet this requirement as the subject site 150 feet away from a similar use, and 385 feet away from a church/house of worship. However, the requirement can be waived pursuant to Requirement 5 below, which the applicant is requesting in conjunction with the requests.*

2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

   *This requirement has been met as this is the method used in determining the distance between the subject site and the surrounding protected uses.*

3. For the purpose of Requirement 2, and for that purpose only:
   a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The "property line" of a liquor establishment (tavern) refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;

JAB

B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;
C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and
D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*This requirement has been met as this is the method used in determining the distance between the subject site and the surrounding protected uses.*

4. The distance separation requirement set forth in Requirement 1 does not apply to 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.

   *This requirement is not applicable.*

5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:
   a. Will be located on a parcel within the C-V District, the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B), the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;
   b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;
   c. Will be located within a regional mall; or
   d. Will be located within a mixed-use development:
      i. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16 ;
      ii. That has a minimum net site area of 15 acres; and
      iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or
   e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet; or

f. Will have a general on-sale alcoholic beverage license operated in conjunction with an establishment listed in LVMC 6.50.060.
g. Will have a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

*This proposed use meets this requirement (9.g.), as it is a liquor establishment (tavern) that if approved would apply for a tavern-restricted alcoholic beverage license.*

6. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

   *The proposed use meets this requirement, as the subject site is subject to regular inspections to ensure compliance with LVMC Chapter 6.40 and 6.50.*

***Special Use Permit - Nightclub***

The Nightclub use is defined by Title 19.12 as "an indoor or outdoor drinking, dancing, or entertainment establishment that conducts its primary business after dark, has a dance floor or open area free of tables and chairs that would allow dancing or assembly occupancies, and has sound equipment to allow live or recorded music played for the purpose of dancing (whether or not dancing actually occurs). The use may (but is not required to) include any of the following: onsite consumption of alcoholic beverages, a bar area, a fee for admittance, a promoter contracted to provide entertainment, and the sale of prepared food. In order to qualify as a nightclub, any sale of prepared food must be accessory to the primary use. The use does not include an erotic dance establishment licensed under LVMC Chapter 6.35 or an establishment that qualifies as a Teen Dance Center." As stated in the justification letter, the applicant would like the ability to bring in bands to provide live music to their patrons, which meets the definition of a Nightclub use.

The Minimum Special Use Permit Requirements for this use include:

1. Because the primary operations of a nightclub often include preparing and serving alcoholic beverages for immediate on-premises consumption and the provision of live entertainment, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a nightclub and other uses that should be protected from the impacts associated with a nightclub. Therefore, except as otherwise provided below, no nightclub may be located within 1500 feet of a church, synagogue, school, child care facility licensed for more than 12 children or City park.

   *The proposed use does not meet this requirement, as a church/house of worship is 385 feet away from the subject site. The applicant is requesting a Waiver of this requirement.*

2. A person that desires to operate a nightclub shall obtain both a nightclub land use entitlement as well as any necessary land use entitlement for the service of alcohol for on-premises consumption. A person lawfully operating a nightclub as defined by this section and LVMC 6.39, prior to December 1, 2014, is not required to obtain a special use permit for the continued operation of such nightclub use. Real property entitled for a nightclub pursuant to this Code shall have no specific spacing requirements between other nightclubs. However, as the nightclub entitlement is a separate and distinct from any land use entitlement permitting the service of alcohol for on-premises consumption, this provision shall not act to waive or otherwise diminish the specific spacing requirements between uses entitled for the service of alcohol for on-premise consumption.

   *The proposed use meets this requirement, as the applicant is also requesting a Special Use Permit for a Liquor Establishment (Tavern) land use.*

3. The distance separation referred to in Requirement 1 above and Requirement 8 below shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed nightclub 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 nightclub. The distance shall be measured in a straight line without regard to intervening obstacles.

   *This requirement has been met as this is the method used in determining the distance between the subject site and the surrounding protected uses.*

4. For the purpose of Requirement 3, and for that purpose only:
   a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
   b. The "property line" of a nightclub refers to:
      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
         B. The proposed nightclub will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed nightclub will be located;

JAB

C. All parking spaces required by this Section 19.12.070 for the nightclub will be located on the same parcel as the use; and
D. The owners of all parcels within the commercial subdivision, including the owner of the nightclub parcel, sign an agreement, satisfactory to the City Attorney that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*This requirement has been met as this is the method used in determining the distance between the subject site and the surrounding protected uses.*

5. The distance separation requirement set forth in Requirement 1 does not apply to 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.

   *This requirement is not applicable.*

6. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C) under the following circumstances:
   a. In connection with a proposed nightclub that will be located on a parcel within the C-V District; the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B); the Gaming Enterprise Overlay District; the Fremont East Entertainment District; the 18b Arts District or the Downtown Casino Overlay District;
   b. In connection with a proposed nightclub to be located on a parcel within that certain area formerly identified as the Office Core District, described as the area bounded on the north by the centerline of Bridger Avenue, on the east by the centerline of 6th Street, on the south by the centerline of Garces Avenue, and on the west by the eastern edge of the Union Pacific Railroad right-of-way line; or
   c. In connection with a proposed nightclub that will be located within an establishment which has a non-restricted gaming license and is not exempted pursuant to Paragraph 5.
   d. In connection with a proposed nightclub to be operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

   *The applicant is requesting a Waiver in accordance with 6d above to allow the proposed nightclub to operate 385 feet from a church/house of worship where 1,500-foot distance separation is required.*

7. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

   *The proposed use meets this requirement, as the subject site is subject to regular inspections to ensure compliance with LVMC Chapter 6.50.*

JAB

8. Except as otherwise provided in Requirement 9 below, no nightclub may be located within 500 feet of any single-family dwelling.

   *The proposed use is exempt from this requirement, as listed provided in Requirement 9(c)(iv) below.*

9. The distance separation requirement set forth in Requirement 8 does 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.
   b. A nightclub located within the boundaries of the Downtown Entertainment Overlay District or within the boundaries of the Pedestrian Mall as defined by LVMC Chapter 11.68.
   c. A nightclub that meets all the following criteria:
      i. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street;
      ii. Is located on a parcel with a minimum net site area of 0.25 acres; and
      iii. Is located within a building that has a minimum of 5000 square feet of gross floor area dedicated to the nightclub use.
      iv. A nightclub operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

   *This proposed use meets this requirement (9.c.iv.) as it is proposed as a nightclub operated in conjunction with a proposed tavern-restricted alcoholic beverage license.*

10. Alcohol service, if any, is permitted only in conjunction with the following Title 6 alcoholic beverage licenses: Beer and Wine Room, Tavern, Tavern-Limited, Tavern-Restricted, General On-Sale and Urban Lounge.

    *The proposed use meets this requirement, as the subject site would apply for a license as a Tavern-Restricted if approved.*

The proposed Liquor Establishment (Tavern) and Nightclub both meet the Minimum Special Use Permit Requirements in Title 19.12.070. The subject site is on a segment of West Sahara Avenue that was recently approved (Bill No. 2019-11) to establish a new alcoholic beverage licensing category called Tavern-Restricted. In this segment of Sahara Avenue, in conjunction with a Tavern-Restricted license, the applicant can apply for a Waiver that if approved, would allow the establishment to operate within the distance separation area of the protected properties. The applicant is requesting Waivers of the distance separation requirement as part of this request.

JAB

On 09/23/16, the Planning Commission approved a Special Use Permit (SUP-65924) for an alternative parking standard to allow 47 parking spaces where 54 spaces are required for a proposed banquet facility and instructional dance studio. The proposed Liquor Establishment (Tavern) use has a Title 19.12 parking requirement of one space for every 50 square feet of public area plus one space for each 200 square feet of back-of-house area. The subject site has an 8,800 square-foot structure used for dance instruction and special events. The dance rooms are empty and could be used as seating during special events. If approved for a Liquor Establishment entitlement, the subject site would require 173 on-site parking spaces where 47 spaces are provided. This is a 73 percent shortfall.

Considering such a large parking shortfall for a use along the busy Sahara Avenue corridor, staff recommends denial of the requested parking Variance as it is a self-imposed hardship brought on by an applicant who has proposed a land use too intense for the subject site.

**FINDINGS (VAR-76469)**

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

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

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a land use for an existing site that is not able to provide sufficient parking for the proposed land uses. 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. Therefore, staff recommends denial of the proposed Variance.

JAB

## FINDINGS (SUP-76470 and SUP-76471)

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 is located within 1,500 feet of four additional actively licensed taverns and one church, house of worship. In addition, single family residences share a property line with the subject site to the south. The proposed tavern and nightclub is not able to be conducted in a manner that is harmonious and compatible with existing surrounding land uses as it is too intense for the existing area.

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

   The subject site is not physically suitable for the type and intensity of the proposed land uses as it is not able to provide sufficient parking and is deficient 126 on-site parking spaces. The requested parking Variance is evidence the site is not physically able to handle the required Title 19 parking for the land use proposed and will unduly burden neighboring properties with vehicles looking for available parking facilities.

   In addition, the applicant is requesting Waivers to allow the proposed tavern and nightclub use within 1,500 feet of four additional taverns and a church/house of worship. The subject site is also located directly adjacent to single family residences. The Waivers requested are also evidence the site is not physically suited for the type and intensity of the proposed land uses.

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

   Sahara Avenue is a 150-foot Primary Arterial, and is 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 Tavern-Limited Establishment would compromise the public welfare by disrupting an existing single family residential neighborhood to the south with the noise normally associated with a nightclub and tavern use.

JAB

The proposed Special Use Permit requests are not consistent with objectives of the General Plan for infill and redevelopment. At the time of approval, the subject infill site containing a banquet facility and instructional dance studio was deemed compatible with the existing surrounding land uses and was approved for construction. The General Plan clearly states the importance for an infill development to be compatible with the existing surroundings. Approving Special Use Permits that will allow an intense land use that does not meet distance separation requirements from protected uses or parking requirements is not in compliance with the Community Element of the general Plan.

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

The proposed use does not meet the required parking requirements of Title 19.12.070, as there is a 73 percent shortfall in parking, equivalent to 126 spaces resulting in the necessity of a parking Variance. In addition, the applicant is asking for Waivers to allow the proposed land uses to operate within the required distance separation radii for protected land uses, which if approved would result in an over saturation of a similar use and the addition of a sixth tavern within the 1,500-foot distance separation radii for a church/house of worship.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 09/23/16 | The Planning Commission approved a Variance (VAR-65923) to allow a zero-foot side yard setback where ten feet is required at 4545 W Sahara Ave. Staff recommended denial. |
| | The Planning Commission approved a Special Use Permit (SUP-65924) for an alternative parking standard to allow 47 parking spaces where 54 spaces are required at 4545 W Sahara Ave. Staff recommended denial. |
| | The Planning Commission approved a Site Development Plan Review (SDR-65925) for a proposed 7,800 square-foot commercial building with a 1,000 square-foot patio with waivers to allow a zero-foot wide side and rear yard landscape buffer where eight feet is required along the east, west and south perimeters at 4545 W Sahara Ave. Staff recommended denial. |
| 03/30/17 | A Parcel Map (PMP-66184) was recorded for reversion to acreage of two lots on 0.76 acres at 4545 W Sahara Ave. |

JAB

| *Related Relevant City Actions by Business Licensing Enforcement:* | |
|---|---|
| 02/21/18 | During a routine compliance check at 4545 West Sahara Avenue, Business Licensing Enforcement found an accurate, current employee list; alcohol was stored in accordance with the security plan. The business licenses were posted in the office and the owner was advised that the licenses needed to be posted in public view. In addition, the vending machines needed proper licensing. |
| 03/09/18 | During a routine compliance check, Business Licensing Enforcement found staff to not possess the required alcohol awareness card and/or work cards. In addition, an accurate employee list was not available at 4545 West Sahara Avenue. |
| 06/01/18 | Business Licensing Enforcement received a complaint for excessive noise associated with a dance studio that performs nightclub activities on a weekly basis that are promoted on social media as public events for all ages. The alleged activities included entry fees, alcohol being sold in the presence of minors, food sales, bottle service, cocktail waitresses, DJs, and bands, including concerts open to the public who are charged an entry fee at 4545 West Sahara Avenue. |
| 06/02/18 | During a routine status check at 4545 West Sahara Avenue performed by Business Licensing Enforcement, the subject site was open and operating with a bar, dance floor, and seating. Music was audible to the inspecting officer from the parking lot. The business was charging a ten dollar entry fee. The owner was advised that steps must be taken to mitigate the noise emitting from the establishment and disturbing the adjacent residential neighborhood. |
| 09/01/18 | During a joint status check performed with the Metropolitan Police Department, the business was not operational at the time of the inspection check, but staff was observed counting the "till." The business owner was informed that the inspection was due to a complaint received in regards to the property operating as a nightclub. Business Licensing Enforcement found the establishment at 4545 West Sahara Avenue to be in compliance at the time of inspection. |
| 09/08/18 | During a routine status check, Business Licensing Enforcement found the business to be closed at the time with moving trucks moving items in and out of the subject site at 4545 West Sahara Avenue. No music was heard and a follow-up inspection was scheduled. |
| 09/28/18 | During a routine status check, Business Licensing Enforcement found music could be heard from the back (south) parking lot at 4545 West Sahara Avenue. Staff advised the business owner that noise and music must be mitigated to not disturb the adjacent properties. |
| 12/13/18 | Business Licensing Enforcement closed the case pending any further complaints for 4545 West Sahara Avenue. |

JAB

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/01/17 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/26/17 | A building permit (#PRC-68136) was issued for an assembly building with on-sites at 4545 West Sahara Avenue. The permit received its final inspection on 07/26/17. |
| 01/04/18 | A building permit (C18-00053) was issued for a wall sign at 4545 W Sahara Ave. The permit received its final inspection on 05/24/18. |
| 01/31/18 | A business license (P65-00307) was issued for an alcohol beverage caterer at 4545 W Sahara Ave. The license is active as of 05/01/19. |
| | A business license (G65-08139) was issued for a banquet facility at 4545 W Sahara Ave. The license is active as of 05/01/19. |
| | A business license (G65-08142) was issued for dance instruction at 4545 W Sahara Ave. The license is active as of 05/01/19. |
| | A business license (G65-08141) was issued for a professional promoter at 4545 W Sahara Ave. The license is active as of 05/01/19. |

| ***Pre-Application Meeting*** | |
|---|---|
| 05/01/19 | A pre-application meeting was conducted with the applicant to discuss submittal requirements for a Variance and Special Use Permit applications. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/16/19 | Staff conducted a routine field check of the subject site and found no trash, debris, or graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.76 |

JAB

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Banquet Facility and General Personal Service | MXU (Mixed Use) | C-1(Limited Commercial) |
| North | Restaurant<br>Liquor Establishment (Tavern)<br>General Retail Store, Other Than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| South | Single Family Residential, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | General Personal Service<br>Office, Other Than Listed<br>General Retail Store, Other Than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| West | Liquor Establishment (Tavern)<br>General Retail Store, Other Than Listed<br>Laundry, Self-Service<br>Restaurant<br>General Personal Service | MXU (Mixed Use) | C-1 (Limited Commercial) |

| ***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 2 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | Y |

JAB

## DEVELOPMENT STANDARDS

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

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or # of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Liquor Establishment | 8,800 SF | 1 space/50 SF of seating plus 1 space/200 SF total remaining | 171<br>2 | | | | |
| **TOTAL SPACES REQUIRED** | | | 173 | | 47 | | N* |
| **Regular and Handicap Spaces Required** | | | 167 | 6 | 45 | 2 | N* |
| Percent Deviation | | | 268% | | | | |

**The applicant is applying for a Variance (VAR-76469).*

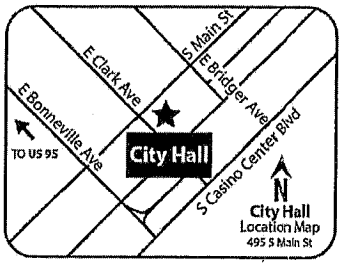
JAB

| *Waivers* | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 1,500-foot distance separation between similar uses (tavern-to-tavern). | To allow a 150-foot distance separation from 4570 West Sahara Avenue. | Denial |
| A 1,500-foot distance separation between similar uses (tavern-to-tavern). | To allow a 338-foot distance separation from 4604 West Sahara Avenue. | Denial |
| A 1,500-foot distance separation between a Nightclub and a Church/House of Worship | To allow a 385-foot distance separation from 4500 West Sahara Avenue. | Denial |
| A 1,500-foot distance separation between similar uses (tavern-to-tavern). | To allow a 338-foot distance separation from 4760 West Sahara Avenue. | Denial |
| A 1,500-foot distance separation between similar uses (tavern-to-tavern). | To allow a 594-foot distance separation from 2520 Arville Street. | Denial |
| A 1,500-foot distance separation between similar uses (tavern-to-tavern). | To allow a 1478-foot distance separation from 4213 West Sahara Avenue. | Denial |

JAB

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

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




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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-76469 and SUP-76470 [PRJ-76404]**

Planning Commission Meeting of **06/25/2019**

PRSRT
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Las Vegas, NV
Permit No. 1630

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JUN 20 2019
Dept of Planning
City of Las Vegas

PRJ-76404_1
16207210112
MIKE & FRIENDS LAS VEGAS HOT SPO
18222 WINN CIR
VILLA PARK CA 92861

110 DRDFNP1 92861

Submitted after final agenda

39-40P

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**

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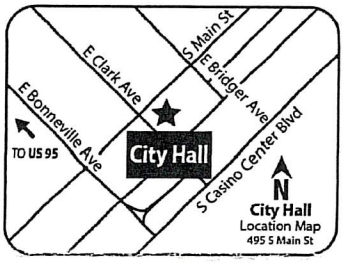
JUN 18
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76469 and SUP-76470 [PRJ-76404]**
Planning Commission Meeting of **06/25/2019**

PRJ-76404_1
16207515035
MOORE TOMMY DALE & AMANDA GAYLE
4308 SAN ANGELO AVE
LAS VEGAS NV 89102-0617

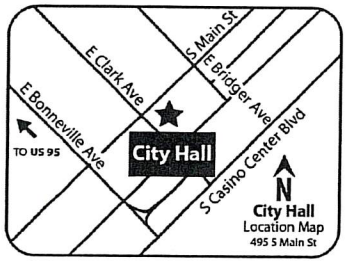
89 DRDFNP1 89102



39-40P

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

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

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-76469 and SUP-76470 [PRJ-76404]**
Planning Commission Meeting of **06/25/2019**

Liquor store right next door. Tel F across the street. What residents on Quantana want to listen to a bunch of drunks in their backyard at night? No need for this.

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Las Vegas, NV
Permit No. 1630

RECEIVED
JUN 18
Dept of Planning
City of Las Vegas

PRJ-76404_1
16207502003
KNOWLES LANA DENISE
4316 SAN BERNARDINO AVE
LAS VEGAS NV 89102-5790

89 DRDFMP1 89102



39-40P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Monday, June 24, 2019 4:45 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 06/24/19 4:44 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, June 25, 2019 |
| **Project Number:** | 76404 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Jerry Johnson |
| **Residential or Business Address:** | Church Member Champlin<br>Las Vegas, NV 89102 |
| **Phone:** | (805) 300-2400 |
| **Email:** | jjohnson@vbfvegas.org |
| **Comments:** | To whom it may concern - The address I'm writing to you about is 4545 W Sahara. This is a rhythm Dance Studio applying for a license to turn it into a nightclub with a bar. This could be extremely detrimental to all of the surrounding businesses. One of the items they are requesting a waiver for is the requirement for adequate parking. Right now, they only have 47 spaces and they are required to have 173. This means that the Overflow parking would end up in our Lots. Also, with a |

Submitted after final agenda

39-41 P
Pg 1 of 2

nightclub serving alcohol. This is a huge concern for our community and the surrounding business.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



39-41
pg 2 of 2

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Wednesday, June 19, 2019 12:13 PM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 06/19/19 12:12 PM

| | |
|---|---|
| **Meeting Date:** | Tuesday, June 25, 2019 |
| **Project Number:** | 76404 |
| **Position:** | I OPPOSE the project and all related applications. |
| **Name:** | Bonnie Densmore |
| **Residential or Business Address:** | Abona Family, LLC c/o MDL Group<br>5960 South Jones Boulevard<br>Las Vegas, NV 89118 |
| **Phone:** | (702) 388-1800 |
| **Email:** | bdensmore@mdlgroup.com |
| **Comments:** | I am writing on behalf of Abona Family, LLC which owns the property just west of the property relating to the above Project which is requesting a variance to allow 47 parking spaces where 173 are required and a proposed Tavern. I currently manage the center for the owners.<br><br>We vehemently oppose this project! |

39-41P
Pg 1 of 2

• The parking situation already overflows into our parking lot despite posted signage. We have not started towing vehicle as yet, but if this request is allowed, we will implement towing immediately.
• There is a church within our center which is directly adjacent to this property and we understand that there is a stipulation would prevent a tavern establishment this close to a church (approximately 50 feet away).
• One of our main tenants is a convenience store that sells liquor. This would also be another conflict. The convenience store has reported that they see absolutely no increase in sales since the dance studio opened.
• I also manage a center nearby with a nightclub and there is constantly debris, broken bottles, and vomit not just outside the establishment but throughout the center as typically even though the establishment may not allow glass bottles outside, patrons will bring their own to consume in their vehicles and leave them on the property.
• A tavern this close to our property would create a maintenance nightmare!

Please do not approve this project!

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



39-41
Pg 2 of 2

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**40**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76470 - SPECIAL USE PERMIT RELATED TO VAR-76469 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) [TAVERN-RESTRICTED] USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

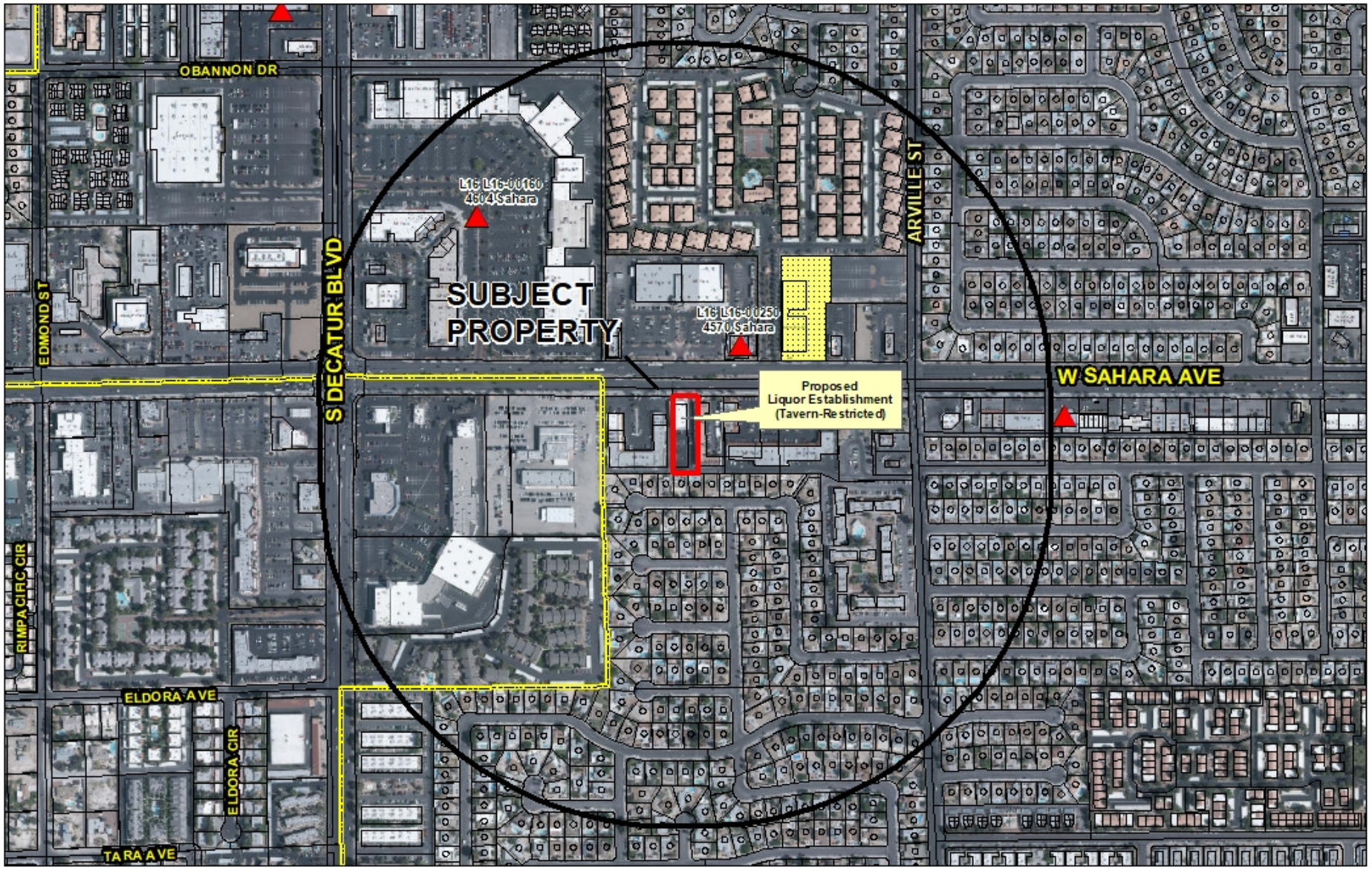
**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
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-76470 (PRJ-76404)**

**Proposed Liquor Establishment (Tavern-Restricted)**

**Business Licenses**

- Tavern
- Tavern - Limited
- Urban Lounge
- Ancillary Brew Pub

**Protected Uses**

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

- City Limits
- Subject Property
- 1500 ft Buffer

N

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

Date: Wednesday, May 15, 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) _____

**Project Address** (Location) 4545 West Sahara Avenue, Las Vegas NV 89102

**Project Name** Rhythms Dance Studio & Event Center **Proposed Use** _____

**Assessor's Parcel #(s)** 162-07-101-020 **Ward #** 1

**General Plan:** Existing X Proposed _____ **Zoning:** Existing X Proposed _____

**Additional Information** _____

**Property Owner** Virginia Cano **Contact** Same

Address 4037 Evening Breeze Ct, City Las Vegas State NV Zip 89107

E-mail info@RhythmsLV.com Phone (702) 203-6251

**Applicant** _____ **Contact** _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone _____

**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** _____

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

**Print Name** Virginia Cano

Subscribed and sworn before me

This 6th day of May, 20 19

_____ County of Clark State of Nevada

Notary Public in and for said County and State

PRJ-76404
05/07/19

NOTARY PUBLIC
State of Nevada County of Clark
CHANDI MELTON
Appointment Exp. 07-20-2020
Certificate No. 98-49100-1

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**41**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SUP-76471 - SPECIAL USE PERMIT RELATED TO VAR-76469 AND SUP-76470 - PUBLIC HEARING - APPLICANT: RHYTHM'S DANCE STUDIO - OWNER: 4545 WEST SAHARA AVE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,800 SQUARE-FOOT NIGHTCLUB USE WITH 1,000 SQUARE FEET OF OUTDOOR SEATING, IN CONJUNCTION WITH AN ESTABLISHMENT THAT HAS A TAVERN-RESTRICTED LICENSE, WITH A WAIVER TO ALLOW A 150-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 4545 West Sahara Avenue (APN 162-07-101-020), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-76404]. Staff recommends DENIAL.

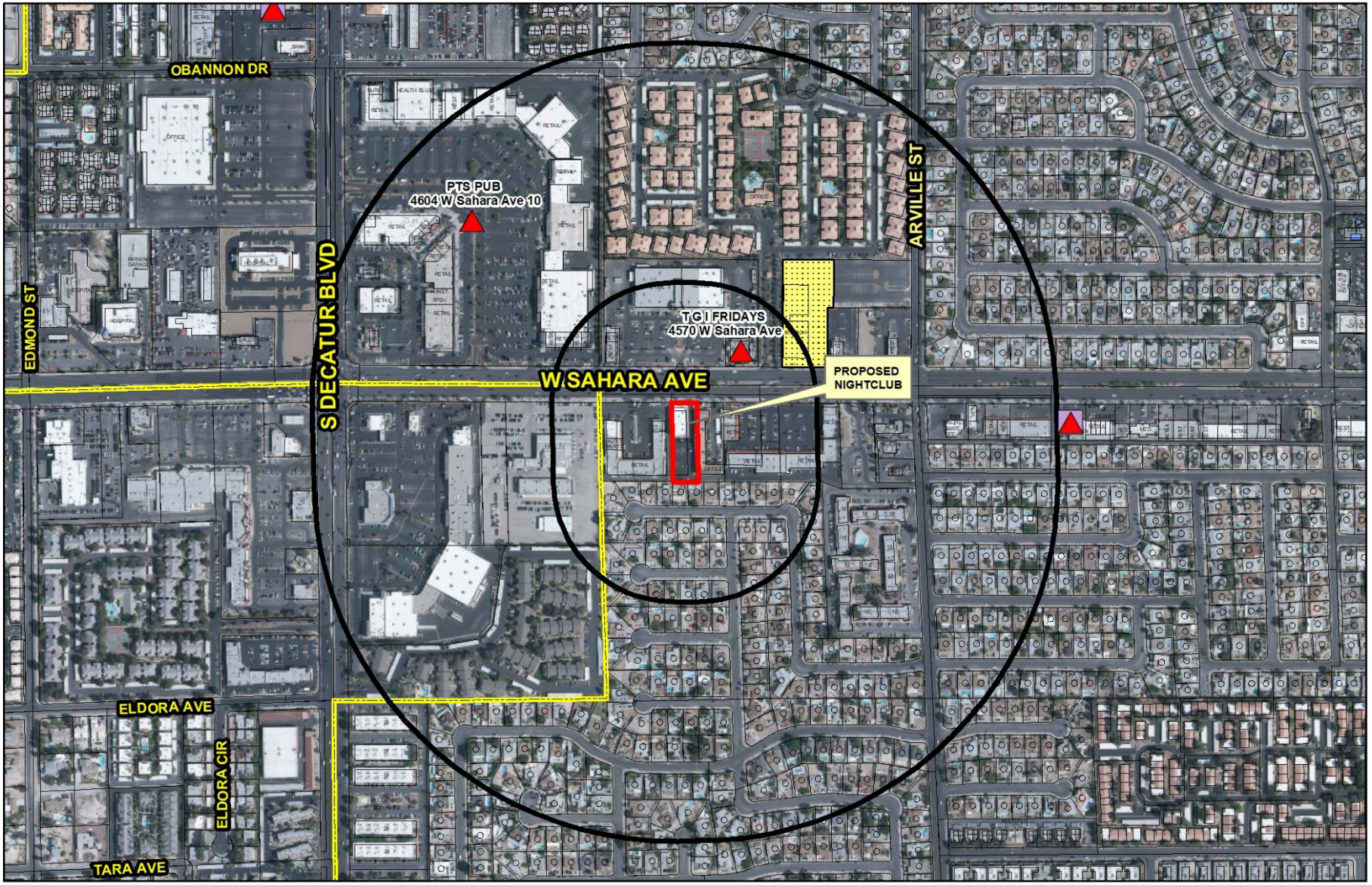
**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Special Map
3. Supporting Documentation
4. Submitted after Final Agenda - Protest Postcards

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




**SUP-76471 (PRJ-76404)**

**NIGHTCLUB**

**Business Licenses**

- Nightclub
- City Limits
- Subject Property
- 500 & 1500 ft Buffer

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Residential Property
- Child Care/ Children Facility
- Private Schools

**Waived Zones**

- C-V - Civic
- 18b Las Vegas Arts District
- Downtown Casino Overlay District
- Gaming Enterprise Overlay
- 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: Tuesday, May 28, 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) _____

**Project Address** (Location) 4545 West Sahara Avenue, Las Vegas NV 89102

**Project Name** Rhythms Dance Studio & Event Center **Proposed Use** _____

**Assessor's Parcel #(s)** 162-07-101-020 **Ward #** 1

**General Plan:** Existing X Proposed _____ **Zoning:** Existing X Proposed _____

**Additional Information** _____

**Property Owner** Virginia Cano **Contact** Same

Address 4037 Evening Breeze Ct, City Las Vegas State NV Zip 89107

E-mail info@RhythmsLV.com Phone (702) 203-6251

**Applicant** _____ **Contact** _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone _____

**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** _____

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

**Print Name** Virginia Cano

Subscribed and sworn before me

This 6th day of May, 20 19

_____ County of Clark State of Nevada

Notary Public in and for said County and State

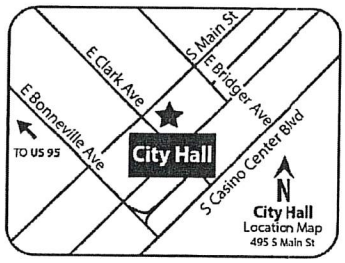
PRJ-76404
05/07/19

NOTARY PUBLIC
State of Nevada County of Clark
CHANDI MELTON
Appointment Exp. 07-20-2020
Certificate No. 98-49100-1

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
JUN 20
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-76471 [PRJ-76404]**

Planning Commission Meeting of **06/25/2019**

PRJ-76404_1
16207210112
MIKE & FRIENDS LAS VEGAS HOT SPO
18222 WINN CIR
VILLA PARK CA 92861

1 1 0 DRDFNP1 92865 1

Submitted after final agenda

41P

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

PRSRT
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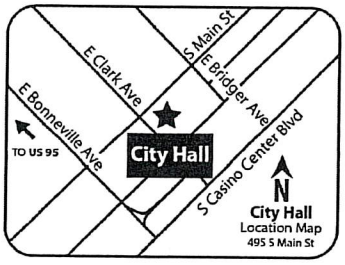


RECEIVED
JUN 18
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76471 [PRJ-76404]**

Planning Commission Meeting of **06/25/2019**

PRJ-76404_1
16207502003
KNOWLES LANA DENISE /ALLEN DRK
4316 SAN BERNARDINO AVE
LAS VEGAS NV 89102-5790

89 DRDFMP1 89102



41P

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
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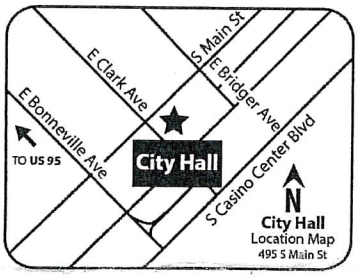


RECEIVED
JUN 18 2019
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76471 [PRJ-76404]**

Planning Commission Meeting of **06/25/2019**

PRJ-76404_1
16207515035
MOORE TOMMY DALE & AMANDA GAYLE
4308 SAN ANGELO AVE
LAS VEGAS NV 89102-0617

89 ORDFNP1 89102



41P

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**42**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

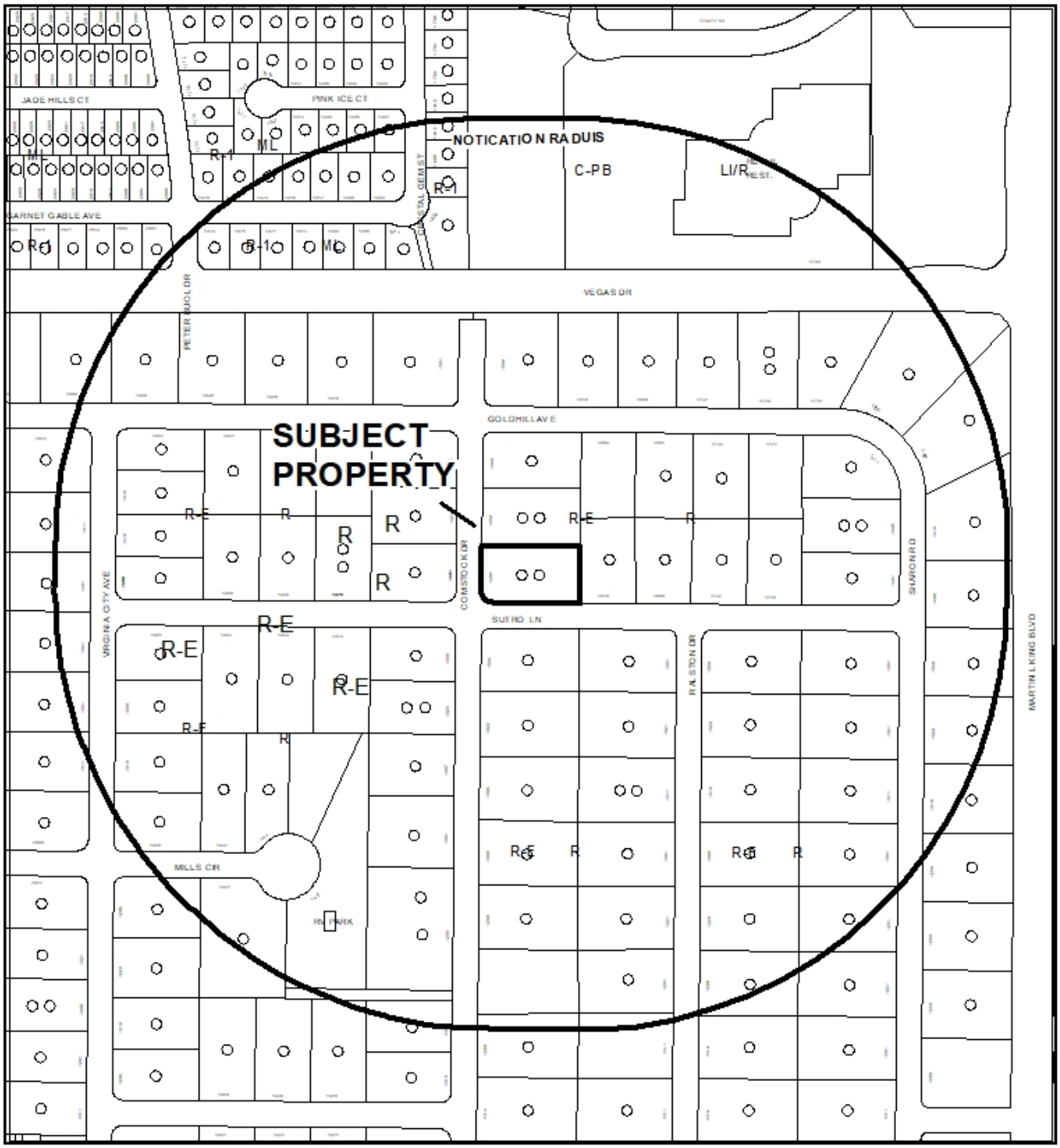
**SUBJECT:**
VAR-76400 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA - For possible action on a request for a Variance TO ALLOW A SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ATTACHED ACCESSORY STRUCTURE [COVERED BARBEQUE] AND TO ALLOW A ZERO-FOOT SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED on 0.70 acres at 1400 Comstock Drive (APN 139-28-110-081), R-E (Residence Estates) Zone, Ward 5 (Crear) [PRJ-76286]. Staff recommends DENIAL.

**C.C.: 08/07/2019**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

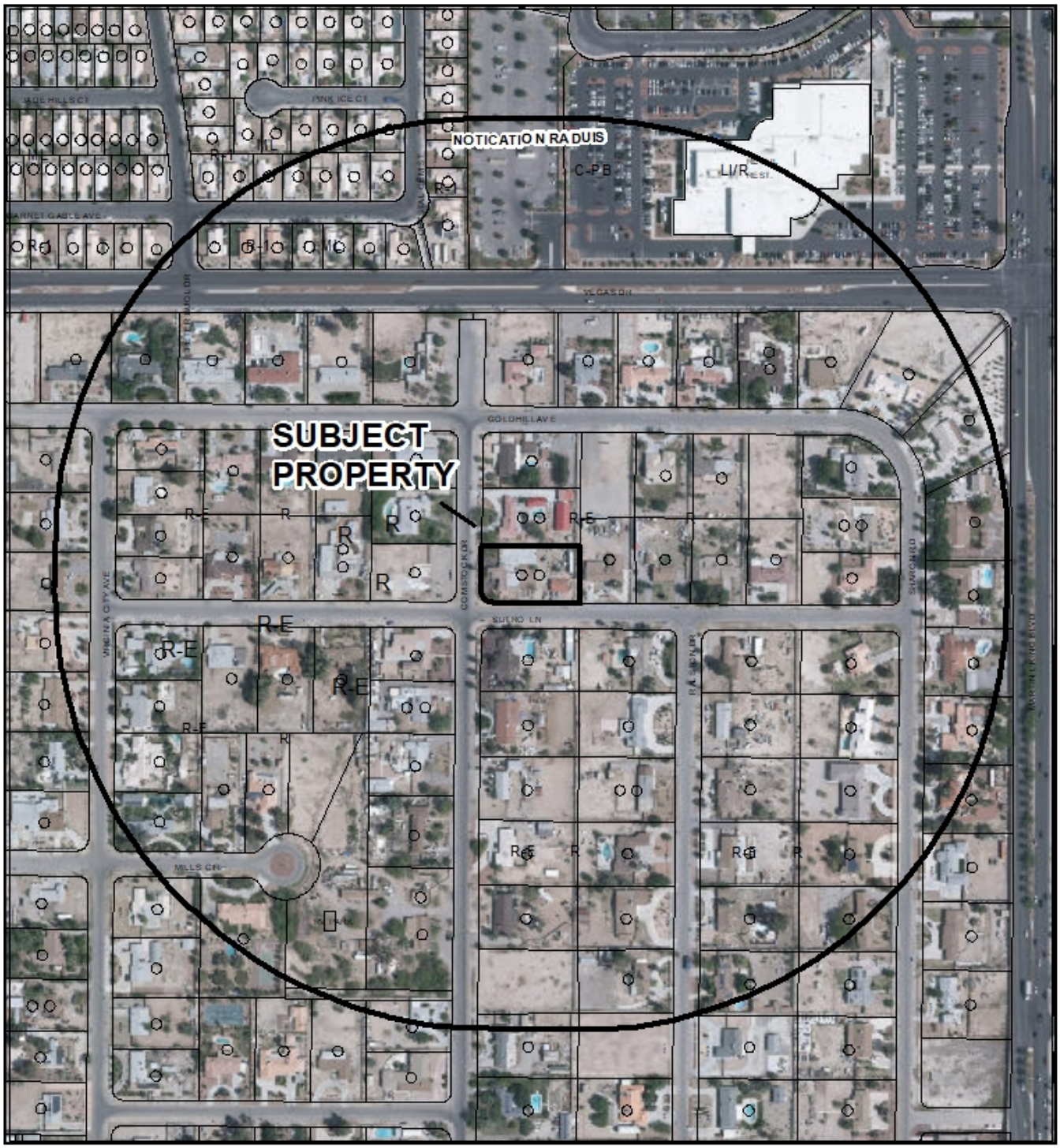
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Protest Postcards




**CASE:** **VAR-76400 (PRJ-76286)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)




0 265 530 Feet

**CASE:** **VAR-76400 (PRJ-76286)**

**RADIUS:** 1000 FEET

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-76400** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 18

**NOTICES MAILED** 123

**PROTESTS** 0

**APPROVALS** 0



SS

**** CONDITIONS ****

# VAR-76400 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 proposing to construct a covered structure for an existing outdoor barbecue at 1400 Comstock Drive. The structure would be attached to the house at one corner but would otherwise be self-supporting.

## ISSUES

- A Variance is requested to allow a six-foot corner side yard setback where 15 feet is required. Staff recommends denial.
- The structure is considered an attached accessory structure but not a patio cover, as the structure can be self-supporting. Per Title 19.06.040, the roof of an accessory structure may be attached to the dwelling if there is a minimum six-foot separation between the walls of the accessory structure and the wall of the main dwelling and provided at least two sides of the breezeway are open. A Variance is therefore requested to allow a zero-foot separation from the main dwelling where six feet is required. Staff recommends denial.

## ANALYSIS

The subject site is located in the R-E (Residence Estates) zoning district. Per Title 19.06.060 the corner side yard setback requirement is 15 feet for accessory structures. Whether attached or detached, a minimum six-foot separation is required between the walls of the proposed structure and the main dwelling.

An existing barbecue area is proposed to be covered by a self-supporting structure that is open on the west side, walled on the east side and partially open on the north and south sides. The structure attaches to the southeast corner of the dwelling; however, the accessory structure does not share a roof with the dwelling, nor does the dwelling support a majority of the structure as with a patio cover.

The lot is evenly graded such that the barbecue and proposed structure could be placed outside of the required setback area. In addition, the structure does not require attachment to the primary dwelling as proposed. Therefore, staff recommends denial of the Variance request, subject to conditions if approved.

## FINDINGS (VAR-76400)

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 an accessory structure that fails to meet Title 19 standards for building setback and separation from the primary dwelling. Detaching the structure from the dwelling, placement further north on the site and allowing for at least six feet of separation between the structure and the primary dwelling would allow conformance to Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg., etc.*** | |
|---|---|
| 06/10/13 | A Code Enforcement Case (129784) was initiated for work without a permit at 1400 Comstock Drive. The case was resolved on 06/21/13. |
| 10/07/13 | A Code Enforcement Case (134186) was initiated for trash/debris at 1400 Comstock Drive. The case was resolved on 10/09/13. |
| 01/28/14 | A Code Enforcement Case (137332) was initiated for the construction of a block wall without a permit at 1400 Comstock Drive. The case was resolved on 02/12/14. |
| 06/29/16 | A Code Enforcement Case (168295) was initiated for a possible unpermitted structure (porte cochere in front yard) at 1400 Comstock Drive. The case was resolved on 06/30/16. |
| 08/02/17 | A Code Enforcement Case (181276) was initiated for commercial equipment storage at 1400 Comstock Drive. The case was resolved on 09/14/17. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/26/13 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| c.1948 | A single family dwelling was constructed at 1400 Comstock Drive. |
| 04/14/75 | A building permit (1411) was issued for a kitchen extension with interior access at 1400 Comstock Drive. A final inspection was completed 12/22/75. |
| 06/12/14 | A building permit (262651) was issued for a two-foot block wall in the front yard and six-foot walls in the side yards at 1400 Comstock Drive. A final inspection was completed on 08/02/14. |
| 05/18/16 | A building permit (318100) was processed for an attached porte cochere at 1400 Comstock Drive. The permit was issued on 11/06/16. |
| 02/27/17 | A building permit (336734) was issued for an electric service change at 1400 Comstock Drive. An inspection was completed on 03/03/17. |
| 10/30/18 | A building application (R18-14567) was processed for a patio cover at 1400 Comstock Drive. Department of Planning staff denied a review pending a public hearing on a variance request. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/16/19 | A pre-application meeting was held with the applicant to discuss submittal requirements for a Variance application. |

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

| ***Field Check*** | |
|---|---|
| 05/23/19 | The site contains a single-family dwelling with access to and from Comstock Drive. The proposed patio cover would be at the rear of the dwelling along the Sutro Lane frontage behind a block wall. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.70 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Single Family, Detached | R (Rural Density Residential) | R-E (Residence Estates) |
| 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 | Single Family, Detached | R (Rural Density Residential) | R-E (Residence Estates) |

| ***Master and Neighborhood Plan Areas*** | ***Compliance*** |
|---|---|
| West Las Vegas Plan | Y |
| ***Special Area and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (105 Feet) | 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 |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06, the following standards apply:***

| *Standard* | *Required/ Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | 18,000 SF | 30,492 SF | Y |
| Min. Lot Width | 100 Feet | 123 Feet | Y |
| Min. Setbacks (accessory structures) | | | |
| • Front | 50 Feet | N/A | N/A |
| • Side | 10 Feet | 109 | Y |
| • Corner | 15 Feet | 6 Feet | N |
| • Rear | 15 Feet | 125 Feet | Y |
| Min. Separation from main dwelling | 6 Feet | 0 Feet | N |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sutro Lane | Minor Collector | Title 13 | 30 | N |
| Comstock Drive | Minor Collector | Title 13 | 30 | N |

PRINT FORM

# 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) 1400 Comstock Drive

**Project Name** Patio Cover **Proposed Use**

**Assessor's Parcel #(s)** 139-28-110-081 **Ward #** 5

**General Plan:** Existing R - Rural Proposed Same **Zoning:** Existing R-E Proposed Same

**Additional Information**

**Property Owner** Mendoza Aldegunda Duran Contact Owner

Address 1400 Comstock Drive City LV State Nv Zip 89106

E-mail Phone 702-767-3390

**Applicant** Mendoza Aldegunda Duran Contact Owner

Address 1400 Comstock Drive City LV State Nv Zip 89106

E-mail Phone 702-767-3390

**Representative** Richard Salemme Contact Designer

Address 596 Kelsford Drive City LV State Nv Zip 89123

E-mail rwsalemme@gmail.com Phone 702-269-8435

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** Aldegunda Duran Mendoza

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

**Print Name** Aldegunda Duran Mendoza

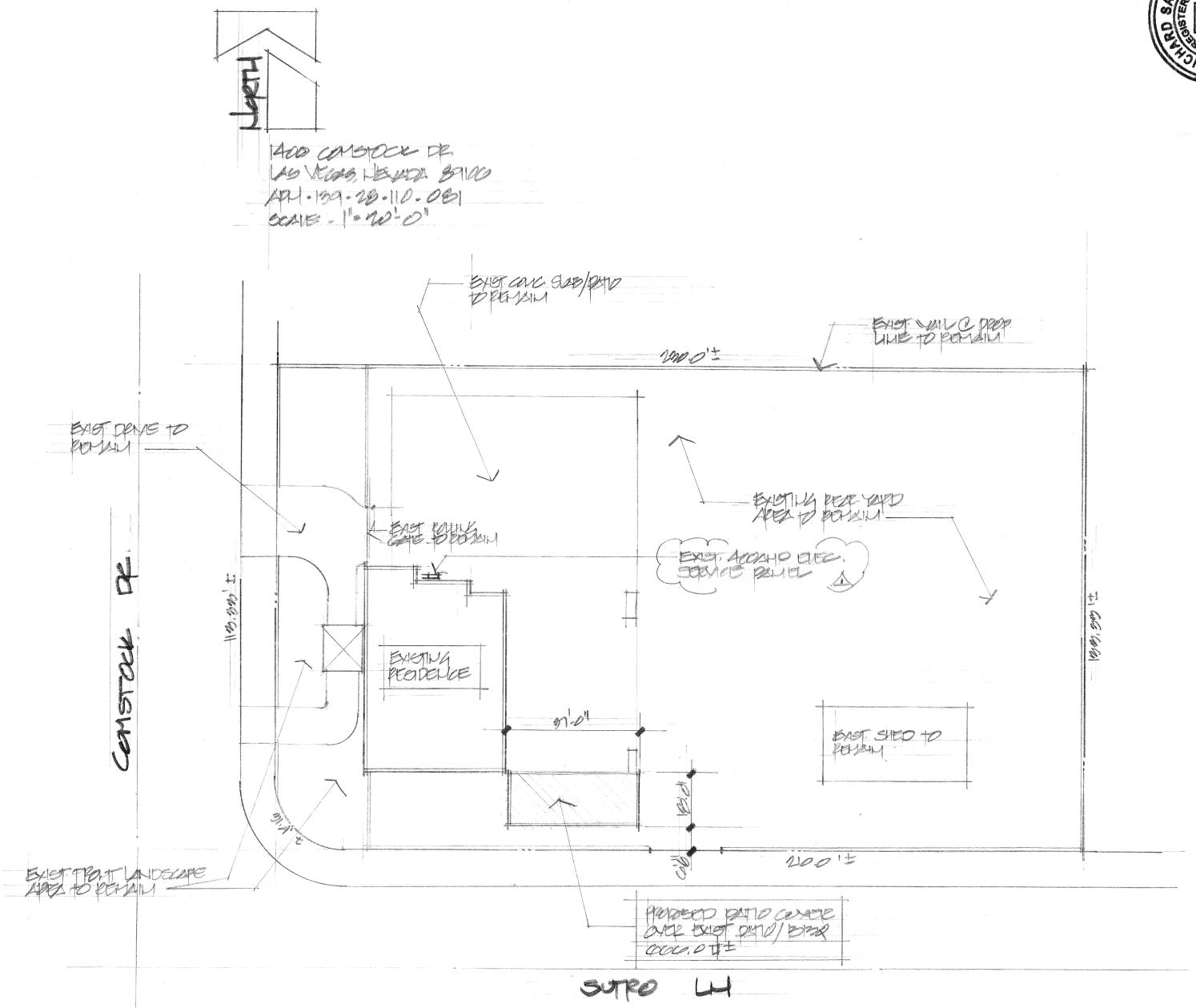
Subscribed and sworn before me

This 22 day of April, 20 19

Notary Public in and for said County and State

DENISE GUERRERO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-01-2022
Certificate No: 18-4115-1

PRJ-76286
05/08/19





Richard W. Salemme
Residential Designer
License No. 235-RD
596 Kelsford Drive Las Vegas Nevada 89123
(702) 269-8435



Mr. & Mrs. Aldegunda Duran
1400 Comstock Drive
Las Vegas, Nevada 89106
(702) 767 - 3390


PROPOSED PATIO COVER
1400 COMSTOCK DR. LAS VEGAS, NV 89106

SITE PLAN

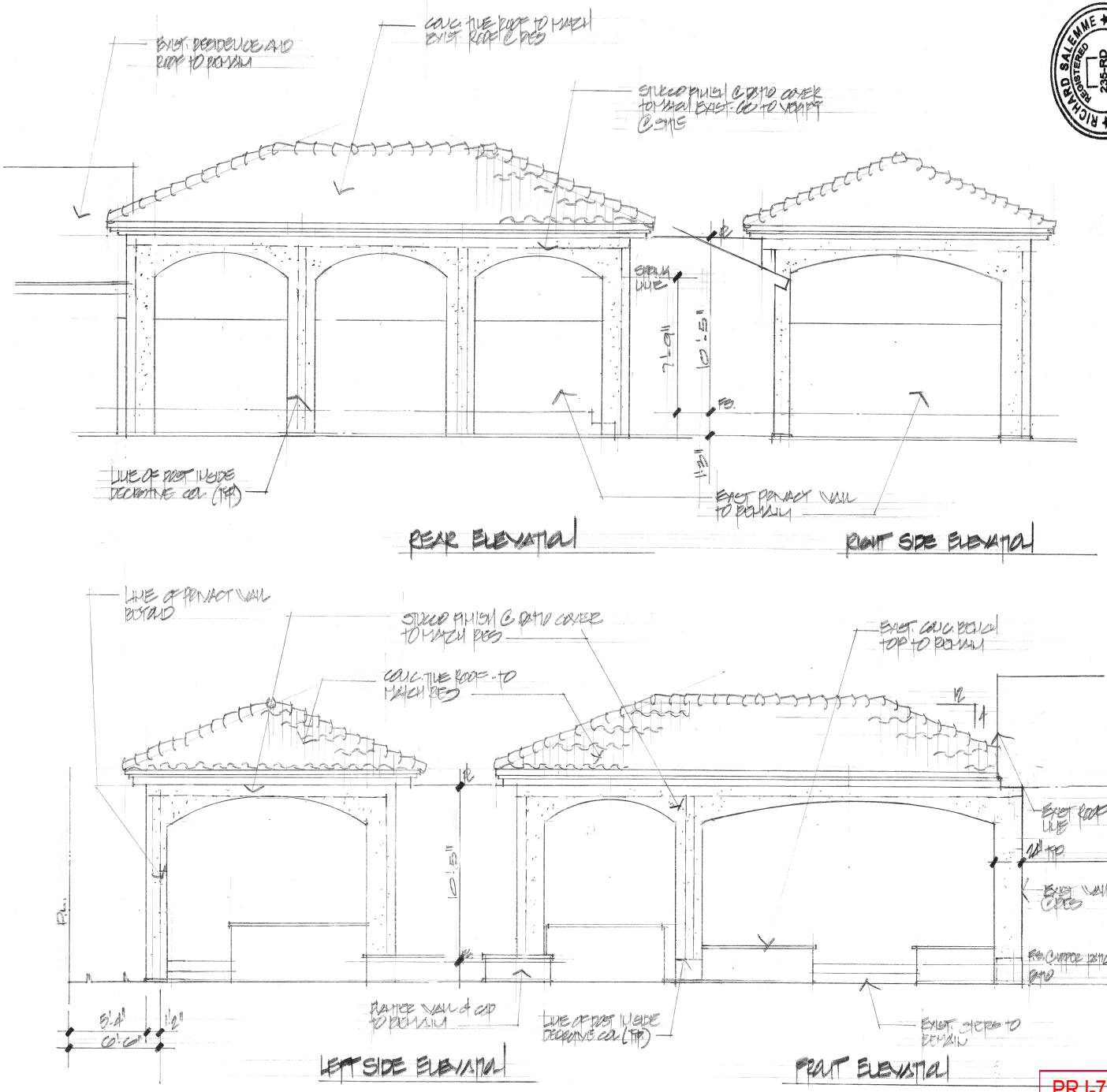
DATE- A-B-C

SCALE 1"=20'-0"

DRAWN- EVS

A1.0

PRJ-76286
05/08/19

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(702) 269-8435

Mr. & Mrs. Aldegunda Duran
1400 Comstock Drive
Las Vegas, Nevada 89106
(702) 767 - 3390

EXTERIOR ELEVATIONS

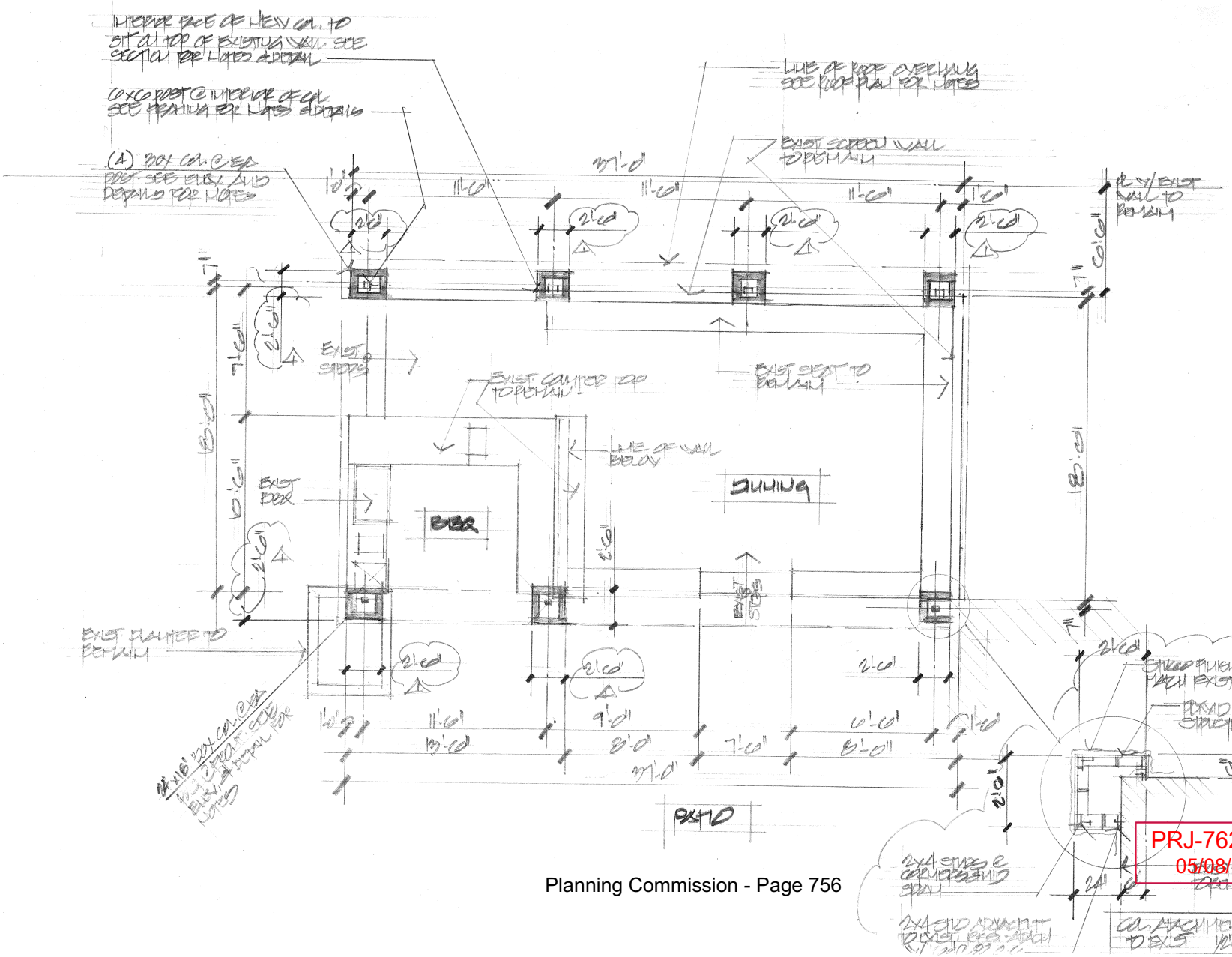
DATE
A-B-

SCALE
1/4"=1'-0"

DRAWN
EMS

A5.0

PRJ-76286
05/08/19





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Mr. & Mrs. Aldegunda Duran
1400 Comstock Drive
Las Vegas, Nevada 89106
(702) 767 - 3390

PROPOSED PATIO COVER AND ENTERTAINMENT CENTER

PLOT PLAN

DATE
4-30-19

SCALE
1/4"=1'-0"

DRAWINGS

A2.0

PRJ-76286
05/08/19



**VAR-76400 [PRJ-76286] - VARIANCE - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA**
**1400 COMSTOCK DRIVE**

05/23/2019



**VAR-76400 [PRJ-76286] - VARIANCE - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA**
**1400 COMSTOCK DRIVE**

05/23/2019



**VAR-76400 [PRJ-76286] - VARIANCE - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA**
**1400 COMSTOCK DRIVE**

05/23/2019



**VAR-76400 [PRJ-76286] - VARIANCE - APPLICANT/OWNER: ALDEGUNDA DURAN MENDOZA**
**1400 COMSTOCK DRIVE**

05/23/2019

Richard W. Salemme
RESIDENTIAL DESIGNER
596 Kelsford Drive Las Vegas Nevada 89123
(702) 269-8435

March 31, 2019

City of Las Vegas
Department of Planning - Current Planning
333 N Rancho Drive
Las Vegas, Nevada 89106

REF: Variance
Mr. & Mrs. Aldegunda
1400 Comstock Drive
Las Vegas, Nevada 89106

Justification Letter

The proposed project is a solid patio cover located at the above address. The patio cover proposed is 37'-0" x 18'-0" and is located on the south side of the property along Sutro Lane.

The variance we are asking for is a reduction of the required 15'-0" side yard to 6'-6". This would allow the Owner to cover the existing patio area. The structure we are proposing is consistent with the architectural style of the existing home. The main patio cover structure is stucco with a tile roof, matching the residence. Within the immediate area there are other structures with a similar setback.

We hope you will agree with us and approve the requested Variance. If you have any additional questions or need any further information, please feel free to contact me at either my email (rwsalemme@gmail.com) or my phone (702-269-8435).

Thank you in advance for your consideration and approval of our request.

Richard Salemme
Residential Designer

PRJ-76286
05/08/19

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

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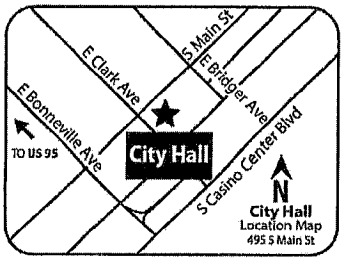
Las Vegas, NV
Permit No. 1630

**Return Service Requested**

**Official Notice of Public Hearing**

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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-76400 [PRJ-76286]**

Planning Commission Meeting of **06/25/2019**

PRJ-76286
13928110030
HAYES DARRELL WAYNE
3764 YELLOW JASMINE DR
LAS VEGAS NV 89147

Submitted after final agenda

42P

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

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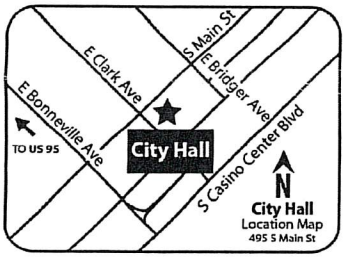
Las Vegas, NV
Permit No. 1630

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

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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-76400 [PRJ-76286]**

Planning Commission Meeting of **06/25/2019**

PRJ-76286
13928110013
RAY JOHN S
1726 GOLDHILL AVE
LAS VEGAS NV 89106-2016

89106 DROPNP1



42P

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**




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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-76400 [PRJ-76286]**
Planning Commission Meeting of **06/25/2019**

~~PRJ-76286~~
~~13928110087~~
RAY JOHN
~~2900 S VALLEY VIEW BLVD #3~~
~~LAS VEGAS NV 89102~~

89 DRDFNP1 89102



42P

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**43**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

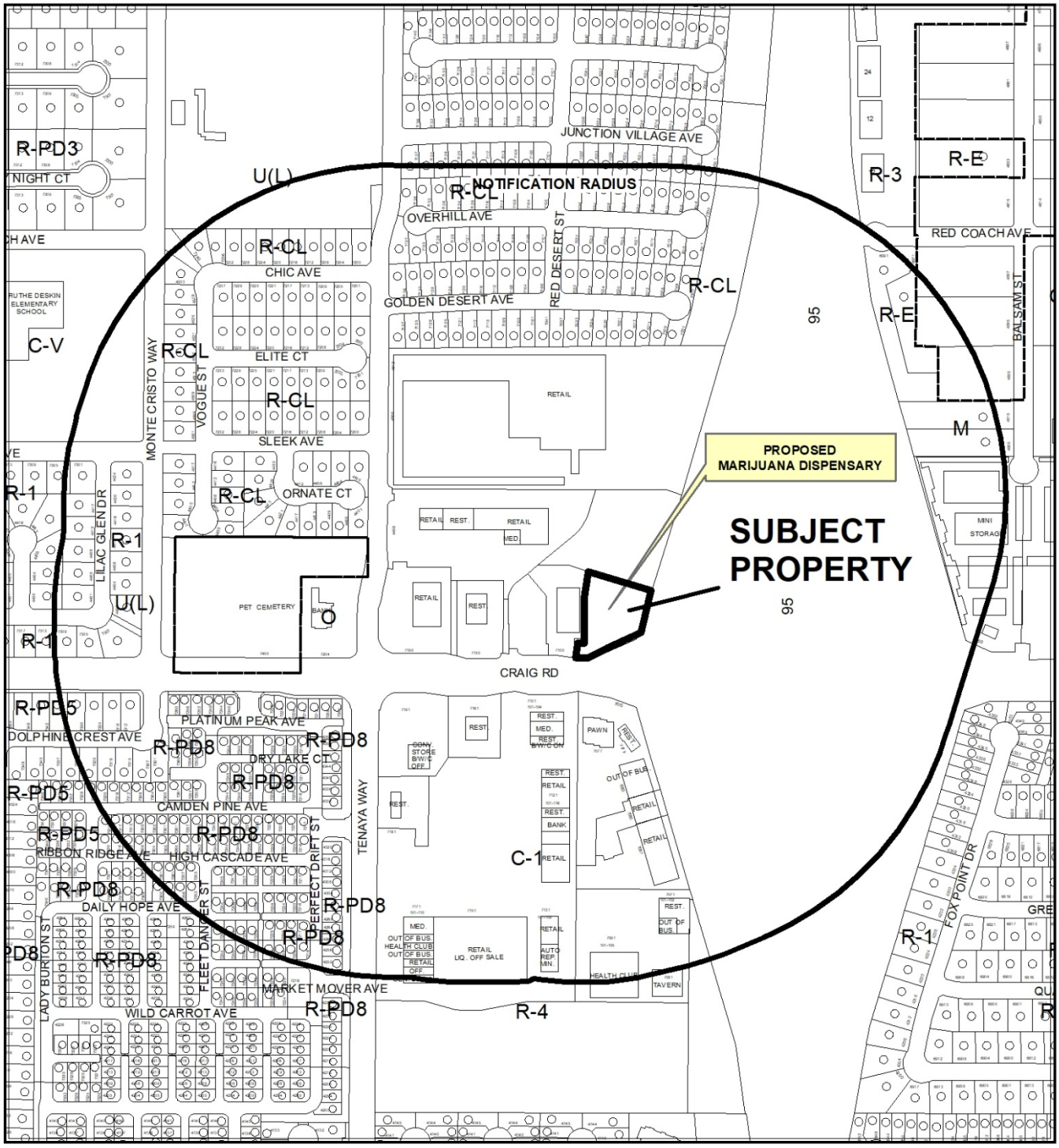
**SUBJECT:**
SUP-75826 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC - For possible action on a request FOR A PROPOSED 4,280 SQUARE-FOOT MARIJUANA DISPENSARY USE at the northeast corner of Craig Road and Tenaya Way (APN 138-03-611-014), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75788]. Staff has NO RECOMMENDATION.

**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 8 | Planning Commission Mtg. | 2 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff has NO RECOMMENDATION, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - SUP-75826 and SDR-75825 [PRJ-75788]
2. Special Map
3. Conditions and Staff Report - SUP-75826 and SDR-75825 [PRJ-75788]
4. Supporting Documentation - SUP-75826 and SDR-75825 [PRJ-75788]
5. Photo(s) - SUP-75826 and SDR-75825 [PRJ-75788]
6. Justification Letter - SUP-75826 and SDR-75825 [PRJ-75788]
7. Submitted after Final Agenda - Protest/Support Postcards and Documentation Not Vetted – Protest Letter and Support Comment form for SUP-75826 and SDR-75825 [PRJ-75788]
8. Submitted at Meeting - Letter Regarding the Shoshinkan Dojo Submitted by Jay Brown for SUP-75826 and SDR-75825 [PRJ-75788]




0 350 700 Feet

**CASE:** **SUP-75826, SDR-75825 (PRJ-75788)**

**RADIUS:** 1500 FEET

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

N




0 350 700 Feet

**CASE:** **SUP-75826, SDR-75825 (PRJ-75788)**

**RADIUS:** 1500 FEET

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

N




**SUP-75826 (PRJ-75788)**

**Marijuana Establishments**

- Dispensaries
- Production Facilities
- Testing Laboratories
- Cultivation
- Retail Marijuana Store (Rec Sales)
- Product Manufacturing Facility (Rec Production)
- Marijuana Cultivation Facility (Rec Cultivation)
- Manufacturing Testing Facility (Rec Lab)

**Protected Uses**

- RELIGIOUS
- COMMUNITY CENTERS
- Private Schools
- Pools
- SCHOOLS
- Child Care/ Children Facility
- Parks
- Teen Dance Center
- Marshall Art Studio

**Prohibited Areas**

- Art District
- Fremont

- Subject Property
- 300 and 1000 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: Tuesday, May 28, 2019

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-75826** | Staff has no recommendation: | |
| **SDR-75825** | Staff recommends APPROVAL, subject to conditions: | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 26

**NOTICES MAILED** 373 - SUP-75826 and SDR-75825

**PROTESTS** 0 - SUP-75826 and SDR-75825

**APPROVALS** 0 - SUP-75826 and SDR-75825



CS

**** CONDITIONS ****

# SUP-75826 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Marijuana Dispensary use.

2. This Special Use Permit shall be reviewed biennially concurrently with the associated business license, at which time the City Council may require the termination of the use. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the use be removed.

3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-75825) shall be required.

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

5. All development shall be in conformance with the site plan and floor plan date stamped 03/04/19, except as amended by conditions herein. Any modification of the premises of a marijuana establishment shall be filed 60 days in advance of any proposed construction. A full and complete copy of all architectural and building plans shall be filed with the Director for a review of compliance with Title 6.95 and Title 19. The Director shall review the plans and approve any modifications in compliance with this chapter prior to the commencing of any construction of modifications.

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. The presence of minors on the premises of a marijuana establishment is prohibited unless the minor is a qualified patient on the premises of a dispensary and is accompanied by his or her parent or legal guardian.

9. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displaying advertisement in the parking lot of the subject property without the appropriate permits.

10. Approval of this Special Use Permit does not constitute approval of a Marijuana Dispensary license.

11. A Marijuana Dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

12. This business shall operate in conformance to Chapter 6.95 of the City of Las Vegas Municipal Code.

13. Conformance to all regulations pertaining to a Marijuana establishment found within Nevada Revised Statute (NRS) 453A and 453D, and Nevada Administrative Code (NAC) 453A and 453D.

14. There shall be no on-premise consumption (the use, smoking, ingestion or consumption of any marijuana, edible marijuana or marijuana infused product) on the licensed premises.

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

# SDR-75825 CONDITIONS

***Planning***

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

2. All development shall be in conformance with the site plan and landscape plan, date stamped 05/23/19 and building elevations, date stamped 03/04/19.

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

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

5. A revised floor plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect a revised floor plan that depicts public access to one point of entry and exit.

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. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request to allow a proposed commercial building to be utilized as a Marijuana Dispensary use at the northeast corner of Craig Road and Tenaya Way.

## ISSUES

- Special Use Permit (SUP-75826) is requested to allow a Marijuana Dispensary use in the C-1 (Limited Commercial) zoning district.
- Staff has determined the Special Use Permit application does not meet required Title 19.12 distance separation requirements from a protected land use, therefore the application is invalid and may not be acted upon.
- Site Development Plan Review (SDR-75825) is requested to allow a 4,280 square-foot commercial building within an existing shopping center. Staff supports the request.

## ANALYSIS

The subject undeveloped pad site is located within an existing shopping center. It is zoned C-1 (Limited Commercial) and subject to Title 19 development standards. The applicant proposes to construct a 4,280 square-foot commercial building to be utilized as a Marijuana Dispensary.

The Marijuana Dispensary use is defined by Title 19.12 as “an establishment which acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials. This use includes a “medical marijuana dispensary,” as defined in NRS 453A.115 and a "retail marijuana store" as defined in NRS 453D.030.”

The Minimum Special Use Permit Requirements for this use include:

*Requirement 1*: Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a marijuana dispensary and certain other uses that should be protected from the impacts associated with a marijuana dispensary. Therefore, except as otherwise provided below, no marijuana dispensary may be located within 1000 feet of any school, or within 300 feet of any of the following uses:

a. City park;
b. Church/house of worship;
c. Individual care - family home, individual care - group home, or individual care center (in each case licensed for the care of children);
d. Community recreational facility (public); or
e. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provides instruction to minors.

*The proposed use does not meet requirement (e) as a martial arts studio that primarily services minors operates within the subject shopping center. This distance separation requirement is not eligible to be waived, therefore the proposed application is invalid and no action may be taken on this Special Use Permit request.*

*Requirement 2*: The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana dispensary 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 marijuana dispensary. The distance shall be measured in a straight line without regard to intervening obstacles.

*The proposed use meets this requirement since this is the measurement method used in determining compliance with Requirement Number One. With using this method, it has been determined a protected land use exists within the subject shopping center which invalidates the applicant's request for a Special Use Permit.*

*Requirement 3*: For the purpose of Requirement 2, and for that purpose only:
a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
b. The "property line" of a marijuana dispensary refers to:
    i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
    ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
        A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;

B. The proposed marijuana dispensary will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana dispensary will be located;
C. All parking spaces required by this Section 19.12.070 for the marijuana dispensary use will be located on the same parcel as the use; and
D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

*The proposed use meets this requirement since this is the measurement method utilized in determining compliance with Requirement Number One. The lot in which the use is proposed qualifies pursuant to City Council's acceptance of pedestrian access only as not being expressly prohibited.*

*Requirement 4*: When a retail marijuana store authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a medical marijuana dispensary that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.

*This location was not licensed prior to July 1, 2017; as such Condition #4 is not applicable.*

*Requirement 5*: The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.

*If approved, the proposed use will require approval of a business license and continual inspections to verify it is in compliance with Title 6 requirements.*

*Requirement 6*: No outside storage shall be permitted, including the use of shipping containers for on-site storage.

*The proposed use meets this requirement, as no outside storage including shipping containers has been denoted within the submitted site plan.*

*Requirement 7*: Subject to the requirements of applicable building and fire codes, public access to the building shall be from one point of entry and exit, with no other access to the interior of the building permitted. A condition of approval has been added which will require the revised floor plan be submitted to the Planning Department prior the issuance of building permits.

*If approved, a revised floor plan shall be submitted to the Planning Department depicting public access to one point of entry and exit.*

*Requirement 8*: No drive-through facilities shall be permitted in conjunction with a marijuana dispensary.

*The proposed use meets this requirement, as no drive-through facilities are proposed with this location.*

*Requirement 9*: The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.

*The Department of Planning - Business Licensing division will monitor and require compliance with this requirement should the use cease.*

*Requirement 10*: A marijuana dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

*The Department of Planning - Business Licensing division will coordinate with the State of Nevada to assure that this requirement is met prior to the issuance of a business license.*

*Requirement 11*: No marijuana dispensary shall be located on any property which abuts Fremont Street west of 8th Street.

*This condition is not applicable, as the subject site is not located on property which abuts Fremont Street west of 8th Street.*

*Requirement 12*: No accessory uses are permitted in association with a marijuana dispensary unless such a use relates to providing education regarding the use of marijuana.

*The applicant has not proposed any associated uses with the proposed Marijuana Dispensary use. The Department of Planning - Business Licensing division will assure all activities are in compliance with this condition.*

The applicant has submitted a distance separation survey, stamped by an engineer stating that there are no protected land uses within the required distance separation area. However, Department of Planning staff conducted a field check on April 19, 2019 where an existing Martial Arts Studio that primarily services minors was found located within the subject shopping center. The distance separation requirements are not able to be waived. Therefore, Planning Staff has concluded the proposed application for a Special Use Permit to allow a Marijuana Dispensary use is invalid and therefore cannot be acted upon.

While the proposed Marijuana Dispensary use is not in compliance with Title 19, the proposed Site Development Plan Review for a commercial building adheres to all applicable Title 19 development standards. The proposed 4,280 square-foot building provides ample parking and landscaping that conforms to the previously approved Site Development Plan Review (SDR-59036). The submitted building elevations indicate the building façades will have a combination of brown smooth stucco finish, various wood plank finishes and white old brick finish. The primary tree species utilized for landscaping are the 24-inch box Blue Palo Verde, 24-inch box Sweet Acacia, and 24-inch box Mesquite trees, which are consistent with the Southern Nevada Regional Plan Coalition – Regional Plant List. A pedestrian access way is depicted on the submitted site plan which provides direct access to Craig Road.

Due to the failure to meet all of the required distance separation requirements from protected land uses, Department of Planning staff has determined the application for Special Use Permit (SUP-75826) is invalid and cannot be acted upon. Site Development Plan Review (SDR-75825) for a proposed commercial building adheres to all Title 19 development standard requirements. Therefore, staff has no recommendation for the Special Use Permit request as it cannot be acted upon and recommends approval for the proposed Site Development Plan Review request, subject to conditions.

## FINDINGS (SUP-75826)

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.**

   As the requested Special Use Permit application is invalid, no recommendations or findings can be made.

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

   As the requested Special Use Permit application is invalid, no recommendations or findings can be made.

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

   As the requested Special Use Permit application is invalid, no recommendations or findings can be made.

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

   As the requested Special Use Permit application is invalid, no recommendations or findings can be made.

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

   As the requested Special Use Permit application is invalid, no recommendations or findings can be made.

**FINDINGS (SDR-75825)**

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

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

   The proposed commercial building is compatible with the existing commercial development within the surrounding area of the subject site.

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

   The proposed commercial development is consistent with the General Plan and complies with all Title 19 development standards.

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

The subject site is accessed from Craig Road a 100-foot Primary Arterial and Tenaya Way a 60-foot Minor Collector, both adequate in size to service the proposed commercial building.

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

The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area. The submitted building elevations indicate the building façades will have a combination of brown smooth stucco finish, various wood plank finishes and white old brick finish. The primary tree species utilized for landscaping are the 24-inch box Blue Palo Verde, 24-inch box Sweet Acacia, and 24-inch box Mesquite trees, which are consistent with the Southern Nevada Regional Plan Coalition – Regional Plant List.

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

The design characteristics of the proposed building elevations are not unsightly and are compatible with development in the area. The proposed materials are suitable for the surrounding commercial uses and the desert environment.

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

The proposed commercial development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 04/19/89 | The City Council approved a Petition of Annexation [A-0003-89(A)] of one parcel of land totaling 22 acres adjacent to the northwest corner of Craig Road and U.S. 95. |
| 12/15/93 | The City Council approved a request for Rezoning (Z-0105-93) from N-U (Non-Urban) to C-1 (Limited Commercial) on property located on the northeast corner of Craig Road and Tenaya Way. The Planning Commission recommended approval. |
| 02/15/06 | The City Council approved a request for a Site Development Plan Review (SDR-10355) for a proposed 3,200 square foot convenience store and a 7,243 square foot Car Wash/Auto Repair Garage, Minor with associated gas pumps and a waiver of the parking lot landscaping requirements on 2.30 acres adjacent to the northwest corner of Craig Road and U.S. 95. The Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Special Use Permit (SUP-10356) for a Beer/Wine/Cooler Off-sale establishment in a proposed convenience store on 2.30 acres adjacent to the northwest corner Craig Road and U.S. 95. The Planning Commission and staff recommended approval of the project on 01/12/06. |
| | The City Council approved a request for a Special Use Permit (SUP-10357) for an Auto Repair Garage, Minor use on 2.30 acres adjacent to the northwest corner Craig Road and U.S. 95. The Planning Commission and staff recommended approval. |
| 02/15/06 | The City Council approved a request for a Special Use Permit (SUP-10359) for a Car Wash/Auto Detail use on 2.30 acres adjacent to the northwest corner Craig Road and U.S. 95. The Planning Commission and staff recommended approval of the project on 01/12/06. |
| | The City Council approved a request for a Special Use Permit (SUP-10909) for a Service Station use on 2.30 acres adjacent to the northwest corner Craig Road and U.S. 95. The Planning Commission and staff recommended approval of the project on 01/12/06. |
| 07/14/15 | The Planning Commission approved a request for a Petition to Vacate (VAC-59307) a drainage easement generally located adjacent to the northwest corner of Craig Road and U.S. 95. Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| | The Planning Commission approved a request for a Site Development Plan Review (SDR-59306) for three proposed commercial buildings totaling 9,850 square feet with a Waiver to allow a 10-foot landscape buffer on a portion of the east property line where 15 feet is the minimum required on a property located to the northwest corner of Craig Road and U.S. 95. Staff recommended approval. |
| 10/16/17 | Department of Planning staff administratively approved Site Development Plan Review (SDR-71347) to allow a Minor Site Development Plan Review of an approved SDR-59306 on 0.95 acres adjacent to the northeast corner of Craig Road and Tenaya Way. |
| 05/15/19 | The City Council approved an Appeal of Director's decision (DIR-76328) regarding non-acceptance of an application based upon an interpretation of qualifying "public access" as it relates to a Marijuana Dispensary use located at the northeast corner of Craig Road and Tenaya Way. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/24/16 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 05/10/18 | Building Permit (#L18-00299) was issued for a restaurant building. The permit has not been finalized. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/13/19 | Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit and Site Development Plan Review. |

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

| ***Field Check*** | |
|---|---|
| 04/19/19 | Staff conducted a field check to verify if the subject shopping center has an existing protected land use. It was concluded that the subject shopping center has an existing Martial Arts Studio that primarily services minors which makes Special Use Permit (SUP-75826) request invalid. |
| 05/23/19 | Staff conducted a routine field check and found an undeveloped pad site within an existing shopping center. It is noted that the topography slopes where the applicant has proposed to place a pedestrian access to Craig Road. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | .95 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | US Highway 95 | ROW (Right-of-Way) | ROW (Right-of-Way) |
| West | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (175 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 |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08 and Site Development Plan Review (SDR-59306), the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 267 Feet | Y |
| Min. Setbacks<br>• Front<br>• Side (east)<br>• Rear | <br>10 Feet<br>10 Feet<br>20 Feet | <br>47 Feet<br>85 Feet<br>50 Feet | <br>Y<br>Y<br>Y |
| Max. Lot Coverage | 50 % | 10% | Y |
| Max. Building Height Pad “C” (Proposed Marijuana Dispensary) | N/A | 20 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof or Trellis | Y |
| Mech. Equipment | Screened | Screened | Y |

***Pursuant to Title 19.08 and Site Development Plan Review (SDR-59306), the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| • South | 1 Tree / 20 Linear Feet | 19 Trees | 19 Trees | Y |
| • East | 1 Tree / 30 Linear Feet | 5 Trees | 5 Trees | Y |
| • West | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| **TOTAL PERIMETER TREES** | | **24 Trees** | **24 Trees** | **Y** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 15 Trees | 19 Trees | Y |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 0 Feet | | 0 Feet | Y |
| • South | 15 Feet | | 16.5 Feet | Y |
| • East | 8 Feet | | 12 Feet | Y |
| • West | 0 Feet | | 0 Feet | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Craig Road | Primary Arterial | Master Plan of Streets & Highways | 115 Feet | Y |
| Tenaya Way | Minor Collector | Master Plan of Streets & Highways | 60 Feet | Y |

***Pursuant to Title 19.08 and Site Development Plan Review (SDR-59306), the following 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 | |
| Marijuana Dispensary | 4,280 SF | 1:250 SF | 18 | | | | |
| **TOTAL SPACES REQUIRED** | | | 18 | | 50 | | Y |
| **Regular and Handicap Spaces Required** | | | 16 | 2 | 50 | 2 | Y |
| Loading Spaces | 4,280 SF | | 1 | | 1 | | Y |



CS

# 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, Major Amendment to SDR-5906

**Project Address** (Location) NWC Craig & US 95

**Project Name** Essence **Proposed Use** dispensary

**Assessor's Parcel #(s)** 138-03-611-014 **Ward #** 4

**General Plan:** Existing SC Proposed SC **Zoning:** Existing C-1 Proposed C-1

**Additional Information** amend SDR to remove drive thru window and replace witih a dispensary building and add a SUP for the dispensary

**Property Owner** Ten15 Craig Tenaya, LLC Contact J Dapper

Address 985 White Drive City Las Vegas State NV Zip 89119

E-mail j@jdapper.com Phone 7027333622

**Applicant** Integral dba EssenceTropicana LLC Contact Dave Falvey

Address 3790 Paradise Road Suite 200 City Las Vegas State NV Zip 89169

E-mail dave@essencevegas.com Phone 650-350-0377

**Representative** LAS Consulting Contact Lucy Stewart

Address 1930 Village Center Circle Bldg 3-577 City Las Vegas State NV Zip 89134

E-mail stewplan@gmail.com Phone 702-499-6469

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** J Dapper

Subscribed and sworn before me

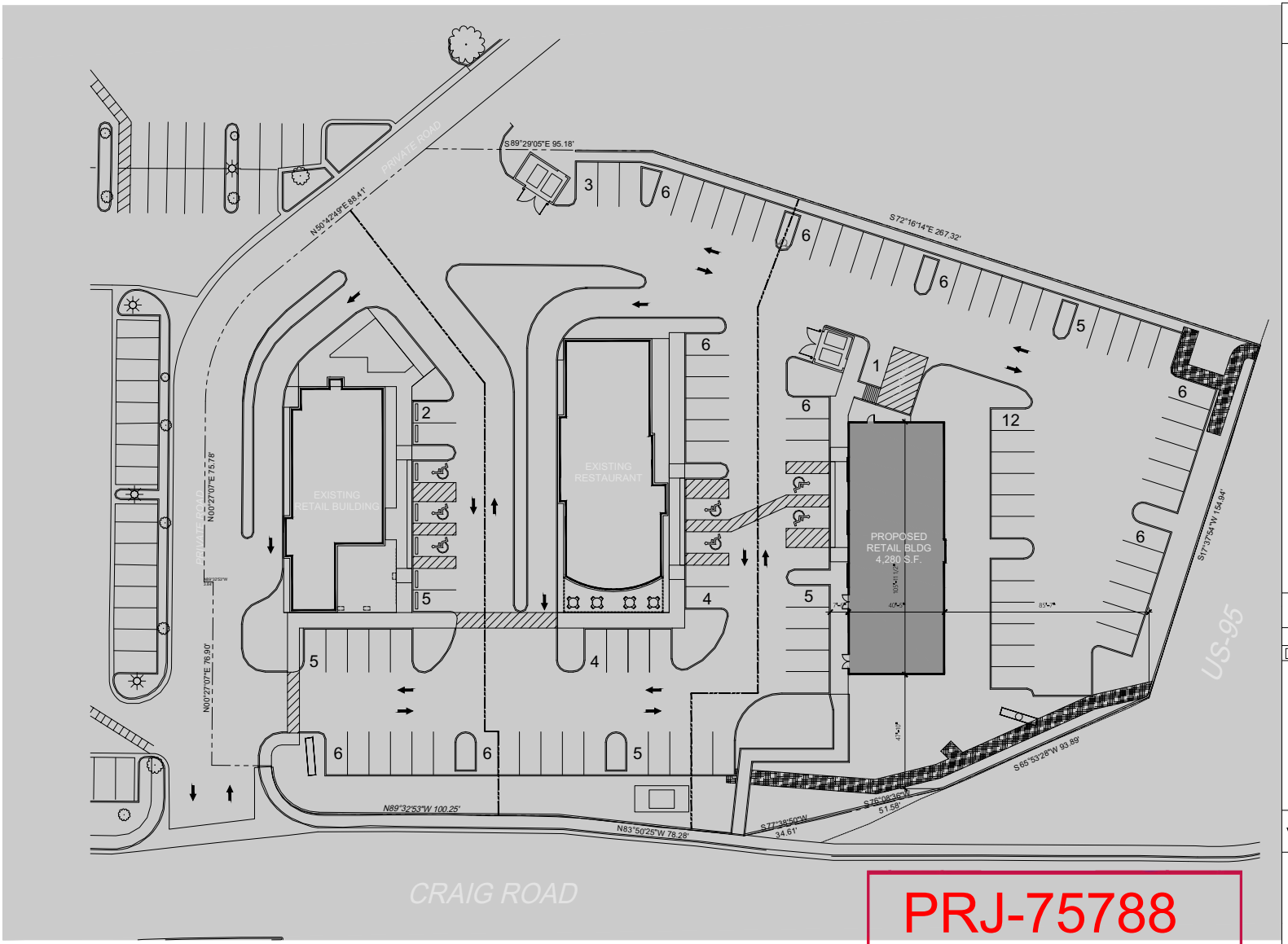
This 14th day of February, 20 19

Virginia G. Shelton

Notary Public in and for said County and State

VIRGINIA G. SHELTON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-31-20
Certificate No: 04-92987-1

PRJ-75788
02/19/19




PRJ-75788
05/23/19

A PROPOSED SITE PLAN
SCALE: 1" = 20'-0"

NORTH

# project data

GENERAL INFORMATION

| | |
|---|---|
| OWNER: | TEN15 CRAIG TENARA L L C |
| TENANT: | VARIES - PROPOSED COMMERCIAL |

SITE INFORMATION

| | |
|---|---|
| PROJECT ADDRESS: | T.B.D. |
| ASSESSORS PARCEL #: | 138-03-611-014 |
| JURISDICTION: | CITY OF LAS VEGAS |
| ZONING CLASSIFICATION: | C-1 |
| PLANNED LANDUSE: | C-1 LIMITED COMMERCIAL |
| PROPOSED ZONING: | NO CHANGE |

SURROUNDING ZONING DISTRICTS:

| | |
|---|---|
| NORTH: | C-1 LIMITED COMMERCIAL |
| EAST: | N/A |
| SOUTH: | C-1 LIMITED COMMERCIAL |
| WEST: | C-1 LIMITED COMMERCIAL |

SITE AREA: 0.95 ACRES

BUILDING FOOTPRINT AREA: 3,582 S.F.

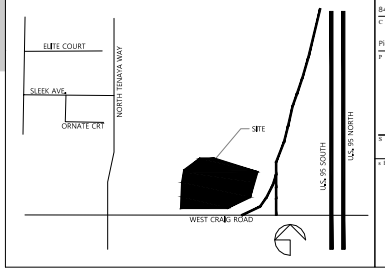
AREA SUMMARY PARKING (OVERALL SITE) 19.12.070

| USE | TOTAL AREA | FACTOR | PARKING REQUIRED | PARKING PROVIDED |
|---|---|---|---|---|
| 2 TENANT PAD (rest) | 3,240 S.F. | 1 space per 300 → | 11 | |
| KNEADERS | 1,590 S.F. | 1 space per 50 public | 32 | |
| | 2,620 S.F. | 1 space per 200 remaining | 14 | |
| | TOTAL 4,046 S.F. → | | 46 | |
| THIS PROJECT DISPERSARY | 4,280 S.F. | 1 space per 250 → | 18 | |
| SHOPPING CENTER | GRAND TOTAL 11,566 S.F. → | | 75 | 104 |

# keynotes

| # | description |
|---|---|
| 1 | ALL AREAS OF SITE TO RE EXISTING TO REMAIN UNLESS NOTED OTHERWISE |

# vicinity map




LOGO:
DAPPER
BUILDING COMPANY
LICENSE NO. 84672
985 WHITE DRIVE #100
LVNV 89119
dapperdevelopment.com
PH 702.733.3622

consultant:

| # | DESCRIPTION | BY | DATE |
|---|---|---|---|
| 1 | | | |
| 2 | | | |

STATUS:
PROPOSED DISPENSARY

PROJECT:
ESSENCE
APN: 138-03-611-014
ADDRESS TBD

LAS VEGAS NV 89129

| SCALE: | DATE: |
|---|---|
| AS NOTED | 02.04.19 |
| DRAWN BY: | CHECKED BY: |
| PABjr | JD/SS |
| PROJECT NO: | SCOPE: |
| 02019.11 | RETAIL |

CONTRACTOR:
These plans are prepared by the Contractor as an exemption to N.R.S.623.00 for the work under the Contractors license category authorized under N.R.S. 624

DAPPER BUILDING COMPANY, LLC
Company Name

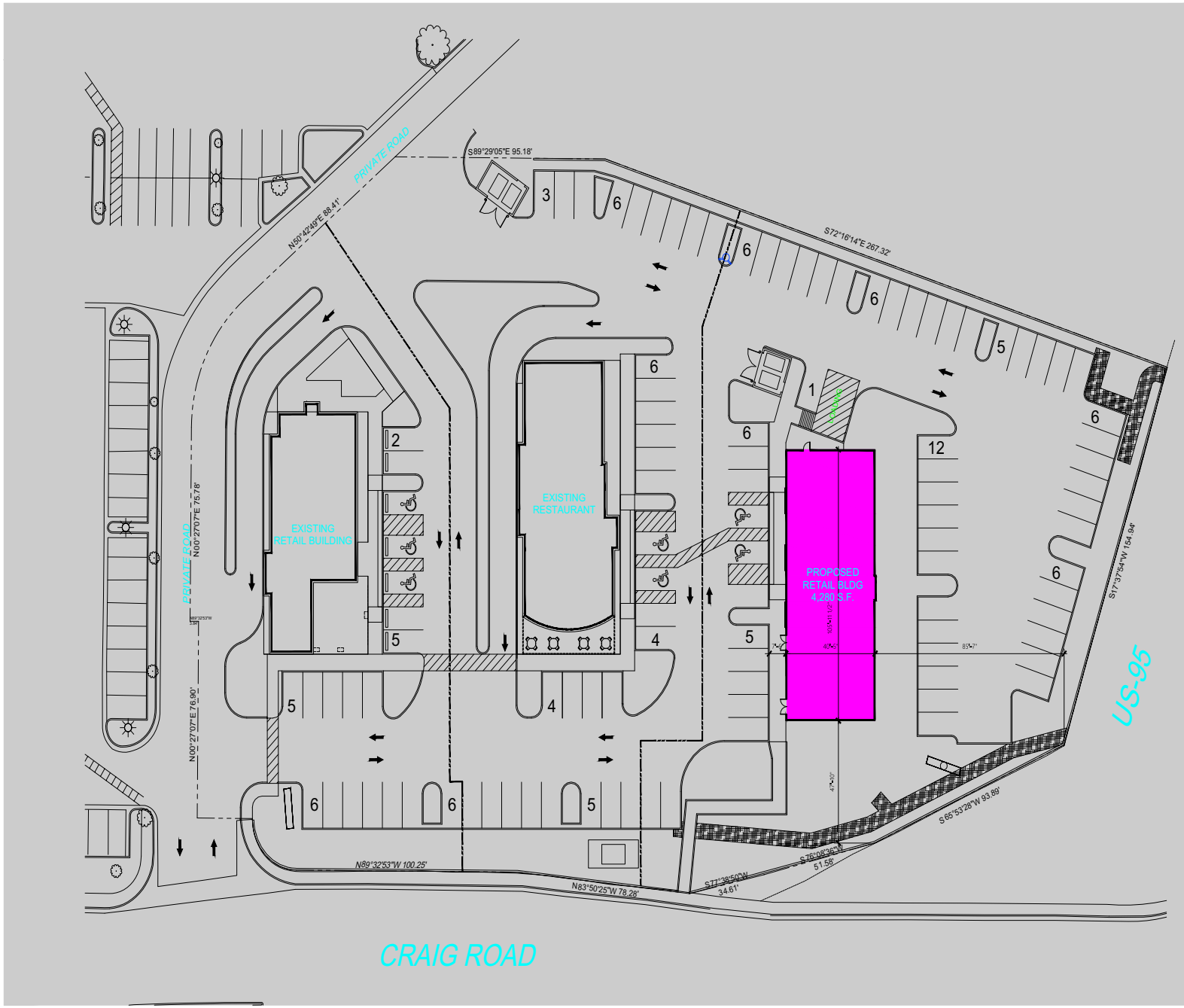
J. DAPPER
Contractor Representative

84672
Contractor License No.

Piere A Burton Jr.
Plans Prepared by

Signature

sheet no:
SP1
SITE PLAN

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GENERAL INFORMATION

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| | |
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| PROPOSED ZONING: | NO CHANGE |

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| | |
|---|---|
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| EAST: | N/A |
| SOUTH: | C-1 LIMITED COMMERCIAL |
| WEST: | C-1 LIMITED COMMERCIAL |

| | |
|---|---|
| SITE AREA: | 0.95 ACRES |
| BUILDING FOOTPRINT AREA: | 3,582 S.F. |

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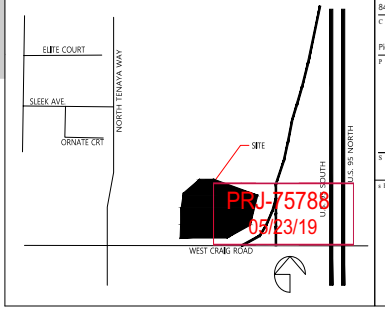


A PROPOSED SITE PLAN

SCALE: 1" = 20'-0"

NORTH



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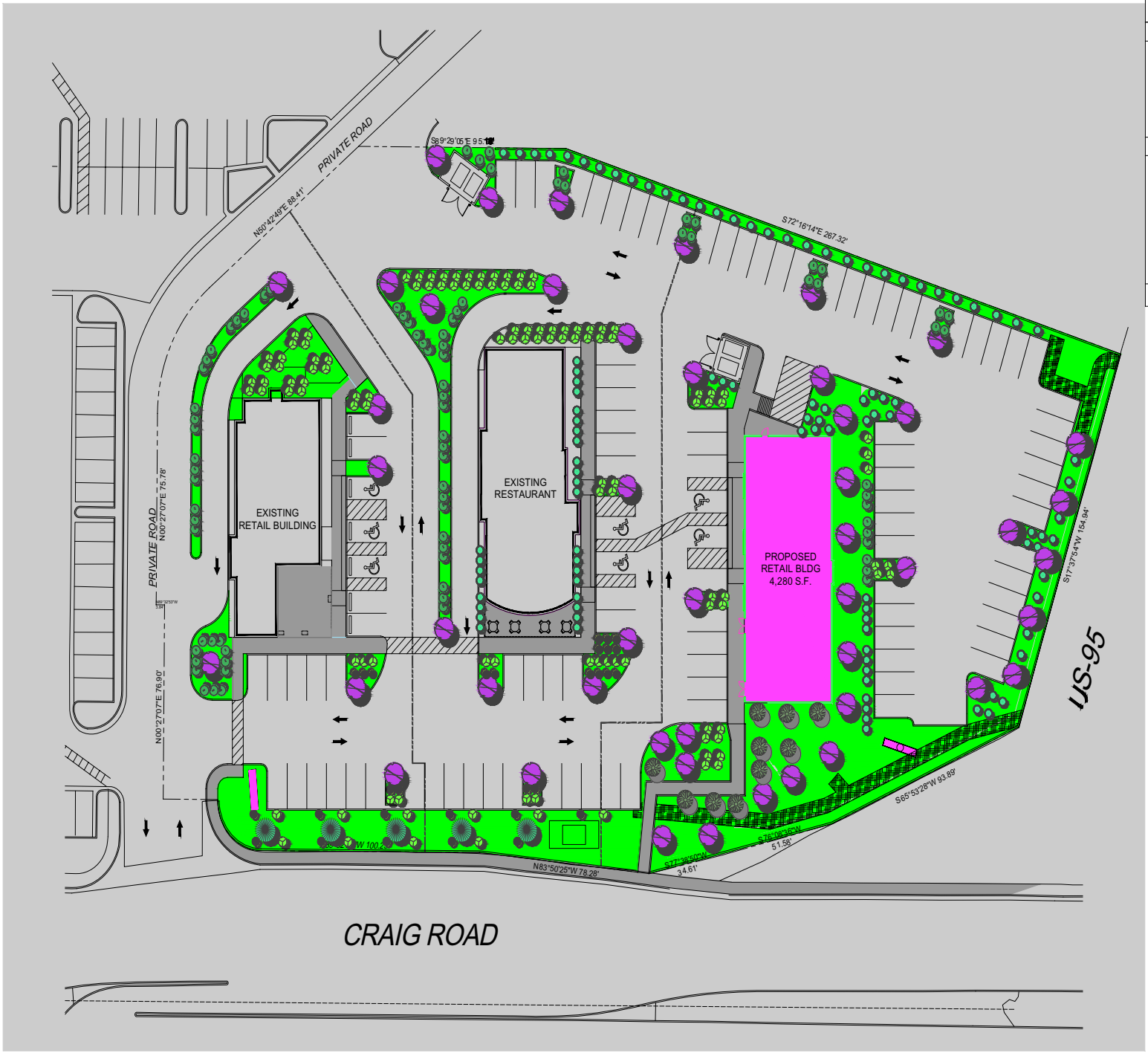


# EXISTING LANDSCAPE

| SYMBOL | LARGE TREES | SIZE |
|---|---|---|
| | BLUE PALO VERDE<br>Cercidium floridum | 24" BOX<br>MULTI<br>1"CAL..71Hx4W |
| | SWEET ACACIA<br>Acacia smalli | 24" BOX<br>MULTI<br>1 1/2"CAL..71Hx4W |
| | MESQUITE<br>Prosopsis Chilensis | 24" BOX<br>MULTI<br>1 1/4"CAL..81Hx5W |

| SYMBOL | SHRUBS and GROUND COVER | SIZE |
|---|---|---|
| | RED YUCCA<br>Hespealoe parvifolia | 5 GAL |
| | FOUNTAIN GRASS<br>Pennisetum setaceum | 5 GAL |
| | DESERT SPOON<br>Dasylirion wheeleri | 5 GAL |
| | ROSEMARY<br>Rosmarinus officinalis | 1 GAL |
| | YELLOW BELLS<br>Tecoma stans | 5 GAL |
| | CHINESE TRUMPET CREEPER<br>Campsis grandiflora | 1 GAL |

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE MOJAVE GOLD WASHED GRAVEL


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| 2 | | | |

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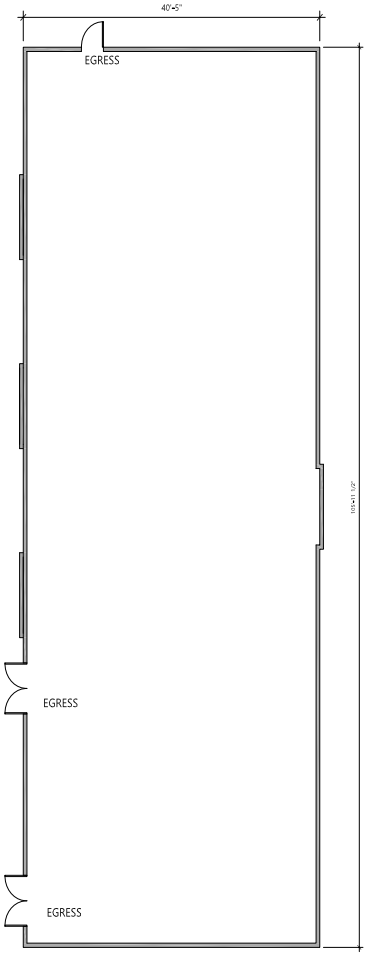
Piere A Burton Jr.
Plans Prepared by

Signature

sheet no:
LP1
LANDSCAPE

PRJ-75788
05/23/19




A PROPOSED FLOOR PLAN

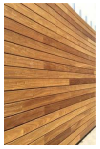
SCALE: 1/8" = 1'-0" - 4,280 SQ. FT.

## KEYNOTES

F1 SMOOTH STUCCO FINISH - BROWN

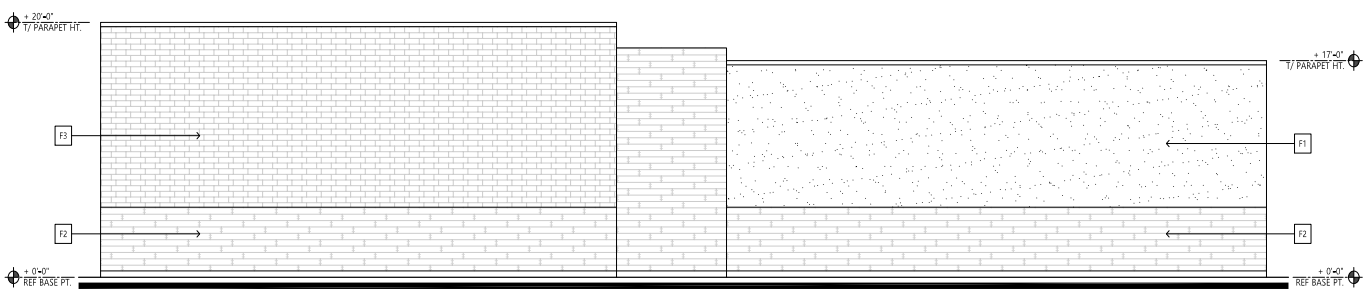


F2 WOOD PLANK FINISH - VARIOUS



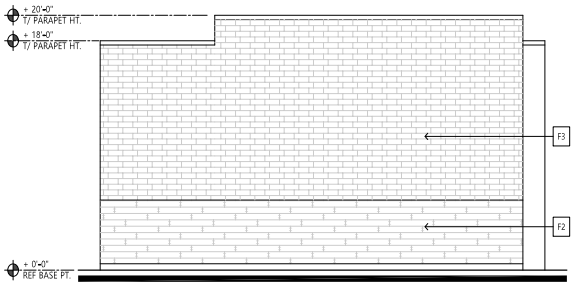
F3 OLD MILL BRICK FINISH - WHITE





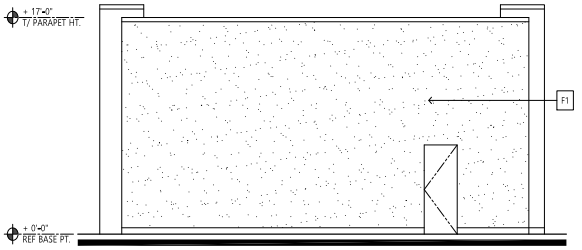

E PROPOSED EAST ELEVATION

SCALE: 3/16" = 1'-0"



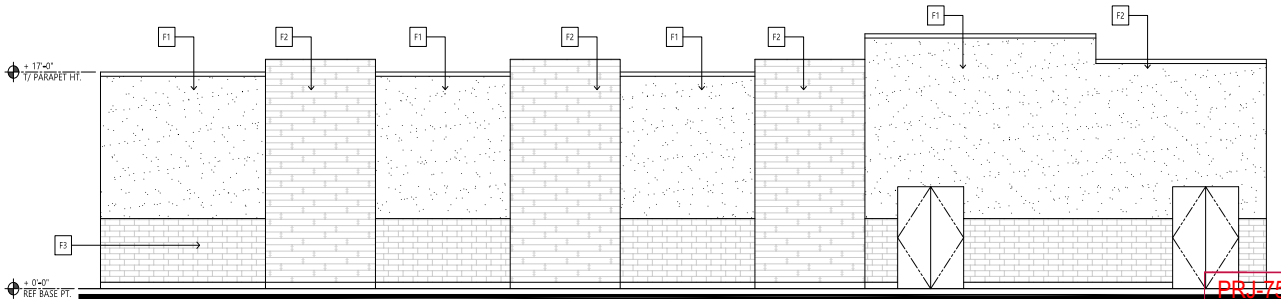

S PROPOSED SOUTH ELEVATION

SCALE: 3/16" = 1'-0"




N PROPOSED NORTH ELEVATION

SCALE: 3/16" = 1'-0"




W PROPOSED WEST (PARKING) ELEVATION

SCALE: 3/16" = 1'-0"

PRJ-75788
03/04/19



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| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| 1 | - | - | - |
| 2 | - | - | - |

STATUS:
PROPOSED DISPENSARY

PROJECT:
ESSENCE
APN: 138-03-611-014
ADDRESS TBD

LAS VEGAS NV 89129

| SCALE: | DATE: |
|---|---|
| AS NOTED | 02.04.19 |
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DAPPER BUILDING COMPANY, LLC
COMPANY NAME

J. DAPPER
CONTRACTOR REPRESENTATIVE

84672
CONTRACTOR LICENSE NO.

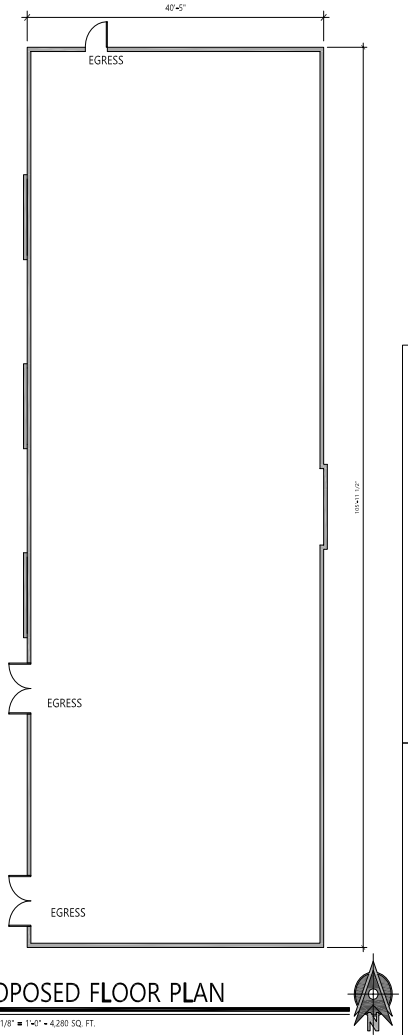
Pierre A Burton Jr.
PLANS PREPARED BY

SIGNATURE

SHEET NO:

A1

FLOOR PLAN




A PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'-0" - 4,280 SQ. FT.

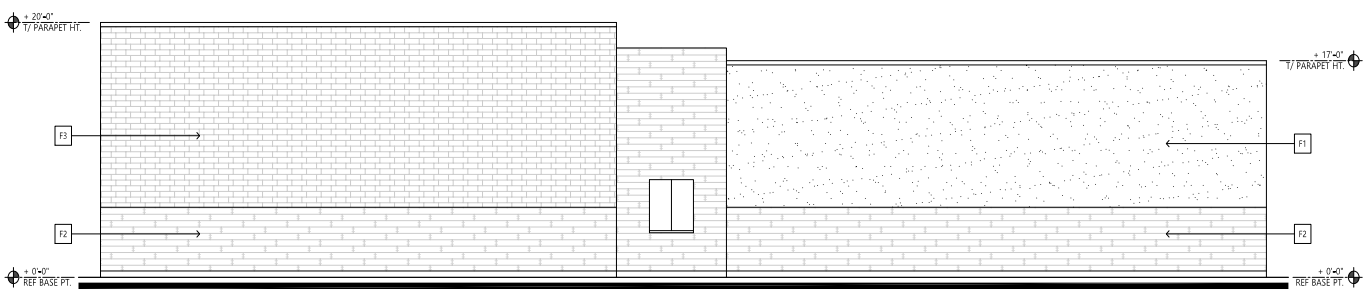
NORTH

## KEYNOTES

F1 SMOOTH STUCCO FINISH - BROWN

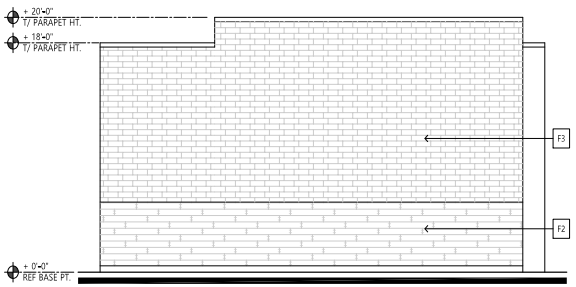
F2 WOOD PLANK FINISH - VARIOUS

F3 OLD MILL BRICK FINISH - WHITE



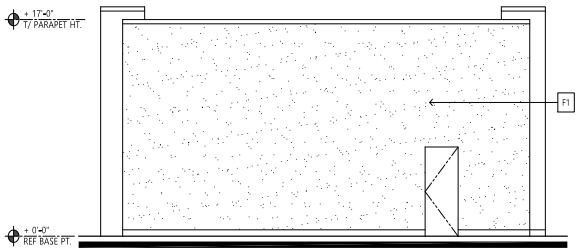

E PROPOSED EAST (DRIVE-THRU) ELEVATION

SCALE: 3/16" = 1'-0"



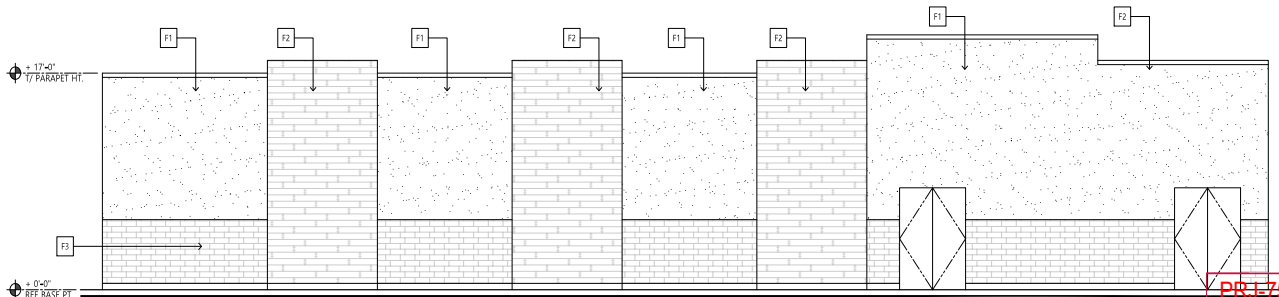

S PROPOSED SOUTH ELEVATION

SCALE: 3/16" = 1'-0"




N PROPOSED NORTH ELEVATION

SCALE: 3/16" = 1'-0"




W PROPOSED WEST (PARKING) ELEVATION

SCALE: 3/16" = 1'-0"



PRJ-75788
03/04/19

LOGO:

DAPPER
BUILDING COMPANY
LICENSE NO. 84672
985 WHITE DRIVE #100
LV NV 89119
DAPPERDEVELOPMENT.COM
PH 702.733.3622

CONSULTANT:

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| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| 1 | - | - | - |
| 2 | - | - | - |

STATUS:
PROPOSED DISPENSARY

PROJECT:
ESSENCE
APN: 138-03-611-014
ADDRESS TBD

LAS VEGAS NV 89129

| SCALE: | DATE: |
|---|---|
| AS NOTED | 02.04.19 |
| DRAWN BY: | CHECKED BY: |
| PABjr | JD/SS |
| PROJECT NO: | SCOPE: |
| 02019.11 | RETAIL |

CONTRACTOR:
These plans are prepared by the Contractor as an exemption to N.R.S.623.00 for the work under the Contractors license category authorized under N.R.S. 624

DAPPER BUILDING COMPANY, LLC
COMPANY NAME

J. DAPPER
CONTRACTOR REPRESENTATIVE

84672
CONTRACTOR LICENSE NO.

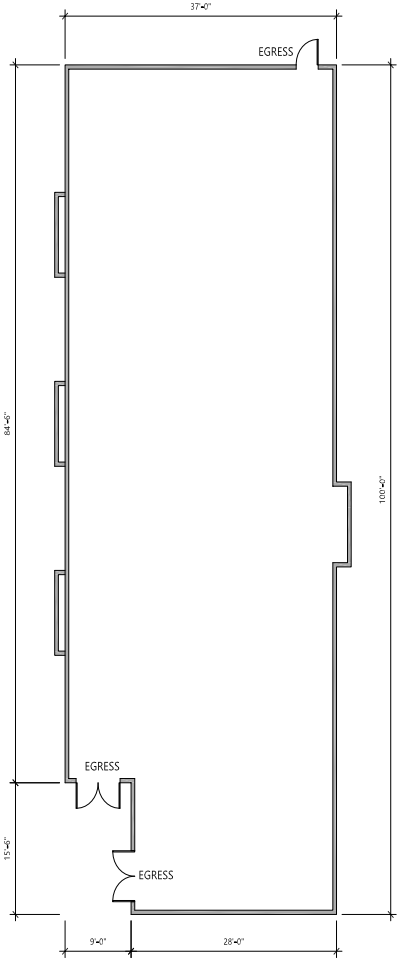
Pierre A Burton Jr.
PLANS PREPARED BY

SIGNATURE

SHEET NO:

A1

FLOOR PLAN




A PROPOSED FLOOR PLAN

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

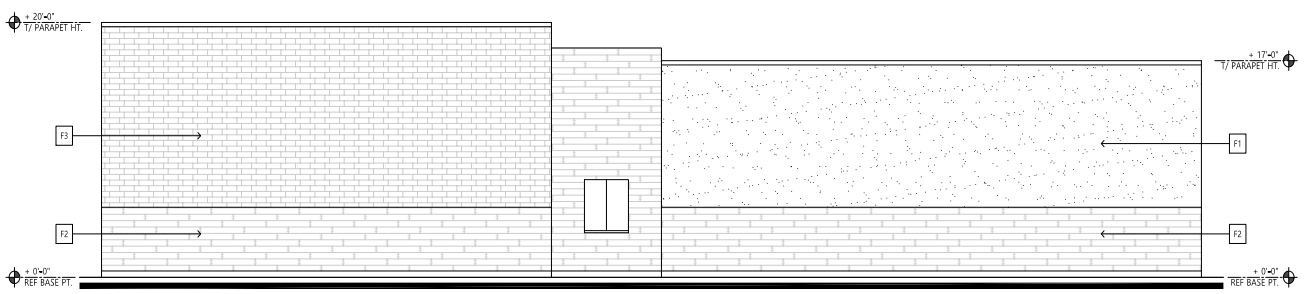
NORTH

## KEYNOTES

F1 SMOOTH STUCCO FINISH - BROWN

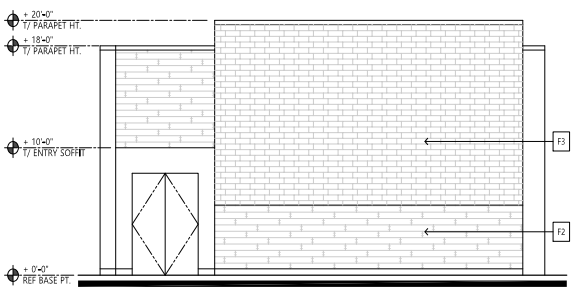
F2 WOOD PLANK FINISH - VARIOUS

F3 OLD MILL BRICK FINISH - WHITE



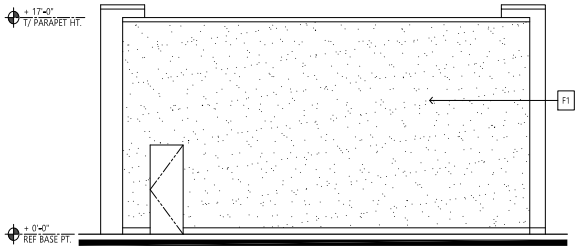

E PROPOSED EAST (DRIVE-THRU) ELEVATION

SCALE: 3/16" = 1'-0"



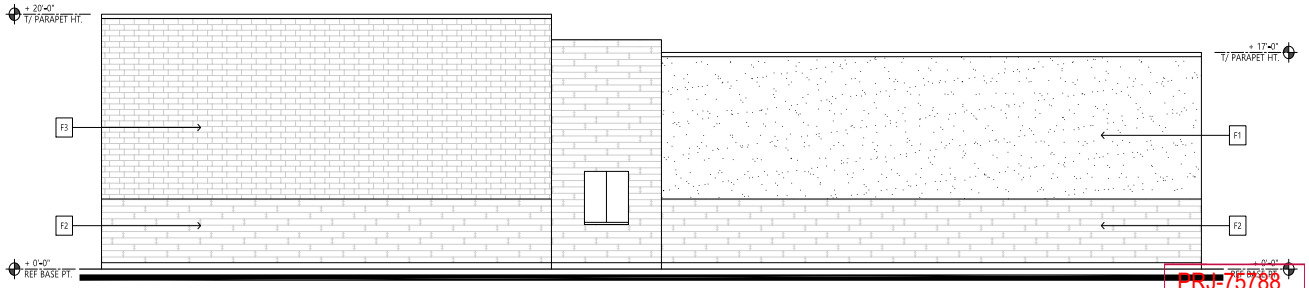

S PROPOSED SOUTH ELEVATION

SCALE: 3/16" = 1'-0"




N PROPOSED NORTH ELEVATION

SCALE: 3/16" = 1'-0"




W PROPOSED WEST (PARKING) ELEVATION

SCALE: 3/16" = 1'-0"



PRJ-75788
02/19/19

LOGO:

DAPPER
BUILDING COMPANY
LICENSE NO. 84672
985 WHITE DRIVE #100
LV NV 89119
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PH 702.733.3622

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| 1 | - | - | - |
| 2 | - | - | - |

STATUS:
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PROJECT:
ESSENCE
APN: 138-03-611-014
ADDRESS TBD

LAS VEGAS NV 89129

| SCALE: | DATE: |
|---|---|
| AS NOTED | 02.04.19 |
| DRAWN BY: | CHECKED BY: |
| PABjr | JD/SS |
| PROJECT NO: | SCOPE: |
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COMPANY NAME

J. DAPPER
CONTRACTOR REPRESENTATIVE

84672
CONTRACTOR LICENSE NO.

Pierre A Burton Jr.
PLANS PREPARED BY

SIGNATURE

SHEET NO.

A1

FLOOR PLAN

# SEPARATION DISTANCE SURVEY
# MARIJUANA DISPENSARY
# A.P.N. 138-03-611-014

GRAPHIC SCALE

300 0 150 300

( IN FEET )
1 inch = 300 ft.


Michael L Holton
Professional Land Surveyor
Nevada Certificate No. 13663
Expires: 06/30/2019


PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA
MICHAEL L. HOLTON
Exp: 6/30/19
No. 13663

5/21/2019

Separation Distance Survey for a Marijuana Dispensary. A.P.N. 138-03-611-014

Scale: 1" = 300'

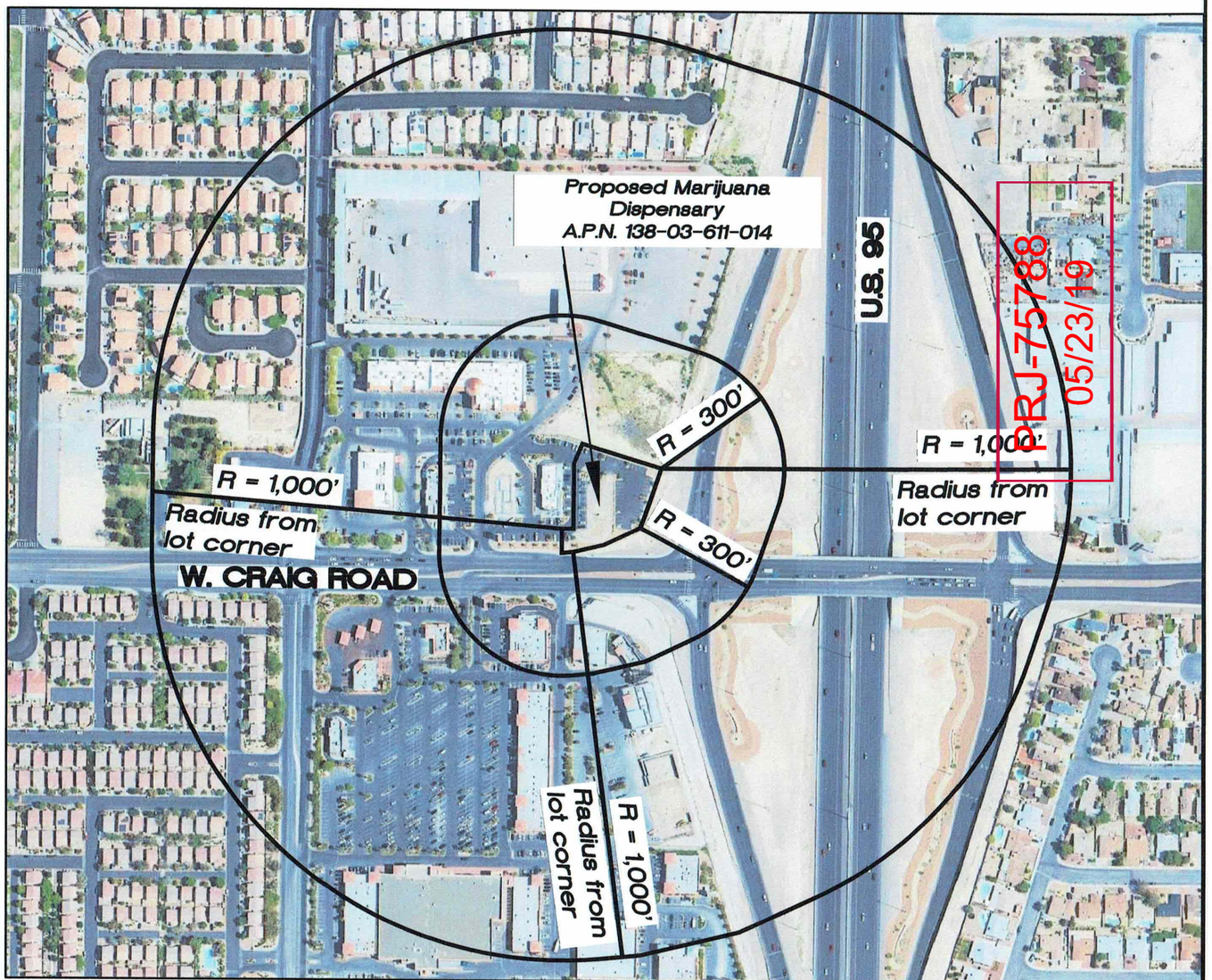
- Radius of Circle Shown = 1,000, AND 300 FEET.
- Center of radii are exterior property corners of the Proposed Establishment.
- Current zoning classification: C-1 (Limited Commercial)

Pursuant to City of Las Vegas development code title 19, chapter 12, section 070 and NRS 453A AND 453D.

THERE ARE NO SCHOOLS LOCATED WITHIN 1,000' OF THE PROPOSED FACILITY.

THERE ARE NO INDIVIDUAL CARE CENTERS LICENSED FOR MORE THAN 12 CHILDREN, COMMUNITY RECREATIONAL FACILITIES (PUBLIC), CITY PARKS, OR CHURCHES/HOUSES OF WORSHIP LOCATED WITHIN 300' OF THE PROPOSED FACILITY.

Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provides instruction to minors.




PRJ-75788 05/23/19


HAUNTEC ENGINEERING, INC.
2721 IRONSIDE DR. SUITE A
LAS VEGAS, NEVADA 89108
(702) 882-2044


DRAWING NAME:
Craig/Teneya radius map

| | |
|---|---|
| DATE | 05/21/19 |
| DRAWN | MLH |
| SURVEYED | MLH |
| CHECKED | MLH |

SHEET NO. 1/1




**SUP-75826 [PRJ-75788] - SPECIAL USE PERMIT RELATED TO SDR-75825 - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC**
**NORTHEAST CORNER OF CRAIG ROAD AND TENAYA WAY**

05/16/2019




**SUP-75826 [PRJ-75788] - SPECIAL USE PERMIT RELATED TO SDR-75825 - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC**
**NORTHEAST CORNER OF CRAIG ROAD AND TENAYA WAY**

05/16/2019




**SUP-75826 [PRJ-75788] - SPECIAL USE PERMIT RELATED TO SDR-75825 - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC**
**NORTHEAST CORNER OF CRAIG ROAD AND TENAYA WAY**

05/16/2019

*LAS Consulting*
*1930 Village Center Circle Bldg. 3-577*
*Las Vegas, NV 89134*
*(702) 499-6469-cell.*
*(702) 946-0857-fax*

February 28, 2019

Mr. Courey Stewart, Planner
City of Las Vegas Planning and Development
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Essence Cannabis Dispensary-Revised PRJ75788_JF001
NWC Craig Road & US 95- Retail MME Dispensary

Dear Mr. Stewart:

Please accept this letter as our request for a Special Use Permit and Site Development Plan for a new Marijuana dispensary located at the northwest corner of Craig Road and US 95. The state of Nevada recently granted a new license to several medical marijuana licensees. Essence Cannabis Dispensary, located on Las Vegas Boulevard, was granted several, including one in the City of Las Vegas. They are proposing to build a 3500+ square foot building on a site with existing retail and a drive-thru restaurant. The pad where the dispensary is proposed was previously approved as a restaurant with a drive-thru window. This request is a major amendment to SDR 59036, removing the drive thru previously approved for this pad site, and replacing it with landscaping. The pad sites (including this one) contain a total of 11,566 square feet, requiring a total of 75 parking spaces, and 104 spaces are being provided. The over-all center, including the in-line building, requires 317 spaces and this center is providing 402 spaces.

-There has been no significant change in the area which would make the proposed "Retail Marijuana Store" incompatible with its surroundings.

-The proposed use shall be in harmony with the purpose, goals, objectives and standards of the plan and title. This proposed location meets all state requirements of NRS 453D and Proposed Tile 19 ordinance. It is zoned and is more than 1,000 feet from the closest school. It is also more than 300 feet from any protected use as defined in NRS 453A and Las Vegas Proposed BILL NO. 2017-21.

PRJ-75788
03/04/19

-The proposed retail marijuana facility will be within an enclosed building and will acquire marijuana from licensed cultivation and production facilities within the State of Nevada. The proposed retail marijuana store will operate during authorized hours and does not have a drive through window.

-The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right of way, or other matters affecting the public health, safety, and general welfare.

Integral Associates, LLC D/B/A Essence Cannabis Dispensary, offers a proven and reliable platform that brings resources from within Nevada and throughout the United States to ensure best in class operations that focus on compliance and quality of care and will continue following best practices once approved for this new dispensary.

We believe that the following items are consistent with Planning Commission and/or City Council provisions:

a. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan; *The general plan is commercial, and the property is zoned C-1. A dispensary is compatible in this area.*
b.
c. The subject site is physically suitable for the type and intensity of land use being proposed*; The site is a retail center. A dispensary is an appropriate use in a retail center.*
d. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; *Craig Road is a 100' right of way. This site is adjacent to an on-off ramp on US 95.* and

e. Approval at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan. *A marijuana dispensary supports the general plan and the public health and safety and welfare. It provides jobs to the community and increases security in the area through cameras and security guards, making not only the dispensary a safe place to be but also the surrounding businesses.*

PRJ-75788
03/04/19

We believe given our reputation for excellent service, exemplary operations, location and access to major streets and highways and convenient access to services in the area make this is an excellent location for retail sales.  We respectfully request your approval to allow retail sales at this existing dispensary.

Yours truly,

*Lucy Stewart*

Lucy Stewart

---

PRJ-75788
03/04/19

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

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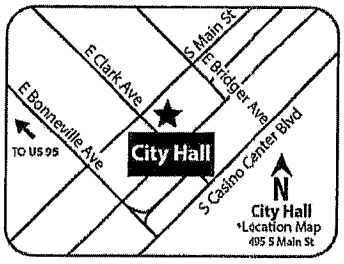


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-75826 and SDR-75825 [PRJ-75788]**

Planning Commission Meeting of **06/25/2019**

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City of Las Vegas

PRJ-75788
13803218020
LILLEHAUG RAY C
FENGER GLORIA J
7229 ELITE CT
LAS VEGAS NV 89129-5990

Submitted after final agenda

43-44P

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Development Services Center
333 North Rancho Drive, 3rd Floor
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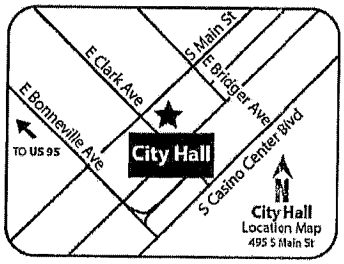


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**SUP-75826 and SDR-75825 [PRJ-75788]**
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PRJ-75788
13803217028
ROJO MICHAEL A & ROBYN D
7212 SLEEK AVE
LAS VEGAS NV 89129-5985

43-44P

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

I have traffic considers for the area. We have too many accidents on Craig & Tenaya already.
Plus the bad element that would be attracted to our area.

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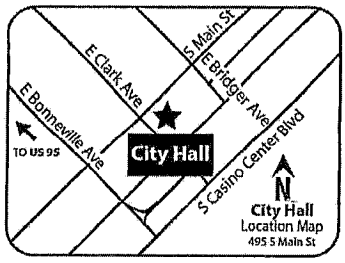


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City of Las Vegas

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☒ I OPPOSE this Request

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**SUP-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803316016
ESTRADA DANIEL
7204 PLATINUM PEAK AVE
LAS VEGAS NV 89129-6074

1 325 DRDFMP1 89129



43-44P

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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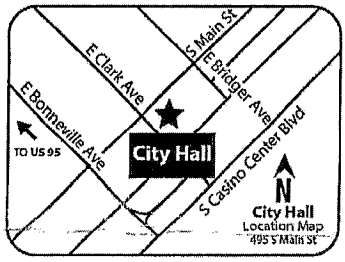


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City of Las Vegas

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☒ I OPPOSE this Request

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**SUP-75826 and SDR-75825 [PRJ-75788]**

Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803610037
ANDERSON YVETTE
7133 GOLDEN DESERT AVE
LAS VEGAS NV 89129



43-44P

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

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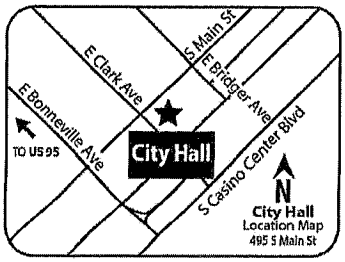


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803217024
NOONAN LORRAINE A GENERAUX REV L
NOONAN LORRAINE A GENERAUX TRS
9213 LAS MANAITAS AVE #302
LAS VEGAS NV 89144

43-44P

City of Las Vegas
Department of Planning
Development Services Center
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-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803716005
PUPPY PLAYHOUSE CRAIG HOLDINGS L
3930 HOWARD HUGHES PKWY #180
LAS VEGAS NV 89169

101 DRDFMP1 89169



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Department of Planning
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NO MORE DRUGS!

OUR WHOLE NEIGHBORHOOD OPPOSES!!!

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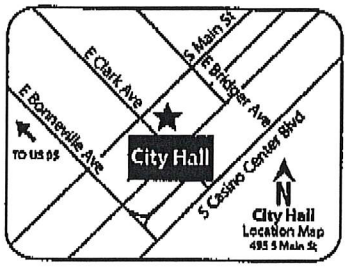


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**SUP-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803610006
MOUNTAIN SUNRISE VIEW LIMITED PA
4750 COPPER SAGE ST
LAS VEGAS NV 89115

43-44P

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

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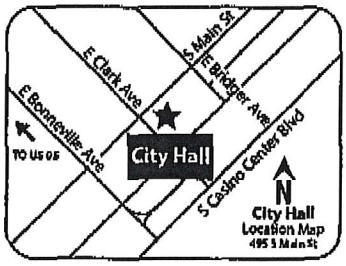


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803610006
MOUNTAIN SUNRISE VIEW LIMITED PA
4750 COPPER SAGE ST
LAS VEGAS NV 89115

STOP THE CRIME!

109 DRDFNP1 89115



43-44P

2019-06-21 20:20:22 (GMT) 12062389113 From: Evergreen Investment Company LL
To: Department of Planning Page 2 of 3

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

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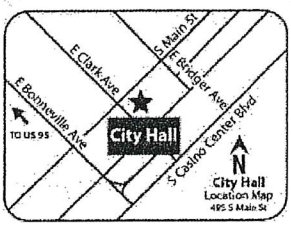


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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.
**SUP-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803611008
DESERT CREEK M P C L L C ETAL
R E CHANDLER L L C
600 WINSLOW WAY E #247
BAINBRIDGE ISLAND WA 98110

135 DRDFMF1 89110



43-44A

06/25/2019 16:33 9717147048602 CAR PAGE 01/01

y of Las Vegas
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3 North Rancho Drive, 3rd Floor
s Vegas, Nevada 89106

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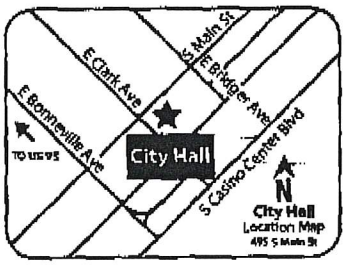
**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 24 2019
Dept of Planning
City of Las Vegas

f you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the 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 vould 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-75826 and SDR-75825 [PRJ-75788]**
Planning Commission Meeting of **06/25/2019**

PRJ-75788
13803313011
ALVAREZ-LEE LIZETTE
1110 E ALMOND AVE #3
ORANGE CA 92866

110 ORDFNP1 92866



43-44 A

June 17,2019

RECEIVED
JUN 2019
Dept of Planning
City of Las Vegas

City of Las Vegas

Department of Planning

Development Services Center

333 North Rancho Drive 3rd Floor

Las Vegas NV 89106

Re: SUP-75826 and SDR-75825 (PRJ-75788)

Dear Department of Planning.

My name is Yvette Anderson and the property owner of 7133 Golden Desert Avenue, Las Vegas NV 89129. I am writing this letter in opposition to the Marijuana Dispensary location at Tenaya and Craig Road. I have worked in law enforcement for the past 30 years. I worked for the State of California for 15 years and Clark County for the past 16 years. My title is Court Compliance Officer II with Las Vegas Justice Court and my position works in Booking at the Clark County Detention Center.

My concern for having a dispensary in this area is due to the fact that this area is very quiet, I work the swing shift and get off work at Midnight. I have lived in my neighborhood for four years and currently it is very quiet at night and not a whole lot of people loitering in the neighborhoods. I believe bringing a Dispensary would change that and do not want to see crime increase in our area. We also have schools that are nearby and do not want a dispensary near the schools. I know for some people marijuana is used for "medicine" purposes and there are other areas that a dispensary could be placed at. Kmart recently closed its doors on Rancho and Craig and maybe that area could be approved for the Dispensary. There are also more businesses and fast food restaurants on that corner and still close by to the proposed site of Craig and Tenaya. I also see and talk with people everyday that suffer with addictions and even though Marijuana is legalized it does have negative effects on some people. Lastly, we all know that Marijuana is suppose to be used at home. I have patronized businesses where a dispensary is located and have seen patrons smoking the marijuana in their cars.

In closing, I strongly oppose this request and hope that the Planning board will not approve Craig and Tenaya and as a site for a Marijuana Dispensary. Thank you in advance for your consideration.

Sincerely,

Yvette M Anderson

Yvette M. Anderson

Submitted after final agenda



43-44P

**Nora Lares**

**From:** noreply@formstack.com
**Sent:** Monday, June 17, 2019 11:59 AM
**To:** Planning Comments
**Subject:** Planning Application Comments Form

**EXTERNAL EMAIL**

formstack

## Formstack Submission For: Planning Application Comments 2019
Submitted at 06/17/19 11:59 AM

| | |
|---|---|
| **Meeting Date:** | Tuesday, June 25, 2019 |
| **Project Number:** | PRJ-75788 |
| **Position:** | I SUPPORT the project and all related applications. |
| **Name:** | Maria Paz G Mendez |
| **Residential or Business Address:** | 7025 Golden Desert Avenue<br>LAS VEGAS, NV 89129 |
| **Phone:** | (702) 217-1097 |
| **Email:** | migs_1@hotmail.com |
| **Comments:** | We oppose the building of a marijuana dispensary so close to our home as well as with the Ruthe Deskin Elementary School. This area is where a lot of students from both Ruthe Deskin and Levitte Middle School pass by. |

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



43-44A

# Shoshinkan

4450 N. Tenaya Way, Suite 135
Las Vegas, NV 89129

June 20, 2019

To: City of Las Vegas, Department of Planning

To whom it may concern:

We are writing to confirm that the primary function of our martial arts studio is not instruction to minors. We offer martial arts instruction to people of all ages. We offer one class each day Monday through Saturday designated as a "children's class" this class is for 1st to 5th graders only. The rest of our scheduled classes can be attended by all ages. We are a traditional martial arts school offering training in Aikido, Judo, and Karate, including instruction in Aiki weapons and Okinawan Karate weapons (Kobudo). Our dojo is a traditional Japanese dojo where students have the ability to practice all three arts or focus on one. As you can see from our online schedule the majority of our regularly scheduled classes are geared towards adult students.

https://www.shoshinkanlv.com/events

Shoshinkan Dojo created and posted an informational video on our website and on YouTube that gives potential students a good idea of what we do at our dojo.

https://www.youtube.com/watch?v=SP1QP3sqEXo#action=share

Thank you.

David O'Donnell

Submitted at Planning Commission
Jay Brown
Date 6/25/19 Item 43-44

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**44**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-75825 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75826 - PUBLIC HEARING - APPLICANT: INTEGRAL DBA ESSENCE TROPICANA, LLC - OWNER: TEN15 CRAIG TENAYA, LLC - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-59306) FOR A PROPOSED 4,280 SQUARE-FOOT COMMERCIAL BUILDING on 0.95 acres at the northeast corner of Craig Road and Tenaya Way (APN 138-03-611-014), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-75788]. Staff has NO RECOMMENDATION.

**May go to City Council on: 08/07/2019**
**OR May be Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 8 | Planning Commission Mtg. | 2 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff has NO RECOMMENDATION, if approved, 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, Major Amendment to SDR-5906

**Project Address** (Location) NWC Craig & US 95

**Project Name** Essence **Proposed Use** dispensary

**Assessor's Parcel #(s)** 138-03-611-014 **Ward #** 4

**General Plan:** Existing SC Proposed SC **Zoning:** Existing C-1 Proposed C-1

**Additional Information** amend SDR to remove drive thru window and replace witih a dispensary building and add a SUP for the dispensary

**Property Owner** Ten15 Craig Tenaya, LLC Contact J Dapper

Address 985 White Drive City Las Vegas State NV Zip 89119

E-mail j@jdapper.com Phone 7027333622

**Applicant** Integral dba EssenceTropicana LLC Contact Dave Falvey

Address 3790 Paradise Road Suite 200 City Las Vegas State NV Zip 89169

E-mail dave@essencevegas.com Phone 650-350-0377

**Representative** LAS Consulting Contact Lucy Stewart

Address 1930 Village Center Circle Bldg 3-577 City Las Vegas State NV Zip 89134

E-mail stewplan@gmail.com Phone 702-499-6469

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** J Dapper

Subscribed and sworn before me

This 14th day of February, 20 19

Virginia G. Shelton

Notary Public in and for said County and State

VIRGINIA G. SHELTON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-31-20
Certificate No: 04-92987-1

PRJ-75788
02/19/19

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**45**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

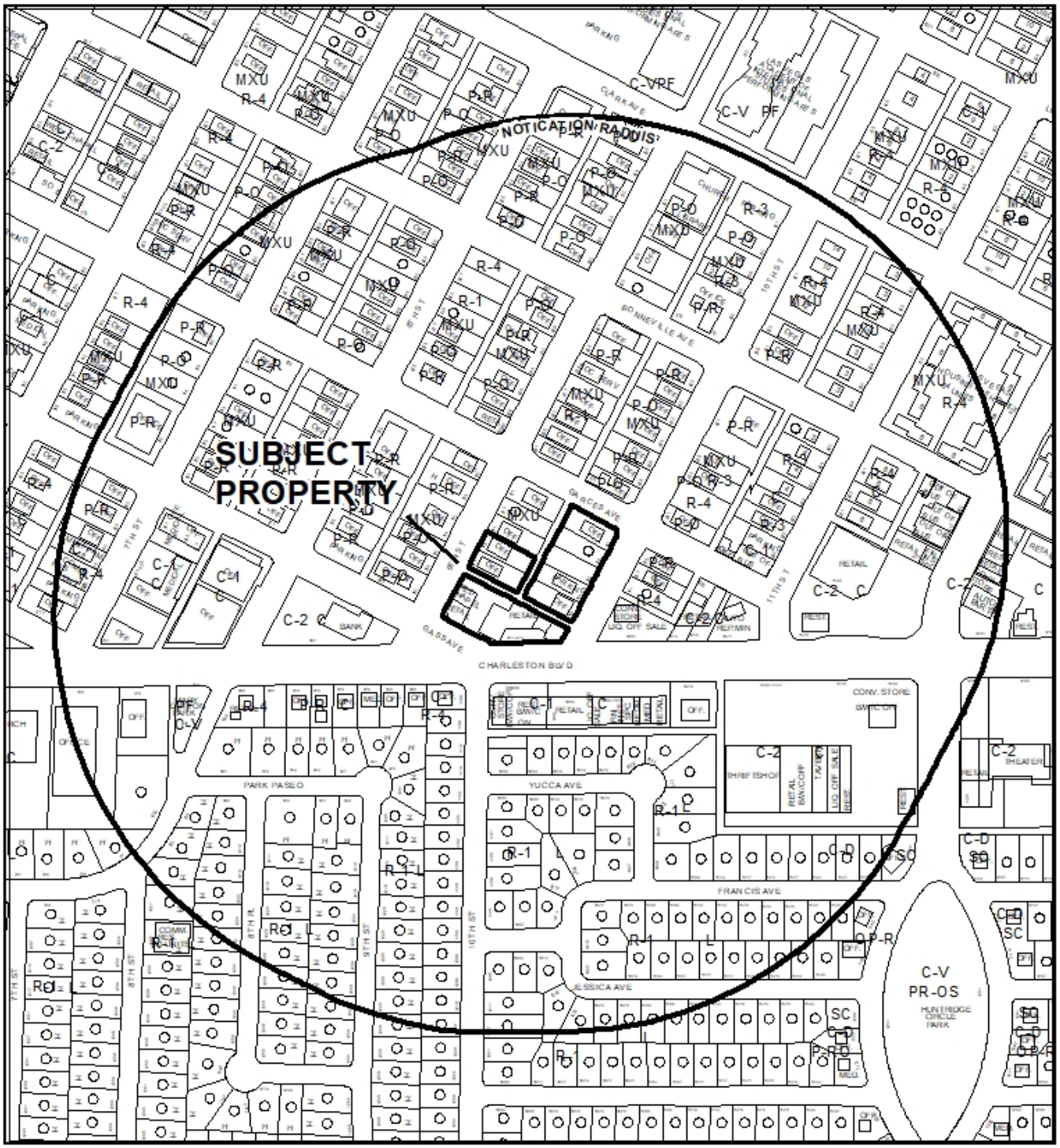
**SUBJECT:**
SUP-76446 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-074, 075, 101 through 105; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76401]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 6 | Planning Commission Mtg. | 11 |
| City Council Meeting | 0 | City Council Meeting | 0 |

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

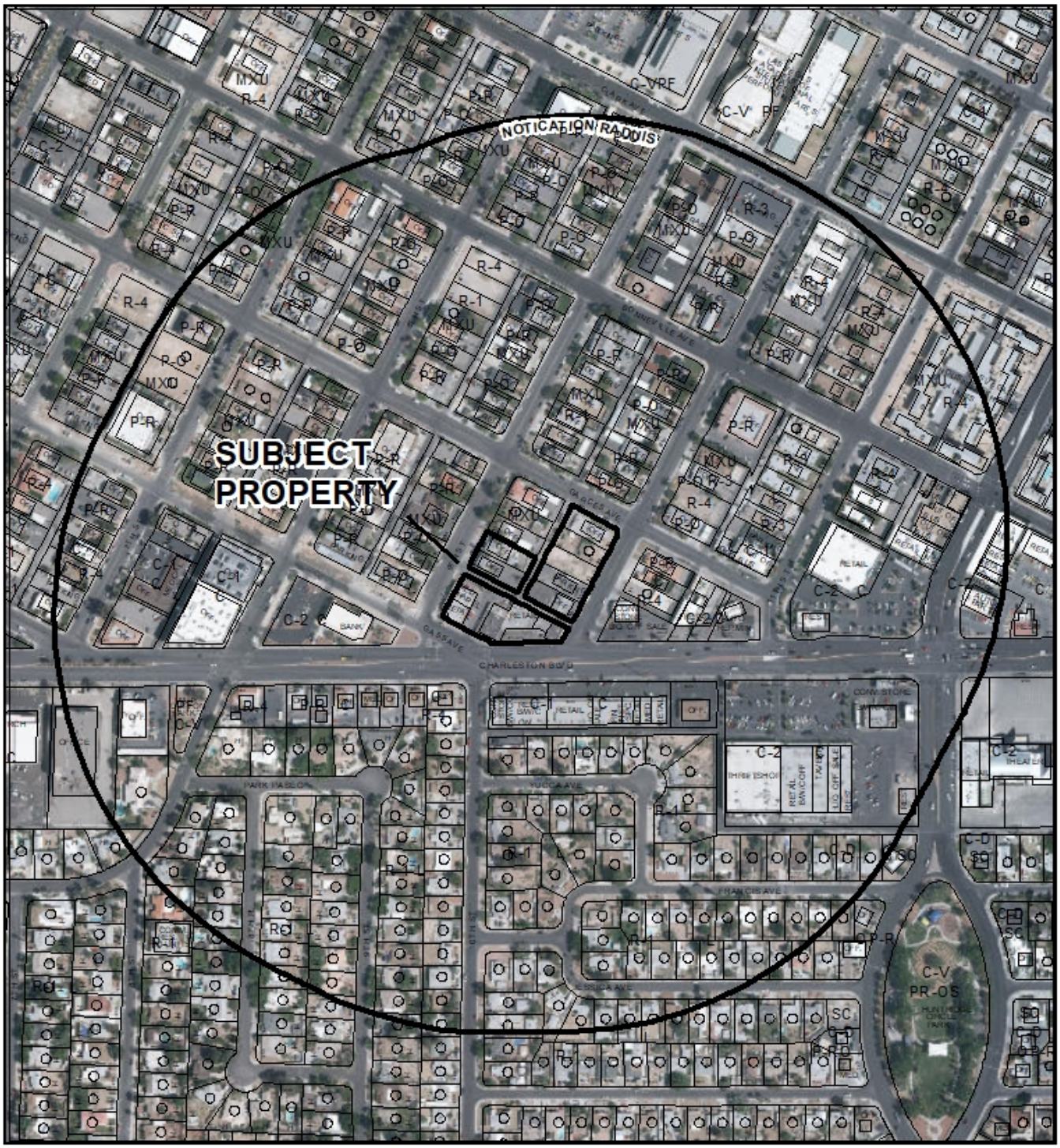
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - SUP-76446 and SDR-76448 [PRJ-76401]
2. Conditions and Staff Report - SUP-76446 and SDR-76448 [PRJ-76401]
3. Supporting Documentation - SUP-76446 and SDR-76448 [PRJ-76401]
4. Photo(s) - SUP-76446 and SDR-76448 [PRJ-76401]
5. Justification Letter - SUP-76446 and SDR-76448 [PRJ-76401]
6. Approval Letter from the June 6, 2018 City Council Meeting for EOT-73190 [PRJ-73126]
7. Approval Letter from the June 6, 2018 City Council Meeting for EOT-73191 [PRJ-73126]
8. Approval Letter from the June 6, 2018 City Council Meeting for EOT-73192 [PRJ-73126]
9. Approval Letters from the May 15, 2013 City Council Meeting for VAR-48460, SUP-48462, VAC-48465 and SDR-48464
10. Submitted after Final Agenda - Protest/Support Postcards and Documentation Not Vetted - Unmarked Postcard




**CASE:** **SUP-76446, SDR-76448 (PRJ-76401)**

**RADIUS:** 1000 FEET

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




0 295 590 Feet

**CASE:** **SUP-76446, SDR-76448 (PRJ-76401)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CHARLESTON TOWERS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-76446** | Staff recommends APPROVAL, subject to conditions: | |
| **SDR-76448** | Staff recommends APPROVAL, subject to conditions: | SUP-76446 |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 38

**NOTICES MAILED**
323 - SUP-76446
323 - SDR-76448

**PROTESTS**
0 - SUP-76446
0 - SDR-76448

**APPROVALS**
0 - SUP-76446
0 - SDR-76448



JAB

**** CONDITIONS ****

# SUP-76446 CONDITIONS

***Planning***

1. SUP-48462 shall be expunged upon final approval.

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

3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-76448) shall be required.

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

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

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

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

# SDR-76448 CONDITIONS

***Planning***

1. SDR-48464 shall be expunged upon final approval.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-76446) shall be required, if approved.

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

4. All development shall be in conformance with the site plan stamped 06/13/19 and the landscape plan and building elevations stamped 05/06/19, except as amended by conditions herein.

5. A Waiver from Title 19.18 is hereby approved, to allow 331 parking spaces where 476 are required.

6. A Waiver from Title 19.08 is hereby approved to allow a 40-foot residential adjacency setback where 282 feet is required.

7. A Waiver from Title 19.08 is hereby approved to allow a zero-foot landscape buffer on the north, south, east and west property lines where 15 feet is required.

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

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

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

11. All utility or mechanical equipment shall comply with the provisions of the Downtown Centennial Plan, unless approved by a separate Waiver.

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

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

14. 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.

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

16. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.

17. 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.

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

***Public Works***

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

20. Dedicate a 25-foot radius on the northwest corner of 10th Street and Charleston Boulevard and on the northeast corner of Charleston Boulevard and Gass Avenue.

21. Remove all substandard public street improvements and unused driveway cuts on 9th Street, 10th Street, and Garces Avenue adjacent to this site and replace with new improvements meeting Downtown Masterplan Plan Standards concurrent with development of this site, except as amended by conditions herein. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. A geotechnical soils report, to determine the condition of the adjacent pavement, shall be submitted concurrent with the submittal of off-site construction drawings for the site and shall be approved prior to the issuance of any offsite permits.

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

23. The proposed driveway shall meet the intent of standard drawing 222A. If gated, the access shall be approved by the Traffic Engineering Section of the Department of Public Works prior to submittal of any construction drawings.

24. 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.

25. Submit a License Agreement for landscaping and private improvements in the Ninth Street, Tenth Street and Garces Avenue public rights-of way prior to the 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 within 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).

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

27. 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 drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to redevelop a 1.91 acre portion of a block bounded by Charleston Boulevard, Gass Avenue, Garces Avenue, 9th Street, and 10th Street with an eight story mixed-use development consisting of 343 residential units and 8,000 square feet of commercial space.

## ISSUES

- A Special Use Permit is requested for a Mixed-Use development in a C-1 (Limited Commercial) zoning district that has residential units on a portion of the ground floor fronting a primary public right-of-way and has a parking structure located along a portion of a street frontage. Staff recommends approval of this request.
- A Site Development Plan Review is requested to construct a 420,212 square-foot, eight story mixed-use development. Staff recommends approval of this request.
- A Waiver from Title 19.18.030 is requested to allow 331 parking spaces where 476 are required. Staff supports this Waiver request.
- A Waiver from Title 19.08.040 is requested to allow a 40-foot residential adjacency setback where 282 feet is required. Staff supports this Waiver request.
- A Waiver from Title 19.08.070 is requested to allow a zero-foot landscape buffer on the north, south, east and west property lines where 15 feet is required. Staff supports this Waiver request.

## ANALYSIS

### *Mixed-Use*

Mixed-use is defined as “the vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.” The proposed use meets the definition, as the submitted site plan shows the integration of residential, retail, and offices spaces.

The Minimum Conditional Use Regulations for this use include:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of a Special Use Permit within a P-O, O or C-PB Zoning District.

The proposed use meets this requirement as the subject site is not within a P-O, O or C-PB Zoning District.

2. Commercial uses or civic uses shall at a minimum be located at the ground level fronting the primary public rights-of-way and may extend beyond the ground floor. The principal entryway to access those uses, whether individually or collectively, shall be directly accessed from and oriented to the public sidewalk.

   The proposed use meets this requirement as the submitted floor plans and elevations show commercial uses at the ground level fronting primary rights-of-way and oriented to the public sidewalk.

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

   The proposed use does not meet this requirement as four of the townhomes on the east site of the Mixed-Use development on the ground floor fronting 10th Street, a primary public right-of-way.

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

   The proposed use does not meet this requirement as the three story parking structure, while integrated into the principal building, is located along a portion of the frontages of 9th Street.

Since the proposed Mixed-Use development does not meet item number three and four of the minimum Conditional Use Regulations, the applicant is must receive approval for a Special Use Permit (SUP-76446). The proposed use is located in the Downtown Master Plan area, the Live/Work District, and the Redevelopment Plan Area. The use achieves the intent of the Vision 2045 Downtown Las Vegas Master Plan which encourages higher density Mixed-Use development in order to “deliver an energetic urban way of life and high-quality physical environment for locals and visitors.” The proposed use also meets the purpose of the Live/Work Overlay District along parts of Charleston Boulevard that “allows owners and operators of businesses to occupy joint living and work quarters in

commercial and industrial areas where other types of residential uses are inappropriate." Finally, the Redevelopment Plan specifically identifies Mixed-Use structures as a preferred land use along Charleston Boulevard. Since the proposed use meets the goals of all three of these development plans, staff recommends approval of Special Use Permit (SUP-76446).

***Site Development Plan Review***

The subject site consists of eight individual parcels on a 1.91-acre portion of a single city block at the northwest corner of Charleston Boulevard and 10th Street and is zoned C-1 (Limited Commercial). Many of the structures on these parcels are single family homes converted to commercial space. According to the county assessor, the structures were built between 1940 and 1957. The parcels are used as retail, wedding chapel, parking, and offices. One parcel is undeveloped, one is vacant, and two alleyways intersect on the block. The adjacent city blocks are zoned P-O (Professional Office), P-R (Professional Office and Parking), R-4 (High Density Residential), and C-2 (General Commercial). The subject site is accessible by five public rights-of-way along Charleston Boulevard.

The applicant is proposing an eight story mixed-use development consisting of a single structure of 343 residential units and 8,000 square feet of commercial space. The commercial spaces will be on the ground floor facing Charleston Boulevard. The residential spaces will be a variety of single to three bedroom units and townhomes from the ground floor to the eighth floor. There are 331 parking spaces within the structure along 9th Street, occupying portions of the ground floor to the third floor. All amenities, loading zone, stairwells, mechanical equipment, and trash receptacles will be contained within the structure. The structure will be accessible by vehicle by three 24-foot drive aisles from 9th and 10th Street and Garces Avenue.

The subject site was previously approved for mixed-use developments. On 11/01/06 the City Council approved a Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building. This entitlement was extended three times. A new Site Development Plan Review was approved by City Council on 05/15/13 for a proposed six-story mixed-use development consisting of 166 residential units and 47,100 square feet of commercial space. This entitlement was extended two times, and is still active. The applicant is proposing a new Site Development Plan (SDR-76448) that, according to the justification letter stamped 05/06/19, will update the mixed-use development to create "a more appropriate scale, intensity and overall design" that will be more attractive, current, and compatible with the area.

The proposed structure meets design, height, setback and size standards in Title 19.08. Most notably, the elevations demonstrate expression lines and expression zones using various materials, colors, articulation, massing, and lighting effects to create visually interesting facades. There is a cohesive design along all street frontages.

The applicant is requesting three Waivers of Title 19 standards. Appendix F, Interim Downtown Las Vegas Development Standards states, "*Where specific development standards cannot be met, the applicant shall require the approval of a Waiver*." The Waiver may only be granted "*with clear and convincing evidence that the project furthers the City's goals as expressed within the Vision 2045 Downtown Masterplan*."

First, the applicant is requesting a parking Waiver to allow 331 spaces where 476 parking spaces are required according to the mixed-use alternative parking requirements in Title 19.18.030. This is 30 percent less than the total required. The subject site is along major public transportation networks and has substantial on-street parking in the area. One of the stated purposes of the Live/Work district is to assist in reducing vehicular traffic by colocating work and residential opportunities. Second, the applicant is requesting a residential adjacency Waiver to allow a 40-foot setback from a protected property where 282 feet is required. There is a single parcel on the proposed site that is zoned R-1 (Single Family Residential). The subject site is in a location where the City encourages increased intensity and density of uses. Third, the applicant is requesting a landscape Waiver to allow a zero landscape buffer along the entire perimeter where 15 feet is required. There will be 50 trees along the public rights-of-way at the required 20-foot minimum separation interval, but the entire area will be paved to increase public safety and pedestrian access.

Staff finds the proposed development furthers the City's goals for the Founders District, and the goals and objectives of the Downtown Las Vegas Redevelopment Area by redeveloping an area of older buildings and vacant sites adjacent to the Charleston Boulevard corridor. The proposed development will fulfill the City's goal to increase density with Live/Work development along busy corridors. Staff finds the requested Waivers will not negatively impact neighboring properties and supports the Waiver requests.

In a report prepared by the Public Works Department, Traffic Division, the proposed project is expected to add approximately 2,168 trips per day on Charleston Boulevard and 10th Street. This is 513 trips per day less than the currently approved site plan. Currently, Charleston is at about 88 percent of capacity and 10th is at about 15 percent of capacity. With this project, Charleston is expected to be at about 94 percent of capacity and 10th to be at about 29 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 181 additional cars, or about three every minute.

The proposed development will impact existing water facilities. There are existing water services (for fire and domestic) as well as a public water main that needs to be relocated. The site plan does not allow for the space required for the meter and backflow prevention assemblies that will be required to serve a development of this size. Unless the site plan is modified, the water facilities will have nowhere to go other than within the right-of-way. Public Works suggests revising site plans to allow for open space on property for the required facilities. Proof of parcel lot consolidation, or the recordation of a commercial/residential subdivision map, is required prior to LVVWD approval. SNWA Regional Connection Charges for the 343 residential units will be assessed and fees must be paid prior to building permit issuance. The applicant has been informed of these issues and will address them when Civils are submitted.

Staff finds the proposed Mixed-Use development furthers the City's goals as expressed within the Vision 2045 Downtown Masterplan; therefore, staff recommends approval of all applications and waivers.

## FINDINGS (SUP-76446)

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

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

   The proposed Mixed-Use development is harmonious and compatible with the objectives of the Downtown Master Plan area, the Live/Work District, and the Redevelopment Plan Area. The Redevelopment Plan specifically identifies Mixed-Use structures as a preferred land use along Charleston Boulevard.

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

   The subject site contains sufficient space to accommodate the proposed Mixed-Use development.

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

Charleston Boulevard is a 100-foot Primary Arterial; Gass Avenue, 9th and 10th Streets are Major Collectors; Garces Avenue is a Minor Collector; and all roadways adjacent to the site are sufficient in size to accommodate the proposed Mixed-Use development.

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

   The Mixed-Use development is subject to licensing and inspection, thereby protecting the public health, safety and general welfare.

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

   All minimum requirements for a Special Use Permit for a Mixed-Use development are satisfied by this proposal.

**FINDINGS (SDR-76448)**

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 Mixed-Use development is compatible with adjacent development along the Charleston Boulevard corridor, Area 2 of the Downtown Master Plan, the Live/Work Overlay, and the Las Vegas Redevelopment Plan 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 consistent with the General Plan and other duly-adopted City plans such as the Downtown Redevelopment Area whose goals and objectives include “achieving an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.

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

The Department of Public Works has included several recommended Conditions of Approval to ensure site access and circulation for both pedestrian and vehicular traffic does not negatively impact the adjacent roadways and sidewalks.

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

   Landscape materials and drought tolerant species are appropriate for this area of the city. The proposed building materials consist of brick, stucco, metal, mesh, vinyl and an aluminum storefront which is appropriate for the Charleston Boulevard corridor.

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

   The proposed building elevations and design characteristics are not unsightly or obnoxious in appearance. The proposed development 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 proposed development is subject to building permit review during the permitting phase, as well as regular inspections during the construction phase thus protecting the public health, safety and general welfare.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by Planning, Fire, Bldg, etc.*** | |
|---|---|
| 11/01/06 | The City Council approved a Variance (VAR-14342) to allow no stepback beyond the building setback line where a 1:1 stepback to height ratio is required along a street classified as collector or larger in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended denial. |
| | The City Council approved a Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended denial. |
| | The City Council approved a Special Use Permit (SUP-14339) for a proposed Mixed-Use development at the northwest corner of Charleston Boulevard and 10th Street. The Planning Commission recommended approval, staff recommended denial. |
| | The City Council approved a Petition to Vacate (VAC-12884) public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building and a Waiver of the residential adjacency requirements on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended denial. |
| 12/19/07 | The City Council approved an Extension of Time (EOT-25370) of an approved Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a Waiver of the Residential Adjacency requirements on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| 12/20/07 | The Department of Planning administratively approved an Extension of Time (EOT-31555) of a previously approved Petition to Vacate (VAC-12884) public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. |

| ***Related Relevant City Actions by Planning, Fire, Bldg, etc.*** | |
|---|---|
| 12/15/08 | The Department of Planning administratively approved an Extension of Time (EOT-31555) of a previously approved Petition to Vacate (VAC-12884) public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. |
| 12/17/08 | The City Council approved an Extension of Time (EOT-31559) of an approved Variance (VAR-14342) to allow no setback beyond the building setback line where a 1:1 setback to height ratio is required along a street classified as a collector or larger in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-31563) of an approved Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-31560) of an approved Special Use Permit (SUP-14339) for a proposed Mixed-Use development at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-31562) of an approved Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a Waiver of the Residential Adjacency requirements on 2.05 acres at the northwest corner of Charleston Blvdd and 10th Street. Staff recommended approval. |
| 11/01/10 | The Department of Planning administratively approved an Extension of Time (EOT-39884) of a previously approved Petition to Vacate (VAC-12884) public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. |
| 11/17/10 | The City Council approved an Extension of Time (EOT-39850) of a previously approved Rezoning (ZON-14338) from: P-R (Professional Office and Parking) and R-4 (High Density Residential) To: C-1 (Limited Commercial) on 0.52 acres at 700, 708, and 712 South 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-39846) of an approved Variance (VAR-14342) to allow no setback beyond the building setback line where a 1:1 setback to height ratio is required along a street classified as collector or larger in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg, etc.*** | |
|---|---|
| | The City Council approved an Extension of Time (EOT-39848) of an approved Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-39845) of an approved Special Use Permit (SUP-14339) for a proposed Mixed-Use development at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-39849) of an approved Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a Waiver of the Residential Adjacency requirements on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| 04/17/13 | The City Council approved an Extension of Time (EOT-47002) of an approved Variance (VAR-14342) to allow no setback beyond the building setback line where a 1:1 setback to height ratio is required along a street classified as collector or larger in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended denial. |
| | The City Council approved an Extension of Time (EOT-46998) of an approved Variance (VAR-14345) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended denial. |
| | The City Council approved an (EOT-47000) of an approved Special Use Permit (SUP-14339) for a proposed Mixed-Use development at the northwest corner of Charleston Blvd and 10th Street. Staff recommended denial. |
| | The City Council approved an Extension of Time (EOT-47001) of an approved Site Development Plan Review (SDR-14349) for a proposed Mixed-Use development consisting of 350 residential condominium units and 18,000 square feet of commercial floor area within one 14-story and one 17-story building, and a Waiver of the Residential Adjacency requirements on 2.05 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended denial. |

| ***Related Relevant City Actions by Planning, Fire, Bldg, etc.*** | |
|---|---|
| 05/15/13 | The City Council approved a Variance (VAR-48460) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a Special Use Permit (SUP-48462) for a proposed Mixed-Use development with a Waiver to allow a parking structure to be located along the street frontage of the development site on 2.09 at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a Petition to Vacate (VAC-48465) the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. The Planning Commission and staff recommended approval. |
| | The City Council approved a Site Development Plan Review (SDR-48464) for a proposed six-story Mixed-Use development consisting of 166 residential units and 47,100 square feet of commercial space with Waivers to allow a zero-foot wide landscape buffer along the interior property line where an eight-foot wide buffer is required and to allow a 51-foot residential adjacency setback where 279-foot setback is required on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. The Planning Commission and staff recommended approval. |
| 05/18/16 | The City Council approved an Extension of Time (EOT-64093) of an approved Variance (VAR-48460) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-64091) of an approved Special Use Permit (SUP-48462) for a proposed Mixed-Use development with a Waiver to allow a parking structure to be located along the street frontage of the development site at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-64090) of an approved Petition to Vacate (VAC-48465) the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. Staff recommended approval. |

| ***Related Relevant City Actions by Planning, Fire, Bldg, etc.*** | |
|---|---|
| | The City Council approved an Extension of Time (EOT-64092) of an approved Site Development Plan Review (SDR-48464) for a proposed six-story Mixed-Use development consisting of 166 residential units and 47,100 square feet of commercial space with Waivers to allow a zero-foot wide landscape buffer along the interior property line where an eight-foot wide buffer is required and to allow a 51-foot residential adjacency setback where 279-foot setback is required on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| 06/06/18 | The City Council approved an Extension of Time (EOT-73189) of an approved Variance (VAR-48460) to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed-Use development on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-73191) of an approved Special Use Permit (SUP-48462) for a proposed Mixed-Use development with a Waiver to allow a parking structure to be located along the street frontage of the development site at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-73192) of an approved Petition to Vacate (VAC-48465) the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. Staff recommended approval. |
| | The City Council approved an Extension of Time (EOT-73190) of an approved Site Development Plan Review (SDR-48464) for a proposed six-story Mixed-Use development consisting of 166 residential units and 47,100 square feet of commercial space with Waivers to allow a zero-foot wide landscape buffer along the interior property line where an eight-foot wide buffer is required and to allow a 51-foot residential adjacency setback where 279-foot setback is required on 2.09 acres at the northwest corner of Charleston Blvd and 10th Street. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 05/28/10 | A deed was recorded for a change in ownership for APN 139-34-810-074, 075, 101, 103, 105, 105, and 139-34-812-003. |
| 05/20/11 | A deed was recorded for a change in ownership for APN 139-34-810-102. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no related building permits or business licenses for the proposed project. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/30/19 | Staff conducted a pre-application meeting where the submittal requirements for numerous Special Use Permits and a Site Development Plan Review were discussed. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required or held. |

| ***Field Check*** | |
|---|---|
| 05/16/19 | During a routine field check, staff drove around the area and observed the site. There are several small business in operation and some vacant residences. There was some small, windblown trash around the area, but the landscaping and structures appeared to be in decent repair. No graffiti or refuse. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.91 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | General Retail Store, Other Than Listed | C (Commercial) | C-1 (Limited Commercial) |
| | Wedding Chapel | | |
| | Office, Other Than Listed | | |
| | Parking Lot | | |
| | Undeveloped | | |
| North | Office, Other Than Listed | MXU (Mixed Use) | P-R (Professional Office & Parking) |
| | Vacant Building | | P-O (Professional Office) |
| South | Restaurant | C (Commercial) | C-1 (Limited Commercial) |
| | General Personal Services | | |
| East | Vacant Buildings | C (Commercial) | C-2 (General Commercial) |
| | Convenience Store | | P-R |
| | Beer/Wine/Cooler Off-Sale Establishment | | R-4 (High Density Residential) |
| West | General Personal Services | MXU (Mixed Use) | P-R (Professional Office & Parking) |
| | Vacant Buildings | | P-O (Professional Office) |
| | Office, Other Than Listed | | R-1 (Single Family Residential) |

| ***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 2 (Founders District) | Y |
| LW-O (Live/Work Overlay) District | Y |



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| *Other Plans or Special Requirements* | *Compliance* |
|---|---|
| Trails | N/A |
| Las Vegas Redevelopment Plan Area 2 | Y |
| 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 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 302 Feet | Y |
| Min. Setbacks | | | |
| • Front | 10 Feet | 20 Feet | Y |
| • Corner (East) | 10 Feet | 15 Feet | Y |
| • Corner (West) | 10 Feet | 15 Feet | Y |
| • Rear | 20 Feet | 28 Feet | Y |
| Max. Lot Coverage | 75 % | 56 % | Y |
| Max. Building Height | 150 Feet | 94 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Inside | Y |
| Mech. Equipment | Screened | Inside | Y |

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope | 282 Feet | 40 Feet | N* |
| Adjacent development matching setback | 15 Feet | 40 Feet | Y |
| Trash Enclosure | 50 Feet | Inside | Y |

**The applicant is requesting a Waiver.*



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***Pursuant to Title 19.08, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 6 Trees | 6 Trees | Y |
| • South | 1 Tree / 20 Linear Feet | 16 Trees | 16 Trees | Y |
| • East | 1 Tree / 20 Linear Feet | 15 Trees | 15 Trees | Y |
| • West | 1 Tree / 20 Linear Feet | 10 Trees | 10 Trees | Y |
| **TOTAL PERIMETER TREES** | | **42 Trees** | **42 Trees** | **Y** |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 8 Feet | | 0 Feet | N* |
| • South | 15 Feet | | 0 Feet | N* |
| • East | 15 Feet | | 0 Feet | N* |
| • West | 15 Feet | | 0 Feet | N* |

**The applicant is requesting a Waiver.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Charleston Boulevard | Primary Arterial | Planned Streets and Highways Map | 100 | Y |
| Gass Avenue | Major Collector | Planned Streets and Highways Map | 80 | Y |
| 9th Street | Major Collector | Planned Streets and Highways Map | 80 | Y |
| Garces Avenue | Minor Collector | Planned Streets and Highways Map | 70 | Y |
| 10th Street | Major Collector | Planned Streets and Highways Map | 80 | Y |

| ***Proposed 343 Multi-Family Units:*** | | | |
|---|---|---|---|
| **Student Yield** | **Elementary School** | **Middle School** | **High School** |
| **Multi-Family Units (343)** | 343 x 0.140 | 343 x 0.058 | 343 x 0.064 |
| **Total Additional Students** | 48 | 20 | 22 |

| ***Schools Serving the Area:*** | | | | | |
|---|---|---|---|---|---|
| **Name** | **Address** | **Grade** | **Capacity** | **Enrollment** | **Site Date** |
| Howard Hollingsworth Elementary | 1776 East Ogden Ave | K – 5th Grade | 712 Students | 642 Students | 05/01/19 |
| John C. Fremont Junior High | 1100 East St. Louis Ave | 6th – 8th Grade | 1,319 Students | 835 Students | 05/01/19 |
| Rancho High | 1900 Searles Ave | 9th - 12th Grade | 2,453 Students | 3,210 Students* | 05/01/19 |

**Rancho High School is over capacity for the 2018-2019 school year. It's at 130 percent of the program capacity.*

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

| ***Parking Requirement**** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or # of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Gen Retail | 7,935 SF | 1:175 | 46 | | | | |
| 1 Bedroom | 262 Units | 1:1.25 | 328 | | | | |
| 2 Bedrooms | 59 Units | 1:1.75 | 104 | | | | |
| 3 Bedrooms | 22 Units | 1:2 | 44 | | | | |
| **TOTAL SPACES REQUIRED** | | | 522 | | 331 | | N* |
| **Regular and Handicap Spaces Required** | | | 511 | 11 | 325 | 6 | N* |
| Loading Spaces | 7,935 SF | | 1 | | 1 | | Y |
| Percent Deviation | | | 37% | | | | N* |

** The parking requirement is included as a comparison to the alternative parking requirements below.*



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***Pursuant to Title 19.18, the following parking standards apply***

| **Alternative Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or # of Units*** | **Weekdays** | | | **Weekends** | | |
| | | Mid-7am | 7am-6pm | 6pm-Mid | Mid-7am | 7am-6pm | 6pm-Mid |
| Gen Retail | 7,935 SF | 0 | 46 | 37 | 0 | 46 | 28 |
| 1 Bedroom | 262 Units | 328 | 181 | 279 | 328 | 214 | 246 |
| 2 Bedrooms | 59 Units | 104 | 58 | 89 | 104 | 68 | 78 |
| 3 Bedrooms | 22 Units | 44 | 25 | 38 | 44 | 29 | 33 |
| **TOTAL SPACES** | | 476 | 310 | 443 | 476 | 357 | 385 |
| **TOTAL SPACES REQUIRED** | | 476 | | | 476 | | |
| Percent Deviation | | 30% | | | | | |

** The applicant is requesting a Waiver.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| 476 parking spaces are required for the proposed mixed-use development. | To allow 331 parking spaces. | Approval |
| The 94-foot tall mixed-use development requires a 282-foot residential adjacency setback from a property that is zoned R-1. | To allow a 40-foot residential adjacency setback. | Approval |
| The landscape buffer adjacent to a right-of-way shall be 15 feet. | To allow a zero-foot landscape buffer along the north, south, east and west property lines. | 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) Variance

**Project Address** (Location) Charleston & 10th (700 S 10th St)

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

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

**General Plan:** Existing C Proposed N/C **Zoning:** Existing C-1 Proposed N/C

**Additional Information**

**Property Owner** Charleston Towers LLC Contact Mark Dix
Address 18501 Collier Ave #B-106 City Lake Elsinore State CA Zip 92530
E-mail mark.dix@tiltupsbysci.com Phone

**Applicant** Charleston Towers LLC Contact Mark Dix
Address 18501 Collier Ave #B-106 City Lake Elsinore State CA Zip 92530
E-mail mark.dix@tiltupsbysci.com Phone

**Representative** G.C. Garcia, Inc. Contact George Garcia
Address 1055 Whitney Ranch Dr, Suite 210 City Henderson State NV Zip 89014
E-mail acole@gcgarciainc.com Phone 702-435-9909

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 S. Dix

Subscribed and sworn before me

This day of , 20

See attached

Notary Public in and for said County and State

PRJ-76401
05/06/19

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.

## JURAT

State of California

County of Riverside

Subscribed and sworn to (or affirmed) before me on this 1st day of May, 20 19, by Mark Dix,

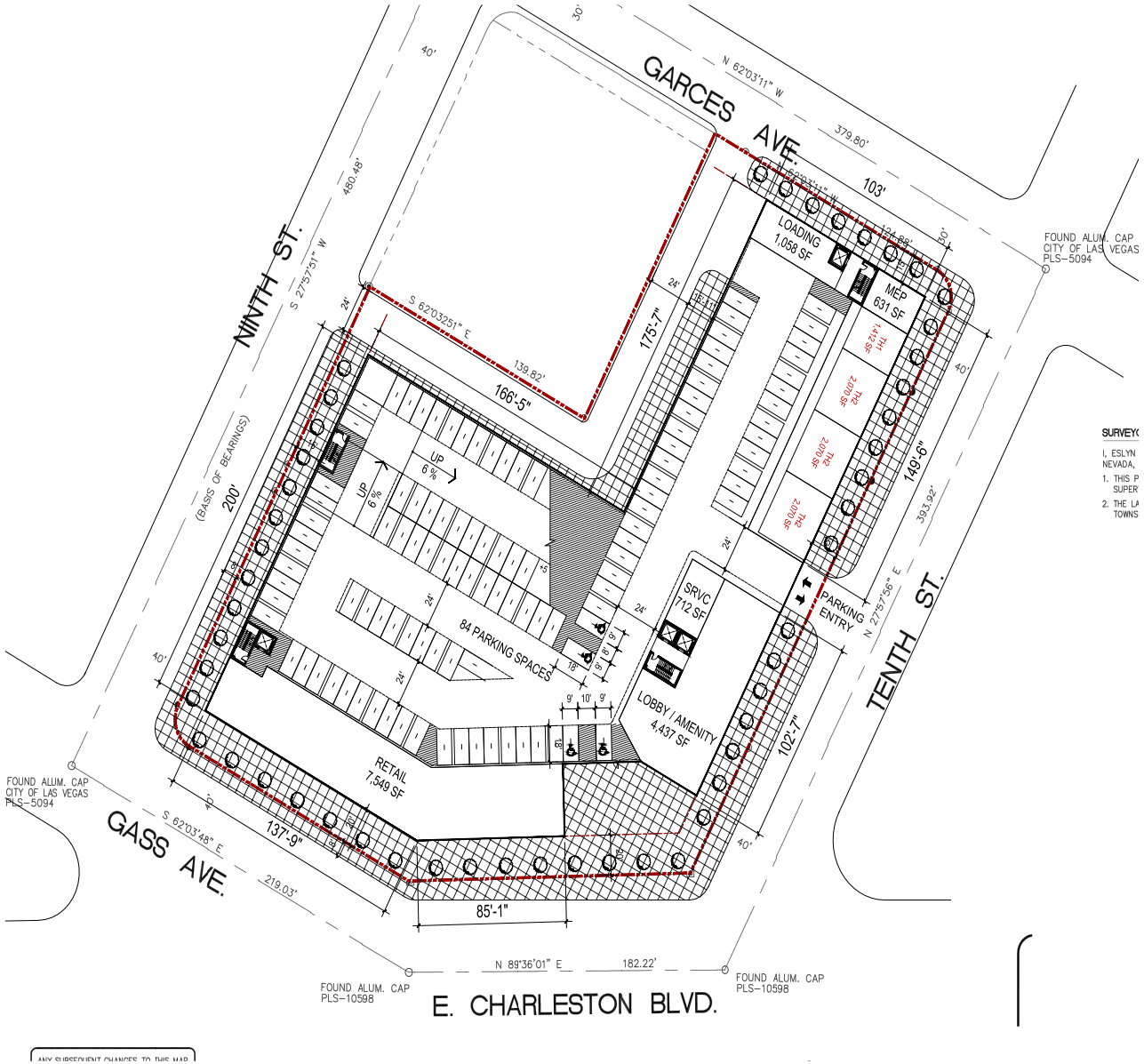
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

KIM CASE
Notary Public - California
Riverside County
Commission # 2130202
My Comm. Expires Nov 10, 2019

(Seal)

PRJ-76401
05/06/19

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ANY SUBSEQUENT CHANGES TO THIS MAP




VICINITY MAP N

## PARKING PROVIDED

| PROJECT DATA | | |
|---|---|---|
| OVERALL SITE AREA: | 94,782 | SF |
| EXISTING ZONING: | | |
| APN: | | |
| RETAIL: | 7,549 | SF |
| APARTMENT: | 274,186 | SF |
| STORAGE/MEP/LOADING: | 5,988 | SF |
| PARKING GARAGE: | 132,489 | SF |
| TOTAL BUILDING AREA: | 420,212 | SF |
| FLOOR TO THE RATIO: | 4.43 | |
| COVERAGE: | 56.0% | |

PARKING ANALYSIS:

TOTAL REQUIRED (MIX USE CHART):

MIX USE PARKING ANALYSIS:

| GENERAL LAND USE CLASSIFICATION | WEEKDAYS | | |
|---|---|---|---|
| | MID 7AM | 7AM-6PM | 6PM-MID |
| RETAIL / PERSONAL SERVICES | 0 | 46 | 37 |
| RESIDENTIAL | 476 | 262 | 405 |
| TOTAL | 476 | 308 | 442 |

| GENERAL LAND USE CLASSIFICATION | WEEKENDS | | |
|---|---|---|---|
| | MID 7AM | 7AM-6PM | 6PM-MID |
| RETAIL / PERSONAL SERVICES | 0 | 46 | 28 |
| RESIDENTIAL | 476 | 310 | 357 |
| TOTAL | 476 | 356 | 385 |

PARKING PROVIDED:

| | | | | |
|---|---|---|---|---|
| GROUND FLOOR PARKING: | 82 | SPACES | | |
| MEZZANINE LEVEL PARKING: | 119 | SPACES | | |
| 2ND FLOOR PARKING: | 124 | SPACES | | |
| HANDICAP PARKING: | 6 | SPACES | | |
| TOTAL PROVIDED: | 331 | SPACES | | |

TITLE 19 PARKING REQUIREMENTS

| PARKING REQUIRED: | | | | |
|---|---|---|---|---|
| RETAIL | 7,549 | 1 PER 175SF | 46 | SPACES |
| MULTIFAMILY | | | | |
| SINGLE 1 BR | 262 | 1.25 PER UNIT | 328 | SPACES |
| 2 BR | 59 | 1.75 PER UNIT | 104 | SPACES |
| 3 BR | 22 | 2 PER UNIT | 44 | SPACES |
| TOTAL PARKING REQUIRED: | | | 522 | SPACES |

PRJ-76401
06/13/19

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SCALE: 1" = 30' -0" (24"x36" SHEET)
0' 15' 30' 60' 90'

ISSUE DATE:

REVISIONS:

| # | DATE | COMMENTS |
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LAS VEGAS, NV

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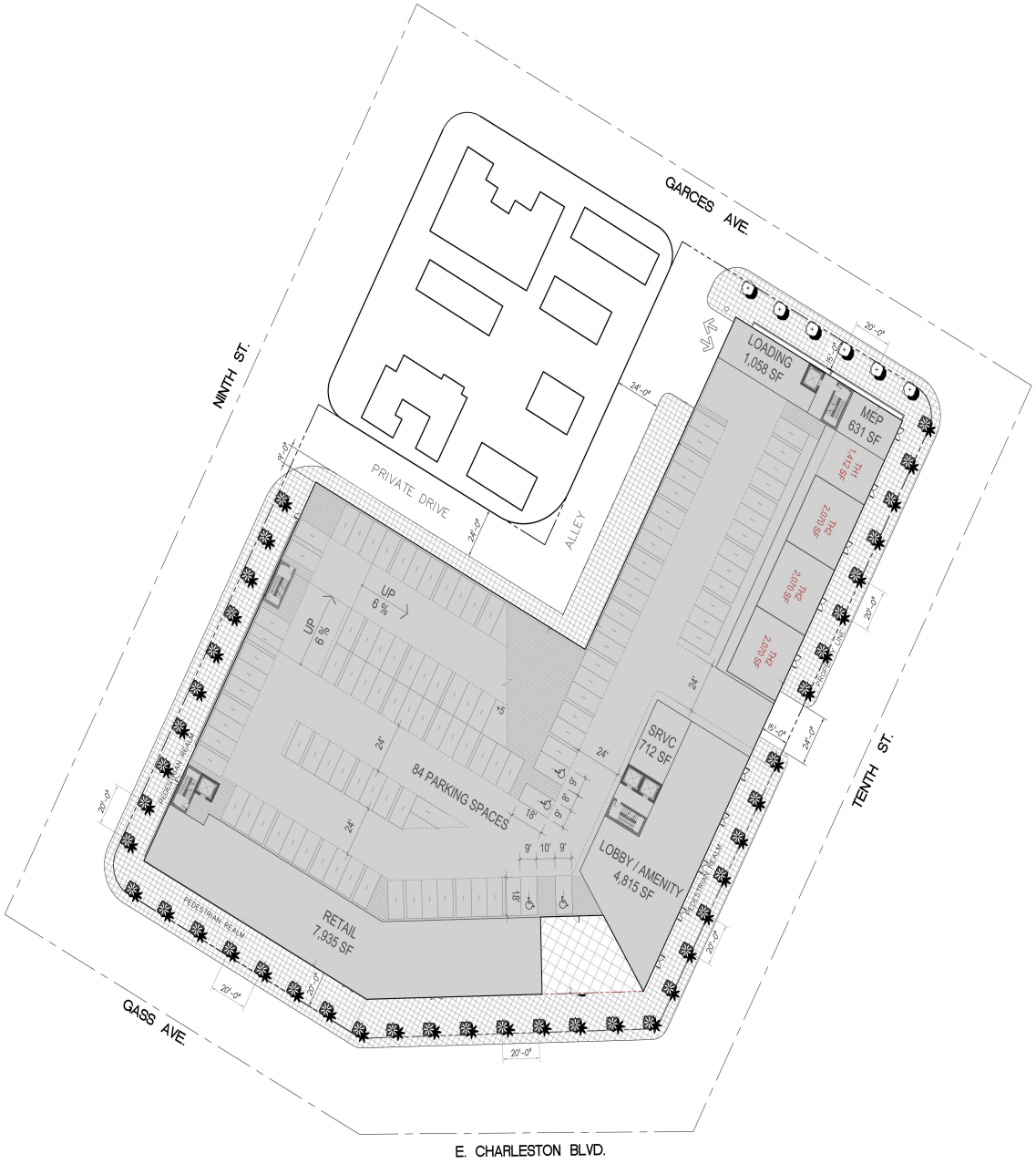
CITY PLANNING SUBMITTAL - 06.13.2019

SHEET CONTENTS:
SITE PLAN

SHEET NO.

HPA 19126

# SITE PLAN




## VICINITY MAP

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## TREES LEGEND

TREE LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CHITALPA TASHKENTENSIS CHITALPA | 36" BOX, AT BLDG. 24" BOX | STD., D.S. |
| | RHUS LANCEA AFRICAN SUMAC | 24" BOX | STD., D.S. |
| | PHOENIX DACTILIFERA DATE PALM | 20' - HEIGHT | SKINNED TRUNK W/ 3.5' PINEAPPLE |
| | PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE | 24" BOX | STD., D.S. |
| | WASHINGTONIA ROBUSTA MEXICAN FAN PALM | 22' HEIGHT | SKINNED TRUNK TO PALM HEAD |
| | VITEX AGNUS-CASTUS CHASTE TREE | 24" BOX | STD., D.S. |

SHRUB LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE | 5 GAL | 72" O.C. |
| | CASSIA NEMOPHILA CASSIA | 5 GAL | 60" O.C. |
| | CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM | 15 GAL, 24" BOX | 15 GAL EACH POT 24" BOX IN GROUND |
| | COTONEASTER GLAUCOPHYLLUS BRIGHT BEAD COTONEASTER | 5 GAL | 42" O.C. |
| | ELAEAGNUS PUNGENS SILVERBERRY | 5 GAL | 48" O.C. |
| | HESPERALOE PARVIFLORA RED YUCCA | 5 GAL | 36" O.C. |
| | LEUCOPHYLLUM F. 'COMPACTA' DWARF TEXAS RANGER | 5 GAL | 30" O.C. |
| | LEUCOPHYLLUM F. 'GREEN CLOUD' GREEN CLOUD TEXAS RANGER | 5 GAL | 48" O.C. |
| | MUHLENBERGIA C. 'REGAL MIST' REGAL MIST | 5 GAL | 36" O.C. |
| | MUHLENBERGIA RIGENS DEER GRASS | 5 GAL | 36" O.C. |
| | PENNISETUM SETACEUM 'CUPREUM' PURPLE FOUNTAIN GRASS | 5 GAL | 36" O.C. |
| | SALVIA GREGGII AUTUMN SAGE | 5 GAL | 24" O.C. |

GROUND COVER / ACCENT PLANT LEGEND

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

ROCK MULCH

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

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

PRJ-76401
05/06/19

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SCALE: 1" = 30' - 0" (24"x36" SHEET)

0' 15' 30' 60' 90'

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# LANDSCAPE PLAN

ISSUE DATE:

REVISIONS:

| # | DATE | COMMENTS |
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SHEET CONTENTS:
LANDSCAPE PLAN

SHEET NO.

CITY PLANNING SUBMITTAL- 04.16.2019



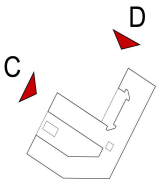

NORTH WEST ELEVATION - C




NORTH EAST ELEVATION - D

MATERIALS / COLOR KEY NOTES

1. STUCCO FINISH
   CYAN COLOR
2. STUCCO FINISH
   WHITE COLOR
3. STUCCO FINISH
   FINEST SILK COLOR
4. STUCCO FINISH
   CEDARVILLE COLOR
5. METAL PANEL
   DARK GRAY COLOR
6. BRICK
   MOCHA COLOR
7. METAL MESH BALCONY
8. VINYL WINDOW
9. VINYL DOOR SYSTEM
10. ALLUMINUM STOREFRONT WINDOW
    EFCO SERIES 403
    DARK BRONZE / CLEAR GLASS




# NW - NE ELEVATIONS

SCALE: 1" = 20' - 0" (24"x36" SHEET)

0' 20' 40' 80' 120'

PRJ-76401
05/06/19



ISSUE DATE: 03/21/2019

REVISIONS:

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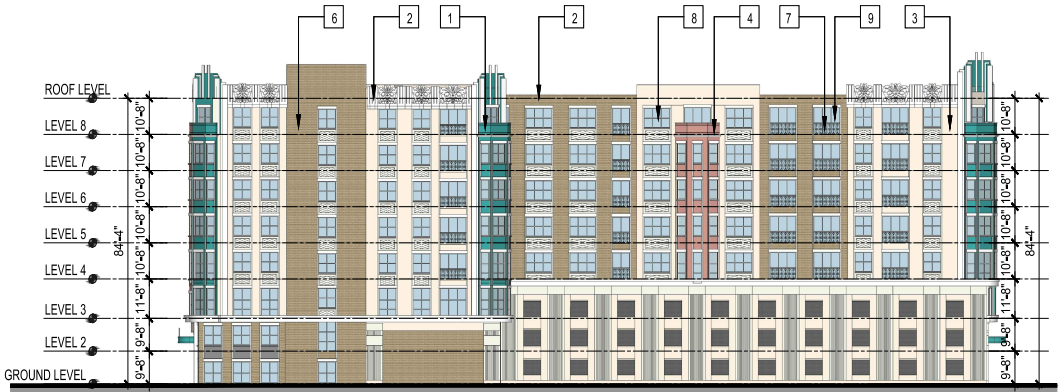
SHEET CONTENTS:
NW - NE ELEVATIONS

SHEET NO.
HPA 19126

CITY PLANNING SUBMITTAL - 04.16.2019



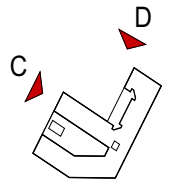

NORTH WEST ELEVATION - C




NORTH EAST ELEVATION - D

MATERIALS / COLOR KEY NOTES

1. STUCCO FINISH
   CYAN COLOR
2. STUCCO FINISH
   WHITE COLOR
3. STUCCO FINISH
   FINEST SILK COLOR
4. STUCCO FINISH
   CEDARVILLE COLOR
5. METAL PANEL
   DARK GRAY COLOR
6. BRICK
   MOCHA COLOR
7. METAL MESH BALCONY
8. VINYL WINDOW
9. VINYL DOOR SYSTEM
10. ALLUMINUM STOREFRONT WINDOW
    EFCO SERIES 403
    DARK BRONZE / CLEAR GLASS




SCALE: 1" = 20' - 0" (24"x36" SHEET)

0' 20' 40' 80' 120'

PRJ-76401
05/06/19

NW - NE ELEVATIONS



ISSUE DATE:

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CITY PLANNING SUBMITTAL - 04.16.2019

HPA 19126




SOUTH EAST ELEVATION - A




SOUTH WEST ELEVATION - B

MATERIALS / COLOR KEY NOTES

1. STUCCO FINISH
   CYAN COLOR
2. STUCCO FINISH
   WHITE COLOR
3. STUCCO FINISH
   FINEST SILK COLOR
4. STUCCO FINISH
   CEDARVILLE COLOR
5. METAL PANEL
   DARK GRAY COLOR
6. BRICK
   MOCHA COLOR
7. METAL MESH BALCONY
8. VINYL WINDOW
9. VINYL DOOR SYSTEM
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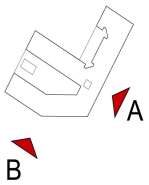
    EFCO SERIES 403
    DARK BRONZE / CLEAR GLASS




SE - SW ELEVATIONS

SCALE: 1" = 20' - 0" (24"x36" SHEET)

0' 20' 40' 80' 120'

PRJ-76401
05/06/19



ISSUE DATE: 03/21/2019

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CITY PLANNING SUBMITTAL - 04.16.2019




SOUTH EAST ELEVATION - A




SOUTH WEST ELEVATION - B

MATERIALS / COLOR KEY NOTES

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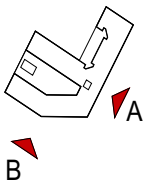
|---|---|
| 1. | STUCCO FINISH<br>CYAN COLOR |
| 2. | STUCCO FINISH<br>WHITE COLOR |
| 3. | STUCCO FINISH<br>FINEST SILK COLOR |
| 4. | STUCCO FINISH<br>CEDARVILLE COLOR |
| 5. | METAL PANEL<br>DARK GRAY COLOR |
| 6. | BRICK<br>MOCHA COLOR |
| 7. | METAL MESH BALCONY |
| 8. | VINYL WINDOW |
| 9. | VINYL DOOR SYSTEM |
| 10. | ALLUMINUM STOREFRONT WINDOW<br>EFCO SERIES 403<br>DARK BRONZE / CLEAR GLASS |

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PRJ-76401
05/06/19

SE - SW ELEVATIONS



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SHEET NO.

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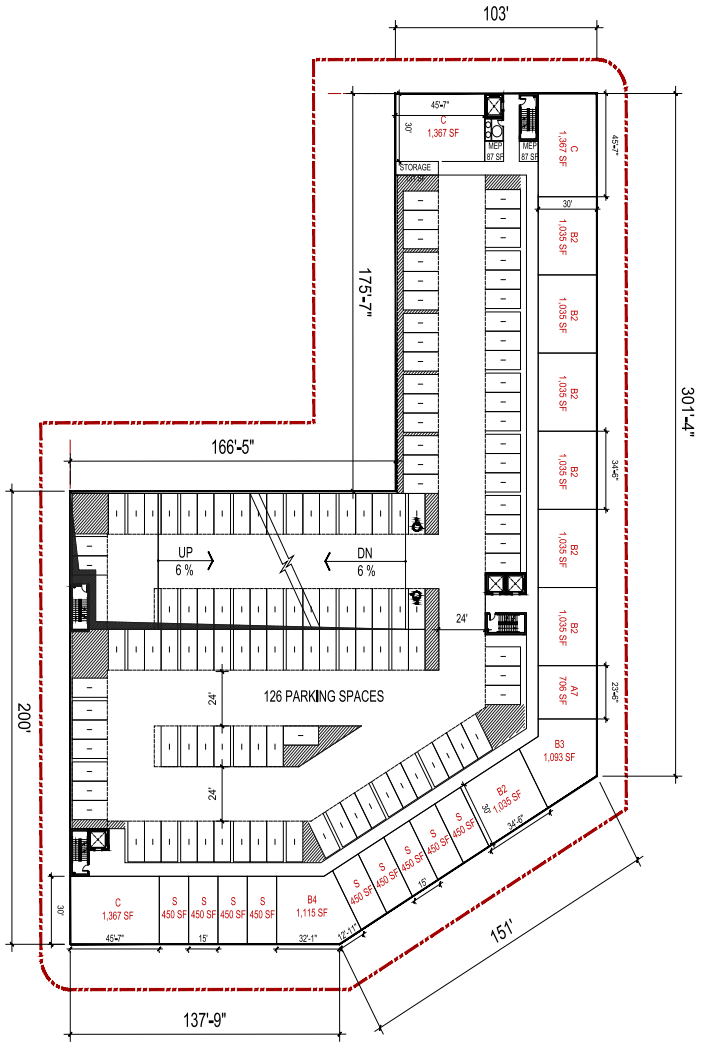


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SHEET CONTENTS:
LEVEL 2

SHEET NO.
HPA 19126

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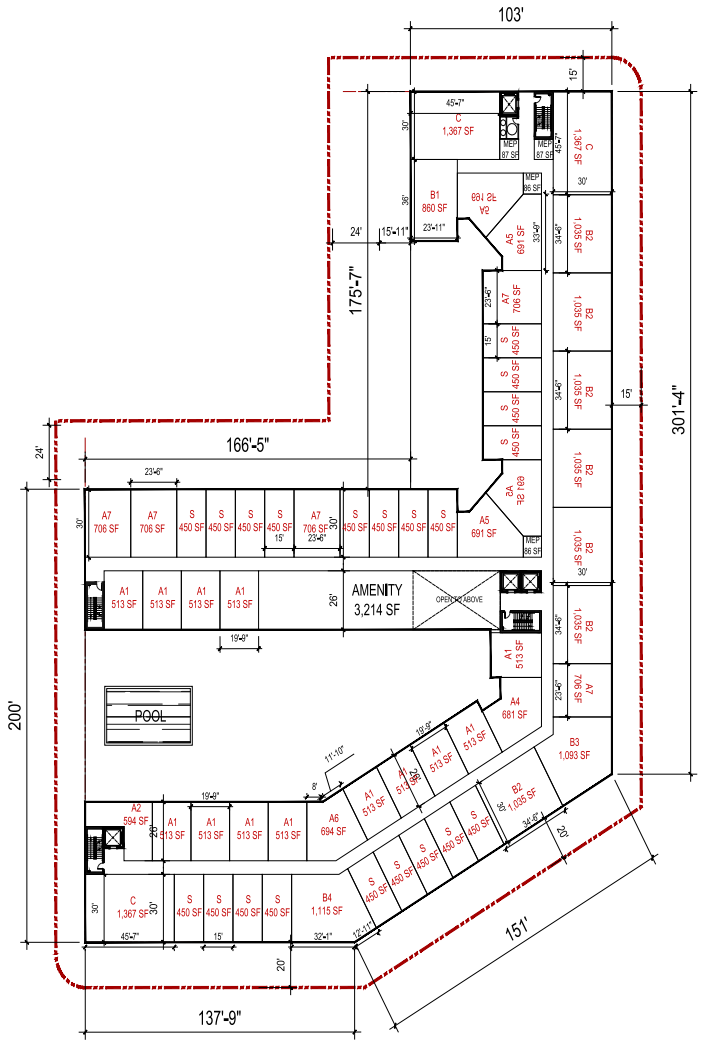
SCALE: 1" = 30' - 0"
(24"x36" SHEET)
0' 15' 30' 60' 90'

PRJ-76401
05/06/19

CITY PLANNING SUBMITTAL - 05.03.2019



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SHEET CONTENTS:
LEVEL 3

SHEET NO.
HPA 19126

CITY PLANNING SUBMITTAL - 05.03.2019

PRJ-76401
05/06/19

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SCALE: 1" = 30' - 0"
(24"x36" SHEET)
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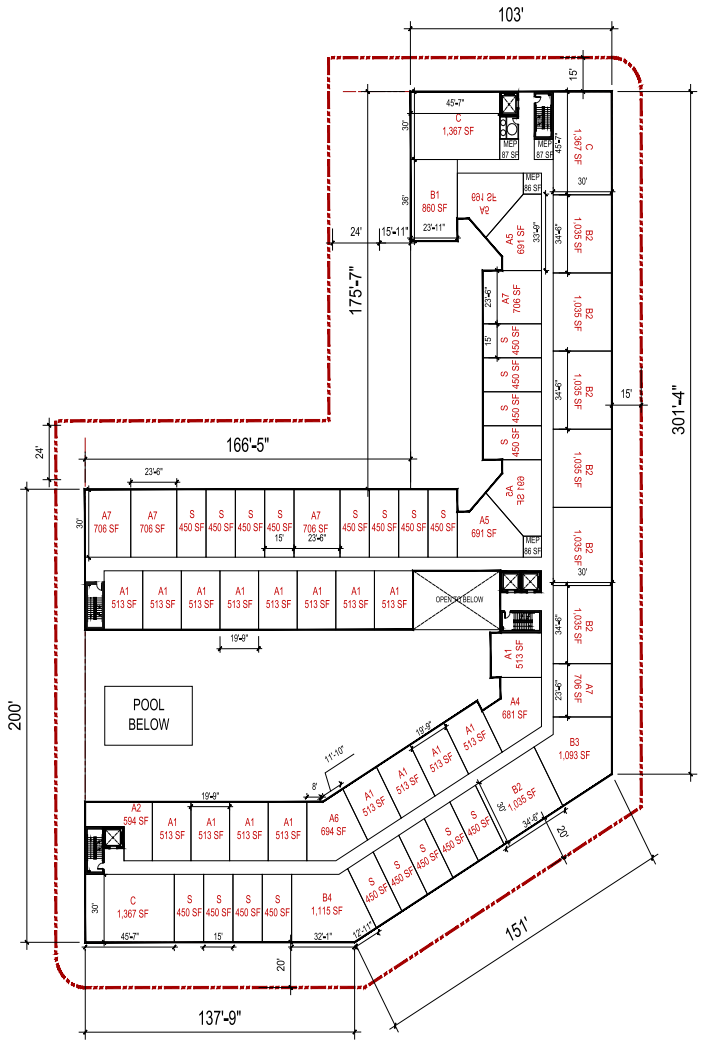




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SHEET CONTENTS:
LEVEL 4

SHEET NO.
HPA 19126

CITY PLANNING SUBMITTAL - 05.03.2019

PRJ-76401
05/06/19

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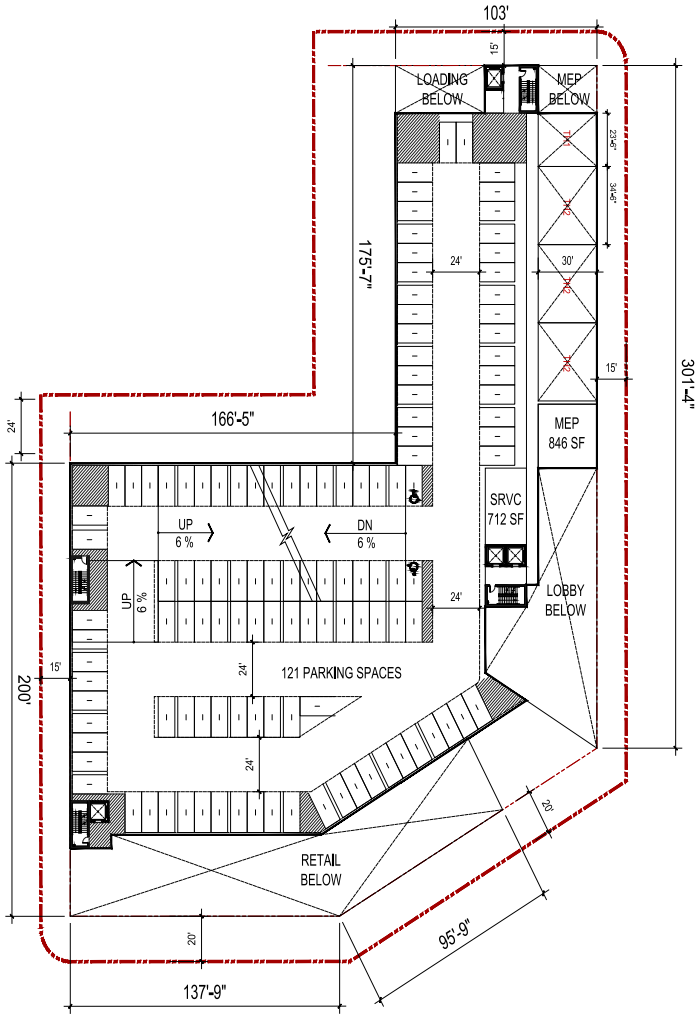
SCALE: 1" = 30' - 0" (24"x36" SHEET)
0' 15' 30' 60' 90'






ISSUE DATE:

REVISIONS:

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**19126 CHARLESTON**
LAS VEGAS, NV

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SHEET CONTENTS:
MEZZANINE LEVEL

SHEET NO.

HPA 19126

CITY PLANNING SUBMITTAL - 05.03.2019

PRJ-76401
05/06/19

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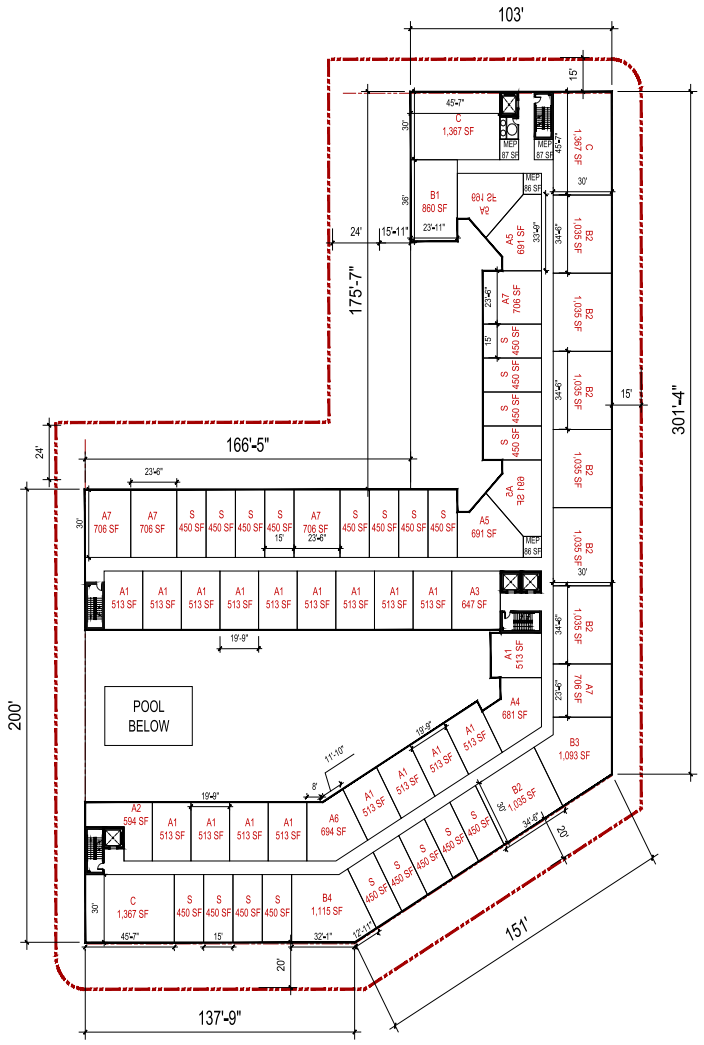




PRJ-76401
05/06/19

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SCALE: 1" = 30' - 0" (24"x36" SHEET)

0' 15' 30' 60' 90'

CITY PLANNING SUBMITTAL - 05.03.2019

ISSUE DATE:

REVISIONS:

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**19126 CHARLESTON**
LAS VEGAS, NV

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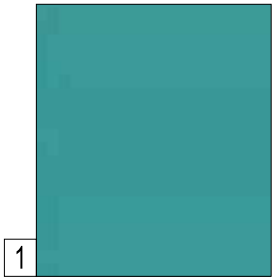
SHEET CONTENTS:
LEVEL 5-7

SHEET NO.
HPA 19126


THE CHARLESTON
THE CHARLESTON
THE CHARLESTON
PRJ-76401
05/06/19

# MATERIALS SAMPLE BOARD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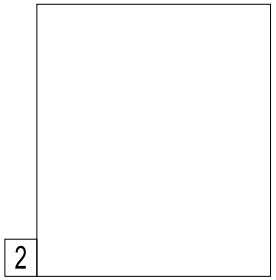
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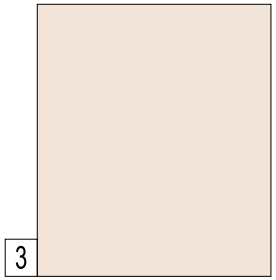
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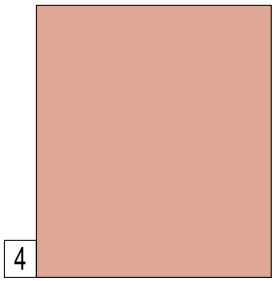
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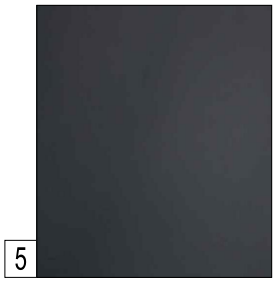
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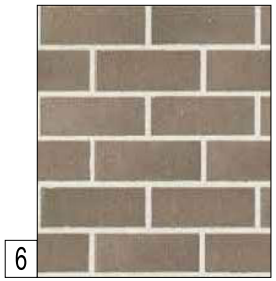
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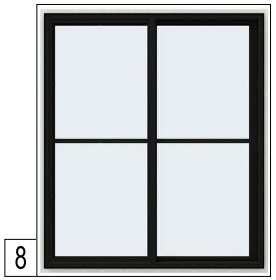
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## MATERIALS / COLOR KEY NOTES

| | |
|---|---|
| 1. | STUCCO FINISH<br>CYAN COLOR |
| 2. | STUCCO FINISH<br>WHITE COLOR |
| 3. | STUCCO FINISH<br>FINEST SILK COLOR |
| 4. | STUCCO FINISH<br>CEDARVILLE COLOR |
| 5. | METAL PANEL<br>DARK GRAY COLOR |
| 6. | BRICK<br>MOCHA COLOR |
| 7. | METAL MESH BALCONY |
| 8. | VINYL WINDOW |
| 9. | VINYL DOOR SYSTEM |
| 10. | ALLUMINUM STOREFRONT WINDOW<br>EFCO SERIES 403<br>DARK BRONZE / CLEAR GLASS |

ISSUE DATE: 03/21/2016

REVISIONS:

| # | DATE | COMMENTS |
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MATERIAL BOARD

SHEET NO.

HPA 19126

CITY PLANNING SUBMITTAL- 04.16.2019

PRJ-76401
05/06/19




**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
**NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET**

05/16/2019




**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
**NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET**

05/16/2019




**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
**NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET**

05/16/2019




**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
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05/16/2019




**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
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05/16/2019



**SUP-76446 [PRJ-76401] - SPECIAL USE PERMIT RELATED TO SDR-76448 - APPLICANT/OWNER: CHARLESTON TOWERS, LLC**
**NORTHWEST CORNER OF CHARLESTON BOULEVARD AND 10TH STREET**

05/16/2019

May 6, 2019

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

RE: Charleston Towers – Charleston Boulevard & 10th Street
Request: Special Use Permit (SUP and Site Plan Review (SDR)
Related Cases: VAR-48460, SUP-48462, VAC-48465 & SDR-48464
EOT-73189, EOT-73190, EOT-73191 & EOT-73192
(EOT-476998/VAR-14345, EOT-47000/SUP-14339, EOT-47001/SDR-14349, EOT-47002/VAR-14342)

APN#s: 139-34-810-101 through 105, 074, 075; and 139-34-812-003

Dear Mr. Summerfield:

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

The request is for a SUP and SDR to primarily alter the height and exterior elevations and to reduce the retail component and increase the residential units. The design fits within the design parameter previously approved as to the setbacks, parking ratios, and variances but with a reduction in the height of the building and commercial sq. ft. (see table below). There is also an increase in the number of residential units to restore the project closer to what was approved in a previous application. The existing lots would ultimately be combined into a single development lot.

| | Prior Approvals | Currently Approved | Current Proposal |
|---|---|---|---|
| Residential Units | 350 Units | 166 Units | 343 Units |
| Height | 195' | 93' | 84' |
| Stories | 17 Max | 6 stories | 7 stories |
| Commercial | 18,000 Sq ft | 47,100 Sq Ft | 8,000 Sq Ft approx |

GCGARCIA
A Planning & Development Services Corporation
1055 Whitney Ranch, Suite 210, Henderson, Nevada 89014-3205
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

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05/06/19

Parking will be provided by an internal parking garage. Title 19 requires 476 parking spaces per Table 2 for Mixed-Use Developments and the project provides 331 spaces. As such, a Waiver is needed for a reduction in parking.

The request for a Mixed-Use project is consistent with the General Plan and the Vision 2045 Downtown Master Plan and is compatible with the surrounding properties. This site is located within the Founders District of the 2045 Downtown Master Plan As described in Appendix F Interim Downtown Las Vegas Development Standards of Title 19, "the Founders District" is described as one of the most well-preserved residential neighborhoods in the region. The Huntridge Theater and Circle Park are remarkable examples of early Las Vegas architecture and urban design. Many of the houses, streets, and landscape features of this area are particularly notable examples of a classic inner ring American suburb. What is lacking are 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. "

This request furthers the description of the Founders District by providing for Mixed-Use transit-oriented development along Charleston Boulevard.

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

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

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

The Southeast Sector Land Use Map shows that the entire area of the City north of this site and the Charleston Boulevard corridor, from Main Street to Bruce Street, up to Bonanza Road, is designated predominately Commercial or for Mixed Use, which clearly indicates that modern, mixed use projects are a key component to encouraging reinvestment and redevelopment in this area of the City.

The proposed use is oriented toward Charleston Boulevard. The Redevelopment Plan and Founder's Plan encourages the assemblages of parcels to promote the type and intensity of development to stimulate the economy of the downtown area.

The site is currently approved for a mixed-use SUP and was found compatible. The result will dramatically improve and reduce the visual, traffic and neighborhood impacts to create a far more compatible design and a better fit with the City's evolving downtown district. The project reflects compatibility in

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scale, mass, and intensity that is more compatible and harmonious for the current times.

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

In terms of land use designation, the site is already designated for Commercial land uses. In terms of the actual project for the property, it can accommodate the proposed mix of residential and commercial.

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

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

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

Approval of this Special Use Permit will implement the core vision and objectives of the Redevelopment Plan of the City of Las Vegas and the 2045 Downtown Master Plan. It will spur economic activity; provide places for new and current residents to live, work, shop and play. It will lead to additional investment and needed redevelopment in the immediate area and other parcels located within the Redevelopment Plan area. Therefore, it will contribute to the overall well-being of the City, and enhance the public health, safety and welfare.

## SITE DEVELOPMENT REVIEW REQUEST

**Approval Criteria for a Review of Site Development Plans LVMC 19.16.100**

The purpose of the proposed a Site Development Plan Review is to ensure consistency with the General Plan, Unified Development Code & Design Standards Manual; the contribution to the long-term attractiveness of the City its economy and the public health, safety and general welfare. The suggested amendments help the Plan come into closer compatibility with the new Code and recognize that the proposed uses provide an appropriate balance in what is permitted outright or requires Special Use Permits.

**E. Criteria for Review of Site Development Plans—Approval**

In order to approve a proposed rezoning, the Planning Commission or City Council must determine that:

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

The uses will remain unchanged however the physical layout, design, and appearance have been dramatically improved and reduced in the visual, traffic and neighborhood impact to create a far more compatible design than approved and a better fit with the City's evolving downtown district.

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

The General Plan encourages Revitalization that helps improve and stabilize the neighborhood. The land use conforms to the General Plan.

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

The Founders District of the 2045 Downtown Master Plan encourages mixed-use transit-oriented development along Charleston. This project furthers that goal.

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

The use, building and site design will be of less impact than prior approvals.

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

The design is conductive to the downtown urban character in providing an attractive palate of plants and materials as well as an appropriate scale.

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;*

As described above and based on the site and building plans provided, the aesthetics and compatibility of the building will be enhanced and remove some features that could be considered unsightly or undesirable in appearance. The design will be far more attractive and harmonious while establishing a baseline for future revitalization projects in the area and vast improvement over the current approved SDR.

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

The general welfare will be promoted by the reinvestment into an older deteriorating area; the jobs and tax revenue created; the enhanced appearance and the completion of sidewalks.

**WAIVERS**

Previously variances were grant as part of this project. However, per title 19 Appendix F Interim Downtown Las Vegas Development Standards waivers are needed to allow the following:

- To allow no setback beyond the building setback line where a 1:1 setback to height ration is required along a street classified as a collector or larger in conjunction with a proposed mixed-use development
- To allow a Residential Adjacency of 51 feet where 252 is required
- To allow a lot cover of 56% where 50% is the maximum allowed

1. **The request does not exceed the prescribed limitations of the applicable provisions of this Title that specifically allow for a Waiver;**

   The request does not exceed the limitations of Title 19 as describe in Appendix F Interim Downtown Las Vegas Development Standards.

2. **Granting the Waiver will not be inconsistent with the spirit and intent of the General Plan;**

   The request waiver is consistent with the spirit and intent of the General Plan; specifically, the request furthers Policy 2.1.5 which encourages revitalization within the downtown area by providing for the relaxations of setback requirements.

   The requested parking waiver furthers the goal of the Founders District in providing for mixed use transit-oriented development along Charleston.

3. **That one or more of the following conditions exist:**

   a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

   b. Granting the Waiver is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Waiver is sought;

   c. **The Waiver will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or**

      *Granting of this waiver for a reduction in setbacks, parking and lot coverage will not be detrimental to the public health, safety or general welfare.*

   d. **Granting the Waiver does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.**

      *Within the Downtown area of the City of Las Vegas these waivers have been granted many times and as such granting these waivers will not provide for a special privilege to this property.*

**SUMMARY JUSTIFICATION**

In summary, we believe the requested SUP and SDR will enable revitalization through private reinvestment to improve the economic stability of the area and provide for business opportunity, jobs, and taxes while improving the safety, appearance and sustainability of the

PR-76401

property. Without this assistance the applicant cannot be assured that the investment into the property will be lost through a calamity under the non-conforming regulations.

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

Sincerely,

Melissa Anne

for Doug Rankin, AICP
Planning Manager

PRJ-76401
05/06/19

**LAS VEGAS CITY COUNCIL**

CAROLYN G. GOODMAN
*Mayor*

LOIS TARKANIAN
*Mayor Pro Tem*

STAVROS S. ANTHONY
BOB COFFIN
STEVEN G. SEROKA
MICHELE FIORE
CEDRIC CREAR

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

June 7, 2018

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

***RE: EOT-73190 [PRJ-73126] - EXTENSION OF TIME – SPECIAL USE PERMIT***
***CITY COUNCIL MEETING OF JUNE 6, 2018***

Dear Mr. Dix:

The City Council at a regular meeting held on June 6, 2018 voted to ***APPROVE*** a request for an Extension of Time of an approved Special Use Permit (SUP-48462) FOR A PROPOSED MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A PARKING STRUCTURE TO BE LOCATED ALONG THE STREET FRONTAGE OF THE DEVELOPMENT SITE at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-73126].

This approval is subject to the following conditions:

***Planning***

1. This Special Use Permit (SUP-48462) shall expire on May 15, 2020 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval for Special Use Permit (SUP-48462) and all other site related actions as required by the Department of Planning and the Department of Public Works.

The Notice of Final Action was filed with the Las Vegas City Clerk on June 7, 2018.

Sincerely,

Robert Summerfield

Robert Summerfield, AICP
Director
Department of Planning

RTS:clb

cc: Mr. George Garcia
GC Garcia, Inc.
1055 Whitney Ranch Drive, Suite #210
Henderson, Nevada 89014

PRJ-76401
05/06/19

**LAS VEGAS CITY COUNCIL**

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*Mayor*

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DEPARTMENT OF PLANNING

**ROBERT SUMMERFIELD**
DIRECTOR

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711 | TTY

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June 11, 2018

**CORRECTED LETTER**

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

***RE: EOT-73191 [PRJ-73126] - EXTENSION OF TIME – SITE DEVELOPMENT PLAN REVIEW***
***CITY COUNCIL MEETING OF JUNE 6, 2018***

Dear Mr. Dix:

The City Council at a regular meeting held on June 6, 2018 voted to ***APPROVE*** a request for an Extension of Time of an approved Site Development Plan Review (SDR-48464) FOR A PROPOSED SIX-STORY MIXED-USE DEVELOPMENT CONSISTING OF 166 RESIDENTIAL UNITS AND 47,100 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINE WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED AND TO ALLOW A 51-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE A 279-FOOT SETBACK IS REQUIRED on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-73126].

This approval is subject to the following conditions:

***Planning***

1. This Site Development Plan Review (SDR-48464) shall expire on ***May 15, 2020*** unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Site Development Plan Review (SDR-48464) and all other site related actions as required by the Department of Planning and the Department of Public Works.

The Notice of Final Action was filed with the Las Vegas City Clerk on June 7, 2018.

Sincerely,

Robert Summerfield, AICP
Director
Department of Planning

RTS:clb

cc: Mr. George Garcia
GC Garcia, Inc.
1055 Whitney Ranch Drive, Suite #210
Henderson, Nevada 89014

PRJ-76401
05/06/19

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*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

June 7, 2018

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

***RE: EOT-73192 [PRJ-73126] - EXTENSION OF TIME – VACATION CITY COUNCIL MEETING OF JUNE 6, 2018***

Dear Mr. Dix:

The City Council at a regular meeting held on June 6, 2018 voted to ***APPROVE*** a request for an Extension of Time of an approved Vacation (VAC-48465) TO VACATE THE PUBLIC ALLEYS generally located south of Garces Avenue, between 9th Street and 10th Street, Ward 3 (Coffin) [PRJ-73126].

This approval is subject to the following conditions:

***Planning***

1. This Vacation (VAC-48465) shall expire on May 15, 2020 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval for Vacation (VAC-48465) and all other site related actions as required by the Department of Planning and the Department of Public Works.

The Notice of Final Action was filed with the Las Vegas City Clerk on June 7, 2018.

Sincerely,

Robert Summerfield

Robert Summerfield, AICP
Director
Department of Planning

RTS:clb

cc: Mr. George Garcia
GC Garcia, Inc.
1055 Whitney Ranch Drive, Suite #210
Henderson, Nevada 89014

PRJ-76401
05/06/19

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

June 4, 2013

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: VAR-48460 – VARIANCE
RELATED TO SUP-48462, VAC-48465 AND SDR-48464
CITY COUNCIL MEETING OF MAY 15, 2013

Dear Mr. Dix:

The City Council at a regular meeting held May 15, 2013, APPROVED the request for a Variance TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2013. This approval is subject to:

Planning

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

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

3. This approval shall be void **three** 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.

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

Sincerely,

Angela Crolli
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

Flinn Fagg
Director
Planning and Development

cc: Mr. George Garcia
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

PRJ-76401
05/06/19

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
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BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

June 4, 2013

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: SUP-48462 – SPECIAL USE PERMIT
RELATED TO VAR-48460, VAC-48465 AND SDR-48464
CITY COUNCIL MEETING OF MAY 15, 2013

Dear Mr. Dix:

The City Council at a regular meeting held May 15, 2013, APPROVED the request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A PARKING STRUCTURE TO BE LOCATED ALONG THE STREET FRONTAGE OF THE DEVELOPMENT SITE at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2013. This approval is subject to:

Planning

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

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

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

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

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

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

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

Sincerely,

Angela Crolli
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

Flinn Fagg
Director
Planning and Development

cc: Mr. George Garcia
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

PRJ-76401
05/06/19

LAS VEGAS
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BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

June 4, 2013

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: VAC-48465 – VACATION
RELATED TO VAR-48460, SUP-48462 AND SDR-48464
CITY COUNCIL MEETING OF MAY 15, 2013

Dear Mr. Dix:

The City Council at a regular meeting held May 15, 2013, APPROVED the request for a Petition to Vacate the public alleys generally located south of Garces Avenue, between 9th Street and 10th Street. The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2013. This approval is subject to:

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

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

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

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-48464 may be used to satisfy this

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requirement provided that it addresses the area to be vacated. Alternatively, a public drainage easement, acceptable to the Flood Control Section shall be reserved in the Order of Vacation.

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

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

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

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

9. If the Order of Vacation is not recorded within **three (3)** years after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

Sincerely,

Angela Crolli
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

Flinn Fagg
Director
Planning

cc: Mr. George Garcia
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

PRJ-76401
05/06/19

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ELIZABETH N. FRETWELL
CITY MANAGER

June 4, 2013

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: SDR-48464 – SITE DEVELOPMENT PLAN REVIE
RELATED TO VAR-48460, SUP-48462 AND VAC-48465
CITY COUNCIL MEETING OF MAY 15, 2013

Dear Mr. Dix:

The City Council at a regular meeting held May 15, 2013, APPROVED the request for a Site Development Plan Review FOR A PROPOSED SIX-STORY MIXED-USE DEVELOPMENT CONSISTING OF 166 RESIDENTIAL UNITS AND 47,100 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINE WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED AND TO ALLOW A 51-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE A 279-FOOT SETBACK IS REQUIRED on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2013. This approval is subject to:

Planning

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

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

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

4. **All development shall be in conformance with the site plan, landscape plan, floor plans date stamped 02/21/2013, and building elevations, date stamped 05/15/2013, except as amended by conditions herein.**

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

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

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

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

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

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

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

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

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

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

PRJ-76401
05/06/19

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

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

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

Public Works

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

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

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

21. Construct all incomplete half-street improvements to meet current City Standards adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

PRJ-76401
05/06/19

23. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

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

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

PRJ-76401
05/06/19

Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,

Angela Crolli
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

Flinn Fagg
Director
Planning and Development

cc: Mr. George Garcia
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

PRJ-76401
05/06/19

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

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




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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

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16203515073
LUK DIANA A & KAYE C
10313 POMPEI PL
LAS VEGAS NV 89144

06/24/2019 14:59 091-702-9148984 LUK PAGE 01

Submitted after final agenda
45P

City of Las Vegas
Department of Planning
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Las Vegas, Nevada 89106

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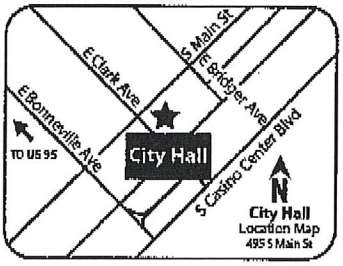


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513003
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

45P

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

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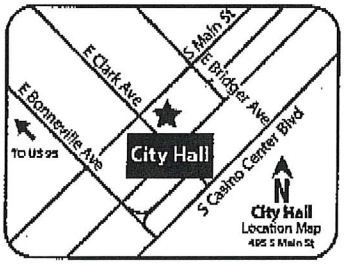


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456

115 DRDFNP1 89118

45P

City of Las Vegas
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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513002
CHARLESTON BAZAR L L C
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456



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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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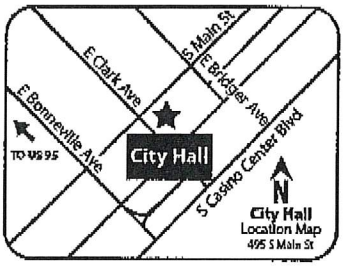


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203512001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456



USP

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

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**Official Notice of Public Hearing**

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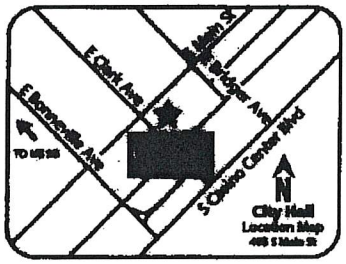


Proposed parking & flow of traffic will impact property owners!

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810100
SCHUFF FAMILY TRUST 2001
SCHUFF GREGORY J & DEBORAH D TRS
2430 KARLI DR
LAS VEGAS NV 89102-2103

89 DRDFNP1 89102



45p

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

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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934801012
DOUBLE D GROUP L L C
1450 W HORIZON RIDGE PKWY #B304
HENDERSON NV 89012

29 ORDFMP1 89012



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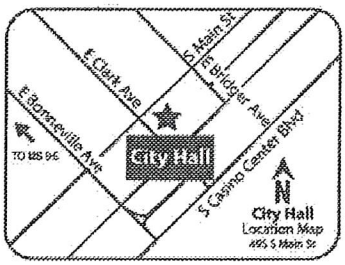


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**SUP-76446 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810104
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00



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Las Vegas, Nevada 89106

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CA 924
20 JUN '19
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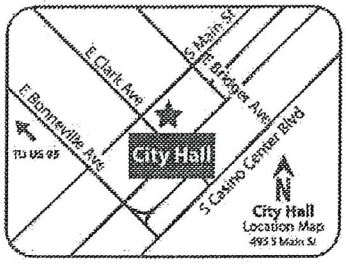


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Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810103
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 DROFMP1 92530

2019-06-24 15:24 -05:00

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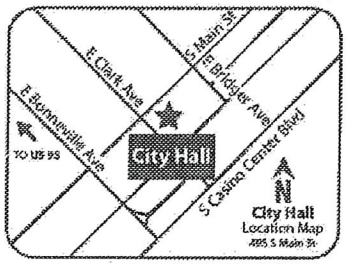


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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810102
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 ORDFNP1 92530

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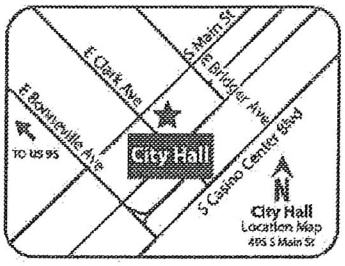


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Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810101
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

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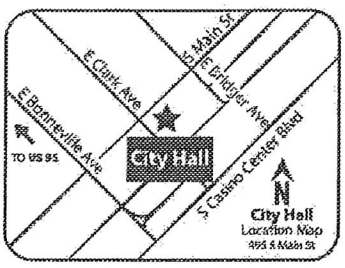


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Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810105
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00



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PRJ-76401
13934810075
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00



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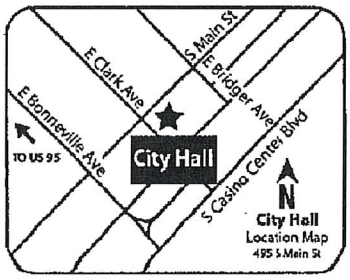


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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-76446 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810092
KIM FAMILY TRUST
KIM WON SON & HAE SOOK TRS
2101 S WATSON ST
LA HABRA CA 90631-9518

100 BRDFNP1 90631



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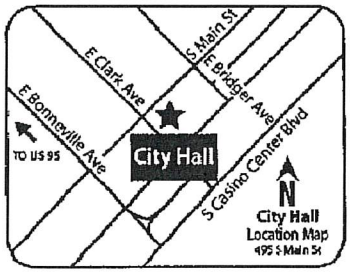


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~~SUP-76446 [PRJ-76401]~~

Planning Commission Meeting of 06/25/2019

PRJ-76401
13934810093
KIM FAMILY TRUST
KIM WON SON & HAE SOOK TRS
2101 S WATSON ST
LA HABRA CA 90631-9518

100 DRDFNP1 90631



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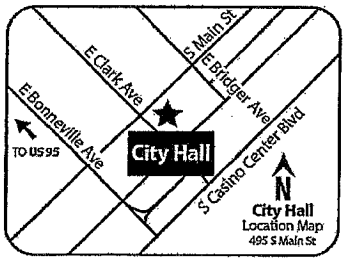


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PRJ-76401
13934710046
SAKEN JOEL SANFORD TRUST
JOEL SAKEN
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

98 DRDFNP1 91605



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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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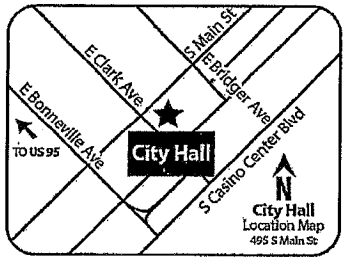


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PRJ-76401
13934710045
SAKEN JOEL PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

90 DRDFNP1 91605



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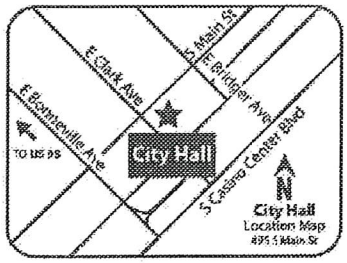


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**SUP-76446 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934812003
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00

Submitted after final agenda

45.

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**46**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
SDR-76448 - SITE DEVELOPMENT PLAN REVIEW RELATED SUP-76446 - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON TOWERS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED EIGHT-STORY MIXED-USE DEVELOPMENT CONSISTING OF 343 RESIDENTIAL UNITS AND 8,000 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW 331 PARKING SPACES WHERE 522 ARE REQUIRED; A 40-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 282 FEET IS REQUIRED; A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND A ZERO-FOOT LANDSCAPE BUFFER ON THE EAST, SOUTH AND WEST PROPERTY LINES WHERE 15 FEET IS REQUIRED on 2.18 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-074, 075, 101 through 105; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76401]. Staff recommends APPROVAL.

**P.C.: Final Action (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| Planning Commission Mtg. | 6 | Planning Commission Mtg. | 15 |
| City Council Meeting | 0 | City Council Meeting | 0 |

**RECOMMENDATION:**
Staff recommends

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda - Protest/Support Postcards and Documentation Not Vetted - Concern Postcard

**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) Site Development Plan Review

**Project Address** (Location) Charleston & 10th (700 S 10th St)

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

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

**General Plan:** Existing C Proposed N/C **Zoning:** Existing C-1 Proposed N/C

**Additional Information**

**Property Owner** Charleston Towers LLC Contact Mark Dix
Address 18501 Collier Ave #B-106 City Lake Elsinore State CA Zip 92530
E-mail mark.dix@tiltupsbysci.com Phone

**Applicant** Charleston Towers LLC Contact Mark Dix
Address 18501 Collier Ave #B-106 City Lake Elsinore State CA Zip 92530
E-mail mark.dix@tiltupsbysci.com Phone

**Representative** G.C. Garcia, Inc. Contact George Garcia
Address 1055 Whitney Ranch Dr, Suite 210 City Henderson State NV Zip 89014
E-mail acole@gcgarciainc.com Phone 702-435-9909

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 U at 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 U e 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 rt aps, Tentative rt aps and Parcel rt aps

**Print Name** Mark S. Dix

Subscribed and sworn before me

This day of , 20

See attached

Notary Public in and for said County and State

PRJ-76401
05/06/19

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.

## JURAT

State of California

County of Riverside

Subscribed and sworn to (or affirmed) before me on this 1st day of May, 2019, by Mark Dix,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

KIM CASE
Notary Public - California
Riverside County
Commission # 2130202
My Comm. Expires Nov 10, 2019

(Seal)

PRJ-76401
05/06/19

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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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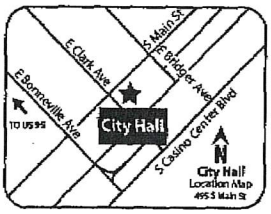


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203515073
LUK DIANA A & KAYE C
10313 POMPEI PL
LAS VEGAS NV 89144

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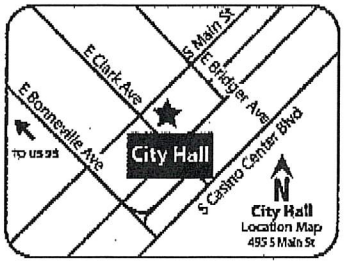


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513002
CHARLESTON BAZAR L L C
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

46P

City of Las Vegas
Department of Planning
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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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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513003
JOSEPHS FAMILY L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

1 1 5 DRDFRP1 89118



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06/24/2019 12:54 7023855275 PAGE 01/08

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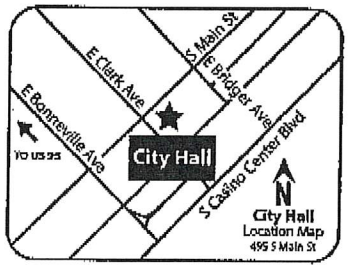


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203512001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456

115 DRDFMP1 89118

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**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
16203513001
CHARLESTON BAZAR L L C
5395 S POLARIS AVE #100
LAS VEGAS NV 89118-2456

4 of 9

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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810019
MCRIMMON S ARCHIE JR
FLEMING PAMELA H
6859 S EASTERN AVE #102
LAS VEGAS NV 89119-0003



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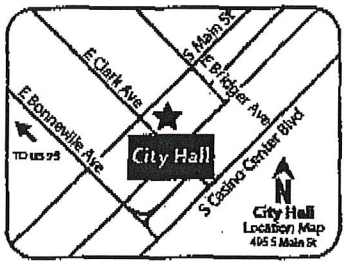


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934801012
DOUBLE D GROUP L L C
1450 W HORIZON RIDGE PKWY #B304
HENDERSON NV 89012

We strongly support this Project.
Will bring much needed housin to the area.

29 ORDFNP1 89012



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SAN BERNARDINO
CA 922
30 JUN '19
PM 6 L

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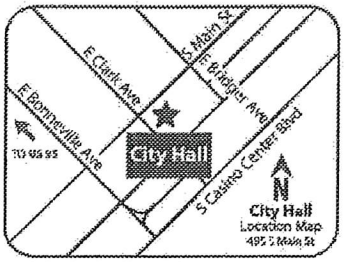


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934812003
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 DROFNP1 92530

2019-06-24 15:24 -05:00



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Las Vegas, Nevada 89106

[redacted]
CA 92
20 JUN '19
PM 6 L

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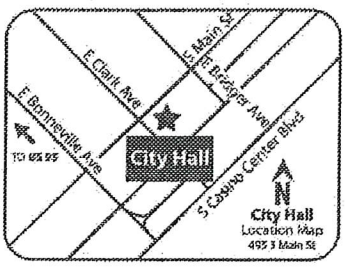


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810101
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00

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CA 924
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**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810074
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 DRDFMP1 92530

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CA 929
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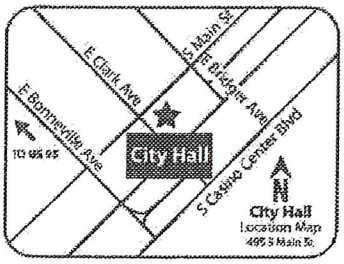


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810103
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00



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CA 924
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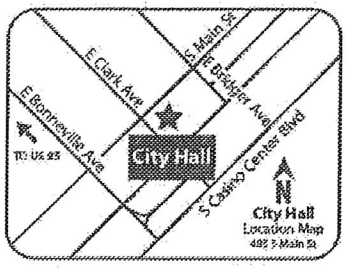


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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810104
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 DROFNP1 92530

2019-06-24 15:24 -05:00

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CA 924
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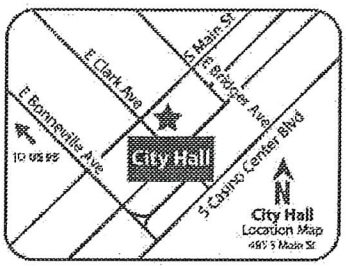


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**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810105
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

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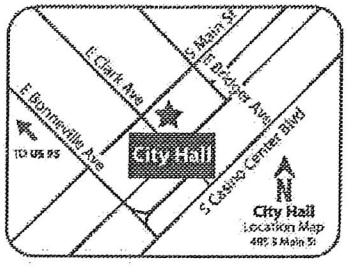


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810102
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

104 DROFNP1 92530

2019-06-24 15:24 -05:00



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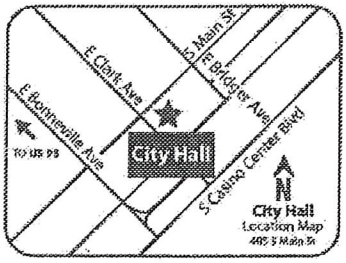


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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810075
CHARLESTON TOWERS L L C
18501 COLLIER AVE #B-106
LAKE ELSINORE CA 92530-2764

2019-06-24 15:24 -05:00

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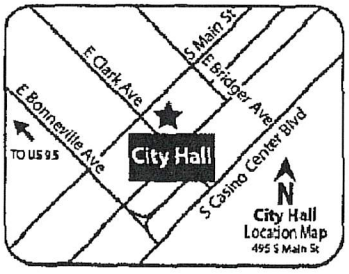


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of 06/25/2019

PRJ-76401
13934810093
KIM FAMILY TRUST
KIM WON SON & HAE SOOK TRS
2101 S WATSON ST
LA HABRA CA 90631-9518

100 DRDFMP1 90631



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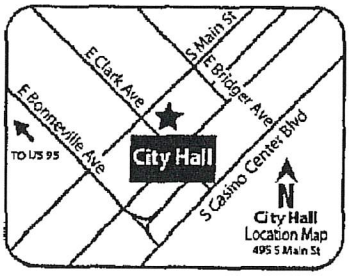


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**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810092
KIM FAMILY TRUST
KIM WON SON & HAE SOOK TRS
2101 S WATSON ST
LA HABRA CA 90631-9518

100 ORDFNP1 90631



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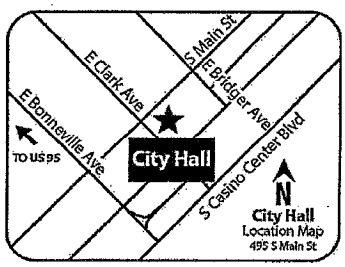


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[V] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934810044
SAKEN JOEL PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

98 DRDFNP1 91605



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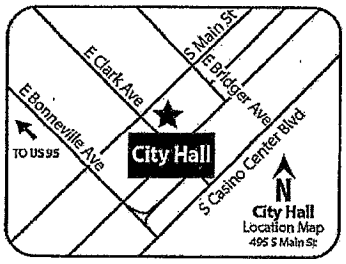


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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934710046
SAKEN JOEL SANFORD TRUST
JOEL SAKEN
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

98 DRDFNP1 91605

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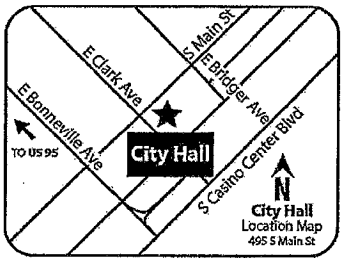
**Official Notice of Public Hearing**

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JUN 24 2019
Dept of Planning
City of Las Vegas

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PRJ-76401
13934710045
SAKEN JOEL PROPERTIES L L C
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-76448 [PRJ-76401]**

Planning Commission Meeting of **06/25/2019**

98 DROFNP1 91605

46A

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**
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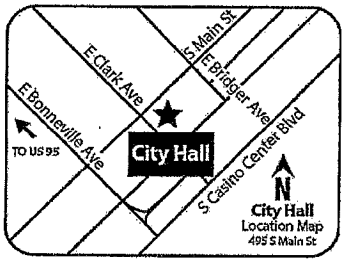


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[✓] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.
**SDR-76448 [PRJ-76401]**
Planning Commission Meeting of **06/25/2019**

PRJ-76401
13934811007
SAKEN JOEL SANFORD TRUST
SAKEN JOEL SANFORD TRS
7360 ATOLL AVE
NORTH HOLLYWOOD CA 91605

98 DRDFNP1 91605



46A

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

DO NOT OBJECT TO PLAN, EXCEPT PARKING SPACE REDUCTION WILL BE INADEQUATE. EVERY TIME SOMEONE GETS REDUCTION, THE AVAILABLE PARKING IN NEIGHBORHOOD DECREASES. EASY PARKING IS CRITICAL TO ALL BUSINESSES IN NEIGHBORHOOD. MORE PARKING SPACES SHOULD BE REQUIRED.

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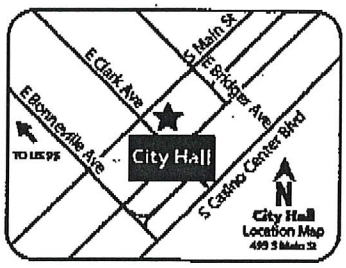
Las Vegas, NV
Permit No. 1630

**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

lease use available blank space on card for your comments.

**DR-76448 [PRJ-76401]**

lanning Commission Meeting of **06/25/2019**

PRJ-76401
13934810053
ROUSE FAMILY PROPERTIES L L C
523 S 8TH ST
LAS VEGAS NV 89101-7002

97 DRDFNP1 89101

Submitted after final agenda



46 C

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**47**

**DEPARTMENT: Planning** **DISCUSSION**
**DIRECTOR: Robert Summerfield**

**SUBJECT:**
TXT-76662- TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.12 Permissible Uses and 19.18 Definitions & Measures to clarify and define distance separation and access requirements, and to provide for other related matters. Staff recommends APPROVAL.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

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

**RECOMMENDATION:**
Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**
1. Proposed Amendments and Staff Report

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: JUNE 25, 2019**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **TXT-76662** | Staff recommends APPROVAL. | |

## ** NOTIFICATION **

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** NA

**NOTICES MAILED** Newspaper Notification

**APPROVALS** 0

**PROTESTS** 0



SG

## ** PROPOSED AMENDMENTS **

**Proposed Amendment Page One**
**June 25, 2019 - Planning Commission Meeting**

1. The following proposed amendments address wording specific to one or more minimum distance separation requirements in each of the listed uses. The amendments are intended to clarify ambiguities in how or what the applicable separation requirement is to be applied. No other issues are explicitly addressed in the amended wording of uses in this section. Therefore, Title 19.12 Permissible Uses is hereby amended by amending the following uses:

A. **Animal Keeping & Husbandry**
**Conditional Use Regulations:**
   2. With respect to non-domestic animals:
      a. Animals shall be confined at all times within a secured, enclosed or fenced area.
      b. For ~~A~~ animals ~~which are~~ kept outdoors, the secured, enclosed or fenced area must be located at least 1500 feet from any lot containing a residential dwelling, school, individual care center licensed for more than 12 children or public park.
      c. The site must have a minimum area of two acres.
      d. All operations and activities shall be in accordance with LVMC Title 7.
      e. Non-domestic animals are prohibited in the R-1 and R-MH Zoning Districts.
   3. Whether animals are domestic or non-domestic:
      a. All structures must comply with applicable building and fire code requirements.
      b. In the C-PB, C-M and M Zoning Districts, the use shall be conducted entirely within an enclosed space, except that up to one quarter of the area containing the use may be located in the open air for ancillary educational purposes.

B. **Auto Title Loan**
**Conditional Use Regulations:**
   1. The use shall comply with all applicable requirements of 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.

3. No temporary signs (as described in LVMC 19.14.090) 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.
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.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
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).
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 Regulation 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.~~ A minimum distance separation of 200 feet is required between an Auto Title Loan use and any parcel used or zoned for residential use.
8. In addition, a minimum distance separation of 1000 feet is required between each of the following uses:
   a. Another Auto Title Loan use;
   b. A Pawn, Auto use; and
   c. A Financial Institution, Specified.

**Minimum Special Use Permit Requirements:**

* 1. The use shall comply with all applicable requirements of 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.
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.

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.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
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).
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 Regulation 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.~~ A minimum distance separation of 200 feet is required between an Auto Title Loan use and any parcel used or zoned for residential use.
8. In addition, a minimum distance separation of 1000 feet is required between each of the following uses:
   a. Another Auto Title Loan use;
   b. A Pawn, Auto use; and
   c. A Financial Institution, Specified.

C. **Beer/Wine/Cooler Off-Sale Establishment**
**Minimum Special Use Permit Requirements:**

* 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.~~ a minimum distance separation of 400 feet shall be required between a Beer/Wine/Cooler Off-Sale Establishment (hereinafter "establishment") and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.

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

~~a. Any leasehold parcel; or~~

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

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

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

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

~~4~~ 2. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance separation ~~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 separation requirement should be waived and the reasons in support of the decision.

~~5~~ 3. The minimum distance separation requirements in Requirement 1 do not apply to:

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

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

* ~~6~~ 4. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

~~7~~ 5. The minimum distance separation requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS- TC (Main Street Mixed Use) in the Town Center Land Use Plan;
c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, 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.

~~8~~ 6. No beer/wine/cooler off-sale establishment shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

D. **Beer/Wine/Cooler On- and Off-Sale Establishment**
**Minimum Special Use Permit Requirements:**

* 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.~~ a minimum distance separation of 400 feet shall be required between a Beer/Wine/Cooler On- and Off-Sale Establishment (hereinafter "establishment") and each of the following uses:
a. A Church/House of Worship;
b. A School;
c. An Individual Care Center Licensed for More Than 12 Children; and
d. A City Park.

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

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

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

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

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

~~4~~ 2. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance separation ~~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 separation requirement should be waived and the reasons in support of the decision.

~~5~~ 3. The minimum distance separation requirements in Requirement 1 do not apply to:

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

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

* ~~6~~ 4. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

~~7~~ 5. The minimum distance separation requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

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

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

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

~~8~~ 6. Except for a grocery store as defined by LVMC 6.50.020 that contains not less than twelve thousand square feet of gross internal floor area, no establishment shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

E. **Beer/Wine/Cooler On-Sale Establishment**
**Conditional Use Regulations:**

1. Except as otherwise provided, ~~any beer/wine/cooler on-sale establishment (hereinafter "establishment") must be more than 400 feet from any church/house of worship, school, individual care center licensed for more than 12 children, or City park.~~ a minimum distance separation of 400 feet shall be required between a Beer/Wine/Cooler On-Sale Establishment (hereinafter "establishment") and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center Licensed for More Than 12 Children; and
   d. A City Park.

~~2. Except as otherwise provided in Regulation 3 below, the distances referred to in Regulation 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 Regulation 1.~~

~~3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Regulation 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.~~

~~4~~ 2. The minimum distance separation requirements in Regulation 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
b. A proposed establishment having more than 50,000 square feet of retail floor space.

~~5~~ 3. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

F. **Car Wash, Self-Service**
**Minimum Special Use Permit Requirements:**

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
3. No retail sale of vehicles is allowed.
4. No repair or servicing of vehicles is allowed.
5. ~~The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.~~ A minimum distance separation of 200 feet is required between a Car Wash, Self-Service use and any parcel zoned for residential use unless the Car Wash, Self-Service use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
6. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours. [NOTE - This requirement is subject to amendment under Section 2, below, to clarify the term “inaccessible”].
7. Vacuum bays are permitted as part of this use if their operation is in compliance with the other Minimum Special Use Permit Requirements for this use.
8. An attendant must be on the premises during all times the equipment is operational.
9. Each stall shall have a stacking lane that will accommodate at least 2 cars.

G. **Cleaners, Commercial/Industrial**
**Minimum Special Use Permit Requirements:**

1. The plant operation shall be within a fully enclosed building.
2. ~~The use shall be at least 50 feet from any property which is zoned P-O, O, DC-O, C-1, or is zoned for any residential use.~~ A minimum distance separation of 50 feet is required between a Cleaners, Commercial/Industrial use and each of the following:
   a. Property zoned P-O (Professional Office);
   b. Property zoned O (Office);
   c. Property zoned C-D (Design Commercial);
   d. Property zoned C-1 (Limited Commercial); and
   e. Any residentially zoned property.
3. The distance separation requirement set forth in Regulation 2 with respect to a nearby commercially zoned property may be waived if the applicant demonstrates that the use is compatible with the area.

H. **Community Residence (including Family Community Residence and Transitional Community Residence)**
**Conditional Use Regulations:**

1. Except as otherwise provided in Regulations 2 and 3, a ~~Community Residence may not be located closer than 660 feet to any other Community Residence (measured from property line to property line).~~ minimum distance separation of 660 feet is required between a Community Residence and any other Community Residence.
2. Where there is a street, freeway or drainage channel at least 100 feet wide between the proposed Community Residence and an existing Community Residence, the minimum distance separation requirement is reduced to 100 feet ~~from property line to property line~~.
3. When the population of proposed Community Residence is of such a nature that its location must be kept confidential for it to function successfully, such as a Community Residence for victims of domestic abuse, the minimum separation requirements set forth in Regulations 1 and 2 above shall not apply.
4. A maximum of 2 persons who function as facility operator or support staff may reside in a Community Residence without being counted toward the 10-resident limit established for that use. Resident operator/support staff in excess of 2 shall be counter toward the 10-person limit.
5. A Community Residence shall comply with all public health and safety requirements including all Building and Fire Code requirements for the dwelling type in question.
6. In Federal or State law or regulations require the proposed Community Residence to be licensed or certified, then the applicant must obtain that required license or certification before commencing operation of the Community Residence.

7. When located in an O, C-1 or C-2 Zoning District, a Community Residence may not be established unless it is part of a mixed-use development.
8. The operator of the Transitional Community Residence:
   a. Must require residents to be actively and continuously enrolled in an offsite support program, including without limitation Alcoholics Anonymous or an equivalent program, or
   b. Must prohibit the use of alcohol and illegal drugs by residents; and
   c. Upon request and with reasonable notice, must produce evidence satisfactory to the Director or the Code Enforcement Manager residents are in compliance with this Regulation.
9. Occupancy within a Community Residence shall not be made available to any individual whose tenancy would constitute a direct threat to the health and safety of individuals or would result in substantial physical damage to the property of others. The fact that a person is sentenced or referred to a Transitional Community Residence by a judge does not, without other evidence of a person's actual danger to other persons or property, establish that the person is a direct threat to the health and safety of others.
10. The Community Residence must be consistent with the scale and architectural character of the neighborhood.
11. The Special Use Permit provisions of LVMC 19.12.040(B) shall not apply to Regulations 5 through 10 above.
12. In case of a Special Use Permit application that is filed as a consequence of not qualifying for conditional use treatment under Regulations 1 and 2 above, the application must be approved unless the Planning Commission or City Council determines that one or more of the following conditions would occur:
    a. The building to be occupied as a Community Residence would be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
    b. The proposed Community Residence, together with existing Community Residences, would alter the residential character of the neighborhood by creating an institutional atmosphere due to the concentration of the Community Residences on a block or adjoining blocks; or
    c. The application or Community Residence does not or would not comply with Regulations 5 through 10 above.

l. **Crematory**

**Conditional Use Regulations:**

1. All operations shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All Crematory structures shall be set back 100 feet from any lot containing a residential use.

J. **Daily Labor Service**
**Minimum Special Use Permit Requirements:**

*1. The use must be located on a primary or secondary thoroughfare.
2. ~~The use shall not be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, City park, or residential zoning district.~~ A minimum distance separation of 400 feet is required between a Daily Labor Service and each of the following uses:
a. A Church/House of Worship;
b. A School;
c. An Individual Care Center licensed for more than 12 children;
d. A City Park; and
e. A residential zoning district.
*3. The hours of operation shall be limited to the hours between sunrise and sunset.
*4. Signage must be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed 4 square feet in size.
*5. Persons who are seeking employment must wait for employment within a fully-enclosed structure or an area screened from public view.

K. **Facility for Transitional Living for Released Offenders**
**Minimum Special Use Permit Requirements:**

*1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. The facility must be located on a parcel with a minimum size of six thousand five hundred square feet.
3. The facility must be located on a parcel that is within one thousand five hundred feet of an existing bus stop served by a regional bus system.
4. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.
5. Indoor common area shall be provided on the basis of a minimum of fifteen square feet per resident.
6. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
7. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify to facility as a Facility for Transitional Living for Released Offenders.
8. ~~A facility may not be located closer than one thousand five hundred feet (measured by means of the shortest distance from property line to property line) from another Facility for Transitional Living for Released Offenders, a Community Residence, church/house of worship, school, individual care center licensed for more than twelve children, or City park.~~ A minimum distance separation of 1500 feet is required between a Facility for Transitional Living for Released Offenders and each of the following uses:

a. Another Facility for Transitional Living for Released Offenders;
b. A Community Residence;
c. A Church/House of Worship;
d. A School;
e. An Individual Care Center licensed for more than 12 children; and
f. A City Park.

9. The number of occupants within a Facility for Transitional Living for Released Offenders shall not exceed the following occupancy standards
   a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).
   b. For each bedroom thereafter:
      i. A maximum of one adult, for bedrooms less than one hundred square feet in area; and
      ii. A maximum of two adults, for bedrooms one hundred square feet in area or greater.

L. **Financial Institution, Specified**
**Conditional Use Regulations:**

1. The use shall comply with all applicable requirements of 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.
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.
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.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
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).

7. ~~No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Regulation 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.~~ A minimum distance separation of 200 feet is required between a Financial Institution, Specified and any parcel used or zoned for residential use.
8. In addition, a minimum distance separation of 1000 feet is required between a Financial Institution, Specified and each of the following uses:
   a. Another Financial Institution, Specified;
   b. An Auto Title Loan use; and
   c. A Pawn, Auto use.

**Minimum Special Use Permit Requirements:**

*1. The use shall comply with all applicable requirements of 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.
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.
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.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
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).

7. ~~No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn 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.~~ A minimum distance separation of 200 feet is required between a Financial Institution, Specified and any parcel used or zoned for residential use.
8. In addition, a minimum distance separation of 1000 feet is required between a Financial Institution, Specified and each of the following uses:
   a. Another Financial Institution, Specified;
   b. An Auto Title Loan use; and
   c. A Pawn, Auto use.

M. **Grocery Store with Alcohol**
**Conditional Use Regulations**

1. Except as otherwise provided, ~~no grocery store with alcohol 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.~~ a minimum distance separation of 400 feet shall be required between an off-sale establishment (hereinafter "establishment") and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.
2. ~~Except as otherwise provided in Regulation 3 below, the distances referred to in Regulation 1 shall be determined with reference to the shortest distance between two property lines, one being the property of the proposed grocery store with alcohol 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 grocery store with alcohol. 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 Regulation 1.~~
3. ~~In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Regulation 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 grocery store with alcohol 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 grocery store with alcohol will be located, without regard to intervening obstacles.~~

~~4~~ 2. The minimum distance separation requirements in Regulation 1 do not apply to a proposed grocery store with alcohol having more than 50,000 square feet of retail floor space.

~~5~~ 3. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

~~6~~ 4. No grocery store with alcohol use shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

**Minimum Special Use Permit Requirements:**

* 1. Except as otherwise provided, ~~no grocery store with alcohol 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.~~ a minimum distance separation of 400 feet shall be required between an off-sale establishment (hereinafter "establishment") and each of the following uses:

a. A Church/House of Worship;

b. A School;

c. An Individual Care Center licensed for more than 12 children; and

d. A City Park.

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

~~a. Any leasehold parcel; or~~

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

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

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

~~b. In the case of a proposed grocery store with alcohol 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 grocery store with alcohol will be located, without regard to intervening obstacles.~~

~~4~~ 2. When considering a Special Use Permit application for a grocery store with alcohol which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

~~5~~ 3. The minimum distance requirements in Requirement 1 do not apply to a proposed grocery store with alcohol having more than 50,000 square feet of retail floor space.

* ~~6~~ 4. All businesses which sell alcoholic beverages shall confirm to the provisions of LVMC Chapter 6.50.

~~7~~ 5. The minimum distance separation requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any grocery store with alcohol 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 grocery store with alcohol 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 grocery store having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a grocery store 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.

~~8~~ 6. No grocery store with alcohol shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

N. **Liquor Establishment (Tavern)**
**Minimum Special Use Permit Requirements:**

* 1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum distance separation between liquor establishments (tavern), and a minimum distance separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided ~~below~~ herein:~~, no liquor establishments (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church/house of worship, school, individual care center licensed for more than 12 children, or City park.~~ a minimum distance separation of 1500 feet is required between a Liquor Establishment (Tavern) (hereinafter "establishment") and each of the following uses:

a. A Liquor Establishment (Tavern);
b. A Church/House of Worship;
c. A School;
d. An Individual Care Center licensed for more than 12 children; and
e. A City Park.

~~* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~* 3. For the purpose of Requirement 2, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a liquor establishment (tavern) refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;~~

~~C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and~~

~~D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.~~

~~4~~ 2. The distance separation requirement set forth in Requirement 1 does not apply to 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.

~~5~~ 3. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:

a. Will be located on a parcel within the C-V District, the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B), the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;

b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;

c. Will be located within a regional mall; or

d. Will be located within a mixed-use development:

i. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16 ;
ii. That has a minimum net site area of 15 acres; and
iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or

e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet; or
f. Will have a general on-sale alcoholic beverage license operated in conjunction with an establishment listed in LVMC 6.50.060.
g. Will have a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

* ~~6~~ 4. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

O. **Lounge Bar**
**Minimum Special Use Permit Requirements:**

1. ~~No lounge bar business use 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.~~ A minimum distance separation of 400 feet shall be required between a Lounge Bar (hereinafter "establishment") and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.
2. ~~Except as otherwise provided in Requirement 3 below, the minimum 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 lounge bar 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 lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:~~
   a. ~~Any leasehold parcel; or~~
   b. ~~Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.~~
3. ~~In the case of a proposed lounge bar 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 from the nearest property line of the existing use to the nearest portion of the structure in which the lounge bar will be located, without regard to intervening obstacles.~~

~~4~~ 2. When considering a Special Use Permit application for a lounge bar which also requires a waiver of the distance separation ~~limitation~~ in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

~~5~~ 3. The minimum distance separation requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

~~6~~ 4. Where associated with a hotel use, alcoholic beverages shall be served and consumed only within the lounge bar area, within a pool area, or within hotel rooms as incident to room service. Where associated with a mixed-use building, alcoholic beverages shall be served and consumed only within the lounge bar area.

* ~~7~~ 5. The maximum available customer seating in the lounge bar area shall not exceed 50 seats.
* ~~8~~ 6. No gaming-related use may be allowed in the lounge bar area.
* ~~9~~ 7. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

P. **Massage Establishment**
**Conditional Use Regulations:**

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. ~~The use may not be located within 400 feet of any church/house of worship, school, City park, individual care center licensed for more than 12 children, or any parcel zoned for residential use.~~ A minimum distance separation of 400 feet shall be required between a Massage Establishment and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children;
   d. A City Park; and
   e. Any parcel zoned for residential use.
4. ~~The use may not be located within 1000 feet of any other massage establishment.~~ In addition, a minimum distance separation of 1000 feet is required between a Massage Establishment and any other Massage Establishment.
5. The hours of operation shall be limited to the period between 6:00 a.m. and 10:00 p.m.

**Minimum Special Use Permit Requirements:**

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. ~~The use may not be located within 400 feet of any church/house of worship, school, City park, individual care center licensed for more than 12 children, or any parcel zoned for residential use.~~ A minimum distance separation of 400 feet shall be required between a Massage Establishment and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children;
   d. A City Park; and
   e. Any parcel zoned for residential use.
4. ~~The use may not be located within 1000 feet of any other massage establishment.~~ In addition, a minimum distance separation of 1,000 feet is required between a Massage Establishment and any other Massage Establishment.
5. The hours of operation shall be limited to the period between 6:00 a.m. and 10:00 p.m., unless further limited by the City Council on a case-by-case basis.

Q. **Marijuana Cultivation Facility**
**Minimum Special Use Permit Requirements:**

* 1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between marijuana cultivation facilities and certain other uses that should be protected from the impacts associated with a marijuana cultivation facility. Therefore, except as otherwise provided herein: ~~below, no marijuana cultivation facility may be located within 1,000 feet of any school. or within 300 feet of any the following uses:~~

a. A minimum distance separation of 1000 feet is required between a Marijuana Cultivation Facility and any School; and
b. A minimum distance separation of 300 feet is required between a Marijuana Cultivation Facility and each of the following uses:
   ~~a~~ i. City park;
   ~~b~~ ii. Church/House of Worship;
   ~~c~~ iii. Individual Care - Family Home, Individual Care - Group Home, or Individual Care Center (in each case licensed for the care of children);
   ~~d~~ iv. Community Recreational Facility (Public); ~~or~~ and

~~e~~ v. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial Recreation/Amusement (Indoor or Outdoor); Library, Art Gallery or Museum (Public); Teen Dance Center; and Martial Arts Studio that provides instruction to minors.

~~* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana cultivation facility 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 marijuana cultivation facility. The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~* 3. For the purpose of Requirement 2, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a marijuana cultivation facility refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement; and~~

~~B. The proposed marijuana cultivation facility will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana cultivation facility will be located.~~

* ~~4~~ 2. When a marijuana cultivation facility authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a cultivation facility that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.

* ~~5~~ 3. The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.

* ~~6~~ 4. No outside storage shall be permitted, including the use of shipping containers for on-site storage.
* ~~7~~ 5. An air filtration system to be designed by a Nevada licensed engineer shall be provided prior to the issuance of a certificate of occupancy.
*~~8~~ 6. The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.
* ~~9~~ 7. A marijuana cultivation facility shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.
~~10~~ 8. The use may not be located under the same roof as another use, except a marijuana cultivation facility, marijuana dispensary or marijuana production facility.

R. **Marijuana Dispensary**
**Minimum Special Use Permit Requirements:**

* 1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a marijuana dispensary and certain other uses that should be protected from the impacts associated with a marijuana dispensary. Therefore, except as otherwise provided herein: ~~below, no marijuana dispensary may be located within 1,000 feet of any school. or within 300 feet of any the following uses:~~
    a. A minimum distance separation of 1000 feet is required between a Marijuana Dispensary and any School; and
    b. A minimum distance separation of 300 feet is required between a Marijuana Dispensary and each of the following uses:
        ~~a~~ i. City park;
        ~~b~~ ii. Church/House of Worship;
        ~~c~~ iii. Individual Care - Family Home, Individual Care - Group Home, or Individual Care Center (in each case licensed for the care of children);
        ~~d~~ iv. Community Recreational Facility (Public); ~~or~~ and
        ~~e~~ v. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial Recreation/Amusement (Indoor or Outdoor); Library, Art Gallery or Museum (Public); Teen Dance Center; and Martial Arts Studio that provides instruction to minors.

~~* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana dispensary 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 marijuana dispensary. The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~* 3. For the purpose of Requirement 2, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a marijuana dispensary refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed marijuana dispensary will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana dispensary will be located;~~

~~C. All parking spaces required by this Section~~ 19.12.070 ~~for the marijuana dispensary use will be located on the same parcel as the use; and~~

~~D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.~~

* ~~4~~ 2. When a retail marijuana store authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a medical marijuana dispensary that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.
* ~~5~~ 3. The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.
* ~~6~~ 4. No outside storage shall be permitted, including the use of shipping containers for on-site storage.
* ~~7~~ 5. Subject to the requirements of applicable building and fire codes, public access to the building shall be from one point of entry and exit, with no other access to the interior of the building permitted.

* ~~8~~ 6. No drive-through facilities shall be permitted in conjunction with a marijuana dispensary.
* ~~9~~ 7. The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.
* ~~10~~ 8. A marijuana dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.
* ~~11~~ 9. No marijuana dispensary shall be located on any property which abuts Fremont Street west of 8th Street.

S. **Marijuana Production Facility**
**Minimum Special Use Permit Requirements:**

* 1. Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a marijuana production facility and certain other uses that should be protected from the impacts associated with a marijuana production facility. Therefore, except as otherwise provided herein: ~~below, no marijuana production facility may be located within 1,000 feet of any school. or within 300 feet of any the following uses:~~
  a. A minimum distance separation of 1000 feet is required between a Marijuana Production Facility and any School; and
  b. A minimum distance separation of 300 feet is required between a Marijuana Production Facility and each of the following uses:
     ~~a~~ i. City park;
     ~~b~~ ii. Church/House of Worship;
     ~~c~~ iii. Individual Care - Family Home, Individual Care - Group Home, or Individual Care Center (in each case licensed for the care of children);
     ~~d~~ iv. Community Recreational Facility (Public); ~~or~~ and
     ~~e~~ v. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial Recreation/Amusement (Indoor or Outdoor); Library, Art Gallery or Museum (Public); Teen Dance Center; and Martial Arts Studio that provides instruction to minors.

~~* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana production facility 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 marijuana production facility. The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~* 3. For the purpose of Requirement 2, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a marijuana production facility refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed marijuana production facility will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana production facility will be located;~~

* ~~4~~ 2. When a marijuana product manufacturing facility authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a medical marijuana production facility that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.
* ~~5~~ 3. The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.
* ~~6~~ 4. No outside storage shall be permitted, including the use of shipping containers for on-site storage.
* ~~7~~ 5. An air filtration system to be designed by a Nevada licensed engineer shall be provided prior to the issuance of a certificate of occupancy.
* ~~8~~ 6. Distillation or extraction by combustible solvent is prohibited.
* ~~9~~ 7. The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.
* ~~10~~ 8. A marijuana production facility shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.
~~11~~ 9. The use may not be located under the same roof as another use, except a marijuana cultivation facility, marijuana dispensary or marijuana production facility.

T. **Nightclub**

**Conditional Use Regulations:**

1. Because the primary operations of a nightclub often include preparing and serving alcoholic beverages for immediate on-premises consumption and the provision of live entertainment, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a nightclub and other uses that should be protected from the impacts associated with a nightclub. Therefore, except as otherwise provided herein, ~~below, no nightclub may be located within 1500 feet of a church, synagogue, school, individual care center licensed for more than 12 children or City park.~~ a minimum distance separation of 1500 feet is required between a Nightclub and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.
2. A person that desires to operate a nightclub shall obtain both a nightclub land use entitlement as well as any necessary land use entitlement for the service of alcohol for on-premises consumption. A person lawfully operating a nightclub as defined by this section and LVMC 6.39, prior to December 1, 2014, is not required to obtain a special use permit for the continued operation of such nightclub use. Real property entitled for a nightclub pursuant to this Code shall have no specific ~~spacing~~ distance separation requirements ~~between~~ from other nightclubs. However, as the nightclub entitlement is ~~a~~ separate and distinct from any other land use entitlement permitting the service of alcohol for on-premises consumption, this provision shall not act to waive or otherwise diminish the specific ~~spacing~~ distance separation requirements between uses entitled for the service of alcohol for on-premise consumption.
3. ~~The distance separation referred to in Regulation 1 above and Regulation 7 below shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed nightclub 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 nightclub. The distance shall be measured in a straight line without regard to intervening obstacles.~~
4. ~~For the purpose of Regulation 3, and for that purpose only:~~
   a. ~~The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~
   b. ~~The "property line" of a nightclub refers to:~~
      i. ~~The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Regulation 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed nightclub will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed nightclub will be located;~~

~~C. All parking spaces required by this Section~~ 19.12.070 ~~for the nightclub will be located on the same parcel as the use; and~~

~~D. The owners of all parcels within the commercial subdivision, including the owner of the nightclub parcel, sign an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.~~

~~5~~ 3. The distance separation requirement set forth in Regulation 1 does not apply to 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.

~~6~~ 4. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

~~7~~ 5. Except as otherwise provided in Regulation ~~8~~ 6 below, ~~no nightclub may be located within 500 feet of any single family dwelling.~~ a minimum distance separation of 500 feet is required between a Nightclub and a single family dwelling.

~~8~~ 6. The distance separation requirement set forth in Regulation ~~7~~ 5 does 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.
b. A nightclub located within the boundaries of the Downtown Entertainment Overlay District or within the boundaries of the Pedestrian Mall as defined by LVMC Chapter 11.68.
c. A nightclub that meets all the following criteria:
   i. Is located within a building that has a minimum of 5000 square feet of gross floor area dedicated to the nightclub use.
   ii. Is located on a parcel with a minimum net site area of 0.25 acres; and
   iii. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street.

9. Alcohol service is only permitted in conjunction with the following Title 6 alcoholic beverage licenses: Beer and Wine Room, Tavern, Tavern-Limited, General On-Sale and Urban Lounge.

**Minimum Special Use Permit Requirements:**

*1. Because the primary operations of a nightclub often include preparing and serving alcoholic beverages for immediate on-premises consumption and the provision of live entertainment, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a nightclub and other uses that should be protected from the impacts associated with a nightclub. Therefore, except as otherwise provided herein, ~~below, no nightclub may be located within 1500 feet of a church, synagogue, school, individual care center licensed for more than 12 children or City park.~~ a minimum distance separation of 1500 feet is required between a Nightclub and each of the following uses:
   a. A Church/House of Worship
   b. A School
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.

*2. A person that desires to operate a nightclub shall obtain both a nightclub land use entitlement as well as any necessary land use entitlement for the service of alcohol for on-premises consumption. A person lawfully operating a nightclub as defined by this section and LVMC 6.39, prior to December 1, 2014, is not required to obtain a special use permit for the continued operation of such nightclub use. Real property entitled for a nightclub pursuant to this Code shall have no specific ~~spacing~~ distance separation requirements ~~between~~ from other nightclubs. However, as the nightclub entitlement is ~~a~~ separate and distinct from any land use entitlement permitting the service of alcohol for on-premises consumption, this provision shall not act to waive or otherwise diminish the specific ~~spacing~~ distance separation requirements between uses entitled for the service of alcohol for on-premise consumption.

~~*3. The distance separation referred to in Requirement 1 above and Requirement 8 below shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed nightclub 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 nightclub. The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~*4. For the purpose of Requirement 3, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a nightclub refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed nightclub will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed nightclub will be located;~~

~~C. All parking spaces required by this Section 19.12.070 for the nightclub will be located on the same parcel as the use; and~~

~~D. The owners of all parcels within the commercial subdivision, including the owner of the nightclub parcel, sign an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.~~

~~5~~ 3. The distance separation requirement set forth in Requirement 1 does not apply to 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.

~~6~~ 4. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C) under the following circumstances:

a. In connection with a proposed nightclub that will be located on a parcel within the C-V District; the Market District or Symphony Park District as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B); the Gaming Enterprise Overlay District; the Fremont East Entertainment District; the 18b Arts District or the Downtown Casino Overlay District;

b. In connection with a proposed nightclub to be located on a parcel within that certain area formerly identified as the Office Core District, described as the area bounded on the north by the centerline of Bridger Avenue, on the east by the centerline of 6th Street, on the south by the centerline of Garces Avenue, and on the west by the eastern edge of the Union Pacific Railroad right-of-way line;

c. In connection with a proposed nightclub that will be located within an establishment which has a non-restricted gaming license and is not exempted pursuant to Requirement ~~5~~ 3; or

d. In connection with a proposed nightclub to be operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

~~7~~ 5. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

*8 6. Except as otherwise provided in Requirement ~~9~~ 7 below, ~~no nightclub may be located within 500 feet of any single family dwelling.~~ a minimum distance separation of 500 feet is required between a Nightclub and a single family dwelling.

~~9~~ 7. The distance separation requirement set forth in Requirement ~~8~~ 6 does 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.

b. A nightclub located within the boundaries of the Downtown Entertainment Overlay District or within the boundaries of the Pedestrian Mall as defined by LVMC Chapter 11.68.

c. A nightclub that meets all the following criteria:

i. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street;

ii. Is located on a parcel with a minimum net site area of 0.25 acres; and

iii. Is located within a building that has a minimum of 5000 square feet of gross floor area dedicated to the nightclub use.

d. A nightclub operated in conjunction with an establishment that has a tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

*~~10~~ 8. Alcohol service, if any, is permitted only in conjunction with the following Title 6 alcoholic beverage licenses: Beer and Wine Room, Tavern, Tavern-Limited, Tavern-Restricted, General On-Sale and Urban Lounge.

U. **Outcall Entertainment Referral Service/Escort Bureau**
**Minimum Special Use Permit Requirements:**

1. A minimum distance separation of 500 feet is required between an Outcall Entertainment Referral Service/Escort Bureau and any residentially zoned property. ~~The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church/house of worship, school, individual care center licensed for more than 12 children or park, measured in each case from property line to property line without regard to intervening obstacles.~~
2. In addition, a minimum distance separation of 1,500 feet is required between an Outcall Entertainment Referral Service/Escort Bureau and each of the following uses:
   a. A Church/House of Worship;

b. A School;
c. An Individual Care Center licensed for more than 12 children; and
d. A City Park.

~~2~~ 3. No outcall entertainers, escorts or escort runners shall be physically dispatched from the property.

~~3~~ 4. No business may be transacted with patrons on the property.

~~4~~ 5. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

V. **Package Liquor Off-Sale Establishment**
**Minimum Special Use Permit Requirements:**

* 1. ~~Distance Separation Requirements.~~ Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both minimum distance separation between a package liquor off-sale establishment and other uses that should be protected from impacts associated with a package liquor off-sale establishment and/or possible impacts associated with the saturation of package liquor off-sale establishments in any particular area of the City. Therefore, except as otherwise provided herein: ~~, such package liquor off-sale establishment use shall be separated from other uses as indicated below:~~

a. ~~Except as otherwise provided, no package liquor 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.~~ A minimum distance separation of 400 feet is required between a Package Liquor Off-Sale Establishment and each of the following uses:
i. A Church/House of Worship;
ii. A School;
iii. An Individual Care Center licensed for more than 12 children; and
iv. A City Park.

b. ~~Except as otherwise provided, no liquor store shall be located within 1000 feet of any other liquor store, liquor establishment (tavern), urban lounge or sexually oriented business.~~ In addition, a minimum distance separation of 1,000 feet is required between a Package Liquor Off-Sale Establishment and each of the following uses:
i. Another Package Liquor Off-Sale Establishment;
ii. A Liquor Establishment (Tavern);
iii. An Urban Lounge; and
iv. A Sexually Oriented Business.

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

~~a. Any leasehold parcel; or~~

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

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

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

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

~~4~~ 2. The ~~minimum~~ distance separation requirements in Requirement 1 do not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

~~5~~ 3. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed package liquor off-sale establishment that will have an ancillary craft distillery business license and that will be operated in conjunction with a craft distillery that qualifies as such under NRS 597.235.

*~~6~~ 4. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

*~~7~~ 5. No package liquor off-sale use shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

*~~8~~ 6. This use is permitted in the C-PB Zoning District only when it is ancillary to a craft distillery that qualifies as such under NRS 597.235.

W. **Pawn Shop**

**Conditional Use Regulations:**

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. ~~No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, 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.~~ A minimum distance separation of 200 feet is required between a Pawn Shop and any parcel used or zoned for residential use.
5. In addition, a minimum distance separation of 1000 feet is required between each of the following uses:
   a. Another Pawn Shop; and
   b. A Financial Institution, Specified.

**Minimum Special Use Permit Requirements:**

* 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
* 2. No outdoor display, sales or storage of any merchandise shall be permitted.
* 3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

4. ~~No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, 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.~~ A minimum distance separation of 200 feet is required between a Pawn Shop and any parcel used or zoned for residential use.
5. In addition, a minimum distance separation of 1000 feet is required between each of the following uses:
   a. Another Pawn Shop; and
   b. A Financial Institution, Specified.

X. **Pawn, Auto**

**Conditional Use Regulations:**

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. 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.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. 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).
8. ~~No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Regulation 8, 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.~~ A minimum distance separation of 200 feet is required between a Pawn, Auto use and any parcel used or zoned for residential use.
9. In addition, a minimum distance separation of 1000 feet is required between a Pawn, Auto use and each of the following uses:
   a. Another Pawn, Auto use;
   b. An Auto Title Loan; and
   c. A Financial Institution, Specified.

**Minimum Special Use Permit Requirements:**

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. 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.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. 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).
8. ~~No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Regulation 8, 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.~~ A minimum distance separation of 200 feet is required between a Pawn, Auto use and any parcel used or zoned for residential use.
9. In addition, a minimum distance separation of 1000 feet is required between a Pawn, Auto use and each of the following uses:
   a. Another Pawn, Auto use;
   b. An Auto Title Loan; and
   c. A Financial Institution, Specified.

Y. **Restaurant with Alcohol**
**Minimum Special Use Permit Requirements:**

1. ~~No restaurant with alcohol use 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.~~ A minimum distance separation of 400 feet is required between a Restaurant with Alcohol and each of the following uses:
   a. A Church/House of Worship;
   b. A School;
   c. An Individual Care Center licensed for more than 12 children; and
   d. A City Park.
2. ~~Except as otherwise provided in Requirement 3 below, the minimum 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 restaurant with alcohol 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 restaurant with alcohol. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:~~
   ~~a. Any leasehold parcel; or~~

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

~~3. In the case of a restaurant with alcohol 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 restaurant with alcohol will be located, without regard to intervening obstacles; or~~

~~b. In the case of a proposed restaurant with alcohol 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 restaurant with alcohol will be located, without regard to intervening obstacles.~~

~~4~~ 2. When considering a Special Use Permit application for a restaurant with alcohol which also requires a waiver of the distance separation ~~limitation~~ in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

~~5~~ 3. The minimum distance separation ~~limitation~~ in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

~~6~~ 4. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

* ~~7~~ 5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

Z. **Restaurant with Service Bar**
**Conditional Use Regulations:**

1. ~~No restaurant with alcohol use 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.~~ A minimum distance separation of 400 feet is required between a Restaurant with Service Bar and each of the following uses:
   e. A Church/House of Worship;
   f. A School;
   g. An Individual Care Center licensed for more than 12 children; and
   h. A City Park.

~~2. Except as otherwise provided in Requirement 3 below, the minimum 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 restaurant with alcohol 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 restaurant with alcohol. 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:~~

~~c. Any leasehold parcel; or~~

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

~~3. In the case of a restaurant with alcohol 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:~~

~~c. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant with alcohol will be located, without regard to intervening obstacles; or~~

~~d. In the case of a proposed restaurant with alcohol 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 restaurant with alcohol will be located, without regard to intervening obstacles.~~

~~4~~ 2. The minimum distance <u>separation</u> ~~limitation~~ in Requirement 1 does not apply to a restaurant with service bar which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

~~5~~ 3. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

AA. **Sexually Oriented Business**
**Conditional Use Regulations:**

1. No person shall cause or permit the establishment of any sexually oriented business in an area zoned other than C-M or M. ~~In addition, no person shall cause or permit the establishment of any sexually oriented business within 1000 feet of any other sexually oriented business, church/house of worship, public or private school, individual care facility for children, teen dance center, park or playground. The distance shall be the shortest distance between two property lines, one being the property line of the proposed sexually oriented business 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 sexually oriented business. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.~~

2. A minimum distance separation of 1000 feet is required between a Sexually Oriented Business and each of the following uses:
   a. Another Sexually Oriented Business;
   b. A Church/House Of Worship;
   c. A School;
   d. An Individual Care Facility for Children;
   e. A Teen Dance Center; and
   f. A Park Or Playground.

~~2~~ 3. Except as otherwise provided in Regulations 4, 5 and 6, the "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area or the conversion of an existing business location to any sexually oriented business.

~~3~~ 4. Any person establishing a sexually oriented business must first file with the Department the name and address of the business and the type of sexually oriented business to be conducted.

~~4~~ 5. Any business existing as of September 16, 1992, that is made nonconforming by the provisions of Ordinance 3674 shall be permitted to remain in operation. However, except as otherwise provided in Regulation 6:
   a. No such business may be increased, enlarged, extended or altered, except to change the use to a conforming use; and
   b. If any such business is terminated or is abandoned for a period of at least 30 days, any future use of the property shall conform to the provisions of Ordinance 3674.

~~5~~ 6. Except as otherwise provided in this Regulation and Regulation 6, the provisions of Regulations 3 and 4 above and the provisions of LVMC Chapter 19.14 shall apply to sexually oriented businesses. However, any existing sexually oriented business located in the M Zoning District that was made nonconforming as to a separation requirement by either of the following circumstances shall be deemed a conforming use for purposes of expansion, enlargement or alteration:

a. The adoption of a different method of measuring distance; or
b. The intervening establishment within the required separation area of either a protected use or another sexually oriented business. Any such business shall continue to be subject to the provisions regarding discontinuation and removal that are set forth in LVMC 19.14.030(A)(4) and 19.14.040, respectively.

~~6~~ 7. The provisions of Regulation 4 and the provisions of Chapter 19.14 that prohibit the expansion, enlargement or alteration of an existing use as described in those provisions shall not apply to an existing nude show or adult emporium located within Area 1 of the Downtown Las Vegas Overlay District, as shown in Figure 2 of the Development Standards adopted in LVMC 19.10.110(B), but only if and to the extent that the following conditions are met:

a. Any expansion, enlargement or alteration, including all required on-site parking, must be contained entirely on the same legally-created parcel on which the use presently exists.
b. The expansion, enlargement or alteration must be approved by means of a Major Site Development Plan Review pursuant to LVMC 19.16.100(G).
c. Except as otherwise provided in Paragraph (d), the discontinuation and abandonment provisions of LVMC 19.14.030(A) shall continue to apply.
d. For a use that is discontinued for purposes of expansion, enlargement or alteration, or in connection with a foreclosure proceeding, the use shall not be considered terminated or abandoned. However, the building permit or permits necessary to accomplish such expansion, enlargement or alteration must be obtained within 18 months after operations cease and the permits must be exercised completely before they expire. Otherwise, the use shall be deemed abandoned, the nonconforming status lost, and the future use of the property must comply with current zoning requirements.
e. For purposes of this Regulation 6, the expansion, enlargement or alteration of a use includes the rebuilding or replacement of the building or buildings associated with the use.

~~7~~ 8. Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any State or Federal laws.

~~8~~ 9. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to a sexually oriented business.

BB. **Short-Term Residential Rental**
**Conditional Use Regulations:**

1. The operator must obtain a business license to operate the use.
2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.
3. The use must comply with the City's noise regulations as they apply to residential uses.
4. ~~The use may not be located closer than 660 feet to any other Short-Term Residential Rental use (measured from property line to property line).~~ A minimum distance separation of 660 feet is required between a Short-Term Residential Rental use and any other Short-Term Residential Rental use.
5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.
6. In addition to and independent of any enforcement authority or remedy described in this Title, the failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.
7. On any particular parcel, the use is limited to a single residential dwelling unit that is owner-occupied during each period the unit is rented and that has no more than three bedrooms, with a maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. The dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence. For purposes of this Regulation 7:

a. "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.
b. A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the dwelling unit is the owner's primary residence, the owner continues to reside at the unit throughout the rental period, and the owner's absence, if any, from the unit during the rental period is attributable only to employment or to the running of typical personal or household errands.

8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the residential component of a mixed-use development or in a dwelling unit permitted as a legal nonconforming use.
9. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

CC. **Slaughtering and Processing of Live Poultry**
**Minimum Special Use Permit Requirements:**

1. The slaughter and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.
2. ~~The use may not be located closer than 1500 feet from any other facility used for the slaughter and processing of live poultry.~~ A minimum distance separation of 1500 feet is required between a Slaughtering and Processing of Live Poultry use and any other Slaughtering and Processing of Live Poultry use.
3. The sale of poultry on the site shall be limited to retail sales of processed poultry.
4. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off site.
5. All live poultry shall be stored within an enclosed structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, State and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
6. The maximum number of live birds allowed to be kept or maintained on site at any one time is 50.
7. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
8. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
9. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
10. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
11. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
12. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
13. No live poultry shall remain on site overnight. Any live poultry not sold by 4:00 p.m. must be slaughtered, processed and packaged for sale with other poultry products.
14. The processing facility shall be landscaped and screened as required in connection with a Site Development Plan Review.

DD. **Social Use Venue**

**Minimum Special Use Permit Requirements:**

*1. Pursuant to its general authority to regulate the use of marijuana within business establishments, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a social use venue and certain other uses that should be protected from the impacts associated with a social use venue. Therefore, except as otherwise provided ~~below,~~ herein: ~~no social use venue may be located within 1000 feet of any school, or within 300 feet of any of the following uses:~~

a. A minimum distance separation of 1000 feet is required between a Social Use Venue and any School; and

b. A minimum distance separation of 300 feet is required between a Social Use Venue and each of the following uses:

~~a~~ i. City park;

~~b~~ ii. Church/House of Worship;

~~c~~ iii. Individual Care - Family Home, Individual Care - Group Home, or Individual Care Center (in each case licensed for the care of children);

~~d~~ iv. Community Recreational Facility (Public); ~~or~~ and

~~e~~ v. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial Recreation/Amusement (Indoor or Outdoor); Library, Art Gallery or Museum (Public); Teen Dance Center; and Martial Arts Studio that provides instruction to minors.

~~*2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed social use venue 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 social use venue. The distance shall be measured in a straight line without regard to intervening obstacles.~~

~~* 3. For the purpose of Requirement 2, and for that purpose only:~~

~~a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and~~

~~b. The "property line" of a social use venue refers to:~~

~~i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or~~

~~ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:~~

~~A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;~~

~~B. The proposed social use venue will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed social use venue will be located;~~

~~C. All parking spaces required by this Section 19.12.070 for the marijuana consumption lounge use will be located on the same parcel as the use; and~~

~~D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.~~

* 4 ~~2~~. The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.
* ~~5~~ 3. The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.
* ~~6~~ 4. ~~No Special Use Permit for this use is available for any parcel that is located within 1,000 feet of a parcel on which nonrestricted gaming is conducted, measured as described in Minimum Special Use Permit Requirement 2~~. A minimum distance separation of 1000 feet is required between a Social Use Venue and a parcel on which nonrestricted gaming is conducted. The prohibition in the proceeding sentence does not apply to any parcel regarding which a Special Use permit for a Marijuana Dispensary has been approved.

EE. **Teen Dance Center**

**Conditional Use Regulations:**

1. ~~The establishment must be located more than 1000 feet from any sexually oriented business. The distance shall be the shortest distance between the property line of the proposed teen dance center which is closest to the existing sexually oriented business, and the other being the property line of the sexually oriented business which is closest to the proposed teen dance center. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.~~ A minimum distance separation of 1000 feet is required between a Teen Dance Center and a Sexually Oriented Business.
2. The hours of operation shall be limited to the period between 6:00 p.m. and midnight.
3. The floor area shall not exceed 5000 square feet.

2. The following proposed amendments address wording specific to access requirements in each of the listed uses. The amendments are intended to clarify ambiguities in how or what access to the site is required for the use. Some uses overlap with the previous section regarding distance separation; in those cases, any ambiguity regarding access requirements would be addressed through the adoption of a new definition for distance separation, as noted in Section 3, below. No other issues are explicitly addressed in the amended wording of uses in this section. Therefore, Title 19.12 Permissible Uses is hereby amended by amending the following uses:

A. **Assisted Living Apartments**
**Description:** An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. This use includes commercial uses that are ancillary to an apartment complex as long as the total amount of floor space dedicated to such uses does not exceed five percent of the total gross floor area of the apartment complex and there is no external signage for, nor external pedestrian access to, the commercial uses. This use does not include a convalescent care facility, nursing home or other medical facility that is specifically defined in LVMC Chapter 19.18.

B. **Auto Dealer Inventory Storage**
**Conditional Use Regulations:**
1. All loading and unloading of vehicles shall occur on site.
2. Loading and unloading of vehicles shall occur between the hours of 7:00 am and 10:00 pm.
3. All areas used for the parking or storage of vehicles shall be paved.
4. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
5. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and ~~accessed~~ has vehicular access through a parcel located on a primary or secondary thoroughfare.
6. Lighting shall be shielded from adjacent properties.
7. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of the parking that is required by this Section for other uses.
8. The use shall not be located adjacent to any property zoned R-E, R-D, R-1, R-SL or R-CL unless that property has been developed with a nonresidential use.

**Minimum Special Use Permit Requirements:**

* 1. All loading and unloading of vehicles shall occur on site.
* 2. Loading and unloading of vehicles shall occur between the hours of 7:00 am and 10:00 pm.
3. All areas used for the parking or storage of vehicles shall be paved.
4. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
5. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and ~~accessed~~ has vehicular access through a parcel located on a primary or secondary thoroughfare.
6. Lighting shall be shielded from adjacent properties.
7. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of the parking that is required by this Section for other uses.

C. **Car Wash, Self-Service**

**Minimum Special Use Permit Requirements:**

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
3. No retail sale of vehicles is allowed.
4. No repair or servicing of vehicles is allowed.
5. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet. [This requirement is subject to amendment under Section 1, above].
6. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public for both vehicular and pedestrian traffic after business hours.
7. Vacuum bays are permitted as part of this use if their operation is in compliance with the other Minimum Special Use Permit Requirements for this use.
8. An attendant must be on the premises during all times the equipment is operational.
9. Each stall shall have a stacking lane that will accommodate at least 2 cars.

D. **Cemetery/Mausoleum**
**Conditional Use Regulations:**

1. A decorative masonry and/or wrought iron fence with a minimum height of 6 feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.
2. Cemeteries shall only be allowed on parcels abutting and having vehicular access to collector streets or larger.

E. **Individual Care – Group Home**
**Minimum Special Use Permit Requirements:**

* 1. The minimum lot size shall be 6500 square feet.
* 2. The site shall be designed so that all loading and unloading of passengers occurs on-site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.
* 3. In order for this use to be conducted on a parcel developed with multi-family housing, the provision of care must occur within a separate structure.
4. Vehicular ~~A~~ access to the facility shall be by means of a right-of way with a width of 60 feet or less.
5. The use of outdoor recreation areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M.
6. All lighting shall be designed so it does not shine directly onto any abutting residential property.

F. **Individual Care Center**
**Conditional Use Regulations:**

1. Vehicular ~~A~~ access to the individual care center shall be by means of a collector street or larger.
2. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.
3. Where structures or play areas have residential adjacency:

a. An 8-foot high block wall shall be installed along the common property line.
b. The building entrance and both vehicular and pedestrian access shall be oriented away from residential uses on local streets.
c. Outdoor recreation shall be limited to daylight hours.
d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.

G. **Salvage or Reclamation of Products (Outdoor)**
**Conditional Use Regulations:**

1. The minimum site area dedicated to this use shall be 25,000 square feet.
2. All areas used for the parking and storage of operable vehicles shall be paved.
3. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
4. In addition to the requirements in LVMC 19.08.040(F), mature evergreen trees shall be installed along the perimeter property lines to screen any vehicle parts storage area from surrounding properties.
5. Perimeter walls, a minimum of 8 feet in height, shall be installed along all property lines.
6. Repair activities and vehicle loading and unloading shall be prohibited on adjoining streets and alleys.
7. Service bays with vehicular access from the exterior of the structure shall not face the public rights of way.
8. All on-site lighting shall be stationary and directed away from adjoining properties. All lighting shall be shielded, hooded or otherwise designed so that direct glare and reflections are contained within the boundaries of the parcel. No light shall extend into any residential zoning district.
9. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited.
10. Repair facilities shall close all windows and doors when performing body and fender work, hammering, sanding or other noise-generating activities.
11. All hazardous materials resulting from the repair, storage, or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.

H. **Senior Citizen Apartments**
**Conditional Use Regulations:**

1. For any development that is over three stories in height:
   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
   b. Rooflines and facade elements shall be articulated in order to break down the apparent massing of the structures.
2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but pedestrian access ways, entryways and community rooms may be located on the ground floor.

3. The primary resident or guest pedestrian entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.
4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.
5. For any development that, in accordance with LVMC 19.08.070, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements and minimum setback requirements for the C-1 District shall be met.

3. Title 19.18.020 Words and Terms Defined is hereby amended by adding the following definition:

**Distance Separation.** A minimum specified distance separating a proposed use determined to have potentially negative impacts from a protected use or from another use with potentially negative impacts. Unless otherwise stated in this Title, distance separation is measured horizontally, without regard for elevation change or intervening obstacles, as the shortest straight-line distance between the lot lines of the properties containing the two uses. When either use is located within the boundaries of a commercial or residential subdivision as defined in NRS 278, the following provisions apply:

1. For a protected use or other use with potentially negative impacts, “lot line” refers to the boundary of a lot established by the final map for the subdivision, and does not include the boundary of a condominium parcel or a parcel established by a Record of Survey.
2. For a proposed use, “lot line” refers to the boundary of a lot established by the final map for the subdivision, and does not include the boundary of a condominium parcel.
3. For a proposed use, “lot line” refers to the boundary of a lot established by the final map for the subdivision, and does not include the boundary of a parcel established by a Record of Survey unless all of the following provisions are met:
    a. Using the parcel line of the parcel created by the Record of Survey for the purpose of measuring the distance separation would qualify that parcel under the distance separation requirement;
    b. All parking spaces required by Subchapter 19.12.070 for the use are located on the same parcel created by the Record of Survey and containing the use;

c. The use has direct pedestrian and vehicular access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required pedestrian and vehicular access must be located within the parcel lines of the parcel created by the Record of Survey and on which the use is located; and

d. If the access provided on the subject parcel to meet requirement “b” above also provides access to and from other parcels within a commercial subdivision, or if parking within the subdivision is shared, then an agreement satisfactory to the City Attorney that provides reciprocal cross-access, ingress and egress and/or parking throughout the commercial subdivision is required.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request to amend LVMC Title 19.12 Permissible Uses and 19.18 Definitions & Measures to clarify distance separation and access requirements for Permissive Uses and to provide a definition for the term “distance separation”, with a standardized method for determining how to measure the requirement.

## ANALYSIS

These proposed amendments are limited to address two specific issues in 19.12 Permissive Uses and 19.18 Definitions & Measures:

1. To define and clarify what the term “distance separation” is, as well as to provide a standardized method for determining how to measure the requirement; and
2. To clarify what the term “access” refers to for each specific use that contains a limitation or requirement based on access to the site.

The Text Amendment is broken into three distinctive parts:

1. Section 1 amends every individual use that contains a distance separation requirement. Where the distance separation is a general requirement, such as “400 feet from a school”, the use is amended to provide the distance separation requirement only, and strips out all language detailing how the measurement should be done. Where distance separation is related to a specific object, such as “animal pens must be 50 feet from a property line”, the distance separation statement has been clarified, if necessary, to remove ambiguous language and to ensure that the intent of the requirement is clear.
2. Section 2 amends every individual use containing a requirement related to the term “access”, to remove ambiguous language and clearly state whether the access is pedestrian, vehicular or both. It should be noted that there is some crossover between all of these amendment sections in that the issue of access for several uses would be clarified by the combination of amendments to use requirements in Section 1 and the addition of a definition for the term “distance separation” in Section 3.

3. Section 3 adds a new definition for the term “distance separation”, and provides a standardized process for measuring the requirement. The definition uses terms that are specific to NRS and LVMC Title 19 when dealing with subdivisions. It also clearly addresses issues that are either ambiguous or not addressed in Title 19, including how to determine the distance separation requirement for commercial and residential subdivisions, as well as parcels created by records of survey and condominium maps.

## FINDINGS

This amendment will:

1. Define and clarify what a distance separation is and how it is calculated for permitted uses in general.
2. Where specific uses have distinct separation requirements, the language has been amended to clarify those specific requirements.
3. Where specific uses have requirements related to the term “access”, those requirements have been clarified by specifying whether the access required is pedestrian, vehicular or both.

# *AGENDA SUMMARY PAGE*

**Planning Commission**
**Meeting of: June 25, 2019**

Agenda Item No.:
**48**

**DEPARTMENT: Planning**
**DIRECTOR: Robert Summerfield**

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