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CITY of LAS VEGAS

January 15, 1997

William F. Hardy and Diane Magleby,
Trustees, Et Al
5030 Paradise Road, Suite #A-107
Las Vegas, Nevada 89119

RE: V-98-96 - VARIANCE

Dear Mr. Hardy and Ms. Magleby:

The City Council at a regular meeting held November 20, 1996 considered the appeal filed by the Tom Hom Group on behalf of William F. Hardy and Diane Magleby, Trustees, et al, from the Denial by the Board of Zoning Adjustment for a Variance on property located at 201 and 222 North Eighth Street to allow a 341 unit, four story, Single Room Occupancy apartment complex where such use is not allowed, C-2 (General Commercial) Zone.

The City Council **GRANTED** the appeal, thereby **APPROVING** the Variance **amending the application to 320 units**, subject to:

1. The applicant shall apply for an off-site satellite parking review for review and approval by the City Council.
2. Provide minimum 24 inch box trees with shrubs, ground cover, and boulders in all landscape area except the parking area adjacent to the alley as required by the Planning and Development Department. The use of drought tolerant landscape is encouraged.
3. Provide maximum 3 foot high shrubs or trees with a 7 foot clearance with in ground security lighting, ground cover and or boulders in the parking area adjacent to the alley way as required by the Planning and Development Department. The use of drought tolerant landscape is encouraged.
4. The "Residency Requirements" shall be clearly posted at all entrances, exits and common areas as required by the Planning and Development Department prior to issuance of a final occupancy permit.
5. Dedicate a 10 foot right-of-way radius on the northeast corner of 8th Street and Ogden Avenue and a 10' radius on the southeast corner of 8th Street and Stewart Avenue prior to the issuance of any permits as required by the Department of Public Works.



6. Construct all incomplete half-street improvements on 8th Street, on Ogden Avenue, and on Stewart Avenue adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards as required by the Department of Public Works.
7. Construct full-width alley paving adjacent to this site where none exists prior to occupancy of this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public alley improvements adjacent to this site and replace with new improvements meeting current City Standards as required by the Department of Public Works.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall determine traffic signal contribution requirements. 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.
9. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first as required by the Department of Public Works.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the 8th Street, Stewart Avenue, and Ogden Avenue public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
11. Landscape and maintain all unimproved rights-of-way on 8th Street, Stewart Avenue, and Ogden Avenue adjacent to this site as required by the Department of Public Works.
12. All development must be in conformance with the plot plan and elevations.
13. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
14. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.
15. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
16. City Code requirements and design standards of all City departments must be satisfied.
17. Parking and driveway plans must first be approved by the Traffic Engineer.

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18. Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
19. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

An approved Variance or Special Use Permit must be exercised within one year or it becomes null and void, unless a request for an Extension of Time is duly filed with the Planning and Development Department for consideration and approval by the appropriate board.

Sincerely,



BARBARA JO RONEMUS
Acting City Clerk

/cmp

cc: Planning & Development Dept.
Dept. of Public Works
Dept. of Fire Services
Land Development Services
Traffic Engineering

Mr. William Newbern
Tom Horn Group
4408 30th Street
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