

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 49

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION****ABEYANCE ITEM**

Appeal of Work Card Denial:

100 Mr. Thomas Roy Leow
5887 Laredo Street
Las Vegas, NV 89146

ADAMSEN - STRIKE - UNANIMOUS

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that the matter was held so that the appellant could obtain a letter from his employer indicating their willingness to hire him despite his record.

MR. LEOW stated that he was unable to obtain a letter. He confirmed that he could appeal again if he finds another employer that is willing to give him a letter. COUNCILMAN ADAMSEN advised him to submit the letter to Metro at the time he applies for a work card.

There was no further discussion.

(10:47 - 10:49)

1-1483

ABEYANCE ITEM

Appeal of Work Card Denial:

101 Ms. Francis Xavier Dumas-Justice
3001 Lake East Drive, #1066
Las Vegas, NV 89117

JONES - APPROVED - UNANIMOUS

MS. DUMAS-JUSTICE was present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that the matter was held so that the appellant could obtain a letter from her employer indicating their willingness to hire her despite her record. A letter has been submitted to Metro and it is acceptable.

There was no further discussion.

(10:49 - 10:50)

1-1560

RECEIVED
CITY CLERK

MAR 12 - 3 12:26

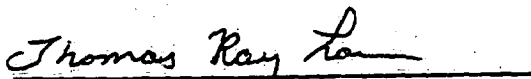
March 9, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

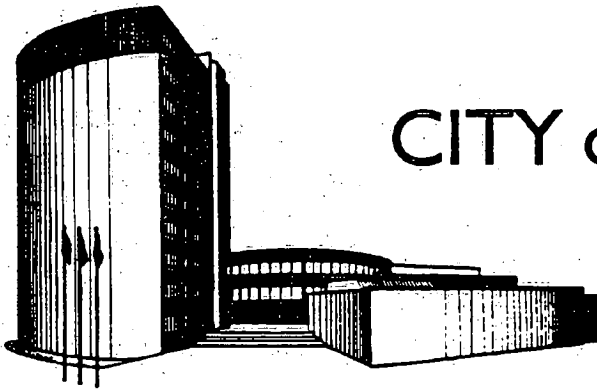


Thomas Ray Leow
5887 Laredo St.
Las Vegas, NV 89146

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 9, 1999

Thomas Ray Leow
5887 Laredo St.
Las Vegas, NV 89146

Re: **WORK CARD APPEAL**

Dear Mr. Leow:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of March 22, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,


GABRIELA PORTILLO-BRENNER
DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY CLERK

MARCH 10 P 4:30

March 10, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

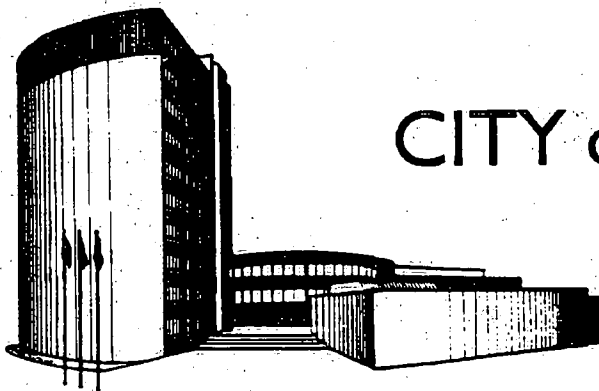
Sincerely,

Frances Justice
Frances Xavier Dumas-Justice
3001 Lake East Drive #1066
Las Vegas, NV 89117

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 10, 1999

Frances Xavier Dumas-Justice
3001 Lake East Drive #1066
Las Vegas, NV 89117

Re: WORK CARD APPEAL

Dear Ms. Dumas-Justice:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of March 22, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

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Sincerely,

BARBARA JO RONEMUS
CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB





Regional Office
702•363•1618

2750 Lake Sahara Dr.
Las Vegas, NV 89117
702•363•2124

4930 E. Bonanza
Las Vegas, NV 89110
702•459•3332

3460 S. Arville
Las Vegas, NV 89102
702•367•8337

720 Rancho del Norte
N. Las Vegas, NV 89030
702•649•5425

March 19, 1999

To Whom It May Concern:

This letter is to state that when Frances Justice was hired at Children's Oasis School as a Caregiver, we were aware that she had been denied a Sheriff's Card. She informed us that it was because she had not reported her husband was living with her while she was receiving welfare assistance.

Frances has been a good employee and works well with the children. She is always willing to work over when needed.

If I can be of any further assistance, please feel free to contact me.

Sincerely,
Jean Gregory
Director

#101

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 50

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

g65

CITY ATTORNEY - DISCUSSION

Appeal of Work Card Denial:

102

Mr. Ross Lee Brady
515 Desert Lane #23
Las Vegas, NV 89106

McDONALD - Motion to uphold Metro's action of denial - UNANIMOUS

COUNCILMAN McDONALD's initial motion to strike the item was withdrawn after COUNCILMAN ADAMSEN recommended that the Council uphold Metro's action of denial.

The appellant was not present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, was present.

There was no discussion.

(10:50)

1-1588

Appeal of Work Card Denial:

103

Mr. Luis Alberto Carbajal
6250 Hargrove Avenue #51
Las Vegas, NV 89107

JONES - ABEYANCE to 4/26/99 - UNANIMOUS

4/26/99 Agenda

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, stated that MR. CARBAJAL was denied a work card due to his conviction of assault with a deadly weapon, discharging a firearm in a negligent manner. This occurred in Santa Ana, California, and he was sentenced to three years probation. NRS 648.060 prohibits him from working for a security agency.

MR. CARBAJAL submitted a letter indicating dismissal of the charges. The Council reviewed the letter and confirmed that the charges were dismissed. SERGEANT CANNITO requested the matter be held for two weeks to research the record and verify the dismissal.

There was no further discussion.

(10:50 - 10:53)

1-1607

RECEIVED
CITY CLERK

1999 MAR 24 P 4:01

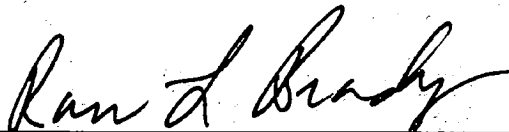
March 24, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

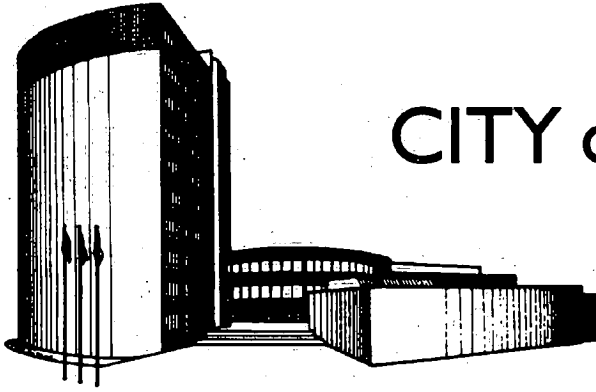


Ross Lee Brady
515 Desert Lane #23
Las Vegas, NV 89106

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 24, 1999

Ross Lee Brady
515 Desert Lane #23
Las Vegas, NV 89106

Re: **WORK CARD APPEAL**

Dear Mr. Brady:

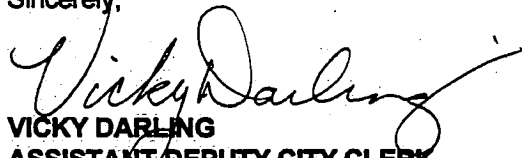
I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,


VICKY DARLING
ASSISTANT DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



RECEIVED
CITY CLERK

1999 MAR 17 A 10:54

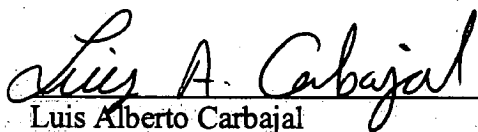
March 17, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,



Luis Alberto Carbajal
6250 Hargrove Avenue, #51
Las Vegas, NV 89107

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 17, 1999

Luis Alberto Carbajal
6250 Hargrove Avenue, #51
Las Vegas, NV 89107

Re: **WORK CARD APPEAL**

Dear Mr. Carbajal:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

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Sincerely,

BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)
www.ci.las-vegas.nv.us (WEBSITE)



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 51

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION**

Appeal of Work Card Denial:

104

Ms. Tracy Lynn Gulli
920 Rockview, #201
Las Vegas, NV 89128

JONES - APPROVED with no reviews - UNANIMOUS

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that Metro denied the work card for child care based on a registration for gross misdemeanor - possession of a stolen vehicle.

MS. GULLI submitted a letter from her employer indicating their awareness of the offense and their willingness to hire her despite it. She indicated that it was attempted possession. She is currently on probation and has been employed at Creative Kids for four years.

MAYOR JONES noted that the letter states very clearly that MS. GULLI's employer wishes to retain her services.

COUNCILMAN McDONALD confirmed with CITY ATTORNEY JERBIC that granting the work card would not jeopardize the license of MS. GULLI's employer.

There was no further discussion.

(10:53 - 10:55)

1-1693

Appeal of Work Card Denial:

105

Ms. Tina Marie Keswick
5028 Villa Granada
Las Vegas, NV 89031

ADAMSEN - ABEYANCE to 4/26/99 - UNANIMOUS**4/26/99 Agenda**

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that Metro denied the work card due to MS. KESWICK's conviction for theft of government property - money orders in the amount of \$7,306. She pled to a lesser charge, was ordered to pay restitution, and was sentenced to three years probation. The denial was based on City Code 6.86.110

MAYOR JONES requested a letter from MS. KESWICK's employer indicating their awareness of the offense and their willingness to hire her despite it. SERGEANT CANNITO requested a detailed letter. MS. KESWICK indicated that she would try to obtain a letter.

There was no further discussion.

(10:55 - 10:57)

1-1796

RECEIVED
CITY CLERK

1999 MAR 26 PM 1:45

March 26, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

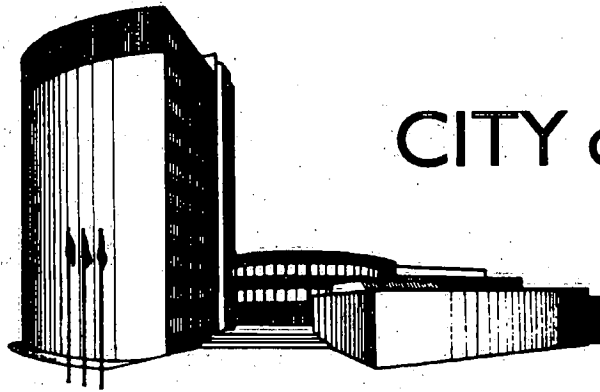


Tracey Lynn Gulli
920 Rockview, #201
Las Vegas, Nevada 89128

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 26, 1999

Tracey Lynn Gulli
920 Rockview, #201
Las Vegas, Nevada 89128

Re: **WORK CARD APPEAL**

Dear Ms. Gulli:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

VICKY DARLING
ASSISTANT DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



Creative Kids

Stephanie A. Harrill
Director
6565 Smoke Ranch Rd.
Las Vegas, NV 89108

April 4, 1999

RE: Tracey Gulli
566-73-0953

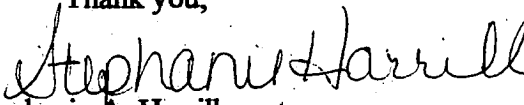
To the Las Vegas City Council,

As the director of Creative Kids Learning Center, I was asked to write this letter on behalf of Tracey L. Gulli regarding the denial of her renewal child care/sheriff's work card by the Las Vegas Metropolitan Police Department. As of March 26, 1999, I, Stephanie A. Harrill, became aware of Ms. Gulli's criminal record which is now causing her to be denied a work card. I was asked to write this letter on behalf of Tracey to help her receive the card in question.

Tracey has worked for our northwest center located at 6565 Smoke Ranch Road since September 1998. Before that, she was at our Lakes learning center (2775 Fort Apache) for approximately three years and seven months. As Tracey's superior, I feel that she is very essential to our company. In the child care business, it is hard to find an employee who is dependable, flexible, and has the understanding for the children. That is how I feel about Tracey. Her position at our center is called a floater because she is needed in different rooms throughout the day. She has been with our company so long, she is also included in helping to train new employees on Creative Kids regulations and curriculum procedures.

Within our center, Tracey is well appreciated by other employees and parents of the children. I would like to see you renew her card so she may return and continue to work with us and the youth. I am aware of the reasons her work card was originally denied. We have three elements that we consider for terms of denial for potential employment: 1) kidnaping, 2) embezzlement, and 3) causing physical or mental harm to a child. Therefore, since none of these factors apply to Ms. Gulli, she should be able to receive a renewed work card.

Thank you,


Stephanie A. Harrill
Director

If I could be of further assistance, please contact me M-F 7:30 A.M. - 6:30 P.M.

#104

RECEIVED
CITY CLERK

1999 MAR 24 P. 1: 33

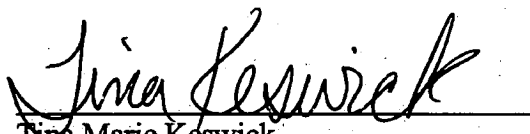
March 24, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

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Sincerely,

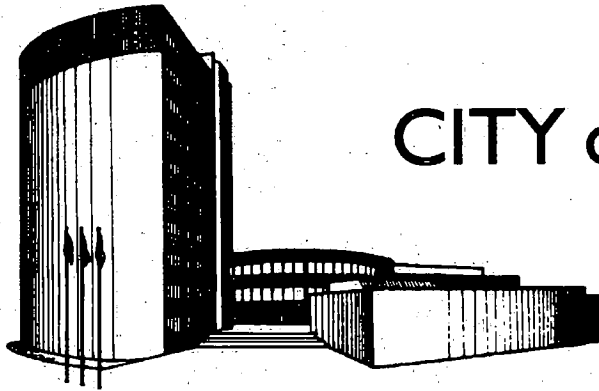


Tina Marie Keswick
5028 Villa Granada Way
Las Vegas, NV 89031

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 24, 1999

Tina Marie Keswick
5028 Villa Granada Way
Las Vegas, NV 89031

Re: WORK CARD APPEAL

Dear Ms. Keswick:

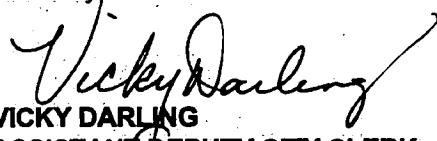
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VICKY DARLING
ASSISTANT DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 52

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION**

Appeal of Work Card Denial:

106

Mr. Charles Joseph Simpson
905 Greenbank Street
Las Vegas, NV 89110

JONES - APPROVED - UNANIMOUS

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that Metro denied the work card due to MR. SIMPSON's charge for possession of marijuana and his conviction for possession of narcotics paraphernalia in 1989. MR. SIMPSON is applying for a work card for in-home daycare. City Code 6.24.340 requires every person who resides in a home that is 18 years of age or older to obtain a work card. MAYOR JONES confirmed that there have been no problems since 1989.

NOTE: MAYOR JONES directed that the City Attorney's Office research creating a criteria to apply to work card applicants so that convictions extending far into the past and beyond a reasonable period of time would not cause the denial of their application and force them to appeal. It is counterproductive to keep making these people pay for mistakes that occurred long ago and for which they have already paid their debt to society.

CITY MANAGER VALENTINE indicated that staff is working with the City Attorney to provide information on where the Council has discretion in terms of work card appeals. The City Attorney's office has also been asked to put together an information sheet on the recourses for applicants who are denied a work card.

NOTE: COUNCILMAN ADAMSEN instructed CITY ATTORNEY JERBIC that the criteria include a direction to the appellants to submit a detailed letter from the potential employer.

NOTE: COUNCILMAN McDONALD directed staff to resolve whether appeals should be filed to District Court, because the City Council should not be defining the law.

SERGEANT CANNITO clarified that Metro takes child care applications very seriously, as the City Council, and needs to put the facts on the record because people have a right to know who is watching their children.

CITY COUNCIL

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APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 53

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION**

Appeal of Work Card Denial:

Mr. Charles Joseph Simpson
905 Greenbank Street
Las Vegas, NV 89110 - (Continued)

MR. SIMPSON indicated that he is an auto mechanic and would most likely not be at the house during business hours because of his work schedule, but he is required to obtain a work card because it deals with in-home child care. He previously worked for the City of Oregon repairing police, bomb squad, and fire vehicles. He made a mistake and is trying to help his wife start a business where she can watch their children at the same time.

NOTE: COUNCILMAN REESE directed staff to put the criteria together as soon as possible.

COUNCILMAN BROWN indicated that as long as the City Council has the discretion the City Council should be briefed of the appellants' background at least on an individual basis.

There was no further discussion.

(10:57 - 11:04)

1-1879

107

Appeal of Work Card Denial:

Mr. Bob J. West
4615 Lake Mead Boulevard #37
Las Vegas, NV 89115

McDONALD - STRIKE - UNANIMOUS

The appellant was not present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, was present.

There was no discussion.

(11:04)

1-2162

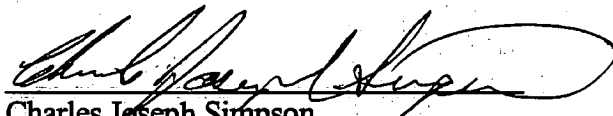
March 29, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

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Sincerely,



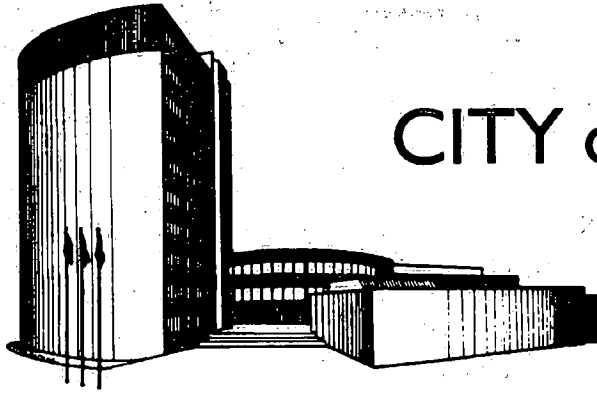
Charles Joseph Simpson
905 Greenbank Street
Las Vegas, NV 89110

RECEIVED
CITY CLERK
1999 MAR 29 P 12:29

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 29, 1999

Charles Joseph Simpson
905 Greenbank Street
Las Vegas, NV 89110

Re: WORK CARD APPEAL

Dear Mr. Simpson:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

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Sincerely,

LINDA OWENS
DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



RECEIVED
CITY CLERK

1999 MAR 19 P 4: 18

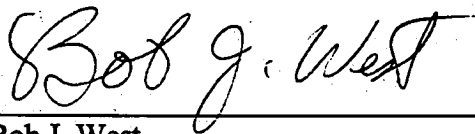
March 19, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

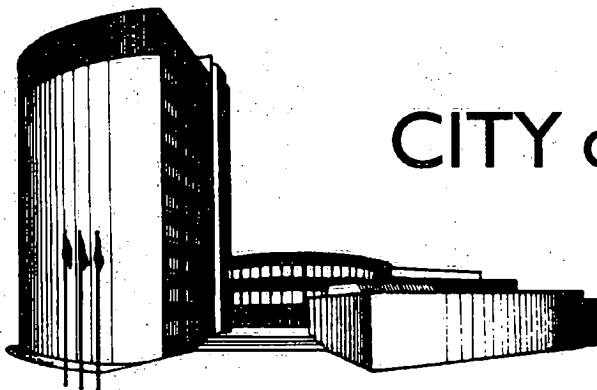


Bob J. West
4615 Lake Mead Bl #37
Las Vegas, NV 89115

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 19, 1999

Bob J. West
4615 Lake Mead Bl. #37
Las Vegas, NV 89115

Re: **WORK CARD APPEAL**

Dear Mr. West:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

GABRIELA PORTILLO-BRENNER
DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 54

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION**

Appeal of Work Card Denial:

108

Ms. Sherry Ann Cates
8304 Apple Glaze Avenue #202
Las Vegas, NV 89128

ADAMSEN - APPROVED with no reviews - UNANIMOUS

The appellant was present, accompanied by CAROL FOLLETTE, Director, Merry Hill Pre-School.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that Metro denied the work card based on MS. CATES' conviction for fraud. However, MS. CATES' supervisor, MS. FOLLETTE, contacted him after the card was denied indicating that she is aware of MS. CATES' conviction and that during the three months MS. CATES worked for her with a temporary work card she was an exemplary employee that she would hate to lose. He recommended a work card be approved for three additional months.

MS. FOLLETTE requested a permanent card since MS. CATES has been an excellent employee.

MAYOR JONES noted that there have been no problems for 13 years. SERGEANT CANNITO indicated he would not object to granting the work card permanently.

There was no further discussion.

(11:04 - 11:06)

1-2174

Appeal of Work Card Denial:

109

Ms. Archye M. Jett
1950 N. Walnut Rd. Apt. 205
Las Vegas, NV 89115

JONES - APPROVED - UNANIMOUS

The appellant was present, accompanied by one of her supervisors, RUBY COLLINS.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, explained that Metro denied the work card due to MS. JETT's conviction for second degree murder of her husband. MS. JETT has been employed as a cook at the Variety Home Day Care for approximately two years. After the denial, the Council requested a temporary work card be issued so that she could continue her employment.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 55

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CITY ATTORNEY - DISCUSSION

Appeal of Work Card Denial:

Ms. Archye M. Jett

1950 N. Walnut Rd. Apt. 205

Las Vegas, NV 89115 - (Continued)

COUNCILMAN REESE noted that SISTER DIANE MAGUIRE, whom he fully trusts, indicated that she is in favor of MS. JETT continuing to work at Variety Day Care. He recommended approval.

MS. COLLINS submitted letters in support of MS. JETT's employment from SISTER DIANE, KIMBERLY BATISTA, Parole Officer, and PASTOR SIMMIE B. RICHARD.

There was no further discussion.

(11:06 - 11:08)

1-2268

RECEIVED
CITY CLERK

1999 MAR 12 P 12:49

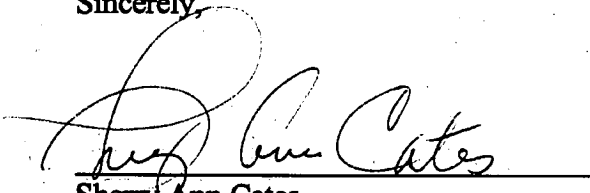
March 12, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

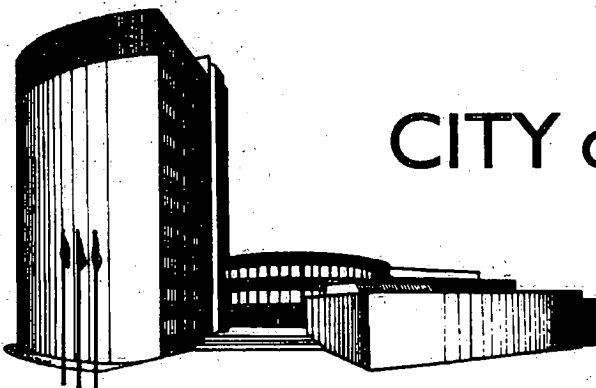


Sherry Ann Cates
8304 Apple Glaze Avenue #202
Las Vegas, NV 89128

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 12, 1999

Sherry Ann Cates
8304 Apple Glaze Avenue #202
Las Vegas, NV 89128

Re: WORK CARD APPEAL

Dear Ms. Cates:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

DONNA WILLEY
DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



RECEIVED
CITY CLERK

1999 MAR 12 P 3:46

March 12, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

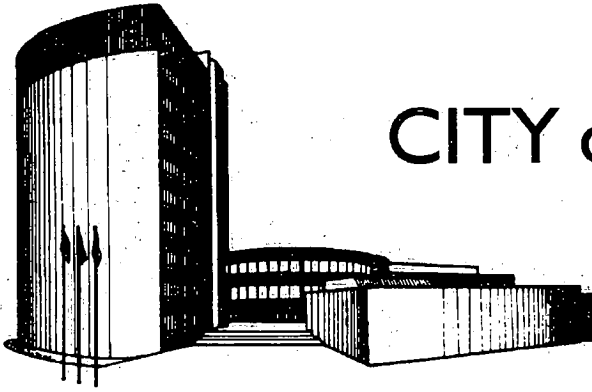


Archye M. Jett
1950 N. Walnut Rd. Apt. 205
Las Vegas, NV 89115

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

March 12, 1999

Archye M. Jett
1950 N. Walnut Rd. Apt. 205
Las Vegas, NV 89115

Re: WORK CARD APPEAL

Dear Ms. Jett:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

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Sincerely,

BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



**Variety Day Home
990 "D" Street
Las Vegas, NV 89106
702-647-4907
Fax 647-4304**

April 6, 1999

Councilmen Gary Reese
400 E. Stewart Ave
Las Vegas, NV 89101

Dear Councilmen Reese, Mayor Jones, and Councilmen:

I am writing on behalf of Archye Jett, who is appearing before your group today to get a waiver to renew her Child Care Police card. Archye Jett has worked as a cook, at Variety Day Home since March 26, 1996. At the time of my hiring her, I was aware that she was a convicted felon for murder, and after interviewing her, I felt that she was a good candidate for total re-entry into the community, after a satisfactory rehabilitation time in prison. She committed her crime, paid her price, and was ready to again take her place in society, as a productive citizen, and a mother.

At that time, I had to write and be willing to have her for the temporary police card of 90 days, and at the end of that time she was issued a permanent "Child Care Police Card."

In March 1999, when Miss Archye Jett went to Metro to again renew her child care police card, the computer kicked it out as not renewable, due to her past felony conviction. They reported that "some how the last time she slipped through the cracks."

I am personally asking that you consider a waiver again, because Archye Jett has been an **exemplary** employee these past three years. She does above and beyond the call of duty in serving the children and families in West Las Vegas. The Variety Day Home and the West Las Vegas Community would suffer a great loss if she were not cooking for our children. The children are fed three times a day, and her services are sorely needed. A cook can make or break any children's center, and Archye sure makes Variety a better place for children.

I will lay my own and the reputation of Variety Day Home on the line, that Archye Jett is completely rehabilitated. The fact that she "slipped through the cracks" to get a card three years ago, "was no accident" in the grand plan for humanity. God knows when to open cracks and let the right people slip through. Please approve this waiver, so Variety Day Home can continue providing good nutritious meals to our children.

Sincerely,

Sister Diane Maguire
Sister Diane Maguire, MA
Executive Director

#109

DISTRICT OFFICES

1301 CORDONE AVENUE ☐
RENO, NEVADA 89502
(702) 688-1000

A. A. CAMPOS BUILDING ☐
215 E. BONANZA ROAD
LAS VEGAS, NEVADA 89101
(702) 486-3001

3920 E. IDAHO STREET ☐
ELKO, NEVADA 89801
(702) 738-4088

119 E. LONG STREET ☐
CARSON CITY, NEVADA 89706
(702) 687-5045

STATE OF NEVADA



DEPARTMENT OF
MOTOR VEHICLES AND PUBLIC SAFETY
DIVISION OF PAROLE AND PROBATION

BOB MILLER
GOVERNOR

DONALD L. DENISON
DIRECTOR

☐ CARLOS C. CONCHA, CHIEF
1445 HOT SPRINGS ROAD, NO. 104
CARSON CITY, NEVADA 89706
(702) 687-5040

To Whom it May Concern:

Anchye Jett has been supervised by this agency since 1-27-96. During this time Ms. Jett has complied with all the terms as set forth in her Parole Agreement. She has reported as directed, paid her monthly supervision fees and maintained stable employment patterns. Ms Jett is currently classified under "minimum" supervision status.

If I can be of any further assistance in this matter, please contact me at 486-3066.

Sincerely,
Kimberly R. Batista, PO II



Bread of Life Ministries
2721 W. Coran
Las Vegas, Nv. 89106

(702) 648-8844

Pastor Simmie B. Richard

Pastor Bessie L. Richard

April 7, 1999

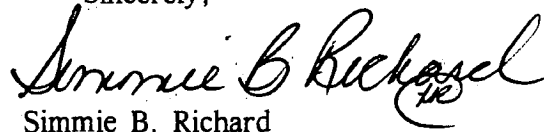
To Whom It May Concern;

This letter is in regards to Ms. Archye Jett. Ms Jett is a member of Bread of Life Ministries and she has been so for a length of time. At this time Ms. Jett is having difficulty concerning her Sheriff's Card.

In looking into the situation, Ms. Jett had no prior history or problems within the judicial system, and while she did experience a serious offense it was not without mitigating circumstances. She also has had no problems or offenses since.

In light of the fact that Ms. Jett has had her child care Sheriff's Card for a three year period without problem or incident it would seem unjust to now deny her the privilege of a renewal. Nevada is a right to work state and Ms. Jett should not be continuously persecuted for situations that she has already paid a price for. Ms. Jett desires to work and have the opportunity to maintain a position in the field of child care. In fairness and in holding to the right to work statutes, Ms. Jett should be afforded this opportunity.

Sincerely,


Simmie B. Richard

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CITY ATTORNEY - DISCUSSION**

Appeal of Work Card Denial:

110

Ms. Kathleen Baca
3520 Strutz Avenue
Las Vegas, NV 89110

**ADAMSEN - ABEYANCE to 4/26/99 - carried with JONES
not voting**

4/26/99 Agenda

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, indicated that MS. BACA was denied a child care work card based on a conviction for aggravated battery, domestic violence. In 1992 MS. BACA, then MRS. ROMERO, was arrested after she hit her husband on the back with a machete after he hit her with a shoe. The police report indicated MR. ROMERO was arrested for simple battery while MS. BACA was arrested and convicted for aggravated battery.

MS. BACA explained that she and her husband got divorced after the incident. She attended counseling and did six months probation. She stressed that she was only trying to protect herself.

COUNCILMAN ADAMSEN asked MS. BACA if she had a letter from her employer and the counseling center that she attended. MS. BACA indicated that she did not have a letter from her employer but she would try to obtain one.

COUNCILMAN ADAMSEN requested a letter from the counseling center as well as a letter from her employer stating their awareness of the exact details of the incident and their willingness to hire her despite it.

There was no further discussion.

(11:08 - 11:10)

1-2340

RECEIVED
CITY CLERK

1999 APR -1 A 11: 27

April 1, 1999

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

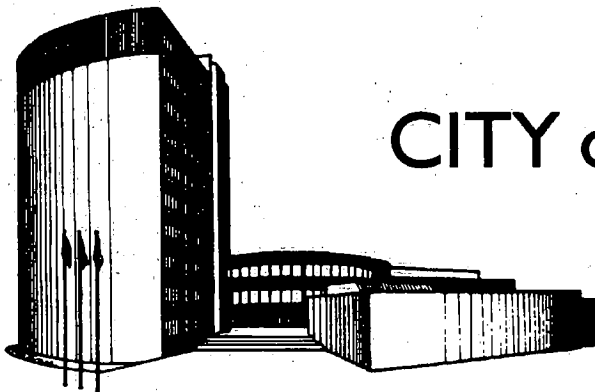
Dear Ms. Ronemus:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

Kathleen Baca
Kathleen Baca
3520 Strutz Avenue
Las Vegas, NV 89110

MAYOR
JAN LAVERTY JONES
COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN
CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

April 1, 1999

Kathleen Baca
3520 Strutz Avenue
Las Vegas, NV 89110

Re: WORK CARD APPEAL

Dear Ms. Baca:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of April 12, 1999.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 10:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION****INDEPENDENT MASSAGE THERAPIST - New**

Discussion and possible action regarding new Independent Massage Therapist License following discussion of the Las Vegas Metropolitan Police Department Investigative Report

111 GRYGORIY SHEVCHENKO
dba
GRYGORIY SHEVCHENKO
4001 Pennwood Avenue, #61

Grygoriy Shevchenko, 100%

ADAMSEN - APPROVED a 60-day license conditioned upon verification of the school, the school transcript, and that MR. SHEVCHENKO attended the school - carried with JONES not voting

The appellant was present, accompanied by his wife.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, was present.

JIM. DiFIORE, Manager, Business Services, indicated that Metro expressed concern regarding the verification of the school and the transcript that was received from the school. A copy of the Russian transcript has been translated to English and it indicates that MR. SHEVCHENKO has the necessary number of hours to obtain the license; however, staff has not been able to verify that the school exists and that he actually attended the school. He recommended a 60-day conditional license allowing staff to work with the applicant to verify that the school exists and that he attended the school.

COUNCILMAN ADAMSEN asked if MR. SHEVCHENKO could take a practical test to prove that he is qualified. MR. DiFIORE responded that currently there is no local agency that would provide that service. Staff is working with a national certification board on establishing a testing process.

There was no further discussion.

(11:10 - 11:13)

1-2448

**CITY COUNCIL & REDEVELOPMENT AGENCY
MEETINGS OF
APRIL 12, 1999**

Page 1

**VERBATIM TRANSCRIPT - ITEM 111: INDEPENDENT MASSAGE THERAPIST - NEW
GRYGORIY SHEVCHENKO, 4001 PENNWOOD AVENUE #61**

MAYOR PRO TEM McDONALD Item 111 - Independent Massage Therapy. Discussion and possible action regarding a new Independent Massage Therapist License following discussion of the Las Vegas Metropolitan Police Department investigation report. Grygoriy Shevchenko – I'm not saying that right.

JIM DiFIORE, BUSINESS SERVICES I believe it's Shevenko.

MAYOR PRO TEM McDONALD There you go.

GRYGORIY SHEVCHENKO Shevchenko.

MAYOR PRO TEM McDONALD Thank you very much. Apologize for my wrong enunciation.

JIM DiFIORE, BUSINESS SERVICES Mayor Pro Tem and members of the Council, the item here today has an area of concern with Metro. Not on the suitability of the applicant, but on the verification of the school and verification of the transcript that we have received from the school that he has completed his required hours of schooling for the massage therapist license. We do have a copy of the transcript in Russian that has been translated to English. And we do have an independent review of the translation that shows that he does have the qualified number of hours for the schooling to be able to obtain this license. However, we have not been able to verify that the school exists and verify that he actually attended that school.

My recommendation would be to have a 60-day conditional license, conditional upon us working with the applicant to verify that the school exists and verify that he did indeed attend – the school.

MAYOR PRO TEM McDONALD No disrespect, but, Grygoriy, I can't pronounce your last name right, so I don't want to insult you again. Comments?

COUNCILMAN ADAMSEN One quick comment. Do we have a State Board of Examiners in this area? Or do we have a body that could give us an independent judgment if he was to take a practical test? Do we have anything in this area?

JIM DiFIORE, BUSINESS SERVICES Not – in the State of Nevada. We do have and are aware of a National Certification Board, which we are working with on possible future code amendments, to have them test for it. And, --

COUNCILMAN ADAMSEN But we don't have it yet.

JIM DiFIORE, BUSINESS SERVICES We don't have it yet.

CITY COUNCIL & REDEVELOPMENT AGENCY
MEETINGS OF
APRIL 12, 1999

Page 2

VERBATIM TRANSCRIPT - ITEM 111: INDEPENDENT MASSAGE THERAPIST - NEW
GRYGORIY SHEVCHENKO, 4001 PENNWOOD AVENUE #61

COUNCILMAN ADAMSEN

And your recommendation?

JIM DiFIORE, BUSINESS LICENSE

Is a 60-day conditional, conditional upon us working with Mr. Shevchenko and trying to verify that he did attend the school and also that the transcript is -- authentic.

COUNCILMAN ADAMSEN

'Kay. No questions or comments, Mayor Pro Tem, I'd **move to follow that recommendation.**

MAYOR PRO TEM McDONALD

There's a motion on the floor. Cast your votes. Post. Motion's approved. **(Motion carried unanimously with Jones not voting).** Thank you. Good luck.

GRYGORIY SHEVCHENKO

Thank you.

(END OF DISCUSSION)

/vwd

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION**LIQUOR - Approval of Manager

Discussion and possible action regarding approval of Manager for Beer/Wine/Cooler Off-Sale Liquor License following discussion of the Las Vegas Metropolitan Police Department Investigative Report

112

GALAXY SHORES, INC.
dba
DESERT SHORES TEXACO
2021 North Buffalo Drive

James J. Palmucci, Gen Mgr

McDONALD - DENIED - UNANIMOUS

The applicant was not present.

JIM DiFIORE, Manager, Business Services, was present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, reported that in 1993 a jury in Ocean County indicted MR. PALMUCCI for one count of sexual assault - second degree, one count of criminal sexual conduct - fourth degree, and one count of endangering the welfare of a child - third degree. On two occasions in 1993, MR. PALMUCCI reportedly touched the 13-year-old friend of his daughter in a sexual fashion. On June 28, 1993, he pleaded guilty to one count of endangering the welfare of a child. MR. PALMUCCI admitted that he was suffering from a mid-life crisis and that he had only fondled the child one time. On September 10, 1993, MR. PALMUCCI was convicted of the endangering charge and was sentenced to three years probation and a \$2,500 fine. On April 6, 1999, MR. PALMUCCI was denied a Finding of Suitability as a key employee by the County Commission based on the nature of the business and having so much activity with children. In addition to the normal traffic created by children at convenience stores, Cimarron High School is located nearby.

COUNCILMAN BROWN asked if MR. PALMUCCI has been cited for working without a license. MR. DiFIORE indicated that MR. PALMUCCI would be notified of the denial and if he is found working without a work card subsequent to that, he would be cited.

COUNCILMAN ADAMSEN noted that he wants to make sure that MR. PALMUCCI cannot obtain a work card. SERGEANT CANNITO stated that under City Code MR. PALMUCCI has the right to appeal.

There was no further discussion.

(11:13 - 11:16)

1-2567

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 59

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION**

LIQUOR - Change of Ownership/Change of Business Name/Request For Temporary License
GAMING - New/Request for Temporary License

113

Discussion and possible action regarding a request for a temporary approval of a change of ownership and business name on a Tavern Liquor License and a new temporary Restricted Gaming License for 15 slots subject to the provisions of the planning and fire codes and Health Department regulations

From: Muldoon's, Inc.

dba

Pepe Muldoon's Mexican & Irish Pub

Angelo A. Lardas, Dir, Pres, Secy, Treas,
100%

TO: H & B ENTERPRISES INC.

dba

BAILEY'S

4341 North Rancho Drive

Henry G. Nogiec, Dir, Pres, 75%

Toby D. Fleharty, Secy, Treas, 25%

Approved by the Nevada Gaming Commission
on March 25, 1999

ADAMSEN - Motion to bring forward and STRIKE Items 40, 43, and 93, and Hold in ABEYANCE Item 113 to 4/26/99 - UNANIMOUS with JONES excused

4/26/99 Agenda

There was no discussion.

(10:18 - 10:19)

1-449

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

APRIL 12, 1999

TO:

City Council

FROM:

Michael H. Olson
MARK R. VINCENT, DIRECTOR

DEPT. OF FINANCE & BUSINESS SERVICES

SUBJECT:

LIQUOR - Change of Ownership/Change of Business Name/Request For Temporary License

GAMING - New/Request For Temporary License

PURPOSE/BACKGROUND

Appearing on the Department of Finance & Business Services portion of the agenda is an application for temporary approval of a change of ownership and business name on a tavern liquor license and new restricted gaming license for 15 slots submitted by H & B Enterprises, Inc. dba Bailey's, 4341 North Rancho Drive.

The applicant is requesting approval of temporary licenses as provided by LVMC 6.02.070(E) as amended July 13, 1998. This subsection was amended to read as follows:

..."The provisions of this Section authorizing the issuance of a temporary business license do not apply to any business subject to the provisions of Chapter 6.06 of this Title or to any business which requires formal approval by the City Council unless:

...(2) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable investigative fees;

(3) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(4) The City Council approves the issuance of a temporary business license."

The principals of H & B Enterprises, Inc. submitted all of the required documentation and paid all applicable fees for investigation on February 24, 1999. These principals were investigated and approved for suitability by the Board of Clark County Commissioners for a gaming license for The Cue Club, 953 East Sahara Avenue, Suite 15A. Mr. Nogiec was approved on May 19, 1994 and Mr. Fleharty was approved on April 30, 1997. In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with these principals, this item will be brought back before the Council for appropriate action.

FISCAL IMPACT**RECOMMENDATIONS**

Approval with favorable preliminary finding on suitability of applicants by Metro.

Agenda Item

113

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 60

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****IV. RESOLUTIONS - DISCUSSION**

114

R-32-99 - Discussion and possible action to approve a Resolution in support of the Latin Chamber of Commerce and Nevada H.A.N.D. for partnership activities improving opportunities for the community

REESE - APPROVED - UNANIMOUS

MARTIN TOLEDO, Neighborhood Services, read the Resolution. He indicated that through the inception of COUNCILMAN REESE several agencies collaborated in a project that will bring benefits to the residents of the City of Las Vegas, primarily in the east part of Las Vegas.

ROSE DOMINGUEZ, Latin Chamber of Commerce, expressed appreciation to the City Council on behalf of the Latin Chamber of Commerce and the Board of Directors for having the foresight in realizing that the downtown area is vital to the community and was in dire need of redevelopment. Through the assistance of COUNCILMAN REESE, MR. TOLEDO, and SUSIE MARTINEZ of COUNCILMAN REESE's office, the Latin Chamber was able to establish a partnership with MIKE MULLEN, Nevada H.A.N.D. CEO. She especially thanked COUNCILMAN REESE for his involvement.

MR. MULLEN thanked the City Council for its assistance.

COUNCILMAN REESE thanked MS. DOMINGUEZ and MR. MULLEN for working on this project that means so much to the redevelopment of the area. It will attract a lot of new businesses.

There was no further discussion.

(11:16 - 11:21)

1-2725

115

R-33-99 - Discussion and possible action to approve a Resolution confirming the City's support of the Reed Amendment to restore the Community Development Block Grant (CDBG) funding

McDONALD - APPROVED - UNANIMOUS

SHARON SEGERBLOM, Director of Neighborhood Services, explained that the Senate Budget Committee for FY 2000 called for a deep cut in the budget category for CDBG. The City received almost \$4 million last year in CDBG funds. She requested approval.

MAYOR JONES noted that CDBG is the last source of funding to cities from the Federal Government. Losing the funds would be disastrous.

MS. SEGERBLOM indicated that the City lobbyists, League of Cities, and the Council of Mayors are all working toward making sure that funding is restored.

There was no further discussion.

(11:21 - 11:23)

1-2994

RESOLUTION R-32-99**RESOLUTION IN SUPPORT OF THE LATIN CHAMBER OF COMMERCE AND NEVADA H.A.N.D. FOR PARTNERSHIP ACTIVITIES IMPROVING OPPORTUNITIES FOR THE COMMUNITY**

WHEREAS, the City of Las Vegas ("City") recognizes the innumerable opportunities and benefits local non-profit agencies provide to residents of the City of Las Vegas; and

WHEREAS, as funding allocation opportunities become more restrictive and competition for available dollars increases, the demand for services upon non-profit agencies rises; and

WHEREAS, the innovative approach of the Latin Chamber of Commerce and Nevada H.A.N.D. in entering into partnership activities have created, improved and provided opportunities for the community; and

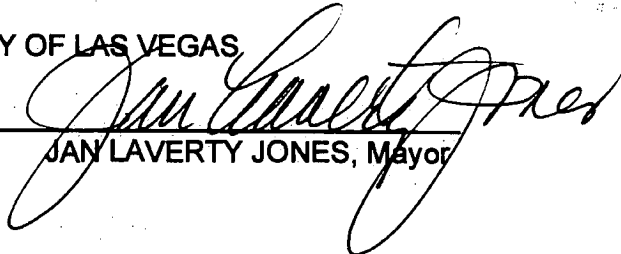
WHEREAS, the City recognizes the partnering activities of the Latin Chamber of Commerce and Nevada H.A.N.D. which will set a precedent for other local non-profit agencies to emulate and follow and, thereby, increasing the ability and capacity of the agencies to provide opportunities and benefits to a larger segment of residents of the City of Las Vegas.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED, DETERMINED AND RESOLVED by the City Council of the City of Las Vegas, Nevada as follows:

The City supports and encourages the partnership activity of the Latin Chamber of Commerce and Nevada H.A.N.D. in creating, improving and providing opportunities for the community and applauds the efforts of the partnership role modeling with a desire that it extend to establish other partnerships among local non-profit agencies.

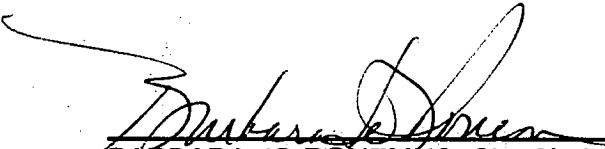
PASSED, APPROVED AND ADOPTED this 12th day of April, 1999.

CITY OF LAS VEGAS

By: 

JAN LAVERTY JONES, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 4/1/99
Date

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

V. REPORTS FROM RECOMMENDING COMMITTEES - DISCUSSION**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

116

Bill No. 99-13 -- Increases the number of City Council wards and corresponding seats from four to six, subject to voter approval. Sponsored by: Councilman Arnie Adamsen

Committee: Councilmen Adamsen and McDonald

First Reading - 3/22/99

Recommending Committee - 3/29/99

ADOPTION at 4/12/99 Council meeting

First Publication - 4/1/99

(Fiscal Impact: Initial cost of \$170,000, with an estimated \$550,240 in annual costs thereafter)

ADAMSEN - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5137 - UNANIMOUS

APPEARANCES:

CITY ATTORNEY JERBIC

TOM McGOWAN, 720 South Casino Center Boulevard

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(11:23 - 11:27)

1-3066

CITY COUNCIL

MEETING OF

MARCH 22, 1999

AGENDA DOCUMENTATION

TO:
City Council

FROM: *WJR* Bradford R. Jerbic
City Attorney

SUBJECT: Bill No. 99-13 -- Increases the number of City Council wards and corresponding seats from four to six, subject to voter approval.

PURPOSE/BACKGROUND

The Nevada Legislature is presently considering a bill (SB 274) which would expand the number of City Council wards from four to six. SB 274 would require the additional wards to be created, and new councilmen appointed to the corresponding seats, by January 1, 2000. In 2001, both seats would be up for election, with one seat having an initial term of two years. Thereafter, each of the new seats would have four-year terms.

As an alternative to the adoption of SB 274, a proposal has been made to have the City itself create the additional wards if the voters approve the idea in connection with an advisory question to be placed on the ballot for the City's general election in June. This bill, if adopted as an ordinance, would commit the City Council to that proposal by creating the additional wards, subject to voter approval. The ordinance would become effective if and only if the ballot question passed. If the ballot question did not pass, the ordinance would have no effect.

FISCAL IMPACT

The addition of two wards would have an approximate initial cost of \$170,000, with an estimated \$550,240 in annual costs thereafter.

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

CITY COUNCIL & REDEVELOPMENT AGENCY
MEETINGS OF
APRIL 12, 1999

Page 1

VERBATIM TRANSCRIPT - ITEM 116: BILL NO. 99-13

MAYOR JONES

Item 116 is Bills Eligible for Adoption. We have Bill No. 99-13.

COUNCILMAN ADAMSEN

We'd like it read, please, Your Honor.

CITY ATTORNEY JERBIC

Thank you. Bill No. 99 dash 13, an ordinance relating to the number of wards within the City and corresponding seats on the City Council, increasing the number of City Council wards and corresponding City Council seats from four to six, amending Title 2, Chapter 2, Sections 10 and 20 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, to indicate the years in which the respective seats are up for election, providing for the establishment of the boundaries of the additional wards, and for the interim appointment of Council, Councilmen to represent those wards until the next effective City general election, providing that this ordinance become effective upon the approval of the advisory ballot question on the subject of the City general election in June of 1999, providing for other matters properly relating thereto and repealing all ordinances and conflicts of ordinances in conflict therewith.

COUNCILMAN ADAMSEN

Yes, Your Honor, would move for the adoption of Bill 99-13, with the additional note that, as the City Attorney stated, this is subject to ratification by the voters of the City of Las Vegas.

TOM MCGOWAN

Tom McGowan, 720 South Casino Center Boulevard. This bill is a politically expedient delaying tactic on the part of the Council in avoidance of the assumption of the responsibility to immediately expand the City Council by two additional seats and wards and to appoint two ward representatives to fill the two additional Council seats as incumbents more than two years in advance of the next municipal election. Timely expansion would enhance the potential for appointment of ward representatives of minority racial, ethnic, and cultural heritage attribution as incumbent candidates. Advantage in terms of the positive potential of subsequent successful election as members of the City Council.

Evidently four of the five Council seats are about to be filled (inaudible) by election, re-election or appointment to incumbent candidate status. In the instance of immediate expansion, a total of six of the seven Council seats --

MAYOR JONES

Tom, could we wrap this. This isn't a public hearing. So, just -- we understand your point. You don't like --

TOM MCGOWAN

Ma'am, you may have wrapped it up already, for a great many people.

**CITY COUNCIL & REDEVELOPMENT AGENCY
MEETINGS OF
APRIL 12, 1999**

Page 2

VERBATIM TRANSCRIPT - ITEM 116: BILL NO. 99-13

MAYOR JONES

Thank you very much.

TOM McGOWAN

Wait. What this says here is people have a right to see something up here who looks like them and relate to them. Just like you do and I do.

MAYOR JONES

Thank you, Tom. People also have a right to vote on what their choices are.

TOM McGOWAN

Yeah. Censorship is the worst thing you can do.

MAYOR JONES

Tom, enough.

TOM McGOWAN

And that's what this is.

COUNCILMAN ADAMSEN

And, Your Honor, -- sorry.

MAYOR JONES

Councilman Brown, did you have a comment?

COUNCILMAN BROWN

A couple of comments. And just to clarify for the record, what's before us today, at least in this ordinance is whatever that advisory question moves forward, whatever the people decide, there is no discretion. If they move forward and approve it, we enlarge the Council. If they deny it, we do not. Just wanted to make sure I understood that.

And then as a side note, one of the things that, understanding some of the history behind this, I'll support the ordinance. But I still raise some concern when our -- ability to make judgments, our discretion to vote on things up here are taken from us and either mandated or dictated at the State level. This one I think has been crafted in the right way. I would not want to see too many more coming along the lines of when the State decides to tell us how to run the City. I just, I don't think that's appropriate. And this one again, if the people are willing to vote yea or nay, then we'll support that vote. I just don't want to get us, ourselves in a position again where other people are dictating how we will run the City from a policy standpoint.

COUNCILMAN ADAMSEN

I concur, Councilman Brown. And without starting a debate, I disagree with Mr. McGowan, because the fiscal note on this is a minimum of \$550,000 per year that will increase incrementally in the future. That is why it's important that we go to the voters. Let them decide whether or not the money is to be spent.

MAYOR JONES

Bill No. 99-12 --

COUNCILMAN ADAMSEN

Vote? Have we voted yet?

**CITY COUNCIL & REDEVELOPMENT AGENCY
MEETINGS OF
APRIL 12, 1999**

Page 3

VERBATIM TRANSCRIPT - ITEM 116: BILL NO. 99-13

MAYOR JONES

Oh, vote on the motion. Post. Motion's approved. (Motion carried unanimously.)

(END OF DISCUSSION)

/vwd

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

V. REPORTS FROM RECOMMENDING COMMITTEES - DISCUSSION**BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

117

Bill No. 99-12 – Amends Zoning Code to set forth the zoning districts in which tattoo parlors are permitted either as a matter of right or by means of special use permit. Sponsored by: Councilman Michael McDonald

Committee: Councilmen Adamsen and McDonald

First Reading - 3/22/99

Recommending Committee - 3/29/99

ADOPTION at 4/26/99 Council meeting as First Amendment

First Publication -

RECOMMENDATION NOTED

4/26/99 Council Agenda

(11:27)

CITY COUNCIL

MEETING OF

APRIL 26, 1999

AGENDA DOCUMENTATION

TO:
City Council

FROM: Bradford R. Jerbic
[Signature] City Attorney

SUBJECT: Bill No. 99-12 -- Amends the Zoning Code to set forth the zoning districts in which tattoo parlors are permitted either as a matter of right or by means of special use permit.

PURPOSE/BACKGROUND

Currently, there is no separate zoning category for a tattoo parlor. Such a use currently would be treated as the equivalent of some category deemed similar in operation and impact. This bill recognizes the unique nature of a tattoo parlor and establishes that such use will be allowed as a matter of right in the C-M and M zoning districts, and by means of a special use permit in the C-2 zoning district.

FIRST AMENDMENT

At its meeting of March 29, 1999, the Recommending Committee approved an amendment that would include body piercing studios within the scope of this bill. The First Amendment to this bill incorporates that recommendation.

FISCAL IMPACT

None

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

VI. REPORTS FROM REAL ESTATE COMMITTEE - DISCUSSION**REAL ESTATE COMMITTEE - COUNCILMEN ADAMSEN AND REESE**

118

Discussion and possible approval of an agreement to void or assign a ground lease agreement for land adjacent to Floyd Lamb State Park with the State of Nevada, previously approved by the City Council on April 27, 1998

REAL ESTATE COMMITTEE - 3/29/99
APPROVED as recommended

(Fiscal Impact: Gain of Asset - \$4 million)

BROWN - APPROVED as recommended - UNANIMOUS

COUNCILMAN ADAMSEN reported that this would complete the transfer of 240 acres back to the State in exchange for 320 acres of BLM property for a future regional park in the Northwest.

There was no further discussion.

(11:27 - 11:28)

1-3307

119

Discussion and possible approval of first amendments to lease agreements between the City of Las Vegas and various tenants located at the Las Vegas Business Center

REAL ESTATE COMMITTEE - 3/29/99
APPROVED as recommended

ADAMSEN - APPROVED as recommended - UNANIMOUS

COUNCILMAN ADAMSEN stated this is a housekeeping item to bring some of the addresses in the incubator into concurrence with the changes made by the post office.

AL GALLEGOS, citizen of Las Vegas, requested that all vacant City-owned property be fenced to keep people from trashing these properties.

There was no further discussion.

(11:28 - 11:29)

1-3354

RESOLUTION R-33-99**RESOLUTION CONFIRMING THE CITY'S SUPPORT TO THE REED
AMENDMENT TO RESTORE THE CDBG FUNDING**

WHEREAS, pursuant to Title I, Housing and Community Development Act of 1974, as amended (42 U.S.C. 5300-5320); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535 (d)), the Community Development Block Grant Program (CDBG) was established to build stronger communities across the nation; and

WHEREAS, the City of Las Vegas ("City") since the inception of the CDBG program has been a participating community and has availed itself of the federal funds to improve the lives of low and moderate income residents through the construction of affordable housing, improvement of infrastructure and public facilities for Senior citizens, challenged youth, persons with disabilities and homeless persons and provision of critically needed public services for low and moderate income residents through partnering with local and national non-profit agencies; and

WHEREAS, in 1999, the CDBG program is celebrating its 25 year anniversary of assistance to deserving individuals and communities across the nation and the City in its corresponding 25 year anniversary of involvement with the CDBG program is desirous of continuing its commitment to the less fortunate members of our community; and

WHEREAS, there exists presently a United States Senate Budget Committee FY 2000 budget resolution (Function 450) calling for a deep cut in the budget category for the CDBG Program that will, in effect, eliminate community planning and development programs such as CDBG; and

WHEREAS, the City recognizes the invaluable and immeasurable benefit the CDBG Program has contributed to members of our community over the course of 25 years and the discontinuance of the CDBG Program will have a tremendous detrimental effect upon low and moderate income residents of the City; and

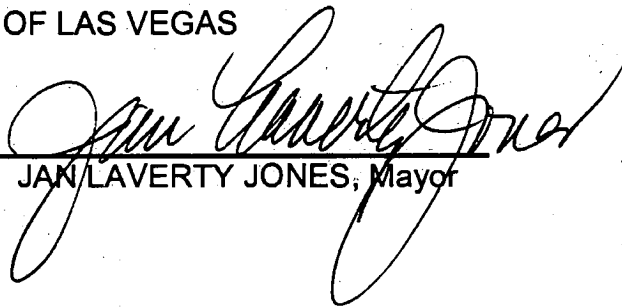
WHEREAS, an amendment has been offered to the Senate Budget Resolution, Function 450, by Senator Jack Reed to restore the budget cut.

NOW, THEREFORE, IT IS HEREBY ACKNOWLED, DETERMINED AND RESOLVED by the City Council of the City of Las Vegas, Nevada as follows:

The City supports and encourages the Reed Amendment to restore the CDBG budget cut under Senate Budget Resolution, Function 450, ensuring the continuation of the CDBG program at the national and local level and furthering the City's commitment to serving our low and moderate income residents.

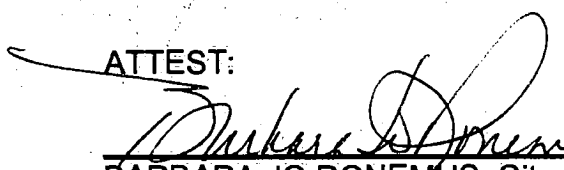
PASSED, APPROVED AND ADOPTED this 12th day of April,
1999.

CITY OF LAS VEGAS

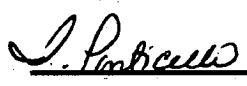
By: 

JAN LAVERTY JONES, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 3/31/99
Date

AGENDA DOCUMENTATION

MEETING OF
April 12, 1999

TO:

CITY COUNCIL

FROM:

DAVID ROARK, MANAGER
REAL ESTATE & ASSET MANAGEMENT
DIVISION

SUBJECT: Discussion and possible approval of an agreement to void or assign a ground lease agreement for land adjacent to Floyd Lamb State Park with the State of Nevada, previously approved by the City Council on April 27, 1998

BACKGROUND:

In February 1998, the State Lands Division approved an "Assignment of Lease" to the City of Las Vegas for 240 acres of land located within the perimeters of Floyd Lamb State Park. This lease, (Exhibit "A"), restricted use of the property to be used solely for building a zoo and botanical purposes. After approval was granted by the State, staff entered into negotiations with the State to trade this Lease Assignment for other acreage outside the perimeters of the State Park (which would be mutually beneficial to the Division of State Parks and the City) for land the State of Nevada has a lease on, from the Bureau of Land Management.

An agreement has been reached as evidenced by a Memorandum of Understanding (Exhibit "B") attached to this item as back-up documentation. The agreement will basically allow for the following:

- The City will release and void its "Assignment of Lease" on 240 acres of land, thus returning the land to the State of Nevada.
- The State will allow the assignment of their BLM lease on 320 acres (Exhibit "C") to the City of Las Vegas.

This benefits the State by allowing the State use of this property as they deem necessary within the State Park. It benefits the City of Las Vegas in two ways: 1) Any improvements performed have a limited use that inhibits our ability to construct necessary parks and open spaces in the area. The improvements to be performed would eventually be turned over to the State when the existing lease expired, thus giving the State City-invested capital. 2) Acquiring the BLM property allowed the City the option to invest capital improvements in many different ways and take ownership of those improvements.

Upon approval from the BLM to the City of Las Vegas for the lease on the 320 acres of land, staff received permission from the Mayor and Council to cancel and void our "Assignment of Lease" on the 240 acres of land. The attached document, Agreement to Void or Assign Ground Lease Agreement Back to the State of Nevada, completes the transaction with the State of Nevada.

FISCAL IMPACT:

Gain of Asset--\$4,000,000.00.

STAFF RECOMMENDATION

The Real Estate & Asset Management Division recommends approval to Void or Assign the Ground Lease to the State of Nevada.

041299 cc assign to state

AGREEMENT TO VOID OR ASSIGN
GROUND LEASE AGREEMENT BACK TO THE STATE OF NEVADA

This AGREEMENT OF ASSIGNMENT (the "Assignment" herein), made and entered into this 16th day of April, 1999, by and between THE STATE OF NEVADA, LANDS DIVISION, (hereinafter referred to as the "STATE"), and THE CITY OF LAS VEGAS, a municipal corporation (hereinafter referred to as the "CITY"),

WHEREAS, The CITY and The ZOOLOGICAL SOCIETY OF NEVADA entered into that certain GROUND LEASE AGREEMENT (herein "AGREEMENT") dated January 8th, 1975, attached as Exhibit "A" and;

WHEREAS, The ZOOLOGICAL SOCIETY OF NEVADA assigned its position as lessee to FOR THE BIRDS, INC. DBA SOUTHERN NEVADA ZOOLOGICAL PARK by means of an agreement dated January 8, 1975 and;

WHEREAS, The CITY assigned its position as lessor in the AGREEMENT to the STATE by Grant, Bargain and Sale Deed recorded November 22, 1977, as Document 773361 in Book 814 of the Official Records of Clark County, Nevada; and means of resolution dated February 2, 1977 and;

WHEREAS, FOR THE BIRDS, INC. DBA SOUTHERN NEVADA ZOOLOGICAL PARK assigned its position as lessee in the AGREEMENT to the CITY by means of that certain AGREEMENT OF ASSIGNMENT dated January 22, 1998 and;

WHEREAS, The CITY and The STATE, signed a MEMORANDUM OF UNDERSTANDING (herein "MEMO"), dated April 16, 1998, attached as Exhibit B, which obligates the City to void the AGREEMENT, in Exhibit A, if the City were to assume the lessee position on 320 acres of BLM land leased by the STATE and;

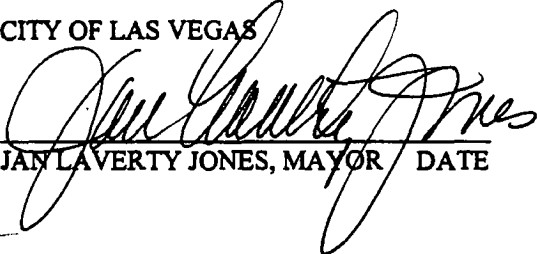
WHEREAS, The CITY has the Lessee position on the 320 Acres mention in the MEMO;

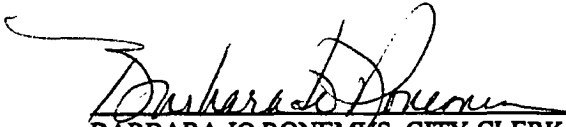
WITNESSETH, that for good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged by each of said parties, said parties do hereby agree as follows:

1. The CITY hereby assigns, transfers and sets over to the STATE its position as lessee in the AGREEMENT, together with all the rights, benefits, duties and obligations pertaining to said AGREEMENT.
2. The STATE hereby accepts the assignment and transfer to it by the CITY of all the CITY's right, title and interest in, to and under the AGREEMENT in accordance with the above paragraph.

IN WITNESS WHEREOF, the parties hereto have caused this ASSIGNMENT to be executed by their duly authorized representatives the day and year first above written

CITY OF LAS VEGAS


 JAN LAVERTY JONES, MAYOR DATE


 BARBARA JO RONEMUS, CITY CLERK

STATE OF NEVADA, LANDS DIVISION

APPROVED AS TO FORM:


 Deputy City Attorney Date


 DATE

On April 12, 1999
Before me, a Notary Public personally appeared
JAN LAVERTY JONES, personally known to me
(or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to this
instrument, and acknowledged that he (she or they)
executed it.

Signature

Vicky Darling
(Notary Public)

(Notarial Seal)

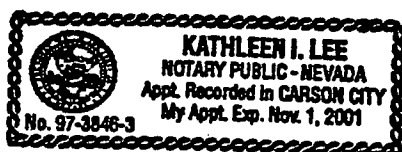


On April 19th, 1999
Before me, a Notary Public personally appeared
Pamela B. Wilcox, personally known to me
(or proved to me on the basis of satisfactory evidence)
to be the person whose name is subscribed to this
instrument, and acknowledged that he (she or they)
executed it.

Signature

Kathleen I. Lee
(Notary Public)

(Notarial Seal)



GROUND LEASE AGREEMENT

THIS LEASE AGREEMENT, executed this 8th day of January, 1975, by and between THE CITY OF LAS VEGAS, a municipal corporation, and ZOOLOGICAL SOCIETY OF NEVADA, hereinafter called respectively "CITY" and "SOCIETY", without regard to number or gender.

(A) DEMISE: Subject to all covenants and conditions hereinafter set forth, CITY hereby leases to SOCIETY, and SOCIETY leases from CITY, for the purpose of developing, operating and maintaining zoological and botanical exhibits, and uses associated therewith, those certain premises, together with appurtenances thereto, situated in the County of Clark, State of Nevada, as described in Exhibit A, attached hereto and incorporated herein by this reference.

(B) TERM: The term shall be for a period of ninety-nine (99) years, commencing on January 8, 1975, and ending on January 8, 2074.

(C) RENT: SOCIETY shall pay to CITY, at the Office of the City Treasurer, 400 East Stewart Avenue, Las Vegas, Nevada, 89101, the following rent: One Dollar (\$1.00) per year, payable annually on the anniversary of this Lease.

(D) COVENANTS AND CONDITIONS:

1. USES. SOCIETY shall not use or permit the use of said premises for any purpose or purposes other than the purposes for which said premises are hereby leased.

2. IMPROVEMENTS, REPAIRS, ALTERATIONS. SOCIETY agrees to take good care of the leased premises, fixtures and appurtenances, and all of the alterations, additions and improvements and make all repairs in and about the same that may be necessary to preserve them in good order and condition. SOCIETY may construct major improvements, may make major alterations, modifications or repairs to existing improvements or demolish or

remove major improvements with the prior written authorization of the City Manager and only in accordance with plans and specifications submitted to and approved by the City Manager prior to the commencement of construction. As used herein "major" means that the construction, demolition, removal or other alteration shall constitute a departure from the then current master plan or operating agreement. CITY shall not be required to make any improvements, repairs or alterations.

3. REMOVAL OF IMPROVEMENTS. CITY agrees that all fixtures and improvements hereafter installed by SOCIETY shall be and remain the property of SOCIETY during the term of this Lease. SOCIETY shall have the right to remove said fixtures and improvements prior to expiration or any other termination at SOCIETY'S own expense, provided that any damage to CITY'S property or improvements shall be repaired and the premises left in as good order and condition as when SOCIETY took possession of the leased premises. Title to any property, real or personal, not removed by SOCIETY prior to the end of the term of this Lease shall vest in CITY.

4. MECHANIC'S LIEN BOND. SOCIETY shall save CITY free and harmless and indemnify CITY against all claims for labor and materials in connection with improvements, repairs or alterations to the leased premises and the cost of defending such claims, including reasonable attorney's fees, excluding any such claims resulting from work performed by CITY or by CITY'S contractors.

5. ENTRY AND INSPECTION. CITY reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition thereof, or to protect CITY'S interest in said premises or to inspect the operations conducted thereon. In the event that such entry or inspection by CITY discloses that said premises are not in a safe and healthy condition as specified by current USDA standards, CITY shall have the right, after sixty (60) days' written notice to SOCIETY, to have any necessary maintenance work done at the expense of SOCIETY, and SOCIETY hereby agrees to pay promptly any and all costs incurred by CITY in having such necessary maintenance work done in order to put said premises in a safe and healthy condition. Provided, however, CITY agrees not to initiate any such work at SOCIETY'S expense, in the event that SOCIETY causes such work to be commenced within sixty (60) days of said notice, and diligently pursues completion thereof.

within a reasonable time to be determined by CITY. The rights reserved herein shall not create any obligations on CITY or increase obligations elsewhere in this Lease imposed on CITY.

6. ASSIGNMENT. SOCIETY shall not assign this Lease, or any interest therein without the prior written consent of the CITY. A consent to one assignment, to one person, shall not be deemed to be a consent to any subsequent assignment to another person. Any such assignment, without such consent, shall be void, and shall, at the option of CITY, terminate this Lease. This Lease shall not, nor shall any interest therein, be assignable, as to the interest of SOCIETY, by operation of law, without the written consent of CITY. SOCIETY may sublet a portion of the premises to concessionaires with the prior consent of the City Commission.

7. COMPLIANCE WITH LAW. SOCIETY shall, at its sole cost and expense, comply and secure compliance with the requirements of municipal, county, state and federal authorities now in force, or which may hereafter be in force, pertaining to the said premises, or the operations conducted thereon, and shall faithfully observe, and secure observance with, in the use of the premises, municipal ordinances, county, state and federal laws and regulations now in force or which may hereafter be in force, and shall pay before delinquency all taxes, assessments and fees assessed or levied upon the SOCIETY or the leased premises by reason of any buildings, structures, machines, appliances or other improvements of any nature whatsoever, erected, installed, or maintained by SOCIETY or by reason of the business or other activities of SOCIETY upon or in connection with said demised premises. The judgment of any court of competent jurisdiction, or the admission of SOCIETY or any sublessee or permittee in any action or proceeding against them or any of them, whether CITY be a party thereto or not, that SOCIETY, sublessee or permittee has violated any such ordinance, law or regulation in the use of said premises shall be conclusive of the fact as between CITY and SOCIETY.

8. UTILITIES. SOCIETY shall order and obtain all utilities and other services necessary or desirable for SOCIETY'S use of said premises and all costs, including installation and service charges in connection therewith, shall be borne by SOCIETY without expense to CITY therefor.

CNS. Time is of the essence. Each and all of the terms and provisions of the Lease and this Lease shall inure to the benefit of and be binding upon the parties hereto and any successors of SOCIETY as fully and to the extent as though specifically mentioned in each instance, and all covenants, stipulations and agreements in this Lease shall extend to and bind any assigns or sublessees of SOCIETY.

10. WAIVER. The waiver by CITY of any breach of any term, covenant or condition herein shall not be deemed to be a waiver of such term, covenant or condition, or any subsequent breach of the same or any other term, covenant or condition of this Lease, other than failure of SOCIETY to pay the particular rent so accepted, regardless of CITY'S knowledge of such preceding breach at the time of acceptance of such rent, nor shall any failure on the part of CITY to require the exact full and complete compliance with any of the covenants or conditions of this Lease be construed as changing such covenant or condition in any manner or to prevent CITY from enforcing the full provisions hereof.

11. MERGER. The voluntary or other surrender of this Lease by SOCIETY, or a mutual cancellation thereof, shall not work a merger, and shall, at the option of CITY, terminate all or any existing subleases, or may, at the option of CITY, operate as an assignment to it of any or all such subleases or subtenancies.

12. CONTROL AND ADMINISTRATION OF LEASE; NOTICES. Control and administration of this Lease is under the jurisdiction of the City Commission as to CITY'S interest herein and any communications relative to the terms or conditions or any changes thereto or any notices provided for by this Lease or by law to be given or served upon CITY may be given or served by letter deposited in the United States mails, postage prepaid, and addressed to the City Manager. Any notice or notices provided for by this Lease or by law to be given or served upon SOCIETY may be given or served by depositing in the United States mails, postage prepaid, a letter addressed to SOCIETY at the address stated in the commencement hereof, or may be personally served upon SOCIETY, or any person hereafter authorized by SOCIETY to receive such notice. Any notice or notices given or served as provided herein shall be effectual and binding for all purposes upon the principals of the parties so served.

13. FINANCIAL REPORT. Annually, on or before April 15, SOCIETY shall provide to CITY a statement prepared by or certified to by, a certified

loss statement, for the preceding fiscal year ended December 31.

14 REMEDIES OF CITY. In the event (a) that SOCIETY shall default in the performance or fulfillment of any covenants or condition herein required to be performed or fulfilled by SOCIETY or shall fail to perform according to the then current master plan or operating agreement to the satisfaction of CITY and shall fail to cure such default within a reasonable time following the service on SOCIETY of a written notice from CITY specifying the default complained of and the date on which SOCIETY'S rights hereunder will be terminated as hereinafter provided, or (b) that SOCIETY shall file a voluntary petition in bankruptcy, or (c) that SOCIETY shall be adjudicated a bankrupt, or (d) that SOCIETY shall make a general assignment for the benefit of creditors, then CITY may, at its option, without further notice or demand upon SOCIETY or upon any person claiming through SOCIETY, immediately cancel and terminate this Lease and all rights of SOCIETY and of all persons claiming rights through SOCIETY or by reason of SOCIETY in or to said premises or in or to further possession thereof and may thereupon enter and take possession of said premises and expel SOCIETY, and all persons so claiming rights thereto.

In addition, if CITY elects to terminate this Lease pursuant to this paragraph, CITY shall be vested with all SOCIETY'S right, title and interest in and to all improvements and personal property, including, but not limited to, zoological and botanical exhibits then located on the property which is the subject of this Lease. SOCIETY covenants to execute further documents to accomplish this vesting of title.

The rights and remedies of CITY as hereinabove set forth, are cumulative only and shall in no wise be deemed to limit any of the other provisions of this Lease or otherwise to deny to CITY any right or remedy at law or in equity which CITY may have or assert against SOCIETY under any law in effect at the date hereof or which may hereafter become effective, it being the intent hereof that the rights and remedies of CITY, as hereinabove set forth, shall supplement or be in addition to or in aid of the other provisions of this Lease and of any right or remedy at law or in equity which CITY may have against SOCIETY.

15. INSURANCE. Upon taking physical possession of said leased premises, SOCIETY shall take out and maintain public liability insurance with

be approved by CITY to protect against loss from liability imposed by law for damages on account of bodily injury, including death resulting therefrom, suffered or alleged to be suffered by any person or persons whatsoever, resulting directly or indirectly from any act or activities of SOCIETY or any person acting for SOCIETY or under SOCIETY'S control or direction, and also to protect against loss from liability imposed by law for damages to any property of any person caused directly or indirectly by or from acts or activities of SOCIETY or any person acting for SOCIETY or under SOCIETY'S control or direction. Such public liability and property damage insurance shall be maintained in full force and effect during the entire term of this Lease in the amount of not less than ONE MILLION DOLLARS (\$1,000,000.00) single limit liability policy.

If SOCIETY'S operations under this Lease result in an increased or decreased risk in the opinion of the City Commission, then the minimum limits hereinabove designated shall be changed accordingly. If SOCIETY does not keep such insurance in full force and effect, CITY may take out the necessary insurance at SOCIETY'S expense. Provisions of this paragraph as to maintenance of insurance shall not be construed as limiting in any way the extent to which the SOCIETY may be held responsible for the payment of damages to persons or property resulting from its activities or the activities of any person or persons for which it is otherwise responsible.

During the term of this Lease, SOCIETY agrees to defend in the name of, and on behalf of, CITY, all claims or suits for damages and all fixed costs and interest on all such legal proceedings and pay all sums which CITY may become liable to pay as damages imposed on CITY by law arising out of accidental bodily injury or death suffered, or alleged to have been suffered, by any person while within or upon the premises. SOCIETY further agrees to pay all sums which CITY may become liable to pay as damages imposed upon CITY by law resulting from accidental injury to, or destruction of, property now owned, leased, occupied or used by, or in the care, custody or control of, SOCIETY or of CITY or of any employee of SOCIETY or CITY, subject to the following conditions:

(a) This agreement shall not apply to any injury or death caused by any employee of CITY.

(b) (c) shall not voluntarily assume liability or incur any expenses or settle any claim without the prior written consent of SOCIETY.

(c) SOCIETY shall, on or before the effective date of this Lease, deliver to the City Manager of CITY a policy of bodily injury and property damage liability insurance, or a certificate of insurance, issued by a company licensed in the State of Nevada to transact such business, indicating that SOCIETY has bodily injury and property damage liability insurance as required in this paragraph, and indicating that the policy has been endorsed or does otherwise cover the contractual liability imposed by this agreement, and that the insurance company shall notify the City Manager of CITY if said policy be terminated or limited in any manner prior to the termination date specified in this Lease. Such policy or certificate of insurance shall specifically name CITY as an additional insured with regard to all relevant provisions thereof.

16. HOLD HARMLESS. CITY, its agents, officers and employees, shall not be liable, nor be held liable, for any claims, liabilities, penalties, fines or for any damage to the goods, properties or effects of SOCIETY or any of SOCIETY'S representatives, agents, employees, guests, licensees, invitees, patrons or clientele or of any other persons whatsoever, nor for personal injuries to, or deaths of them, or any of them, whether caused by or resulting from any act or omission of SOCIETY in or about the leased premises, or any act or omission of any person or from any defect in any part of the leased premises or from any other cause or reason whatsoever. SOCIETY further agrees to indemnify and save free and harmless CITY and its authorized agents, officers and employees against any of the foregoing liabilities and any costs and expenses incurred by CITY on account of any claim or claims therefor. Provided, however, that this hold harmless clause between SOCIETY and CITY shall not apply to any injury, death or property damage caused by CITY, its officers, employees or authorized agents.

17. WASTE. SOCIETY shall not commit or suffer to be committed any waste or injury, ordinary wear excepted, or conduct any public or private nuisance on the leased premises.

If the leased premises are damaged by any cause as to render them untenable or unfit for the purposes for which they are leased hereby, and said damages are repairable within a reasonable time, then SOCIETY may elect, by written notice to CITY to make full repairs so as to restore said premises to

and remove from the damaged premises all debris resulting from such damage and to continue operations on a limited scale on the undamaged remaining premises. In the event SOCIETY elects to make such repairs or to clear such debris, the work shall be commenced within a reasonable time to be decided by CITY. If SOCIETY elects to continue operations on a limited scale as provided herein, then the damaged premises, cleared of all debris, shall be deleted from the leased premises. In the event SOCIETY does not so elect to restore said premises or to continue operations on a limited scale, then either CITY or SOCIETY may, as provided herein, terminate this Lease upon written notice thereof to the other. Provided, however, SOCIETY may not exercise such right to terminate until first clearing all debris from said premises. SOCIETY'S failure to comply with the provisions of this paragraph shall constitute an abandonment of this Lease by SOCIETY. Nothing herein shall be construed to permit cancellation of this Lease by SOCIETY if the damage contemplated herein is the result of SOCIETY'S negligence or intentional act.

18. TAXES. SOCIETY shall pay and discharge before delinquency all taxes and assessments which may be levied upon or against the leased premises during the term of this Lease.

SOCIETY shall at all times have the right to contest in good faith, in any proper proceedings in the name of CITY, if necessary, the payment or satisfaction of any such taxes and assessments, so agreed to be paid by SOCIETY, the validity thereof, or the right to assess, or levy the same against or collect the same from the said premises or improvements or estate of SOCIETY if the same are disputed by SOCIETY. After commencement of any such suit or proceeding, CITY shall have no right to pay any such disputed tax, assessment or other charge until such time as the same may have been fully and finally decided and determined to be valid and legal.

CITY agrees to execute all papers necessary for the filing of any such protest by SOCIETY. CITY will give prompt notice of an assignment or reassessment which it receives from any taxing agency.

19. CONTROL OF ANIMALS. The premises shall be adequately fenced to control animals without cost to CITY. SOCIETY shall be solely responsible for all damage of any kind resulting from animals leaving said premises at human direction or otherwise.

WARRANTY. The CITY warrants that said premises are suitable for the purposes in which they are leased as stated herein.

21. FORCE MAJEURE. If either party hereto shall be delayed or prevented from the performance of any act required hereunder by reason of acts of God, war, insurrection, strikes, lockouts, labor troubles, inability to procure materials, restrictive governmental laws or regulations, or other cause without fault and beyond the control of the party obligated (financial inability excepted), performance of such act shall be excused for the period of the delay, the commencement and termination of which delay shall be established by written notification by SOCIETY to CITY or by CITY to SOCIETY, as the case may be; the period for the performance of any such act shall be extended for a period equivalent to the period of such delay; provided, however, nothing in this section shall excuse SOCIETY from the prompt payment of any rental or other charge required of SOCIETY hereunder during the term of this Lease, except as may be expressly provided elsewhere in this Lease.

22. LEGAL PROCEEDINGS. Should it become necessary for the CITY to commence legal proceedings to recover possession or enforce any other provision of this Lease, the prevailing party will be paid by the other party all legal and other costs and expenses justified in connection therewith, including a reasonable sum as attorney's fees.

The parties agree that the laws of the State of Nevada shall be used in interpreting this Lease agreement and will govern all disputes under this Lease agreement and will determine all rights thereunder.

Venue of any action involving this Lease agreement will be in the County of Clark, State of Nevada.

Personal service either within or without the State of Nevada shall be sufficient to give personal jurisdiction to any court in which an action is filed for litigation of rights under this Lease agreement.

23. CERTIFICATE OF LEASE. City Manager agrees, at any time or from time to time during the term hereof within ten (10) days after request therefor by SOCIETY, to deliver a certificate in recordable form to SOCIETY, or to any proposed mortgagee, trust deed beneficiary or purchaser, certifying that this Lease is in full force and effect and that there are no defenses, defaults or offsets thereto, or alternatively stating any such claimed by CITY.

24. LEASE ENCUMBRANCE. SOCIETY may encumber the leasehold

the payment of promissory note or notes of the CITY upon the expressed condition that the net proceeds of such loan or loans received by SOCIETY be devoted exclusively to the purpose of developing, maintaining and operating the leased premises; however, a reasonable portion of the loan proceeds may be disbursed for, or applied to payment of incidental costs of construction, including but not limited to any one or more or all of the following: Offsite improvements for service of the leased premises; onsite improvements; escrow charges, premiums for hazard insurance, or other insurance; title insurance premiums and reasonable loan costs such as discounts, interest and commissions; also architectural, engineering and attorney's fees or such other normal expenses.

The CITY further consents and agrees that in the event said deed of trust, mortgage or other security type instrument should at any time be in default and be foreclosed, the CITY will accept the mortgagee or beneficiary thereof as its new tenant under this Lease with all the rights and privileges of SOCIETY herein, and that in the event that it is desired thereafter by said mortgagee or beneficiary to assign this Lease to its nominee, and said nominee is a reputable and financially responsible operator in the opinion of CITY, the CITY hereby agrees that upon the filing of an application for consent to such assignment, the CITY will give its consent thereto, and agrees not to unreasonably withhold such consent. In the event SOCIETY is in default under any provision of this Lease, the CITY agrees to serve written notice thereof upon said mortgagee or beneficiary to cure said default if said default is curable, or to allow said mortgagee or beneficiary to substitute itself to SOCIETY'S estate hereunder and to operate the leased premises if said default is noncurable, all as set forth hereinabove in detail.

25. EMINENT DOMAIN. In the event the leased premises or any part thereof shall be taken for public purposes by condemnation as a result of any action or proceeding in eminent domain, then the interests of CITY and SOCIETY in the award and the effect of the taking upon this Lease agreement shall be as follows:

(a) In the event of such taking of only a part of the leased premises, or access thereto, leaving the remainder of said premises in such location and in such form, shape or reduced size as to be used effectively and practically for the conduct thereon of the uses and operations permitted hereunder, this Lease shall terminate and end as to the portion of the premises so taken as of

the date possession of such portion is taken by the condemning authority, but shall continue in full force and effect as to the portion of the leased premises not so taken. Provided, however, CITY shall have the right to substitute like contiguous and comparable property if available.

(b) In the event of the taking of only a part of the leased premises, or access thereto, leaving the remainder of said premises in such location or in such form, shape or reduced size, as to render the same not effectively and practicably usable, for the conduct thereon or the operations permitted hereunder, this Lease and all right, title and interest thereunder shall cease on the date possession to said premises or the portion thereof so taken is given to the condemning authority, and SOCIETY'S obligation to perform under this Lease shall cease.

(c) In the event the entire leased premises are so taken, this Lease and all of the right, title and interest thereunder shall cease on the date possession to said premises so taken is taken by the condemning authority, and SOCIETY'S obligation to perform under this Lease shall cease.

(d) In the event of any taking under subparagraph (b) or (c) hereof, the only portion of any award of compensation which will be paid to SOCIETY shall be the fair market value of SOCIETY'S interest in the improvements placed upon the leased premises by SOCIETY which are taken plus the market value, if any, of SOCIETY'S leasehold interest taken, calculated as if said leasehold interest were freely transferable, except that the rental attributable to any of the taken improvements installed by the SOCIETY shall be excluded.

(e) In the event of a taking under subparagraph (a) above, the condemnation payment or award shall be apportioned in the same manner as for a total taking except that, in addition, there shall be allocated to CITY that portion of the severance damage, if any, which equals the value of CITY'S reversionary interest.

(f) Notwithstanding the foregoing provisions of this paragraph, CITY may, in its discretion and without affecting the validity and existence of this Lease, transfer the CITY'S interest in said premises in lieu of condemnation to any authority entitled to exercise the power of eminent domain. In the event of such transfer by CITY, SOCIETY shall be entitled to recover from the said authority condemnation compensation in accordance with the provisions of this Lease.

(g) The market value of SOCIETY'S interest shall be not less than SOCIETY'S cost less depreciation or principal loan balance of those loans, the net proceeds of which were used for developing, maintaining or operating the leased premises.

26. ARBITRATION. Any controversy between the parties hereto involving the construction or application of this agreement as same shall apply to SOCIETY'S operations on the leased premises shall, on written request of one party served on the other, be submitted to arbitration, by the United States Department of Agriculture.

The cost of such arbitration shall be borne by the losing party or in such proportions as the arbitrator shall decide.

27. ANTI-DISCRIMINATION. SOCIETY shall not discriminate in any manner against any person or persons on account of race, sex, color, creed or national origin in SOCIETY'S use of the premises.

28. VERBAL REPRESENTATIONS. It is specifically understood and agreed that this Lease and incorporated writings contain the complete expression of the whole agreement between the parties hereto, and that there are no promises, representations, agreements, warranties or inducements, either expressed verbally or implied between them, except as are fully set forth therein, and, further, that this Lease cannot be enlarged, modified or changed in any respect except by written agreement duly executed by and between the parties.

29. INTERPRETATION OF INCORPORATED WRITINGS. In the event that any further written agreement of the parties be incorporated into this agreement and the terms thereof are judged in conflict with the terms of this Lease, then this Lease and its terms and conditions shall be determinative of the rights and obligations of the parties thereto.

DATED: January 8, 1975

ATTEST:

Edwina M. Cole
EDWINA M. COLE, CITY CLERK

THE CITY OF LAS VEGAS

By Charles E. Lowell, Jr.

ZOOLOGICAL SOCIETY OF NEVADA

By Margaret W. Cole

APPROVED as to form and legality this 8 day of January, 1975.

CARL E. LOWELL, JR., City Attorney

By Carl E. Lowell, Jr.

LEGAL DESCRIPTION

Tax Parcel No. 48-19-01, 48-20-01, 48-23-01 & 48-24-01

Document No. _____

For TULE SPRINGS lease to Zoo Society

Location TULE SPRINGS PARK, portion Section 9, T. 19 S., R. 60 E., MDM

Calculated <u>F. Touhy</u>	Drawn By <u>RLW</u>	Typed By _____
Checked <u>CLS 10/18/74</u>	Drawing No. <u>attached</u>	Proofread _____
Written <u>CLS 10/13/74 rev. 12/16/74 cb</u>	Compared _____	Released To _____
Checked <u>F. Touhy 10/21/74, rev. FT</u>	Approved _____	By _____
Requested By <u>V. Uehling</u>		

The South Half (S½) of the Northwest Quarter (NW¼); the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼); the North Half (N½) of the Southwest Quarter (SW¼); and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); in Section 9, Township 19 South, Range 60 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada.

EXCEPT therefrom the interest in and to the West 30 feet of said Section 9 as conveyed to the County of Clark by deed recorded in the year 1952, as Document No. 379829 of Clark County, Nevada Records.

ALSO EXCEPT therefrom the interest in and to the South 30 feet of the North Half (N½) of the Southwest Quarter (SW¼) and of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 9 as dedicated for road purposes by Inst. No. 310044 recorded August 1, 1973, Official Records, Clark County, Nevada.

RESERVING therefrom an easement for road purposes over a strip of land 80 feet in width, lying 40 feet on each side of the following described centerline:

COMMENCING at the Northeast corner of the Northwest Quarter (NW¼) of said Section 9, T. 19 S., R. 60 E., M.D.M.; thence North 89°39'22" West along the North line of said Section 9 a distance of 135.01 feet to the West line of that certain parcel of land conveyed to the City of Las Vegas by deed recorded Feb. 10, 1973, as Inst. No. 258065 of Official Records, Clark County, Nevada; thence along the West boundary of said conveyed parcel South 00°46'08" East, parallel with the East line of the Northwest Quarter (NW¼) of said Section 9, a distance of 840.00 feet to an angle point in said West boundary line; thence continuing along said West boundary South 25°13'34" West, 125.00 feet; thence at right angles to the ahead portion of said West boundary South 49°13'45" East, 40.00 feet; thence along the line that is parallel with and distant 40.00 feet Southeasterly, measured at right angles, from the West boundary of said parcel conveyed by said Inst. No. 258065, South 40°46'15" West a distance of 509.65 feet to a point in the South line of the North Half (N½) of the Northwest Quarter (NW¼) of said Section 9, said point being the TRUE POINT OF BEGINNING of the herein described centerline; thence South 43°56'33" West, 3123.91 feet to a point in the West line of said Section 9 which bears North 00°12'57" East, 419.1 feet from the Southwest corner of the North Half (N½) of the Southwest Quarter (SW¼) of said Section 9, said point being the POINT OF TERMINATION of the herein described centerline.

ALSO RESERVING therefrom easements for road and utility purposes over those portions of the above described land which lie within the East 20 feet of the West 50 feet of said Section 9; the North 30 feet of the South Half (S½) of the Northwest Quarter (NW¼) of said Section 9; the North 30 feet and the East 30 feet of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of said Section 9; and the East 30 feet of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 9.

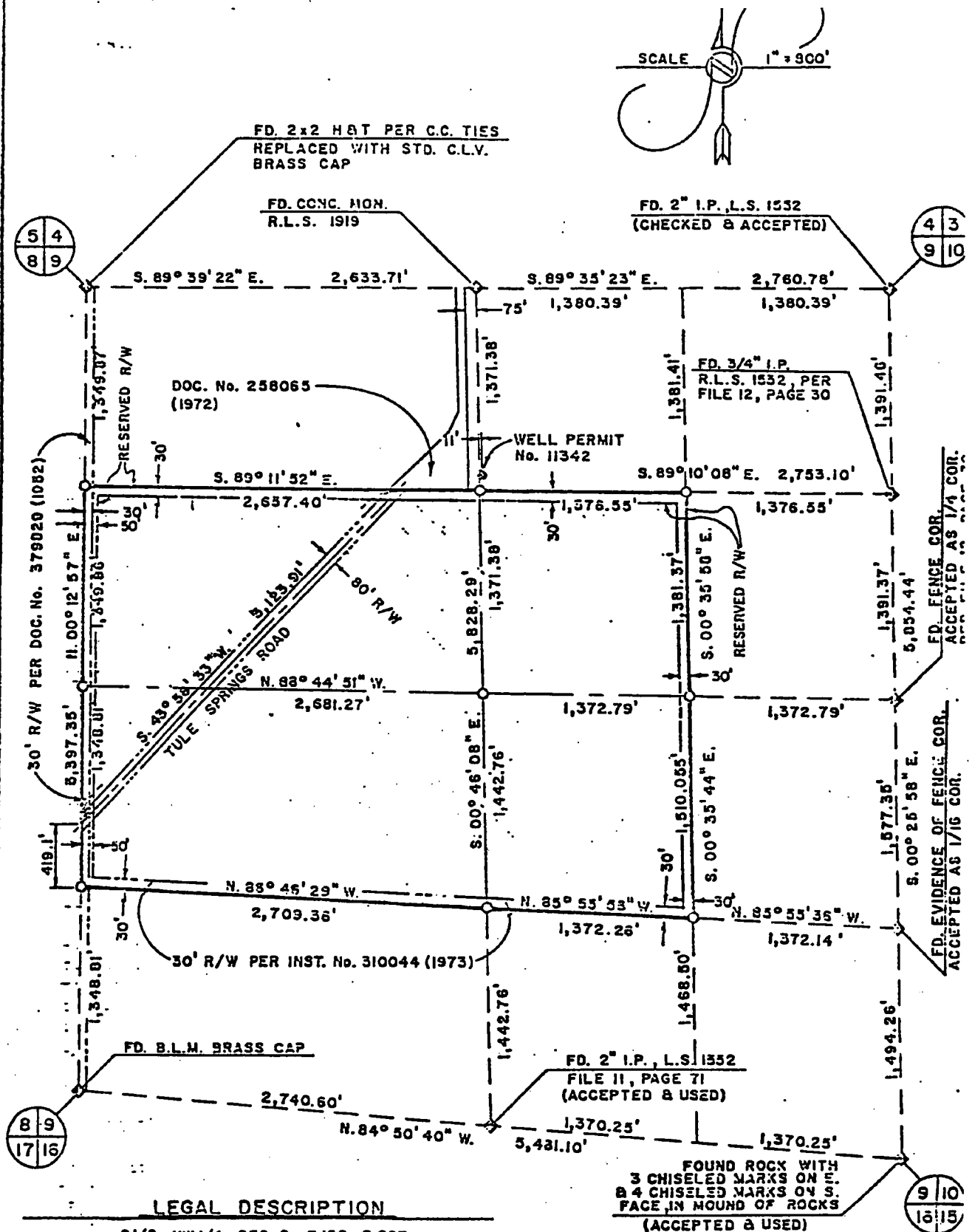


EXHIBIT 'A'

BEING A PORTION OF

MEMORANDUM OF UNDERSTANDING

This memorandum is to recap the discussion that took place on February 5, 1998, several phone conversations thereafter, and a meeting that took place on March 8, 1998, between City and State officials.

The City currently has a lease on 240 acres within the Floyd Lamb State Park perimeter for which the use of the property is limited for purposes of a zoo.

The State currently has a BLM lease on property to the east of Floyd Lamb State Park, which is bordered by Torrey Pines on the west and Jones on the east.

It is understood that the State will allow the assignment of approximately 320 acres of leased BLM land to the City in exchange for the City releasing and voiding the Assignment of Lease on said 240 acres.

It is understood that the City will make application to the BLM for the 320 acre site with all supporting documentation as required.

It is understood that the City and State will prepare letters to be sent to the BLM to ask for and assign the State's current lease of this property from the State to the City.

It is understood that the "voiding" of the current Assignment of Lease the City currently possesses for 240 acres is conditional upon the approval of the BLM for the lease application/assignment of the 320 acres currently held by the State.

It is further understood that both entities wish to enter into an Interlocal Agreement to conduct a Master Plan to jointly apply our resources in the development and planning for future use of this land and for joint development and long-range objectives, in order to better serve the interests of the public in regard to the use of this area.

By signature of this Memorandum of Understanding, we mutually agree to the above documentation. It is understood by both parties that this document will be presented as back-up documentation to the BLM application process which will be presented for approval to the Mayor and City Council.

City of Las Vegas

State of Nevada

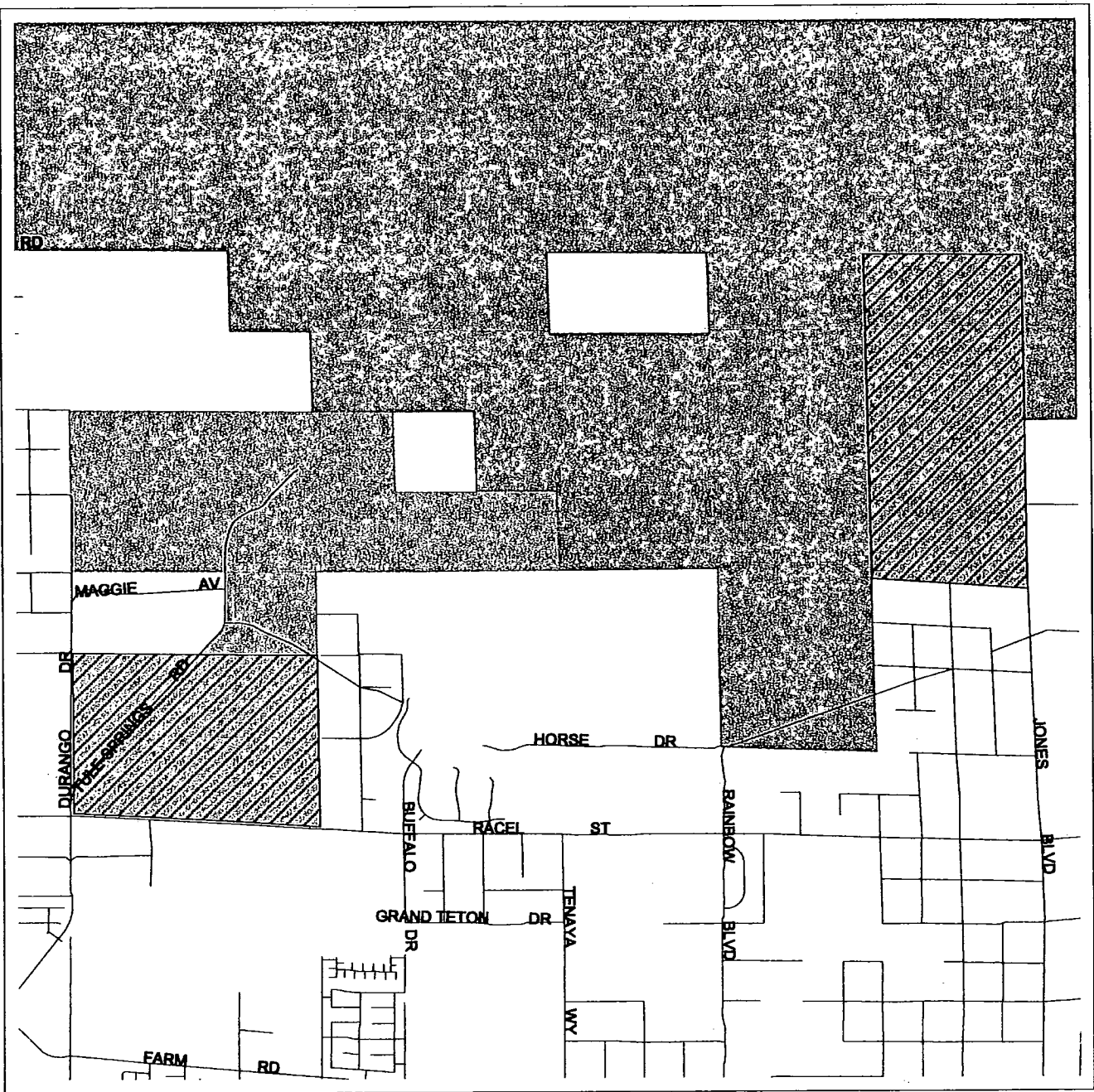
 4-13-98

David Roark, Manager Date
Real Estate & Asset Mgmt. Division

zoanewmouperock

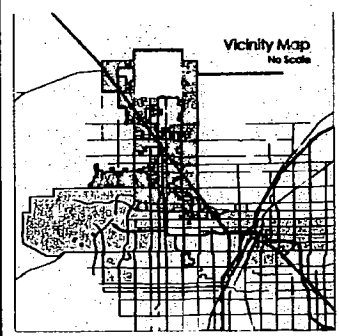
 4/14/98

Wayne Perock, Administrator Date
Division of State Parks



Floyd Lamb State Park

- 320 Acre BLM Lease to City
- 240 Acre Lease with State
- Street Centerline
- USA
- State of Nevada



Real Estate & Asset Management



1:31680



Date of Data: 1999/02/25

CITY COUNCIL

MEETING OF

April 12, 1999

AGENDA DOCUMENTATION

TO:

City Council

FROM:

SHARON SEGERBLOM, DIRECTOR
NEIGHBORHOOD SERVICES DEPARTMENT

Discussion and possible approval of first amendments to lease agreements between the City of Las Vegas and various tenants located at the Las Vegas Business Center

PURPOSE/BACKGROUND

During the first 12 months of the operations of the Las Vegas Business Center, there were several revisions and changes, including: a new numbering system required by the post office and the City's planning department; changes in occupation of the suites and/or storage units, and some less significant modifications of the Tenants' Lease Agreements. As a result, NSD staff worked with the City Attorney's office to develop an appropriate amendment form, which is known as the First Amendment to the Lease Agreement. Attached are First Amendments for the following Lease Agreements:

- Hooks Electric
- Stargate Plumbing
- House of Flava
- Law Offices of Marqueta Johnson
- On Time Productions
- The Tax Wizards
- Adam Management Consulting
- Betancourt & Associates
- True Power, Inc.
- International College Funding
- Economic Opportunity Board, and
- TLC Home Health Care, Inc.

Where office suites and/or storage units were changed, added, or deleted, revised "Exhibit A" and/or "Exhibit A1" have been attached.

FISCAL IMPACT

The fiscal impact will be minimal.

RECOMMENDATIONS

Staff recommends approval of the attached First Amendments to Lease Agreements between the City of Las Vegas and the named tenants of the Las Vegas Business Center as detailed above.

Agenda Item**119**

**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1998~~ 1999, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and HOOKS ELECTRIC ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated May 1, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete the entire section and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 17, and Storage Units 9 and 10, Rear Suite 9, Las Vegas, Nevada. The suite (hereinafter the "Premises") consists of approximately 200 square feet and its location and dimensions are shown particularly on the copy of the Floor Plan of the Business Center which is attached hereto as Exhibit "A" and incorporated herein by this reference. Included in the Premises are: desk, hutch, return, executive chair, two guest chairs, file cabinet, computer software and hardware, and telephone. In addition, Tenant has leased two storage units for an additional \$100.00 per month (\$50.00 per unit). Exhibits "A" and "A1" attached.

2. In Section 3, delete entire section and replace with the following:

City will provide the Premises and Services as detailed in this section. Services shall include:

- a) all utilities;
- b) basic telephone system;
- c) staff support;
- d) business counseling to Tenant or refer Tenant to persons with the needed business skills;
- e) shared computer printer;
- f) fax and copy machines;
- g) limited reception services; and
- h) a minimum of six free training seminars

3. In Section 4, delete Item a) and replace with the following:

- a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

4. In Section 5, delete the entire section and replace with the following:

Tenant agrees to pay City at such place as City may designate, without prior demand therefor and without any deductions or setoff whatsoever, and as minimum monthly rent, the sum of Seven Hundred Dollars and No/Hundredths (\$700.00) in advance, on the first day of each calendar month of the Agreement. Tenant agrees to pay City, on April 1, 1999, the first full month's rent and, if the Commencement Date occurs on a day other than the first day of the month, additional rent for the initial fractional month prorated on a per diem basis. Rental payments made by Tenant to City may be by check or draft and are subject to collection. If payment of any rent by check or draft is dishonored upon presentation for payment, Tenant shall pay a Twenty-five and No/hundredths (\$25.00) return check charge, which shall be payable to City, as additional rent, together with Tenant's next monthly rental payment. If the square footage of the Premises is increased or decreased by mutual written agreement during the term of this Agreement, the minimum rent shall be adjusted accordingly.

It is understood and agreed that the monthly rental payments may be paid to the City of Las Vegas on behalf of Tenant by the Southern

Nevada Enterprise Community (SNEC) in accordance with the terms of the Interlocal Agreement between Clark County (Grantee Agency for the Southern Nevada Enterprise Community Program) and City of Las Vegas for State of Nevada Social Services Block Grant Title XX Grant Funds. In the event that the monthly rents are paid by SNEC, it shall be as follows:

Schedule	Tenant	SNEC
First six (6) months	\$200.00	\$400.00
Second six (6) months	\$300.00	\$350.00
Second twelve (12) months	\$400.00	\$300.00

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or getting a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

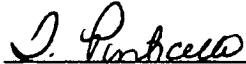
By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

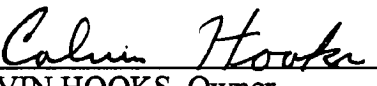
APPROVED AS TO FORM:

 3/15/99
Date

APPROVED BY CITY COUNCIL

4-12-99
Date

HOOKS ELECTRIC

By: 
CALVIN HOOKS, Owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"

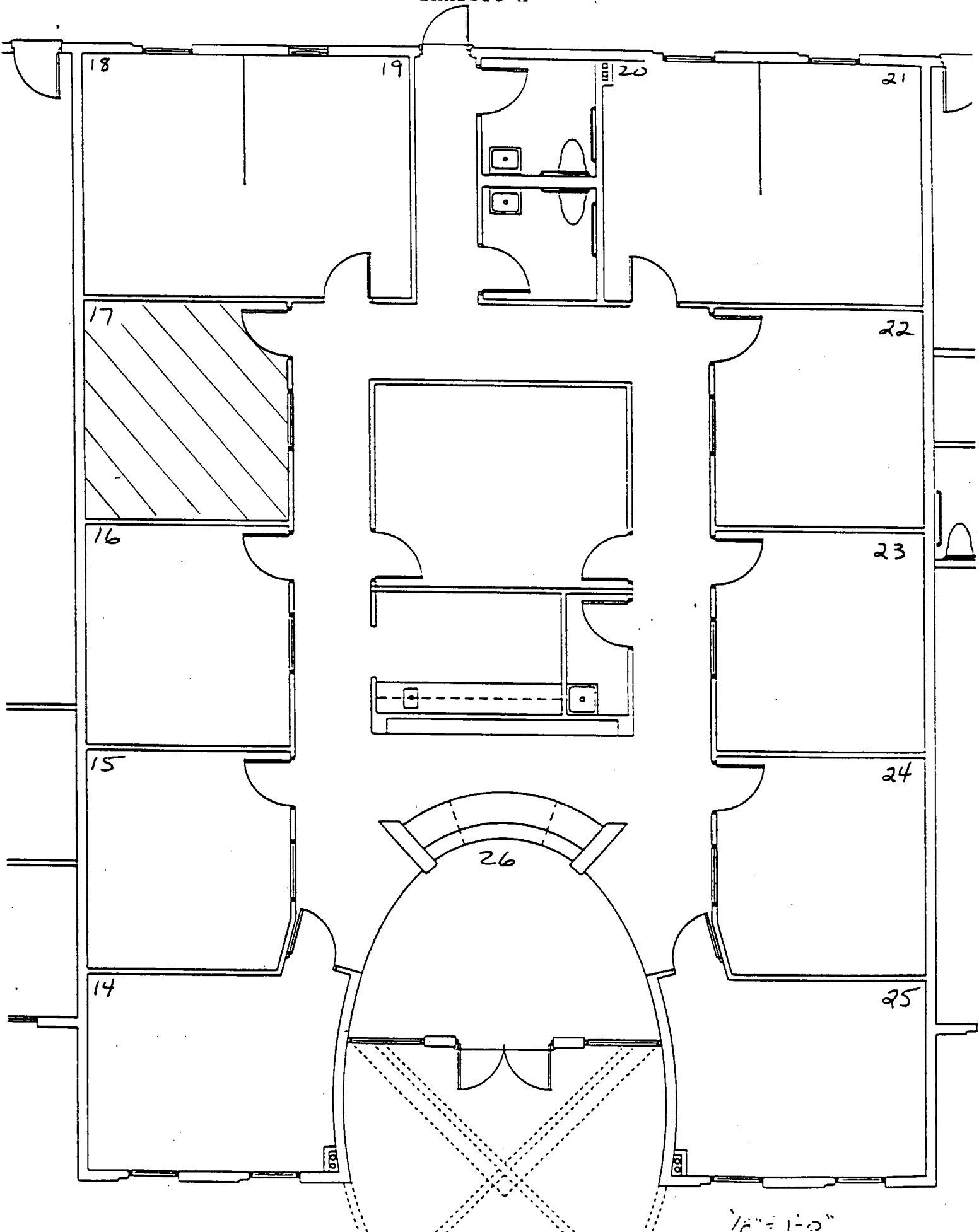
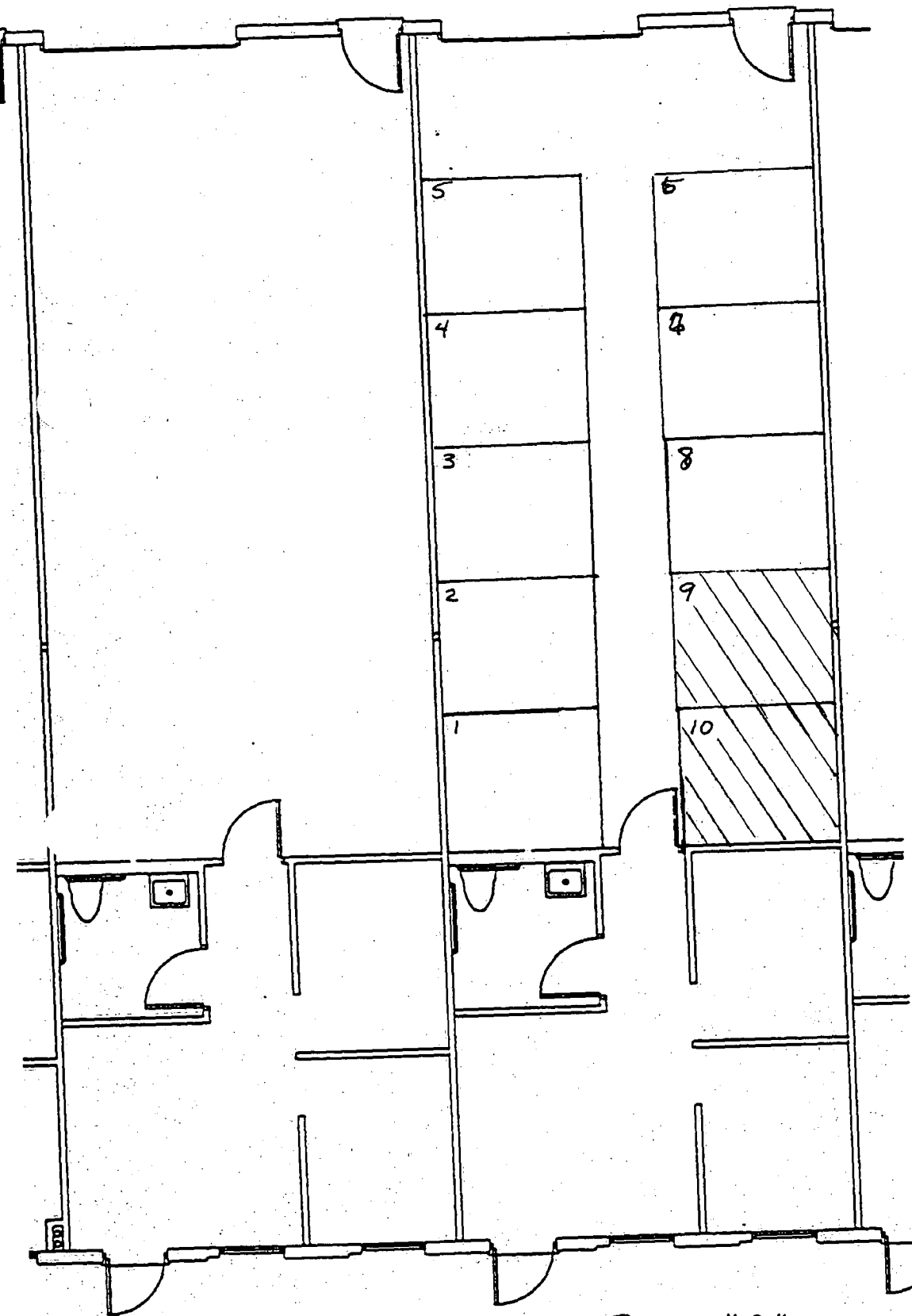


EXHIBIT "A"

LAS VEGAS BUSINESS CENTER
1951 STELLA LAKE ST., LAS VEGAS, NV 89106



SUITE "9"

$\frac{1}{8}'' = 1'-0''$

**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~²⁰⁰⁰, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and STARGATE PLUMBING ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated March 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 7, Las Vegas, Nevada. Exhibit "A" attached.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

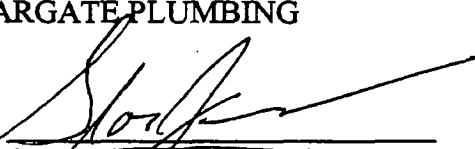
APPROVED AS TO FORM:

J. Porticello 3/15/99
Date

APPROVED BY CITY COUNCIL

4-12-99
Date

STARGATE PLUMBING

By: 

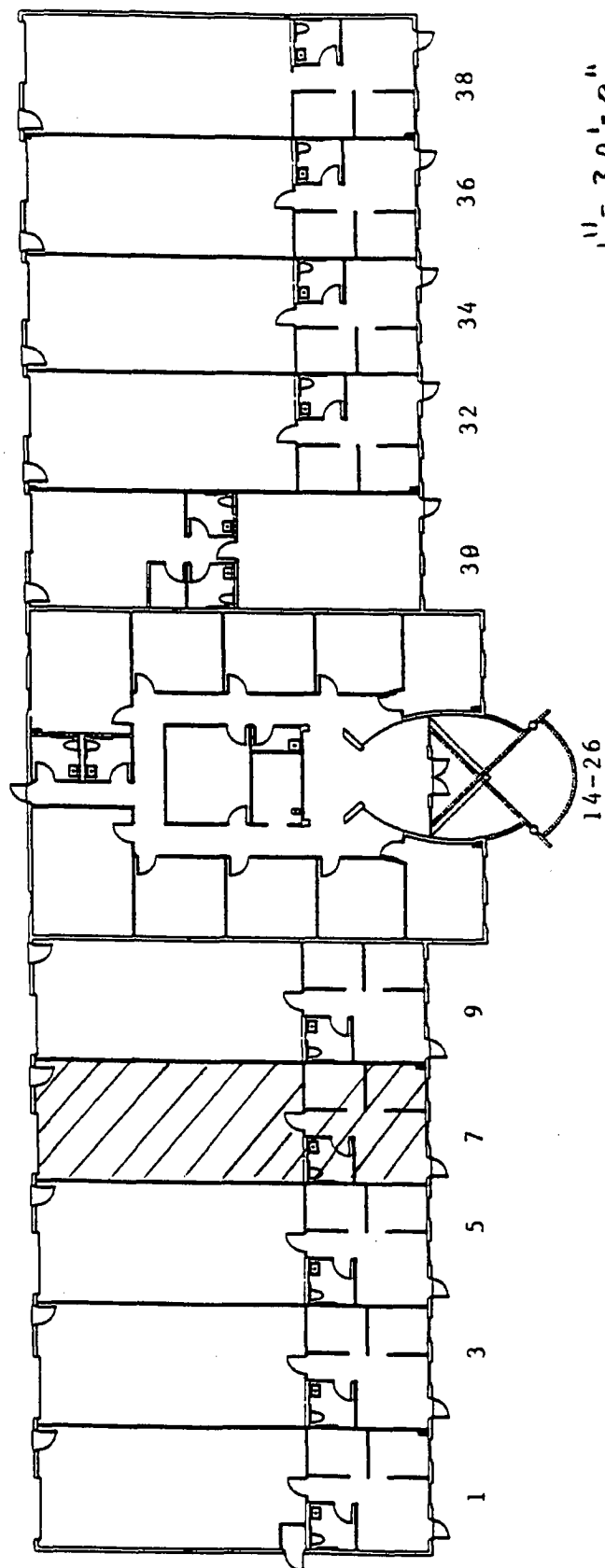
JEROME JACKSON, President

STONY JACKSON, TREASURER

Lake Mend Boulevard

EXHIBIT "A"

1951 Stella Lake Street,
Las Vegas NV 89106



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and HOUSE OF FLAVA ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 16, Las Vegas, Nevada. Revised Exhibit "A" is attached.

2. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

3. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

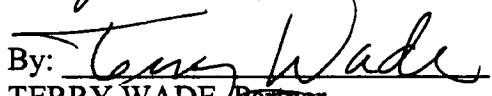
J. Ponzello 3/15/99
Date

APPROVED BY CITY COUNCIL

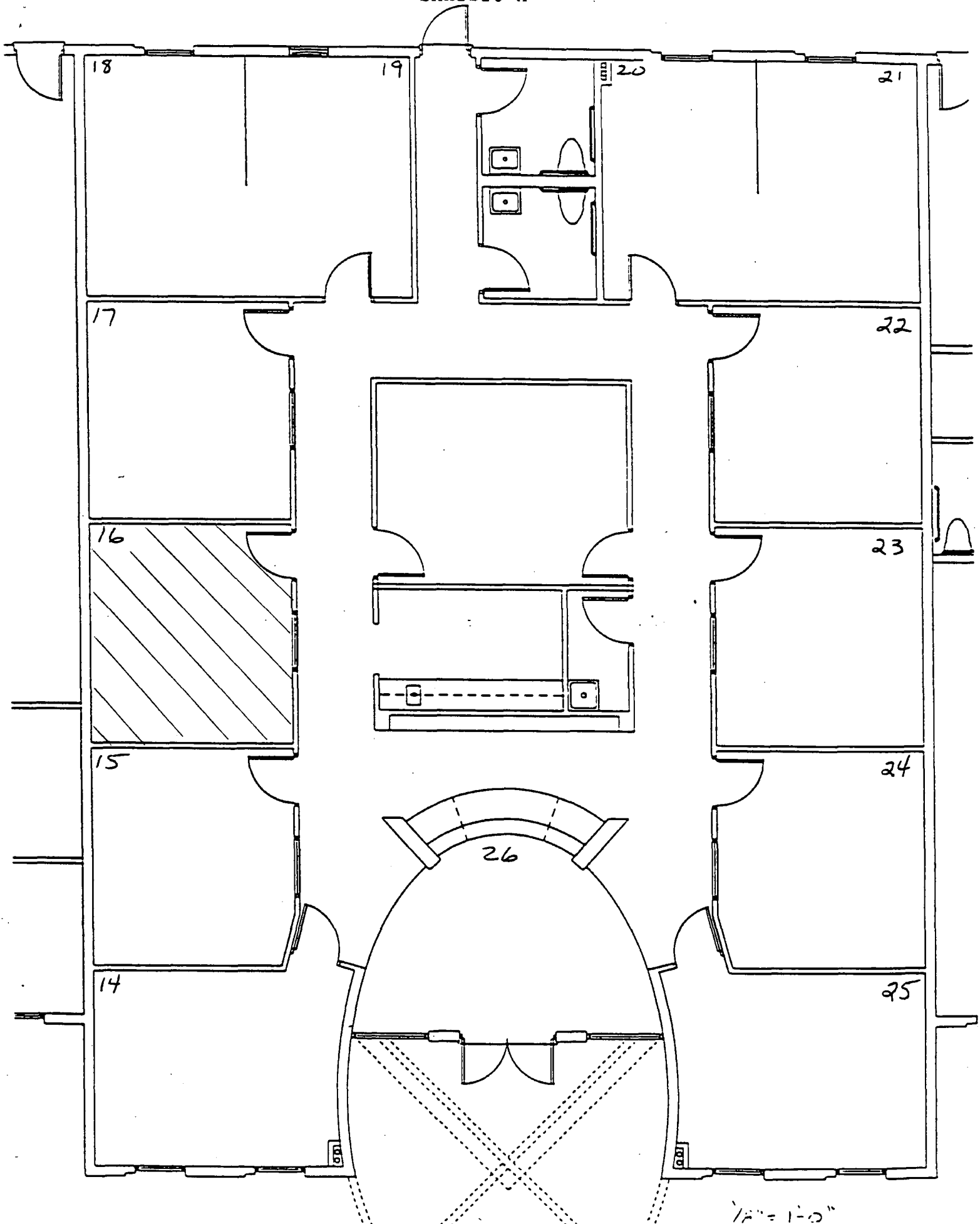
4-12-99
Date

HOUSE OF FLAVA

By: 
KYLE HECKARD, Partner

By: 
TERRY WADE, Partner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~²⁰⁰⁰, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and LAW OFFICES OF MARQUETA JOHNSON ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 22, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

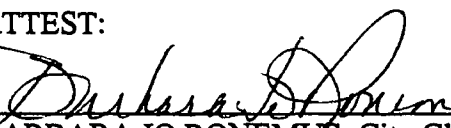
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

J. Ponticello 3/15/99
Date

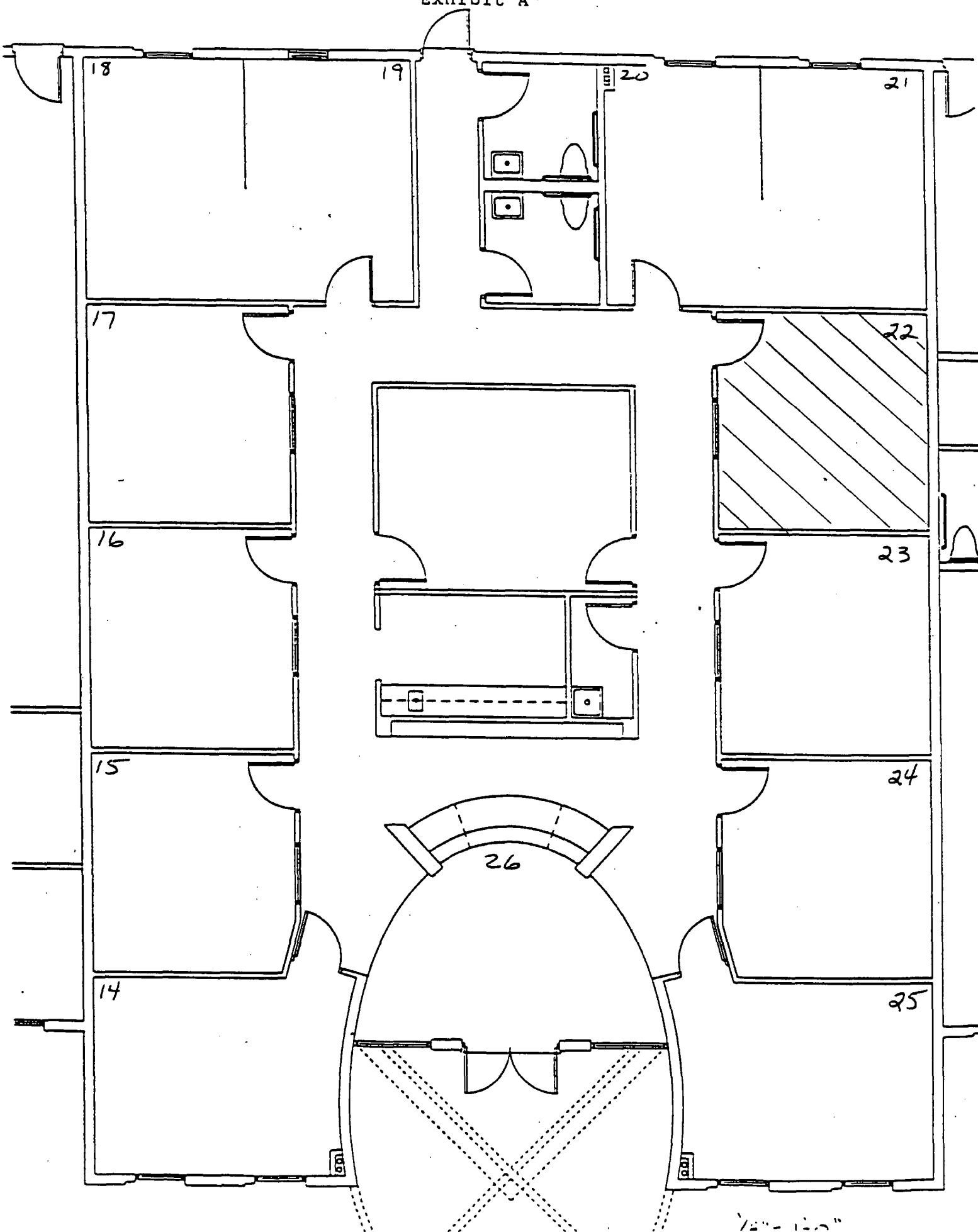
APPROVED BY CITY CITY COUNCIL

4-12-99
Date

LAW OFFICES OF MARQUETA JOHNSON

By: 
MARQUETA JOHNSON, owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, 1999, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and ON TIME PRODUCTIONS ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 21, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

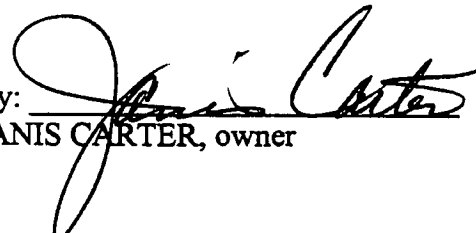
APPROVED AS TO FORM:

J. Ponticello 3/15/99
Date

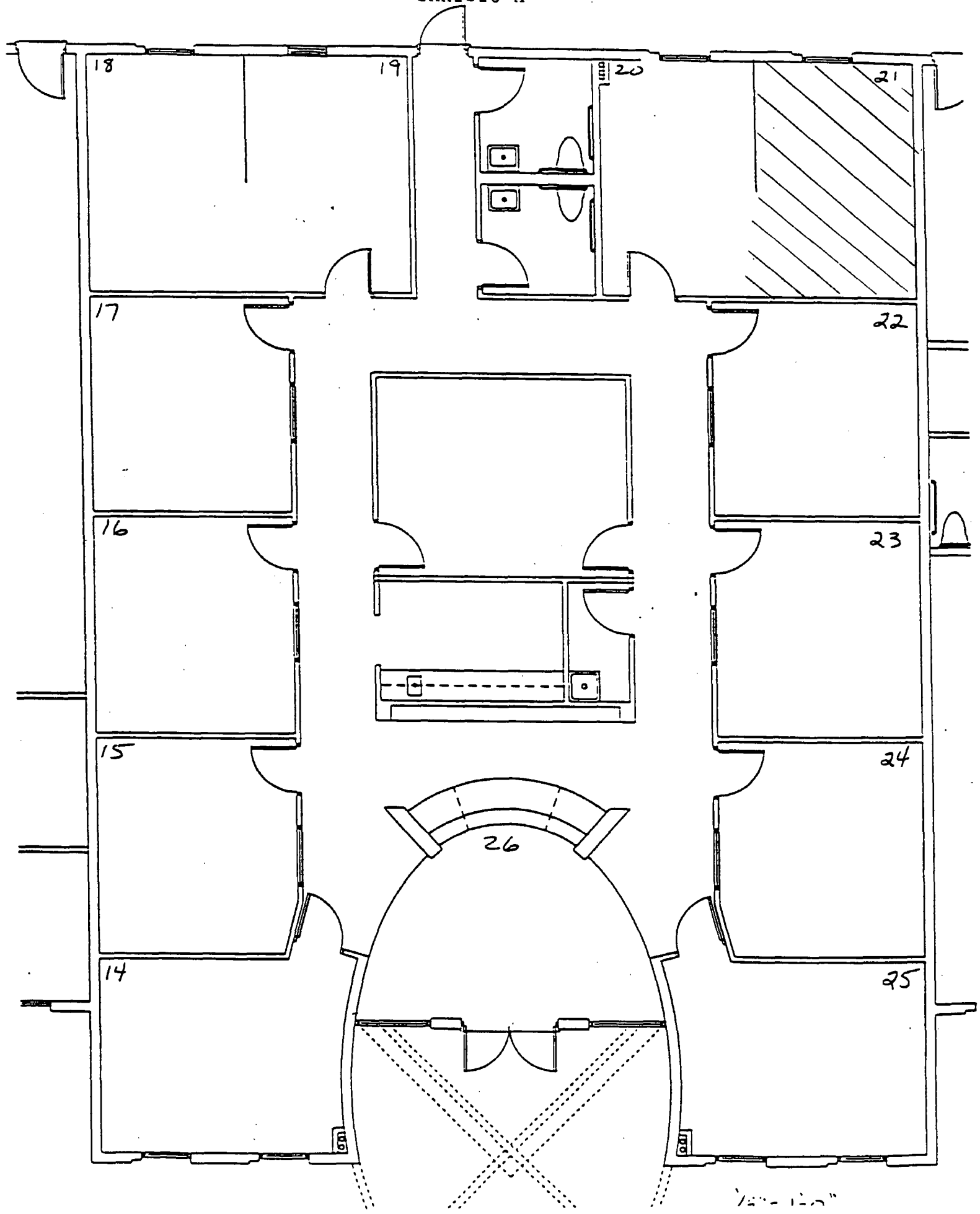
APPROVED BY CITY COUNCIL

4-12-99
Date

ON TIME PRODUCTIONS

By: 
JANIS CARTER, owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~ ²⁰⁰⁰, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and THE TAX WIZARDS ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 14, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

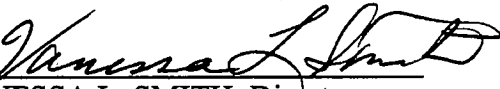
 3/15/99
Date

APPROVED BY CITY COUNCIL

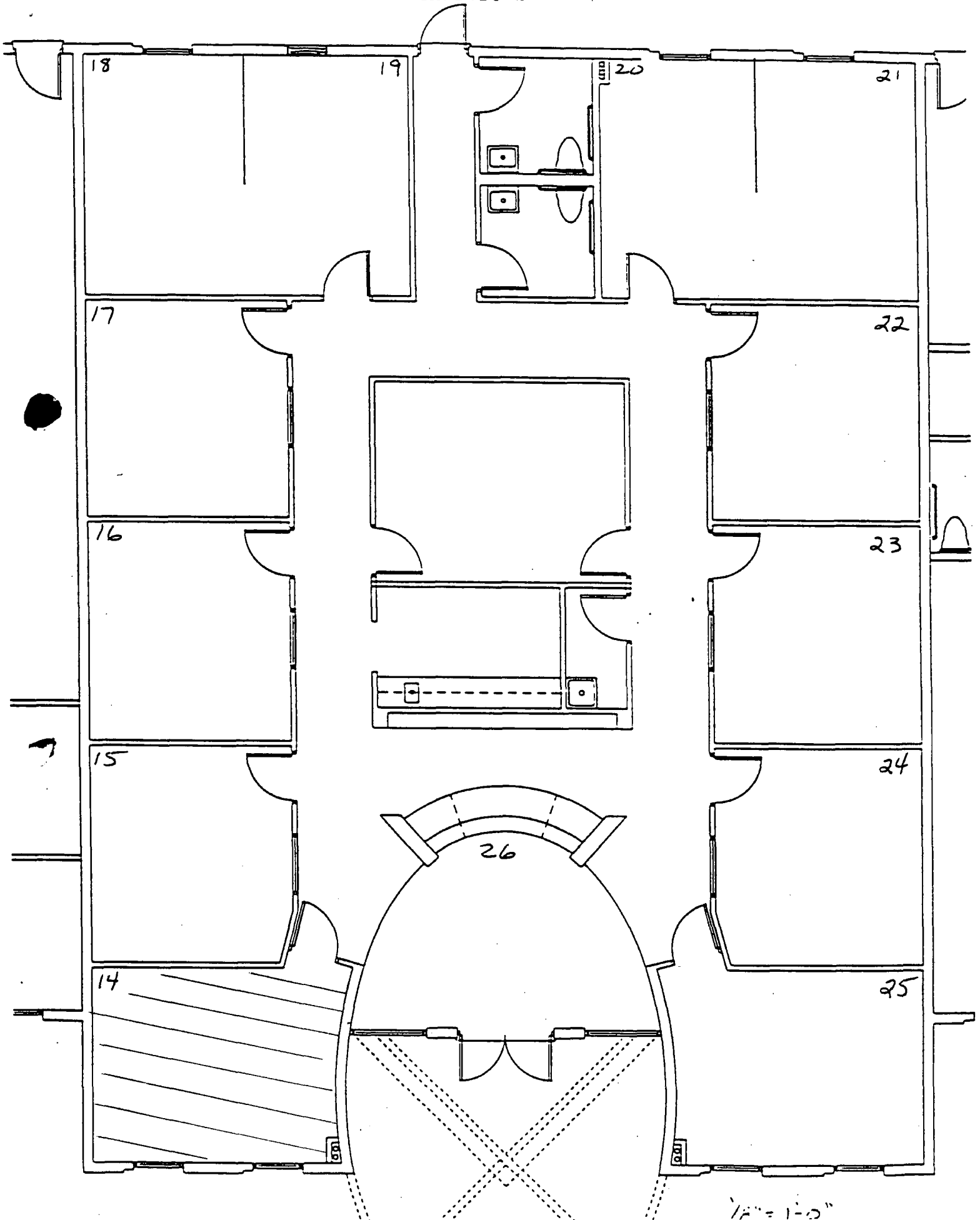
4-12-99
Date

THE TAX WIZARDS

By: 
MARTIN ARMSTRONG, Director

By: 
VANESSA L. SMITH, Director

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, 1999, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and ADAM MANAGEMENT CONSULTING ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 23, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

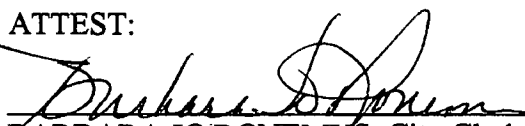
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

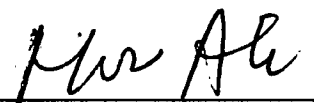
APPROVED AS TO FORM:

J. Ronemus 3/15/99
Date

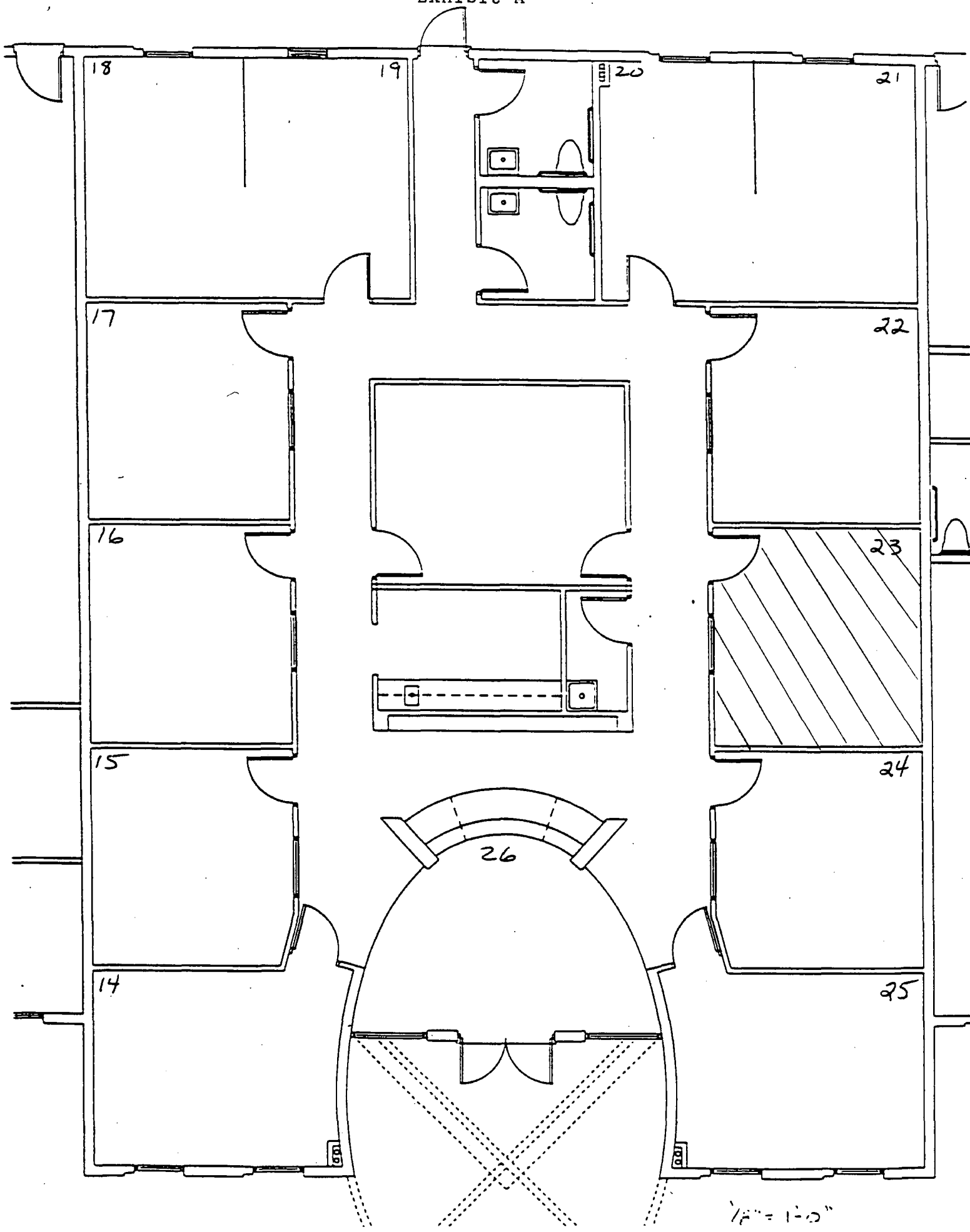
APPROVED BY CITY COUNCIL

4-12-99
Date

ADAM MANAGEMENT CONSULTING

By: 
MIR ALI, owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and BETANCOURT & ASSOCIATES ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 1, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 19, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

J. Ponticello 3/15/99
Date

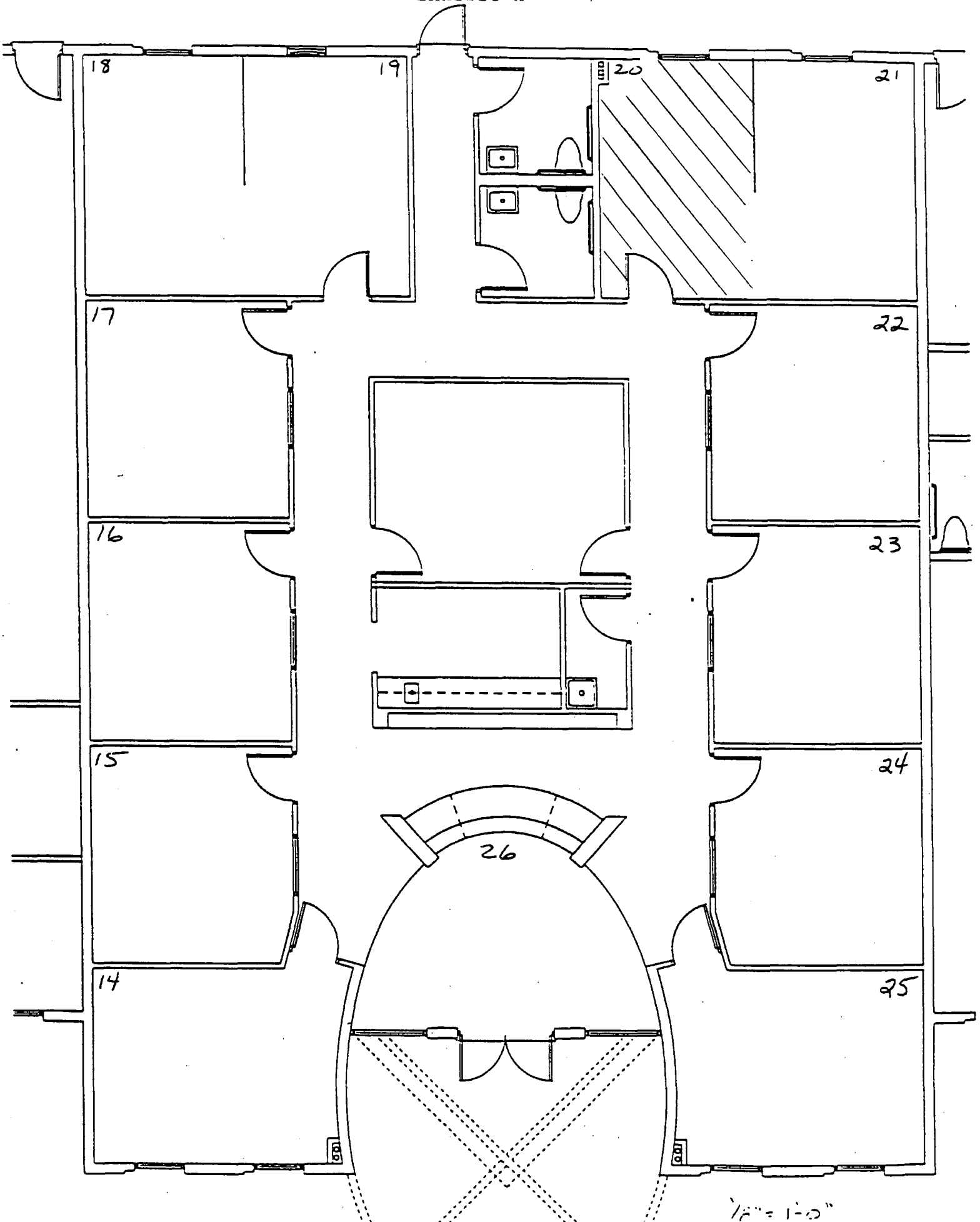
APPROVED BY CITY COUNCIL

4-12-99
Date

BETANCOURT & ASSOCIATES

By: 
PABLO BETANCOURT, owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~ 2000, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and TRUE POWER, INC. ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated February 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 25, and Storage Unit 1, Rear Suite 9, Las Vegas, Nevada. Exhibits "A" and "A1" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

In Section 5, delete the entire section and replace with the following:

Tenant agrees to pay City at such place as City may designate, without prior demand therefor and without any deductions or setoff whatsoever, and as minimum monthly rent, the sum of Six Hundred Fifty Dollars and No/Hundredths (\$650.00) in advance, on the first day of each calendar month of the Agreement. Tenant agrees to pay City, on April 1, 1999, the first full month's rent and, if the Commencement Date occurs on a day other than the first day of the month, additional rent for the initial fractional month prorated on a per diem basis. Rental payments made by Tenant to City may be by check or draft and are subject to collection. If payment of any rent by check or draft is dishonored upon presentation for payment, Tenant shall pay a Twenty-five and No/hundredths (\$25.00) return check charge, which shall be payable to City, as additional rent, together with Tenant's next monthly rental payment. If the square footage of the Premises is increased or decreased by mutual written agreement during the term of this Agreement, the minimum rent shall be adjusted accordingly.

It is understood and agreed that the monthly rental payments may be paid to the City of Las Vegas on behalf of Tenant by the Southern Nevada Enterprise Community (SNEC) in accordance with the terms of the Interlocal Agreement between Clark County (Grantee Agency for the Southern Nevada Enterprise Community Program) and City of Las Vegas for State of Nevada Social Services Block Grant Title XX Grant Funds. In the event that the monthly rents are paid by SNEC, it shall be as follows:

Schedule	Tenant	SNEC
First six (6) months	\$200.00	\$400.00
Second six (6) months	\$250.00	\$350.00
Second twelve (12) months	\$350.00	\$300.00

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or getting a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

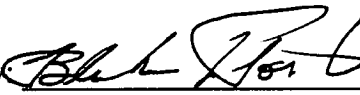
APPROVED AS TO FORM:

J. Ponticello 3/15/99
Date

APPROVED BY CITY COUNCIL

4-12-99
Date

TRUE POWER, INC.

By: 
BLAKE PORTER, owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"

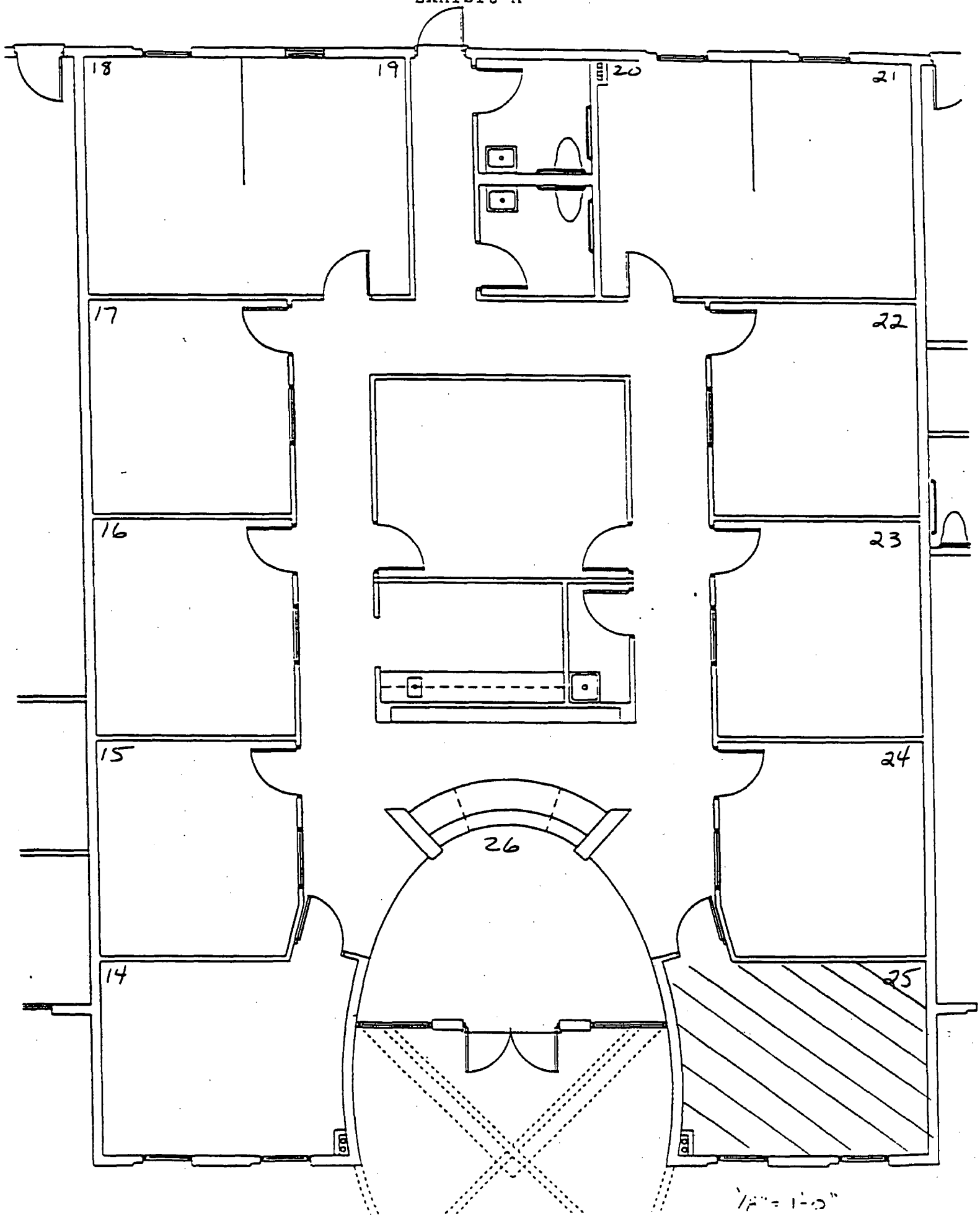
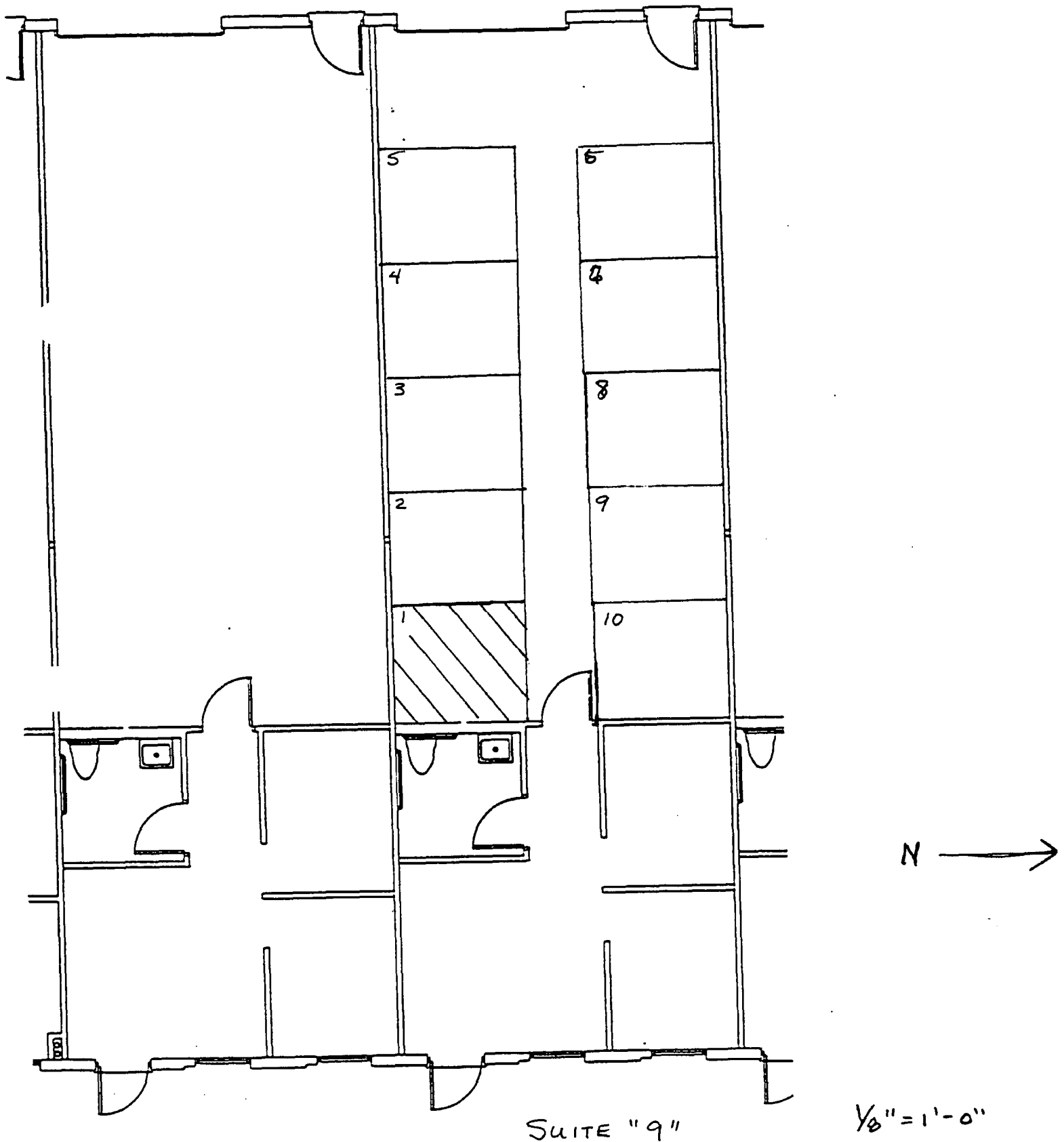


EXHIBIT "A1"

LAS VEGAS BUSINESS CENTER
1951 STELLA LAKE ST., LAS VEGAS, NV 89106



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 18th day of April, ~~1999~~ 2000, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and INTERNATIONAL COLLEGE FUNDING ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated January 12, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 15, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The term shall begin on March 1, 1998 (the "Commencement Date"), and shall end on February 29, 2000.

3. In Section 3, delete Item g) and replace with the following:

g) limited reception services; and

4. In Section 4, delete Item a) and replace with the following:

a) Attend a minimum of six classes of business skill training during the first year, which training will be agreed to by Tenant and City staff;

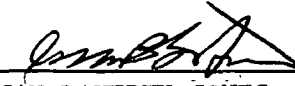
5. In Section 5, delete the last paragraph and replace with the following:

In exchange for the supplemental rent provided by SNEC, Tenant will cooperate with other Tenants and Incubator Manager to develop a series of workshops to benefit Enterprise Community residents by providing training about starting a business or obtaining a job.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: 

~~JAN LAVERTY-JONES, Mayor~~

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

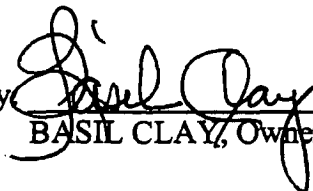
 3/15/99
Date

APPROVED BY CITY COUNCIL

4/12/99

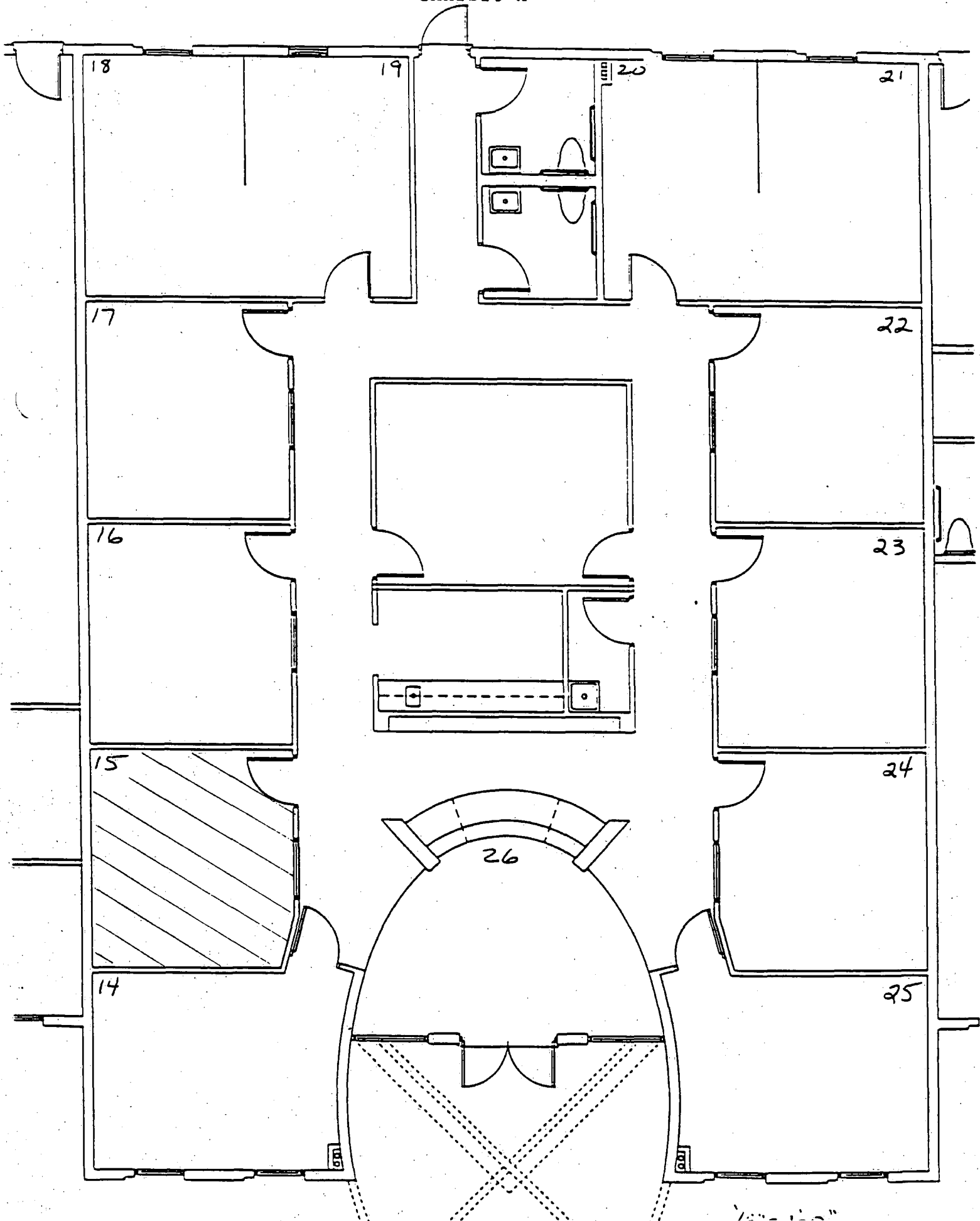
Date

INTERNATIONAL COLLEGE FUNDING

By: 

BASIL CLAY, Owner

LAS VEGAS BUSINESS CENTER
1951 Stella Lake St.
"Exhibit A"



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this ____ day of _____, 1999, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and ECONOMIC OPPORTUNITY BOARD ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated January 23, 1998, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suite 32, Las Vegas, Nevada. Exhibit "A" attached.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

By: _____
JAN LAVERTY JONES, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

J. Portillo 3/15/99
Date

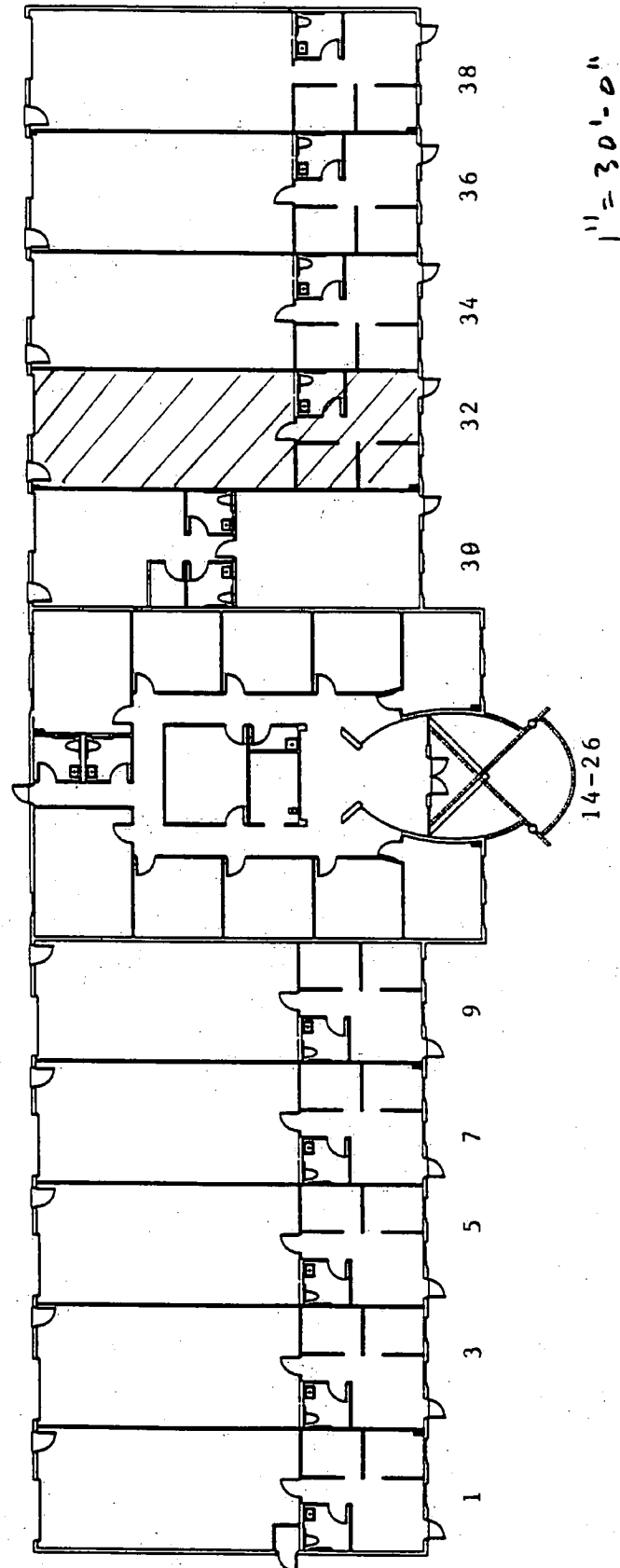
ECONOMIC OPPORTUNITY BOARD

By: _____
JAMES TYREE, Executive Director

Lake Mead Boulevard

EXHIBIT "A"

1951 Stella Lake Street,
Las Vegas NV 89106



**FIRST AMENDMENT TO
Lease and Management Agreement
Las Vegas Business Center**

THIS FIRST AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT is made and entered into this 8th day of March, ~~1999~~, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and TLC HOME HEALTH CARE, INC. ("Tenant").

RECITALS

WHEREAS, the City and Tenant entered into a Lease and Management Agreement ("Agreement") dated November 10, 1997, for the lease of certain Premises at the Las Vegas Business Center; and

WHEREAS, the City and Tenant desire to change certain provisions of the Agreement concerning the term of tenancy, condition of premises and tenant improvements to the Premises.

NOW, THEREFORE, in consideration of the foregoing premises and covenant and conditions set forth herein, the City and Tenant agree to amend the Agreement as follows:

1. In Section 1, delete Sentence 1 and replace with the following:

Subject to the provisions of this Agreement, City hereby leases to Tenant, and Tenant hereby leases from City, certain space within the Incubator commonly known as 1951 Stella Lake Street, Suites 34 and 36, Las Vegas, Nevada. Exhibit "A" attached.

2. In Section 2, delete Sentence 2 and replace with the following:

The three year term shall begin on February 1, 1998 ("the Commencement Date") and shall end on January 31, 2001.

Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain valid and in full force and effect.

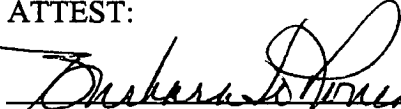
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease and Management Agreement as of the date first above written.

CITY OF LAS VEGAS

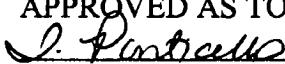
By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

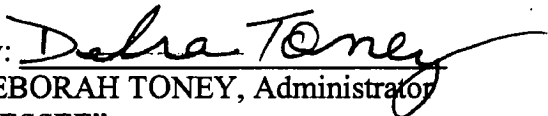
APPROVED AS TO FORM:

 3/15/99
Date

APPROVED BY CITY COUNCIL

4-12-99
Date

TLC HOME HEALTH CARE, INC.

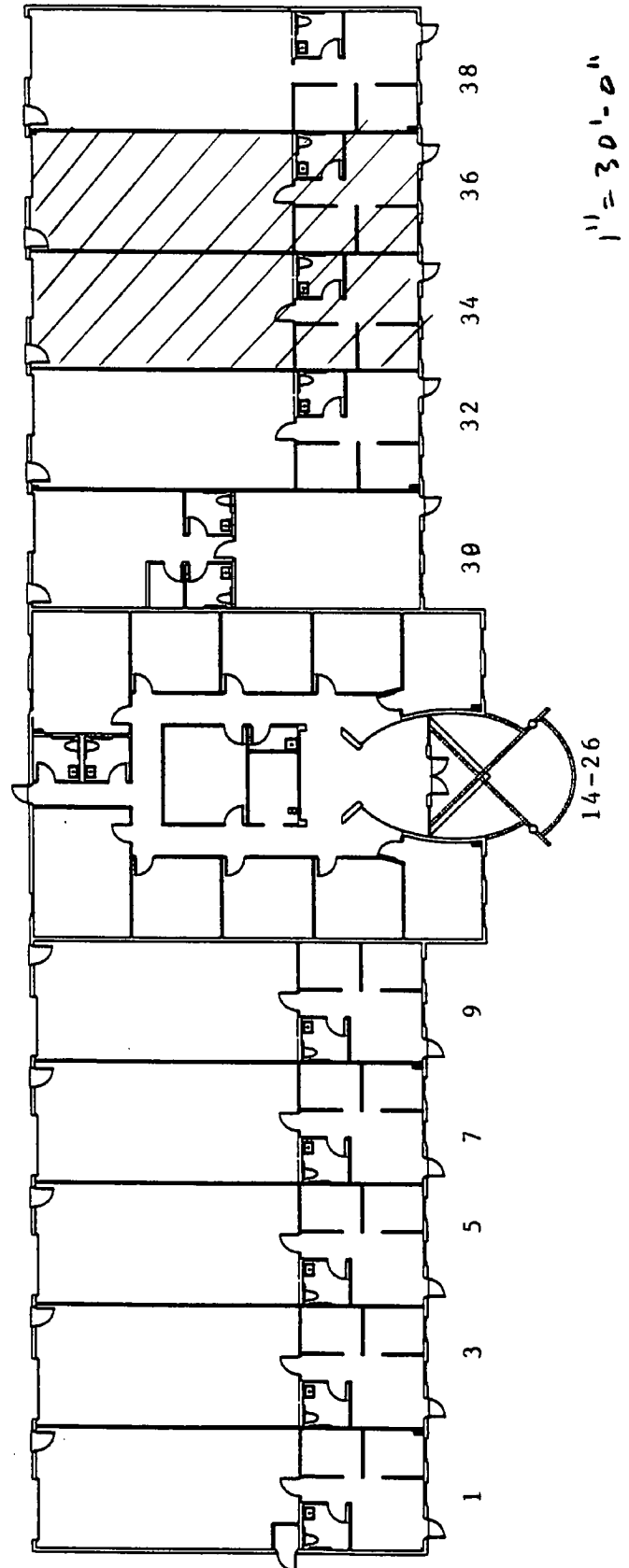
By: 
DEBORAH TONEY, Administrator
"LESSEE"

By: 
CLARA CALBERT, Clinical Director
"LESSEE"

Lake Mead Boulevard

EXHIBIT "A"

1951 Stella Lake Street,
Las Vegas NV 89106



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****VII. BOARDS AND COMMISSIONS -
DISCUSSION**

120

TRAFFIC & PARKING COMMISSION

John J. Lee - Term Expires - 5/3/99

McDONALD - Motion to REAPPOINT:**John J. Lee****- carried UNANIMOUSLY**

There was no discussion.

(11:29)

1-3409

121

**PARK & RECREATION ADVISORY
COMMISSION**Elizabeth "Libby" Woolard-Jones - Term Expires
- 3/24/2000 (declined the appointment)**ADAMSEN - Motion to APPOINT:****Jack McClary (Adamsen's recommendation)****1261 South 8th Street****Las Vegas, Nevada 89104****- carried UNANIMOUSLY**

There was no discussion.

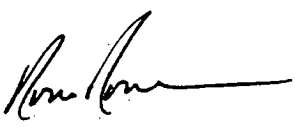
(11:29 - 11:32)

1-3426

Memorandum

City of Las Vegas
Office of the City Clerk

To: Mayor Jan Laverty Jones

From: Barbara Jo (Roni) Ronemus, City Clerk 

CC: Councilman Michael McDonald
Councilman Arnie Adamsen
Councilman Gary Reese
Councilman Larry Brown
Richard Goecke

Date: March 29, 1999

Re: Traffic & Parking Commission - **April 12, 1999 Agenda**

The term of office for **JOHN J. LEE** on the Traffic and Parking Commission will expire May 3, 1999.

LVMC 2.48.010(4) specifies that one member of the general public is appointed by the Mayor to represent the City as a whole. Mr. Lee has been that representative and is **eligible for reappointment if you so choose**.

Attached is a memo from Richard Goecke, Director of the Department of Public Works, indicating that Mr. Lee has an excellent attendance record and **wishes to be reappointed**.

Specifics for this Commission are as follows:

- Members are appointed by the Mayor and confirmed by the City Council.
- Appointments must be made such that one member resides in and is representative of each of the four wards with one member representing the City as a whole.
- Terms of office are four-years.
- No limit to the number of terms which may be served.
- No requirement to fill unexpired portions of terms (but terms are to be staggered).
- City and State Financial Disclosure required.

A current membership listing is attached for your review. This item will be on the **Council agenda April 12, 1999** for your consideration.

Attachments

(commonboards.ltr/traffic & parking com99.doc)

Memorandum

City of Las Vegas Department of Public Works Administration

To: Barbara Jo Ronemus
City Clerk

From: Richard D. Goecke
Director

CC: John J. Lee
O.C. White, Jr.
Linda Owens

Date: March 11, 1999

Re: John J. Lee - Traffic and Parking Commission Re-Appointment

1999 MAR 12 PM 2:38

RECEIVED
CITY CLERK

We have contacted John J. Lee, whose term on the Traffic and Parking Commission expires on May 3, 1999. He wishes to be appointed to another four-year term on the Commission. He missed one meeting in the past year.

Mr. Lee is serving as an Assemblyman this year so is in Carson City for the months of February through May. He has a substitute, however, to serve in his place on the Commission during that time.

OCW:ps

3/9/98

TRAFFIC & PARKING COMMISSION

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1.* WHITE, ROBERT (McDonald's recommendation)	6244 McAllister Ave. (Resident of Ward 1)	07	6-21-89	6-21-2001
2. ESBIN, MARTIN (Adamsen's recommendation)	9329 Lotus Elan Dr. (Resident of Ward 2)	17	2-21-96	2-21-2000
3. CARRY, TED (Callister's recommendation)	1900 Stonehaven Dr. (Resident of Ward 4)	108	5-27-97	5-27-2001
4. HOBAN, ROBERT (Reese's recommendation)	1929 Ballard Drive (Resident of Ward 3)	04	12-20-95	12-20-99
5. LEE, JOHN J. (Mayor Jones, City-wide appt.)	4201 Del Rey Avenue (Resident of Ward 1)	02	5-3-95	5-3-99

(The Sheriff, or his designee, Lt. Joe Greenwood, Attn. Sgt. Tom Plehn, Traffic Section, LVMPD, 400 East Stewart Avenue, Las Vegas, Nevada 89101-2984 (229-3535) (Acting Designee - Sgt. Tom Plehn) and the Director of Public Works, or his designee, are also voting members.)

* Mr. White was a resident of Ward 4 until the ward boundaries were changed in 1991 which placed him in Ward 1.

AUTHORITY: L.V.M.C. 2.48

TERM: 4 years. No limit to number of terms. No requirement to fill unexpired portions of terms.

MEMBERS: 7 voting members - 5 members of the public, the Sheriff, & Public Works Director. (Bill #89-72 adopted 1-3-90 increased from 3 to 5 the public members. 5 public members appointed by the Mayor and confirmed by the City Council such that one member shall reside in and be representative of each of the four Council Wards with one member representing the City as a whole. Ex-Officio (non-voting) - Traffic Engineer, City Attorney, Fire Chief, Director of Community Planning & Development or their designees and other staff members that the City Manager may designate.

NOTES: MUST BE CITY OF LAS VEGAS RESIDENT, Ord. 3527.

FINANCIAL DISCLOSURE REQUIRED (both CLV and State)

MEETINGS: Meets 4th Thursday of each month, 2 p.m., City Hall Council Chambers.

Memorandum

City of Las Vegas
Office of the City Council

To: Mayor Jan Lavery Jones
Councilman Michael McDonald
Councilman Gary Reese
Councilman Larry Brown

From: Councilman Arnie Adamsen *AA*

CC: Barbara Jo (Roni) Ronemus, Dave Kuiper

Date: April 12, 1999

Re: Park & Recreation Advisory Commission - April 12, 1999 Agenda

I would like to recommend Jack McClary to be appointed to the Park & Recreation Advisory Commission which will be heard at the April 12, 1999 City Council meeting. I have attached a copy of Mr. McClary's biography for your review.

Thank you for your consideration.

AA:gr

**MCCLARY ENTERPRISES
601 W. ESSEX DR.
LAS VEGAS, NV 89107
(702)258-9705 FAX(702)2589863**

February 19, 1997

Councilman Arnie Adamsen
400 Stewart
Las Vegas, NV 89101

FEB 24 3 09 PM '97

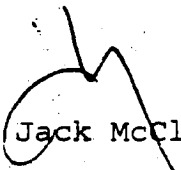
RECEIVED
CITY OF LAS VEGAS

Dear Mr. Adamsen:

I would like to express my interest in serving on the Parks & Recreation Board. As a long time resident of Las Vegas I have a vested interest in continuing to make this city a great place to live and work. By serving on the Parks & Recreation Board I hope to help make that continue and to give back to the city that has given so much to me and my family.

I look forward to working with you in this capacity in the future.

Sincerely,


Jack McClary

BIOGRAPHY OF JACK MCCLARY

Jack McClary has lived in the city of Las Vegas since his parents moved here from Utah in 1957. He attended school locally and graduated from Western High School. After attending Ricks Jr. College and Brigham Young University, Jack returned to Las Vegas where he worked for a local contractor to acquire sufficient funds to complete his university studies. He entered the military in 1979 and honorably served until he returned to Las Vegas in 1982. He enrolled at UNLV in the spring of 1983 and graduated with a BS in Finance in 1986.

Starting his career in banking with Nevada State Bank he advanced rapidly to assume management responsibility of the North Las Vegas branch. He then worked in various management positions with other local and national banks during which time he was earning his MBA from National University. He has been involved with numerous non-profit organizations such as the Literacy Council of Las Vegas, the United Way, Nevada Senate Productivity Awards and Quality & Productivity Institute.

Jack left the banking industry to pursue a goal of becoming a business consultant. He worked with a large accounting firm until he started his own practice. Jack has been an owner or partner in several successful business ventures and continues to pursue many opportunities. He is married to Rosalyn, a native herself, and has three children. They enjoy Las Vegas and the many benefits that living here brings.

Memorandum

City of Las Vegas
Office of the City Clerk

To: Mayor Jan Lavery Jones
Councilman Michael McDonald
Councilman Arnie Adamsen
Councilman Gary Reese
Councilman Larry Brown

From: Barbara Jo (Roni) Ronemus, City Clerk 

CC: Dave Kuiper

Date: March 26, 1999

Re: Park & Recreation Advisory Commission - April 12, 1999 Agenda

Park & Recreation Advisory Commission Member **ELIZABETH "LIBBY" WOOLARD-JONES** was appointed in January of this year to fill the unexpired term of W. "Walter" Lane Harriman who passed away. Attached is a letter from Ms. Woolard-Jones indicating that she must regretfully refuse this appointment. Therefore, it will be necessary to again fill this unexpired term, which will expire March 24, 2000.

Specifics related to this board are:

- 15 Members appointed by the City Council.
- Terms of office are 3 years.
- Must fill unexpired portions of terms.
- No limit to number of terms which may be served.
- No City residency requirement.
- City and State Financial Disclosure required.

For your information, a current membership listing is also attached. This matter will be on your **April 12, 1999 agenda** for consideration.

Attachments

commonboards.tr/park&recrea199

ELIZABETH WOOLARD-JONES

5408 Del Monte Avenue
Las Vegas, Nevada 89102
702-870-9959

MARCH 10, 1999

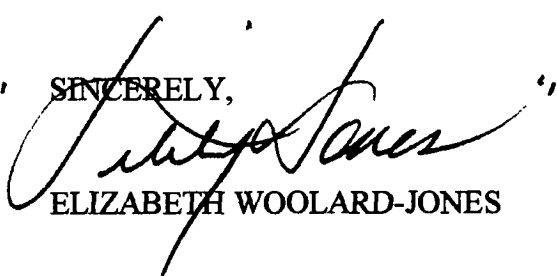
COUNCILMAN ARNIE ADAMSEN
CITY OF LAS VEGAS
400 EAST STEWART
LAS VEGAS, NEVADA 89101-2986

DEAR COUNCILMAN ADAMSEN,

THANK YOU FOR YOUR SUPPORT AND NOMINATION TO THE PARK AND RECREATION ADVISORY BOARD TO FILL THE UNEXPIRED TERM OF LANE HARRIMAN. AS YOU KNOW, I HAVE BEEN A STRONG SUPPORTER OF THE PARK AND RECREATION DEPARTMENT AND PREVIOUSLY SERVED TWO TERMS ON THE ADVISORY BOARD. UNFORTUNATELY, DIRECTOR KUIPER DID NOT CONSULT ME BEFORE SUBMITTING MY NAME FOR CONSIDERATION AND DUE TO THE SCHEDULED FIVE P.M. MEETING TIMES, MY WORK SCHEDULE PROHIBITS MY ATTENDANCE AT BOARD MEETINGS.

I REGRET THAT I MUST RESIGN THIS RECENT APPOINTMENT AND ONCE AGAIN WISH TO EXPRESS MY APPRECIATION FOR YOUR SUPPORT. AS A TWENTY FIVE YEAR RESIDENT OF THE CITY AND HAVING BEEN ACTIVE ON MANY CITY COMMITTEES, I HOPE THAT I WILL BE ABLE TO SERVE AT A LATER TIME IN SOME CAPACITY AS WE ALL WORK TO IMPROVE OUR FINE CITY.

" SINCERELY,


ELIZABETH WOOLARD-JONES

CC: ✓ BARBARA JO (RONI) RONEMUS, CITY CLERK
JEANNE ROBERTS, PARK & RECREATION ADVISORY BOARD CHAIR
DAVE KUIPER, PARKS & LEISURE ACTIVITIES DIRECTOR

RECEIVED
CITY CLERK

APR 12 4 10 PM

1-25-1999

PARK & RECREATION ADVISORY COMMISSION

<u>MEMBERS</u>	<u>ZIP ADDRESS</u>	<u>CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1. PFUNDSTEIN, THOMAS (Brass's recommendation)	1226 Mint Julep Way (Ward 3)	122	11-17-93 (Reappointed CC 11/6/96)	12-11-99
2. GLEESON, TONI (Reese's recommendation)	4141 Compass Rose Way (Ward 4)	08	5-15-96 (Reappointed CC 11/6/96)	12-11-99
3. ROBERTS, JEANNE A.	1013 Francis Avenue	104	12-62	12-11-2000
4. SAPLING, WALTER T. (Adamsen's recommendation)	8036 Hilliard Ave. (Ward 4)	128	11-6-96 (Term begins 1/8/97)	1-8-2000
5. HEENAN, LETIA (LEE) M.	4527 Alpine Pl. (Ward 1)	07	9-74	1-3-2001
6. ROMEO, DONALD MD. (Hawkins Reappointment) Wk. 384-8533	Hm: 4821 Black Bear Road, Condominium No. 101	129 06	1-77 (Reappointed CC 11/6/96)	11-18-99
7. MARTIN, MATTIE (Brass' recommendation) (Adamsen's reappointment)	4700 Cram Drive (Ward 3)	10	7-20-94 (Reappointed CC 12/6/95) (Reappointed CC 12/7/98)	1-6-2002
8. WEINGARD, ZELDA (Adamsen's appointment)	8204 Paseo Vista Drive (Ward 2)	128	12-7-98	11-18-99
9. SHEA, MARJEAN (Mayor Jones' recommendation)	7056 Hillcroft Way (County)	17	11-6-96 (Term begins 12/11/96)	12-11-99
10. DOYLE, JACK (HAWKINS' recommendation) Mailing Address: (McDonald Reappt)	(Ward 1) 557 E. Sahara Ave., Suite 223	104	4-1-92 (Reappointed CC 4/5/95) (Reappointed CC 3/23/98)	4-1-2001
11. SHERMAN, LISA B. (BRASS' recommendation) (Formerly Lisa Cavaretta) (Home - 3077 Yankee Clipper Dr., 89117)	P. O. Box 80104 (Mailing) (Ward 1)	180	4-1-92 (Reappointed CC 4/5/95) (Reappointed CC 3/23/98)	4-1-2001
12. JONES, LIBBY (Replaced W. Lane Harriman) (Adamsen recommendation)	5408 Del Monte Ave.	02 (Ward 1)	1-25-99	3-24-2000
13. MUSSER, CHARLES D.	4310 Mountain View Bl (Ward 1)	46	2-20-94	2-20-2000
14. HAUPT, ERNIE	1434 Cottonwood Place (Ward 3)	101	12-7-98	3-24-2000
15. ABEYTA, MANNY (Nolen's recommendation)	2901 Gilmary St. (Ward 1)	123	2-20-91	2-20-2000

Page 2
1-25-1999

PARK AND RECREATION ADVISORY BOARD

NOTE: On 1-8-92 the Council adopted Bill 91-77 which terminated the Golf Board and added the functions previously handled by the Golf Board as functions of the Park & Recreation Board.

AUTHORITY: LVMC 2.42

MEMBERS: 15 members appointed by the City Council. (Increased from 11 to 15 on 2-6-91, Bill 91-2)

TERM: 3 years (no limit to number of terms)
(must fill unexpired terms)

NOTES: No City residency requirement.

FINANCIAL DISCLOSURE REQUIRED (both CLV and State)

MEETINGS: Meets 2nd Wednesday of each month, 5:30 P.M., 749 Veterans Memorial Drive, Conference Room.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 65

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**VIII. BOARDS & COMMISSIONS -
DISCUSSION**

122

Discussion and possible action on the appointment of alternates to the Southern Nevada Regional Planning Coalition

McDONALD - ABEYANCE to 6/28/99 - UNANIMOUS

TOM McGOWAN, 720 South Casino Center Boulevard, requested his nomination as a public representative on the Coalition.

There was no further discussion.

(11:30)

1-3466

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 66

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****VIII. NEW BILLS**

123

Bill No. 99-14 - Annexation No. A-22-98(A);
Property Located: On the south side of Azure
Drive between Monte Cristo Way and Tenaya
Way; Petitioned By: Centennial 95 Limited
Partnership; Acreage: Approximately 4.88 acres;
Zoned: R-E (County Zoning) U (R) (City
Equivalent)

Sponsored by: Councilman Larry Brown

**NOTE: THE NEW BILLS WILL BE HEARD AT THE
RECOMMENDING COMMITTEE MEETING ON MONDAY,
APRIL 19th, 1999, AT 4:00 P.M.**

**First Reading - Referred - COUNCILMEN McDONALD and
BROWN**

**4/19/99 Recommending Committee
4/26/99 City Council**

There was no discussion.

(11:30 - 11:34)

1-3503

124

Bill No. 99-15 - Annexation No. A-23-98(A);
Property Located: On the southeast corner of
Florine Avenue and El Capitan Way; Petitioned
By: American West Homes, Inc.; Acreage:
Approximately 5.17 acres; Zoned: R-E (County
Zoning) U (DR) (City Equivalent)

Sponsored by: Councilman Larry Brown

**First Reading - Referred - COUNCILMEN McDONALD and
BROWN**

**4/19/99 Recommending Committee
4/26/99 City Council**

There was no discussion.

(11:30 - 11:34)

1-3503

125

Bill No. 99-16 - Annexation No. A-24-98(A);
Property Located: On the south side of Craig
Road, approximately 2,300 feet west of Hualapai
Way; Petitioned By: Wellington Builders of North
America Limited; Acreage: Approximately 5.44
acres; Zoned: R-U (County Zoning) U (PCD)
(City Equivalent)

Sponsored by: Councilman Larry Brown

**First Reading - Referred - COUNCILMEN McDONALD and
BROWN**

**4/19/99 Recommending Committee
4/26/99 City Council**

There was no discussion.

(11:30 - 11:34)

1-3503

126

Bill No. 99-17 - Annexation No. A-25-98(A);
Property Located: On the southwest corner of
Tenaya Way and Regena Avenue; Petitioned
By: Centennial 95 Limited Partnership; Acreage:
Approximately 3.53 acres; Zoned: R-E (County
Zoning) U (R) (City Equivalent)

Sponsored by: Councilman Larry Brown

**First Reading - Referred - COUNCILMEN McDONALD and
BROWN**

**4/19/99 Recommending Committee
4/26/99 City Council**

There was no discussion.

(11:30 - 11:34)

1-3503

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****VIII. NEW BILLS**

127

Bill No. 99-18 – Annexation No. A-31-98(A); Property Located: Between Centennial Parkway and Tropical Parkway and between Durango Drive and El Capitan Way; Petitioned By: Dale L. Fraser, et al.; Acreage: Approximately 77.75 acres; Zoned: R-E (County Zoning) U (PF, L and ML) (City Equivalent)

Sponsored by: Councilman Larry Brown

First Reading - Referred - COUNCILMEN McDONALD and BROWN

4/19/99 Recommending Committee

4/26/99 City Council

There was no discussion.

(11:30 - 11:34)

1-3503

128

Bill No. 99-19 – Creates District re: Special Improvement District No. 1470 - Buffalo (Cheyenne Avenue to Lone Mountain Road) and Craig Road US-95 to Buffalo Drive)

Sponsored by: Step Requirement

First Reading - Referred - COUNCILMEN McDONALD and BROWN

4/19/99 Recommending Committee

4/26/99 City Council

CITY ATTORNEY JERBIC noted that the protests filed as part of Item No. 93, which was stricken, will be disposed of before this Bill is acted upon.

There was no discussion.

(11:30 - 11:34)

1-3503

129

Bill No. 99-20 – Creates District re: Special Improvement District No. 1471 - Jones Boulevard (Rancho Drive to Centennial Parkway)

Sponsored by: Step Requirement

First Reading - Referred - COUNCILMEN McDONALD and BROWN

4/19/99 Recommending Committee

4/26/99 City Council

There was no discussion.

(11:30 - 11:34)

1-3503

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 68

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

VIII. NEW BILLS

130

Bill No. 99-21 -- Amends the City's sewer regulations to specifically identify "custodial institution" as a customer class

Sponsored by: Councilman Arnie Adamsen

First Reading - Referred - COUNCILMEN McDONALD and BROWN

4/19/99 Recommending Committee

4/26/99 City Council

There was no discussion.

(11:30 - 11:34)

1-3503

THE MORNING SESSION RECESSED AT 11:34 A.M.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 69

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****131**

Any items from the afternoon session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.

NO ACTION TAKEN

(2:03)

3 - 1

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 70

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****IX. PUBLIC HEARINGS****132**

Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 620 Madison Ave.

PROPERTY OWNER: Daryl Muhammad

Lien Amount: \$1,492.60

REESE - APPROVED the action of Neighborhood Services - UNANIMOUS with Jones excused

MAYOR PRO TEM McDONALD opened the Public Hearing.

DAVID SEMENZA, Neighborhood Response, stated the subject property is located in Ward 3 and that the unsecured building was accessible to vandals and vagrants. The abatement was completed by Weaver Construction Company. He requested a lien of assessment in the amount of \$1,492.60.

There was no further discussion.

MAYOR PRO TEM McDONALD closed the Public Hearing.

(2:03 - 2:04)

3 - 15

133

Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1909 W. Bonanza Ave.

PROPERTY OWNER: Harvinder J. Singh

Lien Amount: \$3,120.00

REESE - APPROVED the action of Neighborhood Services - UNANIMOUS with Jones excused

MAYOR PRO TEM McDONALD opened the Public Hearing.

DAVID SEMENZA, Neighborhood Response, stated that the building was secured and the debris removed. The work was completed by K.O. Construction and he presented a video of the property before and after abatement. He requested a lien of assessment in the amount of \$3,120.00.

AL GALLEGOS, 400 Bonanza Way, stated that four weeks ago he requested to have an area cleaned and so far it has not been done. He feels that Rapid Response and Code Enforcement are not doing their job. SHARON SEBERBLUM, Director of Neighborhood Services, asked MR. GALLEGOS to provide her with the property's address.

There was no further discussion.

MAYOR PRO TEM McDONALD closed the Public Hearing.

(2:04 - 2:06)

3 - 45

CITY COUNCIL

MEETING OF

April 12, 1999**AGENDA DOCUMENTATION**

TO:

City Council

FROM:

**SHARON SEGERBLOM, DIRECTOR
NEIGHBORHOOD SERVICES DEPARTMENT**

SUBJECT:

Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 620 Madison Ave.

PURPOSE/BACKGROUND

The subject property was a dangerous building, unsecured and accessible to vandals and vagrants. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Weaver Construction to secure the building and remove all litter, trash and debris. Work was completed by Weaver Construction on December 28, 1998, at a cost of \$1,492.60.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

FISCAL IMPACT \$1,716.55**RECOMMENDATIONS****Agenda Item****132**

Attached for your information are the following:

1. Location map
2. Report of Expenses
3. Notice of Public Hearing
4. Chronological List of Events
5. Copy of the Notice and Claim of Lien

RECOMMENDATIONS:

The City Manager recommends that the City Council:

1. Approve the Report of Expenses in the amount of \$1,716.55 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien.
2. Authorize that the Notice and Claim of Property Lien be duly recorded and filed with the County Treasurer's Office for collection as ordinary property taxes. If the Property Owner chooses to make payments, then a Property Lien will be recorded and filed in place of an Assessment Lien..

VAN BUREN AVE

HST

GST

FST

EST

DST

JACKSON AVE

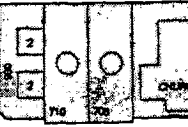
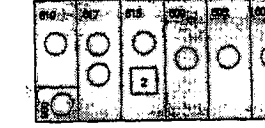
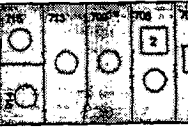
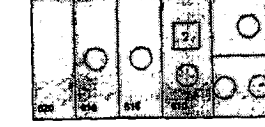
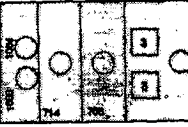
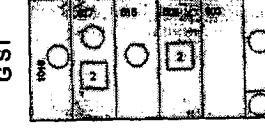
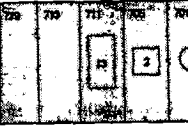
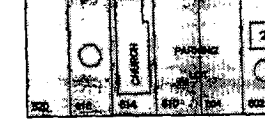
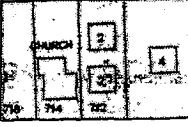
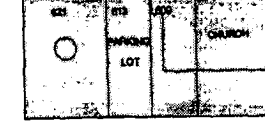
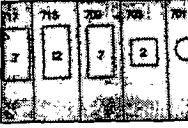
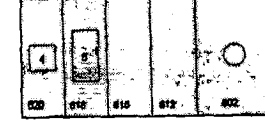
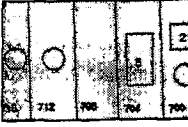
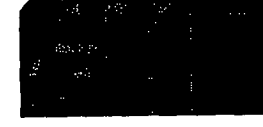
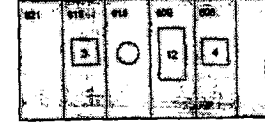
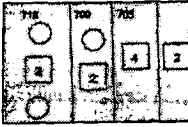
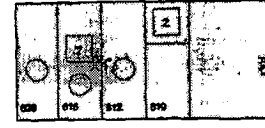
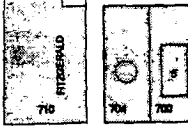
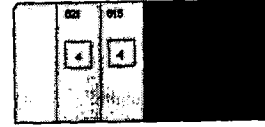
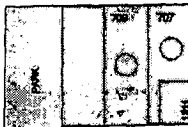
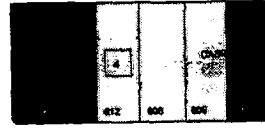
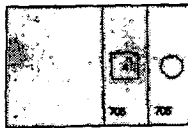
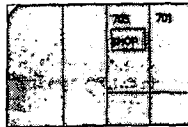
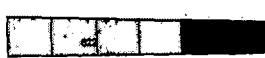
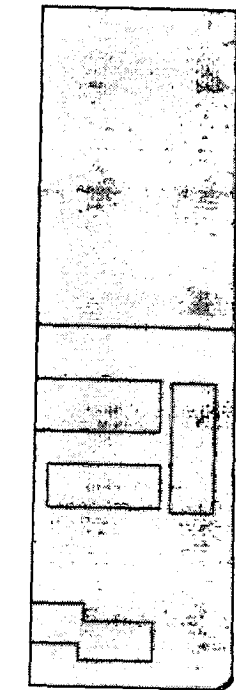
MONROE AVE

MADISON AVE

JEFFERSON AVE

ADAMS AVE

WASHINGTON



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
From: David Semenza, Manager - Neighborhood Response Division
CC: File
Date: March 9, 1999
Re: Report of Expenses for the abatement of dangerous building located at 620 Madison Ave.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building abatement", the Department of Neighborhood Services caused the securing of building and clearance and removal of all litter and debris from the above-referenced property.

Work was completed on December 28, 1998, by Weaver Construction at a cost of \$1,492.60 and was accepted by the Department of Neighborhood Services.

Contract Amount	\$1471.00
Dump fee	<u>21.60</u>
AMOUNT DUE	\$1492.60
Administrative processing fee	<u>223.95</u>
TOTAL AMOUNT DUE	\$1,716.55

OWNER OF RECORD: DARYL MUHAMMAD

PROPERTY ABATED: 620 MADISON AVE

ASSESSOR'S PARCEL: 139-27-210-006

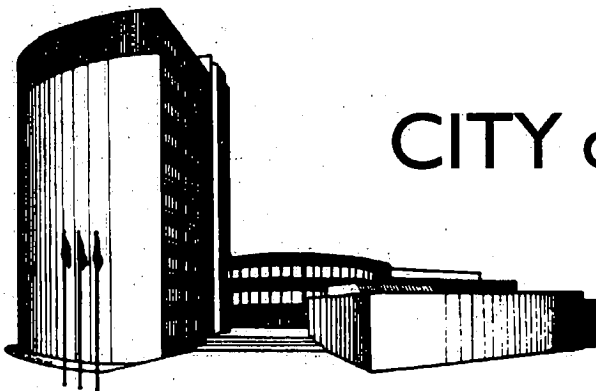
LEGAL DESCRIPTION: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 1 BLOCK 20

DS:yl

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING APRIL 12, 1999

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Monday, April 12, 1999**, at the hour of **2:00 P.M.**, in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by securing the buildings and clearance of all litter and debris, located at **620 MADISON AVENUE**, legally described as **H F M & M ADD, Plat Book 1, Page 47, Lot 1, Block 20**. Owner of record at time of abatement: Daryl Muhammad

The Director of Neighborhood Services certifies in the report that the sum of \$1,716.55 was expended (\$1,492.60. to Weaver Construction for securing and cleaning the premises, Administrative processing fee \$223.95).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK



Complaint 093098-226 620 MADISON AVE

2 INOPS IN FRONT YARD, 2 IN STREET, THIS IS A FOUR UNIT BLDG,
AT LEAST 2 ARE VACANT/OPEN/TRASHED, LARGE AMT OF GARBAGE ON NORTH

Dangerous Building: Vacant Building

Taken By: 24

>> 1 Open This is 3 of 4.

Call Back: 1/28/99

Ward 3 1- 2325-32
Area 3

Parcel: 139 27 210 006

MUHAMMAD DARYL
620 MADISON AVE
LAS VEGAS NV 89106-3147
H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 1 BLOCK 20

Complainant: FIELD INSP
Respond To:
Phone:
Owner: MUHAMMAD DARYL

Spl. Project:

09-30-98 SIDE OF PROPERTY...ENCROACHING INTO THE ALLEY AREA, THIS IS
PRETTY BAD. REFER TO TONI IN OFFICE FOR N & O DANG BLDG &
LITTER N & O.

10-01-98 TL) CONTACT KAREN W/CC ASSESSOR'S OFFICE - LEFT HER MESSAGE

10-02-98 TL) CONTACT KAREN C/CC ASSESSOR'S OFFICE - SHOW SAME OWNER,
TAXES ARE BEEN PAID BY NORWEST MORTGAGE HOLDER AT 405 S W
5TH ST. DES MOINES, IOWA 50309 - (STILL SHOWS SAME ADDRESS
FROM OWNER)

10-05-98 TL) TYPE 10-DAY DANG/BLDG - CB OCT. 19, - POST OCT. 6, - PAM
(24) - WANTED TO POST ON THE SAME DAY BUT SHE IS NOT HERE -

10-13-98 TL) REC'D THE 10-DAY DANG/BLDG CERT/CARD SIGNED FROM NORWEST
MORTGAGE
TL) REC'D THE 10-DAY DANG/BLDG CERT/CARD - NOT SIGNED BY
OWNER & REC'D THE REG/LETTER RETURN TO SENDER AS WELL

10-18-98 24)STILL OPEN/TRASHED, PROCEED W/ABATEMENT, BIDS PLEASE.

11-10-98 TL) FAX BIDS TO ALL CONTRACTORS

11-16-98 TL) REC'D BIDS FROM WEAVER CONST. IN THE AMOUNT OF:
\$1,571.00 AND FROM K.O. CONSTRUCTION IN THE AMOUNT OF:
\$1,750.00

11-24-98 ENTRY TL) 10-DAY NOTICE BEFORE ABATEMENT - SEND TO
PROPERTY OWNER & MORTGAGE CO., - CB DEC. 14 - POST NOV. 27

12-01-98 TL) REC'D ANOTHER COMPLAINT, I EXPLAIN TO COMPLAINANT THAT
WE'RE WORKING ON THIS PROPERTY ALREADY
REC'D THE REG. LETTER FROM OWNER - DIDN'T CLAIM - RETURN TO
SENDER.

12-02-98 24)POSTED N 10-DAY N & O, CONDITION SAME, OPEN/TRASHED, ETC.

12-03-98 OS)RYAN ROONEY, NORWEST MTG., PHONE # (515) 237-6446, CALLED
AND SAID PROPERTY WILL BE CLEANED AND SECURED BY 12/11/98.

12-04-98 TL) RE'C THE 10-DAY CART/CARD SIGNED - BY NORWEST MORTGAGE
----- PLEASE NOTE: SEE ENTRY PER ORLANDO S., ON 12/3

12-13-98 24)MR ROONEY LIED, STILL OPEN, STILL TRASHED, I HAD 2 VEH'S

Complaint 093098-226 continued

Page 2

TOWED BY QUALITY AS THEY WERE STRIPPED W/GLASS HANGING FROM
WINDOWS (HAZARDOUS NUISANCE), REFER TO OFFICE, LET'S DO IT!

12-17-98 JH BEFORE VIDEO COMPLETED

12-18-98 KB) PER ORLANDO SANCHEZ, MANAGER - MR. ROONEY DIDN'T CONTACT
THE CITY - PER ENTRY ON ISNPECTOR 24 - NOTHING IS BEEN DONE
- GO AHED AND CONTACT OUR CONTRACTOR FOR ABATEMENT

12-21-98 KB) CERTIFIED LTR TO OWNER AT 620 MADISON RETURNED (VACANT)

12-22-98 KB) SENT AWARD LTR TO WEAVER CONST - TO DO ABATEMENT ON
THURS DEC 24 - I HAVE FILE

12-29-98 PER WEAVER CONSTRUCTION PHILIS, NOW ALL BLDG'S ARE OPEN,
SPOKE TO ORLANDO AND SINCE WE ONLY SEND THE LETTER FOR
2/VACANT BLDG'S WE HAVE TO SEND A SEPARATE DANG/BLDG LETTER
AGAIN FOR THE OTHER 2/BLDG THAT ARE FACING "G" STREET

12-30-98 KB) RECD INVOICE FROM WEAVER IN THE AMOUNT OF \$1,492.60-GAVE
FILE TO YVETTE FOR COUNCIL
KB) GAVE TO JIM H FOR FINAL VIDEO

12-31-98 KB) DANG BLDG LTR RECORDED 981231, 00512

01-04-99 TL) PER JIM HUNTER - CALL WEAVER CONSTRUCTION (PHILIS) AND
ASK FOR ANOTHER BID FOR THE OTHER 2/BLDG'S - THAT IS FACING
"G" STREET -
KB) RECD BID FROM WEAVER IN AMT OF \$1,571.00

01-05-99 KB) SENT 10 DAY BEFORE ABA/DANG BLDG POST 1/6 CB 1/18

01-08-99 28)POSTED 10-DAY NOTICE & ORDER.

01-19-99 KB) MESSAGE ON RECORDER TO CALL RYAN RUDY-NORWEST MORTGAGE
515-237-6446, THEIR REF #5333029
KB) CONTRACTOR, BOB CARTER FROM NORWEST MORT - WILL COMPLY
CB 1/20
24)NOT YET, WILL CHECK AGAIN 1/20.

01-20-99 24)UNITS ARE BOARDED/SECURE, STILL GRAFFITI ON SIDE, FRONT,
& REAR OF BLDG. LEFT MESS ON REC FOR RYAN AT NORWEST TO HAVE
BLDG PAINTED. CALL BACK 1/28

01-22-99 JH FINAL VIDEO COMPLETED

02-03-99 24)GRAFFITI IN FRONT & REAR OF BLDG, REFER TO RRT FOR HELP.

02-09-99 KB) RECD INVOICE FROM WEAVER CONSTRUCTION IN THE AMOUNT OF
\$1,492.60 AND GAVE FILE TO YVETTE FOR PAYMENT

02-24-99 YL) PROCESSED FOR PAYMENT THROUGH ORACLE FINANCIAL SYSTEM

02-26-99 KB) RECD CERTIFIED CARD FROM MUHAMMAD RETURNED (VACANT)

03-10-99 YL) LETTER AND REPORT OF EXPENSE SENT TO PROPERTYOWNER

03-22-99 YL) SET DATE FOR PUBLIC HEARING

04-12-99 PUBLIC HEARING AT CITY COUNCIL TO APPROVE REPORT OF EXPENSES
IN THE AMOUNT OF \$1,492.60 PLUS 15% ADMIN FEE.

093098-226

NOTICE AND CLAIM OF LIEN OF ASSESSMENTTO: **DARYL MUHAMMAD** (Reputed Owner) At time of abatement

On December 28, 1998, as provided in the Las Vegas Municipal Code 16.08, Section 302, the City of Las Vegas caused the abatement of a dangerous building condition on the following property after due notification.

Assessor's Parcel No.: 139-27-210-006
Commonly known as: 620 MADISON AVENUE
Legal Description: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 1 BLOCK 20

Expenses in the amount of \$1,716.55 were incurred by the City of Las Vegas in the above dangerous condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on April 12, 1999, ordered the above charges in the amount of \$1,716.55, assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment which remains unpaid after 30 days from the date of the recording thereof on the assessment roll shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date.

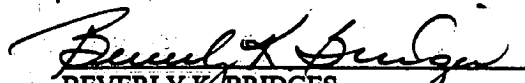
This lien shall continue until the assessment which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.


BEVERLY K. BRIDGES
400 East Stewart Avenue
Las Vegas, NV 89101
Telephone: (702) 229-6311

STATE OF NEVADA)

COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

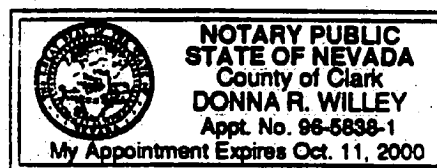

BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK

SUBSCRIBED and SWORN to before me
this 12th day of April, 1999


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 E. STEWART AVENUE
LAS VEGAS, NV 89101



CITY COUNCIL

MEETING OF

April 12, 1999**AGENDA DOCUMENTATION**

TO:

City Council

FROM:

**SHARON SEGERBLOM, DIRECTOR
NEIGHBORHOOD SERVICES DEPARTMENT**

SUBJECT:

Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1909 W. Bonanza Rd.

PURPOSE/BACKGROUND

The subject property was a dangerous building, unsecured and accessible to vandals and vagrants. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired K. O. Construction to secure the building and remove all litter, trash and debris. Work was completed by K. O. Construction on February 9, 1999, at a cost of \$3,120.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

FISCAL IMPACT \$3,588.00**RECOMMENDATIONS****Agenda Item****133**

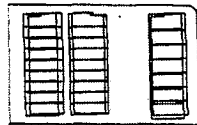
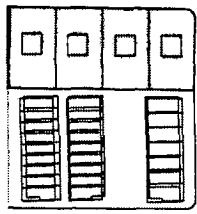
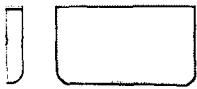
Attached for your information are the following:

1. Location map
2. Report of Expenses
3. Notice of Public Hearing
4. Chronological List of Events
5. Copy of the Notice and Claim of Lien

RECOMMENDATIONS:

The City Manager recommends that the City Council:

1. Approve the Report of Expenses in the amount of \$3,588.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien.
2. Authorize that the Notice and Claim of Property Lien be duly recorded and filed with the County Treasurer's Office for collection as ordinary property taxes. If the Property Owner chooses to make payments, then a Property Lien will be recorded and filed in place of an Assessment Lien..

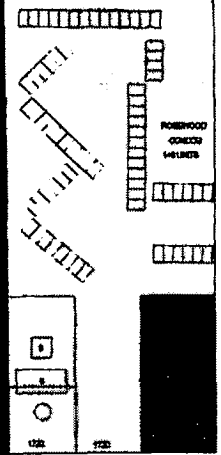
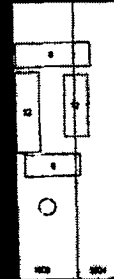


TONOPAH DR

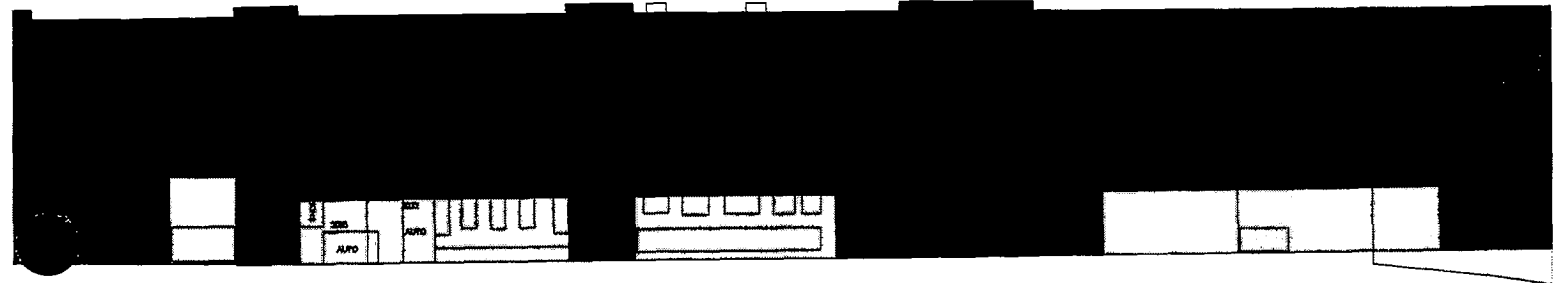


CLARKWAY DR

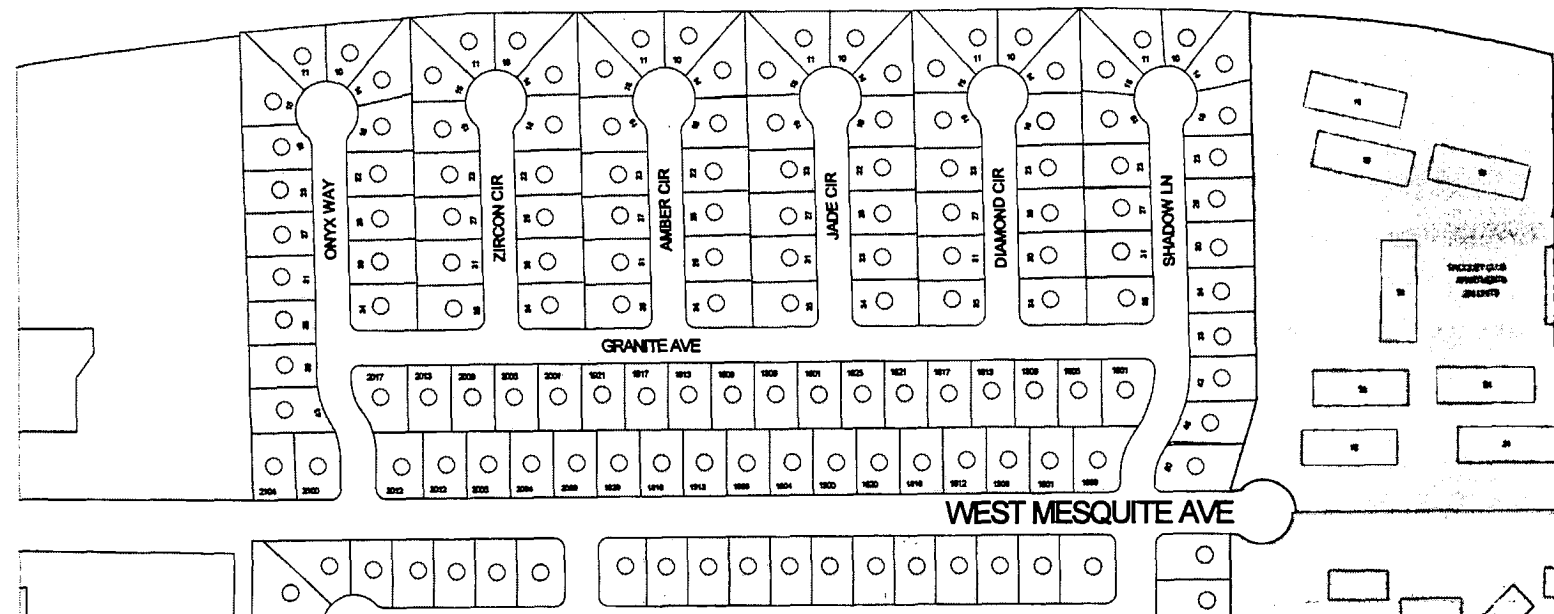
WASHINGTON AVE



BONANZA RD



ORAN K GRAGSON EXPY



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager - Neighborhood Response Division

CC: File

Date: February 24, 1999

Re: Report of Expenses for the abatement of dangerous building located at 1909 W Bonanza Rd.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building abatement", the Department of Neighborhood Services caused the securing of building and clearance and removal of all litter and debris from the above-referenced property.

Work was completed on February 9, 1999, by K. O. Construction at a cost of \$3,120.00 and was accepted by the Department of Neighborhood Services.

Contract Amount	\$3,120.00
-----------------------	------------

AMOUNT DUE	\$3,120.00
------------------	------------

Administrative processing fee	<u>468.00</u>
-------------------------------------	---------------

TOTAL AMOUNT DUE	\$3,588.00
------------------------	------------

OWNER OF RECORD: HARVINDER J. SINGH

PROPERTY ABATED: 1909 W BONANZA RD

ASSESSOR'S PARCEL: 139-28-401-003

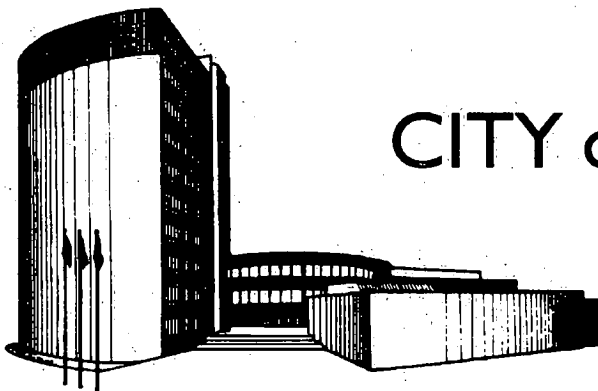
LEGAL DESCRIPTION: PARCEL MAP FILE 2 PAGE 58
PT LOT 1

DS:yl

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING APRIL 12, 1999

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Monday, April 12, 1999**, at the hour of 2:00 P.M., in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by securing the buildings and clearance of all litter and debris, located at **1909 W. BONANZA ROAD**, legally described as **PARCEL MAP FILE 2, PAGE 58, PT LOT 1**.
Owner of record at time of abatement: Harvinder J. Singh

The Director of Neighborhood Services certifies in the report that the sum of \$3,588.00 was expended (\$3,120.00. to K. O. Construction for securing and cleaning the premises, Administrative processing fee \$468.00).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK



Complaint 111898-202 1909 W BONANZA RD

4-UNIT BLDG VACANT OPEN & TRASHED

Dangerous Building: Vagrants

Taken By: YL

>> 1 Open This is 4 of 4.

Ward 3 1- 2324-72
Area 3

Parcel: 139 28 401 003

Complainant:
Respond To:
ONE CONTIPARK
338 S WARMINSTER RD
HATBORO PA 19040-3430
PARCEL MAP FILE 2 PAGE 58
PT LOT 1
Phone:
Owner: SINGH HARVINDER J

Spl. Project:

Abatement YES

11-19-98 28) BLDGS OPEN, TRASHED, HIGH VEGETATION, TRASH AND DEBRIS..
VAGRANT ACTIVITY (2 PEOPLE LIVING IN REAR) SEE PIX. REFER
TO OFFICE

11-24-98 TL) 10-DAY DANG/BLDG LETTER SEND - CB DEC. 14 -
POST ON NOV. 27

11-30-98 28) POSTED NOTICE AND ORDER ON PROPERTY

12-04-98 TL) 10-DAY DANG/BLDG LETTER CERT & REGULAR - MOVED LEFT NO
ADDRESS - UNABLE TO FORWARD - RETURN TO SENDER

12-14-98 28) NOTHING DONE YET..CALL BACK 12/28

12-28-98 28) STILL NOTHING DONE..CALL BACK 1/06

01-06-99 KB) FAXED BID TO ALL CONTRACTORS DUE BY 1/11

01-11-99 KB) RECD ONLY 1 BID FROM KO CONSTR IN AMT OF \$3,120.00
KB) RECD BID FROM WEAVER IN AMT OF 4,124.00

01-12-99 24)PER 25-CALLED PHYLLIS-ADVISED HER 28 WILL RTN HER CALL
WHEN HE'S BACK AT WORK.

01-14-99 KB) SENT 10 DAY BEFORE ABATEMENT, POST JAN 15, CB 1/26

01-15-99 28) POSTED NOTICE AND ORDER ON PROPERTY

01-20-99 KB) RECD 10 DAY BEFORE ABA LTR AND CERTIFIED CARD RETURNED
FROM SINGH (MOVED LEFT NO ADDR)

01-27-99 28) STILL NO IMPROVEMENT..REFER TO OFFICE

02-01-99 KB) SENT AWARD LTR TO KO CONSTR IN AMT OF 3,120.00 TO
SECURE/CLEAN ALL 3 BLDGS TO START 2/2

02-03-99 KB) RECORDED DANG BLDG LTR 990203.01021

02-04-99 KB) CHRIS -KO CALLED- ABATEMENT DONE

02-09-99 TL) ENTRY PER JIM HUNTER, - VIDEO OF WORK COMPLETED -

02-11-99 TL) K.O. CONSTR. CHRIS HARRISON CALLED AND SAID IS READY FOR
INSPECTION - BUT JIM H. ALREADY DONE IT.

02-12-99 KB) RECD INVOICE FROM KO FOR \$3,120.00, GAVE FILE TO YVETTE
FOR PAYMENT

02-24-99 YL) PROCESSED FOR PAYMENT THROUGH ORACLE FINANCIAL SYSTEM

03-10-99 YL) LETTER AND REPORT OF EXPENSE SENT TO PROPERTYOWNER

03-22-99 YL) SET DATE FOR PUBLIC HEARING

04-12-99 YL) PUBLIC HEARING AT CITY COUNCIL TO APPROVE REPORT OF

Complaint 111898-202 continued**Page 2**

EXPENSES IN THE AMOUNT OF \$3,120.00 PLUS 15% ADMIN FEE.

111898-202

NOTICE AND CLAIM OF LIEN OF ASSESSMENTTO: **HARVINDER J SINGH** (Reputed Owner) At time of abatement

On February 9, 1999, as provided in the Las Vegas Municipal Code 16.08, Section 302, the City of Las Vegas caused the abatement of a dangerous building condition on the following property after due notification.

Assessor's Parcel No.: 139-28-401-003
Commonly known as: 1909 W BONANZA ROAD
Legal Description: PARCEL MAP FILE 2 PAGE 58
PT LOT 1

Expenses in the amount of \$3,588.00 were incurred by the City of Las Vegas in the above dangerous condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on April 12, 1999, ordered the above charges in the amount of \$3,588.00, assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment which remains unpaid after 30 days from the date of the recording thereof on the assessment roll shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date.

This lien shall continue until the assessment which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.


BEVERLY K. BRIDGES
400 East Stewart Avenue
Las Vegas, NV 89101
Telephone: (702) 229-6311

STATE OF NEVADA)

COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

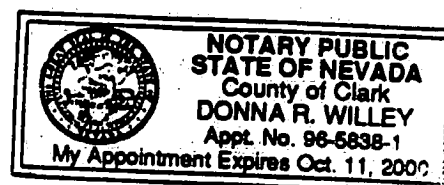

BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK

SUBSCRIBED and SWORN to before me
this 12th day of April, 1999


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 E. STEWART AVENUE
LAS VEGAS, NV 89101



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 71

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT -
CONSENT / DISCUSSION****INDEX
PAGE ONE****CONSENT AGENDA**EXTENSION OF TIME**134 Z-45-94(4) - K. V. C., Inc.**REQUEST TO RESCIND PREVIOUS ACTION -
REINSTATEMENT AND EXTENSION OF TIME**135 ABEYANCE ITEM - Z-108-95(2) - Dan and Nancy
McCartan**REINSTATEMENT AND EXTENSION OF TIME**136 ABEYANCE ITEM - Z-108-95(2) - Dan and Nancy
McCartan****DISCUSSION/ACTION ITEMS**REQUEST TO RESCIND PREVIOUS ACTION -
SITE DEVELOPMENT PLAN REVIEW RELATED TO
Z-108-95(2)**137 ABEYANCE ITEM - Z-108-95(3) - Dan and Nancy
McCartan**SITE DEVELOPMENT PLAN REVIEW RELATED TO
Z-108-95(2)**138 ABEYANCE ITEM - Z-108-95(3) - Dan and Nancy
McCartan**REZONING - PUBLIC HEARING**139 Z-98-98 - VALENTINE FAMILY TRUST, ET AL**

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT -
CONSENT / DISCUSSION****INDEX
PAGE TWO**EXTENSION OF TIME - TENTATIVE MAP

- 140 **TM-81-96(2) - PINE MEADOWS** - Spring Mountain Ranch, Limited Liability Company

FINAL MAP

- 141 **FM-3-99 - SPRING MOUNTAIN RANCH - UNIT 46A** - Spring Mountain Ranch, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW

- 142 **Z-139-88(31)** - 5 Star Properties on behalf of Norman Wilson
- 143 **Z-84-96(3)** - Courtyard Management Corporation on behalf of Vision Sign

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 144 **Z-35-98(1)** - Raphael and Liliana Mirchou and Las Vegas City Employee Protective and Benefit Association, Inc.

VACATION RELATED TO Z-35-98(1) - PUBLIC HEARING

- 145 **VAC-55-98** - Raphael and Liliana Mirchou and Las Vegas City Employees Protective and Benefit Association, Inc.

VACATION - PUBLIC HEARING

- 146 **VAC-3-99** - Gypsy 2 Family, Limited Partnership, Et Al

VARIANCE - PUBLIC HEARING

- 147 **ABEYANCE ITEM - V-103-98** - Lloyd K. Benson
- 148 **V-3-99** - Ronald and Kathie Dye
- 149 **V-4-99** - Laverne C. Ligon

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT -
CONSENT / DISCUSSION****INDEX
PAGE THREE****SPECIAL USE PERMIT - PUBLIC HEARING**

- 150** **U-88-95(4)** - Canyon Ridge Christian Church
- 151** **U-8-99** - Mark Mintz on behalf of Cox Communications
- 152** **U-9-99** - Masud Qazi

REZONING - PUBLIC HEARING

- 153** **Z-6-99** - Donna Beam Revocable Trust on behalf of John Mead

**SPECIAL USE PERMITS RELATED TO Z-6-99 -
PUBLIC HEARING**

- 154** **U-10-99** - Donna Beam Revocable Trust on behalf of John Mead
- 155** **U-11-99** - Donna Beam Revocable Trust on behalf of John Mead

SPECIAL USE PERMIT - PUBLIC HEARING

- 156** **U-13-99** - Triple Five Development on behalf of Michael Mack
- 157** **U-15-99** - EZ Pawn Nevada, Inc.
- 158** **U-18-99** - Wageman, Limited Liability Company on behalf of Wok Master, Limited Liability Company
- 159** **U-21-99** - Schlageter Family Trust on behalf of Roman Catholic Bishop of Las Vegas

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- CONSENT**EXTENSION OF TIMEZ-45-94(4) - K. V. C., INC.

Request for an Extension of Time on property located on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive, for an approved 16,560 square foot retail shopping center, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Size: 1.05 Acres, Ward 4 (Brown), APN: 138-23-201-003.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. This Extension of Time shall expire on February 7, 2000.

2. The applicant shall submit for a Site Development Plan Review for approval by the Planning Commission at a public hearing prior to any building permits being issued on this site.

**BROWN - APPROVED subject to conditions -
UNANIMOUS with Jones excused**

No one appeared in opposition.

There was no discussion.

(2:06 - 2:07)

3 - 106

134

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- CONSENT****APPROVED**Z-45-94(4) - K. V. C., INC.

3. Conformance to all originally imposed Conditions of Approval for Z-45-94, all related actions and all Ordinance Amendments enacted subsequent to the original approval as required by the Planning and Development Department and the Department of Public Works.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: EXTENSION OF TIME - Z-45-94(4) - K. V. C., INC.**PURPOSE/BACKGROUND****APPLICATION REQUEST:**

The request is for the fourth Extension of Time for property that was zoned to allow a 16,560 square foot retail shopping center. The applicant indicates that additional time is needed to secure financing for this development.

BACKGROUND DATA:

- 06/15/94 The City Council approved C-1 (Limited Commercial) zoning for this site (Z-45-94).
- 02/07/96 The City Council approved a Reinstatement and Extension of Time for this Rezoning that expired on February 7, 1997 [Z-45-94(1)].
- 04/14/97 The City Council approved a second Extension of Time for this Rezoning that expired on February 7, 1998 [Z-45-94(2)].
- 03/23/98 The City Council approved a third Extension of Time for this Rezoning that expired on February 7, 1999 [Z-45-94(3)].

FINDINGS:

The surrounding land use and development has not changed since the time of the original zoning. In addition, the C-1 (Limited Commercial) zoning remains consistent with the General Plan recommendations. Therefore, the zoning remains appropriate for this property.

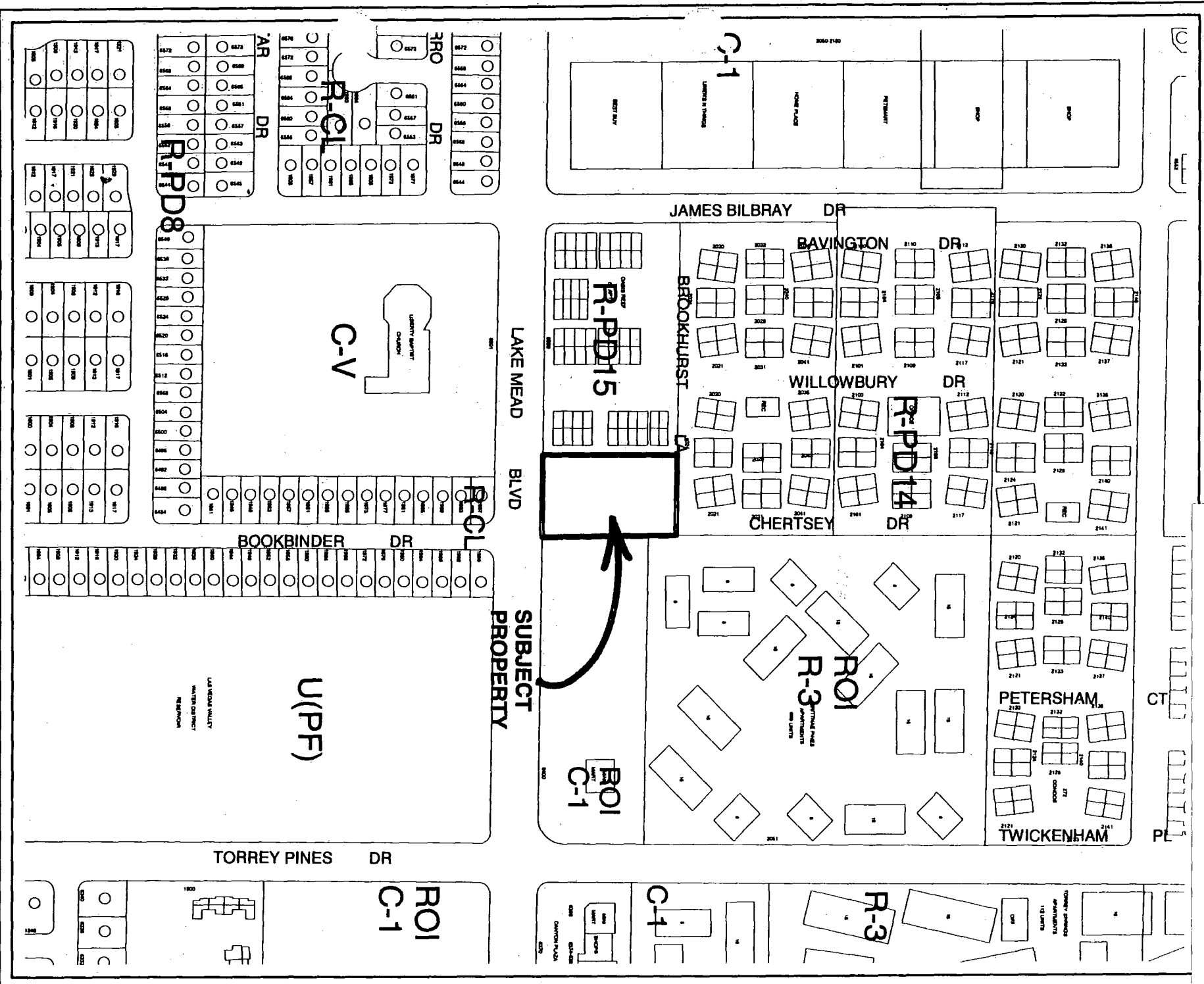
The site plan submitted at the time of the rezoning does not comply with the requirements of Title 19A. A revised site plan of the proposed shopping center must show in detail locations and dimensions of buildings, setbacks, access aisles, landscaping, and parking. Handicap parking spaces and relocation of trash bins must also be shown on the plan. A detailed landscape plan indicating types of plant materials and spacing of plants is also required. This requirement is per Condition #2 of Z-45-94(3) which states that the site must comply with all Ordinance Amendments enacted subsequent to the original approval. Therefore, it is necessary for the applicant to apply for a Site Development Plan Review in compliance with Title 19A prior to any permits being issued.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

SEE ATTACHED LOCATION MAP

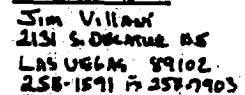
Agenda Item

134



CASE: Z-45-94(4)





CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

135

**PLANNING & DEVELOPMENT DEPARTMENT
- CONSENT****REQUEST TO RESCIND PREVIOUS ACTION -
REINSTATEMENT AND EXTENSION OF TIME****ABEYANCE ITEM - Z-108-95(2) - DAN AND
NANCY McCARTAN**

Request to Rescind the Previous Action of Abeyance for 90 days of a Reinstatement and Extension of Time on property located at 5232 Ricky Road for an approved office/training school, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial), Size: 0.7 Acres, Ward 4 (Brown), APN: 138-12-710-052.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

Staff recommendation: NO OBJECTION

**BROWN - APPROVED the rescission of the 90 day
abeyance of Z-108-95(2) - UNANIMOUS with JONES
excused**

APPEARANCES:

DAVID W. STRAIT, D.W. Strait Architecture & Planning, 101
W. Brooks Avenue, Suite C, North Las Vegas

DAN McCARTAN, 6010 West Cheyenne Avenue, #15-313

JEAN and FRANK MITRANI, 3405 Bonn Court

MS. MEYER, President of NARA

JIM DI FIORE, Manager of Business Services

ROBERT GENZER, Planning & Development

DEPUTY CITY ATTORNEY STEVE GEORGE

NOTE: A Combined Verbatim Transcript of Items 135 and 136
[Z-108-95(2)] and Items 137 and 138 [Z-108-95(3)] is made a
part of the Final Minutes under Item 135 [Z-108-95(2)].

(2:07 - 2:41)

3 - 130

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION****TO:**
THE CITY COUNCIL**FROM:** THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT**SUBJECT:** REQUEST TO RESCIND PREVIOUS ACTION - ABEYANCE ITEM - REINSTATEMENT AND EXTENSION OF TIME - Z-108-95(2) - DAN AND NANCY McCARTAN**PURPOSE/BACKGROUND**

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 22, 1999 CITY COUNCIL MEETING TO ALLOW ADDITIONAL TIME FOR STAFF TO MEET WITH THE APPLICANT AND NEIGHBORS TO RESOLVE EXISTING SITE ISSUES.

APPLICATION REQUEST:

This request is to Rescind the Previous Action of Abeyance for 90 days of a Reinstatement and second Extension of Time for a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) for property that was reclassified for an office/training school. The applicants justification letter states that this extension is needed because a new owner has purchased the property and wishes to develop a construction office on the site.

BACKGROUND DATA:

02/21/96 The City Council approved a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) (Z-108-95).

05/12/97 The City Council approved a Reinstatement and Extension of Time on the approved zoning [Z-108-95(1)]. This Extension expired on May 12, 1998.

FINDINGS:

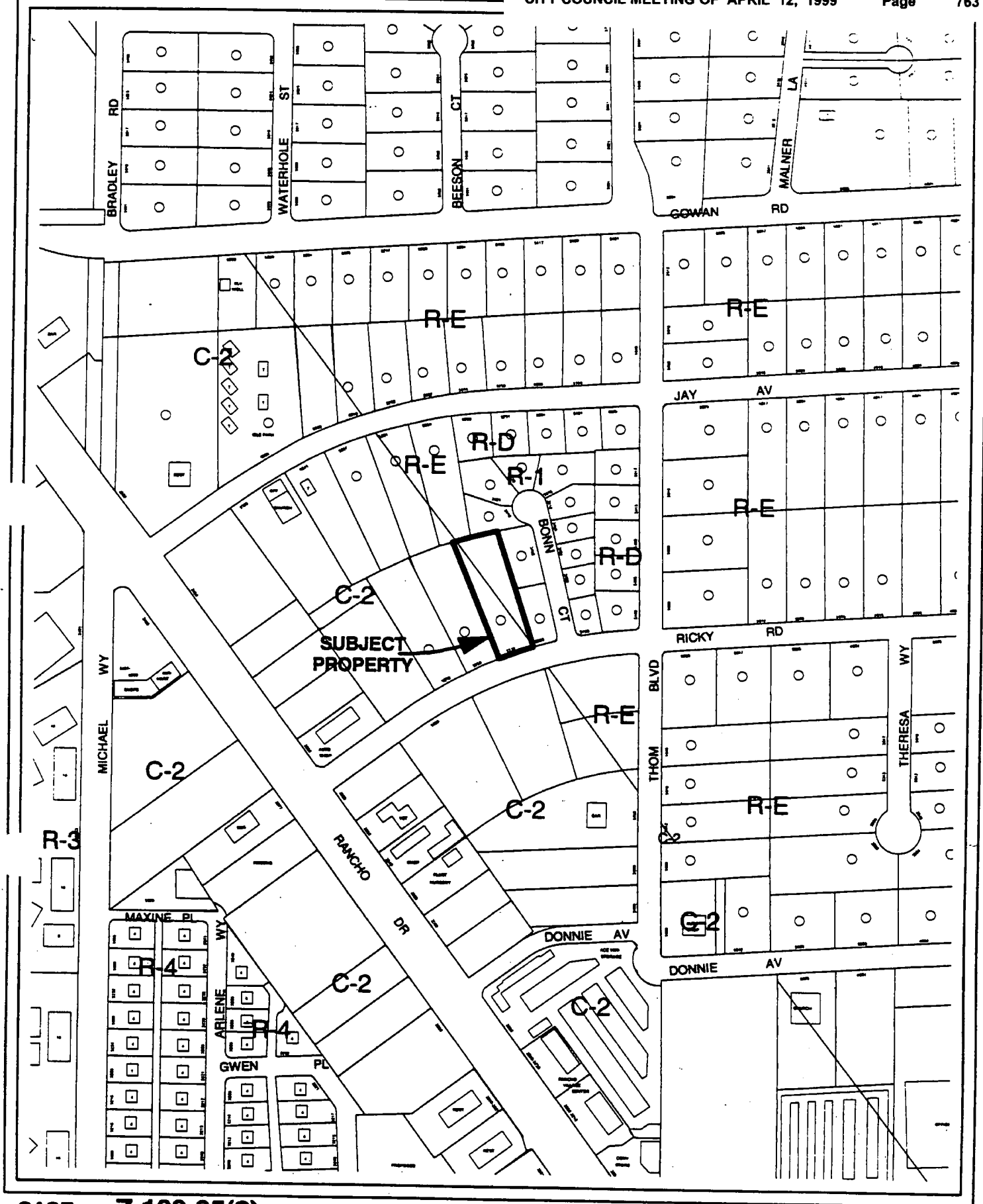
Staff has no objection to the Request to Rescind the Previous Action and Reconsider the merits of the case.

Staff recommendation: NO OBJECTION

SEE ATTACHED LOCATION MAP

Agenda Item

135



CASE: Z-108-95(2)



**CITY COUNCIL
MEETING OF
APRIL 12, 1999**

Page 1

**COMBINED VERBATIM TRANSCRIPT - ITEMS 135 AND 136 - Z-108-95(2)
and ITEMS 137 AND 138 - Z-108-95(3) - DAN AND NANCY McCARTAN**

MAYOR PRO TEM McDONALD

Item 135 - Abeyance Item Z-108-95(2) - Dan and Nancy McCartan. Request for, request to rescind the previous action of abeyance for 90 days of a Reinstatement and Extension of Time on the property located at 5232 Ricky Road for approved office/training school, R-E (Residential (sic) Estate) and C-2 (General Commercial) under Resolution of Intent to C-2 (General Commercial). Staff has no objection. Councilman?

COUNCILMAN BROWN

Mayor Pro Tem, also on Items 135, the request to rescind, after taking action on this, I would also like to take Item 137 which is also a request to rescind previous action.

MAYOR PRO TEM McDONALD

36 and 37?

COUNCILMAN BROWN

135 and then 137 out of order. But first - we need to hear this 135. I think, I'll check with Counsel, but the order I'd prefer to hear them is 135 to rescind the previous action on the Extension of Time and then also 137 to rescind the previous action on the Site Development Plan. Then take 136 and 138 together.

DEPUTY CITY ATTORNEY STEVE
GEORGE

That is correct and I think the request was just to pull 135 and 136 off the Consent Agenda, too.

MAYOR PRO TEM McDONALD

You're on.

DAVID W. STRAIT

Okay, There's a statement I'd like to read to you. I think you were provided copies. It's a letter. I'm - David W, Strait from 101 West Brooks, North Las Vegas. I'm the architect on this site. The statement I'd like to read goes as follows. This is in regard to both - Items 136 and 137.

The owner has made extensive efforts to address the source of complaints insofar as we have been advised as to what the complaints are. The owner has met with the adjacent neighbors in the presence of Planning staff and as instructed by our Councilman and the owner has developed a proposal which we have understood is, to be satisfactory to these neighbors. The Site Plan is accordingly developed to show a - storage building added to the rear yard of the property. The owner has made considerable visible efforts to abate conditions which are said to be in violation of zoning ordinance. We further restate that if the Design Review had been approved and if the project were executed as originally planned, there would now be no violations of the Zoning Code whatsoever.

CITY COUNCIL
MEETING OF
APRIL 12, 1999

Page 2

COMBINED VERBATIM TRANSCRIPT - ITEMS 135 AND 136 - Z-108-95(2)
and ITEMS 137 AND 138 - Z-108-95(3) - DAN AND NANCY McCARTAN

Although the City has said that the approval has been withheld because of complaints from the neighborhood, the City has not disclosed the exact complaints made, nor the specific source, nor demonstrated that they have merit as a cause to deny the owner his rights regarding development of the property. We have not asked for any Variance nor any undue benefit. Therefore, since the site on which the building lies is hard zoned C-2, and since staff has found no objection to the renovations and repairs as originally proposed, we ask for approval of Z-108-95, number 3. And since the revised plan is still consistent with all requirements of Zoning Ordinance, we ask for approval of Z-108-95, number 2.

Since we are not proposing a change to site grading, we ask for previously imposed conditions calling for Service Hydrology Study to be waived and since there are no plans in the immediate future to improve Ricky Road, we ask that previously imposed conditions requiring outside Public Works improvements be waived until street – improvement of Ricky Road is scheduled.

Now, in addition to that, I would just like to ask that something be entered into the record today that would allow us to repair the house that's there, which is what we asked for in the first place.

COUNCILMAN BROWN

Mr. Strait, I'd like to just, we'll – probably have this dialog when we address the Reinstatement, Extension of Time and the Site Development Plan Review. Right now we're talking about rescinding our previous action on giving you 90 days. So those that are ready to speak, I think if you just hold off a few items we'll have this same public record again. Understanding this is procedural more than getting into the specific issue. **My motion –**

MAYOR PRO TEM McDONALD

135?

COUNCILMAN BROWN

– on Item 135 would be for approval.

MAYOR PRO TEM McDONALD

Cast your votes. Post. Motion's approved. (Motion carried with Jones excused.)

Item 136 - Reinstatement and Extension – read both of them, Councilman Brown? 36 and 37?

COUNCILMAN BROWN

Yeah, I would like, you can read them all, Mayor Pro Tem, please, and then I would like to address 137 which is a second request to rescind.

**CITY COUNCIL
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**COMBINED VERBATIM TRANSCRIPT - ITEMS 135 AND 136 - Z-108-95(2)
and ITEMS 137 AND 138 - Z-108-95(3) - DAN AND NANCY McCARTAN**

MAYOR PRO TEM McDONALD

Abeyance Item Z-108-95(2) - Dan and Nancy McCartan - request for a Reinstatement and Extension of Time on the property located at 5232 Ricky Road for approved office/training school, R-E (Residential Estate), C-2 (General Commercial) Zone under Resolution of Intent to C-2 (General Commercial). Planning Commission recommended denial. Staff recommends approval.

Item 137, Planning and Development Department Discussion, Abeyance Item - Z-108-95(3) - Dan and Nancy McCartan. Request to rescind the previous action of the abeyance for 90 days for appeal filed by D. W. Strait Architecture and Planning from the denial of the Planning Commission for a Site Development Plan for property located at 5232 Ricky Road for the conversion of an existing 1,470 square foot single-family dwelling to an office, R-E (Residential Estate) and C-2 (General Commercial) Zone under Resolution of Intent to C-2. Staff has no objection. There's one protest. Councilman.

COUNCILMAN BROWN

Mayor Pro Tem, I would like to move on Item 137 for approval to rescind our previous action and then as part of that motion request that 136 and 138 be heard together as one-- item.

MAYOR PRO TEM McDONALD

Item 137, cast your votes. Post. Motion's approved. **(Motion carried unanimously with Jones excused.)**

Item 138 is related Item Z-108-95(3) - Dan and Nancy McCartan. Appeal filed by D. W. Strait Architecture and Planning from the denial by the Planning Commission for a Site Development Plan Review on the property located at 5232 Ricky Road for the conversion of an existing 1,470 square foot single-family dwelling to an office, R-E (Residential Estate) and C-2 (General Commercial) under Resolution of Intent to C-2 (General Commercial). One protest. Planning Commission recommends denial. Staff recommends approval. Councilman.

DAVID W. STRAIT

Well, I -- won't re-read the letter, but basically the points were made that we are still in compliance with the Zoning Ordinance. We are still proposing to improve the site. We have added a storage building which, in our meetings with the -- neighbors, would seem to alleviate both the zoning violations and the objection to adjacency to the residential neighborhood.

Basically, as I understand it, there's really only one neighbor that complains; but again I'll state that we have never seen

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a document to delineate or define that complaint, nor to show merit why we shouldn't be allowed to -- improve this property.

In the -- course of the last few months, when we've been dealing with this, we've discovered that the site is, in fact, hard zoned. At least half of it is hard zoned C-2 and the half that is C-2 happens to lie beneath the building which we want to fix up. We know that it's unsightly and -- as it stands now, I don't think we can get a building permit to even do that. It seems to be very fuzzy territory with the Building and Planning Department whether this is even a commercial site. However, it's, it is said to be C-2 and we were told in the beginning that if we didn't get an extension of the C-2 zoning, we could not get a building permit. So that's where we started.

Somewhere along the line, we got off on a tangent and started to deal with other things besides this application and what we'd like to ask for today is to come away with here with at least the permission to fix up the building and eliminate that particular eyesore in the neighborhood. We also was, were hoping to get some relief on the conditions of approval of the previous two Extensions of Time on that.

So the case is still stated. We don't see any reason why the City Council and the Planning Commission and everybody couldn't approve this as -- an improvement on that house as an office building. Beyond that, I -- will say again that there have been extensive efforts to alleviate the sources of complaint and the -- evidential violations of zoning. Thank you.

COUNCILMAN BROWN

Mr. Strait, how long have you been involved with this -- property?

DAVID W. STRAIT

Me personally? Since April last year.

COUNCILMAN BROWN

Okay. This a public jearing?

DEPUTY CITY ATTORNEY STEVE
GEORGE

No.

COUNCILMAN BROWN

Mayor Pro Tem, I have some comments and questions to ask both to the applicant and to staff, but prior to that I would ask the indulgence of the Council to see if there are any neighbors that want to speak on the item.

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MAYOR PRO TEM McDONALD

It's your pleasure, Councilman. This is a non-public item but if there are neighbors that wish to speak, Councilman Brown requests you come forward and state your name.

JEAN MITRANI

Okay. My name is Jean Mitrani. I live on 3405 Bonn Court
—

MAYOR PRO TEM McDONALD

Thank you, Ma'am.

JEAN MITRANI

-- which happens to be just along the back of this property and there was a few mis-statements just now. First of all, the whole neighborhood is against this project for the one simple reason we all hear the noises in the morning. We all get the dust that comes over. We also get the smells which they have alleviated a little bit, only because they have moved all their wood that was causing all the bad smells over to the other side of the property. Which isn't the property that they're asking for to put the building up on, it's the next property over, which I understand is got coming up before the Planning Commission next -- time for an office building. But I have here white copy. I also have a letter from one of the other neighbors. They can't make it because most of them work during the day or have very young children and cannot come down here; so we more or less represent the whole neighborhood.

I can't see that anything has been done since you gave him it. He didn't -- start doing anything until last week. They've moved everything around. They haven't changed anything. It is still a construction site. It's -- we have a lot of heavy traffic going out of there at five o'clock in the morning. To me, that isn't a place where there should be. It backs right onto residential area and it goes out into a residential street. I don't think that is the place for this property. There's plenty of industrial sites that they could have their business but a concrete company I don't think is, should be right in the middle of a residential area.

COUNCILMAN BROWN

Thank you. Would you mind submitting that letter --

JEAN MITRANI

Yes.

COUNCILMAN BROWN

-- to the record. Linda, could I take a quick look at that?

FRANK MITRANI

I'm Frank Mitrani. I'm Jean's husband and she's spoken for me pretty much. My only question to the Council is that I don't understand the difference between C-2, I -- see there seems to be a difference in C-2 zoning the way I understand it and the type of heavy construction project that he is

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operating now with the heavy trucks. And -- all I want to do is not cause any more trouble than is necessary, but if C-2 zoning is what it's for, let's -- keep it to C-2 zoning and educate me a little bit better as to what that means.

This is Ms. Meyer. She's the President of NARA and she's representing all the rest of the owners in our neighborhood.

MS MEYER

Good afternoon, Councilmen. To set Mr. Strait straight, Mr. McCartan came before NARA many months ago because of this problem and there were over fifteen neighbors that were represented at that meeting. So Mr. McCartan has full knowledge of neighbors who are in objection to this plan and to the way he's been conducting his business. I have to give him credit for coming before the neighborhood association.

The materials that he's been using in his concrete business, he's been using the form release chemicals that are petroleum based and they are known, at least to the State of California, to be carcinogenic and cause birth defects. They're also hazardous to people who have respiratory ailments, as does one of the neighboring women who lives on Jay Street and her doctors have been in a befuddlement as to why she's more than doubled her medication during the time that Mr. McCartan has been treating his -- wood and storing his -- petroleum-treated wood, preformed, his concrete preformed products there.

I believe it's in the best interest of the neighbors not to have this type of business there. If he wants to only have an office, that's probably fine, within the boundaries of the neighborhood.

Another issue at -- hand here is since the line was drawn between the R-E zoning and the C-2 zoning, the neighborhood has in that area become more predominantly residential. The homes on Jay Street are a little more compacted than the typical R-E residential sites and they're more expensive homes, as well; and there are also small children living there that could be negatively impacted, have been negatively impacted by his chemicals. Thank you for your consideration.

MAYOR PRO TEM McDONALD

Thank you. Councilman?

COUNCILMAN BROWN

Thank you, Mayor Pro Tem, and I -- wanted to have that neighborhood perspective on the record. I think that speaks loudly to some of the concerns and why we're here today.

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Did you want to respond? I have some questions for you and staff. You want to go first?

DAVID W. STRAIT

I would like to respond to the accusation that my client's using carcinogenic chemicals. Neither the Nevada OSHA Department nor – the federal government allows him to do that. So, and since she has no evidence of what those chemicals are, she couldn't have any evidence that they're carcinogenic and I think that should be ignored.

COUNCILMAN BROWN

And that's fine, just – and you can start thinking about when they're talking about noises and vehicles and storage and things like that –

DAN McCARTAN

I've corrected all that to the best of my knowledge.

COUNCILMAN BROWN

Right, right. And whether there's a license issue here or not, but I – absolutely don't want to even get into the carcinogenic because I don't think we have the ability to judge that now. But I would direct, I think it's important to set a little bit of history here and that's why, Mr. Strait, I'm not sure if you were here on the original approval, apparently not from the time line, but this was originally, being a critical piece that kind of is split in two, with hard zoning on a portion and the other buffering into the residential area, the original compromise was for an office complex for specific training, schooling, things like that. That's – the compromise that was reached a while back. That is the zoning and the intent of that property and then you – purchased it and then we have some – problems have occurred since then.

First off, to staff and whoever wants to give it, I'd like a little bit of a synopsis of what has transpired on this property with perhaps some more detail towards the last six months to nine months.

ROBERT GENZER, PLANNING AND
DEVELOPMENT

As you indicated, Councilman, the property was rezoned initially in February of '96. At the time of that approval to C-2 for the balance of the site, it was indicated by the applicant that the purpose of the rezoning was to develop an office training school for people employed in the serving of alcoholic beverages with a maximum of 25 students at any one time. At the time of that approval, it should be noted that the subdivision to the east and north of this site was in place. There were no protests on record based on the – request that was being made.

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The first Extension of Time for the property was received on May 12th, 1997. At that time the applicant for the Extension of Time was the same as the original application, applicant and there was no indication that the intended use had changed.

In October of '98 the application was made by Mr. McCartan for the second Extension of Time. At -- the time of the application, we did receive a letter indicating that a new owner had taken control to the property. However, the letter simply said that it was still intended to be used as a business office, not necessarily the same as it was originally approved for, but still as a business office.

COUNCILMAN BROWN

Mr. Genzer, if --

ROBERT GENZER, PLANNING AND
DEVELOPMENT

Yes?

COUNCILMAN BROWN

-- I may interrupt, then just on a clarification. This was rezoned or was it under a Resolution of Intent?

ROBERT GENZER, PLANNING AND
DEVELOPMENT

Under Resolution of Intent. I mean, the applicant has correctly stated essentially half of the property is currently hard zoned C-2. That would be the southwesterly half. You can see the line on the screen right now. The existing building which at one time was a home which someone began to convert to an office is on, essentially on the C-2 portion of the property. The part of the property that is being used for the storage is currently zoned R-E with the pending Resolution of Intent. That would be the northeasterly portion of the site.

In any case the, in -- November of '98 the Planning Commission recommended denial of the Extension of Time. Their, the reason for their recommendation was that they cited concerns over the fact that the site was now being used as a contractor's office and storage area which they felt would be detrimental to the adjacent residential properties. And also in -- looking at the Title 19A, we do have a category that specifically says contractor's plant, shop and storage yard. That category is not allowed in a C-2 zone, even with a Special Use Permit. That is only permitted in the CM and an M zone.

Following the Planning Commission hearing, the -- item was forwarded to the Council. It has been held in abeyance several times by this Council. The first time was Jan -- excuse me, December 7th of '98. On December 15th, the

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applicant did submit a letter to staff outlining a plan for immediate and remedial phased action to mitigate the on-site problems.

On January 25th, the Council again held the item in abeyance to allow the applicant to meet with staff and the neighbors. That meeting did take place. I was present at that meeting. We talked about some of the things that needed to be done to eliminate the problems that the neighbors have indicated to you again this afternoon. The applicant did indicate his intent to build a storage type building on the easterly half of the site in the rear yard area, to hopefully eliminate some of the concerns of the neighbors. We received a fax today from Mr. Strait that actually shows what that building might look like. That's the first time, I believe, that I've actually seen it -- on paper.

On February 22nd of this year, the Council again held the item in abeyance, this time for 90 days, to allow the applicant to continue to clean up the site, submit detailed development plans to Planning and Development. Prior to the, to that hearing, Planning and Development and Code Enforcement visited the site and outlined violations for the applicant to resolve so that we could move forward on this property.

The -- only other thing I would add is that the operation that is -- currently being conducted on this site is being done, to the best of my knowledge, without a -- business license for this particular property and I believe Mr. DiFiore is here to -- speak on that issue.

COUNCILMAN BROWN

**JIM, DiFIORE, FINANCE AND
BUSINESS SERVICES**

Thank you.

Mayor Pro Tem and members of the Council, Mr. Genzer is correct. There is a business license which is known as Action Concrete licensed for one location, one location only and that's 4760 West Dewey Road. Las Vegas Municipal Code makes it unlawful for anybody to operate a business outside of the licensed location where they're operating and -- operating a valid business license from. So any activity at 5232 Ricky Road being operated is not licensed at this time.

COUNCILMAN BROWN

DAN McCARTAN

'Kay.

No. Not licensed for what? Not licensed, I have, I'm not running my business out of there right now. I'm preparing to.

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COUNCILMAN BROWN

But the fact that there's been vehicles, there's been storage, trucks leaving before 7 a.m., these are all functions that are in violation of our Code. That I, that is part of the answer that was just given by Mr. DiFiore.

DAN McCARTAN

Okay.

COUNCILMAN BROWN

And the bottom line here, thanks -- Thanks, Jim. The bottom line here is we have been from day one trying to work with you because you came in, be it naive or the Code and what you can and can't do on this property, or for whatever reason, you were in violation from day one. Now the neighbors have seen it; we have seen it; we have documentation; we have video; and we asked early on, as late as last November, December to just fix it. Get it to a point where you're in compliance and then move forward with the Extension of Time regarding --

DAN McCARTAN

I believe I've been doing that, Sir, haven't I?

COUNCILMAN BROWN

Well, I think five months to remove stored vehicles, to remove -- storage, to have forms and, I guess they're concrete forms, I'm guessing --

DAN McCARTAN

No, they're --

DAVID W. STRAIT

Yes, yes, they are.

COUNCILMAN BROWN

Well, they're concrete forms, and that in itself is a violation. But what I would have like to see is when we asked you for the first time, and the second time, and a third time, to just remove it, to stop doing any type of business there. That was very clear from even our casual conversations the last couple of meetings but --

DAN McCARTAN

And --

COUNCILMAN BROWN

-- and it -- doesn't take a month, two months or ninety days to do some of this stuff that can get done over night, if you're willing to do it over night.

DAN McCARTAN

No, very much so. I've probably eliminated three-quarters of it and, in communication with Mr. Genzer, we were supposed to meet, since my last one that gave me 90 days, we were supposed to meet with a group of people back out there. I met with the fire marshals to go over everything right per.

COUNCILMAN BROWN

Yeah.

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DAN McCARTAN

I haven't been sitting on it all, plus I've been very busy running a business as usual. So, I haven't been --

COUNCILMAN BROWN

Running a business out of this site, though.

DAN McCARTAN

I haven't been putting it off on the back burner at all. I've been making efforts every week to move forward.

COUNCILMAN BROWN

But here's the question. Why have you been running your business off this site when you knew from day one that you're in violation? That, that's the question. And I -- don't think your intent is bad, but we have to kind of wipe the slate clean here and start from ground zero and work our way back through this process because right now this was a somewhat controversial piece to begin with, far before you both were involved, simply because of the buffer area, into one of our most protected R-E areas of the -- City and the compromise then was a, under Resolution of Intent for a specific building, for a specific use.

You purchased the property understanding that was the intent and if you're going to change that intent and go to things like storage or more intense commercial, you need to go through the process. And that's what we're going to have to do is get you back through the process. But in this interim time, we have had numerous violations. We've had violations to our Code, and -- again there's a list of things that I'll enter for the record, not -- so much to punish you, as much as to make you realize that there is no more time. We are going to stop immediately and go back to ground zero and get back through the Planning process to see if what you are truly planning to do on this site is compatible. Now --

DAN McCARTAN

I think that's what we'd asked for all along; isn't it?

COUNCILMAN BROWN

And -- part of -- Mr. Genzer, part of the Resolution of Intent, were there not original conditions of approval?

ROBERT GENZER, PLANNING AND
DEVELOPMENT DEPARTMENT

That's correct. There were original conditions and some additional -- some of those conditions were subsequently modified during the first Extension of Time and those conditions included the requirements for installation of -- landscaping along the north and east property lines and to the rear of the site, our -- normal conditions for street improvement construction and our standard conditions. There was also requirement for a Drainage Study and so forth that -- needed, that still need to be completed.

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COUNCILMAN BROWN

And – even to that extent, if – those things were being met, I think Mr. Strait asked for one of the conditions be waived until Ricky Road was improved. We've turned this around. You should be working to meet those original conditions and – getting our neighborhood and City support to move forward with your ultimate project, but again let, and I – want to put this into the record so it's clear that there are – violations on site right now. This construction and development has taken place on the site without obtaining necessary building permits. As Mr. DiFiore said, you don't have a business license at this property. You're in violation for conducting outside storage in an area where outside storage is prohibited. You're conducting business on a site which is only allowed in an industrial zone. Heavy equipment that shouldn't be there in the first place is gearing up and heading out before 7 a.m., which is an additional violation of City Code. Heavy equipment repairs have occurred on site. Not sure if that's true or not; put it onto the record, in violation of City Code. And the site contains a second living quarter which is in violation of City Code.

What has brought the neighbors into this has been during any kind of strong winds, the debris on site, even if it's the smell from the treated forms or whatever, that has impacted the neighbors. So we're in a situation where we can't wait any longer for you to fix that. That has to be fixed yesterday and – **my motion today is going to be to deny your Extension of Time and – order you, as best I can under City authority, to go in and -- put this site back to where it should be.** At that point, or in conjunction with those efforts, you can then come back through the system and ask for the product or the use you want on this property. But you're going to have to demonstrate today what the people back in '96 demonstrated, that that hard zoned commercial and the residential component of this site can be blended into a product that is good for you and compatible to the residential nature adjacent.

DAN McCARTAN

Is what we offer you today is that not, it was their suggestion to build a metal building. I was, didn't want to put the extra 50,000 into it but I said, all right, I'll do that; so, it was only in good faith.

COUNCILMAN BROWN

No, it's – not good enough. I think we've worked on this for five months. What – I'd like to see is go back again to the beginning, cease and desist all activities on that site immediately, not 30 days from now, immediately. Because you are in violation and that has to be stopped immediately.

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Then we will certainly work with you and your future use on this with the neighborhood to come back in with a specific use. And if it's the proposed design that was submitted today, we can certainly look to the benefits of that. But we're just, I guess, again hopefully it was somewhat a naïve or ignorant of the City Codes, but for the past three months, we've been trying to work as you work through this and I have not seen, you may have done some --

DAN McCARTAN

Oh, I've done a lot.

COUNCILMAN BROWN

But that's not good enough because you started in violation and now you're just fixing your violations which, between you and I, can get fixed immediately, 24 hours, 48 hours, if you want to fix them. It doesn't take too much to get illegally stored items off a property, if we start coming out there and citing you every time. That's what has to happen and that is why my recommendation is going to be for denial because I think we're at a point now that's the only way to mitigate this situation. Right, wrong or indifferent, we've gotten to the point where it has to be fixed.

Mayor, my motion for Item 136, Z-108-95, would be for denial for the request for Reinstatement and Extension of Time.

MAYOR JONES

Okay. There's a motion on the floor. Having not sat through all of the discussion of this, I'm going to abstain because I don't have enough information to know whether I agree or disagree. Vote on the motion. Post. Motion's approved. **(Motion carried with Jones abstaining).**

COUNCILMAN BROWN

Mayor Jones, on Item No. 138, Abeyance Item Z-108-95, my motion would be for denial subject to the record, conditions and statements from the neighborhood that were just placed on that record.

And before the applicant goes, I would just hope that both of you gentlemen understand that the City is in a position now, under any kind of authority that we are allowed, that we will be out there every day until it is fixed and brought back into compliance. That will be part of my motion.

MAYOR JONES

Vote on the motion. Post. Motion's approved. (Motion carried unanimously with Jones abstaining because she was not present for the entire discussion.)

(END OF DISCUSSION)

/cmp

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- CONSENT****REINSTATEMENT AND EXTENSION OF TIME**

136

**ABEYANCE ITEM - Z-108-95(2) - DAN AND
NANCY McCARTAN**

Request for a Reinstatement and Extension of Time on property located at 5232 Ricky Road for an approved office/training school, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial), Size: 0.7 Acres, Ward 4 (Brown), APN: 138-12-710-052.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters

_____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

_____ Letters

_____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) recommends DENIAL.

Staff recommends APPROVAL, subject to:

1. This Extension of Time shall expire on December 7, 1999.

2. Construct public sewer in Ricky Road, if such does not already exist at the time of this proposed development, to the west edge of this site at a location acceptable to the City Planning Engineer as required by the Department of Public Works.

BROWN - DENIED - UNANIMOUS with Jones abstaining because she was not present for the entire discussion

APPEARANCES:

DAVID W. STRAIT, D.W. Strait Architecture & Planning, 101 W. Brooks Avenue, Suite C, North Las Vegas

DAN McCARTAN, 6010 West Cheyenne Avenue, #15-313

JEAN and FRANK MITRANI, 3405 Bonn Court

MS. MEYER, President of NARA

JIM DI FIORE, Manager of Business Services

ROBERT GENZER, Planning & Development

DEPUTY CITY ATTORNEY STEVE GEORGE

NOTE: A Combined Verbatim Transcript of Items 135 and 136 [Z-108-95(2)] and Items 137 and 138 [Z-108-95(3)] is made a part of the Final Minutes under Item 135 [Z-108-95(2)].

(2:07 - 2:41)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- CONSENT****ABEYANCE ITEM - Z-108-95(2) - DAN AND
NANCY McCARTAN**

3. Site development to comply with all applicable Conditions of Approval for Z-108-95 and Z-108-95(1), all ordinance amendments enacted subsequent to the original approval, and all other site-related actions as required by the Department of Public Works and the Planning and Development Department.

DENIED

*City of Las Vegas***CITY COUNCIL MINUTES****MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION****TO:**

THE CITY COUNCIL

FROM:THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT**SUBJECT:** ABEYANCE ITEM - REINSTATEMENT AND EXTENSION OF TIME - Z-108-95(2) - DAN AND NANCY McCARTAN**PURPOSE/BACKGROUND**

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 22, 1999 CITY COUNCIL MEETING TO ALLOW ADDITIONAL TIME FOR STAFF TO MEET WITH THE APPLICANT AND NEIGHBORS TO RESOLVE EXISTING SITE ISSUES. THE ITEM HAS BEEN PLACED BACK ON THE CITY COUNCIL AGENDA IN RESPONSE TO CONTINUED COMPLAINTS FROM NEIGHBORS.

APPLICATION REQUEST:

This request is for a Reinstatement and second Extension of Time for a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) for property that was reclassified for an office/training school. The applicants justification letter states that this extension is needed because a new owner has purchased the property and wishes to develop a construction office on the site.

BACKGROUND DATA:

- 08/03/94 The adjacent property to the east was rezoned to R-1 (Single Family Residential) and R-D (Single Family Residence, Restricted) for a 22 lot subdivision (Z-67-94).
- 02/21/96 The City Council approved a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) for this site (Z-108-95).
- 05/12/97 The City Council approved a Reinstatement and Extension of Time on the approved zoning which expired on May 12, 1998 [Z-108-95(1)]. The applicant applied for the current request for reinstatement five months later.

FINDINGS:

The site is bisected from northwest to southeast by the existing zoning line. The northeasterly portion of the site is zoned R-E (Residence Estates) and the southwesterly portion of the site is zoned C-2 (General Commercial). It is the northeasterly portion of the site which is the object of concern because it is adjacent to existing single family homes. The entire site is designated GC (General Commercial) on the Northwest General Plan Amendment to the General Plan.

Agenda Item

136

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: ABEYANCE ITEM - REINSTATEMENT AND EXTENSION OF TIME - Z-108-95(2) - DAN AND NANCY McCARTAN

PURPOSE/BACKGROUND

The Planning Commission (5-0 vote) recommends DENIAL.

[NOTE: The Commission felt the C-2 zoning was incompatible with the adjacent residential development.]

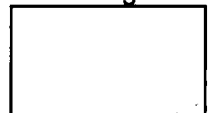
Staff recommends APPROVAL.

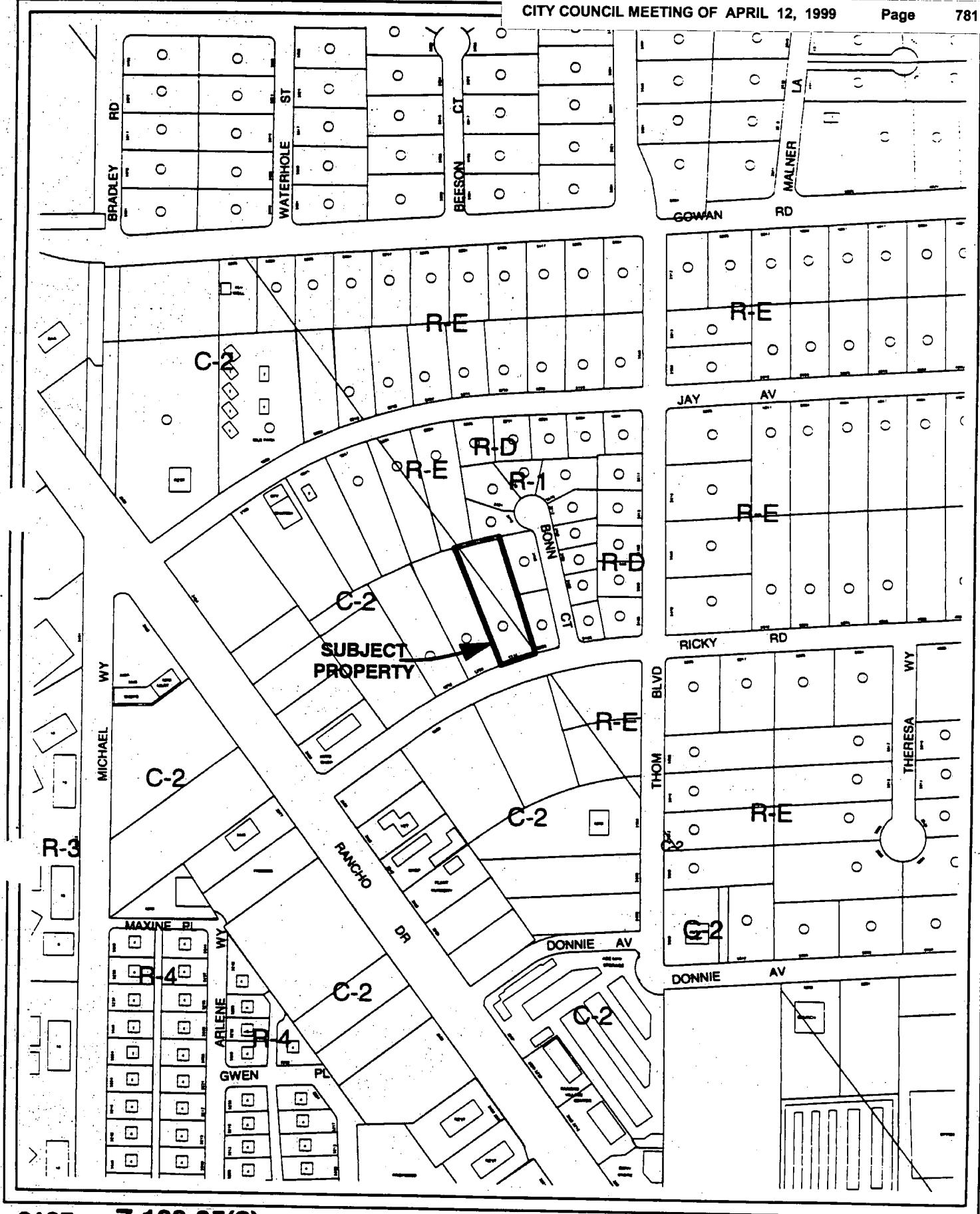
SEE ATTACHED LOCATION MAP

UPDATE:

Prior to the last hearing on this item staff met with the applicant and the immediate neighbors and a site check was performed by Code Enforcement. The applicant indicated that steps would be taken to clean up the site and that plans are being prepared to construct a storage building on the rear portion of the property to resolve the outdoor storage issue. Following the February 22 hearing Code Enforcement has received additional complaints regarding activities on the site that are detrimental to the adjacent neighbors. Staff is of the opinion that adequate time has been given to the applicant to submit plans to redevelop the site in a manner that is compatible with his neighbors. Because the applicant has failed to perform in a timely manner staff recommends that the Extension of Time now be **denied**.

Agenda Item

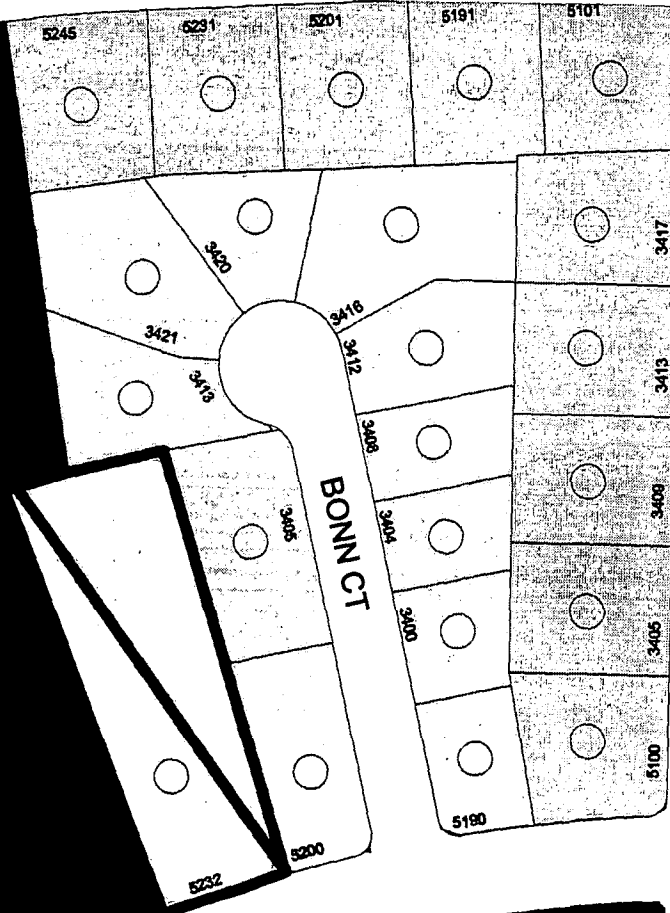




CASE: Z-108-95(2)



Z-108-95(2)



THOM BLVD

RICKY RD

#

THOM BLVD

RANC

DONNIE AVE

**D. W. STRAIT Architecture & Planning**

101. W. Brooks Ave. Suite C • N. Las Vegas • Nevada 89030
Telephone (702) 657-0684 • Fax (702) 657-0936

April 09, 1999
Las Vegas City Council

Attn: Robert Genzer

Subject: Action Concrete Office Z-108-95(2) & Z-108-95(3)

1. The owner has made extensive efforts to address the source of complaints, in so far as we have been advised as to what the complaints are.
2. The owner has met with the adjacent neighbors in the presence of planning staff and as instructed by our councilman, and the owner has developed a proposal which we have understood to be satisfactory to these neighbors. The site plan is accordingly developed to show a storage building added to the rear yard of the property.
3. The owner has made considerable visible efforts to abate conditions which are said to be in violation of zoning ordinances. We further restate that if the design review had been approved, and if the project were executed as originally planned there would now be no violations of the zoning code whatsoever.
4. Although the City has said that the approval has been withheld because of complaints from the neighborhood, the City has not disclosed the exact complaints made, nor their specific source, nor demonstrated that they have merit as a valid cause to deny the owner his rights regarding development of this property.
5. We have not asked for any variance, nor any undue benefit.

(10
136 + 137

Z-108-95 4/9/99

Page 2

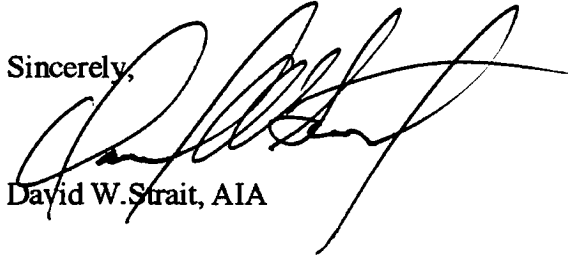
Therefore

1 Since the site on which the building lies is hard zoned C2, and since staff has found no objection to the renovations and repairs as originally proposed, we ask for approval of Z-108-95(3).

2. Since the revised plan is still consistent with all requirements of the zoning ordinances, we ask for approval of Z-108-95(2).

3. Since we are not proposing a change to the site grading, we ask that previously imposed conditions calling for a surface hydrology study be waived. And since there are no plans in the immediate future to improve Ricky Road we ask that previously imposed conditions requiring offsite public works improvements be waived until street development of Ricky Road is scheduled.

Sincerely,


David W. Strait, AIA

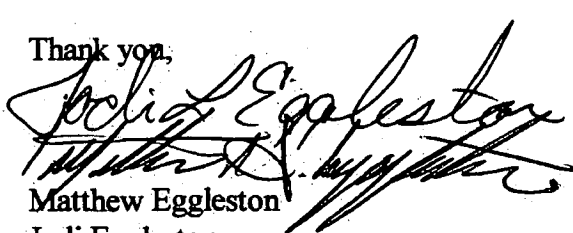
April 12, 1999

Mr. & Mrs. Matthew Eggleston
3408 Bonn Court
Las Vegas, NV 89130

To Whom It May Concern:

We own a home in Bonn Court and are experiencing problems with Action Concrete. The problems we see and foresee include the smells, the early morning sounds, but most importantly the increased traffic. The traffic is a concern for us because we have young children. Not only is there more traffic because of the business, but the traffic is dangerous because of how it is set up. As you pull out of the lot it is a blind spot for oncoming traffic, but especially for those of us turning out of Bonn Court. We bought this house with plans to raise our family here and when we purchased there was nothing disclosed about medium or heavy industry in the immediate area. We do understand that light commercial was possible, but that didn't include semi-trucks or cement trucks.

Thank you,



Matthew Eggleston
Jodi Eggleston

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 79

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****REQUEST TO RESCIND PREVIOUS ACTION -
SITE DEVELOPMENT PLAN REVIEW
RELATED TO Z-108-95(2)**

137

**ABEYANCE ITEM - Z-108-95(3) - DAN AND
NANCY McCARTAN**

Request to Rescind the Previous Action of Abeyance for 90 days of an Appeal filed by D. W. Strait Architecture & Planning from the Denial by the Planning Commission for a Site Development Plan Review on property located at 5232 Ricky Road FOR THE CONVERSION OF AN EXISTING 1,470 SQUARE FOOT SINGLE FAMILY DWELLING TO AN OFFICE, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial), Size: 0.82 Acres, Ward 4 (Brown), APN: 138-12-710-052.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 1

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 1

Staff recommendation: NO OBJECTION

BROWN - APPROVED the rescission of the 90 day abeyance of Z-108-95(3) - **UNANIMOUS** with Jones excused

APPEARANCES:

DAVID W. STRAIT, D.W. Strait Architecture & Planning, 101 W. Brooks Avenue, Suite C, North Las Vegas
DAN McCARTAN, 6010 West Cheyenne Avenue, #15-313
JEAN and FRANK MITRANI, 3405 Bonn Court
MS. MEYER, President of NARA
JIM DI FIORE, Manager of Business Services
ROBERT GENZER, Planning & Development
DEPUTY CITY ATTORNEY STEVE GEORGE

NOTE: A Combined Verbatim Transcript of Items 135 and 136 [Z-108-95(2)] and Items 137 and 138 [Z-108-95(3)] is made a part of the Final Minutes under Item 135 [Z-108-95(2)].

(2:07 - 2:41)

3 - 130

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
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SUBJECT: REQUEST TO RESCIND PREVIOUS ACTION - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW
RELATED TO Z-108-95(2) - Z-108-95(3) - DAN AND NANCY McCARTAN

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 22, 1999 CITY COUNCIL MEETING TO ALLOW ADDITIONAL TIME FOR STAFF TO MEET WITH THE APPLICANT AND NEIGHBORS TO RESOLVE EXISTING SITE ISSUES.

APPLICATION REQUEST:

This is a Request to Rescind the Previous Action of Abeyance for 90 days of an appeal filed by D. W. Strait Architecture and Planning from the Denial by the Planning Commission for a Site Development Plan Review for a single family residence conversion to a construction office on property located at 5232 Ricky Road.

BACKGROUND DATA:

02/21/96 The City Council approved a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) (Z-108-95).

05/12/97 The City Council approved an Extension of Time for the zoning on the property [Z-108-95(1)]. This extension expired on May 12, 1998.

FINDINGS:

Staff has no objection to the Request to Rescind the Previous Action and Reconsider the merits of the case.

Staff recommendation: NO OBJECTION

PC NOTICES MAILED: N/A

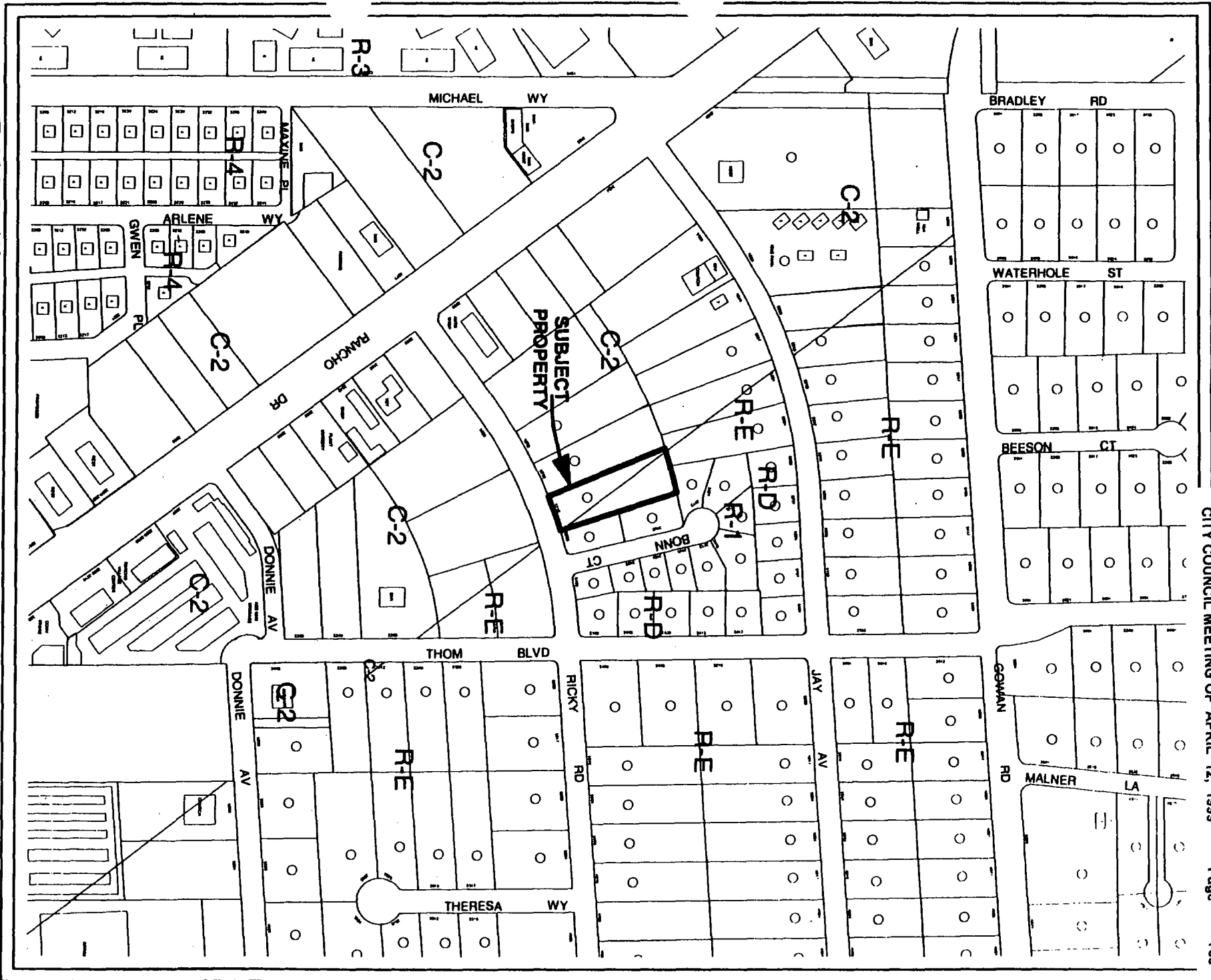
APPROVALS: 0

PROTESTS: 1

SEE ATTACHED LOCATION MAP

Agenda Item

137

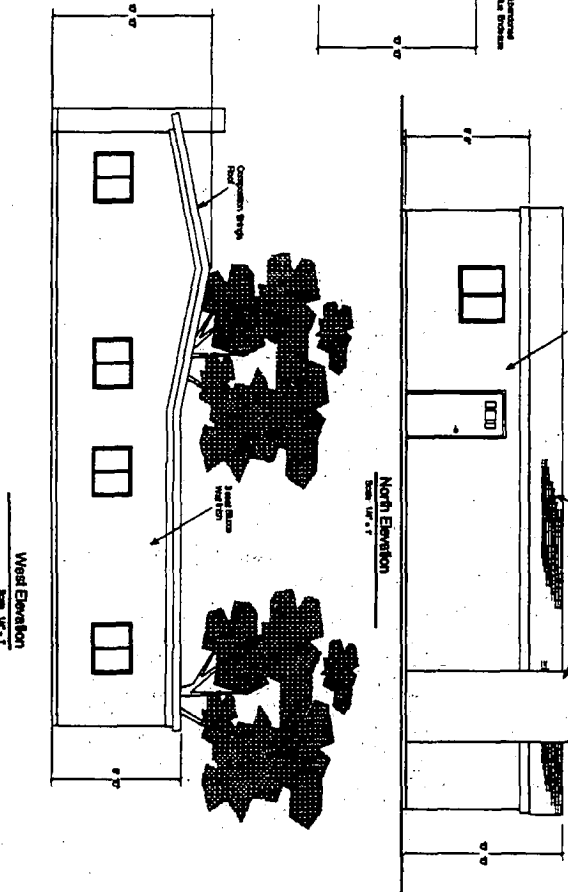
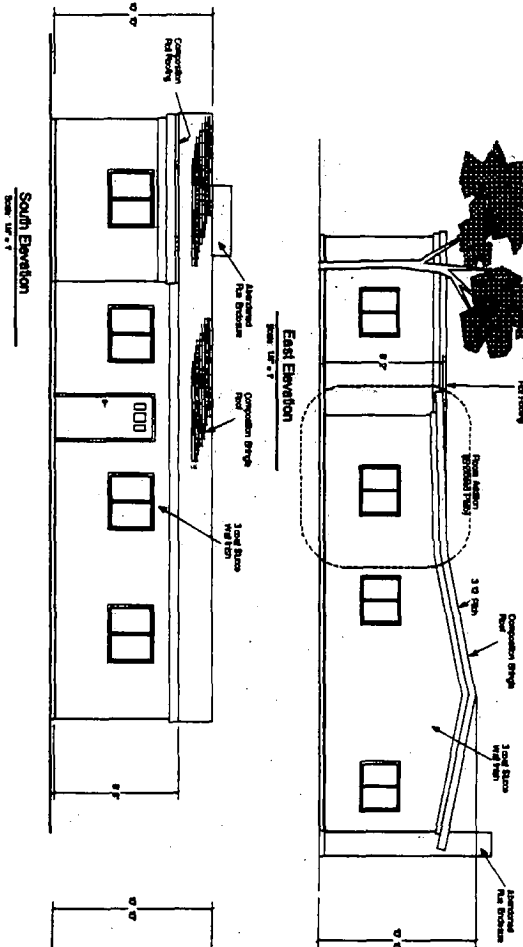
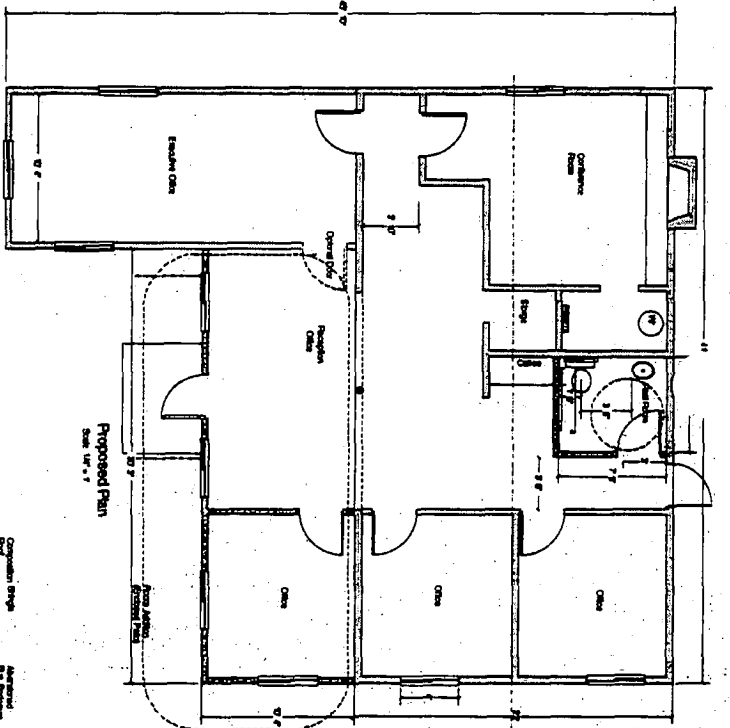
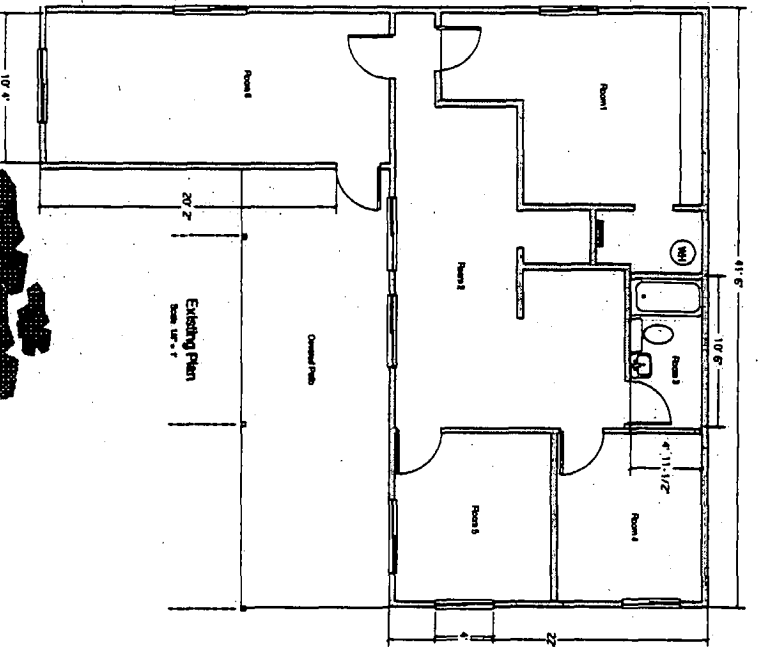


CASE: Z-108-95(3)





Z-108-95(3): 5232 Ricky Road

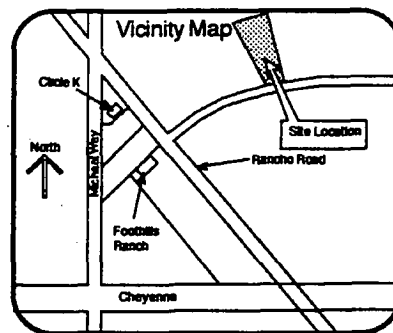


South Elevation
Scale: 1/8" = 1'-0"

West Elevation
Scale: 1/8" = 1'-0"

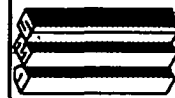
STAFF
Z-108-95(3)
11-5-98 PC

A1 Scale: 1/8" = 1'-0" Date: 11/11/98 Drawn: [] Checked: [] Overhead: []	Prev: [] Description: [] Date: [] By: []	Office Room Addition 5232 Rector Road Las Vegas, NV 89103 Owner: Don McCutcheon, Per Action Corporate	 D. W. STRAIT Architecture & Planning AIA 1811 West Grand Street • Suite C-101 • Las Vegas • Nevada 89103 Las Vegas NV 89107 • Tel: (702) 637-0000 • Fax: (702) 637-0025
	Floor Plans & Elevations		



D. W. STRAIT
Architecture & Planning

01 West Brooks Street • Suite C • N. Las Vegas • Nevada 89030
Las Vegas, Nv. 89107 • Tel. (702) 857-0804 Fax. 657-0936



Office Room Addition

5232 Ricky Road
Las Vegas, Nevada

Owners: Dan McCannin For Action Concrete

Site Plan & Cover Sheet

With Landscape Plan

Rock Match Landscape Area
(Decomposed Granite on Weed Stop Fabric)

Paved Area

Planting Area. Low Moisture shrubs

Proposed Future Tree
(Arizona Mesquite and/or Palo Verde)

Existing 40' Deciduous Tree

Existing House	1170 s.f.
<u>Existing Covered Patio</u>	<u>300 s.f.</u>
Total	1470 s.f.

Commercial Office Facility 1470 s.f. GFA -
Parking 1Space /@300 s.f.
= 5 required spaces including 1 van accessible

Lot Size = 0.82 Acres
Coverage = 4.1%

1. Convert Patio Cover To Room Addition
2. Upgrade Insulation and HVAC System
3. Remodel Toilet to provide Handicap Access
4. Upgrade Electrical Circuitry As Needed
5. Refinish Interior.
6. Stucco Finish Exterior Walls

APN 138-12-710-052

**Zone Change to C2F
Formerly R**

Ref Zoning Action Z-108-95

Date: _____

Job No.: 8814

Scoring**DISEASE**

Designed:

Checked

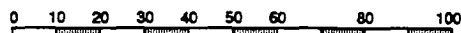
Sheet:

C1

STAFF

Z-108-95(3)
11-5-98 PC

Site Plan
Scale: 1" = 20'



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 80

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****SITE DEVELOPMENT PLAN REVIEW
RELATED TO Z-108-95(2)**

138

**ABEYANCE ITEM - Z-108-95(3) - DAN AND
NANCY McCARTAN**

Appeal filed by D. W. Strait Architecture & Planning from the Denial by the Planning Commission for a Site Development Plan Review on property located at 5232 Ricky Road FOR THE CONVERSION OF AN EXISTING 1,470 SQUARE FOOT SINGLE FAMILY DWELLING TO AN OFFICE, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial), Size: 0.82 Acres, Ward 4 (Brown), APN: 138-12-710-052.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 1

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 1

The Planning Commission (5-0 vote)
recommends DENIAL.

Staff recommends APPROVAL, subject to:

1. An additional Site Development Plan Review is required prior to any additional development within the vacant rear yard area.

**BROWN - DENIED - UNANIMOUS with Jones abstaining
because she was not present for the entire discussion**

APPEARANCES:

DAVID W. STRAIT, D.W. Strait Architecture & Planning, 101
W. Brooks Avenue, Suite C, North Las Vegas
DAN McCARTAN, 6010 West Cheyenne Avenue, #15-313
JEAN and FRANK MITRANI, 3405 Bonn Court
MS. MEYER, President of NARA
JIM DI FIORE, Manager of Business Services
ROBERT GENZER, Planning & Development
DEPUTY CITY ATTORNEY STEVE GEORGE

NOTE: COUNCILMAN BROWN directed that staff have this
property comply with City Codes.

NOTE: A Combined Verbatim Transcript of Items 136 and 137
[Z-108-95(2)] and Items 138 and 139 [Z-108-95(3)] is made a
part of the Final Minutes under Item 136 [Z-108-95(2)].

(2:07 - 2:41)

3 - 130

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****DENIED****ABEYANCE ITEM - Z-108-95(3) - DAN AND
NANCY McCARTAN**

2. Construct public sewer in Ricky Road, if such does not already exist at the time of this proposed development, to the west edge of this site at a location acceptable to the City Planning Engineer as required by the Department of Public Works.

3. Site development to comply with all applicable conditions of Z-108-95 and Z-108-95(1), all subsequent site related reviews and the Urban Design Guidelines and Standards as required by the Planning and Development Department and the Department of Public Works.

4. All development shall be in conformance with the site plan and building elevations.

5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission 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.

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

8. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 82

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****DENIED****ABEYANCE ITEM - Z-108-95(3) - DAN AND
NANCY McCARTAN**

9. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

10. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.

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

12. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

13. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
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SUBJECT: ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-108-95(2) - Z-108-95(3) - DAN AND NANCY McCARTAN

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 22, 1999 CITY COUNCIL MEETING TO ALLOW ADDITIONAL TIME FOR STAFF TO MEET WITH THE APPLICANT AND NEIGHBORS TO RESOLVE EXISTING SITE ISSUES. THE ITEM HAS BEEN PLACED BACK ON THE CITY COUNCIL AGENDA IN RESPONSE TO CONTINUED COMPLAINTS FROM NEIGHBORS.

APPLICATION REQUEST:

This is an appeal filed by D. W. Strait Architecture and Planning from the Denial by the Planning Commission for a Site Development Plan Review for a single family residence conversion to an office on property located at 5232 Ricky Road. The justification letter submitted with the application indicates that the site is to be used as a business office in accordance with the original conditions of approval.

BACKGROUND DATA:

- 08/03/94 The adjacent property to the east was rezoned to R-1 (Single Family Residential) and R-D (Single Family Residence, Restricted) for a 22 lot subdivision (Z-67-94).
- 02/21/96 The City Council approved a Rezoning from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) (Z-108-95).
- 05/12/97 The City Council approved an Extension of Time for the zoning on the property [Z-108-95(1)]. This extension expired on May 12, 1998.

DETAILS OF APPLICATION REQUEST:

Site Area:	.82	Acres
Building Area:	1,470	Square Feet
FAR:	.04	
Parking Required:	5	Spaces
Parking provided:	8	Spaces
Building Height:	10'-10"	

Agenda Item

138

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-108-95(2) - Z-108-95(3) - DAN AND NANCY McCARTAN

PURPOSE/BACKGROUND

Access to the site is provided by one driveway from Ricky Road. The existing residence is located on the southerly portion of the overall site, with parking to the south and north. The rear portion of this proposal is the existing yard, and is designated for future development.

There are 10 foot wide landscape planters proposed on the east and west sides of the property with 24 inch box trees 20 feet on center. There is a 17 foot wide planter along the south property line and 30 feet of landscaping along the northern property line.

The applicant also proposes to replace the existing chain link fence with a six foot high concrete block wall. The existing structure has a stucco finish with a fiberglass shingle roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	R-E	Single Family
South:	C-2	Unimproved
East:	R-1	Single Family
West:	C-2	Single Family

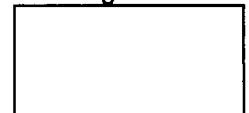
FINDINGS:**USE:**

The site is under Resolution of Intent to C-2 (General Commercial), however the location of the site adjacent to single family residential to the east raises questions as to whether or not it is physically suited for the type and intensity of land use now proposed which is an office and construction yard for a concrete contractor. The proposed use could conform to the approved zoning of the property with appropriate buffering.

SITE PLAN:

The submitted site plan meets the requirements of the Las Vegas Zoning Code and the Las Vegas Urban Design Guidelines and Standards, however the site plan does not depict the current condition of the property, nor does it depict any proposed use for the northerly portion of the property which is adjacent to existing homes.

Agenda Item



*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-108-95(2) - Z-108-95(3) - DAN AND NANCY McCARTAN

PURPOSE/BACKGROUND

If any development is proposed for the vacant portion of the rear yard, an additional Site Development Plan Review should be conducted as a public hearing. This issue has been addressed as condition number one in staff's recommendation.

The Planning Commission (5-0 vote) recommends DENIAL.

[NOTE: The Commission believed this proposal to be incompatible with the adjacent residential properties.]

Staff recommends APPROVAL.

PC NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 1

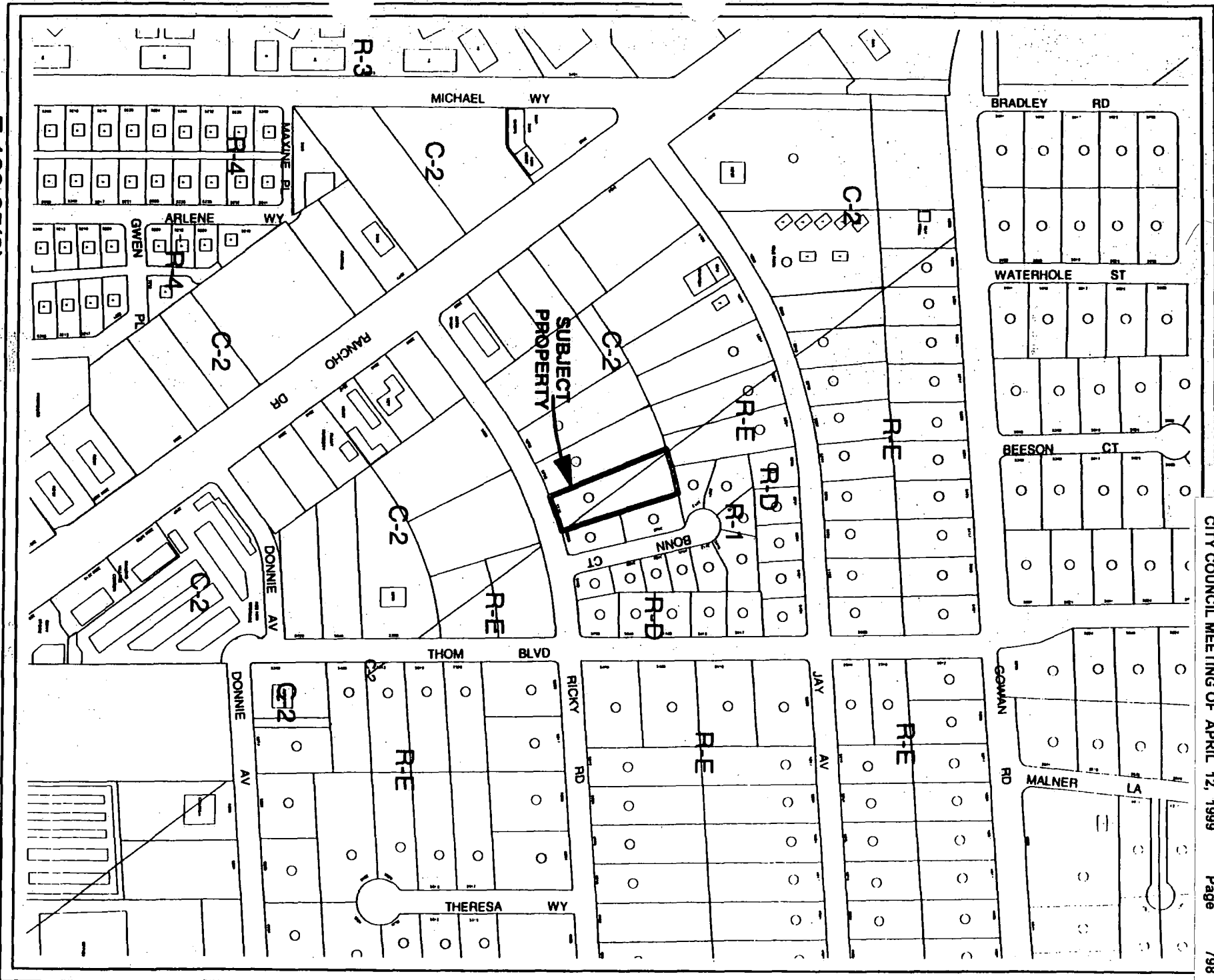
SEE ATTACHED LOCATION MAP

UPDATE:

Prior to the last hearing on this item staff met with the applicant and the immediate neighbors and a site check was performed by Code Enforcement. The applicant indicated that steps would be taken to clean up the site and that plans are being prepared to construct a storage building on the rear portion of the property to resolve the outdoor storage issue. Following the February 22 hearing Code Enforcement has received additional complaints regarding activities on the site that are detrimental to the adjacent neighbors. Staff is of the opinion that adequate time has been given to the applicant to submit plans to redevelop the site in a manner that is compatible with his neighbors. Because the applicant has failed to perform in a timely manner staff recommends that the Site Development Plan Review now be **denied**.

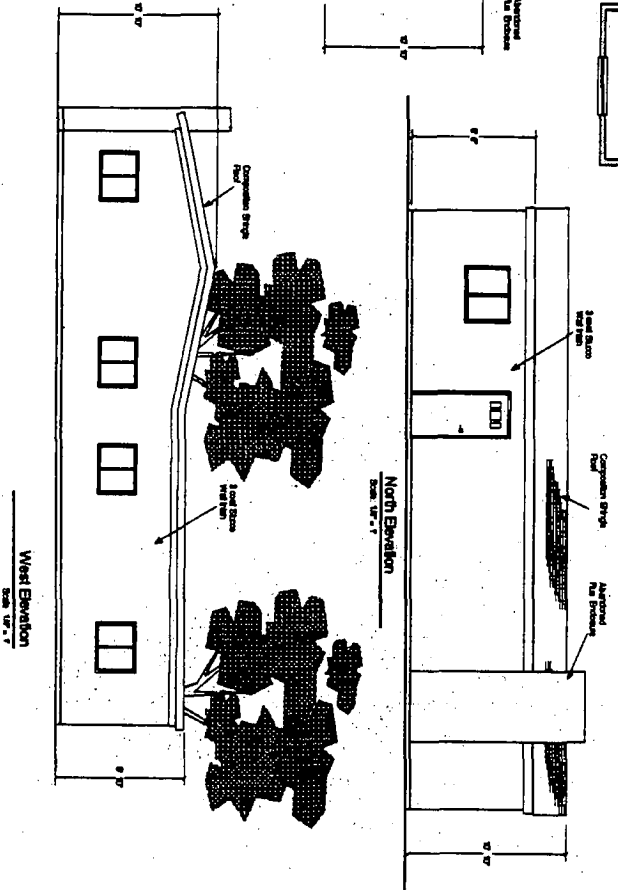
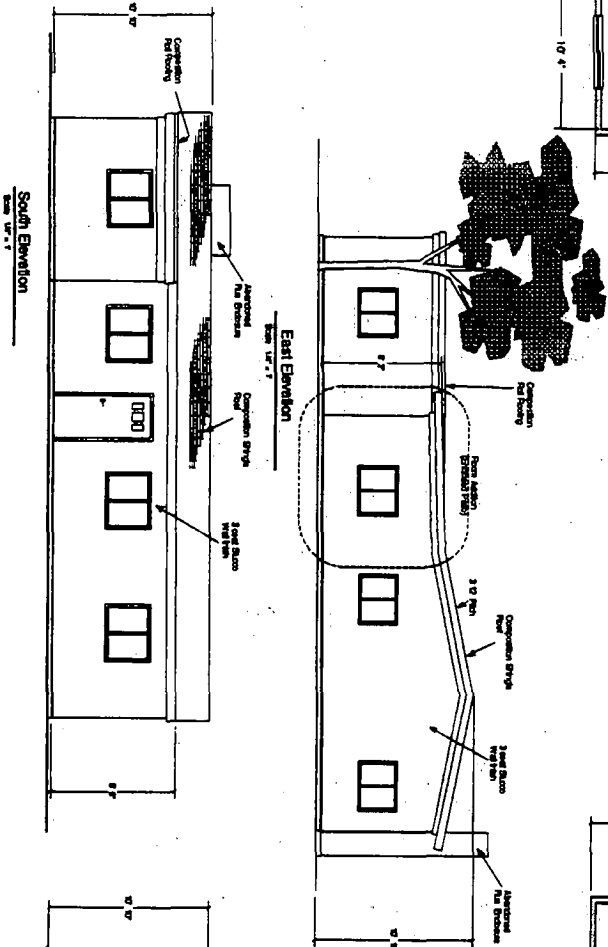
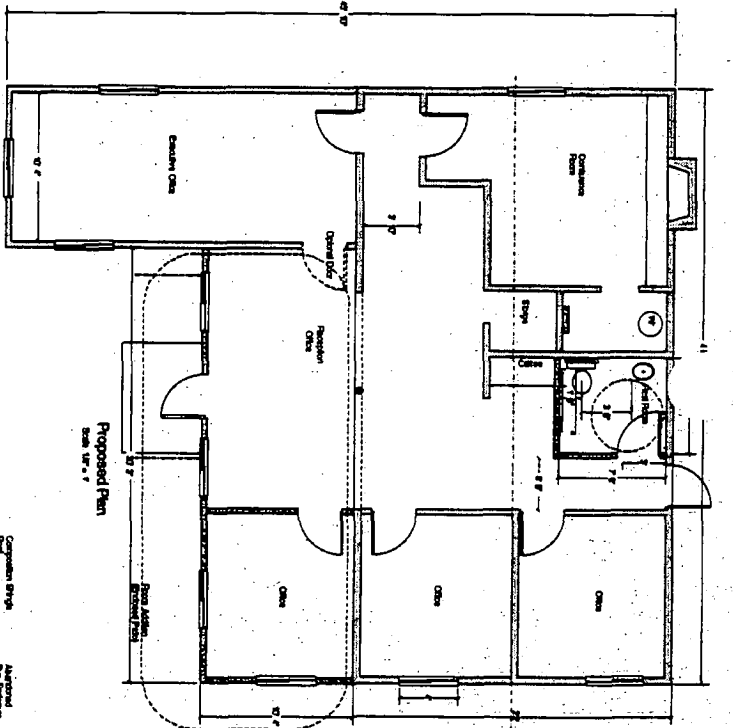
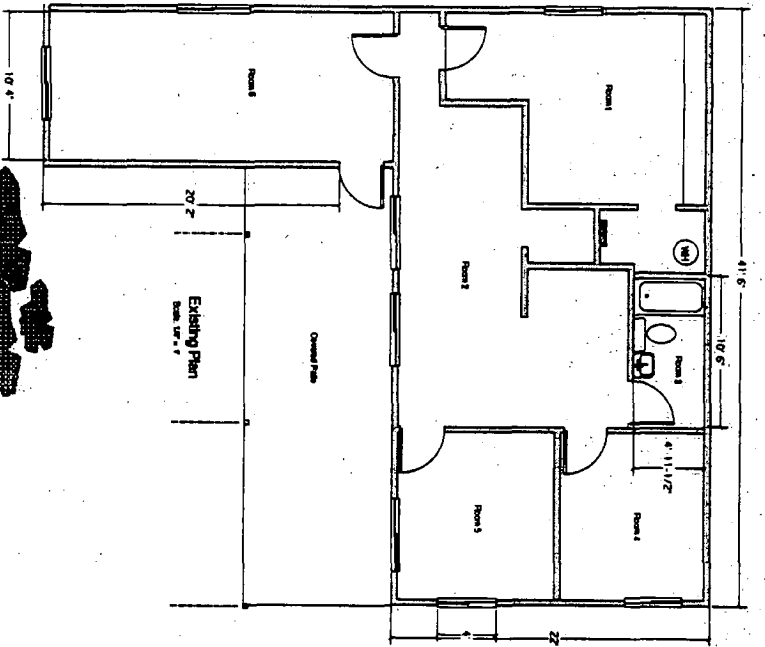
Agenda Item

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CASE: Z-108-95(3)





South Elevation
Scale 1/8" = 1'

West Elevation
Scale 1/8" = 1'

STAFF
Z-108-95(3)
11-5-98 PC

Scale	1/8" = 1'
Job No.	9811
Drawn	CS
Checked	CS
Sheet	A1

Rev'd	Description	Date	By

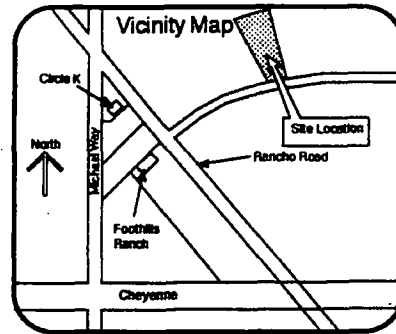
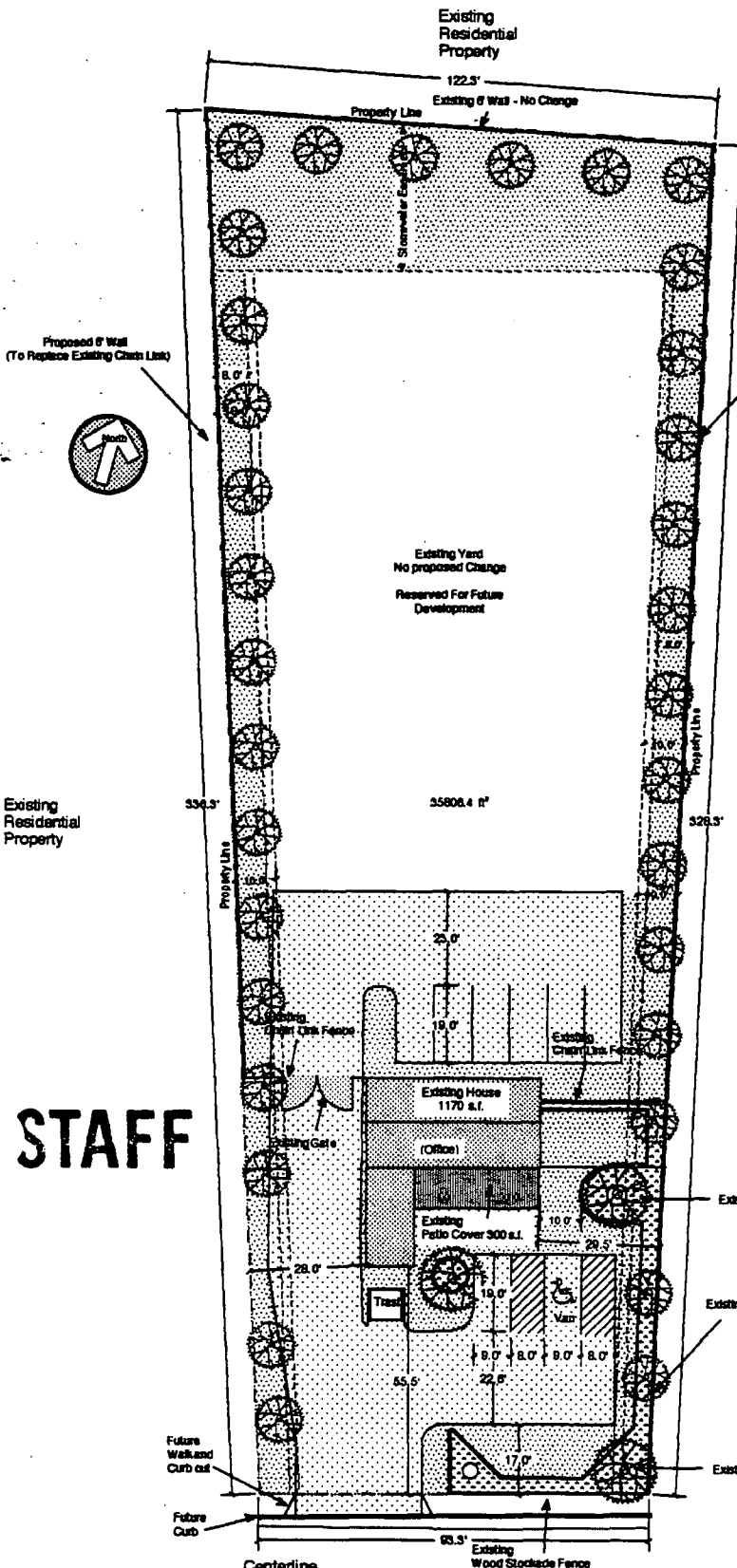
Office Room Addition
5232 Pappy Road
Las Vegas, Nevada
Owner: Dennis Cohen, Per All on Concrete

Floor Plans & Elevations



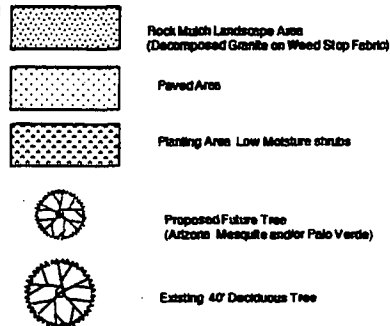
D. W. STRAIT
Architecture & Planning
AIA

101 West Owens Street • Suite C-40 • Las Vegas • Nevada 89101
Las Vegas, NV 89107 • Tel: (702) 657-0000 Fax: 657-0006



Existing 6' Wall - No Change

Landscape Legend



Existing Residential Property

Areas

Existing House 1170 s.f.
Existing Covered Patio 300 s.f.
Total 1470 s.f.

Commercial Office Facility 1470 s.f. GFA -
Parking 1 Space @ 300 s.f.
= 5 required spaces including 1 van accessible

Lot Size = 0.82 Acres
Coverage = 4.1%

Scope:

1. Convert Patio Cover To Room Addition
2. Upgrade Insulation and HVAC System
3. Remodel Toilet to provide Handicap Access
4. Upgrade Electrical Circuitry As Needed
5. Refinish Interior.
6. Stucco Finish Exterior Walls

APN 138-12-710-052

Zone Change to C2F
Formerly R

Ref Zoning Action Z-108-95

D. W. STRAIT
Architecture & Planning
AIA

101 West Brooks Street - Suite C-11 Las Vegas - Nevada 89030
Las Vegas, NV 89107-Tel: (702) 857-0884 Fax: (702) 857-0928

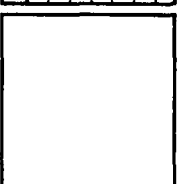


Office Room Addition

5232 Ricky Road
Las Vegas, Nevada
Owner: Don McOrlean For Addition Concrete

Site Plan & Cover Sheet
With Landscape Plan

Rev #	Description	Date	By



Date:
Job No.: 9814
Scale:
Drawn:
Designed:
Checked:

Sheet:

C1



Z-108-95(3): 5232 Ricky Road

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****REZONING - PUBLIC HEARING**

139

**ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

Request for a Rezoning on property located on the southwest corner of Elkhorn Road and Pioneer Way From: U (Undeveloped) [R (Rural) General Plan Designation] To: R-PD3 (Residential Planned Development - 3 Units Per Acre), PROPOSED USE: 32 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Size: 10.00 Acres, Ward 4 (Brown), APN: 125-22-101-003.

NOTICES MAILED: 283

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 11

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 11

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to:

1. A letter or other documentation establishing the maximum building height and minimum on-site parking requirements per each single family residential lot shall be submitted to the zoning file prior to submittal and review of any Tentative Map for this site.

BROWN - APPROVED subject to conditions and adding that the grading plan as submitted to the City shall be followed, amending Condition 2 that perimeter homes along the north, west and south, including the corner lot at Elkhorn and Pioneer, be restricted to single story homes, and amending Condition 3 that the side yard setback be 25 feet along the west property line - **UNANIMOUS** with Jones not voting

MAYOR JONES declared the Public Hearing open.

APPEARANCES:

JOE GENOVESE, PBS&J, 901 North Green Valley Parkway, Suite #100, Henderson

PAUL CHAO, Desert Oak Homes, 6075 S. Eastern Avenue

CHERI EDELMAN, Public Works

ROBERT GENZER, Planning & Development

DEPUTY CITY ATTORNEY STEVE GEORGE

JERRY ONSTAD, 7401 Michelle Avenue

UNIDENTIFIED GENTLEMAN

ROBERT HARRIES, 7016 Manny Street

MAYOR PRO TEM McDONALD declared the Public Hearing closed.

COUNCILMAN BROWN directed that previous testimony on this use be included.

DEPUTY CITY ATTORNEY STEVE GEORGE noted for the record that City Manager Valentine had no involvement in this item.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(2:41 - 2:53)

3 - 1275

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

2. There shall be no two-story residences. All residences shall be one-story in height.

3. The minimum setbacks shall be established as:

15 foot minimum front yard setback with a minimum 20 foot setback for driveways;
20 foot minimum rear yard setback;
5 foot minimum side yard setback; and
10 foot minimum corner side yard setback.

4. The required amount of open space shall be provided in conformance with Title 19A by eliminating one lot.

5. A landscape planter shall be provided along Elkhorn Road in accordance with Title 19A.

6. A wall elevation and documentation depicting a decorative subdivision perimeter wall as well as access gate shall be submitted for Planning and Development Department review and approval prior to the submittal and review of any Tentative Map for this site.

7. Deed to the City a minimum 20-foot wide public multi-use trail parcel outside of the public right-of-way. Said trail shall be located adjacent to, and along the west side of proposed Pioneer Way, and shall be constructed by the developer and maintained by the Homeowner's Association, until such time as the City has the ability to maintain such trails.

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ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

8. Dedicate 50 feet of right-of-way adjacent to this site for Elkhorn Road, 30 feet of right-of-way adjacent to this site for Pioneer Way and a 25 foot radius at the southwest corner of Elkhorn Road and Pioneer Way as required by the Department of Public Works.

9. Construct full urban half street improvements on Elkhorn Road; including appropriate overpaving. Construct rural street improvements (minimum of two paved, travel lanes) on Pioneer Way adjacent to this site; rural street paving improvements should be located in the center of the Pioneer Way corridor if legally able. Concrete edge-protection/drainage-gutters may be required adjacent to the edges of the paved, travel lanes upon direction of the City Planning Engineer; rural ditches adjacent to the paved travel lanes are acceptable. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works. Permanent street improvements shall be constructed as necessary to provide adequate access for each phase of development prior to occupancy of homes within each phase; multiple access routes may be necessary if required by the Traffic Engineer. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system. Construction drawings for all required public street improvements on Elkhorn Road shall be submitted to the City within 180 days of City Council approval of this

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

rezoning action, and construction of such improvements shall begin within 90 days of approval of the submitted construction drawings. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

10. Construct a minimum of paving and curb and gutter on all private drives internal to this site as required by the Department of Public Works.

11. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. The gated access drive shall be located opposite or a distance acceptable to the Traffic Engineer from the proposed private access drive on the east side of Pioneer Way.

12. Coordinate the off-site public sewer alignment to service this site with the City Planning Engineer prior to the submission of any off-site sewer construction plans as required by the Department of Public Works. Capacity concerns exist with the existing Deer Spring sewer line.

13. Contribute \$15,000 to partially fund a traffic signal system at the intersection of Elkhorn Road and Tenaya Way prior to the issuance of building or off-site permits as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

14. 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 as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible 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, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

15. A Homeowner's Association shall be established to maintain all perimeter walls, private drives, landscaping, multi-use trails, and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Issues relating to the alignment of the proposed access drive to Pioneer Way will be addressed at that time.

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - Z-98-98 - VALENTINE
FAMILY TRUST, ET AL**

18. A Resolution of Intent with a 12 month time limit.

19. All development shall be in conformance with the Site Development Plan and building elevations.

20. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner.

21. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

22. All City Code requirements and design standards of all City departments must be satisfied.

23. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

24. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
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SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-98-98 - VALENTINE FAMILY TRUST, ET AL**PURPOSE/BACKGROUND**

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 22, 1999 MEETING TO ALLOW ADDITIONAL TIME FOR THE APPLICANT TO SUBMIT AND STAFF TO REVIEW A GRADING PLAN FOR THE SITE.

APPLICATION REQUEST:

This request is for a Rezoning from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units Per Acre) for the development of a 30 lot (revised from 32) single family residential subdivision on a 10 acre property located on the southwest corner of Elkhorn Road and Pioneer Way. The proposed density of the project is 3.0 units per acre.

BACKGROUND DATA:

02/19/99 The annexation of this site became effective [A-19-98(A)].

DETAILS OF APPLICATION REQUEST:

Site Area:	10.00	Acres
Number of Lots:	30	
Density:	3.0	Dwelling Units Per Gross Acre
Minimum Lot Size:	7,200	Square Feet
Model Home Styles:	4	
Building Heights:	1 and 2 story	
Useable Open Space:	0.28	Acre
Required Open Space:	0.5	Acre

The site plan depicts the proposed subdivision with access from Pioneer Way. The internal streets are private and include two cul-de-sacs. The lots range from a minimum lot size of 7,200 square feet to a maximum lot size of 16,402 square feet. The development standards established on the site plan require a 15 foot front lot setback with a minimum 20 foot driveway setback, 20 foot rear yard setback, 5 foot side yard setback, 10 foot corner side yard setback, and a 15 foot cul-de-sac setback.

Landscaping areas will be located at the subdivision entrance. Open space is provided along the required trail area that is located adjacent to the site along Pioneer Way.

Agenda Item

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**CITY COUNCIL MINUTES
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APRIL 12, 1999**

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
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SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

PURPOSE/BACKGROUND

The elevation plans depict traditional desert southwest architecture with front loading attached garages, small front door porch areas, and with all of the proposed models designed with the front door facing the street. The floor plans propose a minimum floor area of 2,153 square feet and a maximum floor area of 3,409 square feet. The proposed model plans include two, three, four, five, and six bedroom floor plans. No casitas are proposed.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-E	Single Family Residential
East	R-PD2 (ROI)	Unimproved
South	R-E (ROI)	Unimproved, Single Family Residential
West	R-PD3 (ROI)	Single Family Residential

FINDINGS:

GENERAL PLAN:

The site is designated R (Rural Density Residential) 2.1 to 3.5 dwelling units per gross acre, on the Northwest General Plan Amendment to the City of Las Vegas General Plan. The Rural Density Residential category is intended to achieve a rural or semi-rural environment with a smaller lot size than the DR (Desert Rural), 0 to 2.0 dwelling units per gross acre.

REZONING:

The site is located in an area that has been approved for development with R-E (Residential Estates), R-PD2 (Residential Planned Development - 2 Units Per Acre), and R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning. The proposed density is 3.0 units per acre, which is consistent with the Northwest General Plan recommendation. The development density is compatible with the surrounding density.

Agenda Item

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION****TO:**
THE CITY COUNCIL**FROM:** THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT**SUBJECT:** ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-98-98 - VALENTINE FAMILY TRUST, ET AL**PURPOSE/BACKGROUND****PLOT PLAN:**

The site plan proposes 0.28 acre of useable open space while the proposed density and site size results in 0.5 acre of required open space. The 0.28 acre open space is established in a multi-use trail located along Pioneer Way. Title 19A allows trails to be counted toward the total required open space. However, landscaped entry features and perimeter landscaping cannot be included in the open space figures. Therefore, an additional 0.22 acre of open space must be provided for this development. Also, the open space should be centrally located and a sidewalk system should be provided to connect all residential areas to the open space.

The R-PD (Residential Planned Development) District provides for flexibility in residential development, and allows an applicant to establish minimum development standards. The following development standards are not provided in this application:

- The proposed wall design in front elevation view that would display the amount and type of decorative elements. A wall cross section is provided and this indicates that the wall will be constructed of concrete masonry unit (CMU) and will be 6 feet tall.
- The proposed interior streets are private streets. The layout and design of the private street access control devices have not been provided.
- Maximum building heights are not indicated on the elevation plans.
- Parking standards have not been established.

Perimeter subdivision landscaping is proposed along Elkhorn Road. However, the revised plans do not contain a note that designates this area for landscaping.

The Planning Commission (4-0 vote) and staff recommend APPROVAL.

[NOTE: In making their recommendation the Planning Commission indicated their belief that this is a unique area in terms of established development and added a condition which requires all homes within the development to be limited to single story.]

Agenda Item

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*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
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SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-98-98 - VALENTINE FAMILY TRUST, ET AL**PURPOSE/BACKGROUND**

PC NOTICES MAILED: 283

APPROVALS: 0

PROTESTS: 11

[The protesters felt that the development should be limited to two units per acre and single story homes which is the predominant development pattern of adjacent properties. A few protesters were willing to compromise on the density if the developer agreed to the restriction of single story homes. The developer offered a compromise of single story homes on the perimeter and two-story homes on the interior which the Planning Commission did not accept.]

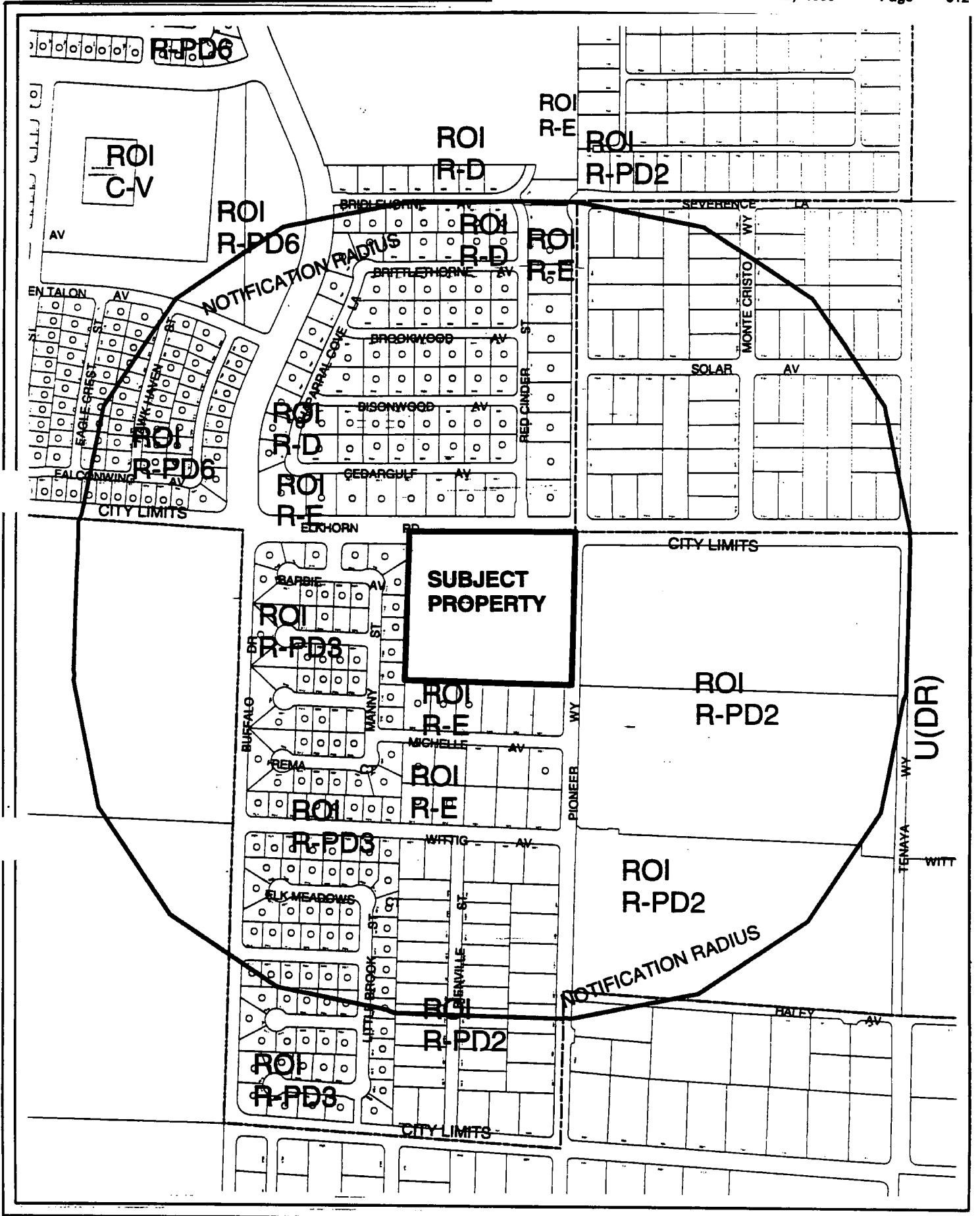
UPDATE:

The applicant submitted a grading plan on March 29th for staff review. It is staff's opinion that the grading proposal is acceptable. The applicant has designed the site such that the pads will be equal to or less than the pads to the west and south of the site, while maintaining proper drainage from west to east. The applicant has also submitted a sight line drawing which indicates that the two-story homes proposed for the interior of the site will not have visibility to the existing homes to the north and south.

SEE ATTACHED LOCATION MAP

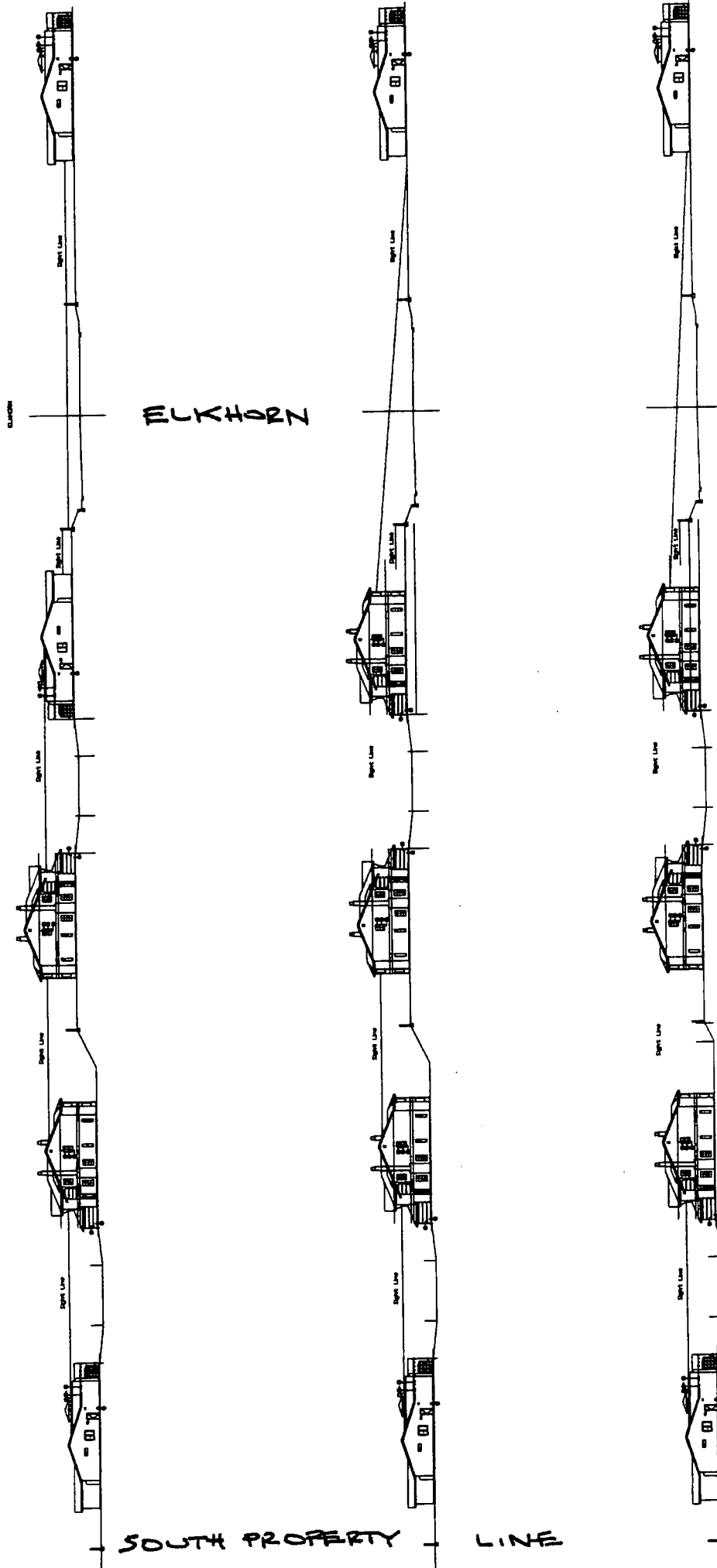
Agenda Item





CASE: **Z-98-98**
 RADIUS: 1320 FT





Z-98-98

**CITY COUNCIL
MEETING OF
APRIL 12, 1999**

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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

MAYOR JONES

Item 139 is Abeyance Z-98-98 - Valentine Family Trust. It's a request for a rezoning on the property located on the southwest corner of Elkhorn Road and Pioneer Way from Undeveloped Rural in the General Plan to R-PD3 (Residential Planned Development - 3 units per acre), Proposed Use: 32 Lot Single Family Residential. Eleven protests, no approvals. Planning Commission and staff recommend approval. This is a public hearing. I'd now declare it open. The applicants are present.

JOE GENOVESE

Good afternoon, Mayor, members of the Council. Joe Genovese, 901 North Green Valley Parkway. I believe Public Works is going to address the immediate issue as to why we were held a couple weeks ago - the grading along Elkhorn Road.

**CHERI EDELMAN, PUBLIC WORKS
DEPARTMENT.**

If we go to the overhead, I'm going to take my map out, I'm more familiar with it. Mr. Genovese stated that this item has been held from a prior meeting. The reason is because of the grading issues that have occurred. First of all, I just want to kinda go over side by side and let you know exactly what's happened.

First of all, this site was substantially up in the air. Part of that was because of the existing grade conditions that are out in the field right now, but the gentlemen have taken quite a step to try to reduce the -- grades on this site. First of all, along the west side, all of these pads that are on -- the west side here are at or within a foot of the existing grades of the existing homes to the west.

To the south of this site, again, they have matched or are lower than the existing homes to the south of this site. On the east side, their subdivision is to the east, they are about level with the, their proposed plans on the east side. Again, they are a little bit higher on the road, but it's their project to the east.

And then if we go along the north side which is Elkhorn Road, they are about a foot and a half to two and a half feet above the -- top of the curb. And the reason for that is because this site drops off about eleven feet from the west edge of the site to the east edge of the site and so the road goes at a constant but the pads are stepped down. So, at the minimum point, at the step, it's about a foot and a half which meets the drainage criteria out there and at the maximum it's about two and a half feet from the lower edge of the site. If you were standing on Elkhorn Road at the

**CITY COUNCIL
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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

sidewalk over here, you would be just about level with this, the homes to the north of the site.

UNIDENTIFIED GENTLEMAN

Say that again?

AUDIENCE

Disruptive comment.

COUNCILMAN BROWN

Sure; yeah. And this is -- important. I, the grading I understand on the interior lots, but if you're standing on the sidewalk on our, on this applicant's side --

CHERI EDELMAN, PUBLIC WORKS
DEPARTMENT

Right.

COUNCILMAN BROWN

-- my understanding was the natural topography of this site and the drainage would take it at a maximum eighteen inches above what's across the street.

CHERI EDEMAN, PUBLIC WORKS
DEPARTMENT

It's -- eighteen inches above the top of curb on their side, but that the top of curb is the same elevation as it is on the other side of the street. So, yes, it is eighteen inches but, again, because it's stepped and the road is -- sloping, it's eighteen inches at the -- high point but it could go up to about two to two and a half feet on the low end of each pad site as it's getting stepped; but it's not greater than two and a half feet at any one point.

COUNCILMAN BROWN

And why can't they go down any lower?

CHERI EDELMAN, PUBLIC WORKS
DEPARTMENT

Because they have to meet the -- it's twice the depth of the flow and the depth of flow out there is .75 feet. So the Regional Flood Control District criteria requires that it be a minimum of one and a half feet.

JOE GENOVESE

I think additionally one of the big points of contention had been single-story and two-story units around the perimeter of the site. After speaking with the developer and with me is Mr. Chao from Desert Oak Homes, we are willing to put single-story units on Lots 1 through 5 on this plan, Lots 6, Lot 17, Lot 18 and then Lots 19, 20, 21, 22 and Lot 23. Basically we want to keep the lots along Pioneer, this lot on the -- northeast corner of the site is very, very large and any setback from a two-story unit -- there are two-story units on the other side of Pioneer -- any potential two-story unit here would have a minimum setback of about fifty feet and quite possibly a lot -- bigger setback than that. And with that, we ask for your approval.

**CITY COUNCIL
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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

MAYOR JONES

This is a public hearing. Do others wish to be heard on this item? We would like that since we have a number of speakers, if you could try to limit your comments to three minutes.

JERRY ONSTAD

I'm Jerry Onstad. I live at 7401 Michelle Avenue and I guess I don't -- understand the plan as it's presented. Are you speaking to how these lots are graded at the present time or to the plan that you submitted to us last week?

JOE GENOVESE

It's the plan that was submitted last week.

JERRY ARNSTEAD

So that --

JOE GENOVESE

It has not been graded to that plan yet.

JERRY ARNSTEAD

So that that level would come down.

JOE GENOVESE

That's right.

PAUL CHAO

Correct.

JERRY ONSTAD

All right. Now, secondly, it's my understanding then that you would put single-story houses from the entrance around the periphery to Lot 23, omitting the lot on this corner and here; is that correct?

JOE GENOVESE

Correct.

JERRY ONSTAD

Now, is this the same diagram that we saw last week where it seemed to me it split here? Has this been changed?

JOE GENOVESE

Yes, it has been changed because we increased the widths of these lots here.

JERRY ONSTAD

So that this is single or two-story?

JOE GENOVESE

It's undetermined yet.

JERRY ONSTAD

So you want that two-story house there?

JOE GENOVESE

There's no restriction on this lot.

JERRY ONSTAD

Okay. We want to put a restriction on that lot. Now we can go through our whole line of arguments again, I mean, basically going to present in a little more detail what I did last time as are the rest of the speakers and I guess we'd best go ahead and do that, but it's going to take some time.

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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

COUNCILMAN BROWN

Well, before we go and do that, I think the record at the Planning Commission last time, meeting with the developer and meeting with our staff, I think, Jerry, we have a pretty good feel of where you are and the justification. So what -- I heard you, if the grading is as our Public Works indicated, and the single-story comes around, includes that last corner lot --

JERRY ONSTAD

Number -- well, I'm not, there are two numbers on here. One's 22 and one's 24. Is that the lot we're talking about?

JOE GENOVESE

That's Lot 24.

JERRY ONSTAD

That's Lot 24. If you'd included that, I think you, we probably wouldn't take a whole lot more of your time.

COUNCILMAN BROWN

Well, let's leave it like that because I think the record certain reflects not only the justification why we're asking single-story, but all the other issues. So, short answer, I don't think you need to go through the entire testimony again. I will include that as part of the recommendation at the end, though, previous testimony.

JERRY ONSTAD

Okay, I've got a little more detail if you want since I found some more records.

COUNCILMAN BROWN

If you need to end up coming back, maybe the Mayor will let us back up for a couple minutes.

MAYOR JONES

Absolutely.

JERRY ONSTAD

Terrific.

COUNCILMAN BROWN

Thank you. Is everybody going? Didn't mean to scare everybody off. Okay. We're set. I think we're set.

ROBERT HARRIS

We understood a compromise was at hand and that that'll negate our comments.

COUNCILMAN BROWN

Right, yeah.

ROBERT HARRIS

If you could give us a couple minutes, Mayor, at the end, if there's any reason then (inaudible) --

COUNCILMAN BROWN

Yeah, just to make sure, there's been a couple different diagrams shown in the last couple weeks, so is the one that's in front of us --

CITY COUNCIL
MEETING OF
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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

JOE GENOVESE

These two diagrams, one of the lot lines did change right on the edge of the cul-de- -- on the knuckle here. This line, basically we moved this line right here to the west several feet and that was to create larger lots along Elkhorn Road.

COUNCILMAN BROWN

And I think, what I heard from the neighbors and what we've talked about is if that lot was then ending on Pioneer and restricted to a single-story, then there's no issue.

JOE GENOVESE

We'd be fine with that.

COUNCILMAN BROWN

And that's -- I think that's where we're going. Just like to point out that the -- westerly lots are, have been turned so there's only four adjacent to that neighborhood, --

JOE GENOVESE

Correct.

COUNCILMAN BROWN

-- which I think is a great give back because those -- lots upwards of 10, 11, 12,000 square feet, which is very compatible, a little bit bigger. So if you understand what we're saying is that corner lot on the paper piece --

JOE GENOVESE

Lot 24 here.

COUNCILMAN BROWN

-- yeah, that one comes, literally comes down the property line probably 20, 30 feet onto Pioneer. If that's the site plan we can live with and restrict that to single-story?

PAUL CHAO

That'll be fine.

COUNCILMAN BROWN

I think we're ready to go.

JOE GENOVESE

Okay. That's fine.

COUNCILMAN BROWN

And we can always double-check that as the Final Maps come through. Mayor, if there are no other comments or questions from the -- Mayor Pro Tem, if there are no other comments or questions from the Board, my motion will be for approval subject to staff conditions. If any need to be adjusted, let's get them on the record, indicating that the grading plan as submitted to the City will be the one that will be followed and perimeter homes as indicated on the public record including the corner lot at Elkhorn and Pioneer be restricted to single-story homes.

ROBERT GENZER, PLANNING AND
DEVELOPMENT DEPARTMENT

Councilman, that -- would amend Condition No. 2 which is, as written currently, is the condition that came out of the Planning Commission requiring all residences to be one-story.

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Page 6

VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

COUNCILMAN BROWN I would have that condition amended. And thank --

MAYOR PRO TEM McDONALD Any further comments?

COUNCILMAN BROWN -- thank both the applicant and the neighborhood for their -- work. Any other?

ROBERT HARRIS May I just make one more point. Since the --

MAYOR PRO TEM McDONALD Come forward, please. Name and address.

ROBERT HARRIS Robert Harris, 7016 Manning Street.

MAYOR PRO TEM McDONALD Thank you, sir.

ROBERT HARRIS A concern that we did have, now that these homes are going to be configured to the side on the westerly boundary, what would be the setback from the side of the, that's -- a concern. What that minimum setback will now be from the sides of the home. We understand 25 foot front and rear, but now this becomes the sides, so it's a more of a concern. And the Planning Commission and staff had recommended 20 foot or something like that. We'd like to get that established, what that'll be.

JOE GENOVESE It was 25 feet, what we came up to.

PAUL CHAO It was 25 feet side setback.

ROBERT GENZER, PLANNING AND DEVELOPMENT Can we add that in to the setback Condition No. 3 then, so that it'll be clear for our records?

COUNCILMAN BROWN Please. The applicant has agreed to that on the record. So, again, I appreciate that setback at 25 feet. And, again, four homes is better than six or even eight when renditioned. So my motion would be for **approval subject to staff conditions as amended and also defer to Counsel who needs to read something for the record.**

DEPUTY CITY ATTORNEY STEVE GEORGE Yes. Mayor Pro Tem --

MAYOR PRO TEM McDONALD First of all, we'll close the Public Hearing. Counselor?

DEPUTY CITY ATTORNEY STEVE GEORGE Mayor Pro Tem, just for the record, Virginia Valentine has had no involvement in the processing or review or any other issue relating to this application, Item Z-98-99.

**CITY COUNCIL
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VERBATIM TRANSCRIPT - ITEM 139 - ABEYANCE ITEM - Z-98-98 - VALENTINE FAMILY TRUST, ET AL

AUDIENCE

Disruptive comment.

MAYOR PRO TEM McDONALD

Thank you, Mr. George. There's a motion on the floor. Cast your votes. Post. Motion's approved. **(Motion carried unanimously with Jones not voting.)**

JOE GENOVESE

Thank you.

(END OF DISCUSSION)

/cmp

CITY COUNCIL

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APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****EXTENSION OF TIME - TENTATIVE MAP**

140

**TM-81-96(2) - PINE MEADOWS - SPRING
MOUNTAIN RANCH, LIMITED LIABILITY
COMPANY**

Appeal filed by Jones Vargas on behalf of Spring Mountain Ranch, Limited Liability Company of Planning Commission Condition Nos. 2 through 4 for an Extension of Time for an approved Tentative Map on property located on the southwest corner of Grand Teton Drive and Durango Drive, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-CL (Single Family Compact-Lot), Size: 109.70 Acres, No. of Lots: 633, Ward 4 (Brown).

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 1

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 1

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. The Tentative Map will expire on March 12, 2000.

BROWN - Granting the Appeal; thereby APPROVING the Tentative Map subject to conditions, deleting Conditions 2 and 3 and amending Conditions 4 and 5 to read:

4. Enter into a "Park Impact Fee in Lieu of Fees Agreement", subject to the approval by the City Attorney and by the Department of Public Works; this agreement shall be in place prior to the recordation of any Final Maps for the Spring Mountain Ranch Subdivision. Failure to comply with this condition shall result in this item being reconsidered by the City Council;
5. Construction of all parkettes and streetscapes shall be completed within one year of the recordation date of the respective Final Maps within which the parkettes and streetscapes are located or within six months for Final Maps that are already recorded as of April 12, 1999.

- UNANIMOUS

MAYOR PRO TEM McDONALD declared the Public Hearing open.

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared together with GREG BORGEL. ATTORNEY KAEMPFER felt Conditions 2 and 3 should be deleted because they are only applicable to Item 141. He accepted the modification of Conditions 4 and 5, as submitted by staff.

TAMBRI HEYDEN, Planning & Development, read for the record the revision for Condition 5 as follows: Construction of all parkettes and streetscapes shall be completed within one year of the recordation date of the respective Final Maps within which the parkettes and streetscapes are located or within six months for Final Maps that are already recorded as of April 12, 1999.

COUNCILMAN BROWN thanked the applicant and the neighbors for working together.

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION**TM-81-96(2) - PINE MEADOWS - SPRING
MOUNTAIN RANCH, LIMITED LIABILITY
COMPANY

2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.

3. Comply with the terms of the letter of commitment by Spring Mountain Ranch, L.L.C. regarding "Drainage Issues of Spring Mountain Ranch" dated March 9, 1999; failure to comply with this condition shall result in this item being reconsidered by the City Council.

4. Complete the "Park Impact Fee in Lieu of Agreement" process with the City within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.

5. All parkettes and streetscapes not already approved shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes, not located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:53 - 2:57)
3 - 1745

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED**TM-81-96(2) - PINE MEADOWS - SPRING
MOUNTAIN RANCH, LIMITED LIABILITY
COMPANY

6. Construct half-street urban improvements including appropriate overpaving on Tule Springs Road (aka the old Durango Drive alignment) concurrent with development of this site as required by the Department of Public Works. This is in addition to the off-site improvements required in Original Condition of Approval #4 of Z-92-96.

7. Conformance to the Conditions of Approval for Zoning Applications Z-92-96, all other site-related actions, Title 19A, the Las Vegas Urban Design Guidelines and Standards, and all ordinance amendments enacted subsequent to the original approval as required by the Planning and Development Department and the Department of Public Works.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: EXTENSION OF TIME - TENTATIVE MAP - TM-81-96(2) - PINE MEADOWS - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND**APPLICATION REQUEST:**

This is an appeal filed by Jones Vargas on behalf of Spring Mountain Ranch, Limited Liability Company of Planning Commission Condition Nos. 2 through 4 of a second Extension of Time for a Tentative Map which contains 633 single family lots. Conditions 2 and 3 relate to street improvements and drainage issues. The applicant claims that these conditions are unrelated to the Pine Meadows development, and are more appropriately addressed with the Spring Mountain Ranch project. Condition 4 relates to Park Impact fees. The condition required a Park Agreement to be completed within 30 days; the applicant indicates this is not possible.

BACKGROUND DATA:

10/24/96 The Planning Commission approved the Pine Meadows Tentative Map (TM-81-96).
01/12/98 The City Council approved a first Extension of Time for the Pine Meadows Tentative Map [TM-81-96(1)].
03/12/98 The Planning Commission approved a Final Map for Pine Meadows 1 Unit 10A, which recorded on June 30, 1998 (FM-17-98).

FINDINGS:

In regards to Conditions 2 and 3, the Department of Public Works believed the park-related, traffic and drainage issues of the Pine Meadows development and the Spring Mountain Ranch project were connected, and were therefore appropriate. Public Works would have no objection to a 60 day extension for the completion of the Park Agreement required in condition 4.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 1

SEE ATTACHED LOCATION MAP

Agenda Item

140

JONES ▯ VARGAS

ATTORNEYS AT LAW

THIRD FLOOR SOUTH

3773 HOWARD HUGHES PARKWAY

LAS VEGAS, NEVADA 89109-0949

TELEPHONE
(702) 734-2220TELECOPIER
(702) 737-7705CLIFFORD A. JONES (RETIRED)
GEORGE L. VARGAS (1909 - 1985)
JOHN G. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
BOB MILLER
GARY R. GOODHEART
MICHAEL E. BUCKLEY
DOUGLAS G. CROSBY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS N. COHENKIRK B. LENHARD
KEVIN R. STOLWORTHY
STEPHEN M. RICE
ANTHONY C. GORDON
GREG L. JENSEN
JODI R. GOODHEART
PAUL A. LEMCKE
PHILIP M. BALLIF
RENEE R. REUTHER
MICHAEL P. LINDELL
MICHAEL G. ALONSO
ERIC W. LERUDEKRIS T. BALLARD
MELISSA P. BARNARD
BRIAN P. CLARK
MICHAEL T. EGAN
DAVID K. ELDAN
EDWARD M. GARCIA
DAWN R. HINMAN
CARLA R. JONES
R. DOUGLAS KURDZIEL
JANIECE S. MARSHALL
KARL L. NIELSON
DENNIS L. OLSONMICHAEL A. T. PAGNI
PATRICK A. ROSE
TONY F. SANCHEZ III
SCOTT M. SCHOENWALD
PATRICK J. SHEEHAN
DIANA L. SULLIVAN
ERIC W. SWANIS
SANDRA D. TURNER
STACEY A. UPSON
CAROL L. WETZEL
ANNE J. WILLIAMS
CHRIS V. YERGENSEN

March 17, 1999

Barbara Jo Ronemus
City Of Las Vegas Clerk
400 East Stewart
1st Floor
Las Vegas, Nevada 89101RECEIVED
CITY CLERK
1999 MAR 17 P 12:43

Re: Items TM-81-96(2), FM-3-99 Notice of Appeal

Dear Ms. Ronemus:

Applicant Spring Mountain Ranch, LLC hereby requests that items TM-81-96(2) and FM-3-99, heard by the City of Las Vegas Planning Commission on March 11, 1999, be appealed to the Las Vegas City Council for reconsideration and so that additional information may be presented and received.

- I. Specifically, as to TM-81-96(2) the applicant seeks reconsideration of the following conditions:
 2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 3. Comply with the terms of the letter of commitment by Spring Mountain Ranch, L.L.C. regarding "Drainage Issues of Spring Mountain Ranch" date March 9, 1999; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 4. Complete the "Park Impact Fee in Lieu of Agreement" process with the city within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 5. All parkettes and streetscapes shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes, located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of Planning

RENO OFFICE

100 WEST LIBERTY STREET RENO, NEVADA 89501 TELEPHONE (775) 786-5000 TELECOPIER (775) 786-1177

Barbara Jo Ronemus

March 17, 1999

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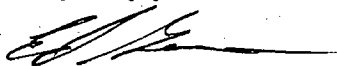
Commission approval of the request. Construction of all parkettes and streetscapes, not located within Final maps that been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

6. Construct half-street urban improvements including appropriate overpaving on Tule Springs Road (aka the old Durango Drive alignment) concurrent with development of this site as required by the Department of Public Works. This is in addition to the off-site improvements required in Original Condition of Approval #4 of Z-92-96.

II. As to application FM-3-99, the applicant seeks reconsideration of the following conditions.

2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
4. Complete the "Park Impact Fee in Lieu of Agreement" process with the city within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
5. All parkettes and streetscapes shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes, located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of Planning Commission approval of the request. Construction of all parkettes and streetscapes, not located within Final maps that been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

Very truly yours,



Edward M. Garcia, Esq.
Attorney for Applicant

cc: Acting Planning Director: Doug Powell
Steve George
Frank Ksiazek
Kevin Stolworthy

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION**FINAL MAP

141 FM-3-99 - SPRING MOUNTAIN RANCH - UNIT
46A - SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY

Appeal filed by Jones Vargas on behalf of Spring Mountain Ranch, Limited Liability Company of Planning Commission Condition Nos. 2 and 4 of a Final Map on property located south of Iron Mountain Road, east of Fort Apache Road, R-E (Residence Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Size: 0.99 Acres, No. of Lots: 8, Ward 4 (Brown).

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. Appropriate adjacent Final Maps must record prior to the recordation of this Final Map to provide legal access and sewer corridors as required by the Department of Public Works.

BROWN - Granting the Appeal; thereby APPROVING the Final Map subject to conditions and amending Conditions 2, 3, 4 and 5 to read:

2. Comply with the Construction Traffic Mitigation Plan submitted to the City and dated April 2, 1999. If at any time, the City deems it necessary, a temporary barricade meeting the City's approval shall be constructed on Brent Lane and appropriate berming on the not-a-part piece to prevent cut-through traffic shall be constructed within 14 days of written notification by the City. Failure to comply with this condition shall result in this item being reconsidered by the City Council;
3. Enter into an Interim Drainage Improvement Agreement, subject to the approval of the City Attorney and the Department of Public Works, which includes maintenance and bonding of the existing off-site berm which protects the northwest portion of the Spring Mountain Ranch development; this agreement shall be in place prior to the recordation of any Final Maps for the Spring Mountain Ranch Subdivision. Failure to comply with this condition shall result in this item being reconsidered by the City Council;
4. Enter into a "Park Impact Fee in Lieu of Fees Agreement", subject to the approval by the City Attorney and by the Department of Public Works; this agreement shall be in place prior to the recordation of any Final Maps for the Spring Mountain Ranch Subdivision. Failure to comply with this condition shall result in this item being reconsidered by the City Council;
5. Construction of all parkettes and streetscapes shall be completed within one year of the recordation date of the respective Final Maps within which the parkettes and streetscapes are located or within six months for Final Maps that are already recorded as of April 12, 1999;

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION**FM-3-99 - SPRING MOUNTAIN RANCH - UNIT
46A - SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY

2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.

3. Comply with the terms of the letter of commitment by Spring Mountain Ranch, L.L.C. regarding "Drainage Issues of Spring Mountain Ranch" dated March 9, 1999; failure to comply with this condition shall result in this item being reconsidered by the City Council.

4. Complete the "Park Impact Fee in Lieu of Agreement" process with the City within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.

5. All parkettes and streetscapes not already approved shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes not located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of Planning Commission approval of the request.

and an added condition as follows:

- Construct a temporary on-site berm in the area of Units 38 to 35 near Brent Lane to protect the central portion of the Spring Mountain Ranch development. This berm shall be in place prior to the recordation of any Final Maps for the Spring Mountain Ranch Subdivision. Failure to comply with this condition shall result in this item being reconsidered by the City Council;

- UNANIMOUS

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, represented the applicant and stated they accept amended Conditions 2, 3 and 4.

COUNCILMAN BROWN noted that the area has developed to the point people are living along the corridor, increasing the residential traffic. Residential traffic would be restricted to El Capitan and all construction traffic will come in the back way on the temporary paving. If that is not adhered to, a security officer would be required at the project. If that does not mitigate the problem, Brent Lane will be barricaded.

GREG BORDEL clarified that any barricade would be temporary. The construction traffic will come in from the west on temporary paving on Fort Apache, but El Capitan will continue to be used for residential traffic. The hours of the construction traffic are 7:00 AM to 4:00 PM, Monday through Friday. The developer will also be responsible for weekend subcontractors. The amended Condition 5 in Item 140 [TM-81-96(2)] would also apply to this application.

ATTORNEY KAEMPFER added that Metro will be encouraged to cite all construction traffic violators, resulting in fines being imposed.

No one appeared in opposition.

There was no further discussion.

(2:57 - 3:02)

3 - 1923

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****FM-3-99 - SPRING MOUNTAIN RANCH - UNIT
46A - SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY**

Construction of all parkettes and streetscapes, not located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

6. Contribute \$3,200 (this site's proportionate share of those requirements placed upon Spring Mountain Ranch Final Map Unit 46 - FM-100-97) per the Master Traffic Addendum I for Spring Mountain Ranch and Pine Meadows prior to the issuance of building or off-site permits or the recordation of a Final Map as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

7. Site development to comply with all applicable Conditions of Approval for the Spring Mountain Ranch Tentative Map (TM-2-97).

8. Prior to recordation, this Final Map must show all required easements and right-of-way dedications, must coincide with the approved Drainage Plan/Study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED**

FM-3-99 - SPRING MOUNTAIN RANCH - UNIT
46A - SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY

Department of Public Works. Appropriate sight visibility restriction easements, if applicable, are also required to be shown on this Final Map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

9. Final Maps shall be in conformance with the approved Tentative Map.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: FINAL MAP - FM-3-99 - SPRING MOUNTAIN RANCH - UNIT 46A - SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND**APPLICATION REQUEST:**

This is an appeal filed by Jones Vargas on behalf of Spring Mountain Ranch, Limited Liability Company of Planning Commission Condition Nos. 2 and 4 of a Final Map which consists of 8 single family residential lots. Condition No. 2 requires the closure of Brent Lane. The applicant claims this will be detrimental to present and future homeowners in the area. Condition No. 4 relates to Park Impact fees. The condition required a Park Agreement to be completed within 30 days; the applicant indicates this is not possible.

BACKGROUND DATA:

- 04/28/97 The City Council approved the amendment of the associated Master Plan of Streets and Highways (MSH-1-97).
- 5/22/97 The Planning Commission approved the Tentative Subdivision Map (TM-3-97).
- 07/24/97 The Planning Commission approved a Final Map on this property for Spring Mountain Ranch - Unit 46 (FM-100-97).

FINDINGS:

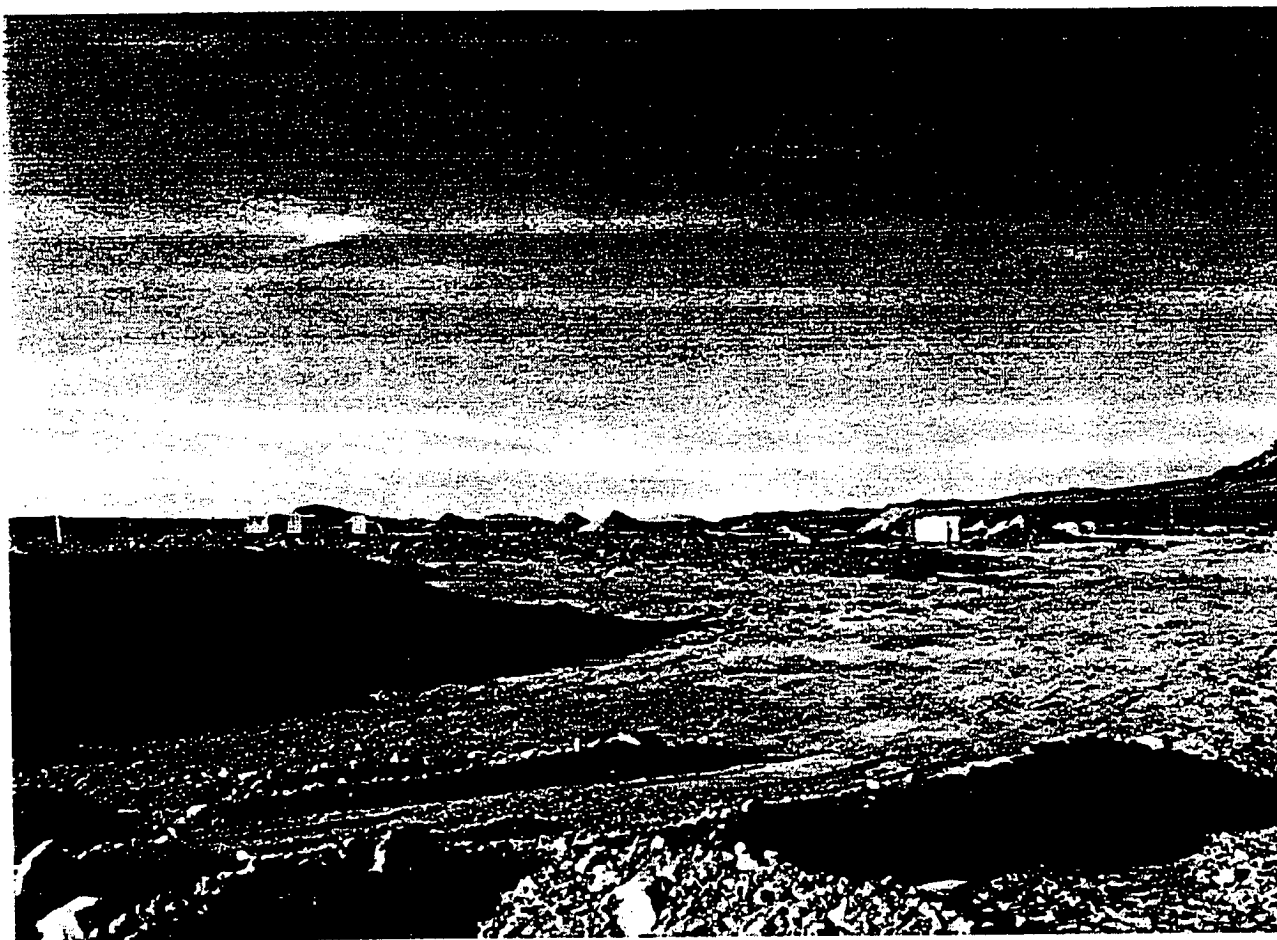
With regard to Condition No. 2, the Department of Public Works believes a temporary barricade should be required as a minimum in order to prevent commercial truck traffic on to El Capitan Way. Public Works has no objection to a 60 day extension for the completion of the Park Agreement required in Condition No. 4.

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

SEE ATTACHED LOCATION MAP

Agenda Item

141



FM-3-99
Spring Mountain Ranch - Unit 46A
Spring mountain Ranch, LLC

(A COMMON INTEREST COMMUNITY)

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 49

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 4B

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 45

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 46

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 44

PROPOSED SPRING MOUNTAIN
RANCH - UNIT 42

3-11-99 PC

NOTES:

- 1 ALL REAR LOT CORNERS SHALL BE SET WITH A NAIL AND BRASS TAG P.L.S. 11410 ON BLOCK WALL AND ALL FRONT OF SIDE LOT CORNERS ADDITIONAL RIGHT-OF-WAY SHALL BE MARKED BY THE SAW CUTTING OF THE BACK OF CURBS ON THE PROLONGATION OF THE PROPERTY LINES
- 2 THE FOLLOWING INTERIOR STREETS ARE PRIVATE DRIVES. PUBLIC DRAINAGE EASEMENTS TO BE MAINTAINED BY THE HOA, P.U.E. AND C.L.V. SEWER EASEMENTS

TEETERING ROCK AVENUE
WOLF DANCER AVENUE

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
---	BOUNDARY LINE
---	101 LINE
---	STREET CENTERLINE
---	HIGHWAY LINE
•	SETBACK & BRASS PEG "VIN PLUS 1000"
	ON S&B CUT OFF CURB ON THE
	PROLONGATION OF PROPERTY LINES
	PER MORE 1 THIS SHEET
▲	TYPE "M" MARKER - "VIN PLUS 1000"
	SET AS REQUIRED
⑧	FOUND INSTRUMENT AS DESCRIBED
17	TOTAL RESIDENTIAL LOTS - 8
(13)	BLOCK NUMBER
ST	SQUARE 1007
PRODUCED)	PRODUCED LINE
P.U.E.	PUBLIC UTILITY EASEMENT
C.V.	CITY OF LAS VEGAS
SWR	SPRING MOUNTAIN BRANCH

SURVEY ANALYSIS

SURVEY ANALYSIS

NOT TO SCALE

FOUND BM BRASS CAP 1956

IRON MOUNTAIN ROAD

2870 34 2870 35 2870 36 2870 37 2870 38 2870 39 2870 40 2870 41 2870 42 2870 43 2870 44 2870 45 2870 46 2870 47 2870 48 2870 49 2870 50 2870 51 2870 52 2870 53 2870 54 2870 55 2870 56 2870 57 2870 58 2870 59 2870 60 2870 61 2870 62 2870 63 2870 64 2870 65 2870 66 2870 67 2870 68 2870 69 2870 70 2870 71 2870 72 2870 73 2870 74 2870 75 2870 76 2870 77 2870 78 2870 79 2870 80 2870 81 2870 82 2870 83 2870 84 2870 85 2870 86 2870 87 2870 88 2870 89 2870 90 2870 91 2870 92 2870 93 2870 94 2870 95 2870 96 2870 97 2870 98 2870 99 2870 100

UNIT 49 UNIT 48 UNIT 41 UNIT 45 UNIT 44 UNIT 42 UNIT 43 UNIT 36 UNIT 35 UNIT 33 UNIT 34 UNIT 32 UNIT 31 UNIT 30 UNIT 29 UNIT 28 UNIT 27 UNIT 25 UNIT 24 UNIT 23 UNIT 22 UNIT 21 UNIT 20 UNIT 19 UNIT 18 UNIT 17 UNIT 16 UNIT 15 UNIT 14 UNIT 13 UNIT 12 UNIT 11 UNIT 10 UNIT 9 UNIT 8 UNIT 7 UNIT 6 UNIT 5 UNIT 4 UNIT 3 UNIT 2 UNIT 1

APACHE ROAD

CAPTAIN WAY

BRENT LANE

HORSE DRIVE

FOUND AL CAP WITH PL 8047

FOUND BM BRASS CAP 1956

FOUND AL CAP WITH PL 8047

FOUND BM BRASS CAP 1956

TYPE IN MEASUREMENT WITH PL 11448 SET PER BOOK 81 OF PLATS PAGE 22

TYPE IN MEASUREMENT WITH PL 11448 SET PER BOOK 81 OF PLATS PAGE 22

[illegible]

JONES VARGAS

ATTORNEYS AT LAW

THIRD FLOOR SOUTH

3773 HOWARD HUGHES PARKWAY

LAS VEGAS, NEVADA 89109-0949

TELEPHONE
(702) 734-2220TELECOPIER
(702) 737-7705CLIFFORD A. JONES (RETIRED)
GEORGE L. VARGAS (1900 - 1985)
JOHN G. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
BOB MILLER
GARY R. GOODHEART
MICHAEL E. BUCKLEY
DOUGLAS G. CROSBY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHENKIRK B. LENHARD
KEVIN R. STOLWORTHY
STEPHEN M. RICE
ANTHONY C. GORDON
GREG L. JENSEN
JODI R. GOODHEART
PAUL A. LEMCKE
PHILIP M. BALLIF
RENEE R. REUTHER
MICHAEL P. LINDELL
MICHAEL G. ALONSO
ERIC W. LERUDE

March 17, 1999

KRIS T. BALLARD
MELISSA P. BARNARD
BRIAN P. CLARK
MICHAEL T. EGAN
DAVID K. ELDAN
EDWARD M. GARCIA
DAWN R. HINMAN
CARLA R. JONES
R. DOUGLAS KURDZIEL
JANIECE S. MARSHALL
KARL L. NIELSON
DENNIS L. OLSONMICHAEL A. T. PAGNI
PATRICK A. ROSE
TONY F. SANCHEZ III
SCOTT M. SCHOENWALD
PATRICK J. SHEEHAN
DIANA L. SULLIVAN
ERIC W. SWANIS
SANDRA D. TURNER
STACEY A. UPSON
CAROL L. WETZEL
ANNE J. WILLIAMS
CHRIS V. YERGENSENBarbara Jo Ronemus
City Of Las Vegas Clerk
400 East Stewart
1st Floor
Las Vegas, Nevada 89101

Re: Items TM-81-96(2), FM-3-99 Notice of Appeal

Dear Ms. Ronemus:

Applicant Spring Mountain Ranch, LLC hereby requests that items TM-81-96(2) and FM-3-99, heard by the City of Las Vegas Planning Commission on March 11, 1999, be appealed to the Las Vegas City Council for reconsideration and so that additional information may be presented and received.

- I. Specifically, as to TM-81-96(2) the applicant seeks reconsideration of the following conditions:
 2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 3. Comply with the terms of the letter of commitment by Spring Mountain Ranch, L.L.C. regarding "Drainage Issues of Spring Mountain Ranch" date March 9, 1999; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 4. Complete the "Park Impact Fee in Lieu of Agreement" process with the city within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
 5. All parkettes and streetscapes shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes, located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of Planning

RENO OFFICE

100 WEST LIBERTY STREET RENO, NEVADA 89501 TELEPHONE (775) 786-5000 TELECOPIER (775) 786-1177

Barbara Jo Ronemus

March 17, 1999

Page 2

Commission approval of the request. Construction of all parkettes and streetscapes, not located within Final maps that been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

6. Construct half-street urban improvements including appropriate overpaving on Tule Springs Road (aka the old Durango Drive alignment) concurrent with development of this site as required by the Department of Public Works. This is in addition to the off-site improvements required in Original Condition of Approval #4 of Z-92-96.

II. As to application FM-3-99, the applicant seeks reconsideration of the following conditions.

2. Construct a minimum of two lanes of temporary "Goecke" paving westerly on Brent Lane and southerly on Fort Apache Road to connect to the existing paving; also, construct a barricade plan meeting the City's approval to close Brent Lane west of El Capitan Way. Construct a berm on the Not-A-Part piece at the southwest corner of Brent Lane and El Capitan to prevent cut-through traffic. Such shall be in place within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
4. Complete the "Park Impact Fee in Lieu of Agreement" process with the city within 30 days of approval of this action by the Planning Commission; failure to comply with this condition shall result in this item being reconsidered by the City Council.
5. All parkettes and streetscapes shall be designed and submitted for Planning Commission approval. Construction of all parkettes and streetscapes, located within Final Maps that have been recorded as of March 11, 1999, shall be completed within one year of Planning Commission approval of the request. Construction of all parkettes and streetscapes, not located within Final maps that been recorded as of March 11, 1999, shall be completed within one year of recording the respective Final Map(s) within which the parkettes and streetscapes are located.

Very truly yours,



Edward M. Garcia, Esq.
Attorney for Applicant

cc: Acting Planning Director: Doug Powell
Steve George
Frank Ksiazek
Kevin Stolworthy

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****SITE DEVELOPMENT PLAN REVIEW****Z-139-88(31) - 5 STAR PROPERTIES ON
BEHALF OF NORMAN WILSON**

Request for a Site Development Plan Review on property located on the northwest corner of Sahara Avenue and Fort Apache Road FOR A PROPOSED 8,200 SQUARE FOOT UMC QUICK CARE, C-1 (Limited Commercial) Zone, Size: 0.80 Acres, Ward 2 (Adamsen), APN: 163-06-816-017.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

**ADAMSEN - APPROVED subject to conditions -
UNANIMOUS**

NORMAN WILSON, Architect, 609 Fifteenth Street, Modesto, California, was present and concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN ADAMSEN welcomed another Quick Care to the area.

(3:02 - 3:03)
3 - 2099

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CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****Z-139-88(31) - 5 STAR PROPERTIES ON
BEHALF OF NORMAN WILSON**

2. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.

3. Site development to comply with all applicable Conditions of Approval for Z-139-88, the Wellington Commercial subdivision and all other site-related actions as required by the Department of Public Works.

4. All development shall be in conformance with the site plan and building elevations.

5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission 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.

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****Z-139-88(31) - 5 STAR PROPERTIES ON
BEHALF OF NORMAN WILSON**

8. All City Code requirements and design standards of all City departments must be satisfied.

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

10. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

11. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

City of Las Vegas

CITY COUNCIL MINUTES MEETING OF APRIL 12, 1999

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - Z-139-88(31) - 5 STAR PROPERTIES ON BEHALF OF NORMAN WILSON

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for a Site Development Plan Review for a proposed 8,200 square foot UMC Quick Care on property located on the north side of Sahara Avenue, approximately 365 feet west of Fort Apache Road. The justification letter submitted with the application indicates that the project has been reviewed and approved by the Peccole Ranch Homeowners Association and that it is compatible with current and proposed uses within the center.

BACKGROUND DATA:

02/15/89 The City Council approved a Rezoning from N-U (Non-Urban) to C-1 on this parcel as part of a larger request (Z-139-88).

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Retail shopping center
South		Sahara Avenue
East	C-1 (Limited Commercial)	Retail shopping center
West	C-1 (Limited Commercial)	Retail shopping center

DETAILS OF APPLICATION REQUEST:

Site Area:	0.80	Acres
Building Area:	8,200	Square Feet
Parking Required:	35	Spaces
Parking Provided:	52	Spaces
Building Height:	23	Feet

Access to the site will be from a shared access drive to the west. Landscape planters are provided along the street frontages and in planting areas adjacent to the structure.

Agenda Item

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*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
-------------------------	--

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - Z-139-88(31) - 5 STAR PROPERTIES ON BEHALF OF NORMAN WILSON

PURPOSE/BACKGROUND

The elevations depict stucco exteriors with a band of decorative split face block along the bottom three feet. The roof is flat with a parapet.

FINDINGS:

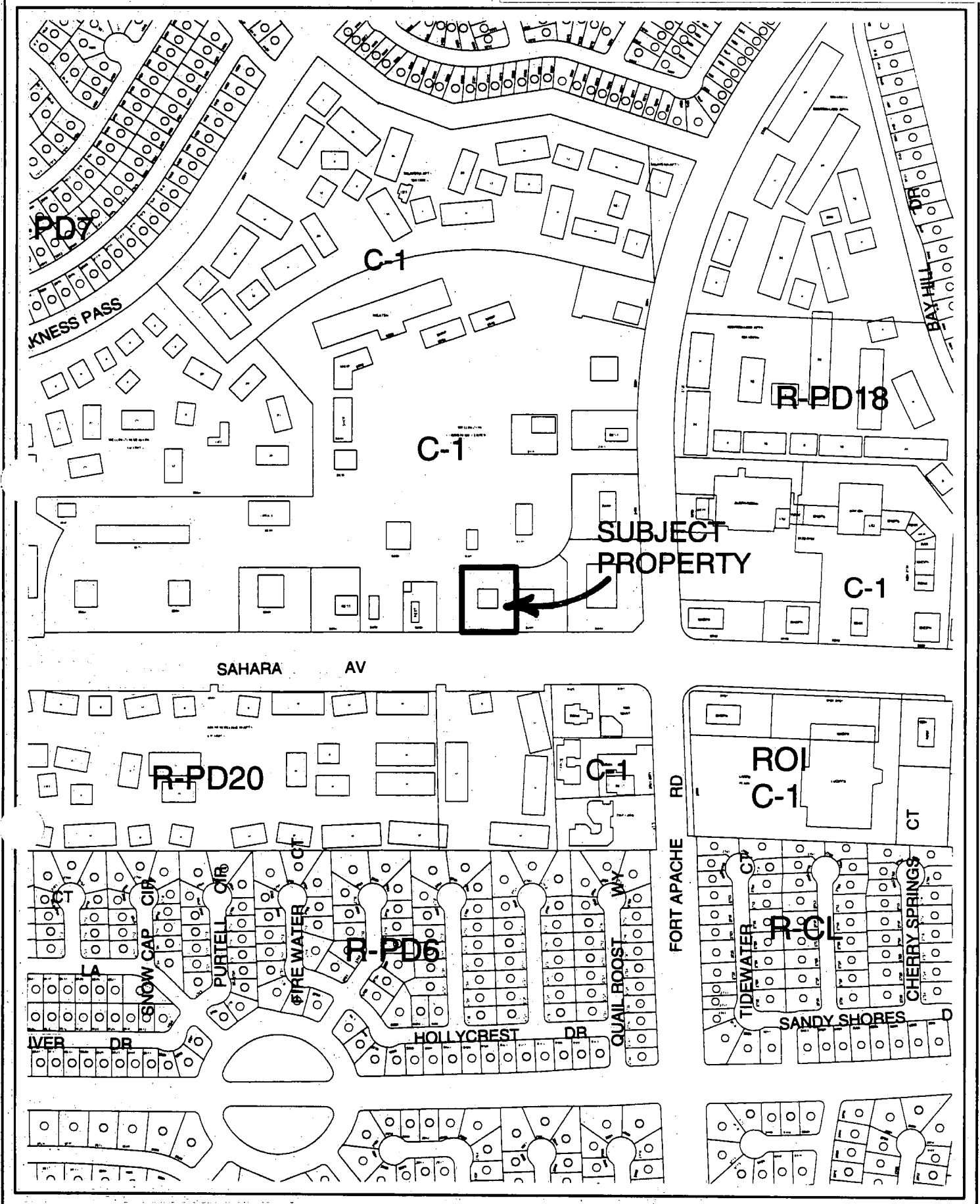
The proposed medical care facility is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. The subject site is physically suited for the type and intensity of land use being proposed. The proposed landscaping is in conformance with the overall development plan of this shopping center. Sahara Avenue and Fort Apache Road, both primary streets, provide access to the property and are adequate in size to meet the requirements of the proposed use. Approval of this Site Development Plan Review at this location will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

SEE ATTACHED LOCATION MAP

Agenda Item

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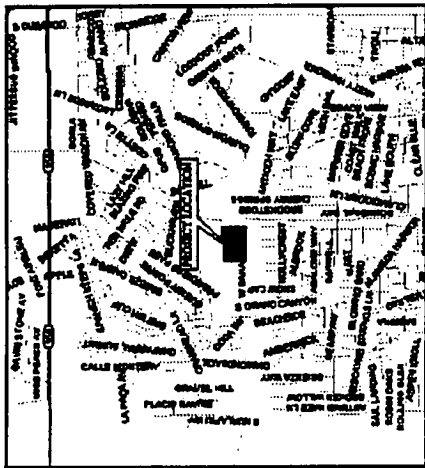
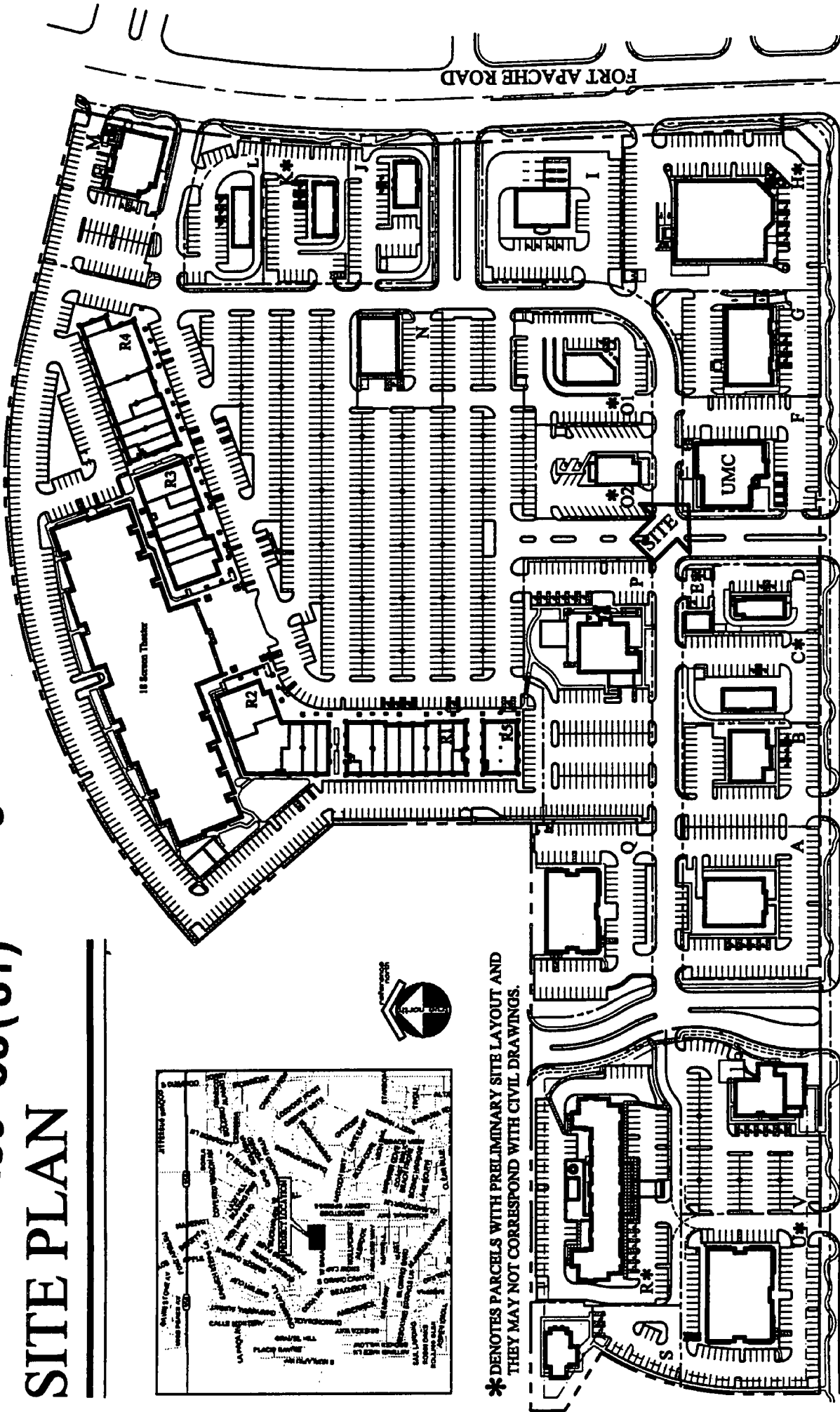
CASE: Z-139-88(31)



3-11-99 PC

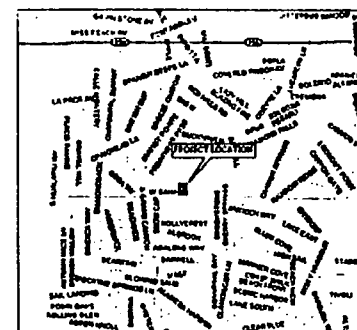
Z-139-88(31)

SITE PLAN



* DENOTES PARCELS WITH PRELIMINARY SITE LAYOUT AND THEY MAY NOT CORRESPOND WITH CIVIL DRAWINGS.

SAHARA AVENUE

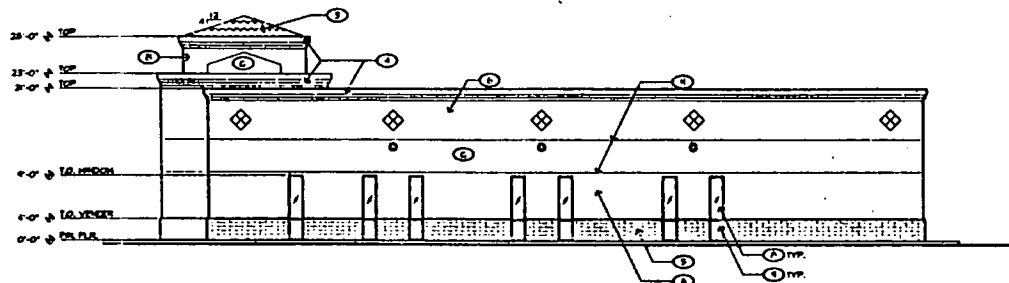


STAFF

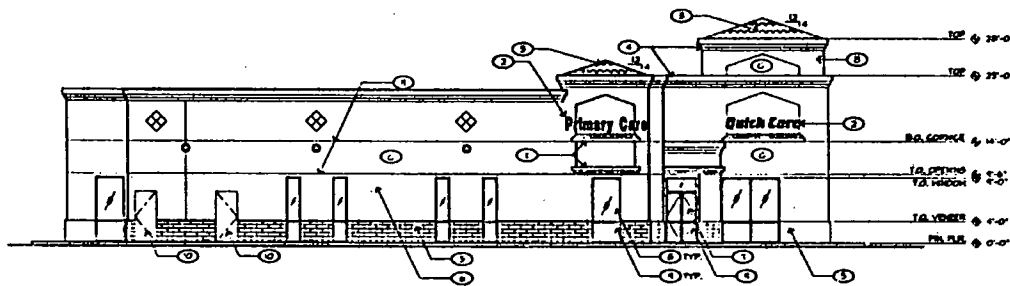
A-0

3-11-99 PC

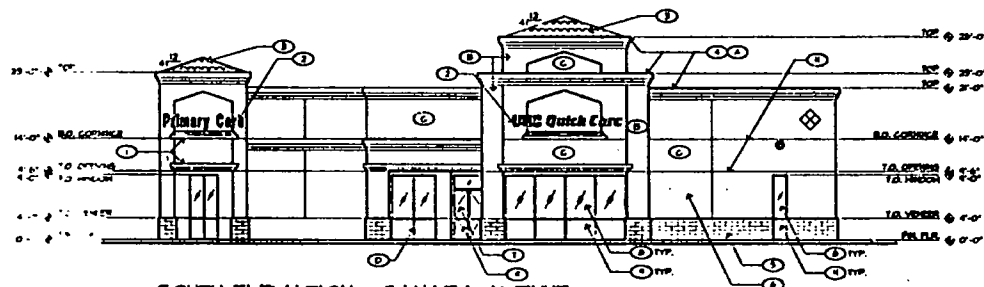




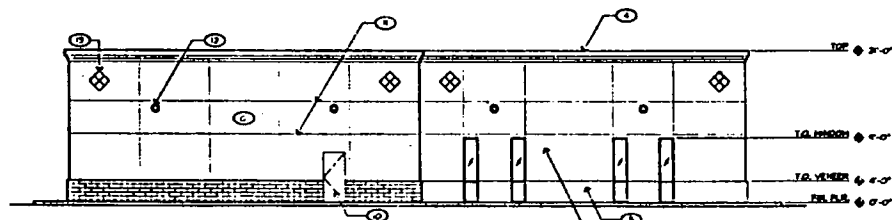
EAST ELEVATION - FORT APACHE ROAD
SCALE: 1/8"=1'-0"



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



SOUTH ELEVATION - SAHARA AVENUE
SCALE: 1/8"=1'-0"



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

KEYNOTES	
1	CORNICE PLANT-ON W/ EXTERIOR INSULATED FINISH SYSTEM (EIFS)
2	PROJECT SHIMMER BY OWNER - COORDINATE BLK. REQUIRED-INTS
3	HONOR ROOF TILE DESERT SERIES BLEND (S1) BUTY/MS2 TERRAZZOTA
4	POAH CORNICE W/ EIFS
5	VENEER SPLIT-FACE MASONRY CMU W/ RED AGGREGATE
6	EXTERIOR INSULATED FINISH SYSTEM W/ SAND FINISH TEXTURE
7	ALUMINUM STOREFRONT ENTRY DOOR - SEE DOOR SCHEDULE
8	7" INSULATED GLAZING WITHIN ANODIZED ALUM. WINDOW FRAMES (NET) OUTSIDE PANEL, ELEGANT BRICK PANEL
9	TEMPERED GLASS
10	WALLON METAL DOOR & FRAME
11	2" V-GROOVE REVEAL
12	EXTERIOR HALL MOUNTED LIGHT FIXTURE
13	TLS ACCENT (24x24)

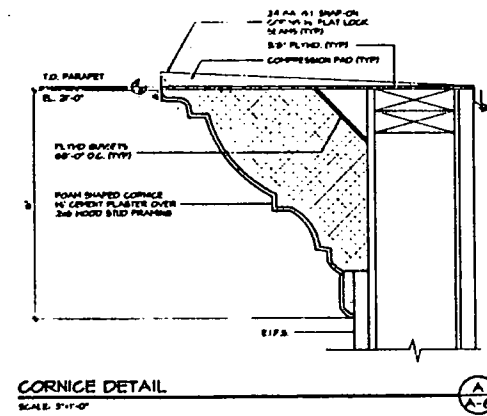
EXTERIOR PAINT SCHEDULE	
A	SH # 3032 'DRY DOCK'
B	SH # 3025 'CASTLE BEIGE'
C	SH # 3055 'COAST PORT'
D	ALUMINUM FRAMES - SIKALAN 1/2" SH # 3208 'TYP. WALL FACTORY FINISH



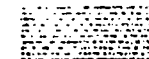
PROJECT TITLE:
MEDICAL CLINIC
BUILDING FOR
UMC QUICK CARE
& PRIMARY CARE
SAHARA & FORT APACHE
LAS VEGAS, NV

SHEET TITLE:
EXTERIOR
ELEVATIONS

STAFF



CORNICE DETAIL
SCALE: 3/4"=1'-0"



REVISIONS:

REVISED TO: 07/14
BY: J. J. J.
CHECKED: J. J. J.
DRAWN: J. J. J.

SHEET NO.
A-6

Z-139-88(31)

3-11-00 DC

ROOM LEGEND			
101	WALL MOUNTED	120	EXAM
102	PRIMARY WAITING	121	EXAM
103	BUSINESS / RECEPTION	122	EXAM
104	RESTROOM	123	EXAM
105	RESTROOM	124	EXAM
106	PHOTOGRAPHY	125	EXAM
107	TRIAGE	126	LAB
108	EXAM	127	TRIAGE
109	EXAM	128	EXAM
110	NURSE'S STATION	129	NURSE'S STATION
111	EXAM	130	EXAM
112	EXAM	131	EXAM
113	EXAM	132	EXAM
114	LABOR ROOM	133	EXAM
115	CONTROL	134	EXAM
116	DAMP ROOM	135	EXAM
117	CLEAN UTILITY	136	DIR. OFFICE
118	EXAM	137	DIR. STATION
119	EXAM	138	DIR. STATION
120	TREATMENT / PHARMACY	139	DIR. STATION
121	LOCK AREA	140	DIR. STATION
122	FLOORS	141	JANITOR
123	EMPLOYEE MEAL ROOM	142	VIEW WASH / WATER HEATER
124	LOCKER	143	LOCK ROOM
125	RESTROOM	144	LOCK ROOM
126	CORRIDOR	145	CORRIDOR
127	OFFICE	146	CORRIDOR
128	DIRTY UTILITY	147	CORRIDOR

KEYNOTES

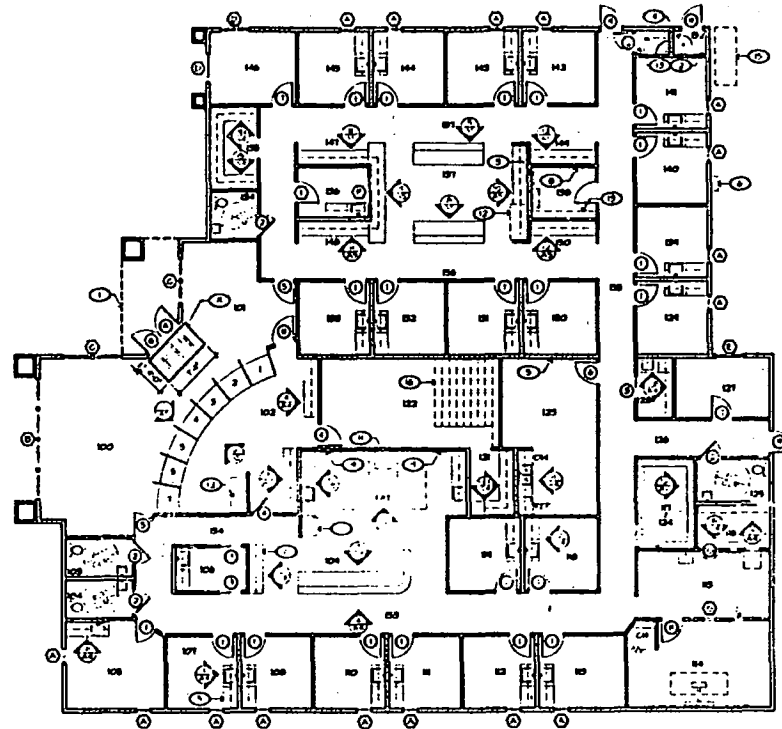
①	CANOPY ABOVE - SEE SMALL SECTIONS
②	FIRE RISER
③	ROOF ACCESS LADDER
④	WALK-OFF MAT - SEE MATERIAL SPECIFICATIONS
⑤	ELECTRICAL PANELS - SEE ELECTRICAL DRAWINGS
⑥	GAS METER - SEE PLUMBING PLANS
⑦	HEATING COUNTER (TYPICAL)
⑧	TELEPHONE / NETWORK / SECURITY PANELS - SEE ELEC. DRAWINGS
⑨	PLASTIC LAMINATE FOLD DOWN SHELF
⑩	DOCTOR'S HEATING AREA
⑪	SPACE FOR CRASH CART OR E.C.R. CART
⑫	COUNTER (BAY)
⑬	INT. RADIUS (BAY)
⑭	W. TR. HEATER - SEE PLUMBING PLANS
⑮	M.A. SERVICE SWITCHBOARD - SEE ELECTRICAL DRAWINGS
⑯	FILES (BAY)

WALL LEGEND

=====	2-# STUDS @ 6" O.C. W/ 1 LAYER SWS GYP. BD. EA. SIDE
-----	1" THICK SWS WALLS
=====	2-# STUDS @ 6" O.C. W/ SWS PLY. SHEAR PANEL @ SWS GYP. BD. @ INTERIOR SIDE
=====	2-# STUDS @ 6" O.C. W/ 1 LAYER SWS GYP. BD. EA. SIDE
=====	2-# STUDS @ 6" O.C. W/ 1 LAYER SWS GYP. BD. EA. SIDE (PAINTED IN 2 LB. LEAD LINING ASSEMBLY ON INT. SIDE OF ROOM BA.)

GENERAL NOTES	
1	FOR UNKNOWN SIZES ☐ REFER TO SCHEDULE ON SHEET A12
2	FOR C- AND S-SIZES ☐ REFER TO SCHEDULE ON SHEET A12

OCCUPANT LOAD	
OCCUPANT LOAD	
HEALTH CARE TREATMENT ROOMS	517.8 SQ. FT. / 240 = 2.16
WAITING	100.0 SQ. FT. / 100 = 1.00
REHABILITATION	348.6 SQ. FT. / 100 = 3.49
	TOTAL = 6.65



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



STAFF

Z-139-88(31)

3-11-99 PC



WILSON
ARCHITECTURE, INC.

[illegible]

MEDICAL CLINIC
BUILDING FOR:
UMC QUICK CARE
& PRIMARY CARE
CANADA / FORT APACHE
LA 7, 1145, NY

FLOOR PLAN

4. 2. 1. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839

REVISIONS

APP NO. 95074

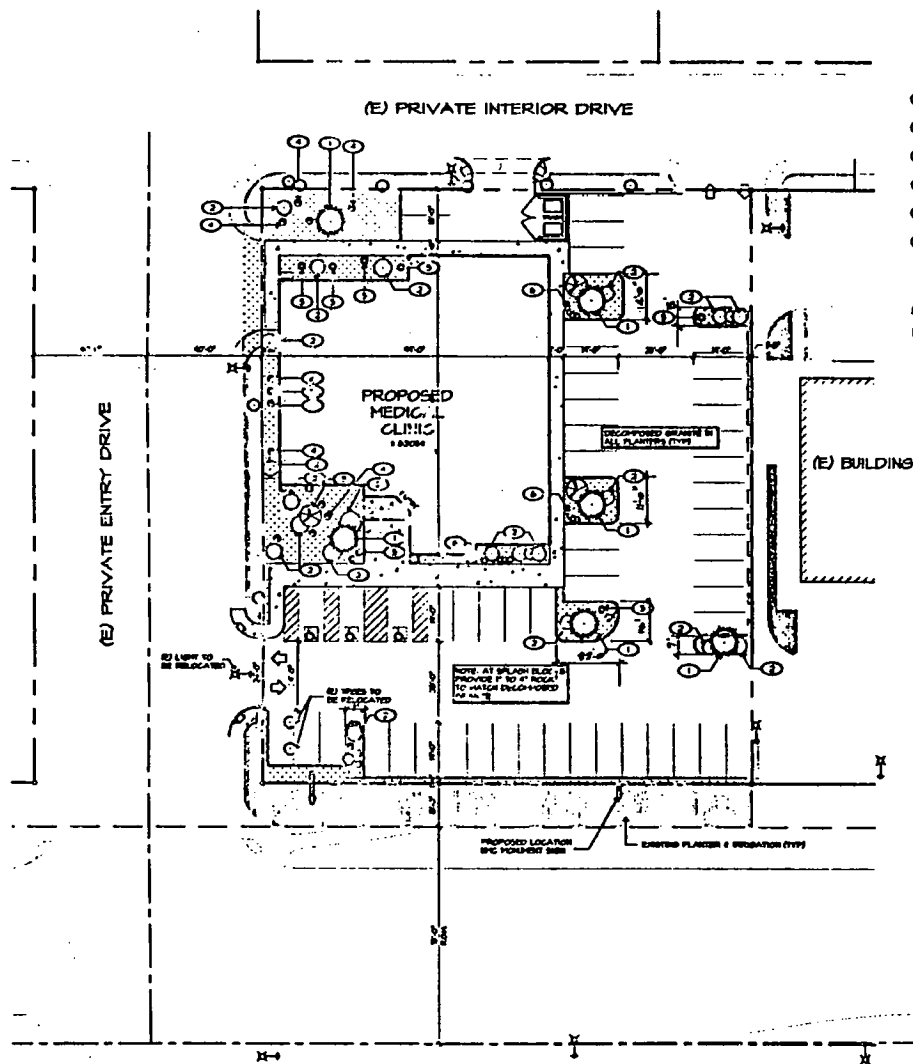
DATE: FEB. 29

CHRG: NEW

DRAWN: DYP

SHEET NO.

A-1



PLANT SCHEDULE

| SYMBOL | TYPE | LISTED NAME | COMMON NAME | QTY. | SIZE | REMARKS |
|--------|--------------|--|------------------------|------|---------------|--------------------------|
| ① | TREE | WASHINGTONIA ROBUSTA | MEXICAN FAN PALM | 6 | HEIGHT VARIES | BROWN TRUNK HGT. SKINNED |
| ② | SHRUB | LEUCOPHYLLUM PRUTESCENS 'GREEN CLOUD' | GREEN TEXAS RANGER | 22 | 5 GAL. | |
| ③ | TREE | PRUNUS Cerasifera 'ATROFURUREA' | PURPLE LEAF PLUM | 5 | 5 GAL. | |
| ④ | GROUND COVER | FRAGARIA CHILOENSIS | MILD STRAWBERRY | 15 | 1 GAL. | |
| ⑤ | ACCENT | HIMLENBERGIA LINDBERGERI 'AUTUMN GLOW' | AUTUMN GLOW DEER GRASS | 6 | 1 GAL. | |
| ⑥ | ACCENT | HEMEROCALLIS HYBRID | DAY LILY | 22 | 1 GAL. | |

GENERAL NOTES:

- DECOMPOSED GRANITE 1/2" MIN. COLOP TYPE CCA-A, 1" DEPTH TYPICAL IN ALL PLANTING (EXCEPT WHERE NOTED) DECOMPOSED GRANITE TO CONTAIN 10% FINE'S AND 4% AGGREGATE. CONTRACTOR TO RECEIVE VERIFICATION OF THIS FROM THE SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO CONSTRUCTION.
- BLEND NEW DECOMPOSED GRANITE EVENLY WITH EXISTING DECOMPOSED GRANITE TO CREATE A SMOOTH TRANSITION.



WILSON
ARCHITECTURE, INC.
1001 N. LAS VEGAS BLVD.
SUITE 1000
LAS VEGAS, NV 89101
PHONE: 702.735.1111
FAX: 702.735.1112
E-MAIL: WILSON@WILSONARCH.COM
WWW.WILSONARCH.COM

PROJECT TITLE:
MEDICAL CLINIC
BUILDING FOR
UMC QUICK CARE
& PRIMARY CARE
SAHARA & FORT APACHE
LAS VEGAS, NV

SHEET TITLE:
LANDSCAPE
PLAN

REVISIONS:

JOB NO. 480714

DATE FEB 99

BY JAL

FOR JAL

SHITING

L-1



PRELIMINARY LANDSCAPE PLANTING PLAN
SCALE: 1"=20'-0"

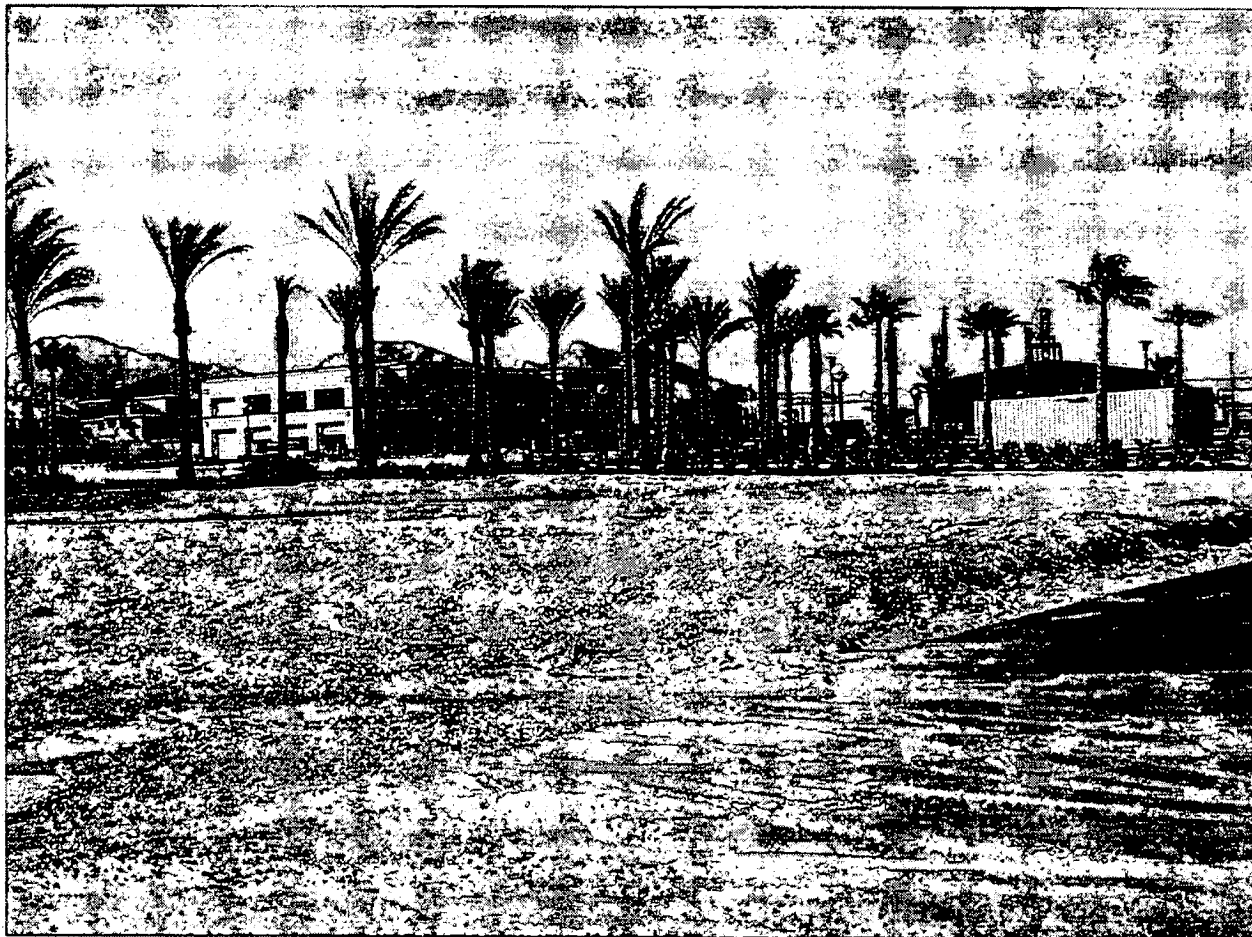
Z-139-88(31)

3-11-99 PC



Z-139-88(31)

Request for a Site Development Plan Review
For a proposed 8,200 square foot UMC Quick Care
Northwest corner of Sahara Ave and Fort Apache Rd
5 Star Properties OBO Norman Wilson



Z-139-88(31)

Request for a Site Development Plan Review
For a proposed 8,200 square foot UMC Quick Care
Northwest corner of Sahara Ave and Fort Apache Rd
5 Star Properties OBO Norman Wilson

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 99

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****SITE DEVELOPMENT PLAN REVIEW**

143

**Z-84-96(3) - COURTYARD MANAGEMENT
CORPORATION ON BEHALF OF VISION SIGN**

Request for a Site Development Plan Review on property located at 1901 North Rainbow Boulevard TO ALLOW A 75 FOOT HIGH ON-PREMISE PYLON SIGN WITHIN 200 FEET OF A HIGHWAY, U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial), Ward 2 (Adamsen), APN: 138-22-713-006.

NOTICES MAILED: N/A

APPROVALS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

_____ Letters
_____ Petitions

TOTAL 0

The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to:

1. All development shall be in conformance with the site plan and sign elevations.
2. All City Code requirements and design standards of all City departments must be satisfied.

ADAMSEN - APPROVED subject to conditions with an added condition that the applicant will entertain the City's request to lower the sign in the future - **UNANIMOUS**

BILL TEAL, 2321 Tamarisk, Plano, Texas 75023, appeared to represent Marriott Hotels and Resorts. This property backs up to US95. In December of 1998 they did a target test which indicated the need for a 75 foot high sign. The dimensions of the sign are 10 feet 2 inches high and 24 feet 9 inches wide. The building is three stories in height.

COUNCILMAN ADAMSEN asked staff which exit would be past the Marriott sign. BOB GENZER, Planning and Development, responded that the next northbound exit would be Lake Mead Boulevard. There is a billboard that would be adjacent to the Lake Mead East off-ramp, just past the entrance to that off-ramp. COUNCILMAN ADAMSEN added that the sign on this application would be past the Rainbow off-ramp

MAYOR JONES asked staff why they are recommending denial when the Courtyard sign is just to identify their location. MR. GENZER answered that the Planning Commission and staff recommended denial because this is not at an elevated freeway. The applicant did not provide any justification for raising the height of the sign above the 40 feet allowed. The Planning Commission objected to the proliferation of large signs in the area and felt that the size of the building made it visible from the freeway. It is also possible the obstructing billboard existing in the area could be eliminated at some point in the future. MAYOR JONES felt there should be a distinction between billboards and signs that identify a business.

COUNCILMAN ADAMSEN asked the applicant if he would be willing to lower the sign in the future if it is in the best interest of Marriott and the City. MR. TEAL said they would be willing to consider lowering the sign.

No one appeared in opposition.

There was no further discussion.

(3:03 - 3:16)
3-2144

City of Las Vegas

**CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999**

AGENDA DOCUMENTATION

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - Z-84-96(3) - COURTYARD MANAGEMENT CORPORATION ON BEHALF OF VISION SIGN

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for a Site Development Plan Review to allow a 75 foot high on-premise pylon sign within 200 feet of a highway on property located at 1901 North Rainbow Boulevard. The justification letter submitted with the application does not address the issue of why a 75 foot high sign is necessary at this location.

BACKGROUND DATA:

09/18/96 The City Council approved a Rezoning to C-2 for this site as part of a larger request (Z-84-96).

11/24/97 The Planning Commission approved a request for a Site Development Plan Review of a proposed non-gaming hotel to be located on this site [Z-84-96(1)].

DETAILS OF APPLICATION REQUEST:

The applicant proposes to place a 75 foot high pylon sign in the west portion of the hotel site, approximately 10 feet from the east right-of-way line of U.S. 95 (Oran K. Gragson Highway).

Chapter 19A.14.090.B3C3 of the Zoning Code allows this type of on-premise signage to be raised to a maximum height of 80 feet after review by the Planning Commission and approval by the City Council. However, the burden to substantiate justification for such height is placed on the applicant.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

| | | |
|-------|--|-------------------------|
| North | under resolution of intent to C-1 (Limited Commercial) | Retail Uses |
| South | under resolution of intent to C-1 (Limited Commercial) | Undeveloped |
| East | R-PD 8 (Eight units per acre) | Single Family Dwellings |
| West | N/A | U.S. 95 |

Agenda Item

143

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - Z-84-96(3) - COURTYARD MANAGEMENT CORPORATION ON BEHALF OF VISION SIGN

PURPOSE/BACKGROUND**FINDINGS:**

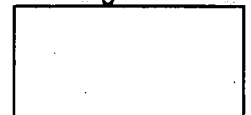
The section of U.S. 95 adjacent to this site is constructed at grade level. It is staff's opinion that signs of this size should be limited to properties that are adjacent to an elevated highway. Staff can find no basis or unusual circumstances to support this request. It is our opinion that the height of the of the sign should not exceed 40 feet.

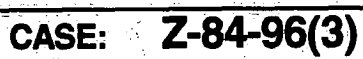
The Planning Commission (4-1 vote) and staff recommend DENIAL.

[NOTE: In recommending denial the Planning Commission objected to the proliferation of large signs in the area and felt that the size of the project makes it highly visible from the freeway, thus reducing the need for additional large signs].

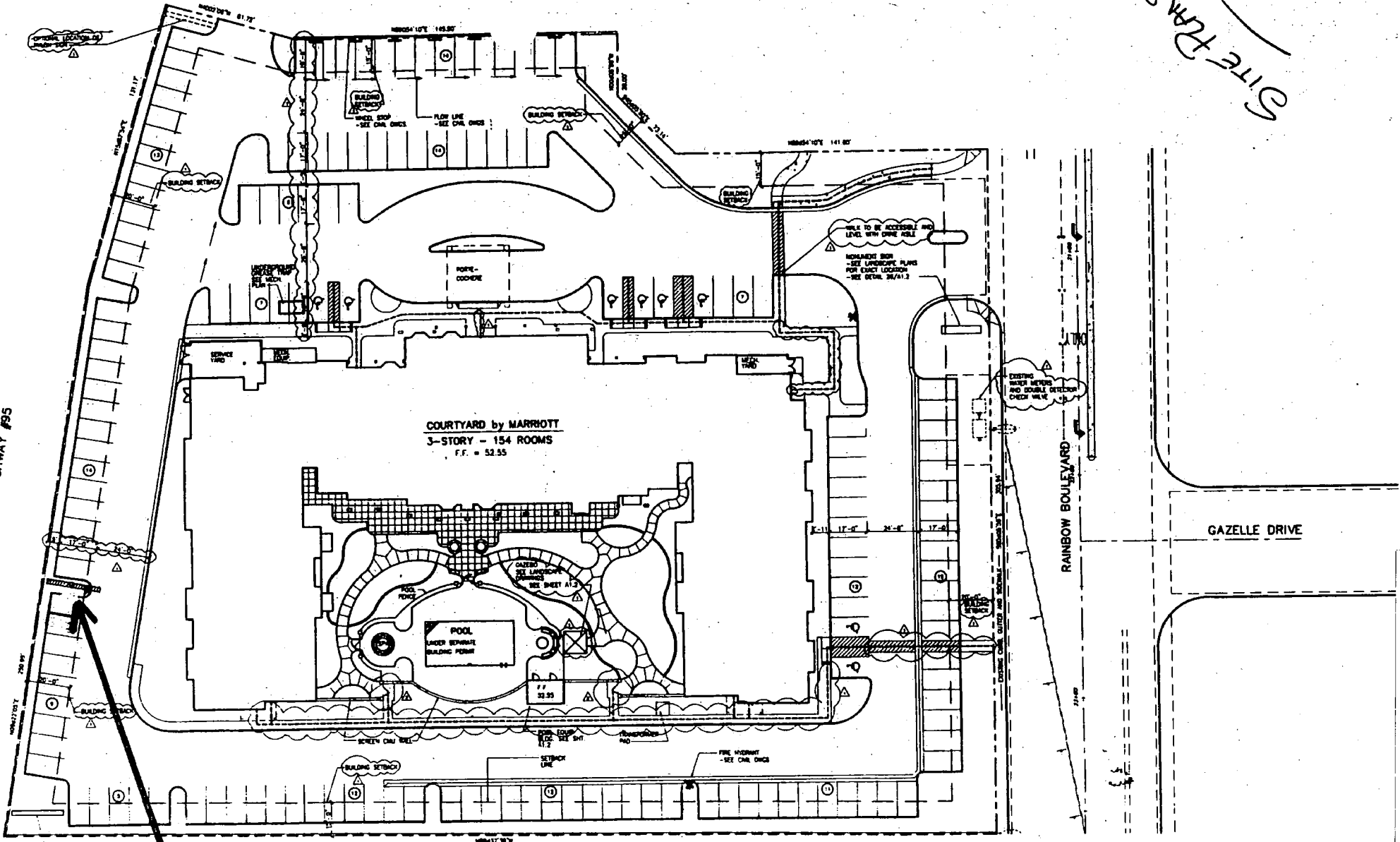
SEE ATTACHED LOCATION MAP

Agenda Item





US HIGHWAY #95

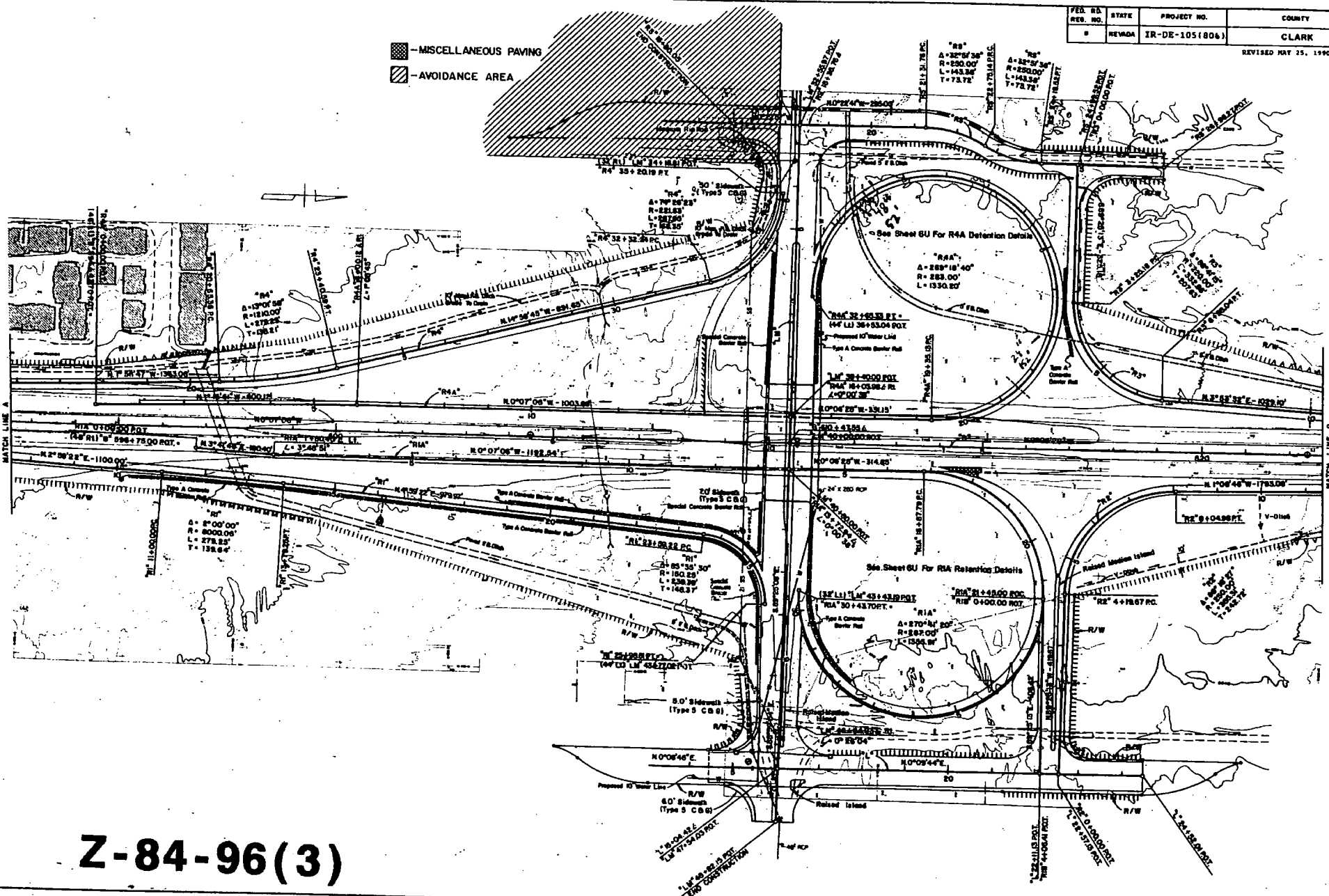


**NEW 75 FOOT TALL PYLON
SIGN - CENTER POLE MOUNT**



SITE PLAN
SCALE: 1" = 20'-0"

Z-84-96(3)
3-11-99 PC



Z-84-96(3)



STAFF
Z-84-96(3)
3-11-99 PC

REVISION
98-3112R1 01/07/99
RAISED PYLON
TO 75'-0" O.A.H.

98-3112R1
DESIGN NUMBER

WORK ORDER
2 OF 4
PAGE

COURTYARD BY MARRIOTT
CLIENT
1901 NORTH RAINBOW BLVD.
STREET
LAS VEGAS, NV
CITY/STATE

B. TEEL
SALES/COORDINATOR
G. HUNT 01/07/99
ARTIST/DATE

ENGINEER/DAYE



2201 MANDY WAY 214-902-6000
DALLAS, TX 75226 FAX 214-902-6044

THIS MESSAGE IS THE PROPERTY OF CHANG & ASSOC., INC. AND ALL RIGHTS TO ITS USE FOR REPRODUCTION ARE RESERVED BY CHANG & ASSOC., INC.

APPROVAL/DATE

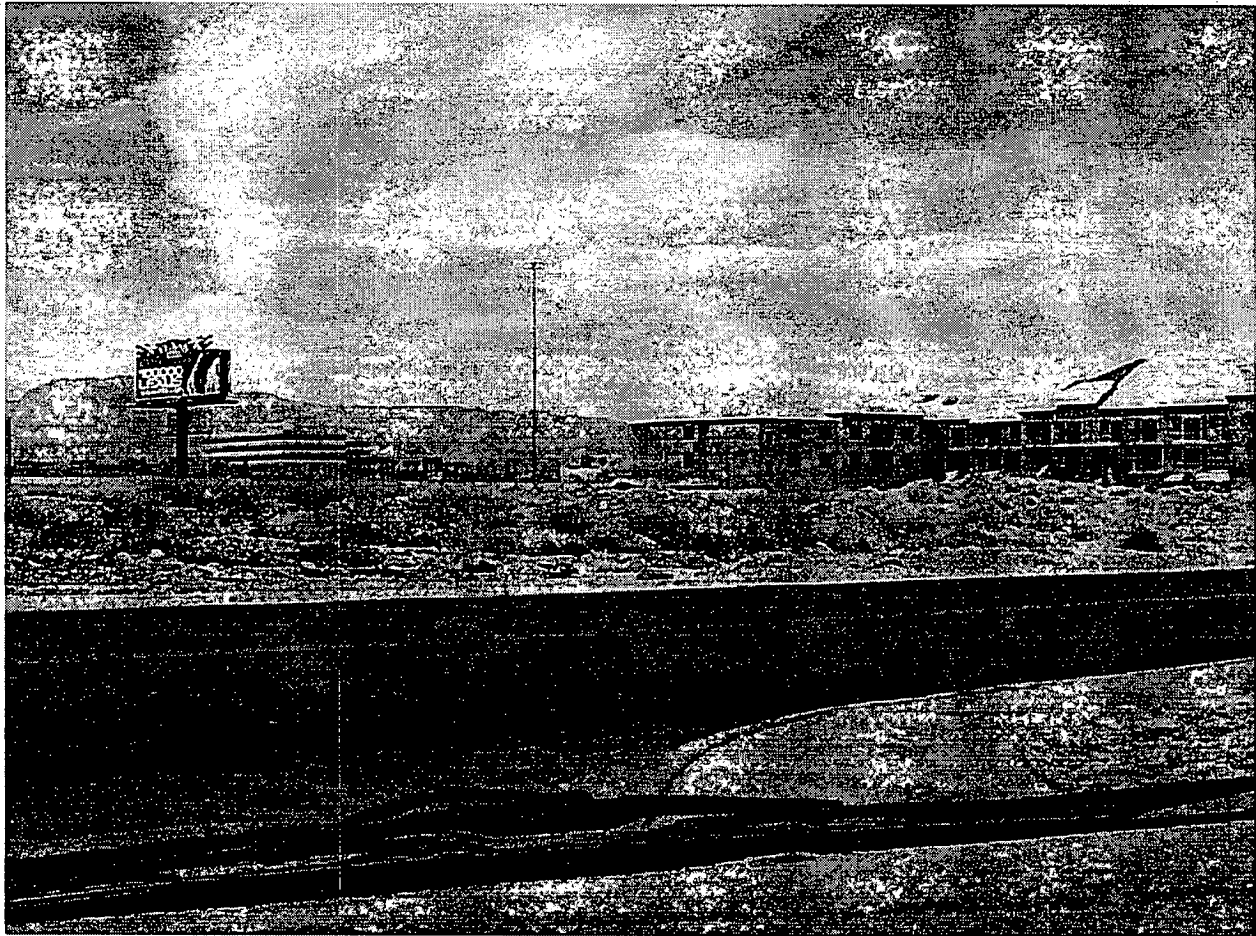
| | |
|---------------|--|
| SALESMAN | |
| ARTIST | |
| ENGINEERING | |
| ESTIMATING | |
| CLERK | |
| LANDLORD | |
| REVISION/DATE | |

MATERIAL LIST

[illegible]

| DISTRIBUTION OF PRINTS | | | |
|------------------------|-------------------------------------|-------------------------------------|--------------------------|
| MASTER | ☐ FILE | ☐ GAP | ☐ |
| ELECT | ☐ PLAN | ☐ GAN | ☐ |
| SYL. RM. | ☐ PAINT | ☐ AWHING | ☐ |
| CUSTOM | ☐ VINYL | ☐ HEAT TR. | ☐ |
| ALUMINUM | ☐ NEON | ☐ AWH. ASST. | ☐ |
| CINEL. LTR. | ☐ SCREEN | ☐ INSTALL | ☐ |
| ASSEMBLY | ☐ LTR. ASST. | ☐ PATTERNS | ☐ |

TOTAL



Z-84-96(3)

Request for a Site Development Review - To allow a 75 foot tall Sign, on -premise, within 200 feet of a highway.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 100

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****SITE DEVELOPMENT PLAN REVIEW - PUBLIC
HEARING**

144

**Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEE
PROTECTIVE AND BENEFIT ASSOCIATION,
INC.**

Request for a Site Development Plan Review on property located on the southeast corner of Eastern Avenue and Washington Avenue FOR A PROPOSED OFFICE COMPLEX, P-R (Professional Office and Parking) and R-1 (Single Family Residential) Zones under Resolution of Intent to P-R (Professional Office and Parking), Size: 1.03 Acres, Ward 3 (Reese), APN: 139-25-310-001 through 005.

NOTICES MAILED: 248 BY PLANNING DEPT

APPROVALS: 2

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 2

PROTESTS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. Submittal of a revised site plan showing a minimum 22 foot inside radius curve and a 45 foot outside radius curve on the northern driveway curves.

**REESE - ABEYANCE to 4/26/99 - UNANIMOUS with Jones
not voting**

COUNCILMAN REESE requested Items 144 and 145 be trailed until the applicant arrived because he wanted to see the elevations.

MAYOR PRO TEM McDONALD recalled Items 144 and 145 at the end of the afternoon session but the applicant was still not present.

No one appeared in opposition.

There was no further discussion.

(3:16 - 3:17/5:35)

3 - 2762/5 - 1072

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 101

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEE
PROTECTIVE AND BENEFIT ASSOCIATIONS,
INC.

2. Demolition permits for Phase II shall not be issued until Phase I is complete.

3. There shall be no windows on the east side of the building.

4. The applicant shall meet with the Regional Transportation Committee to discuss the possibility of removing the adjacent bus stop on Washington Avenue.

5. A six foot high decorative block wall shall be placed along the east property line. The height shall be measured from the side of the fence with the least vertical exposure above the finished grade.

6. VAC-55-98 shall record prior to the issuance of any permits or the recordation of any maps dividing this site as required by the Department of Public Works.

7. Dedicate appropriate right-of-way for a total radius of 54 feet on the southeast corner of Washington Avenue and Eastern Avenue prior to the issuance of any building or grading permits as required by the Department of Public Works. Appropriate right-of-way for the 54 foot radius on the southeast corner of Washington Avenue and Eastern Avenue and a 25 foot radius on the northeast corner of Eastern Avenue and Constantine Avenue will be reserved by the required Vacation Application.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEE
PROTECTIVE AND BENEFIT ASSOCIATIONS,
INC.

8. Remove the existing curb openings on Washington Avenue and Constantine Avenue and replace with new sidewalk, curb, and gutter meeting current City Standards concurrent with any on-site development activities on this site as required by the Department of Public Works.

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.

10. Meet with the Traffic Engineering Division of the Department of Public Works for assistance in the redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans, the recordation of any maps dividing this site, or the issuance of any permits, whichever may occur first. The existing driveway accessing Washington Avenue from this site shall be relocated as far to the east side of this site as possible to alleviate right turn conflicts from Eastern Avenue onto Washington Avenue, and the site shall allow two-way traffic throughout the parking lot area unless a different plan is specifically allowed in writing by the Traffic Engineer. Comply with the recommendations of the Traffic Engineering Division prior to the issuance of any permits for this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEE
PROTECTIVE AND BENEFIT ASSOCIATIONS,
INC.

11. Submit an application for an Occupancy Permit for all private improvements (driveways) in the Eastern Avenue public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

12. Conformance to the site plans, as amended by the above conditions, and with the building elevations.

13. Site development to comply with all applicable Conditions of Approval for VAC-55-98, Z-35-98 and all other subsequent site-related actions as required by the Department of Public Works.

14. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission 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.

15. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

16. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**

Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEE
PROTECTIVE AND BENEFIT ASSOCIATIONS,
INC.

17. All City Code requirements and design standards of all City departments must be satisfied.

18. All 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 shall be functioning prior to construction of any combustible structures.

20. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

21. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

City of Las Vegas

**CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999**

AGENDA DOCUMENTATION

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU AND LAS VEGAS CITY EMPLOYEES PROTECTIVE AND BENEFIT ASSOCIATION, INC.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Site Development Plan Review on property located on the southeast corner of Eastern Avenue and Washington Avenue for a 10,168 square foot office complex, consisting of one new office building that will be developed in two phases.

BACKGROUND DATA:

09/28/98 The City Council approved a Rezoning on the most northern parcel from R-1 (Single Family Residential) to P-R (Professional Office and Parking) (Z-35-98).

03/11/99 The Planning Commission recommended approval of a request to vacate a portion of Eastern Avenue adjacent to this site (VAC-55-98). The vacated area will be utilized for landscaping and parking.

DETAILS OF APPLICATION REQUEST:

| | | |
|-------------------|--------|-------------|
| Site Area: | 1.01 | Acres |
| Building Area: | 10,168 | Square Feet |
| FAR: | .24 | |
| Parking Required: | 41 | Spaces |
| Parking Provided: | 46 | Spaces |
| Building Height: | 14 | Feet |

Access to the site is provided by one driveway from Eastern Avenue and one driveway from Washington Avenue. The proposed office building is located primarily along the eastern edge of the property, with the parking along Eastern Avenue to the west and to the south of the structure.

Landscape planters are provided along the perimeter of the site with varying widths and amounts of ground cover. There is also landscaping provided around the buildings. A monument sign is proposed at the corner of Eastern and Washington.

Agenda Item

144

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU AND LAS VEGAS CITY EMPLOYEES PROTECTIVE AND BENEFIT ASSOCIATION, INC.

PURPOSE/BACKGROUND

The elevations depict a 14 foot high structure with a stucco exterior and a flat roof. The front entrance has a raised atrium and columns framing the front door.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

| | | |
|--------|-----|-------------------------|
| North: | R-1 | Single Family Residence |
| South: | R-E | Church |
| East: | R-1 | Single Family Residence |
| West: | R-1 | Single Family Residence |

FINDINGS:**USE:**

The proposed uses will be harmonious and compatible with the existing surrounding land uses, and with the future surrounding land uses as projected by the General Plan. The subject site is physically suited for the type and intensity of land use being proposed. Both Washington Avenue and Eastern Avenue are classified as primary roadways, with right-of-ways of 100 feet, according to the adopted Master Plan of Streets and Highways, and should be adequate in size to meet the needs of the proposed project. Approval of this Site Development Plan will not be inconsistent with or compromise the health, safety, and welfare or the overall objectives of the General Plan.

SITE PLAN:

On portions of this site the applicant has not met the exact requirements of the Las Vegas Urban Design Guidelines and Standards. The applicant has however, provided an alternative that staff has found acceptable due to the physical constraints of the site. The landscape planter along Eastern Avenue is five feet wide and will have 24 inch box trees 20 feet on center, in lieu of the required 15 foot wide planter. The decrease in width was due to the City requiring a two-way driveway and 90 degree parking. The landscape planter along Washington Avenue is also five feet wide, due to moving the existing driveway further east on

Agenda Item

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*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|--------------------------------|---|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|--------------------------------|---|

SUBJECT: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-35-98(1) - RAPHAEL AND LILIANA MIRCHOU AND LAS VEGAS CITY EMPLOYEES PROTECTIVE AND BENEFIT ASSOCIATION, INC.

PURPOSE/BACKGROUND

Washington Avenue and the requirement by the Departments of Public Works and the Fire Services of having a two-way drive along the northern portion of the site. The planter along the east property line ranges from five feet in width to areas that have upwards of 30 feet. Staff is willing to accept the applicant's alternative proposal.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: 248

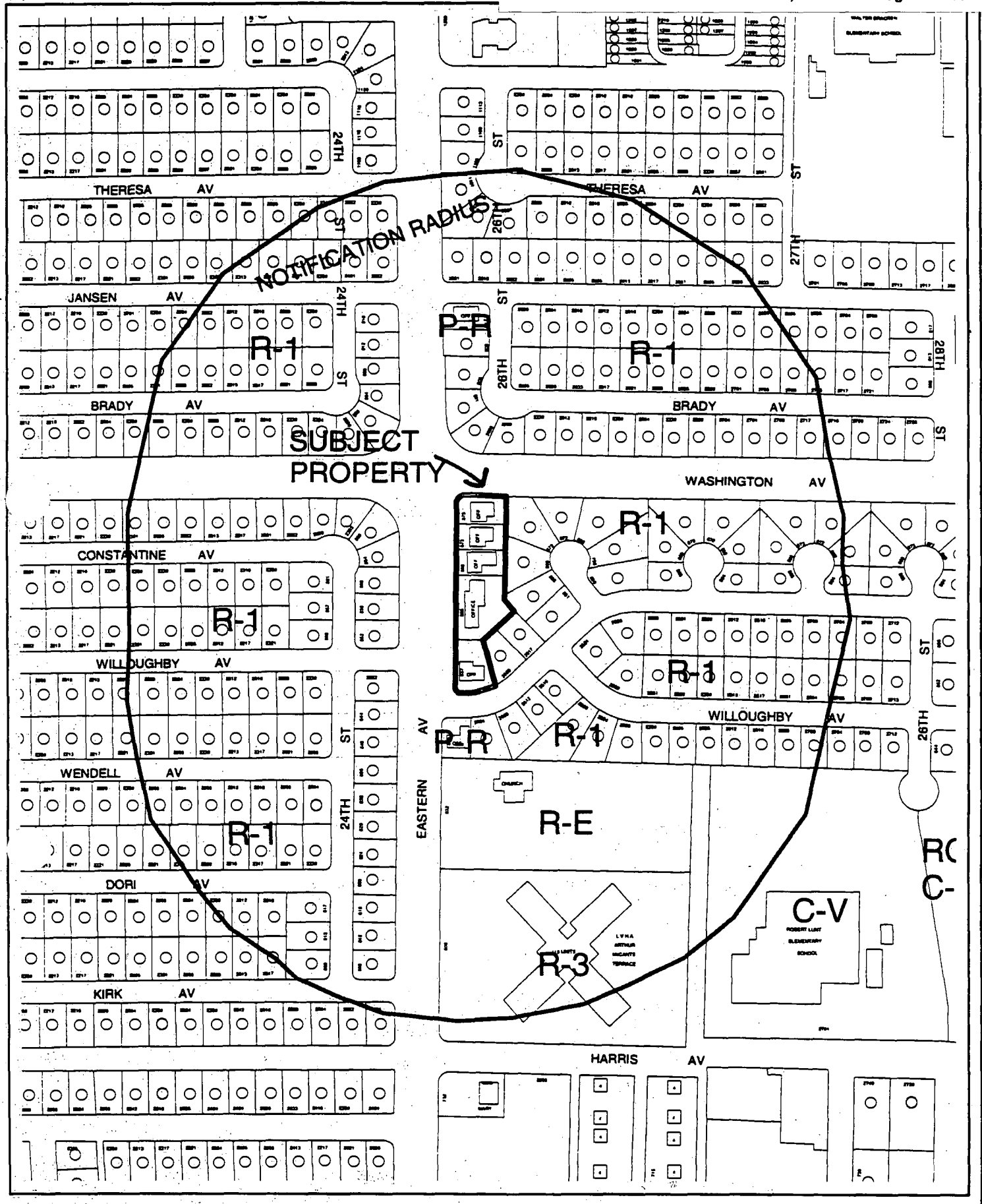
APPROVALS: 2

PROTESTS: 0

SEE ATTACHED LOCATION MAP

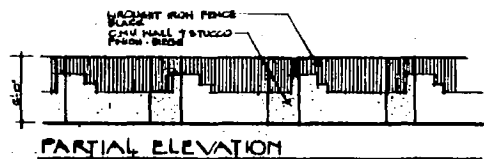
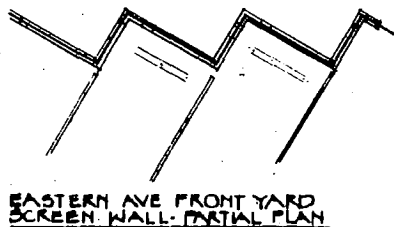
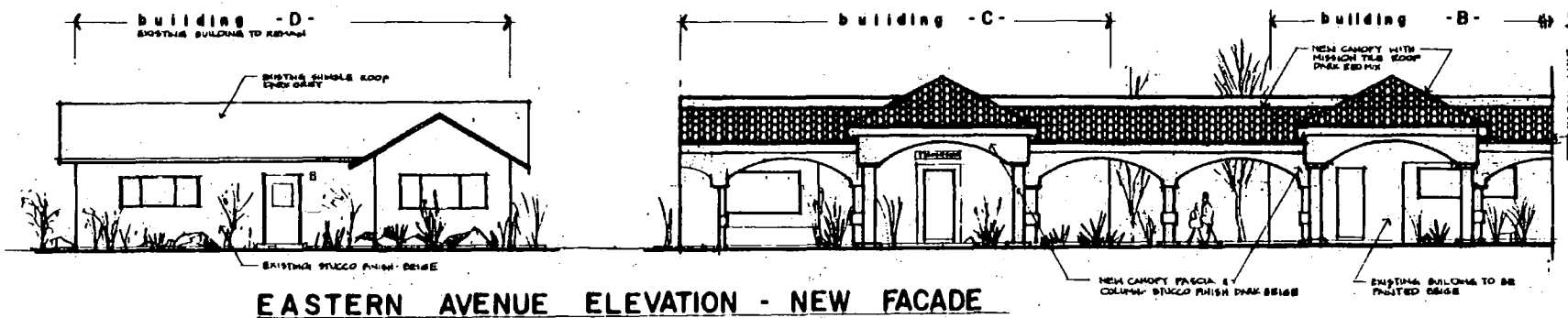
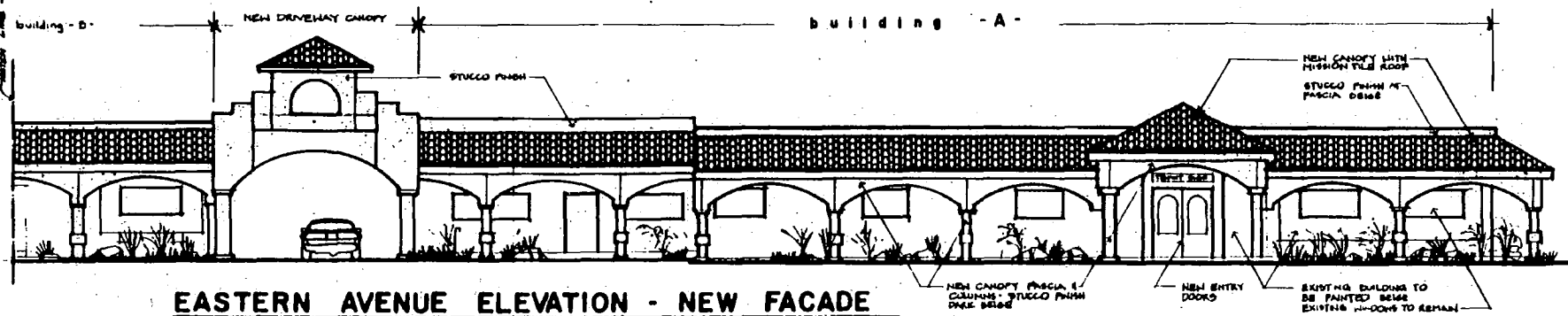
Agenda Item

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CASE: Z-35-98(1)
RADIUS: 750 FT

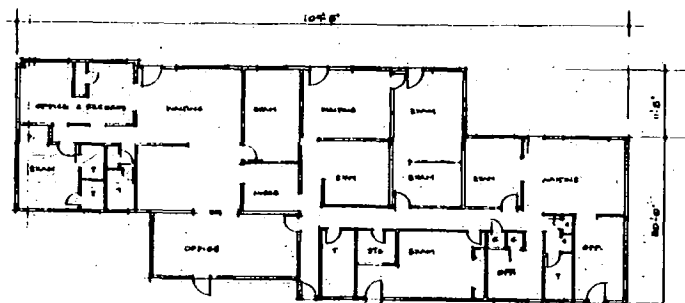




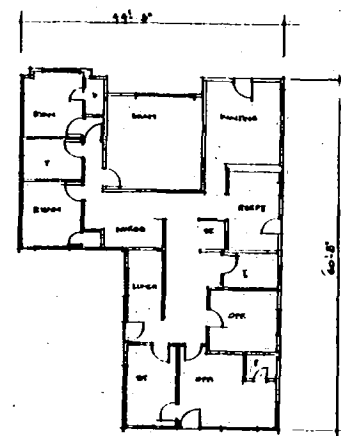
Z-35-98(1)

3-11-99 PC

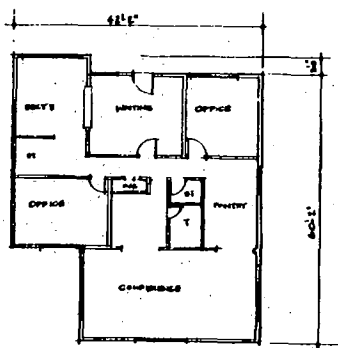
STAFF



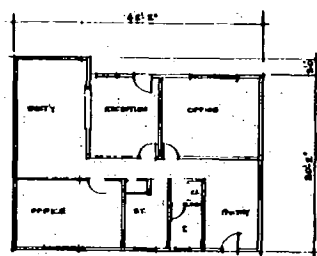
BUILDING A 3140 s.f.



BUILDING B 1545 s.f. MEDICAL
780 s.f. OFFICE



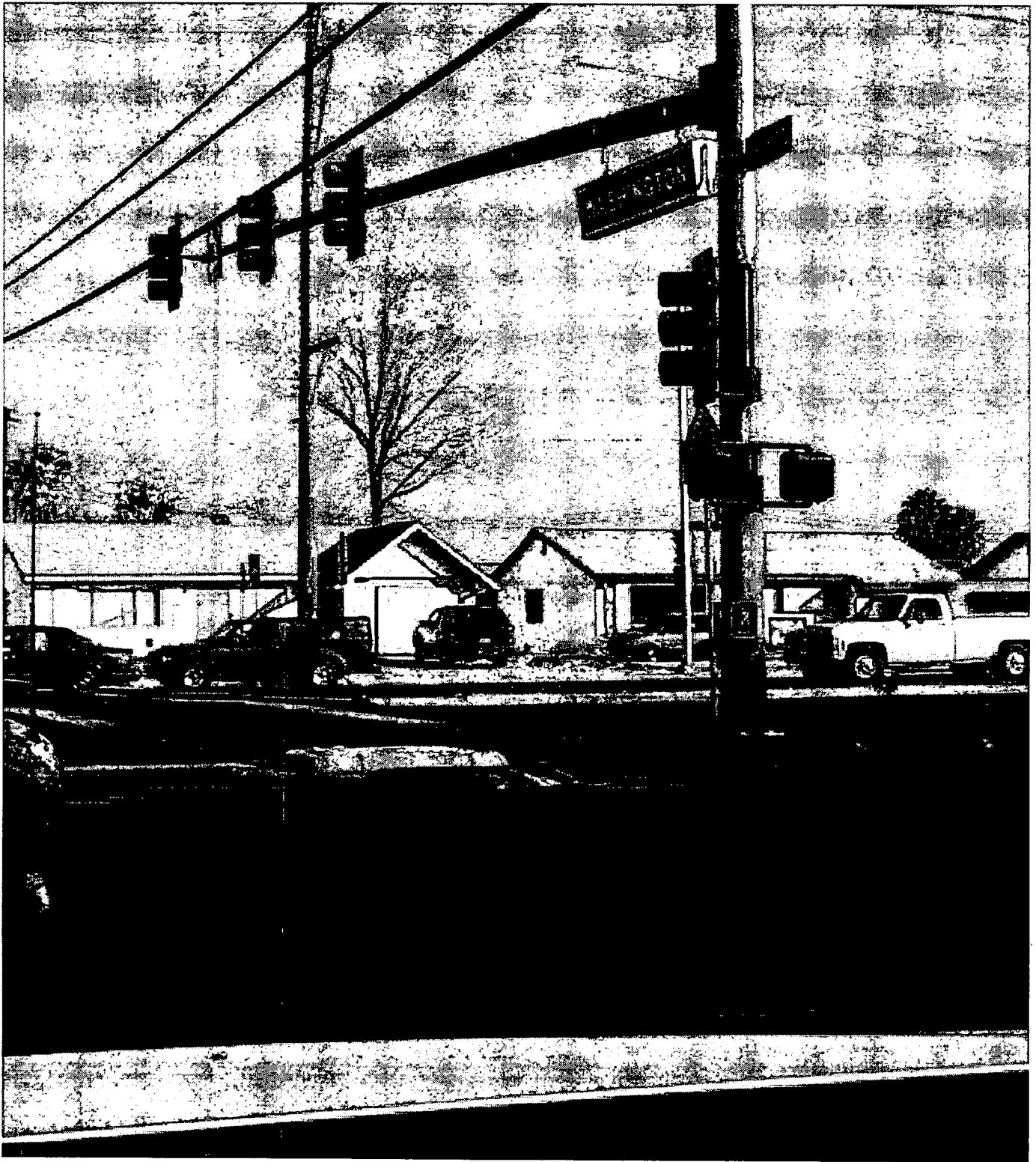
BUILDING C 1750 s.f.

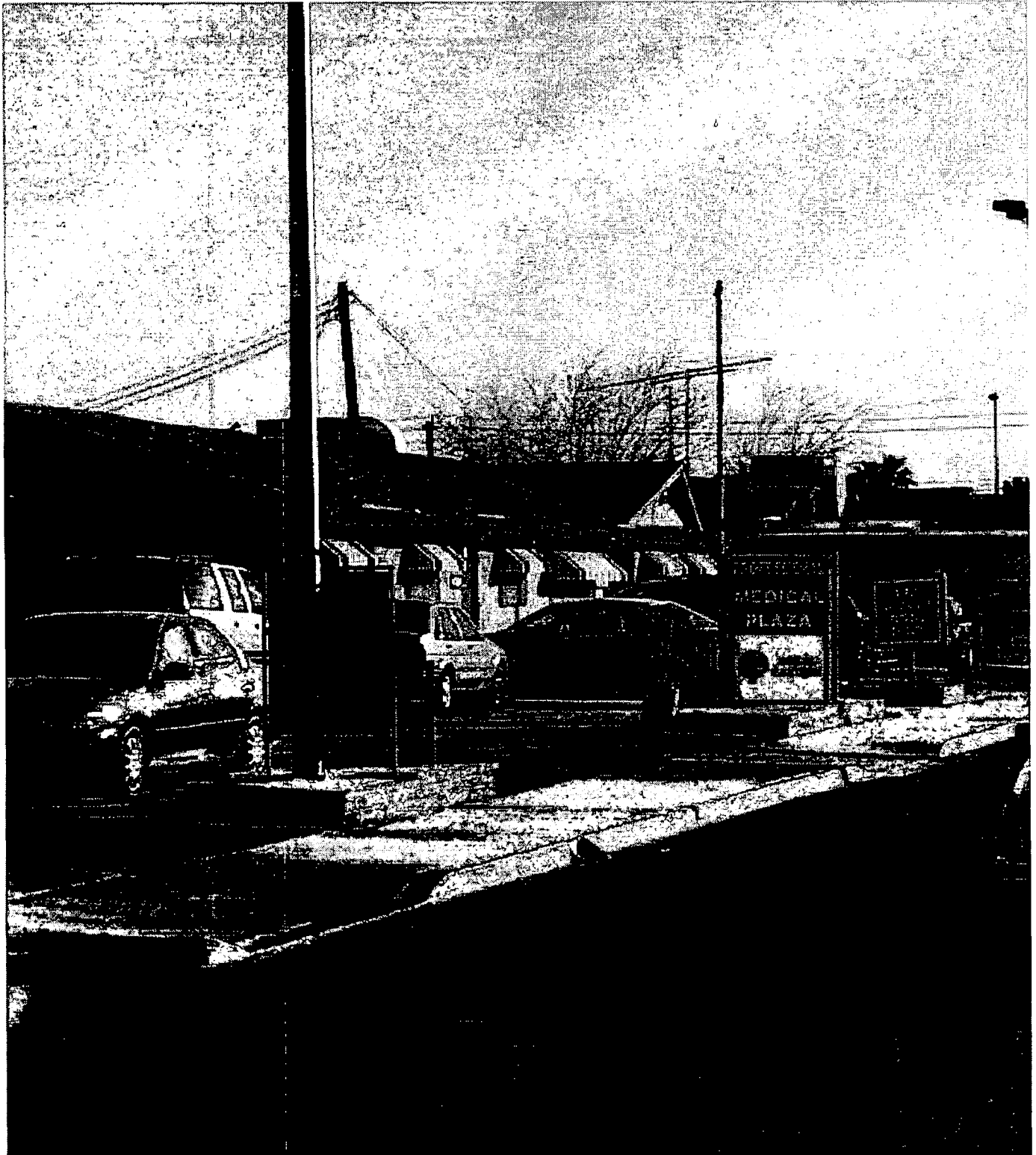


BUILDING D 1800 s.f.

Z-35-98(1)
3-11-99 PC

STAFF





CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****VACATION RELATED TO Z-35-98(1) - PUBLIC
HEARING**

145

**VAC-55-98 - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEES
PROTECTIVE AND BENEFIT ASSOCIATION,
INC.**Petition to vacate a portion of Eastern Avenue
between Constantine Avenue and Washington
Avenue, Ward 3 (Reese).

NOTICES MAILED: 3 BY CITY CLERK

APPROVALS: 1

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 1

PROTESTS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff
recommend APPROVAL, subject to:

1. Retain a 20 foot public sewer easement
centered over the existing sewer line in the
Eastern Avenue right-of-way as required by the
Department of Public Works.

**REESE - ABEYANCE to 4/26/99 - Unanimous with Jones
not voting.**

COUNCILMAN REESE requested Items 144 and 145 be
trailed until the applicant arrived because he wanted to see the
elevations.

MAYOR PRO TEM McDONALD recalled Items 144 and 145 at
the end of the afternoon session but the applicant was still not
present.

No one appeared in opposition.

There was no further discussion.

(3:16 - 3:17/5:35)

3 - 2762/5 - 1072

CITY COUNCIL

MEETING OF

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**VAC-55-98 - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEES
PROTECTIVE AND BENEFIT ASSOCIATION,
INC.

2. Remove the existing curb opening on Washington Avenue and replace with curb, gutter and sidewalk meeting current City Standards concurrent with any onsite development activities adjacent to this site as required by the Department of Public Works.

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 as required by the Department of Public Works.

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

5. All City Code requirements and design standards of all City departments must be satisfied.

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 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

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 107

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****ABEYANCE to 4/26/99**

VAC-55-98 - RAPHAEL AND LILIANA MIRCHOU
AND LAS VEGAS CITY EMPLOYEES
PROTECTIVE AND BENEFIT ASSOCIATION,
INC.

complied with and the intent of the Vacation Application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

City of Las Vegas

**CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999**

AGENDA DOCUMENTATION

| | |
|--------------------------------|---|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|--------------------------------|---|

SUBJECT: VACATION RELATED TO Z-35-98(1) - PUBLIC HEARING - VAC-55-98 - RAPHAEL AND LILIANA MIRCHOU AND LAS VEGAS CITY EMPLOYEES PROTECTIVE AND BENEFIT ASSOCIATION, INC.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to vacate excess right-of-way on Eastern Avenue between Constantine Avenue and Washington Avenue. The applicant did not provide any justification for this request. However, the vacated right-of-way will be incorporated into a proposed office development on the adjacent property.

BACKGROUND DATA:

09/28/98 The City Council approved a Rezoning on the most northern parcel from R-1 (Single Family Residence) to P-R (Professional Office) (Z-35-98).

03/11/99 The Planning Commission recommended approval of a Site Development Plan Review for a proposed office development on the adjacent property [Z-35-98 (1)]

FINDINGS:

The requested vacation ranges in width from a minimum of 24 feet to a maximum of 32 feet from the north right-of-way line of Constantine Avenue to the south right-of-way line of Washington Avenue along Eastern Avenue. The applicant has indicated that they need this excess right-of-way in order to provide the parking and landscaping for their office project. The applicant is the owner of four of the five properties that are involved in this vacation, the other property owner has indicated their concurrence with the requested action. Staff has no objection to this request as it has been determined that this is excess right-of-way not needed by the City.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: 1

APPROVALS: 1

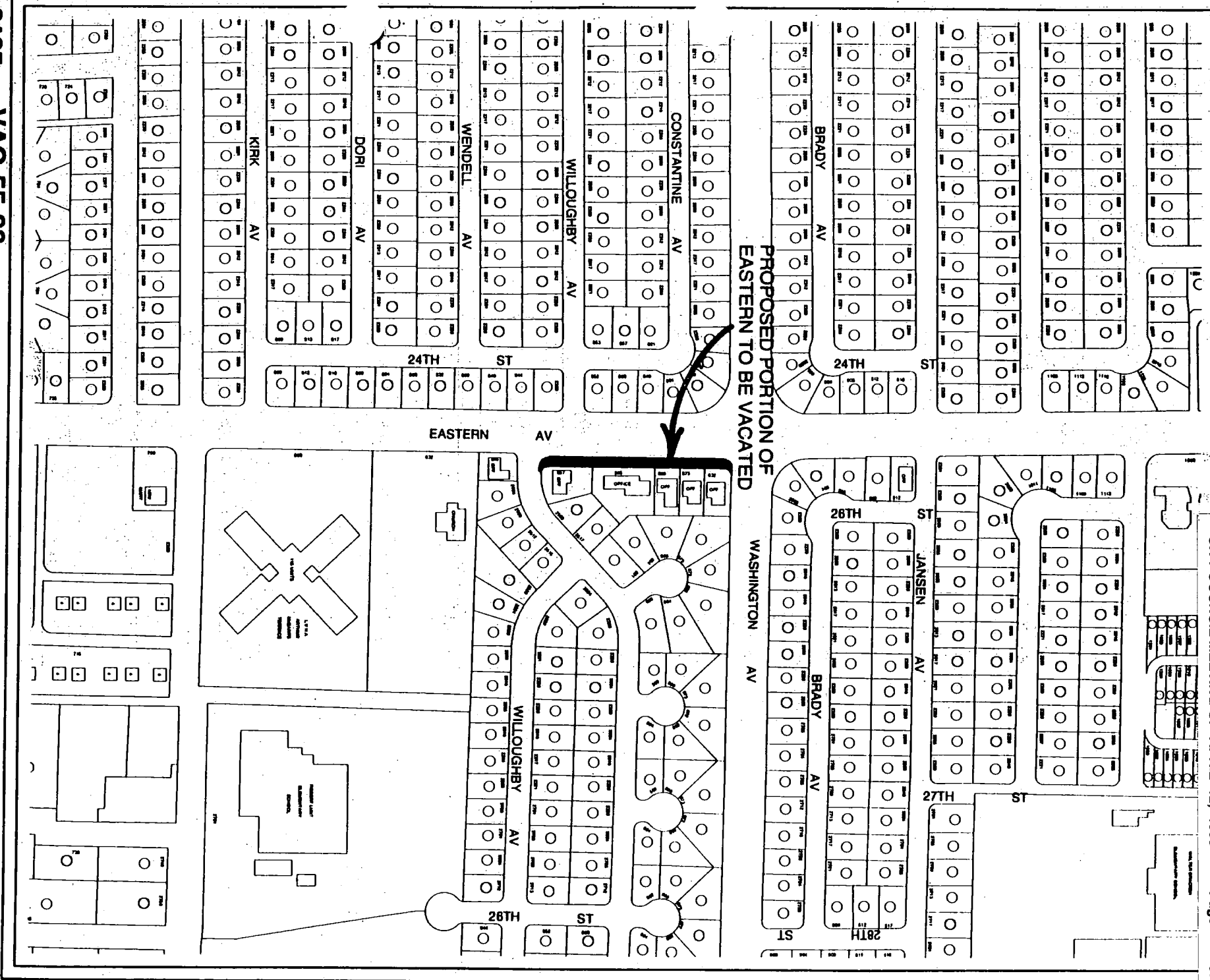
PROTESTS: 0

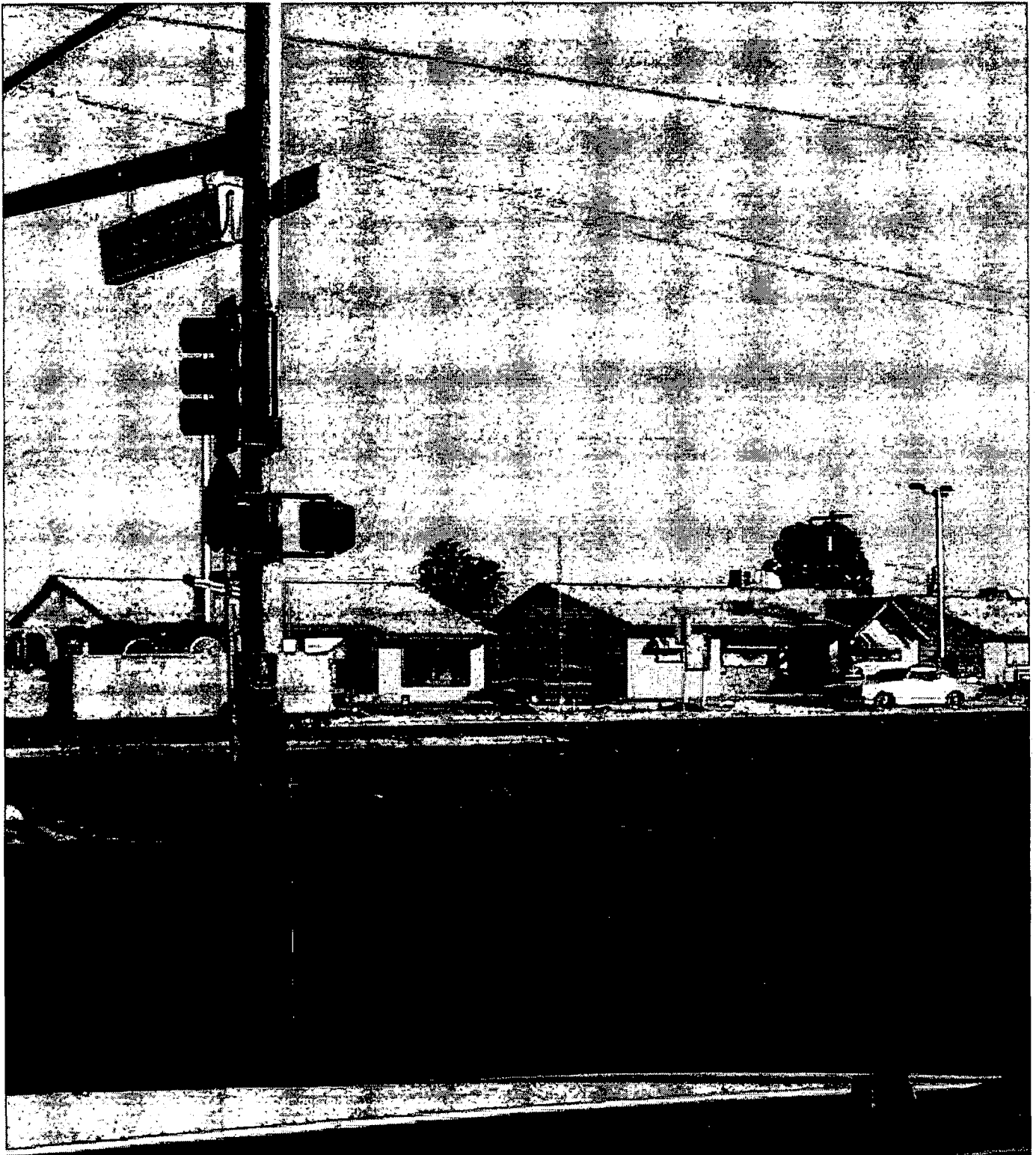
SEE ATTACHED LOCATION MAP

Agenda Item

145

CASE: VAC-55-98





CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 108

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION**VACATION - PUBLIC HEARINGVAC-3-99 - GYPSY 2 FAMILY LIMITED
PARTNERSHIP, ET AL

Petition to Vacate portions of Dapple Gray Road, Banwari Avenue, Campbell Road and Iron Mountain Road, generally located north of Iron Mountain Road, Ward 4 (Brown).

NOTICES MAILED: 13 BY CITY CLERK

APPROVALS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

PROTESTS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. Provide to the City a copy of an approved Clark County Vacation Application eliminating the existing County public rights-of-way on Dapple Gray Road and Banwari Avenue adjacent to this site prior to recordation of an Order of Vacation for this site as required by the Department of Public Works.

BROWN - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared to represent Astoria Homes. These are unneeded patent easements in the middle of an approved subdivision. He concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:17 - 3:18)

3 - 2816

146

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 109

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****VAC-3-99 - GYPSY 2 FAMILY LIMITED
PARTNERSHIP, ET AL**

2. Retain a 10 foot wide public use roadway corridor easement adjacent to the remaining 30 foot wide right-of-way on Iron Mountain Road as required by the Department of Public Works. This public use easement shall be available for any public need in conjunction with but not limited to traffic, drainage and storm sewers, streetlighting, fire hydrants, walkways, and sanitary sewer purposes.

3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. The Drainage Study required for SD-2-99 may be used to satisfy this condition. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

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 as required by the Department of Public Works.

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

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

CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****VAC-3-99 - GYPSY 2 FAMILY LIMITED
PARTNERSHIP, ET AL**

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation Application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: VACATION - PUBLIC HEARING - VAC-3-99 - GYPSY 2 FAMILY, LIMITED PARTNERSHIP, ET AL**PURPOSE/BACKGROUND****APPLICATION REQUEST:**

This request is to vacate the public rights-of-way of Dapple Gray Road, Banwari Avenue, Campbell Road and Iron Mountain Road. The applicant has indicated the areas to be vacated are required to allow development of the site.

BACKGROUND DATA:

02/08/99 The City Council approved and adopted the proposed Annexation Ordinance, with an effective annexation date of February 19, 1999 [A-15-98(A)].

03/22/99 The City Council approved a request for a Site Development Plan Review for a 242 Lot Single Family Subdivision (SD-2-99). Condition of Approval #1 requires a Vacation application to vacate all existing public right-of-way in conflict with the proposed plan.

FINDINGS:

The Department of Public Works indicates this request will not result in a reduced traffic handling capability and will not eliminate public street access to any abutting parcel.

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: 10

APPROVALS: 0

PROTESTS: 0

SEE ATTACHED LOCATION MAP

Agenda Item

146

ROADS TO
BE VACATED

CITY LIMITS

OHARE RD

EL CAPITAN WY

IRON MOUNTAIN RD

FORT APACHE RD

MAGGIE

BRENT

LA

CASE: VAC-3-99



CITY COUNCIL

MEETING OF

APRIL 12, 1999

City of Las Vegas

AGENDA & MINUTES

Page 111

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

147

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****VARIANCE - PUBLIC HEARING****ABEYANCE ITEM - V-103-98 - LLOYD K. BENSON**

Appeal filed by Larsen Electric Sign Company on behalf of Lloyd K. Benson from the Denial by the Board of Zoning Adjustment for a Variance on property located at 4510 West Charleston Boulevard TO ALLOW A PROPOSED 76 SQUARE FOOT, 21 FOOT HIGH FREE-STANDING GROUND SIGN WHERE 48 SQUARE FEET AND 12 FEET ARE THE MAXIMUM AREA AND HEIGHT ALLOWED IN CONJUNCTION WITH AN EXISTING OFFICE BUILDING, P-R (Professional Office and Parking) Zone, Ward 1 (McDonald), APN: 139-31-410-136.

NOTICES MAILED: 124 BY CITY CLERK

APPROVALS: 0

AFTER BZA MEETING

____ Letters
____ Petitions

TOTAL 0

PROTESTS: 0

AFTER BZA MEETING

____ Letters
____ Petitions

TOTAL 0

The Board of Zoning Adjustment (3-0 vote) and staff recommend DENIAL. If approved, subject to:

1. The sign shall be limited to a maximum height of 16 feet and a maximum area of 50 square feet.

McDONALD - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

ALICIA SCHLAGER, 1405 "A" Street, appeared to represent LLOYD K. BENSON. She outlined a meeting with staff and an agreement for a height of 16 feet with a maximum area of 50 square feet where 48 feet is allowed.

COUNCILMAN McDONALD noted that this request is consistent with the signs along Charleston Boulevard.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:18 - 3:19)
3 - 2860

CITY COUNCIL

MEETING OF

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED****ABEYANCE ITEM - V-103-98 - LLOYD K.
BENSON**

2. All development must be in conformance with the plot plan and elevations as amended.

3. City Code requirements and design standards of all City departments must be satisfied.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-103-98 - LLOYD K. BENSON**PURPOSE/BACKGROUND**

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 8, 1999 CITY COUNCIL AGENDA AT THE REQUEST OF COUNCILMAN McDONALD, TO ALLOW ADDITIONAL TIME FOR THE APPLICANT TO MEET WITH STAFF.

APPLICATION:

This is an appeal filed by Larsen Electric Sign Company on behalf of Lloyd K. Benson from the Denial by the Board of Zoning Adjustment for a Variance to allow a 76 square foot, 21 foot high freestanding ground sign where 48 feet and 12 feet are the maximum sign area and height allowed on property located at 4510 W. Charleston Boulevard.

BACKGROUND DATA:

02/22/66 The City Council approved a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for this site (Z-5-66).

SITE DETAILS:

| | | |
|---------------|-------|-------------|
| Site Area | 7,107 | Square Feet |
| Building Area | 1,176 | Square Feet |
| Sign Area | 76 | Square Feet |
| Sign Height | 21 | Feet |

ANALYSIS:

The applicant is proposing a double faced freestanding ground sign with an overall height of 21 feet with a 7'6" x 10' face. The sign is to be setback approximately 9 feet from the property line and located in front of the existing office building along Charleston Boulevard. The sign is proposed with internal illumination. The applicant indicates that the Variance is justified because of the poor visibility of the site resulting from the building's setback of 24 feet from the street.

Agenda Item

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*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-103-98 - LLOYD K. BENSON**PURPOSE/BACKGROUND****FINDINGS:**

Section 19A.14.90 of the City of Las Vegas Zoning Code allows freestanding ground signs within the P-R zoning district provided they do not exceed 12 feet in height and 48 square feet in area. Staff does not support the applicant's justification of poor visibility for the site warranting the approval of a Variance. Section 19A.18.070 of the code which regulates Variances requires the existence of unique or extraordinary circumstances with regard to size, shape and or configuration of a parcel, in order to warrant the granting of a Variance. Staff finds that there is nothing extraordinary about the size, shape or configuration of the site. The building's setback is similar to all other properties in the area. There are no other signs of the requested height of 21 feet on the north side of Charleston Boulevard in the vicinity of the site. The site is across from more intense commercial zoning, however this site is zoned P-R which is a low intensity office and residential conversion area. Limiting sign heights helps to reduce visual blight and allows compatibility with nearby residential properties.

UPDATE:

Following the March 8 discussion of this item staff conducted a survey of the area to determine the actual height of signs in the vicinity of this parcel. The study shows that the signs on the north side of Charleston range in height from 5 to 20 feet, with the exception of the sign for the gasoline station on the northeast corner of Charleston and Decatur which is 35 feet high. The majority of the parcels are zoned C-1 which allows signs that are larger than those allowed in P-R. The signs on the C-1 parcels average 17.2 feet in height and 38.1 square feet in size. The signs on the P-R parcels average 6.5 feet in height and 14 square feet in size.

In discussing this request with the applicant staff has recognized that the property in question is currently designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The SC designation would allow for rezoning of the site to C-1 (Limited Commercial) which would allow the height and size of the sign to be increased. With this in mind staff has agreed to support an amended request for a pole sign that is *16 feet in height and 50 square feet*. This agreement is based upon the P-R zone limits of 12 feet for a freestanding sign and 75 square feet for a monument sign. The rationale is that since 16 feet is 33 percent more in height than is permitted, it should be offset by 33 percent less area than is permitted. Both the height and size are in keeping with the averages for existing signs in the area. The applicant has agreed to this compromise.

Agenda Item



*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-103-98 - LLOYD K. BENSON**PURPOSE/BACKGROUND**

The Board of Zoning Adjustment (3-0 vote) and staff recommend DENIAL.

BZA NOTICES MAILED: 122

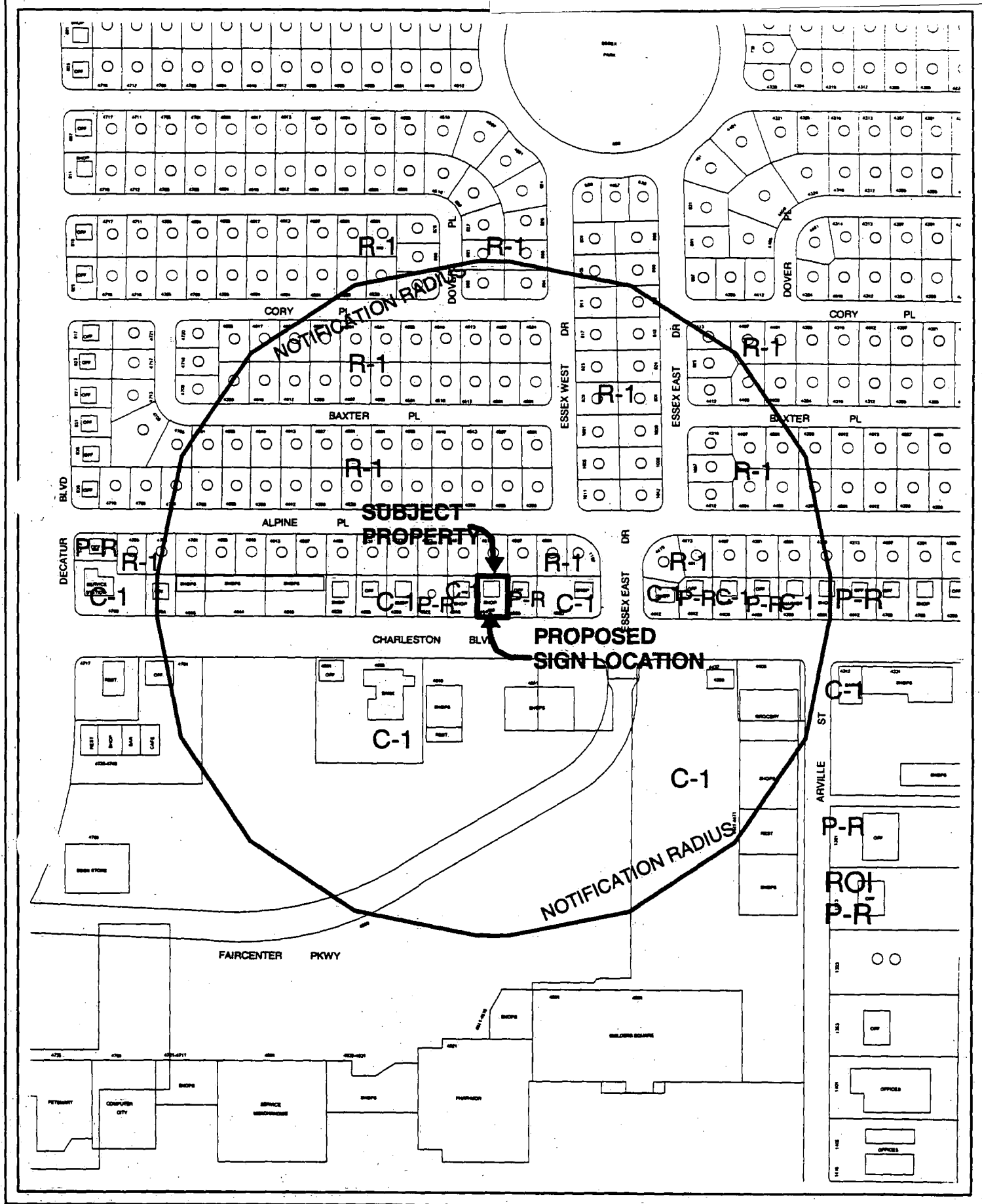
APPROVALS: 0

PROTESTS: 0

SEE ATTACHED LOCATION MAP

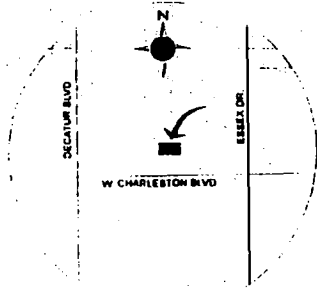
Agenda Item

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CASE: V-103-98
RADIUS: 750 FT





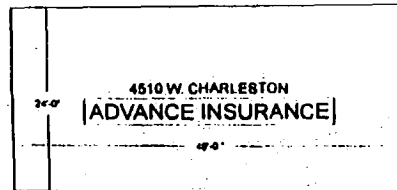
VICINITY MAP

EXISTING
COMMERCIAL
BUILDING

EXISTING SINGLE
FAMILY RESIDENCE

PARKING SPACES

EXISTING
COMMERCIAL
BUILDING



DRIVEWAY

5' SIDEWALK

5' SIDEWALK

Proposed POLE SIGN

CHARLESTON BLVD.

SITE PLAN
SCALE: 3/32"=1'-0"

STAFF

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Larsen Sign
1405 North A Street, Los Angeles, CA 90001
Tel: (213) 241-1111
Fax: (213) 241-1112
E-mail: larsen@larsensign.com
Larsen Sign is a full service sign company with over 30 years of experience in the industry.

ADVANCE INSURANCE
JOB NAME: ADVANCE INSURANCE
LOCATION: 4510 W. CHARLESTON
APPROVED BY: [Signature]

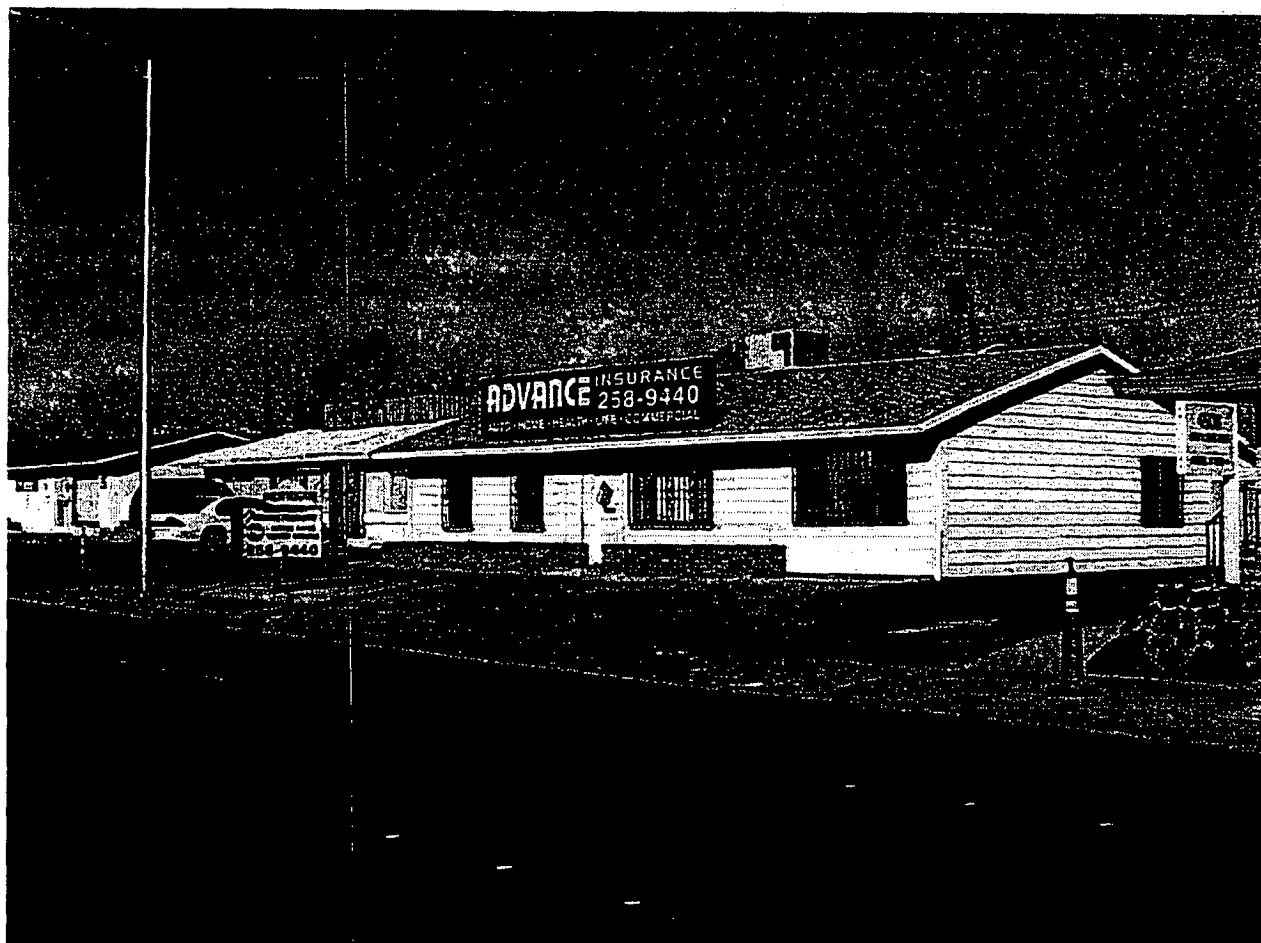
DESIGN: A/S/TEPL
DATE: 12/29/98
SCALE: NOTED
DRAWN: DERRICK
PALES: LIZ
SHEET NO: 1

SHEET NO: 1

V-103-98 2-2-99 BZA

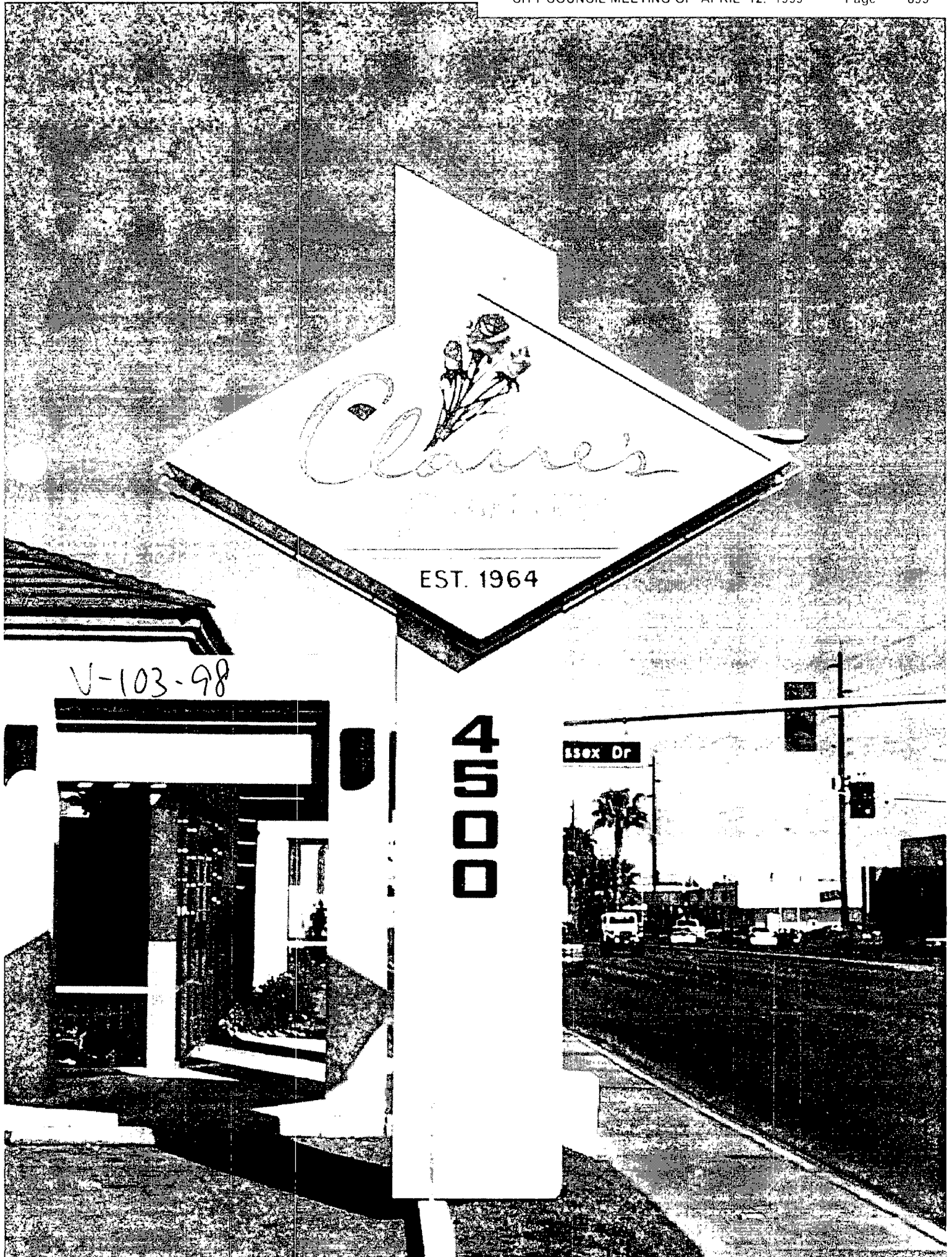
| | | | |
|---|------|--------------------|------|
| 10'-0" | | | |
| NOBODY BEATS
ADVANCE
INSURANCE | | 7'-6" | |
| AUTO | HOME | HEALTH | LIFE |
| 4510 | | 21'-0"
O.A.H.T. | |
| | | | |
| V-103-98 2-2-99 BZA | | STAFF | |
| D/F INTERNALLY ILLUMINATED PYLON SIGN | | | |
| © 1986 | | | |

| | | | |
|--|---|--|--|
| 103-98
2-2-99
4510
11111
11111 | ADVANCE INSURANCE
LOCATION 4510 W. CHARLESTON
APPROVED BY
11111 | Larsen Sign
1200 N. 1ST AVE. SUITE 100, DENVER, CO 80202
(303) 733-1111 | 103-98
2-2-99
4510
11111
11111 |
|--|---|--|--|



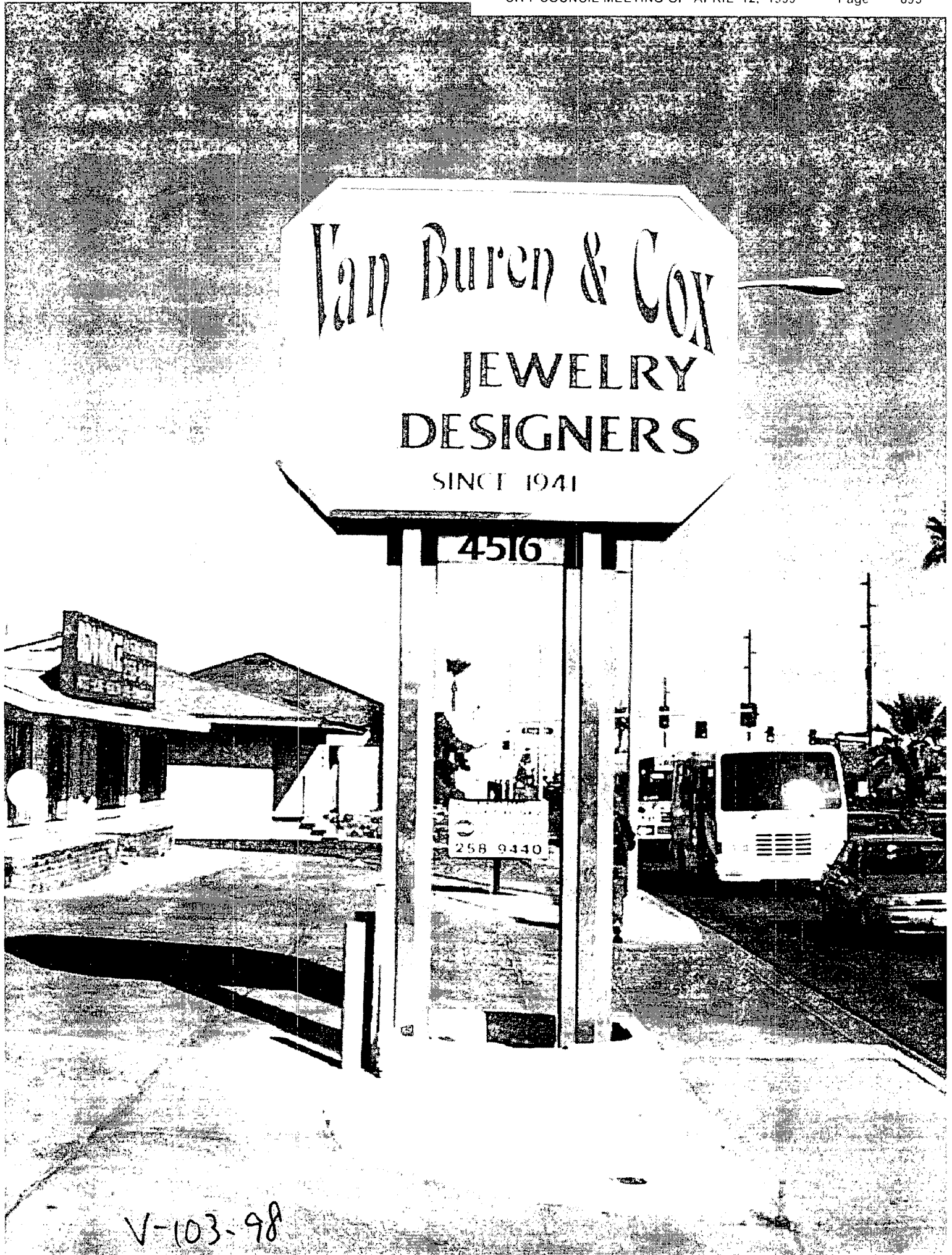
V-103-98

4510 West Charleston Boulevard.
Shot facing north on 01/08/99.





V-103-98

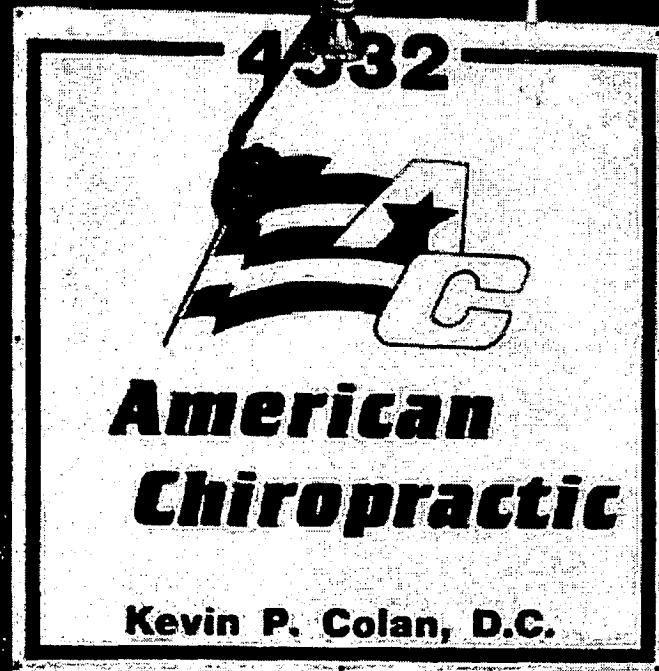


**CAL NEV
MANAGEMENT
4528**

**K&M
CONSTRUCTION**

**Jewelry
Designers**

V-103-98



CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 113

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION**VARIANCE - PUBLIC HEARINGV-3-99 - RONALD AND KATHIE DYE

Request for a Variance on property located at 8745 Vercelli Court TO ALLOW A 208 SQUARE FOOT EXISTING ROOM ADDITION 7 FEET 10 INCHES FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED, R-1 (Single Family Residence) Zone, Ward 2 (Adamsen), APN: 163-05-613-009.

NOTICES MAILED: 212 BY CITY CLERK

APPROVALS: 31

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 31

PROTESTS: 0

AFTER PC MEETING

____ Letters
____ Petitions

TOTAL 0

The Board of Zoning Adjustment (4-0 vote) and staff recommend APPROVAL, subject to:

1. All development must be in conformance with the plot plan and elevations.
2. City Code requirements and design standards of all City Departments must be satisfied.

ADAMSEN - APPROVED subject to conditions deleting Condition # 3 - **UNANIMOUS**

MAYOR JONES declared the Public Hearing open.

KATHIE DYE, 8745 Vercelli Court, explained that in 1994 they hired a contractor who was in the process of getting his license. That contractor did not construct the room addition with the proper rear yard setback.

COUNCILMAN ADAMSEN made a motion for approval, subject to the conditions, and did not impose a fine.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

NOTE: COUNCILMAN ADAMSEN directed staff to have the Variance recorded on the deed so any future buyer will be aware of the situation.

(3:19 - 3:22)

3 - 2940

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CITY COUNCIL

MEETING OF

APRIL 12, 1999

*City of Las Vegas***AGENDA & MINUTES**

Page 114

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****PLANNING & DEVELOPMENT DEPARTMENT
- DISCUSSION****APPROVED**V-3-99 - RONALD AND KATHIE DYE

3. The City Council, in granting the Variance, may impose a penalty in an amount that does not exceed ten percent of the value of the structure as determined in accordance with the City's Administrative Code.

4. All applicable conditions of approval for the Valley West Subdivision must be complied with as required by the Department of Public Works.

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: VARIANCE - PUBLIC HEARING - V-3-99 - RONALD AND KATHIE DYE**PURPOSE/BACKGROUND****APPLICATION:**

This request is for a Variance to allow an existing room addition to be seven feet ten inches from the rear property line where 15 feet is the minimum setback required.

BACKGROUND DATA:

05/20/81 The City Council approved a Rezoning from N-U (Non-Urban) to R-1 (Single Family Residential) for this site as a part of a larger request (Z-34-81).

SITE DETAILS:

| | | |
|----------------|-------|-------------|
| Site Area: | 9,148 | Square Feet |
| Dwelling Area: | 2,172 | Square Feet |
| Addition Area: | 208 | Square Feet |

ANALYSIS:

The applicant indicates that a 208 square foot room addition was constructed in 1994 without a building permit. The addition encroaches into the required rear yard setback by seven feet two inches. The existing addition is currently being utilized as an addition to the original kitchen. The applicant indicates that he was unaware that the contractor did not obtain a building permit for the addition. The applicant contends that the Variance is justified since the addition does not negatively impact his neighbors.

FINDINGS:

Section 19A.18.070.K.2 of the City of Las Vegas Municipal Code, states that if a structure which is the subject of a Variance application has been constructed without a building permit and is in violation of any provisions of the City Zoning Code, the City Council, in granting the Variance, may impose a penalty in an amount that does not exceed ten percent of the value of the structure as determined in accordance with the City's Administrative Code.

Agenda Item

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*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
APRIL 12, 1999****AGENDA DOCUMENTATION**

| | |
|-------------------------|--|
| TO:
THE CITY COUNCIL | FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT |
|-------------------------|--|

SUBJECT: VARIANCE - PUBLIC HEARING - V-3-99 - RONALD AND KATHIE DYE**PURPOSE/BACKGROUND**

Section 19A.18.070 of the City of Las Vegas Municipal Code, which regulates Variances, requires that a unique or extraordinary circumstance exists with regard to the size, shape and or configuration of a parcel, in order to warrant the granting of a Variance. Staff finds that the lot is irregularly shaped. The addition is located at the rear of the existing dwelling and should not be detrimental to the surrounding area. Furthermore, 20 foot high mature trees are located on the side and rear perimeters of the site which provide additional screening. Staff has no objection to this Variance request and recommends approval.

The Board of Zoning Adjustment (4-0 vote) and staff recommend APPROVAL.

BZA NOTICES MAILED: 210

APPROVALS: 31

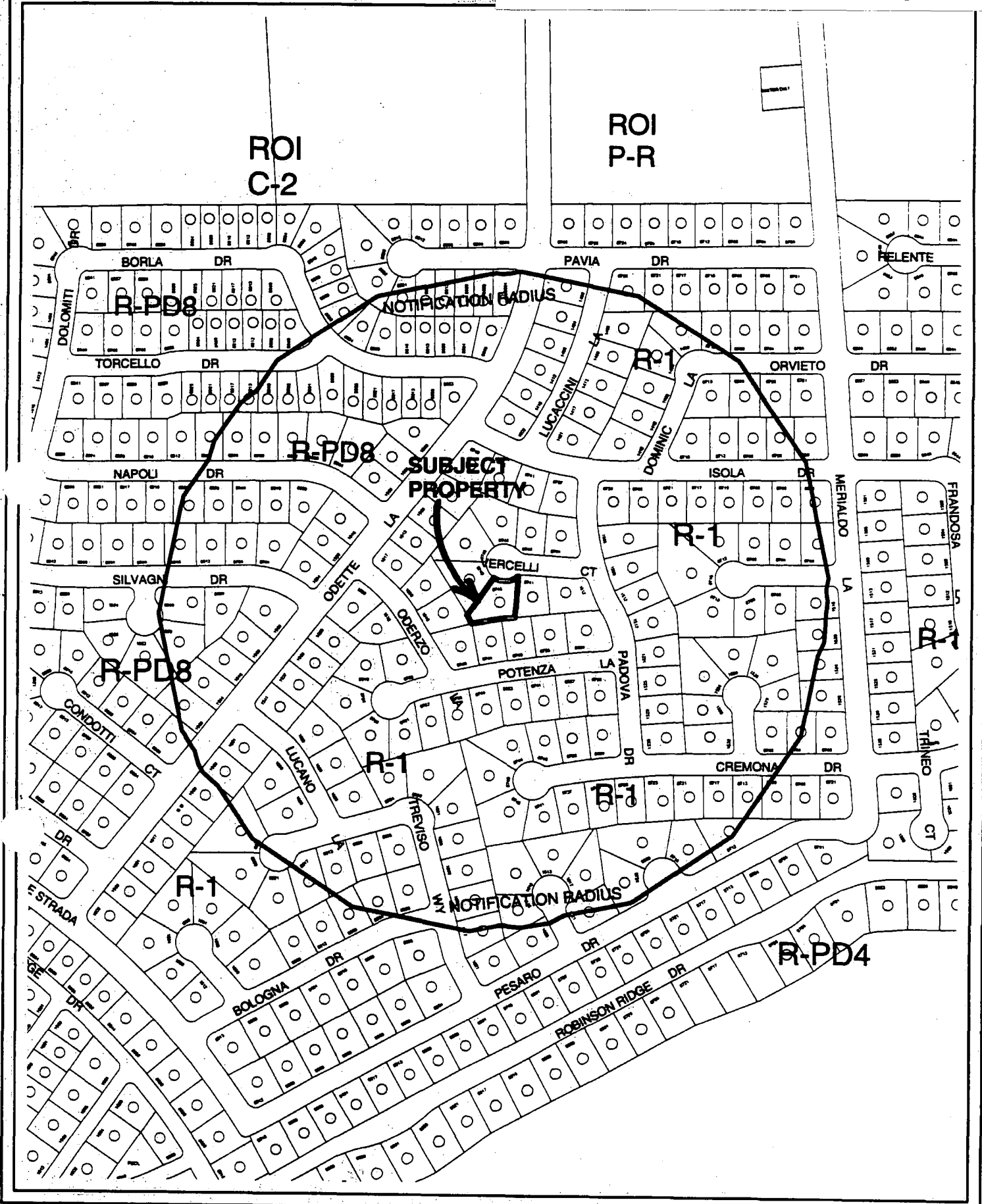
[An undated petition was submitted by the applicant prior to the hearing. The petition contains the signatures of 31 residents of Valley West, including 6 whose properties abut the subject site. All 32 residents indicate that they are aware of the addition which was constructed in 1994 and have no objection to its encroachment into the rear setback. It should be noted that the petition reports the minimum required setback to be 10 feet when in actuality it is 15 feet. Therefore, the actual encroachment is seven feet, two inches rather than the two feet, four inches implied by the petition.]

PROTESTS: 0

SEE ATTACHED LOCATION MAP

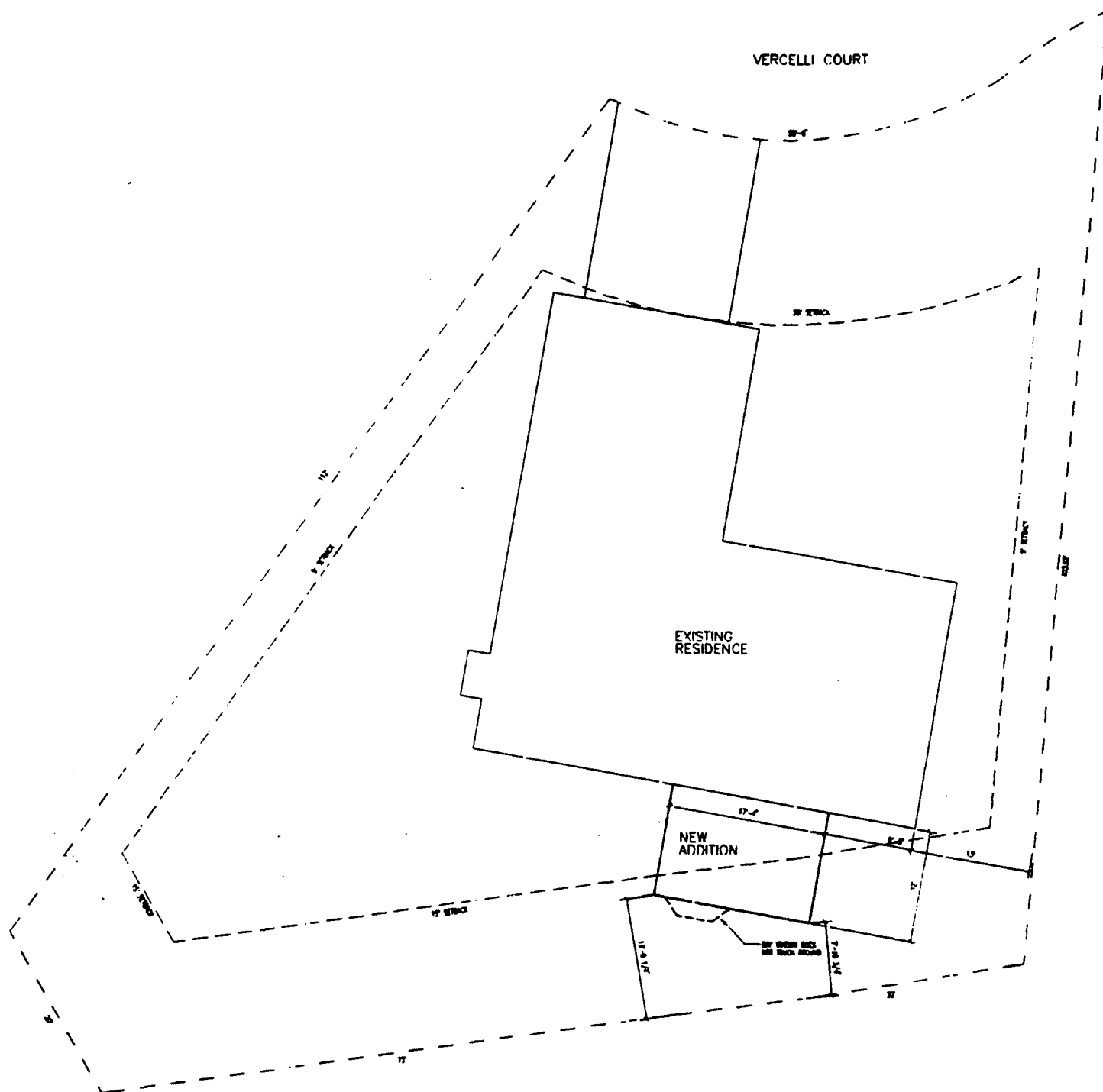
Agenda Item





CASE: V-3-99
RADIUS: 750 FT





STAFF

RON AND KATHIE DYE KITCHEN ADDITION

8745 VERCELLI COURT, LAS VEGAS, NEVADA

LOT IS 9,000 sq. ft.

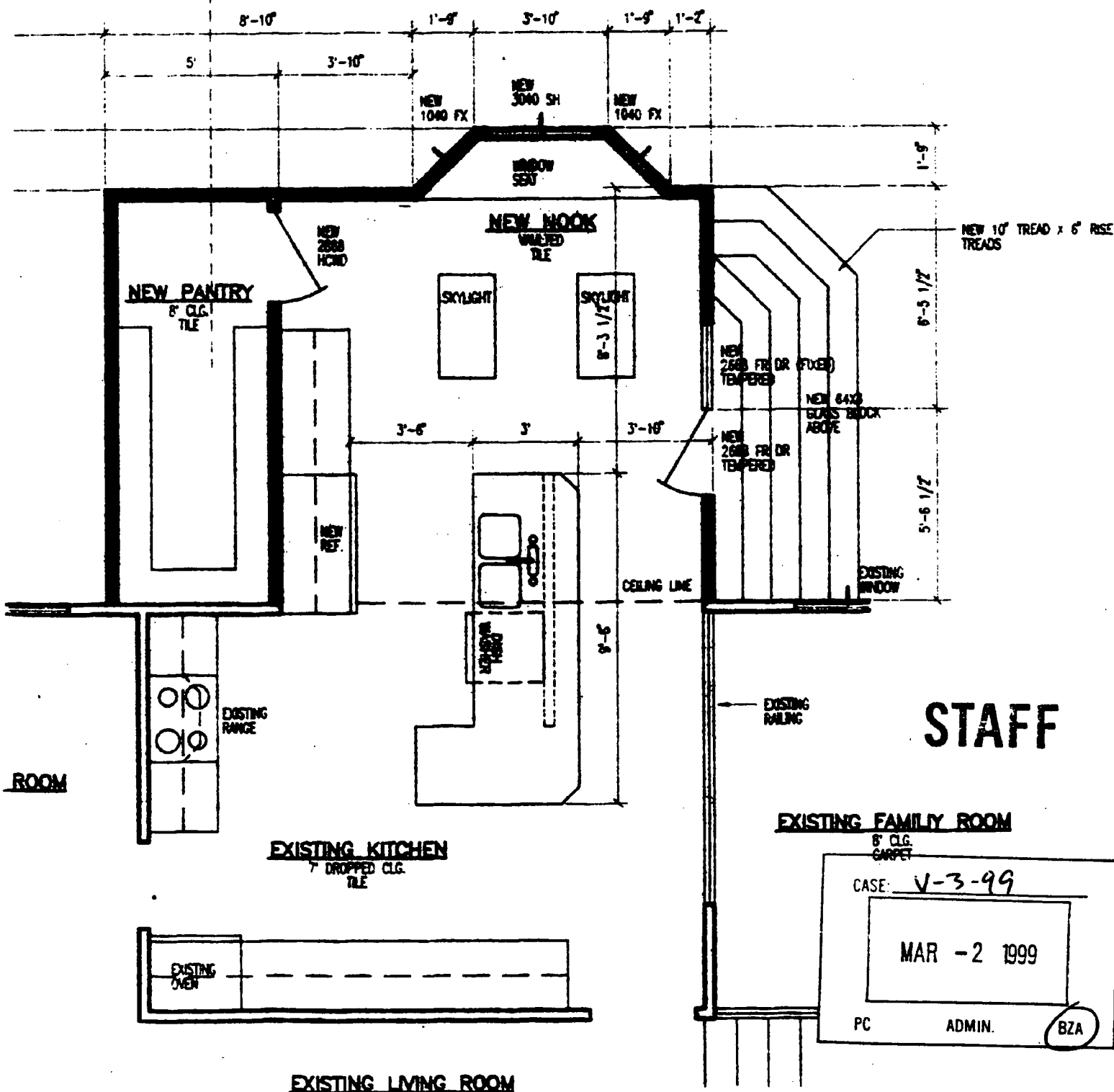
CASE: V-3-99

MAR -2 1999

PC ADMIN. BZA

8th CLASS

SCALE: $1/4" = 1'$





V-3-99

8745 Vercelli Court
Shot facing east

FRANK F NICKOLSON

8744 POTENZA LANE
LAS VEGAS, NEVADA 89117
(702) 242-1874

March 31, 1999

City Clerk
400 E. Stewart St.
Las Vegas, NV 89101

Subject: Set Back Variance Request
Ronald & Kathie Dye
8745 Vercelli Court

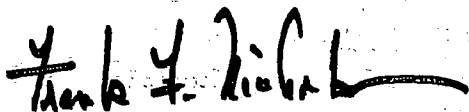
From: Frank & Chloe Nickolson
8744 Potenza Lane

Our property almost entirely borders the southern side of the subject property.

We have no objection or concern regarding the appearance or construction of the 208 square foot addition on the subject's property.

We support and urge the granting of the Variance request.

Sincerely,



Frank F. Nickolson

Support

RECEIVED
CITY CLERK

1999 APR -1 A 11:35

V-3-99