CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	VACATION - PUBLIC HEARING	
100	VAC-9-99 - CLARK COUNTY Petition to vacate a twenty-foot (20') wide public alley generally located north of Bonneville Avenue and south of Clark Avenue, and a twenty-foot (20') wide public alley generally located north of Clark Avenue and south of Lewis Avenue, both properties being between Casino Center Boulevard and Third Street, Ward 1 (McDonald). NOTICES MAILED: 10 BY CITY CLERK APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 PROTESTS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to: 1. Approval of this Vacation application endorses the overall concept of eliminating all public interests in the existing public alley right-of-ways within Blocks 22 and 23 of Clark's Las Vegas Townsite subdivision; however, to address some possible concerns to the property owners abutting the public alley corridor, this	**McDONALD - APPROVED subject to conditions - UNANIMOUS** ****** MAYOR JONES declared the Public Hearing open. TED REXING, Clark County, 500 Grand Central Parkway, appeared on behalf of the applicant, together with JIM HALL, Sierra Construction, Program Manager for Clark County. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (2:57 - 2:58) **3 - 1447**

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION VAC-9-99 - CLARK COUNTY Order of Vacation (to eliminate the public ownership and maintenance of the existing public alley corridors) shall be recorded in "phases". City Staff is empowered to "phase" the Order of Vacation and record such "phase(s)" only when the property owners abutting both sides of each "phase" concur in writing to the elimination of the public alley located between their respective properties. 2. The submitted Drainage Plan and Technical Drainage Study must be accepted by the Department of Public Works prior to the recordation of the Order of Vacation. 3. A "phased" sanitary sewer relocation/abandonment plan must be submitted by the applicant for each "phase" of the Vacation and approved by the Department of Public Works prior to the recordation of the Order of Vacation for each "phase"; comply with the recommendations of the "phased" approval plans. If required in the approved relocation/abandonment plans, public sewer easements shall be retained over each "phase" of the vacated areas as necessary. An alternate sewer path is required to service Block 24 south of the Vacation area. 4. The applicant shall remove all public alley/streetlighting fixtures/appurtenances impacted by each "phase" of this Vacation action and return all salvageable materials to the City's Electrical Yard in accordance with the direction of the Traffic/Electrical Field Operations Manager; the applicant shall also eliminate/relocate all impacted alley/streetlighting electrical service meters per the direction of the Traffic/Electrical Field Operations Manager as required by the Department of Public Works.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION VAC-9-99 - CLARK COUNTY 5. The existing alley driveways (where the alley connects with the public streets abutting this block) shall be removed upon the "phased" Order of Vacation process unless the vacated alley corridor will continue to be utilized as a private access drive; the abutting property owners shall restore such areas with new curb/gutter and new sidewalk meeting current City Standards as required by the Department of Public Works. 6. All utility improvements/facilities, private improvements and public improvements, if any, in conflict with each "phase" and the overall intent of this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of each "phase" of the Order of Vacation as required by the Department of Public Works. The abutting property owner(s) of each "phase" of the alley Vacation shall be financially responsible for all utility modifications needed to ensure continued service to those tenants/owners with businesses/properties abutting those portions of Blocks 22 and 23 of Clark's Las Vegas Townsite subdivision not currently being vacated. 7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. 8. All development shall be in conformance with code requirements and design standards of all City departments.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION VAC-9-99 - CLARK COUNTY 9. The Order of Vacation may be recorded in "phases", however, no "phase" shall be recorded until all of the above conditions have been met. Conditions #3 through #6 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. 10. 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.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-9-99 - CLARK COUNTY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for an approval to vacate two twenty foot wide (20') public alleys to allow the property to be incorporated into the proposed Regional Justice Center.

BACKGROUND DATA:

09/14/98 The City Council approved a request for a Rezoning to C-V (Civic) on this property (Z-51-98). Condition No. 4 of that approval required the vacation of the two alleys prior to development.

FINDINGS:

The applicant is attempting to meet the requirements of condition 4 as specified in the conditions of approval for the Rezoning of this property (Z-51-98). This vacation will not eliminate public street access to any abutting parcel, nor will it create reduced traffic handling capability. Therefore, staff has no objection to this request.

The Planning Commission (4-0 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: 9

APPROVALS: 0

PROTESTS: 0

SEE ATTACHED LOCATION MAP

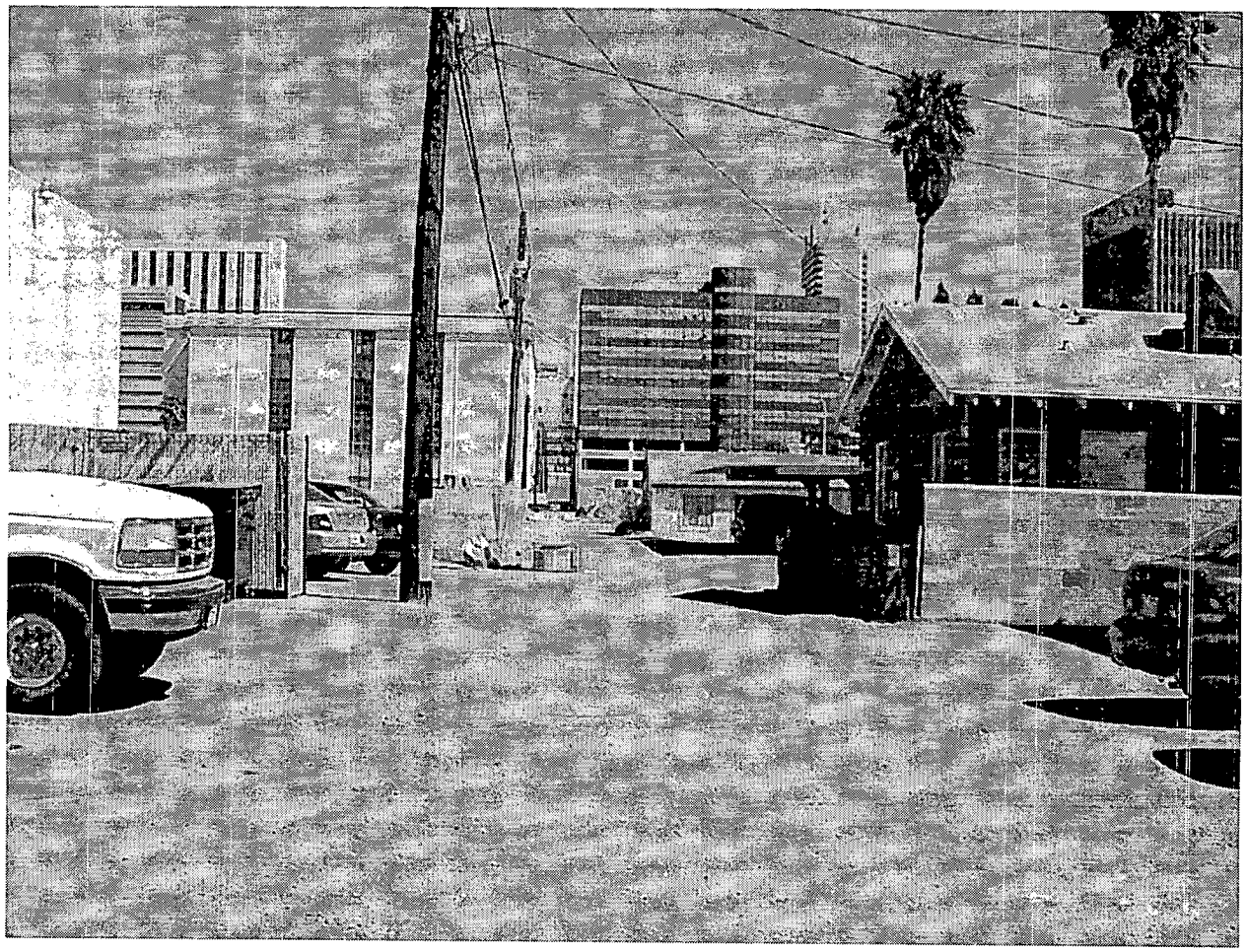
Agenda Item

100



CASE: VAC-9-99

N



VAC-9-99



VAC-9-99

CITY COUNCIL
MEETING OF
MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	VACATION - PUBLIC HEARING	
101	VAC-10-99 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY	**BROWN - APPROVED subject to conditions and deleting Condition #1 - UNANIMOUS**
	Petition to vacate U. S. Government Patent Reservations generally located south of Grand Teton Drive and east of Durango Drive, Ward 4 (Brown).	******
	NOTICES MAILED: 2 BY CITY CLERK	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0	MIKE PIALAPANDO, CVL Consultants, Inc., 6280 South Valley View, Suite 200, appeared on behalf of the applicant and concurred with the conditions.
	AFTER PC MEETING _____ Letters _____ Petitions	ROBERT GENZER, Planning and Development, requested Condition #1 regarding additional right-of-way north of Jo Marcy be deleted as the applicant does not own that property. MR. PIALAPANDO concurred with deleting Condition #1.
	TOTAL 0	No one appeared in opposition.
	PROTESTS: 0	There was no further discussion.
	AFTER PC MEETING _____ Letters _____ Petitions	MAYOR JONES declared the Public Hearing closed.
	TOTAL 0	(2:58 - 3:01) **3 - 1474**
	The Planning Commission (3-0-1 vote) and staff recommend APPROVAL, subject to:	
	1. This Vacation application shall be amended to also eliminate the existing public right-of-way for the east half of Tule Springs Road (a.k.a. "Old Durango Drive Alignment) from Jo Marcy Drive northward to the southeast edge of the realigned Durango Drive as required by the Department of Public Works.	
	2. All 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.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION VAC-10-99 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY 3. Development of these sites shall comply with all applicable Conditions of Approval for the Spring Mountain Ranch Subdivision, Z-92-96, and all other site-related actions 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. This condition shall not apply to the Vacation of U.S. Government Patent Reservations. 5. All development shall be in conformance with code requirements and design standards of all City departments. 6. The Order of Relinquishment of Interest and/or Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 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.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION VAC-10-99 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY 7. If the Order of Relinquishment of Interest and/or 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.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-10-99 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request to vacate a thirty foot (30') U. S. Government Patent reservation within the old Durango Drive Alignment between Jo Marcy Drive and the new Durango Drive alignment along the eastern property line of Pine Meadows Phase 2 Unit 25.

BACKGROUND DATA:

10/16/96 The City Council approved a request for a Rezoning on the southwest corner of Grand Teton Drive and Durango Drive (Z-92-96).

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).

02/25/99 The Planning Commission held in Abeyance a request for a second Extension of Time for the Pine Meadows Tentative Map [TM-81-96(2)].

03/11/99 The Planning Commission approved a request for a second Extension of Time for the Pine Meadows Tentative Map [TM-81-96(2)].

FINDINGS:

Staff does not have an objection to this request as the applicant is requesting this vacation in order to comply with condition #4 of TM-81-96(2). However, the Department of Public Works is requiring an amendment to the vacation application to also eliminate the existing public right-of-way for the east half of Tule Springs Road (a.k.a. "Old Durango Drive Alignment) from Jo Marcy Drive northward to the southeast edge of the realigned Durango Drive.

Agenda Item

101

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-10-99 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

The Planning Commission (3-0-1 vote) and staff recommend APPROVAL.

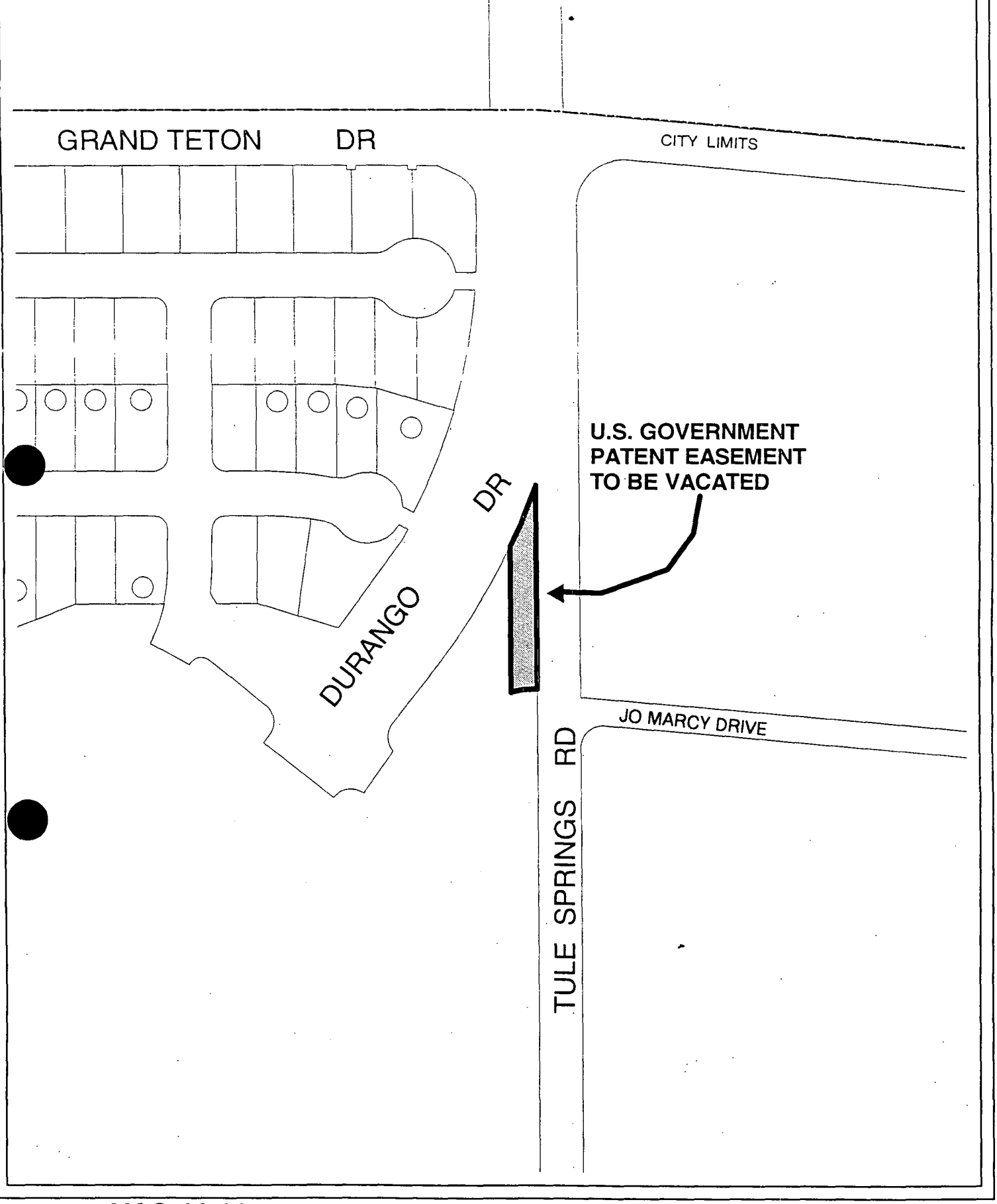
PC NOTICES MAILED: 1

APPROVALS: 0

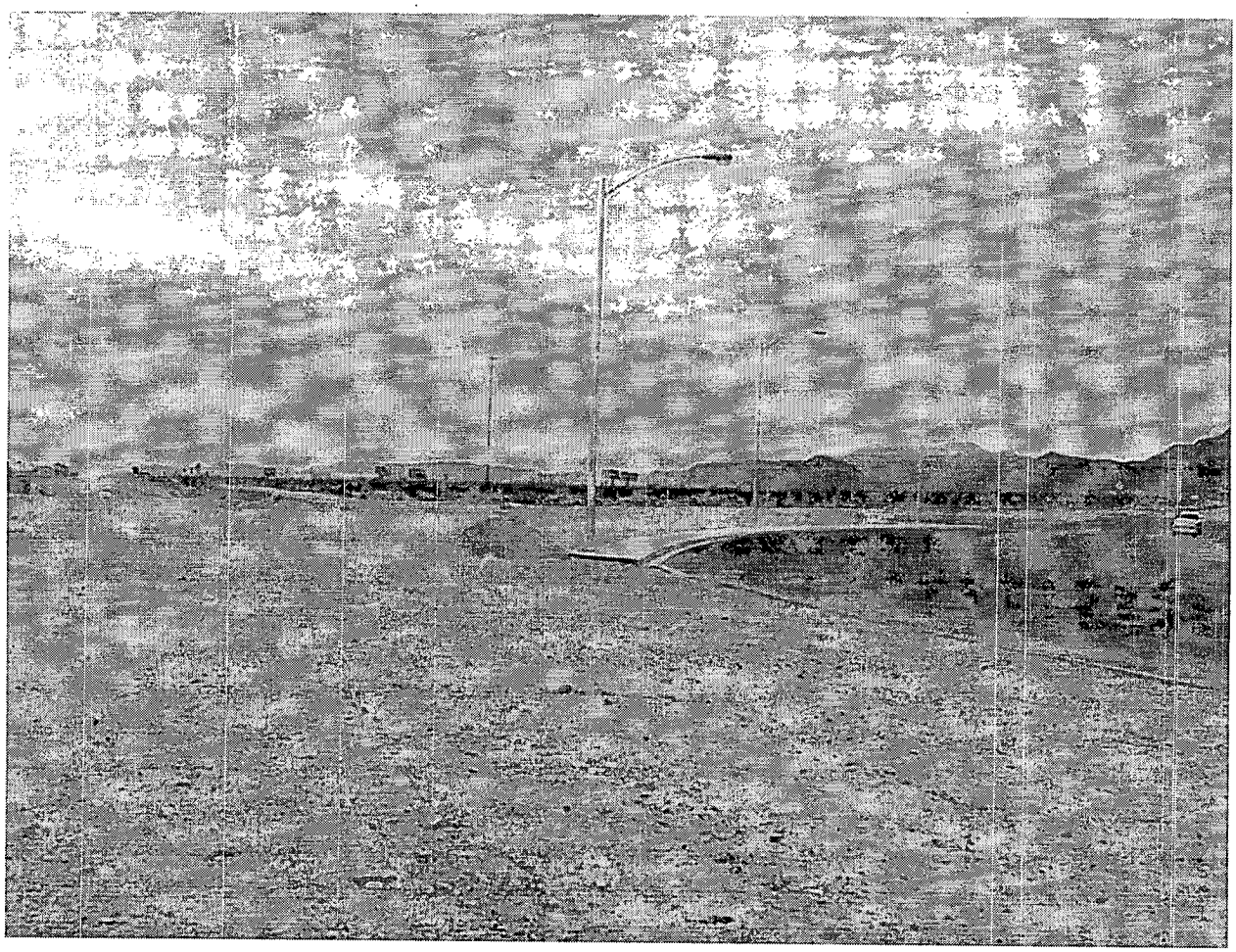
PROTESTS: 0

SEE ATTACHED LOCATION MAP

Agenda Item



CASE: VAC-10-99



VAC-10-99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	VARIANCE - PUBLIC HEARING	
102	V-81-98 - MARIAN AND KRYSTYNA ARUSZTOWICZ Appeal filed by Marian Arusztowicz from the Denial by the Board of Zoning Adjustment for a Variance on property located at 9205 Vosburgh Drive TO ALLOW A 2 FOOT SIDE YARD SETBACK WHERE 5 FEET IS THE MINIMUM SETBACK REQUIRED FOR AN EXISTING PATIO/DECK, R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Adamsen), APN: 163-05-311-027. NOTICES MAILED: 170 BY CITY CLERK APPROVALS: 1 AFTER BZA MEETING _____ Letters _____ Petitions TOTAL 1 PROTESTS: 0 AFTER BZA MEETING 2 Letters _____ Petitions TOTAL 2 The Board of Zoning Adjustment (4-0-1 vote) and staff recommend DENIAL. If approved, subject to: 1. Submit complete building plans to the Building and Safety Department for review and permit. 2. All development must be in conformance with the plot plan and elevations. 3. City Code requirements and design standards of all City departments must be satisfied.	**ADAMSEN - Granting the Appeal; thereby APPROVING the Variance subject to conditions and an added condition imposing a fine equal to 5% of the $5,000 structure cost to be paid by applicant - UNANIMOUS** ****** MAYOR JONES declared the Public Hearing open. APPEARANCES: ATTORNEY CRAIG STONE, 4011 Meadows Lane MARIAN ARUSZTOWICZ, 9205 Vosburgh Drive MAYOR JONES declared the Public Hearing closed. NOTE: A Verbatim Transcript is made a part of the Final Minutes. (3:01 - 3:12) **3 - 1583**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-81-98 - MARIAN AND KRYSTYNA ARUSZTOWICZ

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is an appeal filed by Marian Arusztowicz from the Denial by the Board of Zoning Adjustment for a Variance to allow an existing non-enclosed patio/deck two feet from the side property line where five feet is the minimum setback allowed.

BACKGROUND DATA:

01/12/89 The City Council approved a Rezoning from N-U (Non-Urban) to R-PD7 (Residential Planned Development - 7 units per acre) for this site as part of a larger request (Z-139-88).

02/25/99 The Homeowners' Association's appeal was denied.

SITE DETAILS:

Current Zoning:	R-PD7 (Residential Planned Development - 7 units per acre)
Existing Land Use:	Single-family dwelling
Site Area:	4,800 Square Feet
Dwelling Area:	1,583 Square Feet
Existing Patio/Deck Area:	120 Square Feet

ANALYSIS:

The applicant has constructed a patio/deck at the rear of his single-family dwelling. The patio/deck is approximately 120 square feet in size. The applicant indicates that he has resided in Nevada for only a short period of time and was not aware of the code requirements. The applicant indicates that he actually built the patio/deck himself. The patio/deck matches the color and texture of the existing structure.

Agenda Item

102

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-81-98 - MARIAN AND KRYSTYNA ARUSZTOWICZ

PURPOSE/BACKGROUND

FINDINGS:

Section 19A.18.070B of the LVMC states:

"**B. Scope and Limitations**

Pursuant to NRS Chapter 278 and this subchapter, the Board of Zoning Adjustment has the authority to grant Variances as it determines appropriate. However, the Variance process is not available to:

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

Section 19A.18.070.L. of the LVMC states:

"**L. Determinations**

1. In order to approve a Variance application, the Board of Zoning Adjustment and, where applicable, the City Council, must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-81-98 - MARIAN AND KRYSTYNA ARUSZTOWICZ

PURPOSE/BACKGROUND

Per the request of the Board of Zoning Adjustment the applicant has submitted a copy of the letter from the Homeowners Association regarding a fine for building prior to getting permission from the Association. A copy of this letter is attached.

2. " **Penalty**. If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of this Title, 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."

Staff finds that no extraordinary circumstances exist. Staff is concerned that the applicant, in the future, may cover the deck. This would further the encroachment into the side yard setback. Staff cannot support this request and recommends denial.

The Board of Zoning Adjustment (4-0-1 vote) and staff recommend DENIAL.

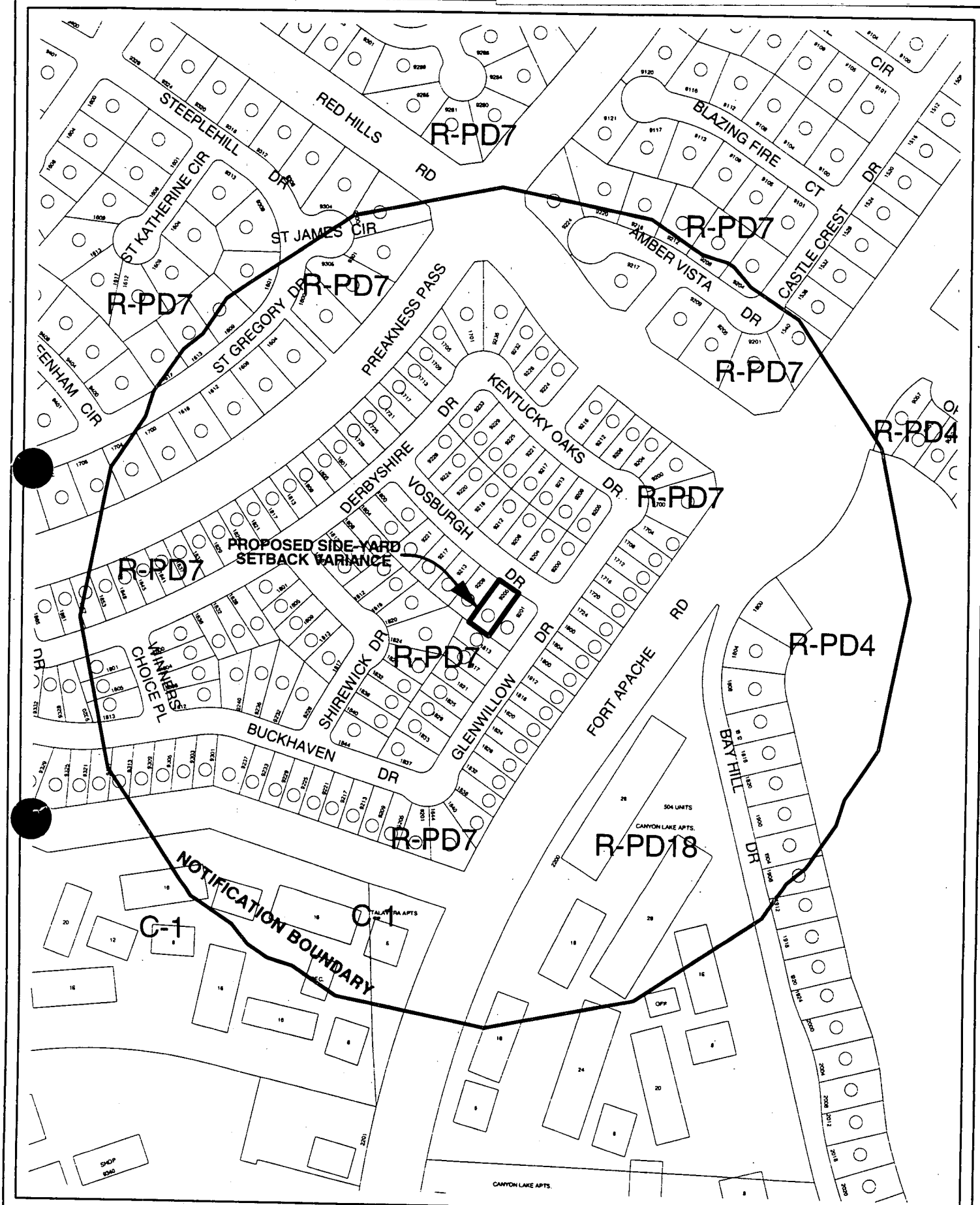
BZA NOTICES MAILED: 171

APPROVALS: 1

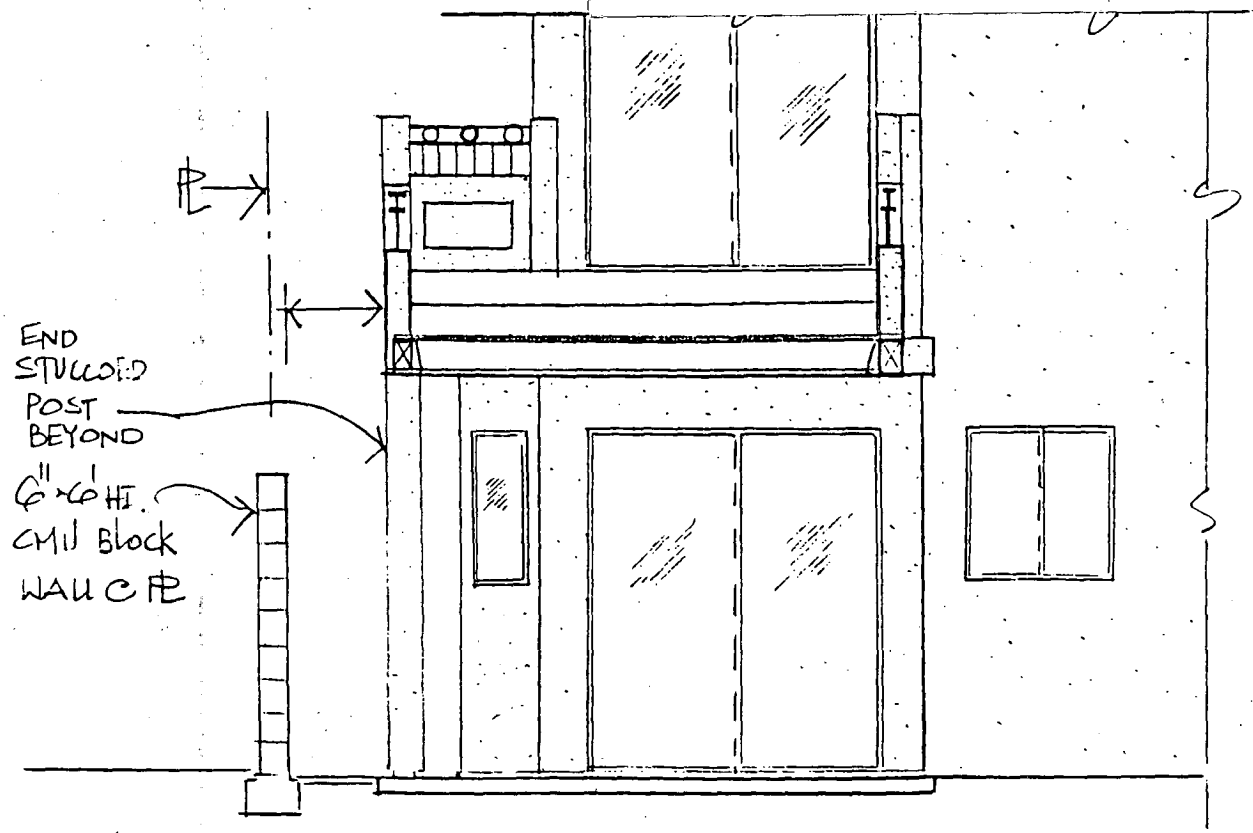
PROTESTS: 0

SEE ATTACHED LOCATION MAP

Agenda Item

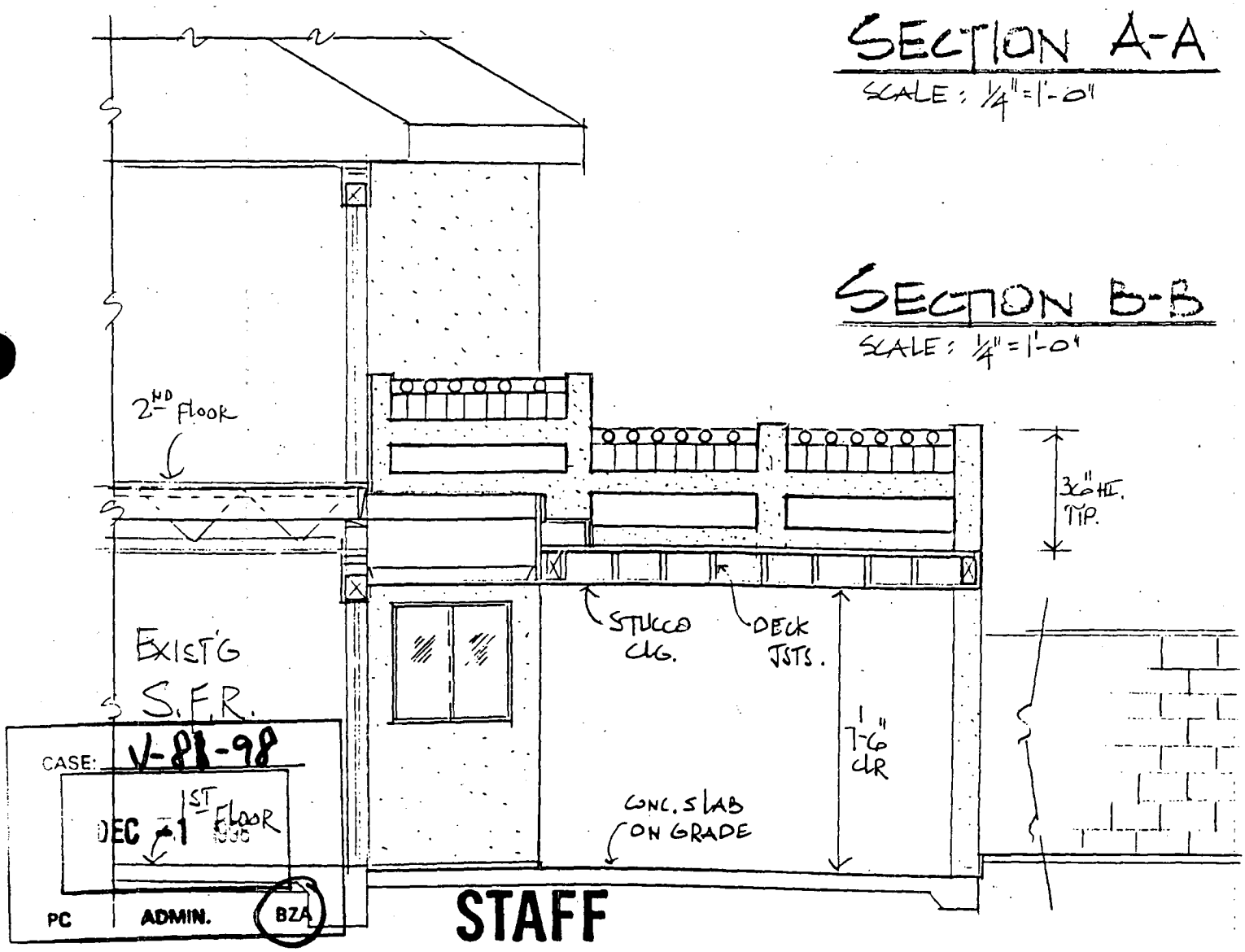


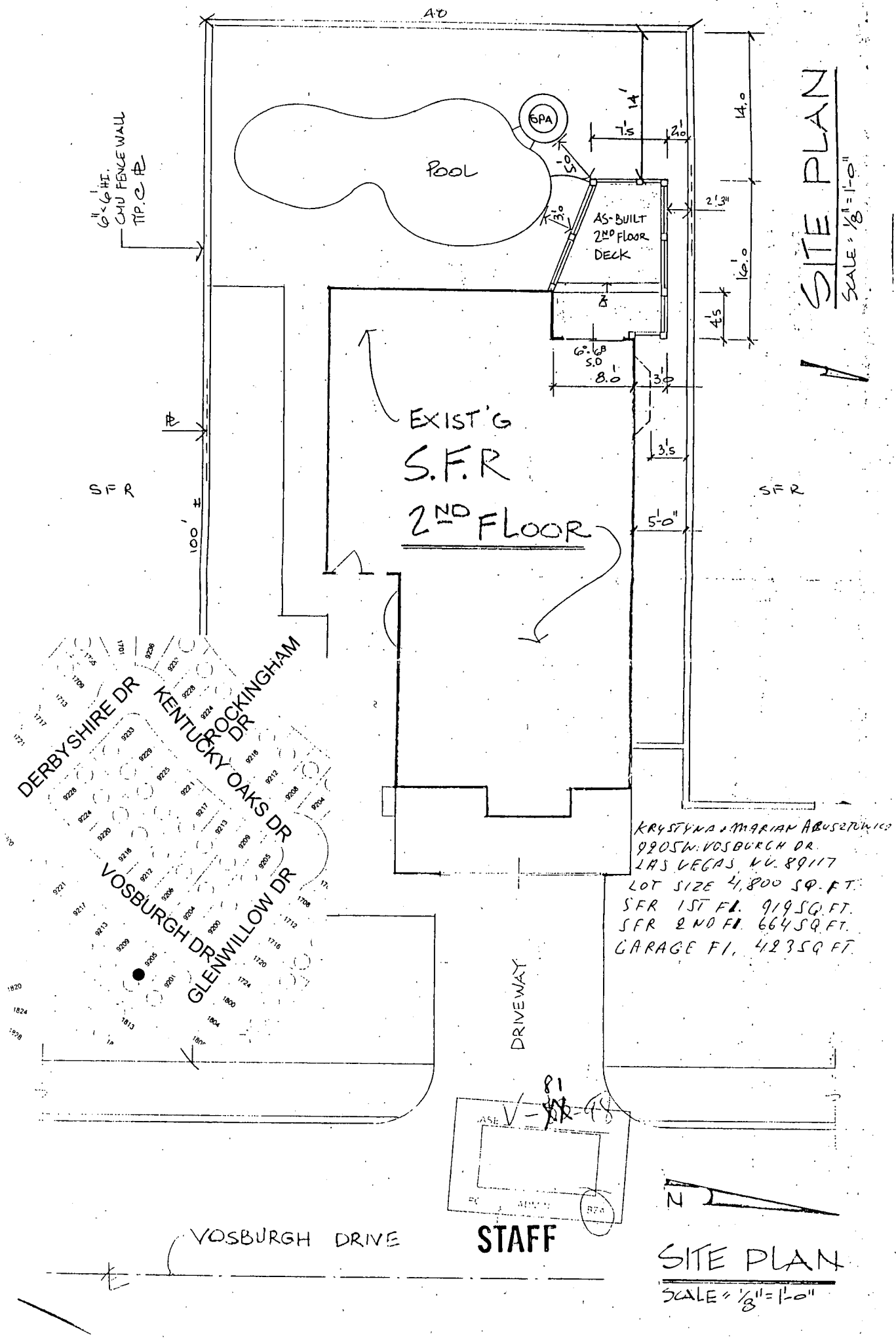
CASE: **V-81-98**
RADIUS: 750 ft



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

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




A.D
6'-6" HT. CHU FENCE WALL TYP. @ P.L.
POOL
SPA
AS-BUILT 2ND FLOOR DECK
EXIST'G S.F.R 2ND FLOOR
SFR
SFR
P.L.
100'
DERBYSHIRE DR
ROCKINGHAM DR
KENTUCKY OAKS DR
VOSBURGH DR
GLENWILLOW DR
DRIVEWAY
VOSBURGH DRIVE
KRYSTYNA & MARIAN ABUSEITA
9205 W. VOSBURGH DR.
LAS VEGAS, NV. 89117
LOT SIZE 4,800 SQ. FT.
SFR 1ST FL. 919 SQ. FT.
SFR 2ND FL. 664 SQ. FT.
GARAGE FL. 423 SQ FT.
81
V-
STAFF
N
SITE PLAN
SCALE: 1/8" = 1'-0"
SITE PLAN
SCALE: 1/8" = 1'-0"

MARIAN ARVIZU LLC 04-07-99

9205 VOSBURGH DR.

LAS VEGAS NV. 89117

V-81-98

APPEAL THE DENIAL FROM THE BOARD OF ZONING ADJUSTMENT MEETING OF 04-06-99

RECEIVED
CITY CLERK
1999 APR -7 P 4:43

PECCOLE RANCH COMMUNITY ASSOCIATION
9501 Redhills Road
Las Vegas, Nevada 89117
(702) 255-3351 • Fax (702) 243-5819

February 26, 1999

Mr. & Mrs. Arusztowicz
9205 Vosburgh
Las Vegas, NV 89117

Re: Architectural Change Request
Rear Balcony Improvement

Dear Mr. and Mrs. Arusztowicz:

The Design Review Committee and the Board of Directors repesenting the Peccole Ranch Community Association have denied your plans for the rear balcony based on encroachment of set backs. Although you stated you were unaware it was necessary to submit plans to City Planning, we understand you purchased your home in May 1992.

PLEASE BE ADVISED:

DRC approval or rejection of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building ordinances, or other governmental agency regulations or restrictions. The DRC shall not be responsible for reviewing, nor shall its approval of any plan or design, be deemed approved from the standpoint of structural safety or conformance with building or other codes. By approving such plans and specifications, neither the DRC, the Members thereof, the Peccole Ranch Community Association, any Member thereof, their Board of Directors, any Member thereof, or the Declarant assumes any liability or responsibility therefore or for any defect in the construction or improvement from such plans or specifications. As provided in the CC&R's neither the DRC, Peccole Ranch Community Association, the Board of Directors or the Association or any Members thereof, nor the Declarant or Developer shall be liable to any Member, Owner, Occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (i) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (ii) the construction or performance of any work; whether or not pursuant to the approved plans, drawings, or specifications.

V-81-98

PECCOLE RANCH COMMUNITY ASSOCIATION
9501 Redhills Road
Las Vegas, Nevada 89117
(702) 255-3351 • Fax (702) 243-5819

V-81-98

August 3, 1998

Marian & Krystyna Arusztowicz
9205 Vosburgh Drive
Las Vegas NV 89117

Re: **Request for compliance**
9205 Vosburgh Drive
Mountain View

Dear Mr. & Mrs. Arusztowicz:

This notice is being sent as part of an ongoing effort to ensure high community standards and maintain a safe and pleasant living environment. Living in a planned community such as ours requires the cooperation of all residents and we know you want to take pride in your residence and enjoy the increased value that happens when a community is well maintained.

It has come to our attention that you have changed your front landscaping and added a back patio cover. This is in direct violation to the CC&R's, Article 4, Section 4.3. Please correct the above violation to comply with the CC&R's and/or Rules and Regulations by filling out the enclosed DRC forms and returning to the above address.

Please be aware that you may be fined $50.00 for not submitting for DRC approval prior to making exterior improvements. Failure to comply could result in additional notice, fines and/or a hearing before the Board of Directors.

Please complete and return the enclosed correspondence response form of the corrective action you have or will be taking. If this information is incorrect or you need assistance regarding bringing your property into compliance, please contact our office.

Sincerely,

N Washington

Noreen Washington
Administrative Assistant

Enclosures



NOTICE OF PUBLIC HEARING

VARIANCE REQUEST

RECEIVED
CITY CLERK
1999 MAY -4 A 11:07

GRASLIN FAMILY TRUST
4410 CRANBROOK WY
LAS VEGAS NV 89103-4258

MEETING: CITY COUNCIL
DATE: MAY 10, 1999
TIME: 2:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA

Protest

V-81-98

APPEAL FILED BY MARIAN ARUSZTOWICZ FROM THE DENIAL BY THE BOARD OF ZONING ADJUSTMENT OF A REQUEST BY MARIAN AND KRYSTYNA ARUSZTOWICZ FOR A VARIANCE ON PROPERTY LOCATED AT 9205 VOSBURGH DRIVE TO ALLOW A 2 FOOT SIDE YARD SETBACK WHERE 5 FEET IS THE MINIMUM SETBACK REQUIRED FOR AN EXISTING PATIO/DECK, R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) ZONE, WARD 2 (ADAMSEN), APN: 163-05-311-027.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT 109 IN BLOCK 4 OF REMINGTON CROSSING, PHASE 2; SAID PROPERTY BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M. D. B. & M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, 400 East Stewart Avenue, Las Vegas, Nevada, 89101.

I object to grant such variance, the 5 feet set back must remain

BARBARA JO RONEMUS
CITY CLERK

Roger P. Graslin
2 MAY 99

SEE LOCATION MAP ON REVERSE SIDE

R. Graslin
4410 Cranbrook Way
Las Vegas, NV 89103-4258

#102

**CITY COUNCIL
MEETING OF
MAY 10, 1999**

**VERBATIM TRANSCRIPT - ITEM 102 - V-81-98
MARIAN AND KRISTYNA ARUSZTOWICZ**

MAYOR JONES

Item 102. V-81-98. Marian and Krystyna Arusztowicz. It's an appeal filed by Marian Arusztowicz from the denial by the Board of Zoning Adjustment for a Variance at property located at 9205 Vosburgh Drive to allow a two foot side yard setback where 5 feet is the minimum setback required for an existing patio/deck. R-PD7. There are no approvals, two protests. Board of Zoning Adjustment and staff recommend denial. This is a public hearing. I now declare it open. The applicant is present.

ATTORNEY CRAIG STONE

Good afternoon, Mayor and Council. Craig Stone, 4011 Meadows Lane, representing Mr. and Mrs. Arusztowicz. We have some concerns about the basis for the denial of this. Looking at some of the draft reports by the Board of Zoning Adjustment, it looked like they went through a series of reasons to deny it, none of which appear to have been justified. And they – ultimately wound up with insufficient justification for the Variance. Looking at their draft reports, which I do have available if the Council would like to see it, they raised privacy issues, which we've not received any objections from any of the neighbors. And we also brought pictures showing that --

MAYOR JONES

Put the pictures on the overhead so we can see.

ATTORNEY CRAIG STONE

Absolutely. This fist picture is taken across Mr. and Mrs. Arusztowicz's backyard. Looking across the balcony you can see there're a series of Italian cypress trees that line the wall between the balcony and his neighbors. That's on – one side of the property. This is looking the neighbor' side of the cypress trees. Mr. and Mrs. Arusztowicz's balcony is on the other side of these trees here. This is the neighbor's house. So that's fairly that the, any – privacy issues, at least to that neighbor, I think, would be alleviated by those trees.

This is a picture looking over the --

MARIAN ARUSZTOWICZ

East, from the east --

ATTORNEY CRAIG STONE

-- east wall. This is actually the neighbor on the other side. The balcony is behind these palm fronds here. So, any visual or privacy issues from that side are addressed. You can't even barely see the balcony through those palm fronds on that side. And this is looking over the back wall towards Mr. and Mrs. Arusztowicz's house. You can barely see the balcony through here, once again, through all these palm fronds. So, from a privacy standpoint, I don't think there's a concern because Mr. and Mrs. Arusztowicz's

VERBATIM TRANSCRIPT - ITEM 102 - V-81-98
MARIAN AND KRISTYNA ARUSZTOWICZ

landscaping pretty much seclude their yard. Also, looking at the, once again, this picture right here regarding the closest neighbor to the balcony, you can see there's quite a bit of setback between the block wall and the actual residence.

The – second issue that they raised in their draft report was the possibility that Mr. and Mrs. Arusztowicz would one of these days add a cover to their balcony, thereby further encroaching into the setback. Well, I think that's a possibility for anybody who'd ask for a Variance that they may ask for subsequent improvements. But any improvement they make down the line, of course, would be back before the Council or, excuse me, the Board of Zoning Adjustment for approval and they could always reject it based upon the Variances granted to this point.

MAYOR JONES — Does anyone else wish to be heard on this item?

COUNCILMAN ADAMSEN — Couple of quick questions, Mr. Arusztowicz. I read in my back-up that you built this yourself?

MARIAN ARUSZTOWICZ — Yes.

COUNCILMAN ADAMSEN — It looks like you did a beautiful job.

MARIAN ARUSZTOWICZ — Thank you, Sir.

COUNCILMAN ADAMSEN — What – line of work are you normally in?

MARIAN ARUSZTOWICZ — I think I possible do it. If – I know how to do it, I do it. Actually, a friend of mine helped me to do it. He's a constructor.

COUNCILMAN ADAMSEN — Oh, he's a contractor?

MARIAN ARUSZTOWICZ — Yeah.

COUNCILMAN ADAMSEN — And he didn't get any permits?

MARIAN ARUSZTOWICZ — No. Well, he got the same information what I have. He have no idea I have to have permits and okay from the association and that's where we goof up in there.

ATTORNEY CRAIG STONE — If -- I may, as a point of clarification, this wasn't a job that was actually contracted out. His friend helped him with the design of the – balcony, basically.

COUNCILMAN ADAMSEN — And you also have a small problem with the homeowners association, do you not? Or has that been resolved?

VERBATIM TRANSCRIPT - ITEM 102 - V-81-98
MARIAN AND KRISTYNA ARUSZTOWICZ

ATTORNEY CRAIG STONE

We – do have, we had not received the approval of the Design Review Committee. That is currently being appealed to the Division of Real Estate for mediation or arbitration. They raise the same issues regarding privacy, which we addressed. They raised an issue of aesthetics, which we showed that there were similar balconies around the neighborhood that had various designs, that had all been previously approved. At the end of the day, the Design Review Committee related it back to setbacks. And if I may comment, Mark Solomon sits on both of the – Design Review Committee and the Board of Zoning Adjustment, which, but I believe he abstained from voting in this issue.

We do have, we did do a very quick search of other houses in Peccole Ranch area that have had similar patios built, they had been granted Variances. Those Variances didn't deal with side yard setbacks as much as rear yard setbacks. However, there are other houses in the – same ward that had less than two foot setbacks approved on, basically the same type of design.

MAYOR JONES

I'll let the Councilman speak to this, I mean, I'm inclined to approve the Variance. But just for people who are watching City Council, don't proceed and build something without checking your codes, checking the requirements, checking the costs, because do so, puts you at risk, puts your neighbor at risk and puts this Council at risk. We don't want to say to someone, we know you spent all this money we're going to make you take it down. On the other hand, people have to realize there are rules and regulations and requirements and your actions could have an impact on someone else that --

COUNCILMAN ADAMSEN

And particularly, the largest impact that we have concerns about is the access of our fire and police personnel around this size of the building. Do you have comments?

ATTORNEY CRAIG STONE

Yes. That was one of the issues that I believe Mr. Arusztowicz discussed with the Building and Safety Department. And he indicated that he would do whatever is necessary to modify the plans so that that access was granted and they indicated they didn't have a problem other than a couple of comments on texturing and closing in part of the upper balcony itself. So, Mr. Arusztowicz is willing to address those issues.

COUNCILMAN ADAMSEN

And what is the total cost of this structure?

VERBATIM TRANSCRIPT - ITEM 102 - V-81-98
MARIAN AND KRISTYNA ARUSZTOWICZ

MARIAN ARUSZTOWICZ — It's almost $5,000.

COUNCILMAN ADAMSEN — On many cases like this where there were structures built without the proper permits and the proper approvals, we sometime grant the Variance. You, of course, would realize that you would have to file an amendment to your Preliminary Title Report to let future buyers know that you are a subject of a Variance. And that we sometimes access a modest fine so that we can send a message this is something that's not, you know, tolerated by the City. And Your Honor, **I'd move for approval as long as we have the concerns of our Fire Department approved and a 5% fine.**

COUNCILMAN BROWN — Mayor, if I may, just, the back-up shows that the Peccole Ranch Community Association has the ability to fine you also and they're opposed to this?

ATTORNEY CRAIG STONE — They have – issued a letter saying that they, their committee initially rejected it. We asked for a rehearing on that. They said that no they would not grant a rehearing that it was basically denied. And we have asked that that decision be taken up with the Division of Real Estate for mediation and arbitration. And if there's a fine associated with that, then, they have not proposed a monetary amount as to that, but we would be willing to consider that as well.

COUNCILMAN BROWN — And – second – question is, has it been built to code? Do – we know from the City's perspective?

COUNCILMAN ADAMSEN — That was part of the approval.

MARIAN ARUSZTOWICZ — Yeah. It was inspected by the – City architect.

ATTORNEY CRAIG STONE — I know – the plans themselves have been approved by the Building of, Building and Safety Department. I don't know if the final inspection has been conducted.

MARIAN ARUSZTOWICZ — No, not yet.

ATTORNEY CRAIG STONE — No, because there's still need to put one layer of stucco and the texturing and painting on it before it's, before the final inspection.

COUNCILMAN BROWN — So, you're back through the inspection process now?

MARIAN ARUSZTOWICZ — That's --

ATTORNEY CRAIG STONE — They stopped construction as soon as this became an issue

VERBATIM TRANSCRIPT - ITEM 102 - V-81-98
MARIAN AND KRISTYNA ARUSZTOWICZ

with, both with the City and the Design Review Committee.

COUNCILMAN BROWN — Are we – going to be held responsible, and I see your motion, Councilman, but if we get into the position where a City Variance would be used for leverage against a homeowners association processing. I mean, are we going to get ourselves into --

COUNCILMAN ADAMSEN — I'll ask that question of City Attorney's Office.

DEPUTY CITY ATTORNEY STEVE GEORGE — No, Your Honor, that would not put us in any type of a situation where we could be liable or responsible for that. However, the applicant would need to obtain that approval from that association. And just one more thing for the record for the applicant's information, the 5% fine is geared on the value of the structure.

ATTORNEY CRAIG STONE — That's understood.

COUNCILMAN BROWN — And so, just to clarify, if – we take action today on the motion and then the association comes back and through their CC&RS force you to either mitigate it or take it down, we are free from any liability or responsibility?

MAYOR JONES — Correct.

DEPUTY CITY ATTORNEY STEVE GEORGE — That is correct.

COUNCILMAN BROWN — Thank you.

COUNCILMAN ADAMSEN — Motion is on the floor, Your Honor.

MAYOR JONES — Vote on the motion. Post. Motion is approved. **(Motion carried unanimously.)**

ATTORNEY CRAIG STONE — Thank you.

MARIAN ARUSZTOWICZ — Thank you.

(END OF DISCUSSION)

/ac

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	VARIANCE - PUBLIC HEARING	
103	V-15-99 - MORRIE LOUDEN Request for a Variance on property located at 6312 Chimney Wood Avenue TO ALLOW A SHED 3 FEET FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH AN EXISTING SINGLE FAMILY DWELLING, R-1 (Single Family Residential) Zone, Ward 4 (Brown), APN: 138-02-511-011. NOTICES MAILED: 121 BY CITY CLERK APPROVALS: 1 AFTER BZA MEETING 1_____ Letters _____ Petitions TOTAL 2_____ PROTESTS: 0 AFTER BZA MEETING _____ Letters _____ Petitions TOTAL 0 Staff recommends DENIAL. The Board of Zoning Adjustment (5-0 vote) recommends APPROVAL, subject to: 1. Submit complete building plans to the Building and Safety Department for review and permit. 2. All development must be in conformance with the plot plan and elevations.	**BROWN - APPROVED subject to conditions - UNANIMOUS** ****** MAYOR JONES declared the Public Hearing open. MORRIS LOUDEN, 6312 Chimney Wood Avenue, was present and concurred with the conditions. He presented a letter of support from his neighbor, BEVERLY MARTIN, 6316 Chimney Wood Avenue. COUNCILMAN BROWN clarified with MR. LOUDEN that this is a detached shed and entered the support letter into the record. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (3:12 - 3:13) **3 - 2028**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION V-15-99 - MORRIE LOUDEN 3. City Code requirements and design standards of all City Departments must be satisfied. 4. The Department of Public Works requires that all applicable conditions of approval for the Eagle Trace Subdivision are ultimately complied with.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-15-98 - MORRIE LOUDEN

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Variance to allow an existing one-story, one room addition to be three feet from the side property line where five feet is the minimum setback required.

BACKGROUND DATA:

08/03/94 The City Council approved a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) for this site as part of a larger request (Z-58-94).

SITE DETAILS:

Current Zoning:	R-1 (Single Family Residential)
Existing Land Use:	Single-family dwelling
Site Area:	0.17 Acre
Dwelling Area:	1,881 Square Feet
Existing Addition Area:	117 Square Feet

ANALYSIS:

The existing 117 square foot building addition encroaches into the subject lot's western side yard setback by 2 feet. The addition is currently being utilized as an outside storage area with no internal access to the single-family dwelling. The addition matches the original single-family dwelling in terms of materials. The addition was constructed without building permits.

The applicant contends that he needs the storage space since he is legally converting his garage into living space. Therefore, the Variance request is for a self-imposed hardship. Furthermore, the applicant indicates that the Variance is justified since the addition is not visible from the adjacent single-family dwelling.

Agenda Item

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City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-15-98 - MORRIE LOUDEN

PURPOSE/BACKGROUND

FINDINGS:

Section 19A.18.070B of the LVMC states:

"B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Board of Zoning Adjustment has the authority to grant Variances as it determines appropriate. However, the Variance process is not available to:

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

Section 19A.18.070.L. of the LVMC states:

"L. Determinations

1. In order to approve a Variance application, the Board of Zoning Adjustment and, where applicable, the City Council, must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-15-98 - MORRIE LOUDEN

PURPOSE/BACKGROUND

Section 19A.08 of the City of Las Vegas Zoning Code requires that in the R-1 Zone, the minimum side yard setback required is five feet. The existing storage area encroaches into the side yard setback on the western side of the site.

Staff notes that the relatively small addition is located at the side of the existing dwelling and should not be intrusive to the neighborhood. However, staff finds no extraordinary circumstances associated with the site and cannot support this request.

Section 19A.18.070.K.2 of the LVMC states:

> 2. " **Penalty**. If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of this Title, 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."

Staff recommends DENIAL.

The Board of Zoning Adjustment (5-0 vote) recommends APPROVAL.

[Note: The Board accepted the applicant's explanation that the encroaching shed is screened from the nearest neighbor's view by an 11 foot high combination retaining/privacy wall constructed as a result of the abrupt grade changes prevalent throughout this development.]

BZA NOTICES MAILED: 120

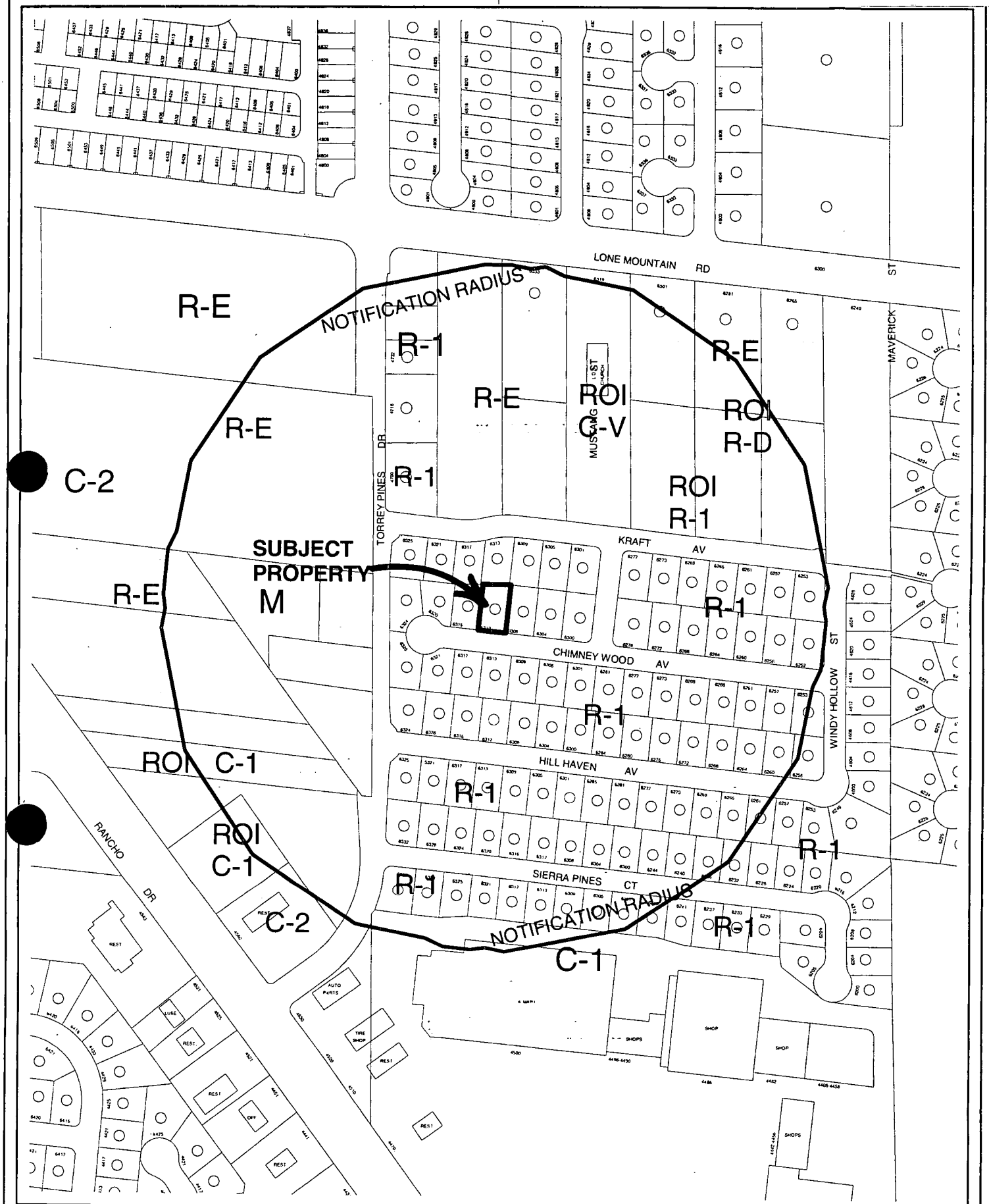
APPROVALS: 1

[Note: The applicant obtained a letter of support from the nearest neighbor.]

PROTESTS: 0

SEE ATTACHED LOCATION MAP

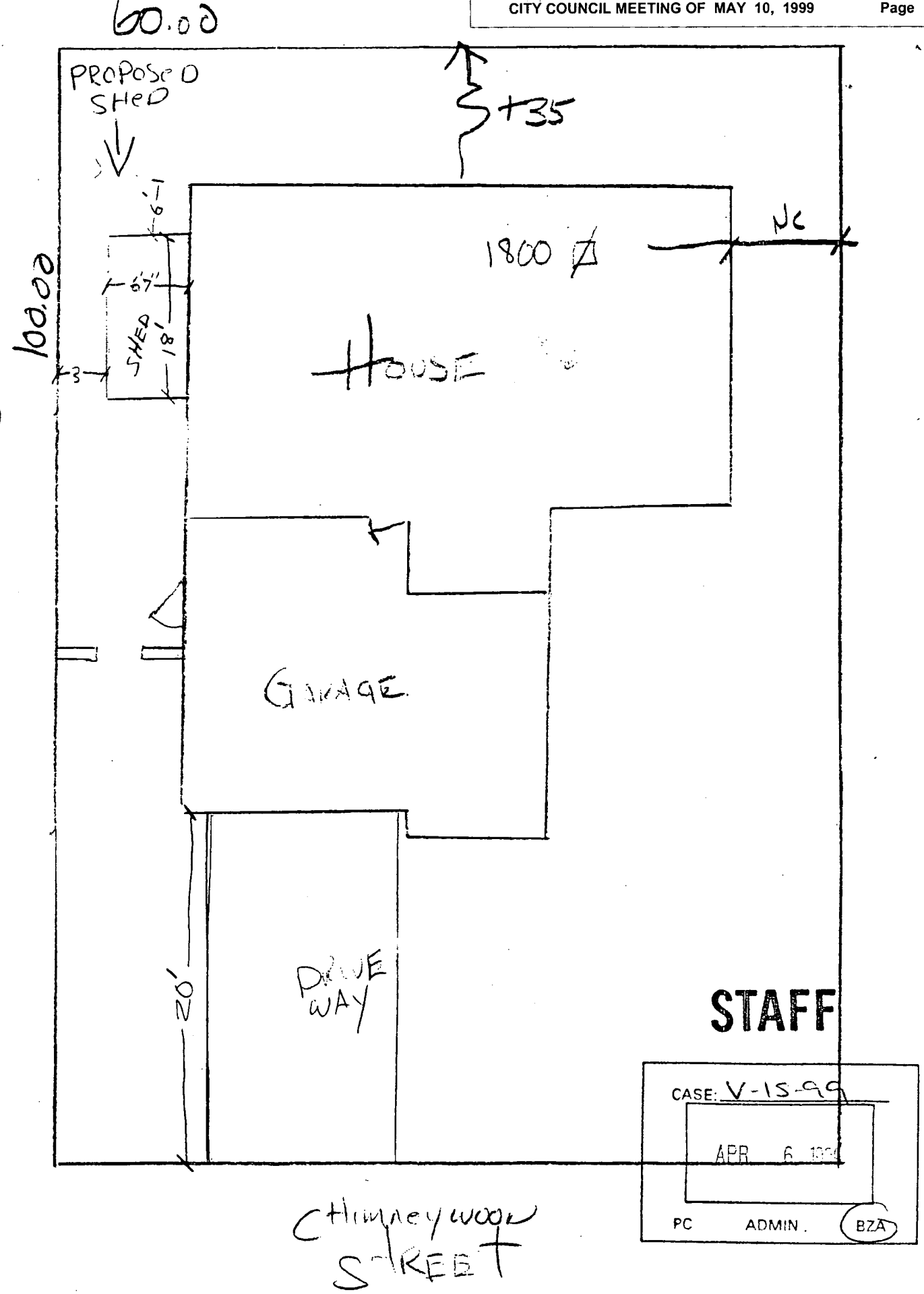
Agenda Item



CASE: **V-15-99**
RADIUS: 750 FT

site plan

MORRIE LOUDEN
6312 Chimney Wood Ct.
Las Vegas, NV 89130

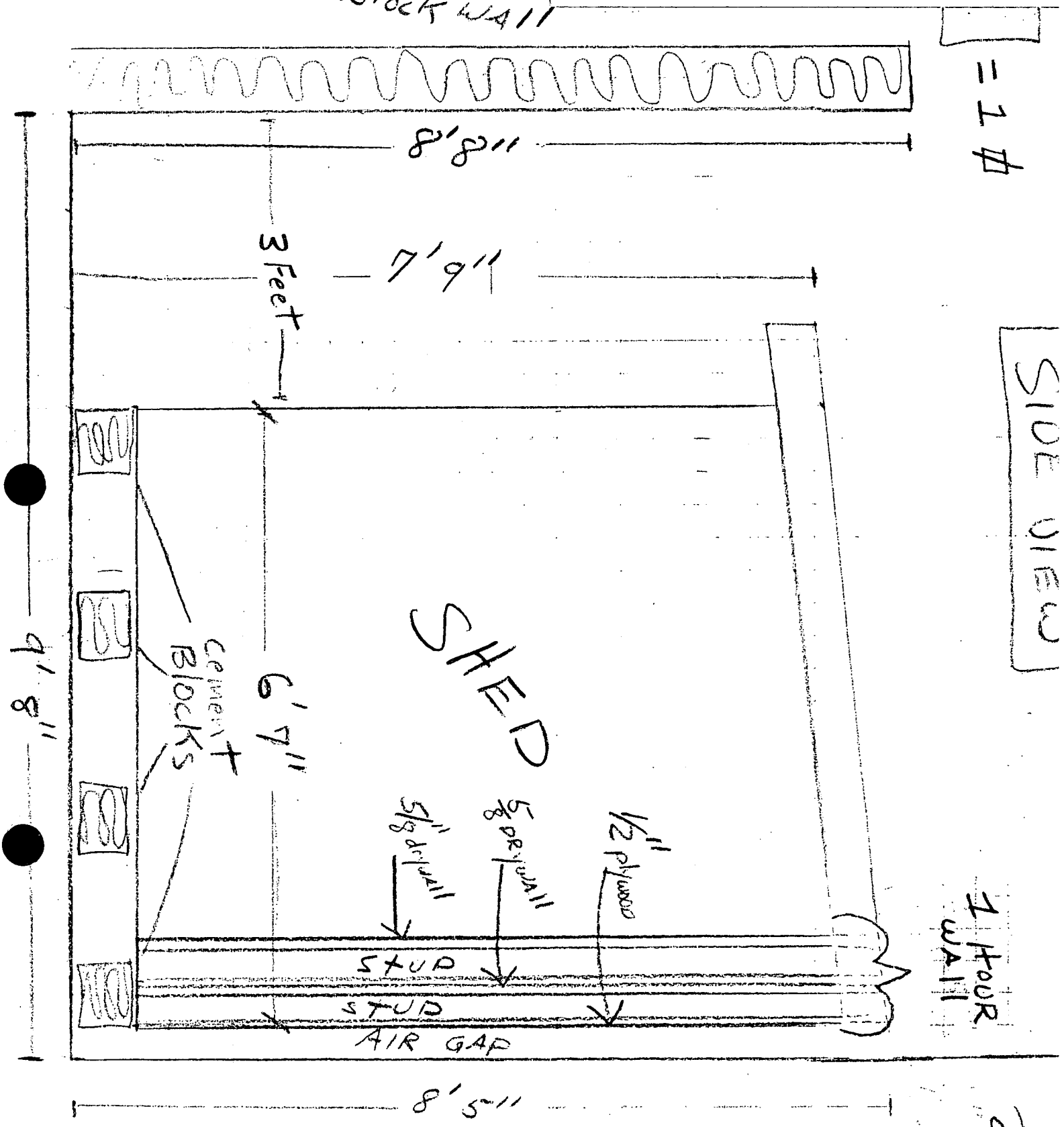


STAFF

CASE: V-15-99

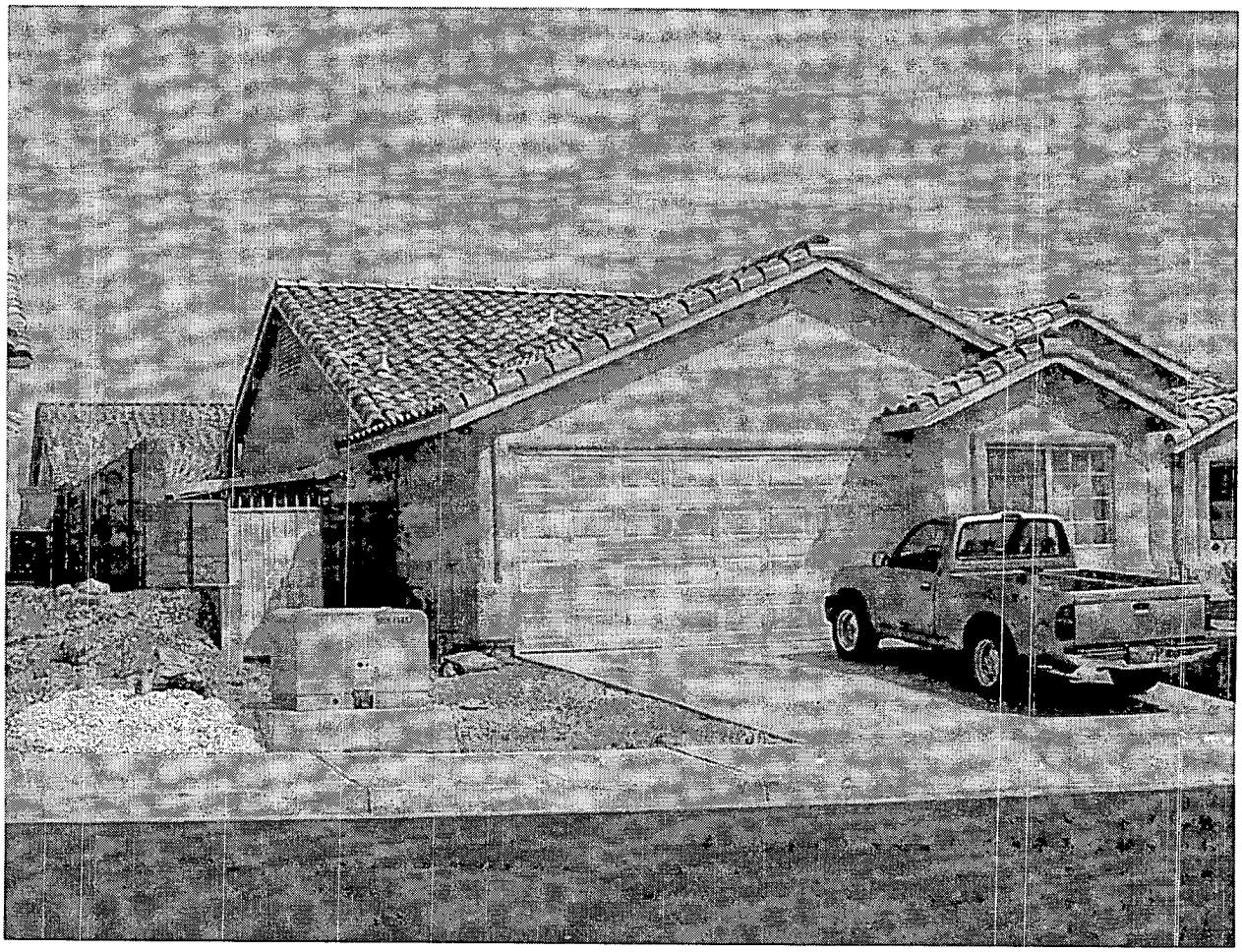
APR 6 1999

PC ADMIN. BZA



V-15-99
STAFF
4-6-99 BZA

MORRIE LOUDEN
6312 Chimney Wood Ct.
Las Vegas, NV 89130



V-15-99 6312 Chimney Wood Avenue 3/31/99

CASE NO V-15-99

I, Beverly Martin, attest that I have no objection(s)

to my next-door neighbor's (Morrie Louden's) shed.

Beverly Martin

Beverly Martin
6316 Chimney Wood Ave.

3-15-99

Date of signature

#103.

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	VARIANCE - PUBLIC HEARING	
104	V-16-99 - ADELINA YEMA Request for a Variance on property located at 4412 Dover Place TO ALLOW AN EXISTING ENCLOSED PATIO 3 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH AN EXISTING SINGLE FAMILY DWELLING, R-1 (Single Family Residential) Zone, Ward 1 (McDonald), APN: 139-31-411-115. NOTICES MAILED: 199 BY CITY CLERK APPROVALS: 0 AFTER BZA MEETING _____ Letters _____ Petitions TOTAL 0 PROTESTS: 0 AFTER BZA MEETING _____ Letters _____ Petitions TOTAL 0 Staff recommends DENIAL. The Board of Zoning Adjustment (5-0 vote) recommends APPROVAL, subject to: 1. Submit complete building plans to the Building and Safety Department for review and permit. 2. All development must be in conformance with the plot plan and elevations.	**McDONALD - ABEYANCE to 6/28/99 - UNANIMOUS** ****** MAYOR JONES declared the Public Hearing open. ADELINA YEMA, 4412 Dover Place, explained that she purchased the house six years ago with the enclosed patio already in existence. She was unaware of the setback problem until she received a notice indicating a permit was required. She appeared before the Board of Zoning Adjustment on 4/6/99 and received approval of the Variance provided the patio would be painted to match the color of the house. The painting has been done. COUNCILMAN McDONALD pointed out that other patios in the area have existed since the 1950's and may also require Variances. He requested that this item be held in abeyance until 6/28/99 so that those other patios can be inspected and addressed at the same time. He suggested that MS. YEMA bring in a picture of the newly-painted patio at that meeting. MS. YEMA agreed to do so. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (3:13 - 3:15) **3 - 2092**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION V-16-99 - ADELINA YEMA 3. City Code requirements and design standards of all City Departments must be satisfied. 4. The patio enclosure shall be painted to match the color of the house.	**ABEYANCE to 6/28/99**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-16-99 - ADELINA YEMA

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Variance to allow an existing patio enclosure to be 3 feet from the rear property line where 15 feet is the minimum setback required.

BACKGROUND DATA:

There is no previous zoning history for this site. City records indicate that the single-family residence was constructed in 1953. City records do not specify the completion date of the patio enclosure.

SITE DETAILS:

Current Zoning:	R-1 (Single Family Residential)	
Existing Land Use:	Single-family dwelling	
Site Area:	0.15	Acre
Dwelling Area:	1,172	Square Feet
Patio Enclosure Area:	468	Square Feet

ANALYSIS:

The existing 468 square foot patio cover enclosure encroaches into the site's rear yard setback by 12 feet. The enclosure is currently being utilized as additional living space for the single-family dwelling. Internal access exists between the enclosure and the dwelling. The addition matches the original single-family dwelling in terms of materials, but not color. The addition was constructed without building permits.

The applicant contends that the Variance is justified since the patio enclosure was existing when she purchased the single-family dwelling.

Agenda Item

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City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-16-99 - ADELINA YEMA

PURPOSE/BACKGROUND

FINDINGS:

Section 19A.18.070B of the LVMC states:

"**B. Scope and Limitations**

Pursuant to NRS Chapter 278 and this subchapter, the Board of Zoning Adjustment has the authority to grant Variances as it determines appropriate. However, the Variance process is not available to:

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

Section 19A.18.070.L. of the LVMC states:

"**L. Determinations**

1. In order to approve a Variance application, the Board of Zoning Adjustment and, where applicable, the City Council, must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-16-99 - ADELINA YEMA

PURPOSE/BACKGROUND

Section 19A.08 of the City of Las Vegas Zoning Code states that in the R-1 Zone, the minimum rear yard setback required is 15 feet. The existing patio cover enclosure encroaches into the rear yard setback.

The encroachment is adjacent to the eastern side yard of the property located at 4406 Cory Place. The enclosure is visually intrusive when viewed from Cory Place.

Staff notes that the addition is located at the rear of the existing dwelling, but owing to the configuration of the lots in the vicinity the enclosure is visually intrusive to the neighborhood. The intrusion is exaggerated by the addition not matching the color of the dwelling. Staff finds no extraordinary circumstances associated with the site and cannot support this request.

Section 19A.18.070.K.2 of the LVMC states:

> 2. " **Penalty**. If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of this Title, 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."

Staff recommends DENIAL.

The Board of Zoning Adjustment (5-0 vote) recommends APPROVAL.

[Note: The Board concluded that since the enclosed patio does not impair the visibility of motorists on Dover Place, the addition would be acceptable provided it is painted to match the residence.]

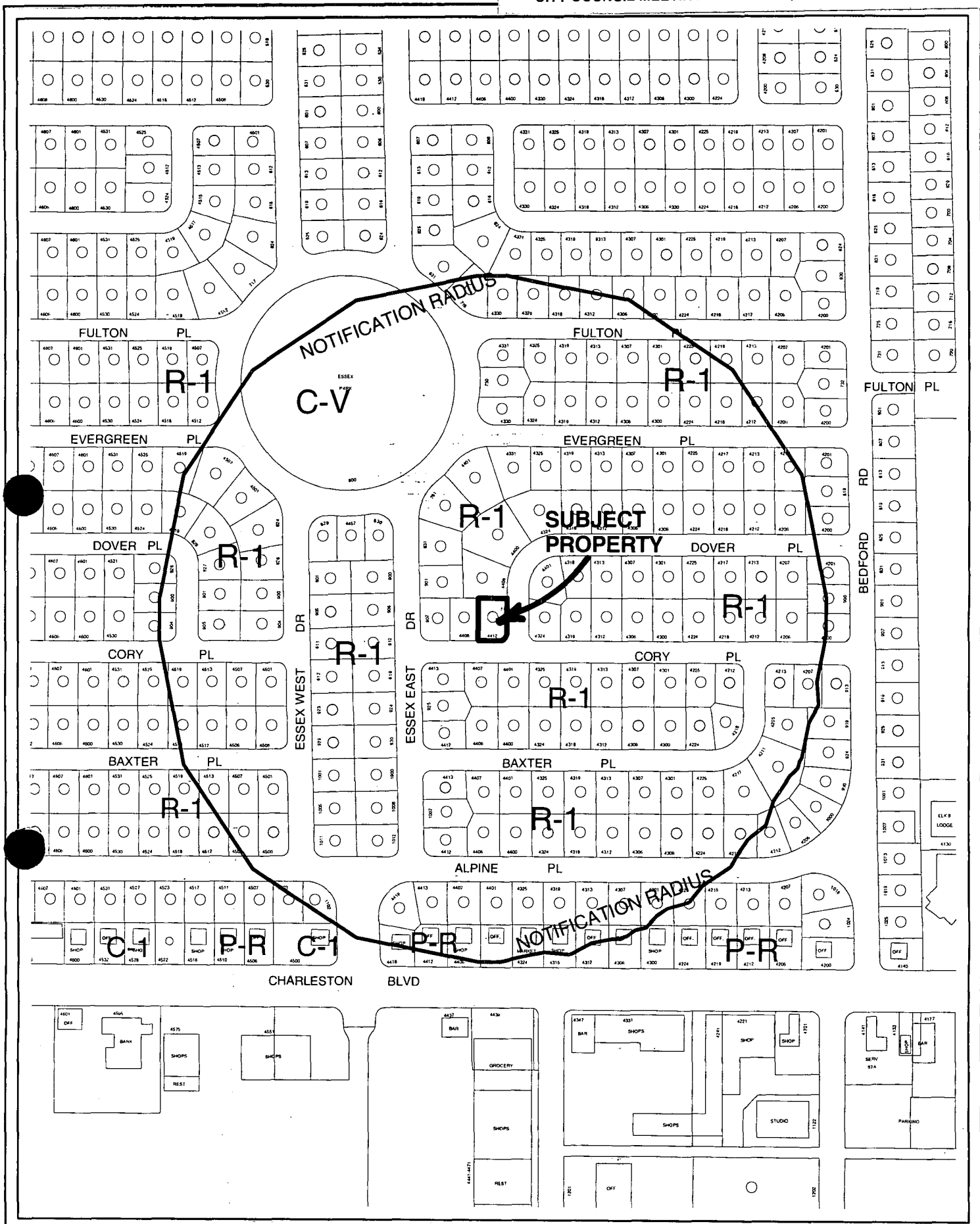
BZA NOTICES MAILED: 194

APPROVALS: 0

PROTESTS: 0

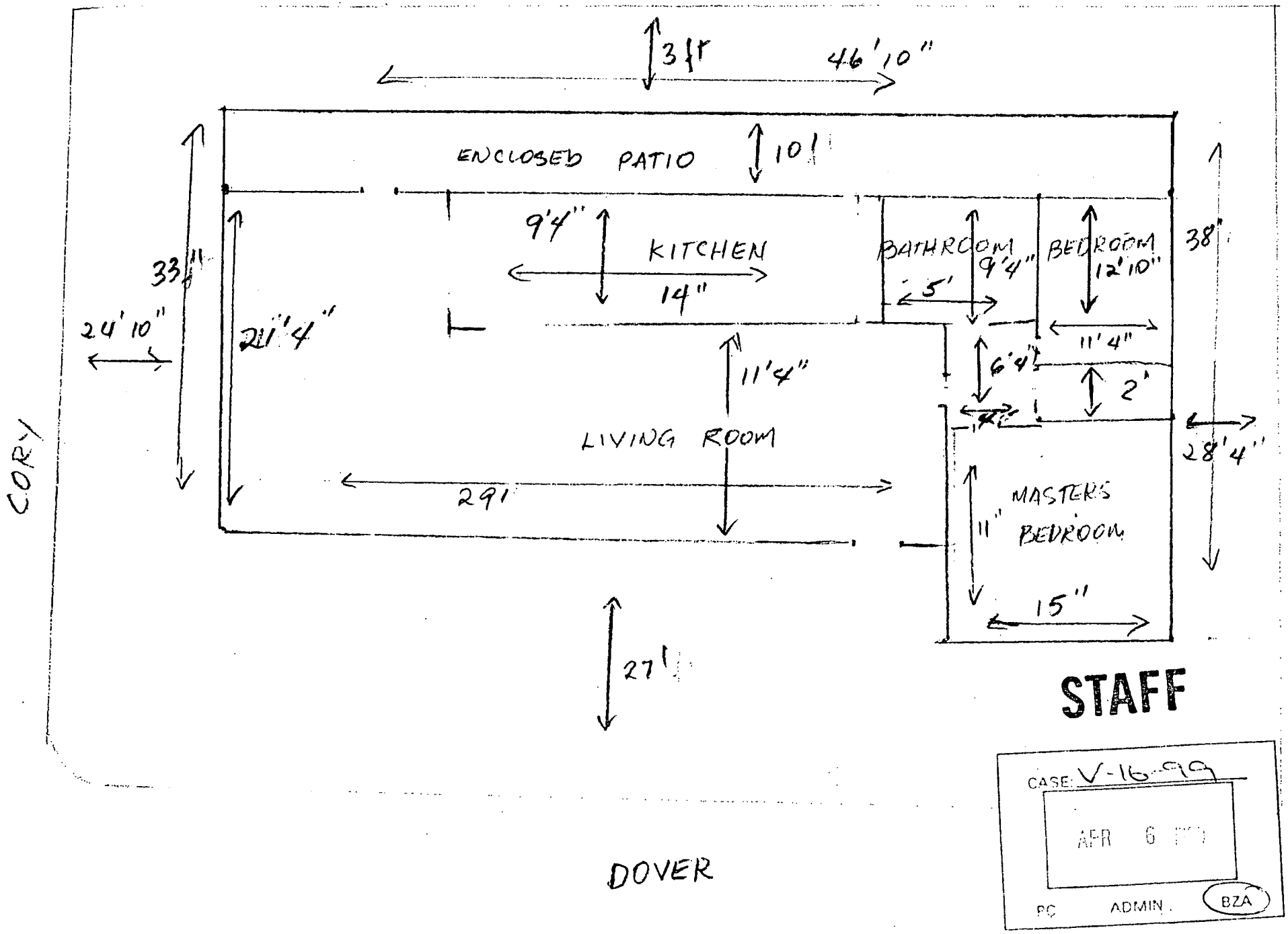
SEE ATTACHED LOCATION MAP

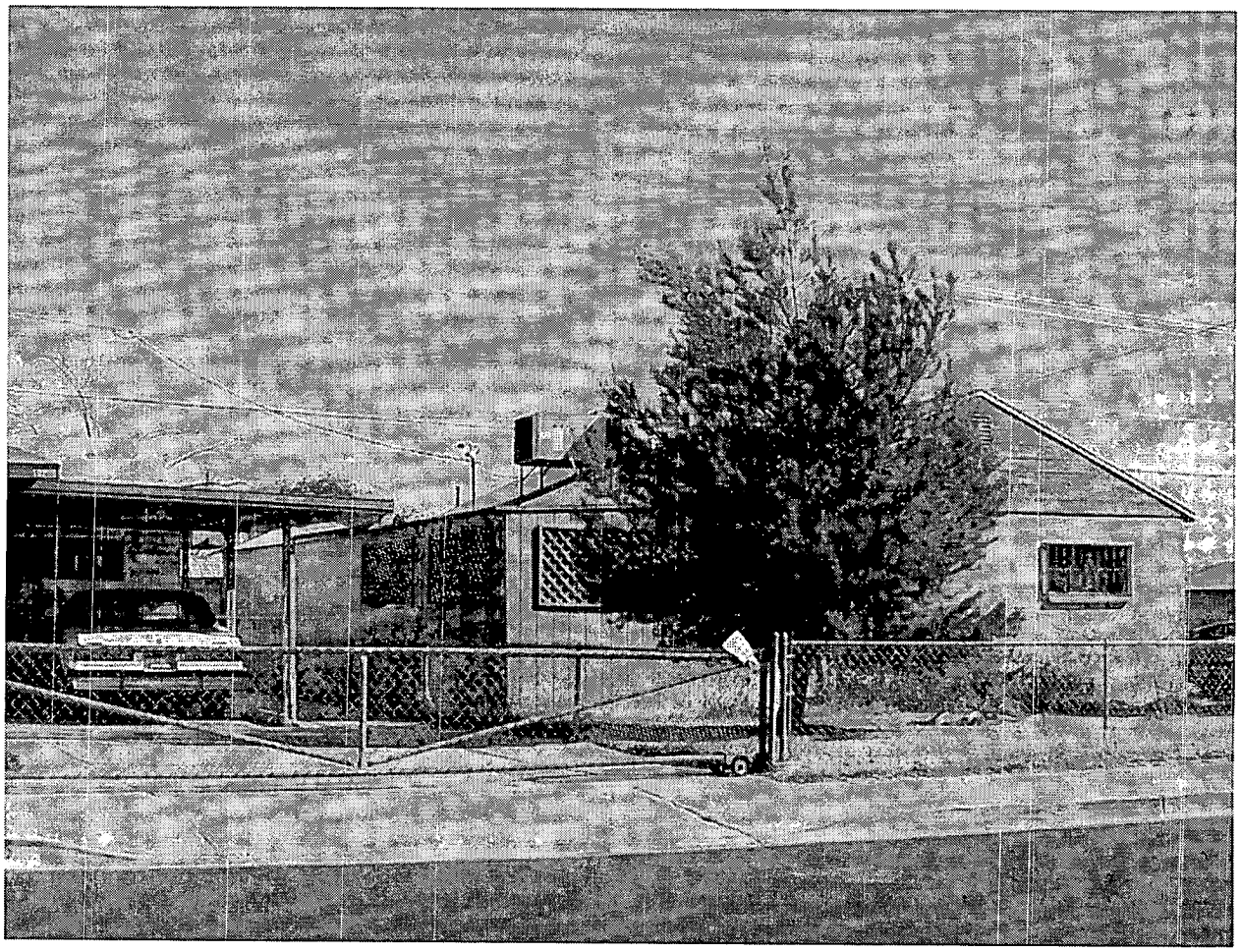
Agenda Item



CASE: **V-16-99**
RADIUS: 750 FT

N


3'1"
46'10"
ENCLOSED PATIO
10'
9'4"
KITCHEN
14"
BATHROOM
5'
9'4"
BEDROOM
12'10"
38'
33'11"
24'10"
21'4"
11'4"
6'4"
11'4"
2'
LIVING ROOM
29'
28'4"
MASTER'S BEDROOM
11"
15"
27'
CORY
DOVER
STAFF
CASE: V-16-99
APR 6
PC
ADMIN.
BZA



V-16-99 4412 Dover Place 3/31/99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
105	U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY	**McDONALD - APPROVED subject to conditions - UNANIMOUS**
	Request for a Special Use Permit and a Site Development Plan Review on property located at 3650 West Sahara Avenue FOR A SERVICE STATION, A FULL SERVICE CAR WASH AND A MINOR AUTOMOTIVE REPAIR FACILITY (AUTO LUBE) IN CONJUNCTION WITH A PROPOSED 8,100 SQUARE FOOT CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-05-402-002.	******
	NOTICES MAILED: 153 BY CITY CLERK	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0	SEAN HIGGINS, General Counsel for Terrible Herbst, Inc., 5195 S. Las Vegas Blvd., appeared on behalf of the applicant.
	AFTER PC MEETING _____ Letters _____ Petitions	No one appeared in opposition.
	TOTAL 0	There was no further discussion.
	PROTESTS: 0	MAYOR JONES declared the Public Hearing closed.
	AFTER PC MEETING _____ Letters _____ Petitions	(3:15 - 3:16) **3 - 2184**
	TOTAL 0	
	The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to:	
	1. The applicant shall work with staff on minor revisions to the new landscaping plan, to include additional trees in the planter along Valley View Boulevard spaced at 20 feet on center, and additional landscaping in the east portion of the site.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

Page 87

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY 2. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Sahara Avenue and Valley View Boulevard prior to the issuance of any permits as required by the Department of Public Works. 3. 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. 4. Meet with the Traffic Engineering Representative in Land Development 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. The site plan shall be revised to allow vehicular access to and from all areas of the site without leaving the site to travel on public right-of-way (e.g. from the gasoline pumps to the car wash entry area). Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. 5. Landscape and maintain all unimproved right-of-way on Sahara Avenue adjacent to this site as required by the Department of Public Works. 6. Submit an encroachment agreement for all landscaping and private improvements located within the Sahara Avenue right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

Page 88

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY 7. All development shall be in conformance with the site plan, as amended by the above conditions, and the building elevations. 8. 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. 9. 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. 10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). 11. All City Code requirements and design standards of all City departments must be satisfied. 12. 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. 13. 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.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY 14. 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.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for a Special Use Permit for gasoline sales, a full service car wash and an auto lube facility in conjunction with a proposed convenience store on property located at 3650 West Sahara Avenue.

BACKGROUND DATA:

12/19/74 The Board of Zoning Adjustment approved a Variance to allow a service station and an automated car wash on this site (V-74-74).

DETAILS OF APPLICATION REQUEST:

Site Area:	1.12	Acres
Convenience Store Area:	3,200	Square Feet
Auto Lube Area:	1,473	Square Feet
Building Height:	36	Feet
Parking Required:	23	Spaces
Parking Provided:	23	Spaces

This site is currently developed with a Terrible Herbst car wash and convenience store. The existing gas pumps are not being used at this time. The applicant is proposing to demolish the existing structures and replace them with a new convenience store with full service car wash, gasoline sales and an auto lube facility. Gasoline sales are proposed for the south portion of the site, with the auto lube in the west and the car wash immediately east of the convenience store. Access to the site is provided by two driveway cuts to Sahara Avenue and one cut on Valley View Boulevard. Six feet of on-site landscaping is shown along the Valley View Boulevard frontage. Fifteen feet of landscaping is shown along Sahara Avenue, with 10 feet of that being within an undeveloped portion of the right-of-way and five feet being on-site.

The elevations show all structures will have white stucco exteriors and red concrete tile roofs.

Agenda Item
105

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Retail and commercial uses
South	C-1 (Limited Commercial)	Retail and commercial uses
East	C-1 (Limited Commercial)	Retail and commercial uses
West	C-1 (Limited Commercial)	Retail and commercial uses

FINDINGS:

PROPOSED USE:

The proposed service station, full service car wash and auto lube facility are all 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. Sahara Avenue, a primary street, and Valley View Boulevard, a secondary street, provide access to the property and are adequate in size to meet the requirements of the proposed use. Approval of this Use Permit at this location will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

SITE PLAN:

Although the submitted site plan does not comply with the landscape requirements of the City of Las Vegas Urban Design Guidelines and Standards, staff finds that, with minor revisions, the additional planting areas and material proposed by the applicant will substantially enhance the appearance of this site. A condition has been added requiring the applicant to work with staff to further enhance the proposed landscaping.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-20-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY

PURPOSE/BACKGROUND

The Planning Commission (4-0 vote) and staff recommend APPROVAL.

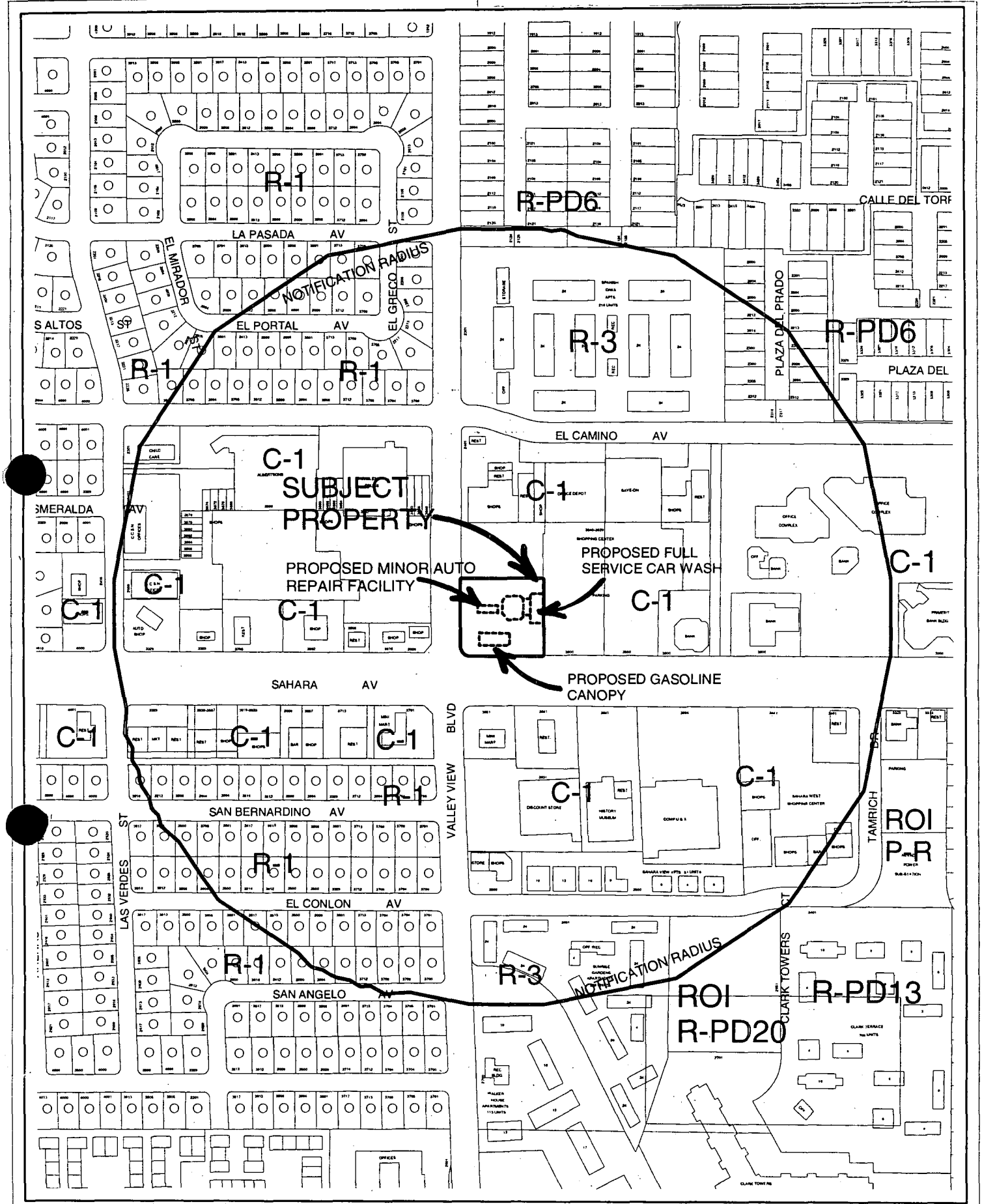
PC NOTICES MAILED: 150

APPROVALS: 0

PROTESTS: 0

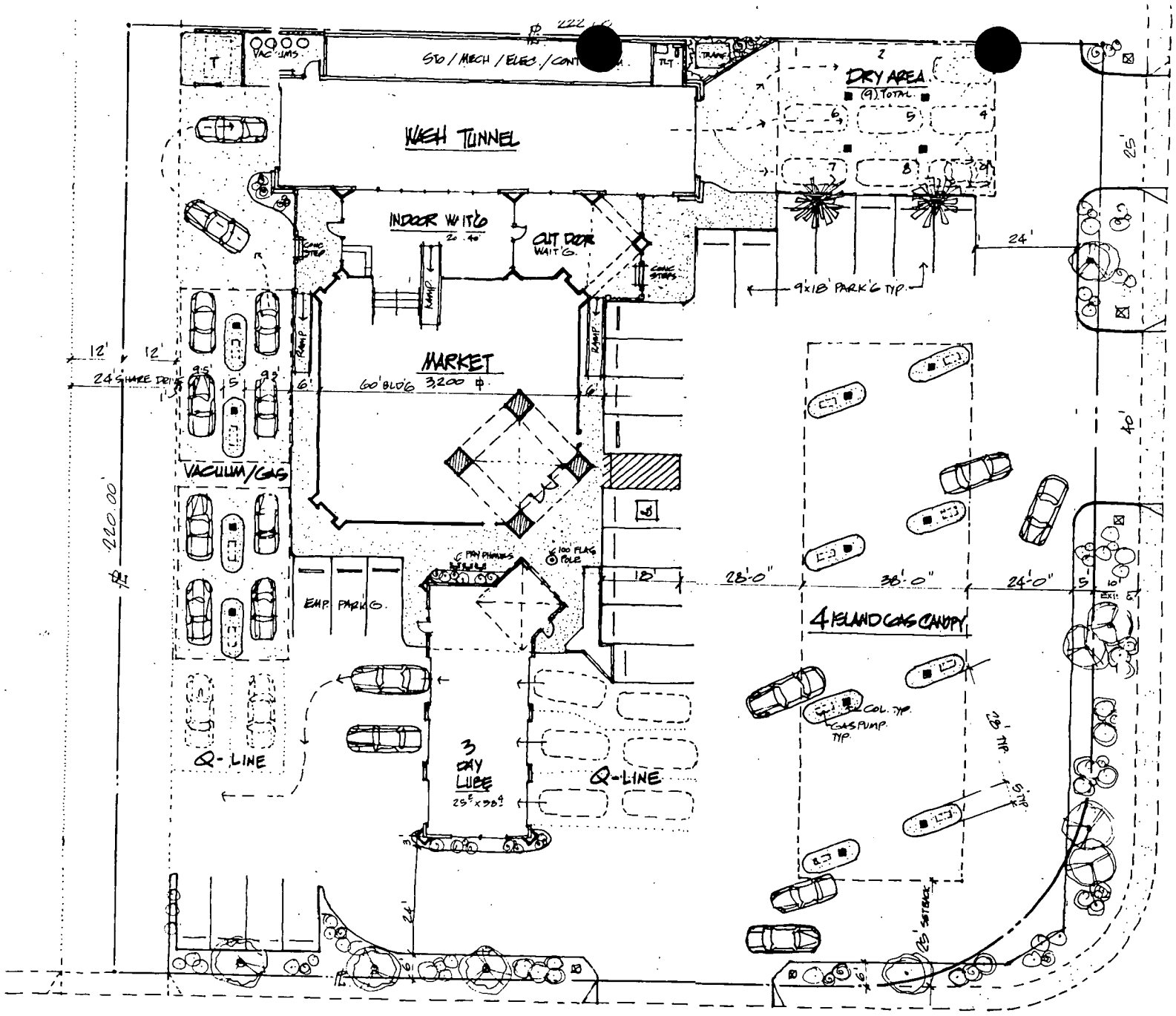
SEE ATTACHED LOCATION MAP

Agenda Item



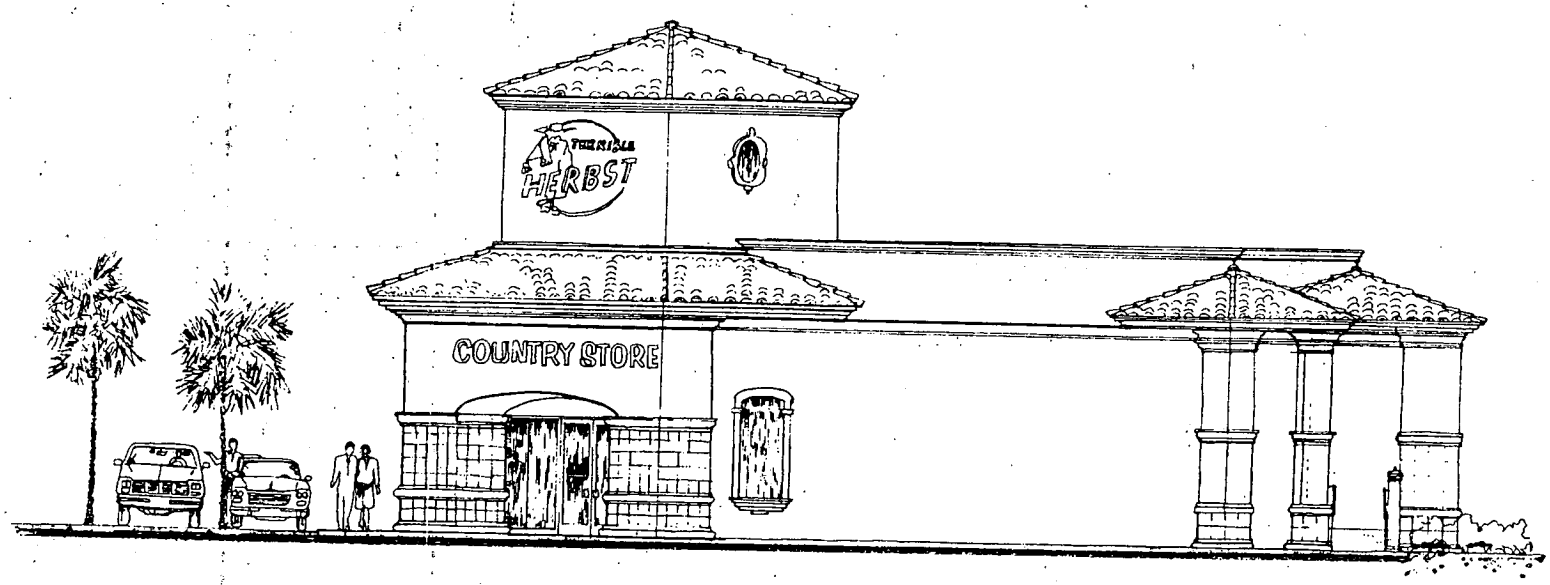
CASE: **U-20-99**
RADIUS: 1000 FT

N

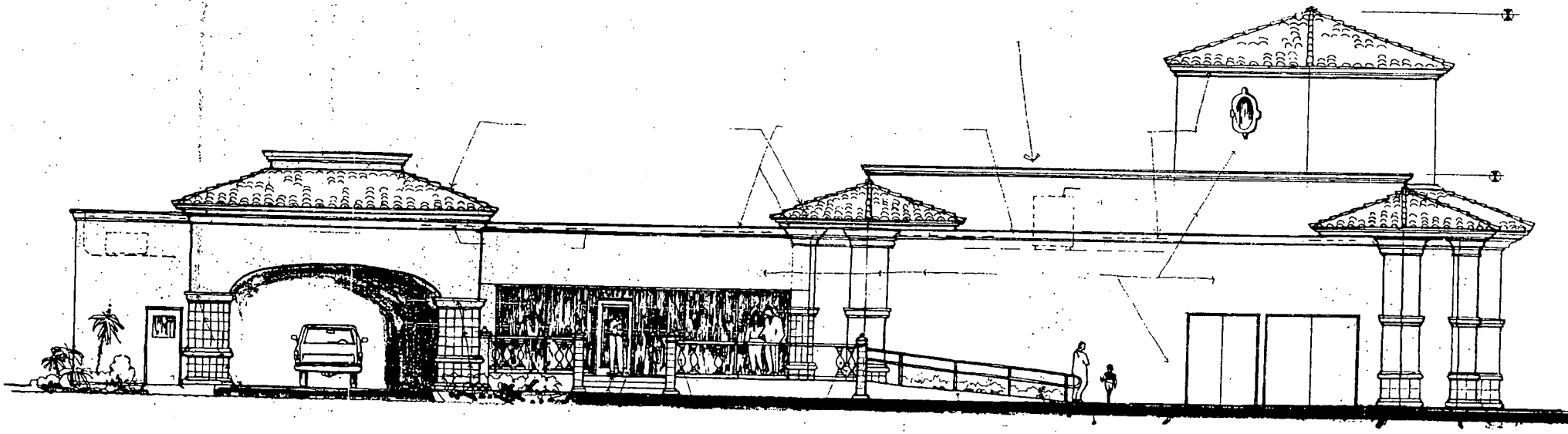

WASH TUNNEL
INDOOR WAIT'G
OUT DOOR WAIT'G.
DRY AREA
(9) TOTAL
9x18' PARK'G TYP.
MARKET
60' BLD'G 3200 ϕ
VACUUM/GAS
EMP. PARK'G.
4 ISLAND GAS CANOPY
GAS PUMP TYP.
3 BAY LUBE
25' x 90'
Q-LINE
Q-LINE
220.00'
24' SHARE DRIVE
VALLEY VIEW BLVD.
SAHARA AVE.

U-14-99

U-20-99



3



STAFF 4

EXTERIOR ELEVATIONS

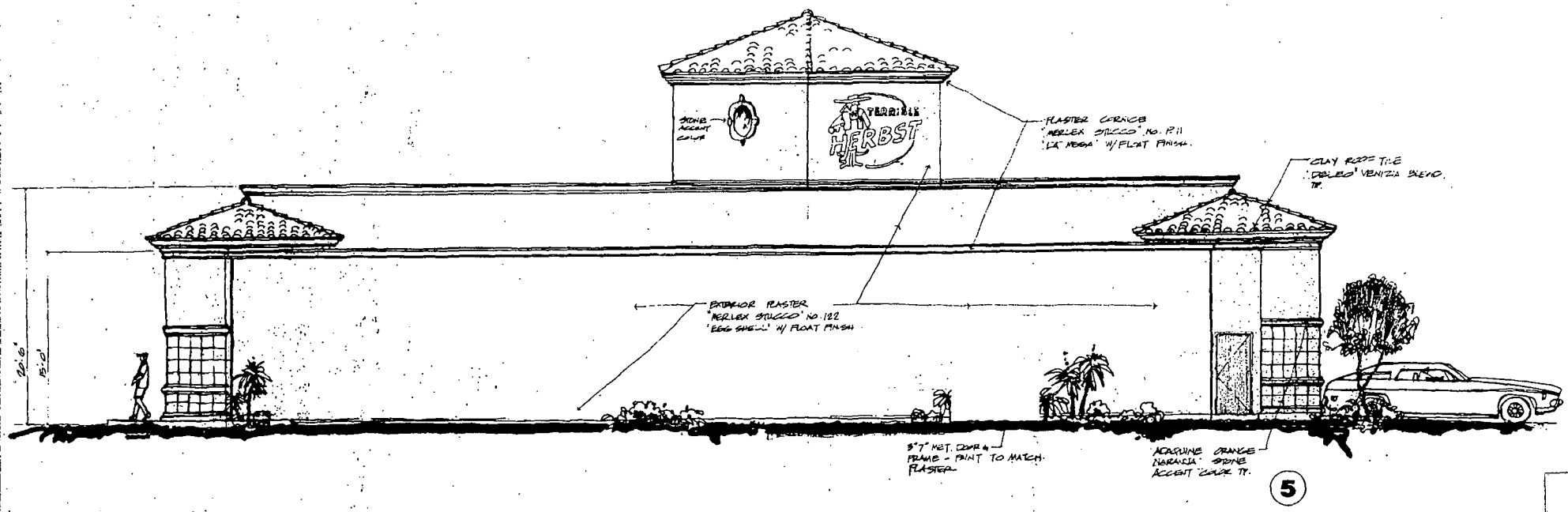
SCALE 1/4" = 1'- 0"

HERBST OIL COMPANY
APPLICANT

SHEET 8
OF 13
2/5/99

U-20-99 U-14-99

4-8-99 PC



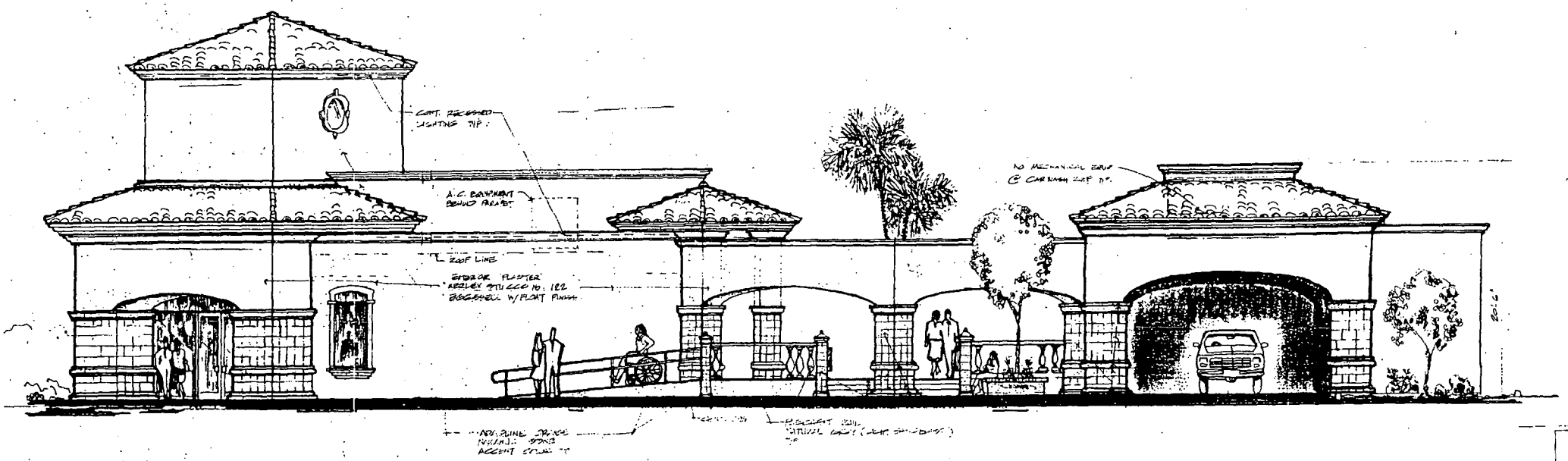
EXTERIOR ELEVATION SCALE 1/4" = 1'-0"

STAFF

U-20-99 **U-14-99**

4-8-99 PC

HERBST OIL COMPANY
APPLICANT
SHEET 9
OF 13
2/5/99



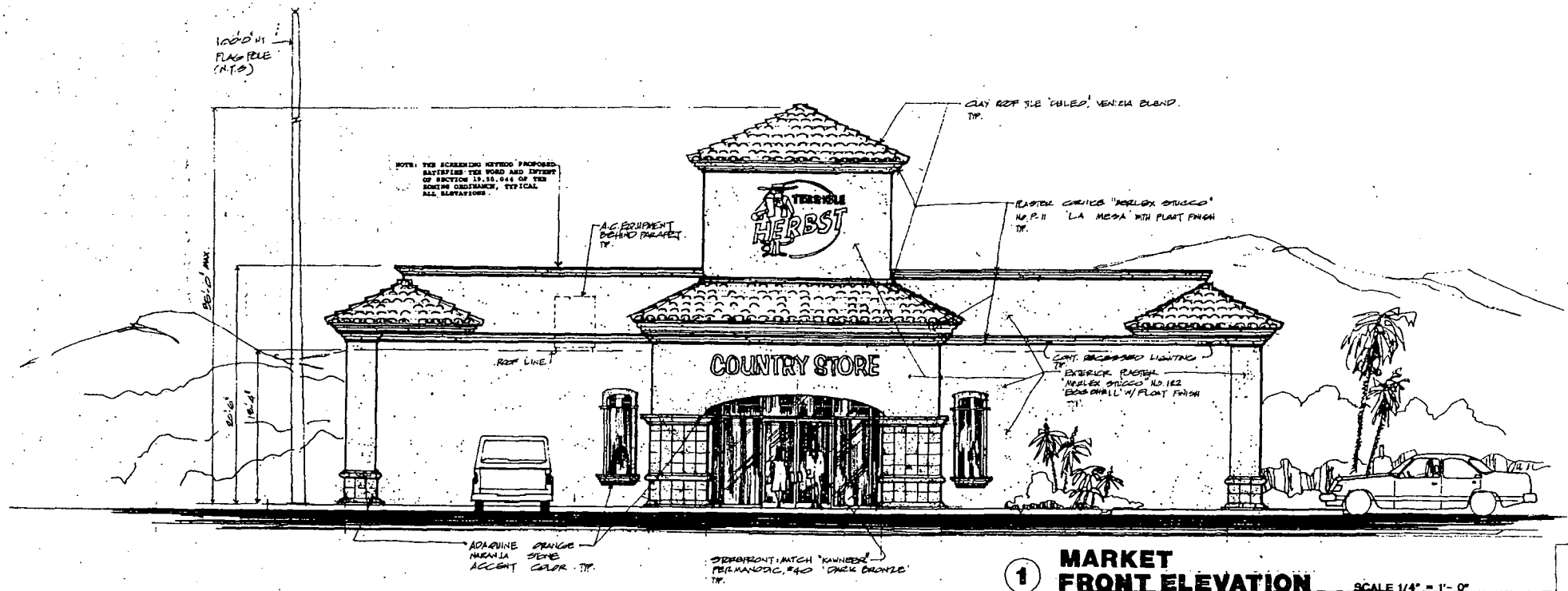
(2) **EXTERIOR ELEVATION** SCALE 1/4" = 1'- 0"

STAFF

U-20-99 U-14-99

4-8-99 PC

HERBST OIL COMPANY
APPLICANT
SHEET 7
OF 13
2/5/99



1 MARKET FRONT ELEVATION SCALE 1/4" = 1'-0"

TYPICAL NOTES THIS ELEVATION

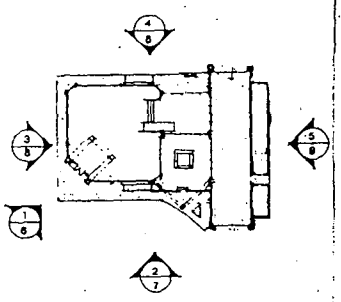
U-20-99 U-14-99 STAFF

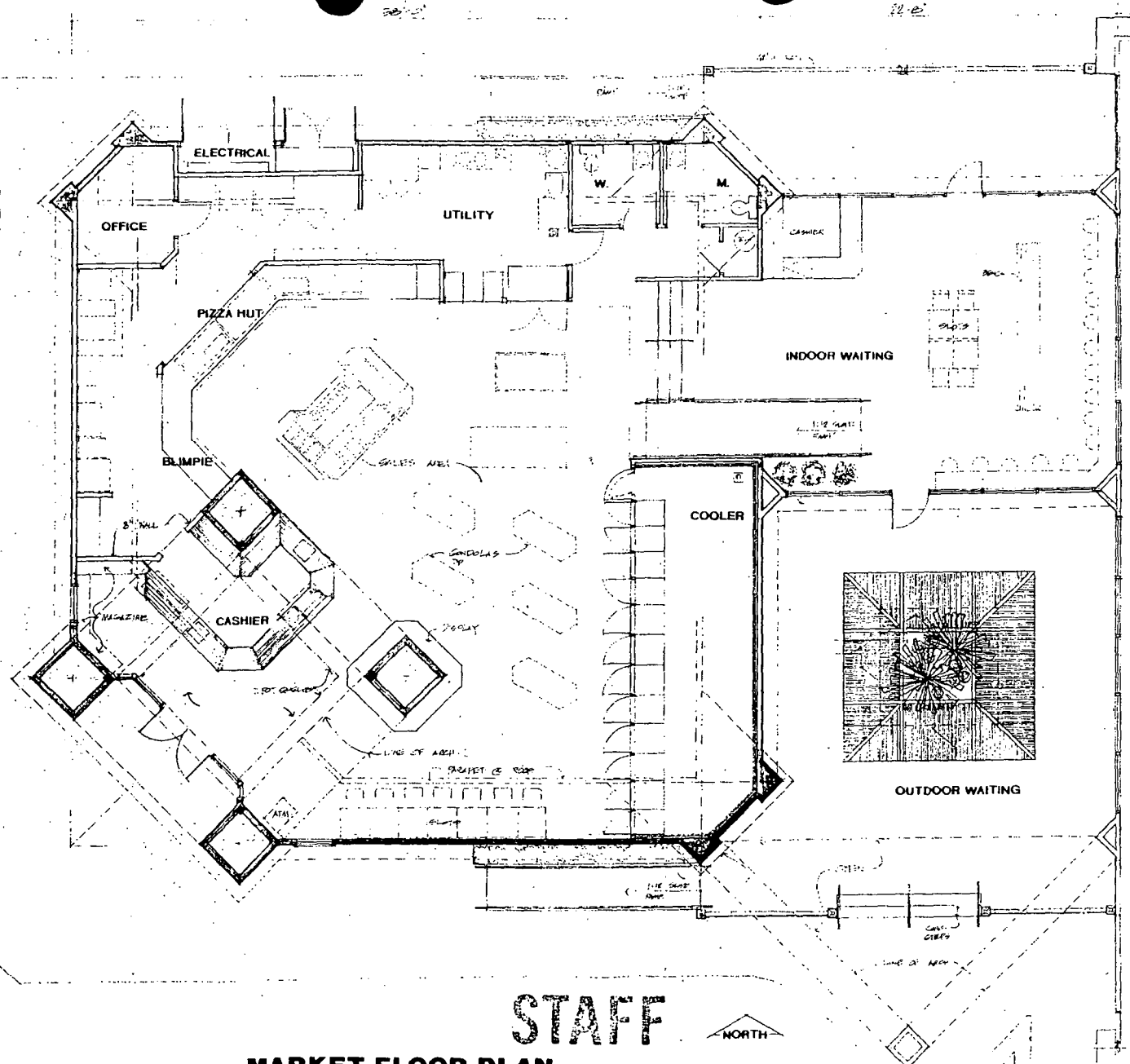
4-8-99 PC

HERBST OIL COMPANY
APPLICANT

SHEET 6
OF 13

2/5/99





STAFF

MARKET FLOOR PLAN SCALE 1/4" = 1'- 0"

U-20-99

U-14-99

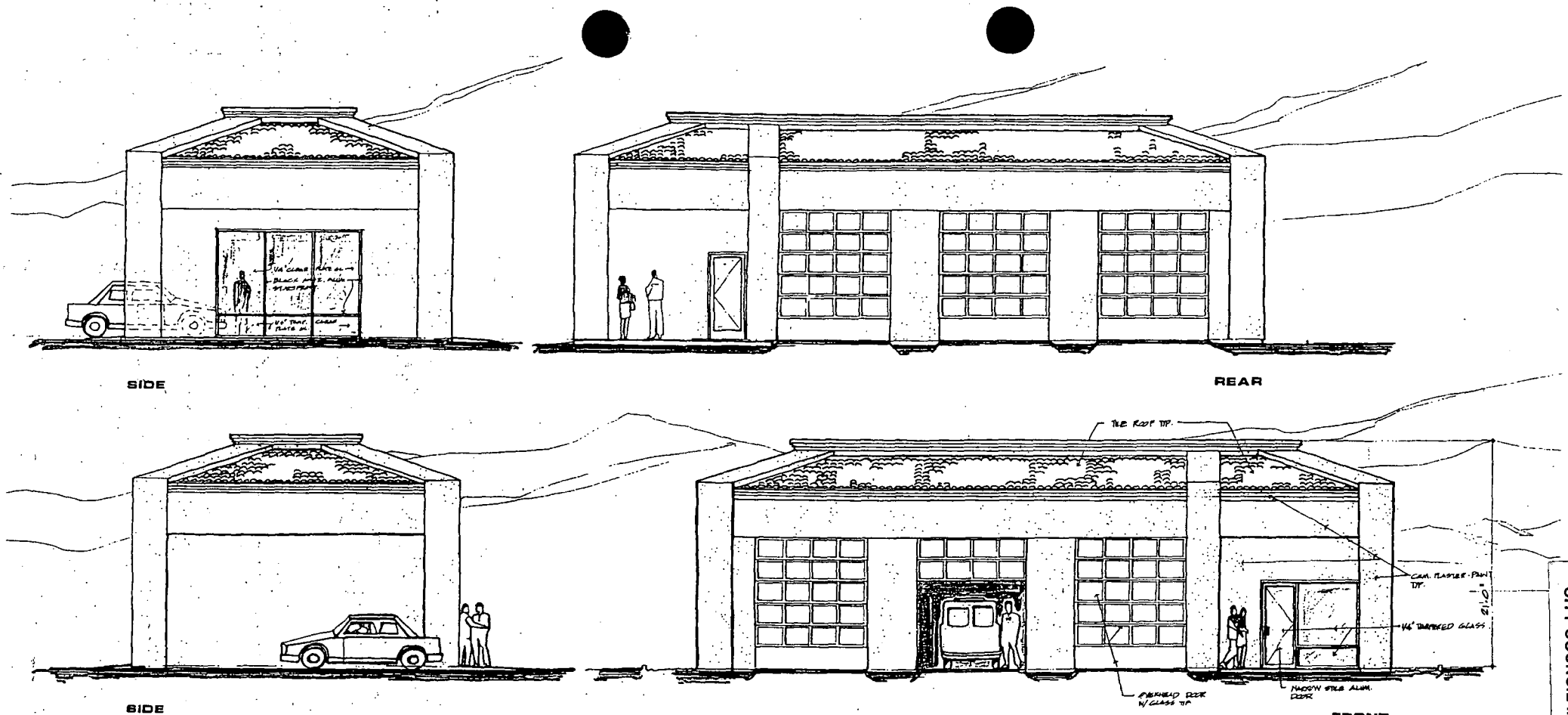
4-8-99 PC

HERBST OIL COMPANY
APPLICANT

SHEET 3

OF 13

2/5/99



3 BAY LUBE

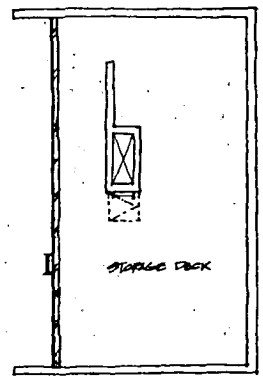
EXTERIOR ELEVATIONS SCALE 1/4" = 1'-0"

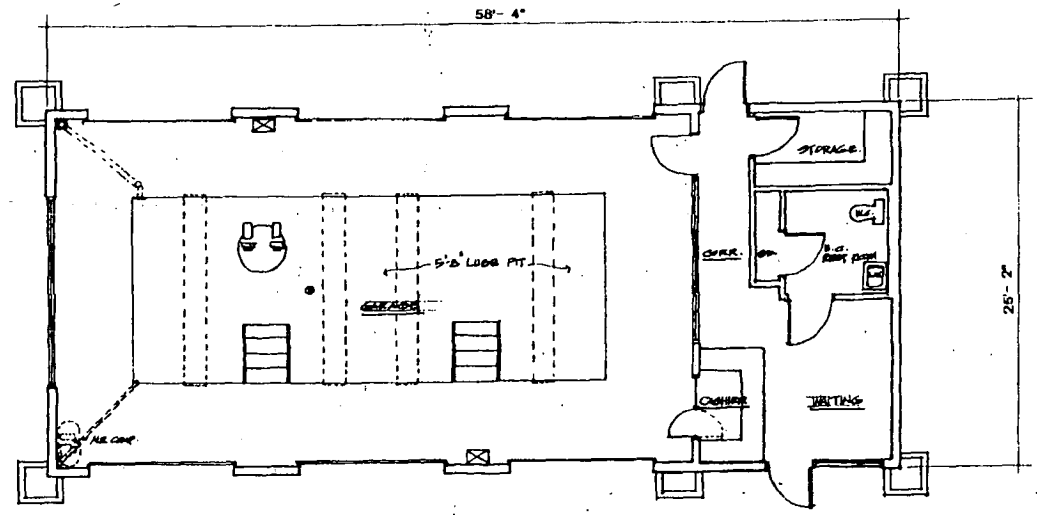
STAFF

U-20-99 U-14-99

4-8-99 PC

HERBST OIL COMPANY
APPLICANT
SHEET 10
OF 13
2/5/99





3 BAY LUBE
FLOOR PLAN SCALE 1/4" = 1'- 0"

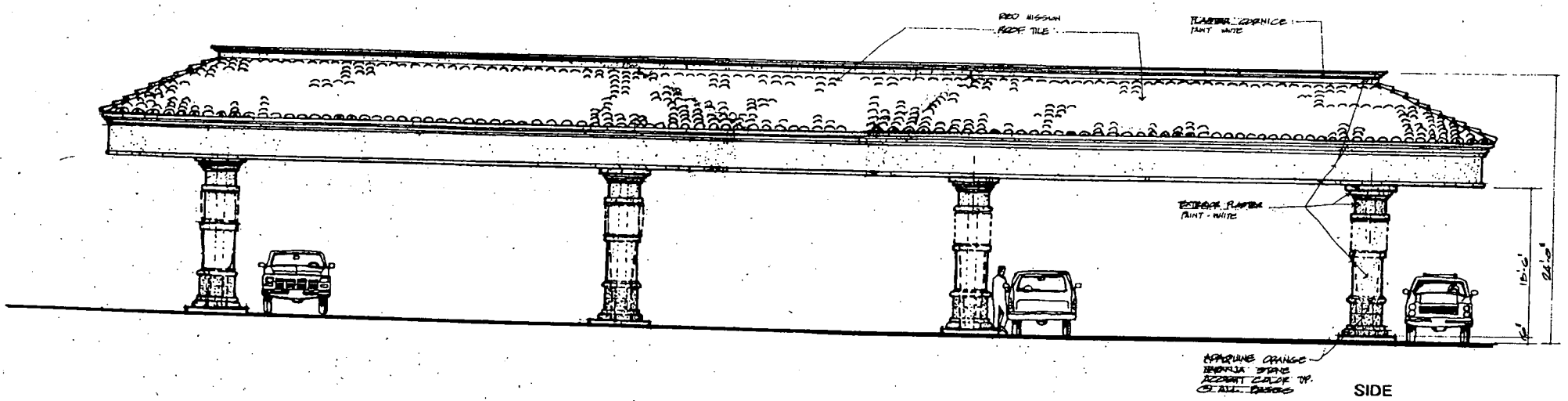
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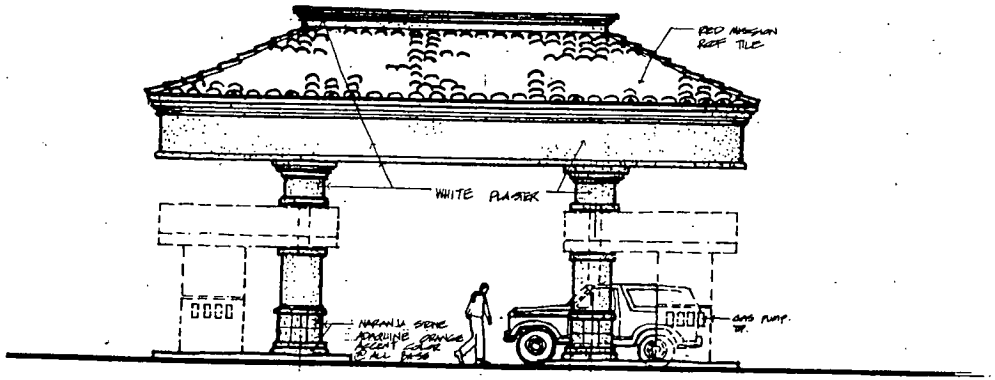
U-20-99

U-14-99

4-8-99 PC

HERBST OIL COMPANY
APPLICANT
SHEET 5
OF 13
2/5/99





STAFF

4 ISLAND CANOPY
EXTERIOR ELEVATIONS

SCALE 1/4" = 1'- 0"

U-20-99

U-14-99
4-8-99 PC

MASTER

HEHBST OIL COMPANY
APPLICANT

SHEET 11
OF 13
2/5/89

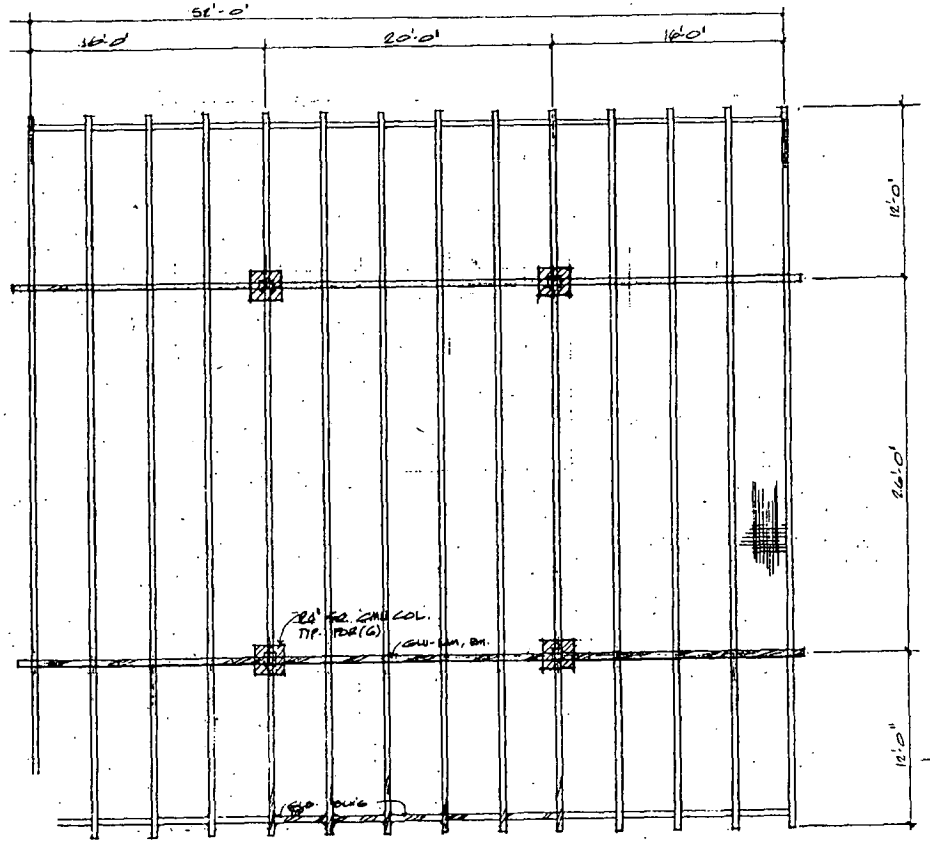
MASTER

U-20-99

U-14-99

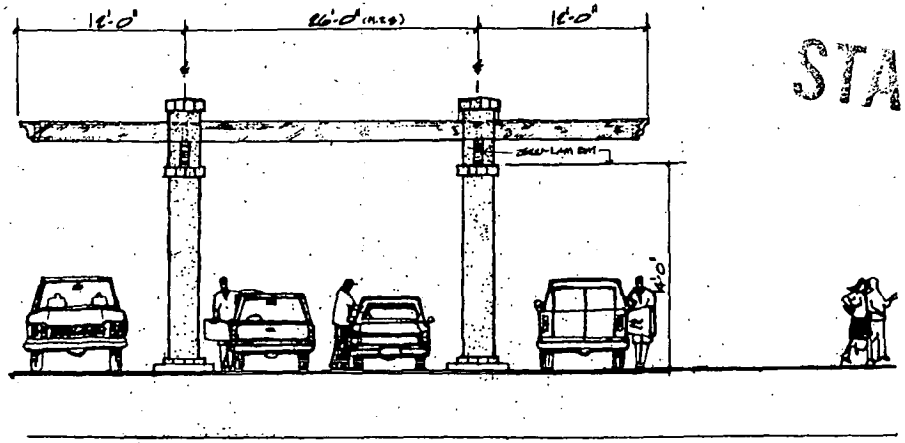
4-8-99 PC

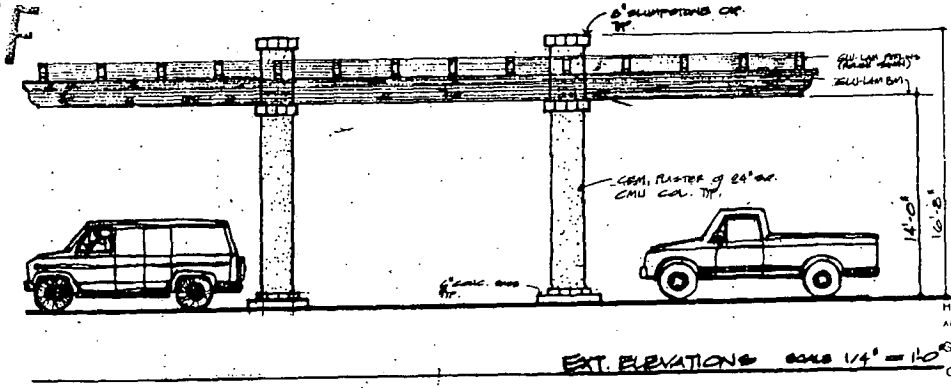
STAFF



FRAMING PLAN SCALE 1/4" = 1'-0"

2800 S.F.





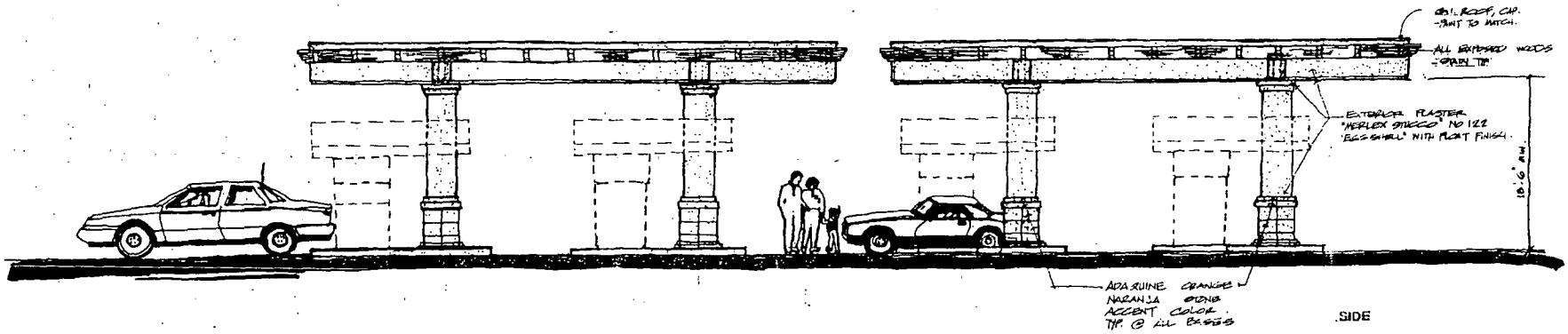
EXT. ELEVATIONS SCALE 1/4" = 1'-0"

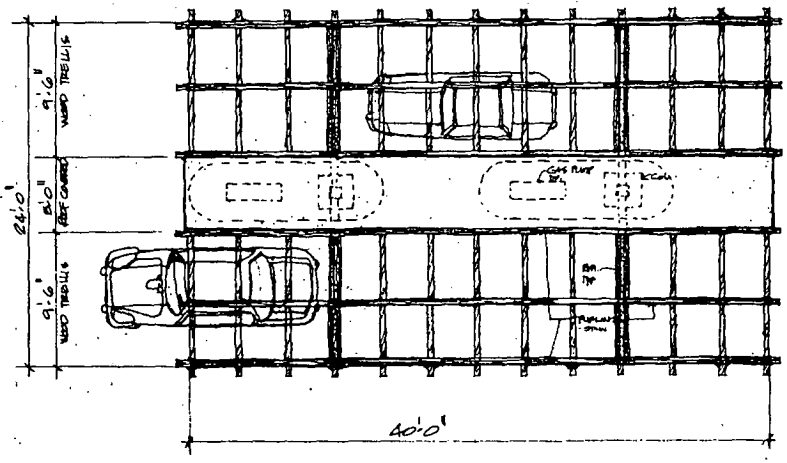
HERBST OIL C
APPLICANT

SHEET
OF

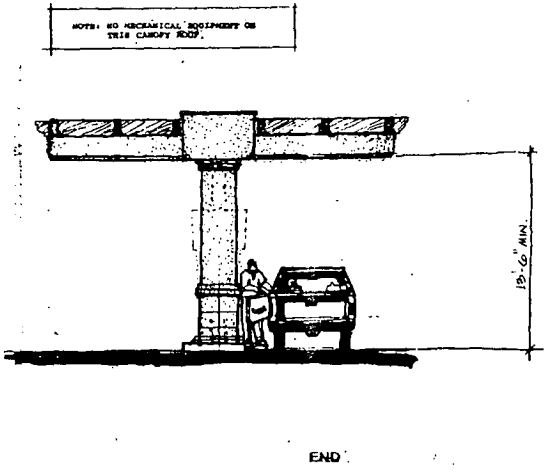
2/5/99

CITY COUNCIL MEETING OF MAY 10, 1999 Page 677





ROOF PLAN SCALE 1/4" = 1'- 0"



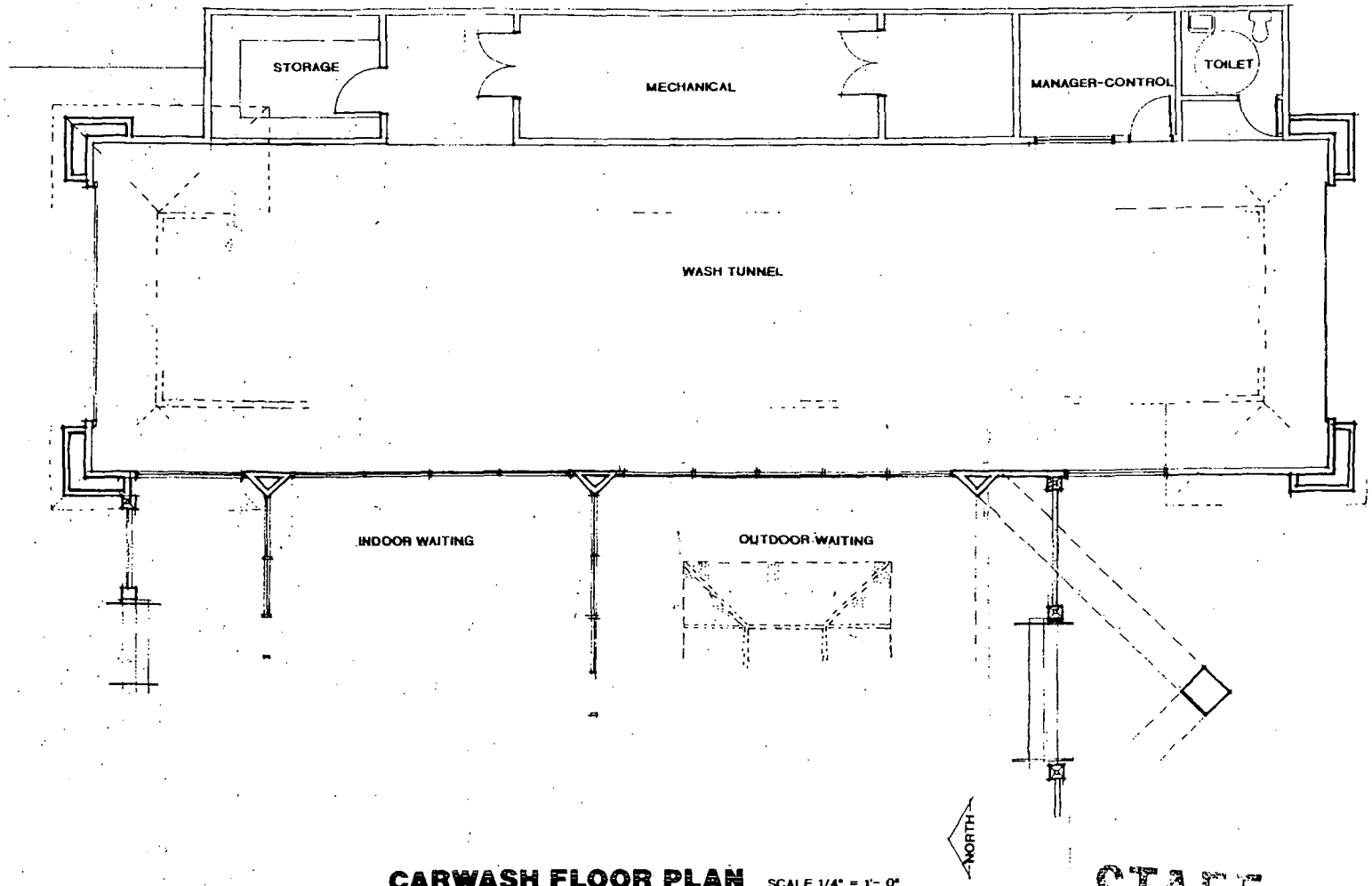
VACUUM/GAS EXTERIOR ELEVATIONS SCALE 1/4" = 1'- 0"

STAFF

U-20-99 **U-14-99**

4-8-99 PC

HERBST Oil COMPANY
APPLICANT
SHEET 12
OF 13
2/5/99



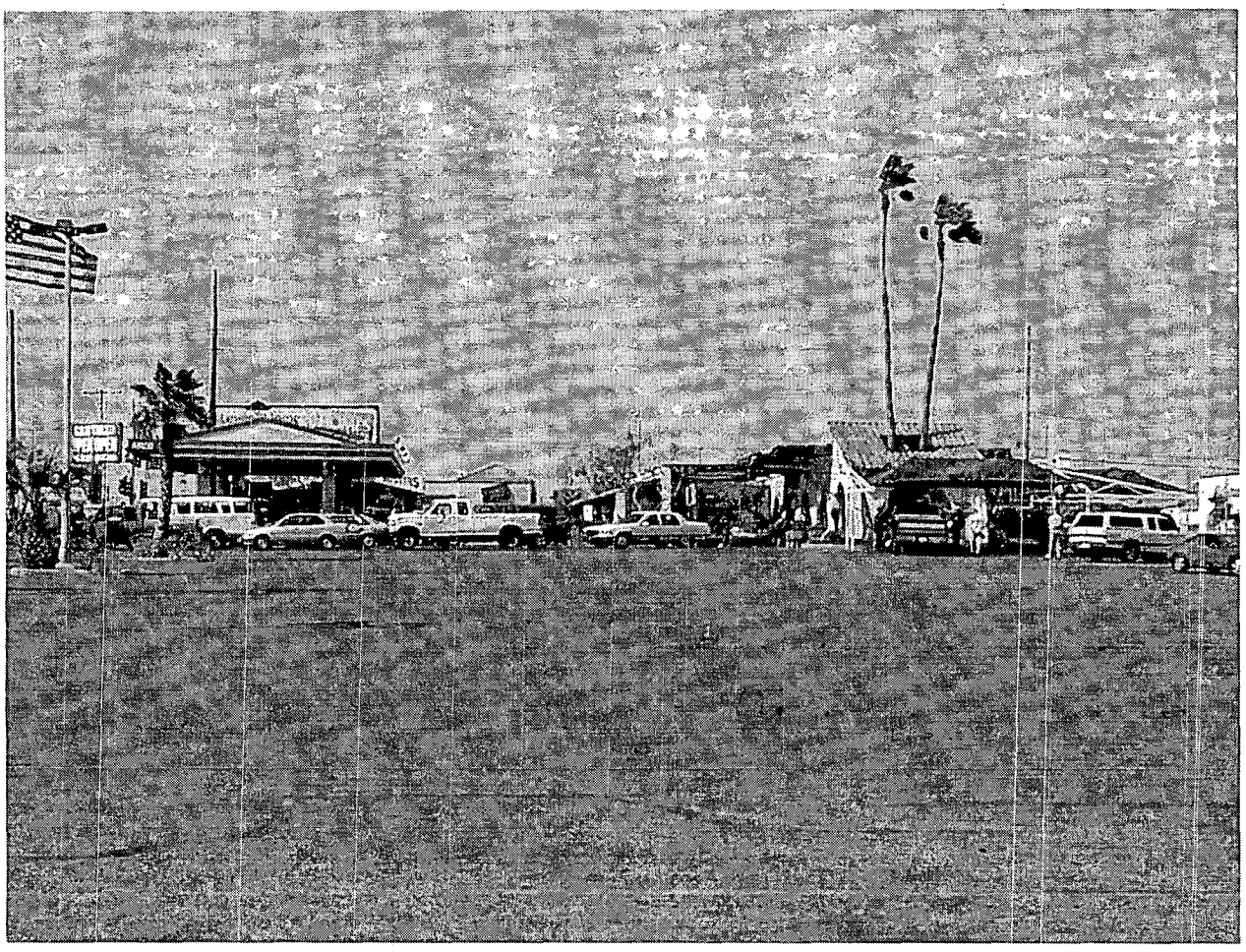
CARWASH FLOOR PLAN SCALE 1/4" = 1'- 0"

STAFF

U-20-99 **U-14-99**

4-8-99 PC

HERBST OIL COMPANY
APPLICANT
SHEET 4
OF 13
2/5/99



Request for a Special Use Permit
Off-Premise Sale of Beer and Wine in conjunction with a proposed convenience store/car wash
Jerry and Marianna Herbst on behalf of Terrible Herbst Oil Company

U-20-99
U-14-99



Request for a Special Use Permit
Off-Premise Sale of Beer and Wine in conjunction with a proposed convenience store/car wash
Jerry and Marianna Herbst on behalf of Terrible Herbst Oil Company

U-20-99
U-14-99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT RELATED TO U-20-99 - PUBLIC HEARING	
106	U-14-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY	**McDONALD - APPROVED subject to conditions and deleting Condition #2 - UNANIMOUS**
	Request for a Special Use Permit on property located at 3650 West Sahara Avenue FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE AND CAR WASH, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-05-402-002.	******
	NOTICES MAILED: 153 BY CITY CLERK	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0	SEAN HIGGINS, General Counsel for Terrible Herbst, Inc., 5195 S. Las Vegas Blvd., appeared on behalf of the applicant and requested that Condition #2 be deleted.
	AFTER PC MEETING _____ Letters _____ Petitions	JUANITA CLARK, Charleston Neighborhood Preservation Association, appeared in support of the application at this appropriate location but expressed concern with beer and wine being sold in car washes. In this instance, a convenience store with off-premise sale of beer on Charleston Boulevard may set a precedent for the use to encroach into the residential neighborhood of West Charleston.
	TOTAL 0	No one appeared in opposition.
	PROTESTS: 0	There was no further discussion.
	AFTER PC MEETING _____ Letters _____ Petitions	MAYOR JONES declared the Public Hearing closed.
	TOTAL 0	(3:16 - 3:18) **3 - 2322**
	The Planning Commission (3-1 vote) and staff recommend APPROVAL, subject to:	
	1. Conformance to the Conditions of Approval of U-20-99.	
	2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.	
	3. Approval of this request does not constitute approval of a liquor license.	

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-14-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY 4. Conformance to all applicable requirements of Title 6 of the Municipal Code. 5. All City Code requirements and design standards of all City departments must be satisfied.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT RELATED TO U-20-99 - PUBLIC HEARING - U-14-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for a Special Use Permit for the off-premise sale of beer and wine in conjunction with a proposed convenience store and car wash on property located at 3650 West Sahara Avenue.

BACKGROUND DATA:

12/19/74 The Board of Zoning Adjustment approved a Variance to allow a service station and an automated car wash on this site (V-74-74).

DETAILS OF APPLICATION REQUEST:

Site Area:	1.12	Acres
Convenience Store Area:	3,200	Square Feet
Auto Lube Area:	1,473	Square Feet
Building Height:	36	Feet
Parking Required:	23	Spaces
Parking Provided:	23	Spaces

This site is currently developed with a Terrible Herbst car wash and convenience store. The existing gas pumps are not being used at this time. The applicant is proposing to demolish the existing structures and replace them with a new convenience store with full service car wash, gasoline sales and an auto lube facility. Gasoline sales are proposed for the south portion of the site, with the auto lube in the west and the car wash immediately east of the convenience store. Access to the site is provided by three driveway cuts to Sahara Avenue and one cut on Valley View Boulevard. A six foot wide landscape planter is shown along the Valley View Boulevard frontage. Fifteen feet of landscaping is shown along Sahara Avenue, with 10 feet of that being within an undeveloped portion of the right-of-way, and five feet being on-site.

The elevations show all structures will have white stucco exteriors and red concrete tile roofs.

Agenda Item

106

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT RELATED TO U-20-99 - PUBLIC HEARING - U-14-99 - JERRY AND MARIANNA HERBST ON BEHALF OF TERRIBLE HERBST OIL COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Retail and commercial uses
South	C-1 (Limited Commercial)	Retail and commercial uses
East	C-1 (Limited Commercial)	Retail and commercial uses
West	C-1 (Limited Commercial)	Retail and commercial uses

FINDINGS:

Staff has addressed Issues related to the site plan within the staff report for the associated case, U-20-99. The only issue to consider as part of this request is the appropriateness of the sale of beer and wine within a proposed convenience store at this location.

Staff finds the sale of beer and wine at this location to be 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. Approval of this Use Permit 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 (3-1 vote) and staff recommend APPROVAL.

[Note: At the Planning Commission meeting, the applicant objected to condition No. 2, however, the Commission felt the condition was appropriate.]

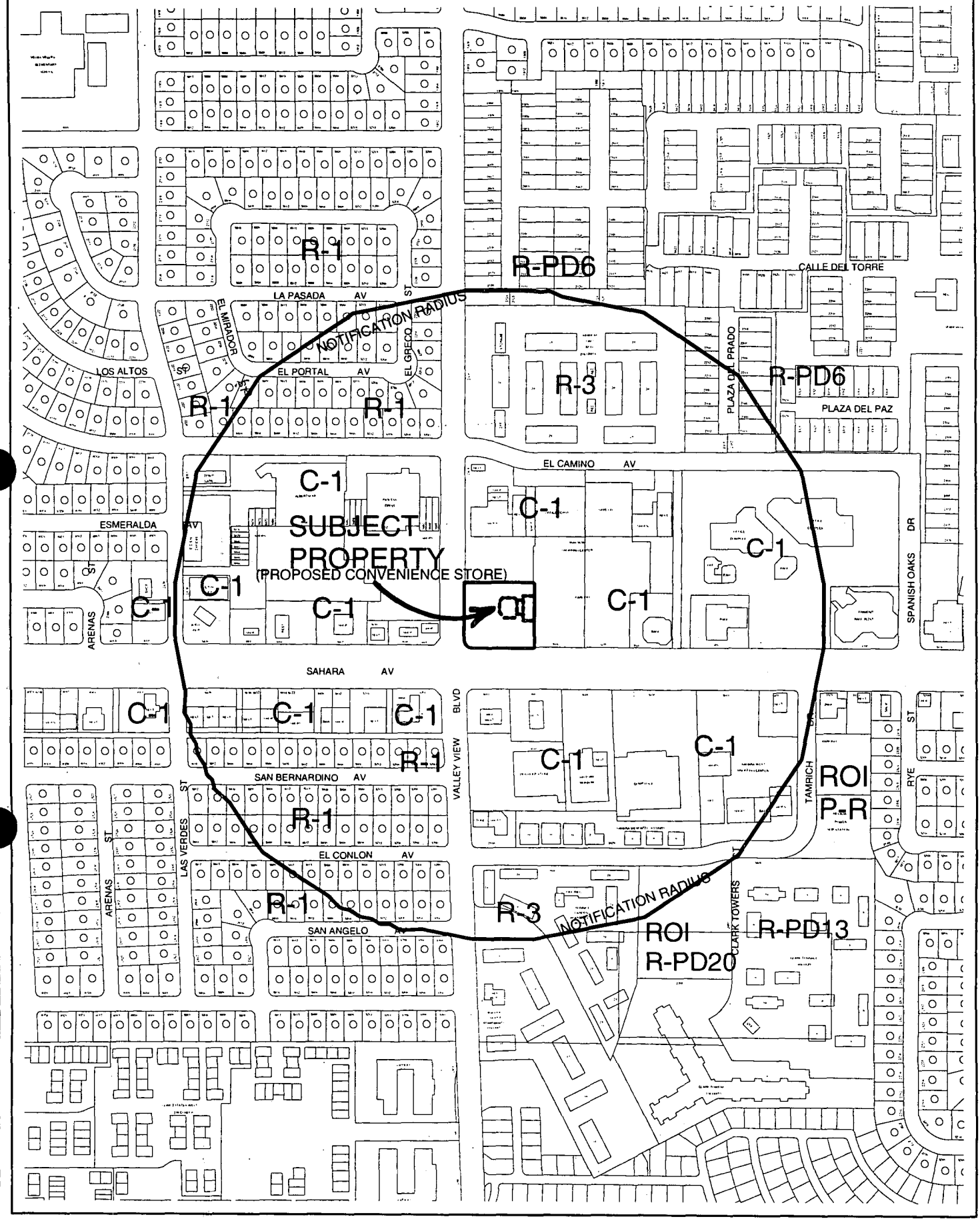
PC NOTICES MAILED: 150

APPROVALS: 0

PROTESTS: 0

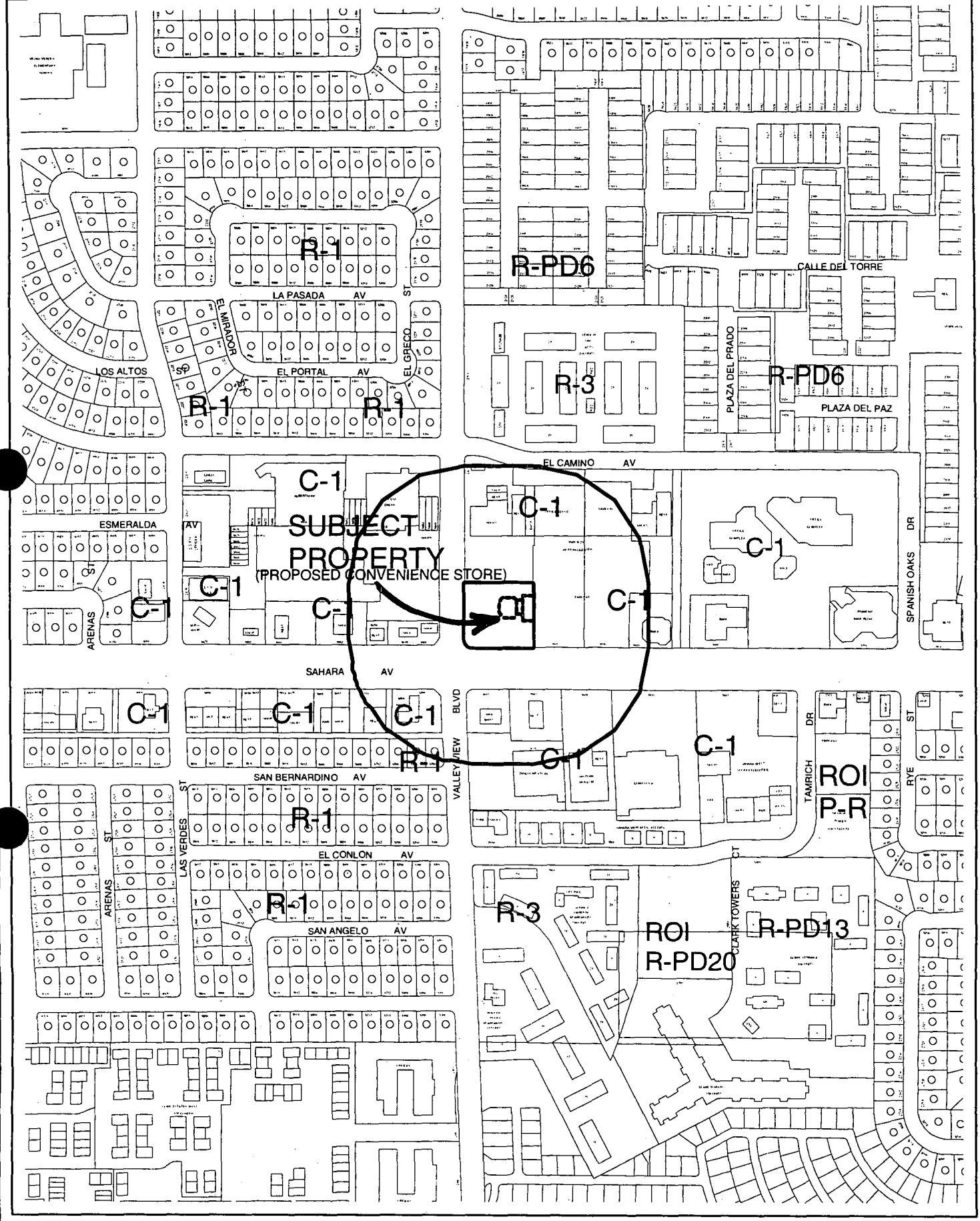
SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **U-14-99**
RADIUS: 1000 FT

N



CASE: U-14-99

SEPARATION RADIUS: 400 FT

N

CITY COUNCIL

MEETING OF

MAY 10, 1999

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
107	ABEYANCE ITEM - U-22-99 - CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY	**REESE - Appeal denied; thereby DENYING the Special Use Permit - UNANIMOUS**
	Appeal filed by Bell Lukens & Kent Chartered from the Denial by the Planning Commission for a Special Use Permit on property located at 750 Fremont Street FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH AN EXISTING 1,700 SQUARE FOOT CONVENIENCE STORE (NEVADA FOOD MARKET); AND A WAIVER OF THE 400 FOOT DISTANCE SEPARATION FROM A CHURCH, C-2 (General Commercial) Zone, Ward 3 (Reese), APN: 139-34-612-019.	******
	NOTICES MAILED: 145 BY CITY CLERK	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions	APPEARANCES: ATTORNEY REX BELL, 550 East Charleston Blvd., representing the applicant METRO OFFICER DAN ZENDER, Community Policing Coordinator, Downtown Command
	TOTAL 0	MAYOR JONES declared the Public Hearing closed.
	PROTESTS: 3 AFTER PC MEETING 1 Letters _____ Petitions	NOTE: A Verbatim Transcript is made a part of the Final Minutes.
	TOTAL 4	(3:18 - 3:30) **3 - 2322**
	The Planning Commission (7-0 vote) and staff recommend DENIAL. If approved, subject to:	
	1. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.	
	2. This use shall comply with all requirements of Title 6.50 of the City of Las Vegas Municipal Code.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - U-22-99 - CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY 3. This does not constitute approval of a liquor license. 4. All City Code requirements and design standards of all City departments must be satisfied.	**DENIED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-22-99 - CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 26, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at 750 Fremont Street to allow the off-premise sale of beer and wine in conjunction with an existing 1,700 square foot convenience store and waiver of the minimum 400 foot distance separation from a church. The applicant's justification letter indicates this will allow the operator of the convenience store to provide a more varied selection for the convenience of the residents and hotel/motel guests in the area.

BACKGROUND DATA:

07/09/98 The Planning Commission accepted a request to withdraw a Special Use Permit for the on-premise sale of beer and wine in conjunction with a proposed restaurant on the lease space adjacent to this site (U-54-98).

DETAILS OF APPLICATION REQUEST:

The 1,700 square foot convenience store is located within an existing building on the northwest corner of Fremont Street and 8th Street. The Site Plan indicates there are 16 parking spaces on the north side of the property. The floor plan shows there will be a counter at the rear of the store for package liquor sales. No changes are proposed for the exterior of the building.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-2	Motel
South	C-2	Church, Commercial Shops
East	C-2	Used Car Sales, Parking Lot
West	C-2	Motel

Agenda Item

107

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-22-99 - CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

PURPOSE/BACKGROUND

FINDINGS:

The proposed use does not comply with Section 19A.04.050 of the City of Las Vegas Zoning Code regarding liquor sales. The Code requires the off-premise sale of beer and wine to be a minimum of four hundred feet (400') from any church. Staff does not support the request for a waiver of the distance requirement because of the potential negative impact on these protected uses. The package liquor sales as shown on the floor plan requires approval of a Special Use Permit and is not part of this request. If this Special Use Permit were to be approved it would be for off-premise sales of beer and wine only. Additionally, the applicant has failed to demonstrate this use can be operated in a manner that is harmonious and compatible with the surrounding land uses.

The Planning Commission (7-0 vote) and staff recommend DENIAL.

[Note: The Planning Commission stated concerns that the site is not appropriate for this use because of its proximity to two churches and the Fremont Street area.]

PC NOTICES MAILED: 142

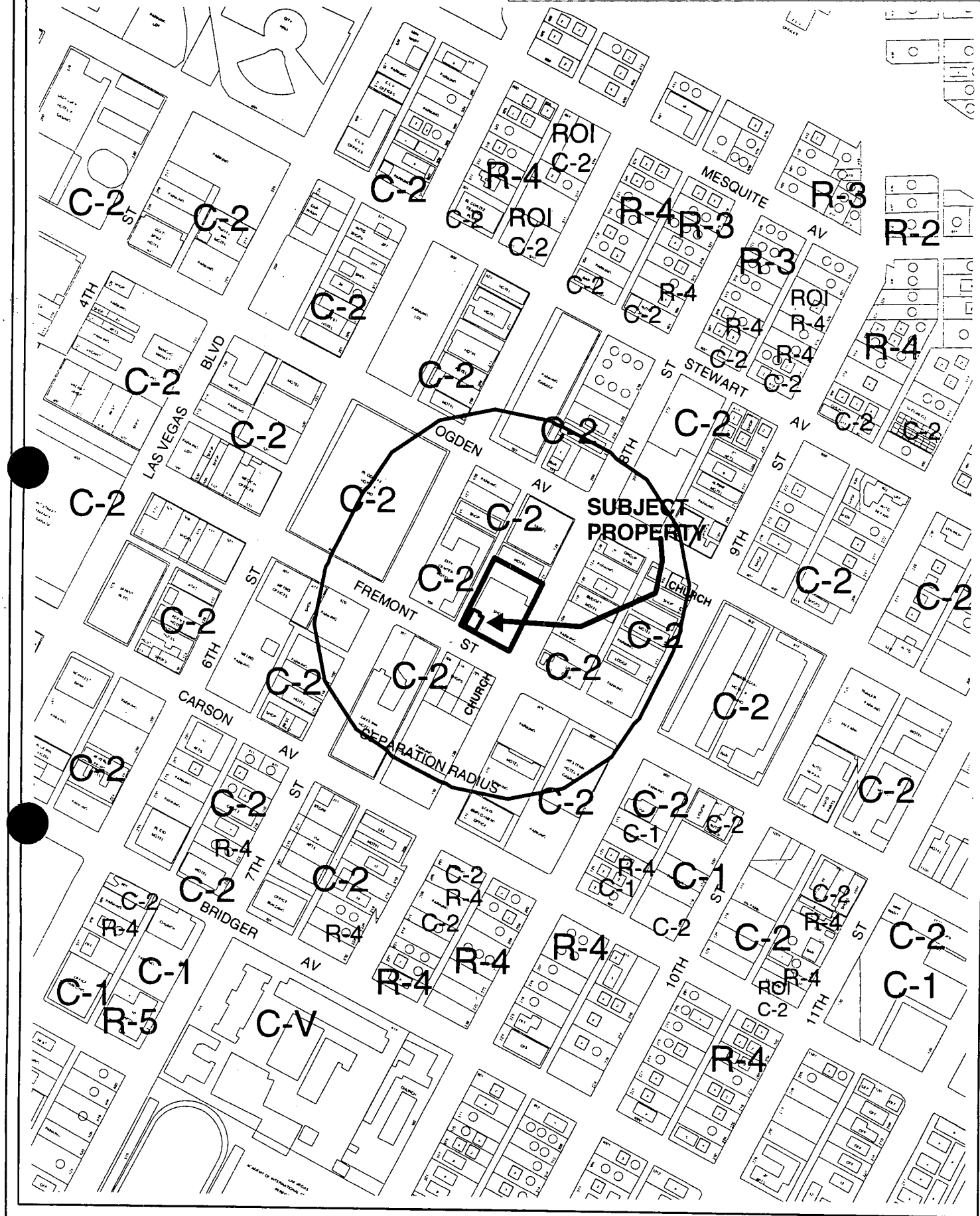
APPROVALS: 0

PROTESTS: 3

[Note: The protesters stated that there have been other denials of this use in the area, that there are churches within 400 feet of the site, and that the use could have a negative impact on the surrounding area.]

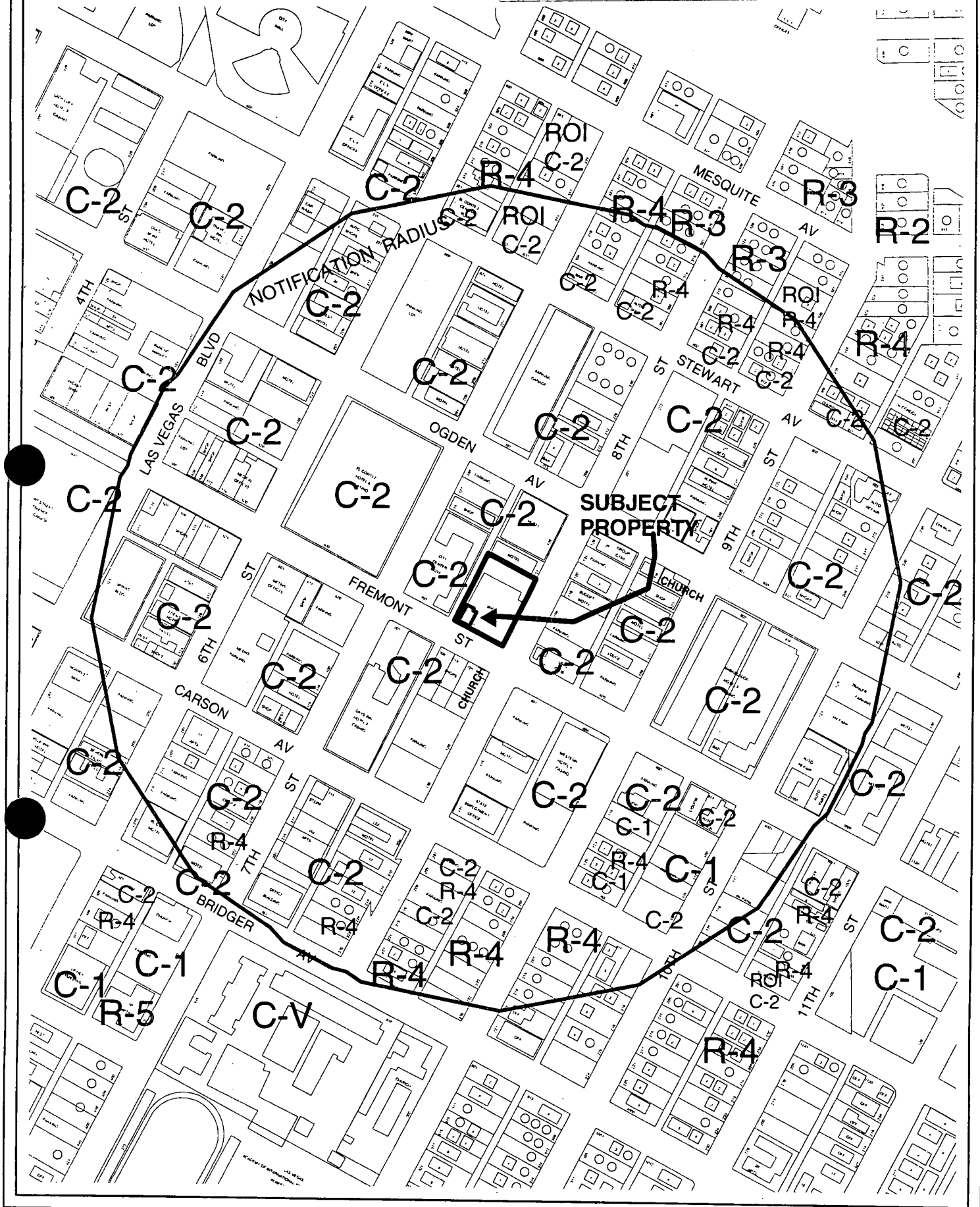
SEE ATTACHED LOCATION MAP

Agenda Item



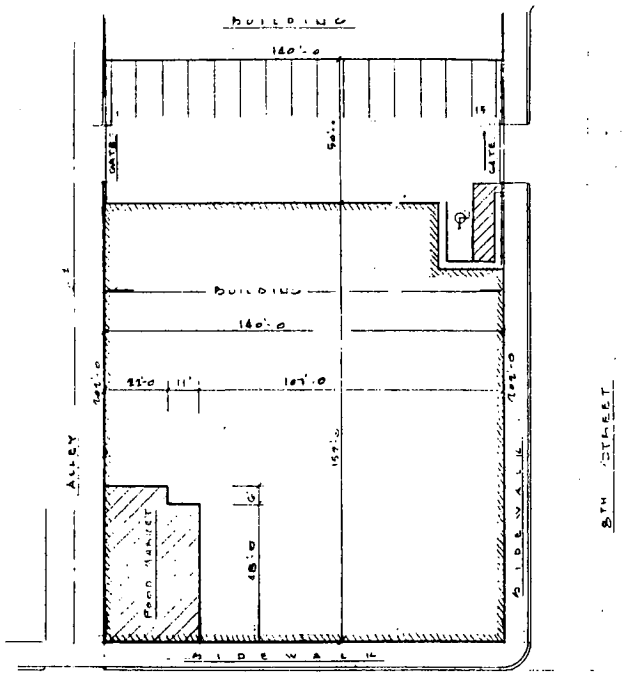
CASE: U-22-99
SEPARATION RADIUS: 400 FT

N



CASE: U-22-99
RADIUS: 1000 FT

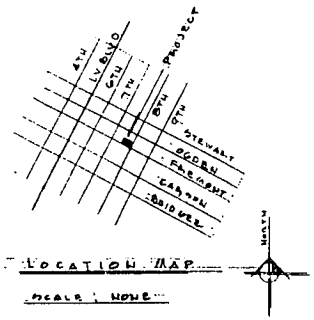
N



FREMONT STREET

SITE PLAN

SCALE: 1" = 20'-0



LOCATION MAP

SCALE: NONE

TENANT IMPROVEMENT
NEVADA FOOD MARKET
750 EAST FREMONT STREET
LAS VEGAS NEVADA

U-22-99
3-25-99 PC

STAFF

PROJECT DATA		
OCCUPANCY GROUP		"M"
TYPE OF CONSTRUCTION		V- 1 HOUR
FIRE SPRINKLERS		NO
LOCATION ON PROPERTY		OPENINGS NOT PERMITTED LESS THAN 5'-0 PROTECTED LESS THAN 10'-0
ALLOWABLE FLOOR AREA	-	ALLOWABLE 8000 SF (BUILDING)
ACTUAL FLOOR AREA	-	1716 SF (CONVENIENCE STORE)
EAST ANALYSIS	-	REQUIRED (2) ACTUAL (2)
CODE ADDITION	-	1997

PROPERTY SIZE 28,280 SF

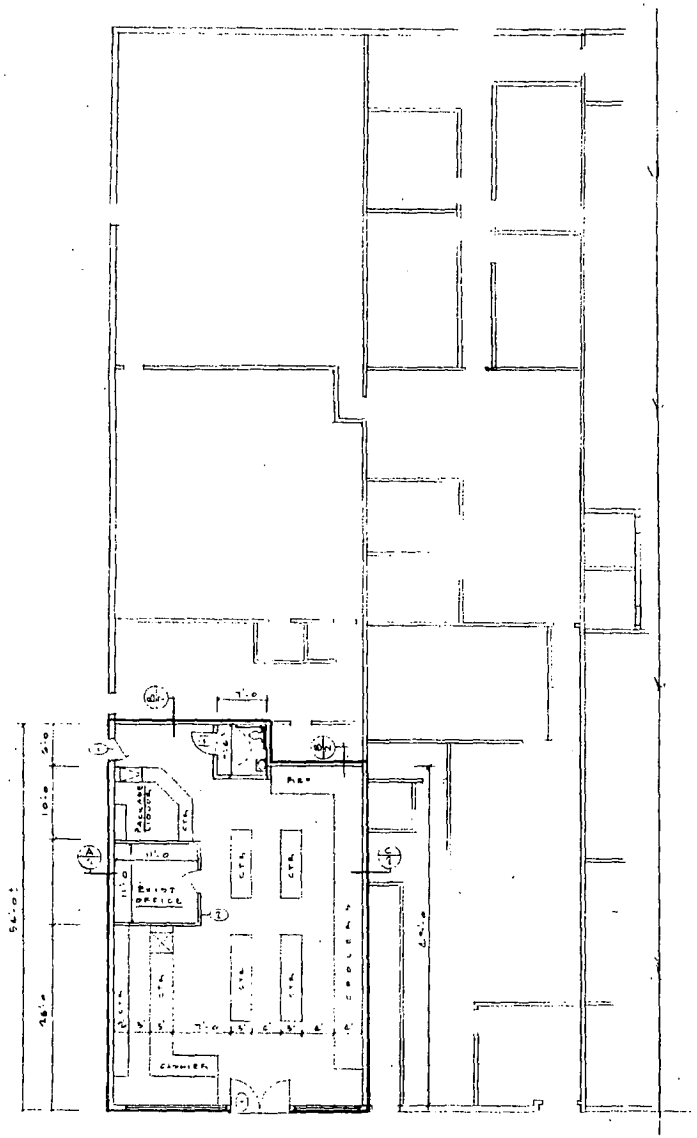
CITY COUNCIL MEETING OF MAY 10, 1999 Page 694

L J LISTER
GEN CONSTRUCTION
207 AGH STREET

TENANT IMPROVEMENT
NEVADA FOOD MARKET
750 EAST FREMONT
LAS VEGAS NV

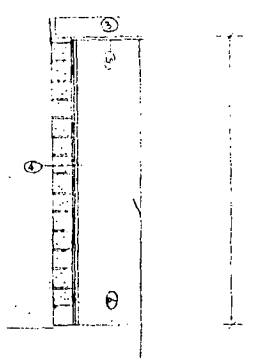
DATE: 5-6-98

SHT 1

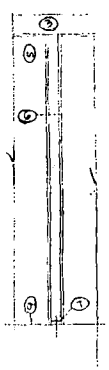


FLOOR PLAN
SCALE: 1/8" = 1'-0"

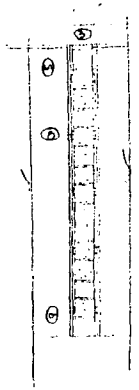
MAXIMUM OCCUPANCY - 45
(RETAIL SALES - 30SF PER PERSON AS LOAD FACTOR)



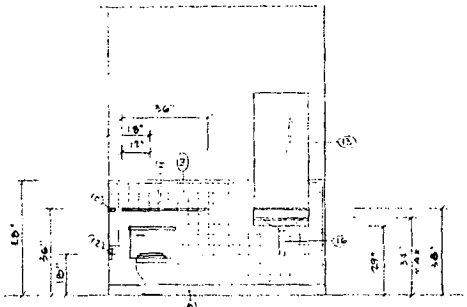
(A) SECTION
SCALE: 1/2" = 1'-0"



(B) SECTION
SCALE: 1/2" = 1'-0"



(C) SECTION
SCALE: 1/2" = 1'-0"



HANDICAP BATH
SCALE: 1/2" = 1'-0"

NOTES THIS SHEET:

1. EXISTING DOOR
2. EXISTING OFFICE
3. EXISTING ROOF RAFTERS
4. EXISTING EXTERIOR WALLS: STUCCO 8"x8"x16" CMU WALL, RESILIENT CHANNEL @ 24" CC, 5/8" DTPSUM BOARD
5. 5/8" TYPE "X" GYPSUMBOARD CEILING
6. EXISTING INTERIOR WALL: 5/8" TYPE "X" GYPSUM BOARD, 2"x4" STUDS @ 16" CC, 5/8" TYPE "X" GYPSUM BOARD
7. 2"x4" TREATED BOTTON PLATE WITH ½" ANCHORS @ 6'-0 CC
8. EXISTING INTERIOR WALL: 5/8" GYPSUM BOARD, RESILIENT CHANNEL @ 24" CC, 8"x8"x16" CMU WALL
9. EXISTING CONCRETE FLOOR
10. 1½" DIAMETER GRAB BAR
11. 1½" DIAMETER GRAB BAR
12. TOILET PAPER HOLDER
13. MIRROR
14. WAINSCOTE - TILE OR APPROVED WATER REPELENT MATERIAL
15. 4" COVE BASE MATERIAL
16. WRAP HOT WATER PIPING UNDER SINK

DOOR.4.
3'-0"x6'-8"x1 3/8"
WOOD H.C.
FLUSH
PRIVACY LOCK
DOOR STOP

U-22-99
3-25-99 PC

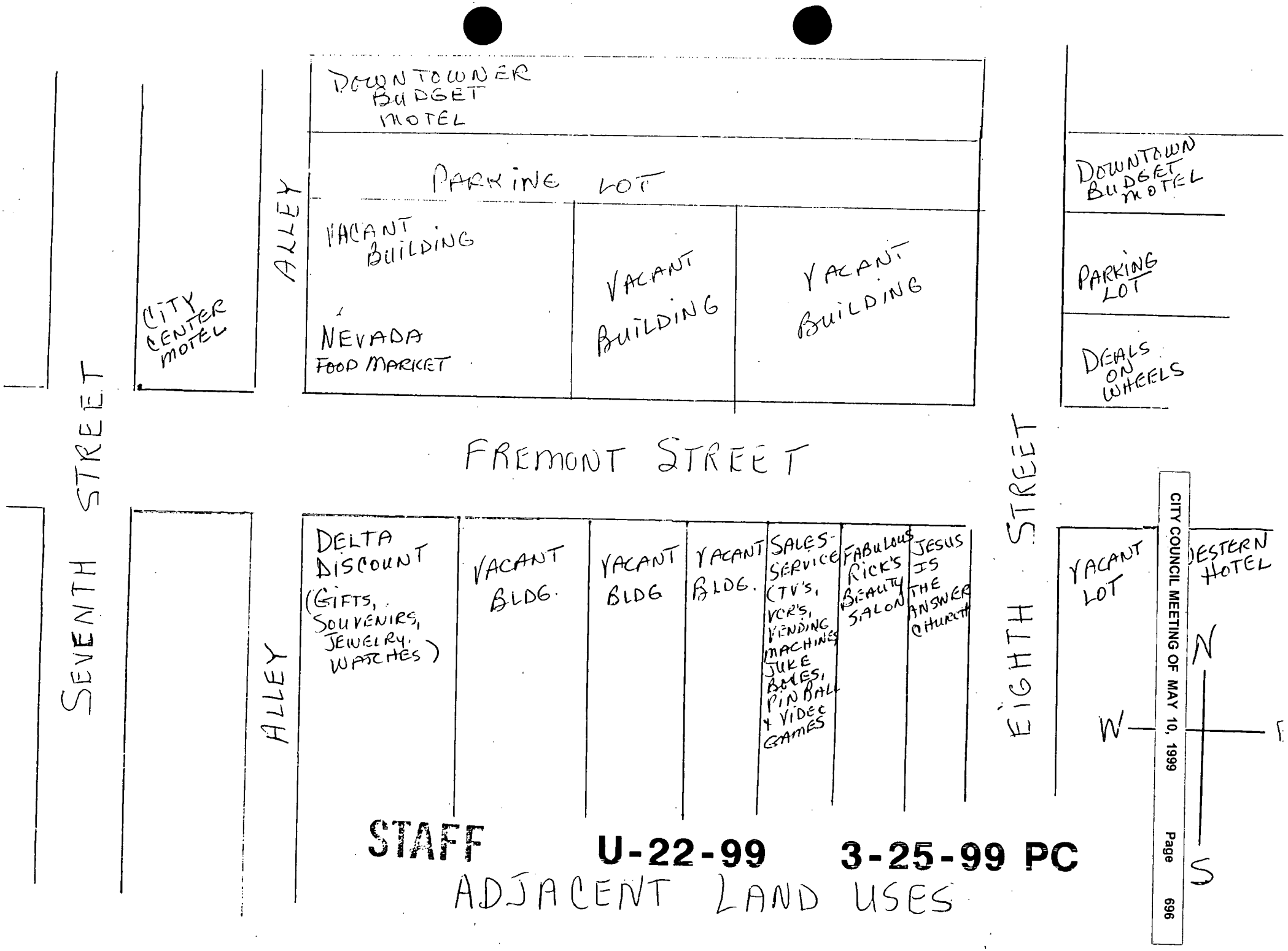
STAFF

TENANT IMPROVEMENT
FOR LJ LISTER GEN CONSTRUCTION
207 ASH STREET
HENDERSON, NEVADA

DATE: 11-5-13

SHT 1

CITY COUNCIL MEETING OF MAY 10, 1999 Page 695



STAFF **U-22-99** **3-25-99 PC**

ADJACENT LAND USES



03-25-99 PC U-22-99 View of south building elevation

CITY COUNCIL
MEETING OF
MAY 10, 1999

VERBATIM TRANSCRIPT - ITEM 107 - U-22-99
CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

MAYOR JONES

Item 107 is abeyance U-22-99. CBC Financial Corporation on behalf of Rajeh Algaithy. It's an Appeal filed by Bell Lukens & Ken Chartered from the denial by the Planning Commission for a Special Use Permit on the property located at 750 Fremont Street for the off-premise sale of beer and wine in conjunction with an existing 700 (sic) square foot convenience store, Nevada Food Market, and a waiver of the 400 foot distance separation from a church. No approvals, four protests. Planning Commission and staff recommend denial. This is a public hearing. I'd now declare it open. The applicant's present.

ATTORNEY REX BELL

Madam Mayor, Council. My name is Rex Bell on behalf of the applicant. That's a lot of denials. I brought in some schematics to show you. This is the store location, it's between 7th and 8th Street, right there on the alleyway. Another schematic here would show you the Nevada Food Mart. Can you see it? Is right in this location. This is – a lot of vacant property in this area. Over here there is a, presently a church. It's – called Jesus is the Answer Church. They have not had any problem with us. We have contacted them and talked to them, 'cause they were in that one, 400 foot radius.

When I was before the Planning Commission, there was a discussion over the Catholic Church. The Catholic Church, which is located at 9th and Ogden, already has a beer and wine place right across the street from it. It's across the street from St. Joseph's Catholic Church. It's called Basic Bargain Market and they received a license I believe of 4-30 of '97, a lot closer than Mr. Algaithy's place of business. There have been discussions over and I know the problem along Fremont Street. But when a person puts, gets a license to have a convenience store, I think there is a predisposed notion that they're going to be able to have beer and wine there. I don't know of any convenience stores that don't and it's almost necessity for them from a financial basis to have them, unless they don't qualify for some reason as a licensee.

Mr. Algaithy is willing to cut his, to have his space cut to, let's say, 5%. No more than 5% to be used for beer and wine. I know there was a discussion over screw tops and those type of things. He does not need to have that type of wine and beer sold in the store. He's willing to go along with most any conditions that Council would have. But he really does need that item in order to make this store go. He spend quite a bit of money. He just got his Certificate of Occupancy. I think, as of today, there were some problems

VERBATIM TRANSCRIPT - ITEM 107 - U-22-99
CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

over electrical and he went to considerable expense to take care of that problem. It's a matter of fairness. I think there's a reasonable expectation. I can point out to you that a convenience store would sell beer and wine. I don't know of any that don't, but there may be one or two in the City.

So, unless he didn't qualify as an applicant for a beer and wine license, I would ask that he be given the opportunity to sell beer and wine there do to discretion. If you have, as I say, things that you want him to do and have a review, it would help him a great deal at that location.

MAYOR JONES

Does anyone else wish to be heard on this item? Then I would close the public hearing. Councilman? Oh. I'm sorry, open the public hearing.

METRO OFFICER DAN ZENDER

Madame Mayor and members of the Council. I'm Officer Dan Zender, Community Policing Coordinator for the Downtown Area Command and I'm here on behalf of Captain Dan Parry. Metro doesn't oppose convenience store. I've mentioned that before when I've spoken in front of the Council and we certainly don't oppose convenience store on Fremont Street. However, we have some concerns about a convenience that sells alcohol.

As you know, Fremont Street is a – problem area with criminal activity and alcohol plays a major factor in allow the crime on Fremont Street. Fremont Street from the Boulevard, Eastern 1.4 miles long, there's seven convenience stores in 1.4 miles. That's pretty heavy density. Additionally, there's other outlets; restaurants and liquor stores along that corridor. All of that is adding fuel to the fire of the problem we have on Fremont Street.

I don't have the statistics for this past quarter, but for the previous year, we responded to 612 calls for service at these convenience stores; 612 calls for service either at the convenience or the immediate surrounding area. Of those 612 calls, 79 of them were serious, what we call person type crimes. Those are batteries, assaults and robberies. And all these calls are a drain on, certainly on Metro resources, on the City, and also it affects the quality of life for the citizens in that area. So I would ask that you seriously consider not recommend or recommending denial on this – issue for a lot of reasons that I've just stated. Thank you.

COUNCILMAN REESE

Thank you.

MAYOR JONES

I, then I'll just state for the record and then I'm going to let the Councilman speak before we go back. I have to say

VERBATIM TRANSCRIPT - ITEM 107 - U-22-99
CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

with all the work the neighbors have done in this area in trying to make this a residential area, and I know it's Fremont street, but I don't think we need seven convenience stores all in one block. And that maybe if people recognize that they don't automatically get liquor with a convenience store, maybe they won't use opening a convenience store as an excuse to sell liquor.

COUNCILMAN REESE

Thank you, Your Honor. It's up to the applicant, I think, to show us, you know, justify this Special Use Permit. You know, staff and the Planning Commission both recommended denial. This is a high crime area. I think this will just increase that crime. I have worked with the neighbors. I have worked with some of the business people in the area. We have a big loitering problem there. There's a problem with, you know, broken bottles everywhere. We have had neighborhood cleanups in the area. I've had a lot people found drunk in the area from this. We have really tried to focus, I think, on cleaning up this area. I just don't think this Special Use Permit would be compatible and harmonious to what we're trying to do in the area. I don't think it will, also it won't promote the health and welfare and the safety of our general public in this area. So, **my motion is going to be for denial of U-22-99 for those conditions, or for those reasons.**

MAYOR JONES

Councilman?

ATTORNEY REX BELL

I can understand the concerns of the police department in this particular area with the number of convenience stores and there's other liquor stores there. And also understand the concerns that it's not always been the best area, the type maybe people that live there. However, to penalize a convenience store owner who would feel that they would probably have a very good chance to have a beer and wine license there, what I, in all fairness to that individual, it would seem to me that people who are going to have convenience stores and especially in areas like this, be pre-warned that they likely are not going to be able to obtain a beer and wine license for the very reasons given today.

I don't particularly have a, I understand that particular problem. I happen to live over at, effectively at Shadow and Charleston and within a half mile of me there's seven convenience stores and they all sell beer and wine. It is a different area, I would agree, although in behind where the hospital is and some other areas, there's – a problem of people in there too. And yet that hasn't probably come up to the standard of what the problem is along Fremont Street and, that has developed there over the years. But in all

VERBATIM TRANSCRIPT - ITEM 107 - U-22-99
CBC FINANCIAL CORPORATION ON BEHALF OF RAJEH ALGAITHY

fairness to this man who's put money in here, I can understand Metro's concerns. He's more than willing to work with Metro. We'd like to give it a try, see how it worked. He'd be willing to work with Metro, have a review. And again, I'd like to point out, in all fairness, that if this is going to be a case, regardless whether it be in the Downtown area or anyone else in Las Vegas, the people who are going to get convenience stores, be pre-warned by whatever body is sitting there that they are not for beer and wine in that particular area and that they're likely not to get it.

COUNCILMAN REESE — Well, now there again, though, Counselor, I – really respect you. I know that you have really tried to work with us on different issues. I didn't even mention, you know, the waiver of the 400 foot, you know, from the church. I think that this is something that the applicant was aware of when he came before us, I know when he made application. I think that if we do allow this waiver to be broken and we have made it mandatory even on our taverns and stuff, the 1500 foot, we can't – allow these Variances and stuff. And the 400 foot rule is put in there for specific reasons, you know, from a church. And so for that reason also, you know, I mean it's, this is – not the proper location. There are a lot of problems in this area and **my motion is going to stand for denial of this application.**

ATTORNEY REX BELL — Well, I understand that, but I might point out that the Catholic Church, who has not gone against this particular Variance has a, the same type of store right across the street from it, not even as close as where we are. And not, in fact, we're quite a distance from that Catholic Church. Now there is the other church, we did not have a problem with it, that's right catty corner, as I said, the Jesus is the Answer Church. It's all I can say.

MAYOR JONES — Thank you, Counselor. There is a motion on the floor. Vote on the motion. Post. Motion's approved to deny. **(Motion carried unanimously)**

ATTORNEY REX BELL — Good night.

MAYOR JONES — Good night.

(END OF DISCUSSION)

/ac

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
108	U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL Request for a Special Use Permit on property located at 1600 North Jones Boulevard FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 4 (Brown), APN: 138-24-401-002. NOTICES MAILED: 452 BY CITY CLERK APPROVALS: 1 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 1 PROTESTS: 2 AFTER PC MEETING 2 Letters _____ Petitions TOTAL 4 Staff recommends DENIAL. The Planning Commission (4-0 vote) recommends APPROVAL, subject to: 1. Provide minimum 24 inch box trees 20 feet on center in the landscape planters along Vegas Drive and Jones Boulevard with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.	**BROWN - APPROVED subject to conditions, and added staff conditions as follows:** **Failure to exercise the Special Use Permit within one year shall result in the expiration of the Special Use Permit unless an Extension of Time is requested; and** **Meet with the Collections Systems Planning Section to determine the boundaries of the existing City of Las Vegas public sewer easement at the east edge of this site; there shall be no encroachment of proposed walls or structures onto the existing public sewer easement unless specifically allowed by the Planning Engineer;** **and added conditions submitted by the applicant/area residents as follows:** **The height of the block wall shall be increased an additional 16 inches, if feasible;** **A one-year review by the Planning Commission and City Council to insure adherence to all the conditions** **- UNANIMOUS with Jones not voting** ****** MAYOR JONES declared the Public Hearing open. JAMAL JEBERAEEL, 1600 North Jones Boulevard, concurred with the conditions. ATTORNEY ROGER GRANT, 500 South Third Street, appeared on behalf of the Association for the 76-unit condominium project Rock Creek Manor adjacent to the proposed convenience store at Jones and Vegas Drive. The two areas of concern involve safety lighting, fencing, block walls and landscaping and another concern regarding ingress/egress to the common areas split by this convenience store. However, MR. JEBERAEEL has agreed in writing that he will address the safety issues within 30 days to six months from the granting of this Special Use Permit. There are currently gates installed allowing the residents access across the convenience store parcel to reach their pool and parking areas. A tentative agreement has been reached with the owner of the property to continue to provide the Association that access via a corner of the property. MR. GRANT requested that the Certificate of Occupancy be conditional upon such an easement or pedestrian access agreement being finalized.

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL 2. Relocate the existing trash enclosure to be a minimum of 50 feet from adjacent residential properties as required by the Planning and Development Department. 3. The storage container in the rear portion of the site shall be removed. 4. This use shall comply with all requirements of Title 6.50 of the City of Las Vegas Municipal Code. 5. This does not constitute approval of a liquor license. 6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works. 7. Meet with the Traffic Engineering representative in Land Development 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. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	DIANE FREDERICKS, 5830 Vegas Drive, requested that the additional conditions submitted by the residents be incorporated as part of this Special Use Permit. COUNCILMAN BROWN clarified that the access path used by families and children across the convenience store parcel to the Association pool area will need to be enclosed by fencing for safety reasons. The fencing will prevent access from that easement directly onto the convenience store site. Those wishing to patronize the convenience store would have to use one of the major roads. MR. GRANT added that MR. JEBERAEEL will provide the fence at his own cost. ROBERT GENZER, Planning & Development, reviewed the conditions agreed upon and submitted by the applicant and residents. Those conditions all appear to be enforceable and Conditions #1 and #2 were already included in the backup. Imposing Condition #10 for a one-year review before both Planning Commission and City Council to insure adherence to all conditions would be at the discretion of the City Council. In addition, staff would recommend an additional condition that a one-year time limit be placed on this case in which to exercise this Special Use Permit. Failure to exercise the Special Use Permit by 5/10/2000 shall result in the expiration of this approval. Condition #7 of the additional conditions submitted by the residents requests that the block wall height be increased by 16 inches. However, staff would require additional time to research the viability of that request. COUNCILMAN BROWN verified that the applicant would agree to raise the wall if permitted by Code. The agreement signed by both parties will be recorded as part of the approval on the site. If the property is subleased or sold, the new operator/owner would be aware of the agreement. CHERI EDELMAN, Public Works, added a condition that the applicant meet with the City Sanitary Sewer Engineer to address a sewer easement shown as an alley on the east edge of the property. Staff wants to make sure that there is no encroachment into the easement area. No one appeared in opposition. There was no further discussion.

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL 8. Contribute $1,500 for general neighborhood traffic mitigation 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 moneys 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. 9. All City Code requirements and design standards of all City departments must be satisfied.	MAYOR PRO TEM McDONALD declared the Public Hearing closed. NOTE: COUNCILMAN REESE directed that a handout be prepared and provided to convenience store applicants indicating that there may be problems obtaining a Special Use Permit for off-premise sale of beer and wine. COUNCILMAN BROWN added that there seems to be a proliferation of smaller stores which identify themselves as convenience stores and food marts. He instructed that staff look into a method of distinguishing between the two types of operations. DEPUTY CITY ATTORNEY GEORGE noted that although convenience stores are allowed as a matter of right in commercial zones, beer and wine sales require a Special Use Permit. (3:30 - 3:40) **3 - 2868**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at 1600 North Jones Boulevard for the off-premise sale of beer and wine in conjunction with a proposed convenience store. The applicant has not provided any justification for this request.

BACKGROUND DATA:

07/03/85 The City Council approved C-1 (Limited Commercial) zoning for this site (Z-92-84).

DETAILS OF APPLICATION REQUEST:

Site Area:	0.57	Acres
Building Area:	3,744	Square Feet
Parking Required:	15	Spaces
Parking Provided:	30	Spaces

This is an existing commercial building previously operated as an auto parts store. The applicant is now proposing to convert the building to a convenience store. Access to this site is via one existing driveway from Vegas Drive and one existing drive from Jones Boulevard. A 15 foot wide landscape planter is shown along Vegas Drive and a 9 foot wide planter is shown along Jones Boulevard. A trash enclosure is located on the northeast corner of the site. No changes are proposed to the site or building.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-PD10	Townhouses
South	C-1	Convenience Store/Retail Commercial
East	R-PD10	Townhouses
West	C-1 (R.O.I.)	Unimproved

Agenda Item

108

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL

PURPOSE/BACKGROUND

FINDINGS:

SITE PLAN:

It is recommended that the landscape planters along Vegas Drive and Jones Boulevard be upgraded to include 24 inch box trees 20 feet on center with shrubs and ground cover to comply with code. It is also recommended that the existing trash enclosure be relocated to be a minimum of 50 feet from the existing residential properties to comply with code.

USE:

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the review and approval of alcohol uses. The code requires a minimum 400 foot separation from any church, synagogue, school, child care facility licensed for more than 12 children or City park. The proposed location meets the minimum separation requirements. However, there are convenience stores existing on the southwest and southeast corners of this intersection that sell beer and wine. The City's General Plan encourages a mix of land uses. The applicant has not demonstrated any special circumstances to warrant the granting of this Special Use Permit, therefore, staff does not support this request.

Staff recommends denial.

The Planning Commission (4-0 vote) recommends APPROVAL.

[Note: The Planning Commission felt that the proposed operator of this store has shown good faith by meeting with representatives of the adjacent condominiums in an effort to resolve access issues. At the Planning Commission meeting, Mr. Jeberaeel agreed to work with the City Attorneys office to create an access easement that would be acceptable to the property owner and the adjacent residents.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-24-99 - KATHY L. LIGHTFOOT ON BEHALF OF JAMAL JEBERAEEL

PURPOSE/BACKGROUND

PC NOTICES MAILED: 447

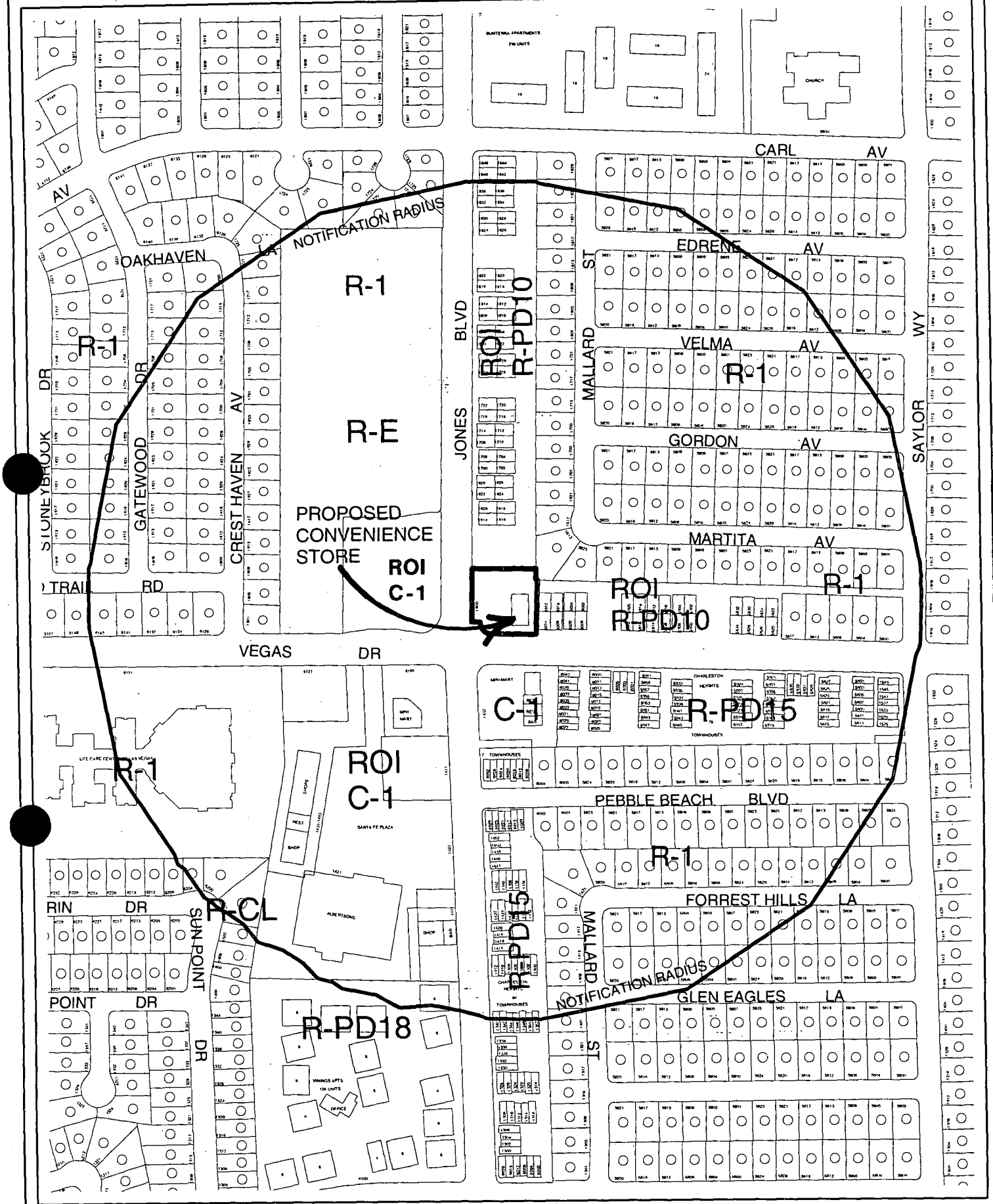
APPROVALS: 1

PROTESTS: 2

[Note: Adjacent residents were concerned about losing access to the common area/pool for the condominium project which currently requires passage across the northeast corner of this site.]

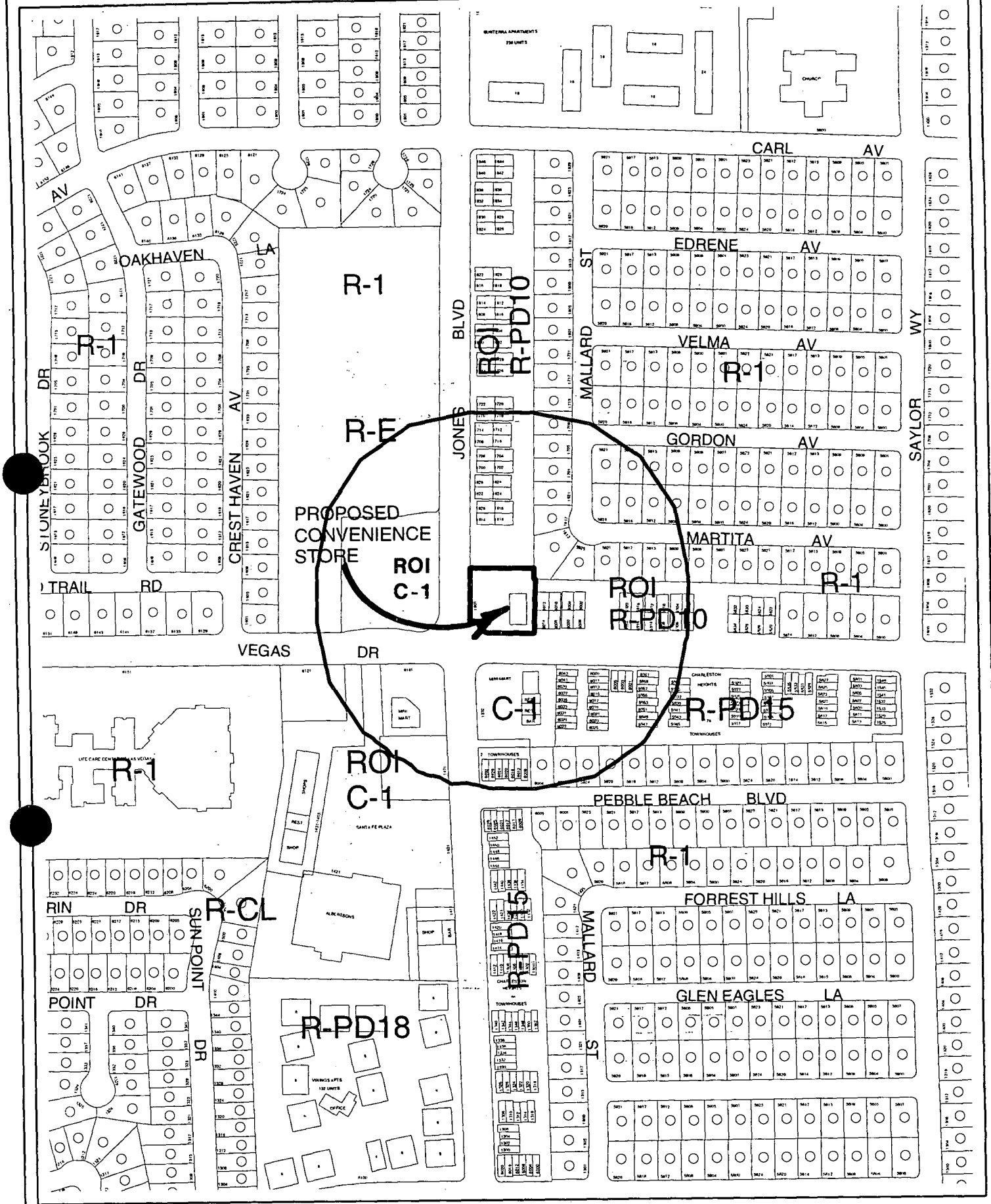
SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **U-24-99**
RADIUS: 1000 FT

N

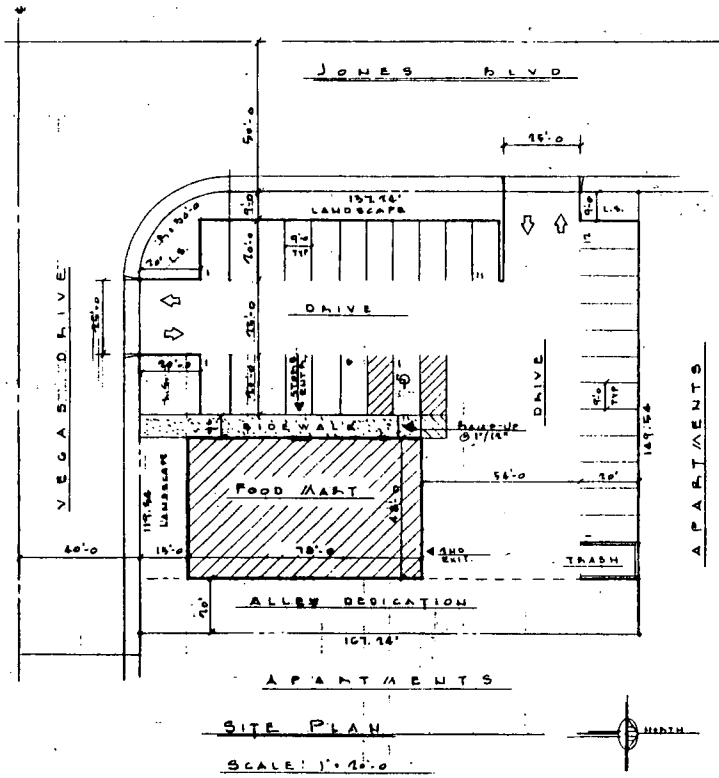


CASE: U-24-99

SEPARATION RADIUS: 400 FT

N

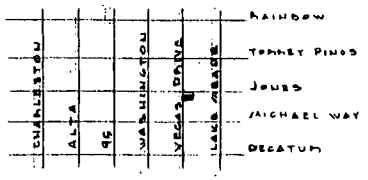
COMMERCIAL-(RETAIL)



SITE PLAN

SCALE: 1" = 10'-0"

NORTH



LOCATION MAP

SCALE: NONE

NORTH

KWICK CORNER FOOD MART

JAMAL JEBERAEEL

1600 NORTH JONES BLVD

LAS VEGAS NEVADA

PROJECT DATA:

OCCUPANCY	"B"
TYPE OF CONSTRUCTION	V-1HOUR
FIRE SPRINKLERS	YES
LOCATION ON PROPERTY	OPENINGS NOT PERMITTED LESS THAN 5'-0". PROTECTED LESS THAN 10'-0"
ALLOWABLE FLOOR AREA	9000 SF
ACTUAL FLOOR AREA	3744 SF
EXIT ANALYSIS:	REQUIRED (2) ACTUAL (5)
CODE EDITION -	1997

PARKING ANALYSIS:

SPACES REQUIRED	15
SPACES ACTUAL	29
H.C. VAN ACCESSIBLE	1
TOTAL	30

BUILDING SIZE	3744 SF
AREA	21000 SF (0.57 ACRE)
FLOOR AREA RATIO	1:5

NOTE:
THIS IS AN EXISTING BUILDING OCCUPIED BY GROCERY AUTO / CONVERSION WILL BE TO A CONVENIENCE MART / ADA-ANSI ACCESSIBILITY REQUIREMENTS NOT SATISFACTORY WILL BE BROUGHT TO CODE BY THIS OWNER.

U-24-99
4-8-99 PC

STAFF

CASE: U-24-99

MAR 25 1999

PC ADMIN

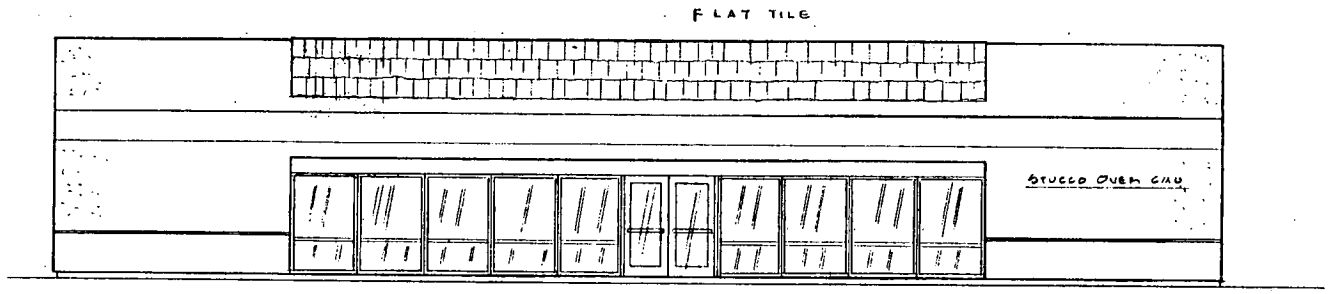
KWICK CORNER FOOD MART
JAMAL JEBERAEEL
1600 NORTH JONES
LAS VEGAS, NV.

SITE PLAN

DATE: 4-26-99

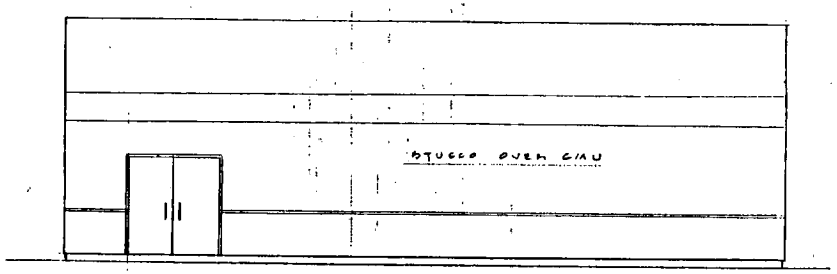
SHT

CITY COUNCIL MEETING OF MAY 10, 1999 Page 710



WEST ELEVATION

SCALE : ¼" = 1'-0



NORTH ELEVATION

SCALE : ¼" = 1'-0

STAFF

U-24-99

4-8-99 PC

CASE: U-24-99

MAR 25 1999

PC ADMIN. BZA

KWICK CORNER FOOD MART
JAMAL JEBENABEL
LAS VEGAS NEVADA

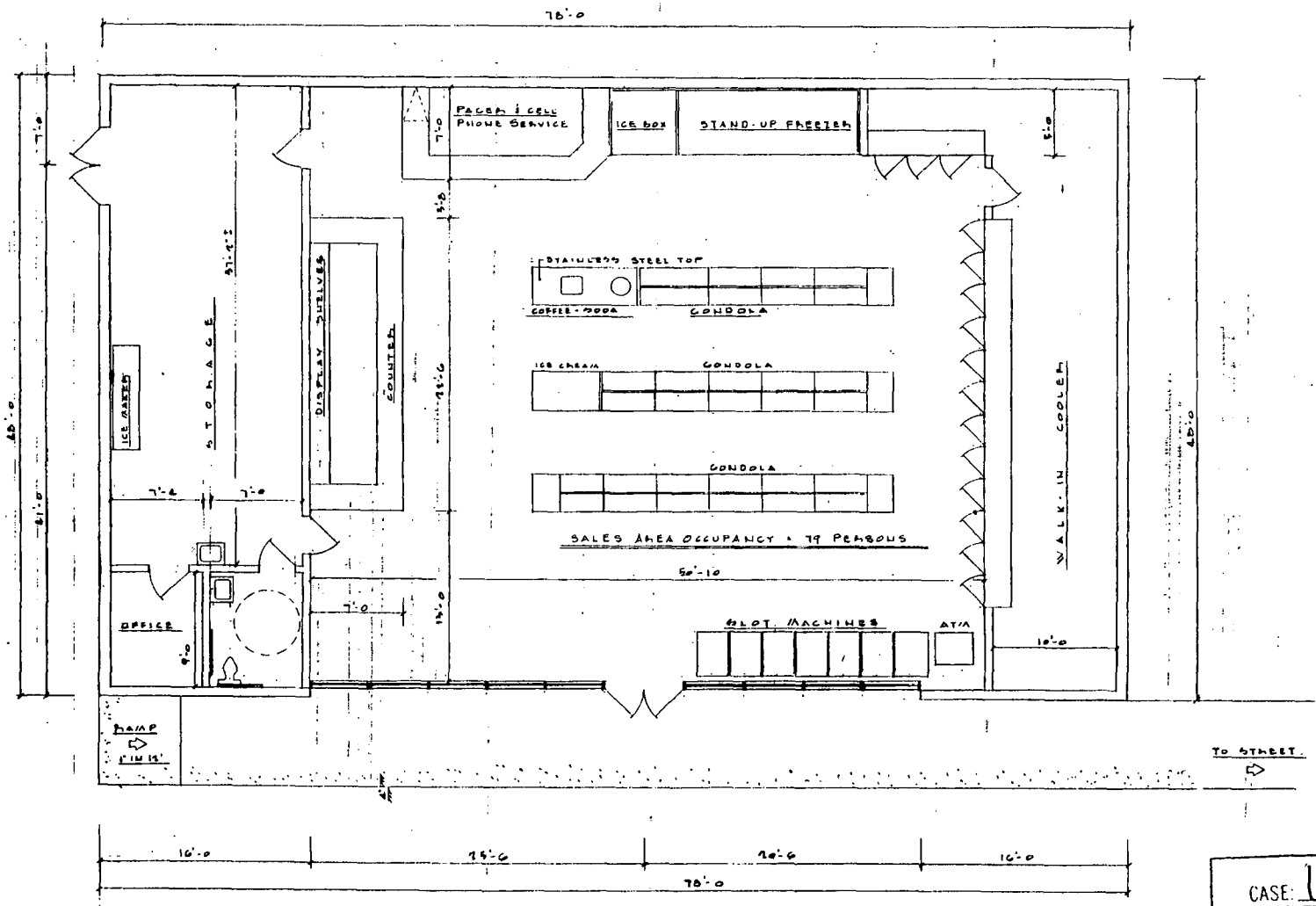
BUILDING ELEVATION

DATE: 4-22-99

CITY COUNCIL MEETING OF MAY 10, 1999

Page 711

5H



FLOOR PLAN

SCALE: 1/4" = 1'-0

NORTH

U-24-99

4-8-99 PC

STAFF

CASE: U-24-99

MAR 25 1999

PC ADMIN. BZA

KNICK CORNER FOOD MART

JAMAL JEBEHABEL

1600 NORTH JONES

AN ORDINANCE

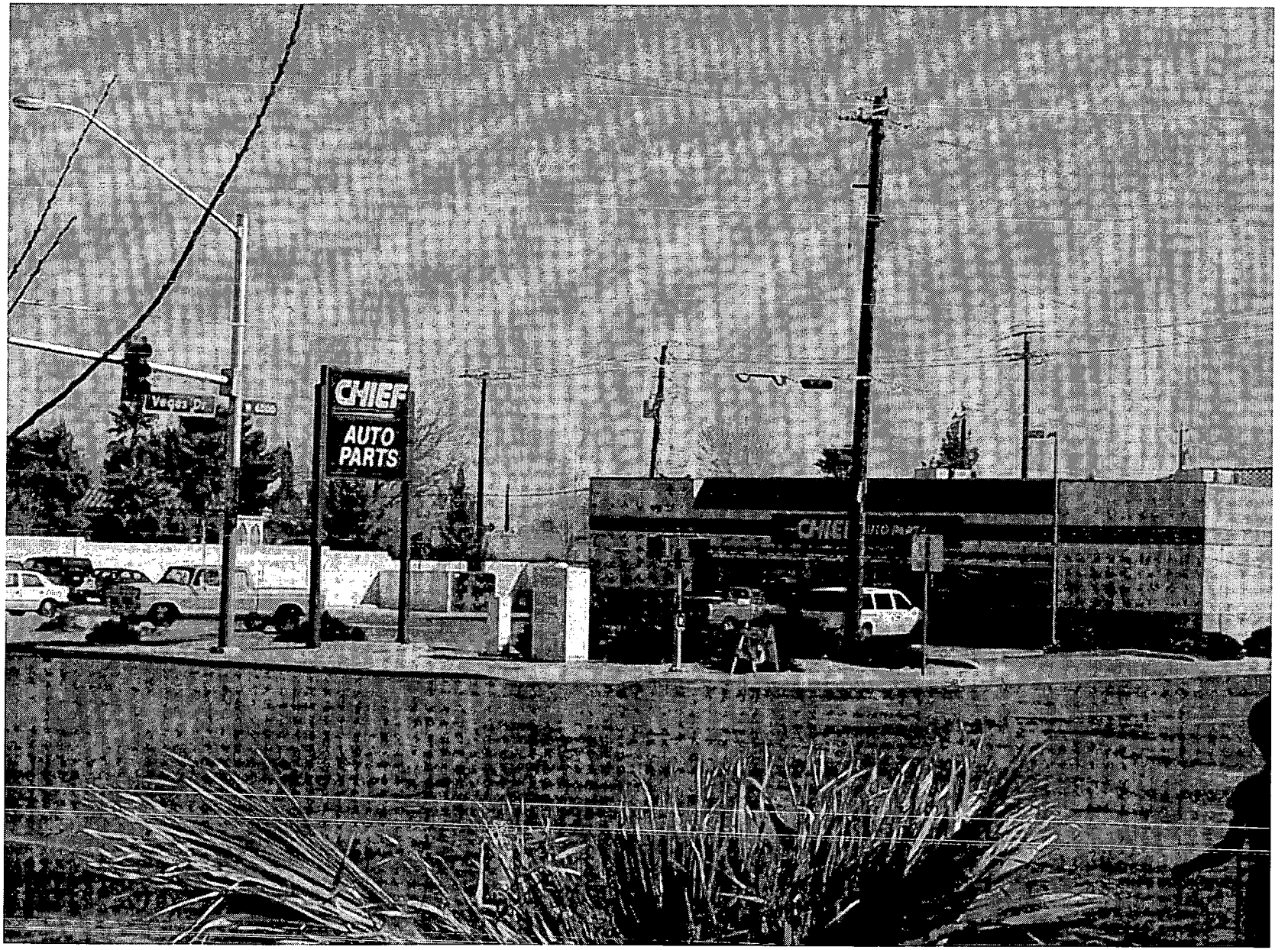
CITY COUNCIL MEETING OF MAY 10, 1999

FLOOR PLAN

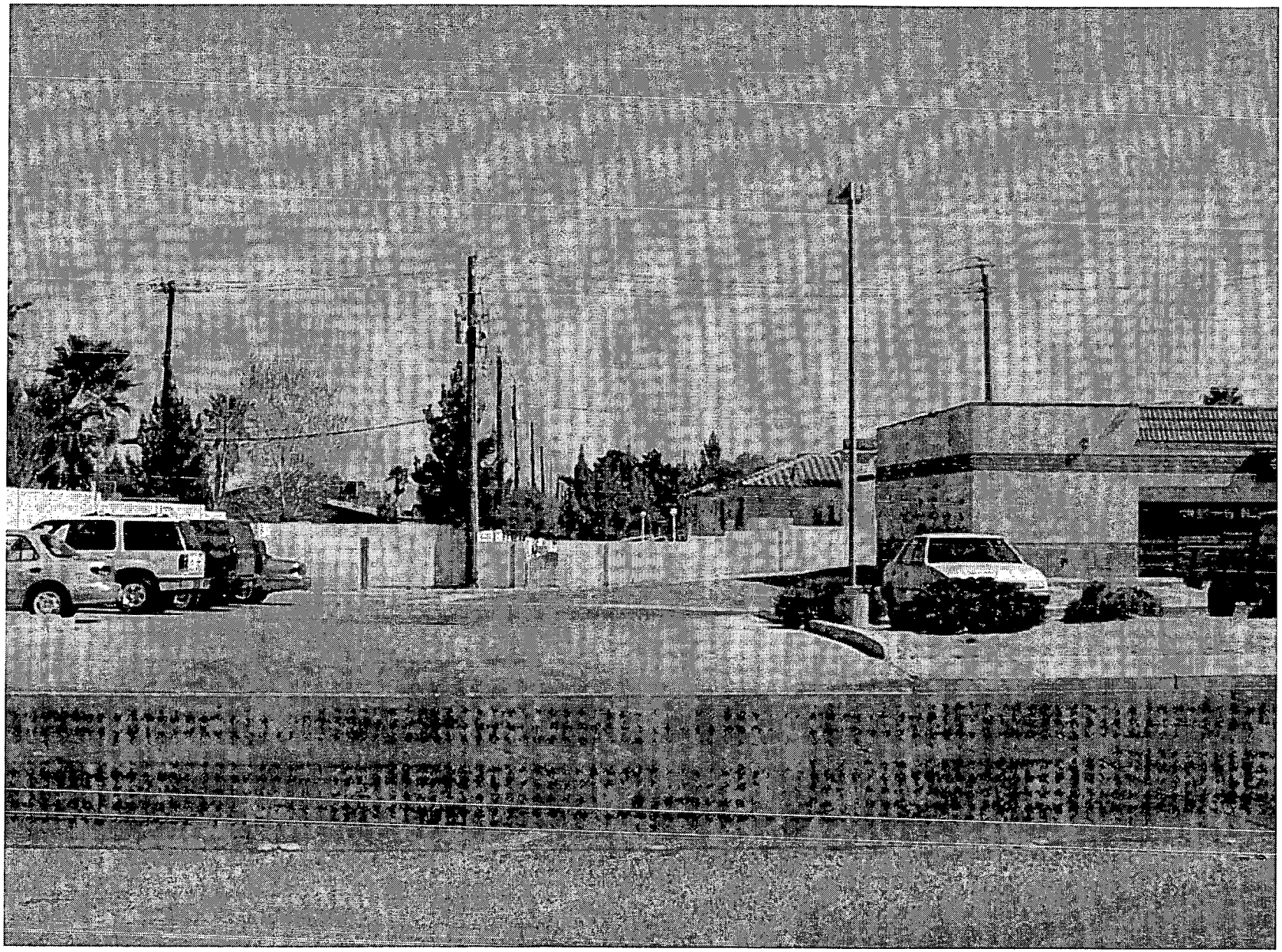
DATE: 2-11-99

Page 712

SHT



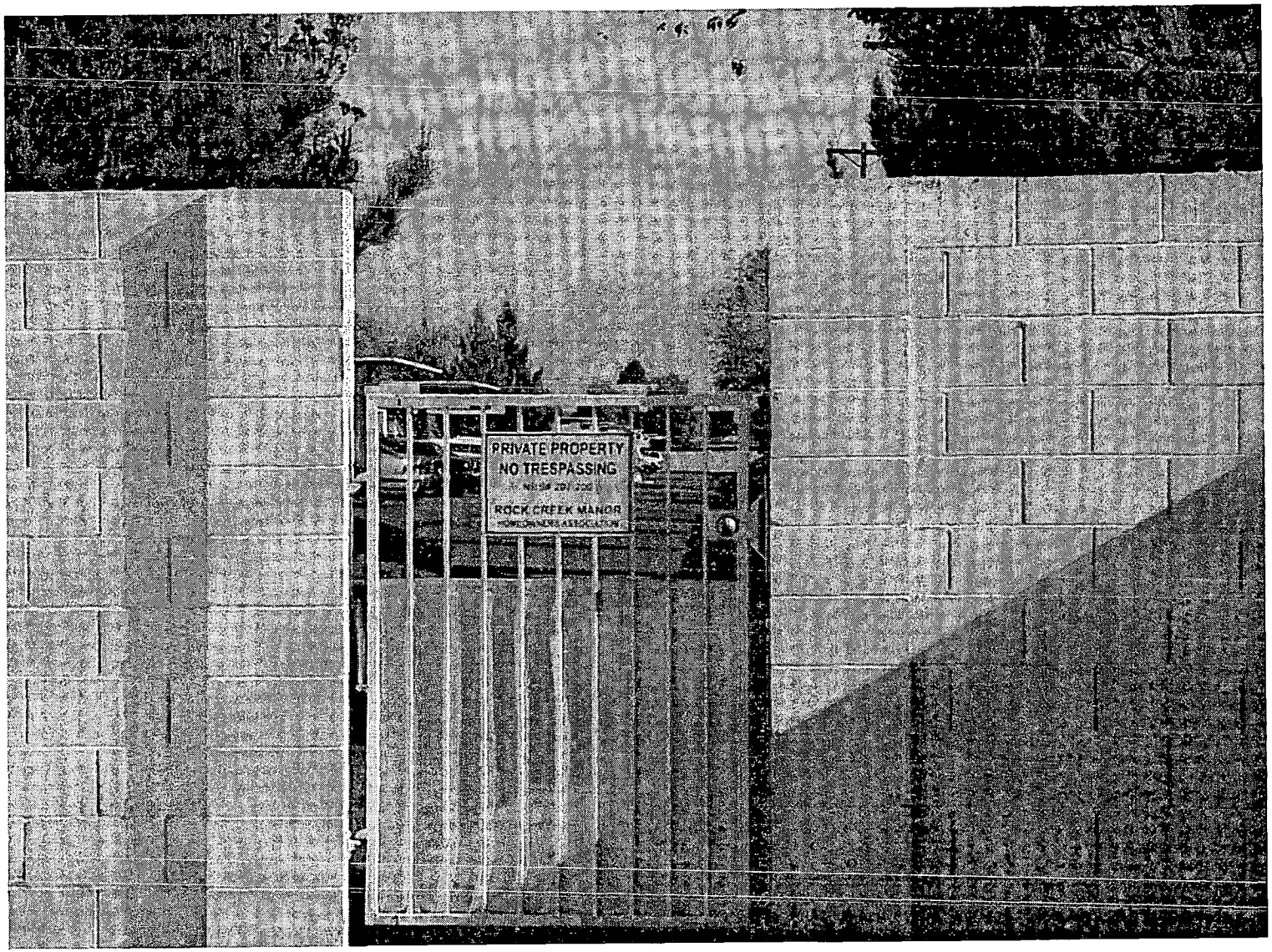
4-8-99 PC U-24-99 View of subject site from the southwest corner of Vegas Drive Jones Boulevard



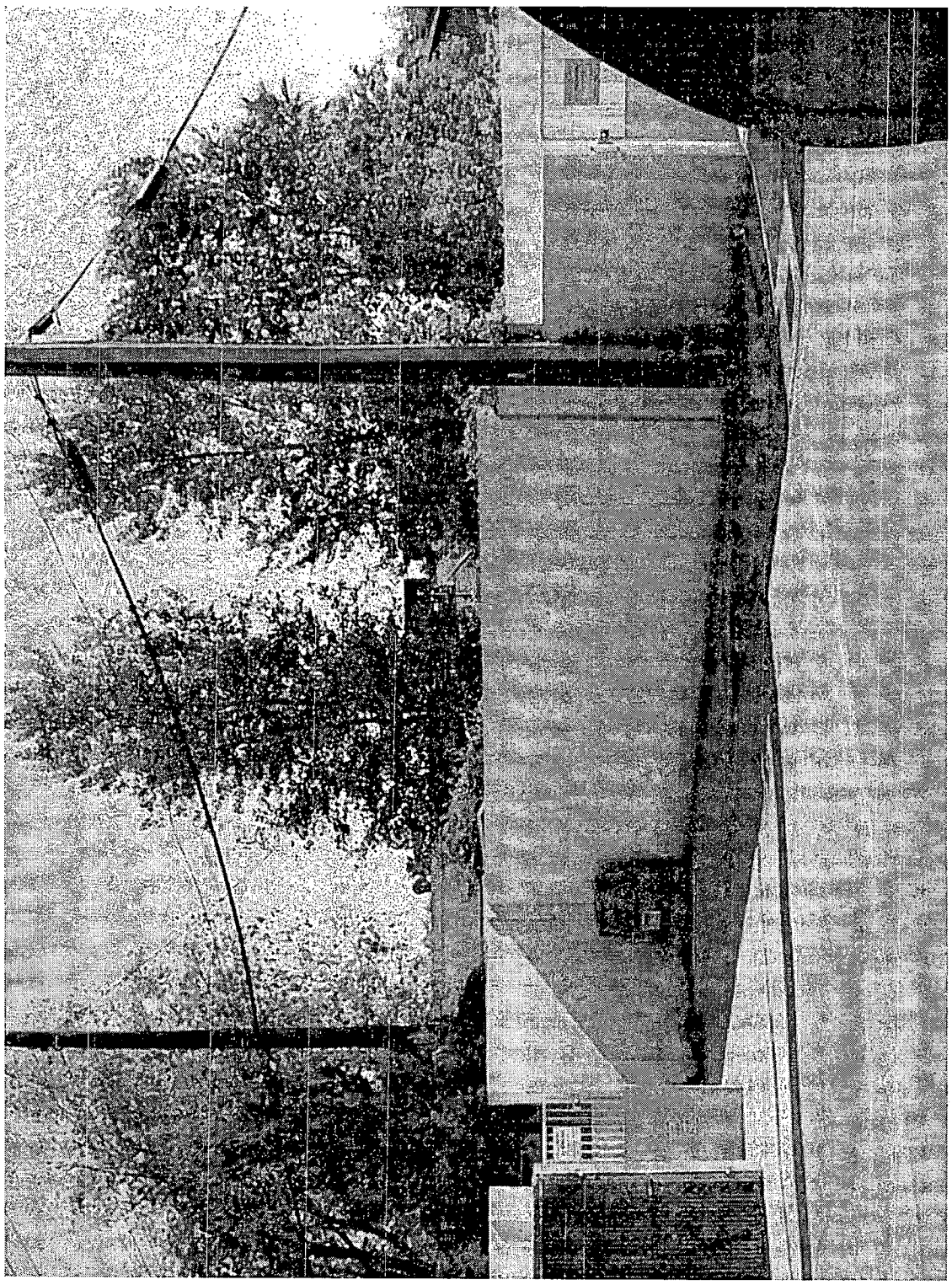
4-8-99 PC U-24-99 View of subject site from the west side of Jones Boulevard



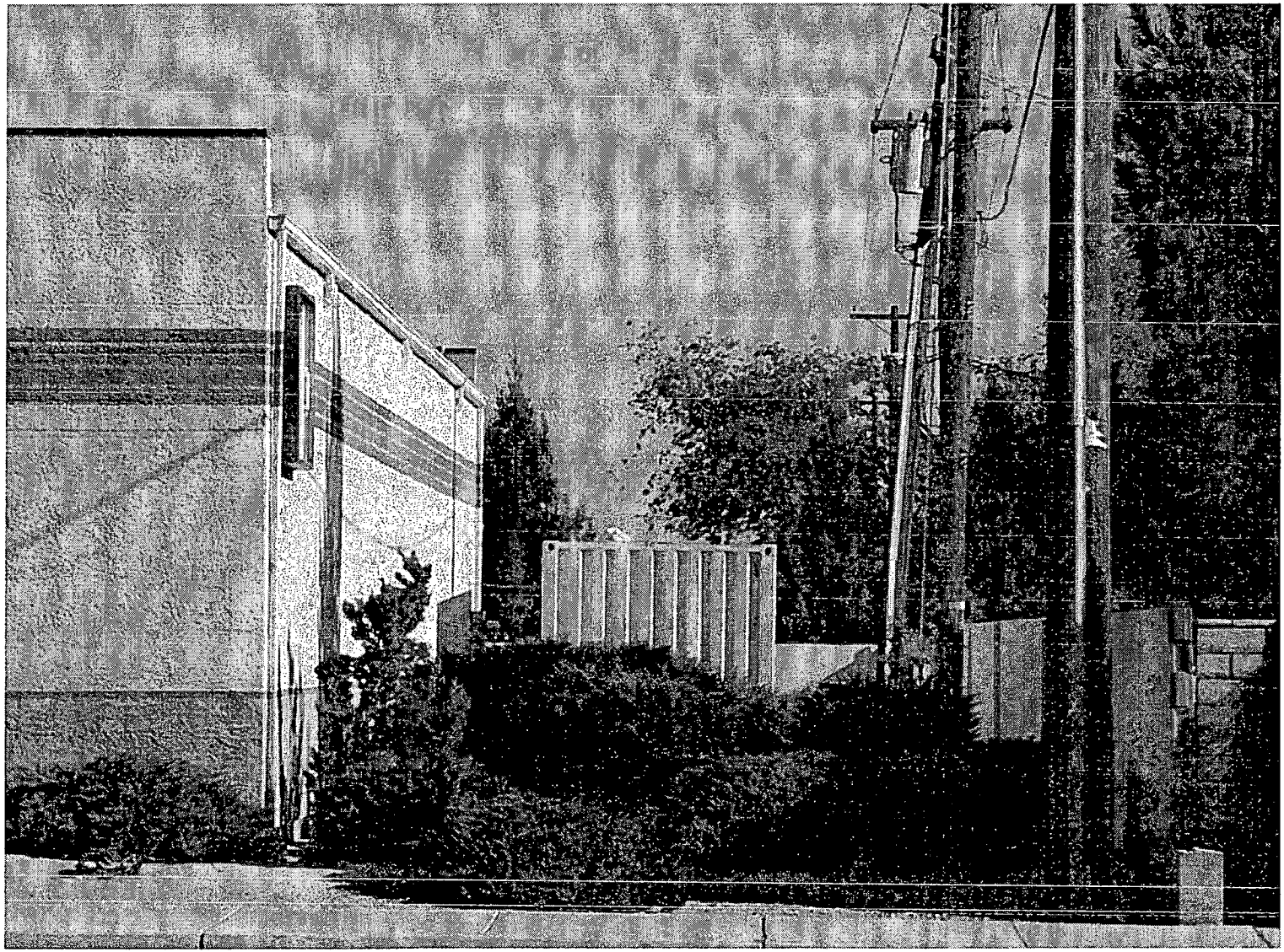
April 8, 1999 PC U-24-99 Abeyance Item
View of pedestrian access gate located on east property line



April 8, 1999 PC U-24-99 Abeyance Item
View of pedestrian access gate located on north property line



April 8, 1999 PC U-24-99 Abeyance Item
View of both pedestrian access gates



April 8, 1999 PC U-24-99 Abeyance Item
View of metal storage/dumpster container located adjacent to the east property line

Ms Jean Rinaldi
1617 N Mallard St
Las Vegas, NV 89108-2452

RECEIVED
CITY CLERK
1999 MAY -4 A 11:04

1617 N. Mallard St.
Las Vegas Nev, 89108
May 2, 1999

City Clerk
400 East Stewart Ave.
Las Vegas, Nev. 89101

Protest

To whom it may concern;

I am sending an objection to the Special Use Permit at 1600 North Jones Blvd. for the sale of Beer and Wine in conjunction with a proposed convenience store.

I'm sure we do not need another place to sell Beer & Wine, as, there is a convenience store at Michael Way, and Albertsons sell that across the street, also the new Rite Aid probably will sell it. It causes more problems for our neighborhood, which is pretty quiet at this time.

Thank you for your consideration.

Yours truly
Jean Rinaldi

#108
(over)

PS. It will increase Traffic and, undesirable people in the area.

AGREEMENT BETWEEN JAMAL JEBERAELI AND ROCK CREEK MANOR HOMEOWNERS ASSOCIATION
Regarding
CONDITIONS OF APPROVAL FOR U-24-99
(Convenience Store adjacent to private property)

Whereas Kathy L. Lightfoot on behalf of Jamal Jeberaeli (owner/Applicant), have requested a Special Use Permit on property located at 1600 N. Jones Blvd., for the off-premise sale of beer and wine in conjunction with a proposed convenience store,

Whereas the adjacent property owner, Rock Creek Manor Homeowners Association, has expressed concerns regarding safety and aesthetics with regard to the proposed Special Use Permit;

The parties to this Agreement, Jamal Jeberaeli and Rock Manor Homeowners Association agree as follows:

For and in consideration of Rock Creek Manor Homeowner Association's consent and approval of the subject convenience store Special Use Permit, Jamal Jeberaeli (Applicant) agrees as follows:

1. The existing trash enclosure and any future trash enclosure shall be located at least 50 feet away from the adjacent residential properties. The future location shall not block or impede the designated easement. The trash enclosure shall only be used to permanently house the trash receptacles and not be used for storage of supplies or miscellaneous materials.

2. The existing storage trailer shall be removed from the property within 30 days of approval of the Special Use Permit and no other storage sheds, trailers or containers shall be used on the property.

3. A minimum 8-foot landscape buffer shall be provided along the northern boundary of the parcel (excluding the gate opening). The 8-foot buffer shall include planting materials that will provide security for the adjacent residential areas (i.e., thorns, stickers, needles, and pins.) The 8-foot buffer shall include 24-inch box trees planted 15 feet on-center along the entire length of the property (excluding and not to interfere with the gate area) Suggested planting materials include thorn mesquite or mondel pine. Groundcover shall be installed to discourage transient lounging under tree canopies. Said landscaping shall be completed within six (6) months of approval of the Special Use Permit

4. The landscape buffer along the eastern wall shall be landscaped with a dense planting of pine trees or mesquite trees planted a minimum of 15-feet on center along the entire length of the wall (excluding and not to interfere with the gate area). Said landscaping shall be completed within six (6) months of approval of the Special Use Permit

#108

5. All landscaping shall be installed and maintained in perpetuity by the Applicant. Required irrigation shall be placed so that water spray and/or drainage will not damage or interfere with the integrity of the existing block wall or the drainage of the downstream property.

6 Applicant shall install a fence around the northern and eastern gates to the Rock Creek Manor complex (the easement area) based on the recommendations of a security consultant retained by Rock Creek Manor Homeowners Association. In addition, the Applicant shall install security lighting in or near the easement area. The lighting placement shall be directed away from the private residential properties. The subject fence and lighting shall be completed within 30 days of approval of the Special Use Permit.

7 The Applicant shall increase block wall height by at least 16 inches and install J-hooks on the top of block walls as an additional security measure on both the northern and eastern boundary walls. The increase in wall height and installation of J-hooks shall be completed within 30 days of approval of the Special Use Permit.

8. Car washes or other special events are prohibited on the subject property.

9 Future gasoline sales shall be limited to 4 pumps and shall be subject to approval by the City of Las Vegas and/or other applicable government agencies.

10 A one-year review shall be conducted before the Planning Commission and City Council to ensure adherence to all code and conditional items.

The parties agree that if any action is brought by one party to this Agreement against the other party to this Agreement wherein the enforcement of any of the terms or provisions of this Agreement are at issue, the party in whose favor final judgment is entered shall be entitled to recover from the adverse party reasonable attorney fees and costs.

DATE 4-8-99

DIANE EFL DRICKS
President of Board of Directors of
Rock Creek Manor Homeowners
Association

DATE 4-8-99

Jamal Jeberaeli
Applicant

Hickonbottom
5916 Velma, Ave
Las Vegas, NV.
89108-2480

office of city clerk

In regards To The Special use permit
Hearing date May 10-1999
PROPERTY LOCATED AT 1600 N. JONES BLVD.
Proposed convenience. C-1 (limited comm.)
APN: 138-24-401-002
We are land owners at 5916 Velma, Ave.
ON The OPPOSIT CORNERS we have Albertsons
Selling Beer ECT. A CASINO, RITE AID To OPEN
You go N. on Jones and Lakemead APP. 6.
Blocks. you have Walgreen Drugs, [redacted]
SAVE ON DRUGS and [redacted] LUCK-1S, Selling beer and
hard liquor.
we feel we have enought places Selling Beer ECT.
we Object To The Permit

Thank
Yours Hickonbottom and Norlene Hickonbottom

RECEIVED
CITY CLERK
1999 MAY 20 A 9:50

4-24-99
#108

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	**NOTE: THIS ITEM TO BE HEARD IN CONJUNCTION WITH MORNING SESSION ITEM NO. 78.**
	SPECIAL USE PERMIT - PUBLIC HEARING	
109	U-31-99 - ALBERT MASSI ON BEHALF OF SECOND SPIN, INC.	**BROWN - APPROVED subject to conditions - UNANIMOUS**
	Request for a Special Use Permit on property located at 2300 North Rainbow Boulevard TO ALLOW A SECONDHAND DEALER OF USED COMPACT DISCS, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-23-110-041.	******
	NOTICES MAILED: 172 BY CITY CLERK	MAYOR PRO TEM McDONALD declared the Public Hearing open.
	APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions	ATTORNEY ZEV KAPLAN, 3012 West Charleston Boulevard #140, appeared on behalf of the applicant and concurred with the conditions.
	TOTAL 0	COUNCILMAN BROWN stated to clear the record that ATTORNEY KAPLAN is Counsel for the Regional Transportation Commission on which COUNCILMAN BROWN sits. That has no bearing on this request.
	PROTESTS: 0 AFTER PC MEETING _____ Letters _____ Petitions	No one appeared in opposition.
	TOTAL 0	There was no further discussion.
	The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to:	MAYOR JONES declared the Public Hearing closed.
	1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.	(3:40 - 3:42) **3 - 3450**
	2. No outdoor display, sales or storage of any merchandise shall be permitted.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-31-99 - ALBERT MASSI ON BEHALF OF SECOND SPIN, INC. 3. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code. 4. If not already constructed by the master developer, construct a full width driveway and appropriate on-site pavement to allow two-way traffic to and from this site and the abutting public street (Rainbow Boulevard) as required by the Department of Public Works. 5. Site development to comply with all applicable Conditions of Approval for Z-85-96, Z-146-89 and all other site-related actions as required by the Planning and Development Department and the Department of Public Works. 6. All City Code requirements and design standards of all City Departments must be satisfied.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-31-99 - ALBERT MASSI ON BEHALF OF SECOND SPIN, INC.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Special Use Permit to allow Second Hand Sales of compact discs, movies and related materials in conjunction with a proposed 1,000 square foot suite within a 26,000 square foot commercial center on property located at 2300 North Rainbow Boulevard.

BACKGROUND DATA:

02/07/90 The City Council approved a request to Rezone this property from N-U (Non-Urban) to C-1 (Limited Commercial) (Z-146-89).

06/12/97 Staff administratively approved a Site Development Plan Review for a retail center to be located on this site [Z-146-89(7)].

05/11/98 The City Council approved a request for a Reinstatement and an Extension of Time with no expiration date on this property [Z-146-89(8)].

10/06/98 The Board of Zoning Adjustment approved a request for a Variance to a allow a zero (0) setback for this building as part of a larger request (V-64-98).

DETAILS OF APPLICATION REQUEST:

Site Area:	2.48	Acres
Retail Space:	1,000	Square Feet
Building Height:	25	Feet

The applicant proposes to operate a retail store for the sale of secondhand audio and video materials within a 1,000 square foot suite of the Alano Plaza. Access to the site is provided by two driveways to Rainbow Boulevard and one interior driveway on the north property line which adjoins the neighboring commercial center.

Agenda Item

109

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-31-99 - ALBERT MASSI ON BEHALF OF SECOND SPIN, INC.

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Retail Shops
South	C-1 (Limited Commercial)	Retail Shops
East	R-CL (Residential Compact Lot)	Single Family Houses
West	Rainbow Boulevard	

FINDINGS:

The sale of used audio and video material in this retail shop 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. Rainbow Boulevard, a Primary Street, provides access to the property and is adequate in size to meet the requirements of the proposed use. Approval of this Use Permit 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 (4-0 vote) and staff recommend APPROVAL.

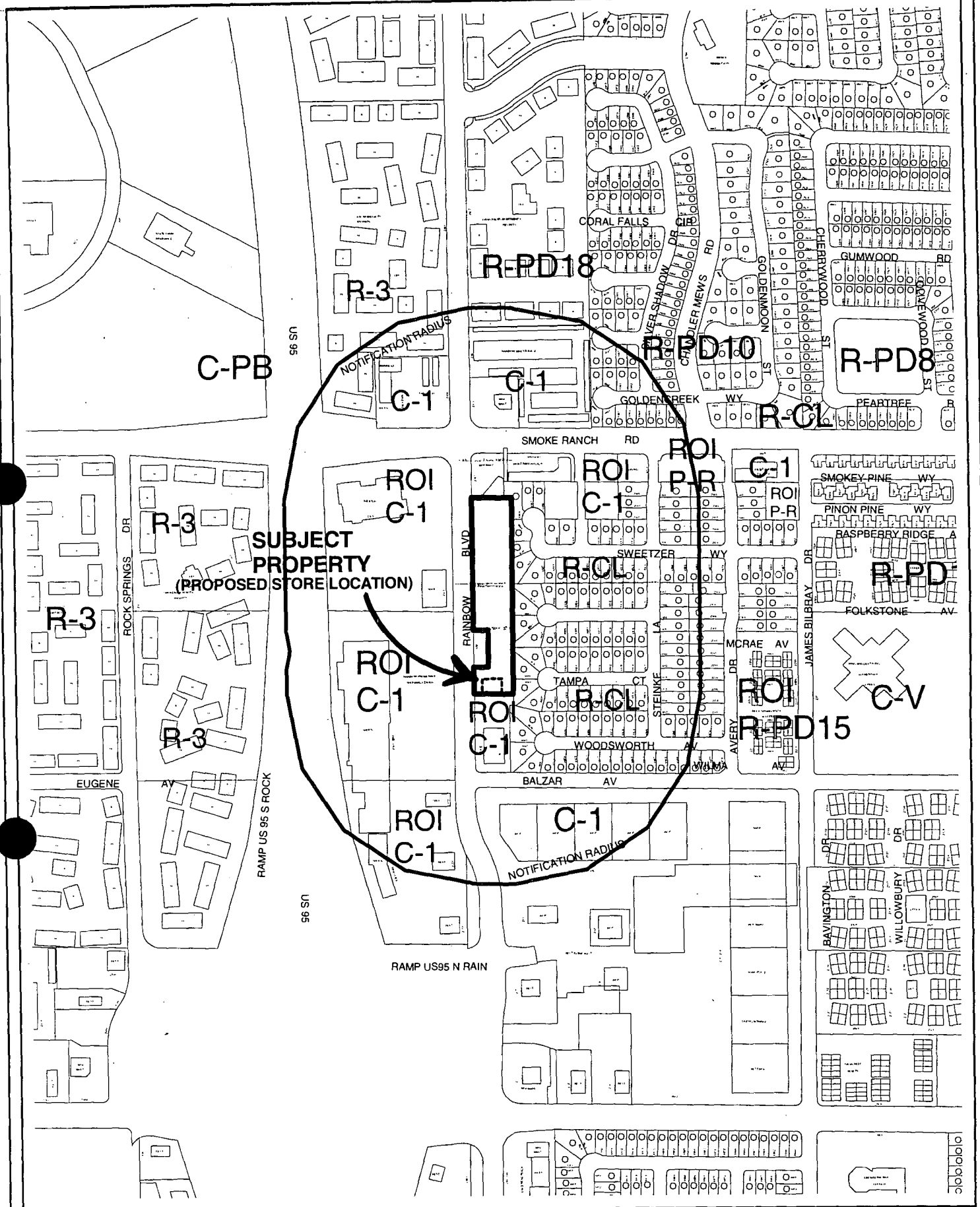
PC NOTICES MAILED: 169

APPROVALS: 0

PROTESTS: 0

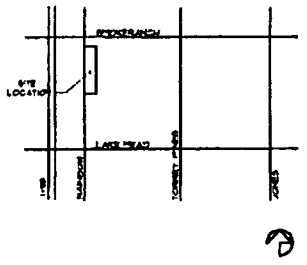
SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **U-31-99**
RADIUS: 750 FT

LOCATION



LANDSCAPE LEGEND

- EVERGREEN (24" BOX) @ 20' O.C.
- HONDEL PINE (24" BOX) @ 25' O.C.
- MEXICAN PALO VERDE (24" GALLON)
- PESCAT ACACIA (30 GALLON)
- SHOESTRING ACACIA (30 GALLON)
- DESERT SPOON (1 GALLON)
- PEATHERY CABBAGE (1 GALLON)
- OCOTILLO (5 GALLON)

PROJECT DATA

REQUIRED ZONING: C1

EXISTING ZONING: C1

REQUIRED PARKING: (1 SPACE/500 S.F.) = 37 SPACES

EXISTING PARKING: 149 SPACES

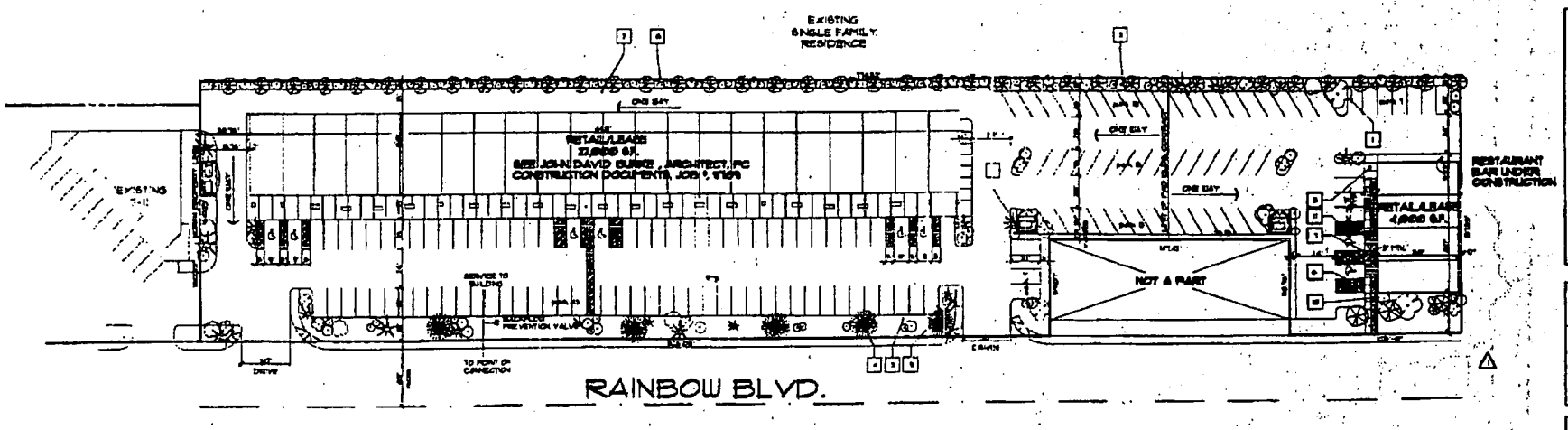
SITE ACREAGE: 2.48 ACRES ± (NET)

APN#: 138-23-110-041

KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH
2	3" A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/MEDIUM BROOM FINISH
6	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
7	HANDICAP CURB RAMP AS PER ANSI STD.'S
8	8'-0" HANDICAP ACCESS AISLE
9	PYLON SIGN
10	HANDICAP ACCESS TO THE PUBLIC WAY
11	PAINTED STRIPES

NOTES:
1. SEE CIVIL FOR ALL FINAL GRADES, UTILITY HOOK-UPS, OFF SITE IMPROVEMENTS, MEETS & BOUNDS, DIMENSIONS ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARKING SPACES, PARKING AISLES TO HAVE 1:20 MAX. LONGITUDINAL SLOPES & 1:48 MAX. TRANSVERSE SLOPE TYP.
3. MAXIMUM SLOPE IN ANY DIRECTION FOR HANDICAPPED PARKING SPACES & ACCESS AISLES IS TO BE 2%
4. ACCESSIBLE ROUTE TO THE PUBLIC WAY SHALL HAVE SLOPES OF 5% FOR RAMPS & 2% FOR CROSS SLOPES



1 SITE / LANDSCAPE PLAN

SCALE: 1" = 30'-0"

revisions

john david burke, architect

RETAIL PAD BUILDING
ALANO PLAZA
for: TERRAWEST REALTY & DEVELOPMENT
CITY OF LAS VEGAS NEVADA

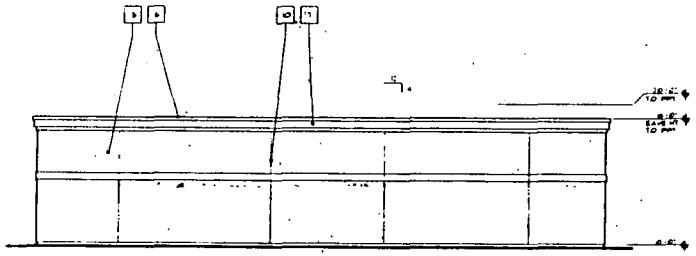
date	
proj. no.	
drwn. by	
chkd. by	

sheet no. A1

4-8-99 PC

U-31-99

U-31-99
4-8-99 PC
STAFF



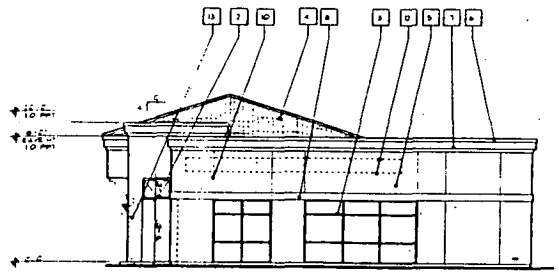
3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

KEYNOTES

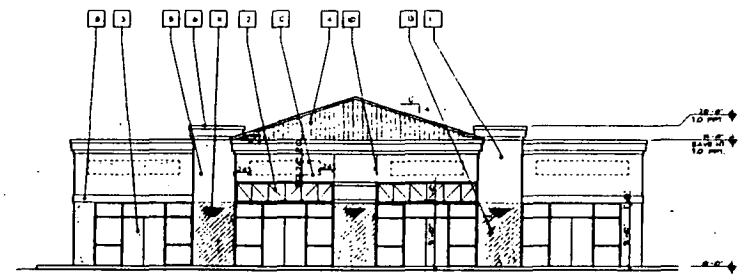
*	description
	FURRED STUCCO COLUMN
	DECORATIVE TUBE STEEL TRUSS
	ALUMINUM STOREFRONT + GLAZING
	CONCRETE ROOF TILE O/ 30# FELT
	⅞" STUCCO FINISH - LIGHT DASH
	14 GA Ω PARAPET CAP
	STUCCO FASCIA (LIGHT DASH)
	2x8 STUCCO PLANTER
	NOT USED
	STUCCO CONTROL JOINT - KEENE #40
	DECORATIVE LIGHT SCONCE
	DESIGNATED AREA FOR SIGNAGE
	⅞" STUCCO FINISH - HEAVY DASH FINISH

SHEATH ALL EXTERIOR VERTICAL SURFACES WITH 3/8" EXT. D&B (MIN.) AND AS PER STRUCTURAL CALCULATIONS

△ NOTE: ALL QUARRIED CERAMIC TILE ON COLUMNS HAS BEEN REMOVED + REPLACED W/A HEAVY DASH STUCCO FINISH - SEE MATCH PATTERN FOR LOCATION



2 WEST ELEVATION (EAST ELEVATION SIMILAR)
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

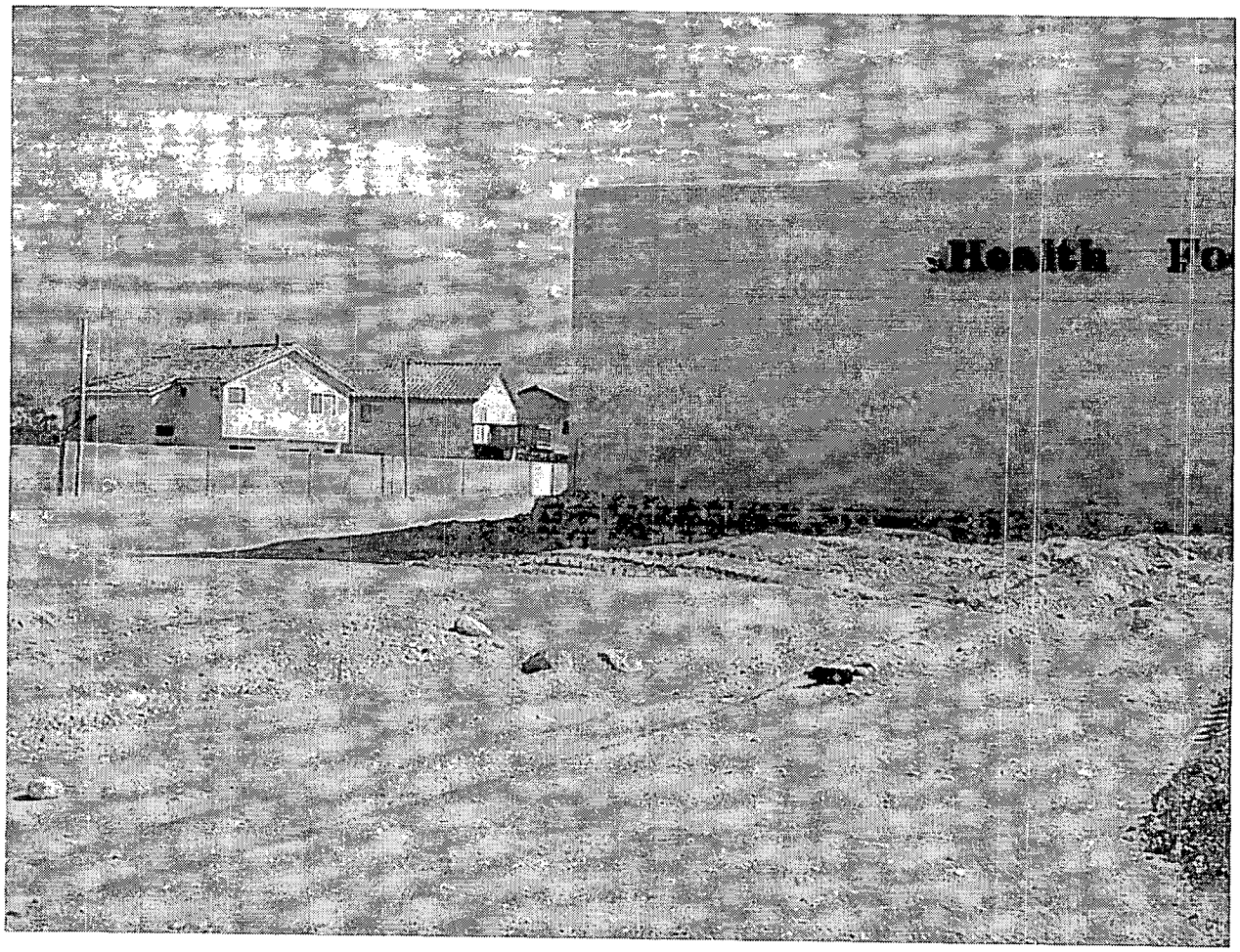
revisions:

John Dau Burke, architect

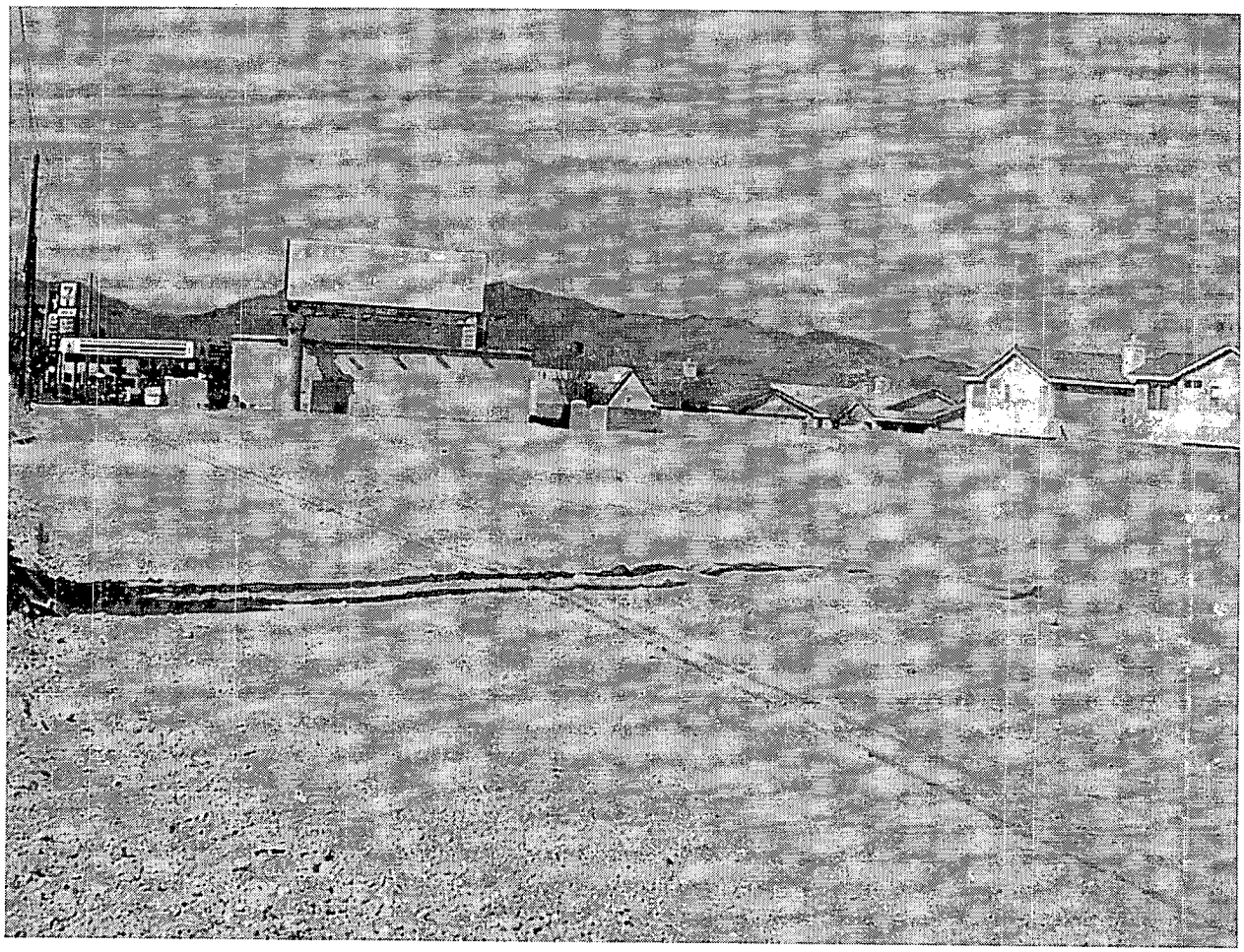
RETAIL PAD BUILDING
ALANO PLAZA
for: TERRAQUEST REALTY & DEVELOPMENT
CITY OF LAS VEGAS NEVADA

date
proj. no.
drwn. by
chkd. by

sheet no. A3



U-31-99



U-31-99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
110	U-33-99 - SAXTON, INC. ON BEHALF OF ASAM YOUSIF Appeal filed by Saxton, Inc. from the Denial by the Planning Commission for a Special Use Permit on property located at 3600 Vegas Drive FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE; AND FOR A WAIVER OF THE MINIMUM 400 FOOT SEPARATION REQUIREMENT FROM A CHILD CARE FACILITY, C-2 (General Commercial) Zone, Ward 4 (Brown), APN: 139-20-410-003. NOTICES MAILED: 220 BY CITY CLERK APPROVALS: 1 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 1 PROTESTS: 160 AFTER PC MEETING 2 Letters _____ Petitions TOTAL 162 The Planning Commission (3-0-1 vote) and staff recommend DENIAL. If approved, subject to: 1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted. 2. This approval constitutes approval of a waiver of the 400 foot separation requirement between a child care facility and liquor establishment.	**McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice of Item 110 [U-33-99], Item 113 [Z-6-99], Item 114 [U-10-99], and Item 115 [U-11-99] and to HOLD IN ABEYANCE Item 95 [Z-105-93(5)] to 5/24/99 and Item 119 [Z-19-99] to 5/24/99 as the first Planning & Development PM agenda discussion item - UNANIMOUS** ****** COUNCILMAN BROWN commented that several neighbors were in attendance at the meeting in regard to Item 110 [U-33-99]. MAYOR JONES pointed out that Item 110 was no longer an issue as it had been withdrawn by the applicant. There was no further related discussion. (2:24 - 2:28) **3- 290**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-33-99 - SAXTON, INC. ON BEHALF OF ASAM YOUSIF 3. The sale of individual containers of any size beer, wine coolers or screw cap wine is prohibited. 4. Approval of this Special Use Permit does not constitute approval of a liquor license. 5. Conformance to all relevant sections of the Municipal Code. 6. All City Code requirements and design standards of all City departments must be satisfied. 7. Conformance to all site-related actions.	**WITHDRAWN Without Prejudice**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-33-99 - SAXTON, INC. ON BEHALF OF ASAM YOUSIF

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is an appeal filed by Saxton, Inc. from the Denial by the Planning Commission for a Special Use Permit on property located at 3600 Vegas Drive for the off-premise sale of beer and wine in conjunction with a proposed convenience store and a waiver of the 400 foot distance requirement between alcohol (Beer and Wine) sales and a child care facility.

BACKGROUND DATA:

12/02/97 The Board of Zoning Adjustment approved a Variance to allow an 8.9 foot corner yard setback where 15 feet was allowed (V-90-97), in conjunction with a Site Development Plan Review for the site.

DETAILS OF APPLICATION REQUEST:

Site Area:	.70	Acres
Building Area:	2,898	Square Feet
Parking Required:	39	Spaces
Parking Provided:	39	Spaces
Building Height:	19	Feet

Access to the site is provided by one driveway from Vegas Drive. The commercial center is sited on the northern portion of the site, with parking to the south. There is a eight foot wide landscape planter along Vegas Drive. The elevations depict a one-story commercial complex with a stucco exterior and false towers with red tile roofs.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	C-2	Tavern
South:	R-1 and P-R	Office and Single Family Residence
East:	C-2	Office
West:	C-2	Child Care Facility

Agenda Item

110

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-33-99 - SAXTON, INC. ON BEHALF OF ASAM YOUSIF

PURPOSE/BACKGROUND

FINDINGS:

There are two child care facilities within 400 feet of this application. The Little Round-up child care facility, located at 3700 Vegas Drive, licensed for a maximum of 72 children, is located 55 feet from the proposed convenience store. My Little Margies child care facility, located at 3707 Vegas Drive, is licensed for 35 children and is located approximately 100 feet from the proposed convenience store. The child care facility located at 3700 Vegas Drive has provided staff with a letter indicating they have no objection to this request. However, Section 19A.04.050 of the City of Las Vegas Zoning Code requires all off-sale liquor establishments to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City park. The child care facility at 3707 Vegas Drive has not provided a letter either for or against the application. Therefore, based on the above findings, staff cannot support this request.

The Planning Commission (3-0-1 vote) and staff recommend DENIAL.

PC NOTICES MAILED: 218

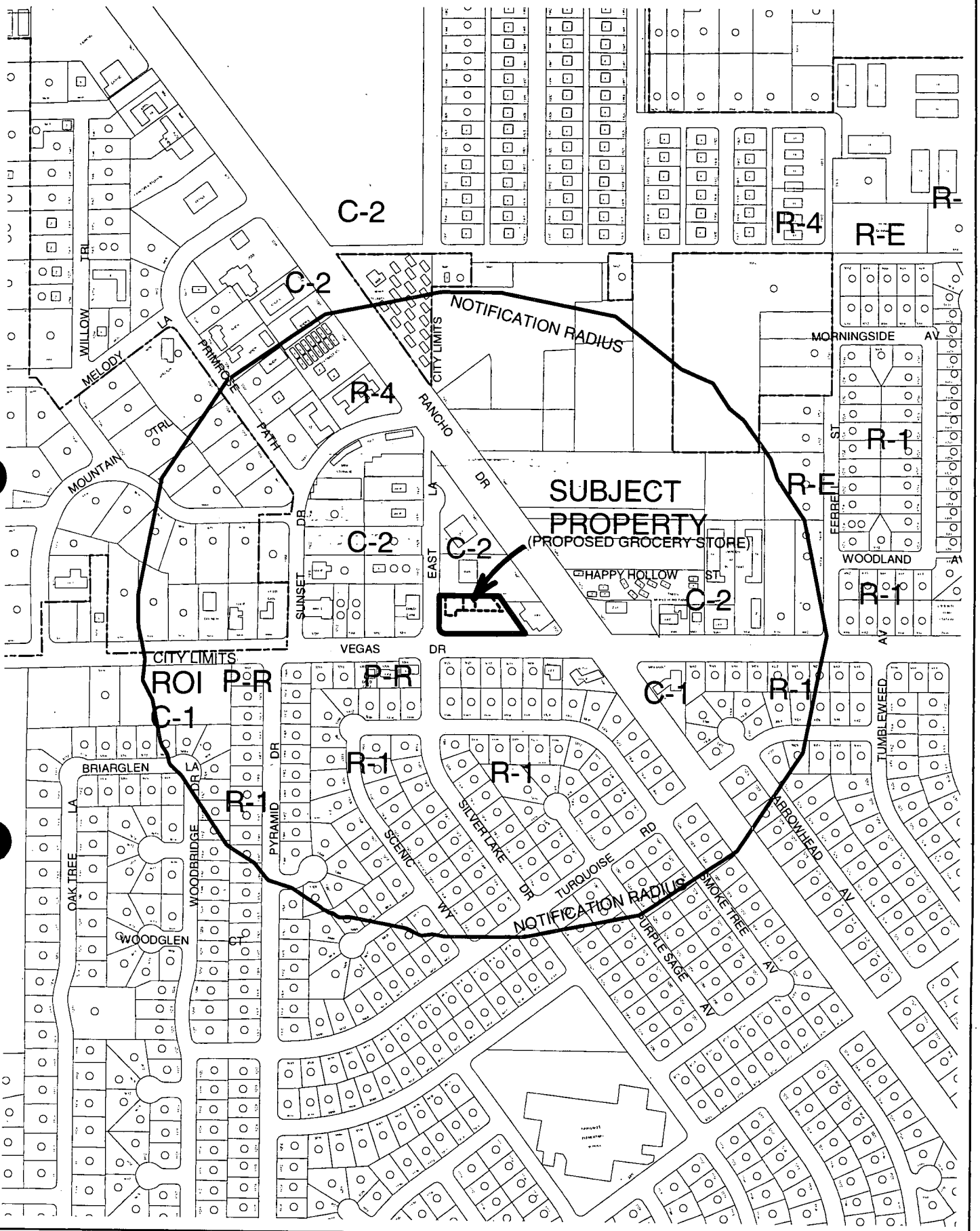
APPROVALS: 1

PROTESTS: 160

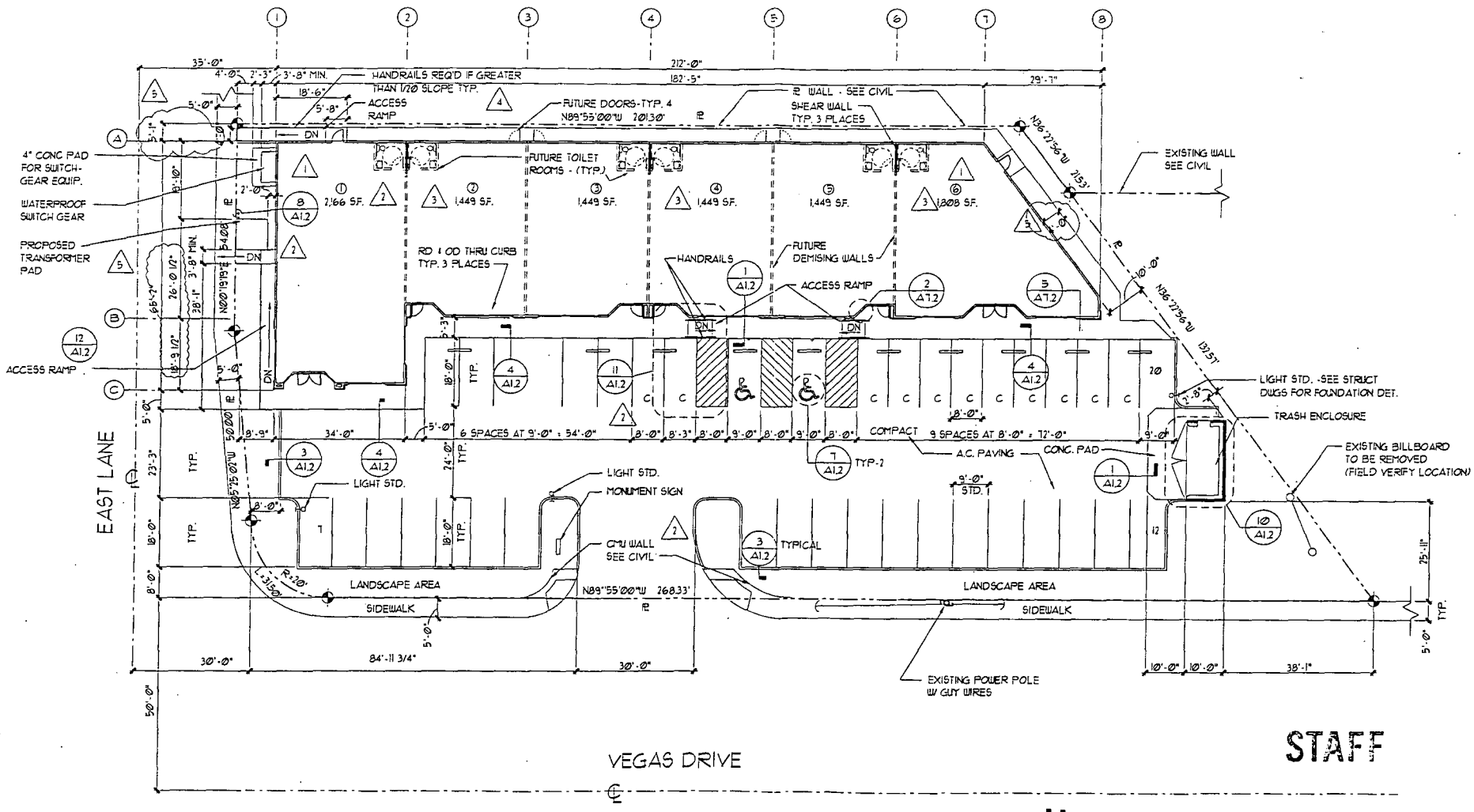
[Note: Several people spoke in opposition to this request at the Planning Commission meeting stating their belief that there are enough places to purchase alcohol in this area, and that this use is not compatible with the nearby day care facilities.]

SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **U-33-99**
RADIUS: 1000 FT



SAXTON INCORPORATED
8440 WEST SAHARA AVENUE, 3rd FLOOR
LAS VEGAS, NEVADA 89103
(702) 531-1111

PROJECT: RANCHO VEGAS RETAIL CENTER
CITY OF LAS VEGAS
OWNER: SAXTON INCORPORATED
LAS VEGAS, NEVADA

SHEET TITLE: SITE PLAN

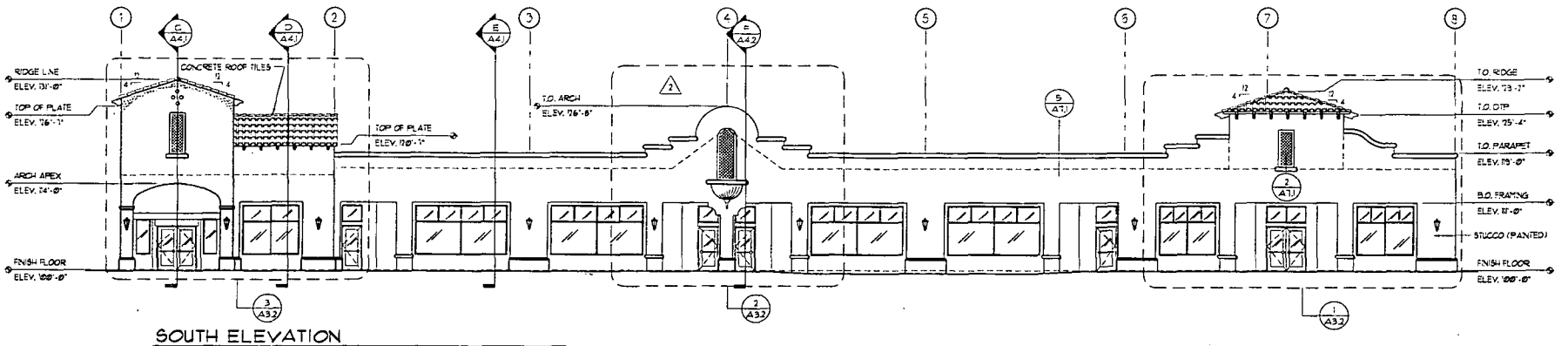
JOB NO.	9744A11
DRWG BY.	9744
CHKD BY.	OCL
	P.N.

3/17/98	PERMIT
4/13/98	SUB
4/17/98	CLV
8/7/98	S.U.P. 2
8/24/98	S.U.P.
9/29/98	S.U.P. #5
10/23/98	S.U.P. #5

SHEET NO. A1.1

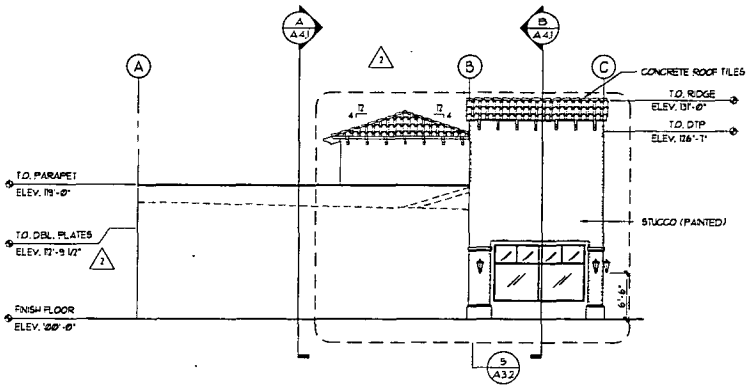
This design & the property of Saxton Incorporated, Nevada Contract contractor #0017741 are unauthorized use is strictly prohibited per the NEVADA REVISED STATUTES

J:\ACAD\1997\9744\ARCH\9744a11.dwg Thu Oct 08 15:14:50 1998 DTODD



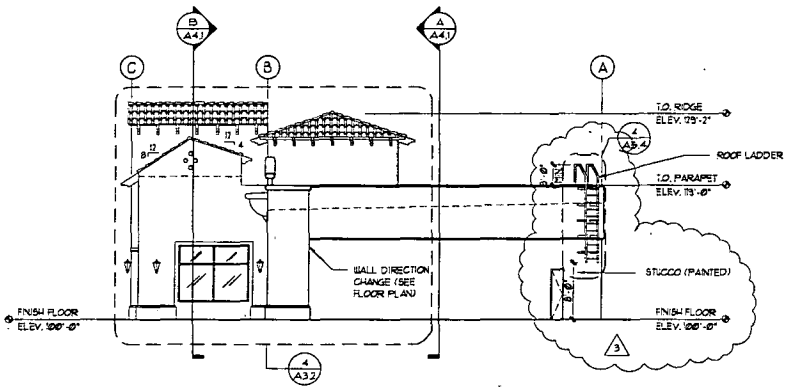
SOUTH ELEVATION

1/8"=1'-0"



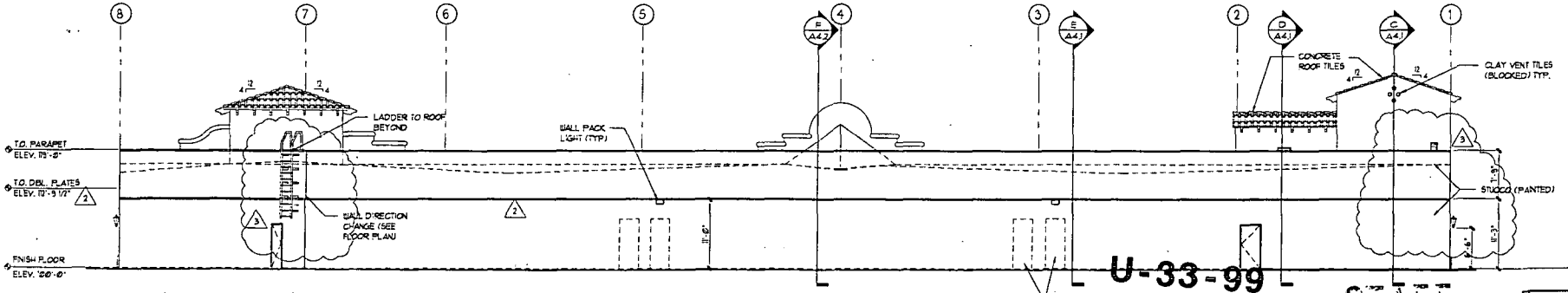
WEST ELEVATION

1/8"=1'-0"



EAST ELEVATION

1/8"=1'-0"



NORTH ELEVATION

1/8"=1'-0"

U-33-99

4-8-99 PC

STAFF

This design is the property of Saxton Incorporated. Reuse by licensed contractor (NRS 623.349) only. Unauthorized use is strictly prohibited per the NEVADA REVISED STATUTES

SAXTON INCORPORATED ARCHITECTURE

PROJECT: RANCHO VEGAS RETAIL CENTER
CITY OF LAS VEGAS

OWNER: SAXTON INCORPORATED
LAS VEGAS, NEVADA

SHEET TITLE: EXTERIOR ELEVATION

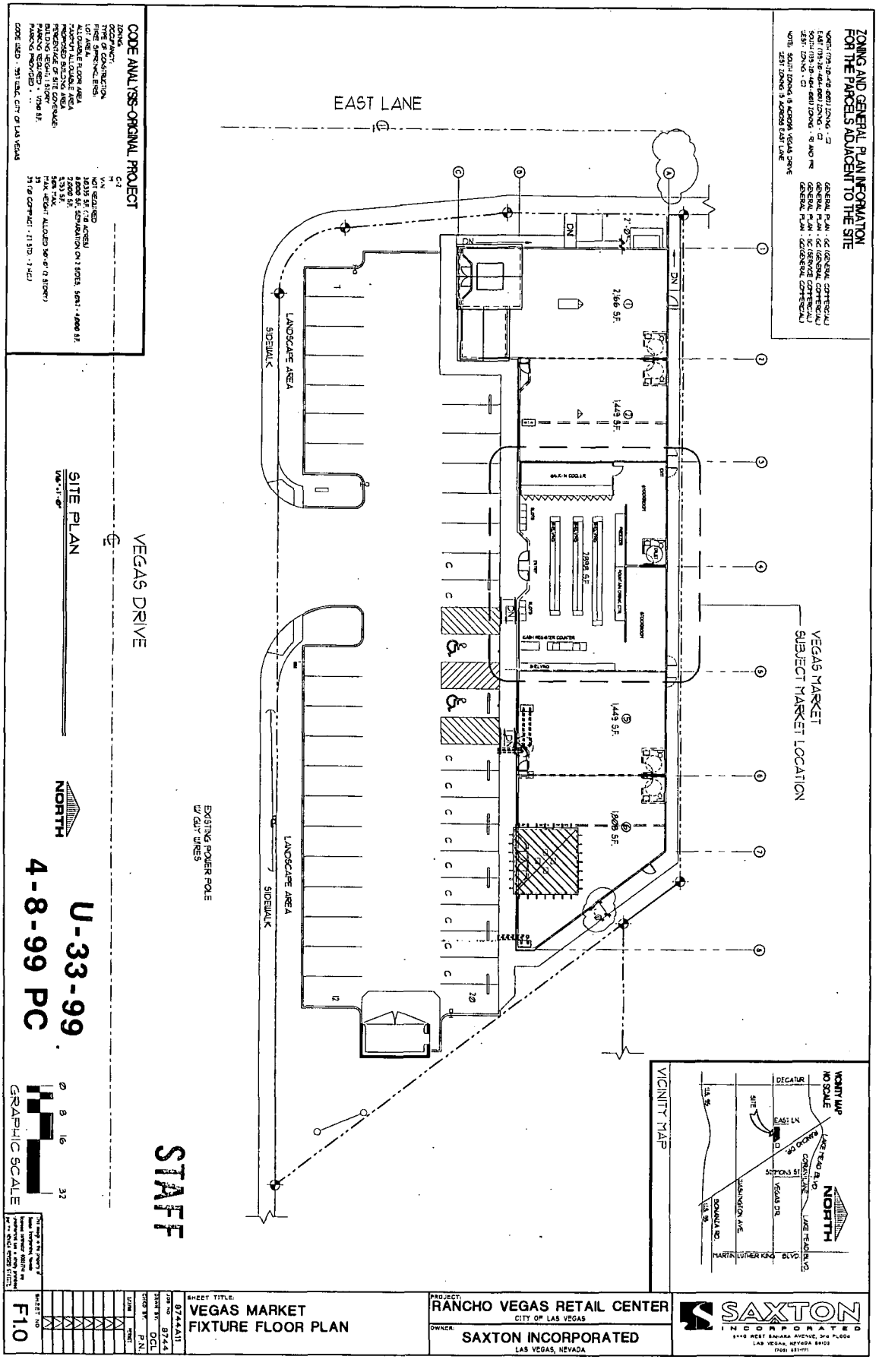
9744A31

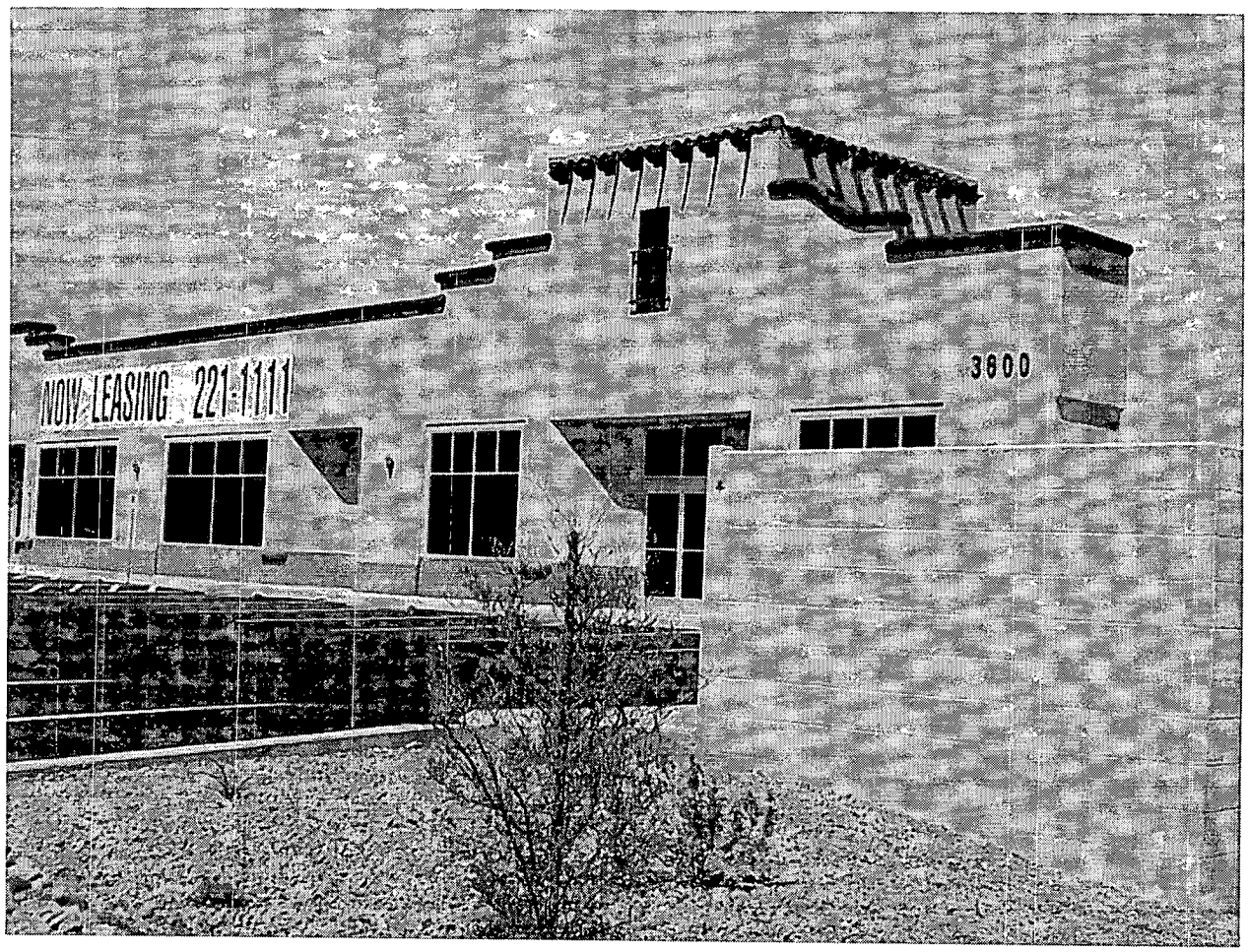
JOB NO	9744
DRAWN BY	DCL
CHKD BY	P.N.

1/1/98	PERMIT
4/1/98	1 SID
4/1/98	2 CLV
8/7/98	3 S.I. #3
10/21/98	4 S.I. #5

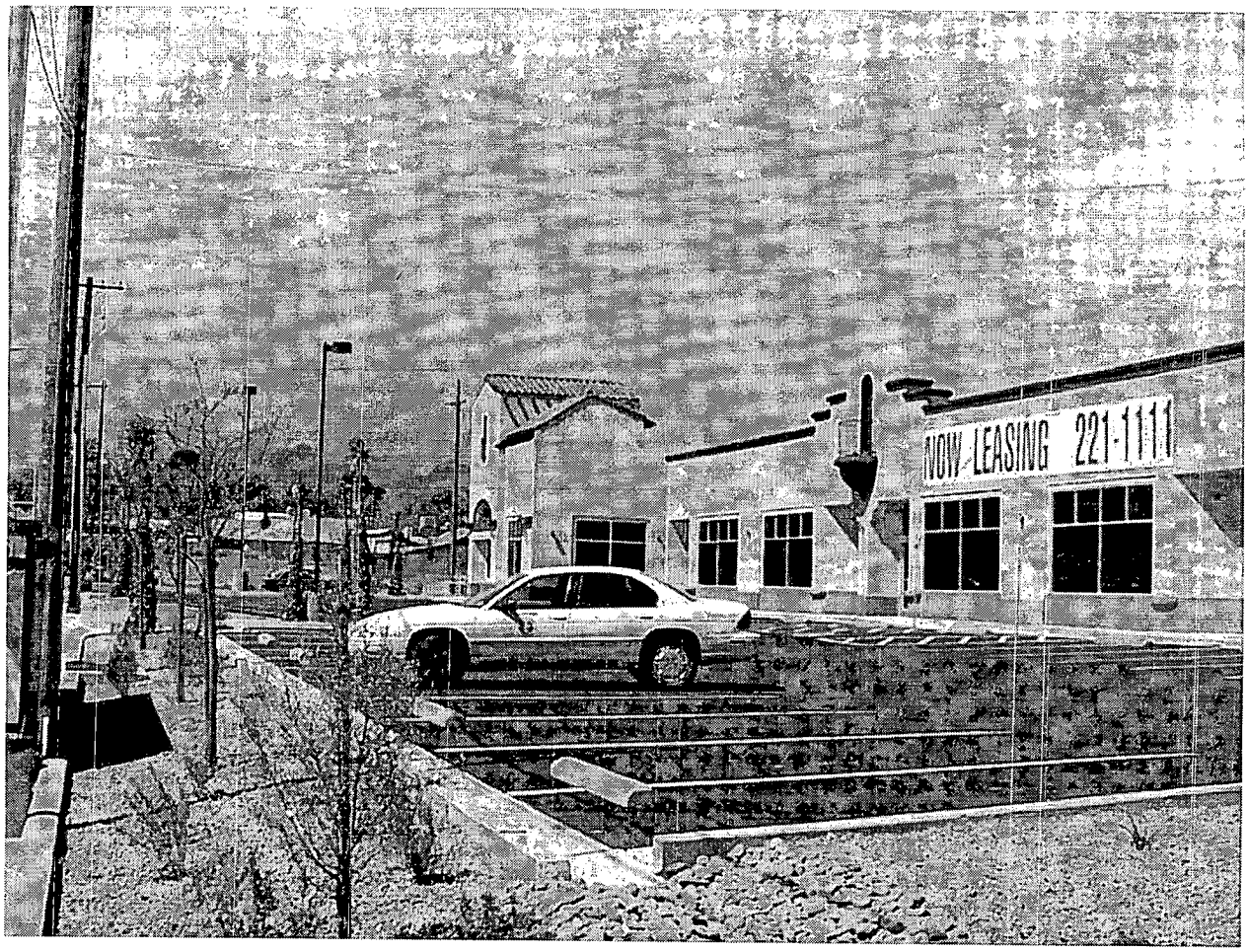
SHEET NO A3.1

J:\ACAD\1997\9744\ARCH\9744a31.dwg Wed Mar 03 12:43:15 1999 DTODD


ZONING AND GENERAL PLAN INFORMATION
FOR THE PARCELS ADJACENT TO THE SITE
CODE ANALYSIS-ORIGINAL PROJECT
EAST LANE
VEGAS DRIVE
SIDEWALK
LANDSCAPE AREA
VEGAS MARKET
SUBJECT MARKET LOCATION
EXISTING POWER POLE
W/ GUY WIRES
SITE PLAN
NORTH
VICINITY MAP
NO SCALE
DECATUR
LAKE MEAD BLVD
NORTH
MARTIN LUTHER KING BLVD
GRAPHIC SCALE
U-33-99
4-8-99 PC
STAFF
SHEET TITLE:
VEGAS MARKET
FIXTURE FLOOR PLAN
F1.0
PROJECT:
RANCHO VEGAS RETAIL CENTER
CITY OF LAS VEGAS
OWNER:
SAXTON INCORPORATED
LAS VEGAS, NEVADA
SAXTON
INCORPORATED



U-33-99



U-33-99

SAXTON
INCORPORATED
Building Value

Real Estate Investments & Development

5440 West Sahara Avenue • 3rd Floor • Las Vegas, Nevada 89146
702•221•1111 • Fax 702•221•1127

RECEIVED
CITY CLERK
1999 MAY -7 P 5:00

May 7, 1999

City of Las Vegas
City Council
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: U-33-99 (Special Use Permit)

Dear Council Members,

Saxton Incorporated, on behalf of Asam Yousif, respectfully requests to withdraw special use permit U-33-99 without prejudice from your May 10, 1999 City Council agenda. This decision was made after meeting with some members of the City Council.

Please feel free to contact me with any questions regarding this. Thank you in advance for your consideration.

Best regards,

M. Saxton

Michelle Saxton
Director of Planning

To The City Clerk,
Barbara Jo Ronemus,

May 5, 1999

On special use permit 4-33-99, I wish to say we do not need in our area.

We already have 7-11, Arco, Kelly & Top, Ernie's Bar, and P.T. Pubs. Everyone of these Convenience stores or bars sale beer and wine to go, so on behave of my self and many others in Twin Lakes we highly oppose this place at 3600 Vegas Dr. How many appeals does it take to say no we don't want this type store in our area.

Thank you,
Patrick L. O'Brien
1305 Silver Lake Dr.
Las Vegas, NV. 89108
President of
Twin Lakes Village Association

RECEIVED
CITY CLERK
1999 MAY -7 A 10:14

Protest

#110

SAXTON
INCORPORATED
Building Value

Real Estate Investments & Development

5740 West Sahara Avenue ▪ 3rd Floor ▪ Las Vegas, Nevada 89146
702▪221▪1111 ▪ Fax 702▪221▪1127

RECEIVED
CITY CLERK

1999 APR 15 P 2:12

April 14, 1999

City of Las Vegas
731 South 4th Street
Las Vegas, Nevada 89101

RE: U-33-99 – Special Use Permit

Dear Mr. Reed,

Saxton Incorporated would like to appeal the decision of the City of Las Vegas Planning Commission to deny the above referenced special use permit. This item was heard by the Planning Commission on April 9, 1999 and the Planning Commission voted to deny the request due to the proximity of this request to the existing child care facility.

We would like this issued to be considered by the City Council, as we have letters from both Child Care facility owners supporting our request. It is our understanding that with this appeal this item will be forwarded to the May 10, 1999 City Council meeting.

Please feel free to contact me at (702) 257-4140 with any questions. Thank you in advance for your consideration.

Best regards,

M. Saxton

Michelle Saxton
Director of Planning

May 3, 1999

Protest

RECEIVED
CITY CLERK
1999 MAY -4 A 11: 02

City Clerk
City of Las Vegas
1st Floor, City Hall,
400 East Stewart Ave.
Las Vegas, NV. 89101

Dear City Clerk:

This letter is to make it a matter of record that the undersigned owners of property at 3400 San Juan Dr., Las Vegas, NV. 89108 (and within the prescribed notification area) do hereby strong protest the appeal of denial of a special use permit for property at 3600 Vegas Dr., for a convenience store and for off-premise sale of beer and wine in conjunction therewith.

When the 400-foot separation requirement (for a beer and wine outlet) from a child care facility was first enacted, there were many valid and logical reasons for this restriction. I do not see any justification whatever to now grant a special waiver of this requirement.

Secondly, as your traffic engineering department well knows, there is heavy traffic on both Rancho Rd. and Vegas Dr., and to grant the use permit would only add to the congestion and create additional hazards for motorists. Many patrons of this proposed store would be making a U-turn on Vegas Dr. in order to return to Rancho Dr., or go east on Vegas Dr.

By the wildest stretch of anyone's imagination (including the applicant's) there can be no "need" or justification for one more beer and wine outlet in this area. Such products are readily available at any number of outlets in the immediate vicinity.

And finally, I am reasonably certain that when this building was first permitted, the owners/builders had to know that the proposed use of a portion of this structure was prohibited by city ordinance, and further, that there is no justification whatever for the granting of a special use permit and waiver as now requested.

Yours truly,

Kenneth A. and Evelyn J. Bouton
3400 San Juan Dr.
Las Vegas, NV. 89108-1125

#110

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
111	U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY Request for a Special Use Permit and Site Development Plan Review on property located on the south side of Lake Mead Boulevard, approximately 800 feet west of Tenaya Way, FOR A PROPOSED 7,649 SQUARE FOOT MINOR AUTOMOTIVE REPAIR FACILITY (DISCOUNT TIRE), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Size: 0.74 Acres, Ward 2 (Adamsen), APN: 138-22-302-009. NOTICES MAILED: 89 BY CITY CLERK APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 PROTESTS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to: 1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.	**ADAMSEN - APPROVED subject to conditions - UNANIMOUS** ****** MAYOR PRO TEM McDONALD declared the Public Hearing open. ARCHITECT STEVEN CRITCHER, Architectural Resource Team, Inc., 411 North Central, Suite 300, Phoenix, Arizona and DON THRAILKILL, Vice President, Discount Tire Co., 14631 North Scottsdale Road, Phoenix, Arizona, discussed the need to apply for a Variance in conjunction with this item raised by staff. COUNCILMAN ADAMSEN noted that the only information regarding the Variance provided in the back-up involved the requirement of Condition #2. ROBERT GENZER, Planning & Development, outlined concerns with the site plan and setback requirements. Condition #3 addresses the issue which could be administratively handled by staff so long as the building encroachment is found to be only five feet. Otherwise, the code requires a Variance under a separate application. COUNCILMAN ADAMSEN confirmed with MR. CRITCHER that he agreed with Conditions #2 and #3. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (3:44 - 3:47) **3 - 3626**

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY 2. The parapet shall be continued around the entire north elevation. 3. Approval of this Special Use Permit does not constitute approval of the submitted site plan. A revised site plan that meets the standards of the Las Vegas Zoning Code (Title 19A) and the Las Vegas Urban Design Guidelines shall be submitted and approved by the Planning and Development Department prior to construction on this site. 4. 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. 5. Site development to comply with the recently approved addendum to the Traffic Impact Analysis. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. 6. 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 submittal of any construction drawings or the recordation of a Map dividing this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study. 7. Site development to comply with all applicable Conditions of Approval for Z-53-95, PM-18-98, and all other site-related actions as required by the Department of Public Works.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY 8. All development shall be in conformance with the plot plan and building elevations as amended by the above conditions. 9. 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. 10. 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. 11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). 12. All City Code requirements and design standards of all City departments must be satisfied. 13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. 14. 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.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	**APPROVED**
U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY	
15. 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 Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.	

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Special Use Permit on property located on the south side of Lake Mead Boulevard, approximately 800 feet west of Tenaya Way for a 7,649 square foot minor automotive repair facility.

BACKGROUND DATA:

08/16/95 The City Council approved a Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject parcel as part of a larger rezoning (Z-53-95).

03/24/97 The City Council approved a Reinstatement and Extension of Time on the original Rezoning [Z-53-95(1)]. This zoning action has been kept alive by new construction occurring on the site.

09/28/98 The City Council approved a Site Development Plan Review on the subject parcel for a fast food restaurant [Z-53-95(3)].

DETAILS OF APPLICATION REQUEST:

Site Area:	.74	Acres
Building Area:	7,649	Square Feet
FAR:	.24	
Parking Required:	44	Spaces (Automotive Repair)
Parking Provided:	25	Spaces
Building Height:	26	Feet

Access to the site is provided by one 30 foot wide driveway from Lake Mead Boulevard, two internal driveways with the property to the west and one internal driveway with the property to the east. The building is sited five feet from the easterly property line, parking is provided to the west of the proposed structure.

Agenda Item

111

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY

PURPOSE/BACKGROUND

The applicant is proposing a 14 foot wide landscape planter along Lake Mead Boulevard (with four feet in the public right-of-way). The west property line has a two foot wide planter that will be combined with the planter on the parcel to the west, the combined planter will be 10 feet in width. The south landscape planter has a two foot wide landscape planter, and landscaping is proposed along the east property line about half way into the parcel.

The elevations depict a box-like structure with a stucco exterior and a flat roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to C-V	Unimproved
South:	C-1	Mini-Storage
East:	ROI to C-1	Pep Boys
West:	ROI to C-1	Liquor Store

FINDINGS:

USE:

The proposed use is compatible with the existing surrounding land uses, and with future land uses as projected by the General Plan. The subject site is physically suited for the type and intensity of land use being proposed. Lake Mead Boulevard provides access to the site and is adequate in size to meet the requirements of the proposed use. Approval of this Special Use Permit at this location will not be inconsistent with or compromise the public health, safety, or welfare or the overall objectives of the General Plan.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-34-99 - MICHAEL AND NANCY CORRIGAN FAMILY TRUST ON BEHALF OF DISCOUNT TIRE COMPANY

PURPOSE/BACKGROUND

PLOT PLAN:

Staff is concerned with several aspects of the submitted site plan. First, the applicant is proposing a five foot building setback from the east property line, this will require a Variance approval by the Board of Zoning Adjustment (BZA) or submittal of a revised site plan showing a minimum 10 foot side yard setback. Second, the applicant will need a Variance approval from the BZA to reduce the required parking for the site from 44 to 25, or provide the City with an off-site parking agreement that shares parking with the property to the west. Third, the handicap parking stalls will need to be reconfigured to show the required access aisles. Fourth, The applicant has proposed a five foot wide landscape planter along half of the east property line, the requirement is an eight foot wide planter with 24 inch box trees 30 feet on center, along the entire length of the east property line. Fifth, the applicant has proposed a two foot wide planter along the south property line, the requirement is an eight foot wide planter with 24 inch box trees 20 feet on center. Staff would also request that the front yard setback be increased, so that this structure be in line with the Pep Boys to the east. Also, the proposed canopy in the front of the store should be extended the entire length of the building.

The Planning Commission (4-0 vote) and staff recommend APPROVAL.

[Note: The Planning Commission added a condition which requires the roof parapet shown on the north elevation to be continued to the east wall of the building.]

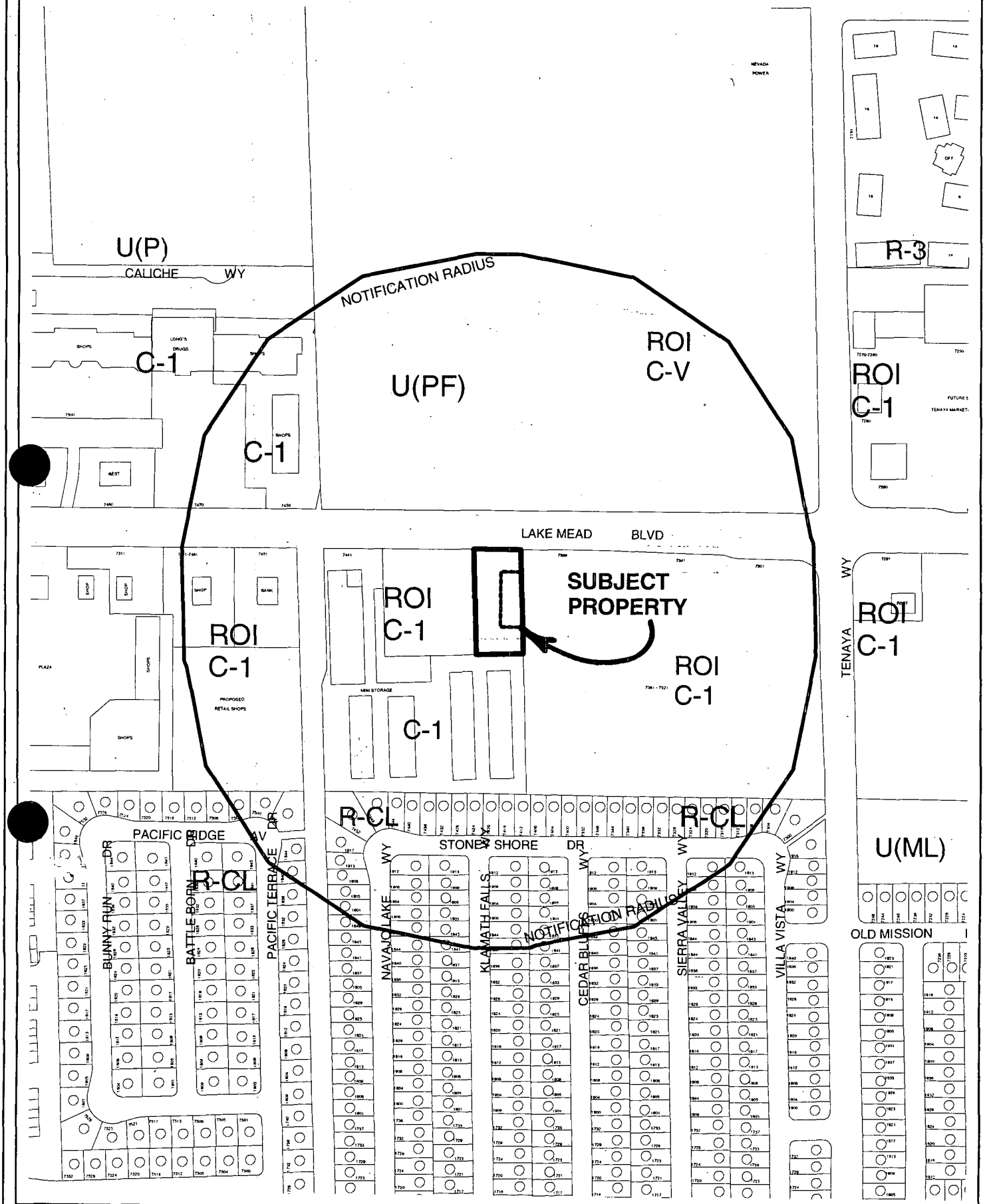
PC NOTICES MAILED: 86

APPROVALS: 0

PROTESTS: 0

SEE ATTACHED LOCATION MAP

Agenda Item

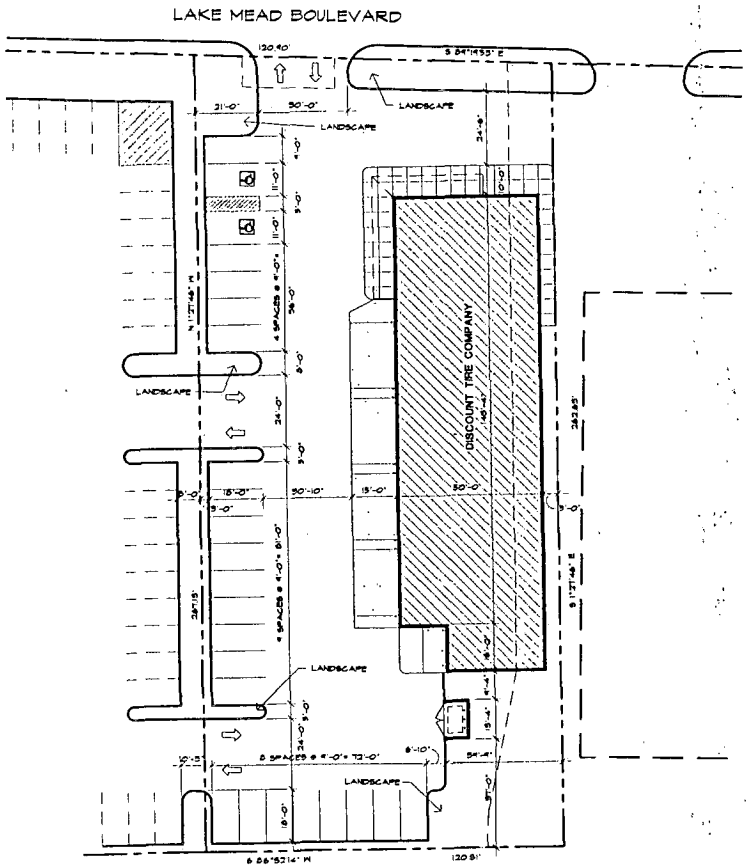


CASE: **U-34-99**
RADIUS: 750 FT

STAFF

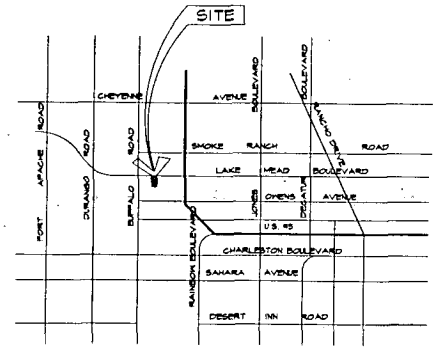
U-34-99

4-8-99 PC



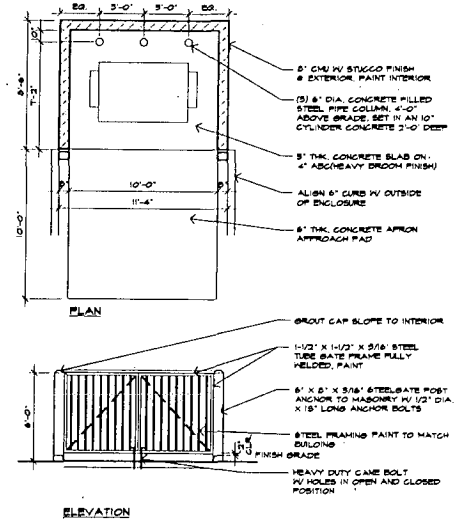
SITE PLAN

SCALE: 1"=20'-0"



VICINITY PLAN

SCALE: N.T.S.



TYPICAL TRASH ENCLOSURE DETAIL

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

PROJECT DATA

PROJECT: DISCOUNT TIRE CO.

PROJECT ADDRESS:
LAKE MEAD BOULEVARD AND BUFFALO DRIVE
NORTH LAS VEGAS, NEVADA

PARCEL NUMBER: APN-138-22-302-007.

SITE DEVELOPERS / OWNERS OF RECORD: DISCOUNT TIRE COMPANY
14451 N. SCOTTSDALE RD.
SCOTTSDALE, AZ 85254
(602) 951-1958

LEGAL DESCRIPTION:
THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN FILE 88 OF PARCEL MAPS PAGE 78 IN THE OFFICE OF COUNTY RECORDER, CLARK COUNTY, NEVADA.

PROPOSED USE:
RETAIL STORE - TIRE SALES AND INSTALLATION ONLY.
NO AUTOMOTIVE REPAIRS WILL BE PERFORMED.

LOT INFORMATION:

BUILDING FOOTPRINT:	7644 SQ. FT.
PROPOSED BUILDING HEIGHT:	26'-0"
PROPOSED CONSTRUCTION TYPE:	V-N
TOTAL ACREAGE OF SITE:	2.15 AC.
TOTAL SQ. FEET OF SITE:	93,618 SQ. FT.
ZONING:	C-1
ADJACENT ZONING:	C-1
SITE COVERAGE:	24%
TOTAL LANDSCAPING AREA:	9220 SQ. FT.
TOTAL PAVING AREA:	69,393 SQ. FT.
FLOOR/AREA RATIO:	0.19

PARKING REQUIREMENTS:
PARKING REQUIRED:
1 SPACES PER STALL = 16
1 PER 250 SQ. FT. RETAIL (1470 SQ. FT.) = 6
TOTAL PARKING REQUIRED: 22 SPACES

PARKING PROVIDED:
20 PARKING SPACES
2 HANDICAP ACCESSIBLE
22 SPACES TOTAL

GENERAL NOTES

A. ALL UTILITY METERS AND ELECTRICAL TRANSFORMERS SHALL BE SCREENED WITH SHRUBS AND LANDSCAPING.

B. EVERGREEN TREES/SHRUBS SHALL BE PROVIDED AROUND THE TRASH ENCLOSURE TO PROVIDE YEAR-ROUND SCREENING - SEE LANDSCAPE PLANS.

C. ALL DELIVERY VEHICLES SHALL MAKE DELIVERIES AT THE REAR OF THE BUILDING.

D. ALL ROOF DRAINS SHALL BE INTERNALLY PIPED. NO DOWNSPOUTS WILL BE USED ON THE EXTERIOR OF THE BUILDING.

E. ALL ROOF MOUNTED MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED ON ALL SIDES OF THE BUILDING BY PARAPET WALLS.

F. CURRENT JURISDICTION RESERVES THE RIGHT OF INSPECTION AND REJECTION UPON DELIVERY AT THE SITE OR DURING THE PROGRESS OF THE LANDSCAPE WORK, FOR SIZE AND CONDITION OF BALLS OR ROOTS, DISEASES, INSECTS, AND LATENT DEFECTS OR INJURIES. REJECTED PLANTS SHALL BE REMOVED IMMEDIATELY FORM THE SITE.

G. ALL PLANT MATERIALS SHALL BE MAINTAINED PER STANDARD NURSERY PRACTICE, AND KEPT ALIVE AND IN GOOD CONDITION OR REPLACED. TREES AND SHRUBS SHALL BE REPLACED AS NECESSARY TO MAINTAIN LANDSCAPING IN ACCORDANCE WITH APPROVED PLANS. TREES AND/OR SHRUBS USED TO REPLACE DEAD, DISEASED, OR DAMAGED TREES AND/OR SHRUBS SHALL BE EQUAL TO, OR GREATER THAN SIZES ORIGINALLY SPECIFIED ON THE APPROVED LANDSCAPE PLAN.

H. THE REMOVAL OF EXISTING TREES ON THE SITE SHALL BE MITIGATED AS FOLLOWS:
a. TREES SHALL BE REPLACED ACCORDING TO A TREE REPLACEMENT PLAN THAT IS SUBJECT TO REVIEW BY THE PLAN COMMON, AND APPROVED BY THE CITY.
b. REPLACEMENT TREES SHALL CONSIST OF HIGH QUALITY HARDWOOD TREES, NOT LESS THAN FOUR (4) INCHES IN CALIPER (24" BOX).
c. UNLESS OTHERWISE APPROVED BY THE CITY, THE CUMULATIVE CALIPER OF REPLACEMENT TREES SHALL EQUAL THE CUMULATIVE CALIPER OF TREES REMOVED FOR DEVELOPMENT.

I. ALL WALL MOUNTED UTILITY METERS (S.E.S.) AND GROUND MOUNTED TRANSFORMERS SHALL BE PAINTED TO MATCH THE COLOR OF THE BUILDING.

J. ALL WALL MOUNTED UTILITY METERS (S.E.S.) AND GROUND MOUNTED TRANSFORMERS SHALL BE SCREENED BY LANDSCAPING WHICH, UPON INSTALLATION, SHALL EQUAL THE HEIGHT OF THE TALLEST METER OR TRANSFORMER IF VISIBLE TO THE PUBLIC.

K. NO EXISTING STRUCTURES ARE CURRENTLY LOCATED ON THE SITE.

L. ALL SIGNS REQUIRE SEPARATE APPROVALS AND PERMITS.

M. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE LAWS AND ORDINANCES AS APPLICABLE AND ALL AMENDMENTS, OR ANY OTHER GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE PROPERTY.

N. OWNERS OF PROPERTIES ADJACENT TO PUBLIC-RIGHT-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY IN ACCORDANCE WITH APPROVED PLANS.

O. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 30'-0" FROM THE PROPERTY LINE AND 30'-0" ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCES WILL BE MAINTAINED AT A MAXIMUM OF 2'-0" IN HEIGHT.

P. SEE CIVIL PLANS FOR LOCATION OF ALL PROPOSED UTILITIES. SEE LANDSCAPE PLANS FOR LOCATION OF ALL NEW TREES AND SHRUBS.

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DISCOUNT TIRE CO. INC.
LAKE MEAD BLVD. & BUFFALO DR.
NORTH LAS VEGAS, NEVADA

DESIGN REVIEW

NO.	DESCRIPTION	DATE

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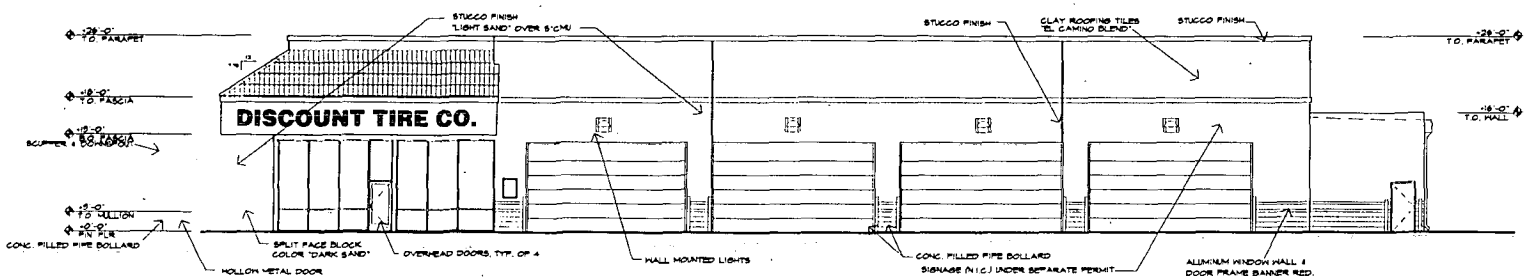
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DRAWING NO: DR-1

STAFF

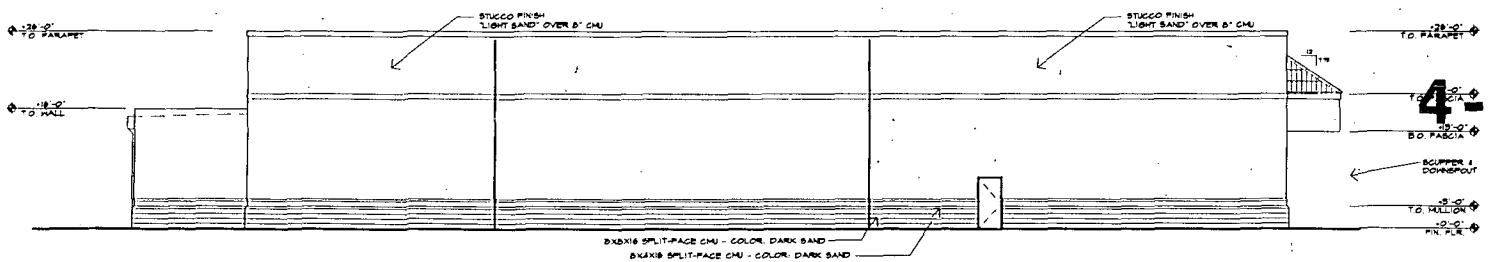
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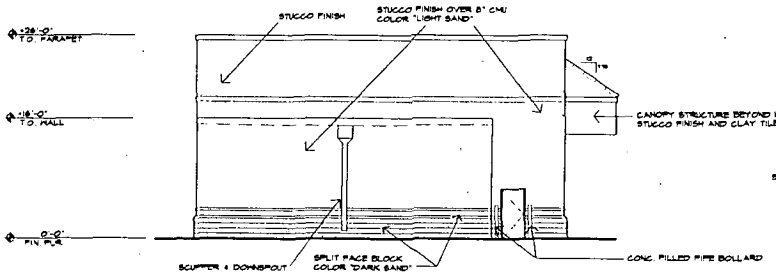
WEST ELEVATION

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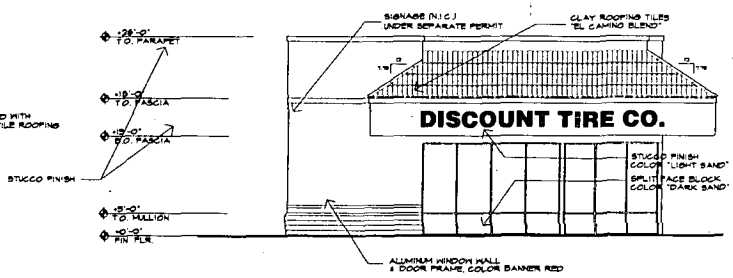
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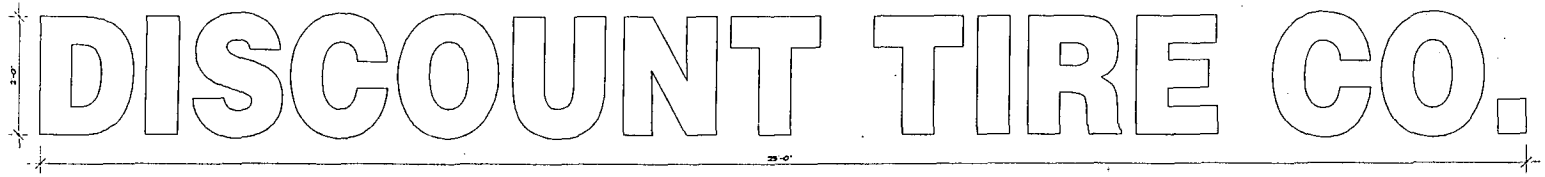
SOUTH ELEVATION

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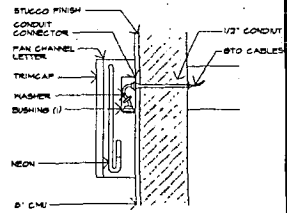
NORTH ELEVATION

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



ILLUMINATED BUILDING SIGN AREA: - 50 SQUARE FEET PER SIGN

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



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LAKE MEAD BLVD. & BUFFALO DR.
NORTH LAS VEGAS, NEVADA

DESIGN REVIEW

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PRELIMINARY

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PROPOSED EXTERIOR ELEVATIONS

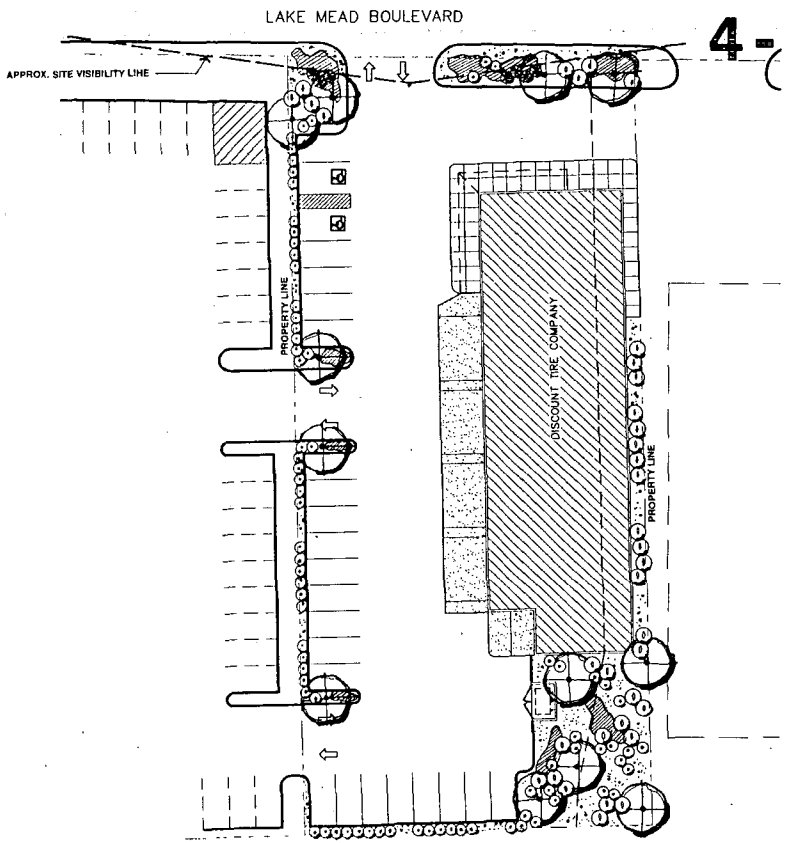
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DR-3

CITY COUNCIL MEETING OF MAY 10, 1999

STAFF

U-34-99

4-8-99 PC



PRELIMINARY LANDSCAPE PLAN

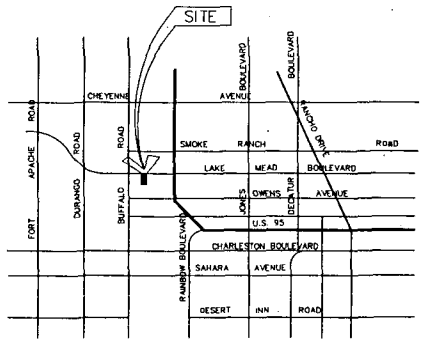
SCALE: 1"=20'-0"

Preliminary Plant List

Botanical Name	Common Name
Trees	
Acacia smallii	Sweet Acacia
Olea europaea 'Swan Hill'	Fruitless Olive
Quercus virginiana 'Heritage'	Heritage Live Oak
Pinus eldarica	Mondel Pine
Prosopis chilensis	Chilean Mesquite
Ulmus parvifolia	Chinese Elm
Large to Medium Shrubs	
Cordia Boissieri	Texas Olive
Caesalpinia pulcherrima	Red Bird of Paradise
Leucophyllum frutescens	Texas Ranger
Leucophyllum laevigatum	Chihuahuen Sage
Cassia nemophilla	Evergreen Cassia
Dalea species	Dalea
Tecoma stans	'Orange Jubilee' Yellow Bells
Vaquelinia californica	Arizona Rosewood
Medium to Small Shrubs	
Buddleia marrubifolia	Wooly Butterfly Bush
Calliandra californica	Baja Red Fairy Duster
Dalea frutescens	'Sierra Negra' Black Dalea
Encelia farinosa	Brittlebush
Ericameria laricifolia	Turpentine Bush
Justicia californica	Chuparosa
Convolvulus cneorum	Bush Morning Glory
Lantana camera	Bush Lantana
Rosmarinus officinalis	Rosemary
Muhlenbergia rigens	Deer Grass
Accents, Cacti, and Succulents	
Agave species	Agave
Yucca recurvifolia	Weeping Yucca
Asclepias subulata	Desert Milkweed
Dasylirion acrotriche	Green Desert Spoon
Hesperaloe parviflora	Red and Yellow Hesperaloe
Groundcovers	
Acacia redolens	'Desert Carpet' Acacia
Baccharis hybrid	'Centennial' Desert Broom
Dalea capitata	'Sierra Gold' Dalea
Lantana camara	'New Gold' Lantana
Penstemon perryi	Perry's Penstemon
Inorganic Material	
Decomposed Granite	Desert Rose in Color

Special Notes:

1. Plantings within the site visibility line shall not exceed a height of 2'-0".
2. Backflow preventor is to be screened from view by plant material.
3. Project shall utilize xeric plants and a low water use (drip) irrigation system.



VICINITY MAP

SCALE: N.T.S.

Art
Architectural Resource Team, Inc.

DISCOUNT TIRE CO. INC.
LAKE MEAD BLVD. & BUFFALO DR.
NORTH LAS VEGAS, NEVADA

DESIGN REVIEW

REVISIONS

NO.	DESCRIPTION	DATE

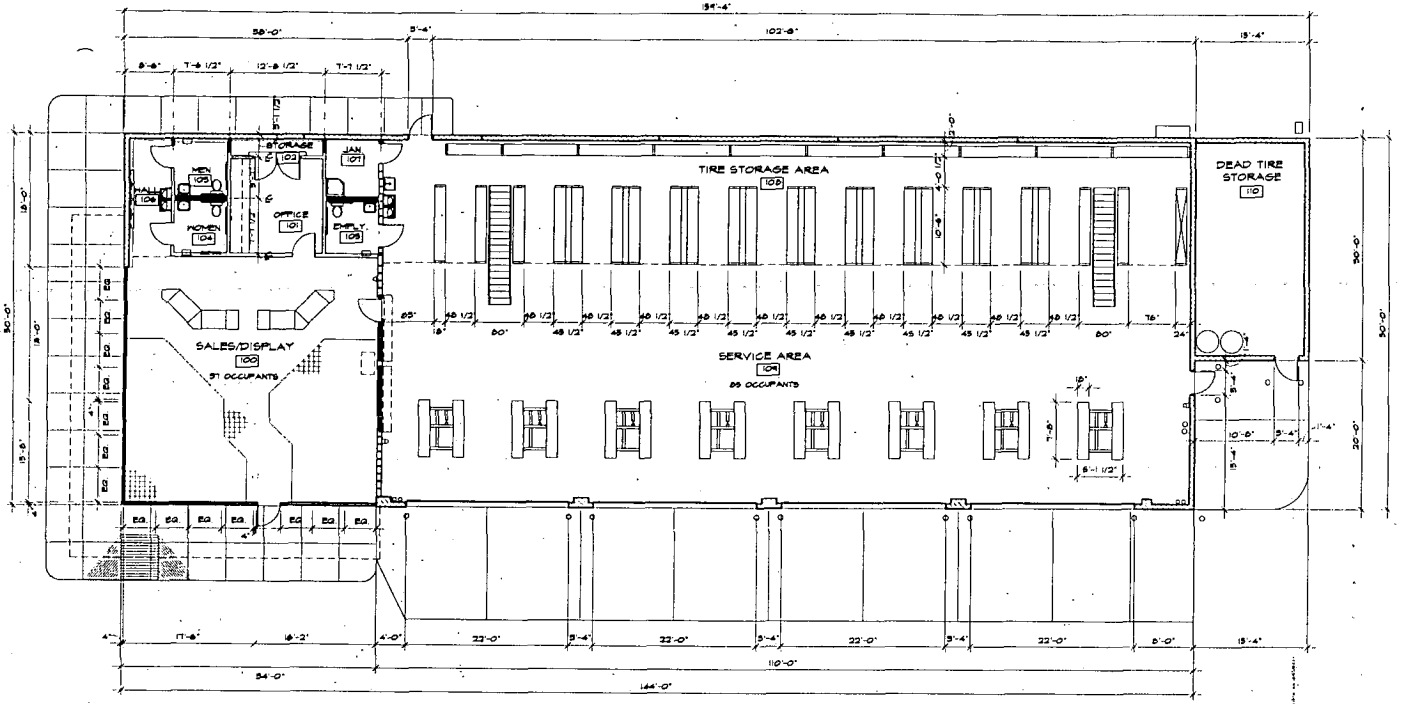
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PRELIMINARY

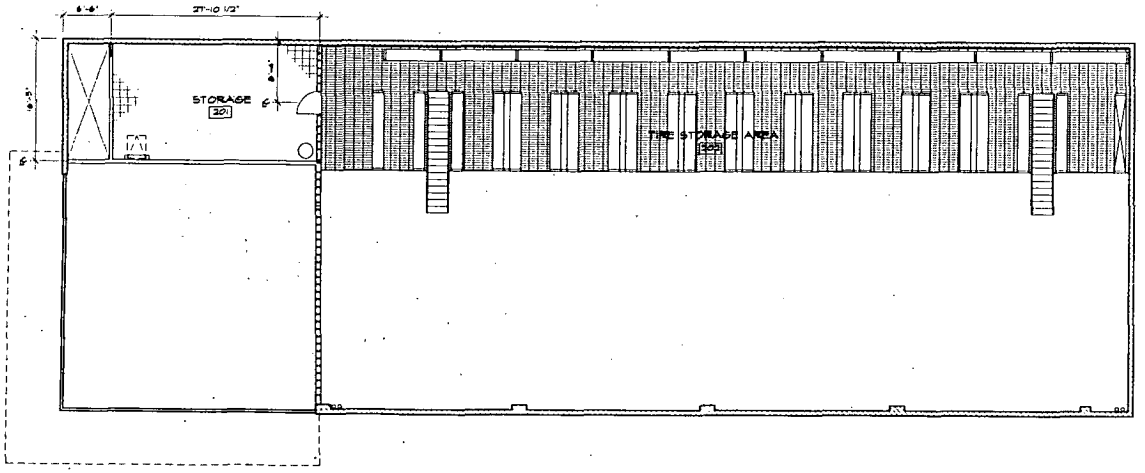
DRAWING TITLE
PRELIMINARY LANDSCAPE

DRAWING NO.
PL-1



FLOOR PLAN

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



MEZZANINE PLAN

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

WALL TYPES

2 HOUR FIRE RATED WALL U.L. DESIGN NO. U419
6" METAL STUDS @ 16" O.C. WITH 5/8" THICK GYP. WALLBOARD OUTER LAYER PAPER OR VINYL SURFACED (LAMINATED SYSTEM) WALLBOARD APPLIED VERTICALLY IN TWO LAYERS. INNER LAYER ATTACHED TO STUDS W/ 1" LONG TYPE 'S' STEEL SCREWS SPACED 8" O.C. ALONG VERTICAL EDGES, AND 12" O.C. IN THE FIELD AND OUTER LAYER LAMINATED TO INNER LAYER WITH JOINT COMPOUND APPLIED WITH A NOTCHED SPREADER, PRODUCING CONTINUOUS BEADS OF COMPOUND ABOUT 5/8" IN DIAMETER, SPACED NOT GREATER THAN 2" O.C. JOINTS OF LAMINATED OUTER LAYER OFFSET 12" FROM INNER LAYER JOINTS. OUTER LAYER WALLBOARD ATTACHED TO FLOOR AND CEILING RUNNER TRACK WITH 1-3/8" LONG TYPE 'S' STEEL SCREWS SPACED 12" O.C.

1 HOUR FIRE RATED WALL U.L. DESIGN NO. U426
6" METAL STUDS @ 16" O.C. WITH (1) LAYER OF 5/8" TYPE 'X' GYP. BOARD EACH SIDE APPLIED PARALLEL OR AT RIGHT ANGLES TO STUDS WITH 1" TYPE 'S' DRYWALL SCREWS 8" O.C. VERTICAL EDGES AT 12" O.C. TOP AND BOTTOM RUNNERS AND INTERMEDIATE STUDS STAGGER ALL VERTICAL AND HORIZONTAL JOINTS 24" EACH SIDE AND OPPOSITE SIDES WALL SHALL BE FULL HEIGHT PARTITION CONTINUOUS FROM FLOOR TO STRUCTURE ABOVE CAULK PERIMETER OF WALL

FURRED MASONRY WALL U.L. DESIGN NO. U806
8" CMU WITH STYRO-STUD WALL SYSTEM APPLIED DIRECTLY TO WALL, AND 5/8" TYPE 'X' GYPSUM BOARD. GYP. BOARD MAY TERMINATE 6" ABOVE CEILING

NON-RATED INTERIOR PARTITION WALL
SAME AS 1-HOUR WALL EXCEPT METAL STUDS TO BE 3 5/8", AND WALL MAY TERMINATE 6" ABOVE HIGHEST ADJACENT CEILING LINE. NO PERIMETER CAULKING (BRACE TO STRUCTURE AT 10'-0" O.C.)

5" PLUMBING WALL
6" METAL STUDS @16" O.C. WITH (1) LAYER OF H.P. 5/8" GYP. BOARD EACH SIDE

MASONRY WALL U.L. DESIGN NO. U806
8" CMU WALL SEE STRUCTURAL DRAWINGS FOR REINFORCING

STAFF

U-34-99

4-8-99 PC

Art
Architectural Resource Team, Inc.
411 NORTH CENTRAL AVENUE
SUITE 600
PHOENIX, ARIZONA, 85004
602-307-5399
602-307-5409 FAX
OFFICE@ART-TEAM.COM
WWW.ART-TEAM.COM

DISCOUNT TIRE CO. INC.
LAKE MEAD BLVD. & BUFFALO DR.
NORTH LAS VEGAS, NEVADA

DESIGN REVIEW

REVISIONS

NO.	DESCRIPTION	DATE

JOB NO. 4502 | DATE 02/99
DRAWN BY OM | CHECKED BY SM

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF ARCHITECTURAL RESOURCE TEAM.

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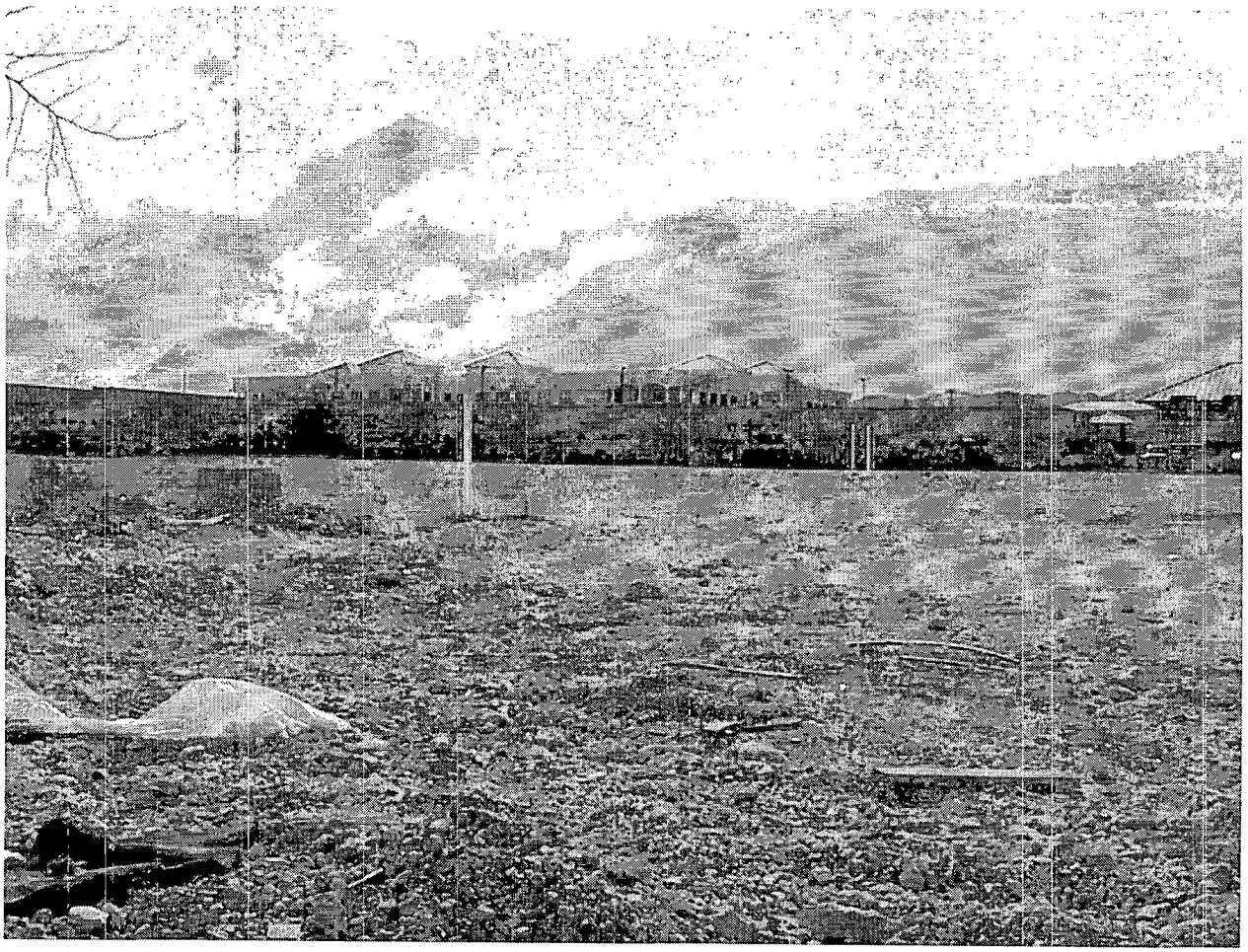
PRELIMINARY

DRAWING TITLE
FLOOR PLANS

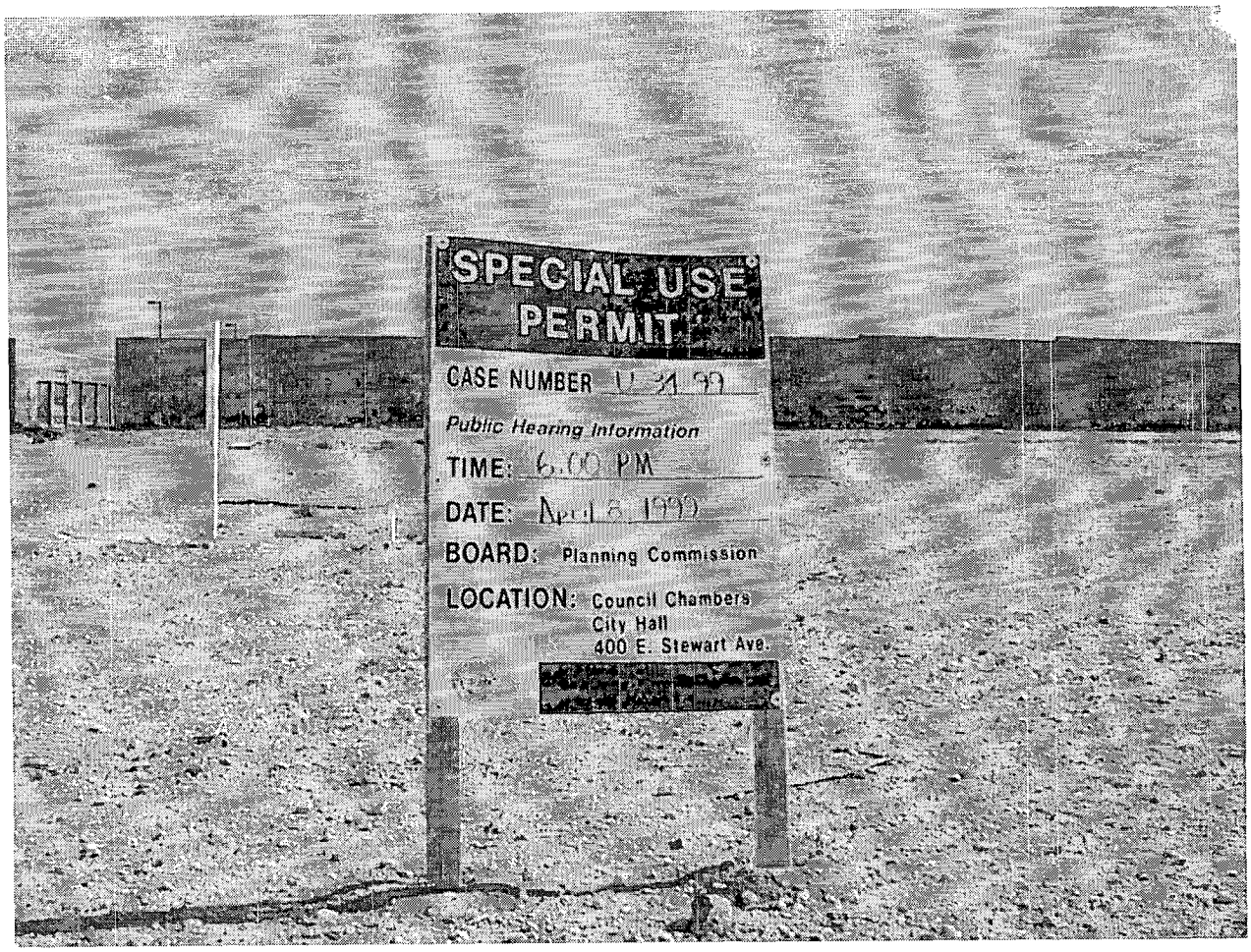
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CITY COUNCIL MEETING OF MAY 10, 1999

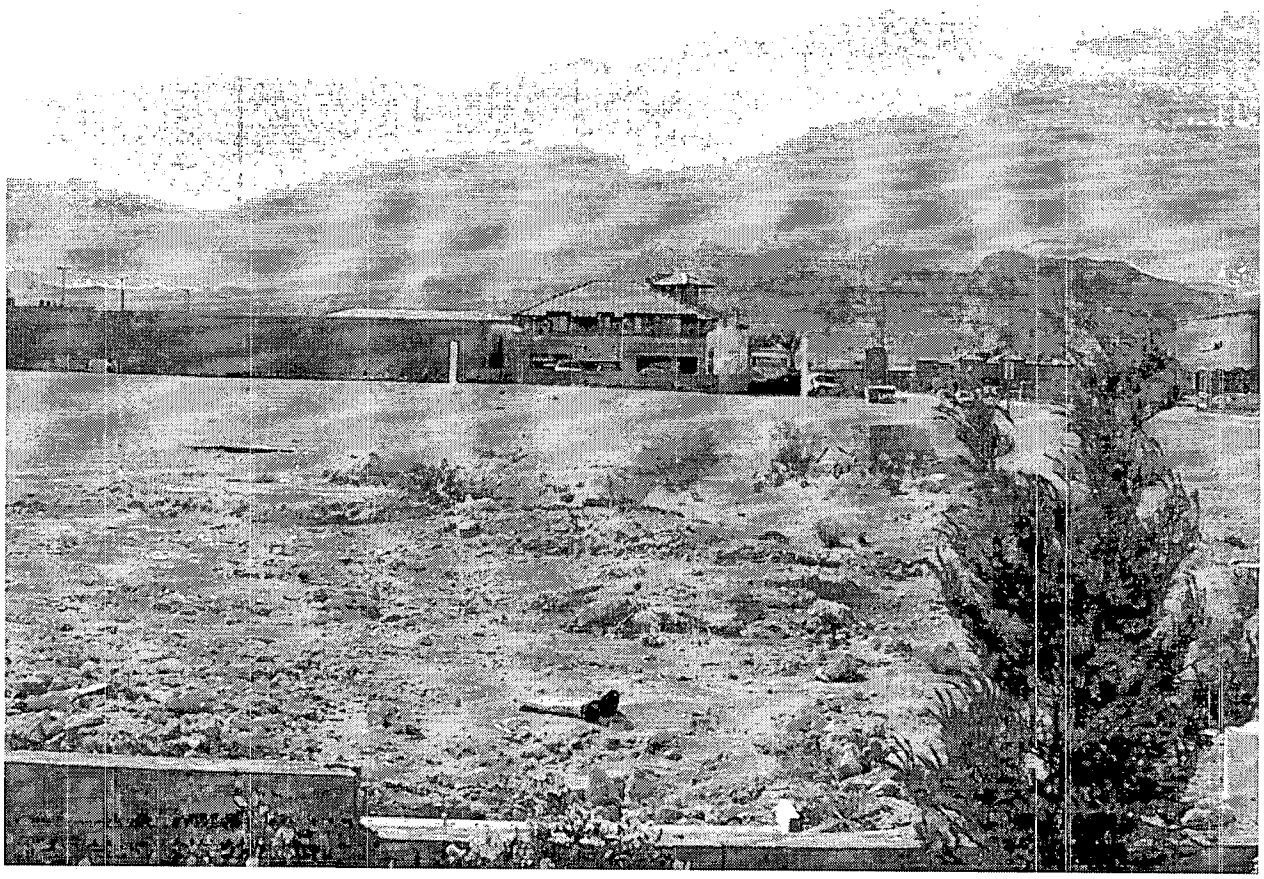
N:\Projects\9500\9502 - Lake Mead NV\CAD\Sheets\9502DP_2.dwg Thu Apr 04 09:12:13 1999



U-34-99


SPECIAL USE PERMIT
CASE NUMBER U-34-99
Public Hearing Information
TIME: 6:00 PM
DATE: April 6, 1999
BOARD: Planning Commission
LOCATION: Council Chambers
City Hall
400 E. Stewart Ave.

U-34-99



U-34-99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT - PUBLIC HEARING	
112	U-37-99 - CHARLESTON HEIGHTS SHOPPING CENTER ON BEHALF OF AUTO AID, LIMITED LIABILITY COMPANY	**McDONALD - ABEYANCE to 5/24/99 - UNANIMOUS**
	Request for a Special Use Permit on property located at 4905 West Alta Drive FOR USED CAR SALES, C-2 (General Commercial) Zone, Ward 1 (McDonald), APN: 138-36-701-002.	****** MAYOR JONES declared the Public Hearing open. DAVID BIDDLE, President, Auto Aid, 3612 Briarglen Lane, was present.
	NOTICES MAILED: 95 BY CITY CLERK	COUNCILMAN McDONALD stated that he is trying to revitalize and preserve the integrity of this particular neighborhood. The proposed used car lot is not the best business for this location. MR. BIDDLE explained that he previously managed Findlay's Oldsmobile at the same location for a year and half. He presently leases this lot from MR. BECKER with a provision that he does not put up balloons and flags or perform repair work. The lot is primarily used to store cars. He believes that the protest comes from Fletcher Jones Chevrolet which at one time used the same lot for employee parking. He has been at this location for three months and people still do not realize this business exists.
	APPROVALS: 1 AFTER PC MEETING 2 Letters _____ Petitions	
	TOTAL 3	
	PROTESTS: 1 AFTER PC MEETING _____ Letters _____ Petitions	COUNCILMAN McDONALD reiterated that the City is trying to maintain the integrity of neighborhoods. There are other areas within the City that have been zoned for this small use which have impacted neighborhoods. He would not want to continue such a practice.
	TOTAL 1	
	The Planning Commission (2-0-2 vote) and staff recommend APPROVAL, subject to: 1. The use is limited to 11 for-sale cars. 2. The installation and use of an outside public address or bell system is prohibited. 3. No used or discarded automotive part or equipment shall be located in any open area outside of an enclosed building.	HEATHER McKINNIS, 4507 Lorna Place, a long time resident of the area appeared in support of the application. She attended the neighborhood association meeting and spoke to area residents about their concerns. One main objection was possible repair work on site, however the lease does not permit that. Further, MR. BIDDLE only keeps three to four cars on the lot located behind the corner Mobil station on Decatur and Alta at a time. Based on that clarification, the residents voted unanimously in support of this use. MS. McKINNIS added a note that during Fletcher Jones Chevrolet's use of the same lot, they parked 30 cars there. This would be an improvement over that. MAYOR JONES expressed her understanding for the concerns outlined by COUNCILMAN McDONALD, but did not see a problem. The area has many car dealerships.

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-37-99 - CHARLESTON HEIGHTS SHOPPING CENTER ON BEHALF OF AUTO AID, LIMITED LIABILITY COMPANY 4. All exterior lighting shall be screened or otherwise designed so as to not shine directly onto any adjacent parcel of land. 5. The only stickers allowed in the windows of the cars will be an 8-1/2 X 11 sign listing features on the car and the price. 6. No cars on the premises will be older than six model years. 7. No flags or like type banners etc. will be allowed on the cars or lease premises. 8. Meet with the Traffic Engineering Representative in Land Development 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. No parking, deliveries, or display of any vehicles shall be permitted in the public right-of-way.	COUNCILMAN REESE clarified with MR. BIDDLE that he has a temporary permit to sell and lease late model cars from this location, which has been renewed twice. JUANITA CLARK, Charleston Neighborhood Preservation, stated that they are thankful to COUNCILMAN McDONALD for his concern for this area. The residents would like to see more landscaping on the corner of Decatur and Alta. MS. McKINNIS responded that the corner site does not belong to MR. BIDDLE and that his site is already landscaped. MR. BIDDLE added that when Findlay Oldsmobile was located at the same site approximately 60 cars were parked on the lot. COUNCILMAN McDONALD emphasized that this particular retail center location is not appropriate for this use. MS. McKINNIS pointed out the similarity between Auto Aid, which would involve fewer cars and would not include repairs, to the existing Pep Boys in the center. COUNCILMAN McDONALD rebutted that the Council has to start preservation efforts somewhere and that the previous used car lot should not have been at this location. SUE BRNA, 320 Newcomer Street, discussed with MR. BIDDLE his two-year lease with MR. BECKER for the property. That lease does not include expansion of the business which is restricted to a total of 11 cars on the lot. Because the $10,000 two-year lease is so restrictive, MR. BIDDLE is looking for another site. After posting the required sign regarding the Special Use Permit, opposition was received from Fletcher Jones Chevrolet and the Charleston Neighborhood Preservation. No one ever complained during the years Findlay Oldsmobile occupied the site. COUNCILMAN McDONALD expressed a concern for traffic on Alta with its many residential accesses. MR. BIDDLE replied that there are larger car dealerships selling approximately 400 to 500 cars per month in the area. His business only has two or three customers per day and does not contribute significantly to the traffic. MR. BIDDLE added that any cars requiring repair are sent to Fletcher Jones Chevrolet, who sent a letter thanking him for the business. MAYOR JONES confirmed with DOUG POWELL, Deputy Director of Planning & Development, that staff recommended approval and that the Zoning Code has a provision that a use which ceases for 90-days must be considered as a new request. The existence of a car rental business previously has no bearing in terms of the Code on this application or whether the use is appropriate.

CITY COUNCIL
MEETING OF
MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION U-37-99 - CHARLESTON HEIGHTS SHOPPING CENTER ON BEHALF OF AUTO AID, LIMITED LIABILITY COMPANY	COUNCILMAN McDONALD agreed that there has been precedent set regarding auto dealerships in certain areas, but these uses are no longer appropriate. He recommended that the item be held in abeyance for two weeks so the applicant can meet with him to further discuss the concerns raised. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (3:47 - 4:06) **4-90**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-37-99 - CHARLESTON HEIGHTS SHOPPING CENTER ON BEHALF OF AUTO AID, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at 4905 West Alta Drive for Used Car Sales within a C-2 (General Commercial) zoning district.

BACKGROUND DATA:

There have been no previous zoning actions on this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	2.28	Acres
Building Area:	1,500	Square Feet
Parking Required:	3	Spaces
Parking Provided:	11	Spaces
Building Height:	1	Story

Access to the site is provided by two driveways from Alta Drive. The proposed auto sales office is a storefront within an existing commercial subdivision. The lease agreement that the applicant has with the lessor indicates that the car dealership has been allocated 11 parking spaces. The parking spaces are located in front of the store facing Alta Drive.

There is little or no landscaping for the existing commercial center. The one planter that is indicated on the site plan has been designated for future commercial development.

The elevations of the existing one-story commercial strip center include a white stucco exterior and a flat roof.

Agenda Item

112

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-37-99 - CHARLESTON HEIGHTS SHOPPING CENTER ON BEHALF OF AUTO AID, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	C-2	Car Sales
South:	C-2	Commercial
East:	C-2	Restaurant & Service Station
West:	C-1	Commercial

FINDINGS:

Staff acknowledges that it is unusual for a used car lot to be placed within a shopping center. However, because the building where the applicant is proposing to locate his business is oriented toward the street and away from the remainder of the shopping center, staff believes this use will not have a detrimental affect on the center. Additionally , directly across the street from this portion of the shopping center is the existing Fletcher Jones Auto Dealership. Staff finds that the configuration of this shopping center will allow the proposed use to be compatible with the surrounding land uses

The applicant has indicated in his lease agreement that his use is allocated 11 parking spaces within the overall development. The submitted floor plans indicate eight desks for employees, and there are three required spaces. If this is the case there will be no space for parking inventory for display. Because of this, staff recommends that this Special Use Permit be limited to a maximum of five cars for sale on the lot.

The Planning Commission (2-0-2 vote) and staff recommend APPROVAL.

[Note: At the Planning Commission meeting, the applicant indicated that the submitted floor plan is a copy of a plan used several years ago for a previous dealership at this location. This will be a two or three man operation. Based on the information provided, the Planning Commission allowed a maximum of 11 cars, not to be older than six model years.

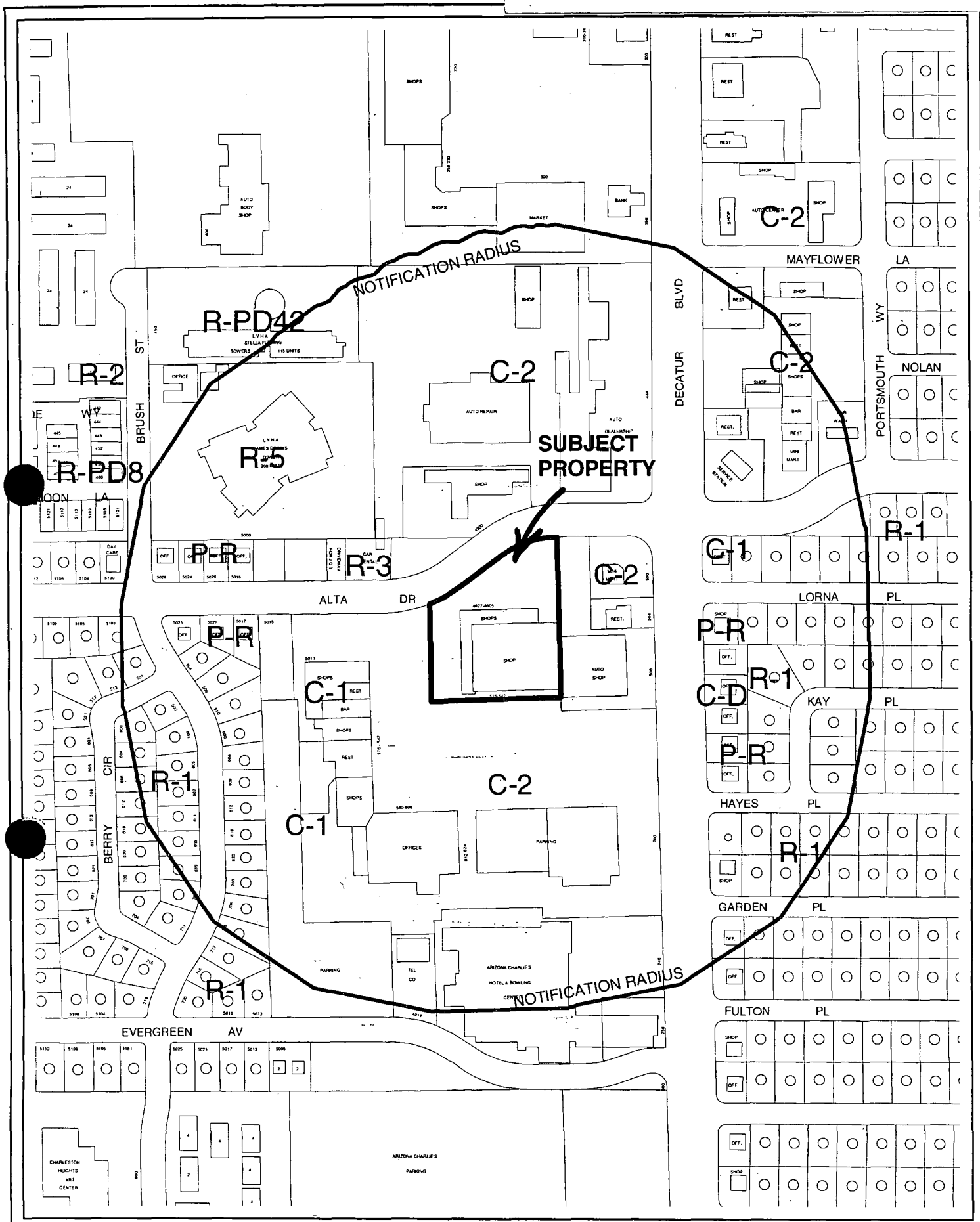
PC NOTICES MAILED: 92

APPROVALS: 1

PROTESTS: 1

SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **U-37-99**
RADIUS: 750 FT

N

U-37-99
4-8-99 PC

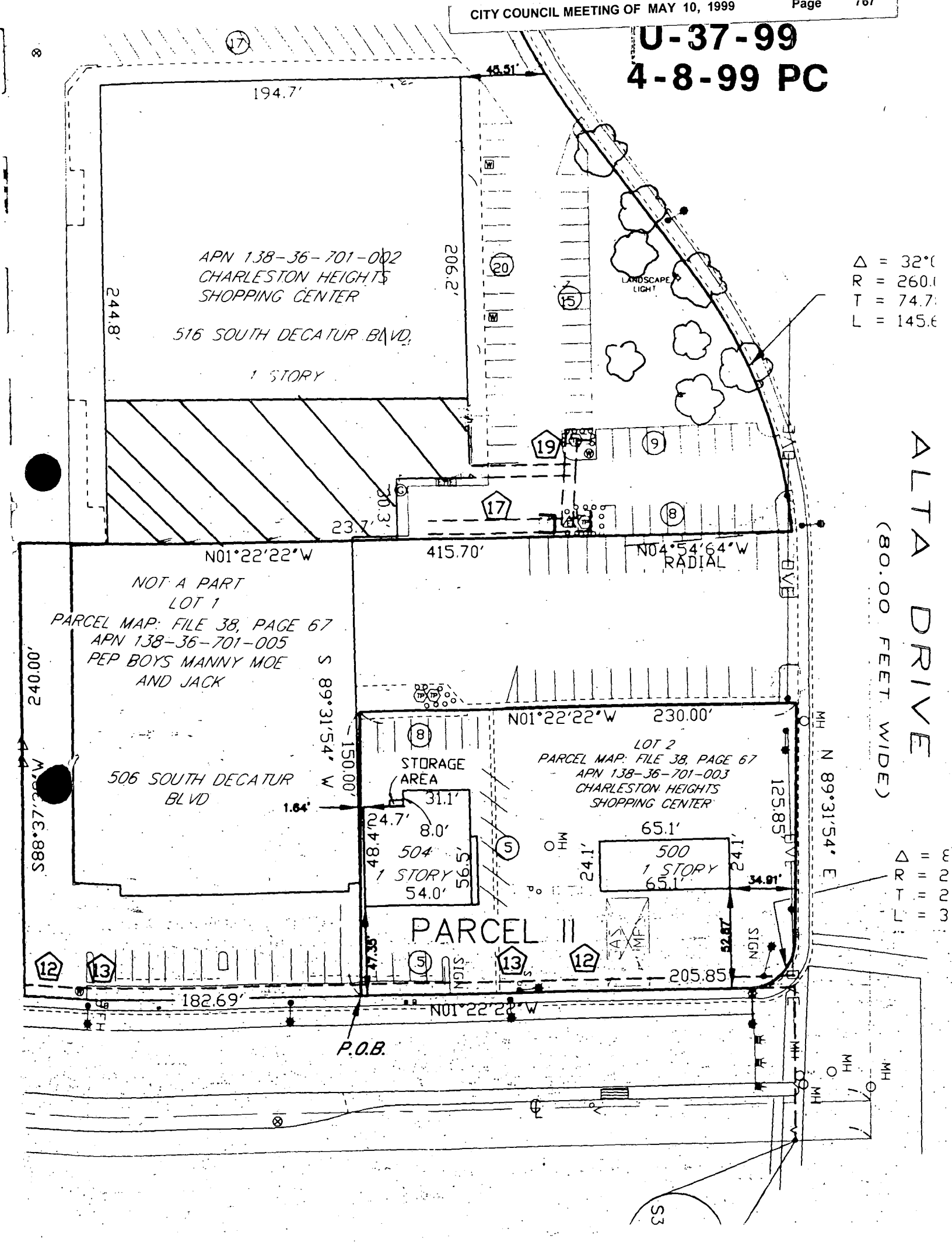
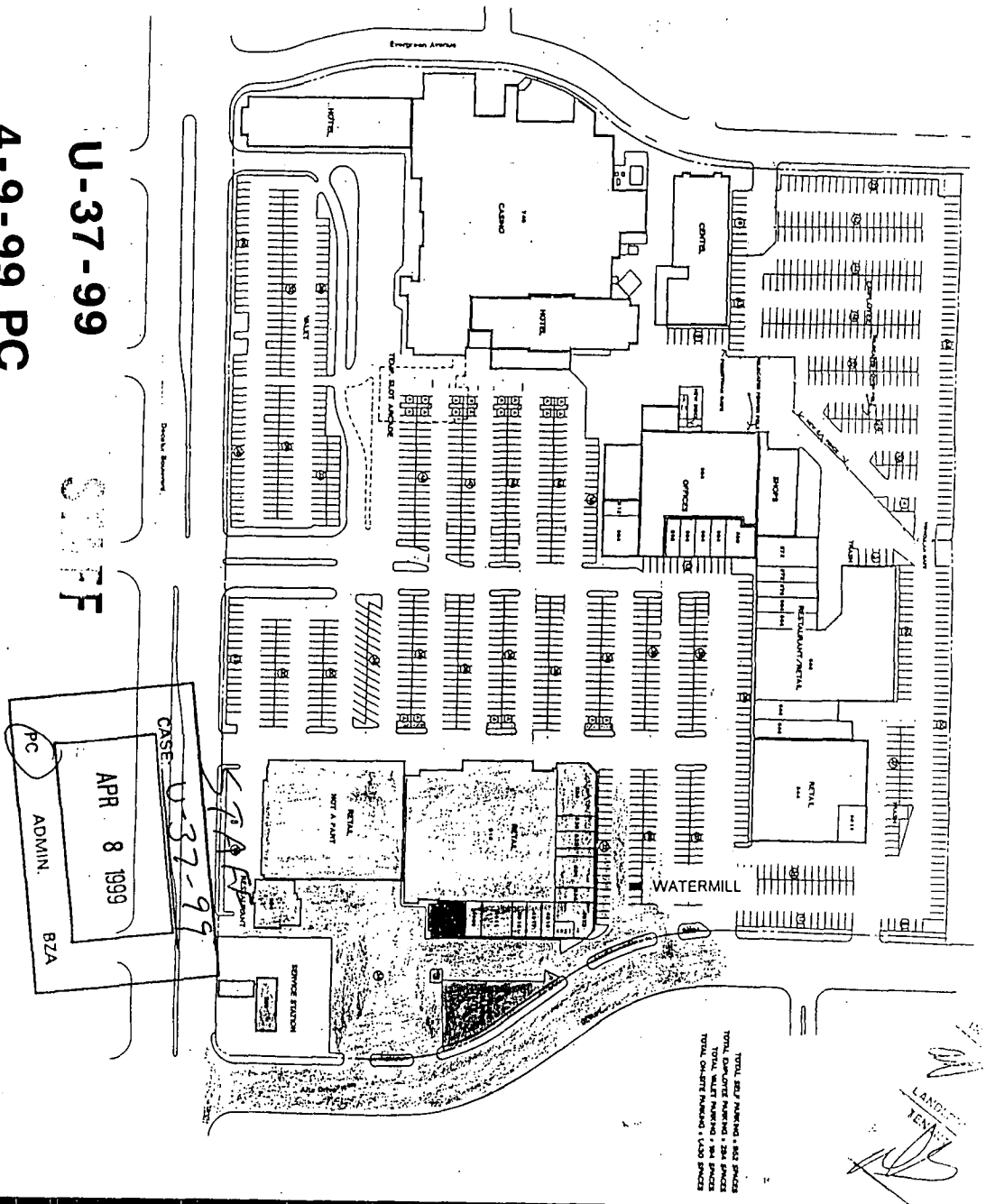


EXHIBIT "A" to Lease dated this 9th day of November, 1998, by and between CHARLESTON HEIGHTS SHOPPING CENTER hereinafter called" Landlord" and DAVID L. BIDDLE, AS AN INDIVIDUAL DBA AUTO AID BROKERS & CONSULTANTS, Tenant, for the premises located at 4905-4907 Alta Drive, Las Vegas, NV 89107.

CHARLESTON HEIGHTS SHOPPING CENTER

Southwest corner of Decatur Boulevard and Alta Drive



SITE PLAN

Charleston Heights Shopping Center
On-Site Vehicular Parking

MARNELL CORRAO ASSOCIATES



U-37-99

RECEIVED
CITY CLERK

1999 MAY -4 A 11:06

5/1/99

Support

City of Las Vegas
Office of the City Clerk
400 E. Stewart - 1st. Floor City Hall
Las Vegas, NV. 89101-2986

Att: Barbara Jo Ronemus, City Clerk
V-37-99

I do not object for a Special Use permit on property located at 4985 West Alta Drive for used car sales, C-2 (General Commercial) Zone, request by C H 5 Center on Behalf of Auto Aid, Limited Liability Co.

Thank You
Dennis D. Fullmore

#112

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	REZONING - PUBLIC HEARING	
113	ABEYANCE ITEM - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD Request for a Rezoning on property located on the northeast corner of Buffalo Drive and Smoke Ranch Road, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], To: C-1 (Limited Commercial), PROPOSED USE: A CONVENIENCE STORE WITH A FULL SERVICE CAR WASH, GASOLINE SALES AND MINOR AUTO REPAIR; AND AN OFFICE PARK, Size: 4.30 Acres, Ward 4 (Brown), APN's: 138-15-402-001 and 002. NOTICES MAILED: 253 BY PLANNING DEPT APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 PROTESTS: 3 AFTER PC MEETING 8 Letters 77 Petitions TOTAL 88 The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to: 1. The application shall be amended to O (Office).	**McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice of Item 110 [U-33-99], Item 113 [Z-6-99], Item 114 [U-10-99], and Item 115 [U-11-99] and to HOLD IN ABEYANCE Item 95 [Z-105-93(5)] to 5/24/99 and Item 119 [Z-19-99] to 5/24/99 as the first Planning & Development PM agenda discussion item - UNANIMOUS** ****** There was no related discussion. (2:24 - 2:28) **3- 290**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD 2. Submit a revised landscape plan depicting a fifteen foot wide planter with 24 inch box trees 20 feet on center along Smoke Ranch Road, prior to obtaining any permits. 3. Dedicate or Quit Claim to the City those portions of the northeast corner of Buffalo Drive and Smoke Ranch Road which exist by a "Resolution Relative to Acquisition of Rights-of-way" prior to the occupancy of this site as required by the Department of Public Works. Coordinate with the right-of-way Section of the Department of Public Works for assistance in the preparation of the dedication documents. 4. Common access rights shall be established between all proposed retail/commercial uses on this overall site, and inter-site access shall be provided between all proposed retail/commercial uses unless specifically allowed otherwise in writing by the Traffic Engineer. Provide proof of such common access rights prior to the issuance of any building permits for this site as required by the Department of Public Works. 5. Meet with the Traffic Engineering Representative in Land Development 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.	**WITHDRAWN Without Prejudice**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	**WITHDRAWN Without Prejudice**
ABEYANCE ITEM - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD	
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.	
7. A site specific 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. Provide and improve all drainageways recommended in the	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD 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. 8. A Resolution of Intent with a time limit of one year from the date of approval. 9. All development shall be in conformance with the plot plan as amended by the above conditions and the building elevations. 10. 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. 11. 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. 12. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).	**WITHDRAWN Without Prejudice**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD 13. All City Code requirements and design standards of all City departments must be satisfied. 14. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. 15. 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. 16. 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. 17. 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. 18. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade. 19. 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 Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.	**WITHDRAWN Without Prejudice**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 12, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN BROWN TO ALLOW THE APPLICANT ADDITIONAL TIME TO MEET WITH NEIGHBORS.

APPLICATION REQUEST:

This request is for Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on property located at the northeast corner of Smoke Ranch Road and Buffalo Drive for the purpose of developing a convenience store with gasoline and liquor sales, a full service car wash and an office park. The applicant justified the request for the following reasons:

1. The property is designated SC (Service Commercial) on the Southwest Sector Map.

2. Both Smoke Ranch Road and Buffalo Drive are designed to handle the impacts of this project.

3. The project is designed to mitigate impacts to the residential developments to the west and south of this proposal.

BACKGROUND DATA:

03/11/99 The Planning Commission recommended denial of a Special Use Permit for off-premise sale of beer and wine (U-10-99) and for a Special Use Permit (U-11-99) for gasoline sales, minor auto repair, and a full service car wash. The applicant has appealed both of these items.

DETAILS OF APPLICATION REQUEST:

Site Area:	4.3	Acres
Building Area (convenience store):	6,442	Square Feet
Building Area (car wash):	2,622	Square Feet
Building Area (auto repair):	1,244	Square Feet
Vacuum Area:	5,838	Square Feet

Agenda Item

113

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

Gas Canopy:	2,604	Square Feet
Total Area:	21,276	Square Feet
Building Area (5 offices):	27,014	Square Feet
Total Building Area (Site):	48,290	Square Feet

PARKING:

Convenience Store (Required):	28	Spaces
Car Wash (Required):	18	Spaces
Auto Lube (Required):	6	Spaces
Parking Provided:	39	Spaces
Parking Required (Offices):	126	Spaces
Parking Provided (Offices):	157	Spaces

ELEVATIONS:

Convenience Store Height (Roof):	21	Feet
Convenience Store Height (Tower):	41	Feet
Convenience Store Height (Canopy):	23	Feet
Offices Height (Roof):	21	Feet
Offices Height (Tower):	31	Feet

This site is made up of two parcels; the convenience store, car wash, and auto lube occupy a portion of the westerly parcel and the office complex occupies parcel 2 and a portion of parcel 1. The convenience store is centrally located on parcel 1 (facing Buffalo Drive) and the auto lube is to the west, in front of the convenience store. The car wash is on the eastern side of the building, and the gas canopy is located in the southwest corner of parcel 1. Five office buildings occupy the remainder of parcel 1 and 2. Access to the site is provided by one driveway from Buffalo Drive and three driveways from Smoke Ranch Road.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

The portion of parcel 1, occupied by the convenience store, proposes 15 foot wide landscape planters along the east and west development lines and eight foot wide planters along the north and south development lines. Parcel 2 and the remainder of parcel 1, occupied by the office complex, propose eight foot wide landscape planters along the north and east development lines, and 15 foot wide planters along the south and west development lines.

The elevations for the convenience store suggest an approximate 25 foot high structure with a light sand finish stucco exterior and a Spanish tile roof. The front elevation also depicts a 41 foot high tower of the same construction materials. The elevations of the offices depict a similar style and architecture, as well as, materials.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to C-PB	Undeveloped (City of Las Vegas Tech Park)
South:	U and R-CL	Undeveloped and Single Family Residential
East:	ROI to C-PB	Undeveloped (City of Las Vegas Tech Park)
West:	R-PD5	Single Family Residential

FINDINGS:

GENERAL PLAN:

The subject parcels are designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The proposed zoning would be in conformance with this designation, however, the structure of the City of Las Vegas Land Use Plan is that each successive category is cumulative, encompassing less intense categories. Staff believes that the proper designation for the parcels in question is O (Office). The land use map depicts the maximum intensity land use category that is allowable on each parcel.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

Staff finds that the intensity of the project proposed in this application is not compatible with the existing and proposed uses in the General Plan. To the west and south are existing single family subdivisions, which will be offered little in the way of buffering from this project. The City recently approved a General Plan Amendment on the property to the north and east for an expansion to the City of Las Vegas Tech Park, which is a high end business park development with strict development standards for landscaping and buffering of adjacent properties.

REZONING:

The applicant is requesting a rezoning from U (Undeveloped) to C-1 (Limited Commercial) for a convenience store, full service car wash, auto lube, and five office buildings. Staff believes that the convenience store, auto lube, and car wash are too intense for the surrounding land uses. The noise, lighting, and 24 hour nature of this type of business make it inherently incompatible with the surrounding single family residential uses. There is also a church developed approximately 250 to the southeast of the most easterly parcel in this application. While the proposed convenience store (with alcohol sales) is technically not within 400 feet of the existing church, the proximity to the church raises questions as to the health, safety, and welfare of the general public.

There are major commercial developments one mile to the north at the intersection of Buffalo Drive and Cheyenne Avenue and to the south at Lake Mead Boulevard and Buffalo Drive. Currently, there is no commercial development within 1 mile along Smoke Ranch Road. Therefore, approval of this request would create an isolated district and would constitute spot zoning.

Staff does support the office uses in this application and recommends that the entire property in question be Rezoned to O (Office) and be redesigned to reflect that Rezoning.

PLOT PLAN:

Staff has no major objections to the site plan as submitted with the exception of the proposed eight foot wide landscape planter along Smoke Ranch Road. This planter will have to be 15 feet wide along its entire length, with 24 inch box trees 20 feet on center. Also, inter-site access will need to be provided between the two portions of this project.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-6-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

The Planning Commission (4-1 vote) and staff recommend DENIAL.

PC NOTICES MAILED: 253

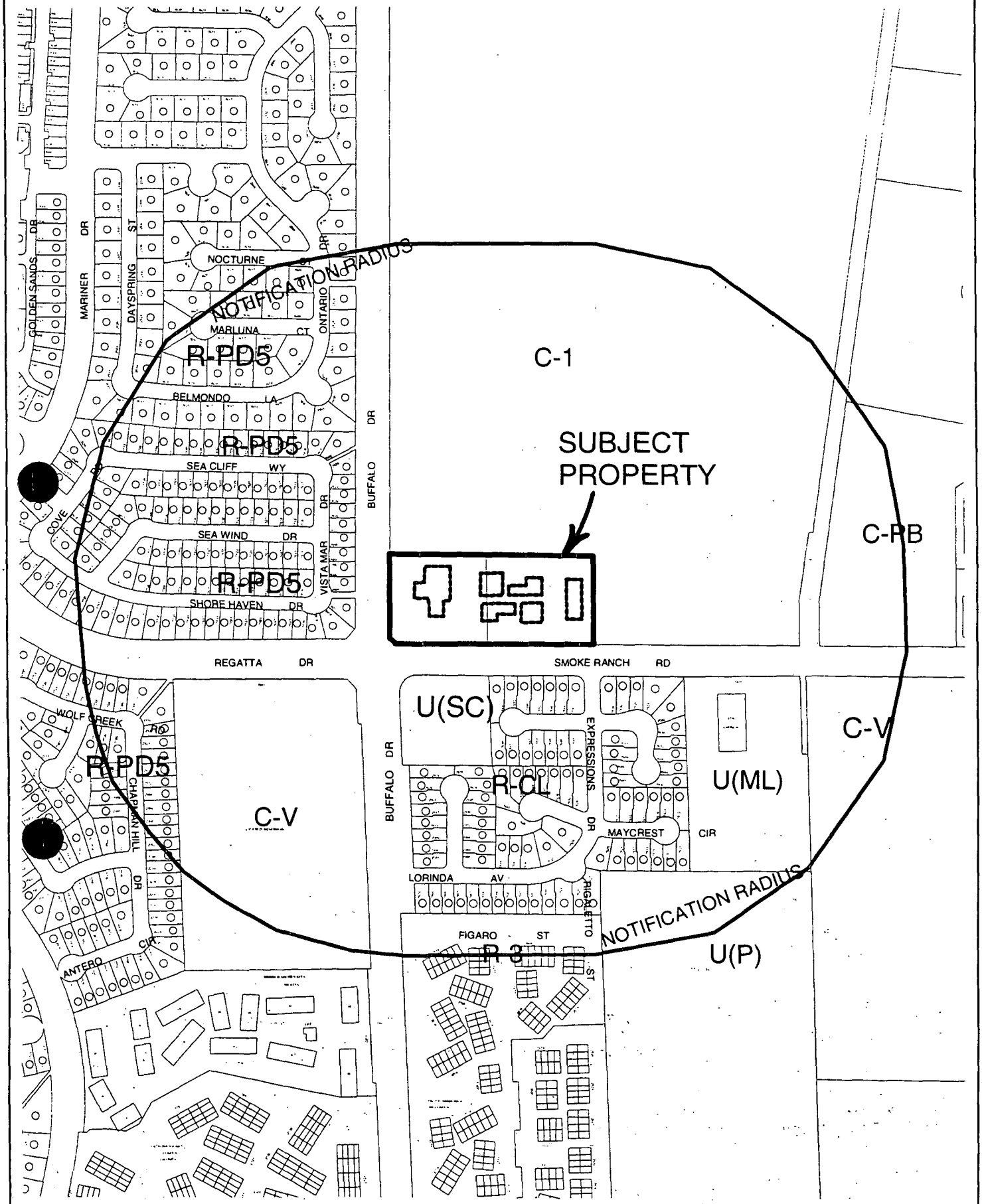
APPROVALS: 0

PROTESTS: 3

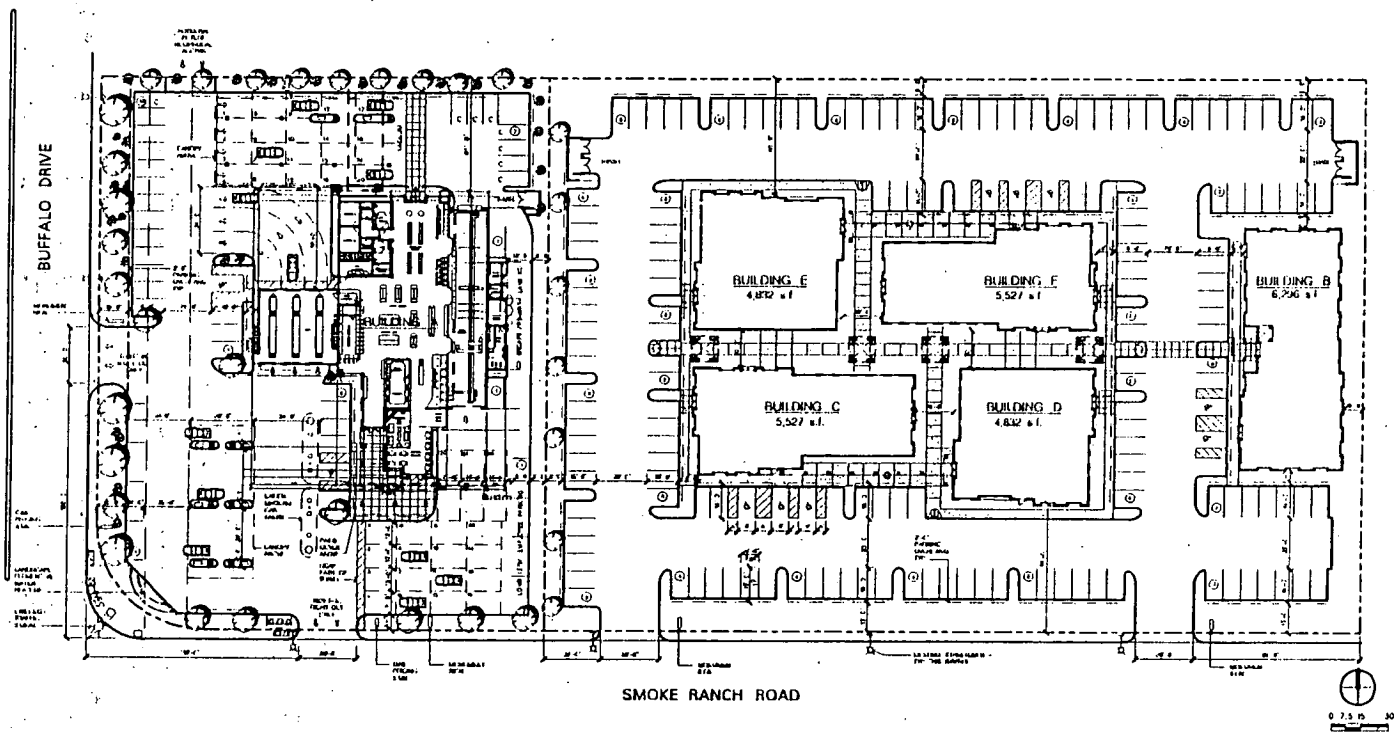
[Note: Those who spoke in opposition to this request at the Planning Commission meeting felt that the intensity of uses associated with this request would not be compatible with the nearby residential property.]

SEE ATTACHED LOCATION MAP

Agenda Item



CASE: Z-6-99
RADIUS: 1000 FT



Summerlin Auto Spa – Community Service Center

Overall Site Plan

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99

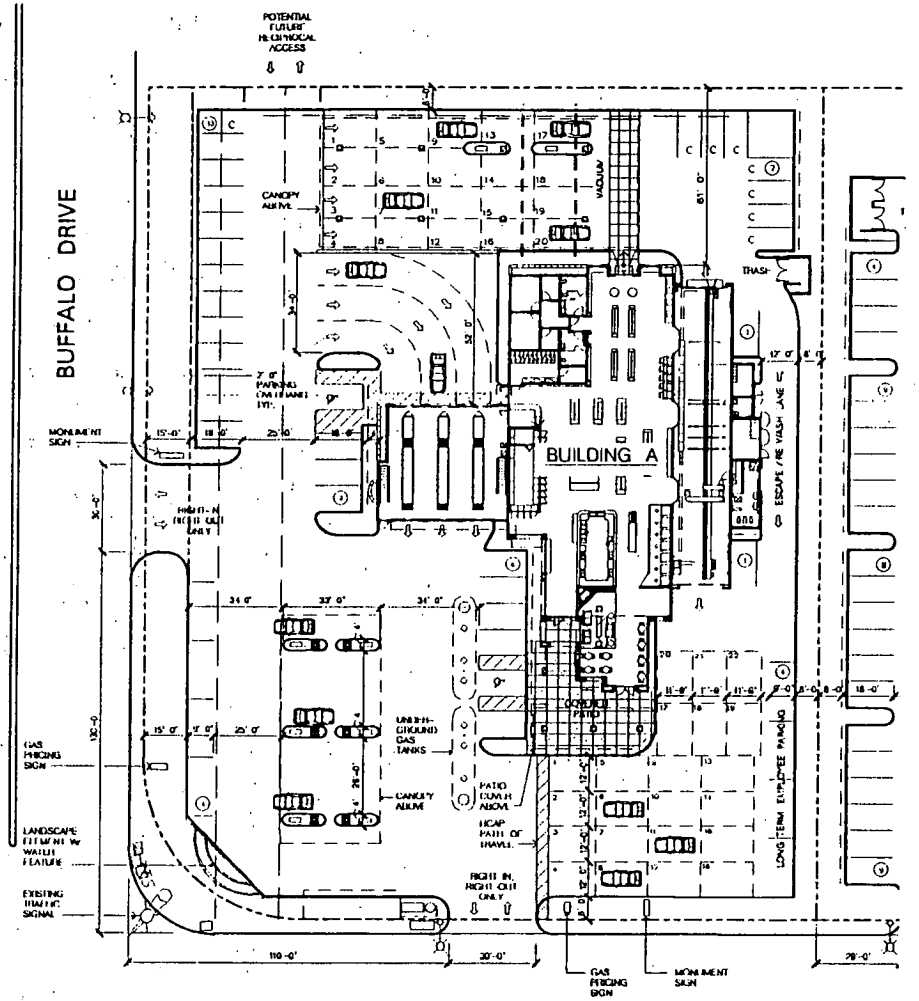
U-11-99

Z-6-99

3-11-99 PC

STAFF

CITY COUNCIL MEETING OF MAY 10, 1999 Page 782



Summerlin Auto Spa – Community Service Center

Carwash Site Plan

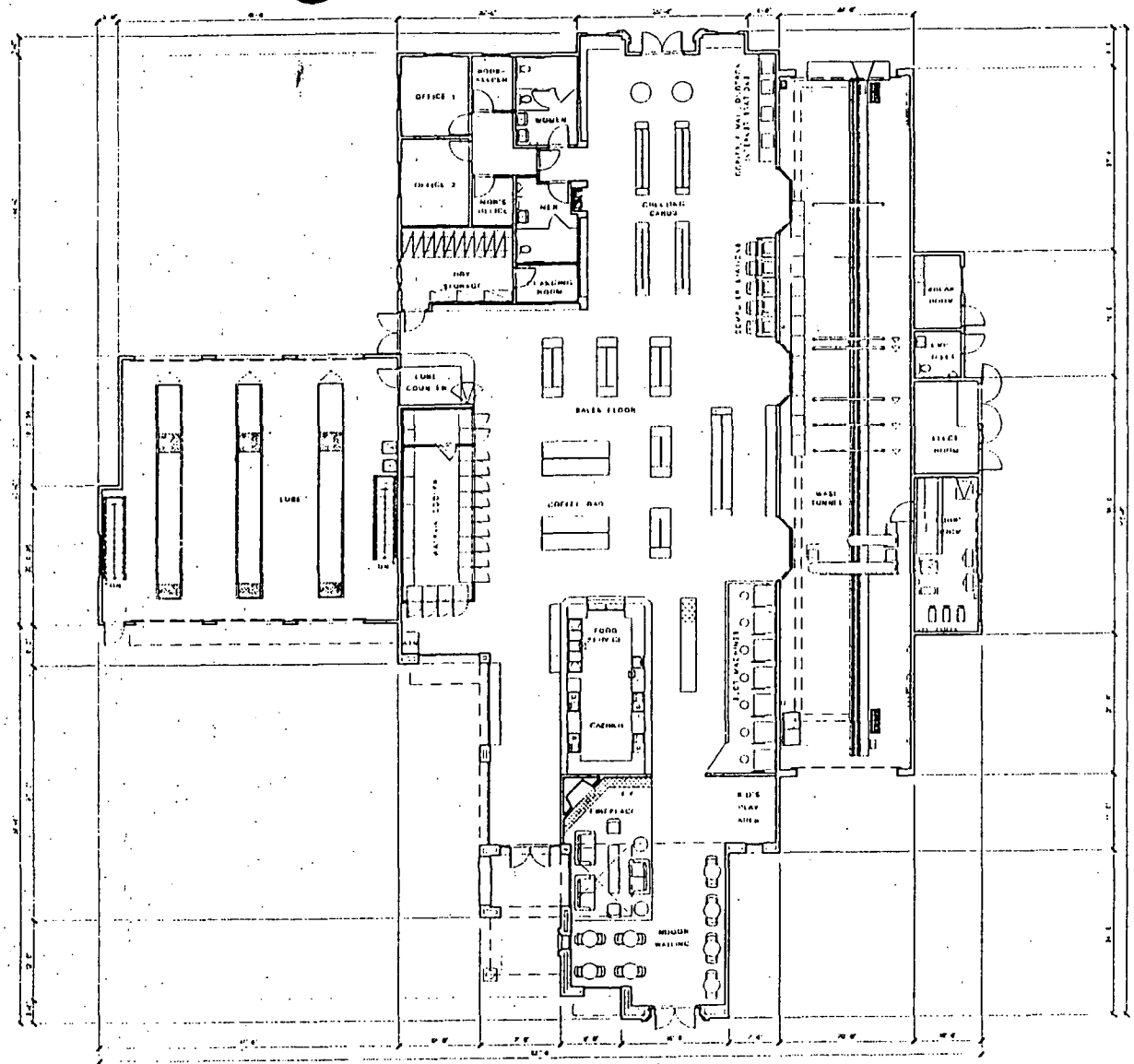
Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

STAFF

U-10-99 Z-6-99

U-11-99 3-11-99 PC

CITY COUNCIL MEETING OF MAY 10, 1999 Page 783



Summerlin Auto Spa – Community Service Center

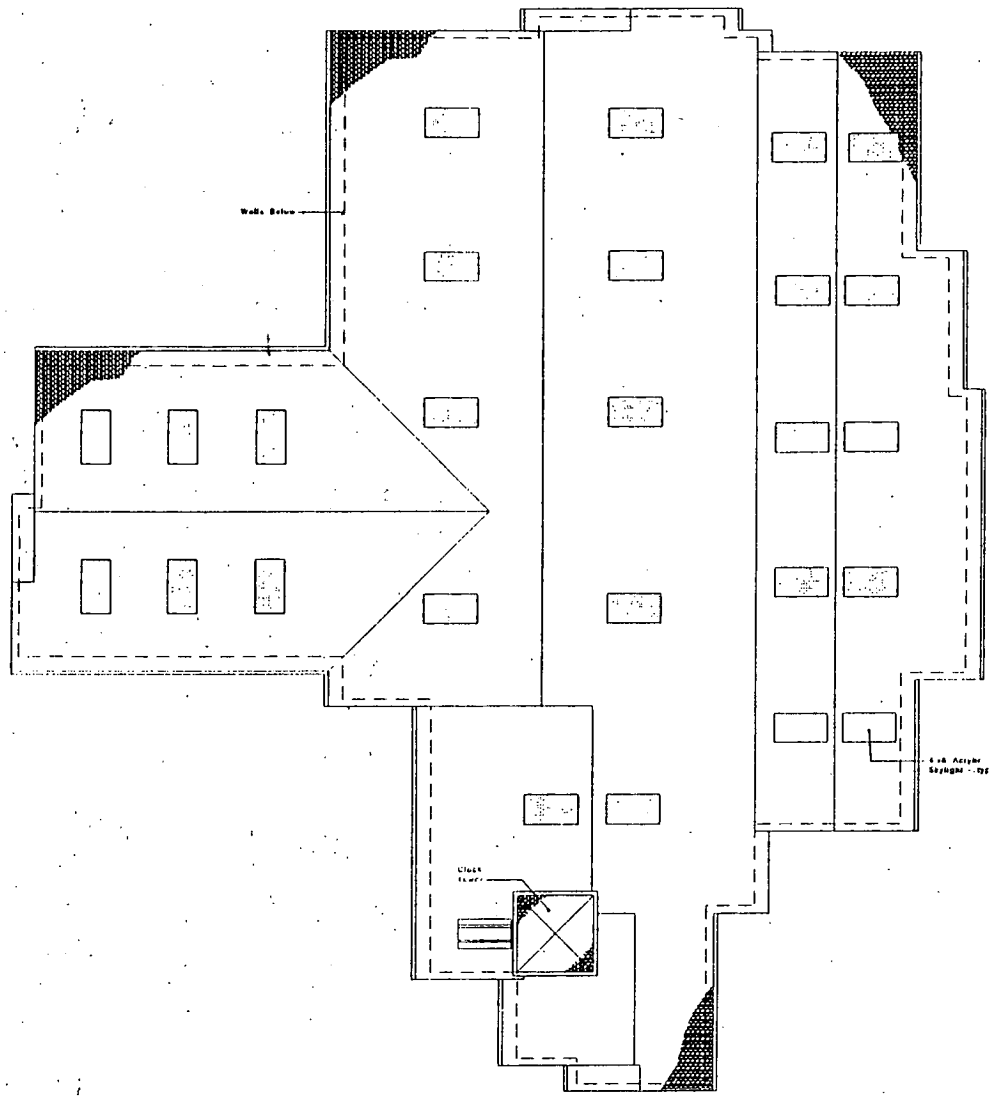
Building A Floor Plan

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

STAFF

U-10-99 Z-6-99

U-11-99 3-11-99 PC



Summerlin Auto Spa – Community Service Center

Building A Roof Plan

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

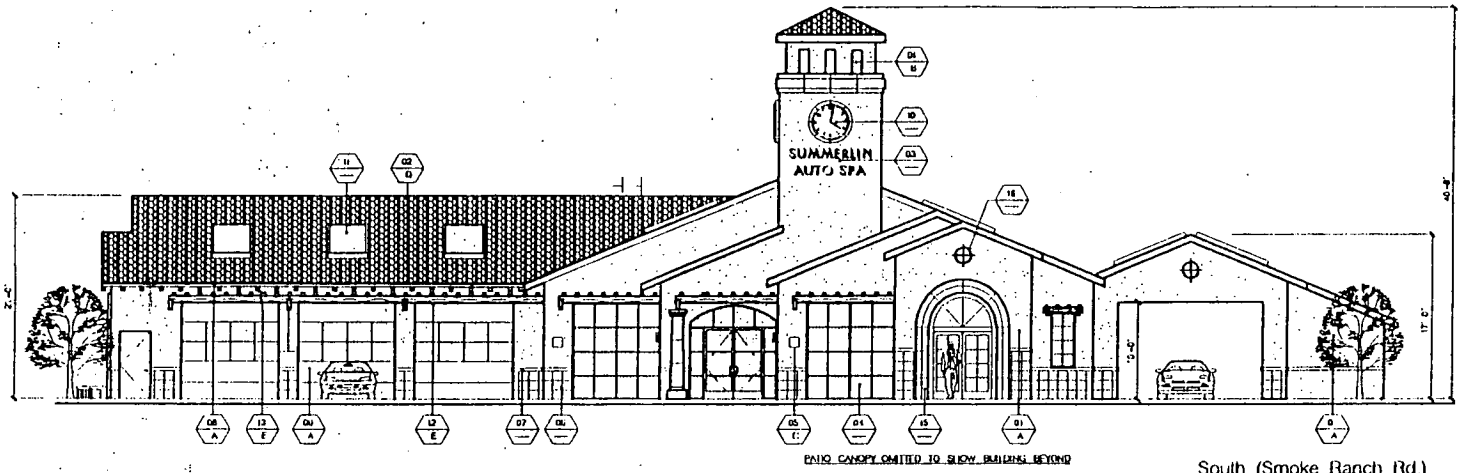
STAFF

U-10-99

U-11-99

Z-6-99

3-11-99 PC



South (Smoke Ranch Rd.)

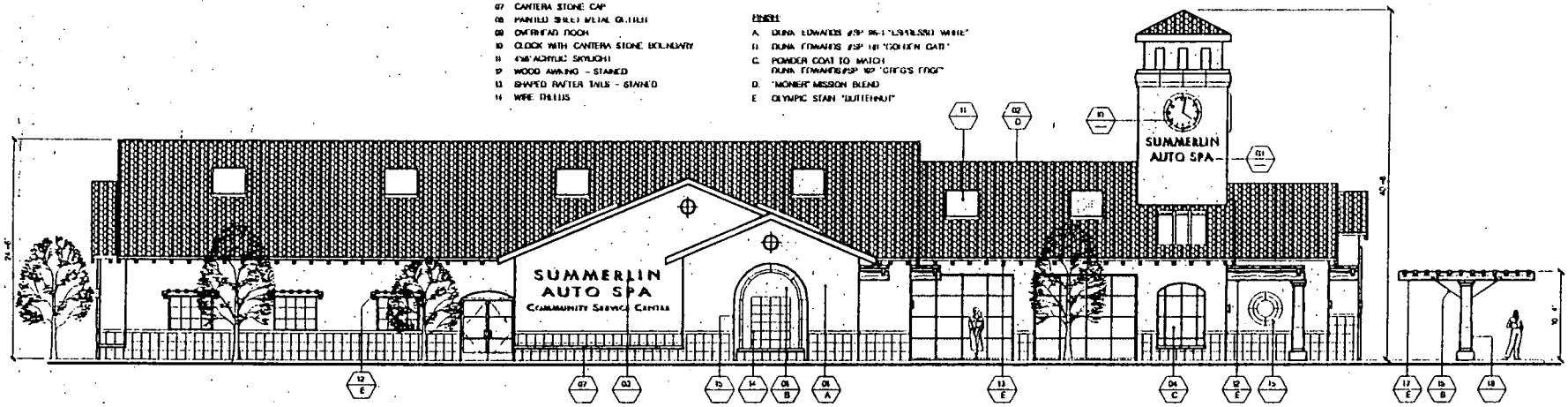
MATERIAL / FINISH

MATERIAL

01 EXTERIOR PLASTER - LIGHT SAND FINISH
02 SPANISH TILE ROOF
03 SIGNAGE - SEE SIGNAGE PACKAGE BY OWNER
04 STOREFRONT WINDOW SYSTEM W/CLEAR GLAZING
05 LIGHT FIXTURE
06 8"x15" CANTERA STONE TILES
07 CANTERA STONE CAP
08 PAINTED SHEET METAL GUTTER
09 OVERHEAD DOOR
10 CLOCK WITH CANTERA STONE BOUNDARY
11 4'x8' ACRYLIC SKYLIGHT
12 WOOD AWNING - STAINED
13 SHAPED RAFTER TAILS - STAINED
14 WIRE TRELLIS
15 CANTERA STONE TRIM
16 RECESSED PLASTER ACCENT
17 BEAM AT PATIO CANOPY - STAINED
18 DECORATIVE 6 1/2" DIA PIPE TIE RODS
19 CANTERA STONE COLUMN SURROUND

FINISH

A. DUNN EDWARDS #DE 6-1 "LEISURELY WHITE"
B. DUNN EDWARDS #DE 181 "GOLDEN GATE"
C. POWDER COAT TO MATCH DUNN EDWARDS#DE 182 "GRIGG'S FROG"
D. "MONIER" MISSION BLEND
E. OLYMPIC STAIN "BUTTERNUT"



West (Buffalo Rd.)

Summerlin Auto Spa – Community Service Center

Exterior Elevations

GLNDY PERKINS FINKEL

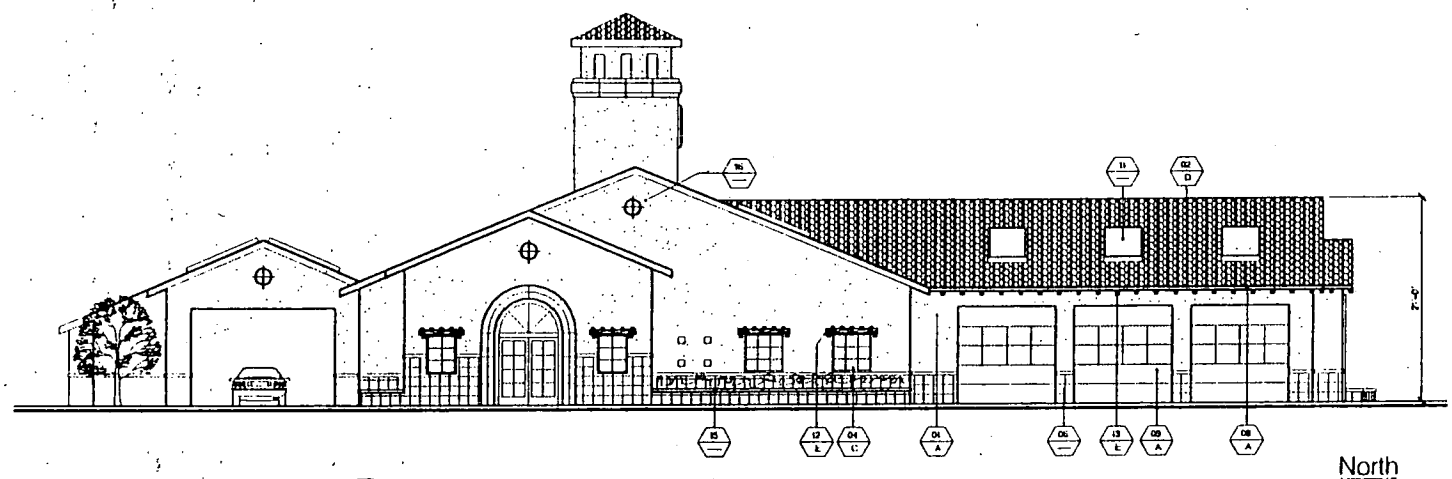
Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99 **Z-6-99** STAFF

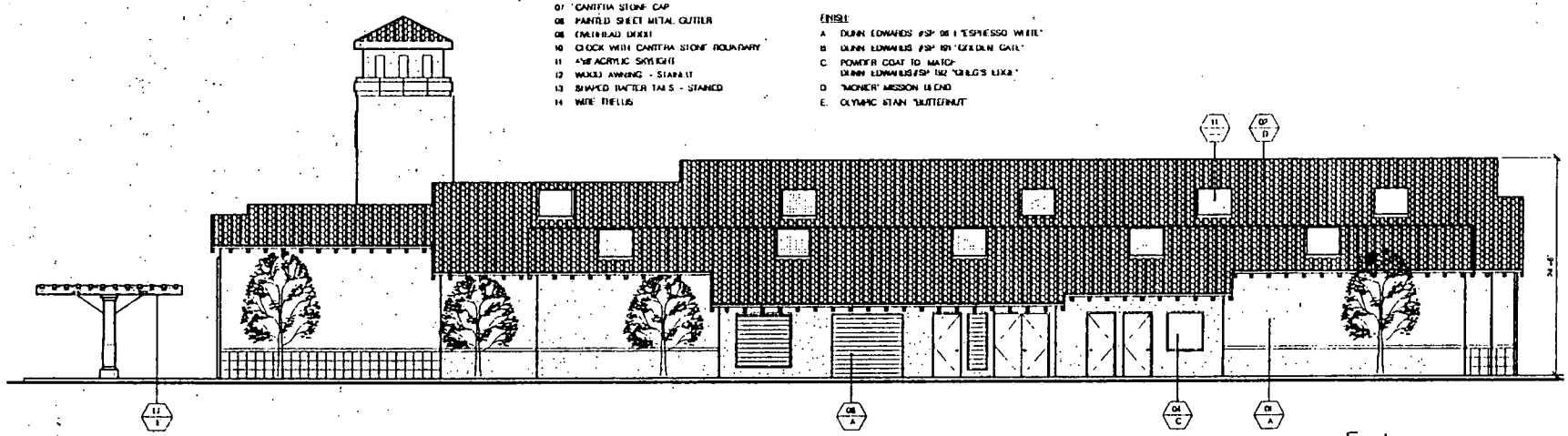
U-11-99 **3-11-99 PC**

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CITY COUNCIL MEETING OF MAY 10, 1999 Page 786



North



East

MATERIAL:

01 EXTERIOR PLASTER - LIGHT SAND FINISH
02 SPANISH TILE ROOF
03 SIGNAGE - SEE SIGNAGE PACKAGE BY OWNER
04 STOREFRONT WINDOW SYSTEM W/CLEAR GLAZING
05 LIGHT FIXTURE
06 12"x12" CANTERA STONE TILES
07 CANTERA STONE CAP
08 PAINTED SHEET METAL GUTTER
09 EMERGENCY DOOR
10 CLOCK WITH CANTERA STONE BOUNDARY
11 ANE ACRYLIC SKYLIGHT
12 WOOD AWNING - STAINED
13 SHAPED RAFTER TAILS - STAINED
14 WIRE TIE LUS
15 CANTERA STONE TRIM
16 RECESSED PLASTER ACCENT
17 BEAM AT PATIO CANOPY - STAINED
18 DECORATIVE 1-1/2" DIA PIPE RE-HORS
19 CANTERA STONE COLUMN SURROUND

FINISH

A DUNN EDWARDS #SP 08 I "ESPRESSO WHITE"
B DUNN EDWARDS #SP 151 "GOLDEN GATE"
C POWDER COAT TO MATCH DUNN EDWARDS/SP 182 "CABALLO'S LEXA"
D "MONIER" MISSION BLEND
E OLYMPIC STAIN "BUTTERNUT"

Summerlin Auto Spa – Community Service Center

Exterior Elevations

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

BLNDY FINKEL

6 of 14

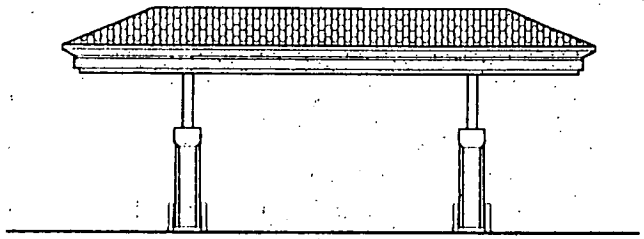
U-10-99

U-11-99

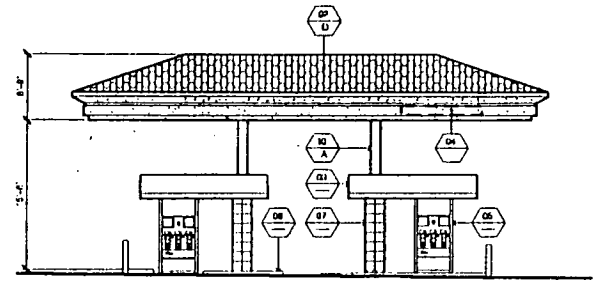
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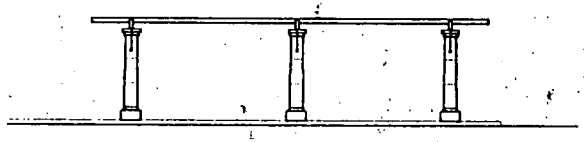
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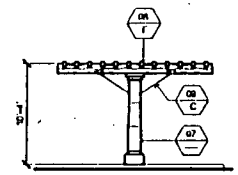
Gas Canopy East/West Elevation



Gas Canopy South /North Elevation



Patio Waiting Canopy South /North Elevation

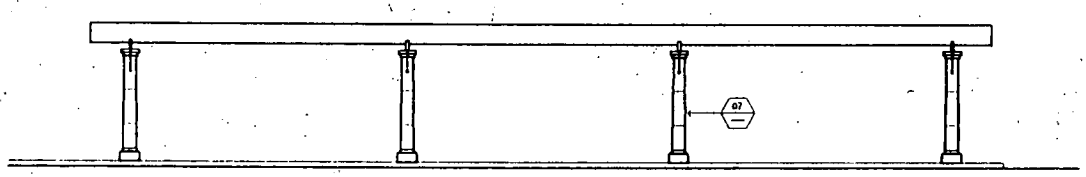


Patio Waiting Canopy East/West Elevation

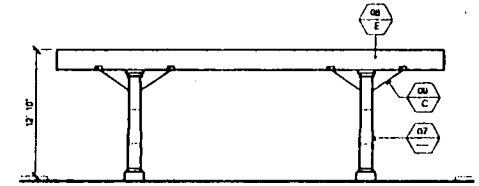
MATERIAL
- FINISH

MATERIAL
01 COMPOSITE PLASTIC PANEL TO MATCH BUILDING PLASTER SMOOTH FINISH
02 SPANISH TILE ROOF
03 GAS COMPANY "SPANNER"
04 SIGNAGE BY GAS COMPANY
05 GAS DISPENSER
06 GAS ISLAND
07 CANTERA STONE COLUMN SURROUND
08 BEAM AT PATIO CANOPY - STAINED
09 DECORATIVE 6-1/2" DIA PIPE RE-HOISTS
10 STEEL COLUMN PAINTED

FINISH
A DUNN EDWARDS #SP 98-1 "TUMBLEWEED"
B DUNN EDWARDS #SP 181 "GOLDEN GATE"
C PENNANT COAT TO MATCH DUNN EDWARDS #SP 182 "CHILI'S EDGE"
D "MONTEREY MISSION BEIGE"
E OLYMPIC STAIN "BUTTERNUT"



Vacuum Canopy West/East Elevation



Vacuum Canopy West/East Elevation

Summerlin Auto Spa – Community Service Center

Canopy Elevations

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99

U-11-99

Z-6-99

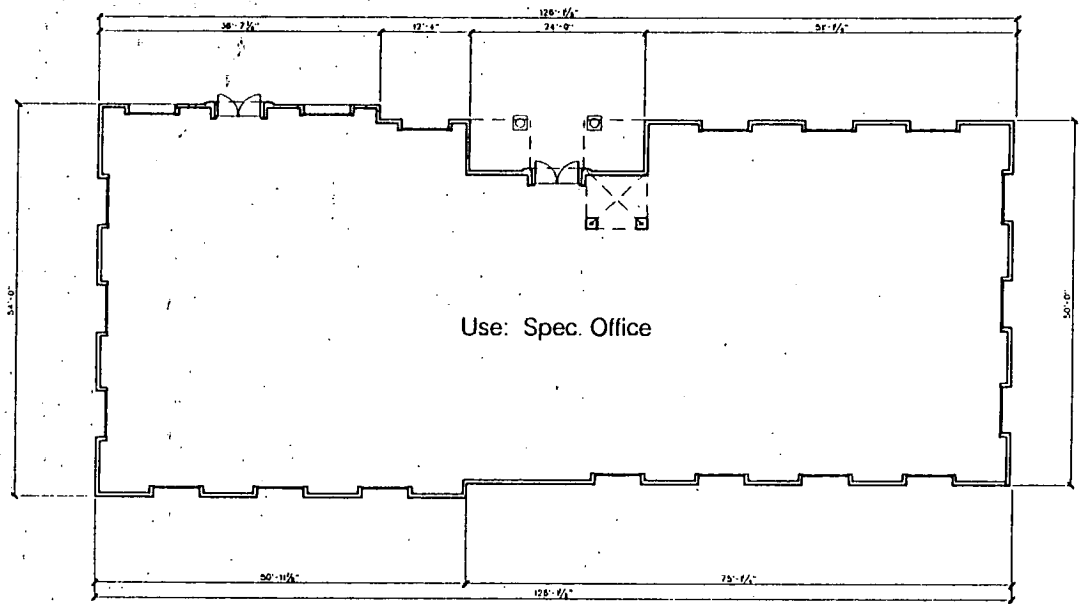
3-11-99 PC

STAFF

BLMDY FINKEL

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CITY COUNCIL MEETING OF MAY 10, 1999 Page 788



Summerlin Auto Spa – Community Service Center

Building B Floor Plan

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

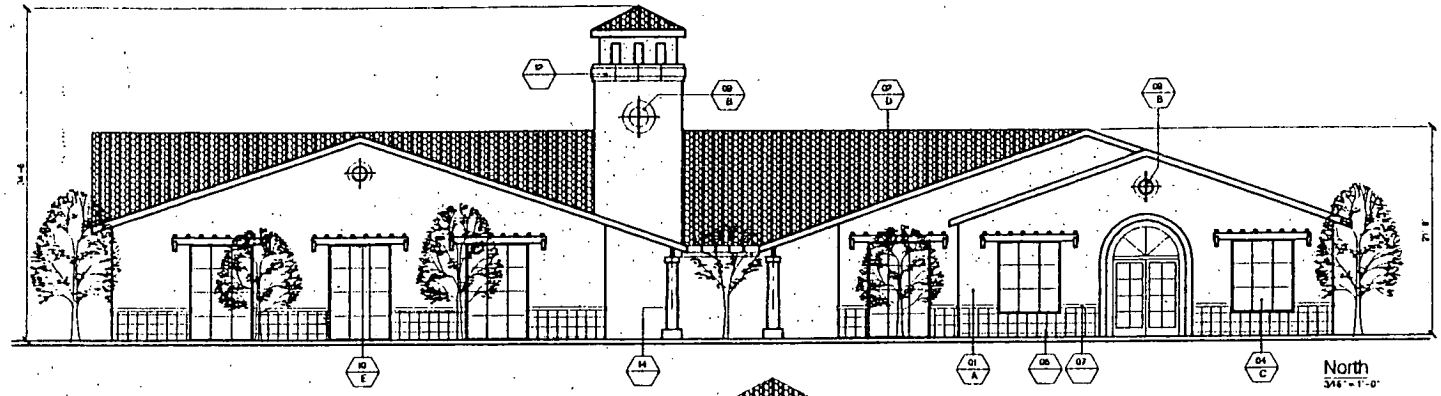
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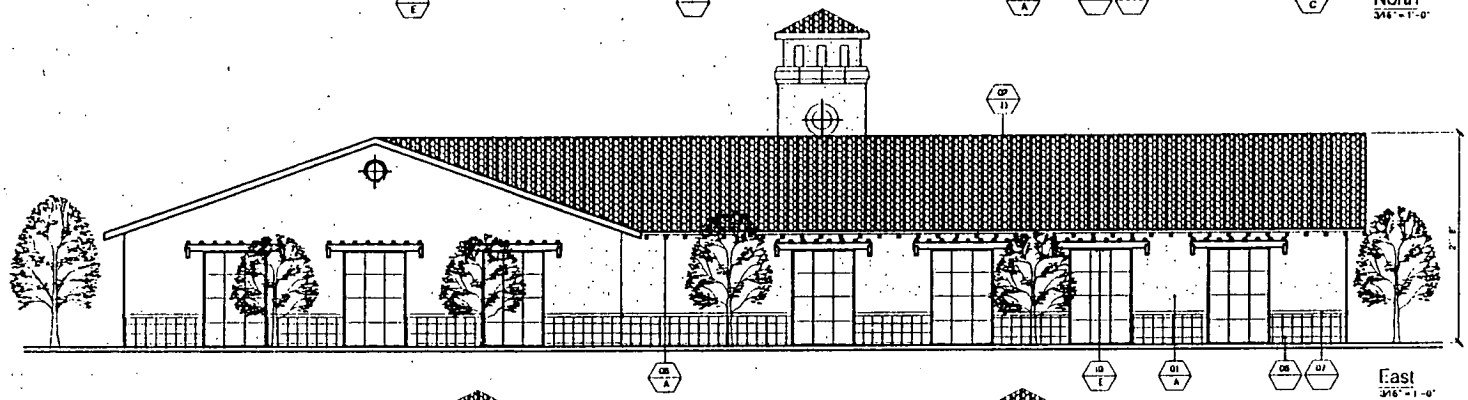
Z-6-99

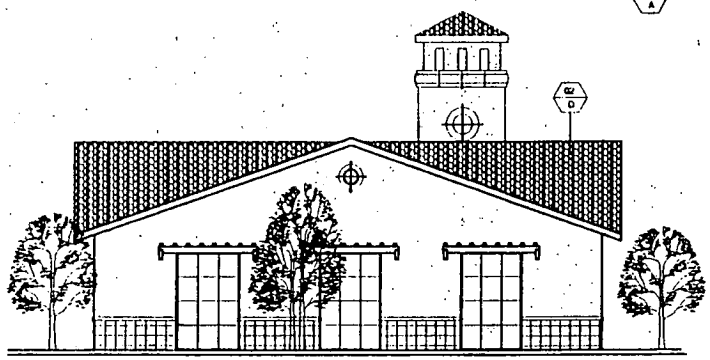
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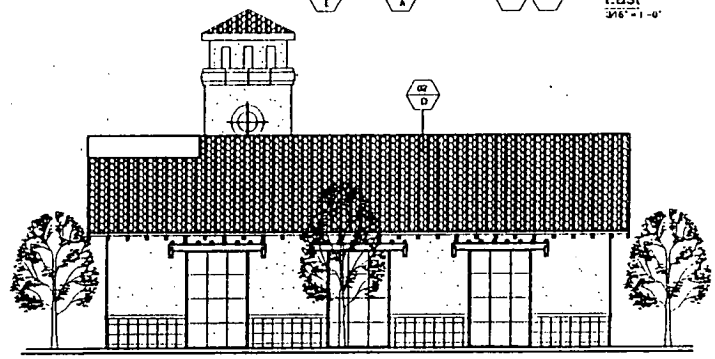
U-11-99

3-11-99 PC









MATERIAL
FINISH

MATERIAL:
01 EXTERIOR PLASTER - LIGHT SAND FINISH
02 SPANISH TILE ROOF
03 SIGNAGE - SEE SIGNAGE PACKAGE BY OWNER
04 STOREFRONT WINDOW SYSTEM W/CLEAR GLAZING
05 LIGHT FIXTURE
06 12"X12" CANTERA STONE TILES
07 CANTERA STONE CAP
08 PAINTED SHEET METAL GUTTER
09 RECESSED PLASTER ACCENT
10 WOOD AWNING - STAINED
11 SPANISH RIDGE TILES - STAINED
12 CANTERA STONE TRIM
13 WOOD TRELLIS - STAINED
14 CANTERA STONE COLUMN

FINISH:
A DUNN EDWARDS #DE 86-1 "ESPRESSO WHITE"
B DUNN EDWARDS #DE 86 "GOLDEN GATE"
C POWDER COAT TO MATCH DUNN EDWARDS #DE 86 "GITO'S FOLLY"
D "PIONEER MISSION RED"
E OLYMPIC STAIN "BUTTERNUT"

Summerlin Auto Spa – Community Service Center

Building B Floor Plan Exterior Elevations

Corner Buffalo Drive and Smoke Ranch Road, Las Vegas, Nevada

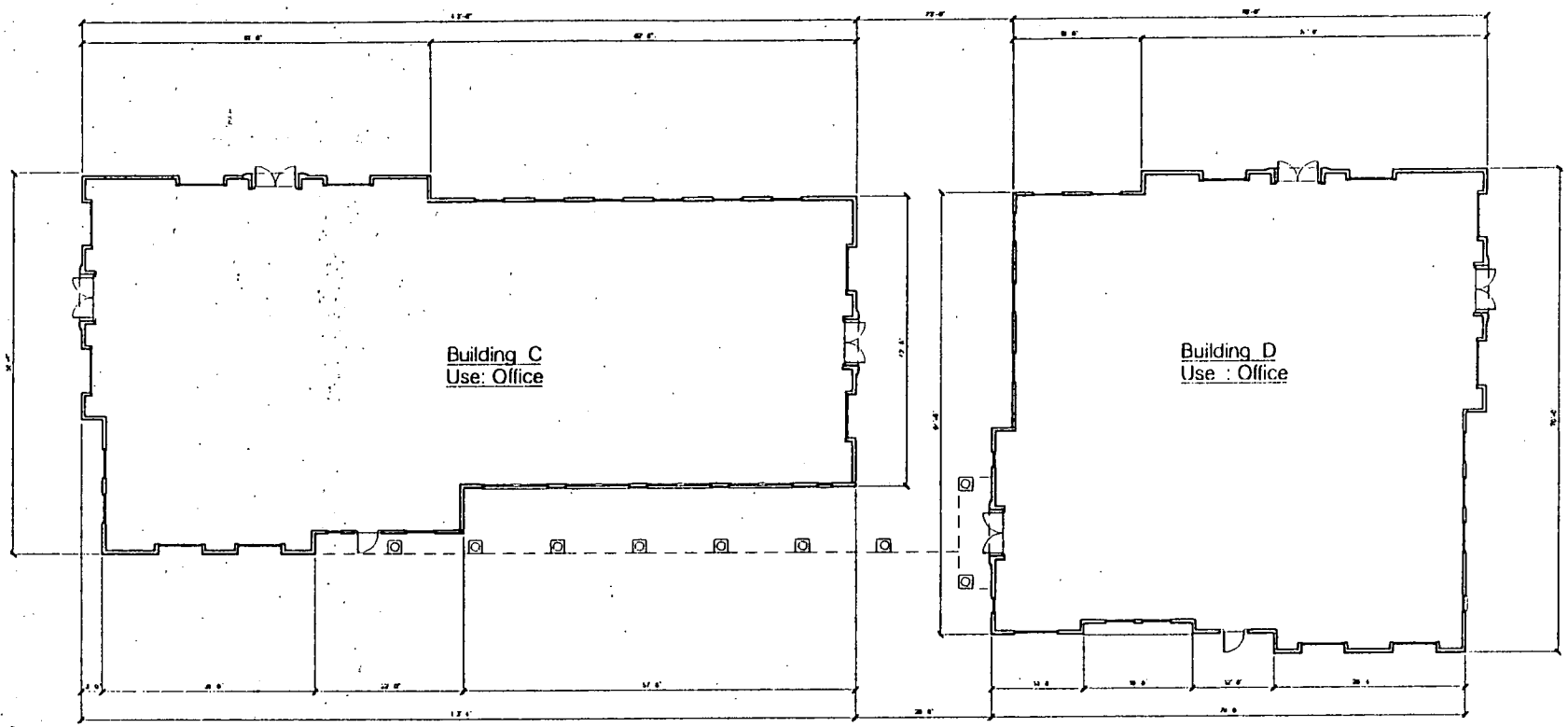
U-10-99

Z-6-99

STAFF

U-11-99

3-11-99 PC



Summerlin Auto Spa – Community Service Center

Buildings C & D Floor Plans

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99

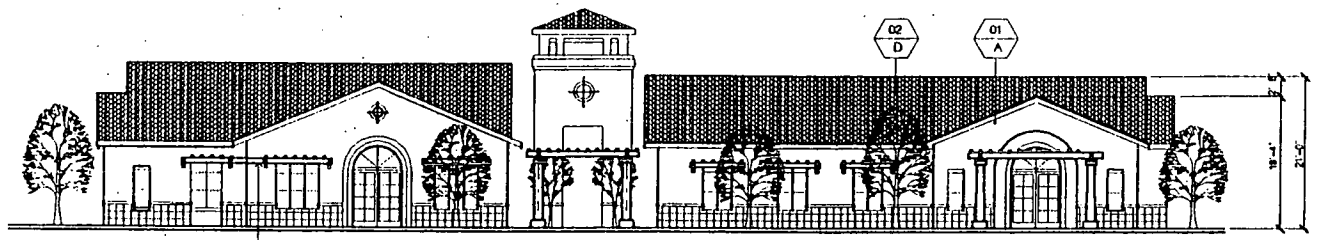
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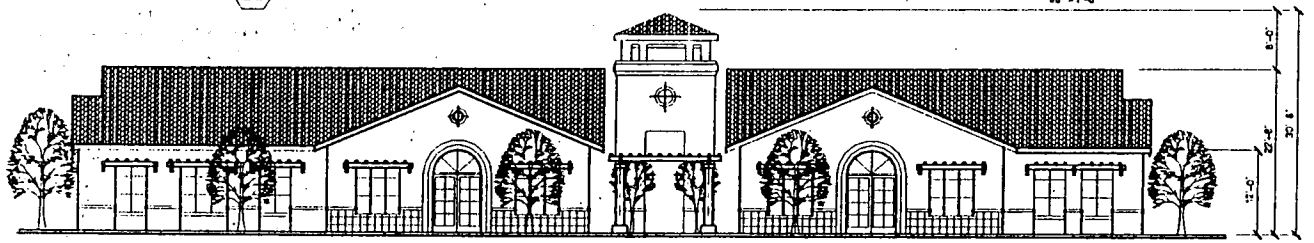
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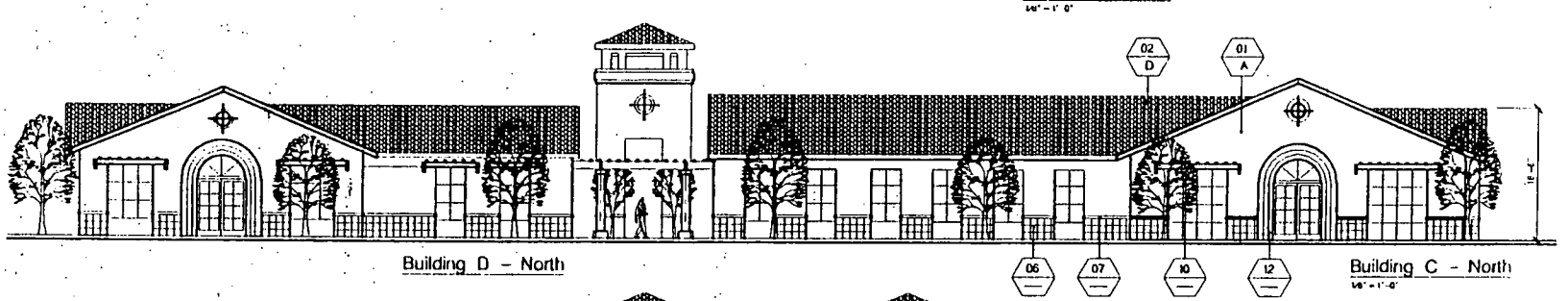
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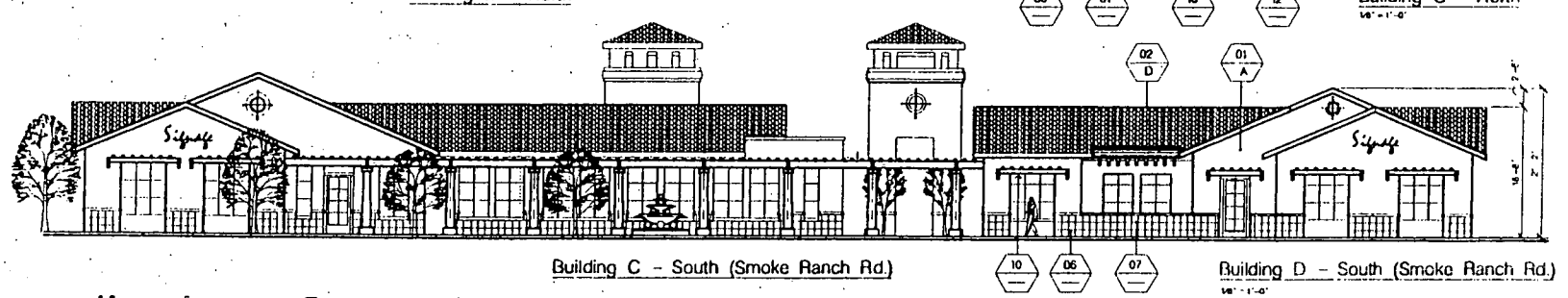
STAFF

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MATERIAL
FINISH

MATERIAL:
01 EXTERIOR PLASTER - LIGHT SAND FINISH
02 SPANISH TILE ROOF
03 SIGNAGE - SEE SIGNAGE PACKAGE BY OWNER
04 STOREFRONT WINDOW SYSTEM W/CLEAR GLAZING
05 LIGHT FIXTURE
06 8"x8" CANTERA STONE TILES
07 CANTERA STONE CAP
08 PAINTED SHEET METAL CUTTER
09 RECESSED PLASTER ACCENT
10 WOOD AWNING - STAINED
11 STAINED RAFTER TAILS - STAINED
12 CANTERA STONE TRIM
13 WOOD TRELLIS - STAINED
14 CANTERA STONE COLUMN

PAINT
A DUNN EDWARDS #DE 86 "LESS LESS WHITE"
B DUNN EDWARDS #DE 191 "GOLDEN GATE"
C. POWDER COAT TO MATCH DUNN EDWARDS #DE 186 "GREGS EDGE"
D "MONIER MISSION BLEND"
E. OLYMPIC STAIN "BUTTERNUT"

Summerlin Auto Spa – Community Service Center

Buildings C & D Exterior Elevations

SLMDY FINKEL

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99

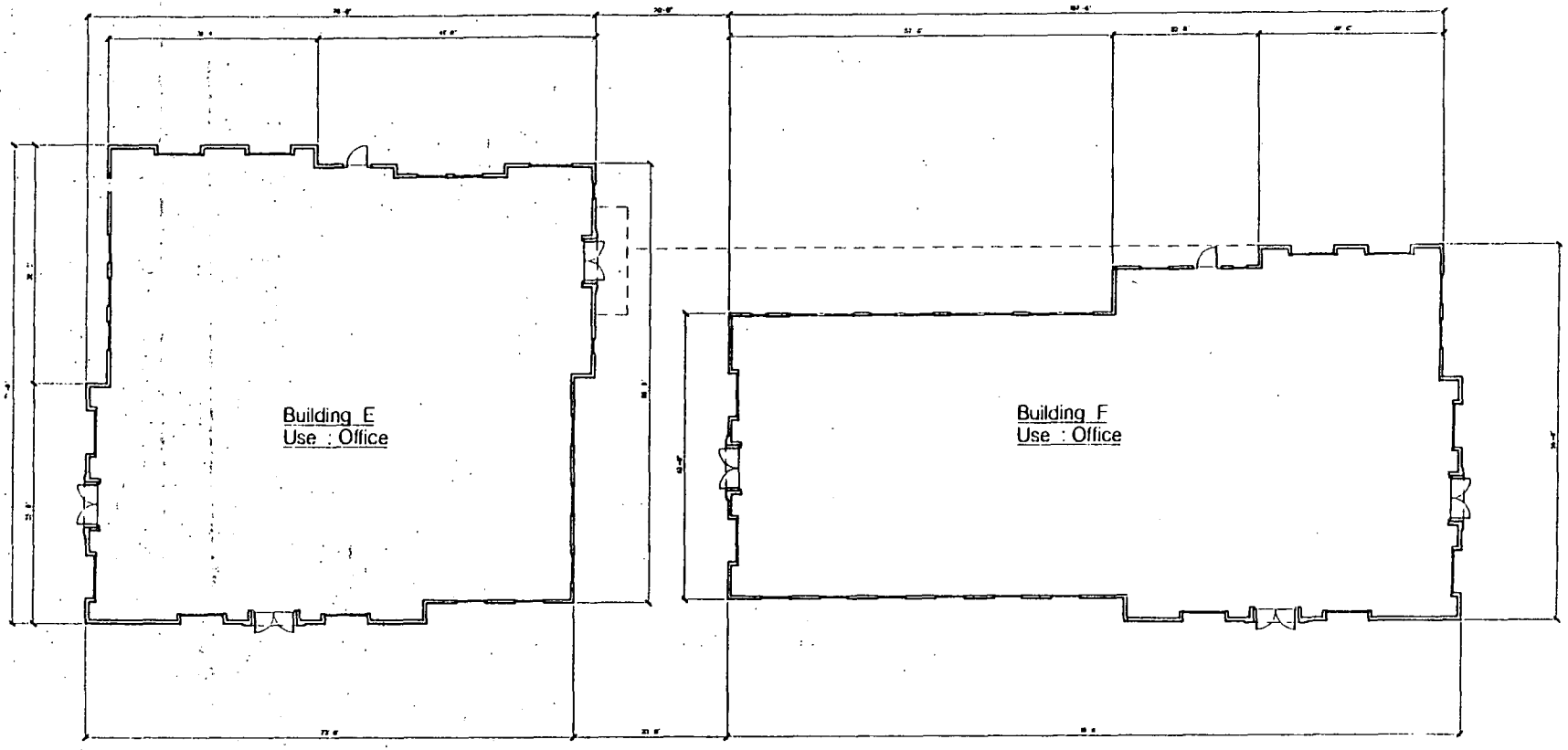
U-11-99

Z-6-99

3-11-99 PC

STAFF

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STAFF

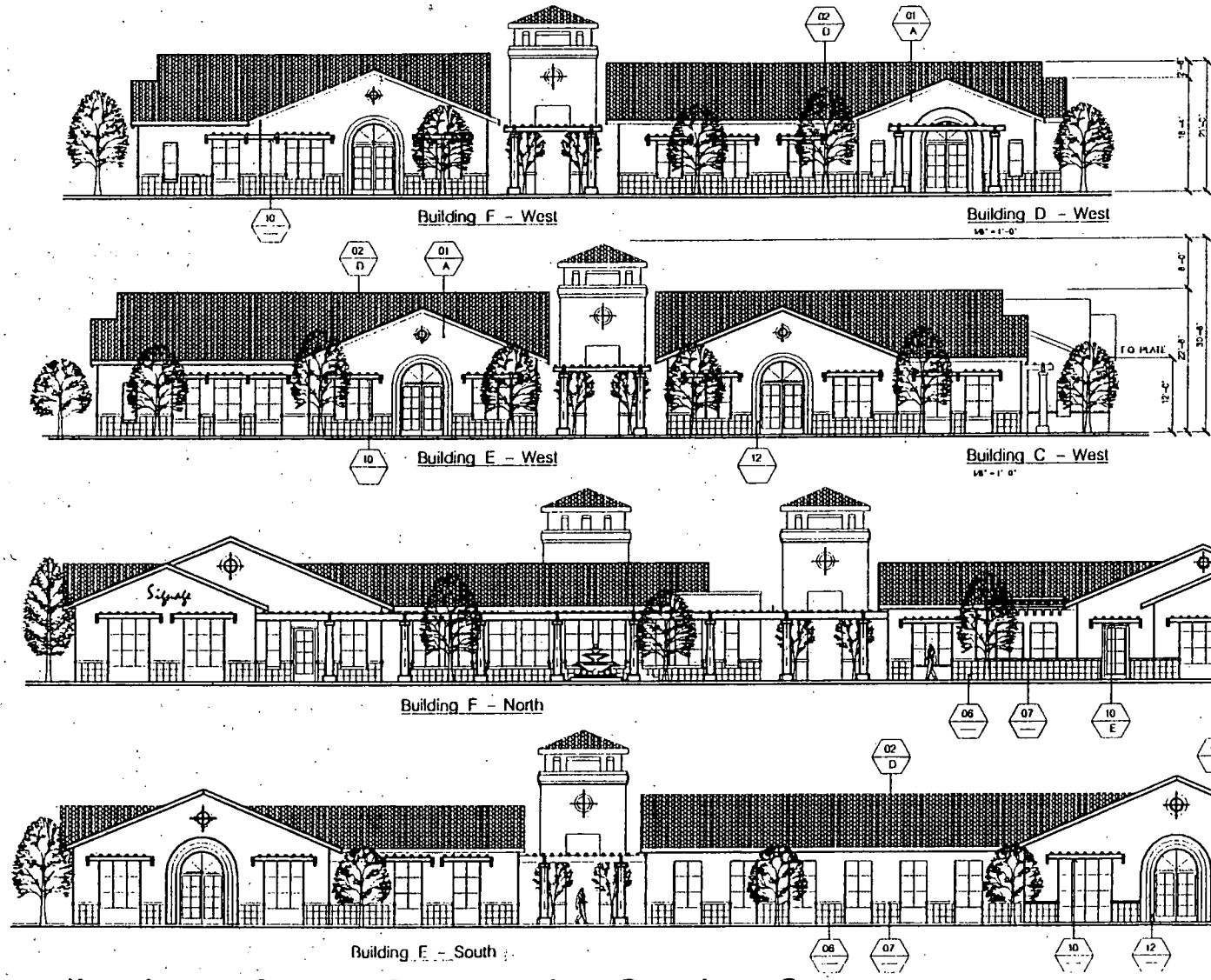
Buildings E & F Floor Plans

Summerlin Auto Spa – Community Service Center

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99 Z-6-99

U-11-99 3-11-99 PC



Summerlin Auto Spa – Community Service Center

Buildings E & F Exterior Elevations

Corner Buffalo Drive and Smoke Ranch Road,
Las Vegas, Nevada

U-10-99

U-11-99

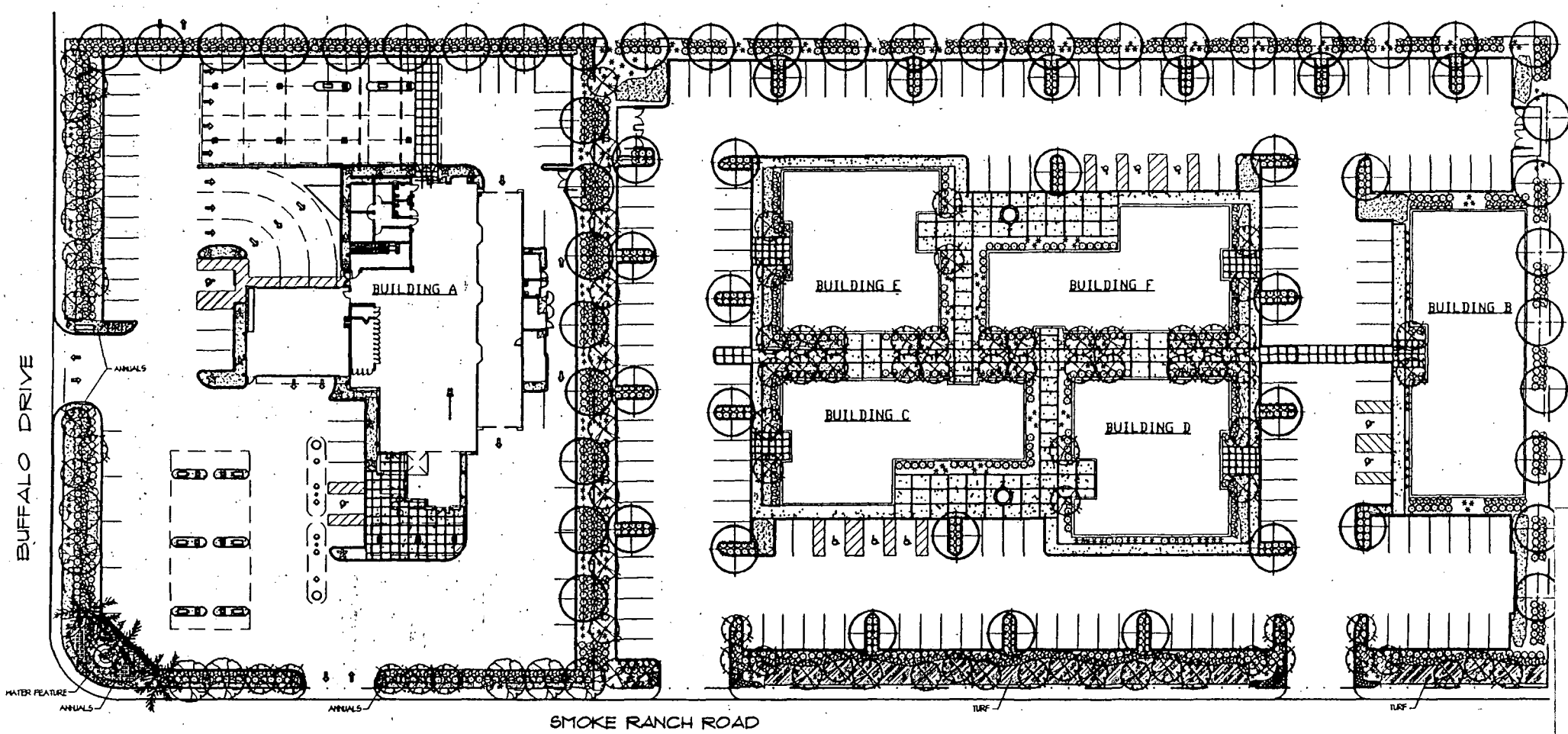
Z-6-99

3-11-99 PC

STAFF

GLHOT FINKEL

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PRELIMINARY PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
TREES				
	ARBUTUS UNEDO	STRAWBERRY TREE	-	24" BOX
	BRAHEA ARMATA	MEXICAN BLUE PALM	-	24" BOX
	CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	-	24" BOX
	CYCAS REVOLUTA	SAGO PALM	-	24" BOX
	LAURUS NOBILIS	GRECIAN LAUREL	-	24" BOX
	LIGUSTRUM LUCIDUM	GLOSSY PRIVET	-	24" BOX
	OLEA EUROPAEA 'SWAN HILL'	SWAN HILL FRUITLESS OLIVE	-	24" BOX
	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	-	15' HT.
	PHOENIX DACTYLIFERA	DESERT MOOR DATE PALM	-	15' HT.
	PITTOSPORUM PHILLYRAEOIDES	WILLOW PITTOSPORUM	-	24" BOX
	PRUNUS CAROLINIANA	CAROLINA CHERRY LAUREL	-	24" BOX
	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL	-	24" BOX
SHRUBS				
	COTONEASTER DAMMERI 'CORAL BEAUTY'	CORAL BEAUTY COTONEASTER	-	5 GAL
	ILEX CORNUTA 'BURFORDII'	BURFORD HOLLY	-	5 GAL
	MYRTUS COMMUNIS 'COMPACTA'	COMPACT MYRTLE	-	5 GAL
	NANDINA DOMESTICA 'COMPACTA'	DWARF HEAVENLY BAMBOO	-	5 GAL
	PITTOSPORUM TOBIRA ' VARIEGATA'	VARIEGATED MOCK ORANGE	-	5 GAL
	RAPHIOLEPIS INDICA 'PINK LADY'	DWARF INDIAN HAWTHORN	-	5 GAL
	ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	UPRIGHT ROSEMARY	-	5 GAL
	XYLOSMA CONGESTUM 'EL DORADO'	EL DORADO XYLOSMA	-	5 GAL
GROUNDCOVERS				
	DALEA CAPITATA 'SIERRA GOLD'	SIERRA GOLD DALEA	-	5 GAL
	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	-	5 GAL
	PITTOSPORUM TOBIRA 'WHEELERS DWARF'	DWARF MOCK ORANGE	-	5 GAL
	ROSEMARINUS OFFICINALIS 'PROSTRATUS'	PROSTRATE ROSEMARY	-	5 GAL
	TEUCRIUM CHAMAEDRYS	GERMANDER	-	5 GAL
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	-	5 GAL
ACCENTS				
	DIETES BICOLOR	EVERGREEN IRIS	-	5 GAL
	HESPERALOE PARVIFLORA	RED YUCCA	-	5 GAL
	PHORMIUM TENAX 'COMPACTA'	DWARF NEW ZEALAND FLAX	-	5 GAL
	YUCCA RECURVIFOLIA	WEEPING YUCCA	-	5 GAL
VINES				
	FICUS PUMILA	CREEPING FIG	-	5 GAL
	MACFADYENA UNGUIS-CATI	CAT'S CLAW VINE	-	5 GAL

STAFF

Z-6-99

U-10-99

3-11-99 PC U-11-99

SUMMERLIN AUTO SPA

COMMUNITY SERVICE CENTER

CONCEPTUAL LANDSCAPE PLAN

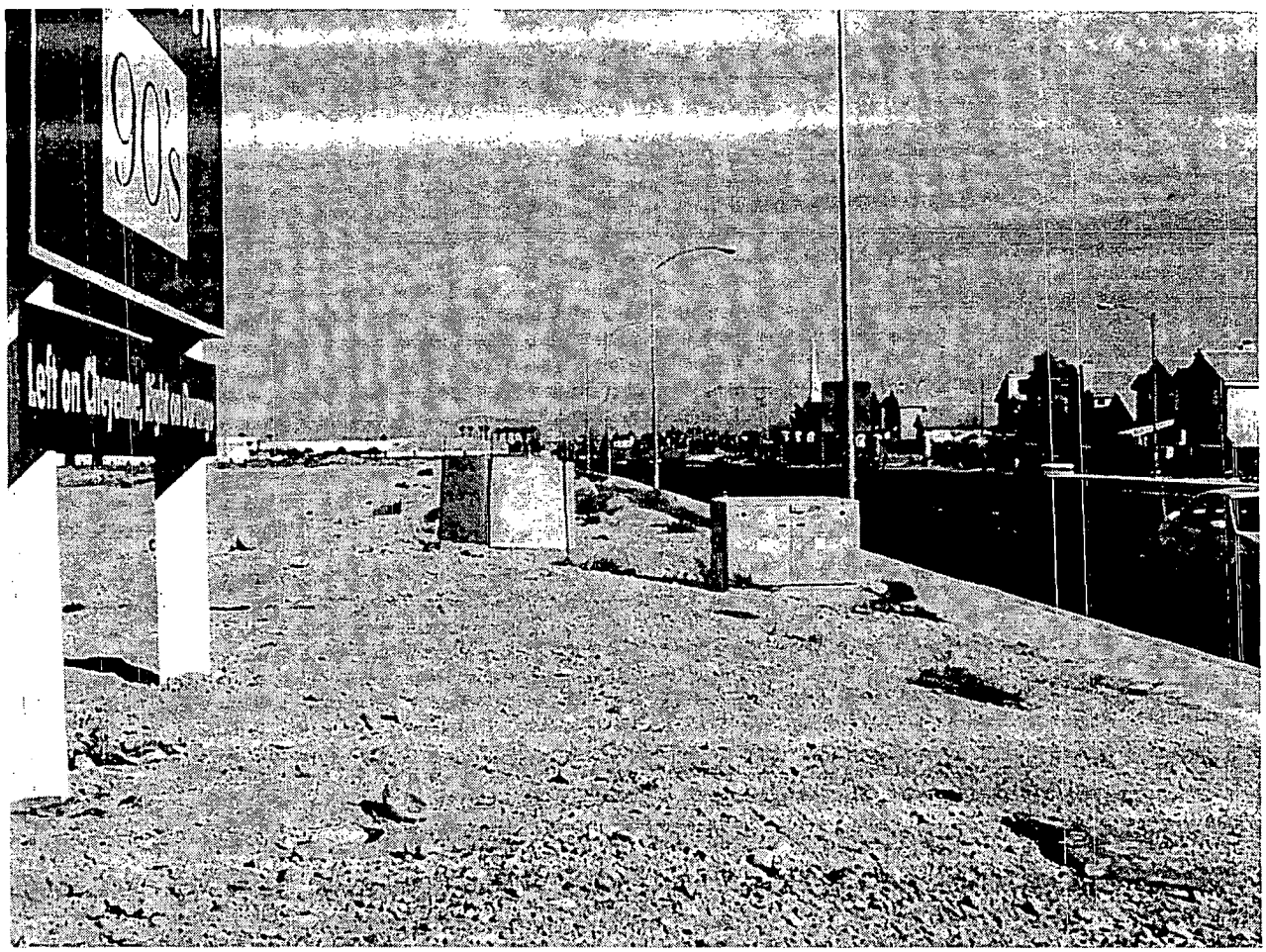
SHEET 14 OF 14

JUZ #99105 3 FEB. 1999

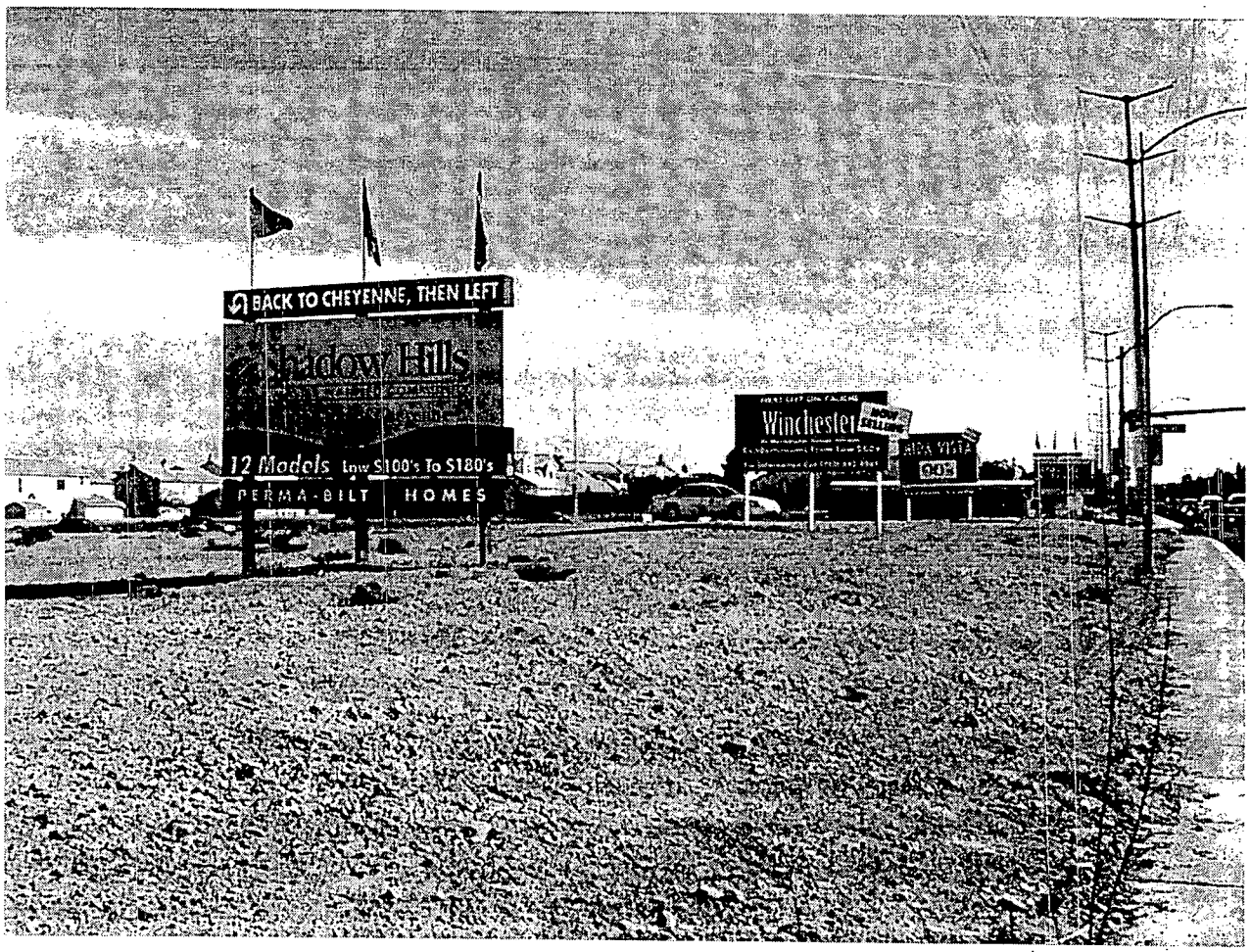
GUNNINO ASSOCIATES

NORTH

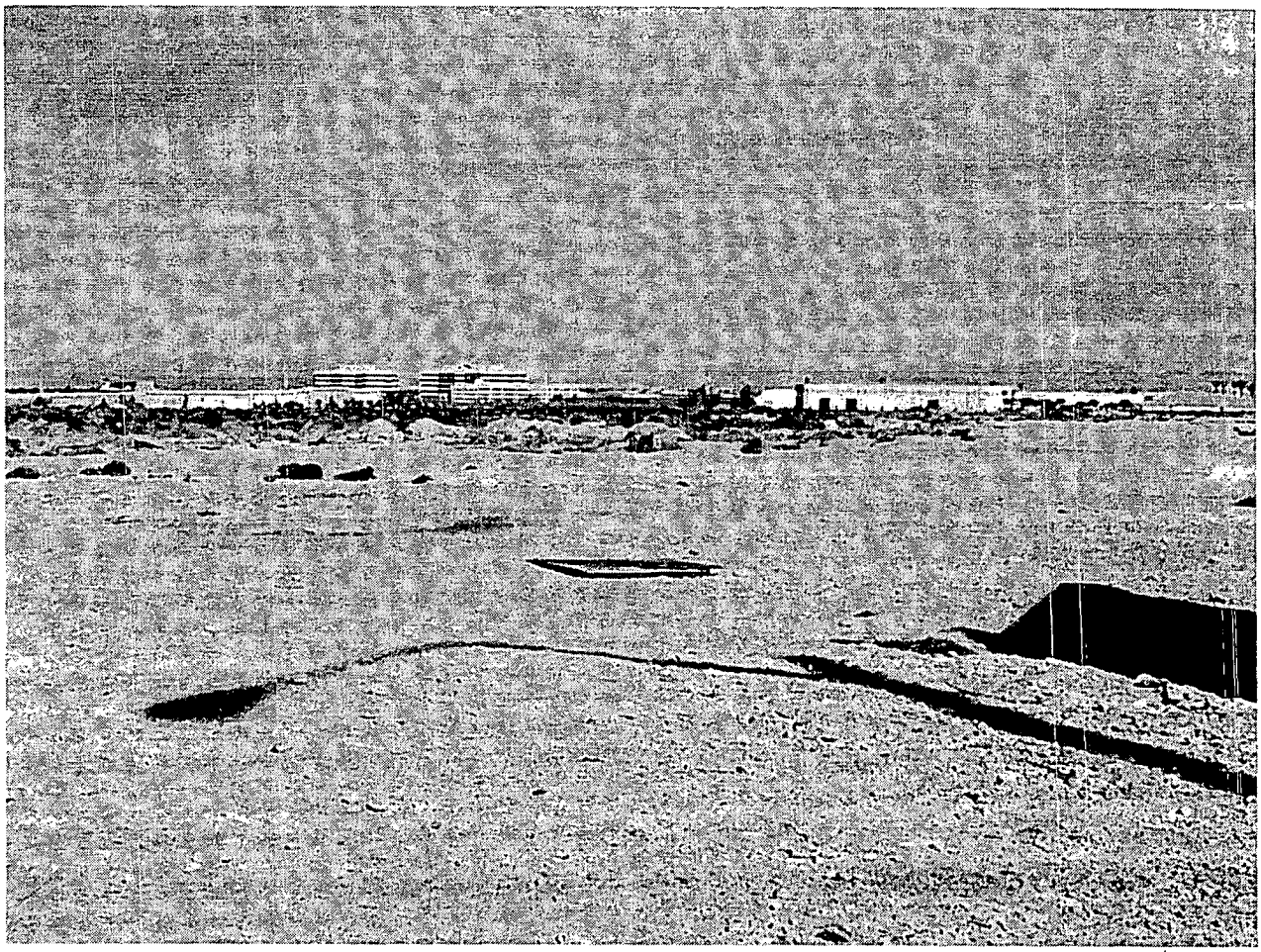
CITY COUNCIL MEETING OF MAY 10, 1999 Page 795



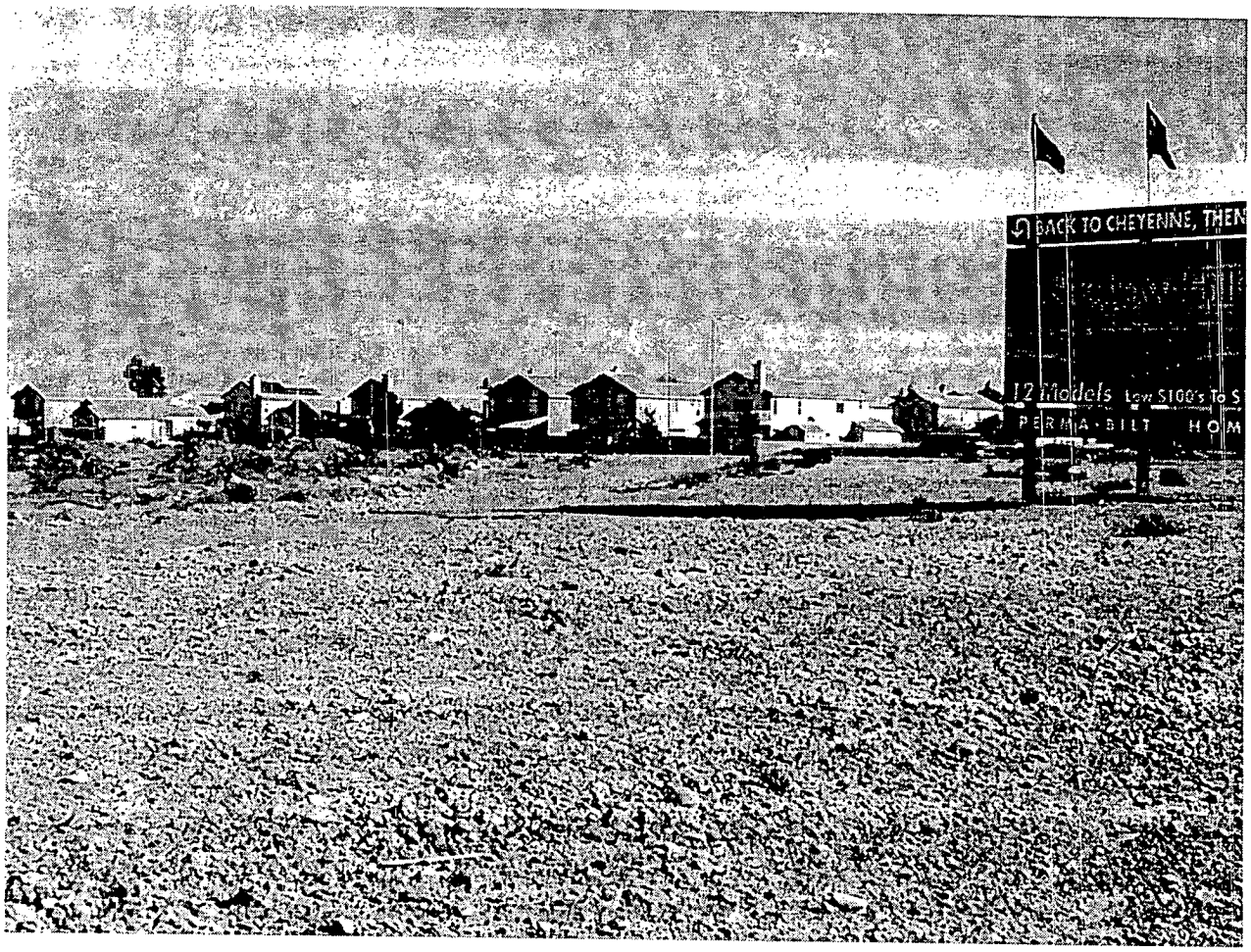
Z-6-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items U-10-99 and U-11-99)



Z-6-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
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Donna Beam Revocable Trust OBO of John Mead
(Related to items U-10-99 and U-11-99)



Z-6-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items U-10-99 and U-11-99)

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
MICHAEL J. BONNER
JOHN N. BREWER
GERALD D. WAITE
SHERWOOD N. COOK
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JOHN C. JEPPSEN
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ROBERT J. GRONAUER
ROBERT C. KIM
KURT C. LAMBETH
ANGELA TURRICIANO OTTO
ELIZABETH A. SAVAGE
LYSSA M. SIMONELLI
JAMES E. SMYTH II
ANTHONY A. ZMAILA

May 7, 1999

VIA FACSIMILE
382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
1999 MAY -7 P 12:18

Re: Z-6-99, U-10-99 and U-11-99

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We hereby request that all three be withdrawn without prejudice.

Thank you for your assistance.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Mark H. Fiorentino

MHF/jf

cc: John Mead (via facsimile)
Patrick Smith (via facsimile)

113, 114, 115

S:\MHF\8487.1\Ronemus 050799.doc

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING	
114	ABEYANCE ITEM - U-10-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD	**McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice of Item 110 [U-33-99], Item 113 [Z-6-99], Item 114 [U-10-99], and Item 115 [U-11-99] and to HOLD IN ABEYANCE Item 95 [Z-105-93(5)] to 5/24/99 and Item 119 [Z-19-99] to 5/24/99 as the first Planning & Development PM agenda discussion item - UNANIMOUS**
	Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission for a Special Use Permit on property located on the northeast corner of Buffalo Drive and Smoke Ranch Road FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE/CAR WASH, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], pending zone change to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-15-402-001.	******
	NOTICES MAILED: 253 BY CITY CLERK	There was no related discussion.
	APPROVALS: 0	(2:24 - 2:28)
	AFTER PC MEETING _____ Letters _____ Petitions	**3- 290**
	TOTAL 0	
	PROTESTS: 3	
	AFTER PC MEETING 8 Letters 77 Petitions	
	TOTAL 88	
	The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to:	
	1. This Special Use Permit shall expire on April 12, 2000 if building permits have not been issued or an Extension of Time has not been granted.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - U-10-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD 2. Approval of this Special Use Permit does not constitute approval of a liquor license. 3. Conformance to all Conditions of Approval for Z-6-99 and all other site-related actions as required by the City of Las Vegas. 4. All City Code requirements and design standards of all City departments must be satisfied.	**WITHDRAWN Without Prejudice**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-10-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEADE

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 12, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN BROWN TO ALLOW THE APPLICANT ADDITIONAL TIME TO MEET WITH NEIGHBORS.

APPLICATION REQUEST:

This is an appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission for a Special Use Permit on property located on the northeast corner of Buffalo Drive and Smoke Ranch Road for the off-premise sale of beer and wine in conjunction with a proposed convenience store and car wash.

BACKGROUND DATA:

There is no previous zoning history for this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	4.3	Acres
Building Area (convenience store):	6,442	Square Feet
Building Area (car wash):	2,622	Square Feet
Building Area (auto repair):	1,244	Square Feet
Vacuum Area:	5,838	Square Feet
Gas Canopy:	2,604	Square Feet
Total Area:	21,276	Square Feet
Convenience Store (Required):	28	Spaces
Car Wash (Required):	18	Spaces
Auto Lube (Required):	6	Spaces
Parking Provided:	39	Spaces
Convenience Store Height (Roof):	21	Feet
Convenience Store Height (Tower):	41	Feet
Convenience Store Height (Canopy):	23	Feet

Agenda Item

114

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-10-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEADE

PURPOSE/BACKGROUND

Access to the proposed convenience store is provided by one driveway from Buffalo Drive and one driveway from Smoke Ranch Road. This site is made up of two parcels, the convenience store, car wash, and auto lube occupy a portion of the westerly parcel and the office complex occupies parcel 2 and a portion of parcel 1. The convenience store is centrally located on parcel 1 (facing Buffalo Drive), the auto lube is to the west, in front of the convenience store. The car wash is on the eastern side of the building, and the gas canopy is located in the southwest corner of parcel 1.

The portion of parcel 1, occupied by the convenience store, proposes 15 foot wide landscape planters along the east and west development lines and eight foot wide planters along the north and south development lines.

The elevations for the convenience store suggest an approximate 25 foot high structure with a light sand finish stucco exterior and a Spanish tile roof. The front elevation also depicts a 41 foot high tower of the same construction materials.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to C-PB	Unimproved (CLV Tech Park)
South:	U and R-CL	Unimproved and Single Family Residential
East:	ROI to C-PB	Unimproved (CLV Tech Park)
West:	R-PD5	Single Family Residential

FINDINGS:

Staff has recommended denial of a rezoning from U (Undeveloped) to C-1 (Limited Commercial) on the subject parcel, and recommended approval of a rezoning to O (Office). Staff cannot support the Special Use Permit for off-premise beer and wine sales based on the recommended denial of C-1 (Limited Commercial) Zoning. The O (Office) zoning category does not allow a Special Use Permit for off-premise sale of beer and wine.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-10-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEADE

PURPOSE/BACKGROUND

In addition, staff believes that the convenience store is too intense for the surrounding land uses. The noise, lighting, and 24 hour nature of this type of business make it inherently incompatible with the surrounding single family residential uses. There is also a church developed approximately 250 to the southeast of the most easterly parcel in this application. While the proposed convenience store (with alcohol sales) is technically not within 400 feet of the existing church, the proximity to the church raises questions as to the health, safety, and welfare of the general public.

The Planning Commission (4-1 vote) and staff recommend DENIAL.

PC NOTICES MAILED: 253

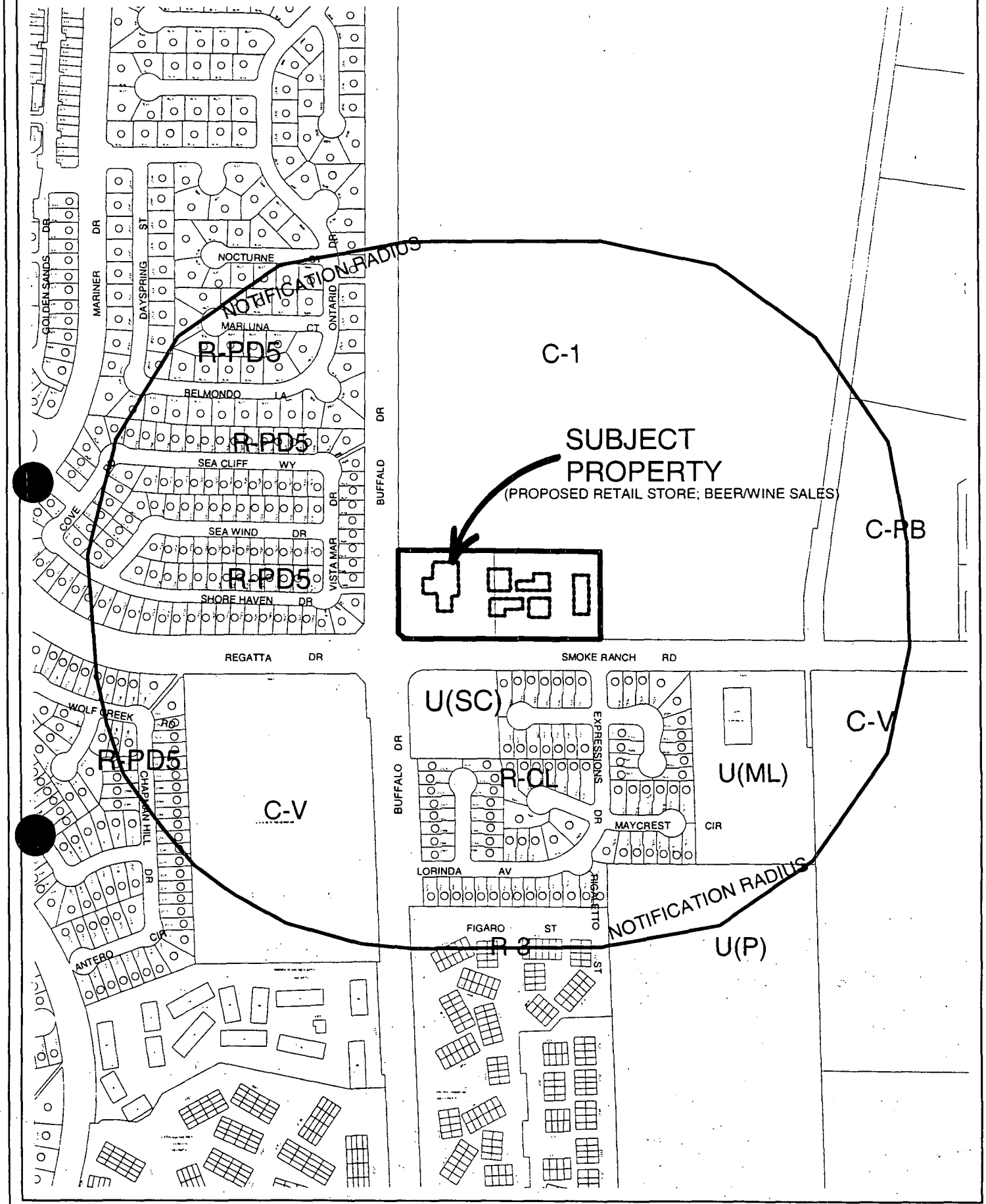
APPROVALS: 0

PROTESTS: 1

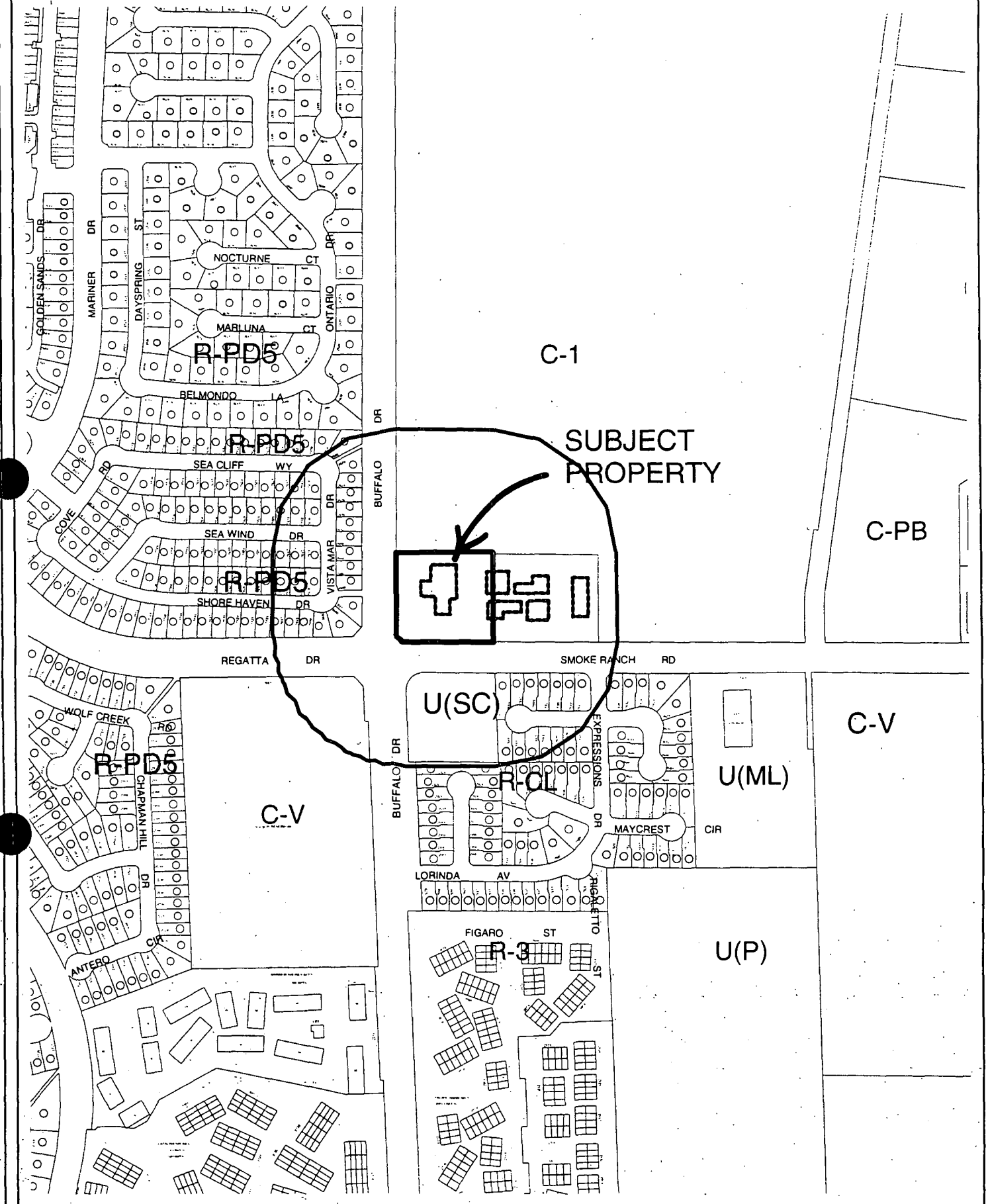
[Note: Those who spoke in opposition to this request at the Planning Commission meeting felt that the intensity of uses associated with this request would not be compatible with the nearby residential property.]

SEE ATTACHED LOCATION MAP

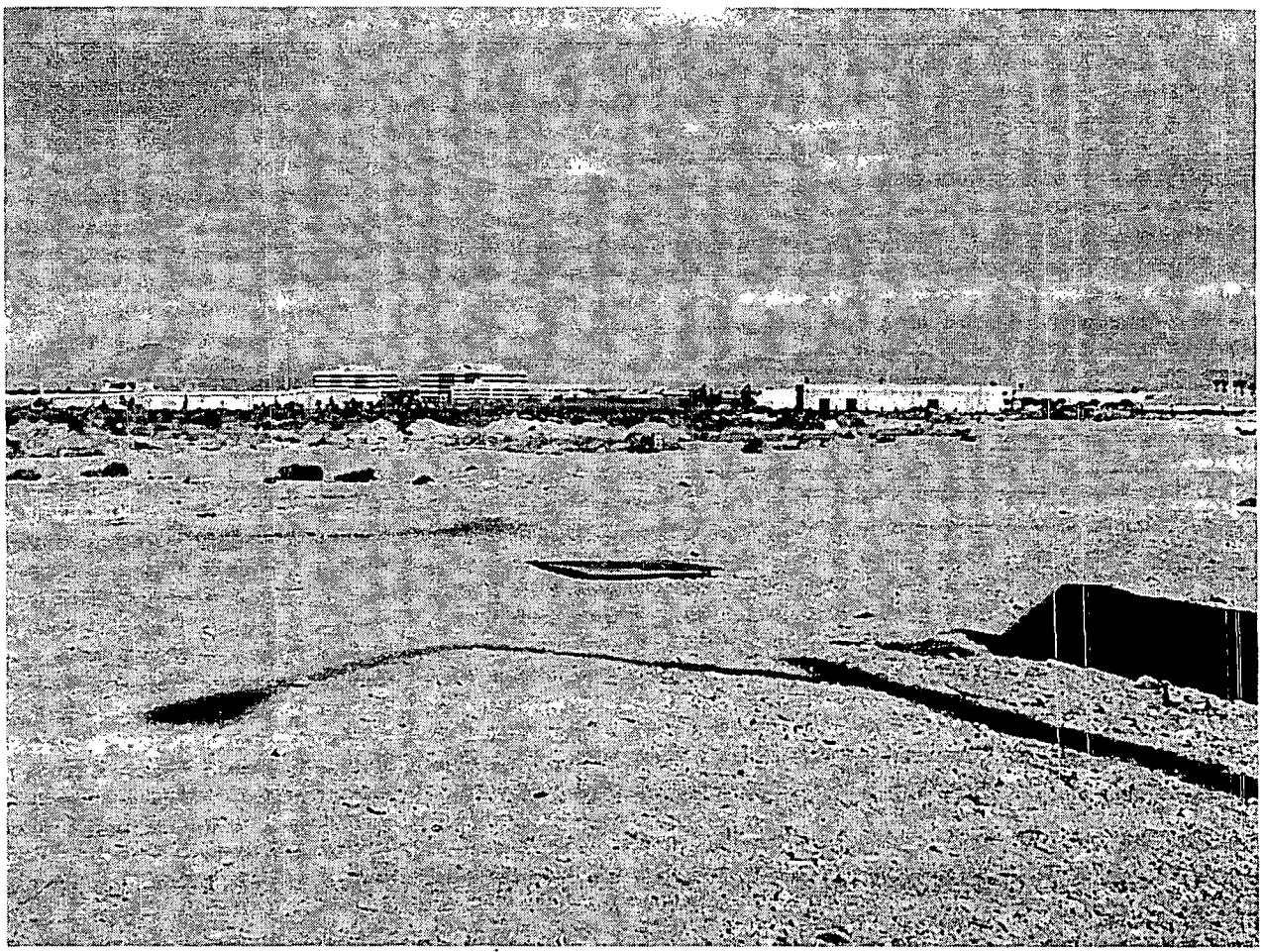
Agenda Item



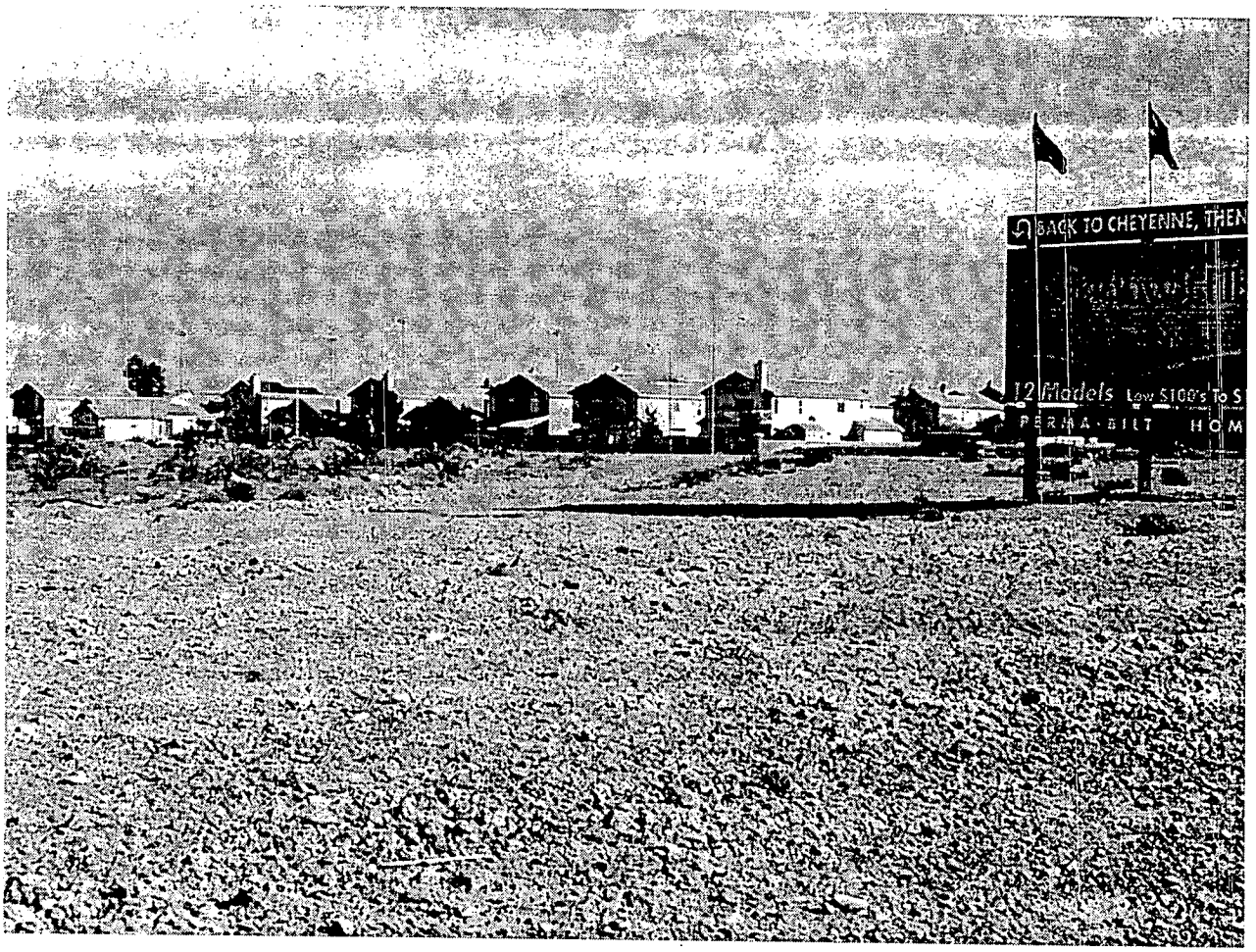
CASE: **U-10-99**
RADIUS: 1000 FT



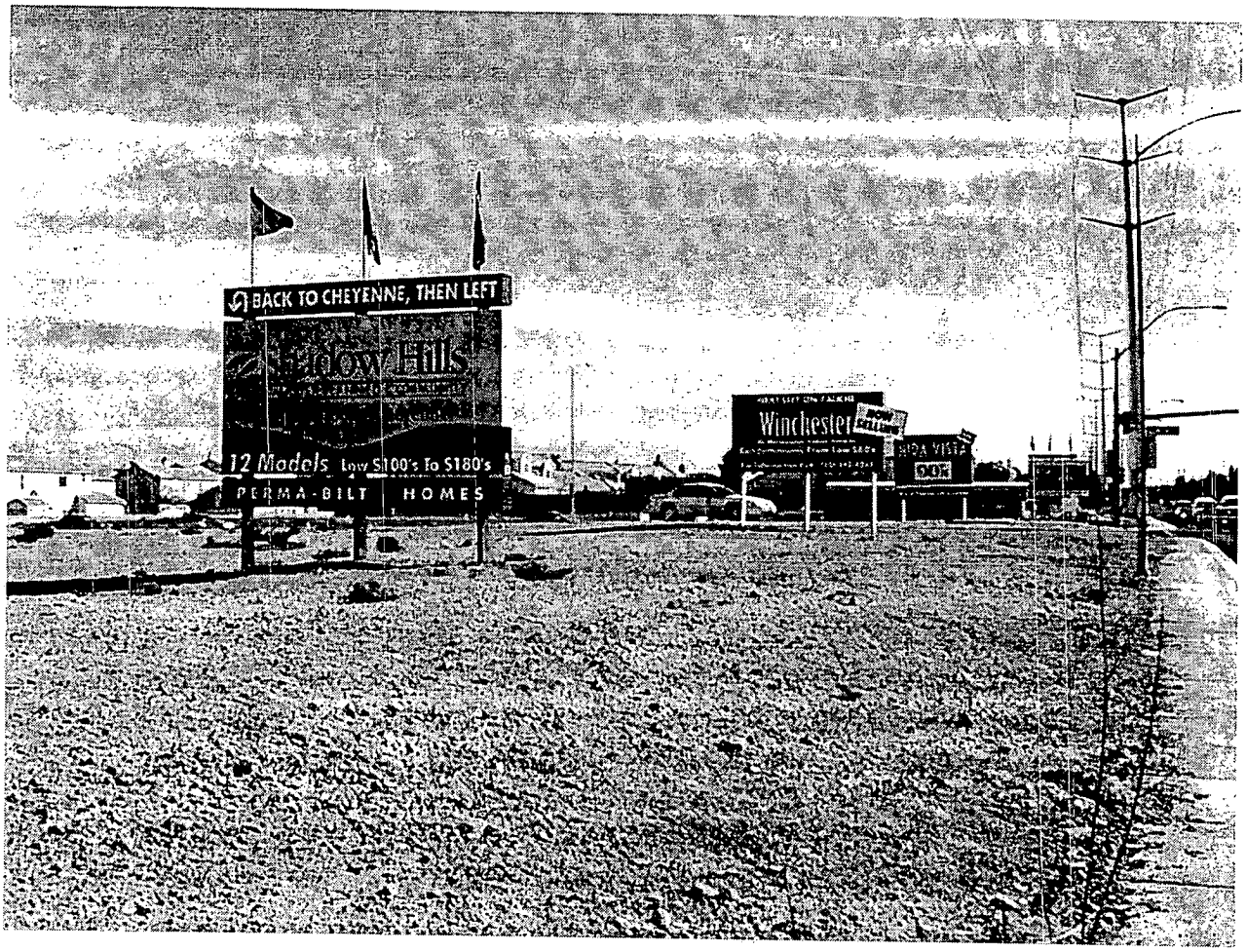
CASE: **U-10-99**
RADIUS: 400 FT



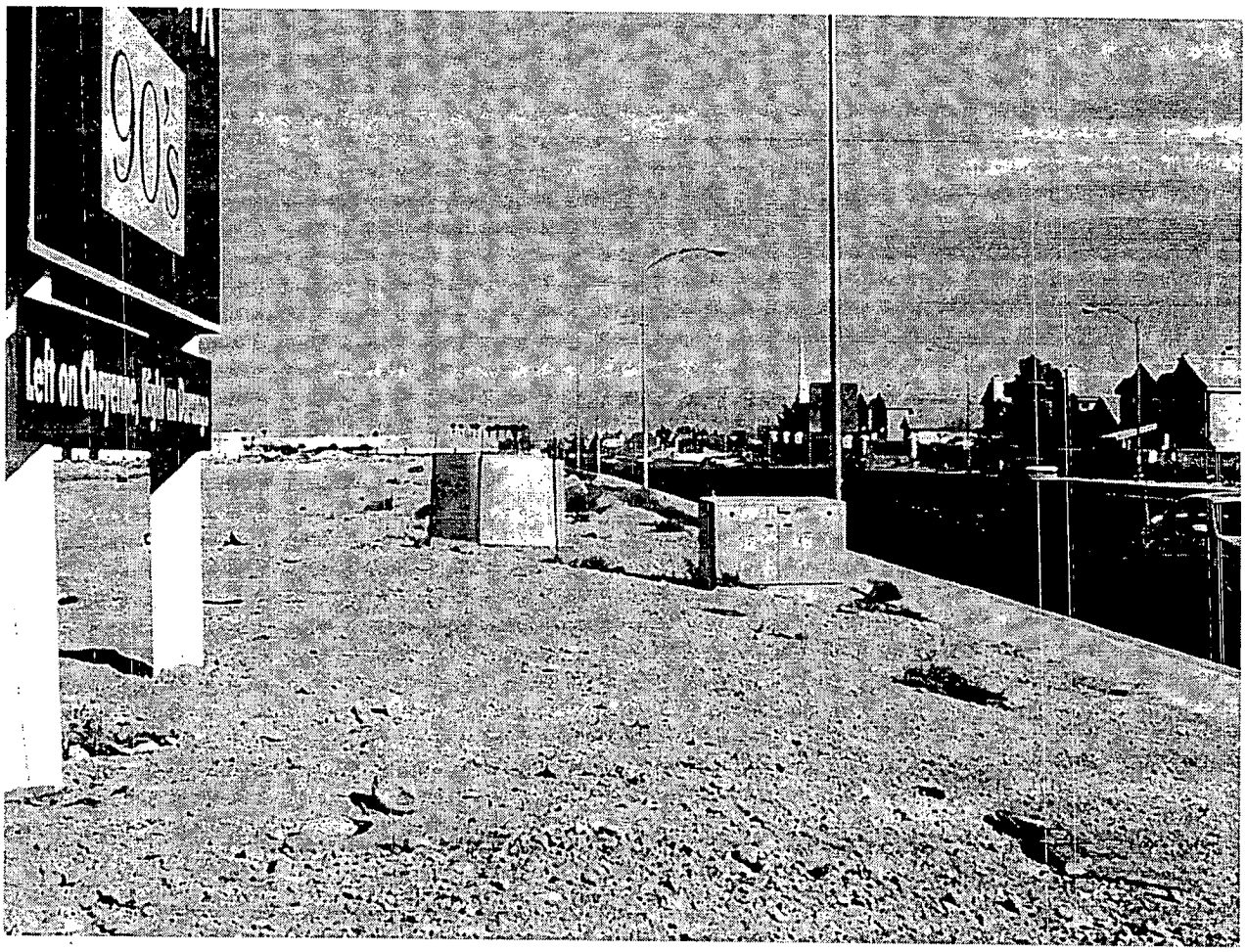
U-10-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-11-99)



U-10-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-11-99)



U-10-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-11-99)



U-10-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-11-99)

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING	
115	ABEYANCE ITEM - U-11-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission for a Special Use Permit on property located on the northeast corner of Buffalo Drive and Smoke Ranch Road FOR A PROPOSED MINOR AUTO REPAIR FACILITY, FULL SERVICE CAR WASH AND GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], pending zone change to C-1 (Limited Commercial), Ward 4 (Brown), APN's: 138-15-402-001 and 002. NOTICES MAILED: 255 BY CITY CLERK APPROVALS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 PROTESTS: 3 AFTER PC MEETING 8 Letters 77 Petitions TOTAL 88 The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to: 1. This Special Use Permit shall expire on April 12, 2000 if building permits have not been issued or an Extension of Time has not been granted.	**McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice of Item 110 [U-33-99], Item 113 [Z-6-99], Item 114 [U-10-99], and Item 115 [U-11-99] and to HOLD IN ABEYANCE Item 95 [Z-105-93(5)] to 5/24/99 and Item 119 [Z-19-99] to 5/24/99 as the first Planning & Development PM agenda discussion item - UNANIMOUS** ****** There was no related discussion. (2:24 - 2:28) **3- 290**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - U-11-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD 2. All repair and service work shall be performed within a completely enclosed building. 3. No outside storage of stock, equipment, or residual used equipment. 4. No outside intercom systems, noise, or bells that are audible beyond the property line. 5. All lighting shall be directed directly on the subject site. 6. Pump islands shall be a minimum of 20 feet from a street right-of-way line. 7. No vehicle shall be parked on the property for the purpose of offering it for sale. 8. Conformance to all Conditions of Approval for Z-6-99 and all other site-related actions. 9. All City Code requirements and design standards of all City departments must be satisfied.	**WITHDRAWN Without Prejudice**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-11-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 12, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN BROWN TO ALLOW THE APPLICANT ADDITIONAL TIME TO MEET WITH NEIGHBORS.

APPLICATION REQUEST:

This is an appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission for a Special Use Permit on property located on the east side of Buffalo Drive and the north side of Smoke Ranch Road for a proposed minor automotive repair facility, a full service car wash, and gasoline sales in conjunction with a proposed convenience store.

BACKGROUND DATA:

There is no previous zoning history for this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	4.3	Acres
Building Area (convenience store):	6,442	Square Feet
Building Area (car wash):	2,622	Square Feet
Building Area (auto repair):	1,244	Square Feet
Vacuum Area:	5,838	Square Feet
Gas Canopy:	2,604	Square Feet
Total Area:	21,276	Square Feet
Convenience Store (Required):	28	Spaces
Car Wash (Required):	18	Spaces
Auto Lube (Required):	6	Spaces
Parking Provided:	39	Spaces
Convenience Store Height (Roof):	21	Feet
Convenience Store Height (Tower):	41	Feet
Convenience Store Height (Canopy):	23	Feet

Agenda Item

115

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-11-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

Access to the proposed convenience store is provided by one driveway from Buffalo Drive and one driveway from Smoke Ranch Road. This site is made up of two parcels, the convenience store, car wash, and auto lube occupy a portion of the westerly parcel and the office complex occupies parcel 2 and a portion of parcel 1. The convenience store is centrally located on parcel 1 (facing Buffalo Drive), the auto lube is to the west, in front of the convenience store. The car wash is on the eastern side of the building, and the gas canopy is located in the southwest corner of parcel 1.

The portion of parcel 1, occupied by the convenience store, proposes 15 foot wide landscape planters along the east and west development lines and eight foot wide planters along the north and south development lines.

The elevations for the convenience store suggest an approximate 25 foot high structure with a light sand finish stucco exterior and a Spanish tile roof. The front elevation also depicts a 41 foot high tower of the same construction materials.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to C-PB	Unimproved (CLV Tech Park)
South:	U and R-CL	Unimproved and Single Family Residential
East:	ROI to C-PB	Unimproved (CLV Tech Park)
West:	R-PD5	Single Family Residential

FINDINGS:

Staff has recommended denial of a rezoning from U (Undeveloped) to C-1 (Limited Commercial) on the subject parcel, and recommended approval of a Rezoning to O (Office). Staff cannot support the Special Use Permit for a full service car wash, minor automotive repair, and gasoline sales. The O (Office) zoning category does not allow a Special Use Permit for a full service car wash, minor automotive repair, or gasoline sales.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-6-99 - PUBLIC HEARING - U-11-99 - DONNA BEAM REVOCABLE TRUST ON BEHALF OF JOHN MEAD

PURPOSE/BACKGROUND

In addition staff believes that the convenience store, auto lube, and car wash are too intense for the surrounding land uses. The noise, lighting, and 24 hour nature of this type of business make it inherently incompatible with the surrounding single family residential uses. There is also a church developed approximately 250 to the southeast of the most easterly parcel in this application. While the proposed convenience store (with alcohol sales) is technically not within 400 feet of the existing church, the proximity to the church raises questions as to the health, safety, and welfare of the general public.

The Planning Commission (4-1 vote) and staff recommend DENIAL.

PC NOTICES MAILED: 253

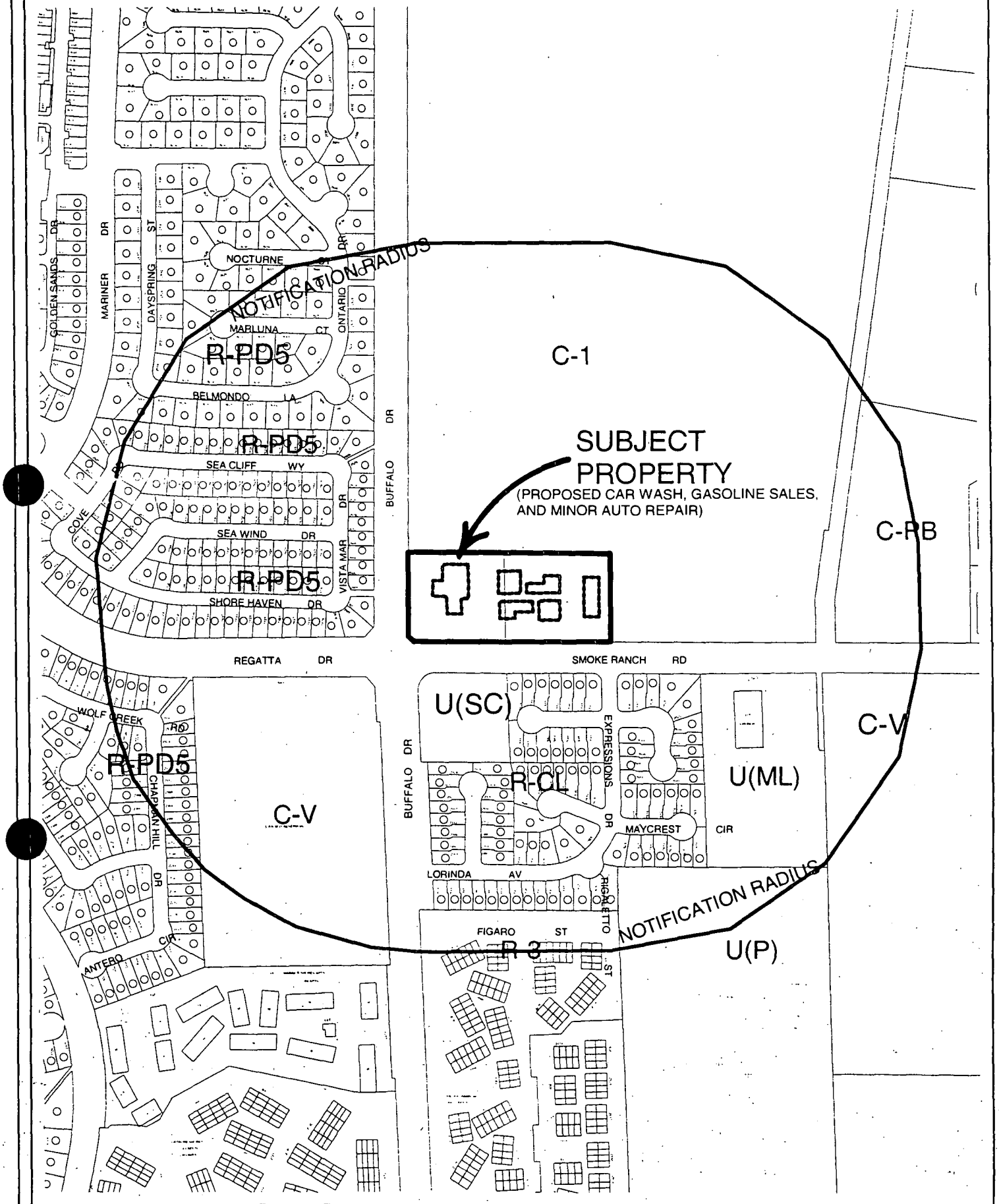
APPROVALS: 0

PROTESTS: 1

[Note: Those who spoke in opposition to this request at the Planning Commission meeting felt that the intensity of uses associated with this request would not be compatible with the nearby residential property.

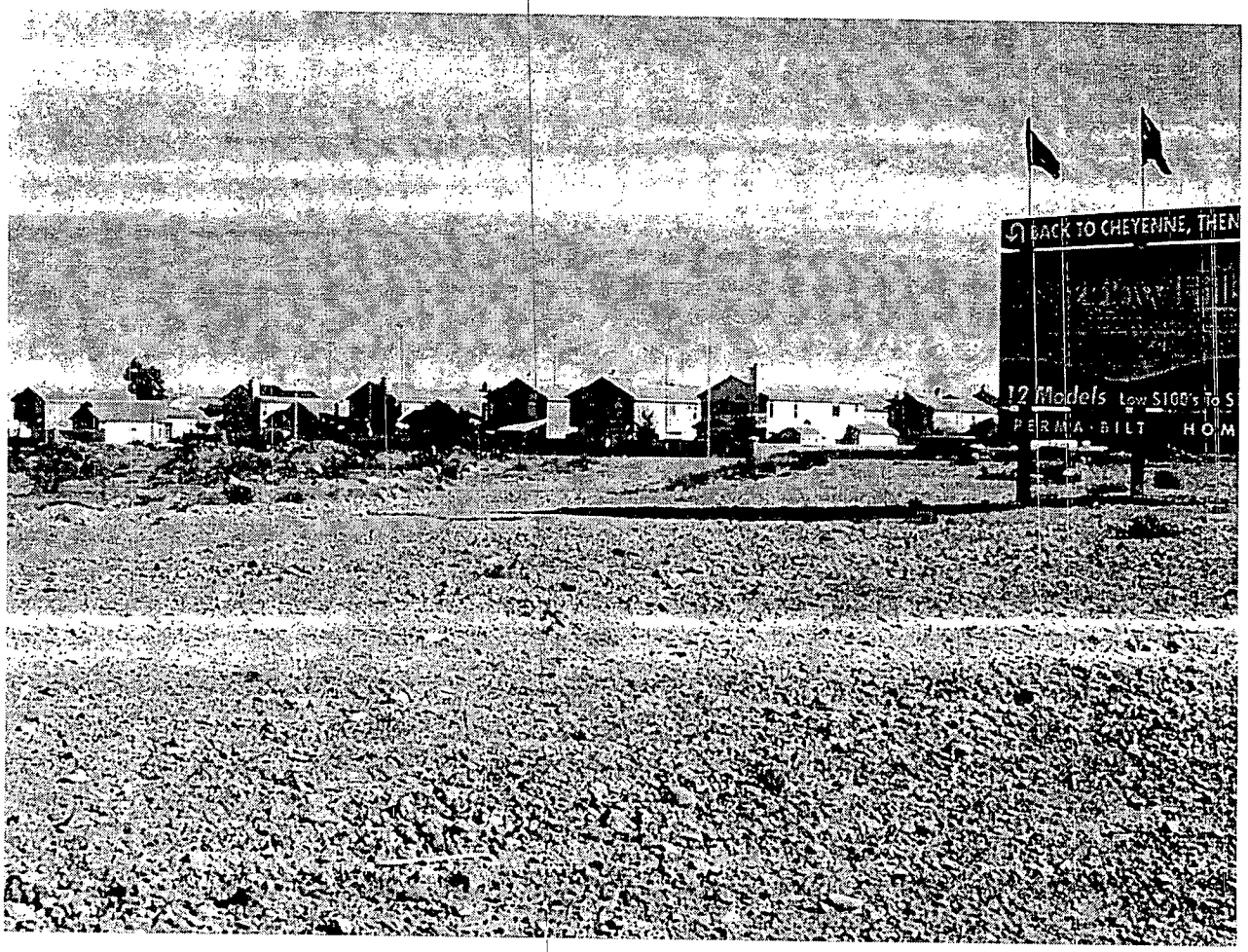
SEE ATTACHED LOCATION MAP

Agenda Item

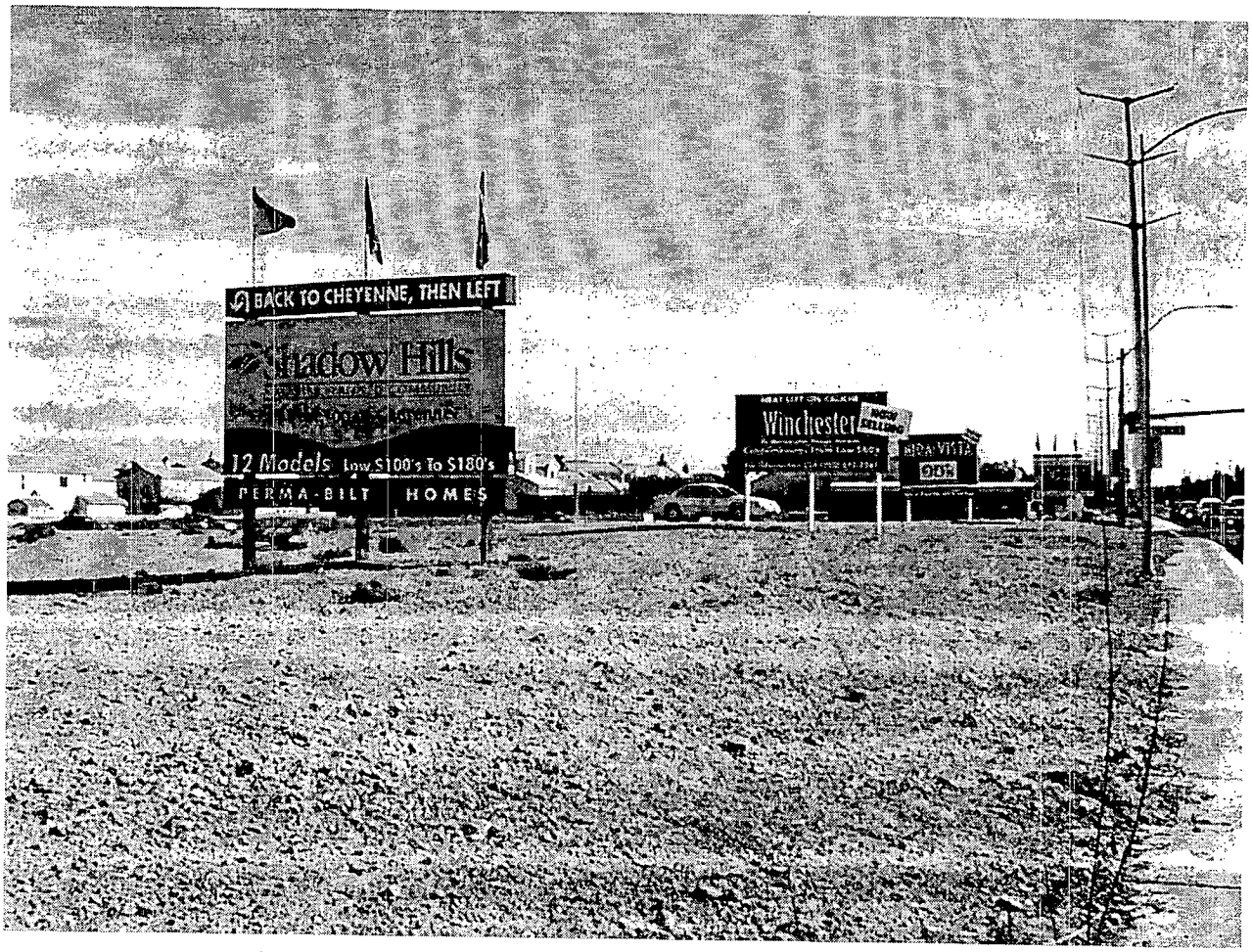


CASE: **U-11-99**
RADIUS: 1000 FT

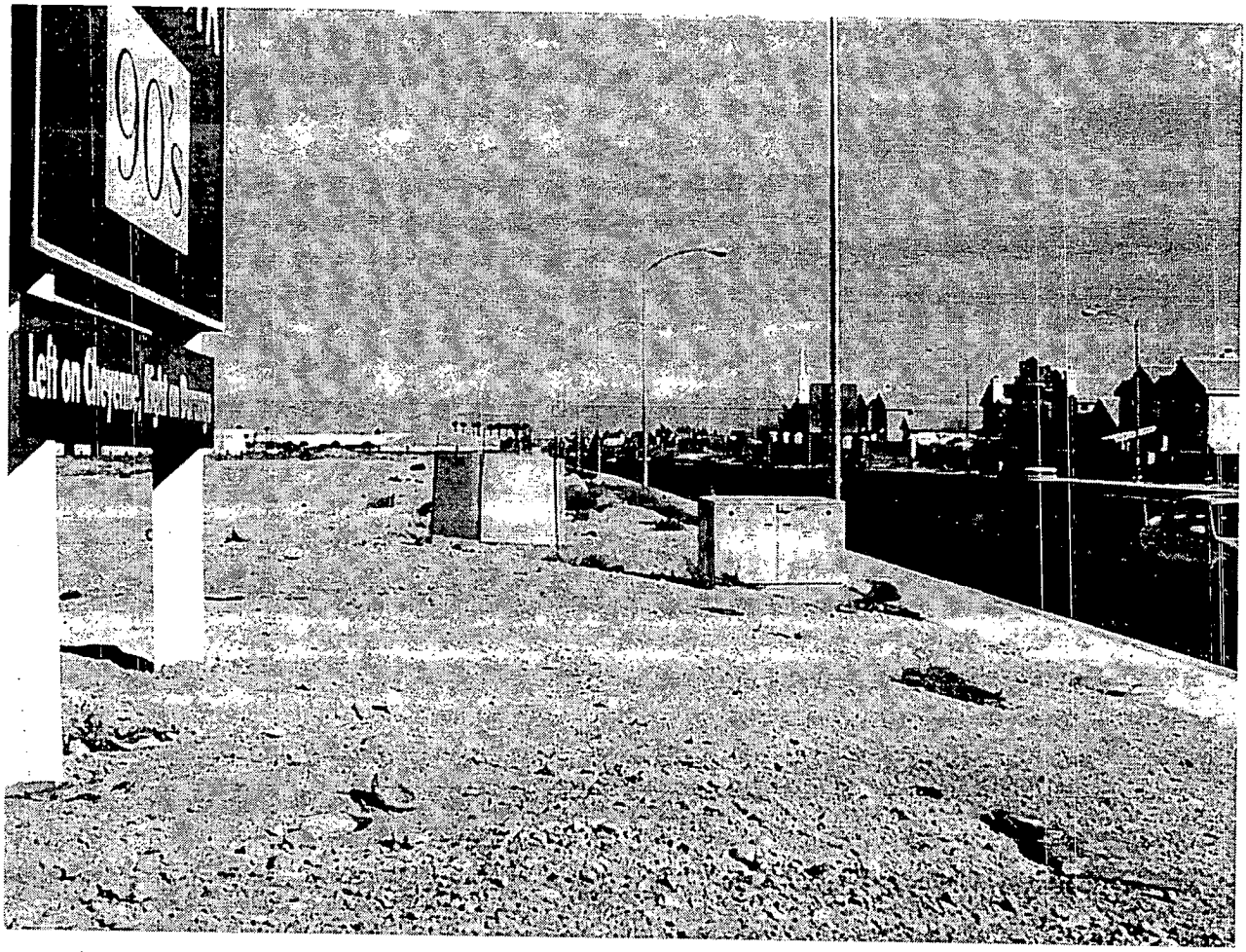
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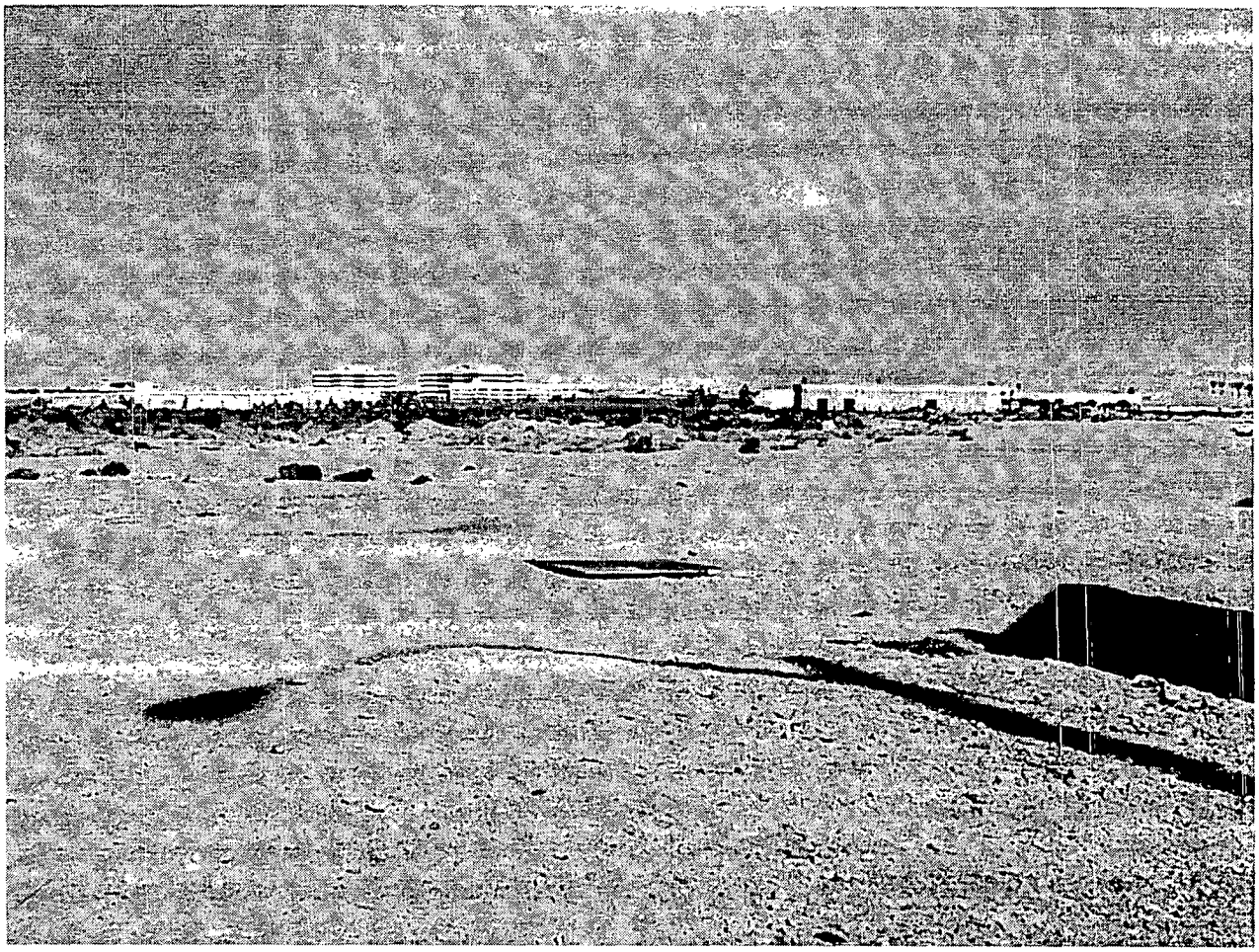
U-11-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-10-99)



U-11-99
Request for a Rezoning
U (Undeveloped) Zone [SC(Service Commercial) General Plan Designation] to C-1 (Limited Commercial)
Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
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Northeast corner of Buffalo Drive and Smoke Ranch Road
Donna Beam Revocable Trust OBO of John Mead
(Related to items Z-6-99 and U-10-99)

CITY COUNCIL
MEETING OF
MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	REZONING - PUBLIC HEARING	
116	ABEYANCE ITEM - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY	**McDONALD - DENIED - UNANIMOUS**
	Request for a Rezoning on property located at 100 Crestline Drive From: R-1 (Single Family Residential) To: R-3 (Medium Density Residential), PROPOSED USE: 5,500 SQUARE FOOT CHILD CARE CENTER, Size: 0.29 Acre, Ward 1 (McDonald), APN: 138-35-517-001.	******
	NOTICES MAILED: 145 BY PLANNING DEPT	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0	APPEARANCES ROY SMITH, 2450 Chandler Avenue, Suite 18 ATTORNEY DOUGLAS MALAN, 720 S. 4TH Street, #300 ELEANOR SNYDER, 209 S. Torrey Pines KATHY TOBIN MIRIAM EEN, 217 S. Torrey Pines Drive VERL ROUNDY, 6340 Gardwood Avenue SUE BRNA, 320 Newcomer Street CLIFF ALEXANDER, 6308 Factor Avenue ALAN SNYDER, 209 S. Torrey Pines JUANITA CLARK, Charleston Neighborhood Preservation Association JAMES ALEXANDER, 100 S. Crestline Drive JUNE INGRAM, Charleston Neighborhood Preservation Association EDWARD ROTHERNBERG, Real Estate Broker DEPUTY CITY ATTORNEY STEVE GEORGE
	AFTER PC MEETING _____ Letters _____ Petitions	
	TOTAL 0	
	PROTESTS: 74	MAYOR JONES declared the Public Hearing closed.
	AFTER PC MEETING _____ Letters _____ Petitions	NOTE: ATTORNEY DOUG MALAN submitted a petition with 31 signatures in favor of the proposed project.
	TOTAL 74	NOTE: A Combined Verbatim Transcript of Item 116 [Z-15-99] and Item 117 [U-25-99] is made a part of the Final Minutes under Item 116 [Z-15-99].
	The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to:	(4:06 - 4:45) **4 - 665**
	1. A Resolution of Intent with a 12 month time limit.	
	2. The landscape plan shall be revised to depict a 15 foot wide landscape planter along all public right-of-ways as required by the Las Vegas Urban Design Guidelines and Standards.	

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY 3. Appropriate Parcel Map(s) or Reversionary Map(s) to establish the boundaries of this site shall be submitted and recorded, if such is determined necessary by the City Surveyor, prior to the issuance of any building permits as required by the Department of Public Works. 4. Site development to comply with all applicable Conditions of Approval for Z-17-62 and all other site-related actions as required by the Department of Public Works. 5. All development shall be in conformance with the site development plan and building elevations. 6. 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. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. 7. 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. 8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). 9. All City Code requirements and design standards of all City departments must be satisfied.	**DENIED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY 10. Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. 11. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. 12. 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. 13. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. 14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. 15. 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. 16. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.	**DENIED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY 17. 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 Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.	**DENIED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 26, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

APPLICATION REQUEST:

This is a request for a Rezoning on property located at 100 Crestline Drive for a proposed 5,500 square foot child care center. The applicant's justification letter states this request is appropriate for the location because it conforms with the General Plan designation of M (Medium Density Residential) and that the facility will serve nearby neighborhood residents.

BACKGROUND DATA:

There is no previous zoning history for this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	0.29	Acre
Building Area:	5,500	Square Feet
Floor Area Ratio:	0.43	
Building Height:	21 Feet, 4 Inches	
Parking Required:	24	Spaces (Title 19A, Child Care Center)
Parking Provided:	24	Spaces

The proposed day care building is located on the south side of the site, with a child play area adjacent to the north side of the building. The proposed parking is shared parking, located within an existing parking lot on adjacent property to the north. Landscaping is proposed along the adjacent public rights-of-way.

The building elevations depict a one story building with multiple roof lines. Arches accent the entrances. The building materials include stucco walls and concrete roof tile. Colors are not indicated on the plans.

Agenda Item
116

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-3	Multi-Family Residential
East	R-3	Multi-Family Residential
South	R-1	Single Family Residential
West	R-E	Torrey Pines Park

FINDINGS:

GENERAL PLAN:

The requested zoning classification is consistent with the M (Medium Density Residential) recommendation of the General Plan.

REZONING:

The request for rezoning to the R-3 (Medium Density Residential) district is designed to allow development of multi-family units such as duplexes, townhouses, and medium density apartments. In addition, the R-3 (Medium Density Residential) district allows other, limited intensity uses such as convalescent care facilities, hospice care, and child care centers by the grant of a Special Use Permit. The applicant has filed this application in order to develop a child care center. The child care center use will be considered under Special Use Permit application number U-25-99.

PLOT PLAN:

The applicant has submitted a shared parking agreement that establishes the parking for the child care facility on the adjacent property. The multi-family development to the north has 30 excess parking spaces. The child care center requires 24 parking spaces. Therefore, the multi-family development will continue to have adequate parking.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-15-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

The planter width along the south property line is 10 feet. The Las Vegas Urban Design Guidelines and Standards requires a 15 foot wide planter along all right-of-ways for commercial development. It appears that there is adequate space on site to relocate the building north 5 feet in order to provide the full landscape planter width.

The Planning Commission (5-2 vote) and staff recommend APPROVAL.

PC NOTICES MAILED: 145

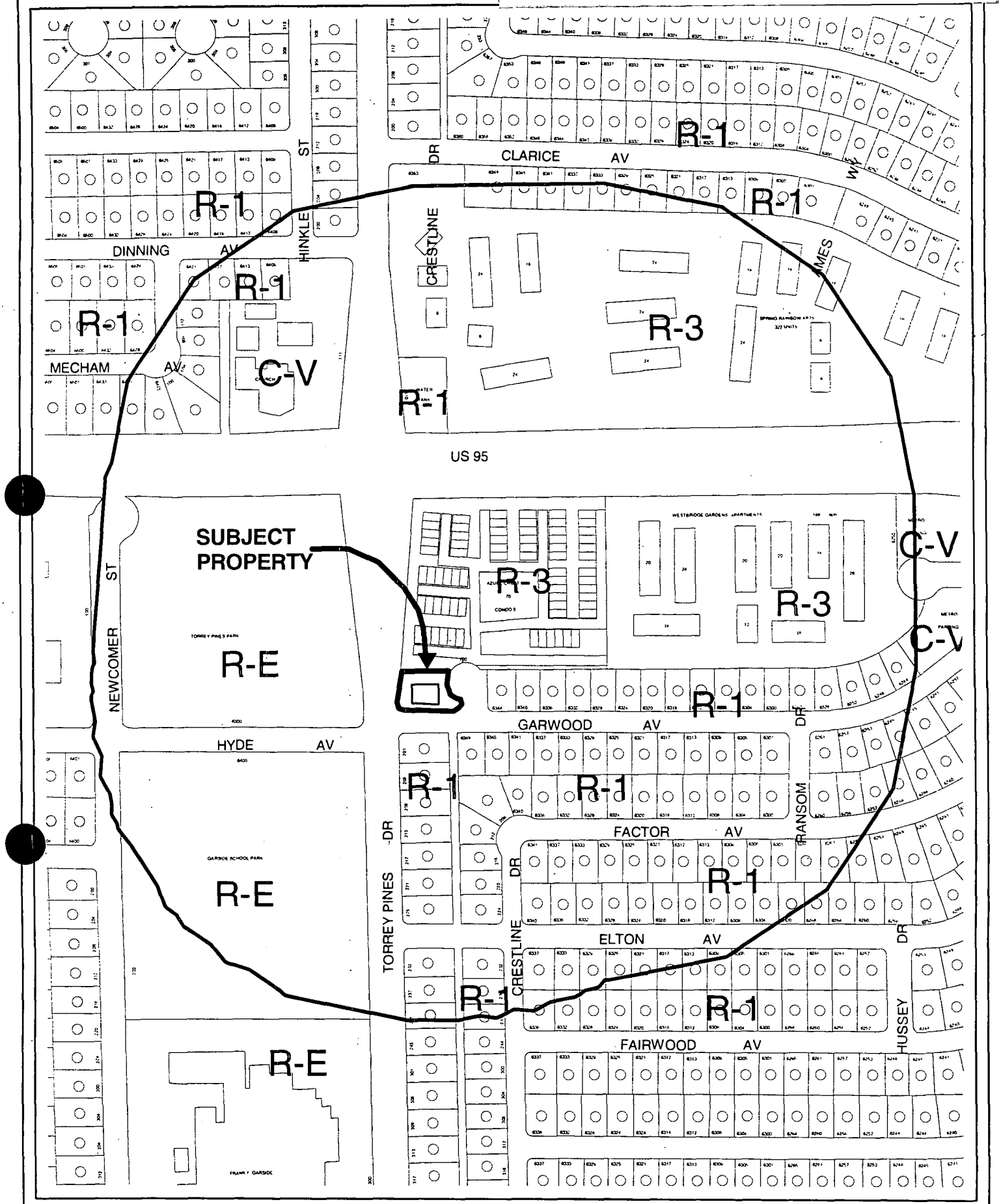
APPROVALS: 0

PROTESTS: 74

[Note: The protesters voiced concerns regarding increased traffic and pedestrian safety.]

SEE ATTACHED LOCATION MAP

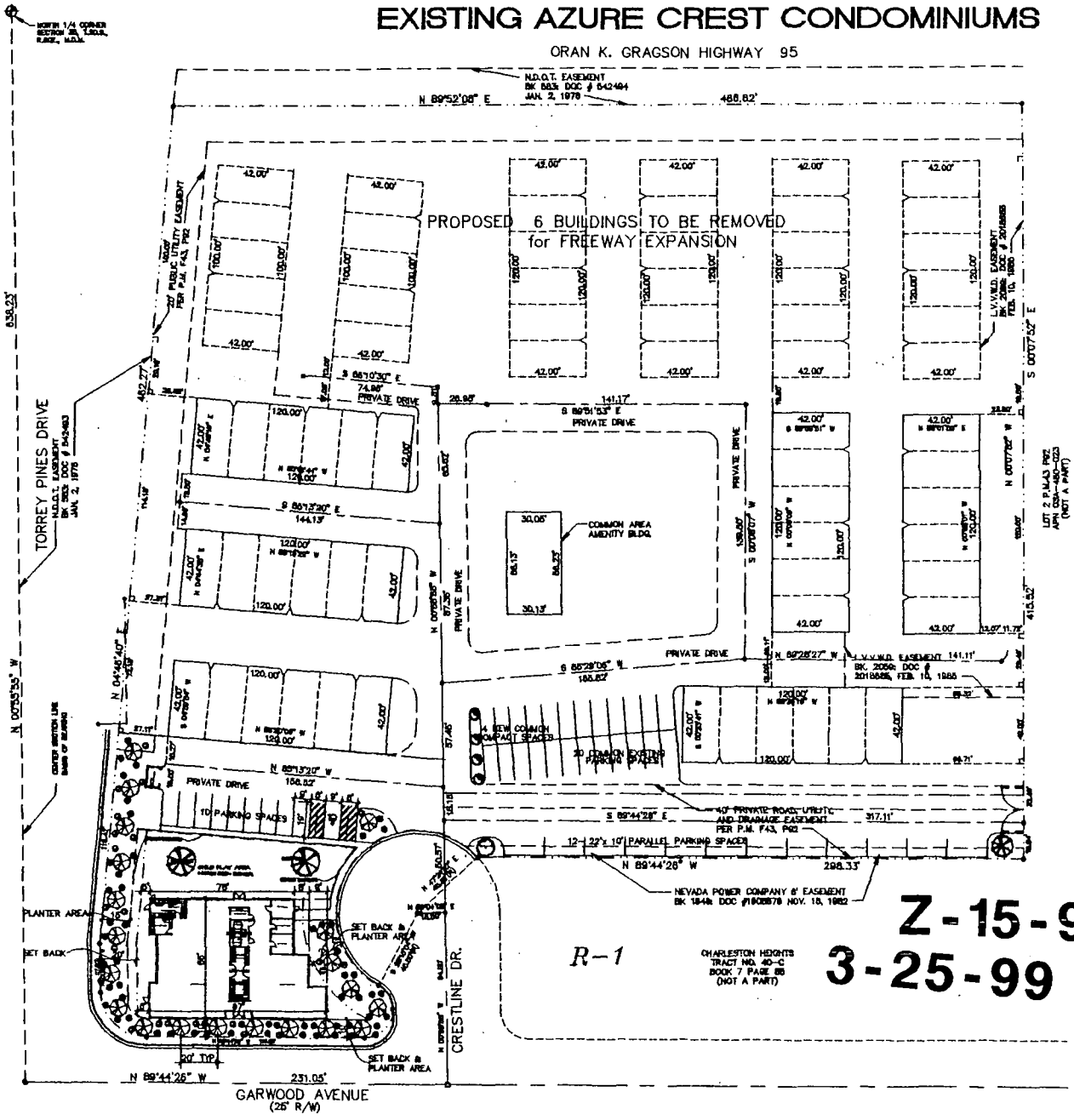
Agenda Item



CASE: Z-15-99
RADIUS: 750 FT

N

EXISTING AZURE CREST CONDOMINIUMS



R-1 **SITE PLAN**

BLDG. ANALISYS :

PARCEL # 138-35-517-000

CODE EDITION:	UBC 1997
EXISTG ZONING:	R-1
PROPOSED ZONING:	R-3
SPECIAL USE PERMIT:	YES
SITE AREA:	4.6 ACRES
ALLOWABLE SITE COVERAGE:	30 %
ACTUAL SITE COVERAGE:	9.2 %
CONSTRUCTION TYPE:	V-1 HOUR
FIRE SPRINKLERS REQUIRED:	NO
FIRE SPRINKLERS PROVIDED:	YES
OCCUPANCY : DAY-CARE	E-3
OFFICE	B
BUILDING AREA : TOTAL BLDG.	8800 S.F.
COMMON AREA	4100 S.F.
OFFICE (RECEPT. LAN. DIRECTOR'S STOR. KITCHEN LAUNDRY)	1400 S.F.
HEIGHT:	21'-4" HIGH

PARKING ANALYSIS

36 EXISTING RESIDENTIAL UNITS w/ 36 2 CAR GARAGES	108 SPACES
GUEST PARKING @ 1/6 UNITS	12 SPACES
NEW DAY-CARE CENTER	
PARKING REQUIRED:	
COMMON AREA 1/10 KIDS (117)	12 SPACES
1/ STAFF MEMBER	12 SPACES
PARKING REQUIRED:	144 SPACES
PARKING PROVIDED:	160 SPACES

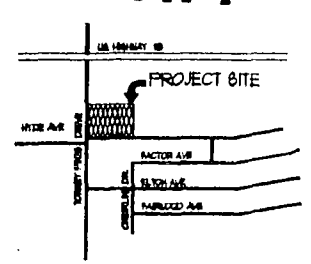
PLANT LEGEND

MARK	DESCRIPTION	QUAN.	SIZE
	CHILEAN MESQUITE	20	24" BOX
	LEUCOPHILLUM "GREEN CLOUD"	88	5 GAL.
	LEUCOPHILLUM "SILVER CLOUD"	82	5 GAL.
	FRAXINUS VELUTINA 'MODESTO' MODESTO ASH	2	36" BOX

DECORATIVE L.B. STONE GROUND COVER

STAFF

Z-15-99
3-25-99 PC



VICINITY MAP

REVISIONS

ROY SMITH, Architect
Member American Institute of Architect
2480 CHANDLER AVE. SUITE #11
LAS VEGAS, NEVADA 89120

DAY-CARE CENTER
TORREY PINES DR. & GARWOOD AVE.
LAS VEGAS, NEVADA

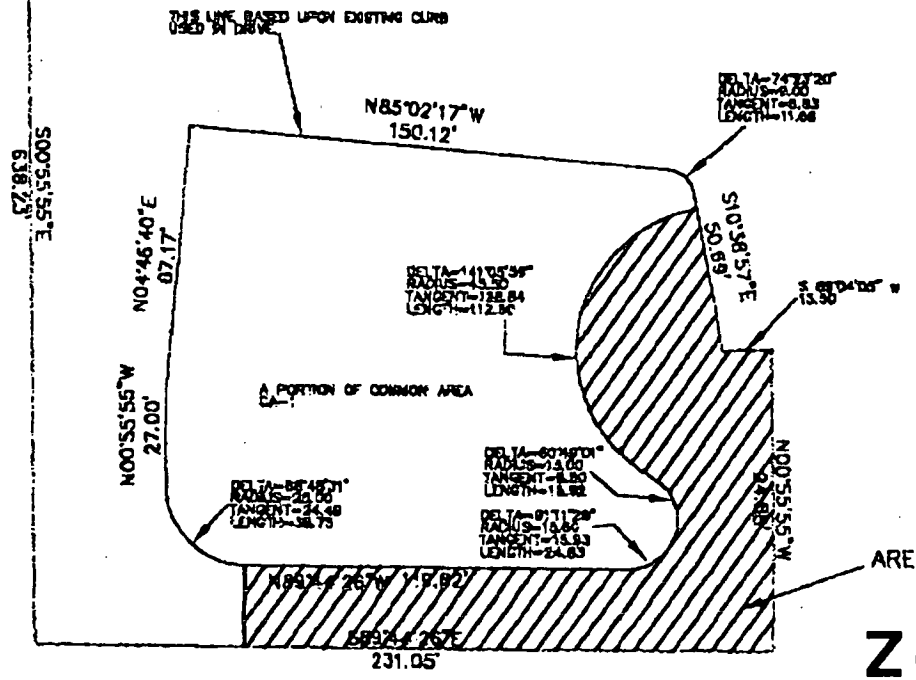
DATE 5-17-99
SHEET NO. A-1

CITY COUNCIL MEETING OF MAY 10, 1999 Page 830

SITE PLAN

A PORTION OF AZURE CREST TOWNHOMES, RECORDED IN BOOK 54, PAGE 99, CLARK COUNTY RECORDERS, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA,

AREA
GROSS = 27,536.28 S.F.
NET= 18,737.92 S.F.

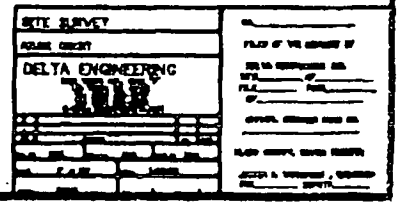


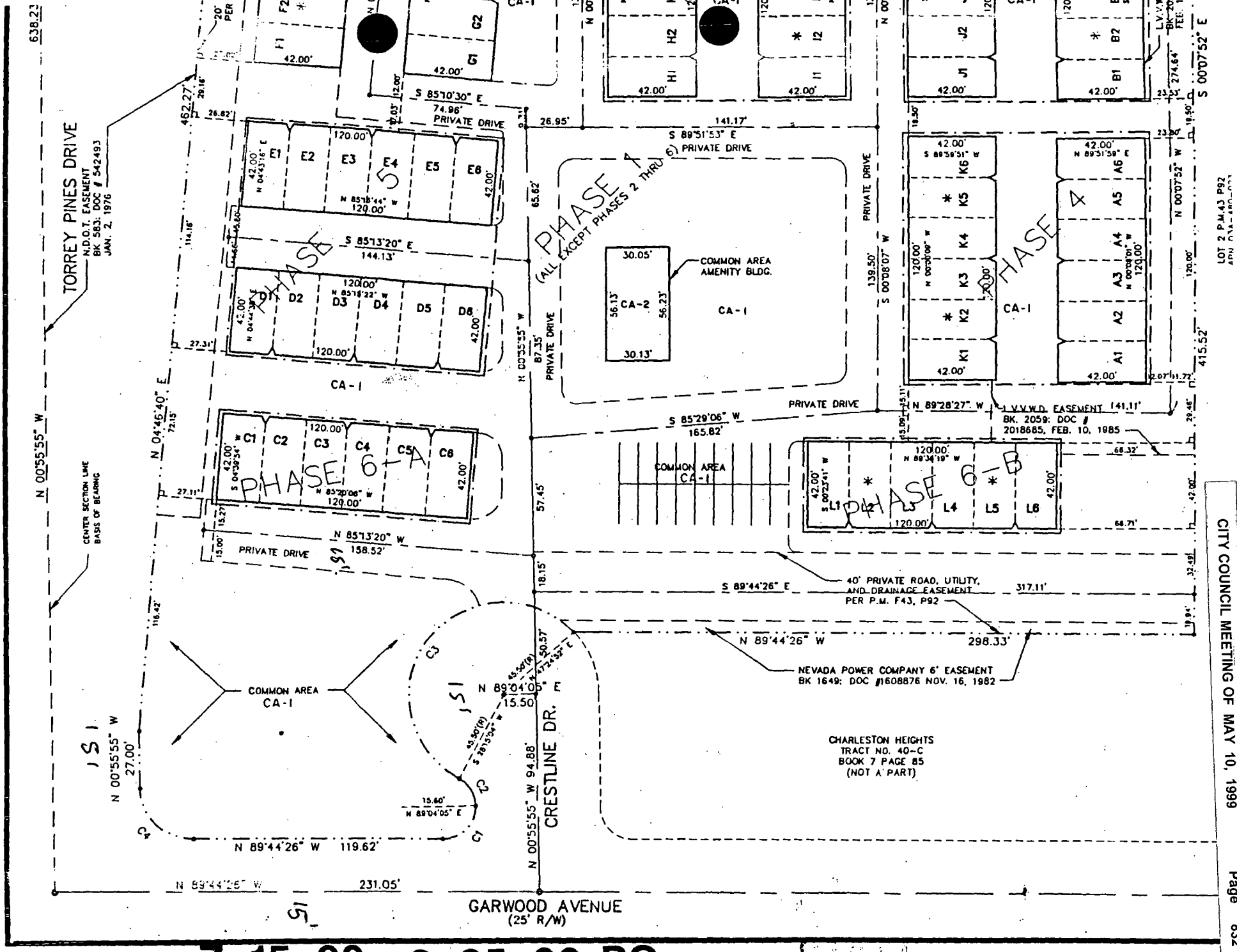
STAFF

AREA USED FOR GROSS

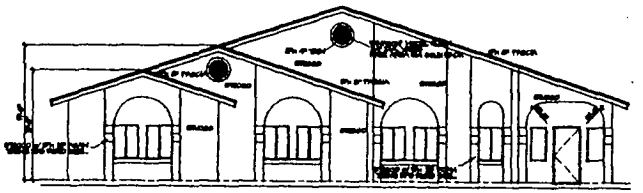
GRAPHIC SCALE

Z-15-99
3-25-99 PC

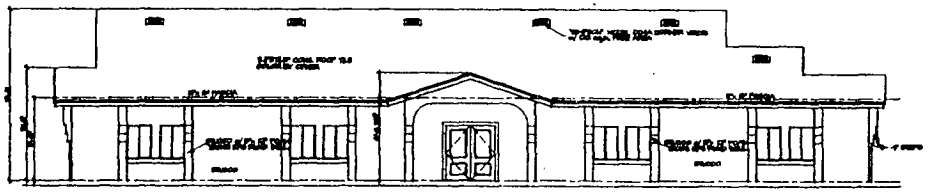




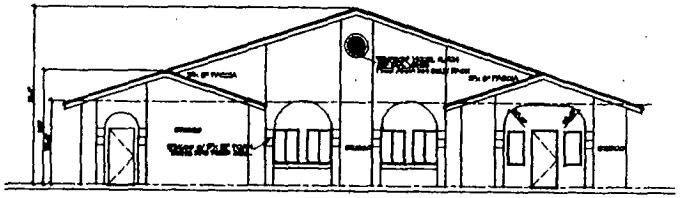
Z-15-99 3-25-99 PC Staff



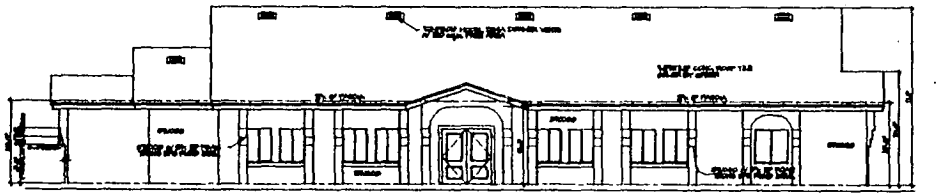
(B) EAST ELEVATION



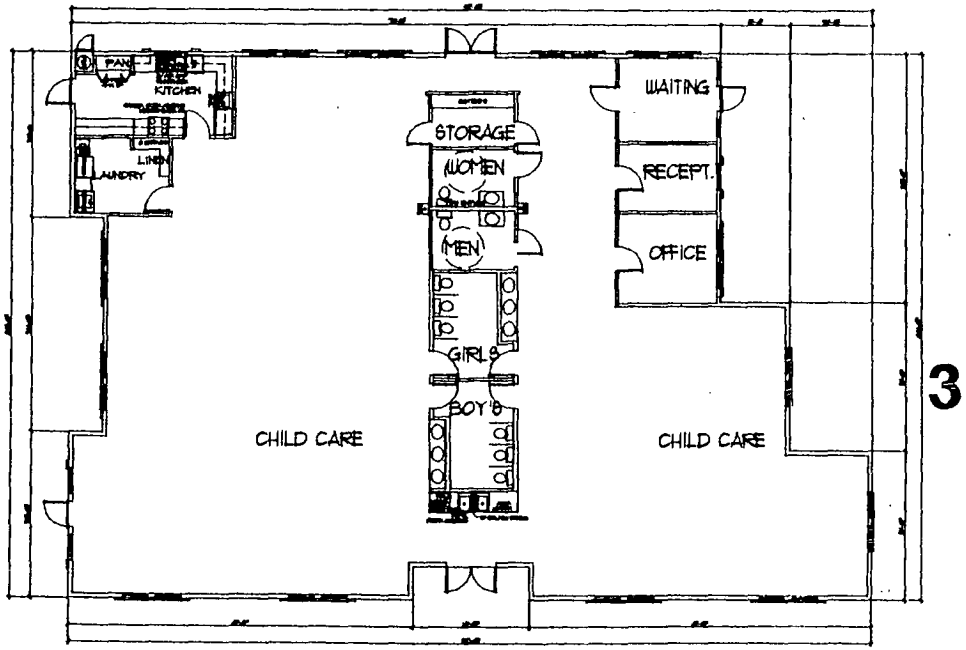
(A) SOUTH ELEVATION



(D) WEST ELEVATION



(C) NORTH ELEVATION



(F) FLOOR PLAN

Z-15-99

3-25-99 PC

STAFF

REVISIONS

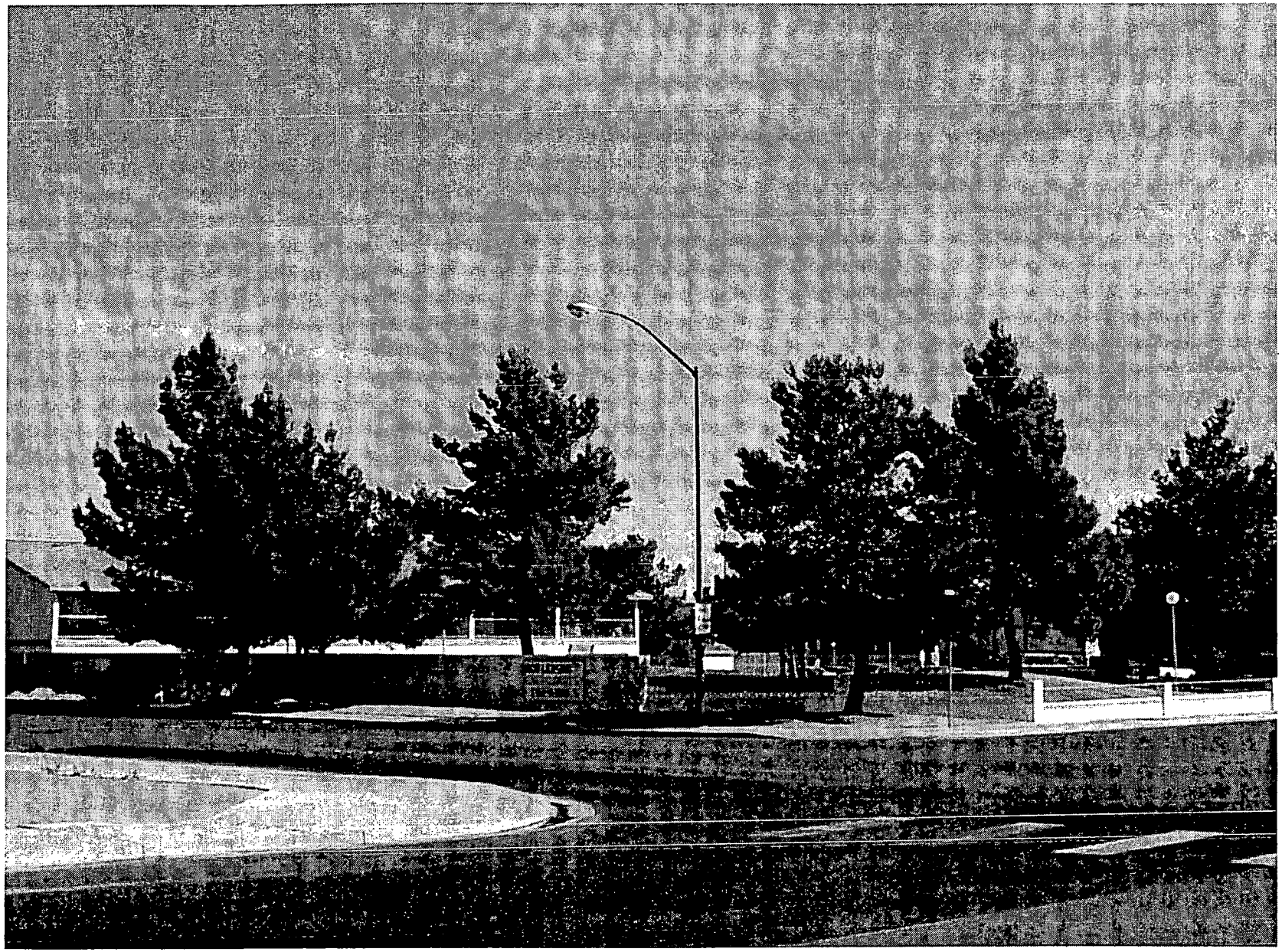
ROY SMITH. Architect
Member American Institute of Architects
2450 CHANDLER AVE. SUITE #11
LAS VEGAS, NEVADA 89120
Phone (702) 798-8660 Fax (702) 798-8773

DAY-CARE CENTER
TORREY PINES DR. & GARWOOD AVE.
LAS VEGAS, NEVADA

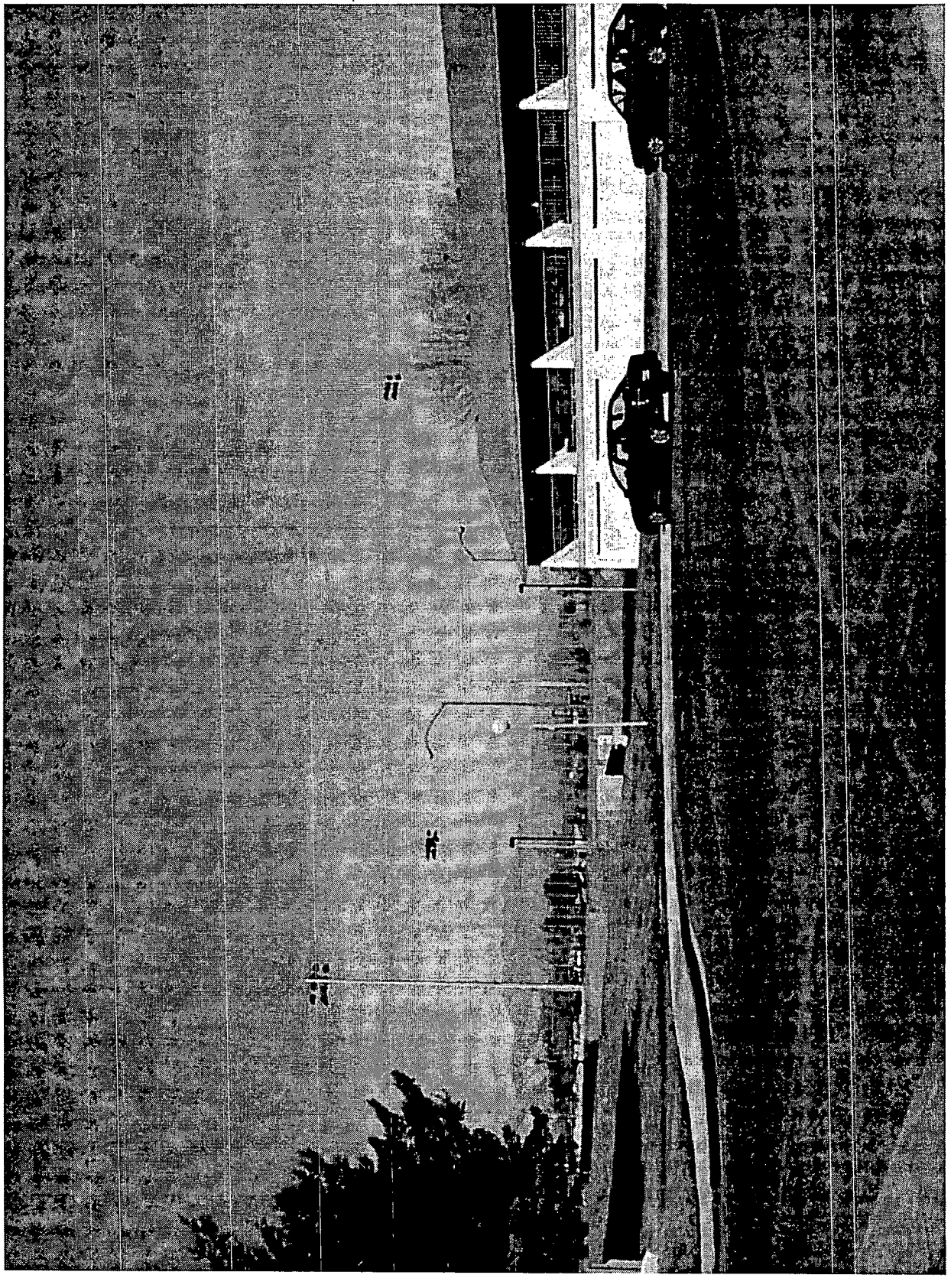
EXTERIOR ELEVATIONS

A-1

CITY COUNCIL MEETING OF MAY 10, 1999



03-25-99 PC Z-15-99 View of subject site from the southwest corner of Torrey Pines Drive Hyde Avenue



03-25-99 PC Z-15-99 View of subject site from the northeast corner of Garwood Avenue and Crestline Drive

PETITION IN FAVOR OF CHILD CARE CENTER
TO BE LOCATED AT
100 SOUTH CRESTLINE DRIVE
LAS VEGAS, NEVADA
U-25-99 and Z-15-99

The undersigned are in favor of the proposed Child Care Center at 100 South Crestline Drive, Las Vegas, Nevada. The undersigned feel that the Child Care Center will be a benefit to the neighborhood in general and, in particular, will attract young families to the neighborhood, thus preserving property values. The undersigned recognize that the Child Care Center will generate traffic, principally off Torrey Pines, but feel that the impact of the traffic will be minimal. The undersigned wholeheartedly endorse the Child Care Center and request that Z-15-99 and U-25-99, the zone change from R-1 to R-3 and the Special Use Permit for operating the Child Care Center be approved.

Name	Address
Stacey Kelley STACEY KELLEY	100 S Crestline DR # 42 Las Vegas
Marda Reno MARDA RENO	100 S Crestline #43 Las Vegas
Josephine Clark JOSEPHINE CLARK	100 S. Crestline #52 L.V. NV 89107
Danny Walters	100 S crestline Dr #46
Josh Wortham	100 Crestline Dr #46 Las Vegas
Anthony Stillman	100 S. Crestline Dr #41 Las Vegas
Steven Hall STEVEN HALL	100 S Crestline DR #40 Las Vegas
Lucy Bolezal LUCY BOLEZAL	1005 Crestline Dr #60 Las Vegas NV 89104
Cameron Moretz	100 S Crestline # 53 Las Vegas
Andrew Alexander ANDREW ALEXANDER	100 S. CRESTLINE #20 LV NV 89107

#116

PETITION IN FAVOR OF CHILD CARE CENTER
TO BE LOCATED AT
100 SOUTH CRESTLINE DRIVE
LAS VEGAS, NEVADA
U-25-99 and Z-15-99

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Name	Address
Paul Moore PAUL MOORE	6337 FACTOR AVE LV NV 89107
Bill Rose BILL ROSE	6340 FACTOR AVE LV NV 89107
Lisa Hurdle LISA HURDLE	208 CRESTLINE DR LV NV 89107
Kathy Hall KATHY HALL	100 S. Crestline #40 Las Vegas 89107
[signature] [illegible]	100 S Crestline #26 Las Vegas
Jim Thackston JIM THACKSTON	100 S. CRESTLINE #22 LV NV 89107
Thelma Cruz THELMA CRUZ	100 S. CRESTLINE #61 LV NV 89107
Heidi Hill HEIDI HILL	100 S. CRESTLINE #31 LV NV 89107

PETITION IN FAVOR OF CHILD CARE CENTER
TO BE LOCATED AT
100 SOUTH CRESTLINE DRIVE
LAS VEGAS, NEVADA
U-25-99 and Z-15-99

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Name	Address
Roger Riggs Jr. ROGER RIGGS JR.	100. S. CRESTLINE Dr. #6 LAS VEGAS NEV. 89107
Tammy McDonald TAMMY MCDONALD	100 S. CRESTLINE DR #13 LAS VEGAS, NEV, 89107
Astrid Bouyer ASTRID BOUYER	100 S Crestline #14
Jefferson McDonald JEFFERSON MCDONALD	100 S. crestline DR #13 LV NV, 89107
Mary Hammonsmythe MARY HAMMONSMYTHE	6332 Factor Ave LV NV 89107
Arthur Hammonsmythe	6332 FACTOR AVE LV NV 89107
Mary HURDLE MARY HURDLE	6336 FACTOR AVE LV NV 89107
Dale Smith DALE SMITH	6341 FACTOR AVE LV NV 89107
Ross Hurdle ROSS HURDLE	6336 FACTOR AVE LV NV 89107

PETITION IN FAVOR OF CHILD CARE CENTER
TO BE LOCATED AT
100 SOUTH CRESTLINE DRIVE
LAS VEGAS, NEVADA
U-25-99 and Z-15-99

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Name	Address
Tricia Byers	5300 Arbor Wy. L.V. Nev. 89107
Kristie Heffner	5221 Arbor Wy. LV, NV 89107
Andy Heffner	5221 Arbor Way LV NV 89107
DAN BYERS	5300 Arbor WAY LAS VEGAS NEV. 89107

CITY COUNCIL
MEETING OF
MAY 10, 1999

COMBINED VERBATIM TRANSCRIPT - ITEM 116 - Z-15-99 and ITEM 117 - U-25-99
REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

MAYOR JONES

Item 116 is Abeyance Z-15-99 - Real Estate Development, Limited Liability. It's a request for a rezoning on the property located at 100 Crestline from R-1 (Single Family) to R-3 (Median Density Residential), proposed use 5500 square-foot child care center. No approvals, 74 protests. Planning Commission and staff recommend approval. This is a public hearing. I'd now declare it open. The applicant is present.

ROY SMITH

Roy Smith, 2450 Chandler Avenue, Suite No. 18. I'd like to thank Councilman McDonald for hosting our neighborhood meeting where we reviewed this project with the – local neighbors. I am the architect on the project. I just want to make a couple points. The, about the project, since – presenting this to the Planning Commission.

One is that we've narrowed the – front of the building that faces Garwood. Seemed to be a concern of the neighbors then. And reduced the size of the building by approximately 500 square feet and, which increased the amount of play area for the day care center. In addition, we went from a 10-foot to a 15-foot planter along Garwood, where we have it landscaped now on three sides. And at this point, I'd like to turn it over to Doug.

ATTORNEY DOUG MALAN

Doug Malan, 720 South Fourth Street, on behalf of the applicant. We took into consideration staff and Planning Commission requirements and recommendations, as also some concerns of the neighbors in – redesigning the footprint here to meet setback requirements. And a neighbor concern as to the width of the building along Garwood. And we decreased that width substantially and basically made the building a little bit skinnier, a little bit deeper, to make it less imposing right on Garwood.

I have, and I'd like to submit as well, petitions in favor of both the zone change and the special use permit. If I could turn them in. I have the original signatures here, 31 neighbors nearby who are in favor of the day care use for this site.

We concur with all of staff and Planning Commission's conditions and would ask for your approval. I'll reserve a little bit of time at the end to kind of wrap up after we hear from the protesters.

ELEANOR SNYDER

I'd like to let you know that we're handing over a copy of what was faxed to your office this morning, for each of you, in case it was not distributed. Previously we did fax in

documentations opposing this and there, they did not go on record. There was no opposition listed at the initial meeting.

My name is Eleanor Snyder. I live at 209 South Torrey Pines. I am three homes from the proposed child care facility, and I would like to just address the idea of a proposed commercial business in my residence. Currently, it's zoned R-1 and their request is to zone it R-3 and use a special use permit to propose this child care – center, excuse me.

With all due respect, I think the overall big picture needs to be looked at. There's only, a big comment I'd like to say is that raped, violated and screwed without commitment is what is going to happen. And I'm going to be the bluntest of most of the people who'll speak. What will happen, I see, if you approve this and see fit to grant this rezoning is the developer breaches the integrity of our neighborhood. We've all lived in this established neighborhood that is mature, without businesses within a two-mile radius, with the exception of large intersections. There's nothing in our area but churches and schools, parks and homes.

If you don't mind, can I move his little map out of the way? This is your map. See what this is here? Okay. And everything along Torrey Pines from Charleston to Lake Mead, with the exception of a Water District building, is residential and is harmoniously in character with residents; churches and schools, kids, families. Our concern is that if you allow this to take place, you'll send a message that builders can build wherever they want, change zoning and violate neighborhoods; develop, sell and leave.

Ultimately what's happening here is if you approve this, if you approve the residential zoning and the special use permit, they will be enable to upgrade the value of a property that is just grass where children play to a business that they intend to lease or sell to someone else, that ultimately the State of Nevada will pay the price for, because when the proposed 95 highway comes in, right-of-way takes place. So you've got a situation where City approves the State being raped, financially. The neighborhood ends up paying the cost because this developer doesn't live in our neighborhood. 95 backs these townhomes. So if they take right-of-way, the property values, by having a developed area as opposed to a little grassy knoll that children play on and parents toss ball and barbecue, is going to then be a valued property and the City

will approve it and the State will pay for it. We all end up paying for it then, because those same tax dollars that buy the right-of-way come out of our community.

In addition to that, I'd just like you to know that we really would appreciate you looking at the whole picture and not allowing micromanagement of an issue that's really much larger than that. We all know that families and the integrity of it, of the community is important. And I'd just like to say just say no, don't rape the neighborhood.

COUNCILMAN McDONALD — Thank you.

ELEANOR SNYDER — Thank you.

KATHY TOBIN — We kind of split this into three different areas, if you can tell as you go along. We had three issues that we put in our memo. My name is Kathy Tobin and my house is the closest. I am right across the street from this proposed facility. And my area that I am addressing is traffic and parking.

They have proposed an agreement with the condo complex that they will park on their facilities and have the right to park on their facilities. These facilities are being used already by the people that live there. One of the pages that you'll see in our memo is where I went over and I logged how many spots were available on a regular basis. There is not even eight available. They will have over a hundred children there. That's a hundred parents dropping their children off morning and picking them up in the evening. Possibly all night long, because they don't know if it's going to be a 24-hour facility or what.

Of those parking places, two of them are already handicapped. Their comment was that these people will have to park in their garages. They will have to clean them out. These garages were originally carports and a lot of their vehicles will not fit in there.

In front of my house we have a school crossing. I fought two years ago to get us a crossing guard, and we have some pictures that I'm going to put down here. And this shows you what the crossing guard has to contend with every day. Can you see them? Okay. This is at 3:30, when the school let's out. The --

UNIDENTIFIED WOMAN IN AUDIENCE — The elementary school.

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KATHY TOBIN

The elementary school. The junior high lets out around 2:15. The traffic is just as bad then. Just before that, around 1:00, Bonanza lets out. We have the traffic from Bonanza from 1:00 to 2:00. From 2:00 to 3:00, we have the traffic from the junior high. From 3:00 until around 4:00, you have bumper-to-bumper traffic for the children coming out of Adcock. The PTO, of which I am the President, has gone out of our way to get a crossing guard by the school. I had to go to Metro, fill out a permit and volunteer to be the coordinator. We have a teacher who volunteers to cross the students, because they are worried about the traffic.

We just got our new park, which we thank you very much for. And most of that traffic does not match this same time period. It doesn't become part of our concern, because it's later in the evening or its on the weekend. And these people, because their children are participating, they tend to be very cautious. We are worried that these people that are driving to the child care center will be taking short cuts through the neighborhood, where our children are walking to school, will be going down the alleys that we have, to get to the complex on a quicker basis, and that they will be parking in front of our homes when there's no room to park over there.

And our next person will be talking about the child care facilities that are already available in the area. Thank you.

COUNCILMAN McDONALD

Thank you.

MIRIAM EEN

Oh, that's good. I have more pictures. I'm Miriam Een and I live at 217 South Torrey Pines Drive. I'm about five houses down from the proposed site. And I – I'm going to address the concern, our opposition, Item No. 3 of the, that there is, we cannot, we do not feel that there is an established need or that there can be a need established for child care, additional child care in this neighborhood.

You can see -- Hey, this is the big picture. Right here, this red dot right here, is the site of the proposed day care center. And right here, 800 yards away, or sorry, 800 feet away, according to this scale here, that's one inch, is the Lutheran Church where they run a day care center for 66 children. Now a good football player could hit that from that site. It's not far away. It's an easy walk. According to the colors (inaudible) didn't come out as different as I had intended, but the blue dots indicate on here where there are church-run day care facilities within close proximity of this area. There's the one here. There's two over here on

Charleston. There's one down here and then there's one up, the far end up there.

In addition, there are commercial day care centers available and those are indicated by a light, the light blue colors here and here. Again, this is just barely down the street at Charleston. You see again, actually, these are what, located on major cross streets. We don't have commercial day care centers anywhere on the inside and in, within our neighborhood. Again, up there and down over by Meadows Mall. All over in – other extended areas.

The other dots on here, you see there is a lighter purple and a darker purple, and those are representing the group home and the family homes. Now I have tabulated those up for you and the number of children that are allowed by the licensing for each of those areas, and this is based on the City of Las Vegas' licensed care facilities updated as of March 15th, 1999.

As we've called the local facilities, there is always openings, both for drop in and for – children for, you know, that – would be there on a more regular basis. The home facilities don't necessarily have as much open, availability and another interesting issue, as we talked to the people, they didn't necessarily have people there that were specifically from that neighborhood. Now, according to the proposal that was given to the Planning Commission, they said that it felt it was needed in the neighborhood. We feel that this would necessarily bring in outside traffic because it's not something that's needed within the neighborhood.

In addition, the elementary schools, which you'll see right here; okay, Adcock, Vail Pitman and Rose Warren, provide safe-key before and after school, school care for children. And Garside and Mirabelli Center provide summer programs for children. So, we don't feel that that's necessary with that.

You can see there's a lot of little dots on this map and that's indicate of the home day cares. When you look at a survey of the, again the licensed child – care providers, the 89107 zip code within which this falls has by far more group homes and more family home care providers than any other zip code in the Las Vegas, City of Las Vegas.

We are also have concerns that this business may not succeed, and then we would be further, our neighborhood would be further scarred with the remains of a failed business. Many factors go into choosing a child care site.

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Not just location. And if anything, location to work may be more pressing, more important than location to your home. But in addition to that, many employers would have discounts to, that would incentives for specific day cares. The reputations, the – children that the child care facilitate with. There are many things that go into the decision. Location is not the number one thing. So I don't think it, you think just if we build it, they will come. I don't think that that's necessarily the point.

Again, I would like to emphasize that our neighborhood is a mature developed neighborhood where, you know, we have full-grown trees that are green and beautiful and fruit trees that bear fruit and all that kind of stuff. We chose our neighborhood to raise our families. We have residents in our neighborhood that have lived there since the neighborhood was built, the house, the original owners. We also have second generation homeowners within our neighborhood. And we are building families and communities. They're trying to build a business. They've invested money. We've invested time and our – efforts and all our best livelihoods.

I have a quick analogy: By profession, I'm a registered dietitian and I see patients and clients based on referrals of – physicians' referrals for specific therapeutic diet instructions. I can go into a – session and know, and be able to calculate the – nutritional needs and take into account the requirements and stipulations based on therapeutic conditions and make a wonderful palatable diet look great on paper. And I think that's what you have before you. This, Planning Commission has recommended approval. I think if you were to look closer at the Planning Commission guidelines, and actually Mr. Malan and I had a little conference on that, there are errors in that that may give a false impression. It may make it look more palatable.

Mr. Smith has done a beautiful job and created a picture of a beautiful building. It looks very palatable. However, when I go into a session with a client, I need to, important information from that client. I need to know who cooks, who shops, who --, you know, when do they like to eat, what is their work schedule, what foods do they like? And, in light of that, the recommendations that I previously have made walking into that room may be totally inappropriate. And that's what I'm saying to you. These recommendations that you've been given I think are completely inappropriate. You need to look at the lifestyle of the neighborhood and don't –

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throw something down our throats that we can't stomach. I, we need you to make the right decision. And I appreciate your interest.

COUNCILMAN REESE — Excuse me, Ma'am.

MIRIAM EEN — Yes?

COUNCILMAN REESE — How do I have to change my diet?

MIRIAM EEN — Well now, did you want that on specifics or do you want in general? See now in general, you could just like fall back to the General Plan and I could just fall back to the dietary guidelines. You know, the General Plan is a magic, as I look at this by the magic of rezoning and of special use permits, they're – saying that a – commercial establishment is legal in a residential neighborhood. You know, it's not.

VERL ROUNDY — Mayor Jones and members of the City Council, I'm Verl Roundy. I live at 6340 Garwood. I've lived there for 32 years. My house is two houses down from this Crestline that goes into the apartment complex and the child center. I have listened intently to the arguments that have been given regarding this visual chunk of our neighborhood, and I agree with the reasons that have been given against using this property for a child care center and changing it from R-1 to R-3.

However, there's another important piece of information that has come to my knowledge that no one has mentioned yet. As of March 18th of this year, this property has been put into escrow. With this current proposal, only to be step – as a stepping stone to allow someone from out-of-state to run roughshod over our neighborhood. No one with making money in mind will have, will care in a world how it blights the landscape or tangles traffic in an area that is already overtaxed. We adamantly oppose this foot-in-the-mouth intrusion into the tranquillity of our established neighborhood. We plead with the Council to allow us to maintain the dignity, integrity of this long-established residential area. Please deny this proposal.

COUNCILMAN McDONALD — Thank you, Sir.

SUSAN BURNA — Hi. I'm Susan Burna, 320 Newcomer Street. I have to say that these guys have been through so much in Charleston Heights that this booklet that they turned into you has

everything that they're saying and – so well put and so well thought out. They've – gone every angle here. And every angle says this is a real bad use.

This is typical spot zoning if I've ever seen it. You have no commercial anywhere in this area. We do have it at every other corner, and I think the typical example is what happened on Jones. What we have there now are left over homes that no one can sell, they can barely get rid of, popping up with all kinds of commercial. This will allow these people to do whatever they want on this property, whether it's day care or not. And it's not – big benefit to us and I appreciate what Mr. Reese said about the applicant having to prove why there should be this need or why – they need this special use or this special zoning.

We have all the day cares that they showed you on that map. They've called every single one of them. There are vacancies in every one of them. There is no need for this facility in our neighborhood. And the other thing too is I have to agree with them with the money that is going to be spent, if you take away this property and have, all of us have to buy this when they put this highway down here, what are you going to be doing, buying commercial property now too? It's just going to make the project that much more expensive.

And I think that our taxes have gone down, you know, you're all worried about tax equity and that, but we've lost. My taxes have gone down $200 every single year. How come I'm not making any money on my house in this town? I've been here nine years and my house value hasn't gone up but 2%, if that. And my taxes are dropping. If you put commercial property here, you guarantee that you are going to devalue our properties.

I think the City's invested money in here and we are grateful and appreciative to all the time every one of you has taken to be involved with helping redevelop our neighborhood and making it a better place. And I think in honor of Neighborhood Preservation Week, that I would just hope and pray that you would deny this zoning request and special use. Please, allow it to be residential. Thanks.

COUNCILMAN McDONALD

Thank you.

CLIFF ALEXANDER

Mayor Jones and Councilmen, my name's Cliff Alexander. I live at 6308 Factor Avenue. I've lived there for 36 years. I – was there when the place was still dirt. And I'd like to see it

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remain the neighborhood that it is. I think with all the arguments, pro and con, and I am definitely against seeing any kind of business invade our neighborhood. It's a pretty neat neighborhood the way it stands right now. I like it and I'd like to see it remain a neighborhood. Because my only fear is if you let one business in, you're going to let a bunch more come right – behind it.

I want to say we got over 200 signatures on a petition against this coming in our neighborhood. We have 800 feet away another child care facility. You already know what the traffic problem's going to be like. This is only going to make it worse. And I'd like to remain there, beings how I'm retired there and I've lived there for 36 years. I hope I got a bunch more years that I can live there without more problems or more fuel on the fire. I thank you for your time and I pray that you keep our neighborhood our neighborhood. Thank you.

COUNCILMAN McDONALD — Thank you, Sir.

ALAN SNYDER — Hello, folks. Alan Snyder, 209 South Torrey Pines. I'd just like to say I somewhat question the integrity of their signatures. We have over 200 on ours and they're all homeowners. And I'd just like to say again thank you for your time and please preserve our neighborhood.

COUNCILMAN McDONALD — Thank you, Alan.

JUANITA CLARK — There was just a comment, just made, regarding the 31 signatures acquired. I was wondering if we could hear what the people signed? In other words, what does it say at the top of the petition; is that allowed to be read?

MAYOR JONES — Sure. Where – is the petition? It says the undersigned are in favor of a proposed child care center at 100 Crestline Drive. The undersigned feel that the child care center will be a benefit to the neighborhood in general and in particular will attract young families to the neighborhood, thus preserving property values. Undersigned recognize that the child care center will generate traffic, principally off Torrey Pines, but feel that the impact of the traffic will be minimal. The undersigned wholeheartedly endorse the child care center and request that Z-15-99 and U-25-99 in the zone change from R-1 to R-3, which just for the record is residential, it's not commercial, and special use permit for operating the child care center be approved.

JUANITA CLARK — Thank you. I thank you, Mayor Jones, appreciate that. Also, referring, Mr. – Roundy referred to something about

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the property being in escrow. It's my understanding that this is owned by an out-of-state person, namely a – Cathy Lightfoot of San Jose, California.

MAYOR JONES

Juanita, I – think we really have to keep this to the issue of use. It's not really a question of whether it's an out-of-state person or an in-state person. That doesn't impact -- It's not appropriate or germane to this issue. The comments need to be germane.

JUANITA CLARK

Okay, it is -- Thank you. It was -- important and very helpful in helping – the – neighborhood come to this decision. And – also the fact that Emerald Crest Condominium Association is speaking for her, which of course is germane because that's what we're dealing with here today, is that Association. And – for that, this is a corporation that is not in good standing. And on further checking of why it is not in good standing is that officers had not been filed for the year 99 and 2000.

And – it's also been mentioned here that the front of the building faces Garwood. And so I was curious, if the front of the building faces Garwood, why a Crestline address was used on – our thing. And I'm – not going to wait for a response for that. I'm also going to comment about the parking that you heard up here today was less than eight spaces or eight spaces, only six of them not handicapped. For 116 children, which is the maximum that we heard at our neighborhood meeting at Mirabelli, that would require a total of 20 workers. And I just wanted to bring that across.

And again, I would ask that there be a denial for this area issues, these two issues. And again, we thank you for the improvements that have been made to our neighborhood. It is truly exciting. Thank you.

COUNCILMAN McDONALD

Thank you.

MAYOR JONES

I'm going to close the public hearing. Applicant can make closing comments and then we'll go to discussion by the board. Oh, is this neighborhood? I'll open the public hearing again.

JAMES ALEXANDER

Well, okay. My name's James Alexander. I live at 100 South Crestline Drive. I live – in the condominium project and I'm also the property manager. And I'm the one that acquired the 31 signatures on this petition of the people that were approved for the day care center. And from everything that I've been told by the residents that I've been able to speak to in the last week, couple of weeks, is that most of

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them were in favor of it. And most of the residents don't have a problem with the parking. I think the problem, the parking problem per se is exaggerated on the opposition's point.

There, all the – units have two-car garages. At the time, most people prefer – to store a lot of their things inside the garages and use available parking in the visitor parking area because there's a lot of parking spaces. So, they understand that there's going to be some parking taken up from the day care and they understand that they'll have to be, start using their own garages for the parking instead of just parking them in the open areas.

Let's see, what else? Other than that, as, as far as the parking or as far as the residents being in favor of it, I'd say there's about 40, 40 children living in the complex right now, which entitles 70 units. And from my understanding, I'd say about maybe 10 or 15 of them have children they would probably take to the day care, that would be of that particular age. So, other than that, I guess that's about it. Thank you.

MAYOR JONES — Thank you.

COUNCILMAN McDONALD — Applicant.

MAYOR JONES — He's the applicant? Okay, then we will close the public hearing. Applicant can make some closing comments and we'll --

JUNE INGRAM — (inaudible)

MAYOR JONES — One more comment and then we're going to close the public hearing, the applicant can make their closing statements, then we'll go to discussion from the Board.

JUNE INGRAM — Okay. June Ingram, Charleston Neighborhood Preservation. At 11:00 o'clock today, I went up and counted the parking spaces and the cars that were in the spaces. There were 32 spaces that I could count. I couldn't be 100% sure because they weren't all marked off. But judging as closely as I could, there were 32 and there were 17 cars in that parking space today at 11:00 o'clock.

MAYOR JONES — Great. Thank you.

JUNE INGRAM — Thank you.

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EDWARD ROTHENBERG — Council, my name is Edward Rothenberg. I'm the real estate broker of record. I'm also a certified general appraiser in the State of Nevada. Addressing the comments by the citizens, regarding commercial use for this property, I would like to say categorically that this property is not a commercial use. It's a – school. It's an educational facility for young kids. Unfortunately, this is how the zoning code looks at this property. It's still more of a commercial use than the schools across the street. Thank you very much.

COUNCILMAN ADAMSEN — May I ask one quick question of the applicant? This property is currently in escrow?

ATTORNEY DOUG MALAN — We are negotiating with a party for the condo units, at this point. I don't know if we're in escrow or not. I don't know if the earnest money has been paid. I can address that as we go. There's a huge misconception and, you know, I don't totally appreciate the characterizations, but I can roll with them.

COUNCILMAN ADAMSEN — I just want to make sure that if you are in escrow, what company you were using?

ATTORNEY DOUG MALAN — Oh, for conflict purposes. First American.

COUNCILMAN ADAMSEN — Thank you.

MAYOR JONES — The -- public hearing is closed.

UNIDENTIFIED MAN — I know, but I can't hear anything.

MAYOR JONES — Oh, I'm sorry. Let's -- Do we have the mic on? Roni -- Is his mic on? Okay.

ATTORNEY DOUG MALAN — Yeah, first off, just to address some general points. This use complies with the Master Plan. It's not a commercial use. The, you can see the building here, it's residential in character. In a minute I'll – take this – one off and you can see how the setback and the landscaping and the buffering, it's going to be an extremely attractive building, with attractive landscaping. We, as I said before, we went to efforts to address what we could of the neighbors' concerns. We can't address everything. I don't know that we can be responsible for every car that travels on Torrey Pines, a half-section line road that's been busy since I've been in town. It's a busy road. There are schools along it.

There is no commercial along it. We're not asking for commercial. You'd think we were trying to put a strip club in

here. We're not. But that's the neighbors' impression. We're putting, we want to put in a day care or have that use approved. It's an attractive building, it's – it will be attractive and it will be of benefit to the neighborhood. You can see ample landscaping on all three sides. We have a block wall here that was a staff condition and, for terms of isolating and separating the kids from the condo association. New parking will be put along here.

Now one of the conditions that staff imposed, and this is an important one and a huge misconception is out there, in order for us to pull a building permit, we have to completely separate – this project from the Homeowners Association. Work has already been done in terms of the Association requisite signatures and the like. So before we can pull a permit, this has to be separate from the Association.

We know that 95 is going to be widened. We commented at the neighborhood meeting that Councilman McDonald sponsored that where it's going to be widened, we won't really know until the cement's poured. It – varies. We do believe that part of this project is going to be taken. Well, if this day care is separated from it, in terms of valuation, it has no applicability. It just doesn't. So whatever this is going to be valued is going to be based on this project and not the day care. So as far as raping the tax public, forget it; it's not an issue.

COUNCILMAN REESE — Mayor?

ATTORNEY DOUG MALAN — My clients have come in -- Yes, Ma'am?

MAYOR JONES — Excuse -- Wait, wait. Council --

COUNCILMAN REESE — You keep referring to this not being a commercial use. Is this a non-profit?

ATTORNEY DOUG MALAN — No, it's not. It's a for-profit.

COUNCILMAN REESE — Then that is a commercial use there?

WOMAN IN AUDIENCE — And they're going to hire people (inaudible)

ATTORNEY DOUG MALAN — It's a for-profit day care center, like many around town and --

COUNCILMAN REESE — But then that – does make it a commercial use then.

ATTORNEY DOUG MALAN — Makes it a business. It doesn't make it a commercial use under the zoning code. It's in a residential zoning with a special use permit. It's – an approved use. It's a good use

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for this area. This is the last vacant lot, if you will, in – the whole neighborhood. But under the zoning code, it's not a commercial use. But it is a business and it is for-profit. I'm not gonna deny that.

COUNCILMAN REESE — I just wanted that on the record.

MAYOR JONES — I – think it's a question of semantics. R-3 is not a commercial zoning, but in fact, this is a commercial use because it's --

ATTORNEY DOUG MALAN — 'Cause it's a business, no doubt about it. There's a question that came up in terms of spot zoning and other – commercial uses, businesses along Torrey Pines. Well, it's quite simply, Torrey Pines is not Jones. And perhaps some mistakes were made along Jones because the individual residences along Jones are not big enough to support a large enough structure that these people will ever get the value out of the homes. Now, the lots along Torrey Pines aren't big enough either.

And I really think, and I mentioned this to a couple of the neighbors, some of whom I've known a long time, the real detriment to their home, to the values in this neighborhood are two things, particularly on Torrey Pines. That's traffic, unless there can be some mitigation of traffic and I believe there's an opportunity with the widening of 95 to do something. And the fact that the west side of Torrey Pines in that area is all public, if you will, public land with the schools and the parks. Something can be done there. That's no in our control, but we will support, to whatever degree we can.

The other thing that supports a mature neighborhood is the influx of young families. Somebody's got to buy these homes when people decide to retire or when they pass away. This is a good use to attract young families to that neighborhood. I know that neighborhood. I haven't lived there 37 years, but when I first moved to town, I lived there two years, within a quarter of a mile of this location. And walked by it or drove by it daily. And I can tell you from my own experience that the neighborhood needs to attract young families or it will deteriorate. It's important.

As far as the traffic and parking, we have – more, in fact we have 16 more spaces than code requires, for parking. And that's been worked out with staff already. I do not believe, oh, that – I can't stand here and tell you I've got a crystal ball and say that traffic isn't going to appreciably increase

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along Torrey Pines. Traffic's already busy. I don't know that we're gonna make that big of a difference on Torrey Pines.

As far as parking in the neighborhood, we would not be opposed if the City were to stripe a no parking area along Garwood, in front of the day care. That will alleviate some concerns there as well as backed up traffic.

As far as our petitions, in basically one day we obtained the 31 signatures. And it's tough to compete with the PTA and a well-organized neighborhood preservation society. But I do believe that there is need, there's a use. But I also believe it's someone's business risk and they have an opportunity to take that risk. I don't know that we could consider this to be a spot zone, where we're not asking to change the designation. And I think by definition it's not.

We would ask that you give serious consideration. It's a good use for the neighborhood. It's a good in-fill use. It complies with the Master Plan. We have and will continue to try to work with the neighbors to make sure that the place stays attractive. One thing that we would be willing to do, we did mention it to the neighbors. In terms of the exterior landscaping, that is a requirement under the use permit, but as this project needs to be carved away from the Association, we are not opposed to having the Association maintain some form of architectural control, from the standpoint of the landscaping, keeping it good looking, keeping it nice, because the Association doesn't want to have an ugly building in front of it. So that's a further buffer that we can offer, that's something within our control, that we can offer the neighborhood so that the place stays looking nice and gives them the, some assurance of that.

We would ask that you would grant both the zoning from R-1 to R-3 and the special use permit. Thank you.

COUNCILMAN McDONALD — Thank you, Mr. Malan.

MAYOR JONES — Public hearing is closed. Comments from the Board? Councilman?

COUNCILMAN McDONALD — Referencent to the meeting we had at the Mirabelli Center, it was a meeting of the neighborhood and Mr. Malan and the architect and the owner, representative of the owners. Several items were discussed and part of the plans we have for the neighborhood. There's large concerns here because it was pointed out before and you look at the map we have,

schools across the street, we just put in a park. Traffic has always been a big issue that's been brought up on Torrey Pines. We've taken large steps in the last four years to go in with mitigation purposes in the traffic and this is no exception. Torrey Pines is on our, wouldn't say hit list, but on our drawing board for mitigation.

The large concern here is that the large increase in traffic where children are walking to school, where the park across the street we just put in. Also this being a draw from outside the neighborhood would generate more traffic. That's not even, an intelligent person could draw that conclusion themselves. And most of all, when we sat there and I had the opportunity to talk to Mr. Malan and – the neighbors, I perceived a pretty good meeting, but preserving the nature or the integrity of the neighborhood has always been the number one goal, since I've had the opportunity to be elected.

The issue of spot zoning came up. Mr. Malan brought up some good arguments for it, that this wouldn't go, was spot zoning, and technically correct that this is R-3. However, the Mayor which just pointed out that it may be R-3 but it is commercial, for – gains of monetary value.

I don't know if this'll start the down of a neighborhood, but I have conclusions after seeing what happened on Jones, it would definitely help. So based on that and not being compatible or harmonious when we looked at the neighborhood itself, overall, my **motion's going to be for denial.**

DEPUTY CITY ATTORNEY STEVE GEORGE — Your Honor, just for clarification on the record that the General Plan/Master Plan does not specifically address the issues regarding the special use permit. Therefore, I don't think we can conclude that the special use permit conforms or doesn't conform to the General Plan.

AUDIENCE — Disruptive applause.

MAYOR JONES — There is a motion on the floor. Vote on the motion. Post. Motion for denial is approved. **(Motion carried unanimously.)**

AUDIENCE — Disruptive applause.

MAYOR JONES — Item 117, Abeyance item U-25-99. It's a related item of the use permit.

COUNCILMAN McDONALD — Same motion, Your Honor, **motion for denial.**

COMBINED VERBATIM TRANSCRIPT - ITEM 116 - Z-15-99 and ITEM 117 - U-25-99
REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

MAYOR JONES	Vote on the motion. Post.
WOMAN IN AUDIENCE	Excuse me, Your Honor. Is that a denial for the total plan, the R-3 change and the zoning?
MAYOR JONES	Yes.
WOMAN IN AUDIENCE	Thank you.
MAN IN AUDIENCE	Thank you.
SECOND MAN IN AUDIENCE	Thank you all.
DEPUTY CITY ATTORNEY STEVE GEORGE	And, Your Honor, just for clarification, that all the prior statements made on the prior application are incorporated into the record for the special use permit.
MAYOR JONES	Item 117, the same motion. We did -- Well, that's what we're doing right now. Post. Motion's approved. **(Motion carried unanimously.)**

(END OF DISCUSSION)

/vwd

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	SPECIAL USE PERMIT RELATED TO Z-15-99 - PUBLIC HEARING	
117	ABEYANCE ITEM - U-25-99 - REAL DEVELOPMENT LIMITED LIABILITY COMPANY	**McDONALD - DENIED - UNANIMOUS**
	Request for a Special Use Permit on property located at 100 Crestline Drive FOR A PROPOSED 5,500 SQUARE FOOT CHILD CARE CENTER, R-1 (Single Family Residential) Zone, Proposed: R-3 (Medium Density Residential), Ward: 1 (McDonald), APN: 138-35-517-001.	******
	NOTICES MAILED: 148 BY CITY CLERK	MAYOR JONES declared the Public Hearing open.
	APPROVALS: 0	APPEARANCES
	AFTER PC MEETING	ROY SMITH, 2450 Chandler Avenue, Suite 18
	_____ Letters	ATTORNEY DOUGLAS MALAN, 720 s. 4TH Street, #300
	_____ Petitions	ELEANOR SNYDER, 209 S. Torrey Pines
	TOTAL 0	KATHY TOBIN
	PROTESTS: 74	MIRIAM EEN, 217 S. Torrey Pines Drive
	AFTER PC MEETING	VERL ROUNDY, 6340 Gardwood Avenue
	_____ Letters	SUE BRNA, 320 Newcomer Street
	_____ Petitions	CLIFF ALEXANDER, 6308 Factor Avenue
	TOTAL 74	ALAN SNYDER, 209 S. Torrey Pines
	The Planning Commission (4-3 vote) and staff recommend APPROVAL, subject to:	JUANITA CLARK, Charleston Neighborhood Preservation Association
	1. Where structures or play areas are to be located closer than 50 feet to an adjacent parcel located in a zoning district with an "R" prefix, a 6 foot high block wall shall be installed along the south side of the parking lot immediately north of the playground, with an additional buffer of evergreen trees along any play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center and shall be a variety that will grow together to form a visual screen.	JAMES ALEXANDER, 100 S. Crestline Drive JUNE INGRAM, Charleston Neighborhood Preservation Association EDWARD ROTHERNBERG, Real Estate Broker DEPUTY CITY ATTORNEY STEVE GEORGE MAYOR JONES declared the Public Hearing closed. NOTE: A Combined Verbatim Transcript of Item 116 [Z-15-99] and Item 117 [U-25-99] is made a part of the Final Minutes under Item 116 [Z-15-99]. (4:06 - 4:45) **4 - 665**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION ABEYANCE ITEM - U-25-99 - REAL DEVELOPMENT LIMITED LIABILITY COMPANY 2. Outdoor play shall be limited to daylight hours. 3. Outdoor lighting and sound systems, if any, shall be designed and maintained in such a way that nearby residents are not disturbed. 4. All development shall be in conformance with the Conditions of Approval of Z-15-99 and all other site-related actions. 5. All City Code requirements and design standards of all City Departments must be satisfied.	**DENIED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-15-99 - PUBLIC HEARING - U-25-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 26, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

APPLICATION REQUEST:

This is a request for a Special Use Permit for a 5,500 square foot child care center on property located at 100 Crestline Drive. The applicant's justification letter states that this facility will provide needed services to the surrounding residential area.

BACKGROUND DATA:

There is no previous zoning history for this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	0.29	Acre
Building Area:	5,500	Square Feet
Floor Area Ratio:	0.43	
Building Height:	21 Feet, 4 Inches	
Parking Required:	24	Spaces (Title 19A, Child Care Center)
Parking Provided:	24	Spaces

The proposed day care building is located on the south side of the site, with a child play area adjacent to the north side of the building. The proposed parking is shared parking, located within an existing parking lot on adjacent property to the north. Landscaping is proposed along the adjacent public right-of-ways.

The building elevations depict a one story building with multiple roof lines. Arches accent the entrances. The building materials include stucco walls and concrete roof tile. Colors are not indicated on the plans.

Agenda Item

117

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-15-99 - PUBLIC HEARING - U-25-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-3	Multi-Family Residential
East	R-3	Multi-Family Residential
South	R-1	Single Family Residential
West	R-E	Torrey Pines Park

FINDINGS:

Title 19A permits a child care center in a R-3 (Medium Density Residential) zoning district as a Special Use. However, Title 19A does not contain specific standards for this use. Therefore, staff relies upon Title 19; the previous zoning code for guidance. Title 19 contains standards for a child care center in an R-3 (Medium Density Residential) zoning district. These conditions include:

A) Access to the parcel on which the child care center is to be located must be by means of a street with a right-of-way width of at least 60 feet. Measurements of Crestline Drive at the least width of the right-of-way indicate that the site meets this criteria.

B) The maximum lot coverage must not exceed 30 percent.

C) The site must be designed so that all discharging of passengers from or loading of vehicles is accomplished on the site. All parking areas are located outside of the public right-of-way.

D) Where structures or play areas are to be located closer than 50 feet to an adjacent parcel located in a zoning district with an "R" prefix, an eight-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along any play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center and shall be a variety that will grow together to form a visual screen. No screening is shown on the site plan.

E) Outdoor play shall be limited to daylight hours. The application contents do not specify hours of operation and play schedules.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-15-99 - PUBLIC HEARING - U-25-99 - REAL ESTATE DEVELOPMENT, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

A) Outdoor lighting and sound systems, if any, shall be designed and maintained in such a way that nearby residents are not disturbed. The application contents do not specify lighting and sound provisions.

If limited by the above screening, lighting, sound, and outdoor activity requirements, the proposed child care center is harmonious and compatible with the surrounding residential land uses and the residential uses planned by the General Plan. The site does not have steep grades or an unusual shape and therefore is physically suited for the proposed use. Approval of this Special Use Permit 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 (4-3 vote) and staff recommend APPROVAL.

[Note: The Planning Commission recommended a six foot high wall along the north side of the playground while staff recommended an eight foot high wall.]

PC NOTICES MAILED: 145

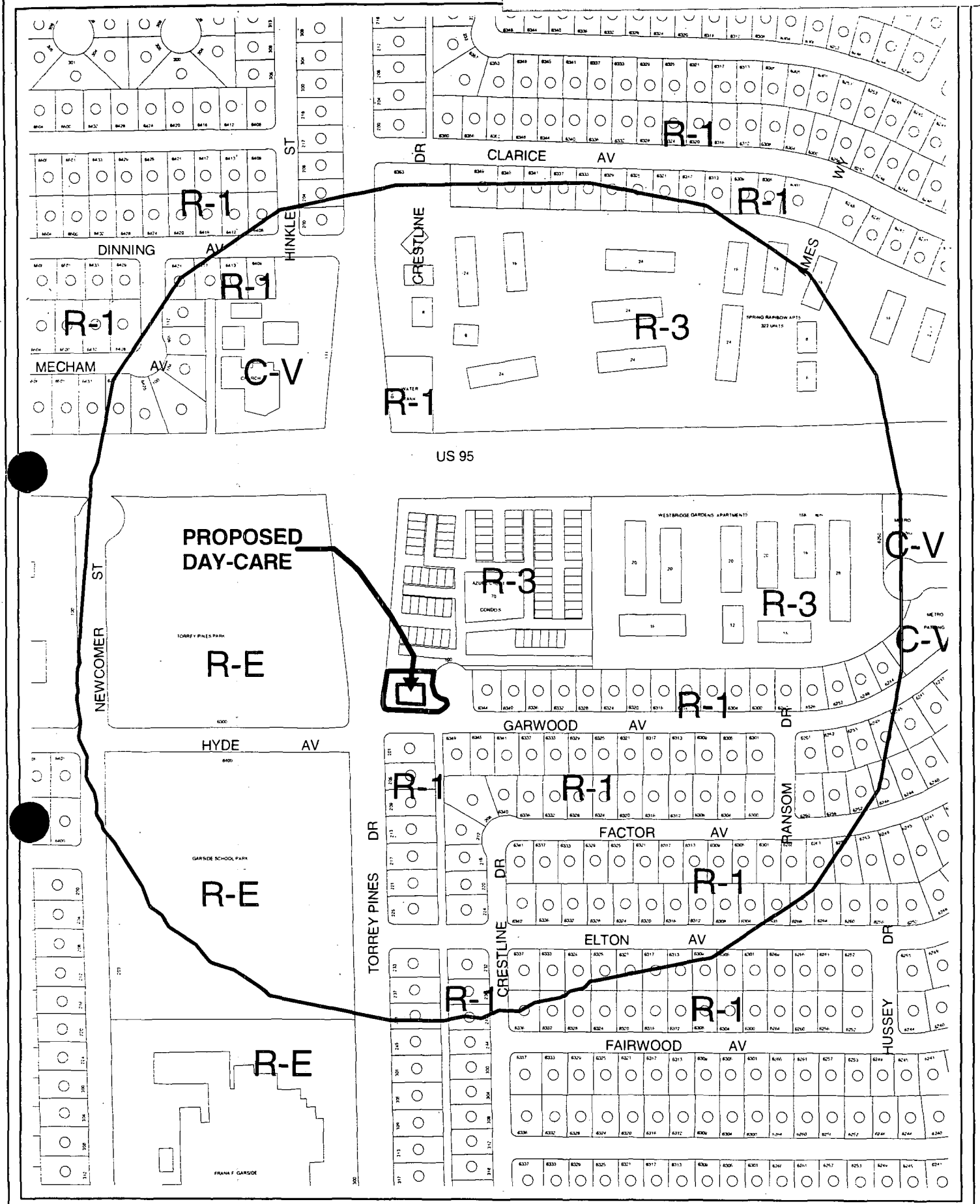
APPROVALS: 0

PROTESTS: 74

[Note: The protesters stated concerns regarding the proposed use's commercial characteristics which are not compatible with the neighborhood; the introduction of a commercial-like use into an area void of commercial uses; increased traffic, and related pedestrian safety concerns.]

SEE ATTACHED LOCATION MAP

Agenda Item

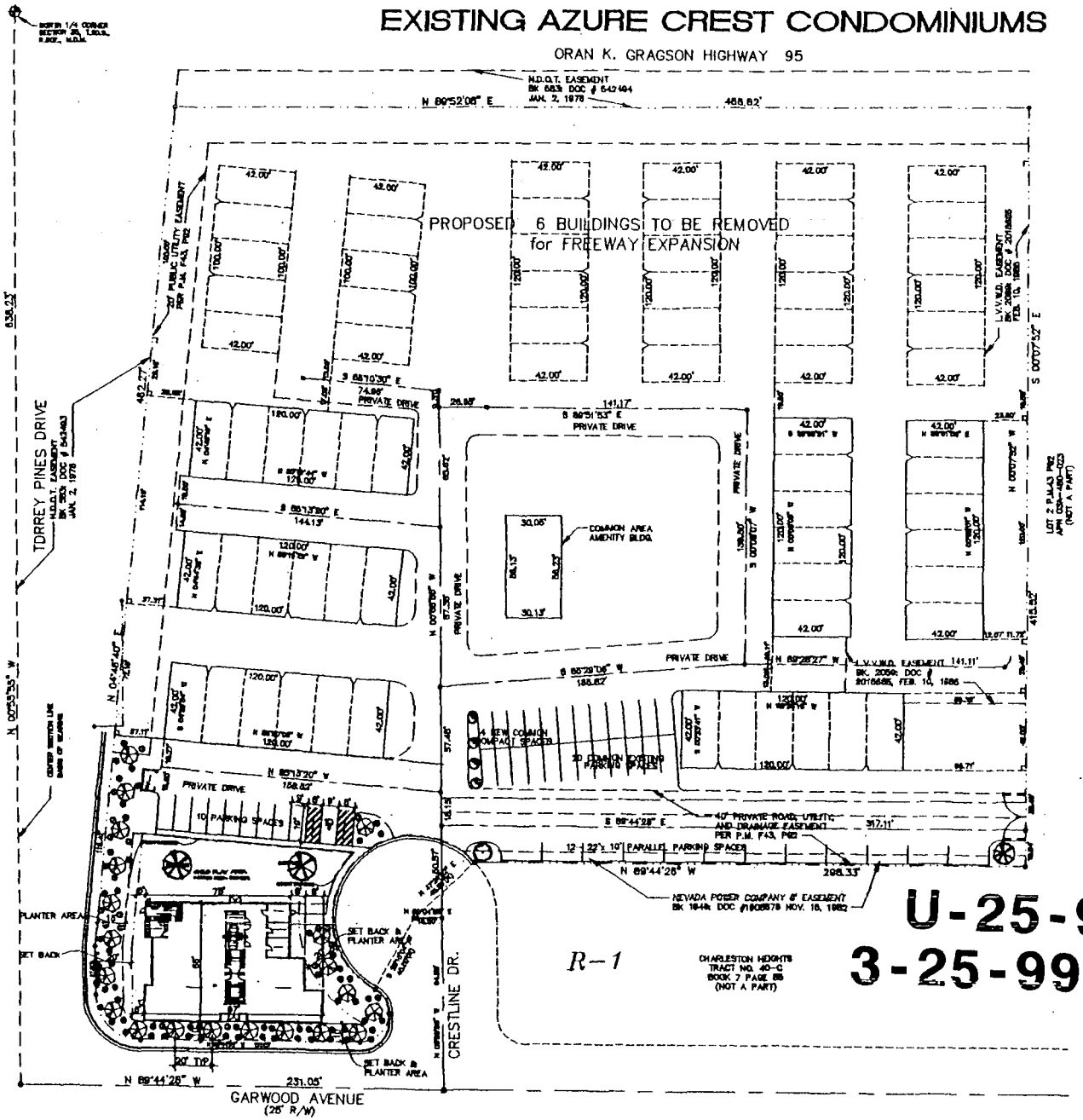


CASE: **U-25-99**
RADIUS: 750 FT

N

EXISTING AZURE CREST CONDOMINIUMS

ORAN K. GRAGSON HIGHWAY 95



R-1 SITE PLAN

BLDG. ANALISTS :

PARCEL # 138-35-517-000

CODE EDITION:	UBC 1997
EXISTG ZONING:	R-1
PROPOSED ZONING:	R-3
SPECIAL USE PERMIT:	YES
SITE AREA:	4.8 ACRES
ALLOWABLE SITE COVERAGE:	30 %
ACTUAL SITE COVERAGE:	30 %
CONSTRUCTION TYPE:	V-1 HOUR
FIRE SPRINKLERS REQUIRED:	NO
FIRE SPRINKLERS PROVIDED:	YES
OCCUPANCY : DAY-CARE	E-3
OFFICE	B
BUILDING AREA : TOTAL BLDG.	8500 S.F.
COMMON AREA	4200 S.F.
OFFICE PERSONNEL (AT NEW DAY-CARE BLDG.)	1400 S.F.
HEIGHT:	21'-4" HIGH

PARKING ANALYSIS

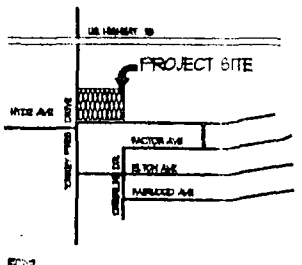
56 EXISTING RESIDENTIAL UNITS w/ 56 2 CAR GARAGES	112 SPACES
GUEST PARKING @ 1/5 UNITS	12 SPACES
NEW DAY-CARE CENTER	
PARKING REQUIRED:	
COMMON AREA 1/10 KIDS (117)	12 SPACES
1/ STAFF MEMBER	12 SPACES
PARKING REQUIRED:	144 SPACES
PARKING PROVIDED:	160 SPACES

PLANT LEGEND

MARK	DESCRIPTION	QUAN.	SIZE
	CHILEAN MESQUITE	30	24" BOX
	LEUCOPHYLLUM 'GREEN CLOUD'	52	5 GAL.
	LEUCOPHYLLUM 'SILVER CLOUD'	52	5 GAL.
	FRAXINUS VELUTINA 'MODESTO' MODESTO ASH	2	36" BOX

DECORATIVE L.A. STONE GROUND COVER

U-25-99
3-25-99 PC



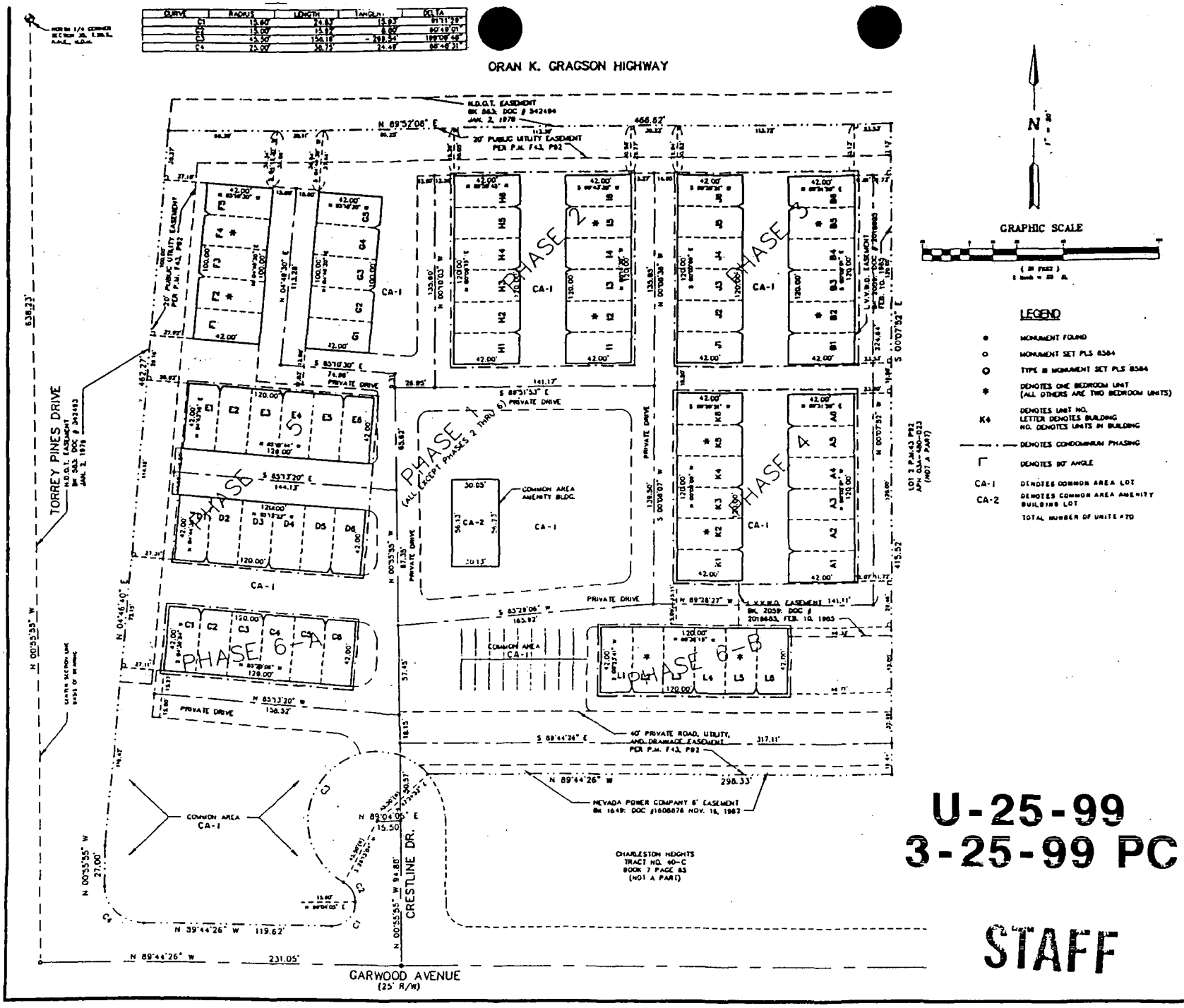
STAFF VICINITY MAP

ROY SMITH, Architect
Member American Institute of Architect
2490 CHANDLER AVE. SUITE #11
LAS VEGAS, NEVADA 89120

DAY-CARE CENTER
TORREY PINES DR. & GARWOOD AVE.
LAS VEGAS, NEVADA

A-1

CITY COUNCIL MEETING OF MAY 10, 1999



U-25-99
3-25-99 PC

STAFF

FINAL MAP OF
AZURE CREST CONDOMINIUMS
IN NW1/4NE1/4 SECTION 35, T.20S., R.60E., M.D.M.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
FOR KATTAN BROTHERS

GARY A. PRESSWOOD, P.E.
CONSULTING ENGINEER
8435 DARBY AVENUE
LAS VEGAS, NEVADA 89102
(702)252-8010

JOB NO. 82-1007

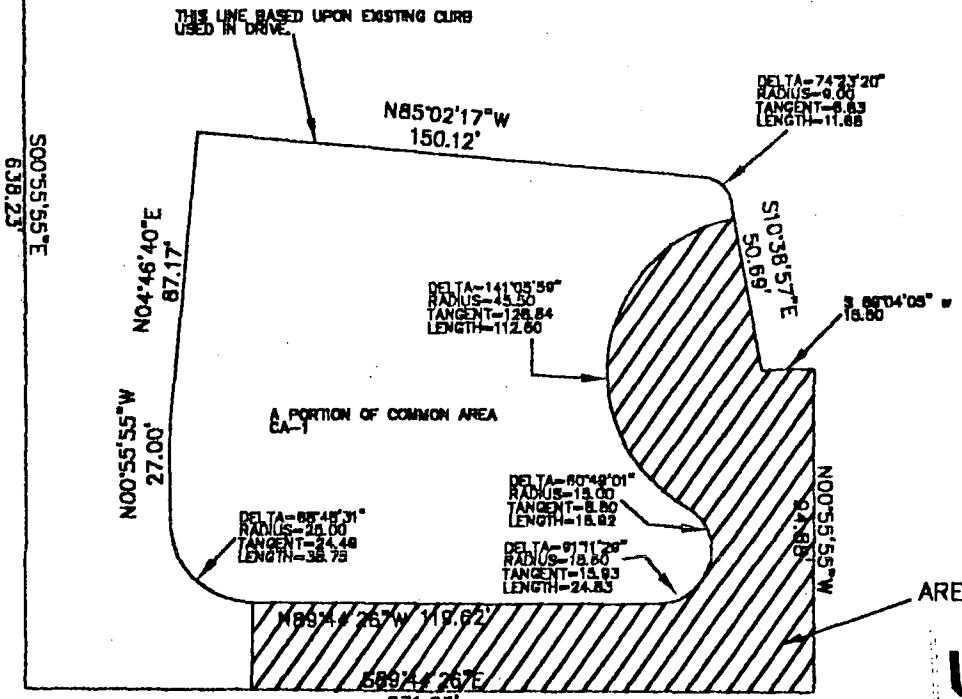
SHEET 2 OF 4

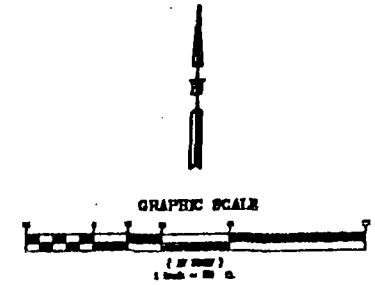
CITY COUNCIL MEETING OF MAY 10, 1999 Page 864

SITE PLAN

A PORTION OF AZURE CREST TOWNHOMES, RECORDED IN BOOK 54, PAGE 99, CLARK COUNTY RECORDERS, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA,

AREA
GROSS = 27,536.28 S.F.
NET= 18,737.92 S.F.





AREA USED FOR GROSS

STAFF

U-25-99

3-25-99 PC

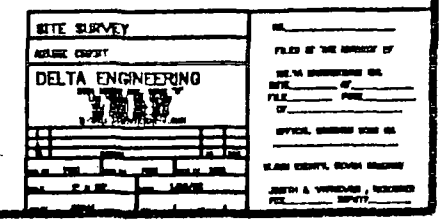
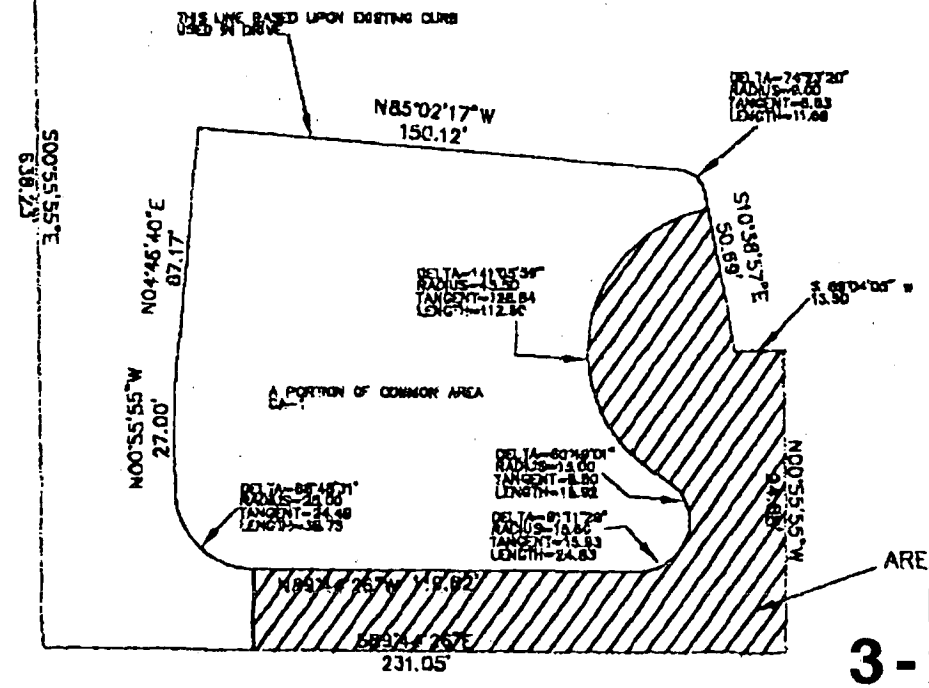


EXHIBIT A
Page 2

SITE PLAN

A PORTION OF AZURE CREST TOWNHOMES, RECORDED IN BOOK 54, PAGE 99, CLARK COUNTY RECORDERS, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA,

AREA
GROSS = 27,536.28 S.F.
NET= 18,737.92 S.F.



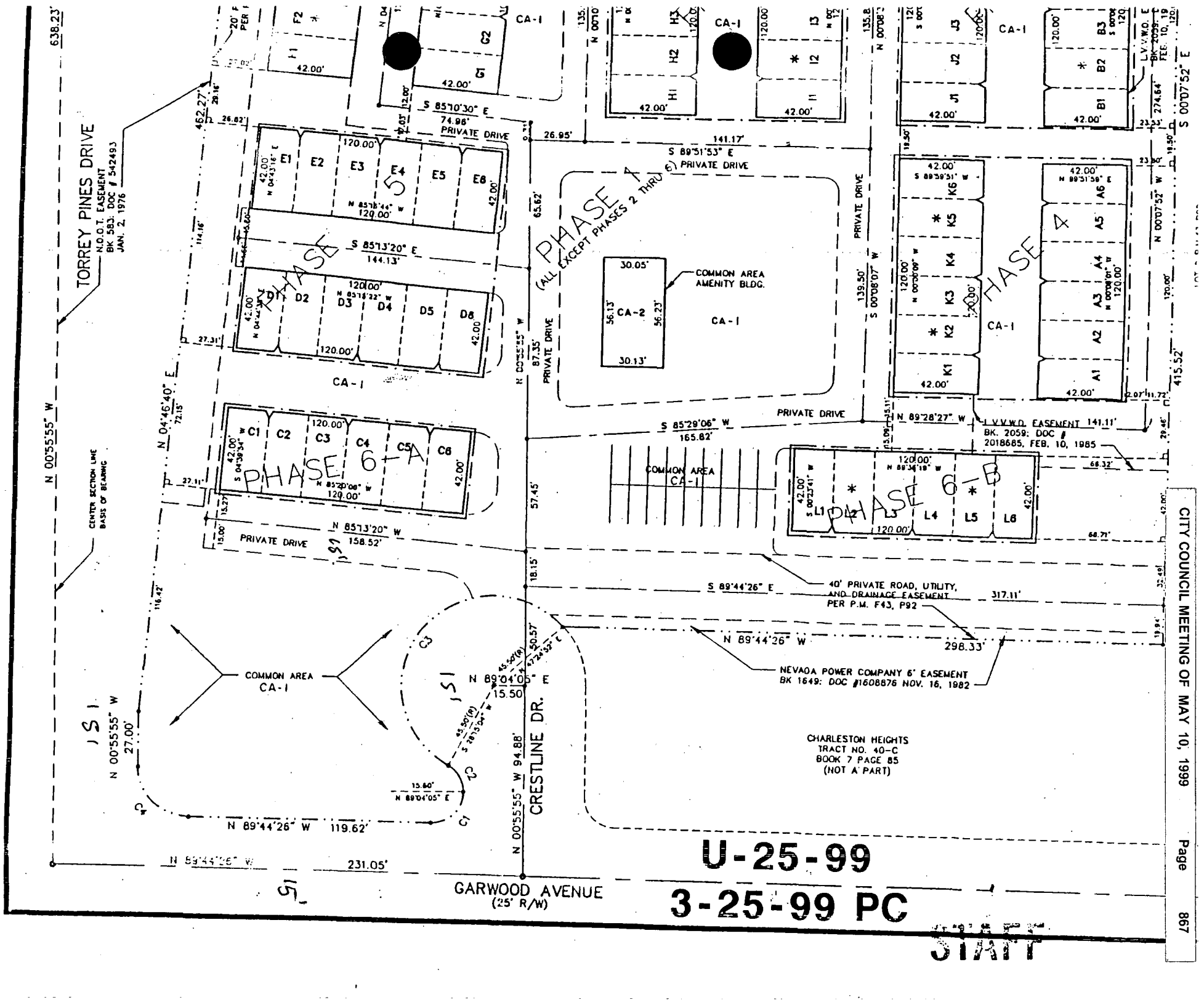
STAFF

AREA USED FOR GROSS

U-25-99
3-25-99 PC

GRAPHIC SCALE

DELTA ENGINEERING


TORREY PINES DRIVE
N.D.O.T. EASEMENT BK 583: DOC # 542493 JAN. 2, 1976
PRIVATE DRIVE
PHASE 5
PHASE 6-A
PHASE 6-B
PHASE 4
PHASE 1 (ALL EXCEPT PHASES 2 THRU 6)
COMMON AREA AMENITY BLDG.
CA-1
CA-2
COMMON AREA
CRESTLINE DR.
GARWOOD AVENUE (25' R/W)
40' PRIVATE ROAD, UTILITY, AND DRAINAGE EASEMENT PER P.M. F43, P92
NEVADA POWER COMPANY 6' EASEMENT BK 1649: DOC #1608876 NOV. 16, 1982
V.V.W.D. EASEMENT 141.11' BK. 2059: DOC # 2018685, FEB. 10, 1985
CHARLESTON HEIGHTS TRACT NO. 40-C BOOK 7 PAGE 85 (NOT A PART)
U-25-99
3-25-99 PC
START

138-35-5

assessment use only and does NOT represent a survey.
sumed for the accuracy of the data delineated herein.

acts and other non-assessed parcels may be obtained
rrument Listing in the Assessor's Office.

ined from official records, including surveys and deeds,
the information required for assessment. See file
rs for more detailed legal information.

MAP LEGEND

AVERAGE GIS VALUE N/A

ASSESSOR'S PARCELS – CLARK CO., NV.
Mark W. Schofield, Assessor

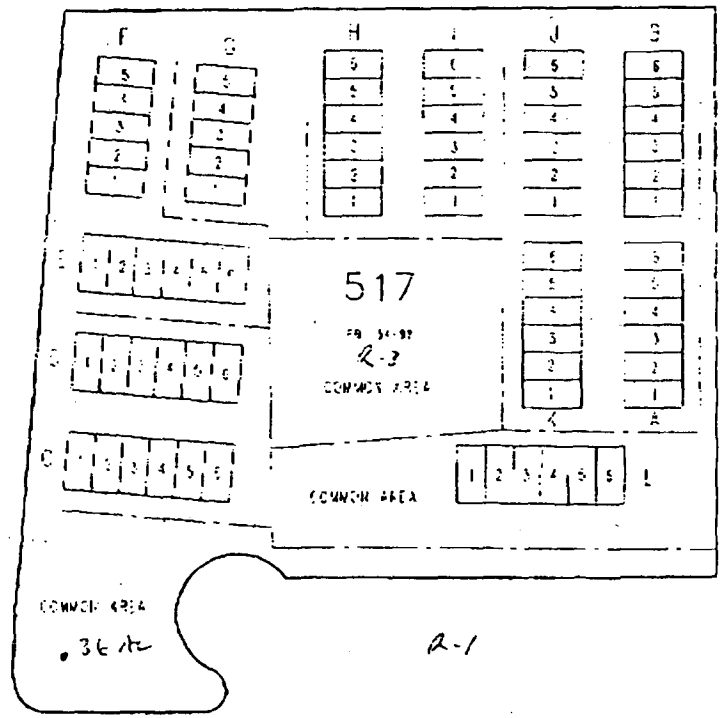
	PARCEL BOUNDARY	001	PARCEL NUMBER
	SUBD BOUNDARY	1.00	ACREAGE
	ROAD EASEMENT	202	PARCEL SUB/SEQ NUMBER
	PM/LD BOUNDARY	PB 21-41	PLAT RECORDING NUMBER
	NON-PARCEL LOT LINE	5	BLOCK NUMBER
	MATCH LINE	5	LOT NUMBER
555	ROAD ID NUMBER	GLS	GOV. LOT NUMBER

T20S R60E | SEC 35 | N 2 NE 4 | 138-35-5

DETAIL A
PG 1 OF 2

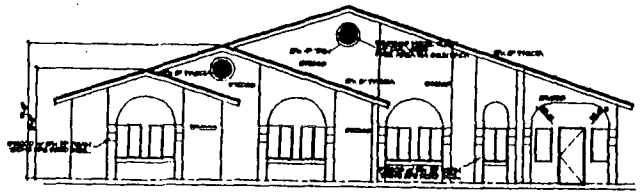
Scale: 1"=100' | Rev: 02/05/93

138-35-517 PB 54-99 AZURE CREST CONDOMINIUMS

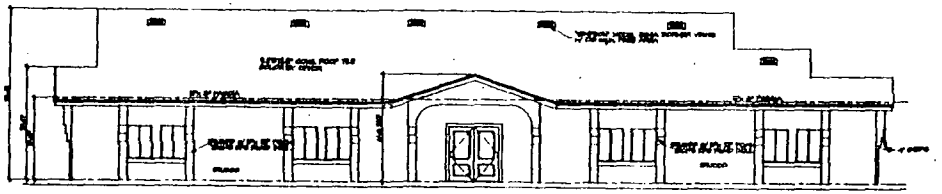


STAFF

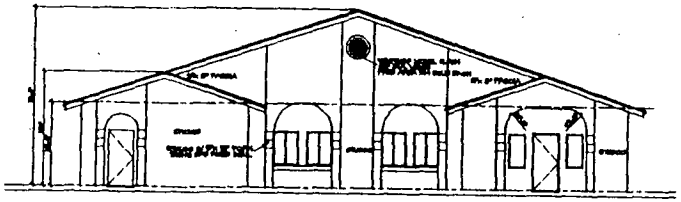
U-25-99
3-25-99 PC



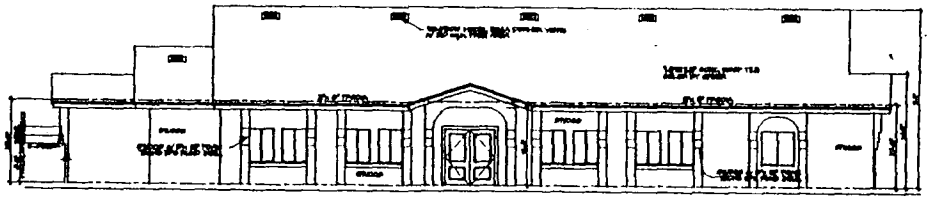
B EAST ELEVATION



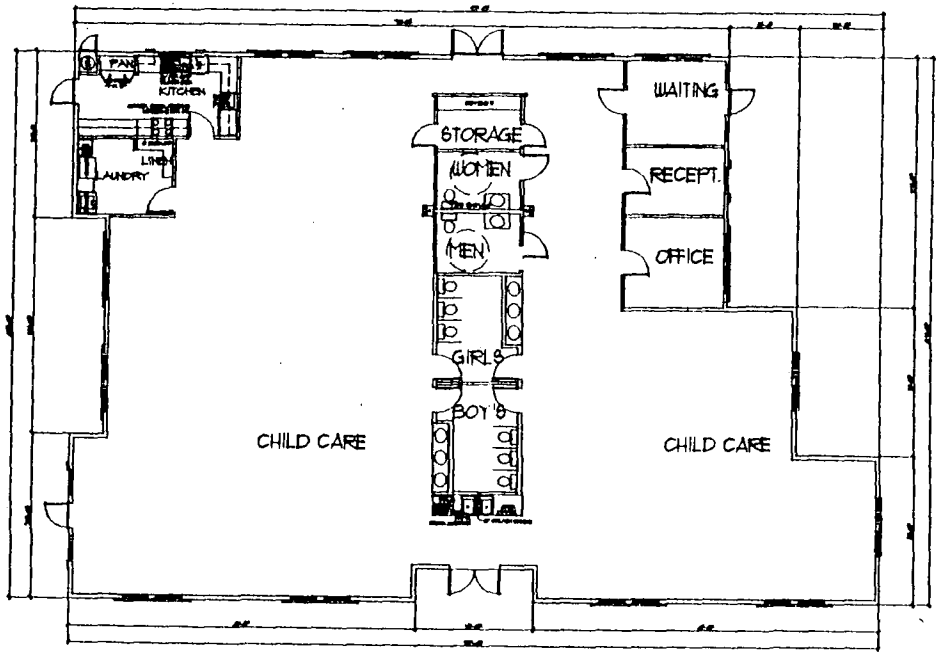
A SOUTH ELEVATION



D WEST ELEVATION



C NORTH ELEVATION



F FLOOR PLAN

U-25-99
3-25-99 PC

STAFF

REVISIONS

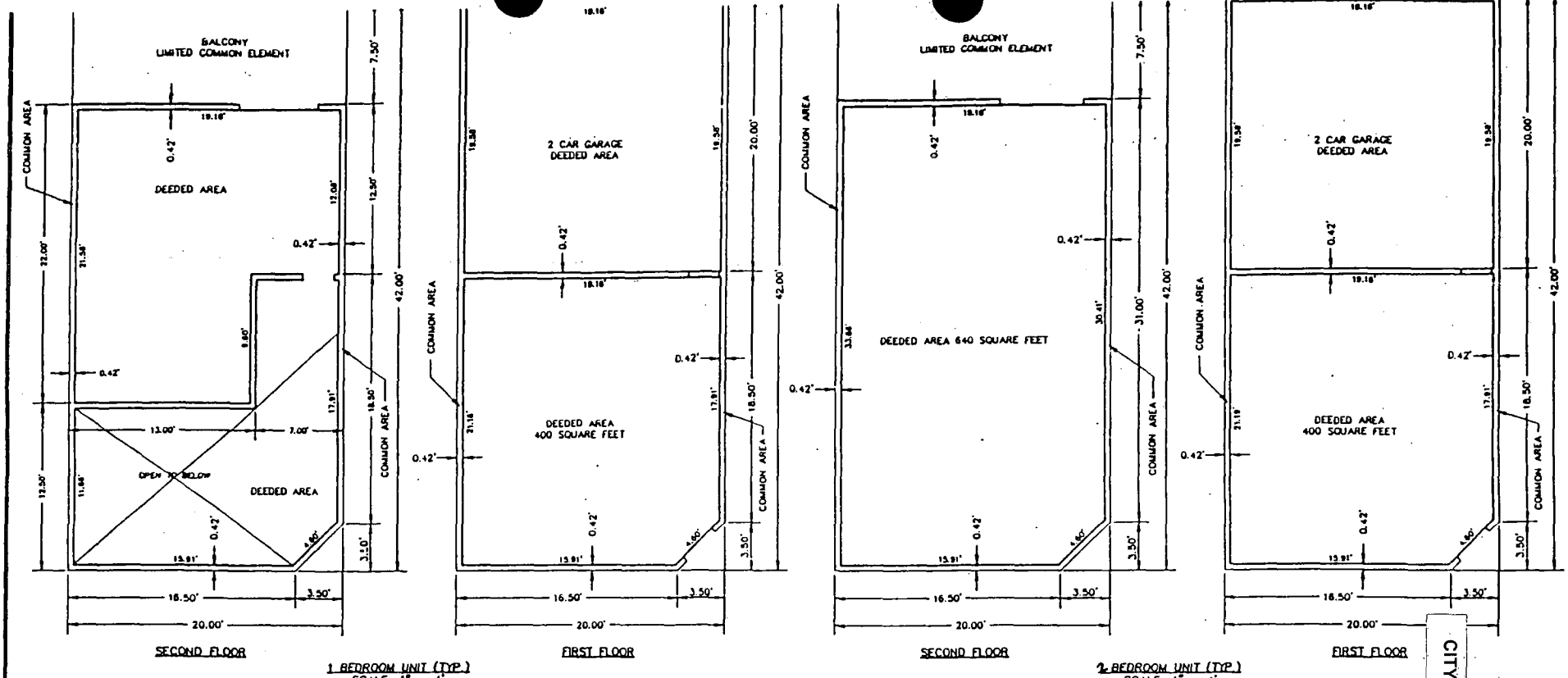
ROY SMITH, Architect
Member American Institute of Architect
2450 CHANDLER AVE. SUITE #11
LAS VEGAS, NEVADA 89120
Phone (702) 798-8668 Fax (702) 798-6773

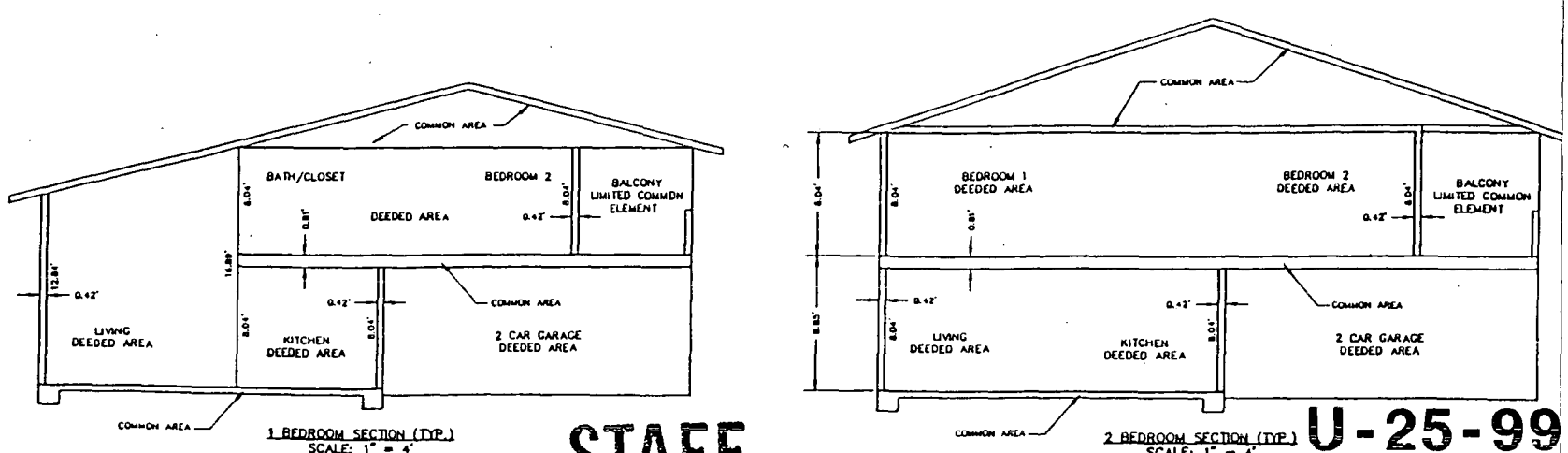
DAY-CARE CENTER
TORREY PINES DR. & GARWOOD AVE.
LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

A-2

CITY COUNCIL MEETING OF MAY 10, 1999





STAFF

U-25-99

BUILDINGS B-I-K-L 1 AND 2 BEDROOM 6 UNITS PER BUILDING
F 1 AND 2 BEDROOMS, 5 UNITS PER BUILDING

3-25-99 PC

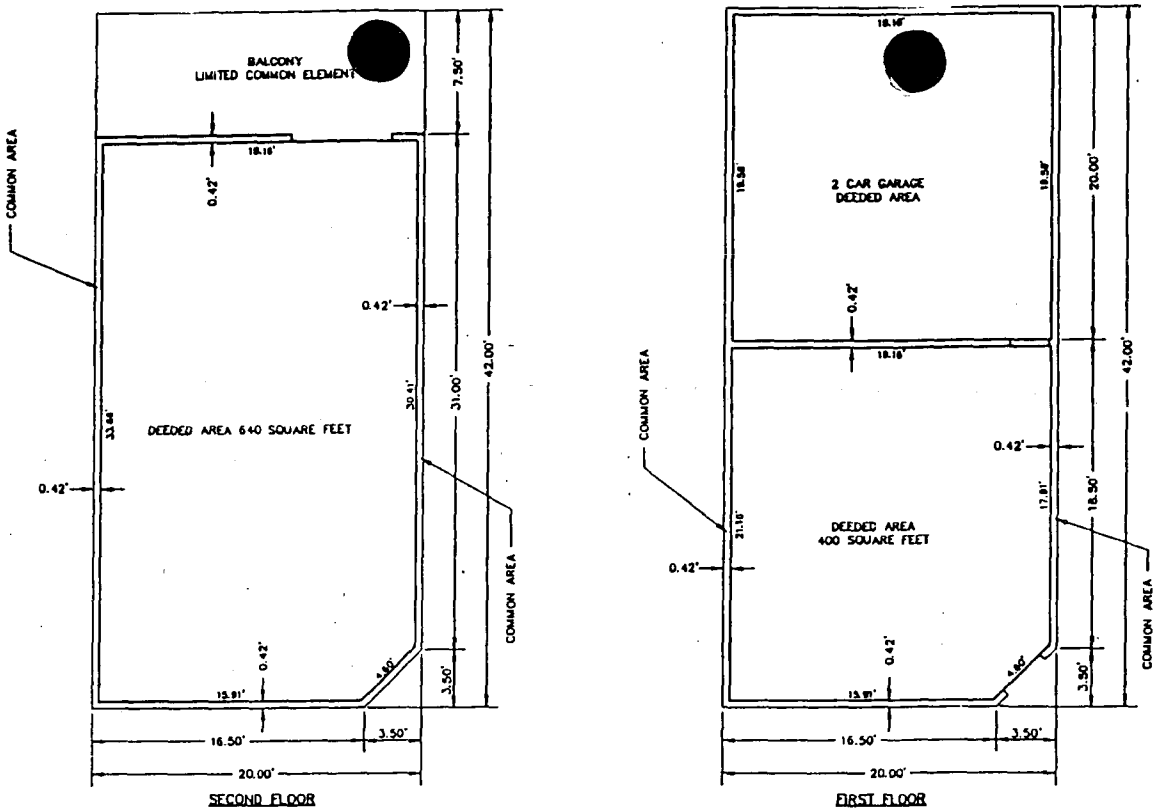
CITY COUNCIL MEETING OF MAY 10, 1999

Page 870

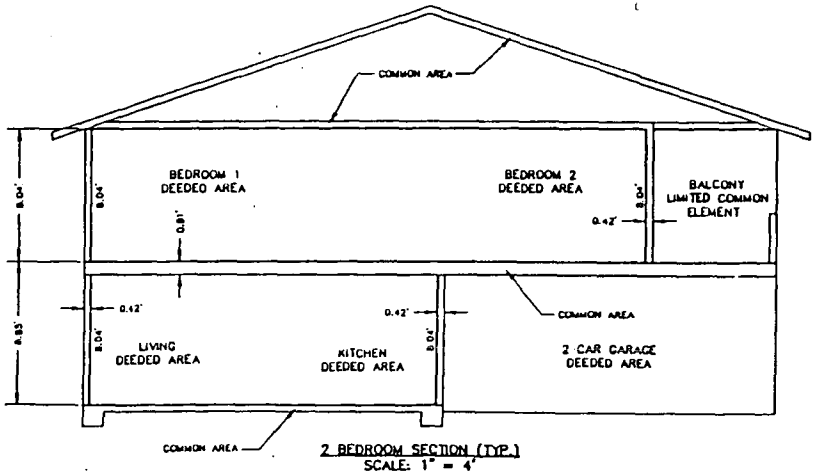
FINAL MAP OF
AZURE CREST CONDOMINIUMS
IN NW1/4NE1/4 SECTION 35, T.20S., R.60E., M.D.M.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
FOR KATTAN BROTHERS

SHEET OF

BOOK 54 PAGE 9



2 BEDROOM UNIT (TYP.)
SCALE: 1" = 4'



2 BEDROOM SECTION (TYP.)
SCALE: 1" = 4'

BUILDINGS A - C - D - E - H - J (2 BEDROOM, 6 UNITS PER BUILDING) / G (2 BEDROOMS, 5 UNITS PER BUILDING)

U-25-99
3-25-99 PC

STAFF

CITY COUNCIL MEETING OF MAY 10, 1999 Page 871

FINAL MAP OF
AZURE CREST CONDOMINIUMS
IN NW1/4NE1/4 SECTION 35, T.20S., R.60E., M.D.M.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
FOR KATTAN BROTHERS

JOB NO. 92-1007 | SHEET OF

BOOK 94 PAGE

CITY COUNCIL
MEETING OF
MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	REZONING - PUBLIC HEARING	
118	Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES Request for a Rezoning on property located east of Durango Drive, approximately 660 feet south of Grand Teton Drive, From: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], To: R-PD4 (Residential Planned Development - 4 Units Per Acre), FOR A 187 LOT SINGLE FAMILY SUBDIVISION, Size: 41.86 Acres, Ward 4 (Brown), APNs: 125-16-102-001 and 002; 125-16-103-001 and 002. NOTICES MAILED: 59 BY PLANNING DEPT APPROVALS: 1 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 1 PROTESTS: 0 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 0 The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to: 1. Submittal and approval of a revised site plan by the Planning and Development Department that consolidates the four pocket parks, reduces the number of access drives to Jo Marcy Drive, and eliminates lots fronting Jo Marcy Drive. The plan shall be in compliance with Title 19A and the City of Las Vegas Urban Design Guidelines and Standards.	**BROWN - APPROVED subject to conditions and deleting Conditions #1 and #4 - UNANIMOUS** ****** MAYOR JONES declared the Public Hearing open. RUSSELL SKEWS, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with the conditions. ROBERT GENZER, Planning & Development, outlined several problems with the initial application. The original seven access points to Jo Marcy have been reduced to four and an access to Cimarron has been eliminated. The parks within the development have been reconfigured and access provided between each cluster of homes. Staff's initial request to eliminate the lots fronting onto Jo Marcy has been withdrawn after working with the applicant. The proposal approved for the north side of the street has no access and no lots fronting Jo Marcy. Staff found merit in the applicant's concern that the same condition on the south side of the street would create a 1,500 foot long tunnel effect. Staff concurred with the revised site plan and recommended approval subject to the deletion of Conditions #1 and #4. No one appeared in opposition. There was no further discussion. MAYOR JONES declared the Public Hearing closed. (4:45 - 4:49) **4 - 2160**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES 2. The Order of Vacation for Vacation Application VAC-20-98 must record prior to the recordation of any Final Maps on this site as required by the Department of Public Works. 3. Construct half-street improvements including appropriate overpaving where legally able on Tule Springs Road (aka old Durango Drive alignment), Jo Marcy Drive, and Cimarron Road adjacent to this site concurrent with development of this site 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. 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. 4. The proposed entry drive from Cimarron Road shall be either aligned with an existing or proposed street alignment to the east, or offset a minimum distance of 220 feet from such, as required by the Department of Public Works. Final intersection offset requirements will be addressed at the time of approval of the Tentative Map. 5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to final inspection of any units on the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site. 6. A Homeowner's Association shall be established to maintain all perimeter walls, landscaping, 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. 7. The City reserves the right to withhold building permit issuance for any and all lots within this rezoning site if adequate street improvements and/or adequate traffic capacity does not exist on the access corridors leading to this rezoning site. The City also reserves the right to withhold building permit issuance for any	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES and all lots within this Rezoning site if adequate intersection capacity does not exist at the Durango/US95 intersection. These rights shall be exercised based on the circumstances that exist at the time of the developer's request for the issuance of each building permit. 8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, 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. 9. The final layout of this subdivision shall be determined at the time of approval of the Tentative Map. 10. A Resolution of Intent with a one year time limit.	**APPROVED**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES 11. 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. 12. 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. 13. All City Code requirements and design standards of all City departments must be satisfied. 14. 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. 15. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.	**APPROVED**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to R-PD4 (Residential Planned Development - 4 Units Per Acre) on property located on the southeast corner of Jo Marcy Drive and Durango Drive for the purpose of developing a 187 lot single family residential subdivision on 41.86 acres. The applicant justified the request for the following reasons:

1. The request conforms to the General Plan and is compatible with the surrounding properties.

2. This proposal provides more open space than is required by the open space ordinance.

BACKGROUND DATA:

There have been no previous zoning actions on this site.

DETAILS OF APPLICATION REQUEST: *(Revised following Planning Commission hearing at staff's request)*

Site Area:	41.86	Acres
No. of Lots:	187	
Density:	4.47	Lots per Acre
Open Space Required:	3.09	Acres
Open Space Provided:	3.77	Acres

The site plan divides the subdivision into four distinct pods, each having its own access drives and open space areas. Forty-six lots front to Jo Marcy Drive. Lots range in size from a minimum of 5,250 square feet to a maximum of 7,600 square feet. The open space areas range in size from .86 to .99 net acres.

There is a ten foot wide landscape planter proposed along Durango Drive and a six foot wide landscape planter proposed along Cimarron Road.

The elevations depict one story structures with stucco exteriors and tile roofs.

Agenda Item

118

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to R-PD4	Unimproved
South:	ROI to R-PD4	Unimproved
East:	ROI to R-PD4	Unimproved
West:	ROI to R-CL	Single family Residential

FINDINGS:

GENERAL PLAN:

The Northwest Amendment to the General Plan has designated the subject property as PCD (Planned Community Development, this designation allows densities ranging from two to eight dwelling units per acre. This proposal conforms to that land use designation and is compatible with the existing land uses in the area and those proposed by the General Plan.

REZONING:

The applicant has requested a Rezoning from U (Undeveloped) to R-PD4 (Residential Planned Development - 4 Units per Acre). This request is consistent and compatible with the surrounding area. The property to the north and east is zoned R-PD4, with a density of 4.09 dwelling units per acre. The parcel south of the subject site is also zoned R-PD4, with a density of 4.06 dwelling units per acre. The property to the west is zoned R-CL (Single Family Compact Lot), with a density of 5.77 dwelling units per acre.

PLOT PLAN:

The initial application met the minimum requirements of the PCD (Planned Community Development) land use district regarding curvilinear streets and open space, however staff had concerns about the proposed subdivision layout and asked that the Planning Commission impose a condition requiring a re-design.

Following the meeting staff met with the applicant's representative to discuss our concerns and the applicant subsequently submitted a revised layout which reduces the number of street connections to Jo Marcy Drive and provides for pedestrian connections between the pods that are directly tied to the open space areas.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-17-99 - ROBERT COHEN ON BEHALF OF AMSTAR HOMES

PURPOSE/BACKGROUND

Staff initially suggested that the lots fronting to Jo Marcy Drive be internalized to increase the sense of community that should be associated with this R-PD application, however, after discussing this issue with the applicant's representative we have agreed that internalizing these lots would cause the Jo Marcy corridor to be walled on both sides of the street creating a tunnel affect, therefore we no longer object to the lots fronting to Jo Marcy.

The Planning Commission (4-0 vote) and staff recommend APPROVAL.

[Note: Based on the submitted redesign of the site layout condition no. 1 as recommended by the Planning Commission should be deleted. In addition, one or more Public Works conditions may have to be modified.]

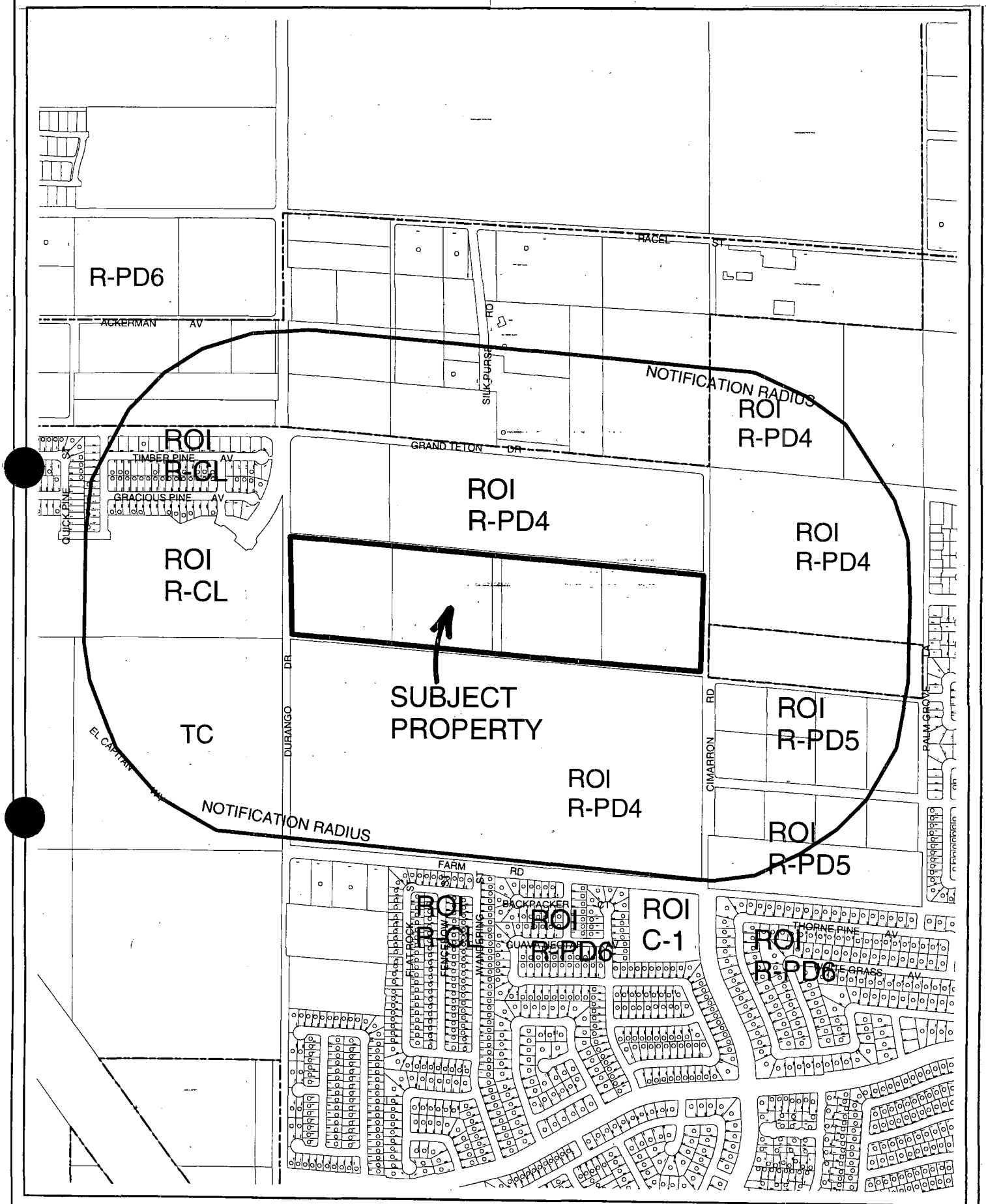
PC NOTICES MAILED: 59

APPROVALS: 1

PROTESTS: 0

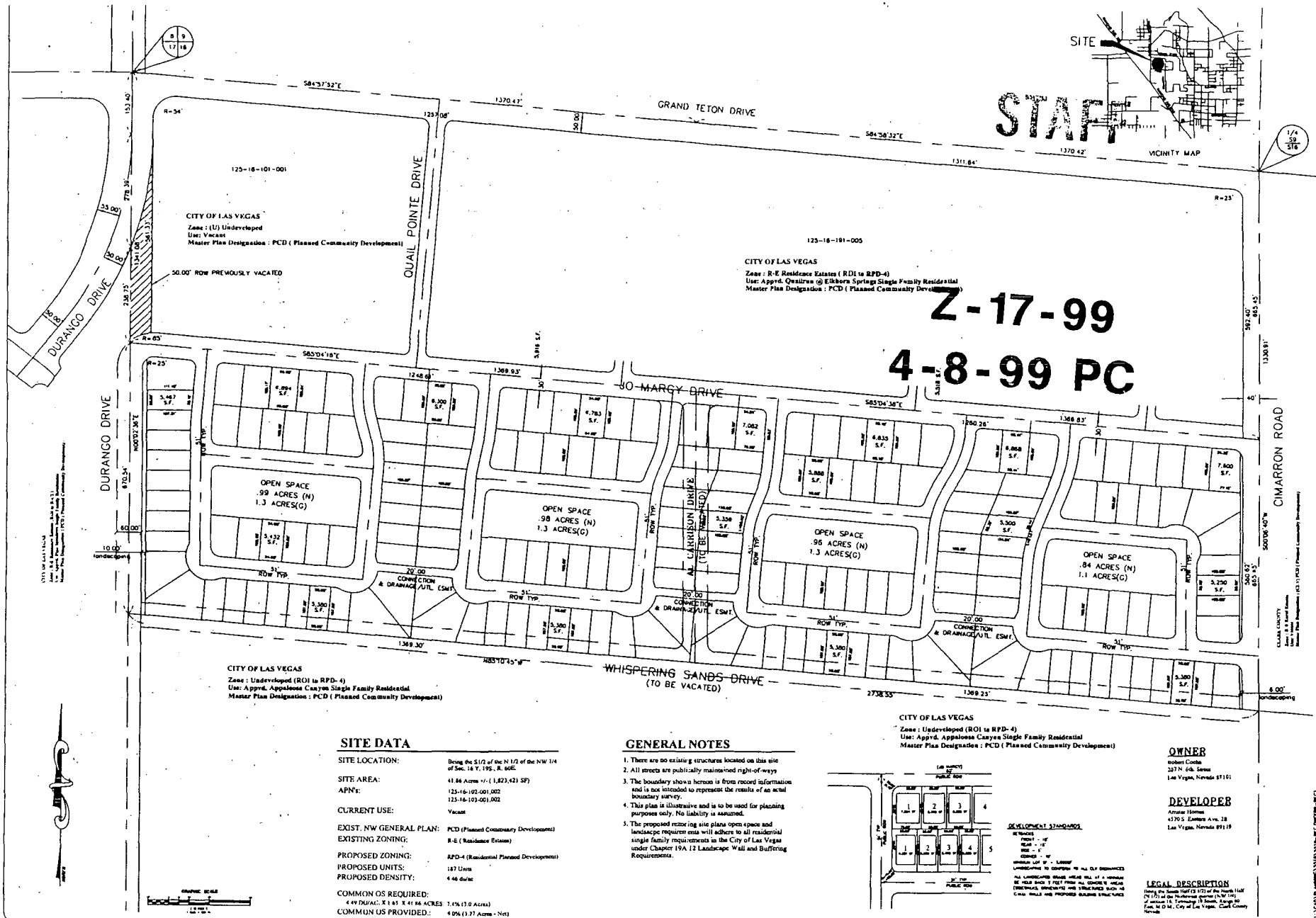
SEE ATTACHED LOCATION MAP

Agenda Item



CASE: Z-17-99
RADIUS: 1350 FT

N



SITE DATA

SITE LOCATION:	Being the S1/2 of the N 1/2 of the NW 1/4 of Sec. 16 T. 19S., R. 60E.
SITE AREA:	41.86 Acres +/- (1,823,42) SF)
APN's:	125-16-102-001,002 125-16-103-001,002
CURRENT USE:	Vacant
EXIST. NW GENERAL PLAN:	PCD (Planned Community Development)
EXISTING ZONING:	R-E (Residence Estates)
PROPOSED ZONING:	RPD-4 (Residential Planned Development)
PROPOSED UNITS:	187 Units
PROPOSED DENSITY:	4.46 du/ac
COMMON OS REQUIRED: 4.49 DU/AC X 1.65 X 41.86 ACRES	7.4% (3.0 Acres)
COMMUN US PROVIDED.:	4.0% (1.37 Acres - Net) 11.9% (5.0 Acres - Gross)

GENERAL NOTES

1. There are no existing structures located on this site
2. All streets are publically maintained right-of-ways
3. The boundary shown hereon is from record information and is not intended to represent the results of an actual boundary survey.
4. This plan is illustrative and is to be used for planning purposes only. No liability is assumed.
5. The proposed rezoning site plans open space and landscape requirements will adhere to all residential single family requirements in the City of Las Vegas under Chapter 19A.12 Landscape Wall and Buffering Requirements.

DEVELOPMENT STANDARDS

SETBACKS
FRONT - 10'
REAR - 15'
SIDE - 5'
CORNER - 10'
MINIMUM LOT SF - 5,000SF
LANDSCAPING TO CONFORM TO ALL CLV ORDINANCES

ALL LANDSCAPED AREAS ABOVE WILL BE A MINIMUM OF FOUR INCH 3 FEET FROM ALL SCHOOL'S AREAS (BIKE TRACKS, SIDEWALKS) AND 5 FEET FROM SUCH AS CMU WALLS AND PROPOSED BUILDING STRUCTURES

OWNER
Robert Cooke
207 N. 6th. Street
Las Vegas, Nevada 89101

DEVELOPER
Amstar Homes
4570 S. Eastern Ave. 28
Las Vegas, Nevada 89119

LEGAL DESCRIPTION
Being the South Half (S 1/2) of the North Half (N 1/2) of the Northwest quarter (NW 1/4) of section 16, Township 19 South, Range 60 East, M.D.M., City of Las Vegas, Clark County Nevada

AMSTAR HOMES
CITY OF LAS VEGAS

vtn nevada
CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS
2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89102-5148 PHONE (702) 873-7500 FAX (702) 362-2527

SITE PLAN
TO ACCOMPANY ZONE CHANGE

PROJECT
TULE SPRINGS / WHISPERING SANDS

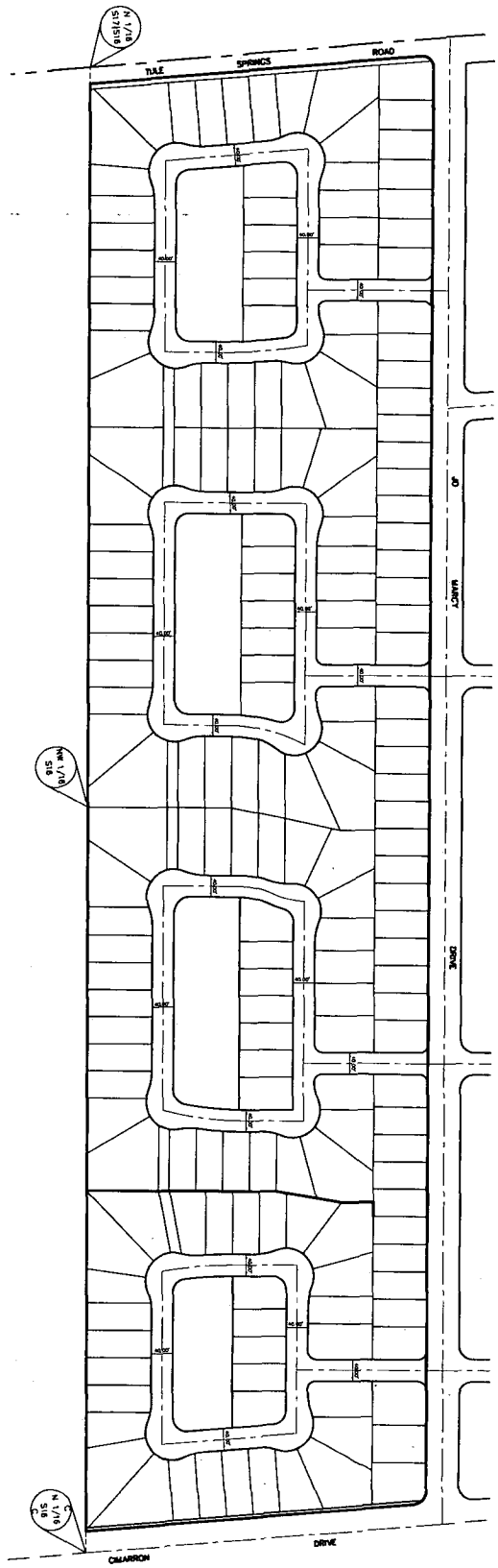
SEAL

WO NO. 5518
BY RJS
DATE FEB. 1999
SCALE HORIZ. 1"=100'
VERT.
SHEET 1 OF 1 SHEETS

L:\CAD\PLANNING\5518\5518-REC-ENGR-REC)

CITY COUNCIL MEETING OF MAY 10, 1999

98-11-Z



APPROVAL

BOUNDARY LINE
STREET CENTERLINE
BUILDING SETBACK LINE
BUILDING LINE
COVERED PARKING
FUTURE DAMAGE LINE
WALL

APPROVAL

CLIENT - DATE
PROJECT MANAGER - DATE
PLANNER - DATE

H:\CAD\LANDEV\5518\5518CALC2.dwg (BR-SC)

SHEET 1 OF 1 SHEETS
SCALE HORIZ. 1" = 100' VERT. N/A
DATE 2/99
BY TJ
W.O. NO. 5518

TITLE: SITE CALC

PROJECT: PARKSIDE ESTATES

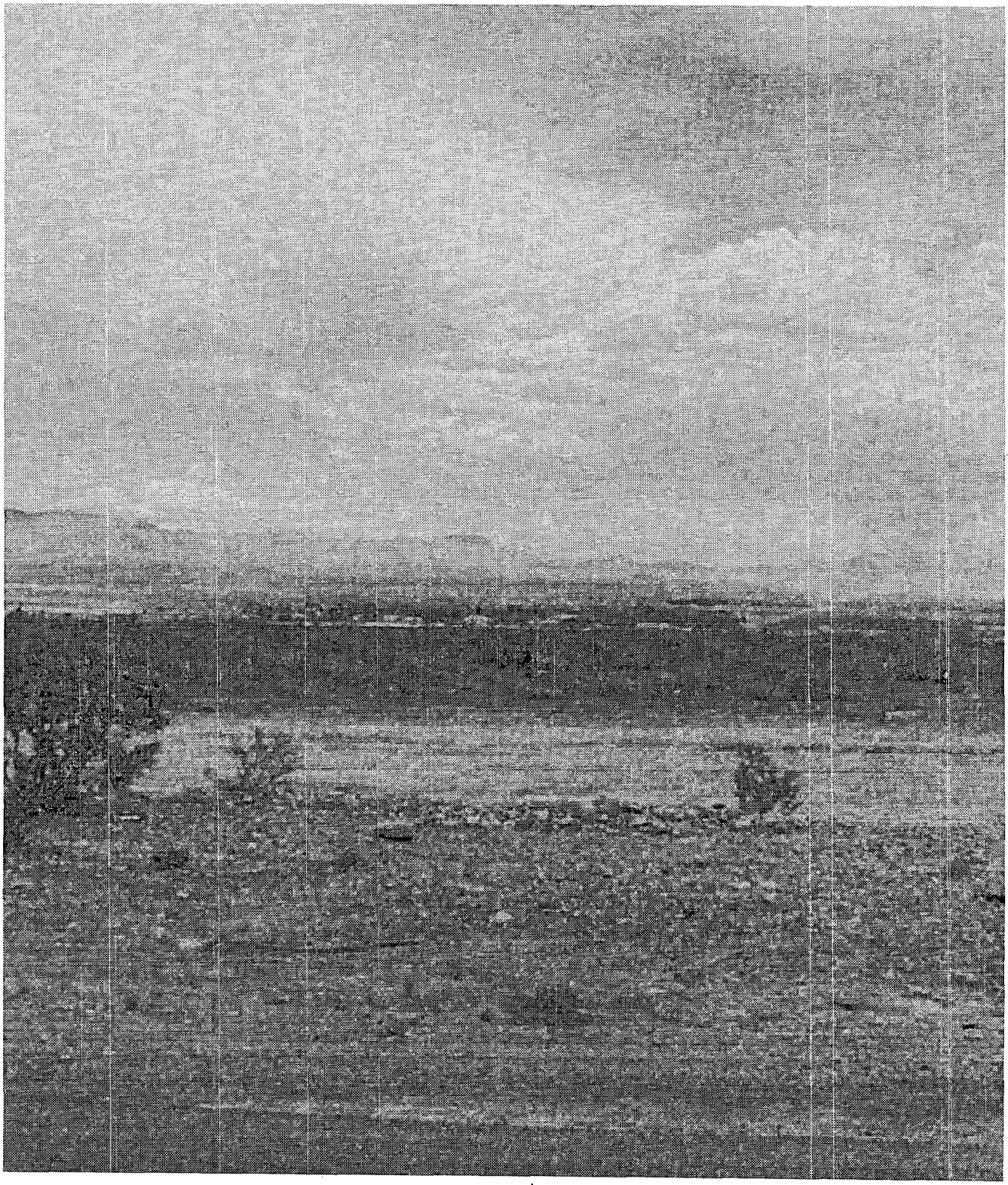
AMSTAR HOMES

CITY OF LAS VEGAS

REV.	DATE	BY	REVISION
1			
2			
3			
4			

VTN nevada

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS
2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89102-5148 PHONE (702) 873-7550 FAX (702) 362-2597



Z-17-99

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	REZONING - PUBLIC HEARING	
119	Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION Request for a Rezoning on property located at 1238 Las Vegas Boulevard South and on the southeast corner of Las Vegas Boulevard South and Park Paseo, From: C-1 (Limited Commercial) and C-2 (General Commercial) Zones, To: C-2 (General Commercial) Zone, PROPOSED USE: A TOURIST ORIENTED DEVELOPMENT, Size: 7.96 Acres, Ward 1 (McDonald) and Ward 3 (Reese), APNs: 162-03-112-012 and 022 through 030 and 033. NOTICES MAILED: 209 BY PLANNING DEPT APPROVALS: 2 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 2 PROTESTS: 18 AFTER PC MEETING _____ Letters _____ Petitions TOTAL 18 Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to: 1. This action does not constitute approval of a site development plan. A revised site development plan shall be heard by the Planning Commission and the City Council at a public hearing.	**McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice of Item 110 [U-33-99], Item 113 [Z-6-99], Item 114 [U-10-99], and Item 115 [U-11-99] and to HOLD IN ABEYANCE Item 95 [Z-105-93(5)] to 5/24/99 and Item 119 [Z-19-99] to 5/24/99 as the first Planning & Development PM agenda discussion item - UNANIMOUS** ****** MAYOR JONES announced that despite a request for abeyance by the applicant of Item 119 [Z-19-99], COUNCILMAN REESE was agreeable taking comment from those neighbors present as well as taking additional comment at the 5/24/99 meeting. MAYOR JONES added that Item 119 would be brought forward for speakers rather than waiting for the item to be called in order, given that request for abeyance. (2:24 - 2:28) **3- 290** MAYOR JONES brought this item forward after Item 94, announcing that there would not be any action taken since it was being held in abeyance to 5/24/99. She then declared the Public Hearing open. APPEARANCES: JOAN GORDON, 1331 South 5th Place JIM MILLS, 1108 South 6th Street BOB BELLUS, President, John S. Park Neighborhood Association CAMERON E. LEAVITT, 1220 South 7th Street JACK PURSEL, 1312 South 7th Street MAYOR JONES declared the Public Hearing closed. NOTE: A Verbatim Transcript of the speakers for Item 119 [Z-19-99] is made a part of the Final Minutes under Item 119 [Z-19-99]. (2:28 - 2:35) (2:28 - 2:35) **3 - 290**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION 2. Dedicate 10 feet of additional right-of-way (where such does not exist) for a total half-street right-of-way width of 50 feet adjacent to this site for Las Vegas Boulevard South prior to the issuance of any permits as required by the Department of Public Works. Also, revise the site plan to show the previously dedicated portions of Las Vegas Boulevard adjacent to this site. 3. 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. 4. Meet with the Traffic Engineering Representative in Land Development 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. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. 5. A detailed Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall specifically address measures to mitigate the impact of introducing additional vehicular and pedestrian traffic onto Las Vegas Boulevard South, and shall make specific recommendations for such mitigation and	**ABEYANCE to 5/24/99**

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION this site's participation therein. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site. 6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works. Also, obtain an aerial easement for those portions of the boat and the overhead access bridge which encroach above and across the Las Vegas Boulevard public right-of-way. 7. Landscape and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site as required by the Department of Public Works.	**ABEYANCE to 5/24/99**

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION 8. 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, whichever may occur first, 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. 9. A Resolution of Intent. 10. All City Code requirements and design standards of all City departments must be satisfied. 11. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. 12. 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.	**ABEYANCE to 5/24/99**

ITEM	ACTION
PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION 13. 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. 14. 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.	**ABEYANCE to 5/24/99**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request for a Rezoning from C-1 (Limited Commercial) and C-2 (General Commercial) to C-2 (General Commercial) for a proposed tourist oriented development on a 6.02 acre parcel located on the southeast corner of Las Vegas Boulevard and Park Paseo and a parking garage on a 1.58 acre parcel located on the west side of Las Vegas Boulevard, approximately 847 feet south of Charleston Boulevard.

BACKGROUND DATA:

The portions of this site along Las Vegas Boulevard have been zoned C-2 (General Commercial) since the early 1950's. The portions adjacent to the single family homes to the east were rezoned to C-1 (Limited Commercial) in a series of applications from 1963 to 1972.

DETAILS OF APPLICATION REQUEST:

The applicant indicates this property will be developed as a tourist oriented project. The existing Thunderbird Hotel and other assorted commercial buildings on these sites will be demolished. The applicant has submitted conceptual development plans depicting a tourist oriented development in the shape of a boat with adjacent accessory structures. A preliminary traffic study has been submitted based on a resort use. The main structure is shown at the southeast corner of Las Vegas Boulevard and Park Paseo and it is accessed by a circular driveway to Las Vegas Boulevard. A parking garage is shown on the west side of Las Vegas Boulevard, connected to the main structure by an overhead bridge. The submitted elevations indicate the boat will be 280 feet high to the top of the stacks, with the main structure being 140 feet in height and containing 15 floor/decks. The current application makes no reference to any proposed gaming within the structure. Floor plans have been submitted for the main deck, levels 1 through 10, and for the promenade deck levels 1 through 5. However, the floor plans contain limited detail.

EXISTING ZONING:

Subject Property:	C-2 (General Commercial) and C-1 (Limited Commercial)
North	C-2
South	C-2 and R-1 (Single Family Residential)
East	R-1
West	C-2

Agenda Item

119

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

PURPOSE/BACKGROUND

EXISTING LAND USE:

Subject Property:	Hotel
North	Retail Shops
South	Motel and Single Family Dwellings
East	Single Family Dwellings
West	Retail Shops

PLANNED LAND USE:

Subject Property:	Tourist Commercial
North	Tourist Commercial
South	Tourist Commercial and Low Density Residential
East	Low Density Residential
West	Tourist Commercial

FINDINGS:

GENERAL PLAN:

The City of Las Vegas Downtown Development Plan designates this site for Tourist Commercial land uses. The proposed Rezoning to C-2 (General Commercial) is in conformance with that designation.

REZONING:

The proposed Rezoning to C-2 (General Commercial) is in conformance with the existing and proposed development in the vicinity of this request and will allow this property to be developed in a manner that is compatible with the tourist-oriented development along Las Vegas Boulevard. Uses permitted as a matter of right in the C-2 (General Commercial) zone include a hotel, new car dealership, hospital, mortuary, post office, mortuary, special care facility, outdoor recreation facility, wedding chapel, commercial cleaners, or a full service car wash.

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING - PUBLIC HEARING - Z-19-99 - THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

PURPOSE/BACKGROUND

SITE PLAN:

Because the site plans and elevations submitted as part of this request are conceptual in nature, staff is recommending that a Site Development Plan Review of this site be required prior to any construction on this site.

COMMUNITY GROWTH FACTORS:

The proposed tourist oriented development can be compatible with existing surrounding land uses, and with the Tourist Commercial land uses designated for this site by the City of Las Vegas Downtown Development Plan. As evidenced by the recent development of the Stratosphere, Aztec Inn and Holy Cow properties in the vicinity of this request, staff finds this application to be compatible with the existing tourist-oriented businesses located along this portion of Las Vegas Boulevard.

Staff recommends APPROVAL.

The Planning Commission (5-0 vote) recommends DENIAL.

[Note: The Planning Commission expressed concerns about the compatibility of this use with the adjacent single family neighborhood. The Commission suggested that the applicant look at the possibility of flipping the proposal by locating the boat on the west side of Las Vegas Boulevard and the garage on the east side of the street.

PC NOTICES MAILED: 209

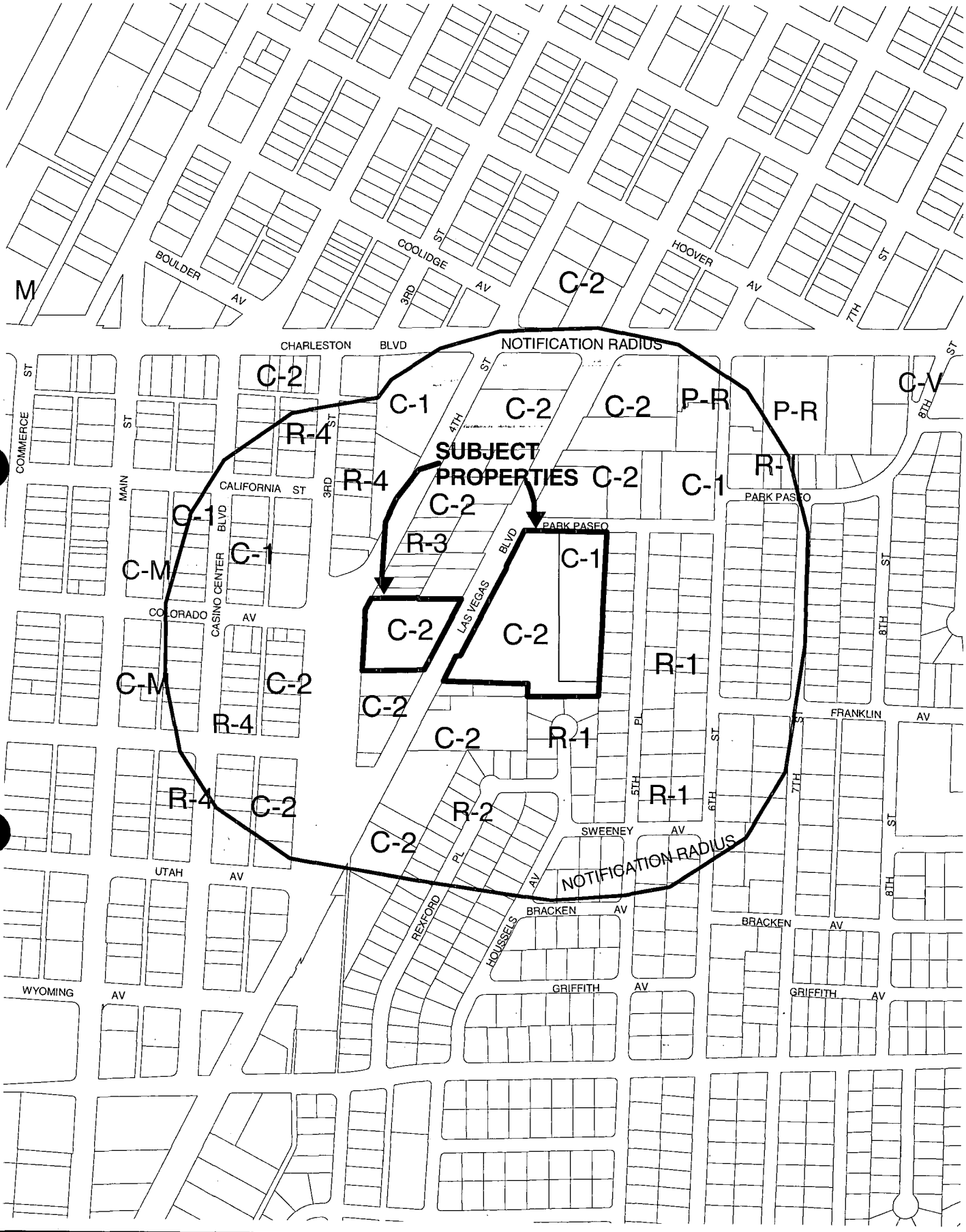
APPROVALS: 2

PROTESTS: 18

[Note: The protesters stressed the need for neighborhood preservation and the lack of compatibility of a 280 foot structure adjacent to single family homes. They were also concerned about the traffic a use of this nature would generate and the negative effect. such traffic could have on the neighborhood.

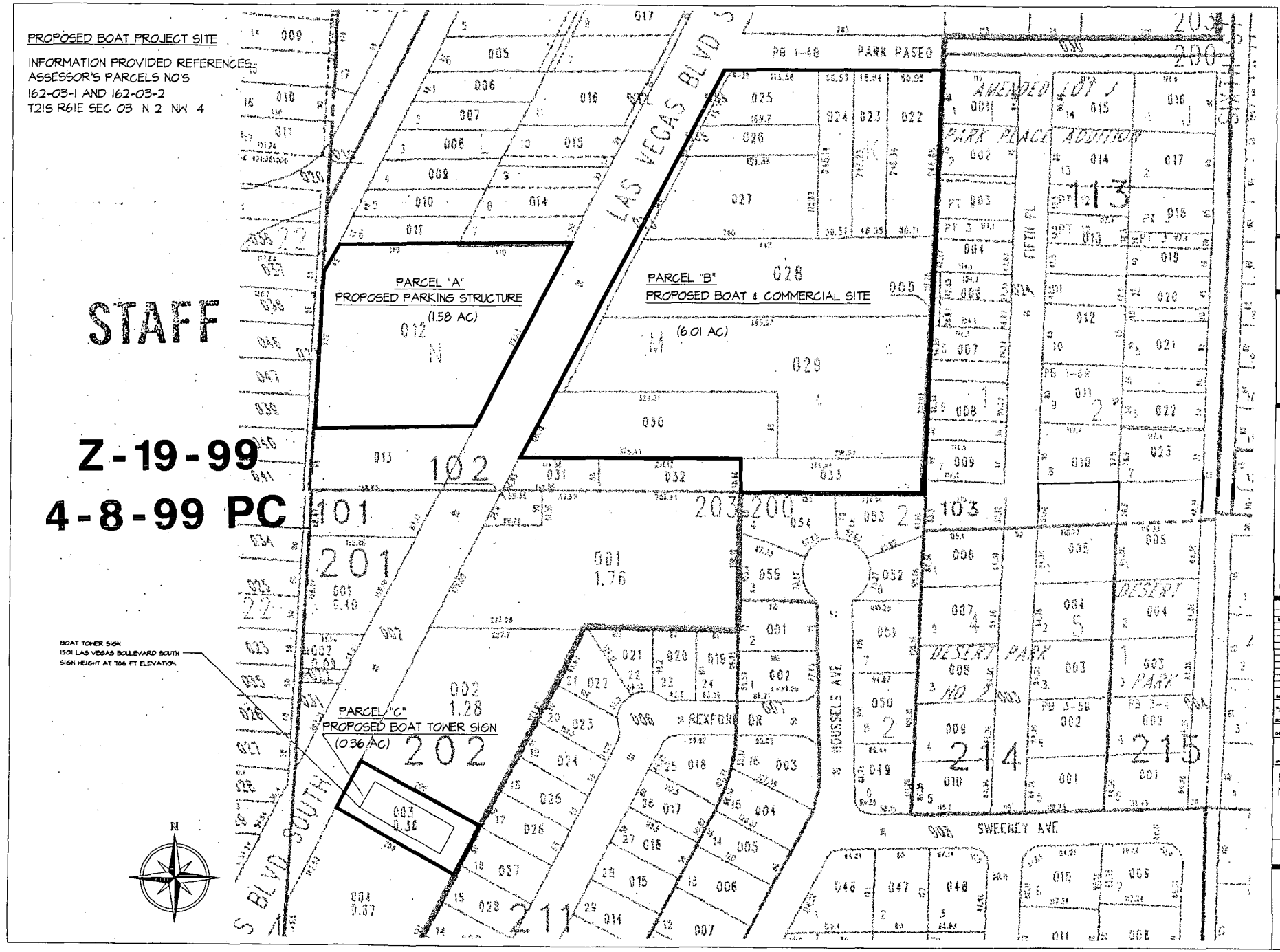
SEE ATTACHED LOCATION MAP

Agenda Item



CASE: **Z-19-99**
RADIUS: 750 FT

N



Studio West Inc.
architecture & design
RACHEL C. O'NEILL, A.I.A.
3281 S. HIGHLAND DRIVE STE 804
LAS VEGAS NEVADA 89109
TEL (702) 369-1991 FAX (702) 369-1979

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THE DAWES CORPORATION
SCOTT B. DAWES, PRESIDENT

THE BOCA
LAS VEGAS

REVISION:

NO.	DATE	ISSUE

DATE 5-5-99
SCALE AS NOTED
DRAWN BY
CHECKED BY
APPROVED BY OWNER

PROPOSED LOCATION MAP

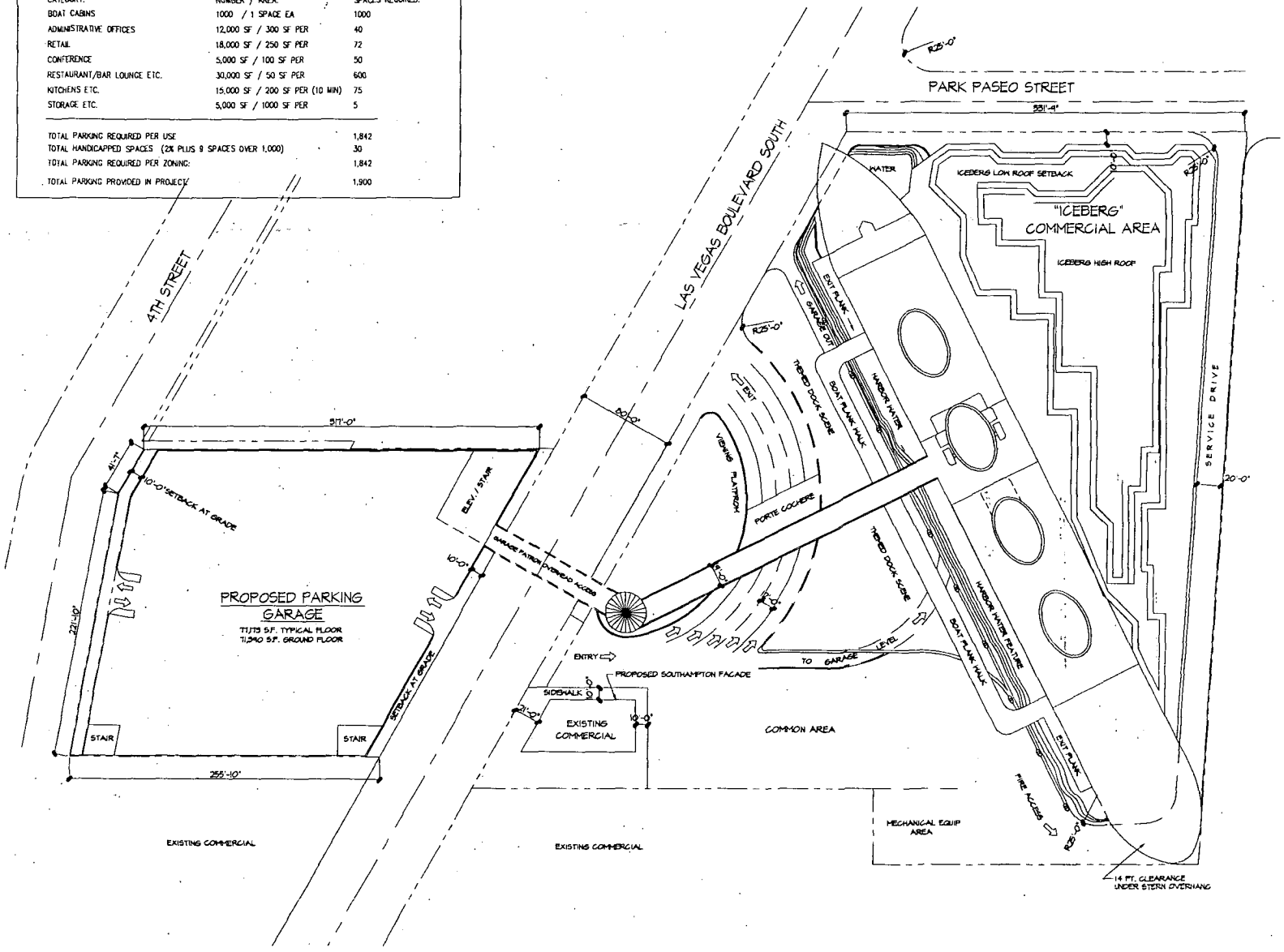
"THE BOAT"

ISSUE
5-4-99

SHEET NUMBER
A-1

PARKING ANALYSIS

CATEGORY:	NUMBER / AREA:	SPACES REQUIRED:
BOAT CABINS	1000 / 1 SPACE EA	1000
ADMINISTRATIVE OFFICES	12,000 SF / 300 SF PER	40
RETAIL	18,000 SF / 250 SF PER	72
CONFERENCE	5,000 SF / 100 SF PER	50
RESTAURANT/BAR LOUNGE ETC.	30,000 SF / 50 SF PER	600
KITCHENS ETC.	15,000 SF / 200 SF PER (10 MIN)	75
STORAGE ETC.	5,000 SF / 1000 SF PER	5
TOTAL PARKING REQUIRED PER USE		1,842
TOTAL HANDICAPPED SPACES (2% PLUS 9 SPACES OVER 1,000)		30
TOTAL PARKING REQUIRED PER ZONING:		1,842
TOTAL PARKING PROVIDED IN PROJECT:		1,900



1 / A-2 PARTIAL_SITE_PLAN
SCALE: 1" = 40'

STAFF

Z-19-99

4-8-99 PC

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SCOTT S. DAWES, PRESIDENT

THE BOAT
LAS VEGAS

REVISION		
NO	DATE	ISSUE

DATE 5-5-99 JOB NO. 99-01
SCALE 1" = 40'-0"
DESIGNED HJB DRAWN BY RCO
CHECKED BY
APPROVED BY

PARTIAL SITE PL

"THE BOAT"

ISSUE
ISSUED FOR REVIEW
5-5-99

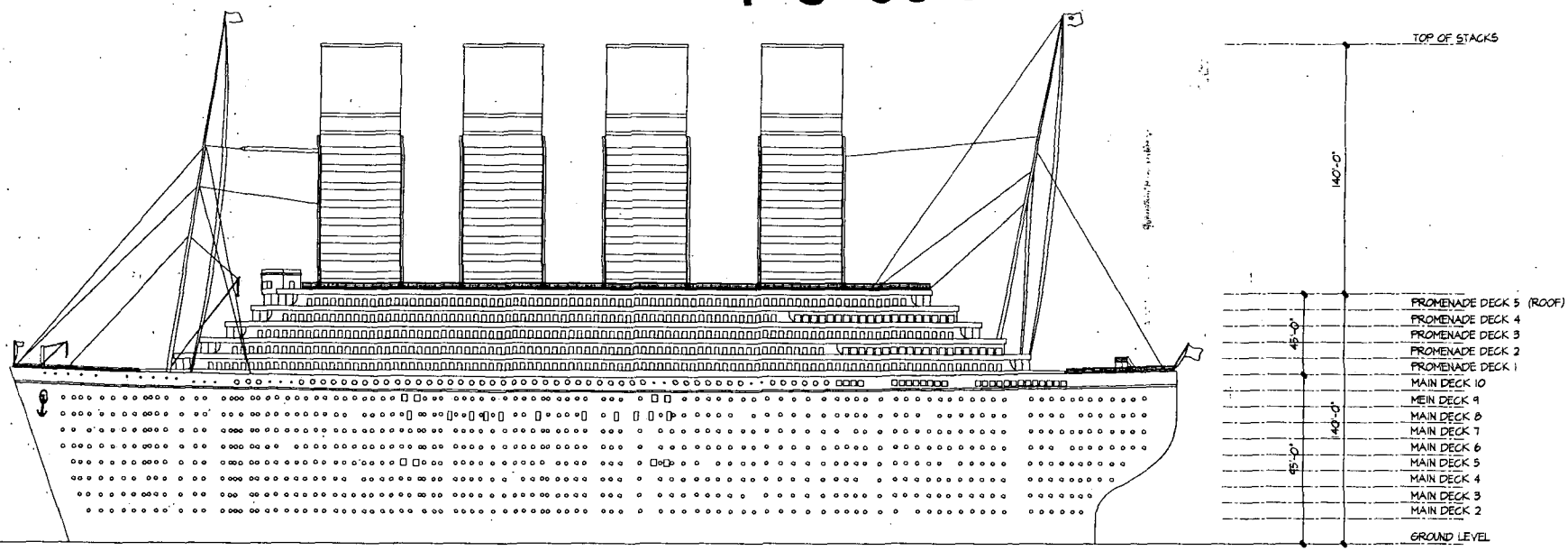
SHEET NUMBER
A-2

CITY COUNCIL MEETING OF MAY 10, 1999 Page 894

STAFF

Z-19-99

4-8-99 PC



1 / A-6 ELEVATION
SCALE: 1"=50'

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SCOTT B. DAWES, PRESIDENT

THE BOAT

LAS VEGAS

REVISION		
NO	DATE	ISSUE

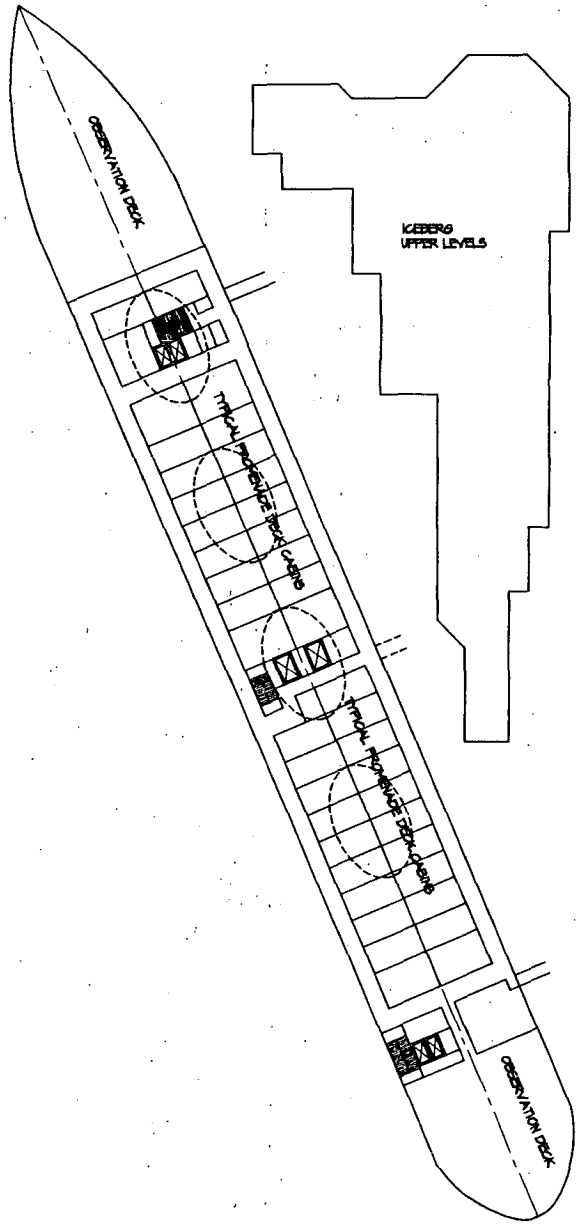
DATE 5-5-99 JOB NO. 99-07
SCALE AS NOTED
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ELEVATION

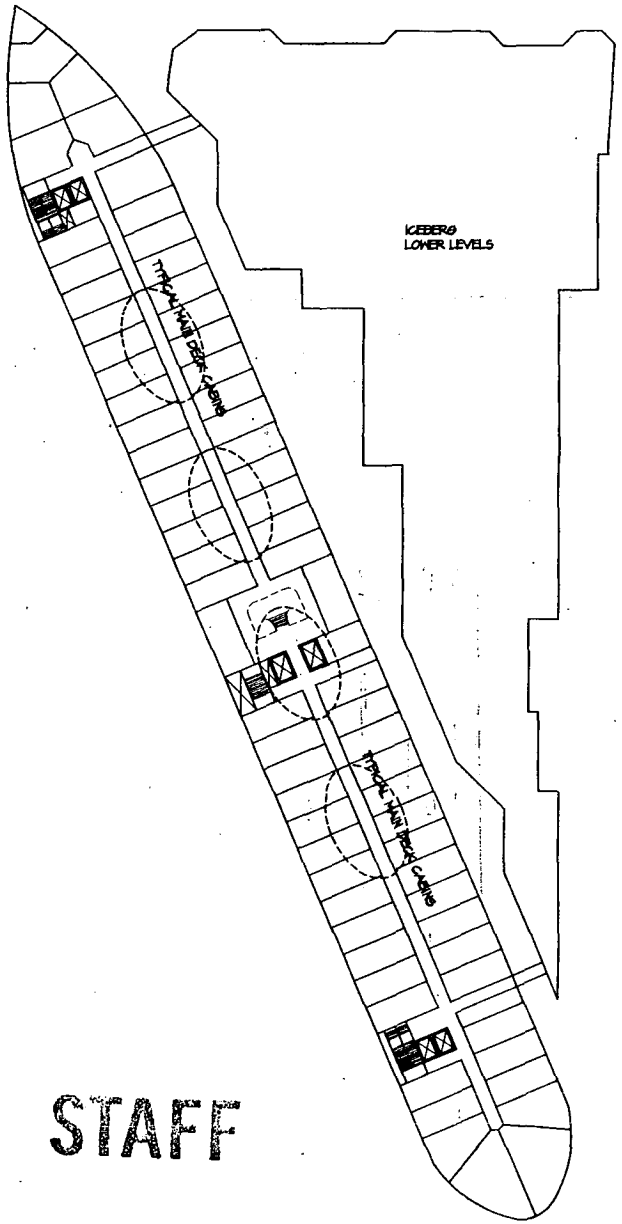
"THE BOAT"

ISSUE
ISSUED FOR REVIEW
5-5-99

SHEET NUMBER
A-6



1 A-8 TYPICAL_PROMENADE_DECK_FLOOR_PLAN_LEVELS_1-5
SCALE:1"=50'



2 A-8 TYPICAL_MAIN_DECK_FLOOR_PLAN_LEVELS_1-10
SCALE:1"=50'

STAFF

N

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TEL (702) 369-1991 FAX (702) 369-1979

THE DAMES CORPORATION
SCOTT B. DAMES, PRESIDENT

THE BOAT
LAS VEGAS

ISSUED FOR REVIEW 3-4-99

TYPICAL FLOOR PLAN
"THE BOAT"

SHEET NUMBER
A-5

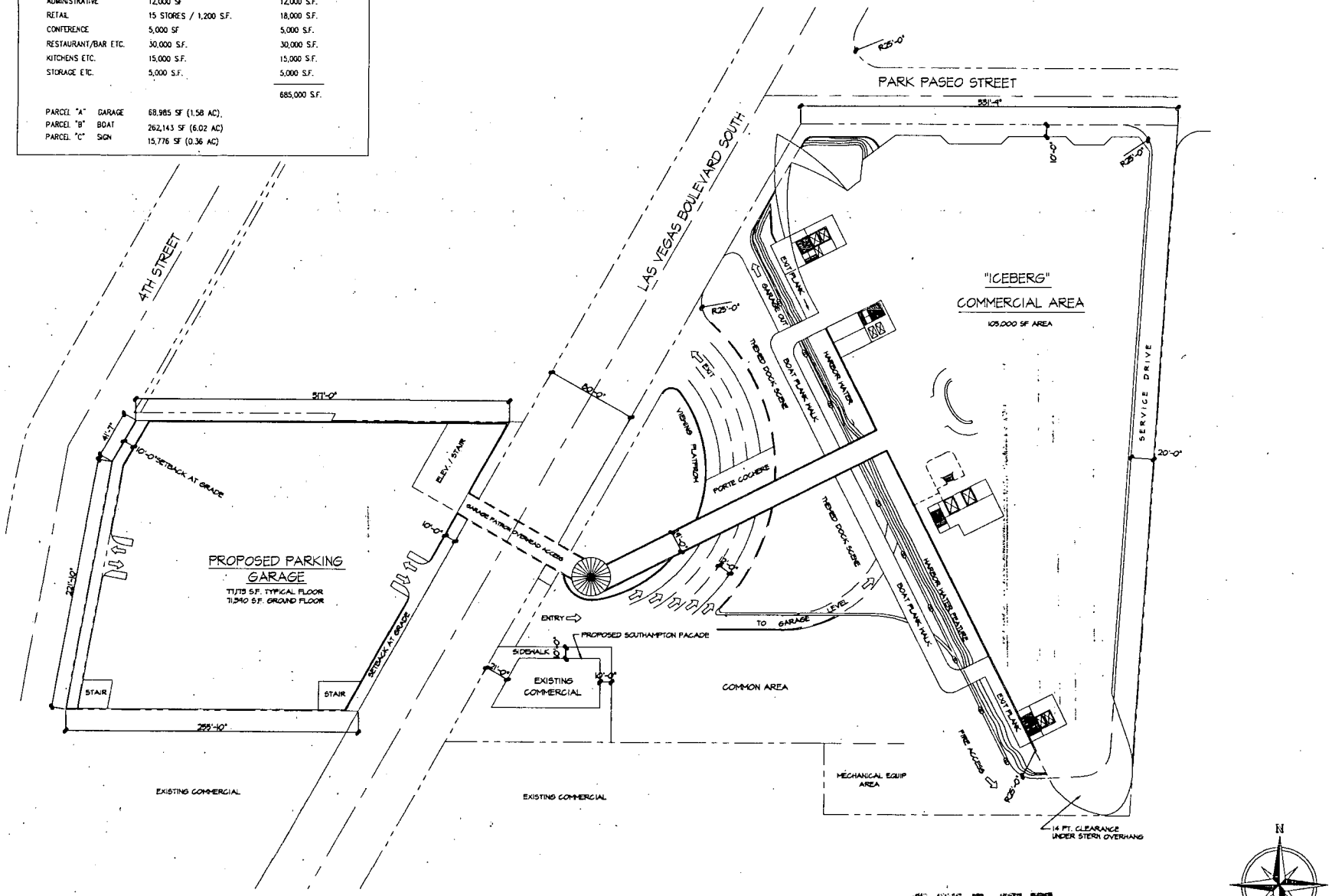
Z-19-99
4-8-99 PC

CITY COUNCIL MEETING OF MAY 10, 1999

SITE ANALYSIS

CATEGORY:	NUMBER / AREA:	TOTAL S.F.
BOAT CABINS	1000 / 600 SF	600,000 S.F.
ADMINISTRATIVE	12,000 SF	12,000 S.F.
RETAIL	15 STORES / 1,200 S.F.	18,000 S.F.
CONFERENCE	5,000 SF	5,000 S.F.
RESTAURANT/BAR ETC.	30,000 S.F.	30,000 S.F.
KITCHENS ETC.	15,000 S.F.	15,000 S.F.
STORAGE ETC.	5,000 S.F.	5,000 S.F.
		685,000 S.F.

PARCEL "A"	GARAGE	68,985 SF (1.58 AC).
PARCEL "B"	BOAT	262,143 SF (6.02 AC)
PARCEL "C"	SIGN	15,776 SF (0.36 AC)



1 A-2.1 **GROUND FLOOR PLAN**
SCALE: 1" = 40'

STAFF

Z-19-99

4-8-99 PC

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REVISION

NO	DATE	ISSUE

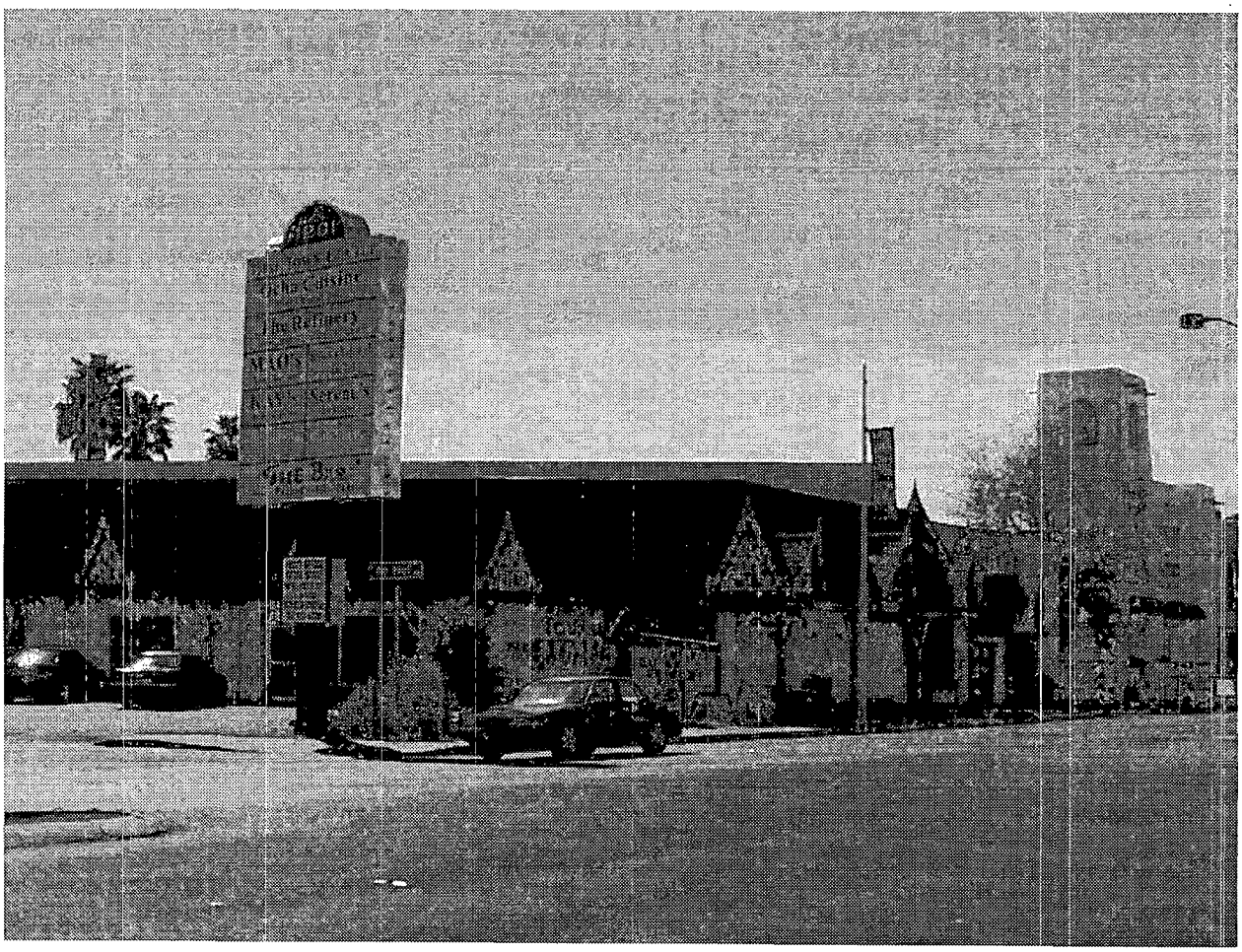
DATE: 3-3-99 JOB NO. 99-07
SCALE: 1" = 40'-0"
DESIGNED: MJS DRAWN BY: RCO
CHECKED BY:
APPROVED BY OWNER:

GROUND FLOOR F

"THE BOAT"

ISSUE
ISSUED FOR REVIEW
3-4-99

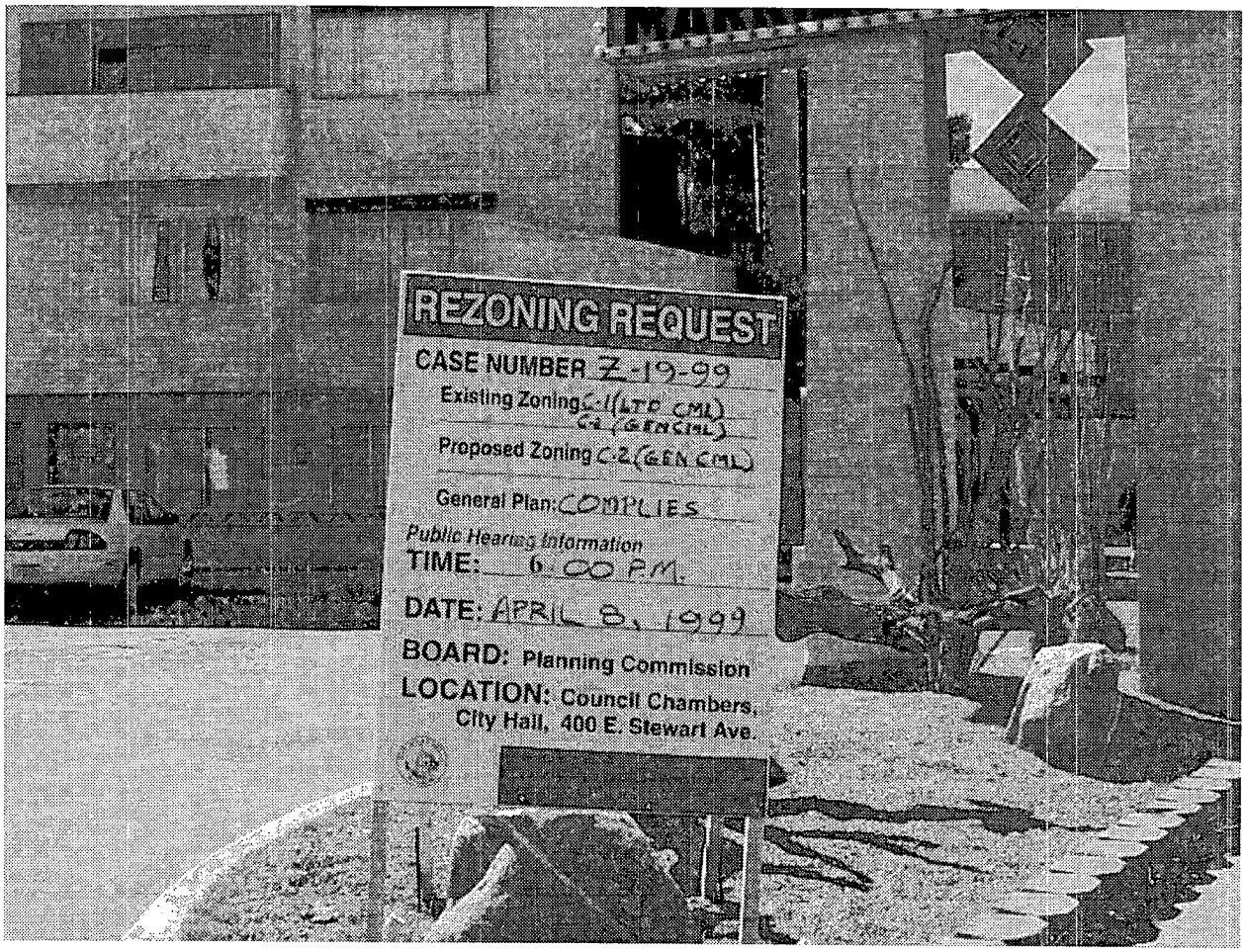
SHEET NUMBER
A-2.1



Z-19-99



Z-19-99


REZONING REQUEST
CASE NUMBER Z-19-99
Existing Zoning C-1 (LTD CML) C-2 (GEN CML)
Proposed Zoning C-2 (GEN CML)
General Plan: COMPLIES
Public Hearing Information
TIME: 6:00 P.M.
DATE: APRIL 8, 1999
BOARD: Planning Commission
LOCATION: Council Chambers, City Hall, 400 E. Stewart Ave.

Z-19-99



Z-19-99



Z-19-99

Subsidiary of Titanic Resorts Inc.

TITANIC
LAS VEGAS

May 10, 1999

Mayor Jan Jones
City of Las Vegas

Dear Mayor Jones,

Thank you for grating our request to have our application for Item Z-19-99 held in abeyance until the May 24rd meeting of the Council. This will allow us more time to make agreements with the surrounding neighbors.

Sincerely yours,

Bob

Bob Stupak

RECEIVED
CITY CLERK
1999 MAY 10 P 12:02

1215 Las Vegas Blvd. South · Las Vegas, Nevada 89104 · (702) 382-2000 Fax (702) 383-6169

#119

CITY COUNCIL
MEETING OF
MAY 10, 1999

VERBATIM TRANSCRIPT - ITEM 119 - Z-19-99
THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

MAYOR JONES — In the afternoon session we have requests. First item is items from the afternoon session that Council, staff or applicant wish to be stricken or held in abeyance to a future meeting. They may be brought forward and acted upon at this time. We have request for item 110, U-33-99, which is Saxton Inc. The request is it be withdrawn. Items 113, 114, and 115, that's Z-6-99, U-10-99 and U-11-99. It's Donna Beam Revocable Trust on behalf of John Mead. That also, the request is that it be withdrawn without prejudice. That was the same request as in item 110. And item 119, Z-19-99, Thunderbird on Behalf of MRA Corporation, Titanic, that it be held in abeyance to the meeting of May 24th, 1999. You have a comment?

ATTORNEY BOB GRONAUER — Yes. Bob Gronauer, 3800 Howard Hughes Parkway. I'm representing the applicant on Item No. 95. We'd ask that to be held in abeyance for two weeks.

MAYOR JONES — The request is also to include 99 (sic). Councilman Reese has requested that although the motion will be to hold 119 in abeyance, that if there are neighbor here who wish to speak on that item, they can either speak on it today or they can, it will be heard for action in two weeks.

COUNCILMAN REESE — Yes.

MAYOR JONES — We're not gonna to speak on it now. I'm sorry. That's just, just for information. Just, if Councilman had something to say.

COUNCILMAN REESE — Mayor, what – is your pleasure? Are we going to hold these in abeyance and then let them talk on item 119? I'd like – rather than make them sit here through the whole meeting, if we could, I'd like have them listen, I'd like us to listen to what they have to say.

MAYOR JONES — We -- can bring it forward, but I need to take an action first and, 'cause it doesn't have anything to do with this particular item.

COUNCILMAN McDONALD — Okay, Your Honor, bring item --

COUNCILMAN BROWN — Mayor Jones, on item 110, it's been brought to our attention that some of the neighbors came down on that item. Likewise, if – we could just --

MAYOR JONES — It's not in abeyance, though. It's withdrawn.

COUNCILMAN BROWN — Okay.

VERBATIM TRANSCRIPT - ITEM 119 - Z-19-99
THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

MAYOR JONES — I mean, the neighbors can speak on it, but they've withdrawn the application. It doesn't seem to make any sense to speak on an item that is not an issue.

COUNCILMAN BROWN — Not -- so much speaking, just if they're here, they – had called, I guess this morning, and if we could just, when we – take action on this, so they know.

MAYOR JONES — It's just the item, the Saxton Inc. on behalf of Asam Yousif. It was a Special Use Permit for the property located at 3600 Vegas Drive. If they are neighbors down here, the request is that it be withdrawn, the application, so it's not an issue. They're not asking to hear it later, they're withdrawing the application. So, it doesn't seem to make much sense to talk about it.

COUNCILMAN BROWN — Thank You.

COUNCILMAN McDONALD — Item 110, 113, 114, and 15, 19 and item 95, Your Honor, bring them forward and act appropriately.

MAYOR JONES — Vote on the motion. Post. Motion is approved. **(Motion carried unanimously).** On item 119, this is the one, and I'd -- ask the City Attorney if -- So the neighbors know, there will be no action taken on this item today. If you wish to make comments, you can. I would ask, since it will be heard and you'll have another opportunity to make comments, that we not go through it twice in two meetings. But if there is a spoke people or someone who has specific things they'd, they'll like to put on the record today, we'll be glad to take it.

UNIDENTIFIED FEMALE — Mayor, some of our neighbors will be out of town in two weeks, so we would like those people to be able to speak tonight.

MAYOR JONES — Perfect. That's great.

JOAN GORDON — My name is Joan Gordon. I live at 1331 S. 5th Place. I just wanted to say that I'm strongly opposed to rezoning Mr. Stupak's property for the Titanic. I've lived in the same house since 1954, when my father built it. I have a tennis court, a pool, you know, everything that I could possibly have there. Please don't rezone the property. Thank you.

MAYOR JONES — Thank you.

JIM MILLS — Hi, Madam Mayor and the City Council. My name is Jim Mills, 1108 South 6th Street. I've been before you, I think,

VERBATIM TRANSCRIPT - ITEM 119 - Z-19-99
THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

BOB BELLUS — They said (inaudible) was going to come back.

MAYOR JONES — Okay. And we'll schedule it right at the, if we could ask, right at the beginning of the meeting so you won't have to sit through , you know, other meetings.

BOB BELLUS — Okay. Thanks.

MAYOR JONES — And thank you very much and thank you for coming down and for your patience and understanding. It's greatly appreciated.

COUNCILMAN REESE — Just – a moment, please. Just a moment.

CAMERON E. LEAVITT — I bought my house on 7th Street, 1100, I mean, 1220, in 1942. We've lived there ever since, except a short period of time when I was in the army during World War I. And now, I have seen this town grow from, I've been here (inaudible) since I was four years old, in this City. And there's been a lot of things that money has brought in here and made good and there's a lot of things that they brought in here and was made bad. And I very much oppose to this project to coming in our neighborhoods where we've been living for 50 more years and have them say, well we've gotta do this, we've gotta do that. I'm very much opposed to this project.

COUNCILMAN REESE — What was your name – Again, Sir, for the record?

COUNCILMAN McDONALD — Name and address.

CAMERON D. LEAVITT — Leavitt. D. Leavitt. Cameron D. Leavitt. I've lived, I bought this house in 1942 on South 7th Street. In fact, it was the first house built in that neighborhood and I've been there ever since.

COUNCILMAN REESE — Thank you, Sir.

COUNCILMAN McDONALD — Thank you, Sir. Thank you for coming down.

JACK PURSEL — Members of the Council, I might not be able to be here two weeks from today, so I'd just like to register my opposition. My name is Jack Pursel. I've lived in Las Vegas for 60 years. I've lived in my home at 1312 South 7th Street for 25 years, and I want to register my opposition to this encroachment in our neighborhood. I think that Vegas World was the end, should have been the end of the major hotels, large hotels coming up the Strip. They need to go the other way, not come over here where we've lived for so many years in our homes. So I hope you gentlemen will

VERBATIM TRANSCRIPT - ITEM 119 - Z-19-99
THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

several times in the last couple of years as President of John S. Park Neighborhood Association. I'm very pleased to announce that we now have a new President, Mr. Bob Bellus, who (inaudible) going to be here. And I'd like to turn this over to him and, I hope you'll give him a good welcome and work with him like you did with me. And thank you.

MAYOR JONES — Thank you.

BOB BELLUS — Mayor and Councilmen. So far we have 181 signatures opposed against – this project. I just want to point out a few things. That --

UNIDENTIFIED FEMALE — We can't hear you.

BOB BELLUS — That the property, is this working?

MAYOR JONES — I don't think the – there you go.

BOB BELLUS — There it goes.-- That this property is a very small, small property. And – what he wants to do is change this to add, you know, to make the whole Titanic. But, this is the entrance to our neighborhood. It would actually go right into our neighborhood. All these homes that , you know, people that have lived here for 50 years. I mean, one of the things is, what we'd like to do is have some of these people talk now. I mean, they're older people. Some of them took off work and, I mean, it's pretty simple, you know, the zoning change. Mr. Stupak, at the Planning Commission last month, and said that he needed to hurry this up, you know, and have it done within a month so he can get financing. Now all of the sudden, it's, you know, he wants to delay it. So, if, I mean, I'd just like to ask if you could let some of these people talk so --

MAYOR JONES — I'd be happy to have people talk that aren't going --

BOB BELLUS — Okay.

MAYOR JONES — Those who can't come back in two weeks, let speak today, but let's not due this public hearing twice.

BOB BELLUS — Okay.

MAYOR JONES — It doesn't make any sense for anyone involved.

BOB BELLUS — Okay. Thanks.

UNIDENTIFIED FEMALE — Well, I think most people will come back two weeks from now.

VERBATIM TRANSCRIPT - ITEM 119 - Z-19-99
THUNDERBIRD HOTEL CORPORATION ON BEHALF OF MRA CORPORATION

appreciate that, appreciate the history of this place and the things that we put with as long time residents. When I came here, the population was less than 10,000 and I think that included the coyotes. But, we've seen, as, D. Leavitt has told you, some good things happen and some bad things happen and growth is not always good. It brings a lot of problems and a lot of difficulties for us and a lot of increases in expenses and living costs. And so, I think it's particularly true in the case of this proposed development. So, I may, if I come back two weeks speak longer about it, but I want to register my opposition today. Thank you.

COUNCILMAN REESE — Thank you, Sir.

MAYOR JONES — Thank you.

COUNCILMAN REESE — Your Honor, if I might. This app, this request is a normal request from a different developer. We have granted these type of requests before. I was briefed on the project this morning by our Planning Department. It is a huge project. I think under its present configuration that it would be hard to put on this piece of property. I would hope that Mr. Stupak would go to the neighbors and ask questions, let the neighbors definitely have some type of input. I think that I have always tried to preserve, you know, the dignity of neighborhoods. I think that this is one of the oldest neighborhoods in my district. I – would hope that I would be part of these discussions, these meetings. I want to do whatever I can to preserve the neighborhood atmosphere that they have in this area. So, I – will make a motion to grant the abeyance item, the abeyance for Z-19-99 for two weeks.

MAYOR JONES — I think we actually voted on that. But we can reaffirm it.

DEPUTY CITY ATTORNEY STEVE GEORGE — Yes, Your Honor. I think that that vote has already been cast. The motion has been made.

MAYOR JONES — And, I would just like to say for the neighbors as well, is that it's a very standard request to ask for two weeks. In the past we've never taken an action not to give a developer at least that two week window. So, that's why it was granted at this time. Thank you for coming down and we'll see you in two weeks and we'll put you at the start of the agenda.

COUNCILMAN REESE — Thank you very much for coming down.

(END OF DISCUSSION)

/ac

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
	PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION	
	TIME CERTAIN - 5:00 P.M.:	
	REQUIRED 90 DAY REVIEW - PUBLIC HEARING	
120	Z-76-98(4) - OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY	**BROWN - APPROVED subject to conditions, amending Condition No. 1 to a 4:00 P.M. Time Certain with the following added conditions:**
	Required 90 Day Review for the frontage road landscaping/street section issue, on property located on the southwest corner of Centennial Parkway and U. S. 95, proposed T-C (Towncenter) Zone, Size: 158.80 Acres, Ward 4 (Brown), APN's: 125-28-101-002, 125-28-201-002, 125-28-602-001 through 004, 125-28-601-001, 125-28-701-002, 004 and 005.	**1. That staff is to work with this applicant and all property owners within Town Center to establish an association, maintenance or assessment district clearly indicating that those who are building within Town Center are responsible for Town Center maintenance by equitable assessment. In the absence of such an association, maintenance or assessment district plan, a legal document acceptable to the City Attorney would be required of each Town Center developer/property owner prior to commencement of the permit process acknowledging that the subject applicant will fully participate in such plan once established;**
	Note: The applicant has requested that the remaining issues of landscaping, parking, and signage be deferred to the August 9, 1999 meeting after the finalization of the frontage road landscaping/street section issue.	**2. That the 8/9/99 Council landscaping/parking/signage plan review include a report to Council regarding the association, maintenance or assessment district;**
	NOTICES MAILED: 782 BY PLANNING DEPT	**- UNANIMOUS**
	APPROVALS: 0	******
	AFTER PC MEETING _____ Letters _____ Petitions	MAYOR JONES declared the Public Hearing open.
	TOTAL 0	APPEARANCES JENNIFER LAZOVICH, Olympic Nevada, Inc., 3773 Howard Hughes Parkway CHERI EDELMAN, Public Works RUSS DORN, 7448 West Sahara ROBERT GENZER, Planning & Development
	PROTESTS: 0	
	AFTER PC MEETING _____ Letters _____ Petitions	MAYOR JONES declared the Public Hearing closed.
	TOTAL 0	NOTE: A Verbatim Transcript is made a part of the Final Minutes.
	Staff recommends APPROVAL, subject to:	(5:02 - 5:15)
	1. The landscaping, parking and signage issues shall be heard by the City Council on August 9, 1999 at a public hearing at 5:00 p.m. time certain.	**4 - 2415**

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED 90 DAY REVIEW - PUBLIC HEARING - Z-76-98(4) - OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Required 90 Day Review for the frontage road landscaping/street section issue which was left unresolved at the time of Site Development Plan Review on property located on the southwest corner of Centennial Parkway and U.S. 95 (Rancho Drive). The applicant has requested that the remaining unresolved issues of landscaping, parking and signage associated with the site be deferred to a later meeting after the finalization of the frontage road/landscaping issue. Staff, via the public hearing notice, has set a specific date of August 9, 1999 for that review.

BACKGROUND DATA:

12/18/96 The City Council adopted the Northwest Amendment to the City of Las Vegas General Plan. Within this Plan, the area near the future intersection of U.S. 95 and the Northern Beltway was designated as "Town Center".

09/14/98 The City Council approved a General Plan Amendment for this site to TC (Town Center) as part of a larger request (GPA-30-98).

12/07/98 The City Council approved a Rezoning to TC (Town Center) for this site as part of a larger request (Z-76-98).

02/08/99 The City Council approved a Site Development Plan Review for a proposed Retail Development Totaling Approximately 827,000 Square Feet and Seven Automobile Dealerships on this site [Z-76-98(1)]. Condition No. 1 of that approval reads: *"The applicant shall meet with other developers and Planning and Development staff for Town Center to coordinate and develop landscaping, frontage road and parking in accordance with Town Center standards prior to submitting a revised landscaping plan for the overall site with such revised plan to be reviewed by the City Council at a public hearing within 90 days (5/10/99) at a 5:00 PM Time Certain. Staff to renotify the same area of that public hearing.*

Agenda Item
120

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
MAY 10, 1999

AGENDA DOCUMENTATION

TO:	FROM:
THE CITY COUNCIL	WILLARD TIM CHOW, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED 90 DAY REVIEW - PUBLIC HEARING - Z-76-98(4) - OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

The applicant has submitted written specifications for the frontage road which indicates the principal characteristics of the required 4 foot Amenity Zone, the 10 foot Landscape Setback as required by Title 19A, and the 14 foot Landscape Median along with colored diagrams depicting the proposed written standards (copies attached).

FINDINGS:

Staff has had several meetings with the applicant to discuss the details associated with this request and we are now in complete agreement with the proposal.

Staff recommends APPROVAL.

CC NOTICES MAILED: 782

APPROVALS: 0

PROTESTS: 0

SEE ATTACHED LOCATION MAP

Agenda Item

FRONTAGE ROAD

1.) **PRINCIPAL CHARACTERISTICS:** (See specifications Part 2 for species and sizes).

A.) **4' Amenity Zone**:

The 4' Amenity zone which exists between the curb and a five foot sidewalk shall be planted with Date Palms measuring 20' BTH (Brown Trunk Height) at a distance of 35' on center with Decomposed Granite, Mojave Gold, to cover the ground plane. In addition ground cover consisting of a minimum of 1/3 (one-third) 5-gallon plant material shall be planted to reach 75% coverage within three years. Hardscape areas of standard gray concrete with broom finish (expansion joints at 5-foot intervals to match the sidewalk) shall be located to coordinate with required street furniture, amenities, and crosswalks. These hardscape areas shall occur no less then every 3 (three) Palm Trees or 105' on center and shall measure not less than 15' long and 4' deep.

A five foot sidewalk of standard gray concrete with broom finish and expansion joints every 5' (five feet) shall be located between the 4' (four foot) Amenity Zone and a 10' landscape setback as required by Title 19A.

B.) **10' Landscape Setback as required by Title 19A:**

The 10' Landscape Setback shall be planted with clusters of Date Palms alternating groupings of two and three. Locate clusters to coordinate with palm trees in Amenity Zone occurring approximately every three palm trees or 105' on center (see attached exhibit). Palm heights of clustered Dates may vary from 12' BTH to 25' BTH to enhance the aesthetic appeal. Decomposed Granite, Mojave Gold, shall cover the ground plane with ground cover plantings consisting of a minimum of 1/3 (one third) 5 gallon plant material to reach 75% coverage within three years. When landscape setback steps back at areas of additional right-of-way for bus turn outs, de-acceleration lanes, etc. the Date Palms shall be in a single row at 35' on center, again following the pattern prescribed for the Amenity Zone. (See attached exhibit).

C.) **14' Landscape Median**:

A 14' Landscaped Median shall run contiguous the entire length of the frontage road except where interrupted by necessary median cuts. The Median shall be planted with the same material and spacing as that of the 4' Amenity Zone: Date Palms measuring 20' BTH (Brown Trunk Height) at a distance of 35' on center with Decomposed Granite, Mojave Gold, to cover the ground plane. In addition ground cover consisting of a minimum of 1/3 (one-third) 5-gallon plant material shall be planted to reach 75% coverage within three years.

NOTE:
Where the median is reduced in width to 5'-6" or less the landscaping shall consist of a combination of decomposed granite, Mojave Gold, larger accent boulders and ground cover as desired.

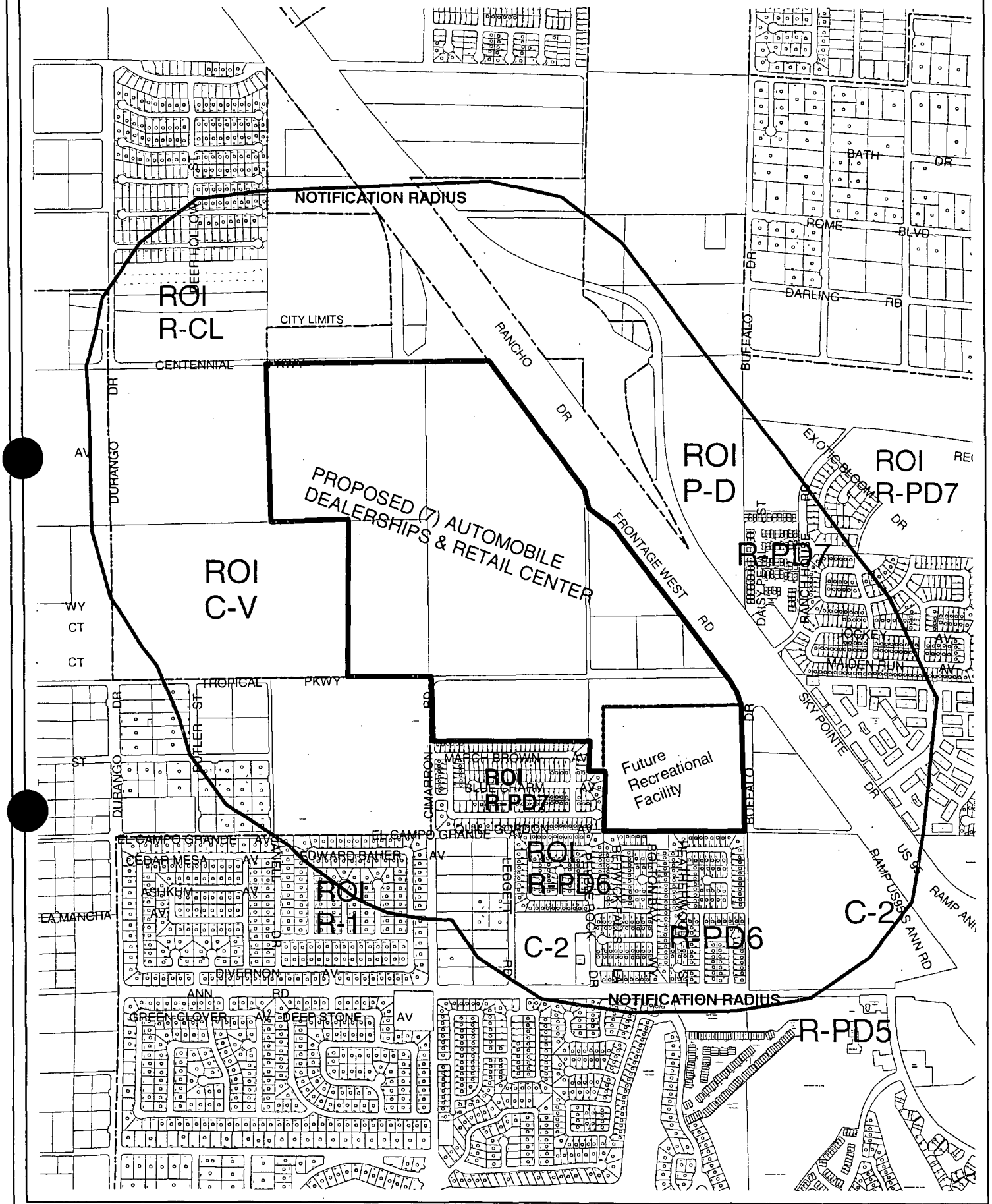
2.) LANDSCAPE SPECIFICATIONS:

Plant material for the Frontage Road cross section shall be chosen from the following approved plant pallet.

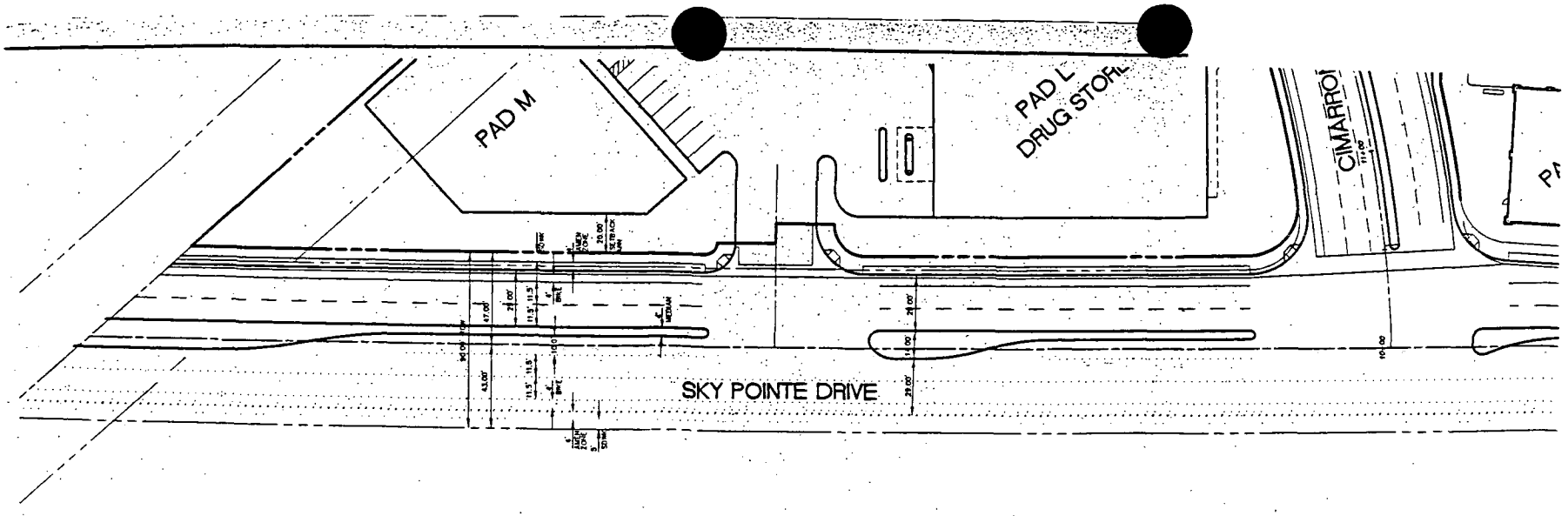
1.)	Date Palm:	Phoenix dactylifera	20' BTH
	(Amenity Zone and Median)		
	(10' landscape Setback)	Phoenix dactylifera	12'-25' BTH

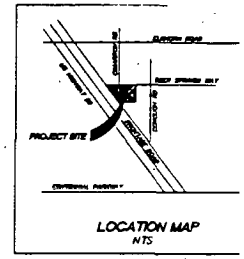
		Scientific Name	Common Name
2.)	Selected Ground Covers:	Verbena pulchella	Purple verbena
		Dalea capitata	Green dalea
		Lantana montevidensis	Trailing yellow lantana
		Baccharis 'Centennial'	Dwarf coyote bush
3.)	Selected Shrubs:	Leuophyllum species	Texas sage
	(5 gallon plant material)	Salvia species	Sage
		Muhlenbergia species	Deer grass
		Cassia species	Cassia

NOTE:
Decomposed Granite: Mojave Gold 3/8" screened @ 2" depth

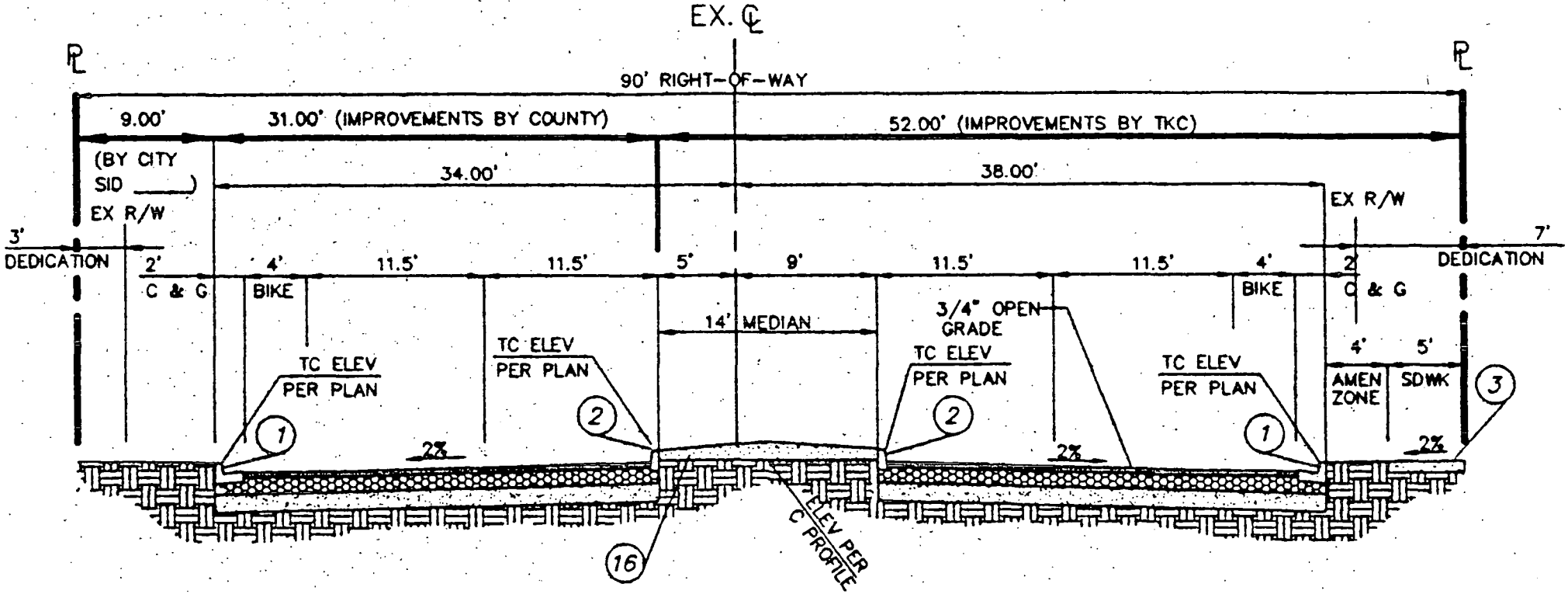


CASE: Z-76-98(4)
RADIUS: 1500 FT


PAD M
PAD L
DRUG STORE
CIMARRON
SKY POINTE DRIVE


PROJECT SITE
LOCATION MAP
NTS

Z-76-98(4)


EX. ℄
℄
℄
90' RIGHT-OF-WAY
9.00'
31.00' (IMPROVEMENTS BY COUNTY)
52.00' (IMPROVEMENTS BY TKC)
(BY CITY SID ____)
EX R/W
34.00'
38.00'
EX R/W
3' DEDICATION
7' DEDICATION
2' C & G
4' BIKE
11.5'
11.5'
5'
9'
11.5'
11.5'
4' BIKE
2' C & G
14' MEDIAN
3/4" OPEN GRADE
TC ELEV PER PLAN
TC ELEV PER PLAN
TC ELEV PER PLAN
TC ELEV PER PLAN
4'
5'
AMEN ZONE
SDWK
1
2
2
1
3
2%
2%
2%
16
ELEV PER C PROFILE

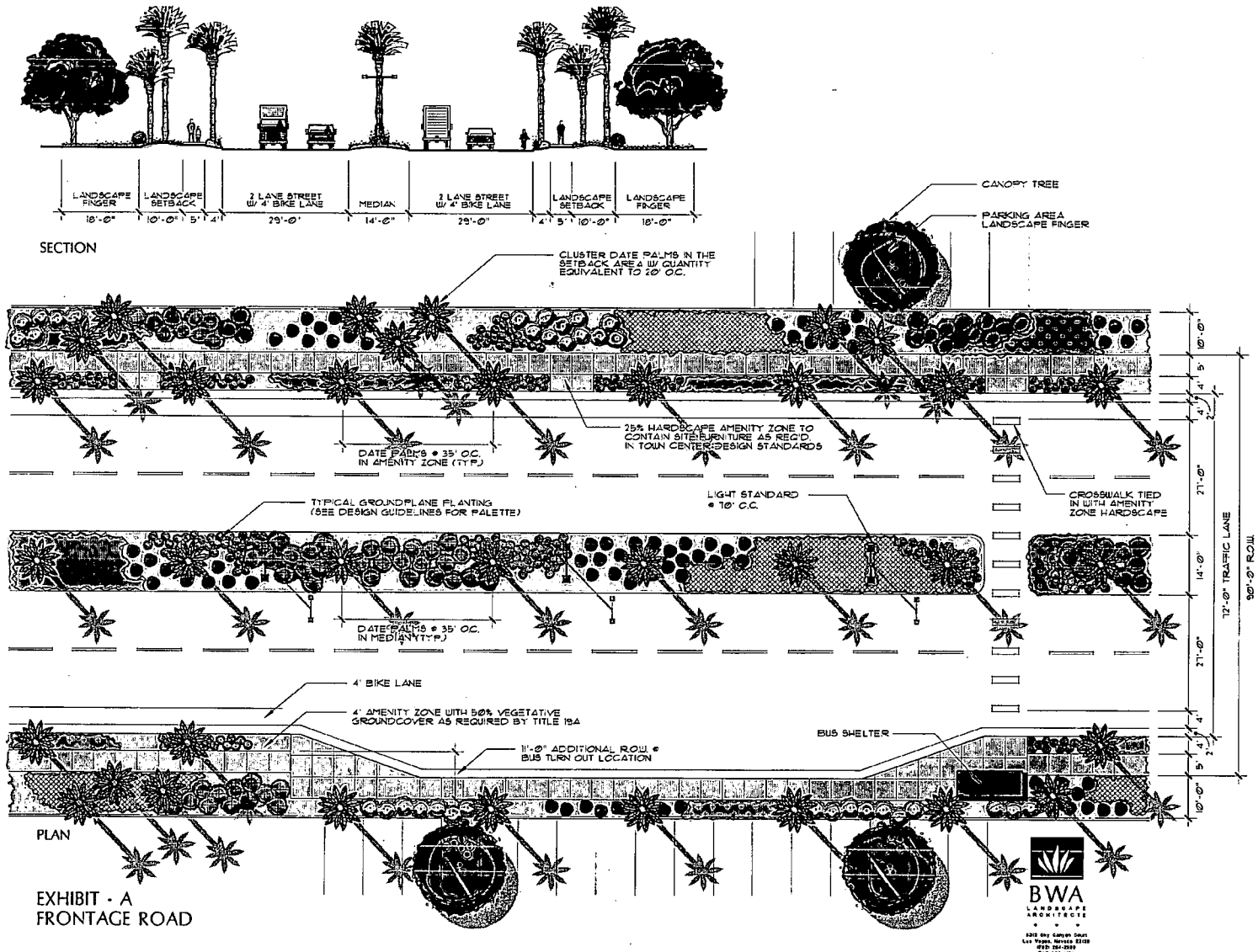


EXHIBIT - A
FRONTAGE ROAD

TROPICAL PARKWAY

BWA
LANDSCAPE ARCHITECTS

SWISHER & HALL AIA LIMITED
ARCHITECTURE AND PLANNING
2001 NORTH TENAYA WAY, SUITE C
LAS VEGAS, NEVADA 89128
(702) 363-2222

CITY COUNCIL
MEETING OF
MAY 10, 1999

VERBATIM TRANSCRIPT - ITEM 120 - Z-76-98(4)
OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

MAYOR JONES

It's public hearing Z-76-98(4) - Olympic Nevada, Inc. and Centennial & Rancho Partners, Limited Liability Company. It's a required 90 day review for the frontage road landscaping street section issue on property located on the southwest corner of Centennial Parkway and US95. It's a proposed TC (Town Center) Zone. There are no approvals, no protests. Staff recommends approval. It is a public hearing. I'd now declare it open. Is the applicant is present?

JENNIFER LAZOVICH

Good evening. Jennifer Lazovich, 3773 Howard Hughes Parkway, on behalf of the applicant, Olympic Nevada. We're here today to present the design for the frontage road landscape street section that cuts through the Centennial Center. Over the last 90 days, staff, as well as the consultants for the developers have met to come up with a design that furthers the concepts and envisioned under the Town Center Development Standards.

As you can see from this picture, this is the culmination of those efforts. Staff has recommended approval and at this time we would respectfully request your approval as well.

MAYOR JONES

I'm sorry.

JENNIFER LAZOVICH

I had asked for approval.

MAYOR JONES

This is a public hearing. Would others like to be heard? And would the Councilman like us to walk through the specifics of the landscaping? Besides just this one pretty picture?

COUNCILMAN BROWN

Do we – have that cross-cut? That's a little bit more realistic. I just --

JENNIFER LAZOVICH

Yes.

COUNCILMAN BROWN

I'd just – Mayor Jones, I'm not sure we have to go through the past 90 days. My understanding not only the – applicant, the neighborhood, staff with the City have all been involved in this and there seems to be consensus on this cross-cut. I'd just include this into the record, this is for the entire Town Center. We are going to ask that we defer for an additional 90 days the overall Centennial Center landscaping plan, including signage, so we can dedicate the next three months as ardently as we dedicated the past three to the landscape. So that portion of the condition will be deferred, that'll be part of my motion for an additional 90 days.

VERBATIM TRANSCRIPT - ITEM 120 - Z-76-98(4)
OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

And the final point I'd like to – put on the record is not only this applicant but a direction towards staff that anyone else that is within Town Center, we need to get up a statement that talks about a maintenance district or an assessment district within Town Center. At, before any permits are going to be pulled, there has to be created a master association or some kind of maintenance district that will equitably create a means to have all Town Center participants be responsible for the maintenance of Town Center. That the City will not bear any responsibility for maintaining these roads. That has been discussed personally between myself and others, landowners, and everybody agrees in concept that that's what we need to do, but before we go and let anybody jump the gun, before permits are pulled, we need to have that association created.

And if not, some kind of legal vehicle that someone that's coming into that permitting process will sign and acknowledge that they will participate in this association. I don't think that's been an issue, but I wanted to get it on the record here because I know some of the Town Center land is – starting to move forward.

CHERI EDELMAN, PUBLIC WORKS

Also, Councilman, I'd just like to clarify that in the last page of your packet, there is a section that shows the pieces adjacent to County property, next to the beltway and I'd like to clarify that that is in an individual case, there may be different rights-of-way that are required based on the area that, you know, as long as it meets the Town Center frontage road criteria. But some of the dedication, in this case, it shows a portion of a dedication coming from the County, but that's not always the case.

Also I'd like to clarify that that median that's shown on that page, it shows it as a concrete median, and again, that would be a landscape median – in accordance with what we're approving today.

COUNCILMAN BROWN

Okay. Agreed, and – understanding that we are not going to ask only frontage, property owners that have frontage are going to participate. This is based on a per acre basis or some equitable – process to assess everyone. But we anticipate Town Center property owners to be responsible for the maintenance of Town Center.

RUSS DORN

Mayor Jones, Councilmen, my name's Russ Dorn, 7448 West Sahara, representing the applicant. Councilman Brown, on this condition that you just asked for, could you

VERBATIM TRANSCRIPT - ITEM 120 - Z-76-98(4)
OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

consider this, we've been discussing it with your staff, it's a complicated issue on maintenance, special improvement district, how that relates. Some of the individual property owners want to address it in a private maintenance of the frontage road and their property. But the inclusion of waiting for building permits, is there another way to do this? Because we'd like to start building this project with improvement plans, etc. It might be on the building or we sign a waiver that whatever's resolved, a legal document that we could work with the staff on them, we could move ahead.

COUNCILMAN BROWN — Yeah. I – would --

RUSS DORN — But there are some complicated issues as it relates to maintenance, special improvement districts, etc. I'd appreciate that on behalf of I think all the applicants because everybody's in different phases of progress for the Town Center.

COUNCILMAN BROWN — I – would agree and I'll reiterate a statement I made just to clarify that we don't want to stop the development, but as the permits are ready to be pulled, we either have this association or assessment or maintenance district in place or the applicant will do something in writing with our legal department to acknowledge that it hasn't been resolved, but once it is it will participate fully.

RUSS DORN — As long as it doesn't hold up any improvement plans, permits or progress on this project, I think that would be acceptable.

COUNCILMAN BROWN — And likewise, I think it would be incumbent upon the private property owners within Town Center to come up with this district so they are the ones that are buying into it. Of, and if that – can't be worked out, we'll certainly intervene and create it our way. But that usually --

RUSS DORN — Councilman Brown, we also looked at besides a district, that the property, individual property owners or their maintenance association or their management company that would do the commercial properties would maintain that and that seemed to be also acceptable, to look, an acceptable approach with the staff and both as individuals.

COUNCILMAN BROWN — I agree, Mr. Dorn, that – would work, but there are segments that don't, there's some, a lack of continuity on some of the frontage, planned frontage road areas. So what I don't want to do is have a wonderful two mile stretch broken up by a half-mile of desert broken up. So that certainly is an option.

VERBATIM TRANSCRIPT - ITEM 120 - Z-76-98(4)
OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

The intent simply is to make sure that those that are building within Town Center are responsible for Town Center maintenance.

RUSS DORN

Councilman Brown, maybe I can suggest this. We had a very good committee working with the staff, with Chairperson by Virginia Valentine, and in our group of all the developers who own property and individual property owners and maybe you could ask Virginia take this committee and address these issues, possibly in the next 90 days or so, whatever it takes. But if we could stay together as a committee and address these, because there's pros and cons on each of these approaches and – we'd like to work with the City on them.

COUNCILMAN BROWN

Absolutely.

RUSS DORN

Thank you.

COUNCILMAN BROWN

No other comments or questions, my **motion will be for approval the required 90 day review before us, understanding that we're deferring the overall landscape plan and signage plan for an additional 90 days and include in my motion, as Mr. Dorn has suggested, that City staff work with the property owners out there to evaluate the options available as far as a maintenance district or assessment district for a master association. And likewise come back and report in 90 days.**

ROBERT GENZER, PLANNING & DEVELOPMENT

Councilman, just for reference, in our condition we're recommending that that additional hearing, which would be on August 9th, also be at a 5:00 again time certain. We just wanted to make sure you had concurrence on that.

COUNCILMAN McDONALD

What about 4:00 p.m. time certain?

COUNCILMAN BROWN

Mr. Genzer, would you repeat that?

ROBERT GENZER, PLANNING & DEVELOPMENT

Our condition recommends that that additional 90 day hearing, which is on August 9th, also be at a 5:00 p.m. time certain. Unless you want to change it to 4:00 p.m.

COUNCILMAN BROWN

Let's **change it to 4:00.** That would be 4. And understanding in that motion the intent is to mandate Town Center property owners to participate. This is no option. It's how we get them to participate. And as long as the record clearly reflects that. And thank you very much to the applicant and all the people that worked on this. I know this, everybody that's looked at it is really pleased with it. It'll be

VERBATIM TRANSCRIPT - ITEM 120 - Z-76-98(4)
OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY

truly a signature road.

MAYOR JONES — There's a motion on the floor. Vote on the motion.

JENNIFER LAZOVICH — I'm sorry.

MAYOR JONES — No, it was my turn. Vote. Post. Motion's approved. **(Motion carried unanimously.)** Thank you.

JENNIFER LAZOVICH — Thank you.

(END OF DISCUSSION)

/vwd

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
121	Set date on any appeals filed or required public hearings from the City Planning Commission and Board of Zoning Adjustment meetings and dangerous buildings or nuisance/litter abatements.	U-43-94(1), U-4-99 (gasoline sales), VAC-11-99, VAC-12-99, VAC-14-99, DB 3005 King Midas Way, 1109 Meadbrook Road – 5/24/99 Agenda
122	Set date for a public hearing to discuss the list of delinquent sewer accounts for sewer service charges rendered uncollectible and due to be placed on the Clark County Treasurer's tax roll for the July 1, 1999 tax bill	5/24/99 Agenda

CITY COUNCIL

MEETING OF

MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
X. ADDENDUM	None.

ITEM	ACTION
XI. CITIZENS PARTICIPATION Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.	LISA LITCHFIELD thanked MAYOR JONES for the wonderful job she has done and expressed appreciation for all the Mayor's hard work. She outlined her efforts in regard to filming a documentary movie in Las Vegas. (4:49 - 4:51) **4-2340** Recessed from 4:51 PM to 5:02 PM to consider Item 120 [Z-76-98(4)]. **THE MEETING ADJOURNED AT 5:15 P.M.**

CITY COUNCIL
MEETING OF
MAY 10, 1999

City of Las Vegas

AGENDA & MINUTES **Page 137**

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
NOTES AND DIRECTIVES	COUNCILMAN REESE stressed that Purchasing & Contracts staff should ensure that all bid requirements are clearly stated at the pre-bid conference. (See Item No. 45) COUNCILMAN BROWN directed that Rowlett Construction be contacted and updated on the situation and be asked to be present at the 5/24/99. (See Item No. 45) COUNCILMAN BROWN directed the City Attorney's office to brief the Council members on what determines a responsive bidder. (See Item No. 45) COUNCILMAN BROWN and MAYOR JONES directed the City Attorney's office to define where the Council has discretion in terms of bids so that clear rules can be set for everyone to follow. (See Item No. 45) COUNCILMAN BROWN instructed that, with the assistance of Reiger Construction, Purchasing & Contracts staff provide a list of bids that have been awarded that have not been required to list the license numbers of the subcontractors provided. (See Item No. 45) (11:00 - 11:32) **1-1423** COUNCILMAN REESE directed that a handout be prepared and provided to convenience store applicants indicating that there may be problems obtaining a Special Use Permit for off-premise sale of beer and wine. COUNCILMAN BROWN added that there seems to be a proliferation of smaller stores which identify themselves as convenience stores and food marts. He instructed that staff look into a method of distinguishing between the two types of operations. DEPUTY CITY ATTORNEY GEORGE noted that although convenience stores are allowed as a matter of right in commercial zones, beer and wine sales require a Special Use Permit. (See Item 108 - U-24-99) (3:30 - 3:40) **3 - 2868**