

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 94****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

FIVE YEAR REQUIRED REVIEW - AESTHETIC REVIEW - AR-12-89(2) AND AR-16-90(2) - ANDREW H. TOMPKINS ON BEHALF OF LADY LUCK HOTEL & CASINO - Five Year Required Review on two approved Aesthetic Reviews on property located on the northwest corner of Ogden Avenue and 4th Street which allowed an 88 foot by 118 foot temporary tent structure with an attached 30 foot by 30 foot accessory tent structure to be used as a special events center, and which allowed a 28 foot by 60 foot temporary trailer to be used as dressing rooms for an approved temporary tent special events center in conjunction with an existing hotel and casino, C-2 (General Commercial) Zone, Ward 3 (Reese), APN: 139-34-510-030. Staff recommends DENIAL.

PROTESTS BEFORE:**Planning Commission**☐**Board of Zoning Adjustment**☐**City Council****Concerns**☐**APPROVALS BEFORE:****Planning Commission**☐**Board of Zoning Adjustment**☐**City Council**☐**RECOMMENDATION:**

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - APPROVED subject to amending Condition No. 1 that the temporary structure shall be removed within two years of the date of this approval - **UNANIMOUS**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 94 - AR-12-89(2)

MINUTES - Continued:

GREG BORGEL, 300 S. 4th Street, appeared on behalf of ANDREW TOMPKINS and stated that staff did not support extending the time on this application. However, if the extension were granted, staff would add a condition for a two-year review which MR. TOMPKINS would accept. MR. TOMPKINS has been working for the past several years improving the Lady Luck property, focusing on Third Street. He has in fact filed an application to enhance the Third Street appearance and extending the Fremont Street Experience up to his property. He has not yet addressed the Fourth Street frontage and therefore requested that the Council grant the extension of time on this application.

COUNCILMAN REESE expressed concern about Neonopolis construction traffic along Fourth and Ogden Streets. He is willing to grant the extension with the condition that the tent will be removed in two years. That will allow for the completion of Neonopolis and the applicant can move forward with whatever construction is needed.

No one appeared in opposition.

There was no further discussion.

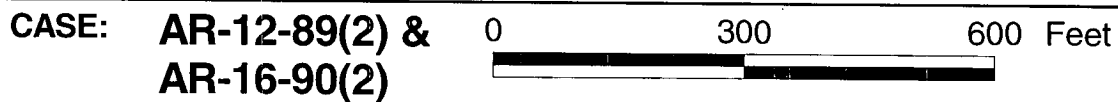
MAYOR GOODMAN declared the Public Hearing closed.

(1:58 - 2:01)

3 - 1700

CONDITIONS:

1. The temporary structures shall be reviewed and subject to removal in two years.



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: AR-12-89(2) and AR-16-90(2) - Andrew H. Tompkins on
behalf of Lady Luck Hotel & Casino**

**** CONDITIONS ****

Staff recommends DENIAL. IF APPROVED subject to:

1. The temporary structures shall be reviewed and subject to removal in two years.

AR-12-89(2) - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a required review of the continued use of a tent structure used for group meetings and entertainment and a trailer used for dressing rooms at the Lady Luck Hotel/Casino, 206 North Third Street.

BACKGROUND DATA:

- 10/04/89 The City Council approved a request for an Aesthetic Review of a temporary tent structure. A condition of that approval required the structure to be removed from the property no later than September 14, 1994 (AR-12-89).
- 01/02/91 The City Council approved a request for an Aesthetic Review of a temporary trailer. A condition of that approval required the structure to be removed from the property no later than September 14, 1994 (AR-16-90).
- 04/15/94 The Department of Building and Safety issued a Certificate of Occupancy for the structures which expired on January 1, 1999.
- 09/21/94 The City Council approved the continued use of the temporary tent structure approved under AR-12-89 and the temporary trailer approved under AR-16-90. A condition of that approval required the use of both structures to be reviewed in five years.

SITE DETAILS:

These temporary structures have been located on the east side of the Lady Luck site since 1990. The temporary tent is used for group meetings and entertainment for large parties. The tent is made of a heavy vinyl material and is 12,000 square feet in size (88' X 118') with an attached 20' X 30' accessory tent. The adjacent temporary trailer has a masonite exterior and is used as a dressing room.

AR-12-89(2) - Page Three
October 20, 1999 City Council Meeting

FINDINGS:

The commercial and public facility development surrounding this site consists of permanent structures. Staff is not aware of any other trailers or tents in the vicinity. Additionally, staff believes the continuation of these temporary structures is incompatible with recent efforts to upgrade this area, such as the Fremont Street Experience and Neonopolis. Staff, therefore, can not support the continued use of these structures. Staff also notes that the Certificate of Occupancy for the structures expired on January 1, 1999 and there is no record of any renewal on file in the Building Department.

CC NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 95****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-37-99 - AMSTAR HOMES - Petition to vacate a ten foot (10') wide public sewer easement generally located south of Washington Avenue and west of Marion Drive, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****Concerns****0****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**REESE - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 S. Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff's conditions.

TOM MCGOWAN, 720 South Casino Center Boulevard, appeared in support of the vacation request. He added a comment relating to the previous item [AR-12-89(2)] that ANDREW H. TOMPKINS, Lady Luck, is the best business person and responsible citizen in the entire Las Vegas community.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 95 - VAC-37-99

MINUTES - Continued:

COUNCILMAN REESE noted that he would like to meet with Amstar Homes developers.

There was no further discussion.

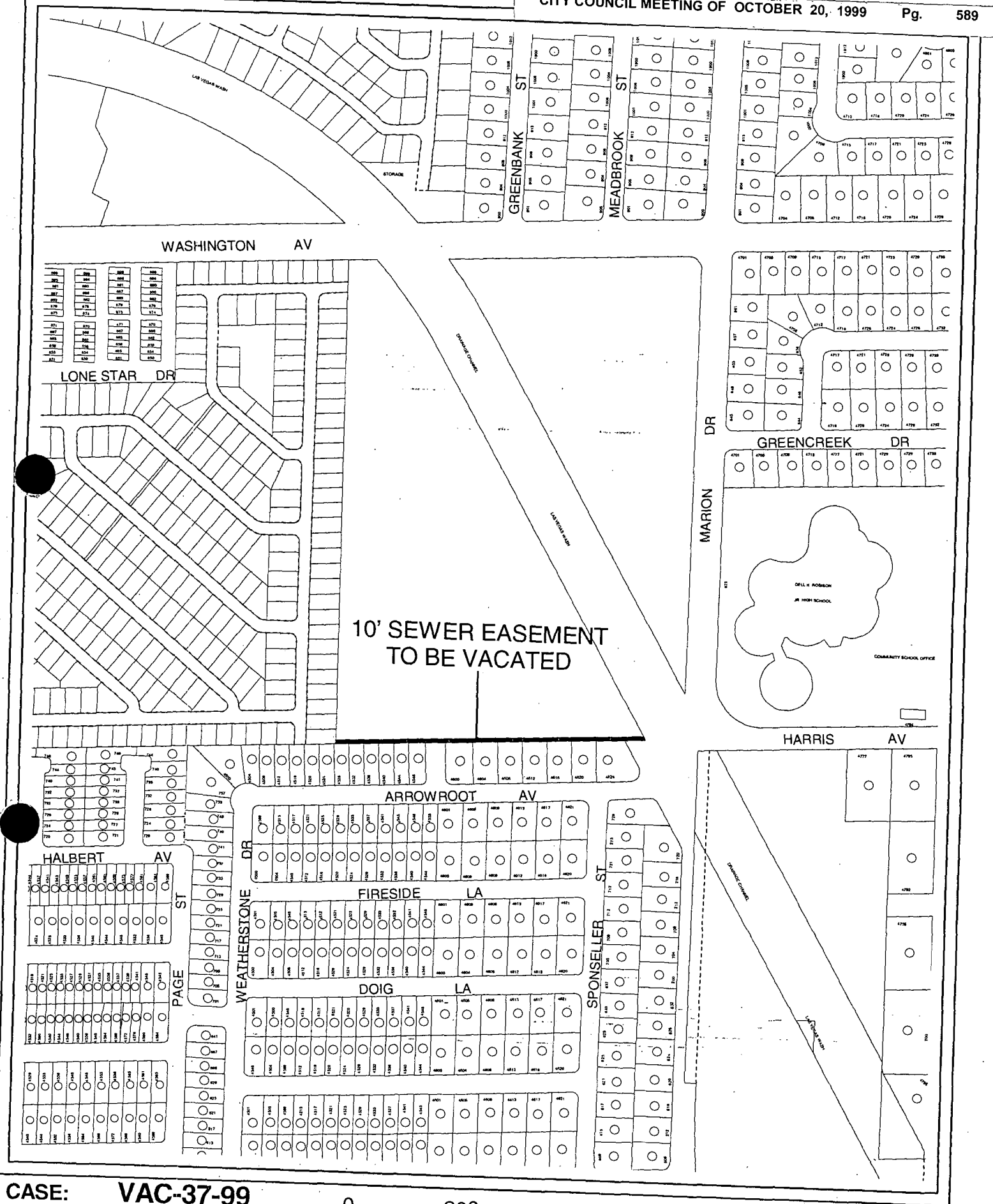
MAYOR GOODMAN declared the Public Hearing closed.

(2:01 - 2:02)

3 - 1825

CONDITIONS:

1. The Petition of Vacation shall be amended to exclude those portions of the sewer easement lying east of the west line of the Marion Drive right-of-way, north of Arrowroot Avenue as required by the Department of Public Works.
2. Meet with the Collection Systems Planning Section of the Department of Public Works to establish an alternative public sewer access route to service the existing parcel to the west of this site prior to recordation of an Order of Vacation for this sewer easement as required by the Department of Public Works. Appropriate public sewer easements for the agreed upon alternate route shall be granted to the City prior to or concurrent with the recordation of an Order of Vacation as required by the Department of Public Works.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed.
5. 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.



CASE: VAC-37-99

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: VAC-37-99 - Amstar Homes**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The Petition of Vacation shall be amended to exclude those portions of the sewer easement lying east of the west line of the Marion Drive right-of-way, north of Arrowroot Avenue as required by the Department of Public Works.
2. Meet with the Collection Systems Planning Section of the Department of Public Works to establish an alternative public sewer access route to service the existing parcel to the west of this site prior to recordation of an Order of Vacation for this sewer easement as required by the Department of Public Works. Appropriate public sewer easements for the agreed upon alternate route shall be granted to the City prior to or concurrent with the recordation of an Order of Vacation as required by the Department of Public Works.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed.
5. 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.

VAC-37-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is a petition to Vacate a ten foot (10') wide Public Sewer Easement on property located on the south side of Washington Avenue, approximately 900 feet west of Marion Drive.

BACKGROUND DATA:

04/24/63 The Board of Commissioners of the City of Las Vegas approved a request for Rezoning from R-R (Rural Residential) to R-T (Trailer Residential) on this property as part of a larger request for a proposed mobile home park (Z-16-63). The R-T zoning's present day equivalent is R-MHP.

07/13/98 The City Council approved a request for a Rezoning on this property from R-MHP (Residential Mobile/Manufactured Home Park) to R-PD6 (Residential Planned Development - 6 units per acre) for a proposed 84 Lot Single Family Residential Subdivision (Z-30-98).

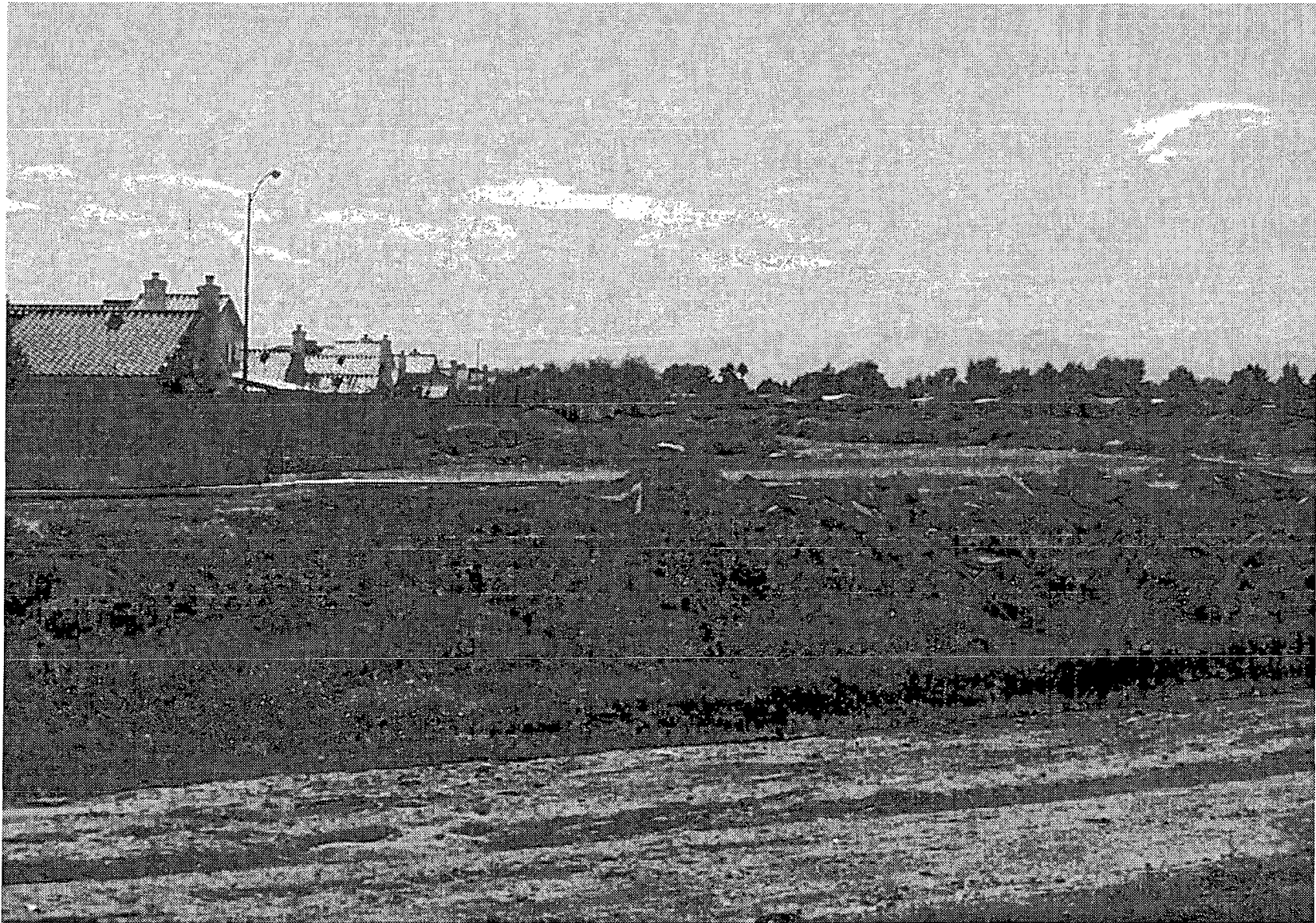
FINDINGS:

The applicant is requesting to vacate a public sewer easement. The applicant has indicated that this Vacation is necessary to allow for the development of a single family residential subdivision. The Department of Public Works indicates that the City has no further interest in this unused public sewer easement.

NOTICES MAILED: 398 by City Clerk.

APPROVALS: 0

PROTESTS: 0



VAC-37-99 - from east side of site looking west along easement alignment (Las Vegas Wash in foreground)

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 96****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-39-99 - STANPARK CONSTRUCTION
COMPANY - Petition to vacate U. S. Government Patent Reservations generally located
between Alexander Road and Fox Forest Avenue, west of Fort Apache Road, Ward 4 (Brown).
The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****0****Concerns****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**BROWN - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 S. Rainbow Boulevard, appeared on behalf of the
applicant and concurred with staff's conditions.

TOM McGOWAN, 720 South Casino Center Boulevard, questioned the purpose of the vacation.
MAYOR GOODMAN stated for the record that information about this vacation can be obtained
from the City Clerk's Office.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 96 - VAC-39-99

MINUTES - Continued:

There was no further discussion.

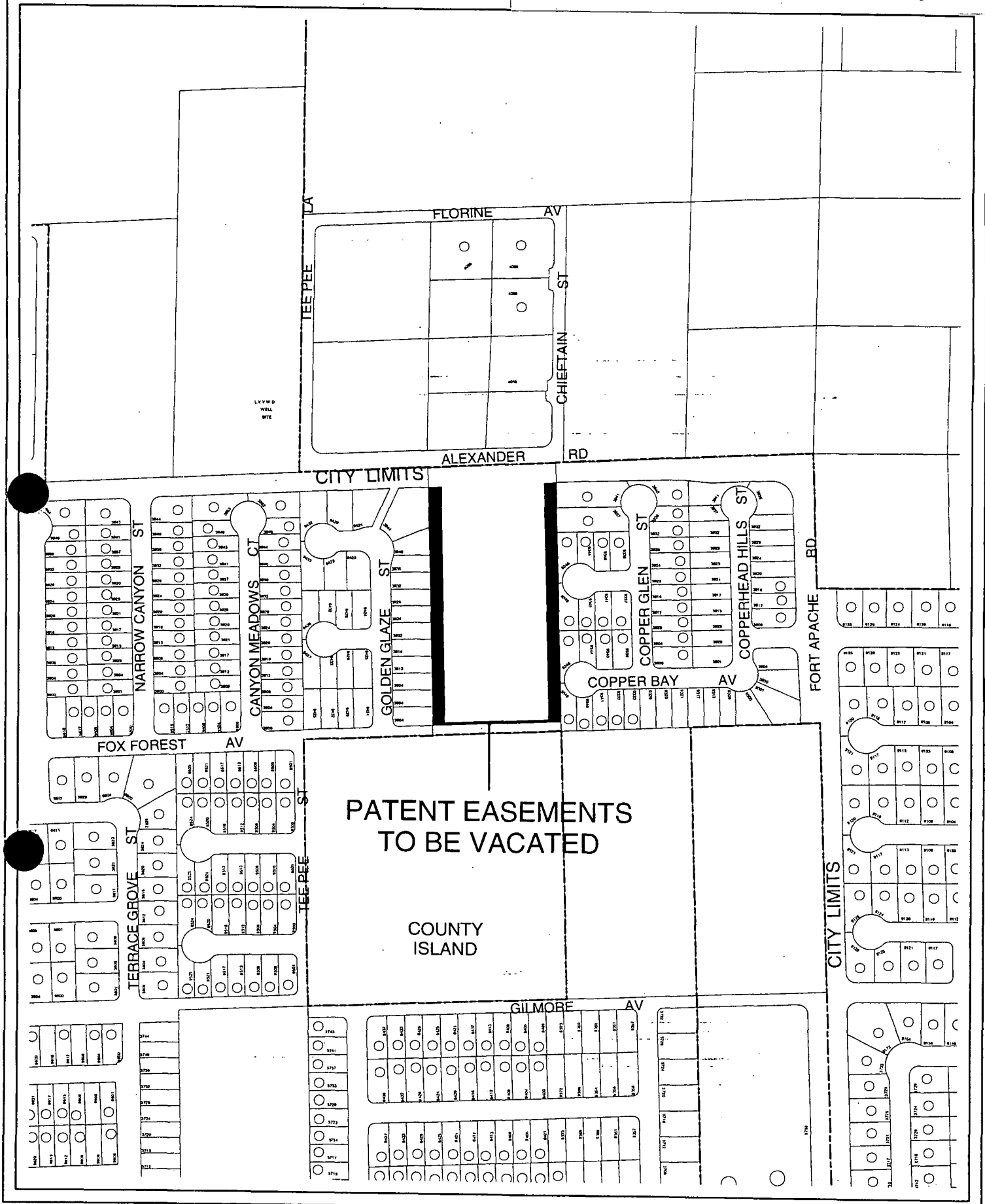
MAYOR GOODMAN declared the Public Hearing closed.

(2:02 - 2:04)

3 - 1900

CONDITIONS:

1. The Vacation Application shall be revised to exclude that portion of the existing patent easements subject to the Declaration of Utilization for public sewer purposes along the southeast edge of this site as required by the Department of Public Works. The application shall be further revised to include that area outside of the curve where Fox Forest Avenue turns into Chieftain Street. The legal description shall also be revised to include only the north 33 feet (rather than 50 feet), which is the extent of the existing patent easement.
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.
3. Development of these sites shall comply with all applicable conditions of approval for the Canyon Meadows Unit 8 subdivision.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest 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.
6. If the Order of Relinquishment of Interest 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.



CASE: VAC-39-99

0 200 400 Feet



96

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: VAC-39-99 - Stanpark Construction

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The Vacation Application shall be revised to exclude that portion of the existing patent easements subject to the Declaration of Utilization for public sewer purposes along the southeast edge of this site as required by the Department of Public Works. The application shall be further revised to include that area outside of the curve where Fox Forest Avenue turns into Chieftain Street. The legal description shall also be revised to include only the north 33 feet (rather than 50 feet), which is the extent of the existing patent easement.
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.
3. Development of these sites shall comply with all applicable conditions of approval for the Canyon Meadows Unit 8 subdivision.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest 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.
6. If the Order of Relinquishment of Interest 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.

VAC-39-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request to vacate U.S. Government Patent Reservations on property generally located on the south side of Alexander Road, west of Fort Apache Road, to allow the development of the site as a single family residential subdivision.

BACKGROUND DATA:

- 07/27/98 The City Council approved a request for a General Plan Amendment from L (Low Density Residential) to ML (Medium-Low Density Residential) for a portion of this property as part of larger request (GPA-21-98).
- 08/06/99 This property was annexed to the City of Las Vegas [A-20-99(A)].
- 08/03/99 The Board of Zoning Adjustment approved a request for a Variance to waive open space requirements for a proposed single family residential subdivision (V-62-99).
- 09/01/99 The City Council approved a request for Rezoning on this property from U (Undeveloped) zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] to R-PD6 (Residential Planned Development - 6 units per acre) zone (Z-44-99).

FINDINGS:

A request for a Tentative Map (TM-41-99) on this property was approved by the Planning Commission on September 9, 1999. The Vacation of U.S. Government Patent Reservations will allow the development of this site. These Reservations no longer serve any useful purpose. Therefore, staff has no objection to this request.

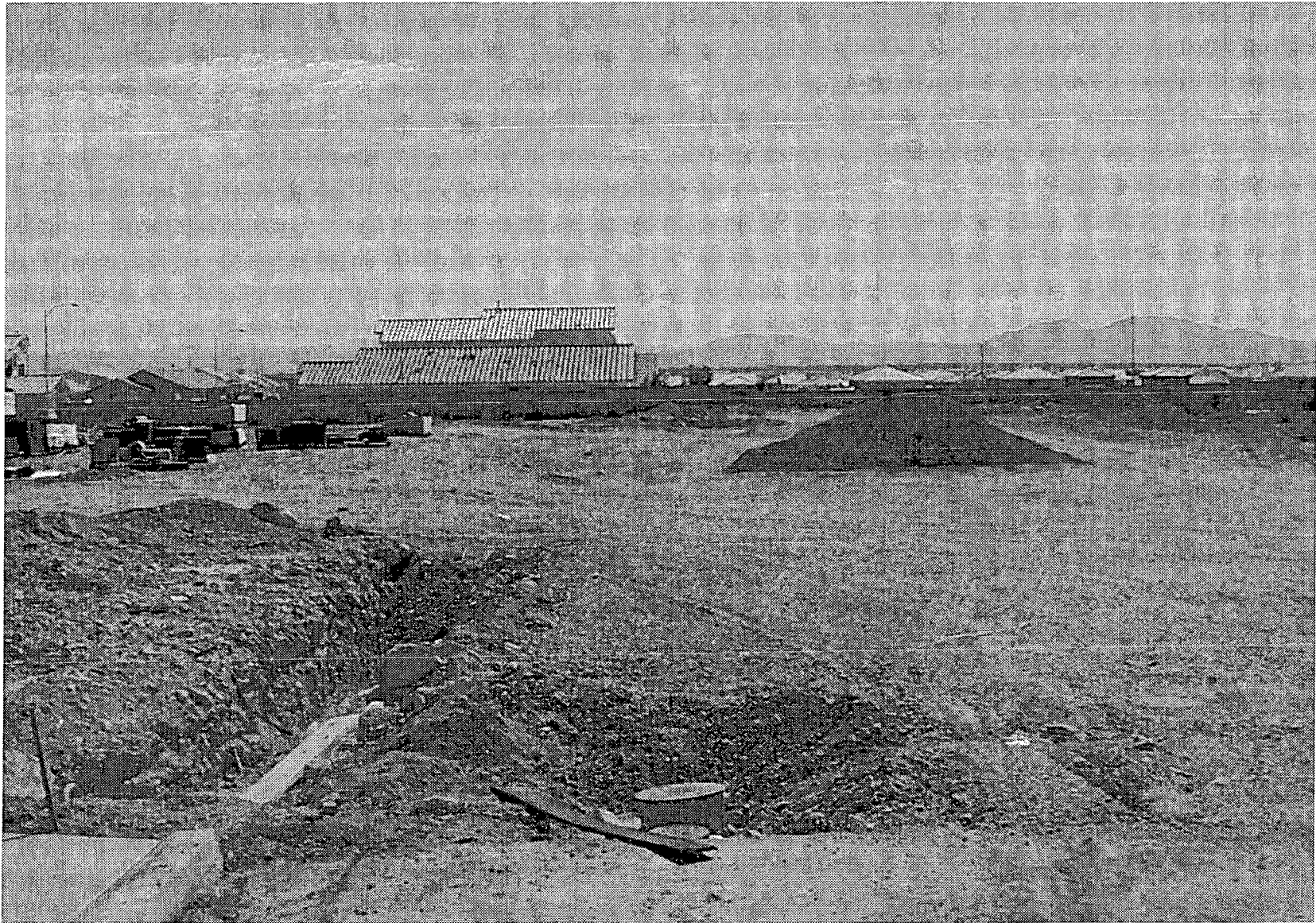
NOTICES MAILED: 12 by City Clerk

APPROVALS: 0

PROTESTS: 0



VAC-39-99 - north side of site looking south/southeasterly (Alexander Road in foreground)



VAC-39-99 - from southwest corner of site looking easterly along Fox Craft Avenue alignment

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 97****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-38-99 - JAMES & PATRICIA RISSLER -
 Petition to vacate Marietta Avenue between Fairhaven Street and Leonard Lane, Ward 4
 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****0****Concerns****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with L. McDONALD not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARCHITECT DENNIS RUSK, 3960 East Patrick Lane, appeared on behalf of the applicant and concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 97 - VAC-38-99

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.

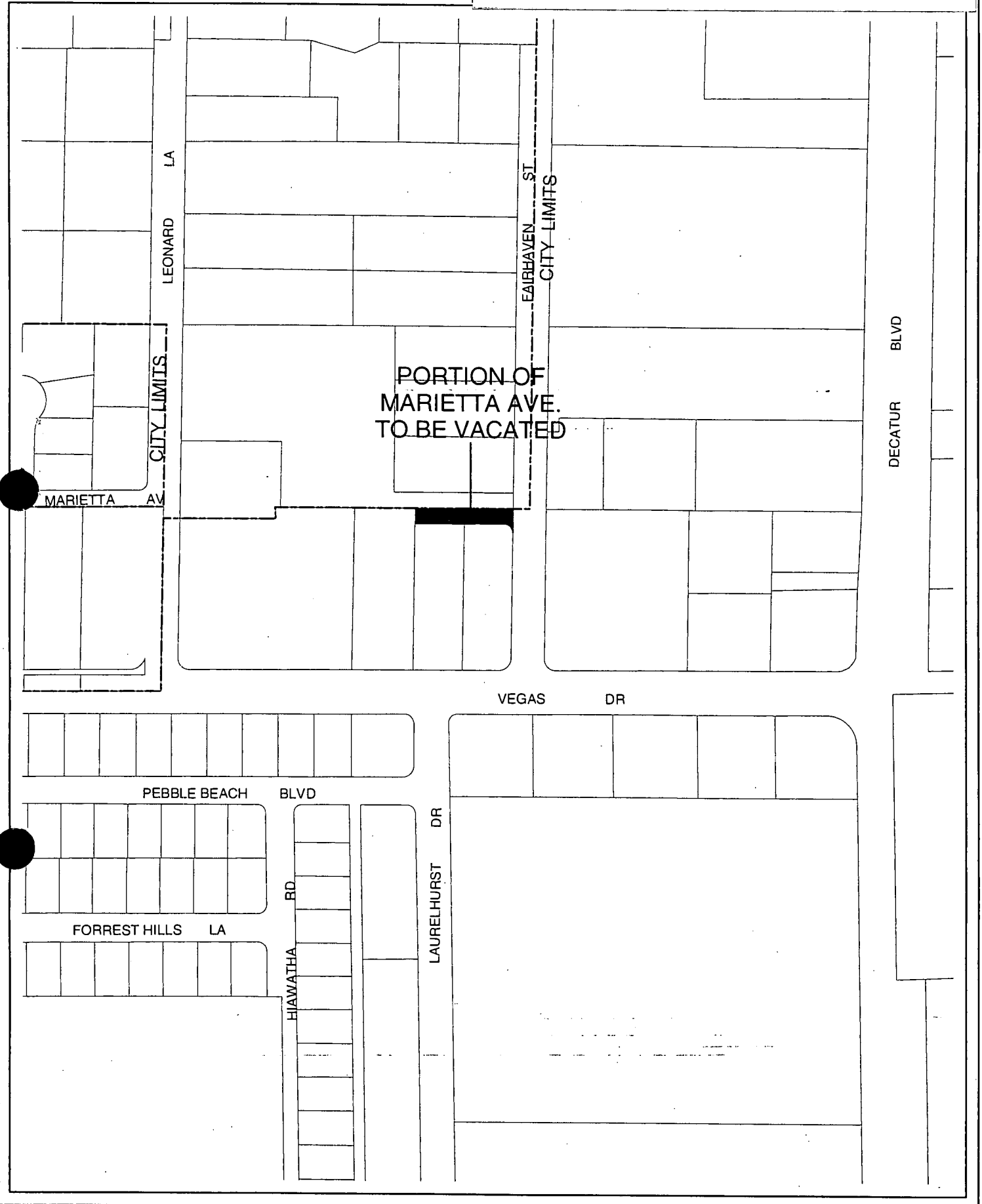
(2:04 - 2:05)

3 - 1945

CONDITIONS:

1. A Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *The Drainage Study required by Z-51-99 may be used to satisfy this condition.*
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition No. 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.
6. 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.

PORTION OF
MARIETTA AVE.
TO BE VACATED



CASE: VAC-38-99

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: VAC-38-99 - James and Patricia Rissler**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. A Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *The Drainage Study required by Z-51-99 may be used to satisfy this condition.*
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition No. 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.
6. 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.

VAC-38-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request to Vacate the remaining portion of the south half of Marietta Avenue between Fairhaven Street and Leonard Lane. The applicant has indicated that this is necessary to allow development of one of the parcels (the east parcel) to the south.

BACKGROUND DATA:

- 09/04/79 The Board of County Commissioners approved a request for a Zone Change (ZC-190-79) on this property from R-E (Rural Estates Residential) to C-1 (Local Business). A day care center was constructed on the west parcel. However, the east parcel was not developed, and therefore, it's Resolution of Intent expired.
- 12/05/79 This property was annexed to the City of Las Vegas (A-18-79).
- 09/09/99 The Planning Commission recommended Approval of a request for Rezoning on the east half of the adjacent property to the south from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) Zone, for a proposed 6,435 square foot office/retail building (Z-51-99). This item will be considered by the City Council on 10/20/99.

FINDINGS:

This portion of Marietta Avenue is currently unimproved and approval of this request will not eliminate public street access to any abutting parcels. Staff has no objection to approval of this request.

NOTICES MAILED: 6 by City Clerk

APPROVALS: 0

PROTESTS: 0



VAC-38-99 - from east side of site looking west along Marietta Avenue alignment (Fairhaven Street in foreground)



VAC-38-99 - from south side of site looking north (Vegas Drive in foreground)

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 98****DIRECTOR: WILLARD TIM CHOW**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

REZONING RELATED TO VAC-38-99 - PUBLIC HEARING - Z-51-99 - JAMES & PATRICIA RISSLER - Request for a Rezoning on property located on the northwest corner of Vegas Drive and Fairhaven Street, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: C-1 (Limited Commercial), PROPOSED USE: 6,435 SQUARE FOOT RETAIL/OFFICE BUILDING, Size: 0.54 Acres, Ward 4 (Brown), APN:-138-24-803-023. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with L. McDONALD not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARCHITECT DENNIS RUSK, 3960 East Patrick Lane, appeared on behalf of the applicant and concurred with staff's conditions.

TOM McGOWAN, 720 South Casino Center Boulevard, appeared in support.

There was no further discussion.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 98 - Z-51-99

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.

(2:05 - 2:06)

3 - 2000

CONDITIONS:

1. A revised site plan, indicating that there shall be no access to Fairhaven Street from this site, shall be submitted to the Planning and Development Department for review and approval.
2. The building exterior shall be aesthetically enhanced as required by the Planning and Development Department.
3. Vacation Application VAC-38-99 (or similar action), must record prior to the issuance of any grading or building permits, whichever may occur first, overlying any part of the area to be vacated as required by the Department of Public Works.
4. Construct half-street improvements on Fairhaven Street and construct all incomplete half-street improvements on Vegas Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works.
5. Construct a public sewer line in Fairhaven Street adjacent to this site and extending 5 feet north of the northern edge of this site prior to the construction of hard surfacing on Fairhaven Street as required by the Department of Public Works.
6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

Item 98 - Z-51-99

CONDITIONS - Continued:

7. 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. 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,000.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
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 with a 12 month time limit.
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.

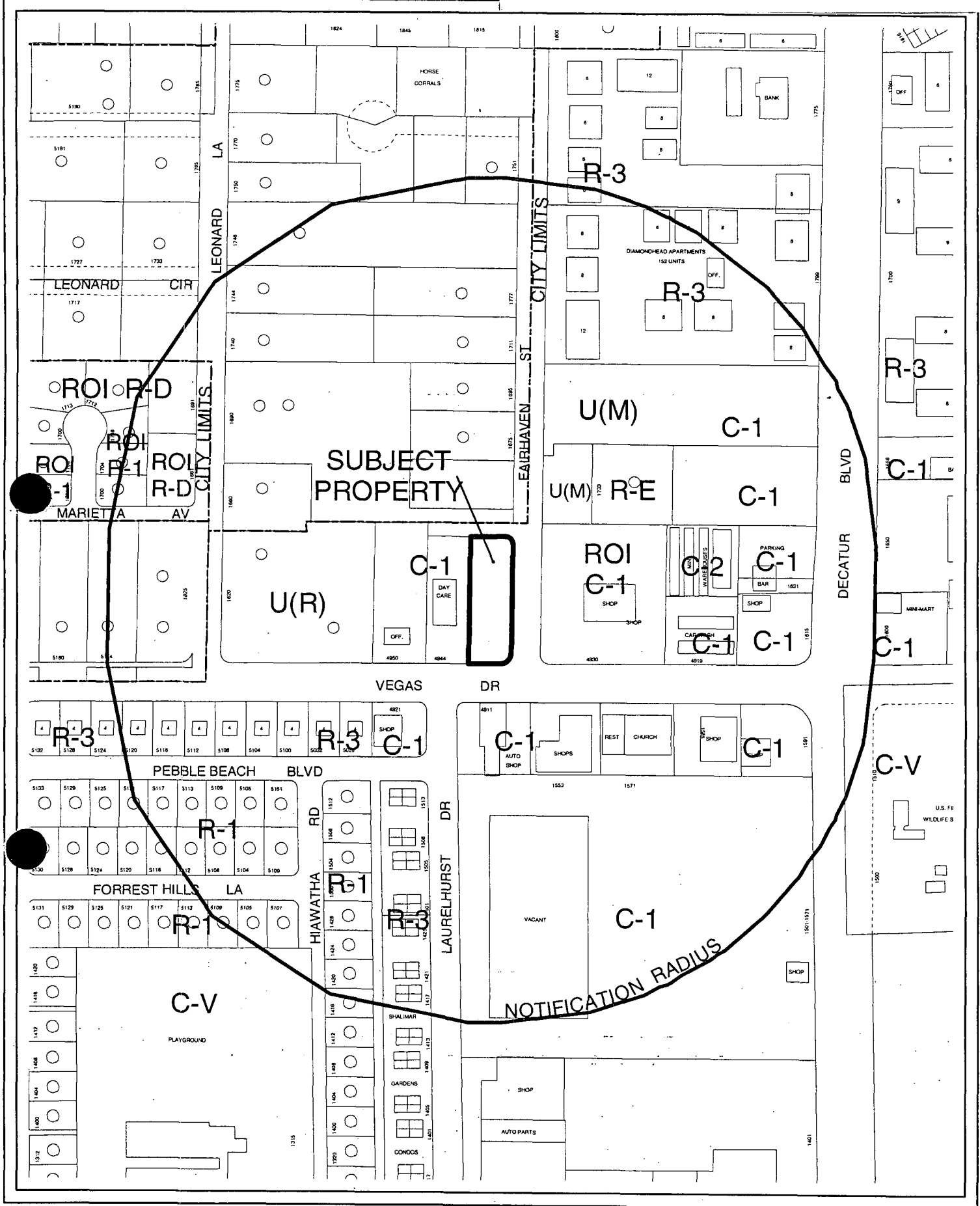
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

Item 98 - Z-51-99

CONDITIONS - Continued:

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).
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 feet to provide for transportation hazards.
18. 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.

CASE: **Z-51-99**

RADIUS: 750 FT

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: Z-51-99 - James and Patricia Rissler

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. A revised site plan, indicating that there shall be no access to Fairhaven Street from this site, shall be submitted to the Planning and Development Department for review and approval.
2. The building exterior shall be aesthetically enhanced as required by the Planning and Development Department.
3. Vacation Application VAC-38-99 (or similar action), must record prior to the issuance of any grading or building permits, whichever may occur first, overlying any part of the area to be vacated as required by the Department of Public Works.
4. Construct half-street improvements on Fairhaven Street and construct all incomplete half-street improvements on Vegas Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works.
5. Construct a public sewer line in Fairhaven Street adjacent to this site and extending 5 feet north of the northern edge of this site prior to the construction of hard surfacing on Fairhaven Street as required by the Department of Public Works.
6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
7. 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. 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

Z-51-99 - Page Two
October 20, 1999 City Council Meeting

#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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,000.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

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 with a 12 month time limit.
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).
13. All City Code requirements and design standards of all City departments must be satisfied.

Z-51-99 - Page Three

October 20, 1999 City Council Meeting

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 feet to provide for transportation hazards.
18. 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.

Z-51-99 - Page Four

October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request for a Rezoning from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) for a proposed 6,435 square foot retail/office building on a 0.54 acre parcel located on the northwest corner of Vegas Drive and Fairhaven Street. The applicant indicates this request is justified due to the development of the adjacent properties.

BACKGROUND DATA:

09/04/79 The Board of County Commissioners approved a request for a Zone Change (ZC-190-79) on this property from R-E (Rural Estates Residential) to C-1 (Local Business). A day care center was constructed on the west parcel. However, the east parcel was not developed, and therefore, it's Resolution of Intent expired.

1979 This property was annexed to the City of Las Vegas (A-18-79).

09/09/99 The Planning Commission recommended approval of a request to Vacate the remaining portion of Marietta Avenue between Fairhaven Street and Leonard Lane (VAC-38-99). This item will be considered by the City Council on 10/20/99.

DETAILS OF APPLICATION REQUEST:

Site Area:	0.54	Acres
Building Area:	6,435	Square Feet
Building Height:	19	Feet, One Story
Parking Required:	26	Spaces (Based on retail uses)
Parking Provided:	26	Spaces

The submitted site plan indicates a single story retail/office building is proposed for the south portion of this 0.54 acre parcel. Ingress to the site is provided by a driveway to Fairhaven Street in the north portion of the site, with egress provided by a second driveway to the south. Landscaping is provided within a 20 foot wide planter along Vegas Drive, a 15 foot wide planter along Fairhaven Street, minimum eight foot wide planters along the north and west property lines, and within the parking lot. The elevations indicate the structure will have a white stucco exterior with a red tile roof.

Z-51-99 - Page Five

October 20, 1999 City Council Meeting

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	Clark County	Single Family Dwelling
South	C-1 (Limited Commercial)	Auto Shop
East	C-1 (Limited Commercial)	Auto Parts Shop
West	C-1 (Limited Commercial)	Child Care

FINDINGS:

GENERAL PLAN:

The site is designated SC (Service Commercial) on the Southwest Sector Map of the City of Las Vegas General Plan. The proposed rezoning to C-1 (Limited Commercial) is in conformance with that designation.

REZONING:

The rezoning of this property from U (Undeveloped) to C-1 (Limited Commercial) is compatible with the existing C-1 zoning immediately to the east and west, and with the shopping center to the south.

COMMUNITY GROWTH FACTORS:

The properties along the north side of Vegas Drive, west of Decatur Boulevard, have been converting to commercial uses since 1979. Staff finds this request is compatible with that pattern of development.

SITE PLAN/ELEVATIONS:

Staff finds that the submitted landscape plan meets the objectives of the Urban Design Guidelines and Standards.

Staff has reviewed the approval to C-1 (Limited Commercial) of the parcel immediately to the east of the subject site, on the northeast corner of Vegas Drive and Fairhaven Street. Based on concerns raised by surrounding property owners, access to Fairhaven was prohibited. Staff believes it is appropriate to place the same condition on the subject site, and has done so in its recommendation. Because this will require a substantial redesign of the site, an Administrative Site Development Plan Review will be needed.

Z-51-99 - Page Six

October 20, 1999 City Council Meeting

Additionally, staff has a concern with the blank, uninteresting appearance of the building exterior. The applicant indicates they will be able to propose aesthetic enhancements to the exterior after the tenant for the building has been determined. A condition has been added that addresses this issue.

PC NOTICES MAILED: 101

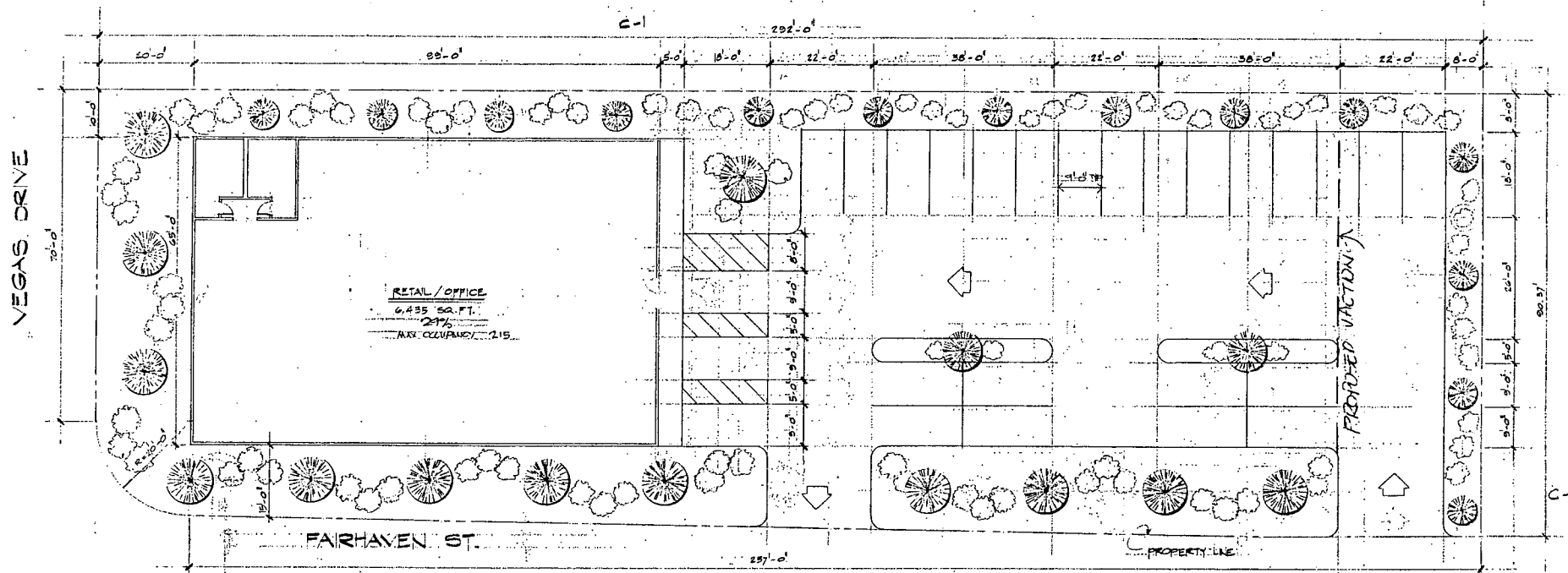
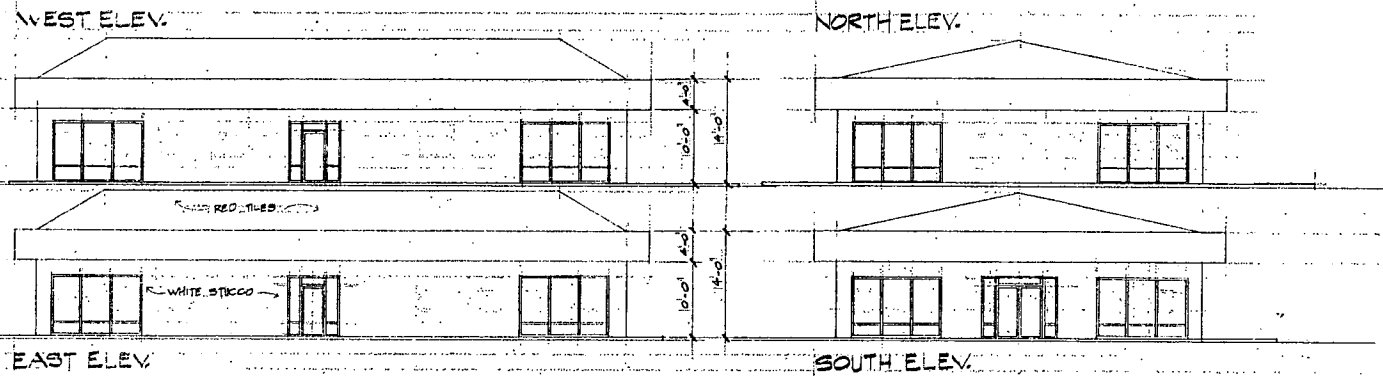
APPROVALS: 0

PROTESTS: 0

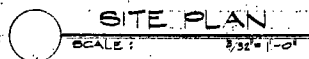
STAFF

Z-51-99

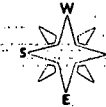
9-9-99 PC



VICINITY MAP



SITE PLAN



LANDSCAPE LEGEND				
SYM.	POTENTIAL NAME	COMMON NAME	USE	FULL SIZE DESCRIPTION
	LAGER STROMA	GRAPE MYRTLE	DECIDUOUS TREE	SOFT HX 6' PL.W. 24" BOX RND TRUNK
	RATHOLEPID NOLICA	ROYAL HAWTHORNE	EVERGREEN SHRUB	12" HX 18" X 6" PL.W. 5 GALLON

Architect
DENNIS E. BUSY, ARCHITECT
3960 E. Patrick Lane, # 203
Las Vegas, Nevada 89120
PHONE (702) 893-8300
FAX (702) 893-0171

SHEET TITLE:
JOB NAME:

THESE DRAWINGS
OR INSTRUMENTS
OF SERVICE ARE
THE PROPERTY OF
THE ARCHITECT.

REVISIONS:

DATE
PROJECT NO.
DRAWN BY
CHECK BY
SHEET NO.

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 99****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - V-69-99 - HORST SCHMIDT - Request for a Variance on property located at 2710 Palomino Lane TO ALLOW A 28 FOOT FRONT YARD SETBACK WHERE 50 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING SINGLE-FAMILY DWELLING, R-A (Ranch Acres) Zone, Ward 1 (McDonald), APN: 139-32-703-008 and 013. The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns**☐**APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council**☐**RECOMMENDATION:**

The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**M. McDONALD - ABEYANCE to 11/3/99 - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

APPEARANCES:

HAROLD FOSTER, 3230 Polaris Avenue
 TOM McGOWAN, 720 South Casino Center Boulevard
 CHUCK GRONBACK, 642 Shetland Road
 ROBERT GENZER, Planning & Development
 TIM CHOW, Director of Planning & Development

MAYOR GOODMAN declared the Public Hearing closed.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 99 - V-69-99

MINUTES - Continued:

NOTE: MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY STEVE GEORGE that his residing in the Scotch 80s area does not create a potential conflict on this particular item.

NOTE: COUNCILMAN McDONALD directed staff to bring back in two weeks a written report of all construction on the property and any permits issued for this property. Prior to the next Council meeting, staff shall brief the Mayor and Council regarding this report.

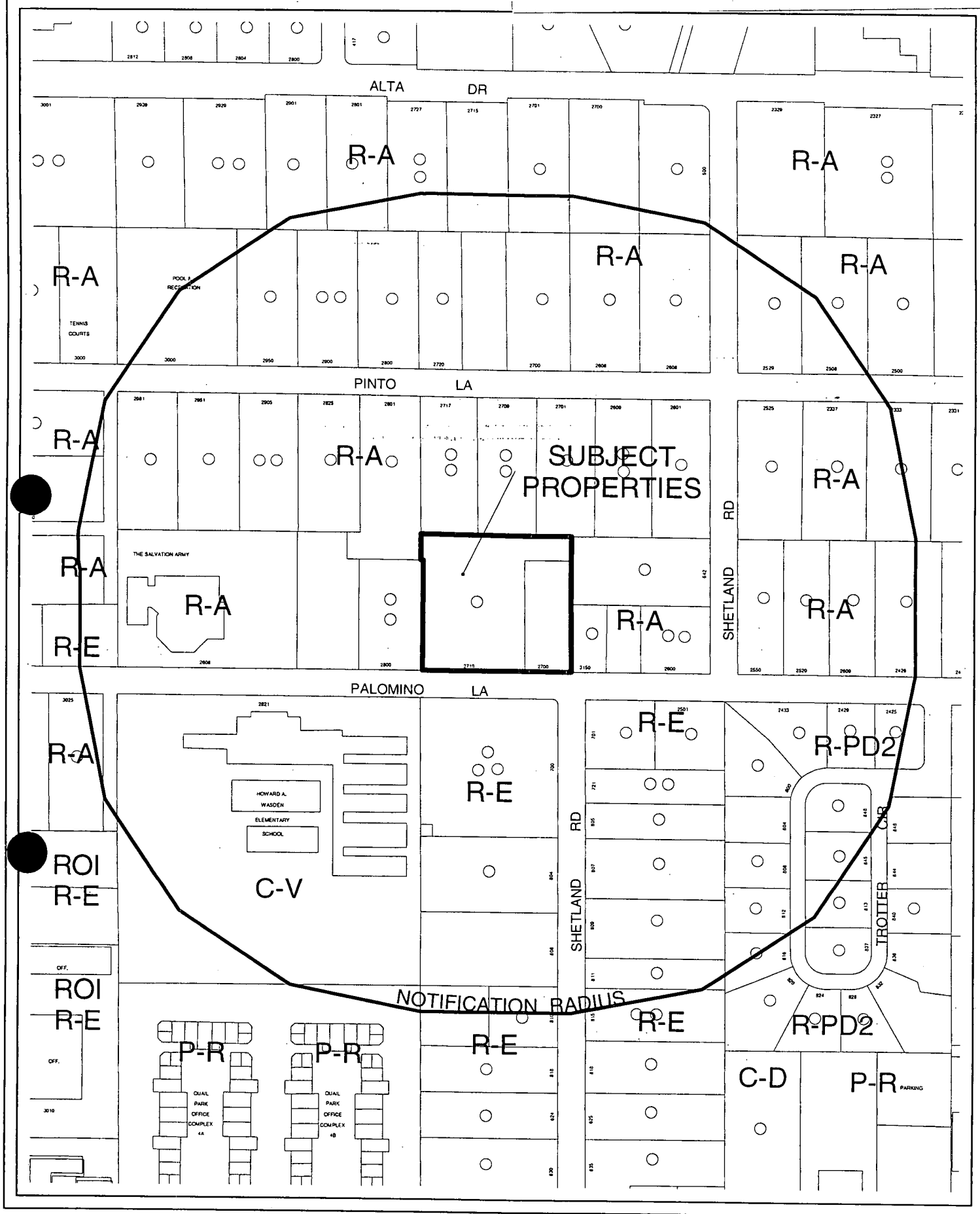
NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(2:06 - 2:20)

3 - 2045

CONDITIONS:

1. All development must be in conformance with the site plan and elevations.
2. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
3. Conformance to all applicable Conditions of Approval for V-20-98.



CASE: V-69-99

RADIUS: 750 FT

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: V-69-99 - Horst Schmidt

**** CONDITIONS ****

The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL, subject to:

1. All development must be in conformance with the site plan and elevations.
2. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
3. Conformance to all applicable Conditions of Approval for V-20-98.

V-69-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Variance to allow an existing building to be set back 28 feet where a 50 foot setback is the minimum allowed. The applicant based the need for the Variance on the historical nature of the building and preserving the rural nature of the neighborhood.

BACKGROUND DATA:

06/02/98 The Board of Zoning Adjustment approved a Variance to allow a six foot tall block wall in the front yard where four feet is the maximum height allowed (V-20-98).

SITE DETAILS:

Existing Zoning: R-A (Ranch Acres)
Existing Land Use: Single Family Residence constructed in 1947

Site Area: 1.69 Acres
Building Area: 26, 169 Square Feet

Access to the site will be from two driveways off of Palomino Lane.

ANALYSIS:

The applicant wishes to call the new construction an addition to the existing structure, this however is not possible because the existing structure would be a legal non-conforming building. Section 19A.16 allows additions to non-conforming buildings to be approved by the Department Director when the non-conformance is a result of inadequate setbacks and provided that the addition conforms to all other provisions of this Title.

The addition shall not encroach beyond the encroachment of the existing building, must be located in either the side or rear yard, and must not encroach more than 50 percent. In addition, the total of all such additions or enlargements shall not exceed more than 50 percent of the size of the original footprint of the structure.

V-69-99 - Page Three
October 20, 1999 City Council Meeting

This application does not meet the above listed criteria for Director approval. The existing home was built in 1947, the new structure is incorporating a portion of the front wall of the existing structure into the new construction. The old home was setback 28 feet from the street right-of-way line, because of this, the new construction does not meet the setback requirements for new construction under Title 19A. Therefore, the Variance must be for a 28 foot front yard setback where a 50 foot front yard setback is the minimum allowed for new construction in an R-A (Ranch Acres) Zoning District.

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,

V-69-99 - Page Four

October 20, 1999 City Council Meeting

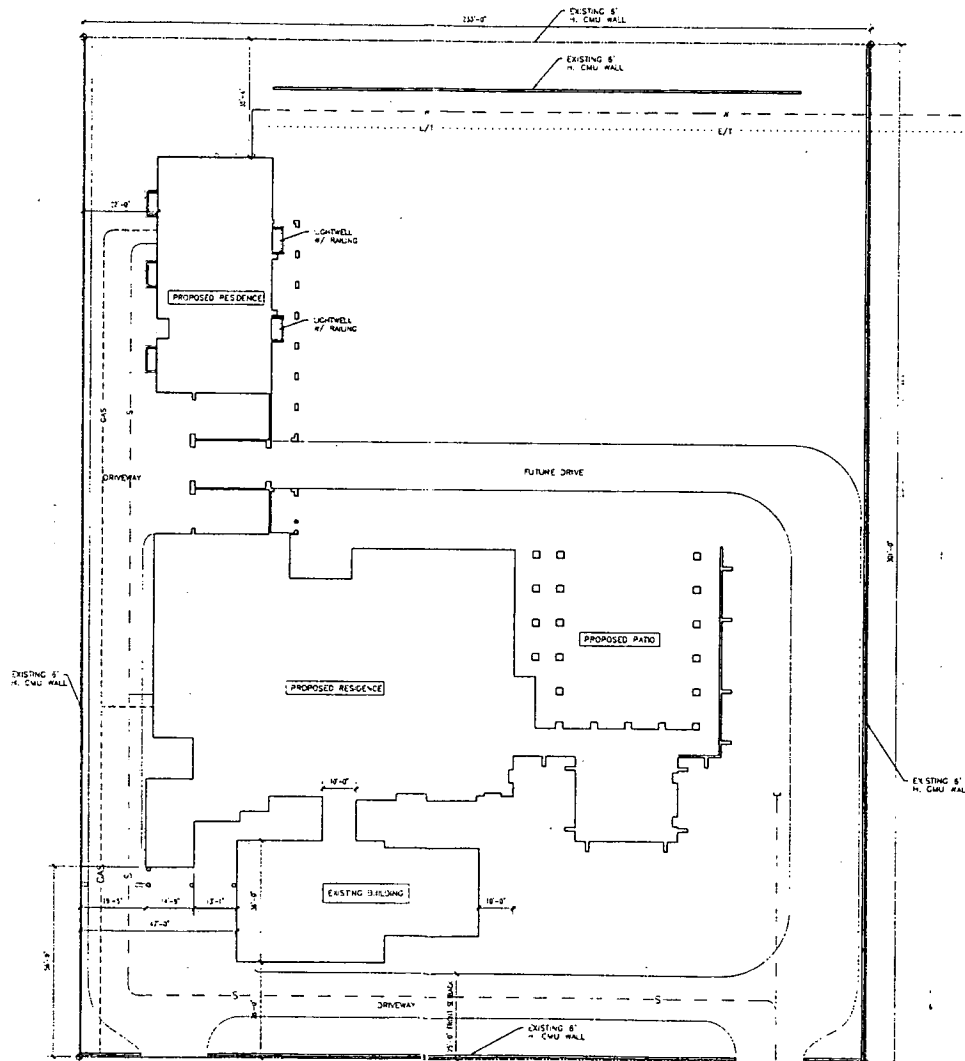
without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

Staff finds evidence of unique or extraordinary circumstances with regard to this request, in that, this is now an existing structure on the same location as the pre-existing structure which has been substantially removed from the current site. Staff believes that since the old structure was setback 28 feet, and was not injurious to other property owners in the vicinity, approval of this Variance for the same setback will not be detrimental to the health, safety, or welfare of the general public. Further, most of the other residences in the vicinity of this property are zoned R-A (Ranch Acres), and do not meet the required 50 foot front yard setback.

NOTICES MAILED: 72 by City Clerk

APPROVALS: 0

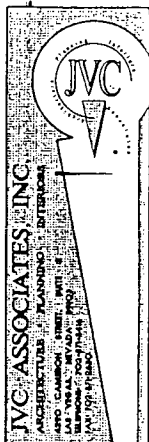
PROTESTS: 0



BZA 9-7-99
STAFF V-69-99

GENERAL NOTES

1. FINISH GRADE TO BE A MINIMUM 6" ABOVE ADJACENT FINISH GRADE.
2. SLOPE ADJACENT GRADE AWAY FROM RESIDENCE, 3% SLOPE FOR A MIN. OF 10'-0".
3. VERIFY LOCATION OF ALL UTILITIES PRIOR TO SUD GAIL. NOTIFICATION REQUIRED OF ANY DISCREPANCIES.
4. SEE TO CORRECTNESS OF REFERENCE FOOTPRINTS. BUILDING SETBACKS ARE TO BE OBSERVED AND NOTED AS REFERENCE FOR LAYOUT. VERIFY COMPLIANCE WITH ALL APPLICABLE LOCAL ORDINANCES.



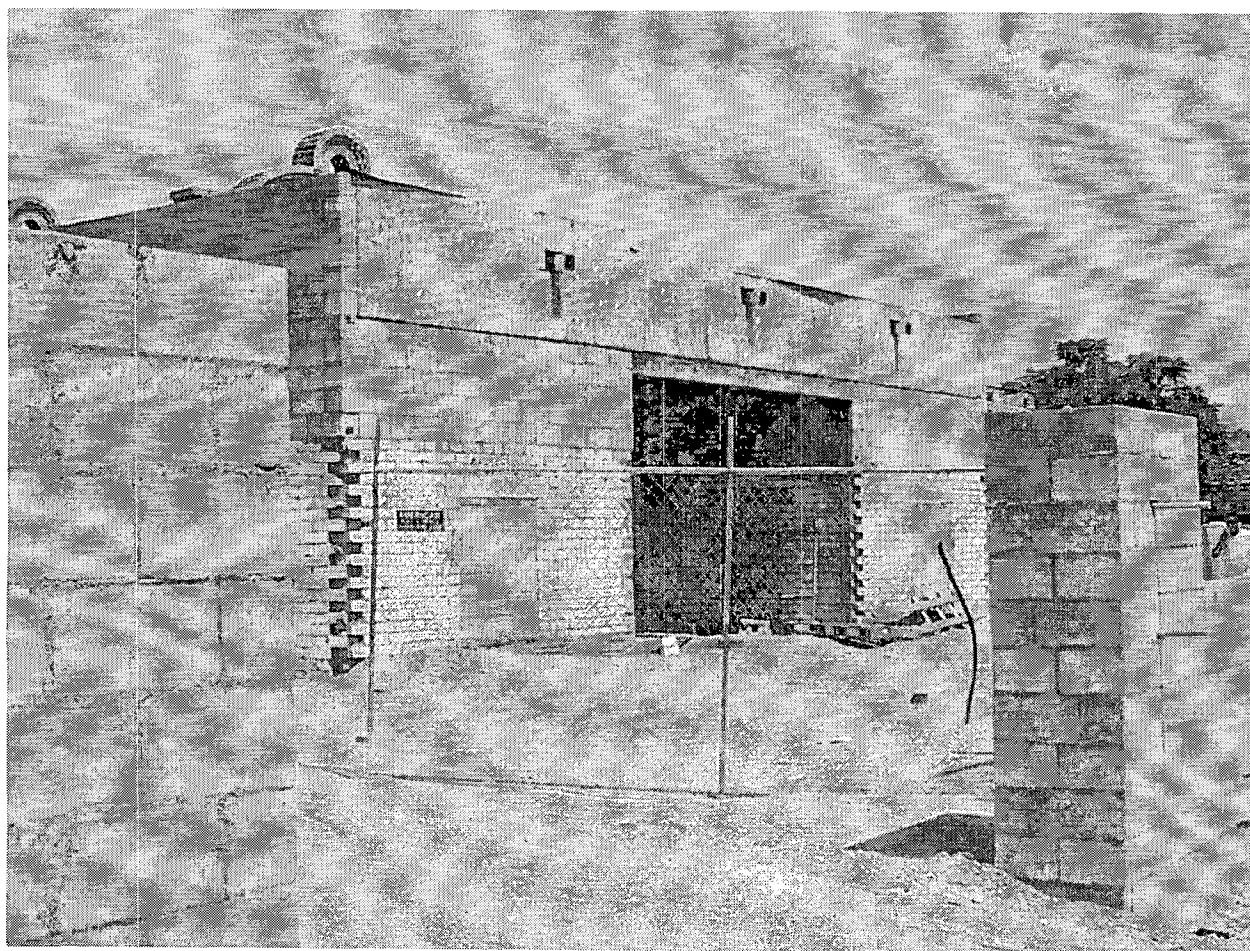
PROJECT NO. 151-129-227
SHEET NO. 1 OF 1
DATE: 10-21-99
REVISIONS:

NEW RESIDENCE FOR:
HORST SCHMIDT
2700 PALOMINO LANE
LAS VEGAS, NEVADA

PROJECT BY:
SCHMIDT
CHECKED BY:
JVC
DRAWN BY:
JVC

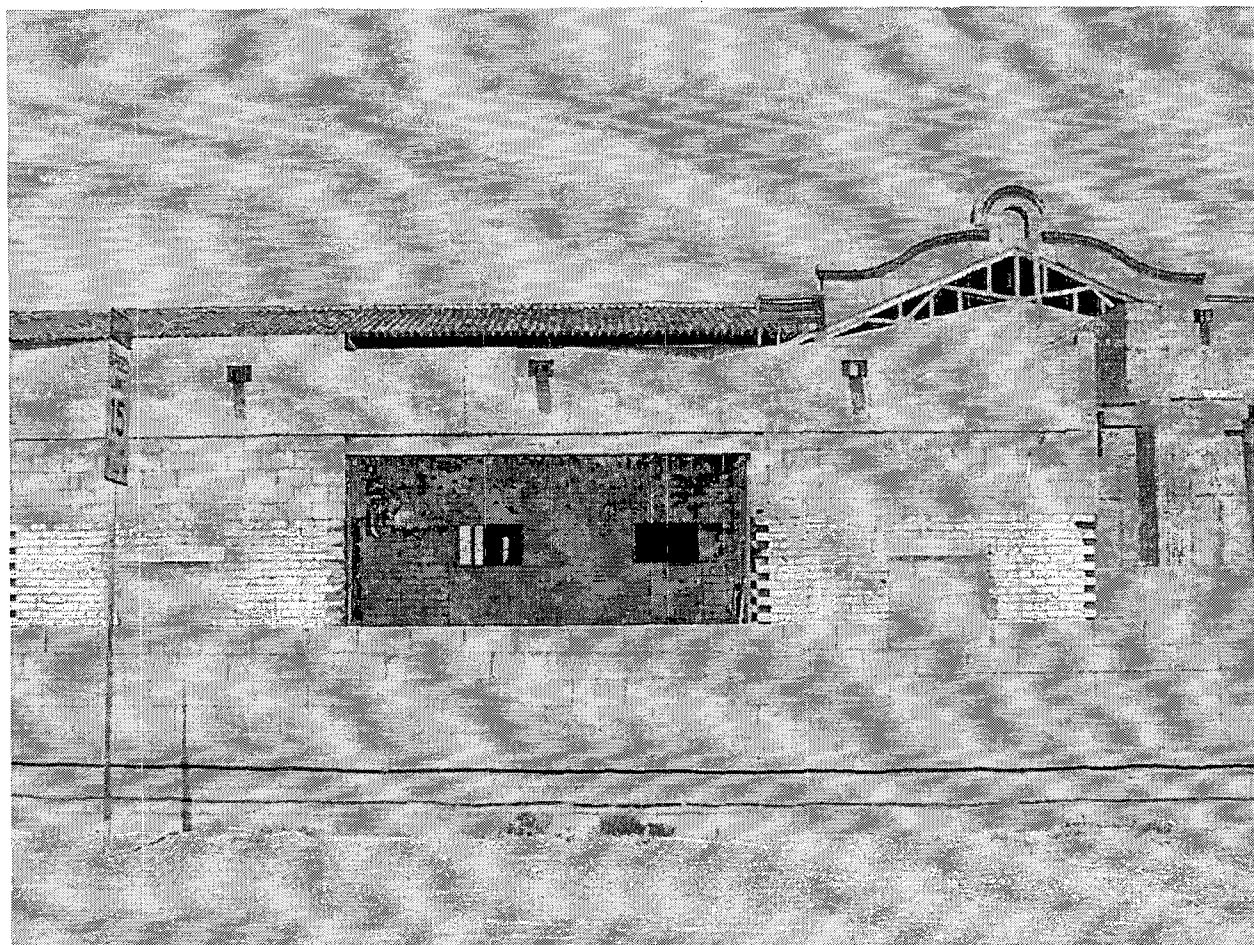
DATE: 10-21-99
REVISIONS:

SITE PLAN



V-69-99

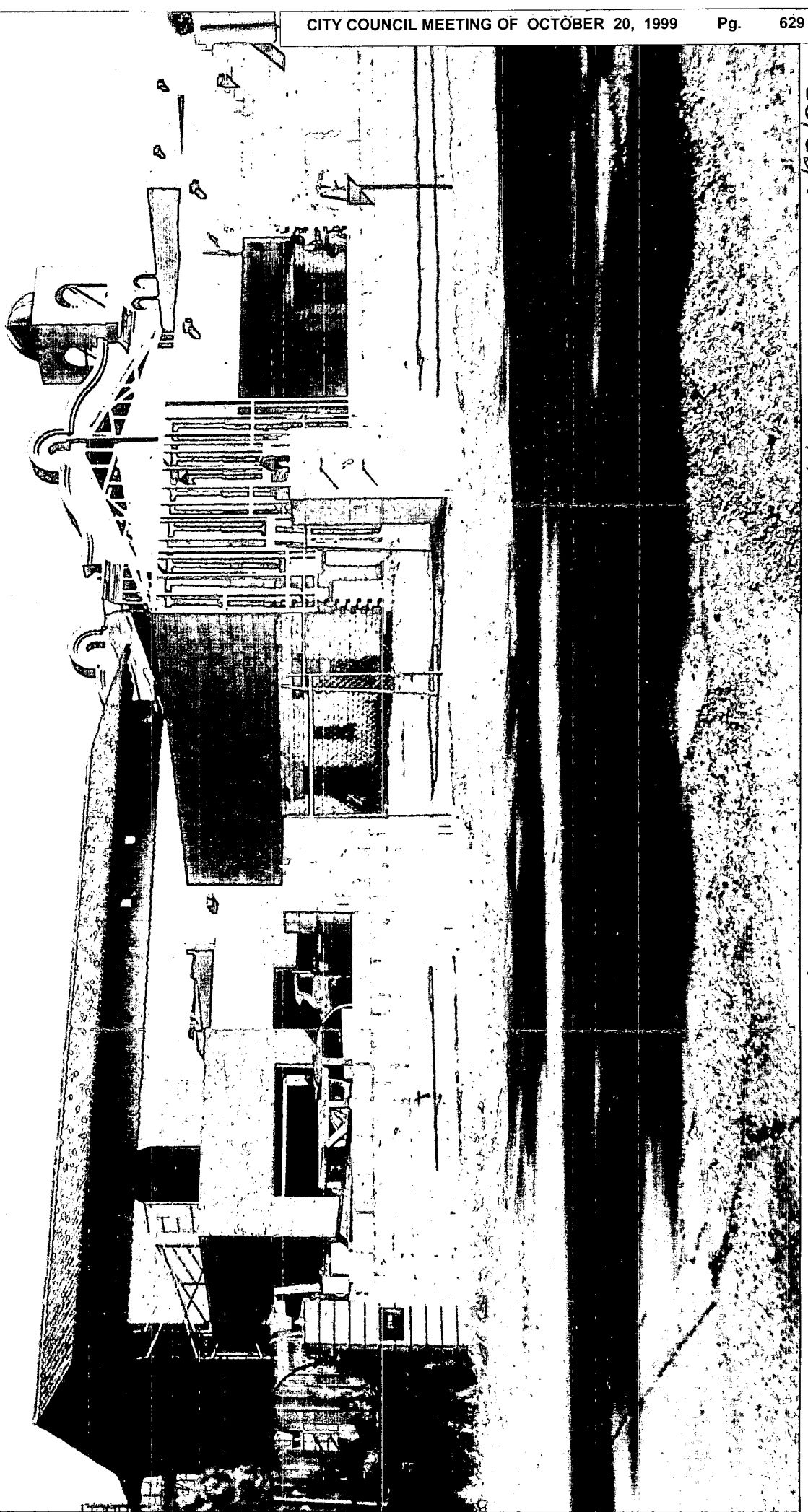
VARIANCE FOR SETBACK



V-69-99

VARIANCE FOR SETBACK

#3 REQUESTED VARIANCE - ORIGINAL 800 SQ FT BUILDING
PALOMINO FRONTAGE



CONSTRUCTION CONTINUES W/O VARIANCE APPROVAL V-6799 #99 10/20/99

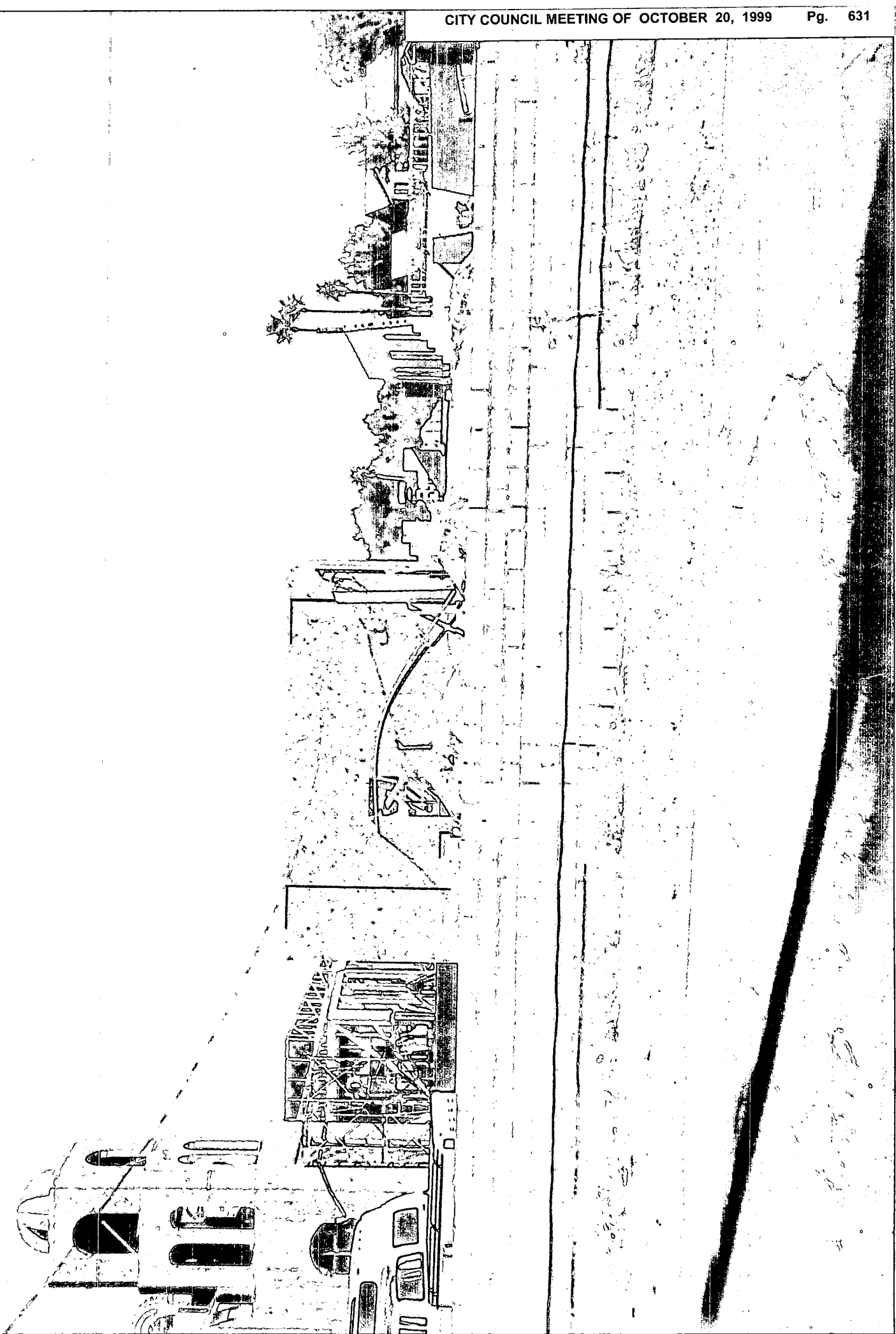
PHOTO #1 3-RESIDENCES ON 2.27 ACRES (98,880 SQ FT) IN RA ZONE V6999

499



UNIT AT 2700 PALOMINO BUILT ON LESS THAN 25,000 SQ FT LOT 10/16/99

PHOTO #2 CONSTRUCTION - PALOMINO FRONTAGE #2710



#99 - V-69-99 10/16/99

PHOTO #4 CONSTRUCTION - TAKEN FROM 642 SHETLAND



66/91/91

66#

PHOTO #5 RECENT NEW ADDITION (REAR OF #2700) TAKEN FROM 642 SHETLAND

~ 4' HIGHER ADDITION
ADD 10/16 - 10/19

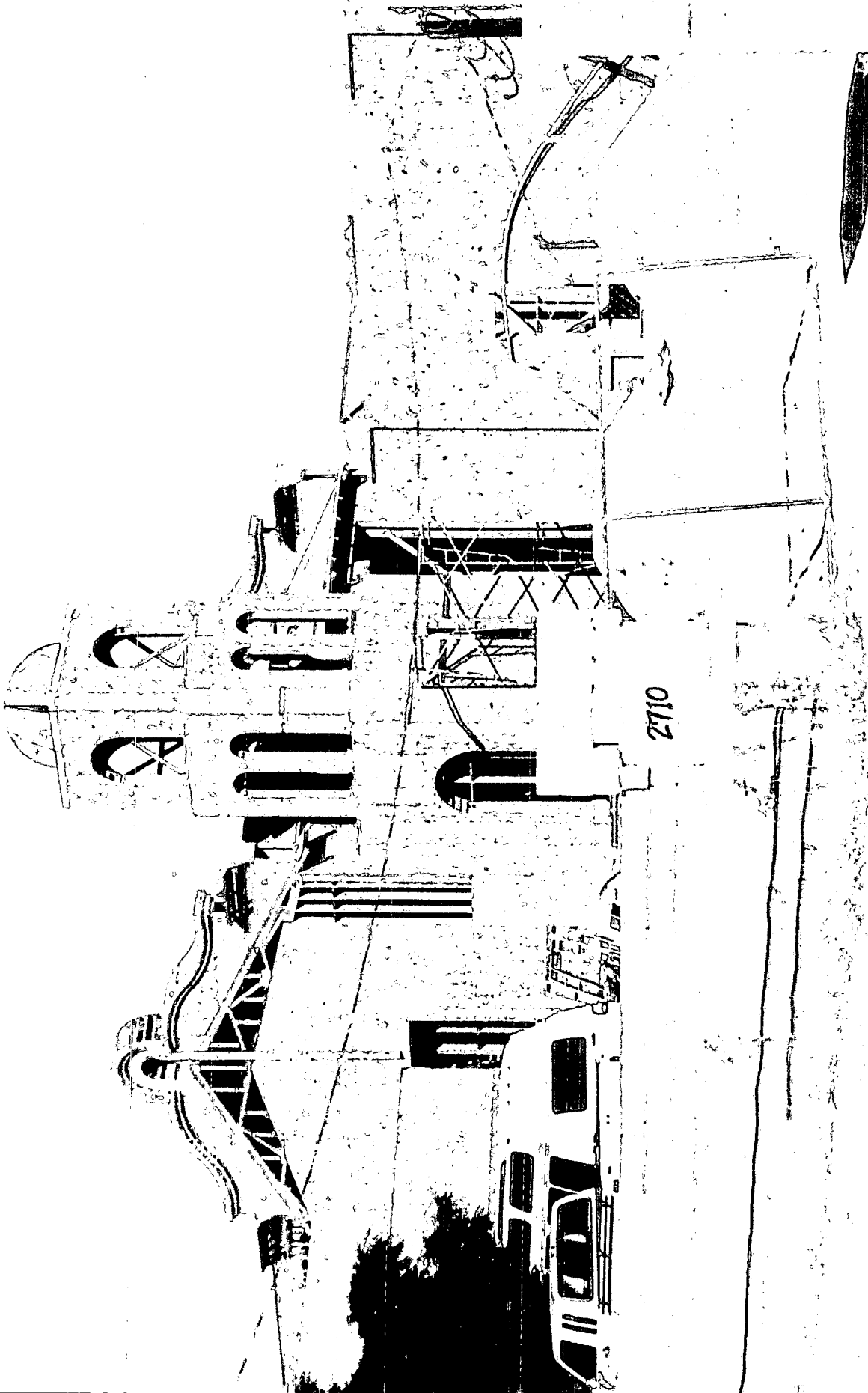


APPROXIMATELY 4' REAR SETBACK

#99

10/16/99

PHOTO #6 FENCE HEIGHTS POSTS 7'8" WALLS 5'9" ELEVATION LINES



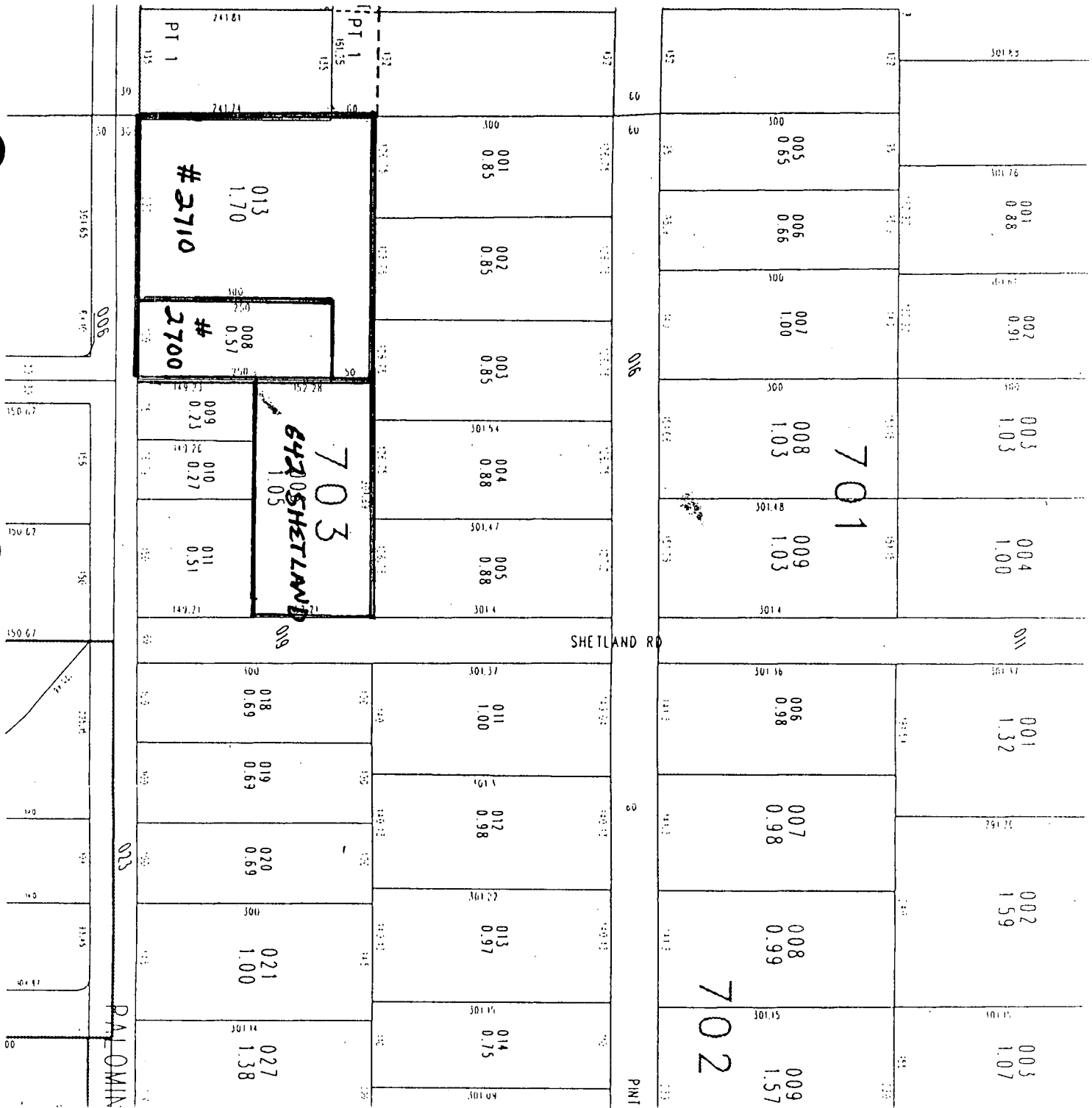
#99 - V-69-99 10/16/99

TABLE 1 SINGLE-FAMILY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Standard	U	R-A	R-E	R-D	R-1	R-CL	R-MH	R-MHP
Min. Lot Size (s.f.)	20,000	40,000	20,000	11,000	6,500	3,500 ²	6,500	4,000
Dwelling Units per Lot	1	1	1	1	1	1	1	1
Min. Lot Width (ft.)	100 ⁶	100 ⁶	100 ⁶	90 ⁶	65 ⁶	35 ^{3,6}	65 ⁶	45 ⁶
Min. Front Yard Setback (ft.)	50 ¹	50 ¹	50 ¹	25	20	14 ⁴	20	5
Min. Side Yard Setback (ft.)	10	10	10	10	5	10 ⁵	5	5
Min. Corner Side Yard Setback (ft.)	15	15	15	15	15	10	10	5
Min. Rear Yard Setback (ft.)	35	35	35	30	15	10	15	5
Max. Lot Coverage	NA	NA	NA	NA	50%	50%	50%	NA
Max. Building Height (ft.)	2 stories or 35 feet, whichever is less							

Notes:

1. **U, R-A and R-E Districts**—Lots which front onto a public street, shall maintain a minimum front yard setback of 50 feet. The minimum front setback for an attached, open porte cochere is 30 feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of 30 feet from the edge of the private street or access easement; provided however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be 20 feet from the edge of the private street or access easement.
2. **R-CL District**—The minimum lot size is 3,500 s.f.; provided however, the minimum average of all lots within the development shall be 3,750 s.f.
3. **R-CL District**—The minimum lot width is 35 feet. In all cases, lot width shall be sufficient to provide the street frontage necessary for driveways to conform to the requirements of LVMC Chapter 13.16, LVMC 18.28.360 and other adopted City driveway standards.
4. **R-CL District**—The minimum front yard setback is 14 feet. The minimum front yard setback for front entry garages and carports is 16 feet for any lot located on a knuckle or cul-de-sac bulb and 18 feet in all other cases.
5. **R-CL District**—The minimum total (combined) width of both side yards for each lot is 10 feet. The minimum side yard setback for a side yard along a street is 10 feet, in which case the total width must be 15 feet. Such side yard setbacks may be configured in any manner that conforms to the Uniform Building Code and results in maintaining the total side yard setback width required on each lot. In no case, however, may lots be configured or improvements placed on lots in a manner that results in open space or yard setback area for one lot actually being located on a separately owned lot. The use of "use easements" to create such a result is specifically prohibited.
6. **All Districts**—Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.



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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

MAYOR GOODMAN

Item 99. This is a Variance on a public hearing, V-69-99, Horst Schmidt. Request for a Variance on property located at 2710 Palomino Lane to allow a 28 foot front yard setback where 50 feet is the minimum required for an existing single family dwelling. The Board of Zoning Adjustment and staff recommend approval, subject to conditions. This is a public hearing. I now declare it open. May I ask, Mr. George, I live in the – Scotch 80 area; does that affect my ability to sit on this particular matter?

DEPUTY CITY ATTORNEY STEVE
GEORGE

No, Mr. Mayor, that should not, on this particular item.

MAYOR GOODMAN

All right. Thank you very much. All right. This is a public hearing. I now declare it open. Are you representing the applicant, Sir?

HAROLD FOSTER

Yes. Your Honor, members of the Council, Harold Foster, 3230 Polaris Avenue, representing the applicant. This involves a renovation to an existing residence, which has the 28 foot setback and then a major addition to it. It's been there some 52 years. It's going to result in a major enhancement to the area when this residence is completed. And the Board of Zoning Adjustment and staff have found, has, have found that there are some unique circumstances here to allow this. And they've found also that there's many other residences that do not have the required 50 foot setback in the area. So, we'd ask for your favorable consideration. We agree with all of staff's conditions.

COUNCILMAN McDONALD

Well, that's not fair. Many of those residents have been around a long time before we had zoning codes.

HAROLD FOSTER

That's correct.

MAYOR GOODMAN

Thank you. Would anybody else like to be heard?

TOM McGOWAN

Tom McGowan, 720 South Casino Center Boulevard. I'm not acquainted what the unique circumstances are. I assume that the statement is reliable and accurate and complete. I am consciously aware what the gentleman also added, which was the fact that other properties in the area do not necessarily have the same uniqueness. Question then is, what is the compelling, immediate and continuing need for the app, applying of a – Variance on setback on this one property, unless you also apply to all others, given that option should they wish to exercise it. Thank you.

MAYOR GOODMAN

Thank you. Would anybody else like to be heard?

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

CHUCK GRONBACH

Chuck Gronbach, 642 Shetland. My property is directly east of Horst Schmidt's. We share a boundary line and I prepared a package. I'd like to submit it probably to Councilman McDonald.

COUNCILMAN McDONALD

Thank you.

CHUCK GRONBACH

Now, I lived in this neighborhood for 18 years. It's zoned R-A and it's single family residence throughout the neighborhood. According to the business, zoning, it's 40,000 square feet per single family residence. Now, Mr. Horst Schmidt took an 800 square foot house, all right, and he expended it to something like 30,000 square feet. He's built a Disneyland. He's building on every inch of that real estate. It is completely against what that neighborhood stands for. He is tremendously overbuilt. He continues to build and then come in for Variances. The last one was the front fence, and we'll get to that in a minute.

If you take a look at these pictures, you can see he built three residences on approximately 98,000 square feet. One residence is on a 25,000 square foot lot. And I'm sure he's going to come in and ask for a Variance to split that off eventually, because he's not going to live in that one.

On photograph, photo Number five, I have them marked, this is the latest building on the property. And this thing has just gone up over the past week and he continues to build on it over the weekends. It has a four foot rear setback, where 30 foot is required. Now my questions is, are we going to have another Variance here very shortly for that one?

Now, getting down why we're here today, which is photograph Number three, the existing 800 square foot house, he has continued to work on that without even having the Variance approved.

ROBERT GENZER, PLANNING &
DEVELOPMENT

Excuse me. You can put these up here, then we can all see them on the monitor.

CHUCK GRONBACH

Oh, I didn't know that.

ROBERT GENZER, PLANNING &
DEVELOPMENT

Yeah. Just lay them on there.

CHUCK GRONBACH

All right.

COUNCILMAN REESE

Now you look right down there, Sir.

CHUCK GRONBACH

Interesting. Okay. This was last Saturday and he put in all

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

the framing. Over the weekend and this morning, he's covered all the framing. And this is on the docket today to be approved and he continues to work on it. And I can't understand why since he's been building this place for more than a year, why we're here today to vote on a Variance when these plans should have been done a year ago before he even started building on it?

And then I question this latest building that went up with the full foot setback on the rear --

COUNCILMAN McDONALD

Who is that one?

CHUCK GRONBACH

-- line. Number five.

COUNCILMAN McDONALD

Got it.

CHUCK GRONBACH

And just over the weekend, as you can see, I penciled it in, he went up another four feet on that one. It's a lot of weekend work. And I tell you I am just tired of having this man build these Disneylands. It doesn't fit the neighborhood and I'm asking you to deny the Variance and have him pull down that -- front area, because I don't think it's necessary. I think everybody should go out there and take a look at that monstrosity that he's putting together. And as a neighbor, I'm asking you to deny it, because this man builds by Variances and he shouldn't be able to get away with it. There are building laws and he doesn't follow them. If you go down to the Building Department, like I have on a number of occasions, they throw their hands up and say, the guy is building a doomsday complex and we don't know what's going on. And I bet you try to get a building permit for this, Louis went over the last week, you won't find. And that's about all I got to say. Thank you.

COUNCILMAN McDONALD

Thank you.

MAYOR GOODMAN

Would anybody else like to be heard? All right, hearing none, seeing none, I close the public hearing. Staff?

COUNCILMAN McDONALD

Get ready.

MAYOR GOODMAN

Staff? How -- question, how does somebody build something without a building permit?

ROBERT GENZER, PLANNING &
DEVELOPMENT

My best answer is they are not supposed to do that, obviously.

COUNCILMAN McDONALD

We --

ROBERT GENZER, PLANNING &
DEVELOPMENT

I -- can't really speak to the building permits on this issue, since that is -- something that is handled --

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

COUNCILMAN McDONALD

Mr. Genzer, we can settle this easily.

ROBERT GENZER, PLANNING &
DEVELOPMENT

Okay.

COUNCILMAN McDONALD

Take the whole team out there and bring me back everything that has been constructed without permits, has not gone through our process. Bring back a written report for, in 30 days, to the Mayor and City Council, on this property. I think it's going to be a gorgeous, it looks like it's going to be wonderful when it's done. But I question how things are being built. Obviously, a picture's worth a thousand words and we have someone who has presented it, that we're in for a Variance and it's already being built.

Believe me, I -- like Mr. Schmidt, and again, I think it's going to be a wonderful piece of property when it's done. But, if we're going to be granting Variances that's going to come before us after the fact? I think somehow we're missing the boat. And I don't blame it on staff, by any means. I think they need to go out and inspect. Maybe have your client meet them on site, discuss it. But if, I'll give you picture Number five, it's one of your neighbors.

MAYOR GOODMAN

(Inaudible)

COUNCILMAN McDONALD

That if -- we have something that's coming in for a Variance and it's already four feet higher than what has already been added since 10/6 to 10/19, we have a serious problem with this project in the neighborhood. And again, it's nothing against your client, it's nothing against Mr. Schmidt. It looks beautiful, but we need to have some type of understanding before the City Council and the Mayor what is being built. Have the proper permits been done? And if not, we need to bring it back before the City Council. You do it two weeks or 30 days?

ROBERT GENZER, PLANNING &
DEVELOPMENT

Thirty days would be preferable.

COUNCILMAN McDONALD

Thirty days then. Hold in abeyance 'til 30 days, Your Honor.

MAYOR GOODMAN

All right. There's a motion. Vote on the motion, please.

COUNCILMAN REESE

Well, just, before -- I vote on this motion, though, are we going go out there and make sure there's no construction going on now, in these 30 days or --?

COUNCILMAN McDONALD

Yeah. Well, we need, I don't, and again, how, if we're voting on a Variance now that's already been built, I think

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

ROBERT GENZER, PLANNING &
DEVELOPMENT

the cart's before the horse and we have to take some type of action.

I can clarify the Variance issue, for you, I think. The -- Variance that is being requested today is for the existing building, albeit a building that he is asking to do some additional work on. But it's the original, my understanding is, it is the original house on the site. He basically has built a much larger new house to the rear of the existing house. By attaching that to the existing, he now needs the front yard setback Variance.

COUNCILMAN McDONALD

Okay. If we can have the whole type of understanding on this. If you can brief us before the next City Council. If you need 30 days is fine, if you need two weeks, if you can do it in two weeks it'd be better 'cause we don't want to hold the project, if he has all legal rights to do so.

HAROLD FOSTER

Two weeks.

COUNCILMAN McDONALD

Mr. Genzer, let's shoot for two weeks.

ROBERT GENZER, PLANNING &
DEVELOPMENT

We can always hold it again if we have to.

COUNCILMAN McDONALD

Right. If we don't have it. But I think there's concerns here by the Mayor and the entire City Council. Councilman Reese, I don't know if I answered your question.

COUNCILMAN REESE

Well. No. My -- concern is, we allow them to keep building, then I have a harder time telling them to tear it down.

COUNCILMAN McDONALD

That's my point.

MAYOR GOODMAN

Right.

COUNCILMAN McDONALD

We need to go out there right away.

ROBERT GENZER, PLANNING &
DEVELOPMENT

We could have the Building Department to do a stop work order, if that's your pleasure and -- while this is decided.

COUNCILMAN REESE

Yeah, it is --

COUNCILMAN McDONALD

If it's illegally -- being built, we need to stop this and get it back into some type of jurisdiction to where we are abiding by the law.

MAYOR GOODMAN

The way I see it, he's building at his peril now. He's being put on notice that there's an issue here and if he hasn't complied with the law and he continues to build, then he can't complain later on.

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

COUNCILMAN REESE

That's fine. That's --

CHUCK GRONBACH

May I address the podium one additional time? Chuck GRONBACH, 642 Shetland Road. This was a previous Variance he requested. He wanted to build six foot fences where I think it's only four foot and a two foot open area. So, you notice those lines on the fence. He's going to change the grade and throw dirt in there, which will start at the bottom of the fence and therefore, try to stay in confirming, conformity. And right now the -- pillars here are like eight feet and he's added a couple more rows of block after he had an inspection, and that's closer to five feet now. So he's totally out of conformance with the -- fence. But then that's goes for the whole property.

COUNCILMAN McDONALD

Mr. Chow?

CHUCK GRONBACH

And we've got a lot of --

MAYOR GOODMAN

It's okay.

CHUCK GRONBACH

-- intimidation in the neighborhood from Mr. --

MAYOR GOODMAN

Well, there won't be any intimidation --

CHUCK GRONBACH

-- Schmidt.

COUNCILMAN McDONALD

Mr. Chow, if you could take a whole the team out there and give us from top to bottom, front yard to the back yard, what we're looking at here? We need some type of grasp of what's been built? What's been legal? What hasn't been? By next two weeks if you can?

TIM CHOW, DIRECTOR OF
PLANNING & DEVELOPMENT

Councilman, we'll be glad to do that, but we only have 10 working days before the next meeting. So it might take a little longer. We'll try, though.

COUNCILMAN McDONALD

If you can't do it, again, we'll, I think we have to give the shot for two weeks; if we can't, we'll -- two more weeks.

MAYOR GOODMAN

Okay.

COUNCILMAN McDONALD

And if you can have, if you, maybe have your client contact the Planning Department and see where they're at or have his representative contact, so we can get some kind of grasp. Maybe he can expedite the -- tour of the property, all the paper work.

HAROLD FOSTER

I'll do it.

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VERBATIM TRANSCRIPT - ITEM 99 - V-69-99 - HORST SCHMIDT

COUNCILMAN McDONALD

Thank you very much. Motion on the floor, Your Honor.
Two weeks – right now.

MAYOR GOODMAN

Okay. There's a motion. Vote on the motion, please. Post,
please. Motion carries. Thank you. **(Motion carried
unanimously).**

HAROLD FOSTER

Thank you.

(END OF DISCUSSION)

/ac

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999**

DEPARTMENT: PLANNING AND DEVELOPMENT **Agenda Item No.: 100**
DIRECTOR: WILLARD TIM CHOW ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE - PUBLIC HEARING - V-78-99 - CLARK COUNTY - Request for a Variance on property located on the south side of Kenyon Place approximately 300 feet east of Shadow Lane TO ALLOW 45 PARKING SPACES WHERE 59 IS THE MINIMUM REQUIRED FOR PHASE ONE (FIRST FLOOR), AND TO TEMPORARILY ALLOW 0 PARKING SPACES WHERE 59 IS THE MINIMUM REQUIRED FOR PHASE TWO (SHELL ONLY), PD (Planned Development) Zone, Ward 1 (McDonald), APN: 139-33-305-004. The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****0****0****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****0****0****RECOMMENDATION:**

The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - ABEYANCE to 11/3/99 - UNANIMOUS with GOODMAN abstaining to avoid any potential conflict as he owns property located in the area of East Charleston Boulevard

MINUTES:

MAYOR PRO TEM McDONALD declared the Public Hearing open.

MAYOR GOODMAN stated for the record that he would be abstaining on the matter since he owns property in the area of East Charleston, which could be affected as a result of its proximity to the property in question.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999
ITEM 100 - V-78-99

MINUTES - Continued:

DONALD BARTON, Staff Architect, Clark County General Services, concurred with staff's conditions.

MAYOR PRO TEM McDONALD noted that he has been discussing the serious parking problem in this area with COMMISSIONER MALONE, who will be raising this issue with his staff.

EDITH WILLIAMSON, 1916 Quail Point Court, indicated that she owns property on 501 Shadow Lane and that there is a parking problem in this area. Many of the different service facilities in this area already have a parking shortage and this request would add to the bad parking situation. MAYOR PRO TEM McDONALD repeated that he expects to address this issue and find a solution when he meets with COMMISSIONER MALONE and combined City/County staff.

MS. WILLIAMSON noted that she and some of her neighbors were never contacted when the Medical District Master Plan hearing was held. MAYOR PRO TEM McDONALD replied that the zoning for the area has been in place since 1995 and the entire Master Plan was revisited in 1996. Initially a plan was developed in 1994 to rezone the area so that residents could sell their properties to medical businesses. It was the intent to develop a campus atmosphere by the time it was built out. MAYOR PRO TEM McDONALD clarified with MS. WILLIAMSON that in 1995 a group was established made up of Planning Commissioners and staff members to create the Master Plan. When he was elected in 1995, he continued to hold neighborhood meetings to address the issue. COUNCILWOMAN McDONALD recalled that former City employee ROBERT BAGGS was part of the group.

COUNCILMAN McDONALD stressed that Clark County has a serious parking need and intend to build a parking garage. A definite answer as to when it will be built is needed by the City and a way to expedite the process needs to be found. He clarified for MS. WILLIAMSON that depending on the outcome of his meeting with the Commissioner and combined staff, a neighborhood meeting would be scheduled for which she will be notified.

TOM McGOWAN, 720 South Casino Center Boulevard, asked why required parking would be reduced in order to solve the area parking problem. MAYOR PRO TEM McDONALD replied that the City and County need parking in the medical district. There are parking standards and requirements that have been set by staff that are higher than the needs of some businesses and organizations in the area. The City is trying to make the puzzle fit until a parking garage is built by the County. MR. McGOWAN asked that the Council deny the Variance request.

COUNCILMAN REESE commented that four years ago the County agreed to construct a parking garage in this area. However, they keep coming back for Variance requests and nothing has been built. A parking garage is needed in the area right now.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 100 - V-78-99

MINUTES - Continued:

There was no further discussion.

MAYOR PRO TEM McDONALD declared the Public Hearing closed.

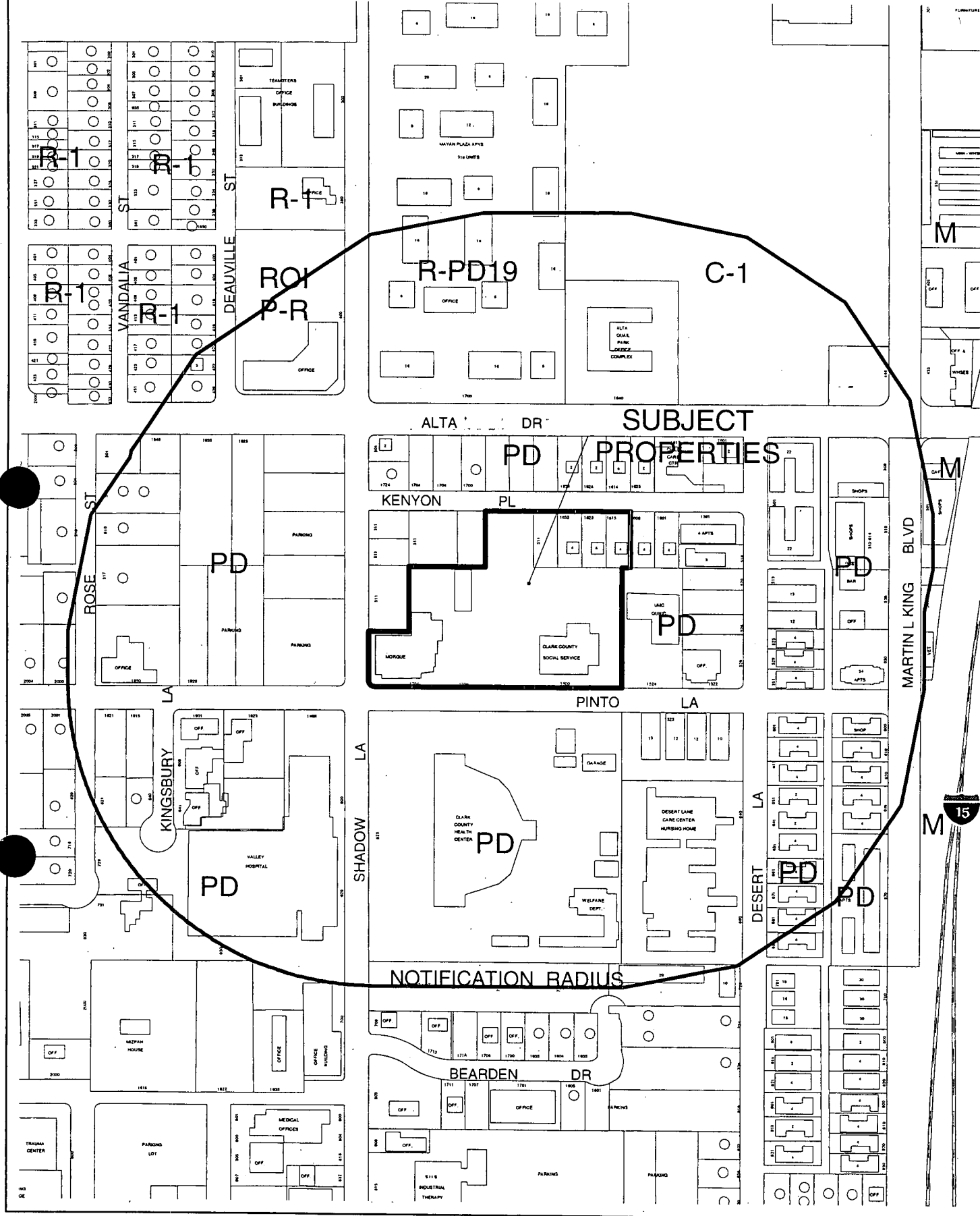
NOTE: MAYOR PRO TEM McDONALD directed that a meeting be scheduled with himself, City's Planning staff, COMMISSIONER MALONE and MR. BARTON to see if a master plan for parking can be implemented for the next few years, specifically addressing the County's need for a parking structure. MR. BARTON concurred as to the requested meeting.

(2:20 - 2:31)

3 - 2711

CONDITIONS:

1. Provide the parking for the second floor prior to obtaining the building permits for the tenant improvements.
2. All development must be in conformance with the plot plan and elevations.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The applicant must submit for review an application for a Site Development Plan Review to the Planning and Development Department.



CASE: V-78-99

RADIUS: 750 FT

0 300 600 900 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: V-78-99 - Clark County**

**** CONDITIONS ****

The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL, subject to:

1. Provide the parking for the second floor prior to obtaining the building permits for the tenant improvements.
2. All development must be in conformance with the plot plan and elevations.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The applicant must submit for review an application for a Site Development Plan Review to the Planning and Development Department.

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**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Variance to allow 45 parking spaces where 59 parking spaces is the minimum allowed during phase one construction (first floor) of an office building, and to temporarily allow 0 parking spaces where 59 parking spaces is the minimum allowed during phase two (second floor shell only), in conjunction with a 34,780 square foot government office facility.

There was no written justification for the Variance provided.

BACKGROUND DATA:

05/27/97 The City Council approved a rezoning on the subject property to P-D (Planned Development) as part of a larger request (Z-20-97).

SITE DETAILS:

Existing Zoning:	P-D	(Planned Development)
Existing Land Use:	Medical Buildings	
Site Area:	1.67	Acres
Building Area:	34,780	Square Feet
FAR:	.48	
Parking Required (Phase 1):	59	Spaces
Parking Provided (Phase 1):	45	Spaces
Parking Required (Phase 2):	59	Spaces
Parking Provided (Phase 2):	0	Spaces

This is a proposed campus type area where various Clark County Government facilities will be located. Access will be achieved by the four streets that make up the border of the development area. This building is located approximately in the center of the overall site. The elevations depict a two story building that is in keeping with the architectural features and materials of the other county buildings.

ANALYSIS:

Clark County is currently developing a governmental campus bounded by Alta Drive to the north, Pinto Lane to the south, Desert Lane to the east, and Shadow Lane to the west. The subject building is sited on the proposed campus amongst several other Clark County Government facilities. The County is also in the process of procuring the remainder of the privately held parcels

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within the campus boundaries. They are waiting for the funding, which occurs on a yearly basis, in order to purchase the remaining properties. These remaining properties, when purchased, would then be able to be used for additional parking on the proposed campus.

The subject project is a two-story government office building. The first floor will house the County computer system core and the main data server. A large portion of the first floor will be taken up by computer mainframe hardware, and the office space for the 45 employees that will work there.

The applicant is requesting to construct the shell of the second floor and that the parking not be required until the tenant improvements are constructed, which would not occur until a user of the space has been identified. Also, by that time, the remaining parcels should be purchased, thus the needed parking will be able to be constructed on that land.

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

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October 20, 1999 City Council Meeting

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."

Staff finds that a unique or extraordinary circumstance exists with regard to the request for allowing 45 parking spaces where 59 parking spaces is required for the first floor of this structure. Only about 6,000 square feet of the first floor is to be occupied by employees, the remaining area is computer environs and storage. It has been indicated to staff that there will be 45 employees housed on the first floor and that this is not a customer based division of Clark County. Staff believes that the requested 45 parking spaces will be adequate during phase one of this development.

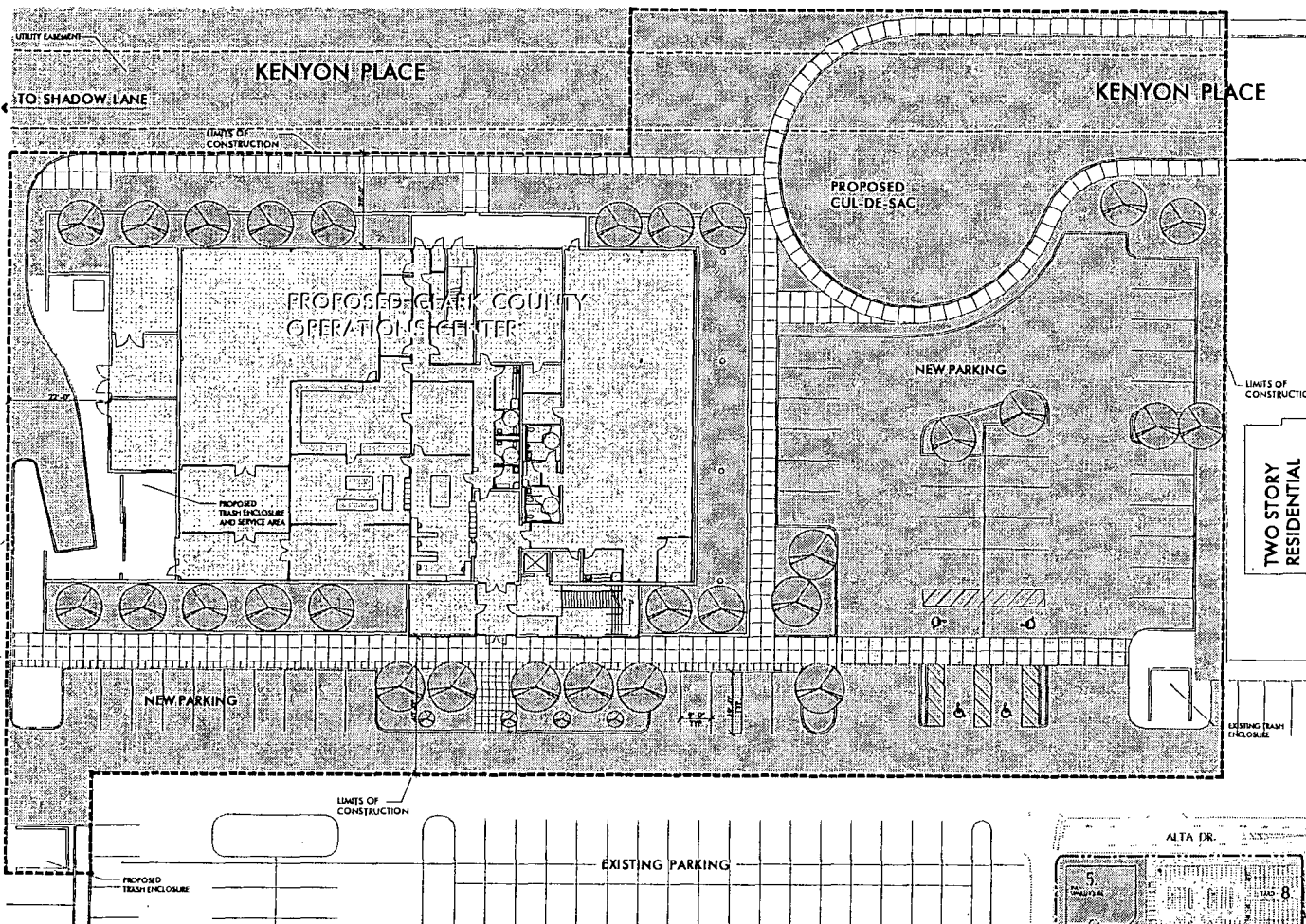
With regard to the second floor, staff again finds that a unique or extraordinary circumstance exists, in that, because of the funding mechanism involved in purchasing the remaining residential properties located within the campus boundaries, a temporary allowance to allow 0 parking spaces for the second floor building shell is appropriate. However, staff will require that the required 59 parking spaces for the second floor be provided prior to obtaining the building permits for the second floor tenant improvements.

NOTICES MAILED: 63 by City Clerk

APPROVALS: 0

PROTESTS: 0

PUBLIC
ADMINISTRATOR
OFFICE



PROJECT SUMMARY

PARCEL AREA: 72,678 S.F.
1.67 ACRE
EXISTING ZONING: MD-1
PROPOSED ZONING: MD-1
BUILDING AREA: 34,780 G.S.F.
1ST FLOOR: 17,340 G.S.F.
2ND FLOOR: 17,440 G.S.F.
SITE COVERAGE: 24%
OCCUPANTS:
1ST FLOOR: 88 (@ 1:200)
34 (ACTUAL)
87
2ND FLOOR: 175 PERSONS
TOTAL: 45 SPACES
PK'G. PROVIDED: 117 (@ 1:300)
1ST FLOOR: 59
2ND FLOOR: 58
LANDSCAPE AREA: 14,479 S.F.

PRELIMINARY PLANT LIST

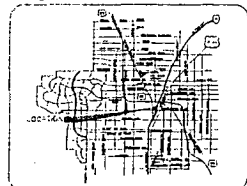
BOTANICAL NAME	COMMON NAME
TREES	
-ACACIA ANEURA	-MULGA TREE
-CAESALPINIA X 'HERITAGE MUSEUM'	-HERITAGE MUSEUM PALM YUCCA
-CHITRALPA T. 'PINK DAWN'	-PINK DAWN CHITRALPA
-PROSPERIS C. 'THORNLESS'	-THORNLESS MESQUITE
-SOPHORA SECUNDIFLORA	-TEXAS HIL. LAUREL
SHRUBS	
-CASSIA NEMOPHILA	-DESERT CASSIA
-DALEA FRUTESCENS	-BLACK DALEA
-SIERRA MAGIC	-SIERRA MAGIC
-LEUCOPHYLLUM 'REVOLUTION'	-SIERRA RANGER
-MAGIC MIX	
-SALVIA GREGGII 'SIERRA LINDA'	-SIERRA LINDA SAGE
GROUND COVER	
-ACACIA REDDOLENS	-CREEPING ACACIA
-DESERT CARPET	
-BACCHARIS THOMPSONI	-THOMPSON'S BACCHARIS
-DALEA CAPITATA 'SIERRA GOLD'	-SIERRA GOLD DALEA
-LANTANA SPECIES 'NEW GOLD'	-NEW GOLD LANTANA
ACCENT PLANTS	
-AGAVE PARVIFLORA	-AGAVE
-CAESALPINIA GILLESII	-YELLOW BIRD OF PARADISE
-DASYLIRION WHITEBLERI	-DESERT SPOON
-FOLIOQUERIA SPLENDENS	-OCOTILLO
-HESPERALOE PARVIFLORA	-RED YUCCA
-YUCCA SHINGIERA	-MOJAVE YUCCA

SITE PLAN

1/16" = 1'-0"



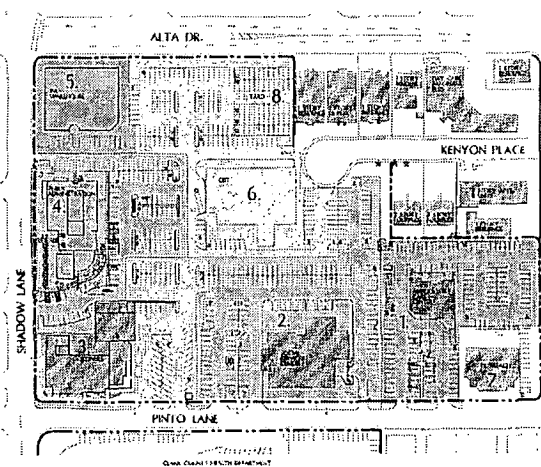
VICINITY MAP



V-78-99 BZA
STAFF 9-7-99

CURRENT COUNTY PROPERTY MASTER PLAN

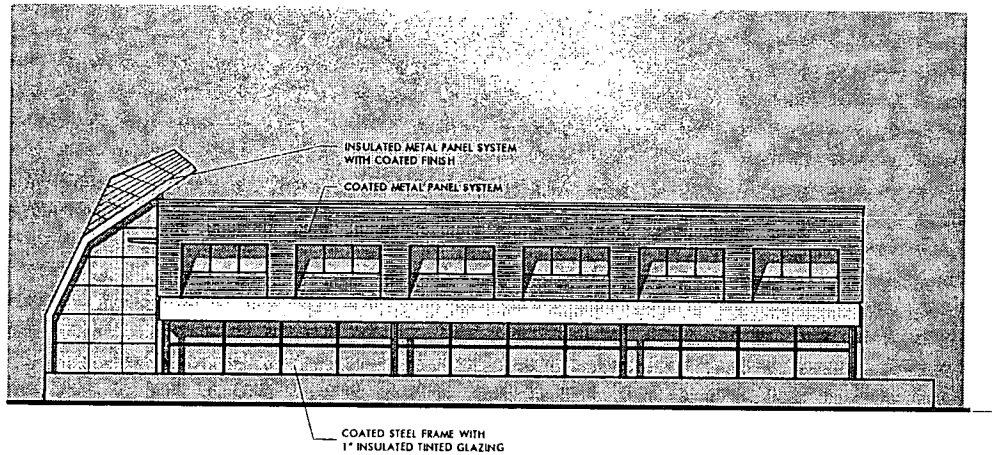
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CLARK COUNTY OPERATIONS CENTER
Clark County, Nevada

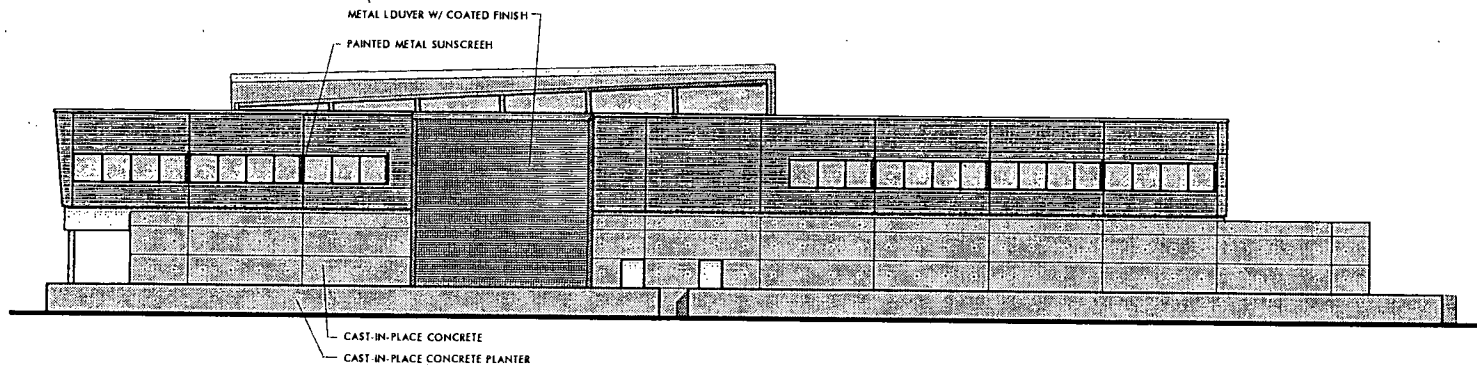
Site Development Plan Review

Holmes, Sabatini, Associates, Architects
August 3, 1999



EAST ELEVATION

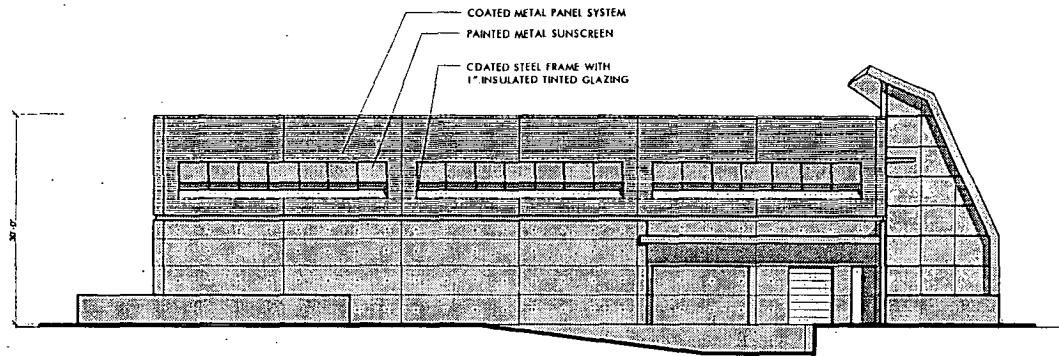
1/8" = 1'-0"



NORTH ELEVATION

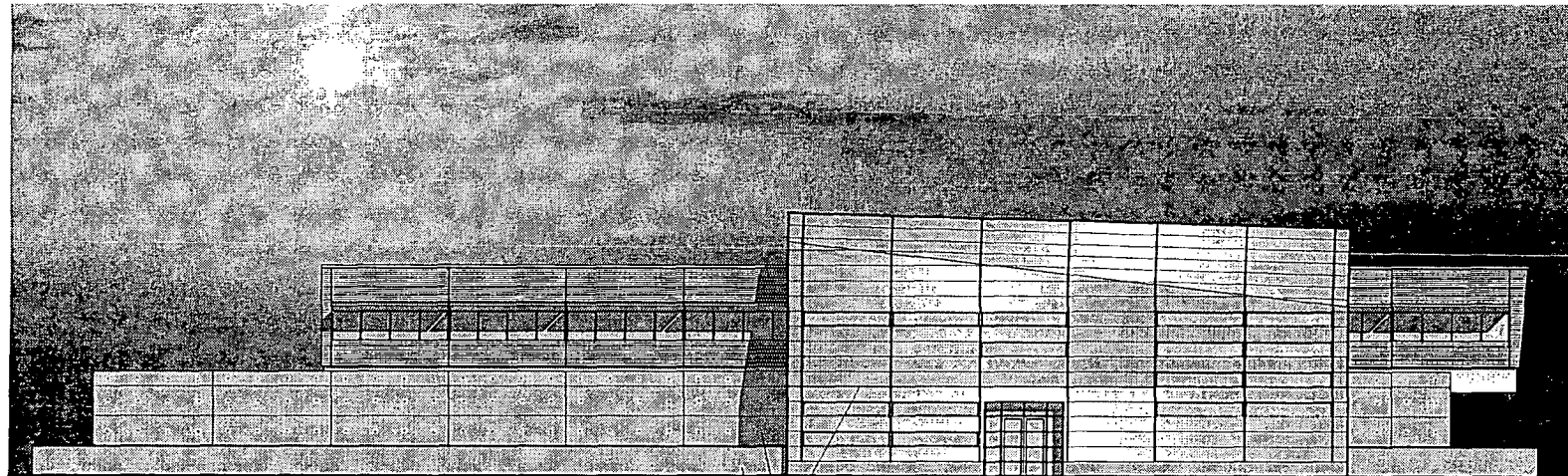
1/8" = 1'-0"

V-78-99 BZA STAFF 9-7-99



WEST ELEVATION

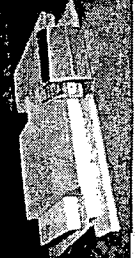
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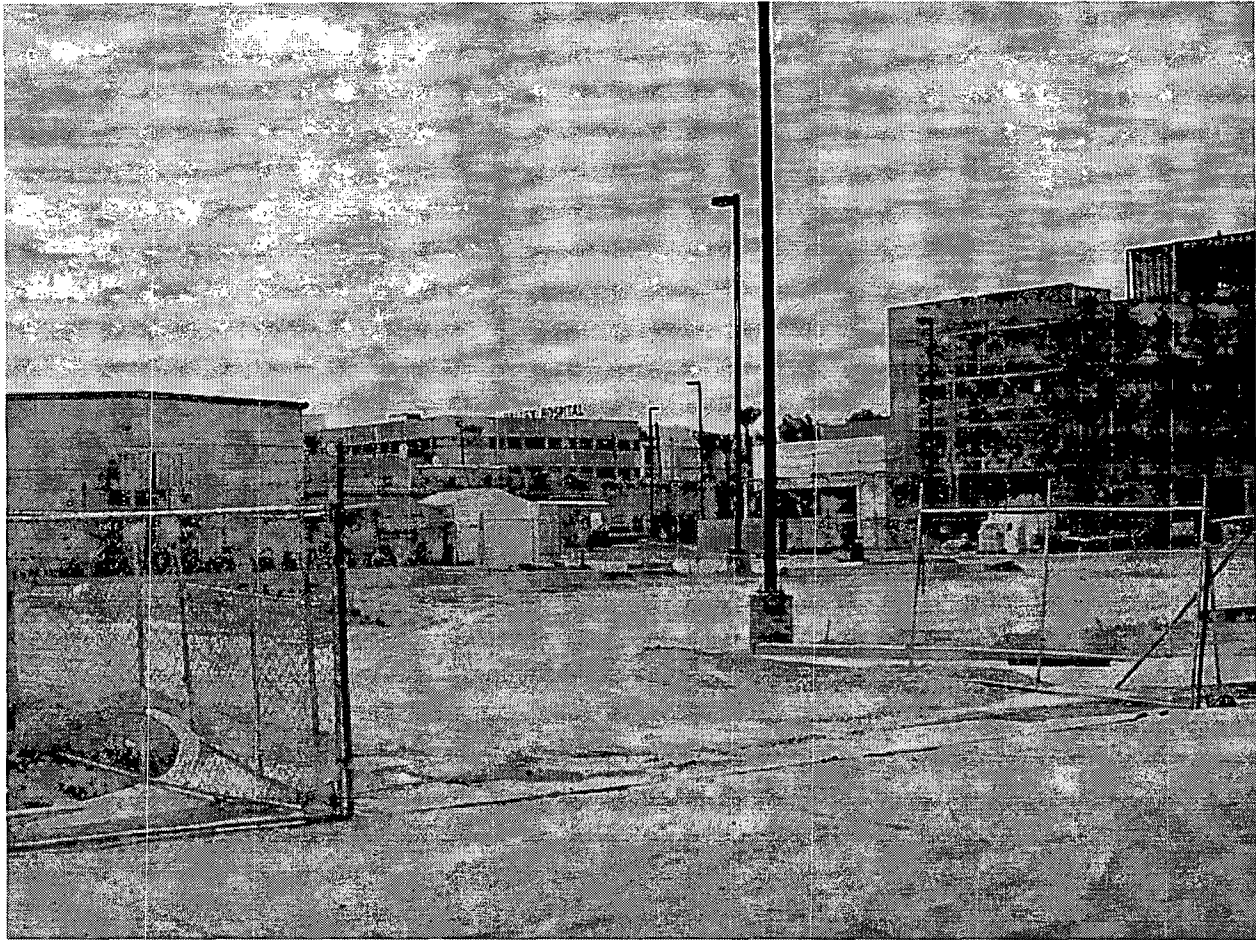


SOUTH ELEVATION

1/8" = 1'-0"

V-78-99 BZA STAFF 9-7-99





V-78-99

VARIANCE FOR PARKING

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 101****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-80-99 - YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP - Request for a Special Use Permit on property located at 4141 Meadows Lane FOR A 75 FOOT HIGH CELLULAR TOWER, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****Concerns****0****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - ABEYANCE of Item 101 [U-80-99] and Item 102 [V-65-99] to 11/3/99 - 1:00 P.M. TIME CERTAIN - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BILL CURRAN, Curran & Perry, 601 South Rancho Drive, appeared on behalf of the applicant together with ENGINEER CHRIS WENER, Spectrum Engineering, 3002 Rigel Avenue. PAT RITTER, Assistant Director for the YMCA, was also present in the audience. ATTORNEY CURRAN stated that Sprint has been working for two years trying to find a location for the cellular tower. There is a nearby pole on Water District property, across Valley

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 101 - U-80-99

MINUTES - Continued:

View, which appears to be a good co-location site. However, the Big Springs Preservation Committee has been trying to plan for that 180 acre parcel and at this point are not prepared to permit any expansion of existing uses on the site. Staff would like another two weeks to explore other possibilities in the area but he would hope that the applicant does not have to wait too long. It could be as long as two years before Sprint is permitted to build, if ever, on the Water District property. Even though he represents Sprint, ATTORNEY CURRAN pointed out that this is an important item for the YMCA as a revenue stream.

COUNCILMAN McDONALD clarified with DEPUTY CITY ATTORNEY STEVE GEORGE that as a member of the YMCA Advisory Committee, as well as a member for the Preserve at the Water District, he did not have a conflict of interest. However, DEPUTY CITY ATTORNEY STEVE GEORGE added that he would more thoroughly research the matter before the next meeting.

TOM McGOWAN, 720 South Casino Center Boulevard, stated that the YMCA is the most honorable and effective social service organization in the entire world. He asked if the monopole is in the configuration and context of a church steeple and what compelling immediate need there was for the Variance. He asked the Council to deny the request. COUNCILMAN McDONALD explained that the Federal government has imposed certain guidelines as far as the FCC approval of cell towers. ATTORNEY CURRAN added that the people who have the franchises to do cellular communication towers have to pay a very substantial franchise fee to the Federal government for the right to establish a cellular network. As part of their agreement with the Federal government, they are required by law to provide a complete network that services the entire community. It has been ruled repeatedly by courts that local jurisdiction are not compelled to approve any particular application, but that they must permit creation of such a network.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All related discussion for Item 101 [U-80-99] and Item 102 [V-65-99] took place under Item 101 [U-80-99].

(2:31 - 2:40)

3 - 3287

CONDITIONS:

1. The maximum height of the antenna shall be 55 feet.
2. Aesthetically enhance the appearance of the tower, as required by the Planning and Development Department.

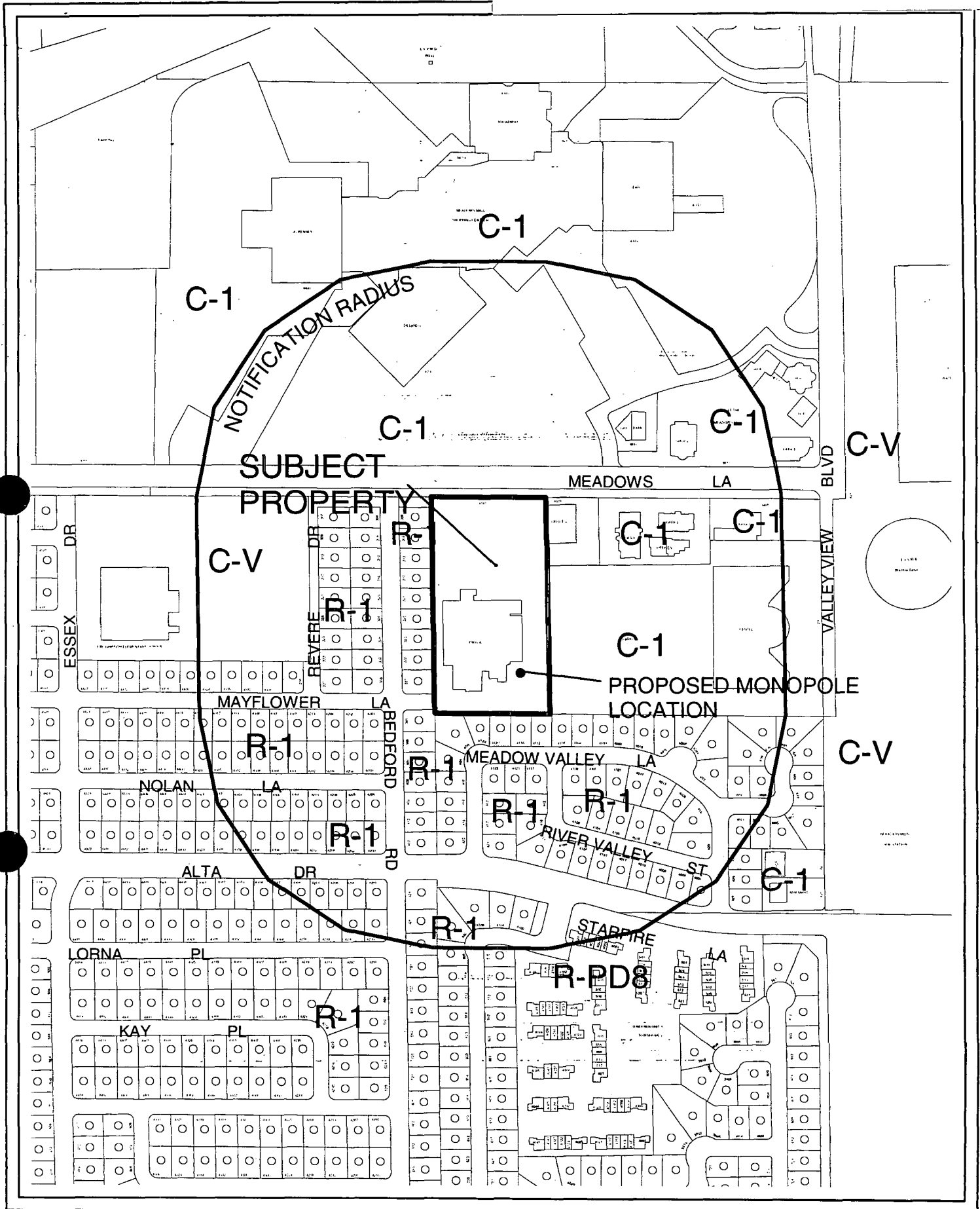
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 101 - U-80-99

CONDITIONS - Continued:

3. The tower shall be painted desert tan.
4. The wireless communications tower and equipment pad must be enclosed by a secure six foot high block wall.
5. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
6. All development shall be in conformance with the site plan and elevation.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.



CASE: U-80-99

0 300 600 900 Feet

RADIUS: 750 FT



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: U-80-99 - YMCA on behalf of Spring Spectrum**

**** CONDITIONS ****

Staff recommends DENIAL.

The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

1. The maximum height of the antenna shall be 55 feet.
2. Aesthetically enhance the appearance of the tower, as required by the Planning and Development Department.
3. The tower shall be painted desert tan.
4. The wireless communications tower and equipment pad must be enclosed by a secure six foot high block wall.
5. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
6. All development shall be in conformance with the site plan and elevation.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

U-80-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at 4141 Meadows Lane for a 75 foot (reduced to 55 foot) high wireless communications tower, in conjunction with an existing recreation center (YMCA) located on the south side of Meadows Lane, west of Valley View Boulevard.

BACKGROUND DATA:

09/07/99 The Board of Zoning Adjustment approved a Variance to allow a 55 foot high monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback. At the hearing the applicant revised the monopole height from 75 feet to 55 feet and revised the antenna placement on the pole. This request will be considered by the City Council on October 20, 1999 (V-65-99) as a companion item to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to erect a 55 foot high wireless communications tower in a 775 square foot lease area located in the southern portion of the site, adjacent to the southeast corner of the existing YMCA building. Related equipment is proposed to be located on a pad adjacent to the tower within six foot high metal cabinets adjacent to the tower. The entire lease area is proposed to be enclosed by a fence, the height of which is not specified on the site plan.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Regional Mall
South	R-1 (Single-Family Residential)	Single-Family Dwellings
East	C-1 (Limited Commercial)	Retail/Parking
West	R-1 (Single Family Residential)	Single-Family Dwellings

U-80-99 - Page Three
October 20, 1999 City Council Meeting

FINDINGS:

Staff is of the opinion that the proposed use is incompatible with the existing adjacent single-family dwellings.

Staff recommends that the applicant investigate the Las Vegas Valley Water District's site, located 900 feet to the east of the subject site, which contains existing monopoles. These monopoles could be utilized for the subject wireless communication antennas, or alternatively the applicant has the option of placing a wireless communications tower on this site. Staff is aware that the applicant has conducted preliminary investigations concerning the utilization of this alternative site. Staff recommends that the applicant proceed with the investigation. Additionally, the possibility of attaching stealth antennas, or a smaller tower, to the Meadows Mall should be investigated.

The telecommunications technology has expanded providing options to the traditional monopole design. Such design enhancements are stealth facilities which are attached to buildings and designed to blend with the architectural features of the building, as well as freestanding facilities that are designed and disguised as artistic structures or trees.

SUMMARY:

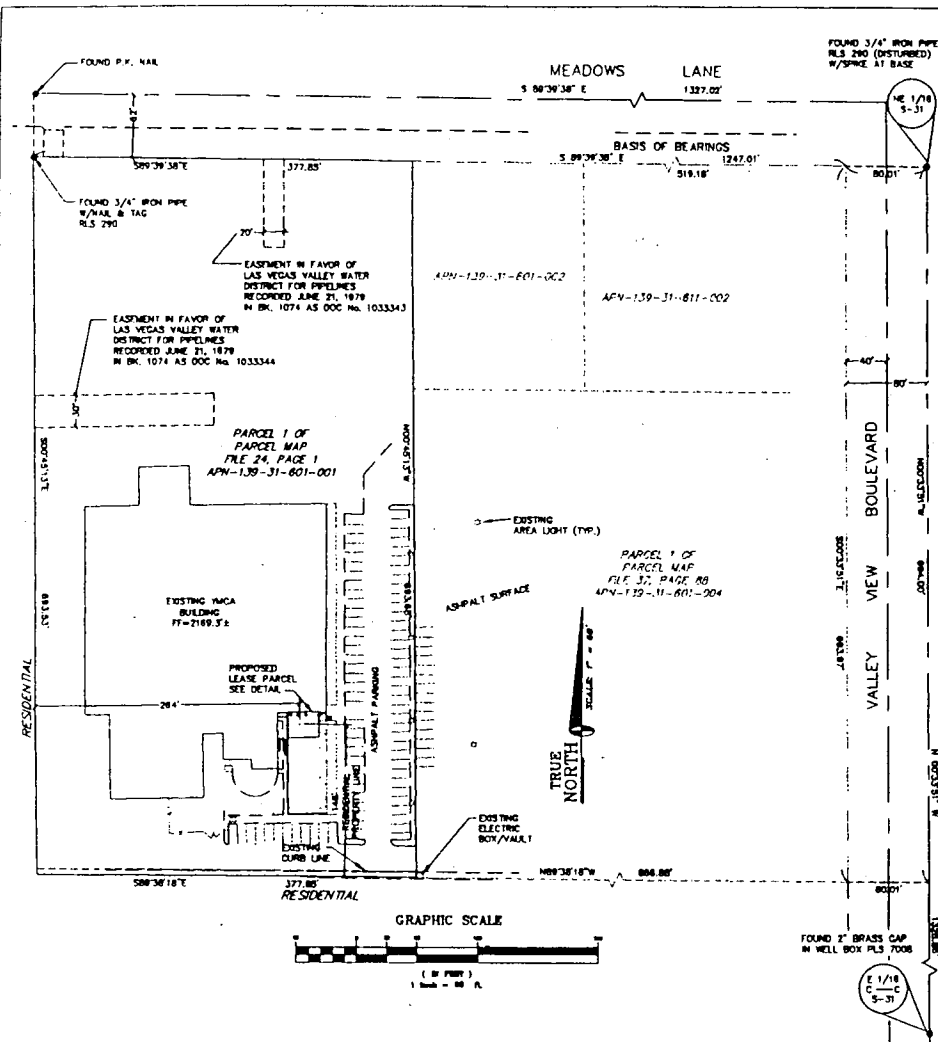
The Board of Zoning Adjustment approved a Variance request to allow a proposed 55 foot high monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback (V-65-99). At the hearing the applicant revised the height of the proposed monopole from 75 feet to 55 feet, thereby reducing the required residential adjacency separation distance from 225 feet to 165 feet.

There are options available to the applicant that would be visually less intrusive, and the possibility of locating at the nearby Las Vegas Valley Water District's site or the Meadows Mall. Therefore staff recommends denial.

NOTICES MAILED: 183 by City Clerk

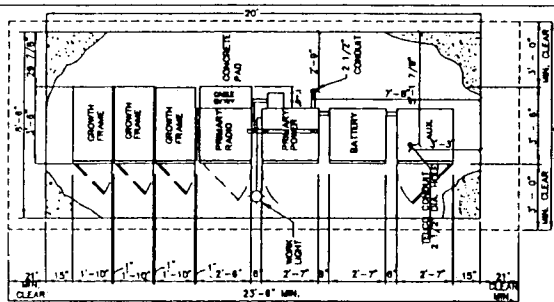
APPROVALS: 0

PROTESTS: 0



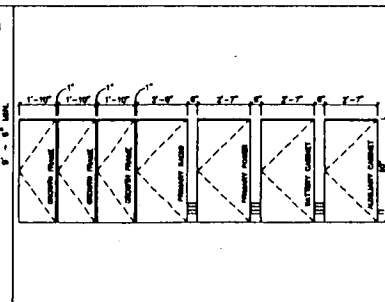
SITE PLAN

SCALE: 1" = 60'



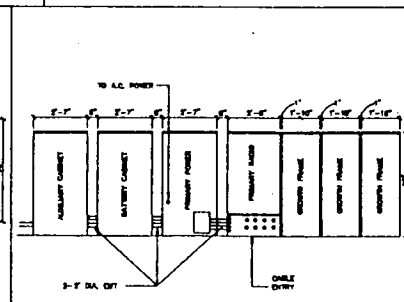
EQUIPMENT LOCATION DETAIL

SCALE: NOT TO SCALE



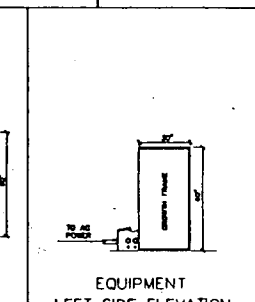
EQUIPMENT FRONT ELEVATION

SCALE: NOT TO SCALE



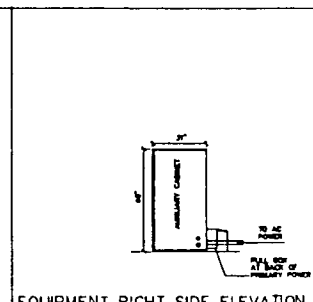
EQUIPMENT REAR ELEVATION

SCALE: NOT TO SCALE



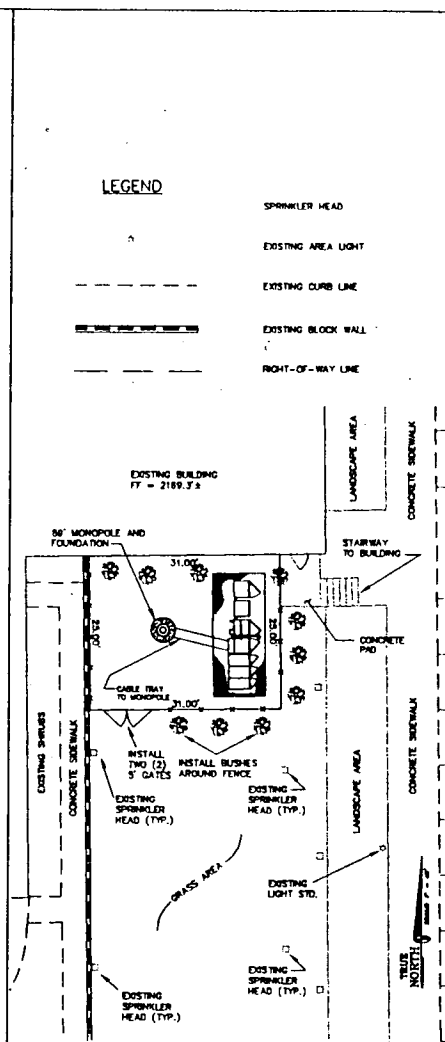
EQUIPMENT LEFT SIDE ELEVATION

SCALE: NOT TO SCALE



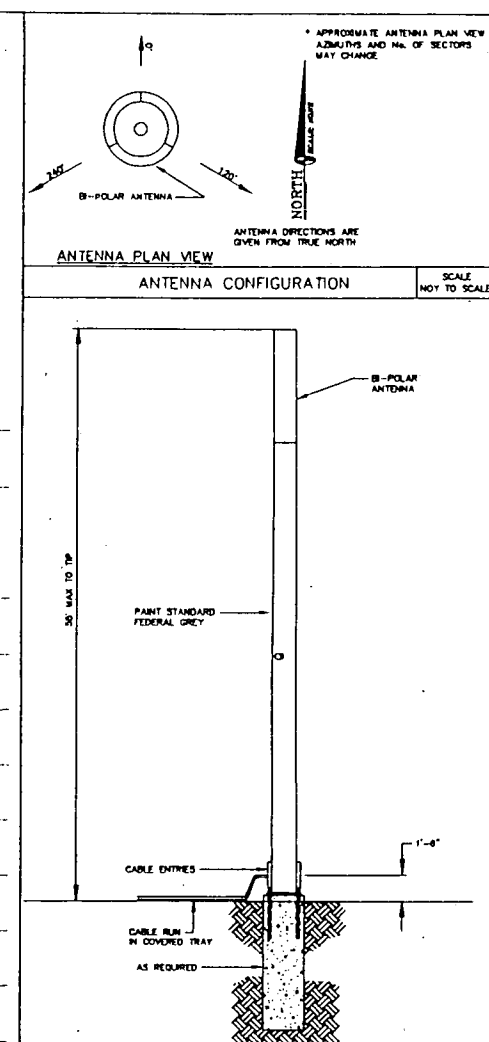
EQUIPMENT RIGHT SIDE ELEVATION

SCALE: NOT TO SCALE

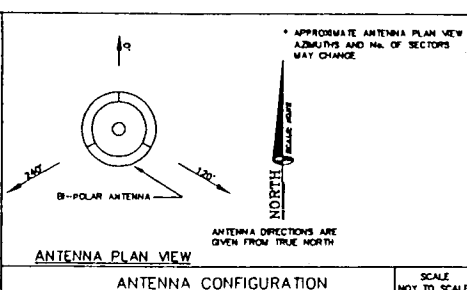


LEASE AREA DETAIL

SCALE: 1" = 10'



MONOPOLE ELEVATION



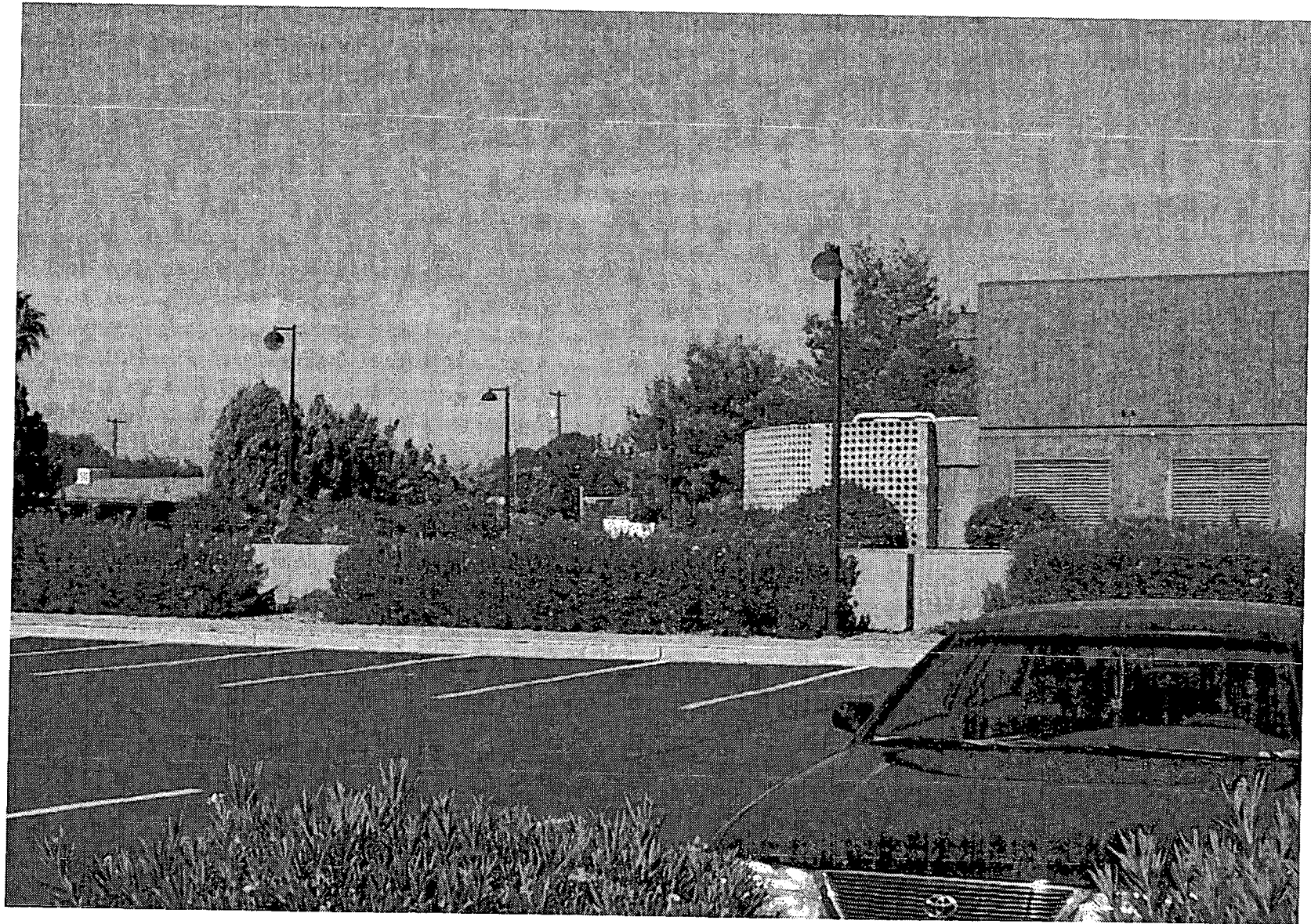
ANTENNA CONFIGURATION

SCALE: NOT TO SCALE

LAND USE PERMIT	
CASE NUMBER	PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE COMMUNICATIONS PCS LTD., IS STRICTLY PROHIBITED.	
DRAWN BY: COK	CHECKED BY: CW
DATE: 10/1/99	DESCRIPTION: DISPOSE ANTENNA TO BOWMAN
REVISIONS	
DATE	DESCRIPTION
10/1/99	DISPOSE ANTENNA TO BOWMAN
3002 RIDGE AVENUE LAS VEGAS, NEVADA 89102 PH: (702) 387-2700	
ENGINEER'S SEAL JOB # 03032-1 CADFILE: 321P-LUP DATE: 10/1/99 SCALE: VARIES	
PROPOSED PCS FACILITY 4141 MEADOWS LANE LAS VEGAS, NEVADA 89102	
SITE PLAN LUP-2	



U-80-99 - north side of site looking south (Meadows Lane in foreground)



U-80-99 - east side of site looking southwest to proposed tower location at back of YMCA (adjacent residential seen at left)

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT **Agenda Item No.: 102**
DIRECTOR: WILLARD TIM CHOW ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO U-80-99 - PUBLIC HEARING - V-65-99 - YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP - Review by Council of a Request for a Variance on property located at 4141 Meadows Lane TO ALLOW A PROPOSED 75 FOOT HIGH MONOPOLE 148 FEET FROM A RESIDENTIAL PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 225 FOOT SETBACK, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL.

PROTESTS BEFORE:

Planning Commission

Board of Zoning Adjustment

City Council

0

0

APPROVALS BEFORE:

Planning Commission

Board of Zoning Adjustment

City Council

0

0

RECOMMENDATION:

Staff recommends DENIAL. The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - ABEYANCE of Item 101 [U-80-99] and Item 102 [V-65-99] to 11/3/99 - 1:00 P.M. TIME CERTAIN - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and, seeing no one present to comment, closed the Public Hearing.

NOTE: All related discussion for Item 101 [U-80-99] and Item 102 [V-65-99] took place under Item 101 [U-80-99].

(2:31 - 2:40)

3 - 3287

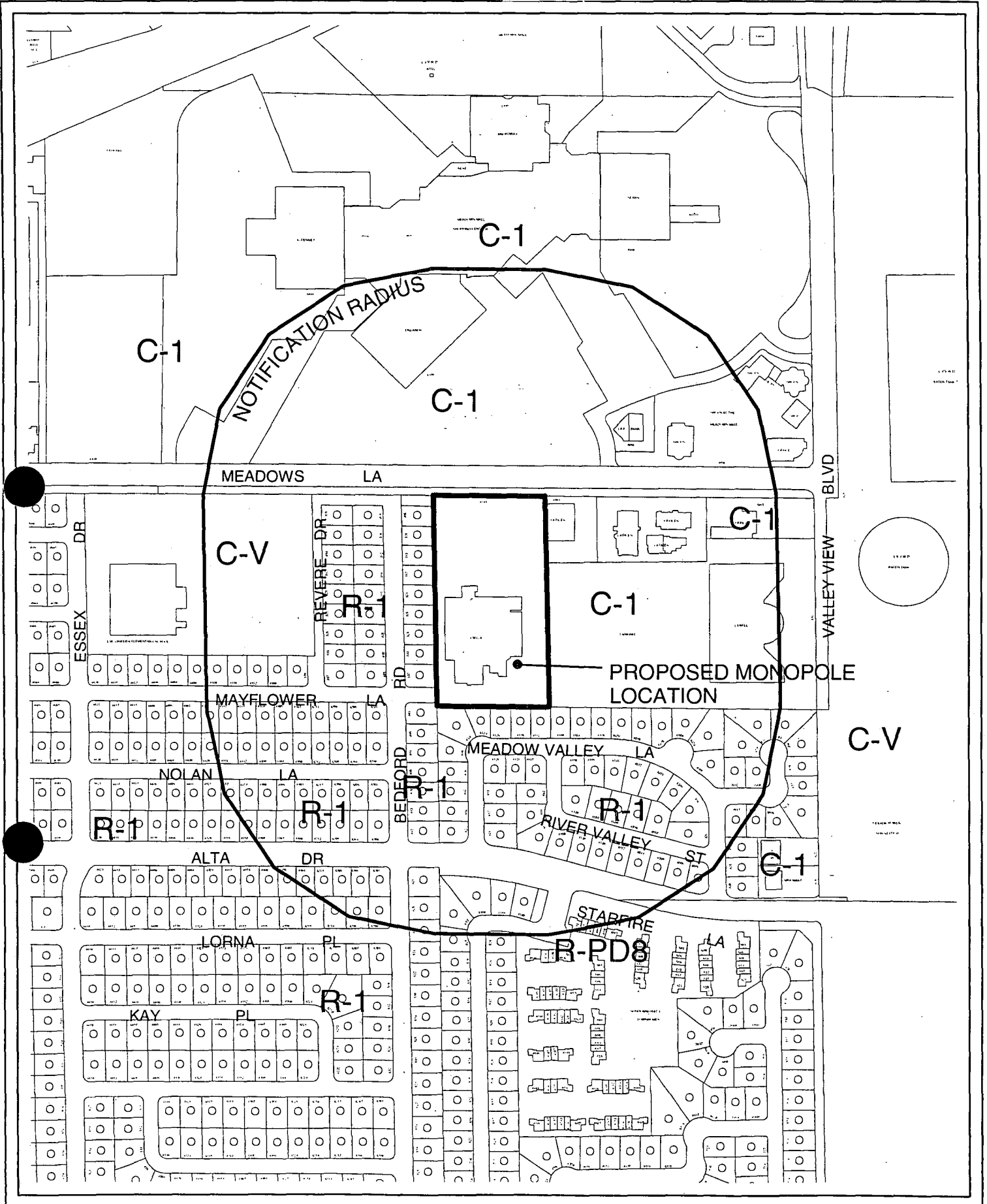
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 102 - V-65-99

CONDITIONS - Continued:

1. All development must be in conformance with the plot plans and elevations.
2. The pole shall be reduced to 55 feet in height.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The Variance approval is subject to the approval of the Special Use Permit (U-80-99) by the City Council. If U-80-99 is not approved, this Variance shall be null and void.
5. No razor or barbed wire is allowed.
6. The pole shall be painted a neutral color.



CASE: V-65-99
RADIUS: 750 FT

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: V-65-99 - YMCA on behalf of Sprint Spectrum, Limited Partnership**

**** CONDITIONS ****

Staff recommends DENIAL.

The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL, subject to:

1. All development must be in conformance with the plot plans and elevations.
2. The pole shall be reduced to 55 feet in height.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The Variance approval is subject to the approval of the Special Use Permit (U-80-99) by the City Council. If U-80-99 is not approved, this Variance shall be null and void.
5. No razor or barbed wire is allowed.
6. The pole shall be painted a neutral color.

V-65-99 - Page Two

October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Variance to allow a proposed 75 foot high (revised to 55 feet) monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback.

The applicant indicates that the Variance is required so that compliance with the stipulations of the FCC license can be achieved, and that this is the only available parcel in the area with an owner interested in leasing an area for the construction of a monopole.

The applicant justified the request as follows:

1. Adequate coverage to PCS customers will be provided; and
2. The granting of the Variance would not be detrimental to the health, safety and general welfare of the public.

BACKGROUND DATA:

08/12/99 The Planning Commission recommended approval of a request for a Special Use Permit to allow a 55 foot tall monopole on the subject site (U-80-99).

SITE DETAILS:

Current Zoning:	C-1 (Limited Commercial)
Existing Land Use:	Community Recreational Facility
Proposed Land Use:	Community Recreational Facility and Monopole

Site Area:	6.02	Acres
Proposed Monopole Height:	55	Feet

City records indicate that the existing community recreational facility was constructed in 1980.

Access to this site is from Meadows Lane, the existing YMCA building is sited on the southern portion of the parcel, with parking to the east and south. The proposed monopole is to be placed near the southeast corner of the existing building, which will partially screen the monopole from view. There is also a 20 foot by 10 foot concrete slab that will house six metal equipment cabinets within the leased area.

V-65-99 - Page Three
October 20, 1999 City Council Meeting

ANALYSIS:

The applicant is proposing to construct a 55 foot high monopole which would encroach 17 feet into the setback required by the Residential Adjacency Standards. An R-1 zoned existing single-family subdivision is located 148 feet to the south of the proposed monopole. An existing YMCA community recreational facility is adjacent to the proposed location of the monopole.

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.”

V-65-99 - Page Four

October 20, 1999 City Council Meeting

The Residential Adjacency Standards of the City of Las Vegas Zoning Code apply to all non-residential properties located adjacent to or in close proximity to residentially zoned building sites. No building in a non-residential district may exceed a height of a line drawn from a residential property line in a residential district at a 3:1 slope directly into the subject non-residential property. Section 19A.04.040, of the Zoning Code, requires that wireless communication towers comply with the Residential Adjacency Standards. Therefore, the proposed 55 foot high monopole must be setback 165 feet from the southern property line, if both the residential property line and the grade of the proposed building are at the same elevation.

Staff finds that the applicant could erect a Code conforming 55 foot high monopole elsewhere on the site. Specifically, the northern portion of the site is approximately 370 feet wide with Meadows Lane located to the north and commercial uses to the east. The western property line is adjacent to an R-1 zoned single-family development, but the required setback is 145 feet less than the width of the site. Any parking spaces which would be utilized by locating the monopole at this location could be provided in the rear of the site.

Staff finds no evidence of unique or extraordinary circumstances in that the applicant has created a self-imposed hardship by attempting to construct a monopole too close to a residential subdivision. Since the applicant could erect a 55 foot high monopole elsewhere on the site without the need for a Variance, staff recommends denial.

NOTICES MAILED: 183 by City Clerk

APPROVALS: 0

PROTESTS: 0

I N T E R - O F F I C E M E M O R A N D U M

September 9, 1999

TO:

Roni Ronemus, City Clerk

FROM:

Councilman Michael McDonald *MJM*

SUBJECT:

APPEAL OF V-65-99

COPIES TO:

Mr. Tim Chow, Planning Dept. Director

This is an appeal of the decision by the Board of Zoning and Adjustment from the meeting of 9-7-99 for V-65-99.

Please place this item on the 10-20-99 City Council Agenda.

MJM/dr/ms

RECEIVED
CITY CLERK

1999 SEP -9 P 4:41

**PROPOSED PCS FACILITY
4141 MEADOWS LANE
LAS VEGAS, NEVADA 89107**

**CL032-1 F
LADY OF LAS VEGAS**

COX COMMUNICATIONS

8-3-99 BZA
V-65-99 STAFF

100

SPECTRUM
LITERARY & EDUCATIONAL
2000 RIVER AVENUE
LOS ANGELES, CALIFORNIA 90007
TEL. (213) 267-7700

AGE	17
CLASS	10
DATE	5/20/98
SCORE	None

PROPOSED PCS FAC
4141 MEADOWS LANE
LAS VEGAS, NEVADA 89116
CLO32-1 F
TITLE SHEET
LIP-1

CROSS INDEX

PROJECT SUMMARY

- THE PROPOSED PROJECT INCLUDES
- INSTALLATION OF ONE (1) MOBILE WITH A MAXIMUM ANTENNA HEIGHT OF 75'.
- THE MOBILE WILL BE PAINTED STANDARD FEDERAL GREY.
- INSTALLATION OF A WAVE TRANSFORMER STRIP MOUNTED ON A NEW CONCRETE SLAB 8' X 16' CHAIN LINK FENCE
- INSTALLATION OF MANUAL TRANSFER SWITCH & GENERATOR PULS
- INSTALLATION OF POLE MOUNTED ANTENNA, ANTENNA'S 3 ARRAIS/ 4 ANTENNAS FOR 600W/ 1.5 TOTAL
- INSTALLATION OF ONE (1) 6' X 6' X 10' ANTELLA
- COAXIAL CABLE RUNS FROM BTS TO ANTENNAS
- NEW TELEPHONE COUPLER RUN TO BTS/AUX CABINET.
- NEW 100A DEDICATED ELECTRICAL SERVICE TO METER

100

SITE INFORMATION

ARMED AGENTS
ARMED AGENTS: _____
LAW ENFORCEMENT: _____
LAW ENFORCEMENT: 88107

VEHICLE
TOTAL PANEL = 602 ARMED WORK ON LENS
TOTAL PANEL = 778 SQUARE FEET HOME OR LESS

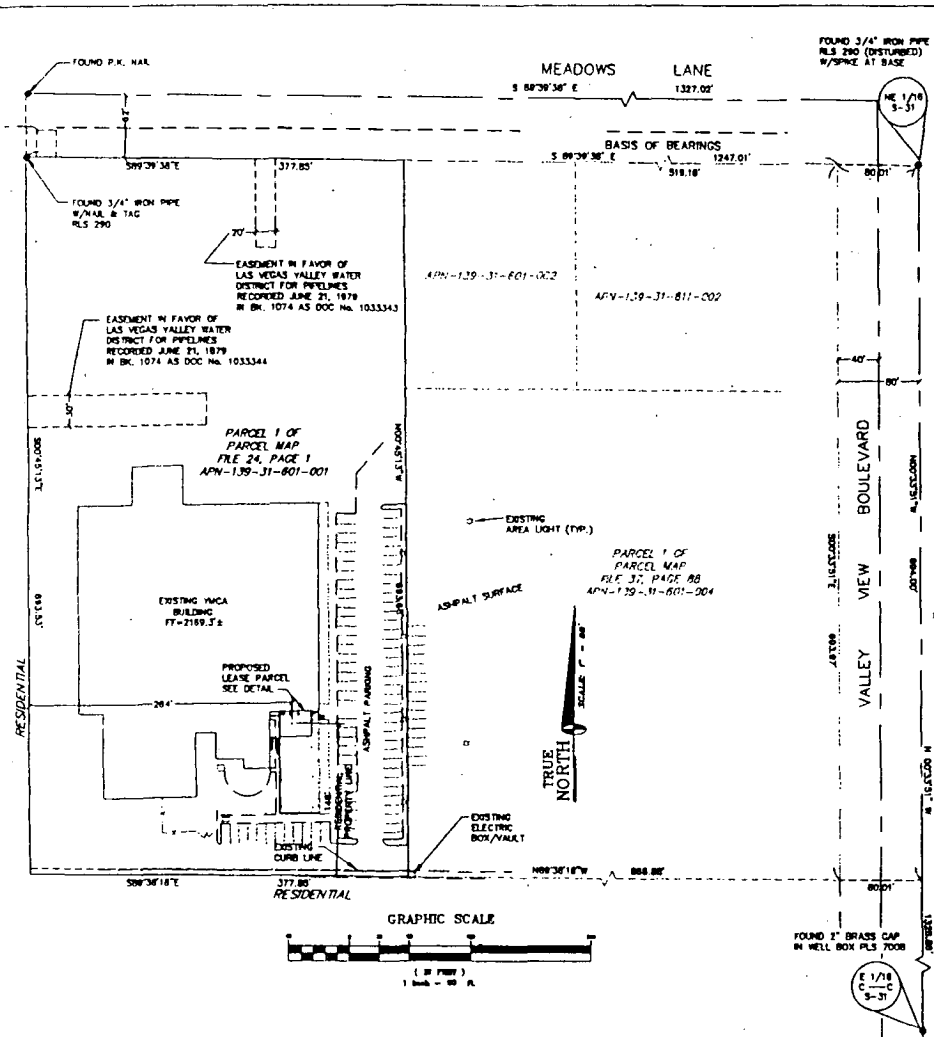
ADDITIONAL PERSONS REQUIRED
N/A (UNARMED FACILITY)

ASSIGNMENT STATUS NUMBER
150-21-201-000

REMARKS
FACILITY NAME: _____
FACILITY TYPE: _____
FACILITY ORGANIZATION: _____

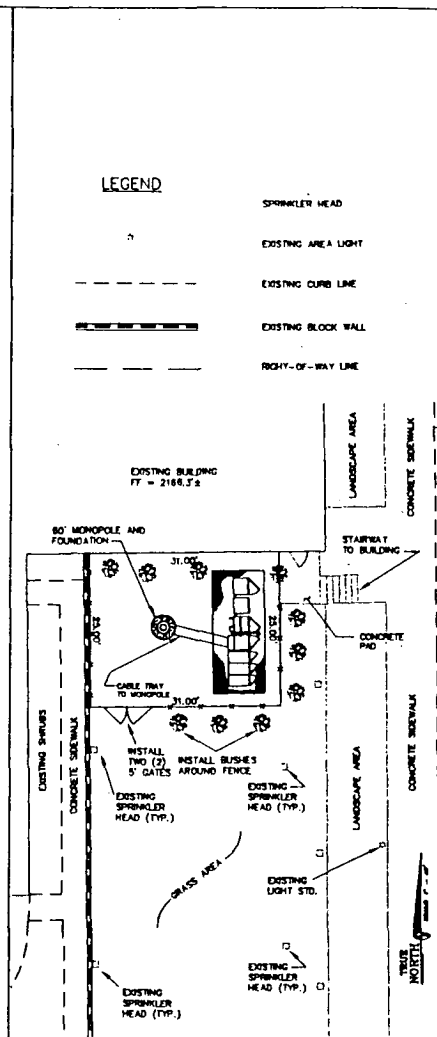
CHIEF OF FACILITY (UNARMED STATION)
FACILITY NAME: _____
FACILITY TYPE: _____
FACILITY ORGANIZATION: _____

[illegible][illegible]

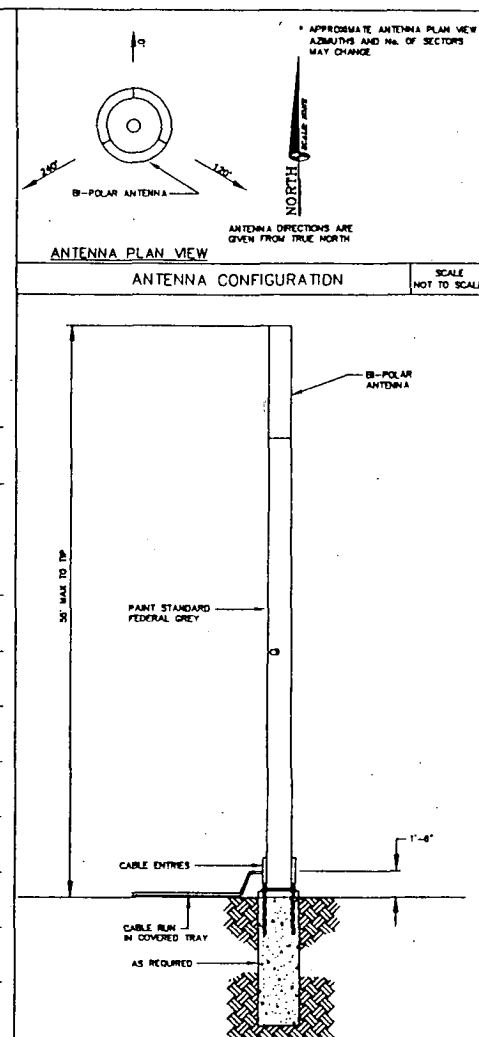


SITE PLAN

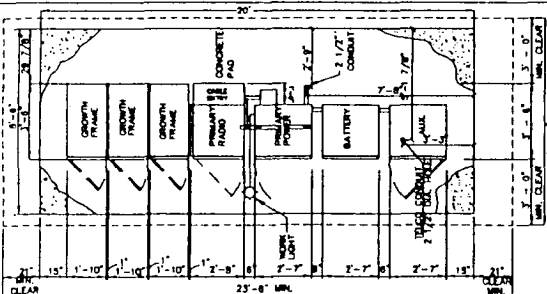
SCALE: 1" = 60'



LEASE AREA DETAIL SCALE: 1" = 10'

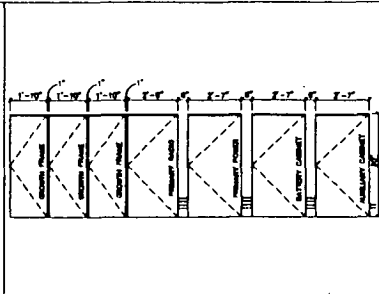


MONOPOLE ELEVATION



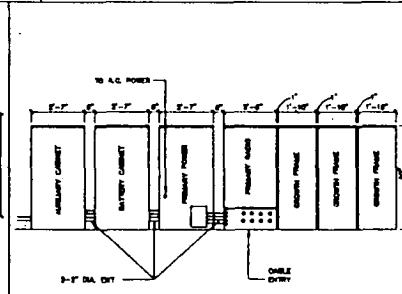
EQUIPMENT LOCATION DETAIL

SCALE
NOT TO SCALE



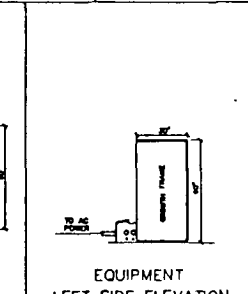
EQUIPMENT FRONT ELEVATION

SCALE
NOT TO SCALE



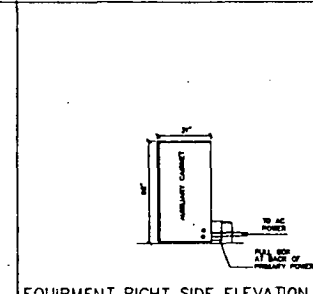
EQUIPMENT REAR ELEVATION

SCALE
NOT TO SCALE



EQUIPMENT
LEFT SIDE ELEVATION

SCALE
NOT TO SCALE



EQUIPMENT RIGHT SIDE ELEVATION

SCALE
NOT TO SCALE

LAND USE PERMIT	
CASE NUMBER	
PROPRIETARY INFORMATION	
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO COST COMMUNICATIONS PCS LTD., IS STRICTLY PROHIBITED.	
DRAWN BY:	COK
CHECKED BY:	CW
ISSUES	
DATE	DESCRIPTION

[illegible]

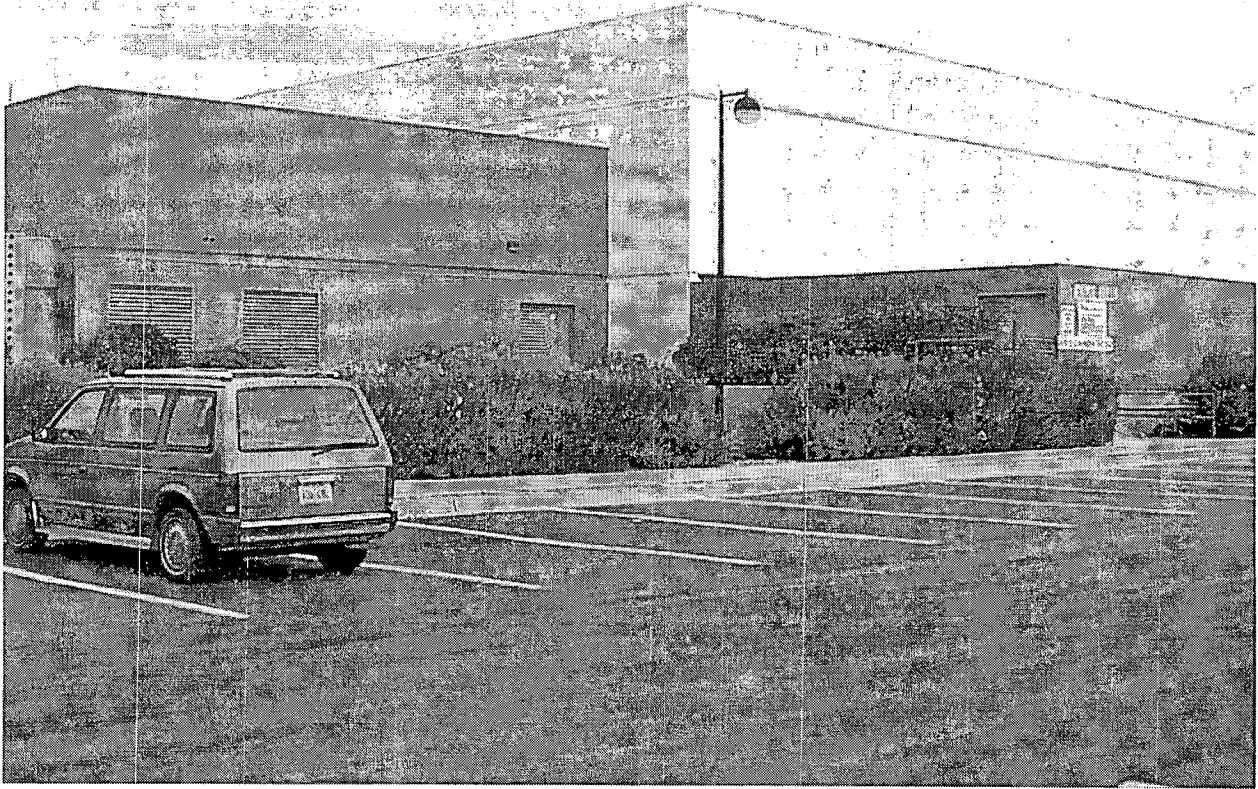
COX
COMMUNICATIONS

SPECTRUM
SURVEYING & ENGINEERING
3002 RIGEL AVENUE
LAS VEGAS, NEVADA 89102
PH (702) 367-2705

ENGINEER'S SEAL	
JOB #	CL032-1
CADFILE:	321F-LU
DATE:	10/1/99
SCALE:	VARIES

PROPOSED PCS FAC
4141 MEADOWS LANE
LAS VEGAS, NEVADA 89119

SITE PLAN
LUP-2



V-65-99

Variance for Residential Adjacency

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT **Agenda Item No.: 103**
DIRECTOR: WILLARD TIM CHOW ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **U-60-99** -
PECCOLE 1982 TRUST - Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Charleston Boulevard and Hualapai Way FOR A SERVICE STATION (GASOLINE SALES) IN CONJUNCTION WITH A PROPOSED 2,507 SQUARE FOOT CONVENIENCE STORE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L. B. McDonald), APN: 163-06-111-001. Note: The Service Station referenced is a Texaco and the Convenience Store is a Star Mart with a Carl's Jr. fast food restaurant. The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:

Planning Commission

Board of Zoning Adjustment

City Council

Concerns

APPROVALS BEFORE:

Planning Commission

Board of Zoning Adjustment

City Council

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and Accept the **WITHDRAWAL** Without Prejudice by the Applicants of Item 103 [U-60-99], Item 104 [U-61-99], Item 105 [Z-17-90(30)] and Item 108 [U-93-99] - **UNANIMOUS**

MINUTES:

No one appeared in opposition.

There was no discussion.

(1:08 - 1:10)

3 - 1

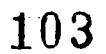
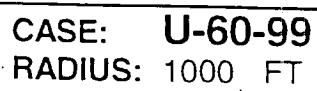
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 103 - U-60-99

CONDITIONS:

1. Conformance to all applicable Conditions of Approval for Z-17-90, Z-17-90(30), all subsequent site-related actions, and all Ordinance amendments enacted subsequent to the original approval.
2. All development shall be in conformance with the Site Development plan and building elevations.
3. 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.
4. 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.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single-family development).
6. All City Code requirements and design standards of all City departments must be satisfied.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. 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.
9. 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

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: Abeyance Item - U-60-99 - Peccole 1982 Trust

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 6, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. Conformance to all applicable Conditions of Approval for Z-17-90, Z-17-90(30), all subsequent site-related actions, and all Ordinance amendments enacted subsequent to the original approval.
2. All development shall be in conformance with the Site Development plan and building elevations.
3. 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.
4. 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.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single-family development).
6. All City Code requirements and design standards of all City departments must be satisfied.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. 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.
9. 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.

U-60-99 - Page Two
October 20, 1999 City Council Meeting

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at the southeast corner of Charleston Boulevard and Hualapai Way for gasoline sales (Texaco) in conjunction with a proposed convenience store (Star Mart) and fast food restaurant (Carl's Jr.).

BACKGROUND DATA:

- 04/04/90 The City Council approved a Rezoning (Z-17-90) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on this site as part of a larger request.
- 11/24/97 The City Council approved a Site Development Plan Review [Z-17-90(22)] for a proposed 109,195 square foot commercial shopping center on this site.
- 12/08/97 The City Council approved a Special Use Permit (U-101-97) for a tavern within a proposed retail shopping center.
- 01/11/99 The City Council approved a Special Use Permit (U-140-98) for package liquor sales in conjunction with a proposed supermarket.
- 01/14/99 The Planning Commission approved a Site Development Plan Review [Z-17-90(29)] for a proposed 236,237 square foot retail shopping center on this site.

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	R-PD7	Single-Family Residential
South	R-PD7	Single-Family Residential
East	C-1	Vacant
West	C-1	Power Substation

ANALYSIS AND FINDINGS:

All Site Development Plan issues will be addressed by action on Z-17-90(30), which is item B-1 of this agenda. Therefore, specific site design issues have not been addressed in this report.

The purpose of the Special Use Permit process is to ensure that a proposed use is conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties, currently and as anticipated in the future. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not others.

U-60-99 - Page Three
October 20, 1999 City Council Meeting

The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account the characteristics of the site and the surroundings, the relevant zoning and planning principles, and the input of the Planning Commission, City Council and other interested parties.

In order to approve a Special Use Permit application, the Planning Commission or City Council must determine that:

1. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan;
2. The subject site is physically suitable for the type and intensity of land use being proposed;
3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; and
4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

The submitted site plan indicates that the dispensing of petroleum products, water and air will occur from the pump islands. The pump islands will be located 72 feet from the nearest public right-of-way. The canopy over the pump islands will be 63 feet away from the nearest public right-of-way. Automotive repair facilities are not included in this request and there will be no repairs taking place on-site. Additionally, there are no Liquid Petroleum Gas facilities proposed at this location.

The use of the site as a convenience store with gasoline sales is complementary to the overall existing commercial center and will provide an essential service to the nearby residential areas. The sale of gasoline is typically associated with convenience store uses. These types of uses are generally located at the intersection of collector streets or larger right-of-ways. Charleston Boulevard and Hualapai Way in this area are both designated Primary roadways on the Master Plan of Streets and Highways, and will provide adequate site access for the proposed use. Staff finds this request to be an appropriate use of the site.

U-60-99 - Page Four
October 20, 1999 City Council Meeting

UPDATE:

The applicant has amended the Site Development Plan Review Z-17-90(30) by submitting a revised site plan which depicts a smaller, 3,200 square foot convenience store with no fast food restaurant component. No other features of the site plan have been altered; therefore, this Special Use Permit is not affected.

NOTICES MAILED: 609 by City Clerk

APPROVALS: 1

PROTESTS: 2

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
BOB MILLER
GARY R. GOODHEART
MICHAEL E. BUCKLEY
DOUGLAS G. CROSBY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN

KIRK B. LENHARD
KEVIN R. STOLWORTHY
STEPHEN M. RICE
ANTHONY C. GORDON
GREG L. JENSEN
JODI R. GOODHEART
PAUL A. LEMCKE
PHILIP M. BALLIF
RENEE R. REUTHER
MICHAEL P. LINDELL
MICHAEL G. ALONSO
ERIC W. LERUDE

JONES VARGAS RECEIVED CITY CLERK

ATTORNEYS AT LAW

THIRD FLOOR SOUTH

3773 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109-0949

TELEPHONE
(702) 734-2220

TELECOPIER
(702) 734-2722

1999 OCT 19 P 1:48

CLIFFORD A. JONES (Retired)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

KRIS T. BALLARD
MELISSA P. BARNARD
BRIAN P. CLARK
MICHAEL T. EGAN
DAVID K. ELKAN
EDWARD M. GARCIA
DAWN R. HINMAN
CARLA R. JONES
R. DOUGLAS KURDZIEL
JANIECE S. MARSHALL
KARL L. NIELSON
DENNIS L. OLSON

MICHAEL A. T. PAGNI
PATRICK A. ROSE
TONY F. SANCHEZ III
SCOTT M. SCHOENWALD
PATRICK J. SHEEHAN
DIANA L. SULLIVAN
ERIC W. SWANIS
SANDRA D. TURNER
TROY A. WALLIN*
GORDON H. WARREN
CAROL L. WETZEL
*Licensed in Maryland Only

October 19, 1999

Roni Ronemus
City of Las Vegas Clerk
400 East Stewart Avenue
First Floor
Las Vegas, Nevada 89101

Via Fax and Hand Delivery

Re: U-60-99, U-61-99, and Z-17-90-(30)
Request for Withdrawal Without Prejudice
October 20, 1999 City Council Meeting
Applicant: Peccole 1982 Trust, Peccole Nevada Corporation

Dear Ms. Ronemus:

The applicant for the above referenced special use permits and site development plan review respectfully requests that the items be considered for **withdrawal without prejudice** at the October 20, 1999 City Council meeting. Please do not hesitate to contact me with any questions regarding the foregoing request or if you anticipate any problems with the same. Thank you for your assistance.

Very truly yours,

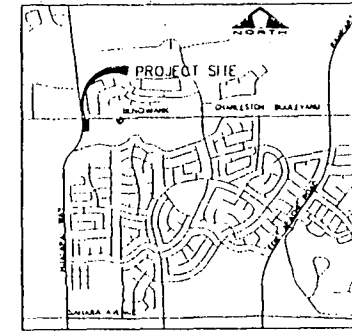
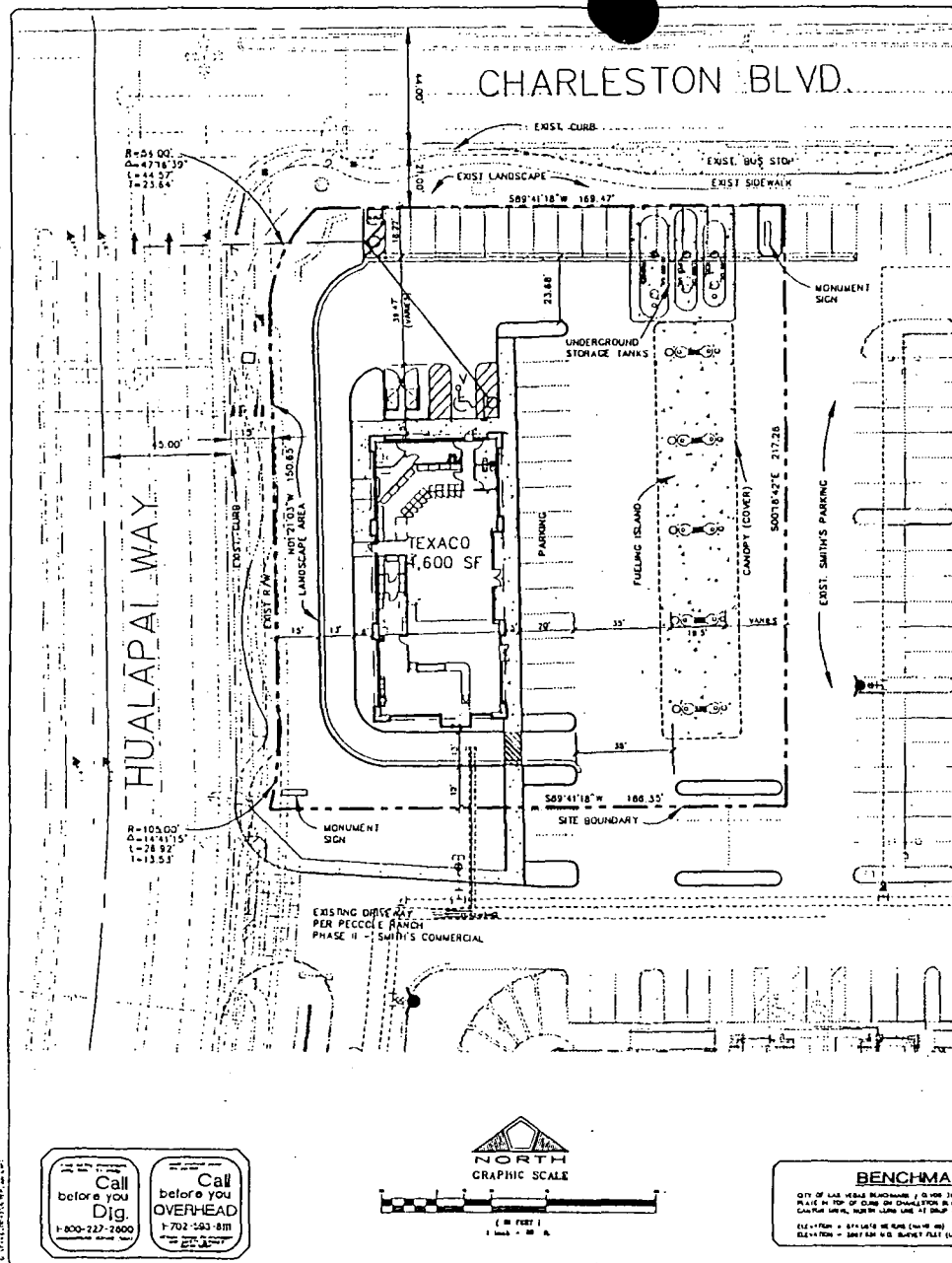
JONES VARGAS

Carol L. Wetzels
Carol L. Wetzels, Esq.

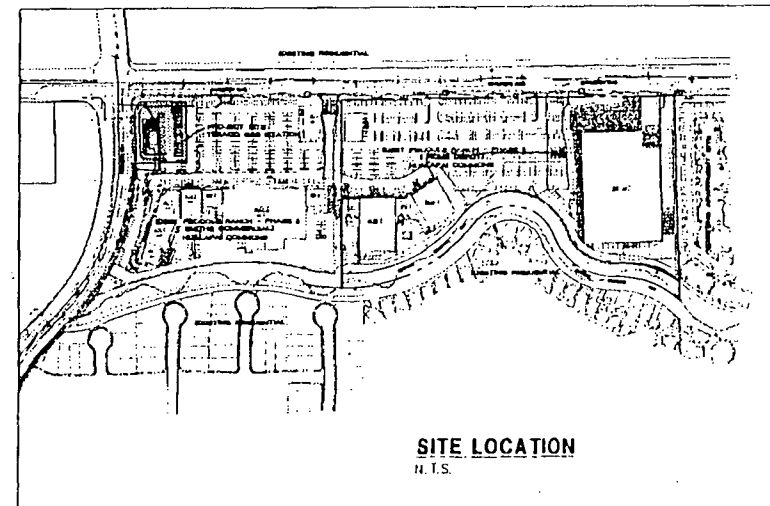
CLW/sej

cc: Clyde Spitze
Dave Mattson
Kent Berry
Lynnette McDonald
Rebecca Rury, City Planning
Mark Miller

H:\USERS\CLW\TEXACONEQUILON\Letters\Request for Withdrawal letter.wpd 18212.3



VICINITY MAP
N.I.S.



SITE LOCATION
N. I.S.



BENCHMARK

QTY OF LAS VEGAS BLANCHARD, CIVIC JILLIAN, BORN A NEW
PLATE IN TOP OF CURB ON CHARLTON BLVD, 1800 WEST OF
CAMPBELL BLVD, NORTH JUNE 1961 AT 1000 PM

EL-E-TRON = 874 LBS 10 OZ (NINE OZ)
EL-E-TRON = 1000 LBS 10 OZ (NINE OZ) (COMPUTER AND 1000)

BASIS OF BEARINGS

MURRY 80 41'S EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31 TOWNSHIP 20 SOUTH, RANGE 80 EAST, MOUNT PLEASANT MERIDIAN, AS SHOWN ON A MAP ON FILE IN THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE - FILE 70, PAGE 88 OF PAGE 8 MAPS.

THE NEW YORK PUBLIC LIBRARY AST LENOX TILDEN FOUNDATIONS 300 FIFTH AVENUE NEW YORK 10014

LEGEND

A hand-drawn diagram of a road cross-section. The diagram is divided into several horizontal sections, each labeled with a function. From top to bottom, the sections are:

- PROPOSED LINE**: The topmost line, indicated by a dashed line.
- STREET CENTERLINE**: A solid line below the proposed line.
- WALKWAY BOUNDARY LINE**: A solid line below the street centerline.
- EXISTING IMPROVEMENTS**: A solid line below the walkway boundary line.
- RETAINING WALL**: A solid line below the existing improvements.
- RIGHT OF WAY BOUNDARY LINE**: A solid line below the retaining wall.
- WALKWAY BOUNDARY LINE**: A solid line below the right of way boundary line.
- STREET CENTERLINE**: A solid line below the walkway boundary line.
- PROPOSED LINE**: The bottommost line, indicated by a dashed line.

The diagram also includes a scale bar at the bottom, labeled "1" = 10' 0" (1:1200)".

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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PECCOLE NEVADA CORP.
831 SOUTH SAMMIT STREET 10



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SITE PLAN

MUALAPAI COMMONS
MEXACC GAS STATION

DATE	NAME	SEX
AGE	GRADE	
RELATION		
DEGREE		
ONE YEAR		
ALL ONE YEAR		
ALL IN ONE YEAR		
ALL		



150

CLV. DWG /

STAFF **U - 60 - 99**
7 - 22 - 99 PC

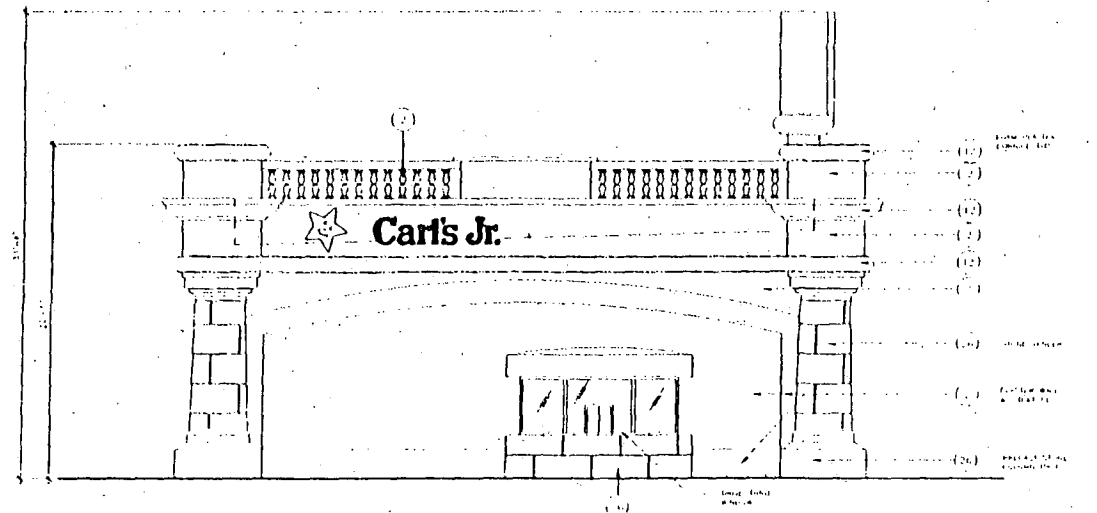
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7-22-99 PC



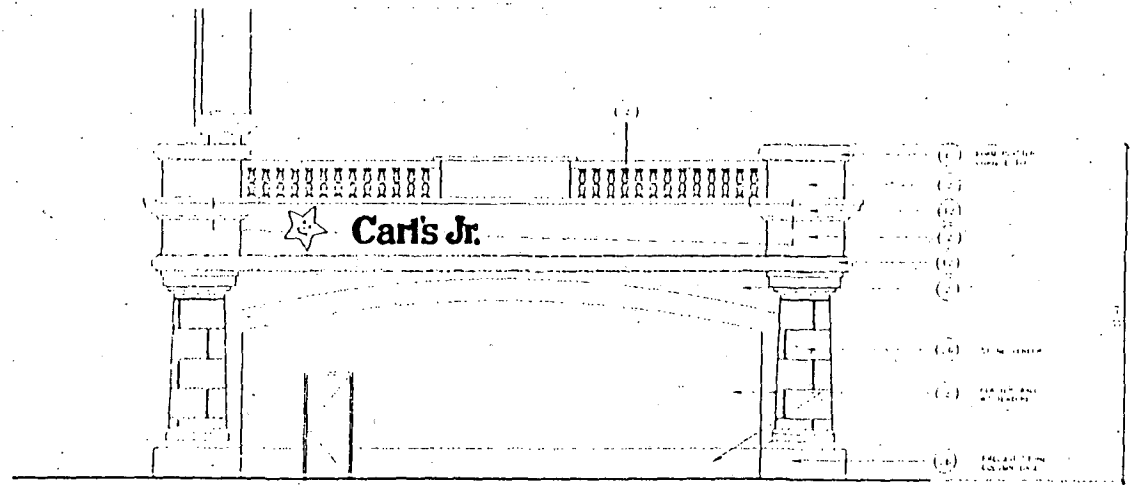
LEGEND

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β_8	1	0.0000
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[illegible]



SIDE LEFT ELEVATION



SIDE RIGHT ELEVATION

LEGEND	
(1) EXTERIOR WALL MATERIAL	(1) EXTERIOR WALL MATERIAL
(2) EXTERIOR WALL MATERIAL	(2) EXTERIOR WALL MATERIAL
(3) EXTERIOR WALL MATERIAL	(3) EXTERIOR WALL MATERIAL
(4) EXTERIOR WALL MATERIAL	(4) EXTERIOR WALL MATERIAL
(5) EXTERIOR WALL MATERIAL	(5) EXTERIOR WALL MATERIAL
(6) EXTERIOR WALL MATERIAL	(6) EXTERIOR WALL MATERIAL
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(10) EXTERIOR WALL MATERIAL	(10) EXTERIOR WALL MATERIAL

PROPOSED		EXISTING	
ITEM	DESCRIPTION	ITEM	DESCRIPTION
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6	EXTERIOR WALL MATERIAL	6	EXTERIOR WALL MATERIAL
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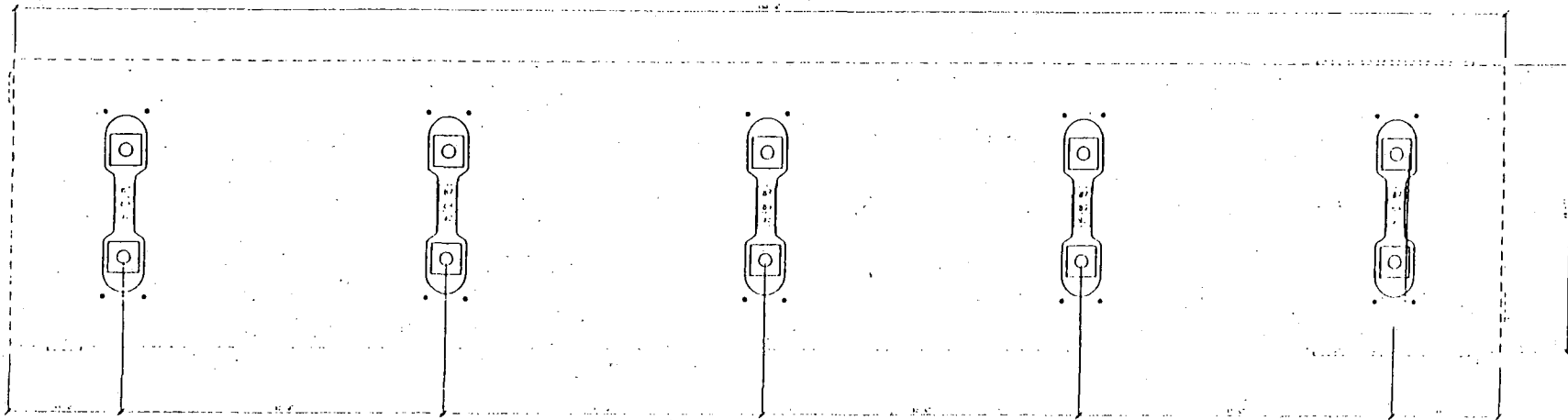
TMXCO
TRADING COMPANY

EXTERIOR ELEVATIONS
S.E. CHARLESTON BLVD
O. HUALAPAI AVE
LAS VEGAS, NEVADA

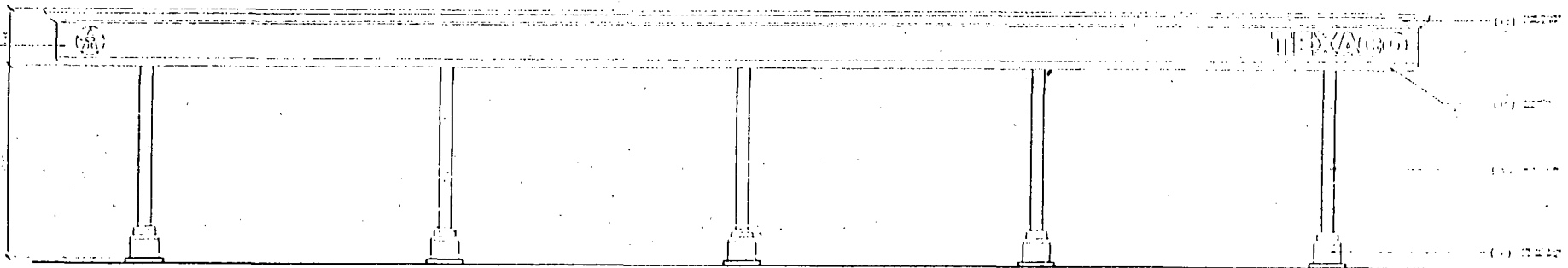
FRED FIEDLER & ASSOCIATES
2002 W. 10TH STREET
LAS VEGAS, NEVADA 89102

STAFF

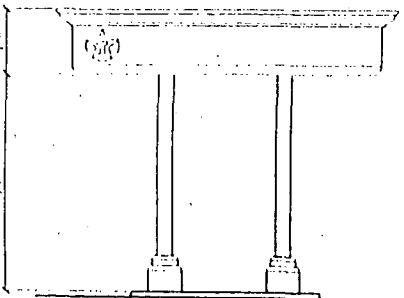
U-60-99
7-22-99 PC



CANOPY PLAN VIEW



CANOPY ELEVATION



LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
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(2)	EXISTING CANOPY	(3)	EXISTING CANOPY
(3)	EXISTING CANOPY	(4)	EXISTING CANOPY
(4)	EXISTING CANOPY	(5)	EXISTING CANOPY
(5)	EXISTING CANOPY	(6)	EXISTING CANOPY

REVISION	DATE	BY	CHKD	APPD
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2				
3				
4				
5				

REVISION	DATE	BY	CHKD	APPD
1				
2				
3				
4				
5				

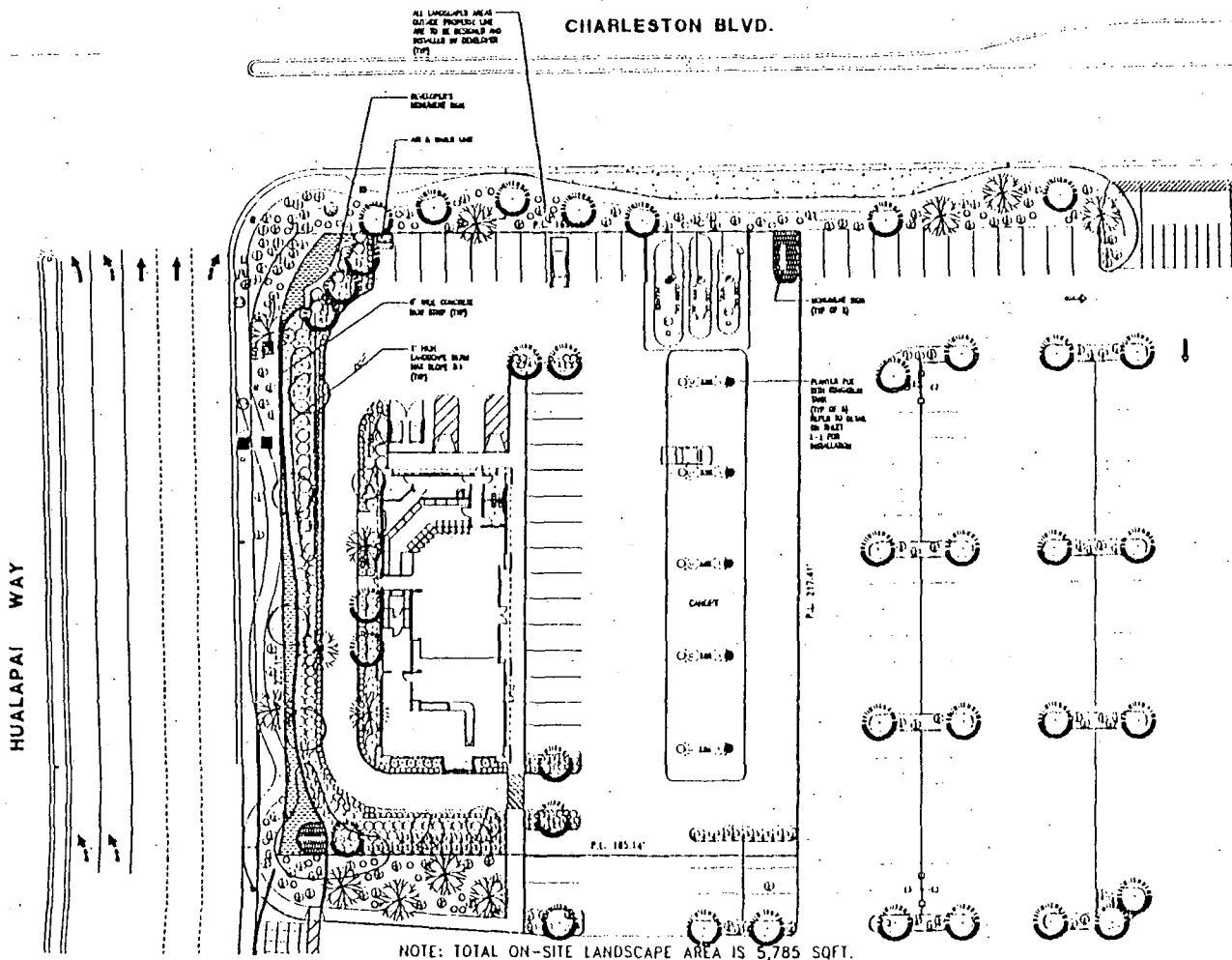


TEXACO

CANOPY PLAN & ELEVATION
S.E. CHAMBERLAIN BLVD
HUALAPAI WAI
LAS VEGAS, NEVADA

FRED FIEDLER & ASSOCIATES

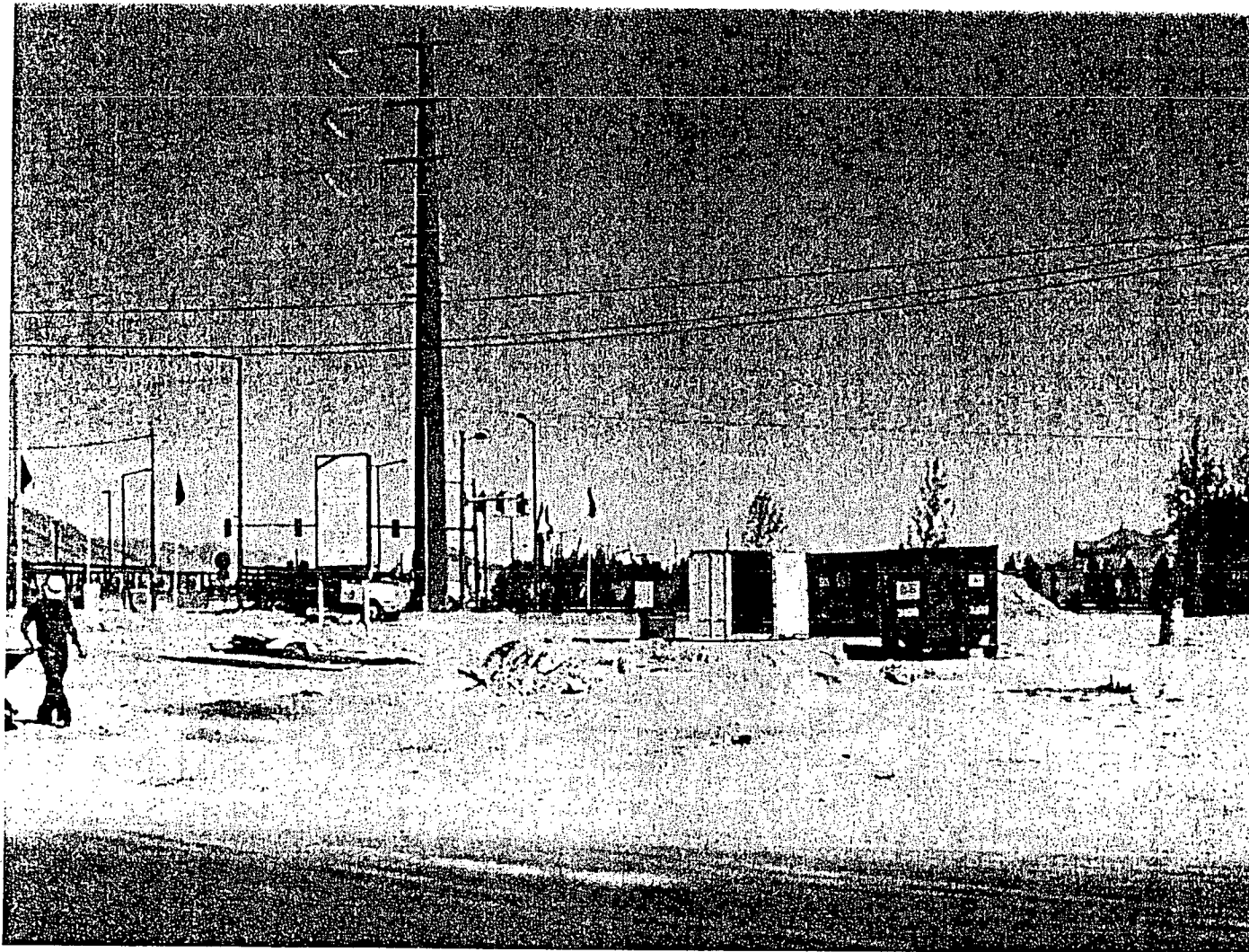
3333 WEST 3RD STREET
LAS VEGAS, NV 89102
PHONE (702) 333-3333



	<table><tr><th>DATE</th><th>REMARKS</th></tr><tr><td>ISSUED FOR CUP</td><td>5/1/78 AC</td></tr><tr><td>ISSUED FOR PERM. EXCHG.</td><td></td></tr><tr><td>ISSUED FOR GEN. BUD.</td><td></td></tr><tr><td>ISSUED FOR CONSTRUCT.</td><td></td></tr><tr><td>NEEDED LEASING</td><td></td></tr></table>	DATE	REMARKS	ISSUED FOR CUP	5/1/78 AC	ISSUED FOR PERM. EXCHG.		ISSUED FOR GEN. BUD.		ISSUED FOR CONSTRUCT.		NEEDED LEASING		<table><tr><th>NO.</th><th>DATE</th><th>REVISIONS</th></tr><tr><td>1</td><td>5/1/78</td><td>NO DUE TO BUREAU 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U-60-99
7-22-99 PC

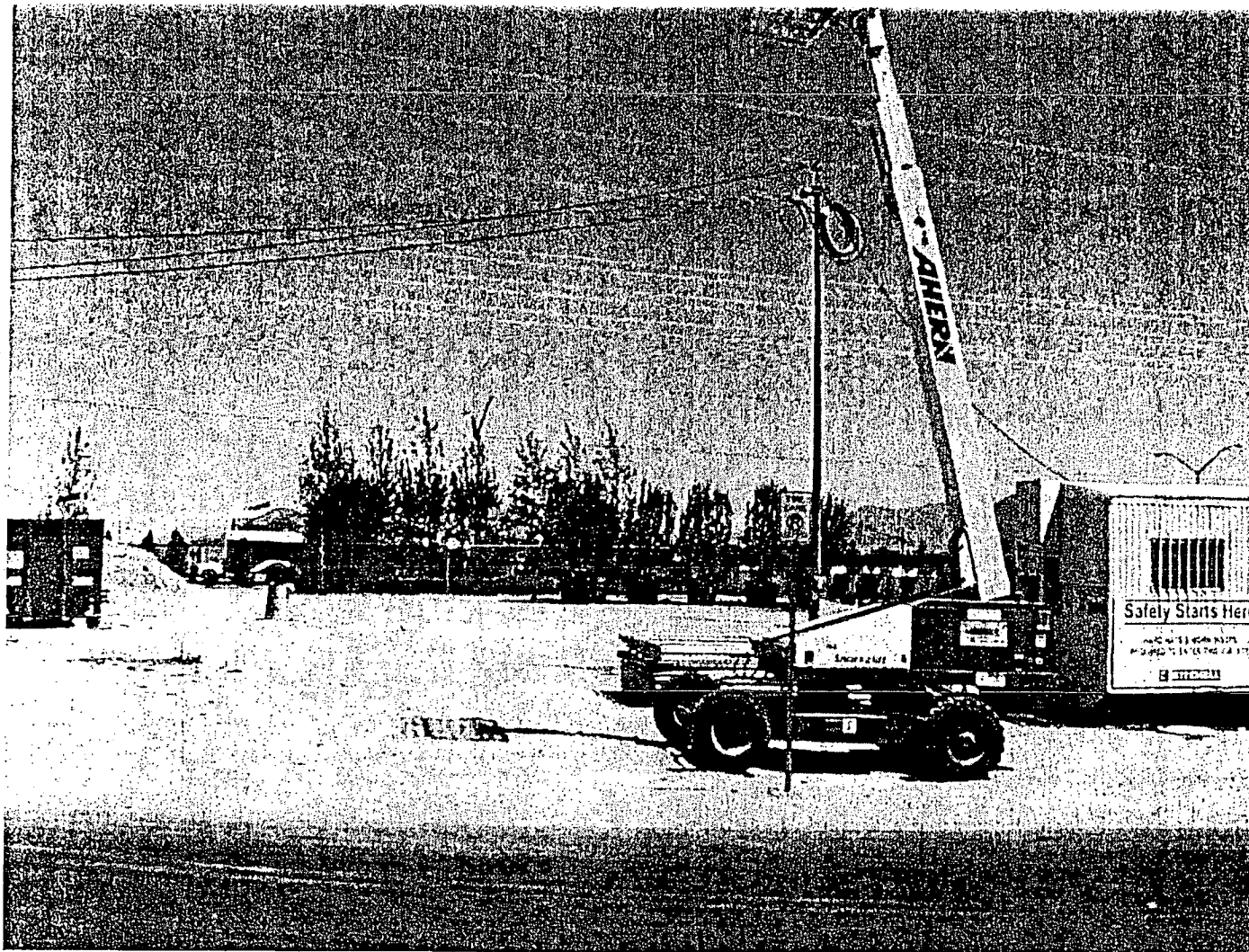
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7-22-99 PC

Z-17-90(30) and U-60-99 and U-61-99

View of west portion of the site from south to north



7-22-99 PC

Z-17-90(30) and U-60-99 and U-61-99

View of east portion of the site from south to north

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 104****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-61-99 -
PECCOLE 1982 TRUST - Appeal filed by Pentacore Engineering on behalf of Peccole 1982 Trust from the Denial by the Planning Commission for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Charleston Boulevard and Hualapai Way FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED 2,507 SQUARE FOOT CONVENIENCE STORE; AND FOR A WAIVER OF THE MINIMUM DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L. B. McDonald), APN: 163-06-111-001. Note: The Convenience Store referenced is a Star Mart. The Planning Commission (4-1 vote) and staff recommend DENIAL.

PROTESTS BEFORE:**Planning Commission****2****Board of Zoning Adjustment****City Council****2****Concerns****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and Accept the **WITHDRAWAL** Without Prejudice by the Applicants of Item 103 [U-60-99], Item 104 [U-61-99], Item 105 [Z-17-90(30)] and Item 108 [U-93-99] - **UNANIMOUS**

MINUTES:

No one appeared in opposition.

There was no discussion.

(1:08 - 1:10)

3 - 1

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 104 - U-61-99

CONDITIONS:

1. The building floor plan shall be revised to depict the following:
 - a. Physically separated customer entrances shall be maintained for the fast food and retail sales areas.
 - b. A permanent wall, from interior floor to drop ceiling, shall be placed along the entire line separating the retail sale area and the fast food area accessible to the public. The wall may incorporate glass or other transparent material above a minimum height of 4.5 feet above the floor, but shall not utilize any method of construction designed to facilitate the movement of people or passing of merchandise between the retail sales area and the fast food area.
 - c. A permanent wall, from interior floor to drop ceiling, shall be placed along a five-foot linear distance comprising the west boundary between the gaming area and the retail sales area.
2. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
3. All City Code requirements and all City departments' design standards shall be met.
4. Approval of this request does not constitute approval of a liquor license.
5. The use shall comply with all requirements of Title 6.50 of the City of Las Vegas Municipal Code.
6. Conformance to all applicable Conditions of Approval for Z-17-90, Z-17-90(30), all subsequent site-related actions, and all Ordinance amendments enacted subsequent to the original approval.
7. All development shall be in conformance with the Site Development plan and 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. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

City of Las Vegas

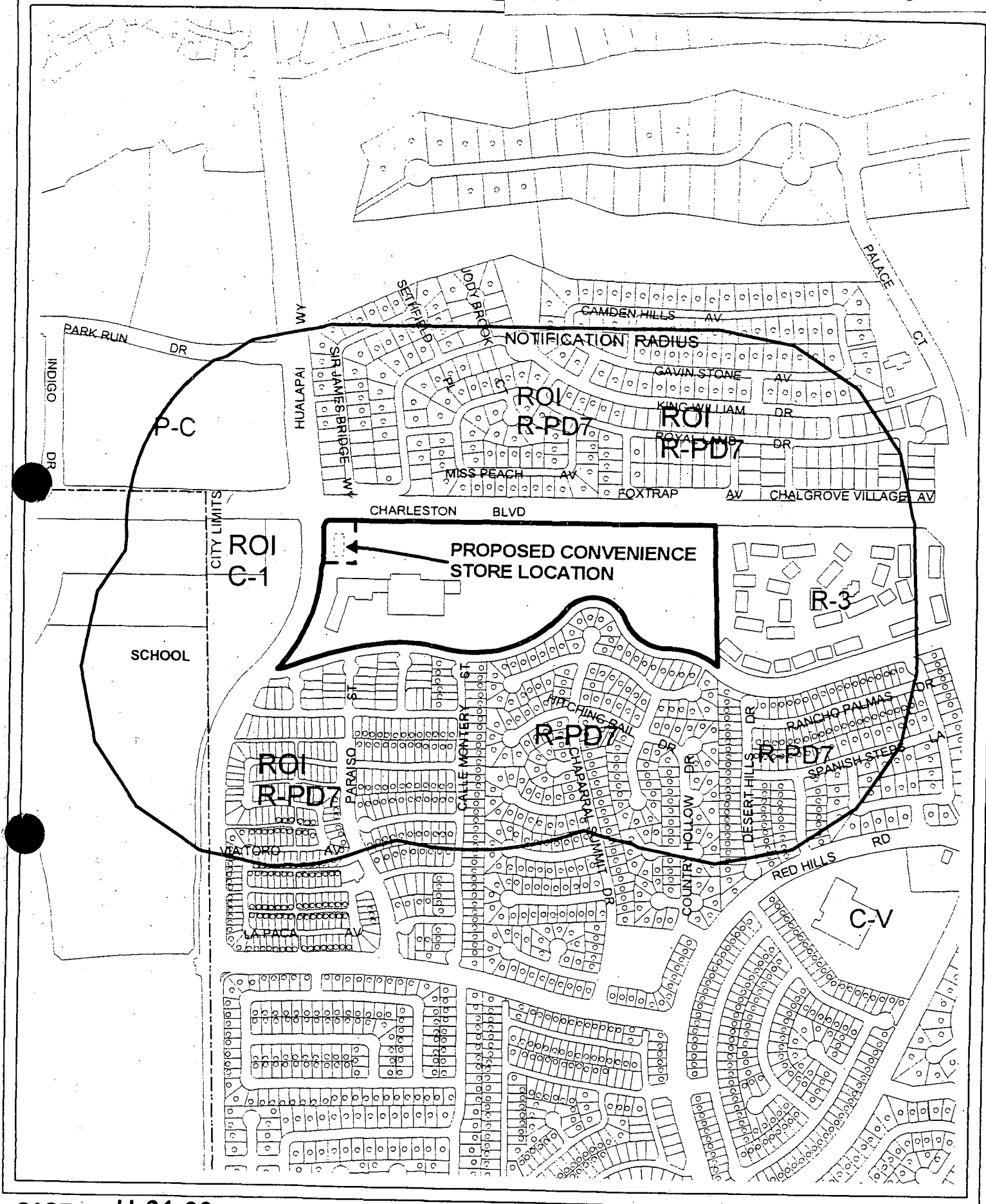
CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 104 - U-61-99

CONDITIONS - Continued:

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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
13. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.





CASE: U-61-99

RADIUS: 1000 FT

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: Abeyance Item - U-61-99 - Peccole 1982 Trust

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 6, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

The Planning Commission (4-1 vote) and staff recommend DENIAL. If approved, subject to:

[Note: The Commission determined that the attraction of school-aged children to the proposed fast food restaurant, given its close proximity to the high school, makes it particularly unsuitable to be co-located with alcohol sales within the same building, especially where no internal separation between the uses is provided.]

1. The building floor plan shall be revised to depict the following:
 - a. Physically separated customer entrances shall be maintained for the fast food and retail sales areas.
 - b. A permanent wall, from interior floor to drop ceiling, shall be placed along the entire line separating the retail sale area and the fast food area accessible to the public. The wall may incorporate glass or other transparent material above a minimum height of 4.5 feet above the floor, but shall not utilize any method of construction designed to facilitate the movement of people or passing of merchandise between the retail sales area and the fast food area.
 - c. A permanent wall, from interior floor to drop ceiling, shall be placed along a five-foot linear distance comprising the west boundary between the gaming area and the retail sales area.
2. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
3. All City Code requirements and all City departments' design standards shall be met.
4. Approval of this request does not constitute approval of a liquor license.
5. The use shall comply with all requirements of Title 6.50 of the City of Las Vegas Municipal Code.
6. Conformance to all applicable Conditions of Approval for Z-17-90, Z-17-90(30), all subsequent site-related actions, and all Ordinance amendments enacted subsequent to the original approval.

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October 20, 1999 City Council Meeting

7. All development shall be in conformance with the Site Development plan and 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. For non-residential developments, 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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
13. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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 (Star Mart) and fast food restaurant (Carl's Jr.) on property located adjacent to the southeast corner of the intersection of Charleston Boulevard and Hualapai Way.

BACKGROUND DATA:

04/04/90 The City Council approved a Rezoning (Z-17-90) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on this site as part of a larger request.

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October 20, 1999 City Council Meeting

- 11/24/97 The City Council approved a Site Development Plan Review [Z-17-90(22)] for a proposed 109,195 square foot commercial shopping center on this site.
- 12/08/97 The City Council approved a Special Use Permit (U-101-97) for a tavern within a proposed retail shopping center.
- 01/11/99 The City Council approved a Special Use Permit (U-140-98) for package liquor sales in conjunction with a proposed supermarket.
- 01/14/99 The Planning Commission approved a Site Development Plan Review [Z-17-90(29)] for a proposed 236,237 square foot retail shopping center on this site.

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	R-PD7	Single-Family Residential
South	R-PD7	Single-Family Residential
East	C-1	Vacant
West	C-1	Power Substation

ANALYSIS AND FINDINGS:

The purpose of the Special Use Permit process is to ensure that a proposed use is conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties, currently and as anticipated in the future. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others. The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account the characteristics of the site and the surroundings, the relevant zoning and planning principles, and the input of the Planning Commission, City Council and other interested parties.

In order to approve a Special Use Permit application, the Planning Commission or City Council must determine that:

1. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan;
2. The subject site is physically suitable for the type and intensity of land use being proposed;
3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; and

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4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

The floor plan depicts one building of approximately 4,600 square feet. The fast food restaurant will occupy 2,093 square feet (45.5% of the total), and the convenience store 2,507 square feet (54.5% of the total). The convenience store will include 1,435 square feet of retail area, 100 square feet of gaming, with five slot machines depicted, and 972 square feet of storage area. Each use is depicted as having a separate main entrance on the east building elevation. The drive-through window will be on the south side of the building. Ten dining tables are provided for the fast food restaurant with two three-sided display stands as a barrier from the retail sales area. Staff finds that these movable display stands are completely inadequate to provide any effective physical barrier between the fast food and retail sale areas where alcohol will be sold.

The floor plan does not depict any other type of barrier which would distinguish the uses from each other. The applicant's justification letter states the convenience store sales area will provide a level of security between the two uses as that area has full view of the building's interior, public areas.

The proposed use of this site as a combined convenience store and fast food restaurant is the third such request which staff has received Citywide. It is the second application requesting the sale of alcohol in conjunction with this type of hybrid use (the first request was withdrawn from the June 14, 1999 City Council agenda due to public opposition to this type of request).

The sale of beer and wine is frequently associated with convenience store uses. However, to date it is uncommon for convenience stores and fast food restaurants to occupy the same building space. Fast food restaurants are typically thought of as alcohol-free and generally a safe place for families and children. While the consumption of alcohol within the convenience store portion of this site would not be allowed, there is no guarantee that alcohol would not be consumed while dining at the fast food restaurant. The type of combined use proposed for this site is still in its infancy within the City of Las Vegas. A precedent may be set and the control parents can exert over the environments into which their children go could be compromised should the sale of alcohol in conjunction with this hybrid use be approved. Staff finds that the sale of alcohol should not be permitted where these types of uses will be co-mingled; therefore, staff recommends denial of this request.

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October 20, 1999 City Council Meeting

The subject site, as measured from the shopping center property line (because the overall site is less than the Code mandated 80 acre minimum needed to allow measurement from other than the property line), is located within 400 feet of a private high school. This request, therefore, includes a waiver of the minimum distance separation requirement in order to be approved. Fast food restaurants are generally popular gathering places for students, and in consideration of the proposed sale of alcohol in conjunction with the fast food restaurant staff finds the request for waiver inappropriate at this location, and recommends denial.

UPDATE:

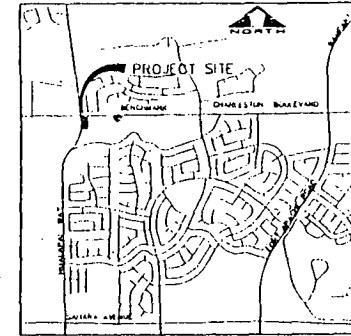
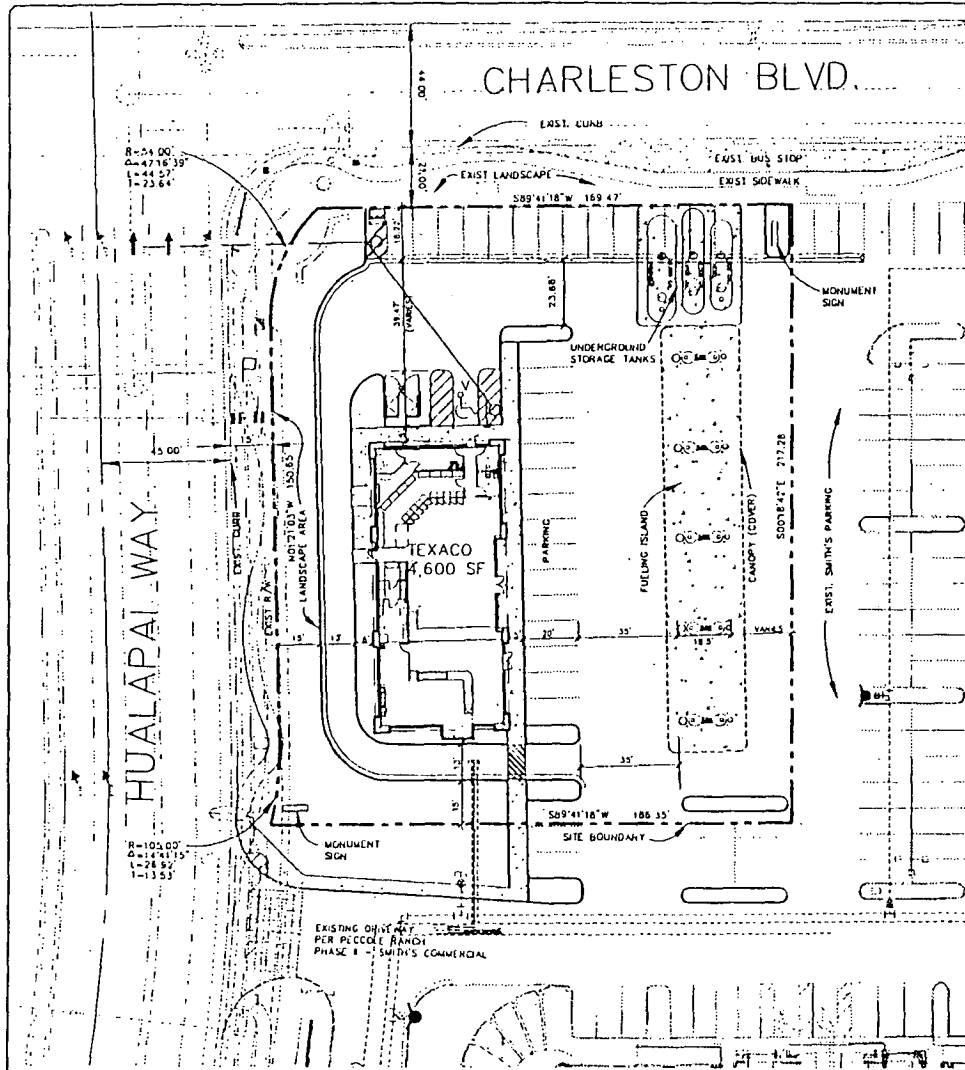
The applicant has amended the Site Development Plan Review Z-17-90(30) by submitting a revised site plan which depicts 3,200 square foot convenience store with no fast food restaurant component. In the absence of a fast-food use, there would be no co-mingling of beer and wine sales with a family and youth oriented establishment; therefore staff recommends approval of this Special Use Permit.

NOTICES MAILED: 609 by City Clerk

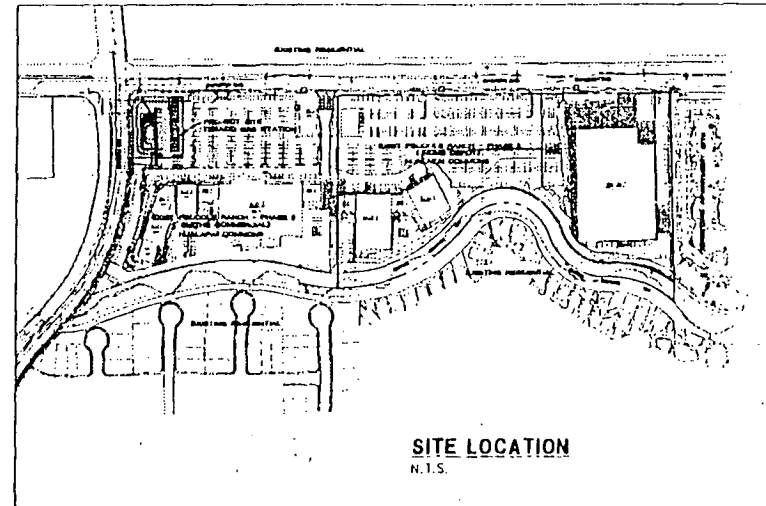
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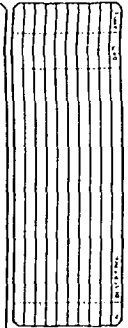
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N.T.S.



SITE LOCATION
N.T.S.



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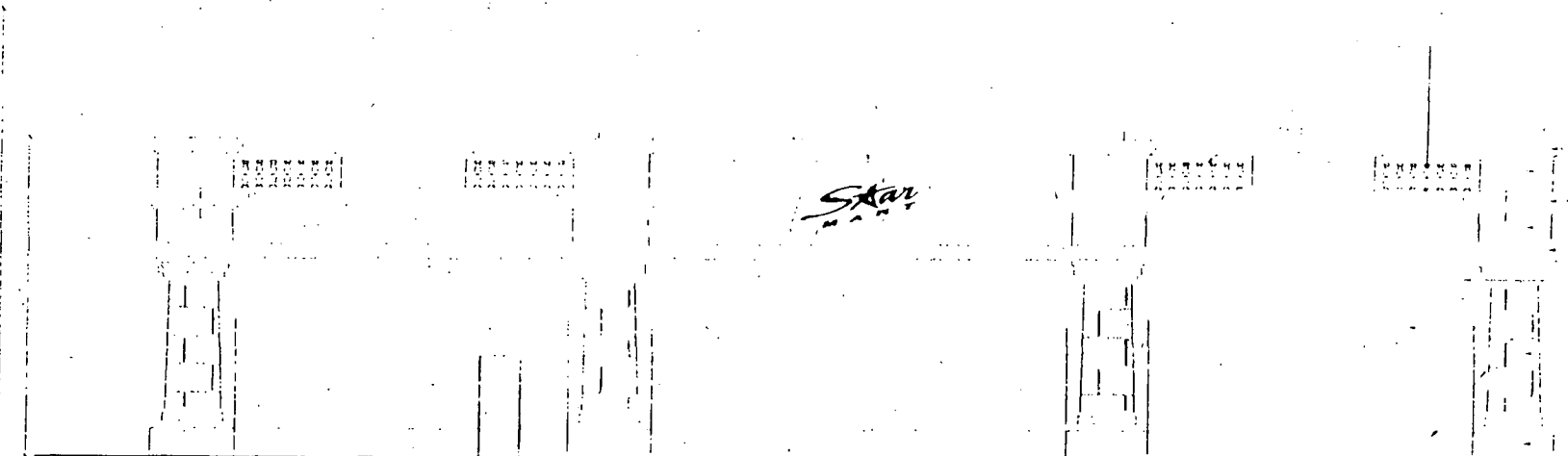
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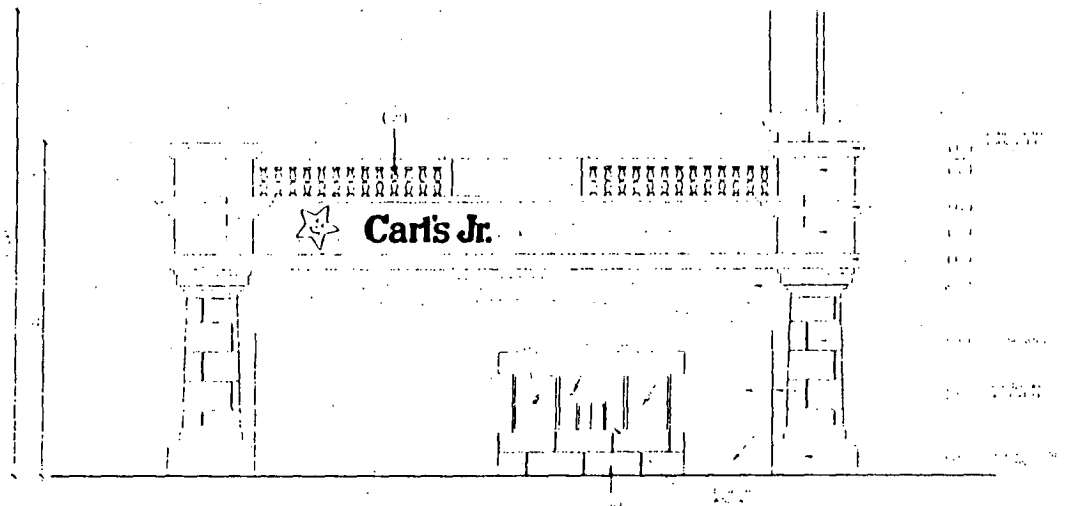
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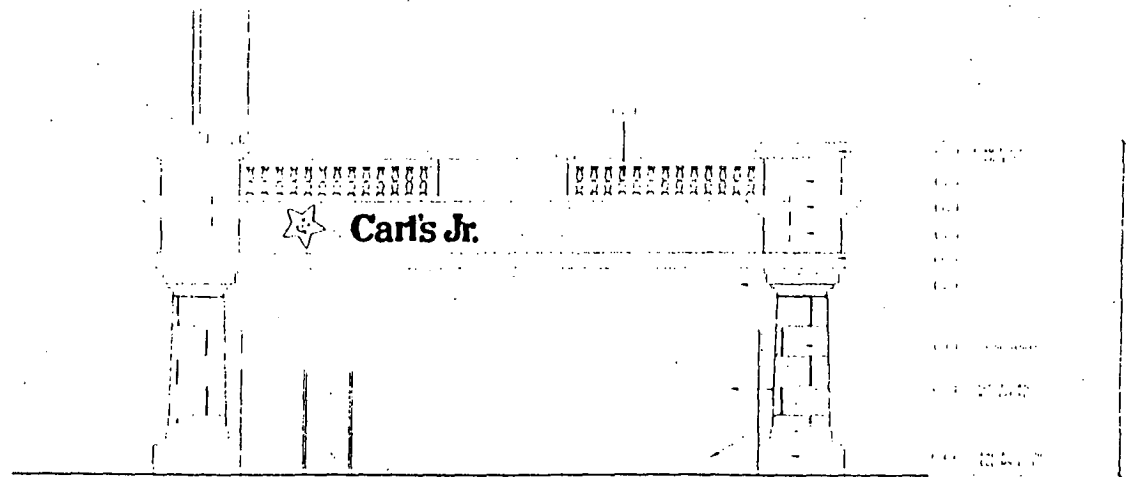
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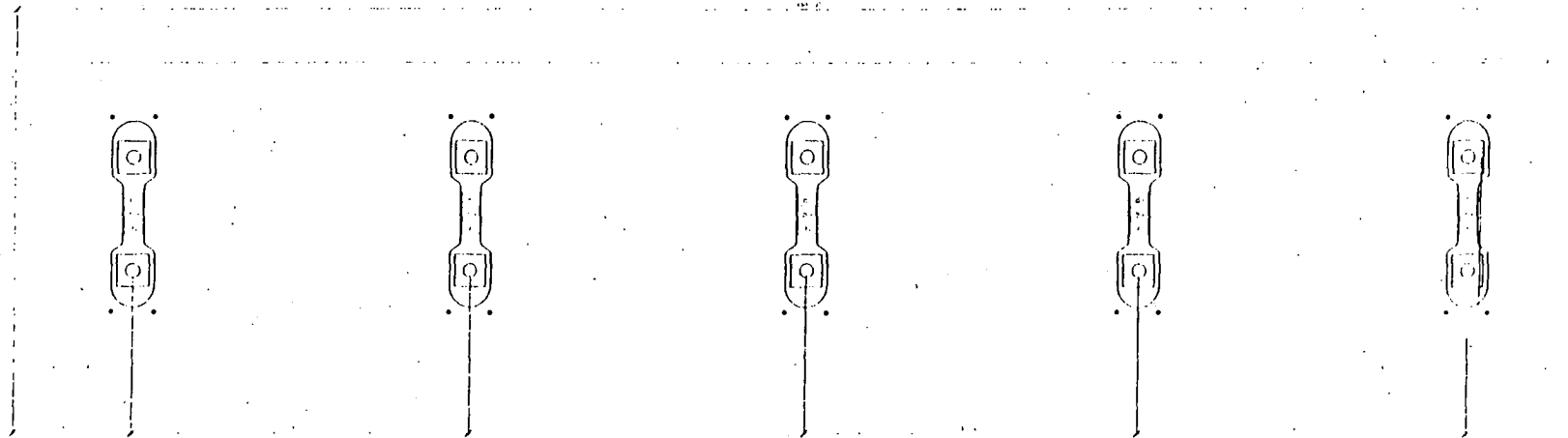
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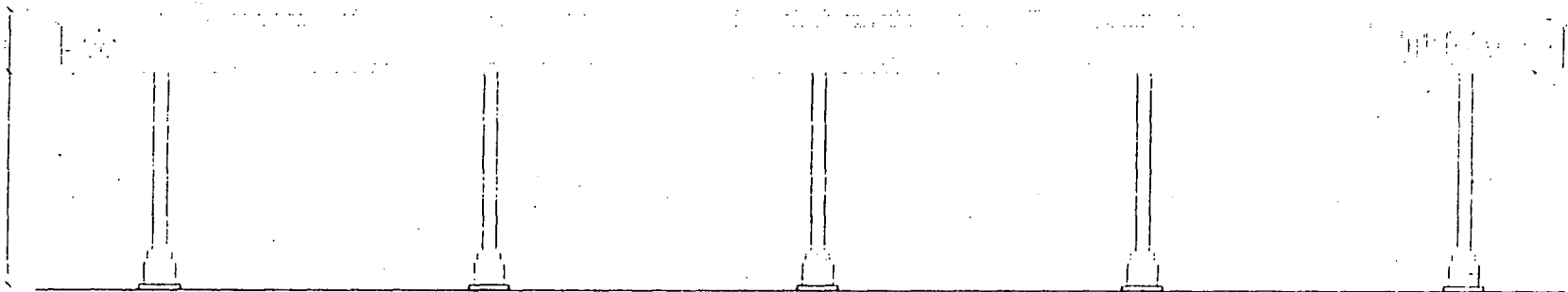
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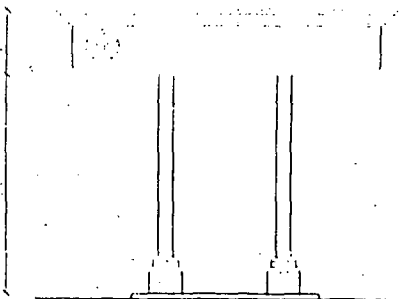
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CANOPY PLAN VIEW



CANOPY ELEVATION



CANOPY ELEVATION

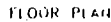
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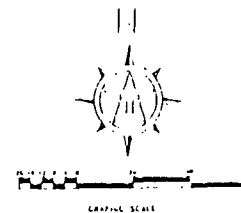
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FLOOR PLAN

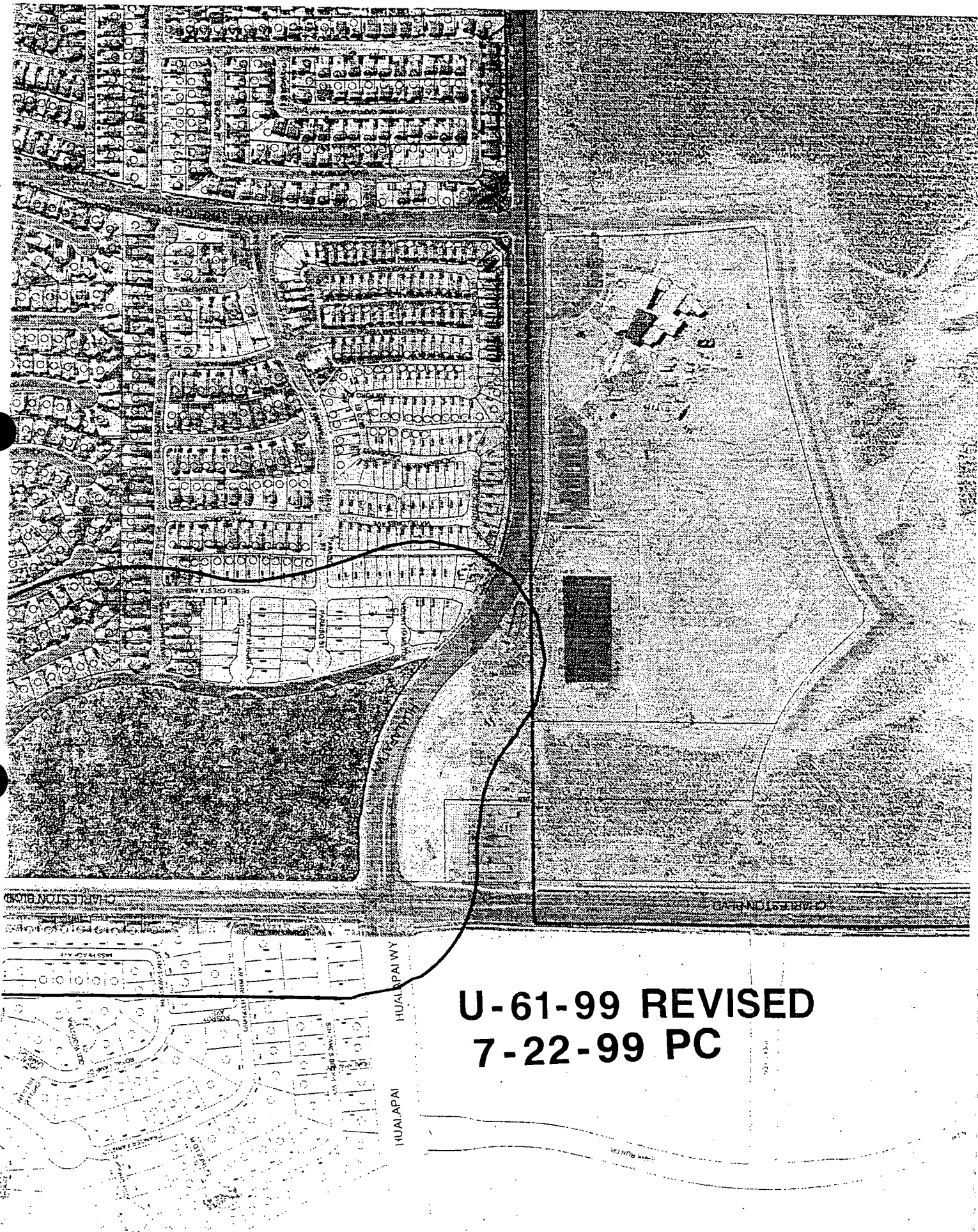
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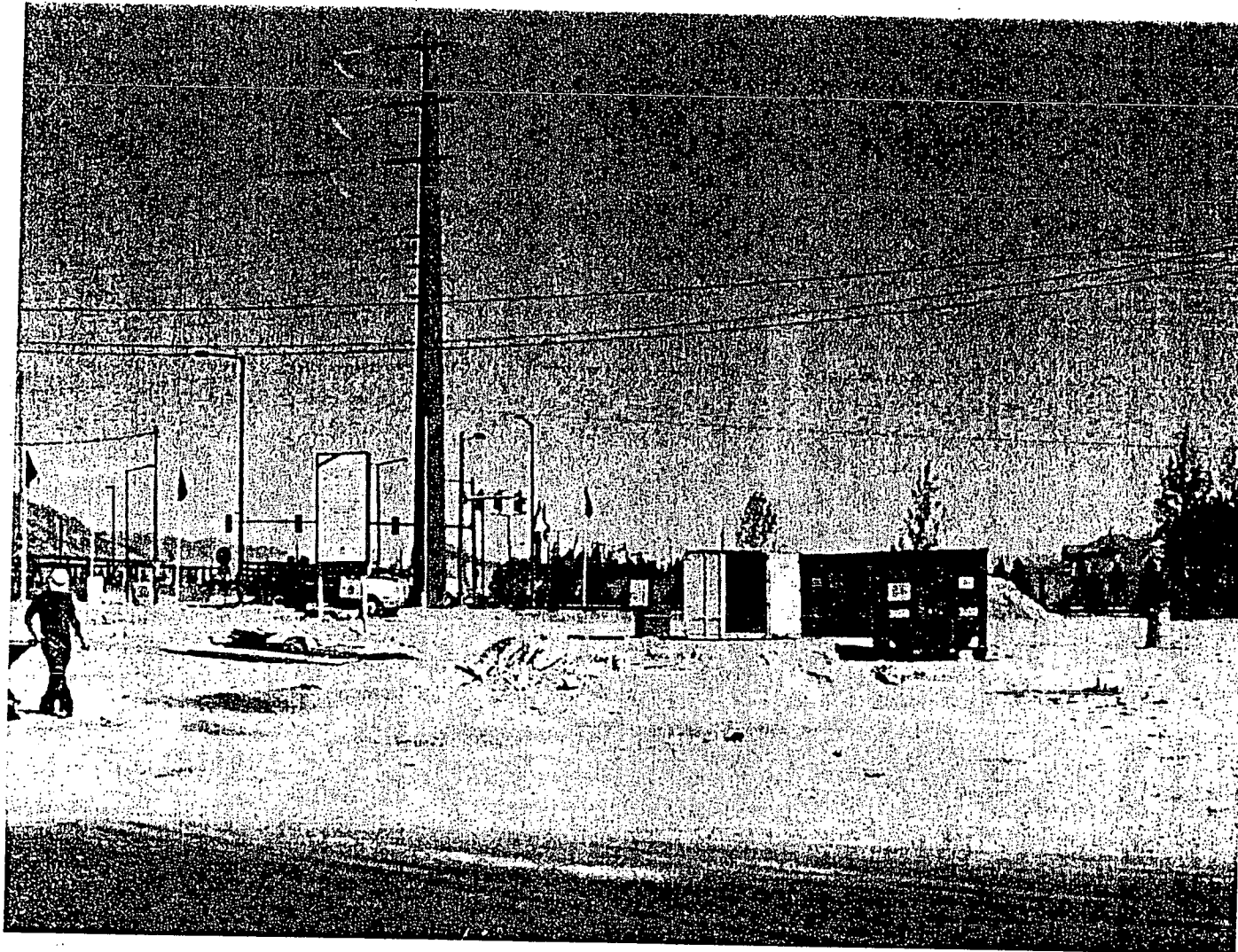


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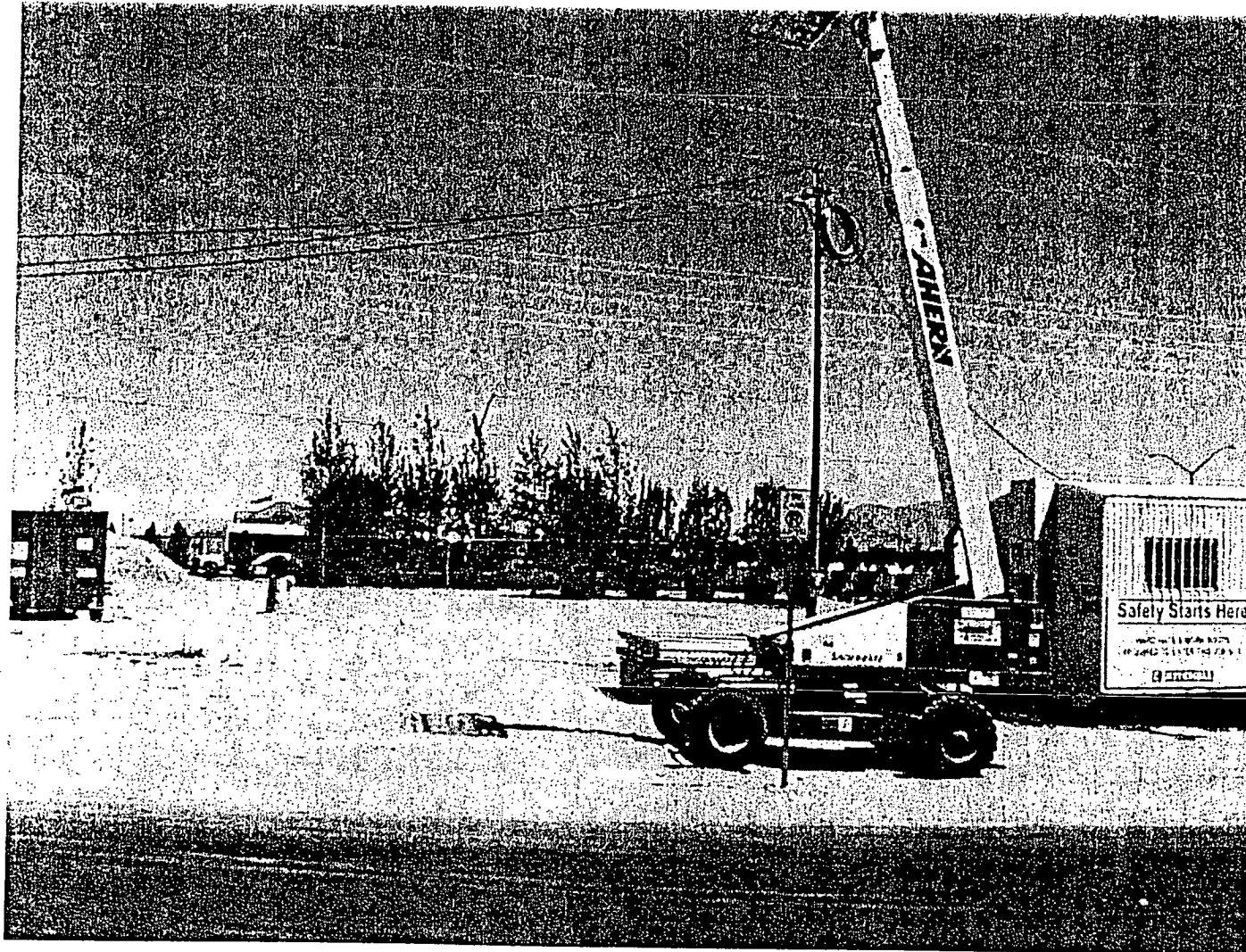




7-22-99 PC

Z-17-90(30) and U-60-99 and U-61-99

View of west portion of the site from south to north



7-22-99 PC
Z-17-90(30) and U-60-99 and U-61-99
View of east portion of the site from south to north

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 105****DIRECTOR: WILLARD TIM CHOW**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO U-60-99 AND U-61-99 - PUBLIC HEARING - **Z-17-90(30) - PECCOLE 1982 TRUST** - Request for a Site Development Plan Review on property located adjacent to the southeast corner of the intersection of Charleston Boulevard and Hualapai Way FOR A PROPOSED 2,507 SQUARE FOOT CONVENIENCE STORE; AND FOR A 2,093 SQUARE FOOT FAST FOOD RESTAURANT, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Size: 0.92 Acres, Ward 2 (L. B. McDonald), APN: 163-06-111-001. Note: The Convenience Store referenced is a Star Mart and the Fast Food Restaurant is a Carl's Jr. The Planning Commission (5-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and Accept the **WITHDRAWAL** Without Prejudice by the Applicants of Item 103 [U-60-99], Item 104 [U-61-99], Item 105 [Z-17-90(30)] and Item 108 [U-93-99] - **UNANIMOUS**

MINUTES:

No one appeared in opposition.

There was no discussion.

(1:08 - 1:10)

3 - 1

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 105 - Z-17-90(30)

CONDITIONS:

1. The fuel island canopy shall be redesigned to:
 - a. Prior to the City Council meeting at which this rezoning will be considered, revise the canopy elevation to depict detailing consistent with facade detailing depicted for the convenience store/restaurant building.
 - b. The canopy shall utilize recessed lighting or 'shoe-box' style fixtures, and a lighting level sufficient to ensure security while not creating off-site glare.
2. Revise the landscaping plan to depict landscaping as required by Title 19A and the Las Vegas Urban Design Guidelines and Standards.
3. Submit revised site, elevation, landscape and floor plans for review and approval by the Planning and Development Department.
4. City of Las Vegas Parcel Map PM-48-98 must record prior to the issuance of any grading or building permits for this site as required by the Department of Public Works.
5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.
6. Site development shall comply with all applicable Conditions of Approval for Z-17-90 and all other site-related actions as required by the Department of Public Works.
7. 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.
8. 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.
9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

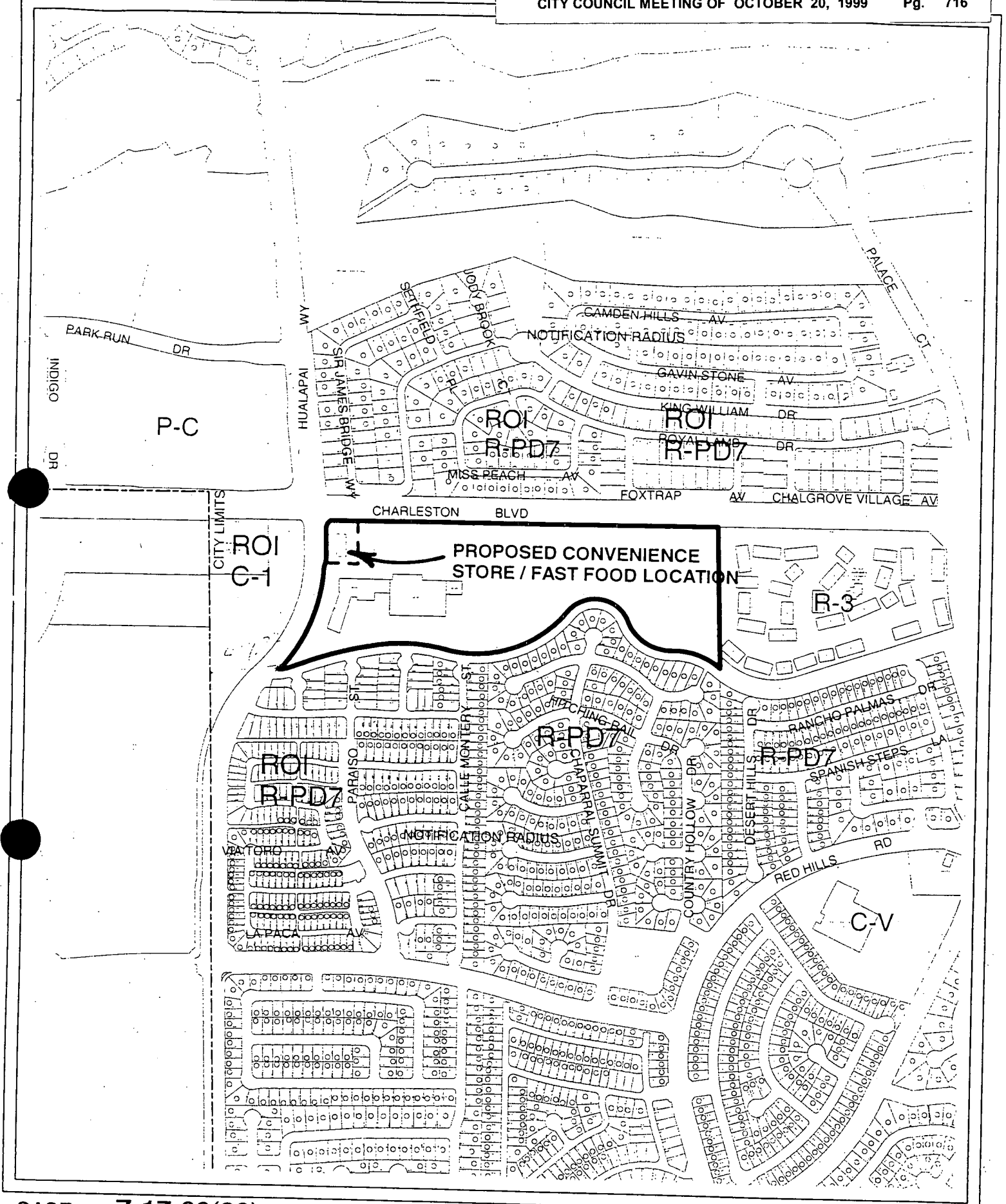
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 105 - Z-17-90(30)

CONDITIONS - Continued:

10. All City Code requirements and design standards of all City departments must be satisfied.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrances(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.



CASE: Z-17-90(30)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: Abeyance Item - Z-17-90(30) - Peccole 1982 Trust

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 6, 1999 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

1. The fuel island canopy shall be redesigned to:
 - a. Prior to the City Council meeting at which this rezoning will be considered, revise the canopy elevation to depict detailing consistent with facade detailing depicted for the convenience store/restaurant building.
 - b. The canopy shall utilize recessed lighting or 'shoe-box' style fixtures, and a lighting level sufficient to ensure security while not creating off-site glare.
2. Revise the landscaping plan to depict landscaping as required by Title 19A and the Las Vegas Urban Design Guidelines and Standards.
3. Submit revised site, elevation, landscape and floor plans for review and approval by the Planning and Development Department.
4. City of Las Vegas Parcel Map PM-48-98 must record prior to the issuance of any grading or building permits for this site as required by the Department of Public Works.
5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.
6. Site development shall comply with all applicable Conditions of Approval for Z-17-90 and all other site-related actions as required by the Department of Public Works.
7. 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.
8. 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.

Z-17-90(30) - Page Two

October 20, 1999 City Council Meeting

9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
10. All City Code requirements and design standards of all City departments must be satisfied.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrances(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.

APPLICATION REQUEST:

This is a request for a Site Development Plan Review for a proposed 4,600 square foot building incorporating a convenience store (Star Mart) and fast food restaurant (Carl's Jr.) on property located adjacent to the southeast corner of the intersection of Charleston Boulevard and Hualapai Way.

BACKGROUND DATA:

- | | |
|----------|--|
| 04/04/90 | The City Council approved a Rezoning (Z-17-90) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on this site as part of a larger request. |
| 11/24/97 | The City Council approved a Site Development Plan Review [Z-17-90(22)] for a proposed 109,195 square foot commercial shopping center on this site. |
| 12/08/97 | The City Council approved a Special Use Permit (U-101-97) for a tavern within a proposed retail shopping center. |
| 01/11/99 | The City Council approved a Special Use Permit (U-140-98) for package liquor sales in conjunction with a proposed supermarket. |
| 01/14/99 | The Planning Commission approved a Site Development Plan Review [Z-17-90(29)] for a proposed 236,237 square foot retail shopping center on this site. |

Z-17-90(30) - Page Three
October 20, 1999 City Council Meeting

DETAILS OF APPLICATION REQUEST:

Site Area:	40,490	Square Feet
Convenience Store:	2,507	Square Feet
Restaurant Area:	2,093	Square Feet
Total Building Area:	4,600	Square Feet
Building Height:	31	Feet 6 Inches
Parking Required:	31	Spaces (including 2 handicap accessible spaces)
Parking Provided:	32	Spaces (including 1 handicap accessible space)

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	R-PD7	Single-Family Residential
South	R-PD7	Single-Family Residential
East	C-1	Vacant
West	C-1	Power Substation

ANALYSIS:

SITE PLAN:

The proposed building will be oriented toward Hualapai Way, with the parking and gasoline pump islands behind the building but still visible from Charleston Boulevard. Access to the site will be from two driveways, one each at Hualapai Way and Charleston Boulevard, sharing access with the rest of the shopping center. A drive-through lane for the on-site fast food restaurant will provide stacking for eight vehicles along the west and south sides of the building. The site plan depicts a fuel island canopy will provide shade and lighting for five gasoline islands. The fuel islands will accommodate a total of ten vehicles at any one time. A total of 31 parking spaces will be provided in the northern portion of the site and on the east side of the building.

ELEVATIONS:

The submitted elevations depict a stucco exterior building with stone veneer columns and foam plaster cornices. The proposed building will incorporate columns, arches and decorative light fixtures into the overall design. The canopy will be 28 feet deep, 150 feet wide and 26 feet tall. The canopy will include column supports which will match the stone veneer incorporated into the proposed building.

Z-17-90(30) - Page Four
October 20, 1999 City Council Meeting

LANDSCAPE PLAN:

The submitted landscape plan depicts a meandering landscape area along the perimeter of the site. A total of ten 24-inch box trees are depicted within this area. The submitted plan depicts planter fingers at each end of the parking areas located adjacent to Charleston Boulevard and the east building elevation. Planter pots are also depicted at the east end of each pump island. At least one additional landscape finger must be included in each parking area. The plan depicts two 15 gallon trees in each of the proposed landscape fingers.

ANALYSIS AND FINDINGS:

The site plan depicts one handicap accessible parking space where a minimum of two such spaces are required. The site design attempts to provide a visual barrier of the fuel islands and the canopy; however, this is only successful for the Hualapai Way frontage. The overall design of the canopy is not consistent or complimentary to the building theme. In order to reduce the appearance of a monolithic mass, the canopy must be redesigned to consist of three separate roof structures over the pump islands, or must be redesigned to reflect the facade design theme incorporated into the building and the remainder of the shopping center. The canopy must also utilize recessed lighting or must utilize 'shoe-box' style fixtures to prevent off-site glare.

Based upon 195 feet of frontage along Charleston Boulevard and 240 feet of Hualapai Way frontage, a minimum of eleven 24-inch box trees must be provided along Charleston Boulevard and a minimum of thirteen 24-inch box trees must be provided along Hualapai Way. Additionally, one five-foot wide planter finger must be provided within the parking areas for every six parking spaces provided. One 24-inch box tree must be planted in each planter finger, in accordance with the Las Vegas Urban Design Guidelines and Standards.

UPDATE:

The applicant has submitted a revised site plan which depicts a 3,200 square foot convenience store with no fast-food restaurant component. The portion of the site previously occupied by the larger 4,600 square foot building footprint is now shown as turf/landscaping. The number and layout of parking spaces is unchanged and the building elevations are essentially the same.

PC NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 1

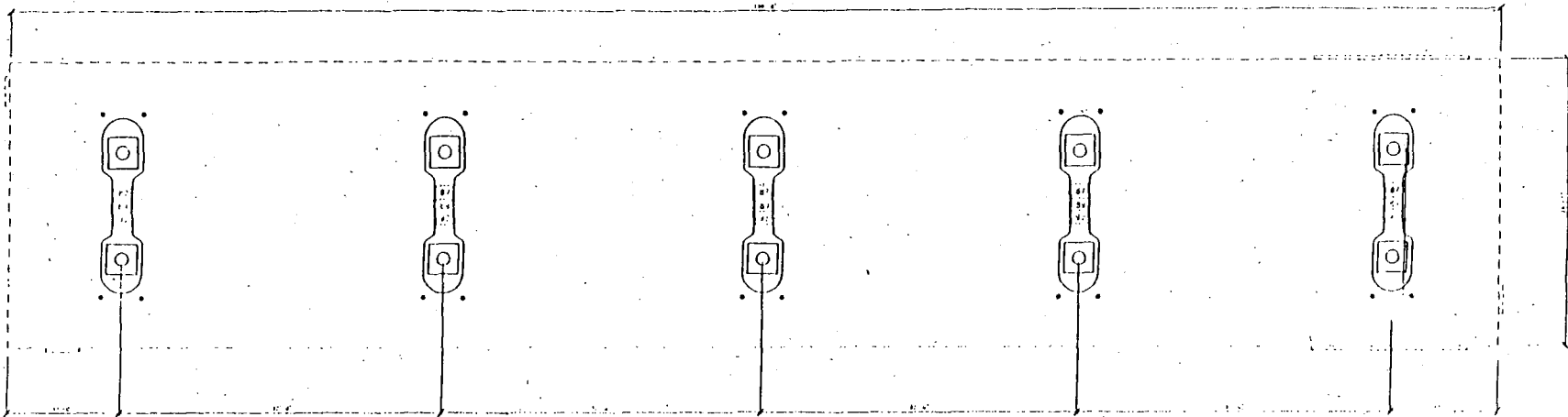
7-22-99 PC



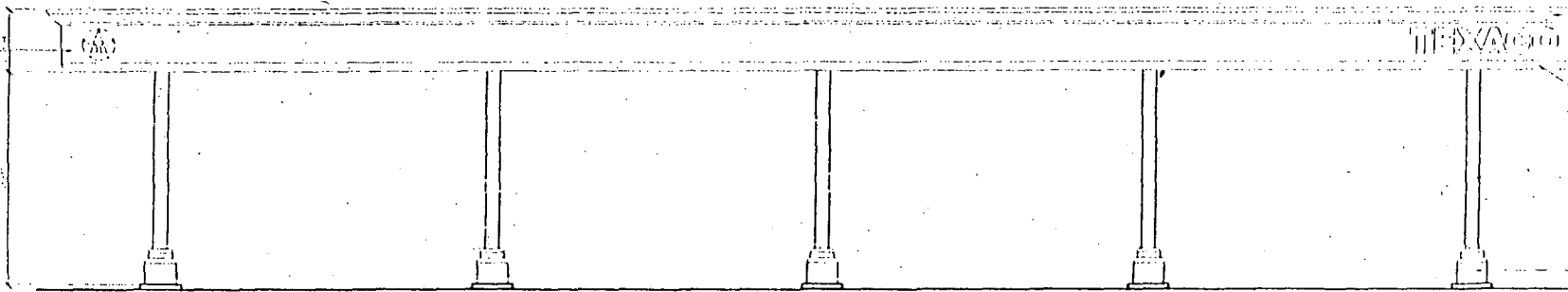
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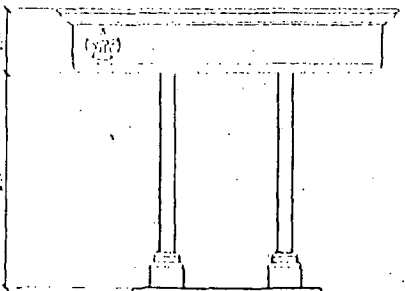
Z-17-90(3Q) 7-22-99 PC



CANOPY PLAN VIEW



CANOPY ELEVATION



LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
(1)	1/2\"	(1)	1/2\"
(2)	1/2\"	(2)	1/2\"
(3)	1/2\"	(3)	1/2\"
(4)	1/2\"	(4)	1/2\"
(5)	1/2\"	(5)	1/2\"
(6)	1/2\"	(6)	1/2\"
(7)	1/2\"	(7)	1/2\"
(8)	1/2\"	(8)	1/2\"
(9)	1/2\"	(9)	1/2\"
(10)	1/2\"	(10)	1/2\"

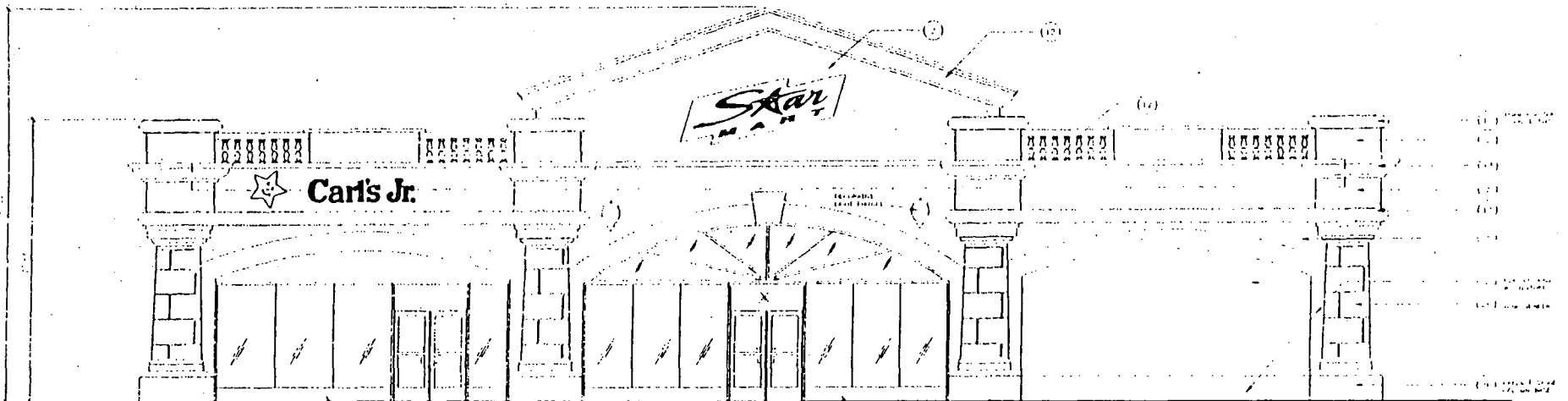
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10/20/99	10/20/99	10/20/99	10/20/99
10/20/99	10/20/99	10/20/99	10/20/99

	TEXACO
CANOPY PLAN & ELEVATIONS	
S.E.C. CHARLESTON BLVD	
HUALAPAI WAY	
LAS VEGAS, NEVADA	

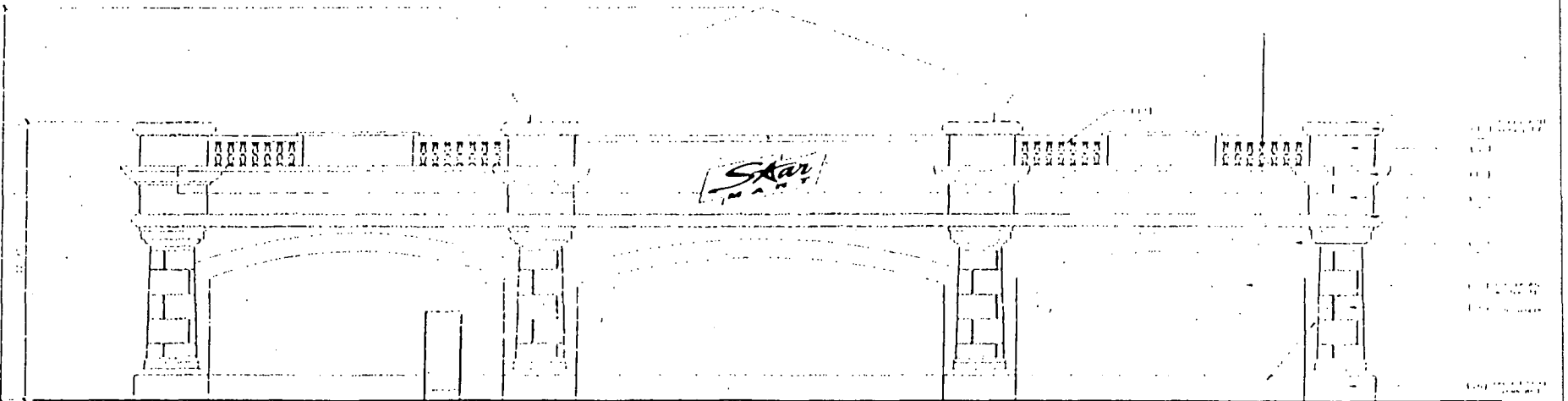
FRED FIEDLER & ASSOCIATES
2222 WEST TAPPA STREET
LAS VEGAS, NEVADA 89102
PHONE 725-1811 FAX 725-1812

STAFF

Z-17-90(30)
7-22-99 PC



FRONT ELEVATION



REAR ELEVATION

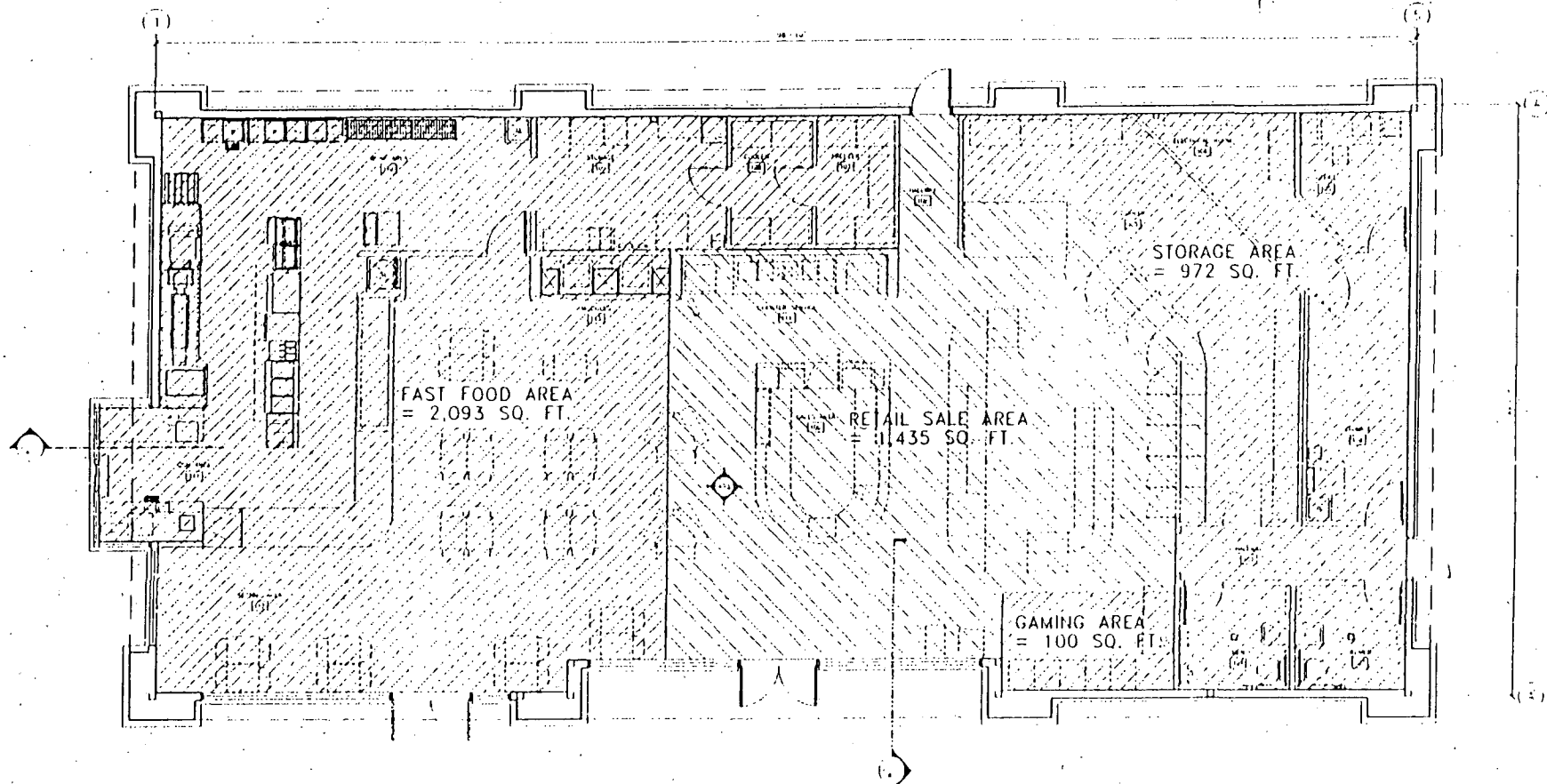
LEGEND

Symbol	Description	Symbol	Description
(1)	Window	(11)	Door
(2)	Window	(12)	Door
(3)	Window	(13)	Door
(4)	Window	(14)	Door
(5)	Window	(15)	Door
(6)	Window	(16)	Door
(7)	Window	(17)	Door
(8)	Window	(18)	Door
(9)	Window	(19)	Door
(10)	Window	(20)	Door

PROPORTIONS AND CONSTRUCTION INFORMATION THIS DRAWING WAS PREPARED BY THE ARCHITECT FOR THE CITY OF LAS VEGAS. THE CITY OF LAS VEGAS HAS REVIEWED THIS DRAWING AND HAS APPROVED IT FOR THE CITY OF LAS VEGAS. THE CITY OF LAS VEGAS HAS REVIEWED THIS DRAWING AND HAS APPROVED IT FOR THE CITY OF LAS VEGAS. THE CITY OF LAS VEGAS HAS REVIEWED THIS DRAWING AND HAS APPROVED IT FOR THE CITY OF LAS VEGAS.		FRED FIEDLER & ASSOCIATES ARCHITECTS 2000 WEST FLORISSANT STREET SUITE 200 LAS VEGAS, NEVADA 89102 PHONE (702) 735-1111 FAX (702) 735-1112	
EXTERIOR ELEVATIONS S.E.C. CHARLESTON BLVD 100 CHARLESTON BLVD LAS VEGAS, NEVADA		TEXACO RETAIL GAS STATION	

STAFF

Z-17-90(30) 7-22-99 PC



FLOOR PLAN

LEGEND

(1) 1/4" = 1'-0"	(2) 1/4" = 1'-0"
(3) 1/4" = 1'-0"	(4) 1/4" = 1'-0"
(5) 1/4" = 1'-0"	(6) 1/4" = 1'-0"
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(9) 1/4" = 1'-0"	(10) 1/4" = 1'-0"

DOOR TYPE

A	B	C
---	---	---

WINDOW TYPE

A	B	C
---	---	---

PROPOSED AND EXISTING

PROPOSED	EXISTING
1. 1/4" = 1'-0"	1. 1/4" = 1'-0"
2. 1/4" = 1'-0"	2. 1/4" = 1'-0"
3. 1/4" = 1'-0"	3. 1/4" = 1'-0"
4. 1/4" = 1'-0"	4. 1/4" = 1'-0"
5. 1/4" = 1'-0"	5. 1/4" = 1'-0"
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FRED FIEDLER & ASSOCIATES

1. 1/4" = 1'-0"	2. 1/4" = 1'-0"
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7. 1/4" = 1'-0"	8. 1/4" = 1'-0"
9. 1/4" = 1'-0"	10. 1/4" = 1'-0"

TEXACO

FLOOR PLAN
SEC. CHAPARRAL BLVD
O. HUALAPAI HWY
LAS VEGAS, NEVADA



PLANT LEGEND

SYMBOL	QUANTITY	DESCRIPTION LOCAL NAME	COMMON NAME	SIZE	REMARKS
	6	TRACIUM LUCIDUM	WAXED PINE	2' DIA	WAX PINE 10
	8	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	18	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	1	TRACIUM RACIUM	WAXED PINE	2' DIA	WAX PINE 8
	3	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	24	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	18	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	24	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	36	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
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	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
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	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8
	32	TRACIUM RACIUM	WAXED PINE	12 DIA	WAX PINE 8

NOTE: TOTAL ON-SITE LANDSCAPE AREA IS 5,785' SQFT

LANDSCAPE AND IRRIGATION NOTES

1. ALL EXISTING PLANTING AREAS ARE TO BE MAINTAINED IN THE FIELD PRIOR TO INSTALLATION OF THE LANDSCAPE AND IRRIGATION.
2. PLANT COUNT TOTALS ARE FOR CONTRACTOR COMMENCEMENT ONLY. CONTRACTOR IS RESPONSIBLE FOR ACCURATE PLANT COUNT TOTALS.
3. ALL LANDSCAPE SYSTEMS ARE TO BE OPERATED BY AN AUTOMATED IRRIGATION SYSTEM WITH A 100% SLOTTED DISC AND INSTALLED IN ACCORDANCE WITH ALL STATE AND LOCAL CODES GOVERNING CONSTRUCTION OF THIS TYPE.
4. PLANT MATERIALS ARE TO BE PROVIDED WITH PLASTIC POP-UP SPRINKLERS WITH BLAST POWER UNLESS SPECIFIED OTHERWISE. PLANT AND BE CLIPPED WITH A PRECISION COMPOUNDING DEVICE.
5. THE LANDSCAPE AND IRRIGATION SYSTEM IS TO BE MAINTAINED BY THE CONTRACTOR FOR 10 DAYS. THE OWNER WILL BE RESPONSIBLE FOR THE CARE OF THE LANDSCAPE AND OPERATION OF THE IRRIGATION SYSTEM AFTER THE CONTRACTOR HAS FULFILLED HIS OBLIGATION.
6. MAINTENANCE SHALL INCLUDE ALL WATERING, FERTILIZATION, WEEDING, GRASS TRIMMING, SHEDDING AND PRUNING NECESSARY TO KEEP THE PLANT MATERIALS IN A HEALTHY GROWNED CONDITION AND TO KEEP THE PLANTING AREAS NEAT AND ATTRACTIVE.

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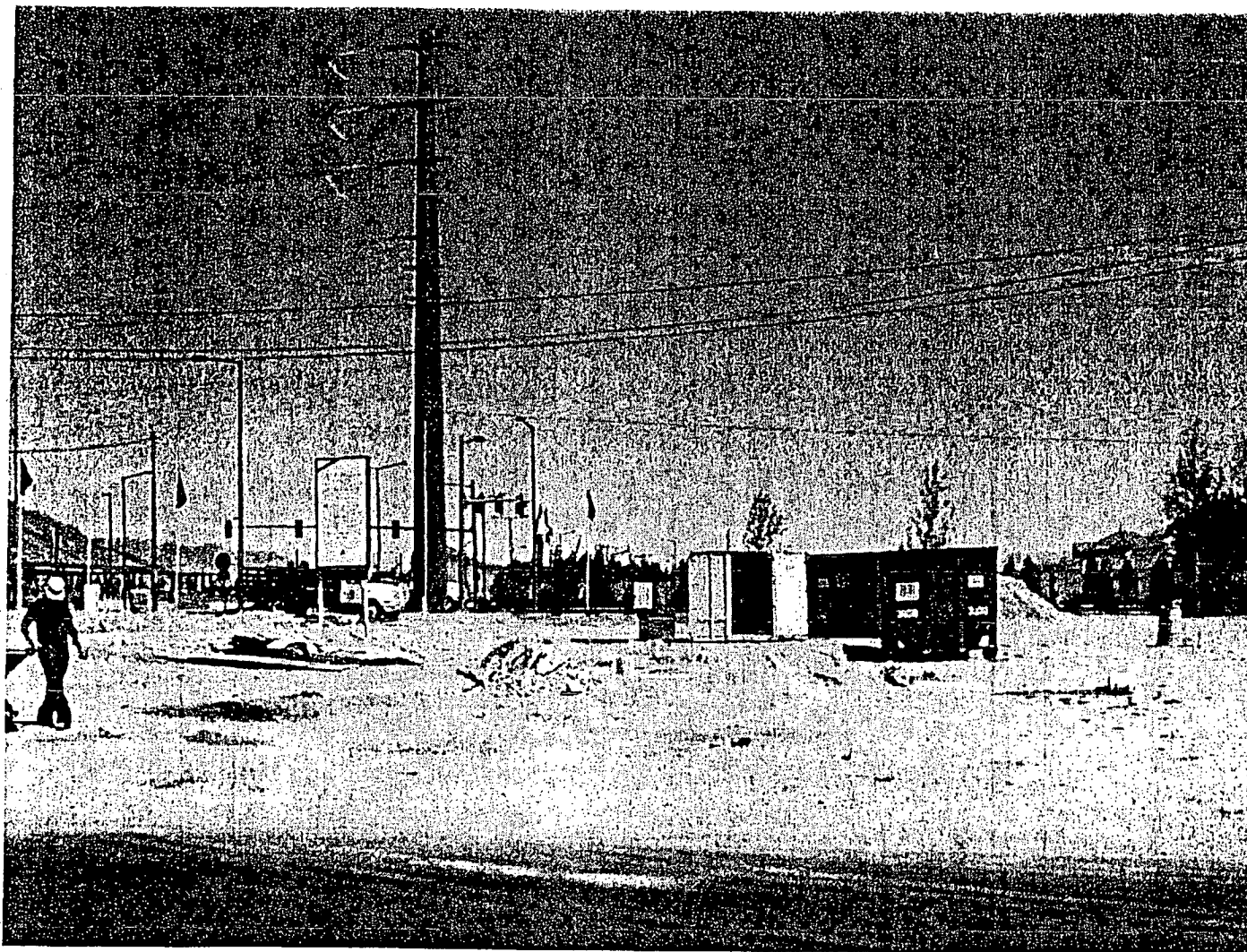
CONFIDENTIAL AND COMBUSTIAL INFORMATION

FRED FIEDLER & ASSOCIATES
 2122 W 1st Street
 LOS ANGELES, CALIFORNIA 90057
 PH: (213) 361-7801
 FAX: (213) 261-1818
 E-Mail: FF@FEDORA.COM

	TEXACO Refining and Marketing Co.	
	CONCEPTUAL LANDSCAPE PLAN S.E. CHARLESTON BLVD. • HUALAPAI WAT LAS VEGAS, NEVADA	
Date: 12-20-66 Drawn by: [Signature] Checked by: [Signature]	Title: [Signature] Date: 12/20/66	Project No.: 66-1 Sheet: 1 of 1

STAFF

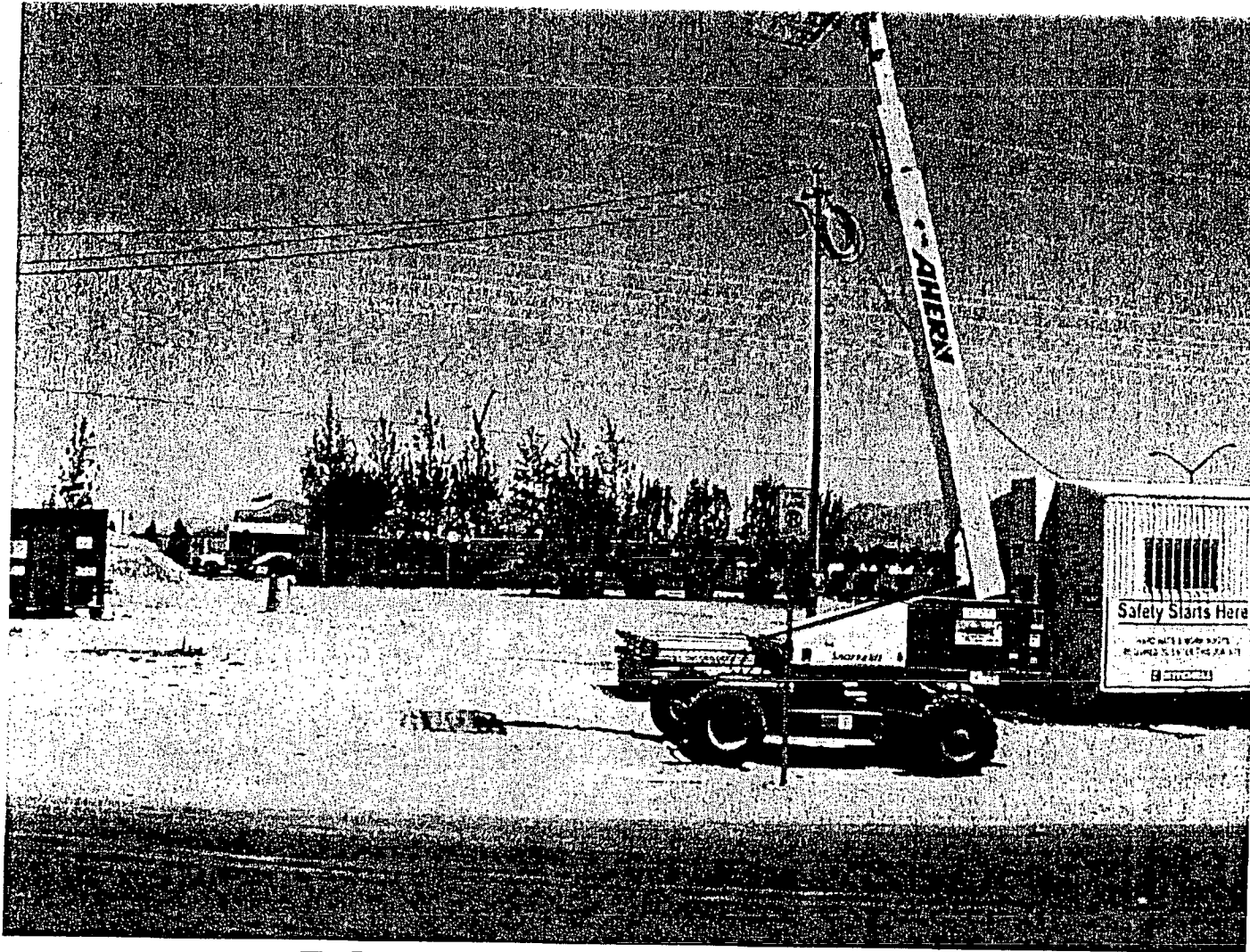
7-22-99 PC
Z-17-90(30)



7-22-99 PC

Z-17-90(30) and U-60-99 and U-61-99

View of west portion of the site from south to north



7-22-99 PC

Z-17-90(30) and U-60-99 and U-61-99

View of east portion of the site from south to north

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 106****DIRECTOR: WILLARD TIM CHOW**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-91-99 - LUCKY CHAMP, INC. ON BEHALF OF VINAY BAWA - Request for a Special Use Permit on property located at 1420 West Bonanza Road FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A CONVENIENCE STORE, C-M (Commercial/Industrial) Zone, Size: 0.52 Acres, Ward 3 (Reese), APN: 139-28-703-008. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

NOTE: This item to be heard in conjunction with Morning Session Item Nos. 62 & 63

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - APPROVED subject to conditions and adding a one-year review - **UNANIMOUS**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VINAY BAWA stated that he has been working on this property for a few months and had an opportunity to speak with adjacent businesses who would like to see the convenience store open. He promised to make the Council proud with this store and submitted letters of support from adjacent businesses.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 106 - U-91-99

MINUTES - Continued:

TOM McGOWAN, 720 South Casino Center Boulevard, appeared in support of the proposed convenience store.

AL GALLEG0, Citizen of Las Vegas, asked if any liquor restrictions would be imposed on this item. When the store was previously opened, the parking lot next door was a haven for Sears employees who congregated after hours in this area and drank beer. The area is also a corridor for day laborers who will become the main customers for this store. MR. BAWA replied that he would not be able to sell individual containers of beer or wine. COUNCILMAN REESE verified MR. BAWA's statement and added a condition for a one-year review to see that there are no loitering problems in the area.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:40 - 2:44)

4 - 73

CONDITIONS:

1. If this Special Use Permit is not exercised within one (1) year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.
3. Prior to the issuance of building permits submit for approval by the Planning and Development Department a revised landscape plan depicting 8 foot wide landscape planters with 24 inch box trees located a minimum distance of 30 linear feet on-center adjacent to the north and east property lines. Excluded from this requirement are the areas currently occupied by the trash enclosure in the northwest corner of the site, and the handicap accessible space located to the southeast of the existing convenience store.
4. Approval of this request does not constitute approval of a liquor license.
5. Conformance to all applicable requirements of Title 6 of the Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.

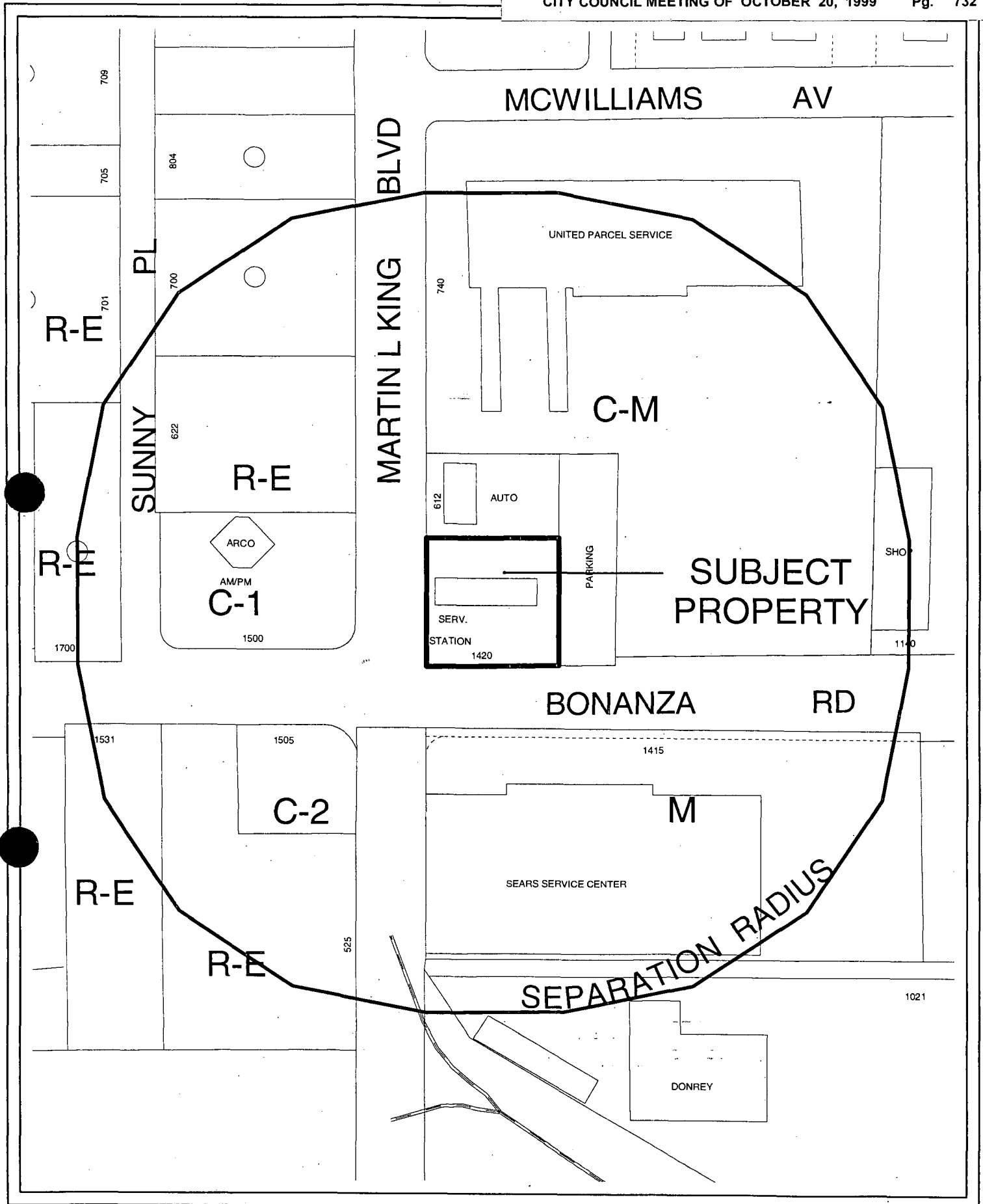
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 106 - U-91-99

CONDITIONS - Continued:

7. Dedicate an additional 10 feet of right-of-way adjacent to this site for Bonanza Road, 10 feet for Martin Luther King Boulevard, and a 54 foot radius at the northeast corner of Bonanza Road and Martin Luther King Boulevard prior to the issuance of any permits as required by the Department of Public Works. No reconstruction of the existing curb in conjunction with the dedication is required at this time. The requirement for the corner radius dedication may be reduced, or substituted with a Traffic Signal Chord easement, if the applicant submits information acceptable to Staff that shows a portion of any existing private permanent signage or other private improvement is located on or over the area being requested for dedication.
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. 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.
9. Landscape and maintain all unimproved rights-of-way on Bonanza Road and Martin Luther King Boulevard adjacent to this site as required by the Department of Public Works.
10. Submit an application for an Occupancy Permit and/or obtain an Encroachment Agreement for all landscaping and private improvements in the Bonanza Road and Martin Luther King public rights-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.
11. Site development to comply with all applicable conditions of approval for Z-100-94 and all other site-related actions as required by the Department of Public Works.

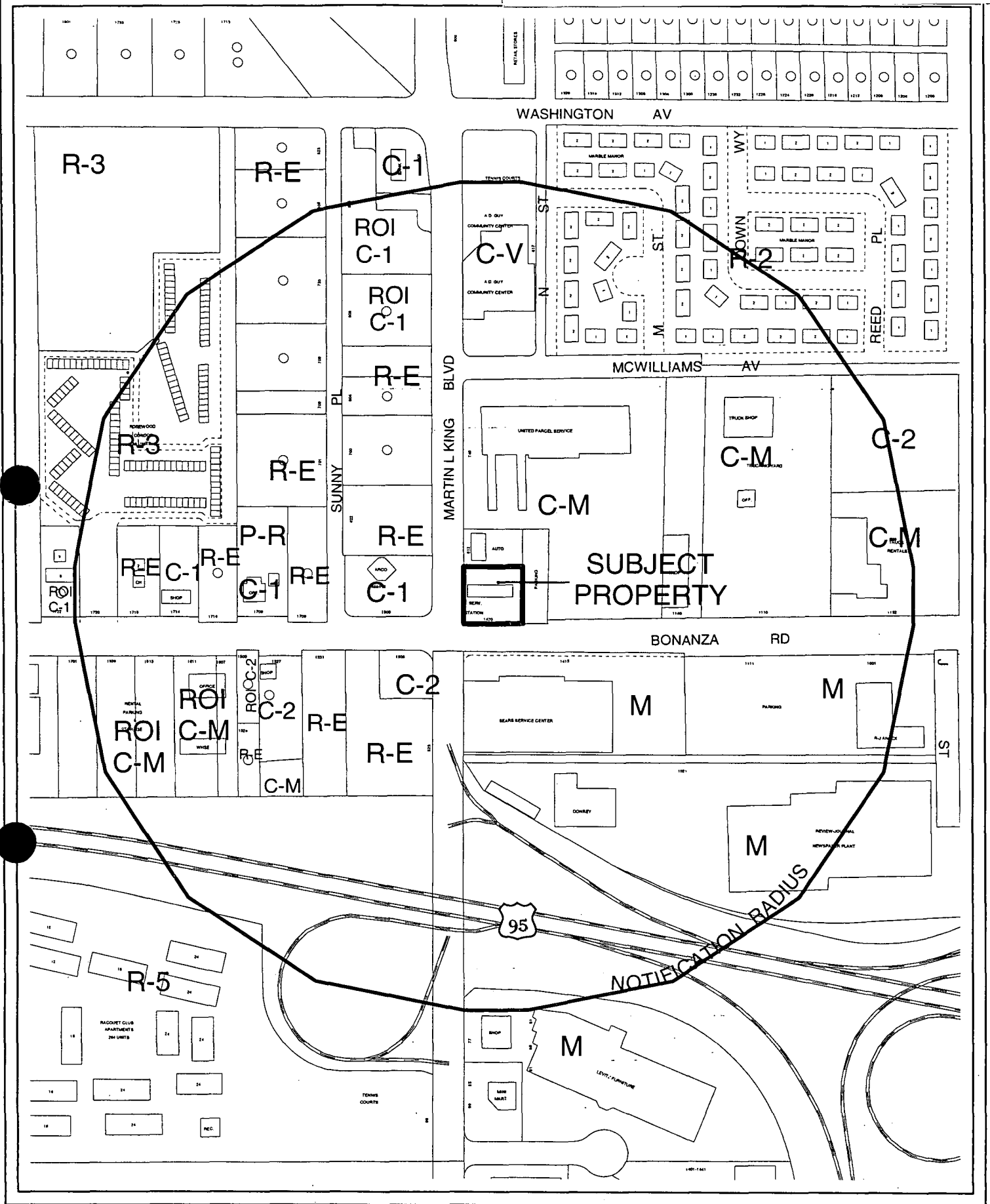


CASE: U-91-99

SEPARATION RADIUS: 400 FT

0 100 200 Feet





CASE: U-91-99

0 400 800 Feet

RADIUS: 1000 FT



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: U-91-99 - Lucky Champ, inc. on behalf of Vinay Bawa**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one (1) year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.
3. Prior to the issuance of building permits submit for approval by the Planning and Development Department a revised landscape plan depicting 8 foot wide landscape planters with 24 inch box trees located a minimum distance of 30 linear feet on-center adjacent to the north and east property lines. Excluded from this requirement are the areas currently occupied by the trash enclosure in the northwest corner of the site, and the handicap accessible space located to the southeast of the existing convenience store.
4. Approval of this request does not constitute approval of a liquor license.
5. Conformance to all applicable requirements of Title 6 of the Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. Dedicate an additional 10 feet of right-of-way adjacent to this site for Bonanza Road, 10 feet for Martin Luther King Boulevard, and a 54 foot radius at the northeast corner of Bonanza Road and Martin Luther King Boulevard prior to the issuance of any permits as required by the Department of Public Works. No reconstruction of the existing curb in conjunction with the dedication is required at this time. The requirement for the corner radius dedication may be reduced, or substituted with a Traffic Signal Chord easement, if the applicant submits information acceptable to Staff that shows a portion of any existing private permanent signage or other private improvement is located on or over the area being requested for dedication.

U-91-99 - Page Two

October 20, 1999 City Council Meeting

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. 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.
9. Landscape and maintain all unimproved rights-of-way on Bonanza Road and Martin Luther King Boulevard adjacent to this site as required by the Department of Public Works.
10. Submit an application for an Occupancy Permit and/or obtain an Encroachment Agreement for all landscaping and private improvements in the Bonanza Road and Martin Luther King public rights-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.
11. Site development to comply with all applicable conditions of approval for Z-100-94 and all other site-related actions as required by the Department of Public Works.

U-91-99 - Page Three
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Special Use Permit for property located at 1420 West Bonanza Road for the off-premise sale of beer and wine in conjunction with an existing (closed) 1,960 square foot convenience store, which is proposed to be remodeled. The applicant indicates that the Special Use Permit is justified since the use will serve the needs of the surrounding community.

BACKGROUND DATA:

City records do not indicate any historical zoning information for this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	0.52	Acre
Parking Required:	8	Spaces (based on 1/250 square feet, including 1 handicap space)
Parking Provided:	8	Spaces (including 1 handicap space)
Existing Building Area:	1,960	Square Feet
Building Height:	12	Feet

The applicant is proposing to sell beer and wine for off-premise consumption. The remodeling will not increase the square footage of the existing convenience store. Access to the site is provided via two existing driveways to both Bonanza Road and Martin L. King Boulevard.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-M (Commercial/Industrial)	Auto Shop
South	M (Industrial)	Sears Service Center
East	C-M (Commercial/Industrial)	Parking
West	C-1 (Limited Commercial)	Gas Station and Convenience Store

FINDINGS:

USE:

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 Special Use Permit at this location will not be inconsistent with or compromise the public health,

U-91-99 - Page Four
October 20, 1999 City Council Meeting

safety and welfare or the overall objectives of the General Plan. The proposed use conforms to the City of Las Vegas Zoning Code's requirements for a liquor establishment (off-premise consumption). Concerning required separation distances between uses, the site is not located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City Park.

LANDSCAPE PLAN:

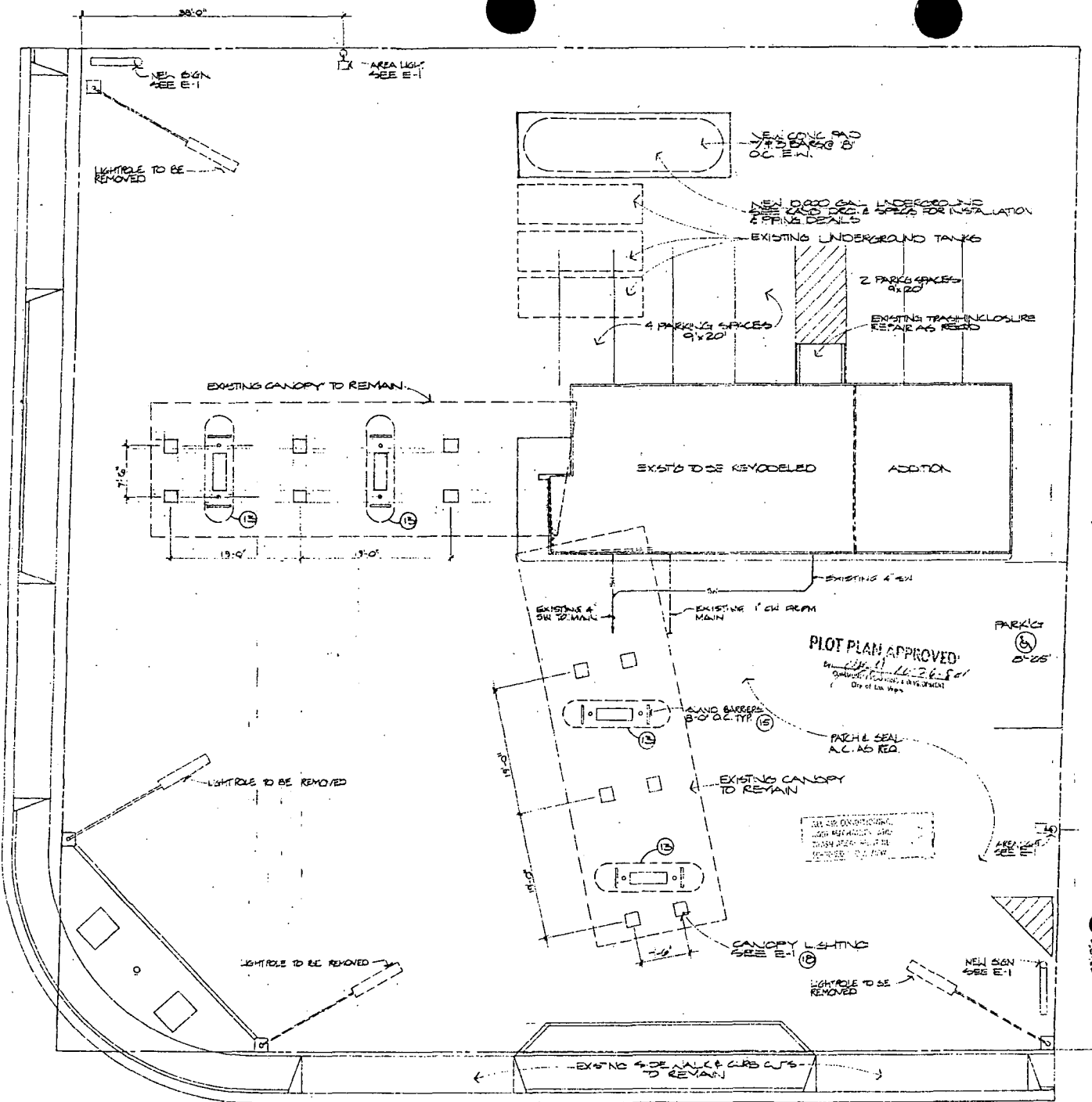
Staff notes that the site plan depicts two existing landscape planters. One six foot wide planter is located mid-frontage adjacent to Bonanza Road, the other is located on the southwestern corner of the site and is an average of 15 feet wide. Staff recognizes that existing site constraints necessitate an alternative landscape design. Therefore, staff proposes that the applicant provide 8 foot wide landscape planters with 24 inch box trees located a minimum distance of 30 linear feet on-center adjacent to the north and east property lines. Excluded from this requirement are the areas currently occupied by the trash enclosure in the northwest corner of the site, and the handicap accessible space located to the southeast of the existing convenience store.

NOTICES MAILED: 41 by City Clerk

APPROVALS: 0

PROTESTS: 0

MARTIN L. KING BLVD.

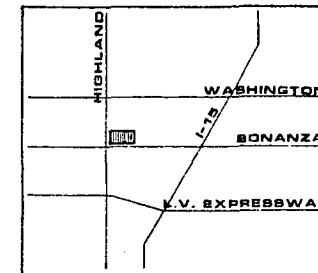


BONANZA ROAD

SITE PLAN

 $1/8" = 1'-0"$

VICINITY MAP



SCOPE OF WORKS

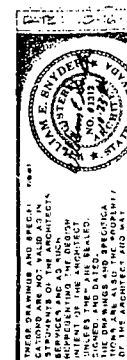
This list is provided for the Contractor's convenience only. It is not intended to be all inclusive. It shall be the Contractor's responsibility to determine the extent of work from the existing and/or drawings and specifications.

- [illegible]

U-91-99

9-9-99 PC

SURVEY INFORMATION TAKEN FROM
DRAWINGS SUPPLIED BY KAYD
TITLED CONTINENTAL OIL CO. NO.
KMBL-10.12 DATED MARCH 12, 1965



CONSULTANTS

SITE PLAN

What else

TATE -
ARCH

1605 E. FL
SUITE
LAS VEGAS
NEVADA

sheet no.

A

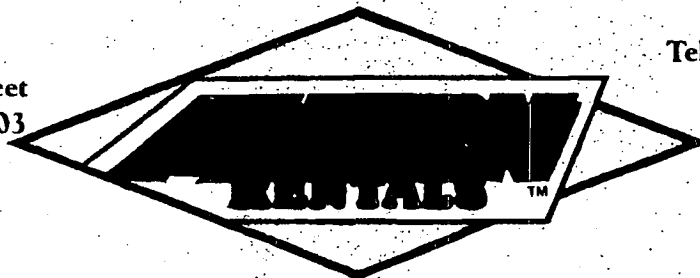
CITY COUNCIL MEETING OF OCTOBER 20, 1999

Pg. 138



U-91-99 - from northwest corner of Martin L. King and Bonanza Road

Main Office:
4241 South Arville Street
Las Vegas, Nevada 89103



Telephone: 702-362-1800
FAX: 702-362-9316

October 20, 1999

Mr. Vinay Bawa
 1420 W. Bonanza Rd.
 Las Vegas, NV 89106

Re: Business Venture
 Gas & Convenience Store
 Bonanza & Martin Luther King

To Whom It May Concern,

I've been approached by Mr. Bawa to offer support for his business venture at the corner of Martin Luther King and Bonanza Road. Although I personally do not know Mr. Bawa, I do support any concept or business that might occupy this vacant facility in an effort to improve the intersection, as well as the safety of the area due to the lighting and increased business traffic.

Mr. Bawa has expressed a desire to employ people from the local neighborhood, as well as provide services that are not currently being offered in this particular area. These services should be an asset to the community.

We wish Mr. Bawa the best in this business venture.

Sincerely,

Don F. Ahern
 President

D.A. Veg

Over 45 Years of Service • 12 Convenient Locations To Serve You • Your High Reach Specialist

W. Sunset Rd.
 Henderson, NV
 702
 454-7358

W. Sahara Ave.
 Las Vegas, NV
 702
 364-8600

W. Bonanza Rd.
 Las Vegas, NV
 702
 648-6212

South Arville St.
 Las Vegas, NV
 702
 362-1800

5015 South Industrial
 Las Vegas, NV
 702
 736-4922

2909 E. Alexander Rd.
 N. Las Vegas, NV
 702
 651-0055

Valley Boulevard
 Bloomington, CA
 909
 877-0128

Kirkham Court
 Poway, CA
 619
 748-9218

174 Beady St.
 Oxnard, CA
 805
 988-9840

(In St. George)
 Washington, UT
 435
 628-4100

(In Denver)
 Littleton, CO
 303
 471-8681

Ahern Party Rentals
 4631 So. Industrial Rd.
 Las Vegas, NV
 702
 891-8533

#106

PENSKE*Truck Leasing*

TO WHOM IT MAY CONCERN:

WE HERE AT PENSKE CORPORATION (LOCATED AT 1132 WEST BONANZA ROAD, IN LAS VEGAS) WOULD WELCOME THE ADDITION OF A SERVICE/ GAS STATION AT THE CORNER OF MARTIN LUTHER KING AND BONANZA ROAD.

BY OPENING THIS BUSINESS, VINAY BAWA AND HIS ASSOCIATES WOULD HELP TO IMPROVE THE ATMOSPHERE OF THIS SECTION OF TOWN.

FUTHERMORE, HAVING THIS STATION OPEN WOULD GIVE OUR CUSTOMERS AN ADDITIONAL OPTION FOR FUELING THEIR TRUCKS BEFORE RETURNING THEM TO OUR FACILTY. THANK-YOU FOR YOUR CONSIDERATION IN THIS MATTER.

RESPECTFULLY YOURS,



KEITH L. ROYLE
BRANCH RENTAL MANAGER
PENSKE TRUCK LEASING

October 20, 1999

Sears Roebuck & Co.
1415 West Bonanza Road
Las Vegas, Nevada 89106

City of Las Vegas
Attn: Planning Department
731 South 4th Street
Las Vegas, Nevada 89101

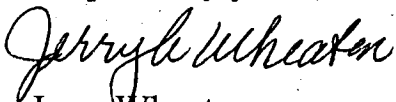
Re: North East corner of Bonanza Rd. at Martin Luther King Blvd.

Dear Sir or Madam,

This building has been vacant for several months and presents a less than inviting environment for our customers to visit for the business of servicing their merchandise.

We would support and encourage the property appearance being improved by a business of gas station/convenience store under the ownership of Lucky Champ Inc. in the hopes for a more attractive atmosphere in our business area.

Respectfully yours,



Jerry Wheaton
Building Manager

October 19, 1999

Mr. Vinay Bawa
1420 W. Bonanza Rd.
Las Vegas, NV 89106

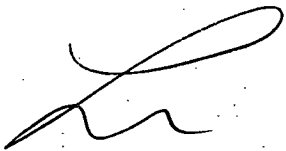
Mr. Bawa:

We want to extend our support to your recent business venture. After speaking to you about your concerns for the growth and improvement of this area and your desire to employ persons from the neighborhood. Our company is looking forward to the opening of your business.

This business has been closed for so long it became a detriment rather than an asset to the community. For our three hundred employees it will be a convenience in regards to your services offered.

After the convenience store/ gas station is open it will improve the intersection and the safety of the area because of the lighting and traffic.

Sincerely,



Mike Lewis
United Parcel Service
740 N. Martin Luther King Blvd.
Las Vegas, NV 89106

October 19, 1999

Mr. Vinay Bawa
1420 W. Bonanza Rd.
Las Vegas, NV 89106

Mr. Bawa:

We as a company want to extend our support to your recent business venture. After speaking to you about your concerns for the growth and improvement of this area and your desire to employ persons from the neighborhood. Our company is looking forward to the opening of your business.

This business has been closed for so long it became a detriment rather than an asset to the community. For our employees it will be a convenience in regards to your services offered.

After the convenience store/ gas station is open it will improve the intersection and the safety of the area because of the lighting and traffic. Good Luck with your new business.

Sincerely,

George L. de Leon

National Alternator
& Starter Inc.
612 N. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 631-9500

Chas M West

Rebel Sweepers

Christopher A. White

DOYNE MEDICAL CLINIC, INC.
1706 W. Bonanza Rd.
Las Vegas, Nevada 89106
(702) 631-6860

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 107****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-92-99 - DON & LAURIE HERMAN
ON BEHALF OF MARIANNE HILL - Request for a Special Use Permit on property located at
3321 North Buffalo Drive FOR A PROPOSED HYPNOTHERAPY OFFICE, U (Undeveloped)
Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1
(Limited Commercial), Ward 4 (Brown), APN: 138-09-801-023. The Planning Commission (6-0
vote) and staff recommend APPROVAL.

NOTE: This item to be heard in conjunction with Morning Session Item Nos. 64 & 65

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**BROWN - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MARYANNE HILL, 6356 West Viking Road, stated that she is the applicant for the Special Use Permit and for the business license request and concurred with staff's conditions.

MICHAEL ALLEN, 710 Breezer Ridge, Henderson, Las Vegas, applicant for related Item 65 was also present.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999
ITEM 107 - U-92-99

MINUTES - Continued:

No one appeared in opposition.

There was no further discussion.

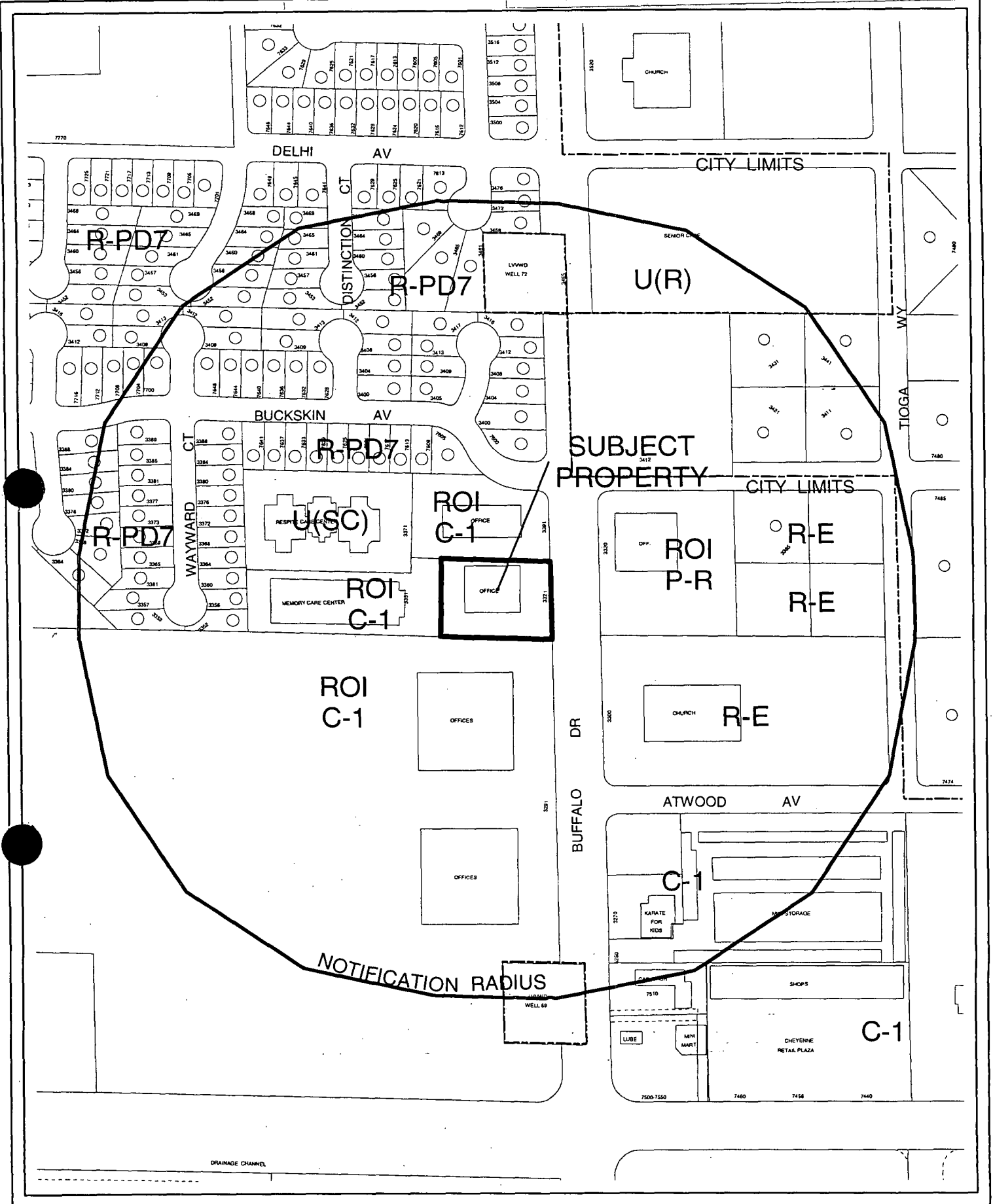
MAYOR GOODMAN declared the Public Hearing closed.

(2:47 - 2:48)

4 - 295

CONDITIONS:

1. This approval does not constitute approval of a business license.
2. All City Code requirements and design standards of all City departments must be satisfied.



CASE: U-92-99

RADIUS: 750 FT

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: U-92-99 - Don and Laurie Herman on behalf of Marianne Hill

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. This approval does not constitute approval of a business license.
2. All City Code requirements and design standards of all City departments must be satisfied.

U-92-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request for a Special Use Permit for a Hypnotherapy Office on property located at 3321 North Buffalo Drive. The applicant indicates that approval of the Special Use Permit at this location will allow her to offer pain management relief to senior clients frequenting the adjacent properties.

BACKGROUND DATA:

01/26/98 The City Council approved a Rezoning from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) Zone, for this site as part of a larger request (Z-120-97).

DETAILS OF APPLICATION REQUEST:

Site Area: 0.85 Acres
Lease Area: 1,000 Square Feet within a 24,000 square foot building
Parking Required: 132 Spaces (as per approved site plan)
Parking Provided: 132 Spaces (as per approved site plan)

The applicant is proposing to offer hypnotherapy within a suite located in an existing office building. Access to the site is provided by a driveway from Buffalo Drive. The existing office building is located in the eastern portion of the site. Existing parking is located to the north and west of the building. The proposed office use is the use projected for the unit for the parking calculations of the approved site plan. Landscape planters are in existence adjacent to the south and east property lines. The building has a stucco exterior with a flat roof with pitched tile accents.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	U (Undeveloped) ROI to C-1 (Limited Commercial)	Senior Day Care
South	U (Undeveloped) ROI to C-1 (Limited Commercial)	Offices
East	U (Undeveloped) ROI to P-R (Professional Offices and Parking)	Offices
West	U (Undeveloped) ROI to C-1 (Limited Commercial)	Memory Care Center

U-92-99 - Page Three
October 20, 1999 City Council Meeting

FINDINGS:

USE:

The proposed use can be conducted in a manner that is harmonious and compatible with existing and proposed 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 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 subject site is physically suited for the type and intensity of land use being proposed, and the existing street network will not be negatively affected by this use.

NOTICES MAILED: 112 by City Clerk

APPROVALS: 0

PROTESTS: 0



U-92-99 - from the northwestern corner of the site.

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****Agenda Item No.: 108****DIRECTOR: WILLARD TIM CHOW**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-93-99 - RAY & ALMA SCHOOL LIMITED LIABILITY COMPANY ON BEHALF OF THE CW GROUP - Request for a Special Use Permit on property located on the northeast corner of Tenaya Way and Craig Road FOR THE OFF-PREMISE SALE OF LIQUOR IN CONJUNCTION WITH A PROPOSED 17,031 SQUARE FOOT DRUG STORE (RITE AID), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown), APN: 138-03-611-001. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and Accept the WITHDRAWAL Without Prejudice by the Applicants of Item 103 [U-60-99], Item 104 [U-61-99], Item 105 [Z-17-90(30)] and Item 108 [U-93-99] - UNANIMOUS

MINUTES:

No one appeared in opposition.

There was no discussion.

(1:08 - 1:10)

3 - 1

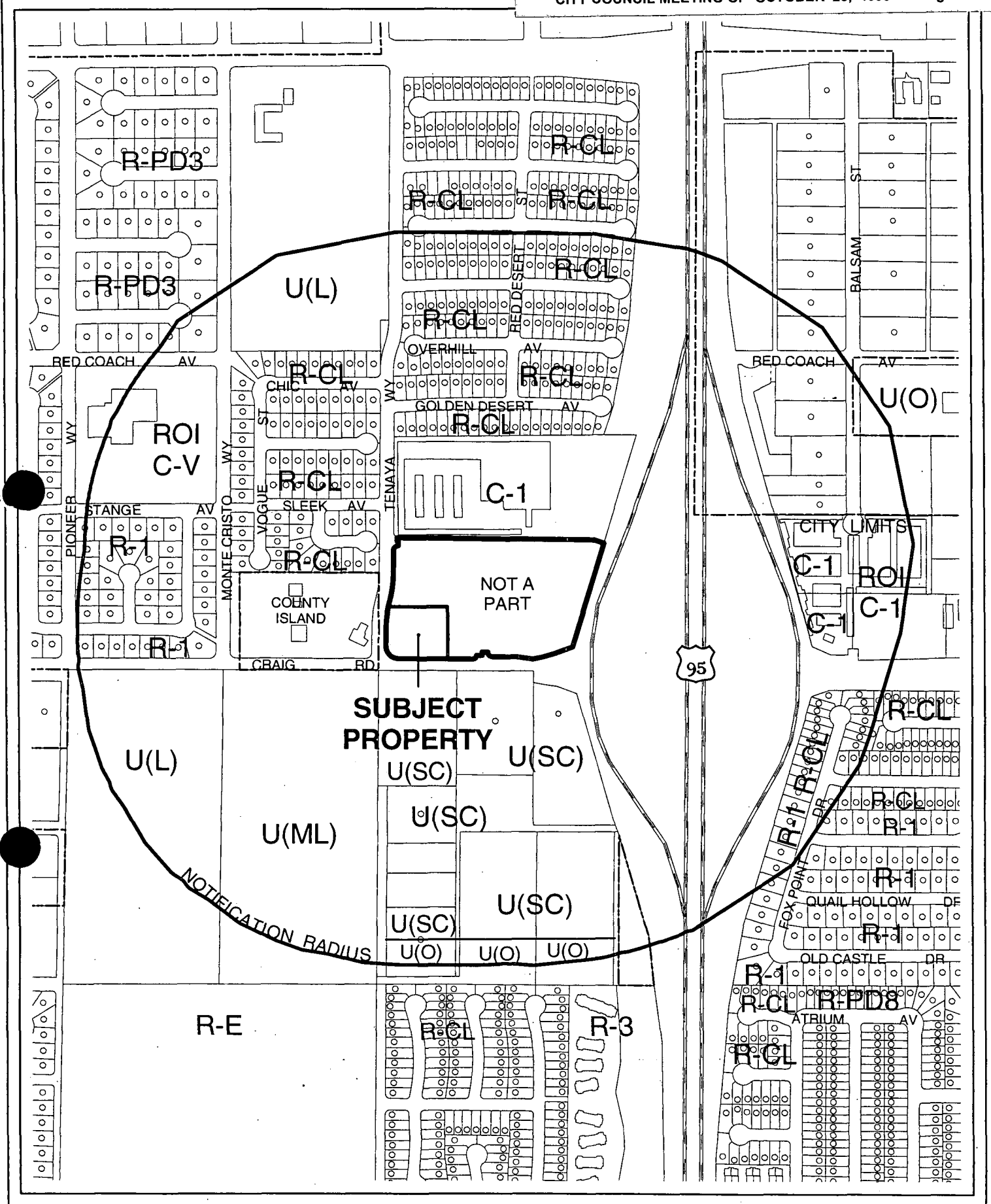
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 108 - U-93-99

CONDITIONS:

1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. There shall be no alcoholic beverages sold from the drive-thru window.
3. Approval of this request does not constitute approval of a liquor license.
4. Conformance to the conditions of approval of Z-105-93 and Z-105-93 (3)
5. All City Code requirements and design standards of all City departments must be satisfied.

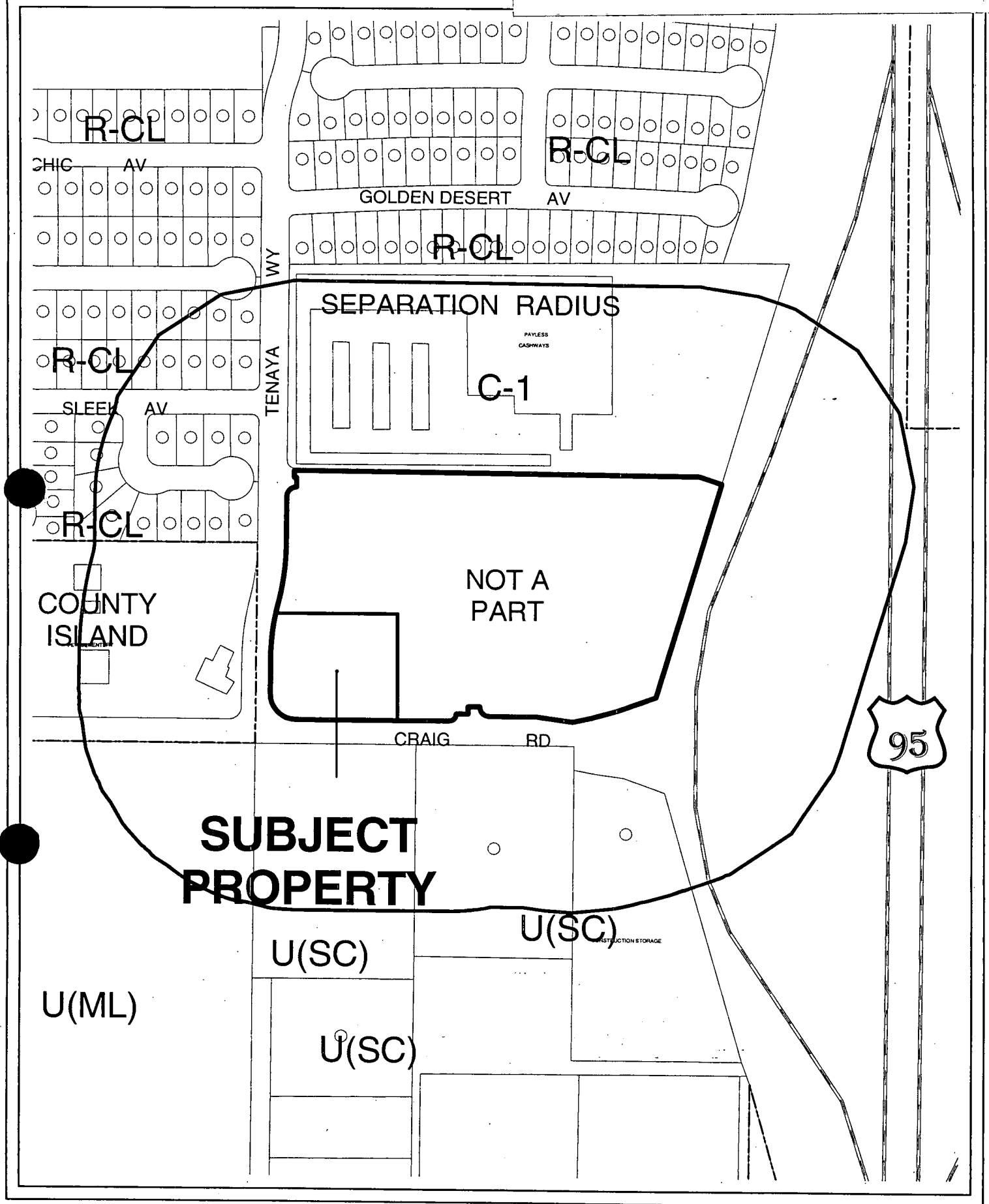


CASE: U-93-99

RADIUS: 1320 FT

0 300 600 900 Feet





CASE: U-93-99

SEPARATION RADIUS: 400 FT

0 200 400 Feet



108

The CW Group Civil Engineering

October 20, 1999

City Clerk
City Hall, 1st Floor
400 East Stewart Avenue
Las Vegas, NV 89101

RE: Special Use Permit U-93-99

To Whom It May Concern:

On October 13, 1999 a letter was written to have the above referenced agenda item stricken from the October 20th meeting. We would like to reword our request and have this item removed off the agenda without prejudice from the October 20th meeting. Should you have any questions or need additional information please contact James H. Childs with The CW Group at (702) 798-8545. Thank you.

Sincerely,


James H. Childs, P.E.
The CW Group

Enclosure:

JHC/an

RECEIVED
CITY CLERK
1999 OCT 20 A 10:23

The CW Group Civil Engineering

October 13, 1999

City Clerk
City Hall, 1st Floor
400 East Stewart Avenue
Las Vegas, NV 89101

RECEIVED
CITY CLERK

1999 OCT 14 P 3:06

RE: Special Use Permit U-93-99

To Whom It May Concern:

This letter is written to have the above referenced agenda item stricken from the October 20th meeting. Should you have any questions or need additional information please contact James H. Childs with The CW Group at (702) 798-8545. Thank you.

Sincerely,


Airalea Newman
The CW Group

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: U-93-99 - Ray and Alma School, Limited Liability
Company on behalf of the CW Group**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. There shall be no alcoholic beverages sold from the drive-thru window.
3. Approval of this request does not constitute approval of a liquor license.
4. Conformance to the conditions of approval of Z-105-93 and Z-105-93 (3)
5. All City Code requirements and design standards of all City departments must be satisfied.

U-93-99 - Page Two
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request for a Special Use Permit for packaged liquor sales within a Rite-Aid drug store proposed for the northeast corner of Tenaya Way and Craig Road. In their justification letter, the applicant indicates the proposed use will comply with City standards.

BACKGROUND:

- 12/15/93 The City Council approved a Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial) for this site as part of a larger request (Z-105-93).
- 05/11/98 The City Council approved a Special Use Permit for a car wash and for the off-premise sale of beer and wine in conjunction with a proposed convenience store on this site (U-136-97).
- 05/20/98 The City Council approved a Site Development Plan Review for a 84,279 square foot commercial shopping center [Z-105-93(3)]. A drug store was shown on the plan.
- 10/08/98 The Planning Commission approved a Site Development Plan Review for a 4,822 square foot McDonald's Restaurant on a pad within the proposed shopping center [Z-105-93(4)].
- 05/24/99 The City Council approved a required one year review of project status for the proposed shopping center [Z-105-93(5)].
- 09/09/99 The Planning Commission approved a Site Development Plan Review for an additional retail building in the north portion of this site [Z-105-93(6)].

DETAILS OF APPLICATION REQUEST:

Site Area:	1.68	Acres
Building Area:	17,031	Square Feet
Building Height:	29	Feet
Parking Required:	68	Spaces (based on retail use)
Parking Provided:	78	Spaces

U-93-99 - Page Three
October 20, 1999 City Council Meeting

The site plan indicates a Rite Aid drug store will be constructed adjacent to the northeast corner of Craig Road and Tenaya Way. Access is provided by one driveway to each of the adjacent streets. A drive-thru window is shown along the north side of the structure. Landscaping will be provided along the street frontages and in planters adjacent to the building. The elevations depict a concrete tilt-up exterior with a decorative band along the base of the structure.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	C-1	Payless Cashways
South:	U	Unimproved
East:	R-O-W	U. S. 95
West:	County	Pet Cemetery

FINDINGS:

SITE PLAN:

The submitted site plan is in conformance with the conditions of approval of Z-105-93(3).

PROPOSED USE:

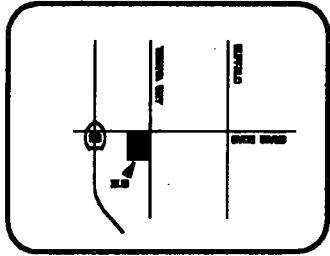
The proposed use is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. There are no churches, schools, child care facilities or parks within 400 feet of the property. The subject site is physically suited for the type and intensity of land use being proposed. Craig Road, designated by the Master Plan of Streets and Highways as a Primary Street, and Tenaya Way, 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.

NOTICES MAILED: 321 by City Clerk

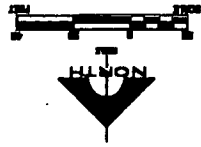
APPROVALS: 0

PROTESTS: 0

JOB#990606		SHEET 1		SITE PLAN		RTE AID AT CRAIG ROAD & TENAYA WAY		CIVIL ENGINEER JAMES W. COWEN CIVIL ENGINEER STATE OF CALIFORNIA No. 10000 (916) 298-2000		SHEET NO.		DATE		BY		CHECKED		APPROVED	

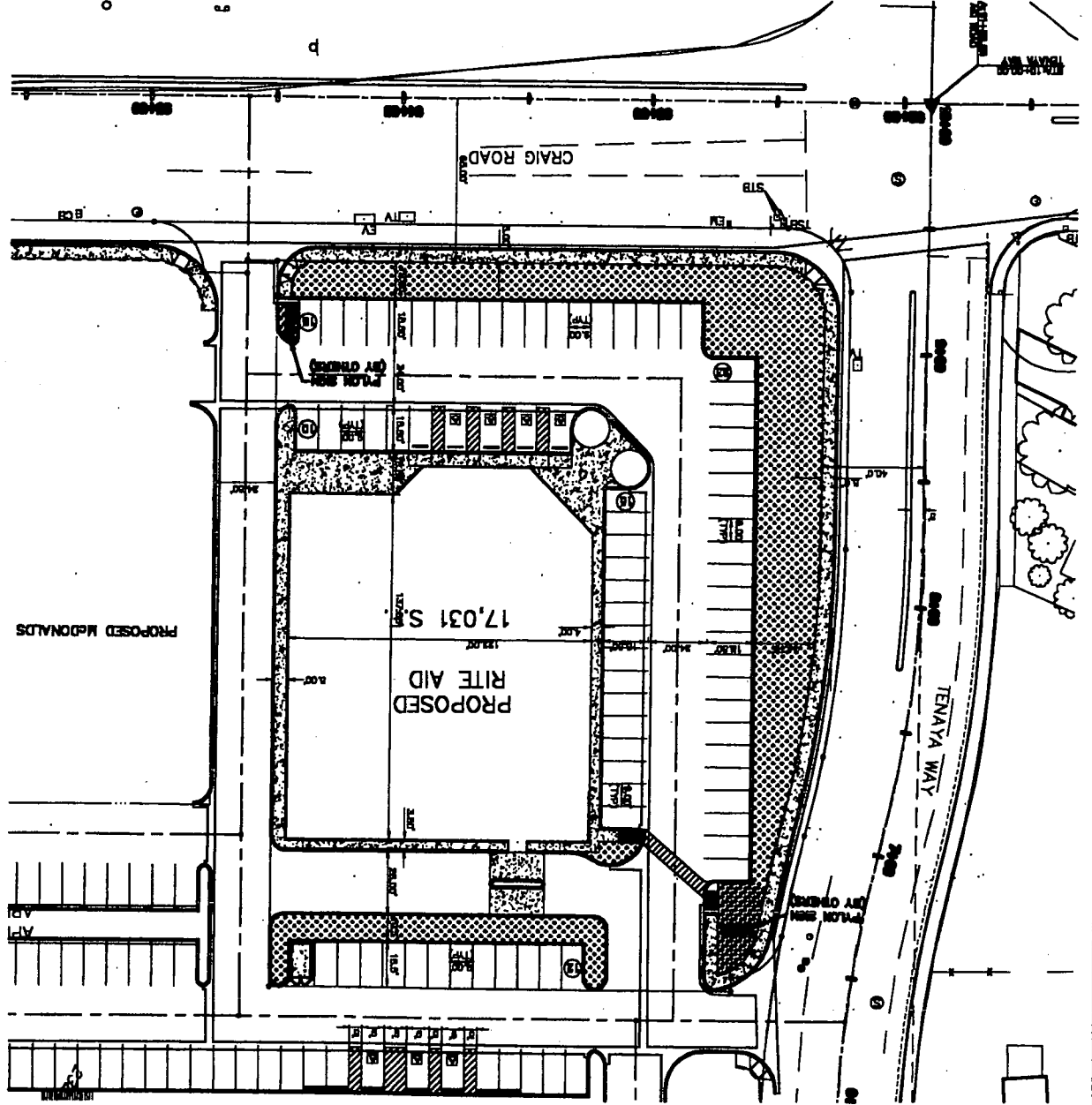


BENCH MARK
ELEVATION 100.00
DATE 10/20/99
BY JWC



VICINITY MAP
E

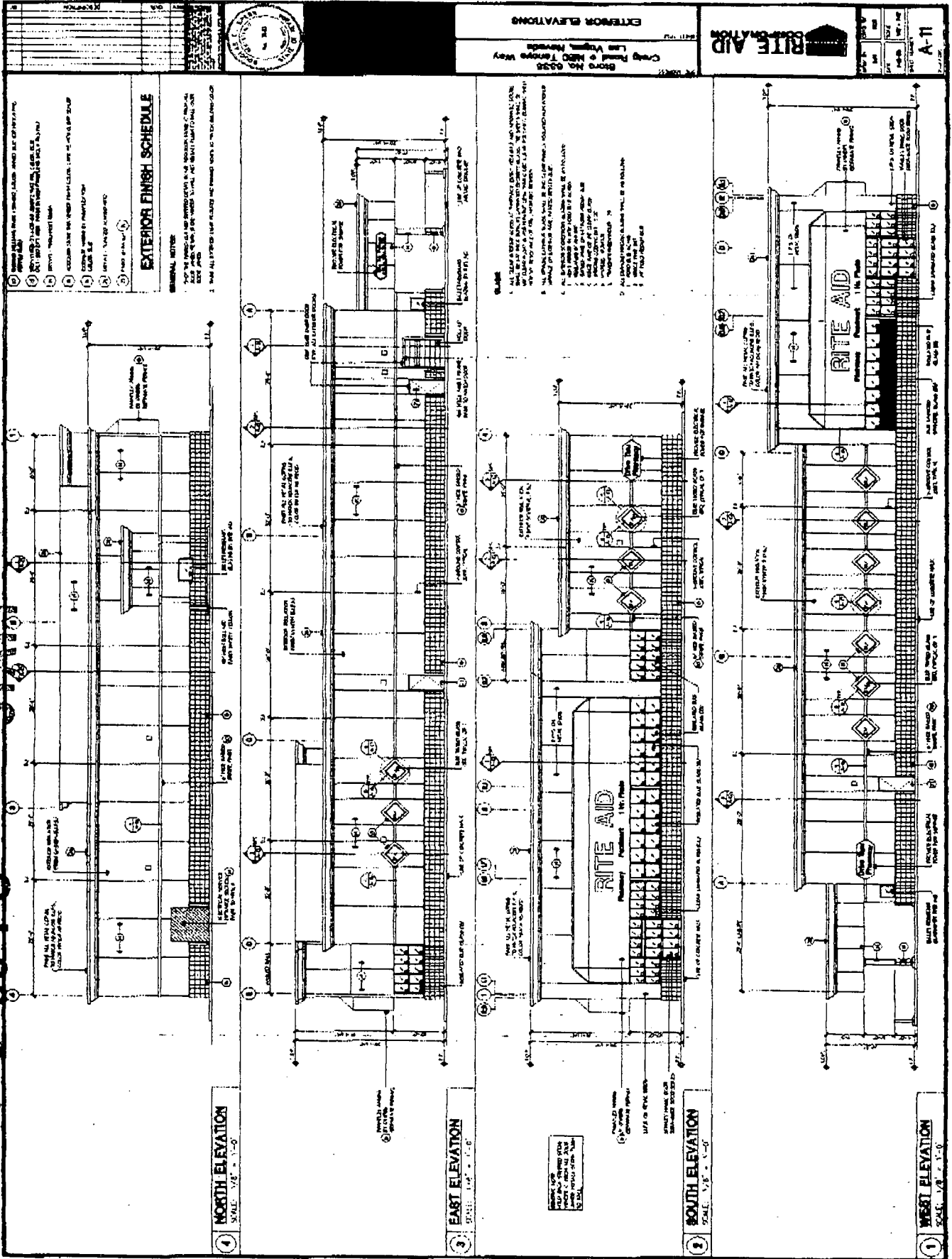
U-93-99
9-9-99 PC



U-93-99

9-9-99 PC

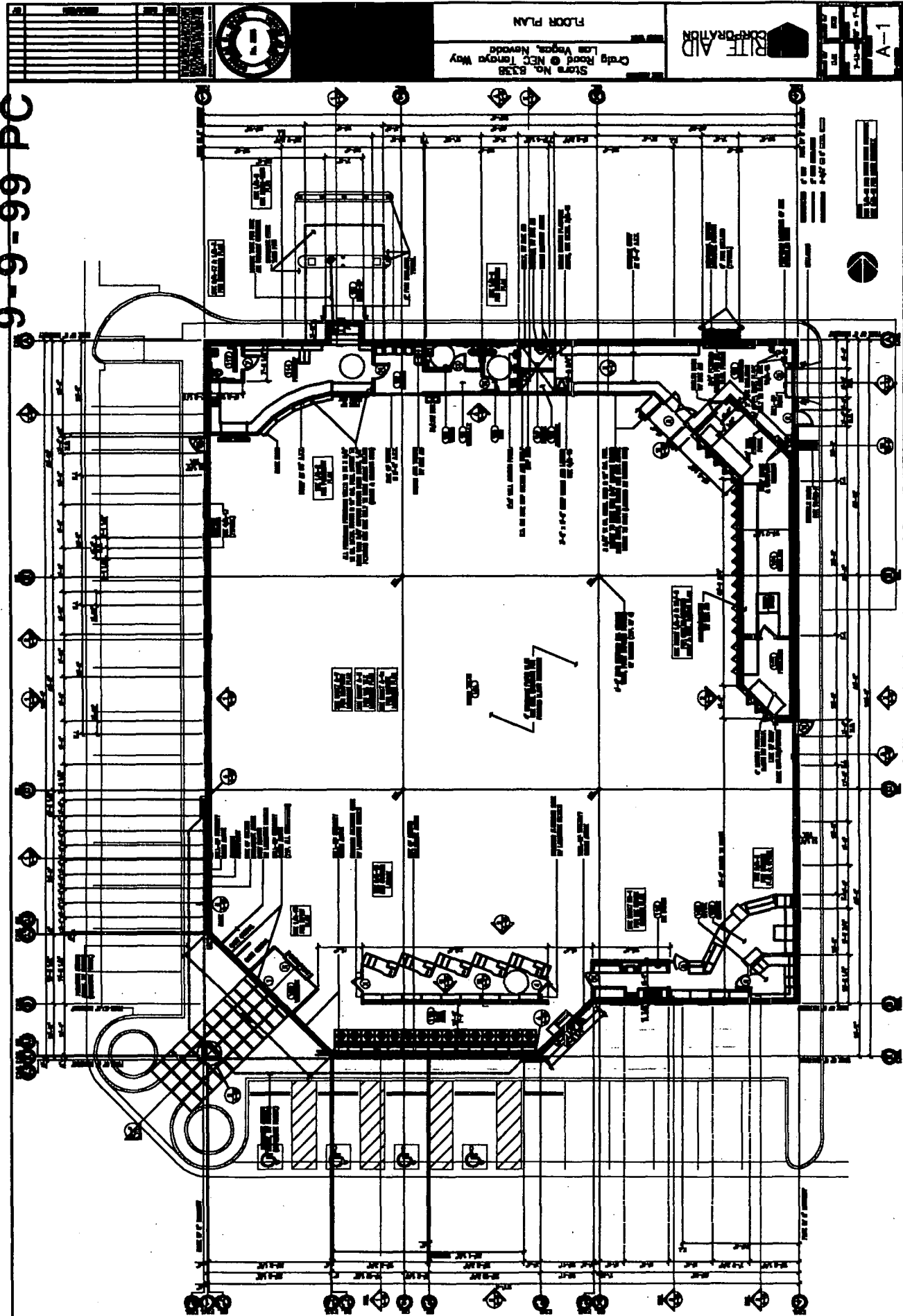
STAFF

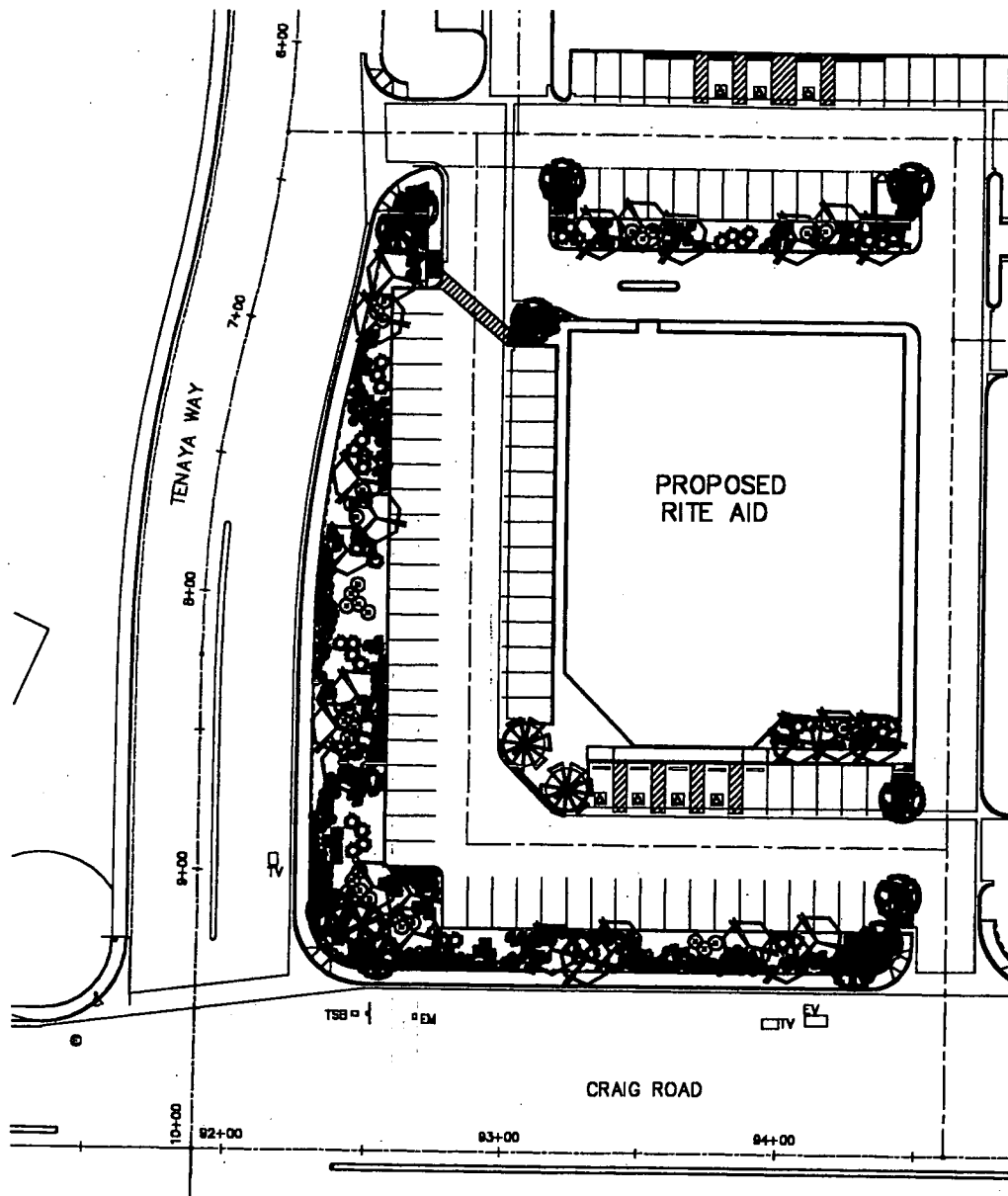


STAFF

U-93-99

9-9-99 PC





TREE LEGEND

Symbol	Botanical Name	Common Name	Size
	Florida dogwood	Star Palm	12' S.D.
	Washingtonia robusta	Madison Palm	12' S.D.
	Cordyline alliodora	Star Palm	24' S.D.

SHRUB LEGEND

Symbol	Botanical Name	Common Name	Size
	Bougainvillea glabra	Star Bush	12' S.D.
	Lantana camara	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.
	Cordyline alliodora	Star Bush	12' S.D.

GROUNDCOVER LEGEND

	ALL GROUNDCOVER SHALL BE 12' S.D. OR SMALLER
	ALL GROUNDCOVER SHALL BE 12' S.D. OR SMALLER
	ALL GROUNDCOVER SHALL BE 12' S.D. OR SMALLER

VINES

Symbol	Botanical Name	Common Name	Size
	Washingtonia robusta	Star Bush	12' S.D.

LIGHTING

Symbol	Manufacturer/Model #	Description
	Model 100-10-10	Star Bush
	Model 100-10-10	Star Bush
	Model 100-10-10	Star Bush

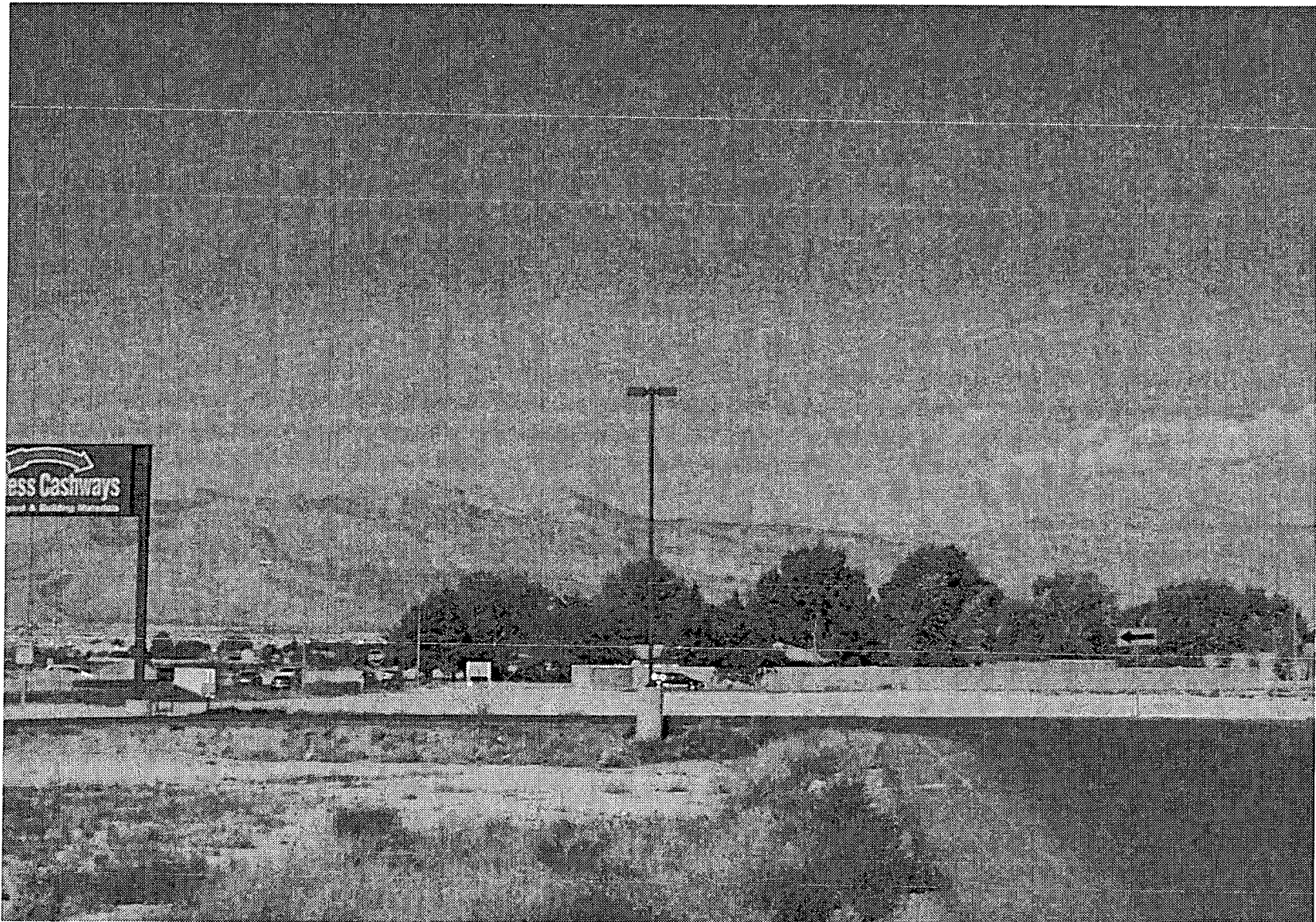
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U-93-99
9-9-99 PC

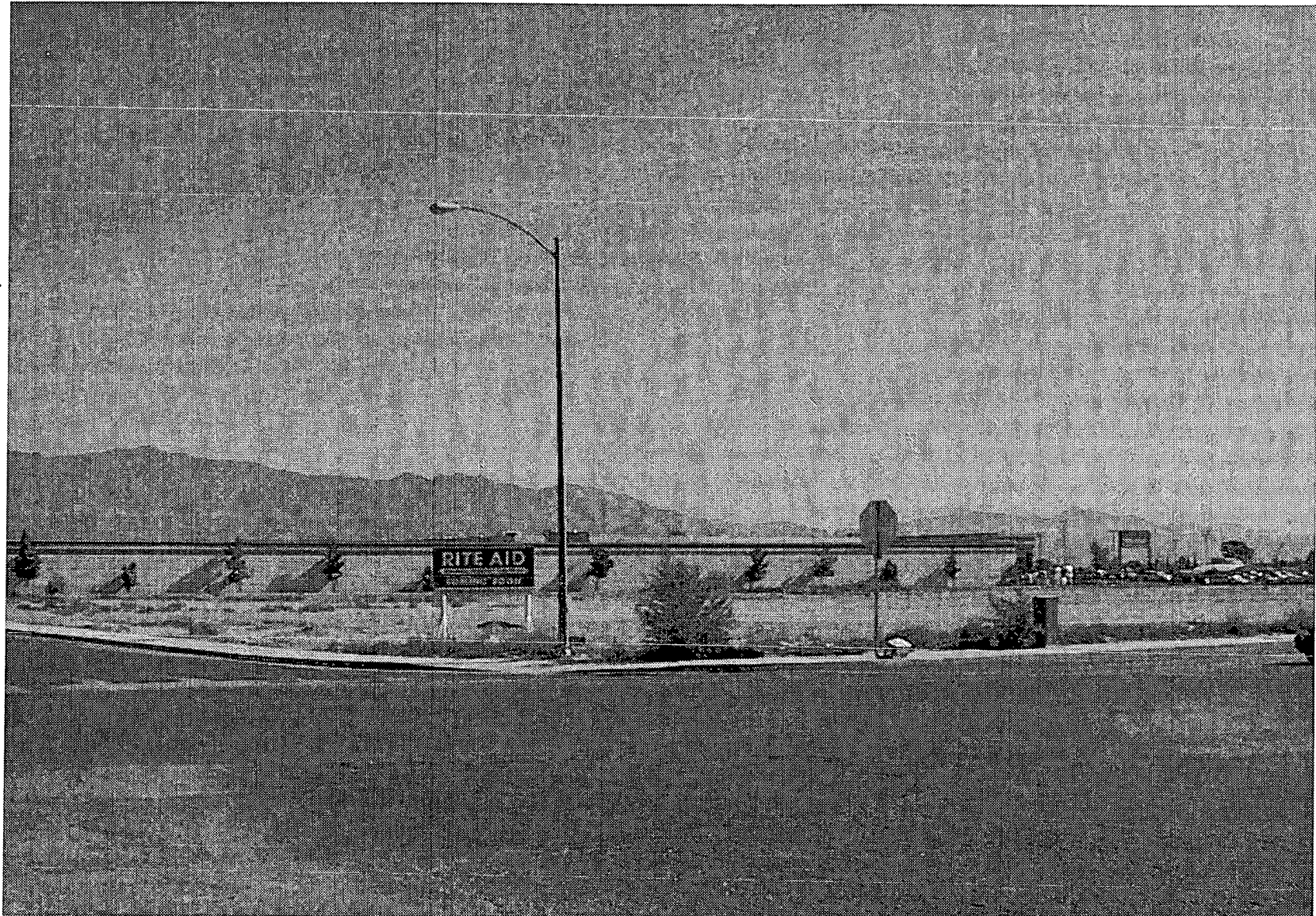


RITE-AID PHARMACY
CRAIG & TENAYA
LAS VEGAS, NEVADA
FOR
SITE PLAN
100-10-10-10
100-10-10-10
100-10-10-10

DATE 7-13-99
BY J. HANNA
CHECKED BY J. HANNA
PLANTING PLAN
394.13
L-3
100-10-10-10



U-93-99 - from east side of site looking westerly (entry drive to Payless Cashways in foreground)



U-93-99 - from southwest corner of site looking northeasterly (intersection of Tenaya Way and Craig Road in foreground)

The CW Group Civil Engineering

RECEIVED
CITY CLERK

1999 OCT 21 P 3:28

October 20, 1999

City Clerk
City Hall, 1st Floor
400 East Stewart Avenue
Las Vegas, NV 89101

RE: Special Use Permit U-93-99

To Whom It May Concern:

On October 13, 1999 a letter was written to have the above referenced agenda item stricken from the October 20th meeting. We would like to reword our request and have this item removed off the agenda without prejudice from the October 20th meeting. Should you have any questions or need additional information please contact James H. Childs with The CW Group at (702) 798-8545. Thank you.

Sincerely,



James H. Childs, P.E.
The CW Group

Enclosure:

JHC/an

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999**

DEPARTMENT: PLANNING AND DEVELOPMENT **Agenda Item No.: 109**
DIRECTOR: WILLARD TIM CHOW ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - U-94-99 - CHEYENNE-DURANGO LIMITED LIABILITY COMPANY ON BEHALF OF DISCOUNT TIRE COMPANY - Request for a Special Use Permit on property located on the east side of Durango Drive, approximately 300 feet north of Cheyenne Avenue, FOR MINOR AUTOMOTIVE REPAIR (DISCOUNT TIRE COMPANY), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-401-019. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****Concerns****APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JEFF PIERCE, Architectural Resource Team, 411 North Central, Suite 600, Phoenix, Arizona, appeared on behalf of the applicant and concurred with staff's conditions.

COUNCILMAN BROWN verified with CHERI EDELMAN, Public Works, that the applicant sharing access with any additional development on this property was a condition imposed on the original zoning, Z-7-94.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999
ITEM 109 - U-94-99

MINUTES - Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:50 - 2:51)

4 - 385

CONDITIONS:

1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The hours of operation shall be limited to 7:00 a.m. through 9:00 p.m., with the business being closed on Sundays.
3. Site development to comply with all applicable conditions of approval for Zoning Application Z-7-94, the Northshore Plaza Commercial Subdivision and all other subsequent site related actions 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
5. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. Coordinate with the Collections Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection routes to service this site prior to the submittal of any construction drawings. Comply with the recommendations of the Collections Systems Planning Section. All public sewer lines and/or sewer easements needed to connect this site to the public sewer system shall be in place prior to occupancy of this site as required by the Department of Public Works.
7. All development shall be in conformance with the site plan and building elevations.

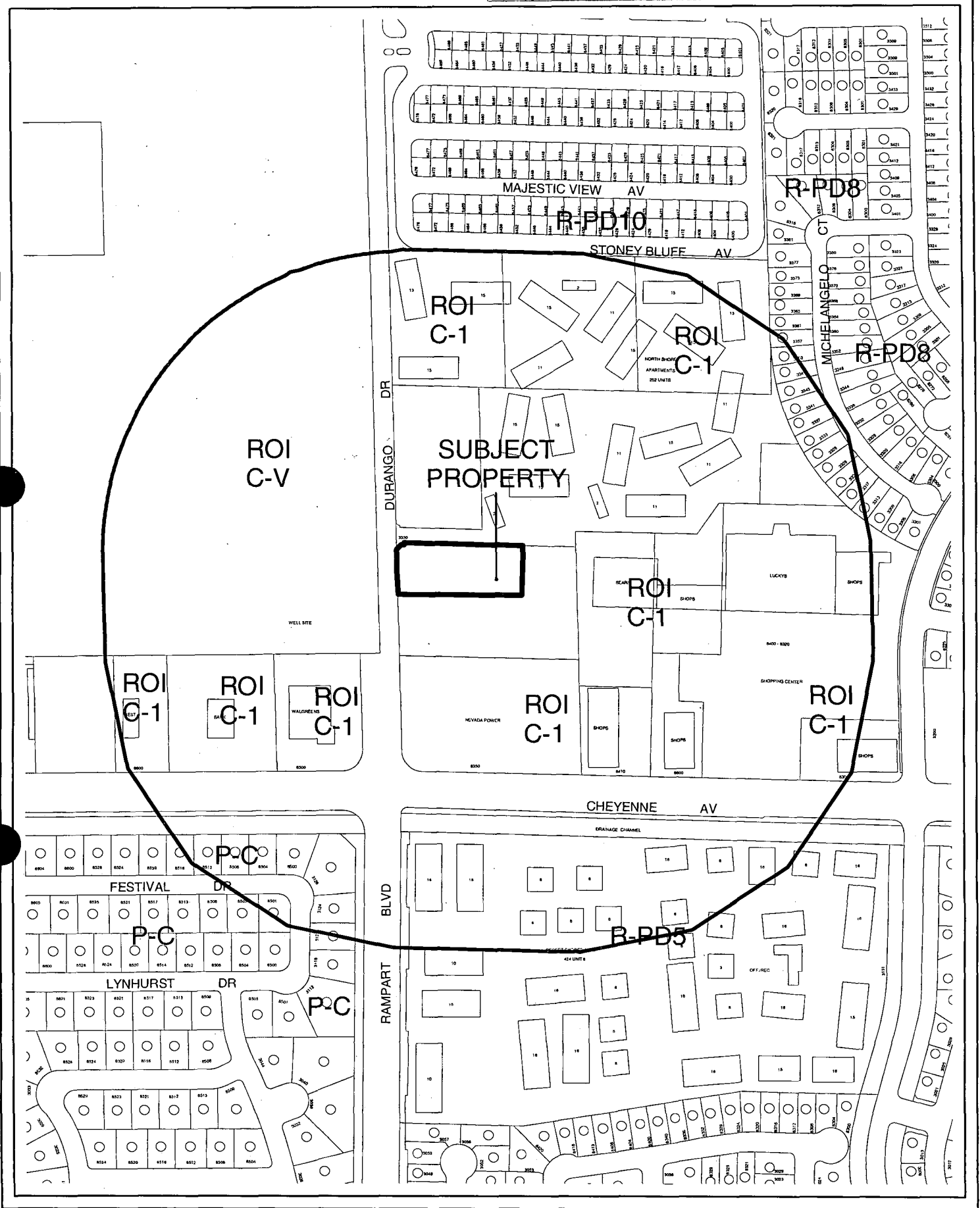
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 109 - U-94-99

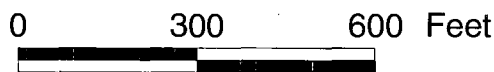
CONDITIONS - Continued:

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. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
13. 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.
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. 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.



CASE: **U-94-99**

RADIUS: 750 FT



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: U-94-99 - Cheyenne-Durango, Limited Liability Company
on behalf of Discount Tire Company**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The hours of operation shall be limited to 7:00 a.m. through 9:00 p.m., with the business being closed on Sundays.
3. Site development to comply with all applicable conditions of approval for Zoning Application Z-7-94, the Northshore Plaza Commercial Subdivision and all other subsequent site related actions 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
5. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. Coordinate with the Collections Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection routes to service this site prior to the submittal of any construction drawings. Comply with the recommendations of the Collections Systems Planning Section. All public sewer lines and/or sewer easements needed to connect this site to the public sewer system shall be in place prior to occupancy of this site as required by the Department of Public Works.
7. All development shall be in conformance with the site plan and building elevations.

U-94-99 - Page Two
October 20, 1999 City Council Meeting

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.
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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. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
13. 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.
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. 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.

U-94-99 - Page Three
October 20, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is a request for a Special Use Permit for a Discount Tire store on a portion of a 3.00 acre parcel located on the east side of Durango Drive, approximately 300 feet north of Cheyenne Avenue. In their justification letter, the applicant indicates the proposed use will comply with City standards.

BACKGROUND DATA:

03/16/94 The City Council approved a Rezoning from N-U (Non-Urban) to R-PD8 (Residential Planned Development - 8 Units per Acre) and C-1 (Limited Commercial) (Z-7-94).

DETAILS OF APPLICATION REQUEST:

Site Area:	1.12	Acres
Building Area:	7,660	Square Feet
Building Height:	26	Feet
Parking Required:	44	Spaces (based on auto repair uses)
Parking Provided:	45	Spaces

Access to the site will be provided by two driveways to an internal shopping center access drive to Durango Drive. Landscaping will be provided along the property lines. The elevations depict a stucco exterior with a concrete tile roof over the customer entrance and a flat roof over the remainder of the structure.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North:	ROI to C-1 (Limited Commercial)	Unimproved
South:	ROI to C-V (Civic)	Nevada Power Substation
East:	ROI to C-1 (Limited Commercial)	Shopping Center
West:	ROI to C-V (Civic)	Unimproved

U-94-99 - Page Four
October 20, 1999 City Council Meeting

FINDINGS:

SITE PLAN:

Staff has no objections to the submitted site plan.

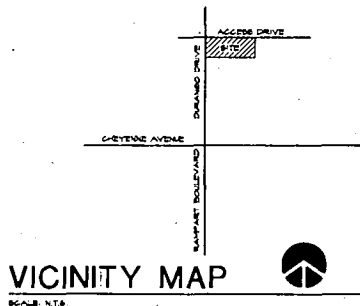
PROPOSED USE:

The proposed use 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. Durango Drive, designated by the Master Plan of Streets and Highways as 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.

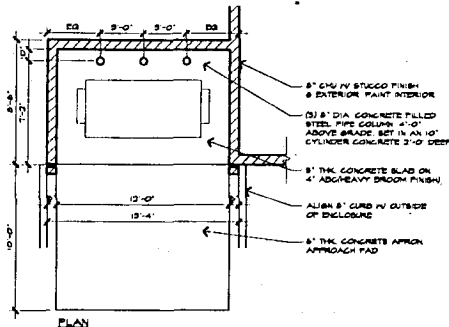
NOTICES MAILED: 42 by City Clerk

APPROVALS: 0

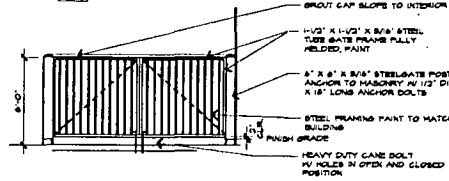
PROTESTS: 0



VICINITY MAP
SCALE: N.T.S.



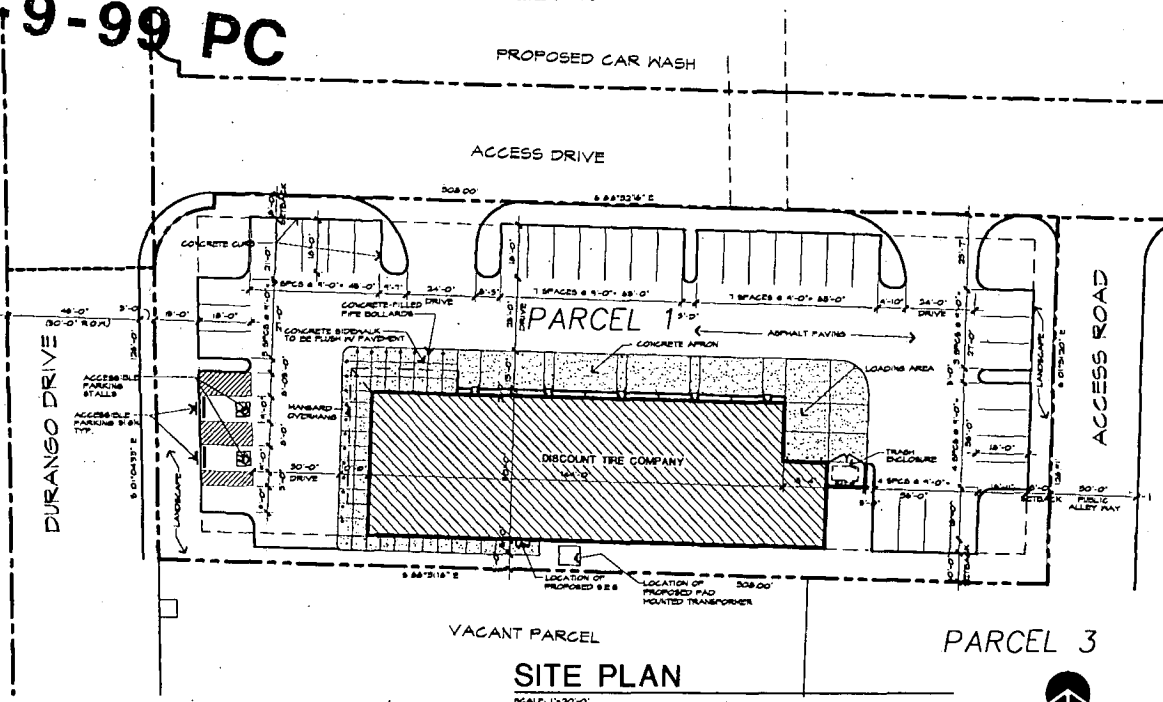
PLAN



ELEVATION

TYPICAL TRASH ENCLOSURE DETAIL
SCALE: 1/4" = 1'-0"

STAFF
U-94-99
9-9-99 PC



SITE PLAN
SCALE: 1/4" = 30'-0"

PROJECT DATA

PROJECT: DISCOUNT TIRE CO.
PROJECT ADDRESS: CHEYENNE AVENUE AND DURANGO DRIVE
LAS VEGAS, NEVADA
PARCEL NUMBER: 188-04-401-003
SITE DEVELOPER: DISCOUNT TIRE COMPANY
OWNERS OF RECORD: 14831 N. SCOTTSDALE RD.
SCOTTSDALE, AZ 85254
(602) 981-1150
LEGAL DESCRIPTION:
THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER
(SW 1/4) OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 12 E, DESCRIBED AS
FOLLOWS:
PERCE: 100.00% AS SHOWN BY MAP THERE IN FILE #1 OF PARCEL MAPS, PAGE 1
IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

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

SITE CALCULATIONS

LOT INFORMATION:
BUILDING AREA: 1,800 S.F.
PROPOSED BUILDING HEIGHT: 28'-0"
NUMBER OF STORIES: 1 STORY
TOTAL ACRES OF SITE: 1.12 AC.
TOTAL SQ. FEET OF SITE: 48,400 S.F.
LANDSCAPE AREA: 25,000 S.F.
PAVING AREA: 23,400 S.F.
ZONING: C1
SITE COVERAGE: 50%
FLOOR/AREA RATIO: .48

PARKING CALCULATIONS

PARKING REQUIREMENTS:
1 PER 300 S.F. (BRIDGE AREA) = 6 PARKING SPACES
1,800/300 = 6 STALLS = 6 STALLS = 6 PARKING SPACES
PARKING PROVIDED:
SERVICE BAYS: (4) BAYS (8) RACKS = 8
PARKING SPACES (14'-0" X 18'-0") = 14
ACCESSIBLE PARKING SPACES (8'-0" X 18'-0") = 2
TOTAL PROVIDED = 24 SPACES

GENERAL NOTES

- ALL UTILITY METERS AND ELECTRICAL TRANSFORMERS SHALL BE SCREENED WITH SHRUBS AND LANDSCAPING.
- EVERGREEN TREES/SHRUBS SHALL BE PROVIDED AROUND THE TRASH ENCLOSURE TO PROVIDE YEAR-ROUND SCREENING. SEE LANDSCAPE PLANS.
- ALL DELIVERY VEHICLES SHALL MAKE DELIVERIES AT THE REAR OF THE BUILDING.
- ALL ROOF DRAINS SHALL BE INTERNALLY PIPED.
- ALL ROOF MOUNTED MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED ON ALL SIDES OF THE BUILDING BY PARAPET WALLS.
- 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 BILLS OR ROOTS, DISCARD, NEEDLES AND LATENT DROPS OR RULES. REJECTED PLANTS SHALL BE REMOVED IMMEDIATELY FROM THE SITE.
- ALL PLANT MATERIALS SHALL BE MAINTAINED FOR STANDARD CURRENT PRACTICE AND KEPT ALIVE AND IN GOOD CONDITION OR REPLACED. TREES AND SHRUBS SHALL BE REPLACED AS NECESSARY TO MAINTAIN LANDSCAPING WITH APPROVED PLANT AND TREES AND/OR SHRUBS USED TO REPLACE DEAD, DISEASED OR DAMAGED TREES AND/OR SHRUBS SHALL BE EQUAL TO OR GREATER THAN SIZE OR FINALLY SPECIFIED ON THE APPROVED LANDSCAPE PLAN.
- THE REMOVAL OF EXISTING TREES ON THE SITE SHALL BE MITIGATED AS FOLLOWS:
a. TREES SHALL BE REPLACED ACCORDING TO A TREE REPLACEMENT PLAN.
b. REPLACEMENT TREES SHALL CONSIST OF HIGH QUALITY HARDWOOD TREES, NOT LESS THAN 10" DBH (CALIPER 10" DBH) SPECIES UNLESS OTHERWISE APPROVED BY THE CITY. THE CUMULATIVE CALIPER OF REPLACEMENT TREES SHALL EQUAL THE CUMULATIVE CALIPER OF TREES REMOVED FOR DEVELOPMENT.
- ALL WALL MOUNTED UTILITY METERS (E.E.) AND GROUND MOUNTED TRANSFORMERS SHALL BE PAINTED TO MATCH THE COLOR OF THE BUILDING.
- ALL WALL MOUNTED UTILITY METERS (E.E.) AND GROUND MOUNTED TRANSFORMERS SHALL BE SCREENED BY LANDSCAPING WITHIN 10' OF THE BUILDING. THE SCREENING SHALL BE THE TALLEST METEER OR TRANSFORMER IF VISIBLE TO THE PUBLIC.
- NO EXISTING STRUCTURES ARE CURRENTLY LOCATED ON THE SITE.
- ALL SIGNS REQUIRE SEPARATE APPROVALS AND PERMITS.
- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES AS APPLICABLE, AND ALL AMENDMENTS OR ANY OTHER GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE PROPERTY.
- 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.
- STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 50'-0" FROM THE PROPERTY LINE AND 50'-0" ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCES WILL BE MAINTAINED AT A MAXIMUM OF 3'-0" IN HEIGHT.

Art
Architectural
Resource
Team,
Inc.
1111 NORTH CENTRAL AVENUE
SUITE 100
PHOENIX, ARIZONA 85004
602.955.1110
ART@ARTTEAM.COM

DISCOUNT
TIRE CO. INC.
CHEYENNE AVE. & DURANGO DR.
CITY OF LAS VEGAS, NEVADA

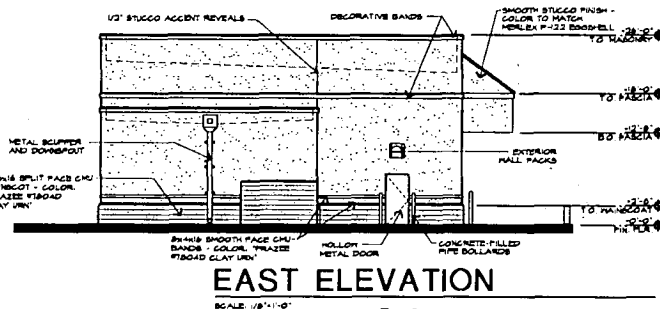
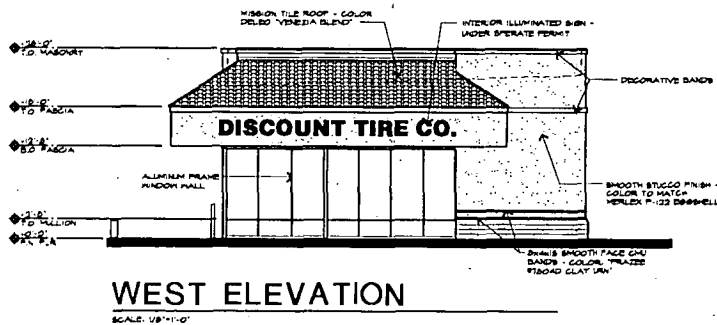
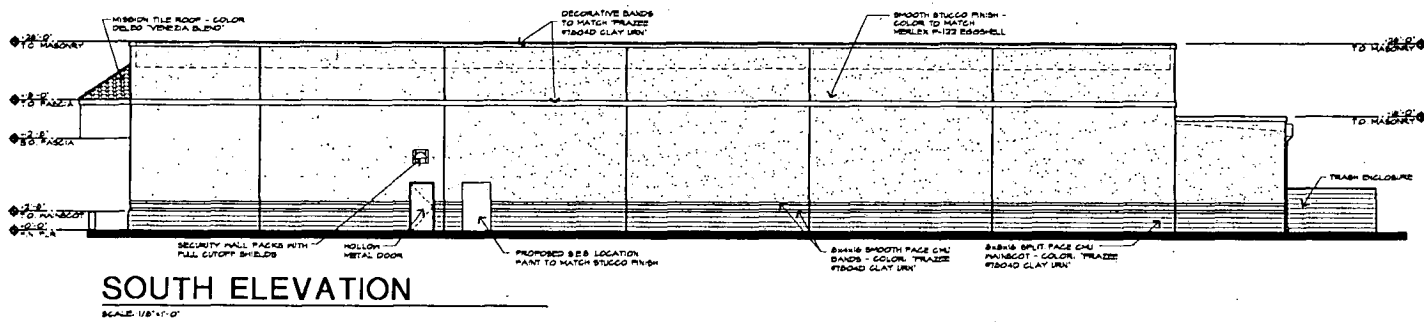
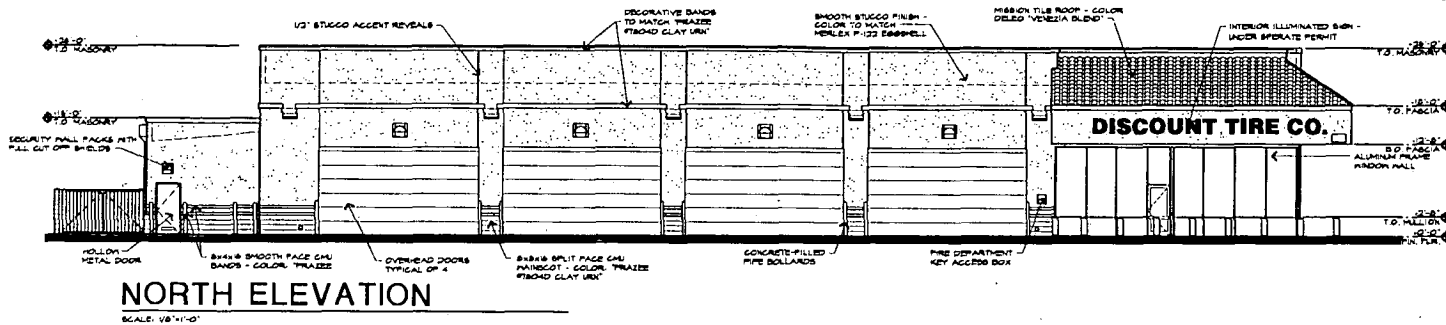
DESIGN REVIEW

REVISIONS	DATE	BY	CHKD BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

PRELIMINARY

DRAWING TITLE
**PROPOSED
SITE
PLAN**

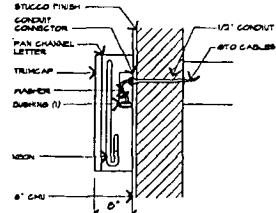
DRAWING NO.
DR-1



**U-94-99
9-9-99 PC**

DISCOUNT TIRE CO.

STAFF



Art
Architectural
Resource
Team,
Inc.

3418 WEST CENTRAL AVENUE
SUITE 100
FARMINGTON, UTAH 84201
TEL: 801/734-1100
FAX: 801/734-1101
OFFICE: 801/734-1100
MOBILE: 801/734-1101

DISCOUNT TIRE CO. INC.
CHEYENNE AVE. & DURANGO DR.
CITY OF LAS VEGAS, NEVADA

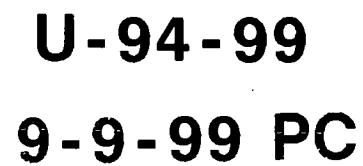
DESIGN REVIEW

NO.	DESCRIPTION	DATE
1	DESIGN REVIEW	10/20/99
2	DESIGN REVIEW	10/20/99
3	DESIGN REVIEW	10/20/99
4	DESIGN REVIEW	10/20/99
5	DESIGN REVIEW	10/20/99
6	DESIGN REVIEW	10/20/99
7	DESIGN REVIEW	10/20/99
8	DESIGN REVIEW	10/20/99
9	DESIGN REVIEW	10/20/99
10	DESIGN REVIEW	10/20/99

PRELIMINARY

PROPOSED
BUILDING
ELEVATIONS

DR-3



N.T.S.

Plant Schedule:

1. <u>NAME</u>	2. <u>DATE</u>
3. <u>TIME</u>	4. <u>LOCATION</u>
5. <u>DESCRIPTION</u>	6. <u>REMARKS</u>
7. <u>SIGNATURE</u>	8. <u>INITIALS</u>
9. <u>DATE</u>	10. <u>TIME</u>
11. <u>LOCATION</u>	12. <u>REMARKS</u>
13. <u>SIGNATURE</u>	14. <u>INITIALS</u>
15. <u>DATE</u>	16. <u>TIME</u>
17. <u>LOCATION</u>	18. <u>REMARKS</u>
19. <u>SIGNATURE</u>	20. <u>INITIALS</u>
21. <u>DATE</u>	22. <u>TIME</u>
23. <u>LOCATION</u>	24. <u>REMARKS</u>
25. <u>SIGNATURE</u>	26. <u>INITIALS</u>
27. <u>DATE</u>	28. <u>TIME</u>
29. <u>LOCATION</u>	30. <u>REMARKS</u>
31. <u>SIGNATURE</u>	32. <u>INITIALS</u>
33. <u>DATE</u>	34. <u>TIME</u>
35. <u>LOCATION</u>	36. <u>REMARKS</u>
37. <u>SIGNATURE</u>	38. <u>INITIALS</u>
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41. <u>LOCATION</u>	42. <u>REMARKS</u>
43. <u>SIGNATURE</u>	44. <u>INITIALS</u>
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47. <u>LOCATION</u>	48. <u>REMARKS</u>
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Art

**Architectural
Resource
Team,
Inc.**

3111 HOFER CENTRAL AVENUE
SUITE 400
PHILADELPHIA, PENNSYLVANIA 19104
610 526 8300
C-12, 113 5503 FCR

DISCOUNT
THE CO. INC.
CHEYENNE AVE. & DURANGO DR.
CITY OF LAS VEGAS, NEVADA

DESIGN REVIEW

REVISIONS		
NO.	DESCRIPTION	DATE
JOB NO.	5003	DATE 08/99
DRAWN BY	ED	CHECKED BY
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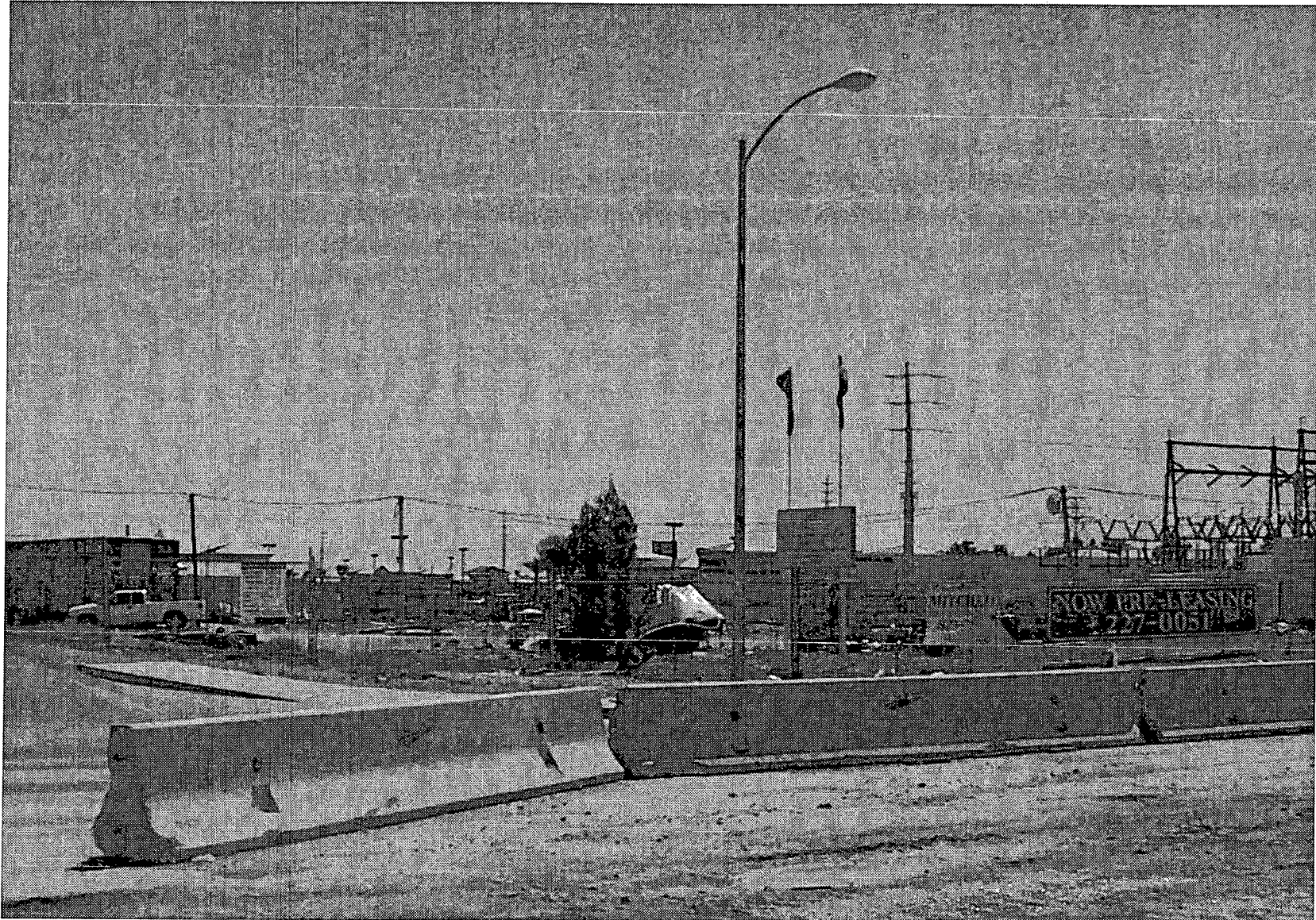
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PLAN**

DRAFTING NO.

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U-94-99 - from northwest corner of site looking southeasterly (Durango Drive in foreground)

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT**Agenda Item No.: 110****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**ABEYANCE ITEM - REZONING - PUBLIC HEARING - **Z-47-99 - TETON**

INVESTMENTS - Request for a Rezoning on property located adjacent to the southeast corner of the intersection of Whispering Sands Drive and Leon Avenue FROM: R-E (Residence Estates) TO: R-1 (Single Family Residential) PROPOSED USE: 24 LOT SINGLE FAMILY SUBDIVISION, Size: 6.38 Acres, Ward 4 (Brown), APN: 125-13-203-001. The Planning Commission (3-1-1 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:**Planning Commission****3****Board of Zoning Adjustment****City Council****3****Concerns****APPROVALS BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****0****RECOMMENDATION:**

The Planning Commission (3-1-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**BROWN - ABEYANCE to 11/3/99 - UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The applicant, ROBIN OZOKI, 3608 Manarcas Street, was present.

COUNCILMAN BROWN asked ROBERT GENZER, Planning & Development, for clarification of the application. MR. GENZER replied that he spoke with the engineer on this project regarding the design of the site. A review was conducted to determine whether or not the project as proposed would be similar in frontage requirements along Leon Avenue to a project

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 110 - Z-47-99

MINUTES - Continued:

approved to the south. Staff found that the southern project was required to do 20,000 square foot lots along Leon Avenue and provide a 10 foot wide landscape planter along Leon Avenue. If those conditions were imposed on this project, it would require some redesign of the site. There is also the issue that this site, at the present time, has not been legally subdivided. The property at the northwest corner of this project shown on the map as "not a part" is actually part of the legal parcel. The applicant has indicated that there is a partnership involving four individuals. One of the partners did not want to participate in this project, so that corner piece has been reserved for that particular partner. The record needs to reflect that if this property is to be developed as submitted, there would be a need for a parcel map to legally subdivide it. The owner of that remainder parcel would need to know up front that staff would not be supportive of any application to attain a higher density than that proposed for this particular development. That restriction would be consistent with the development pattern in the area.

MR. GENZER recommended that the following additional conditions be imposed if this application is approved: The lots adjacent to Leon Avenue, on either side of the road, be a minimum of 20,000 square feet; provide a 10 foot wide landscape planter along Leon Avenue with 24 inch box trees, 30 feet on center with shrubs and ground cover as required by Planning & Development; a Resolution of Intent with a one year time limit; all City Code Requirements and Design Standards of all City Departments be satisfied; and that a parcel map subdividing the property be submitted and approved by City staff and recorded prior to the recordation of any final map on this particular site. COUNCILMAN BROWN verified with MR. GENZER that the project engineer had been made aware of this information. MR. OZOKI confirmed with COUNCILMAN BROWN that a list of the proposed conditions will be made available to the applicant.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:51 - 2:56)

4 - 428

CONDITIONS:

1. The density of this development shall be limited to a maximum of 3.00 dwelling units per gross acre.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 110 - Z-47-99

CONDITIONS - Continued:

2. Construct half-street improvements, including appropriate overpaving, on Leon Avenue and Whispering Sands Drive, if legally able, adjacent to this overall site concurrent with development of this site as required by the Department of Public Works. Also, construct widened paving on Whispering Sands Drive and Leon Avenue adjacent to the Not a Part parcel at the southeast corner of the intersection of Whispering Sands Drive and Leon Avenue; "Geocke" pavement may be used for this pavement widening. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
3. Provide two lanes of paved, legal access to this site along a logical route prior to occupancy of any units within this development as required by the Department of Public Works.
4. Construct public sewer in Leon Avenue to the centerline of the existing cul-de-sac to the south of Whispering Sands Drive concurrent with development of this site.
5. Traffic Impact Analysis shall 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. 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. 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$9,500.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits or the recordation of a Final Map for this site, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

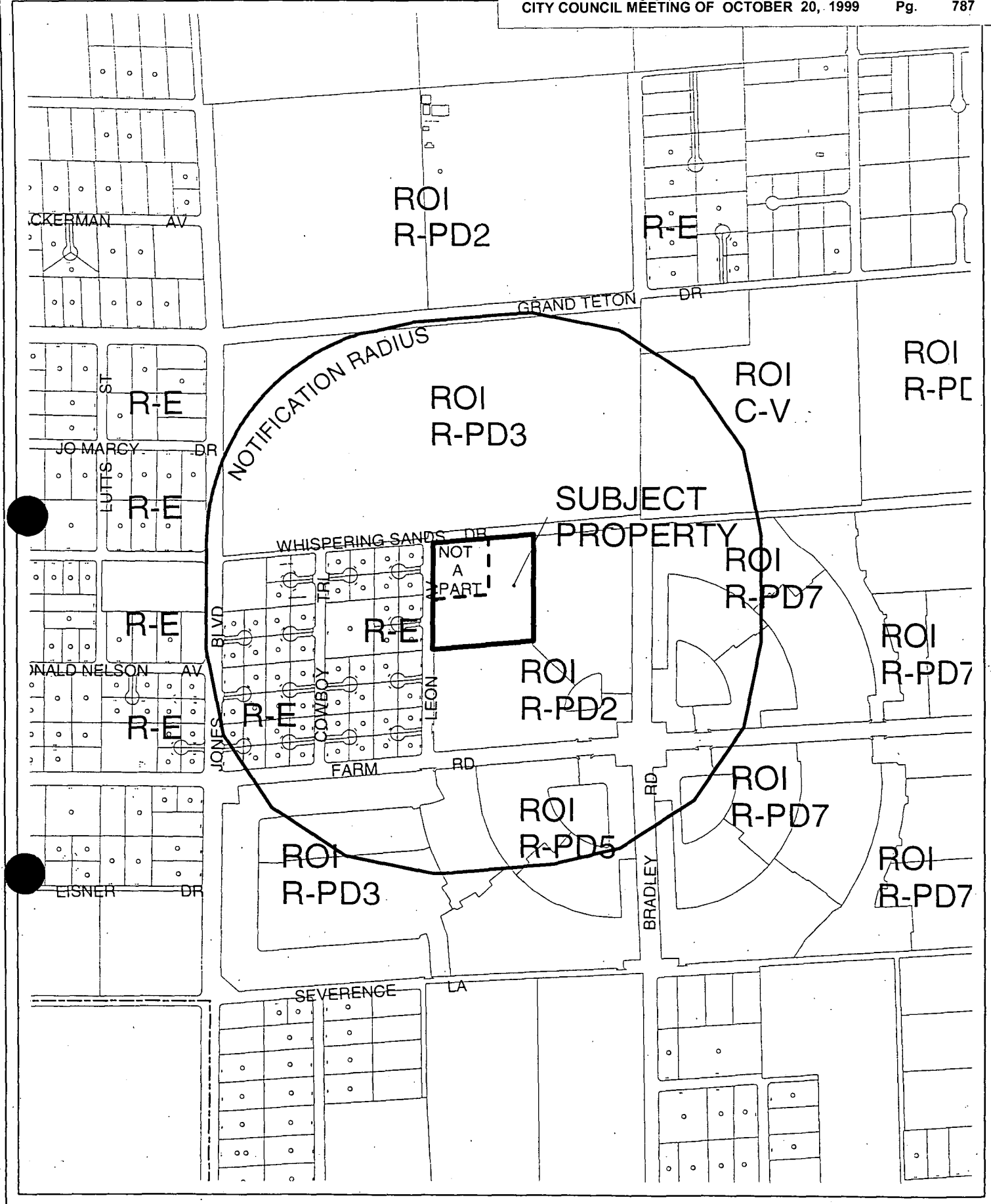
City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 110 - Z-47-99

CONDITIONS - Continued:

6. 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 or the recordation of a Final Map, 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.
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 as determined by the Director of the Department of Public Works. The City also 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 issuance for any and all lots within this Rezoning site if adequate intersection capacity does not exist at the Durango/US95 intersection as determined by the Director of the Department of Public Works. These rights shall be exercised based on the traffic capacity conditions that exist at the time of the developer's request for the issuance of each building permit. In the event of a dispute with the decision of the Director of the Department of Public Works, the developer may appeal directly to the City Council for final resolution.
8. The final layout of this subdivision shall be determined at the time of approval of the Tentative Map.



CASE: **Z-47-99**
RADIUS: 1320 FT

0 300 600 900 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 20, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: Z-47-99 - Teton Investments

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 6, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN BROWN.

The Planning Commission (3-1-1 vote) and staff recommend APPROVAL, subject to:

1. The density of this development shall be limited to a maximum of 3.00 dwelling units per gross acre.
2. Construct half-street improvements, including appropriate overpaving, on Leon Avenue and Whispering Sands Drive, if legally able, adjacent to this overall site concurrent with development of this site as required by the Department of Public Works. Also, construct widened paving on Whispering Sands Drive and Leon Avenue adjacent to the Not a Part parcel at the southeast corner of the intersection of Whispering Sands Drive and Leon Avenue; "Geocke" pavement may be used for this pavement widening. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
3. Provide two lanes of paved, legal access to this site along a logical route prior to occupancy of any units within this development as required by the Department of Public Works.
4. Construct public sewer in Leon Avenue to the centerline of the existing cul-de-sac to the south of Whispering Sands Drive concurrent with development of this site.
5. Traffic Impact Analysis shall 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. 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. 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$9,500.00

Z-47-99 - Page Two

October 20, 1999 City Council Meeting

for neighborhood traffic mitigation prior to the issuance of building or off-site permits or the recordation of a Final Map for this site, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

6. 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 or the recordation of a Final Map, 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.
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 as determined by the Director of the Department of Public Works. The City also 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 issuance for any and all lots within this Rezoning site if adequate intersection capacity does not exist at the Durango/US95 intersection as determined by the Director of the Department of Public Works. These rights shall be exercised based on the traffic capacity conditions that exist at the time of the developer's request for the issuance of each building permit. In the event of a dispute with the decision of the Director of the Department of Public Works, the developer may appeal directly to the City Council for final resolution.
8. The final layout of this subdivision shall be determined at the time of approval of the Tentative Map.

APPLICATION REQUEST:

This request is for a Rezoning on property located adjacent to the south side of Whispering Sands Drive and the east side of Leon Avenue, from R-E (Residence Estates) to R-1 (Single Family Residential) for a 24 lot single-family subdivision on a 6.38 acre site.

Z-47-99 - Page Three
October 20, 1999 City Council Meeting

BACKGROUND DATA:

There is no previous zoning history available on this site.

DETAILS OF APPLICATION REQUEST:

The proposed development will consist of 24 single-family lots. The site area is 6.38 acres, thereby resulting in a density of 3.76 dwelling units per gross acre. The typical lot size is depicted as approximately 9,150 square feet. The minimum lot size depicted is approximately 8,728 square feet. Access to all lots will be via a single 51 foot wide public street connecting to Leon Avenue and Whispering Sands Drive.

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	R-PD3	Undeveloped (Future Iron Mountain Ranch)
South	R-PD2	Undeveloped (Future Lynbrook)
East	R-PD2	Undeveloped (Future Lynbrook)
West	R-E	Single-Family Residences

ANALYSIS AND FINDINGS:

GENERAL PLAN:

This site is designated L (Low Density Residential) on the Northwest Amendment to the General Plan. This category allows a range of 3.6 to 5.5 dwelling units per acre. Staff finds the proposed R-1 (Single Family Residential) zoning, with a proposed density of 3.76 dwelling units per acre, is compatible with this General Plan designation.

REZONING:

Staff finds the proposed R-1 (Single Family Residential) zoning, if resulting development is approximately 3.0 units per acre, to be compatible with the existing zoning of R-PD3 (Residential Planned Development - 3 Units Per Acre) for a portion of the Iron Mountain Ranch development to the north, where there will be densities of 2.64 dwelling units per acre to 4.12 dwelling units per acre. The adjacent zoning to the east and south of the subject site is R-PD2 (Residential Planned Development - 2 Units Per Acre) for the approved Lynbrook subdivision. The approved densities for these projects are 3 dwelling units per acre for the property to the east of this site, and 2.39 dwelling units per acre for the property to the south of this site. Staff therefore finds that the proposed density of 3.76 dwelling units per acre for the subdivision project submitted with this rezoning request is not compatible with the approved densities of surrounding properties. Therefore, the proposed density should be limited to 3 dwelling units per acre for this Rezoning request.

Z-47-99 - Page Four
October 20, 1999 City Council Meeting

SITE PLAN:

The required setbacks are 20 feet front, five feet side, 15 feet corner side, and 15 feet rear within the R-1 (Single Family Residential) zone.

FINDINGS

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code (LVMC) Title 19A.18.050 (K) the Planning Commission or City Council must affirm all of the following:

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

Staff finds that the proposed Rezoning conforms to the current General Plan designation of L (Low Density Residential) which allows a range of 3.6 to 5.5 dwelling units per acre.

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

Staff finds that the single-family residential subdivision proposed with this Rezoning will be a higher density (3.76 dwelling units per acre) than the surrounding existing and approved developments (2.39 to 3.00 dwelling units per acre to the west, south and east). With a condition identified below, this Rezoning will result in a density of use compatible with surrounding patterns.

3. "Growth and development factors in the community indicate the need for or appropriateness of the Rezoning."

Staff finds that the proposed use of the site for single family residential development will meet a perceived demand for this use in the area.

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

Staff finds that the subject site will be accessed via two local streets, and local streets are typically adequate to access smaller residential subdivisions.

PC NOTICES MAILED: 61

APPROVALS: 0

PROTESTS: 3

8-26-99 PC

[illegible]

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

NOTES

AVERAGE
DA VALUE
55

ASSESSOR'S PARCELS - CLARK CO., NV.
M. W. Schofield, Assessor

MAP LEGEND

PARCEL BOUNDARY	001	PARCEL NUMBER
SUBD BOUNDARY	1.00	ACREAGE
ROAD EASEMENT	202	PARCEL SUB/SIO NUMBER
PW/LD BOUNDARY	# 25-45	PLAT RECORDING NUMBER
NON-PARCEL LOT LINE	5	BLOCK NUMBER
MATCH LINE	5	LOT NUMBER
ROAD ID NUMBER	C15	COV. LOT NUMBER

T19S R60E

13

S 2 NW 4

125-13-2

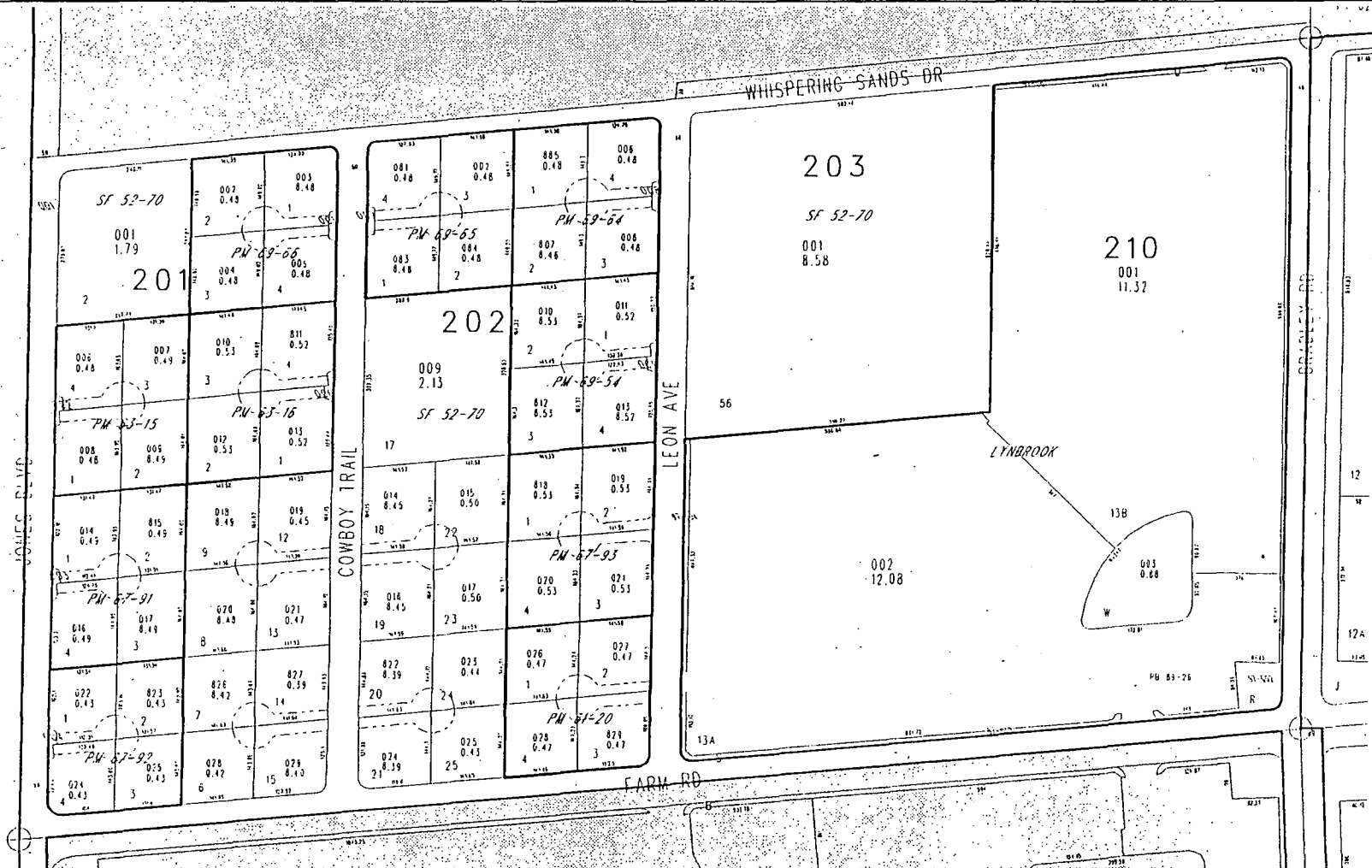
	R59E	R60E	R61E
T195	99	100	101
T196	126	125	124
T197	137	138	139

6	5	4	3	2	1
7	8	9	10	11	12
13	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

8	4	8
5	1	5
6	2	6
7	3	7
8	4	8

Scale: 1" = 200'

Rev:05/14/99



STAFF Z-47-99 TAX DIS
8-26-99 PC

TAX DIST 200

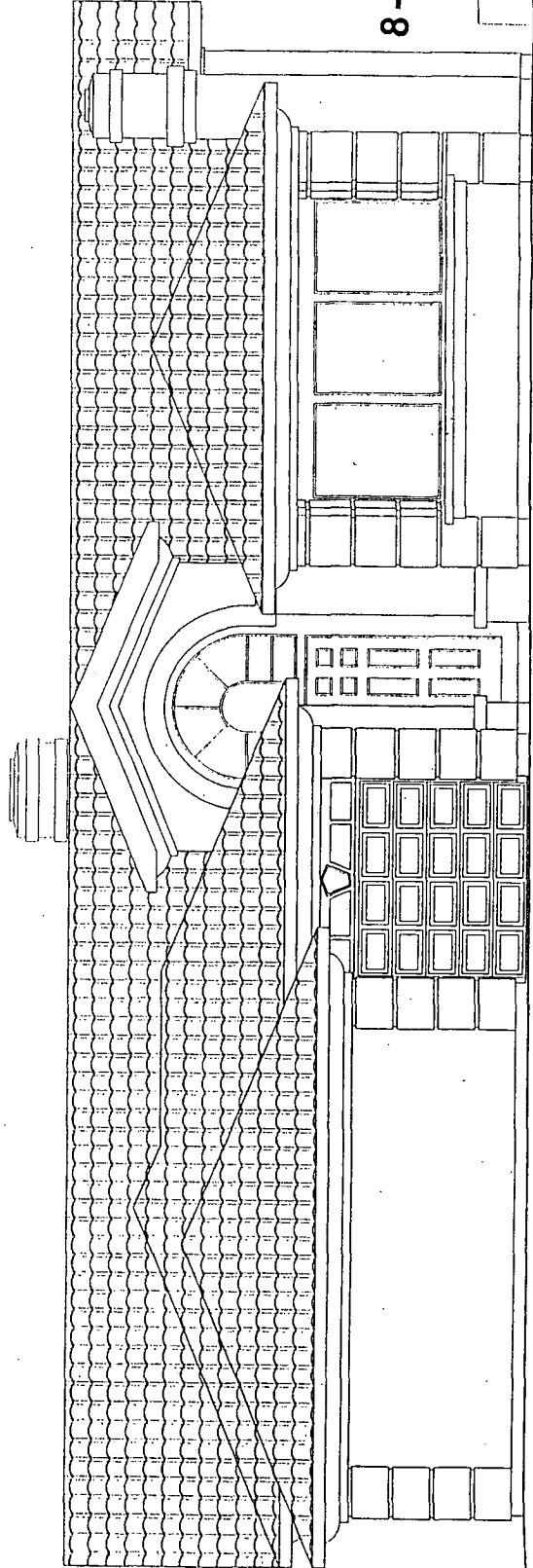
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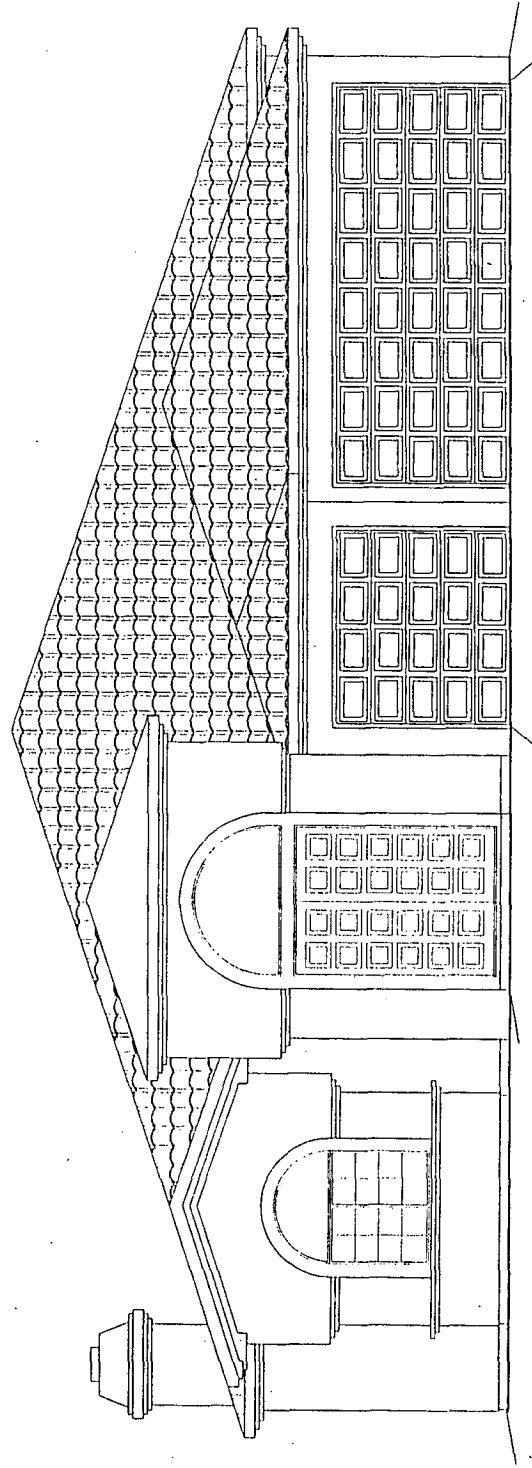


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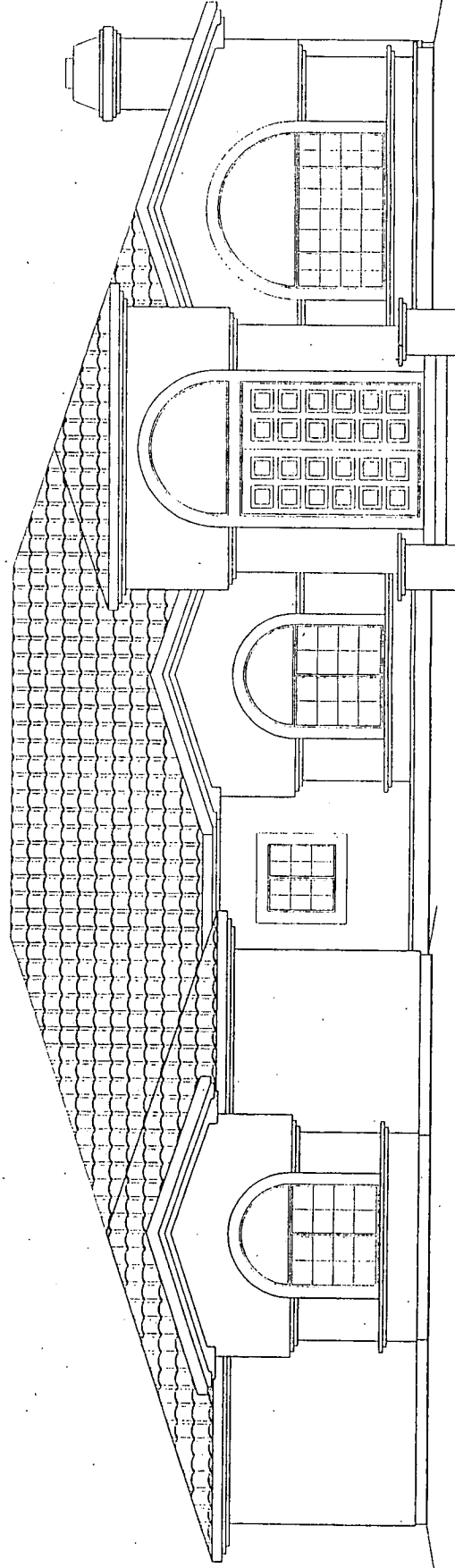
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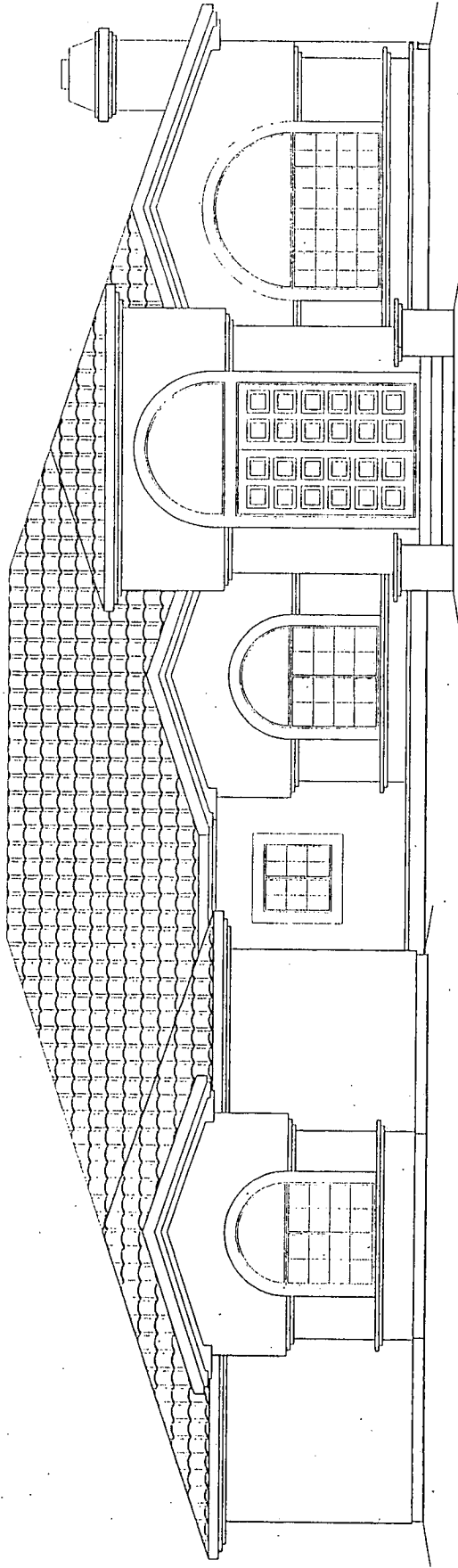
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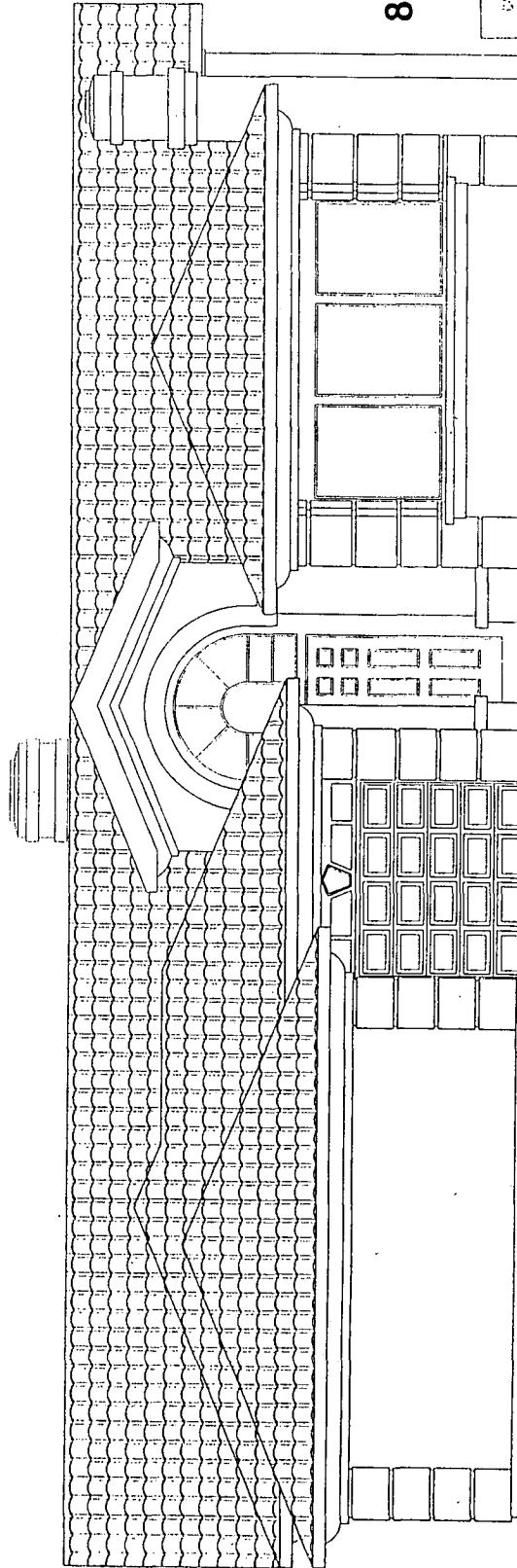
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case Z-47-99



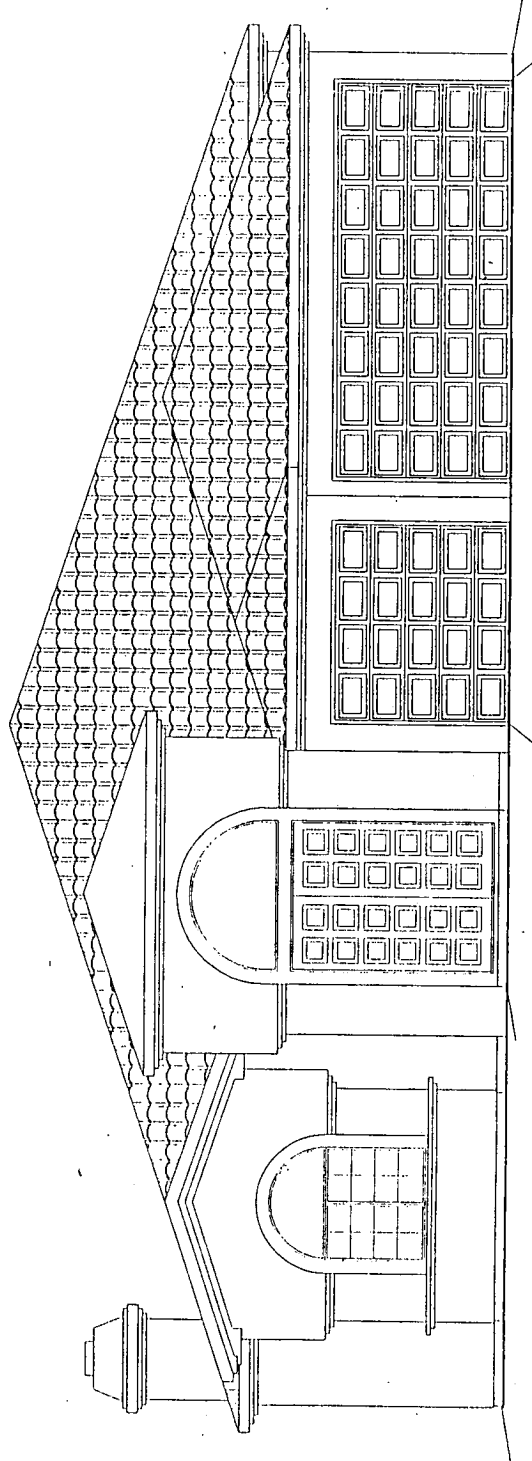
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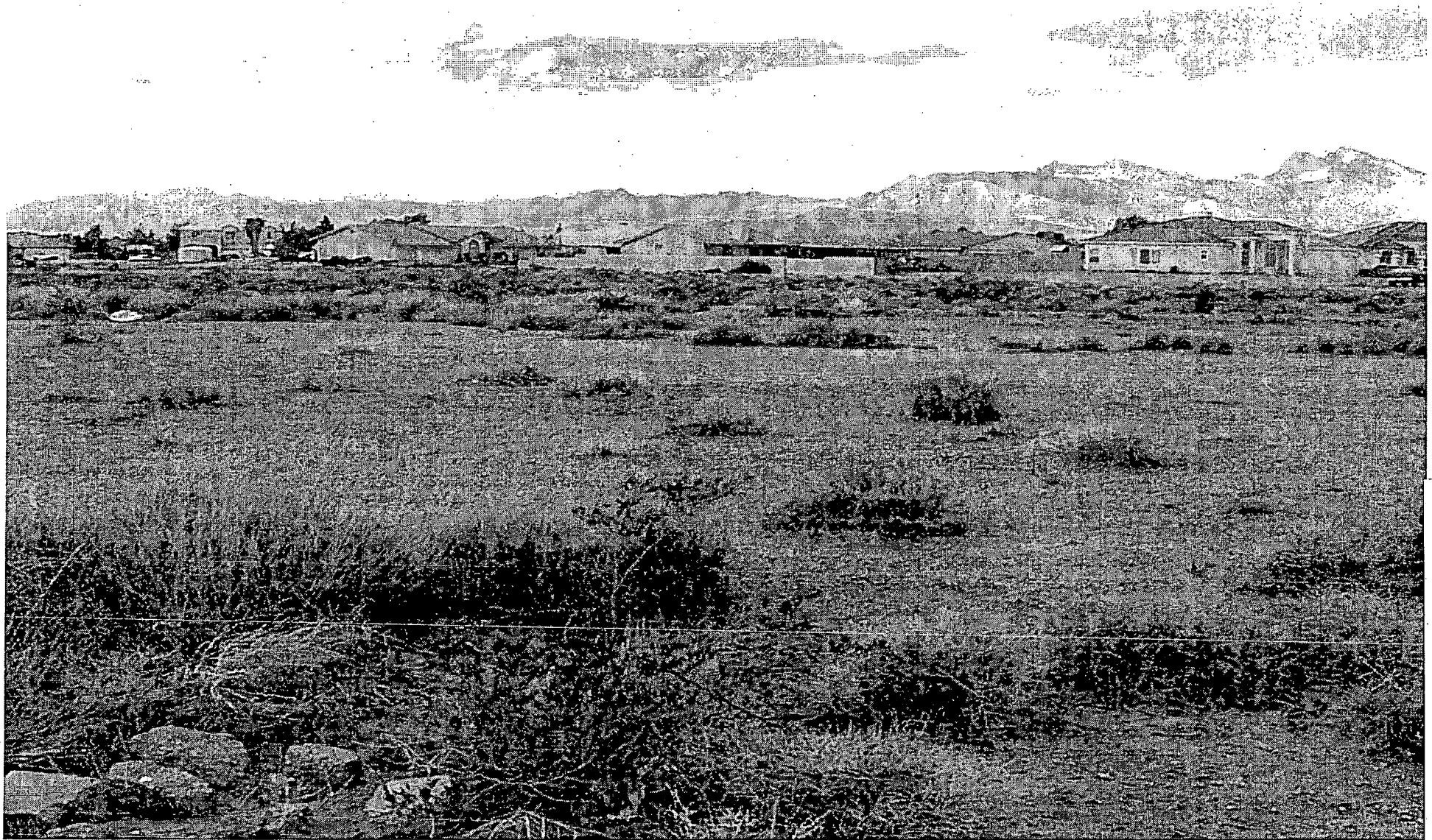
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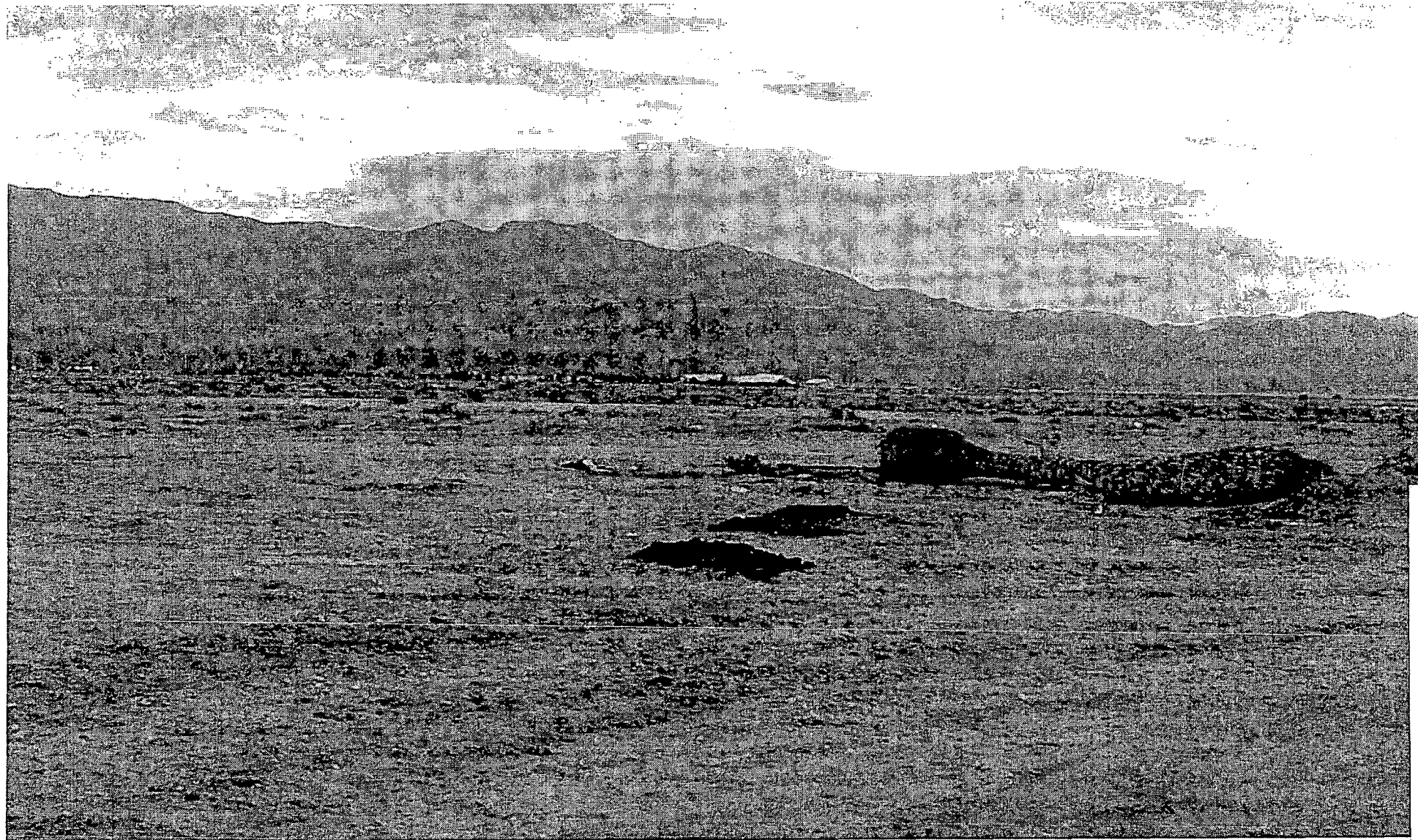
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BY: [initials]





Z-47-99 - TETON INVESTMENTS

ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION OF WHISPERING SANDS DRIVE AND LEON AVENUE
AUGUST 26, 1999 PLANNING COMMISSION



Z-47-99 - TETON INVESTMENTS

ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION OF WHISPERING SANDS DRIVE AND LEON AVENUE
AUGUST 26, 1999 PLANNING COMMISSION

*City of Las Vegas***AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 20, 1999**

DEPARTMENT: PLANNING AND DEVELOPMENT **Agenda Item No.: 111**
DIRECTOR: WILLARD TIM CHOW ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING - PUBLIC HEARING - Z-53-99 - TOMOO OKADA FAMILY TRUST AND TOMOO OKADA REVOCABLE TRUST ON BEHALF OF TECH PLAZA, LIMITED LIABILITY COMPANY - Request for a Rezoning on property located on the southeast corner of Cimarron Road and Via Olivero Avenue, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: O (Office), PROPOSED USE: A 12,600 SQUARE FOOT ONE STORY OFFICE BUILDING, Size: 1.12 Acres, Ward 1 (McDonald), APN: 163-04-804-006. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS BEFORE:

Planning Commission
Board of Zoning Adjustment
City Council
Concerns

APPROVALS BEFORE:

Planning Commission
Board of Zoning Adjustment
City Council

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - ABEYANCE to 11/3/99 as the Second Discussion Item on the PM Planning & Development Discussion Agenda - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARCHITECT KEN HORAK, 6996 N. Rainbow Boulevard, appeared on behalf of the owner and applicant. He concurred with staff's conditions except for Condition Nos. 3 and 4, which Planning Commission and staff agreed to consider a staggered wall at six feet in height instead of the wall as identified in the conditions. After the Planning Commission meeting MR. HORAK tried unsuccessfully to schedule a meeting with Planning staff. The project engineer met with

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 111 - Z-53-99

MINUTES - Continued:

Fire Services who identified an access problem if the wall is set back 10 feet off Via Olivero Avenue. As proposed the building would be closer to the wall at various points than the minimum 10 foot required by Fire Services. Fire Services also wants some sort of access off of Via Olivero and MR. HORAK suggested a crash gate be installed as has been used in many other instances around the valley. He suggested that the wording for Condition No. 3 be modified to allow a staggered six foot high decorative block wall varying from 6 to 10 feet from Via Olivero Avenue. This would allow the openings for Fire Services' access.

ROBERT GENZER, Planning & Development, responded that he was never contacted regarding the meeting. He does not have a problem with the proposal in terms of landscaping, but the City has consistently protected the residential neighborhood to the north by prohibiting any access or openings onto Via Olivero Avenue. This position is as a result of many neighborhood meetings. Projects that have been approved up and down Via Olivero Avenue, between Rainbow and Durango, were not allowed any access and he recommended against making an exception for this application. COUNCILMAN McDONALD informed MR. HORAK that the property in question is on the boundary line of what is considered the business district. MR. HORAK noted that most of the office sites along Via Olivero Avenue have been larger sites with frontage on Sahara and have had more flexibility in their development. This lot was subdivided a few years ago and has a two story Manpower Building on the south, a mini-storage to the east, one house across the street and everything else surrounding it is open land. The proposed project is for a one story professional office building.

MR. HORAK continued that the owner has set aside a substantially higher landscaping allowance for this site to achieve more buffer with landscaping as opposed to block walls. He reiterated that he made numerous attempts to meet with MR. REED to discuss these issues and a representative from Fire Services wanted to be included in that meeting. COUNCILMAN McDONALD requested that MR. REED meet with MR. HORAK, Fire Services and MR. GENZER to expeditiously resolve these issues.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:56 - 3:03)

4 - 580

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 111 - Z-53-99

CONDITIONS:

1. Prior to the issuance of any tenant improvement building permits, business licenses, or certificates of occupancy, a parking analysis is required to be reviewed by the Planning and Development Department.
2. Prior to the issuance of any building permits submit a revised landscaping plan depicting a five foot wide landscape planter adjacent to the east property line.
3. Construct a nominal eight foot high decorative block wall, set back 10 feet from Via Olivero Avenue, with 24 inch box trees located a minimum of 30 linear feet on-center in the bermed landscaping planter adjacent to Via Olivero Avenue, as required by the Planning and Development Department.
4. Direct vehicular access to Via Olivero shall be prohibited.
5. There shall be no sidewalk constructed along the south side of Via Olivero Avenue.
6. Construct half-street improvements including appropriate overpaving (if legally able) on Via Olivero Avenue 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.
7. 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.
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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999
ITEM 111 - Z-53-99

CONDITIONS - Continued:

9. 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. 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,500.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
10. 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.
11. A Resolution of Intent.
12. All development shall be in conformance with the Site Development plan and building elevations.

City of Las Vegas

CITY COUNCIL MEETING OCTOBER 20, 1999

ITEM 111 - Z-53-99

CONDITIONS - Continued:

13. 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.
14. 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.
15. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
16. All City Code requirements and design standards of all City departments must be satisfied.
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.

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: OCTOBER 20, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-53-99 - Tomoo Okada Family Trust and Tomoo Okada Revocable Trust on behalf of Tech Plaza, Limited Liability Company**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. Prior to the issuance of any tenant improvement building permits, business licenses, or certificates of occupancy, a parking analysis is required to be reviewed by the Planning and Development Department.
2. Prior to the issuance of any building permits submit a revised landscaping plan depicting a five foot wide landscape planter adjacent to the east property line.
3. Construct a nominal eight foot high decorative block wall, set back 10 feet from Via Olivero Avenue, with 24 inch box trees located a minimum of 30 linear feet on-center in the bermed landscaping planter adjacent to Via Olivero Avenue, as required by the Planning and Development Department.
4. Direct vehicular access to Via Olivero shall be prohibited.
5. There shall be no sidewalk constructed along the south side of Via Olivero Avenue.
6. Construct half-street improvements including appropriate overpaving (if legally able) on Via Olivero Avenue 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.
7. 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.
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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

Z-53-99 - Page Two
October 20, 1999 City Council Meeting

9. 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. 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,500.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, 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 monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
10. 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.
11. A Resolution of Intent.
12. All development shall be in conformance with the Site Development plan and building elevations.

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October 20, 1999 City Council Meeting

13. 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.
14. 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.
15. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
16. All City Code requirements and design standards of all City departments must be satisfied.
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.

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October 20, 1999 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST:

This request is for a Rezoning on property located on the southeast corner of Cimarron Road and Via Olivero Avenue from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to O (Office) for the purpose of developing a 12,600 square foot multi-tenant office building. The applicant justified the request for the following reasons:

1. The request is in conformance with the City of Las Vegas General Plan Designation.
2. The office building would provide a buffer between the commercial use to the south of the proposed project, and the residential use to the north.

BACKGROUND DATA:

- 06/02/93 The City Council approved an amendment to a portion of the Southwest Sector of the General Plan for the subject site from R (Rural Residential) to SC (Service Commercial) (GPA-14-93).
- 06/02/93 The City Council approved a Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed day care center (Z-32-93).
- 12/07/94 The City Council approved a Reinstatement and Extension of Time of an approved Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed day care center. The C-1 zoning of the subject property expired on December 7, 1995 [Z-32-93(1)].

DETAILS OF APPLICATION REQUEST:

Site Area:	1.13	Acres
Building Area:	12,600	Square Feet
FAR:	0.26	
Parking Required:	42-69	Spaces (see below, including 2-3 handicap accessible spaces)
Parking Provided:	59	Spaces (including 2 handicap accessible spaces)
Building Height:	24	Feet

Section 19A.10 of the City of Las Vegas Zoning Code provides that the total required parking shall be the sum of the parking calculated for each individual use on a site. The parking standards of the City of Las Vegas Zoning Code differentiates between different office uses. The following table depicts the maximum and minimum parking spaces required based on the different office uses:

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 October 20, 1999 City Council Meeting

<u>Land Use</u>	<u>Size/Intensity</u>	<u>Parking Standard</u>	<u>Req. Parking</u>
Professional office	12,600 sq. ft.	1/300 sq. ft.	42
Medical office	1 x 1,800 sq. ft.	1/200 sq. ft.	9
	3 x 3,600 sq. ft.	1/200 sq. ft. up to 2,000 sq. ft.	60
		plus one space per additional 175 sq. ft.	
Total:			69

Access to the site is provided by one driveway from Cimarron Road. The proposed structure would be located in the central and northern portions of the site, with parking to the south and east of the building. On-site circulation is via a two-way 24 foot minimum width driveway. The floor plan depicts four separate units.

A minimum 20 foot wide landscape planter is proposed adjacent to Cimarron Road, additionally a minimum 15 foot wide landscape planter is proposed adjacent to Via Olivero Avenue. The southern property line depicts an eight foot wide landscape planter adjacent to it, and the east property line depicts a 5 foot wide landscape planter. Additional landscaping is provided around the building. Parking fingers have not been depicted on the landscape plan.

The elevations depict a 24 foot high building with a stucco exterior enclosed by a concrete shingle tile roof. Glazed and metal accents are proposed on all elevations of the building.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-E	(Residence Estates)	Single-Family Dwelling
South	C-1	(Limited Commercial)	Office
East	C-1	(Limited Commercial)	Mini-Storage
West	U ROI C-V	(Civic)	Unimproved

FINDINGS:

GENERAL PLAN:

The site is designated SC (Service Commercial) on the Southwest Sector Map of the City of Las Vegas General Plan. C-1 (Limited Commercial) zoning is a permitted zoning district within the Service Commercial Land Use Designation.

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October 20, 1999 City Council Meeting

ZONING:

The properties to the south and east of the subject site are currently zoned C-1 (Limited Commercial), therefore the approval of this request would provide a compatible land use with the surrounding land uses.

USE:

The proposed use can be conducted in a manner that is both harmonious and compatible with the existing surrounding land uses, and future uses as proposed by the General Plan. The subject site is physically suited for the type and intensity of land use proposed. Cimarron Road, a secondary thoroughfare with a right-of way width of 80 feet, is sufficient in size to meet the needs of the proposed project. Approval of this Site Development Plan Review at this location will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

SITE PLAN:

Staff notes that in terms of parking requirements, a medical or dental office is a more intensive use than a professional office use. If the office building is utilized entirely by professional offices, 42 parking spaces would be required. However, if medical offices were to entirely utilize the building, 69 parking spaces would be required. The applicant is proposing to provide 59 spaces. Therefore, a parking analysis is required to be reviewed by the Planning and Development Department prior to the issuance of any future building permits, business licenses, or certificates of occupancy. Consequently, it is possible that at that time staff would be forced to deny future medical occupancies for lack of parking. Furthermore, if the proposed offices are predominantly utilized by medical uses requiring in excess of 50 parking spaces, an additional handicap accessible space may be required in excess of the two proposed.

So as to provide consistency with other developments on Via Olivero Avenue, a nominal eight foot high decorative block wall set back ten feet from Via Olivero Avenue is required. Additionally, staff notes that the south side of Via Olivero Avenue in this area has been allowed to develop without sidewalks. Conditions reflecting these requirements have been added to staffs recommendation.

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October 20, 1999 City Council Meeting

LANDSCAPE PLAN:

Section 19A.12.060 of the City of Las Vegas Zoning Code requires a minimum landscape planter width of eight feet, for non-street frontage planters. The site plan depicts a five foot wide planter adjacent to the eastern property line. The applicant is requesting a three foot waiver owing to drainage considerations.

The City of Las Vegas Urban Design Guidelines and Standards require that one 24 inch box tree is provided for every six proposed parking spaces. The required trees are provided in landscape planters located adjacent to the building and the property lines. This negates the requirement to provide parking fingers.

ELEVATIONS:

The elevations, as submitted, meet the standards of the City of Las Vegas Zoning Code and the Las Vegas Urban Design Guidelines and Standards.

PC NOTICES MAILED: 1,777

APPROVALS: 1

PROTESTS: 4



K Ken Horak Architect
6996 North Rainbow
Las Vegas, Nevada 89131
(702) 658-3350 Fax (702) 658-3353



Las Vegas, Nevada

Pg. 815

Sheet

Date **29 JUNE 99**
 Reasons
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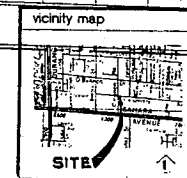


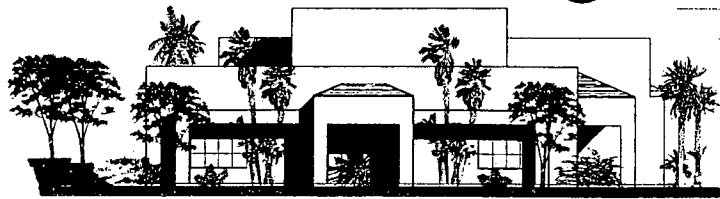
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STAFF

Z-53-99

9-9-99 PC





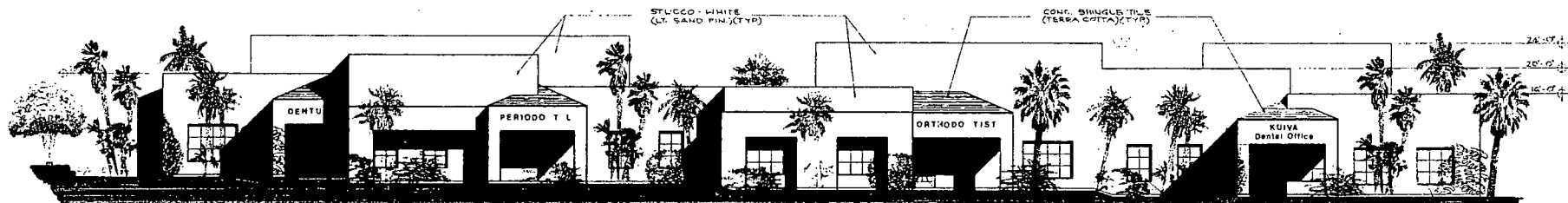
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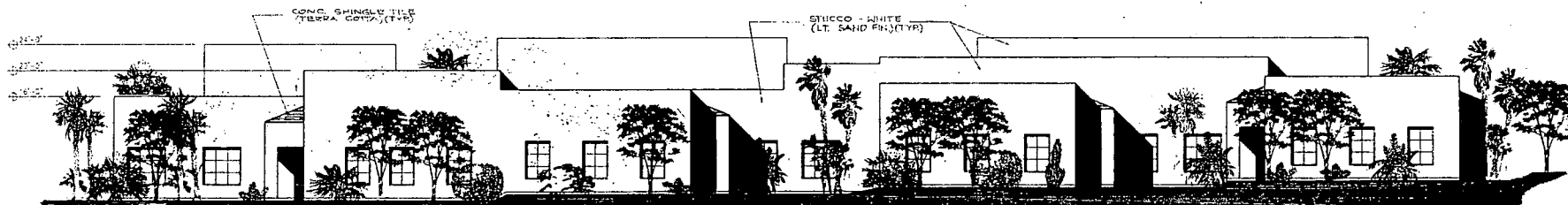
east elevation

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



south elevation

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



north elevation

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

Z-53-99

STAFF

9-9-99 PC

Ken Horak Architect

8989 North Redwood
Las Vegas, Nevada 89111
(702) 555-3350 Fax: (702) 555-3353



CIMARRON PLAZA
CIMARRON RD. + VIA OLIVERO AVE.

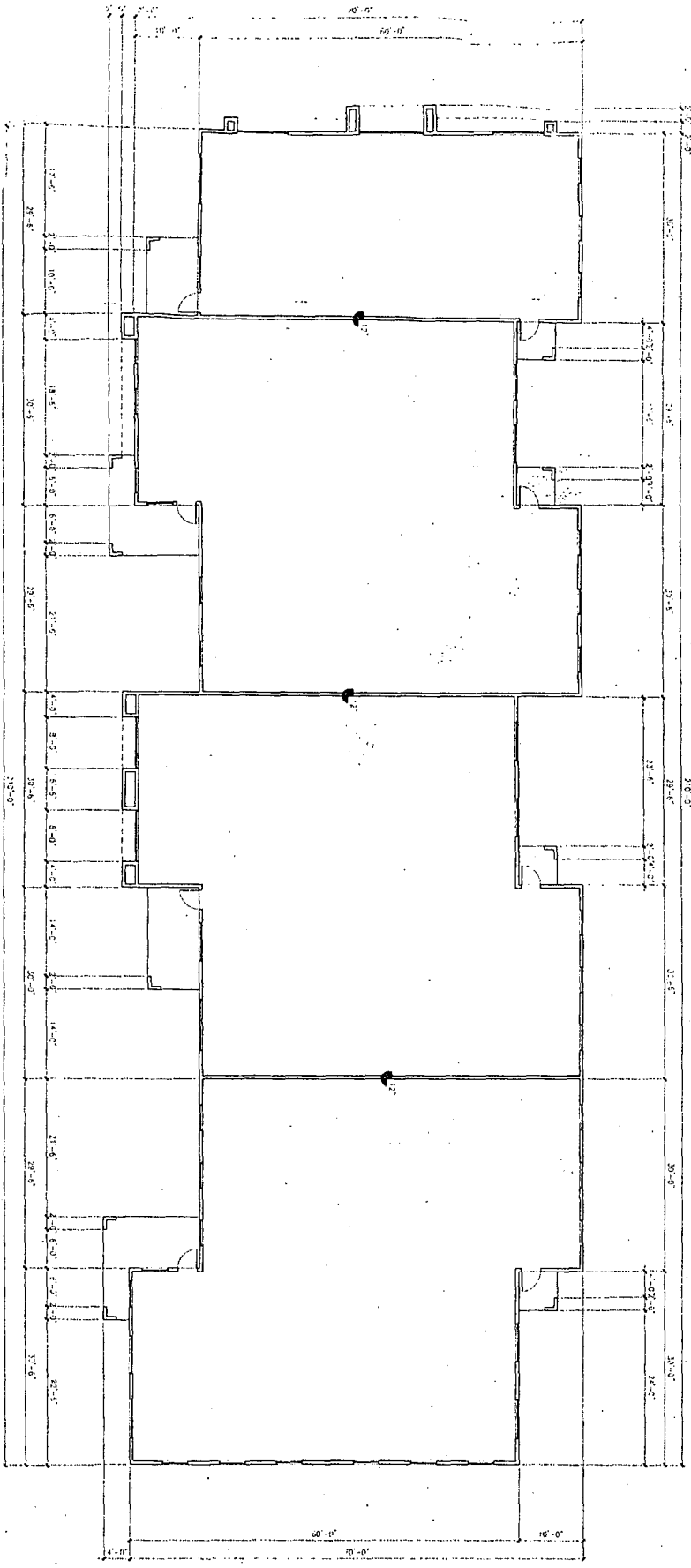
Las Vegas, Nevada

Project Number: 990
Created By: KJH
Drawn By: [Signature]
Drawing: ELEVATIONS

Date: 29 JAN 99
Revisions:
○
○
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A2

Sheet



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

STAFF

Z-53-99

9-9-99 PC

Ken Horak Architect

6996 North Rainbow
Las Vegas, Nevada 89131
(702) 638-1350 Fax (702) 638-1355



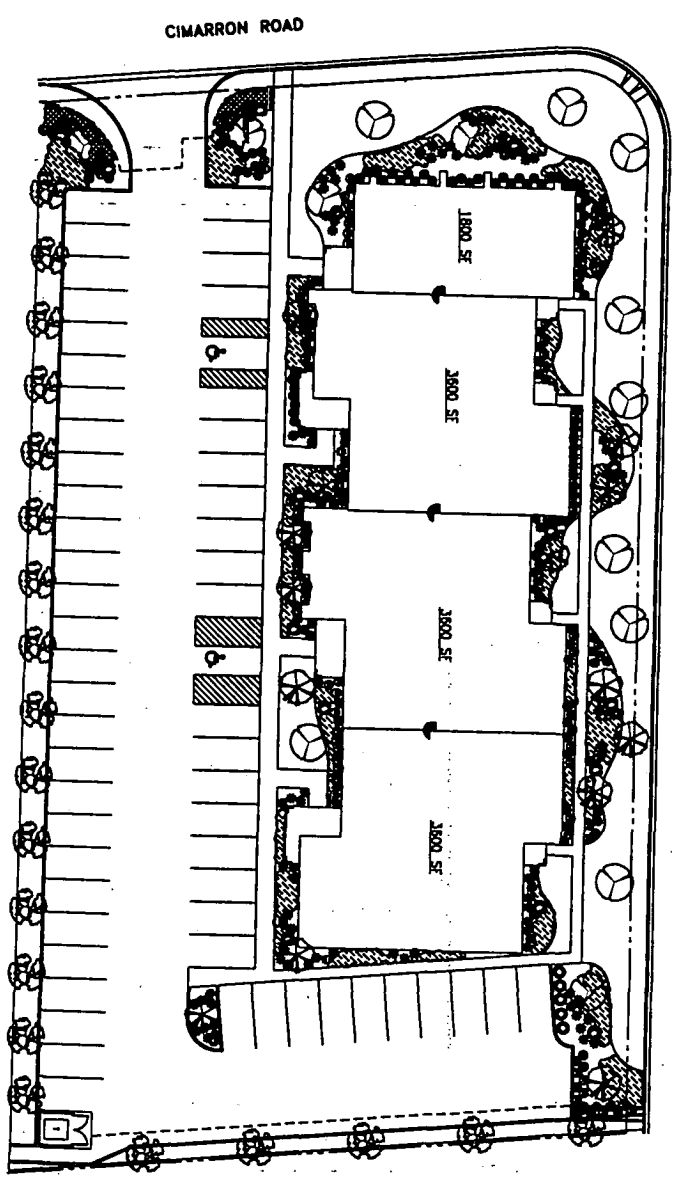
CIMARRON PLAZA
CIMARRON RD. + VIA OLIVERO AVE.

Las Vegas, Nevada

Project Number	999
Client Name	City of Las Vegas
Design By	Ken Horak
Date	28 June 99
Project Name	Cimarron Plaza
Sheet	A3

Sheet
A3

VIA OLIVERO AVE.



STAFF

Z-53-99

9-9-99 PC

PLAN APPROVAL
 DATE: _____
 CLIENT: _____
 ILLD REP: _____

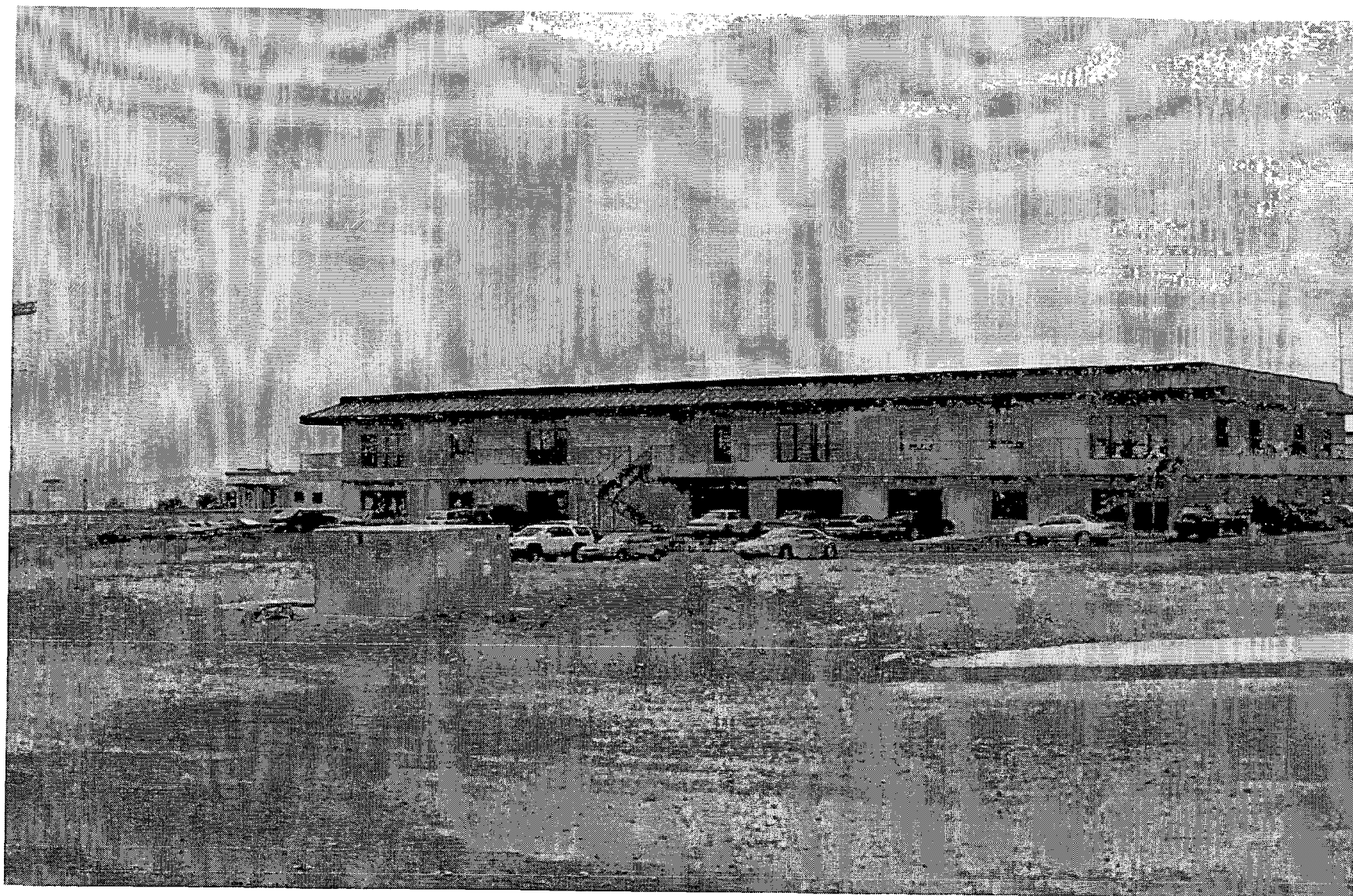
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CHECKED BY	TTC
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PROJECT	L1

PROJECT:
 CIMARRON PLAZA
 ADDRESS1
 ADDRESS 2
 LAS VEGAS, NV 89

SHEET DESCRIPTION:
 CONCEPTUAL PLAN

L.E.W.I.S
LANDSCAPE
Design

800 E. CARRISON ST.
 LAS VEGAS, NV 89101
 PHONE: (702) 388-4844
 FAX: (702) 388-4041
 NV LICENSE NO. 41433



Z-53-99 - from north side of Via Olivero Avenue.

*City of Las Vegas***AGENDA SUMMARY PAGE****CITY COUNCIL MEETING OF: OCTOBER 20, 1999****DEPARTMENT: CITY CLERK****Agenda Item No.: 112****DIRECTOR: Barbara Jo (Roni) Ronemus**☐**CONSENT**☐**DISCUSSION****SUBJECT:**

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS.

DB 1712 RYAN, U-179-94(1), U-90-99, U-95-99, U-97-99, VAC-40-99, VAC-41-99, VAC-42-99 – 11/3/99 Agenda

(3:03)

4 - 828

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 20, 1999

DEPARTMENT: CITY CLERK

Agenda Item No.:

DIRECTOR: BARBARA JO (RONI) RONEMUS

☐

CONSENT

☐

DISCUSSION

SUBJECT:

ADDENDUM:

NONE.

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 20, 1999

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.

AL GALLEG0, Citizen of Las Vegas, suggested that a guideline be set for photographers on where they should stand while taking pictures. The audience was unable to view the Oath of Office being administered to JUDGE WALSH because the photographers were in the way. He verified with MAYOR GOODMAN that the appointment of City Council Members for Ward 5 and Ward 6 was abeyed to 11/17/99. He extended an invitation to the Mayor and Council to attend a golf tournament at Lake Las Vegas scheduled for 11/16/99.

(3:04 - 3:06)

4-839

TOM McGOWAN, 720 South Casino Center Boulevard, verified with MAYOR GOODMAN that Item 111, [Z-53-99] was a public hearing, but was held in abeyance. DEPUTY CITY ATTORNEY STEVE GEORGE clarified that it is not required to open the public hearing on abeyance items. MR. McGOWAN commented that both the proposed disclosure ordinance and parking meter ordinance are fundamentally flawed and defective. He added that the Real Estate Committee meeting of 10/18/99 was unlawful and all actions taken at that meeting were unlawful. He requested the removal from public office of COUNCILMAN REESE and COUNCILWOMAN McDONALD, as well as the termination of the Office of the City Attorney, because they are incapable of differentiating between a majority, a quorum and an open public meeting. There is nothing in the NRS, City Charter, the Ethics Code, by-laws or City Ordinances that allows a meeting to be conducted with a non-majority, non-quorum or non-meeting of the City Council and other committees. The appropriate complaints will be filed with the Attorney General's Office.

COUNCILMAN REESE clarified there are two members on the Real Estate Committee. At the 10/18/99 Real Estate Committee meeting, DEPUTY CITY ATTORNEY TERRI PONTICELLO was present and informed him that one member constitutes a quorum. DEPUTY CITY ATTORNEY STEVE GEORGE verified with COUNCILMAN REESE that the City Attorney's Office has consistently interpreted that as accurate and based on that interpretation a quorum was present at that meeting. Therefore it was a legal meeting.

(3:06 - 3:08)

4-1070

MEETING ADJOURNED AT 3:10 P.M.

City of Las Vegas

AGENDA SUMMARY PAGE CITY COUNCIL MEETING OF: OCTOBER 20, 1999

NOTES AND DIRECTIVES:

COUNCILMAN BROWN directed staff to find out whether Environmental Technologies is a subsidiary of Republic Silver State, because since he is still awaiting a response from the Ethics Commission regarding some potential conflicts, he has previously abstained on matters involving Silver State (See Item No. 49)

(9:40 - 9:41/10:17 - 10:20)

1 - 905/1-2400

COUNCILMAN BROWN and MAYOR GOODMAN directed staff to schedule an agenda item to advise the Council regarding a clear definition for the terms *committed* and *convicted*. CITY MANAGER VALENTINE indicated that the matter would be scheduled for discussion by the City Council. (See Item No. 59)

(9:48 - 9:53)

1-1190

COUNCILMAN RESE directed that an in-depth study be conducted so that an ordinance can be introduced to allow the terms of the Planning Commission members to run concurrent with the term of office of the Councilman that makes the recommendation. (See Item No. 75)

(10:31 - 1:32)

1-3049

COUNCILMAN BROWN directed that the City Manager's Office put together a briefing on whether there is a mechanism in place to earmark excess funds that become available towards the park priority list that was recently approved, because he would like a pro-active policy implemented so that no Ward is left out of the planning process. CITY MANAGER VALENTINE indicated that excess funds can be earmarked through an amendment to the Parks Capital Improvement Program. (See Item No. 83)

COUNCILWOMAN McDONALD felt very strongly that any excessive funds be earmarked for the residents that will be impacted by the US95 widening project, especially since the neighborhood was not considered under the \$25 million Park Bond Issue. COUNCILMEN REESE and McDONALD concurred. (See Item No. 83)

(10:36 - 10:45)

1-3365/2-1

MAYOR GOODMAN asked DEPUTY CITY ATTORNEY STEVE GEORGE to research creating a City ordinance requiring video taping of what representations are made at a closing on property where people are paying for a home. That is the only way to find out what the

City of Las Vegas

NOTES AND DIRECTIVES:

developers are telling the buyers, and if in fact there is a misrepresentation, then they would have some recourse.

COUNCILMAN BROWN directed staff to obtain records from the County regarding the Gilbert property approval to see whether there were restrictions placed on that approval. The Council and legal staff can then review it to see if the City is bound by some of those commitments made at the County level when the development comes through the City.

(1:20 - 1:58)

3-359

COUNCILMAN McDONALD directed staff to bring back in two weeks a written report of all construction on the property and any permits issued for this property. Prior to the next Council meeting, staff shall brief the Mayor and Council regarding this report. [Item 99 - V-69-99]

(2:06 - 2:20)

3-2045

MAYOR PRO TEM McDONALD directed that a meeting be scheduled with himself, City's Planning staff, COMMISSIONER MALONE and MR. BARTON to see if a master plan for parking can be implemented for the next few years, specifically addressing the County's need for a parking structure. MR. BARTON concurred as to the requested meeting. [Item 100 - V-78-99]

(2:20 - 2:31)

3-2711