

City of Las Vegas

Agenda Item No.: 73

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: FINANCE & BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Discussion and possible action regarding a new Escort Bureau License, Bleu Limited, dba Bleu, 652 Peachy Canyon Circle, Unit 103, Jeffrey G. Schoor, Mmbr, 50%, Cynthia L. Steinman, Mmbr, 50% - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Escort Bureau License

RECOMMENDATION:

Recommend approval subject to a six month review and the applicant to report any citations or arrests of any employees to Business Services within 48 hours.

BACKUP DOCUMENTATION:

None

MOTION:

M. McDONALD – Motion to bring forward and **STRIKE** Item 34, Item 71, and Item 73, - **UNANIMOUS**

MINUTES:

MAYOR GOODMAN announced that Item 71 of the Discussion Agenda was stricken, as it was replaced with Item 71A.

There was no related discussion.

(9:43)

1-914

City of Las Vegas

Agenda Item No.: 74

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: FINANCE & BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Supper Club Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: HNRG Nevada I, (a Nevada Corporation), dba Nevada Nick's, Nicholas S. Nickolas, Dir, Pres, Treas, 33%, Steven E. Karpf, Dir, EVP, Secy, 33%, Gerald J. Harman, Dir, 34%, To: Gustav International Chartered, dba, OXO Steak and Seafood Eatery, 221 North Rampart Blvd., Suite 7140, Gustav E. Mauler, Dir, Pres, and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas, and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Supper Club Liquor License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Agenda Memo

Letter from Scott A. Eaton

MOTION:

L.B. McDONALD – APPROVED as recommended - UNANIMOUS

MINUTES:

JIM DiFIORE, Manager, Finance and Business Services, stated that the applicant meets all the requirements for consideration for a temporary approval.

GUSTAV MAULER thanked the Council and stated that the restaurant will open in three weeks. COUNCILWOMAN McDONALD added that she is looking forward to having another wonderful food delight in Ward 2.

*City of Las Vegas***Agenda Item No.: 74****CITY COUNCIL MEETING OF AUGUST 16, 2000****Finance & Business Services****Item 74 – Temporary Approval of a Change of Ownership and Business Name for a Supper Club, dba Nevada Nick's****MINUTES – Continued:**

There was no further discussion.

(12:03 – 12:04)

2-3079

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: AUGUST 16, 2000****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Supper Club Liquor License, Gustav International Chartered, dba OXO Steak and Seafood Eatery**

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

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

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

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

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

The attached letter dated July 18, 2000 from Scott A. Eaton, counsel for the applicant, outlines the request for temporary license.

The applicants submitted all of the required documentation and paid all applicable fees for investigation on July 19, 2000. These principals have been investigated and found suitable to hold liquor licenses at Gustav Mauler Gourmet Tobacconist, 221 North Rampart Boulevard, Suite 7126 and Spiedini Ristorante, 221 North Rampart Boulevard, Suite 7136, on October 6, 1999. The Las Vegas Metropolitan Police Department, Special Investigations Section, to this point in their investigation, have produced no negative information that would preclude these applicants from being approved for a temporary liquor license pending completion of the suitability investigation.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

July 18, 2000

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

JEFFREY P. ZUCKER
PAUL W. REZMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLOMON
ROONEY M. JEAN
HARVEY WHITEMORE
TODD TOUTON
DAVID WHITEMORE
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN

ANTHONY N. CABOT
KIRBY J. SMITH
COLLEEN A. OOLAN
JENNIFER A. SMITH
JOHN R. BAILEY
GARY W. OUHON
LAUREL E. DAVIS
DAN R. REASER
CARL O. SAVELY
LAYNE J. BUTT
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
CHRISTOPHER R. HOOPER
SUVINDER S. AHLUWALIA
P. GREGORY GIORDANO
MARK A. MCINTIRE
STEPHEN R. HACKETT
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID

JEFFREY O. MENICUCCI
MADELENE C. AMENDOLA
ROBERT P. SPRETNAK
ETTA L. WALKER
KEVIN O. OOTY
DAN C. MCGUIRE
LESLIE BRYAN HART
DAVID J. MERRILL
CRAIG E. ETEM
TODD E. KENNEDY
DEIDRE J. CALL
LAURA J. THALACKER
APRIL G. FRIEDMAN
ELIZABETH BRICKFIELD
SHAWN M. ELICEGUI
KENNETH R. MYERS
HECTOR J. CARBAJAL II
EMILIA K. CARGILL

JANET SUE BESSEMER
G. LANCE COBURN
SCOTT A. EATON
JOSHUA M. OICKEY
CHRISTOPHER STRONGOSKY
SHAWN A. MANGANO
DEAN A. ZERBE
JOANNA L. BLAKE
LISA S. MATHIS
MATTHEW E. WATSON
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. KLEIBER
JEFFREY S. NEEMAN
ELIZABETH R. BRENNAN
STEPHEN M. SANVILLE

OF COUNSEL

ROBERT M. BUCKALEW
BRIAN MCKAY
ELLEN WHITEMORE
BRIAN HARRIS

*ADMITTED IN CALIFORNIA ONLY
*ADMITTED IN WISCONSIN ONLY
*ADMITTED IN LOUISIANA ONLY

WRITER'S DIRECT DIAL NUMBER:

702 383 8856

Via Hand Delivery

Eddie Raines
Senior License Officer
City of Las Vegas, Business Service Division
400 E. Stewart Ave., Third Floor
Las Vegas, NV 89101

Re: Gustav International Chartered, dba OXO Steak and Seafood Eatery - Transmittal of Business License Application and Request for Consideration of Temporary Licensure

Dear Mr. Raines:

Enclosed for filing with your office is the liquor and business license application of Gustav International Chartered, dba OXO Steak and Seafood Eatery. More specifically, the following documents are enclosed:

1. Nevada Business Registration
2. Certificate of Business Fictitious Firm Name
3. Clark County Health District Permit Applications
4. Department of Taxation Clearance Letter
5. Floor Plan
6. Annual List of Officers and Directors as Filed with the Nevada Secretary of State
7. Corporate Charter
8. Articles of Incorporation
9. Bylaws
10. Minutes
11. Stock Certificates

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Eddie Raines
July 18, 2000
Page 2

12. Lease, as Amended (new area is being added to existing lease for separate business)
13. Asset Purchase Agreement (assets from former lessee of new area)
14. Balance Sheet
15. Bank Statements
16. Extension of Time for First Federal Income Tax Return
17. Personal Suitability Application of Gustav Mauler, including:
 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Passport
 - d. Resident Alien Card
 - e. Personal History Questionnaire
 - f. Personal Financial Questionnaire
18. Personal Suitability Application of Denise Mauler, including:
 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Personal History Questionnaire
 - d. Personal Financial Questionnaire
19. Support Documentation for Gustav and Denise Mauler's Applications, including:
 - a. Brokerage Account Statement
 - b. 1996 Income Tax Return
 - c. 1997 Income Tax Return
 - d. 1998 Income Tax Return (Extension has been filed for 1999)
20. Personal Suitability Application of Paul Steelman, including:
 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Personal History Questionnaire
 - d. Personal Financial Questionnaire
21. Personal Suitability Application of Maryann Steelman, including:
 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Personal History Questionnaire
 - d. Personal Financial Questionnaire
22. Support Documentation for Paul and Maryann Steelman's Applications, including:
 - a. Statement of Financial Condition by Accountant
 - b. 1996 Income Tax Return
 - c. 1997 Income Tax Return
 - d. 1998 Income Tax Return (Extension has been filed for 1999)

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Eddie Raines
July 18, 2000
Page 2

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20. Personal Suitability Application of Paul Steelman, including:
 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Personal History Questionnaire
 - d. Personal Financial Questionnaire
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 - a. Two (2) Authorization to Release Information
 - b. Birth Certificate
 - c. Personal History Questionnaire
 - d. Personal Financial Questionnaire
22. Support Documentation for Paul and Maryann Steelman's Applications, including:
 - a. Statement of Financial Condition by Accountant
 - b. 1996 Income Tax Return
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LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Eddie Raines

July 18, 2000

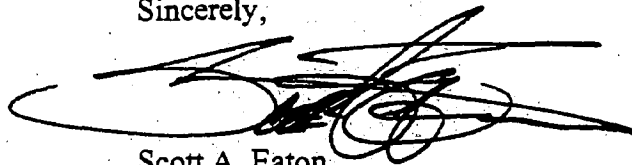
Page 3

23. My client's check #1010 payable to the City of Las Vegas for the \$30 processing fee on the liquor license. The liquor license of the former occupant in the leased area was purchased pursuant to the asset purchase agreement included with this application.
24. My client's check #1011 payable to the Las Vegas Metropolitan Police Department for the \$200 entity investigation fee. The principals were investigated by the Las Vegas Metropolitan Police Department less than one year ago in connection with another restaurant outlet.

As you may recall, the entity that will own OXO Steak and Seafood Eatery and the principals behind that entity were all investigated and licensed last year for their Spiedini Ristorante. Since they are taking over the former Nevada Nick's leased area at the Regent Las Vegas, the applicants believe they will be ready to open for business by the first week in September. Therefore, the applicants are also requesting consideration for a temporary license in order to allow the opening of the restaurant on this short time frame. It is our understanding that this request will need to be heard by the Las Vegas City Council at their August 16 meeting in order to maintain this planned opening schedule. Please advise if there is anything we may do to facilitate this request.

We trust the enclosed documents are satisfactory for your purposes at this time. Please advise if there are any questions or need for additional information. Thank you for your cooperation and assistance with this matter.

Sincerely,



Scott A. Eaton

SAE/rck

Enclosures

cc: Caroline Navarro (w/ enclosures)
Gustav Mauler (w/o enclosures)
Denise Mauler (w/o enclosures)
Paul Steelman (w/o enclosures)
Maryann Steelman (w/o enclosures)

City of Las Vegas

Agenda Item No.: 75

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a new Tavern Liquor License and new Nonrestricted Gaming License subject to the provisions of the planning and fire codes and Health Dept. regulations and final Nevada Gaming Commission approval on August 24, 2000, Coast Hotels and Casinos, Inc., dba The Suncoast Hotel and Casino, 9090 Alta Drive, Michael J. Gaughan, COB, CEO, Harlan D. Braaten, Dir, Pres, COO, J. Tito Tiberti, Dir, Secy, Jerry Herbst, Dir, Treas, Frank Toti, Dir, VP, F. Michael Corrigan, Dir - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Tavern Liquor License and new Nonrestricted Gaming License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations and final Nevada Gaming Commission approval on August 24, 2000

BACKUP DOCUMENTATION:

Agenda Memo

Letter from Gage Parrish

MOTION:

L.B. McDONALD – APPROVED as recommended pending Nevada Gaming Commission approval on 8/24/00 – UNANIMOUS with M. McDONALD not voting

MINUTES:

JIM DiFIORE, Manager, Finance and Business Services, stated that given the fact that Suncoast's grand opening is scheduled for September 1, 2000 and the next City Council meeting is not until September 6, 2000, he recommended approval. ATTORNEY BARRY LIEBERMAN, General Counsel for Coast Hotels and Casinos Inc., and DAVID ROSS, General Manager of the Suncoast, were present. CITY ATTORNEY BRAD JERBIC asked that the motion include a direction to the Director of Finance and Business Services that the license is not issued until the Nevada Gaming Commission final ruling on August 24, 2000.

*City of Las Vegas***Agenda Item No.: 75**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Finance & Business Services

Item 75 – Tavern License and new Nonrestricted Gaming License – Coast Hotels and Casinos, Inc. dba as The Suncoast Hotel and Casino

MINUTES – Continued:

There was no further discussion.

(12:04 – 12:06)

1-3149

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: AUGUST 16, 2000****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Discussion and possible action regarding a new Tavern Liquor License & new Nonrestricted Gaming License subject to the provisions of planning & fire codes & Health Dept. regulations & final Nevada Gaming Commission approval on 8/24/00, Coast Hotels and Casinos, Inc., dba The Suncoast Hotel & Casino**

Coast Hotels and Casinos, Inc. is requesting City Council approval of this item prior to approval by the Nevada Gaming Commission on August 24, 2000. Attached is a letter from Gage Parrish, Vice President and CFO, outlining this request.

Mr. Jerbic's memorandum to the City Council dated May 18, 1993, concerning Palace Station, indicated that the City Council could approve a gaming application prior to state approval if the "... Council gives explicit instruction to the Director of the Department of Business Activity to not physically issue the licenses until following issuance of State licenses by the Gaming Control Board".

COAST HOTELS & CASINOS, INC.**BARBARY COAST • THE ORLEANS • GOLD COAST • SUNCOAST**

P.O. BOX 80690 LAS VEGAS, NEVADA 89180-0690

August 3, 2000

Mr. Eddie Raines
City of Las Vegas
Department of Finance and Business Services
Las Vegas, Nevada 89101

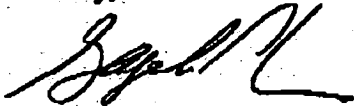
Dear Mr. Raines:

Coast Hotels and Casinos, Inc. hopes to open its newest property, the Suncoast, early in September 2000. We are on the Nevada Gaming Commission agenda for its meeting on August 24, 2000.

It is our understanding that there will be no City Council meeting between August 24, 2000 and the date that we hope to open. If we were required to wait until your meeting in September, we could not open on schedule and we would suffer significant financial harm. We respectfully request that our application for City of Las Vegas licensing be heard at the City Council meeting scheduled on August 16. We would request licensing that would be contingent upon final Gaming Commission approval at the August 24 meeting in Carson City.

Thank you for your courteous attention to this matter. If you have any further questions, please call me at 365-7002.

Sincerely,



Gage Parrish
Vice President and Chief Financial Officer

City of Las Vegas

Agenda Item No.: 76

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

PUBLIC HEARING - Public hearing, discussion and possible action to pre-qualify bidders pursuant to NRS 338.1375 through 338.1389 for the City of Las Vegas Stewart Garage Bid - Department of Public Works - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: Public Works**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On July 19, 2000, the City Council approved the adoption of Pre-Qualification criteria for the CLV Stewart Garage Bid. This hearing is intended to approve applicants recommended by Staff and address any applicants recommended for denial. NRS 338.1381-3 states that the "governing body shall issue a decision on the matter within 5 days after the hearing and notify the applicant, in writing of its decision within 5 days after it is issued." These NRS constraints eliminate the option of abeyance if this item is heard.

RECOMMENDATION:

That City Council conduct the Public Hearing and approve the "pre-qualified applicants" recommended by Staff. Only these "pre-qualified applicants", pursuant to the NRS references cited above, shall be allowed to submit bids for the Stewart Avenue Garage.

BACKUP DOCUMENTATION:

Recommended List of Qualified Bidders

Notification letters to applicants recommended for denial

MOTION:

WEEKLY – APPROVED as recommended and to reconsider Precision Construction, Inc. – UNANIMOUS with L.B. McDONALD abstaining due to her close business relationship with Korte-Bellew & Associates and M. McDONALD abstaining due to his close relationship with MR. QUINN and pending a decision by the Ethics Commission

NOTE: COUNCILWOMAN McDONALD disclosed for the record that she is the Chairperson for St. James The Apostle Catholic Church Building Committee and Korte-Bellew & Associates is the general contractor for the new church that is being built on Martin Luther King Boulevard

*City of Las Vegas***Agenda Item No.: 76**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Finance & Business Services

Item 76 – Pre-Qualify bidders pursuant to NRS 338.1375 through 338.1389 for the City of Las Vegas Stewart Garage Bid – Department of Public Works

MINUTES – Continued:

and Lake Mead Boulevard. Due to her close business relationship with Korte-Bellew & Associates, she will be abstaining from voting if they are awarded this contract. However, subsequently, DEPUTY CITY ATTORNEY BILL HENRY advised her to abstain on the matter.

NOTE: COUNCILMAN McDONALD disclosed that STEVEN QUINN, whom he has known since 1995, was his recommendation to the Planning Commission and that he would be abstaining on this matter, pending a decision from the Ethics Commission. DEPUTY CITY ATTORNEY BILL HENRY commented that since COUNCILMAN McDONALD has a close relationship with MR. QUINN, disclosure is sufficient. He does not believe that the law requires him to abstain based on that relationship. However, that test is both objective and subjective and he could abstain as a matter of right.

NOTE: COUNCILMEN BROWN and MACK disclosed that they served on the Planning Commission with MR. QUINN. ASSISTANT CITY ATTORNEY JOHN REDLEIN advised the Councilmen that the relationship to MR. QUINN is friendly and collegial and not the kind of business relationship with a deep personal relationship and that there is no need to disqualify.

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

MAYOR GOODMAN declared the Public Hearing open.

APPEARANCES:

MARK VINCENT, Director of Finance and Business Services

STEVE QUINN, Precision Construction, Inc., 2319 Western Avenue

LARRY JOHNS, Attorney, 517 S. Third Street, representing Precision Construction Inc.

BARBARA JO RONEMUS, City Clerk

BOB GILBERT, Director of Site Planning and Campus Construction for the Community College of Southern Nevada

JIM SALA, Nevada Carpenters Union

GAIL MAXWELL, Nevada Labor Commissioner Office

LAURIE ASHTON, Southern California/Nevada Regional Council of Carpenters

WILLIAM HENRY, Deputy City Attorney

JOHN REDLEIN, Assistant City Attorney

MAYOR GOODMAN declared the Public Hearing closed.

**Agenda Item No.: 76**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Finance & Business Services

Item 76 – Pre-Qualify bidders pursuant to NRS 338.1375 through 338.1389 for the City of Las Vegas Stewart Garage Bid – Department of Public Works

MINUTES – Continued:

NOTE: COUNCILMAN WEEKLY indicated that the public does not fully understand the pre-qualification process. He directed MR. VINCENT to schedule a workshop in the near future on the process of applying for Federal funding and what are the requirements that the City of Las Vegas looks for when requesting a bid. This might make it easier for the Council, as well as for the public, so as not to send messages that the City is playing favoritism to a specific contractor.

(12:06 – 12:52)

2-3271/3-1

Stewart Avenue Garage Pre-Qualification

Staff Recommends	General Contractor
	(listed alphabetically)
Qualify	Carson Construction
Qualify	Clark & Sullivan Constructors,
Qualify	Jaynes Corporation
Qualify	Korte-Bellew & Associates
Qualify	M & H Enterprises Inc
Disqualify	Precision Construction, Inc.
Disqualify	Richardson Construction Co
Qualify	Roche Constructors, Inc
Qualify	Sletten Construction of Nevada
Disqualify	Target General, Inc. (Previously Blanchard Construction)



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
TERENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

August 4, 2000

Mr. Joe Holcombe
Executive Vice President
Target General Inc.
Of Nevada
4058 Industrial Road
Las Vegas, NV 89103-4135

VIA FAX: 794-0573

Subject: Prequalification for the Stewart Garage Bid

Dear Mr. Holcombe,

Staff is recommending that your firm be considered for disqualification for this single public works project. Because we are still awaiting additional information from your firm, we are willing to reconsider our recommendation. However, if the recommendation for disqualification remains unchanged and you wish to appeal, you may attend the public hearing scheduled for August 16, 2000 at 9:00 a.m. in the City Council Chambers, plaza level, City Hall to appeal staff's recommendation.

Your firm is recommended for disqualification based upon the following reasons:

1. Concern about your large number of suits.
2. Seven valid complaints determined by the State Contractor's Board.
3. Concern about your low Dun & Bradstreet Paydex score.

If you have further questions regarding this matter, please feel free to telephone me at (702) 229-6231.

Sincerely,

Greg Herlean
Purchasing and Contracts Manager

cc: Robert Crutchfield
Nancy Ruth
Frank Trupiano

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us



August 4, 2000

Mr. Louis B. Richardson
President/CEO
Richardson Construction, Inc.
2207 West Gowan Rd.
North Las Vegas, NV 89032

VIA FAX: (702) 647-7340

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
VRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

Subject: Pre-Qualification, Stewart Avenue Garage

Dear Mr. Richardson,

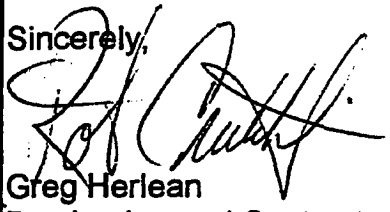
Staff is recommending that your firm be considered for disqualification for this single public works project. Because we are still awaiting additional information from your firm, we are willing to reconsider our recommendation. However, if the recommendation for disqualification remains unchanged and you wish to appeal, you may attend the public hearing scheduled for August 16, 2000 at 9:00 a.m. in the City Council Chambers, plaza level, City Hall to appeal staff's recommendation.

Your firm is recommended for disqualification based upon the following reasons:

1. Failure to meet application deadline.
2. Failure to fully disclose suits on application.
3. Failure to pay prevailing wages.
4. Four valid complaints determined by the State Contractor's Board.
5. Failure to perform numerous contracts on time.
6. Concern about your low Dun & Bradstreet Paydex score.

If you have further questions regarding this matter, please feel free to telephone me at (702) 229-6231.

Sincerely,


Greg Herlean
Purchasing and Contracts Manager

cc: Robert Crutchfield
Nancy Ruth
Frank Trupiano

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
RENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

August 4, 2000

Mr. Stephen P. Quinn
Precision Construction, Inc.
2319 Western Ave., Suite A
Las Vegas, NV 89102

VIA FAX: (702) 387-6792

Subject: Prequalification for the Stewart Garage Bid

Dear Mr. Quinn

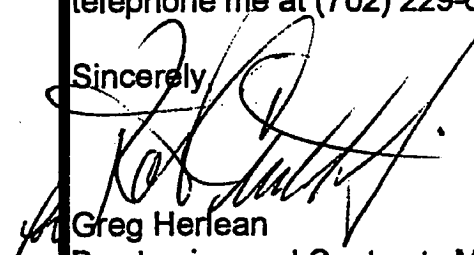
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Your firm is recommended for disqualification based upon the following reasons:

1. Failure to accommodate owner changes to project.
2. Concern about your bonding capacity.

If you have further questions regarding this matter, please feel free to telephone me at (702) 229-6231.

Sincerely,


Greg Herlean
Purchasing and Contracts Manager

cc: Robert Crutchfield
Nancy Ruth
Frank Trupiano

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

PFT MEETING NOTICE**PFT:153811**

ORIGINATED BY Bob Kemp *BL*

DATE OF MEETING Friday, April 9, 1999 **TIME** From: 1:30 p.m. To: 2:00 p.m.

PLACE Western High School Principal's Office

SUBJECT Fire Alarm and Smoke Detection System

PROJECT 0744 - Western High School Modernization

AGENDA:

- Required Training as per Section 16721-3.3
- Demonstration as per Section 16721-3.5

ATTENDEES:**CCSD**

- Mikell Dale, Contracts & Construction Management
- Jerry Smith, Maintenance
- Larry Williams, Assistant Principal

PFT

- Tom Mooney, Area Construction Manager
- Paul Baker, Area Construction Manager
- Walt Agostini, QA Inspector

OTHERS

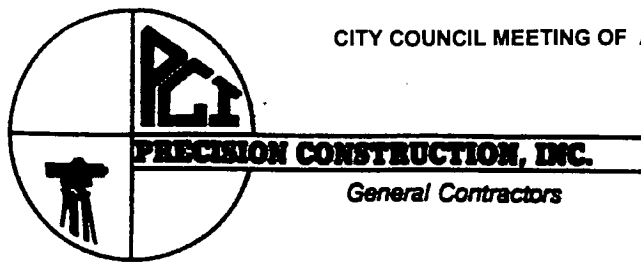
- Jim Fenich, Project Manager, Precision Construction, Inc.
- Mark Hill, Superintendent, Precision Construction, Inc.
- Jerry Vielma, Lucchesi-Galati Architects
- Randy Harris, Harris Engineers, Inc.

Copy: Attendees
Calendar
File-0744/01200

Date: March 25, 1999

C:\SCHOOLS\WESTERN\MEETINGS\notice\ALARMED.WPD

#76



April 9, 1999

Bob Kemp
Parsons-Fleming-Taylor
3075 E. Flamingo, Suite 120
Las Vegas, NV 89121

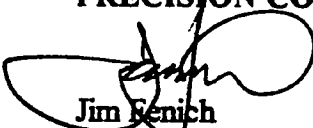
RE: WESTERN HS FIRE ALARM SYSTEM DEMONSTRATION

Dear Bob:

The fire alarm system demonstration was conducted this date. Please see the attached Meeting Attendance List for those in attendance. The requirements listed in 16721, 3.5, C.1,2,3,4 and D are being prepared by our subcontractor and will be submitted to you upon receipt by this office.

Thank you,

PRECISION CONSTRUCTION, INC.



Jim Fenich
Project Manager

cc: Steve Quinn, PCI
Mark Hill, PCI
Tom Ewing, GSL
Gene Raugust, Grinnell

PARSONS-FLEMING-TAYLOR

MEETING ATTENDANCE LIST

DATE: April 9, 1999 MEETING LOCATION: WHS Principal's Office
 SUBJECT: Fire Alarm and Smoke Detection System Meeting
 PROJECT: Western High School (0744)

NAME	COMPANY	ADDRESS	PHONE
MARK HILL	P.L.T.		387-2077
MARC GLOSS	Grinnell		739-1921
Robert Freyberger	GSL Electric		346-5313
John Hansen	Bldg. Eng.		755-4080271
John Stevenson	CCSD		799-5353
Larry Williams	Western H.S.		799-4080

I took old pull stations to CCSD Shop.
 John Stevenson

SECTION 16721**FIRE ALARM AND SMOKE DETECTION SYSTEMS****PART 1 GENERAL****1.1 SECTION INCLUDES**

- A. Fire alarm and smoke detection systems.

1.2 RELATED SECTIONS

- A. Section 16050 - Basic Electrical Materials & Methods.

- B. Section 16100 - Wiring Methods.

- C. SECTION CCS 15 - SPECIAL CONDITIONS

1.3 REFERENCES

- A. NFPA 72 - National Fire Alarm Code, 1996.

- B. NFPA 101 - Life Safety Code.

1.4 REGULATORY REQUIREMENTS

- A. Furnish products listed and classified by UL & FM as suitable for the purpose specified and indicated.

- B. Conform to requirements of NFPA 70 and NFPA 101.

1.5 SYSTEM DESCRIPTION

- A. Fire Alarm System: NFPA 72, addressable, manual and automatic local fire alarm system with connections to CCSD Central Station.

- B. Fire Alarm System: The fire alarm system is existing. The fire alarm system includes a Napco 6000 Series digital dialer and Simplex 4100 Series addressable fire alarm panel. The contractor shall visit the site and review the existing installation and shall include in the bid necessary modifications to the fire alarm system, including supplemental enclosures, power supplies, zone cards, modules, etc., required to provide a fully functional system.

1.6 QUALIFICATIONS

- A. Manufacturer: Company specializing in smoke detection and fire alarm systems with five years documented experience.

- B. Installer: Company specializing in smoke detection and fire alarm systems with five years documented experience, certified by State Fire Marshal as fire alarm installing contractor.

1.7 SUBMITTALS

- A. Submit shop drawings and product data under provisions of Division 1.

- B. Provide wiring diagrams, data sheets, and equipment ratings, layout, dimensions, and finishes.

- C. Submit manufacturer's installation instructions under provisions of Division 1.

- D. Submit manufacturer's certificate under provisions of Division 1 that system meets or exceeds specified requirements.
- E. Submission to Authorities Having Jurisdiction: In addition to routine submission of the above material, make an identical submission to the authorities having jurisdiction. Include copies of annotated Contract Drawings as needed to depict component locations to facilitate review. Upon receipt of comments from the authorities having jurisdiction, submit them for review. Resubmit if required to make clarifications or revisions to obtain approval.

1.8 PROJECT RECORD DRAWINGS

- A. Submit documents under the provisions of Division 1.
- B. Include location of any end-of-line devices.
- C. Provide one set of as-built system prints with device numbers annotated.

1.9 OPERATION AND MAINTENANCE DATA

- A. Submit data under provisions of Division 1.
- B. Include operating instructions, and maintenance and repair procedures.
- C. Include manufacturer representative's letter stating that system is operational.
- D. Provide systems maintenance programming, installation and operation manuals.
- E. Provide programming list and access codes to all programming levels.

1.10 DELIVERY, STORAGE, AND HANDLING

- A. Deliver products to site under provisions of Division 1.
- B. Store and protect products under provisions of Division 1.

1.11 EXTRA MATERIALS

- A. Provide spare parts under provisions of Division 1.
- B. Provide two keys of each type.

PART 2 PRODUCTS

2.1 FIRE ALARM AND SMOKE DETECTION CONTROL PANEL

- A. Control Panel: Existing addressable digital panel with modular construction in a surface-mounted enclosure.
- B. Power Supply: Adequate to serve control panel modules, remote detectors, relays, and alarm signaling devices. Include battery-operated emergency power supply with capacity for operating system in standby mode for 24 hours followed by alarm mode for 5 minutes. Batteries shall be sized to allow for 20 percent expansion capabilities.
- C. System Supervision: Components or power supply failure places system in trouble mode.
- D. Initiating Device Circuits: Supervised, addressable, zone module with alarm and trouble indication; occurrence of single ground or open condition places circuit in trouble mode but does not disable that circuit from initiating an alarm.

- E. Indicating Appliance Circuits: Supervised signal module, sufficient for signal devices connected to system; occurrence of single ground or open condition places circuit in trouble mode but does not disable that circuit from signaling an alarm.
- F. Remote Station Signal Transmitter: Electrically supervised digital alarm communicator transmitter, capable of transmitting alarm and trouble signals over telephone lines to central station receiver. Connect to school security system. Provide second transmitter for flow and tamper switch connected to central station.
- G. Auxiliary Relays: Provide sufficient SPDT auxiliary relay contacts for each detection zone to provide accessory functions specified.
- H. Provide TROUBLE ACKNOWLEDGE, DRILL, and ALARM SILENCE switch.
- I. Trouble Sequence of Operation: System or circuit trouble places system in trouble mode, which causes the following system operations:
 1. Visual and audible trouble alarm indicated at fire alarm control panel.
 2. Visual and audible trouble alarm indicated at remote annunciator panel.
 3. Trouble signal transmitted to remote station.
 4. Manual acknowledge function at fire alarm control panel silences audible trouble alarm; visual alarm is displaced until initiating failure or circuit trouble is cleared.
- J. Alarm Sequence of Operation: Actuation of initiating device places circuit in alarm mode which causes the following system operations:
 1. Sound and display local fire alarm signaling devices with signal. Output will be temporal code - per NFPA 72.
 2. Transmit zone coded signal to remote station equipment and/or central station if water flow.
 3. Indicate location of alarm zone on fire alarm control panel and on remote annunciator panel.
- K. Alarm Reset: System remains in alarm mode until manually reset with key-accessible reset function; system resets only if initiating circuits are out of alarm mode.
- L. Lamp Test: Manual lamp test function causes alarm indication at each zone at fire alarm control panel and at annunciator panel.
- M. Drill Sequence of Operation: Manual drill function causes alarm mode operation as described above.
- N. Zoning: As indicated.

2.3 INITIATING DEVICES

- A. Manual Station: Semi-Flush mounted, addressable, tamper resistant reset key lock, single action manual station key operated only. Provide manufacturer's standard backbox. Pull stations must have a UL Listed Institutional Cover.

Spot Heat Detector: Addressable, Fixed temperature, rated 135 degrees F. UNO otherwise.
OR RATE OF RISE TEMP. THAT EXCEEDS 15° F PER MINUTE UNLESS NOTED OTHERWISE.

Ceiling Mounted Smoke Detector: Addressable, ionization type with adjustable sensitivity, plug-in base, auxiliary relay contact, and visual indication of detector actuation, suitable for mounting on 4 inch (102 mm) outlet box. Provide four-wire detector with separate power supply and signal circuits.

- D. Duct Mounted Smoke Detector: Addressable, photoelectric type with auxiliary DT relay contact, remote mounted key-operated NORMAL-RESET-TEST switch, located at ceiling and accessible from floor, duct sampling tubes extending width of duct, and visual indication of detector actuation, in duct-mounted housing.

AD-2
B.
SP-6
C.

- AD *mounting with run from my kitchen area, etc. plain of floor range, tamper switch etc.*
- E. Beam Detector: Equal to Professional Fire Alarm, catalog number SPA-24B.
 - F. Water Flow Switch: Simplex Mapnet II, catalog number 2190-9172.
 - G. Valve Tamper Switch: Simplex Mapnet II, catalog number 2190-9172.
 - H. NAC Power Extender: Extend capacity of an existing notification appliance circuit. Simplex 4009 series.

2.4 SIGNALING APPLIANCES

- AD *2* A. Alarm Lights: ADA approved, strobe lamp and flasher. *PROVIDE STROBES AS REQUIRED TO SATISFY LOCAL FIRE AUTH. & CODE REQUIREMENTS*
- B. Alarm Horn: Flush type fire alarm horn. Sound Rating: 87 dB at 10 feet (3m). Provide integral ADA approved strobe lamp and flasher. *PROVIDE AS NECESSARY TO SATISFY,*
- C. Remote Annunciator: Provide supervised remote annunciator including audible and visual indication of fire alarm by zone, and audible and visual indication of system trouble. Install in wall-mounted enclosure at reception.

2.5 FIRE ALARM WIRE AND CABLE

- A. Fire Alarm Power Branch circuits: Building wire as specified in Section 16123.
- B. Initiating Device and Indicating Appliance Circuits: Power limited fire-protective signaling cable copper conductor, 300 volts insulation rated 105 degrees C.

PART 3 EXECUTION

3.1 INSTALLATION

- A. Install system in accordance with manufacturer's instructions.
- B. Install manual station with operating handle 48 inches above floor. Install audible signal devices 80 inches above floor.
- AD *2* C. Use 16 AWG minimum size conductors for fire alarm detection and signal circuit conductors. Install wiring in conduit. *MINIMUM 3/4" CONDUIT UNLESS NOTED OTHERWISE*
- D. Mount end-of-line device at box with last device or separate box adjacent to last device in circuit.
- E. Mount outlet box for electric door holder to withstand 80 pounds (36.4 kg) pulling force.
- F. Make conduit and wiring connections to sprinkler flow switches, sprinkler valve tamper switches, fire suppression system control panels, and duct smoke detectors.
- G. Automatic Detector Installation: NFPA 72
- AD *2* H. All shields will be terminated in the Fire Control Panel only. *PROVIDE ADDRESSABLE MODULES @ EXISTING DUCT DETECTORS OR REPLACE TO CONFORM.*
- I. **3.2 FIELD QUALITY CONTROL** *J. GET APPROVAL PRIOR TO INSTALL*

- A. Field inspection and testing will be performed under provisions of Division 1.
- B. Test in accordance with NFPA 72 and local fire department requirements.

3.3 MANUFACTURER'S FIELD SERVICES

- A. Prepare and start systems under provisions of Division 1.
- B. Include services of certified technician to supervise installation, adjustments, final connections, and system testing.
- C. The manufacturer or manufacturer's representative will provide training on the installed system to at least two and not more than six Clark County School District fire alarm technicians. The training will include operation, installation, maintenance/troubleshooting, and programming to all levels of equipment as installed. Training will be conducted before the end of the fourth month after the School District occupies the facility. Upon completion of training, the attending school district personnel will be supplied the following:
 - 1. System maintenance, programming, installation and operation manual.
 - 2. Data sheets on all devices installed in the system.
 - 3. Programming list and access codes to all programming levels.
 - 4. One set of as-built system prints with device numbers annotated.

3.4 FIRE ALARM WIRE AND CABLE COLOR CODE

- A. Provide fire alarm circuit conductors with insulation color coded as follows, or using colored tape at each conductor termination and in each junction box.
- B. Power Branch circuit Conductors: Black, red, white.
- C. Initiating Device Circuit: Violet/Grey, Blue/Yellow.
- D. Detector Power Supply: Violet Brown.
- E. Signal Device Circuit: Red(positive), Black (negative).
- F. Data Cable: Red jacketed with Red/Black conductors and Integral Braided Shield.

3.5 DEMONSTRATION

- A. Provide systems demonstration under provisions of Division 1.
- B. Demonstrate normal and abnormal modes of operation, and required responses to each.
- C. Training: The manufacture or the manufacturer's representative will provide training, on the installed system to at least two and not more than five Clark county School District fire alarm technicians. The training will include operation, installation, maintenance/troubleshooting and programming to all levels of the system. The training will be conducted before the fourth month after the school district occupies the facility. Upon completion of the training the attending school district personal will be supplied with the following:
 - 1. System maintenance, programming, installation and operation manuals.
 - 2. System program, and system customizing software on diskette.
 - 3. Data sheets on all installed devices.
 - 4. One set of as built drawings and device numbers annotated and had copy of system program.
- D. Provide CCSD a copy of testing and system data per NFPA 72 1996 edition and the AHJ's final fire inspection.

END OF SECTION

ORDER

LARRY C. JOHNS, ESQ.
 Nevada Bar No. 1895
 517 South Third Street
 Las Vegas, Nevada 89101
 (702) 382-3946
 Attorney for Plaintiff

FILED

MAY 9 9 21 AM '00

Shirley E. Rungius
 CLERK

DISTRICT COURT**CLARK COUNTY, NEVADA**

PRECISION CONSTRUCTION, INC.,)
 a Nevada corporation,)
 Plaintiff,)

Case No.: A415432
 Dept. No.: I

vs.)

CLARK COUNTY SCHOOL DISTRICT,)
 a subdivision of the Nevada)
 Department of Education,)

Defendant.)

Hearing Date: 5-9-00
 Hearing Time: 9:00 AM

STIPULATION AND ORDER

WHEREAS PRECISION CONSTRUCTION, INC. filed a Motion for Preliminary Injunction seeking an order allowing Precision to submit bids on (i) the Chaparral HS Project # 0734C, the Winterhemier-Staton ES Project # 1460, (iii) Cashman MS Project 0715, (iv) Guinn MS Project #0720, and (v) Woodbury MS Project # 0729; and

WHEREAS the Chaparral and Winterheimer-Staton Projects have been awarded by Clark County School District thereby rendering injunctive relief in favor of Precision moot; and

WHEREAS the Cashman, Guinn, and Woodbury Projects have not been awarded and are subject to and will be rebid; and

#76

1 WHEREAS Clark County School District stipulates and that Precision is
2 qualified to submit a bid on those three projects and that the bases for the
3 prior disqualification of Precision no longer exist;

4 NOW THEREFORE IT IS STIPULATED AND AGREED that a Preliminary
5 Injunction may be entered in favor of Precision enjoining Clark County School
6 District from denying Precision the right to submit bids on the Cashman,
7 Guinn, and Woodbury projects.
8

9 Dated this 9th day of May, 2000.

10 LARRY C. JOHNS, P.C.

C. W. HOFFMAN, ESQ.

11
12 LARRY C. JOHNS, ESQ.
13 Nevada Bar No. 1895
14 517 South Third Street
15 Las Vegas, NV 89101
16 Attorney for Plaintiff Precision

C. W. HOFFMAN, ESQ.
Nevada Bar No. 5370
2832 E. Flamingo Rd'
Las Vegas, Nevada 89121
Attorney for CCSD

16 **ORDER GRANTING PRELIMINARY INJUNCTION**

17 BASED UPON THE FOREGOING STIPULATION AND GOOD CAUSE
18 APPEARING IT IS HEREBY ORDERED that an Injunction may be entered in favor of
19 Precision enjoining Clark County School District from denying Precision the right to submit
20 bids on the Cashman, Guinn, and Woodbury projects.
21

22 DATED this 9th day of May, 2000

23 **GENE T. PORTER**
24 DISTRICT JUDGE

25 Submitted by:

26 Larry C. Johns, Esq
27 Bar No. 1895
28 517 South Third Street
Las Vegas, Nevada 89101
Attorney for Plaintiff Precision

LARRY C. JOHNS

Attorney at Law
517 South Third Street
Las Vegas, Nevada 89101-6501
Phone: (702) 382-3946
Fax: (702) 387-5018

April 13, 2000

William C. Hoffman, Esq.
Donna Mendoza Mitchell, Esq.
Office of General Counsel
Clark County School District
2832 East Flamingo Road
Las Vegas, Nevada 89121

Via Fax: 799-5505

Re: Precision Construction v. CCSD (Injunctive Relief)
Case No.: A415432

Dear Counsel:

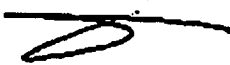
I have checked Blackstone and have confirmed that the continued date for the hearing on the Preliminary Injunction has been set for May 1, 2000, at 1:30 p.m. In the meantime, I thought it would be helpful to confirm the status of this matter.

As you know, our meeting was productive in that we were able to narrow issues, but more important resolved to conclude any misunderstandings as soon as possible. In that spirit let me briefly discuss those matters which remain unresolved as of this time:

- (i) At Brinley we are awaiting coordination for the HVAC demo, shipment of the belt guards, and approval from the fire marshall after reinstallation of a fire alarm mechanism
- (ii) At Western we have confirmed that Grinnell is qualified to provide the specified training and stands ready to do so.
- (iii) At Robison we are waiting confirmation as to whether the screens can be moved.
- (iv) At Orr, the pulleys are to be taken care of by Pahor so that the test and balance can be completed.

All in all, it appears there are no issues in dispute and that completion is imminent. Please be assured that PCI will cooperate fully to tie up any loose ends

Very truly yours,


Larry C. Johns, Esq.

LCJ/mp
cc: PCI

#76



April 15, 1999

Dave Pierce
Parsons-Fleming-Taylor
3075 E. Flamingo Rd., Suite 120
Las Vegas, NV 89121

RE: BRINLEY MS

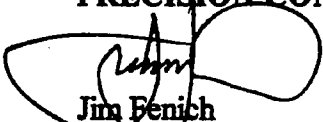
Dear Dave:

At our progress meeting on April 13, 1999 you gave me a copy of a memo from CCSD Environmental Services regarding the gypboard and carpet in Rooms 300A, 301 and 302. The carpet and gypboard were wetted during our carpet demolition. Environmental Services recommended that the gypboard be replaced. You directed us to remove and replace both gypboard and carpet. Further, you have refused to move these classrooms back from the portables until said removal and replacement was done.

In response to the above we commissioned Atlas Chemical Testing Laboratories to ascertain if the existing gypboard and/or carpet had been damaged or if mold and mildew were present. Attached is a report from Mr. Robert Summers, Atlas Chemical Testing Laboratories, indicating that there is no fungus present and the existing gypboard has not been damaged as a result of the wetting. Based on this report we will not be removing and replacing the gypboard or carpet. Please move these classrooms back from the portables immediately so that we can continue our rotation of classrooms for modernization.

Thank you,

PRECISION CONSTRUCTION, INC.


Jim Benich
Project Manager

cc: Steve Quinn
Steve Ferguson

Atlas Chemical Testing Laboratories

2120 Western Avenue, Suite C-6 • Las Vegas, Nevada 89102

(702) 383-1199 • Fax (702) 383-4983

CHEMICAL
PHYSICAL
FORENSIC

member of
AMERICAN SOCIETY FOR
TESTING MATERIALS

April 15, 1999

Mr. Stephen Quinn
Presicion Construction, Inc.
2319 Western Avenue, Suite A
Las Vegas, NV 89102

Re: Brinley Middle School
ACT LAB NO.: 8879

Gentlemen:

Pursuant to your request, I inspected three rooms, namely, 300A, 301 and 302 at the above captioned school. The purpose for the inspection was to determine if fungus is present on the base board areas of the carpet, and dry wall interface.

The inspection and testing took place on 4/15/99 and the incident which caused the initial concern occurred on 3/26/99. I tested the drywall for soundness and found no soft areas. Microscopic examination revealed no fungus to the drywall, carpeting and backing of the baseboard at numerous locations.

Respectfully submitted,
ATLAS CHEMICAL TESTING LABORATORIES



Robert L. Summers, B.Sc., DABFE, FACFE
Forensic Scientist
Board Certified Forensic Examiner
Diplomat, American Board of Forensic Examiners
Fellows, American College of Forensic Examiners

tyco

**Fire &
Security**

**Grimmell Fire
Protection**

Grimmell Fire Protection
A Division of Grimmell Corporation
5325 South Valley View, Suite 6
Las Vegas, NV 89118

Tel.: 702-738-1821
Fax: 702-738-6821
grimmelfire.com

April 12, 2000

Jim Fenich
Precision Construction, Inc
2319 Western Ave, Suite A
Las Vegas, Nevada 891027

Subject: Western HS - Fire Alarm System Training.

Dear Mr. Fenich,

In response to your request on the ability of Grimmell Fire Protection Systems Company to provide the instructional training in accordance with the specification 16721 3.5 DEMONSTRATION. Grimmell Fire Protection is a manufacturer's representative and can meet the requirements as outlined in the scope of work 16721 Par. 3.5 a,b,c &d.

Steve Lichtenaur the regional Sales Representative was contacted after we received your letter from the Clark County school district. I have forwarded a copy of the correspondence we received along with a copy of the specifications. He is going to review the information provided and respond to our office. Upon receipt of this letter it will be forwarded to you.

Grimmell Fire Protection Systems Company, G&G Systems and National Fire Protection have all installed FCI equipment in the Clark County Schools. we have given training under the specifications and have even given a training class at the school listed above. This training was coordinated through your office in conjunction with the Clark county school district. It is not Grimmell Fire Protection Systems Company responsibility to ensure the minimum of two Clark county school district Fire alarm technicians attend.

In reference to the FCI - UNIVERSITY. FCI has an end user training course that would teach the same items that Grimmell Fire Protection Systems Company would. The class is set up for end users that would like intense training on all facets of the FCI line of equipment offered. The 7100, 7200, 7200Micro and the FC-72 control panel and equipment. This class as referenced would require an FCI representative to sponsor the course with the end user in conjunction with the factory. Sponsorship would be the coordination and class scheduling request authorization for the end user to attend. This would not include transportation, lodging, meals and payment for the course. If the Clark County School district is interested in attending one of these classes Grimmell Fire Protection Systems Company will assist as described above.

If you have any questions pertaining to the information provided above please call my office anytime.

Thank you.


Michael S. Beecher
Service Sale

#76



April 20, 2000

Mr. Jim Fenich
Precision Construction
2319 Western Ave.
Las Vegas, NV 89102

Dear Mr. Fenich:

This is reply to your Fax of April 10, 2000.

- Grinnell is an authorized distributor for FCI products in Southern Nevada.
- ~~Grinnell has consistently sent their technical personnel to classes and training offered by FCI to maintain their proficiency in installing, maintaining and programming FCI equipment.~~
- Grinnell would be capable in providing the training required by section 3.5.C of the contract you provided to me.

The conversation, which I had with Mr. Dale of the school district, was initiated by him, ~~was of less than 5 minutes duration and took place while I was driving in Bay area traffic.~~ His query was one of additional educational opportunities on FCI equipment rather than a specific discussion relative to contract language.

I believe my remarks have been taken out of context to the question at hand.

~~By the way, the program which allowed end users (e.g. school districts) to attend classes conducted by FCI has, for the foreseeable future, been halted with no end user FCI schooling opportunities available at this time.~~

Please let me know if you have further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lichtenauer", written over a horizontal line.

Stephen Lichtenauer
Regional Manager

Cc: Mike Beecher



March 29, 2000

Mikell Dale
Contracts and Construction Management
Clark County School District
4828 Pearl Street
Las Vegas, NV 89121

RE: Western HS FIRE ALARM

Dear Mike:

I have been in contact with Grinnell Fire Protection regarding the two (2) items we discussed at Friday's meeting. Grinnell agreed to install wire cages on the beam detectors as soon as possible. A site visit by PCI revealed that the horn/strobes are already caged. Grinnell also agreed to provide the system program and customizing software and to train CCSD fire alarm technicians in the programming of the system. They indicated to me that they will be prepared to do this in about one week.

Please advise if April 5th is an acceptable date to provide the required training. I will need at least three days notice to schedule our subcontractor.

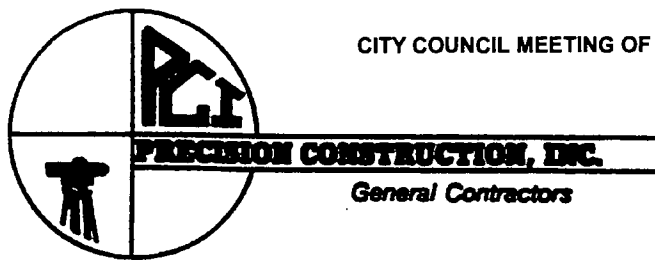
Sincerely,

PRECISION CONSTRUCTION, INC.



Jim Fenich
Project Manager

cc: Steve Quim, PCI
Mike Beecher, Grinnell



April 12, 2000

Rich Brewer
Equipment Repair
Clark County School District
4828 Pearl Street
Las Vegas, NV 89121

RE: Western HS FIRE ALARM TRAINING

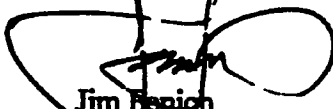
Dear Rich:

In response to Mr. Dale's letter dated April 5th regarding fire alarm system training please be advised that Grinnell Fire Protection is authorized and qualified to provide the specified training. I am attaching a copy of their letter reiterating their ability and qualifications to do so. Grinnell stands ready to provide you with the system program disk(s) and provide the necessary training as soon as you indicate that you are ready to receive it. Training must take place at the installed FACP since they do not have this same control panel in their shop.

I suggest that the optimum time to provide this training is during the upcoming Spring Break. Do you concur? Please advise ASAP.

Sincerely,

PRECISION CONSTRUCTION, INC.



Jim Fenion
Project Manager

cc: Steve Quinn, PCI
Mike Beecher, Grinnell
Larry Johns, Esq.
Bill Hoffman, Esq.
Fred Smith, CCSD
Mikell Dale, CCSD



April 21, 2000

Mikell Dale
Contracts and Construction Management
Clark County School District
4828 Pearl Street
Las Vegas, NV 89121

RE: Western HS FIRE ALARM

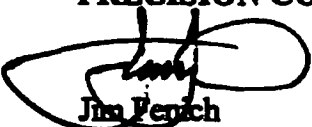
Dear Mr Dale:

Please see the attached correspondence from Steve Lichtenauer, Fire Control Instruments, regarding the qualifications of Grinnell Fire Protection to provide the fire alarm training required by Section 16721, 3.5.C. You may note that Mr. Lichtenauer's recollection of your conversation differs somewhat from yours. You will also note that FCI no longer offers factory training to end users.

As I stated to you in my letter dated 3/29/00 and again to Mr. Brewer in my letter dated April 12, 2000 Grinnell is qualified and authorized to provide the required training. They stand ready to do so. You are withholding an amount of \$11,950 for the fire alarm program, training and protective cages on the beam detectors. Beam detector cages have been installed. Grinnell is prepared to provide the training and program. What are we waiting for now?

Sincerely,

PRECISION CONSTRUCTION, INC.



Jim Fenich

Project Manager

cc: Steve Quimm, PCI
Mike Beecher, Grinnell
Fred Smith, CCSD
Larry Johns, Esq.
Bill Hoffman, Esq.

☐ PERMIT NUMBER	73-004303	INSPECTION NUMBER	23 JUNE 1999
--	-----------	-------------------	--------------

JOB ADDRESS	4601 W BONANZA RD		
-------------	-------------------	--	--

BLOCK NO.	0	SUBDIVISION NAME	NO RECORDED SUB
-----------	---	------------------	-----------------

FIRE DEPT. MAP NO.	2322	JOB PHONE	353-2707	CALL-IN DATE	05/04/99	CALL-IN TIME	13:35	SCHEDULE DATE	
--------------------	------	-----------	----------	--------------	----------	--------------	-------	---------------	--

INSPECTOR NO.	607	INSPECTOR NAME	Norman Peterson
---------------	-----	----------------	-----------------

INSPECTION REQUESTED	FIRE ALARM (99)
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Conducted inspection of fire alarm system. Verified Beam Smoke detectors in Gym (MAIN) OK.

Verified punch list items and tested (A/C). Completed Fire alarm panel changes requested on punch list. Provide NFPA 72 form, test forms, letter of completion.

Note: This is final inspection of required plans installation by Grinnell. As he has requested for changes. Institutional Pull stations change has been approved to be change by another Alarm company. 30 day Temp approval, State Fire Marshall & LVFD requires breezeways to be sprinkler protected, so final will be issued when Flow & tamper on new riser and installation is complete.

☐ PARTIAL INSPECTION	☐ PARTIAL APPROVAL (P)	☐ PARTIAL DESCRIPTION	☒ TEMPORARY - UNTIL APPROVAL (T) 30 day Temp	☐ HOLD (H)
☐ APPROVED (A)	☐ STOP WORK (S)	☐ COMMENTS (C)	☐ PERMIT REQUIRED	
☐ REJECTED (R)				
☐ REFER (F)				

INSPECTOR SIGNATURE	INSPECTION DATE
---------------------	-----------------

BRING HARD CARD WITH FIRE, QUALITY CONTROL & PLANNING APPROVALS SIGNED OFF TO BLDG & SAFETY FOR C. of O. ISSUANCE (Commercial Only)

INSPECTION TYPES

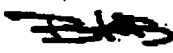
- | | | |
|--|---|---|
| ☐ 501 UNDER/ABOVE GROUND TANK | ☐ 509 FIRE ALARM SYSTEM | ☐ 517 LIQUID PETROLEUM GAS |
| ☐ 503 HOOD SYSTEM | ☐ 513 EXTINGUISHING SYSTEM | ☐ 519 SUPERVISION MONITORING |
| ☐ 505 UNDERGROUND FINAL/FLOW | ☐ 515 FIRE INVESTIGATION | ☐ 539 TEMPORARY FIRE |
| ☐ 507 SPRINKLER SYSTEM/OVERHEAD HYDRO | ☐ 516 MEDICAL GAS | ☐ 540 FINAL FIRE |
| | | ☐ 550 OTHER |



**DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY
OFFICE OF THE STATE FIRE MARSHAL**

**107 Jacobsen Way—Stewart Facility
Carson City, Nevada 89711
(775) 687-4290 • Fax (775) 687-5122**

MEMORANDUM

DATE: June 11, 1999
TO: Dennis Drewniak
Clark County School District
FROM: Bryan Berry 
Plans Examiner
SUBJECT: Western High School Corridors/Covered Walkways

Question: How should the covered walkways between buildings on the Western High School campus be classified and are the walkways required to have automatic sprinkler systems?

This office after inspection of the school and subsequent discussion has decided that the walkways should be classified as Pedestrian Walkways. Section 409 of the 1997 edition of the Uniform Building Code deals specifically with Pedestrian Walkways.

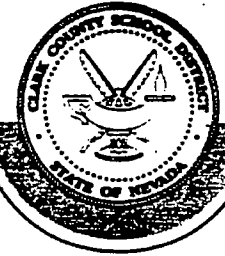
Section 409.5 states "The length of a pedestrian walkway shall not exceed 300 feet."
Exception 1 states "Pedestrian walkways that are fully sprinklered may be 400 feet in length."

It is our interpretation that many of the walkways on the Western High School campus exceed 300 feet, therefore, we have made the decision that the walkways shall be sprinklered per section 409.5

cc: Fred Smith, Clark county School district
Paul K. Wilkins, Las Vegas Building and Safety Department
Bill Young, Las Vegas Fire Department
Craig Defrizer, State Public Works Board
Tom Johnson, Office of the State Fire Marshal
File

CLARK COUNTY SCHOOL DISTRICT

2832 EAST FLAMINGO ROAD LAS VEGAS, NEVADA 89121 TELEPHONE (702) 799-5011



August 7, 2000

Fax and Via Certified Mail
70993220000483755165

BOARD OF SCHOOL TRUSTEES

Mrs. Ruth L. Johnson, President
Mrs. Mary Beth Scow, Vice President
Mr. Larry P. Mason, Clerk
Dr. Lois Tarkanian, Member
Ms. Susan C. Brager, Member
Mrs. Shirley Barber, Member
Mrs. Sheila R. Moulton, Member
Dr. Brian Cram, Superintendent

Jim Fenich
Precision Construction Company
2319 Western Avenue
Suite A
Las Vegas, Nevada 89102

Subject: First 7-Day Notice
Project: Western High School # 0304

Dear Jim Fenich,

You are hereby notified that this is your first 7-Day Notice in accordance with Article 2.4.1 of the Supplementary Conditions, Owners Right to Carry Out the Work. Precision Construction Incorporated must complete all required training for the Fire Alarm System for Western High School.

Failure to complete work may result in service of a 2nd 7-Day Notice in accordance with the contract.

Sincerely,

Frederick C. Smith
Contracts & Construction Management

FCS/dap

CC: Mikell Dale
David Pierce
Fidelity & Deposit Company of Maryland
P. O. Box 1227
Baltimore, Maryland 21203

#76

CLARK COUNTY SCHOOL DISTRICT



**FACILITIES DIVISION
CONSTRUCTION MANAGEMENT DEPARTMENT
REHAB AND MODERNIZATION**
August 15, 2000

**Via Fax and Certified Mail
70993220000483755219**

Jim Fenich
Precision Construction Company
2319 Western Avenue
Suite A
Las Vegas, Nevada 89102

Subject: Second 7-Day Notice
Project: Western High School # 0304

Dear Jim Fenich,

You have failed to complete all contract-required training for the new Fire Alarm System as detailed in the 7-Day Notice dated August 7, 2000 on the Western High School Modernization Project. Therefore, you are hereby notified that this is your Second 7-Day Notice in accordance with Article 2.4.1 of the Supplementary Conditions, Owners Right to Carry Out the Work.

Failure to commence training for the Fire Alarm System within 7 days after service of this notice may result in the Owner performing the work at your expense.

Sincerely,

[Signature]
for Frederick C. Smith
Contracts & Construction Management

FCS/dap

CC: Mikell Dale
David Pierce
Fidelity & Deposit Company of Maryland
P. O. Box 1227
Baltimore, Maryland 21203

BOARD OF SCHOOL TRUSTEES

Mrs. Mary Beth Scow, President
Ms. Susan C. Brager, Vice President
Mrs. Sheila R. Moulton, Clerk
Dr. Lois Tarkenton, Member
Mrs. Ruth L. Johnson, Member
Mr. Larry P. Mason, Member
Mrs. Shirley Barber, Member
Mr. Carlos Arturo Garcia, Superintendent

Post-it Fax Note	7671	Date	8-15-00	Pages	1
To		From	Mike Dale		
Company	Precision Const	Co	School Dist		
Phone #		Phone #	799-7695		
Fax #	382-6792	Fax #			



FAXED
8/15/00

August 15, 2000

Fred Smith
Construction Management Department
Clark County School District
4828 Pearl Street
Las Vegas, NV 89121

RE: Western HS 2nd 7 Day Notice, Fire Alarm Training

Dear Fred Smith:

We have been ready to provide the fire alarm system training since March. Letters were sent to Mr. Mikell Dale on March 29, 2000 and to Mr. Rich Brewer on April 12, 2000 and to Mikell Dale again on April 21, 2000 indicating that we are ready to provide said training and requesting that a date be established to do so. Your first 7 Day Notice dated August 7, 2000 has been the only response from CCSD. What more can we do?

We remain ready to provide the training required by the specifications. Please provide us with a date and time for this training to be performed.

Sincerely,

PRECISION CONSTRUCTION, INC.



Jim Benich
Project Manager

cc: Steve Quimm, PCI
Mike Beecher, Grinnell
Fred Smith, CCSD
Larry Johns, Esq.
Bill Hoffman, Esq.

**DELL H. ROBISON MIDDLE SCHOOL
825 MARION DRIVE
LAS VEGAS, NEVADA 89110**

October 14, 1999

**Mr. Jim Fenich, Project Manager
Precision Construction, Inc.
2319 Western Avenue, Suite A
Las Vegas, Nevada 89102**

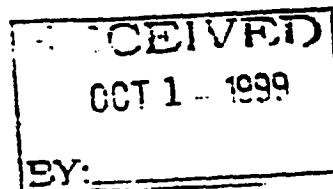
Dear Mr. Fenich:

With the near completion of remodernization at Robison Middle School, it looked like a good time to tell you how fortunate this school was to have your company as the contractor and a superintendent. such as the caliber of Mr. Rayborn Stokes. Many of my associates have talked to me about the problems of remoderization at their schools, but this was not the case at this school. The reason, I believe, was due largely to the efforts of Mr. Stokes. He demonstrated at every turn that he was organized and deliberate in his approach to his work. When we encountered problems, he was quick to offer solutions or alternatives. When we had questions, he took the time to make sure we had complete answers and that we understood. His work coordination with subcontractors appeared to be excellent and his ability to make them accountable for quality was demonstrated over and over again.

I would like to personally add that Mr. Stokes is a man of high integrity and character. Many thanks for having him lead your site team.

Sincerely,


**John R. Hummel
Principal**



#76



Brinley Middle School

2480 Maverick Street • Las Vegas, NV 89108
702 799-4550 • Fax 799-4549

Alan McNulty, Principal

Jeanne Donadio, Assistant Principal
Donna Portenstein, Dean of Students
Kimberly Headrick, Dean of Students

October 26, 1999

Dear Mr. Steve Quinn,

RE: JEFF ROZYCKI

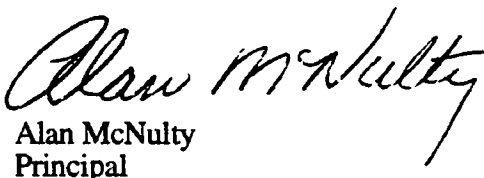
As the rehab/modernization project concludes, I am pleased to be able to write this letter to you to commend Jeff Rozycki for the manner in which he has conducted himself over the duration. I have always found him to be responsive to every request I made of him. He frequently resolved a concern either immediately or had the foresight to anticipate my question.

As closely as I could observe, without being intrusive to his daily routine, he supervised the subcontractors well and took decisive action when need be. Initially, there appeared to exist some discord between PFT, CCSD, and your company; however, he consistently rose above it and conducted his duties and responsibilities professionally. As a direct result, the project continued smoothly with no work stoppages or delays other than those that were out of his control.

Generally speaking, I have no lasting issues with the project. It is my opinion that any difficulties were a direct result of poor architectural plans and subsequent planning. Despite items beyond my control or his, Mr. Jeff Rozycki did a fine job rising above these roadblocks and managing the project.

I am quite convinced that given his work ethic, he will continue to do an exemplary job while he is in your employ or with any future employer.

Sincerely,


Alan McNulty
Principal

CLARK COUNTY LEGAL SERVICES PROGRAM, INC.

A NEVADA NON-PROFIT CORPORATION

Barbara E. Buckley, Esq.
Executive Director

Dan L. Walz, Esq.
Senior Attorney

Sara V. Winter, Esq.

Daniel D. Ebihara, Esq.

Robert C. Fleming, Esq.

Eric L. Beininger, Esq.
HOPWA Program

Terry R. Bratton
Administrator

LEGAL AID FOR CLARK COUNTY SINCE 1958

800 SOUTH EIGHTH STREET
LAS VEGAS, NEVADA 89101-7051
(702) 386-1070 ♦ 800-522-1070
TDD FOR THE HEARING IMPAIRED (702) 386-1059
FACSIMILE: (702) 366-0569
E-MAIL: CCLSLAW@WIZARD.COM

Serve Hitez, Esq.
Children's Attorney Project

Kelli M. Loftman, Esq.
Children's Attorney Project

Brenda L. Teng, Esq.
UNLV Boyd Law School Community
Service Program

Writer's:
Telephone Extension: 118

e-mail address:
tbratton@wizard.com

March 1, 2000

Stephen Quinn
PRECISION CONSTRUCTION, INC.
2319 Western Avenue, Suite A
Las Vegas, Nevada 89102

Re: 800 South Eighth Street Project

Dear Steve:

I want to thank you and all of your staff at *Precision Construction* for the excellent work involved in completing our new facility at 800 South Eighth Street. I am very pleased with all aspects of your work from the contract phase through our move in.

I appreciate your cooperation during the contracting of this project and bidding to sub-contractors. The additional time we spent reviewing the details proved to save time, money and complications. As promised from the start, your expertise in estimating cost and construction time was exact, keeping us exactly on budget and delivery of the premises on the promised date.

The total renovation of the building's interior created a few unusual situations, such as installation of the elevator, relocation of underground plumbing and electrical and development of ADA Access plans. However, your ability to effectively work with Lucchesi, Galati Architects and myself simplified the tedious process and kept the project on time.

The professionalism exhibited by your project foreman Ray Riley was second to none. Ray brought years of experience with him to this project which resulted in the highest quality of construction and site supervision. Ray is very knowledgeable, skilled in many trades, efficient and professional. Additionally, Ray was very forthcoming about potential delays and problems associated with construction yet managed to always find a cure for the problem. I was fortunate to be more involved in the construction control than most owners and forged a dynamic and close relationship with you and your entire staff that has transcended into a friendship.



It brings out the best in all of us.™

Stephen Quinn

PRECISION CONSTRUCTION, INC.

March 1, 2000

Page Two

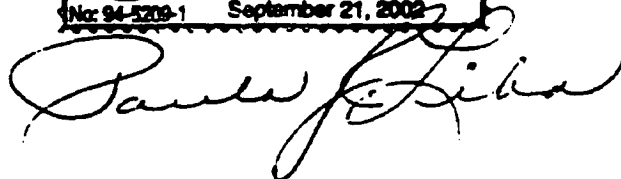
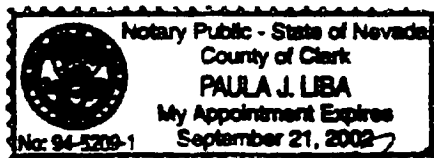
The detail work and assistance provided by Mark Hill illustrates the professionalism and quality of service offered by *Precision Construction*. Mark has been on time to every appointment he has scheduled and has accomplished repair/correction of every item indicated by the walk-through punch lists. Mark has ensured that each sub-contractor returns to the site to make their work acceptable. Mark has truly made us feel like we were not abandoned once we took possession. I speak for the staff of Clark County Legal Services, Nevada Legal Services and their respective Board Members when I say thank you for providing us with a first rate facility which we are proud to call home. Additionally, several clients have commented on the superior quality of the office.

Clark County Legal Services had a choice when we selected our contractor. I know we made the right choice with *Precision Construction*. I have no reservation about recommending *Precision Construction* to anyone and agree with your motto, "*When you build with Precision.....Quality is free!*" In the future, if the need should arise, we will again consider you for our construction needs.

Very truly yours,

Terry Bratton
Administrator

TRB/st

cc: Barbara Buckley
Wayne PresselSubscribed and sworn to before me this 1st day of March, 2000

It brings out the best in all of us.™

TATE SNYDER

February 14, 2000

George G. Tate, AIA Emeritus
William E. Snyder, AIA President
J. Windom Kimsey, AIA Vice President

Associates

Jonathan D. Rappel, AIA
Robert A. Lehmann, AIA
Mark W. Sticha, AIA
Michael S. Andersen, AIA

To Whom It May Concern:

Re: Precision Construction, Inc.
2319 Western Avenue, Suite B
Las Vegas, Nevada 89102

Steve Quinn, president of Precision Construction, Inc, requested this letter of recommendation.

I am pleased to provide a positive recommendation for Precision Construction to execute any technically difficult project. Their project management, supervision, scheduling, and quality of work executed on the Palo Verde High School High Tech Center project was excellent and very professional. Their actions aided rather than hindered us in the administration of the construction contract.

I look forward to working in the future with Precision on any project they may be awarded.

If you have any questions regarding Precision please feel free to contact me at 702-456-3000

Sincerely,



Michael L. Crowe, AIA



709 Valle Verde Court
Henderson, Nevada 89014
Tel 702 456 3000
Fax 702 898 6209



PUBLIC WORKS BOARD
505 E. King Street, Room 301
Carson City, Nevada 89701-3700
(775) 684-4141 • Fax (775) 684-4142

February 8, 2000

To Whom It May Concern:

Re: Precision Construction, Inc.
2319 Western Avenue, Suite B
Las Vegas, Nevada 89102

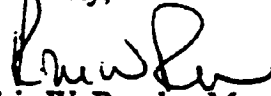
This letter of reference is written at the request of Mr. Steve Quinn, Precision Construction, Inc., Las Vegas.

I am very pleased to recommend Precision for any projects you may have. The State Public Works Board has had the pleasure of partnering with Precision on many construction projects. These include a 12 bed dual diagnostic unit, a gymnasium at Opportunity Village, the Grant Sawyer Building, and, most recently, a High Technology Center located on the Palo Verde High School Campus. These projects include Type 1 construction and have been done in a professional and impeccable manner. Precision has always been very fair to deal with and has been extremely timely in overall schedule.

I am always excited to see Precision on the bidder's list and would certainly welcome the chance to work with them on any future project(s). They receive my highest recommendation.

If you have any questions or need to talk to me directly, please call me at (775)684-4141.

Sincerely,

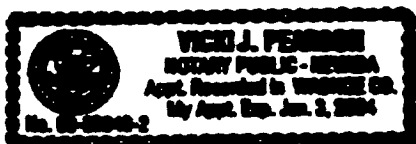

Eric W. Raecke, Manager
State Public Works Board

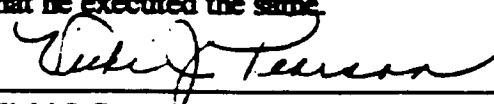
State of Nevada)
S.S.
County of Carson)

EWR/vp

cc: File

On this 8th day of February, 2000, before me personally appeared Eric W. Raecke, personally known to me, to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.




Vicki J. Pearson, Notary Public
My Commission Expires on January 3, 2004

February 15, 2000

Holmes Sabatini Associates Architects
Holmes Sabatini Way Henderson, NV 89014
702-436-1006 FAX (702) 436-1050
hsaa@vegasonet.net



To Whom it may Concern:

Re: Precision Construction, Inc.
2319 Western Ave., Suite B
Las Vegas, NV 89102

A Professional Corporation

This letter of reference is written at the request of Mr. Steve Quinn of Precision Construction, Inc., as referenced above.

It has been a pleasure to have had the opportunity to work with Mr. Quinn and his company on at two of our projects, the 4th Floor Tenant Improvements of the headquarters of Nevada Power Company and the remodeling of Cambridge Towers here in Las Vegas. The Nevada Tower project encompassed approximately 40,000 SF of interior tenant construction and was extremely difficult due to the fact that the existing building was occupied and operational throughout the period of construction. The construction cost of this work was \$2.4 Million. The Cambridge Towers project encompassed a new gated entry, ADA remodeling throughout, new landscaping and miscellaneous cosmetic changes throughout the existing tower. It was also complicated by the fact that tenants resided in the tower throughout the construction period, as well.

Throughout this work, Steve and his staff impressed us with their willingness to cooperate with the owners and for their sensitivity to the needs of the owners. The projects turned out very successfully and I know the owners would be happy to employ them once again should the need arise. Certainly we are happy to see Precision Construction on any of our bidders' lists. Their work has been timely and their product has been, without question, of the highest quality. Steve has been very helpful to us, as well, during bidding and pre-construction periods when he has actually performed "value engineering" on a voluntary basis. Many times our projects have benefited from his ability to foresee items and issues that might occur during the construction process, thereby giving us time to include modifications in the documents prior to bidding. All architects appreciate this dedication and commitment.

We would not hesitate to ask Steve and Precision Construction to bid and/or construct one of our projects. We know we would be dealing with a reputable, quality contractor. I wish I could say the same about many other contractors with whom we must also deal in the public construction arena.

Sincerely,


Jess Holmes, FAIA

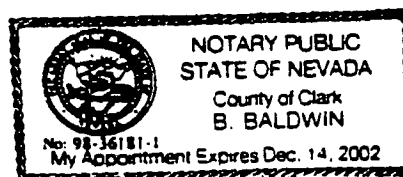
State of Nevada)

S.S.

County of Clark)

On this 15 day of February, 2000, before me personally appeared Jess Holmes, personally known to me, to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Notary PublicMy commission expires 12-14-02

February 11, 2000

To whom it may concern:

Re: Letter of recommendation for Precision Construction



1000 MILLER ROAD
SUITE 100
LAS VEGAS, NEVADA
89101
TEL: 702-261-1111
FAX: 702-261-0011
E-MAIL: info@lucchesi-galati.com
WWW.LGARCH.COM

It is my pleasure to write a letter of recommendation for Precision Construction. Lucchesi, Galati Architects has had the great fortune to work with Precision Construction on many projects for the past twelve years. Throughout the years, we have always thought of Precision as a contractor with the utmost professional integrity, and one who always brings a cooperative attitude to the job. In all the years we have worked together, they have always brought the projects in on time and within budget with a high degree of workmanship and quality.

I was particularly pleased with their performance on the modernization project successfully completed for Western High School, as it was a difficult and demanding job. Projects such as the Deluca Liquor and Wine project, a Type I facility in excess of 200,000 s.f., the renovation of a building for Clark County Legal Services, and several projects for the United States Postal Service are recent projects in which we were glad to work with Precision.

I am always happy when Precision picks up a set of our plans and even happier when they are awarded the project. Their attention and professionalism makes everyone on the team better and makes the job go that much smoother.

Sincerely;
LUCCHESI, GALATI ARCHITECTS, INC.

Craig S. Galati, AIA
Principal

State of Nevada
County of Clark

Signed or attested before me on FEB (date) 11, 2000 by
CRAIG GALATI (name(s) of person(s))

Dated FEBRUARY 11, 2000 E. SINGER



Notary Public - Nevada
Com. exp. Mar. 7, 2000
No. 98-3261

Signature of Notarial Officer

February 11, 2000

To Whom It May Concern:

Re: Precision Construction Inc.
2319 Western Avenue, Suite B
Las Vegas, Nevada 89102

As requested by Precision Construction I am providing this letter of reference in their behalf in respect to projects we have worked on together in the past as well as current and future projects.



I have been involved in several projects with Precision Construction over the past eleven years, and our relationship has been one of great respect and exceptional partnering. Some of these projects include a complete renovation to existing offices of Deluca Liquor & Wine, a new 300,000 sf Office/Warehouse currently under construction for Deluca Liquor & Wine, the 220,000 sf Grant Sawyer Building, Three repair and alteration projects for the United States Postal Service and most recently they have completed a remodel and expansion at Western High School and a 20,000 sf two story office building renovation for our firm. These projects include Type V and Type II construction and have been completed on time and within budget. Their workmanship and project management skills are exemplary. They are a builder that takes exceptional pride and compassion in their work.

Precision Construction has always been professional, fair and genuinely concerned with meeting the projects schedule and budget. I have enjoyed my experiences with Precision Construction and look forward to the opportunity to work with them on future projects.

If you have any questions, please call me at (702)263-7111.

Sincerely,
LUCCHESI GALATI ARCHITECTS, INC.

John A. Haddad
Associate

/jah



RONALD E. SINGER
Notary Public - Nevada
My appt. exp. Mar. 7, 2000
No. 96-3207-1

State of Nevada
County of Clark

Signed or attested before me on FEBRUARY (date) 14, 2000 by
JOHN HADDAD



Robert D. Goree
Senior Pastor

February 10, 2000

RE: Precision Construction, Inc.
2319 Western Avenue, Suite B
Las Vegas, NV 89102

To whom it may concern,

This is intended to be a positive letter of recommendation for Precision Construction, Inc. of Las Vegas.

Over the past three years I have worked with Steve Quinn and his company on a number of projects. Each and every time they have been professional, timely and conscientious. In the past we have had many problems with other contractors, but Precision Construction was like a breath of fresh air. They were honest, forthright and courteous.

The range of projects in which we have collaborated includes things as simple as hanging doors to the construction of an education wing. Most recently they completed a gymnasium for our organization. The quality of construction on this building was outstanding with some people calling it the little Thomas and Mack Center.

Without hesitation Precision Construction, Inc. will be the contractor on our next project. If you have any questions, I can be reached at 452-8400.

Sincerely,

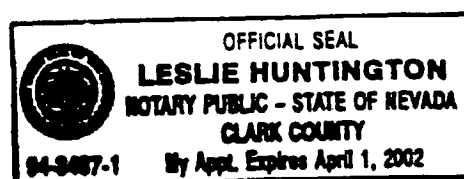
A handwritten signature in cursive script, appearing to read "Tom Van Kempen".

Pastor Tom Van Kempen,
Executive Pastor

STATE OF NEVADA
COUNTY OF CLARK

Signed before me on February 10, 2000

A handwritten signature in cursive script, appearing to read "Leslie Huntington".





**University and Community College System of Nevada
Board of Regents**

2601 Enterprise Road
Reno, Nevada 89512
(702) 784-4958
FAX: (702) 784-1127

February 16, 2000

Mark Alden
3910 Pecos-McLeod, Suite C-10
Las Vegas, Nevada 89121
(702) 454-4999
FAX: (702) 898-4845

To Whom It May Concern:

Re: Precision Construction, Inc.
2319 Western Avenue, Suite A
Las Vegas, Nevada 89102

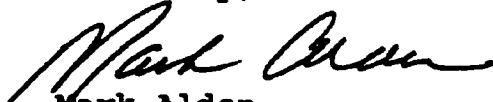
At the request of Mr. Steve Quinn, President of Precision Construction, Inc., I am delighted to provide a letter of reference.

I have personally known Mr. Steve Quinn for over fifteen [15] years. He exemplifies the highest qualities of ethics, moral turpitude and honesty. An oral promise from Steve Quinn is a solid bond that the contractual obligation will be completed.

Precision Construction was the general contractor for the High Technology Center at Palo Verde High School, Las Vegas, Nevada. Not only did the project cost come under budget but also on time. The technology center was a very difficult assignment due to the complexity and constraints of the project.

Please contact my office directly if any questions arise.

Sincerely,

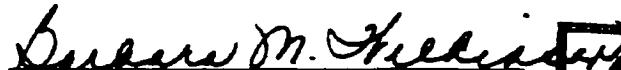

Mark Alden
Regent

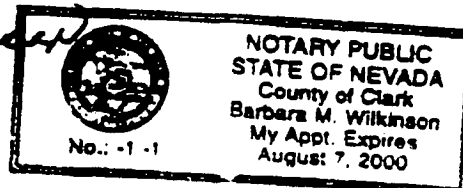
STATE OF NEVADA)

)

COUNTY OF CLARK)

Subscribed to and sworn before me this 16th day of February, 2000.


Notary Public





September 3, 1998

Steve Quinn
Precision Construction
2319 Western Avenue
Las Vegas, NV 89102

RE: **PALO VERDE HI TECH CENTER AT SUMMERLIN
PROJECT #97-C23**

Dear Steve:

In this business and environment it seems most comments and correspondence are of a negative nature. That is why it is such a pleasure to write a positive comment.

Steve Ferguson, your Superintendent on the Palo Verde Hi Tech Center at Summerlin, deserves such a comment. He has undoubtedly been one of the most experienced and knowledgeable superintendents I've had the pleasure of working with. His dedication to quality and schedule is outstanding as can be witnessed by viewing this project. Mr. Ferguson has been one of the motivating factors, allowing this project to finish on time.

Congratulations on a project well done and on a highly competent staff.

Very truly yours,

Community College of Southern Nevada


Bob Gilbert
New Construction Manager

BG:jb

**CITY COUNCIL MINUTES
MEETING OF
AUGUST 16, 2000**

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LAS VEGAS STEWART GARAGE BID**

MAYOR GOODMAN

Item 76. This is going to be a public hearing. A public hearing discussion and possible action to pre-qualify bidders pursuant to NRS 338.1375 through 338.1389 for the City of Las Vegas Stewart Garage Bid. This is, the recommendation is that the City Council conduct a public hearing and approve the pre-qualified applicants recommended by staff. Only these pre-qualified applicants, pursuant to the NRS references cited above, shall be allowed to submit bids for the Stewart Avenue Garage. This is a public hearing I now declare it open. Mr. Vincent.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

Thank you, Mayor. Thank you, Council. This pre-qualified list applies only to the Stewart Garage office complex. I want to make that clear. This is not pre-qualifying any applicants for any other projects other than this one.

On July 19th Council approved the pre-qualifying criteria. We went five years back, asked that applicants provide information five years back and the criteria we looked at was financial ability, principal personnel, prior breach of contracts, and any prior disqualifications. As you stated, Mayor, today's purpose is to have a public hearing and determine the list of qualified applicants. We had very good success with our pre-qualification, in terms of number of applicants. We had ten applicants that applied and we are, staff is recommending, I should mention that the evaluation team comprised of two members of Public Works and two members of Purchasing and Contracts that reviewed all ten applications.

And the firms that we are recommending qualifying for this particular project are Carson Construction, Clark and Sullivan Constructors, Jaynes Corporation, Korte-Bellew and Associates, M & H Enterprises, Roche Constructors, Sletten Construction of Nevada, and we did as a result of additional information that was provided by Target General, we also now are recommending that we qualify Target General, also.

MAYOR GOODMAN

Okay. So, you're changing that from the back-up that we have.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
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Correct.

MAYOR GOODMAN

All right.

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MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

And unless Council has any questions --

COUNCILMAN REESE

Could I ask -- because in my briefing, you alluded to they wasn't gonna be approved and I'd like to know why you changed. The information that they, they had provided answers to the questions of, the list of litigation. As we mentioned in the briefing, one of the concerns that we had or one of the -- issues that was raised, was that the list of litigation amounted to about a million dollars. And you're talking about a company that does \$160 million annually and that million dollars is over five years. So, over the five year period, it was less than a tenth of a percent. Of the 12, of the 16 cases, four related to a corporation, Blanchard Construction, that occurred prior to their acquisition, that they have since changed out management. The other 12, of the other 12 four, they've provided information relative to six of those that were either dismissed or were not actually law suits. I think staff is satisfied that those are not significant issues for us to disqualify them at this time.

MAYOR GOODMAN

Thank you. All right. Any other questions or comments.

COUNCILWOMAN McDONALD

Your Honor.

MAYOR GOODMAN

Yes, Councilwoman.

COUNCILWOMAN McDONALD

I just wanted to, I guess, disclose for the record that I Chair the Saint James Apostle Catholic Church building committee and Korte-Bellew is our general contractor for the new church that we're building in Councilman Weekly's Ward, Martin Luther King and Lake Mead. And so, I just wanted to state for the record that, you know, I'm involved in a business relationship with them and if they are the awardee of this contract, I will be abstaining on that vote in the future.

MAYOR GOODMAN

All right. Would anybody else like to speak on this? Mr. Ventura did you want to speak on this?

JOE VENTURA

No.

MAYOR GOODMAN

All right. Anybody else? Yes.

STEVE QUINN

Good morning Your Honor and Council members. Steven Quinn, Precision Construction.

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ATTORNEY LARRY JOHNS Attorney Larry Johns. I represent Precision Construction.

MAYOR GOODMAN Yes, gentlemen. I think basically the way the procedure works, and correct me if I'm wrong, Mr. Vincent, with the, if in fact these folks are designated as being disqualified, they have five days from the day of disqualification notification. Correct?

MARK VINCENT, DIRECTOR OF FINANCE AND BUSINESS SERVICES Correct.

MAYOR GOODMAN To then appeal to us, as a Council. Is that the way --

MARK VINCENT, DIRECTOR OF FINANCE AND BUSINESS SERVICES That is correct. We have five days to give them notice and then if --

MAYOR GOODMAN Okay. Right. So -- gentlemen, I don't know whether you want to make the presentation now. We're happy to hear you or whether you would want to make the presentation at a time after you're disqualified. That's -- your prerogative. But there's no sense doing it twice.

STEVE QUINN We'd rather do it now.

MAYOR GOODMAN Okay. Good. Please identify yourself, Mr. Johns.

ATTORNEY LARRY JOHNS Yes. Attorney Larry Johns. I represent Precision Construction. I'll -- lead off on this matter.

MAYOR GOODMAN Good.

ATTORNEY LARRY JOHNS My understanding, with regard to the disqualification of Precision Construction Company is that it came exclusively as a result of some communications between representatives of the City and representatives of the Clark County School District. And the suggestion was made that Clark County School District has had some -- problems with Precision Construction Company. I want to say on behalf of Precision that first of all there's absolutely no suggestion, and, I would want to be corrected if this is wrong, that Precision does not perform its contracts at the very highest level. This is an excellent company.

The -- area of dispute as, I understand it, much of it is oral and much of it is hearsay and much of it we have not been given a full opportunity to respond to. It has to do with a

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few, I would consider to be extremely minor disputes between the Clark County School District and Precision Construction. One of them related to a matter of an arbitration of a labor rate last fall, where we proceeded to an Arbitration by Stipulation with the Clark County School District. It was over \$19,000 and we won. We actually prevailed before the Arbitrator. He agreed with us. Following that, the Clark County School District, early in this year, attempted to disqualify Precision from some of its projects. Much in the same manner as is happening here today. Pre-qualification preceded through the pre-bid meetings and as a result of letters suggesting disqualification in behalf of Precision, we filed the only available remedy that the law allows. And that is a motion for a preliminary injunction and an action to prevent them from disqualifying a contractor that has actually done about eight or nine modernization and other projects for the Clark County School District over the last number of years.

COUNCILMAN BROWN

Your Honor, if – I may.

MAYOR GOODMAN

Yes.

COUNCILMAN BROWN

And I don't mean to be disrespectful.

MAYOR GOODMAN

Yes, Councilman.

COUNCILMAN BROWN

I – either have the wrong backup or not the latest backup. The disqualification on Precision is based on a failure to accommodate owner changes to a project and concern about bonding capacity. I – don't know what we're talking about the School District for. Unless those are relation to School District.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

The issue on the bonding capacity, I, is a concern, –

COUNCILMAN BROWN

I apologize.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

– but I don't think it's an issue for – this qualification process. That's a separate, it's really a separate issue.

MAYOR GOODMAN

Well, what – should Mr. Johns be addressing?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

He should, the, Mr. Johns is correct that if, at this moment the – issues that were raised as result of their identification of litigation requirements with the School Districts are all related to School District projects. I believe there's four

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related to School District projects. I believe there's four specific School District projects and – I think the issue there is completion of the job on time and whether or not the owner had to engage in any other contracts, other sub-contractors to complete the work.

MAYOR GOODMAN

Can you answer those questions, Mr. Johns?

ATTORNEY LARRY JOHNS

Absolutely can. We're not aware of any projects that they've had to complete because we can't emphatically disagree with that. In fact, the first notification of this came -
-

MAYOR GOODMAN

You say, you can?

ATTORNEY LARRY JOHNS

Yes.

MAYOR GOODMAN

Emphatically disagree.

ATTORNEY LARRY JOHNS

Disagree.

MAYOR GOODMAN

Okay.

ATTORNEY LARRY JOHNS

We emphatically disagree with that. As a matter of fact, I did take the liberty of bringing just two exhibits that I would ask the Clerk to please hand out to you. The first is a letter of April 13th, 2000, from myself –

MAYOR GOODMAN

May I – ask Mr. Vincent this. During this, the qualification phase of this, is there discussion between the Office of Finance and the respective applicants?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

Yes, Mayor. Let me –

MAYOR GOODMAN

Were the, were these questions addressed by your office with Precision?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

Yes. Precision was nice enough to meet with me, with us yesterday to discuss these issues.

MAYOR GOODMAN

Okay. And did you ask the questions that I've asked, as to whether or not the projects were completed on time, number one.

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MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES Yes.

MAYOR GOODMAN And number two, whether or not other contractors had to be brought – in to complete the project?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES Yes, we did.

MAYOR GOODMAN And the answer yesterday was all the projects were completed on time and no we didn't have to bring in other contractors. Do you have anything, which would suggest that those answers are incorrect?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES We have received correspondence from the School District, which we provided to – Precision yesterday. Based upon their representations, that basically that there, they didn't understand why the letter stated the issues it did, with respect to those four projects. We contacted the School District after our meeting to reconfirm and the School District stands firm on – the representations to us.

MAYOR GOODMAN See, that's why I – don't know whether we're going to be accomplishing anything at this time, Mr. Johns, unless you can get something from the School District, which will refute the allegation that, in fact, you didn't complete the projects on time and other contractors had to come in. If you have something like that then –

ATTORNEY LARRY JOHNS I think I do.

MAYOR GOODMAN Okay. I was just trying to help –

ATTORNEY LARRY JOHNS I think I do that I want to provide to you how meaningful it is or whether or not it's, would accomplish the objective today, I can't tell you. But the first is a letter from me of April 13th, 2000. I'd like to have copies of that handed out. (Inaudible) myself. And the second is the Stipulation and Order with regard to the preliminary injunction that in my view, as an attorney, clearly cleaned the slate, erased any of these issues permanently by virtue of the fact that an injunction was -- issued by the court and by stipulation of the Clark County School District.

The problem is, and I can summarize it very quickly. Here we are in August revisiting four very, very minor issues, all of which have been resolved. The issues are set forth in my

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April 13th letter. The Stipulation and Order, specifically at page two states, whereas Clark County School District stipulates that Precision is qualified to submit upon these pro, submit a bid on these projects and that the basis for the prior disqualification of Precision – no longer exist. We were astounded that this issue was being revisited. Obviously, would require further time to address all of these in detail. Mr. Quinn is here and prepared to do that. Now, I think he wants to do that.

STEVE QUINN

Do it now.

ATTORNEY LARRY JOHNS

And that's – the reason that we came armed, to do precisely that.

MAYOR GOODMAN

Mr. Vincent, are you familiar with the Stipulation and Order of May the 9th?MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

I am familiar with it from the discussions yesterday. Counsel Redlein has also contacted the attorneys and it's our understanding that – the reason why the School District stipulated to that was bec, for, more for a technical issue with respect to the qualification procedure, not any acknowledgement that they would have qualified Precision, but in fact they have the application. They're looking at it today. So, it's my understanding that they, again are standing by the letter they sent us addressing their concerns.

MAYOR GOODMAN

I see. The problem that I have, just speaking for myself here, is the top paragraph on page two, where with, it would appear that the School District agreed that Precision is qualified to submit a bid on these three projects and that the basis for the prior disqualification no longer exist, which Mr. Johns indicates that sort sweeps the plate clean. But, I – guess, who makes the determination on the disqualification? You do it unilaterally or is it done by a committee or?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

No. That's what I mentioned earlier. The Statute requires that more than one – person make the recommendation to review the applications and ultimately Council makes the determination of who they want to – qualify. And here again, this is a difficult situation because we haven't done any business with Precision within that five-year time frame. So –

MAYOR GOODMAN

And I'm not being critical, but I'm just –

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MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

No. I understand. It is –

MAYOR GOODMAN

This is the first time we've had this and I wanted to do it right.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

This is – as you know, the reason why we're just doing this project is because is somewhat of a trial case to see how this works. So, again, we did discuss the discussion we had with Precision with the School District. And unfortunately, because of either advise from their counsel, they're not physically here today. But –

MAYOR GOODMAN

You know, what I would like to do, with the permission of the Council, I'd like to abey this for two weeks or 'till the next meeting or does that cause us a problem?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

I don't think we can by Statute.

MAYOR GOODMAN

Okay. Then what I would – like to cut you short, Mr. John, (sic) with your permission.

COUNCILMAN WEEKLY

I'm agreeing.

MAYOR GOODMAN

Take a vote now and then if we vote disqualifying you, to have you come back as soon as possible, to make the presentation so we'll be able to really get to the bottom of this, 'cause right now we're going to be guessing and I don't want to guess when you're –

STEVE QUINN

Your Honor?

MAYOR GOODMAN

Do you want to go forward now?

STEVE QUINN

Yes, I'd like to go forward now, Your Honor.

MAYOR GOODMAN

All right. Fine, then, everybody – (inaudible) that's fine.

COUNCILMAN REESE

If I – could just ask. Are you, in fact, going to put in a bid for the Stewart Street Parking Garage?

STEVE QUINN

Am I going to put in a bid for the, if I am selected, yes, I will.

MAYOR GOODMAN

You mean, if you qualify?

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STEVE QUINN

Yes Your Honor.

MAYOR GOODMAN

All right. Very good. Let's go on to two.

STEVE QUINN

The Brinley Middle School, that has been completed and even on this, the Principal goes on to say, in the bottom paragraph, "Is my opinion that any difficulties with the direct result of poor architectural plans and subsequent planning." That's not on the, behalf of Precision Construction. He's giving a letter of recommendation and saying where the problems is that he perceives. Now, you're going to say that this is the Principal and he's not doing the contract administration. It would be like your wives or your husbands at your home that love the work that went on, but one of your staff members had a problem. And now all of the sudden one of your staff members have a problem, the contractor is no good. But yet, the owner of the house loves it.

MAYOR GOODMAN

Okay.

STEVE QUINN

I have another letter from Clark County Legal Services Program of their building I just built for them.

MAYOR GOODMAN

Very good.

STEVE QUINN

Four pages in I have Tate Schneider Architects. I am pleased to provide a positive recommendation for Precision Construction to execute any technically difficult project. Their project management, supervision, scheduling and quality of work executed on the Palo Verde High School Tech Center project was excellent and very professional.

The next one is from Eric Raecke, the Manager of the State Public Works Board. His whole letter, I don't even need to highlight that, just need to read the whole letter because it's very positive for Precision Construction.

MAYOR GOODMAN

Correct.

STEVE QUINN

The next one after that is Holmes Sabatini Architects. The bottom paracaf (sic) "We would not hesitate to ask Steve and Precision Construction to bid and/or construct one of our projects. We know we would be dealing with a reputable, quality contractor. I wish I could say the same about many other contractors with whom we must also deal with in the public construction arena."

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Going on to the next one, and this one here, I'm going to find, particularly, one of the accusations that Clark County School District is making is that we have not finished Western High School. This is from the Principal of Lucchesi, Galati Architects, which is the architect of record of this project. "I was particularly pleased with the performance on the modernization projects successfully completed for Western High School, as it was a difficult and demanding job." It's from Craig Galati, Lucchesi, Galati Architects.

The next one is from the Contract Administrator from the architectural firm on the Western High School project. And he states here "They have completed a remodel and expansion at Western High School. Their workmanship and project management skills are exemplary. They are a builder that takes exceptional pride and compassion for their work.

The next one is from Mountain View Christian School. We do all of Mountain View Christian School's work. From Pastor Tom Van Kempen. In here he says "Dealing with Precision Construction was like a breath of fresh air."

Going down we have one from the University Community College, Regent Mark Alden. Then the last one I have here is from Bob Gilbert the New Construction manager for the Community College of Southern Nevada, which is here, who's going to speak. And they're just giving nothing but accolades to the projects that Precision Construction has done. Been in this business for 20 years, 25 years. I've done wonderful.

Now to show you a few things on some of the catch 22s where they're going to say, oh Precision did not complete their job. I'd like to submit this into the record.

MAYOR GOODMAN

All right. Madam Clerk, do you have the first packet as part of the record?

CITY CLERK BARBARA JO
RONEMUS

I do not.

MAYOR GOODMAN

You do not? Take mine, please.

CITY CLERK BARBARA JO
RONEMUS

Thank you.

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MAYOR GOODMAN

Make it part of the record.

STEVE QUINN

One of the statements that the Clark County School District has made is that we have not signed off the fire alarm permit at Western High School. And I'll, yes we have not got that permit signed off, but there's a reason for that. When they designed the school, they did not put sprinklers in the walkway, which was outside of our scope of work. On the second page of this second handout, State Fire Marshal's Office told Clark County School District that they need to sprinkle all these walkways. Clark County School District refuses to do it. The City of Las Vegas Fire Department has signed off all our work, everything we've done, everything is okay. You'll see when they (inaudible) is okayed, is okay. But yet they will not sign off the final permit until Clark County School District installs more sprinklers in the walkways. Until that's done, Western High School has a life safety issue for all the students in that school, that there are no fire sprinklers in those corridors. I can't get the City of Las Vegas to sign because they won't. Clark County School District will not proceed with further sprinklers.

Another, and that's something that we have sent to Paul with this letter here that is sent, was sent to Fred Smith, School District; Paul Wilkins, Las Vegas Building and Safety; Bill Young, Las Vegas Fire Department; and it was to Dennis Drewniak, the Clark County School District, who is the Code Enforcement Officer. They've have refused to follow State Fire Marshal. They refuse to follow it. If there's an investigation, I would sure like to have the children, at Western High School, watch out for potential fire there.

Another accusation made the Clark County School District in their letter to Mr. Herlean was that Precision Construction damaged some carpet. We spilled clean, potable water on the carpet on the flooring. We immediately vacuumed it up, air-dried it, everything was fine. They came in and said no, remove all the sheet rock, four feet high and remove the carpet. Freshly installed carpet. Yes, we did get some water on it. Clean water. Wasn't dirty water like that you would get down at the, your building on Fourth Street coming in off the street. No. This is water that you can drink that was on the floor. I had it tested. I'd like to submit this to the Council and for the public record that in a letter given to Mr. Herlean the Clark County School District makes reference that we have never given them any doc – backup documentation to this. But, yet I have a letter that we sent to David Pierce, Parsons and Fleming of Taylor, their Construction Manager, telling him: We have commissioned

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Atlas Testing Laboratories to ascertain if the existing gypboard or the carpet has been damaged or if mold or mildew were present."

Attached is a report from Mr. Robert Summers, Atlas Testing, Atlas Chemical Testing Laboratories indicating that there was no fungus present and the existing gypboard has not been damaged as a result of wetting. When you read Mr. Atlas Testing Laboratories, who is a forensic scientist, it's board certified forensic examiner, he's a member of the American Society of Testing Materials, he's an expert in chemical, physical and forensic testing. Mr. Summers: Pursus (sic) to your request, I inspected three rooms, namely, 300A, 301 and 302 at the above captioned school. The purpose of the inspection was to determine if fungus is present on the baseboard areas of the carpet and dry wall interface. The inspection and – testing took place 4/15/99 and the incident which caused the initial concern occurred on 3/26/99. I tested the drywall for soundness and found not soft areas. Microscopic examination revealed no fungus to the drywall, carpeting and backing of baseboard at numerous locations." But yet, the Clark County School District says that I damaged some carpet. That they had to tear out. I have an expert that's saying that there was nothing damaged.

Clark County School District tore the carpet out and sent me a bill for \$10,000. That's a whole another issue that we will not be discussing in this forum. I will be taking that up in another, at a later date.

The next one I would like to give you comes back to the fire alarm at Western High School. This one here is the cream of the crop. They are stating that we never trained them, I would like to submit these for the public record, that we never formerly trained Clark County School District on the fire alarm system that we put in there. But yet, I'll wait until everybody gets it. An accusation made is that we never gave required training per the specification contract. But yet their construction manager on Friday, on – actually, he's scheduled a meeting on Friday, April 9th, 1999, at Western High School. The subject was the fire alarm and smoke detection systems. The agenda, the required training as per the Section 167213.3 and the demonstration as per Section 167213.5. This is the training they were talking about. It was sent to the all the CCSD personnel to advise their people to come to this training session.

We conducted the training session on April 9th. We sent a, the fire alarm system demonstration was conducted thisth

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date, on the 9th. The third page I have highlighted all the representatives of Clark County School District that were in attendance for this demonstration. When you go, the next couple of pages are just all the specifications, but if you go to the last page, it tells what I was supposed to do on the demonstration and under 3.3 and under 3.5, is that I was to train in the manufacturer or the manufacturer's representative would provide training on the installed system to at least two and not more than five Clark County School District Fire Alarm Technicians. The training will include operation, installation, maintenance, trouble shooting program at all levels of the system. The training will be conducted before the fourth month of the school year, etcetera, etcetera. We did that. We have the sign in sheet, but yet Clark County School District is still making accusations that we have not trained them. So if you keep this last page open, we're going to come back to this one more time.

MAYOR GOODMAN

Okay. But I'm going to ask you to --

STEVE QUINN

It's -- going real fast now. This is the last --

MAYOR GOODMAN

For -- you, it's going fast.

STEVE QUINN

Well, this is letters -- from the manufacturer that Grinnell, our fire sprinkler and the manufacturer of the fire equipment states Grinnell would be capable in providing the training required by Section 3.5C of the contract you provided with me. The conversation which I had with Mr. Dell of the School District was limited, initiated by him, was less than five minutes duration and he was talking about additional education opportunities in lieu of talking with that contract. So we have determined that Grinnell Fire Protection is allowed to give this training.

I have three times, another letter that I have attempted to give this training. We did it once, they signed in. I have attempted three more times to do this additional training again. These three letters here, I have tried to do this training again. And on March 29th, please be advised if April 5th is an acceptable date to provide the required training. I will need at least three days notice to schedule our subcontractor. No answer from the Clark County District on March 29th, 2000.

April 12th, 2000, we send another letter. I suggest that the optimum time to provide this training is during the upcoming Spring break. Do you concur. Please advise asap. On April 12th, no response

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On April 21st, we asked again. Grinnell is prepared to provide the training and program. What are you waiting for now? No response.

But yes, I did get a response. I got a response on August 7th, from the Clark County School District. Sending me a default clause on Western High School, I would like to submit that for the public record, that Precision Construction, Inc., must complete all required training for the fire alarm system at Western High School. Well, I thought I had done that on April 9th, with the sign-in sheet that we've done it. Now, that's on the 7th. They're giving me a second 7-day notice to do this.

I got another one yesterday, on the second page of this handout. You have failed to complete all contracts requiring training for the new fire alarm system as detailed in the 7-day notice dated August 7 on Western High School modernization project. Failure to commence training for the fire alarm system within seven days after service of this notice may result in the owner performing the work at your expense.

Not only did we do it once with the contract, we have attempted to do it three more times and no response. But yet I haven't finished this job. I have – sent Mr. Fred Smith of, the letter, my project manager, last night, we have been ready to provide the fire alarm system training since March. Letters were sent to Mr. Michael Dell on March 29th, to Mr. Rich Brewer on April 12th and Mr. McCale (sic) Dell again on April 21st – indicating that we are ready to provide said training and requesting that a date be established to do so. Your first 7-day notice dated August 7 has been the only response from CCSD. What more can we do? We remain ready to provide the training required by specification. Please provide us with the date and time for training to be performed.

At that point, there's nothing more that I can do.

MAYOR GOODMAN

Okay. Mr. Vincent, anything new?

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

Mayor, all I can say is that again the School District did provide us a letter. They did not make specific examples, but they did tell us there were four projects that still remain incomplete, two of which that they had to hire a subcontractor to finish. I do not know the details. I know that – Mr. Johns talks about the, these four specific projects at Brinley, Western, Robeson and Orr. When we talked with

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**VERBATIM TRANSCRIPT: ITEM 76 – PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION
TO PRE-QUALIFY BIDDERS PURSUANT TO NRS 338.1375 THROUGH 338.1389 FOR THE CITY OF
LAS VEGAS STEWART GARAGE BID**

the School District representative yesterday, they still maintain the position –

MAYOR GOODMAN

Okay.

MARK VINCENT, DIRECTOR OF
FINANCE AND BUSINESS
SERVICES

I can't make this any easier.

MAYOR GOODMAN

No, and I appreciate that and you're relying on what somebody else is telling you. I tell you Mr. Quinn makes a pretty compelling argument that his work is very well received by the School District and maybe something fell through the cracks with the new Superintendent coming on board, I don't know.

STEVE QUINN

No, it – Your Honor, my own personal opinion, I think that there are two staff members over there that have a personal vendetta against me. And we will find that out in another forum at a later date.

MAYOR GOODMAN

Okay, fair enough. Any other questions or comments, of Mr. Quinn or Mr. Johns or – Mr. Vincent? Okay. May I have a motion, Councilman Weekly?

COUNCILMAN WEEKLY

Your Honor, I guess I have just a comment real fast before, and I know we're – pressed for time here. But I guess I just have some concerns also too. We had a briefing and Councilman Mack and I shared the briefing together where Mr. Vincent came in and gave us a presentation on this process, which I do appreciate the information that Mr. Vincent provided.

Guess the question that I have is how do you all base your decisions? Because I asked this question months ago in the bidding process and I know you said this is a trial basis that you all are doing here. But I'd asked the question some time ago, do the public thoroughly understand the procedures in which the City takes when we go through this pre-bidding qualification process?

I mean, we – hosted, well, we coordinated a 501-3C workshop with Neighborhood Services because the public thoroughly didn't understand how to go about applying for different federal funding sources that the City offer. And we were just talking about this yesterday that I just kind of, after I left that briefing with you, I said you know, I – really don't think that people really understand, you know, what it is that the City is asking for and how this whole process works. And so, we're also exploring that possibility of hosting some

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type of workshop on what is it that the City of Las Vegas looks for when we open up a bidding process. Because I think that there are a lot of miscommunications out there and I think it puts us in a really ugly – situation when it looks as if, you know, we play favoritism to someone or we have the possibility of having personal vendettas against someone.

And so I think that if people out there thoroughly understand, Mr. Vincent, what it is that, you know, we're looking for when we open up these type of bidding processes, I think it would make it just a little bit more easier for us. And so, if that's something that we could work out with you, I'd like to see that happen in the near future, please. Your Honor, with that I just --

MAYOR GOODMAN

Well, I – I'm sorry I – was unfair to you, Councilman. I did not close the public hearing and I think there's some folks who want to talk. And I'm going to – limit the comments to two minutes.

COUNCILMAN WEEKLY

Sure.

BOB GILBERT

Your Honor, my name's Bob Gilbert. I'm the director of site planning and campus construction for the Community College of Southern Nevada. Precision Construction did a project for us approximately a year and a half ago. It was a \$5 million high-tech center. And I don't know if I could say anything bad about them. They went way out of their way to help. We had some scheduling problems that were our problems. They picked up the time. You could go out and tour the facility. It's really high quality. It was a prototype building. The first of its type. They really spent a lot of time. We won accolades. The architect has won awards because of the building. I don't think I could say enough good about them.

MAYOR GOODMAN

Thank you very much. Yes, Sir.

JIM SALA

Yeah, my – comment -- My name is Jim Sala and I'm with the Nevada Carpenters. And construction is something that's important to us. And so, I don't have any specific comments about Precision Construction. I will say that based on reviewing the documents and the process that your staff went through, that we concur with their initial recommendations in regards to qualification and disqualification.

But I want – to address Councilman Weekly's comments about understanding the process, because I think it's

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important for the public to understand it, but I also think it's important for the Council. AB 298 was passed by the Assembly which gave and – kind of almost mandated or close to it public bodies that let construction projects to adopt some kind of prequalification process. And I applaud you for taking the first step on this individual project. And I hope you expand it on future projects, because it brings these kind of issues to light.

Specifically what I want to raise to you is that most of the time, the general contractor is just a very small piece of this problem. Ninety percent or plus of the work that's going to be done on this project is going to be done by subcontractors that you may not ever see. And part of this prequalification project and part of the process of having contractors come here and provide your staff with information is to make sure that you can see those potential problems, from the principal personnel to whether they can bond the job, whether they've ever built a seven-story parking garage before, whether they've only done one or two-story projects before. And the School Board has already done this and they're a little ahead of the curve. They do a very good job in regards to qualification and disqualification. And they're very thorough. And I think your staff has been thorough here as well.

And so I just wanted to – let you know that this is an important first step. We very much appreciate it and the guys that are still here are workers. Some of them are union, some of them are non-union and have been cheated on public works projects. And they're very concerned and they're very happy that you're taking the concern and the time to raise these issues and look at these issues and address them. And we are as well. And so I think that just this first step process sends a good message to the community that you want a good project, you want it constructed properly, but you want it done fairly that benefits the communities and the families of the projects that are going to be affected. And so, that's basically what we wanted to say today and I appreciate the opportunity.

MAYOR GOODMAN

Thank you, thank you very much.

STEVE QUINN

One more thing, Your Honor, if you don't mind. I – do -- Okay.

MAYOR GOODMAN

I do mind. But you can do one more thing.

STEVE QUINN

Thank you, Your Honor. I do maintain a B, unlimited, high-rise license for high-rise construction. I have been formally

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trained in high-rise construction. I've worked for seven years for Sierra Construction, Del Webb Construction, Tiberti Construction. All in the construction of high-rises. When I look at the skyline in Downtown, as well as out on the Strip, there is approximately ten buildings there that I have been the general foreman on or superintendent.

MAYOR GOODMAN

Thank you. Ma'am?

GAIL MAXWELL

Yes. Your Honor, members of the Council, my name is Gail Maxwell and I'm, represent the Office of the Labor Commissioner for the State of Nevada. I would like to commend you today for your diligence in implementing the contractor prequalification process for the Stewart Parking Garage Project. I feel that this is an important part of any government agency's process in awarding contracts for construction. I look forward to working with your staff in the future, if the prequalification language is adopted by the City Council for all future projects.

Additionally, the Labor Commissioner is working with all public agencies to promote early construction coordination between the entities, open up the process and partner up with other offices which benefit the community and the construction project. We applaud you. Thank you.

MAYOR GOODMAN

Thank you very much. Anybody else like to be heard?

LAURIE ASHTON

Laurie Ashton with the Southern California-Nevada Regional Council of Carpenters. I was here on the front end of this and I was really pleased to work with – your staff through this process. That's what it's about is all the agencies, different support groups, is working with – the different entities to make sure that the quality of the construction in Nevada continues to elevate. Again, we would probably concur or I would concur with the findings by your staff with the recommendations for the disqual and the qualifications, knowing that this is just a one project, it is not, you know, for the rest of the projects. And I look forward to working hopefully in the future on the rest of the prequalification for the rest of the City projects. And I thank you.

MAYOR GOODMAN

Thank you very much. Anybody else like to be heard? All right. We'll close the public hearing. Councilman Weekly.

COUNCILMAN WEEKLY

Yes, Sir, Your Honor, with that, I **move to follow staff's recommendations on accepting this report for this prequalifying bidders contract here, but I'd also like to also to reconsider Precisions', Precision Construction, Inc., in being disqualified from this.** I thought that

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information that they did provide today was thorough and I thought that there was probably some information that was not thoroughly looked at and some things that were slipped through the cracks. So, that's my recommendation.

MAYOR GOODMAN

All right. That's --

COUNCILMAN REESE

I can -- certainly support that. Especially because there was no disqualification notices given about them failing to -- pay -- the prevailing wage. I think that's very important. So, there's no -- concern like that. So I can support the motion.

COUNCILMAN McDONALD

I have a comment.

MAYOR GOODMAN

Yes.

COUNCILMAN McDONALD

Your Honor, I have, Steven Quinn is my choice for Planning Director or Planning Commissioner. He's been --

MAYOR GOODMAN

I'm sorry.

COUNCILMAN McDONALD

I'm sorry. He has been acquaintance of mine since '95. I met him during the campaign trail. I didn't know him prior to that. The -- issue that stems from this as far as disclosure, we will disclose. And in talking to the City Attorney, we're looking to see which direction we'll go. So, to be err on the side of caution right now, we will, I will abstain.

MAYOR GOODMAN

Thank you.

COUNCILMAN McDONALD

Until we get, and we will ask to see, for future measures, if we can vote on our Planning Commissioners. Am I close, Mr. Henry.

DEPUTY CITY ATTORNEY
WILLIAM HENRY

Councilman McDonald, I -- do think that, since you have a relationship with him, that you -- need to make a disclosure. The disclosure you made seems to be a full one. I do not think that the law requires you, based on that relationship, to abstain. However, that -- is both an objective and a subjective test. And if subjectively, for some reason, you wish to abstain, that is your right.

COUNCILMAN McDONALD

Okay. Then I'll disclose furtherly. I've been to his house maybe three or four times in the past five years and he's been to my house maybe two or three times. And I'll leave it at that. And I'll abstain on this, then we can disclose and move on from there.

MAYOR GOODMAN

All right. Councilman Mack.

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COUNCILMAN MACK

Thank you, Your Honor, I – did talk to one of our City's attorneys, Mr. Redlein, and asked him, due to caution, I did serve with Mr. Quinn. And as Councilman Reese and Councilman Brown also have served with Mr. Quinn on the Planning Commission. I didn't feel there was any conflict or any cause for me to abstain, but I wanted to disclose at this point.

And aside from that, I want to just commend staff. I think this is the direction we want to head with qualifications. We have had, have seen a lot of problems in the past with contractors not living up to their obligations. And I think the objective is – correct. I know this is a trial period and maybe not perfect, but I – want to commend you on your efforts.

MAYOR GOODMAN

Thank you.

COUNCILMAN BROWN

Your Honor?

MAYOR GOODMAN

Councilman Brown.

COUNCILMAN BROWN

I'd just like to disclose on the record that I did serve as Planning Commissioner with Mr. Quinn, but I feel I can objectively support the motion that's on the floor.

ASSISTANT CITY ATTORNEY
JOHN REDLEIN

Mr. Mayor?

COUNCILMAN REESE

Just – for the record, I did not serve on the Planning Commission.

ASSISTANT CITY ATTORNEY
JOHN REDLEIN

The – advise regarding the joint service on the Commission that we've given is that if the product of it is a friendly and collegial relationship, it's not the kind of business relationship or the deep personal relationship that brings up any need to disqualify in the mind of our office.

MAYOR GOODMAN

Thank you. All right. Councilwoman, you may as well say something.

COUNCILWOMAN McDONALD

Well, the City Attorney has also directed, because of my previous comments, that I should abstain on this vote, based on my relationship with Korte-Bellew & Associates.

MAYOR GOODMAN

Well, I think, I – know your son and I like him very much, but I'm going to vote anyhow; okay?

STEVE QUINN

Thank you, Your Honor.

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MAYOR GOODMAN

All right. Vote on the motion, please. Post, please. Motion carries. **(Motion carried unanimously with L.B. McDONALD abstaining due to her close business relationship with Korte-Bellew & Associates and M. McDONALD abstaining due to his close relationship with MR. QUINN and pending a decision by the Ethics Commission.)**

And, Madam Clerk, I'm going to make the documents that Mr. Quinn handed up here part of the record, please.

STEVE QUINN

Thank you very much, Your Honor and Councilmembers, and please look into Western High School for me. Thank you.

END OF DISCUSSION

/ac;vwd

City of Las Vegas

Agenda Item No.: 77

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a request to install speed humps on 17th Street between St. Louis Avenue and Charleston Boulevard (\$21,000 Neighborhood Traffic Management Program)
- Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$21,000**☒**Budget Funds Available****Dept./Division: PW/Traffic Engineering**☐**Augmentation Required****Funding Source: Neighborhood Traffic Management Program****PURPOSE/BACKGROUND:**

Residents requested the installation of speed humps on 17th Street between St. Louis Avenue and Charleston Boulevard. Traffic studies show the speed and volume criteria have been met for speed humps.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Map

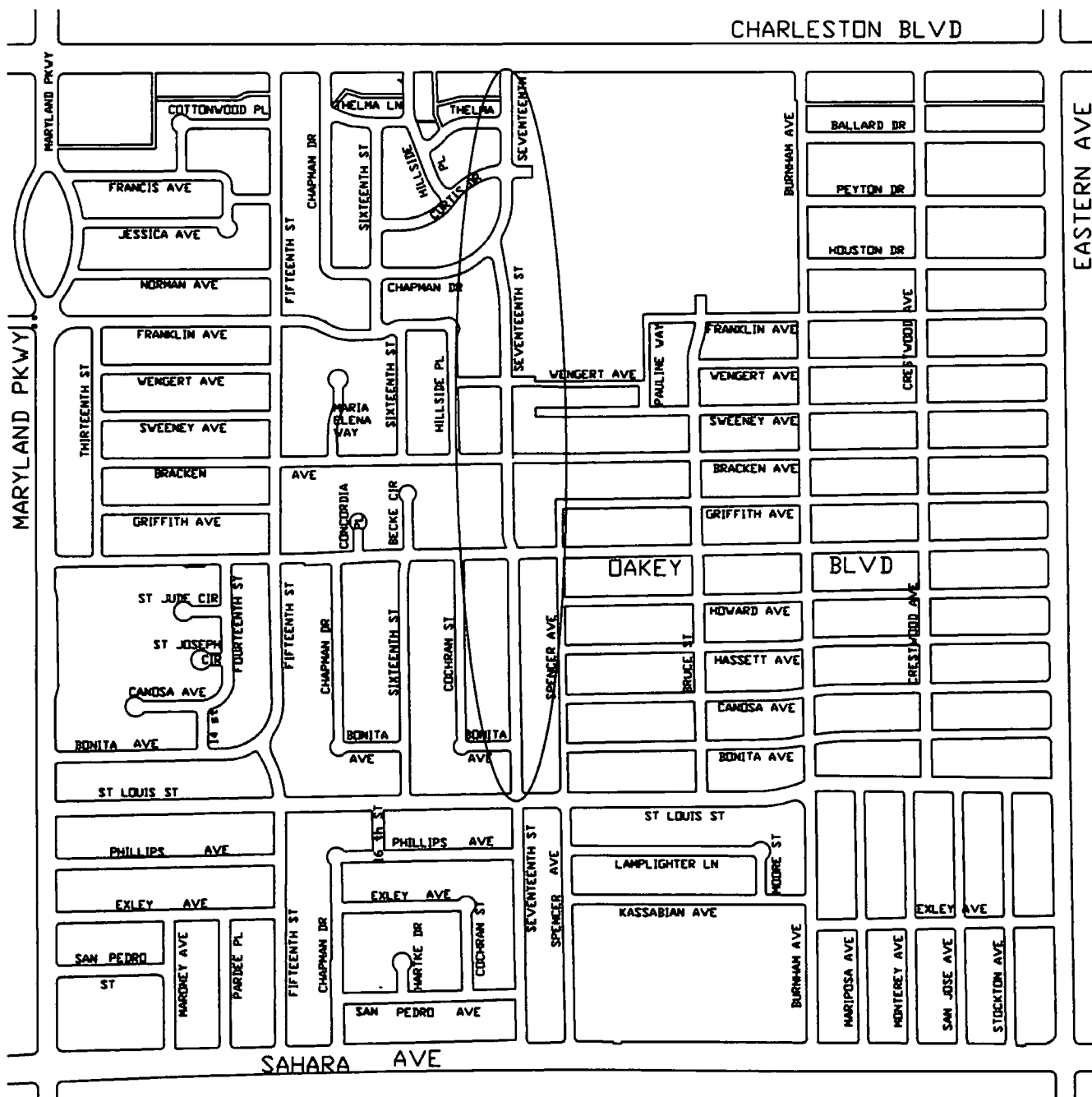
MOTION:**REESE – APPROVED as recommended – UNANIMOUS****MINUTES:**

RICHARD GOECKE, Director, Public Works Department, stated that the item is in order. COUNCILMAN REESE stated that the speed hump is really needed at this location. Many neighborhood meetings were held to address this issue and a questionnaire was sent to residents requesting input, who overwhelmingly support the speed hump. The concern relating to emergency vehicles was also resolved. COUNCILMAN REESE welcomed back MR. GOECKE and wished him well.

There was no further discussion.

(12:52 – 12:53)

3-1301



PROPOSED SPEED HUMP AREA

City of Las Vegas

Agenda Item No.: 78

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a request to install speed humps on Spencer Street between Sahara Avenue and St. Louis Avenue (\$7,000 Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$7,000**☒**Budget Funds Available****Dept./Division: PW/Traffic Engineering**☐**Augmentation Required****Funding Source: Neighborhood Traffic Management Program****PURPOSE/BACKGROUND:**

Residents requested the installation of speed humps on Spencer Street between Sahara Avenue and St. Louis Avenue. Traffic studies show the speed and volume criteria have been met for speed humps.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED as recommended – UNANIMOUS

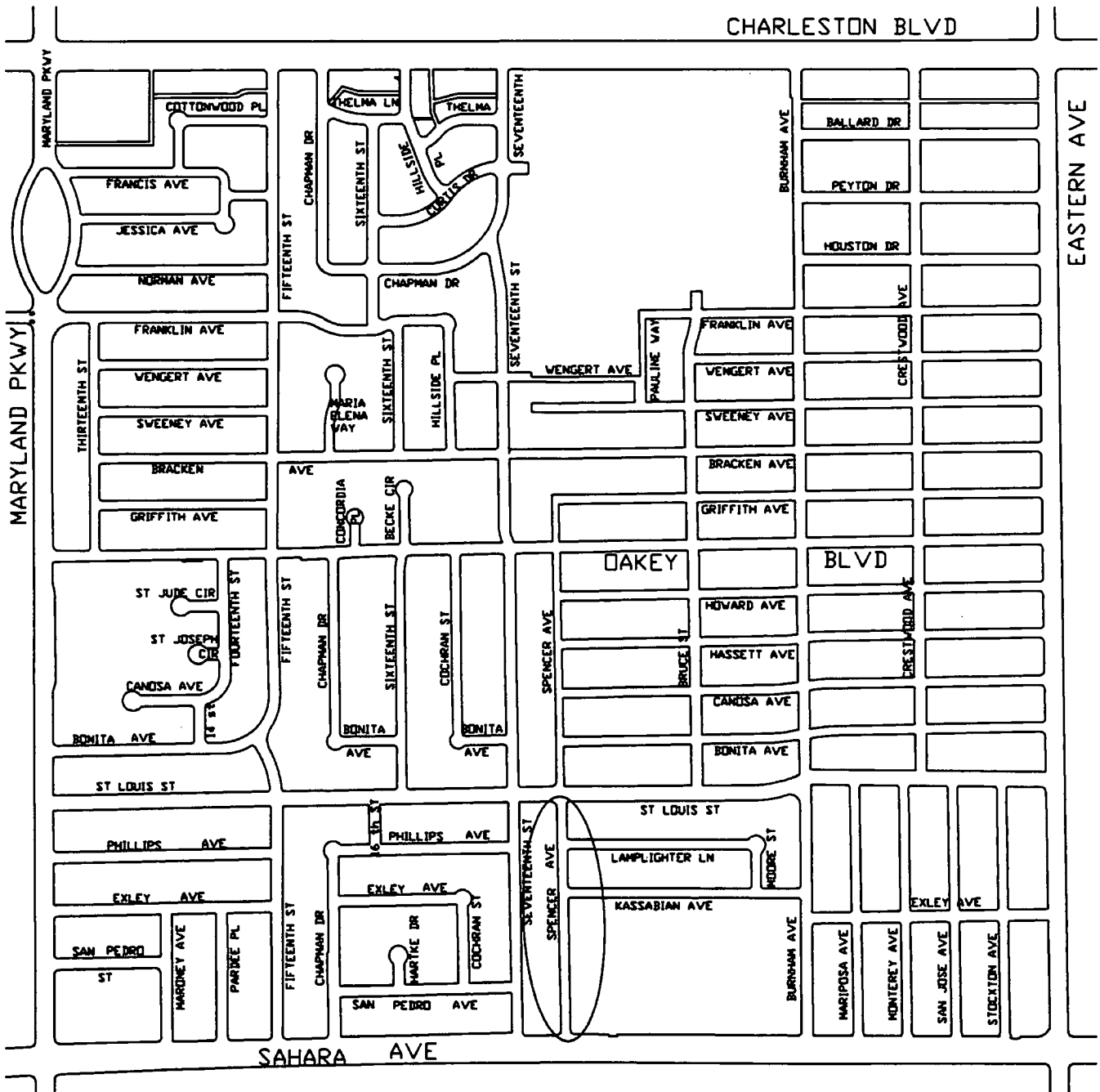
MINUTES:

RICHARD GOECKE, Director, Public Works Department, noted that the item is in order. COUNCILMAN REESE indicated that the speed hump is needed at this location and thanked the residents for their patience while awaiting this item to come forward.

There was no further discussion.

(12:53 – 12:54)

3-1358



PROPOSED SPEED HUMP AREA

City of Las Vegas

Agenda Item No.: 79

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS

ABEYANCE ITEM - AUDIT OVERSIGHT COMMITTEE – Bill Martin – Term Expiration
6/8/2000

Fiscal Impact

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The City of Las Vegas Audit Oversight Committee was created by City Council Resolutions R-49-98 and R-117-98 for the purpose of overseeing various aspects of the City's internal audit function. Two members must be specifically identified members of the City Council and three members must be from the community-at-large. No member shall serve more than two terms. At the June 7, 2000 Council Meeting, Mayor Goodman reappointed Councilman McDonald and appointed a new community-at-large member on July 19, 2000. One community-at-large appointment is pending.

RECOMMENDATION:

Procedure for this Committee is appointment by the Mayor subject to ratification by the City Council. Options are to reappoint the above member or to appoint a new community-at-large citizen.

BACKUP DOCUMENTATION:

Current City of Las Vegas Audit Oversight Committee Listing and Authority

MOTION:

M. McDONALD – Motion to APPOINT MICHAEL W. KERN, CPA, Piercy, Bowler, Taylor & Kern, 6100 Elton Avenue, Las Vegas, NV 89107 – UNANIMOUS with GOODMAN, WEEKLY, and MACK abstaining because MR. KERN handled their finances during their campaigns

Clerk to notify

*City of Las Vegas***Agenda Item No.: 79****CITY COUNCIL MEETING OF AUGUST 16, 2000****Boards and Commissions****Item 79 - Audit Oversight Committee – Bill Martin – Term Expiration 6/8/2000****MINUTES:**

There was no discussion.

(12:54)**3-1396**

8-2-2000

CITY OF LAS VEGAS AUDIT OVERSIGHT COMMITTEE
--

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) MAYOR OSCAR GOODMAN	400 E. Stewart	89101	6/28/1999	6/28/2001
2) COUNCILMAN MICHAEL McDONALD	400 E. Stewart	89101	6/8/1998	6/8/2002
3) BILL MARTIN, PRESIDENT PIONEER CITIZENS BANK MEMBER OF COMMUNITY-AT-LARGE (Replaced Scott Higginson)	4170 S. Maryland Pkwy.	89119	6/8/1998	12/7/2000
4) MICHAEL J. NOVICK MEMBER OF COMMUNITY-AT-LARGE (Replaced Constance Lentz)	3800 Howard Hughes Pkwy. Ste. 800	89109	7/19/2000	7/19/2002
5) VACANT				

AUTHORITY: Created by Resolution R-49-98, 5-26-98 (Member Amendment - Resolution R-117-98, 12-7-98).

MEMBERS: 5 MEMBERS appointed by the Mayor subject to ratification by the City Council
(Two specifically identified members of the City Council and three members of the community-at-large)

TERM: Members shall each serve a term of two years, or until a successor is appointed.
Members may be removed and replaced by the Mayor, subject to Council ratification

NOTES: NO CITY RESIDENCY REQUIREMENT
LIMIT TO NUMBER OF TERMS WHICH MAY BE SERVED (No member shall serve more than two terms which shall include any unexpired term if applicable.)
NO FINANCIAL DISCLOSURE REQUIRED

PURPOSE: The Committee shall have responsibility and authority to perform the following:

- Review and evaluate public reports generated by the internal audit function;
- Evaluate the general effectiveness of the audit program no less often than annually;
- Discuss potential audit assignments and give direction to the City Manager and City Auditor concerning current assignments and anticipated assignments for the upcoming twelve months;
- As individual Committee members and as deemed appropriate, interview applicants for the position of City Auditor and, as a Committee, provide recommendations with regard to the appointment;
- Provide recommendations concerning potential changes to the City Charter concerning the audit function;
- Oversee and reinforce compliance to the City's Internal Audit Policy; and
- Provide such other guidance as necessary in promoting the effectiveness of the audit function.

MEETINGS: The Committee shall meet with the City Auditor and City Manager not less than once per quarter; meetings are subject to the provisions of the Open Meeting Law.

City of Las Vegas

Agenda Item No.: 80

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:****REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack & Weekly**

Discussion and possible action on an Agreement for the Sale of Real Property (approximately 2.65 acres), known as parcel number 139-26-201-008, sharing the addresses 1400 Gragson and 1602 Gragson, to James E. and Beverly B. Rogers for \$190,500 (\$190,500-revenue plus City's share of closing costs/Park Programs Within Ward 5) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact**☒**Budget Funds Available**☐**Augmentation Required****Amount:** \$190,500-rev+CLV closing cost**Dept./Division:** Public Works/Real Estate**Funding Source:** Park Programs Within Ward 5**PURPOSE/BACKGROUND:**

Sunbelt Communications (owned by James E. and Beverly B. Rogers), has approached the City with an unsolicited offer to purchase parcel #139-26-201-008 for the appraised value of \$190,500. This is vacant land that the City has no current or future use for. The City currently has a lease with the Fraternal Order of Police (FOP) for 1/2 of the property. Sunbelt agrees to accept the term of the current lease with the FOP and be bound by additional stipulations through a new lease.

RECOMMENDATION:

The Real Estate Committee of 8/14/2000 recommends approval subject to the proceeds of the sale being dedicated to Park Construction and Type programs within Ward 5, and that the dedication be made within a motion to approve the sale. Staff recommends approval of the sale, authorizing staff to execute all the additional documents necessary to close escrow and record title, that the proceeds of this sale be dedicated for Park Construction Type programs in Ward 5, and that the dedication be made within a motion to approve the sale.

BACKUP DOCUMENTATION:**Agreement for the Purchase and Sale of Real Property****MOTION:****WEEKLY – APPROVED the sale of the property – UNANIMOUS**

*City of Las Vegas***Agenda Item No.: 80**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Public Works Department

Item 80 - Agreement for the Sale of Real Property known as parcel number 139-26-201-008, sharing addresses 1400 Gragson and 1602 Gragson, to James E. and Beverly B. Rogers

MINUTES:

COUNCILMAN MACK commented on the intent to use the proceeds for parks in Ward 5 due to a lack of development within the Ward. On a bigger picture, research should be done on keeping proceeds from a sale within the City boundaries. He represents an area with a lot of growth, expansion and proceeds. There needs to be a global and City-wide effort. COUNCILMAN BROWN questioned whether a policy exists regarding the capital improvement program. CITY MANAGER VALENTINE responded that the policy is to leave the division of proceeds to the discretion of Council. Proceeds do not necessarily stay within a specific ward. Proceeds from sales are assigned through the capital improvement budgeting process. COUNCILMAN BROWN stressed that limiting application of proceeds only within the ward would go against the City's policy. The proceeds are dedicated to the capital improvement project approved.

JOHN McNELLIS, Deputy Director of Public Works, explained that this item involves the sale of property supported by the Real Estate Committee and staff and, secondarily, the distribution of the funds. The point being made by staff is if Council wanted to approve the sale, they could also give direction on the allocation of the proceeds. If the Council does not so wish, the motion made would reflect the intent of the Council. CITY MANAGER VALENTINE concurred that this action, would in effect, be the Council assigning funds. For clarification, there is no policy of retaining funds within the ward. Allocation is Council discretion. COUNCILMAN BROWN expressed concern with setting a bad precedent after working so hard to establish equity. This precedent could also apply to funds available if a project came in under budget. Would those funds also be dedicated to the specific ward? DEPUTY CITY MANAGER HOCHENS noted that there is no written policy, but this action would be consistent with the discretionary aspect of the general practice under which the City operates and the allocation of funds based on a priority list of capital improvements. COUNCILMAN WEEKLY pointed out that there was no intent to do anything other than take advantage of a wonderful opportunity and he verified that the dedication did not violate any written policy. He would not object to the sale with further discussion on the policy aspect, but stressed that he strongly supported these proceeds going back into Ward 5 to benefit the few small parks in that Ward. CITY MANAGER VALENTINE stated that such a policy will be brought before the Council at the next meeting. CITY ATTORNEY JERBIC advised that the direction would be appropriate without including any type of abeyance language for the policy in the motion.

There was no further discussion.

*City of Las Vegas***Agenda Item No.: 80**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Public Works Department

Item 80 - Agreement for the Sale of Real Property known as parcel number 139-26-201-008, sharing addresses 1400 Gragson and 1602 Gragson, to James E. and Beverly B. Rogers

MINUTES - Continued:

NOTE: COUNCILMEN BROWN and WEEKLY directed the City Manager to open a dialogue regarding a policy for dedicating or allocating funds available, due to land sales, efficiencies or projects coming in under budget and to bring it back at a later City Council meeting. CITY MANAGER VALENTINE confirmed that the policy will include all discretionary funds from sales or savings.

(12:56 – 1:05)

3-1463

AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY

THIS AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY ("Agreement") is made and entered into this 12th day of July, 2000, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as "Seller") JAMES E AND BEVERLY B. ROGERS, HUSBAND AND WIFE, JOINT TENANTS, and their successors, (hereinafter referred to as "Buyer"), with reference to the following facts:

A. Seller is the owner of a parcel of land consisting of approximately 2.65 acres located at 1602 Gragson Avenue, Las Vegas, Nevada 89101 ("Property"). A Site Plan of the Property depicting the site of the Property is attached hereto as Exhibit "A" and the Property is further described as Assessor's Parcel No's. 139-26-201-008. Seller presently has a long term lease agreement with the Fraternal Order of Police, whereby the City leases the East half of the property for one dollar per year.

B. Buyer now desires to purchase from Seller and Seller desires to sell to Buyer the Property, as described below in Section 1. Seller also desires to assign the above mentioned lease to Buyer and Buyer desires to accept assignment of said lease and be bound by agreement as depicted in Exhibit "B".

NOW THEREFORE, in consideration of the mutual covenants, premises and agreements contained herein, the parties hereto do hereby agree as follows:

1. **Purchase and Sale.** Buyer shall purchase the Property from Seller and all of Seller's right, title and interest in and to the following:

(a) All of the real property described in the legal description, referenced as Exhibit "C" ("Land");

(b) All buildings, fixtures, landscaping, utility lines and all other fixtures and improvements located on the land (the "Improvements");

(c) All licenses, certificates, authorizations, approvals, and other applicable permits and licenses issued by any governmental authority relating to the ownership or operation of the Property, if any ("Licenses");

(d) All plans and specifications, drawings, working drawings, plans, site plans, mechanical drawings and specifications related to the construction or landscape of the Improvements, if any ("Building Plans"); and

(e) All easements, rights, tenements, hereditaments, privileges and appurtenances now or in the future held by Seller which in any way benefit the Property or relate to the ownership or operation of the Property, including, without limitation: (i) any and all oil, gas, mineral, water and irrigation rights running with or pertaining to the Property; (ii) all of Seller's interest in any road, street or alleyway adjoining the land; and (iii) any rights or interests

which may accrue to the benefit of Seller or the Land as a result of the abandonment of any road, street or alleyway adjoining the Land (collectively called the "Appurtenances").

2. **Purchase Price.** The purchase price ("Purchase Price") to be paid for the Property thereon shall be One Hundred and Ninety Thousand and Five Hundred Dollars (\$190,500.00), all cash. The Purchase Price shall be paid as follows:

(a) Buyer shall deposit Ten Thousand Dollars (\$10,000.00) into escrow as earnest money (the "Deposit") on or before the opening of escrow. Buyer reserves the right to cancel the escrow created herein, for any reason whatsoever, before the expiration of the Contingency Period.

(b) Upon the expiration of the Contingency Period (as defined below), the Deposit shall become non-refundable. The Deposit shall apply towards the Purchase Price of the Property.

(c) Prior to close of escrow, Buyer shall deposit into escrow the balance of the Purchase Price, One Hundred and Eighty Thousand and Five Hundred Dollars (\$180,500.00).

(d) In the event Buyer should terminate this Agreement and escrow prior to the expiration of the Contingency Period, Buyer shall notify Seller and Escrow Agent in writing. Upon receipt of Buyer's notice to terminate, the Escrow Agent shall release to Buyer the Deposit within two (2) business days. If no written notice is received prior to the expiration of the Contingency Period, Buyer shall be deemed to have approved or waived any and all contingencies and the Deposits shall be deemed non-refundable and shall be applied towards the Purchase Price.

3. **Title to the Property.** The title to the Property conveyed is to be subject to easements, rights of way, restrictions, conditions and covenants of record as shown on a current Preliminary Title Report ("PTR") with readable copies of all exceptions to title provided through escrow to be furnished at Seller's expense, if any. Buyer shall have ten (10) business days following receipt of the PTR to approve the condition of title. If written disapproval is not received by Seller and Escrow Agent within said period, Buyer shall be deemed to have accepted the condition of the title. If Buyer submits a written objection ("Buyer's Objection") to the condition of title, Seller agrees immediately to cure Buyer's objection(s) prior to the expiration of the Contingency Period. If Seller fails to cure Buyer's Objection(s), Buyer may terminate this Agreement and the Deposit shall be returned to the Buyer.

4. **Title Insurance.** Seller agrees to deliver, at its expense, good and merchantable title as evidenced by a CLTA policy of title insurance which insures that title to the Property is vested in the Buyer in the condition required by Section 5 of this Agreement. Buyer, at its option, may terminate this Agreement to purchase and the deposit shall be returned if the Seller fails to deliver good and merchantable title as herein provided.

5. **Condition of Title.** The Seller shall convey the Property free and clear of all liens, encumbrances, assessments, taxes and other defects except those acceptable to the Buyer.

The Property shall be conveyed free of any possession or right of possession by any person except that of the Buyer, and those reflected in recorded easements affecting the Property as approved by the Buyer.

6. **Zoning of the Property.** The Seller represents to Buyer that the Property is currently zoned CV and is located in the City of Las Vegas, Clark County, State of Nevada.

7. **Disclosure of Conditions.** Buyer shall take title subject to declarations, covenants, conditions and restrictions, rules and regulations currently in force ("Conditions") which affect ownership or operation of the Property, said documents to the Conditions to be delivered to Buyer upon the commencement of the Contingency Period. Buyer shall be deemed to have approved said documents unless written notice to the contrary is delivered to Seller prior to the expiration of the Contingency Period.

8. **Escrow.** The purchase and sale provided for herein shall be consummated through an escrow to be opened with Angelina S. Galindo of United Title ("Escrow Agent"), within three (3) business days after the execution and delivery to occur no later than 3 days after execution of this Agreement. The escrow shall be deemed opened when Buyer and Seller have executed and delivered a signed copy of this Purchase and Sale Agreement and the Buyer's Deposit with the Escrow Agent. Said escrow shall be upon the usual form of instructions of the Escrow Agent for transactions of the type provided for herein, except that said instructions shall incorporate all terms and provisions of this Agreement, and in addition shall provide the following:

(a) Close escrow within fifteen (15) days from the expiration of the Contingency Period. Upon the opening of escrow, the Escrow Agent shall set a specific date for the expiration of the Contingency Period. The Contingency Period commences the date following the opening of escrow and shall expire thirty (30) days from the commencement date. If the expiration date of the Contingency Period or the anticipated close of escrow date falls on a holiday or weekend, the date for the closing of escrow shall be set on the next succeeding working day.

(b) Promptly after the opening of escrow, cause to be procured and delivered for buyer's approval the Preliminary Title Report and copies of related documents referred to in Section 3;

(c) Charge the Seller any Documentary Transfer Tax, and the cost of the CLTA title insurance policy and all endorsements thereto, and all other fees and costs shall be divided in accordance with the usual practices in Clark County, Nevada;

(d) Charge the Seller on a pro-rata basis the real property taxes assessed up to the close of escrow;

(e) Charge the Seller any Special Assessments or Fees outstanding on the Property, which are of record at the close of escrow;

(f) Disburse the funds and deliver the Grant, Bargain and Sale Deed and other documents entitled thereto when the conditions of this escrow have been fulfilled by the Buyer and Seller;

(g) Record any instruments delivered through this escrow, if necessary or proper, to vest title in the Buyer in accordance with the terms of this Agreement; and

(h) In the event of any conflict between the terms of this Agreement and the terms of the escrow, the terms of this Agreement shall prevail except where the escrow instructions specifically provide otherwise.

If escrow fails to timely close as the result of Buyer's default, the Deposit in escrow shall be paid by the Escrow Agent to Seller as damages, and Seller shall be entitled to seek other legal and equitable remedies. If escrow fails to close as a result of Seller's default, Buyer shall be entitled to seek specific performance and other legal and equitable remedies available to the Buyer. The provisions of this paragraph shall be the sole remedies available to each respective party hereunder in the event of a default under this Agreement.

9. **Contingencies.** The purchase of the Property is contingent upon the following:

(a) Buyer's approval of the Preliminary Title Report, and all documents described within the Preliminary Title Report, issued by Angelina S. Galindo of United Title concerning the Property within thirty (30) business days after Buyer's receipt of same from United Title (see Section 3).

(b) The expiration or Buyer's written waiver of the Contingency Period as described herein. Escrow Agent shall notify both Buyer and Seller in writing of the date escrow is opened, the date the Contingency Period expires, and the date escrow is to close. Under the Contingency Period, the contract is contingent upon the approval of the City of Las Vegas City Council.

(c) Buyer has obtained the right to enter and inspect the Property. Seller hereby grants Buyer the right to enter on the Property to conduct such tests and investigations, as Buyer deems appropriate. To the extent limited by NRS Chapter 41, Buyer agrees to indemnify and hold Seller harmless from any actual damage as a result of Buyer's tests and investigations during the Contingency Period on the Property. To the extent limited by NRS Chapter 41, Buyer further agrees to indemnify and hold Seller harmless from any injury to persons or actual damage including any legal fees to the personal property of others, which results from the Buyer's tests and investigations during the Contingency Period.

(d) Within ten (10) days following the opening of escrow, Seller shall make available to Buyer or to Buyer's agents copies of any site plans, marketing studies, environmental studies, grading plans, surveys, or other tests or any additional information or studies pertinent to the Property that may have been taken by Seller or is in the possession of Seller.



(e) This Agreement is contingent upon approval of this Agreement by the Las Vegas City Council at a duly noticed meeting of the City Council pursuant to Section 10.

(f) This offer is subject to Receipt by Buyer of a satisfactory Phase I report for which buyer shall be responsible for its cost.

(g) The above contingencies in Paragraphs 9 (a) and (f) are solely for the Buyer's benefit. Buyer may elect, for any reason or no reason whatsoever, to terminate this Agreement and the purchase contemplated herein during the Contingency Period. If Buyer elects to terminate this Agreement prior to the expiration of the Contingency Period, Buyer shall notify Seller and Escrow Agent in writing in accordance with the notice requirements in Section 12 below. In the event Buyer terminates this Agreement for any reason during the Contingency Period, the Deposit made by Buyer, plus any interest earned, shall be immediately returned to Buyer, less any escrow costs incurred and Buyer shall have no further obligations under this Agreement. Except for the cost of the PTR and the cost of reports and studies paid by the Seller in Paragraph 9 (d), Buyer shall be solely responsible for all costs involved in satisfying the above stated contingencies.

10. **Time of Offer.** This Agreement, when executed by the Seller and delivered to the City, will be contingent upon the approval by the City Council, executed and delivered by the City within thirty (30) days of this Agreement. If this Agreement is not approved by the City Council within the thirty (30) day period, this Agreement shall be void and the Deposit shall be returned to the Buyer, except to the extent that the Seller shall consent in writing to further extensions of time for the authorizations, execution and delivery of this Agreement. By executing this Agreement and submitting it to the City, the Buyer is making an irrevocable offer to enter into this Agreement, which offer shall continue for the period of time and with contingencies specified above. Any attempted revocation of such offer or material modification of the terms hereof without the consent of the City shall entitle the Seller to retain the Buyer's Deposit.

11. **Broker Commissions/Disclosure.** Buyer represents and warrants that it has retained Jack Clark as its broker in this transaction for which the buyers will be responsible to this Agreement. Buyer shall not be responsible for any real estate sales commission due to any broker retained by Seller.

12. **Notices.** Any and all notices, demands, or other communications required or desires to be given hereunder shall be in writing and shall be validly given or made to another party if served either personally or if deposited in the United States mail certified or registered, postage prepaid, return receipt requested. If such notice, demand or other communication be serviced personally or by facsimile transmission, service shall be conclusively deemed made at the time of such personal service or transmission. If such notice, demand or other communication be given by mail, such shall be conclusively deemed given forty-eight (48) hours after the deposit thereof in the United States mail addressed to the party to whom such notice, demand or other communication is to be given as hereinafter set forth.

To Seller: City of Las Vegas
400 E. Stewart Avenue; 4th Floor
Las Vegas, NV 89101
Attention: Real Estate & Asset Management Manager
Phone No.: (702) 229-1020
Fax No.: (702) 384-0527

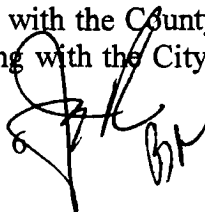
To Buyer: James E. and Beverly B. Rogers
Husband and Wife, Joint Tenants
1500 Foremaster Lane
Las Vegas, NV 89101
Attention: James E. and Beverly B. Rogers
Phone No:

Any party hereto may change his address for the purpose of receiving notices, demands and other communications as herein provided by written notice given in the manner aforesaid to the other party or parties hereto. After opening of escrow a copy of all notices, demands and other communications shall be given to the escrow office.

13. **Applicable Laws and Severability.** This Agreement shall, in all respects, be governed by the laws of the State of Nevada applicable to agreements executed and to be wholly performed within the State of Nevada. Nothing contained herein shall be construed so as to require the commission of any act contrary to law, and wherever there is any conflict between any provision contained herein and any present or future statute, law, ordinance or regulation contrary to which the parties have no legal right to contract, the latter shall prevail but the provision of this Agreement which is affected shall be curtailed and limited only to the extent necessary to bring it within the requirements of the law.

14. **Entire Agreement.** The foregoing represents the entire Agreement between the parties and no verbal statements made by any party are a part hereof unless incorporated in writing. In the event either party shall prevail in any legal action commenced to enforce this Agreement, the prevailing party shall be entitled to all costs incurred in such action including attorney's fees, costs and expenses as may be fixed by the court.

15. **Modifications or Amendments.** Upon approval of this Purchase and Sale Agreement by the City Council and after it has been fully executed by signature of all parties, the Seller designates the Manager of the Real Estate & Asset Management Division in conjunction with the City Clerk who shall have the authority to complete and execute any additional documents necessary for the completion of the intent of this contractual obligation during the original term of this Agreement, such as amendments, escrow document signature authority, adjustments to monetary revenue or expenditure not to exceed ten thousand (\$10,000.00) dollars, filing and recording of appropriate documents with the County Records Office or the County Tax Assessors Office, and recordings and filing with the City Clerk's Office. No amendment,



change or modification of this Agreement shall be valid unless in writing and signed by all parties hereto.

16. **Successors or Assigns.** All of the terms and provisions contained herein shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns.

17. **Time of the Essence.** Time is of the essence of this Agreement and all terms, provisions, covenants and conditions hereof.

18. **Disclosure of Principals.** Pursuant to Resolution R-105-99 adopted by the City Council effective October 1, 1999, Buyer warrants that it has disclosed that James E. Rogers and Beverly B. Rogers, Husband and Wife, Joint Tenants, are the sole buyers and principals to this transaction. Throughout the term hereof, James E. and Beverly B. Rogers shall notify Seller in writing of any material change in the above disclosure within 15 days of any such change.

...

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19. **Disclosure Regarding Agency.** Pursuant to the Nevada Real Estate Division rules, Jack Clark, advises seller that he represents only the buyer in this transaction per Exhibit "E".

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

ATTEST:

"SELLER" CITY OF LAS VEGAS

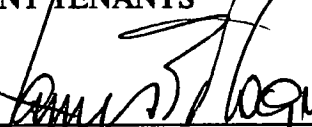

BARBARA JO RONEMUS, CITY CLERK
By: Beverly K. Bridges
Chief Deputy City Clerk

By 
OSCAR B. GOODMAN, MAYOR

APPROVED AS TO FORM:

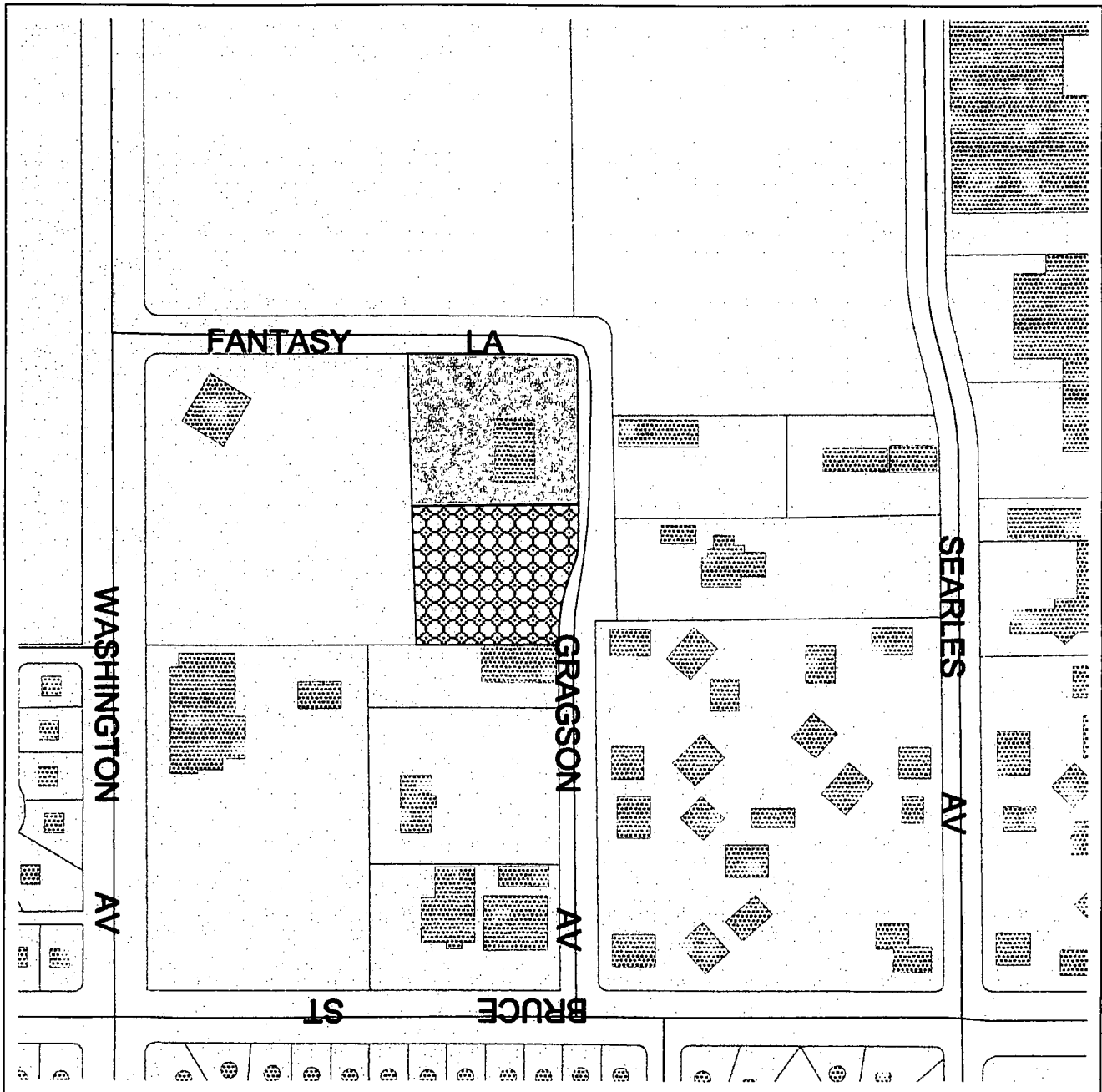
 7-7-00
DEPUTY CITY ATTORNEY/DATE

"BUYER" JAMES E. AND
BEVERLY B. ROGERS,
HUSBAND AND WIFE,
JOINT TENANTS

By  7-12-00
JAMES E. ROGERS Date

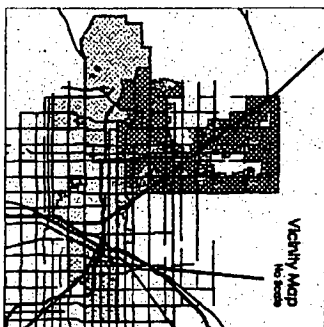
By  7/12/00
BEVERLY B. ROGERS Date

EXHIBIT "A"



Sunbelt Communications Land Sale

-  Building Footprints
-  Leased Site
-  Vacant Site
-  Street Centerline
-  Parcels
-  Right of Way



Real Estate & Asset Management



1-2008



Date of Order: 1/19/1/2007

EXHIBIT "B"

CITY COUNCIL MEETING OF AUGUST 16, 2000

Pg. 731

LEASE

THIS AGREEMENT, made and entered into this 12th day of June, 2000 by and between JAMES ROGERS, BEVERLY BARLOW ROGERS AND SUNBELT COMMUNICATIONS COMPANY, sometimes hereinafter called Lessor and LAS VEGAS LODGENO. 1, FRATERNAL ORDER OF POLICE, hereinafter sometimes called Lessee.

WITNESSETH:

WHEREAS, the Lessor is the owner of certain property; and

NOW, THEREFORE, it is agreed by and between the parties as follows, to wit:

Lessor hereby agrees to lease to Lessee the following described property for said Lessee to construct and maintain thereon a building or buildings to be used for the following purposes: Meeting place, social functions, office facilities, recreation facilities, cultural activities, food and beverage facilities; said property being more fully described as follows, to wit:

A certain tract or parcel of land lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 26, Township 20 South, Range 61 East, M.D.M., being more particularly described as follows:

Beginning at a point which bears South 89° 49' 07" West distant 574.81 feet and North 0° 00' 35" East distant 473.41 feet, from the center corner of said Section 26, said point being the Northeast corner of that certain parcel conveyed to the Clark County Sheriff's Mounted

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JRM
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EXHIBIT "B"

Posse as described by Document #95215, Book 115 of Official Records, Clark County, Nevada; thence South $88^{\circ} 01' 15''$ West along the North line of said parcel a distance of 461.21 feet to the Northwest corner thereof; thence North $0^{\circ} 00' 35''$ East a distance of 291.14 feet to a point on the South line of that certain parcel conveyed to the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints as described in Document # 63660, Book 76, of Official Records, Clark County, Nevada; thence North $89^{\circ} 32' 47''$ East along the South line thereof a distance of 460.93 feet; thence South $0^{\circ} 00' 35''$ West a distance of 278.86 feet to the point of beginning, including the West 180 feet thereof.

Save and except the east portion of said property being a parcel approximately 218' x 218 which Lessor reserves to construct an antique and classic car museum.

Save and except any portions thereof lying within the outlines described in that certain Roadbed Dedication Instrument recorded September 6, 1966, as Document Number 599205, Official Records of Clark County, Nevada.

Paragraph 1. Lessor leases said property to Lessee for a period of twenty (20) years from August 1, 2000, at a rental of One Dollar (\$1.00) per year, payable in advance, provided, however, that the building or buildings and real property described above are used by Lessee solely for the purposes above named.

Paragraph 2. Lessor makes this lease upon the condition that Lessee shall maintain the buildings and other facilities on the premises in good condition and repair at the expense of Lessee.

Paragraph 3. Lessor agrees to make a yearly donation to Lessee in the amount of Five Thousand (\$5,000.00) Dollars payable in advance during the term of the lease to Las Vegas Fraternal Order of Police Lodge #1, said payment to be guaranteed by James E. Rogers and his estate.

Paragraph 4. Lessor agrees to air or display a minimum of thirty (30) public service

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EXHIBIT "B"

announcements per month through their operations that relate to the Nevada Fraternal Order of Police, the dates to be chosen by the station, for the duration of the twenty (20) year lease. Lessor further agrees to bear any and all production costs for or relating to said public service announcements.

Paragraph 5. Lessor agrees that any and all security surveillance and patrol provided by Lessor for their adjacent property be extended to Lessor's leased premises to Lessee for the purposes of protecting the property and building presently occupied by the Fraternal Order of Police.

Paragraph 6. The Lessee agrees to pay the sum of One Dollar (\$1.00) per year under the terms of this lease as rental for the premises hereinabove described.

Paragraph 7. Lessee further agrees to obtain and maintain all necessary connections to public utility lines and to pay all expenses incurred in the use of said utilities.

Paragraph 8. Lessee further agrees that no person will be excluded from using said premises by reason of race, color or national origin.

Paragraph 9. Lessee further agrees to hold Lessor harmless from any liens as a result of any construction and does further agree to hold Lessor harmless from any claims for injuries sustained on the leased premises by any individual there present, whether by invitation or not.

Paragraph 10. If the Leased Premises or any part thereof or any appurtenance thereto is so damaged by fire, casualty or structural defects that the same cannot be used for Lessee's purposes, then Lessee shall have the right within ninety (90) days following damage to elect by notice to Lessor to terminate this Lease as of the date of such damage. In the event of minor damage to any part of the Leased Premises, and if such damage does not render the Leased Premises unusable for Lessee's purposes, Lessee shall promptly repair such damage at the cost of the Lessee. Lessee shall be

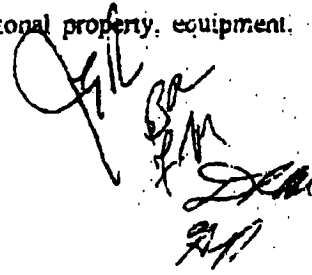
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relieved from paying rent and other charges during any portion of the Lease term that the Leased Premises are inoperable or unfit for occupancy, or use, in whole or in part, for Lessee's purposes. Rentals and other charges paid in advance for any such periods shall be credited on the next ensuing payments, if any, but if no further payments are to be made, any such advance payments shall be refunded to Lessee. The provisions of this paragraph extend not only to the matters aforesaid, but also to any occurrence which is beyond Lessee's reasonable control and which renders the Leased Premises, or any appurtenance thereto, inoperable or unfit for occupancy or use, in whole or in part, for Lessee's purposes.

Paragraph 11. Lessor agrees that in the event Lessor should for any reason seek to evict Lessee from the premises prior to the expiration of the Sublease agreement, Lessor will furnish a building comparable in size, location and rent for the remainder of the Sublease agreement as agreed upon by both parties. Lessor may only seek to evict Lessee for good cause and in good faith, unless otherwise agreed by the parties hereto.

Paragraph 12. It is understood and agreed by the Lessor and Lessee that, upon the expiration of the term of this lease, or upon termination in accordance with Paragraph 1, hereof, the title to said buildings shall vest immediately in the Lessor.

Paragraph 13. Lessee, at Lessee's expense, shall have the right following Lessor's consent to remodel, redecorate, and make additions, improvements and replacements of and to all or any part of the Leased Premises from time to time as Lessee may deem desirable, provided the same are made in a workmanlike manner and utilizing good quality materials. Lessee shall have the right to place and install personal property, trade fixtures, equipment and other temporary installations in and upon the Leased Premises, and fasten the same to the premises. All personal property, equipment,

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machinery, trade fixtures and temporary installations, whether acquired by Lessee at the commencement of the Lease term or placed or installed on the Leased Premises by Lessee thereafter, shall remain Lessee's property free and clear of any claim by Lessor. Lessee shall have the right to remove the same at any time during the term of this Lease provided that all damage to the Leased Premises caused by such removal shall be repaired by Lessee at Lessee's expense.

Paragraph 14. Lessor covenants and warrants that upon performance by Lessee of its obligations hereunder, Lessor will keep and maintain Lessee in exclusive, quiet, peaceable and undisturbed and uninterrupted possession of the Leased Premises during the term of this Lease.

IN WITNESS WHEREOF, we have hereunto set our hands this 12th day of June, 2000.

Sunbelt Communications

Fraternal Order of Police
Las Vegas Lodge No. 1

By: James E. Rogers
James E. Rogers
Lessor

By: David Moody
David Moody, President
Lessee

By: Beverly Barlow Rogers
Beverly Barlow Rogers
Lessor

By: Frank Mahoney
Frank Mahoney, 2nd Vice President
Lessee

By: Harry Daly
Harry Daly, Treasurer
Lessee

EXHIBIT "C"
Legal Description of Land

Mount Diablo Meridian, Township 20S., Range 61E., Section 26, P^TSW1/4NW1/4

Exhibit "D"**Disclosure of Principals**

The principals and partners JAMES E. ROGERS AND BEVERLY B. ROGERS, HUSBAND AND WIFE, JOINT TENANTS and all persons and entities holding more than 1% interest in James E. Rogers And Beverly B. Rogers, Husband And Wife, Joint Tenants and or any principal of James E. Rogers And Beverly B. Rogers, Husband And Wife, Joint Tenants are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. James E. Rogers	1500 Foremaster Lane Las Vegas, NV 89101	
2. Beverly B. Rogers	1500 Foremaster Lane Las Vegas, NV 89101	

I hereby certify under penalty of perjury, that the foregoing list is full and complete.

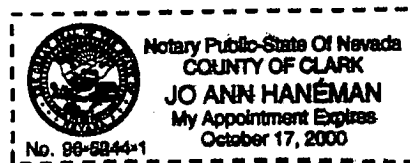
JAMES E. AND BEVERLY B. ROGERS

By: Beverly B. Rogers

Its: James E. Rogers

Subscribed and sworn to before me this
12 day of July, 2000.

Jo Ann Haneman
Notary Public



City of Las Vegas

Agenda Item No.: 81

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

ABEYANCE ITEM - Bill No. 2000-59 – Amends the Zoning Code to allow certain types of open air vending as a conditional use. Sponsored by: Councilwoman Lynette Boggs McDonald

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Under previous zoning regulations found in Title 19 of the Municipal Code, hot dog vending was allowed outside certain retail centers, typically "big box" stores, by means of a variance. With the adoption of Title 19A, approval by means of variance is no longer allowed. This bill will remedy that situation by allowing open air vending in connection with such stores as a conditional use in the C-1, C-2 and C-M Zoning Districts.

RECOMMENDATION:

ADOPTION at 8/2/2000 City Council meeting pursuant to 7/17/2000 Recommending Committee.

Committee: Councilmen Weekly and Mack; First Reading – 7/5/2000; First Publication – 7/21/2000

BACKUP DOCUMENTATION:

Bill No. 2000-59

MOTION:

L.B. McDONALD – Second Reading and **BILL ADOPTED** as a First Amendment as Ordinance No. 5248 - **UNANIMOUS** with **M. McDONALD** not voting

Clerk to proceed with second publication

*City of Las Vegas***Agenda Item No. 81**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Recommending Committee

Item 81 – Bill No. 2000-59

MINUTES:

DEPUTY CITY ATTORNEY VAL STEED advised that the First Amendment corrects an error in the table regarding the treatment of open air vending as a matter of right to reflect the need for a special use permit. There is no net effect. MAYOR GOODMAN confirmed with CITY ATTORNEY JERBIC that the bill, as amended, provides discretion to approve or deny the use via a special use permit within the C-1, C-2 or C-M districts. A recommendation by the Director of Planning & Development was to consider an amendment changing the requirement to a Variance. DEPUTY CITY ATTORNEY VAL STEED responded that the special use permit would apply within C-1, C-2 or C-M districts and an addition could be made requiring that for any other zoning districts as well to preserve the Council's discretion across the board.

COUNCILWOMAN McDONALD explained that this bill was drafted due to a situation where a new Lowe's was prohibited from entering into an arrangement with Woody's of Honolulu, a hot dog vender, which they have nation wide at all their locations. These vendors are convenient when visiting a large box store. She supported the text amendment.

CITY ATTORNEY JERBIC clarified that the amendment would include a special use permit requirement in every zone.

There was no further discussion.

(1:05 – 1:07)

3-1797

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2000-60 – Repeals the provision of the Municipal Code that prohibits certain businesses from tipping taxicab drivers for the delivery of passengers. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will repeal the provision of the Municipal Code that prohibits certain businesses from tipping taxicab drivers for the delivery of passengers. The provision has not been enforced successfully. It is believed that other means of addressing the issue will be more effective, including NRS 598.992, which prohibits the payment of money by certain types of adult businesses for the diversion of passengers.

RECOMMENDATION:

ADOPTION at 9/6/2000 City Council meeting pursuant to 8/14/2000 Recommending Committee.

Committee: Councilmen Weekly and Mack; First Reading – 8/2/2000; First Publication – 8/18/2000

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/6/2000 Recommending Committee

(1:07 – 1:08)

3-1955

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:**

Bill No. 2000-61 – Amends Ordinance No. 5165, relating to the annexation of property located on the southwest corner of Durango Drive and Centennial Parkway, to correct a portion of a legal description contained therein. Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

In September 1999 the Council adopted Ordinance No. 5165, which annexed property located at the southwest corner of Durango Drive and Centennial Parkway. Although the legal description in the ordinance was correct as to the annexation itself, it was incorrect and incomplete as to the zoning designations assigned to the property. This bill will conform the descriptions of the zoning designations to the designations that were placed on the "record" when the Council considered and approved Ordinance No. 5165.

RECOMMENDATION:

ADOPTION at 9/6/2000 City Council meeting pursuant to 8/14/2000 Recommending Committee.

Committee: Councilmen Weekly and Mack; **First Reading** – 8/2/2000; **First Publication** – 8/18/2000

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/6/2000 City Council Agenda

(1:07 – 1:08)

3-1955

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:**

Bill No. 2000-62 – Adopts the Las Vegas 2020 Master Plan. Proposed by: Willard Tim Chow, Director of Planning and Development

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will adopt the Las Vegas 2020 Master Plan. The Las Vegas 2020 Master Plan represents an update of major elements of the City's General Plan adopted in 1992, and is the product of a unique cooperative effort of a broad range of participants. Because the 2020 Master Plan does not include every element necessary to replace the 1992 General Plan, the latter will be retained in force for the time being. To the extent of any conflict or inconsistency, the 2020 Master Plan will govern.

RECOMMENDATION:

ADOPTION at 9/6/2000 City Council meeting as a First Amendment pursuant to 8/14/2000 Recommending Committee.

Committee: Councilmen Weekly and Mack; First Reading – 8/2/2000; First Publication – 8/18/2000

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

9/6/2000 City Council Agenda

(1:07 – 1:08)

3-1955

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-63 – Annexation No. A-0002-00(A) -- Property Located: On the northeast corner of El Campo Grande Avenue and Bronco Street; Petitioned By: Michael C. Beebe, Linda Zeimet, and James Zeimet; Acreage: Approximately 1.08 acres; Zoned: R-E (County Zoning), R-E (City Equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property located on the northeast corner of El Campo Grande Avenue and Bronco Street. The annexation is at the request of the property owners, in consideration of connection to City sewer facilities. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 29, 2000) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-63 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 86

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-64 – Annexation No. A-0004-00(A) -- Property Located: On the north side of Grand Teton Road approximately 1620 feet west of Durango Drive; Petitioned By: Walter Clyde Pearson Trust; Acreage: Approximately 2.58 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property located on the north side of Grand Teton Road, approximately 1620 feet west of Durango Drive. The annexation is at the request of the property owner, in consideration of connection to City sewer facilities. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 29, 2000) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-64 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 87

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-65 – Annexation No. A-0006-00(A) -- Property Located: On the northwest corner of Ann Road and Balsam Street; Petitioned By: Borsack Group, Inc.; Acreage: Approximately 4.48 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property located on the northwest corner of Ann Road and Balsam Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 29, 2000) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-65 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 88

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-66 – Increases the compensation of the City's alternate municipal judges from seventy-five dollars to one hundred dollars per court session. Proposed by: Michael Havemann, Municipal Court Administrator

Fiscal Impact☐**No Impact****Amount:** \$17,800☒**Budget Funds Available****Dept./Division:** Municipal Court☐**Augmentation Required****Funding Source:** FY 2001 Budget**PURPOSE/BACKGROUND:**

The present compensation for alternate municipal judges is seventy-five dollars per court session. This amount has remained unchanged for more than ten years. In order to reflect the increased cost of living and to continue to attract qualified people to serve, it has been deemed appropriate to increase the compensation to one hundred dollars per court session.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-66

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 89

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-67 – Increases the number of members of the Traffic and Parking Commission to reflect the increase in the number of wards in the City. Sponsored by: Councilman Lawrence Weekly

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Traffic and Parking Commission presently has seven voting members. Based upon the previous division of the City into four wards, the governing section of the City Code currently provides that four of the voting members are to be members of the general public who are representative of those four wards. With last year's increase in the number of wards to six, it is appropriate to add two additional seats to continue to provide representation on the Commission from each ward.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-67

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 90

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-68 – Amends the City's child care provisions regarding accommodation facilities to bring them into conformance with State regulations. Proposed by Mark Vincent, Director of Finance and Business Services

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City's child care provisions contain rules regarding the operation of accommodation facilities, which provide temporary on-site care for the children of patrons of a business establishment. The City's provisions presently include a time limit of three hours of care (within a twenty-four hour period), a prohibition on the serving of food, but no prohibition on the administering of medication. Under State child care regulations, the time limit for care is three and one-half hours, no medication may be administered by the facility, and the serving of food is implicitly allowed. This bill will conform the City's provisions to State regulations, but will limit the serving of food to that which may be provided by the parent or guardian.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-68

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 91

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2000-69 – Authorizes the issuance of the City's General Obligation (Limited Tax) Medium-Term Building Bonds, Series 2000, for a building project (community/senior center)

Fiscal Impact☐**No Impact**☐**Budget Funds Available**☐**Augmentation Required****Amount:** Maximum principal amount of \$8,000,000**Dept./Division:****Funding Source:** General Obligation (Limited Tax)
Medium-Term Building Bonds**PURPOSE/BACKGROUND:**

This bill will authorize the issuance of the City's General Obligation (Limited Tax) Medium-Term Building Bonds, Series 2000, for a building project (community/senior center).

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2000-69

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

8/28/2000 Recommending Committee

9/6/2000 City Council Agenda

(1:08 – 1:10)

3-1958

City of Las Vegas

Agenda Item No. 92

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

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

MOTION:

M. McDONALD – Motion to bring forward and accept WITHDRAWAL of Item 103 [SD-0034-00] without prejudice and hold in ABEYANCE Item 110 [V-0079-98(1)] to 9/6/2000 – UNANIMOUS

MINUTES:

There was no discussion.

(2:04 – 2:05)

4-1

MAYOR GOODMAN expressed his sincere apology to the audience for such a long morning session, but there were a lot of items with issues. He also apologized for appearing to be critical of the City Attorney's office advice on the Las Vegas Sportspark issue. It is obvious by the memorandum submitted into the record, which is available for the public's review, that the City Attorney treated the matter with great care, precaution, and professionalism. He apologized for any misunderstanding.

(2:03 – 2:04)

4-18

City of Las Vegas

Agenda Item No. 93

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:****ABEYANCE ITEM** - A hearing to consider the appeal from the Notice and Order to Make Repairs filed by Marion D. Bennett regarding the property located at 1616 Luning Dr.

PROPERTY OWNER: MARION D. BENNETT, Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The subject property is a substandard building, dangerous and declared a public nuisance under Section 202 of the Uniform Housing Code. The condition of the property is a source of concern to the public and the Fire and Police Departments because of the hazardous conditions. The Department of Neighborhood Services declared the property in violation and started legal notification.

RECOMMENDATION:

That the City Council approve the Notice and Order to Make Repairs.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice of Appeal Hearing
4. Chronological List of Events

MOTION:**WEEKLY – Motion to STRIKE from the Agenda – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

DAVE SEMENZA, Manager, Neighborhood Response Division, reported that an agreement was reached and the repairs will be done. The life safety items will be taken care of within the next couple of days. The tenant is leaving at the end of the month and all of the repairs will be done before the property is rented out again.

*City of Las Vegas***Agenda Item No. 93**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Neighborhood Services

Item 93 – Appeal on Notice and Order for Repairs by Marion D. Bennett for 1616 Luning Drive

MINUTES – Continued:

COUNCILMAN WEEKLY thanked all those involved for their cooperation and diligence on the matter.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:05 – 2:06)

4-58

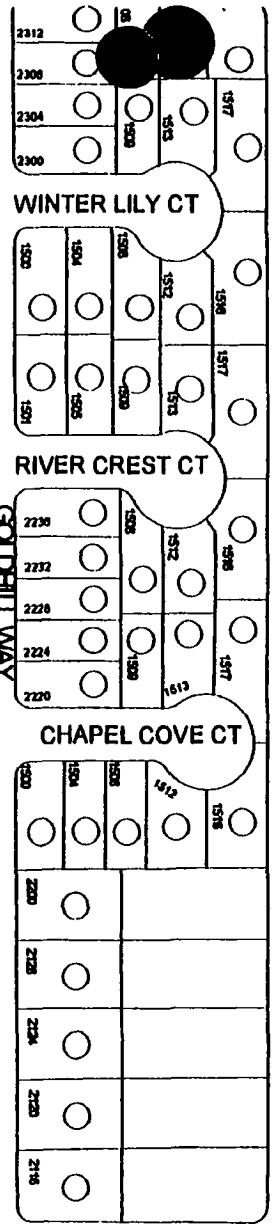
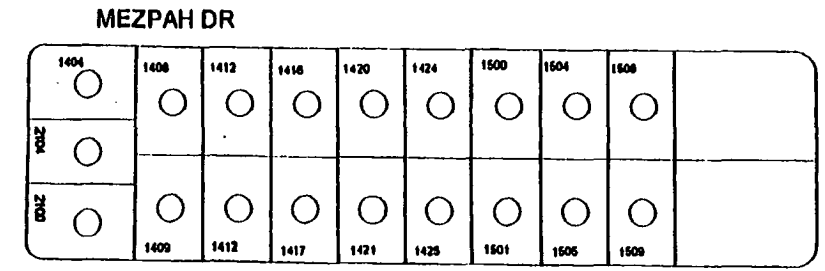
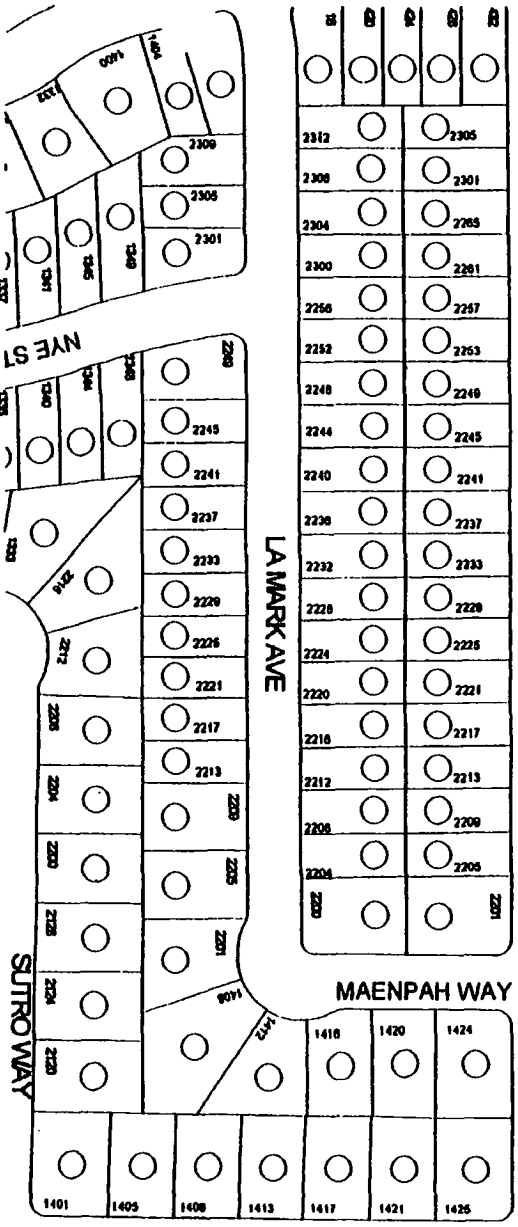
*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: AUGUST 16, 2000****DEPARTMENT: NEIGHBORHOOD SERVICES****ITEM DESCRIPTION: Abeyance Item: A hearing to consider the appeal from the Notice and Order to Make Repairs filed by Marion D. Bennett regarding the property located at 1616 Luning Dr. PROPERTY OWNER: MARION D. BENNETT, Ward 5 (Weekly)**

The subject property was determined by Neighborhood Response to be a substandard building, after investigating a tenant complaint of electrical problems. While investigating the electrical problems, the inspector noticed numerous housing code violations including:

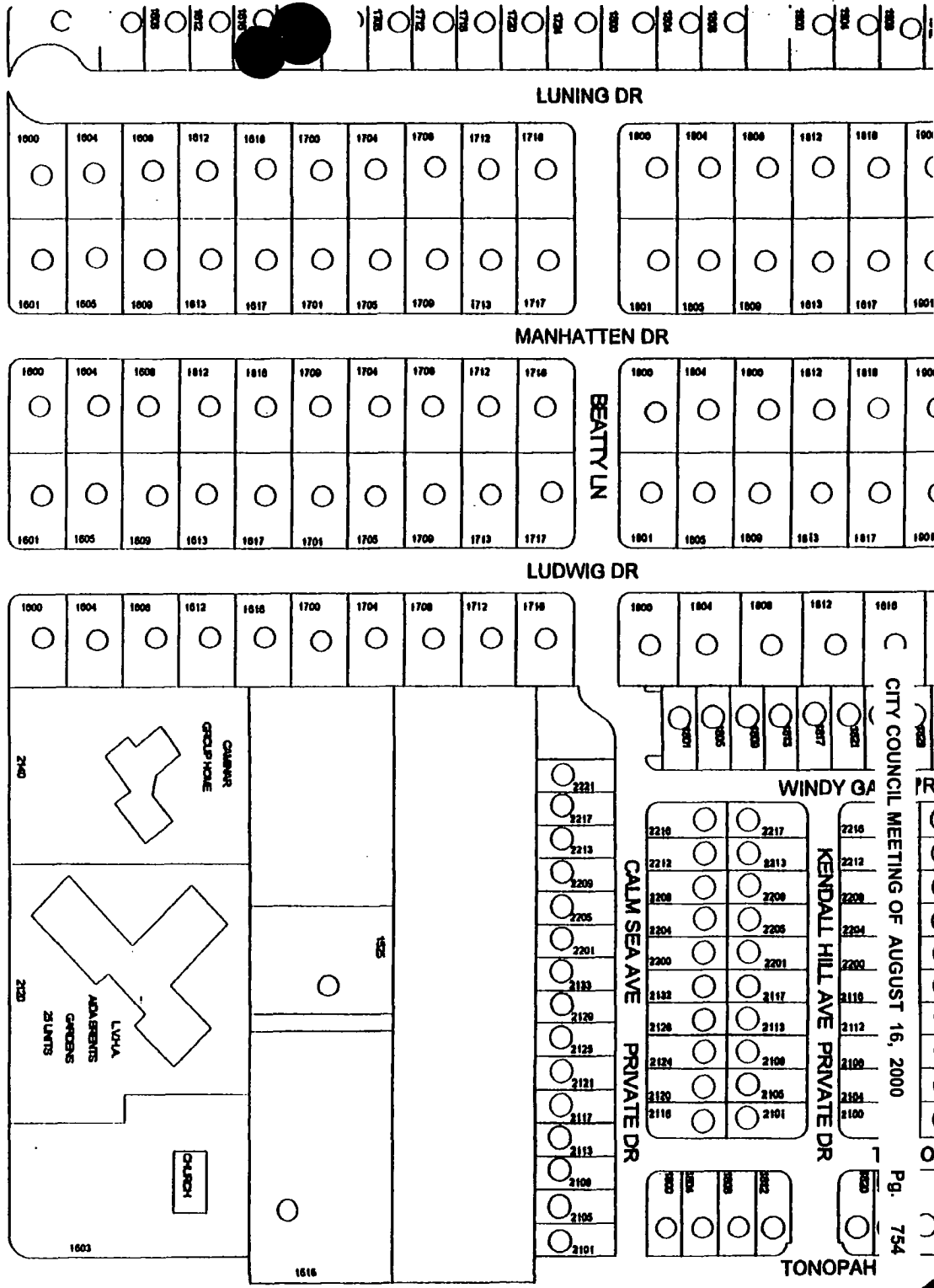
1. All main circuits, and electrical wiring needs to be inspected and brought to City Code.
2. Repair or replace electric range to City Code.
3. All plumbing needs to be brought to City Code. (The spare bathroom has no water to the shower, also strong sewer odor coming from master bathroom.)
4. The patio porch needs to be re-screened.
5. Repair or replace all deteriorated floor coverings.
6. Finish repairing ceiling.
7. Repair or replace all smoke detectors.
8. Repair interior walls and re-paint.
9. Replace all missing electrical covers.
10. Repair dryer vent.
11. Clean and sanitize shower enclosure floors.
12. Weather strip all exterior doors.
13. Abate roach infestation by a licensed pest control firm on a regular basis.
14. Replace rear window.

On June 1, 2000, a Notice and Order to Make Repairs was posted on the 1616 Luning Dr. property, as well as mailed by certified mail to the property owner. The Notice and Order required the owner to make the repairs by June 15, 2000.

Today's hearing is to consider the appeal from the Notice and Order to Make Repairs filed by Marion D. Bennett. regarding the property located at 1616 Luning Dr.



VEGAS DR





June 22, 2000

CERTIFIED & REGULAR MAIL

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
ETTE B. McDONALD
RENCE WEEKLY
CHAE MACK

CITY MANAGER
VIRGINIA VALENTINE

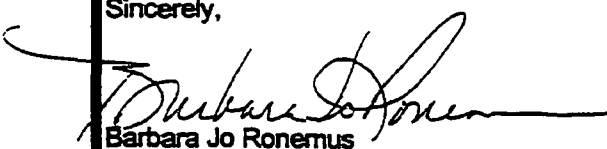
Marion D. Bennett
1911 Goldhill Avenue
Las Vegas, Nevada 89106

Re: Notice of Appeal Hearing - Notice and Order to Abate Dangerous Building(s) on property located at 1616 Luning Drive (Parcel #139-20-811-052)

Dear Property Owner:

You are hereby notified that your hearing has been rescheduled to be held before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 19th day of July, 2000, at the hour of 1:00 p.m., per your letter dated June 19, 2000 requesting the change in meeting date, upon the notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefor with the City Clerk on behalf of the Las Vegas City Council.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Sharon Segerblom, Director, Neighborhood Services
Dave Semenza, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

Complaint 052300-133 1616 LUNING DR

**ELECTRICAL PROBLEMS WITH THE STOVE - HAS BEEN SHOCKED - WIRING
MAY BE A HAZARD**

Housing Code Violations: Miscellaneous

Taken By: JC

>> 1 Open This is 7 of 7.

Ward 5 4- 2223-97
Area 3

Parcel: 139 20 811 052

**BENNETT MARION D
1911 GOLDHILL AVE
LAS VEGAS NV 89106-2019
SIERRA NEVADA #1
PLAT BOOK 8 PAGE 95
LOT 16 BLOCK 5**

**Complainant: SHARON BIGGS
Respond To: 1616 LUNNING DR
Phone: 6477689
Owner: BENNETT MARION D**

Spl. Project:

05-10-00	JC) AVAILABLE ANYTIME. JUST CALL TO SET UP AN APPOINTMENT ON 5/15. DID CALL FAIR HOUSING & GOT THE RUN AROUND.
05-11-00	25/26) complaint recinded, close
05-23-00	25) SHARON CALLED & IS RE-FILING COMPLAINT. OWNER NEVER CAME
05-24-00	23) PE/INSP NUMEROUS H/C VIOLATIONS ILLEGAL GARAGE CONVERT ION 23) TO PREPARE N&O
	23) PREPARED N&O RE-OFFICE FOR TYPING AND MAILING.
06-01-00	(TL) SENT 10-DAY N&O TO MAKE REPAIR TO: MARION D BENNETT WILL POST ON PROPERTY - CB 6/12
06-02-00	23) POSTED N&O C/B 6/12
06-09-00	18) RECEIVED REQUEST FOR PUBLIC HEARING FROM OWNER.
06-14-00	18) PUBLIC HEARING SET BEFORE COUNCIL FOR 7/5/00.
06-16-00	(TL) I DON'T KNOW WHERE THE FILE IS? COPY ONLY I WILL ASK MIKE 23 - IF HE HAS THE FILE?
06-19-00	(18) COPY OF NOTICE OF HEARING RECEIVED FROM CITY CLERK.
06-21-00	TL) REC'D "UNSIGNED" CERT. MAIL "UNCLAIMED"; ATTEMPTED TO DELIVER 6/2, 6/7. AND 6/17. RETURNED "UNCLAIMED".



June 16, 2000

CERTIFIED & REGULAR MAIL

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
ETTE B. McDONALD
ERENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

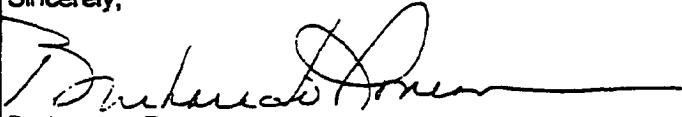
Marion D. Bennett
1911 Goldhill Avenue
Las Vegas, Nevada 89106

Re: Notice of Appeal Hearing - Notice and Order to Abate Dangerous Building(s) on property located at 1616 Luning Drive (Parcel #139-20-811-052)

Dear Property Owner:

You are hereby notified that a hearing will be held before the Las Vegas City Council at 400 Stewart, Las Vegas, Nevada on the 5th day of July, 2000, at the hour of 1:00 p.m., upon the notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefor with the City Clerk on behalf of the Las Vegas City Council.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Sharon Segerblom, Director, Neighborhood Services
Dave Semenza, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

MARION D. BENNETT**1911 GOLDHILL AVENUE – LAS VEGAS, NV 89106
(702) 648-1205**

June 19, 2000

City of Las Vegas
Barbara Jo Ronemus, City Clerk
400 East Stewart Avenue
Las Vegas, NV 89101RECEIVED
CITY CLERK
2000 JUN 20 A 10:24**VIA CERTIFIED MAIL****RE: NOTICE OF APPEAL HEARING – NOTICE AND ORDER
TO ABATE DANGEROUS BUILDING(S) ON PROPERTY
LOCATED AT 1616 LUNING DRIE (PACEL #139-20-811-052)**

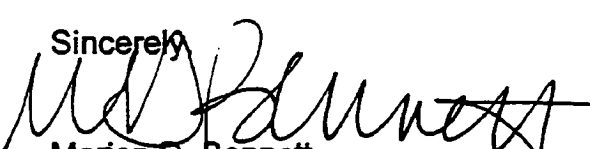
Dear Ms. Ronemus:

I am in receipt of your letter dated June 16, 2000, scheduling the above-referenced matter for hearing before the City Council on July 5, 2000, at 1:00 p.m. I am requesting that this matter be held in abeyance and rescheduled because I will be out of state on July 5, 2000.

Ward 5

Thank you for your cooperation.

Sincerely,


Marion D. Bennett

MDB:lp

cc: Sharon Segerblom, Director, Neighborhood Services
Dave Semenza, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety

Certified Mail Receipt No. 7099 3220 0005 6145 9329

1 RECEIVED
2 CITY CLERK

3 LAS VEGAS CITY CLERK

4 2000 JUN -9 A 11: 27

5 CLARK COUNTY NEVADA

6 TO: THE LAS VEGAS CITY COUNCIL, OR ITS DESIGNEE

7 TO: THE LAS VEGAS CITY CLERK

8 NOTICE OF INTENT TO APPEAL ASSESSMENT OF NEIGHBORHOOD
9 RESPONSE, TO WIT: NOTICE AND ORDER TO MAKE REPAIRS -
10 REFERENCE NO. 052300-133

11 COMES NOW, Marion D. Bennett and pursuant to the
12 Notice and Order to Make Repairs, Reference No., 052300-133, attached
13 hereto as Exhibit A, does hereby tender written notice of his intent to
14 appeal the assessment contained therein.

15 This appeal shall be heard by the City Council or its
16 designee and is timely filed.

17 DATED this 9th day of June 2000.

18 Submitted by: Marion D. Bennett

19 Marion D. Bennett

20 1911 Goldhill Avenue

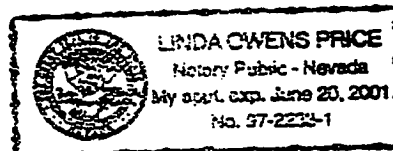
21 Las Vegas, NV 89106

22 (702) 648-1205 or (702) 648-7806

23
24
25 SUBSCRIBED and SWORN to before me,
26 this 9th day of June, 2000.

27 Linda Price

28 NOTARY PUBLIC in and for said
County and State





MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
TTE B. McDONALD
RENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

June 1, 2000

Reference: #052300-133
Certified and Regular Mail
Return Receipt Requested

Marion D Bennett
1911 Goldhill Ave
Las Vegas, NV 89106-2019

NOTICE AND ORDER TO MAKE REPAIRS

As recorded owner(s) of the building(s) located at 1616 Luning Dr, Las Vegas, Nevada - legally described as parcel #139-20-811-052, you are hereby given notice that the Building Official or his designee has determined that the aforementioned building(s) is substandard. Said building(s) is substandard, dangerous and declared a public nuisance under Section 202 of the Uniform Housing Code because of the following conditions:

Uniform Housing Code - Chapter 3 - Permits and Inspections
Chapter 10 - Substandard Buildings
Las Vegas Municipal Code, Title 16 -Buildings and Construction
Las Vegas Zoning Code, Title 19A - Zoning

Exterior & Interior Violations:

1. *All main circuits, and electrical wiring to be inspected and brought to meet City electrical code.
2. Repair or replace electric range to city code (giving off shocks to tenants, open breakers main service).
3. *All plumbing to be inspected and brought to meet City plumbing code, by licensed plumbing contractor (first bathroom no water to shower, also strong sewer odor coming from master bathroom, T & P line needs to go down and out Not up & out to exterior (suggest to raise water heater), by
4. Re-screen patio porch.
5. Repair or replace all deteriorated floor coverings.
6. Finish repairing ceiling tape texture and re-paint.
7. Repair or replace all smoke alarms detector to meet City code.
8. Repair interior walls tape texture and re-paint.
9. Replace all missing electrical covers.
10. Repair dryer vent to exterior to meet city code.
11. Clean and sanitize shower enclosure floors.
12. Weather-strip all exterior doors.
13. Abate roach infestation by a licensed pest control firm on regular basis.
14. Replace rear window to meet Coty code.

Because of the conditions, the Building Official or his designee does hereby order Marion D Bennett, owner(s) of the building to:

NEIGHBORHOOD
SERVICES DEPARTMENT
DIRECTOR
SHARON SEGERBLOM

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.2330
FAX 702.382.3045
TDD 702.386.9108
www.ci.las-vegas.nv.us

Rev. 9/10/99

1616 Luning Dr

June 1, 2000

Page Two

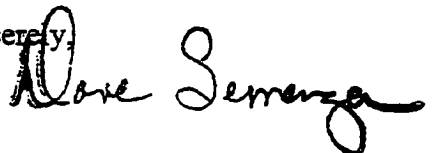
1. Cause the following permits to be taken out by licensed contractor on or before June 15, 2000 (only starred (*) items required a permit and/or a licensed contractor);
2. Make the aforementioned repairs by June 15, 2000. Contact the City of Las Vegas Neighborhood Services, Neighborhood Response Division at (702) 229-6615 when the work is completed;
3. If any building declared substandard under this ordinance and ordered to be repaired by the Building Official or his designee has been vacated by the owner(s) to effect such repairs, a Certificate of Occupancy shall be obtained by the owner(s) upon completion of the repairs or prior to re-occupancy.

If these orders are not complied with, you are hereby given notice that the Building Official or his designee may order the building vacated and posted to prevent further occupancy until the work is completed.

Moreover, you are hereby given notice:

1. If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the council's designee, in cases where a owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.
2. That this Notice and Order or a copy therefore be presented to the Department of Building and Safety when purchasing permit(s).
3. That failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

Sincerely,



David Semenza, Manager
Neighborhood Response Division
Department of Neighborhood Services

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PLANNING AND DEVELOPMENT**DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☐**DISCUSSION****PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:****DISCUSSION/ACTION ITEMS****REINSTATEMENT AND EXTENSION OF TIME**

- 94 U-0119-98(1) - Nevada Power Company**

EXTENSION OF TIME

- 95 V-0034-99(1) - Bauchman Gaming Ventures, Limited Liability Company**
96 U-0049-99(1) - Bauchman Gaming Ventures, Limited Liability Company
97 Z-0014-97(2) - Dong AH (U.S.A.), Inc.
98 Z-0010-99(1) - Lone Mountain Developers, Limited
99 U-0136-97(1) - Ray and Alma School, Limited Liability Company on behalf of Terrible Herbst, Inc.

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0136-97(1)

- 100 Z-0105-93(7) - Ray & Alma School, Limited Liability Company on behalf of Terrible Herbst, Inc.**
101 Z-0086-99(1) - Calvary Community Assembly of God

REVIEW OF CONDITION - PUBLIC HEARING

- 102 Z-0122-97(3) - Kirkland Development on behalf of CVL Consultants**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 103 SD-0034-00 - William and Arlene Rick**
104 Z-0002-92(9) - Cam-Mac, Limited Liability Company
105 Z-0020-97(29) - Frank Hawkins
106 Z-0076-98(16) - Michael Greenbaum and Wendy Schwartz on behalf of Newmark Merrill Companies

VACATION - PUBLIC HEARING

- 107 VAC-0012-00 - Centennial Parkway/Buffalo Drive, a Limited Partnership**
108 VAC-0013-00 - City of Las Vegas
109 VAC-0015-00 - Mount Jameson M.B. Church

ONE YEAR REQUIRED REVIEW - VARIANCE - PUBLIC HEARING

- 110 V-0079-98(1) - Steven Wolfson and Jacalyn Glass-Wolfson**

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of August 16, 2000

THREE YEAR REQUIRED REVIEW - VARIANCE - PUBLIC HEARING

- 111 V-0066-92(3) - Mission Springs, Limited Liability Company on behalf of Bill Kendall

VARIANCE - PUBLIC HEARING

- 112 ABEYANCE ITEM - V-0018-00 - Tonopah Partners, Limited Liability Company on behalf of Lights of Las Vegas, Inc.

- 113 ABEYANCE ITEM - V-0031-00 - Wilshire Plaza Development Company

SPECIAL USE PERMIT RELATE TO V-0031-00 - PUBLIC HEARING

- 114 ABEYANCE ITEM - U-0077-00 - Wilshire Plaza Development Company

VARIANCE - PUBLIC HEARING

- 115 V-0033-00 - Richard and Sheila McKnight

- 116 V-0037-00 - Gerald and Ilene Sraberg on behalf of Kevin Churnock

SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0037-00 - PUBLIC HEARING

- 117 SD-0038-00 - Gerald and Ilene Sraberg on behalf of Kevin Churnock

VARIANCE - PUBLIC HEARING

- 118 V-0041-00 - Alberto De La Paz

SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0041-00 - PUBLIC HEARING

- 119 Z-0006-66(45) - Alberto De La Paz

RIO VISTA PLANNED DEVELOPMENT REVIEW - PUBLIC HEARING

- 120 Z-0074-97(8) - Rio Vista Plaza, Limited Liability Company

FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

- 121 ABEYANCE ITEM - U-0052-95(1) - Amber Investment Company on behalf of Lamar Outdoor Advertising Company

- 122 ABEYANCE ITEM - U-0055-95(1) - Harold Loomis, Et Al on behalf of Lamar Outdoor Advertising Company

SPECIAL USE PERMIT - PUBLIC HEARING

- 123 ABEYANCE ITEM - U-0067-00 - Pine Development, Inc. on behalf of Spring PCS

- 124 ABEYANCE ITEM - U-0074-00 - Lafayette Moseley

- 125 U-0068-00 - Norwest Bank Nevada FSB

- 126 U-0071-00 - Sahara Westlake Associates on behalf of The Egg & I

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of August 16, 2000

- 127 U-0079-00 - Rio Vista Plaza, Limited Liability Company on behalf of Grand China 2
- 128 U-0080-00 - Lake Mead & Buffalo Partnership on behalf of Hollywood Video
- 129 U-0095-00 - LVS Group

REZONING - PUBLIC HEARING

- 130 Z-0049-00 - Clark County School District

City of Las Vegas

Agenda Item No. 94

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REINSTATEMENT AND EXTENSION OF TIME - U-0119-98(1) - NEVADA POWER COMPANY - Request for a Reinstatement and Extension of Time on an approved Special Use Permit FOR TWO ELECTRIC SUBSTATIONS AND OVERHEAD TRANSMISSION LINES on the north side of Far Hills Way, west of the Western Beltway (APN: 137-22-000-003, 137-26-201-001, 137-26-301-002, 137-27-000-002 & 003), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald). - The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

L.B. McDONALD - APPROVED subject to conditions - UNANIMOUS

COUNCILMAN REESE disclosed that his daughter works as a parts buyer for Nevada Power Company, but that would not impede his ability to vote on this matter. DEPUTY CITY ATTORNEY STEVE GEORGE noted that this issue has been reviewed in the past and it was determined that it is necessary for COUNCILMAN REESE to make the disclosure but he does not have to abstain.

MINUTES:

NOTE: This Item was trailed until the arrival of ALLEN HELMS of Nevada Power.

*City of Las Vegas***Agenda Item No. 94**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 94 – U-0119-98(1)

MINUTES - Continued:

ALLEN HELMS, Nevada Power Company, 6226 West Sahara Avenue, was present to explain that the substation sites lacked clear clarification of extension of time in the original Special Use Permit approved in 1998. He concurred with the conditions and requested approval.

COUNCILWOMAN McDONALD questioned the extension of time being requested. MR. HELMS indicated that originally an extension of time was requested for ten years; however, staff recommended five years, to which he concurs. The substations are expected to be completed between 2003 to 2006, depending on the growth.

COUNCILMAN BROWN asked MR. HELMS if signage for future power substations is put up under the Summerlin requirements. MR. HELMS indicated that Nevada Power Company is very proactive in this regard and puts up signs as soon as power substation sites are purchased and the Special Use Permit is obtained. Although some signs have been vandalized and taken down, the subject sites do have signs up.

No one appeared in opposition.

There was no further discussion.

(2:06 – 2:07/3:11 – 3:14)

4-106/4-2518

CONDITIONS:

1. The Special Use Permit shall expire on November 23, 2005, unless an Extension of Time has been granted.
2. Conformance to the Conditions of Approval for U-119-98.

**SUBJECT
PROPERTIES**

PROPOSED
POWER
SUB-STATIONS

FUTURE BELTWAY

SUMMER IN PKWY

CASE: U-0119-98(1)

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 3000 Feet



U-0119-98(1) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for a Reinstatement and Extension of Time on an approved Special Use Permit that allowed two electric substations and overhead transmission lines to be located at the northwest corner of the Western Beltway and Far Hills Avenue.

BACKGROUND DATA

02/28/97 This property was annexed into the City of Las Vegas [A-20-96(A)].

01/27/97 The City Council approved a Rezoning (Z-119-96) of this site from N-U (Non-Urban) to P-C (Planned Community) as part of a larger request.

DETAILS OF APPLICATION REQUEST

The site plans depict two substations, labeled "Beltway Substation" and "Far Hills Substation", with overhead transmission lines that transmit electricity between the two sites. The Beltway Substation is a 230/138/12KV switchyard, which will have associated transmission poles of a height of up to 120 feet and is located at the immediate northwest corner of the Western Beltway and Far Hills Avenue (extended). The Far Hills Substation is a 138/12 KV substation with associated transmission poles of a height up to 120 feet and is located north of Far Hills Avenue (extended), west of the Western Beltway and approximately 2 miles west of the proposed Beltway Substation. The perimeter of the substations will be enhanced with landscaping and a wall along the adjacent future street rights-of-way and property lines where adjacent to non-private planned uses. The transmission line is proposed to run east/west between the two substations along the future alignment of Far Hills Avenue. The electrical lines will be elevated on poles with a maximum height of 100 feet with six 138KV lines attached to the poles.

The applicant's justification letter states that the proposed substations will be future facilities to serve the Summerlin community and will be connected to the valley's electrical grid. The first of these substations will be placed in service in 2003. The need for the second facility is expected a few years later. Therefore, the applicant is requesting an Extension of Time for a ten-year time period.

U-0119-98(1) - Page Two
August 16, 2000 City Council Meeting

ANALYSIS

The site is located in an undeveloped portion of the Summerlin community. There are similar transmission lines located throughout the Las Vegas Valley. Staff has no objection to approval of an Extension of Time request. However, the applicant is requesting an Extension of Time for ten years. In order to reevaluate the conditions in this area as it develops, staff is recommending this use be reviewed in five years.

FINDINGS

In order to approve a Special Use Permit application, pursuant to Las Vegas Municipal Code Section 19A.18.060 the Planning Commission or City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

Staff finds that, with appropriate buffer walls and landscaping, the use will be harmonious and compatible with existing surrounding land uses and with future land uses projected by the General Plan.

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

Staff finds that the subject site is still physically suited 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."**

The subject site should not generate any significant traffic. Therefore, staff finds that street and highway facilities will be adequate in size to meet the requirements of the proposed use.

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

Staff finds that the proposed use, with proper buffers and security walls, will not be inconsistent with, or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

U-0119-98(1) - Page Three
 August 16, 2000 City Council Meeting

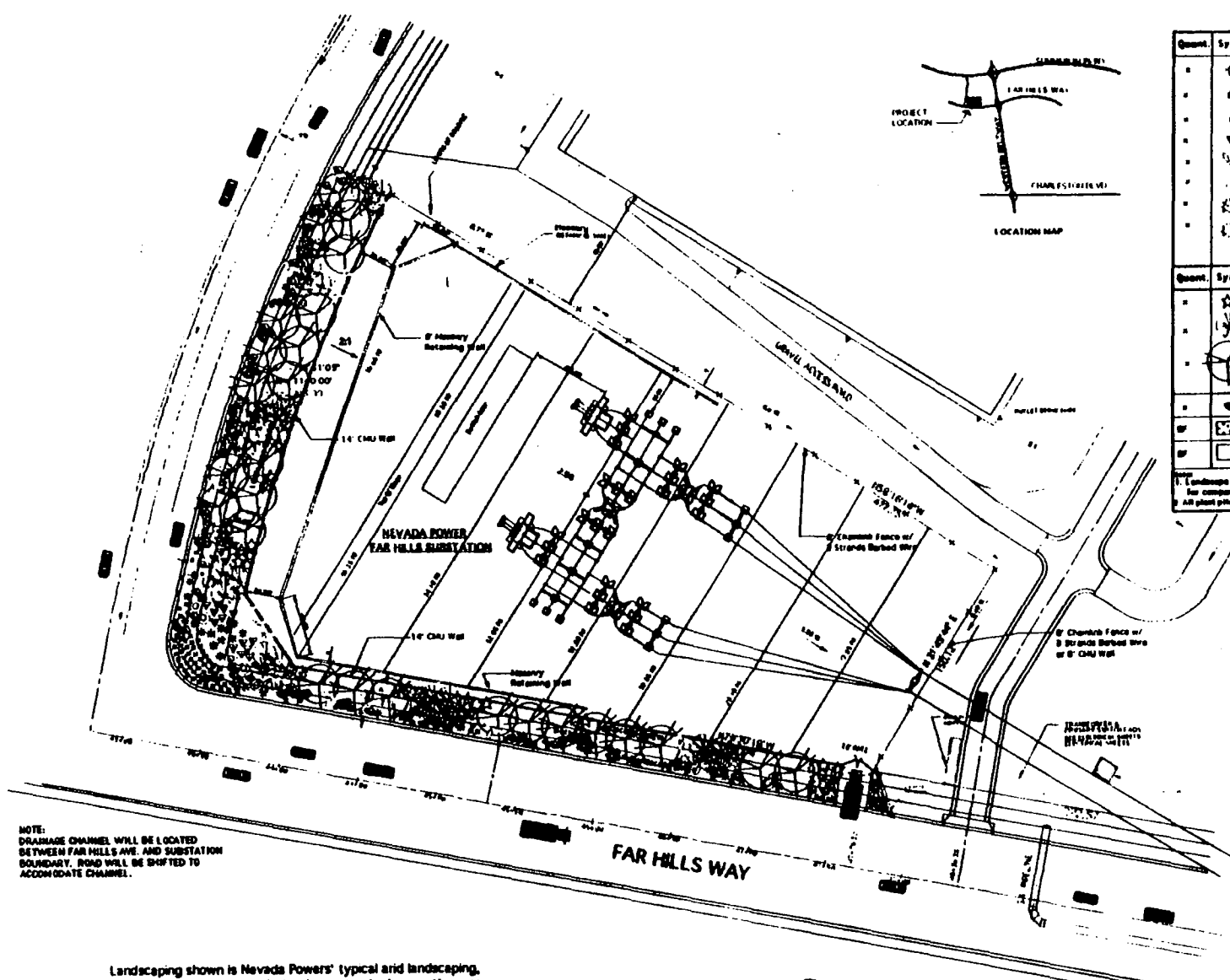
NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

AGENCY COMMENTS

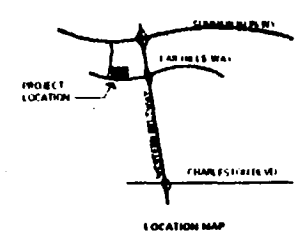
<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	NO	NO
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO
<i>Metro - Crime Prevention</i>	YES	NO	NO



NOTE:
DRAINAGE CHANNEL WILL BE LOCATED
BETWEEN FAR HILLS AVE. AND SUBSTATION
BOUNDARY. ROAD WILL BE SHIFTED TO
ACCOMMODATE CHANNEL.

Landscaping shown is Nevada Powers' typical arid landscaping,
actual landscaping to match developer standards once they are
established.

UNDEVELOPED

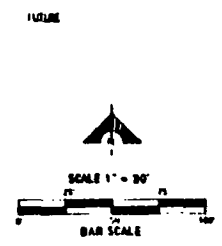


LANDSCAPE LEGEND

Quant.	Sym.	Item	Size	Comments
1	☉	Orange Agave Agave attenuata	8 gal	
1	☼	Orange Spine Dasylirion wheeleri	8 gal	
1	☼	Pinkish Barrel Cactus/Opuntia Palm Springs cactus	8 gal	
1	☼	Orange Palm Springs cactus	8 gal	3-5 Cactus 4-6 ft
1	☼	Orange Prickly Pear Opuntia basilaris	8 gal	
1	☼	Orange Christmas Cactus Opuntia imbricata	8 gal	
1	☼	Orange Yucca Yucca baccata	8 gal	
1	☼	Blue Yucca Yucca rigida	8 gal	
Quant.	Sym.	Item	Size	Comments
1	☼	Orange Bush Larrea divaricata	8 gal	
1	☼	Joshua Tree Yucca brevifolia	8 gal	3-4 Arms min
1	☼	Argentine Mesquite Prosopis juliflora	8 gal	
1	☼	Orange Boulder 10' x 30' x 12" each		Bury 1/3 in depth See Detail
1	☼	4' x 8' x 12" round granite rock		
1	☼	1/2' round granite boulder disseminated granite		At least 100 lbs. See Detail

1. Landscape bidders responsible for their own quantities. The above quantities are
for comparison only.
All plant sizes will be specified in depth and width. See specifications.

SEE DETAIL FOR VALVE DITCH
1/2" DIA. VALVE DITCH

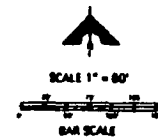
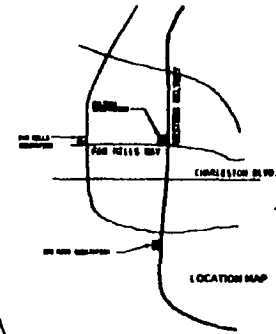
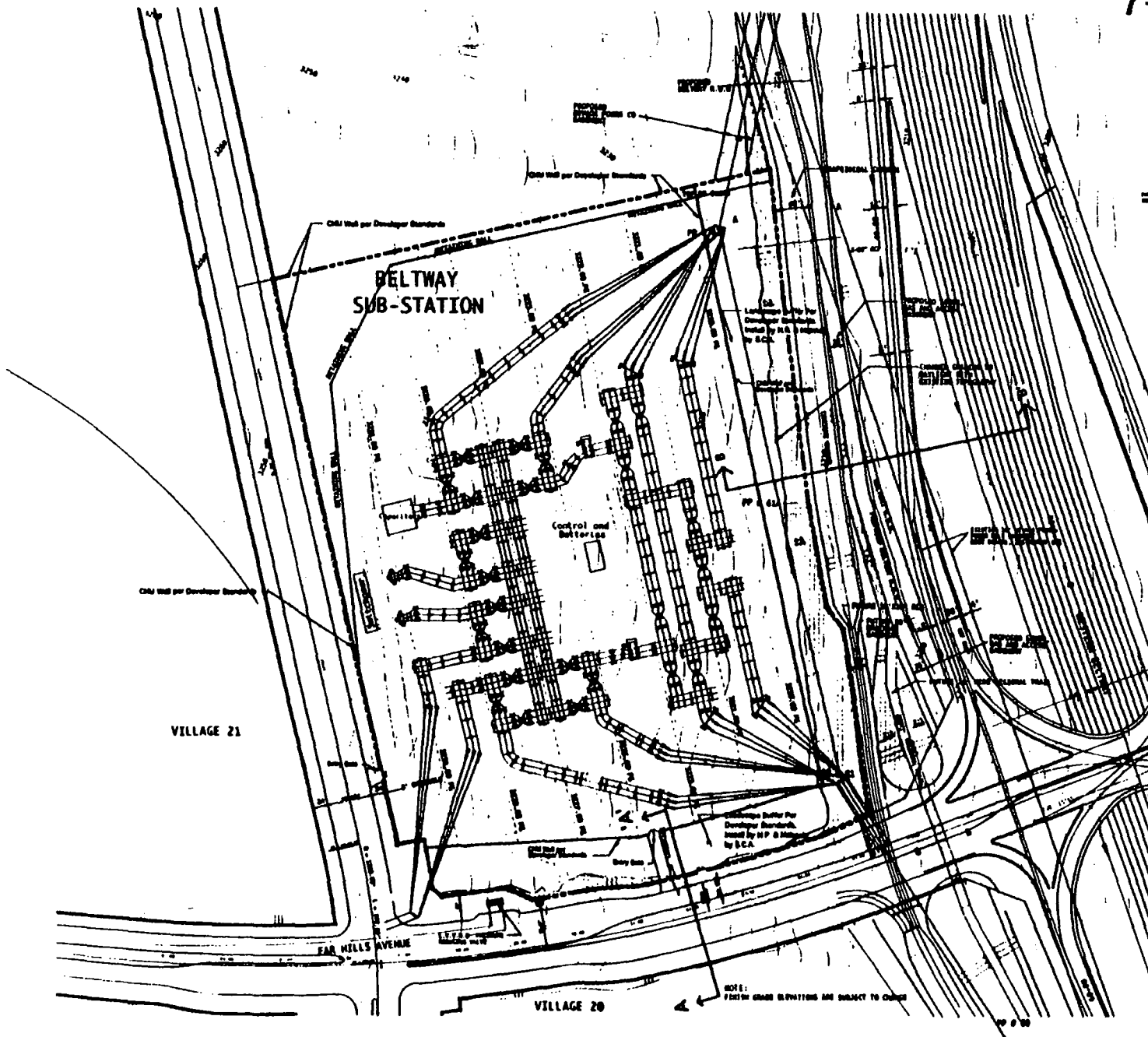


**FAR HILLS
SUBSTATION LANDSCAPE**
Nevada Power Company
Landscape Plan
L-1

STAFF U-0119-98(1)
7-13-00 PC

STAFF

U-0119-98(1)
7-13-00 PC



BELTWAY SUBSTATION
Herold Power Company
Site Plan
L-1

NOTE:
FUTURE GRADE ELEVATIONS ARE SUBJECT TO CHANGE

City of Las Vegas

Agenda Item No. 95

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

EXTENSION OF TIME - V-0034-99(1) - BAUCHMAN GAMING VENTURES, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Variance FOR THE REPLACEMENT OF A NON-CONFORMING USE (ERNIE'S CASINO) WITH A PROPOSED 14,923 SQUARE FOOT CASINO AND TAVERN; AND TO ALLOW A TEMPORARY PARKING REDUCTION at 1901 North Rancho Drive, (APN's: 139-19-703-013 and 139-19-703-032), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

No one appeared to represent the application or in opposition.

There was no discussion.

(2:07 - 2:09)

4-127

*City of Las Vegas***Agenda Item No. 95**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 95 – V-0034-99(1)

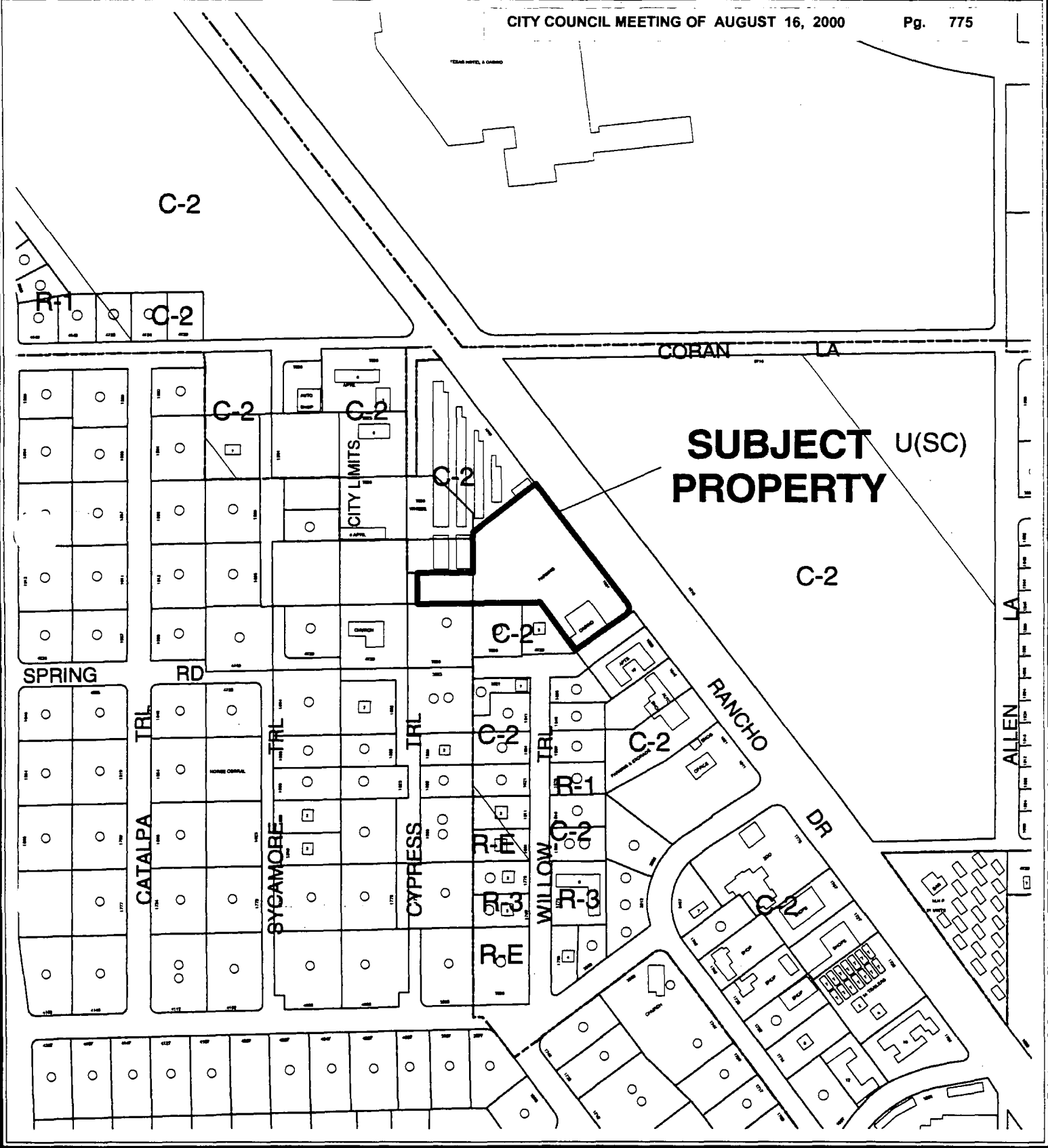
CONDITIONS:

Planning and Development

1. This Extension of Time will expire two years from the date of City Council approval.
2. The approval for an Extension of Time on an approved Variance is subject to the approval and related conditions of an Extension of Time of Special Use Permit [U-0049-99(1)]. If it is not approved, this Variance shall be null and void.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. All development must be in conformance with the plot plans and elevations.

Public Works

5. Conformance to Conditions of Approval for U-0049-99, and all conditions of approval of V-0034-99 and all other applicable site-related actions.



CASE: V-0034-99(1)

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



95

V-0034-99(1) - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ******APPLICATION REQUEST**

This request is for an Extension of Time on an approved Variance to allow the relocation and expansion of an existing non-conforming use in the form of a new 14,923 square foot casino, tavern, and microbrewery and to temporarily allow 122 parking spaces where 162 are required.

BACKGROUND DATA

- 08/04/99 The City Council approved a Variance (V-34-99) to allow the replacement of a non-conforming use with a proposed 14,923 square foot casino/tavern and to allow a temporary reduction in required parking.
- 08/04/99 The City Council approved a Special Use Permit (U-49-99) to allow the relocation and expansion of the existing Ernie's casino and tavern.
- 07/13/00 The Planning Commission recommended approval of an Extension of Time [U-49-99 (1)] for an approved Special Use Permit (U-49-99) to allow the relocation and expansion of the existing Ernie's casino and tavern.

SITE DETAILS

Current Zoning	C-2 (General Commercial)	
Existing Land Use	casino and tavern	
Proposed Land Use	casino, tavern, and micro-brewery	
Site Area	2.03	Acres
Existing Building Area	7,100	Square Feet
Proposed Building Area	14,923	Square Feet
Required Parking	162	Spaces (including 6 handicap spaces)
Proposed Parking	167	Spaces (including 6 handicap and no compact spaces)
	122	Spaces (temporarily provided)

ANALYSIS

The applicant is requesting an Extension of Time on the Variance in order to allow time to complete architectural and engineering plans for the new building and to obtain financing to proceed with the project.

V-0034-99(1) - Page Two

August 16, 2000 City Council Meeting

Originally, the Variance request was to allow the applicant to continue to conduct business in an existing non-conforming casino/tavern while construction takes place on a new casino/tavern/micro-brewery northwest of the existing structure on the same site. While under construction and for a short period of time after completion, the new structure would be connected by a temporary ground floor access way to the existing structure. The access way would be removed within six months of completion of the proposed casino/tavern/microbrewery. The physical connection between the buildings is necessitated for compliance with Department of Nevada Gaming regulations requiring continuous operation at the same address under a single gaming license. Upon issuance of a Certificate of Occupancy for the new building, both the site address and the gaming license would be transferred to the new building from the old building. The ability to conduct this transfer is facilitated by the connection between the buildings, which essentially allows both buildings to be viewed as one structure.

Staff recommended denial on the original request because the code does not allow the expansion of a non-conforming use, however, the Planning Commission and City Council approved the Variance.

FINDINGS

Section 19A.18.070B of the LVMC states:

“B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission or the Hearings Officer 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 Planning Commission or the Hearings Officer 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.

V-0034-99(1) - Page Three
August 16, 2000 City Council Meeting

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."

Section 19A.18.070 of the Las Vegas Zoning Code states an Extension Of Time may be granted on a Variance if the Council is satisfied that there has not been a material change of circumstances such that the Variance is no longer warranted. Staff finds no substantial change has occurred on the site or on the surrounding properties.

NOTICES MAILED N/A

APPROVALS 0

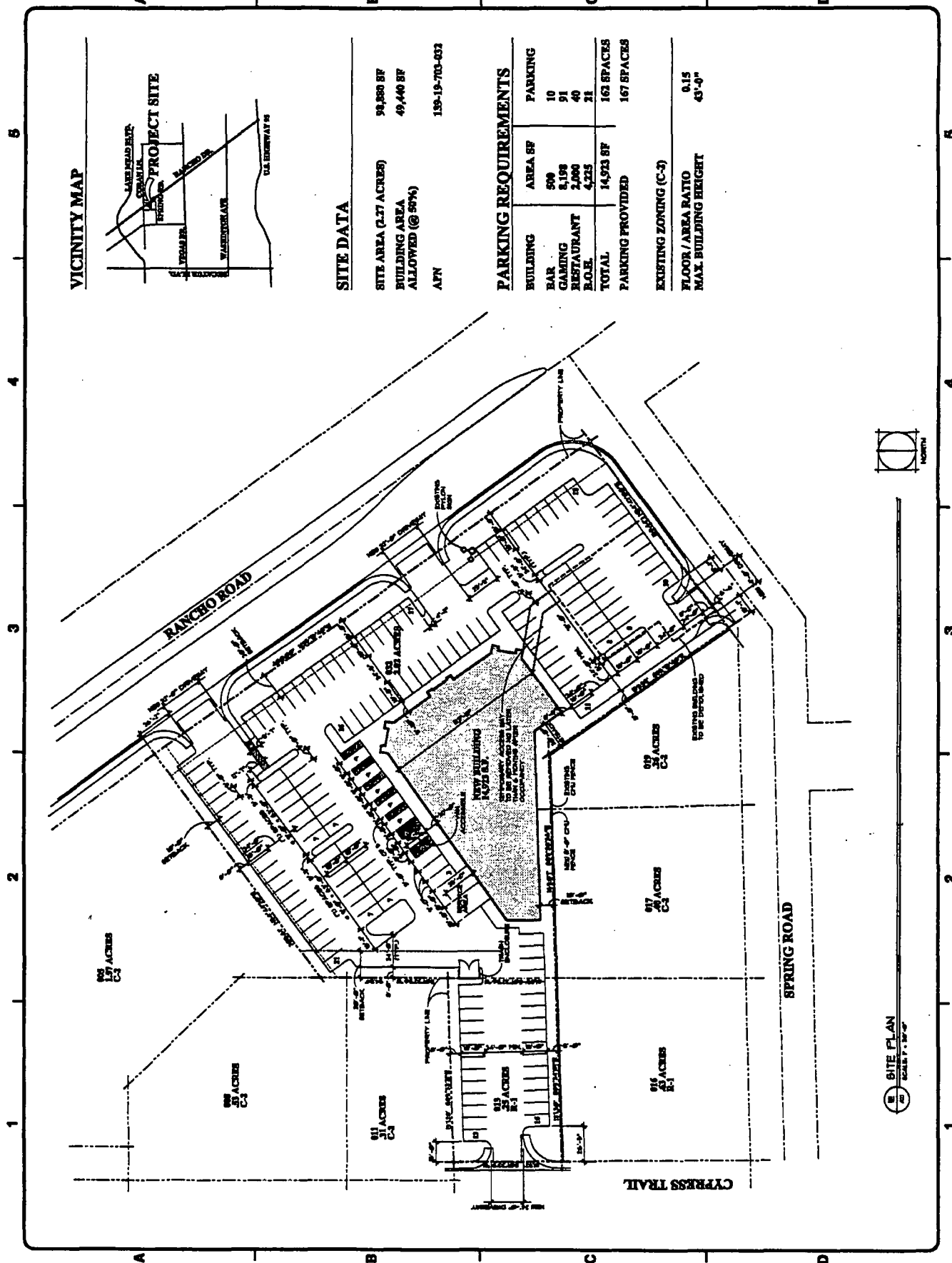
PROTESTS 0

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NA
<i>B&S - Permits/Inspections</i>	YES	NO	NA
<i>PW - DEVCO</i>	YES	NO	NA
<i>City Centre Development Corp</i>	YES	NO	NA
<i>Redevelopment Agency</i>	YES	NO	NA
<i>Fire Services - Prevention</i>	YES	NO	NA

STAFF

V-0034-99(1)
7-13-00 PC



City of Las Vegas

Agenda Item No. 96

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

EXTENSION OF TIME - U-0049-99(1) - BAUCHMAN GAMING VENTURES, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Special Use Permit for a NON-CONFORMING 14,900 SQUARE FOOT CASINO/MICROBREWERY at 1901 North Rancho Drive (APN's: 139-19-703-013 and 032), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

No one appeared to represent the application or in opposition.

There was no discussion.

(2:07 - 2:09)

4-127

CONDITIONS:

Planning and Development

1. This Extension of Time will expire two years from the date of City Council approval.

*City of Las Vegas***Agenda Item No. 96**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

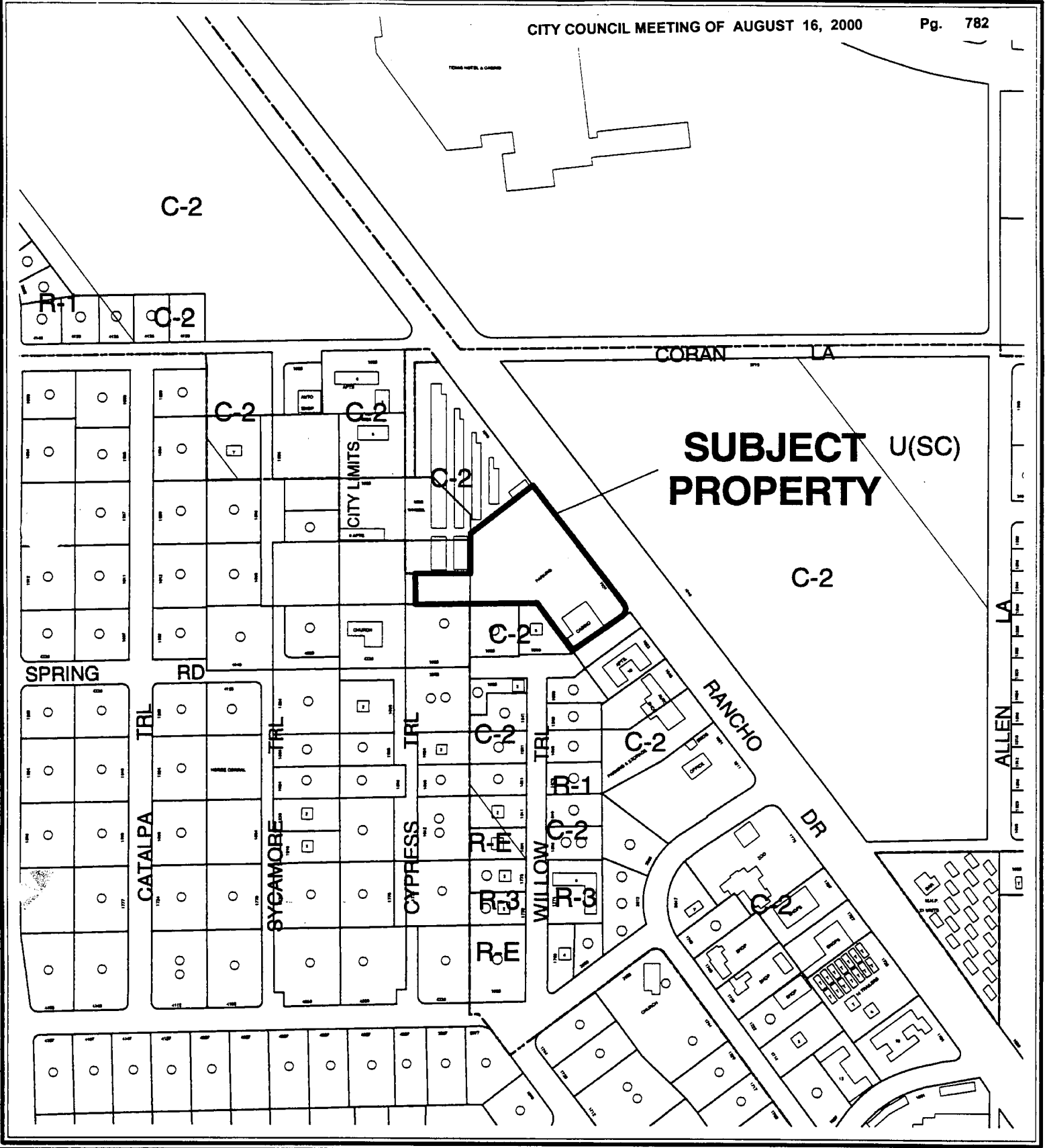
Item 96 – U-0049-99(1)

CONDITIONS - Continued:

2. The Extension of Time for the Special Use Permit [U-0049-99(1)] approval is subject to the approval and related conditions of an Variance [V-0034-99(1)]. If it is not approved, this extension of time shall be null and void.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Special Use Permit, must be satisfied.

Public Works

4. Conformance to all conditions of approval of U-49-99 and all other applicable site-related actions.



CASE: U-0049-99(1)

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



96

U-0049-99(1) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for an Extension of Time on a Special Use Permit to allow the demolition of an existing 7,100 square foot casino/tavern and the reconstruction and relocation of a non-conforming 14,923 square foot casino, restaurant, and microbrewery.

BACKGROUND DATA

- 08/04/99 The City Council approved a Special Use Permit (U-49-99) to allow a non-conforming 14,923 square foot casino/microbrewery on this property.
- 08/04/99 The City Council approved a Variance (V-34-99) to allow the replacement of a non-conforming use with a proposed 14,923 square foot casino/tavern and to allow a temporary reduction in required parking.
- 07/13/00 The Planning Commission recommended approval of an Extension of Time [V-34-99 (1)] on an approved Variance to allow the replacement of a non-conforming use with a proposed 14,923 square foot casino/tavern and to allow a temporary reduction in required parking.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-2	Unimproved
South	C-2	Apartments & Single Family Residential
East	R-O-W	Rancho Drive
West	C-2	Tri-Plex

ANALYSIS & FINDINGS

In the justification letter, the applicant states the Extension of Time is needed to allow time to complete architectural and engineering plans for the new building and to obtain financing.

The original request was in regard to an existing casino/tavern that was constructed in 1965. At that time, the Planning and Development Department did not require commercial building setbacks or distance separation requirements. The operation also predates one of the two churches located within the 1,500-foot separation distance around the subject site.

U-0049-99(1) - Page Two

August 16, 2000 City Council Meeting

In the original request, the applicant proposed to continue to conduct business in the existing casino/tavern while construction was taking place on a new casino/tavern/microbrewery, northwest of the existing structure on the same site. The proposed building included a casino, bar, restaurant, brewery, kitchen, storage, and restrooms. While under construction and when completed, the new structure would be connected by a temporary ground floor access way to the existing structure. The access way would be removed within six months of completion of the proposed casino/tavern/microbrewery. The physical connection between the buildings is necessitated for compliance with Nevada Gaming Commission regulations requiring continuous operation at the same address under a single gaming license. Upon issuance of a Certificate of Occupancy for the new building, both the site address and the gaming license would be transferred to the new building from the old building. The ability to conduct this transfer is facilitated by the connection between the buildings, which essentially allows both buildings to be viewed as one structure.

Staff recommended denial on the original request because the code does not allow the expansion of a non-conforming use, however, the Planning Commission and City Council approved the Use Permit.

ZONING

Staff finds the existing tavern is within the range of uses permitted with the Special Use Permit approval in the existing C-2 (General Commercial) zoning of the site.

USE

The current use of the property continues to be a legally non-conforming for three reasons:

1. The site does not conform to the distance separation requirements of the City of Las Vegas Zoning Code. Section 19A.04050 requires that no tavern shall be located within 1,500 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park. The accompanying vicinity map depicts two churches within the 1,500-foot distance separation requirement.
2. The site is not located within any City of Las Vegas Gaming Enterprise District as required by Section 19A.04.050.B.
3. There is no Special Use Permit approval in effect for a casino on the site as required by Section 19A.04.050.B.

FINDINGS

In order to approve a Special Use Permit application, per Las Vegas Municipal Code Section 19A.18.060 the Planning Commission or City Council must affirm the following:

U-0049-99(1) - Page Three
August 16, 2000 City Council Meeting

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

Section 19A.18 (P) of the Las Vegas Municipal Code allows an Extension of Time to be granted on a approved Special Use permit if the Council is satisfied that there has not been a material change of circumstance such that the Special Use Permit is no longer warranted. Staff finds that the area immediately surrounding the subject site has not changed substantially since the approval of the Special Use Permit.

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

Staff finds no physical constraints to the continuation of the non-conforming use of a casino/microbrewery use on this site.

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

Staff finds the access to the site is provided by two driveways from Rancho Drive, and one driveway each from Cypress Trail and Spring Road. The proposed new casino will be located on streets that are adequate to meet the requirements of the proposed use.

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

Staff finds that the approval of this Special Use Permit will not negatively impact the public health, safety, and welfare because the use will be subject to licensing regulations and requirements.

NOTICES MAILED N/A

APPROVALS 0

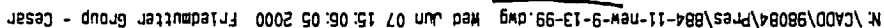
PROTESTS 0

U-0049-99(1) - Page Four
 August 16, 2000 City Council Meeting

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	YES	N/A
<i>B&S - Permits/Inspections</i>	YES	NO	N/A
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	N/A
<i>Redevelopment Agency</i>	YES	NO	N/A
<i>Fire Services - Prevention</i>	YES	NO	N/A
<i>Metro - Crime Prevention</i>	YES	NO	N/A

4-3-1977





[U-0049-99(1) & V-0034-99(1)] from east of site looking westerly/southwesterly to site (Rancho Drive seen in foreground)

City of Las Vegas

Agenda Item No. 97

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

EXTENSION OF TIME - Z-0014-97(2) - DONG AH (U.S.A.), INC. - Request for an Extension of Time for an approved Rezoning From: R-4 (High Density Residential) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial) on 1.17 Acres on the West side of 7th Street, between Mesquite Avenue and Stewart Avenue, PROPOSED USE: 200 SUITE, 10-STORY NON-GAMING HOTEL WITH AUXILIARY RETAIL USES, (APN's: 139-34-512-031, 032, 033, 035 and 036), Ward 5 (Weekly). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

No one appeared to represent the application or in opposition.

There was no discussion.

(2:09 – 2:10)

4-179

*City of Las Vegas***Agenda Item No. 97**

CITY COUNCIL MEETING OF AUGUST 16, 2000

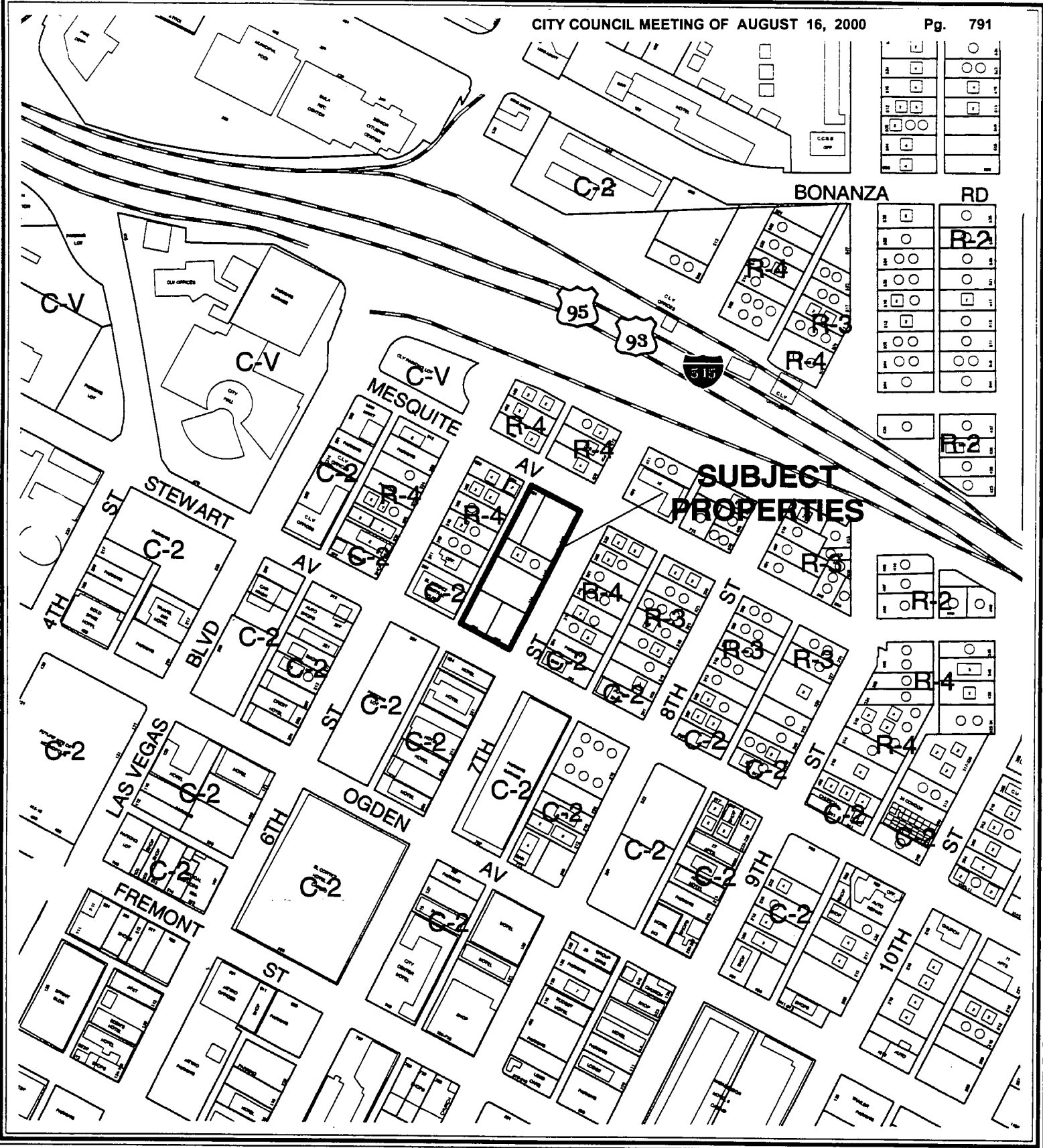
Planning & Development

Item 97 – Z-0014-97(2)

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire May 12, 2002.
2. Conformance with the conditions of approval for Z-14-97 and Z-14-97(1), as required by the Planning and Development Department.



CASE: Z-0014-97(2)

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL) AND C-2 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-2 (LIMITED COMMERCIAL)



Z-0014-97(2) - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for approval of an Extension of Time on an approved Rezoning from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) on property located on the west side of 7th Street, between Mesquite Avenue and Stewart Avenue. The proposed use for this property is a 200-suite, non-gaming hotel with ancillary retail uses. The applicant is requesting a three-year Extension of Time in order to raise the necessary financing to fund the proposed development.

BACKGROUND DATA

05/12/97 The City Council approved a Rezoning (Z-14-97) from R-4 (Apartment Residence) and C-2 (General Commercial) to C-2 (General Commercial) on this property for a proposed 200-suite, non-gaming hotel with ancillary retail uses.

07/13/98 The City Council approved an Extension of Time [Z-14-97(2)] on an approved Rezoning from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) on this property for a proposed 200-suite, non-gaming hotel with ancillary retail uses.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-4 (High Density Residential)	Multi-Family Home
South	C-2 (General Commercial)	Hotel
East	R-4 (High Density Residential)	Multi-Family Homes
	C-2 (General Commercial)	Tavern
West	R-4 (High Density Residential)	Multi-Family Homes
	C-2 (General Commercial)	El Cortez Central Plant

ANALYSIS

GENERAL PLAN

The subject site is located within the Downtown Redevelopment Plan area. The Downtown Development Plan designates this site as Medium to High Density Residential/Commercial Rehab. Property located within this area is to be developed primarily, but not exclusively, as the maintenance and rehabilitation of existing residential and commercial uses whose density ranges from twelve to twenty units and greater per acre. This designation would permit the C-2 (General Commercial) zoning district and the proposed hotel.

Z-0014-97(2) - Page Two
August 16, 2000 City Council Meeting

ZONING

The C-2 District is designed to provide the broadest scope of compatible services for both the general and the traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character.

FINDINGS

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040, the Planning Commission or City Council must affirm the following:

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

The C-2 District and proposed hotel are consistent with the Medium to High Density Residential/Commercial Rehab designation.

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

Staff finds that the uses that would be allowed on the subject property will be compatible with neighboring office, hotel and tavern land uses.

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

Staff finds that the Rezoning of the subject property is still appropriate in this 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."

Mesquite Avenue, Stewart Avenue, and 7th Street are fully-developed, eighty feet (80') wide secondary arterials. Staff finds that the street facilities providing access to the property are appropriate for the proposed zoning district.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Z-0014-97(2) - Page Three
 August 16, 2000 City Council Meeting

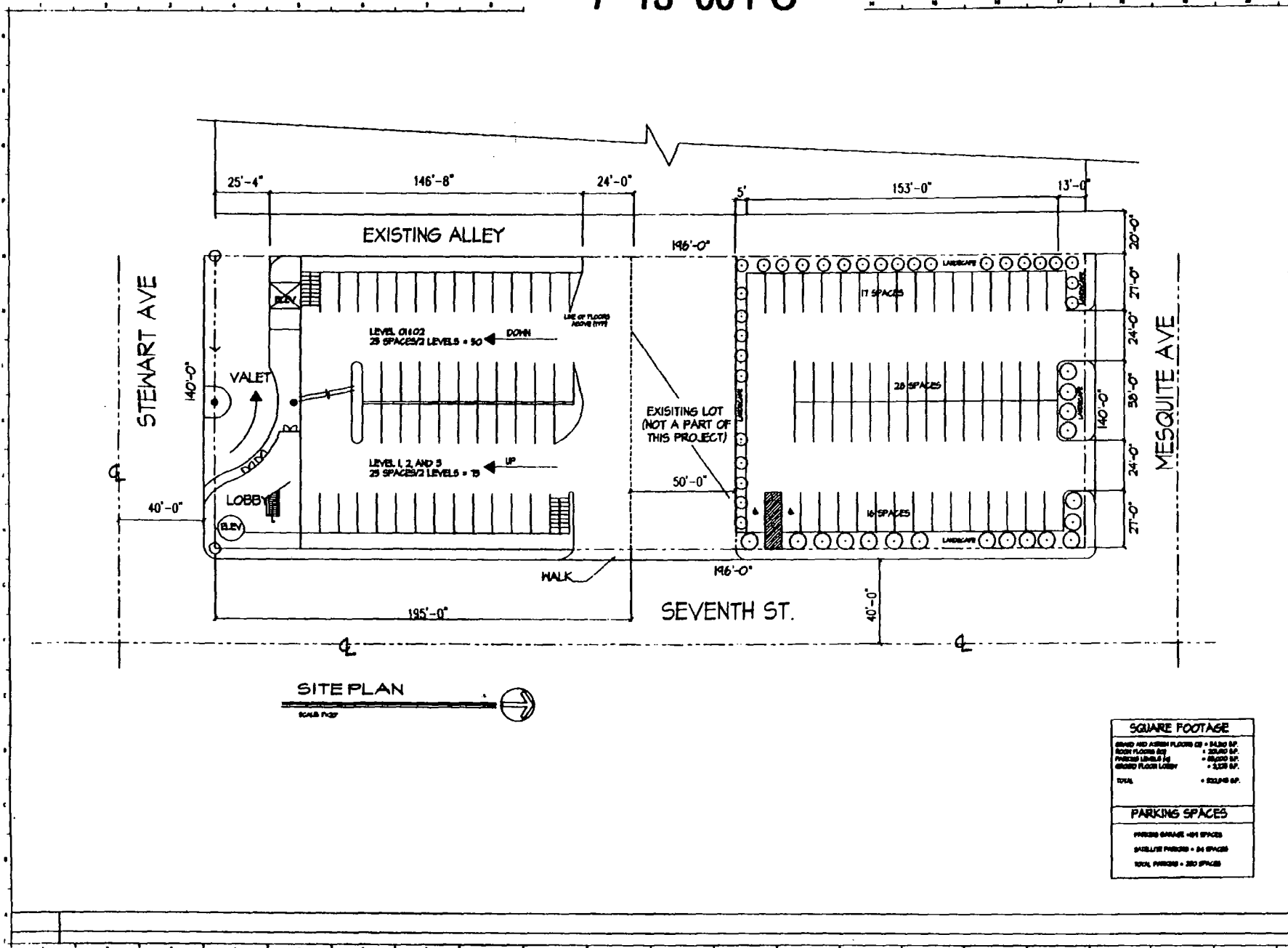
AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	NO	NO
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO

STAFF

Z-0014-97(2)

7-13-00 PC



SQUARE FOOTAGE	
GROUND AND ABOVE FLOOR (2) = 34,320 SF.	
GROUND FLOOR (2) = 34,320 SF.	
PARKING LEVELS (2) = 34,320 SF.	
GROUND FLOOR LOBBY = 3,120 SF.	
TOTAL	106,080 SF.

PARKING SPACES	
PARKING GARAGE = 101 SPACES	
PERMITS PARKING = 24 SPACES	
TOTAL PARKING = 225 SPACES	

INTERNATIONAL HOTEL

City of Las Vegas

Agenda Item No. 98

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

EXTENSION OF TIME - Z-0010-99(1) - LONE MOUNTAIN DEVELOPERS, INC. - Request for an Extension of Time on an approved Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) of 2.91 Acres east of Jones Boulevard and north of Lone Mountain Road (APN's: 125-36-403-001 and 004) FOR A PROPOSED MINI-STORAGE FACILITY, Ward 6 (Mack). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and deleting Condition No. 2 - UNANIMOUS

MINUTES:

ATTORNEY TOM AMICK, Kummer, Kaempfer, Bonner, and Renshaw, 3800 Howard Hughes Parkway, appeared representing the applicant. He explained that the delay was caused due to some drainage issues, but the applicant is close to pulling permits and beginning construction. He concurred with all of the conditions, except Condition No. 2 because an assessor lot combination has already been done, therefore, both parcels are now reflected as one. Since the condition was not a part of the original approval, the applicant was not planning on the Reversionary Map, which would also cause extra time and expense. He requested Condition No. 2 be deleted.

*City of Las Vegas***Agenda Item No. 98**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 98 – Z-0010-99(1)

MINUTES - Continued:

CHERI EDELMAN, Public Works Department, indicated that the City Surveyor determined that an administrative joining is not sufficient given that the building would cross the lot lines. She recommended the condition stay in place. Furthermore, recordation of the Reversionary Map is being required prior to the issuance of a Certificate of Occupancy because the applicant is ready to pull permits, which would give him additional time.

ATTORNEY AMICK commented that to his understanding an administrative joining can be done in residential situations. Staff's normal policy is to require a Reversionary Map for commercial applications. The Reversionary Map was not required as part of the original zone change approval; it was added at the time the Extension of Time was filed.

COUNCILMAN MACK respected the opinion of Public Work's staff; however, he noted that he does not want to delay the project by requiring the Reversionary Map.

No one appeared in opposition.

There was no further discussion.

NOTE: MAYOR GOODMAN directed CITY MANAGER VALENTINE to devise a procedure to find out who all of the principals are in the various corporations that appear before the City Council, because he fears acting on a matter in which a person having interest in that corporation might have a partnership interest with him in another corporation. Having the applicant disclose on the application whether any member of the City Council has an interest is not sufficient. CITY MANAGER VALENTINE indicated that the current procedure would be reviewed.

(2:10 – 2:15)

4-211

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire May 24, 2002.
2. The existing lots shall be reverted to acreage. The Reversionary Map shall be recorded prior to the issuance of a Certificate of Occupancy.

*City of Las Vegas***Agenda Item No. 98**

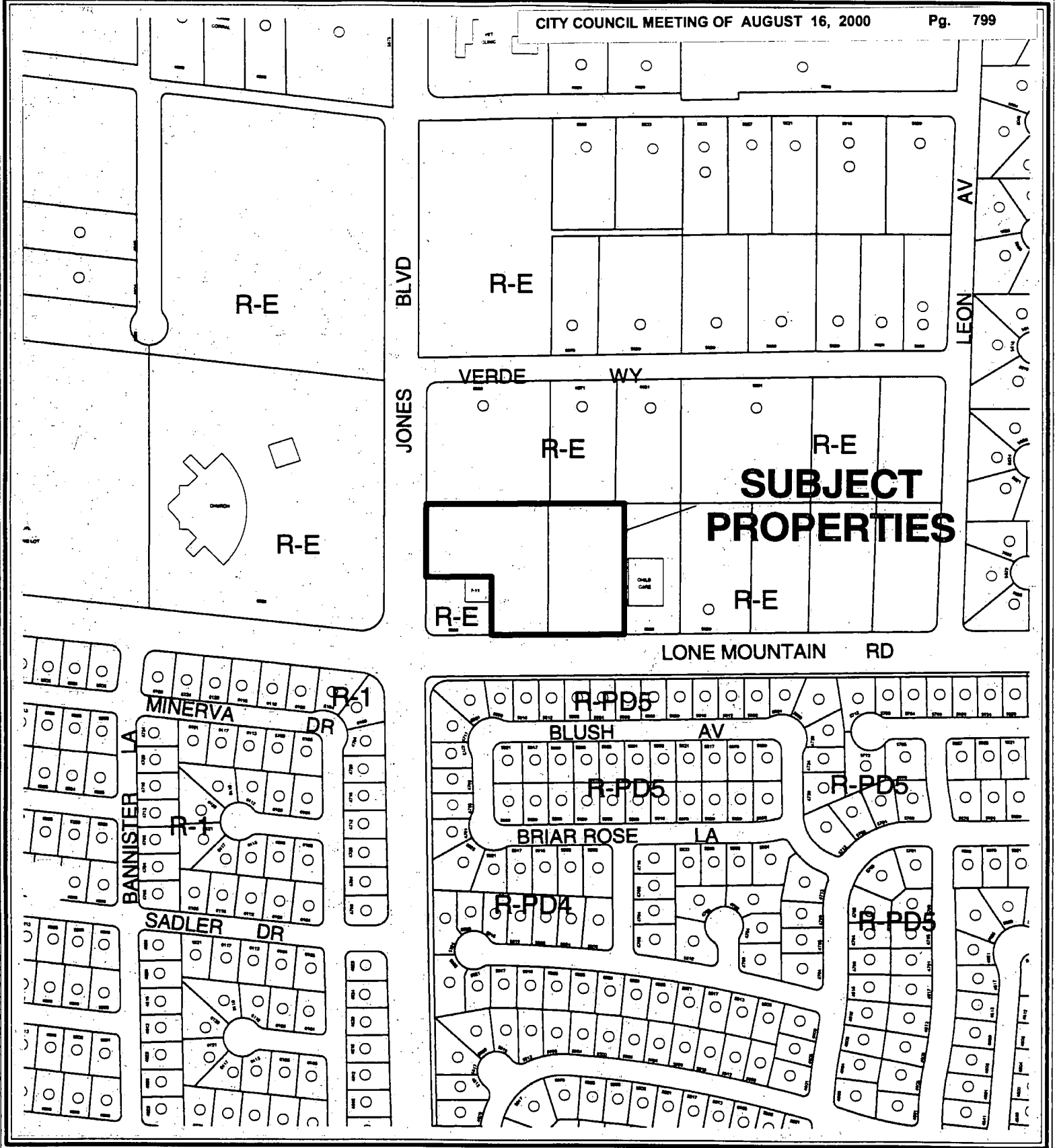
CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 98 – Z-0010-99(1)

CONDITIONS - Continued:

3. Conformance with the conditions of approval for Z-10-99 and all site-related actions, as required by the Planning and Development Department.
-



CASE: Z-0010-99(1)

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES), UNDER RESOLUTION
OF INTENT TO C-1 (LIMITED COMMERCIAL)



Z-0010-99(1) - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ******APPLICATION REQUEST**

This request is for approval of an Extension of Time on an approved Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) on property located approximately 200 feet north of Lone Mountain Road and approximately 200 feet east of Jones Boulevard. The applicant's justification letter states that drainage issues along Jones Boulevard, which involved purchasing additional property and obtaining permission from the adjacent property owner to construct improvements to their existing driveways, has caused an unusual delay in obtaining Public Works approvals and has held up obtaining a permit for construction. Because of the delay, an Extension of Time is necessary for the expired Rezoning.

BACKGROUND DATA

- 1964 This property was Annexed into the City of Las Vegas (A-63-64).
- 05/24/99 The City Council approved a General Plan Amendment (GPA-5-99) to amend a portion of the Northwest Amendment to the General Plan from R (Rural Density Residential) to SC (Service Commercial).
- 05/24/99 The City Council approved a Rezoning (Z-10-99) from R-E (Residence Estates) to C-1 (Limited Commercial) on this property.
- 06/01/99 The Board of Zoning Adjustment approved a Variance (V-45-99) on this property to allow a proposed mini-storage facility 0 feet from the side property line where 10 feet is the minimum setback required.
- 07/26/99 The City Council approved a Special Use Permit (U-59-99) on this property for a proposed mini-storage development.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-E (Residence Estates)	Single-Family Homes
South	R-PD5 (Residential Planned Development – 5 units per acre)	Single-Family Homes
	R-E (Residence Estates)	Convenience Store
East	R-E (Residence Estates)	Child Care Facility
West	R-E (Residence Estates)	Church
	R-E (Residence Estates)	Convenience Store

Z-0010-99(1) - Page Two
August 16, 2000 City Council Meeting

ANALYSIS

GENERAL PLAN

The General Plan designation for the site is SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons.

ZONING

The Limited Commercial zoning district is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial category of the General Plan.

FINDINGS

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040, the Planning Commission or City Council must affirm the following:

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

The C-1 District is consistent with the Service Commercial category of the General Plan.

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 uses that would be allowed on the subject property will be compatible with the neighboring convenience store and child care facility land uses. The applicant has already secured a Special Use Permit that permits a mini-storage use on the subject property.

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

Staff finds that the Rezoning of the subject property is still appropriate in this 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."**

Z-0010-99(1) - Page Three
August 16, 2000 City Council Meeting

The Master Plan of Streets and Highways designates Lone Mountain Road and Jones Boulevard as Primary Arterials (100 feet wide). Staff finds that the street facilities providing access to the property are appropriate for the proposed zoning district.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	- NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO

Z-10-99(1)

7-13-00 PC

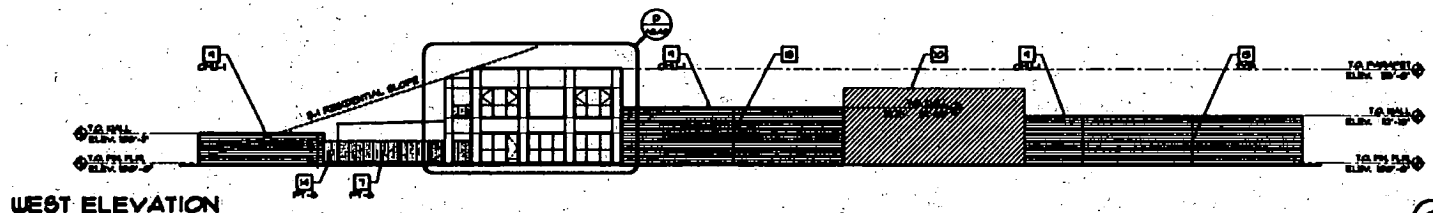
STAFF

GENERAL NOTES:

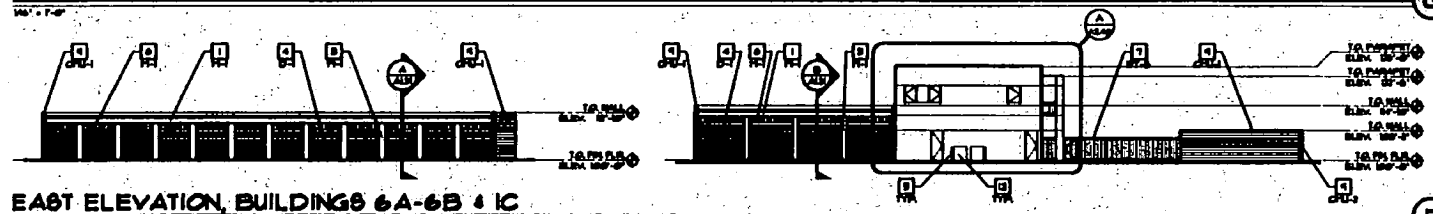
1. THE GENERAL CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS AND ADVISE THE ARCHITECT OF ANY DISCREPANCIES IN THE SPECIFICATIONS OR DRAWINGS PRIOR TO CONSTRUCTION.
2. ARCHITECTURAL FINISHED FLOOR ELEVATIONS ASSUMED TO BE TOP OF THE CURB, CHANGING FOR FLOOR ELEVATIONS TO CONSTRUCTION.
3. FINC REFERS TO FINISH, BALDING CONTRACTOR FOR ALL MATERIALS - SEE SPECIFICATIONS FOR FLOOR ELEVATIONS.

KEY NOTES:

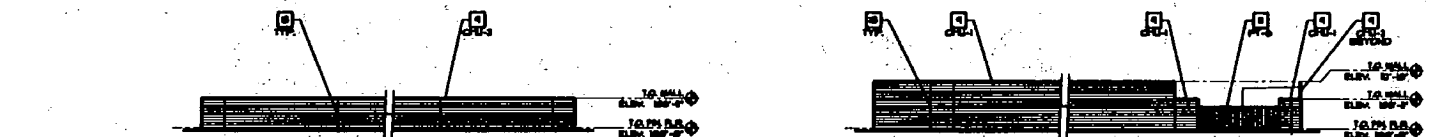
1. FETAL PANDA SEE FISCAL PLAN.
2. VERTICAL FINISHED FETAL PANDA, SEE FISCAL PLAN.
3. FINISHED FETAL PANDA, SEE FISCAL PLAN.
4. OVERHEAD DOORS - SEE DETAIL LAYOUT ON SHEET AND FOR DOOR SIZES.
5. CONCRETE FILLING OVER PIPE BOLLARD PART OF 3 COATS OF YELLOW WHITE PAINT - SEE BARR.
6. VERTICAL FINISHED FETAL PANDA PANEL.
7. SECURITY FENCE / LIFT GATE, SEE SITE PLAN.
8. STAIN EXCLUDED, PAINT ALL EXPOSED STEEL AND BASE.
9. CYR WALL 10' CAP BLOCK.
10. EXISTING BUILDING.
11. IN PLACE OF PAIR OF 10' X 10' CRASH GATE, PAINTED.
12. CONCRETE SET ON 4" DIAL CONC. HAVING KEEPING PAD.
13. CYR EXPOSURE AREA - 10' X 10' DIAL CONC. HAVING KEEPING PAD AT WALL BARS - SEE DETAIL TANK.
14. EXISTING ASSEMBLY - PAINT SEE, FEDERAL.



WEST ELEVATION

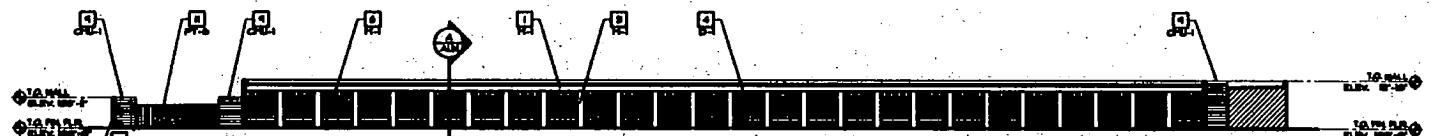


EAST ELEVATION, BUILDINGS 6A-6B & 1C

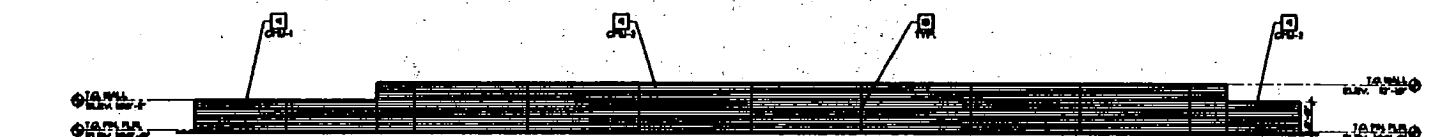


NORTH ELEVATION, PERIMETER WALL

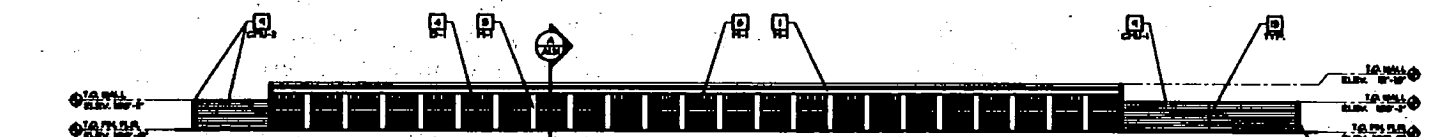
SOUTH ELEVATION, PERIMETER WALL



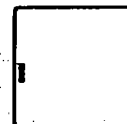
NORTH ELEVATION, BUILDINGS 2E-4E



EAST ELEVATION, PERIMETER WALL



WEST ELEVATION, BUILDING 5A-5D



SWISHER & HALL
AIA, LIMITED

EXTERIOR ELEVATIONS

99033.00
7-2-99
BMC / JVA
checked by

sheet no.
A1.2

CITY COUNCIL MEETING OF AUGUST 16, 2000

Pg. 804

Z-0011-99(1)
7-13-00 PC

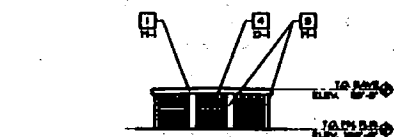
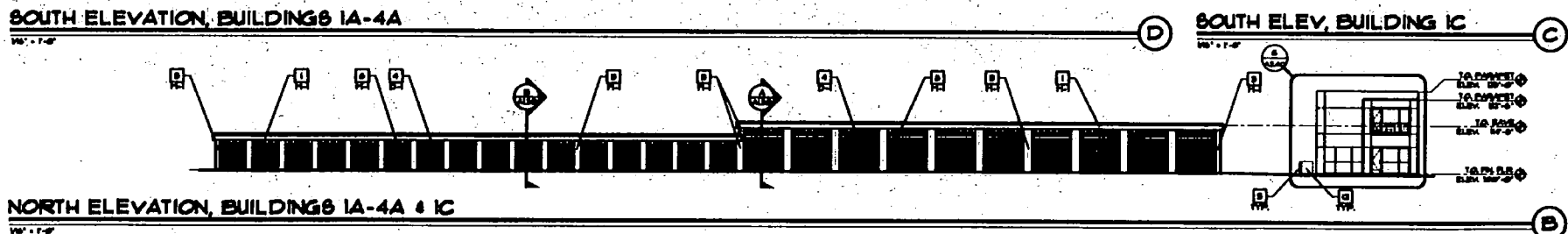
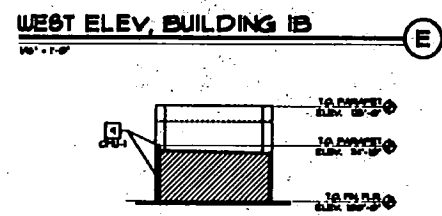
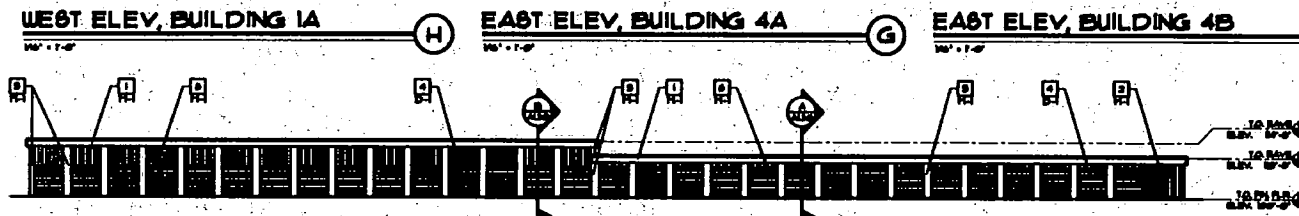
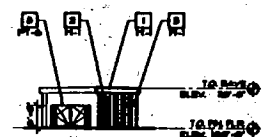
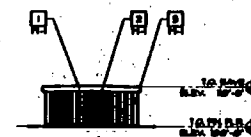
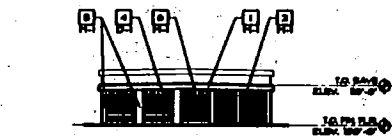
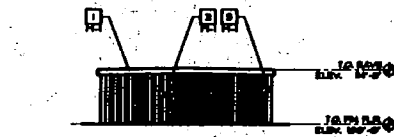
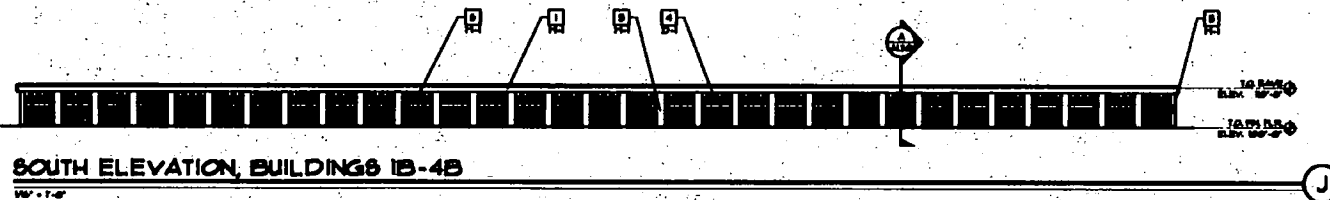
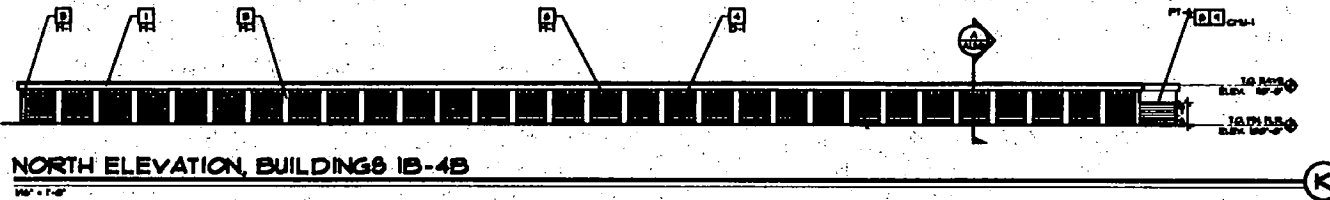
STAFF

GENERAL NOTES:

1. THE GENERAL CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS AND COVER THE SUBJECT OF ANY DISCREPANCIES IN THE DIMENSIONS OR ELEVATIONS PRIOR TO CONSTRUCTION.
2. ARCHITECTURAL FINISHED FLOOR ELEVATIONS ASSIGNED TO THE TOP OF THE CURB, EXCEPT FOR PAD ELEVATIONS.
3. FINC. REFERS TO VERTICAL BALDING CONTRACTOR ON ALL ELEVATION - SEE SPEC FOR FURTHER CLARIFICATION.

KEY NOTES: □

1. FENCE, FENCE, SEE FINC. DATA.
2. VERTICAL, FINC. DATA, SEE FINC. DATA.
3. FINC. DATA, SEE FINC. DATA.
4. OVERHEAD POWER LINES - SEE NOT VARIATION ON SHEET FOR POWER LINES.
5. CONCRETE FILLER, STEEL PIPE BOLLARD, FINC. DATA, SEE FINC. DATA.
6. VERTICAL, FINC. DATA, SEE FINC. DATA.
7. SECURITY FENCE / LIFT GATE, SEE SITE PLAN.
8. STAIN EXPOSURE, FINC. DATA, SEE FINC. DATA.
9. ONE WALL OF 7' GAP BLOCK.
10. EXISTING BUILDING.
11. ALL FINC. DATA OF 10'-0" OR GREATER, FINC. DATA.
12. CONCRETE, FINC. DATA, SEE FINC. DATA.



SWISHER & HALL
AIA, LIMITED
ARCHITECTS AND PLANNERS
1000 N. 10TH AVE., SUITE 100
DENVER, CO 80202
TEL: 773.442.1111 FAX: 773.442.1112

EXTERIOR ELEVATIONS
NATLION ENO

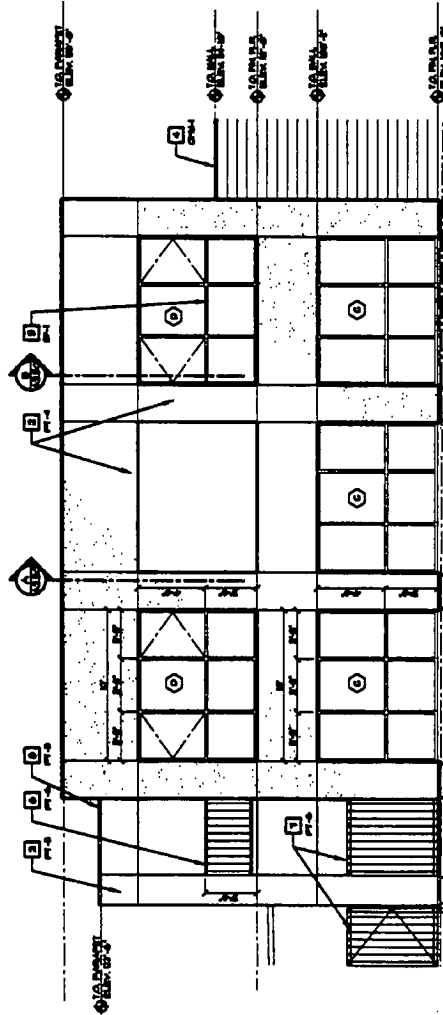
CITY COUNCIL MEETING OF AUGUST 16, 2000
Pg. 805
A1.2

Z-0010-99(1) STAFF

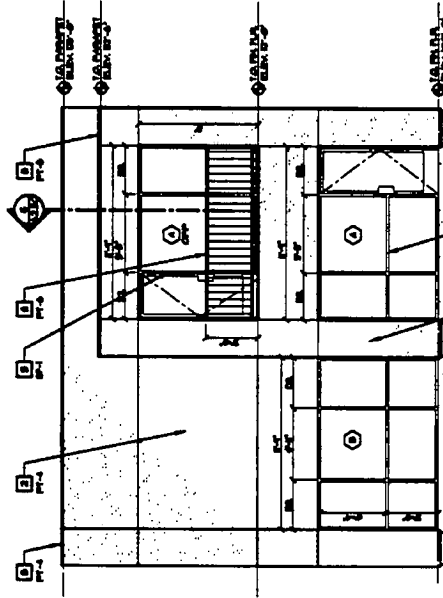
7-13-00 PC

- KEY NOTES:**
1. SEE ARCHITECTURAL SCHEDULE 1 TYPE
 2. CORNER PLUMBING OF S. LANE
 3. ARCHITECTURAL SCHEDULE 1 TYPE
 4. EXIST. WALL OF 7" CAP
 5. CONCRETE WEDG. OF 4" MASONRY CORNER BRICKWORK AND
 6. REINFORCED CONCRETE WALL
 7. REINFORCED CONCRETE WALL
 8. REINFORCED CONCRETE WALL

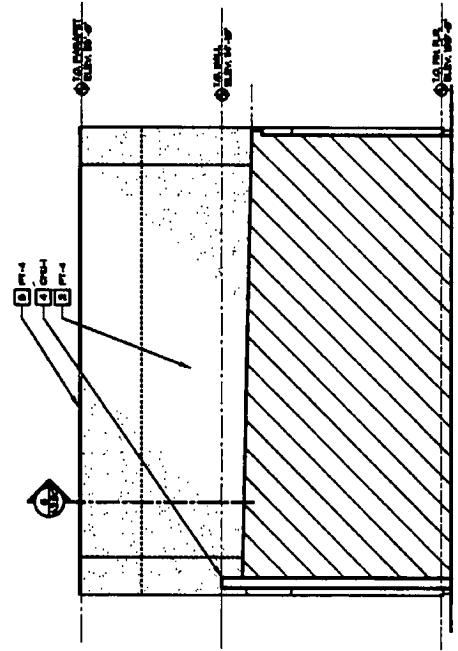
- GENERAL NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC WORKS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES.



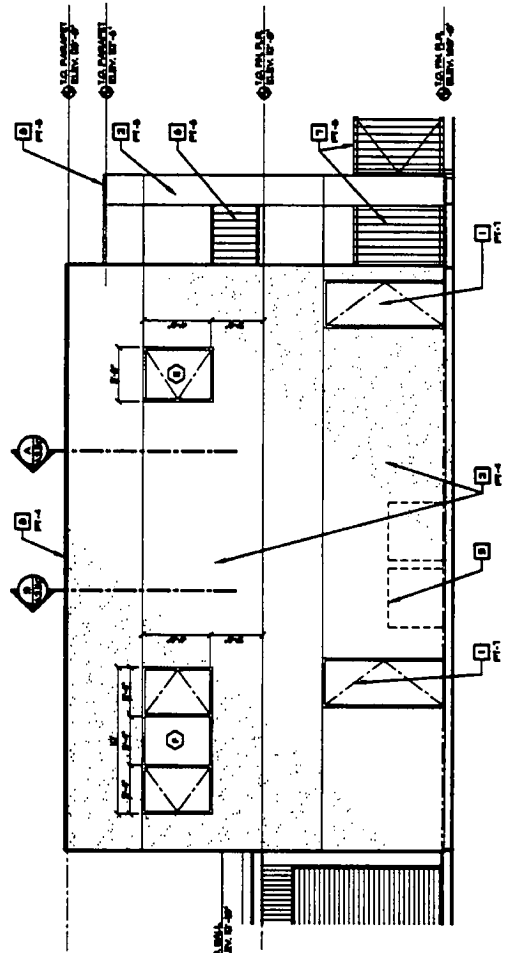
PARTIAL WEST ELEVATION
W-1-0



PARTIAL NORTH ELEVATION
N-1-0

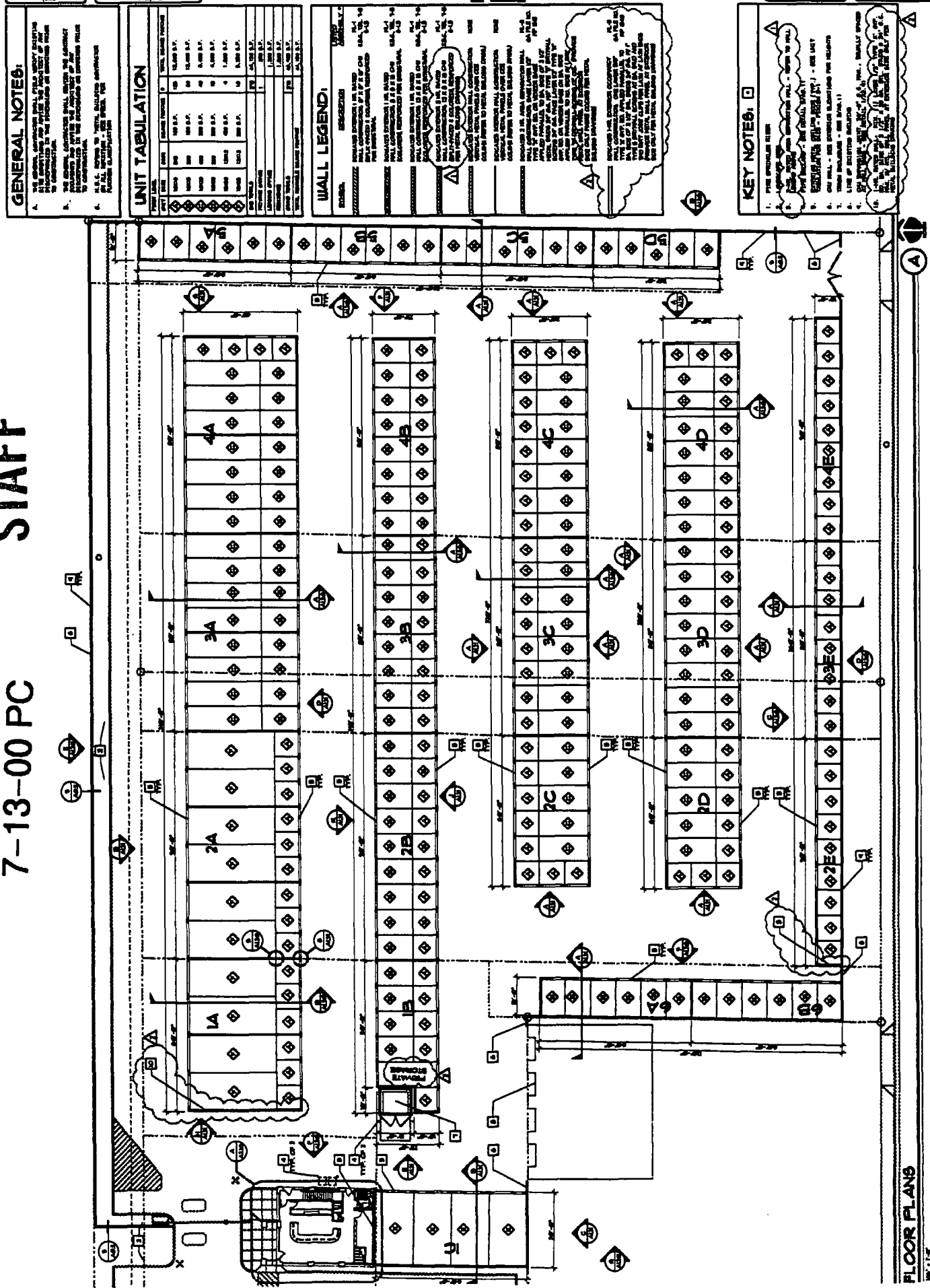


SOUTH ELEVATION
S-1-0



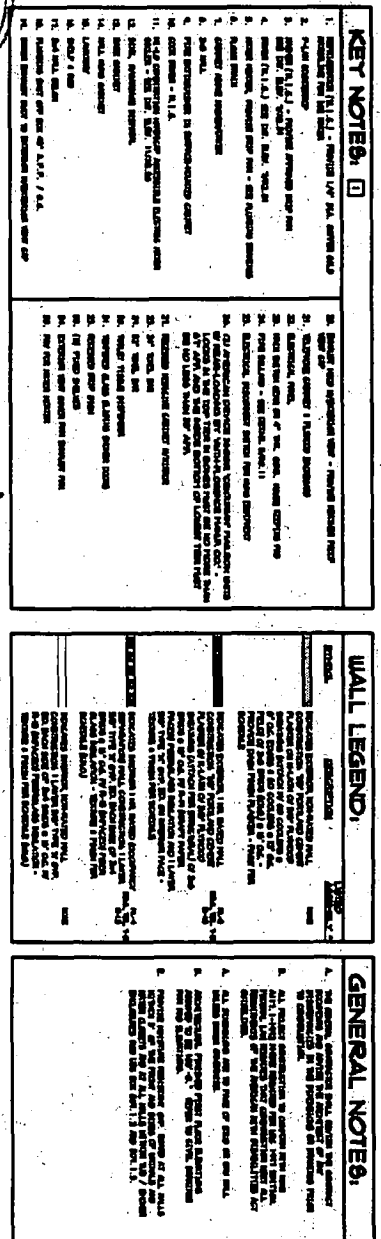
PARTIAL EAST ELEVATION
E-1-0

Z-0010-99(1)
7-13-00 PC



7-13-00 PC

STATE



City of Las Vegas

Agenda Item No. 99

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

EXTENSION OF TIME - U-0136-97(1) - RAY AND ALMA SCHOOL, LIMITED LIABILITY COMPANY ON BEHALF OF TERRIBLE HERBST, INC. - Request for an Extension of Time for a Special Use Permit FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northeast corner of Craig Road and Tenaya Way (APN: 138-03-611-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

NOTE: THIS ITEM IS CONSIDERED TO BE ROUTINE IN NATURE.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

DENNIS WATTS, 201 Las Vegas Boulevard South, appeared representing the applicant and concurred with the conditions. He requested approval.

No one appeared in opposition.

NOTE: See Item No. 100 [Z-0105-93(7) for related discussion.

(2:15 - 2:17)

4-402

*City of Las Vegas***Agenda Item No. 99**

CITY COUNCIL MEETING OF AUGUST 16, 2000

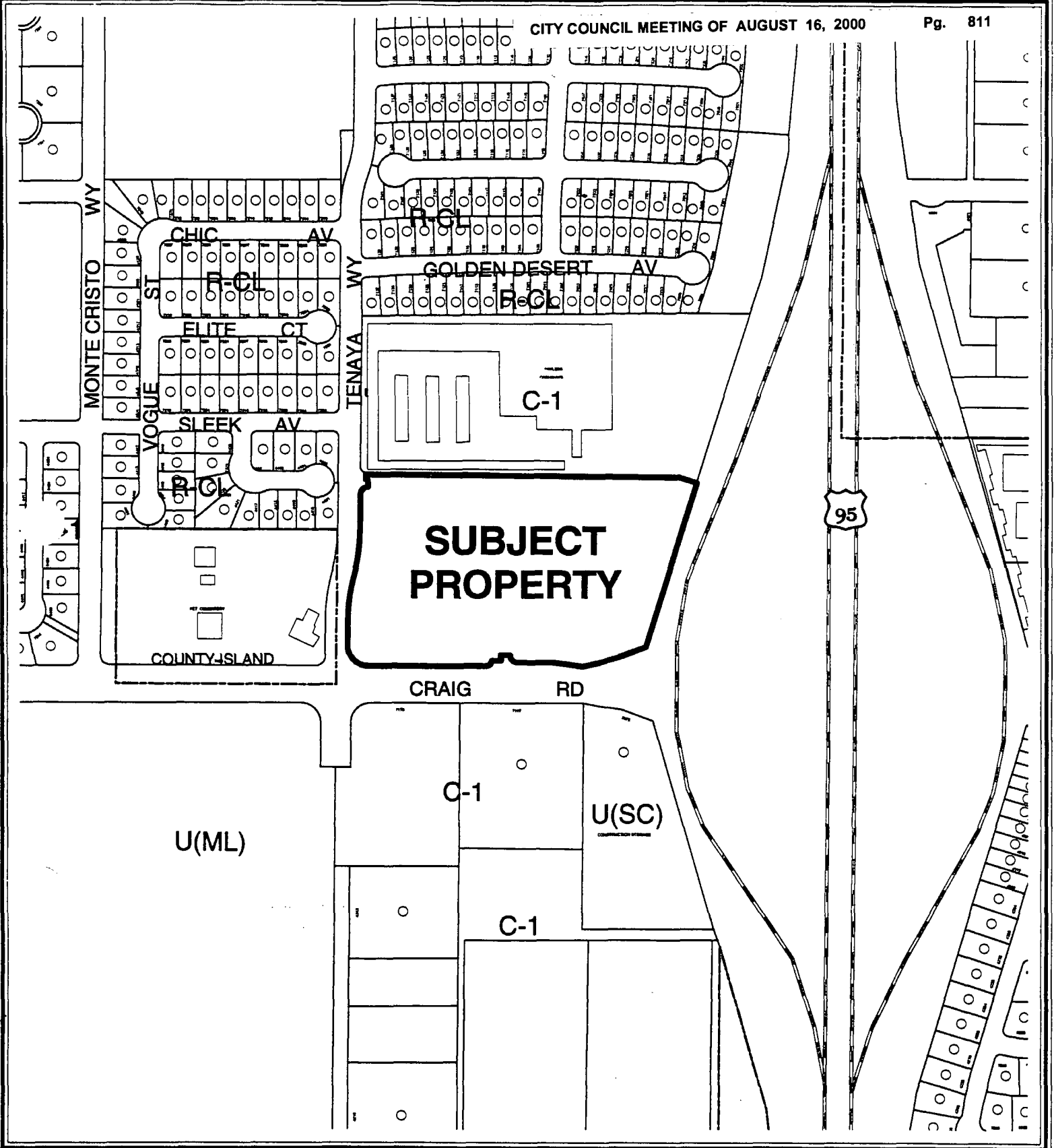
Planning & Development

Item 99 – U-0136-97(1)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall expire on May 11, 2002, unless an Extension of Time has been granted.
2. Conformance to the Conditions of Approval for U-136-97.
3. Approval of this Extension of Time does not constitute approval of a business license.
4. The applicant shall apply for a business license with the City of Las Vegas Department of Finance and Business Services.



CASE: U-0136-97(1)

0 300 600 Feet

ZONING OF SUBJECT PROPERTY: U(SC) [UNDEVELOPED SC (SERVECE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



U-0136-97(1) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for an Extension of Time on an approved Special Use Permit that allowed a car wash and the sale of beer and wine for off-premise consumption in conjunction with a proposed convenience store on property located on the northeast corner of Craig Road and Tenaya Way. The proposed convenience store is to be incorporated into a planned shopping center.

BACKGROUND DATA

- 1989 This property was annexed into the City of Las Vegas [A-3-89(A)].
- 12/15/93 The City Council approved a Rezoning (Z-105-93) of this property to C-1 (Limited Commercial) to provide for commercial retail development.
- 10/02/96 The City Council approved a Reinstatement and Extension of Time [Z-105-93(2)] for this site to provide for commercial development to October 2, 1997 (subsequently, the site was subdivided as a commercial subdivision, which extends the ROI indefinitely).
- 05/11/98 The City Council approved a Site Development Plan Review [Z-105-93(3)] on this property for a proposed 84,279 square foot commercial shopping center.
- 05/11/98 The City Council approved a Special Use Permit (U-136-97) for a car wash and the sale of beer and wine for off-premise consumption in conjunction with a proposed convenience store.
- 10/08/98 The Planning Commission approved a Site Development Plan Review [Z-105-93(4)] on this property for a 2,862 square foot restaurant (McDonald's) with drive-through.
- 05/24/99 The City Council approved a Required One-year Review [Z-105-93(5)] of project status for a proposed 84,279 square foot commercial shopping center.
- 09/09/99 The Planning Commission approved a Site Development Plan Review [Z-105-93(6)] on a portion of this property for a proposed 26,378 square foot retail center.
- 07/13/00 The Planning Commission recommended approval of a Site Development Plan Review [Z-0105-93(7)] on this property for a proposed 3,200 square foot convenience store.

U-0136-97(1) - Page Two
August 16, 2000 City Council Meeting

DETAILS OF APPLICATION REQUEST

The applicant has filed this Extension of Time application at staff's request. Pursuant to revisions made to Title 19A, a Special Use Permit is valid for only two years for new projects. It has been two years since the approval of the original Special Use Permit. The subject site is currently undeveloped. This application is related to Site Development Plan Review Z-0105-93(7), item # D-1 on this agenda, which is a request for proposed 3,200 square foot convenience store. The convenience store's proposed location is in the southeast corner of the site, east of the approved McDonald's restaurant location (across the commercial center's main entry drive).

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES

North	C-1 (Limited Commercial)	Payless Cashways
South	C-1 (Limited Commercial)	Undeveloped
	U (Undeveloped)	Single-Family Residential
East	R.O.W.	U.S. 95
West	R-CL (Residential Compact Lot)	Single-Family Residential
	County	Pet Cemetery

ANALYSIS

ZONING

The site is currently zoned C-1 (Limited Commercial). The C-1 district is intended to provide most retail shopping and personal services. Both a car wash and the sale of beer and wine for off-premise consumption require a Special Use Permit in the C-1 zoning district.

FINDINGS

In order to approve a Special Use Permit application, per Las Vegas Municipal Code Section 19A.18.060 the Planning Commission or City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

Staff finds that the use is harmonious and compatible with existing surrounding land uses and with future land uses projected by the General Plan.

U-0136-97(1) - Page Three
August 16, 2000 City Council Meeting

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

Staff finds that the subject site is still physically suited 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."**

The subject site is located on the northeast corner of Craig Road and Tenaya Way. Craig Road is a partially developed one hundred feet (100') wide primary arterial and Tenaya Way is a partially developed eighty feet (80') wide secondary arterial. Immediately adjacent to the subject parcel, Tenaya Way is fully developed as a sixty feet (60') wide collector street. Staff finds that the street facilities providing access to the property, once fully developed, will be adequate in size to meet the requirements of the proposed use.

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

Staff finds that the proposed convenience store will be subject to regular inspections by City staff for licensing and will therefore not be inconsistent with, or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NOTICES MAILED N/A

APPROVALS 0

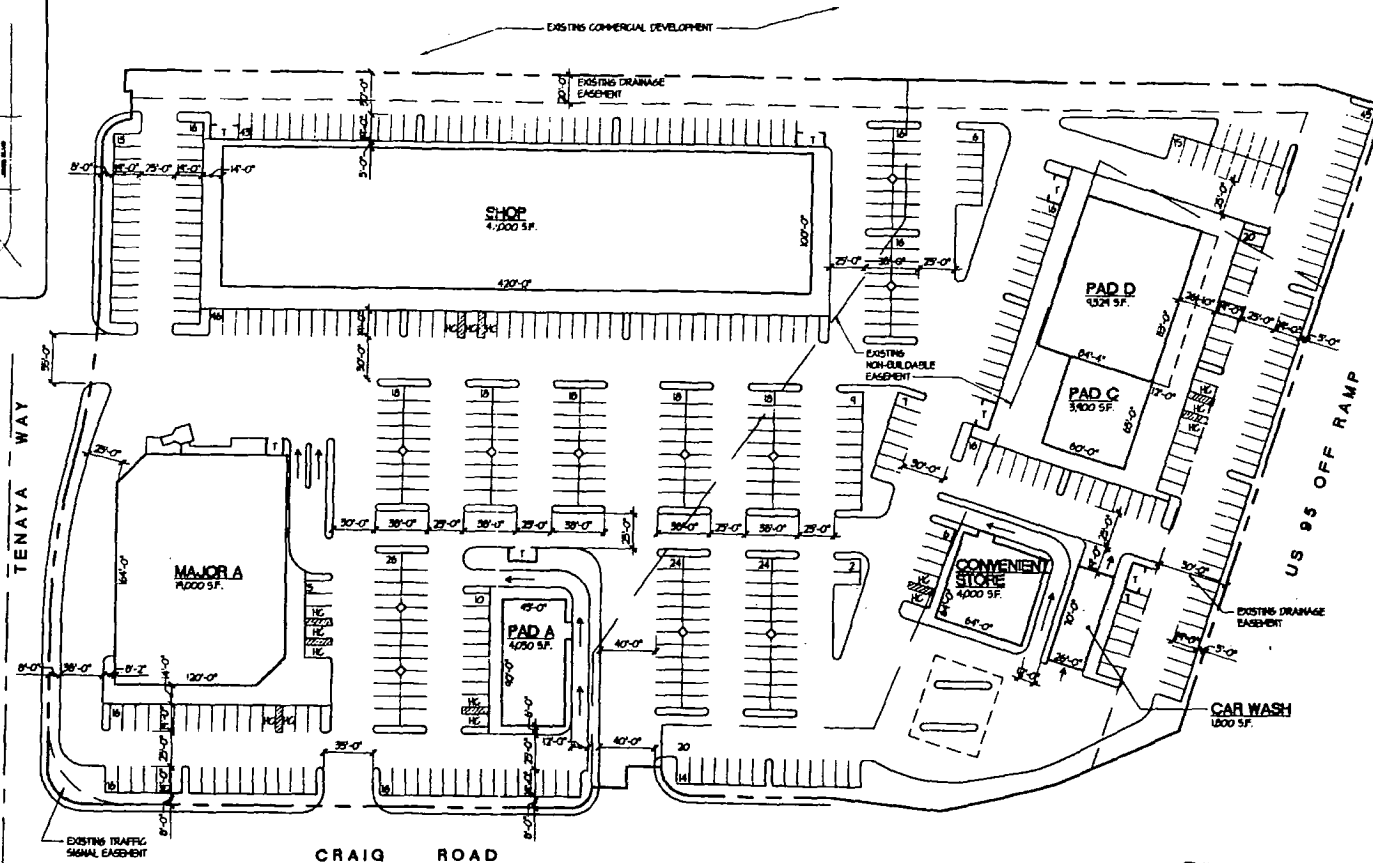
PROTESTS 0

U-0136-97(1) - Page Four
 August 16, 2000 City Council Meeting

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	NO	NO
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO
<i>Metro - Crime Prevention</i>	YES	NO	NO

VICINITY MAP



LEGAL DESCRIPTION

BEING LOT 2 OF THAT CERTAIN MAP ON FILE AT THE OFFICE OF THE COUNTY RECORDER IN FILE 79 OF PARCEL MAPS, AT PAGE 58, LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SECTION 3, TOWNSHIP 20 SOUTH RANGE 61 EAST, NDM, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 9.981 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

SITE SUMMARY

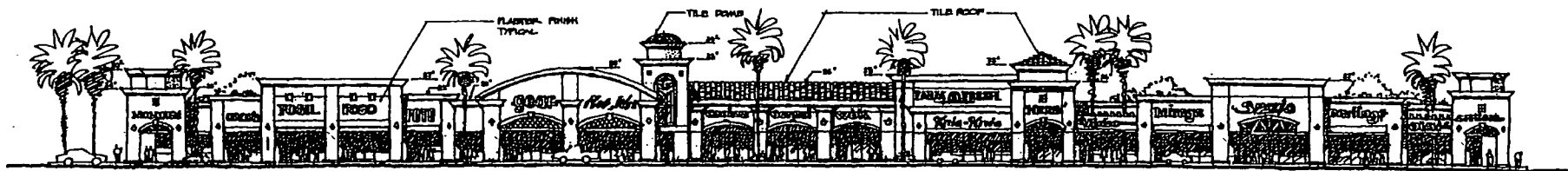
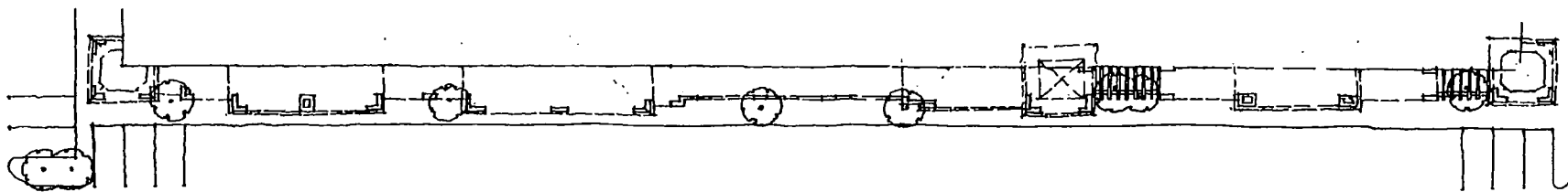
4.98 ACRES 433,200 S.F.
BLDG. 84,274 S.F.
LAND/BLDG. 4.16/1 (10% COVERAGE)
STALLS 541 (79x19)
PARKING/RATIO 6.42/1000
LANDSCAPE AREA 31,051 S.F.

ARCHITECTURAL SITE PLAN

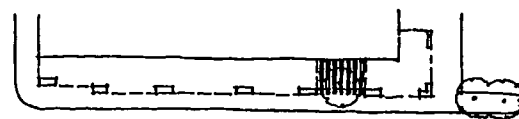
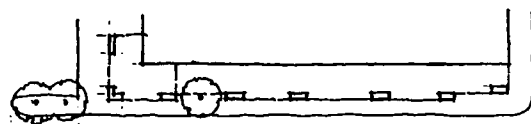
STAFF

U-00136-97(1)

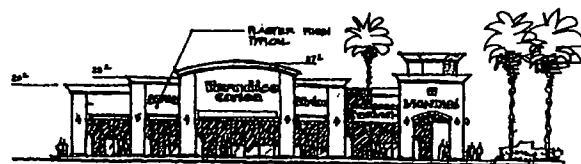
7-13-00 PC



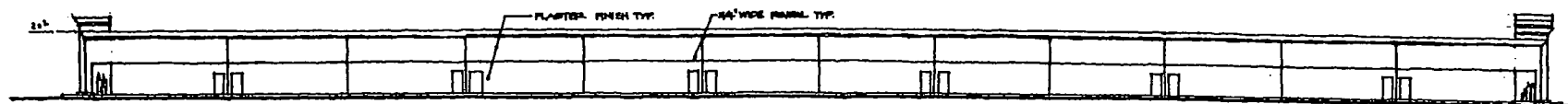
SOUTH ELEVATION scale 1/16"



EAST ELEVATION scale 1/16"



WEST ELEVATION scale 1/16"



NORTH ELEVATION scale 1/16"

STAFF

CRAIG & TENAYA

LAS VEGAS

U-00136-97(1)

7-13-00 PC

City of Las Vegas

Agenda Item No. 100

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0136-97(1) - **Z-0105-93(7)** - **RAY & ALMA SCHOOL, LIMITED LIABILITY COMPANY ON BEHALF OF TERRIBLE HERBST, INC.** - Request for a Site Development Plan Review FOR A PROPOSED 3,200 SQUARE FOOT CONVENIENCE STORE on 3.75 acres on the northeast corner of Craig Road and Tenaya Way (APN: 138-03-611-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-0 vote) and staff recommends 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:**

DENNIS WATTS, 201 Las Vegas Boulevard, appeared representing the applicant.

COUNCILMAN BROWN requested the status of the overall sign plan for this site that was discussed with the developer. The plan should include less intense signage for the western portion of the parcel. MR. WATTS indicated that it should be submitted sometime during the week, hopefully on Friday.



Agenda Item No. 100

CITY COUNCIL MEETING OF JULY 19, 2000

Planning & Development

Item 100 – Z-0105-93(7)

MINUTES - Continued:

NOTE: See Item No. 99 [U-0136-97(1) for related discussion.

(2:15 – 2:17)

4-402

CONDITIONS:

Planning and Development

1. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
2. No roof lighting shall be allowed. Wallpack lighting shall utilize 'shoe-box' fixtures and shields, and parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and shields to prevent glare to off-site locations.

Public Works

3. 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. 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.
4. Site development to comply with all applicable conditions of approval for Z-105-93, the Craig/Tenaya commercial subdivision, and all other site-related actions.

Standard Conditions

5. All development shall be in conformance with the Site Development plan and building elevations.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

*City of Las Vegas***Agenda Item No. 100**

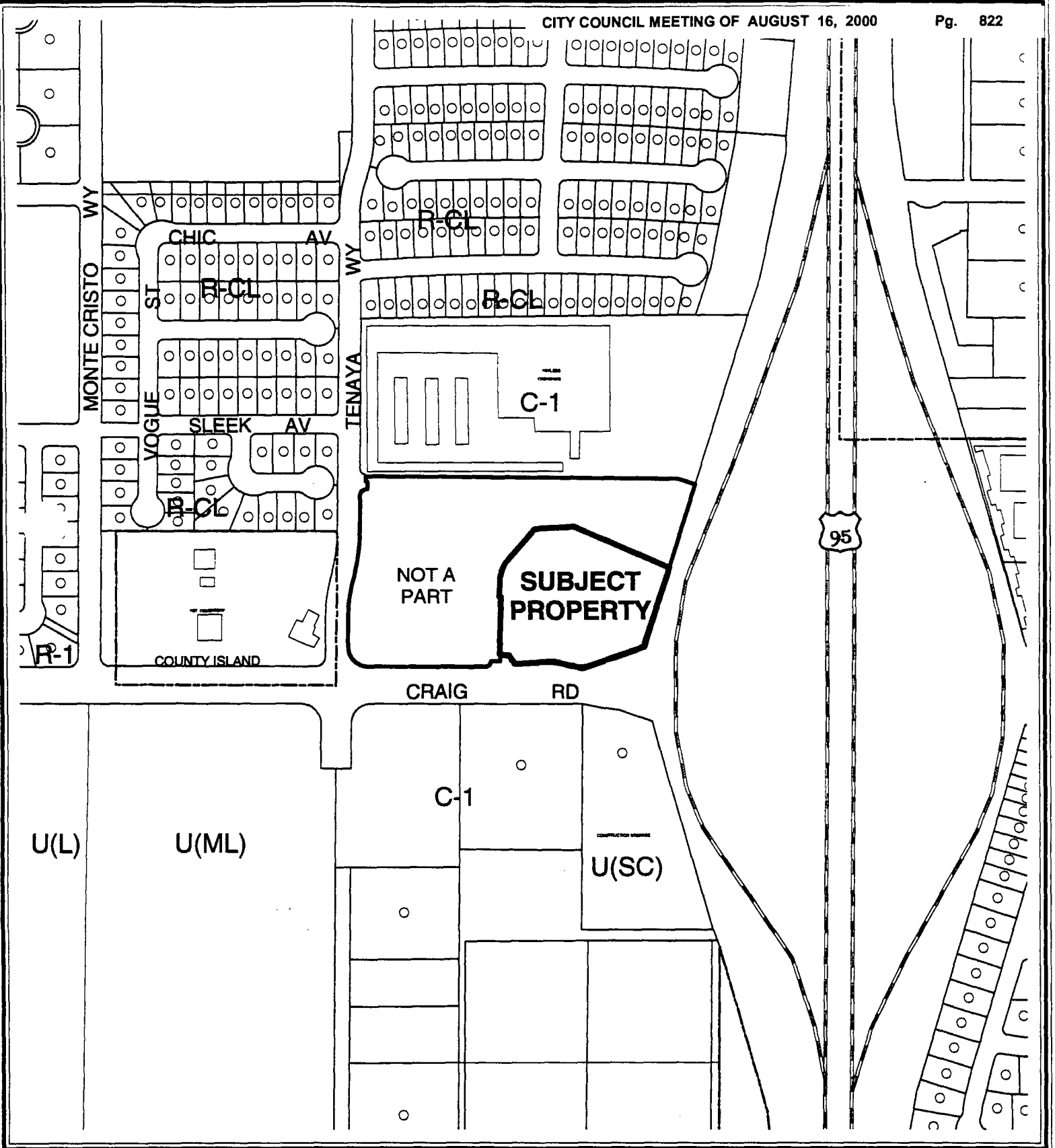
CITY COUNCIL MEETING OF JULY 19, 2000

Planning & Development

Item 100 – Z-0105-93(7)

CONDITIONS - Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. 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.
11. 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.
12. 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: Z-0105-93(7)

0 300 600 Feet

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



Z-0105-93(7) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for a Site Development Plan Review for a proposed 3,200 square foot convenience store located on a 3.75-acre site adjacent to the north side of Craig Road approximately 500 feet east of Tenaya Way.

BACKGROUND DATA

12/15/93 The City Council approved a Rezoning (Z-0105-93) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request.

05/11/98 The City Council approved a Site Development Plan Review [Z-0105-93(3)] for a proposed 84,279 square foot commercial shopping center.

DETAILS OF APPLICATION REQUEST

Overall Site Area	9.86 Acres
Site Area	3.75 Acres
Building Area	3,200 Square Feet
FAR	0.019
Overall Height	35 Feet (1 story)
Parking Required	13 Spaces (including 1 handicap accessible)
Parking Provided	20 Spaces (including 1 handicap accessible)
Loading Required	1 Space
Loading Provided	1 Space

Main access to the site will be via one shared driveway off Craig Road on the south. Two additional shared access driveways, one on Craig Road and one on Tenaya Way, both provide access through the approved commercial center west of the site. The landscaping plan depicts site frontage landscaping along Craig Road, within a fifteen-foot wide planter incorporating 24-inch box trees approximately 30 feet on-center.

The elevations depict a reddish tile colored modified mansard-style roof, with off-white stucco and a reddish-orange colored tile base.

Z-0105-93(7) - Page Two
August 16, 2000 City Council Meeting

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-1 (Limited Commercial)	Commercial
East	US-95	Freeway
	C-1 (Limited Commercial)	Commercial
		(beyond Freeway)
South	C-1 (Limited Commercial)	Undeveloped
West	U (Undeveloped) [SC (Service Commercial) General Plan Designation) under ROI to C-1 (Limited Commercial)	Commercial

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed commercial development, including the convenience store is within the range of uses permitted within the existing C-1 (Limited Commercial) zoning of the site.

SITE PLAN

Staff finds the proposed site plan to be generally acceptable. The submitted site plan depicts a 3.75 acres site towards the southeast end of a larger 9.86 acre overall commercial site. A 3,200 square foot convenience store with the doors facing Craig Road is depicted toward the northwest corner of the smaller site. A 4-island gas canopy is depicted parallel to Craig Road between the property line and the convenience store. Parking is depicted adjacent to the east and south sides of the convenience store as well as along the southern property line.

LANDSCAPE PLAN

Staff finds that the submitted landscape plan depicts landscaping that meets City requirements for commercial developments. The landscape plan depicts 24-inch box trees thirty feet (30') on center within fifteen foot wide planters to the south and east sides of the proposed buildings. Along the interior property lines of the site, eight foot wide landscape planters are depicted.

ELEVATIONS

The submitted elevations depict an off-white stucco building that is approximately 21 feet tall with a mansard style roof. At the corners of the building are decorative columns with red brick veneer. The entrance features an elevated vestibule area with a total height of 35 feet with large exterior supportive columns with red brick veneer and archway accents.

The fuel island canopy is off-white stucco with a red colored tile roof and reddish-orange brick veneer along the bottom portions of the supports.

Z-0105-93(7) - Page Three
August 16, 2000 City Council Meeting

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council shall affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

Staff finds the proposed convenience store will be appropriate, in terms of the type of anticipated uses, as neighborhood serving retail for existing residential development in the surrounding area. Furthermore, the site is surrounded by commercial uses and/or land designated for future commercial use.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

Staff finds the proposed project as amended by the conditions identified below regarding site landscaping will be consistent with Title 19A and applicable City plans, policies and standards.

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

Staff finds the proposed site access and circulation will not negatively impact adjacent residential neighborhood roadways. This site is within a previously approved commercial center where all points of access were approved.

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

Staff finds the proposed building elevations will be appropriate to the surrounding neighborhood. Furthermore, the site is not adjacent to any residential zoned property.

5. **"Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area."**

Staff finds the proposed building elevations will create an aesthetically pleasing development

Z-0105-93(7) - Page Four
August 16, 2000 City Council Meeting

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

Staff finds the proposed development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety and welfare.

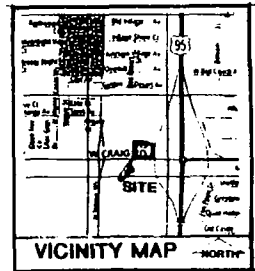
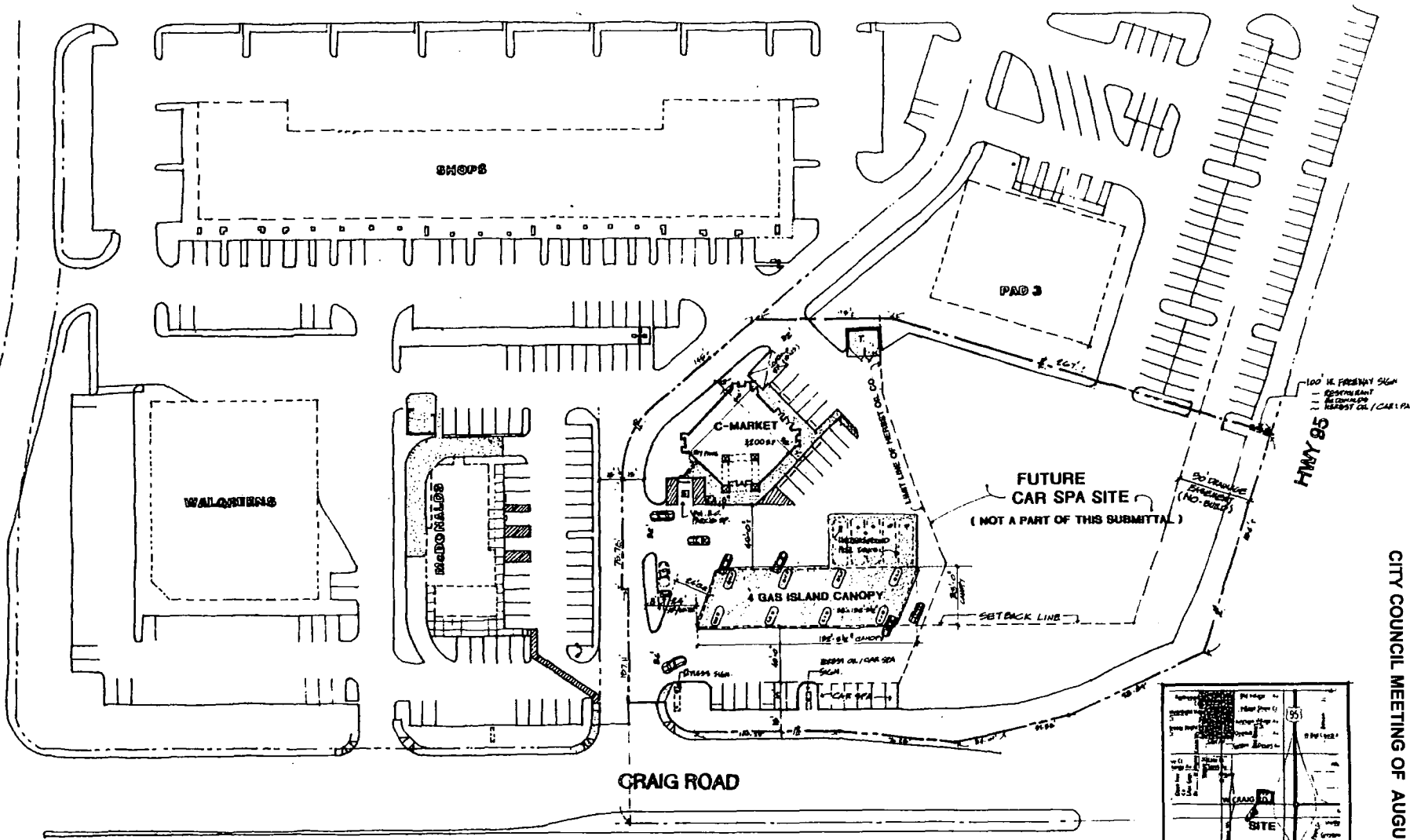
NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO



STAFF

HERBST OIL COMPANY
5195 LAS VEGAS BLVD. SOUTH LAS VEGAS, NEVADA 89119

MARKET & 4 GAS ISLAND CANOPY
CRAIG ROAD & TENAYA WAY LAS VEGAS, NEVADA

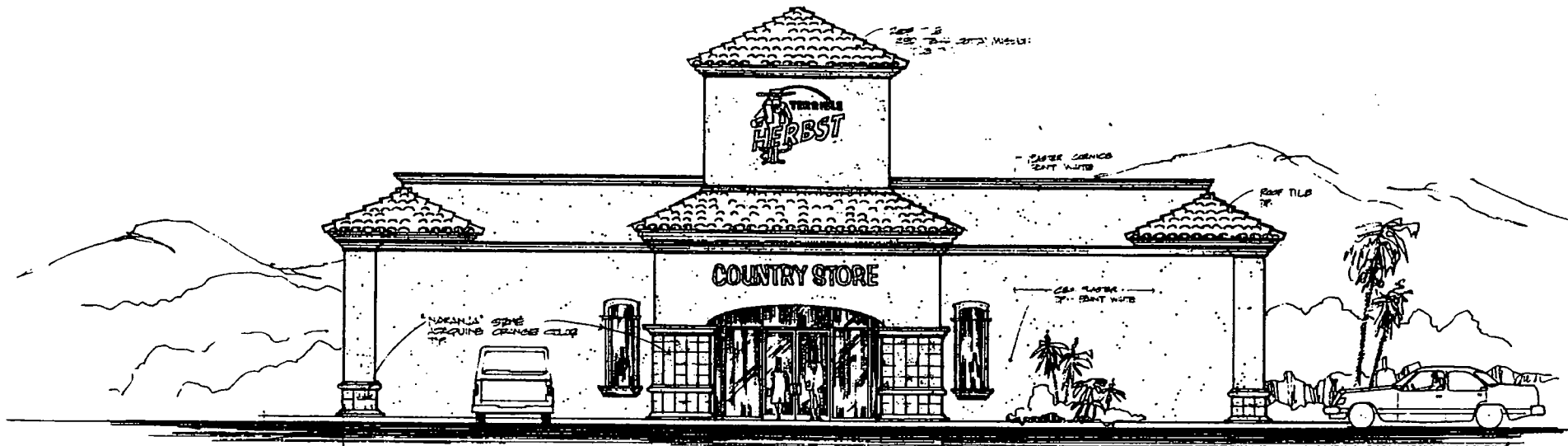
ERROL HILL ARCHITECT LTD. ARCHITECT
1614 MARYLAND PARKWAY LAS VEGAS, NEVADA 89104

Z-0105-93(7)
7-13-00 PC

SITE PLAN
PARKING RECAP
MARKET 3,200 @ 1/250 S.F. = 12.8 SPACES
PARKING PROVIDED 20 SPACES
PLUS 1 (12'x 20') LOADING SPACE

SCALE 1" = 30' NORTH

HERBST OIL COMPANY
CRAIG ROAD & TENAYA WAY
SHEET
OF
8 / 8 / 0

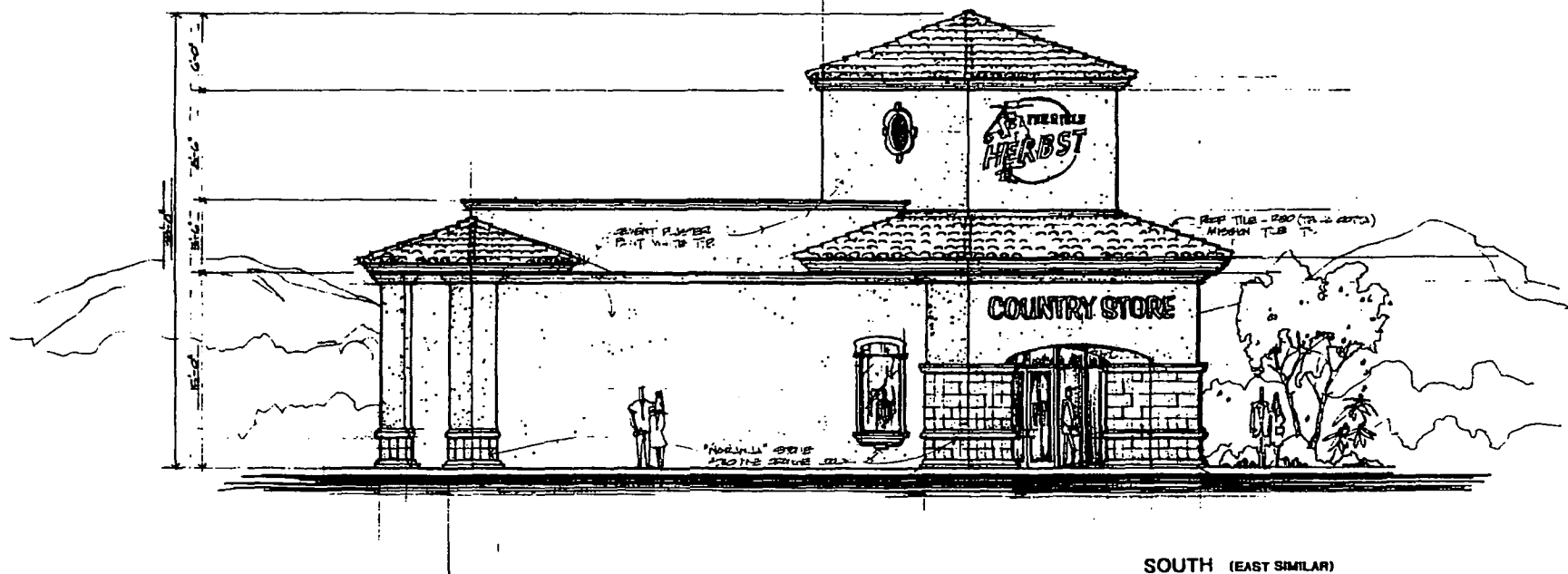


FRONT AT 45° ANGLE
MARKET EXTERIOR ELEVATION SCALE 1/4" = 1'-0"

STAFF

Z-0105-93(7)

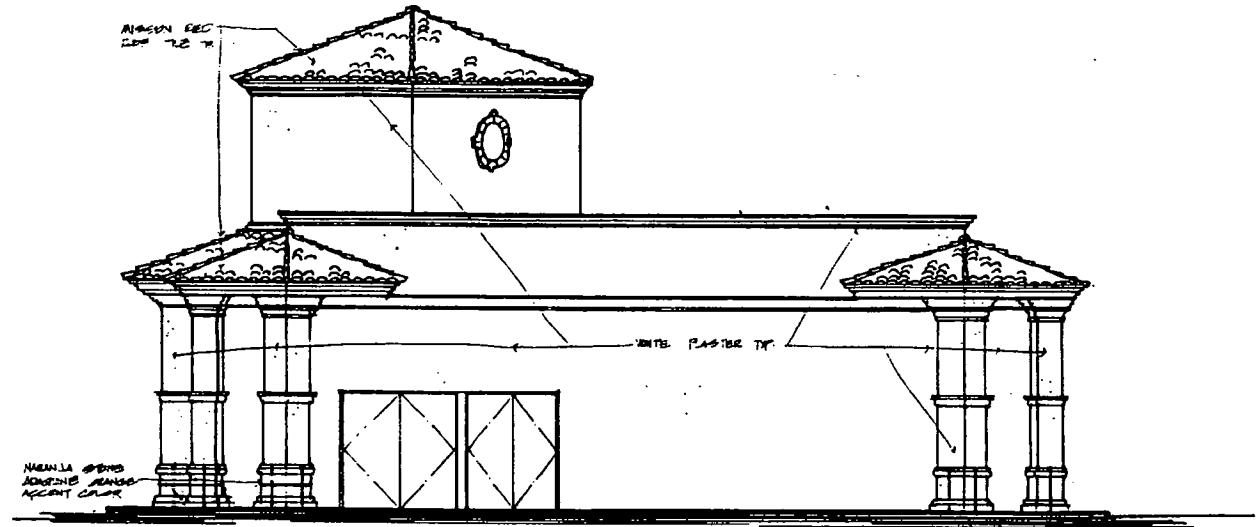
7-13-00 PC



STAFF

Z-0105-93(7)

7-13-00 PC

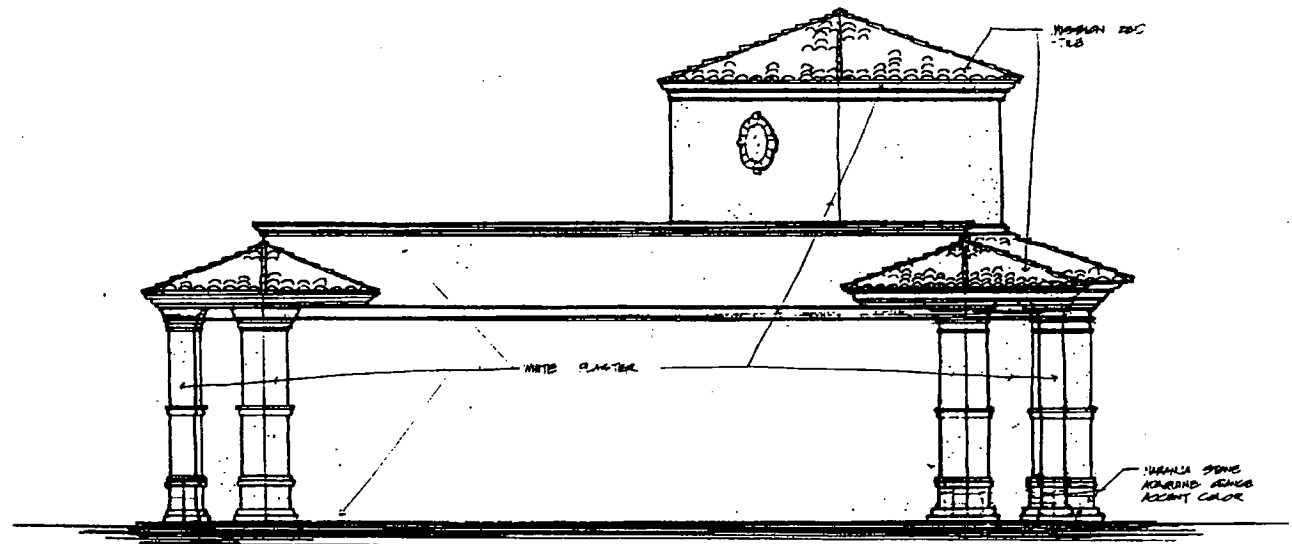


NORTH

STAFF

Z-0105-93(7)

7-13-00 PC



WEST

EXTERIOR ELEVATIONS

SCALE 1/4" = 1' - 0"

HERBST OIL COMPANY
CRAB ROAD & TENAYA WEL

SHEET 6
OF 7
8 / 8 / 00

CITY COUNCIL MEETING OF AUGUST 16, 2000

Pg. 830

MASTER

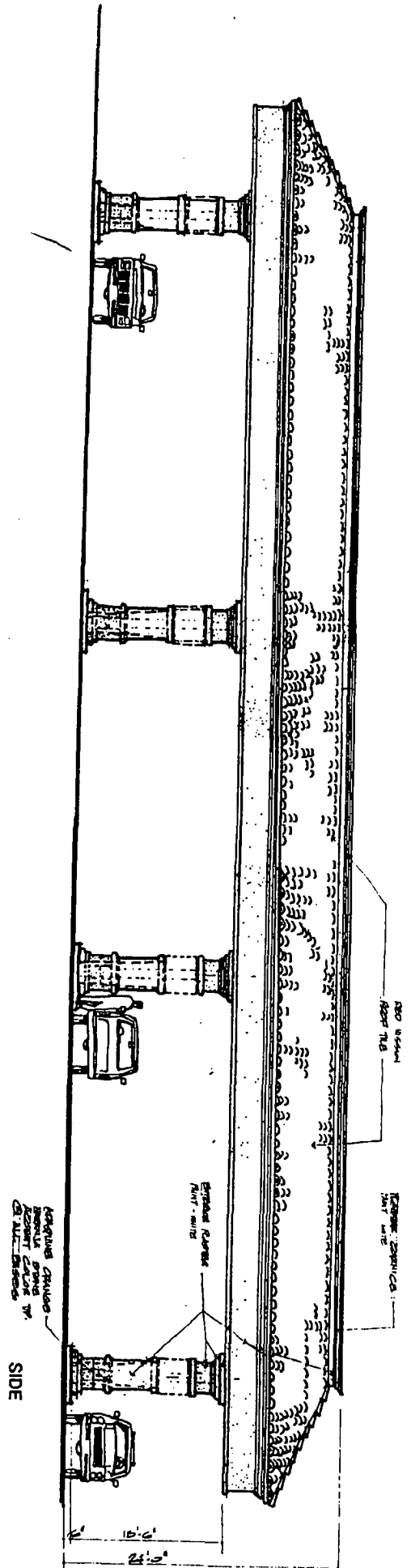
Z-0105-93(7)

7-13-00 PC

4 ISLAND CANOPY EXTERIOR ELEVATIONS

SCALE 1/4" = 1'-0"

END



SIDE

City of Las Vegas

Agenda Item No. 101

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 16, 2000

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - Z-0086-99(1) - CALVARY COMMUNITY ASSEMBLY OF GOD - Request for a Site Development Plan Review on property located adjacent to the southeast corner of the intersection of Torrey Pines Drive and Brooks Avenue FOR A PROPOSED 14,980 SQUARE FOOT DAYCARE AND A 20,539 SQUARE FOOT COMMUNITY CENTER IN CONJUNCTION WITH AN EXISTING CHURCH (CALVARY COMMUNITY ASSEMBLY OF GOD), U (Undeveloped) Zone [R (Rural Density) General Plan Designation], R-E (Residence Estates), and C-V (Civic) Zones PROPOSED C-V (CIVIC) ZONE, Size: 11.22 Acres, Ward 6 (Mack), APN: 138-14-601-005, 006, 013 and 014. The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0

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:

MACK - APPROVED subject to conditions and added condition that the required 6-foot-high perimeter block wall shall be completed on the north half of the eastern property line prior to the issuance of any other grading, building, or construction permits. The remainder of the perimeter wall must be completed prior to the issuance of the certificate of occupancy - UNANIMOUS

MINUTES:

HAROLD WHITFIELD, 6301 Blossomwood Avenue, appeared representing the applicant and requested approval with staff's conditions.

*City of Las Vegas***Agenda Item No. 101**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 101 – Z-0086-99(1)

MINUTES - Continued:

COUNCILMAN MACK noted that the applicant worked closely with the neighboring community. He indicated he would like to add the following conditions: That the required 6-foot-high perimeter block wall shall be completed on the north half of the eastern property line prior to the issuance of any other grading, building, or construction permits. The remainder of the perimeter wall must be completed prior to the issuance of the certificate of occupancy.

ELIAS RUIZ, JMA Architect Studios, 10150 Covington Cross Drive, stated there is an existing wall there already. MR. WHITFIELD indicated that the existing wall is higher than six feet, probably eight feet. COUNCILMAN MACK indicated that the applicant was in compliance with that condition then. He confirmed with MR. RUIZ that he was in concurrence with completing the remainder of the perimeter wall.

No one appeared in opposition.

There was no further discussion.

(2:18 – 2:22)

4-478

CONDITIONS:

1. The landscape plan shall be revised to depict a minimum six foot wide planter along the east property boundary.
2. The elevations for the proposed buildings shall be revised to depict the same colors used as the existing church building, or the exterior material colors of the existing building shall be changed to match the colors of the proposed buildings.
3. Wallpack lighting shall not be allowed. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. Landscaping and a permanent underground sprinkler system shall be installed 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***Agenda Item No. 101**

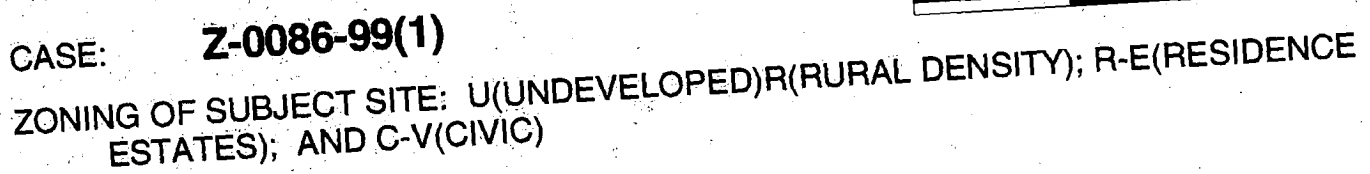
CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 101 – Z-0086-99(1)

CONDITIONS - Continued:

6. A landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.



Z-0086-99(1) - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ******APPLICATION REQUEST**

This request is for a Site Development Plan Review for a proposed 14,980 square foot daycare and a 20,539 square foot community center in conjunction with an existing church, on an 11.22 acre site located adjacent to the southeast corner of the intersection of Torrey Pines Drive and Brooks Avenue. The applicant has requested this Site Development Plan Review to respond to the growing needs of the church congregation.

BACKGROUND DATA

- 03/24/92 The Board of Zoning Adjustment approved a Special Use Permit (U-42-92) for a church and daycare on the subject site.
- 05/05/93 The City Council approved a Rezoning (Z-31-93) from R-E (Residence Estates) to C-V (Civic) for a portion of the subject site.
- 09/14/95 The Planning Commission approved a Plot Plan Review [Z-31-93(1)] for two modular classrooms on the subject site, conditioned upon a removal within two years.
- 04/27/93 The Board of Zoning Adjustment approved an Extension of Time for the Special Use Permit [U-42-92(1)] for a church and daycare on the subject site.
- 05/13/99 The Planning Commission approved a Plot Plan Review [Z-31-93(2)] for three modular classrooms on the subject site, conditioned upon a removal within two years.

DETAILS OF APPLICATION REQUEST**Total Church Facility**

Site Area:	11.22	Acres
Building Area:	54,726	Square Feet
Parking Required:	273	Spaces (including 7 handicap accessible)
Parking Provided:	283	Spaces (including 15 handicap accessible)

Z-0086-99(1) - Page Two
August 16, 2000 City Council Meeting

Proposed Addition

Building Area:	30,190	Square Feet
Community Center:	15,210	Square Feet
Building Height:	43.5	Feet (1 story)
Day Care:	14,980	Square Feet
Building Height:	29	Feet (1 story)

Access to the site will be via a total of three existing driveways off of Torrey Pines Drive, an 80 foot wide roadway along the west. The site plan depicts an existing 215-space parking lot in the southern portion of the site, and an additional 45-space parking lot in the center of the site adjacent to the existing parking lot. Pedestrian access from the parking lots to the proposed buildings will be via a landscaped and hardscape plaza connecting the proposed buildings and the existing church.

The landscaping plan depicts a street frontage landscape theme along Brooks Avenue including 10 foot to 20 foot wide planters along Buffalo Drive. The planters are depicted as incorporating 24 inch box trees at varying distances apart, averaging approximately 20 feet on-center. Adjacent to the southeast of the proposed Community Center building is a landscaped area with turf and 24 inch box trees planted in groups. Along the east property boundary will be a four-foot wide planter with 24 inch box trees. Within the new parking lot are depicted five-foot wide landscape islands with 24 inch box trees.

The elevations for the proposed development depict a pitched roof design incorporating a steeple, and a concrete tile roof, beige stucco facade, and use of structural elements and varied window placement and opening sizes for varied facade appearance.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-D (Single Family Residential-Restricted)	Single Family Residential
South	U (Undeveloped) under ROI to C-V (Civic)	Elementary School
	R-E (Residence Estates) under ROI to C-V (Civic)	Elementary School
East	Clark County	Single Family Residential
West	R-CL (Single Family Compact-Lot)	Single Family Residential

Z-0086-99(1) - Page Three
August 16, 2000 City Council Meeting

ANALYSIS & FINDINGS

ZONING

Staff finds the existing U (Undeveloped) Zone [R (Rural Density) General Plan Designation] and R-E (Residence Estates) zones on approximately 8.47 acres of the site would require a special use permit for expansion of the church uses and for the proposed day care. The applicant has requested a rezoning to the C-V (Civic) zone, which will allow an expansion of the types of uses currently on the site without the need for a Special Use Permit.

SITE PLAN

Staff finds that the proposed site plan depicts an orderly site plan, with the buildings oriented toward the center of the site and toward each other, and a parking layout generally acceptable for the type of use proposed. Staff finds the proposed setbacks from the east property line for the proposed daycare will be approximately 36 feet from a 14 foot tall portion of the new building, which will be adequate for separation from the adjacent residences.

LANDSCAPE PLAN

Staff finds that the planter along the east site boundary should be widened from its depicted four foot width, and recommends that the landscape plan shall be revised to depict a minimum six foot wide planter along the east property boundary.

ELEVATIONS

Staff finds the proposed facades will utilize different finish material colors than the existing church building, and recommends that the exterior wall and roof material colors of the existing and proposed buildings be consistent.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council to affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

Z-0086-99(1) - Page Four

August 16, 2000 City Council Meeting

Staff finds the subject site is abutted by residential development, and therefore its development with the proposed church uses will be appropriate adjacent to existing residential development in the surrounding area.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

Staff finds the proposed project will be consistent with Title 19A and applicable plans, policies and standards with implementation of the conditions presented below regarding the landscape plan and exterior lighting.

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

Staff finds the proposed vehicular access driveways will direct traffic onto Torrey Pines Drive, an 80 foot wide Secondary road. The proposed project will not negatively impact residential neighborhood traffic as direct vehicular access will not occur to surrounding local streets.

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

Staff finds the proposed project will incorporate appropriate building and landscape materials for the area, with implementation of the conditions regarding landscaping and building elevations.

5. **"Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area."**

Staff finds the proposed project will create an orderly site plan with the buildings oriented toward the center of the site and toward each other. Staff finds the building elevations and landscaping will also provide an aesthetically pleasing environment with implementation of the conditions regarding landscaping, building elevations, and outdoor lighting.

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

Z-0086-99(1) - Page Five

August 16, 2000 City Council Meeting

Staff finds the proposed new buildings will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare

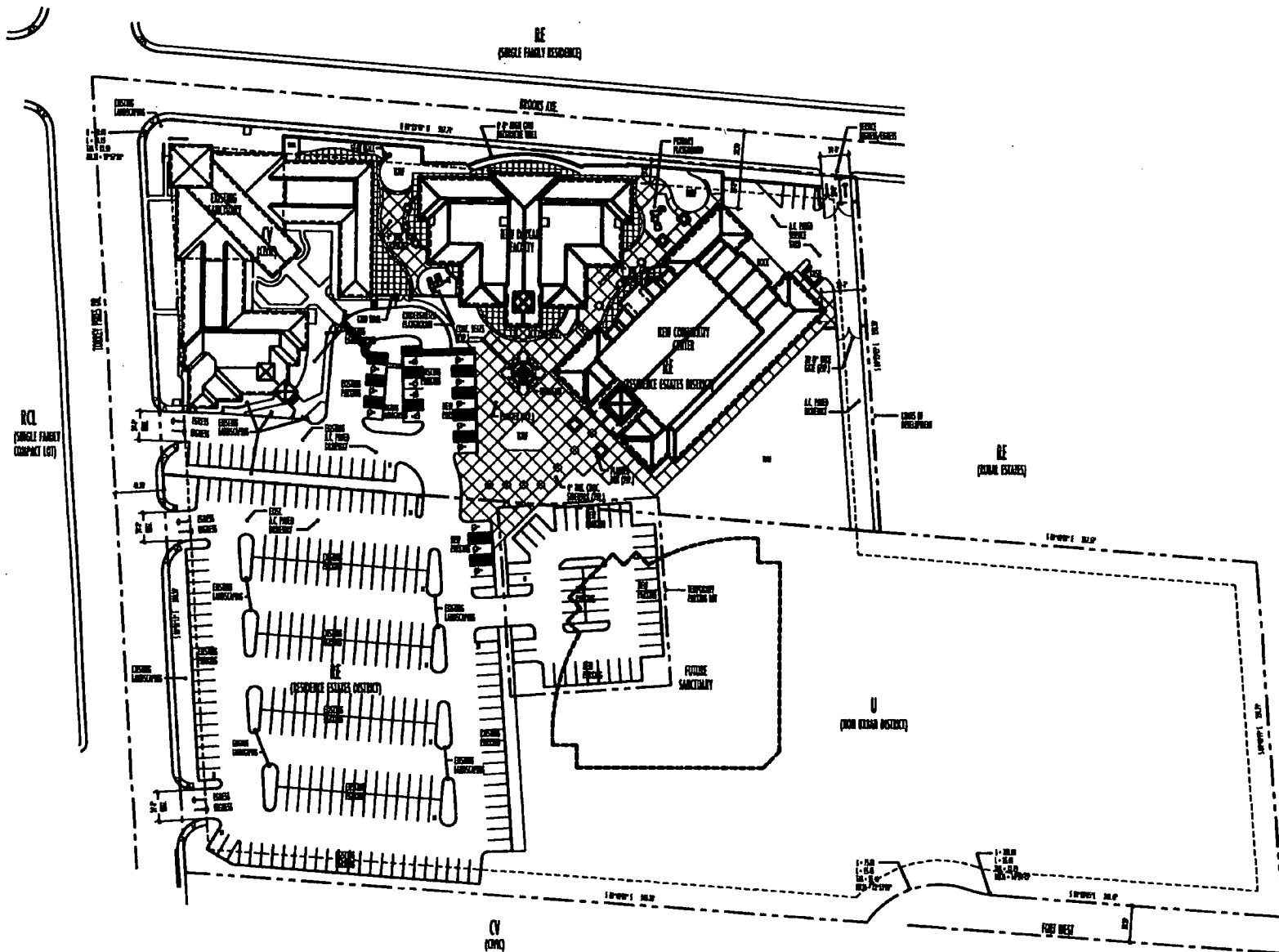
NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

AGENCY COMMENTS

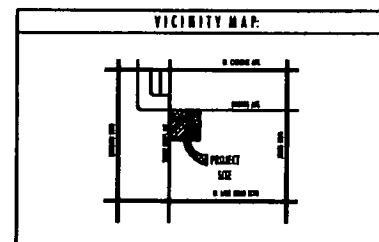
<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	N/A	N/A	N/A
<i>Redevelopment Agency</i>	N/A	N/A	N/A
<i>Fire Services - Prevention</i>	YES	NO	NO
<i>Fire Services - Communications</i>	YES	NO	NO



JMA ARCHITECTURE STUDIOS SITE SUMMARY

SITE:	455,910 S.F. - 10.47 GROSS ACRES
BUILDING AREA (EXISTING):	24,526 S.F.
510 FIXED SEATS (1/4 FIXED SEAT):	120 SPACES
OFFICE ADDITION (1/200 S.F.):	32 SPACES
TOTAL PARKING REQUIRED:	140 SPACES
BUILDING AREA (NEW DATA):	14,980 S.F.
226 STUDENTS (1/10 STUDENTS):	234 SPACES
19 STAFF (1/1 STAFF):	19 SPACES
TOTAL PARKING REQUIRED:	43 SPACES
BUILDING AREA (NEW COMMUNITY CENTER):	26,329 S.F.
1000 S.F. (CLASSROOMS) (4.5 STUDENTS @ 1/4):	24 SPACES
8,700 S.F. (GYM) (1/100 S.F. OF FLOOR):	88 SPACES
TOTAL PARKING REQUIRED:	112 SPACES
TOTAL REQUIRED SPACES:	295 SPACES
PARKING PROVIDED:	
STANDARD:	280 SPACES
ACCESSIBLE:	14 SPACES
WALK ACCESSIBLE:	1 SPACE
LOADING ZONE ONE:	
PROVIDED TOTAL:	295 SPACES

COVERAGE:	
TOTAL BUILDING AREA:	11.2 PERCENT
FLOORPLANS:	40,855 S.F.
BUILDING HEIGHT:	
DATA:	29'-2"
COMMUNITY CENTER:	43'-4"
EXISTING ZONING:	
CV	2.00 ACRES +/- PARCEL NO. 130-14-001-005
RE	2.20 ACRES +/- PARCEL NO. 130-14-001-006
RE	2.20 ACRES +/- PARCEL NO. 130-14-001-010
U	3.99 ACRES +/- PARCEL NO. 130-14-001-014



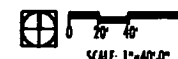
SITE PLAN

CALVARY COMMUNITY ASSEMBLY OF GOD -

(PHASE 1)

Z-0086-99(1)

PROJECT NO. 99258
DATE: 12-28-99



SD-01

PLANT LEGEND

TREES

	Mondell Pine	Botanical Name	24" Box
	Ash Tree	Botanical Name	24" Box
	Pear Tree	Botanical Name	24" Box
	Palm Tree	Botanical Name	24" Box

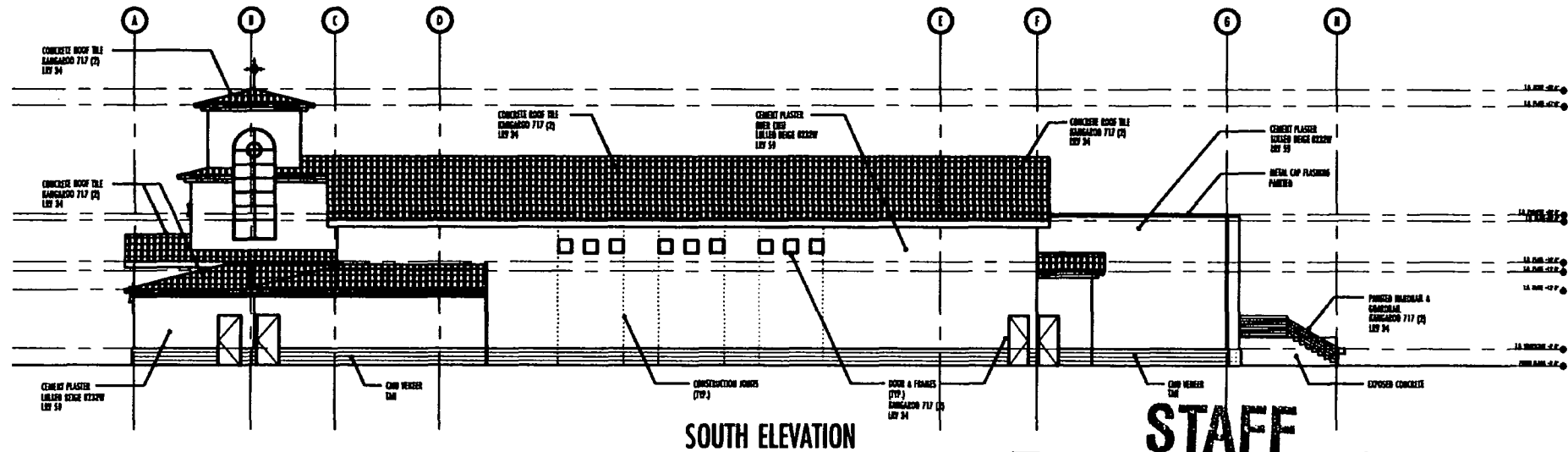
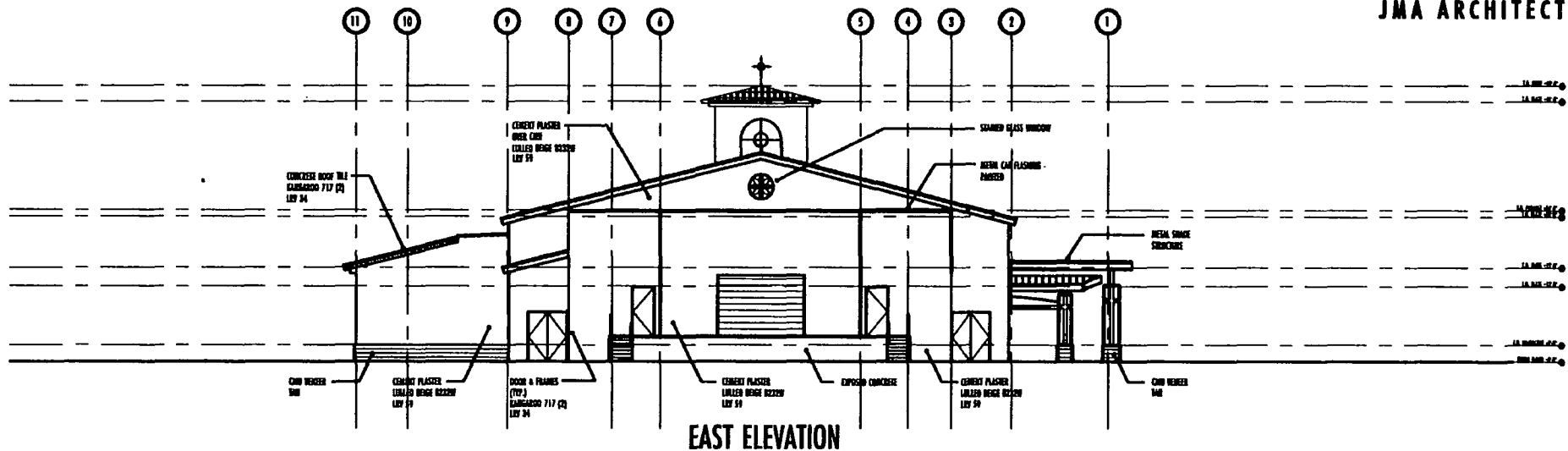
SHRUBS/ GROUNDCOVERS

	Desert Cossia	Botanical Name	5 Gallon
	Texas Ranger	Botanical Name	5 Gallon
	Red Yucca	Botanical Name	1 Gallon
	Deer Grass	Botanical Name	5 Gallon
	Star Jasmine	Botanical Name	1 Gallon
	Weeping Yucca	Botanical Name	5 Gallon
	Heavenly Bamboo	Botanical Name	1 Gallon
	Mock Orange	Botanical Name	1 Gallon
	Lantana	Botanical Name	1 Gallon
	Star Jasmine	Botanical Name	1 Gallon

LANDSCAPE PLAN
CALVARY COMMUNITY ASSEMBLY OF GOD

STAFF

Z-0086-99(1)



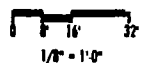
ELEVATIONS - COMMUNITY CENTER
CALVARY COMMUNITY ASSEMBLY OF GOD -

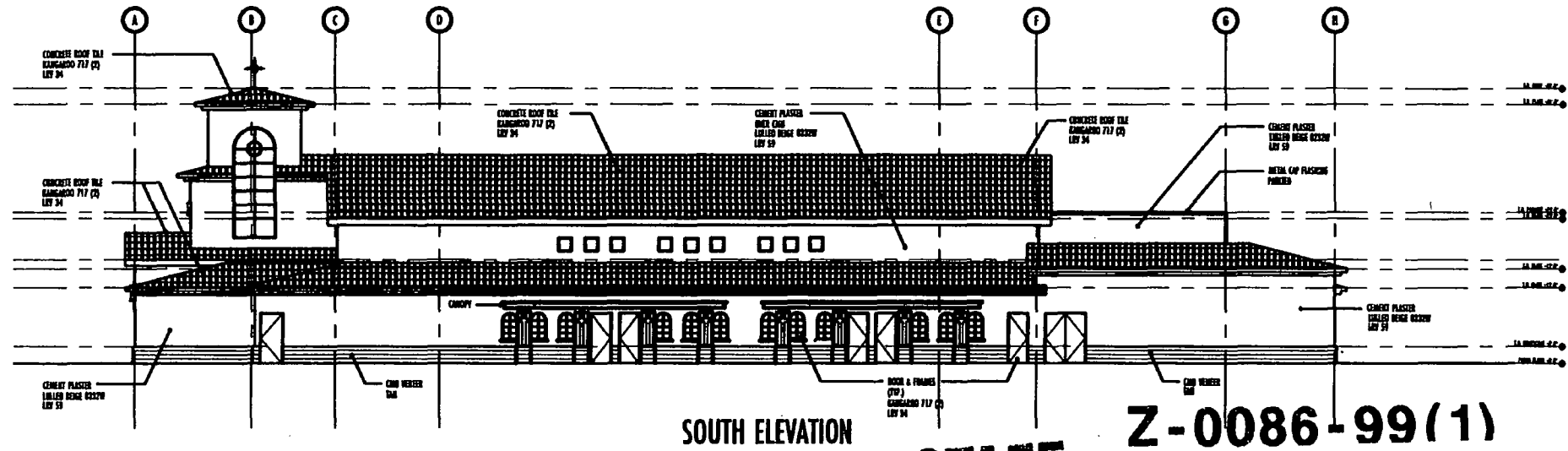
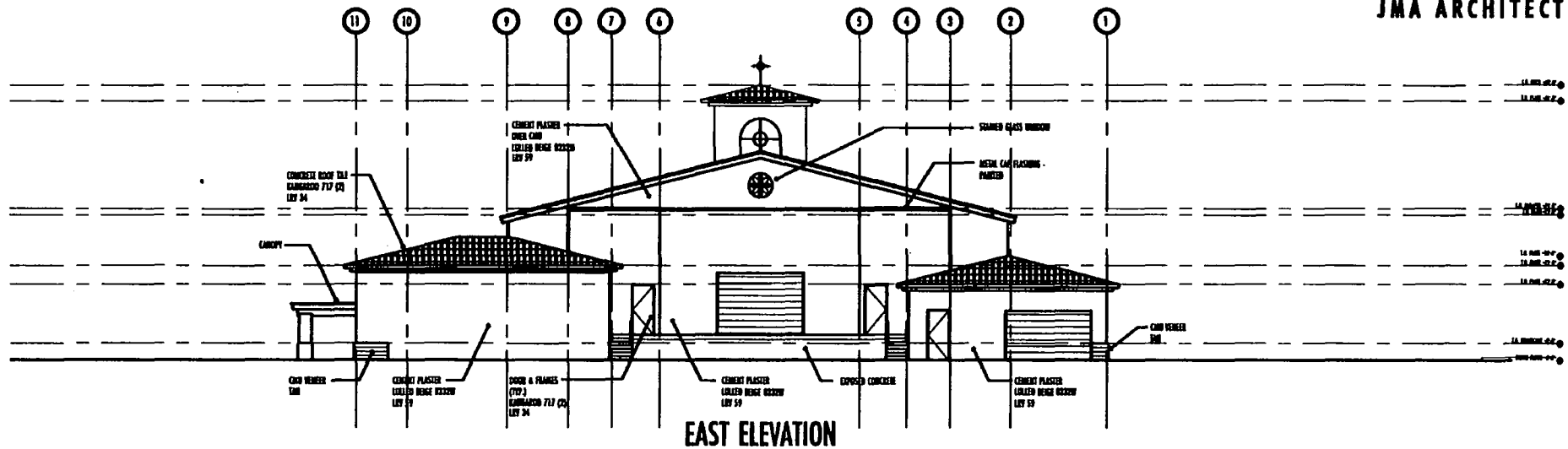
STAFF
Z-0086-99(1)

PROJECT NO. 99258

(P H A S E I)

SD-07A





ELEVATIONS-COMMUNITY CENTER
CALVARY COMMUNITY ASSEMBLY OF GOD

STAFF

Z-0086-99(1)

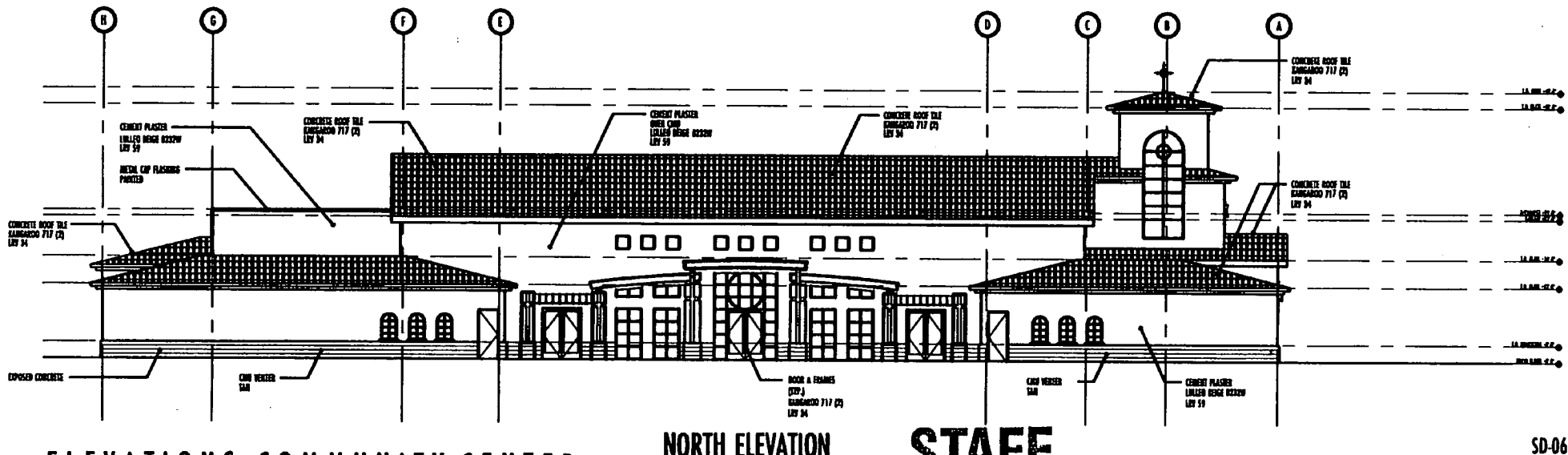
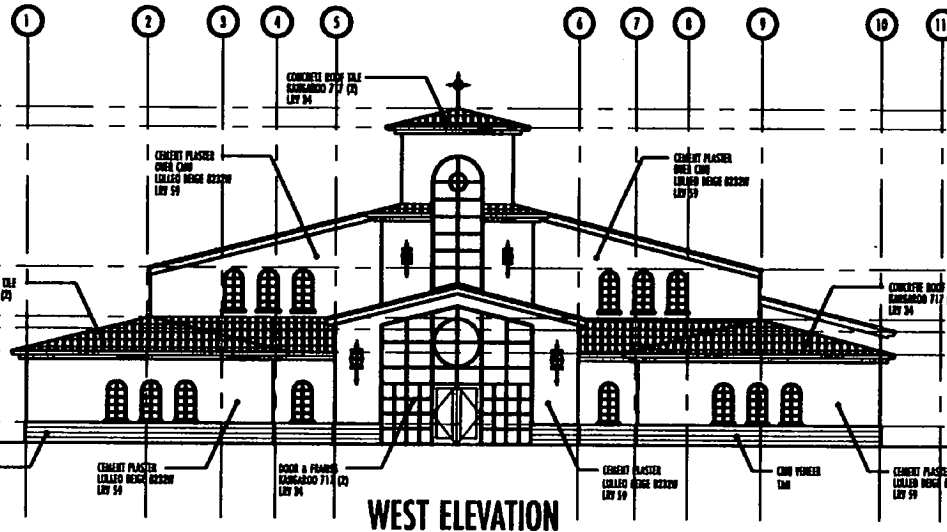
DATE: 11-28-99

SD-07

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

LET 39

LET 39



ELEVATIONS-COMMUNITY CENTER
CALVARY COMMUNITY ASSEMBLY OF GOD

NORTH ELEVATION

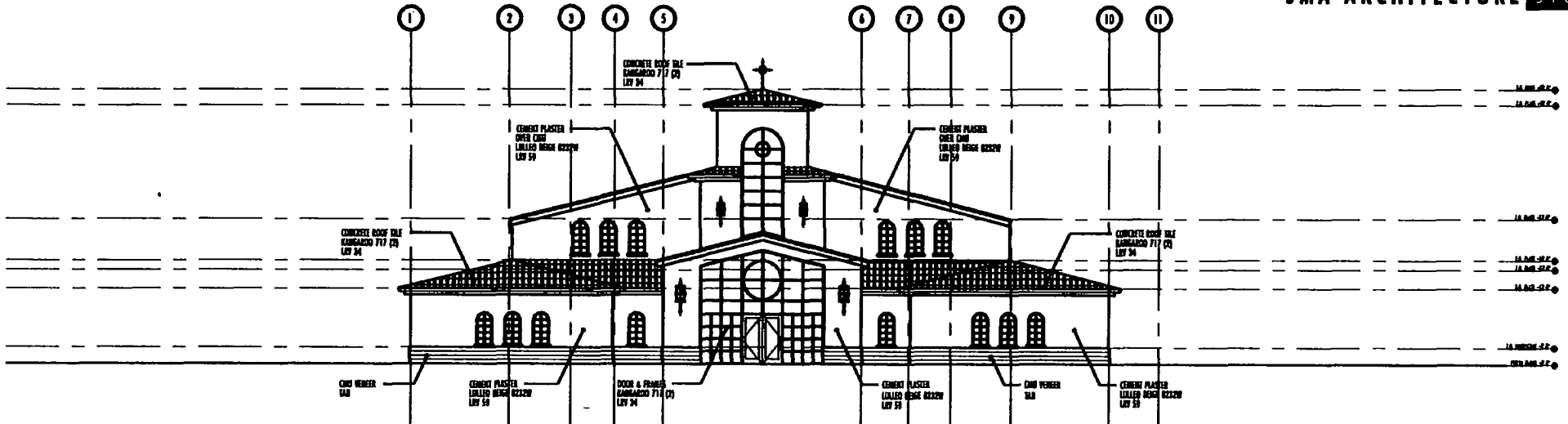
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Z-0086-99(1)

PROJECT NO. 99258
DATE: 11-28-99

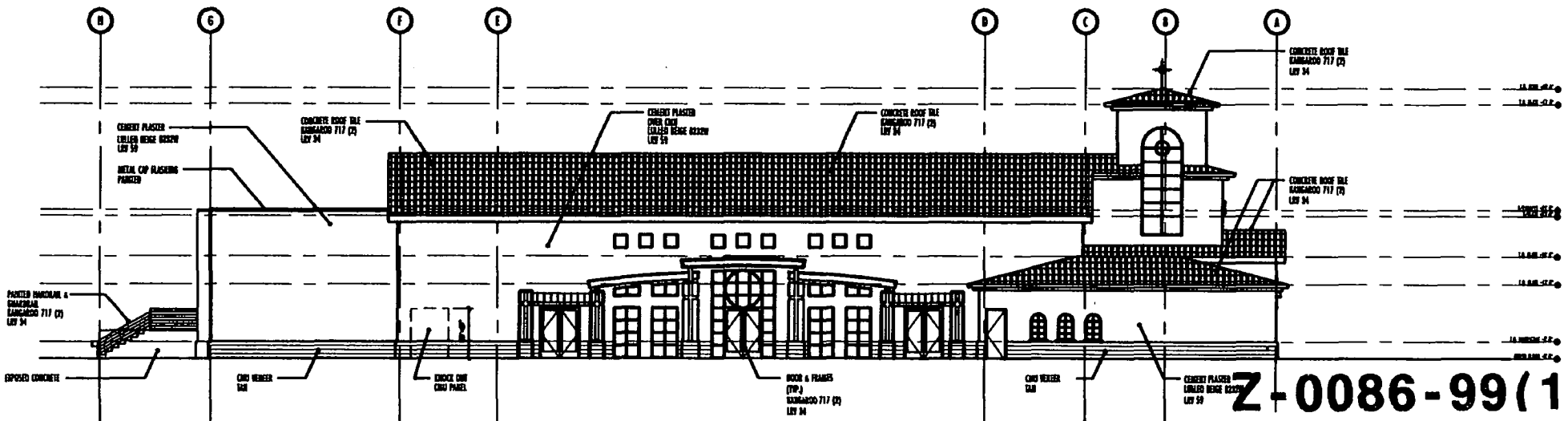
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1/8" = 1'-0"





WEST ELEVATION



NORTH ELEVATION

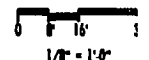
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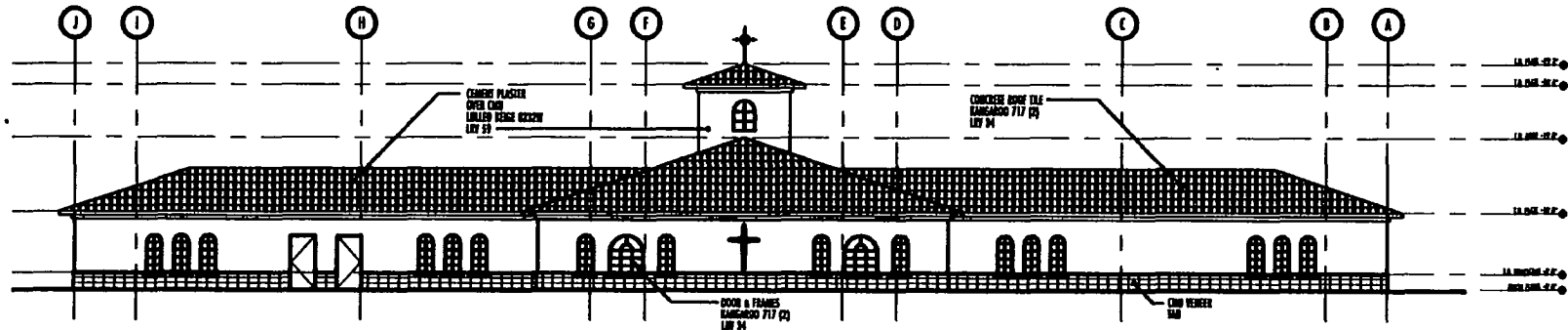
Z-0086-99(1)

ELEVATIONS-COMMUNITY CENTER
CALVARY COMMUNITY ASSEMBLY OF GOD -

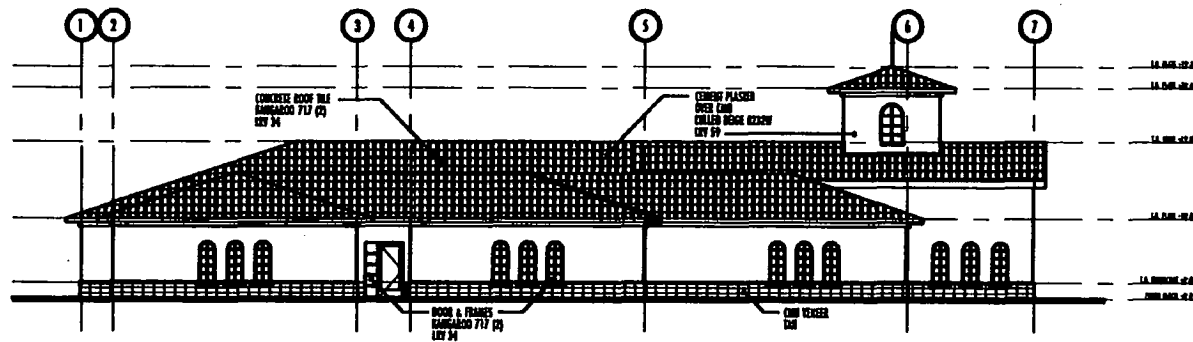
(PHASE 1A)

PROJECT NO. 99258
DATE: 12-28-99





NORTH ELEVATION



WEST ELEVATION

STAFF

Z-0086-99(1)

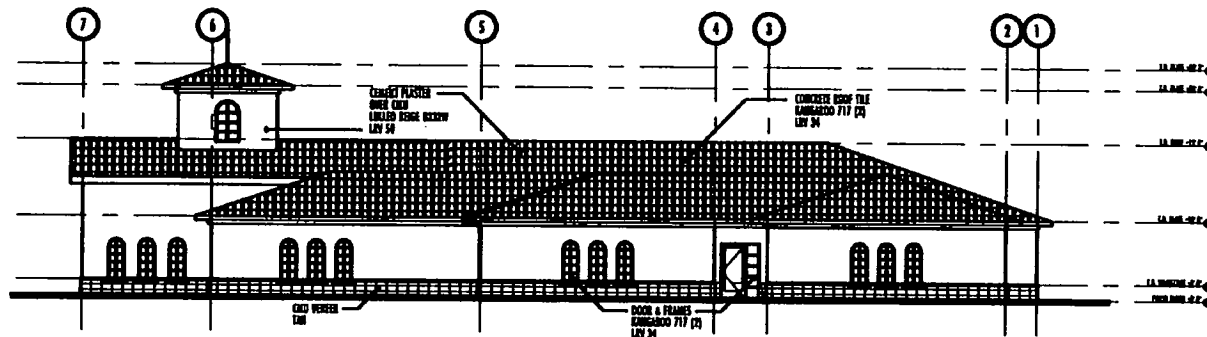
ELEVATIONS-DAYCARE
CALVARY COMMUNITY ASSEMBLY OF GOD

PROJECT NO. 99258
DATE: 11-28-99

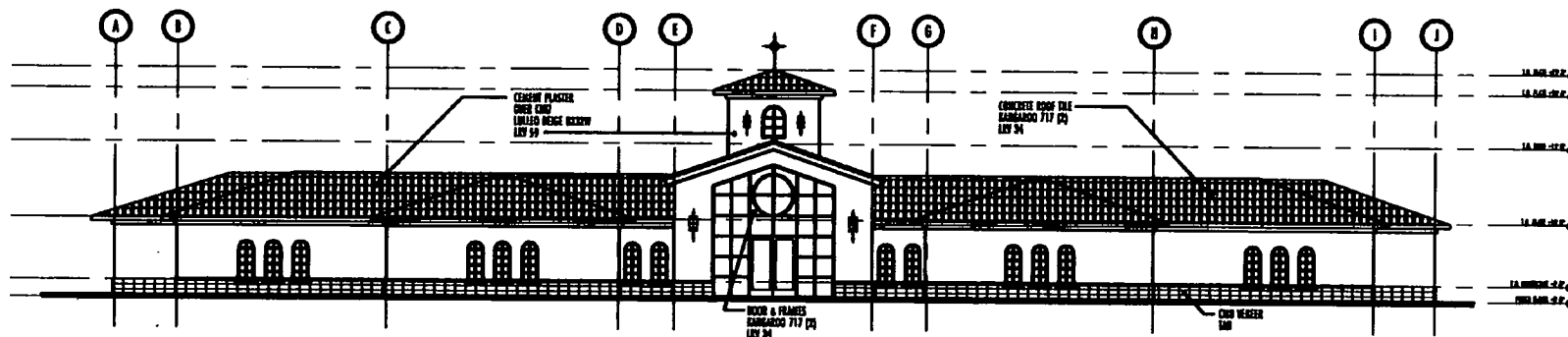
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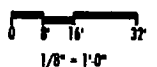
EAST ELEVATION



SOUTH ELEVATION

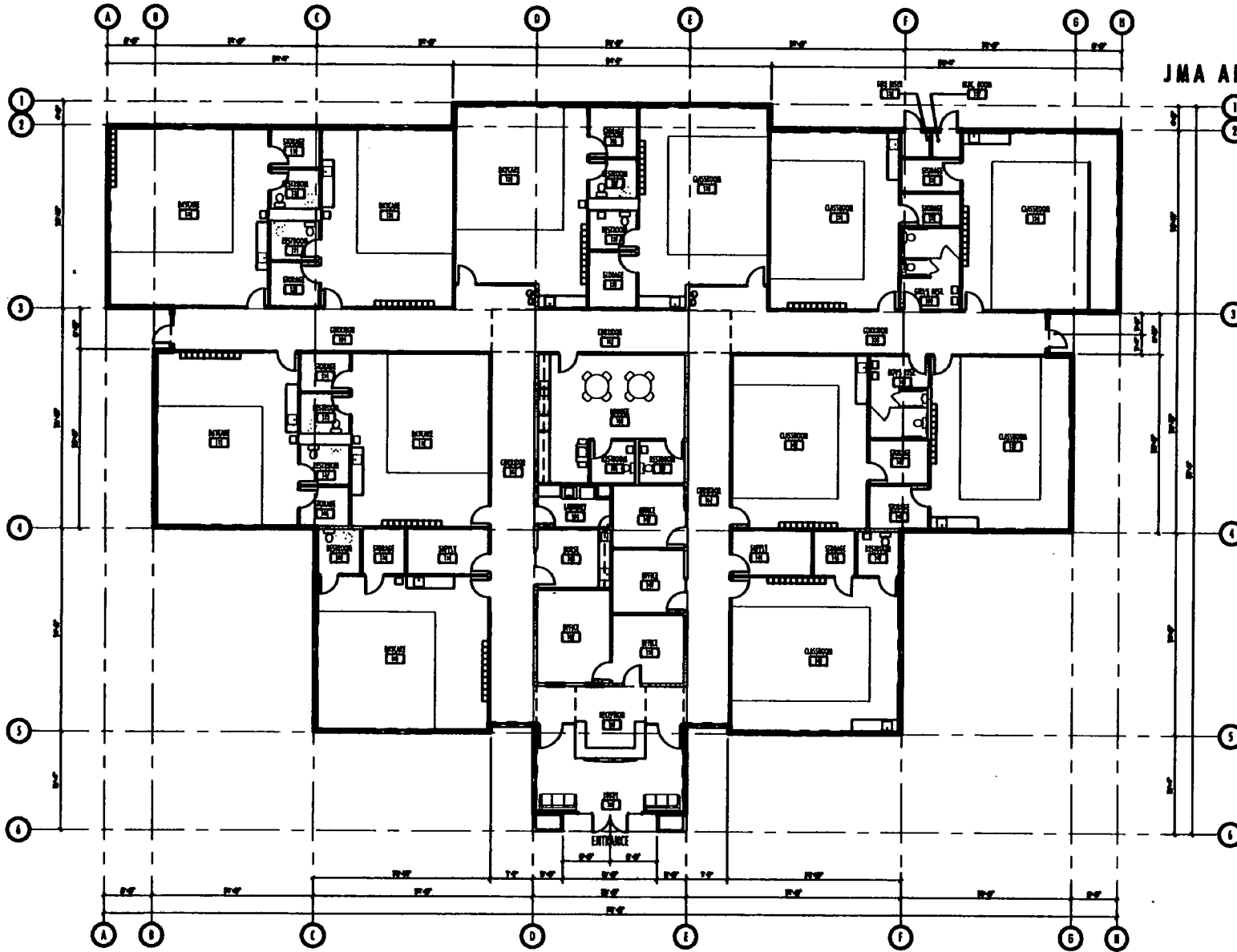
STAFF
Z-0086-99(1)

SD-05



ELEVATIONS-DAYCARE
CALVARY COMMUNITY ASSEMBLY OF GOD

PROJECT NO. 99258
DATE: 11-28-99



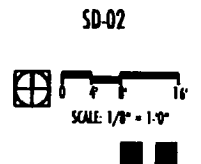
FLOOR PLAN - DAYCARE

CALVARY COMMUNITY ASSEMBLY OF GOD -

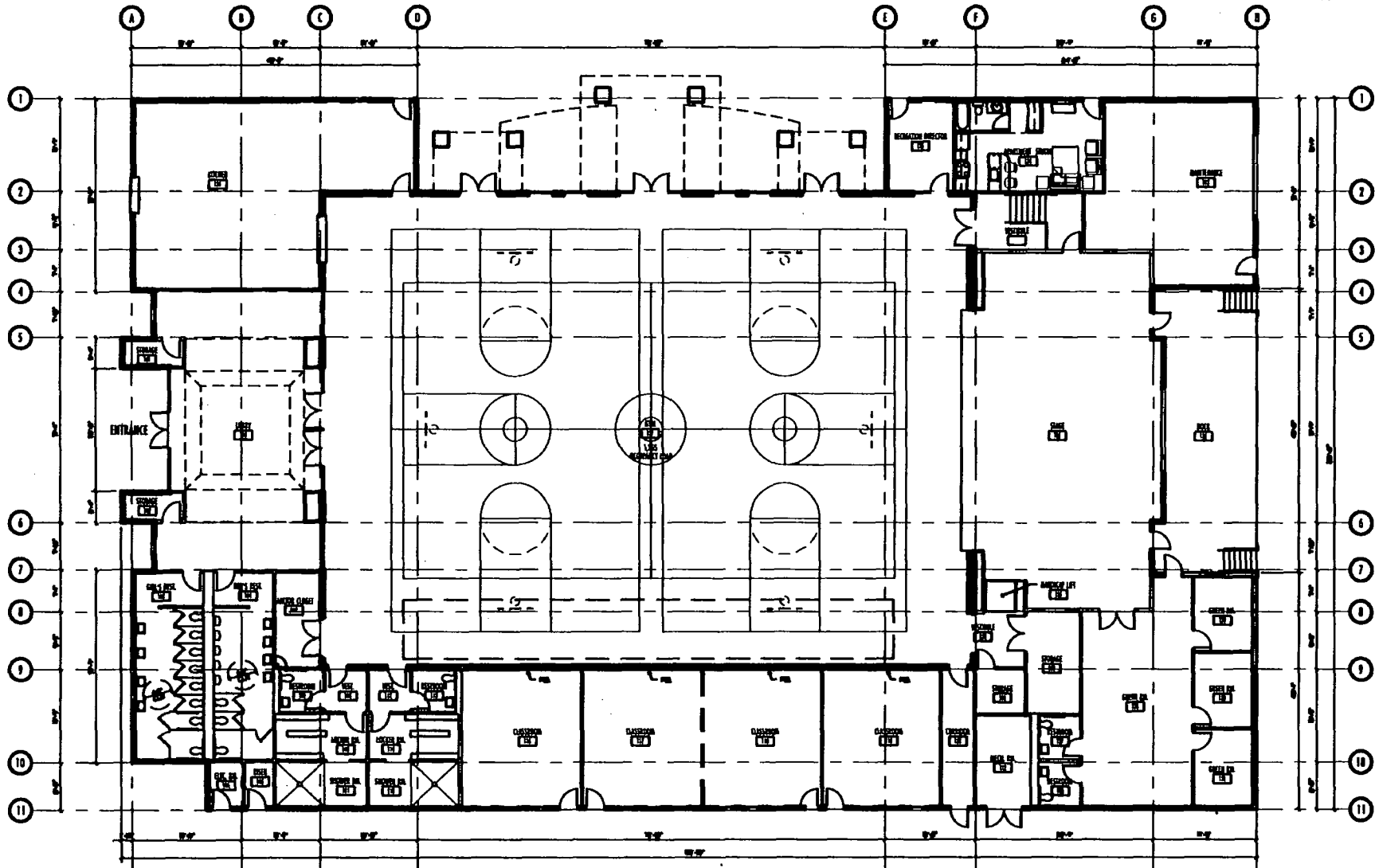
(PHASE 1)

STAFF

PROJECT NO. 99258
DATE: 12-28-99



Z-0086-99(1)



FLOOR PLAN - COMMUNITY CENTER
CALVARY COMMUNITY ASSEMBLY OF GOD -

(PHASE 1) **STAFF**
Z-0086-99(1)

PROJECT NO. 99258
DATE: 12-28-99

SD-03
SCALE: 1/8" = 1'-0"



**Z-0086-99(1) - CALVARY COMMUNITY ASSEMBLY OF GOD
ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION OF TORREY PINES
DRIVE AND BROOKS AVENUE
JANUARY 27, 2000 PLANNING COMMISSION**

City of Las Vegas

Agenda Item No. 102

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - Z-0122-97(3) - KIRKLAND DEVELOPMENT ON BEHALF OF CVL CONSULTANTS - Request for a Review of Condition Number 10 in the Site Development Plan Review for Lynbrook Subdivision, which requires two lanes of paved access along Decatur Boulevard prior to the ten percent (10%) building permit stage, on the north side of Severance Lane between Decatur Boulevard and Jones Boulevard, R-E (Residence Estates) Zone under Resolution of Intent to R-PD3, R-PD5 and R-PD7 (Residential Planned Development - 3, 5 and 7 Units per Acre), Size: 264.75 Acres, (APN's: 125-13-210-001,002 and 125-13-610-001, 125-13-203-001, 002 and 125-13-210-001, 002 and 125-13-310-001, 003 and 125-13-710-001 through 010), Ward 6 (Mack). The Planning Commission (4-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

Hearing Officer Meeting

City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

Hearing Officer Meeting

City Council Meeting

0**RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

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

Submitted at the meeting: a list of additional conditions that are made a part of the Final Minutes.

MOTION:

MACK - APPROVED subject to conditions and additional Condition Nos. 3, 3(a) - (c), 4, and 5 – UNANIMOUS

3. By this action, an additional 2.5% of the total proposed single-family units for the Lynbrook Subdivision (29 units) shall be issued building permits. Prior to the issuance of any additional permits beyond these 29 units, the following requirements must be met:

**Agenda Item No. 102**

CITY COUNCIL MEETING OF AUGUST 16, 2000
Planning & Development Department
Item 102 – Z-0122-97(3)

MOTION - Continued:

- a. Two lanes of access paving on Decatur Boulevard from the south edge of Lynbrook southward to tie into existing improvements at Ann Road shall be in place.
 - b. The developer shall enter into an agreement with the City to grade the 40 acre planned park adjacent to the north edge of the Lynbrook Subdivision; alternatively, the developer may elect to participate in an alternative park improvement plan mutually acceptable to the developer and the City.
 - c. Signs shall be posted by the Master Developer along Bradley Road and Severance Lane that state "No Truck Traffic. Construction Traffic Use Decatur Blvd. To Ann Road" The Master Developer shall submit to the City signed acknowledgements of this requirement from the Master Developer and each "pod site" developer constructing within the overall Lynbrook Subdivision. The Master Developer shall restore the street sign at Farm Road and Cowboy Trail.
-
4. The required public multi-use trail along Bradley Road shall be constructed and landscaped by October 4, 2000.
 5. The rezoning applications Z-0122-97, Z-0158-94, and Z-0117-94 (the Lynbrook Subdivision site) shall be placed on the October 4, 2000 City Council Agenda at a public hearing to review the status of the project and to ensure compliance with all pertinent original and amended conditions. The Master Developer shall submit a report to the Planning and Development Department a minimum of 14 days prior to the meeting indicating the status of compliance with each condition.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

KIRK BRYNJULSON, Kirkland Development, 7201 West Lake Mead Boulevard, #210, was present. He commented that the project was originally conditioned to complete Decatur Road from Ann Road to Severance Road. He has been working with staff since October to obtain approval of the improvement plans, which were signed on Thursday before the City Council meeting. The grading was started on Friday and it should be completed by the end of the following week, with full paving to be completed the first week in September.

*City of Las Vegas***Agenda Item No. 102**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 102 – Z-0122-97(3)

MINUTES – Continued:

MIKE VILLAPANDO, CVL Consultants, 6280 South Valley View Boulevard, offered a list of chronological events on the project. As mentioned, this issue has been at hand since about the middle of October of 1999. This is mainly due to all of the other issues surrounding this property, such as having to deal with the County and North Las Vegas, the upcoming beltway, and with other developments at the intersection of Ann and Decatur that could possibly go forward. He expressed his appreciation toward staff and the Council for moving the plans forward.

CYNTHIA DITMAN, 4950 Elkhorn Road, complained that the large trucks and partial paving is causing a serious dust problem and people are choking on the dust. She presented pictures depicting the trash and debris being left by the construction crews, open ditches on the horse trail, and construction materials in the middle of the road. She would like this developer to put itself in order, respect the surrounding residents, and keep the area safe for the children.

LOUISE RUSKAMP, 8500 Log Cabin Way, asked if the paving that is to be completed by September 1 on Decatur Road includes the area from Severance Lane south to Ann Road. If so, she indicated that it is critical to have Decatur Road, because currently only Jones Boulevard runs to the north any distance past Ann Road. Jones Boulevard consists of two lanes of temporary paving with no passing allowed and is in horrible condition because of the number of construction trucks that travel on it. COUNCILMAN BROWN insisted on the temporary paving and very carefully worded that condition because he was well aware of the hazardous conditions that existed and have worsened since then.

MR. BRYNJULSON stated that the plans are being processed that will add additional paving lanes to Jones Boulevard from Centennial Parkway north to Severance Lane. It is anticipated that the plans will be approved by the middle of October, after which time construction will commence immediately.

MAYOR GOODMAN noted that MR. BRYNJULSON has given some very ambitious dates of completion for the paving that MS. DITMAN and MS. RUSKAMP will be relying on.

STEVE PENNINGTON, 7681 Cowboy Trail, strongly felt that the developer should cease construction until Decatur Road is completely paved, if the ten percent mark has been achieved. This project was approved in February of 1998 and the developer just started paving ten months ago when he should have started from the very beginning. The residents were assured at the time of approval of the project that Jones Boulevard would be improved within a year and nothing has been done to improve it. It is in worse condition now than it was in February of 1998.

**Agenda Item No. 102**

CITY COUNCIL MEETING OF AUGUST 16, 2000
Planning & Development
Item 102 – Z-0122-97(3)

MINUTES – Continued:

Further, he asked why construction vehicles, such as forklifts, are allowed to drive on the roads without license plates. CITY MANAGER VALENTINE indicated that to her understanding construction vehicles are able to drive on public right-of-ways. MAYOR GOODMAN added that a police officer at a town hall meeting indicated that construction vehicles are allowed to drive on the construction site without license plates. MR. PENNINGTON commented that the construction vehicles for this development are being driven five miles up and down Jones Boulevard between Ann and Farm Roads. He asked if something could be done. MAYOR GOODMAN assured MR. PENNINGTON that it would be brought to the attention of the Las Vegas Metropolitan Police Department.

MR. PENNINGTON requested that the developer be required to restore the street sign at Farm Road and Cowboy Trail, because it was not done when Farm Road was improved.

COUNCILMAN BROWN requested the status of the Special Improvement District intended for Jones Boulevard from Rancho Road to Centennial Parkway. CHERI EDELMAN, Public Works, responded that it should be coming within the next couple of months.

COUNCILMAN MACK said that he adopted this project when he was appointed to the City Council and appreciates the assistance COUNCILMAN BROWN has given him on this project. Many promises were made to the community about Jones Boulevard at the time it was approved. There are many issues that have come up with this project, mainly due to the involvement of so many people, and because the developer became involved in midstream. There has also been a lack of communication between the applicant and the City. However, he would like this project to move forward without any further delays so that the families can start moving in. Therefore, he made a motion for approval, subject to staff's conditions and additional conditions, which he read into the record as 3, 3(a) through 3(d), and 4.

MR. BRYNJULSON concurred with the additional conditions imposed, except 3(b) regarding the multi-use trail along Bradley Road. He argued that construction of the wall along Bradley Road is underway, which will allow for a hard edge for proper landscaping. In order to tie it in all together, he would need 60 to 90 days, which would hold up more units. COUNCILMAN MACK noted that he has until the October 4, 2000, City Council meeting, at which time progress will be reviewed. All of the conditions must be met before anymore permits are given beyond the 29 units.

**Agenda Item No. 102**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 102 – Z-0122-97(3)

MINUTES – Continued:

MR. BRYNJULSON stressed that he is going to need more than 29 permits once Decatur Road is paved. MR. VILLAPANDO explained that by the time Decatur Road is completed in September, he will have been at the 29 units. Unfortunately, additional units would be needed to get to the October 4 timeline. COUNCILMAN BROWN understood MR. BRYNJULSON's concern and clarified that Condition No. 3 releases the desired 29 units, which goes against the original 10% condition. Council agrees, since the paving of Decatur Road will be completed by the end of the first week in September. The second line of Condition No. 3 is more restrictive than the original condition of approval. Therefore, as long as the additional conditions are met by the October 4 deadline, then MR. BRYNJULSON can proceed to the 30% mark. MR. VILLAPANDO confirmed that MR. BRYNJULSON could proceed as long as Conditions 3(c) through 4 are met. COUNCILMAN MACK verified with MR. BRYNJULSON that he accepted all of the additional conditions, except 3(b), which is to be met by October 4.

ROBERT GENZER, Deputy Director, Planning and Development Department, suggested that Condition 3(b) be pulled out and be made a separate condition specifically tying it into the October 4, 2000, date, otherwise staff would not be able to issue any additional permits beyond the 29. COUNCILMAN MACK concurred.

COUNCILMAN MACK requested that the developer address the concern of the neighbors with regards to the dust and trash problems and that he respect the neighbors as far as construction traffic. MR. BRYNJULSON indicated that he hired a contractor to clean up any construction trash that resulted from the construction of Lynbrook. A full-time water truck was also hired to ensure that the dust is controlled. He cannot control the house construction, but from the master development standpoint, he will do as much as he can to keep the dust down. COUNCILMAN MACK asked MR. BRYNJULSON to pass the word regarding trash and dust to the other developers working in the Lynbrook community.

DEPUTY CITY ATTORNEY STEVE GEORGE noted that if the multi-use trail condition is not met by October 4, the City does have the ability to stop any further permits from being issued. MR. BRYNJULSON understood.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:22 – 2:46)

4-593

*City of Las Vegas***Agenda Item No. 102**

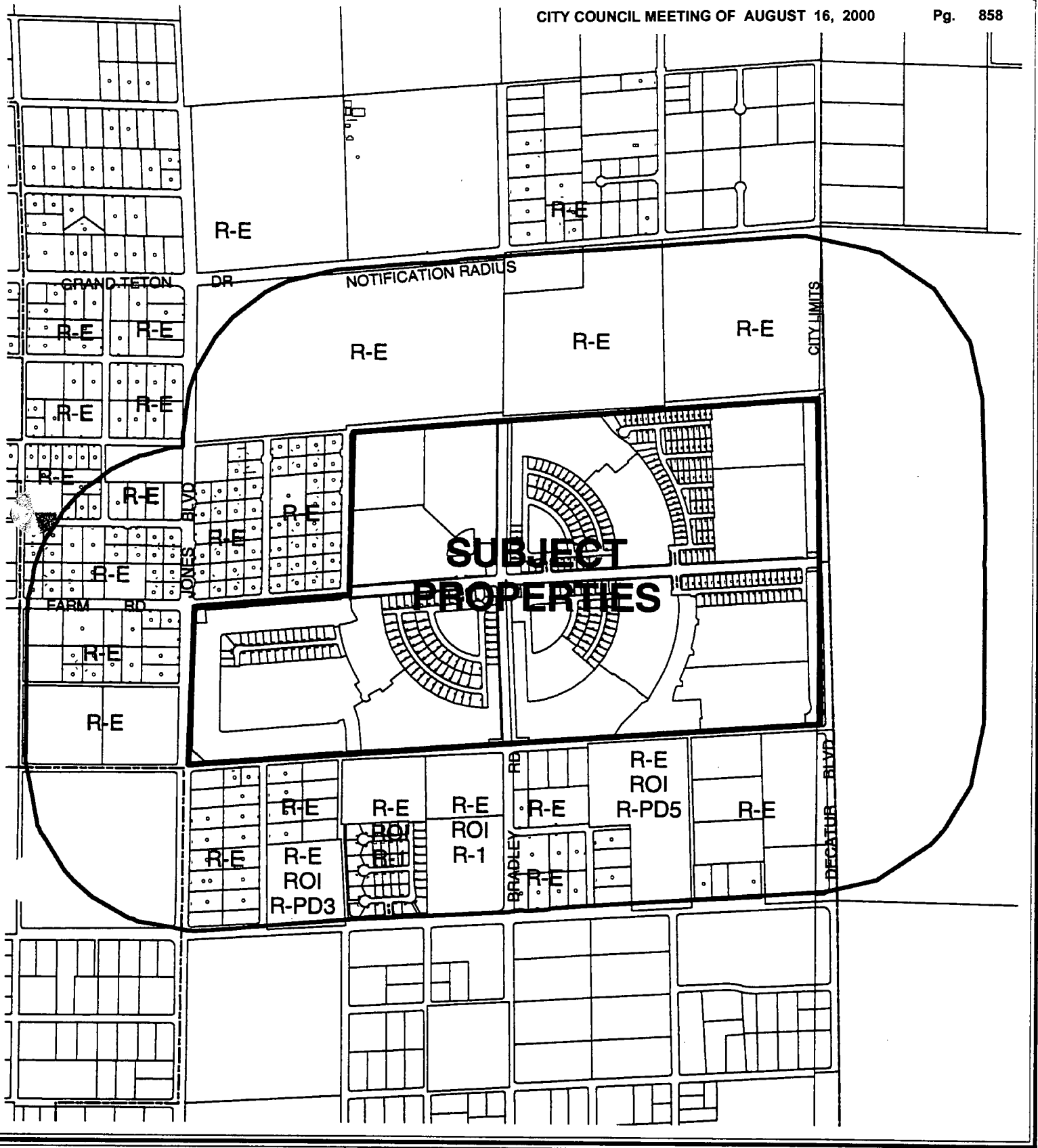
CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 102 – Z-0122-97(3)

CONDITIONS:

1. Conformance to the remaining conditions of approval of Z-117-94, Z-158-94 and Z-122-97 and all subsequent reviews.
 2. All City Code requirements and design standards of all City departments must be satisfied.
-



CASE: Z-0122-97(3)

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E UNDER RESOLUTION OF INTENT TO R-1, R-PD2, R-PD3, R-PD5, AND R-PD7

0 700 1400 Feet



Z-0122-97(3) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

Site Area 264.75 Acres
No. of Lots 1,181 Lots

This is a request to review the condition which requires two lanes of paved access along Decatur Boulevard from the site southward to Ann Road prior to the issuance of any building permits beyond ten percent (10%) of the homes within the subject site.

The applicant indicates their traffic analysis states that access to Ann Road should be in place prior to the issuance of building permits for more than 600 dwelling units, or approximately 50% of the total permits.

BACKGROUND DATA

- 11/16/94 The City Council approved a Rezoning (Z-117-94) from R-E to R-PD7 on a portion of the property.
- 02/01/95 The City Council approved a Rezoning (Z-158-94) from R-E to R-PD3 and R-PD7 on a portion of the property.
- 02/09/98 The City Council approved a Rezoning (Z-122-97) from R-E to RPD2 on a portion of the property.
- 02/09/98 The City Council approved a Site Development Plan Review [Z-122-97(1), Z-158-94(2), Z-117-94(3)] on the property Condition no. 10 of that approval requires two lanes of paved access along Decatur Boulevard from the site southward to Ann Road prior to the issuance of any building permits beyond ten percent (10%) of the homes within the subject site

FINDINGS

This Review of Condition is requesting reconsideration of Original Condition of Approval #10 of Z-122-97(1), Z-158-94(2), Z-117-94(3) required that "Two lanes of access paving (access paving in accordance with Standard Drawing #209 is acceptable) shall be in place on Decatur Boulevard from this site southward to Ann Road prior to the issuance of any building permits beyond ten percent of the homes within this project site."

Z-0122-97(3) - Page Two
August 16, 2000 City Council Meeting

This development proposes to construct 1,181 homes. To date, the developer of this site has reached his 10 percent threshold and has already been issued 119 permits, but he will be issued 23 more to account for model homes. No further permits will be issued for this site, unless this review of condition is approved and a different threshold is permitted by Council.

This original ten percent threshold was imposed by Council because of the number of projects being proposed within the area, the concern that many of the residents had regarding construction traffic cutting through their neighborhoods, and the traffic traveling to and from the Lied Middle School.

Public Works met with the developer of Lynbrook on May 8, 2000 and informed them that they were quickly approaching the ten percent threshold for pulling permits. They explained the difficulty in grading for this access road due to the existing topography. Once they were told that we would only require a minimum amount of grading to flatten the topography enough to have a 24 foot wide temporary asphalt road, and that no additional engineering would be required to construct such, they agreed to move forward with this requirement.

Now, however, they are filing for a review of condition and claiming that one of the reasons is that the Traffic Impact Analysis required two lanes be constructed on Decatur by the time 600 permits (which is approximately 50% of the ultimate number of permits) have been pulled. Although this is true, the study and the zoning condition regarding the study clearly indicate that "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."

In summary, Public Works believes this alternative access is still needed to provide relief from the construction and school traffic in the area that these two lanes on Decatur can be constructed without a great hardship. Therefore, we recommend the condition remains as is and recommend Denial of the Review of Condition.

NOTICES MAILED 52 by Planning Department

APPROVALS 0

PROTESTS 3

[Note: Public testimony was received in opposition for reasons that the need for the condition still exists since construction traffic along Jones Blvd. hampers traffic flow and the condition would enable the construction traffic to re-route to Decatur Blvd.]

Z-0122-97(3) - Page Three
 August 16, 2000 City Council Meeting

[Note: The Planning Commission determined there to be insufficient justification to delete the condition.]

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO

August 16, 2000 City Council

Item #102 – Z-122-97(3)

3. By this action, an additional 2.5% of the total proposed single family units for the Lynbrook Subdivision (29 units) shall be issued building permits. Prior to the issuance of any additional permits beyond these 29 units, the following requirements must be met:

- a. Two lanes of access paving on Decatur Boulevard from the south edge of Lynbrook southward to tie into existing improvements at Ann Road shall be in place.
 - b. The required public multi-use trail along Bradley Road shall be constructed and landscaped.
 - c. The developer shall enter into an agreement with the City to grade the 40 acre planned park adjacent to the north edge of the Lynbrook Subdivision; alternatively, the developer may elect to participate in an alternative park improvement plan mutually acceptable to the developer and the City.
 - d. Signs shall be posted by the Master Developer along Bradley Road and Severance Lane that state "No Truck Traffic. Construction Traffic Use Decatur Blvd. To Ann Road" The Master Developer shall submit to the City signed acknowledgements of this requirement from the Master Developer and each "pod site" developer constructing within the overall Lynbrook Subdivision.
4. The rezoning applications Z-0122-97, Z-0158-94, and Z-0117-94 (the Lynbrook Subdivision site) shall be placed on the October 4, 2000 City Council Agenda at a public hearing to review the status of the project and to ensure compliance with all pertinent original and amended conditions. The Master Developer shall submit a report to the Planning and Development Department a minimum of 14 days prior to the meeting indicating the status of compliance with each condition.

#102

City of Las Vegas

Agenda Item No. 103

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 16, 2000**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -- SD-0034-00 - WILLIAM AND ARLENE RICK - Request for a Site Development Plan Review FOR A PROPOSED 11,219 SQUARE FOOT OFFICE BUILDING (WITH A BUILDING HEIGHT OF 36 FEET AND 2½ STORIES, WHERE 20 FEET AND 1 STORY IS THE MAXIMUM PERMITTED) at 3124 West Charleston Boulevard (APN: 139-32-403-013), C-D (Designed Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (4-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****30****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

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

MOTION:

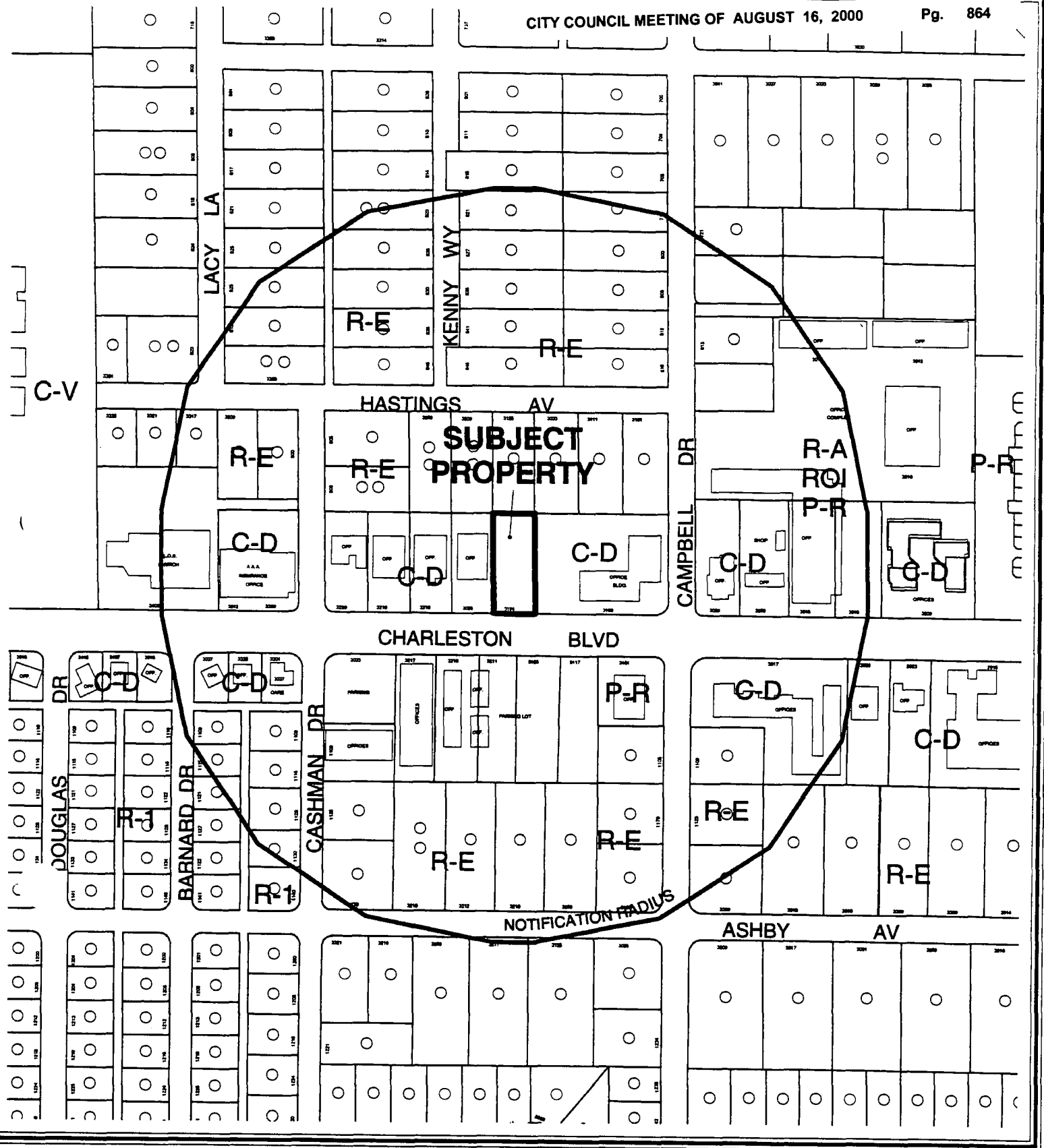
M. McDONALD - Motion to bring forward and accept **WITHDRAWAL** of Item 103 [SD-0034-00] without prejudice and hold in **ABEYANCE** Item 110 [V-0079-98(1)] to 9/6/2000 - **UNANIMOUS**

MINUTES:

There was no discussion.

(2:04 - 2:05)

4-1



CASE: SD-0034-00

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

0 200 400 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2000

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: SD-0034-00 - William and Arlene Rick

**** CONDITIONS ****

The Planning Commission (4-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Provide minimum eight-foot wide landscape planters along the north, east and west property lines. The planter along the north property line shall include 24-inch box trees spaced at a maximum of 20 feet on center, with four 5-gallon shrubs provided per tree, and ground cover. The planters along the east and west property lines shall include 24-inch box trees spaced at a maximum of 30 feet on center, with four 5-gallon shrubs provided per tree, and ground cover. A planter with an average width of 15 feet and containing three 12-15 foot tall palm trees shall be provided adjacent to Charleston Boulevard.
2. Submit revised building elevations that depict ledgestone accents on all sides of the structure as required by the Planning and Development Department.
3. Submit revised building elevations that depict concrete tile roofing material as required by the Planning and Development Department.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible elimination of one of the proposed driveways and/or redesign of the proposed driveways, 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 and in accordance with NDOT requirements.

SD-0034-00 - Page Two

August 16, 2000 City Council Meeting

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
7. Landscape and maintain all unimproved rights-of-way on Charleston Boulevard adjacent to this site as required by the Department of Public Works.
8. Submit an application for an Occupancy Permit for all landscaping and private improvements (driveway) in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

Standard Conditions

9. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.
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. For non-residential developments, 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).

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August 16, 2000 City Council Meeting

13. All City Code requirements and design standards of all City departments must be satisfied.
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.
16. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
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.

SD-0034-00 - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ******UPDATE:**

On June 8, 2000, the Planning Commission unanimously voted to hold this item in abeyance to allow the applicant to meet with surrounding property owners. On June 29TH, the applicant submitted revised plans that depict a building height of 26 feet and 2 ½ stories.

APPLICATION REQUEST

This is a request for a Site Development Plan Review of property located at 3124 West Charleston Boulevard for a proposed 11,219 square foot office building with a height of 26 feet and 2½ stories, where 20 feet and 1 story are the maximums permitted.

Properties that are zoned C-D (Designed Commercial) and front Charleston Boulevard between Valley View Boulevard and Rancho Drive are limited in height to one-story or twenty feet, whichever is less. However, the City Council may approve structures that exceed that limitation as part of a Site Development Plan Review.

BACKGROUND DATA

05/15/68 The City Council approved a Rezoning (Z-18-68) from R-E (Residence Estates) to C-D (Designed Commercial) for this site as part of a larger request.

DETAILS OF APPLICATION REQUEST

Site Area	0.51 Acres
Building Area	11,219 Square Feet
Building Height	26 Feet, 2 ½ stories
Parking Required	38 Spaces*
Parking Provided	38 Spaces
Handicap Parking Required	2 Spaces
Handicap Parking Provided	2 Spaces

* Based on the parking requirement for: Office, Other Than Listed (one space for each 300 square feet)

SD-0034-00 - Page Two

August 16, 2000 City Council Meeting

This site is currently developed with a single-story office building. The applicant proposes to demolish that building and replace it with a structure consisting of two floors of office space and a basement "half-floor" of parking. The new structure will have a stucco exterior with a shake shingle roof. A balustrade with a ledgerstone accent is shown along the south (Charleston Boulevard) side of the building. No decorative accents are shown on the remaining three sides of the building. Planters with a width of eight feet and containing pine trees of an unspecified size are shown along the north, east and west property lines. A planter with an average width of 15 feet and containing palm trees is shown adjacent to Charleston Boulevard.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-E (Residential Estates)	Single-Family Dwelling
South	C-D (Designed Commercial)	Single story office building
East	C-D (Designed Commercial)	Two-story office building
West	C-D (Designed Commercial)	Single story office building

ANALYSIS & FINDINGS

ZONING

An office building is a permitted use in the C-D (Designed Commercial) zoning district. However, the building height as proposed can only be approved by the City Council through the Site Development Plan Review process.

SITE PLAN

Staff finds that the proposed building is too massive for this portion of Charleston Boulevard, and is not compatible with the single-family development immediately to the north. Staff acknowledges that there is an existing two-story office building to the east, but deems it to be incompatible with the adjacent residential properties, and therefore that structure provides no justification for approval of this request. Staff believes that approval of this request could be considered a precedent, and could lead to additional requests for two-story buildings along this portion of Charleston Boulevard.

SD-0034-00 - Page Three
August 16, 2000 City Council Meeting

LANDSCAPE PLAN

Staff finds the size of the proposed landscape planters to be in compliance with the City of Las Vegas Urban Design Guidelines and Standards. However, if this request is approved, a detailed landscape plan that specifies materials, sizes and spacing will need to be provided. Staff has addressed this issue in Condition No. 1.

ELEVATIONS

Staff believes that a two-story structure is too massive for this portion of Charleston Boulevard and is unable to support this request. If the request is approved, staff has two concerns regarding the exterior of the building. Staff finds that the north, east and west building elevations are plain in appearance, and should receive an architectural treatment similar to that of the south elevation. Therefore, in Condition No. 2, staff is recommending that the ledgerstone accents depicted on the front on the building also be placed on both sides and the rear elevation. Staff also finds that the shake shingle roof as proposed does not comply with the Urban Design Guidelines and Standards, and is recommending in Condition No. 3 that a concrete tile roof be utilized.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council shall affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

Staff finds that a two-story structure is not compatible with the existing single story office buildings along this portion of Charleston Boulevard, and is also not compatible with the adjacent single-family uses immediately to the north.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

Title 19A states that properties that are zoned C-D (Designed Commercial) and front Charleston Boulevard between Valley View Boulevard and Rancho Drive are limited in height to one story or twenty feet, whichever is less. However, the City Council may approve structures that exceed that limitation as part of a Site Development Plan Review. Staff believes that approval of this request could be considered a precedent, and could lead to additional requests for two-story buildings along this portion of Charleston Boulevard. Therefore, staff is unable to support this application.

SD-0034-00 - Page Four

August 16, 2000 City Council Meeting

If this request is approved, staff has added conditions regarding landscaping, building exteriors, and roofing materials that bring this project into conformance with the intent of the Urban Design Guidelines and Standards.

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

Charleston Boulevard is a fully developed commercial street and will not be negatively impacted by approval of this request.

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

If this request is approved, staff has added conditions regarding landscaping, building exteriors, and roofing materials that bring this project into conformance with the intent of the Urban Design Guidelines and Standards.

5. **“Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.”**

Staff finds that a two-story structure is not compatible with the existing single story office buildings along this portion of Charleston Boulevard, and is also not compatible with the adjacent single-family uses immediately to the north.

If this request is approved, staff has added conditions regarding landscaping, building exteriors, and roofing materials that would enhance the architectural appearance of the structure.

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

The public health, safety and general welfare will not be negatively impacted by approval of this request.

NOTICES MAILED 83 by Planning Department

APPROVALS 1

PROTESTS 30

SD-0034-00 - Page Five

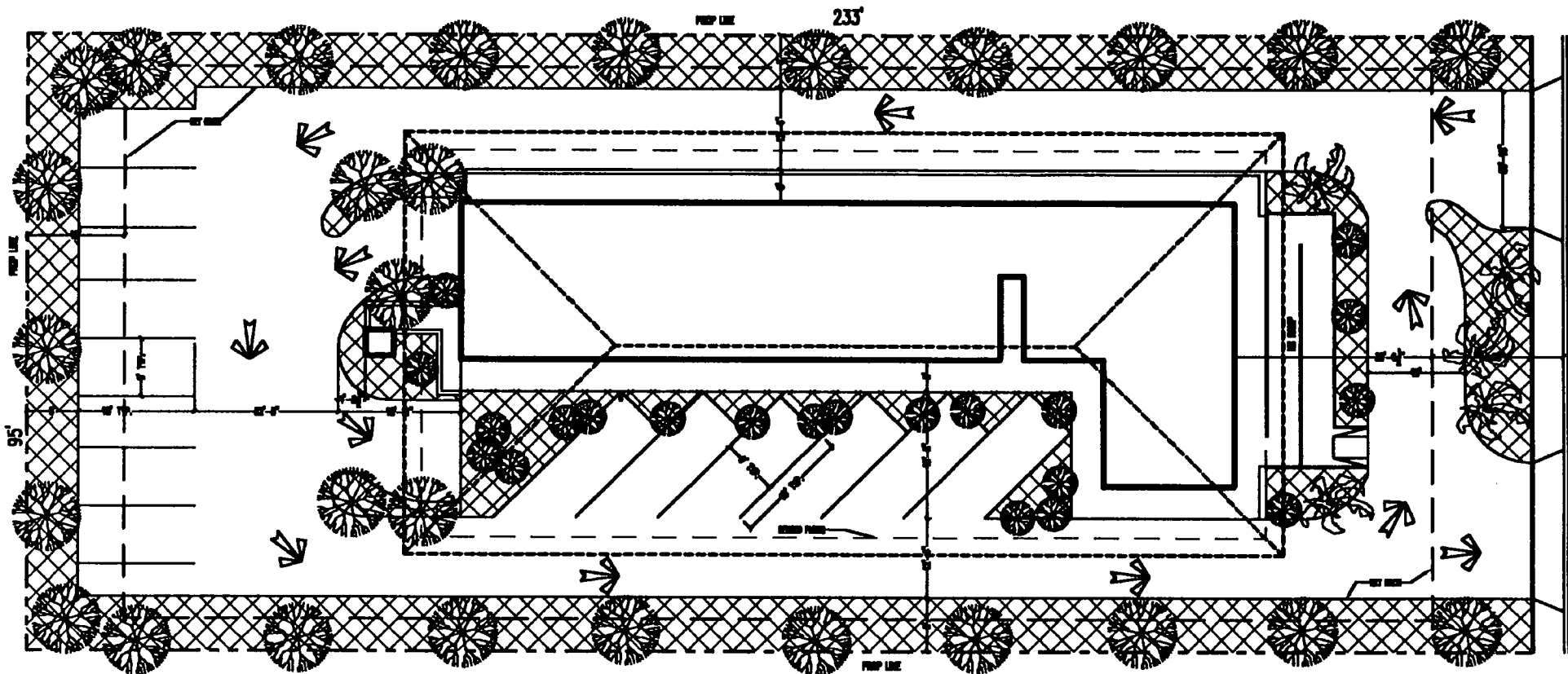
August 16, 2000 City Council Meeting

[Note: Public testimony was received in opposition for reasons that the proposed 2 ½ story height of the building would compromise the privacy of the single-family residences to the north.]

[Note: On the day of the Planning Commission meeting (July 13, 2000), the applicant faxed a letter to staff, requesting that the Commission hold this item in abeyance until the August 10, 2000 meeting in order to meet with the neighbors. There was no applicant representation at the meeting. Several property owners spoke in opposition to the abeyance request, and the Commission elected to consider the item. Based upon the recommendations of the staff report and concerns raised by neighboring property owners regarding the compatibility of this proposal with surrounding residential properties, the Commission voted to recommend denial of the Site Development Plan Review.]

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	YES	YES
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO



LOT SIZE = 22,135 sqft
 BUILDING SIZE = 3,237 S.F. (15% OF LOT)
 LANDSCAPE = 8,102 S.F. (28% OF LOT)
 REMAINING = 12,796 S.F. (57% OF LOT)

BASEMENT FLOOR = 10,552 sqft
 1st FLOOR = 3,237 sqft
 2nd FLOOR = 7,982 sqft



PALM TREE

MED. LOW PINE

HIGH PINE



PLANTER W/1 & 2 GL. PLANTS



TRAFFIC FLOW

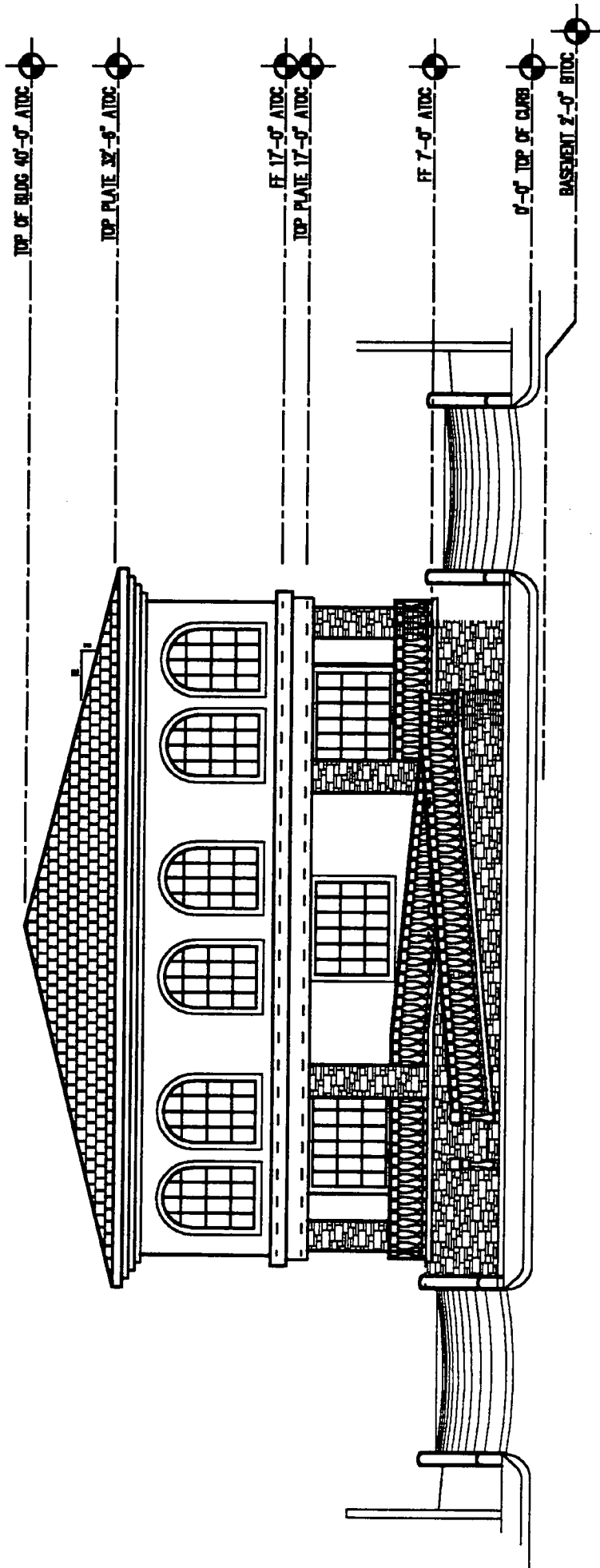
PARKING

38 TOTAL PROVIDED (25 PARKING PROVIDED IN BASEMENT,
 -2 HANDICAP PROVIDED (PROVIDED IN BASEMENT)
 38 PARKING REQUIRED

SD-0034-00

7-13-00 PC

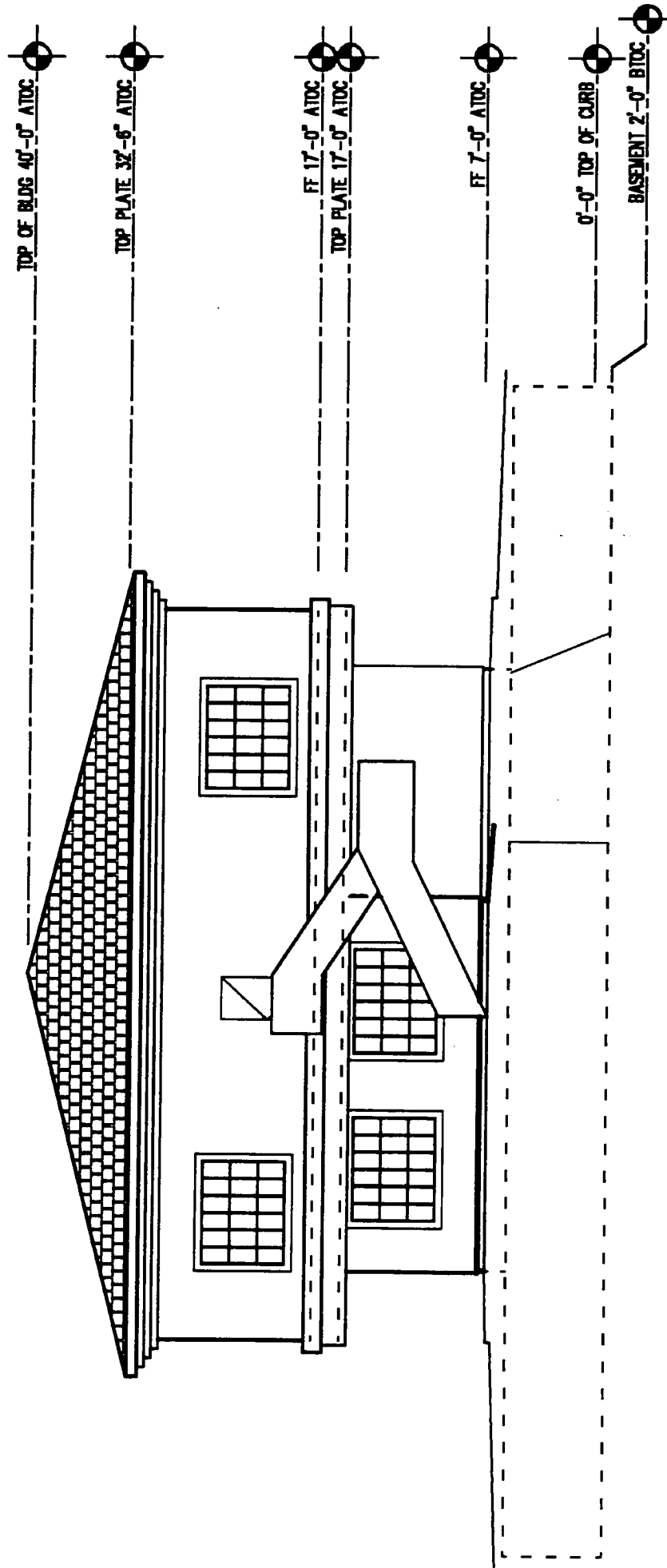
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SD-0034-00

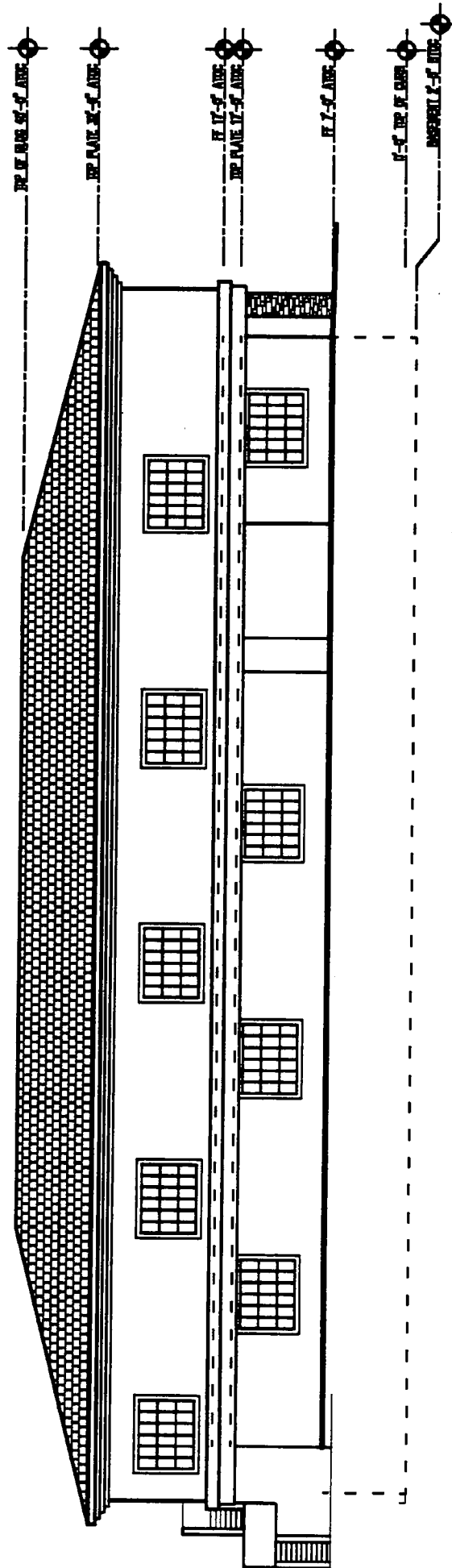
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SD-0034-00

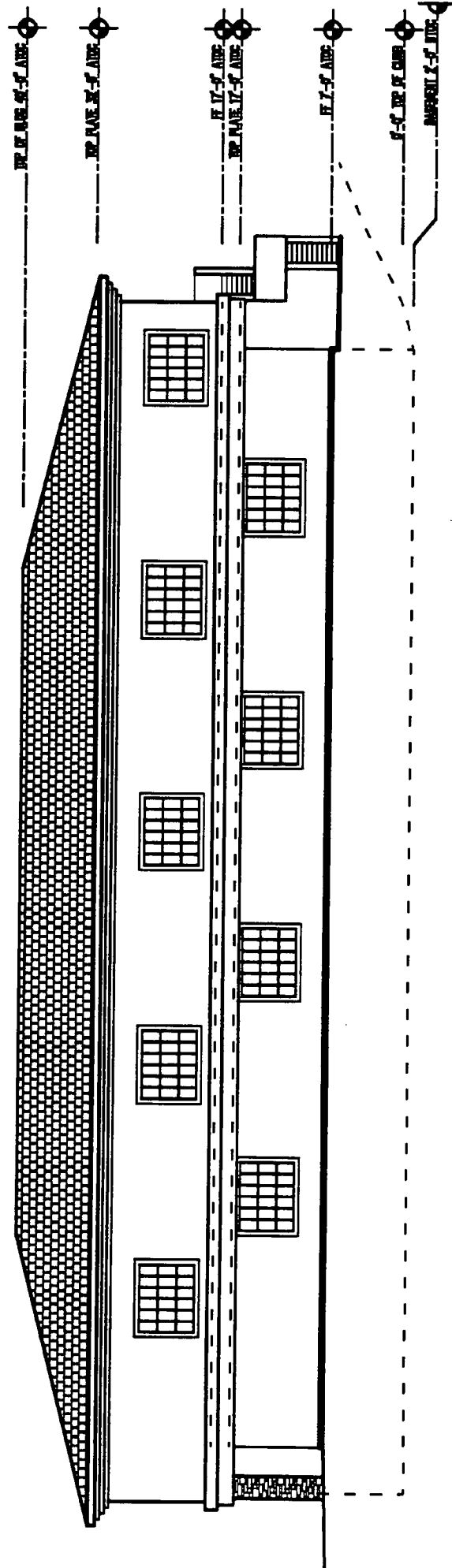
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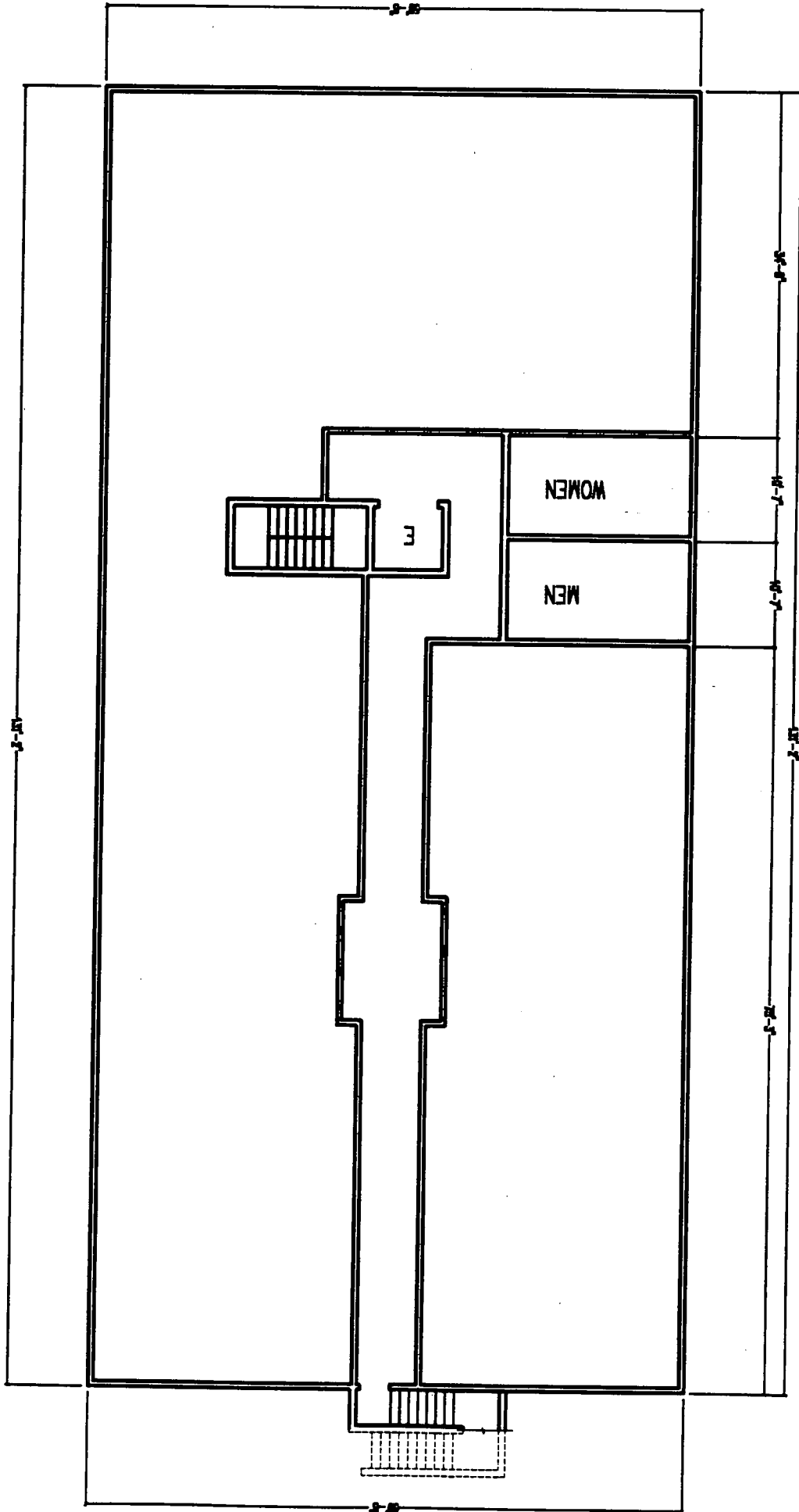
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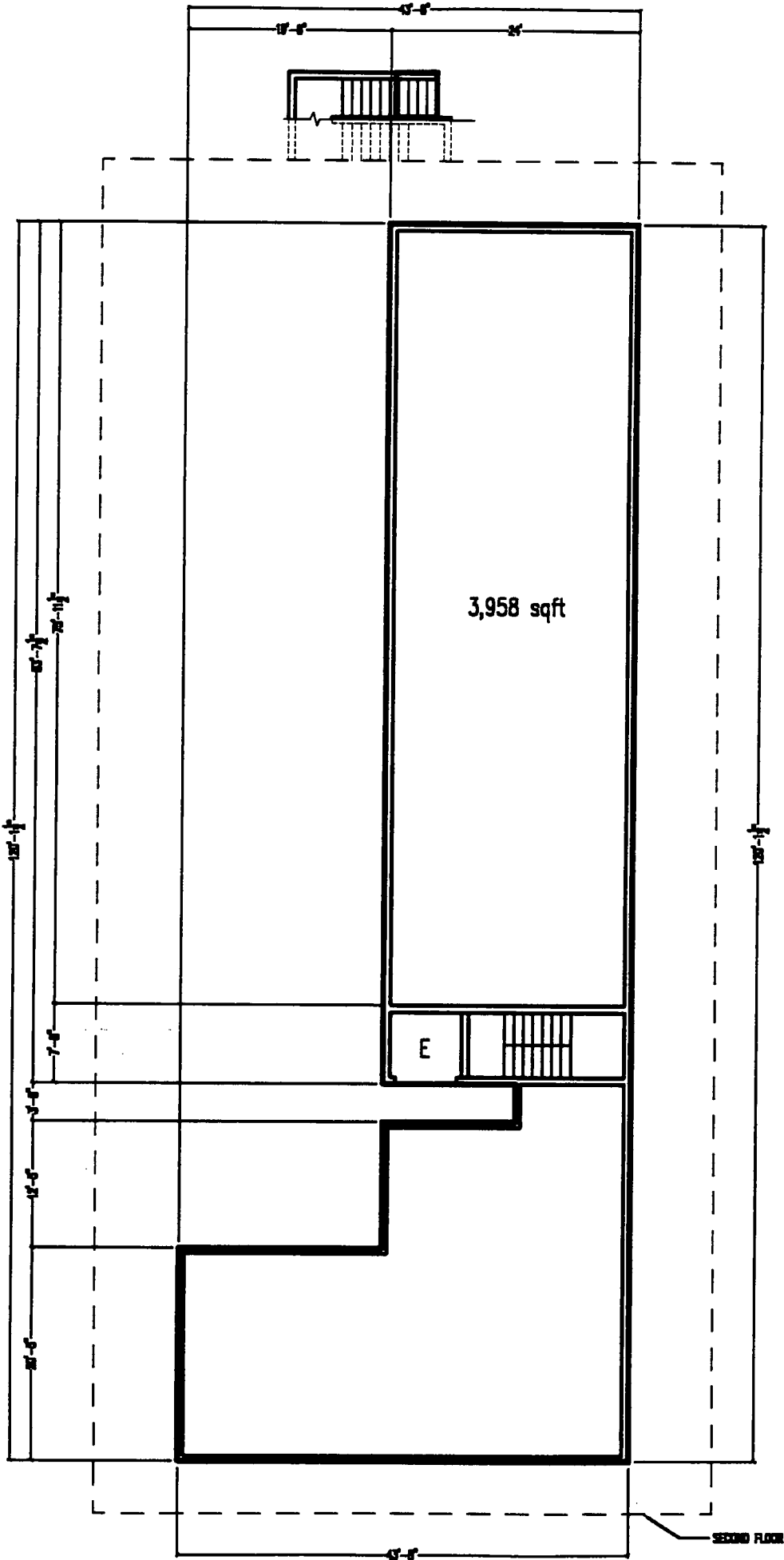


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SD-0034-00
7-13-00 PC



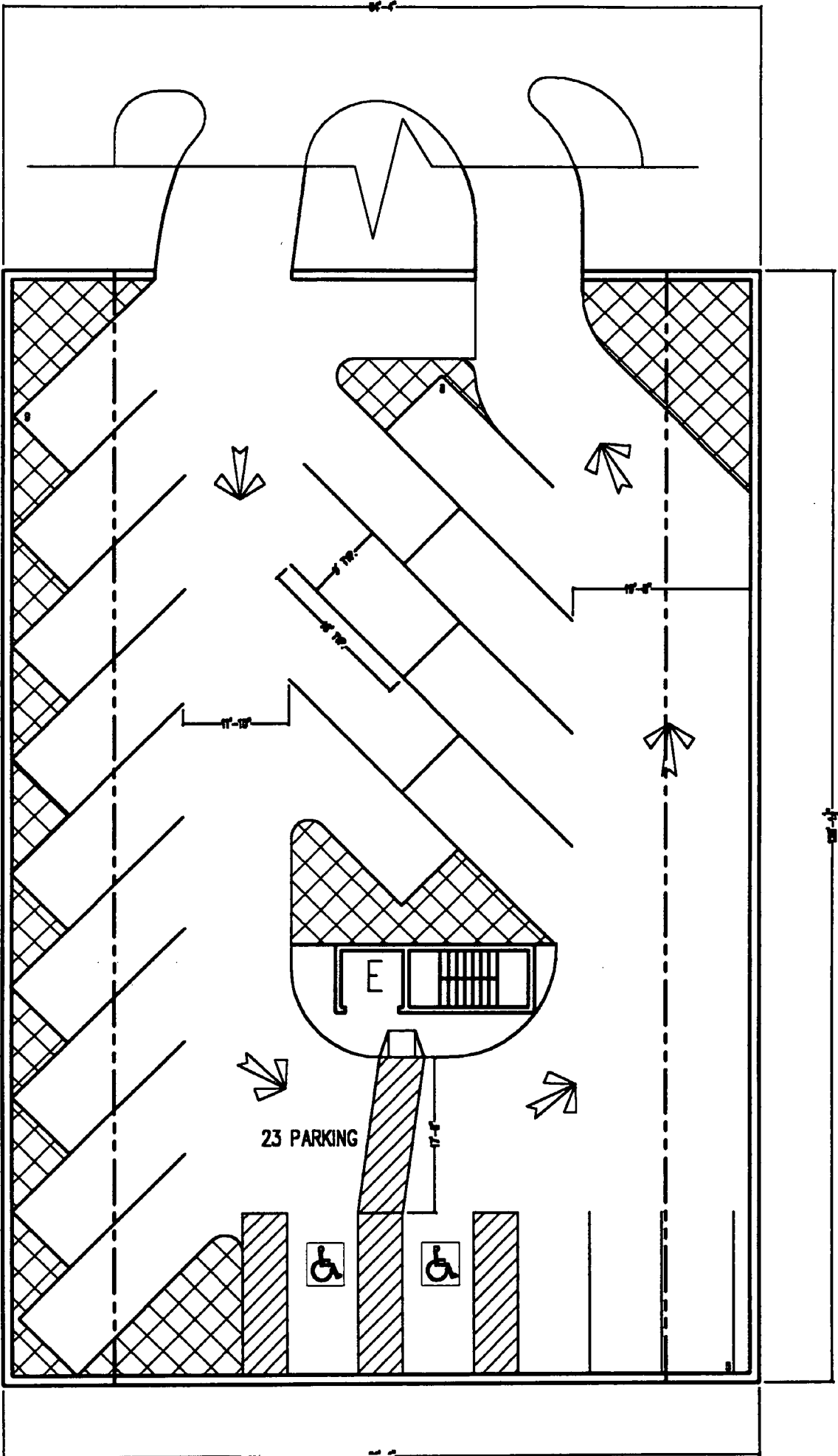
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7-13-00 PC



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SD-0034-00

7-13-00 PC



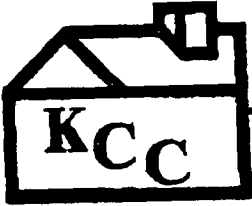
7-13-00 PC

SD-0034-00

STAFF



SD-0034-00 - FROM SOUTH OF SITE LOOKING NORTHERLY TO SITE (CHARLESTON BOULEVARD SEEN IN FOREGROUND)



Ken's Construction Control, Inc.

3124 West Charleston Boulevard
Las Vegas, NV 89102-1932

August 15, 2000

VIA FACSIMILE: 382-4803

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: Agenda Item #: 103
Application: Abeyance - SD-0034-00
Applicants: William and Arlene Rick

Gentlemen:

This letter supersedes my earlier letter to you today wherein I requested that the above matter be tabled indefinitely.

I am now requesting that my application be withdrawn without prejudice.

Very truly yours,

William K. Rick
William K. Rick

RECEIVED
CITY CLERK

2000 AUG 16 A 11:27

City of Las Vegas

Agenda Item No. 104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0002-92(9) - CAM-MAC, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR TWO 12 FOOT HIGH SCREEN WALL ENCLOSURES PROPOSED FOR THE EAST AND WEST SIDES OF THE EXISTING LOWE'S HOME IMPROVEMENT WAREHOUSE on the northeast corner of Washington Avenue and Buffalo Drive (APN: 138-27-201-001), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

L.B. McDONALD - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer, Kaempfer, Bonner, and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He concurred with the conditions.

COUNCILWOMAN McDONALD stated that this was brought forward because of some concerns of the adjacent neighborhood regarding some outdoor storage problems that resulted as soon as the Lowe's store was up and operating. She noted that EKN Engineering was supposed to make contact with one of the homeowners about some water damage to his block wall.

*City of Las Vegas***Agenda Item No. 104****CITY COUNCIL MEETING OF AUGUST 16, 2000**

Planning & Development

Item 104 – Z-0002-92(9)

MINUTES - Continued:

ATTORNEY FIORENTINO indicated that the engineering firm and that homeowner have been missing each other, and the homeowner is now on vacation. He assured COUNCILWOMAN McDONALD that a meeting would be arranged with the gentleman within the next week. If contact cannot be made, COUNCILWOMAN McDONALD's office will be contacted to set up a meeting with the gentleman.

COUNCILWOMAN McDONALD requested the court date on the citations that were issued. ATTORNEY FIORENTINO replied that a status hearing was scheduled for August 17, 2000, where he intends to report what happened at the Council meeting. There are still more issues to work out because of the new Use Permit requirements that were adopted earlier during the morning session.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:46 – 2:49)

4-1462

CONDITIONS:**Public Works**

1. The Final Map for the Buffalo Center Commercial Subdivision must record prior to the issuance of any permits for this action. The proposed block wall encroaches onto an existing public sewer easement, which is not allowed. Recordation of the commercial subdivision will result in removal of the existing public sewer easement, allowing the wall to be constructed.
2. Site development to comply with all applicable conditions of approval for Z-2-92 and all other applicable site-related actions.

Standard Conditions

3. All development shall be in conformance with the Site Development plan and building elevations.

*City of Las Vegas***Agenda Item No. 104**

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 104 – Z-0002-92(9)

CONDITIONS - Continued:

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

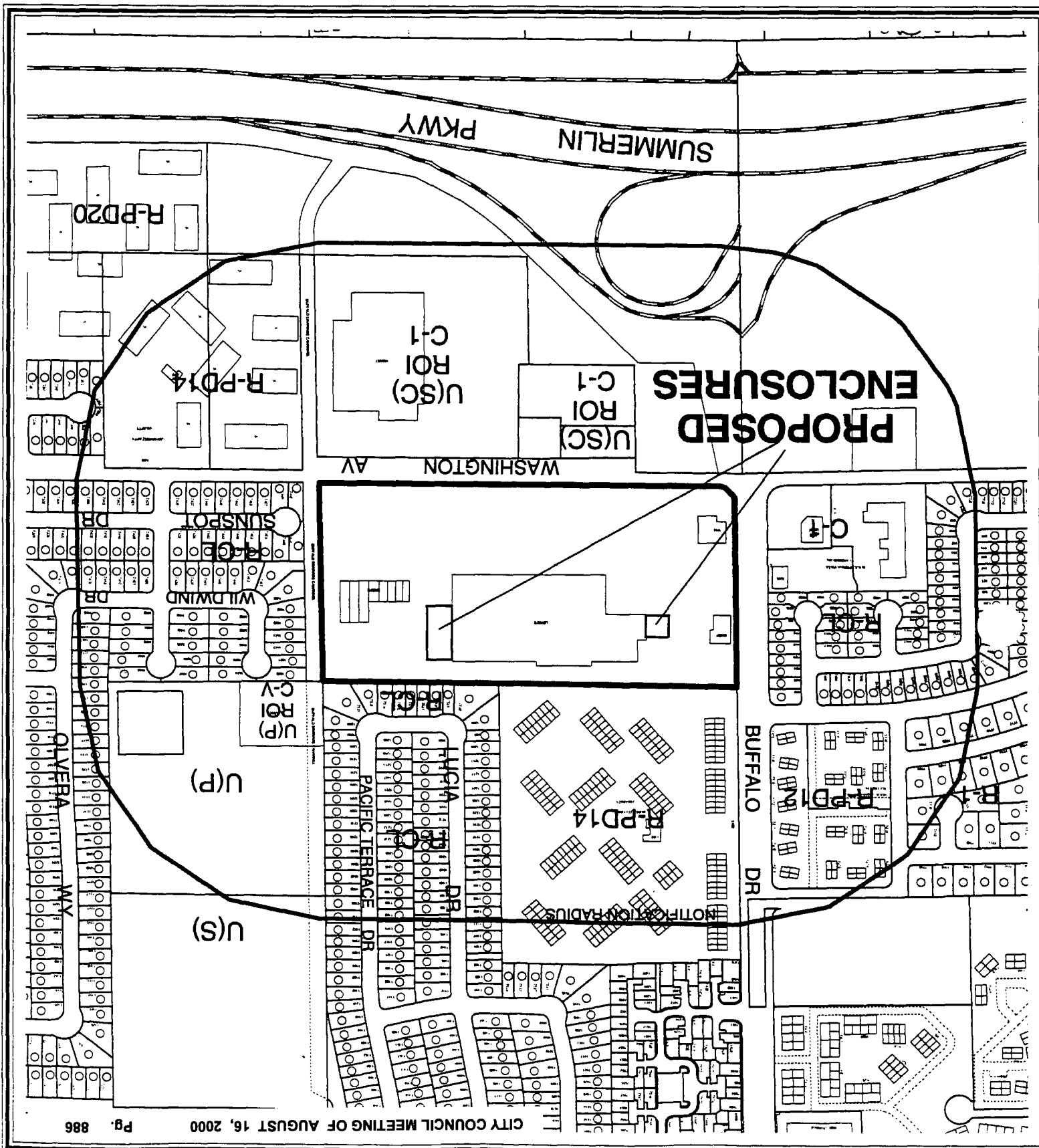


ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 750 FT

CASE: Z-0002-92(9)

0 300 600 Feet



Z-0002-92(9) - Page One

August 16, 2000 City Council Meeting

**** STAFF REPORT ******APPLICATION REQUEST**

This is a request for a Site Development Plan Review on property located on the northeast corner of Washington Avenue and Buffalo Drive for two 12 foot high screen wall enclosures proposed for the east and west sides of the existing Lowe's home improvement warehouse.

BACKGROUND DATA

03/04/92 The City Council approved a Rezoning (Z-2-92) to C-1 (Limited Commercial) for this site as part of a larger overall request.

01/05/99 The Board of Zoning Adjustment approved a Variance (V-95-98) on this site for a reduction in the residential adjacency setback requirement along the north property line.

01/28/99 The Planning Commission approved a Site Development Plan Review [Z-2-92(6)] of a proposed 150,380 square foot shopping center that included the Lowe's.

DETAILS OF APPLICATION REQUEST

The applicant proposes to construct two 12 high screen walls to shield outdoor storage. The wall on the west side of the building will enclose 4,920 square feet, with the wall on the east side enclosing 10,740 square feet. Both walls will architecturally match the colors and features of the existing building.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-PD14, R-CL	Multi-Family Residential, Single Family Residential
East	R-CL	Single Family Residential
South	C-1 (ROI)	Shopping Center
West	C-1, R-CL	Retail, Single Family Residential

ANALYSIS & FINDINGS**ZONING**

The proposed use is permitted in the C-1 (Limited Commercial) zoning district.

Z-0002-92(9) - Page Two
August 16, 2000 City Council Meeting

SITE PLAN

Staff has no concerns with the site plan.

LANDSCAPE PLAN

No changes to the existing on-site landscaping are proposed.

ELEVATIONS

The elevations will match those of the existing structure.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council to affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

Staff finds that this request is harmonious with the commercial development of this parcel and, by screening outdoor storage, will serve to increase the compatibility of the Lowe's with the homes to the north.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

This request is consistent with City requirements.

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

Approval of this request will not adversely affect nearby streets.

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

The materials to be used for the walls will match the remainder of the shopping center.

Z-0002-92(9) - Page Three
August 16, 2000 City Council Meeting

5. **“Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.”**

The elevations and design characteristics are compatible with the adjacent commercial and residential development.

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

The public health, safety and general welfare will not be negatively impacted by approval of this request.

NOTICES MAILED 307 by Planning Department

APPROVALS 0

PROTESTS 0

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	NO
<i>B&S - Permits/Inspections</i>	YES	NO	NO
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	NO
<i>Redevelopment Agency</i>	YES	NO	NO
<i>Fire Services - Prevention</i>	YES	NO	NO

STAFF

Z-0002-92(9)

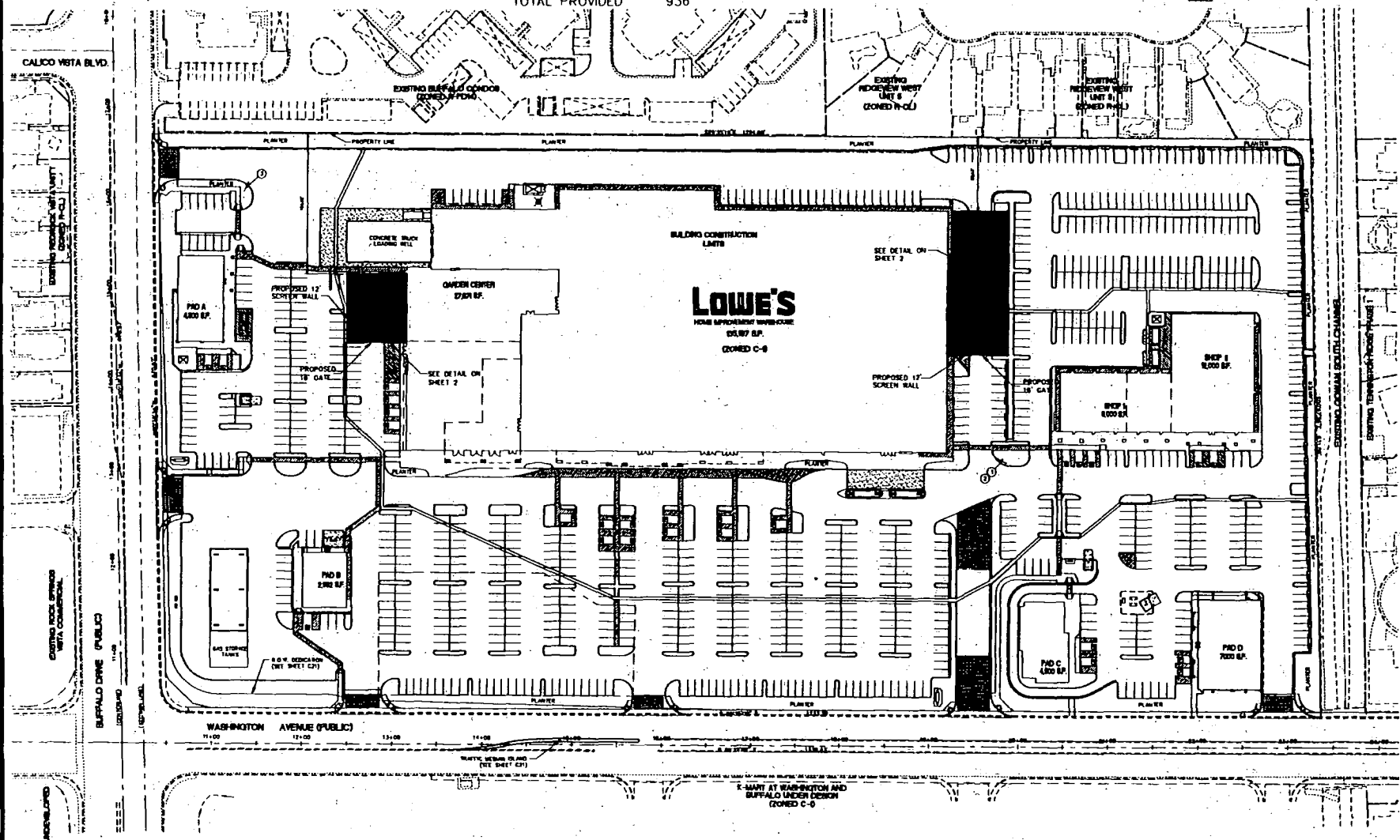
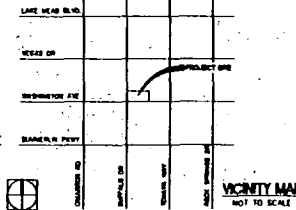
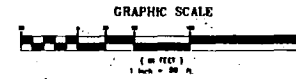
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LEGEND

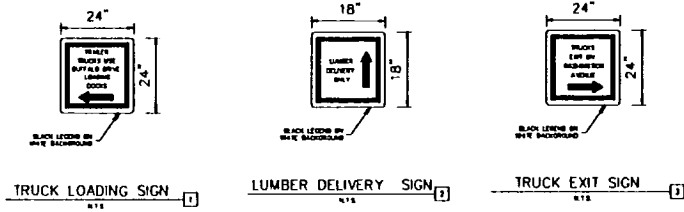
- (H) PROPOSED SIGNAGE
- AREA TO HAVE 12' HIGH SCREEN WALL
- NET LOSS = ELIMINATED 28 PARKING SPACES
- RELOCATED 2 HANDICAP PARKING SPACES

PARKING SUMMARY

AREA	SPACES
PAD A	20
PAD B	12
MAJOR A (LOWE'S)	541
PAD C	41
PAD D	28
SHOP 1	32
SHOP 2	48
TOTAL REQUIRED	722
TOTAL PROVIDED	936

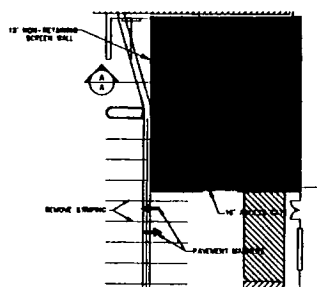
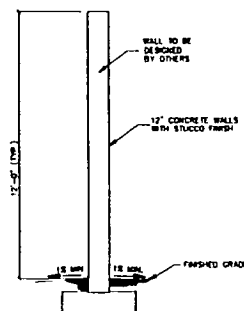


ORX BUFFALO LAS VEGAS I VENTURE		EKN ENGINEERING	
SCREEN WALL SITE PLAN		BUFFALO CENTER	
DATE: 7-13-00	SCALE: 1" = 50'	PROJECT NO. 000000	SHEET 1 OF 3 SHEETS
DRAWN BY: J. L. JONES	CHECKED BY: J. L. JONES	DESIGNED BY: J. L. JONES	PROJECT NO. 000000
ORX BUFFALO LAS VEGAS I VENTURE ENGINEER/PLANNER/DESIGNER AND STATE LICENSE NO. 100000 LAS VEGAS, NV 89101			

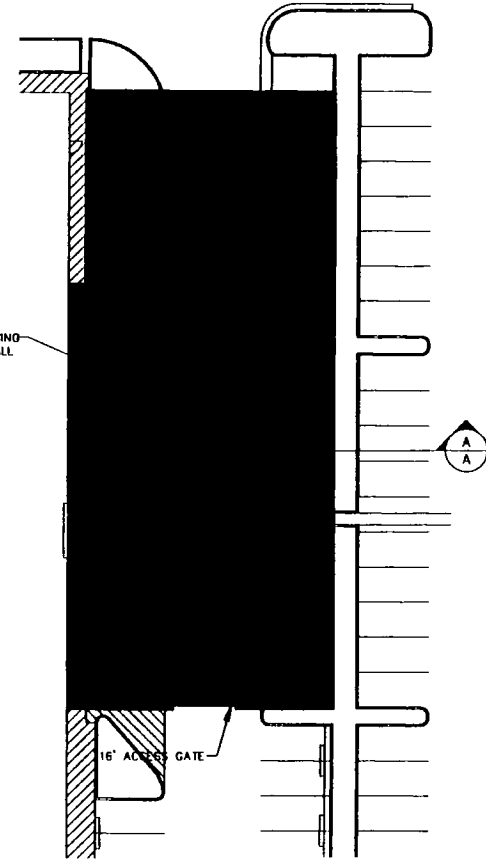


Z-0002-92(9)
7-13-00 PC

STAFF



12' NON-RETAINING SCREEN WALL

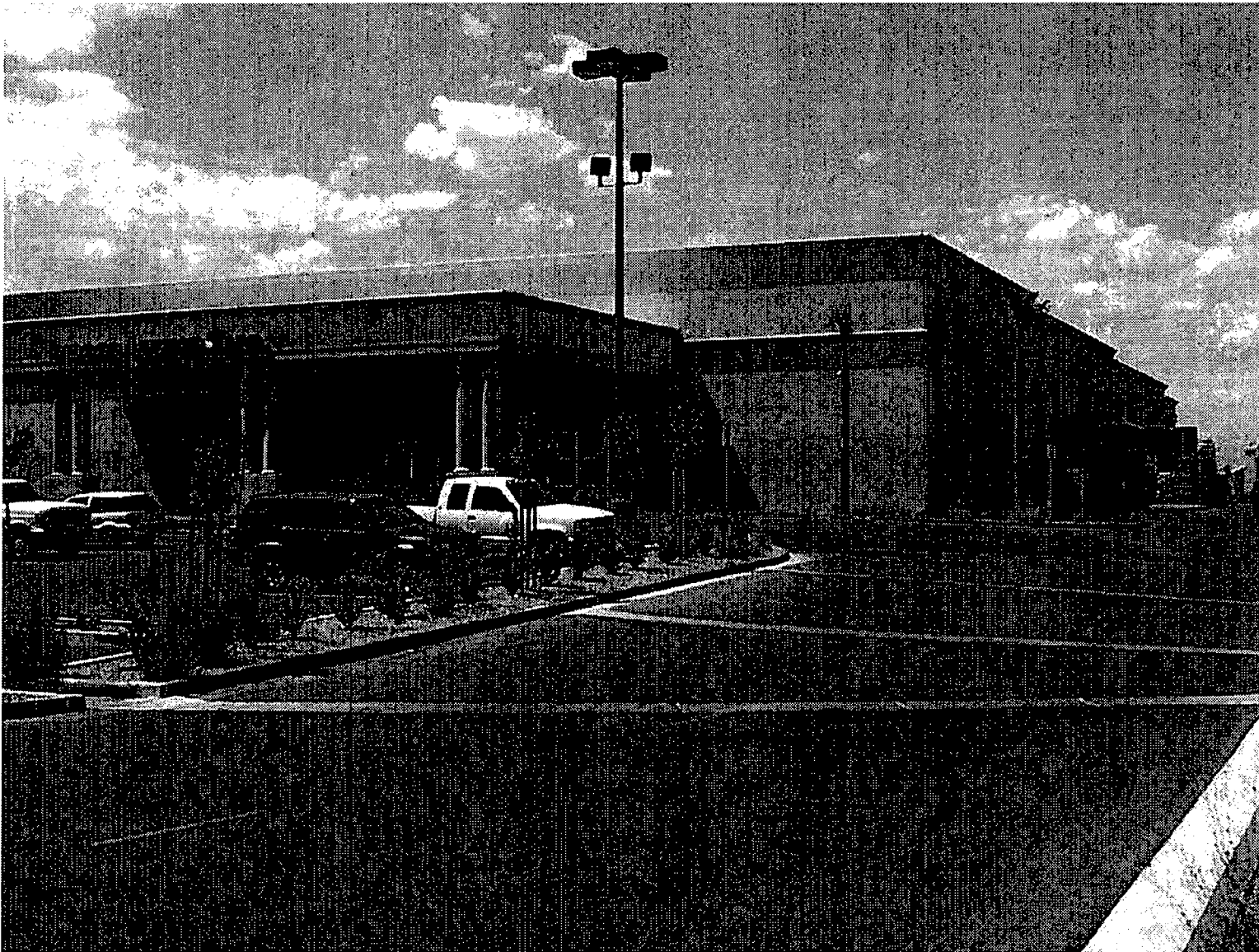


A 12' SCREEN WALL SECTION

SCREEN WALL PLAN WEST OF LOWE'S

SCREEN WALL PLAN EAST OF LOWE'S

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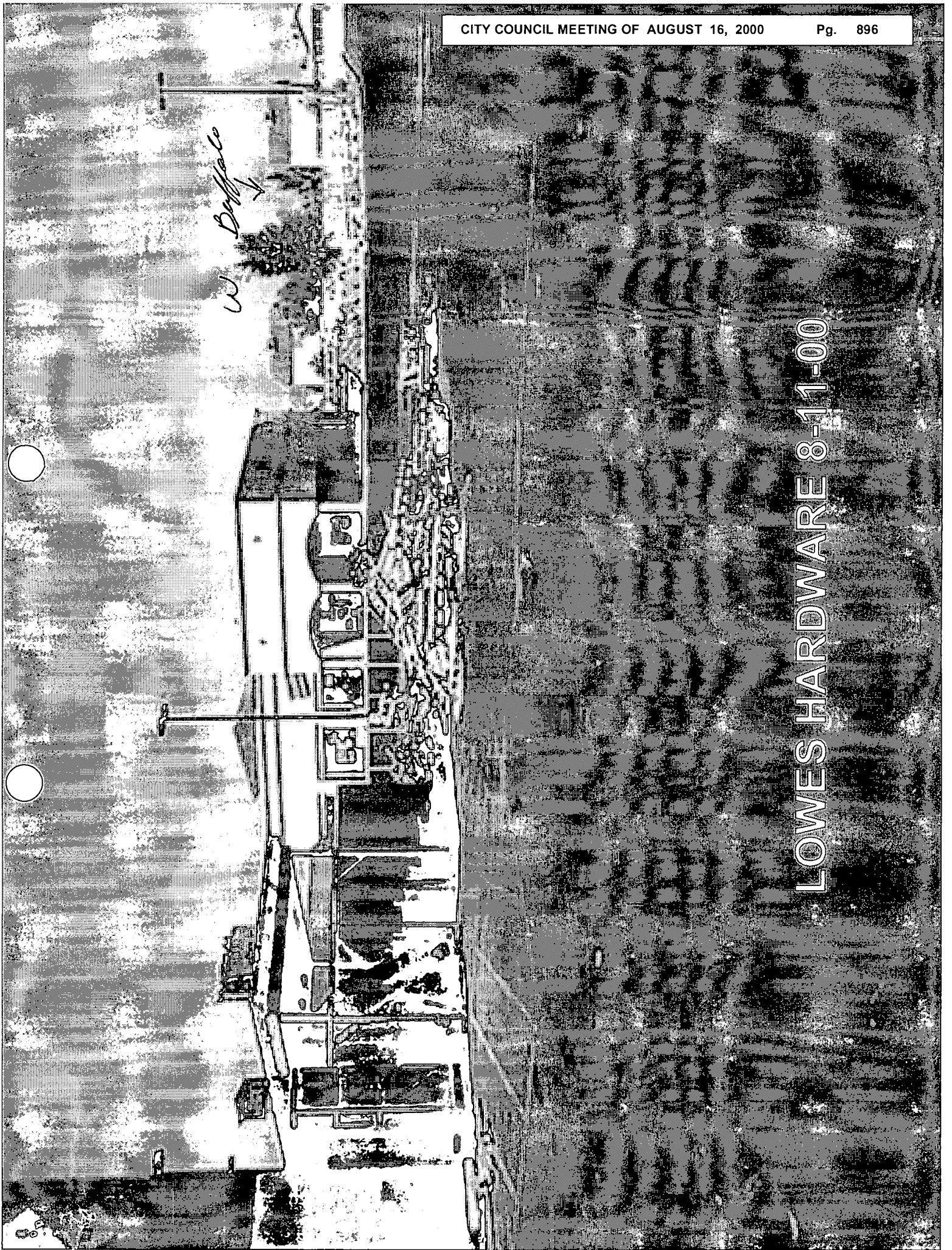
[Z-0002-92(9)] from southeast corner of site looking northerly to proposed addition location



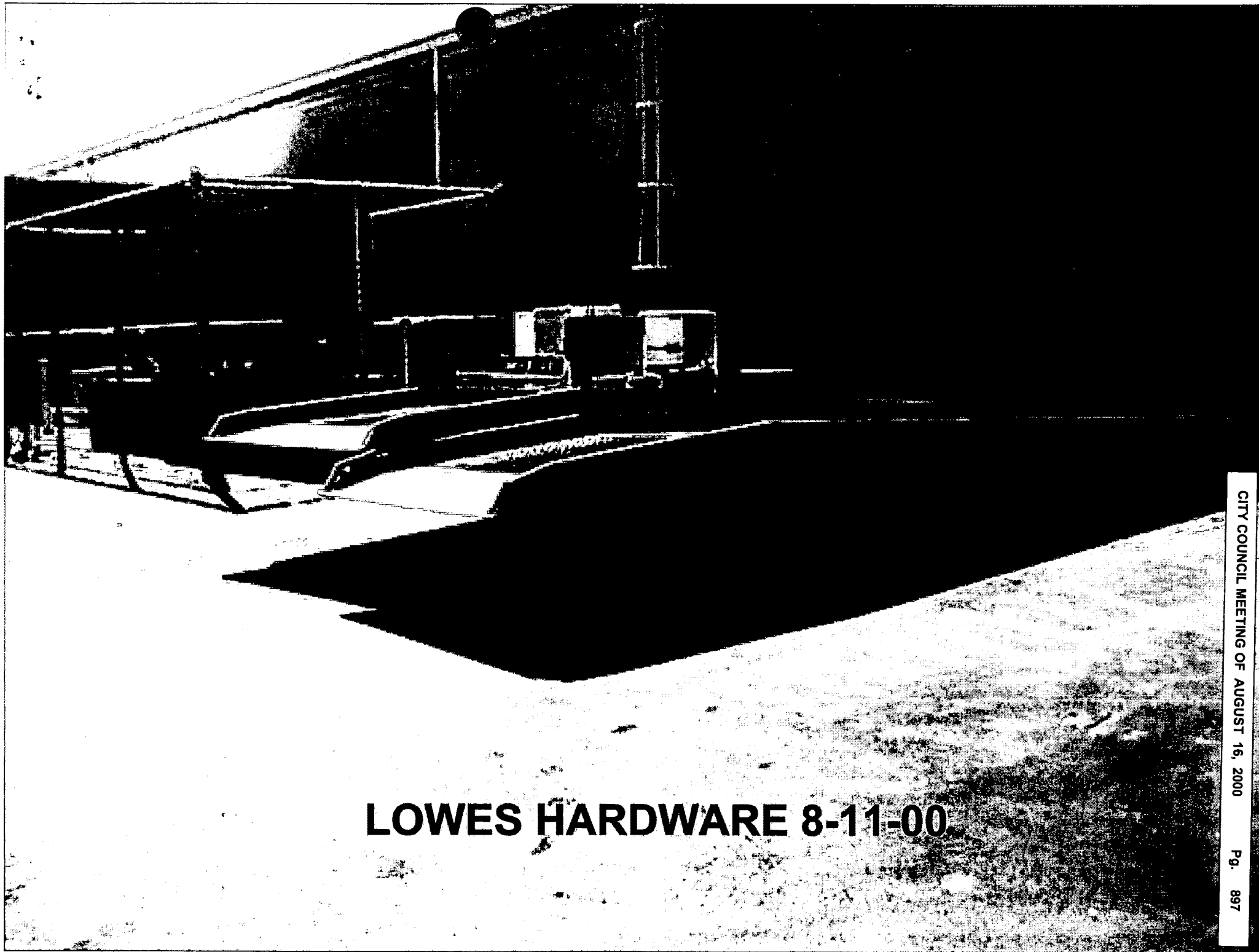
[Z-0002-92(9)] from southwest corner of site looking northerly to proposed addition location

- 7/13 – Planning Commission **approved** Z-0002-92(9) – Request for a Site Development Plan Review for two 12 foot high screen wall enclosures proposed for the east and west sides of the existing Lowe's Home Improvement Warehouse on the northeast corner of Washington Avenue and Buffalo Dr.
- 8/16 – Item to be heard at the City Council meeting.
- 8/17 – Court date for Lowe's citations.
- To date EKN Engineers has not made contact with Mr. Hill to correct the watering issue.

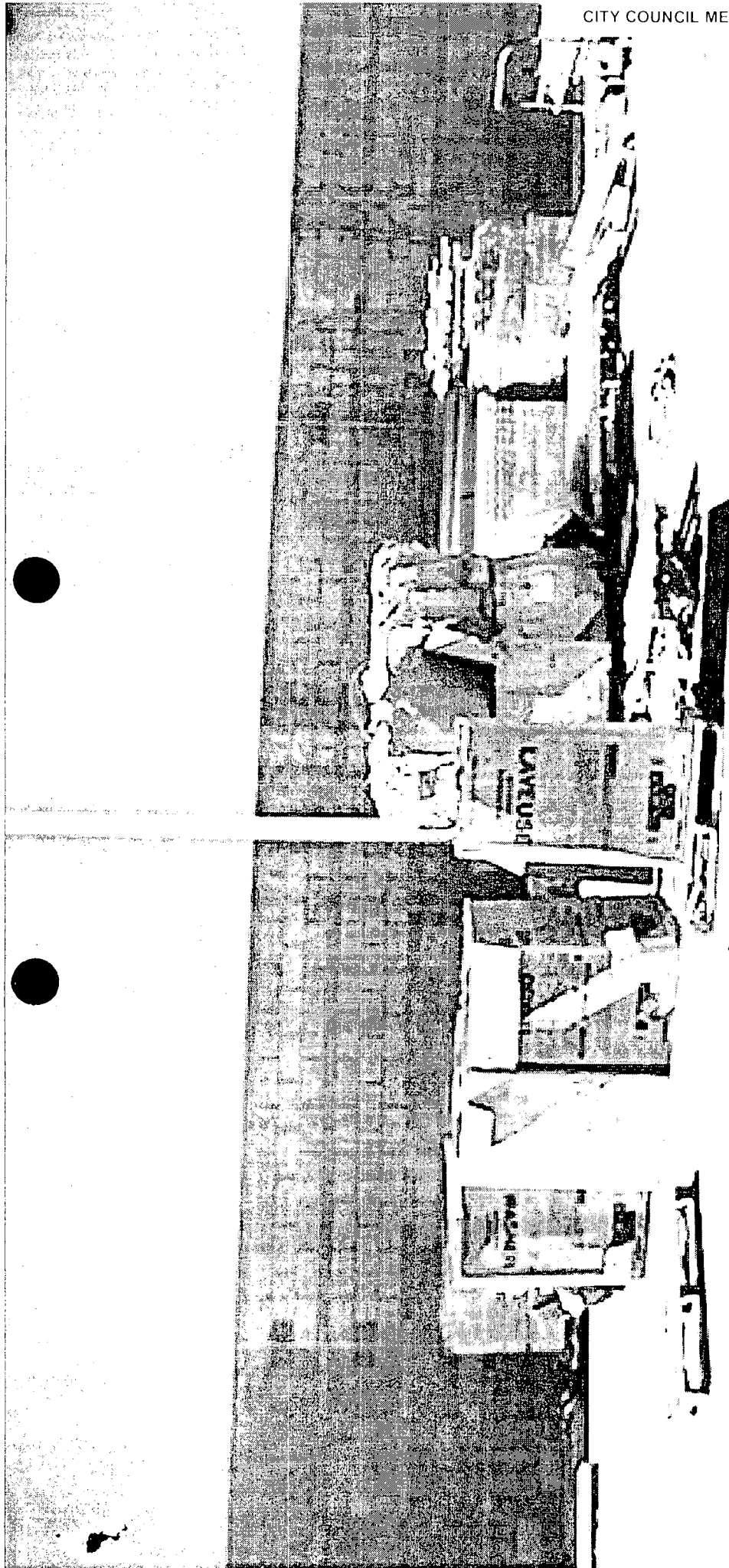
Attached photos show the current condition of outside storage as of August 11.



LOWES HARDWARE 8-11-00



LOWES HARDWARE 8-11-00



LOWES HARDWARE 8-11-00

City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 16, 2000****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0020-97(29) - FRANK HAWKINS - Request for a Site Development Plan Review and Waivers to allow a reduction of required minimum 100 foot lot width to 65 feet, minimum 10 foot side setbacks to 5 feet, required ten foot front sidewalk to five feet, required front 20 foot landscape to 0 feet, and parking requirements FOR THE CONVERSION OF A SINGLE FAMILY DWELLING TO A PROFESSIONAL OFFICE IN THE UNIVERSITY MEDICAL DISTRICT, on 0.25 acres located at 2009 Alta Drive (APN: 139-33-301-006), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (4-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****Hearing Officer Meeting****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****Hearing Officer Meeting****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions and the added condition that pedestrian walkway easements shall be granted to the City for all public sidewalks not within the public street right of way - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MEL LACQUEMENT, Zoning and Planning Consultant, 208 Campbell Drive, appeared representing the applicant and concurred with the conditions.

City of Las Vegas

Agenda Item No. 105

CITY COUNCIL MEETING OF AUGUST 16, 2000

Planning & Development

Item 105 – Z-0020-97(29)

MINUTES - Continued:

CHERI EDELMAN, Public Works, read an additional condition. MR. LACQUEMENT concurred.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:49 – 2:50)

4-1571

CONDITIONS:

Planning and Development

1. One motorcycle space shall be provided.
2. The sidewalk width along Alta Drive shall match that of the Alta Drive frontage of 501 South Tonopah Drive.
3. All residential uses shall be eliminated upon conversion to office use.
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.

Public Works

5. Construct all incomplete half-street improvements (sidewalk and streetlights) and remove and replace all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. All construction shall be coordinated with the approved Alta Drive widening plans on file with the City Engineer's office.
6. 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.



Agenda Item No. 105

CITY COUNCIL MEETING OF AUGUST 16, 2000
Planning & Development
Item 105 – Z-0020-97(29)

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 for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. 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.

Standard Conditions

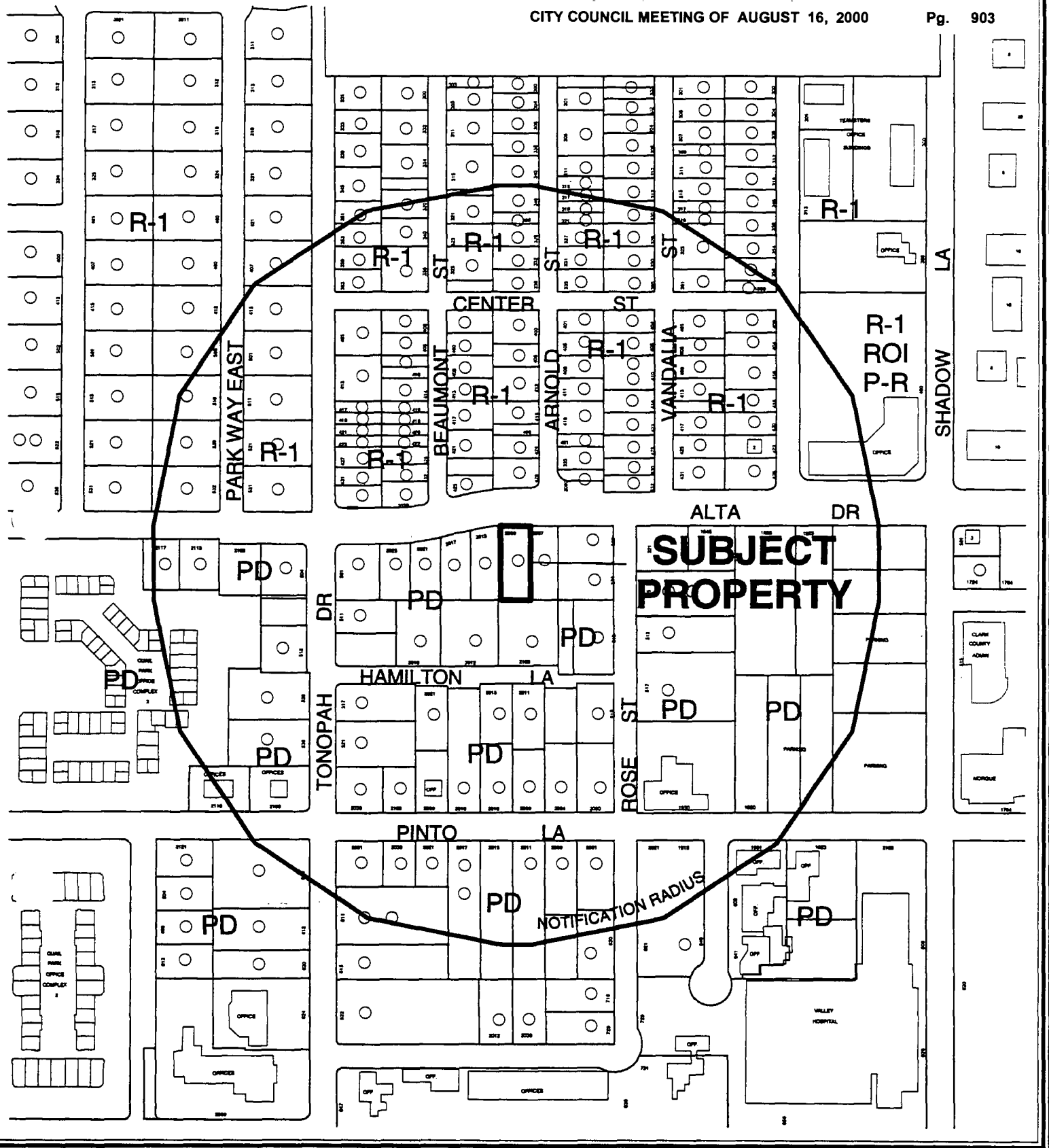
8. All development shall be in conformance with the Site Development plan and building elevations.
9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
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.

*City of Las Vegas***Agenda Item No. 105**

CITY COUNCIL MEETING OF AUGUST 16, 2000
Planning & Development
Item 105 – Z-0020-97(29)

CONDITIONS - Continued:

12. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
 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.
-

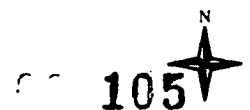


CASE: Z-0020-97(29)

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 200 400 Feet



Z-0020-97(29) - Page One
August 16, 2000 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review to convert an existing 3,387 square foot single-family residence to an office on property located at 2009 Alta Drive. This site is situated on the north perimeter of the core area covered by the Las Vegas Medical District (LVMD) Neighborhood Plan, and is designated for MD-1 (Medical Support) land use.

The applicant is requesting waivers to allow a reduction of the requirements of the lot width, side yard setbacks, sidewalk width, driveway width and front landscape area. The applicant justifies the request of several waivers by indicating that demolition of the existing house would be required to develop this property in order to be in compliance with the requirements of the Las Vegas Medical District Neighborhood Plan and the City of Las Vegas Zoning Code Title 19A. Due to the existing conditions on the property a conversion from a residential use to an office use will require waivers from the LVMD standards for lot width, side yard setbacks, sidewalk width, and landscaping.

BACKGROUND DATA

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

DETAILS OF APPLICATION REQUEST

Site Area	10,652	Square Feet (.25 Acres)
Building Area (Existing)	3,387	Square Feet
Parking Required	12	Spaces (Including 1 Handicap Space)
Parking Provided	13	Spaces (Including 1 Handicap Space)

(Single-family conversion to office requires 1 parking space per 300 sf)

The applicant proposes to convert a two-story single family dwelling into an office. The existing 3,387 square foot building is located in the center of the site. Access to the site from Alta Drive is via a 24 foot drive. The submitted site plan depicts parking spaces located in the front and rear of the existing building. A handicap parking space and six (6) standard parking spaces will be located in front of the building, and the remaining six (6) spaces in back of the building. The rear parking area is accessed by a ten (10') foot, five (5") inch wide driveway adjacent to the east property line.

Landscaping on the subject site will be provided by a five (5') foot wide landscape along the front property line. Side and rear yard planter areas vary in width from two (2 ') feet wide to eight (8') feet wide. Although the majority of the east property line is without landscaping, a ten (10') foot wide planter area is shown in the southeast corner of the property.

Z-0020-97(29) - Page Two
August 16, 2000 City Council Meeting

Photographs of the existing building depict a two story building composed of a stucco exterior enhanced with stone veneer and cedar shake roof. The interior of the building will be divided into six offices, two conference rooms, storage areas and restrooms.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-1 (Single-Family Residence)	Alta Drive / Single-Family Residential)
South	P-D (Planned Development)	Single Family Residential
East	P-D (Planned Development)	Group Home
West	P-D (Planned Development)	Single Family Residential

ANALYSIS & FINDINGS

ZONING

The proposed designated land use for this portion of the Las Vegas Medical District Neighborhood Land Use Plan is MD-1. This designation corresponds to the medical support category of LVMD and is intended to allow less intense development within the LVMD. It is designed to be compatible with health service, professional and business office use.

Properties surrounding the subject site are primarily existing single family homes, with the exception of the property to the east, which was granted a use permit for a group home in 1992. On the west corner of the block, at Alta Drive and Tonopah Drive is a conversion of a residence in to a childcare center. Parcels on the east corner of the block, at Alta Drive and Rose Street are for sale.

SITE PLAN

The existing house on the subject property was built in 1977, several years prior to the adoption of the Las Vegas Medical District Neighborhood Plan. Conversion of the house from a residential use to an office use (MD-1 property) requires compliance to and policies set forth in the Development Standards - Table 32, of The Las Vegas Medical District Neighborhood Plan. The subject property, as a single-family residence, cannot meet the prescribed development policies for an MD-1 property, thus, approval of several waivers are required in order to allow the conversion to an office use.

The applicant has requested a waiver of the required minimum 100 foot lot width for an MD-1 lot, to 65 feet. Also a waiver is requested to allow a west side yard setback of five (5') feet, where a ten (10') foot setback is required. The east and west walls of the house, adjacent to the side yards, will be required by Building and Safety to be one (1) fire resistive construction. The west wall will require protected openings and a 30 inch parapet.

Z-0020-97(29) - Page Three
August 16, 2000 City Council Meeting

Access to the rear parking area is by a 10 foot 6 inch wide driveway. The Design Guidelines and Standards require two way drives to be 24 feet in width. However, with these types of conversions, normal City standards often need to be "modified" in order to retain the residential character of the neighborhood.

A waiver of parking requirements was requested by the applicant. Staff notes the parking was calculated incorrectly. The number of parking spaces appears to be adequate for the proposed use. Staff finds the handicap parking access aisles do not meet the required widths of five (5') feet and eight (8') feet. Condition number 3 requires the submittal of a revised site plan, indicating dimensions of handicap parking space prior to the issuance of permits.

LANDSCAPE PLAN

Indicated on the submitted site plan, and a waiver request, the Alta Drive frontage landscaping is a five (5') foot wide landscape area, adjacent to a five (5') wide vacant area along the front property line. The proposed landscaping does not meet the policies of the LVMD plan, which specifies a special edge landscaping treatment for properties on Alta Drive. Properties adjacent to Alta Drive are required to apply a minimum a 20 foot landscaped setback from the ultimate right-of-way. Also, all sidewalks within a public right-of-way in the LVMD are required to be ten (10') in width.

Waivers have been requested to allow a reduction of the landscape planter areas. No landscaping is indicated around the perimeter of the building, where the LVMD minimum site landscaping requires a 15 foot landscape perimeter around the entire building. Side and rear yard planter areas vary in width from two (2') feet wide to eight (8') feet wide. The majority of the east property line is without landscaping, although ten (10') foot wide by 30 foot long planter area is shown in the southeast corner of the property. Eight foot wide landscape areas are required along the side and rear property lines. Sizes and types of plant materials are not indicated on the submitted site plan. No dimensions are indicated with regard to the spacing of the trees. Condition number 2 requires a complete landscape plan to be submitted for approval prior to the issuance of permits.

ELEVATIONS

Photographs of the existing two story building depict a stucco exterior, enhanced by stone veneer on the front portion of the building and cedar shake roof.

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council shall affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

Z-0020-97(29) - Page Four
August 16, 2000 City Council Meeting

It appears as though this application meets the intent of the MD-1 land use designation and should be compatible with the surrounding land uses and those proposed by the Las Vegas Medical District Neighborhood Plan.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

The approval of waivers for lot width, landscape, sidewalk, and side yard setback, will allow the property to be a legally non-conforming building within the Las Vegas Medical District. Although staff supports this request, it must be noted this conversion does not meet the basic concept for development of the medical district as set forth in the policies of the Las Vegas Medical District Neighborhood Plan. It must also be noted this is the first request for a residential conversion along the Alta Drive corridor. Approval of this request will set a precedent for future development requests.

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

Staff finds the recent widening of this portion of Alta Drive to accommodate increased traffic is adequate. Staff and Public works have concerns regarding circulation interior to the site. A Public Works condition requires a redesign of the interior driveway.

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

The existing building is composed of materials similar to the surrounding properties. Landscape material and sizes were not indicated on the site plan. Condition number 2 requires a revised landscape plan to be submitted for approval prior to the issuance of any permits.

5. **"Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area."**

The existing building is composed of stucco and stone veneer and is compatible with structures on the surrounding properties.

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

Staff finds the proposed of conversion of a single-family residence to a office use will not negatively impact the public health, safety and general welfare.

Z-0020-97(29) - Page Five

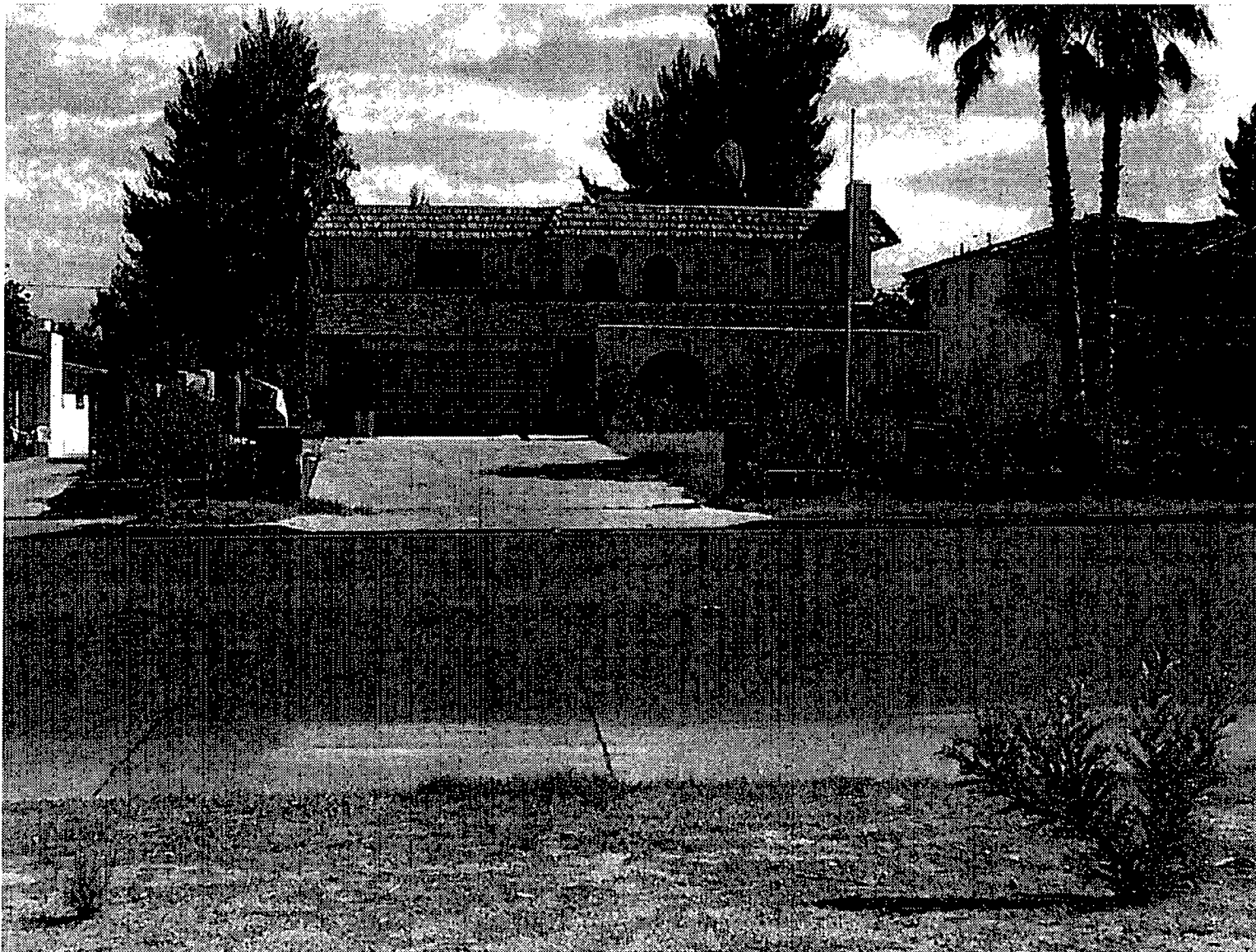
August 16, 2000 City Council Meeting

NOTICES MAILED 149 by Planning Department**APPROVALS** 0**PROTESTS** 2

[Note: Public testimony was received in opposition to the waivers being requested because waivers were not granted for a prior approved project on the southeast corner of Alta and Tonopah within the Las Vegas Medical District.]

AGENCY COMMENTS

<i>Department/Agency</i>	<i>Distributed to</i>	<i>Comments Received</i>	<i>Comments Incorporated into Conditions of Approval</i>
<i>P&D - Comprehensive Planning</i>	YES	NO	N/A
<i>B&S - Permits/Inspections</i>	YES	YES	YES
<i>PW - DEVCO</i>	YES	YES	YES
<i>City Centre Development Corp</i>	YES	NO	N/A
<i>Redevelopment Agency</i>	YES	NO	N/A
<i>Fire Services - Prevention</i>	YES	NO	N/A



[Z-0020-97(29)] from north of site looking southerly to site (Alta Drive seen in foreground)

Item #105 – Z-20-97(29)

Add a condition:

Pedestrian walkway easements shall be granted to the City for all public sidewalks not within the public street right of way.

#105