City of Las Vegas

Agenda Item No. 135

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - **Z-0068-85(58) - LAS VEGAS TECHNOLOGY CENTER LIMITED PARTNERSHIP ON BEHALF OF WESTWOOD STUDIOS** - Request for an Extension of Time on an approved Site Development Plan Review FOR TWO (2) 24 FOOT BY 60 FOOT MODULAR OFFICE TRAILERS on 2.15 acres at 2400 North Tenaya Way (APN: 138-15-810-009), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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:
BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
BOB LEMON, Westwood Studios, 2400 North Tenaya Way, was present.

No one appeared in opposition.

There was discussion.

(4:09 – 4:10)
5-3604

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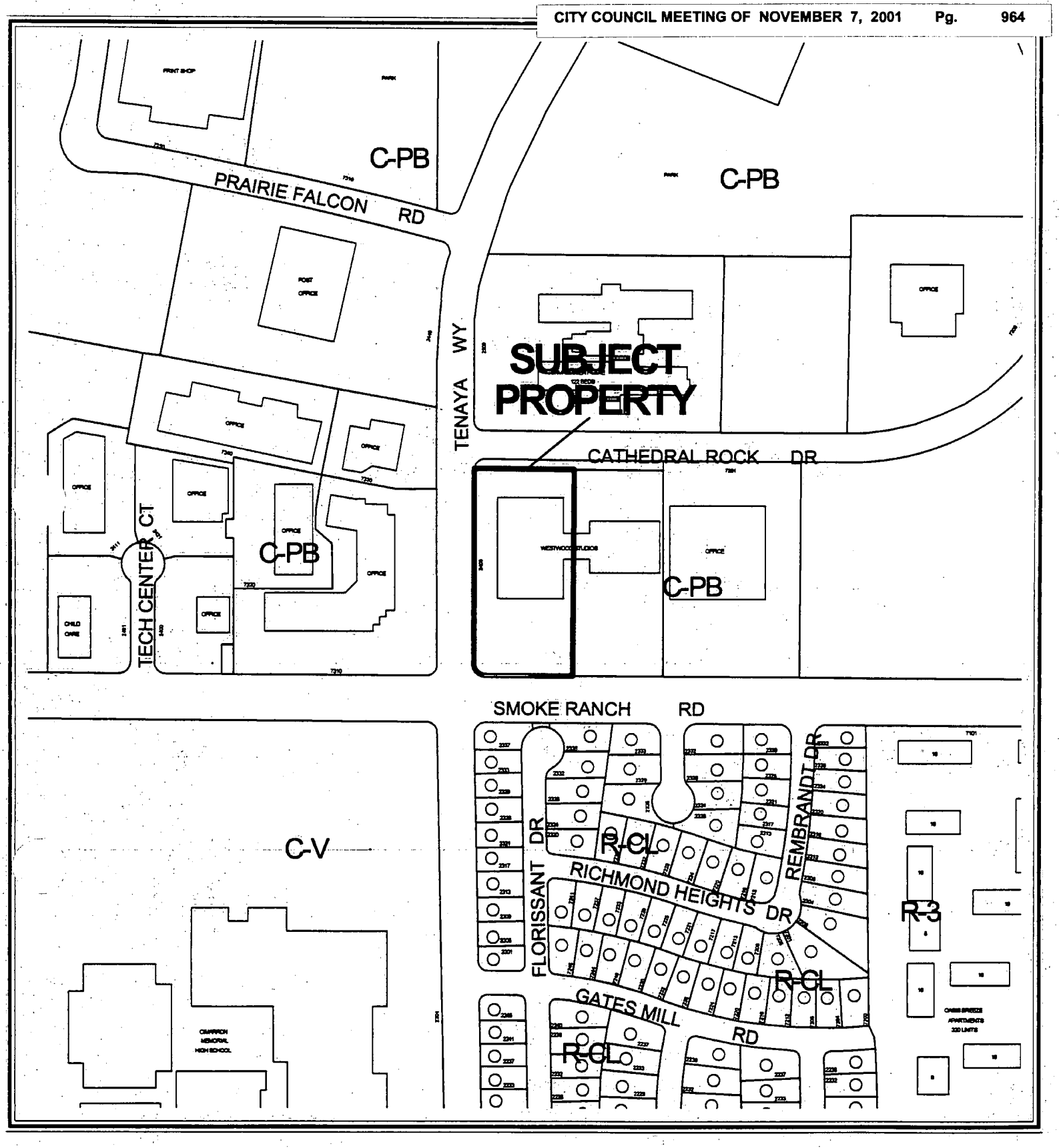
CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 135 – Z-0068-85(58)

CONDITIONS:

1. The temporary modular trailers must be removed within one year of this approval, unless an Extension of Time has been granted by the Planning Commission.

2. Conformance to the Conditions of Approval for the Site Development Plan Review [Z-0068-85(52)] and all other subsequent site related actions as required by the Planning and Development Department and the Department of Public Works.



0 100 200 Feet

CASE: **Z-0068-85(58)**

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Z-0068-85(58) - Las Vegas Technology Center Limited Partnership on behalf of Westwood Studios

** CONDITIONS **

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

1. The temporary modular trailers must be removed within one year of this approval, unless an Extension of Time has been granted by the Planning Commission.

2. Conformance to the Conditions of Approval for the Site Development Plan Review [Z-0068-85(52)] and all other subsequent site related actions as required by the Planning and Development Department and the Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for an Extension of Time on an approved Site Development Plan Review for two 24-foot by 60-foot modular office trailers on 2.15 acres at 2400 North Tenaya Way. The applicant's justification letter states a three-year extension of the permit for the temporary trailers is requested because the applicant is consolidating their locations into one facility within the next three years, but they will need the trailers during this transitional period.

BACKGROUND DATA

11/20/85	The City Council approved a Rezoning (Z-68-85) from N-U (Non Urban) to C-PB (Planned Business Park) for this site as part of a larger request.
12/18/85	The City Council approved a Site Development Plan Review [Z-68-85(2)] for a 52,586 square foot research and design/office building on this site.
03/18/87	The City Council approved a Site Development Plan Review [Z-68-85(3)] for a 94,200 square foot research and design/office building on this site.
12/19/99	The Planning Commission approved a Site Development Plan Review [Z-0068-85(52)] for two 24-foot by 60-foot modular office trailers, to be removed by December 16, 2001, unless an Extension of Time is granted.
10/04/00	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0068-85(54)] for a 47-foot by 60-foot temporary modular office trailer, to be removed by October 4, 2002.

DETAILS OF APPLICATION REQUEST

Site Area:	3.37	Acres
Building Area Total (including trailers):	149,666	Square Feet
Existing Permanent Buildings:	146,786	Square Feet
Existing Temporary Trailers:	2,880	Square Feet
Height of Existing Trailers:	12	Feet
Parking Required for Trailers:	10	Spaces (including 1 handicap accessible)
Parking Required Total (including Trailers):	150	Spaces (including 5 handicap accessible)
Parking Provided Total:	151	Spaces (including 5 handicap accessible)

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-PB (Planned Business Park)	Convalescent Care Center
East	C-PB (Planned Business Park)	Office/Warehouse
South	R-CL (Single Family Compact - Lot)	Single-Family Residential
West	C-PB (Planned Business Park)	Office/Warehouse

ANALYSIS & FINDINGS

The two temporary modular trailers are located toward the northwest corner of the site. Staff finds the present location of the trailers maximizes the landscape buffer and wall to shield the trailers from view. Staff is recommending a condition to remove the temporary modular trailers within one year of this approval, unless another Extension of Time is granted by the Planning Commission.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Z-0068-85(58) APN: 138-15-810-009

Name of Property Owner: LAS VEGAS TECH CENTER LIMITED PARTNERSHIP

Name of Applicant: WESTWOOD STUDIOS

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes XXX No *

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Susan L. Hemmes
SUSAN L. HEMMES

Subscribed and sworn before me

This 6th day of August, 2001

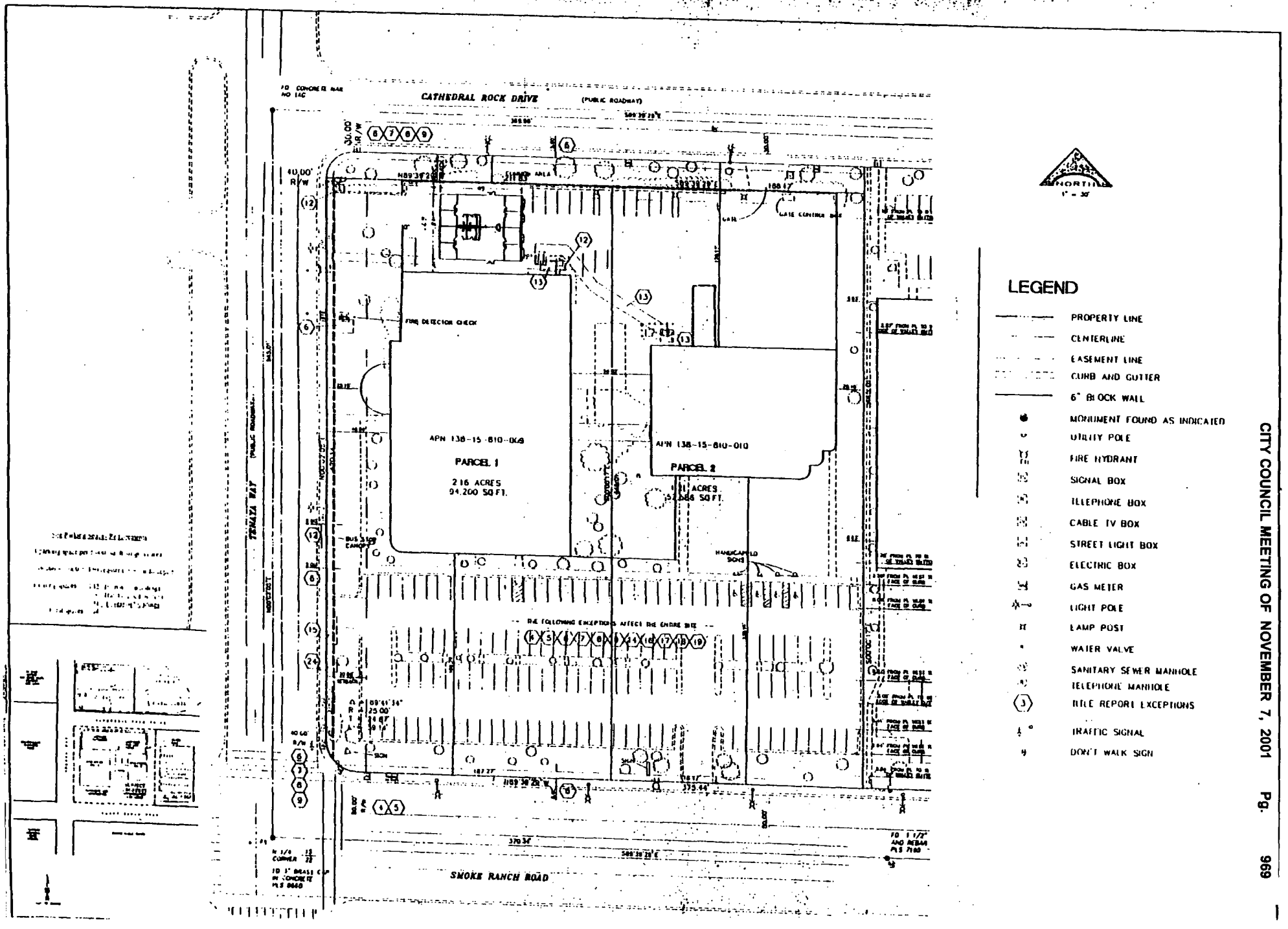
Robin Civish
Notary Public in and for said County and State

Notary Public State of Nevada
County of Clark
ROBIN CIVISH
My Appointment Expires
March 18, 2004
No: 96-2345-1

* LAS VEGAS TECH CENTER LIMITED PARTNERSHIP HAS A GROUND LEASE ON THIS PROPERTY WITH THE CITY OF LAS VEGAS

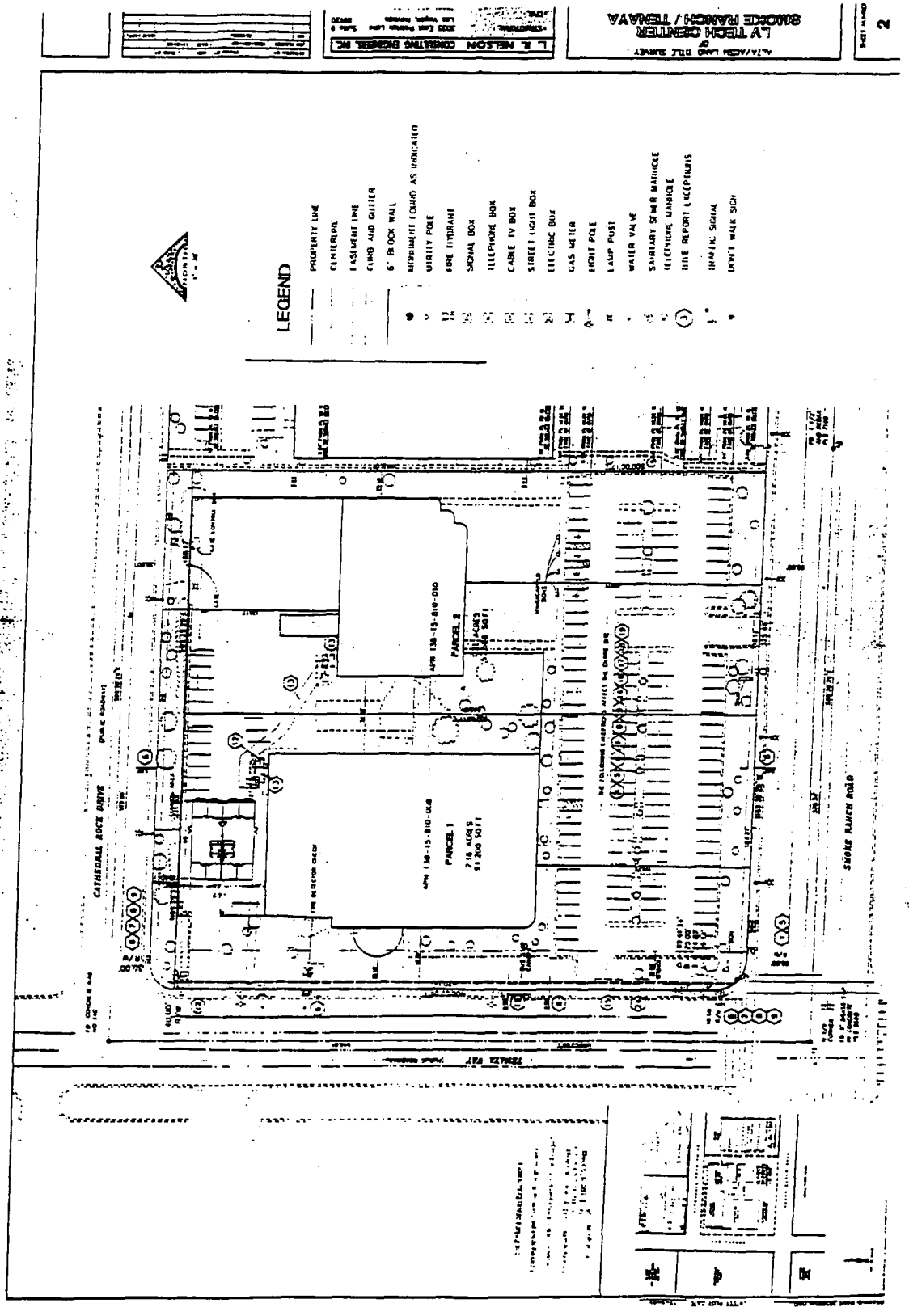
Z-0008-85(58)

9-20-01 PC
STAFF



Z-1 8-85(58)

9-20 C
STAFF



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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - **SD-0059-01 - CASSU INVESTMENT GROUP LIMITED, ET AL ON BEHALF OF McDONALD'S CORPORATION** - Request for a Site Development Plan Review FOR A PROPOSED 3,960 SQUARE FOOT FAST FOOD RESTAURANT (McDONALD'S) located adjacent to the southwest corner of the intersection of Sahara Avenue and Arville Street (APN's: 162-07-101-011 through 013), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-1-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
M. McDONALD – APPROVED subject to conditions, deleting Condition #3 and adding the following condition:
- **No additional free-standing signage shall be allowed on the site.**

– UNANIMOUS with GOODMAN excused

MINUTES:
RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and presented a photograph of a closed gas station to be expanded onto the existing McDonald's property. Three of the curb cuts located on Sahara Avenue will be taken out and one off of Arville Street. MR. MORENO stated that he has worked with staff and redesigned the project to meet staff's requirements. He pointed out that the landscaping has been increased to 50%.

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Planning & Development Department
Item 136 – SD-0059-01

MINUTES – Continued:

This project will help to revitalize that entire corner, as well as the surrounding neighborhood. The company is investing approximately $2.3 million for this expansion. MR. MORENO asked to keep the existing McDonald's sign, which has been at this location since the restaurant first opened in 1975. However, he pointed out that the existing billboard sign does not belong to McDonald's and that it is privately owned.

COUNCILMAN WEEKLY asked MR. MORENO whether McDonald's is proposing to do a similar project in other areas. MR. MORENO replied that he does not have the specifics at this time, but that there might be three or four restaurants where possibly something similar might be done. However, DENNIS WATTS, 21 Las Vegas Boulevard South, McDonald's Corporation, indicated that the McDonald's restaurant located at Washington Avenue and Rancho Boulevard was built a few years ago and there are no plans to expand it at this time.

COUNCILMAN McDONALD motioned that the existing McDonald's sign remain and confirmed with MR. MORENO that the sign will not be relocated. In light of COUNCILMAN McDONALD's motion, CHRIS GLORE, Planning Supervisor, Planning & Development Department, recommended that a condition be added that no additional free-standing signage be allowed on the site. The 100-foot pole sign is already out of character with any other signage in the area. MR. WATTS commented that their intent is not to add a new pole sign and that any other required signage pertaining to the retail portion of the site would be added to the bottom of the existing sign. COUNCILMAN McDONALD requested to see a drawing of the sign for any future signage that might be added to the pole.

No one appeared in opposition.

There was no further discussion.

(4:10 – 4:17)
5-3677/6-1

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. The applicant shall remove (dissolve) the existing property lines in a manner that is acceptable with City Staff, prior to the issuance of any building permits for Building 'A.'

City of Las Vegas

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CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 136 – SD-0059-01

CONDITIONS – Continued:

3. The existing 100-foot tall "McDonalds" pole sign shall be removed, prior to the issuance of any building or grading permits.

4. An administrative Site Development Plan Review shall be approved by Planning and Development staff for the proposed future retail building along the west property line prior to any permits being issued for that building.

5. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all public rights-of-way.

6. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all interior property lines.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council 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.]

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

11. A Master Sign Plan shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

12. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

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CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 136 – SD-0059-01

CONDITIONS – Continued:

13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Sahara Avenue and Arville Street prior to the issuance of any permits.

15. 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 concurrent with development of this site.

16. 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 and the possible relocation or restricted access for the proposed driveway onto Arville Street south of Sahara Avenue 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. The proposed driveway accessing Sahara Avenue shall also receive approval from the Nevada Department of Transportation.

17. Provide a copy of a recorded Joint Access and Parking Agreement for the three parcels comprising this overall site, prior to the issuance of any permits.

18. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection point prior to the submittal of sewer construction drawings. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. 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

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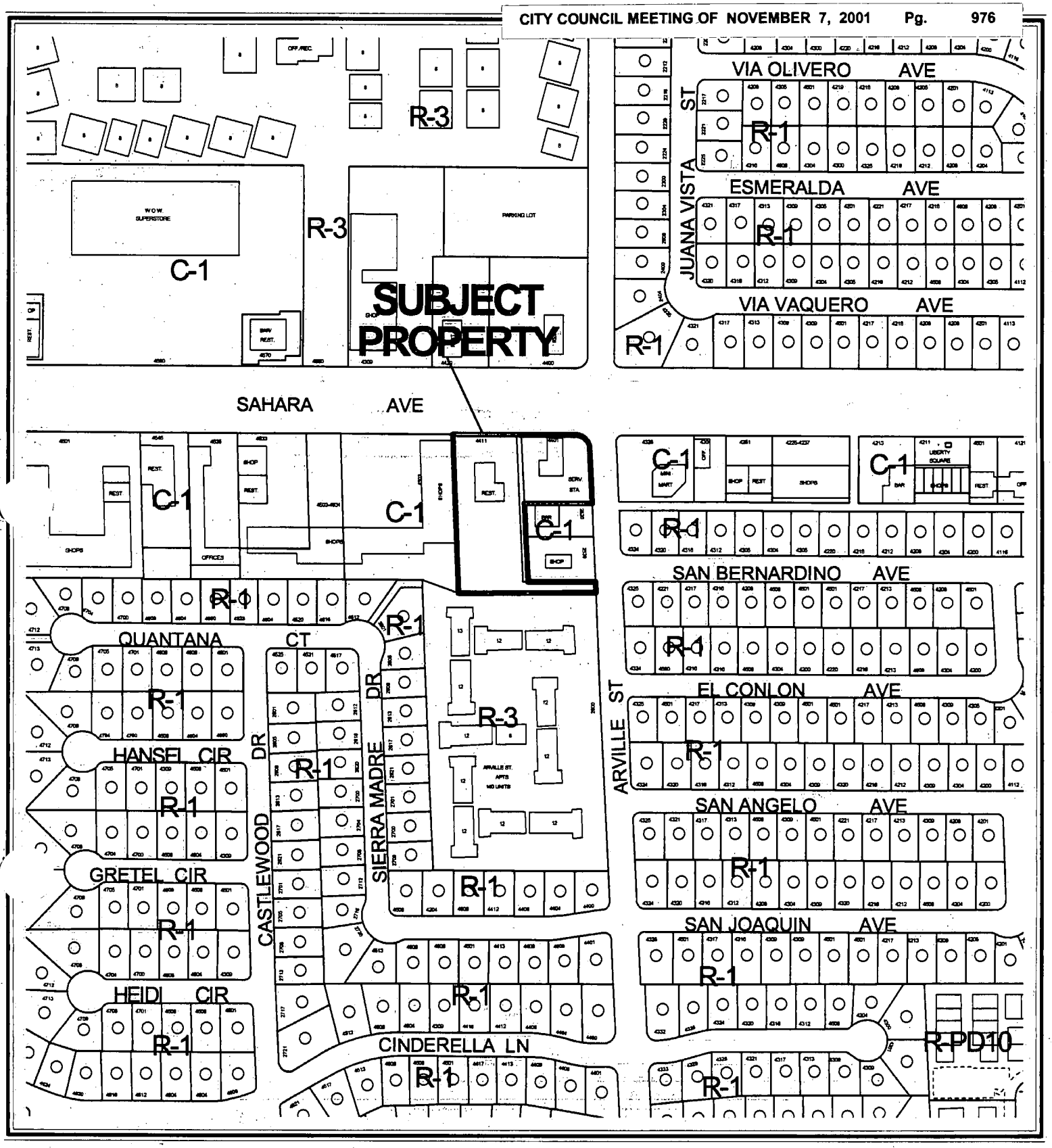
CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 136 – SD-0059-01

CONDITIONS – Continued:

a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. 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.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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 construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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, if allowed by the City Engineer.



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CASE: SD-0059-01

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: SD-0059-01 - Cassu Investment Group Limited, et al on behalf of McDonald's Corporation

** CONDITIONS **

The Planning Commission (5-1-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. The applicant shall remove (dissolve) the existing property lines in a manner that is acceptable with City Staff, prior to the issuance of any building permits for Building 'A.'

3. The existing 100-foot tall "McDonalds" pole sign shall be removed, prior to the issuance of any building or grading permits.

4. An administrative Site Development Plan Review shall be approved by Planning and Development staff for the proposed future retail building along the west property line prior to any permits being issued for that building.

5. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all public rights-of-way.

6. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all interior property lines.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council 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.]

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

11. A Master Sign Plan shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

12. All City Code requirements and design standards of all City departments must be satisfied.

13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Sahara Avenue and Arville Street prior to the issuance of any permits.

15. 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 concurrent with development of this site.

16. 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 and the possible relocation or restricted access for the proposed driveway onto Arville Street south of Sahara Avenue 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. The proposed driveway accessing Sahara Avenue shall also receive approval from the Nevada Department of Transportation.

17. Provide a copy of a recorded Joint Access and Parking Agreement for the three parcels comprising this overall site, prior to the issuance of any permits.

18. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection point prior to the submittal of sewer construction drawings. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. 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.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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 construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 3,960 square foot restaurant (McDonald's) on property located adjacent to the southwest corner of the intersection of Sahara Avenue and Arville Street. The applicant's justification letter states the development will consist of a 3,128 square foot restaurant with drive through and an 832 square foot attached play place, and a future 4,000 square foot retail building.

BACKGROUND DATA

01/24/63 The subject property was annexed (A-0022-62) as part of a larger request.

DETAILS OF APPLICATION REQUEST

Site Area:	1.88	Acres
Proposed Building Area:	3,960	Square Feet
Restaurant Area:	3,128	Square Feet
Play Area:	832	Square Feet
Proposed Future Building Area:	4,000	Square Feet
Total Proposed Building Area:	*7,960*	*Square Feet*
FAR:	0.097	
Parking Required:	56 /1/	Spaces (including 3 handicap accessible)
Parking Provided:	79	Spaces (including 4 handicap accessible)
Building Height:	21	Feet (1 story)

/1/ Parking based on Section 19A.10.010 standards for "Restaurant, with Drive-Through/Drive-Up Facilities" requirement of 1 space for each 100 square feet of gross floor area, plus one lane for each drive-up window with stacking space for six vehicles; and "General Retail Store, Other Than Listed" requirement of 1 space for each 250 square feet of gross floor area.

Access to the site will be from three driveways, one on Arville Street and another on Sahara Avenue. The third access will be provided from an alley onto Arville Street from the rear of the property. The properties are roughly in an upside-down "L" shape. The proposed restaurant with drive through is proposed on the northeast corner of the site as Building 'B.' A future additional retail building is being proposed adjacent to the west property line as Building 'A.' Parking is provided throughout the site.

Landscaping will be provided along Sahara Avenue in the form of a 15-foot to 20-foot wide landscape planter with 24-inch box trees provided sporadically throughout the planters. A 20-foot wide planter will be provided along the Arville Street frontage with 24-inch box trees spaced approximately every 20-feet. Landscaping along the interior property lines will comprise 8-foot to 10-foot wide planters with 24-inch box trees provided sporadically throughout the planters. Parking lot landscape finger islands depicted throughout the parking area.

The building elevations consist of a white stucco wall construction with a reddish brick base and a modified mansard style roof with reddish tile and a contrasting flat roof around the proposed "cyber room" play place. No elevations have been submitted for the proposed future building proposed along the western portion of site.

Two signs currently exist on the site. An off-premise advertising (billboard) sign exists along the Sahara Avenue frontage approximately 175 feet west of the intersection of Arville Road. In addition, an approximately 100 foot tall on-premise advertising sign for the existing McDonalds is located along the Sahara Avenue frontage approximately 250 feet west of the intersection of Arville Road. In reviewing City records, staff was unable to locate permits for either sign.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Retail Commercial
South:	R-3 (Medium Density Residential)	Multi-Family Residential
East:	C-1 (Limited Commercial)	Retail Commercial
	R-1 (Single Family Residential)	Single-Family Residential
West:	C-1 (Limited Commercial)	Retail Commercial

ANALYSIS & FINDINGS

ZONING

The site is zoned C-1 (Limited Commercial). Staff finds the proposed fast food restaurant and retail uses are permitted within the C-1 (Limited Commercial) zoning district.

SITE PLAN

Staff finds that the proposed site plan shows an appropriate and orderly layout of building footprints, vehicle circulation and parking that meets the standards set forth by the City of Las Vegas Zoning Code and Las Vegas Urban Design Guidelines and Standards.

LANDSCAPE PLAN

Staff finds the submitted landscape plan is not appropriate as currently depicted. The landscape plan indicates sporadic landscaping throughout all the perimeter landscape planters. The Las Vegas

Urban Design Guidelines and Standards require that landscape planters adjacent to public rights-of-way shall provide one 24-inch box tree spaced every 20-feet on center with four 5-gallon shrubs provided for every tree. In addition, the Urban Design Guidelines and Standards also require one 24-inch box tree spaced every 30-feet on center with four 5-gallon shrubs in addition to every tree along all interior landscape planters when adjacent to commercial uses. Therefore, staff is recommending a condition requiring the landscape plan be amended to indicate landscaping that is in conformance with the Las Vegas Urban Design Guidelines and Standards.

ELEVATIONS

Staff finds the proposed McDonalds restaurant building depicts an appropriate color scheme and architecture for the predominantly commercial development along Sahara Avenue. However, staff received no elevations for the future retail building 'A,' therefore staff recommends a condition requiring an administrative site development plan review for the building prior to issuance of any building permits for Building 'A.'

SIGNAGE

Staff finds the height of the existing approximately 100-foot tall on-premise advertising sign to be excessive and far out of scale with signage or buildings in the surrounding area. In visiting the site, staff found no other advertising signs within a large radius from the site that were anywhere near as tall as this sign. In addition, staff has found no evidence of any Variance approved that allowed such a sign to be constructed. Therefore, staff is recommending a condition requiring the existing pole sign to be removed. Any proposed signage should be consistent with the current zoning code standards as set forth in Section 19A.14.090. The design of commercial development sites in the past few years have evolved toward moderation in on-premise signage; this site reflects past commercial development where signage competed for inconsistency with surroundings.

In addition, staff finds the existing off-premise sign is not appropriate for this site in that the sign is in the middle of the depicted parking lot, and will contribute to the excessive signage and visual clutter on the site. Staff has found no evidence of any Variances or Special Use Permits that allowed any off-premise advertising (billboard) sign to be constructed. Therefore, staff is recommending a condition requiring the off-premise advertising (billboard) sign to be removed.

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 must affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

   Staff finds the proposed fast food restaurant building design will be compatible with the predominantly commercial development along Sahara Avenue.

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 that the building setbacks, landscape materials and building design will be consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other City plans, policies, and standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic."**

   Staff finds the proposed development will delete a number of old driveways and will implement new driveways that will improve the circulation to and from the site onto adjacent roadways.

4. **"Building and landscape materials are appropriate for the area and for the City."**

   Staff finds the proposed building and landscape materials will be appropriate for the area and for the City, in that the site will have proper building articulation and perimeter buffering.

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 building elevations, design characteristics, and other architectural and aesthetic features will be compatible with the commercial development in the vicinity, with the exception of the existing signage. The building elevations will represent a corporate design that is appropriate in appearance and will foster the creation of an orderly and aesthetically appropriate environment that will be harmonious and compatible with development in the area. Staff finds, however, that the existing pole sign and off-premise sign are undesirable and obnoxious in appearance.

6. **"Appropriate measures taken to secure and protect the public health, safety and general welfare."**

   Staff finds the proposed development will be subject to the Uniform Building Code, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

[At the Planning Commission meeting the applicant objected to two of staff's recommended conditions of approval, requiring removal of an existing off-premise (billboard) sign (Condition No. 4) and removal of an existing approximately 100-foot-tall pole sign (Condition No. 5), both located on the subject property. The applicant expressed the opinion that the removal of either sign will impose a financial hardship on the developer.

The Planning Commission agreed with the applicant regarding removal of the existing off-premise (billboard) sign, because the parcel on which it is located will not be under the developer's ownership, and deleted Condition No. 4 with the motion to recommend approval. The Planning Commission disagreed with the applicant and thereby agreed with staff regarding the Condition requiring removal of the existing pole sign, finding that the pole sign is substantially taller than any other sign in the area, creates an undesirable and obnoxious appearance, and that by retaining the billboard on the site the applicant has created their own sign visibility issue.]

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0059-01 APN: 162-07-101-011

Name of Property Owner: McDonalds Corporation

Name of Applicant: McDonalds Corporation

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

✓ Yes ___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: Richard Truesdell

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Cynthia Levie

Subscribed and sworn before me

This 7 day of September, 2001

Melanie A. Vaughn

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELANIE A. VAUGHN
Appt. No. 96-4048-1
My Appt. Expires July 11, 2004

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0059-01 APN: 162-07-101-012

Name of Property Owner: Rieger 1982 Revocable trust

Name of Applicant: Rieger 1982 Revocable trust

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

X Yes _____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: Richard Tveskov

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Rieger Tlee

Print Name: _____

Subscribed and sworn before me

This 7 day of September, 2001

Melanie A. Vaughn

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELANIE A. VAUGHN
Appt. No. 96-4048-1
My Appt. Expires July 11, 2004

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0059-01 APN: 162-07-101-011, 162-07-101-013

Name of Property Owner: TOSCO CORPORATION

Name of Applicant: McDONALD'S CORPORATION

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

X Yes _____ No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: RIC TRUESDELL

Partner(s): _____ _____

APN: _____

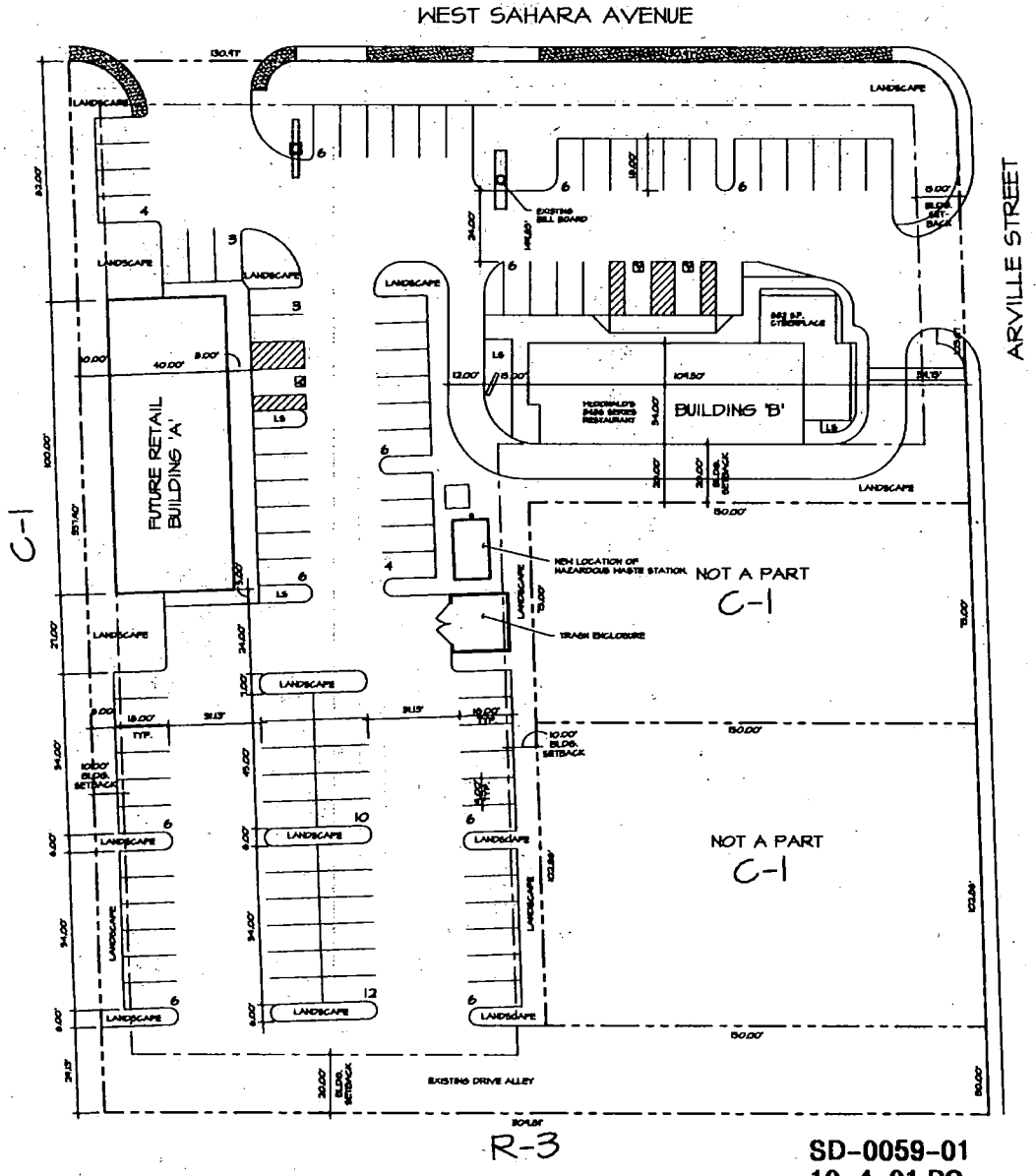
Signature of Property Owner/Authorized Agent: John Gomez
Wesler Architectural Group.

Subscribed and sworn before me

This 4th day of September, 20 01

Sheryl R. Lee
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHERYL R. LEE
Appt. No. 01-68329-1
My Appt. Expires March 2, 2005



CONCEPTUAL SITE PLAN

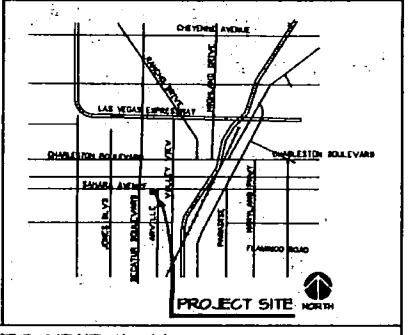
SCALE: 1" = 30'

SD-0059-01
10-4-01 PC
REVISED
STAFF

PROJECT DATA

OWNER/DEVELOPER:	THE McDONALD'S CORPORATION 3050 E. FLAMINGO RD., SUITE 240 LAS VEGAS, NV 89121 (702) 798-3200
A.P.N.	SITE 'A' : 163-07-101-018 SITE 'B' : 163-07-101-022
ZONING:	C-1
OCCUPANCY:	A-3
TYPE OF CONSTRUCTION:	BLDG 'A': V-N, BLDG 'B' : V-B
SITE AREA:	50850 S.F.
BUILDING AREA:	
RETAIL:	4,000 S.F.
RESTAURANT:	3,139 S.F. (MAX. HEIGHT, 18'-0")
PLAYPLACE	863 S.F. (MAX. HEIGHT, 20'-0")
LOT COVERAGE:	8,863 S.F./50,850 S.F. = 18%
PARKING REQUIRED:	
RETAIL	4,000 S.F./500= 14
RESTAURANT	3,139 S.F./100= 32
PLAYPLACE	863 S.F./100= 9
TOTAL	55 SPACES
PARKING PROVIDED:	74 SPACES
OCCUPANT LOAD:	
DINING:	1,145 N.S.F. / 15 = 76
CYBERPLACE:	800 N.S.F. / 15 = 54
OFFICE:	45 N.S.F. / 100 = 1
STORAGE:	628 N.S.F. / 300 = 2
KITCHEN:	1,6 N.S.F. / 200 = 8
TOTAL FOR BLDG 'B'	141
TOTAL BLDG 'A'	4,000 N.S.F. / 30 = 134
FIRE SPRINKLERS:	NO
HEIGHT:	ACTUAL 28'-0" - ALLOWABLE - 40'
STORIES:	ACTUAL - 1 ALLOWABLE - 1
AREA:	ACTUAL - 3,863 S.F. ALLOWABLE - 6000 S.F. X (50 X 1.25)) SEPARATION OK 2 BLDGS = 12,000 S.F.
EXITS:	REQUIRED - 3 PROVIDED - 3
EXTERIOR WALL:	NON- RATED
FIRE RESISTIVE CONST.	NON- RATED

VICINITY MAP



LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR APN NO. 163-07-101-018:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., DESIGNATED AS FOLLOWS:

THE PRINCIPAL OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., DESIGNATED AS FOLLOWS:

BEING THE NORTH 20.00 FEET OF THE NORTH 40.00 FEET OF THE WEST 30.00 FEET OF THE EAST 30.00 FEET OF THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., LAS VEGAS, NEVADA.

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF THE WEST 30.00 FEET OF THE EAST 30.00 FEET OF THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7.

LEGAL DESCRIPTION FOR APN NO. 163-07-101-022:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, AND IS DESCRIBED AS FOLLOWS:

THE NORTH NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., DESIGNATED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°14'00" EAST, AT A RIGHT ANGLE TO THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, A DISTANCE OF 40.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., LAS VEGAS, NEVADA, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°14'00" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF THE NORTH 70.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE SOUTH LINE OF THE NORTH 70.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET;

THENCE NORTH 00°14'00" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE SOUTH LINE OF THE NORTH 40.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET;

THENCE NORTH 00°14'00" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF THE WEST 30.00 FEET OF THE EAST 30.00 FEET OF THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°14'00" EAST, AT A RIGHT ANGLE TO THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, A DISTANCE OF 40.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE SOUTH LINE OF THE NORTH 40.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET;

THENCE NORTH 00°14'00" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF THE NORTH 70.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., ALONG THE SOUTH LINE OF THE NORTH 70.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

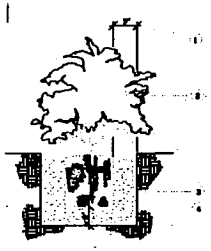
McDONALD'S – ARVILLE ST. & SAHARA AVE.

PROJECT MANAGEMENT

LAS VEGAS, NEVADA 89107 TEL: (702) 878-0000 FAX: (702) 878-4430

CONSTRUCTION USE

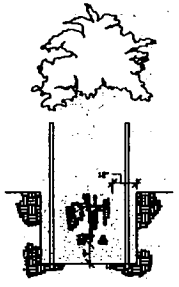
CITY COUNCIL MEETING OF NOVEMBER 7, 2001



1. MINIMUM DIMENSION FOR 5 GAL. PLANTS
2. 3" BASIN
3. ROUGHEN SIDES OF PLANT PIT TO PREVENT GLAZING
4. AGRIFORM TABLETS SEE SPECS. FOR RATIO

BACKFILL PLANT PIT WITH SOIL MIX NOTED IN SPECS.

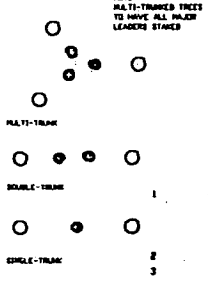
SHRUB PLANTING DETAIL



1. 1/2" RUBBER HOSE WITH #18 WIRE
2. TWO 8' ROUND BY 6' LONG GREEN TREE STAKES BURY 3' BELOW GRADE
3. 3" BASIN
4. GRADE
5. ROUGHEN SIDES OF PLANT PIT TO PREVENT GLAZING
6. AGRIFORM TABLETS

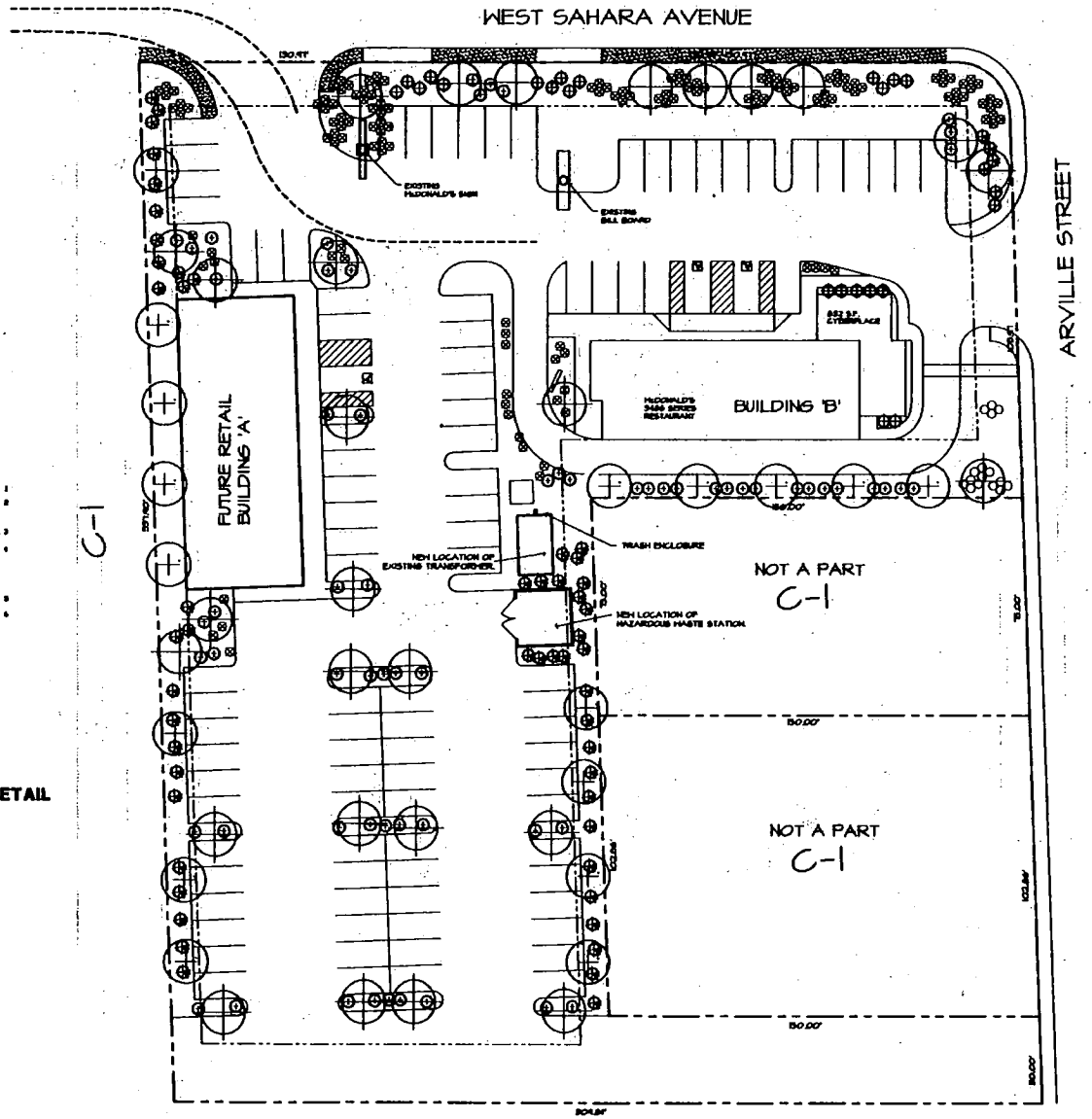
BACKFILL PLANT PIT WITH SOIL MIX NOTED IN SPECS.

DOUBLE STAKING DETAIL



1. NOTCH TURNING LOOP WIRE THROUGH EXPOSED WIRE
2. #18 WIRE RUBBER COATED
3. 1/2" RUBBER HOSE

TREE GUYING DETAIL



LANDSCAPE PLAN

SCALE: 1" = 20'

NORTH

LANDSCAPE LEGEND

LANDSCAPE LEGEND

TREES

- FRAXINUS UNDEI GREEN ASH 24" BOX
- ACACIA SALICINA WILLOW ACACIA 24" BOX

SHRUBS

- LEUCOPHYLLUM FRUTESCENS GREEN CLOUD SAGE 5 GALLON
- CASSIA PHYLLODINA SILVER CASSIA 5 GALLON
- HESPERALOE PARVIFLORA RED YUCCA 5 GALLON

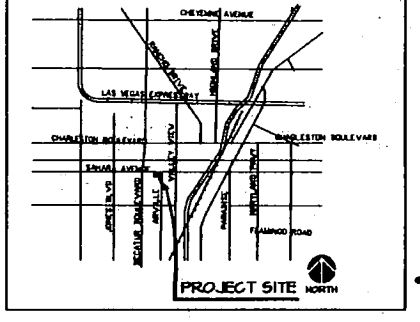
GROUNDCOVERS

- DOROTHEANA BERLANDIERI MEXICAN FIREBUSH 1 GALLON
- CONVOLVULUS CNEORUM DWARF MORNING GLORY 1 GALLON
- 1/2" ROSE MADISON GOLD RECOMPOSED GRANITE 2" DEPTH

LANDSCAPE AREA RATIO

TOTAL SITE AREA:	80,850 S.F.
TOTAL LANDSCAPE AREA:	14172 S.F.
LANDSCAPE AREA RATIO:	14172 S.F./ 80,850 S.F. = 24%

VICINITY MAP



SD-0059-01
10-4-01 PC
REVISED
STAFF

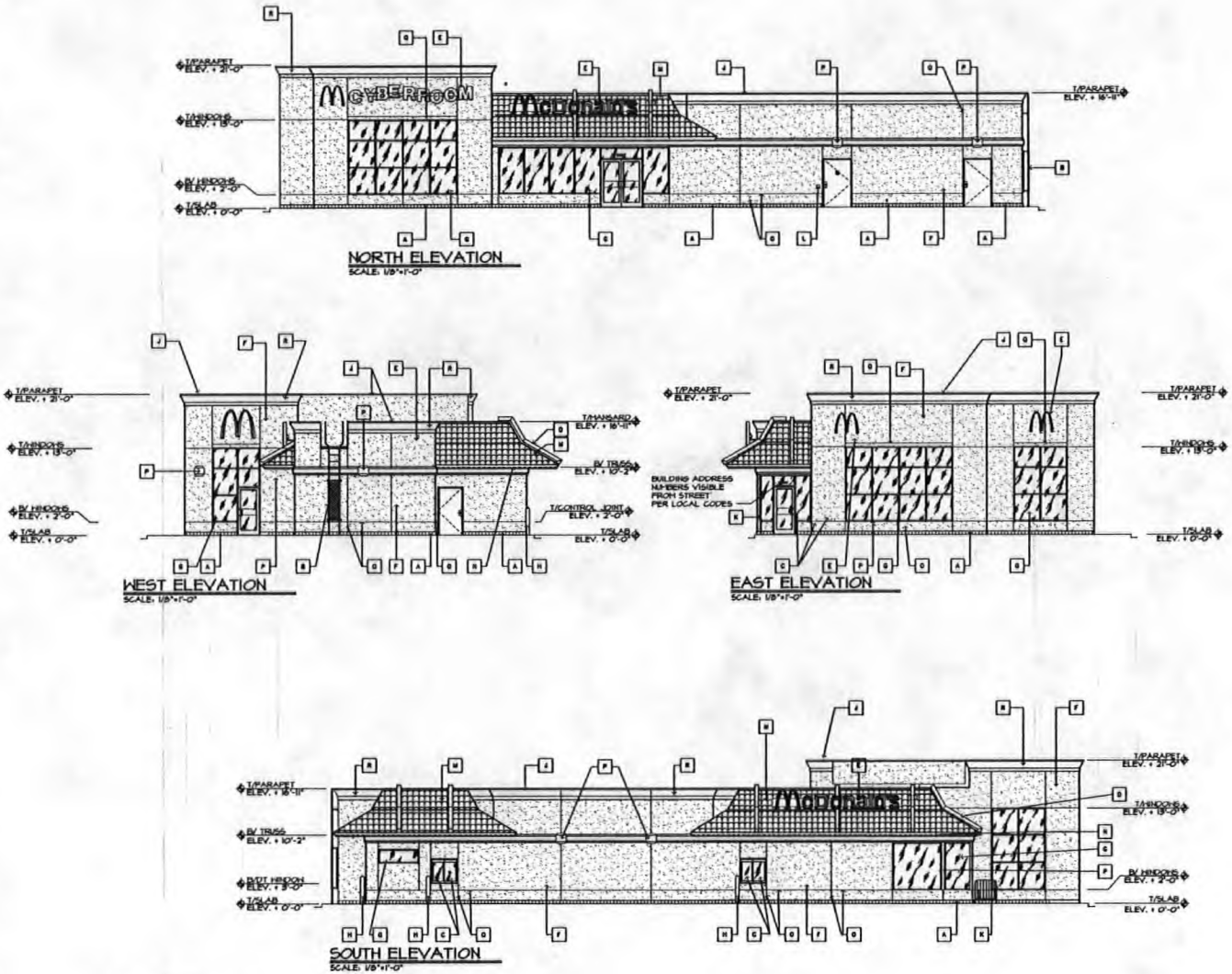
McDONALD'S – ARVILLE ST. & SAHARA AVE.

W E S T A R ARCHITECTURE PLANNING PROJECT MANAGEMENT

LAS VEGAS, NEVADA 89107 TEL: (702) 878-0000 FAX: (702) 878-8430

DRAWN BY: MDS
REVISED BY: JC
PROJECT NUMBER: 2001128

CITY COUNCIL MEETING OF NOVEMBER 7, 2001



KEYNOTES

- A QUARRY TILE BASE TILE COLOR: RED
- B ROOF ACCESS LADDER- PAINT TO MATCH WALL
- C TEMPERED GLASS , TYP. @ PLAYPLCE
- D LIGHT BEAMS
- E McDONALD'S SIGNAGE UNDER SEPARATE PERMIT.
- F EXTERIOR CEMENT PLASTER
- G ALUMINUM STOREFRONT- CLEAR ANODIZED FINISH
- H PIPE BOLLARD
- J GALV. METAL CAP, PAINT TO MATCH CORNICE
- K METAL HANDRAIL - PAINTED RED
- L FILL BOX
- M CONCRETE MISSION STYLE ROOFING TILES COLOR: RED
- N CONTINUOUS FASCIA BOARD COLOR: RED
- O CONTROL JOINT
- P WALL LIGHT
- Q EXTERIOR CEMENT PLASTER ACCENT BAND COLOR: RED
- R CEMENT - PLASTER CORNICE COLOR: RED

SD-0059-01
10-4-01 PC

REVISED
STAFF

McDONALD'S - ARVILLE ST. & SAHARA AVE.

W E S T A R
ARCHITECTURE PLANNING PROJECT MANAGEMENT
LS VEGAS, NEVADA 89107 TEL: (702) 878-0000 FAX: (702) 878-8430
CONSTRUCTION USE

DRAWN BY: MGB
REVIEWED BY: JR
PROJECT NUMBER: 200128

100101ldd
100101psb-JR

SD-0059-01 - CASSU INVESTMENT GROUP LIMITED, ET AL ON BEHALF OF MCDONALD'S CORPORATION - LOCATED ADJACENT TO THE SOUTHWEST CORNER OF THE INTERSECTION OF SAHARA AVENUE AND ARVILLE STREET
OCTOBER 4, 2001 PLANNING COMMISSION

SD-0059-01 - CASSU INVESTMENT GROUP LIMITED, ET AL ON BEHALF OF MCDONALD'S CORPORATION - LOCATED ADJACENT TO THE SOUTHWEST CORNER OF THE INTERSECTION OF SAHARA AVENUE AND ARVILLE STREET
OCTOBER 4, 2001 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 137

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - MAJOR MODIFICATION TO THE PARKWAY CENTER DEVELOPMENT PLAN - PUBLIC HEARING - **Z-0100-97(5) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC.** - Request for a Major Modification to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center, generally located on the southwest corner of Bonneville Avenue and Grand Central Parkway (APN: 139-33-710-001), PD (Planned Development) Zone, Ward 5 (Weekly). Staff has no recommendation for this item. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff has no recommendation for this item. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Attorney Mark Fiorentino submitted a list of changes to conditions for Items 137 [Z-0100-97(5)] and Item 138 [Z-0100-97(6)].
5. Submitted at meeting: A design depicting how the parking stall and landscaping would be completed

MOTION:
WEEKLY – APPROVED subject to conditions, adding the following condition:
- **Article 3.1.9 shall be amended to delete the words "planting area" in the first and second sentences, and to include a new sentence that reads "Curbs that effectively protect landscape areas may be used in lieu of bumper or tire stops." (Per exhibit submitted at City Council hearing).**
- **Article 3.2.4 shall be amended to delete the term "stucco" from the list of prohibited materials.**

And amending the following conditions:

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 137 – Z-0100-97(5)

MOTION – Continued:

1. **This approval replaces the requirement for a Design Review Committee review of the Phase 1 site plan, elevations and landscaping plan. *All street amenities* and the lighting plan for Phase 1 shall be reviewed by the Design Review Committee prior to the issuance of building permits. All site plans, elevations, landscaping plans, signage, street amenities and the lighting plan for Phase 2 and 3 shall be reviewed by the Design review Committee prior to the submittal of (a) Site Development Plan Review application(s) for Phases 2 and/or 3. *A Master Sign Plan for Phase 1 shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for Phase 1.***

2. **The Preamble, and Articles 3.1.4, 3.1.6, 3.2.3.1, 3.2.3.5, 3.2.3.7, 3.3.3, 3.3.8, 3.3.12, 3.3.17, 3.4.5.2, 3.4.5.3, 3.4.5.8, 3.4.5.9, 3.5.3, 3.5.5.3, 3.6.6.1, *and* 3.6.6.4 shall remain as written. *If the related Site Development Plan Review application [Z-0100-97(6)] is approved, Articles 3.2.3.2, 3.2.3.4 shall be amended as requested subject to Planning and Development Department approval of Phase 1 and subject to a Design Review Committee review of Phases 2 and 3. Article 3.5.2 shall be amended as requested except that pole signs shall not be allowed.***

9. **Article 3.2.3.2 shall be amended to include panelized E.I.F.S., *manufactured stone veneer, fabric shade structures and exterior 'planton' within the list of approved materials.***

12. **Article 3.3.13 shall be amended as follows: All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view on all sides using materials and colors compatible with the building architecture *per elevations dated October 31, 2001.* All mechanical equipment including, but not limited to, roof mounted equipment on buildings less than five stories in height must also be screened *or blended with the building architecture* from the top using materials and colors compatible with the building architecture. The applicant may apply for a review of this requirement by the Planning Commission who may modify the requirement upon *approval of project specific elevations.***

– UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 137 – Z-0100-97(5)

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared on behalf of Chelsea Property Group, together with MARK SILVESTRI. ATTORNEY FIORENTINO thanked the City Council for granting him the opportunity to resolve design issues regarding the proposed project and thanked Planning staff for their help as well. He presented an elevation of the project that highlighted changes made to the project design after it went before the Planning Commission. The changes address concerns raised by staff, the Mayor and Council. ATTORNEY FIORENTINO distributed a list of changes to the conditions imposed by the Planning Commission that would facilitate the changes made to the plans. He also submitted a design depicting how the parking stall and landscape would be completed.

COUNCILMAN MACK commended the Chelsea Group for bringing forward this project, especially after the slow down in the economy due to the September 11, 2001 tragedy.

COUNCILMAN WEEKLY thanked the Chelsea Group for addressing his concerns. He is very excited about this project, but expressed disappointment for not having been given the opportunity to see the final product. He would like to see projects proposed for Ward 5 before they come before the City Council. ATTORNEY FIORENTINO apologized for the oversight.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: All discussion pertaining to Item 137 [Z-0100-97(5)] and Item 138 [Z-0100-97(6)] took place under Item 137 [Z-0100-97(5)].

(4:17 – 4:23)

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 137 – Z-0100-97(5)

CONDITIONS:

Planning and Development

1. This approval replaces the requirement for a Design Review Committee review of the Phase 1 site plan, elevations and landscaping plan. All signage, street amenities and the lighting plan for Phase I shall be reviewed by the Design Review Committee prior to the issuance of building permits. All site plans, elevations, landscaping plans, signage, street amenities and the lighting plan for Phases 2 and 3 shall be reviewed by the Design Review Committee prior to the submittal of (a) Site Development Plan Review application(s) for Phases 2 and/or 3.

2. The Preamble, and Articles 3.1.4, 3.1.6, 3.1.9, 3.2.3.1, 3.2.3.4 3.2.3.5, 3.2.3.7, 3.2.4, 3.3.3, 3.3.8, 3.3.12, 3.3.17, 3.4.5.1, 3.4.5.2, 3.4.5.3, 3.4.5.8, 3.4.5.9, 3.5.3, 3.5.5.3, 3.6.6.1, and 3.6.6.4 shall remain as written.

3. Articles 3.1.3, 3.11.3, 3.3.1, 3.3.2, 3.3.7, 3.3.9, 3.3.10, 3.4.1.2, 3.4.1.3, 3.4.1.4, 3.4.1.5, 3.4.1.6, 3.4.1.7, 3.4.2, 3.5.4.1, 3.5.4.2, 3.5.4.3, 3.5.5.4, 3.6.1.3, 3.6.3.2, 3.6.3.4, and 3.6.4.2, are hereby deleted if the related Site Development Plan Review application [Z-0100-97(6)] is approved.

4. If the related Site Development Plan Review application [Z-0100-97(6)] is approved, the applicant shall include within the Parkway Center Standards Article 1.4 a site plan which reflects all final conditions of approval

5. The applicant shall include within the proposed revisions to Article 1 General Provision 1.4.1 and 1.5.1 methods to encourage pedestrian traffic between the subject site and surrounding parcels.

6. Article 2.1 shall be amended as follows: to allow hotels on any portion of the site and to allow new billboards subject to a review by the Planning Commission and the Design Review Committee. Existing "interim" billboards remain subject to review and possible removal upon development of a parcel.

7. Article 2.2 shall be amended to include new/used Auto Sales as a prohibited use.

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 137 – Z-0100-97(5)

CONDITIONS – Continued:

8. Article 2.3 shall be amended as follows: No temporary buildings or other temporary structures shall be permitted on any building site-, provided, however, attractive and well landscaped trailers, temporary buildings and the like shall be permitted for construction and leasing purposes. Such structures shall be placed as inconspicuously as practicable, shall cause no inconvenience to owners or occupants or other building sites, and shall be removed not later than sixty (60) days after the date of substantial completion for the beneficial occupancy of the building(s) in connection with which the temporary structure was used.

9. Article 3.2.3.2 shall be amended to include panelized E.I.F.S. and fabric shade structures within the list of approved materials. Stone Aggregate Panels shall remain a prohibited material.

10. Article 3.2.3.6. shall be amended as follows if the related Site Development Plan Review application [Z-0100-97(6)] is approved:

    Stone materials shall be used at a minimum as follows:

    Single story building - Refer to proposed building elevations for Phase 1.

    Two (2) through five (5) story buildings: Stone cladding or stone and glass system shall be used to a height of not less than sixteen feet (16') above finish floor or two feet (2') below the second story windowsill.

    Buildings taller than five (5) stories: Stone cladding or stone and glass system shall be used to a height of not less than two feet (2') below the third windowsill.

    This standard is not to preclude the use of more stone than the minimum.

11. Article 3.2.3.9. shall be amended as follows if the related Site Development Plan Review application [Z-0100-97(6)] is approved: Changes in an articulated roofline, cornice elevation and/or massing is strongly encouraged.

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 137 – Z-0100-97(5)

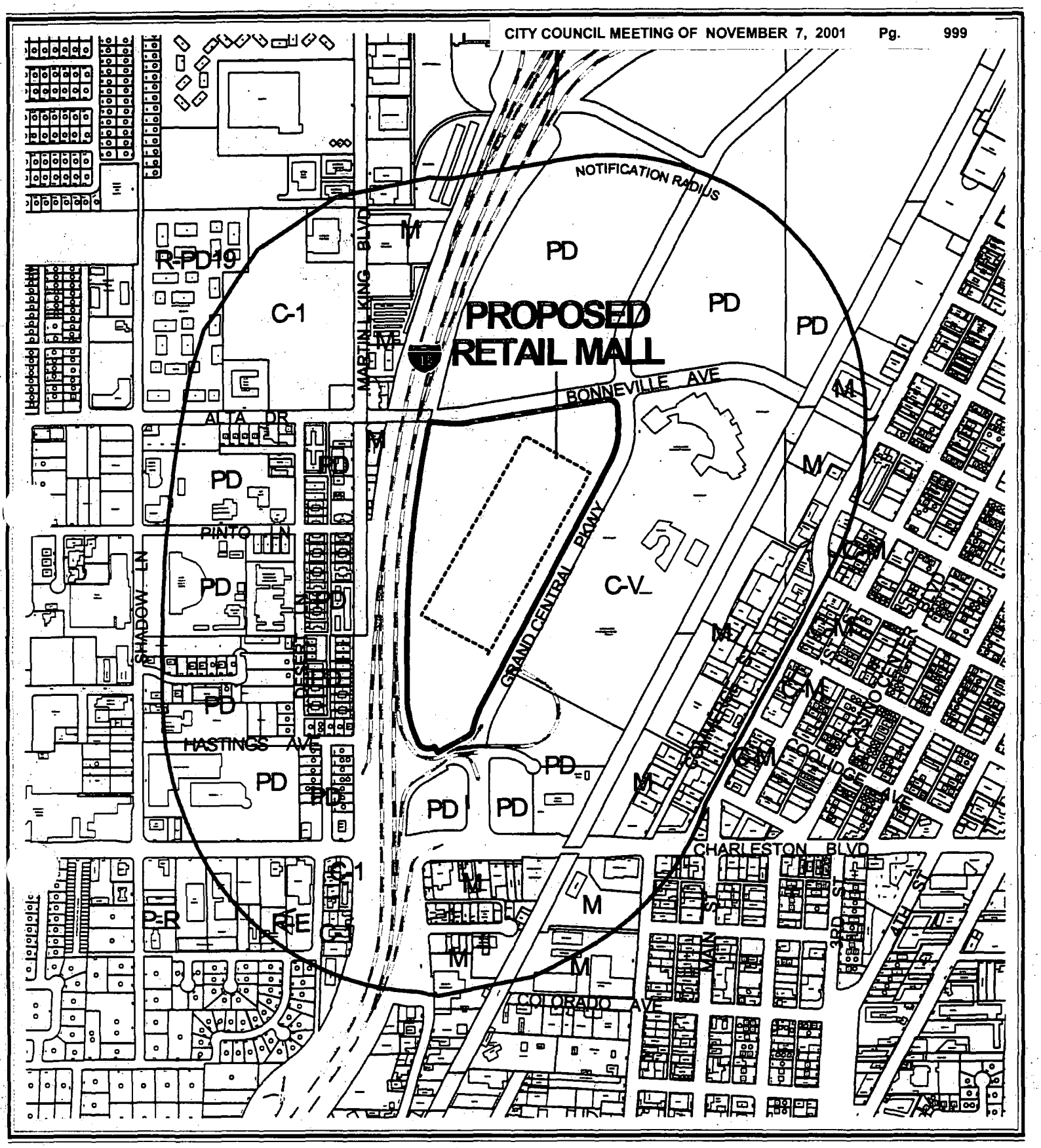
CONDITIONS – Continued:

12. Article 3.3.13 shall be amended as follows: All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view on all sides using materials and colors compatible with the building architecture. All mechanical equipment including, but not limited to, roof mounted equipment on buildings less than five stories in height must also be screened from the top using materials and colors compatible with the building architecture. The applicant may apply for a review of this requirement by the Planning Commission who may modify the requirement upon a finding that compliance constitutes an unreasonable hardship.

13. Article 3.3.16 shall be amended as follows: All utility lines shall be placed underground. No transformer, electric, gas, water, or other meter of any type or other apparatus shall be located on any power pole. Apparatus may be hung on the outside of any building if it is adequately screened from view. Meters may be placed on or below the soil surface, and where so placed, shall be adequately screened from view.

14. The applicants proposed Article 3.5.1.a. Phase 1 Sign Program shall be adopted subject to the following amendments: a staff review of appropriate heights for project improvement signs (subsection A) and a time limit for temporary project announcement signs (subsection K).

15. Article 3.5.3.1 shall be amended to delete billboards from the list of prohibited uses.



0 700 1400 Feet

CASE: Z-0100-97(5)

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - Z-0100-97(5) - Union Pacific Railroad Company on behalf of Chelsea Property Group, Inc.

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff has no recommendation for this item.

The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval replaces the requirement for a Design Review Committee review of the Phase 1 site plan, elevations and landscaping plan. All signage, street amenities and the lighting plan for Phase I shall be reviewed by the Design Review Committee prior to the issuance of building permits. All site plans, elevations, landscaping plans, signage, street amenities and the lighting plan for Phases 2 and 3 shall be reviewed by the Design Review Committee prior to the submittal of (a) Site Development Plan Review application(s) for Phases 2 and/or 3.

2. The Preamble, and Articles 3.1.4, 3.1.6, 3.1.9, 3.2.3.1, 3.2.3.4 3.2.3.5, 3.2.3.7, 3.2.4, 3.3.3, 3.3.8, 3.3.12, 3.3.17, 3.4.5.1, 3.4.5.2, 3.4.5.3, 3.4.5.8, 3.4.5.9, 3.5.3, 3.5.5.3, 3.6.6.1, and 3.6.6.4 shall remain as written.

3. Articles 3.1.3, 3.11.3, 3.3.1, 3.3.2, 3.3.7, 3.3.9, 3.3.10, 3.4.1.2, 3.4.1.3, 3.4.1.4, 3.4.1.5, 3.4.1.6, 3.4.1.7, 3.4.2, 3.5.4.1, 3.5.4.2, 3.5.4.3, 3.5.5.4, 3.6.1.3, 3.6.3.2, 3.6.3.4, and 3.6.4.2, are hereby deleted if the related Site Development Plan Review application [Z-0100-97(6)] is approved.

4. If the related Site Development Plan Review application [Z-0100-97(6)] is approved, the applicant shall include within the Parkway Center Standards Article 1.4 a site plan which reflects all final conditions of approval

5. The applicant shall include within the proposed revisions to Article 1 General Provision 1.4.1 and 1.5.1 methods to encourage pedestrian traffic between the subject site and surrounding parcels.

6. Article 2.1 shall be amended as follows: to allow hotels on any portion of the site and to allow new billboards subject to a review by the Planning Commission and the Design Review Committee. Existing "interim" billboards remain subject to review and possible removal upon development of a parcel.

7. Article 2.2 shall be amended to include new/used Auto Sales as a prohibited use.

8. Article 2.3 shall be amended as follows: No temporary buildings or other temporary structures shall be permitted on any building site-, provided, however, attractive and well landscaped trailers, temporary buildings and the like shall be permitted for construction and leasing purposes. Such structures shall be placed as inconspicuously as practicable, shall cause no inconvenience to owners or occupants or other building sites, and shall be removed not later than **sixty (60)** days after the date of substantial completion for the beneficial occupancy of the building(s) in connection with which the temporary structure was used.

9. Article 3.2.3.2 shall be amended to include panelized E.I.F.S. and fabric shade structures within the list of approved materials. Stone Aggregate Panels shall remain a prohibited material.

10. Article 3.2.3.6. shall be amended as follows if the related Site Development Plan Review application [Z-0100-97(6)] is approved:

    Stone materials shall be used at a minimum as follows:

    Single story building - Refer to proposed building elevations for Phase 1.

    Two (2) through five (5) story buildings: Stone cladding or stone and glass system shall be used to a height of not less than sixteen feet (16') above finish floor or two feet (2') below the second story windowsill.

    Buildings taller than five (5) stories: Stone cladding or stone and glass system shall be used to a height of not less than two feet (2') below the third windowsill.

    This standard is not to preclude the use of more stone than the minimum.

11. Article 3.2.3.9. shall be amended as follows if the related Site Development Plan Review application [Z-0100-97(6)] is approved: Changes in an articulated roofline, cornice elevation and/or massing is strongly encouraged.

12. Article 3.3.13 shall be amended as follows: All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view on all sides using materials and colors compatible with the building architecture. All mechanical equipment including, but not limited to, roof mounted equipment on buildings less than five stories in height must also be screened from the top using materials and colors compatible with the building architecture. The applicant may apply for a review of this requirement by the Planning Commission who may modify the requirement upon a finding that compliance constitutes an unreasonable hardship.

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14. The applicants proposed Article 3.5.1.a. Phase 1 Sign Program shall be adopted subject to the following amendments: a staff review of appropriate heights for project improvement signs (subsection A) and a time limit for temporary project announcement signs (subsection K).

15. Article 3.5.3.1 shall be amended to delete billboards from the list of prohibited uses.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Major Modification to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center, generally located on the southwest corner of Bonneville Avenue and Grand Central Parkway

BACKGROUND DATA

03/05/80 The City Council approved a Redevelopment Plan for this site as part of the larger downtown area.

01/22/86 The City Council approved a legal description of the Downtown Redevelopment Area including this site as part of a larger area.

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) for this site as part of an action on a 222-acre site including the subject site. The approval was subject to conditions, including a requirement that a Master Development Plan and Development Standards be approved by the Planning Commission in conjunction with submittal of a Site Development Plan Review for any part of the larger site.

06/14/99 The City Council approved a Site Development Plan Review and Site Development Standards for Lot 1 [Z-0100-97(1)], the subject parcel.

07/05/00 The City Council approved the Las Vegas Downtown Centennial Plan. The subject site is within the designated Arts District.

02/07/01 The City Council approved a Required Review [Z-0100-97(2)] of 13 existing off-premise advertising (billboard) signs on the larger site including the subject site.

05/16/01 The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a 1,000,000-square-foot Furniture Mart on the adjacent parcel at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway.

08/09/01 The Planning Commission voted to recommend approval of a related Major Modification [Z-0100-97(4)] to the Parkway Center Master Plan to add allowable uses to the Master Plan, and a related Site Development Plan Review [Z-0100-97(6)].

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	PD (Planned Development)	Undeveloped
South	PD (Planned Development)	Undeveloped
East	PD (Planned Development)	Clark County Government
West	Right-of-Way	Highway (Interstate 15)

DETAILS OF APPLICATION REQUEST

The applicant is requesting to amend the Site Development Standards for Lot 1 of Parkway Center. The amendments are as follows.

PREAMBLE

Existing

Parkway Center: The former Union Pacific railyards site to the west of the Office Core District has been rezoned to Planned Development (PD), from its former Industrial (M) zone. The development of the property anticipates a variety of land uses which could include office towers; hotels; convention and arena facilities, retail, residential, cultural, and mixed uses. Clark County will also continue to expand its government services campus. Pedestrian linkages to the Fremont Street Experience and the Office Core will be very important. Within financially realistic limits, Parkway Center must strive to function as a natural extension of the existing downtown to enhance the businesses that already exist there. A tremendous opportunity is now emerging to develop an intermodal transportation center that would link together the fixed guideway, the Transrapid high speed train, and the CAT bus system with other existing forms of transportation. Such a station could also serve as a bridge between the Fremont Street Experience or the Office Core and Parkway Center.

These Site Development Standards are specific to the Master Development Plan for Lot 1. As each sequential lot is master planned, these general overall Site Development Standards described herein will prevail, but will be more specifically detailed for that lot proposal at that time, if required.

A Design Review Committee (DRC) is established as part of the Parkway Center development. The purpose of the DRC is to review all improvement plans and provide for an approval process that will ensure compliance with the overall Master Plan and with the Site Development Standards. The DRC will follow established plan review procedures and processes and will require submittal of specific information and drawings as part of the official review procedure. This Design Review Committee procedure and check list can be obtained from the Master Developer.

The Design Review Committee will be comprised of a representative of the Owner and representatives from Public Works, Planning and Fire Departments of the City of Las Vegas.

Proposed

Parkway Center: The former Union Pacific rail yards site to the west of the Office Core District has been rezoned the Planned Development (PD), from its former Industrial (M) zone. The development of the property anticipates a variety of land uses which could include office towers; hotels; convention and arena facilities, retail, residential, cultural, and mixed uses. Clark County will also continue to expand its government services campus. Pedestrian linkages to the Fremont Street Experience and the Office Core will be very important. Within financially realistic limits, Parkway Center must strive to function as a natural extension of the existing downtown to enhance the businesses that already exist there. A tremendous opportunity is now emerging to develop an intermodal transportation center that would link together the fixed guideway, the Transrapid high-speed train, and the CAT bus system with other existing forms of transportation. Such a station could also serve as a bridge between the Fremont Street Experience or the Office Core and Parkway Center.

These Site Development Standards are specific to the Master Development Plan for Lot 1. The development for Lot I is planned for three phases of development.

FINDINGS

The applicant is proposing to delete those portions of the pre-amble which create a Design Review Committee (DRC) and which require the DRC to review all development plans proposed for the subject site. Staff acknowledges that the site, landscaping and elevation plans for Phase I appear to be in compliance with the intent of the Parkway Center Development Standards, and therefore staff is not recommending that those plans go through a DRC Review. However, the applicant has not suggested an alternative method to ensure that the development plans for Phases II and III, as well as the signage, street amenities and the lighting plan for Phase I, meet the requirements of the Master Development Plan for Lot 1 of Parkway Center and are compatible with Phase 1.

In staff's opinion, the DRC or similar reviewing and recommending body is the most appropriate way to ensure compatibility between all three phases of the this development, and staff therefore recommends a condition that deletes the requirement for a Design Review Committee review of the Phase 1 site plan, elevations and landscaping plan while requiring that all signage, street amenities and the lighting plan for Phase I be reviewed by the Design Review Committee prior to the issuance of building permits, and that all site plans, elevations, landscaping plans, signage, street amenities and the lighting plan for Phases 2 and 3 shall be reviewed by the Design Review Committee prior to the submittal of (a) Site Development Plan Review application(s) for Phases 2 and/or 3.

ARTICLE 1 GENERAL PROVISION 1.4 LOT 1 MASTER DEVELOPMENT PLAN

Existing

The site plan depicts the retail/office uses that were proposed when the Master Development Plan was approved.

Proposed

The applicant proposes to revise the Master Development Plan to include a site plan that depicts a retail mall. The new plan is the subject of a related Site Development Plan Review application [Z-0100-97(6)].

FINDINGS

If the related Site Development Plan Review application [Z-0100-97(6)] is approved, staff finds it is appropriate to include a site plan that reflects all final conditions of approval as the Master Development Plan.

ARTICLE 1 GENERAL PROVISION 1.4.1

Existing

The goal of the Lot 1 master plan is to create a master planned environment for approximately 1.5 million square feet of office development. Utilizing an office block concept that establishes an "Urban Street" walking experience, ten parcels will be developed to allow sequential completion into a mixed-use complex of increasing density. Commercial and/or small retail pods are combined with off-ice towers to line an internal urban street, labeled "Union Drive." A future high rise hotel/office/retail shopping plaza, or even a new Las Vegas Performing Arts Complex could provide the north terminus on Parcel 7B. Linkages across to adjacent lots to the north, and to the Clark County Complex on the east will also be encouraged. Opportunity exists to combine parcels subject to corporate headquarters or similar project proposals.

Proposed

The goal of the Lot 1 master plan is to create a master planned environment for a Retail Outlet Center, high-rise office, residential and hotel development. Linkages across to adjacent lots to the north, and to the Clark County Complex on the east will also be encouraged.

ARTICLE 1 GENERAL PROVISION 1.5.1

Existing

The goal of each parcel in Lot 1 is to not only provide a financially beneficial facility development, but to also contribute to the greater aesthetic and spatial definition of the urban experience along Union Drive. Mandatory build-to-zones, bypass entry plaza zones, 15 ft. wide sidewalk cafe zones, 25ft. wide service drive/utility easement along one side yard, a connecting service road bypass along the rear yard, and garden zones separating parking from office buildings shall be required for each parcel.

Side yard building setbacks are to be coordinated between parcel developers, but must meet all codes, and will require final approval by the Design Review Committee.

The Low-Rise C & R Buildings (Parcel B-8, B-9 & B- 10) are envisioned as commercial and/or unique retail functions that basically set in a park-like environment, and form the sidewalk edge along Union Drive. These buildings will be limited to two-stories in height and will receive careful attention from the Design Review Committee. A 15 ft. sidewalk cafe zone is encouraged along Union Drive between the pedestrian walkway and the C & R Buildings to enrich the street experience.

The defined build-to-zones and flexible setback lines allow latitude for facility layout and design. Special attention must be given to service access, service screening, and the potential for a second exit way. Seventy five percent (75%) of the front face (parallel with Union Drive) is to be located within the 30 ft. wide build-to-zone."

Interconnected pathways are encouraged between parcels and adjacent properties.

Proposed

Each phase of development shall be designed to conform to the Lot I Master Redevelopment Plan. Phase One shall consist of a single story Retail Outlet Center. Future development for Phase Two and Phase Three strongly encourages high-density office, retail, residential and hotel development. Interconnected pathways are also encouraged between adjacent parcels.

FINDINGS

The existing provision of Article 1.4.1 suggests that a hotel or a performing arts complex could be placed in the east portion of the site to provide a terminus to an urban walking experience. The purpose of this suggestion is to promote pedestrian traffic between the subject site and surrounding parcels.

The mandatory build-to-zones, bypass entry plaza zones, sidewalk cafe zones, and garden zones contained within the existing provision of Article 1.5.1 are intended to encourage pedestrian interaction between the subject site and adjacent parcels.

Staff notes that the applicant's revisions to these two articles do not suggest methods to promote a pedestrian cross-traffic. If this request is approved, staff recommends a condition that requires the applicant to address this issue as part of the proposed revisions.

ARTICLE II USE OF PROPERTY 2.1

Existing

The existing development standard allows hotels only on one parcel of the overall site, and allows only existing interim billboard signs. The interim billboards are to be removed as development of the site occurs.

Proposed

The applicants proposed revision would allow a hotel on any portion of the site, would allow the existing interim billboards to continue, and would also allow new billboard signs on the property.

FINDINGS

Staff recommends a revision to allow a hotel use on any portion of the site.

Staff notes that a condition of approval of the original rezoning application for this site prohibited new billboards, and allowed the existing billboards to remain subject to removal at such time as the property is developed. In staff's opinion, the continuation of existing billboard structures upon development of this commercial project is not compatible with the architectural character of the proposed mall, and is not harmonious with the pedestrian-friendly environment envisioned by the Parkway Center Design Standards. Staff recommends denial of this portion of the request.

Staff notes that applicants proposed revisions would allow new billboards. Staff finds that a new-built off-premise signage use can be compatible with the proposed development, subject to aesthetic enhancement of supporting structures. Therefore, in order to ensure that future billboard uses are as compatible as possible with the design standards of the Parkway Center Master Planned Development, staff recommends a condition that requires a Design Review Committee and Planning Commission review of all proposed billboards prior to the issuance of sign permits.

ARTICLE II USE OF PROPERTY (Prohibited Uses) 2.2

Existing

The following uses shall be prohibited on the property:

Trailer Parks and RV Camps;
Transient Sales Lots;
Rental Storage Businesses, with outdoor storage;
Contractors Plant, Shop and Storage Yard;
Construction Materials and Supply Yards
Auto Repair Garages

Asphalt and Concrete Batch Plants
Environmentally Hazardous Materials
Salvage or Reclamation Yards
Landfill
LPG Installation
Outside Storage
Trucking Company
Heavy Manufacturing,
Towing and Impound Yards
Cold Storage Plants
Wholesale Distribution Centers
Sexually Oriented Businesses
Animal Care Facilities

Proposed

2.2 Additional prohibited uses include: new/used Auto Sales.

FINDINGS

Staff finds auto sales would be in conflict with the intent of the Downtown Development Plans and recommends approval of this portion of the requested amendment.

ARTICLE II USE OF PROPERTY (Temporary Structures) 2.3

Existing

Temporary Structures.

No temporary buildings or other temporary structures shall be permitted on any building site; provided, however, attractive and well landscaped trailers, temporary buildings and the like shall be permitted for construction and leasing purposes. Such structures shall be placed as inconspicuously as practicable, shall cause no inconvenience to owners or occupants or other building sites, and shall be removed not later the **thirty (30)** days after the date Of Substantial completion for beneficial occupancy of the building(s) in connection with which the temporary structure was used. **The location and type of temporary structures shall be approved by the Design Review Committee.**

Proposed

No temporary buildings or other temporary structures shall be permitted on any building site-, provided, however, attractive and well landscaped trailers, temporary buildings and the like shall be permitted for construction and leasing purposes. Such structures shall be placed as inconspicuously as practicable, shall cause no inconvenience to owners or occupants or other building sites, and shall be removed not later than **sixty (60)** days after the date of substantial completion for the beneficial occupancy of the building(s) in connection with which the temporary structure was used.

FINDINGS

The first of the applicants proposed amendments to this section extends from 30 to 60 days the length of time that a temporary structure can remain upon site after completion of the permanent structure. The second amendment deletes the requirement that temporary structures be approved by the Design Review Committee. Staff finds the revisions are minor in nature and recommends approval of this portion of the requested amendment.

ARTICLE III DEVELOPMENT STANDARDS 3.1 PARKING STANDARDS

Existing

3.1.3 All vehicular paving surfaces within the right-of-way of Union Drive shall be concrete. All other paved surfaces are to be either concrete or asphalt paving.

Proposed

3.1.3 The applicant proposes to delete this requirement as Union Drive is removed from the development plans.

FINDINGS

The site plan proposed under Z-0100-97 (6) excludes a through-drive in the location of Union Drive, and if Z-0100-97 (6) is approved, staff recommends approval of this portion of the requested amendment.

Existing

3.1.4 Parking areas shall be separated from buildings through surface treatment variations, such as landscape buffers, and/or by grade separation. Parking spaces that directly abut buildings shall be prohibited.

Proposed

3.1.4 Parking spaces that directly abut buildings shall be prohibited.

FINDINGS

Because the applicant's revision to this article does not suggest methods to encourage aesthetic enhancement of parking areas, staff recommends denial of this portion of the requested amendment.

Existing

3.1.6 Parking lots facing public streets, major pedestrian walkways, or plazas and open space shall incorporate a minimum eight-foot (8') landscaped setback along the entire length of visual exposure.

Proposed

3.1.6 Parking lots facing public streets, major pedestrian walkways, shall incorporate a minimum eight-foot (8') landscaped setback along the entire length of visual exposure.

FINDINGS

Staff finds that the minimum eight-foot (8') landscaped setback is necessary to create a separation between pedestrian and traffic areas and therefore recommends denial of this portion of the requested amendment.

Existing

3.1.9 Bumpers or tire stops shall be provided in all parking stalls heading into a sidewalk, planting area, street or alley. They shall be installed at a minimum of two feet from the beginning of the sidewalk, planting area, street, or alley in order to effectively protect walkways, landscaping and signage.

Proposed

3.1.9 The applicant proposes to delete this requirement.

FINDINGS

Staff finds that the setback is necessary for pedestrian safety and therefore recommends denial of this portion of the requested amendment.

Existing

3.1.13 Parking cannot occur in designated garden/entry plaza/sidewalk cafe spaces, park areas, or landscaped areas, as described in the Typical Parcel Layout Plan/Graphic 1.5

Proposed

3.1.13 Parking cannot occur in designated garden/entry plaza/sidewalk cafe spaces, park areas, or landscaped areas.

FINDINGS

If the revised Site Development Plan Review [Z-0100-97 (6)] is approved, staff finds the request is appropriate and recommends approval of this portion of the requested amendment.

ARTICLE III DEVELOPMENT STANDARDS 3.2 ARCHITECTURAL DESIGN STANDARDS

Existing

3.2.3.1 The exterior materials of all buildings shall contribute to a cohesive physical environment and shall convey a sense of permanence and continuity. The intent of this standard is not to restrict creative expression or innovation, but rather to establish essential minimum standards.

Proposed

3.2.3.1 The exterior materials of all buildings shall contribute to a cohesive physical environment and shall convey a sense of permanence and continuity. The intent of this standard is not to restrict creative expression or innovation.

FINDINGS

Staff notes that the proposed revision does not suggest other methods to encourage quality development, which would, in staff's opinion, motivate design considerations to be based largely on cost. Therefore, staff recommends denial of this portion of the requested amendment.

Existing

3.2.3.2 Materials and colors shall be within the recommended palette of pre-selected materials and colors specified below

Materials:
Stone
Masonry
Metals
Glass
Concrete
Panelized E.I.F.S

Proposed

The applicant is proposing to include stone aggregate panel, panelized E.I.F.S. and fabric shade structures within the list of approved materials.

FINDINGS

Staff finds that panelized E.I.F.S. and fabric shade structures can be architecturally compatible with the intent of the Parkway Center Development Standards if subject to review by the Planning and Development Department staff for Phase I. Staff therefore recommends approval of this portion of the requested amendment.

Existing

3.2.3.4 E.I.F.S. materials (Exterior Insulating & Finishing System) should not be used on exterior wall surfaces below fifteen feet (15') or the second floor window sill, whichever is greater, subject to Design Review Committee approval.

Proposed

The applicant proposes to delete this requirement.

FINDINGS

Staff finds that a deletion of this condition is appropriate in regard to the single-story development proposed. Staff recommends approval of this portion of the requested amendment.

Existing

3.2.3.5 Samples of all primary exterior materials shall be submitted to the Design Review Committee for approval.

Proposed

The applicant is requesting that this requirement be deleted because they are also requesting the elimination of the Design Review Committee (DRC).

FINDINGS

Staff finds that the DRC or similar reviewing and recommending body is the most appropriate way to ensure that all primary exterior materials are compatible with the Master Development Plan for Lot 1 of Parkway Center, and recommends denial of this portion of the requested amendment.

Existing

3.2.3.6 Stone materials shall be used at a minimum as follows:

> One (1) through five (5) story buildings: Stone cladding or stone and glass system shall be used to a height of not less than sixteen feet (16') above finish floor or two feet (2') below the second story window sill.
>
> Buildings taller than five (5) stories: Stone cladding or stone and glass system shall be used to a height of not less than two feet (2') below the third story window sill.
>
> This standard is not to preclude the use of more stone than the minimum.

Proposed

3.2.3.6 Stone materials shall be used at a minimum as follows:

> Single story building - Refer to proposed building elevations for Phase 1.
>
> Two (2) through five (5) story buildings: Stone cladding or stone and glass system shall be used to a height of not less than sixteen feet (16') above finish floor or two feet (2') below the second story windowsill.
>
> Buildings taller than five (5) stories: Stone cladding or stone and glass system shall be used to a height of not less than two feet (2') below the third windowsill.
>
> This standard is not to preclude the use of more stone than the minimum.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds it is appropriate that any stone exterior treatments of future buildings match that approval. Therefore, staff recommends approval of this amendment.

Existing

3.2.3.7 The use of high performance glass is encouraged.

Proposed

3.2.3.7 The use of high performance glass is encouraged on future office development.

FINDINGS

Staff finds that a modification of this condition could result in an overuse of non-high performance glass, which could be aesthetically unappealing. Staff recommends denial of this portion of the requested amendment.

Existing

3.2.3.9 The use of an articulated roofline or cornice is strongly encouraged.

Proposed

3.2.3.9 Changes in an articulated roofline, cornice elevation and/or massing is strongly encouraged.

FINDINGS

Staff finds the revision is minor in nature and recommends approval of this portion of the requested amendment.

Existing

3.2.4 Prohibited Materials. The use of the following materials is prohibited on building exteriors:

Mirrored glass or dark tinted glass at the ground level
Wood and asphalt shingles
Log cabin look or wood facades
Corrugated Fiberglass
Stucco
Tilt-up concrete
Plastic laminate
Ceramic tile as main finish material

Proposed

The applicant proposes to delete stucco and tilt-up concrete from the list of prohibited materials.

FINDINGS

Staff finds that a modification of this condition could result in an overuse of aesthetically inappropriate materials for development in this area, and that the attempt to expand the locations where these materials are permitted material is based on cost. Therefore, staff recommends denial of this portion of the requested amendment.

ARTICLE III DEVELOPMENT STANDARDS 3.3 PHYSICAL DESIGN STANDARDS

Existing

3.3.1 Seventy-five percent (75%) of the office building streetwall shall fall within the designated build-to-zone, and shall be parallel to Union Drive. Setback requirements may be waived for buildings that enhance the pedestrian environment through the provision of other pedestrian or civic amenities such as: plazas, courtyards, landscape features, public entries, shade devices, cafes, etc., per approval of the Design Review Committee.

Proposed

3.3.1 The applicant proposes to delete this requirement as Union Drive is removed from the development plans.

FINDINGS

Staff recommends approval of this portion of the amendment if the related Site Development Plan Review [Z-0100-97 (6)] is approved.

Existing

3.3.2 To encourage intensified pedestrian usage, and urban-life along Union Drive, all primary building entries are to face Union Drive or the South entry plazas.

Proposed

3.3.2 The applicant proposes to delete this requirement as Union Drive is removed from the development plans.

FINDINGS

Staff recommends approval of this portion of the amendment if the related Site Development Plan Review [Z-0100-97 (6)] is approved.

Existing

3.3.3 Roofs and rooftops shall be designed with consideration of silhouette views, and to views from above. No highly reflective materials or contrasting colors shall be used on horizontal surfaces.

Proposed

The applicant is proposing to delete this standard.

FINDINGS

The applicant has not provided any justification for the deletion, and has not suggested an alternative method to ensure that future roofs and rooftops are aesthetically enhanced. Staff recommends denial of this portion of the requested amendment.

Existing

3.3.7 The main entry of the building from the street shall be appropriately articulated in the architectural design of the building. These entries will be linked to the pedestrian sidewalk along Union Drive by a minimum 30 ft. wide landscaped entry plazas.

Proposed

3.3.7 The main entry of the building from the street shall be appropriately articulated in the architectural design of the building.

FINDINGS

The applicant proposes to delete the portion of this requirement referencing Union Drive, which has been removed from the current site development plans. Staff recommends approval of this portion of the amendment if the related Site Development Plan Review [Z-0100-97 (6)] is approved.

Existing

3.3.8 Exterior materials of all buildings shall contribute to a cohesive physical environment, convey a sense of permanence, and preferably be of natural, regional materials, per recommended color and materials palette.

Proposed

3.3.8 Exterior materials of all buildings shall contribute to a cohesive physical environment and convey a sense of permanence.

FINDINGS

The applicant proposes to delete the preference for natural, regional materials, per the recommended color and materials palette. The applicant has not provided any justification for the deletion, and has not suggested an alternative method to encourage quality development that is compatible with the natural environment. Therefore, staff recommends denial of this portion of the requested amendment.

Existing

3.3.9 Setbacks and build-to zones (for Lot I only) are defined in the Typical Parcel Layout Plan

Proposed

3.3.9 Setbacks and build-to zones for buildings, service areas and screen walls are defined in 1.4 of the Master Development Plan.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds the modification of this condition as proposed by the applicant is appropriate. Therefore, staff recommends approval of this portion of the requested amendment this amendment.

Existing

3.3.10 Setbacks for the remaining parcels in Lot I in the Parkway Center development along Grand Central Parkway and Bonneville will be 25 ft. but can be modified later by the Design Review Committee if other proposals are submitted.

Proposed

The applicant is proposing to delete this condition.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds the deletion of this condition as proposed by the applicant is appropriate. Therefore, staff recommends approval of this portion of the requested amendment this amendment.

Existing

3.3.12 All service and loading areas shall be positioned so service vehicles will not disrupt traffic flow to or from the site or within parking lots. No service, storage, maintenance, or loading area may extend into a setback area, nor shall it be visible to public view from Union Drive, Grand Central Parkway, Bonneville and neighboring parcel ground spaces.

Proposed

3.3.12 All service and loading areas shall be positioned so service vehicles will not disrupt traffic flow to or from the site or within parking lots.

FINDINGS

The applicant has not provided any justification for the revision, and has not suggested an alternative method to encourage appropriate placement of service, storage, maintenance, and loading areas. Therefore, staff recommends denial of this portion of the requested amendment this amendment.

Existing

3.3.13 All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view on all sides using materials and colors compatible with the building architecture. All mechanical equipment including, but not limited to, roof mounted equipment on buildings less than five stories in height must also be screened from the top using materials and colors compatible with the building architecture.

Proposed

3.3.13 All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view from adjacent public streets using materials and colors compatible with the building architecture.

FINDINGS

The applicant is requesting to delete the requirement that roof mounted mechanical equipment on buildings less than five stories in height must be screened from the top using materials and colors compatible with the building architecture. Because this site is adjacent to I-15 (a raised freeway), staff finds that it may not be possible to completely screen all roof-mounted equipment. Therefore, staff recommends that the existing provision be amended to allow a Planning Commission review of screening issues if compliance would constitute a hardship.

Existing

3.3.16 All utility lines shall be placed underground. No transformer, electric, gas, water, or other meter of any type or other apparatus shall be located on any power pole or hung on the outside of any building. Meters may be placed on or below the soil surface, and where so placed, shall be adequately screened from view.

Proposed

3.3.16 All utility lines shall be placed underground. Meters may be placed on or below the soil surface, and where so placed, shall be adequately screened from view.

FINDINGS

Staff finds that while there are instances where apparatus may be required to be attached to the side of the building, the applicant's revision of this requirement could lead to the placement of such apparatus in inappropriate and visually unappealing locations. Therefore, staff recommends that the requirement be revised to allow the placement of meters on the outside of buildings if the meter can be screened from view, and has included a condition that addresses this issue.

Existing

3.3.17 Sustainable building products and energy conscious site planning techniques are strongly encouraged and will be expected by the Design Review Committee (DRC).

Proposed

The applicant is proposing to delete this requirement

FINDINGS

In staff's opinion, the DRC is the most appropriate way to ensure that sustainable building products and energy conscious site planning techniques are used whenever possible, and recommends denial of this portion of the requested amendment.

ARTICLE III DEVELOPMENT STANDARDS 3.4 STREET SCAPE DESIGN STANDARDS

Existing

3.4.1.2 North-South streets shall be designed thematically using palm trees as their primary landscape element. Tree spacing should not exceed twenty-five feet (25).

Existing

3.4.1.3 East-West streets shall use primarily shade trees at regular spacing not to exceed thirty feet (30').

Proposed

The applicant is proposing to delete these requirements.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds the landscaping would be addressed as part of that review, and that deletion of these conditions as proposed by the applicant is appropriate. Therefore, staff recommends approval of this portion of the requested amendment.

Existing

3.4.1.4 Pedestrian pathways crossing Union Drive shall be strongly delineated through the use of textures and/or patterns, and shall occur only at the intersection of Union Drive and designated service drives.

3.4.1.5 Pedestrian walkways along Union Drive, and within the right-of-way, shall be delineated with a clear, rhythmic pattern and a texture different than that of street crossings mention above in 3.4.1.4.

3.4.1.6 All street crossings (Union Drive) shall be handicap accessible.

3.4.1.7 Typical streetscape elements along Union Drive

3.4.2 Creates standards for street furnishings on Union Drive.

Proposed

The applicant is proposing to delete these requirements

FINDINGS

The applicant proposes to delete these requirements that reference Union Drive, which has been removed from the current development plans. Therefore, staff recommends approval of this portion of the requested amendment if the related Site Development Plan Review application [Z-0100-97 (6)] is approved.

Existing

3.4.5.1 Street lights, surface parking lights, pedestrian lights and decorative lights shall be incorporated into any proposed streetscape improvement. Streetlights must provide the light needed for safety and traffic operations. Pedestrian lights shall be placed in a clear geometric pattern with regular spacing to provide a sense of order to the street and even light distribution.

3.4.5.2 Recommended luminaires to be used throughout the development are manufactured by Bega/USA. Street lights, pedestrian lights and bollards are coordinating styles and produced by the same manufacturer to provide a consistent street lighting hierarchy

3.4.5.3 Illustrations of street lighting.

3.4.5.8 Lamps and ballasts shall be a Venture Uniform pulse start system. Parking and roadway fixtures shall use 320 watt, metal halide, 4000K, 65 CRI lamps. Walkway poles and bollards shall use 100 watt, metal halide, 4000K, 65 CRI lamps.

3.4.5.9 Minimum lighting levels shall be as follows:

Parking Lots: .5 F.C. minimum; 10: I uniformity
Parking Structures: 5 F.C. minimum; 10 F.C. ramps-, 50 F.C. entrances; 4:1 uniformity

Proposed

The applicant is proposing to modify requirement 3.4.5.1 as follows: A lighting plan is required to be submitted to the Las Vegas Planning Department for their review and approval. The lighting plan for Phase 1, II and III shall be compatible throughout the development.

The applicant is proposing to delete the requirements of the following: section 3.4.5.2, section 3.4.5.3, section 3.4.5.8 and section 3.4.5.9

FINDINGS

The applicant is proposing to modify or delete requirements relating to street and parking lot lighting. Staff finds that deletion of the requirements for street lighting standards is inappropriate, in that street lighting standards have been placed specifically with the intention of uniformity in design and light produced. Therefore, staff recommends denial of this portion of the requested amendment.

ARTICLE III DEVELOPMENT STANDARDS 3.5 SIGNAGE DESIGN STANDARDS

DETAILS OF REQUEST

The applicant is proposing to modify and/or delete certain requirements of the Signage Design Standards, and is proposing to include within the Standards a signage design package for Phase I (the proposed mall).

MODIFICATIONS/DELETIONS

Existing

3.5.1 General. The purpose of establishing regulatory criteria for signs within this planned development is to reinforce the sense of a unique identity, create conformity between parcels, establish quality standards, reduce visual clutter, and promote sign legibility.

Proposed

3.5.1 General. The purpose of establishing regulatory criteria for signs within this planned development is to reinforce the sense of a unique identity, create conformity between parcels, establish quality standards, reduce visual clutter, and promote sign legibility. A Master Sign Plan is required for the development of each phase. The Master Sign Plan shall be submitted to the City of Las Vegas Planning Department for their review and approval. Sign compatibility is strongly encouraged for all phases.

FINDINGS

The applicant is proposing to delete the requirement that a Master Sign Plan for each phase of development be submitted for review by the Planning and Development Department. . In staff's opinion, this requirement is the most appropriate way to ensure that the signage of Phases Two and Three are compatible with the overall Master Development Plan for Lot 1 of Parkway Center, and recommends denial of the proposed deletion.

Existing Section 3.52 Permitted Signs

3.5.2 Permitted signs include the following types (Other permitted signs are at the discretion of the Design Review Committee.):

Freestanding monument signs at entry points into the planned development

Guide signs within the planned development to enhance traffic circulation

Modular wall signs, including hanging signs and parapet signs no greater than fifty (50) s.f. in size

Modular awning signs no greater than twenty five (25) s.f. in size

Public utility signs

Animated signs

Neon signs

Letters and/or copy incorporated into the architectural structure of the building facade, parapet walls, or fascia as part of the architectural expression. The size, font, and character to be determined by the Design Review Committee.

Applicants proposed Section 3.52 Permitted Signs

Freestanding monument signs at entry points into the planned development

Guide signs within the planned development to enhance traffic circulation

Modular wall signs, including hanging signs and parapet signs no greater than **two hundred (200) s.f in size except signage on tower which shall not exceed two hundred fifty (250) s.f in size**

Public utility signs

Animated signs

Neon signs

Letters and/or copy incorporated into the architectural structure of the building facade, parapet walls, or fascia as part of the architectural expression. The size, font, and character are to be determined by the Design Review Committee.

Pole signs

FINDINGS

The applicant is proposing to increase the maximum permitted size of modular wall signs, including hanging signs and parapet signs, to one hundred (100) square feet to one hundred and fifty (150) square feet in size on all parts of the building except the tower, where the proposed maximum size is two hundred fifty (250) s.f. Additionally, the applicant is proposing to add pole signs as a permitted use.

In staff's opinion, wall signs of the size permitted by the proposed change will be compatible with the architectural character of the proposed mall, and are not harmonious with the pedestrian-friendly environment envisioned by the Parkway Center Design Standards. Staff recommends approval of this request.

Existing Section 3.5.3 Prohibited Signs

3.5.3 Prohibited signs include the following types (Other prohibited signs are at the discretion of the Design Review Committee.):

Temporary A-frame signs

Beacon Lights

Bench Signs

Billboard Signs (other than existing interim billboards)

Changeable Copy signs

Tethered Balloons

General Advertising Signs

Magnetic signs

Portable Signs

Paper, cloth or plastic streamers

Painted signs on display windows with temporary paint

Pennants

Roof Signs

Statuary with Lettering or graphics

Projecting signs into the right-of-way of any street

Pole Signs

Painted Wall Signs

Applicants proposed Section 3.5.3 Prohibited Signs:

Temporary A-frame signs

Beacon Lights

Bench Signs

Changeable Copy signs

Tethered Balloons

General Advertising Signs

Magnetic signs

Portable Signs

Paper, cloth or plastic steamers

Roof signs projecting above parapet lines

Pennants

Statuary with Lettering or graphics

FINDINGS

The applicant is proposing to delete from the list of prohibited signs non-interim (new construction) billboards, and painted signs on display windows with temporary paint. Additionally, the changes proposed by the applicant would allow a roof sign if it did not project above the parapet line.

Staff finds that painted window signs and roof signs that project above the parapet are not compatible with the architectural character of the proposed mall, and are not harmonious with the pedestrian-friendly environment envisioned by the Parkway Center Design Standards. New off-premise advertising signs can be compatible if they have an enhanced appearance when compared to billboards typically found in other locations within the City. Staff therefore recommends

Existing Section 3.5.3.1.

Existing interim billboards located upon any parcel within Parkway Center shall be addressed with each submission of a Site Development Plan Review.

Proposed

The applicant is proposing to delete this requirement.

FINDINGS

Staff finds that the continuation of the existing billboard structures upon development of this project is not compatible with the architectural character of the proposed mall, and is not harmonious with the pedestrian-friendly environment envisioned by the Parkway Center Design Standards. Staff recommends denial of this portion of the request.

Staff notes that applicants proposed revisions would allow new billboards. Staff recommends approval of those revisions, subject to appropriate aesthetic consideration of the off-premise signage structures.

Existing Section 3.5.4 Building Identification Signs

3.5.4.1 All office buildings shall be identified with identification (I.D.) signs located along Union Drive. I.D. signs should clearly display the buildings street address at the top, and provide space for appropriate recognition of the building's primary tenants. Each ID. sign shall be constructed similar in design and materials to the drawing below.

3.5.4.2 Building I.D. signs shall be located on the property line abutting Union Drive for each Parcel, and there shall be no greater distance than I 00' from the face of sign to the face of building.

3.5.4.3 Typical building identification sign.

Proposed Section 3.5.4 Building Identification Signs

The applicant is proposing to delete these requirements.

FINDINGS

The applicant proposes to delete these requirements that reference Union Drive, which has been removed from the development plans. Staff recommends approval of this portion of the amendment.

Existing Section 3.5.5.3 Wall or building-mounted signs:

All signs should be appropriate in color and texture to the building on which it is placed.

Proposed Section 3.5.5.3 Wall or building-mounted signs:

The applicant is proposing to delete this requirement.

FINDINGS

Staff finds that signs should dear a relationship in color and texture to the building on which they are placed. Additionally, the applicant has not provided justification for a deletion of this requirement. Therefore, staff recommends denial of this portion of the amendment request.

Existing Section 3.5.5.4 Wall or building-mounted signs:

3.5.5.4 No building signs shall be permitted above the bottom of the second floor windowsill. Signs above this height may be allowed for a maximum of two (2) tenants per office building or for the name of a hotel and are limited to letter signs, either illuminated or non-illuminated, with one (1) square box sign allowed in which a logo can be illuminated. The size, font, and character to be determined by the Design Review Committee.

Proposed Section 3.5.5.4 Wall or building-mounted signs:

The applicant is proposing to delete this requirement.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds the deletion of this condition as proposed by the applicant it is appropriate. Therefore, staff recommends approval of this portion of the requested amendment.

PROPOSED 3.5.1.A. PHASE I SIGN PROGRAM

The applicant is proposing to include within the Parkway Center Development Standards a new subsection which consists of a signage design package for Phase I (the proposed mall) within Section 3.5 Signage Design Standards:

3.5.1.a. Phase I Sign Program

A. PROJECT IDENTIFICATION SIGNS

Location: On towers, on Building I at the taxi drop off and on Building 7 at the Bonneville entrance.

Quantity: Seven

Height: Signs shall be located on building facades or towers at a height compatible with the architectural motif.

Staff finds it appropriate that the height of the signs be subject to staff review and recommends a condition that addresses this issue.

Maximum Area: 150 Square Feet for each sign

Illumination: Individual internally illuminated letters. Reverse channel with shallow return and clear lexan backs. Face shall be opaque. Project symbol logo may be internally illuminated channel letter with plex face.

B. PROJECT IDENTIFICATION MONUMENT

Location: At vehicular entrances to the site.

Quantity Three

Height: Twelve Feet

Maximum Area: 120 Square Feet for each face, 240 Square Feet total for each sign.

Illumination: internally illuminated cabinet with routed letters in metal panels.

C. FUTURE DEVELOPMENT IDENTIFICATION MONUMENT

Location: At areas designated for future development.

Quantity: TBD

Height: Ten Feet

Maximum Area: 100 Square Feet for each face, 200 Square Feet for each sign.

Illumination: Internally illuminated cabinet with routed letters in metal panels.

D. AUTO DIRECTIONAL

Location: On site at key intersections and drive aisles to facilitate circulation and parking.

Quantity: Twenty

Height: Five Feet

Maximum Area.- 7 Square Feet for each face, 14 Square Feet total for each sign.

Illumination: Non-illuminated, Letters shall consist of reflective vinyl with 4" minimum height.

E. PARKING AREA/AISLE IDENTIFICATION

Location: On site in the parking area.

Quantity: Forty, mounted on light poles.

Height: Fifteen Feet

Maximum Area: 6 Square Feet for each sign.

Illumination: Non-illuminated.

F. PROJECT DIRECTORIES

Location: On site within the pedestrian courtyards.

Quantity: Four

Height: Nine Feet

Maximum Area: 45 Square Feet for each face, 90 Square Feet total for each sign.

Illumination: Internally illuminated with concealed lamps at the perimeter of the site map and Tenant name strips.

G. PROJECT PATHFINDERS/DIRECTIONALS

Location: On site within the pedestrian courtyards, storefront sidewalks or key "pedestrian intersections".

Quantity: Eight

Height: Nine Feet

Maximum Area: 45 Square Feet for each face, 90 Square Feet total for each sign.

Illumination: Vinyl copy illuminated by exterior mounted lights.

H. SERVICES IDENTIFICATION

Location: At customer service areas (Information, ATM, Restroom, etc.).

Quantity: Twelve to Twenty

Height: Nine Feet

Maximum Area: 7 Square Feet for each sign.

Illumination: Non-illuminated. Copy shall be reflective vinyl.

I. LOADING AREA INDENTIFICATION

Location: At loading areas.

Quantity: Twelve to Twenty

Height: Nine Feet

Maximum Area: 7 Square Feet for each sign.

Illumination: Non-illuminated. Copy to be reflective vinyl.

J. TENANT SIGNAGE

1. Tower Sign

Location: On towers or building elements intended for signs mounted above 21 feet from grade.

Quantity: All tenants in the project may have one such sign at Developer's discretion.

Height: Sign shall be located on wall or tower at a height compatible with the architectural motif Sign shall not extend above the parapet or top of wall.

Maximum Area: 36" letter height. 150 Square Feet maximum for each sign on short dimension of tower and 250 square feet maximum for each sign on long dimension.

Illumination: Reverse channel letters with 4" returns and clear lexan backs. Letters to be pin-mounted off wall. Tenant logos (not copy) may be internally illuminated channel letter with plex face.

2. Wall Sign or Oriented to 1-15

Location: On building walls visible to I- 15.

Quantity All tenants in the project may have one such sign at developer's discretion.

Height: Signs shall be on the walls at a height compatible with the architectural motif Signs shall not extend above the parapet line.

Maximum Area: 36"letter height. 150 square feet maximum area for each sign.

Illumination- Reverse channel letters with 4" returns and clear lexan backs. Letters to be pin-mounted off wall. Tenant logos (not copy) may be internally illuminated channel letter with plex face.

3. Wall Sign Oriented to Iron Horse

Location: On building walls visible to Iron Horse.

Quantity: All tenants in the project may have one such sign at Developer's discretion.

Height: Sign shall be located on the building wall at a height compatible with the architectural motif Sign shall not extend above the parapet line.

Maximum Area: 30" letter height. 120 square feet maximum area for each sign.

Illumination: Reverse channel letters with 4" returns and clear lexan backs. Letter to be pin-mounted off wall. Tenant logos (not copy) may be internally illuminated channel letter with plex face.

4. Wall Sign Oriented to Grand Central or Bonneville

Location: On building walls visible to Grand Central or Bonneville

Quantity: All tenants in the project may have one such sign at Developer's discretion.

Height: Sign shall be located on the building wall at a height compatible with the architectural motif. Sign shall not extend above the parapet line.

Maximum Area: 24" letter height. 100 square feet maximum area for each sign.

Illumination: Reverse channel letters with 4" returns and clear lexan backs. Letters to be pin-mounted off wall. Tenant logos (not copy) may be internally illuminated channel letter with plex face.

5. Anchor Tenant Signs

Location: Building corner of anchor tenants visible to Grand Central.

Quantity: All tenants in the project may have one such sign at Developer's discretion.

Height: Sign shall be located on the building wall at a height compatible with the architectural motif Sign shall not extend above the parapet line.

Maximum Area: 36" letter height. 200 square feet maximum area for each sign.

Illumination: Reverse channel letters with 4" returns and clear lexan backs. Letter to be pin-mounted off wall. Tenant logos (not copy) may be internally illuminated channel letter with plex face.

6. Wall Sign Oriented to Pedestrian Concourse or Courtyard (not visible to parking areas, public streets, or 1-15)

Location: On building elevations in the pedestrian concourse/courtyards.

Quantity One per tenant. Tenants with "interior corner spaces" shall be permitted two signs.

Height: Sign shall be located on the building facade at a height compatible with the architectural motif. Sign shall be centered over tenant's storefront. Sign shall not extend above the parapet line.

Maximum Area. 15" to 18" letter height. 24" - 0^" maximum length or 75% of tenant storefront width, whichever results in the smaller sign. Double lines are permitted but shall not exceed 30" in total height.

Illumination: Pin mounted individual cut out metal letter; or letters cut through metal panel pin mounted to wall- or letters hand painted on panel attached to wall; or letters on ceramic tile mounted on panel attached to wall. All signs may be externally illuminated with floodlights on 24^" horizontal stems mounted above the sign or from awning frames^.

7. Blade Sign
Location: Under the awning at Tenant's entrance.
Quantity.- One at each tenant store entrance.
Height: 8 feet clear from sidewalk to bottom of sign,
Maximum Area: 6 square feet, double faced.
Illumination Non-illuminated.

K. TEMPORARY PROJECT ANNOUNCEMENT SIGN

Location I- 15 frontage and at the comer of Iron Horse and Grand Central.
Quantity: Two
Maximum Area: 512 square feet each (32' x 16').
Illumination: Ground mounted floodlights.

Staff recommends a condition be added which establishes a definite time limit for temporary project announcement signs.

FINDINGS

In staff's opinion, the size and quantity of the signs that would be permitted by the proposed amendment are compatible with the architectural character of the proposed mall.

Staff recommends approval of this amendment, subject to staff review of appropriate heights for project improvement signs (subsection A) and a time limit for temporary project announcement signs (subsection K).

ARTICLE III DEVELOPMENT STANDARDS 3.6 LANDSCAPE ARCHITECTURE DESIGN CRITERIA

Existing

3.6.1.3 Minimum Landscape Area: The minimum width of landscape area required per Lot is as follows:

A. Six feet (6') along Union Drive.

B. Ten feet (10') along service drives.

Proposed

The applicant is proposing to delete these requirements

FINDINGS

The applicant proposes to delete these requirements that reference Union Drive and service drives, which have been removed from the development plans. Staff recommends approval of this portion of the requested amendment.

Existing

3.6.3.2 Landscape Screening At Parking Areas: Landscape screening for Parking Areas must meet the following requirements.

A. Consist of evergreen plants and be a minimum of four feet (4^') high within 3 years of installation.

B. Must be dense enough to provide screening of 75% upon maturity.

C. Trees should be interspersed with shrubs and groundcovers at the rate of one tree every 20 lineal feet for the Street Landscape Areas.

D. Coordination should be made so the new trees do not conflict with any existing streetscapes or adjacent properties.

Proposed

3.6.3.2 B. The applicant is proposing to delete this requirement.

3.6.3.2 C. Trees should be interspersed with shrubs and groundcovers on the basis of one tree every 20 linear feet. Clusters of trees are encouraged. The maximum separation between clusters shall not exceed fifty feet (50').

FINDINGS

Staff finds the revisions are minor in nature and recommends approval of this portion of portion of the proposed amendment.

Existing

3.6.3.4 Streetscaping: Landscaping for the streets must meet the following requirements:

A. North south streets are to use the Washingtoma/mexicana, Hybrid, Mexican Fan Palm. Space at 25 feet on center. The Palms are to be 24' high with skinned trunks.

B. All Palms are to be evenly matched in height with matching trunk calipers.

C. The Palms are to be plum and true when installed.

D. All replacement Palms are to match existing Palm in height and caliper maintaining the Boulevard appearance.

Proposed

The applicant is proposing to delete this requirement.

FINDINGS

If the related Site Development Plan Review application [Z-0100-97 (6)] is approved, staff finds the landscaping would be addressed as part of that review, and that deletion of these conditions as proposed by the applicant is appropriate. Therefore, staff recommends approval of this portion of the proposed amendment.

Existing

3.6.4.2 Type of Street Landscape Area Gravel Mulch: Pink Coral Sandstone, 1/2" to 1/4" screened material at a depth of 2'. (Source: Vegas Rock or approved equal).

Proposed

The applicant is proposing to change the depth from two feet to two inches.

FINDINGS

As the two-foot requirement was a typographical error, staff recommends approval of this portion of the proposed amendment.

Existing

3.6.6.1 General: Owners are encouraged to provide attractive landscaping at building entries. Specialty paving materials and site amenities are required at these areas and within adjacent Parking Areas, and subject to Design Review Committee approval.

Proposed

3.6.6.1 General: Owners are encouraged to provide attractive landscaping at building entries. Specialty paving materials and site amenities are required at these areas and within adjacent parking areas.

FINDINGS

The applicant is requesting that this requirement be deleted because they are also requesting the elimination of the Design Review Committee (DRC).

Staff finds that the DRC is the most appropriate way to ensure that specialty paving materials and site amenities are compatible with the Master Development Plan for Lot 1 of Parkway Center, and recommends denial of this portion of the proposed amendment.

Existing

3.6.6.4 Site Amenities: Site amenities such as benches, bollards and planters are required at building entries or other pedestrian gathering areas. These are to be compatible with the overall color and material palette. Cut sheets and material samples are to be included as part of the material sample board during the final plan submittal.

Proposed

Site Amenities: Site amenities such as benches, bollards and planters are required at building entries or other pedestrian gathering areas. These are to be compatible with the overall color and material palette.

FINDINGS

The applicant is proposing to delete the requirement that cut sheets and material samples are to be included as part of the material sample board during the final plan submittal. Staff finds that submission of cut sheets and material samples is the most appropriate way for reviewers to ensure that the proposed materials are compatible with the Master Development Plan for Lot 1 of Parkway Center. Staff recommends denial of this portion of the proposed amendment.

NOTICES MAILED 161 by Planning Department

APPROVALS 0

[Staff requests Condition No. 2 be amended to delete the reference to Article 3.2.3.4.

Staff requests the following conditions be added to this approval:

If the related Site Development Plan Review application [Z-0100-97(6)] is approved, Articles 3.2.3.2, 3.2.3.4, shall be amended as requested subject to Planning and Development Department approval for Phase I and subject to a Design Review Committee review for Phases 2 and 3.

Article 3.5.2 shall be amended as requested except that pole signs shall not be allowed.]

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Z-0100-97(5) APN: 139-33-710-001

Name of Property Owner: Union Pacific Railroad Company

Name of Applicant: Chelsea Property Group, Inc.

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ✓ No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

UNION PACIFIC RAILROAD COMPANY

Signature of Property Owner/Authorized Agent: By: [signature]

R. D. Uhrich
Assistant Vice President-Real Estate

Subscribed and sworn before me

This 28th day of June, 2001

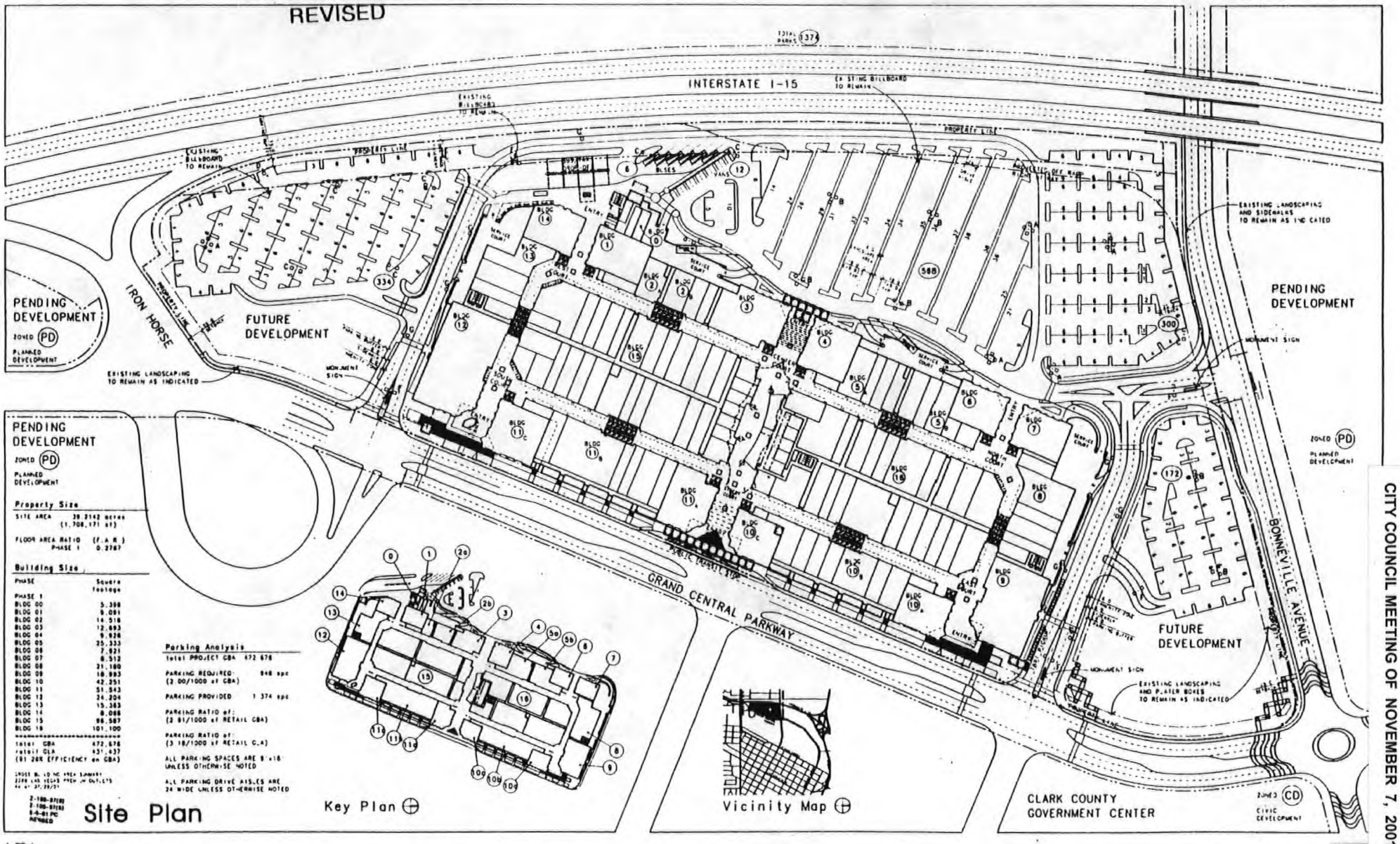
[signature]

Notary Public in and for said County and State

GENERAL NOTARY-State of Nebraska
NILDA HILL
My Comm. Exp. July 11, 2004

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS

Z-0100-97(5)
Z-0100-97(6)
8-9-01 PC
REVISED



Property Size

SITE AREA	38.7142 acres (1,700,171 sf)
FLOOR AREA RATIO (F.A.R.) PHASE I	0.2767

Building Size

PHASE	Square footage
PHASE I	
BLDG 00	5,398
BLDG 01	9,081
BLDG 02	14,516
BLDG 03	12,693
BLDG 04	9,926
BLDG 05	25,333
BLDG 06	7,921
BLDG 07	8,512
BLDG 08	21,180
BLDG 09	18,993
BLDG 10	42,251
BLDG 11	51,543
BLDG 12	24,204
BLDG 13	15,383
BLDG 14	8,088
BLDG 15	98,587
BLDG 16	101,100
total GBA	472,676
total GLA	457,437
(81.28% EFFICIENCY on GBA)	

Parking Analysis

Total PROJECT GBA 472,676

PARKING REQUIRED: (2.00/1000 sf GBA) 946 spc

PARKING PROVIDED 1,374 spc

PARKING RATIO of: (2.91/1000 sf RETAIL GBA)

PARKING RATIO of: (3.18/1000 sf RETAIL G.A)

ALL PARKING SPACES ARE 9'x18' UNLESS OTHERWISE NOTED

ALL PARKING DRIVE AISLES ARE 24' WIDE UNLESS OTHERWISE NOTED

Z-100-97(5)
Z-100-97(6)
8-9-01 PC
REVISED

Site Plan

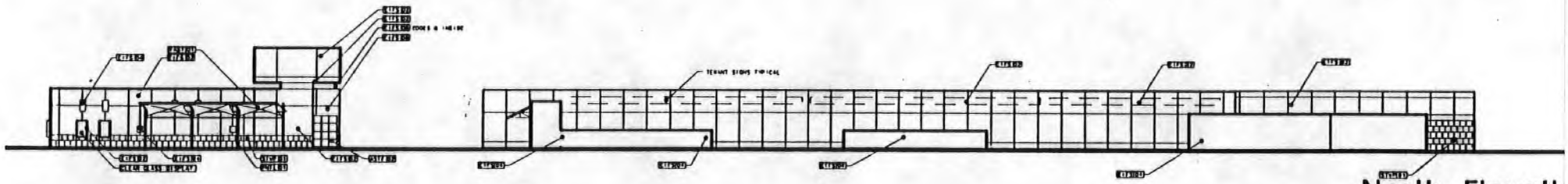
Adams Hannon Architecture

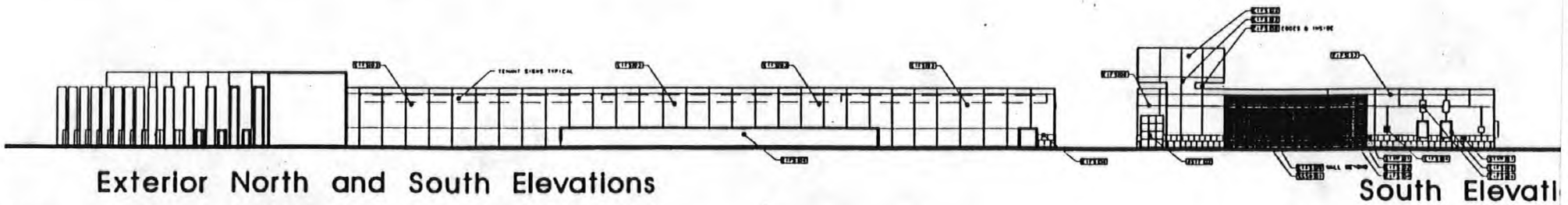
Las Vegas Premium Outlets

Las Vegas Nevada

31 July 2001

Z-0100-97(5)
Z 0100 97(6)
8-9-01 PC
STAFF

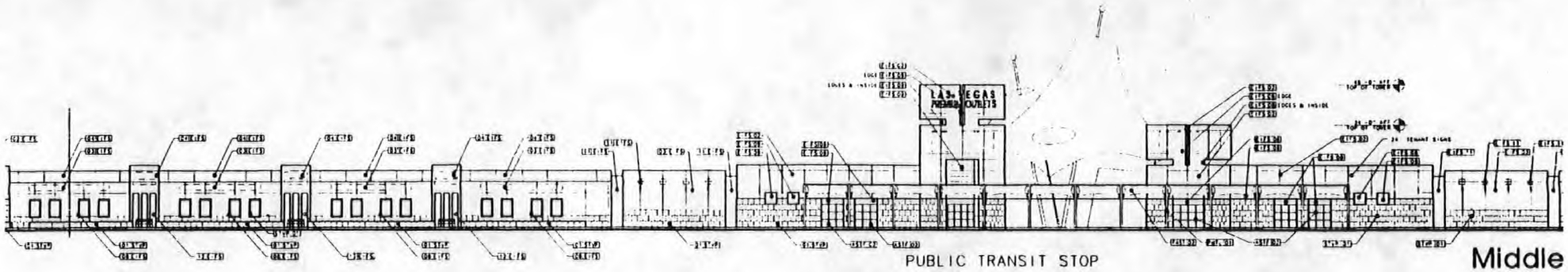


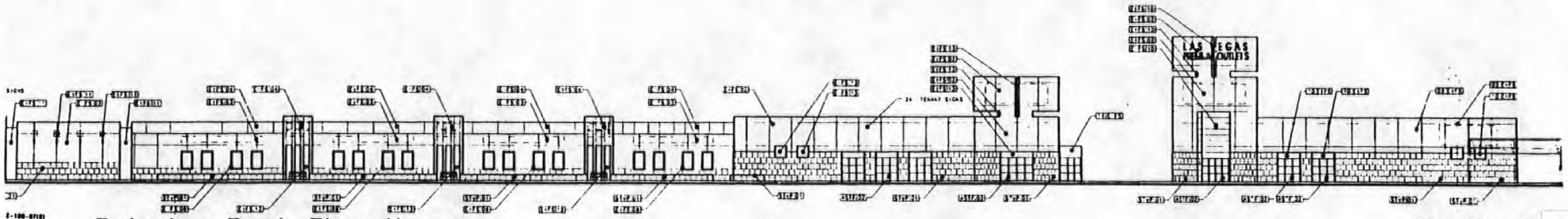


Exterior North and South Elevations

Adams Hannon Architecture

Las Vegas Premium Outlets





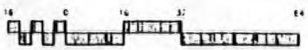
Exterior East Elevations

Z-0100-97(5)
Z-0100-97(6)
8-9-01 PC
REVISED

Adams Hannon Architecture

Las Vegas Premium Outlets

Las Vegas Nevada



Z-0100-97(5)
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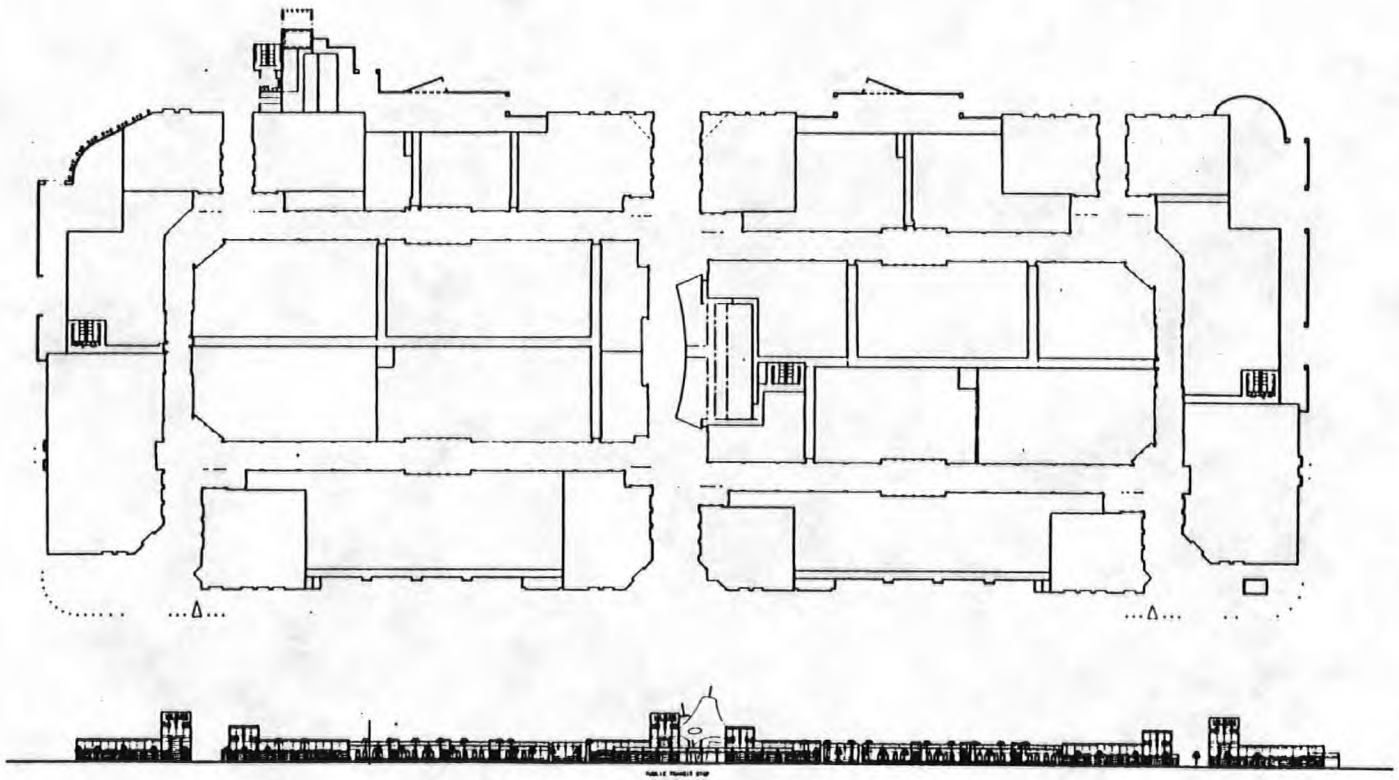
REVISED



Z-100-97(5)
Z-100-97(6)
8-9-01 PC
REVISED

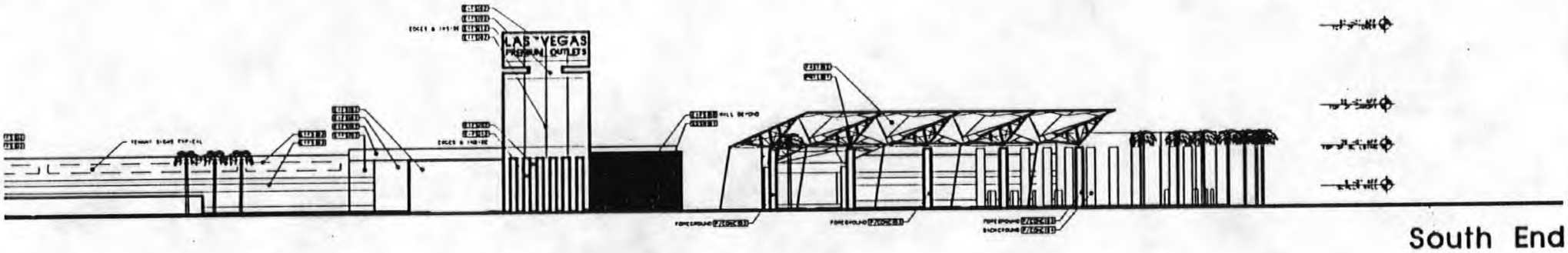
Exterior East Elevations

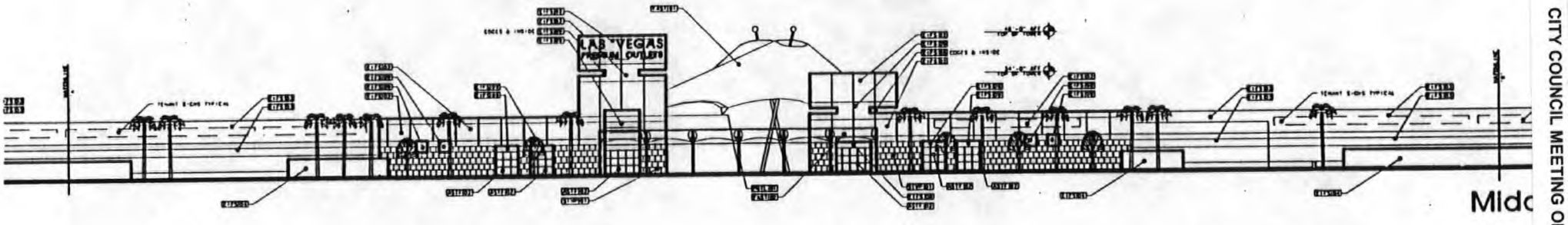
Adams Hannon Architecture

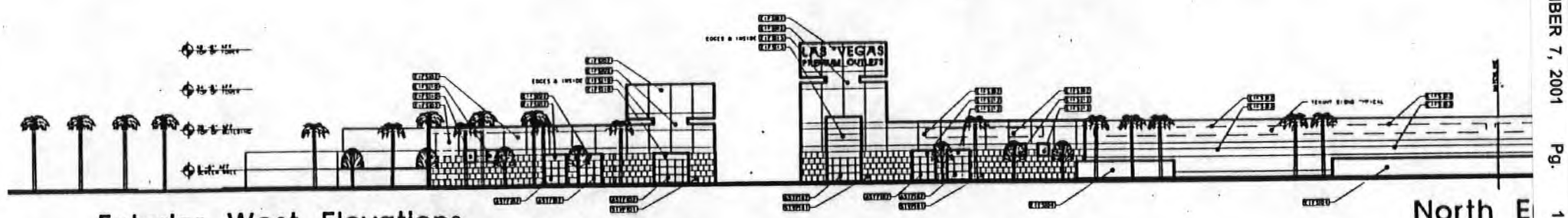
Las Vegas Premium Outlets

Las Vegas Nevada

Z-0100-9
Z 0100 97(6)
8-9-01 PC
STAFF





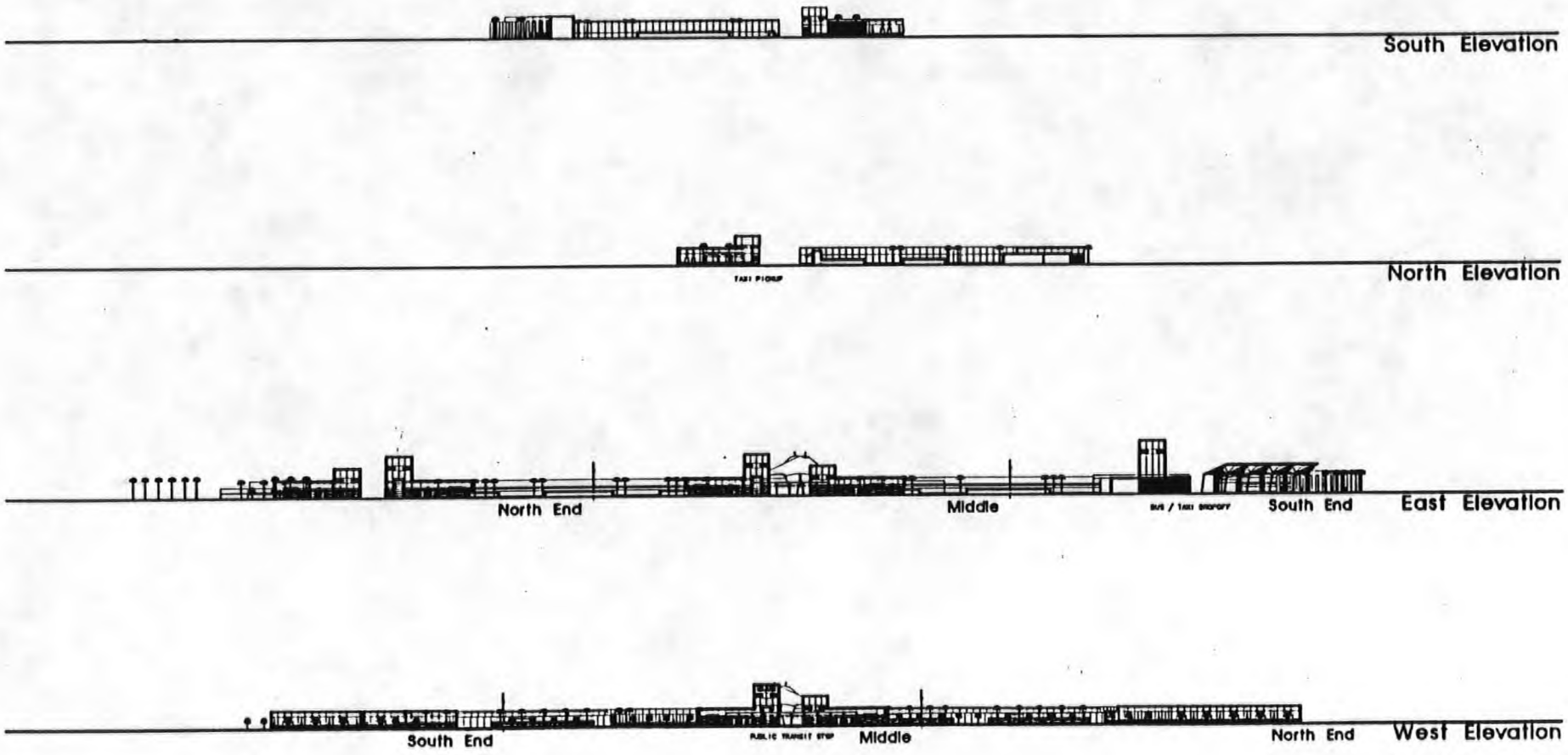


Exterior West Elevations

Adams Hannon Architecture

Las Vegas Premium Outlets

Z-0100-97(5)
Z 0100 97(6)
8-9-01 PC
STAFF



Overall Exterior Building Elevations

Adams Hennon Architecture

Las Vegas Premium Outlets

Z-0100-[illegible]5)
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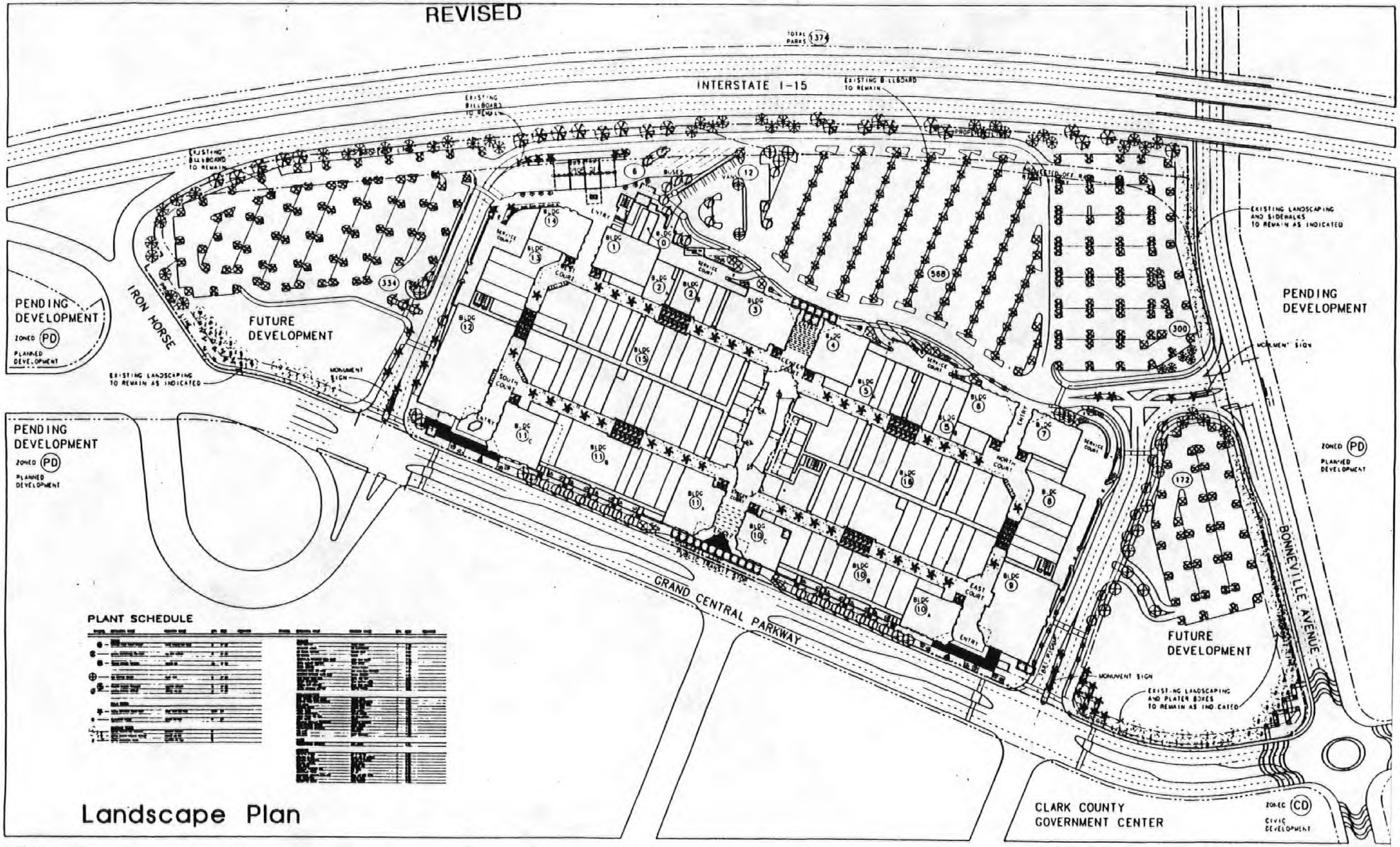
REVISED



Landscape Plan

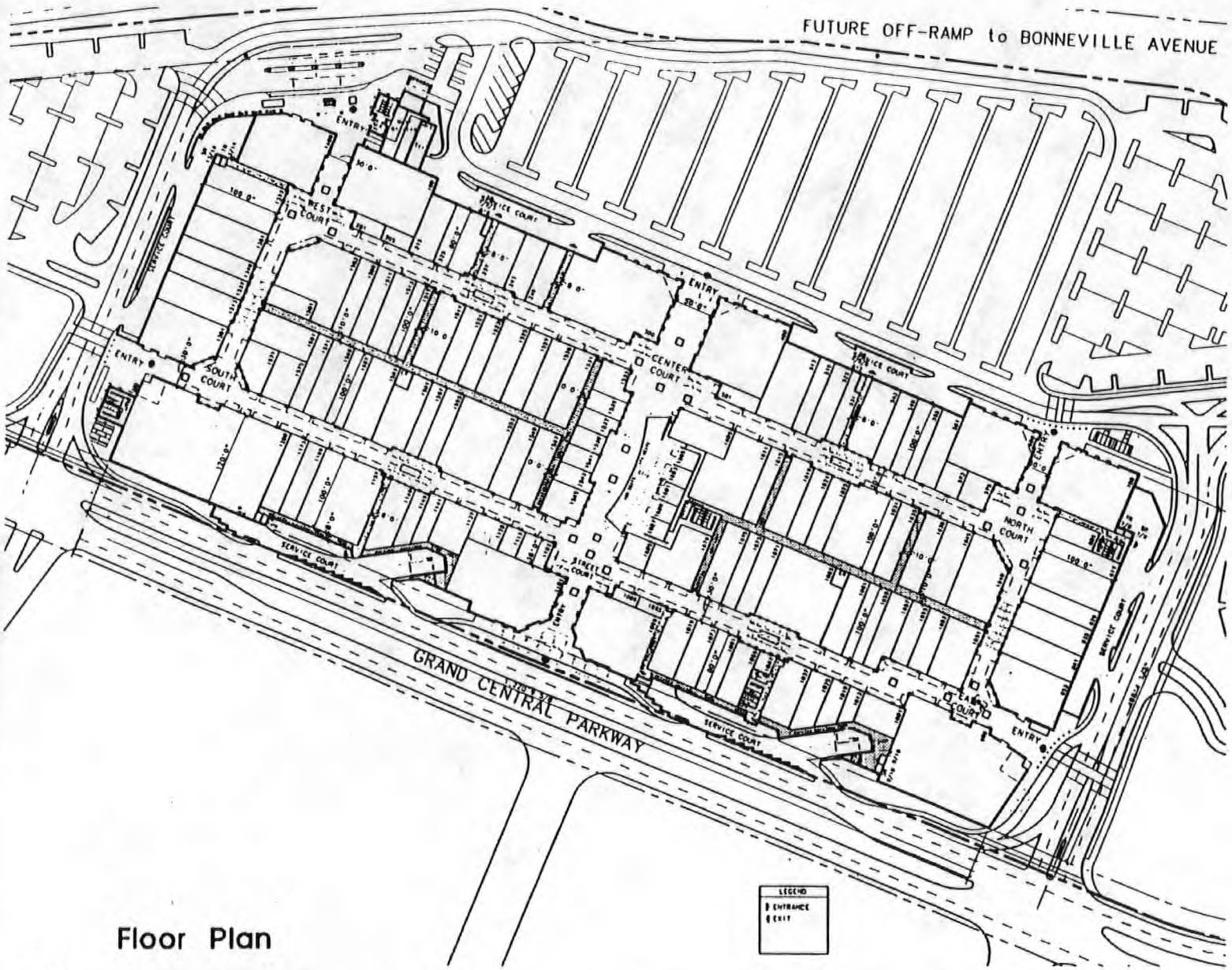
Adams Hermen Architecture

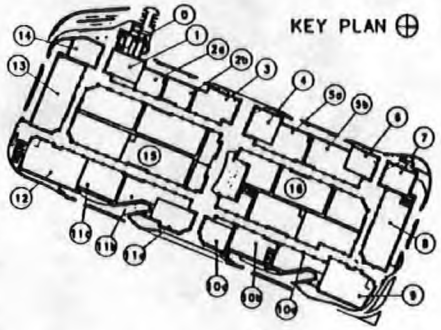
Las Vegas Premium Outlets

Las Vegas Nevada

31 JULY 2001

Z-0100-97(5)
Z 0100 97(6)
8-9-01 PC
STAFF





Building Size

PHASE	Square footage
PHASE 1	
BLDG 00	4,944
BLDG 01	9,120
BLDG 02	16,944
BLDG 03	13,121
BLDG 04	10,050
BLDG 05	28,833
BLDG 06	8,000
BLDG 07	8,533
BLDG 08	25,975
BLDG 09	18,939
BLDG 10	36,207
BLDG 11	40,398
BLDG 12	25,225
BLDG 13	25,831
BLDG 14	8,114
BLDG 15	97,431
BLDG 16	100,363
total GBA	478,028
retail GLA	429,619
(89.87% EFFICIENCY on GBA)	

GROSS BUILDING AREA SUMMARY
2286 LAS VEGAS PREMIUM OUTLETS
As of 07/09/01

MAXIMUM OCCUPANCY PER UNIFORM BUILDING CODE
IS 14,681 PERSONS
(MERCANTILE OCCUPANCY AT 30 sf PER PERSON F
THE FOOD COURT SEATING)

SEATING CAPACITY OF THE FOOD COURT
IS 360 SEATS

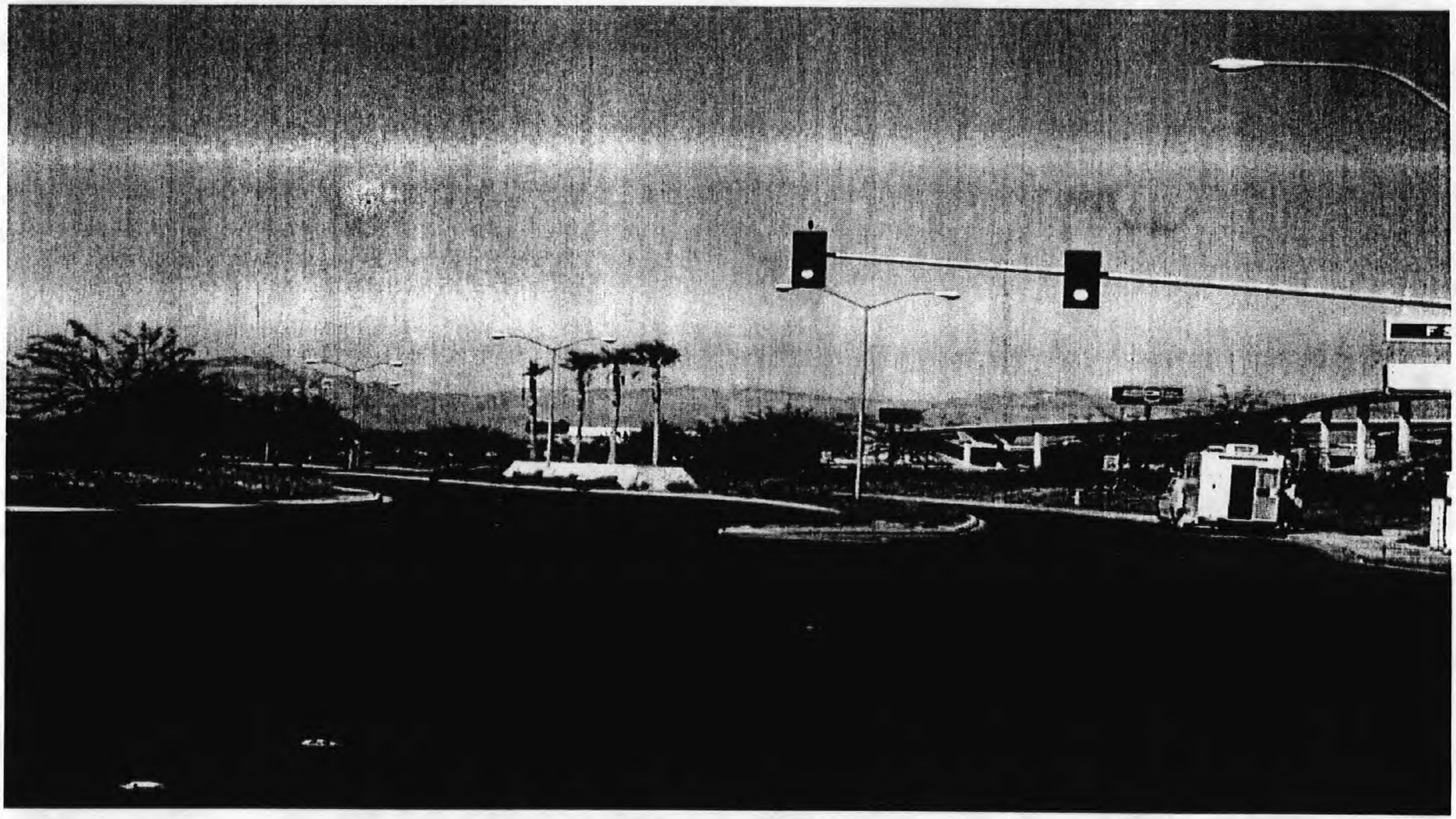
Floor Plan

Adams Hanson Architecture

Las Vegas Premium Outlets

Las Vegas Nevada

Z-0100-97(5) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC. - East side of Interstate 15 Between Charleston Boulevard and Interstate 515 (US-95)



Z-0100-97(5) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC. - East side of Interstate 15 Between Charleston Boulevard and Interstate 515 (US-95)

Proposed Amendments to
Conditions for Z-0100-97(5)

1. Replace Condition No. 1 with the following:

   This approval replaces the requirement for a Design Review Committee review of the Phase 1 site plan, elevations and landscaping plan. All street amenities and the lighting plan for Phase I shall be reviewed by the Design Review Committee prior to the issuance of building permits. All site plans, elevations, landscaping plans, signage, street amenities and the lighting plan for Phase 2 and 3 shall be reviewed by the Design review Committee prior to the submittal of (a) Site Development Plan Review applications(s) for Phases 2 and/or 3. A Master Sign Plan for Phase I shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for Phase I.

2. Replace Condition No. 2 with the following:

   The Preamble, and Articles 3.1.4, 3.1.6, 3.2.3.1, 3.2.3.5, 3.2.3.7, 3.3.3, 3.3.8, 3.3.12, 3.3.17, 3.4.5.1, 3.4.5.2, 3.4.5.3, 3.4.5.8, 3.4.5.9, 3.5.3, 3.5.5.3, 3.6.6.1, and 3.6.6.4 shall remain as written. If the related Site Development Plan Review application [Z-0100-97(6)] is approved, Articles 3.2.3.2, 3.2.3.4 shall be amended as requested subject to Planning and Development Department approval of Phase I and subject to a Design Review Committee review for Phases 2 and 3. Article 3.5.2 shall be amended as requested except that pole signs shall not be allowed.

3. Replace Condition No. 9 with the following:

   Article 3.2.3.2 shall be amended to include panelized E.I.F.S., manufactured stone veneer, fabric shade structures and exterior 'planton' within the list of approved materials.

4. Replace Condition No. 12 with the following:

   Article 3.3.13 shall be amended as follows: All mechanical equipment, including, but not limited to, roof-mounted equipment, must be screened from view on all sides using materials and colors compatible with the building architecture per elevations dated September 11, 2001. All mechanical equipment including, but not limited to, roof mounted equipment on buildings less than five stories in height must also be screened or blended with the building architecture from the top using materials and/or colors compatible with the building architecture. The applicant may apply for a review of this requirement by the Planning Commission who may modify the requirement upon approval of project specific elevations.

Submitted at City Council

Date 11/7/01 Item #137E, #138

5. Add the following new conditions:

a) Article 3.1.9 shall be amended to delete the words "planting area" in the first and second sentences, and to include a new sentence that reads "Curbs that effectively protect landscape areas may be used in lieu of bumper or tire stops." (Per exhibit submitted at City Council hearing)

b) Article 3.2.4 shall be amended to delete the term "stucco" from the list of prohibited materials.

Proposed Amendments
To Conditions for
Z-0100-97(6)

1. Replace Condition No. 4 with the following:

   All development shall be in conformance with the revised site plan and building elevations submitted October 31, 2001, except as amended by conditions herein.

2. Replace Condition No. 6 with the following:

   All development shall conform to the landscape plan submitted September 11, 2001. The landscape planter along Interstate 15 shall include 36-inch box trees planted a maximum of 25 on-center.

3. Add the following sentence to Condition No. 8:

   Landscape areas within the parking lots shall be in conformance with the revised plans dated ~~September 11, 2001.~~ OCT. 31, 2001.

4. Replace Condition No. 9 with the following:

   The applicant shall install a major trail as depicted on the revised plans dated ~~September 11, 2001~~. OCT. 31, 2001.

5. Replace Condition No. 13 with the following:

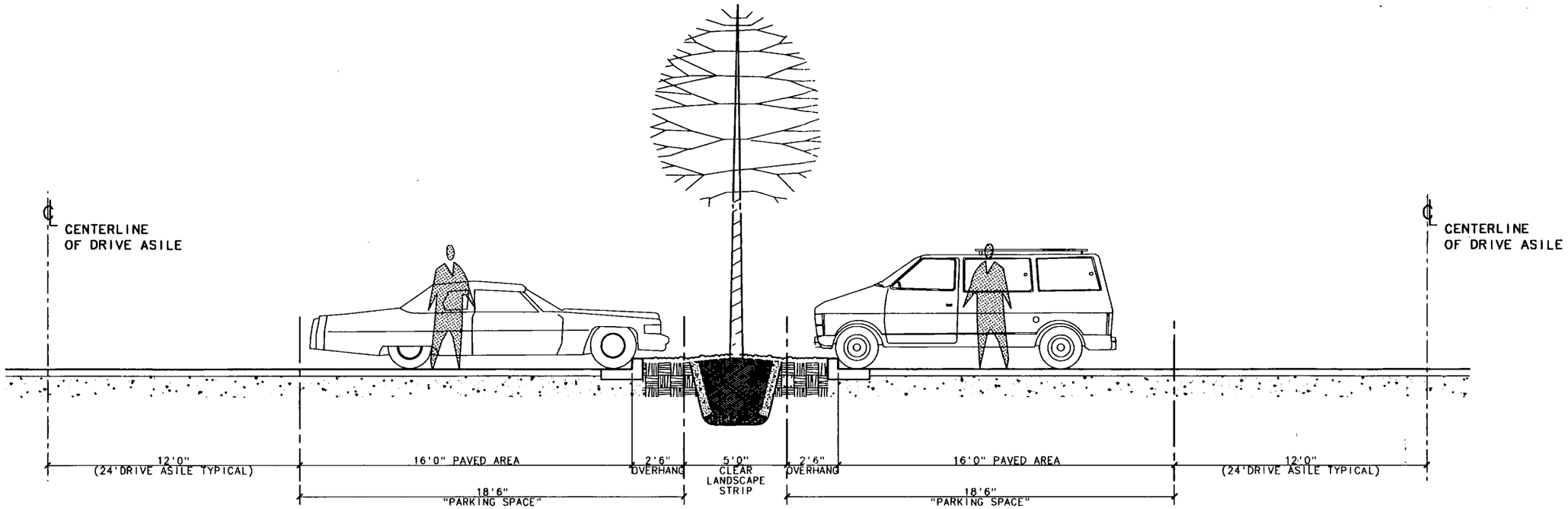
   All mechanical equipment, air conditioners and trash enclosures shall be screened in view form the abutting streets in a manner approved by the Planning and Development staff per plans submitted October 31, 2001.

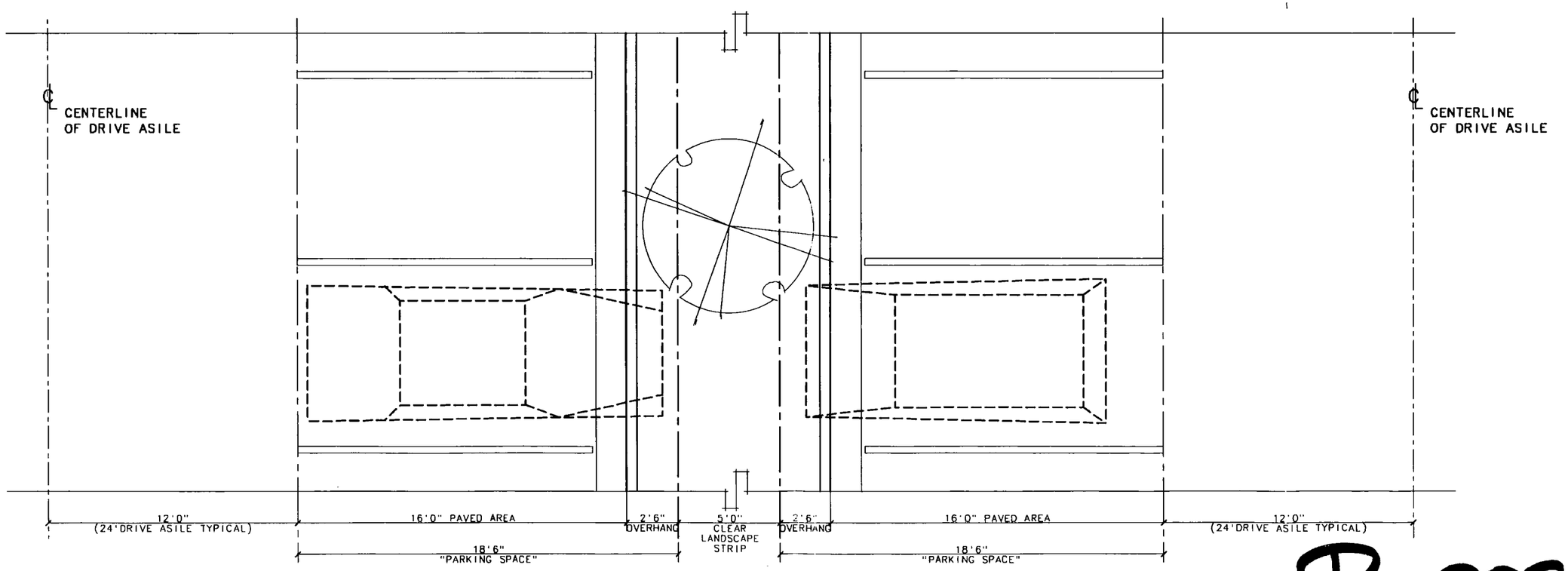
6. Replace Condition No. 14 with the following:

   Parking lot lighting shall be in conformance with the plans dated September 11, 2001. Lighting standards shall be no more than 34 feet in height.

7. Add the following Condition:

   Existing off-premise advertising structures (billboards) shall be removed or enhanced within six (6) months of the final Certificate of Occupancy for the retail project, and if the use is to continue shall be replaced or enhanced by structures aesthetically compatible with the development, subject to the approval of Planning and Development Department staff.





PROPOSED #137 138

City of Las Vegas

Agenda Item No. 138

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0100-97(5) - PUBLIC HEARING - **Z-0100-97(6) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC.** - Request for a Site Development Plan Review FOR A PROPOSED 478,028 SQUARE FOOT RETAIL MALL on 39.20 acres on the southwest corner of Bonneville Avenue and Grand Central Parkway (APN: 139-33-710-001), PD (Planned Development) Ward 5 (Weekly). Staff has no recommendation for this item. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff has no recommendation for this item. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Attorney Mark Fiorentino submitted a list of changes to conditions for Items 137 [Z-0100-97(5)] and Item 138 [Z-0100-97(6)].
5. Submitted at meeting: A design depicting how the parking stall and landscaping would be completed.

MOTION:
WEEKLY – APPROVED subject to conditions, adding the following condition:
- ***Existing off-premise advertising structures (billboards) shall be removed or enhanced within six (6) months of the final Certificate of Occupancy for the retail project, and if the use is to continue shall be replaced or enhanced by structures aesthetically compatible with the development, subject to the approval of Planning and Development Department staff.***

And amending the following conditions:
4. All development shall be in conformance with the revised site plan and building elevations submitted *October 31 2001,* except as amended by conditions herein.

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 138 – Z-0100-97(6)

MOTION – Continued

6. ***All development shall conform to the landscape plan submitted September 11, 2001. The landscape planter along Interstate 15 shall include 36-inch box trees planted a maximum of 25 feet on-center.***

8. **The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect compliance with all of the adopted Landscape Architecture Design Criteria of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5).** ***Landscape areas within the parking lots shall be in conformance with the revised plans dated October 31, 2001.***

9. ***The applicant shall install a major trail as depicted on the revised plans dated October 31, 2001.***

13. **All mechanical equipment, air conditioners and trash** ***enclosures*** **shall be screened in views from the abutting streets** ***in a manner approved by the Planning and Development staff per plans submitted October 31, 2001.***

14. **Parking lot lighting** ***shall be in conformance with the plans dated September 11, 2001. Lighting standards shall be no more than 34 feet in height.***

– UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared on behalf of Chelsea Property Group, together with MARK SILVESTRI.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: All discussion pertaining to Item 137 [Z-0100-97(5)] and Item 138 [Z-0100-97(6)] took place under Item 137 [Z-0100-97(5)].

(4:17 – 4:23)

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 138 – Z-0100-97(6)

CONDITIONS:

Planning and Development

1. Final elevation drawings shall be provided to staff by September 12, 2001 so that staff has adequate time to report on the elevations at the September 19, 2001 City Council meeting. If the final elevation drawings are not provided by that date, then the drawings must be reviewed by the Planning Commission prior to consideration by the City Council.

2. The City Council shall approve the Major Modification [Z-0100-97(5)] to the PD (Planned Development) Zoning District.

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

4. All development shall be in conformance with the revised site plan and building elevations submitted to the City of Las Vegas on July 24, 2001, except as amended by conditions herein.

5. The site plan shall be revised to include seating areas and appropriate landscaping, including at a minimum the three areas adjacent to the northeast, east, and southeast pedestrian entrances into the mall.

6. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 36-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along the length of the Grand Central Parkway frontage (east) and Interstate 15 frontage (west) where landscaping is not currently in place. The landscape plan revisions shall be subject to the approval of the Planning and Development Department prior to the issuance of any building permits for the site.

7. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect landscaped earth and rock berms of a minimum three (3) feet in height within provided planters along all public street parking lot frontages. The landscape plan revisions shall be subject to the approval of the Planning and Development Department prior to the issuance of any building permits for the site.

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 138 – Z-0100-97(6)

CONDITIONS - Continued:

8. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect compliance with all of the adopted Landscape Architecture Design Criteria of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5).

9. The applicant shall participate in the development of a major trail/ landscaped buffer feature along I-15 and US-95/I-515, and shall develop such trail within the development site. Such trail shall include a 15 foot-wide asphalt walking/jogging/biking trail, exercise equipment, sitting areas, and heavy landscaping. Such trail shall have eventual connectivity into other downtown trails such as a trailhead near City Hall to the Bonanza Trail and the possible Third Street pedestrian corridor, linking to the regional trail plan.

10. The elevations of the building shall depict service court design incorporating an effective solid screen integrated into the facade structural design, along the perimeter of the service court areas except for maximum 40-foot-wide openings. Screen walls shall provide complete visual screening of any freight trucks providing regular service to the mall tenants.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

12. If not covered by the Parkway Center Lot 1 Development Standards, the Site Plan, Landscape, and Architectural design shall conform to the Downtown Centennial Plan.

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All exterior lighting shall be screened, and shall not create fugitive lighting on adjacent properties.

15. A Master Sign Plan shall be submitted for approval of Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.

16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 138 – Z-0100-97(6)

CONDITIONS - Continued:

17. 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.

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. 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 concurrent with development of this site.

20. 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. Coordinate with the Traffic Engineering Division and Nevada Department of Transportation for information regarding the future I-15 access ramps planned for Bonneville Avenue adjacent to this site. Site development shall be designed to accommodate the future acquisition of any such right-of-way.

21. 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, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine 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 or the recordation of a Final Map 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved

City of Las Vegas

Agenda Item No. 138

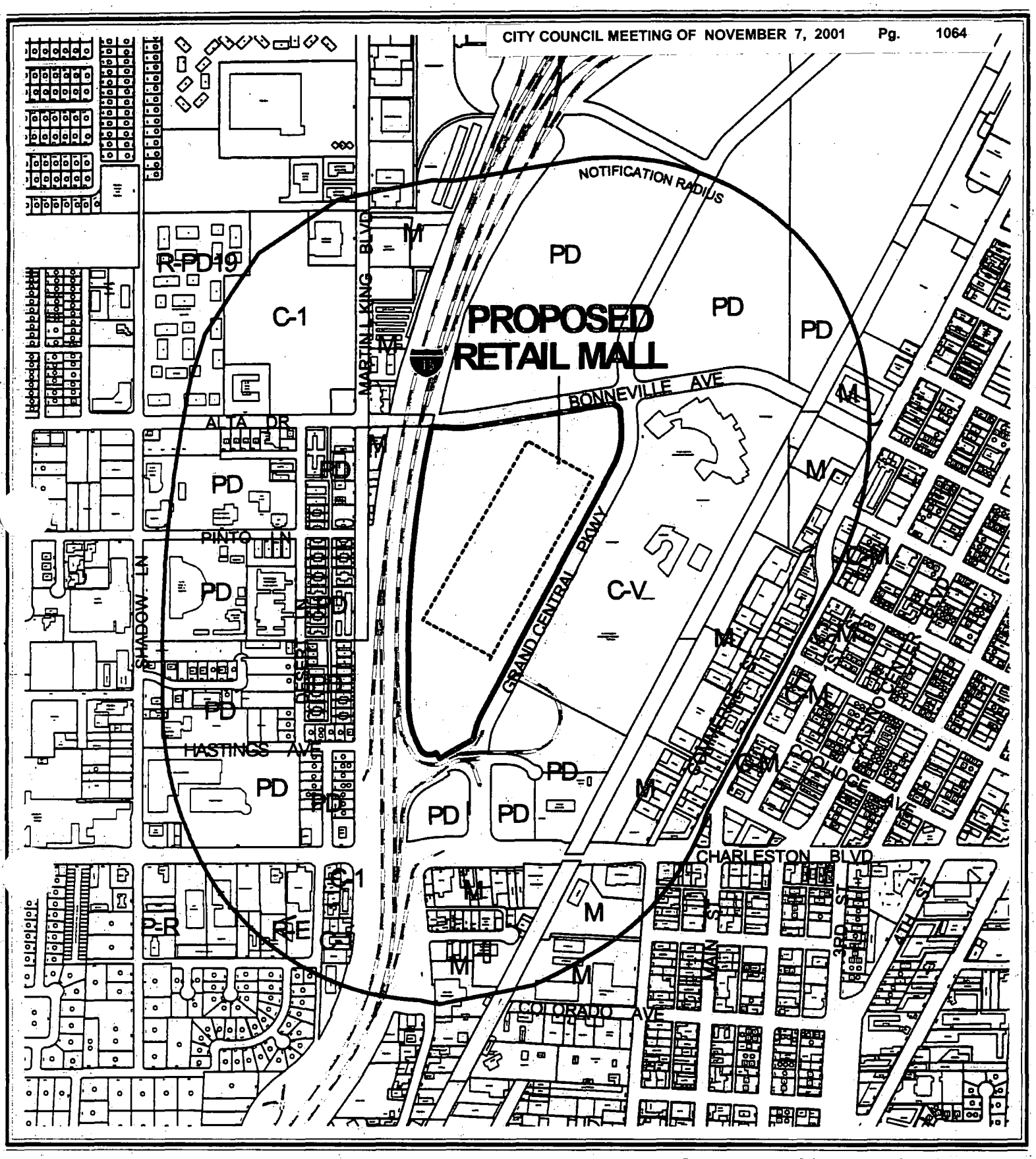
CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 138 – Z-0100-97(6)

CONDITIONS - Continued:

Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

22. 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, submittal of any construction drawings, or the recordation of a Final Map for this site, 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 construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or recordation of a Final Map whichever may occur first, if allowed by the Planning Engineer.

23. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-100-97 and all other subsequent site-related actions.



CASE: Z-0100-97(6)

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - Z-0100-97(6) - Union Pacific Railroad Company on behalf of Chelsea Property Group, Inc.

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff has no recommendation for this item.

The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Final elevation drawings shall be provided to staff by September 12, 2001 so that staff has adequate time to report on the elevations at the September 19, 2001 City Council meeting. If the final elevation drawings are not provided by that date, then the drawings must be reviewed by the Planning Commission prior to consideration by the City Council.

2. The City Council shall approve the Major Modification [Z-0100-97(5)] to the PD (Planned Development) Zoning District.

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

4. All development shall be in conformance with the revised site plan and building elevations submitted to the City of Las Vegas on July 24, 2001, except as amended by conditions herein.

5. The site plan shall be revised to include seating areas and appropriate landscaping, including at a minimum the three areas adjacent to the northeast, east, and southeast pedestrian entrances into the mall.

6. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 36-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along the length of the Grand Central Parkway frontage (east) and Interstate 15 frontage (west) where landscaping is not currently in place. The landscape plan revisions shall be subject to the approval of the Planning and Development Department prior to the issuance of any building permits for the site.

7. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect landscaped earth and rock berms of a minimum three (3) feet in height within provided planters along all public street parking lot frontages. The landscape plan revisions shall be subject to the approval of the Planning and Development Department prior to the issuance of any building permits for the site.

8. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect compliance with all of the adopted *Landscape Architecture Design Criteria* of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5).

9. The applicant shall participate in the development of a major trail/ landscaped buffer feature along I-15 and US-95/I-515, and shall develop such trail within the development site. Such trail shall include a 15 foot-wide asphalt walking/jogging/biking trail, exercise equipment, sitting areas, and heavy landscaping. Such trail shall have eventual connectivity into other downtown trails such as a trailhead near City Hall to the Bonanza Trail and the possible Third Street pedestrian corridor, linking to the regional trail plan.

10. The elevations of the building shall depict service court design incorporating an effective solid screen integrated into the facade structural design, along the perimeter of the service court areas except for maximum 40-foot-wide openings. Screen walls shall provide complete visual screening of any freight trucks providing regular service to the mall tenants.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

12. If not covered by the Parkway Center Lot 1 Development Standards, the Site Plan, Landscape, and Architectural design shall conform to the Downtown Centennial Plan.

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All exterior lighting shall be screened, and shall not create fugitive lighting on adjacent properties.

15. A Master Sign Plan shall be submitted for approval of Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.

16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

17. 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.

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. 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 concurrent with development of this site.

20. 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. Coordinate with the Traffic Engineering Division and Nevada Department of Transportation for information regarding the future I-15 access ramps planned for Bonneville Avenue adjacent to this site. Site development shall be designed to accommodate the future acquisition of any such right-of-way.

21. 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, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine 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 or the recordation of a Final Map 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

22. 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, submittal of any construction drawings, or the recordation of a Final Map for this site, 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 construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or recordation of a Final Map whichever may occur first, if allowed by the Planning Engineer.

23. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-100-97 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

This request is a Site Development Plan Review for a retail commercial project. The proposal consists of a 478,028-square foot shopping mall comprising sixteen one-level buildings. Parking will be located in surface lots on the west, south and north of the mall. The subject site is 39.20 acres at the **southwest** corner of the intersection of Bonneville Avenue and Grand Central Parkway.

BACKGROUND DATA

03/05/80 The City Council approved a Redevelopment Plan for this site as part of the larger downtown area.

01/22/86 The City Council approved a legal description of the Downtown Redevelopment Area including this site as part of a larger area.

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) for this site as part of an action on a 222-acre site including the subject site. The approval was subject to conditions, including a requirement that a Master Development Plan and Development Standards be approved by the Planning Commission in conjunction with submittal of a Site Development Plan Review for any part of the larger site.

06/14/99 The City Council approved a Site Development Plan Review and Site Development Standards for Lot 1 [Z-0100-97(1)], the subject parcel.

07/05/00 The City Council approved the Las Vegas Downtown Centennial Plan. The subject site is within the designated District 4/Parkway Center.

02/07/01 The City Council approved a Required Review [Z-0100-97(2)] of 13 existing off-premise advertising (billboard) signs on the larger site including the subject site.

05/16/01 The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a 1,000,000-square-foot Furniture Mart on the adjacent parcel at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway.

08/09/01 The Planning Commission voted to recommend approval of a related Major Modification [Z-0100-97(5)] to the Parkway Center Master Plan to revise provisions of the Master Plan.

DETAILS OF APPLICATION REQUEST

Site Area	39.2	Acres
Building Area Total	478,028	Square Feet
COMMERCIAL (LEASEABLE)	429,619	Square Feet
Minimum Building	*8,000*	*Square Feet*
Maximum Building	*100,000*	*Square Feet*
COMMERCIAL SUPPORT	48,409	Square Feet
PARKING	352,660	Square Feet
Floor Area Ratio	0.28	
Building Height	21-30	Feet (1 story)
Total Parking Required	957	Spaces (including 20 handicap accessible) /1/
Total Parking Provided	1,312	Spaces (including 20 handicap accessible)
Loading Required	8	Spaces
Loading Provided	20	Spaces

/1/ 2 spaces/1,000 square feet retail standard under the adopted Lot 1 Master Plan [Z-0100-97(1)], applied to 478,028 square feet gross floor area.

The proposed site plan depicts the footprint of the commercial mall located in the eastern portion of the site, set back from Grand Central Parkway by approximately 25 feet. Surface parking will abut the mall on the west, north and south. Vehicular access to the site will be via two entrance/exits off of Grand Central Parkway on the north and south ends of the site; tour bus and taxi loading areas will be located adjacent to the southwest portion of the shopping center. Loading access will be within service courts accessed from perimeter drives. The proposed plan depicts pedestrian access into the shopping center by three entrances connecting to the abutting sidewalk of Grand Central Parkway, and three entrances connecting to the parking lots and bus /taxi loading areas.

The proposed landscape plan comprises 24-inch box trees clustered in groups of three or more with trees averaging 20 feet on-center to visually soften the views of the parking lots and loading bays from public streets surrounding the site and within parking lot planters. The proposed tree species consist of Palo Verde and Raywood Ash associated with the parking lots planters, and Wilson Olive and Pink Dawn Chitalpa along Grand Central Parkway. Mexican Fan palm trees of 58-foot brown trunk height and Date Palm trees of 78-foot brown trunk height are depicted in a linear array along the sides of the vehicular entrances at an average of approximately 30 feet on-center.

The proposed elevations depict a modified Southwestern design. On the east elevation, the façade design utilizes both horizontal and vertical elements to provide variation to the wall planes and to enhance pedestrian interest. At the northeast and southeast corners of the building will be building facades stepped back 25 feet from Grand Central Parkway to provide pedestrian entrance plazas. Pop-out display windows are shown at intervals of 50 feet, on wall planes between pedestrian entrances, along the eastern façade. The proposed façade design centers on the pedestrian

entrances, including a raised mall identification sign tower at the center of east and west walls, with a step-up to the otherwise flat building roofline. Perimeter building facades will incorporate horizontal features of contrasting materials and colors. The primary façade material will be an 'EIFS' or synthetic stucco product textured in a similar manner to that of and-finished stucco. Façade accent materials will include stone veneer and aluminum window frames in contrasting colors.

Proposed signage will consist of individual tenant display areas along all facades, consisting of channel letters internally illuminated and free-standing signage at street intersections.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	PD (Planned Development)	Undeveloped
South:	PD (Planned Development)	Undeveloped
East:	PD (Planned Development)	Clark County Government
West:	Right-of-Way	Highway (Interstate 15)

ANALYSIS & FINDINGS

DEVELOPMENT IMPACT NOTIFICATION AND ASSESSMENT

The State of Nevada Legislature enacted, during the 1999 legislative session, Senate Bill 191 (SB 191), which requires developments of a significant impact (as defined in that legislation) to submit an impact statement. The significant impact threshold has been crossed with this proposed development, and therefore a Development Impact Notification and Assessment Statement (DINA) report was submitted with the Site Development Plan Review application. Following is a summary of those impacts attributable to the project that were determined by the reviewing agencies to be a significant impact, and the identified mitigation measures to address the significant impact.

Roadway Facilities. The Department of Public Works Traffic Engineering Division has determined that the traffic generated by this project, estimated to include approximately 1,600 PM Peak trips, will represent a significant impact on the capacities of the affected roadway facilities. A Traffic Impact Analysis will be prepared and submitted to the City of Las Vegas Department of Public Works Traffic Engineering Division. Mitigation measures will be required by the Traffic Impact Analysis report approved by the Department of Public Works Traffic Engineering Division.

Flood Control Facilities. The City of Las Vegas Department of Public Works Flood Control Division determined that the project will have a significant impact on the capacities of affected flood control facilities, and that mitigation is required as determined by the technical drainage study to be prepared by a certified Civil Engineer.

The submitted Development Impact Notification and Assessment Statement report included responses from the City of Las Vegas Department of Public Works Sanitary Sewers Division, the City of Las Vegas Fire and Rescue Department Fire Prevention Division, Metropolitan Police Department Intergovernmental Services, Las Vegas Valley Water District Engineering Service Department, and the Clark County School District Facilities Department that no significant impact on the capacities of affected facilities is anticipated.

ZONING

The subject site is within a PD (Planned Development) zone, approved under the overall action on a 222-acre site for a mixed-use project. As required by Title 19A.06.050, the PD (Planned Development) zone for the larger area incorporates development standards to be applied to all development within the 222-acre project area.

Master Development Plan Goals, Policies and Standards

The subject site is subject to the development standards adopted for the Lot 1 Master Plan, modified by the requested Major Modification [Z-0100-97(5)]. On that basis, the following is a summary of the consistency between the proposed project and some of the goals, policies, and standards of the amended Lot 1 Master Plan.

Lot 1 Master Plan Goals	Proposed Project Consistency
GENERAL PROVISIONS	
1.1.2 Create a vibrant mixed-use environment in such densities as to produce walkable exterior spaces and places that enhance and reinforce the adjacent downtown experience.	The project will be partially consistent with this policy, in that there are significant exterior design features proposed to create a pedestrian-oriented environment along the Grand Central Parkway, including primary pedestrian entrances from the abutting sidewalk. However, the proposed density (FAR of 0.28) is typical for a suburban commercial development and will not foster a sense of an urban environment. The proposed site plan reflects consideration of pedestrian areas exterior to the mall, providing a pedestrian connectivity with the surrounding area. If this request is approved staff recommends a condition requiring that the proposed outdoor plazas incorporate seating areas and appropriate landscaping to encourage pedestrian gathering.

1.1.6 Assure adequate off-street parking spaces and off-street truck loading and maneuvering facilities.	The proposed parking lots will provide 1,312 spaces, approximately 37% more than the off-street parking requirements set by the Master Development Plan and Development Standards for Lot 1. Similarly, the project will provide more than twice the required off-street loading spaces required by Title 19A.10.020.
1.3.1 Vision Statement: It is the general goal of these Site Development Standards, along with the City of Las Vegas, to create a model urban environment on this site, one that encourages higher densities, walkable pedestrian connections, and recognizable urban development...	The proposed project will not be consistent with this Vision Statement, in that it will not provide an urban environment or concomitant higher density, but rather proposes to implement a typical suburban commercial density on an urban site. In this regard, the proposal is inconsistent with the concepts behind creation of an urban experience.
USES	
2.1 Within all of Parkway Center, unless otherwise specifically prohibited ... any of the [listed] business, government, or public uses shall be permitted on the property ...	The proposed project will be an allowable use with the General Retail category of allowable commercial/retail uses.
DEVELOPMENT STANDARDS	
3.1 Parking Standards [3.1.4] Parking areas shall be separated from buildings through surface treatment variations, such as landscape buffers, and/or by grade separation. Parking spaces that directly abut buildings shall be prohibited.	The project is proposed to include surface parking lots adjacent to the west, north and south of the proposed building. Based on the materials submitted with this request for review, compliance with the elements of this standard regarding surface treatments cannot be ascertained.

3.1 Parking Standards [3.1.6] Parking lots facing public streets, major pedestrian walkways, or plazas and open space shall incorporate a minimum eight-foot (8') landscaped setback along the entire length of visual exposure.	The proposed project site and landscape plans depict consistency with the minimum setback standard. Proposed landscaping with 24-inch box trees averaging 20 feet on-center will be adequate to visually soften the views of the parking lots from public streets. Staff recommends a condition requiring minimum 36-inch box trees within the abutting planters to enhance the visual screening of parking lots.
3.1 Parking Standards [3.1.7] Surface parking lots shall have a minimum of one shade tree for every six spaces. At least 50% of these should be planted in landscape islands. A minimum of 10 square feet of landscaped surface area must be provided for each surface parking space, incorporated into islands and /or perimeter landscape treatment. Landscaped earth and rock berms are encouraged to screen surface parking.	The proposed landscaping plan indicates compliance with the element of this standard regarding tree counts; however, compliance with the standard for a ratio of landscape surface area to parking space count is not demonstrated by submitted materials. The landscape plan also shows no ground contours for the planters. Therefore, compliance with the elements of this standard regarding berms cannot be ascertained.

3.2 Architectural Design Standards [3.2.2.1] A high density development is the goal of this master plan, but realistic and financially feasible development proposals, that rise from market demand will influence density levels. At full build-out, it is the goal, for Lot 1, to meet or exceed a 1.0 FAR. If the market allows, the developer will encourage construction of higher densities.	The proposed project will not be consistent with this goal, in that it will not provide an urban density, but with a proposed FAR of 0.28 represents a typical suburban commercial density.
3.3 Physical Design Standards [3.3.4] Extended, blank, expressionless walls at the street level shall be prohibited. Architectural detailing at the pedestrian level will be required to create visually interesting facades.	The proposed façade design is consistent with this standard, providing horizontal and vertical articulation, pop-out display windows, and use of contrasting materials and colors. The concentration of architectural detailing along the east façade will enhance the Grand Central Parkway pedestrian environment created by the façade design.
3.3 Physical Design Standards [3.3.7] The main entry of the building from the street shall be appropriately articulated in the architectural design of the building.	The proposed design includes stepped back building walls and display elements adjacent to the pedestrian entrances from Grand Central Parkway. The proposed design of the pedestrian entrances will utilize contrasting façade materials and colors, and represents one of the most prominent features of the east elevation design.
3.3 Physical Design Standards [3.3.12] All service and loading areas shall be positioned so service vehicles will not disrupt traffic flow to or from the site or parking lots.	The proposed site layout depicts physically separate loading areas (service courts), accessed via driveways intended to serve only the loading area.
3.5 Signage Design Standards [3.5.1] The purpose of establishing regulatory criteria for signs within this planned development is to reinforce the sense of unique identity, create conformity between parcels, establish quality standards, reduce visual clutter, and promote sign legibility. …	The signage plan will be subject to approval by the Planning Commission with a recommended condition regarding review the details of all exterior signage.
3.6 Landscape Architecture Design Criteria [3.6.2] … General plant groupings … are trees, medium to tall shrubs, accent plants and groundcovers… Specific plants within each group are … [LISTED]	The proposed landscaping plan complies with requirements of the approved Landscape Plant List, for those elements addressed in the submitted landscape plan. The complete landscape plan must be submitted for staff review prior to issuance of any building permits, and must meet all of the applicable standards unless a waiver has been approved.
3.6 Landscape Architecture Design Criteria [3.6.3.2] Trees should be interspersed within shrubs and groundcovers on the basis of one tree every 20 linear feet. Clusters of trees are encouraged. The maximum separation between clusters shall not exceed fifty (50) feet.	The proposed landscaping plans are in compliance with this standard if modified by approval of Major Modification Z-0100-97(5).

3.6 Landscape Architecture Design Criteria [3.6.3.3] Landscaping screening to be used in lieu of solid walls must meet the following requirements: ... [LISTED] [3.6.6.1] ... Owners are encouraged to provide attractive landscaping at building entries. Specialty paving materials and site amenities are required at these areas and within adjacent parking areas. [3.6.6.3] ... Special accent paving of high quality materials are permitted to identify important pedestrian areas such as building entries, plazas and crosswalks. ...	The proposed landscaping plan's compliance with these standards cannot be ascertained based upon the materials submitted. Staff recommends a condition that requires the landscape plans be revised to reflect compliance with all of the adopted *Landscape Architecture Design Criteria* of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5), including screening and paving criteria.
3.6 Landscape Architecture Design Criteria [3.6.6.4] ... Site amenities such as benches, bollards and planters are required at building entries and other pedestrian gathering areas. . .	Staff recommends a condition that requires the provision of seating areas and appropriate landscaping, within the three areas adjacent to the northeast, east, and southeast pedestrian entrances into the mall.

SITE PLAN

Staff finds that the proposed commercial center plan represents a suburban mall site layout in the western half of the site, and in that context is an appropriate configuration of building footprint, parking lots and related vehicular access. In the context of an urban environment, staff finds that the proposed site plan represents a primarily auto-oriented configuration in contrast to the urban environment intended under the development standards of the Parkway Center Lot 1 Master Plan. However, those standards will be substantially modified by the requested Major Modification [Z-0100-97(5)], and if that request is approved the development standards in place for this site will reflect a more typically suburban environment.

This current proposal in concept will not be consistent with policies of the adopted development standards regarding creation of an urban walking environment on public streets, in that the low density of the development precludes the potential for creating an urban environment on this site. However, within the limitations imposed by the development density, the site plan proposes primary pedestrian orientation to Grand Central Parkway with three pedestrian plaza spaces at key entry points. Staff recommends a condition on the development approval requiring the site plan be revised to include seating areas and appropriate landscaping, including at a minimum the three areas adjacent to the northeast, east, and southeast pedestrian entrances into the mall.

LANDSCAPE PLAN

The standards of the Parkway Center Master Plan for Lot 1 require, and the proposed landscape plan shows, a minimum eight foot (8') landscaped setback along the entire length of visual exposure for parking lots facing public streets, major pedestrian walkways, and plazas. Staff finds that the visual prominence and length of north-south street frontages of this property indicate the appropriateness of larger trees for visual screening and enhancement. Therefore, staff recommends a condition requiring minimum 36-inch box trees along the length of the Grand Central Parkway frontage (east) and Interstate 15 frontage (west) where landscaping is not currently in place. In addition, staff recommends a condition requiring amendment of the landscape plan to depict landscaped earth and rock berms of a minimum three (3) feet in height within provided planters along all parking lot public street frontages, to enhance visual screening of the parking areas.

The submitted landscape plans are not sufficiently detailed for an evaluation of their consistency with applicable standards of the *Landscape Architecture Design Criteria* of the Parkway Center Lot 1 Master Plan, including criteria for plantings, paving treatment, and pedestrian amenities. Staff recommends a condition requiring the submitted landscape plans be revised to reflect compliance with all of the adopted *Landscape Architecture Design Criteria* of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5).

Staff has also recommended a condition requiring compliance with the planned trail system conceived to serve the downtown residential community over the next 3-20 years.

ELEVATIONS

Staff finds that the proposed façade design, through the use of horizontal and vertical articulation, pop-out display windows, use of contrasting materials and colors, an articulated roofline and strong pedestrian entrance design elements will provide an appropriate elevation design for the scale and type of development proposed.

Staff finds that the proposed site plan depicts 'service court' loading areas accessed from perimeter drives, which if not adequately screened will create a visually unappealing interruption of the façade design. Staff recommends a condition that the elevations of the building design be required to provide complete visual screening of any freight trucks providing regular service to the mall tenants, by incorporating an effective service court solid screen integrated into the facade structural design, along the perimeter of the service court.

SIGNAGE

Although a Master Signage Plan was not submitted with this request, the Major Modification request (Z-0100-97(5)] establishes signage programs for wall, directional and freestanding signage. Staff recommends a condition requiring the details of all exterior signage for this project be submitted for approval by the Planning Commission prior to issuance of a Certificate of Occupancy.

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 the proposed development will be a substantially different use and intensity of development than currently found or anticipated by Planning and Development Department staff in the site area. The project will also represent a complete direction change from the general type of uses envisioned for the site by the office and mixed-use development conceptually approved for Lot 1. The proposed commercial mall development on the site also represents a significant departure in development densities planned for the area, as reflected by the development standards previously adopted for the Lot 1 Master Plan. This development on the parcel will also likely set a precedent for the type and physical configuration of future development in the 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."**

   The project program represents a significant departure from the intensity and mix of office and support commercial uses envisioned for the immediate area with the approval of Site Development Plan Review and Site Development Standards for Lot 1 [Z-0100-97(1)]. The current proposal is dependent upon approval of a Parkway Center Lot 1 Master Plan Major Modification [Z-0100-97(5)], which if approved alters the intended physical development of the site and sets development standards specific to the commercial mall project. The proposed project will be in compliance with the modified standards of the PD (Planned Development) zone regulating the site, with implementation of recommended conditions regarding landscaping and pedestrian enhancements.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic."**

   Staff finds the proposed project will impact adjacent roadways including Bonneville Avenue and Grand Central Parkway. The anticipated trip generation with this commercial development was determined by the Department of Public Works Traffic Engineering Division to represent a significant impact on the capacities of the affected roadway facilities and will require mitigation measures to be included in the project construction process.

4. **"Building and landscape materials are appropriate for the area and for the City."**

   Staff finds the proposed landscape plan, depicting street landscaping along both abutting street frontages, will be consistent with the adopted *Landscape Architecture Design Criteria* of the Parkway Center Lot 1 Master Plan as modified by the approved Major Modification Z-0100-97(5), including screening and paving criteria, with the implementation of recommended conditions regarding revisions to the landscape plans.

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 the proposed façade design, through the use of horizontal and vertical articulation, pop-out display windows, use of contrasting materials and colors, an articulated roofline and strong pedestrian entrance design elements will provide an appropriate elevation design for the scale and type of development proposed. Staff recommends a condition that the elevations of the building design incorporate an effective service court solid screen integrated into the facade structural design, along the perimeter of the service court areas except for maximum 40-foot-wide openings, to ensure that screen walls provide complete visual screening of any freight trucks providing regular service to the mall tenants.

6. **"Appropriate measures taken to secure and protect the public health, safety and general welfare."**

   Staff finds the proposed building will be subject to all requirements and standards of the Uniform Building Code and will be subject to regular inspections for licensing, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 161 by Planning Department

APPROVALS 0

[The Planning Commission expressed concerns regarding the proposed building elevations, and consequently added a condition to the motion to recommend approval requiring final elevation drawings be provided to Planning and Development Department staff by September 12, 2001 so that staff has adequate time to report on the elevations at the September 19, 2001 City Council meeting.

The applicant met with staff on August 16 and August 30, 2001, regarding the final elevations for the proposed buildings.]

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 2-0100-97(6) APN: 139-33-710-001

Name of Property Owner: Union Pacific Railroad Company

Name of Applicant: Chelsea Property Group, Inc.

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ✓ No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: UNION PACIFIC RAILROAD COMPANY By: [signature]
R. D. Uhrich
Assistant Vice President-Real Estate

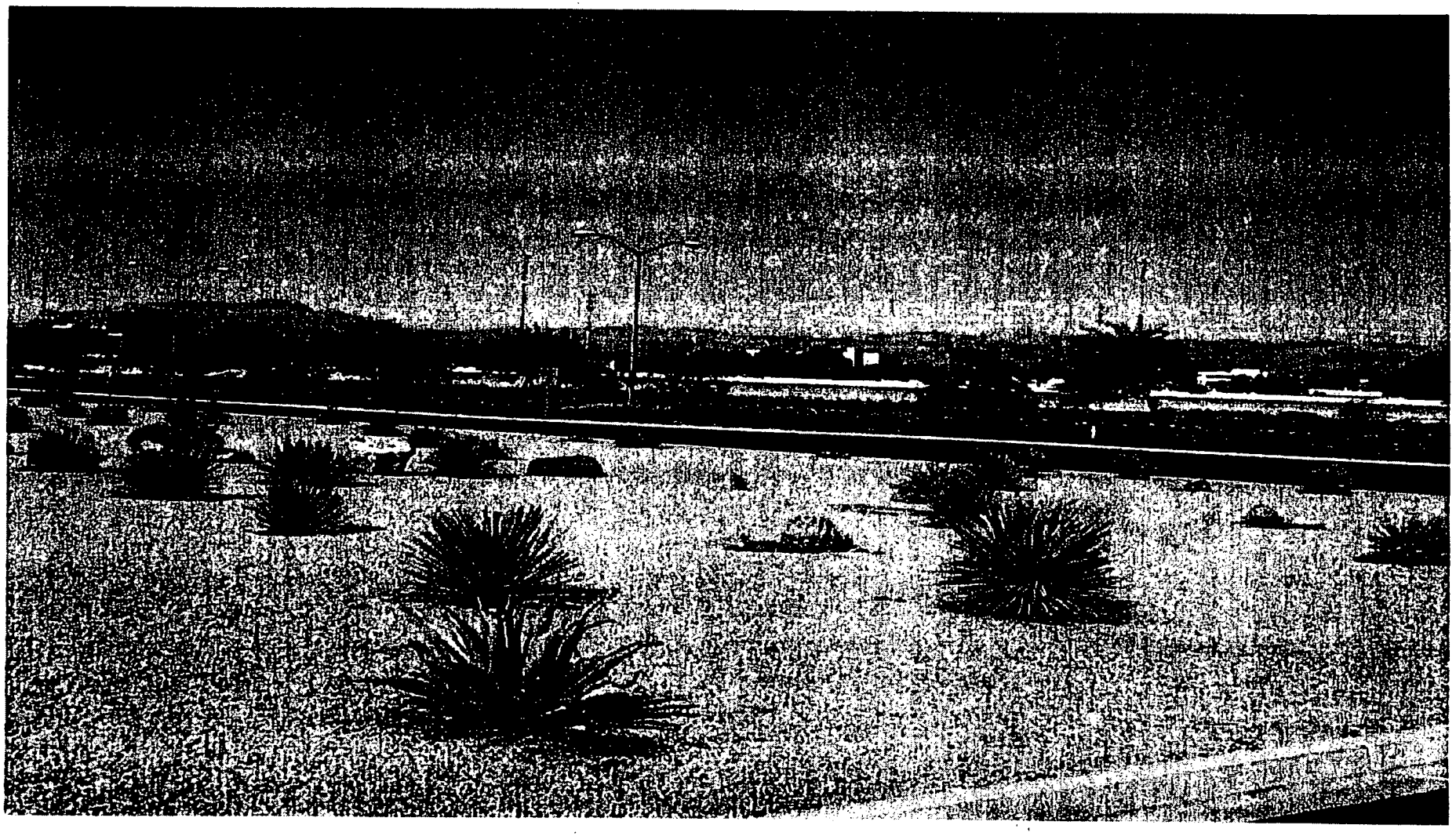
Subscribed and sworn before me

This 28th day of June, 2001

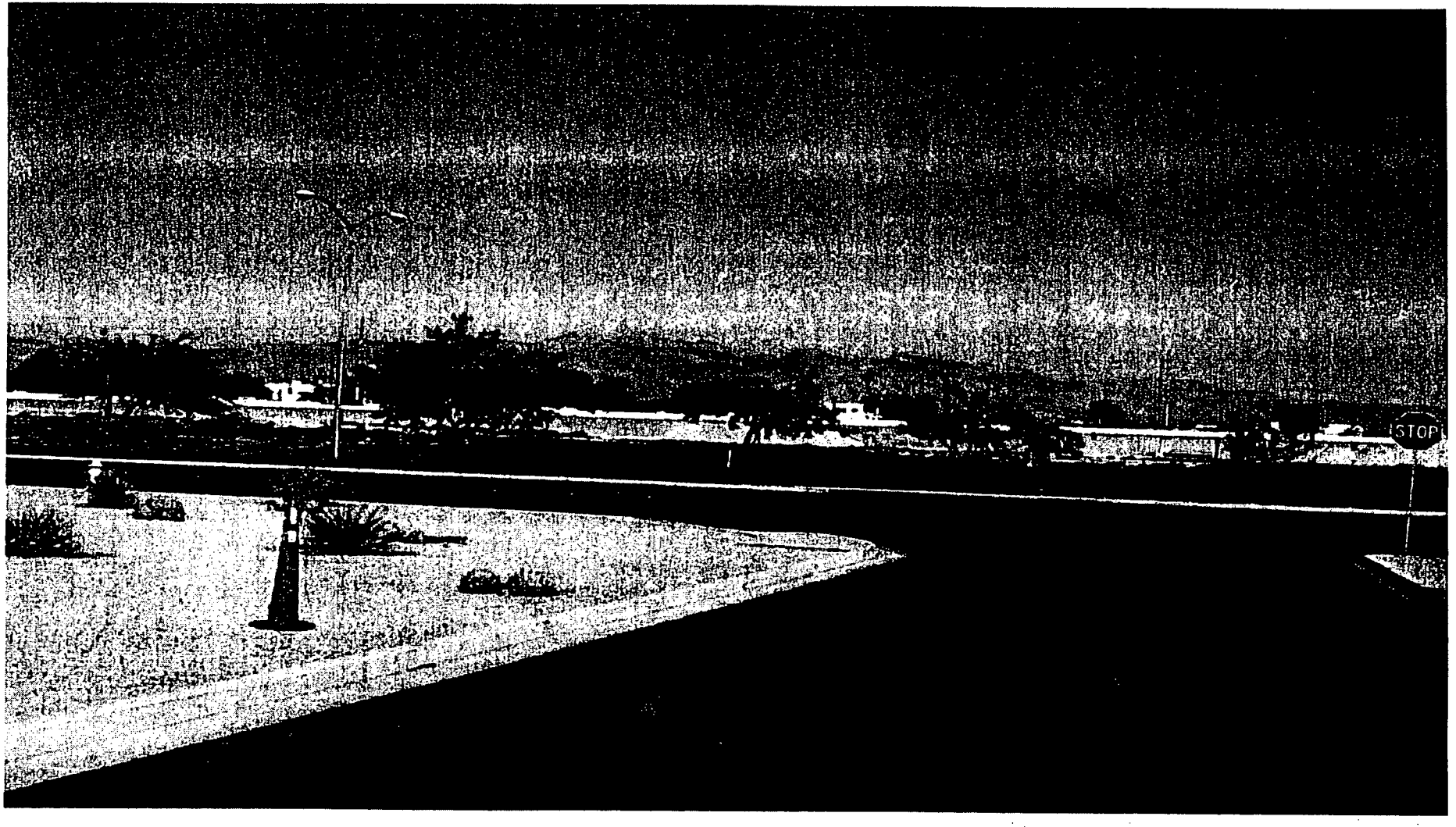
[signature]
Notary Public in and for said County and State

GENERAL NOTARY-State of Nebraska
NILDA HILL
My Comm. Exp. July 11, 2004

STATE OF NEBRASKA)
COUNTY of DOUGLAS) ss.



Z-0100-97(6) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC. - Southwest corner of Bonneville Avenue and Grand Central Parkway



Z-0100-97(6) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF CHELSEA PROPERTY GROUP, INC. - Southwest corner of Bonneville Avenue and Grand Central Parkway

City of Las Vegas

Agenda Item No. 139

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - MAJOR MODIFICATION - IRON MOUNTAIN RANCH RESIDENTIAL PLANNED DEVELOPMENT MASTER PLAN - PUBLIC HEARING - **Z-0016-98(4) - WILLIAM LYON HOMES** - Request for a Major Modification to the Iron Mountain Ranch Residential Planned Development Master Plan TO REMOVE APPROXIMATELY 40 ACRES FROM THE OVERALL PLAN AREA at the northeast corner of the intersection of Jones Boulevard and Grand Teton Drive (APN: 125-12-401-001), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	12	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

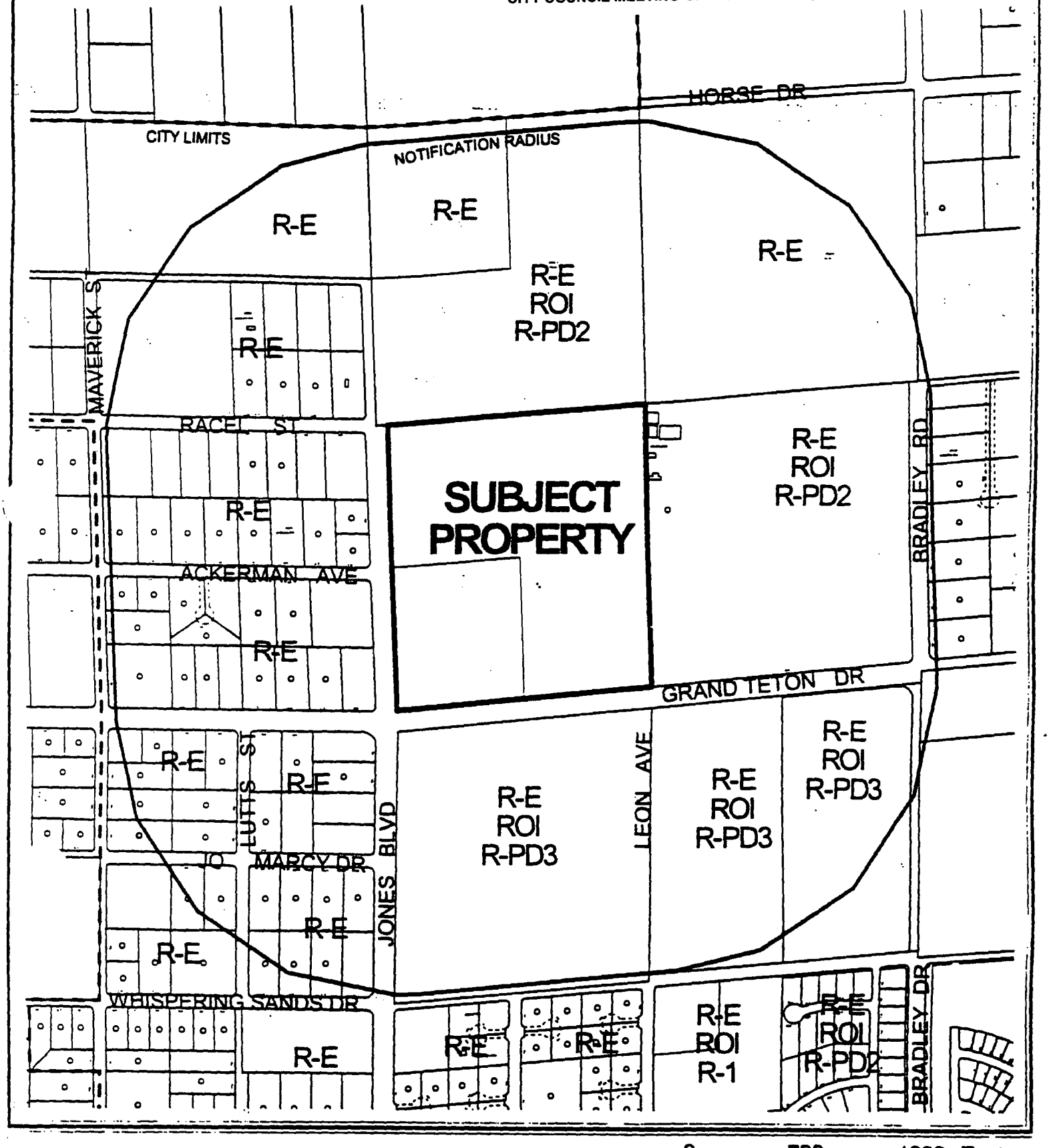
RECOMMENDATION:
The Planning Commission (4-1-1 vote) and staff recommend DENIAL.

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

MOTION:
REESE – Motion to bring forward and HOLD IN ABEYANCE Item 139 [Z-0016-98(4)] to 12/19/2001 and Item 150 [Z-0007-61(2)] to 1/2/2002 and to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 149 [V-0053-01] – UNANIMOUS

MINUTES:
There was no discussion

(2:33 – 2:35)



0 500 1000 Feet

CASE: Z-0016-98(4)

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES) AND R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

PROPOSED TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - Z-0016-98(4) - William Lyon Homes

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 17, 2001 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

1. The Resolution of Intent (Z-0016-98) on this property shall be expunged.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Major Modification to the Iron Mountain Ranch Residential Planned Development Master Plan to remove approximately 40 acres of land located at the northeast corner of the intersection of Jones Boulevard and Grand Teton Drive from the Master Plan.

BACKGROUND DATA

09/28/98	The City Council approved a Rezoning (Z-0016-98) from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site as part of a larger request. This approval also adopted the Iron Mountain Ranch Residential Planned Development Master Plan.
04/26/01	The Planning Commission voted to recommend denial of a related General Plan Amendment (GPA-0011-01) from DR (Desert Rural) to R (Rural Density Residential) and voted to recommend denial of a related Rezoning (Z-0025-01) from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 Units Per Acre).

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	ROI to R-PD2 (Residential Planned Development – 2 Units Per Acre)	Undeveloped
South	ROI to R-PD2 (Residential Planned Development – 2 Units Per Acre) and	Undeveloped
	ROI to R-PD3 (Residential Planned Development – 3 Units Per Acre)	Undeveloped
East	ROI to R-PD2 (Residential Planned Development – 2 Units Per Acre)	Undeveloped
West	R-E (Residence Estates)	Single Family Residential

ANALYSIS & FINDINGS

GENERAL PLAN

The subject site is designated DR (Desert Rural Density Residential) on the Centennial Hills Sector of the General Plan. The DR (Desert Rural Density Residential) General Plan designation limits residential density to 2.0 dwelling units per acre. The current General Plan designation will be unaffected by the request to amend the Iron Mountain Ranch Residential Planned Development Master Plan.

ZONING

The subject site is currently zoned R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre). The prior zone change (Z-0016-98) established this zoning; it is also the same zoning application that established the Iron Mountain Ranch Residential Planned Development Master Plan. Therefore, if this major modification is approved, thereby removing this site from the Iron Mountain Ranch Master Plan, the zoning on this property will be expunged. A new zoning will need to be approved.

LAND USE DESIGNATION

Staff finds the proposed request to remove the property from the Iron Mountain Ranch Residential Planned Development Master Plan will not change the underlying land use designation of DR (Desert Rural) as shown in the Centennial Hills Sector Plan of the General Plan. However, this site is within the boundaries of the Iron Mountain Ranch Residential Planned Development Master Plan and this request will, if approved, reduce the size of the overall Master Plan area by approximately 40 acres.

The Iron Mountain Ranch Master Plan envisioned a series of interconnected neighborhoods, all of which had common features including open space, trails, and a uniform set of development standards. Staff finds that this proposal will create a "stand-alone" development. As proposed, this project will result in a walled-off, gated and private street development that does not provide any continuity or connectivity between this development and any other neighboring development. Therefore, staff cannot support this request because this Major Modification will compromise the integrity of the Iron Mountain Ranch Residential Planned Development Master Plan.

FINDINGS

The following findings required for approval of a Planned Development District Master Development Plan and Development Standards application, per Las Vegas Municipal Code Section 19A.06.050, should also be required for any subsequent Major Modification review. Thus, the Planning Commission or City Council must affirm the following:

1. **"The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, wall and buffer standards, and other applicable plans, policies, standards and regulations."**

   Staff finds a development could be proposed with this request that is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards. However, the development proposed will be inconsistent with the intent of the Iron Mountain Ranch Residential Planned Development Master Plan by not including a uniform set of development standards and creating a development that is not connective or related by design to other surrounding developments.

2. **"Compatibility of the proposed development with adjacent and surrounding development."**

   Staff finds that the Iron Mountain Ranch Residential Planned Development Master Plan envisioned a series of interconnected residential neighborhoods, all of which had common features including open space and trails. This proposed development will create a "stand-alone" development that is walled and gated without any design continuity or connectivity between adjoining subdivisions.

3. **"Minimization of the development's impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure."**

   Staff finds the proposed removal of the subject property from the Iron Mountain Ranch Residential Planned Development Master Plan will not impact the adjacent roadways and neighborhood traffic. In addition, this development will be subject to a Site Development Plan Review before the Planning Commission, and specific circulation patterns will be addressed at that time.

4. **"Protection of the public health, safety and general welfare."**

   Staff finds future development on the site, whether or not the requested removal from the Iron Mountain Ranch Master Plan is approved, will be subject to inspections for permits and Certificates of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 82 by Planning Department

APPROVALS 0

PROTESTS 12

[Notes: 7 surrounding area property owners provided testimony in opposition, for the stated reason that proposed removal from the Iron Mountain Ranch Plan of the subject property will compromise the area residents' efforts to provide appropriate residential density and high standards of development through the Iron Mountain Ranch Plan.

The Planning Commission voted to recommend denial of the request, determining that the request compromises the integrity of the Iron Mountain Ranch Plan.]

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Z-0016-98(4) APN: 125 12 401 001

Name of Property Owner: Ivan Cannon

Name of Applicant: William Lyon Homes

To the best of your knowledge, does the Mayor, any member of the City Council, or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes XXXXX No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____.

Signature of Property Owner/Authorized Agent: [signature]

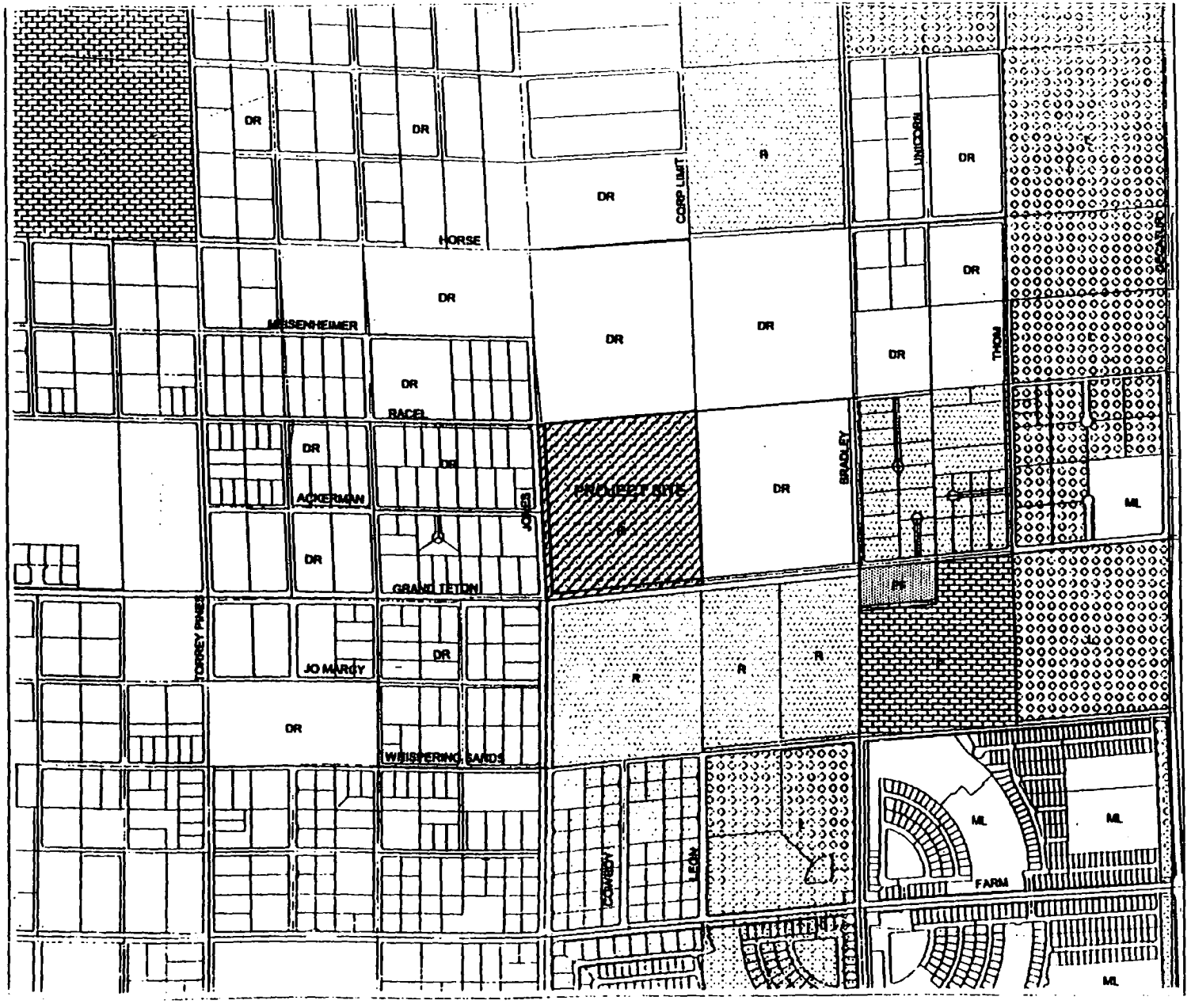
Subscribed and sworn before me

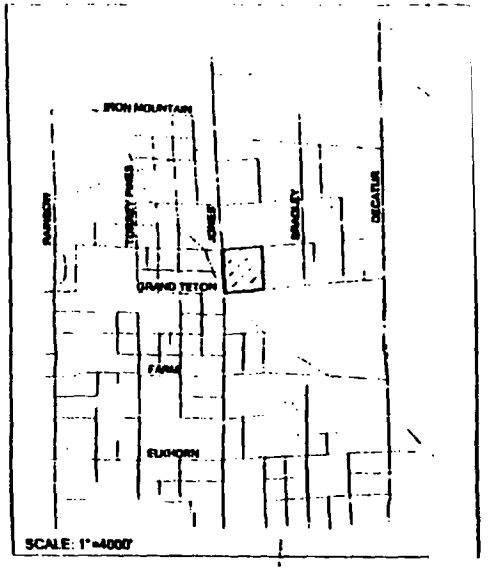
This 28 day of March, 2001

[signature]
Notary Public in and for said County and State

LINDA FARNSWORTH
Notary Public - Nevada
No. 94-2787-1
My appt. exp. Jan. 28, 2002

LAND USE PLAN
BY WILLIAM LYON HOMES





LEGEND

- Project Site
- Land Use
  - D — Desert Rural (0-2)
  - Low (3.6 to 5.5)
  - ML — Medium-Low (5.6-8)
  - Park/Recreation/Open Space
  - PF — Public Facility
  - R — Rural (2.1-3.5)
  - ROW

STAFF

Z-0016-98(4)
4-26-01 PC

0 800 Feet

N W S

G. C. WALLACE, INC
Engineers/Planners/Surveyors

CITY COUNCIL MEETING OF NOVEMBER 7, 2001 Pg. 1090

Z-0016-98(4) - WILLIAM LYON HOMES
NORTHEAST CORNER OF THE INTERSECTION OF JONES BOULEVARD AND GRAND TETON DRIVE
APRIL 26, 2001 PLANNING COMMISSION

William Lyon Homes, Inc.

RECEIVED
CITY CLERK

2001 NOV -6 A 7:52

November 5, 2001

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart Avenue, 1st Floor
Las Vegas Nevada, 89101

VIA FACSIMILE
382-4803

RE: Agenda Item 139, of the City Council Agenda for November 7, 2001

William Lyon Homes would like to request that Agenda Item 139, Z-0016-98(4), of the November 7, 2001 City Council Agenda, be held in abeyance until the next City Council meeting on November 21, 2001. Our previously submitted, revised site plan is still being reviewed by staff.

Sincerely,

Terry Connelly
Vice President
William Lyon Homes

cc: Chris Kaempfer,
Leni Skaar, City of Las Vegas

Submitted after final agenda

Date 11/6/2001 Item #139

William Lyon Homes, Inc.

November 7, 2001

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart Avenue, 1st Floor
Las Vegas Nevada, 89101

VIA FACSIMILE
382-4803

RE: Agenda Item 139, of the City Council Agenda for November 7, 2001

This letter is in reference to the letter dated November 5, 2001 in which we requested Agenda item 139 to be held in abeyance to the November 21, 2001 City Council meeting. William Lyon Homes would like to re-request that Agenda Item 139, **Z-0016-98(4)**, of the November 7, 2001 City Council Agenda, be held in abeyance until the City Council meeting on December 19, 2001. Our previously submitted, revised site plan is still being reviewed by staff.

Sincerely,

Scott Prokopchuk

Scott Prokopchuk
Project Director
William Lyon Homes

cc: Chris Kaempfer,
Leni Skaar, City of Las Vegas

RECEIVED
CITY CLERK
2001 NOV -7 A 8:43

#139

City of Las Vegas

Agenda Item No. 140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0023-01 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY** - Petition to vacate a public sewer easement generally located adjacent to the west side of the Las Vegas Beltway, six hundred ninety feet north of Alexander Road, Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions, deleting Condition #1 and amending the reference in Condition #4 to *Condition #2* following the renumbering – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

SALLY PELHAM, Southwest Engineer, 3610 North Rancho Drive, appeared on behalf of the applicant and concurred with staff's recommendations.

ROBERT GENZER, Director, Planning & Development Department, clarified that Condition #1 should be deleted because an easement is being vacated and they will not be reserving any additional easements. Due to that deletion and renumbering of the remaining conditions, the reference in Condition #4 should be changed making reference to Condition #2.

City of Las Vegas

Agenda Item No. 140

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 140 – VAC-0023-01

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(4:23 – 4:25)
6-399

CONDITIONS:

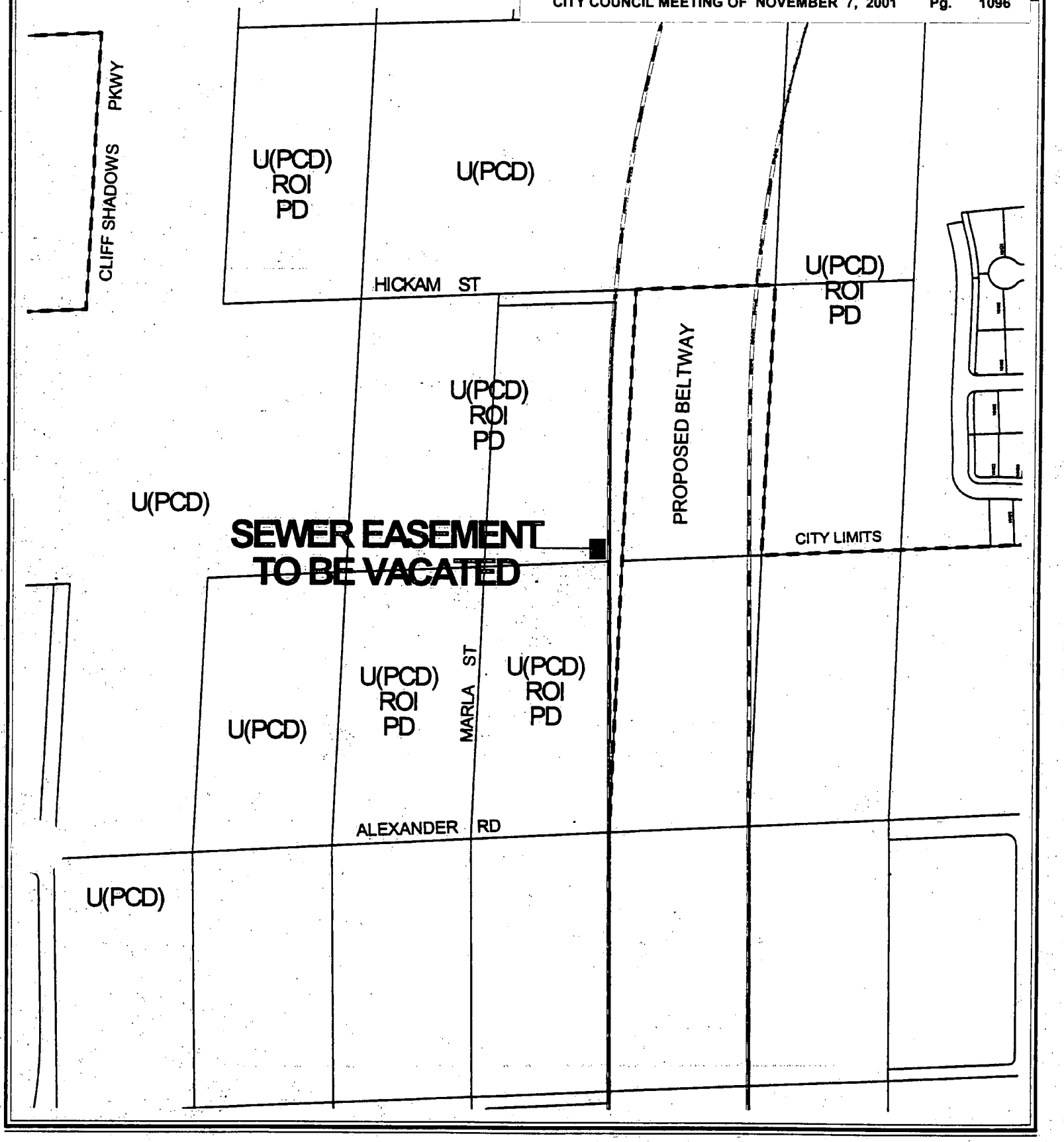
1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

2. All development shall be in conformance with code requirements and design standards of all City Departments.

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.



CASE: VAC-0023-01
RADIUS: SPECIAL

0 300 600 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0023-01 - Southwest Desert Equities, Limited Liability Company

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

2. All development shall be in conformance with code requirements and design standards of all City Departments.

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to Vacate a public sewer easement generally located adjacent to the west side of the Las Vegas Beltway, 690 feet north of Alexander Road. The applicant's justification letter states the sewer easement abuts the Beltway and is not needed for the Alexander Apartment project.

BACKGROUND DATA

06/14/99 The City Council approved a request for Rezoning (Z-0024-99) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to P-D on the subject property as part of a larger request.

08/23/01 The Planning Commission held this item in abeyance until the September 20, 2001 Planning Commission Meeting so the applicant could further work with staff.

09/20/01 The Planning Commission voted to recommend approval of a related Petition to Vacate (VAC-0024-01) a portion of Hickam Street and voted to recommend approval of a related Site Development Plan Review [Z-0024-99(33)] for a proposed 371-unit multi-family residential development.

ANALYSIS & FINDINGS

Staff finds the subject public sewer easement is an artifact of earlier plans to extend public sewer beneath the proposed City-Wide beltway adjacent to this site. However, as development within the Lone Mountain West Plan area has proceeded, the public sewer access plans have changed, and this alignment is no longer necessary. Therefore, staff recommends approval of this petition of vacation.

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0043-01 APN: 137-01-401-003, 004, 011, 012

Name of Property Owner: _____

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

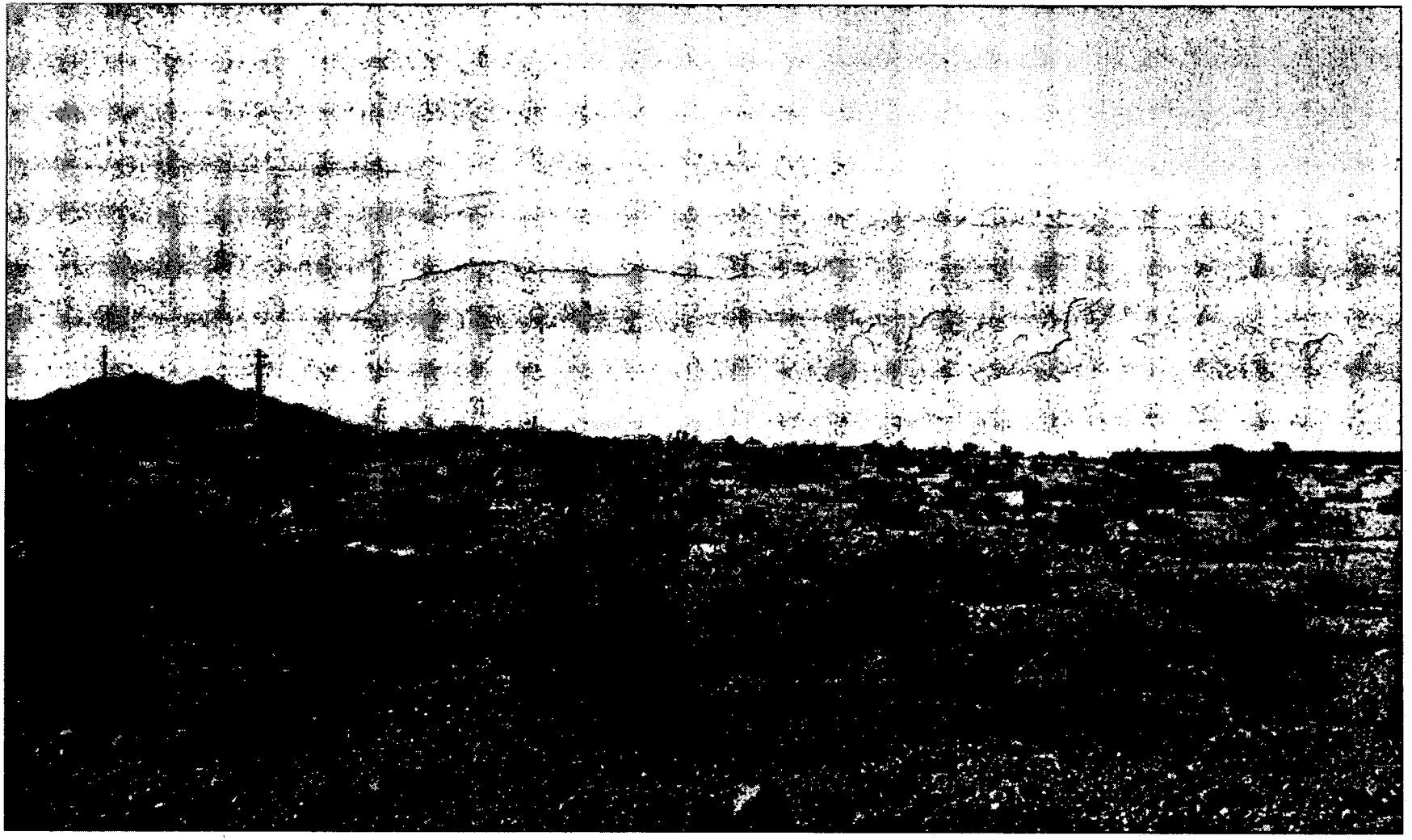
Subscribed and sworn before me

This 10th day of July, 2001

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LORI K. GREEN
Appt. No. 93-4390-1
My Appt. Expires April 13, 2002



VAC-0023-01 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY
LAS VEGAS BELTWAY NORTH OF ALEXANDER ROAD

City of Las Vegas

Agenda Item No. 141

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0024-01 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY** - Petition to vacate a portion of Hickam Street generally located west of the Las Vegas Beltway, Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

SALLY PELHAM, Southwest Engineer, 3610 North Rancho Drive, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 141

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 141 – VAC-0024-01

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:23 – 4:25)

6-399

CONDITIONS:

1. This Petition of Vacation shall be amended to retain those portions of Hickam Street on the north edge of this site, necessary to complete a cul-de-sac on Hickam Street.

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Plan for Z-24-99(33) may used to fulfill this condition.

3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

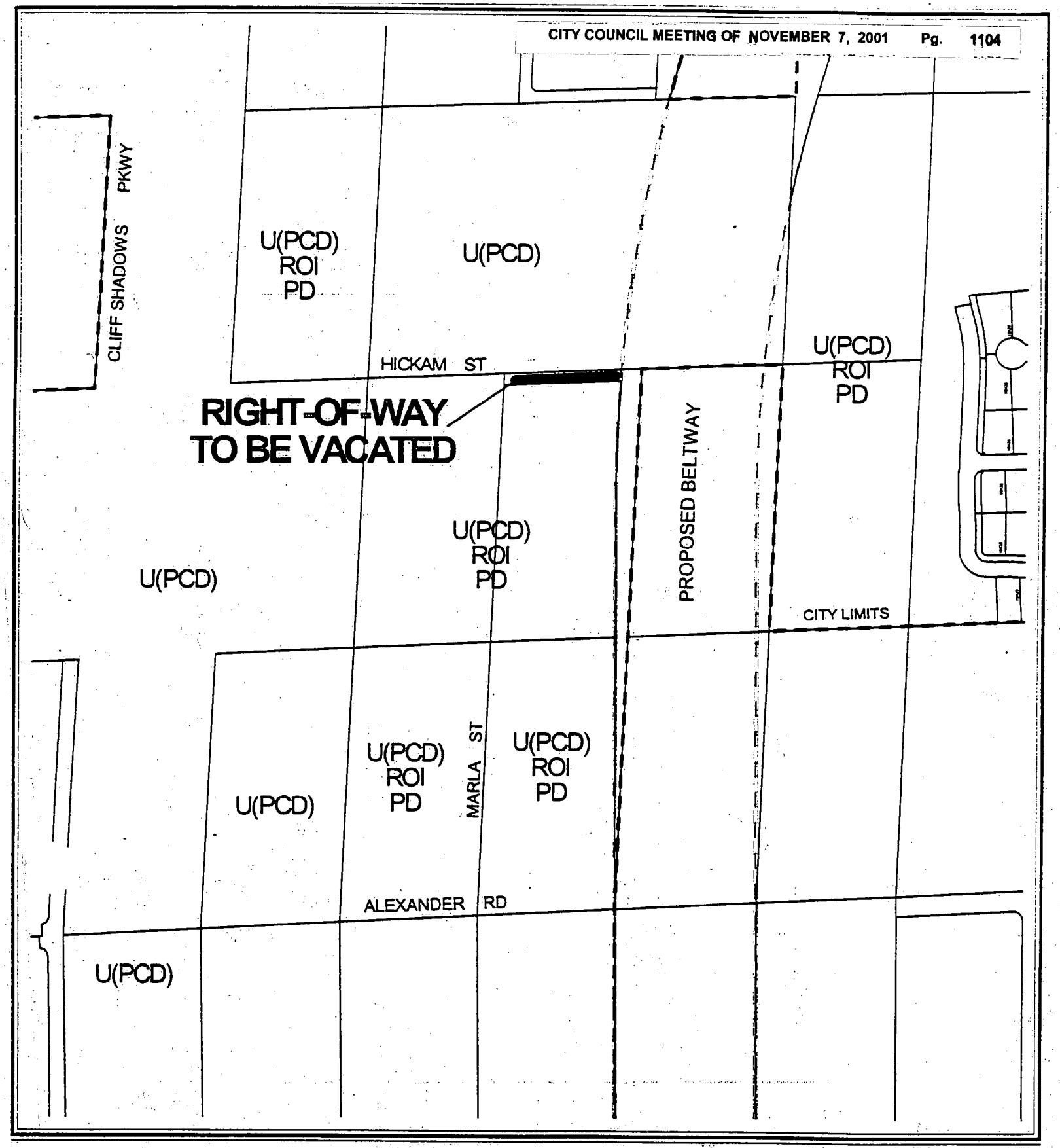
City of Las Vegas

Agenda Item No. 141

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 141 – VAC-0024-01

CONDITIONS – Continued:

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.



CASE: VAC-0024-01
RADIUS: SPECIAL

0 300 600 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0024-01 - Southwest Desert Equities, Limited Liability Company

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

1. This Petition of Vacation shall be amended to retain those portions of Hickam Street on the north edge of this site, necessary to complete a cul-de-sac on Hickam Street.

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Plan for Z-24-99(33) may used to fulfill this condition.

3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to vacate a portion of Hickam Street generally located west of the Las Vegas Beltway.

BACKGROUND DATA

06/14/99 The City Council approved a request for Rezoning (Z-0024-99) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to P-D on the subject property as part of a larger request.

09/20/01 The Planning Commission voted to recommend approval of a related Petition to Vacate (VAC-0023-01) a portion of Hickam Street and voted to recommend approval of a related Site Development Plan Review [Z-0024-99(33)] for a proposed 371-unit multi-family residential development.

ANALYSIS & FINDINGS

Staff finds the requested vacation of a portion of Hickam Avenue will not eliminate public access to any abutting parcels and will be incorporated into a proposed 371-unit multi-family residential development [Z-0024-99(33)]. Hickam Street will not cross the beltway, so it must be terminated or redirected. Furthermore, staff finds the proposed vacation will not result in a reduced traffic handling capability in that the subject section of right-of-way is currently undeveloped and unused. Staff recommends approval of this request.

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0024-01 APN: _____

Name of Property Owner: SW Desert Equities, LLC

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council who is involved and list the name(s) of the person or persons with whom the Mayor or City Council member holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

Council Member: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature], Mgr

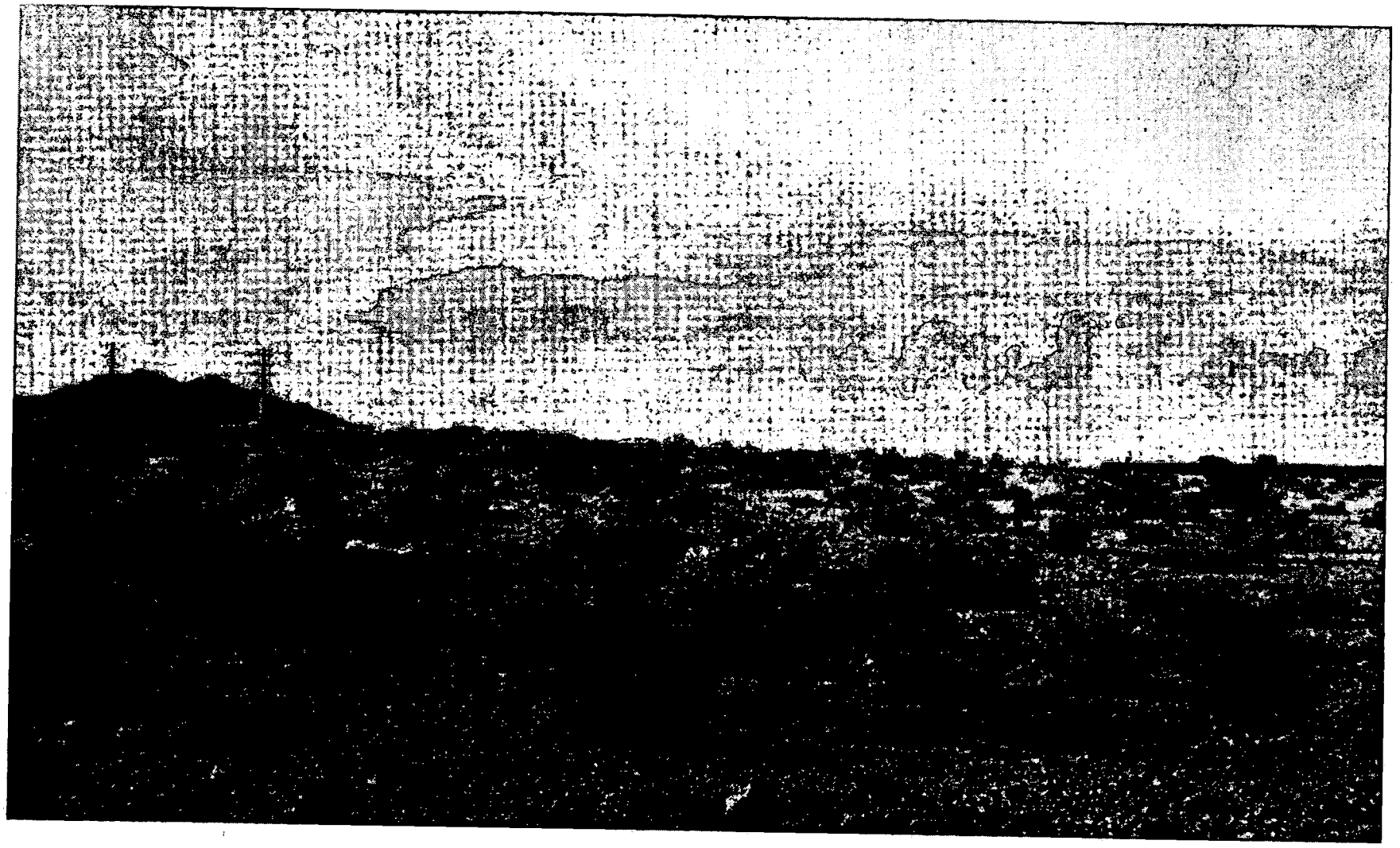
Subscribed and sworn before me

This 1st day of August, 2001

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LORI K. GREEN
Appt. No. 93-4390-1
My Appt. Expires April 13, 2002



VAC-0024-01 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY
HICKAM STREET WEST OF LAS VEGAS BELTWAY

City of Las Vegas

Agenda Item No. 142

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0026-01 - CONCORDIA HOMES OF NEVADA** - Petition to Vacate portions of Craig Road, Marla Street, and Helena Avenue and U.S. Government Patent Easements generally located south of the Craig Road Alignment, west of the future Beltway Alignment, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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:
BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

PATRICK SMITH, 6280 South Valley View Boulevard, appeared on behalf of the applicant. ROBERT GENZER, Director, Planning & Development Department, clarified for MR. SMITH that the conditions are the same that were approved by the Planning Commission. Therefore, MR. SMITH concurred with those conditions. Additionally, CHERI EDELMAN, Public Works, indicated that she would provide a copy for the applicant.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 142

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 142 – VAC-0026-01

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:26 – 4:27)

6-486

CONDITIONS:

1. This Petition of Vacation shall be revised to retain an appropriate City of Las Vegas Public Sewer Easement adjacent to the western edge of the Western Beltway and the Craig Road alignment at a location acceptable to the City Engineer prior to the recordation of the Order of Vacation. (Public Works)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (Planning and Development)

3. All development shall be in conformance with code requirements and design standards of all City Departments. (Planning and Development)

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. (Public Works)

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition # 4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. (Public Works)

6. Development of these sites shall comply with all applicable conditions of approval for the Concordia at Lone Mountain West – Unit 3 Subdivision, Z-65-00 and all subsequent site-related action. (Public Works)

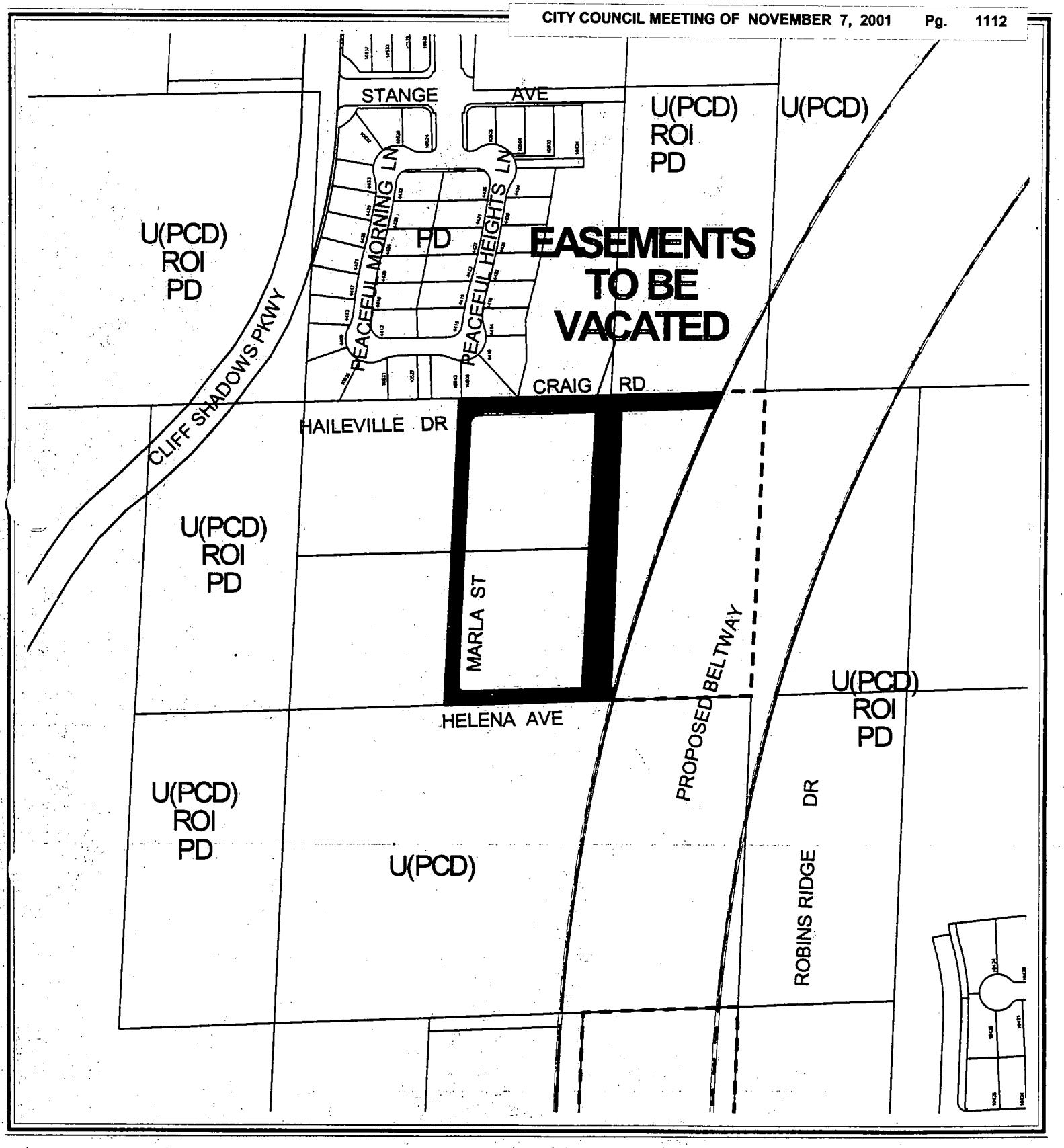
City of Las Vegas

Agenda Item No. 142

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 142 – VAC-0026-01

CONDITIONS – Continued:

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. (Planning and Development)



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CASE: VAC-0026-01

RADIUS: SPECIAL

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0026-01 - Concordia Homes of Nevada

** CONDITIONS **

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

1. This Petition of Vacation shall be revised to retain an appropriate City of Las Vegas Public Sewer Easement adjacent to the western edge of the Western Beltway and the Craig Road alignment at a location acceptable to the City Engineer prior to the recordation of the Order of Vacation. *(Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. *(Public Works)*

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition # 4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. Development of these sites shall comply with all applicable conditions of approval for the Concordia at Lone Mountain West – Unit 3 Subdivision, Z-65-00 and all subsequent site-related action. *(Public Works)*

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

** STAFF REPORT **

APPLICATION REQUEST

This is a request to Vacate portions of Craig Road, Marla Street, and Helena Avenue and U.S. Government Patent Easements generally located south of the Craig Road Alignment, west of the future Beltway Alignment. The applicant's justification letter states the elimination of a portion of an existing patent easement and the various right-of-way will not affect the access to the proposed development or the adjacent properties.

BACKGROUND DATA

07/19/00 This property was annexed into the City of Las Vegas (A-0001-00).

10/04/00 The City Council approved a request to Rezone (Z-0065-00) this property to PD (Planned Development) from U (Undeveloped); a request for a Major Modification [Z-0024-99(7)] of the Lone Mountain West Master Development Plan to add 7.04 acres; and a request for a Site Development Plan Review [Z-0065-00(1)] for a proposed 33 single-family subdivision.

10/12/00 The Planning Commission approved a request for a Tentative Map (TM-0045-01) for a Residential Subdivision for 33 lots.

ANALYSIS & FINDINGS

The requested vacation of a portions of Craig Road, Marla Street, and Helena Avenue fulfills a condition of approval (Condition #2) of the Rezoning (Z-0065-00), which stated *"Submit an Application to vacate the existing public right-of-way in conflict with this plan on Craig Road, Marla Street, and Helena Avenue prior to the submittal of a Final map for this site. The Order of Vacation shall record prior to the issuance of any building permits or the recordation of any Final Maps overlying the area to be vacated."* Staff finds this vacation request will not eliminate public access to abutting parcels and will be incorporated into a proposed 33-lot single-family residential subdivision, Lone Mountain West Unit 3. Furthermore, because Craig Road will not cross the freeway and the proposed vacation will not result in a reduced traffic handling capability in that the subject section of right-of-way is currently undeveloped and unused.

Staff finds that the vacation of the Government Patent Easements is appropriate and will have neither a negative impact on the adjacent properties or on the development of this site. Therefore, staff recommends approval of this request.

NOTICES MAILED 8 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0026-01 APN: 137-01-301-007,008,009

Name of Property Owner: CONCORDIA HOMES OF NEVADA

Name of Applicant: GIDGET GRAHAM

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Subscribed and sworn before me

This 24th day of July, 2001

Roberta Hogan

Notary Public in and for said County and State

ROBERTA HOGAN
Notary Public, State of Nevada
Appointment No. 01677901
My Appt. Expires Mar 16, 2005

City of Las Vegas

Agenda Item No. 143

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0027-01 - DEER SPRINGS/CONCOUGH, LIMITED LIABILITY COMPANY ON BEHALF OF BIG SKY DEVELOPMENT** - Petition to vacate a public sewer easement generally located south Deer Springs Way, west of the Conough Lane Alignment, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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 amending Condition #4 to reflect a change in the second line to *Condition #3* – UNANIMOUS with GOODMAN excused

NOTE: Subsequent to the meeting, it was clarified that all improvements under Condition #3 should read "All public improvements..."

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

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

ROBERT GENZER, Director, Planning & Development Department, clarified that in the second line of Condition #4, it should read Condition #3.

No one appeared in opposition.

City of Las Vegas

Agenda Item No. 143

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 143 – VAC-0027-01

MINUTES – Continued:
There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(4:27 – 4:32)
6-543

CONDITIONS:

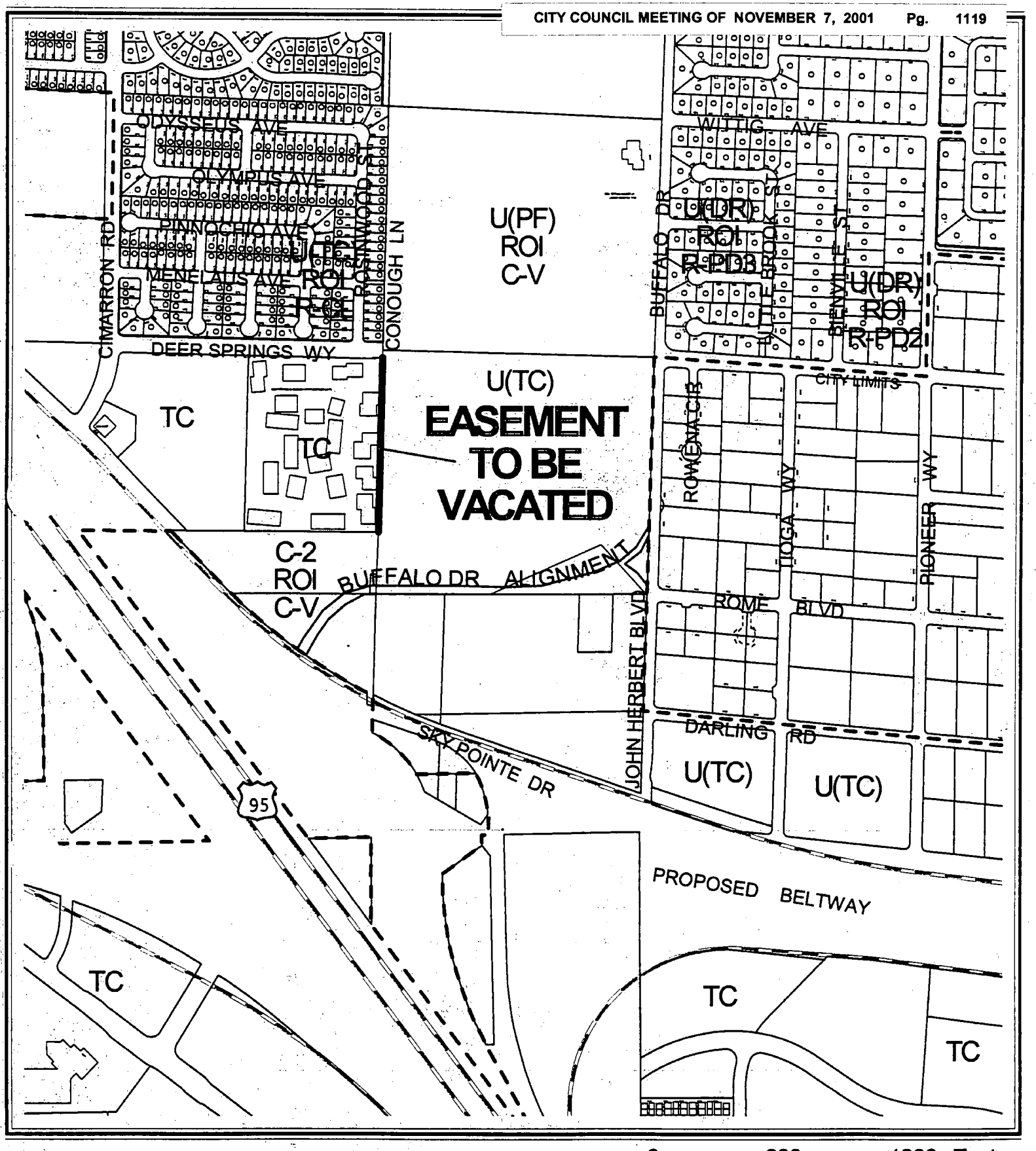
1. This Petition of Vacation shall be amended to exclude the south 20 feet of this public sewer easement vacation. *(Public Works)*

2. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

3. All improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*



CASE: **VAC-0027-01**

0 600 1200 Feet

RADIUS: SPECIAL

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0027-01 - Deer Springs/Concough, Limited Liability Company on behalf of Big Sky Development

** CONDITIONS **

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

1. This Petition of Vacation shall be amended to exclude the south 20 feet of this public sewer easement vacation. *(Public Works)*

2. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

3. All improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to vacate a public sewer easement generally located south Deer Springs Way, west of the Conough Lane Alignment. The applicant's justification letter states the sewer easement is located on private property and the City no longer needs it to perpetuate sewer service to the north.

BACKGROUND DATA

12/07/98 The City Council approved the Rezoning (Z-0076-98)to TC (Town Center) for the Town Land Use Plan Area. The subject parcel was designated Suburban Mixed Use by the Land Use Plan.

02/22/99 The City Council approved a Site Development Plan Review [Z-0076-98(2)] for a 272-unit multi-family residential development.

ANALYSIS & FINDINGS

Staff finds the subject public sewer easement, located on private property, will not be necessary for the City to provide sewer service to the north and therefore recommends approval of this request.

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0027-01 APN: 125-21-701-008

Name of Property Owner: Deer Springs / Concough, LLC

Name of Applicant: Big Sky Development

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: 125-21-701-008

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Chris R. Grant

Subscribed and sworn before me

This 10th day of August, 2001

William D. Mancuso

Notary Public in and for said County and State

WILLIAM D. MANCUSO
Notary Public, State of Nevada
Appointment No. 97-1241-1
My Appt. Expires Jan 16, 2005

City of Las Vegas

Agenda Item No. 144

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0028-01 - NORRIS SANDRA 1990 LIVING TRUST ON BEHALF OF BEAZER HOMES HOLDING CORPORATION** - Petition to vacate a portion of Robin Street generally located north of Washington Avenue, Ward 5 (Weekly). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 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 – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

BOB LEWIS, Carter & Burgess, Inc., 6655 Bermuda Road, appeared on behalf of the applicant and concurred with staff's recommendations.

JOYCE PALMIETTERI, 912 West Robin Street, expressed concern about the proposed vacation. Allowing the applicant to vacate the street would cause street parking to cease. CHERI EDELMAN, Public Works, explained that the road currently is built to a 51-foot street and there is a 60-foot of right-of-way. MS. PALMIETTERI argued that it is not and that all the homes in this area have only one driveway. Four feet will be taken off the major road, and this would create a problem for school buses, garbage or mail trucks. The traffic in this area should be studied before this item is approved. MS. EDELMAN asked that the item be trailed so that she could explain and present to MS. PALMIETTERI what the applicant is proposing.

City of Las Vegas

Agenda Item No. 144

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 144 – VAC-0028-01

MINUTES – Continued:

COUNCILMAN WEEKLY indicated that MS. EDELMAN clarified for MS. PALMIETTERI that the Vacation request is for the other side of the street, and therefore, she supports the vacation request.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:28 – 4:32/4:45 – 4:46)

6-575/6-1157

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *The Drainage Plan for Z-0049-01 may be used to fulfill this condition. (Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review

City of Las Vegas

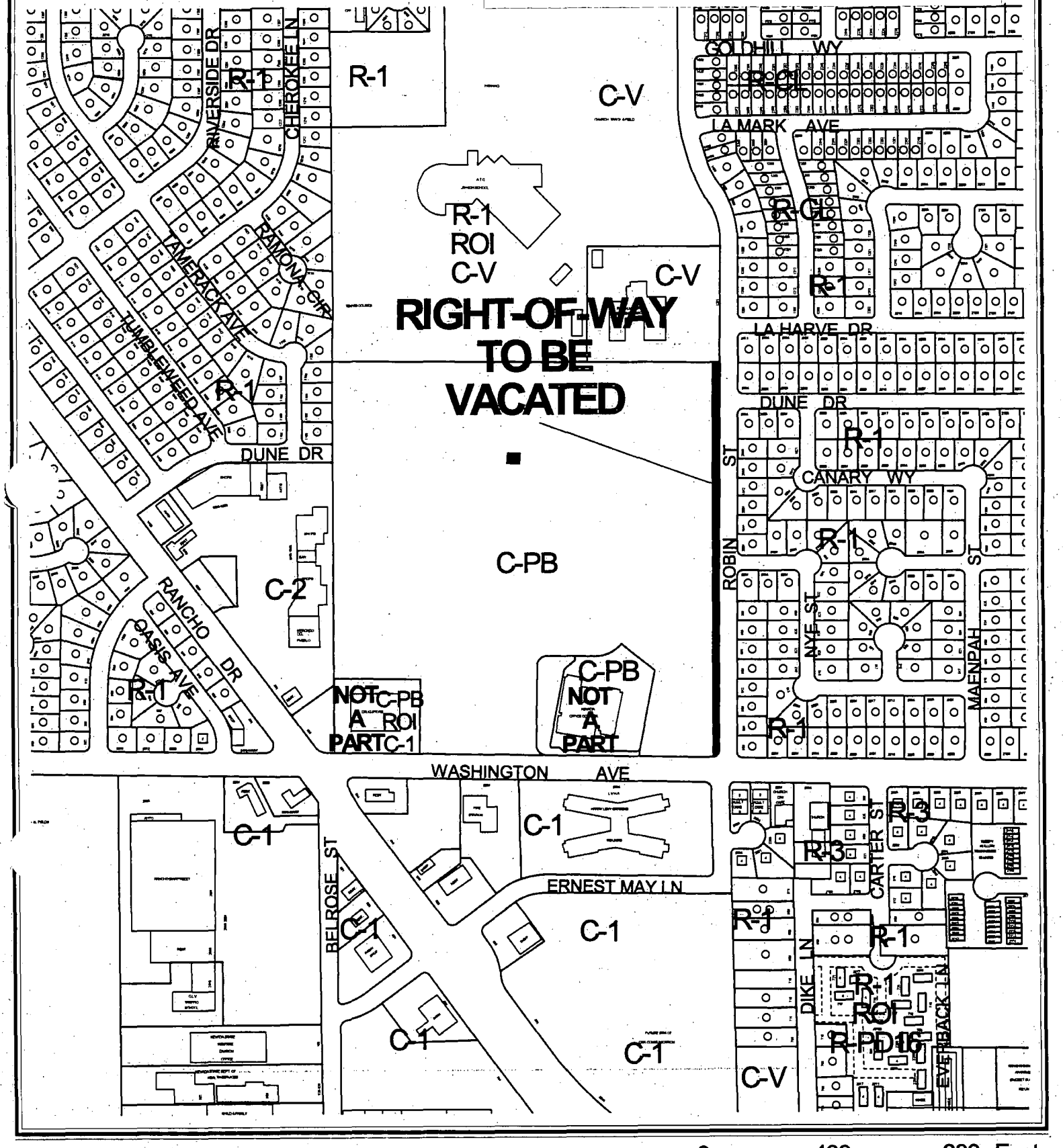
Agenda Item No. 144

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 144 – VAC-0028-01

CONDITIONS – Continued:

actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*



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CASE: **VAC-0028-01**

RADIUS: SPECIAL

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0028-01 - Norris Sandra 1990 Living Trust on behalf of Beazer Homes Holding Corporation

** CONDITIONS **

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. *The Drainage Plan for Z-0049-01 may be used to fulfill this condition. (Public Works)*

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

3. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to vacate a portion of Robin Street generally located north of Washington Avenue. The applicant's justification letter states that the request is for 4.5 feet of the existing 60-foot right-of-way of Robin Street to be vacated on the west, due to the existing street being built to a 51-foot standard. It is anticipated that this additional area will be incorporated into the project as open space.

BACKGROUND DATA

02/06/91 The City Council approved a Rezoning request (Z-0157-90) to C-PB (Planned Business Park) on the subject site.

02/26/91 The Planning Commission accepted a request to Withdraw a Plot Plan Review [Z-0157-90(1)] for a proposed bus terminal and maintenance facility on the site.

02/17/93 The City Council approved the second request for Extension of Time for Rezoning [Z-0157-90(3)] to C-PB (Planned Business Park) on the subject site.

10/26/98 The City Council accepted a request to Withdraw a Site Development Plan Review [Z-0157-90(4)] for a proposed office building and expansion of an existing office building on the site.

03/22/01 The Planning Commission accepted a request to Hold in Abeyance Indefinitely a related Variance (V-0005-01) to open space requirements and a Site Development Plan Review [Z-0001-01(1)] for a 409 lot single-family development on this site.

09/05/01 The City Council approved a request to Withdraw without Prejudice a request for a General Plan Amendment (GPA-0001-01) to M (Medium Density Residential) and a request for a Rezoning (Z-0001-01) to R-PD13 (Residential Planned Development – 13 Units Per Acre) on the subject property.

09/05/01 The City Council approved a General Plan Amendment (GPA-0022-01) to ML (Medium Low Density Residential), a Rezoning (Z-0049-01) to R-PD8 (Residential Planned Development – 8 Units per Acre), a Variance (V-0054-01) to reduce the open space requirements, and a Site Development Plan Review [Z-0049-01(1)] for a proposed 283 lot single-family development on this site.

09/20/01 The Planning Commission voted to approve a Tentative Map (TM-0034-01) for 287-lot residential development on this site.

ANALYSIS & FINDINGS

This vacation application will vacate a 4.5 foot wide portion of the west side of the Robin Street right-of-way. Staff notes this vacation will result in a non-uniform, less than 60-foot collector street. However, Robin Street is currently built as a 51-foot street and because residential homes currently exist to the east, it is unlikely that Robin Street will ever be widened to the east. Staff finds the proposed vacation of public right-of-way will not affect public access and will not result in a reduced traffic handling capability in that this section of right-of-way is currently undeveloped and unused. Therefore, staff recommends approval of this request.

NOTICES MAILED 28 by City Clerk

APPROVALS 0

PROTESTS 0

Current Planning Division

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0028-01 APN: 139-29-612-002

Name of Property Owner: SANDRA M. NORRIS, TTEE of the Roger & SANDRA NORRIS 1990 LIVING TRUST

Name of Applicant: **Beazer Homes Holdings Corporation**

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ✓ No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Sandra M. Norris

Subscribed and sworn before me

This 16th day of August ,20 01

Bonnie L. Hankins Laramie Wyoming

Notary Public in and for said County and State

BONNIE L. HANKINS • NOTARY PUBLIC
COUNTY OF LARAMIE STATE OF WYOMING
My Commission Expires 10-22-2003

City of Las Vegas

Agenda Item No. 145

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0029-01 - CARL L. WATSON & WANDA R. FOSTER** - Petition to vacate a portion of Shelby Street generally located south of Harris Avenue, Ward 3 (Reese). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

WANDA FOSTER, 1620 North Torrey Pines Drive, appeared on behalf of the applicant and concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 145

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 145 – VAC-0029-01

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:32 – 4:33)

6-680

CONDITIONS:

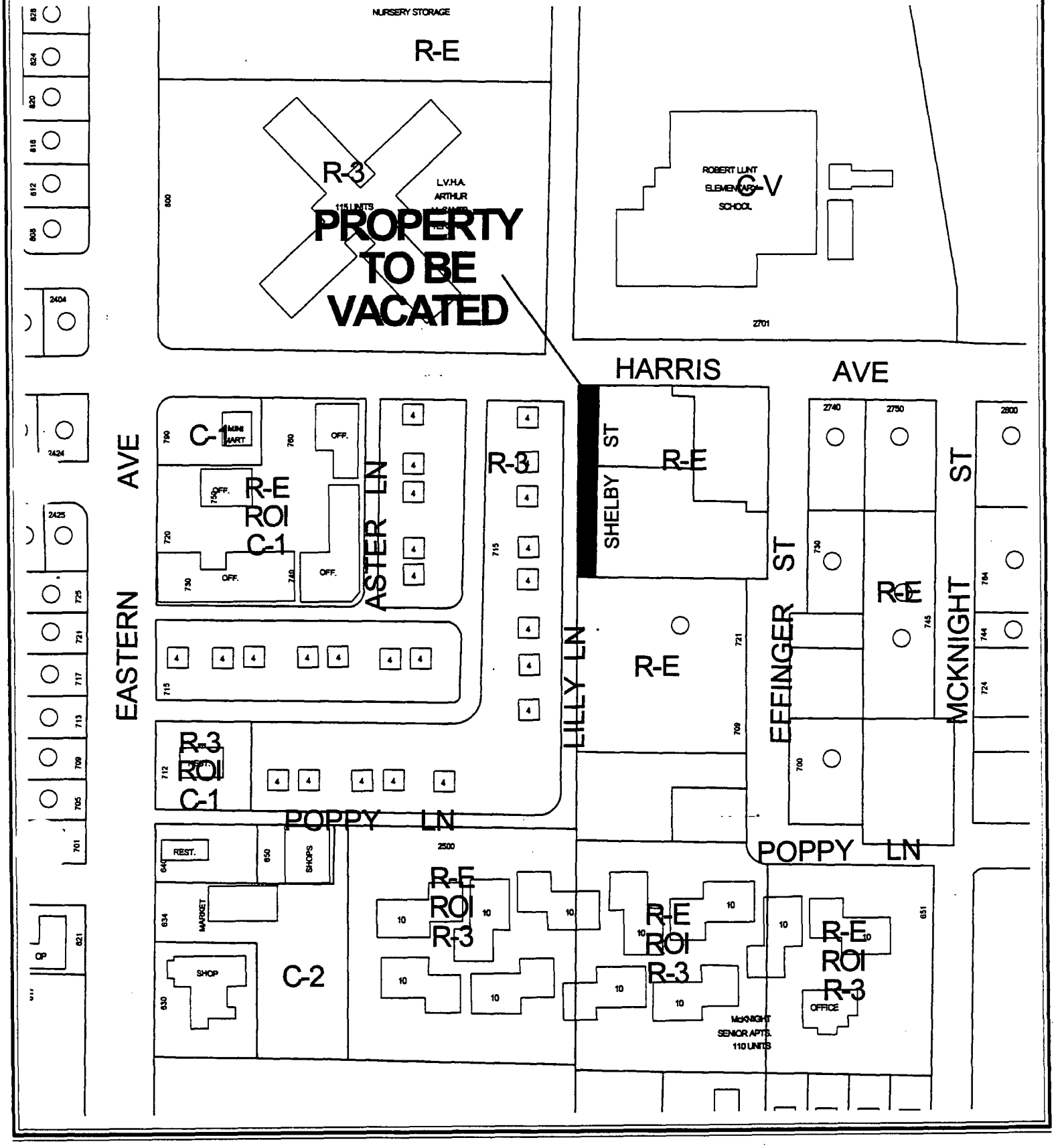
1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

2. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*



CASE: VAC-0029-01

RADIUS: SPECIAL

0 200 400 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0029-01 - Carl L. Watson & Wanda R. Foster

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. *(Planning and Development)*

2. All development shall be in conformance with code requirements and design standards of all City Departments. *(Planning and Development)*

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. *(Public Works)*

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to vacate a portion of Shelby Street located south of Harris Avenue. The applicant's justification letter states an unawareness of the existence or need to vacate Shelby Street until after the approvals of a related Site Development Plan Review (U-0053-01) and Variance (V-0029-01), and therefore this request to vacate the thirty-foot wide by two hundred-seventy foot long portion.

BACKGROUND DATA

06/20/01 The City Council approved a Special Use Permit and Site Development Plan Review (U-0053-01) for a 12,289 square foot church and a Variance (V-0029-01) to allow a setback 30 feet from the front property line where the minimum required front yard setback is 50 feet, on the subject property.

ANALYSIS & FINDINGS

Staff finds the requested vacation of a thirty foot wide by two hundred-seventy foot long unused portion Shelby Street will not eliminate public access to any abutting parcels and will be incorporated into the development of a church approved previously (U-0053-01). Additionally, staff finds the proposed vacation will not result in a reduced traffic handling capability in that the subject section is currently undeveloped and unused. Staff recommends approval of this request.

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0029-01 APN: _____

Name of Property Owner: Carl L. Watson, Wanda R. Foster

Name of Applicant: Carl L. Watson, Wanda R Foster

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Wanda R. Foster Carl L Watson
Wanda R. Foster Carl L Watson

Subscribed and sworn before me

This 15 day of August, 2001

Notary Public in and for said County and State
State of Nevada
County of Clark

M. HOFMEISTER
Notary Public - Nevada
No. 99-58091-1
My appt. exp. Aug. 19, 2003

City of Las Vegas

Agenda Item No. 146

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-0030-01 - SHEARING FAMILY TRUST, ET AL ON BEHALF OF KB HOME NEVADA, INC.** - Petition to vacate public right of way and U.S. Government Patent Easements generally located on the northeast corner of Alexander Road and Fort Apache Road, Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

BOB LEWIS, Carter & Burgess, Inc., 6655 Bermuda Road, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 146

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 146 – VAC-0030-01

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:33)

6-720

CONDITIONS:

1. An application to vacate the west half of Dapple Gray Road must be submitted to Clark County and receive County Commission approval. Orders of Vacation for both the County Vacation Application and this Vacation Application shall record simultaneously; if one cannot be recorded for any reason, neither shall record. (*Public Works*)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. This condition does not apply to the vacation of easements. (*Planning and Development*)

3. All development shall be in conformance with code requirements and design standards of all City Departments. (*Planning and Development*)

4. All improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. (*Public Works*)

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. (*Public Works*)

6. Development of these sites shall comply with all applicable conditions of approval for Z-50-01 and all other subsequent site-related actions. (*Public Works*)

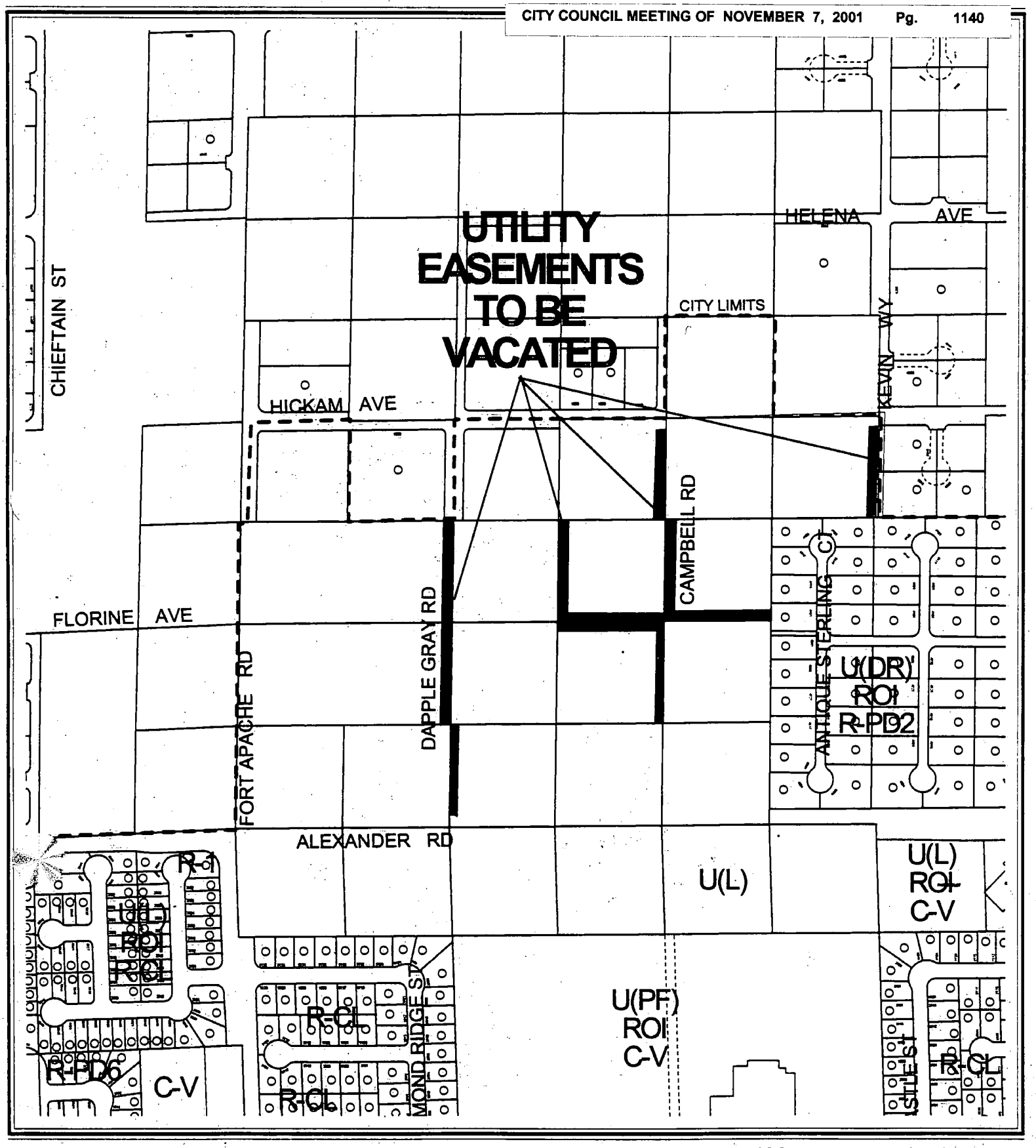
City of Las Vegas

Agenda Item No. 146

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 146 – VAC-0030-01

CONDITIONS – Continued:

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. (*Planning and Development*)



CASE: VAC-0030-01

RADIUS: SPECIAL

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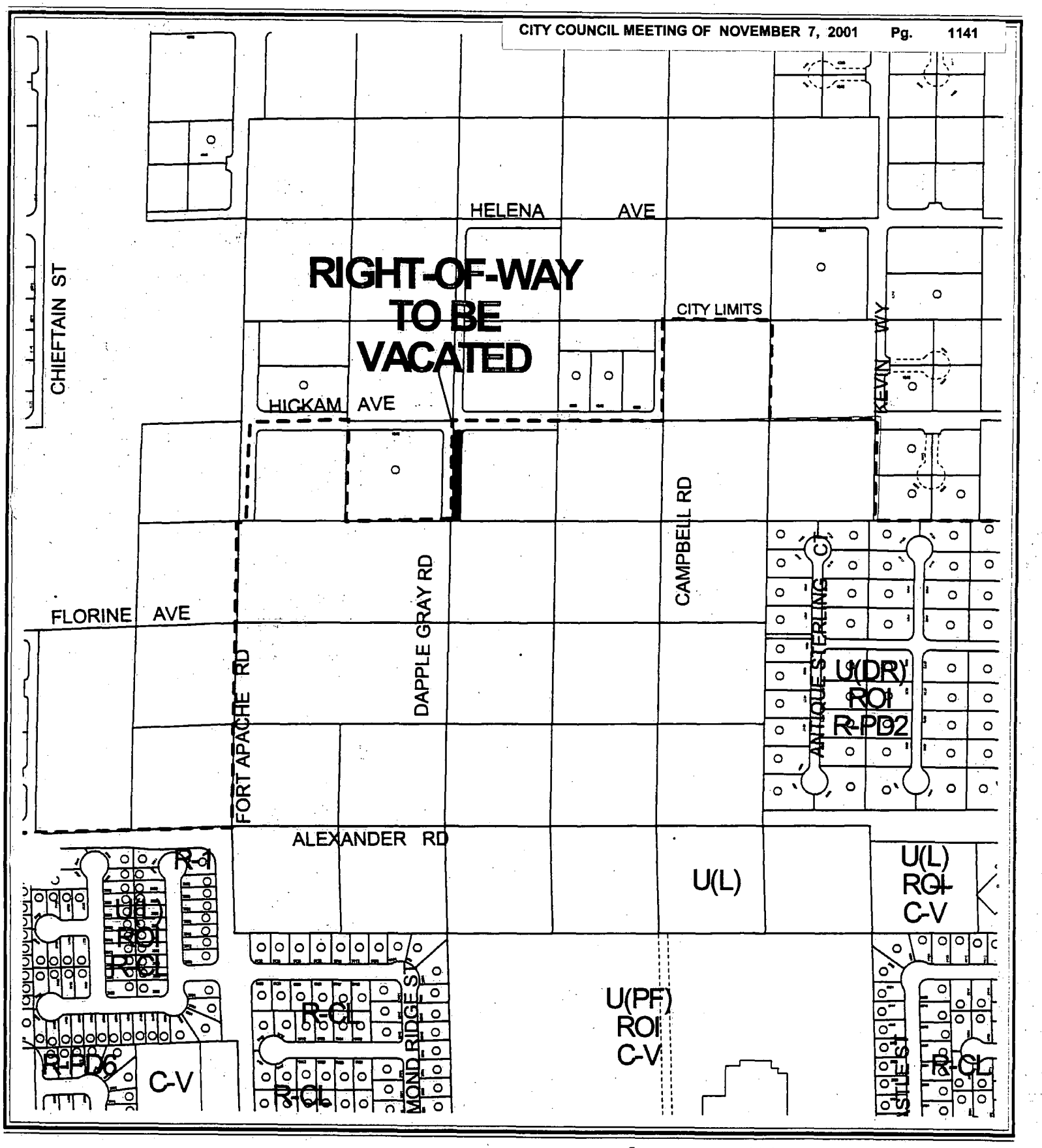
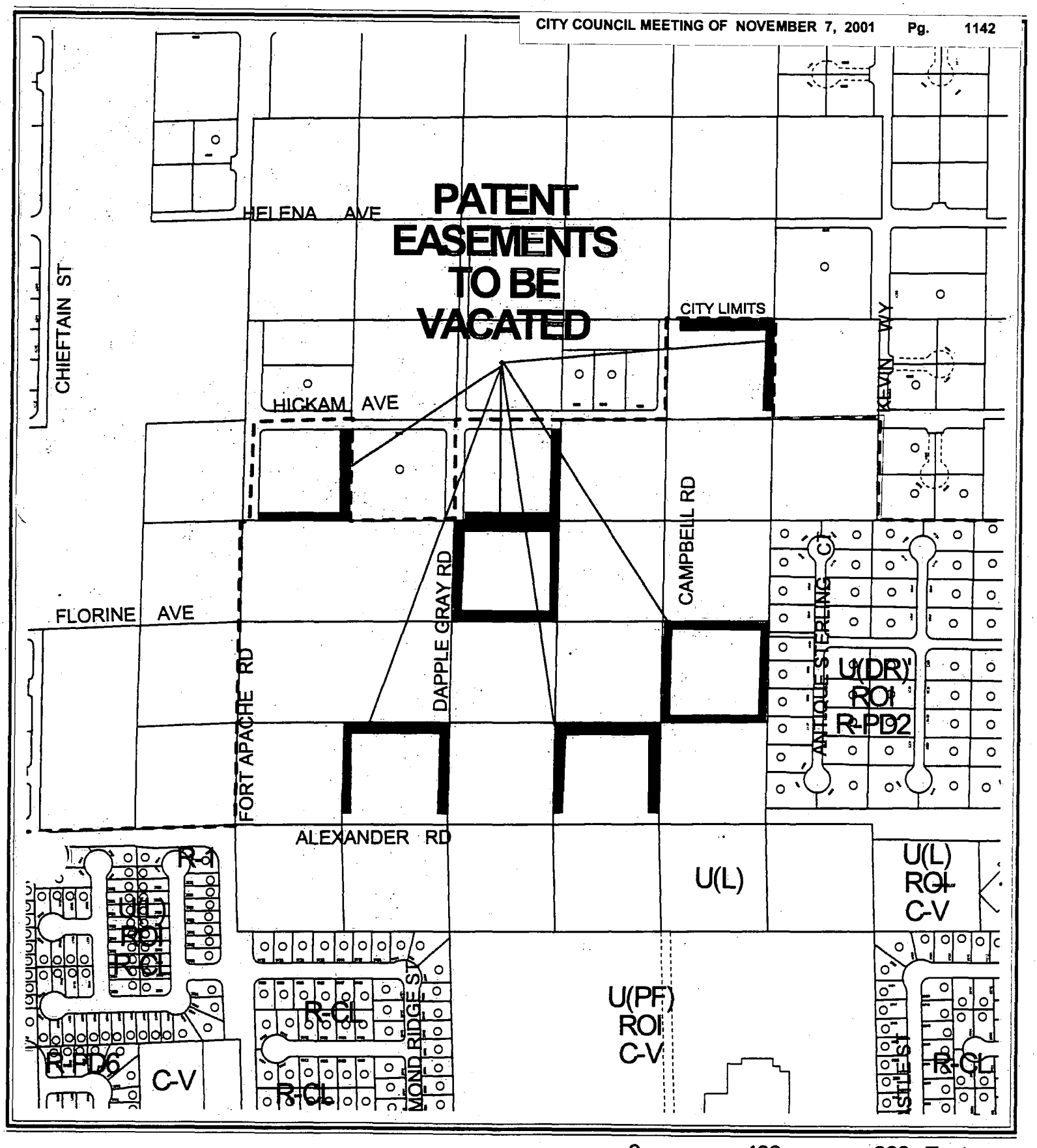


CASE: VAC-0030-01

RADIUS: SPECIAL

0 400 800 Feet

N



CASE: VAC-0030-01

RADIUS: SPECIAL

0 400 800 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: VAC-0030-01 - Shearing Family Trust, et al on behalf of KB Home Nevada, Inc.

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

1. An application to vacate the west half of Dapple Gray Road must be submitted to Clark County and receive County Commission approval. Orders of Vacation for both the County Vacation Application and this Vacation Application shall record simultaneously; if one cannot be recorded for any reason, neither shall record. (*Public Works*)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. This condition does not apply to the vacation of easements. (*Planning and Development*)

3. All development shall be in conformance with code requirements and design standards of all City Departments. (*Planning and Development*)

4. All improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Order of Relinquishment of Interest. (*Public Works*)

5. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. (*Public Works*)

6. Development of these sites shall comply with all applicable conditions of approval for Z-50-01 and all other subsequent site-related actions. (*Public Works*)

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. (*Planning and Development*)

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Petition to vacate public right of way and U.S. Government Patent Easements generally located adjacent to the northeast corner of Alexander Road and Fort Apache Road. The applicant's justification letter states the vacation of right-of-way and easements is requested in conjunction with the development of 54 gross acres, more or less.

BACKGROUND DATA

09/19/01 The City Council approval the related Rezoning (Z-0050-01) to R-PD2 (Residential Planned Development – 2 Units per Acre), a related Site Development Plan Review [Z-0050-01(1)] for a 105-lot single family development, and a related Variance (V-0055-01) to allow 0.88 acres of open space where 1.78 acres of open space is the minimum allowed, on the subject site.

09/20/01 The Planning Commission voted to approve a Tentative Map (TM-0036-01) for a 105-lot single-family residential subdivision.

ANALYSIS & FINDINGS

Staff finds the request vacation of an unused portion of Dapple Gray Road will not eliminate public access to abutting parcels and will be incorporated into a proposed 105-lot single-family residential subdivision, Lone Mountain Classics.

Staff finds that the vacation of the Government Patent Easements is appropriate and will have neither a negative impact on adjacent properties or on the development of this site. Therefore, staff recommends approval of this request.

NOTICES MAILED 51 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0032-01 APN: See Attached

Name of Property Owner: See Attached

Name of Applicant: KB HOME Nevada Inc.

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Randall J. Tarr

Randall J. Tarr, Vice President/Forward Planning
KB HOME Nevada Inc., Attorney-In-Fact

Subscribed and sworn before me

This 16th day of August, 2001

Notary Public in and for said County and State

LISA A. THREET
Notary Public, State of Nevada
Appointment No. 99358221
My Appt. Expires March 1, 2003

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0030-01 APN: 138-05-401-020

Name of Property Owner: Samuel W. & Mary Alice Cooper Trust

Name of Applicant: KB HOME Nevada Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Samuel W. Cooper

Subscribed and sworn before me

This 1st day of July, 2001

Michele Piwowar

Notary Public in and for said County and State

NOTARY PUBLIC
MICHELE PIWOWAR
STATE OF NEVADA
COUNTY OF CLARK
MY APPOINTMENT EXPIRES
OCTOBER 13, 2004
No: 96-3804-1

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0030-01 APN: 138-05-401-012 & 019

Name of Property Owner: Steven P. & Ellen M. Shearing Family Trust

Name of Applicant: KB HOME Nevada Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes ✓ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Steven P. Shearing

Subscribed and sworn before me

This 26th day of June, 2001

Teri Press

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
TERI PRESS
My Appointment Expires
April 1, 2004
No: 96-1940-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0030-01 APN: 138-05-401-024 & 025

Name of Property Owner: John Boyner and Glen & Renee M. Raynes Family Trust

Name of Applicant: KB HOME Nevada Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes ____✓____No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature], TRUSTEE

Subscribed and sworn before me

This 27th day of June, 2001

Teri Press

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
TERI PRESS
My Appointment Expires
April 1, 2004
No: 95-1940-

City of Las Vegas

Agenda Item No. 147

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
FIVE YEAR REQUIRED REVIEW - VARIANCE - PUBLIC HEARING - **V-0111-96(1) - PALM MORTUARY, INC.** - Five Year Review on an approved Variance, which allowed upright headstones, crypts and mausoleums in conjunction with a cemetery where such uses were not allowed adjacent to the southwest corner of Jones Boulevard and Deer Springs Way (APN: 125-23-703-005), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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 – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

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

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 147

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 147 – V-0111-96(1)

MINUTES – Continued:
MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 148 for related discussion.

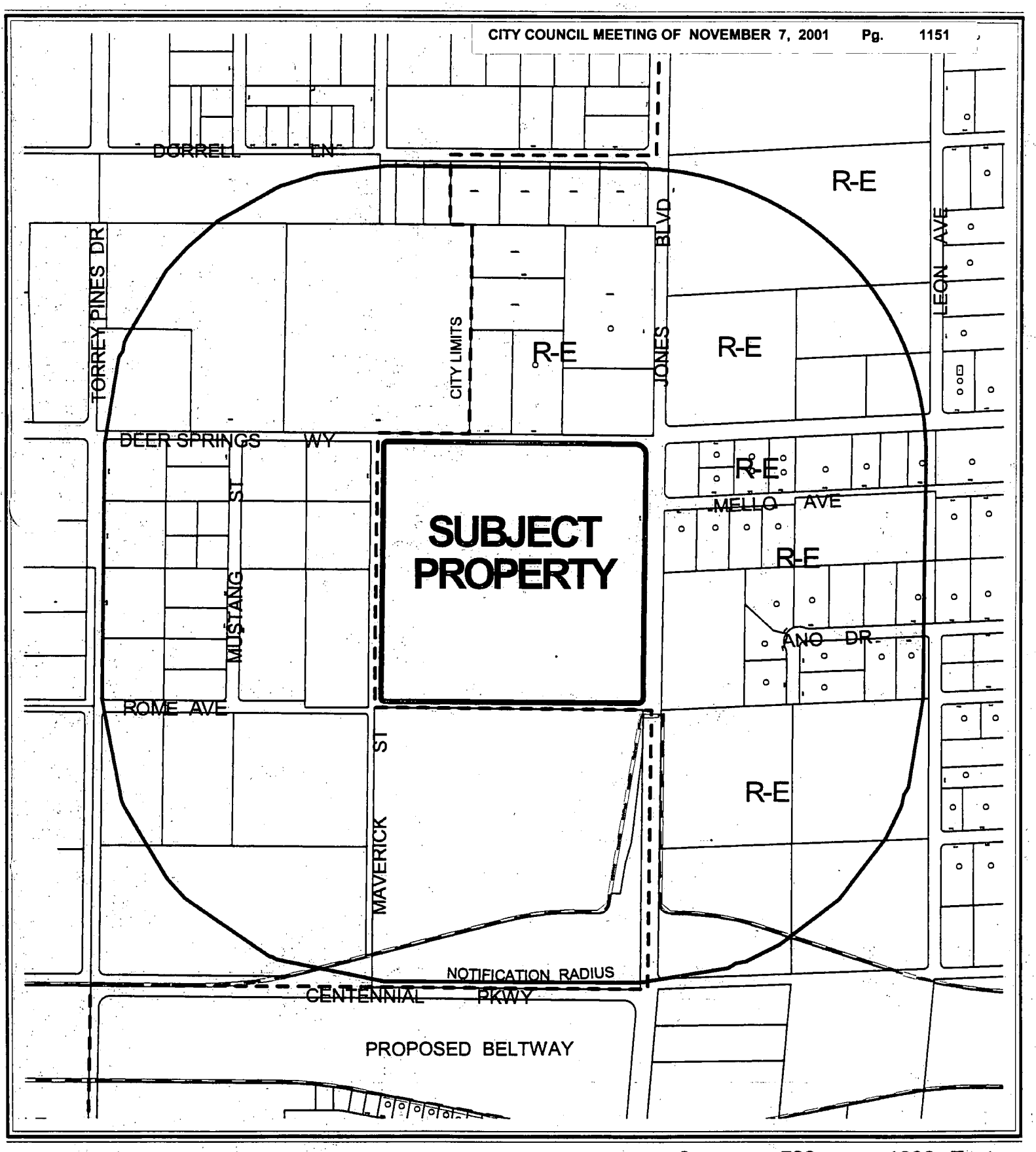
(4:33 – 4:35)

6-734

CONDITIONS:
Planning and Development

1. There shall be a no additional reviews of this Variance by the Planning Commission and City Council.

2. The use shall comply with all previous Conditions of Approval under U-0099-96(1).



0 500 1000 Feet

CASE: **V-0111-96(1)**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: V-0111-96(1) - Palm Mortuary, Inc.

** CONDITIONS **

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

Planning and Development

1. There shall be a no additional reviews of this Variance by the Planning Commission and City Council.

2. The use shall comply with all previous Conditions of Approval under U-0099-96(1).

** STAFF REPORT **

APPLICATION REQUEST

This request is for a required Five Year Review on an approved Variance to allow upright headstones, crypts, and mausoleums in conjunction with a cemetery adjacent to the southwest corner of Jones Boulevard and Deer Springs Way.

BACKGROUND DATA

09/24/96 The Board of Zoning Adjustment approved a Special Use Permit (U-0099-96) for a cemetery with a single-story 10,548 square foot chapel, subject to a five-year review, and approved a Variance (V-0111-96) to allow upright headstones, crypts, and mausoleums in conjunction with a proposed cemetery, subject to a five-year review.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-E (Residence Estates)	Single Family Residential
South	Clark County	Undeveloped
East	R-E (Residence Estates)	Single Family Residential
West	Clark County	Single Family Residential

ANALYSIS & FINDINGS

ZONING

The site is currently zoned R-E (Residence Estates). The Cemetery/Mausoleum use is allowed in a R-E (Residence Estates) Zone with a Special Use Permit. No Variance is currently required to allow upright headstones or crypts in conjunction with a proposed cemetery.

USE

The original approval of the Variance required a five-year review to ensure that the site was developed pursuant to commitments made at public hearings on the applications, and that upright monuments would be limited to three feet in height.

FINDINGS

Staff finds the existing cemetery has developed according to the conditions of approval, and has been demonstrated to be an appropriate use for this site. Staff recommends approval subject to no further reviews.

NOTICES MAILED 66 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-0111-96(1) APN: 125-23-703-005

Name of Property Owner: Palm Mortuary, Inc.

Name of Applicant: VTN Nevada

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Ken Kearns

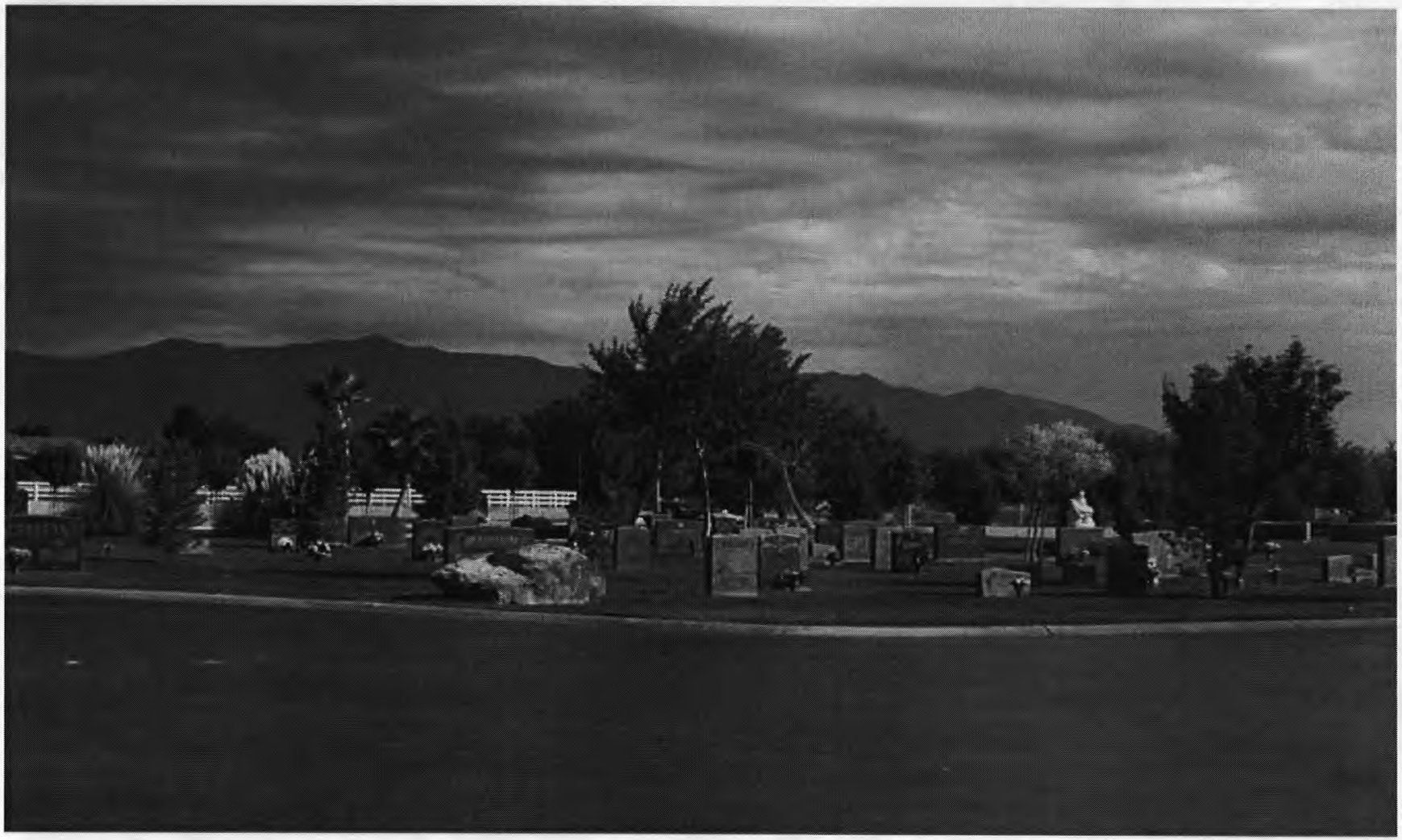
Subscribed and sworn before me

This 27 day of July, 2001

Andrea S. Agee

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
ANDREA S. AGEE
My Appointment Expires
July 14, 2002
No. 94-4721-1



V-0111-96(1) - PALM MORTUARY, INC.
SOUTHWEST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY

City of Las Vegas

Agenda Item No. 148

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
FIVE YEAR REQUIRED REVIEW RELATED TO V-0111-96(1) - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0099-96(1) - PALM MORTUARY, INCORPORATED** - Required Five Year Review on an approved Special Use Permit which allowed a cemetery with a single-story 10,548 square foot chapel adjacent to the southwest corner of Jones Boulevard and Deer Springs Way (APN: 125-23-703-005), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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 amending Condition #3 as follows:

- **Construct half-street improvements including appropriate overpaving on Jones Boulevard adjacent to this site concurrent with development of this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. *Construction of all required improvements on Jones Boulevard shall commence within 12 months of the completion of the Jones Boulevard sewer project adjacent to this site. Alternatively, if an RTC/SID project for Jones Boulevard is formed prior to the deadline for these improvements along Jones Boulevard, the applicant may participate in such a project.* Failure to comply with this condition shall result in this item being reconsidered by the City Council.**

– UNANIMOUS with GOODMAN excused

City of Las Vegas

Agenda Item No. 148

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 148 – U-0099-96(1)

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and stated that the applicant and the Public Works Department reached an agreement to modify Condition #3. MR. PSIODA concurred with all staff's conditions, as well as the amended condition as submitted.

CHERI EDELMAN, Public Works Department, clarified that the modification to Condition #3 would allow the construction of the required improvements on Jones Boulevard, as well as the RTC/SID project, to commence after the sewer project is complete.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 147 [V-0111-96(1)] for related discussion.
(4:35 – 4:37)
6-796

CONDITIONS:
Planning and Development

1. There shall be a no additional reviews of this Special Use Permit by the Planning Commission and City Council.

2. Site development to comply with all applicable conditions of approval for U-0099-96 and all other site-related actions as required by the Planning and Development and Public Works Departments.

Public Works

3. Construct half-street improvements including appropriate overpaving on Jones Boulevard adjacent to this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Construction of all required improvements on Jones Boulevard shall commence within 12 months of approval of this

City of Las Vegas

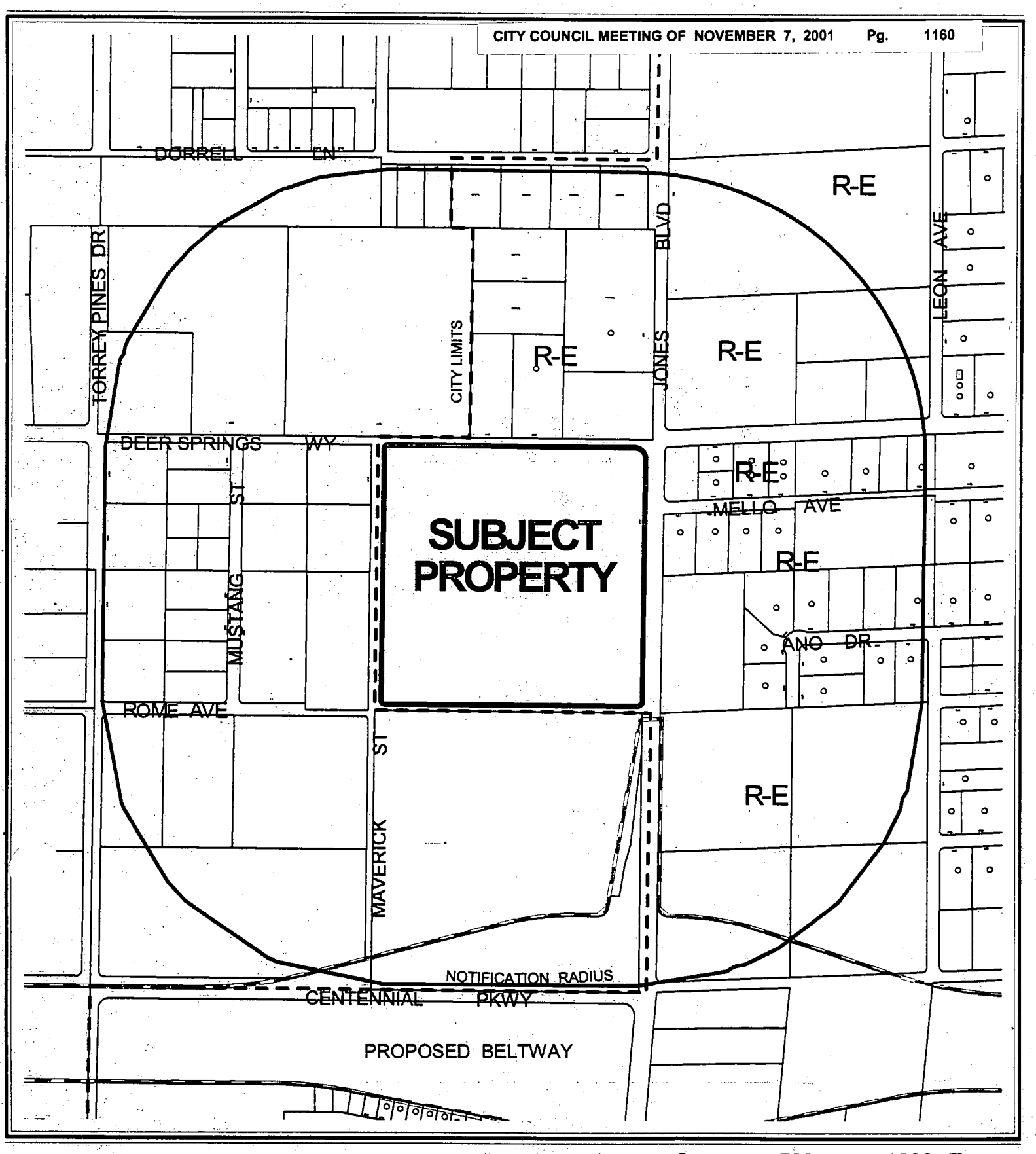
Agenda Item No. 148

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 148 – U-0099-96(1)

CONDITIONS – Continued:

action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

4. This site shall participate in the public improvement project to extend public sewer from the existing termination point in Jones Boulevard to Farm Road (i.e. contribute $40,500 as this site's proportionate share of the required improvements) within 90 days of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.



CASE: **U-0099-96(1)**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

0 500 1000 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: U-0099-96(1) - Palm Mortuary, Inc.

** CONDITIONS **

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

Planning and Development

1. There shall be a no additional reviews of this Special Use Permit by the Planning Commission and City Council.

2. Site development to comply with all applicable conditions of approval for U-0099-96 and all other site-related actions as required by the Planning and Development and Public Works Departments.

Public Works

3. Construct half-street improvements including appropriate overpaving on Jones Boulevard adjacent to this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Construction of all required improvements on Jones Boulevard shall commence within 12 months of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

4. This site shall participate in the public improvement project to extend public sewer from the existing termination point in Jones Boulevard to Farm Road (i.e. contribute $40,500 as this site's proportionate share of the required improvements) within 90 days of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a required Five Year Review on an approved Special Use Permit for a Cemetery with a single-story 10,548 square foot chapel, adjacent to the southwest corner of Jones Boulevard and Deer Springs Way.

BACKGROUND DATA

09/24/96 The Board of Zoning Adjustment approved a Special Use Permit (U-0099-96) for a cemetery with a single-story 10,548 square foot chapel, subject to a five-year review, and approved a Variance (V-0111-96) to allow upright headstones, crypts, and mausoleums in conjunction with a proposed cemetery, subject to a five-year review.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	R-E (Residence Estates)	Single Family Residential
South	Clark County	Undeveloped
East	R-E (Residence Estates)	Single Family Residential
West	Clark County	Single Family Residential

ANALYSIS & FINDINGS

ZONING

The site is currently zoned R-E (Residence Estates). A Special Use Permit is required for a cemetery/mausoleum in the R-E (Residence Estates) zoning district.

USE

The original approval of the Special Use Permit required a five-year review to ensure the appropriateness of the cemetery use in the area. Staff finds the existing cemetery has been demonstrated to be an appropriate use for this site and recommends no further reviews.

FINDINGS

The following findings required for approval of a Special Use Permit application, per Las Vegas Municipal Code Section 19A.18.060, should also be required for any subsequent Special Use Permit review. Thus, 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 no indication that this use has created a negative impact on the surrounding area. Therefore, staff recommends approval of this review without any subsequent review of this use required.

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

   Staff finds that there are no physical constraints to the continuation of the use on the subject 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 that the site is accessed via Jones Boulevard, a partially improved, 100-foot wide roadway.

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 continuation of this use will not compromise the public health, safety, and welfare of the community.

NOTICES MAILED 66 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0099-96(1) APN: 125-23-703-005

Name of Property Owner: Palm Mortuary, Inc.

Name of Applicant: VTN Nevada

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Ken Kearns

Subscribed and sworn before me

This 27 day of July, 2001

Andrea S. Agee

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
ANDREA S. AGEE
My Appointment Expires
July 14, 2002
No. 94-4721-1

U-0099-96(1) - PALM MORTUARY, INC.
SOUTHWEST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY

City of Las Vegas

Agenda Item No. 149

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **V-0053-01 - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS** - Request for a Variance to ALLOW A 20 FOOT REAR AND SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY REQUIRES A MINIMUM REAR AND SIDE YARD SETBACK OF 66 FEET on the southwest corner of the intersection of Pecos Road and Owens Avenue (APN: 139-25-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend DENIAL

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

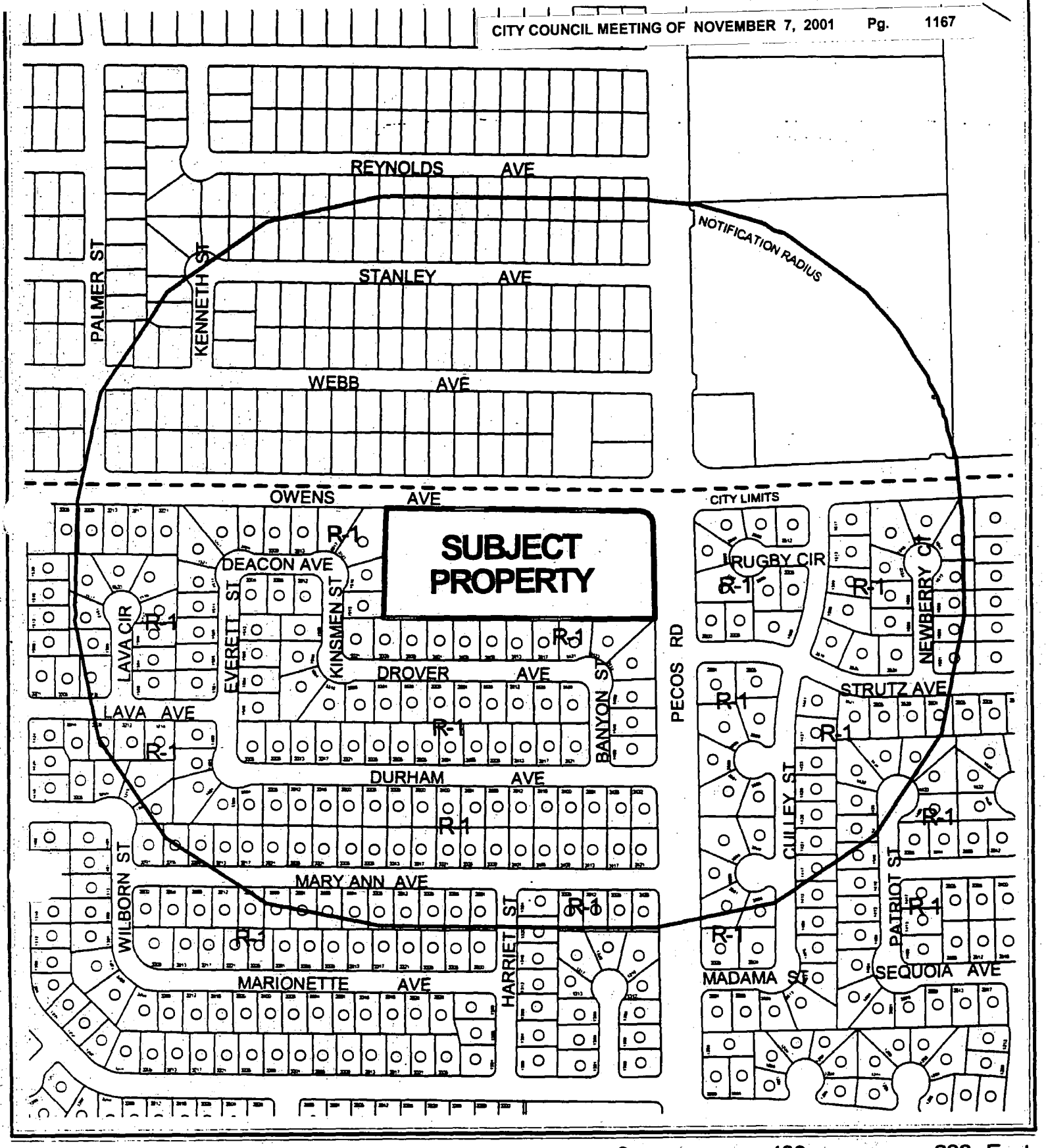
RECOMMENDATION:
The Planning Commission (4-2 vote) and staff recommend DENIAL.

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

MOTION:
REESE – Motion to bring forward and HOLD IN ABEYANCE Item 139 [Z-0016-98(4)] to 12/19/2001 and Item 150 [Z-0007-61(2)] to 1/2/2002 and to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 149 [V-0053-01] – UNANIMOUS

MINUTES:
There was no discussion

(2:33 – 2:35)



0 400 800 Feet

CASE: V-0053-01

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - V-0053-01 - WPI-Owens, Limited Liability Company on behalf of World Premier Investments

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

The Planning Commission (4-2 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.

3. The Variance approval is subject to the approval of the Site Development Plan Review [Z-0007-61(1)] by the Planning Commission. If Z-0007-61(1) is not approved, this Variance shall be null and void.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Variance to allow a reduction in the Residential Adjacency Standards for one building of the three buildings within a proposed retail center. The request includes a proposed side yard setback for the Retail B building of 20 feet from residential property lines, where 66 feet is the minimum required side yard setback, and a 20 foot rear yard setback from residential property lines for the Major building where 66 feet is the minimum required setback.

The applicant indicates that the Variance is required so the buildings may be sited closer to the perimeter of the property in order to direct traffic away from the residential areas, and allow the buildings to act as a physical noise barrier.

BACKGROUND DATA

04/19/00 The City Council approved a Variance (V-0101-99) request to reduce residential adjacency standards and a Site Development Plan Review [Z-0007-61(1)] on the subject property.

07/26/01 The Planning Commission voted to recommend denial of a related request for Site Development Plan Review [Z-0007-61(2)] for a proposed retail building.

DETAILS OF APPLICATION REQUEST

Current Zoning:	C-1 (Limited Commercial)	
Site Area:	4.35	Acres
Building Height:	22	Feet
Proposed Setback:	20	Feet
Minimum Setback Required:	66	Feet
Percent Encroachment:	69.7	Percent

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	City of North Las Vegas	
South	R-1 (Single-Family Residential)	Single Family Dwellings
East	R-1 (Single-Family Residential)	Single Family Dwellings
West	R-1 (Single-Family Residential)	Single Family Dwellings

ANALYSIS & FINDINGS

Section 19A.18.070B of the Las Vegas Municipal Code states the following:

"**B. Scope and Limitations**

Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission, a hearings officer who has been appointed for that purpose and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. . . . A Variance shall not be granted in order 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 Las Vegas Municipal Code states:

"**L. Determinations**

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission, hearings officer or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

The Residential Adjacency Standards of the City of Las Vegas Zoning Code, Section 19A.08.060, apply to all non-residential properties located adjacent to or in close proximity to residentially zoned building sites. No building in a non-residential district may exceed the height of a line drawn from a residential property line in a residential district at a 3:1 slope directly into the subject non-residential property. Therefore, the proposed building, at 22 in height must maintain a setback of 66 feet on the west property line, and 66 feet on the south property line, if both the residential property line and the grade of the proposed building are at the same elevation.

Staff notes that Section 19A.18.070(B) specifically prohibits the granting of Variances for the purpose of varying minimum spacing requirements between uses. The Residential Adjacency Standards are intended to set a standard for spacing between commercial uses and residentially zoned property.

Staff notes that the applicant is requesting to reduce the minimum setback requirement by 69.7%, which staff finds represents excessive deviation from the Code requirements. In view of the absence of any hardships imposed by the site's physical characteristics such as exceptional narrowness, shallowness, or shape or exceptional topographic conditions, staff concludes that the applicant's hardship is financial in nature, and thereby outside the realm of NRS Chapter 278 for granting of Variances. The applicant has created a self-imposed hardship by attempting to construct retail buildings too close to the abutting residential subdivisions, where it is possible to design the site so that it meets the Residential Adjacency Standards. Therefore, staff finds that the requested Variance is not warranted and should be denied.

NOTICES MAILED 315 by City Clerk

APPROVALS 0

PROTESTS 0

[The Planning Commission voted to recommend denial of the request because the Commission found that the applicant's hardship is financial in nature and self-imposed, the proposed retail building would be too large for the site, and that the request represented too much of a deviation.]

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-00153-01 APN: 139-25-501-001

Name of Property Owner: WPI- Owens, LLC

Name of Applicant: World Premier Investments

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

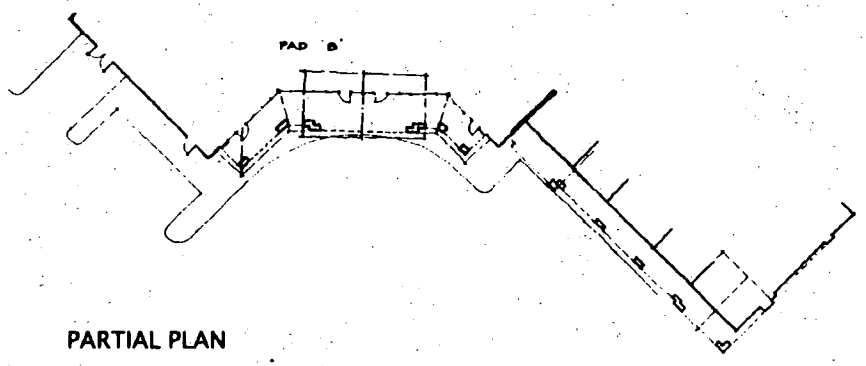
Subscribed and sworn before me

This 19th day of June, 20 01

Malana L. Tice

Notary Public in and for said County and State

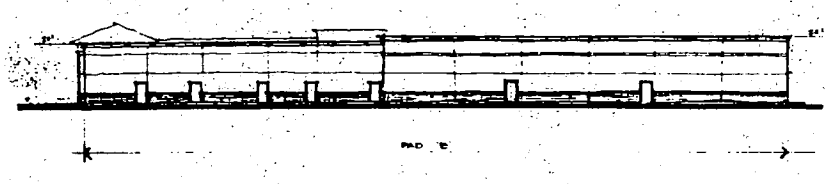
MALANA L. TICE
Notary Public - Nevada
No. 99-20201-1
My appt. exp. May 26, 2003



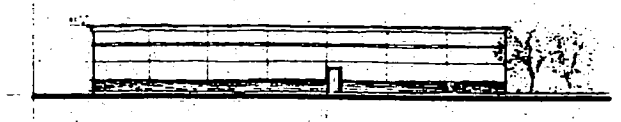
PARTIAL PLAN

NORTH EAST ELEVATION
1/16"=1'-0"(TYPICAL)

NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

99-273
06-22-01

Nadel

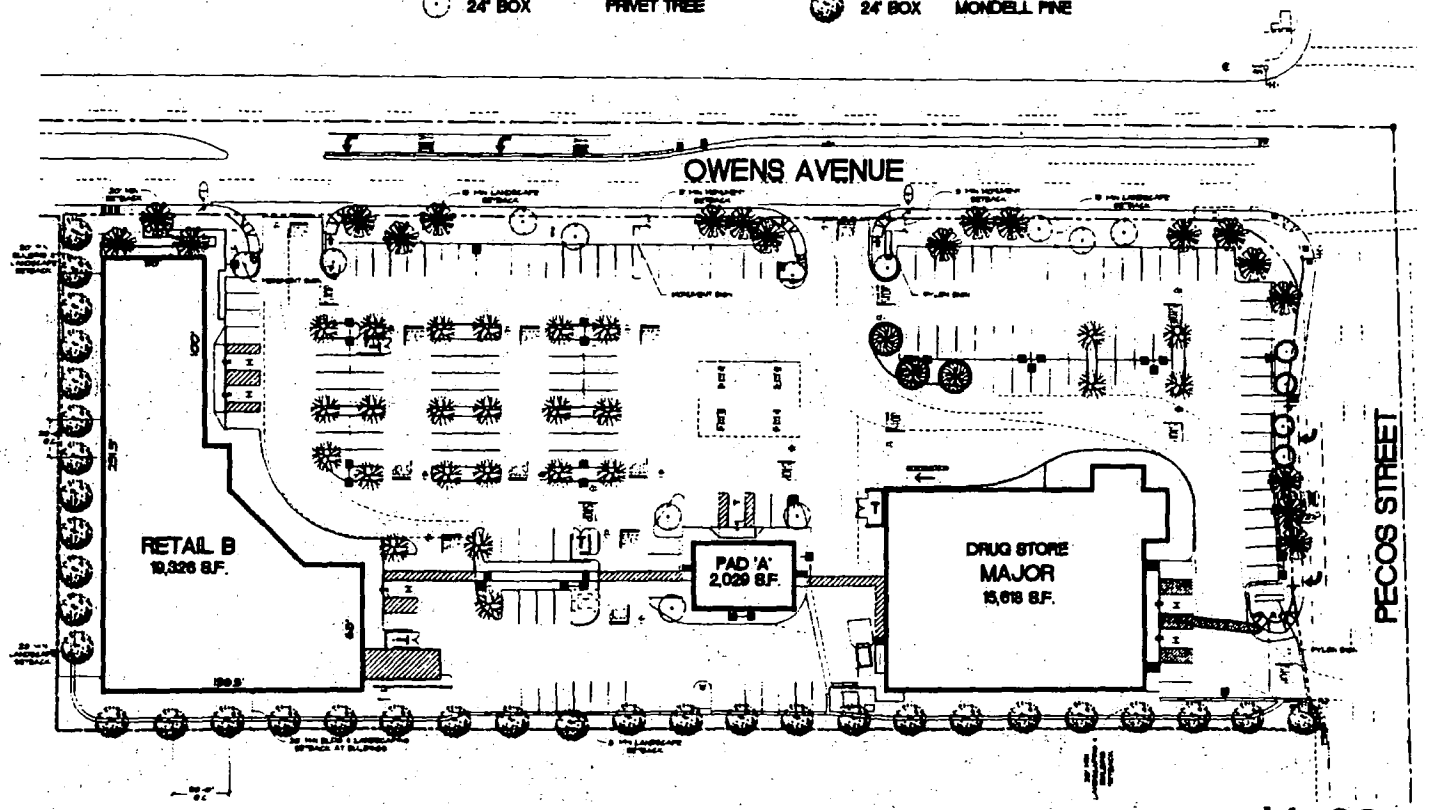
SWC OWENS AVE. & PECOS ST. , LAS VEGAS,NV.

STAFF V-0053-01
7-26-01 PC

WORLD PREMIER INVESTMENTS
3 IMPERIAL PROMENADE. SUITE 550
SANTA ANA, CA 92707
TEL (714) 662-6900 FAX (714) 662-7788

PLANTING LEGEND

24"BOX	CHILEAN MESQUITE	24" BOX	PURPLE PLUM LOW BRANCH
WASHINGITONIA ROBUSTA 8TH SKINNED		24" BOX	SUMAC TREE
24" BOX	PRIVET TREE	24" BOX	MONDELL PINE



V-0C153-01
7-26-01 PC

STAFF

Nadel
Hansen Nadel Fitt

SWC OWENS AVENUE AND PECOS STREET
LAS VEGAS, NEVADA

LANDSCAPE SITE PLAN

B

CITY COUNCIL MEETING OF NOVEMBER 7, 2001 Pg. 1174

WORLD PREMIER INVESTMENTS
3 IMPERIAL PROMENADE SUITE 550
SANTA ANA, CA 92707
TEL (714) 662-6900 FAX (714) 662-7788

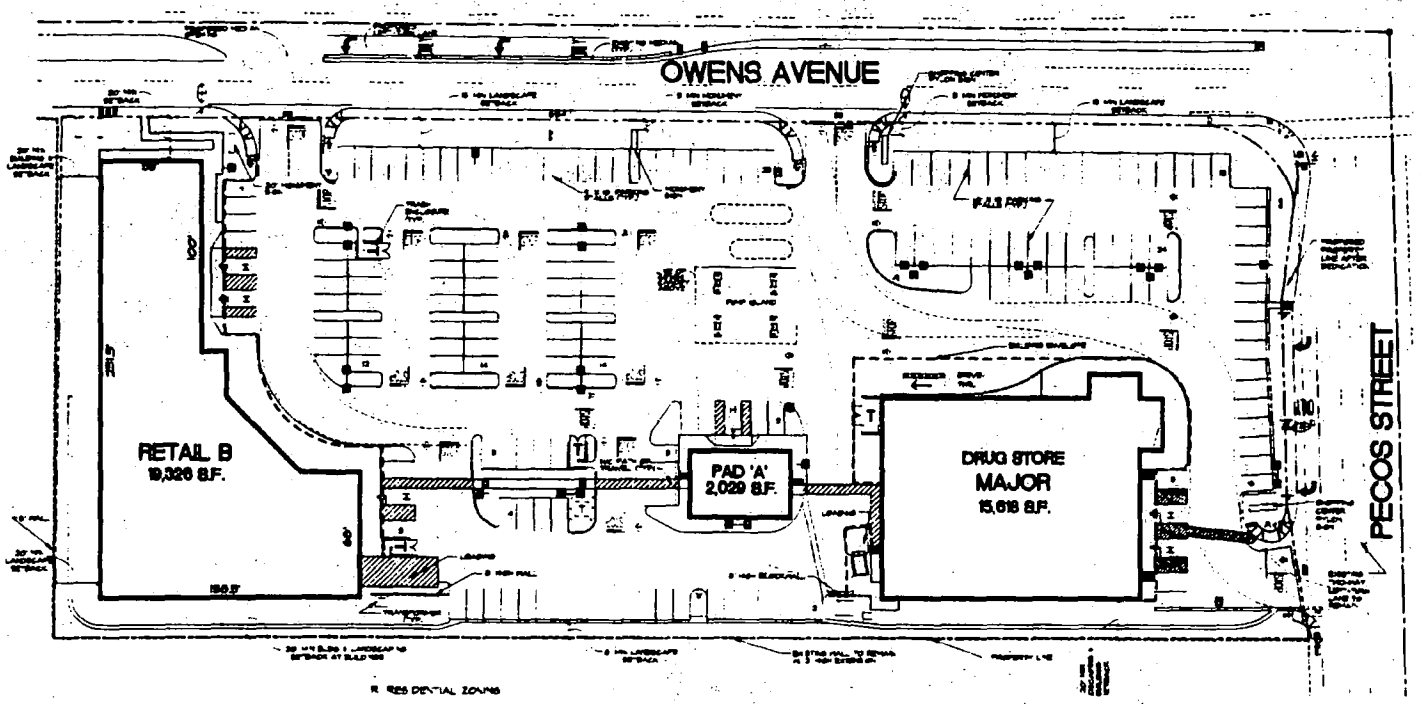
Summary

Land	± 4.18 acres	± 182,240 sf
Building		37,647 sf
Land / Building Ratio		3.84 / 1
Building Percentage		20.6% of Site

Total Parking Required		149 Stalls
A Retail	37,647 sf	149 Stalls
Drug Store (1/250)	15,618 sf	63 Stalls
Pad A (1/250)	2,029 sf	8 Stalls
Retail B (1/250)	19,326 sf	78 Stalls
Total Parking Required		149 Stalls
Total Parking Provided		176 Stalls
10 X 18' STANDARD		61 Stalls
9 X 18' STANDARD		109 Stalls
10 X 18' HANDICAP		2 Stalls
9 X 18' HANDICAP		4 Stalls
Parking Ratio		4.68 / 1000

SITE SYMBOL LEGEND

VICINITY MAP
NO SCALE



SITE PLAN

30

north

V-0053-01

STAFF 7-26-01 PC

APN #139-25-501-001

Nadel
Herbert Nadel AIA

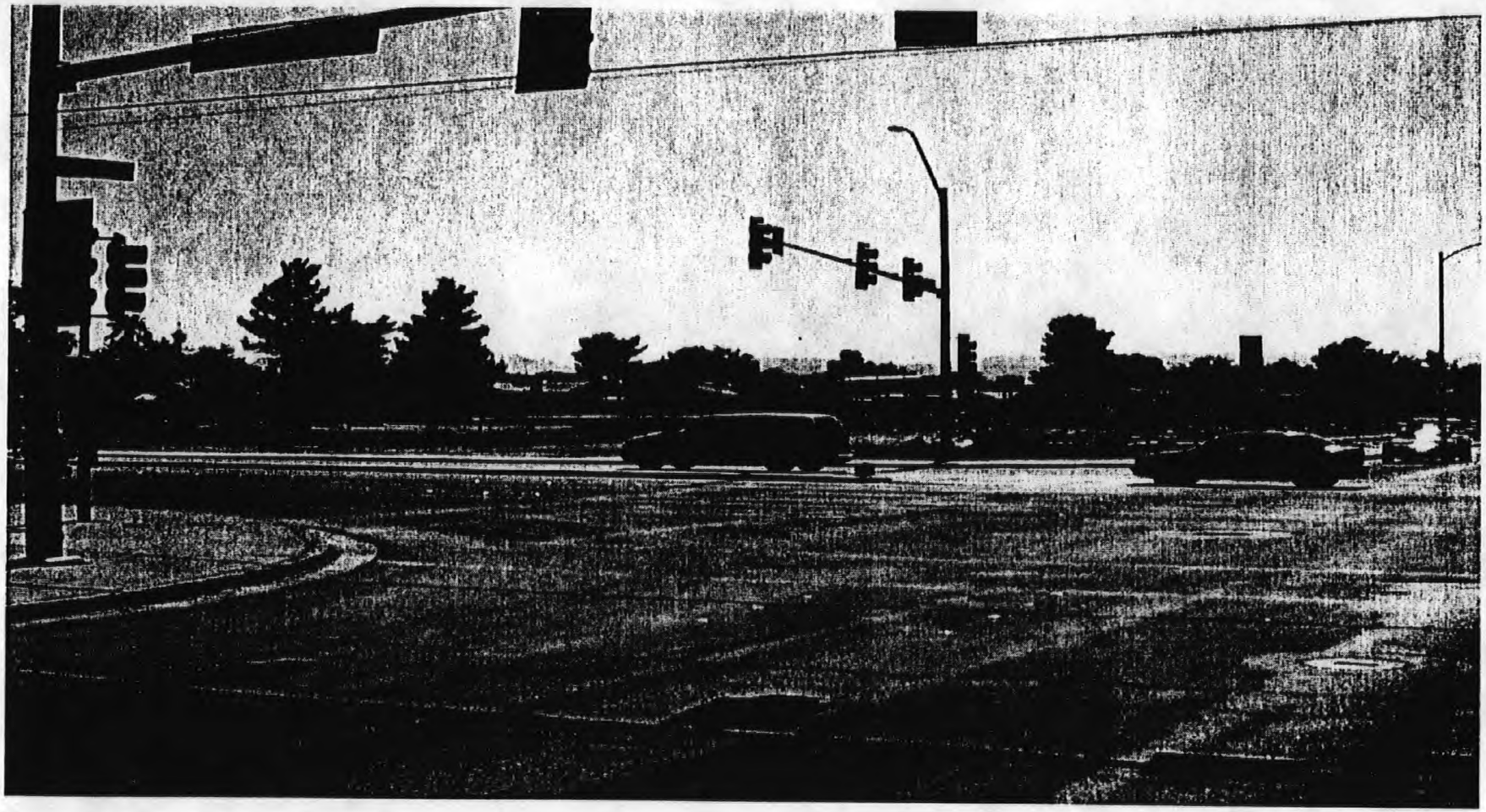
REVISIONS

SWC OWENS AVENUE AND PECOS STREET
LAS VEGAS, NEVADA

DRAWING TITLE
ARCHITECTURAL SITE PLAN

DATE
JOB NO
SHEET A

CITY COUNCIL MEETING OF NOVEMBER 7, 2001 Pg. 1175



V-0053-01 - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS
SOUTHWEST CORNER OF THE INTERSECTION OF PECOS ROAD AND OWENS AVENUE
JULY 26, 2001 PLANNING COMMISSION

V-0053-01 - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS
SOUTHWEST CORNER OF THE INTERSECTION OF PECOS ROAD AND OWENS AVENUE
JULY 26, 2001 PLANNING COMMISSION

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
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KURT C. LAMBETH
NHU-HANH T. LE
DANIEL D. NORR
RUSSELL M. ROWE
LYSSA M. SIMONELLI
JAMES E. SMYTH II
MITCHELL D. STIPP
GREGG R. VIERMEYS

November 6, 2001

RECEIVED
CITY CLERK
NOV -6 P 4:01

VIA FACSIMILE
382-4803

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

Re: V-0053-01 and Z-0007-61(2)
WPI-Owens, LLC on behalf of World Premier Investments

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We hereby request that the variance (V-0053-01) be withdrawn without prejudice. The variance is no longer necessary due to the redeveloping of our site plan. We further request that the site plan review (Z-0007-61(2)) be held from the City Council hearing of November 7, 2001 until January 2, 2002.

Thank you for your assistance. Please call if you need anything further.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Thomas D. Amick/mlt

Thomas D. Amick

TDA/mlt
cc: Councilman Gary Reese
Bob Genzer, City of Las Vegas
Joel McCulloch

Submitted after final agenda

Date 11/6/01 Item 149 & 150

42357_1 8043.16

City of Las Vegas

Agenda Item No. 150

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0053-01 - PUBLIC HEARING - **Z-0007-61(2) - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS** - Request for a Site Development Plan Review FOR A PROPOSED 19,326 square foot commercial retail center on the southwest corner of the intersection of Pecos Road and Owens Avenue (APN: 139-25-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend DENIAL

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

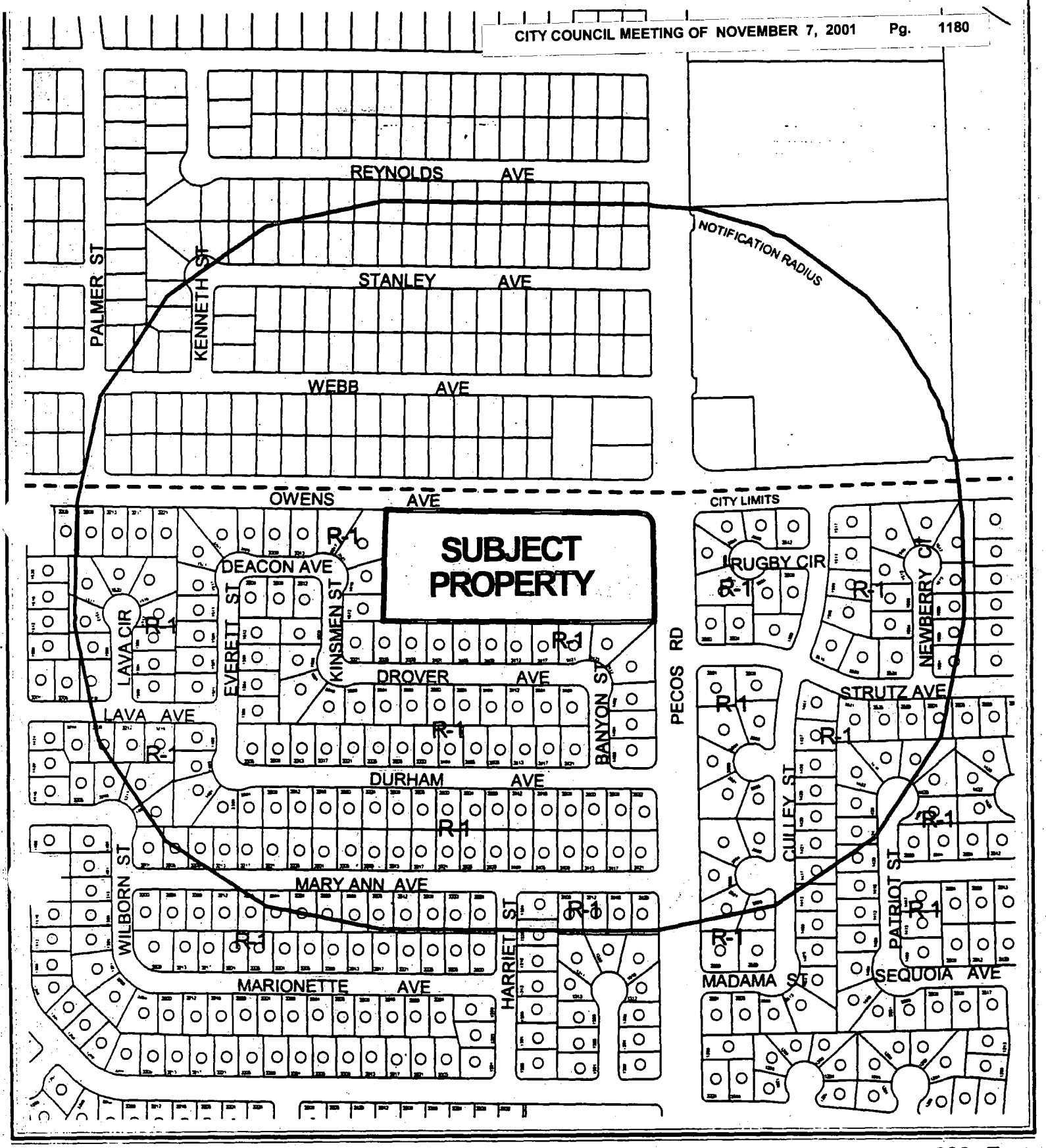
RECOMMENDATION:
The Planning Commission (4-2 vote) and staff recommend DENIAL.

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

MOTION:
REESE – Motion to bring forward and HOLD IN ABEYANCE Item 139 [Z-0016-98(4)] to 12/19/2001 and Item 150 [Z-0007-61(2)] to 1/2/2002 and to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 149 [V-0053-01] – UNANIMOUS

MINUTES:
There was no discussion

(2:33 – 2:35)



0 400 800 Feet

CASE: Z-0007-61(2)

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - Z-0007-61(2) - WPI-Owens, Limited Liability Company on behalf of World Premier Investments

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

The Planning Commission (5-1 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. The Site Development Plan Review approval is subject to the approval of the Variance (V-0051-01) by the City Council. If (V-0051-01) is not approved, this Site Development Plan Review shall be null and void.

2. The site plan shall be revised to depict a trash enclosure be a minimum of 50 feet from any residential property. In addition, the depicted eight foot tall wall in front of the loading dock shall be increased to a height of 12 feet.

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

5. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council 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.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets

9. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. The freestanding signage shall be no higher than 25 feet.

12. The site street address shall be placed on one of the monument signs.

Public Works

13. Dedicate an additional 31.5 feet of right-of-way for a total radius of 54 feet on the southwest corner of Owens Boulevard and Pecos Road prior to the issuance of any permits as required by the Department of Public Works.

14. Construct all incomplete half-street improvements (sidewalk) on Owens Boulevard adjacent to this site concurrent with development of this site as required by the Department of Public Works.

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-7-61 and all subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Site Development Plan Review for a 19,326 square foot retail center on approximately 4.35 acres on the southwest corner of Pecos Road and Owens Avenue.

BACKGROUND DATA

1961	The subject property was rezoned (Z-0007-61) to C-1 (Limited Commercial).
04/19/00	The City Council approved a Variance (V-0101-99) request to reduce residential adjacency standards and approved a Site Development Plan Review [Z-0007-61(1)] on the subject property.
07/26/01	The Planning Commission voted to recommend denial of a related request for a Variance (V-0053-01) to reduce residential adjacency standards.

DETAILS OF APPLICATION REQUEST

Site Area:	4.35	Acres
Building Area (Total):	37,647	Square Feet
Proposed Building Area (Retail B):	19,326	Square Feet
Proposed Building Height:	20	Feet
Parking Required (Total):	149	Spaces
Proposed Parking Required (Retail B):	78	Spaces
Parking Provided (Total):	176	Spaces
Proposed Parking Provided (Retail B):	78	Spaces

The applicant proposes to construct a retail shopping center on this undeveloped property. A drugstore and convenience store was approved under [Z-0007-61(1)], and two proposed restaurant pads depicted in the west that have been deleted with this application. Access to the site is from two driveways proposed for Owens Avenue and one driveway along Pecos Road. Fifteen-foot wide planters are shown along the street frontages, with twenty-foot wide planters along the south and west property lines. Additional landscaping is shown within the parking lot. Signage will consist of one 25-foot high pylon sign and three monument signs, eight feet in height along Owens Avenue. A second 25-foot high pylon sign is shown along Pecos Road.

The elevations depict stucco exteriors with concrete block accent bands around the base of the buildings. A flat roof design incorporating minor variations in roofline heights and use of standing seam metal roofs over the main entrances is shown.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	City of North Las Vegas	Commercial and Single Family Dwellings
South	R-1 (Single Family Residential)	Single Family Dwellings
East	R-1 (Single Family Residential)	Single Family Dwellings
West	R-1(Single Family Residential)	Single Family Dwellings

ANALYSIS & FINDINGS

ZONING

Staff finds that the subject property is currently zoned C-1 (Limited Commercial), which will allow the proposed retail uses. Code Section 19A.08.060 requires that no building in a non-residential district may exceed the height of a line drawn from a residential property line in a residential district at a 3:1 slope directly into the subject non-residential property. Therefore, the proposed building, 22 in height must maintain a setback of 66 feet on the west property line, and 66 feet on the south property line. A Variance (V-0053-01) to this requirement has been requested, and is recommended for denial by staff.

SITE PLAN

Staff finds that the proposed retail center does not have an appropriate layout of buildings and parking areas. T he proposed site plan is incompatible with existing adjacent residential land uses and recommends denial of this request. First, the trash enclosure is depicted at 42 feet from the residential property line, in conflict with Title 19A requirements that a trash enclosure be a minimum of 50 feet from any residential property. Therefore, staff recommends a condition that requires the trash enclosure to be moved to a location a minimum of 50 feet from the residential property line. Second, staff recommends that the eight-foot tall wall in front of the loading dock to be increased to a height of 12 feet to buffer the adjacent existing residential property from adverse noise generated by loading activities. Third, staff recommends a condition that limits the parking lot lighting to 15 feet in height, and the use of "shoe box" fixtures, to avoid light spilling into the adjacent existing residential properties.

Staff finds that if the proposed building cannot be reduced in size or be re-located on the site in order to meet the required setbacks of 66 feet to the west and south, without substantially revising the current site plan, a revised site plan must be submitted for review.

LANDSCAPE PLAN

Staff finds that the proposed landscaping for this site is adequate in terms of planter widths and the amount of proposed plantings.

ELEVATIONS

Staff finds that the proposed building elevations are appropriate in terms of design, materials and color for the proposed retail uses.

SIGNAGE

Staff finds that the proposed signage is appropriate in terms of size and materials for the proposed development, with implementation of the recommended condition regarding signage.

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 must affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

   Staff finds that the proposed development is not compatible with surrounding development, which is single family residential to the west and south of the property. The proposed building is not in compliance with residential adjacency standards, which are intended to protect the integrity of residential areas from commercial encroachment.

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 that the proposed development is not in compliance with Title 19A Section 19A.08.060 regarding Residential Adjacency requirements. Therefore, the proposed building, 22 in height must maintain a setback of 66 feet on the west property line, and 66 feet on the south property line. The trash enclosure is depicted at 42 feet from the residential property line, in conflict with Title 19A requirements that a trash enclosure be a minimum of 50 feet from any residential property.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic."**

   Staff finds that the traffic generated by the proposed commercial development will not negatively impact neighborhood traffic as it will utilize Pecos Road and Owens Avenue, both developed Primary (100 foot) roadways.

4. **"Building and landscape materials are appropriate for the area and for the City."**

   Staff finds the landscaping, building elevations and signage proposed with the commercial development will be appropriate for the scale of the commercial development but will not be appropriate in close proximity to single family residential uses.

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 commercial development will not be compatible with residential development in the area in regard to proposed landscaping and building elevations. Staff finds the proposed site plan will not be compatible with residential development in the area unless revised to depict compliance with Title 19A Section 19A.08.060 regarding Residential Adjacency requirements and in compliance with Title 19A requirements that a trash enclosure be a minimum of 50 feet from any residential property.

6. **"Appropriate measures taken to secure and protect the public health, safety and general welfare."**

   Staff finds the proposed development will be subject to the Uniform Building Code, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 314 by Planning Department

APPROVALS 0

PROTESTS 0

[The Planning Commission voted to recommend denial of the request because the Commission voted to recommend denial of the related Variance (V-0053-01) upon finding that the proposed retail building would be too large for the site.]

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Z-0007-61(2) APN: 139-25-501-001

Name of Property Owner: WPI- Owens, LLC

Name of Applicant: World Premier Investments

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Subscribed and sworn before me

This 19th day of June, 20 01

Malana L. Tice

Notary Public in and for said County and State

MALANA L. TICE
Notary Public - Nevada
No. 99-20201-1
My appt. exp. May 26, 2003

Z-0007-61(2)
7-26-01 PC

STAFF

WORLD PREMIER INVESTMENTS
3 IMPERIAL PROMENADE, SUITE 550
SANTA ANA, CA 92707
TEL (714) 662-6900 FAX (714) 662-7788

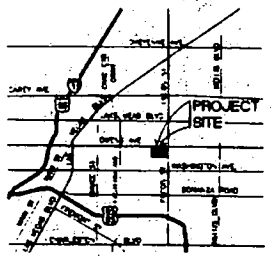
Summary

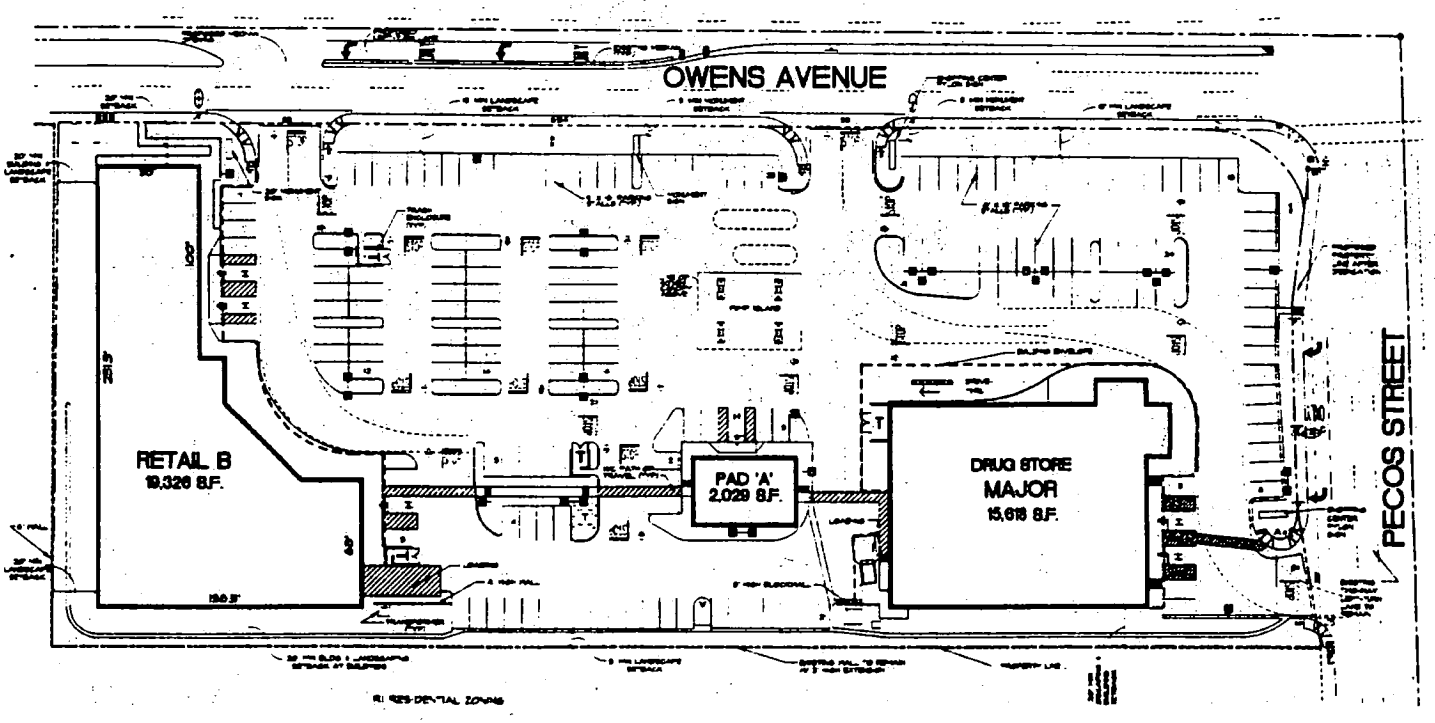
Land	± 4.18 acres	± 182,240 sf
Building		37,647 sf
Land / Building Ratio		3.84 / 1
Building Percentage		20.6% of Site

Total Parking Required		149 Stalls
A. Retail	37,647 sf	149 Stalls
Drug Store (1/250)	15,618 sf	63 Stalls
Pad A (1/250)	2,029 sf	8 Stalls
Retail B (1/250)	19,326 sf	78 Stalls
Total Parking Required		149 Stalls
Total Parking Provided		176 Stalls
10' X 18' STANDARD		61 Stalls
9' X 18' STANDARD		109 Stalls
10' X 18' HANDICAP		2 Stalls
9' X 18' HANDICAP		4 Stalls
Parking Ratio		4.68 / 1000

SITE SYMBOL LEGEND

VICINITY MAP
NO SCALE





SITE PLAN

APN #139-25-501-001

Nadel
Herbert Nadel, AIA

REVISIONS

SWC OWENS AVENUE AND PECOS STREET
LAS VEGAS, NEVADA

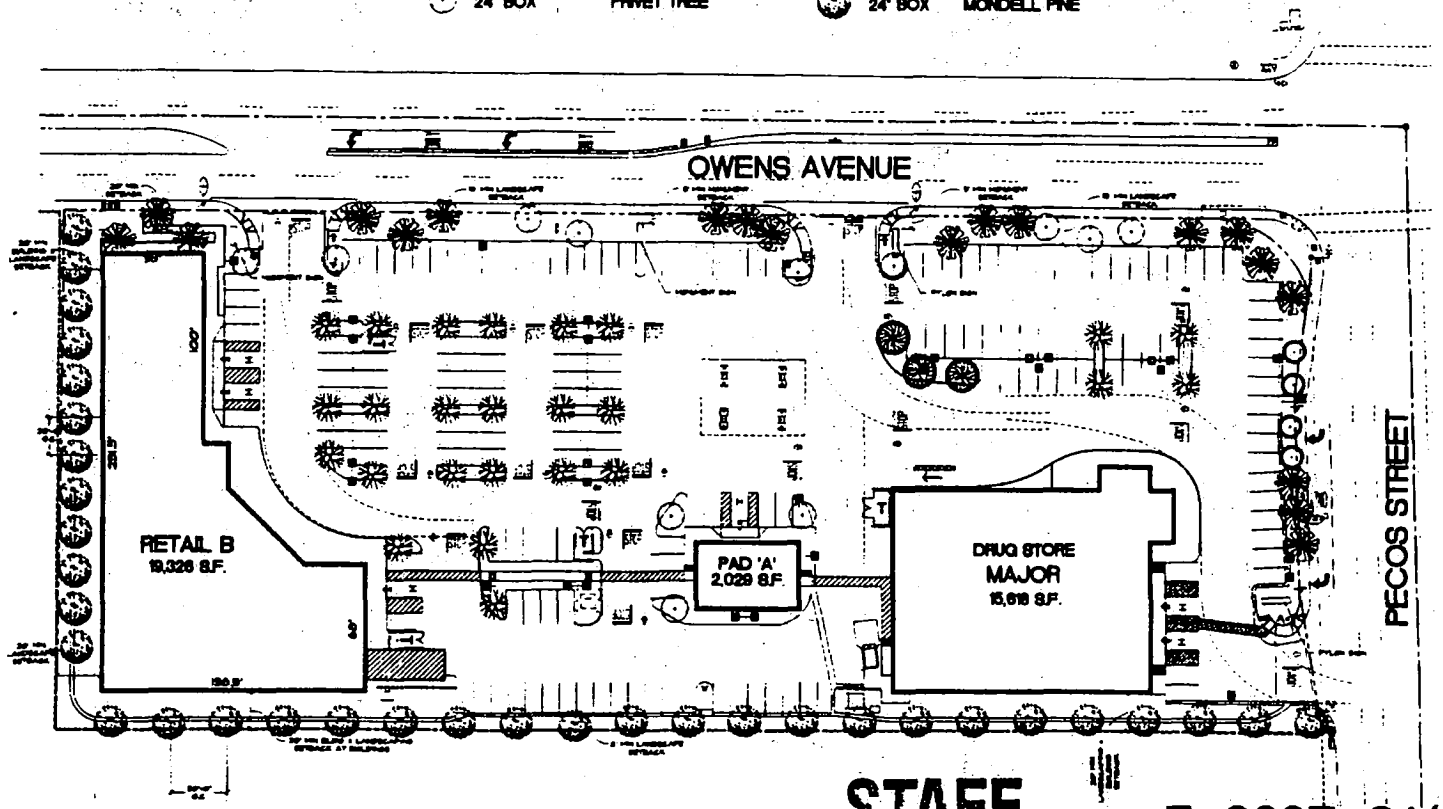
ARCHITECTURAL SITE PLAN

DATE
JOB NO.
SHEET A

WORLD PREMIER INVESTMENTS
3 IMPERIAL PROMENADE, SUITE 550
SANTA ANA, CA 92707
TEL (714) 662-6900 FAX (714) 662-7788

PLANTING LEGEND

24"BOX	CHILEAN MESQUITE	24" BOX	PURPLE PLUM LOW BRANCH
WASHINGTONIA ROBUSTA 8TH SKINNED		24" BOX	SUMAC TREE
24" BOX	PRIVET TREE	24" BOX	MONDELL PINE



STAFF

Z-0007-61(2)
7-26-01 PC

Nadel
Herbert Nadel AIA

SWC OWENS AVENUE AND
PECOS STREET
LAS VEGAS, NEVADA

LANDSCAPE
SITE PLAN

DATE:
JOB NO.:
SHEET
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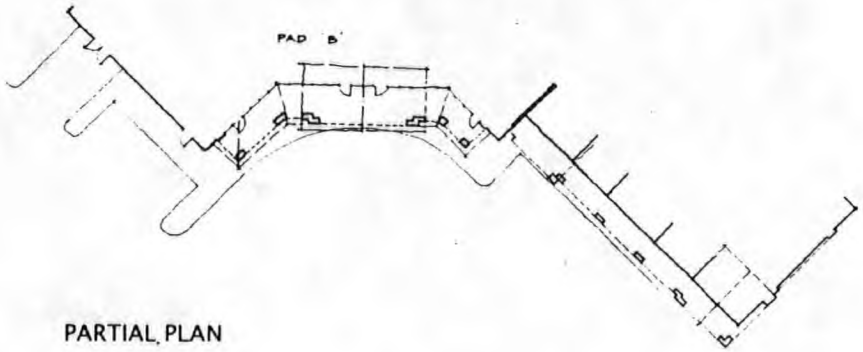
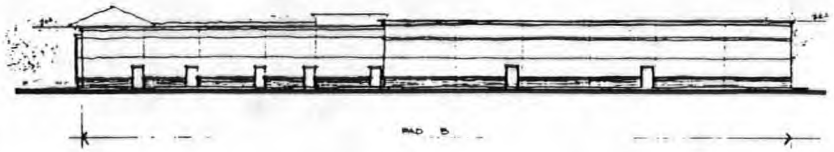


PARTIAL PLAN

NORTH EAST ELEVATION
1/16"=1'-0"(TYPICAL)

NORTH ELEVATION



WEST ELEVATION

SOUTH ELEVATION

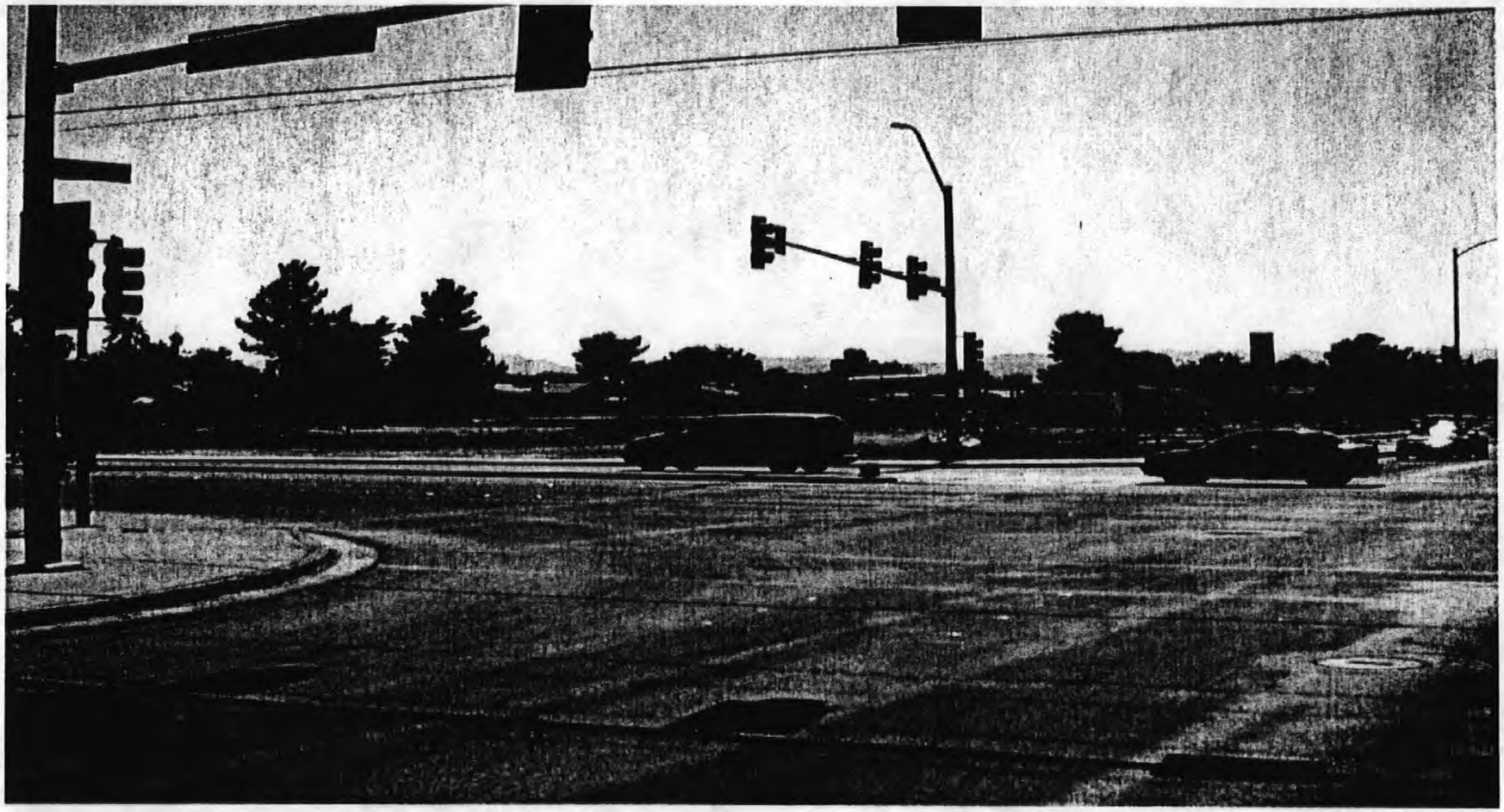
STAFF

99-273
06-22-01

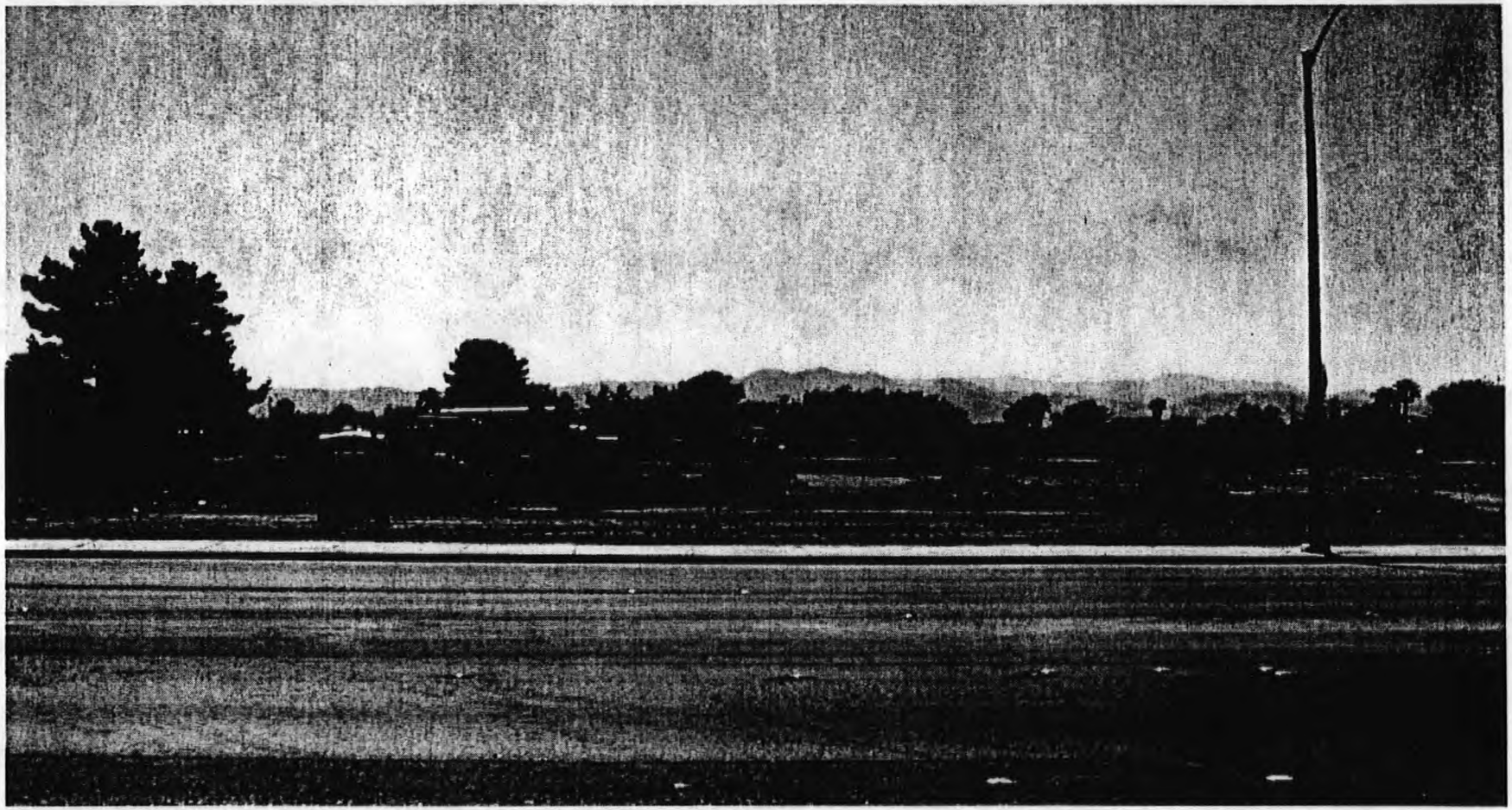
Nadel

SWC OWENS AVE. & PECOS ST. , LAS VEGAS,NV.

Z-0007-61(2)
7-26-01 PC



Z-0007-61(2) - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS
SOUTHWEST CORNER OF THE INTERSECTION OF PECOS ROAD AND OWENS AVENUE
JULY 26, 2001 PLANNING COMMISSION



Z-0007-61(2) - WPI-OWENS, LIMITED LIABILITY COMPANY ON BEHALF OF WORLD PREMIER INVESTMENTS
SOUTHWEST CORNER OF THE INTERSECTION OF PECOS ROAD AND OWENS AVENUE
JULY 26, 2001 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 151

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **V-0061-01 - THE SALVATION ARMY** - Request for a Variance TO ALLOW A ZERO FOOT SIDE SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK ALLOWED FOR PROPOSED DORMITORY BUILDING at 35 West Owens Avenue (APN: 139-27-502-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (4-3 vote) and staff recommend DENIAL.

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

MOTION:
WEEKLY – APPROVED subject to conditions with landscaping to be upgraded – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

JIM SULLIVAN, Salvation Army, 10301 George Heart Court, appeared together with LEO BORNS, Architect, and DWAYNE SONENBERG, Administrator, Owens Avenue Campus. MR. SULLIVAN explained that the proposed project is not an emergency lodge for the homeless. It will be a vocational facility that will train the homeless and help them find jobs. These people currently live at the Salvation Army. This will be a step toward moving them into the community. Additionally, the Family Services Department will provide assistance with utilities, groceries, clothing, and transportation for local families that have a Las Vegas address. MR. SULLIVAN indicated that construction must commence by July 1, 2002 or they will lose a $4 million grant from a local foundation.

City of Las Vegas

Agenda Item No. 151

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 151 – V-0061-01

MINUTES – Continued:

COUNCILMAN WEEKLY asked ROBERT GENZER, Director, Planning & Development Department, to clarify staff's recommendation for denial. MR. GENZER explained that for a Variance request, the recommendation must be based on whether or not there is compelling hardship. From the information staff received, they were unable to state that there was, therefore the recommendation for denial. On a practical basis however, given the facts of this particular area and looking at this site and its location adjacent to the railroad tracks, a case could certainly be made for a zero lot line setback adjacent to the tracks from a security standpoint.

COUNCILMAN WEEKLY indicated that upon touring the site and taking into consideration the issues that exist in this adjacent area, he believes that it would create an alley and further enhance the problem currently found on the property. Hopefully, the action taken during the morning session regarding the homeless issue will assist in cleaning up this property. However, since the Salvation Army will provide the training facility, the kitchen and other services, he moved to approve the Variance. He also stressed that the landscaping be upgraded. MR. SULLIVAN concurred with COUNCILMAN WEEKLY's request.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 152 [SD-0051-01] for related discussion.

(4:37 – 4:42)

6-856

CONDITIONS:

Planning and Development

1. If this Variance is not exercised within two (2) years from the date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. The applicant shall have approved by the Planning Commission an additional Variance to allow a 5-foot front yard setback where 10-feet is the minimum setback allowed, prior to the issuance of any building permits.

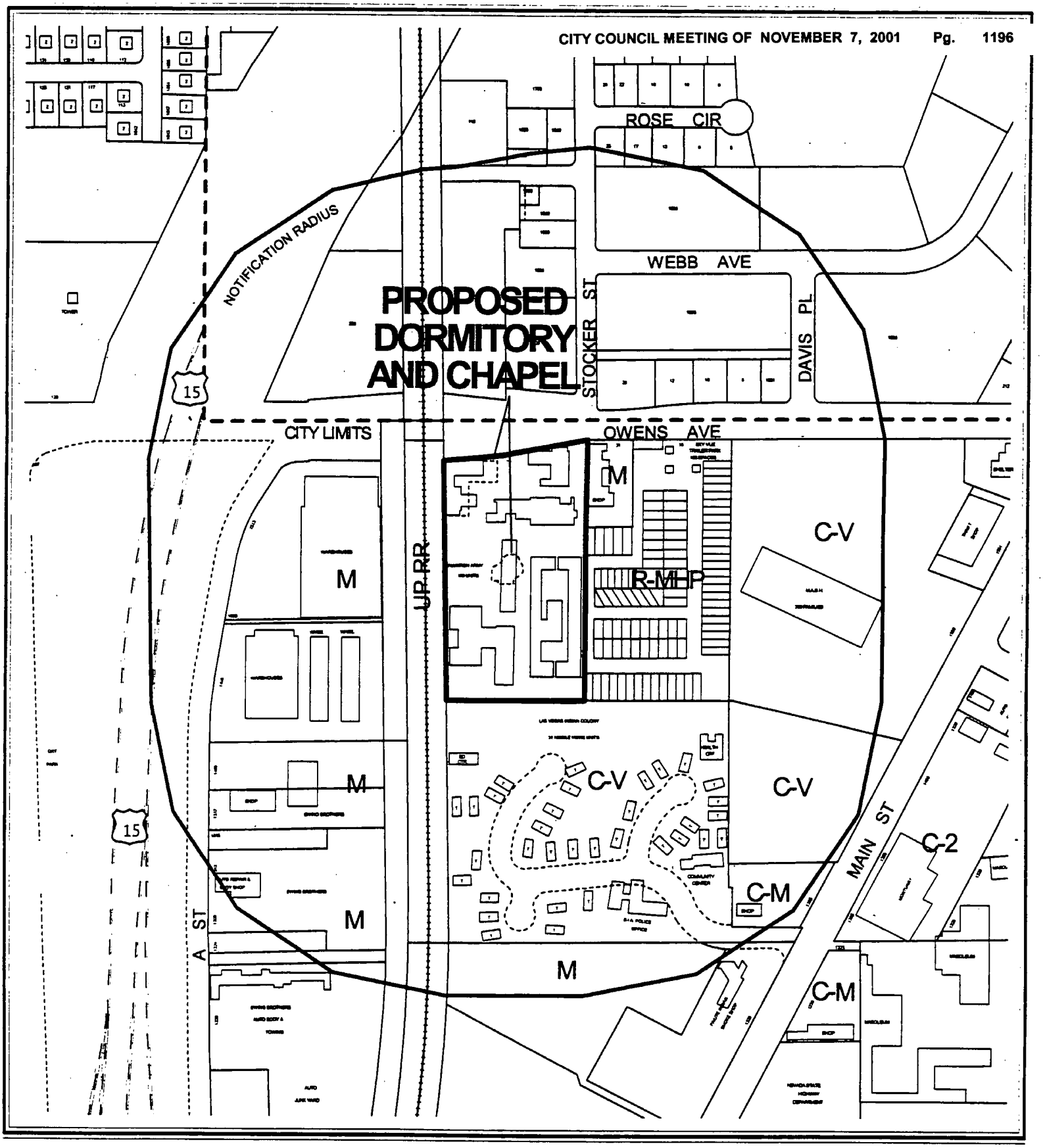
City of Las Vegas

Agenda Item No. 151

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 151 – V-0061-01

CONDITIONS – Continued:

3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.



0 300 600 Feet

CASE: V-0061-01

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - V-0061-01 - The Salvation Army

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN WEEKLY.

** CONDITIONS **

The Planning Commission (4-3 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. If this Variance is not exercised within two (2) years from the date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. The applicant shall have approved by the Planning Commission an additional Variance to allow a 5-foot front yard setback where 10-feet is the minimum setback allowed, prior to the issuance of any building permits.

3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

** STAFF REPORT **

APPLICATION REQUEST

This request is for approval of a Variance for a zero foot side setback where ten feet is the minimum setback allowed in conjunction with a proposed dormitory building.

BACKGROUND DATA

02/07/90 The City Council approved a Special Use Permit (U-0002-90) for a rescue mission / homeless shelter.

09/19/91 The City Council approved a Site Development Plan Review [U-0002-90(1)] for an emergency homeless shelter and a social services building.

09/16/92 The City Council approved a Site Development Plan Review [U-0002-90(2)] for an expansion of the existing homeless shelter to include 122 transitional housing units.

10/06/93 The City Council approved a Site Development Plan Review [U-0002-90(3)] for a transitional housing building.

08/23/01 The Planning Commission voted to recommend DENIAL of a related Site Development Plan Review (SD-0051-01) to replace the Salvation Army kitchen and dining room, construct a new 162 bed residential training facility, and construct a new Family Service Department and a 200-seat Chapel Building on the site.

DETAILS OF APPLICATION REQUEST

Site Area:	5.87	Acres
Required Setback:	10	Feet
Proposed Setback:	0	Feet
Percent Encroachment:	100	Percent

The applicant is replacing the Salvation Army kitchen and dining room buildings, constructing a total of 42,300 square feet of new buildings.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	City Of North Las Vegas	Industrial
South:	C-V (Civic)	Mobile Home Park
East:	R-MHP (Residential Mobile/Manufactured Home Park	Mobile Home Park
West:	ROW (Right Of Way)	Union Pacific Rail Line
	M (Industrial)	Warehouse/ Distribution

ANALYSIS & FINDINGS

Section 19A.18.070B of the Las Vegas Municipal Code states the following:

> **"B. Scope and Limitations**
>
> Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission, a hearings officer who has been appointed for that purpose and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. . . . A Variance shall not be granted in order 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 Las Vegas Municipal Code states:

> **"L. Determinations**
>
> 1. In order to recommend approval of, or to approve a Variance application, the Planning Commission, hearings officer or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.
>
> 2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property ... or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition... the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

Section 19A.08.050 of the Las Vegas Zoning Code established the development standards for commercial and industrial buildings. The standards state that the required side setbacks for an M (Industrial) zoned property is 10 feet. In this case, the proposed Lied Vocational Center Building footprint is proposed to be located zero feet from the side property line where 10 feet is the minimum setback allowed.

Staff does not find any unique or extraordinary circumstances on the property in that the applicant has created a self-imposed hardship by proposing to construct a building zero feet from the side property line where ten feet is required. In view of the absence of any hardships imposed by the site's physical characteristics such as exceptional narrowness, shallowness, or shape or exceptional topographic conditions, staff concludes that the applicant's hardship is financial in nature, and thereby outside the realm of NRS Chapter 278 for granting of Variances. Therefore, staff finds that the requested Variance is not warranted and should be denied.

NOTICES MAILED 137 by City Clerk

APPROVALS 0

PROTESTS 1

[The Planning Commission voted to recommend DENIAL of this request, based on a finding that no unique or extraordinary circumstances are associated with the property.]

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-0061-01 APN: 139-27-502-002

Name of Property Owner: THE SALVATION ARMY

Name of Applicant: Lt. Colonel Jim Sullivan

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

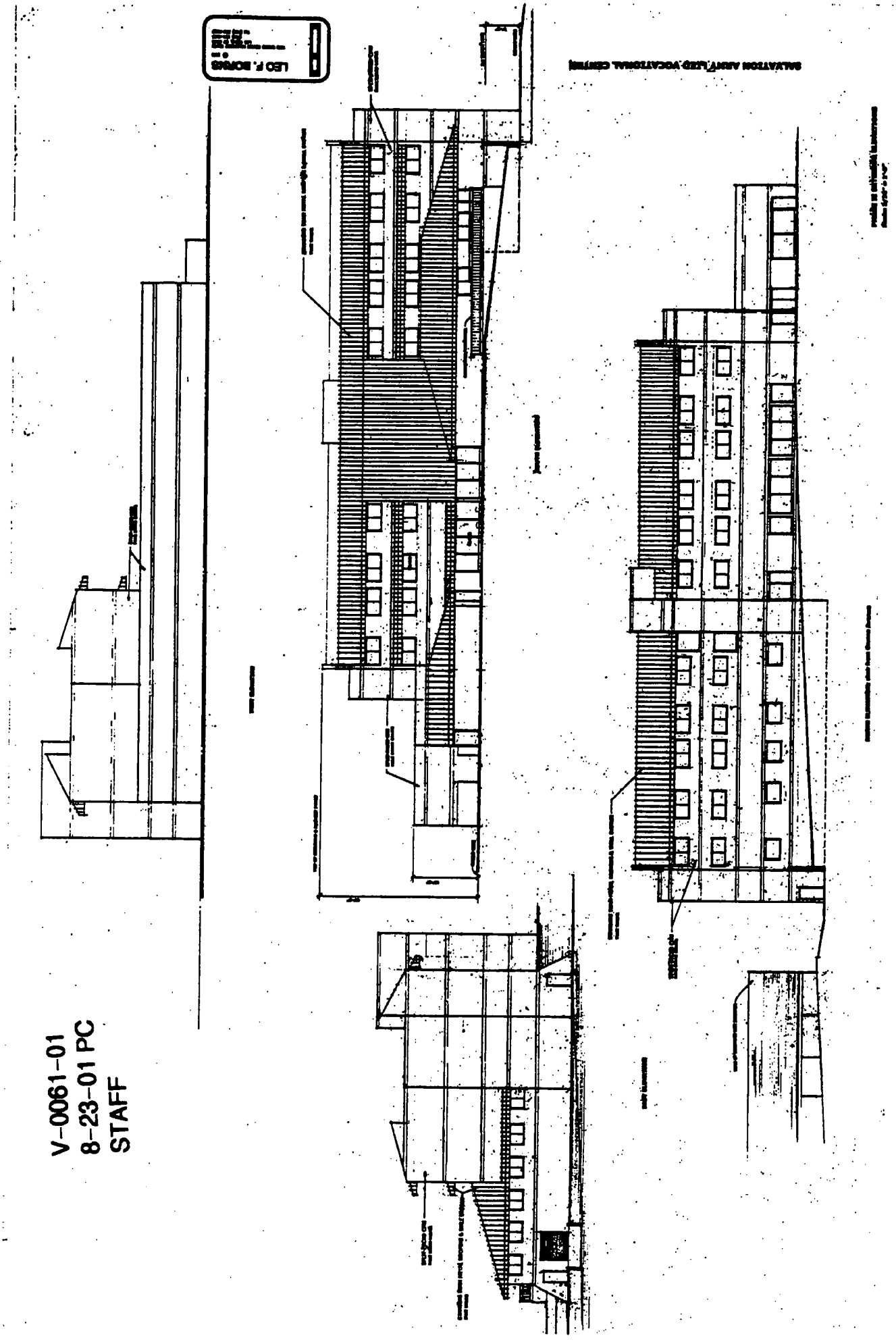
Signature of Property Owner/Authorized Agent: Jim Sullivan, Lt. Colonel

Subscribed and sworn before me

This 16th day of July, 20__

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CHARLES DESIDERIO
My Appointment Expires
August 14, 2004
No: 96-4825-1



V-0061-01
8-23-01 PC
STAFF

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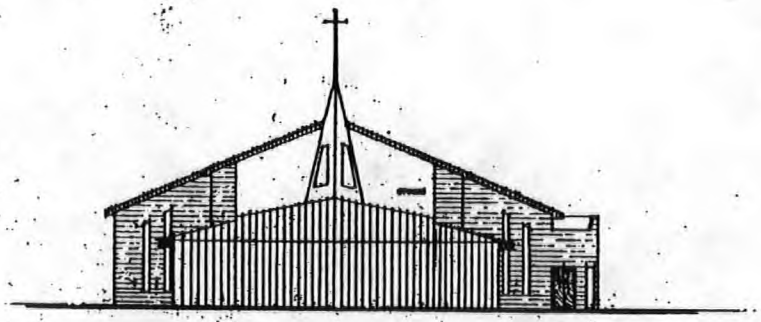
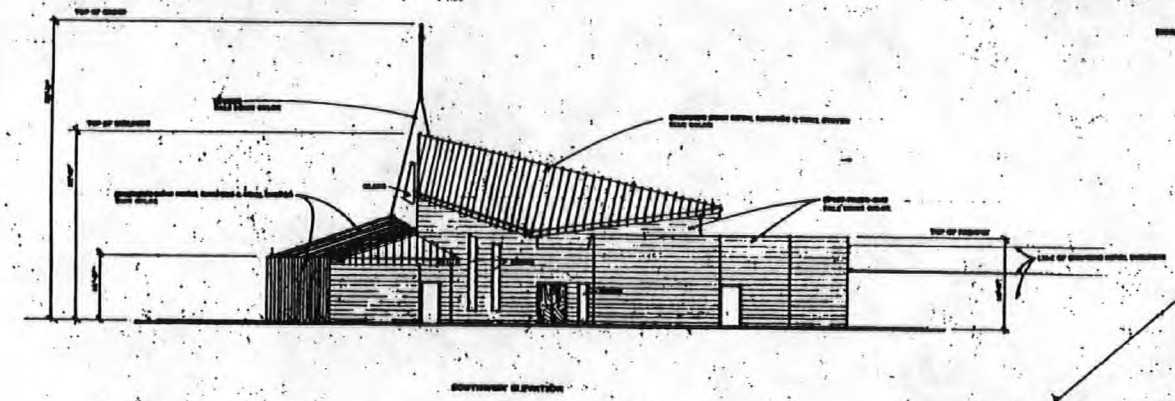
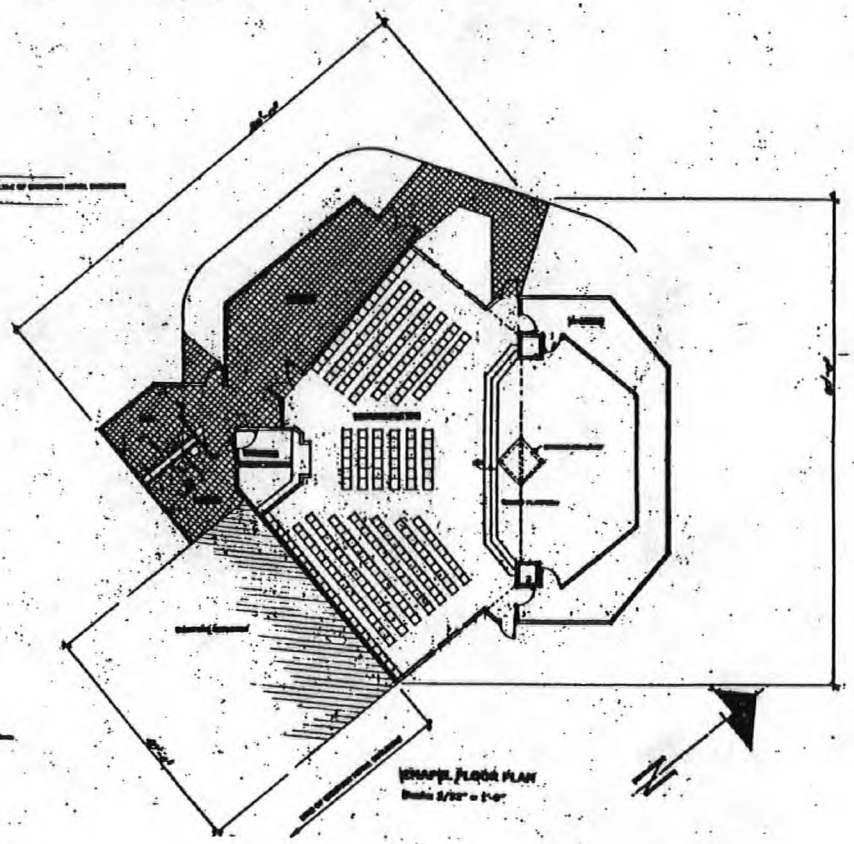
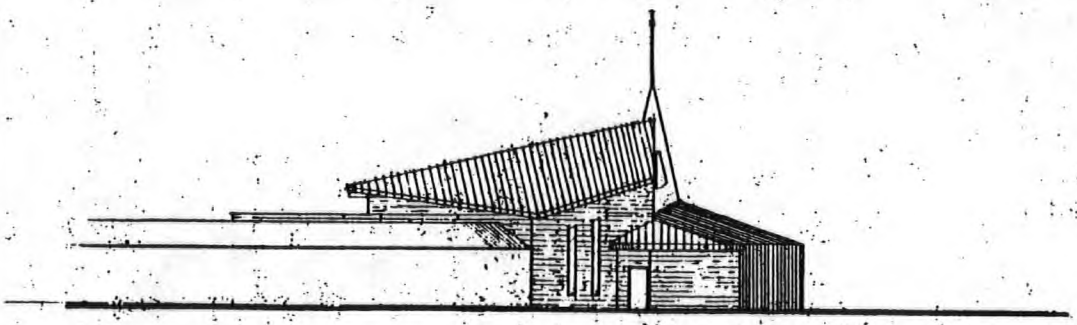


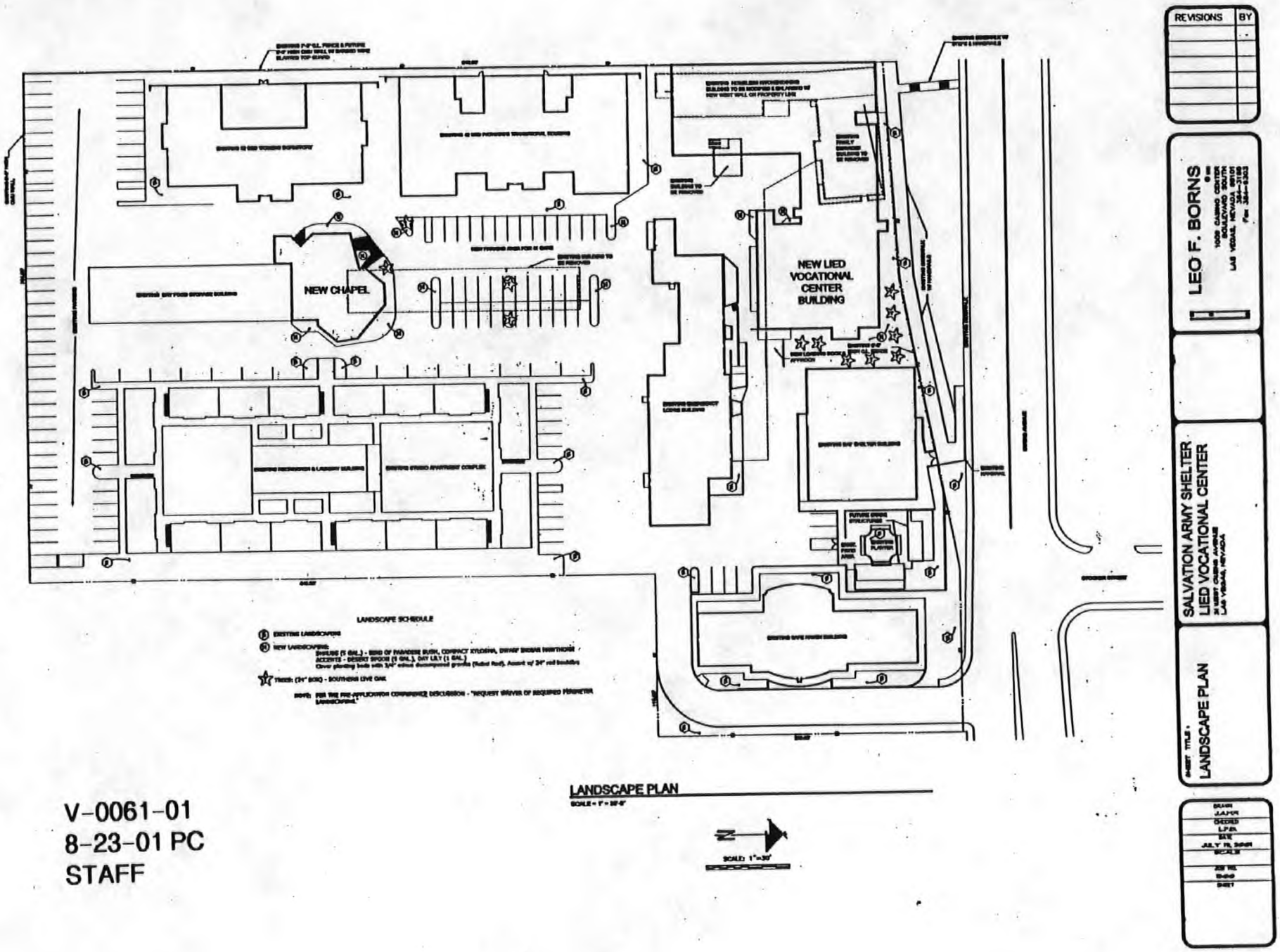




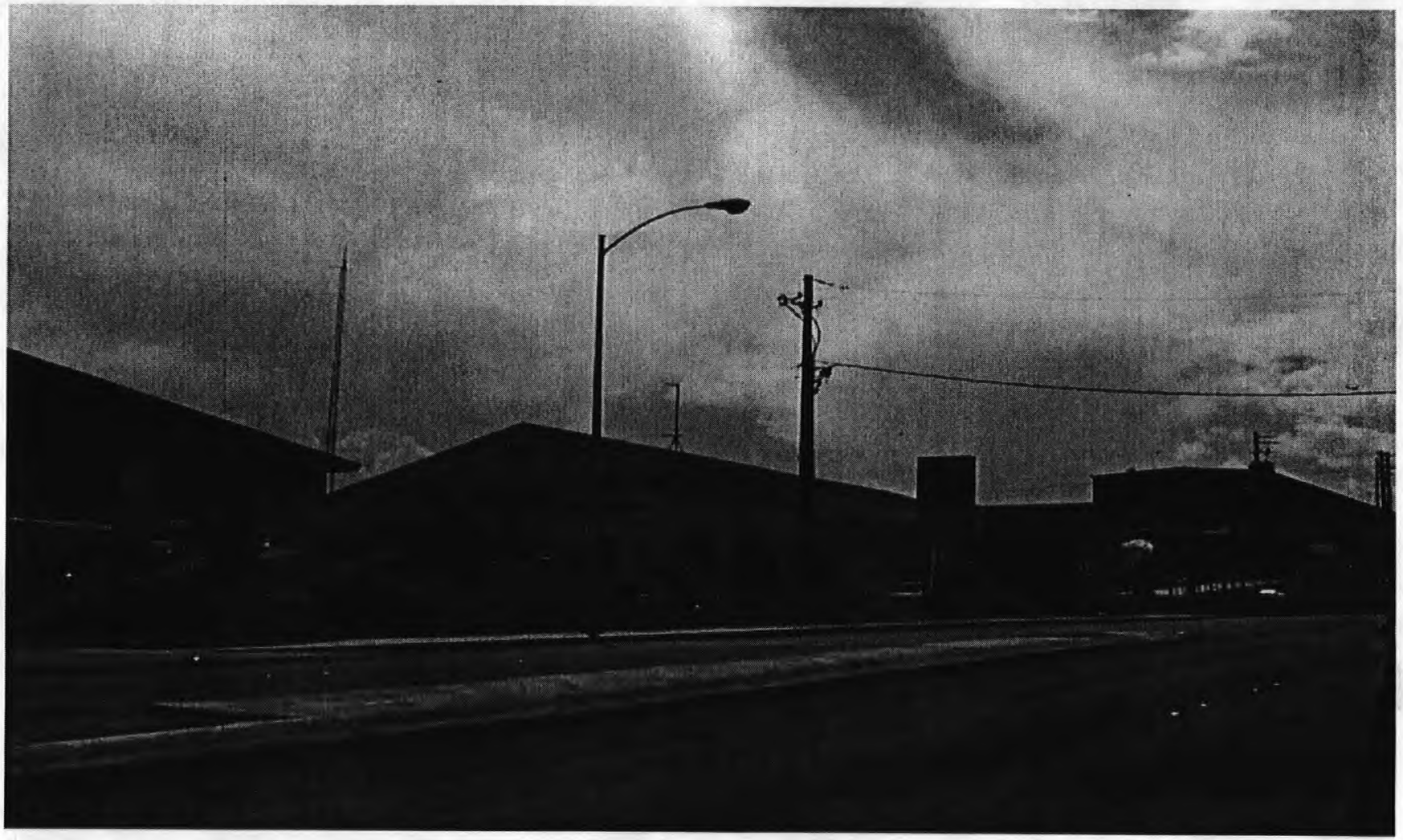


LEO F. BORNS

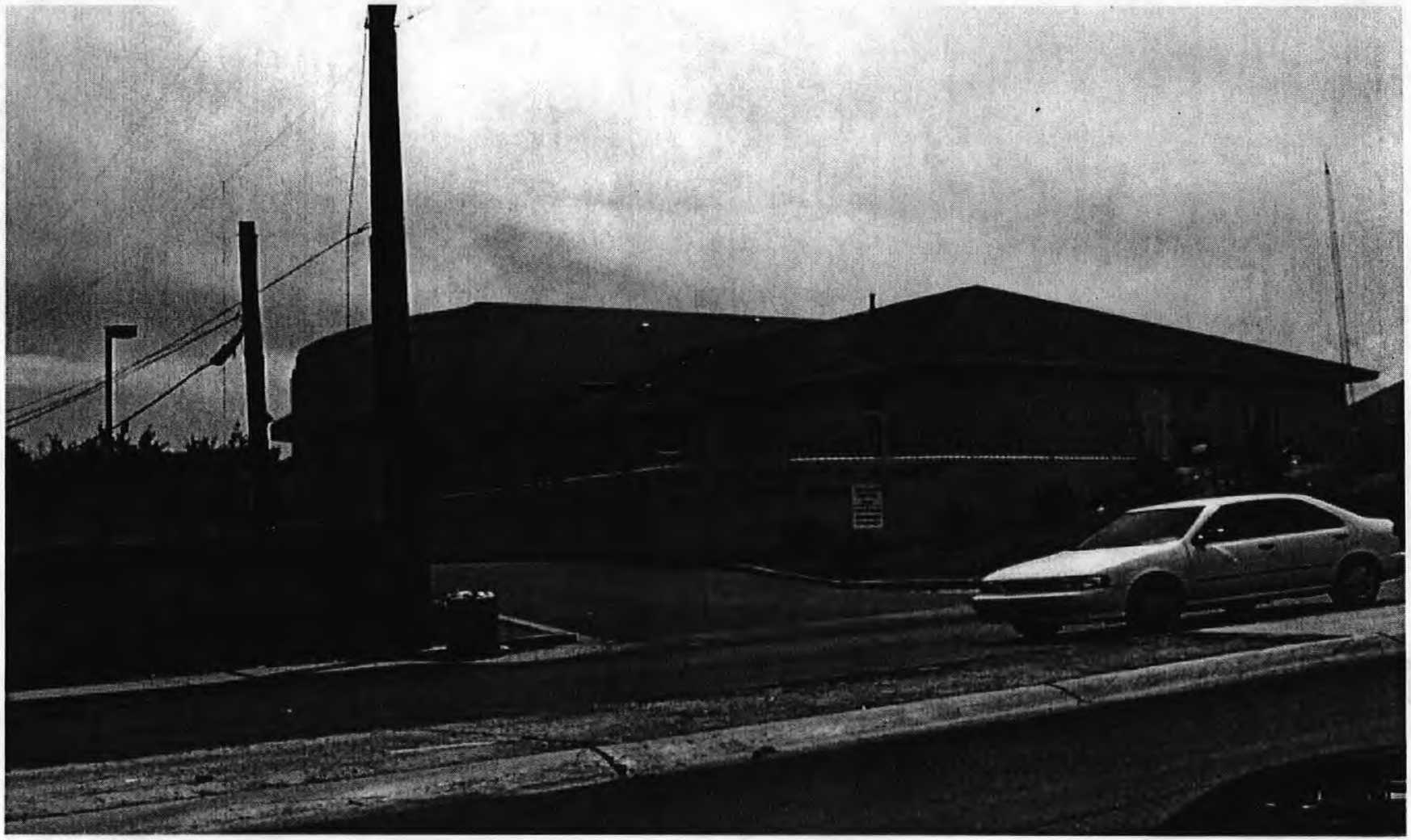
SALVATION ARMY LIED VOCATIONAL CENTER



V-0061-01
8-23-01 PC
STAFF



V-0061-01 - THE SALVATION ARMY
35 WEST OWENS AVENUE
AUGUST 23, 2001 PLANNING COMMISSION



V-0061-01 - THE SALVATION ARMY
35 WEST OWENS AVENUE
AUGUST 23, 2001 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 152

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0061-01 - PUBLIC HEARING - **SD-0051-01 - THE SALVATION ARMY** - Request for a Site Development Plan Review FOR A PROPOSED 39,180 SQUARE FOOT DORMITORY, A 3,120 SQUARE FOOT CHAPEL AND FOR A REDUCTION OF THE REQUIRED PERIMETER LANDSCAPING REQUIREMENTS on 5.44 acres at 35 West Owens Avenue (APN: 139-27-502-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (4-3 vote) and staff recommend DENIAL.

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

MOTION:
WEEKLY – APPROVED subject to conditions with landscaping to be upgraded – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

LEO BORNS, Architect, Salvation Army, indicated that they would comply with the landscaping upgrade.

DAN CONTRERAS, Bonanza Village, presented a picture depicting clutter found in the proximity of the railroad tracks. He supports any type of project that helps people get back to work and asked that as part of the required landscaping, large rocks be placed to deter people from using the property as a place to sleep.

City of Las Vegas

Agenda Item No. 152

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 152 – SD-0051-01

MINUTES – Continued:

Additionally, he asked that the Salvation Army work with the railroad company and whoever owns that property to clean it up and install a fence around the property.

DWAYNE SONENBERG, Administrator, Salvation Army, replied that they have been working with the Union Pacific Railroad and with their cooperation installed a wrought iron rail that separates Owens Avenue from access to the railroad. Their intent is to continue working with the Pacific Railroad in this area.

COUNCILMAN WEEKLY stated that hopefully with HOME funds allocated to support the provision of emergency shelter and services, men and women will be moved into shelters with available beds and prepared for jobs. As far as MR. CONTRERAS' comment regarding the landscaping, he stated that the City will work with the Salvation Army to assist them in their landscaping efforts to help mitigate that problem.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 151 [V-0061-00] for related discussion.

(4:42 – 4:45)

6-1014

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. If the associated Variance (V-0061-01) is not approved, the site plan shall be revised to depict a minimum ten-foot setback along the side property line.

3. A Variance to allow a five-foot front setback where ten feet is the minimum setback allowed, shall be approved by the City Council prior to the issuance of any building permits. If a Variance application is not approved, the site plan shall be revised to depict a minimum ten-foot setback along the front property line.

City of Las Vegas

Agenda Item No. 152

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 152 – SD-0051-01

CONDITIONS – Continued:

4. The landscape plan shall be amended to depict the type, number, and placement of all proposed landscaping on the plan.

5. The landscape plan shall be amended to depict two additional 24-inch box trees planted adjacent to the northeast face of the proposed chapel. In addition, the proposed parking lot shall have five additional 24-inch box trees planted within the landscape finger islands.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All City Code requirements and design standards of all City departments must be satisfied.

11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

12. 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 concurrent with development of this site.

13. Provide a copy of a recorded Joint Access between this site and the adjoining parcel to the east prior to the issuance of any permits.

City of Las Vegas

Agenda Item No. 152

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 152 – SD-0051-01

CONDITIONS – Continued:

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

    Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of

City of Las Vegas

Agenda Item No. 152

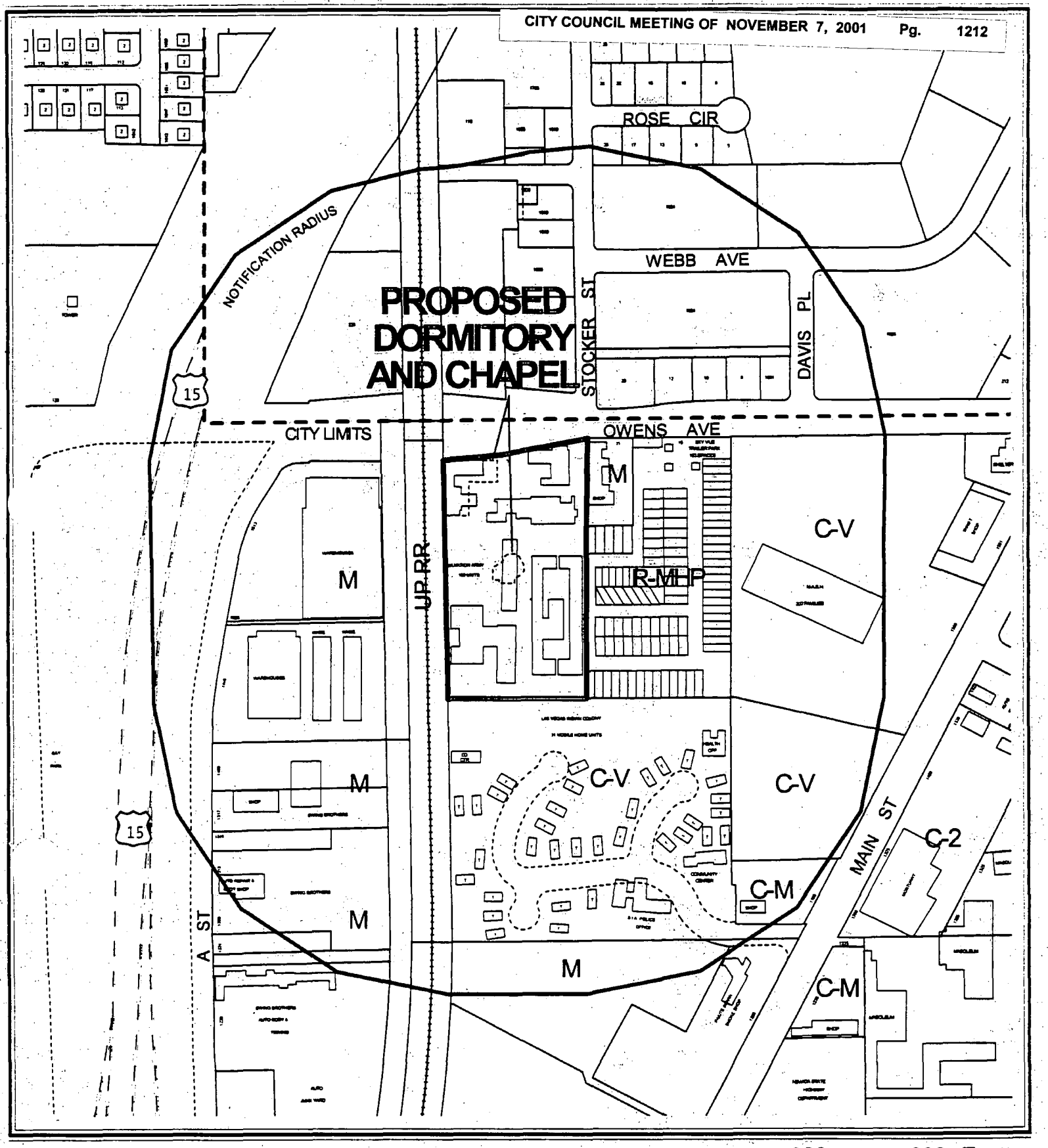
CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 152 – SD-0051-01

CONDITIONS – Continued:

this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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, if allowed by the City Engineer.

17. Landscape and maintain all unimproved right-of-way on Owens Avenue adjacent to this site.

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Owens Avenue public right-of-way adjacent to this site prior to occupancy of this site.



0 300 600 Feet

CASE: SD-0051-01

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - SD-0051-01 - The Salvation Army

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN WEEKLY.

** CONDITIONS **

The Planning Commission (4-3 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. If the associated Variance (V-0061-01) is not approved, the site plan shall be revised to depict a minimum ten-foot setback along the side property line.

3. A Variance to allow a five-foot front setback where ten feet is the minimum setback allowed, shall be approved by the City Council prior to the issuance of any building permits. If a Variance application is not approved, the site plan shall be revised to depict a minimum ten-foot setback along the front property line.

4. The landscape plan shall be amended to depict the type, number, and placement of all proposed landscaping on the plan.

5. The landscape plan shall be amended to depict two additional 24-inch box trees planted adjacent to the northeast face of the proposed chapel. In addition, the proposed parking lot shall have five additional 24-inch box trees planted within the landscape finger islands.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All City Code requirements and design standards of all City departments must be satisfied.

11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

12. 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 concurrent with development of this site.

13. Provide a copy of a recorded Joint Access between this site and the adjoining parcel to the east prior to the issuance of any permits.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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 construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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, if allowed by the City Engineer.

17. Landscape and maintain all unimproved right-of-way on Owens Avenue adjacent to this site.

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Owens Avenue public right-of-way adjacent to this site prior to occupancy of this site.

** STAFF REPORT **

APPLICATION REQUEST

The request is for approval of a Site Development Plan Review to replace the Salvation Army kitchen and dining room, construct a 162 bed residential training facility, a Family Service Department and a 200-seat Chapel Building on the site, totaling 42,300 square feet of new buildings. The applicant's justification letter states that these facilities are designed to return homeless people, chemically addicted and mentally ill people to productive, independent living. A waiver of perimeter landscaping requirements is also requested.

BACKGROUND DATA

02/07/90 The City Council approved a Special Use Permit (U-0002-90) for a rescue mission / homeless shelter.

09/19/91 The City Council approved a Site Development Plan Review [U-0002-90(1)] for an emergency homeless shelter and a social services building.

09/16/92 The City Council approved a Site Development Plan Review [U-0002-90(2)] for an expansion of the existing homeless shelter to include 122 transitional housing units.

10/06/93 The City Council approved a Site Development Plan Review [U-0002-90(3)] for a transitional housing building.

08/23/01 The Planning Commission voted to recommend DENIAL of a related Variance (V-0061-01) to allow a zero foot side setback where 10 feet is the minimum setback allowed,.

DETAILS OF APPLICATION REQUEST

Site Area:	5.87	Acres
Total Building Area:	123,775	Square Feet
Proposed Building Area:	42,300	Square Feet
Existing Building Area:	81,475	Square Feet
FAR:	0.48	
Building Height:	45	Feet (Three Stories)
Parking Required:	127 /1/	Spaces (Including 11 Handicap Accessible)
Parking Provided:	127	Spaces (Including 11 Handicap Accessible)

/1/ Based upon staff determination of the expected demand, per Chapter 19A.10.010(D) of the Zoning Code.

Access to the site is via one driveway to Owens Avenue. Three existing buildings are being demolished for the two additional buildings on the site. The Lied Vocational Center building is proposed adjacent to the northwest corner of the site, and a new chapel is proposed on the interior of the site adjacent to the existing food storage building.

The landscape plan indicates new landscaping adjacent to the new building and parking lot, comprising 24-inch box live-oak trees with 5-gallon varieties of Bird of Paradise bush, Compact Xylosma and Dwarf Indian Hawthorn. Additional accent plants include 5-gallon Desert Spoon and one-gallon Day Lilies. All landscaping will have ¾ inch minus decomposed granite groundcover with large red boulder accents.

The elevations for the Lied Vocational Center building depict a three-story building with pale beige colored split-face block wall construction and bluish colored standing seam metal roofing. The elevations of the chapel depict pale beige colored split face block with contrasting stucco wall construction. The roofing will consist of bluish colored standing seam metal roofing. A fifty-foot tall steeple is indicated on the northern end of the chapel.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	City Of North Las Vegas	Industrial
South:	C-V (Civic)	Mobile Home Park
East:	R-MHP (Residential Mobile/Manufactured Home Park	Mobile Home Park
West:	ROW (Right Of Way)	Union Pacific Rail Line
	M (Industrial)	Warehouse/ Distribution

ANALYSIS & FINDINGS

ZONING

The subject site is zoned M (Industrial). Staff finds the proposed dormitory in conjunction with the rescue mission is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit. City records indicate that a Special Use Permit (U-0002-90) was approved for a rescue mission/homeless shelter on this site.

SITE PLAN

Staff finds the submitted site plan is not appropriate. Section 19A.08.050 of the Las Vegas Zoning Code established the setbacks for commercial and industrial zoned properties. The required minimum setbacks for this property are 10 feet in the front, 10 feet on each side and 10 feet in the rear. In this case, the proposed Lied Vocational building footprint is placed five feet from the front property line and zero feet from the side property line. A Variance request (V-0061-01) has been made by the applicant to allow a zero foot side setback. Staff also finds that a Variance must be approved to allow a five-foot front setback where ten feet is the minimum setback allowed, prior to the issuance of any building permits.

LANDSCAPE PLAN

Staff finds the submitted landscape plan is not appropriate in that it does not indicate any landscaping placement other than 24-inch box trees within a small area relative to the overall site. Therefore, staff recommends a condition requiring the landscaping plan be amended to reflect the provision of two additional 24-inch box trees adjacent to the northeast face of the chapel building and five additional 24-inch box trees within the parking lot directly north of chapel within the landscape finger islands, and requiring that the landscape plan be amended to reflect the type, amount, and location of all proposed landscaping including trees, plants, and shrubbery.

ELEVATIONS

Staff finds the submitted building elevations to be appropriate in that they depict architecture and color schemes consistent with other buildings within the Salvation Army complex.

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 must affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

   Staff finds the proposed dormitory building in conjunction with the existing rescue mission will be compatible with adjacent development and development in the 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 development is not consistent with Title 19A in that the proposed Vocational Center does not conform to the required setbacks of the M (Industrial) Zoning District. In addition, the proposed landscape plan is not consistent with the requirements of the Landscape, wall and buffer standards, but will be consistent with the intent of the standards with implementation of the recommended conditions regarding revision to the landscape plan.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic."**

   Staff finds the proposed dormitory will be accessed by Owens Avenue, a 100-foot wide Primary Arterial Roadway. Staff finds the proposed use will not negatively impact the abutting roadways or substantially increase neighborhood traffic.

4. **"Building and landscape materials are appropriate for the area and for the City."**

   Staff finds the building materials are appropriate for the area in that both colors and materials will be consistent with adjacent buildings. However, staff finds the proposed landscaping and building placement will not be in conformance with the required setbacks or requirements of the Landscape, wall and buffer standards unless the recommended conditions regarding revised landscape plans are implemented.

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 building materials are appropriate for the area in that both colors and materials will be consistent with adjacent buildings. Staff finds, however, that the lack of new landscaping proposed will preclude an opportunity to set higher aesthetic standards for the surrounding area.

6. **"Appropriate measures taken to secure and protect the public health, safety and general welfare."**

   Staff finds the proposed building will be subject to the Uniform Building Code and therefore will not compromise the public health, safety, or welfare.

NOTICES MAILED 142 by Planning Department

APPROVALS 0

PROTESTS 1

[The Planning Commission voted to recommend DENIAL of this request, because it is associated with the Variance (V-0061-01 request for which the Commission voted to recommend DENIAL, and based on a finding that the proposed landscaping will preclude an opportunity to set higher aesthetic standards for the surrounding area.]

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0051-01 APN: 139-27-502-002

Name of Property Owner: THE SALVATION ARMY

Name of Applicant: Lt. Colonel Jim Sullivan

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Jim Sullivan

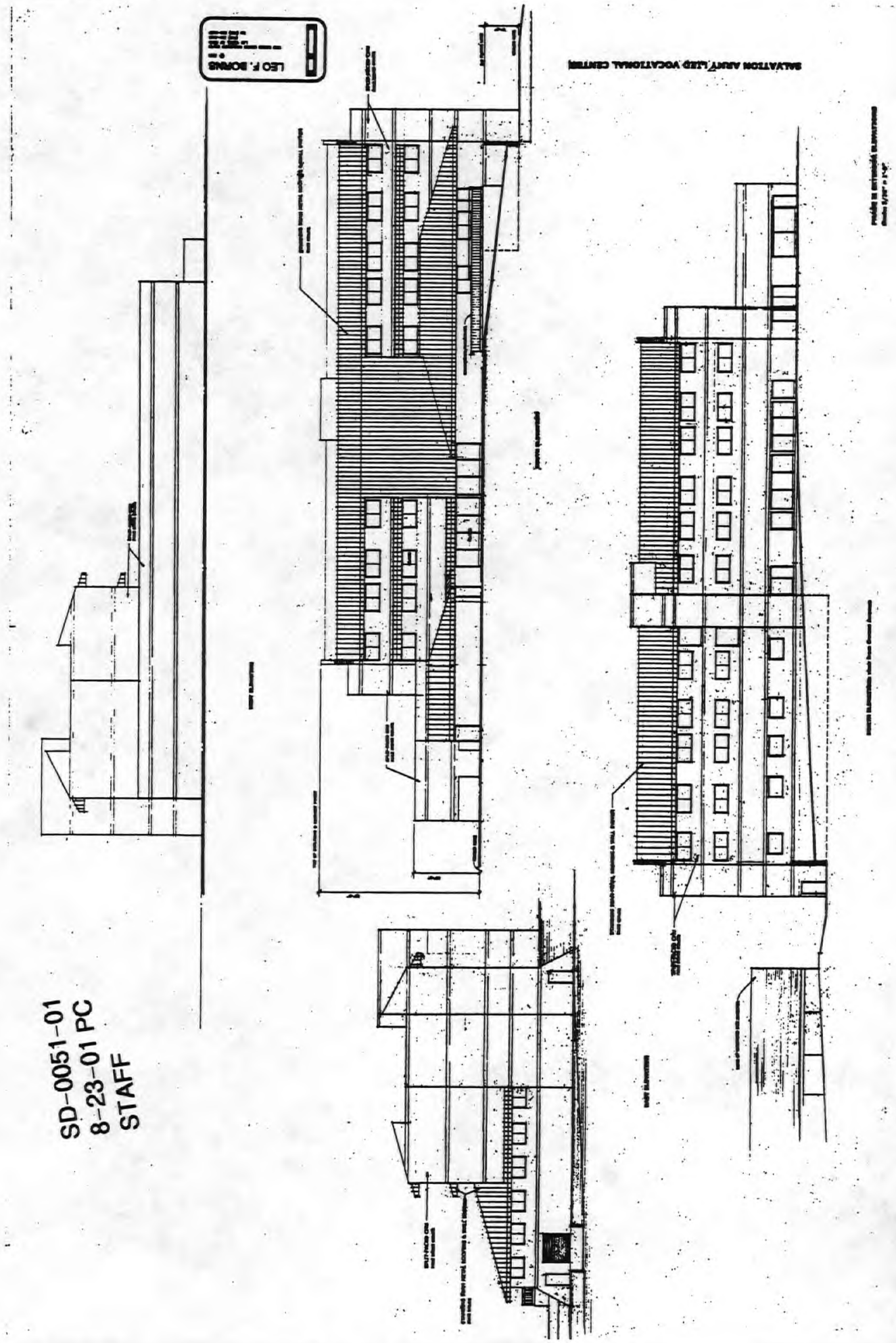
Subscribed and sworn before me

This 16th day of July, 2001

Charles Desiderio

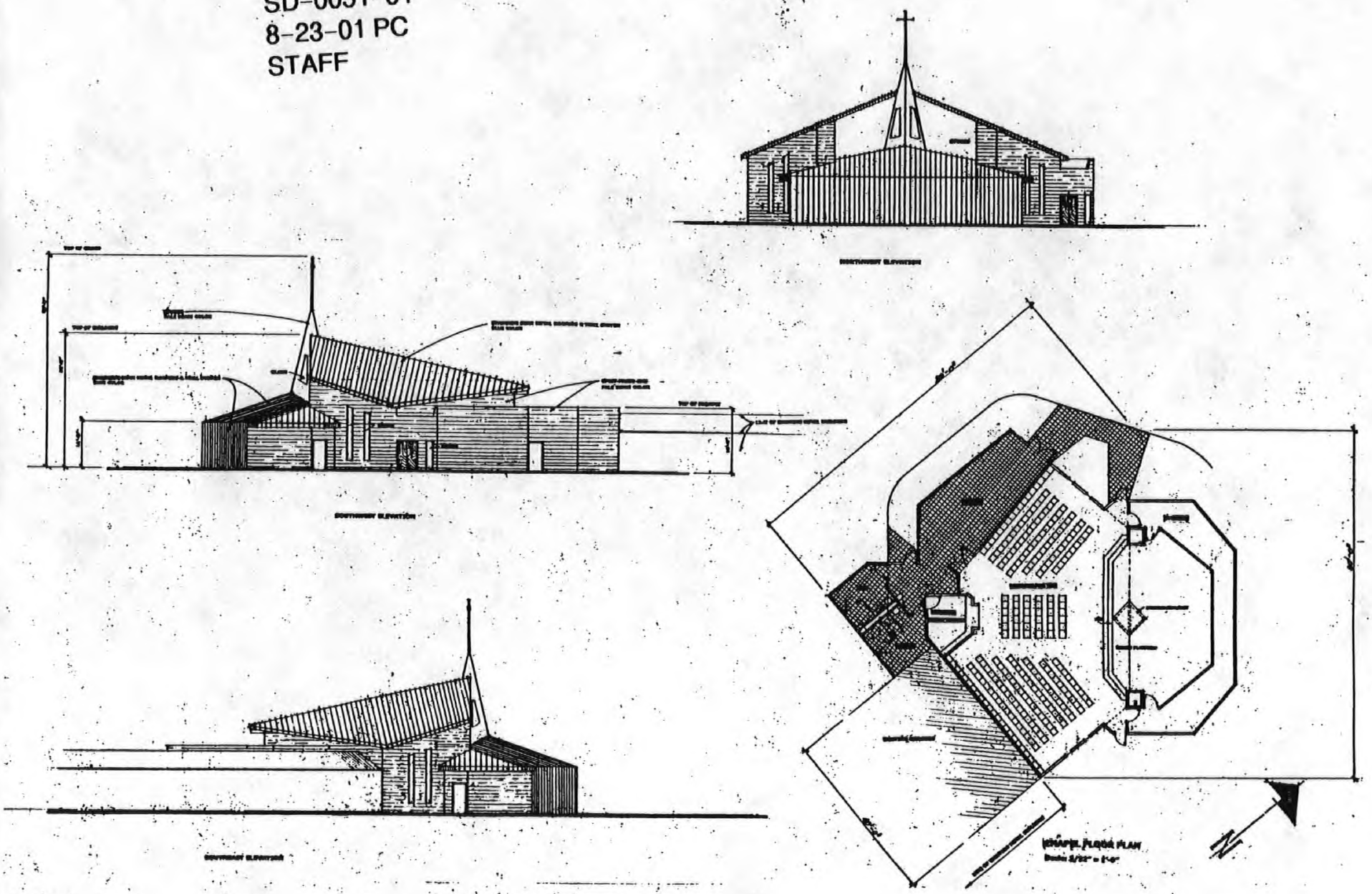
Notary Public in and for said County and State

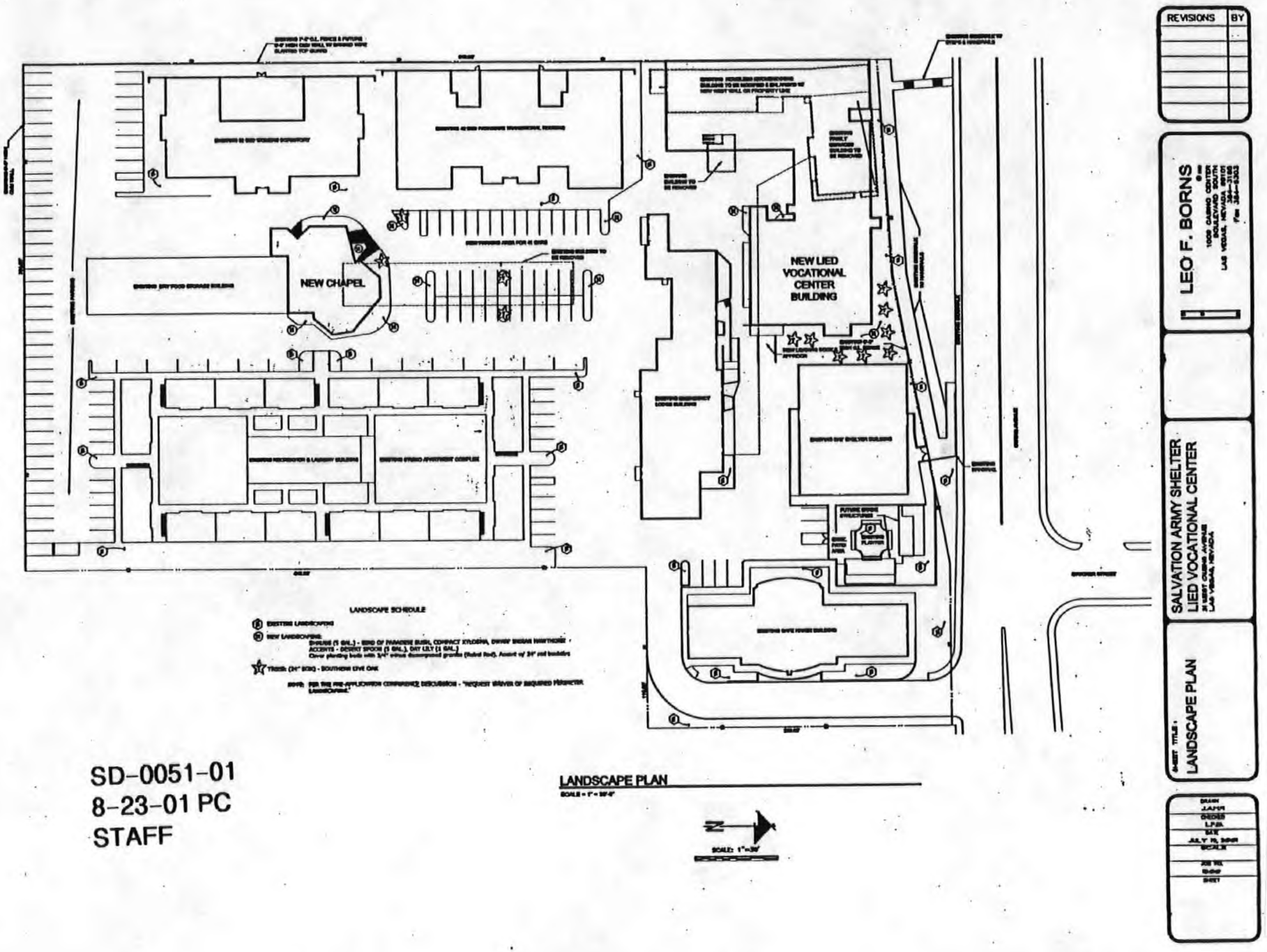
Notary Public - State of Nevada
County of Clark
CHARLES DESIDERIO
My Appointment Expires
August 14, 2004
No: 96-4825-1



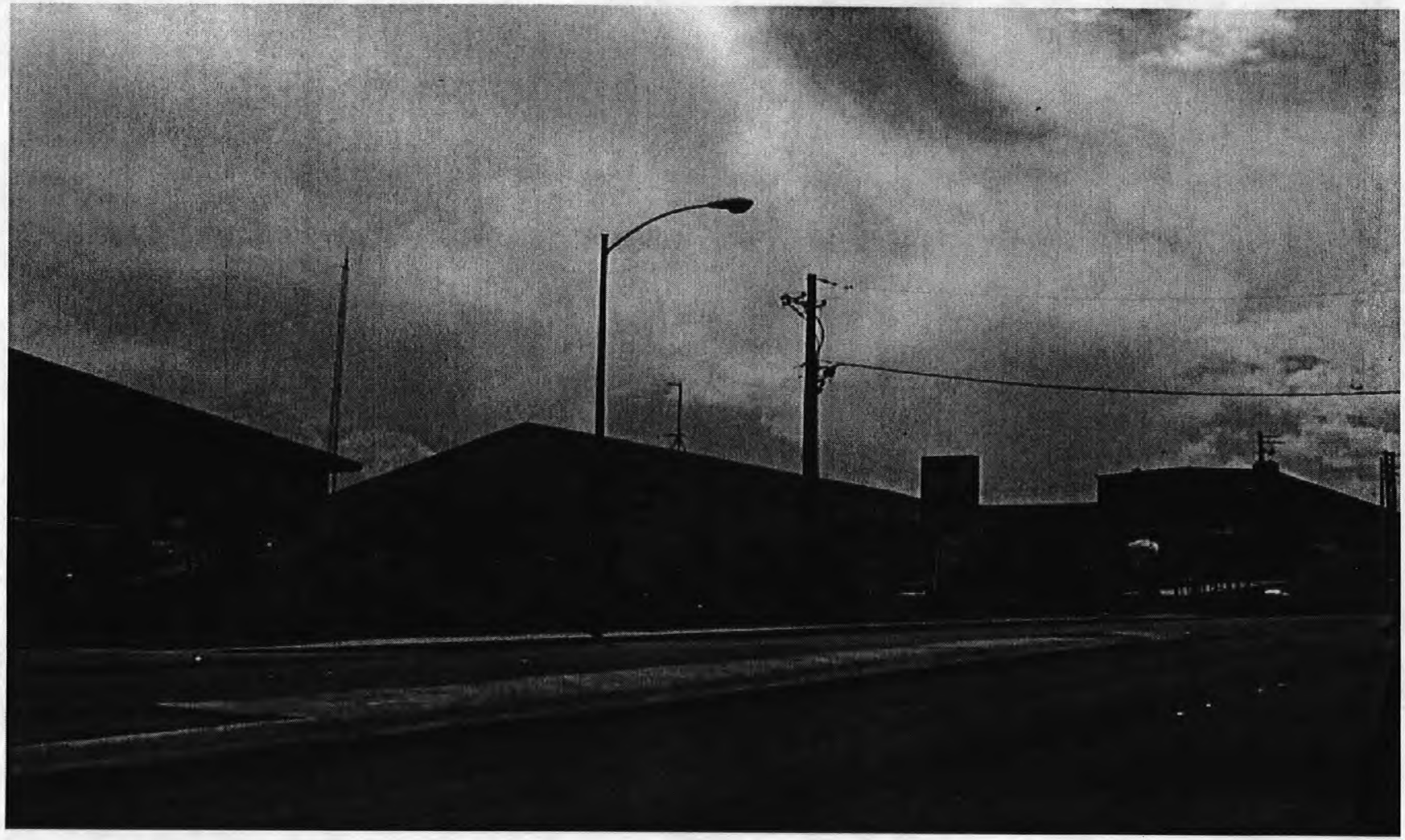
SD-0051-01
8-23-01 PC
STAFF

SD-0051-01
8-23-01 PC
STAFF

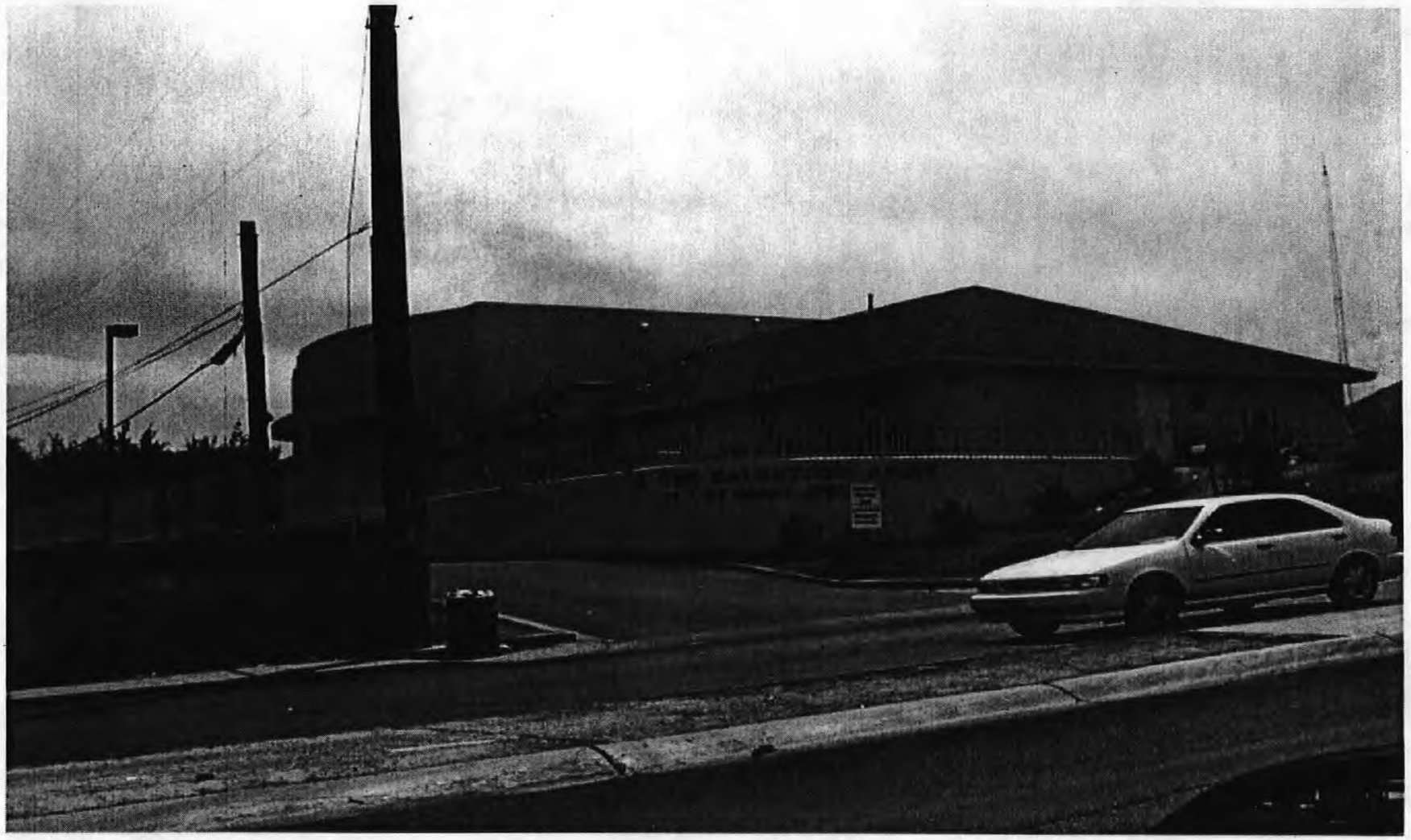




SD-0051-01
8-23-01 PC
STAFF



SD-0051-01 - THE SALVATION ARMY
35 WEST OWENS AVENUE
AUGUST 23, 2001 PLANNING COMMISSION



SD-0051-01 - THE SALVATION ARMY
35 WEST OWENS AVENUE
AUGUST 23, 2001 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 153

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VARIANCE - PUBLIC HEARING - **V-0065-01- SMOKE FOUNTAIN, LIMITED** - Appeal filed by TC Ayala Planning & Development on behalf of Smoke Fountain, Limited from the Denial by the Planning Commission of a request for a Variance TO ALLOW THREE (3) 50 FOOT TALL FLAGPOLES on 20.5 acres at 2300 Rock Springs Drive (APN: 138-22-502-001; 138-22-602-001; 138-22-502-002), R-3 (Medium Density Residential) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

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

MOTION:
MACK – Granted the Appeal; thereby APPROVING the Variance subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present, and the item was trailed to give the applicant time to arrive.

TIM AYALA, 4600 Sunset Road, appeared on behalf of the applicant and stated that the request is for three flagpoles to be used for two United States flags and one State of Nevada flag.

COUNCILMAN MACK stated that typically he would not approve such a Variance, but due to the patriotic spirit, he felt that an approval would be appropriate.

City of Las Vegas

Agenda Item No. 153

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 153 – V-0065-01

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:46 – 4:47/5:04 – 5:05)

6-1196/6-1880

CONDITIONS:

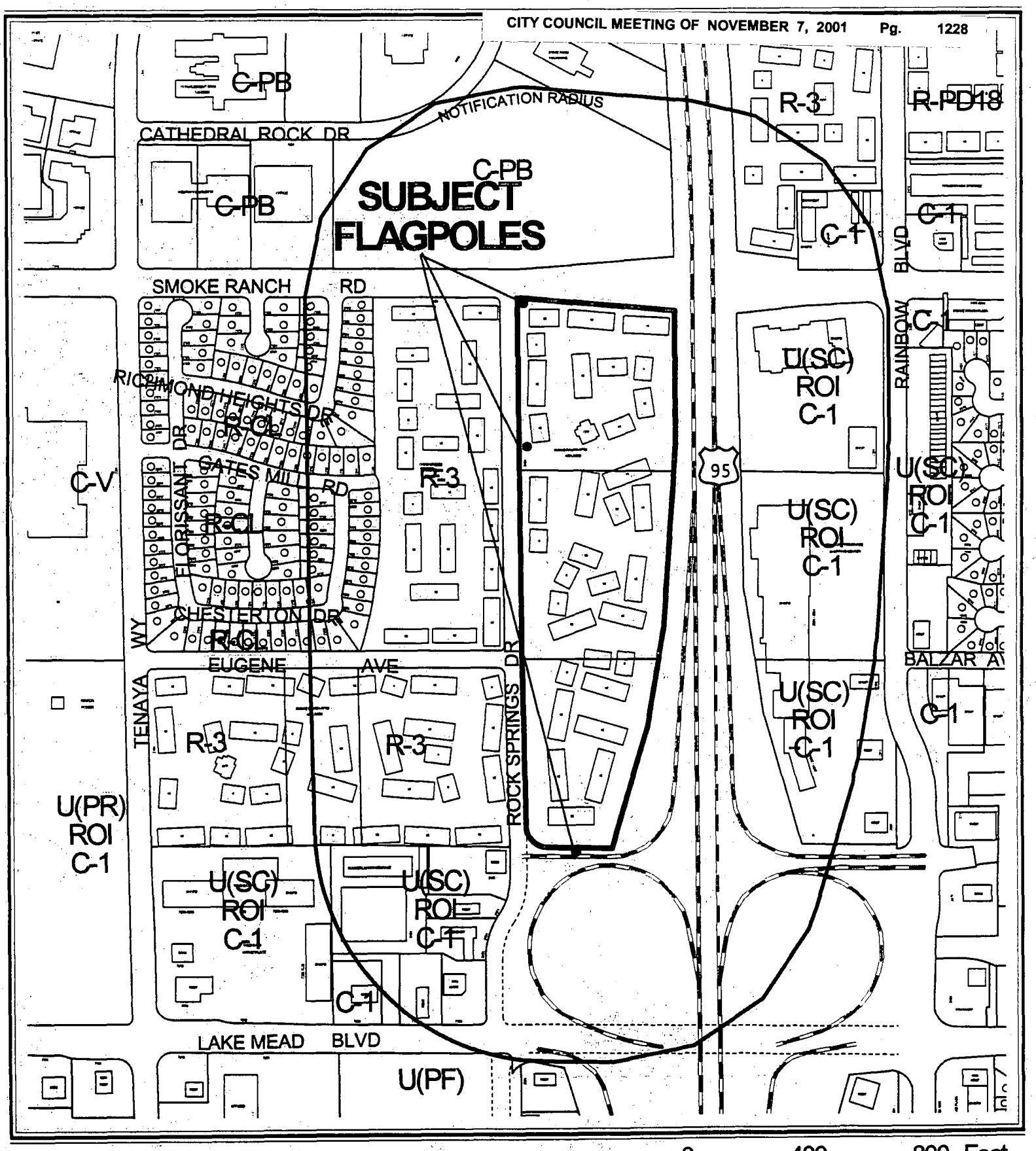
Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The three flagpoles shall each consist of United States flags and the State of Nevada flag. No other flag is permitted.

Public Works

3. Obtain approval from the Nevada Department of Transportation (NDOT) for any flagpoles located within NDOT right-of-way. Alternatively the flagpoles shall be relocated to be within the property boundaries.



CASE: **V-0065-01**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: V-0065-01 - Smoke Fountain, Limited

** CONDITIONS **

The Planning Commission (5-0 vote) recommends DENIAL.

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The three flagpoles shall each consist of United States flags and the State of Nevada flag. No other flag is permitted.

Public Works

3. Obtain approval from the Nevada Department of Transportation (NDOT) for any flagpoles located within NDOT right-of-way. Alternatively the flagpoles shall be relocated to be within the property boundaries.

** STAFF REPORT **

APPLICATION REQUEST

This is an appeal filed by TC Ayala Planning & Development on behalf of Smoke Fountain, Limited from the Denial by the Planning Commission for a request for a Variance to allow three 50-foot high flagpoles, where 40 feet is the maximum height allowed on property located at 2300 Rock Springs Drive. The applicant's justification letter states that the flagpoles will be used for two United States flags and one State of Nevada flag.

BACKGROUND DATA

11/21/84 The City Council approved a Rezoning (Z-0074-84) on this site from N-U (Non-Urban) Zone to R-3 (Medium Density Residential) Zone.

04/20/88 The City Council approved a Plot Plan Review [Z-0074-88(6)] of a proposed multi-family residential development on this site.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to construct three 50-foot tall flagpoles located on the southern end of the property, by the main entry on the west side of the property, and on the northwest corner of the property. The proposed size of the flags are 6-foot by 10-foot.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-PB (Planned Business Park)	Undeveloped
South	Right of Way	U.S. Highway 95
East	Right of Way	U.S. Highway 95
West	R-3 (Medium Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

Section 19A.18.070B of the Las Vegas Municipal Code states the following:

> **"B. Scope and Limitations**
>
> Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission, a hearings officer who has been appointed for that purpose and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. . . . A Variance shall not be granted in order 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 Las Vegas Municipal Code states:

"L. **Determinations**

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission, hearings officer or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

Section 19A.14.120.B.8 of the Zoning Code provides that flags of the United States and state flags are exempt from regulation by the Zoning Code where the flag is flown from the top of a pole which is no more than 40 feet in height. The Variance request exceeds this height limitation by 10 feet. Staff finds no evidence of a unique or extraordinary circumstance, however staff finds the proposed flag pole height is an increase of twenty percent (20%) and will not create a negative impact on adjacent properties. Staff is recommending a condition that only United States flags and the State of Nevada flag, as stated by the applicant, be flown on the subject flagpoles. Staff recommends approval of this request.

NOTICES MAILED 66 by City Clerk

APPROVALS 0

PROTESTS 0

[The Planning Commission voted to recommend denial of the request, determining that there is no evidence of a unique or extraordinary circumstance to warrant approval of the variance request, and that the proposed request is in response to a desire for advertising of the property.]

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-0069-01 APN: 138.22.602,001,

Name of Property Owner: WAYNE WOODRUFF

Name of Applicant: TIM C. AYALA

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ✓ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

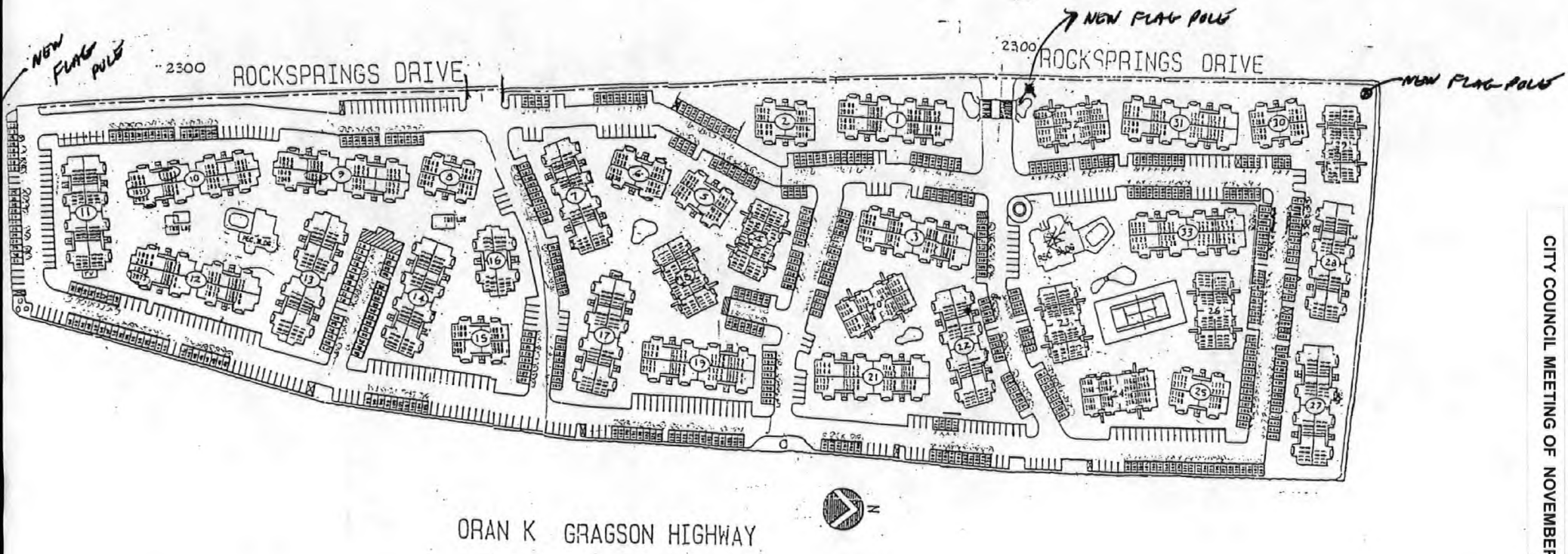
Subscribed and sworn before me

This 21st day of August, 2001

[signature]

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
DAVID BRATCHER
No. 00-61132-1 My Appointment Expires Feb. 3, 2004



V-0065-01

FOUNTAINS AT SMOKE RANCH

9-20-01 PC
STAFF

V-0065-01 - SMOKE FOUNTAIN, LIMITED
2300 ROCK SPRINGS DRIVE

TC AYALA PLANNING & DEVELOPMENT
4600 Sunset Road Ste. 148
Henderson, Nevada 89014
Phone (702) 275- 3784
Fax (702) 260-0713

City Clerk
400 Stewart Avenue
Las Vegas, Nevada

September 27, 2001

To Whom It May Concern:

I'm submitting this letter in order to appeal variance number V-0065-01 that was denied at your regular meeting of the City Planning Commissioners on September 20, 2001. Following City regulations my client would like to have this item heard at the next City Council meeting.

Sincerely,

Tim C. Ayala

City of Las Vegas

Agenda Item No. 154

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0075-96(1) - MINI-MASTERS, INC. ON BEHALF OF CLEAR CHANNEL OUTDOOR** - Required Five Year Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign at 6900 West Craig Road (APN: 138-03-602-015), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 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 – UNANIMOUS with GOODMAN excused

NOTE: COUNCILMAN MACK disclosed that his brother-in-law owns the proposed Timbers located within the notification area. However, he does not believe that it will affect his judgment in voting on this item.

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

R. VAN NOSTRAND, Clear Channel Outdoor, appeared on behalf of the applicant and concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 154

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 154 – U-0075-96(1)

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:47 – 4:48)

6-1220

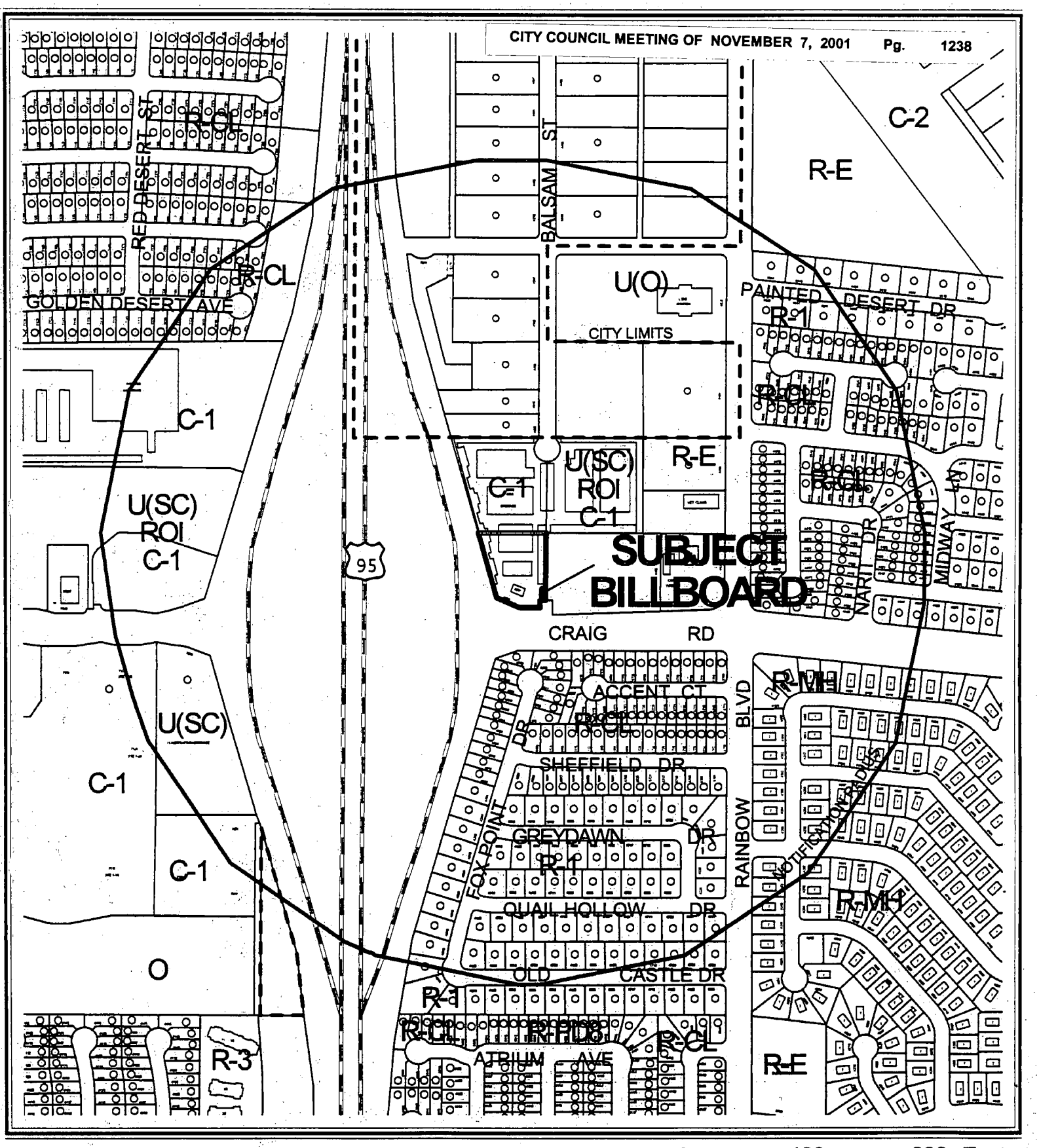
CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

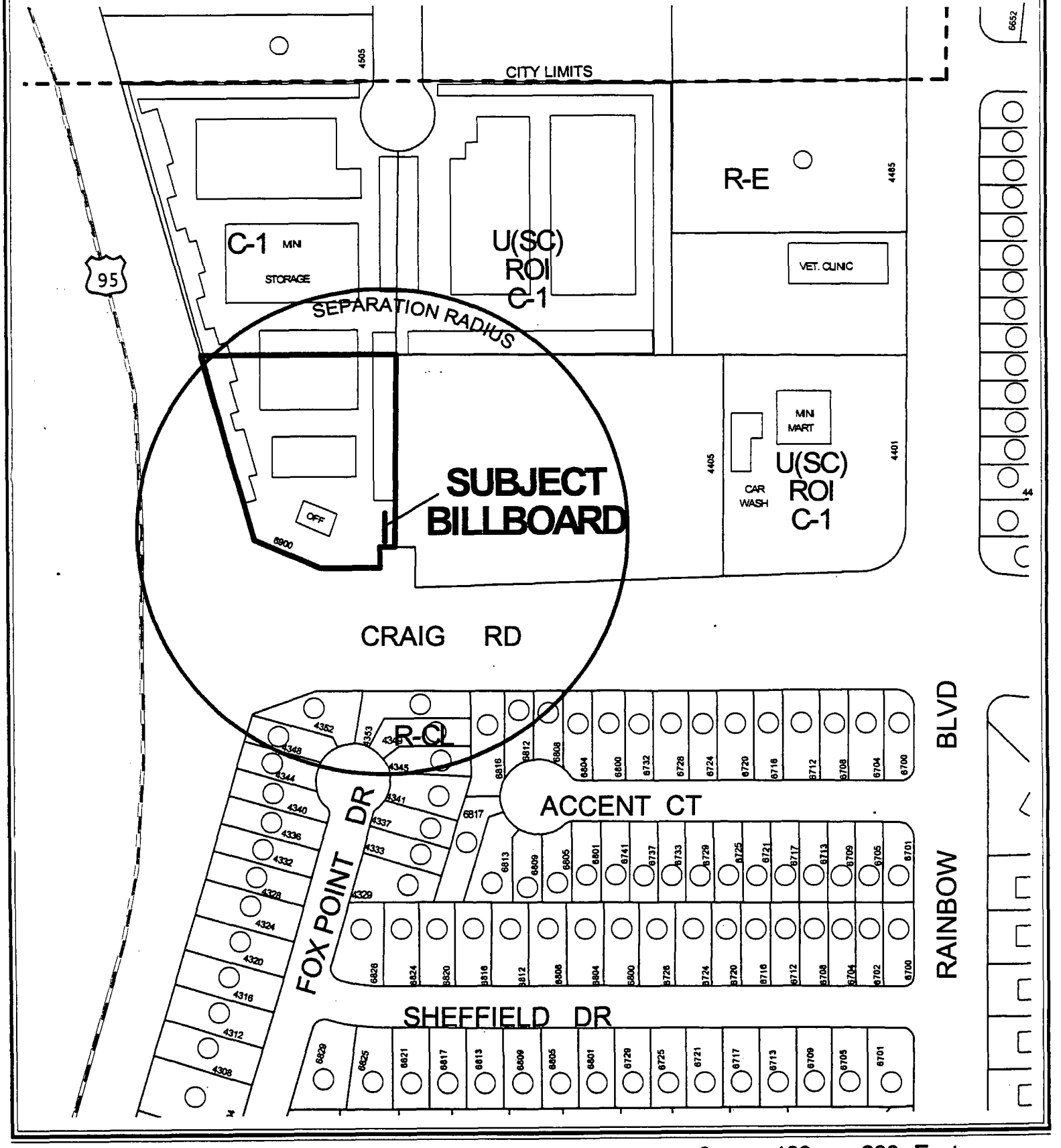


0 400 800 Feet

CASE: **U-0075-96(1)**

RADIUS: 1320 FT

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



0 100 200 Feet

CASE: U-0075-96(1)

SEPARATION RADIUS: 300 FT

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: U-0075-96(1) - Mini-Masters, Inc. on behalf of Clear Channel Outdoor

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Required Five Year Required Review on an approved Special Use Permit (U-0075-96) which allowed a 14-foot by 48-foot off-premise advertising (billboard) sign at 6900 West Craig Road.

BACKGROUND DATA

07/17/91	The City Council approved a Rezoning (Z-0081-90) from N-U (Non-Urban) to C-1 (Limited Commercial) to allow a mini-storage facility.
12/18/91	The City Council granted an appeal of the Board of Zoning Adjustment denial of a Variance (V-0142-91) to allow truck rentals from this property.
01/18/95	The City Council approved a Special Use Permit (U-0298-94) for one 672 square foot (14 foot by 48 foot), 40 foot high off-premise advertising (billboard) sign on the site, subject to a five year review.
09/18/96	The City Council approved a Special Use Permit (U-0075-96) for a 14-foot by 48-foot off-premise advertising (billboard) sign on the subject site, subject to a five-year review.
04/05/00	The City Council approved a five-year review [U-0298-94(1)] for one 672 square foot (14 foot by 48 foot), 40 foot high off-premise advertising (billboard) sign on the site, subject to a two-year review.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-1 (Limited Commercial)	Commercial
South	R-CL (Single Family Compact-Lot)	Single Family Residential
East	ROI to C-1 (Limited Commercial)	Undeveloped
West	Right-of-Way	US-95 Freeway

ANALYSIS & FINDINGS

ZONING

The subject property is zoned C-1 (Limited Commercial). The existing off-premise advertising sign (billboard) is permitted in the C-1 (Limited Commercial) zone, with the approval of a Special Use Permit.

Staff finds that because the off-premise sign is within 660 feet of the US-95 freeway right-of-way line, and is oriented toward the freeway, it is exempt from the Off-Premise Sign Exclusionary Zone under Las Vegas Municipal Code Title 19A.14.100.

USE

Staff finds that there has not been any significant change in the area immediately surrounding this site in the past five years, and therefore continuation of this use is appropriate for at least the next two years.

FINDINGS

The following findings required for approval of a Special Use Permit application, per Las Vegas Municipal Code Section 19A.18.060, should also be required for any subsequent Special Use Permit review. Thus, 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.**

   Section 19A.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. Staff finds that the area immediately surrounding the subject site has not changed substantially since the original approval of the Special Use Permit allowing the off-premise advertising (billboard) sign. Staff recommends a condition for a two-year review to ensure the appropriateness of the off-premise advertising (billboard) sign.

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 off-premise advertising (billboard) sign 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 off-premise advertising (billboard) sign is located in an area served by Craig Road, an existing fully-developed street and will not affect existing public rights-of-way adjacent to this request.

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 the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NOTICES MAILED 346 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0075-96(1) APN: 138-03-602-015

Name of Property Owner: Mini-Masters, Inc.

Name of Applicant: Clear Channel Outdoor

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes xx No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: R Van

Subscribed and sworn before me

This 30 day of July, 2001

Misty R Baier

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MISTY R. BAIER
My Appointment Expires
February 10, 2004
No: 00-60956-1

U-0075-96(1) - MINI-MASTERS, INC. ON BEHALF OF CLEAR CHANNEL OUTDOOR
6900 WEST CRAIG ROAD

City of Las Vegas

Agenda Item No. 155

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0080-96(1) - WILLIAM S. BOYD TRUST II, ET AL ON BEHALF OF CALIFORNIA HOTEL AND CASINO** - Required Five Year Review on an approved Special Use Permit which allowed four (4) 14 foot x 48 foot off-premise advertising (billboard) signs on the east side of Rancho Drive, south of Coran Lane (APN: 139-19-705-001), C-2 (General Commercial) Zone and U (Undeveloped)[SC (Service Commercial) General Plan Designation], Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 155

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 155 – U-0080-96(1)

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:48 – 4:49)

6-1272

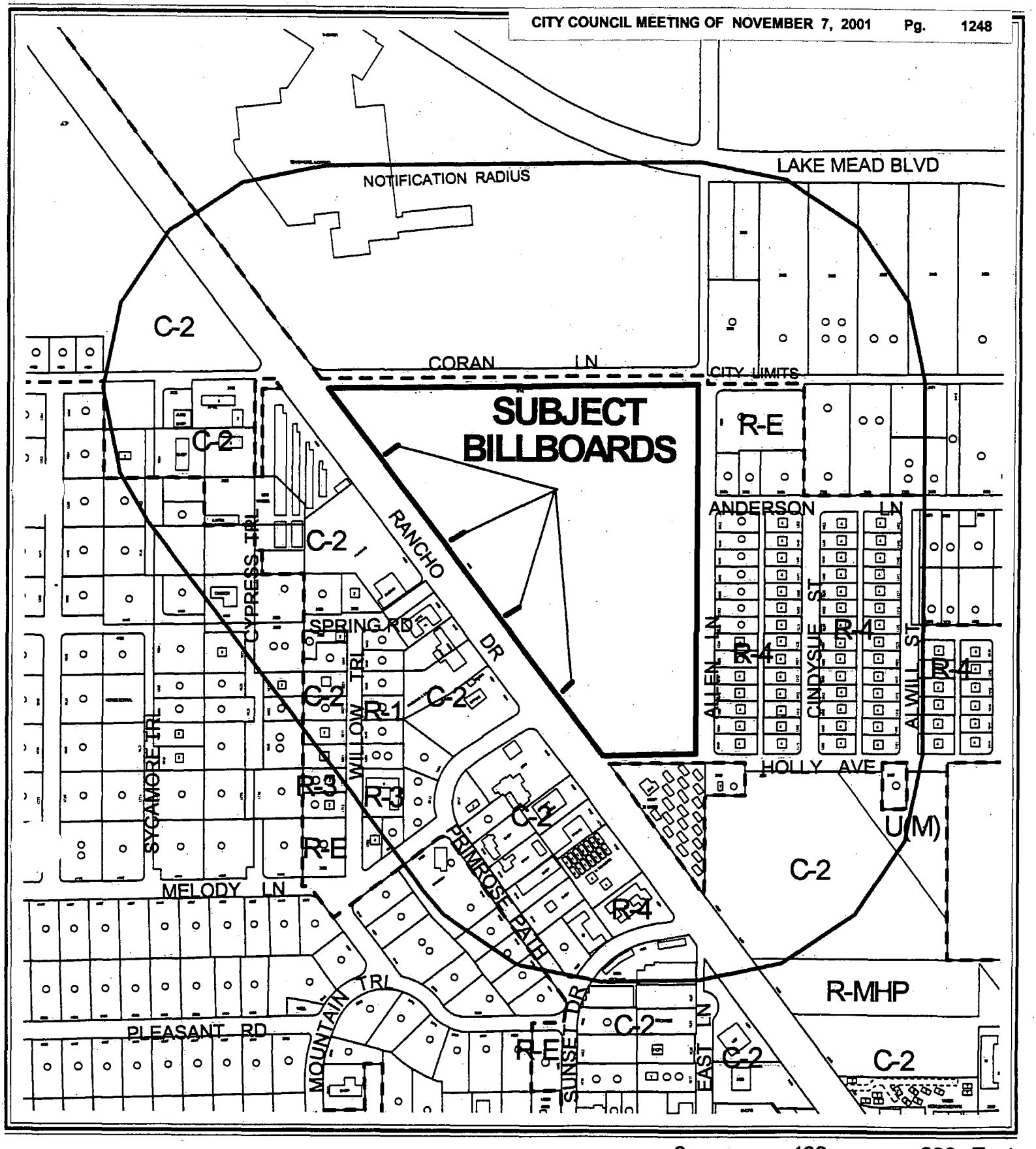
CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years, or if a Site Development Plan Review application is filed for the subject site, at which time the Special Use Permit shall be reviewed by the Planning Commission and City Council, and the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structures are removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) signs and their supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) signs.



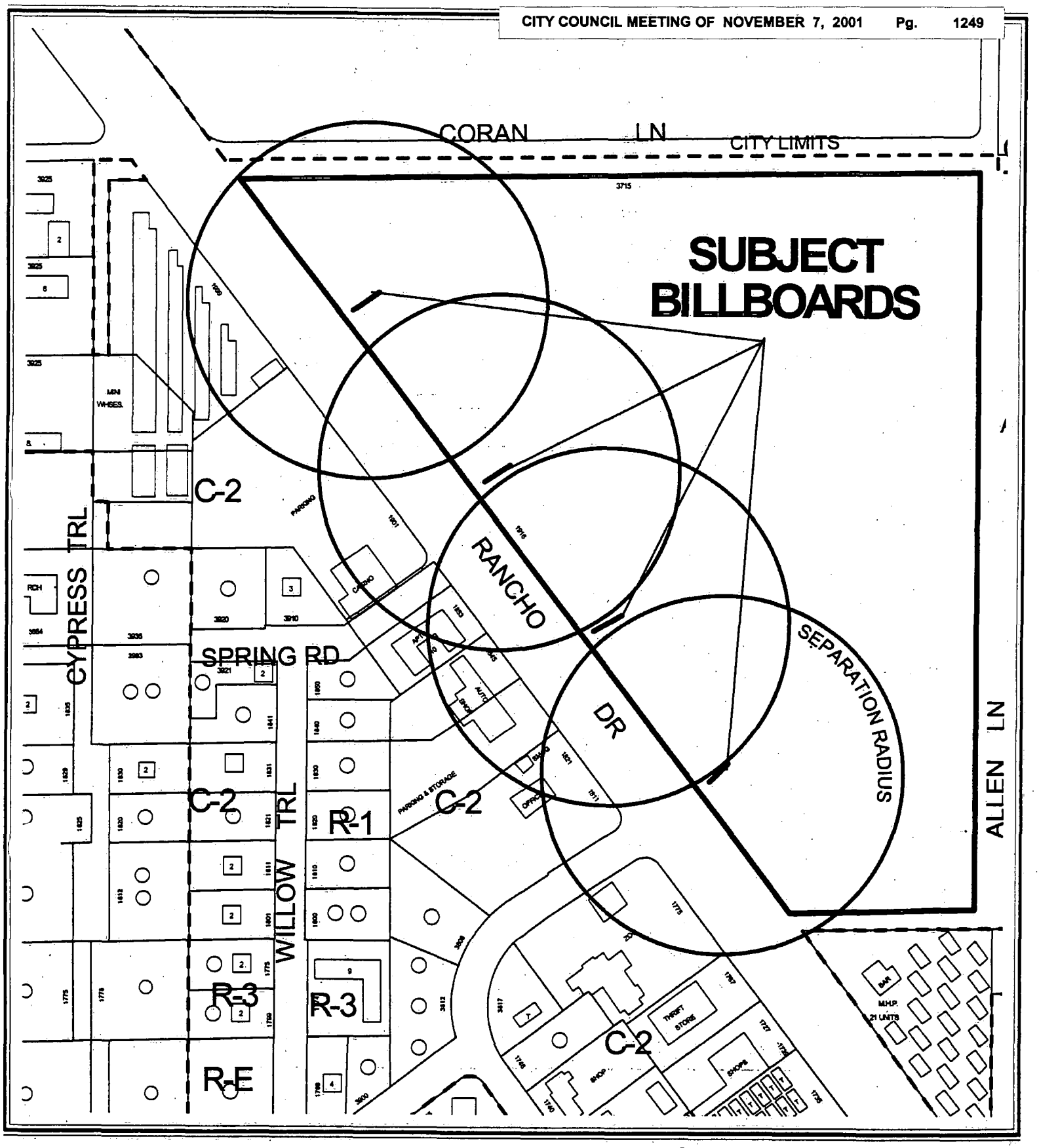
0 400 800 Feet

CASE: U-0080-96(1)

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL) AND U (UNDEVELOPED)
[SC (SERVICE COMMERCIAL)
GENERAL PLAN DESIGNATION]

N



CASE: U-0080-96(1)

SEPARATION RADIUS: 300 FT

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: U-0080-96(1) - William S. Boyd Trust II, et al on behalf of California Hotel and Casino

** CONDITIONS **

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

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years, or if a Site Development Plan Review application is filed for the subject site, at which time the Special Use Permit shall be reviewed by the Planning Commission and City Council, and the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structures are removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) signs and their supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) signs.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Required Five Year Review of a Special Use Permit, which allowed four 672 square foot off-premise advertising (billboard) signs adjacent to the east side of Rancho Drive, south of Coran Lane.

BACKGROUND DATA

03/08/87 The City Council approved a Variance (V-0012-87) to allow a 12-foot x 24-foot billboard on a parcel with a portion zoned for residential. A Condition of Approval required a five year review and that all the illegal signs be removed, with the exception of the two (County approved) off-premise signs located on the northerly portion of the parcel.

03/14/92 The City Council approved a five-year review [V-0012-87(1)] with a condition requiring an additional two-year review.

06/01/94 The City Council approved the required two-year review [V-0012-87(2)] with a condition requiring an additional five-year review.

09/18/96 The City Council approved a Special Use Permit (U-0080-96) for four 14 foot by 48 foot off-premise advertising (billboard) signs, subject to a five year review.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	Clark County	Hotel/Casino
South	C-2 (General Commercial)	Commercial
	Clark County	Mobile Home Residential
East	R-E (Residence Estates)	Single Family Residential
	R-4 (High Density Residential)	Multi-Family Residential
West	C-2 (General Commercial)	Commercial

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned C-2 (General Commercial) and U (Undeveloped) [SC (Service Commercial) General Plan Designation]. Staff finds the existing off-premise advertising (billboard) signs are permitted in the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts with the approval of a Special Use Permit.

USE

Section 19A.14.100 of the City Zoning Code permits the removal of the sign if conditions in the surrounding area have changed in a manner which no longer meets the standards for the approval of a Special Use Permit. Staff finds that the continued off-premise advertising (billboard) sign use on the subject site is appropriate, in that the vicinity has not changed substantially in the past five years and the continuation of the billboard use will be appropriate for the next two years unless development occurs on the site.

FINDINGS

The following findings required for approval of a Special Use Permit application, per Las Vegas Municipal Code Section 19A.18.060, should also be required for any subsequent Special Use Permit review. Thus, 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 continued off-premise advertising (billboard) sign use on the subject site is appropriate for the next two years unless development occurs on the site, in that the vicinity has not changed substantially in the past five years.

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 off-premise advertising (billboard) sign 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 continuation of the off-premise advertising (billboard) sign use will not affect existing public rights-of-way adjacent to this request.

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 the off-premise advertising (billboard) sign will be subject to regular City inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 115 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0080-96(1) APN: 139-19-705-001

Name of Property Owner: WILLIAM BOYD TRUST

Name of Applicant: BOYD GAMING CORPORATION, A NV CORP. D/B/A CALIFORNIA HOTEL AND CASINO

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Blake Cumbers

Subscribed and sworn before me

This 27 day of July, 2001

E. Gae Joyce

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
E. GAE JOYCE
No. 99-3677-1
My Appointment Expires April 19, 2003

U-0080-96(1) - WILLIAM S. BOYD TRUST II, E AL ON BEHALF OF CALIFORNIA HOTEL AND CASINO
EAST SIDE OF RANCHO DRIVE, SOUTH OF CORAN LANE

City of Las Vegas

Agenda Item No. 156

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0031-00 - AMERICAN STORE PROPERTIES, INC.** - Request for a Special Use Permit FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED ALBERTSON'S CONVENIENCE STORE on the northwest corner of Craig Road and Decatur Boulevard (APN: 138-01-619-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). **(NOTE: This item to be heard in conjunction with Morning Session Item #79 and Item #80)** The Planning Commission (4-0-1 vote) recommends APPROVAL. Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	2
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to conditions. Staff recommends DENIAL.

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

MOTION:
MACK – ABEYANCE to 1/2/2002 – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY ROBERT GRONAUER, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested that this item, as well as companion Items 79 and 80 be held in abeyance for 60 days. ATTORNEY GRONAUER indicated that there are some issues concerning whether or not the convenience store would be within the 400 feet requirement of a protected use. The abeyance is being requested to see if an ordinance can be introduced to address this issue and to look at potential waivers under certain circumstances. Currently the City's code does not allow that. However, he believes this is a special circumstance.

City of Las Vegas

Agenda Item No. 156

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 156 – U-0031-00

MINUTES – Continued:

No one appeared in opposition.

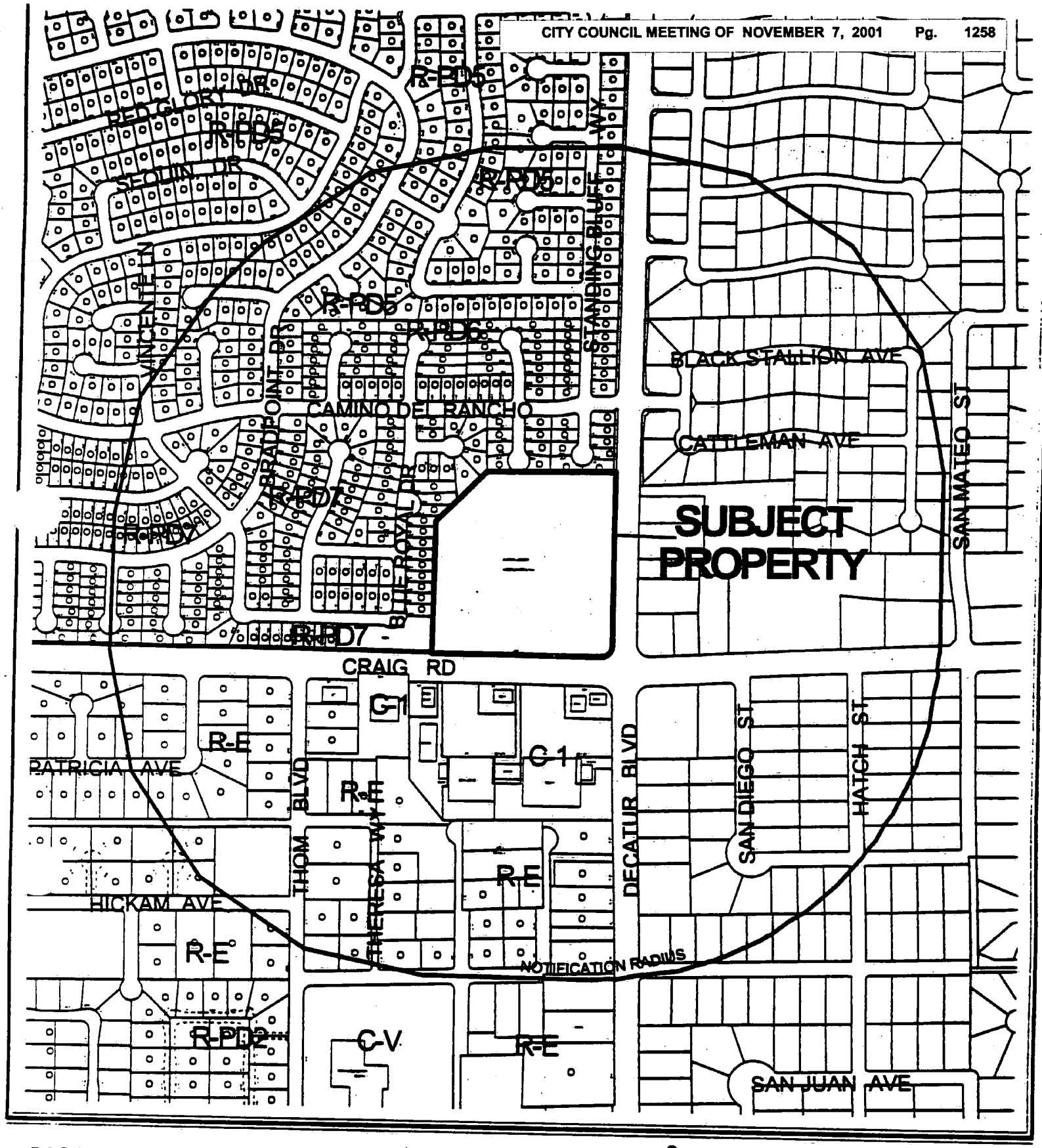
There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: COUNCILMAN MACK explained that he has been working with the applicant regarding this issue and directed staff to begin working on the ordinance that would help in these certain situations.

(3:58 – 4:01)

5-2967

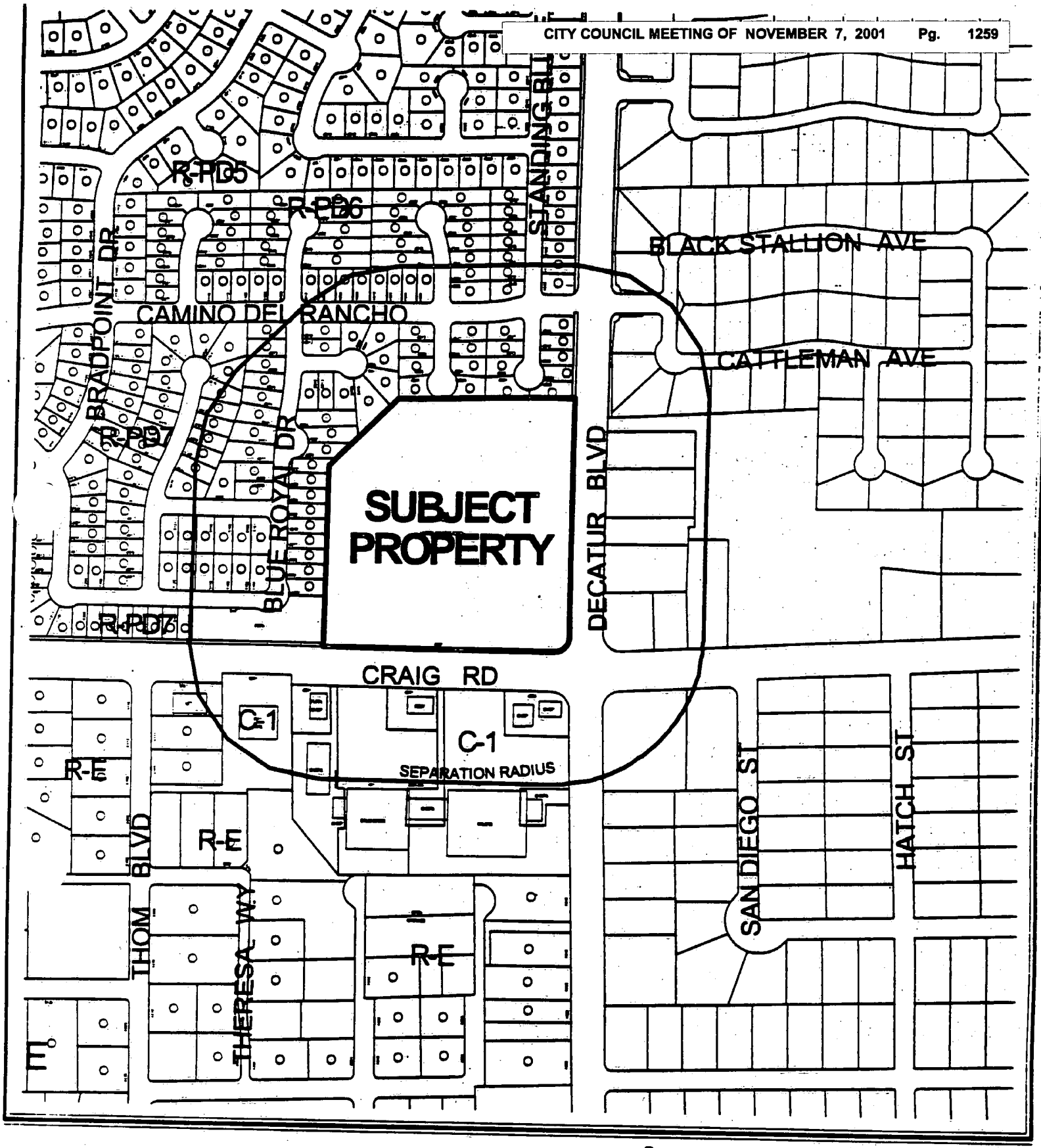


CASE: U-0031-00

RADIUS: 1320 FT

0 500 1000 Feet

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



CASE: U-0031-00

SEPARATION RADIUS: 400 FT

0 400 800 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: Abeyance Item - U-0031-00 - American Stores Properties, Inc.

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 3, 2001 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

SUBSEQUENT TO THE CITY COUNCIL MEETING ON MAY 17, 2000, A DIVISION OF LAND WITHIN THE COMMERCIAL SUBDIVISION WAS COMPLETED, THEREBY CREATING A SEPARATE LAND HOLDING FOR THE CONVENIENCE STORE PAD. HOWEVER, AS THE LAND DIVISION WAS NOT ACCOMPLISHED BY RECORDED PARCEL MAP, IT IS STAFF'S FINDING THAT THE LAND DIVISION DOES NOT CONSTITUTE A LEGAL SEPARATE PARCEL FOR PURPOSES OF SEPARATION REQUIREMENTS UNDER TITLE 19A.04.050(B) AND THAT THE SUBJECT PARCEL IS LESS THAN 400 FEET FROM A COMMERCIAL CHILD CARE FACILITY (CREATIVE KIDS LEARNING CENTER), LICENSED FOR 185 CHILDREN, LOCATED AT 5001 WEST CRAIG ROAD. STAFF FINDS THAT THIS REQUEST IS IN CONFLICT WITH TITLE 19A.04.050(B) WHICH SPECIFIES THAT A WAIVER TO THE DISTANCE SEPARATION REQUIREMENTS CAN ONLY BE REQUESTED UNDER CERTAIN CIRCUMSTANCES, NONE OF WHICH CAN BE APPLIED TO THIS REQUEST.

** CONDITIONS **

Staff recommends DENIAL.

The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to:

1. Conformance to the Conditions of Approval of Z-108-88(14) as required by the Planning and Development Department and the Department of Public Works.

2. All City Code requirements and design standards of all City departments must be satisfied.

3. If this Special Use Permit is not exercised within two (2) years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Special Use Permit on the northwest corner of Craig Road and Decatur Boulevard for the off-premise sale of beer and wine in conjunction with a proposed Albertson's convenience store.

Site Area	12.55	Acres
Convenience Store Building Area	3,000	Square Feet
Building Height	22	Feet

The convenience store with gas sales and an automated car wash is shown adjacent to the intersection and is within a proposed 123,221 square foot shopping center anchored by an Albertson's Supermarket on the northwest corner of Craig Road and Decatur Boulevard. This commercial development is in the Rancho Alta Mira master planned community. The submitted site plan shows a 12.55-acre site along the north side of Craig Road and the west side of Decatur Boulevard. Access is provided by three 40-foot wide curb cuts along Decatur Boulevard and three of the same width along Craig Road.

The elevations for the shopping center and convenience store depict plaster exterior walls with decorative split face block accents. A flat roof with cornices and a parapet to screen mechanical equipment is shown.

BACKGROUND DATA

12/07/88 The City Council approved a request to rezone this property from R-E (Residence Estates) zone to C-1 (Limited Commercial) as part of a larger case (Z-108-88).

03/09/98 The City Council approved a Site Development Plan Review of a proposed shopping center on this site [Z-108-88(12)]. The development plan reviewed at that time was similar to that which is the subject of the current application. The previous application had a drug store directly adjacent to the intersection; the current plan depicts a convenience store with gas sales.

06/02/98 The Board of Zoning Adjustment approved a Variance to allow the "Pad A" buildings to be 20 feet from the west side property line where the residential adjacency standards require a minimum setback of 54 feet (V-15-98).

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-PD7	Single Family Dwellings
South:	C-1	Drug Store, Supermarket, Retail Shops
East:	North Las Vegas	Commercial and Residential Uses
West:	R-PD7	Single Family Dwellings

ANALYSIS & FINDINGS

ZONING

A convenience store with the sale of beer and wine for off-premise consumption is typical of commercially zoned parcels of a similar size.

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 the proposed convenience store with the sale of beer and wine for off-premise consumption can be operated in a manner that is harmonious and compatible with the surrounding commercial uses.

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

   Staff finds there are no physical constraints to the location of the proposed use.

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 proposed use will be served by fully developed streets.

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 the proposed sale of beer and wine for off-premise consumption in conjunction with the proposed convenience store will not compromise the public health, safety, and welfare because alcohol sales are subject to ongoing City licensing and enforcement.

NOTICES MAILED 581 by City Clerk

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0031-00 APN: 138-01-619-001

Name of Property Owner: American Stores Properties

Name of Applicant: Albertson's

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Subscribed and sworn before me

This 19th day of June, 2001

Malana L. Tice

Notary Public in and for said County and State

MALANA L. TICE
Notary Public - Nevada
No. 99-20201-1
My appt. exp. May 26, 2003

City of Las Vegas

Agenda Item No. 157

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **U-0086-01 – LAMB BOULEVARD SELF-STORAGE, LIMITED LIABILITY COMPANY ON BEHALF OF CINGULAR WIRELESS** - Request for a Special Use Permit FOR A PROPOSED 57 FOOT TALL WIRELESS COMMUNICATION MONOPOLE at 851 North Lamb Boulevard (APN: 140-29-301-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
Hearing Officer Meeting		Hearing Officer Meeting	
City Council Meeting	0	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:
REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

ROGER SPENCER, Cingular Wireless, 1211 Town Center Drive, appeared on behalf of the applicant and concurred with staff's conditions.

COUNCILMAN McDONALD mentioned that his understanding was that all cell tower applications would not be approved until the proposed ordinance was approved. ROBERT GENZER, Director, Planning & Development Department, replied that the Council has discretion whether to approve them or not. Planning staff is continuing to approve cell towers

City of Las Vegas

Agenda Item No. 157

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 157 – U-0086-01

MINUTES – Continued:

that fall under the Administrative Approval Process with concurrence of the appropriate Council member. As a result of the issues that were raised at the last Council meeting regarding administrative approvals, it may be longer for staff to actually get the cell tower ordinance to the City Council for its review.

COUNCILMAN McDONALD commented that certain cell tower companies have been unjust to many parts of Ward 1, as well as Wards 2 and 5. MAYOR PRO TEM REESE emphasized that staff needs to make applicants aware that until the proposed ordinance comes forward, these applications should be held in abeyance. Something needs to be in place so that these applications can be looked at so that one will not be approved for one ward and not the other wards. MR. GLORE explained that in this case, the application was first submitted to staff before the proposed ordinance was discussed and before the direction from Council that all reviews come before the City Council. This application was held in abeyance at least once by the Planning Commission and has been in the system for some time.

COUNCILWOMAN McDONALD indicated that the problems and surprises have been with the administrative approvals and not with the applications that have been approved by the City Council. COUNCILMAN WEEKLY asked COUNCILMAN MACK whether he is working on this type of ordinance and what exactly is being put into ordinance form. COUNCILMAN MACK replied that the intent is to take a look and ensure that those applications that come forward with concerns are not administratively approved. He has been speaking with MR. GENZER, and those applications should be sent directly to the Council member representing that area. The ordinance still needs tweaking. However, this particular application was initiated prior to the ordinance discussion and should be approved.

COUNCILMAN WEEKLY stated that it is disheartening to go to a neighborhood meeting and have constituents ask how a cell tower appeared in their neighborhood without a public hearing. DEPUTY CITY ATTORNEY BRYAN SCOTT advised that if the Council desires to place a moratorium on cell towers until such time as an ordinance is created, the item needs to be agendaed as a separate item for discussion and then given a time certain as to when the ordinance would come back to Council for consideration.

COUNCILMAN McDONALD commented that there is no doubt that cell towers are needed, but they should be placed tastefully, such as he has seen in cities like Phoenix, Scottsdale, even Henderson, Nevada. There is no way to redevelop a neighborhood that has a 40-feet tall cell tower with arrays sticking out. Standards need to be set where a cell tower should be located, it should be stealthy and not obstruct the neighborhood with its visible arrays.

City of Las Vegas

Agenda Item No. 157

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 157 – U-0086-01

MINUTES – Continued:

MAYOR PRO TEM REESE asked MR. GLORE how many cell tower applications are outstanding. MR. GLORE reiterated that due to the policy set by the City Council, that all administrative approvals be reviewed by the Planning Director and then shown to the Council person within whose Ward it is located, there appear to be no outstanding applications. The cell industry itself is aware that there is an ordinance coming forward, and they have been holding back on applications waiting to see its outcome.

COUNCILMAN McDONALD pointed out that this is a very difficult issue and the Council needs to set new standards and move in a new direction and vision as it relates to cell towers.

AL GALLEGO, citizen of Las Vegas, reminded the Council that a cell tower located in the shopping center off of Jones Boulevard was approved, and the residents living in the apartments behind that shopping center were not able to oppose the project. He also mentioned that he went on a ride-along in North Las Vegas to see exactly where all their cell towers were located. He suggested that the City of Las Vegas do the same. Cell towers are unsightly. MAYOR PRO TEM REESE stated that staff understands the City Council's direction regarding this issue.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:49 – 5:04)

6-1309

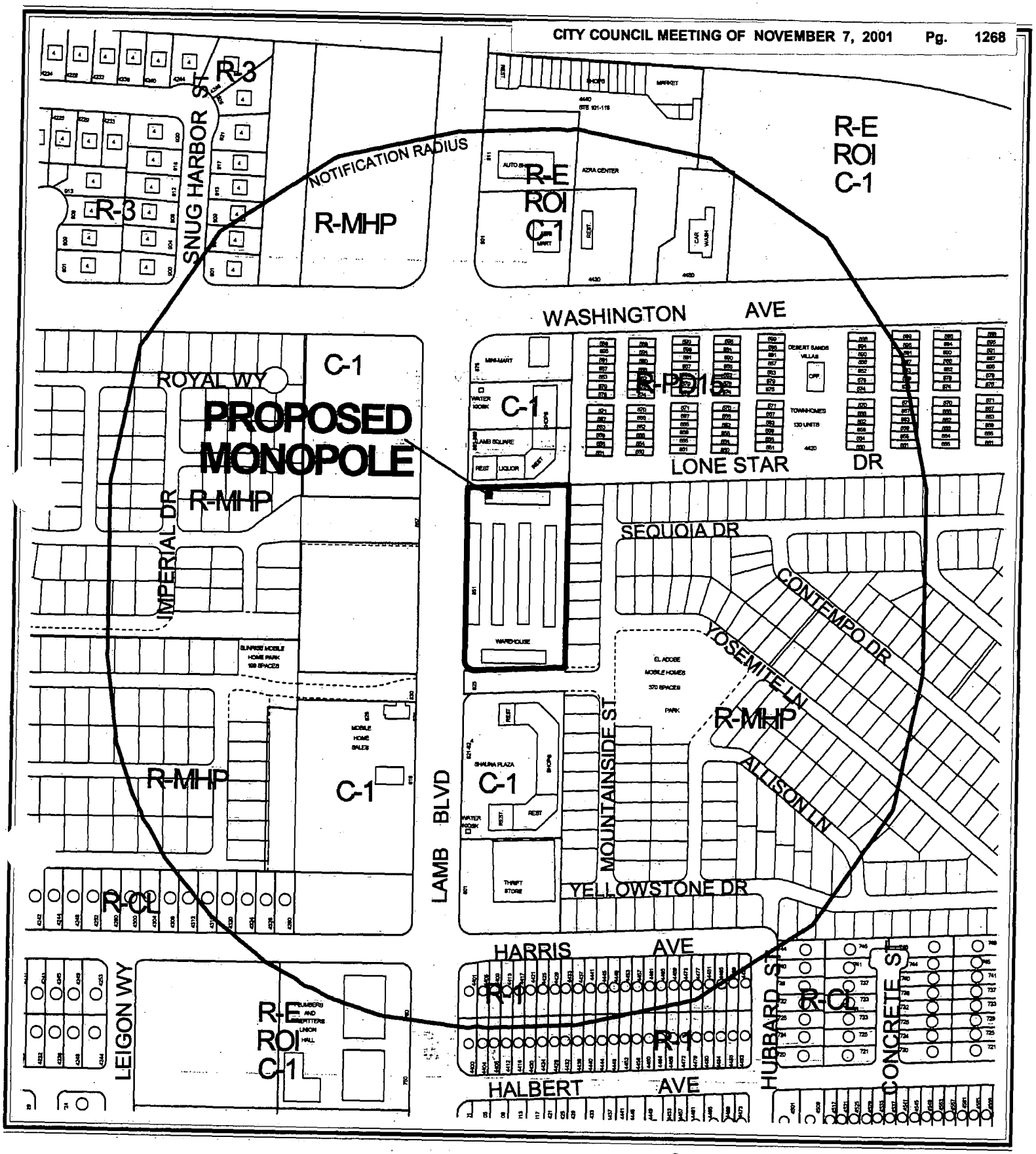
CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. All City Code requirements and design standards of all City departments must be satisfied.

3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment.



CASE: U-0086-01

RADIUS: 750 FT

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

0 200 400 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: U-0086-01 - Lamb Boulevard Self-Storage, Limited Liability Company on behalf of Cingular Wireless

** CONDITIONS **

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

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. All City Code requirements and design standards of all City departments must be satisfied.

3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed 57-foot tall wireless communications monopole on property located at 851 North Lamb Boulevard. The elevations indicate the communications tower will be designed to have sufficient space to accommodate two carriers.

BACKGROUND DATA

04/16/96 The City Council approved a Special Use Permit (U-0012-96) for a mini-storage facility on the larger site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-1 (Limited Commercial)	Retail Commercial
South	C-1 (Limited Commercial)	Retail Commercial
East	R-MHP (Res. Mobile Home Park)	Mobile Home Park
West	C-1 (Limited Commercial)	Undeveloped

ANALYSIS & FINDINGS

ZONING

The proposed communications tower is a permitted use within the C-1 (Limited Commercial) zoning district upon approval of a Special Use Permit.

USE

Staff finds the communications tower is appropriately located, within a commercial site along a major arterial street.

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."**

   Because there are commercial uses surrounding the tower site, staff finds the proposed communications tower is compatible with surrounding development.

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

   The subject site is of sufficient size to allow the communications tower to be adequately separated from the residential land uses to the east.

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."**

   Because the proposed facility is unmanned and will not generate traffic, staff finds it would not adversely impact the streets providing access.

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 the proposed communications tower will be subject to regular City inspections for compliance with applicable regulations and therefore will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NOTICES MAILED 790 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 11-EC-01 APN: 140-29-301-004

Name of Property Owner: Lamb Blvd Self Storage

Name of Applicant: Cingular Wireless

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Roger A [illegible]

Subscribed and sworn before me

This 24 day of May, 2001

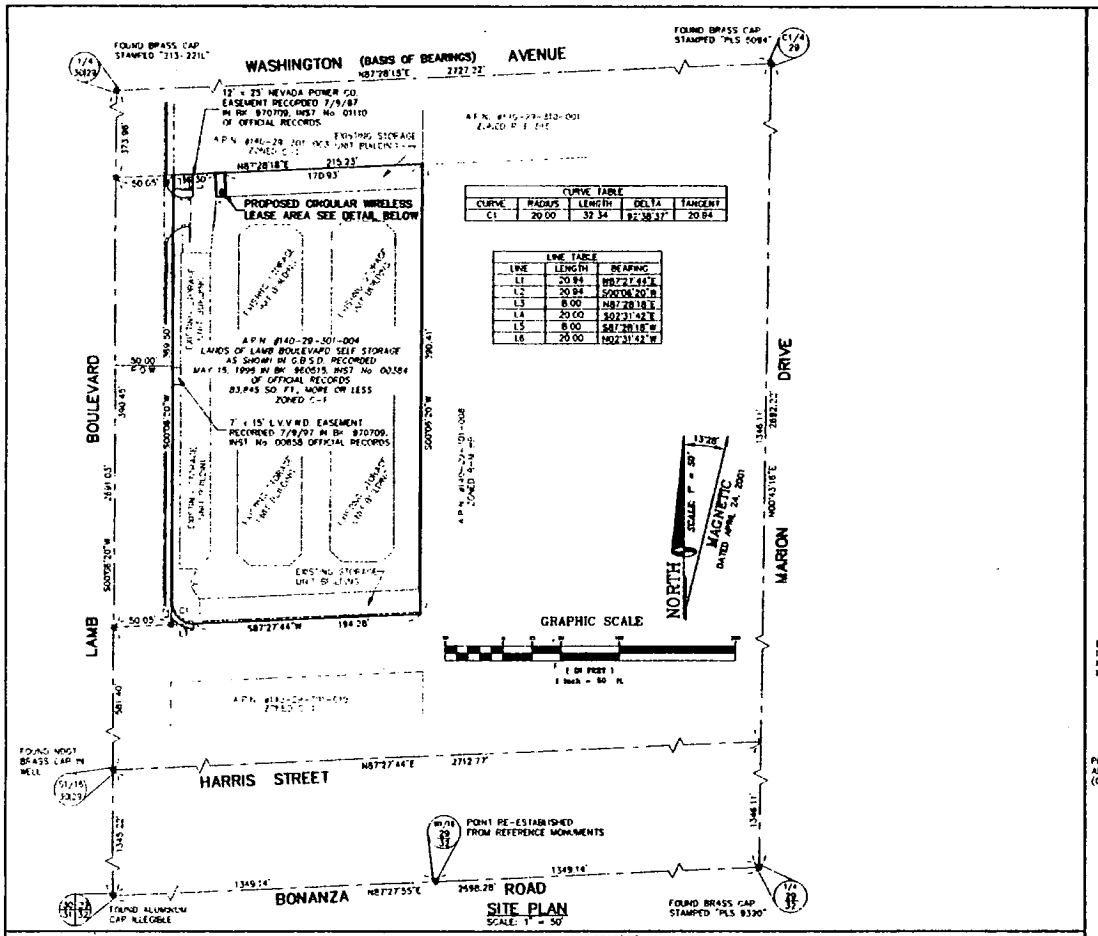
JoAnn V. Wilson

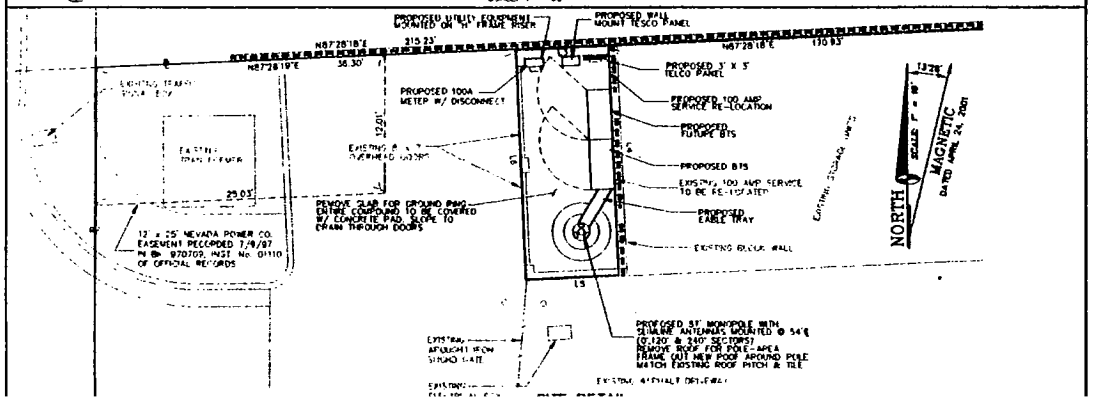
Notary Public in and for said County and State

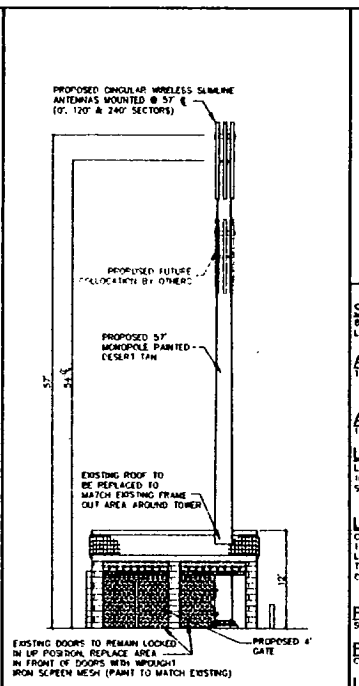
JoANN V. WILSON
Notary Public, State of Nevada
Appointment No. 00-62804-1
My Appt. Expires May 8, 2004

U-0086-01
09-20-01 PC

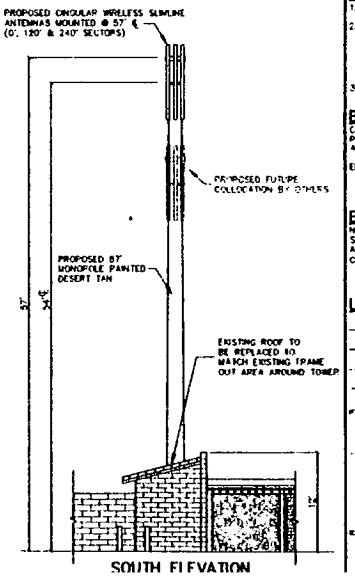
STAFF



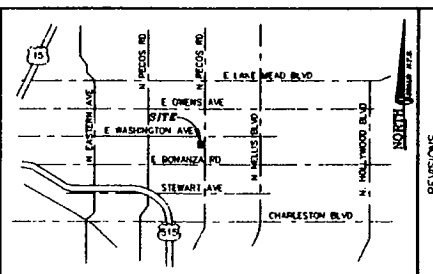




WEST ELEVATION
NOT TO SCALE



SOUTH ELEVATION



STREET ADDRESS
851 N LAMB BLVD
LAS VEGAS, NV 89110

ACREAGE
TOTAL PARCEL = 83,945.50 FT., MORE OR LESS

ASSESSORS PARCEL NUMBER
140-29-301-004

LESSOR/OWNER
LAMB BOULEVARD SELF-STORAGE LLC
10035 PROSPECT AVE
SANTEE, CA 92071-4320

LESSEE/DEVELOPER
CINGULAR WIRELESS
1211 TOWN CENTER DR., STE 100
LAS VEGAS, NV 89134
TEL. (702) 240-4000
CONTACT: MIKE MIANO

PRESENT USE
SELF-STORAGE FACILITY

PROPOSED USE
CELLULAR RADIO TRANSMISSION FACILITY (UNMANNED FACILITY)

LEGAL DESCRIPTION
LANDS OF LAMB BOULEVARD SELF STORAGE LLC. AS DESCRIBED IN A GRANT, BARGAIN, & SALE DEED RECORDED 5/15/1996 IN BK. 960515, INST. No. 00384 OF OFFICIAL RECORDS ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE

NOTES:
1. A FIELD SURVEY WAS PERFORMED ON 6/17/01
2. THIS STUDY DOES NOT CONSTITUTE A TITLE SEARCH BY SPECTRUM SURVEYING & ENGINEERING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, WE HAVE RELIED ON PRELIMINARY TITLE REPORT No. 01-02-0276-SD, DATED FEBRUARY 27, 2001, PREPARED BY NEVADA TITLE COMPANY
3. THE TOWER MEASURES ±173' FROM PROPOSED ANTENNA TIP TO NEAREST RESIDENTIAL PROPERTY.

BENCHMARK
CITY OF LAS VEGAS VERTICAL CONTROL #CLVC2-2994
RIVET & PLATE IN TOP OF CURB, AT THE SOUTHEAST RETURN OF LAMB AVENUE AND WASHINGTON AVENUE.

ELEVATION 1785.01 FEET NAVD88
544.0725 METERS NAVD88

BASIS OF BEARING
NORTH 87°28'18" EAST BEING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN IN PLAT BOOK 27, PAGE 32 OF OFFICIAL RECORDS ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE

LEGEND
- STREET CENTERLINE
- PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- EASEMENT LINE
- EXISTING BLOCK WALL
- EXISTING POWER POLE
- EXISTING OVERHEAD POWER
- EXISTING CHAIN LINK FENCE
- PROPOSED CHAIN LINK FENCE
- PROPOSED BLOCK WALL
- FOUND MONUMENT AS NOTED

REVISIONS

DATE	DESCRIPTION	REV. #
09/06/01	REVISED TOWER HEIGHT	1

cingular WIRELESS
1211 TOWN CENTER DR., STE 100

SPECTRUM SURVEYING & ENGINEERING
7251 W. CHARLESTON BOULEVARD
SUITE 120
LAS VEGAS, NEVADA 89117

ENGINEER'S SEAL

DATE:	6/24/01
JOB NO:	LV 121
DRAWN:	RH
CHECKED:	DK
SCALE:	VARIES

LAMB & WASHIN

851 N LAMB BLVI
LAS VEGAS, NV

SITE # 121-

SITE PLAN

C-1

U-0086-01 - LAMB BOULEVARD SELF-STORAGE, LIMITED LIABILITY COMPANY ON BEHALF OF CINGULAR WIRELESS
851 NORTH LAMB BOULEVARD

City of Las Vegas

Agenda Item No. 158

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2001

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **U-0122-01 - ARTHUR AND KATHY COLE** - Request for a Special Use Permit FOR A PROPOSED CHURCH at 3000 Holly Avenue (APN's: 139-20-301-013 and 014), R-E (Residence Estates) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 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 – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ARTHUR COLE, 3000 Holly Avenue, and RONNIE GASTON, 1931 West Cartier, were present. MR. GASTON stated that this proposal first came forward two months ago and was tabled and then held in abeyance so that it could be heard together with the Site Development Plan Review scheduled for the 12/6/01 Planning Commission. CHRIS GLORE, Planning Supervisor, Planning & Development Department, pointed out that if it is the Council's desire to have the Site Development Plan Review be final action at Planning Commission, then the Council could move forward with the Special Use Permit. Otherwise if the Site Development Plan is to come before the Council, the item would need to be abeyed to the second meeting in January.

City of Las Vegas

Agenda Item No. 158

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 158 – U-0122-01

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

NOTE: COUNCILMAN WEEKLY moved to approve the Special Use Permit and for the Site Development Plan Review to be approved administratively. However, he asked staff to see it before it is approved. MR. GLORE concurred.

MAYOR GOODMAN declared the Public Hearing closed.
(5:05 – 5:07)
6-1939

CONDITIONS:
Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. Conformance to all Minimum requirements under Title 19A.040.050 for a church/house of worship use.

3. The applicant shall submit a Site Development Plan Review prior to the construction of new buildings.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Holly Avenue, 30 feet for Ferrell Street and a 15-foot radius on the northeast corner of Holly Avenue and Ferrell Street prior to the issuance of any permits.

5. Construct half-street improvements on Holley Avenue and Ferrell Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.

City of Las Vegas

Agenda Item No. 158

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 158 – U-0122-01

CONDITIONS – Continued:

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #224.

8. Provide a copy of a recorded Joint Access and Parking Agreement between both parcels comprising this overall site, or submit a Reversionary Map to remove the existing lot line between the two parcels prior to the issuance of any permits.

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. 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 for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

   Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

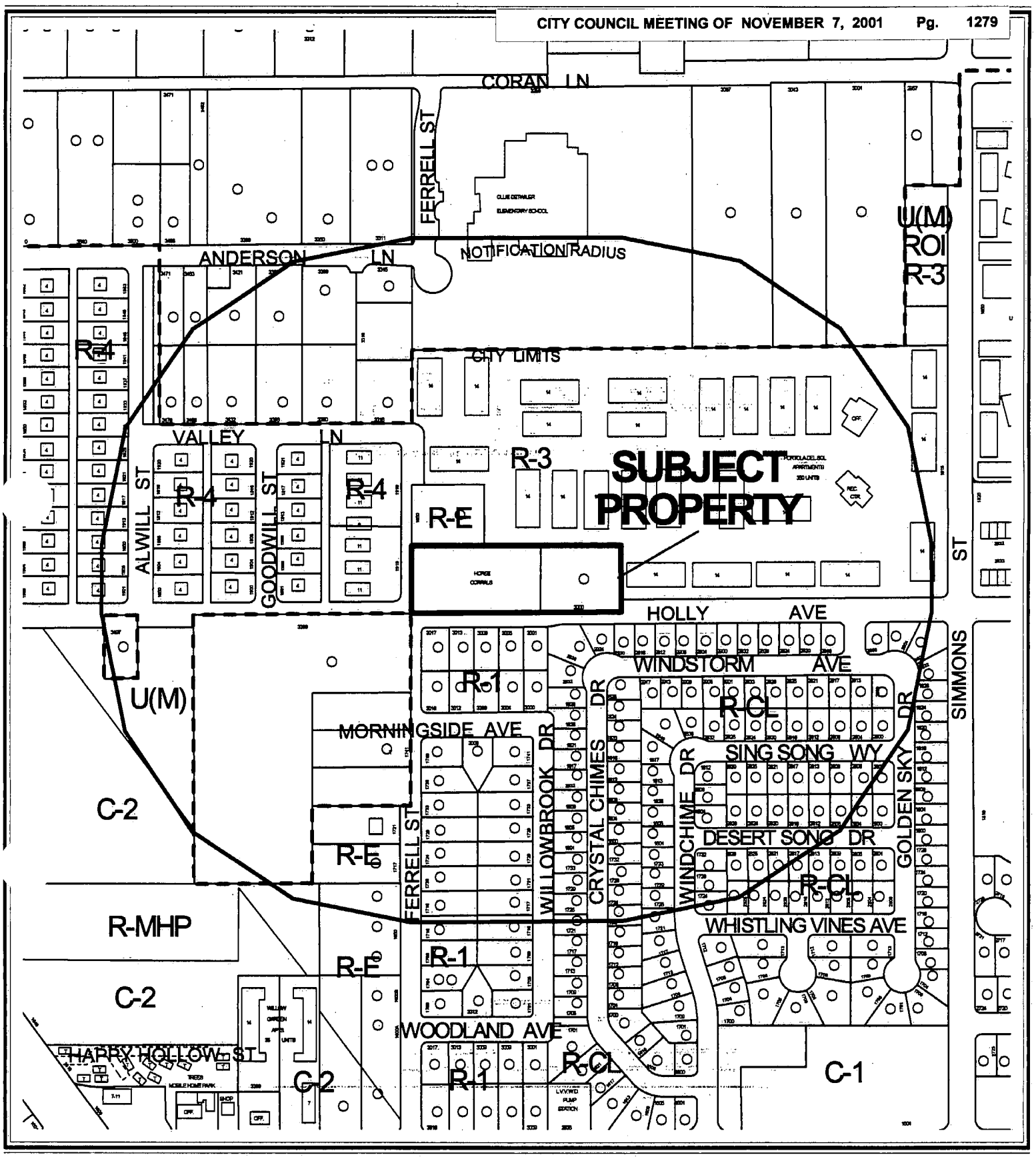
City of Las Vegas

Agenda Item No. 158

CITY COUNCIL MEETING OF NOVEMBER 7, 2001
Planning & Development Department
Item 158 – U-0122-01

CONDITIONS – Continued:

10. Meet with the Flood Control Section of the Department of Public Works to discuss drainage related issues for this site prior to the issuance of any building or grading permits, whichever may occur first.



0 300 600 Feet

CASE: **U-0122-01**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2001
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: U-0122-01 - Arthur and Kathy Cole

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. Conformance to all Minimum requirements under Title 19A.040.050 for a church/house of worship use.

3. The applicant shall submit a Site Development Plan Review prior to the construction of new buildings.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Holly Avenue, 30 feet for Ferrell Street and a 15-foot radius on the northeast corner of Holly Avenue and Ferrell Street prior to the issuance of any permits.

5. Construct half-street improvements on Holley Avenue and Ferrell Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.

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8. Provide a copy of a recorded Joint Access and Parking Agreement between both parcels comprising this overall site, or submit a Reversionary Map to remove the existing lot line between the two parcels prior to the issuance of any permits.

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   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.

10. Meet with the Flood Control Section of the Department of Public Works to discuss drainage related issues for this site prior to the issuance of any building or grading permits, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Special Use Permit at 3000 Holly Avenue for a proposed church. The applicant's justification letter states that services are intended to be held in a portion of the existing house. The justification letter also indicates that a Site Development Plan Review application will be submitted prior to construction of a new building proposed for the west portion of the site.

BACKGROUND DATA

There is no pertinent zoning history available for this site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-3 (Medium Density Residential)	Multi-Family Residential
South:	R-CL (Single Family Compact Lot)	Single Family Residential
East:	R-3 (Medium Density Residential)	Multi-Family Residential
West:	R-E (Residence Estates)	Single Family Residential

ANALYSIS & FINDINGS

ZONING

The subject site is zoned R-E (Residence Estates). Staff finds the proposed church use is permitted within the R-E (Residence Estates) zoning district, with approval of a Special Use Permit.

Minimum conditions for religious facilities as stated in Section 19A.04.050 of the City of Las Vegas Zoning Code are:

1. The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.

2. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.

3. If, after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

4. Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.

5. Churches on sites larger than five acres shall not be permitted in the U District or an R-prefixed district.

Staff finds the proposed church use will meet all the requirements set forth by Section 19A.04.050 of the City of Las Vegas Zoning Code.

USE

Staff finds the proposed church use is compatible with the single family residential and multi-family residential land uses in the vicinity of this request, as a neighborhood-oriented use.

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 the proposed church use will be compatible with the residential land uses in the area and will not adversely affect the surrounding properties.

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

   Staff finds the subject site is physically suitable for the proposed church use. The site is adjacent to residential land uses, and will be a neighborhood-oriented use.

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 proposed church will be located on property that has access to Holly Avenue, a 60-foot-wide residential collector street. Staff finds this roadway is adequate in size to meet the requirements of the proposed church 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 the church use will be subject to City codes, and therefore the proposed church will not compromise the public health, safety and welfare.

NOTICES MAILED 181 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0122-01 APN: 139-20-301-013 and 139-20-301-014

Name of Property Owner: Cole, Arthur & Kathy

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Arthur B. Cole

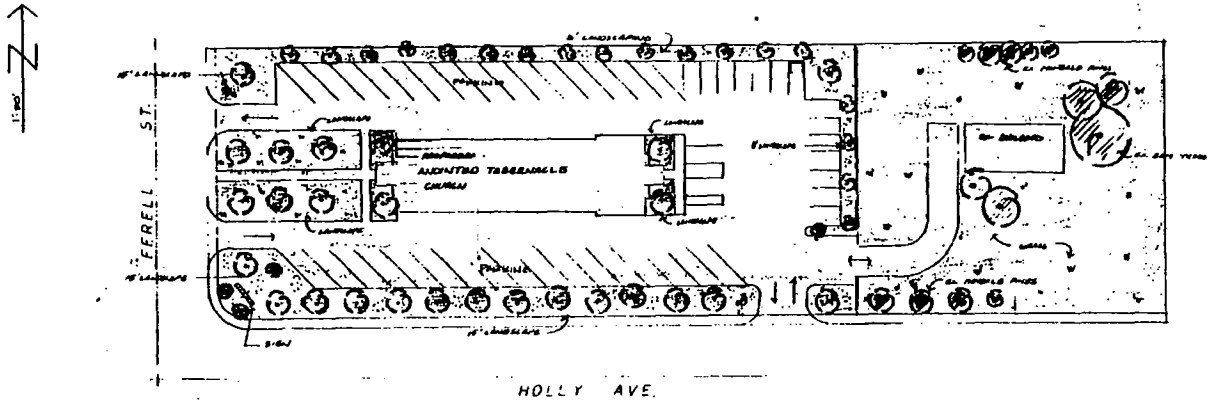
Subscribed and sworn before me

This 13th day of July, 2001

Tara R. DiTullio

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
TARA R. DITULLIO
My Appointment Expires Jan. 20, 2003



LEGEND:

- MONDALE PINES - 2.4" DIA. 20' o.c.
- JUNIPERS - 5 GAL.
- DECIDUOUS TREES - MONDALE PINE & ELM
- GRASS
- CRUSHED STONE 4-6" DEEP BED
- BOULDERS 2'-5' DIA

U-0122-01

STAFF

10-4-01 PC

LANDSCAPE LAYOUT

REVISIONS	BY

ANOINTED TABERNACLE CHURCH
3000 HOLLY AVE.
LV, NEV.

Date
Scale
Drawn
Job
Sheet 2
Of Sheets

ABEYANCE - U-0122-01 - ARTHUR AND KATHY COLE - 3000 HOLLY AVENUE
OCTOBER 4, 2001 PLANNING COMMISSION

ABEYANCE - U-0122-01 - ARTHUR AND KATHY COLE - 3000 HOLLY AVENUE
OCTOBER 4, 2001 PLANNING COMMISSION