

PLEASE NOTE:

THE BACKUP IN
THESE MINUTES IS
NOT IN THE
ORDER LISTED ON
THE MINUTE
PAGES.

THE MAPS
FOLLOW THE
STAFF REPORT

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0091-01 - HHF, INC. ON BEHALF OF NEVADA HOMES GROUP INC. - Request for a Variance TO ALLOW 0.44 ACRE (19,206 SQUARE FEET) OF OPEN SPACE WHERE 0.67 ACRE (29,185 SQUARE FEET) IS THE MINIMUM REQUIRED FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT located adjacent to the south side of Gowan Road, approximately 1,000 feet west of Grand Canyon Drive (APN: 138-07-301-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD9 (Residential Planned Development - 9 Units per Acre), Ward 4 (Brown)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

Planning Commission Mtg.

0

City Council Meeting

☐

City Council Meeting

☐

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Phone Listing

MOTION:

TRUEDELL - ABEYANCE Items B-17 [V-0091-01] and B-18 [Z-0016-96(6)] to the 1/24/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated these applications are for a residential subdivision near Grand Canyon and Gowan. A related Review of Condition was considered by the City Council on 1/2/2002 and held in abeyance until 1/16/2002. Because these items are related to that Review of Condition, they must be held until the 1/24/2002 Planning Commission meeting.

No one appeared to represent the application.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-17 - V-0091-01

MINUTES - Continued:

No one appeared in opposition.

ROBERT GENZER, Director, Planning and Development, said there is a neighborhood meeting being held this evening in regard to these two items, which is probably the reason the applicant is not present.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item B-18 [Z-0016-96(6)] for related discussion.

(3:34 – 3:47)

5-233

JANUARY 10, 2002 PLANNING COMMISSION

- B-17. V-0091-01 - HHF, INC. ON BEHALF OF NEVADA HOMES GROUP INC. -
Request for a Variance TO ALLOW 0.44 ACRES (19,206 SQUARE FEET) OF
OPEN SPACE WHERE 0.67 ACRES (29,185 SQUARE FEET) IS THE
MINIMUM REQUIRED FOR A SINGLE-FAMILY RESIDENTIAL
DEVELOPMENT located adjacent to the south side of Gowan Road,
approximately 1,000 feet west of Grand Canyon Drive (APN: 138-07-301-006),
U (Undeveloped) Zone [PCD (Planned Community Development) General Plan
Designation] under Resolution of Intent to R-PD9 (Residential Planned
Development - 9 Units per Acre), Ward 4 (Brown).

PUBLIC HEARING

P.C. FINAL ACTION

***STAFF IS REQUESTING ABEYANCE OF THIS
REQUEST TO THE JANUARY 24TH PLANNING
COMMISSION MEETING SO THAT A RELATED
REVIEW OF CONDITION [Z-0016-96(7)] CAN BE
CONSIDERED BY THE CITY COUNCIL ON
JANUARY 16TH.***

APR



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-0091-01 APN: 138-07-307-006

Name of Property Owner: HHF Inc.

Name of Applicant: Nevada Homes 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

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: H. H. F. / 142 / 11/11/11 Mst Sec.

Subscribed and sworn before me

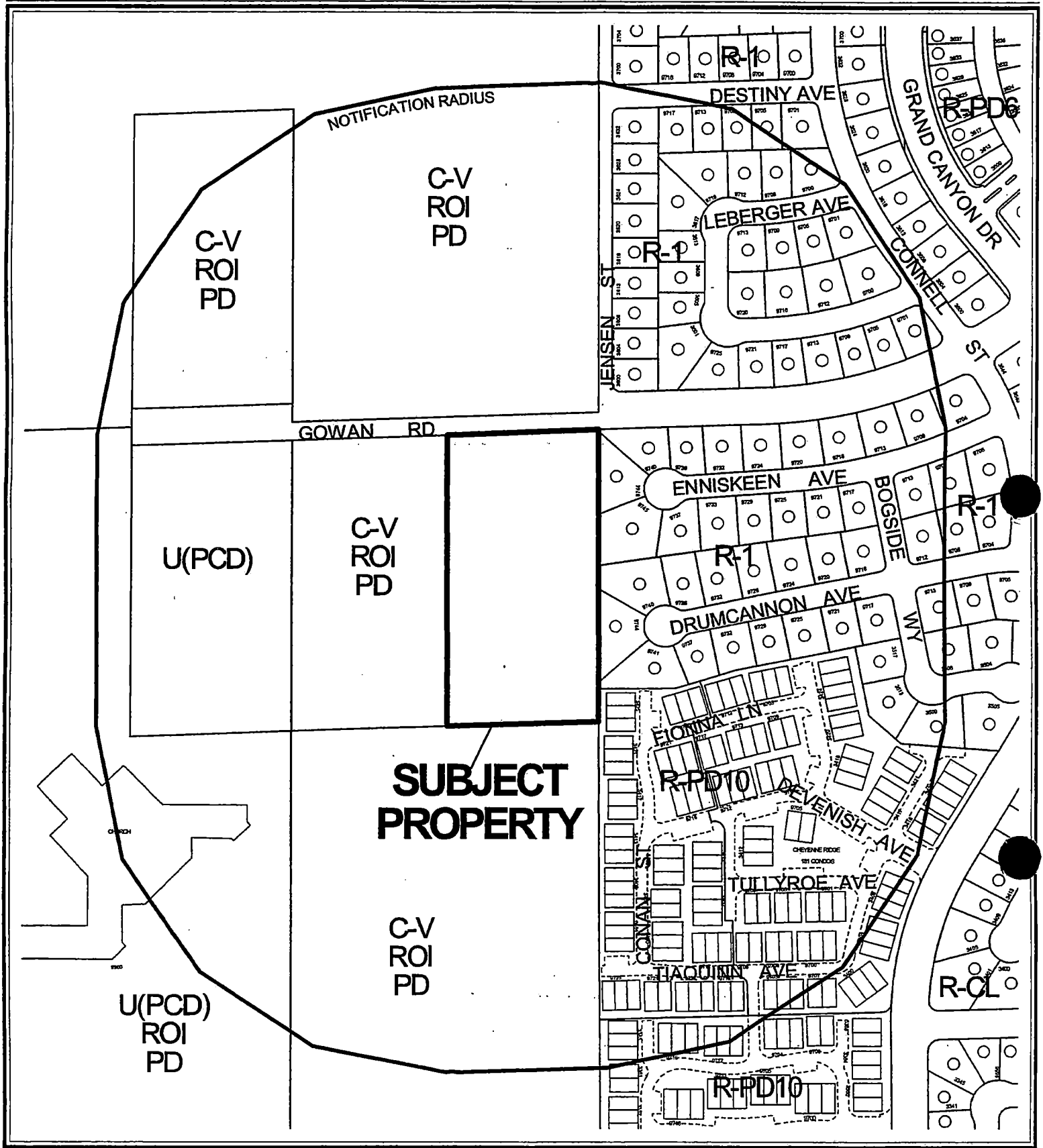
This 7th day of December, 2001

E. Kelly Campbell
Notary: Public in and for said County and State

Notary Public in and for said County and State



E. KELLY CAMPBELL
COMMISSION # CC 704051
EXPIRES JAN 25, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.



CASE: V-0091-01

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

TELEPHONE PROTESTS/APPROVALS

MEETING DATE: January 10, 2002

CASE NUMBER: V-0091-01

Date: January 2, 2002
Name: Elsie Potter
Address: 9721 Leberger Ave
89129
Phone: _____
Protest: ☒ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: V-0091-01
P
Phone: _____
Protest: ☐ Approval: ☐

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0016-96(6) - HHF, INC. ON BEHALF OF NEVADA HOME GROUP, INC. - Request for a Site Development Plan Review FOR A 40-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.1 acres adjacent to the southwest corner of Gowan Road and the Jensen Road alignment (APN: 138-07-301-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD9 (Residential Planned Development - 9 Units per Acre), Ward 4 (Brown)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

No recommendation. If approved, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

TRUEDELL - ABEYANCE Items B-17 [V-0091-01] and B-18 [Z-0016-96(6)] to the 1/24/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated these applications are for a residential subdivision near Grand Canyon and Gowan. A related Review of Condition was considered by the City Council on 1/2/2002 and held in abeyance until 1/16/2002. Because these items are related to that Review of Condition, they must be held until the 1/24/2002 Planning Commission meeting.

No one appeared to represent the application.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-18 - Z-0016-96(6)

MINUTES - Continued:

ROBERT GENZER, Director, Planning and Development, said there is a neighborhood meeting being held this evening in regard to these two items, which is probably the reason the applicant is not present.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item B-17 [V-0091-01] for related discussion.

(3:34 – 3:47)

5-233

JANUARY 10, 2002 PLANNING COMMISSION

- B-18. Z-0016-96(6) - HHF, INC. ON BEHALF OF NEVADA HOME GROUP, INC. -
Request for a Site Development Plan Review FOR A 40-LOT SINGLE FAMILY
RESIDENTIAL SUBDIVISION on 5.1 acres adjacent to the southwest corner of
Gowan Road and the Jensen Road alignment (APN: 138-07-301-006), U
(Undeveloped) Zone [PCD (Planned Community Development) General Plan
Designation] under Resolution of Intent to R-PD9 (Residential Planned
Development - 9 Units per Acre), Ward 4 (Brown).

PUBLIC HEARING

P.C. FINAL ACTION

***STAFF IS REQUESTING ABEYANCE OF THIS
REQUEST TO THE JANUARY 24TH PLANNING
COMMISSION MEETING SO THAT A RELATED
REVIEW OF CONDITION [Z-0016-96(7)] CAN BE
CONSIDERED BY THE CITY COUNCIL ON
JANUARY 16TH.***

APR



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 2-0016-96(6) APN: 138-07-307-006

Name of Property Owner: Nevada Homes Group, Inc.

Name of Applicant: Nevada Homes Group, 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~~ 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: _____

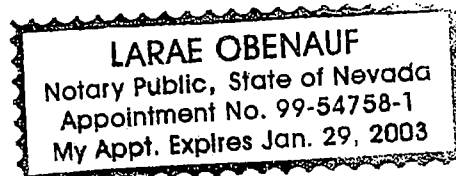
Signature of Property Owner/Authorized Agent:

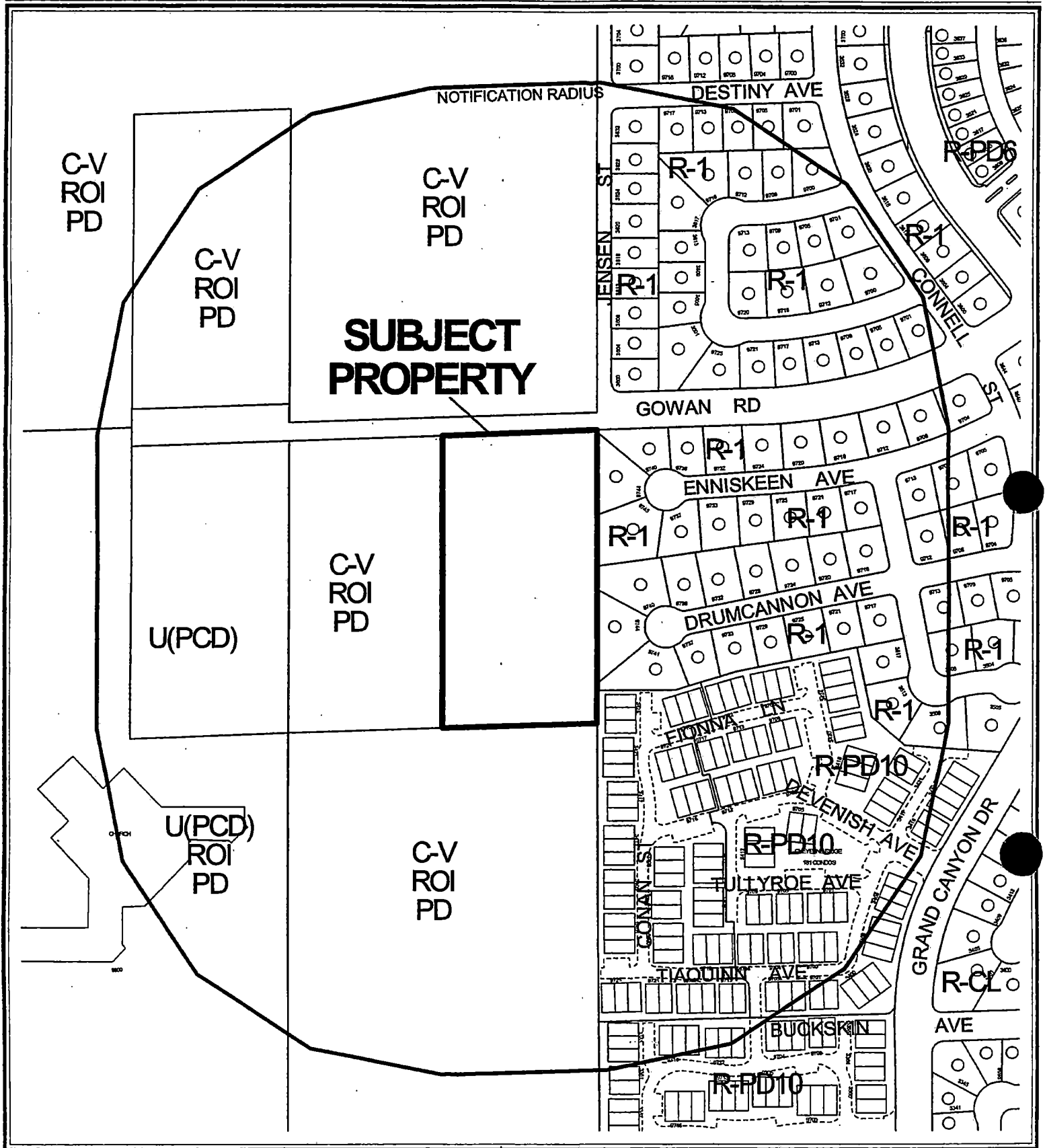
Print Name:

Subscribed and sworn before me

This 19th day of November 2001

Lakae Chennault
Notary Public in and for said County and State





CASE: Z-0016-96(6)

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

0 200 400 Feet



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - V-0092-01 - DAVID BISHOP - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE 6.58 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED ON PROPERTY located at 6272 Desert Haven Road (APN: 125-35-613-022), R-1 (Single Family Residential) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to condition.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN - APPROVED subject to staff's condition - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant is proposing to construct a 2,357 square foot single family dwelling on a corner lot and has indicated the setback Variance is warranted due to the irregular shape of the parcel. There is evidence of a unique or extraordinary circumstance to warrant approval of this request. This site has a physical hardship related to it in the unusual shape of the lot. The applicant's hardship is within the realm of Nevada Revised Statutes for granting of Variances, and he recommended approval, subject to the condition.

DAVID BISHOP, 5412 Cory Place, said he concurs with staff's condition.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-19 - V-0092-01

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:33 – 9:35)

3-2897

CONDITIONS:

Planning and Development

1. This Variance 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.

JANUARY 10, 2002 PLANNING COMMISSION

B-19. V-0092-01 - DAVID BISHOP - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE 6.58 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED ON PROPERTY located at 6272 Desert Haven Road (APN: 125-35-613-022), R-1 (Single Family Residential) Zone, Ward 6 (Mack).

PUBLIC HEARING

P.C. FINAL ACTION

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS.

APPLICATION REQUEST

This is a request for a Variance to allow a proposed single family dwelling to be 6.58 feet from the rear property line, where 15 feet is the minimum setback required on property located at 6272 Desert Haven Road.

BACKGROUND DATA

There is no relevant zoning history for this site.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to construct a 2,357 square foot single family dwelling on a corner lot, and has indicated a setback variance is warranted due to the irregular shape of the parcel.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-1 (Single Family Residential)	Undeveloped
South:	R-D (Single Family Residential-Restricted)	Undeveloped
East:	R-1 (Single Family Residential)	Single Family Residential
West:	R-1 (Single Family Residential)	Single 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.”

Staff finds evidence of unique or extraordinary circumstances to warrant approval of this request. The subject site has a physical hardship related to it, in the unusual shape of the lot. Staff finds that the applicant's hardship is within the realm of NRS Chapter 278 for granting of Variances. Therefore, staff recommends approval of this request.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. This Variance 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.

NOTICES MAILED 411

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V-0092-01 APN: 125-35-613-022

Name of Property Owner: DAN BISHOP

Name of Applicant: DAVID BISHOP

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): _____

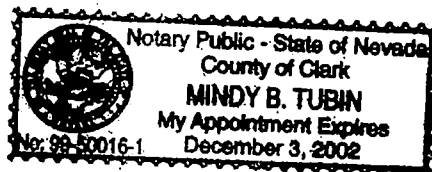
APN: _____

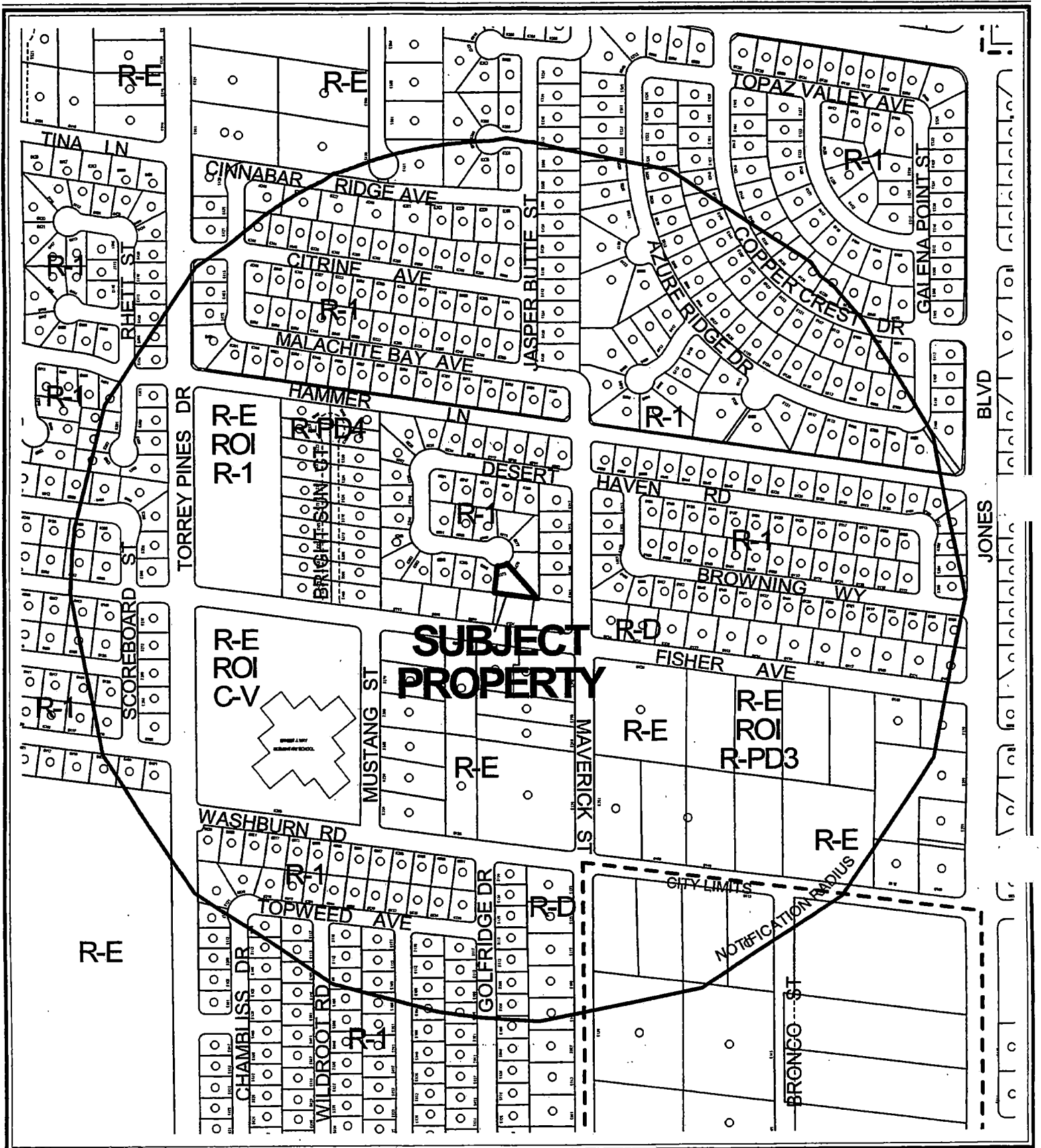
Signature of Property Owner/Authorized Agent: Dae B. [Signature]

Subscribed and sworn before me

This 7th day of DECEMBER, 2001

Mindy B. Linton
Notary Public in and for said County and State





CASE: V-0092-01

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

0 300 600 Feet



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0107-95(2) - JOHN SELBY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - One Year Required Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 816 North Rancho Drive (APN: 139-29-704-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - DENIED - Motion carried with EVANS and QUINN voting NO

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the Las Vegas Municipal Code allows for the removal of an off-premise advertising sign if conditions in the surrounding area have changed such that the sign no longer meets the standards for approval of this Special Use Permit. Because there has been substantial new development approved along this portion of Rancho Drive, specifically development of the Cox Communications site adjacent to the south, the continued off-premise advertising sign use on this property is no longer appropriate, and he recommended denial.

KELLEEN COTA, Lamar Outdoor Advertising, 1863 Helm Drive, said they are only requesting another one year review. There has not been significant development in the area. Cox Communications is not opposing this sign.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-20 - U-0107-95(2)

MINUTES - Continued:

AL GALLEG0, Citizen of Las Vegas, noted that the reason Cox Communications is not objecting is that they do not have any development on their property yet. In addition, there are a lot of signs with Lamar Outdoor Advertising Company in the valley that do not have any copy on them. If a sign is not being used within a certain period of time, it should be taken down.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:35 - 9:39)

3 - 3000

CONDITIONS:

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-0057-01 (1)] by the Planning Commission. If Z-0057-01 (1) is not approved, this Variance shall be null and void.

JANUARY 10, 2002 PLANNING COMMISSION

- B-20. U-0107-95(2) - JOHN SELBY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - One Year Required Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 816 North Rancho Drive (APN: 139-29-704-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: DENIAL.

APPLICATION REQUEST

This is a request for a Required One-Year Review on an approved Special Use Permit, which allowed a 14-foot by 48-foot off-premise advertising (billboard) sign located at 816 North Rancho Drive (southeast corner of Rancho Drive and Ernest May Way).

BACKGROUND DATA

- 10/03/56 The Board of City Commissioners approved a Rezoning (Z-0026-56) from R-1 (Single Family Residence) to C-1 (Limited Commercial) of the subject site as part of a larger request.
- 07/14/88 The Planning Commission approved a Plot Plan Review [Z-0026-56(3)] for the existing retail auto parts store on this site.
- 03/02/94 The City Council amended the General Plan (Resolution # R-28-94) to incorporate therein the West Las Vegas Plan, of which the subject site is a part.
- 10/18/95 The City Council approved, on appeal of a denial by the Board of Zoning Adjustment, a Special Use Permit (U-0107-95) to allow a 40-foot high, 14-foot by 48-foot (672 sq. ft. each side), off-premise advertising (billboard) sign on this site, subject to a five-year review.
- 11/04/96 The City Council approved the Downtown Redevelopment Plan Expansion (Ordinance #4036) to include this site as part of a larger request.
- 12/06/00 The City Council approved, on appeal of a denial by the Planning Commission, a Required Five-Year Review [U-0107-95(1)] on an approved Special Use Permit that allowed an off-premise advertising sign on this site, subject to a one-year review. The Planning Commission and staff had recommended DENIAL.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Commercial
South:	C-1 (Limited Commercial)	Undeveloped
East:	C-1 (Limited Commercial)	Undeveloped
West:	C-1 (Limited Commercial)	Commercial, Bank

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned C-1 (Limited Commercial). Staff finds the existing off-premise advertising (billboard) sign use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

Section 19A.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise advertising 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. Because there has been substantial new development approved along this portion of Rancho Drive, specifically development of the Cox Communications site adjacent to the south, the staff finds that the continued off-premise advertising (billboard) sign use on this property is no longer appropriate.

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."**

Section 19A.14.100 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. Because there has been substantial new development approved along this portion of Rancho Drive, specifically development of the Cox Communications site adjacent to the south, staff finds that the continued off-premise advertising (billboard) sign use on this property is no longer appropriate.

Furthermore, this site is in close proximity to the 'Gateway' intersections (Rancho/Bonanza and Rancho/Washington), which are planned for visual enhancement in the West Las Vegas Plan. Billboards will detract from the purpose of these future Gateway intersections.

Because billboards are not conducive to new development and are not an appropriate use in perpetuity, staff recommends a condition requiring a two-year review if this request is approved.

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 commercial 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 off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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 licensing requirements and will not compromise the public health, safety and welfare. However, staff finds that perpetual approvals of this Special Use Permit will compromise general objectives of the West Las Vegas Plan in that the proximity of this off-premise advertising sign to the gateway intersections of West Las Vegas will diminish their intended purpose.

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time 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 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.

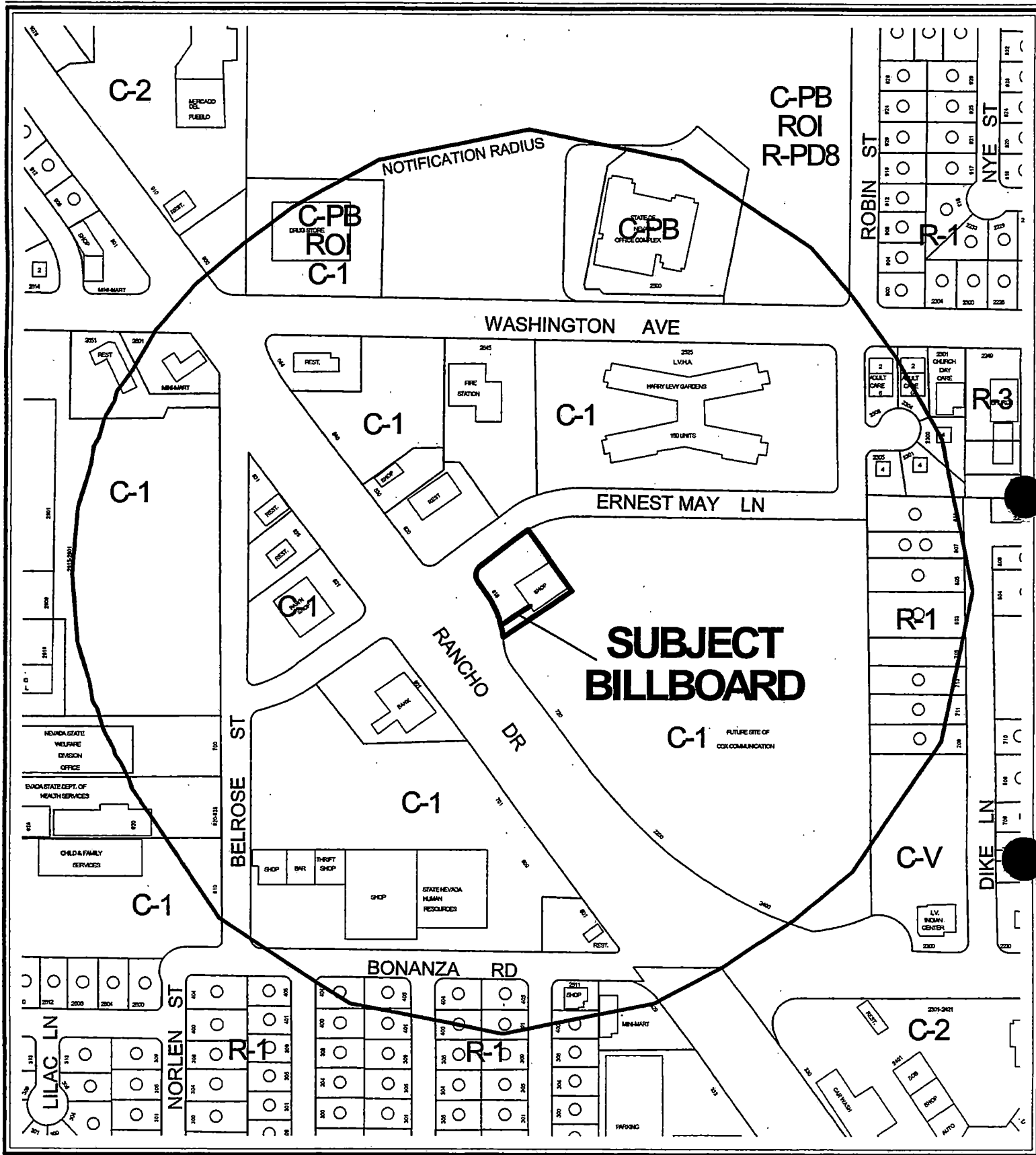
NOTICES MAILED 44

APPROVALS 0

PROTESTS 0



 **DEBORAH S. BARONE**
Notary Public, State of Nevada
Appointment No. 00608771
My Appt. Expires Jan. 15, 2004

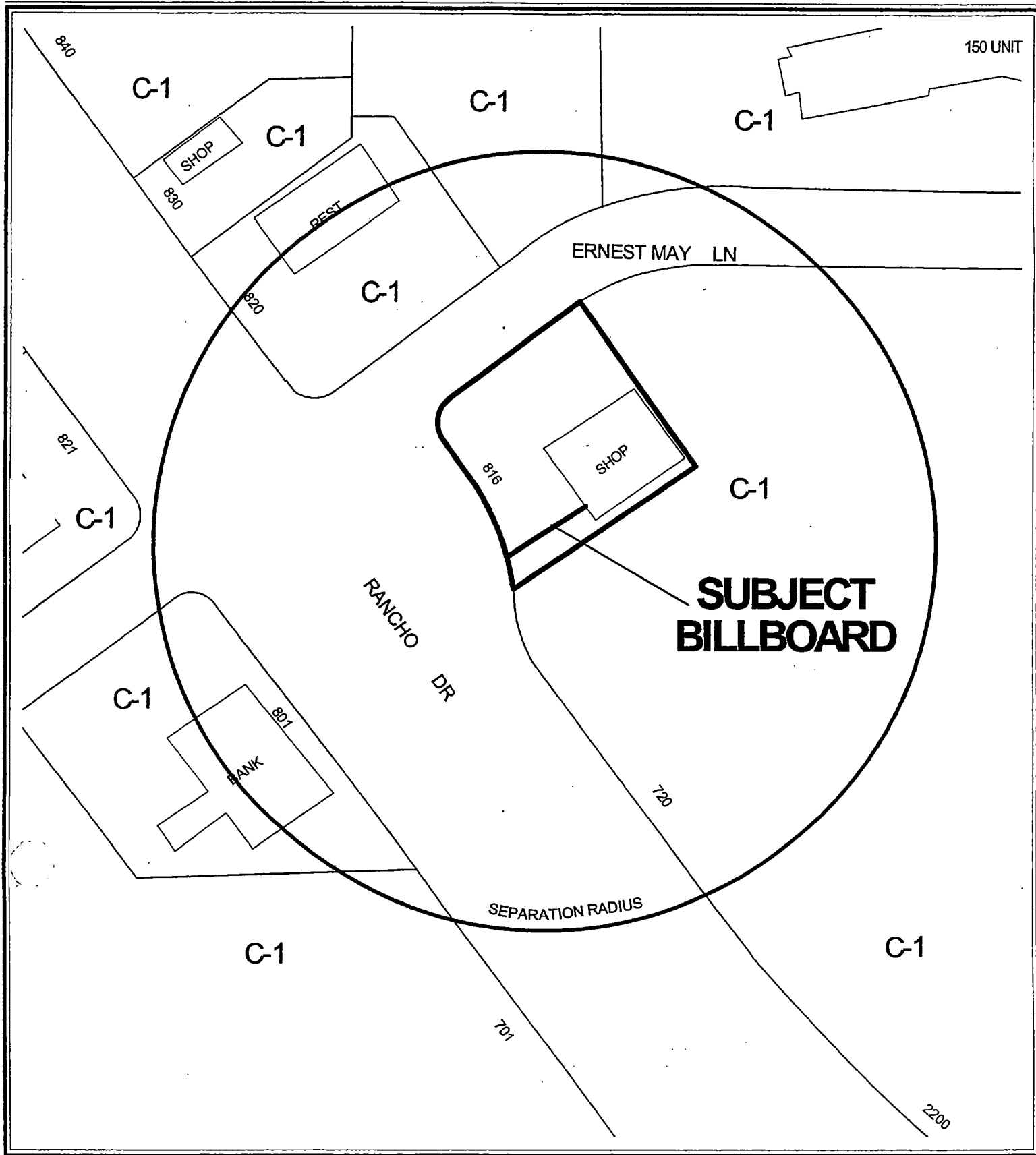


CASE: U-0107-95(2)

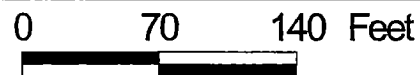
RADIUS: 850 FT

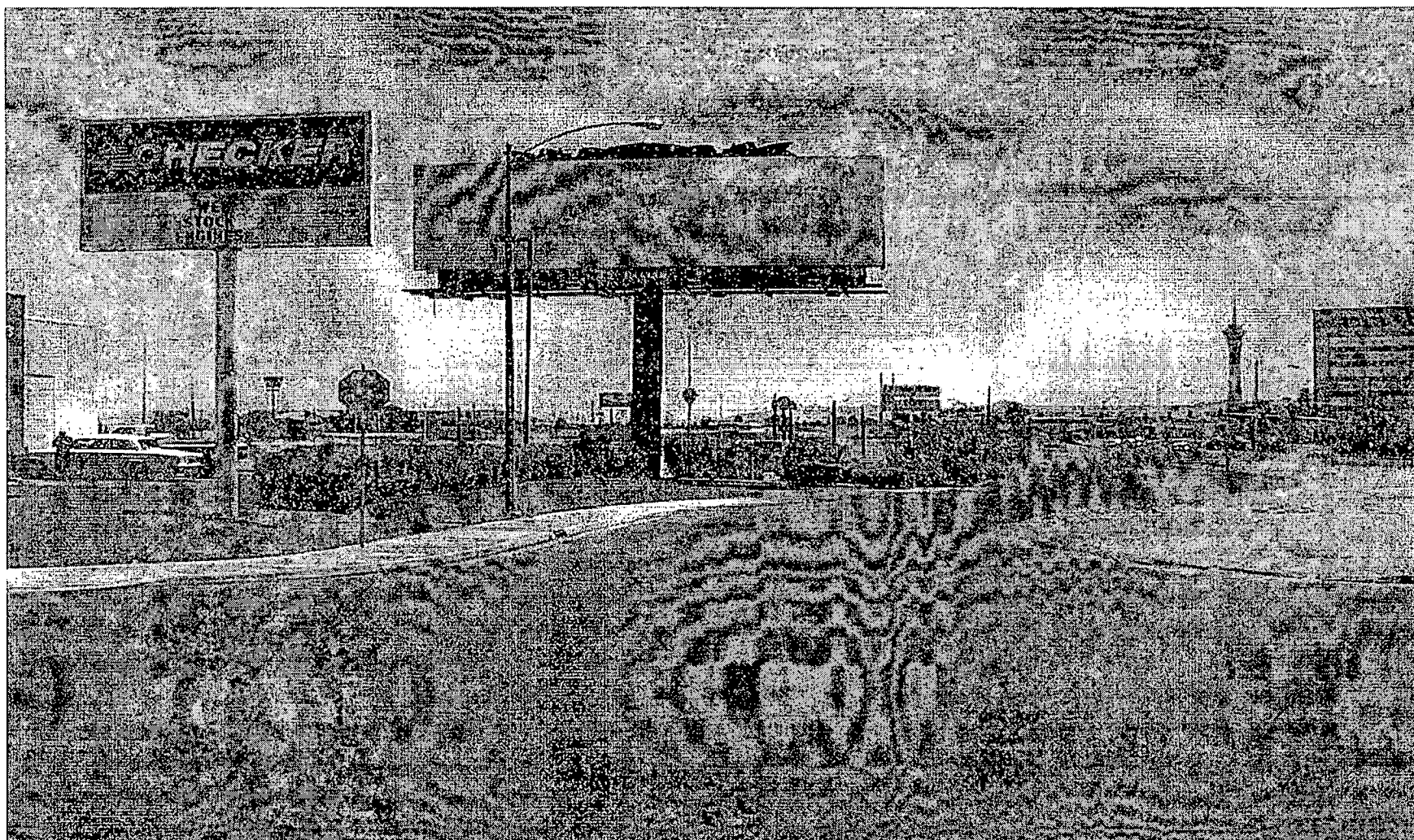
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





CASE: U-0107-95(2)
SEPARATION RADIUS: 850 FT





U-0107-95(2) - JOHN SELBY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - AT 816
NORTH RANCHO DRIVE
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0184-00(1) - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF DAVID JIMENEZ - Required One Year Review of an Approved Special Use Permit WHICH ALLOWED A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (MARISCUS EL PESCADOR); and a request for a Waiver of the 400 foot separation requirement from a child care facility [at 4301 Stewart Avenue] and an Elementary School [William K. Moore Elementary School at 491 North Lamb Boulevard] located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's condition - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the required one year review was to insure that the sale of alcoholic beverages for on-premise consumption was conducted in a manner that is compatible with the area. There is no evidence of an adverse impact on the surrounding area resulting from the approved restaurant service bar at this location. Staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-21 - U-0184-00(1)

MINUTES - Continued:

DAVID JIMENEZ, owner of restaurant, 4371 Stewart Avenue, said he concurs with staff's conditions.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.
(9:38 - 9:40)
3-3179

CONDITIONS:

Planning and Development

1. Conformance to all applicable conditions of approval for Special Use Permit U-0184-00.

JANUARY 10, 2002 PLANNING COMMISSION

- B-21. U-0184-00(1) - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF DAVID JIMENEZ - Required One Year Review of an Approved Special Use Permit WHICH ALLOWED A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (MARISCUS EL PESCADOR); and a request for a Waiver of the 400-foot separation requirement from a child care facility [at 4301 Stewart Avenue] and an Elementary School [William K. Moore Elementary School at 491 North Lamb Boulevard] located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a Required One-Year Review on an approved Special Use Permit (U-0184-00) that allowed a restaurant service bar in conjunction with an existing restaurant, located at 4371 Stewart Avenue; and Council approved a request for a Waiver of the 400-foot separation distance with regard to a child care facility (4301 Stewart Avenue) and the William K. Moore Elementary School (491 North Lamb Boulevard).

BACKGROUND DATA

- 10/01/80 The City Council approved a request for Rezoning (Z-0067-80) from R-E (Residence Estates) to C-1 (Limited Commercial) on this site.
- 03/16/94 The City Council struck from the agenda an Appeal submitted by the applicant on the Denial by the Board of Zoning Adjustment for a Special Use Permit (U-0004-94) for the off-premise sale of beer and wine in conjunction with a proposed convenience store; and a waiver of the 400-foot distance separation requirement from a church located in the shopping center.
- 06/15/94 The City Council reinstated an appeal that had been stricken and granted an appeal of a denial by the Board of Zoning Adjustment, thereby granting the Special Use Permit (U-0004-94) for the off-premise sale of beer and wine.

- 08/18/94 The City Council withdrew without prejudice the appeal filed by the applicant on a request for a Special Use Permit (U-0161-94) for the on-premise sale of package liquor in conjunction with a proposed convenience store; and a Waiver of the 400-foot distance separation requirement from a commercial daycare center.
- 05/12/97 The City Council approved a Special Use Permit (U-0009-97) for the sale of beer and wine for on-premise consumption in conjunction with a proposed restaurant; and Council approved a Waiver of the 400-foot distance separation requirement from a commercial daycare center, subject to a one-year required review.
- 01/17/01 The City Council approved a Special Use Permit (U-0184-00) that allowed a restaurant service bar in conjunction with an existing restaurant, located at 4371 Stewart Avenue; and approved a related request for a Waiver of the 400-foot separation distance with regard to a child care facility (4301 Stewart Avenue) and the William K. Moore Elementary School (491 North Lamb Boulevard).

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-PD16 (Residential Planned Development – 16 Units per Acre)	Multi-Family Residential
South:	C-1/R-3 (Limited Commercial/ Medium-Density Residential)	Commercial Multi-Family Residential
East:	C-1 (Limited Commercial)	Commercial
West:	R-3 (Medium-Density Residential)	Multi-family Residential

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed Restaurant Service Bar is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol related uses.

USE

Section 19A.04.050 of the City of Las Vegas Zoning Code requires the sale of on-premise beer and wine to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. Two protected uses within the 400-foot buffer include: a child day care (4301 Stewart Avenue), approximately 75 feet from the subject parcel, when measured from property line to property line; and the William K. Moore Elementary School (491 North Lamb Boulevard), approximately 325 feet from this parcel when measured from property line to property line.

The required one-year review was to ensure that the sale of alcoholic beverages for on-premise consumption was conducted in a manner that is compatible with the area. Staff finds no evidence of an adverse impact on the surrounding area resulting from the approved restaurant service bar at this location. Staff therefore recommends approval of this review with no further required 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.**

At the time of the original approval, City Council determined that the restaurant service bar use would be compatible with present and future surrounding uses, subject to a review in one year.

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

At the time of the original approval, City Council determined that the restaurant service bar use was a less intense use than two off-premise beer/wine establishments located in this commercial center.

- 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 restaurant service bar is located within an existing restaurant in a commercial center that presently has adequate access to both Stewart Avenue and Lamb Boulevard (fully improved, 100-foot wide Primary Arterial thoroughfares).

- 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.**

At the time of the original approval, the City Council determined that the Special Use Permit to allow a restaurant service bar would not compromise public welfare or future objectives. The restaurant service bar will be subject to regular City inspections for licensing and will therefore not compromise the public health, safety and welfare.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. Conformance to all applicable conditions of approval for Special Use Permit U-0184-00.

NOTICES MAILED 947 (Mailed with U-0157-01)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RE U-0184-adj APN: _____

Name of Property Owner: SOLI MUNARCASTI

Name of Applicant: DAVID JIMENEZ

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: [Signature]

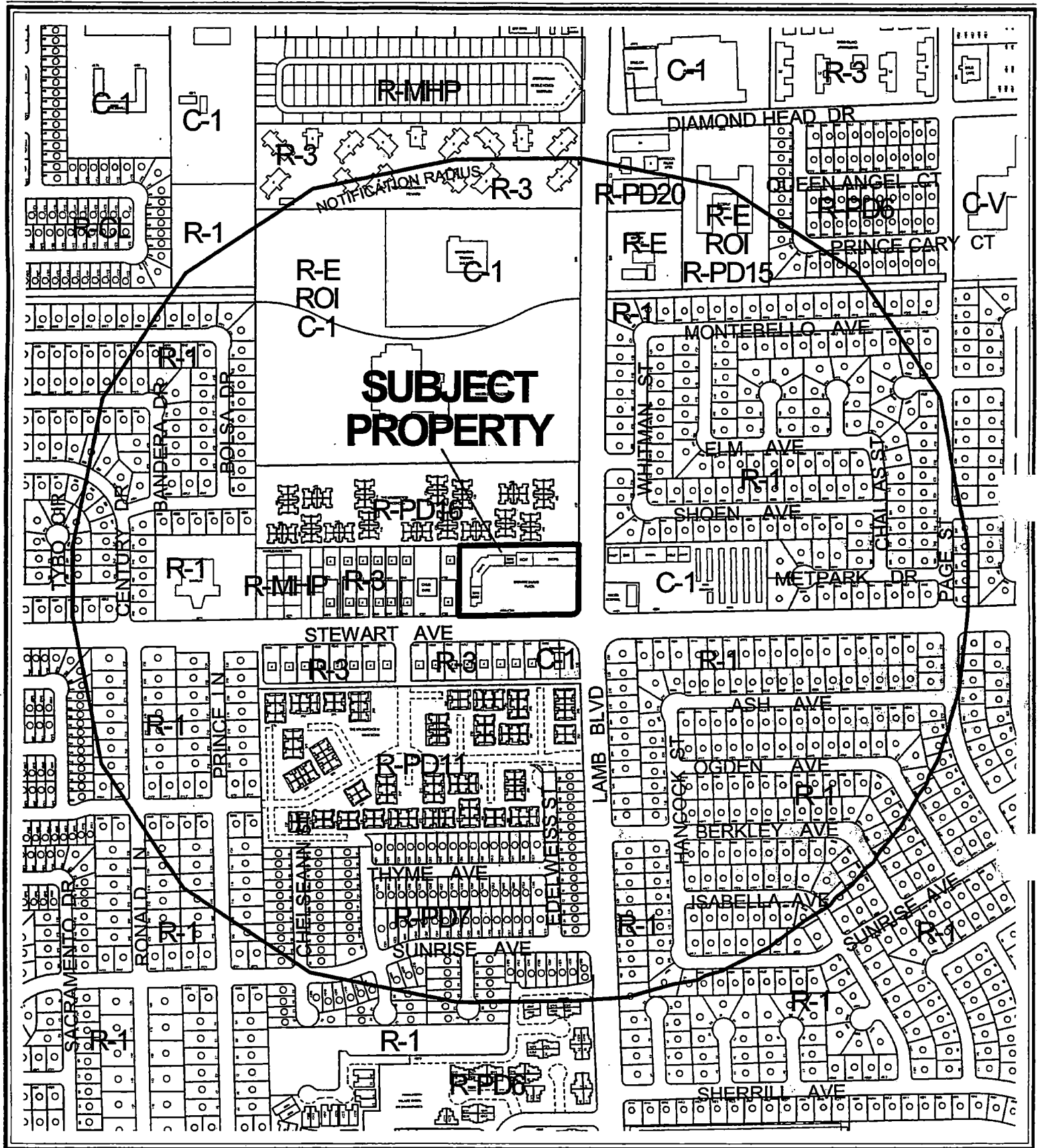
Subscribed and sworn before me

This 2 day of December, 2001

Los Angeles, California
Notary Public in and for said County and State

Krista Bissell





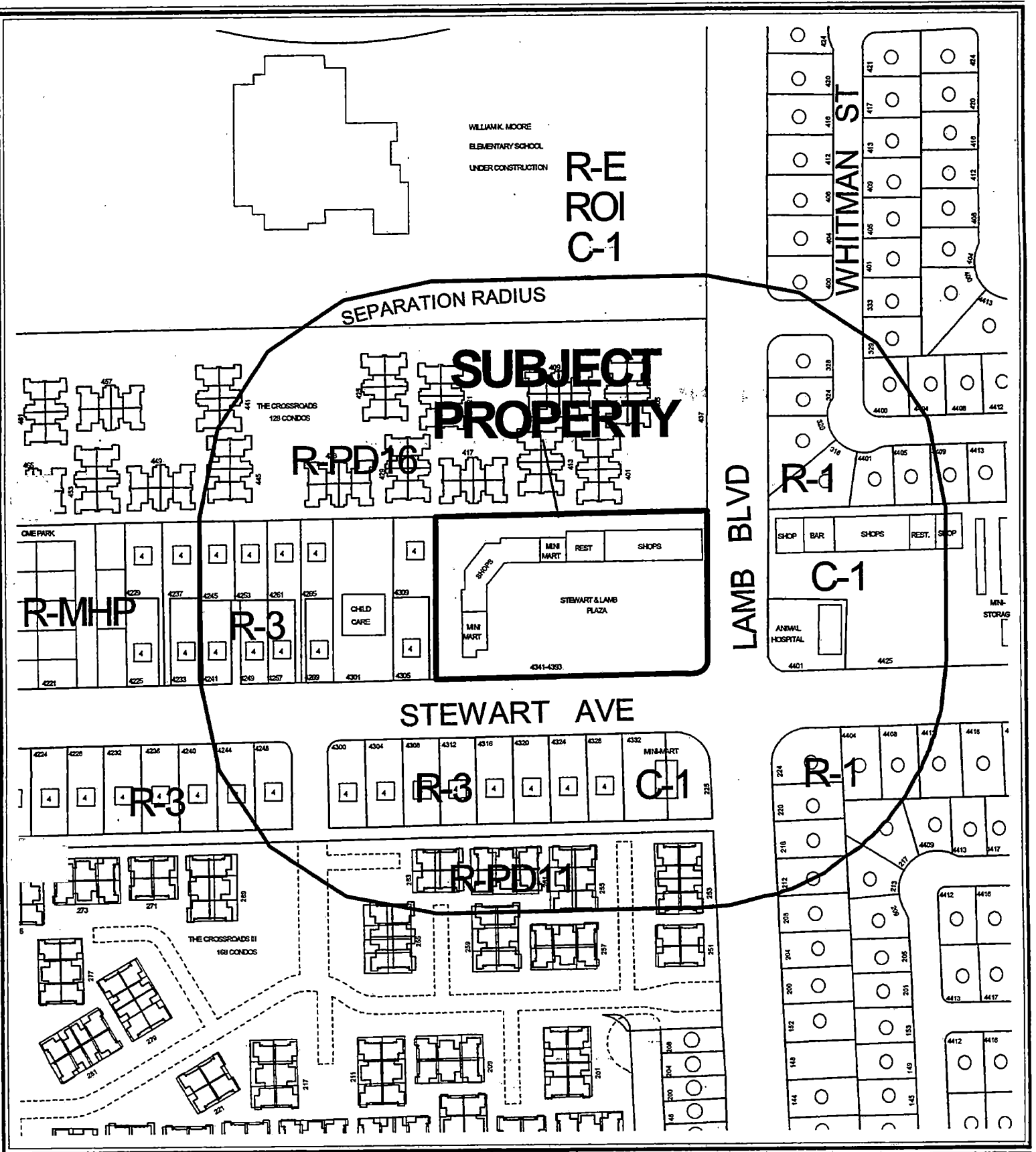
CASE: U-0184-00(1)

RADIUS: 1500 FT

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

0 400 800 Feet





CASE: U-0184-00(1)
SEPARATION RADIUS: 400 FT

0 200 400 Feet





U-0184-00(1) - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF DAVID JIMENEZ - LOCATED AT
4371 STEWART AVENUE
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0141-94(2) - SOUTHLAND CORPORATION - Required Two Year Review of an Approved Special Use Permit WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 2625 West Sahara Avenue (APN: 162-08-502-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - DENIED - Motion carried with Quinn voting No

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the Las Vegas Municipal Code allows for the removal of an off-premise advertising sign if conditions in the surrounding area have changed such that the sign no longer meets the standards for approval. A new gasoline sales canopy will soon be constructed on the site, so the continued off-premise advertising sign use on this property is no longer appropriate. Additionally, staff finds that this sign is not compatible with recent enhancements to the Palace Station property and recommended denial.

KELLEEN COTA, Lamar Outdoor Advertising, 1863 Helm Drive, said she disagrees with staff's conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-22 - U-0141-94(2)

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:40 - 9:42)

3 - 3280

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time 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 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.

JANUARY 10, 2002 PLANNING COMMISSION

- B-22. U-0141-94(2) - SOUTHLAND CORPORATION - Required Two Year Review of an Approved Special Use Permit WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 2625 West Sahara Avenue (APN: 162-08-502-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: DENIAL.

APPLICATION REQUEST

This is a request for a Required Two-Year Review on an approved Special Use Permit, which allowed a 14-foot by 48-foot off-premise advertising (billboard) sign located at 2625 West Sahara Avenue (southeast corner of Sahara Avenue and Teddy Drive).

BACKGROUND DATA

- | | |
|----------|--|
| 11/16/60 | The subject property was Rezoned (Z-0050-60) from R-1 (Single Family Residence) to C-1 (Limited Commercial) as part of a larger request. |
| 10/05/94 | The City Council approved a Special Use Permit (U-0141-94) to allow a 40-foot high, 14-foot by 48-foot (672 sq. ft. each side) off-premise advertising (billboard) sign on this site, subject to a five-year review. |
| 05/15/96 | The City Council approved a Five-Year Required Review [U-0141-94(2)] on an approved Special Use Permit that allowed the off-premise advertising sign on this site, subject to a two-year review. The Planning Commission and staff had recommended DENIAL. |
| 01/10/02 | The Planning Commission will hear a request for an Extension of Time [U-0089-99(3)] on an approved Special Use Permit gasoline sales canopy on this site, and the Planning and Development staff will review a Site Development Plan Review (update) [U-0089-99(2)] for the gasoline sales canopy. |

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Commercial
South:	C-1 (Limited Commercial)	Commercial
East:	C-1 (Limited Commercial)	Parking, Hotel/Casino
West:	R-4 (High Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned C-1 (Limited Commercial). Staff finds the existing off-premise advertising (billboard) sign use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

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. Because a new gasoline sales canopy will soon be constructed on the subject site, staff finds that the continued off-premise advertising (billboard) sign use on this property is no longer appropriate. Additionally, staff finds that this billboard is not compatible with recent enhancements to the Palace Station property.

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.”**

Section 19A.14.100 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. Because a new gasoline sales canopy will soon be constructed on the subject site, staff finds that the continued off-premise advertising (billboard) sign use on this property is no longer appropriate. Additionally, staff finds that this billboard is not compatible with recent enhancements to the Palace Station property.

Because billboards are not conducive to new development and are not an appropriate use in perpetuity, staff recommends a condition requiring a two-year review if this request is approved.

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 currently undeveloped 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 off-premise advertising (billboard) signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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 licensing requirements and will not compromise the public health, safety and welfare.

STAFF RECOMMENDATION: DENIAL; If approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time 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 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.

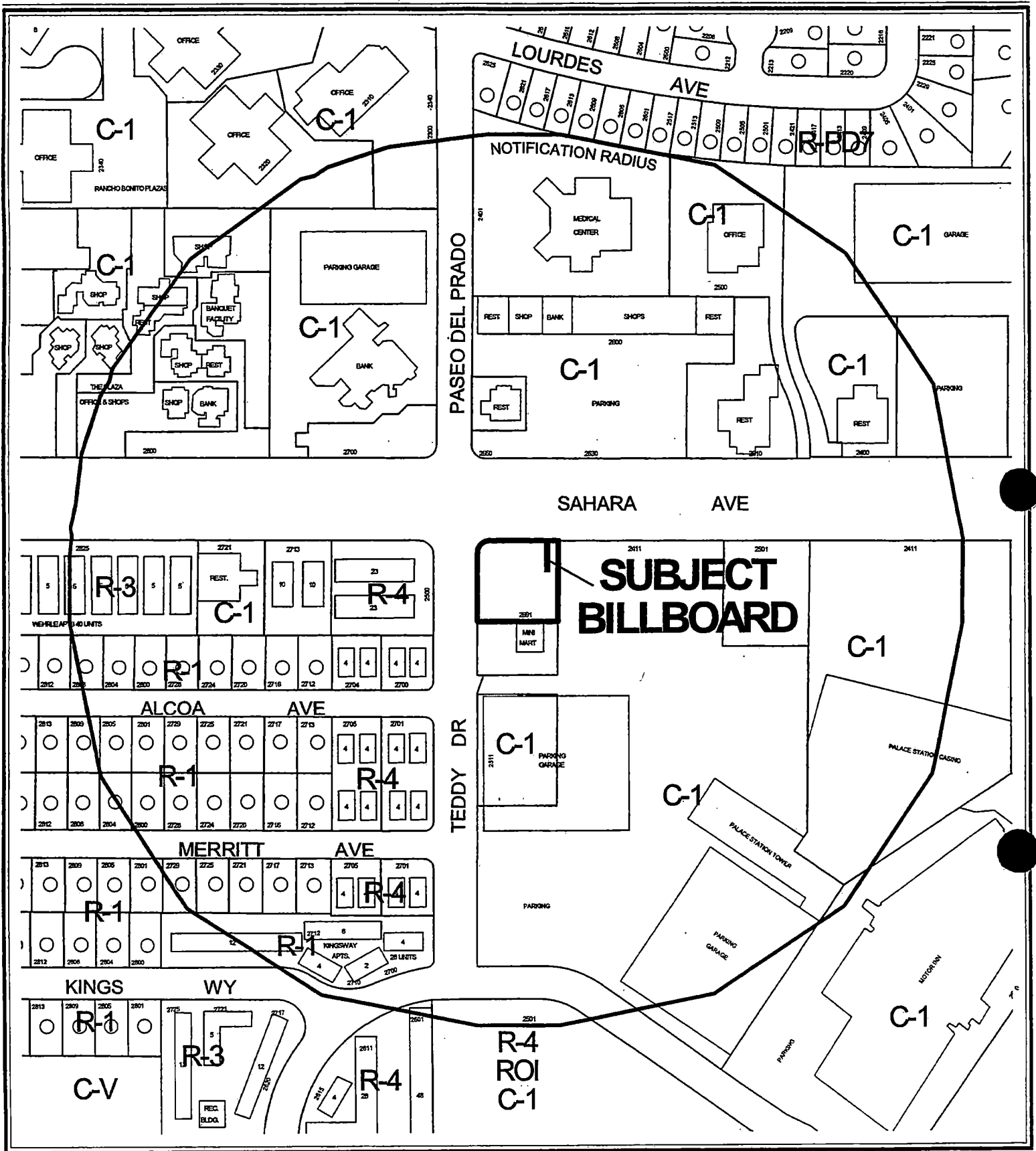
B-22. U-0141-94(2) - Page Four

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.

NOTICES MAILED 53

APPROVALS 0

PROTESTS 0



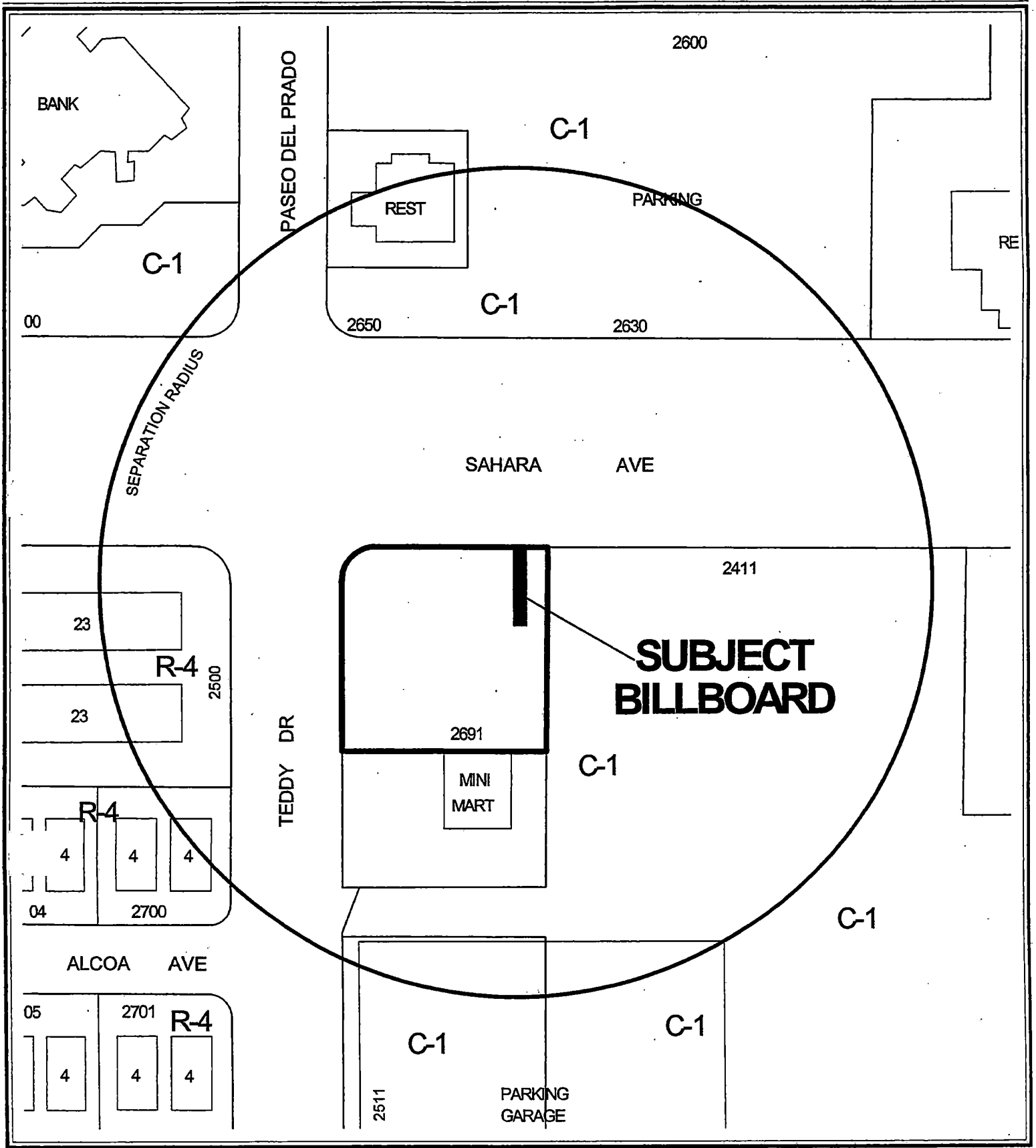
CASE: U-0141-94(2)

RADIUS: 750 FT

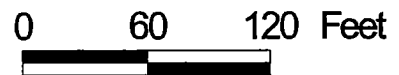
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

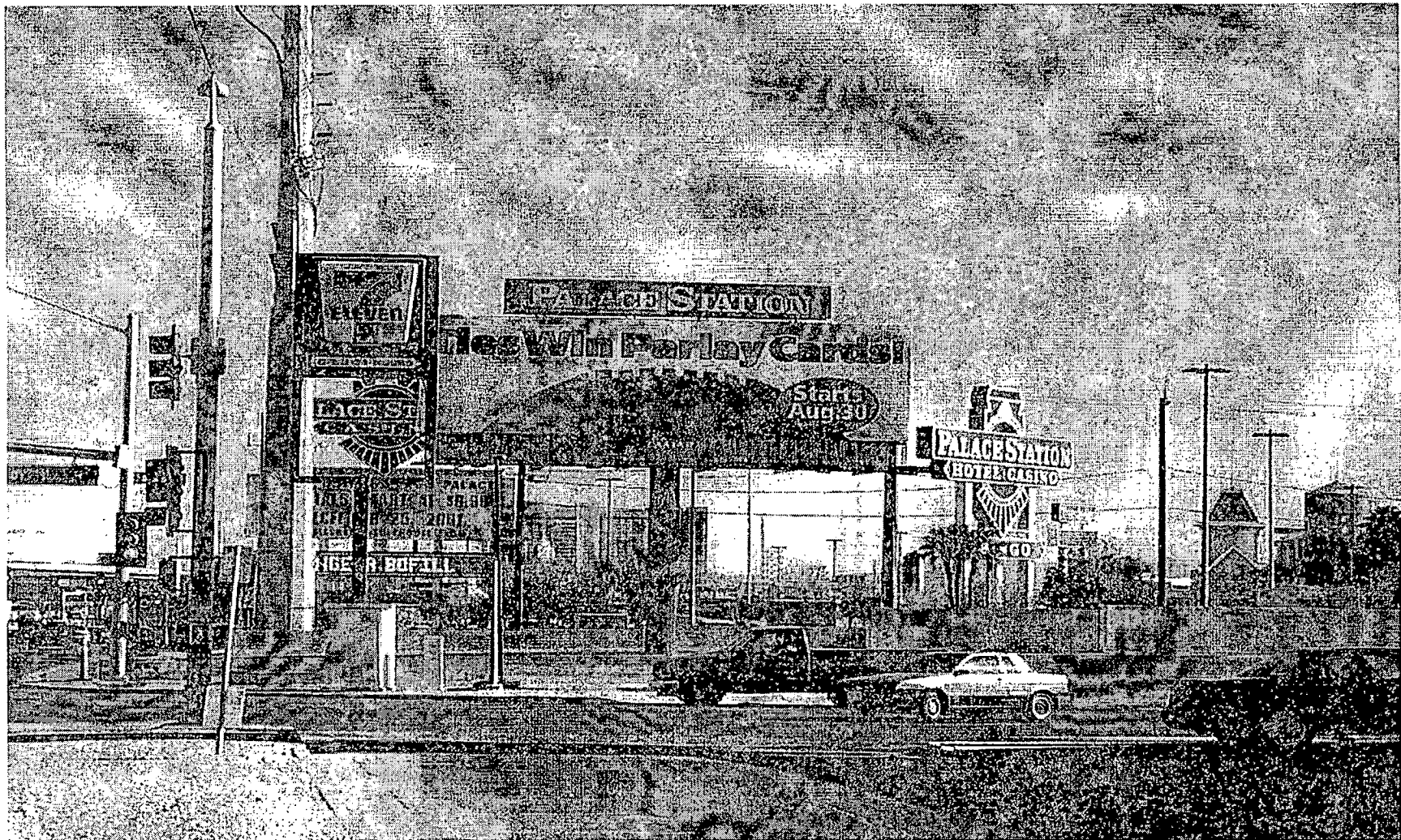
0 200 400 Feet





CASE: U-0141-94(2)
SEPARATION RADIUS: 300 FT





U-0141-94(2) - SOUTHLAND CORPORATION - LOCATED AT 2625 WEST SAHARA AVENUE
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0107-96(1) - YEHUDA GAT AND YEHUDA LEVY - Required Five Year Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - Motion carried with Galati and McSwain voting NO

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the continued off-premise advertising sign use on this site is appropriate in that the vicinity has not changed substantially in the last five years. Staff recommended approval, subject to the conditions.

KELLEEN COTA, Lamar Outdoor Advertising, 1863 Helm Drive, said she agrees with staff's conditions.

AL GALLEG0, Citizen of Las Vegas, appeared in protest. He was unable to see this sign. This area is changing and will be changing more with the widening of the freeway.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-23 - U-0107-96(1)

MINUTES - Continued:

TODD FARLOW, 240 North 19th Street, appeared in protest. He concurred with MR. GALLEGOS's remarks.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:42 - 9:45)

3 - 3420

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time 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 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.

JANUARY 10, 2002 PLANNING COMMISSION

- B-23. U-0107-96(1) - YEHUDA GAT AND YEHUDA LEVY - Required Five Year Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Required Five-Year Review on an approved Special Use Permit, which allowed a 14-foot by 48-foot off-premise advertising (billboard) sign located at 110 North Jones Boulevard (east of Jones Boulevard and north of the Oran K. Gragson Expressway).

BACKGROUND DATA

- 03/28/62 The City Council approved a Rezoning (Z-0014-62) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on the subject site as part of a larger request.
- 05/15/96 The City Council approved a Special Use Permit (U-0107-96) to allow a 50-foot high, 14-foot by 48-foot (672 sq. ft. each side) off-premise advertising (billboard) sign on this site, subject to a five-year review.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Commercial
South:	ROW (Right-of-Way)	Oran K. Gragson Expressway (U.S. 95)
East:	C-1 (Limited Commercial)	Commercial
West:	C-1 (Limited Estates) under ROI to R-3 (Medium Density Residential)	Commercial

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned C-1 (Limited Commercial). Staff finds the existing off-premise advertising (billboard) sign use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

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 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 or until the Oran K. Gragson Expressway (U.S. 95) is widened.

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."**

Section 19A.14.100 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 while the area immediately surrounding the subject site has not changed substantially in the past five years since the previous Special Use Permit review, billboards are not conducive to new development and are not an appropriate use in perpetuity. Therefore staff recommends this approval be subject to a two-year review.

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 sign use on this site the present time; however the projected widening of U.S. 95 will necessitate the eventual removal or relocation of the existing off-premise advertising (billboard) sign.

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 off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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 licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time 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 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.

NOTICES MAILED 139

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0107-96(1) APN: 138-25-404-003

Name of Property Owner: Yehuda Gat and Yehuda Levy

Name of Applicant: Lamar Outdoor Advertising

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): _____

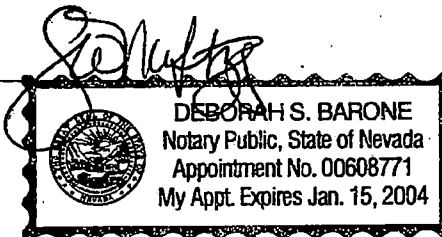
APN: _____

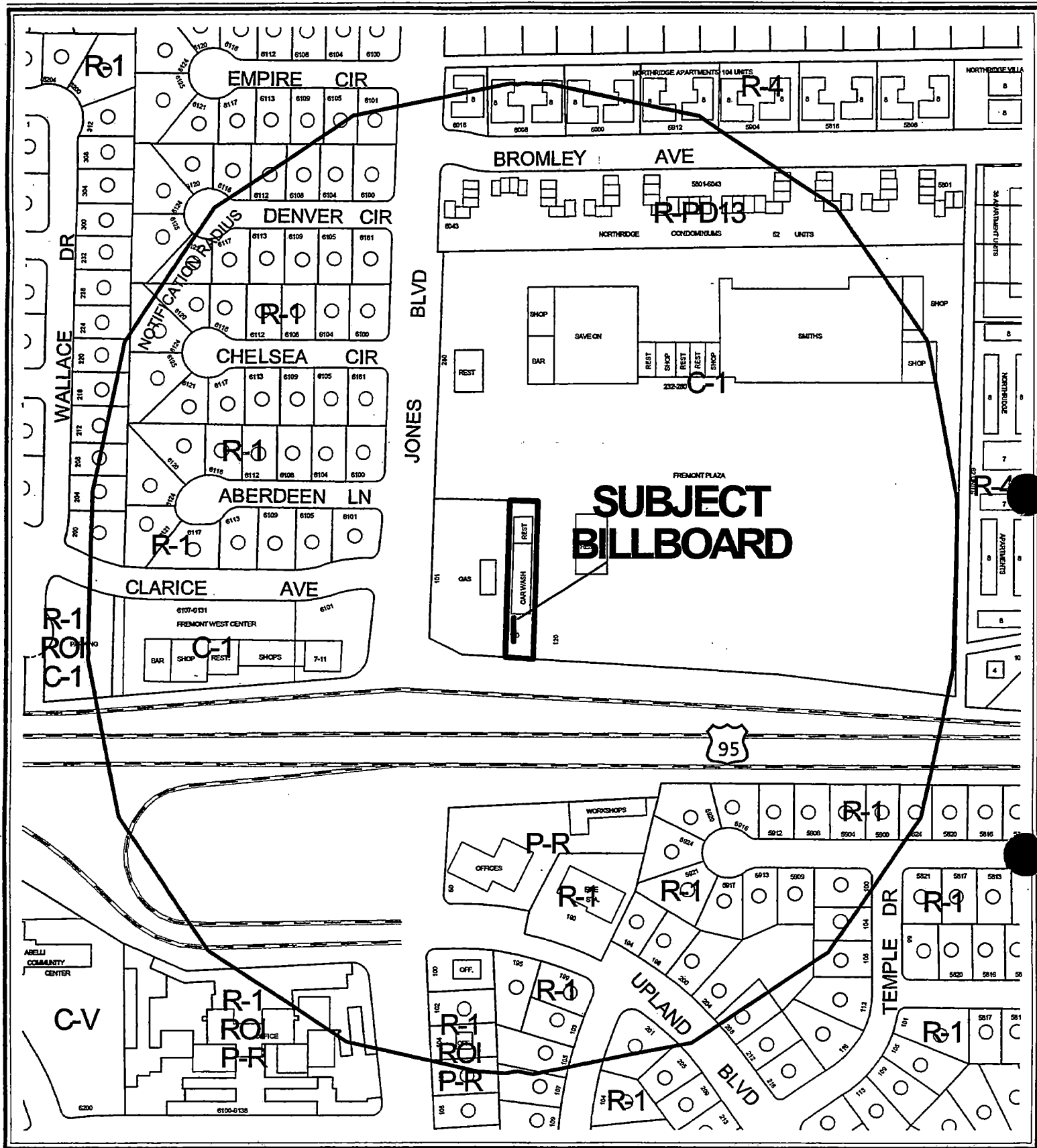
Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

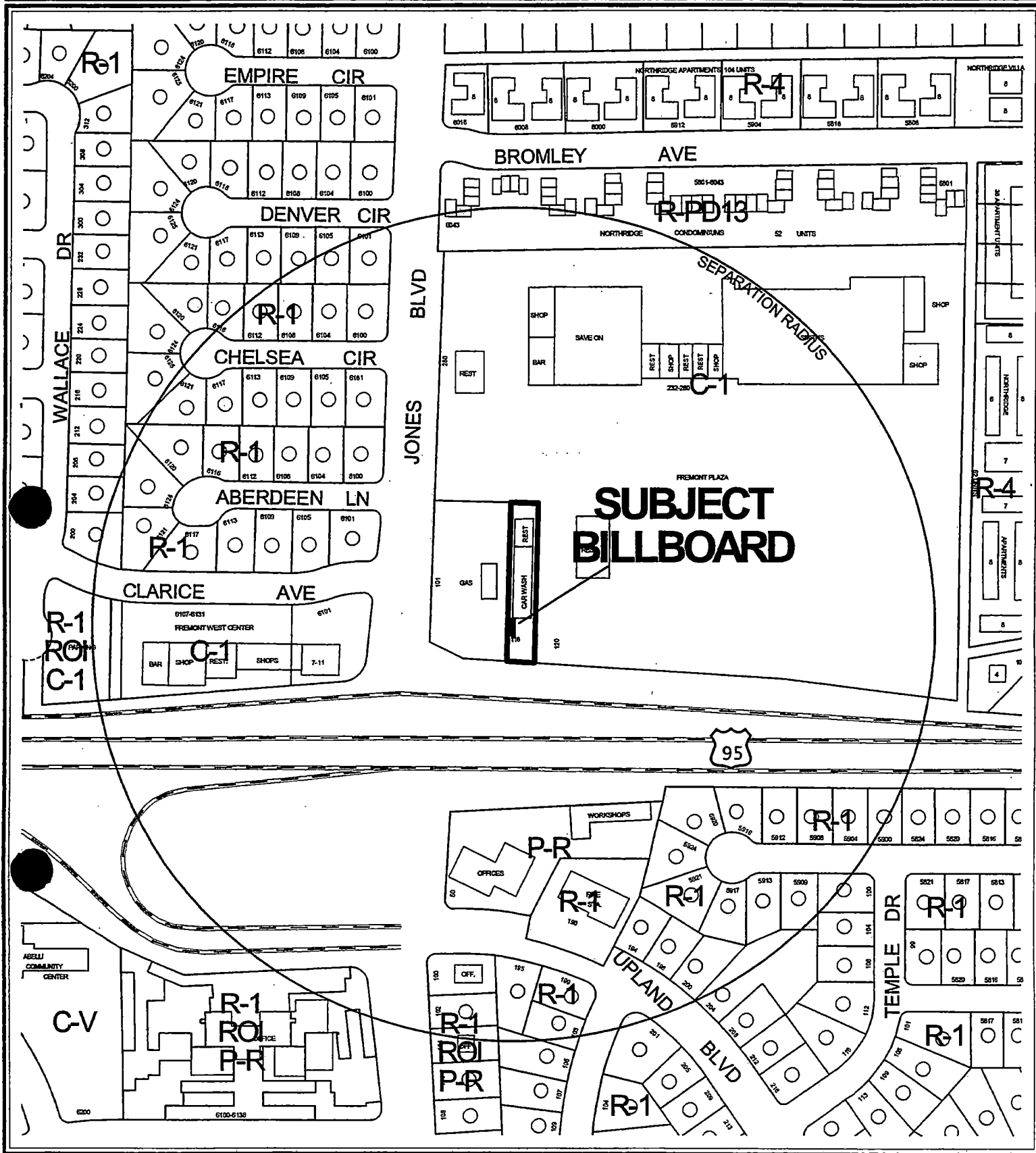
This 15th day of November, 2001

Levon E. Baine
Notary Public in and for said County and State
Clark, Nevada





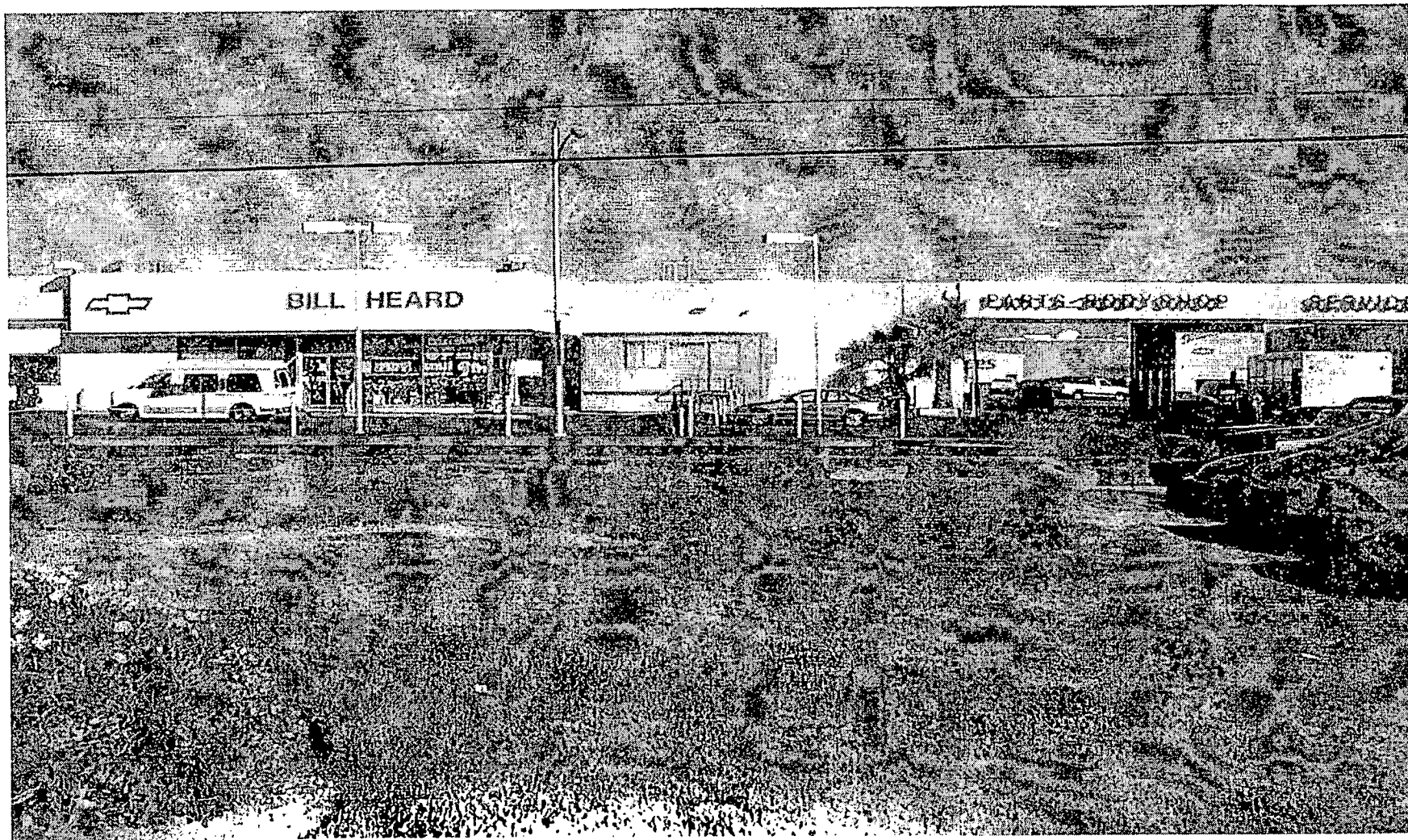
CASE: U-0107-96(1)
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: U-0107-96(1)
SEPARATION RADIUS: 750 FT

0 200 400 Feet





U-0107-96(1) - YEHUDA GAT AND YEHUDA LEVY - AT 110 NORTH JONES BOULEVARD
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0147-01 - SMK INC. ON BEHALF OF MNSNV LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A CONVENIENCE STORE (ABC STORE) located at 23 Fremont Street (APN: 139-34-111-037), C-2 (General Commercial) Zone, Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends abeyance to 1/24/2002.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Letters of Protest & Approval

MOTION:

TRUEDELL - ABEYANCE to the 1/24/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated due to a notification error, this item must be held in abeyance until the 1/24/2002 Planning Commission meeting.

MILES OLLIE, ABC Stores, 23 Fremont Street, appeared to represent the application. He concurred with having this item held in abeyance to the 1/24/2002 meeting.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-24 - U-0147-01

MINUTES - Continued:

CHAIRMAN GALATI declared the Public Hearing closed.

(6:10 - 6:12)

1 - 223

JANUARY 10, 2002 PLANNING COMMISSION

- B-24. U-0147-01 - SMK INC. ON BEHALF OF MNSNV LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A CONVENIENCE STORE (ABC STORE) located at 23 Fremont Street (APN: 139-34-111-037), C-2 (General Commercial) Zone, Ward 3 (Reese).

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF HAS REQUESTED TO HOLD THIS ITEM IN ABEYANCE UNTIL THE JANUARY 24, 2002 PLANNING COMMISSION MEETING TO ALLOW FOR A RENOTIFICATION.

APR



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0147-01 APN: 139-34-111-037

Name of Property Owner: SMK, INC.

Name of Applicant: MNSNV LLC dba ABC Stores

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?

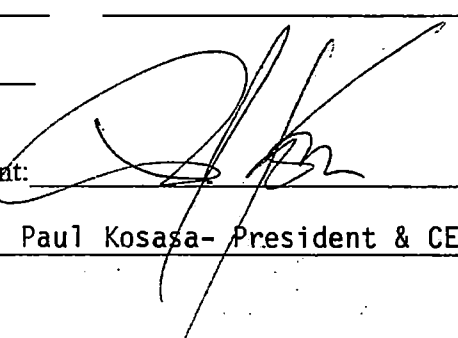
 Yes X No

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: n/a

Partner(s): n/a

APN: n/a

Signature of Property Owner/Authorized Agent: 

Print Name: Paul Kosasa- President & CEO

Subscribed and sworn before me

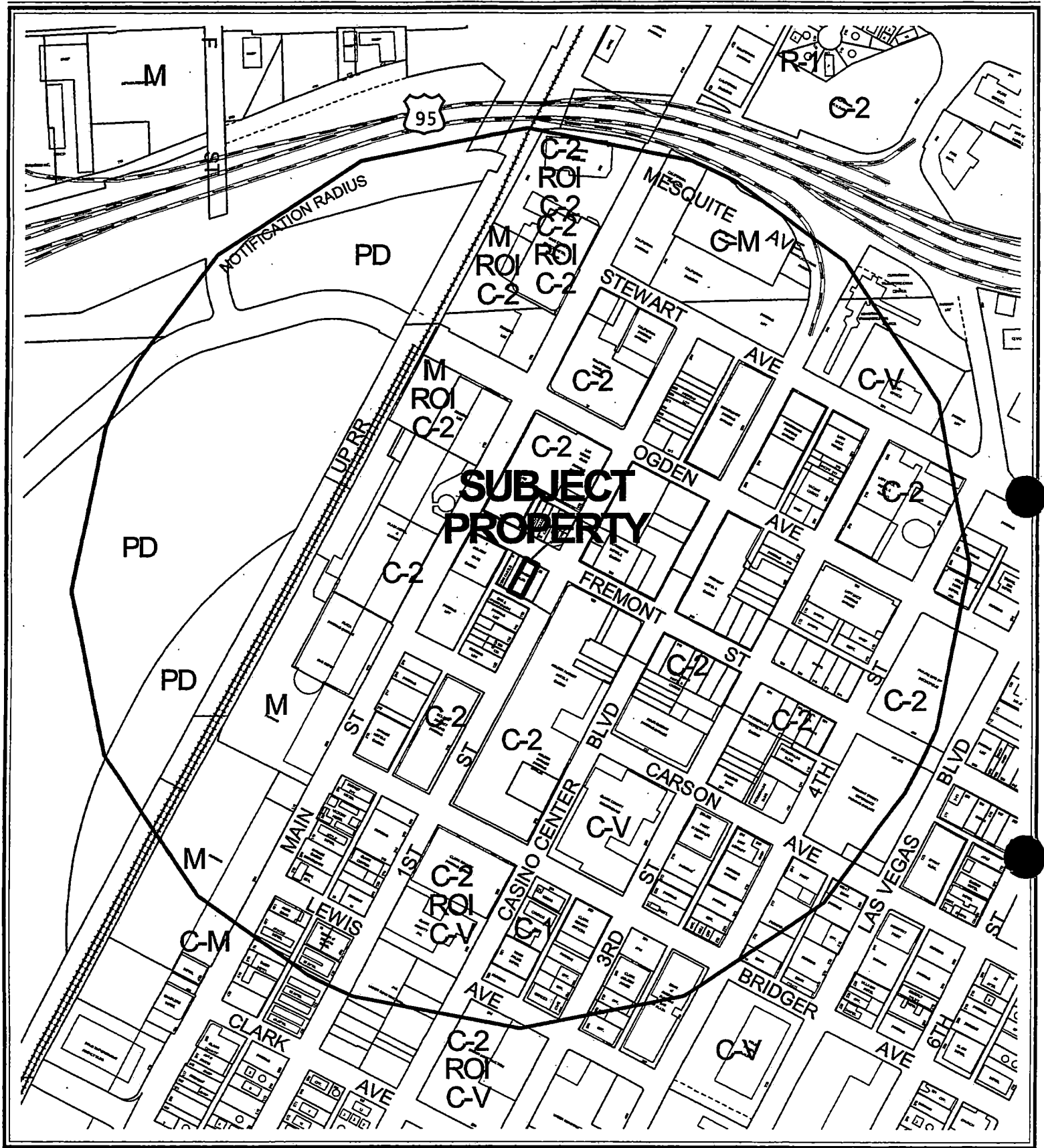
This 7th day of November, 2001

Cynthia P. Cerone
Notary Public in and for said County and State

Notary Public, State of Hawaii

My commission expires: 10/28/05

V.S.



CASE: U-0147-01

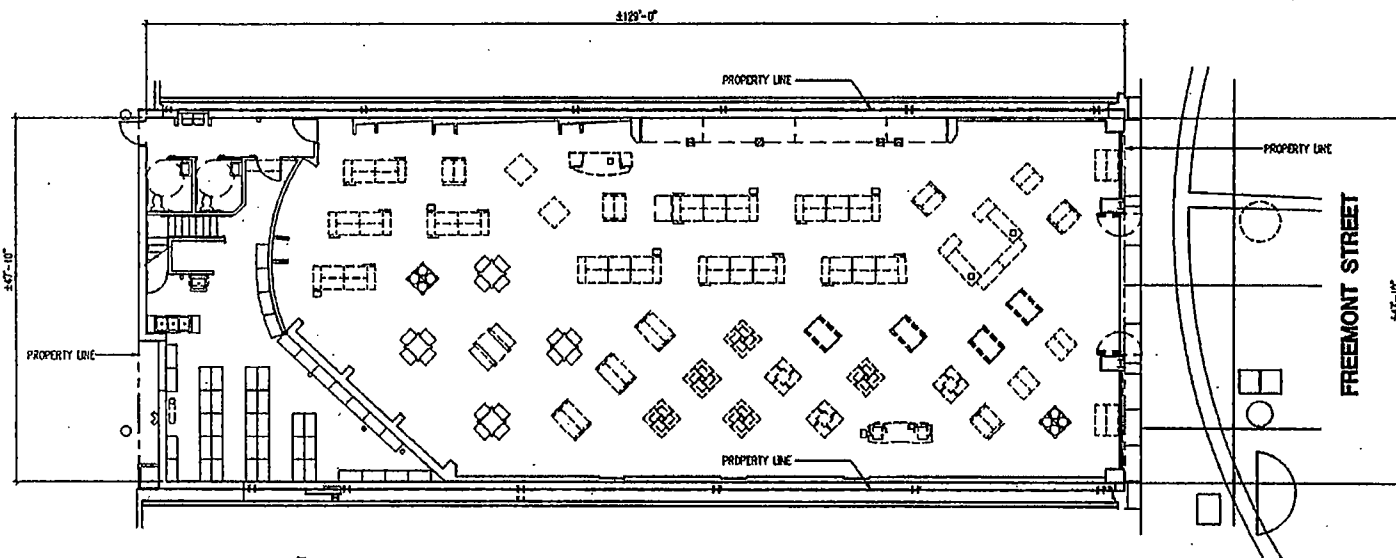
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 400 800 Feet







OTHER: 105161616 ABC STORES
708 KAHAKUA STREET
HONOLULU, HAWAII 96813

PROJECT LOCATION: 23 FREMONT STREET
LAS VEGAS, NV 89101

PARCEL NO: 139-34-111-037

LOT AREA: 0.14 ACRES

ZONE: C-2 - GENERAL COMMERCIAL

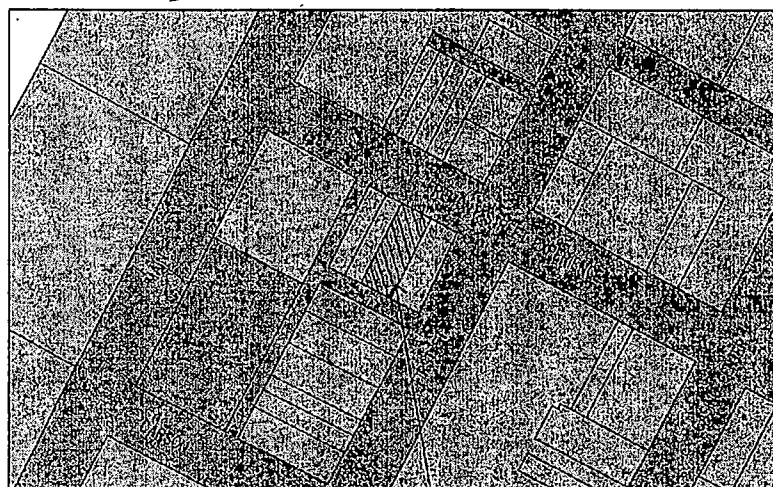
LAND USE: 325 - TOURIST COMMERCIAL

CODE: 1897 UIC

CODE INFORMATION: SQ. FT. TABULATIONS:
GROUND FLOOR - SF 6120
STORAGE - SF 683
TOTAL - SF 7003

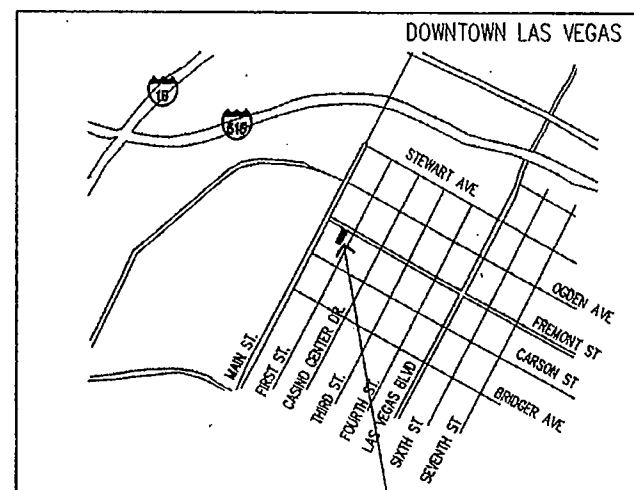
LEVEL: ONE-STORY EXISTING BUILDING W/ MEZZANINE STOR.
OCCUPANCY: M
CONSTRUCTION TYPE: V - M
SPRINKLERED: AUTOMATIC FIRE SPRINKLERED

SITE PLAN
1/16" = 1'-0"



VICINITY MAP

PROJECT SITE
23 FREMONT



LOCATION MAP

PROJECT SITE
23 FREMONT

ABC STORE NO. 101
LAS VEGAS, NEVADA
SITE PLAN

ABC STORE NO. 101
23 FREMONT STREET
LAS VEGAS, NEVADA 89101

Job No. 200810
Drawn by JAP
Check JULY 2001
Drawing No. A10

STAFF

U-0147-01
1-10-02 PC

**BOYD GAMING**
CORPORATIONCarole
Bob

January 7, 2002

The Honorable Oscar B. Goodman
Mayor of the City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Via Facsimile 385-7960

RE: SMK Inc. on Behalf of MNSNV Limited Liability Company - U-0147-01
Special Use Permit: ABC Store

U-0147-01 - P

Dear Mayor Goodman:

I have just become aware of an application by SMK, Inc. on Behalf of MNSNV Limited Liability Company for a special use permit to allow the sale of packaged liquor at the ABC Store located at 23 Fremont Street. The special use permit being sought would allow for the off premise consumption of beer and wine. As a Board Member of the Fremont Street Experience and on behalf of our three hotel/casinos located within the downtown area of the City of Las Vegas, I object to the issuance of a special use permit for the off premises sale of beer and wine at this location.

As the store is located within the boundaries of the Fremont Street Experience Pedestrian Mall, it is highly likely that individuals who would purchase beer and wine at this location would consume it on the Fremont Street Experience. There are already many places for individuals to buy alcohol in or surrounding the Fremont Street Experience. Increasing the sales of beer and wine within the vicinity of the Mall may contribute to adverse affects, which would threaten the image, character and high quality of environment that the downtown hotel/casino properties, along with the Fremont Street Experience, have worked so hard to attain.

The image, quality and character of the downtown area have continued to improve as a result of the Mall. The investment made into the area by the ABC Store and the developers of the Neonopolis project attest to these facts. Our company also has invested tens of millions of dollars in improvements to our properties over and above the yearly commitment for operating expenses of the Fremont Street Experience to provide a safe, clean, and friendly environment for guests to our City.

We respectfully request that the City Council of Las Vegas deny the application for a special use permit at the ABC Store located at 23 Fremont Street. Our position supports the overall objectives established for this area, which is to protect the public welfare, health, and safety of guests to the downtown area.

Sincerely,

Donald D. Snyder
President



January 3, 2002

Mayor Oscar B. Goodman
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

U-0147-01
p

Re: SMK Inc. on Behalf of MNSNV Limited Liability Company U-0147-01
Special Use Permit: Packaged Liquor

Dear Mayor Goodman,

The Fremont Street Experience has received notification of a request by SMK Inc. on Behalf of MNSNV Limited Liability Company for a special use permit for the sale of beer and wine for off-premise consumption in conjunction with the ABC Store located at 23 Fremont Street. This convenience store is located within the boundaries of the Fremont Street Experience Pedestrian Mall. I have met with representatives of the ABC Store and have discussed the position of the Fremont Street Experience regarding the sale of beer and wine for off-premise consumption at the ABC Store. At these meetings and in follow up correspondence, copies enclosed, the position of the Fremont Street Experience was clear concerning packaged liquor sales by businesses located within the Mall or within close proximity to the Mall. The Fremont Street Experience Limited Liability Company and its member properties object to the issuance of a special use permit for the off premise consumption of beer and wine. This application is for a location adjacent to a business denied a similar special use permit in October, 1998.

Our position has not changed. The Fremont Street Experience respectfully requests that the City of Las Vegas deny the application for the sale of beer and wine for off-premise consumption at the ABC Store located at 23 Fremont Street.

I am available to meet with you or members of your staff regarding this issue at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Mark Paris".

Mark Paris
President and Chief Executive Officer

cc: Mayor Pro Tem Gary Reese, City of Las Vegas
Councilman Lawrence Weekly, City of Las Vegas
Councilwoman Lynette Boggs McDonald, City of Las Vegas
Councilman Larry Brown, City of Las Vegas
Councilman Michael J. McDonald, City of Las Vegas
Councilman Michael Mack, City of Las Vegas
Craig Galati, Chairman, City of Las Vegas Planning Commission
Richard Truesdell, Co-Chairman, City of Las Vegas Planning Commission
Robert S. Genzer, Director, Planning & Development, City of Las Vegas
Virginia Valentine, City Manager, City of Las Vegas
Brad Jerbic, City Attorney, City of Las Vegas



BOYD GAMING
CORPORATION

Bob
Chris G.
V. Kline

January 4, 2002

City of Las Vegas
Robert S. Genzer
Director, Planning & Dev.
731 S. Fourth Street
Las Vegas, NV 89101

U-0147-01
P

Re: SMK Inc. on Behalf of MNSNV Limited Liability Company – U-0147-01
Special Use Permit: ABC Store

Dear Director Genzer,

The California Hotel & Casino, Fremont Hotel & Casino and Main Street Station Hotel, Casino & Brewery have received notification of an application by SMK, Inc. on Behalf of MNSNV Limited Liability Company for a special use permit to allow the sale of packaged liquor at the ABC Store located at 23 Fremont Street. The special use permit being sought would allow for the off premise consumption of beer and wine. As a Board Member of the Fremont Street Experience and as businesses located within the downtown area of the City of Las Vegas, we object to the issuance of a special use permit for the off premises sale of beer and wine at this location.

As the store is located within the boundaries of the Fremont Street Experience Pedestrian Mall, it is highly likely that individuals who would purchase beer and wine at this location would consume it on the Fremont Street Experience. There are already many places for individuals to buy alcohol in or surrounding the Fremont Street Experience. Increasing the sales of beer and wine within the vicinity of the Mall may contribute to adverse affects, which would threaten the image, character and high quality of environment that the downtown hotel/casino properties along with the Fremont Street Experience have worked so hard to attain.

The image, quality and character of the downtown area have continued to improve as a result of the Mall. The investment made into the area by the ABC Store and the developers of the Neonopolis project attest to these facts. Our company, Boyd Gaming Corporation, also has invested nearly \$75 Million in improvements to our three downtown properties, over and above the yearly commitment for operating expenses of the Fremont Street Experience to provide a safe, clean, and friendly environment for guests to our City.

We respectfully request that the City Council of Las Vegas deny the application for a special use permit at the ABC Store located at 23 Fremont Street. Our position supports the overall objectives established for this area, which is to protect the public welfare, health, and safety of guests to the downtown area.

Sincerely,


Steve Thompson
Sr. Vice President
Director of Operations
Downtown Region

The Campbell Company,

Public Affairs Consulting

Robert E. Campbell

March 12, 2001

HAND DELIVER

Mr. Mark Paris, President/CEO
Fremont Street Experience
425 Fremont
Las Vegas, Nevada

4-0147-01
A

Re: ABC Store (Mister K Stores)
23 Fremont Street

Dear Mark

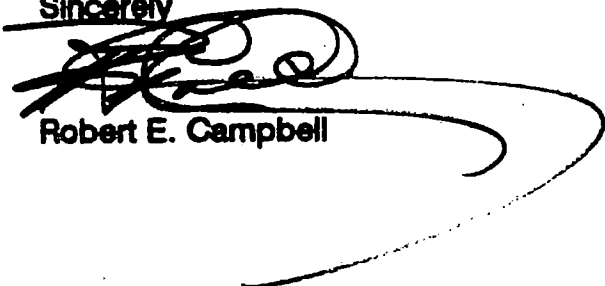
My client, ABC Stores, is a Honolulu based company with over sixty full merchandise stores. They have an excellent reputation in the areas where they do business, and average \$1,500 to \$7,000 in sales per square foot. Carrying over 10,000 items, they cater to the Hawaiian and Japanese clientele with stores that are exceptionally well decorated.

In purchasing 23 Fremont Street, they have an investment commitment of close to eight million dollars, and are hoping to open this summer. Given the increasing foreign tourists from Japan, together with the traditionally strong Hawaiian market, they should be a real asset to the Fremont Street area.

While package liquor and wine sales are a fairly small percentage of their gross, approximately 6 to 8%, they are an important element given the wide ranging nature of goods within the store. In the case of the Fremont store, they anticipate eight feet of shelf space for chilled beer and wine, and twelve feet for wine and spirits.

I personally believe this store will be an asset to Fremont Street, and we hope that you see fit to support their investment.

Sincerely



Robert E. Campbell

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0148-01 - BECKER & SONS L.L.C. ON BEHALF OF KIATTIPOL KITTISOROS - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (PIN KAOW) at 1974 North Rainbow Boulevard (APN: 138-23-301-002), C-1 (Limited Commercial), Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's conditions - Motion carried with BUCKLEY, TRUESDELL and McSWAIN abstaining as Becker & Sons is a client of their firms.

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the Zoning Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City park. In this case, there is no protected use known to be within the minimum distance requirement. The restaurant service bar can be conducted in a manner that is harmonious and compatible with development in the area. Staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-25 - U-0148-01

MINUTES - Continued:

KIATTIPOL KITTISOROS, 1974 North Rainbow Boulevard, said he concurs with staff's conditions.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:45 - 9:47)

3 - 3559

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.
5. All City Code requirements and design standards of all City departments must be satisfied.

JANUARY 10, 2002 PLANNING COMMISSION

- B-25. U-0148-01 - BECKER & SONS L.L.C. ON BEHALF OF KIATTIPOL KITTISOROS - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (PIN KAOW) at 1974 North Rainbow Boulevard (APN: 138-23-301-002), C-1 (Limited Commercial), Ward 5 (Weekly).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for a Special Use Permit for the sale of beer and wine in conjunction with an existing restaurant (Pin Kaow), located at 1974 North Rainbow Boulevard in the Lake Mead Plaza shopping center (southeast corner of Rainbow and Lake Mead Boulevards). The applicant's justification letter states customers are requesting beer and wine with their meals.

BACKGROUND DATA

- 10/03/84 The City Council approved a Rezoning (Z-0042-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject property as part of a larger request.
- 10/12/89 The Planning Commission approved a Plot Plan/Building Elevation Review [Z-0042-84(4)] for the subject shopping center.
- 04/03/91 The City Council approved a Special Use Permit (U-0274-90) to allow the sale of beer and wine for off-premise consumption in conjunction with a proposed convenience store and a tavern in conjunction with a proposed restaurant within the subject shopping center, including a waiver to allow the tavern to be closer than 1500 feet to an existing church.
- 12/16/91 A building permit (#9112943) for a Tenant Improvement to an existing commercial building was issued for the subject restaurant.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Commercial
South:	C-1 (Limited Commercial)	Commercial Restaurant
East:	R-CL (Single Family Compact-Lot)	Single-Family Residential
West:	U (Undeveloped) under ROI to C-1 (Limited Commercial)	Commercial Restaurant

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed Restaurant Service Bar is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case there is no protected use known to be within the minimum distance requirement. Staff finds the proposed restaurant service bar can be conducted in a manner that is harmonious and compatible with the development in the area and recommends approval of this request.

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 restaurant service bar for the sale of beer and wine for on-premise consumption will be an accessory use to the existing restaurant. The proposed use will not adversely affect the current or future surrounding uses.

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

Staff finds the proposed restaurant service bar is a less intense use than the tavern located within this commercial center and that the proposed use will be located in an existing restaurant and will not change the physical characteristics of the 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 this use will generate little, if any, additional traffic. Lake Mead Boulevard (a 100-foot wide Primary Arterial) and Rainbow Boulevard (an 80-foot wide Secondary Collector) provide adequate access to this site.

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

Staff finds that the proposed restaurant service bar on this site will be subject to regular inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.

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

NOTICES MAILED 659

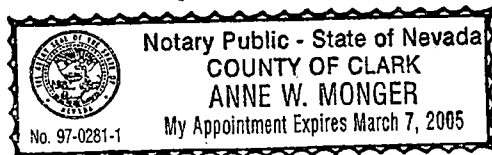
APPROVALS 0

PROTESTS 0

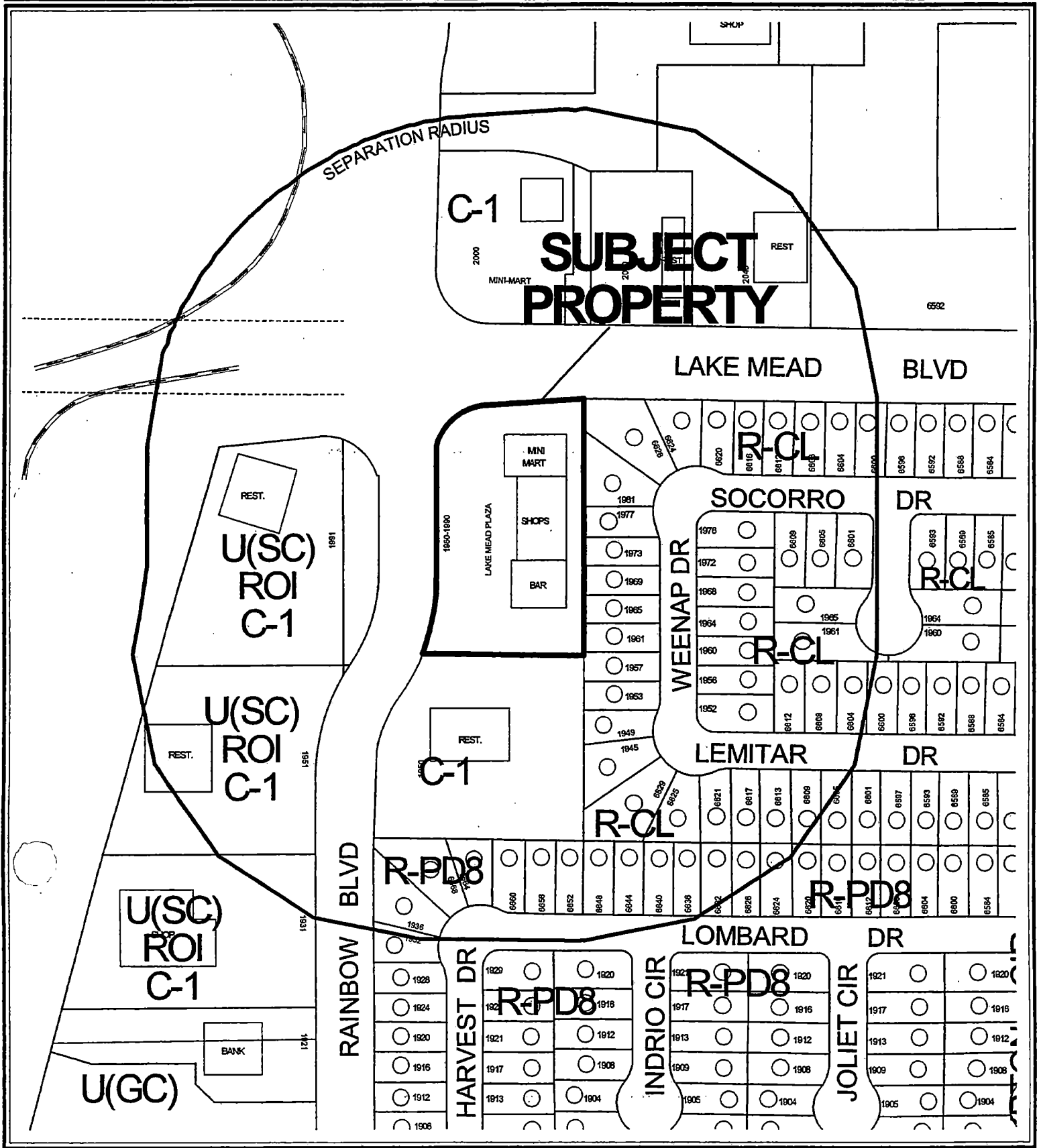


Case Number: U-148-01 APN: 138-23-301-002
Name of Property Owner: BECKER & SONS, L.L.C.
Name of Applicant: KIATTIPOL KITTISOROS

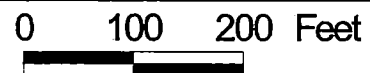
 Yes x No







CASE: U-0148-01
 SEPARATION RADIUS: 400 FT



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

1-10-02 PC

U-0148-01

CONSULTING ENGINEERS - PLANNERS

RECTOR ARONS
CITY OF LAS VEGAS

PRELIM GRADING PLAN

LAKE HEAD PLAZA

NO. 100, 0010
BY: WLE/HF
DATE: FEB. 1991
SCALE: 1"=20'

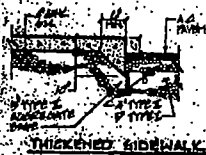
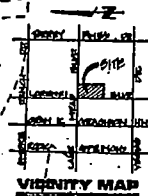
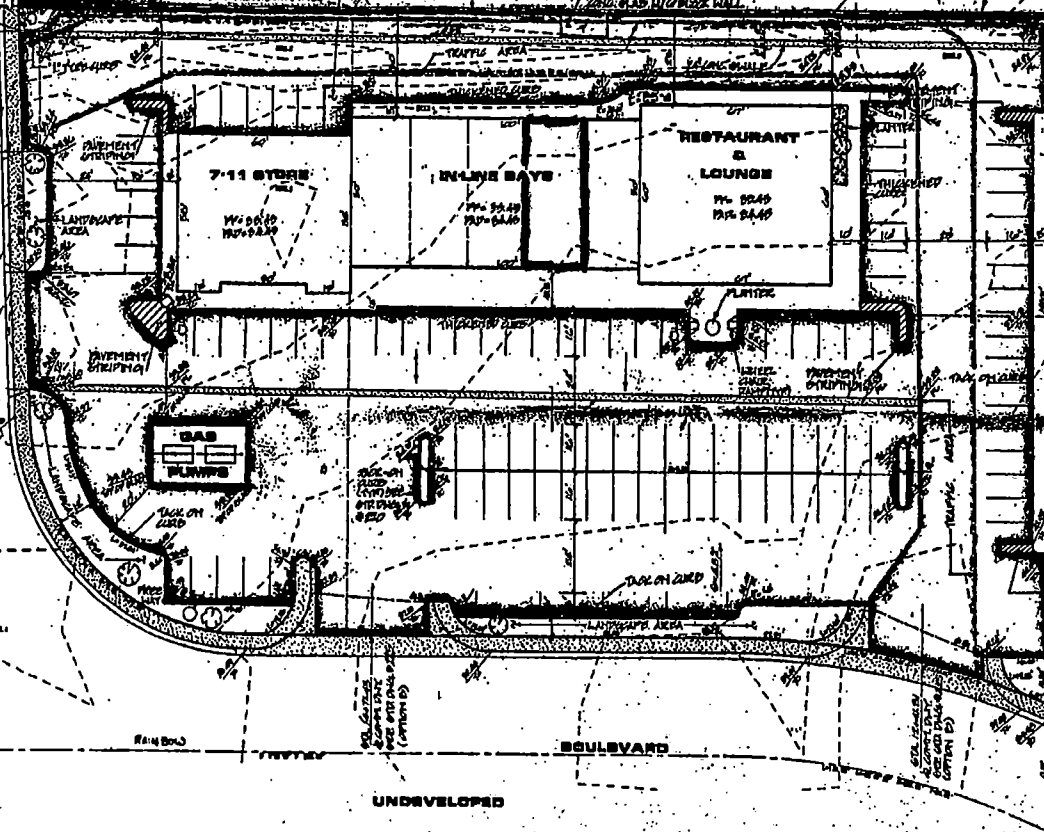


NOTE: IF BLOCK WALL IS NOT EXIST AT TIME OF CONSTRUCTION, THAT IT WILL BE CONSTRUCTED WITH THIS PROJECT.

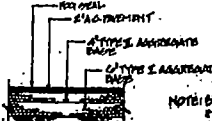
USED TRASH ENCLOSURE
FINISH FLOOR ELEVATION 4' TYPE D
WALL TO HIGH BUILDING

METROPOLITAN'S FIRST COLONY NORTH

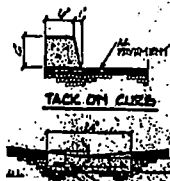
USED TRASH ENCLOSURE
FINISH FLOOR ELEVATION 4' TYPE D
WALL TO HIGH BUILDING



BENCHMARK
NOTE: 1"=20' ALUMINUM PLATE IN TOP OF 4" DIA. CONCRETE CINDER OR SPERRY PIERCE 1" DIA. LAGGED BOLT. HAVE ALL OF BENCH MARK PLANNED.



PARKING AREA DRAINAGE SECTION



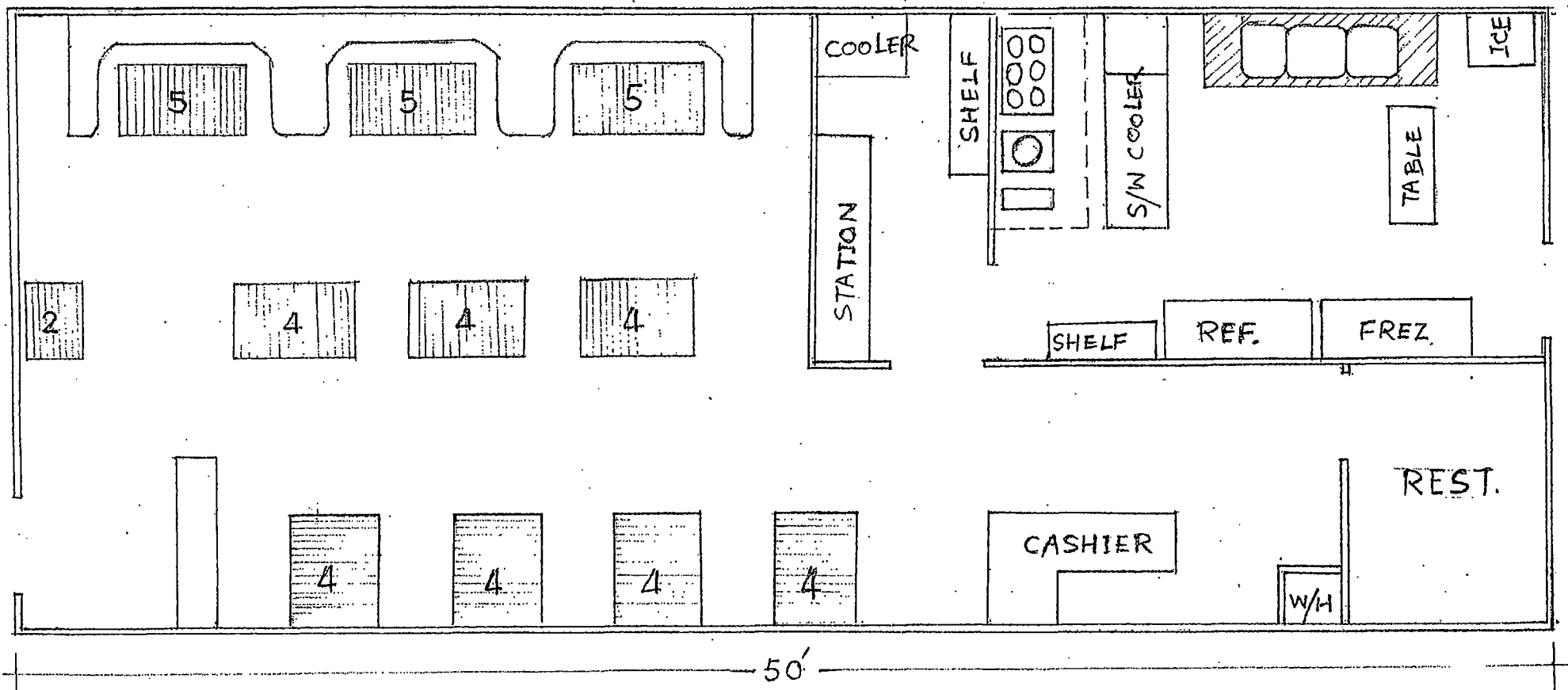
TACK ON CURB

NO.	DESCRIPTION	QTY
1	1" DIA. LAGGED BOLT	100
2	4" DIA. CONCRETE CINDER	100
3	1" DIA. ALUMINUM PLATE	100
4	1" DIA. LAGGED BOLT	100
5	4" DIA. CONCRETE CINDER	100
6	1" DIA. ALUMINUM PLATE	100
7	1" DIA. LAGGED BOLT	100
8	4" DIA. CONCRETE CINDER	100
9	1" DIA. ALUMINUM PLATE	100
10	1" DIA. LAGGED BOLT	100
11	4" DIA. CONCRETE CINDER	100
12	1" DIA. ALUMINUM PLATE	100
13	1" DIA. LAGGED BOLT	100
14	4" DIA. CONCRETE CINDER	100
15	1" DIA. ALUMINUM PLATE	100
16	1" DIA. LAGGED BOLT	100
17	4" DIA. CONCRETE CINDER	100
18	1" DIA. ALUMINUM PLATE	100
19	1" DIA. LAGGED BOLT	100
20	4" DIA. CONCRETE CINDER	100
21	1" DIA. ALUMINUM PLATE	100
22	1" DIA. LAGGED BOLT	100
23	4" DIA. CONCRETE CINDER	100
24	1" DIA. ALUMINUM PLATE	100
25	1" DIA. LAGGED BOLT	100
26	4" DIA. CONCRETE CINDER	100
27	1" DIA. ALUMINUM PLATE	100
28	1" DIA. LAGGED BOLT	100
29	4" DIA. CONCRETE CINDER	100
30	1" DIA. ALUMINUM PLATE	100
31	1" DIA. LAGGED BOLT	100
32	4" DIA. CONCRETE CINDER	100
33	1" DIA. ALUMINUM PLATE	100
34	1" DIA. LAGGED BOLT	100
35	4" DIA. CONCRETE CINDER	100
36	1" DIA. ALUMINUM PLATE	100
37	1" DIA. LAGGED BOLT	100
38	4" DIA. CONCRETE CINDER	100
39	1" DIA. ALUMINUM PLATE	100
40	1" DIA. LAGGED BOLT	100
41	4" DIA. CONCRETE CINDER	100
42	1" DIA. ALUMINUM PLATE	100
43	1" DIA. LAGGED BOLT	100
44	4" DIA. CONCRETE CINDER	100
45	1" DIA. ALUMINUM PLATE	100
46	1" DIA. LAGGED BOLT	100
47	4" DIA. CONCRETE CINDER	100
48	1" DIA. ALUMINUM PLATE	100
49	1" DIA. LAGGED BOLT	100
50	4" DIA. CONCRETE CINDER	100
51	1" DIA. ALUMINUM PLATE	100
52	1" DIA. LAGGED BOLT	100
53	4" DIA. CONCRETE CINDER	100
54	1" DIA. ALUMINUM PLATE	100
55	1" DIA. LAGGED BOLT	100
56	4" DIA. CONCRETE CINDER	100
57	1" DIA. ALUMINUM PLATE	100
58	1" DIA. LAGGED BOLT	100
59	4" DIA. CONCRETE CINDER	100
60	1" DIA. ALUMINUM PLATE	100
61	1" DIA. LAGGED BOLT	100
62	4" DIA. CONCRETE CINDER	100
63	1" DIA. ALUMINUM PLATE	100
64	1" DIA. LAGGED BOLT	100
65	4" DIA. CONCRETE CINDER	100
66	1" DIA. ALUMINUM PLATE	100
67	1" DIA. LAGGED BOLT	100
68	4" DIA. CONCRETE CINDER	100
69	1" DIA. ALUMINUM PLATE	100
70	1" DIA. LAGGED BOLT	100
71	4" DIA. CONCRETE CINDER	100
72	1" DIA. ALUMINUM PLATE	100
73	1" DIA. LAGGED BOLT	100
74	4" DIA. CONCRETE CINDER	100
75	1" DIA. ALUMINUM PLATE	100
76	1" DIA. LAGGED BOLT	100
77	4" DIA. CONCRETE CINDER	100
78	1" DIA. ALUMINUM PLATE	100
79	1" DIA. LAGGED BOLT	100
80	4" DIA. CONCRETE CINDER	100
81	1" DIA. ALUMINUM PLATE	100
82	1" DIA. LAGGED BOLT	100
83	4" DIA. CONCRETE CINDER	100
84	1" DIA. ALUMINUM PLATE	100
85	1" DIA. LAGGED BOLT	100
86	4" DIA. CONCRETE CINDER	100
87	1" DIA. ALUMINUM PLATE	100
88	1" DIA. LAGGED BOLT	100
89	4" DIA. CONCRETE CINDER	100
90	1" DIA. ALUMINUM PLATE	100
91	1" DIA. LAGGED BOLT	100
92	4" DIA. CONCRETE CINDER	100
93	1" DIA. ALUMINUM PLATE	100
94	1" DIA. LAGGED BOLT	100
95	4" DIA. CONCRETE CINDER	100
96	1" DIA. ALUMINUM PLATE	100
97	1" DIA. LAGGED BOLT	100
98	4" DIA. CONCRETE CINDER	100
99	1" DIA. ALUMINUM PLATE	100
100	1" DIA. LAGGED BOLT	100

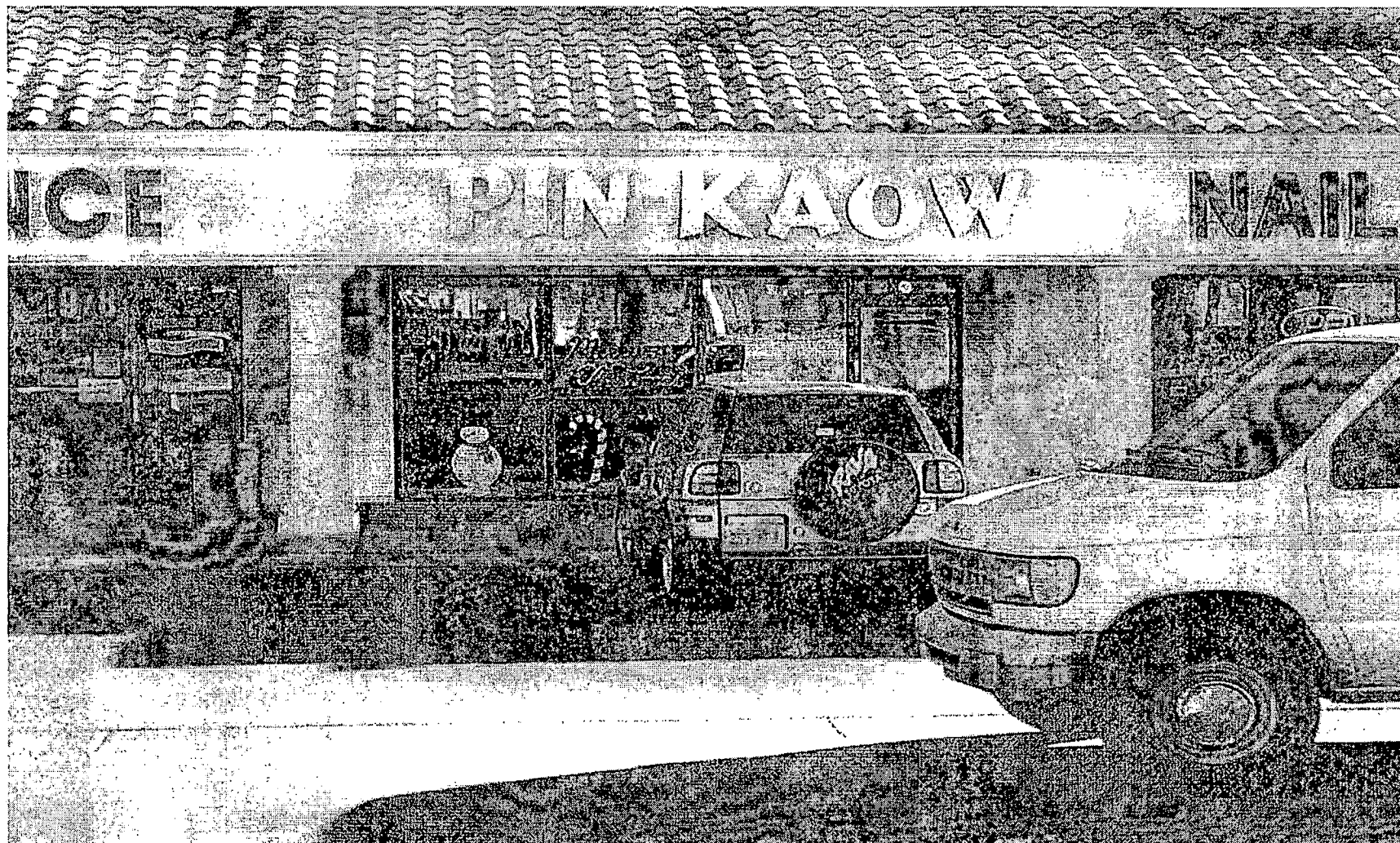
REMARKS:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO EXTERIOR UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO INTERIOR UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO TOP UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO BOTTOM UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO MIDDLE UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.

PIN KACV

1974 N.RAINBOW NV. 89108



1-10-02 PC
U-0148-01



U-0148-01 - BECKER & SONS L.L.C. ON BEHALF OF KIATTIPOL KITTISOROS - NORTH RAINBOW
BOULEVARD
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0149-01 - JOHN AND SALLY BEDOTTO 1995 LIVING TRUST - Request for a Special Use Permit FOR A GUEST HOUSE/CASITA WITH MORE THAN ONE OCCUPANT ROOM AND TO ALLOW THE GUEST HOUSE TO BE SIX FEET FROM THE PRINCIPAL DWELLING WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 7433 Silver Palm Avenue (APN: 163-03-210-040), R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 1 (M. McDonald)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letter in Support - Not Available

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant is proposing a guest house behind the existing dwelling. It will include a game room, gym, guest bedroom and bathroom.

The elevations depict a stucco exterior with a concrete tile roof, which matches the existing dwelling.

The applicant has submitted three letters in support from homeowners within the subdivision.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-26 - U-0149-01

MINUTES - Continued:

The Zoning Code stated that prior to the adoption of Title 19A, guest houses were allowed to be six feet from the principal house and there was no limit on the number of occupant rooms. There are four guest houses in this subdivision which were built under the previous code and this guest house would be allowed under the previous code. Staff recommended approval, subject to the conditions.

BOB SHERMAN, Sherman Architecture, 2701 Crimson Canyon Drive, Suite 120, appeared to represent the applicants. He concurred with staff's conditions.

AL GALLEG0, Citizen of Las Vegas, said casitas do not have a gym.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:48 - 9:50)

3 - 3740

CONDITIONS:

Planning and Development

1. Conformance to the remaining requirements of Title 19A.04.040 for a guest house use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied.

JANUARY 10, 2002 PLANNING COMMISSION

- B-26. U-0149-01 - JOHN AND SALLY BEDOTTO 1995 LIVING TRUST - Request for a Special Use Permit FOR A GUEST HOUSE/CASITA WITH MORE THAN ONE OCCUPANT ROOM AND TO ALLOW THE GUEST HOUSE TO BE SIX FEET FROM THE PRINCIPAL DWELLING WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 7433 Silver Palm Avenue (APN: 163-03-210-040), R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 1 (M. McDonald).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Special Use Permit for a guest house with more than one occupant room and to allow the guest house to be six feet from the principal dwelling where 10 feet is the minimum setback required on property located at 7433 Silver Palm Avenue.

The applicant has submitted three letters expressing support for this application from home owners within this subdivision.

Lot Size	0.49 acres
Existing House Size	3,955 Square Feet
Guest House Building Area	1,432 Square Feet

The applicant proposes to construct a guest house behind the existing dwelling. The guest house will include a game room, gym, guest bedroom and bathroom. The elevations for the structure depict a stucco exterior with a concrete tile roof which matches the existing dwelling.

BACKGROUND DATA

09/07/88 The City Council approved a rezoning of this site to R-PD2 (Residential Planned Development, 2 units per acre) (Z-0072-88). Condition number 4 of that approval required that the R-E (Residence Estates) zoning district standards for accessory uses shall apply to this property

APR

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-PD2 (Residential Planned Development, 2 Units per Acre)	Single Family Dwelling
South:	R-PD2 (Residential Planned Development, 2 Units per Acre)	Single Family Dwelling
East:	R-PD2 (Residential Planned Development, 2 Units per Acre)	Single Family Dwelling
West:	R-PD2 (Residential Planned Development, 2 Units per Acre)	Single Family Dwelling

ANALYSIS & FINDINGS

ZONING

Staff finds a Guest House/Casita is permitted in the R-E (Residence Estates) zoning district as a conditional use (Section 19A.04.040), and that guest houses within the R-PD2 (Residential Planned Development, 2 units per acre) are subject to the same conditions. However, because there is more than one occupant room and because the applicant proposes to construct the guest house six feet from the principal dwelling where 10 feet is the minimum setback required, a Special Use Permit is required.

Under the Zoning Code in effect prior to the adoption of Title 19A in 1997, guest houses were allowed to be six feet from the principal house, and there was no limit on the number of occupant rooms. Staff notes that there are four guest houses in this subdivision which were built under the previous code, and that the guest house requested under this application would be allowed under that code.

Section 19A.04.040 of the City of Las Vegas Zoning Code requires that Guest Houses/Casitas shall conform to the following:

1. A guest house/casita shall not:
 - a) Be located on a lot or parcel whose width is less than 80 feet.
 - b) Exceed the height of the principal dwelling.
 - c) **Consist of more than one occupant room, a bathroom, and a walk-in closet. Kitchens are not permitted.**
2. A guest/house casita may be attached or detached from the principal dwelling and, where attached, is not required to have internal access to the principal dwelling.

3. A guest house/casita may be located in the front yard if it meets the required setbacks, and:
 - a) Is architecturally designed to be integrated into the front elevation of the principal dwelling, so that it incorporates the exterior colors, materials, features and style thereof and does not resemble an accessory structure.
 - b) When viewed from the street, the guest house/casita does not dominate the façade of nor obstruct the view of the main entrance to, the principal dwelling.
 - c) Is located in relation to the principal dwelling so as to create an internal courtyard.
 - d) Access to the guest house/casita is not visible from the street, which the principal dwelling fronts.
 - e) If the guest house/casita is above ground floor and access thereto is by stairwell, the stairwell shall be enclosed, and its access shall not be perpendicular to the street.
4. A guest house/casita may be located in the rear or side yard if it meets the required setbacks and, if detached from the principal dwelling, **it shall have a minimum separation of ten (10) feet from the principal dwelling** and a minimum setback of five (5) feet from side and rear property lines.

Because the proposed guest house does not comply with conditions 1C and 4 as specified above, a Special Use Permit is required.

USE

Staff finds the proposed guesthouse is a typical use within subdivisions of this type and is compatible with other guest houses in this subdivision which were permitted under the previous Zoning Code

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 guesthouse is a typical use within subdivisions of this type and is compatible with other guest houses in this subdivision which were permitted under the previous Zoning Code.

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

Staff finds the subject site is a residential lot of a size physically suitable for this type of land 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 that Silver Palm Avenue will provide adequate access to the subject site.

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 guest house will be subject to inspections for compliance to the Uniform Building Code (UBC); therefore, the use will not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION: **APPROVAL**, subject to:

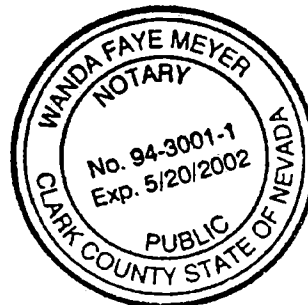
Planning and Development

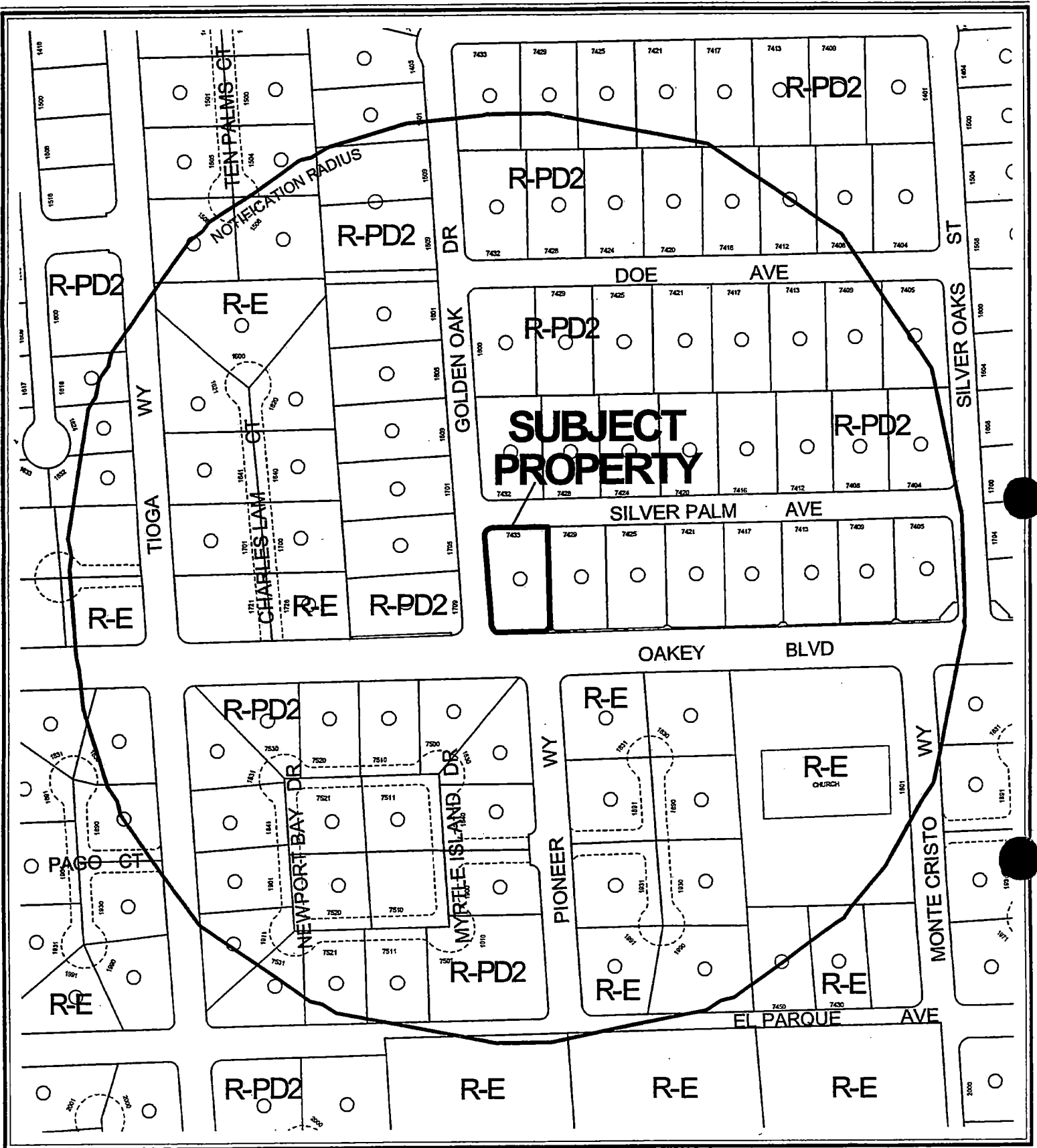
1. Conformance to the remaining requirements of Title 19A.04.040 for a guest house use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied

NOTICES MAILED 98

APPROVALS 0

PROTESTS 0





CASE: U-0149-01

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0150-01 - PAN PACIFIC PROPERTIES INC. ON BEHALF OF BARBARA KILBANE - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (DA FRANCO RISTORANTE) located at 2101 North Rainbow Boulevard, Suite #101 (APN: 138-22-603-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's conditions - Motion carried with Buckley abstaining as the applicant is a client of his law firm

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that customers have been requesting beer and wine with their meals. Section 19A.04.050 of the City of Las Vegas Zoning Code states that a restaurant service bar needs to be a minimum of 400 feet from any church, park, school, synagogue or day care licensed for more than 12 children. In this case, no protected use is known to be within the minimum distance separation. Therefore, staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-27 - U-0150-01

MINUTES - Continued:

No one appeared to represent the application.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:50 - 9:53))

3 - 3884

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.
5. All City Code requirements and design standards of all City departments must be satisfied.

JANUARY 10, 2002 PLANNING COMMISSION

- B-27. U-0150-01 - PAN PACIFIC PROPERTIES INC. ON BEHALF OF BARBARA KILBANE - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (DA FRANCO RISTORANTE) located at 2101 North Rainbow Boulevard, Suite #101 (APN: 138-22-603-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Special Use Permit to allow a restaurant service bar to be operated in conjunction with an existing restaurant located at 2101 North Rainbow Boulevard, Suite 101, within the Rainbow Promenade shopping center (west side of Rainbow Boulevard, north of Lake Mead Boulevard). The applicant's justification letter states that customers are requesting beer and wine and that these beverages are appropriate to the types of meals (pizza, pasta) served at this establishment.

BACKGROUND DATA

- | | |
|----------|---|
| 11/18/87 | City Council approved a Rezoning (Z-0100-87) of the subject property from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request. |
| 08/10/95 | As part of a larger request, the Planning Commission approved a Plot Plan/Building Elevation Review [Z-0100-87(7)] on the subject parcel for a proposed commercial shopping center. |
| 01/17/96 | City Council approved a Special Use Permit (U-0146-95) to allow the sale of beer and wine for off-premise consumption in conjunction with a proposed retail outlet store on portions of this parcel and the adjoining parcel. |

- 03/28/96 A Building Permit (#96392932) was issued for the subject multi-tenant restaurant pad site.
- 06/19/96 The City Council approved two Special Use Permits (U-0031-96) and (U-0032-96) to allow two proposed taverns in conjunction with two proposed restaurants on the subject parcel, and Council granted a Waiver of the 1500-foot separation distance between existing and proposed taverns for each Special Use Permit.
- 10/24/00 Building permits, Tenant Improvements for Certificate of Occupancy (#19593 and #20519) were issued for the subject restaurant (Da Franco Ristorante).

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	U (Undeveloped) under ROI to C-1 (Limited Commercial)	Commercial
South:	ROW (Right-of-Way)	Rainbow/U.S. 95 Interchange
East:	C-1 (Limited Commercial)	Commercial
West:	ROW (Right-of-Way)	Oran K. Gragson Expy. (U.S. 95)

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed restaurant service bar is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected use is known to be within the minimum distance requirement. Staff finds the proposed restaurant service bar can be conducted in a manner that is harmonious and compatible with the development in the area and recommends approval of this request.

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 restaurant service bar for the sale of beer and wine for on-premise consumption will be an accessory use to the existing restaurant. The proposed use will not adversely affect the surrounding uses.

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

Staff finds the proposed restaurant service bar is less intense use than two taverns as well as sales of beer and wine for off-premise consumption that have been approved on the subject parcel within this commercial center and that the proposed use will be located in an existing restaurant and will not change the physical characteristics of the 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 this use will generate little, if any, additional traffic. Lake Mead Boulevard (a 100-foot wide Primary Arterial) and Rainbow Boulevard (an 80-foot wide Secondary Collector) provide adequate access to this site, which is adjacent to an interchange with the Oran K. Gragson (U.S. 95) Freeway.

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

Staff finds that the proposed restaurant service bar on this site will be subject to regular inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.
5. All City Code requirements and design standards of all City departments must be satisfied.

NOTICES MAILED 58

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-6150-01 APN: 138.22.503.001
138.22.403.001
138.22.503.002

Name of Property Owner: PAN PACIFIC RETAIL PROPERTIES, INC.

Name of Applicant: Barbara M. Kilbane

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: _____
Pacific Retail Properties, Inc.

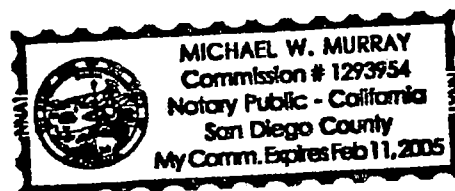
Signature of Property Owner/Authorized Agent ☒ 

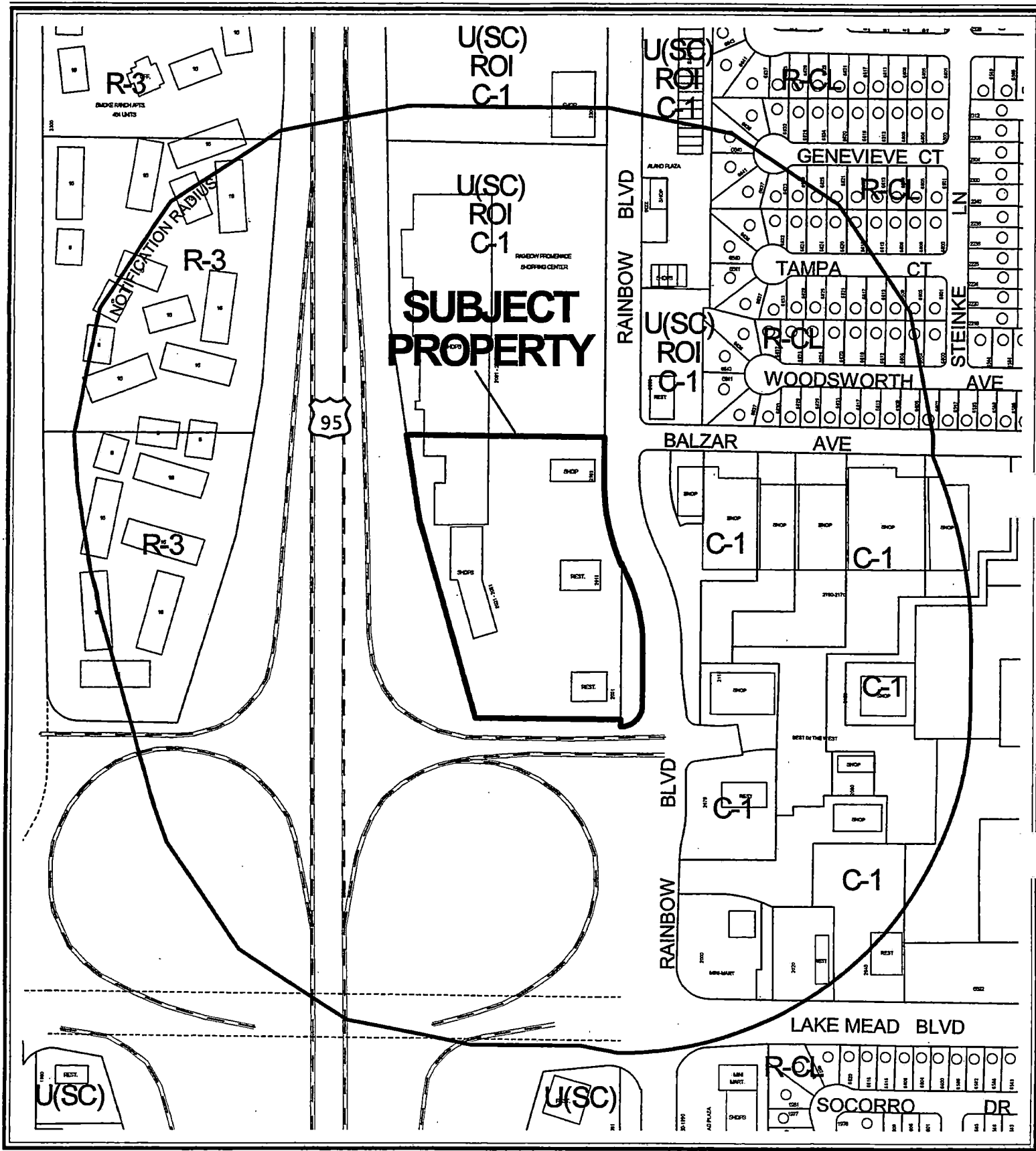
Subscribed and sworn before me

This 30th day of November, 2001

Michael W. Murray
Notary Public in and for said County and State

Jeffrey S. Stauffer
Executive Vice President
Chief Operating Officer



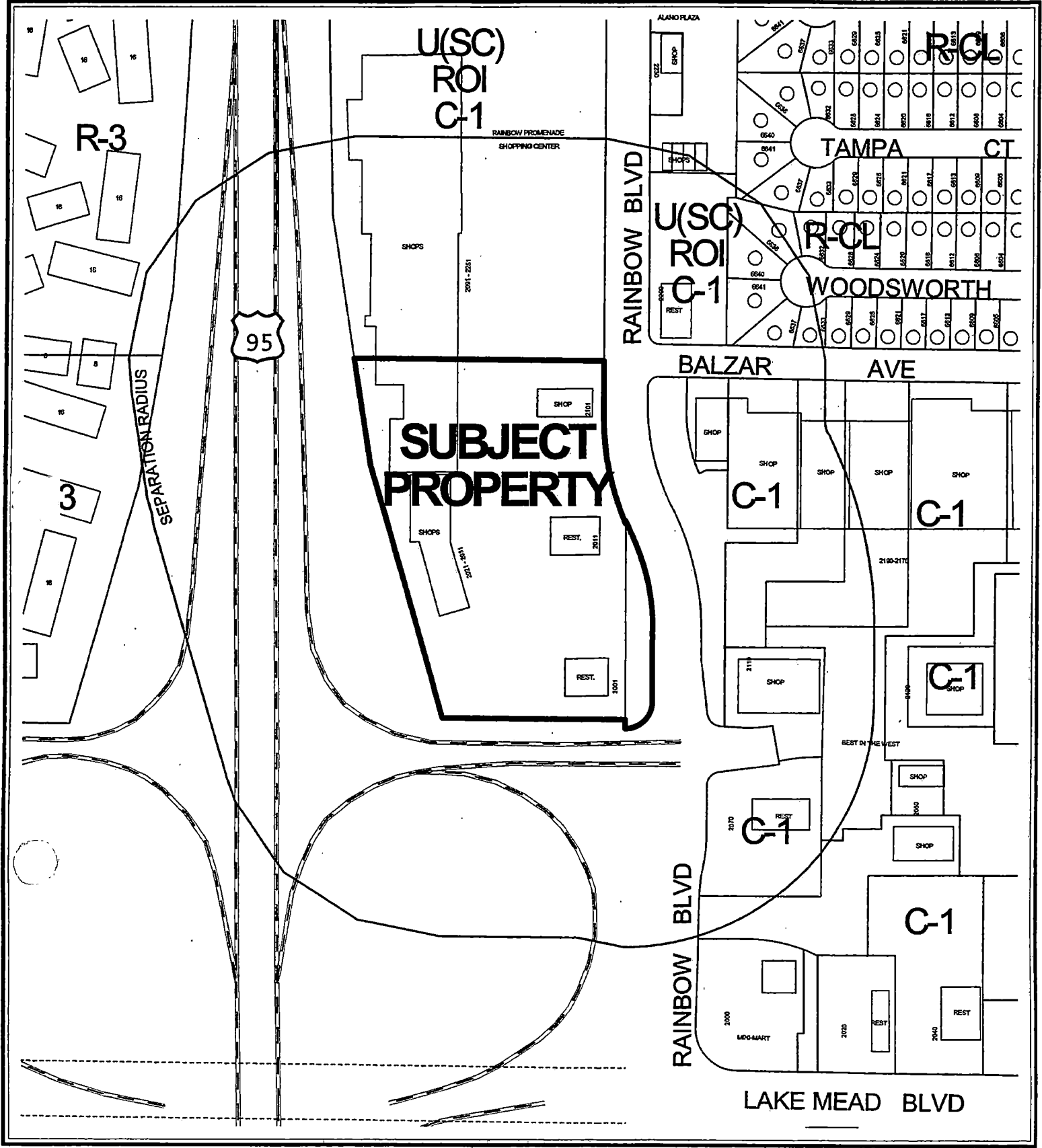


CASE: U-0150-01

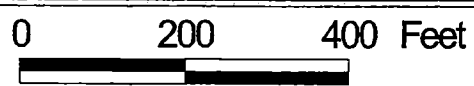
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



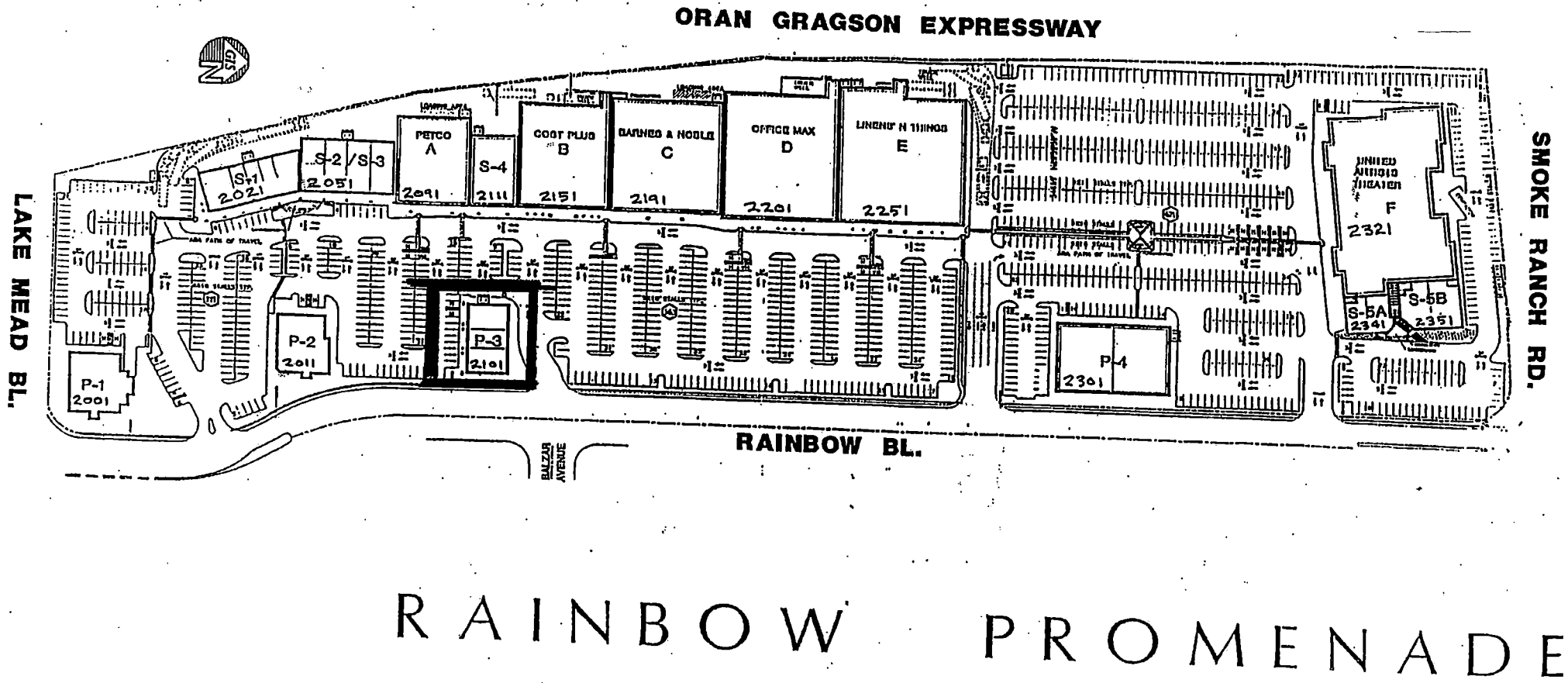


CASE: U-0150-01
SEPARATION RADIUS: 400 FT



1-10-02 PC

U-0150-01



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0151-01 - CHARLESTON ASSOCIATES, LIMITED LIABILITY COMPANY, ON BEHALF OF THE CHEESECAKE FACTORY RESTAURANT - Request for a Special Use Permit FOR A SUPPER CLUB IN CONJUNCTION WITH A PROPOSED RESTAURANT (CHEESE CAKE FACTORY) on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive (APN: 138-32-412-025), PD (Planned Development) Zone, Ward 2 (L.B. McDonald)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN - APPROVED subject to staff's conditions - Motion carried with Truesdell abstaining as Charleston Associates is a client of his firm

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated this supper club will be within the Boca Park master planned commercial center. In this case, no protected use is known to be within the minimum 400-foot distance separation. This supper club is in compliance with the operational requirements and will be conducted in a manner that is harmonious and compatible with development in the area. Staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-28 - U-0151-01

MINUTES - Continued:

ATTORNEY SCOTT EATON, Lionel Sawyer & Collins, 300 South 4th Street, appeared on behalf of the applicant with GREG BORGEL, 300 South 4th Street. This is a fine restaurant. He concurred with staff's conditions.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(9:53 - 9:54)

4 - 190

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to the conditions of approval for Site Development Plan Review [Z-0012-98(1)].
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code.
5. The bar area shall be separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors.
6. The actual seating available at all times within the restaurant area shall accommodate at least one hundred twenty-five persons.
7. Alcoholic beverages shall be served in the restaurant area only in conjunction with the service of food.
8. Full-course meals shall be available during all hours the bar area is open to the public.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-28 - U-0151-01

CONDITIONS - Continued:

9. A cook and food server, other than a bartender, shall be available at all times the bar area is open to the public.
10. The restaurant operation shall be the principal portion of the business.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. 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, whichever may occur first. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.
13. Site development to comply with all applicable conditions of approval for the Peccole Town Center (also known as Boca Park), Zoning Reclassification (Z-0012-98), and all other subsequent site-related actions.

JANUARY 10, 2002 PLANNING COMMISSION

- B-28. U-0151-01 - CHARLESTON ASSOCIATES, LIMITED LIABILITY COMPANY, ON BEHALF OF THE CHEESECAKE FACTORY RESTAURANT - Request for a Special Use Permit FOR A SUPPER CLUB IN CONJUNCTION WITH A PROPOSED RESTAURANT (CHEESE CAKE FACTORY) on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive (APN: 138-32-412-025), PD (Planned Development) Zone, Ward 2 (L.B. McDonald).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Special Use Permit for a supper club to be operated in conjunction with a proposed restaurant on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive in the Peccole Ranch Town Center (also known as Boca Park) shopping center. The applicant's justification letter states that purpose for this application is to include the sale of liquor as a component of the restaurant's high-quality meal service.

BACKGROUND DATA

- 09/02/92 The City Council approved a Rezoning (Z-0030-92) of the subject site to C-1 (Limited Commercial) and R-1 (Single Family Residential) for development of a regional shopping center and a single-family residential subdivision on the subject site as part of a larger request.
- 04/27/98 The City Council approved a Master Development Plan, Master Development Standards, and a Rezoning (Z-0012-98) from U (Undeveloped) [under ROI to C-1 (Limited Commercial)] to PD (Planned Development) on the subject property for a proposed 248-room non-gaming hotel, a special event amphitheater, 535,000-square feet of retail space, 57,600 square feet of office space, a 125-unit residential development, and parking garages on the subject site.

- 11/01/00 The City Council approved a Site Development Plan Review [Z-0012-98(1)] and a Major Modification [Z-0012-98(2)] to the Peccole Town Center Master Development Plan and Development Standards (Boca Park).
- 04/18/01 The City Council approved a Master Sign Plan [Z-0012-98(3)] for the subject property.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	U (Undeveloped) under ROI to C-1 (Limited Commercial)	Undeveloped
South:	U (Undeveloped) under ROI to C-1 (Limited Commercial)	Commercial
East:	RPD-4 (Residential Planned Development - 4 Units per Acre), and R-1 (Single Family Residential)	Single-Family Residential Single-Family Residential
West:	U (Undeveloped) under ROI to C-1 (Limited Commercial), and RPD-4 (Residential Planned Development - 7 Units per Acre), and	Commercial, Office Golf Course

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned PD (Planned Development) and designated SC (Service Commercial) in the General Plan. Section 19A.06.050 of the Las Vegas Municipal Code regulates development within the PD zoning district, wherein it is provided that permitted uses are to be specified by an adopted Master Development Plan, or where unclear, are to be determined by the Director of Planning and Development by analogy with reference to Title 19A. Staff finds that with approval of a Special Use Permit, a supper club falls within the range of permitted uses in the PD district in accordance with the Peccole Town Center Master Development Plan/Boca Park Phase III Master Development Plan.

Sections 19A.04.050 and 19A.20.020 of the City of Las Vegas Municipal Code establish the criteria and minimum requirements for the approval of alcohol-related uses. The Code requires a supper club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected use is known to be within the minimum separation distance requirement.

In accordance with LVMC Section 19A.20.020, operational requirements for a supper club include: 1) the bar area must be separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors; 2) the actual seating available at all times within the restaurant area will accommodate at least one-hundred twenty-five persons; 3) alcoholic beverages must be served in the restaurant area only in conjunction with the service of food; 4) full-course meals must be available during all hours the bar area is open to the public; 5) a cook and food server, other than a bartender, must be available at all times the bar area is open to the public; and 6) the restaurant operation is the principal portion of the business.

USE

Staff finds the proposed supper club can be conducted in a manner that is harmonious and compatible with the development in the area, provided the applicant can meet these requirements, which incorporated herein as recommended conditions, and therefore staff recommends approval of this request.

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 this supper club use meets the minimum distance separation requirements of Section 19A.04.050 of the City of Las Vegas Municipal Code and in accord with the Peccole Town Center/Boca Park Master Development Plan. Staff finds that this use can be operated in a manner compatible with present and future surrounding uses.

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

Staff finds the proposed supper club will be located within a Master Planned commercial center and that the proposed use will be situated in restaurant within a portion of an approved multi-tenant retail building. Staff finds no evidence of a physical constraint to the proposed supper club 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 the adjacent, fully improved thoroughfares are of adequate capacity: Rampart and Charleston Boulevards (100-foot wide Primary Arterials) and Alta Drive (80-foot wide Secondary Collector) provide access to the overall commercial center. The Development Needs Impact Analysis [Z-0012-98(1)] submitted for this development indicated the roadway capacity to this site will be adequate, commensurate with improvements made in accordance with the previously approved Master Traffic Impact Study.

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

Staff finds that the proposed supper club on this site will be subject to regular inspection by regulatory agencies for business licensing and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0012-98(1)].
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code.
5. The bar area shall be separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors.
6. The actual seating available at all times within the restaurant area shall accommodate at least one hundred twenty-five persons.
7. Alcoholic beverages shall be served in the restaurant area only in conjunction with the service of food.
8. Full-course meals shall be available during all hours the bar area is open to the public.
9. A cook and food server, other than a bartender, shall be available at all times the bar area is open to the public.
10. The restaurant operation shall be the principal portion of the business.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. 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, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for the Peccole Town Center (also known as Boca Park), Zoning Reclassification (Z-0012-98), and all other subsequent site-related actions.

NOTICES MAILED 829

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0151-01 APN: 138-32-412-025

Name of Property Owner: Charleston Associates LLC

Name of Applicant: The Cheesecake Factory

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: _____

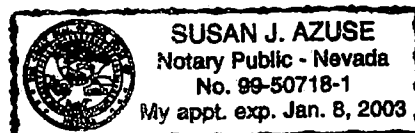
Signature of Property Owner/Authorized Agent: [Signature]

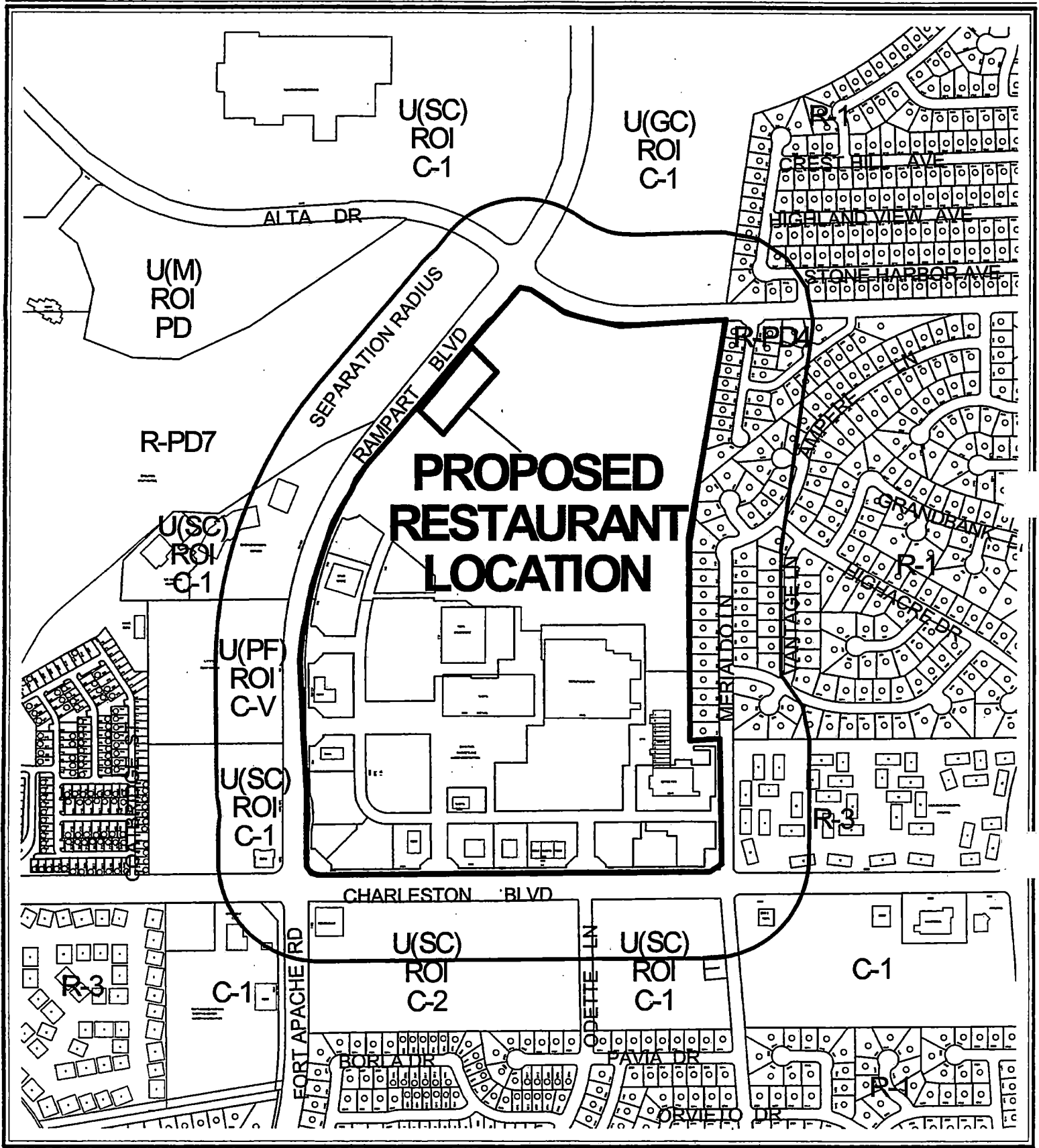
Print Name: Stacy Kosh

~~Subscribed and sworn before me~~

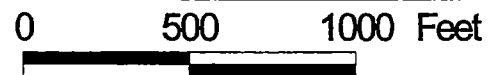
This 14th day of November, 2001

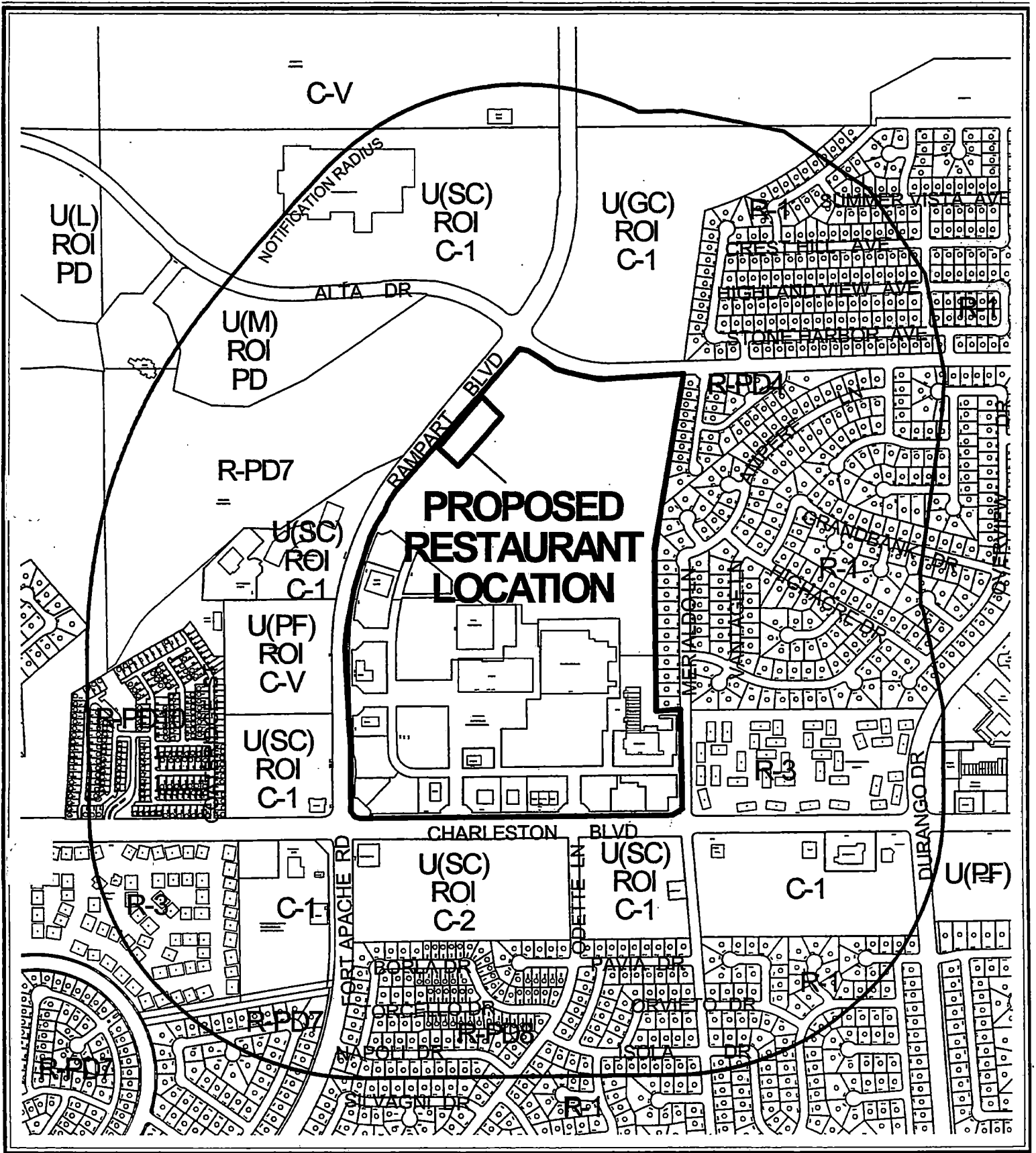
Susan J. Ayres
Notary Public in and for said County and State





CASE: U-0151-01
SEPARATION RADIUS: 400 FT





CASE: U-0151-01

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 600 1200 Feet



STAFF

U-0151-01

1-10-02 PC

SITE INFORMATION

ZONING

FD - Planned Development District

AREA (Approximate)

Net Area: 1,823,760 sf

BUILDING AREA

	Retail Area	Common	Total Area
Retail Area - 1	10,355 gsf	80 gsf	10,435 gsf
Retail Area - 2	11,320 gsf	80 gsf	11,400 gsf
Retail Area - 3	10,330 gsf	100 gsf	10,430 gsf
Retail Area - 4	26,495 gsf	105 gsf	26,600 gsf
Retail Area - 5	54,838 gsf	150 gsf	54,988 gsf
Retail Area - 6	46,830 gsf	144 gsf	46,974 gsf
Retail Area - 7	22,880 gsf	167 gsf	23,047 gsf
Retail Area - 8	51,404 gsf	172 gsf	51,576 gsf
Retail Area - 9	12,400 gsf	120 gsf	12,520 gsf
Retail Area - 10	51,565 gsf	160 gsf	51,725 gsf
Retail Area - 11	65,960 gsf	680 gsf	66,640 gsf
Great Indoors	139,320 gsf		139,320 gsf

Total Retail Area 503,717 gsf

Total Common Area 1,958 gsf

Total Building Area 505,675 gsf

FAR (net 1,823,760 sf) 0.277

Office Areas	
Office 12 (3 stories)	108,000 gsf
Storage Areas	
Storage 12 (lower level)	7,230 gsf
Storage Building 6	10,498 gsf
Storage Building 8	8,674 gsf
Total Office/Storage Area	134,402 gsf

Total Building Area 640,087 gsf

FAR (net 1,823,760 sf) 0.351

PARKING REQUIREMENTS

Anchor Required: 1 per 250 of Public 110,000/250 = 440
1 per 1200 of WVI 29,320/2500 = 12
452

Retail Required: 1 per 250 of 341,333/250 = 1,366

Restaurant Required: 1 per 50 of Public 16,000/50 = 320
1 per 300 of Service 9,000/300 = 45
365

Office Required: 1 per 350 of 108,000/350 = 360

Storage Required: 1 per 1000 of 26,412/1000 = 27

Total Parking Required: 2,570

Parking Provided: Front of Center (1-4) 645
Upper Deck 469
Lower Deck 482
Parking Change (3 story) 582
Parking Office Basement 64
Rear of Center (1-4) 397

Total Provided: 2,639

Parking Ratio: 4.1 per 1000 1 per 240 sf

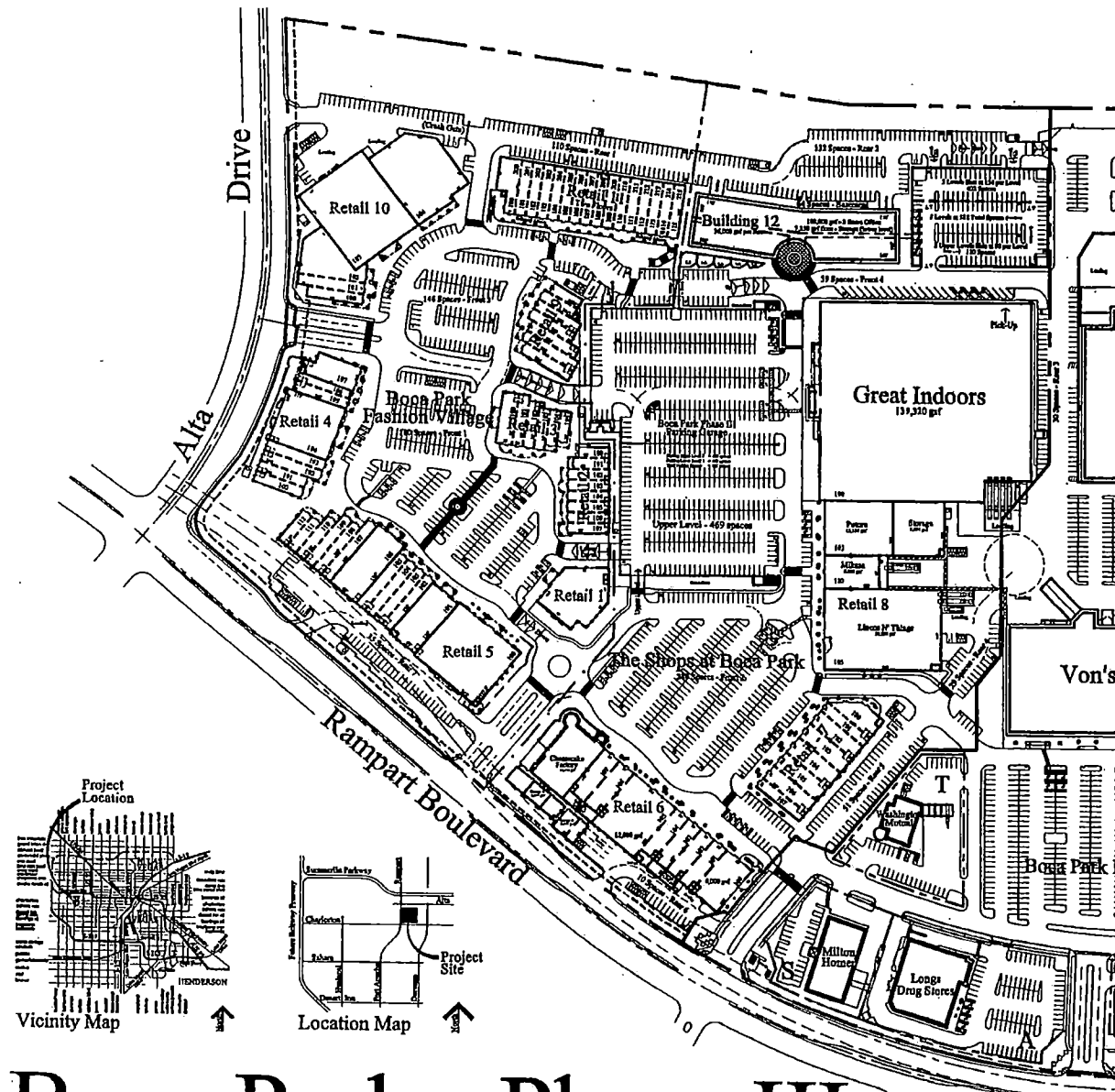
Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of the accuracy is implied.

North

Scale: 1" = 100'

Perlman
PERLMAN ARCHITECTS, INC.
2220 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.890.0000 702.932.8222 fax

© COPYRIGHT 2001, PERLMAN ARCHITECTS, INC.



Boca Park - Phase III

Rampart Boulevard and Alta Drive, Las Vegas, Nevada

Triple Five Nevada Development Corporation
Las Vegas, Nevada 702-242-6937

Conceptual Site Plan

Theme Q3

Date: November 12, 2001
Project Number: 100055

TELEPHONE PROTESTS/APPROVALS

MEETING DATE: 1-10-01

CASE NUMBER: U-0151-01

Date: 1-02-02
Name: Joseph C. Bider
Address: 7209 E/14e
Phone: 655-4236
Protest: ☒ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: U-0151-01
P
Phone: _____
Protest: ☐ Approval: ☐

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0152-01 - CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY ON BEHALF OF GOODWILL OF SOUTHERN NEVADA INC. - Request for a Special Use Permit FOR A NON-PROFIT THRIFT SHOP (GOODWILL) at 7091 West Craig Road, (APN: 138-03-701-020) C-1 (Limited Commercial) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's conditions - Motion carried with Goynes voting NO

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that new and secondhand goods will be sold to support Goodwill's job training and placement services for citizens with disabilities. The applicant currently operates three similar thrift shops within the Las Vegas area. Section 19A.04.050 of the Las Vegas Zoning Code requires that non-profit thrift shops shall conform to two conditions. First, no outdoor display, sales or storage of any merchandise is permitted. Secondly, the use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code. This use is in conformance with the requirements set forth in the Zoning Code, and staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-29 - U-0152-01

MINUTES - Continued:

STEVE CHARTRAND, President, Goodwill of Southern Nevada, Inc., 3585 Patrick Lane, #100, said he concurs with staff's conditions. He showed a photo on the monitor of the appearance of the store. The purpose of the Goodwill retail stores is to sell new and gently used items in support of their job training program for people who are disabled. This will be their sixth store in the valley.

PAT DAVIS, 7204 Elite Court, appeared in protest. This is considered a junk store. This does not belong in this neighborhood. In some of their other stores items that are donated are oftentimes left outside. There are people sleeping in cardboard boxes in the area since they heard there would be a Goodwill store on this property. Even the police do not want this store at that location. She showed the Commissioners pictures of another Goodwill store.

JOSEPH E. BIDER, 7209 Elite Court, appeared in protest. The surrounding area consists of new homes costing from \$127,000 to \$200,000. It is doubtful that this organization will benefit from those homeowners. The neighbors feel this will not be an asset to the neighborhood.

LINDA BIDER, 7209 Elite Court, appeared in protest. This store will deteriorate the neighborhood.

GLADYS FINE, Northwest Citizens Association, appeared in protest. They have been working at Craig and Tenaya for years. They have never met with anyone from Goodwill. She wanted to see the appearance of the inside of the store. There will be a neighborhood meeting on 2/14/2002 and would like MR. CHARTRAND to attend that meeting. CITY COUNCILMAN LARRY BROWN will be attending that meeting.

RUTH DAVIS, 7204 Elite Court, appeared in protest. They do not need this store in the neighborhood. The neighbors are established and do not want to move out of the neighborhood because of this store.

TODD FARLOW, 240 North 19th Street, appeared in approval. He went to one of their stores and it was spotless with nice employees.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-29 - U-0152-01

MINUTES - Continued:

STEVE CHARTRAND appeared in rebuttal. He will meet with some of the neighbors next Monday evening. He showed the interior of their store at Warm Springs and Stephanie. This will not degrade the neighborhood.

COMMISSIONER McSWAIN felt there is a misunderstanding on the part of the neighbors. She noted that there is a trailer parked off Spring Mountain, which should be removed.

COMMISSIONER BUCKLEY said he has been in their stores on Nellis Boulevard and Sahara Avenue. They are nice stores and he is willing to support this proposal.

COMMISSIONER EVANS clarified that some of the for-profit thrift stores give a small percentage of their profits to the charities that they purport to represent. He thought this is a non-profit entity. It would not be beneficial to have a large concentration of these types of stores in one area. No one seems to complain about their other stores. He is willing to support this store. MR. CHARTRAND responded that Goodwill is a non-profit organization and has 501C3 tax exempt status. Their Board of Directors are all volunteer citizens.

CHAIRMAN GALATI noted that this is a sensitive site and was vacant for many years until the shopping center was built. The success of those projects was due to the collaboration of the residents in the area. This is a good use for the area. Perhaps this should be held in abeyance to allow the applicant time to meet with the neighbors.

MR. CHARTRAND said he would be willing to meet with the neighbors, but was concerned that then this will not be able to be heard at the 2/20/2002 City Council meeting. They have already entered into a lease.

CHRIS GLORE, Planning and Development, did not want this held to the next Planning Commission meeting as it has over 90 applications on that agenda. Another suggestion might be that the applicant could meet with the neighbors between the Planning Commission meeting and City Council meeting.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-29 - U-0152-01

MINUTES - Continued:

COMMISSIONER QUINN noted that in reviewing the pictures submitted by PAT DAVIS, there was no trash.

COMMISSIONER EVANS asked the method for drop-off of merchandise. Also, he was concerned about the access for the donations.

COMMISSIONER BUCKLEY commented that most shopping centers have CC&R's that prevent any outdoor displays. He felt this should be forwarded to the City Council.

MR. CHARTRAND explained that on the southeast side of the building there will be two double doors where the merchandise will be received. They will not have a trailer in the parking lot. Most of their stores are open until 9:00 P.M. First thing in the morning if any merchandise is left outside the store they bring it in.

CHAIRMAN GALATI declared the Public Hearing closed.
(9:54 - 10:21)
4 - 240

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one (1) year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The use shall comply with the applicable requirements of Title 6 (Business Taxes, Licenses and Regulations) of the Las Vegas Municipal Code.
3. No outdoor display, sales or storage of any merchandise is permitted.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-29 - U-0152-01

MINUTES - Continued:

Public Works

5. In accordance with recorded Parcel Map 98-37 (CLV PM-0010-00), this pad site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
6. 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.
7. Site development to comply with the recommendations of the approved Traffic Impact Analysis and all applicable conditions of approval for Zoning Reclassification Z-0071-99, for Site Development Plan Review [Z-0071-99(1)], the Craig and Tenaya (Commercial Subdivision) and all other subsequent site-related actions.

JANUARY 10, 2002 PLANNING COMMISSION

- B-29. U-0152-01 - CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY ON BEHALF OF GOODWILL OF SOUTHERN NEVADA INC. - Request for a Special Use Permit FOR A NON-PROFIT THRIFT SHOP (GOODWILL) at 7091 West Craig Road, (APN: 138-03-701-020) C-1 (Limited Commercial) Zone, Ward 4 (Brown).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for a Special Use Permit to allow a non-profit thriftshop on property located at 7091 West Craig Road (within the Craig and Tenaya Commercial Subdivision). The applicant's justification letter states that new and secondhand goods will be sold to support Goodwill's job training/job placement services for citizens with disabilities. The applicant has experience in having operated three thriftshops in the Las Vegas area up to the present time.

BACKGROUND DATA

- 06/06/90 The subject property was Annexed (A-0023-99) into the City of Las Vegas as part of a larger request.
- 01/19/00 The City Council approved a Rezoning (Z-0071-99) from U (Undeveloped) to C-1 (Limited Commercial) for this pad site as part of a larger request.
- 03/01/00 The City Council approved a Site Development Plan Review [Z-0071-99(1)] for a 156,603 square-foot retail center and a 90,200 square-foot office development for this pad site as part of a larger request.
- 06/21/00 A Parcel Map (CLV PM-10-00, CC Recorder PM 98-37) consisting of 4 lots, of which the subject site is a part, was recorded with the Clark County Recorder.
- 10/26/00 The Planning Commission approved a Final Map (FM-0073-00) for a 2-lot commercial subdivision (Craig and Tenaya), of which the subject site as a part.

02/08/01 A building permit for Certificate of Completion (#1002156) was issued for the retail shell building on this pad site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	U (Undeveloped) [SC (Service Commercial) General Plan designation]	Undeveloped
South:	O (Office)	Undeveloped
East:	ROW (Right-of-Way)	Oran K. Gragson Freeway (U.S. 95)
West:	C-1 (Limited Commercial)	Commercial

ANALYSIS & FINDINGS

ZONING

The subject site is currently zoned C-1 (Limited Commercial). Staff finds that a non-profit thriftshop is allowed in the C-1 zoning district with the approval of a Special Use Permit.

USE

Section 19A.04.050 of the City of Las Vegas Zoning Code requires that non-profit thriftshops shall conform to the following:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. This use shall comply with the applicable requirements of Title 6 (Business Taxes, Licenses And Regulations) of the Las Vegas Municipal Code.

Staff finds the proposed use is in conformance with the requirements set forth in the Las Vegas Zoning Code (Title 19A).

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 site is located within an approved commercial center, and the use will not change the physical appearance or characteristics of the existing building. Staff finds the proposed thriftshop use can be operated in a manner that is harmonious and compatible with the surrounding commercial uses if in compliance with section 19A.04.050 of the City of Las Vegas Zoning Code requirements that there be no outdoor display, sales or storage of any merchandise.

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

Staff finds thriftshops are similar in intensity to retail outlets that sell new merchandise and that the proposed thriftshop will be physically suited to this location.

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."**

Tenaya Way and Craig Road, both of which are planned 100-foot wide Primary Arterial thoroughfares, serve the overall shopping center. The nearby Oran K. Gragson (U.S. 95) freeway also provides access to the site, via Craig Road. This site is not adjacent to public transportation.

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 thriftshop will not compromise the public health, safety, and welfare nor General Plan objectives, since the operation of this business will be subject to ongoing City licensing requirements and enforcement provisions thereof.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. If this Special Use Permit is not exercised within one (1) year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The use shall comply with the applicable requirements of Title 6 (Business Taxes, Licenses and Regulations) of the Las Vegas Municipal Code.
3. No outdoor display, sales or storage of any merchandise is permitted.
4. All City Code requirements and design standards of all City departments must be satisfied.

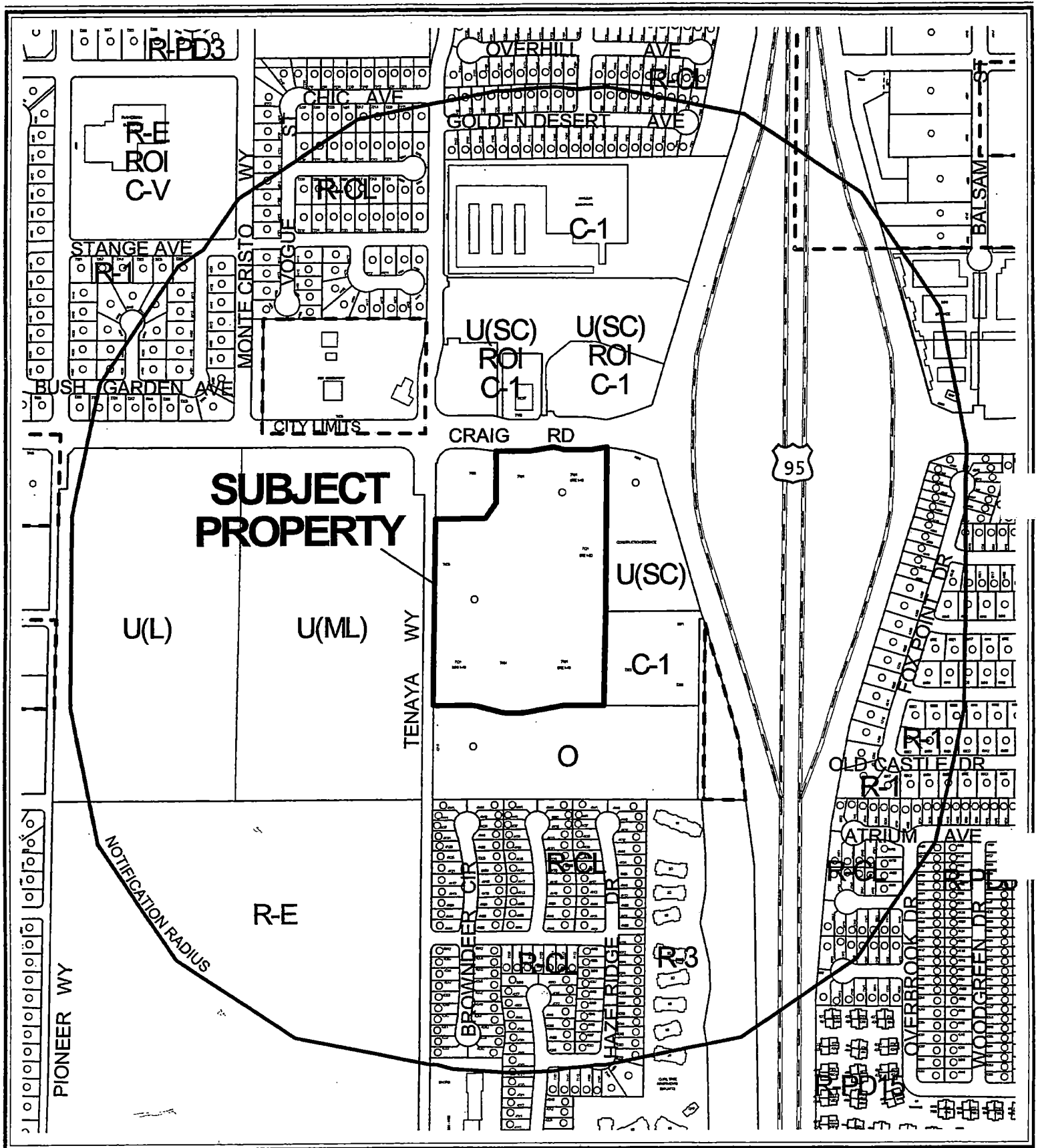
Public Works

5. In accordance with recorded Parcel Map 98-37 (CLV PM-0010-00), this pad site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
6. 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.
7. Site development to comply with the recommendations of the approved Traffic Impact Analysis and all applicable conditions of approval for Zoning Reclassification Z-0071-99, for Site Development Plan Review [Z-0071-99(1)], the Craig and Tenaya (Commercial Subdivision) and all other subsequent site-related actions.

NOTICES MAILED 363

APPROVALS 0

PROTESTS 0



CASE: U-0152-01

RADIUS: 1320 FT

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

0 400 800 Feet



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0154-01 - LONE MOUNTAIN CENTER, LIMITED LIABILITY COMPANY ON BEHALF OF GREEN LIPS CAFE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A RESTAURANT (CAFE MAMA'S) located at 4864 West Lone Mountain Road (APN: 125-36-818-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that beer and wine will complement the menu. In this case, no protected use is known to be within the minimum 400-foot distance separation. Staff recommended approval, subject to the conditions.

GABRIEL GRIGORESCU, Green Lips Café, LLC, 3320 South Fort Apache Road, appeared to represent the restaurant.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0154-01 - LONE MOUNTAIN CENTER, LIMITED LIABILITY COMPANY ON BEHALF OF GREEN LIPS CAFE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A RESTAURANT (CAFE MAMA'S) located at 4864 West Lone Mountain Road (APN: 125-36-818-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that beer and wine will complement the menu. In this case, no protected use is known to be within the minimum 400-foot distance separation. Staff recommended approval, subject to the conditions.

GABRIEL GRIGORESCU, Green Lips Café, LLC, 3320 South Fort Apache Road, appeared to represent the restaurant.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-30 - U-0154-01

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:21 - 10:23)

4 - 1150

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.
5. All City Code requirements and design standards of all City departments must be satisfied.

JANUARY 10, 2002 PLANNING COMMISSION

- B-30. U-0154-01 - LONE MOUNTAIN CENTER, LIMITED LIABILITY COMPANY ON BEHALF OF GREEN LIPS CAFE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A RESTAURANT (CAFE MAMA'S) located at 4864 West Lone Mountain Road (APN: 125-36-818-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for a Special Use Permit for the sale of beer and wine in conjunction with an restaurant (Café Mama's), located at 4864 West Lone Mountain Road in the Lone Mountain Plaza shopping center (northwest corner of Lone Mountain Road and Decatur Boulevard). The applicant's justification letter states that beer and wine will complement his menu, which is heavy on pizza and pasta dishes, but it will also offer fish and sandwiches. The applicant believes few establishments of his type exist in the area. The applicant states he has over 30 years experience in the restaurant business.

BACKGROUND DATA

- 12/19/84 The City Council approved a Rezoning (Z-0085-84) from R-E (Residence Estates) to C-1 (Limited Commercial) on the subject property as part of a larger request.
- 02/13/92 The Planning Commission approved a Plot Plan/Building Elevation Review [Z-0085-84(8)] for the subject shopping center.
- 04/14/94 The Planning Commission approved a Final Map (FM-0003-94) for the Lone Mountain Plaza Commercial Subdivision, of which the subject parcel is a portion.

- 12/17/96 The City Council approved a Special Use Permit (U-0134-96) to allow the on-premise sale of beer/wine in conjunction with an existing restaurant (Grotto Trattoria) in the subject tenant space; this Permit has since expired.
- 12/11/01 A Non-work Certificate of Occupancy building permit (#1021549) was issued for the existing tenant space for the subject restaurant.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-1 (Single Family Residential)	Single-Family Residential
South:	R-PD5 (Residential Planned Development – 5 Units per acre)	Single-Family Residential
East:	C-1 (Limited Commercial)	Commercial
West:	R-1 (Single Family Residential)	Single-Family Residential

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed restaurant service bar is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

USE

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected use is known to be within the minimum separation distance requirement. Staff finds the proposed restaurant service bar can be conducted in a manner that is harmonious and compatible with the development in the area and recommends approval of this request.

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 restaurant service bar for the sale of beer and wine for on-premise consumption will be an accessory use to a restaurant, similar to a previous approval for this same tenant space. The proposed use will not adversely affect the surrounding uses.

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

Staff finds the proposed restaurant service bar is less a intense use than sales of beer and wide for off-premise consumption in conjunction with a grocery store located on an adjacent parcel within this commercial center. The proposed use will be located in a restaurant within an existing tenant space and will not change the physical characteristics of the 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 restaurant service bar use will generate little, if any, additional traffic. Lone Mountain Road and Decatur Boulevard (planned 100-foot wide Primary Arterials) provide adequate access to this site.

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

Staff finds that the proposed restaurant service bar on this site will be subject to regular inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 (Liquor Control) of the City of Las Vegas Municipal Code which states that a restaurant service bar license authorizes alcoholic beverages to be sold for consumption only in connection with meals served at tables on the premises of the restaurant where the same are sold.
4. Sales of alcoholic beverages shall be limited to beer, wine, and coolers only.

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

NOTICES MAILED 799

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: U-0154-01 APN: 125-36-818-003Name of Property Owner: LONG MOUNTAIN CENTER LLCName of Applicant: GREEN LIPS CAFE LLC

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: Mitchell B. [Signature]

Subscribed and sworn before me

This 29th day of November 2001

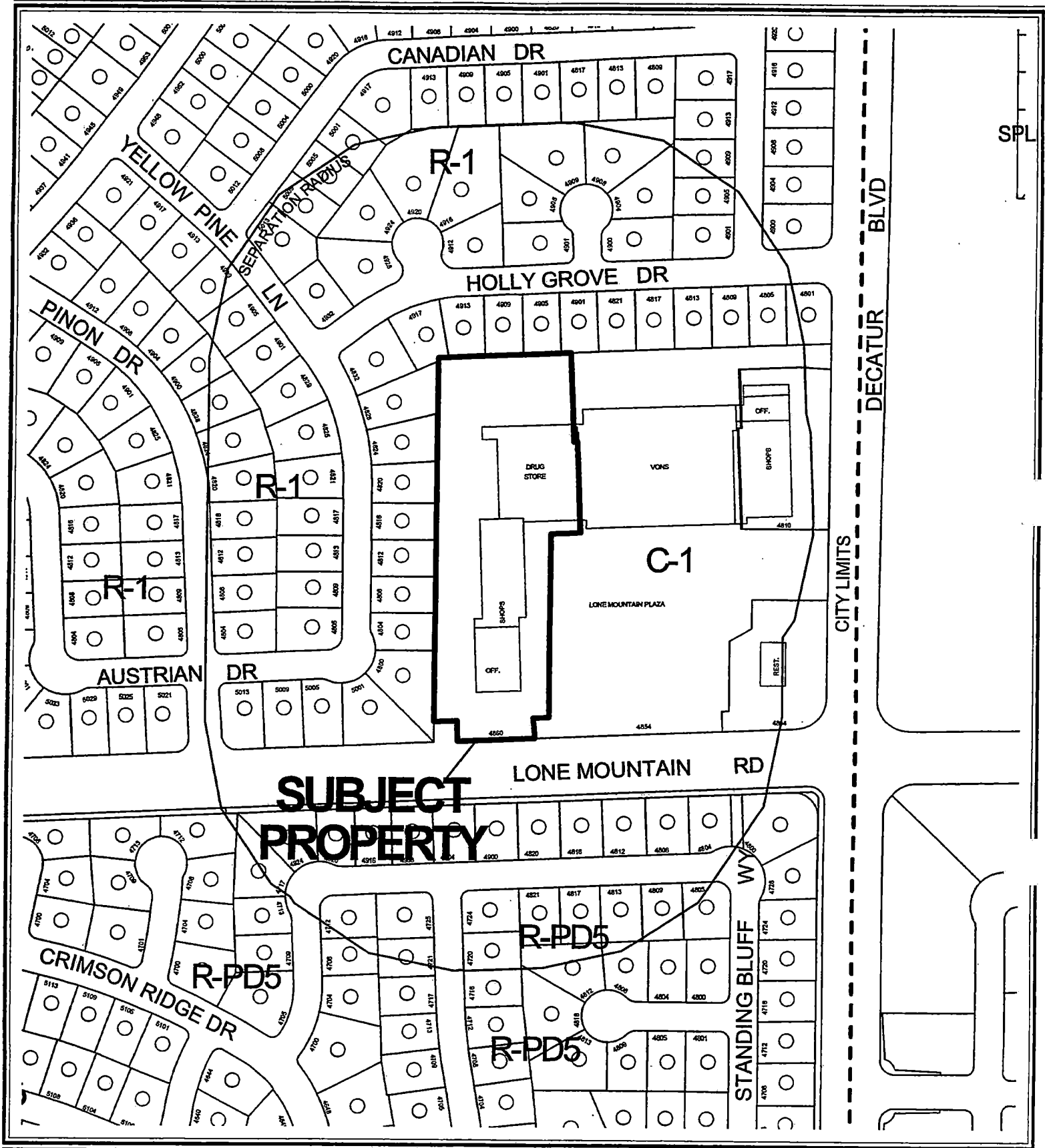
[Signature]
Notary Public in and for said County and State

"OFFICIAL SEAL"

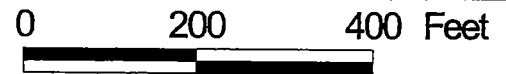
F. Prusinski

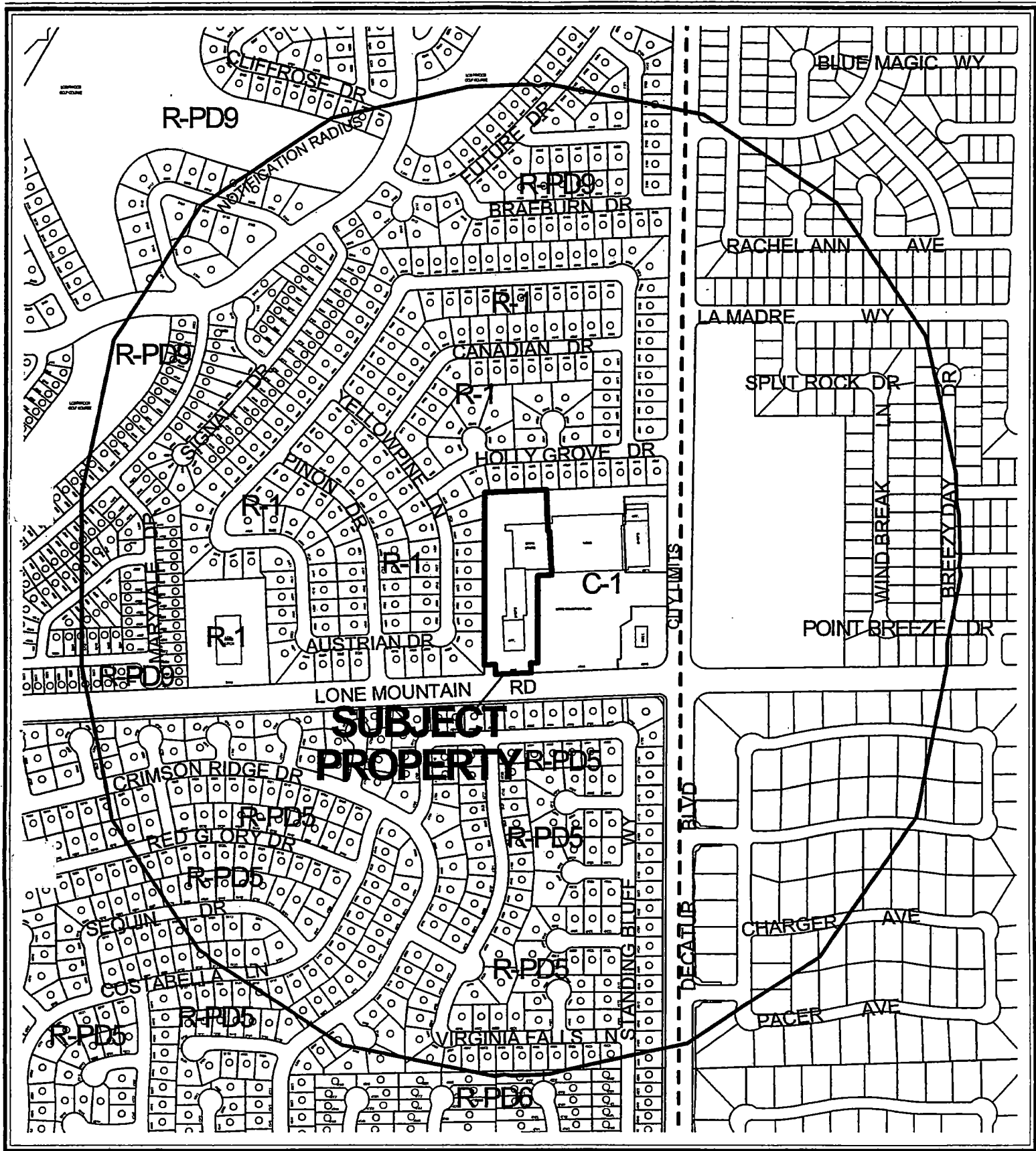
Notary Public, State of Illinois

My Commission Expires 11/20/2002



CASE: U-0154-01
SEPARATION RADIUS: 400 FT





CASE: U-0154-01

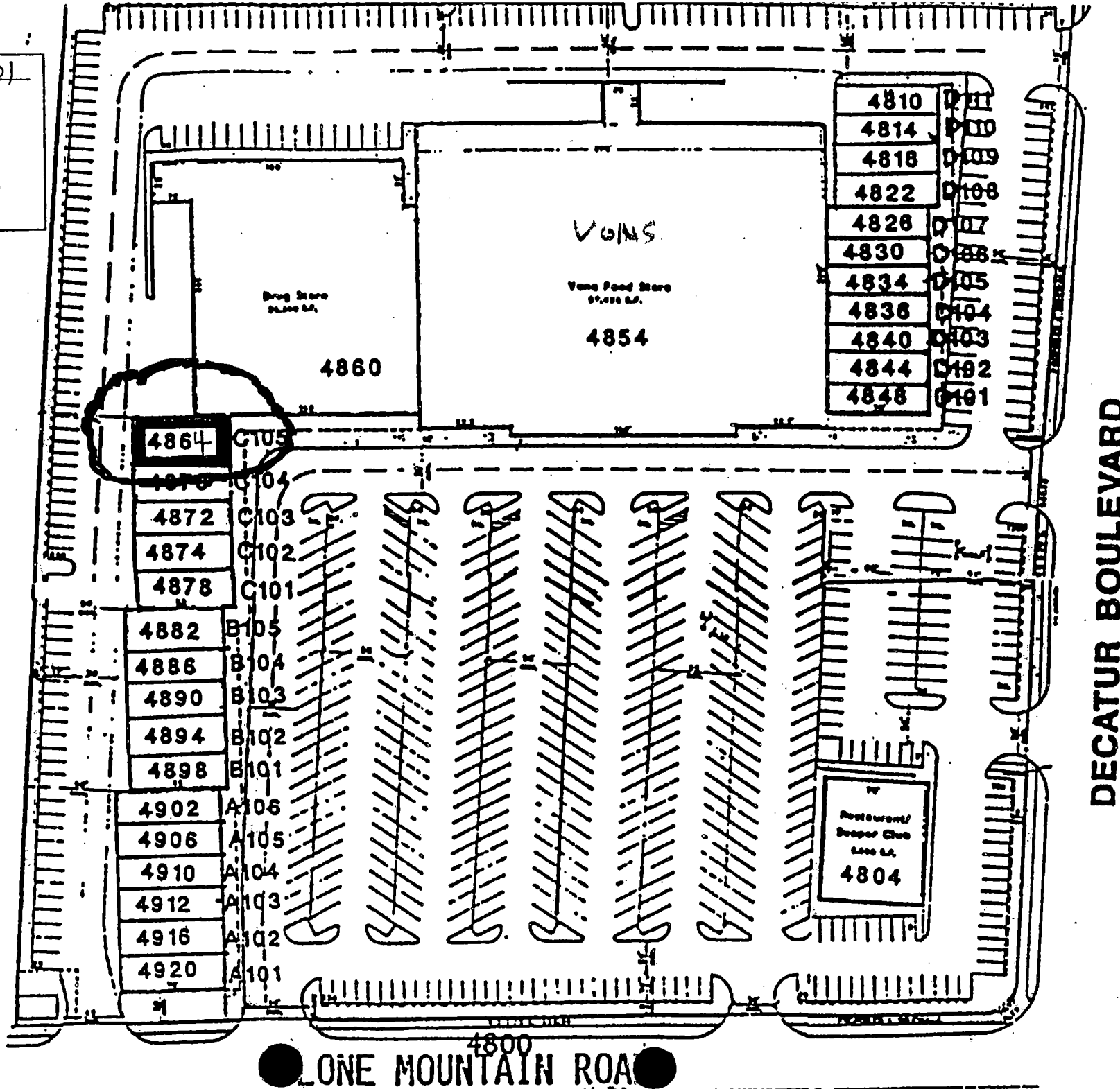
RADIUS: 1500 FT

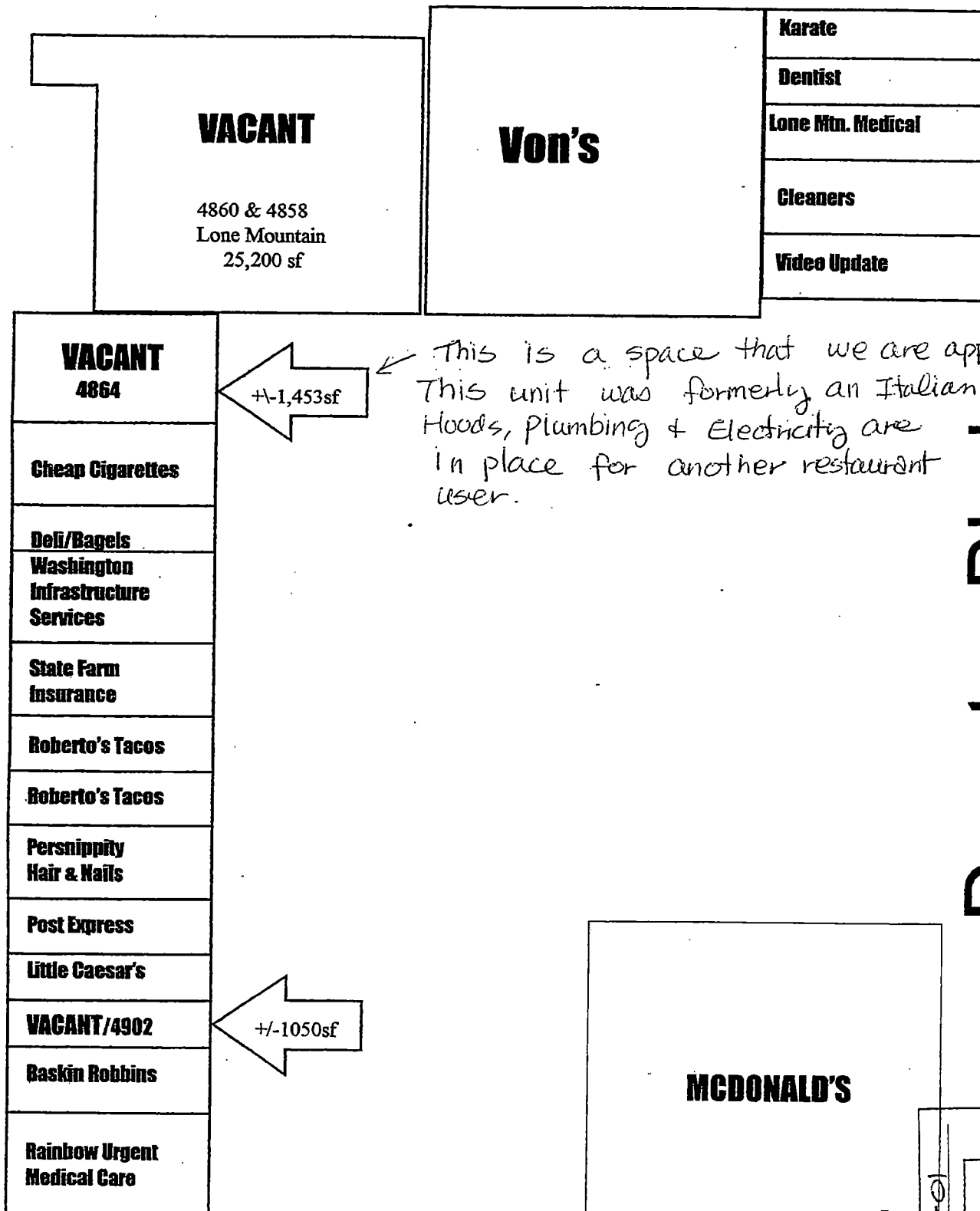
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

CASE: D-0154 01

JAN 10 2002

PC ADMIN. HO





Decatur Blvd.

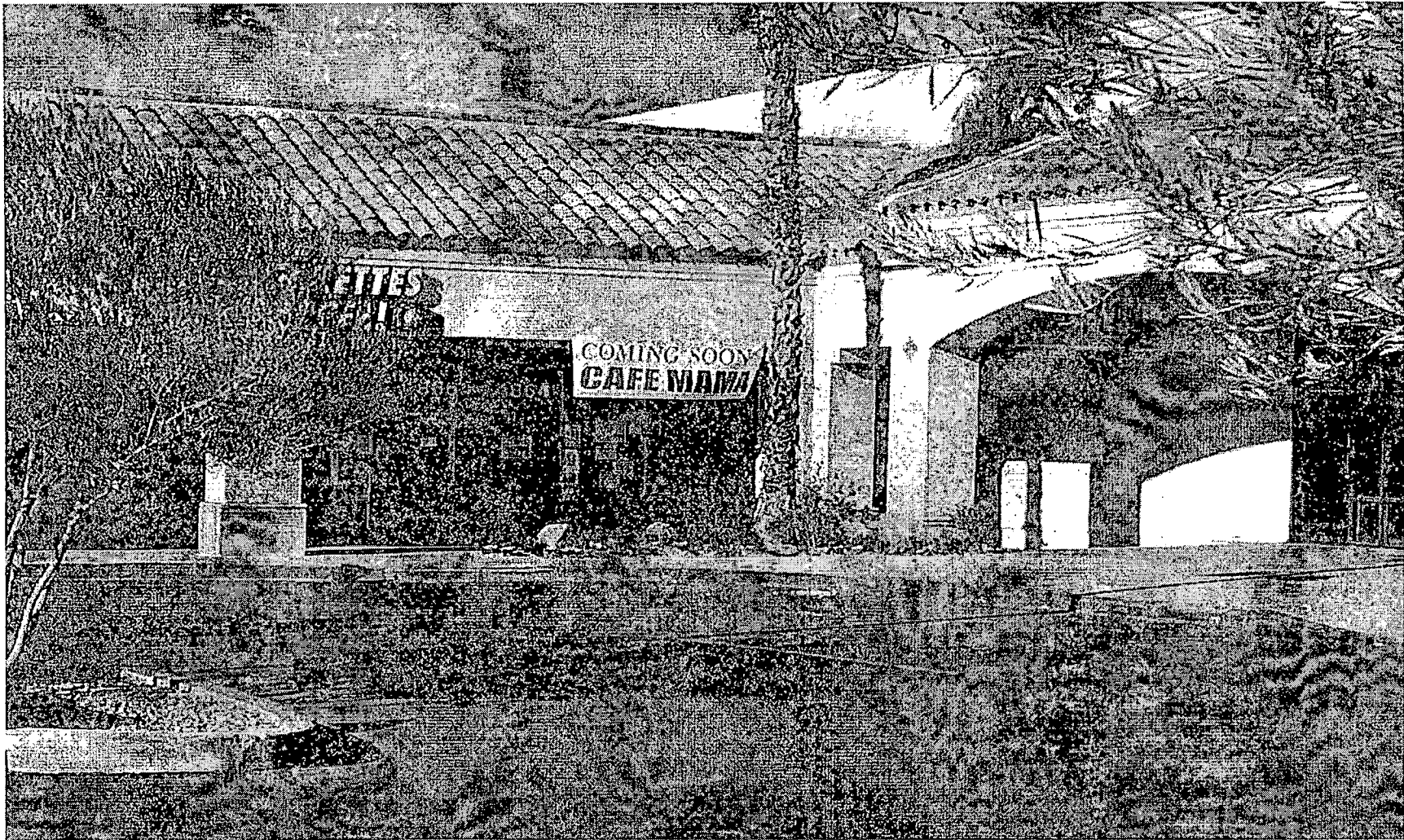
Lone Mountain Road

STAFF

CASE: 0154-01

JAN 10 2002

PC ADMIN. HO



U-0154-01 - LONE MOUNTAIN CENTER, LIMITED LIABILITY COMPANY ON BEHALF OF GREEN LIPS CAFE, LIMITED LIABILITY COMPANY - LOCATED AT 4864 WEST LONE MOUNTAIN ROAD
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0155-01 - RICHARD JACOBS - Request for a Special Use Permit TO ALLOW AN AUTO RENTAL BUSINESS located at 1590 East Sahara Avenue (APN: 162-02-411-026), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant's justification letter states a car rental agency will be operated in conjunction with an existing auto title loan business. The land use can be operated in a manner that is compatible with the surrounding residential and commercial land uses with inclusion of the recommended conditions of approval.

A field inspection of this site by staff indicated that there may be signage on the site that is not in compliance with the Zoning Code. Therefore, staff has included a condition which requires the applicant to provide a signage plan for this site. That must be approved by staff prior to the issuance of a business license.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-31 - U-0155-01

MINUTES - Continued:

Staff recommended approval, subject to the conditions.

GREG BORGEL, 300 South 4th Street, appeared with RICHARD JACOBS. The purpose of this application is to reinstate a previous business that MR. JACOBS operated on this site and allowed the use permit and license to expire. He concurred with staff's conditions.

No one appeared in opposition.

COMMISSIONER QUINN commented that there is too much signage on the building at 1590 East Sahara Avenue. MR. BORGEL said there is a condition to that affect.

COMMISSIONER EVANS wondered how much traffic will be generated by this business. MR. BORGEL responded that when the applicant had this business in the past he averaged two car rentals per day.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:23 - 10:27)

4 - 1200

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. The applicant shall provide a signage plan for the site for staff review. The signage plan shall include an accurate site plan of the parcel, drawn to scale, indicating the location of buildings, parking lots, driveways and landscaped areas on the parcel; an accurate indication of the location of each present and proposed sign of any type, whether or not the sign requires a sign certificate; and design drawings which allow the computation of the sign area and the height of any existing or proposed signs and which indicate any sign characteristics such as illumination or moving parts. The signage plan must be approved by staff prior to the issuance of a business license for the proposed use.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-31 - U-0155-01

CONDITIONS - Continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. The use is limited to passenger vehicles only
5. No more than five rental vehicles shall be stored on the site at any one time
6. No rental vehicles shall be offered for sale on the premises.
7. The installation and use of an outside public address or bell system is prohibited.
8. No used or discarded automotive part or equipment shall be located in any open area outside of an enclosed building.
9. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for rental in the parking lot of the subject property.

Public Works

10. 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.
11. Landscape and maintain all unimproved right-of-way on Sahara Avenue adjacent to this site.
12. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

JANUARY 10, 2002 PLANNING COMMISSION

B-31. U-0155-01 - RICHARD JACOBS - Request for a Special Use Permit TO ALLOW AN AUTO RENTAL BUSINESS located at 1590 East Sahara Avenue (APN: 162-02-411-026), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

PUBLIC HEARING

**IF APPROVED C.C. 2/20/2002
IF DENIED P.C. FINAL ACTION
(Unless appealed within 10 days)**

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS.

APPLICATION REQUEST

This request is for a Special Use Permit for a proposed automobile rental office. The applicant states in the justification letter that a rental car agency will be operated in conjunction with an existing auto title loan business.

Site Area:	0.17 Acres
Building Area:	1,200 Square Feet
Parking Required:	4 Spaces
Parking Provided:	4 Spaces

BACKGROUND DATA

12/04/85	The City Council approved a rezoning (Z-0071-85) to C-1 (Limited Commercial) for this site.
12/28/93	The Board of Zoning Adjustment approved a Variance (V-0138-93) to allow a used car sales lot and to allow 12 rental vehicles where 5 is the maximum number permitted. A review of the City's license records indicates this use was no longer active as of January 1, 2000, and therefore this Variance has expired.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-1 (Single Family Residential)	Single Family Dwellings
South:	Clark County	
East:	C-1 (Limited Commercial)	Office
West:	C-1 (Limited Commercial)	Office

APR

ANALYSIS & FINDINGS

ZONING

The subject site is zoned C-1 (Limited Commercial).

Minimum conditions for automobile rentals as stated in Section 19A.04.050 of the City of Las Vegas Zoning code are: 1. The use is limited to passenger vehicles only; 2. No more than five rental vehicles shall be stored on the site at any one time; 3. No vehicles shall be offered for sale on the premises.

USE

Staff finds the proposed land use can be operated in a manner that is and compatible with the surrounding residential and commercial land uses, with inclusion of the recommended conditions of approval.

A field inspection of the site by staff indicated that there may be signage on the site that is not in compliance with the Zoning Code. Therefore, staff has included a condition which requires the applicant to provide a signage plan for the site. The signage plan must be approved by staff prior to the issuance of a business license for the proposed 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 land use can be operated in a manner that is and compatible with the surrounding residential and commercial land uses, with inclusion of the recommended conditions of approval, and with a staff review of the existing signage on the site.

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

Because the site is located along a portion of Sahara Avenue where there are existing automobile-related businesses, staff finds it is suitable for 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 of a rental car office will be located on a commercially developed parcel and will not change the physical characteristics of the site. Surrounding streets are fully developed.

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 rental car office will not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION: **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. The applicant shall provide a signage plan for the site for staff review. The signage plan shall include an accurate site plan of the parcel, drawn to scale, indicating the location of buildings, parking lots, driveways and landscaped areas on the parcel; an accurate indication of the location of each present and proposed sign of any type, whether or not the sign requires a sign certificate; and design drawings which allow the computation of the sign area and the height of any existing or proposed signs and which indicate any sign characteristics such as illumination or moving parts. The signage plan must be approved by staff prior to the issuance of a business license for the proposed use.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. The use is limited to passenger vehicles only
5. No more than five rental vehicles shall be stored on the site at any one time
6. No rental vehicles shall be offered for sale on the premises.
7. The installation and use of an outside public address or bell system is prohibited.

8. No used or discarded automotive part or equipment shall be located in any open area outside of an enclosed building.
9. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for rental in the parking lot of the subject property.

Public Works

10. 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.
11. Landscape and maintain all unimproved right-of-way on Sahara Avenue adjacent to this site.
12. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

NOTICES MAILED 110

APPROVALS 1

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Richard Jacobs

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?

✓ 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.

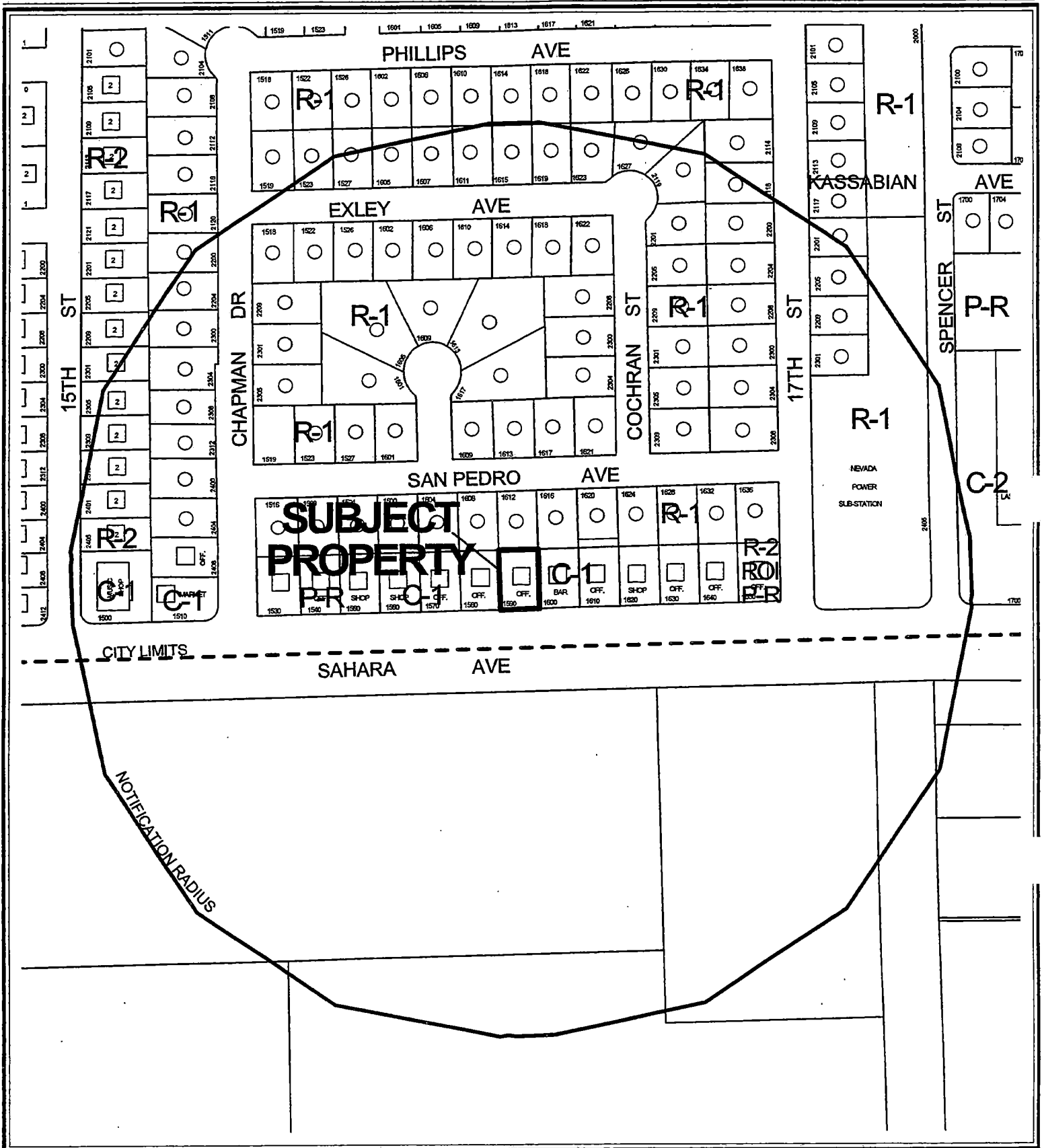
APN: _____

Subscribed and sworn before me

This 17 day of May, 2017

~~Notary Public in and for said County and State~~

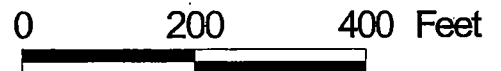




CASE: U-0155-01

RADIUS: 750 FT

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



NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

16202411031
DELANGIS PHILIP & MARIA
P O BOX 60012
BOULDER CITY NV 89006-0012

Case: U-0155-01

MEETING: PLANNING COMMISSION
DATE: JANUARY 10, 2002
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

U-0155-01

U-0155-01
A

REQUEST BY RICHARD JACOBS FOR A SPECIAL USE PERMIT TO ALLOW AN AUTO RENTAL BUSINESS LOCATED AT 1590 EAST SAHARA AVENUE (APN: 162-02-411-026), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call 229-6301 (TDD 386-9108) www.ci.las-vegas.nv.us.



We have no objection
P. P.
1640 E Sahara

ANDREW P. REED, SENIOR PLANNER
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0156-01 - ALLEN AND FLORENCE SHARPE TRUST ON BEHALF OF RSC CYCLE, INC. - Request for a Special Use Permit TO ALLOW A PROPOSED MOTOR VEHICLES SALES BUSINESS (RSC CYCLE) ON A SITE LESS THAN 25,000 SQUARE FEET IN SIZE located at 2605 Highland Drive (APN: 162-09-110-016), M (Industrial) Zone, Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - Motion carried with TRUESDELL abstaining as his firm represents a client that owns property within the notice area

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated that used vehicle sales are allowed as a conditional use in the M (Industrial) zone when the minimum lot size is at least 25,000 square feet. This lot is 17,500 square feet, thus requiring a Special Use Permit.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-32 - U-0156-01

MINUTES - Continued:

This use is compatible with the surrounding automotive and industrial businesses. Staff recommended approval, subject to the conditions.

ROBERT CARL, owner of RSC Cycle, Inc., 2605 South Highland Drive, said he concurs with staff's conditions.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.
(10:27 - 10:28)
4-1340

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a used vehicles sales use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with any proposed on-site development activities.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The gated drive accessing the public alley at the rear portion of this site shall remain fully opened during normal hours of operation to provide sufficient parking for this site.

JANUARY 10, 2002 PLANNING COMMISSION

B-32. U-0156-01 - ALLEN AND FLORENCE SHARPE TRUST ON BEHALF OF RSC CYCLE, INC. - Request for a Special Use Permit TO ALLOW A PROPOSED USED MOTOR VEHICLE SALES BUSINESS (RSC CYCLE) located at 2605 Highland Drive (APN: 162-09-110-016), M (Industrial) Zone, Ward 3 (Reese).

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Special Use Permit to allow a proposed used motorcycles sales business at 2605 Highland Drive.

The applicant's justification letter states is primarily industrial in nature and has many existing automotive-related businesses

BACKGROUND DATA

There is no relevant zoning history for this site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	M (Industrial)	Industrial
South:	M (Industrial)	Industrial
West:	M (Industrial)	Industrial
East:	M (Industrial)	Industrial

ANALYSIS & FINDINGS

ZONING

Used vehicle sales are allowed as a conditional use in the M (Industrial) zone when the minimum lot size is at least 25,000 square feet. Regarding the subject application, the lot size is 17,500 square feet, thus requiring a Special Use Permit.

APR

USE

Staff finds the sale of used motorcycles to be an appropriate use at this location and one that can be conducted in a manner that is compatible with the surrounding commercial land uses.

FINDINGS

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

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

Staff finds that the proposed use is compatible with the surrounding automotive and industrial businesses.

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

Staff finds that this site is physically suitable for the type of intensity of land use proposed as the site is situated within an industrial area.

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 proposed use will not negatively Highland Drive, which is fully developed and can accommodate traffic generated by the proposed commercial us.

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 used motorcycle dealer will be subject to regular inspections for licensing and will therefore not compromise the public health, safety and welfare.

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a used vehicles sales use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied.

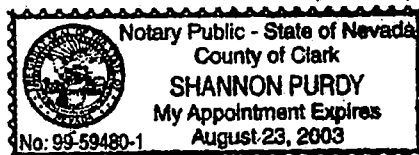
Public Works

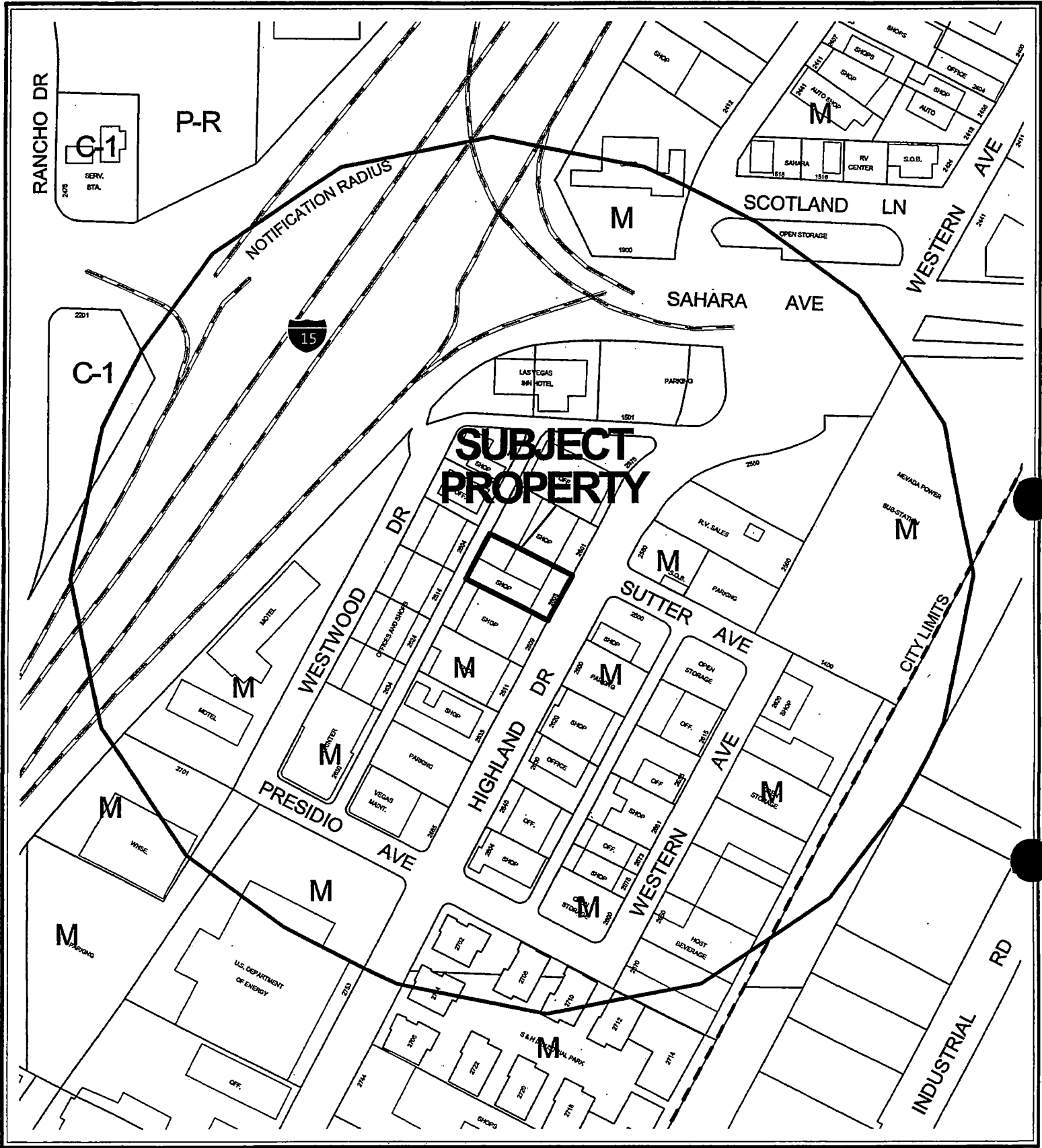
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with any proposed on-site development activities.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The gated drive accessing the public alley at the rear portion of this site shall remain fully opened during normal hours of operation to provide sufficient parking for this site.

NOTICES MAILED 36

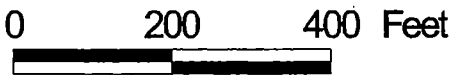
APPROVALS 0

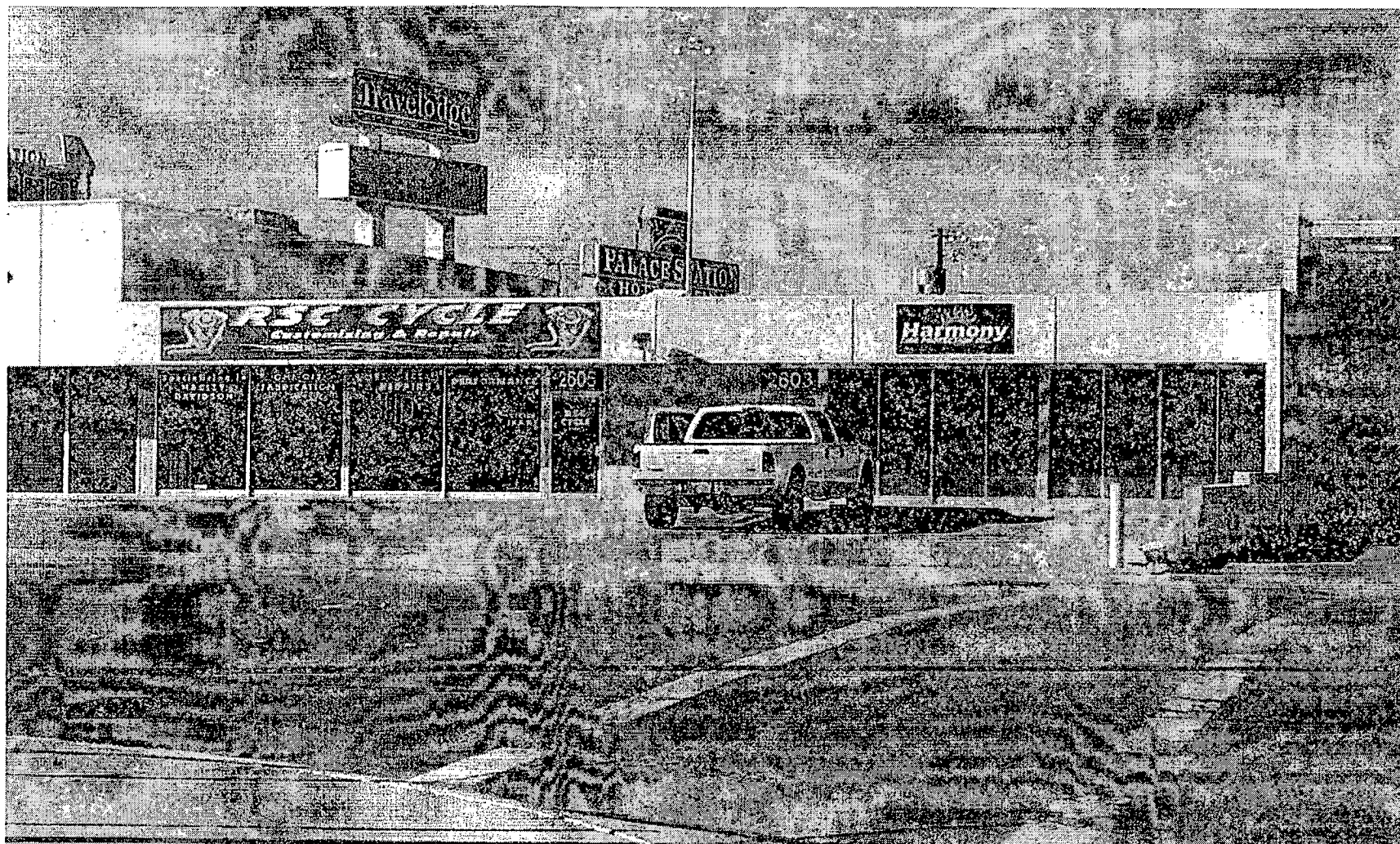
PROTESTS 0





CASE: U-0156-01
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





U-0156-01 - ALLEN AND FLORENCE SHARPE TRUST ON BEHALF OF RSV CYCLE, INC. - LOCATED
AT 2605 HIGHLAND DRIVE
JANUARY 10, 2002 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0157-01 - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF NEXTEL COMMUNICATIONS - Request for a Special Use Permit TO ALLOW A PROPOSED CO-LOCATION AT A HEIGHT OF 60 FEET ONTO AN EXISTING 100-FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE TOWER located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - DENIED - Motion carried with GALATI voting NO and BUCKLEY abstaining as Nextel Communications is a client of his law firm

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant has indicated that 60 feet is the ultimate height for the carrier that intends to have the antennas. A transmission facility and tower are located at the southwest corner of an existing shopping center. Access to the transmission facility and tower is by two existing drives along Lamb Boulevard and three on Stewart Avenue. The transmission facility includes a 12' x 20' building and is directly adjacent to the tower. The tower has three triangular antennas attached at the top of the pole. An 8-foot high chain link fence encloses the facility and tower area.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-33 - U-0157-01

MINUTES - Continued:

Staff encourages the co-location of telecommunication facilities whenever such co-location is not aesthetically unappealing. In this case, staff finds that the placement of additional antennas on this existing monopole to be preferable to the construction of a new monopole.

Staff recommended approval, subject to the conditions.

NEFI GARCIA, Nextel Communications, 750 East Warm Springs Road, #120, said he concurs with staff's conditions.

No one appeared in opposition.

COMMISSIONER QUINN made a motion for DENIAL as there is a communications facility in that area already and this is too close to residential.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:28 - 10:32)

4-1400

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a Wireless Communications facility use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. 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 and facility.

JANUARY 10, 2002 PLANNING COMMISSION

- B-33. U-0157-01 - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF NEXTEL COMMUNICATIONS - Request for a Special Use Permit TO ALLOW A PROPOSED COLOCATION AT A HEIGHT OF 60 FEET ONTO AN EXISTING 100-FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE TOWER located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS.

APPLICATION REQUEST

This is a request for a Special Use Permit to allow a proposed collocation at a height of 60 feet onto an existing 100-foot tall wireless communications monopole tower located at 4371 Stewart Avenue. The applicant indicates that 60 feet is the optimum height for the carrier that intends to place the antennas.

Site Area	2.80 Acres
Communications Facility Area	810 Square Feet
Tower Height	100 Feet

The transmission facility and tower are located at the rear (southwest corner) of an existing shopping center. Access to the transmission facility and tower is via two existing drives along Lamb Boulevard and three on Stewart Avenue

The transmission facility is a 12' x 28' building and is directly adjacent to the tower. The tower has three triangular antennas attached at the top of the pole. An eight-foot high chain link fence encloses the facility and tower area.

BACKGROUND DATA

- | | |
|----------|---|
| 10/1/80 | The City Council approved a Reclassification from R-E (Residence Estates) to C-1 (Limited Commercial) to allow for a shopping center (Z-67-80). |
| 01/08/87 | The Planning Commission approved a request for Plot Plan and Building Elevation Review for a retail commercial center [Z-67-80 (6)]. |
| 12/22/94 | The Planning Commission approved a Site Development Plan Review [Z-67-80(8)] for a proposed cellular communication facility which includes the subject 100-foot monopole. |

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-PD16 (Residential Planned Development – 16 Units per Acre)	Multi-Family Residential
South:	C-1/R-3 (Limited Commercial/ Medium-Density Residential)	Commercial Multi-Family Residential
East:	C-1 (Limited Commercial)	Commercial
West:	R-3 (Medium-Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

The C-1 (Limited Commercial) zoning of the subject site allows a telecommunications facility upon approval of a Special Use Permit.

USE

Staff encourages the co-location of telecommunications facilities whenever such co-location is not aesthetically unappealing. In this case, staff finds the placement of additional antennas on this monopole to be preferable than the construction of a new monopole.

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 placement of additional antennas on the existing monopole is compatible with the surrounding developed area.

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

Staff finds the placement of additional antennas on the existing monopole will not substantially increase the intensity of the 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 placement of additional antennas on the existing monopole will not generate additional traffic and therefore will not affect the surrounding roadways.

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 tower is subject to inspection by City staff for building permits and licensing; therefore, the use will not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a Wireless Communications facility use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied
4. 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 and facility.

NOTICES MAILED 947

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: U-0157-01 APN: 140-31-602-011

Name of Property Owner: SOL MUNAKASHI

Name of Applicant: NEXTEL COMMUNICATIONS

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:

Print Name: SOLI MUNAKASIT

Subscribed and sworn before me

This 2 day of December, 2001

Los Angeles, California
Notary Public in and for said County and State

Krista Binell





AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0158-01 - GEMINI, INC. ET AL ON BEHALF OF LADY LUCK LAS VEGAS - Request for a Special Use Permit TO ALLOW THE CONVERSION OF A RESORT HOTEL (LADY LUCK) INTO A TIMESHARE DEVELOPMENT located at 206 North Third Street (APN's: 139-34-510-017 & 018), C-2 (General Commercial) Zone, Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated this use is compatible with the surrounding tourist oriented and commercial development. Staff recommended approval, subject to the conditions.

GREG BORGEL, 300 South 4th Street, appeared to represent the Lady Luck Hotel/Casino and Quintas organization, which does timeshare projects. Only the west tower of the Lady Luck will be converted to a timeshare use. Everything on the main property will continue to be as it is at the present time. This will be favorable for the hotel and downtown. It will upgrade the facility and bring capital into the community. There is a guarantee that the persons who have a timeshare will be returning to Las Vegas. He concurred with staff's conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-34 - U-0158-01

MINUTES - Continued:

No one appeared in opposition.

COMMISSIONER McSWAIN asked if they will be going into the community and gathering tourists to get them to sign up for a timeshare. MR. BORGEL responded that they will have a promotion program, but it will not involve bringing people to the Lady Luck. They will have a sales center.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:32 - 10:35)

4 - 1540

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a timeshare development use.
- 2 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.
- 3 All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of the first phase of development of this site.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-34 - U-0158-01

CONDITIONS - Continued:

- 5 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. 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. 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

JANUARY 10, 2002 PLANNING COMMISSION

- B-34. U-0158-01 - GEMINI, INC. ET AL ON BEHALF OF LADY LUCK LAS VEGAS**
- Request for a Special Use Permit TO ALLOW THE CONVERSION OF A
RESORT HOTEL (LADY LUCK) INTO A TIMESHARE DEVELOPMENT
located at 206 North Third Street (APN's: 139-34-510-017 & 018), C-2 (General
Commercial) Zone, Ward 5 (Weekly).

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Special Use Permit to allow the conversion of the west tower of the Lady Luck hotel into a timeshare development on property located at 206 North Third Street.

BACKGROUND DATA

12/06/01 The Planning Commission approved a request for a Site Development Plan Review (SD-0071-01) for a proposed 14,765 square foot banquet hall and general site improvements.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-2 (General Commercial)	Parking Garage
South:	C-2 (General Commercial)	Commercial and Parking Garage
East:	C-2 (General Commercial)	Hotel Casino (Lady Luck)
West:	C-2 (General Commercial)	Hotel and Retail

ANALYSIS & FINDINGS

ZONING

The proposed timeshare development is permitted in the C-2 (General Commercial) zoning district upon approval of a Special Use Permit.

APR

USE

Staff finds the proposed use is compatible with the surrounding tourist-oriented and commercial development.

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."**

The proposed use is compatible with the pattern of tourist-oriented and commercial development occurring in this portion of the City.

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

Staff finds that the subject site will be physically suitable for the type and intensity of land 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 abutting street network will be adequate for the traffic generated by this use. Both Stewart Avenue and Fourth Street are fully developed as primary arterial roadways.

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

Staff finds that the proposed timeshare development on this site will be subject to regular inspection by City and County regulatory agencies for business licensing, and will therefore not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a timeshare development use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of the first phase of development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits 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. 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

NOTICES MAILED 50

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 4-0158-01 APN: 139-34-510-017, 139-34-510-018

Name of Property Owner: GEMINI, Inc. and partly leased from Beth Garside, et al

Name of Applicant: **LADY LUCK LAS VEGAS**

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): _____

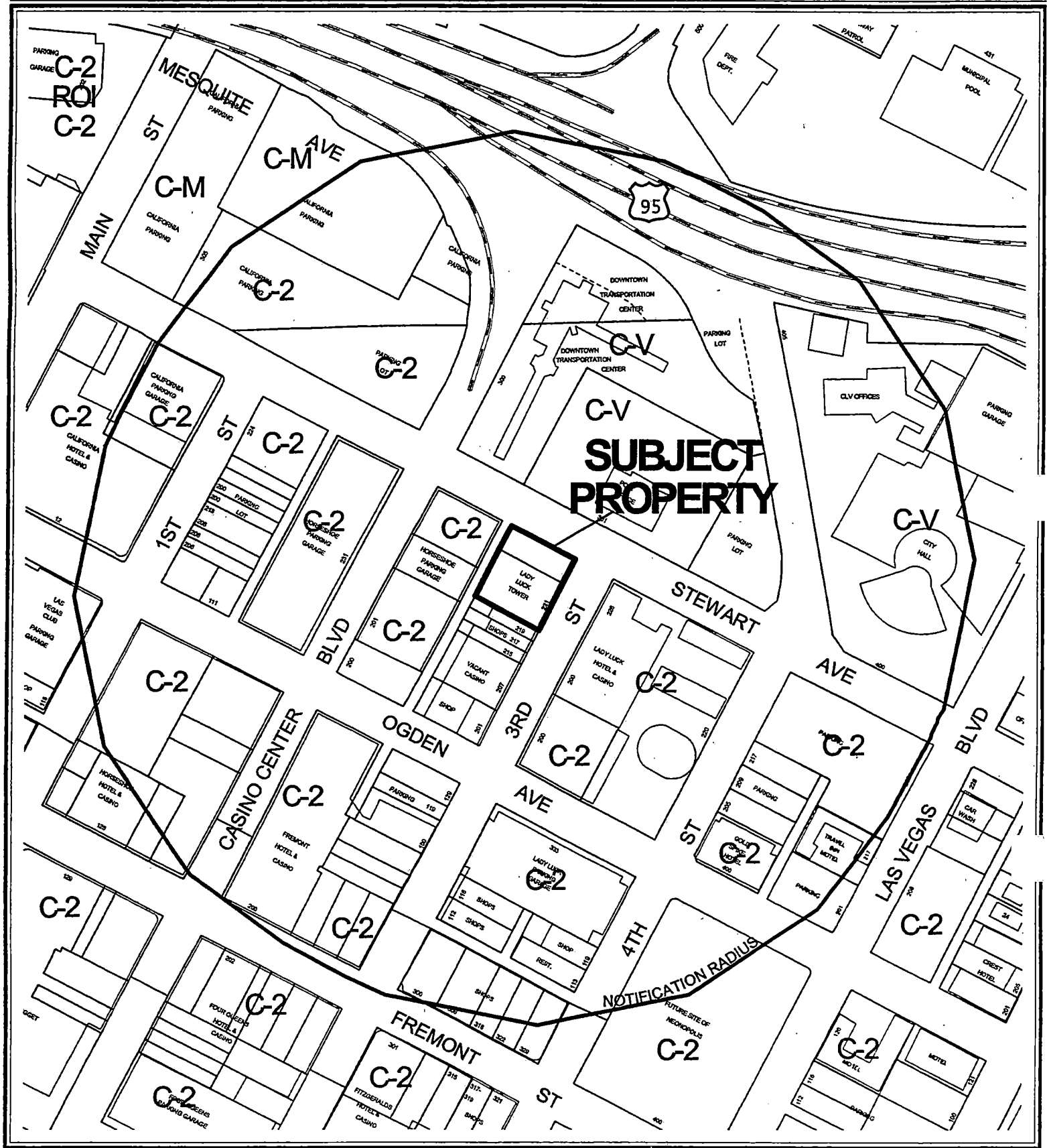
APN: _____

Signature of Property Owner/Authorized Agent: Richard Meister

Subscribed and sworn before me

This 22nd day of October, 2001

Joyce L. Hart
Notary Public in and for said County and State



CASE: U-0158-01

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - U-0159-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH - Request for a Special Use Permit FOR A PROPOSED USED MOTOR VEHICLE DEALERSHIP located adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way (APN: 138-12-801-016), C-2 (General Commercial) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL - ABEYANCE Items B-35 [U-0159-01] and B-36 [SD-0079-01] to the 2/14/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant requested abeyance of Items B-35 [U-0159-01] and B-36 [SD-0079-01] until the 2/14/2002 Planning Commission meeting in order to resolve some issues with staff.

There was no one present to represent the application.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-35 - U-0159-01

MINUTES - Continued:

NOTE: See Item B-36 [SD-0079-01] for related discussion.

(6:12 - 6:15)

1 - 265

JANUARY 10, 2002 PLANNING COMMISSION

- B-35. U-0159-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH - Request for a Special Use Permit FOR A PROPOSED USED MOTOR VEHICLE DEALERSHIP located adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way (APN: 138-12-801-016), C-2 (General Commercial) Zone, Ward 6 (Mack).**

PUBLIC HEARING

IF APPROVED C.C. 2/20/2002

IF DENIED P.C. FINAL ACTION

(Unless appealed within 10 days)

STAFF RECOMMENDATION: DENIAL

APPLICATION REQUEST

This request is for a Special Use Permit for used motor vehicle sales adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way.

BACKGROUND DATA

- 04/12/99 The City Council approved a Special Use Permit (U-0009-99) for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on this site.
- 06/07/00 The City Council approved an Extension of Time of an approved Special Use Permit [U-0009-99(1)] for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on this site.
- 01/10/02 The Planning Commission will review a related Site Development Plan Review (SD-0079-01) for a proposed 4,050 square foot used motor vehicle sales dealership on the subject site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-2 (General Commercial)	Undeveloped
South:	C-1 (Limited Commercial)	Retail Commercial
	C-2 (General Commercial)	Retail Commercial
East:	C-2 (General Commercial)	Retail Commercial
West:	R-4 (High Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

Staff finds that the current zoning on the subject property is C-2 (General Commercial) [GC (General Commercial) General Plan Designation], which allows the requested Motor Vehicle Sales (Used) use with approval of a Special Use Permit.

USE

Minimum conditions for Motor Vehicle Sales (Used) within the C-M (Commercial/Industrial) and M (Industrial) zones as stated in Section 19A.04.040 of the City of Las Vegas Zoning code include stipulations regarding the development. Staff finds the following conditions should be imposed on this application.

1. The installation and use of an outside public address or bell system is prohibited.
2. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

Staff acknowledges that the subject property is zoned C-2 (General Commercial), a zoning district with characteristics that include uses that commonly have outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Staff finds, however, that a used car dealership is not appropriate at this location because it will not be compatible with the medium density residential uses that are on adjacent sites to the west. Adverse noise and nighttime lighting impacts on adjacent residences will occur, and the project's proposed vehicle access to a local residential road will create adverse impacts on local traffic. No other businesses along this portion of Cheyenne Avenue or nearby portions of Rancho Drive have outdoor storage of products of any kind on their properties. Staff finds this portion of Cheyenne Avenue is residential in nature, not commercial.

In addition, staff has only entertained applications for used motor vehicle dealerships that front directly onto Rancho Drive, this site does not have any frontage onto Rancho Drive. Furthermore, a used motor vehicle dealership on this site would set a precedent for future used motor vehicle dealerships locating along Cheyenne Avenue.

FINDINGS

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

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

Staff finds that this site has a GC (General Commercial) designation. The Land Use Classifications Section of the Las Vegas 2020 Master Plan states that General Commercial uses "...include, but are not limited to, retail, service, wholesale office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition." Staff finds that a used car dealership is not appropriate at this location because it will not be compatible with the medium density residential uses that are on adjacent sites to the west. Adverse noise and nighttime lighting impacts on adjacent residences will occur, and the project's proposed vehicle access to a local residential road will create adverse impacts on local traffic.

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

Staff finds the subject site is not physically suitable for the used auto sales. Adjacent to the west are existing high-density multiple family residential uses, which are not compatible abutting uses with used auto sales in terms of the commercial intensity and hours of operation.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

The site has access to Cheyenne Avenue, a 100-foot wide primary arterial. Staff finds that the proposed street network in the vicinity of this property would be adequate to meet the needs of the proposed project. However, staff finds that the proposed vehicle access to a local residential road will create adverse impacts on local traffic.

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 used auto sales will be subject to inspection by the City and will not compromise the health, safety and welfare of the general public.

STAFF RECOMMENDATION: **DENIAL.** If approved, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this Special Use Permit shall be null and void unless an Extension of Time is granted.
2. The installation and use of an outside public address or bell system shall be prohibited.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. All repair and service work shall be performed within a completely enclosed building.
6. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that is at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.
7. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.
8. The used car dealership shall not operate on Sundays.
9. All City Code Requirements and all City Departments design standards shall be met.

NOTICES MAILED 146 (Mailed with SD-0079-01)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

30-0079-01 and
Case Number: U-0159-01 APN: 138-12-201-016
Name of Property Owner: FORT LEWIS DEVELOPMENT
Name of Applicant: JAMES C. SMITH

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): _____

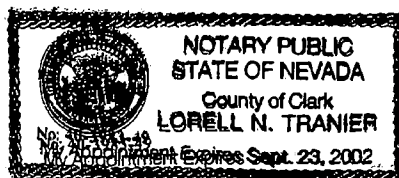
APN: _____

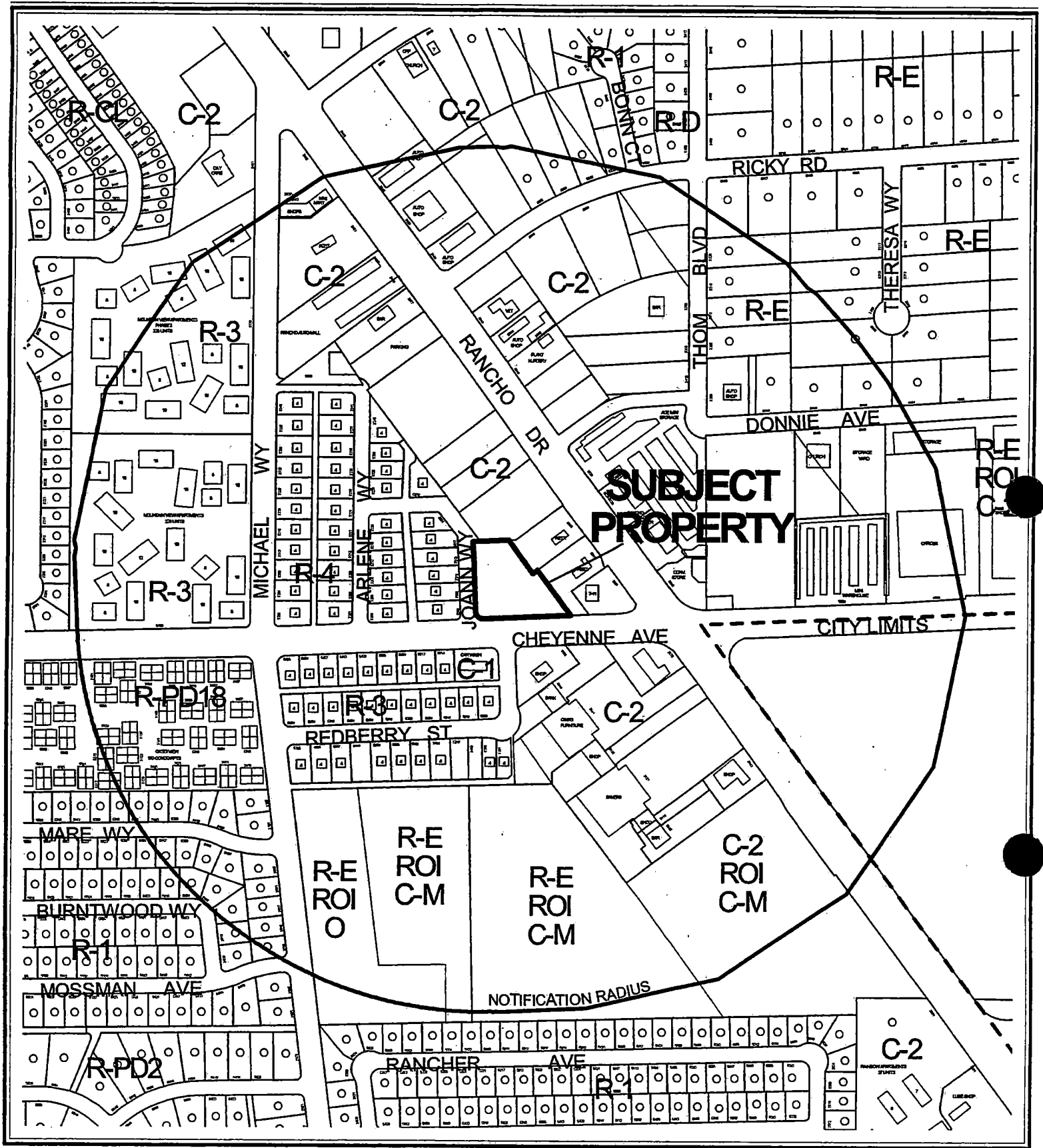
Signature of Property Owner/Authorized Agent: Font Lewis Dev. Corp.

Subscribed and sworn before me

This 10 day of Dec, 2001

Lorell Isanier
Notary Public in and for said County and State





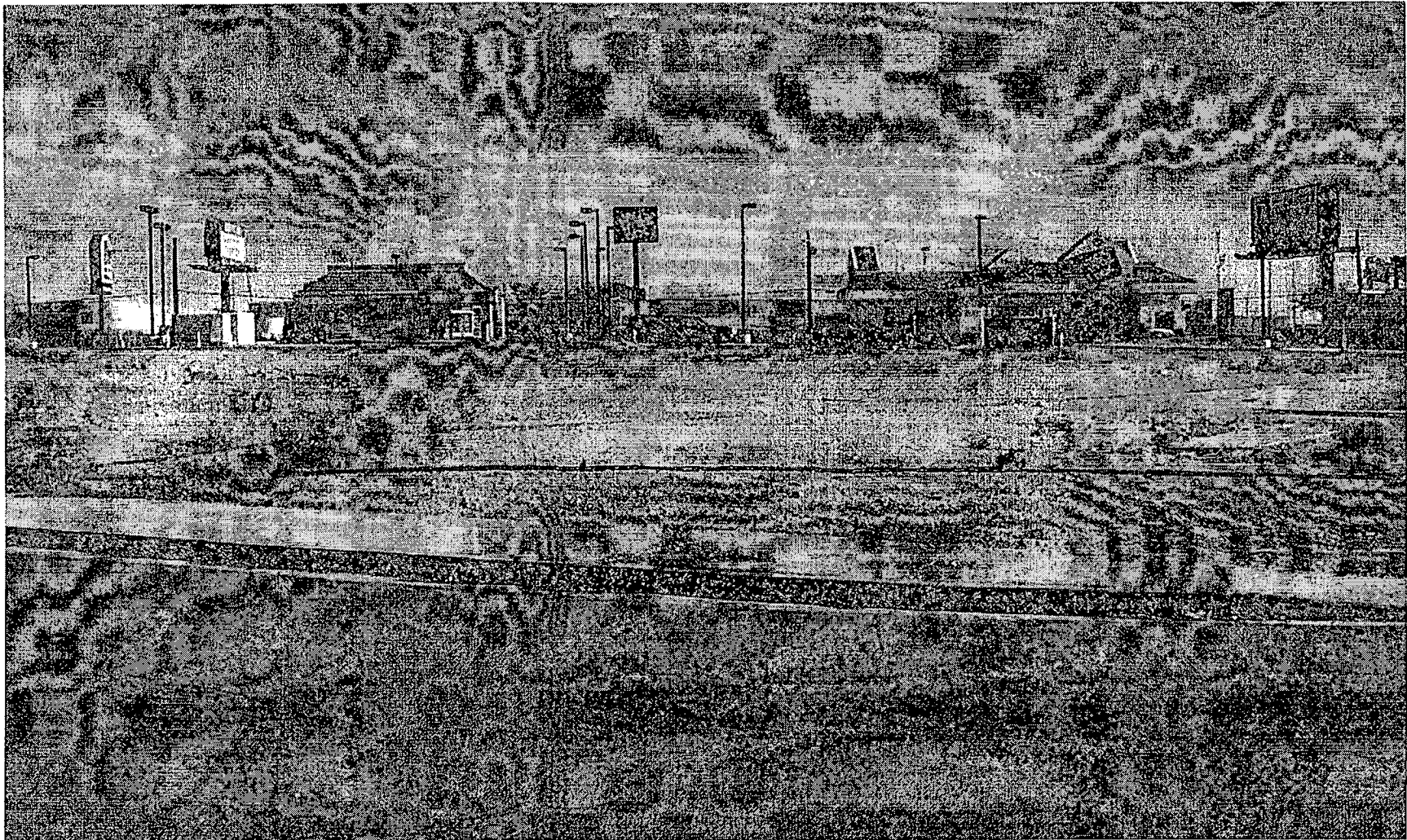
CASE: U-0159-01

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 300 600 Feet





U-0159-01 AND SD-0079-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH -
LOCATED ADJACENT TO THE NORTHEAST CORNER OF CHEYENNE AVENUE AND JOANN WAY
JANUARY 10, 2002 PLANNING COMMISSION

TELEPHONE PROTESTS/APPROVALS

MEETING DATE: 1-10-02

CASE NUMBER: U-0159-01

Date: 1-8-02
Name: James Demarre
Address: 5420 Mare Way
89108
Phone: Am 1045-5374
Protest: ☒ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: U-0159-01
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - SD-0079-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH - Request for a Site Development Plan Review and a Reduction in the Amount of Required Parking Lot Landscaping FOR A PROPOSED 4,050 SQUARE-FOOT USED MOTOR VEHICLE DEALERSHIP on 1.36 Acres, located adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way (APN: 138-12-801-016), C-2 (General Commercial) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

Planning Commission Mtg.

0

City Council Meeting

☐

City Council Meeting

☐

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL - ABEYANCE Items B-35 [U-0159-01] and B-36 [SD-0079-01] to the 2/14/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated the applicant requested abeyance of Items B-35 [U-0159-01] and B-36 [SD-0079-01] until the 2/14/2002 Planning Commission meeting in order to resolve some issues with staff.

There was no one present to represent the application.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-36 - SD-0079-01

MINUTES - Continued:

NOTE: See Item B-35 [U-0159-01] for related discussion.

(6:12 - 6:15)

1 - 265

JANUARY 10, 2002 PLANNING COMMISSION

- B-36. SD-0079-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH - Request for a Site Development Plan Review and a Reduction in the Amount of Required Parking Lot Landscaping FOR A PROPOSED 4,050 SQUARE-FOOT USED MOTOR VEHICLE DEALERSHIP on 1.36 Acres, located adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way (APN: 138-12-801-016), C-2 (General Commercial) Zone, Ward 6 (Mack).**

PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: DENIAL

APPLICATION REQUEST

This request is for a Site Development Plan Review and a Reduction in the amount of the required Parking Lot Landscaping for a proposed 4,050 square foot use auto dealership located adjacent to the northeast corner of Cheyenne Avenue and JoAnn Way. The applicant's justification letter states that this development will be an asset to other surrounding businesses.

BACKGROUND DATA

- 04/12/99 The City Council approved a Special Use Permit (U-0009-99) for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on this site.
- 06/07/00 The City Council approved an Extension of Time of an approved Special Use Permit [U-0009-99(1)] for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on this site.
- 01/10/02 The Planning Commission will review a related Special Use Permit (U-0159-01) for Used Motor Vehicle Sales on the subject site.

DETAILS OF APPLICATION REQUEST

Site Area:	1.36	Acres
Building Square Footage:	4,050	Square Feet
FAR:	0.068	
Building Height:	15	Feet
Parking Required:	9 //	Spaces (including one handicap accessible)
Parking Provided:	20	Spaces (including two handicap accessible)
Total Remaining Parking:	72	Spaces

// Parking based on Section 19A.10.010 standards for "Motor Vehicle, Boat, Trailer, or Machinery Sales" requirement of one space for each 500 square feet of enclosed gross floor area.

TSJ

Access to the site is from two driveways, one from Cheyenne Avenue and the other from JoAnn Way. The roughly triangular property is located on the north side of Cheyenne Avenue, approximately 330 feet west of Rancho Drive. The proposed building footprint is set toward the center of the site with parking to the south, east and west. A vehicle storage area is depicted directly adjacent to the north side of the building.

The submitted landscape plan indicates a minimum 15-foot wide planter along the Cheyenne Avenue and JoAnn Way frontages. Minimum 8-foot wide planters will be provided along the east and north property lines. Landscape islands will be provided throughout the parking areas.

The elevations depict a rectangular beige stucco building with a tile mansard roof. Overhead garage doors are indicated on the eastern and western elevations with room for three vehicles (total of six, with both ends of the building).

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-2 (General Commercial)	Undeveloped
South:	C-1 (Limited Commercial)	Retail Commercial
	C-2 (General Commercial)	Retail Commercial
East:	C-2 (General Commercial)	Retail Commercial
West:	R-4 (High Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

The subject site is zoned C-2 (General Commercial). A Special Use Permit is required for used auto dealerships in the C-2 (General Commercial) zoning district. Staff finds the site plan meets the minimum requirements of Code Section 19A.08.050 (Commercial Development Standards).

SITE PLAN

Staff finds inappropriate a proposed driveway cut onto JoAnn Way, which will negatively impact that roadway and introduce commercially generated traffic on residential neighborhood roadways. Therefore, if this request is approved, staff recommends a condition requiring the deletion of the driveway onto JoAnn Way. In addition, staff finds the auto storage area to the north of the building to be of concern. Staff finds that a minimum 8-foot tall decorative block wall shall be constructed around the auto storage area to minimize adverse visual impacts on adjacent properties.

LANDSCAPE WAIVER

Title 19A.12.020 describes the intent of landscape, wall and buffer requirements including the following:

- To ensure that new development will contribute to the overall attractiveness of the City;
- To increase design compatibility between residential and abutting commercial and industrial land uses;
- To reduce unsightly views; and
- To reduce heat and glare generated by development.

Staff finds the applicant is requesting a reduction in the amount of parking lot landscaping. However, no justification as to why the reduction should be granted has been given. Staff finds that the site plan indicates an abundance of parking and extra room to accommodate the additional landscape islands without severely impacting the site. Therefore, the reduction of the required parking lot landscaping should be denied and the full landscaping improvements be implemented.

LANDSCAPE PLAN

Staff finds the submitted landscape plan is deficient in parking lot landscaping. Section 19A.12.040 of the Las Vegas Zoning Code states that Landscape islands located within the parking area shall have a minimum planter width of five feet and a minimum length equal to the length of the adjacent parking space. The Zoning Code also states that landscape islands shall be located at the end of each row of parking places. In addition, the minimum acceptable size plant material for landscaped islands shall be a twenty-four inch box tree provided at a ratio of one tree for every six parking spaces.

In addition, the perimeter landscape planters indicate 24-inch box oak trees. Staff finds that a more appropriate buffer would be a 24-inch box Mondel pine tree. Therefore, if this request is approved, staff has included a condition requiring the landscape plan be revised to depict 24-inch box Mondel pine trees spaces 20-feet on center along all perimeter landscape planters.

The submitted landscape plan indicates several rows of parking spaces with no landscape islands at the end of the rows. Therefore, staff finds the proposed landscaping of the site lacks compliance with the Las Vegas Urban Design Guidelines and Standards. If this request is approved, staff recommends the applicant submit a revised landscape plan that shows compliance with the Urban Design Guidelines and Standards and shall place landscape islands within the parking area at the ends of each row of parking places and be provided at a ratio of one tree for every six parking spaces.

ELEVATIONS

Section 19A.04.040 of the Las Vegas Zoning Code also states that Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. The west elevations of the building indicate service bays, which directly face onto JoAnn Way. Therefore, if this request is approved, staff recommends the service bays either be removed completely or moved to conform to the requirements of Section 19A.04.040 of the Las Vegas Zoning Code.

In addition, staff finds the submitted elevation depict a plain looking "box-like" building with no architectural expression or façade articulation. Therefore, if this request is approved, staff recommends the elevations be revised.

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 used car dealership development is not appropriate at this location because it is not consistent with other development along this portion of Rancho Drive and the adjacent residential uses only 350 feet to the west.

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 used auto dealership is not consistent with Title 19A or the Landscape, wall and buffer standards, in that the proposed used auto dealership does not meet the minimum landscaping standards. However, the development with the conditions identified below will make this proposed development more consistent with Title 19A and the Landscape wall and buffer standards.

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

The subject site is adjacent to Cheyenne Avenue, a 100-foot wide primary arterial, and in close proximity to Rancho Drive, a 120-foot wide primary arterial. Staff finds these roadways are adequate in capacity to accommodate the demand of the proposed used motor vehicle dealership. However, a second access is proposed onto JoAnn Way, which will negatively impact that roadway and introduce commercially generated traffic on residential neighborhood roadways.

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

Staff finds the proposed building elevations and landscape materials will not provide an aesthetically appropriate building and site plan in that compatibility with adjacent new development will not result. The recommended conditions requiring revision of elevations and landscaping will help make this development more compatible with the surrounding area.

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 site landscaping, building elevations, design characteristics and other architectural and aesthetic features will not be compatible with the adjacent development in the area. The recommended conditions requiring revision of elevations and landscaping will make the development more compatible with the surrounding area.

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

Staff finds the used auto dealership will be subject to the Uniform Building Code and therefore will not compromise the public health, safety or welfare.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of this Site Development Plan Review shall be for no more than two years from the date of City Council approval, unless an extension of time is approved.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to remove the driveway onto JoAnn Way.
3. No test drives shall be conducted on JoAnn Way or other residential streets in the vicinity of this request.
4. Vehicles shall not be stored or displayed in any landscaped area.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box Mondel pine trees spaced 20-feet on center in all perimeter landscape planters.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 5 foot wide landscape islands throughout the parking areas that conform to the requirements of Section 19A.12.040 of the Las Vegas Zoning Code.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. The installation and use of an outside public address or bell system is prohibited.
9. No used or discarded parts shall be located in any open area outside of an enclosed building.
10. Exterior lighting shall be screened or otherwise designed so as to not shine directly on any adjacent parcel.
11. All repair service shall be performed inside and enclosed area.
12. There shall be no temporary on-premise signage (pennants, banners or flags) associated with the automobile dealers.
13. 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.
14. 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.]
15. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
16. 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.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

18. 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.
19. Any utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
20. The applicant shall construct an eight-foot tall decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines (east and north). Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
21. City Code requirements and design standards of all City departments must be satisfied.
22. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

23. Construct all incomplete half-street improvements (sidewalk) on JoAnn Way adjacent to this site concurrent with development of this site.
24. 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.
25. 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. The proposed driveway accessing Cheyenne Avenue shall also receive approval from the Nevada Department of Transportation.
26. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
27. Comply with the previously approved Traffic Impact Analysis or submit an update to the previously approved Traffic Impact Analysis to be approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis update prior to occupancy of the site. 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.

28. 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, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer. We note that this site is within a FEMA "A" Flood Zone and may need to be modified to accommodate a 70 foot wide drainage easement along the western property line of this site.
29. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Cheyenne Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

NOTICES MAILED 146 (Mailed with U-0159-01)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SD-0079-01 and
Case Number: U-0159-01 APN: 138-12-201-016
Name of Property Owner: FORT LEWIS DEVELOPMENT
Name of Applicant: JAMES C. SMITH

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): _____

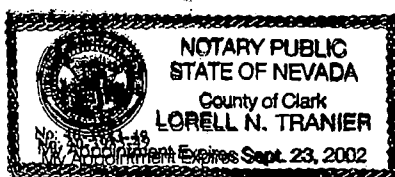
APN:

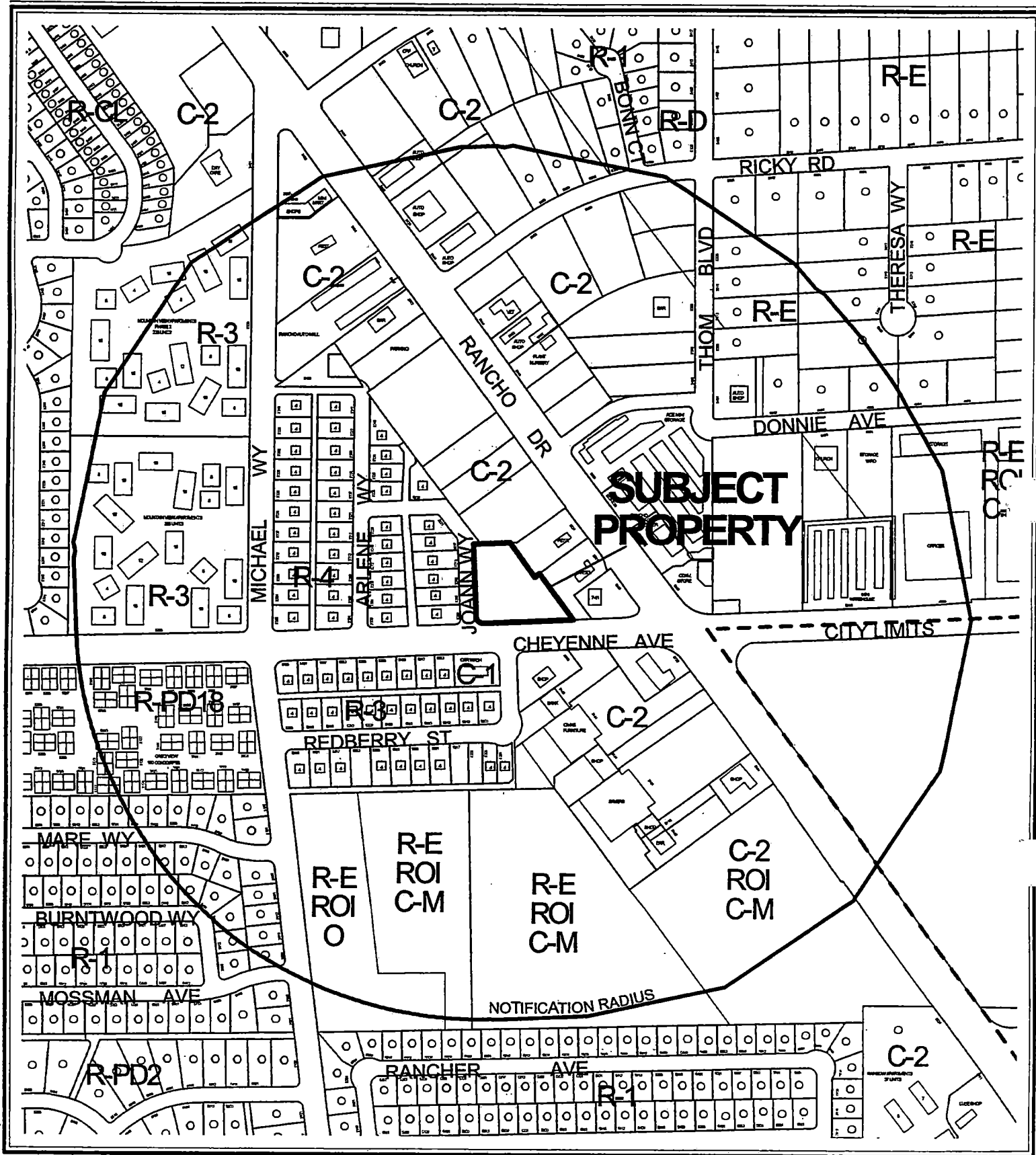
Signature of Property Owner/Authorized Agent: Font Lewis Dev. Corp.

Subscribed and sworn before me

This 10 day of Dec., 2001

Lorell Lamer
Notary Public in and for said County and State





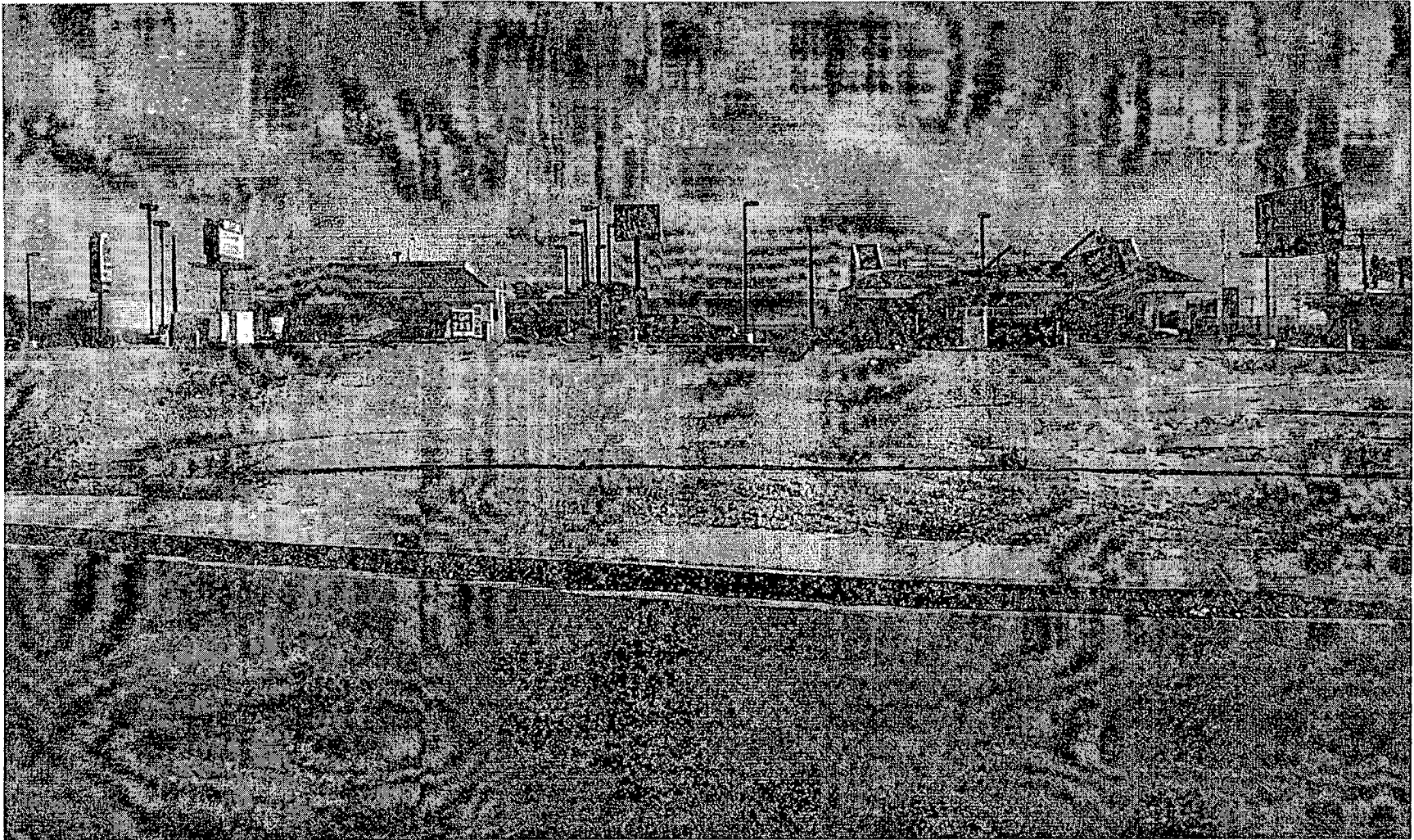
CASE: SD-0079-01

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 300 600 Feet





U-0159-01 AND SD-0079-01 - FORT LEWIS DEVELOPMENT ON BEHALF OF JAMES C. SMITH -
LOCATED ADJACENT TO THE NORTHEAST CORNER OF CHEYENNE AVENUE AND JOANN WAY
JANUARY 10, 2002 PLANNING COMMISSION

TELEPHONE PROTESTS/APPROVALS

MEETING DATE: 1-10-02

CASE NUMBER: SD-0079-01

Date: 1-8-02
Name: James Demarre
Address: 5420 mare way
89108
Phone: 645-5374
Protest: ☒ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: SD-0079-01
Phone: _____
Protest: ☐ Approval: ☒ P

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

Date: _____
Name: _____
Address: _____
Phone: _____
Protest: ☐ Approval: ☐

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0076-98(25) - CENTENNIAL ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN STALUPPI JR. - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 44,605 SQUARE FOOT NEW AUTO SALES DEALERSHIP (NORTHWEST NISSAN) located adjacent to the east side of Centennial Center Boulevard, north of the El Campo Grande Avenue Alignment (APN: 125-27-301-005 & 006), T-C (Town Center) Zone, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL - APPROVED subject to staff's conditions with additional conditions that applicant meet with the Planning Commission Design Subcommittee to discuss additional architectural features to better address Town Center standards, landscaping modified to require Town Center standard palm trees to give better landscaping break of walls from freeway and southerly property line - **UNANIMOUS** with Buckley abstaining as a client of his law firm owns this property

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

MINUTES - Continued:

ANDREW REED, Planning and Development, stated access to this site will be from three driveways off Buffalo Drive. Parking for vehicle display and customers will be provided adjacent to Buffalo Drive with vehicle storage and employee parking located adjacent to US95.

The main showroom is 26,000 square feet in size on the north portion of the site with a 14,000 square foot secondary showroom to the south.

Landscaping is shown in a 15-foot wide planter along Buffalo Drive. Along the street frontage there is a four foot wide amenity zone with Mexican Fan Palms planted 35 feet on center and a 5 foot wide landscape planter behind the sidewalk with additional trees as shown. Landscaping along the east property line consists of 10 separate planter islands each with palm trees. Additional landscaping is also shown in the customer accessible areas of the parking lots and an 8 foot wide planter within 24 inch box trees spaced 20 feet on center along a portion of the south property line.

The elevations for the north, south and east sides depict concrete block exteriors with aluminum clad accent panels. The elevations for the west side (customer entrance) depict exterior plaster with aluminum clad accent panels and an aluminum storefront window system.

The applicant is requesting a waiver from the landscaping along US95. Staff recommended approval of that waiver due to the grade differential resulting in the site boundary at this location not being visible in the line of site from the freeway. The applicant is also requesting a waiver of the parking lot landscape requirement for the vehicle storage area between the structures and US95. Because this area is enclosed and screened from view from Buffalo Drive, staff recommended approval of the waiver.

In regard to the customer accessible portion of the site along Buffalo Drive, the landscape planter appears to comply with the Town Center standards. Because of the level of detail of those standards, conditions of approval have been included with this request to allow for a staff review of landscaping within the amenity zone and for a staff review of the type, placement and size of the landscaping.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

MINUTES - Continued:

The aesthetic characteristics of the project will be appropriate for the Town Center area and compatible with existing commercial development in Centennial Center.

Staff recommended approval, subject to the conditions.

ATTORNEY PHILLIP GRIMES appeared to represent the applicant. They have met all the requirements for Town Center. He pointed out on the monitor how the property would be developed. Nissan has a set standard for their auto dealerships nationwide.

MIKE BELLON, Elysium Enterprises, 7300 Stoney Shore Drive, appeared to represent the applicant. This building will have several different elevations. Late last night they added a band of aluminum clad accent panels all the way around the building. They split the split faced block and stucco system every 12 feet with 1 ½ foot wide construction joints which will be painted a light gray color in the dark gray split faced block area and a dark gray color in the light gray stuccoed area. The Nissan name will be on the back and front of the building. The ancillary building is for the used vehicle, truck and recondition center, in which there will not be any heavy body work done, just prepping cars that are traded in to get them back on the lot. There was a series of bump-outs along the side where the aluminum cladding was and which continued around the back and sides of the building, running around the top edge of the rear and sides of the building.

TODD FARLOW, 240 North 19th Street, appeared in protest. The applicant stated he meets all the requirements but then is requesting waivers. Secondly, Town Center is supposed to be held to higher standards than other areas. This looks like another cookie cutter car dealership.

THERESA CORDES, Desert Creek, 5700 Heatherwood Street, appeared in protest. Her primary objection was the reduction in the amount of required perimeter off-parking lot landscaping adjacent to Desert Creek. She was of the understanding that car dealerships were to be near Centennial Parkway. This will set a precedent.

GLADYS FINE, Northwest Network of Neighborhoods, appeared in protest. She asked the distinction between previously owned cars and used car lots. CHAIRMAN GALATI explained that Town Center only allows used car sales in conjunction with new car sales, not as a stand alone use.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

MINUTES - Continued:

MR. BELLON explained that used car sales comprise approximately 25% of new car sales. They requested a waiver of the landscaping because there is an elevation differential and no one would be able to see the landscaping. It is unknown how a portion of the property will be developed.

COMMISSIONER McSWAIN felt there should not be a waiver of the required landscaping.

COMMISSIONER EVANS asked for clarification of the landscaping issue. What will be seen when driving along the freeway.

CHRIS GLORE, Planning and Development, explained that the ground level planter will probably not be effective in the car storage area, but possibly the palm trees at a space of 35 feet will be an appropriate treatment for the freeway frontage because they will be visible from the freeway. That would be in keeping with the Town Center standards, but also providing for the waiver. The top portion of the palm trees behind a wall will be seen from the freeway. MR. BELLON added that the rear portion of the building will be seen from the freeway.

COMMISSIONER McSWAIN felt car dealerships have a sterile quality in their design. Palm trees have been effective in other dealerships.

COMMISSIONER QUINN asked the applicant's representative if there will be parked vehicles on the landscaping along Buffalo Drive. MR. BELLON answered that is not the case.

CHAIRMAN GALATI asked how this meets the intent of the Town Center architectural standards. MR. BELLON responded that there is extensive use of glass in the entryway. The second story of the interior is exposed and there are interesting architectural features of overhangs and drives.

CHAIRMAN GALATI thought this would be a more enhanced dealership. There should be more stone, change in materials, base in building, more features, more natural type materials, etc. In other words, it still needs to be enhanced.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

MINUTES - Continued:

CHAIRMAN GALATI declared the Public Hearing closed.

DIRECTIVE: Applicant to meet with staff after revised elevations are done to schedule meeting with Architectural Design Subcommittee.

(6:27 - 7:01)

1-815

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. A detailed landscaping plan shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, that depicts the landscaping and hardscaped areas in the Amenity Zone as shown in the Town Center Development Standards. The landscape plan detail plant types, sizes, and locations as required by the Town Center Development Standards. Onsite trees shall conform to the landscaping standards of Town Center. Palm trees shall be at least 25 feet in height. All other trees shall be 18 feet in height. The landscape plan shall include sufficient information to confirm conformance with spacing requirements.
3. A detailed plan depicting sidewalk construction shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, that complies with the Town Center Development Standards.
4. Parking lot lights shall match those previously approved as part of Site Development Plan Review Z-76-98 (1).
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
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.]

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

CONDITIONS - Continued:

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. 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.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Coordinate with the City Surveyor to determine whether a map to revert the existing lots to acreage and to re-subdivide this property is required; if such map is required, it shall record prior to the issuance of any building permits for this site.
15. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Required improvements shall be in accordance with Town Center standards.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-37 - Z-0076-98(25)

CONDITIONS - Continued:

16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
18. Identify the sewer service on this site as either public or private prior to the issuance of any permits for this site.
19. 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 a map subdividing 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 contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a map subdividing this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

JANUARY 10, 2002 PLANNING COMMISSION

- B-37. Z-0076-98(25) - CENTENNIAL ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN STALUPPI JR. - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 44,605 SQUARE FOOT NEW AUTO SALES DEALERSHIP (NORTHWEST NISSAN) located adjacent to the east side of Centennial Center Boulevard, north of the El Campo Grande Avenue Alignment (APN: 125-27-301-005 & 006), T-C (Town Center) Zone, Ward 6 (Mack).**

PUBLIC HEARING

P.C.: FINAL ACTION

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping for a proposed 44,605 square foot new auto sales dealership located adjacent to the east side of Centennial Center Boulevard, north of the El Campo Grande Avenue Alignment. The proposed project is a Nissan dealership and service facility.

BACKGROUND DATA

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of this site as part of a larger request.
- 10/17/01 The City Council approved a request to amend the Town Center Land Use Plan (GPA-0019-01) for this property from SC-TC (Service Commercial - Town Center) to GC-TC (General Commercial) as part of a larger request.

DETAILS OF APPLICATION REQUEST

Site Area:	6.00	Acres
Building Area:	39,605	Square Feet
Building Height:	47	Feet (2 stories)
Parking Required: //	80	Spaces
Parking Provided	276	Spaces
Handicap Parking Required	4	Spaces (including 1 van accessible)
Handicap Parking Provided	6	Spaces (includes 2 van accessible)

// Parking based on Section 19A.10.010 standards for "Motor Vehicle Sales" requirement of one space per 500 square feet.

APR

Access to the site will be from three driveways off Buffalo Drive. Parking for vehicle display and customers will be provided adjacent to Buffalo Drive, with vehicle storage and employee parking located adjacent to U.S. 95. The main showroom, 26,000 square feet in size, is shown in the north portion of the site, with a 14,000 square foot secondary showroom to the south. Landscaping is shown within a 15-foot wide planter along Buffalo Drive. Along the street frontage, a four-foot wide amenity zone with Mexican fan palms planted 35 feet on-center and a five-foot wide landscape planter behind the sidewalk with additional trees is shown. Landscaping along the east property line consists of 10 separate planter islands, each with palm trees. Additional landscaping is also shown in the customer accessible areas of the parking lots and an eight-foot wide planter within 24 inch box trees spaced 20 feet on center along a portion of the south property line.

The elevations for the north, south and east sides depict concrete block exteriors with aluminum clad accent panels. The elevations for the west side (customer entrance) depict an exterior plaster with aluminum clad accent panels and aluminum storefront window system.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	Right-of-Way	U.S. 95
South:	TC (Towncenter)	Undeveloped
East:	Right-of-Way	U.S. 95
West:	TC (Towncenter)	Undeveloped

ANALYSIS & FINDINGS

ZONING

The Town Center General Commercial designation allows all types of retail, service, office and other general business uses of a more intense commercial character [Town Center Development Standards p. 2] including auto sales (new) and auto sales (used, with new car sales). Staff finds the proposed development complies with that designation.

SITE PLAN

Staff finds the site plan presents an orderly placement of buildings and parking. Because of the level of detail of the adopted Towncenter Standards, conditions of approval have been included with this request to allow for a staff review of sidewalks, pedestrian access, and parking lot lighting.

LANDSCAPE PLAN

The applicant is requesting a waiver from the landscaping requirement along U.S. 95. Staff recommends approval of this waiver due to the grade differential resulting in the site boundary at this location not visible in the line-of-sight from the freeway.

The applicant is also requesting a waiver of the parking lot landscape requirement for the vehicle storage area, between the structures and U.S. 95. Because this area is enclosed and screened from view from Buffalo Drive, staff recommends approval of this waiver.

In regard to the customer accessible portions of the site, along Buffalo Drive, staff finds the proposed landscape plan for this portion of the property appears to comply with the Town Center Standards. Because of the level of detail of those standards, conditions of approval have been included with this request to allow for a staff review of landscaping within the amenity zone, and for a staff review of the type, placement and size of proposed landscaping.

ELEVATIONS

Staff finds the elevations comply with the intent of the Towncenter Development Standards and are compatible with the previously approved auto dealership within Town Center.

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."**

The proposed development is one of seven auto dealerships proposed for the immediate area and will operate at a level of intensity comparable to the Wal-Mart, Sam's Club and Home Depot located to the northwest. The site, landscape and building design will comply with Town Center standards, with the exception of the landscape waivers requested, and will be visually compatible with the existing commercial development in the Centennial Center.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

Staff finds the proposed project will be consistent with Title 19A and applicable Town Center plans, policies and standards with implementation of the recommended conditions regarding review of details for sidewalks, pedestrian access, landscaping and parking lot lighting.

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

Staff finds the proposed project will direct traffic onto planned roads to be built to Town Center Frontage Road standards, and will thereby not negatively impact adjacent roadways or residential neighborhood traffic.

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 Town Center area with implementation of the recommended conditions regarding review of details for sidewalks, pedestrian access, landscaping and parking lot lighting.

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 aesthetic characteristics of the project will be appropriate for the Town Center area and compatible with the existing commercial development in the Centennial Center.

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 the development will not compromise the public health, safety or welfare.

STAFF RECOMMENDATION: **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. A detailed landscaping plan shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, that depicts the landscaping and hardscaped areas in the Amenity Zone as shown in the Town Center Development Standards. The landscape plan detail plant types, sizes, and locations as required by the Town Center Development Standards. Onsite trees shall conform to the landscaping standards of Town Center. Palm trees shall be at least 25 feet in height. All other trees shall be 18 feet in height. The landscape plan shall include sufficient information to confirm conformance with spacing requirements.
3. A detailed plan depicting sidewalk construction shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, that complies with the Town Center Development Standards.
4. Parking lot lights shall match those previously approved as part of Site Development Plan Review Z-76-98 (1).
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
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. 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.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Coordinate with the City Surveyor to determine whether a map to revert the existing lots to acreage and to re-subdivide this property is required; if such map is required, it shall record prior to the issuance of any building permits for this site.
15. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Required improvements shall be in accordance with Town Center standards.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.

18. Identify the sewer service on this site as either public or private prior to the issuance of any permits for this site.
19. 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 a map subdividing 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 contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a map subdividing this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

NOTICES MAILED 502

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Z-0076-98(25) APN: 125-27-301-005/006

Name of Property Owner: PHYLLIS SCHWARTZ

Name of Applicant: JOHN STALUPPI JR

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: N/A

Partner(s): N/A N/A

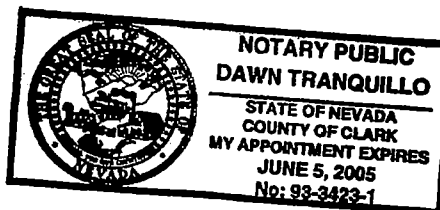
APN: N/A

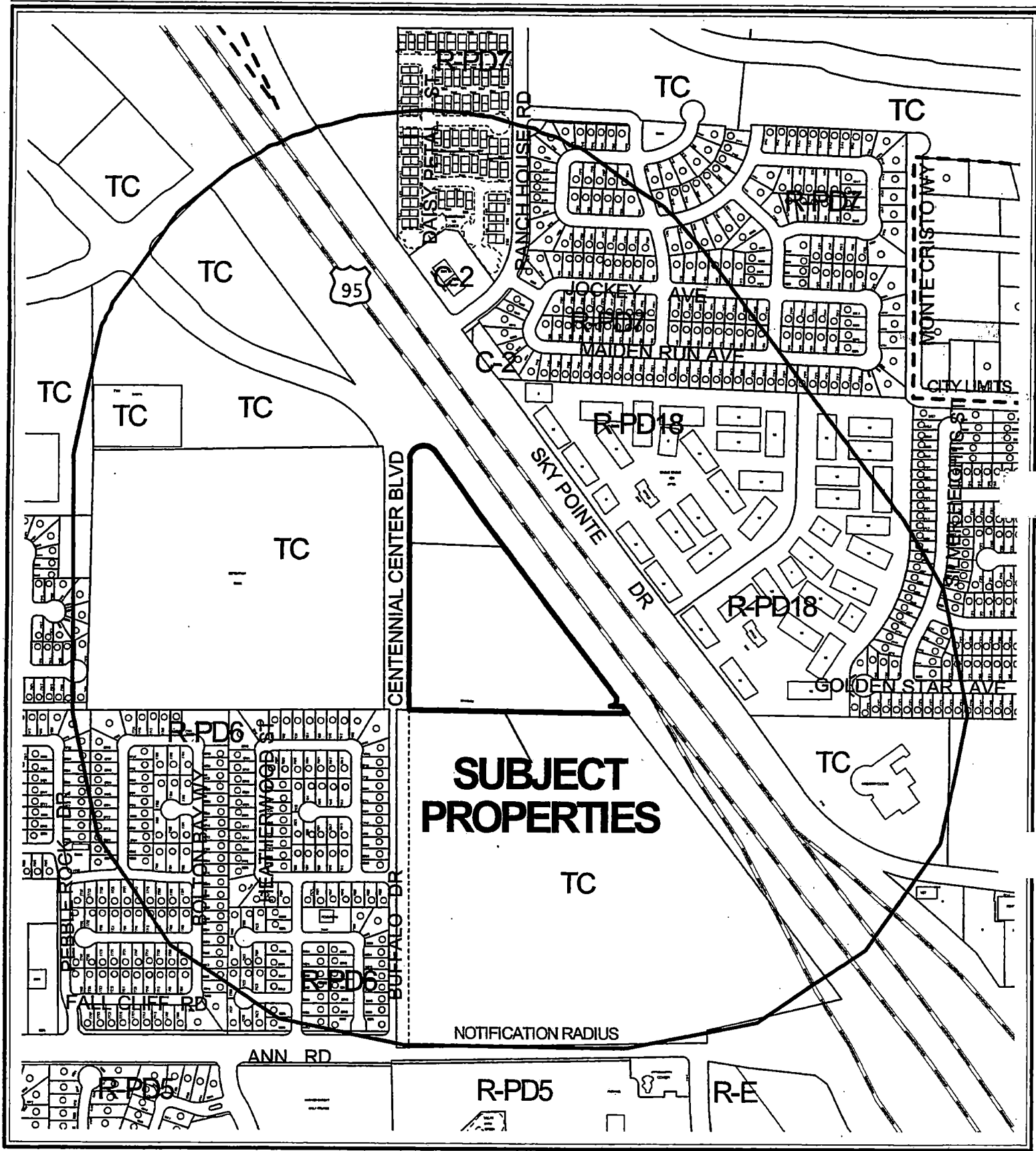
Signature of Property Owner/Authorized Agent: *Phyllis Schwartz*

Subscribed and sworn before me

This 17th day of December, 2001

Dawn Tranquillo
Notary Public in and for said County and State

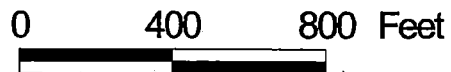




CASE: Z-0076-98(25)

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: TC (TOWN CENTER)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - Z-0086-01(1) - PARDEE CONSTRUCTION - Request for a Site Development Plan Review FOR A 116-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 20 Acres adjacent to the east side of Tee Pee Lane between Dorrell Lane and Deer Springs Way (APN: 125-19-601-005, 006, and 013 through 015), U (Undeveloped) Zone [L-TC (Low Density Residential – Town Center) General Plan Designation], PROPOSED: TC (Town Center), Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL - APPROVED subject to staff's conditions - Motion carried with BUCKLEY abstaining as Pardee Construction is a client of his law firm.

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated that all the lots will be accessed from 39-foot wide local streets and 80-foot wide public collector streets adjacent to the development. The development will consist of 117 single-family residential lots with sizes ranging from approximately 4,263 square feet to 8,100 square feet. Typical lots are proposed to be 58 feet wide by 85 feet deep. The residential plans are for one and two story products ranging between 1,400 and 2,000 square feet.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-38 - Z-0086-01(1)

MINUTES - Continued:

The building elevations depict stucco exteriors and concrete tile roofs. The streetscape design for the project meets the intent of the Town Center Development Standards through the provision of landscaped amenity zones along all streets.

Staff recommended approval, subject to the conditions.

APRIL McGRIFF, Bossard Developer Services, 2920 North Green Valley Parkway, Suite 814, Henderson, Nevada, appeared to represent Pardee Construction. She concurred with staff's conditions.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:35 - 10:38)

4 - 1670

CONDITIONS:

Planning and Development

1. The City Council shall approve Rezoning (Z-0086-01) to T-C (Town Center) zoning district on this site.
2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
3. No perimeter walls shall be allowed along any street that is 79 feet or less in width of street section, with the exception of corner lots.
4. The maximum building height allowed shall not exceed 35 feet.
5. The setbacks for this development shall be a minimum of 18 feet to the face of the garage as measured from the back of sidewalk, 10 feet to side-loaded garages and/or the front of the house, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The Tentative Map shall depict the required 8-foot wide Town Center Arterial Trail along the Deer Spring Road frontage east of Tee Pee Lane, for trail purposes in accordance with Map Six of the Trails Element of the Master Plan.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002

Planning & Development Department

Item B-38 - Z-0086-01(1)

CONDITIONS - Continued:

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect compliance with the Site Plan as submitted, including a 37-foot private street right-of way width, and a 4-foot amenity zone and four-foot wide sidewalk on each side. The landscape plan shall also depict any required accent paving.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied
12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

13. Dedicate, obtain dedication, or obtain roadway easement rights and provide all necessary documentation to the City for the east half of Chieftan Street adjacent to this site prior to the submittal of a Tentative Map for this site. Construct appropriate half-street improvements on Chieftan Street, including sufficient paving over the centerline to provide two-way traffic access concurrent with development of this site. If such dedication or easement rights can not be procured for any reason, this site plan must be revised to eliminate the proposed half-street. All necessary Declarations of Utilization shall be filed prior to or concurrent with the recordation of a Final Map for this site.
14. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
15. Site development to comply with all previous conditions of approval for the Town Center Development Standards, Zoning Reclassification Z-0086-01 and all other subsequent site-related actions.

JANUARY 10, 2002 PLANNING COMMISSION

- B-38. Z-0086-01(1) - PARDEE CONSTRUCTION - Request for a Site Development Plan Review FOR A 116-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 20 Acres adjacent to the east side of Tee Pee Lane between Dorrell Lane and Deer Springs Way (APN: 125-19-601-005, 006, and 013 through 015), U (Undeveloped) Zone [L-TC (Low Density Residential – Town Center) General Plan Designation], PROPOSED: TC (Town Center), Ward 6 (Mack).**

PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 117-lot single-family residential development on approximately 20 acres adjacent to the east side of Tee Pee Lane between Dorrell Lane and Deer Springs Way. The applicant's justification letter states that this development will produce an environment of stable and desirable character that is consistent with existing City policies and regulations.

BACKGROUND DATA

- | | |
|----------|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest. The subject site was not included within the 1998 Rezoning area. |
| 01/26/01 | The subject site was annexed into the City of Las Vegas as part of a 615-acre Annexation Petition request (A-0003-99). |
| 08/23/01 | The Planning Commission approved an Annexation [A-0055-01(A)] of 5.0 acres on a portion of this site. |
| 12/20/01 | The Planning Commission approved a Rezoning (Z-0086-01) from U (Undeveloped) Zone [L-TC (Low Density Residential – Town Center) General Plan Designation] to T-C (Town Center) on this site. |

DETAILS OF APPLICATION REQUEST

Site Area:	20.21	Acres
Number of Lots:	117	Lots
Density:	5.74	Units Per Gross Acre
Lot Area:		
Minimum	4,263	Square Feet
Maximum	8,100	Square Feet
Typical	4,930	Square Feet
Proposed Setbacks:		
Front (to Garage)	18	Feet
Front of House	10	Feet
Side	5	Feet
Corner Side	10	Feet
Rear	10	Feet
Building Height:	18	Feet (1 story) Approximately
	26	Feet (2 story) Approximately
Building Size:		
Minimum	1,414	Square Feet
Maximum	1,948	Square Feet
Open Space Required:	1.41	Acres ^{/1/}
Open Space Provided:	1.91	Acres

^{/1/} Based upon the Approved Town Center Development Standards Manual F.10 (page 125) requirements of 7% for residential density range 5.6 – 8.0 Units per Acre, and therefore 1.41 acres for 20.21 acre portion within a T-C (Town Center) zone.

All proposed lots will be accessed from 39-foot wide private local streets and 80-foot wide public collector streets adjacent to the development. Tee Pee Lane borders the site to the west.

The proposed development will consist of a 117-lot single-family residential development with lot sizes ranging from 4,263 square feet to 8,100 square feet. Typical lots are proposed to be approximately 58 feet wide by 85 feet deep, approximately 4,930 square feet. The proposed residential plans are one-story and two-story product, ranging between 1,414 square feet and 1,948 square feet. Building elevations depict stucco exteriors and concrete tile roofs. The garage entrances to the homes will be front-loading, accessed directly from the adjacent streets.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation.	Undeveloped
	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation under ROI to T-C (Town Center)	Undeveloped
South:	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation under ROI to T-C (Town Center)	Undeveloped
East:	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation.	Undeveloped
	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation under ROI to T-C (Town Center) Unincorporated Clark County	Undeveloped Undeveloped
West:	U (Undeveloped) [L-TC (Low Density Res. – Town Center) General Plan Designation.	Undeveloped
	Unincorporated Clark County	Undeveloped

ANALYSIS & FINDINGS

ZONING

All of the 19.76-acre development lies within the T-C (Town Center) zoning district. Staff finds the proposed single-family residential development is a permitted use. However, the density of this proposed development (5.74 du/acre) exceeds the maximum allowable density of the L-TC (Low Density Residential – Town Center) land use category, which allows densities of 0 to 5.5 dwelling units per acre. The applicant has worked with staff to share densities within their overall development boundaries. Staff finds the proposed density for this development is appropriate.

SITE PLAN

Staff finds that the proposed site plan depicts minimum front setbacks of 18 feet to the garage. Staff has concern where lots abut the four-foot wide sidewalk that the Title 19A requires minimum parking space depth of 18 feet will not be provided, and therefore recommends a condition requiring a minimum 18 foot front setback measured from the back of sidewalk.

Map #6 of the Transportation Trails Element of the Master Plan designates a 9-foot-wide Arterial Trail alignment along the north side of Deer Springs Road. Staff finds the site plan depicts the required 9-foot wide area Arterial Trail along the Deer Springs Road frontage, thereby conforming to the Transportation Trails Element of the Master Plan.

LANDSCAPE PLAN

Staff finds that the proposed streetscape design for the entire project meets the intent of the Town Center development standards through the provision of landscaped amenity zones along all streets. Staff finds that the proposed local street sections are in compliance with the Town Center Residential Street standard.

ELEVATIONS

Staff finds the submitted elevations will be appropriate for the depicted lots within this development.

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 the proposed residential development will provide a compatible residential density, of 5.74 units per acre, to the future residential development on land under density designations of L (Low Residential) per Map 4 of the Centennial Hills Sector Plan of the General Plan. The proposed site plan will implement the approved Town Center residential design standards and will thereby set the standard for residential development on undeveloped parcels surrounding the site.

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 residential development will be consistent with Title 19A. The proposed residential development will be consistent with Title 18 and applicable plans, policies and standards including the Town Center development standards, with implementation of the conditions regarding compliance with Town Center landscape and streetscape development standards.

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

Staff finds the site will be accessed from Deer Springs Road, to be developed as a Town Center Arterial (80-foot right-of-way width), and Tee Pee Lane and Dorrell Street, to be developed as Town Center Residential Collector Roadways (80-foot right-of-way widths).

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

Staff finds the proposed residential development will incorporate appropriate building and landscape design and materials for the area, with implementation of the recommended conditions requiring adherence to Town Center Development standards.

5. **“Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.”**

Staff finds the proposed street and landscaping design as well as the proposed residences will provide an aesthetically appropriate environment within the project and at the site perimeter, with implementation of the recommended conditions requiring adherence to Town Center Development standards.

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

Staff finds that because the proposed residential development will be subject to all of the requirements of the Uniform Building Code, the proposal will not compromise the public health, safety or welfare.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve Rezoning (Z-0086-01) to T-C (Town Center) zoning district on this site.

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
3. No perimeter walls shall be allowed along any street that is 79 feet or less in width of street section, with the exception of corner lots.
4. The maximum building height allowed shall not exceed 35 feet.
5. The setbacks for this development shall be a minimum of 18 feet to the face of the garage as measured from the back of sidewalk, 10 feet to side-loaded garages and/or the front of the house, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The Tentative Map shall depict the required 8-foot wide Town Center Arterial Trail along the Deer Spring Road frontage east of Tee Pee Lane, for trail purposes in accordance with Map Six of the Trails Element of the Master Plan.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect compliance with the Site Plan as submitted, including a 37-foot private street right-of way width, and a 4-foot amenity zone and four-foot wide sidewalk on each side. The landscape plan shall also depict any required accent paving.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied
12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

13. Dedicate, obtain dedication, or obtain roadway easement rights and provide all necessary documentation to the City for the east half of Chieftan Street adjacent to this site prior to the submittal of a Tentative Map for this site. Construct appropriate half-street improvements on Chieftan Street, including sufficient paving over the centerline to provide two-way traffic access concurrent with development of this site. If such dedication or easement rights can not be procured for any reason, this site plan must be revised to eliminate the proposed half-street. All necessary Declarations of Utilization shall be filed prior to or concurrent with the recordation of a Final Map for this site.
14. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
15. Site development to comply with all previous conditions of approval for the Town Center Development Standards, Zoning Reclassification Z-0086-01 and all other subsequent site-related actions.

NOTICES MAILED 54

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: 7-0086-01(1) APN: 125-19-601-005, 006, 013, 014 & 015

Name of Property Owner: Pardee Construction Company Nevada

Name of Applicant: Pardee Construction Company Nevada

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: _____

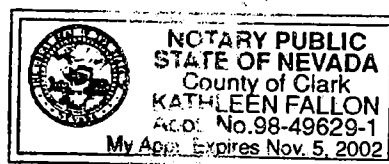
Signature of Property Owner/Authorized Agent: V. A. M.

Print Name: Klif Andrews

Subscribed and sworn before me

This 12 day of November, 20 01

Notary Public in and for said County and State





AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-0045-01 - OVID A. AND EDNA E. MOORE - Petition to vacate a portion of Versi Mount Road generally located between Grand Teton Drive and Ackerman Avenue, Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends ABEYANCE to the 2/14/2002 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

TRUEDELL - ABEYANCE to the 2/14/2002 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

ANDREW REED, Planning and Development, stated staff would like to have this item held in abeyance until the 2/14/2002 Planning Commission meeting so that additional right-of-way can be incorporated into this request.

ALISON HAYES, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. She agreed to having this item held in abeyance to the 2/14/2002 meeting.

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:13 - 6:14)

JANUARY 10, 2002 PLANNING COMMISSION

- B-39. VAC-0045-01 - OVID A. AND EDNA E. MOORE - Petition to vacate a portion of Versi Mount Road generally located between Grand Teton Drive and Ackerman Avenue, Ward 6 (Mack).

PUBLIC HEARING

SET DATE: 2/6/2002

C.C.: 2/20/2002

STAFF HAS REQUESTED TO HOLD THIS ITEM IN ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION TO ALLOW FOR A CORRECTED NOTIFICATION.



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-0045-01 APN: 125-08-805-003+007

Name of Property Owner: Ovid A Moore & Edna E Moore

Name of Applicant Spring Mountain Ranch

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

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:

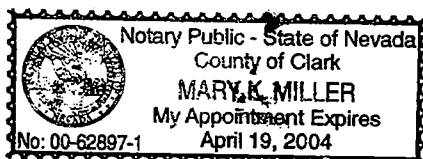
Print Name: DVIDA. MOORE EDNA E MOORE

Subscribed and sworn before me

This 7th day of December, 2001

Mary K. Miller

Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-0046-01 - CONCORDIA HOMES OF NEVADA - Petition to vacate U.S. Government Patent Reservations generally located north of Deer Springs Way, 1,335 feet east of Fort Apache Road, Ward 6, (Mack)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL - APPROVED subject to staff's conditions - **UNANIMOUS**

To be heard by the City Council on 2/20/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that this Vacation is required in order to develop the subject parcels as part of the larger project. This Vacation will not adversely affect access to any abutting parcels. The parcels containing the patent easements are currently undeveloped. Approval of this request will facilitate the planned development of the parcels. Staff recommended approval, subject to the conditions.

ALISON HAYES, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. She concurred with staff's conditions.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item B-40 - VAC-0046-01

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:38 - 10:40)

4 - 1780

CONDITIONS:

1. 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 Relinquishment.
2. Development of this site shall comply with all applicable conditions of approval for the Concordia @ Deer Springs Tentative Map (TM-0048-01), Zoning Reclassification Z-0063-01 and all other subsequent site-related actions.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 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 Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

JANUARY 10, 2002 PLANNING COMMISSION

B-40. VAC-0046-01 - CONCORDIA HOMES OF NEVADA - Petition to vacate U.S. Government Patent Reservations generally located north of Deer Springs Way, 1,335 feet east of Fort Apache Road, Ward 6, (Mack).

PUBLIC HEARING SET DATE: 2/6/2002 C.C.: 2/20/2002

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for approval of a petition to vacate 33-foot wide U.S. Government Patent Reservations, generally located north of Deer Springs Way, 1,335 feet east of Fort Apache Road. The applicant's justification letter states that this vacation is required in order to develop the subject parcels as part of a larger project (Concordia @ Deer Springs).

BACKGROUND DATA

01/26/01 The subject parcels were Annexed (A-0003-99) into the City of Las Vegas as part of a larger request.

11/07/01 The City Council approved a Rezoning (Z-0063-01) from U (Undeveloped) to T-C (Town Center) of the subject parcels as part of a larger request.

ANALYSIS & FINDINGS

Staff finds that the proposed vacation will not adversely affect access to any abutting parcels, that the parcels containing the patent easements are currently undeveloped, and that approval of this request will facilitate the planned development of the subject parcels.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. 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 Relinquishment.

B-40. VAC-0046-01 - Page Two

2. Development of this site shall comply with all applicable conditions of approval for the Concordia @ Deer Springs Tentative Map (TM-0048-01), Zoning Reclassification Z-0063-01 and all other subsequent site-related actions.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 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 Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

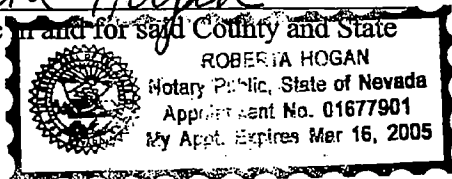
NOTICES MAILED 10

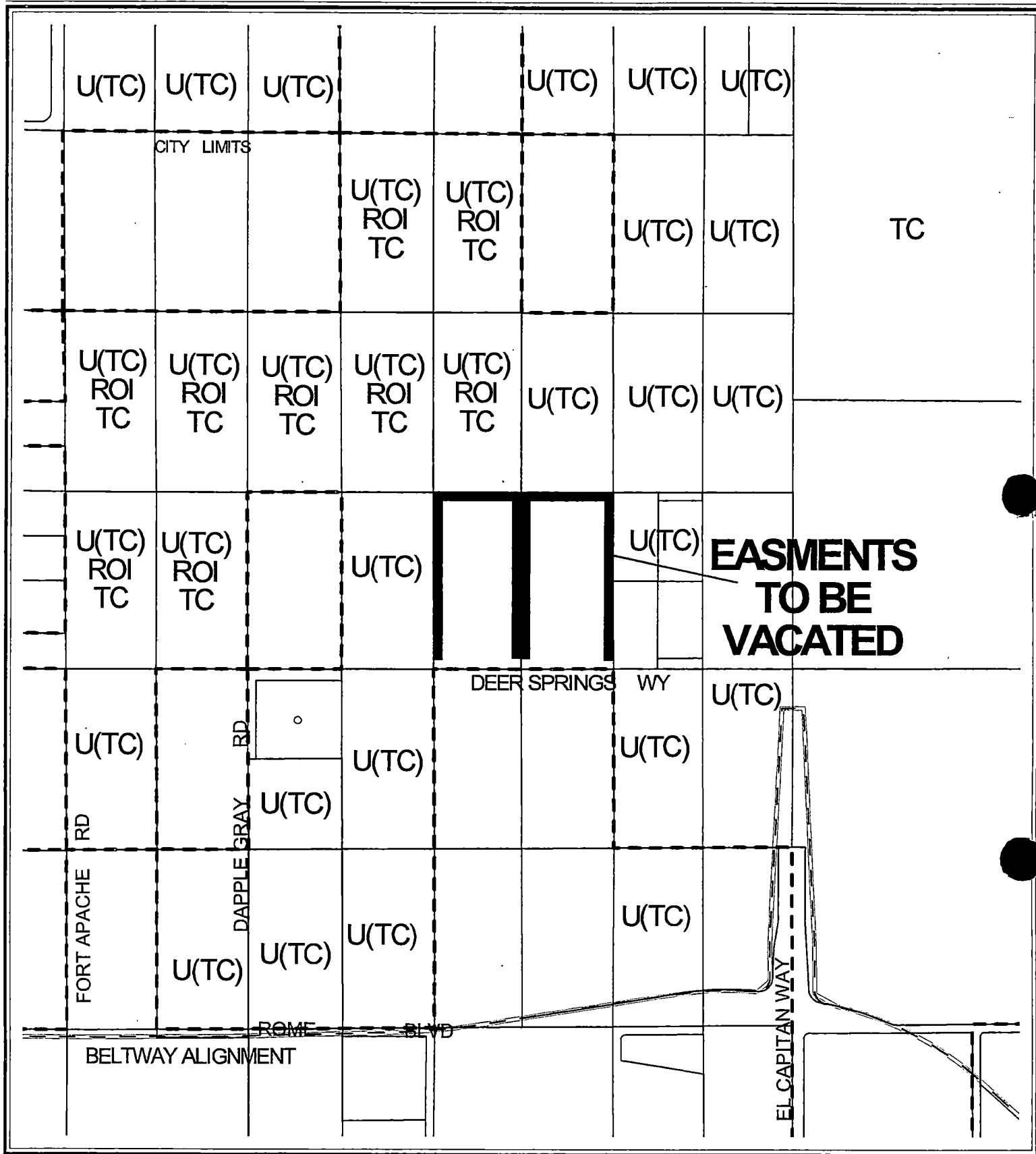
APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

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





CASE: VAC-0046-01
RADIUS: SPECIAL

0 400 800 Feet



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - ABEYANCE ITEM - SD-0072-01 - H FACTOR - Request for a Site Development Plan Review FOR A PROPOSED 15,350 SQUARE FOOT CHILD CARE FACILITY (KLASSY KIDS ACADEMY) and a Reduction in the amount of required perimeter landscaping on 2.26 Acres on the east side of Durango Drive, approximately 347 feet south of Racel Street, (APN: 125-09-401-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 6 (Mack)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Abeyance Request

MOTION:

**TRUESDELL - ABEYANCE TO THE 2/14/2002 PLANNING COMMISSION MEETING
- UNANIMOUS**

MINUTES:

ANDREW REED, Planning and Development, stated the applicant has requested holding this item in abeyance until the 2/14/2002 meeting in order to meet with staff.

MARK FOGG, 6655 Bermuda Avenue, said he concurred with having this item held in abeyance to the 2/14/2002 meeting.

CHAIRMAN GALATI commented that this item has been held in abeyance a couple of times and wants it to go forward at the 2/14/2002 meeting.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-1 - SD-0072-01

MINUTES - Continued:

MR. FOGG felt it will be ready to proceed at the 2/14/2002 meeting. There have been some drainage and setback issues that should be resolved in the next week.

(6:14 - 6:15)

1 - 340

JANUARY 10, 2002 PLANNING COMMISSION

- C-1. ABEYANCE - SD-0072-01 - H FACTOR - Request for a Site Development Plan Review FOR A PROPOSED 15,350 SQUARE FOOT CHILD CARE FACILITY (KLASSY KIDS ACADEMY) and a Reduction in the amount of required perimeter landscaping on 2.26 Acres on the east side of Durango Drive, approximately 347 feet south of Racel Street, (APN: 125-09-401-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 6 (Mack).**

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

THE APPLICANT HAS REQUESTED TO HOLD THIS ITEM IN ABEYANCE UNTIL THE FEBRUARY 14, 2002 PLANNING COMMISSION MEETING TO HAVE ADDITIONAL TIME TO ADDRESS STAFF COMMENTS REGARDING PARKING AND SETBACK ISSUES.



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0072-01 APN: 125-09-401-003

Name of Property Owner: H FACTOR

Name of Applicant: PAT HAYDEN

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: _____

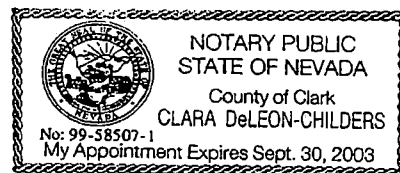
Signature of Property Owner/Authorized Agent: Pat Hayden

Print Name: PAT HAYDEN

Subscribed and sworn before me

This 20th day of Oct, 2001

Clara DeLeon-Childers
Notary Public in and for said County and State







8550 W. Charleston Blvd., Suite 100
Las Vegas, NV 89117
(702) 938-0990 Office
(702) 938-0992 Fax
(702) 497-4016 Cell

Contractor License No. 49901

January 2, 2002

Mr. Troy S. Jeschke, Planner II
City of Las Vegas,
Planning and Development Department
731 S. 4th Street
Las Vegas, NV 89101

Re: Continuance of Klassy Kids Academy on behalf of H-Factor, (SD-0072-01) for 30 days to the next available Planning Commission Meeting.

Dear Mr. Jeschke:

The above referenced applicant is requesting a 30-day continuance of Site development Plan Review (SD-0072-01) to the next available Planning Commission Meeting. The applicant will need additional time to address staff comments regarding parking and setback issues.

Should you have any questions, please feel free to contact me at 938-0990.

Sincerely,

David Elliott
Operations Manager

cc: Jess Perez, PGA
Richard Moles, Martin & Martin
Pat Hayden

PLANNING AND
DEVELOPMENT

JAN 3 12 31 PM '02

RECEIVED

[illegible]

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - ABEYANCE ITEM - SD-0074-01 - THE HOUSING CORPORATION - Request for a Site Development Plan Review and Reduction in the amount of required perimeter landscaping FOR A PROPOSED FORTY-UNIT APARTMENT COMPLEX on 1.46 Acres adjacent to the south side of Hinkle Drive, between Twenty-Second Street and Twenty-Third Street (APN's: 139-26-507-001 and 002), R-3 (Medium Density Residential) Zone, Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

QUINN - APPROVED subject to staff's conditions - Motion carried with GALATI, GOYNES and McSWAIN voting NO

This is final action.

MINUTES:

TROY JESCHKE, Planning and Development, stated access to this site will be from two driveways, one on 22nd Street and the other on 23rd Street. Parking is proposed on the southern end of the property with the buildings toward the northern end. The buildings will be two stories and have a minimum separation of 15 feet between them.

Landscaping will be provided around all the buildings and in planters around the perimeter of the proposed complex. Fourteen-foot wide landscape planters are indicated along 22nd and 23rd Streets adjacent to the apartment buildings narrowing down to six feet adjacent to the parking lot. A 10-foot wide planter is shown along the Hinkle Drive frontage and six foot wide planters on the south property line. Parking lot finger islands are portrayed throughout the parking area.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-2 - SD-0074-01

MINUTES - Continued:

The elevations for the buildings depict colonial style design with façade features such as mock columns. Exterior materials will consist of greenish clay tile for pitched roof elements and painted white stucco and columns with green trim.

Staff recommended approval, subject to the conditions.

RAY PATRICK, The Housing Corporation, 2160 Pueblo Circle, appeared to represent the applicant. They are attempting to use a lot of green. The buildings will be white stucco. They met with staff on various occasions. He concurred with staff's conditions.

COMMISSIONER McSWAIN wondered if parking along one side of the project would encourage parking on Hinkle Drive. MR. JESCHKE responded that staff would not have a way of enforcing no parking on Hinkle Drive; however, the distance from the farthest apartments to the parking lot is within the appropriate distance for handicapped accessibility, etc. COMMISSIONER McSWAIN would prefer that the parking be more balanced.

CHAIRMAN GALATI commented that this proposal is better than what was submitted previously, but nothing special has been created. There should be open space, etc. There is no place for the children to play, other than in the street and parking lot.

MR. PATRICK added that Rancho High School is one block away. Their gates are open from 6:00 A.M. to 6:00 P.M. and welcome people in the area to use their facilities. Swings and slides could be put between the buildings.

(10:40 - 10:47)

4-1830

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. A Variance for parking shall be approved by the Planning Commission at a public hearing, prior to the issuance of any building permits.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-2 - SD-0074-01

CONDITIONS - Continued:

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict the 19 foot wide driveway as either a one-way driveway or shall be increased in width to 24 feet for two-way directional traffic.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict the size and type of all landscaping being proposed on the site.
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 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 utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
11. If not already constructed, the applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the rear property line. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-2 - SD-0074-01

CONDITIONS - Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

15. Coordinate with the City Surveyor to determine if a Reversionary Map or other mechanism to join the two parcels will be necessary prior to the issuance of any permits for this site. Comply with the recommendations of the City Surveyor.
16. Construct all incomplete half-street improvements on Hinkle Drive, Twenty-Second Street and Twenty-Third Street adjacent to this site concurrent with development of this site.
17. 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.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-2 - SD-0074-01

CONDITIONS - Continued:

18. 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. 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

JANUARY 10, 2002 PLANNING COMMISSION

- C-2. ABEYANCE - SD-0074-01 - THE HOUSING CORPORATION - Request for a Site Development Plan Review and Reduction in the amount of required perimeter landscaping FOR A PROPOSED FORTY-UNIT APARTMENT COMPLEX on 1.46 Acres adjacent to the south side of Hinkle Drive, between Twenty-Second Street and Twenty-Third Street (APN's: 139-26-507-001 and 002), R-3 (Medium Density Residential) Zone, Ward 5 (Weekly).**

NOT A PUBLIC HEARING

P.C.: FINAL ACTION

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for approval of a Site Development Plan Review and a reduction in the amount of required perimeter and parking lot landscaping for a proposed forty-unit apartment development adjacent to the south side of Hinkle Drive, between Twenty-Second Street and Twenty-Third Street.

BACKGROUND DATA

03/16/11 The subject site was incorporated into the City of Las Vegas as part of a larger action.

DETAILS OF APPLICATION REQUEST

Gross Site Area:	1.96	Acres
Net Site Area:	1.46	Acres
Residential Buildings:	5	Buildings
Building Height:	24.5	Feet (2 stories)
Number of Units:	40	Units
Density:	20.4	Dwelling Units per Gross Acre
Parking Required: //	87	Spaces (Including 4 handicap accessible)
Parking Provided:	78	Spaces (Including 4 handicap accessible)

// Based on 19.A.10.010 Requirement for three bedroom apartment units of 2 spaces per unit plus one guest space per 6 units.

Access to the subject site will be from two driveways, one from Twenty-Second Street and one from Twenty-Third Street. Parking is proposed along the southern property line with the buildings situated toward the northern portion of the site. The buildings are all two stories and have a minimum separation of 15 feet. No covered parking is being proposed at this time.

Landscaping will be provided around all of the buildings and in planters around the perimeter of the proposed complex. Fourteen-foot wide landscape planters are indicated along 22nd and 23rd Streets adjacent to the apartment buildings, narrowing down to 6 feet adjacent to the parking lot. A minimum ten-foot wide planter is depicted along the Hinkle Drive frontage, and a six-foot wide landscape planter is shown along the southern property line. Parking lot finger islands are indicated throughout the parking area. Trees are spaced approximately every 15 feet within the perimeter landscape planters, however no indication is made to the type of planter material being proposed.

The elevations for the buildings depict Colonial style design, providing façade features such as mock columns. Exterior materials will consist of greenish clay tile for pitched roof elements and painted white stucco on the walls and columns with green trim around the windows and soffits. All apartments are planned as three bedroom units.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-3 (Medium Density Residential)	Multi-Family Residential
South:	R-3 (Medium Density Residential)	Multi-Family Residential
East:	R-3 (Medium Density Residential)	Multi-Family Residential
		Undeveloped
West:	R-3 (Medium Density Residential)	Multi-Family Residential
	R-1 (Single Family Residential)	Single Family Residential

ANALYSIS & FINDINGS

ZONING

The subject property is currently zoned R-3 (Medium Density Residential) which allows a maximum density of 25 dwelling units per acre. The proposed development has a density of 20.4 dwelling units per acres, therefore the proposed development density is in conformance with the zoning.

SITE PLAN

Staff finds the revised site plan depicts an improvement from the initial submittal. The submitted site plan depicts appropriate setbacks and building configuration.

However, staff finds the driveway widths within the parking lot vary from 24 feet to 19 feet. The minimum two-way driveway width is 24 feet and the minimum width for a one-way driveway is 12 feet. The 19 foot wide driveway must either be indicated as a one-way drive, or must be increased in width to 24 feet for two-way directional traffic.

LANDSCAPE PLAN

Staff finds the submitted landscape plan still remains deficient in landscaping. Therefore the applicant has asked for a reduction in the amount of required perimeter and parking lot landscaping. However, the landscaping planter width is only deficient adjacent to the parking lot on the 22nd and 23rd Street frontages. Staff finds in this case that a reduction of the landscaping in these limited areas is appropriate.

Staff finds that the remaining landscaping being proposed on the site meets the requirements of the Urban Design Guidelines and Standards as far as planter widths are concerned. However, staff recommends a condition requiring a landscape plan be submitted depicting the size and type of all proposed landscaping.

ELEVATIONS

Staff finds the elevations are appropriate in that they depict articulation of façade elements and use of suitable materials. The submitted plans did not provide a lighting plan. Therefore, staff recommends wallpack lighting that utilizes 'shoe-box' fixtures and downward-directed lights on the proposed building.

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 apartment development will be compatible with the existing older apartment developments to the north, south, east and west of the site. Staff finds the proposed site landscaping and building architecture will set a higher standard for future redevelopment within this area of the City.

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 consistent with the General Plan, Title 19A, and the Design Standards Manual in that proper site layout and setbacks are observed. However, the development is not consistent with the Landscape, wall and buffer standards in that the site is deficient in landscaping along portions of the perimeter landscaping. Staff finds that a partial reduction of landscaping is appropriate in this case, and therefore meets the intent of the Urban Design Guidelines and Standards.

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

Staff finds that the ingress/egress points onto Twenty-Second Street and Twenty-Third Street will provide adequate access to the site and will not negatively impact adjacent roadways.

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

Staff finds the proposed building and landscape material will be appropriate for the area and for the City if the recommended conditions of approval regarding landscaping 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 proposed building elevations, design characteristics and site landscaping are appropriate for the site and will set a higher standard of development in the area.

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

The proposed multi family residential development will be subject to all requirements of the Uniform Building Code, and will therefore not create a hazard to the public health, safety or welfare.

STAFF RECOMMENDATION: **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. A Variance for parking shall be approved by the Planning Commission at a public hearing, prior to the issuance of any building permits.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

C-2. SD-0074-01 - Page Five

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict the 19 foot wide driveway as either a one-way driveway or shall be increased in width to 24 feet for two-way directional traffic.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict the size and type of all landscaping being proposed on the site.
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 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 utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
11. If not already constructed, the applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the rear property line. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

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

Public Works

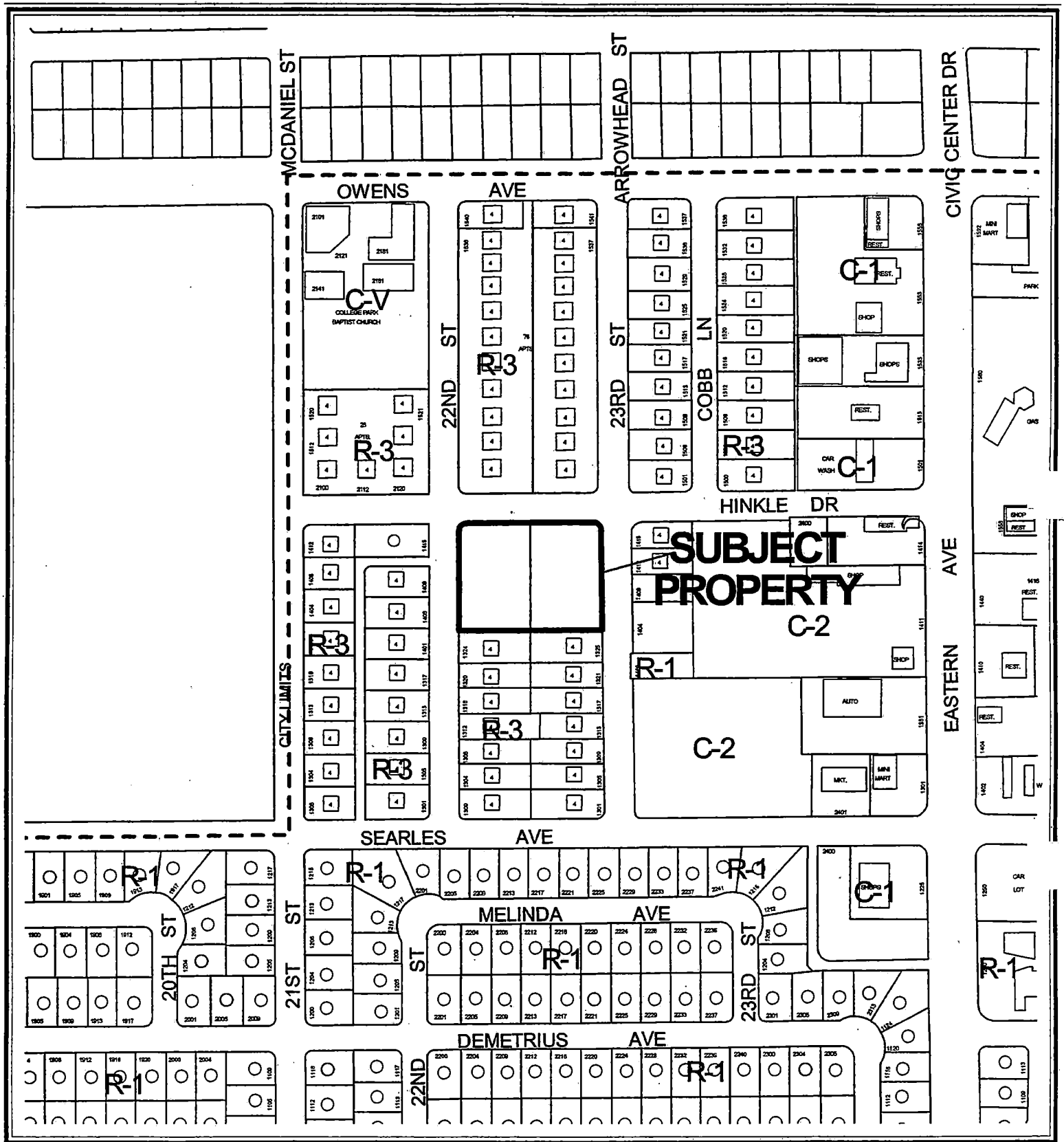
15. Coordinate with the City Surveyor to determine if a Reversionary Map or other mechanism to join the two parcels will be necessary prior to the issuance of any permits for this site. Comply with the recommendations of the City Surveyor.
16. Construct all incomplete half-street improvements on Hinkle Drive, Twenty-Second Street and Twenty-Third Street adjacent to this site concurrent with development of this site.
17. 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.
18. 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. 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



CASE: SD-0074-01

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - ABEYANCE ITEM - Z-0086-00(1) - NILA BIEKER AND CAROL A. WALDMAN - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 1,500 SQUARE FOOT OFFICE located adjacent to the southeast corner of Stewart Avenue and Lamb Boulevard (APN: 140-32-310-001), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 3 (Reese)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. If approved, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL - APPROVED subject to staff's conditions - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

TROY JESCHKE, Planning and Development, stated access to this site is from two driveways, one on Lamb Boulevard and the other on Stewart Avenue. This plan meets all the required setbacks. It demonstrates a desirable circulation and parking layout. The parking is separated with two spaces off Stewart Avenue and two spaces off Lamb Boulevard and one in the rear of the building. The spaces on Lamb are being moved to the east property line. The submitted landscape plan does not conform to the Urban Design Guidelines and Standards and the east and south property lines are deficient. Therefore, a reduction in the landscaping has been requested. This site is small and full landscaping improvements could not be provided with the existing building footprint and required parking. Staff recommended approval in the reduction of the landscaping.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-3 - Z-0086-00(1)

MINUTES - Continued:

Late yesterday the revised plan was submitted. Staff has had an opportunity to review the plan and finds it to be appropriate. It reflects the changes that were agreed in the meeting between the applicant and staff. However, the Staff Report was unable to be amended to reflect these changes. With the revised plans, staff recommended approval, subject to the conditions.

DANIEL DOWNING, Architect, 489 West Victory Road, appeared to represent the applicants. They met with MR. JESCHKE and are basically in compliance. Conditions 2, 3, 5 and 6 would have to be amended. The applicant did not get a chance to see the amended conditions.

CHAIRMAN GALATI announced this item would be trailed to give the applicant an opportunity to review the amended conditions.

CHAIRMAN GALATI announced after Item C-4 was heard that this item would be considered. The applicant has indicated to staff that he will accept staff's conditions.

(10:47 - 10:50/ 10:57 - 10:58)

4 - 2180/4 - 2620

CONDITIONS:

Planning and Development

1. The City Council shall approve Rezoning (Z-0086-01) to T-C (Town Center) zoning district on this site.
2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
3. No perimeter walls shall be allowed along any street that is 79 feet or less in width of street section, with the exception of corner lots.
4. The maximum building height allowed shall not exceed 35 feet.
5. The setbacks for this development shall be a minimum of 18 feet to the face of the garage as measured from the back of sidewalk, 10 feet to side-loaded garages and/or the front of the house, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-3 - Z-0086-00(1)

CONDITIONS - Continued:

6. The Tentative Map shall depict the required 8-foot wide Town Center Arterial Trail along the Deer Spring Road frontage east of Tee Pee Lane, for trail purposes in accordance with Map Six of the Trails Element of the Master Plan.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect compliance with the Site Plan as submitted, including a 37-foot private street right-of way width, and a 4-foot amenity zone and four-foot wide sidewalk on each side. The landscape plan shall also depict any required accent paving.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

13. Dedicate, obtain dedication, or obtain roadway easement rights and provide all necessary documentation to the City for the east half of Chieftan Street adjacent to this site prior to the submittal of a Tentative Map for this site. Construct appropriate half-street improvements on Chieftan Street, including sufficient paving over the centerline to provide two-way traffic access concurrent with development of this site. If such dedication or easement rights can not be procured for any reason, this site plan must be revised to eliminate the proposed half-street. All necessary Declarations of Utilization shall be filed prior to or concurrent with the recordation of a Final Map for this site.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-3 - Z-0086-00(1)

CONDITIONS - Continued:

14. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
15. Site development to comply with all previous conditions of approval for the Town Center Development Standards, Zoning Reclassification Z-0086-01 and all other subsequent site-related actions.

JANUARY 10, 2002 PLANNING COMMISSION

- C-3. ABEYANCE - Z-0086-00(1) - NILA BIEKER AND CAROL A. WALDMAN -
Request for a Site Development Plan Review and a Reduction in the amount of
Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 1,500
SQUARE FOOT OFFICE located adjacent to the southeast corner of Stewart
Avenue and Lamb Boulevard (APN: 140-32-310-001), R-1 (Single Family
Residential) Zone under Resolution of Intent to P-R (Professional Office and
Parking), Ward 3 (Reese).**

NOT A PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: DENIAL

APPLICATION REQUEST

This request is for approval of a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping for a proposed 1,500 square foot office conversion located at 224 North Lamb Boulevard.

BACKGROUND DATA

- 05/17/00 The City Council approved a General Plan Amendment (GPA-0004-00) from L (Low Density Residential) to O (Office) land use designation on this site as part of a larger request.
- 12/06/00 The City Council approved a Rezoning (Z-0086-00) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) zoning on this site.

DETAILS OF APPLICATION REQUEST

Site Area:	0.23	Acres
Building Area:	1,500	Square Feet
FAR:	0.15	
Parking Required:	5 //	Spaces (Including one handicap accessible)
Parking Provided:	5	Spaces (Including one handicap accessible)

// Parking based on Section 19A.10.010 standards for "Office, Other Than Listed" requirement of one space for each 300 square feet of gross floor area.

Access to the site is via two proposed driveways, one onto Lamb Boulevard and the other onto Stewart Avenue. The building is indicated toward the center of the site with parking to the north and east of the building, a 15-foot wide access drive to the south of the building and a 21 foot wide access drive to the east of the building.

The landscape plan depicts landscaping within a large planter adjacent to the corner of Lamb Boulevard and Stewart Avenue. Additional landscaping is indicated along the east within a four-foot wide planter adjacent to the property line.

The building elevations feature white aluminum-panel siding wall construction with contrasting brick veneer base. The building features a gable roof with gray asphalt shingles.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

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

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed office use is within the range of permitted uses of the existing zoning, R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking).

SITE PLAN

Staff finds that the site plan, while meeting all setbacks, does not demonstrate a desirable circulation and parking layout for the site. The parking for the site is separated with two spaces off of Stewart Avenue and two spaces off of Lamb Boulevard and one space in the rear of the building. In addition, the parking spaces on the Lamb Boulevard frontage do not have sufficient room to back out without disrupting traffic on Lamb Boulevard. A 15-foot wide driveway is portrayed around the rear of the building, with no indication of whether it is a one-way or two-way drive (the City of Las Vegas Standards requires that the minimum width for a two-way driveway is 24-feet and the minimum width for a one-way driveway is 12 feet). Therefore, if this request is approved, staff recommends conditions that will redesign the site to alleviate these problems. The recommended changes to the site are the following: 1) the two parking spaces depicted on the north side of the property (adjacent to Stewart Avenue) to remain; 2) the other two parking spaces adjacent to the Lamb Boulevard frontage shall be removed and re-placed along the eastern property line in a parallel configuration; and 3) the patio cover to be removed, to provide increased maneuvering area for vehicles.

REDUCTION OF LANDSCAPING

The submitted landscape plan does not conform to the requirements of the Urban Design Guidelines and Standards in that the east and south property line are deficient in landscape planter widths. Therefore, the applicant is requesting a reduction in the amount of required perimeter landscaping. Staff finds that the site is small and that full landscaping improvements could not be provided with the existing building footprint and required parking. However, staff only recommends a partial reduction in landscaping.

LANDSCAPE PLAN

Staff finds the submitted landscape plan depicts landscaping that is deficient in regard to current City standards. The Urban Design Guidelines and Standards require that a minimum 15-foot wide planter be provided along all public rights-of-way with 24-inch box trees planted 20 feet on center. In addition, the Urban Design Guidelines and Standards require that a minimum 8-foot wide planter be provided along all interior property lines with 24-inch box trees planted 20 feet on center. Therefore, if this request is approved, staff recommends that landscaping in addition to that proposed be provided along Lamb Boulevard, to include 24-inch box trees be provided 20-feet on center along both property lines.

ELEVATIONS

Staff finds that the exterior enhancements proposed by the applicant are similar to many existing office conversions along major roadways within the Las Vegas area and therefore the submitted elevation drawings are appropriate.

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."**

In approving the original Rezoning, the City Council found that proposed office uses of the parcels along Jones Boulevard would be compatible with adjacent residential development.

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, the Design Standards Manual, or the Landscape, wall and buffer standards. However, with the implementation of the recommended conditions regarding revisions to site layout and landscaping plans, the proposed office conversion will be generally consistent with City plans, policies and standards.

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

The City Council found, in approving the original Rezoning that proposed office uses of the parcels along Jones Boulevard would not negatively impact adjacent roadways or neighborhood traffic.

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

Staff finds the proposed site landscaping will provide an appropriate appearance if the recommended conditions of approval regarding revisions to the site and 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 proposed site landscaping, while not compatible the Urban Design Guidelines and Standards will provide an appropriate appearance if the recommended conditions of approval regarding revisions to the site and landscape plans are implemented.

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

Staff finds the proposed office conversion will be subject to inspections for conformance to the Uniform Building Code (UBC), and therefore will not compromise the public health, safety or welfare.

STAFF RECOMMENDATION: 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. The site plan shall be revised and submitted to planning staff, prior to the issuance of any building permits, to depict two parking spaces adjacent to the Lamb Boulevard frontage shall be removed and relocated to the eastern property line. These parking spaces shall be situated as parallel parking spaces in a north-south configuration.
3. The site plan shall be revised and submitted to planning staff, prior to the issuance of any building permits, to depict the removal of the patio cover, however the parking space shall remain.
4. The site plan shall be revised and submitted to planning staff, prior to the issuance of any building permits, to depict the driveway along the southern property lines as a one-way driveway with traffic flow entering from Lamb Boulevard and exiting from Stewart Avenue.
5. The applicant shall place "No Parking" signs in front of the garage along the Lamb Boulevard frontage, prior to the issuance of a Certificate of Occupancy.
6. A detailed landscape plan indicating the quantity and types of landscape materials shall be reviewed and approved by staff prior to the issuance of any building permits.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

C-3. Z-0086-00(1) - Page Six

8. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
10. All City Code requirements and design standards of all City departments must be satisfied.
11. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.
12. All structural walls that are less than 20 feet from a property line are required to be 1-hour fire rated and the interior of the building shall comply with all commercial building standards as required by the Department of Building and Safety.
13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

14. Site development to comply with all applicable conditions of approval for Z-0086-00 and all other site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 2-0086-00 (1)

APN: 140-32-310-001

Name of Property Owner: NILA BIEKER

Name of Applicant: NILA BIEKER

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): _____

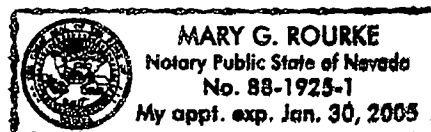
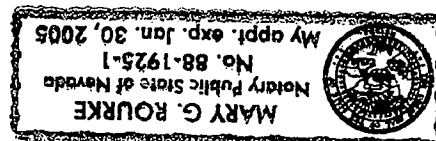
APN: _____

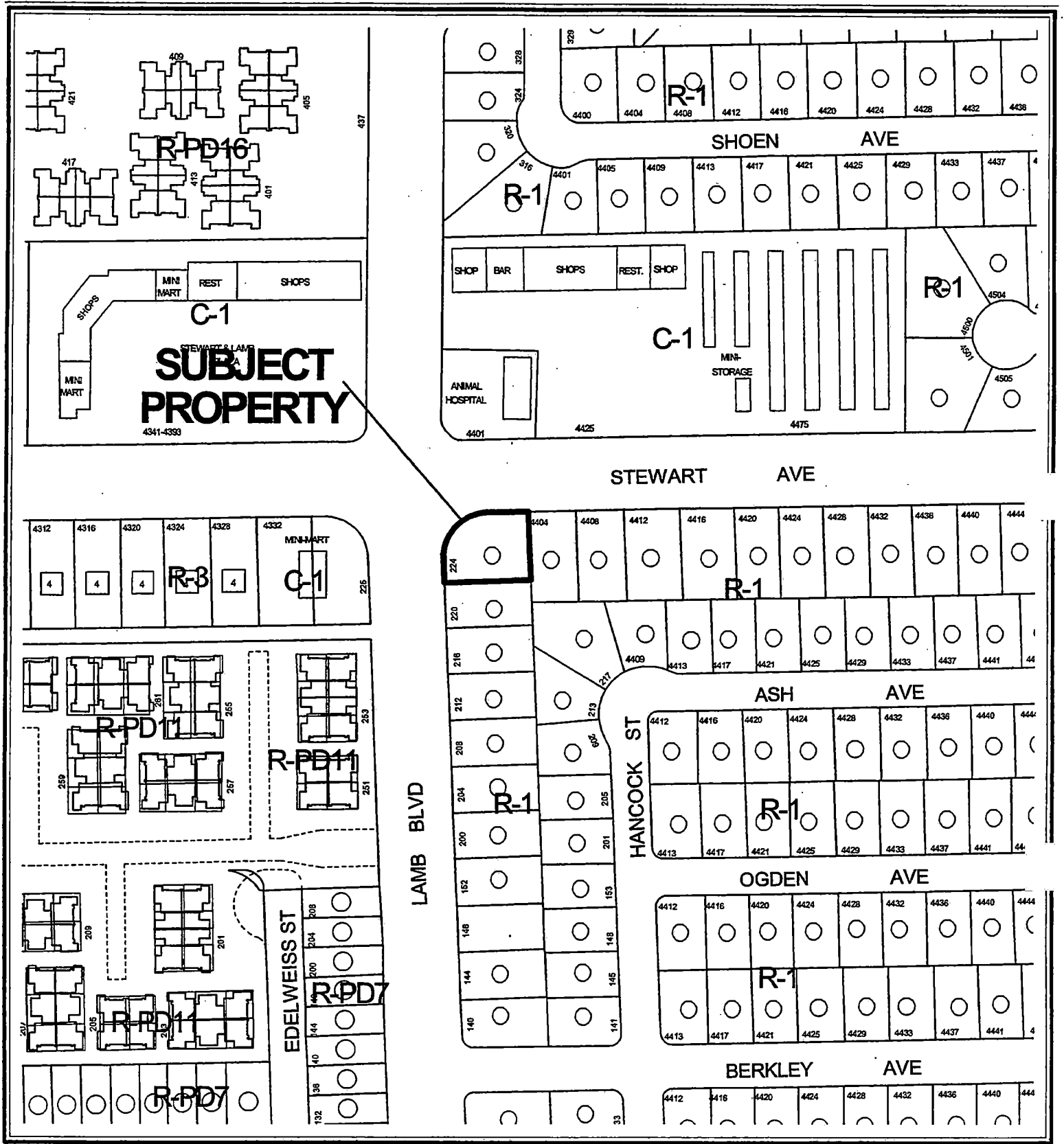
Signature of Property Owner/Authorized Agent: Nila Bieker & Carol Waldman

Subscribed and sworn before me

This 04 day of OCTOBER, 2001

Mary G. Rourke
Notary Public in and for said County and State





CASE: Z-0086-00(1)

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)
 UNDER RESOLUTION OF INTENT TO
 P-R (PROFESSIONAL OFFICE AND PARKING)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - SD-0076-01 - COX COMMUNICATIONS - Request for a Site Development Plan Review and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 43,000 SQUARE-FOOT, 2-STORY OFFICE BUILDING AND A 3,500 SQUARE-FOOT PAYMENT CENTER located adjacent to the northeast corner of Rancho Drive and Bonanza Road (APN: 139-29-704-035), C-1 (Limited Commercial) Zone, Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - APPROVED subject to staff's conditions - Motion carried with McSwain abstaining as Cox Communications is a client of her firm.

To be heard by the City Council on 2/20/2002.

MINUTES:

TROY JESCHKE, Planning and Development, stated access to this site is from a single driveway off Rancho Drive and two driveways to Ernest May Lane. The site plan indicates that Ernest May Lane will terminate at Robin Lane. A two-story office building is shown in the central portion of the site with parking to the north, east and west. Gates will control access to a staff and fleet parking lot that is located directly adjacent to Ernest May Lane. A one-story bill payment center building with drive-up tellers and a 42-space parking lot is depicted in the northwest portion of the site.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-4 - SD-0076-01

MINUTES - Continued:

The site plan is appropriate for the site and proper setbacks and vehicle circulation patterns are depicted sufficiently. However, staff notes that the handicapped parking is deficient. There is a condition requiring the handicapped spaces to conform to the Zoning Code.

The proposed landscape planter along Rancho Drive varies in width from 10 feet to 65 feet. A planter varying in width from 10 feet to 31 feet is shown along Ernest May Lane. An eight-foot wide planter is depicted adjacent to the east property line. The perimeter landscaping is appropriate and meets the intent of the Urban Design Guidelines and Standards. However, the parking lot landscaping is deficient. There is a condition requiring all public parking lots to have the landscaping as required by the Urban Design Guidelines and Standards.

The elevations indicate all the structures will have synthetic stucco and stained concrete exteriors with sandstone accents. The elevations will be compatible with the existing commercial structures.

Staff would like to add an additional condition noting that the far northwest corner of the site plan is not actually owned by Cox Communications and the signage and landscaping cannot be done. The condition should be stated that the site plan shall be revised to depict no landscaping or signage on the property located directly at the intersection of Ernest May and Rancho.

Staff recommended approval, subject to the conditions.

BOB LEHMANN, JMA Architecture Studios, 10150 Covington Cross Drive, appeared to represent Cox Communications. He objected to Condition 10 referring to the lighting of the parking lots. Staff would like the poles at 20-foot heights where they are proposing 30-foot poles. Their lighting study has shown that light does not escape the site into the adjacent residential neighborhoods. They have less than one-foot candles as they get near the property side.

COMMISSIONER TRUESDELL asked that at the corner of Ernest May where there is landscaping it is really right-of-way, so why couldn't they get an encroachment and do that work? MR. JESCHKE responded that is not right-of-way, but the site where the previous billboard review on this agenda was on. It is under separate ownership and they are proposing signage for their property, which would be considered off-premise advertising. As far as the landscaping, they could possibly get a legal agreement with the adjacent property owner to improve the landscaping.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-4 - SD-0076-01

MINUTES - Continued:

COMMISSIONER TRUESDELL does not want the corner to stick out like a sore thumb.

(10:50 - 10:57)

4 - 2329

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. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict handicap accessible parking spaces that conform to the requirements of Section 19A.10.010(G) of the Las Vegas Zoning Ordinance.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict parking lot landscape islands throughout the customer parking lot that conform to the requirements of Section 19A.12.040 of the Las Vegas Zoning Ordinance.
5. The site plan revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to portray the 8-foot tall security fence constructed of either decorative iron or decorative masonry block.
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.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-4 - SD-0076-01

CONDITIONS - Continued:

8. 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.
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. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. Any utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. A Petition of Vacation, such as VAC-4-00, shall record prior to occupancy of this site.
14. Construct all incomplete half-street improvements on Rancho Drive, Bonanza Road, and Ernest May Lane adjacent to this site concurrent with development of this site. The required improvements on Rancho Drive and Bonanza Road may be deferred, if allowed by the City Engineer, in order to coordinate the construction of these offsites with the possible future widening of Rancho Drive. 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. 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.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-4 - SD-0076-01

CONDITIONS - Continued:

15. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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. The proposed driveway onto Rancho Drive must also be approved by the Nevada Department of Transportation.
17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings or issuance of any building or grading permits, 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 adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
18. Submit an Encroachment Agreement or obtain an Occupancy Permit, as applicable, for all landscaping and private improvements located in the Rancho Drive and Bonanza Way public rights-of-way adjacent to this site prior to occupancy of this site.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-4 - SD-0076-01

CONDITIONS - Continued:

19. Landscape and maintain all unimproved right-of-way on Rancho Drive and Bonanza Road adjacent to 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 the 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 contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the City Engineer.

JANUARY 10, 2002 PLANNING COMMISSION

- C-4. SD-0076-01 - COX COMMUNICATIONS - Request for a Site Development Plan Review and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 43,000 SQUARE-FOOT, 2-STORY OFFICE BUILDING AND A 3,500 SQUARE-FOOT PAYMENT CENTER located adjacent to the northeast corner of Rancho Drive and Bonanza Road (APN: 139-29-704-035), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).**

NOT A PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This is a request for a Site Development Plan Review of a proposed 3,500 square foot cable television payment center and a 2-story 43,000 square foot office building, on property located on the northeast corner of Bonanza Road and Rancho Drive; and a request for a waiver of the parking lot landscaping requirements.

BACKGROUND DATA

- 10/03/56 The Board of Commissioners approved a Rezoning (Z-26-56) of this site to C-1 (Limited Commercial).
- 07/05/00 The City Council approved a Vacation (VAC-0004-00) of excess right-of-way adjacent to this site at the northeast corner of Bonanza Road and Rancho Drive.
- 09/20/01 The City Council approved a request for a Special Use Permit (U-0127-00) for a Utility Service Provider, a Variance (V-0049-00) to allow a proposed six-story, 55 foot high parking structure 35 feet from the east property line where 165 feet is the minimum setback required by the residential adjacency standards, and a Site Development Plan Review (SD-0046-00) for a proposed 5,400 square foot retail cable store, 230,000 square foot, 4-story office building, and a 6-story parking structure (Cox Communications Center).

DETAILS OF APPLICATION REQUEST

Site Area	11.85	Acres
Building Area	46,500	Square Feet
Building Height	30	Feet, Two Stories
Parking Required	324 /1/	Spaces
Customer Parking Provided	393	Spaces
Employee Parking Provided	148	Spaces
Fleet Parking Provided	146	Spaces
Total Parking Provided	687	Spaces
Handicap Parking Required	8	Spaces
Handicap Parking Provided	8	Spaces

/1/ Parking based on Section 19A.10.010 standards for "Financial Institution" requirement of one space for each 200 square feet of gross floor area, plus one lane for each drive-up window and/or teller machine with staking for six vehicles per lane; and staff's estimation of maximum expected demand.

Access to the site is from a single driveway to Rancho Drive and two driveways to Ernest May Lane. The site plan indicates that Ernest May Lane will terminate at Robin Lane. A two-story office building is shown in the central portion of the site. Parking for the office building is provided within a 351 space surface lot to the north, east and south. Gates will control access to an additional 148 space staff parking lot and 146 space fleet parking lot both to the north of the site adjacent to Ernest May Lane. A one-story bill payment center with drive-up tellers and a 42-space parking lot is shown in the north portion of the site, west of the staff and fleet parking lots.

A proposed landscape planter varies in width from 10 feet to 65 feet along Rancho Drive and contains trees spaced at an average of 30 feet on center, with shrubs and ground cover. A proposed planter, varying in width from 10 feet to 31 feet along Ernest May Lane, will also contains trees spaced at an average of 30 feet on center, shrubs and ground cover. An 8-foot wide planter with trees spaced at 20 feet on center, shrubs and ground cover is shown along the east property line. Additional landscaping is shown within the parking areas and in planters adjacent to the buildings.

The elevations indicate all structures will have EIFS (synthetic stucco) and stained concrete exteriors with sandstone accents. An earth-tone color palette is proposed.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-1 (Limited Commercial)	Multi-Family Residential, Fire Station, Retail Commercial
South:	Right-Of-Way	Bonanza Road
	C-2 (General Commercial)	Retail Commercial
East:	R-1 (Single Family Residential)	Single Family Residential
West:	C-1 (Limited Commercial)	Retail Commercial

ANALYSIS & FINDINGS

ZONING

Staff finds the site plan meets the minimum requirements of Code Section 19A.08.050 (Commercial Development Standards) for development within the C-1 (Limited Commercial) zoning district.

SITE PLAN

Staff finds the site plan is appropriate for the site in that proper setbacks and vehicle circulation patterns are depicted. However, staff finds that the handicap accessible parking is deficient. The submitted site plan depicts two handicap accessible parking spaces with only one access aisle, and no handicap accessible spaces are depicted near the bill payment center. Section 19A.10.010(G) of the Las Vegas zoning ordinance states that handicap accessible spaces shall be at least nine feet wide and shall have an adjacent access aisle (a minimum of five feet in width) on each side. In addition handicap accessible spaces are required to be located with the most direct and practical access.

LANDSCAPE PLAN

Staff finds the perimeter landscaping is appropriate and meets the intent of the Urban Design Guidelines and Standards. However, the parking lot landscaping is deficient. Therefore, the applicant is requesting a reduction in the amount of the parking lot landscaping requirements. The submitted landscape plan indicates landscape diamonds within the parking areas. Because the areas of deficiency are not confined to employee - only parking areas and fleet parking areas in the north and east portions of the site, staff finds no justification for a full waiver. Therefore, staff recommends the requested reduction of landscaping only within the designated staff and fleet parking areas. Staff recommends the remaining customer parking areas provide landscaping in compliance with Section 19A.12.040 of the Zoning Ordinance requirements for parking lot landscape islands and 24-inch box trees provided at a ratio of one tree for every six parking spaces.

ELEVATIONS

Staff finds the proposed stucco and decorative stone building materials are compatible with the existing commercial structures in the area, which consist of concrete block or stucco materials.

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 the proposed development will be compatible with the adjacent development and development in the area as amended by the condition requiring additional parking lot landscaping.

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 consistent with the General Plan, Title 19A, the wall and buffer standards and other adopted plans, policies and standards in that the site plan indicates proper setbacks, parking and circulation. However, the development is not consistent with the landscape, wall and buffer standards. Therefore, staff recommends a condition requiring the customer parking lot to conform to the landscaping standards as set forth in Section 19A.12.040 of the Zoning Ordinance.

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

Staff finds the site will achieve access via Ernest May Lane, a 60-foot wide collector street; and Rancho Drive, a 100-foot wide primary arterial. Staff finds these roadways are sufficient in size to accommodate the demand from the development.

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

Staff finds the submitted building elevations and landscaping will demonstrate visual consistency with the surrounding commercial/office developments, in that the submitted materials depict appropriate façade design and adequate landscape buffering as amended by the conditions listed requiring additional parking lot landscaping.

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 submitted building elevations and landscaping will demonstrate visual consistency with the surrounding office and commercial developments, in that the submitted materials depict appropriate façade design and adequate landscape buffering as amended by the

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 requirements of the Uniform Building Code (UBC), and therefore will not compromise the public health, safety or welfare.

STAFF RECOMMENDATION: **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. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict handicap accessible parking spaces that conform to the requirements of Section 19A.10.010(G) of the Las Vegas Zoning Ordinance.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict parking lot landscape islands throughout the customer parking lot that conform to the requirements of Section 19A.12.040 of the Las Vegas Zoning Ordinance.
5. The site plan revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to portray the 8-foot tall security fence constructed of either decorative iron or decorative masonry block.

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. 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.
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. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. Any utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. A Petition of Vacation, such as VAC-4-00, shall record prior to occupancy of this site.
14. Construct all incomplete half-street improvements on Rancho Drive, Bonanza Road, and Ernest May Lane adjacent to this site concurrent with development of this site. The required improvements on Rancho Drive and Bonanza Road may be deferred, if allowed by the City Engineer, in order to coordinate the construction of these offsites with the possible future widening of Rancho Drive. 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. 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.

15. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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. The proposed driveway onto Rancho Drive must also be approved by the Nevada Department of Transportation.
17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings or issuance of any building or grading permits, 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 adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
18. Submit an Encroachment Agreement or obtain an Occupancy Permit, as applicable, for all landscaping and private improvements located in the Rancho Drive and Bonanza Way public rights-of-way adjacent to this site prior to occupancy of this site.
19. Landscape and maintain all unimproved right-of-way on Rancho Drive and Bonanza Road adjacent to 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 the 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 contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the City Engineer.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 50-0076-01 APN: 139-29-704-035

Name of Property Owner: Cox Communications Las Vegas Inc.

Name of Applicant: Cox Communications Las Vegas 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: _____

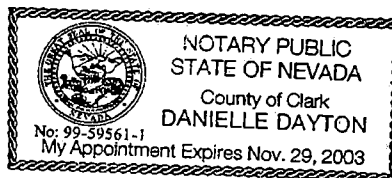
Signature of Property Owner/Authorized Agent:

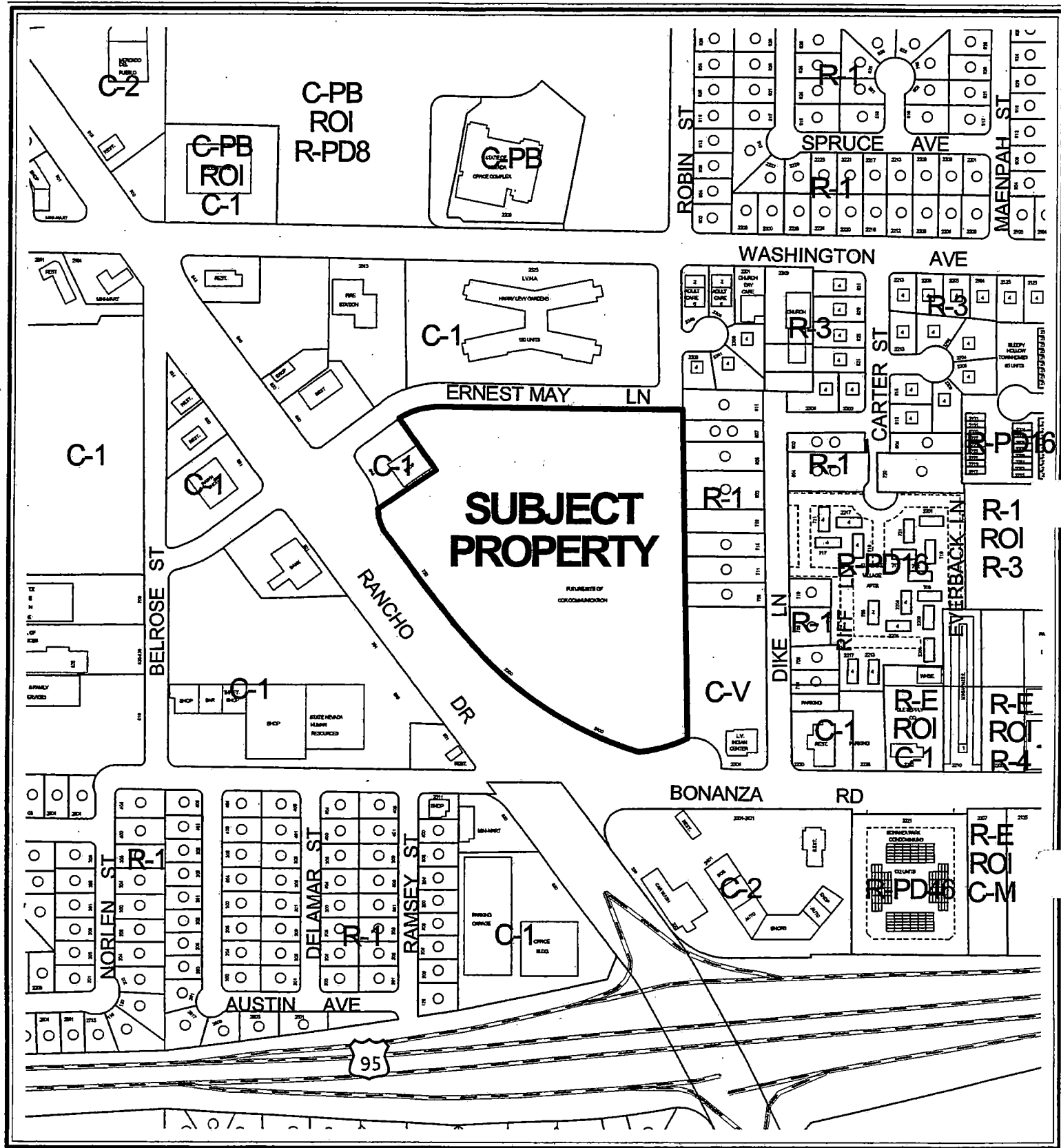
Print Name: L. Nelson Mower, Sr.

Subscribed and sworn before me

This 28th day of November, 2001

Danielle Dayton
Notary Public in and for said County and State





CASE: SD-0076-01

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



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - SD-0077-01 - FLETCHER JONES TRUST, ET AL ON BEHALF OF ENTERPRISE CAR RENTAL - Request for a Site Development Plan Review FOR THE RELOCATION OF AN EXISTING AUTOMOBILE RENTAL FACILITY INTO A TEMPORARY MODULAR BUILDING (ENTERPRISE CAR RENTAL) located adjacent to the northwest corner of Decatur Boulevard and Alta Drive (Bill Heard Chevrolet) (APN: 138-36-601-008), C-2 (General Commercial) Zone, Ward 1 (M. McDonald)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BUCKLEY - APPROVED subject to staff's conditions - **UNANIMOUS**

To be heard by the City Council on 2/20/2002.

MINUTES:

TROY JESCHKE, Planning and Development, stated the applicant's justification letter states that the move is necessary while Bill Heard Chevrolet is remodeling the buildings on the premises. Consequently, Enterprise Car Rental needs to move into a temporary modular trailer while the construction is occurring. The applicant estimates that they will need to remain in the trailer for approximately two years. The business will consist of one employee who will deal with in-house customers from Bill Heard Chevrolet. No walk-in business will occur.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-5 - SD-0077-01

MINUTES - Continued:

The submitted elevations depict a gray colored vertical wood paneled modular trailer with green trim. It will have a total height of 12 feet and dimensions of 8 feet by 20 feet.

The location of the trailer on the site provides adequate visual buffering from adjacent businesses as it is located away from public rights-of-way.

Staff recommended approval, subject to the conditions.

CAROLYN JOHANSEN, 2700 Chandler Avenue, appeared to represent Enterprise Car Rental, 3900 North Rancho Drive, #108. She accepted staff's conditions.

(10:58 - 11:00)

4 - 2670

CONDITIONS:

Planning and Development

1. The temporary modular trailers must be removed within two years of this approval, unless an Extension of Time has been granted by the Planning Commission.
2. No more than five (5) rental vehicles shall be stored on the site at any one time
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Site development to comply with all applicable Conditions of approval for U-0190-92 and all other site-related actions as required by the Department of Public Works.

JANUARY 10, 2002 PLANNING COMMISSION

C-5. SD-0077-01 - FLETCHER JONES TRUST, ET AL ON BEHALF OF ENTERPRISE CAR RENTAL - Request for a Site Development Plan Review FOR THE RELOCATION OF AN EXISTING AUTOMOBILE RENTAL FACILITY INTO A TEMPORARY MODULAR BUILDING (ENTERPRISE CAR RENTAL) located adjacent to the northwest corner of Decatur Boulevard and Alta Drive (Bill Heard Chevrolet) (APN: 138-36-601-008), C-2 (General Commercial) Zone, Ward 1 (M. McDonald).

NOT A PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for a Site Development Plan Review for the relocation of an existing rental facility into a temporary modular building (Enterprise Car Rental) located adjacent to the northwest corner of Decatur Boulevard and Alta Drive. The applicant's justification letter states that the move is necessary while Bill Heard Chevrolet is remodeling the building on the premises. Consequently, Enterprise Car Rental need to move into a temporary modular trailer while the remodeling occurs. The applicant estimates they will need to remain in the modular trailer for approximately two years until Bill Heard Chevrolet has performed all renovations on the site. The business will consist of one employee who will only deal with "in house" customers from Bill Heard Chevrolet. No walk-in business will occur from this site.

BACKGROUND DATA

10/14/65	The City Council approved a Rezoning (Z-0058-65) from R-1 (Single Family Residential) to C-2 (General Commercial) on this site as part of a larger request.
01/11/66	The Board of Zoning Adjustment approved a Variance (V-0036-65) to allow an auto body and metal shop where such use is not allowed on this site.
12/04/74	The City Council approved a Rezoning (Z-0049-74) from R-1 (Single Family Residential) to C-2 (General Commercial) on a portion of this site.
08/25/92	The Board of Zoning Adjustment approved a Special Use Permit (U-0190-92) for a proposed motor vehicle rental facility (Enterprise Car Rental) in conjunction with an existing new motor vehicle dealership (Fletcher Jones Chevrolet).

DETAILS OF APPLICATION REQUEST

Site Area:	10.27	Acres
Proposed Modular Trailer Size:	160	Square Feet (8 feet by 20 feet)
Maximum Height:	12	Feet
Parking Required:	1 /1/	Space
Parking Provided:	1	Space
Typical Number of Vehicles:	3	Vehicles (Stored on the interior sales fleet lot)

/1/ Based on Section 19A.10.010 requirements for Motor Vehicle Rental of 1 space per 200 square feet of gfa.

The submitted site plan depicts three existing buildings that are located toward the center of the site with parking areas along the south side of the buildings along Alta Drive and another parking area along the east side of the buildings along Decatur Boulevard. An additional sales lot is located in the rear of the site. The proposed modular trailers will be located toward the center of the southern portion of the site and will displace no parking spaces on the site. The rental vehicles will be stored on the interior of the site near the mechanic shop, and will be brought out only when a vehicle is needed.

The submitted landscape plan depicts very limited landscaping on the site. Two planters adjacent to the existing quick service building will help buffer the trailers while providing some aesthetics for the site.

The submitted elevations depict a gray colored vertical wood panel modular trailer with green trim. The trailer has a total height of twelve feet and features windows on three of the four sides. The 8-foot by 20-foot trailer will be placed in a corner with the permanent quick service building adjacent to it.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	C-2 (General Commercial)	Retail Commercial
South:	C-2 (General Commercial)	Retail Commercial
East:	C-2 (General Commercial)	Retail Commercial
West:	R-3 (Medium Density Residential)	Undeveloped
	R-5 (Apartment)	Multi-Family Residential
	R-PD42 (Residential Planned Development – 42 Units Per Acre)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

Staff finds the proposed automobile rental use is a permitted use within the C-1 (Limited Commercial) zoning district, with approval of a Special Use Permit. The City Council approved Special Use Permit (U-0190-92) for this business.

SITE PLAN

Staff finds the proposed location of the trailers to be appropriate because the landscape buffer and block wall will shield the trailers from view.

LANDSCAPE PLAN

Staff finds the existing landscaping is sufficient for the proposed modular trailers.

ELEVATIONS

Staff finds that while the modular elevations do not match the colors of the main building exterior, the modular trailers will be set back from the street frontages and will be visually buffered.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council shall affirm all of the following:

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

Staff finds the project is not aesthetically compatible with adjacent development. However, staff finds that the location of the modular trailers toward the interior of the site will provide proper visual buffering and screening in views from adjacent properties.

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 proposed project is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other standards that are in effect.

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

Staff finds the project will not negatively impact adjacent roadways or traffic because access to the trailers will be by existing entrances to the site.

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

Staff finds the location of the trailers on the site provides adequate visual buffering of the structures from adjacent businesses and roadway traffic.

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 temporary modular trailers are consistent in design and color with adjacent existing buildings on the site and along Alta Drive and Decatur Boulevard.

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

Staff finds the proposed modular trailer will be subject to inspections for compliance to the Uniform Building Code (UBC); therefore, the use will not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The temporary modular trailers must be removed within two years of this approval, unless an Extension of Time has been granted by the Planning Commission.
2. No more than five (5) rental vehicles shall be stored on the site at any one time

3. All City Code requirements and design standards of all City departments must be satisfied.
4. Site development to comply with all applicable Conditions of Approval for U-0190-92 and all other site-related actions as required by the Department of Public Works.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number SD-0077-41 File # 138-36-7001-006

Name of Property Owner: Bill Heard Chevrolet Corp.

Name of Applicant: Enterprise Leasing Co - West

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): _____

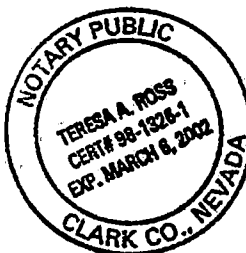
APN: _____

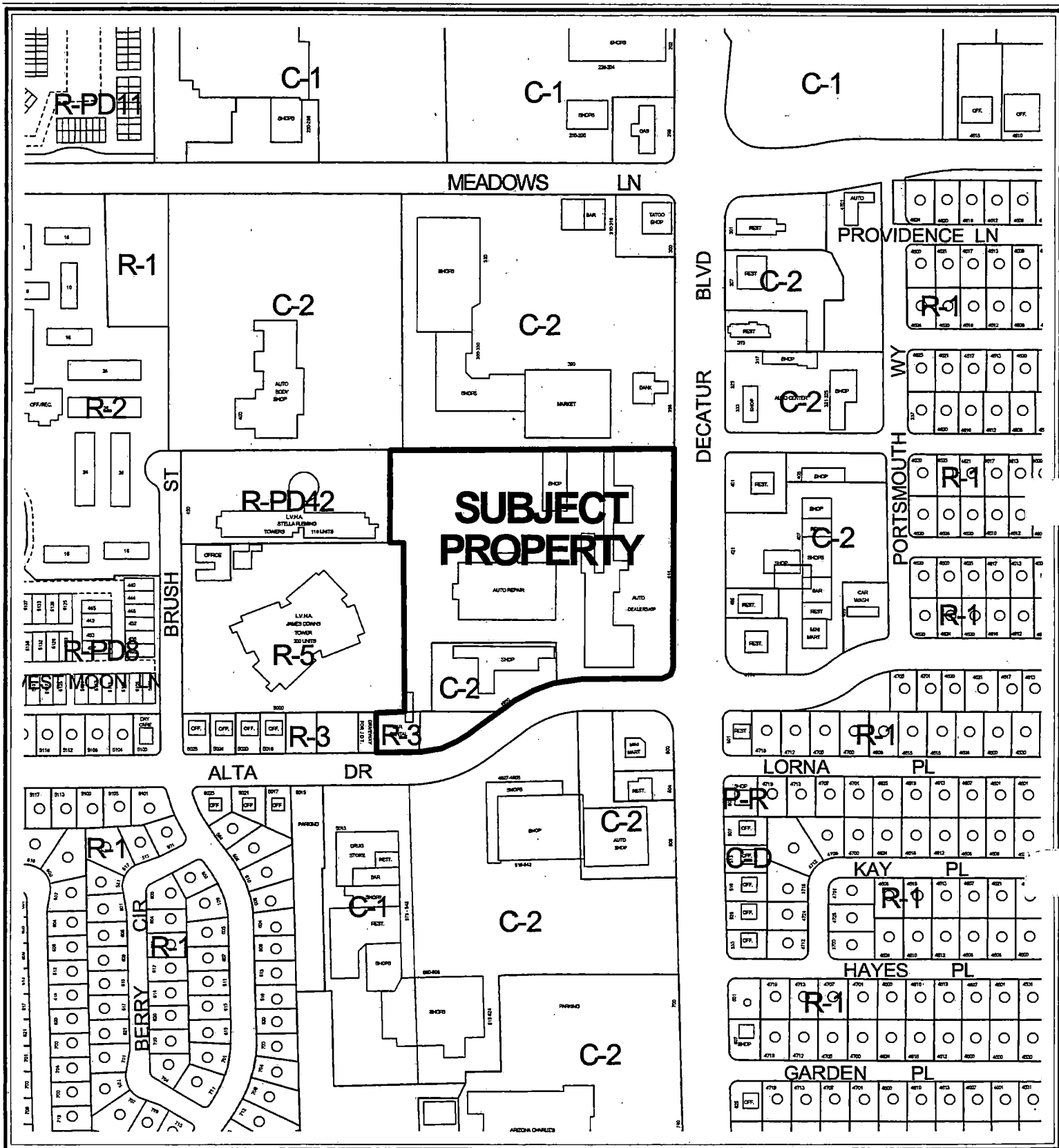
Signature of Property Owner/Authorized Agent.

Subscribed and sworn before me

This 14 day of November, 2001

Notary Public in and for said County and State





CASE: SD-0077-01

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL); R3 (MEDIUM DENSITY RESIDENTIAL)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NON-PUBLIC HEARING - SD-0078-01 - JOHN AND HOLLA HUBBARD ON BEHALF OF THE HOUSE OF PRAYER CHURCH - Request for a Site Development Plan Review and a Reduction in the amount of Perimeter and Parking Lot Landscaping FOR A PROPOSED HOUSE OF WORSHIP on a 0.32 acre parcel located at 620 Jackson Avenue (APN: 139-27-110-072), C-2 (General Commercial) Zone, Ward 5 (Weekly)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - DENIED - UNANIMOUS

To be heard by the City Council on 2/20/2002.

MINUTES:

ANDREW REED, Planning and Development, stated this site is developed with an existing structure, which the applicant proposes to use as a church. The 24 foot wide driveway provides access to the parcel from Jackson Avenue. A 14-space parking lot is shown south of the existing building. Eight foot wide landscape planters with 24 inch Mondale pines spaced 20 feet on center are shown adjacent to Jackson Avenue and G Street frontages with 3 foot wide planters along the north and east property lines. A 3 foot wide planter is shown along the north side of the parking area.

The elevations indicate the structure has a stucco exterior with a concrete tile roof. A covered entry is shown along the south side of the structure.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-6 - SD-0078-01

MINUTES - Continued:

The perimeter landscape plan is not in conformance with the Urban Design Guidelines and Standards. The applicant has requested a reduction in the amount of required perimeter landscaping. Some of the required parking spaces could be placed to the west of the existing building, thus allowing the street side landscape planters to be increased to meet the minimum 15 foot width specified by the Urban Design Standards. A redesign would also allow the placement of parking lot landscaping that conforms to City standards. Because of the location of the existing driveway along Jackson Avenue, staff recommended approval of a reduction of a planter adjacent to the east property line from 8 feet to 3 feet.

Staff recommended approval, subject to the conditions.

ASSISTANT PASTOR JOHN THOMAS appeared to represent The House of Prayer Church, 820 West Bonanza Road, Suites J & K. They are able to seat 112 people, but are going to go back another 7 or 8 feet to make a kitchen. They cannot put a parking lot in the back.

COMMISSIONER EVANS wanted clarification as to where the applicant disagrees with the conditions. ASSISTANT PASTOR THOMAS responded that they would like to have 8 feet from G Street, rather than 15 feet. They would like to have 8 feet from Jackson Street and then from G Street 8 feet. If that is not agreeable to the Planning Commission, then they would be willing to accept whatever is proposed.

CHRIS GLORE, Planning and Development, added that if the applicant expands this structure they will not be able to provide for all the required parking on the site or an off-site parking area. This site layout is constrained and perhaps the landscape planter along Jackson Avenue is appropriate to allow enough room for parking and backup. Perhaps there could be a compromise along G Street of 12 feet.

COMMISSIONER GOYNES commented that in this area there are 92 churches already. There are a couple of churches that seat over 2,000 people. Why is there a need for a church with only 112 members? If the churches were doing what they are supposed to do, why are there so many crack heads on the streets? These little churches are oftentimes used for other uses. Too many churches divide the community.

COMMISSIONER TRUESDELL was concerned about the basic services in this facility. He also noted that there is very little landscaping in this area. These churches fall off the tax rolls.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-6 - SD-0078-01

MINUTES - Continued:

MR. GLORE responded that the parking requirements under Title 19A are based upon a certain number of spaces per 100 square feet of meeting area, not on a specific number of seats. Regarding the restrooms and ADA accessibility, that will have to be an issue that the applicant takes up with the Building Department.

CHAIRMAN GALATI did not feel this is a feasible layout for a church.

(9:12 - 9:25)

3 - 1950

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 landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict minimum 15-foot wide landscape planters along the G Street and Jackson Avenue street frontages. The planters shall contain minimum 24-inch box trees spaced at a maximum of 20 feet on center with a minimum of four five-gallon shrubs for each tree.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict minimum 24-inch box trees planted at a ratio of one tree for every six parking spaces within minimum five-foot wide planters located in the parking lot. In addition, each planter shall contain a minimum of four five-gallon shrubs for each tree.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. 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.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-6 - SD-0078-01

CONDITIONS - Continued:

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack 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.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Construct full-width alley paving adjacent to this site concurrent with development of this site.
13. 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.
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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF JANUARY 10, 2002
Planning & Development Department
Item C-6 - SD-0078-01

CONDITIONS - Continued:

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. 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. 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. Landscape and maintain all unimproved right-of-way on "G" Street adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements located in the "G" Street public right-of-way adjacent to this site prior to occupancy of this site.

JANUARY 10, 2002 PLANNING COMMISSION

- C-6. SD-0078-01 - JOHN AND HOLLA HUBBARD ON BEHALF OF THE HOUSE OF PRAYER CHURCH - Request for a Site Development Plan Review and a Reduction in the amount of Perimeter and Parking Lot Landscaping FOR A PROPOSED HOUSE OF WORSHIP on a 0.32 acre parcel located at 620 Jackson Avenue (APN: 139-27-110-072), C-2 (General Commercial) Zone, Ward 5 (Weekly).**

NOT A PUBLIC HEARING

C.C.: 2/20/2002

STAFF RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REQUEST

This request is for a Site Development Plan Review for a proposed 1,840 square foot house of worship and a reduction in the amount of required perimeter and parking lot landscaping on an approximately 0.32 acre site, at 620 Jackson Avenue.

BACKGROUND DATA

There is no relevant zoning history for this site.

DETAILS OF APPLICATION REQUEST

Site Area:	0.32	Acres
Building Area:	1,840	Square Feet
Building Height:	18	Feet Six Inches
Parking Required:	12	Spaces*
Parking Provided:	14	Spaces (including one van-accessible handicap parking space)

* Parking based on Section 19A.10.010 requirements for "Church/House of Worship" of one space for each 100 square feet of floor area within the meeting room.

The site is developed with an existing structure that the applicant proposes to use as a church. A 24-foot wide driveway provides access to the parcel from Jackson Avenue. A 14-space parking lot is shown south of the existing building. Eight foot wide landscape planters with 24 inch box Mondel pines spaced at 20 feet on center are shown adjacent to both the Jackson Avenue and G Street frontages, with three foot wide planters shown along the north and east property lines. A three-foot wide planter is also shown along the north side of the parking area.

APR

The elevations indicate the structure has a stucco exterior with a concrete tile roof. A covered entry is shown along the south side of the structure.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North:	R-3 (Medium Density Residential)	Church
South:	R-3 (Medium Density Residential)	Multi-Family Residential
East:	R-3 (Medium Density Residential)	Multi-Family Residential
West:	R-3 (Medium Density Residential)	Multi-Family Residential

ANALYSIS & FINDINGS

ZONING

Staff finds a church is a permitted use in the C-2 (General Commercial) zoning district.

SITE PLAN

Staff notes the quantity and size of the proposed parking spaces comply with the Zoning Code. No other changes are proposed for the site.

LANDSCAPE PLAN

Staff finds the proposed perimeter landscape plan is not in conformance with the Urban Design Guidelines and Standards. The applicant has requested a reduction in the amount of required perimeter landscaping. However, staff notes that some of the required parking spaces could be placed to the west of the existing building, thus allowing the street-side landscape planters to be increased to meet the minimum 15 foot width specified by the Urban Design Guidelines and Standards. Such a redesign would also allow the placement of parking lot landscaping that complies with City Standards.

Because of the location of the existing driveway along Jackson Avenue, staff recommends approval of a reduction of the planter adjacent to the east property line from eight feet to three feet.

ELEVATIONS

Staff finds the existing stucco exterior with a concrete tile roof matches that of existing development in the area.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council shall affirm all of the following:

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

Staff finds the proposed church will be compatible with surrounding development in the area, which consists primarily of apartments and churches.

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 landscaping for the proposed church is not consistent with the Urban Design Guidelines and Standards. Staff finds the parking lot could be relocated, thereby allowing the street side planters and parking lot landscaping to be brought into compliance with those Standards.

Because of the location of the existing driveway along Jackson Avenue, staff recommends approval of a reduction of the planter adjacent to the east property line from eight feet to three feet.

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

Staff finds that the subject application will not adversely impact the circulation pattern of Jackson Avenue, G Street, or any other street in the vicinity.

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

Staff finds the building and landscape material to be appropriate for the City, with implementation of the recommended condition regarding a landscape plan revised to depict additional landscaping on the site.

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 church will be compatible with surrounding development in the area, which consists primarily of apartments and churches.

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

Staff finds the proposed church will be subject to inspections for compliance to the Uniform Building Code (UBC); therefore, the use will not compromise the public health, safety, and welfare.

STAFF RECOMMENDATION:

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 landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict minimum 15-foot wide landscape planters along the G Street and Jackson Avenue street frontages. The planters shall contain minimum 24-inch box trees spaced at a maximum of 20 feet on center with a minimum of four five-gallon shrubs for each tree.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict minimum 24-inch box trees planted at a ratio of one tree for every six parking spaces within minimum five-foot wide planters located in the parking lot. In addition, each planter shall contain a minimum of four five-gallon shrubs for each tree.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. 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.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack 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.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Construct full-width alley paving adjacent to this site concurrent with development of this site.
13. 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.
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. 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. 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. 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. Landscape and maintain all unimproved right-of-way on "G" Street adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements located in the "G" Street public right-of-way adjacent to this site prior to occupancy of this site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD-0078-01 APN: 139-27-110-072-02

Name of Property Owner: John & Holla M. Hubbard

Name of Applicant: EARNESTINE FEA ZELL/HOUSE & PRAYER

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): _____

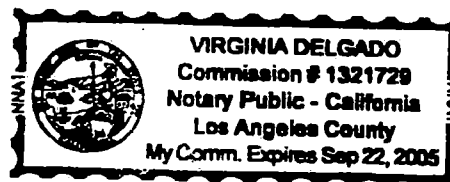
APN: _____

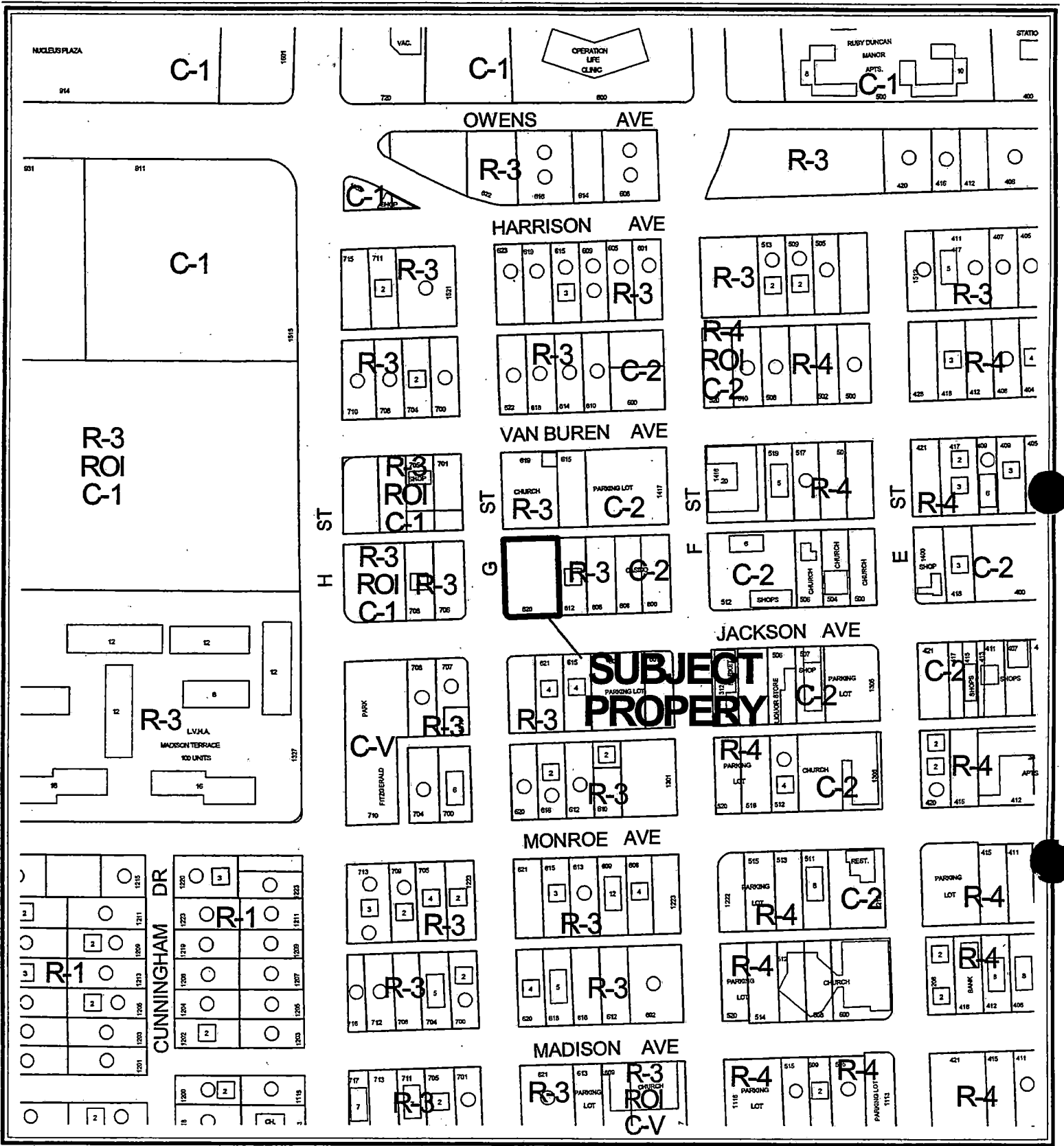
Signature of Property Owner/Authorized Agent: Hella M. Hubbard

Subscribed and sworn before me

This 26th day of October, 2001

Virginia Delgado
Notary Public in and for said County and State





CASE: SD-0078-01

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - DB-0017-01 - CITY OF LAS VEGAS - Appointment of two (2) Planning Commissioners to the Centennial Hills Architectural Review Committee.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

City Council Meeting

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

TRUESDELL - APPOINTED CHAIRMAN GALATI AND COMMISSIONER BUCKLEY TO THE CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE - UNANIMOUS

MINUTES:

ROBERT GENZER, Planning and Development, stated that as part of the Town Center Development Standards a procedure was established for architectural review of the signage within Town Center and a committee is being formed for that purpose. The membership of the committee will be two Planning Commissioners and three citizens who reside within the Centennial Hills section of the city, one of whom must be employed in the land development profession. The Mayor will appoint the three citizens later this month. At this time he would like the Planning Commission to appoint two commissioners to sit on that committee.

(11:00 - 11:01)

4 - 2760

JANUARY 10, 2002 PLANNING COMMISSION

- D-1. DB-0017-01 - CITY OF LAS VEGAS - Appointment of two (2) Planning Commissioners to the Centennial Hills Architectural Review Committee.**

APPLICATION REQUEST

The recently updated Town Center Development Standards established a new architectural review committee whose initial purpose will be the review and approval of sign proposals within the Town Center. The membership of this committee will consist of two Planning Commissioners and three (3) citizens who reside in the Centennial Hills section of the city (one of whom shall be employed in a land development profession).

The Mayor will be appointing the three citizens members in early January 2002. The Commission itself selects its representatives on this committee. The term of this appointment will be for a period of one year.

The Architectural Review Committee will meet according to a set schedule (First Tuesday of every month), however only on an as-needed basis. The first scheduled meeting is anticipated in February, and will be held during business hours at the City of Las Vegas Development Services Center (731 S. Fourth Street).

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

COMP

AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF: JANUARY 10, 2002

CITIZENS PARTICIPATION:

Items raised under this portion of the Planning Commission agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

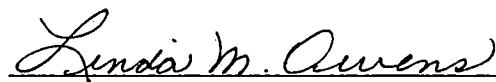
TODD FARLOW, 240 North 19th Street, congratulated the Commissioners on their raise to \$80.00 per meeting attended.

(11:01 - 11:02)

4 - 2850

MEETING ADJOURNED AT 11:02 P.M.

Respectfully submitted:



LINDA M. OWENS, DEPUTY CITY CLERK