City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER ☐ CONSENT ☐ DISCUSSION

SUBJECT:
SDR-3082 - CARINA CORPORATION, ET AL - Request for a Site Development Plan Review FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 14.01 acres north of Ann Road, west of Torrey Pines Drive (APN: 125-26-402-005 and 125-26-403-013), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack).

C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 54 [ZON-3080] and Item 55 [SDR-3082] was held under Item 54 [ZON-3080].

NOTE: Meeting resumed at 9:35 P.M.

(9:35 – 9:44)

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 55 – SDR-3082

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3080) to a R-PD2 (Residential Planned Development – 2 Units per Acre) Zoning District approved by the City Council.

2. 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.

3. The standards for this development shall include the following: minimum lot size of 13,000 square feet and building height shall not exceed two-stories or 35 feet, whichever is less.

4. The setbacks for this development shall be a minimum of 30 feet to the front of the house as measured from the edge of the private street, 10 feet on the side, 15 feet on the corner side, and 35 feet in the rear.

5. Guest House/Casitas shall conform to the minimum standards of Title 19.04.040.

6. The landscape plan shall reflect minimum 24-inch box trees and a minimum of four five-gallon shrubs for each tree, including groundcover within provided planters. The location and number of required trees shall match the submitted landscape plan.

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

8. Air conditioning units shall not be mounted on rooftops.

9. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

CONDITIONS - Continued:

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

Public Works

14. Submit a Petition of Vacation for Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map abutting or overlying the area to vacate, and the Final Map must show the Recorder's numbers of the Vacations.

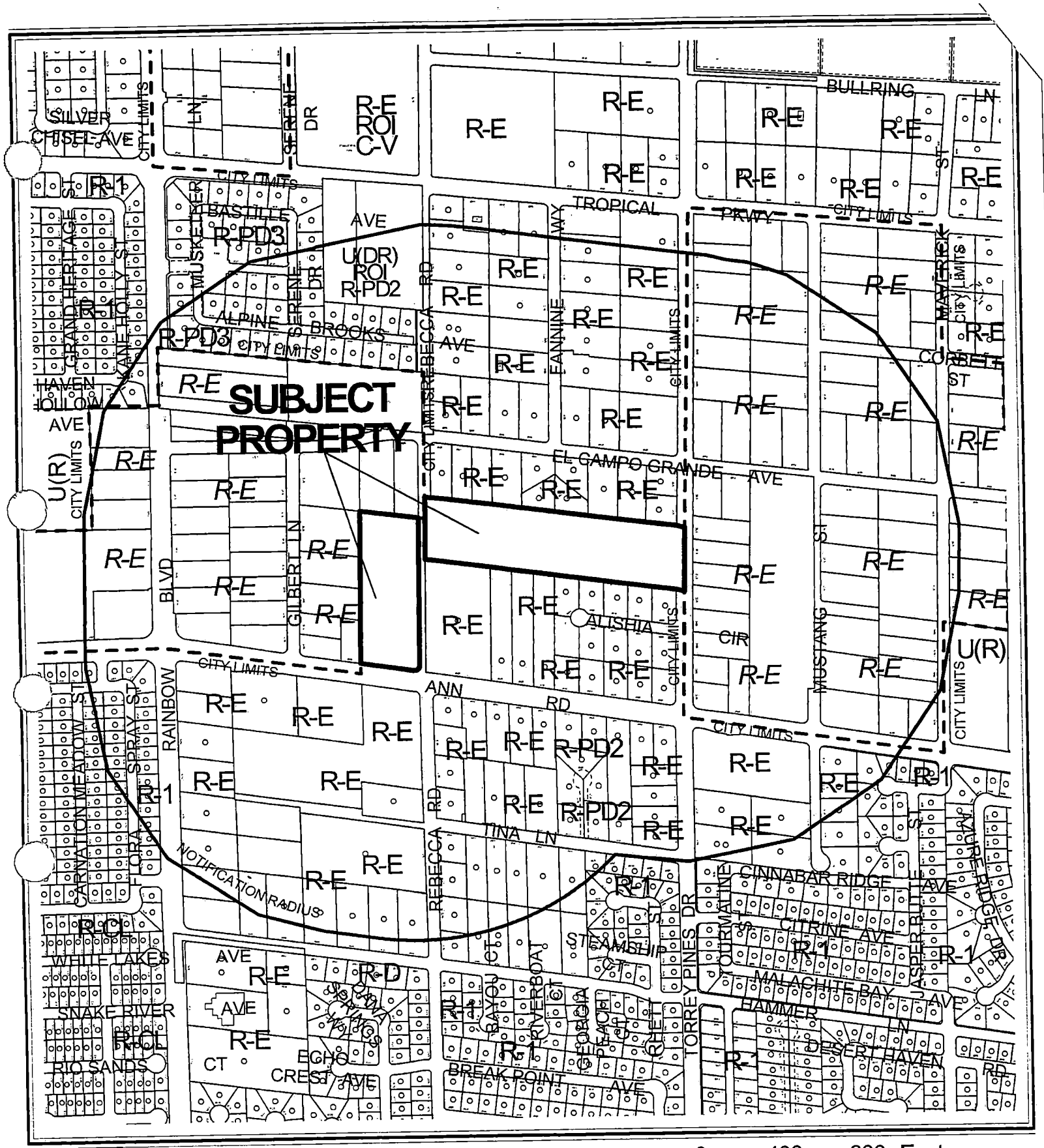
15. Site development plan as shown requires relocation of the public sewer located within Rebecca Road.

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. Gated access drives if proposed shall be designed, located and constructed in accordance with Standard Drawing #222a. The site plan shows the driveway on Ann Road to be an exit only, therefore it must be a pan type driveway with crash gate.

17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3080 and all other subsequent site-related actions.

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

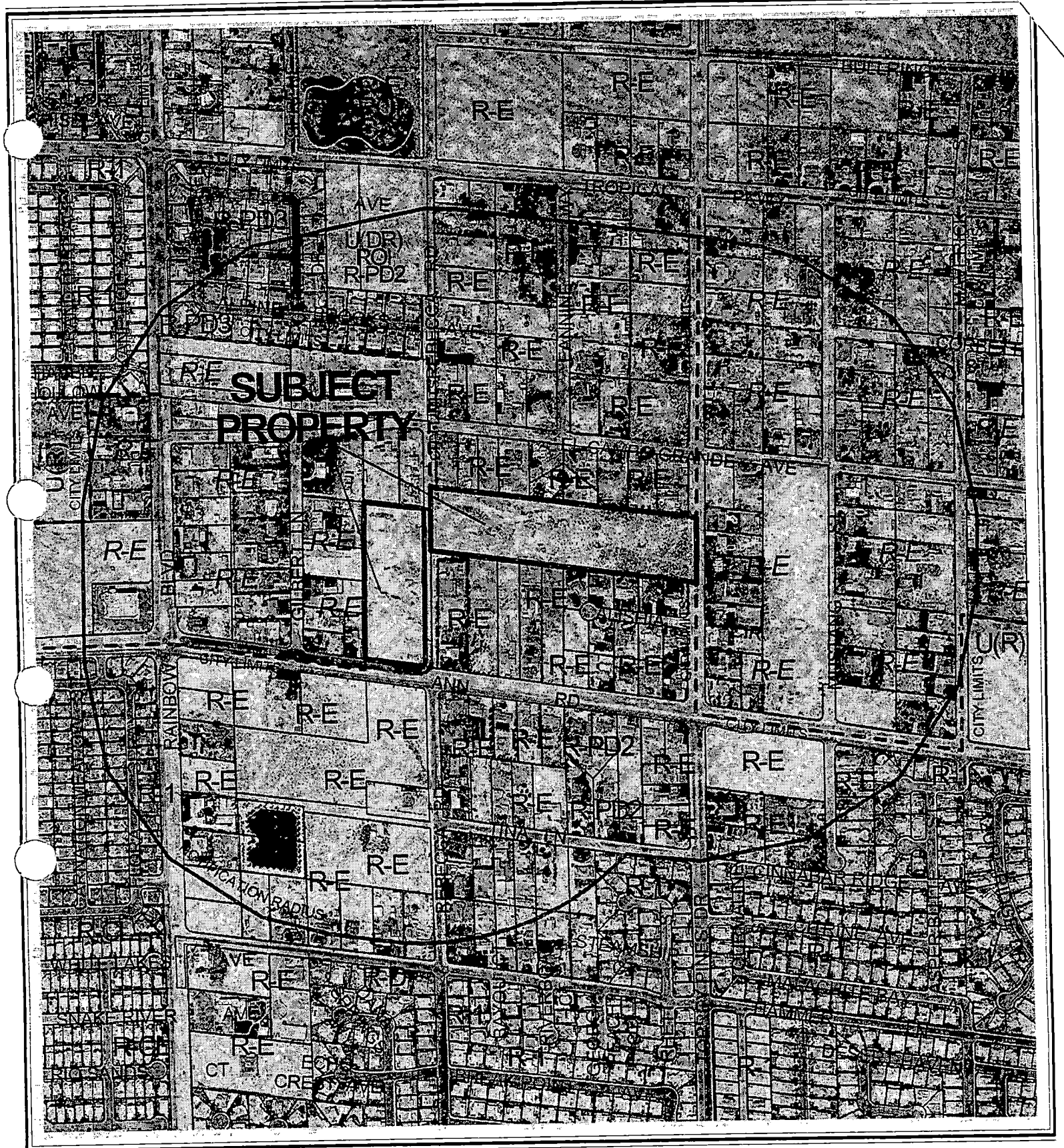


CASE: **SDR-3082**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENTIAL ESTATES)

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



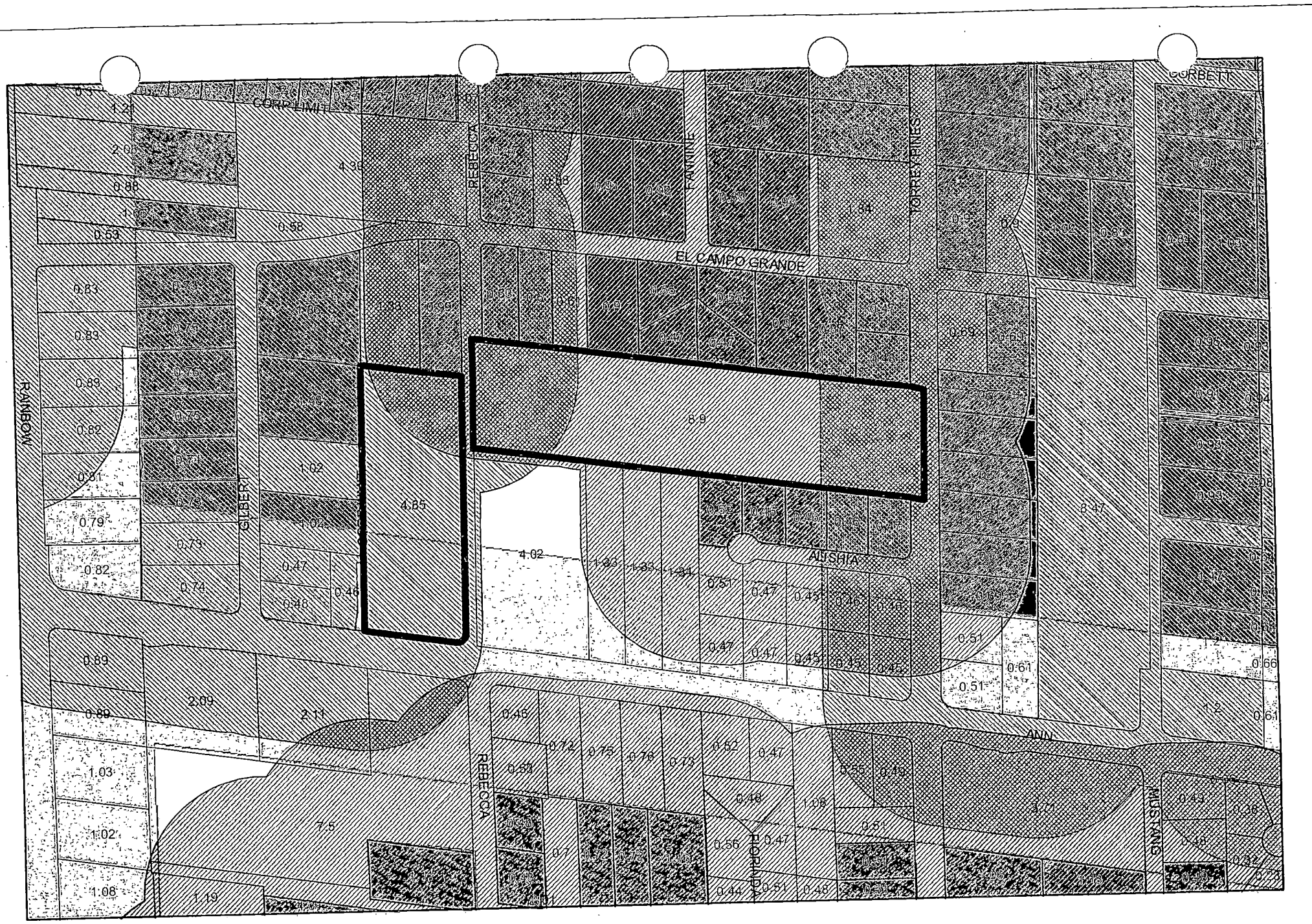
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PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N



Case: SDR-3082

Rural Preservation Site Map

City of L.V. RPN Buffer

Clark County RPN Buffer

City of L.V. RPN Parcel

Clark County RPN Parcel

330 Buffer from Major Street

Subject Area

0.48 Parcel Size in Net Acres

13.75 Total Subject Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3082 - CARINA CORPORATION, ET AL

** CONDITIONS **

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

Planning and Development

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6. The landscape plan shall reflect minimum 24-inch box trees and a minimum of four five-gallon shrubs for each tree, including groundcover within provided planters. The location and number of required trees shall match the submitted landscape plan.

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11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

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

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14. Submit a Petition of Vacation for Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map abutting or overlying the area to vacate, and the Final Map must show the Recorder's numbers of the Vacations.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 32-lot Single-Family Residential Subdivision on 14.01 acres north of Ann Road, west of Torrey Pines Drive.

B) Applicant's Justification

The zoning requested, R-PD2 (Residential Planned Development – 2 Units Per Acre), is consistent with those of adjacent properties and compatible with existing and future surrounding land uses. The housing options will offer a variety of models, sizes and prices to be compatible with the surrounding neighborhood. The development is proposing detached casita and garage options. A vacation map will be submitted requesting Vacation and abandonment of dedicated right-of-way and patent easements including Rebecca Drive, located at the eastern property line of APN 125-26-304-013. Lastly, it is stated that entitlements previously approved under cases U-0115-02, VAR-1389, and TMP-1854 shall be superceded by the current applications.

BACKGROUND INFORMATION

A) Previous Actions

11/06/02	The City Council approved a Special Use Permit (U-0115-02) for private streets within a proposed single-family development on a portion of the subject site. The Planning Commission recommended approval on 09/26/02.
01/23/03	The Planning Commission approved a Variance (VAR-1389) to allow a reduction of the minimum lot size to range from 16,241 to 18,041 square feet where 20,000 square feet is the minimum lot size required on a portion of the subject site.
02/05/03	The City Council approved a Petition to annex (A-0038-02) undeveloped property located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including a portion of the subject site. The Planning Commission recommended approval on October 24, 2002 and the annexation effective date was February 14, 2003.

04/10/03 The Planning Commission approved a Tentative Map (TMP-1854) for an 18-Lot Single-Family Residential Subdivision on 8.88 acres adjacent to the west side of Torrey Pines Drive, approximately 300 feet south of El Campo Grande Avenue, which includes a portion of the subject site.

10/23/03 The Planning Commission will hear a request for a Rezoning (ZON-3080) From: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] and R-E (Residence Estates) To: R-PD2 (Residential Planned Development - 2 Units Per Acre) on the subject site.

B) Pre-Application Meeting

08/29/03 It was determined that the entire subject property is located within a Rural Preservation Neighborhood buffer zone which requires that densities do not exceed three dwelling units per acre. The application presented was for R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning, which allows for a maximum of 2.49 dwelling units per gross acre. In addition, required applications were discussed including submittal requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 14.01

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Single Family Dwellings and Undeveloped
East:	Single Family Dwellings
West:	Single Family Dwellings

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	DR (Desert Rural Density Residential) and RNP (Rural Neighborhood Preservation)
South:	DR (Desert Rural Density Residential)

East:	DR (Desert Rural Density Residential) and RNP (Rural Neighborhood Preservation)
West:	DR (Desert Rural Density Residential) and RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) and U (Undeveloped)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The site is designated as DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan of the General Plan. The DR (Desert Rural Density Residential) land use category allows a density range of 0 to 2.49 dwelling units per gross acre, depending upon compatibility with adjacent uses. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in compliance with the DR (Desert Rural Density Residential) General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

Rural Preservation Neighborhood

The subject site is located within a Rural Preservation Neighborhood buffer zone. The provisions of NRS 278.261 state that residential densities may not exceed three dwelling units per acre without good cause shown. The submitted site plan depicts 2.28 units per acre, which meets Rural Preservation Neighborhood limitations.

PROJECT DESCRIPTION

A total of 32 lots will be developed on the subject site. The lots will be located on a 39-foot wide private street with access to Ann Road and Torrey Pines Drive. Lots range in size from 13,390 square feet to 22,316 square feet. Ten to fifteen-foot wide landscape planters are depicted adjacent to the right-of-ways. Two internally located common lots totaling 35,552 square feet provide the majority of open space required for this project. Due to the inclusion of Rebecca Road into the proposed site development, a condition has been included from the Department of Public Works is requiring the vacation of Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Proposed	Acceptable
Min. Lot Size	13,390 Square Feet	Y
Average Lot Width	103 Feet	Y
Min. Setbacks		
• Front	30 Feet	Y
• Side	10 Feet	Y
• Corner	15 Feet	Y
• Rear	35 Feet	Y
Max. Building Height	2 Stories	Y

While Residential Planned Developments do not have minimum development standards per Title 19, the proposed Residential Development Standards are typical of minimum standards usually found in the R-PD2 (Residential Planned Development – 2 Units Per Acre) zone. The proposed setbacks, building height, and average lot widths match the standards for an R-E (Residence Estates) zoning district, which is comparable to the R-PD2 (Residential Planned Development – 2 Units Per Acre) zone in terms of allowed densities. Minimum lot sizes are lower than minimum standards for an R-E (Residence Estates) zoning district; however, with the inclusion of required internal useable open space, Residential Planned Development standards allow for a reduction in standard lot sizes. The proposed development standards are acceptable for an R-PD2 (Residential Planned Development – 2 Units Per Acre) zone.

Some of the proposed detached accessory structures do not meet minimum development standards per Title 19 for guest house/casita options, which permit only one occupancy room, a bathroom, and walk in closet, but kitchens are not permitted. There are submitted floor plans for the casita options that depict two story structures with more than one occupancy room. In addition, minimum setbacks for casita options do not meet minimum code requirements. A condition has been added to require proposed guest house/casita options to conform to Title 19.04.040 requirements for guest house/casitas.

A2) Parking and Traffic Standards

Pursuant to Title 19.10, Pursuant to Title 19.10, single-family homes are required to provide two parking spaces per dwelling. The floor plans indicate that each dwelling unit will contain a two-car garage, which meets on-site parking requirements. The 20-foot minimum driveways provide Guest parking.

A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**
Buffer:			
• Min. Trees (along ROW)	1 Tree/ 30 Linear Feet	16 Trees	19 Trees
• Min. Zone Width	6 Feet		10-15 Feet
• Maximum Wall height	8 Feet (side and rear) 4 Feet - Top 2 Feet 50% open (front)		none

The submitted landscaping plan indicates a 10-foot wide landscape planter along Torrey Pines Drive and a 15-foot wide landscape planter located along Ann Road, which exceed the minimum six-foot width requirement. A condition has been included requiring the landscaping plan to meet all minimum size requirements of Title 19 and the Landscape, Wall, and Buffer Standards. Internally, the proposed common lot open space areas all include an acceptable amount of landscaping. Wall heights and proposed locations are not depicted on the submitted plan; therefore a condition has been included requiring any new perimeter wall to be constructed of decorative block with 20-percent contrasting material.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
14.75 acres	2.16	1.65	3.56 %	22,900 SF	5.87 %	37,697

The submitted site plan depicts 37,697 square feet of open space with the majority being located on two common lots, denoted as 'B' and 'C' on the site plan. Common lot 'B' is located on the southern side of the entrance drive adjacent to Torrey Pines Drive containing 19,141 square feet. The landscaping plan identifies this space to contain a recreation building, gazebo, picnic tables and open space with landscaping. Common lot 'C' is located at the northwest corner of the development and is proposed to contain a half court basketball area with picnic tables and landscaping on a 16,411 square foot lot. The proposed 37,697 square feet of internal useable open space exceeds the minimum 22,900 square foot as required per Title 19.06.

B) General Analysis and Discussion

- Zoning

Companion item Rezoning (ZON-3080) proposes to rezone the subject site to an R-PD2 (Residential Planned Development – 2 Units Per Acre) designation. Approval is being recommended for this application on the basis that the proposal is in conformance with the DR (Desert Rural Density Residential) General Plan designation in addition to requirements as outlined by NRS 278.261 for Rural Preservation Neighborhood Buffer Zone density restrictions. The proposed site plan, at 2.28 dwelling units per acre conforms to the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation.

- Site Plan

The 32-lot single-family residential subdivision meets minimum standards that are comparable with surrounding R-E (Residence Estates) zoned properties. No more than two proposed lots will abut any adjacent developed single-family residential lot with the exception of the five-lots located along Rebecca Road, which is to be vacated. This situation seems unavoidable due to the fact that the configuration of the two perpendicular parcels creates a long but narrow land area, which results in limited options for lot configuration and the location of proposed private streets. The site plan has merged two infill parcels together with minimal impact on surrounding residential properties.

With regards to the proposed gated private street servicing the subdivision, a previously approved Special Use Permit (U-0115-02) on the subject site was approved by City Council on November 6, 2002 with an expiration date of November 2, 2004. The current proposal, however, is for a Residential Planned Development zoning designation that does not require a Special Use Permit for private streets.

- Waivers

No waiver requests are being sought for this Site Development Plan Review application.

- Elevation

Elevations vary in size from single-story to two-story options. The submitted plans do not depict an overall height, therefore a condition has been added limiting the overall height of dwelling units to two-stories or 35-feet, whichever is less, which will match the standards of surrounding R-E zoned properties. In addition, the proposed two-story options including the Guest House and RV Garage would not be permitted if the height of these structures exceeded the height of the main dwelling unit.

- Floor Plan

The proposed single-family dwelling units vary in size from 3,320 square feet for the single-story options to 4,405 square feet for the two-story options. All floor plans maintain internal access throughout the unit and most contain a deck or bonus room option. As noted under the development standards section of this report, some of the proposed guest house/casita options do not meet Title 19.04.040 requirements and a condition has been included to enforce these regulations. Specifically regarding the floor plan, there are guesthouse options that contain more than one occupant room, bathroom and walk-in closet, which violate the restrictions of Title 19.04.040.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed single-family residential subdivision is compatible with surrounding single-family dwelling units. The project maintains a 2.28 dwelling units per acre standard, which is acceptable given the limited design standards due to the infill nature of the project and narrowness of the developing parcels.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   The single-family residential development is consistent in terms of density with the proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning and existing DR (Desert Rural Density Residential) General Plan designation. The plan meets Title 19 requirements for Residential Planned Development open space standards in addition to required perimeter landscaping.

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

   The subject site will have access from Torrey Pines Drive, an 80-foot wide Secondary Collector Street and Ann Road, a 100-foot wide Primary Arterial, which will adequately meet the requirements of the proposed single-family residential development. The inclusion of Rebecca Road into the proposed site development has not created a land locked parcel; therefore, a condition has been included on the companion Rezoning (ZON-3080) from the Department of Public Works requiring the Vacation for Rebecca Road in both City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan.

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

   Building and landscape materials are typical of the greater Las Vegas Valley area and are appropriate in terms of maintaining a rural character and design for the subject 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;"**

   Single and two-story building elevations and varying architectural design characteristics will create an orderly and aesthetically pleasing environment. The inclusion of conditions restricting overall height for both the main dwelling units and detached accessory structures will ensure building masses are harmonious and compatible with surrounding development in the area.

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

   The proposed development is subject to all Building and Safety Department requirements for permits and inspections that will ensure that the public health, safety and general welfare are protected.

NOTICES MAILED 300 [Mailed with ZON-3080]

APPROVALS 0

PROTESTS 1

TB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3082 APN: 126-26-403-013

Name of Property Owner: Carina Corporation

Name of Applicant: Carina Corporation

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

_____ Yes _____ ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: R H McCarty

Print Name: R.H. McCarty

Subscribed and sworn before me

This 2nd day of September, 2003

A Probasco

Notary Public in and for said County and State

A. PROBASCO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 06-01-2007
Certificate No:99-57956-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3082 APN: 125-26-402-005

Name of Property Owner: Watson Family Trust & Watson Lillian June Living Trust

Name of Applicant: Carina Corporation

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

For Watson Family Trust:

Signature of Property Owner/Authorized Agent: Charles R. Watson

Print Name: CHARLES R. WATSON, Trustee

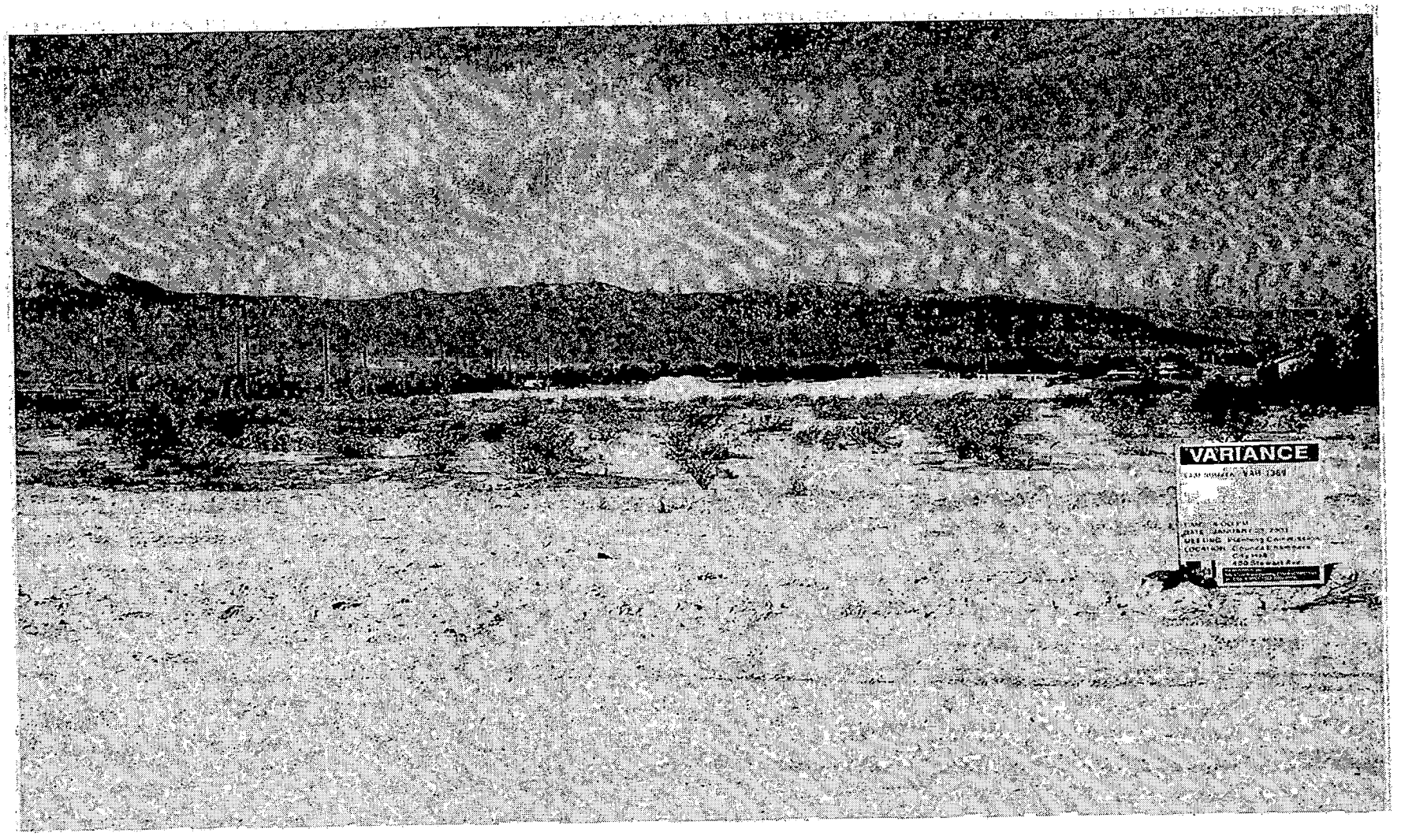
Subscribed and sworn before me

This 4 day of August, 2003

Susan Tribuzio

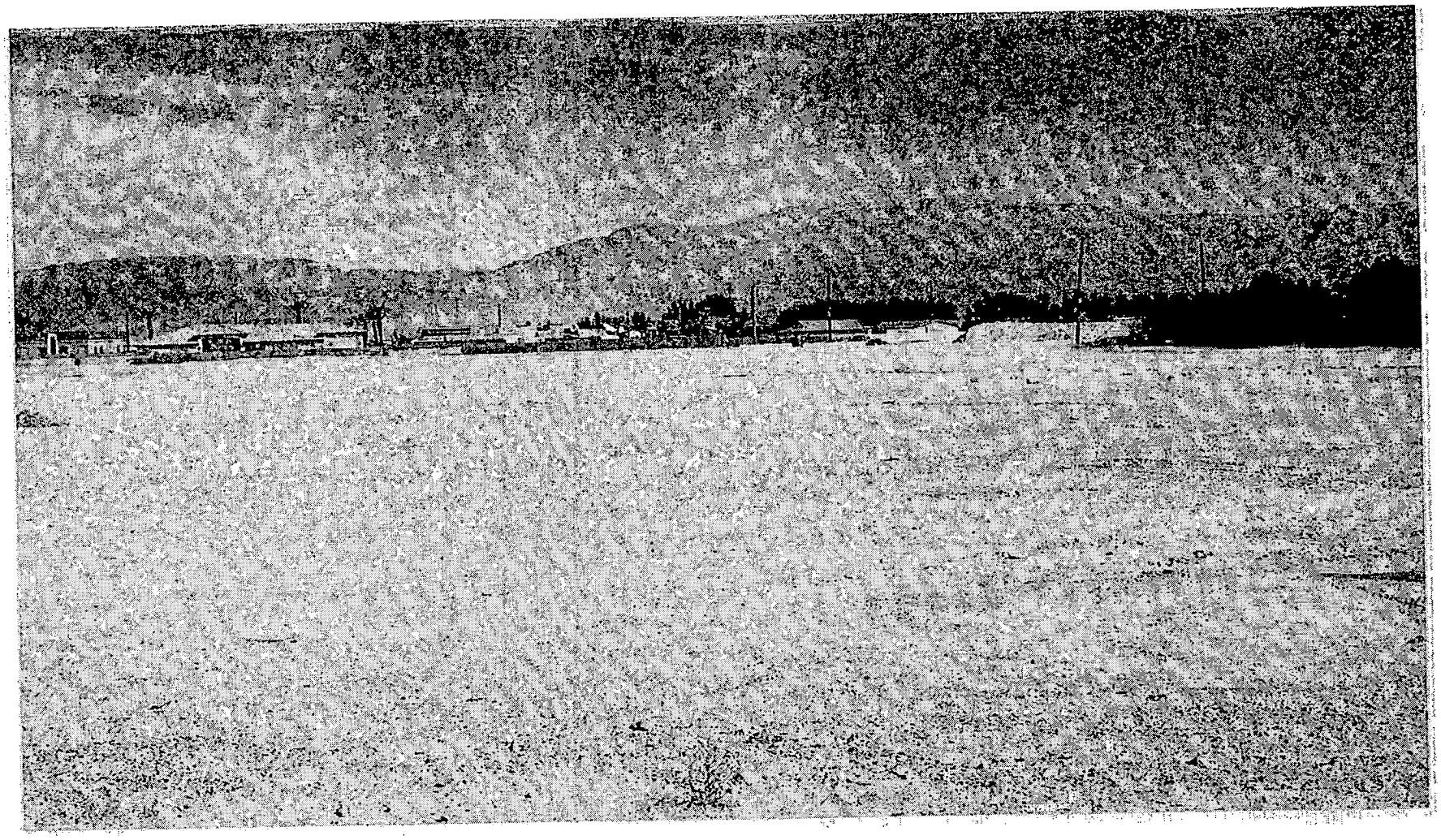
Notary Public in and for said County and State

SUSAN TRIBUZIO
Notary Public State of Nevada
No. 98-49276-1
My appt. exp. Oct. 26, 2006



SDR-3082 - CARINA CORPORATION, ET AL
NORTH OF ANN ROAD, WEST OF TORREY PINES DRIVE
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03



SDR-3082 - CARINA CORPORATION, ET AL
NORTH OF ANN ROAD, WEST OF TORREY PINES DRIVE
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

Oct. 14, 2003

Dear Sir

RECEIVED
03 OCT 16 PM 4:22
PLANNING AND DEVELOPMENT

Please no Walls around the lots. Walls Hold far too Much Heat.

also the walls makes the whole Las Vegas Valley, look like a lot of Small Penitentiarys.

I have knowing this acan since 1942.

Went Visters ask why all the Walls? I answer people are afraid of their own Shadow.

Leona Spoonamore SDR-3082
P

NOTICE OF PUBLIC HEARING

RECEIVED
03 OCT 6 PM 1:22
PLANNING AND DEVELOPMENT

SITE DEVELOPMENT PLAN REVIEW

MEETING:	PLANNING COMMISSION
DATE:	OCTOBER 23, 2003
TIME:	6:00 P.M.
LOCATION:	CITY COUNCIL CHAMBERS 400 STEWART AVENUE LAS VEGAS, NEVADA

Rec'd these notice Two of these Sheets: I can not drive after dark. Reason S.

SDR-3082

REQUEST BY CARINA CORPORATION, ET AL FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 14.01 ACRES NORTH OF ANN ROAD, WEST OF TORREY PINES DRIVE (APN: 125-26-402-005 AND 125-26-403-013), U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) ZONE [PROPOSED: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT – 2 UNITS PER ACRE)], WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) SOUTHWEST QUARTER (SW¼) OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 60 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 objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not 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.

CITY OF LAS VEGAS NEVADA

KYLE C. WALTON, SENIOR PLANNER
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
ZON-3119 - SF INVESTMENTS - Request for a Rezoning FROM: RE (RESIDENCE ESTATES) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) AND TO ALLOW 5.5 DWELLING UNITS PER ACRE WITHIN A RURAL PRESERVATION NEIGHBORHOOD BUFFER WHERE 3.0 UNITS PER ACRE IS PERMITTED on 10 acres adjacent to the northeast corner of Peak Drive and Maverick Street (APN: 138-14-601-029, 030; 138-14-602-021, 138-14-701-001, and 002), Ward 5 (Weekly).

C.C.: 11/19/03

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the November 6, 2003 Planning Commission meeting.

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

MOTION:
GOYNES – ABEYANCE to 11/6/2003 Planning Commission meeting – UNANIMOUS

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY LAZOVICH'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant requested the Request for Rezoning be held to the 11/6/2003 Planning Commission meeting in order to be heard together with the Site Development Plan.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, and concurred with the abeyance.

MINUTES – Continued:

MARGARET MINSTER, 6221 Fort West Road, asked how many units are planned and how many acres this application involves. MR. CLAPSADDLE stated 5.5 units per acre was advertised. In an R-PD, variable lot sizes and setbacks are appropriate because the zoning is tied into the site development plan. He provided additional explanation as to how staff determines the number of units and in final stated this particular application equates to 3.3 units to the acre.

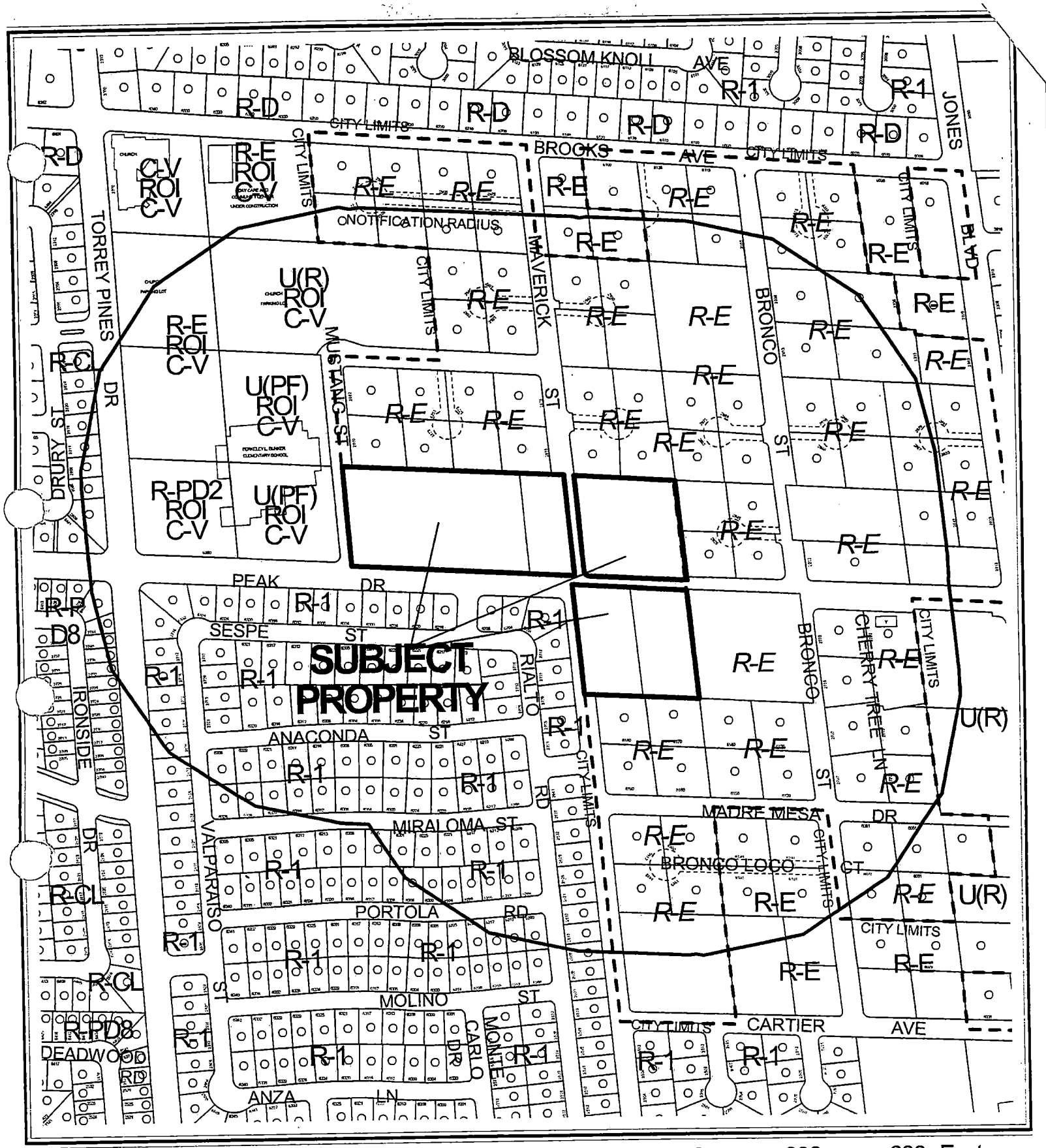
LILLY BURNS, 2880 Mustang Street, expressed concern about what the site development plan entails. CHAIRMAN TRUESDELL stated that any changes to the site development plan will require the Commission's review.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:18 – 6:24)



CASE: ZON-3119

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

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



0 300 600 Feet

CASE: **ZON-3119**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3119 - SF INVESTMENTS

STAFF REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 6, 2003 PLANNING COMMISSION MEETING.

DC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3119 APN: 138-14-601-029, -030, 138-14-602-021
138-14-701-001, -002

Name of Property Owner: SF INVESTMENTS

Name of Applicant: SF INVESTMENTS

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: Stephen B. Aizenberg

Subscribed and sworn before me

This 9th day of September, 2003

Karen Barker

Notary Public in and for said County and State

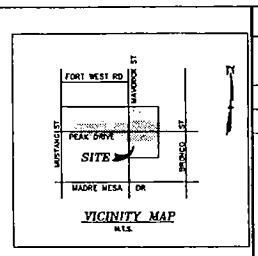
KAREN BARKER
Notary Public, State of Nevada
Appointment No. 02-76577-1
My Appt. Expires July 24, 2006

SITE DATA

PROPOSED USE :	R1	MIN LOT WIDTH :	65.00'
AREA :	10 GROSS ACRES (8.17 NET)	MIN FRONT SETBACK :	20'
CURRENT GEN. PLAN DESIGNATION:	RURAL RESIDENTIAL (3.5 UNITS/ACRE)	MIN SIDE YARD SETBACK :	5'
PROPOSED GEN. PLAN DESIGNATION:	LOW DENSITY (5.5 UNITS/ACRE)	MIN CORNER SIDEYARD SETBACK:	15'
PROPOSED UNITS:	34	MIN REAR YARD SETBACK	15'
PROPOSED DENSITY:	5.5 UNITS/ACRE (NET) 3.4 UNITS/ACRES (GROSS)	MAX BUILDING HEIGHT :	2 STORIES OR 35' MAX
MINIMUM LOT AREA:	6,515 SF		
AVERAGE LOT AREA:	7,908 SF		

APN NUMBERS

APN: 138-14-601-029, -030
APN: 138-14-602-027
APN: 138-14-701-001, -002



VICINITY MAP
N.T.S.

BUNKER ELEMENTARY
P-F
138-14-601-022

BUNKER ELEMENTARY
P-F
138-14-601-028

RE 138-14-601-023
RE 138-14-601-024
RE 138-14-601-025
RE 138-14-601-026
RE 138-14-602-027
RE 138-14-602-028
RE 138-14-602-017
RE 138-14-602-019 VACANT
RE 138-14-602-022

R1 34 11,316 SF
R1 33 9,217 SF
R1 32 9,429 SF
R1 23 10,403 SF
R1 24 7,437 SF
R1 25 8,856 SF
R1 26 7,948 SF
R1 22 7,266 SF
R1 21 7,393 SF
R1 20 7,382 SF
R1 19 7,372 SF
R1 18 7,238 SF
R1 27 8,725 SF
R1 28 7,007 SF
R1 29 6,996 SF
R1 30 6,986 SF
R1 31 7,583 SF
R1 17 6,742. SF
R1 16 7,250. SF
R1 15 7,559. SF
R1 14 10,240. SF
R1 13 10,145. SF
R1 10 6,574. SF
R1 11 7,036. SF
R1 12 10,317. SF

MUSTANG STREET (PUBLIC)
MAVERICK STREET (PUBLIC)
"A" COURT
"B" COURT (PUBLIC)
PEAK DRIVE (PUBLIC)
ADELLA DRIVE (PUBLIC)
"C" COURT (PUBLIC)

R-1 138-14-710-001
R-1 138-14-711-001
R-1 138-14-711-002
R-1 138-14-711-003
R-1 138-14-711-004
R-1 138-14-711-005
R-1 138-14-711-006
R-1 138-14-711-007
R-1 138-14-711-008
R-1 138-14-711-009
R-1 138-14-711-010
R-1 138-14-711-011

R1 9 7,188. SF
R1 8 6,812. SF
R1 7 6,888. SF
R1 6 7,936. SF
R1 5 6,515. SF
R1 4 11,116. SF
R1 3 8,518. SF
R1 2 6,864. SF
R1 1 6,608. SF

RE 138-14-701-003 VACANT
RE 138-14-701-007
RE 138-14-701-006

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

STAFF

ZON-3119

10-23-03 PC

PROJ NO A2030083
DESIGN DPB
DATE 09/21/03
SCALE AS SHOWN
CAD FILE 01-REV
DAVID PATRICK BROWN EXP. 12/31/04 CIVIL
STAMP DATE
EXPR DATE 12/31/04

3320 N. Buffalo Drive
Suite 105
Las Vegas, NV 89129-7410
702-304-3425
Fax: 702-304-3758
Web: aztecnet

AZTEC

BUNKER COMMONS
PEAK DRIVE AND MUSTANG STREET
SITE PLAN

SHEET
SP
1 of 1 Sheets

David & Jeannine Barneby
6180 Madre Mesa Dr.
Las Vegas, NV 89108
(702) 645-4589
E-mail: barnebyd@aol.com

October 16, 2003

Kyle C. Walton, Senior Planner
Planning & Development Department
Current Planning Division, Development Services Center
City of Las Vegas
731 South 4th Street
Las Vegas, NV 89101

CASE: **ZON - 3119**
Planning Commission Hearing – October 23, 2003

Dear Mr. Walton:

Due to other commitments we will not be able to attend the upcoming Planning Commission meeting scheduled for October 23 regarding the above referenced rezoning request. However, we would like our comments and objections to go into the record.

Our home is located directly south of the subject property at 6180 Madre Mesa Dr. A portion of subject property is on the other side of our existing wall. Our home is on a half-acre lot and we have lived there since 1979.

As is exhibited by your city maps, this property is located within and surrounded by R-E lots and homes. Since 1988, owners of this property have applied for General Plan changes and Variances for this property. The most recent attempt was in July 2003, which was subsequently withdrawn by the applicant. I am sure your records indicate that neighborhood opposition is strong against any change in zoning for this property from R-E. Neighborhood property owners have always been present at all Planning and Council meetings through the years. We personally have attended over eight meetings over the years.

Both the Planning Commission and the City Council denied all previous applications for any zoning changes to this property. **In fact, the City Council went on record and voted that this area was to remain zoned R-E and assured the homeowners they would not change the character of this neighborhood from its existing R-E status.** (The last ruling was around 1996.)

It is our understanding that this latest request for zoning change would allow 5.5 dwelling units per acre. In speaking with a member of your staff, it was explained that the site development request is for 34 lots to be developed in this 10-acre parcel. However, we have concerns about allowing this zoning change without strict conditions to the development. **What is the guarantee is that the developer will be held to the promise of 34 lots?** It is obvious that compressing the proposed 34 houses into 10 acres is completely incompatible with the R-E zoning to the north, east, and south. There is no logical reason for this high-density development, especially in light of the fact that our neighborhood continues to develop at a steady pace with new homes on half-acre lots.

Should this development be approved as proposed, there can be no doubt that the current homeowners would see a substantial reduction in their property values. This proposed compressed housing would have a tremendous affect on our quality of life and the economic value of current homes in this area. This request for zoning change is an obvious attempt at "block busting." The developer's financial gain should not come out of the pockets of the current surrounding homeowners. There is a significant demand for larger properties and the developers could easily recoup their investment with an R-E zoned project. In speaking with local realtors, the price for half-acre lots is escalating daily.

The owner of record, MAS Trading, has not been a good neighbor over the years. The 2 acres directly over our north wall has been a continuous dump for over 10 years; no doubt one of the worst within the City limits. On occasion, they have rented this property to be a construction staging area, which has been a major disruption to the neighborhood with nighttime noise, light, and dust pollution. The property has been left with new areas for dumping and an ever-increasing elevation.

Their plan to compress numerous houses onto tiny lots next to us is evidently their final gift to our neighborhood and us.

Again, we are in total opposition to any zoning changes or variances to the referenced property. We request that these applications be denied and encourage you to agree with previous rulings for our area and keep this property zoned R-E.

Thank you for your consideration and support.

Sincerely,

David and Jeannine Barneby
6180 Madre Mesa Dr.

cc: Adrian Low – Senior Planner
Clark County Commissioners – David Clapsaddle, Supervisor

Fax: (702) 385-7268

To: Las Vegas Planning & Development
Kyle Walton, Senior Planner

10/16/03

Robert and Deecie Zimmerman
2880 Maverick Street
Las Vegas, NV 89108

Dear Councilman/Commissioner:

Rezoning Application [redacted] should be rejected. The proposed rezoning request makes no provisions for the common area that is included in the existing plan. We purchased our home, on a cul-de-sac adjoining this property, approximately a year and a half ago. We moved here because it was zoned Rural Density Residential. Large lots and custom homes. We moved here to get away from zoning that allowed small, overbuilt lots.

As you know, the subject property was included in Clark County's plan for this area. That plan zones the property rural density residential and included an open space along a small intermittent flow stream bed which supported a number of trees and shrubs. This area is clearly seen on early Las Vegas aerial surveys, including a 1978 Arial Photo taken by Cooper Aerial Survey Co. That area had large trees on it and was used as a playground by neighborhood children when we purchased our home, less than two years ago. We and a number of our neighbors walk our dogs in that area. There is no other open area in the neighborhood. As you know, the nearby school yards are fenced off and inaccessible. We miss the trees that were cut down last year when Peak was extended through the subject property.

The proposed change will have a negative impact on the area. It will put increased pressure on the neighborhood schools and increase traffic hazards at those two schools. The intersection of Peak and Maverick is already hazardous because a existing block wall creates a blind corner at the intersection. This corner is a school bus stop as well as one of the major routes to two nearby schools. This intersection floods whenever it rains, a problem that will get worse if this zoning change is approved – because the change will increase the area that is paved and covered by housing, reducing the area that is available to absorb rainwater and prevent flooding.

The current zoning conforms with a well thought out plan, which includes residential estates on the subject property, consistent with its neighboring property, and low density residential across the street, inside a fenced neighborhood. The proposed rezoning will decrease property values for existing homeowners. I made my purchase expecting that local government and adjacent property owners would respect the existing neighborhood plan and zoning. The owners of the subject property were well aware of the existing zoning when they purchased the property. They will not be harmed if this zoning request is rejected. They can make a comfortable profit building homes that are compatible with the existing residence estate neighborhood. We will harmed if you down zone the neighborhood.

Again, we are against rezoning this property.

Sincerely Yours,
Bob & Deecie Zimmerman

P

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAR-3029 - WADE ROBERTS - Request for a Variance TO ALLOW AN EIGHT FOOT WALL WHERE FOUR FOOT (TOP TWO FEET BEING 50% OPEN) IS ALLOWED on 0.46 acres at 1750 South Tenaya Way (APN: 163-03-604-006), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	2
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
DAVENPORT – APPROVED subject to conditions – Motion carried with GOYNES voting No.

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant proposes to construct an 8-foot wall to ensure additional security for the site. He stated that a similar variance was granted six lots to the north. MR. CLAPSADDLE emphasized that each application is reviewed individually. In this particular case, staff recommended denial because it does not meet the standards for granting a variance.

WADE ROBERTS, 1750 South Tenaya Way, explained that his main concern was based on the amount of traffic flowing through his neighborhood and additionally with the completion of the adjacent off-site improvements the traffic volume is continually increasing.

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, stated this would set a negative precedence.

COMMISSIONER McSWAIN noted that many of the residences in the area have walls that are 8 to 10 feet in height. She suggested a lower-height wall with a decorative extension at the top. MR. ROBERT stated that the proposed wall will be decorative and will include columns and be covered with a smooth plaster finish..

COMMISSIONER DAVENPORT agreed with COMMISSIONER McSWAIN'S comments, expressing that he would support this application and noted that he too would be concerned about the traffic and especially the children.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:44 – 9:51)

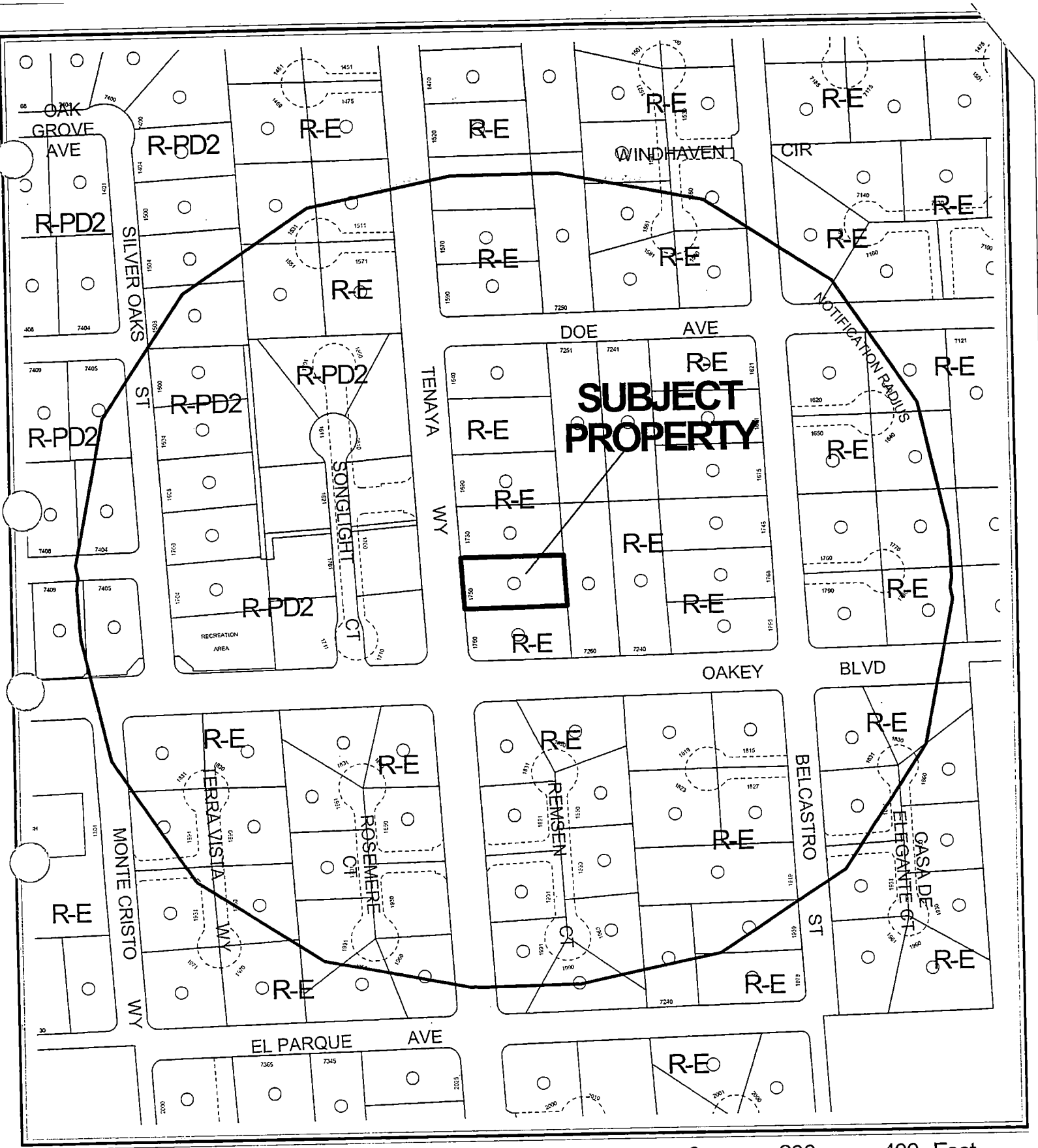
CONDITIONS:

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.

2. The proposed wall shall be made of decorative block, with at least 20 percent contrasting material.

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

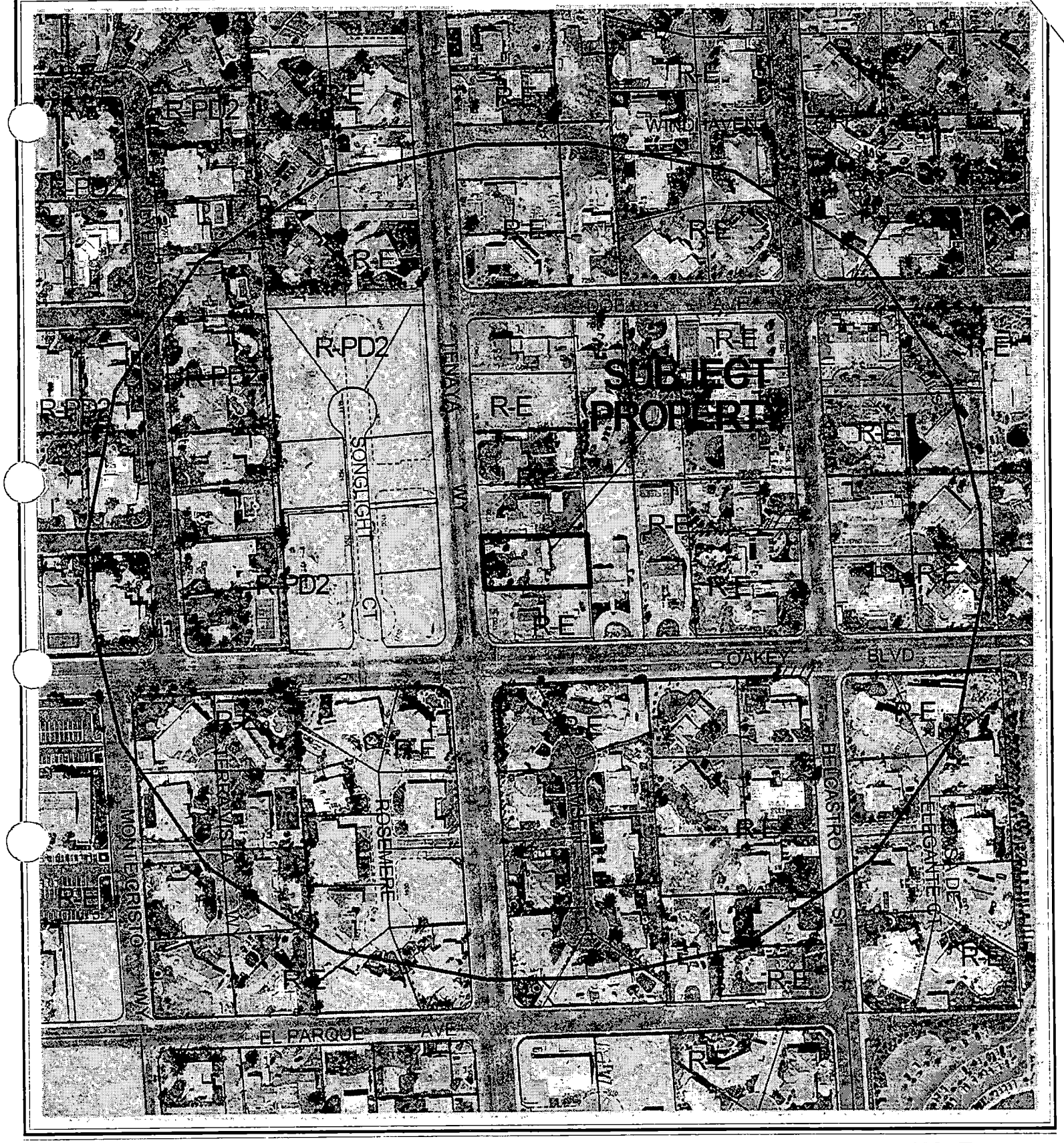


CASE: **VAR-3029**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 200 400 Feet

CASE: **VAR-3029**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3029 - WADE ROBERTS

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, 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.

2. The proposed wall shall be made of decorative block, with at least 20 percent contrasting material.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow an eight foot high wall where a four foot high (top two feet being 50% open) is permitted on 0.46 acres at 1750 South Tenaya Way.

B) Applicant's Justification

The applicant's justification letter states that the purpose for constructing a wall up to 8 feet in height around the front portion of the lot is to protect the rural quality of life versus the continuous road improvements of Tenaya Way. It is stated that the wall will be set back 18 feet to ensure a safe exit from driveways for adjacent neighbors, and existing landscaping will further buffer the wall from Tenaya Way.

BACKGROUND INFORMATION

A) Previous Actions

05/15/91 The City Council approved a Variance (V-0030-91) to allow an existing six foot high block and wrought iron fence in the front yard area where four feet with the top two feet 50% open is the maximum height allowed on property located at 1570 South Tenaya Way, which is 6 lots north of the subject site.

B) Pre-Application Meeting

08/28/03 The applicant discussed several issues surrounding the rationale for constructing an 8 foot tall wall, including the development of Tenaya Way into a major roadway, an existing 12 foot tall wall on the adjacent development across Tenaya Way, and the fact that the wall would be set back 18 feet from the front property line to soften the wall. In addition, Variance submittal requirements and timetables were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.46

B) Existing Land Use

Subject Property:	Single Family Dwellings
North:	Single Family Dwellings
South:	Single Family Dwellings
East:	Single Family Dwellings
West:	Single Family Dwellings

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	DR (Desert Rural Density Residential)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-PD2 (Residential Planned Development – 2 Units Per Acre)

E) General Plan Compliance

The site is designed as DR (Desert Rural Density Residential) on the Southwest Sector Map of the General Plan. The DR (Desert Rural Density Residential) land use category allows a single-family residential density range between 0 and 2 units per acre. The R-E (Residence Estates) zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

TB

Rural Preservation Neighborhood
The subject site is part of Rural Preservation Neighborhood. The provisions of NRS 278.261 state that residential densities may not exceed two dwelling units per acre without good cause shown. The subject Variance application will not alter the existing density or lot size of the subject site.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Block Wall Height (Front Yard Area)	4 Feet Total (top 2 feet 50% open)	8 Feet (solid)	N

The maximum wall height permitted in the front yard of a single family residential zoned property is four feet total, with the top two vertical feet 50 percent open to permit visibility. The applicant is requesting an 8 foot tall solid block wall located in the front yard; therefore, this proposal is not in compliance with Title 19.08.040, residential District Development Standards.

B) General Analysis and Discussion

The submitted site plan depicts an eight foot tall solid block wall set back 18 feet from the front property line, extending across the entire width of the lot with sliding gates proposed at each of the two driveways. The wall would continue 32 feet back along the side property lines towards the existing house. Submitted photos show the proposed wall to be located behind the to existing front yard trees. The subject property currently does not have a front yard wall. The adjoining properties to the north and south sides of the subject site have short front yard walls that appear to meet Title 19.08 regulations.

A survey of the immediate area surrounding the subject site revealed a Variance concerning front yard block wall heights in the immediate vicinity. However, the Planning and Development Department's recommendation is based upon the merits of each application. Previous Variances can be considered in reviewing the appropriateness of Variance, but is not determinative. The burden of proof for approval of Variance requires the presence of a hardship that is not solely personal, self-created or financial in nature. The lack of such hardship, as the site has no inherent topographical restrictions or extraordinary situations, does not warrant a recommendation of approval.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance 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."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct a block wall above the maximum height permitted per code. Alternative block wall heights would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 91

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3029 APN: 163036040006

Name of Property Owner: WADE ROBERTS

Name of Applicant: WADE ROBERTS

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: Wade Roberts

Print Name: WADE ROBERTS

Subscribed and sworn before me

This 14 day of August, 2006

Brianne Mignon Steiger

Notary Public in and for said County and State

State of Nevada

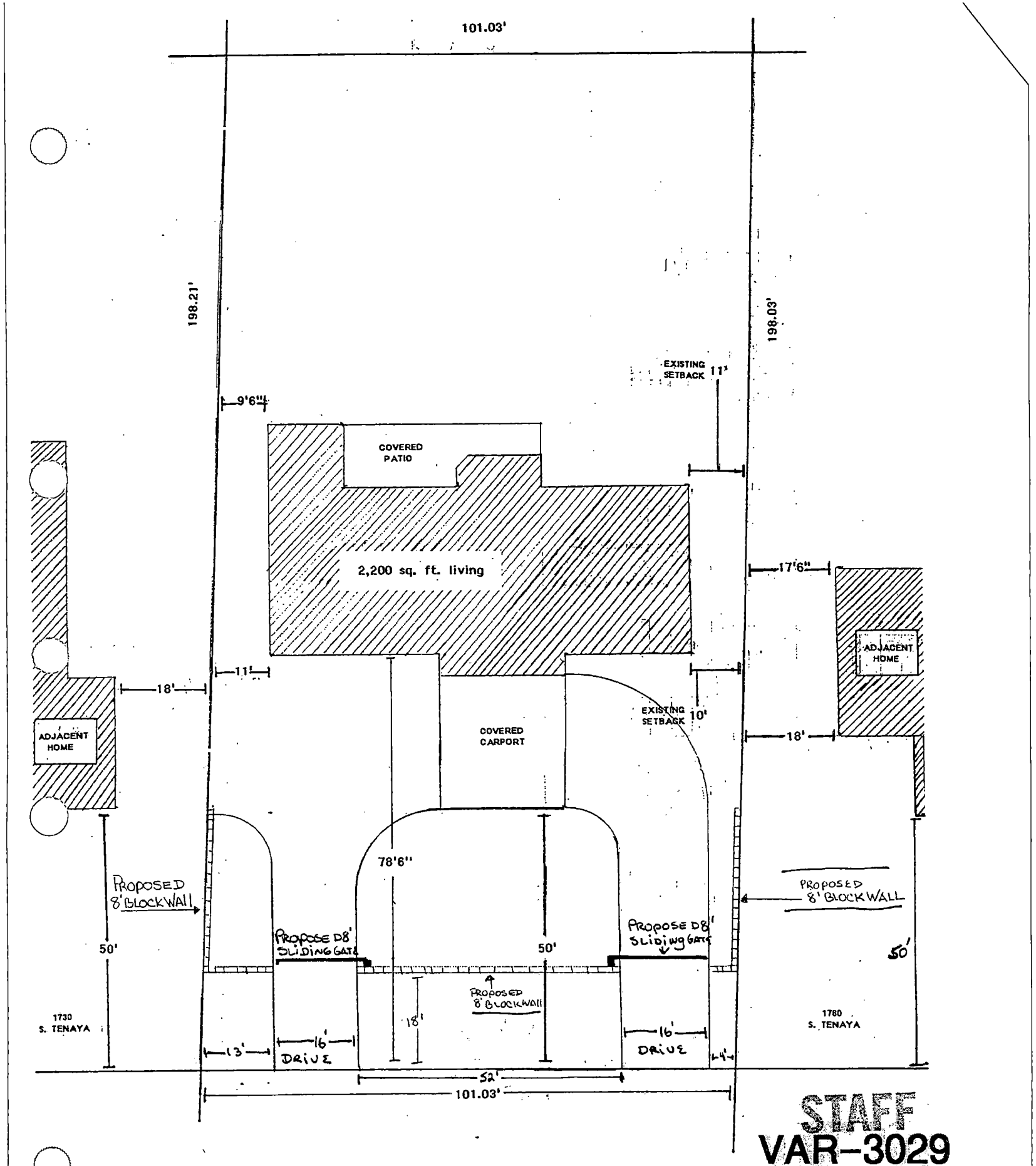
County of Clark

BRIANNE MIGNON STEIGER
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-78823-1
MY APPT. EXPIRES OCT. 30, 2006

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

163-03-604-6



Scale 1/4 = 4ft.

1750
SOUTH TENAYA WAY

PARCEL # 163-06-604-008

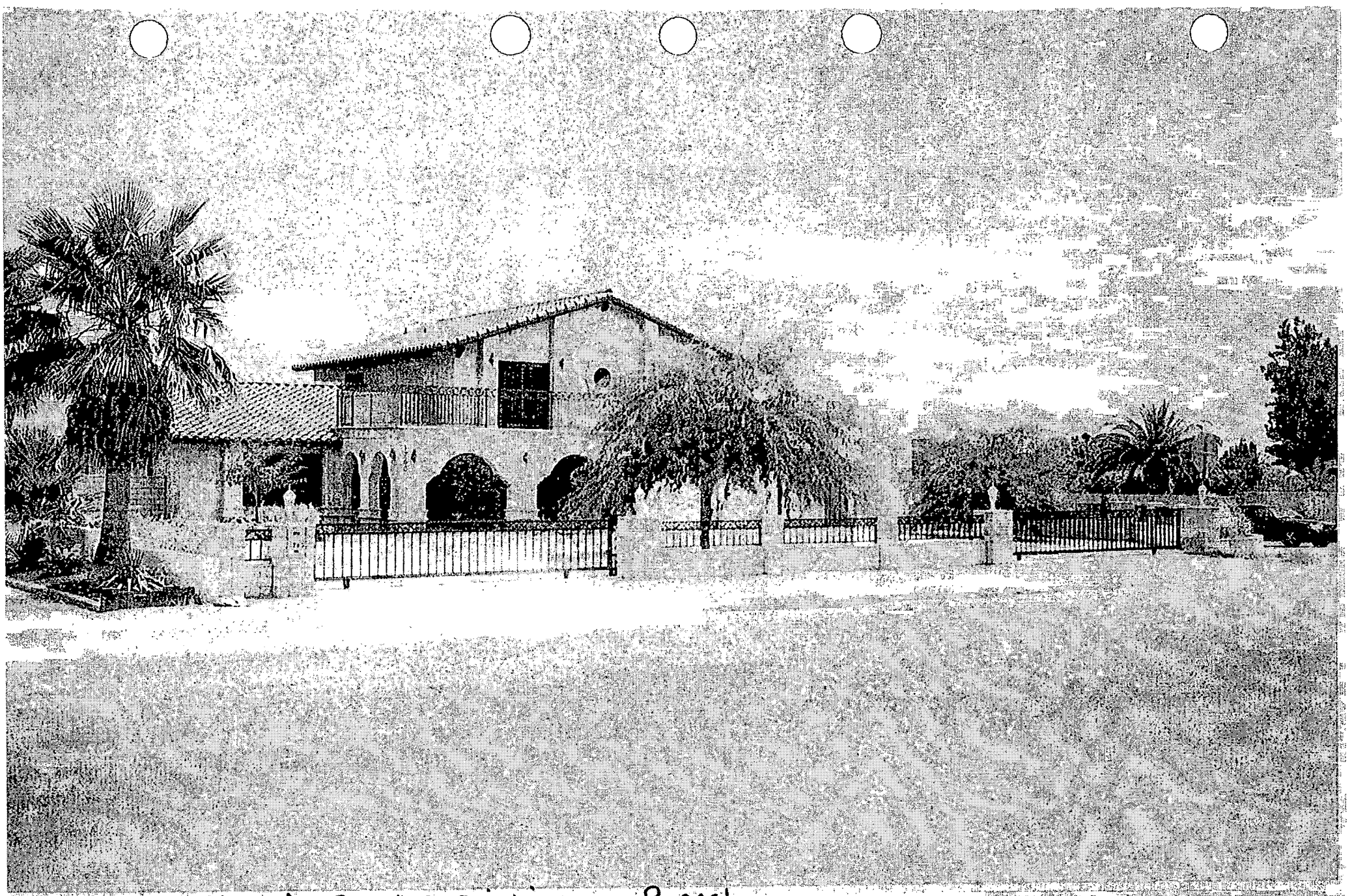
Lot Size 20,000 sq. ft.

EXISTING BUILDINGS

E
N S

WADE & TRACEY ROBERTS
702-363/6705

STAFF
VAR-3029
10-23-03 PC



SOUTH SIDE ADJOINING - PARCEL
EAST VIEW 1760 SO. TSENAYA WAY

STAFF VAR-3029
10-23-03 PC



VAR-3029 - WADE ROBERTS
1750 SOUTH TENAYA WAY
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03



VAR-3029 - WADE ROBERTS
1750 SOUTH TENAYA WAY
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03



VAR-3029 - WADE ROBERTS
1750 SOUTH TENAYA WAY
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03

Letter of Approval

Regarding Property: 1750 So. Tenaya Way
Las Vegas, Nevada 89117

Owner Wade Roberts
702-363-6705

Adjacent Property Owner: Gary Fletcher
1760 So Tenaya Way
Las Vegas, Nevada 89117
702-363-9114

To City of Las Vegas
As indicated by my signature below this letter is to formally provide approval and support for the proposed construction at 1750 So. Tenaya Way. As the property owner to the adjoining south property line of 1750 So. Tenaya I full understand that Wade Roberts is requesting approval of a zoning variance to construct a wall of up to 8ft. in height that will extent down the south side, across the front and down the north side of said property. I understand that the west wall across the front of said property will set back 18ft. from the front property line to ensure clear view to enter and exit my drive way. I also understand that the purpose for the wall is to create a needed buffer zone due to the increasing volume of traffic. I provide my full support for this variance.

Thank You,

Gary Fletcher

Signature

Gary M Fletcher Date 9-6-03

Letter of Approval

Regarding Property:	1750 So. Tenaya Way Las Vegas, Nevada 89117
Owner	Wade Roberts 702-363-6705
Adjacent Property Owner:	Gary Konke 1730 So Tenaya Way Las Vegas, Nevada 89117 702-363-3880

To City of Las Vegas
As indicated by my signature below this letter is to formally provide approval and support for the proposed construction at 1750 So. Tenaya Way. As the property owner to the adjoining north property line of 1750 So. Tenaya I full understand that Wade Roberts is requesting approval of a zoning variance to construct a wall of up to 8ft. in height that will extent down the north side, across the front and down the south side of said property. The purpose for the wall is to create a needed buffer zone due to the increasing volume of traffic. I again provide my full support for this variance.

Thank You,

Gary Konke,

Signature

Gary Konke Date 8-27-03

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC. - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 34 PARKING SPACES ARE REQUIRED FOR AN EXISTING RETAIL BUILDING WITH A RESTAURANT at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 11/19/03

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	74
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL.

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 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the existing building was previously utilized for a sewing machine business and is now a restaurant. Staff recommends denial of the variance because of the substantial reduction in parking. MR. CLAPSADDLE noted that the deficiency in parking is being caused by use of the restaurant.

DAVID GARCIA, 23 Kolmar Court, appeared on behalf of the applicant. He explained that only 3,000 square feet of the entire parcel will be used for the restaurant facility.

MINUTES – Continued:

ATTORNEY DARREN WELSH, 3790 South Paradise Road, appeared in opposition on behalf of the adjacent landowner. He stated that the applicant would require at least 15 parking stalls to accommodate both customer and employee parking. Estimating that only 10 to 11 stalls would be available to customers, it seems inevitable that the overflow parking would go into his client's parking lot. ATTORNEY WELSH also maintained that street is already quire heavy with traffic and this situation would encourage additional traffic from customers who intend to patronize the restaurant but are unable to find available parking. ATTORNEY WELSH further clarified that his client, as the landlord of the adjacent property maintains a lease that enables exclusive shared parking with one of the merchant's who currently occupies space in the shopping complex. He stated that his client wants to prevent any type of injury on his property caused by patrons of the restaurant trespassing on to his property.

TODD FARLOW, 240 North 19th Street, stated that it would be an imposition to the tenants of the adjoining shopping center and opposed granting of the parking variance,.

LUZ MARIA SANCHEZ, 621 North Eastern Avenue, owner of the property appeared on behalf of the applicant. She stated that there would be no way for the restaurant customers to trespass onto the adjacent property because of the wall that intersects both properties and the location of Nevada Power poles.

COMMISSIONER McSWAIN concurred and stated that this area is very close to residential. She could not support the parking variance and felt this area was not the best choice to locate a restaurant. CHAIRMAN TRUESDELL concurred with the previous comments and also remarked that this site has long been a challenge for people getting in and out of the area.

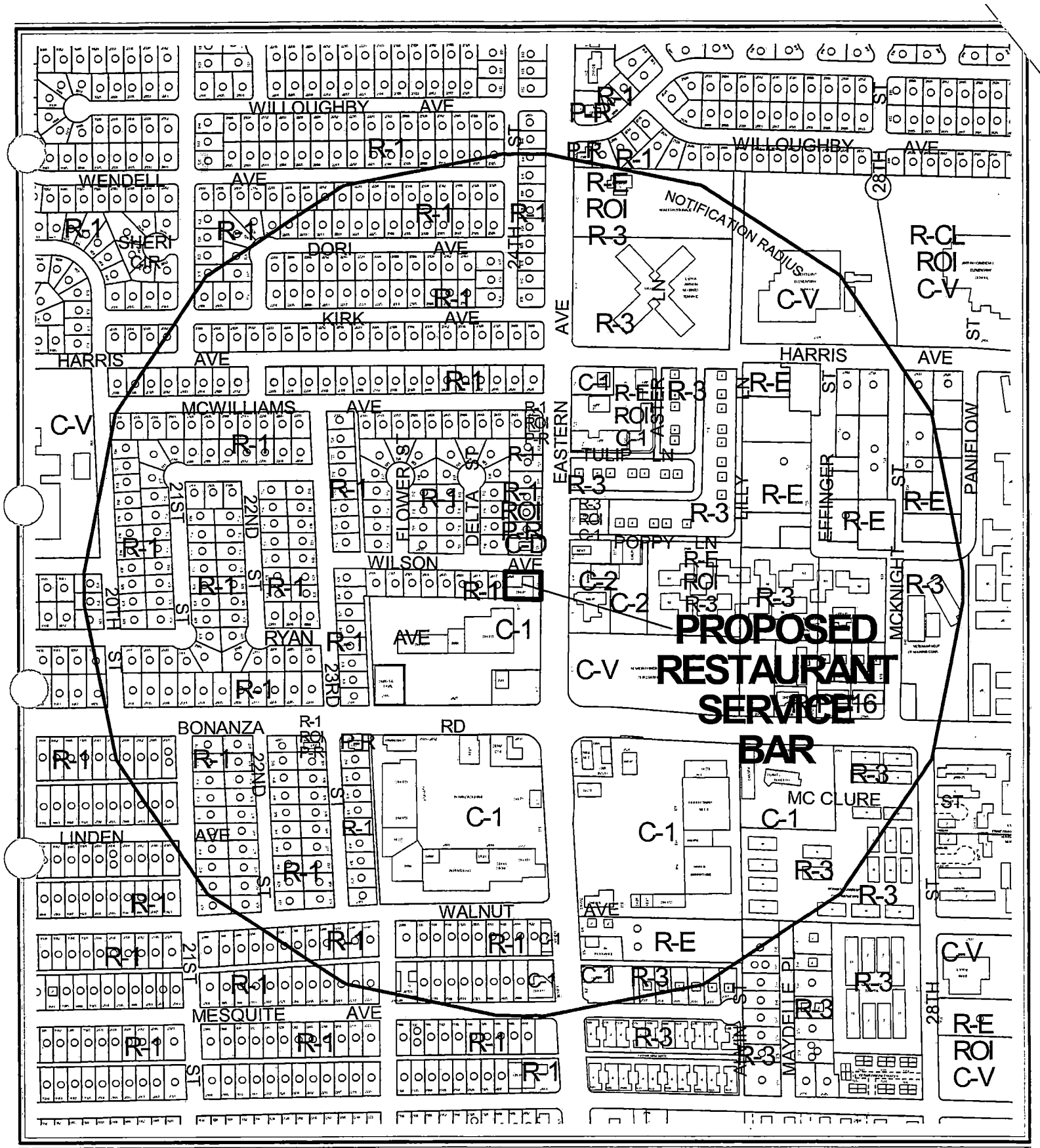
MR. GARCIA responded by saying that he has obtained 18 letters of support from customers and business owners who are located within close proximity to the proposed restaurant. Additionally, he justified that most of his business sales are take out orders.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 58 [VAR-3065] and Item 59 [SUP-3064] was held under Item 58 [VAR-3065].

(9:51 – 10:03)



CASE: **VAR-3065**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, 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.

2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow 15 parking spaces where 34 are required at 621 North Eastern Avenue.

B) Applicant's Justification

The applicant justifies the request by stating that carryout orders account for fifty percent of the business; therefore the parking demand is less than a typical restaurant.

BACKGROUND INFORMATION

A) Previous Actions

09/28/77 The Board of City Commissioners approved a Rezoning (Z-0083-77) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on the eastern portion of the subject site. The Planning Commission recommended denial.

03/06/79 The Board of County Commissioner approved a Review of Condition (Z-0083-77) to allow the sale of sewing supplies and sewing machines on the eastern portion of the subject site.

10/03/83 The Planning Commission approved a Plot Plan Review (Z-0083-77) to allow a storage room addition to the west property line on the eastern portion of the subject site.

07/03/91 The City Council approved a Rezoning (Z-0036-91) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on the western portion of the subject site. The Planning Commission recommended approval. A condition of the approval requires that the proposed storage building shall only be used in conjunction with the business on the property to the east.

B) Pre-Application Meeting

08/14/03 Minor revisions to the site plan, including the addition of handicap parking spaces, were recommended.

AL

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.29

B) Existing Land Use

Subject Property:	Commercial Buildings
North:	Office
South:	Commercial Center
East:	Market and Auto Shop
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment Area)
North:	DTR (Downtown Redevelopment Area)
South:	DTR (Downtown Redevelopment Area)
East:	DTR (Downtown Redevelopment Area)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-D (Designed Commercial)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. Low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics are allowed in the area. The proposed restaurant service bar is within the range of permitted uses.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area		
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DOWNTOWN REDEVELOPMENT AREA
The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	13,326 SF	Y
Min. Lot Width	100 Feet	98 Feet	Y
Min. Setbacks			
• Front	20 Feet	28 Feet	Y
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	23 Feet	Y
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	31%	Y
Max. Building Height	None	1 story	Y

According to Clark County Assessor's Office records, the existing structure was constructed in 1984, prior to the development standards contained in the current zoning code, resulting in the minor deviations from the lot width and setback requirements indicated in the table. Additionally, the subject site was originally platted in 1955 as two individual lots within a residential subdivision. Subsequent rezoning applications changed the residential lots into commercial property. These minor deviations are considered nonconforming, but do not affect the variance request.

AL

A2) Residential Adjacency Standards

Residential adjacency standards do not apply as no alterations to the existing commercial structures are proposed.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Restaurant						
Dining area	800 SF	1/50 GFA of public seating and waiting area, including outdoor areas	16	See below	See below	See below
Remaining GFA	3,422 SF	1/200 GFA of remaining GFA, with a minimum of 10 spaces	18	See below	See below	See below
Handicap breakdown			32	2	14	1
TOTAL			**34**		**15**	

The proposed development is deficient in the amount of parking required, and therefore needs variance from the requirement for the project to proceed. The subject deviation is 55%.

B) General Analysis and Discussion

The site plan depicts an existing 4,222 square foot structure. The applicant proposes to operate a restaurant in a portion of the existing building. The subject site was rezoned to C-1 (Limited Commercial) by two separate rezoning applications, each rezoning approximately half of the site. A condition of approval of the more recent rezoning application is that the structure must operate in conjunction with the existing building along Eastern Avenue. At the time the property was rezoned the proposed use consisted of a sewing supply business, a less intense use than the proposed restaurant. A total of 34 parking spaces are required for the subject site, including two handicap parking spaces, of which one must be a van accessible space. Fifteen parking spaces are indicated on the site plan, including five accessed from the Eastern Avenue entrance and 10 spaces accessed from Wilson Avenue, a sixty-foot street that serves a residential neighborhood. There is no internal access between the two parking areas, resulting in poor on-site traffic circulation.

AL

Title 19 provides for alternatives to meet on-site parking requirements, including off-site parking and shared parking agreements. Planning and Development Department staff has discussed the possibility of a shared parking agreement with the applicant's representative, as a large commercial center exists to the south of the subject site. Although obstacles exist, such as an existing block wall separating the two parcels, the applicant's representative has expressed interest, however at this time an agreement is yet to be reached.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance 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."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a use with a parking demand that exceeds the amount of available parking. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 472 [Mailed with SUP-3064]

APPROVALS 74

PROTESTS 0

AL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3065 APN: 139-26-811-192

Name of Property Owner: LUZ MARIA SANCHEZ.

Name of Applicant: TOMASA CHAVEZ.

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: LUZ MARIA SANCHEZ.

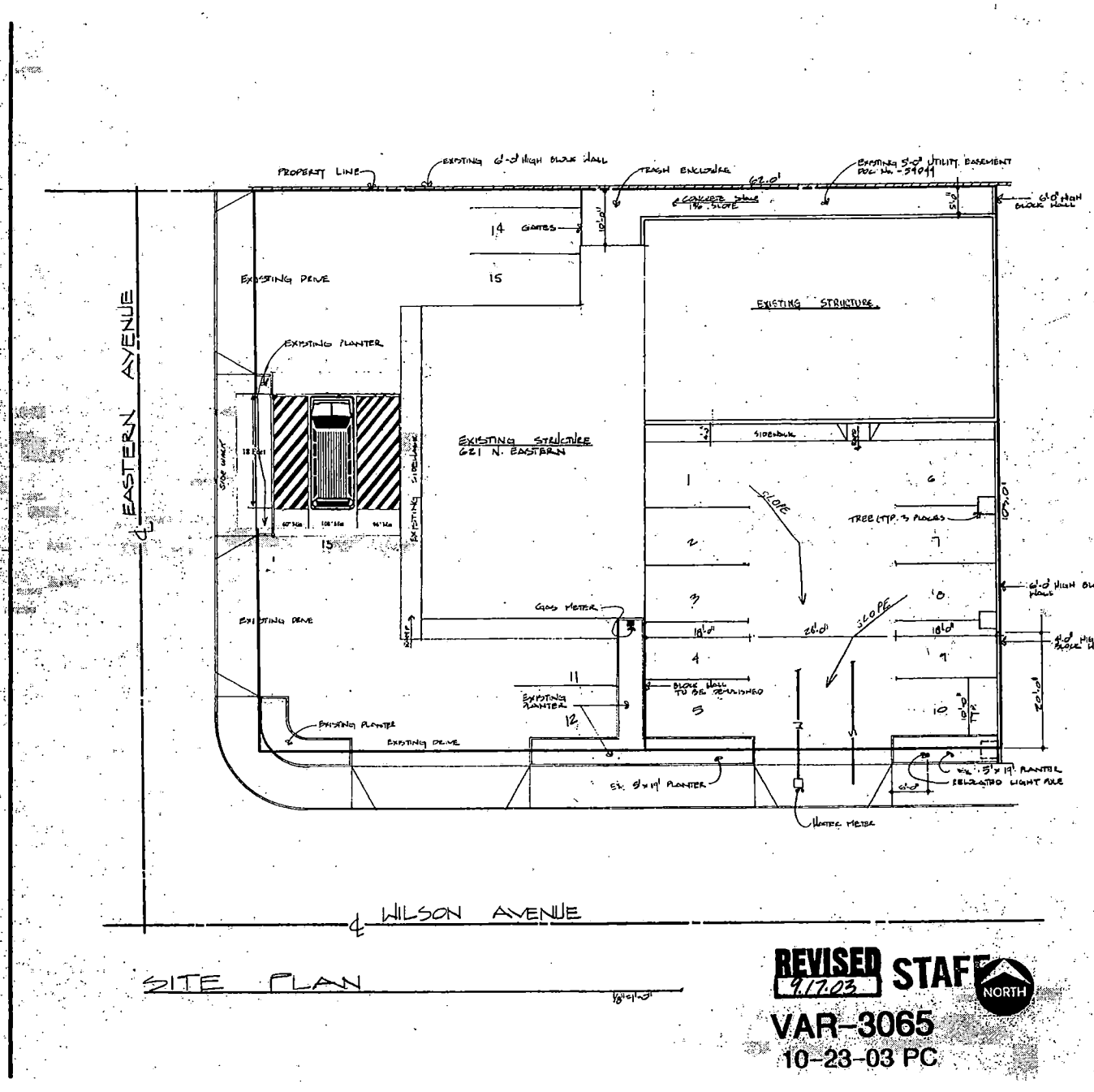
Subscribed and sworn before me

This 15 day of August, 2023

[signature]

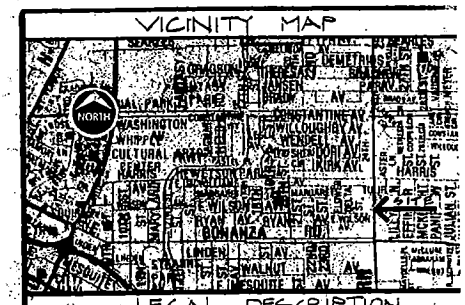
Notary Public in and for said County and State

ALINA D. TOMLINSON
Notary Public, State of Nevada
Appointment No. 99542621
My Appt. Expires April 16, 2007



SITE PLAN

1/8"=1'-0"



LEGAL DESCRIPTION

LOT No. 2 IN BLOCK 5 OF GREATER LAS VEGAS ADDITION TRACT No 1., BOOK 4, PAGE 72.

ASSESSORS PARCEL No. 020-223-017

PROJECT DATA

EXISTING SITE	4,940 SQ. FT. 4,386 SQ. FT.	TOTAL 10,326 SQ. FT.
EXISTING BUILDING	1,990 SQ. FT. 2,833 SQ. FT.	TOTAL 4,823 SQ. FT.
EXISTING PARKING		
EXISTING ZONING		
PARKING		
LANDSCAPING		

Parking Required			25 spaces
Restaurant			
800 sf (dining area)		1/50	16 spaces
1,432 sf (kitchen)		1/200	7 spaces
Storage			
1,990 sf		1/1,000	2 spaces
Parking Provided			15 spaces
Handicapped when accessibility Standard (8 x 18)			1 space 14 spaces

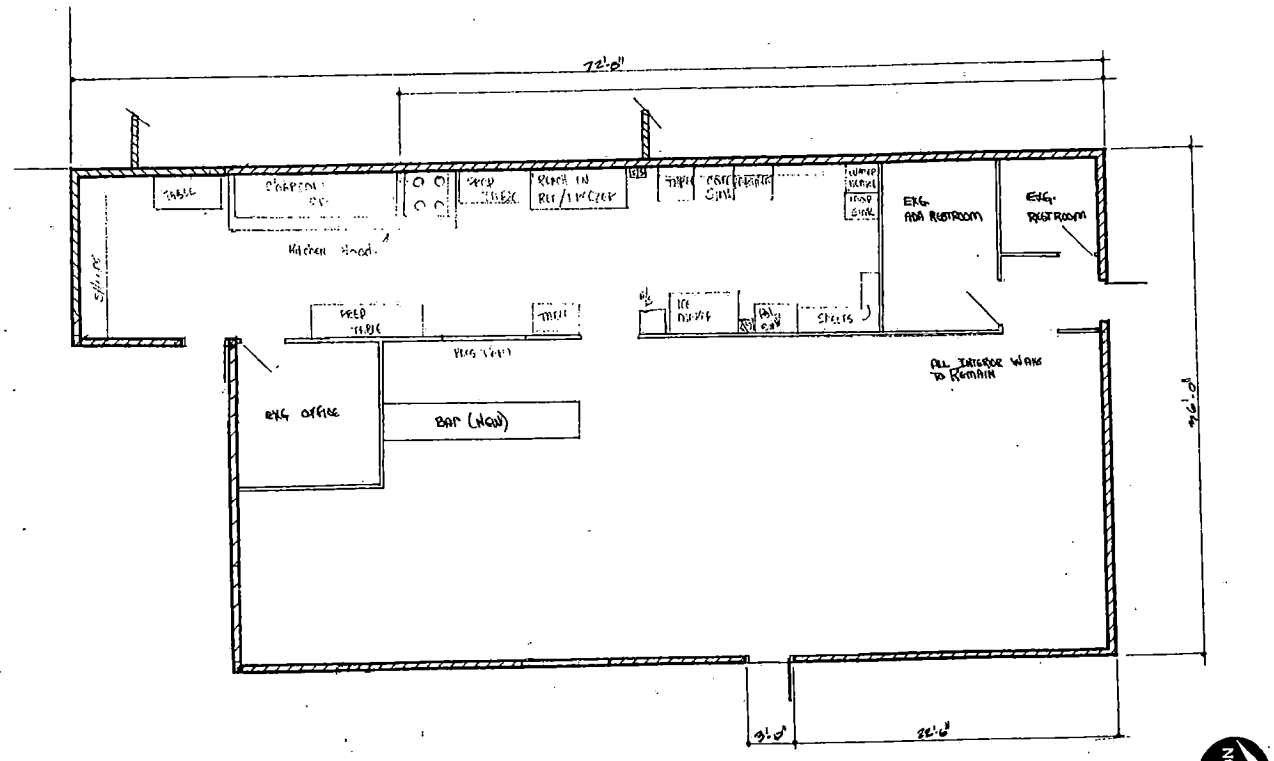
REVISED 9.17.03

STAFF

NORTH

VAR-3065

10-23-03 PC

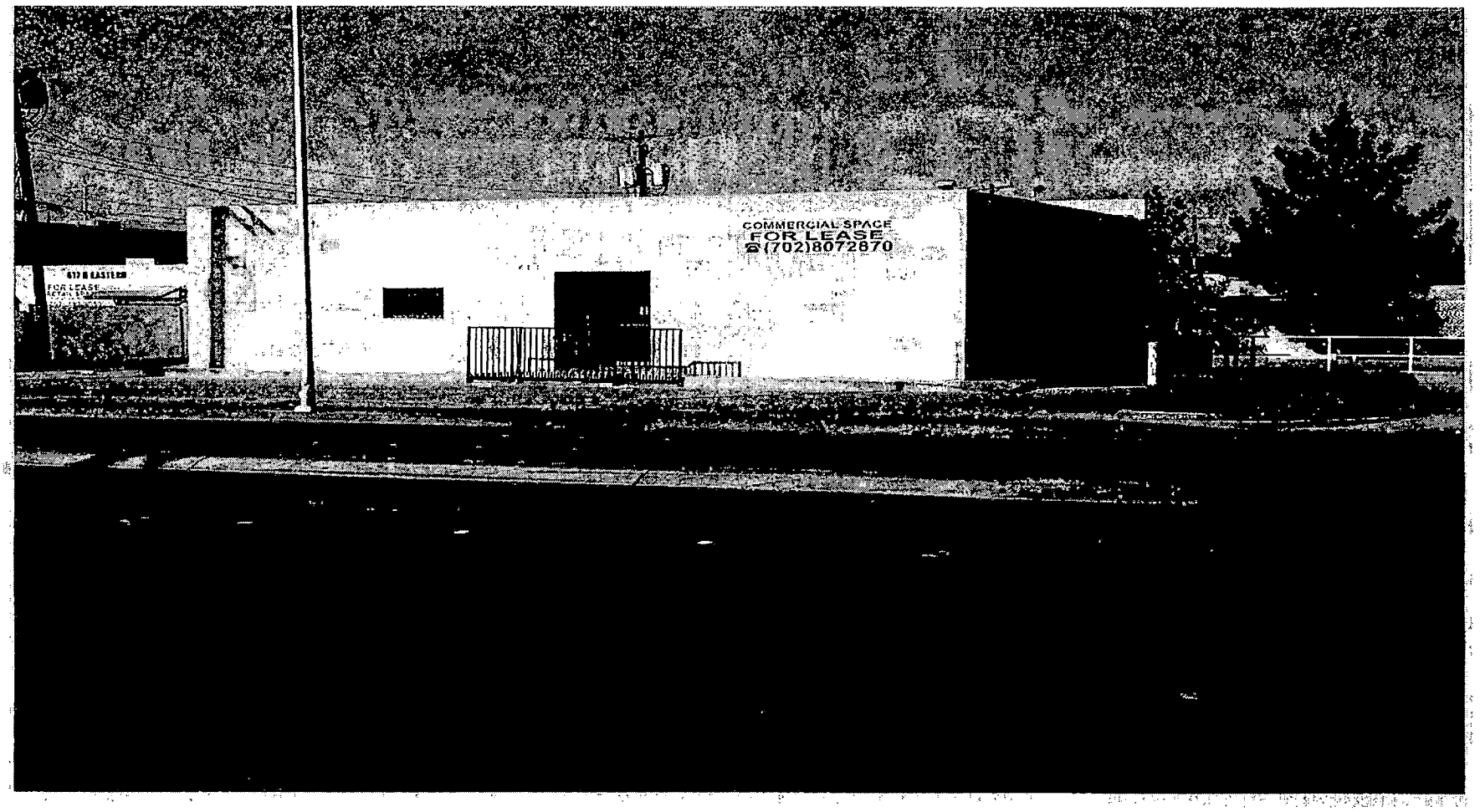


FLOOR PLAN

STAFF

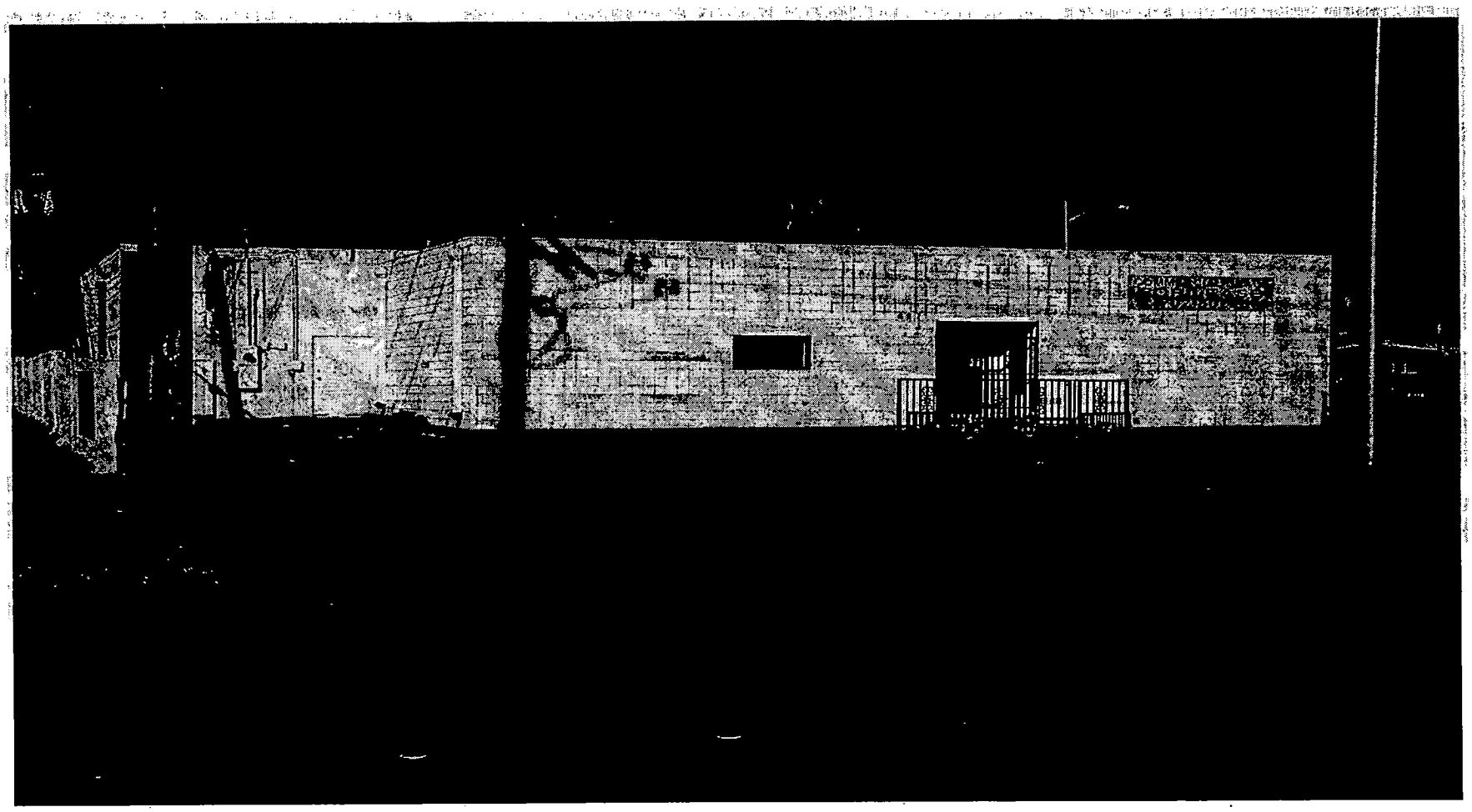
VAR-3065

10-23-03 PC



VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.
621 NORTH EASTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.
621 NORTH EASTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

2511 E. STEWART AV
LAS VEGAS, NV. 89101
(702)471-7010

El Pollo Real Restaurant

Las Vegas, October 16, 2003

To The Las Vegas City Council & City Planning Commission:

RE: VAR-3065 – VARIANCE & SUP-3064 – SPECIAL USE PERMIT

This is in respond to your letter dated October 10, 2003. We are writing you this letter to request your approval on the El Pollo Real Restaurant's application for "variance and special use permit."

We have been business owners and taxpayers for the last eight (8) years providing employment and growth to our city. We kindly request your support on allowing our business to be relocated. Your approval will be vital to continue creating employment and economical growth to the city.

Enclosed you will find several letters of support from businesses of the existing market area. We also enclosed approximately (400) customers' signatures that support our business relocation.

We thank you for your cooperation and support on this matter. Please, if you have any questions do not hesitate to contact us.

Sincerely,

Tomasa Chavez
Sole Proprietor

David Garcia
General Manager

The best tasting chicken in Las Vegas!

SUP-3064
VAR-3065

14
A

ROSARITO'S RESTAURANT

11 N Mohave Road
Las Vegas, NV 89101
702/385.4004

October 15, 2003

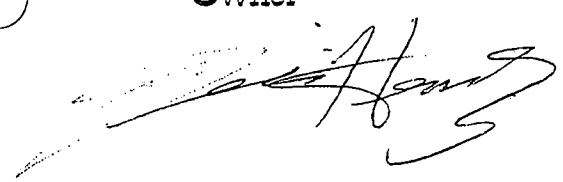
Dear Las Vegas City Council + Planning Commission:

This is to request your support to the proposed business relocation of the El Pollo Real Restaurant. We believe their relocation will enhance the market area.

Thank you very much for your support.

Sincerely,

Owner



Hispanic Association for Bilingual Literacy and Education
613 Wardelle
Las Vegas, NV 89101
(702) 229-2578

October 9, 2003

To The City of Las Vegas:

I am writing concerning David Garcia. I have known him for quite some time and consider him to be an outstanding citizen in this community. He has an exceptional business (El Pollo Real), has become of great importance to many in the area. I support him in all business matters and I am sure that this change to a new location will only better the ambience of the community.

Thank you for taking the time to consider Mr. Garcia for this change.

Sincerely,

Priscilla Rocha

Priscilla Rocha
CEO
HABLE

Hispanic Owned & Operated

EL MUNDO

The Voice Of Hispanics In Southern Nevada

Established June 21,1980

October 15th, 2003

Dear Las Vegas City Council & Planning Commission

This letter is to support the proposed business relocation of the "El Pollo Real Restaurant" to the existing community.

We are in total support because it will enhace the current clientele and market area.

Thank you very much for your consideration and support.

If you have any qestions do not hesitate to contact us.

Thanking you once more for your attention to this matter, I'm

Sincerely yours.

Hilda Escobedo
General Manager

760 N. Eastern Avenue #110 • Las Vegas • Nevada • 89101
Phone 702-649-8553 Fax 702-649-7429

MARIANA'S
ENTERPRISES
2551 E. Bonanza Rd. Las Vegas, NV 89101-2856
Phone (702) 387 5588 (702) 387 1360 FAX (702) 387 0117
e-Mail: MarianasEnterp@aol.com

October 15, 2003

Dear Las Vegas City Council and Planning Commission:

This is to request your support to the proposed business relocation of El Pollo Real Restaurant. We believe their relocation will be an asset to our clientele and market area.

Thank you for your support, if you have any questions please feel free to contact me at (702) 387 5588.

Respectfully,

Mr. Hipolito Anaya
Owner/President
Mariana's Enterprises

SMART & FINAL

Smart & Final Stores Corporation
2305 Bonanza Road
Las Vegas, NV 89101
Tel: 702/366-9500
Fax: 702/366-1386
www.smartandfinal.com

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

This letter is to request your support to the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We support their idea because it will be an asset the current clientele and market area.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Boris Polyak
Store Manager

7 ELEVEN

7-Eleven Store # 29662
2431 E. Bonanza Road
Las Vegas, NV 89101
Tel: (702) 384-0090
Fax: (702) 897-4537

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

This letter is to request your support to the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We support their idea because it will be an asset the current market area and clientele.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Diana Hunsaker
Store Manager

7-ELEVEN
STORE # 29662
Date: 10/16/03
By: DH

CARNICERIA - *MEAT SAW*

235 N Eastern Avenue #109
Las Vegas, NV 89101
(702) 759-0157

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

I would like to request your approval on the proposed business relocation of "El Pollo Real Restaurant" to the existing community. I think their idea of relocating its business will be a great asset to the market area.

I thank you for your support and cooperation on this matter, please feel free to contact me.

Sincerely,

Owner

R & R Autosound
630 N Eastern Avenue, Las Vegas, NV 89101
(702) 366-9900

October 12, 2003

Dear Las Vegas City Council:

This letter is to request from you to support the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We total support their idea because it will be an asset the current market area.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Owner

R & R Auto Sound
630 N. Eastern
Las Vegas, NV 89101
PH (702) 366-9900
FAX (702) 366-9901

El Relampago Cubano Market

634 N. Eastern Ave.
Las Vegas, NV 89123

Phone 702-380-2869
Fax 702-380-2863

October 05, 2003

To whom it may concern,

This letter hereby acknowledges and warmly receives the proposed business of Pollo Real and it's proprietor Mr. Garcia to the existing marketplace. This letter is to signify that the induction of such an establishment will only enhance the current clientele for not only my market, but also, the current surrounding establishments. I fully endorse and look forward to the placement of Pollo Real in the neighborhood.

Sincerely,

Jose T. Martinez
Owner/President
El Relampago Cubano

Jose T. Martinez

October 03, 2003

To The City of Las Vegas:

This letter is from Sinaloa Video at 701 N. Eastern Ave. LV, NV 89101 regarding the new business that is going to be established next to us. We definitely agree that the business being placed on Eastern and Wilson st. will be a great asset to the community. We are in total support of the Pollo Real Restaurant, and feel it should be placed there. Once again we agree and have no complaints about the Pollo Real being on this corner.

Thank You,

Sinaloa Video

Las Vegas, Nevada, October 10, 2003

Dear Las Vegas City Council & City Planning Commission:

I am writing this letter to ask you for your support on the El Pollo Real Restaurant proposed business relocation to our community. As a resident of the Ward 5, I support their relocation.

El Pollo Real Restaurant plans to move to a better and bigger location will allow them to grow, improve their services to the extending clientele and market area, and continue creating employment.

I have been their client for more than (7) years. I believe their relocation not only will be an asset to the existing market area but to our community as well.

Thank you for your support. If you have any questions, please feel free to contact me.

Sincerely,

Juan Mora-Guzman
2620 W. Sierra Seco Avenue, #108
Las Vegas, NV 89106
702.649.0120
E-mail: guzman2620@yahoo.com

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Cinthya Fernandez	870-0404
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Amparo Giraldo	8581598
Esthy Aguilar	369-8516
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Christy Hernandez	353-9902
Rossy Cardenas	4383560
José de Jesus Ramirez	697-5709
Oswaldo y Lupita Romero	436-5629
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Evan Pineda	219-4802
DAVID RAY	7438938
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Ricardo Lopez (702) (451 1895)

Roberto 341-9072

Eva villalobos (927 63 15)

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JORGE VASQUEZ - 340 1287

Jesus Barajas 4602449

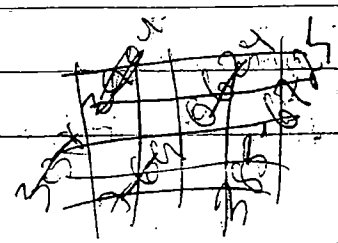
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Alma Rosales 759-0361

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pablo camillo 759 78 19
Roberto Rosales 355-9151
→ Frank Occhipto 292-1525
Ana Hernandez 6495234 (de las 4 de la tarde)
Guillermo Manod 743-3992
→ Lucas Manuel 382-2029
→ Marlin Teonel Tabora 380-42-18
→ NOLI & MARYBETH 3839531



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MALING
L184

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Miguel Cuevas 595-0684 - 334-1000
MARIO FLORES 736-66-01
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Catalina Amescua	702 643-0917	
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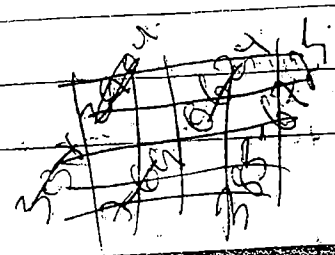
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Lucas Manuel 382-2029
Marilin Leonor Tabora 380-42-18
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~~Efrain~~ Jesús Lizbeth Velazquez A
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San Rafael Tepatlaxco Tlaxcala 3 (246)

~~10~~ 0 OCTUbre- (4) Sabado

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721 CONCAT CT 89110.

Oct 4 2003 Recepcion

Pendiente lunes. Proximo

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→ RENATO ITA
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City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC. - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	74
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL.

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 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

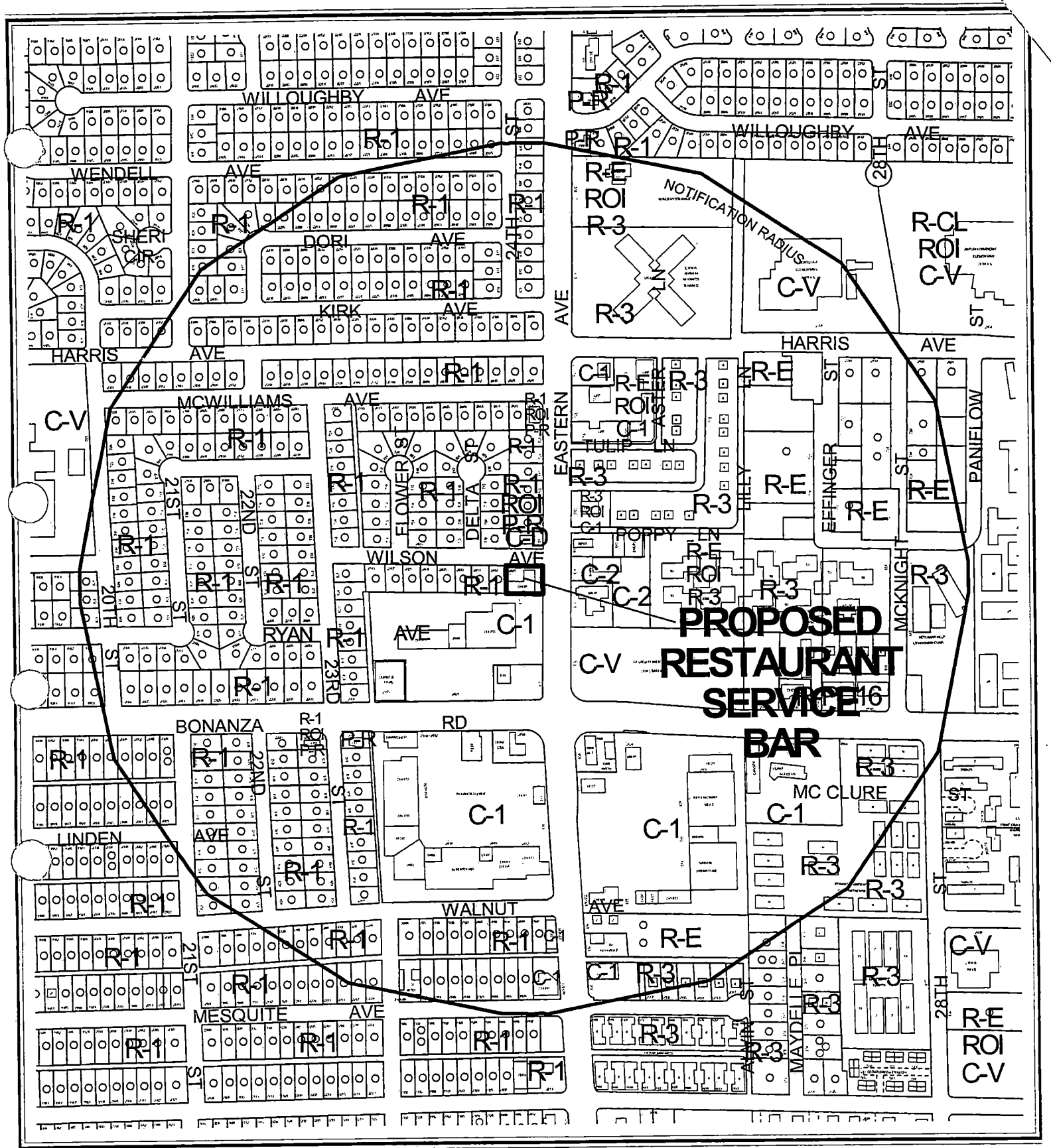
No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 58 [VAR-3065] and Item 59 [SUP-3064] was held under Item 58 [VAR-3065].

(9:51 – 10:03)

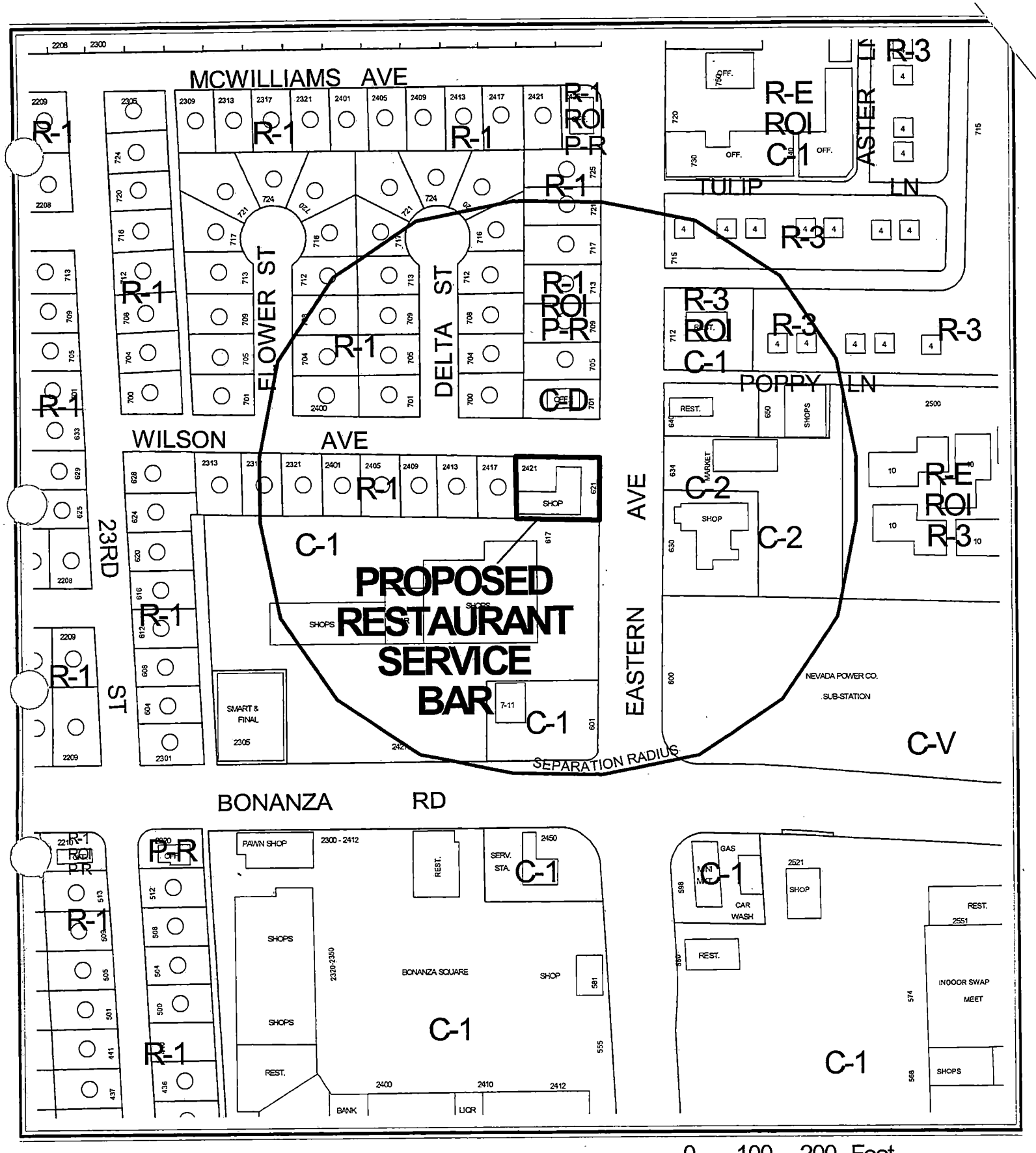


CASE: **SUP-3064**

RADIUS: 1500 FT

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

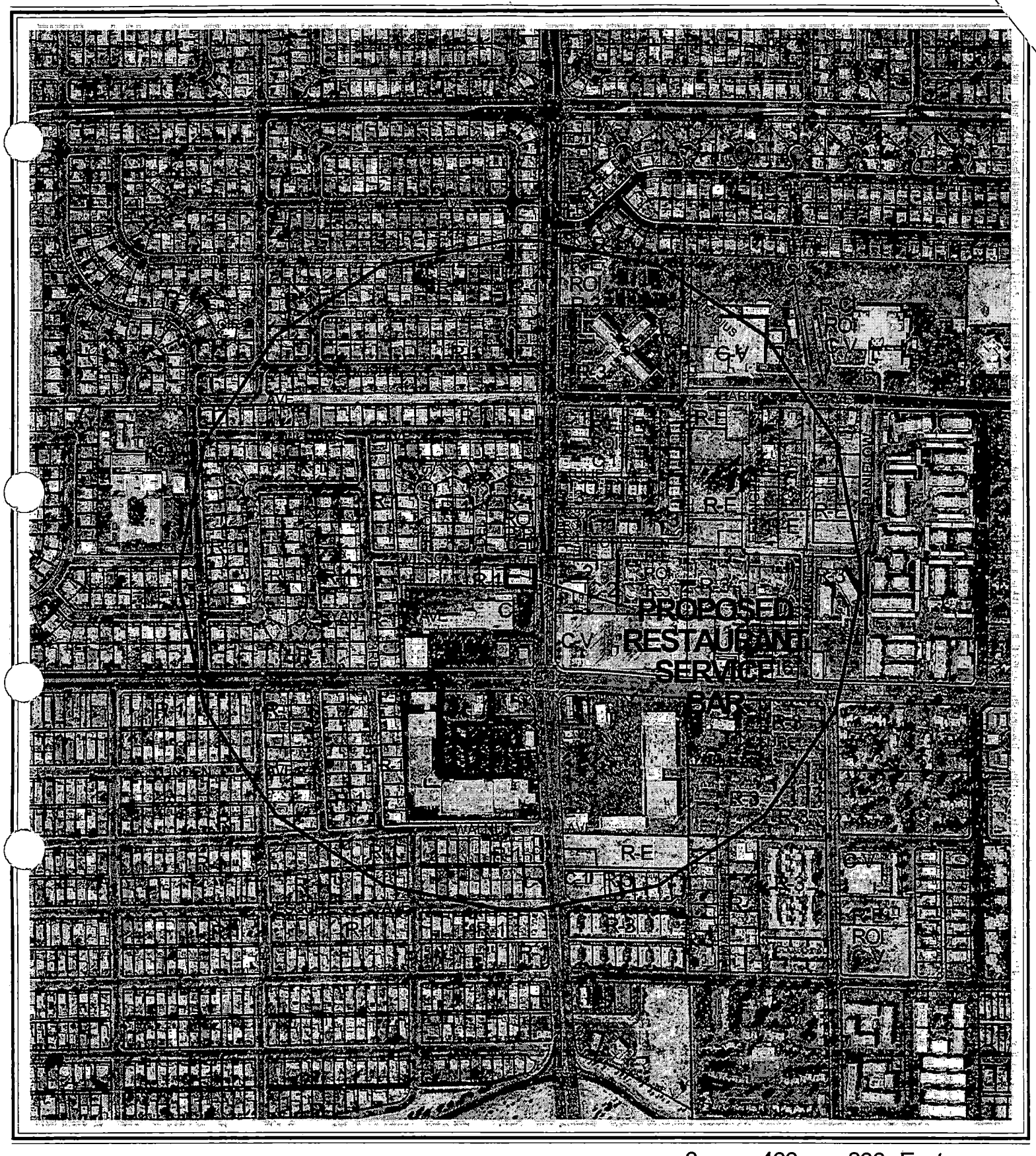
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CASE: **SUP-3064**

SEPARATION RADIUS: 400 FT

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



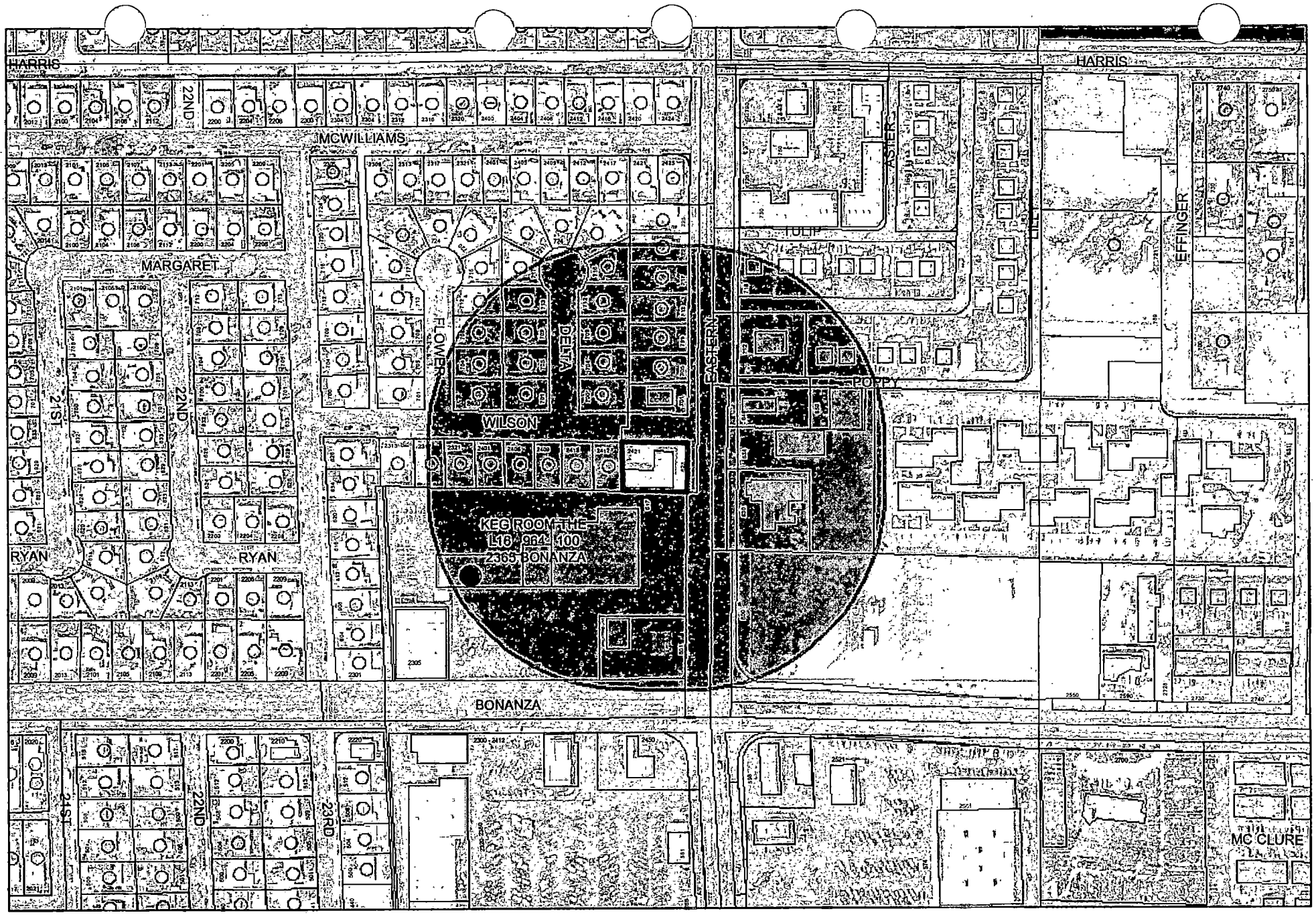
0 400 800 Feet

CASE: **SUP-3064**

RADIUS: 1500 FT

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

N



SUP-3064

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Child Care/ Children Facility

Subject Property

400 foot buffer

0 165 330 660 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC,

** CONDITIONS **

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

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).

3. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar use.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Restaurant Service Bar at 621 North Eastern Avenue.

B) Applicant's Justification

The applicant justifies the request by stating that numerous customers request beer/wine in conjunction with their meals, therefore the permit is necessary for his business.

BACKGROUND INFORMATION

A) Previous Actions

09/28/77	The Board of City Commissioners approved a Rezoning (Z-0083-77) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on the eastern portion of the subject site. The Planning Commission recommended denial.
03/06/79	The Board of County Commissioner approved a Review of Condition (Z-0083-77) to allow the sale of sewing supplies and sewing machines on the eastern portion of the subject site.
10/03/83	The Planning Commission approved a Plot Plan Review (Z-0083-77) to allow a storage room addition to the west property line on the eastern portion of the subject site.
07/03/91	The City Council approved a Rezoning (Z-0036-91) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on the western portion of the subject site. The Planning Commission recommended approval. A condition of the approval requires that the proposed storage building shall only be used in conjunction with the business on the property to the east.

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B) Pre-Application Meeting

08/14/03 Minor revisions to the site plan, including the addition of handicap parking spaces, were recommended.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.29

B) Existing Land Use

Subject Property:	Commercial Buildings
North:	Office
South:	Commercial Center
East:	Market and Auto Shop
West:	Single Family Dwelling

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment Area)
North:	DTR (Downtown Redevelopment Area)
South:	DTR (Downtown Redevelopment Area)
East:	DTR (Downtown Redevelopment Area)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-D (Designed Commercial)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. Low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics are allowed in the area. The proposed restaurant service bar is within the range of permitted uses.

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SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area		
Special Overlay District		
Trails		
Study Area		
Rural Preservation Neighborhood		
County/North Las Vegas/HOA Notification		
Development Impact Notification Assessment		
Project of Regional Significance		

DOWNTOWN REDEVELOPMENT AREA
The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Restaurant						
Dining area	800 SF	1/50 GFA of public seating and waiting area, including outdoor areas	16	See below	See below	See below
Remaining GFA	3,422 SF	1/200 GFA of remaining GFA, with a minimum of 10 spaces	18	See below	See below	See below
Handicap breakdown			32	2	14	1
TOTAL			**34**		**15**	

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The proposed development is deficient in the amount of parking required; therefore the applicant has submitted a variance application, a companion item on this agenda.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Restaurant Service Bar	May not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park	Greater than 400 Feet from all protected uses

An inquiry of business licenses did not result in any protected uses application within 400 feet of this location.

B) General Analysis and Discussion

- Zoning

A Restaurant Service Bar is permitted in the C-1 (Limited Commercial) zone with approval of a Special Use Permit.

- Use

Title 19.20 defines Restaurant Service Bar as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Title 19.04.050 establishes the criteria and minimum requirements 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 uses are known to be within the minimum separation distance requirement.

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- Conditions

Title 19.04.050 provides for a number of conditions for the approval of a Special Use Permit for a Restaurant Service Bar. These conditions include:

1. a minimum separation distance of 400 feet as described above;
2. the methodology for calculation of that measurement;
3. a different methodology for calculating separation distance when the use is on a large parcel (i.e. over 80 acres);
4. direction to the Planning Commission for consideration if the distance requirement is requested to be waived;
5. exemption of minimum separation distance for an establishment that has a non-restricted gaming license given specific size requirements;
6. development as an accessory use only in an O (Office) district; and
7. compliance with Chapter 6.50 of the Las Vegas Municipal Code.

The proposed development is in compliance with the relevant conditions as stated above.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and 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."**

   Although the proposed use is conforming to the General Plan, the site cannot accommodate the required amount of parking; therefore the use is incapable of being harmonious and compatible with surrounding land uses.

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

   As evidence by the companion parking variance application, the subject site is not physically suitable for the proposed restaurant service bar.

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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 proposed restaurant service bar use will be accessed through Eastern Avenue (100-foot Primary Arterial) and Wilson Avenue (60-foot Residential). Eastern Avenue has adequate capacity to serve the proposed use, however due to the on-site circulation pattern the majority of the parking spaces can only be accessed by Wilson Avenue. An increase in traffic along a residential street is undesirable.

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

   The proposed use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 472 [Mailed with VAR-3065]

APPROVALS 74

PROTESTS 0

AL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3064 APN: _____

Name of Property Owner: LUZ MARIA Sanchez.

Name of Applicant: TOMASA CHAVEZ.

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: _____

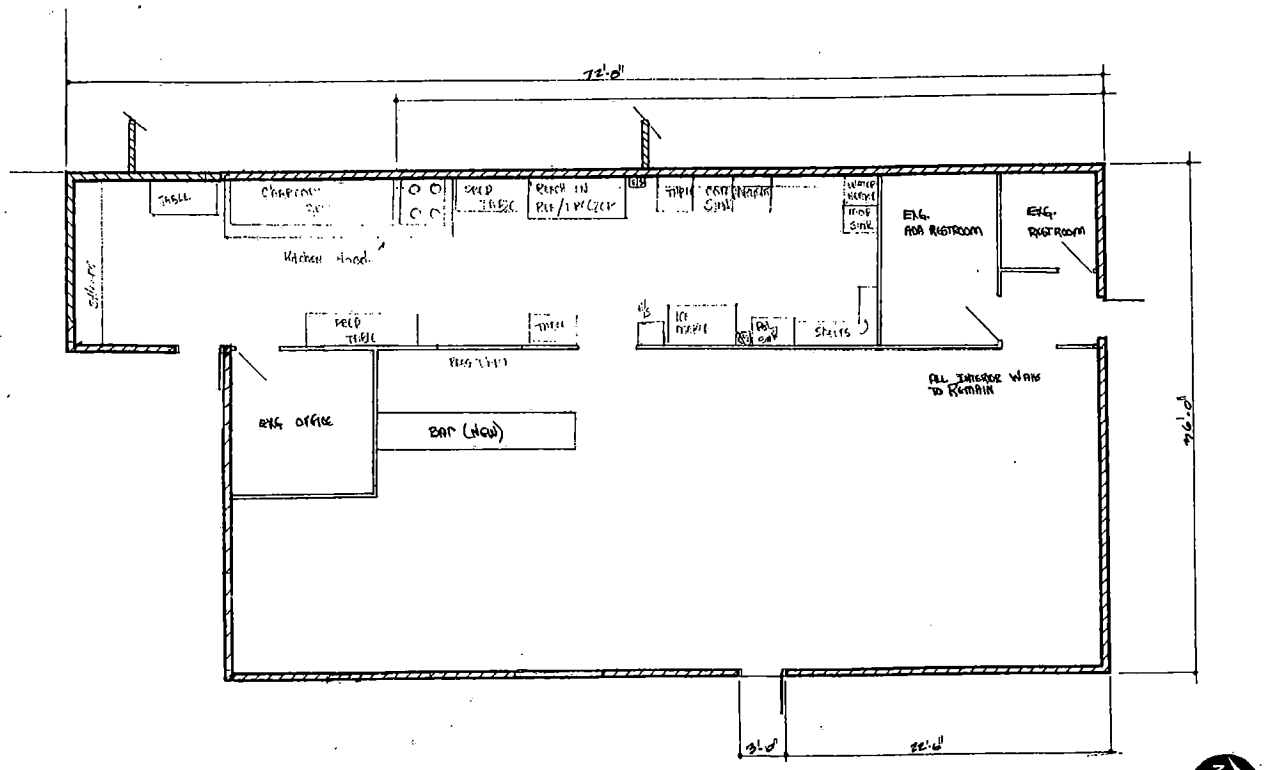
Print Name: LUZ MARIA SANCHEZ.

Subscribed and sworn before me

This 15 day of August, 2003

_____
Notary Public in and for said County and State

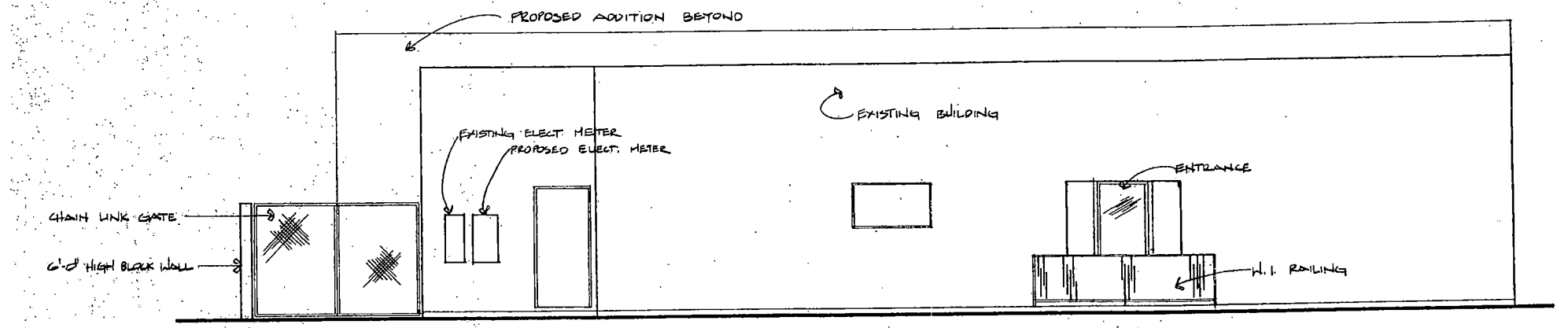
ALINA D. TOMLINSON
Notary Public, State of Nevada
Appointment No. 99542621
My Appt. Expires April 16, 2007



FLOOR PLAN

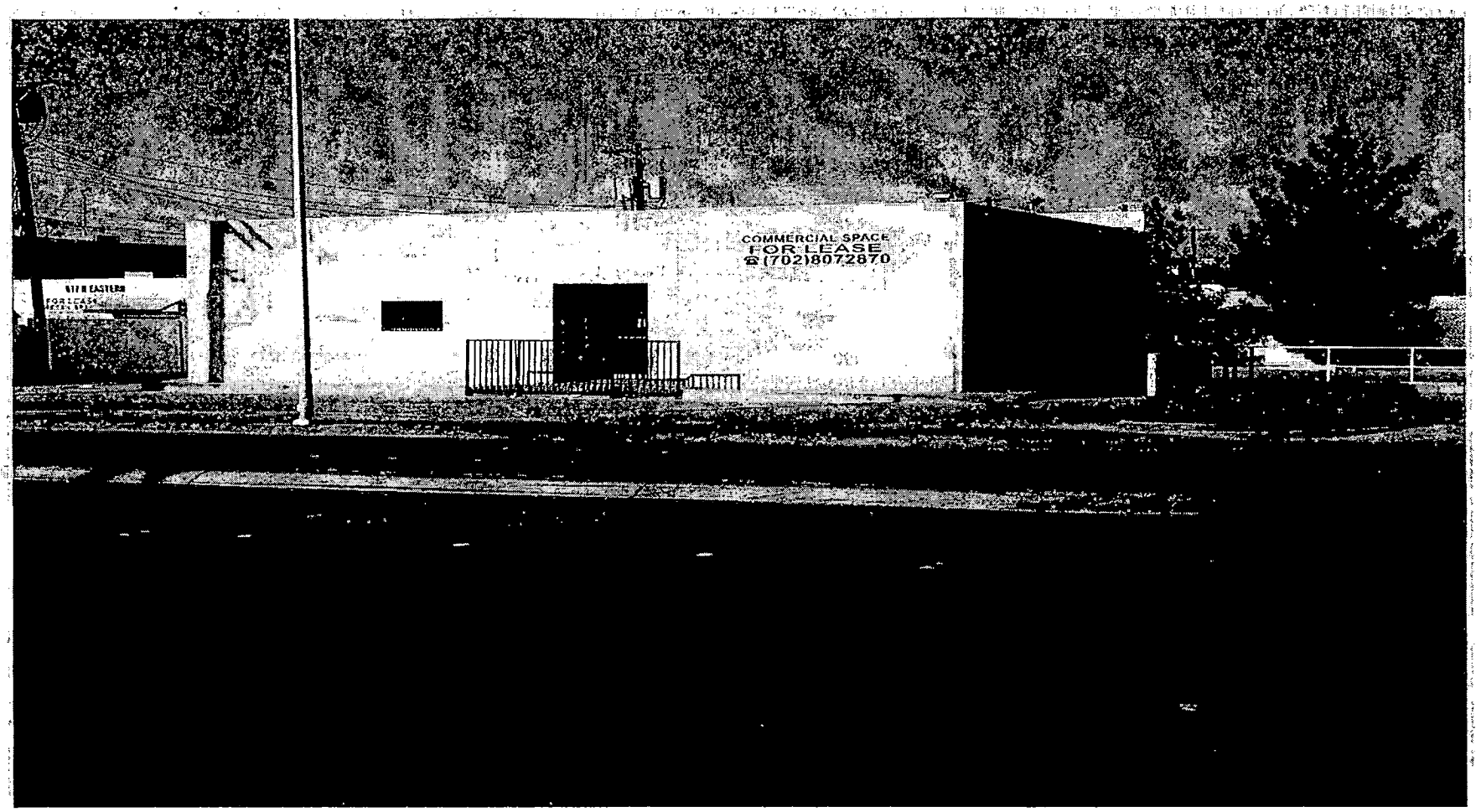
STAFF

SUP-3064
10-23-03 PC



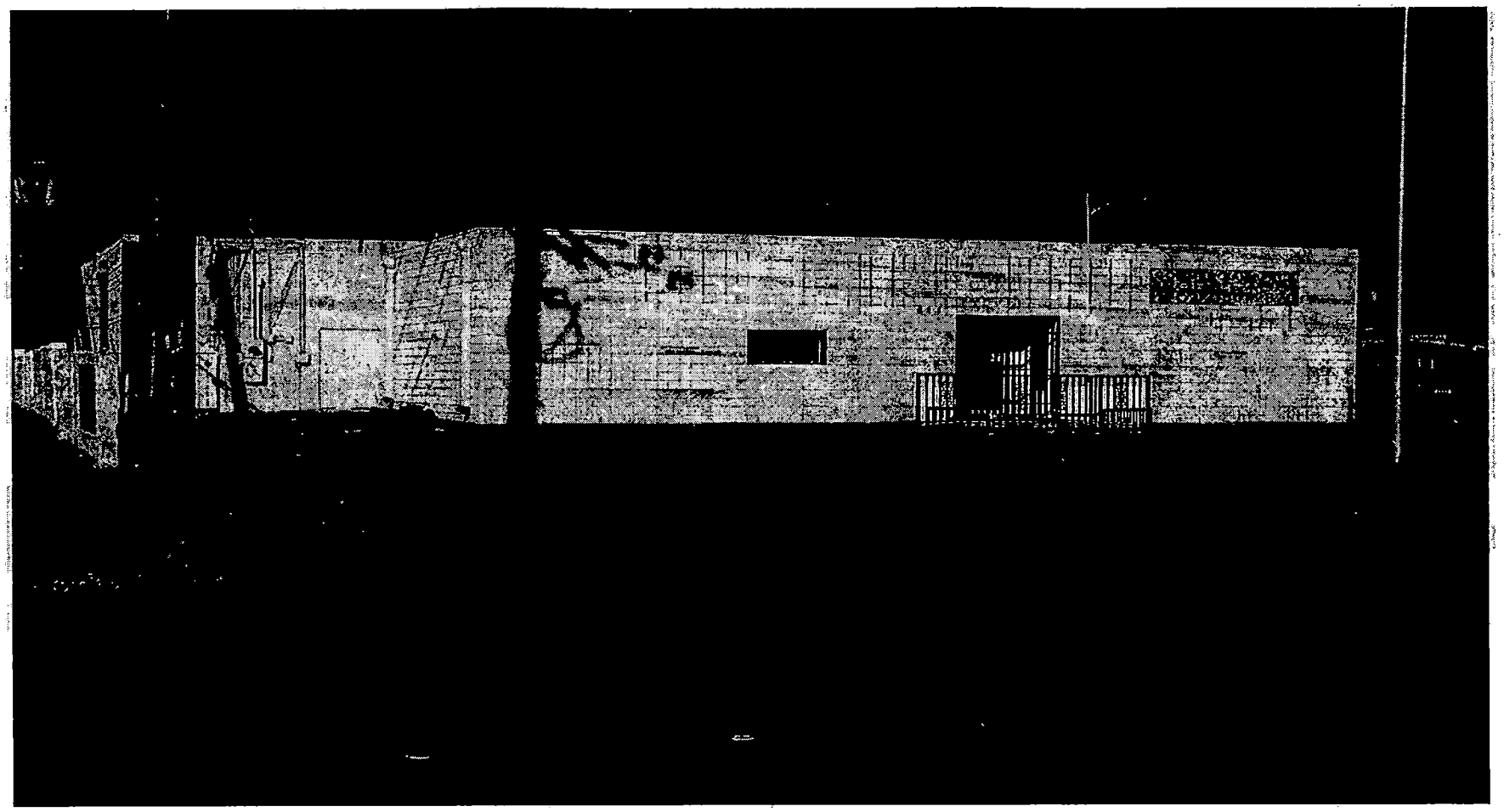
EAST ELEVATION

STAFF
SUP-3064
10-23-03 PC



SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.
621 NORTH EASTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.
621 NORTH EASTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

2511 E. STEWART AV
LAS VEGAS, NV. 89101
(702)471-7010

El Pollo Real Restaurant

Las Vegas, October 16, 2003

To The Las Vegas City Council & City Planning Commission:

RE: VAR-3065 – VARIANCE & SUP-3064 – SPECIAL USE PERMIT

This is in respond to your letter dated October 10, 2003. We are writing you this letter to request your approval on the El Pollo Real Restaurant's application for "variance and special use permit."

We have been business owners and taxpayers for the last eight (8) years providing employment and growth to our city. We kindly request your support on allowing our business to be relocated. Your approval will be vital to continue creating employment and economical growth to the city.

Enclosed you will find several letters of support from businesses of the existing market area. We also enclosed approximately (400) customers' signatures that support our business relocation.

We thank you for your cooperation and support on this matter. Please, if you have any questions do not hesitate to contact us.

Sincerely,

Tomasa Chavez
Sole Proprietor

David Garcia
General Manager

The best tasting chicken in Las Vegas!

14
A

SUP-3064
VAR-3065

ROSARITO'S RESTAURANT

11 N Mohave Road
Las Vegas, NV 89101
702/385.4004

October 15, 2003

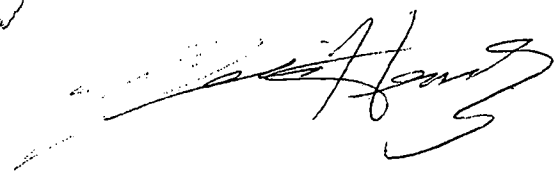
Dear Las Vegas City Council + Planning Commission:

This is to request your support to the proposed business relocation of the El Pollo Real Restaurant. We believe their relocation will enhance the market area.

Thank you very much for your support.

Sincerely,

Owner



Hispanic Association for Bilingual Literacy and Education
613 Wardelle
Las Vegas, NV 89101
(702) 229-2578

October 9, 2003

To The City of Las Vegas:

I am writing concerning David Garcia. I have known him for quite some time and consider him to be an outstanding citizen in this community. He has an exceptional business (El Pollo Real), has become of great importance to many in the area. I support him in all business matters and I am sure that this change to a new location will only better the ambience of the community.

Thank you for taking the time to consider Mr. Garcia for this change.

Sincerely,

Priscilla Rocha

Priscilla Rocha
CEO
HABLE

Hispanic Owned & Operated

EL MUNDO

The Voice Of Hispanics In Southern Nevada

Established June 21,1980

October 15th, 2003

Dear Las Vegas City Council & Planning Commission

This letter is to support the proposed business relocation of the "El Pollo Real Restaurant" to the existing community.

We are in total support because it will enhace the current clientele and market area.

Thank you very much for your consideration and support.

If you have any qestions do not hesitate to contact us.

Thanking you once more for your attention to this matter, I'm

Sincerely yours.

Hilda Escobedo
General Manager

760 N. Eastern Avenue #110 • Las Vegas • Nevada • 89101
Phone 702-649-8553 Fax 702-649-7429

MARIANA'S
ENTERPRISES
2551 E. Bonanza Rd. Las Vegas, NV 89101-2856
Phone (702) 387 5588 (702) 387 1360 FAX (702) 387 0117
e-Mail: MarianasEnterp@aol.com

October 15, 2003

Dear Las Vegas City Council and Planning Commission:

This is to request your support to the proposed business relocation of El Pollo Real Restaurant. We believe their relocation will be an asset to our clientele and market area.

Thank you for your support, if you have any questions please feel free to contact me at (702) 387 5588.

Respectfully,

Mr. Hipolito Anaya
Owner/President
Mariana's Enterprises

SMART & FINAL

Smart & Final Stores Corporation
2305 Bonanza Road
Las Vegas, NV 89101
Tel: 702/366-9500
Fax: 702/366-1386
www.smartandfinal.com

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

This letter is to request your support to the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We support their idea because it will be an asset the current clientele and market area.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Boris Polyak
Store Manager

7 ELEVEN

7-Eleven Store # 29662
2431 E. Bonanza Road
Las Vegas, NV 89101
Tel: (702) 384-0090
Fax: (702) 897-4537

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

This letter is to request your support to the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We support their idea because it will be an asset the current market area and clientele.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Diana Hunsaker
Store Manager

7-ELEVEN
STORE # 29662
Date: 10/16/03
By: DH

CARNICERIA - *MEAT SAW*

235 N Eastern Avenue #109
Las Vegas, NV 89101
(702) 759-0157

October 15, 2003

Dear Las Vegas City Council & Planning Commission:

I would like to request your approval on the proposed business relocation of "El Pollo Real Restaurant" to the existing community. I think their idea of relocating its business will be a great asset to the market area.

I thank you for your support and cooperation on this matter, please feel free to contact me.

Sincerely,

Owner

R & R Autosound
630 N Eastern Avenue, Las Vegas, NV 89101
(702) 366-9900

October 12, 2003

Dear Las Vegas City Council:

This letter is to request from you to support the proposed business relocation of "El Pollo Real Restaurant" to the existing community. We total support their idea because it will be an asset the current market area.

Thank you for your support. If you have any questions, please feel free to contact us.

Sincerely,

Owner

R & R Auto Sound
630 N. Eastern
Las Vegas, NV 89101
PH (702) 366-9900
FAX (702) 366-9901

El Relampago Cubano Market

634 N. Eastern Ave.
Las Vegas, NV 89123

Phone 702-380-2869
Fax 702-380-2863

October 05, 2003

To whom it may concern,

This letter hereby acknowledges and warmly receives the proposed business of Pollo Real and it's proprietor Mr. Garcia to the existing marketplace. This letter is to signify that the induction of such an establishment will only enhance the current clientele for not only my market, but also, the current surrounding establishments. I fully endorse and look forward to the placement of Pollo Real in the neighborhood.

Sincerely,

Jose T. Martinez
Owner/President
El Relampago Cubano

Jose T. Martinez

October 03, 2003

To The City of Las Vegas:

This letter is from Sinaloa Video at 701 N. Eastern Ave. LV, NV 89101 regarding the new business that is going to be established next to us. We definitely agree that the business being placed on Eastern and Wilson st. will be a great asset to the community. We are in total support of the Pollo Real Restaurant, and feel it should be placed there. Once again we agree and have no complaints about the Pollo Real being on this corner.

Thank You,

Sinaloa Video

Las Vegas, Nevada, October 10, 2003

Dear Las Vegas City Council & City Planning Commission:

I am writing this letter to ask you for your support on the El Pollo Real Restaurant proposed business relocation to our community. As a resident of the Ward 5, I support their relocation.

El Pollo Real Restaurant plans to move to a better and bigger location will allow them to grow, improve their services to the extending clientele and market area, and continue creating employment.

I have been their client for more than (7) years. I believe their relocation not only will be an asset to the existing market area but to our community as well.

Thank you for your support. If you have any questions, please feel free to contact me.

Sincerely,

Juan Mora-Guzman
2620 W. Sierra Seco Avenue, #108
Las Vegas, NV 89106
702.649.0120
E-mail: guzman2620@yahoo.com

CLIENTES Y AMIGOS DE EL POLLO REAL

Mailing List

Conrado Cortes	4009863
Elias Chavez	380 3134
Carlos Estrada	239 0672 cell
Juan Rodriguez	450 2127
Jorge Garcia	205-11-23
Isaias Miramontes	384-1980
CARLOS PINEDA	813-5934
Cinthya Fernandez	870-0404
ARMANDO RUEDA	203592
Amparo Giraldo	8581598
Esther Aguilar	369-8516
Mc Williams Gonzalo Ave No 2008	6923627
Christy Hernandez	353-9902
Rossy Cardenas	4383580
Jose de Jesus Ramirez	697-5208
Oswaldo y Lupita Romero	436-5629
Rick Fauci + Dolores Fauci	892-0893
Mike Moore	355-4091
Juan Pineda	219-4802
DAVID RAY	7438938
Jorge P	3828073 Cell 2810419
Paulo Jauregui	(702) 437-0056
Geronimo Arredondo	657-6129
LETICIA Alcaraz	
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HENDERSON, NV 89015	

mailing list

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Las Vegas N.M. 89101

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Maria Robles (366-00-56)

Sergio Larios 2653279

HUMBERTO SAGAZAR

Eduardo Escudero 860-8952

Alicia Navarro 452-5920

ROBERTO OCHOA 657-5145

RAMON 687-3125

Guadalupe Leon 638-4231

RAFAEL menelik 794-5007

Sergio García 383-07-13

JUAN Perez 2503 Sunrise #9 89101

Irma Martinez 452-0375

CLIENTES Y AMIGOS DE EL POLLO REAL

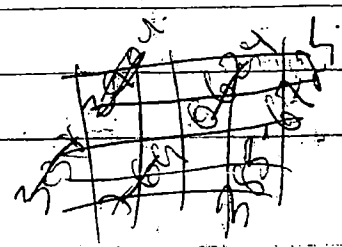
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→ Sonia Agredano 702-739-4710
→ H. SALINAS
→ RAMON HERNANDEZ 3825030
Victor Hugo Ortega 2496311
Griselda Gonzalez Az 6478534
Jovita de Uribe tel.: 310-21-56
MARTIN CASTRO TEL 4336097
Enrique Villalba Tel. 702-453-29-72
Felix OCAMPO TEL 702-399-06-17
Ricardo Sanchez 4013 Buffalo 89110
- EDUARDO JUAREZ (702) 314-5225
5225 E. CHARLESTON #2141
- Irma perez Juarez (702) 894-4256.
Rodolfo MONTOYA (323) 560-0067
CHAVO CASTILLO (702) 210 97 61
Ricardo Lopez (702) (451189-5)
Roberto 341-9072
Eva villalobos (927635)
X ERIKA LOMELI 384-1850
[redacted] JORGE VASQUEZ - 3401287
Jesus Barajas 4602449
Joaquin Barajas 4606620
X Alma Rosales 759-0361

mailing List

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Raul Figueroa M. 6394447
GABRIEL MORALES 292-7690
Ruri Martinez Cel. 631-0186
Ulises Santillan 345-2978
Oscar Gallegos. Tel. 657-9681-6611300-8128.
Mariana V. Mendoza M. Tel. 651-8289
Marco Mendez Tel. 6518239
Israel Baltes Tel. 807 2005
Ismael Bernal 6495946
Mario - Ruiz AM382-96-571
MARIO CABRERA TN 3'661335
Martin Castro Mendoza 648 46 37 cel 292 9866
CARLOS Garcia 279-4318 (Laura)
pablo carrillo 759 78 19
Roberto Rosales 355-9151
→ Frank Occhipinti 292-1525
Ana Hernandez 6495234 (delas 4 de la tarde)
Guillermo Manod 743-3992
→ Lucas Manuel 382-2029
→ Marilia Teixeira Tabora 380-42-18
→ NOLI & MARYBETH 3839531



Clientes y amigos Pollo Real

mailing List.

FRANCES GROSS
AL # 767-5792
HM # 382-6608
Jesus Obeso 642-9210 = "CARLOS friend"
Gustavo Quintero 399-9183 Cell 338-0932
Antonio cell 429-6215 Refrigeration
Eleazar Melendez 651 63 92
3784 Climbing Fern Vi NV 89115
Isabel Razon TEL# 314-0949, CELL# 966-6902
Carlos Meza Cell 217-0652
Lolo Calzaditlas C 453-2972
Saira Villalva
Alfredo Velasco
MIGUEL RAMIREZ 796-1430
JULIA RAMIREZ 796-1430
SONIA MENDEZ 285-7412
SAMUEL MENDEZ 285-7412
→ Ana Hernandez 438-1180
Juana Alvarez 59818-55
WILLIAM CENTENO 453-6220 OR 461-7722 CELL
Carmelo Montoya 702- 732-83-541
Ernesto Velazquez 868-8252.

MAILING LIST

Clientes Y Amigos. Pollo Real.

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Luis Solano y familia 379-8537
5712 Mountain view DR Las Vegas Nevada 89146
EDUARDO BERMUDEZ 371-8428
Obed Zamorano Aguilar 702(657000) Smog buster Eastern y Owens
EDITH Gamboa Madri 642-64-70
Raul ortega Mijares 399-47-70
Horacio Garcia 306-3300
PETER Y/barra 595-5400 7992 Sky Birch Ct LV, NV 89147
CRISTINA Nuñez 459-4236 Silvia Villalobos
AGUSTIN Guerrero 461-68-72
Miguel Cuevas 595-0684 - 334-1000
MARCO FLORES 736-66-01
SERVANDO CEBALLOS 399 90 31
Julio 499-4854 Cell
Oscar - 380-48-64
JUAN 472-0768
Romero 3-83-91-64
VICTOR AVILEZ 612-23-54 BABY
Elva Ramirez 639793
Maria Ramirez 6424242

A 11705

CLIENTES DEL POLLO REAL

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Amado Lara (702) 646-99-98
Jose Luis Torres. 5818080
Antonio Corral = 440-3475
Luis Ramirez Herrera Tel 649-1547
Julio, Cesar Torres Tel (323) 7586454
Armando Reyes
Alvaro Reyes
Martin Matto Q 4806695
Maria Lopez Mexicali
Pablo Moya
Alonso (0209a) Durango Dgo Mexico
nicolas moya
Esperanza Ramos 6[illegible]7818O
Juan A Perez 641-3016

Maria Andrade Fedz. Tel. 3803238
EABRIEL TORREZ 642 4944

AMIGOS Y CLIENTES DEL Pollo REAL

GICELA ESTRADA	(702)	2937 E STEWART AVE 474-1138 APT 1
MARTIN VAZQUEZ	(702)	474-1138
Chayo cabriales	702	382 4795
Guillermo Zavala	702	321-1484
Ramiro Loya	702	383-9097
Graciela Avitia	702	454 7955
Maria Teran	702	632 8967
Catalina Amescua	702	643-0917
Raydecel Teran	702	632 8967
~~Rebeca Espeleta~~		~~[illegible]~~
Ana Zavaleta		644-0912
Lesli 20		471-06-43
Eusebio Serrano		646-0250
ALVARO HERNANDEZ		633-91-15
Nydia y Omar Zavala		5284 Hagemann Ln #D (702) Las Vega NV 89110 250-4955

Alfredo Pacheco Tel 3882568

MANUEL MORENO TEL 454-7373

Victor Espinoza tel 438-2325

El mondo News paper 649-8553 ext 10.

ERASMO SAENZ
3908 W GOWAN RD
TEL 877 1840

Maling List

CLIENTES Y AMIGOS DE EL POLLO REAL

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Refugio Retroza 731 55 58

Aide Fonseca 459-47-66

Lashawn martinez 384-2255

Patricia buss
2933 Elm Ave #4
Las vegas, NV 89101

HUGO MORAN 531-62-61

Guadalupe Becerra tel 598-06-32

Soledad QUEZADA 313-2691 702-378-26 564-382

JOSE Huerta 369 6417

SERGIO DIAZ
4328 EL CHOLO WAY LAS VEGAS
NEVADA 89121 (702) 250 8863

Fayley African Market
320 East Charleston #104
Las Vegas NV 89104 (702) 914-0404

Zacarias Alvarez 382-3169

Dolores Alvarez 388-1915

DAVID NIEVES 245 3068

ERIKA Lopera 501 5547

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~~6570096~~ Juana Bustillos 6570096
642 0306 Orlando Galindo
383 66 82 Maria Gonzalez
380-83-65 Juan SANDOVAL
735-0257 Saurel López
477-6706 MARCELO - MARIA
807-2870 LUZMARIA SANCHEZ
366-0748 ENRIQUE MONTES CAZARES
699-6905 ENRIQUE ROJAS
651-6766 Sara RIVAS
731 5944 ELIZABETH
610-20-19 Feliciano Montoya
366206 Jeff Sabel
743 93 37 VALENTE
453 9127 MARIO
285 2807 Nancy DIAZ
207-08-88 manuel Arochiga
642-93-87 Genaro Aragonez
457-1057 Rocio Islas (mensaje)
296 6553 Raymundo Reyes
(702) 641-3358 Jose A Mancilla

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Maria Mendez Tel. 6518239

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Ismael Bernal 6495746

Mario Ruiz 382-96-571

MARIO CABRERA TL 3661135

Mario Cruz

Mario Castro Mendoza 648 4637 Cel 2929866

CARLOS Correa 279-4318 (Guerrero)

pablo carrillo 759 78 19

Roberto Rosales 355-9151

Frank Occhipinti 292-1525

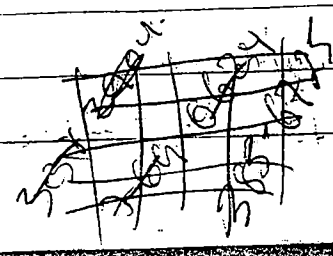
Ana Hernandez 6495234 (delas 4 de la tarde)

Guillermo Manod 743-3992

Lucas Manuel 382-2029

Martin Leonor Tabora 380-42-18

NOLI & MARYBETH 3839531



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GUSTAVO MENDOZA
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~~GUSTAVO PEREZ~~

18
DENNIS STREET
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Marcus Constanza
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21st N.T.
Pablo Ruiz

Tel. 380 84 42

Oscar Ibarra
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Diego Coria
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Jose Nauñes AV #14
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Orlando Carrato 349-3156
Salvador Rocha 384-63-75
Yochil Cortez 631-94-76
Luis 438 88 15
Dr. Jamie Vallejo 8436 Sewards Isle ct
Juan Sanchez Las Vegas NV 89129
858-75-12
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Ronald Martinez 4795-0160 2515 Valley St 8910
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Alfredo Hernandez 657-87-07
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Alejandro y Julia de Leon 2428615
FEDERICO SANCHEZ ~~2409~~ 366-11-04
Francisco Cuevas 605 federman dr.
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Gomez

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Topacio-Oyita Lupita y Familia

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Manuel Ivan R 3851 Hazelwood Apt 1

Rosa De casas Palacios 4582347

San Rafael Tepatlaxco Hexcola 3 (246) 01152

~~Lo~~ OCTUbre-(4)-Sabado

Elva Vega o Cheto

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721 CONCAT CT 89110.

Reseptor

Oct 4 200 ~~[illegible]~~

Pendiente lunes. Prestamo

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LV NV. 89130

Adrian Leon

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Silvia Hernández

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702 651-9505

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432 03 55 or 2771495

ROSCO RODRIGUEZ: 399-3244
ST. CESAR. VALDIVIA: 595-4260

Angel Lopez 2 45 13 08 06

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Sergio Lopez Y esposa Yale 1836 St #B
CASILDA LOPEZ
1164 King Richard AV. LAS Vegas NV. 89114

Fernando Guzman - 1655 E Sahara Ave. Apt#1133 LVNV 89104

Benito Lobato 901 - E. Stewart Ave 89110 LVNV
Olivia Lobato 452 Ridgecrest DR LV NV 89120

Laura Marcos 384.01-72-

Yolanda Gonzalez 28 TSHS Apt#323 2UNV. 89101

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAR-3075 - JACOB A. BINGHAM - Request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED GARAGE ADDITION on 2.76 acres at 6200 Deer Springs Way (APN: 125-23-601-023), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Letter of Support from Fred Ahlstrom dated 10/22/2003

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that there are no hardships or unique circumstances to warrant a variance for the setback. The lot is almost three acres in size and staff believes the applicant should be able to comply with the setback standards. Staff recommended denial.

LUCY STEWART and JACOB BINGHAM, 6200 Deer Spring Way, appeared on behalf of this application. MS. STEWART stated that there are no legal hardships but explained that there are several unique circumstances that the applicant believes would warrant approval of a variance. She explained that in order for the property owner to maintain his water rights, he is allowed additional construction only within a very limited area. MS. STEWART remarked that the applicant proposes a one-story garage to be used for two cars, a tractor and storage. She submitted a letter of support from the adjoining neighboring supporting his proposal.

MINUTES – Continued:

COMMISSIONER McSWAIN asked whether the garage would be built over the drainage easement. MS. STEWART believed that staff had recommended an amendment to the drainage study. She clarified that the drainage actually occurs to the east of the property where a private drive is located.

COMMISSIONER GOYNES stated he could support this application and felt that the applicant has gained the confidence of his neighbors and will be constructing an aesthetically pleasing product.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:03 – 10:08)

CONDITIONS:

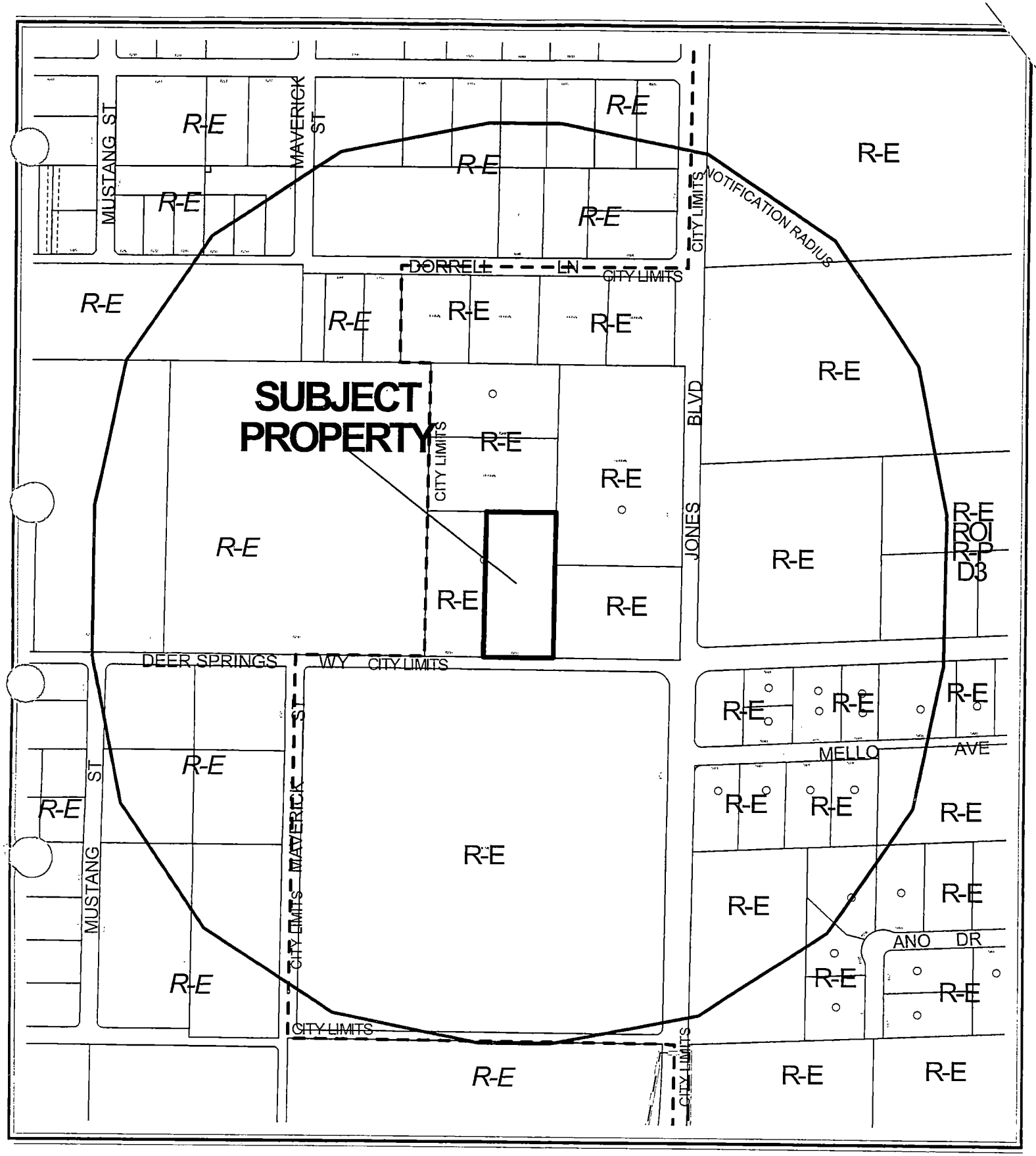
Planning and Development

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.

2. Conformance to the site plan and building elevations as submitted.

Public Works

3. 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, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

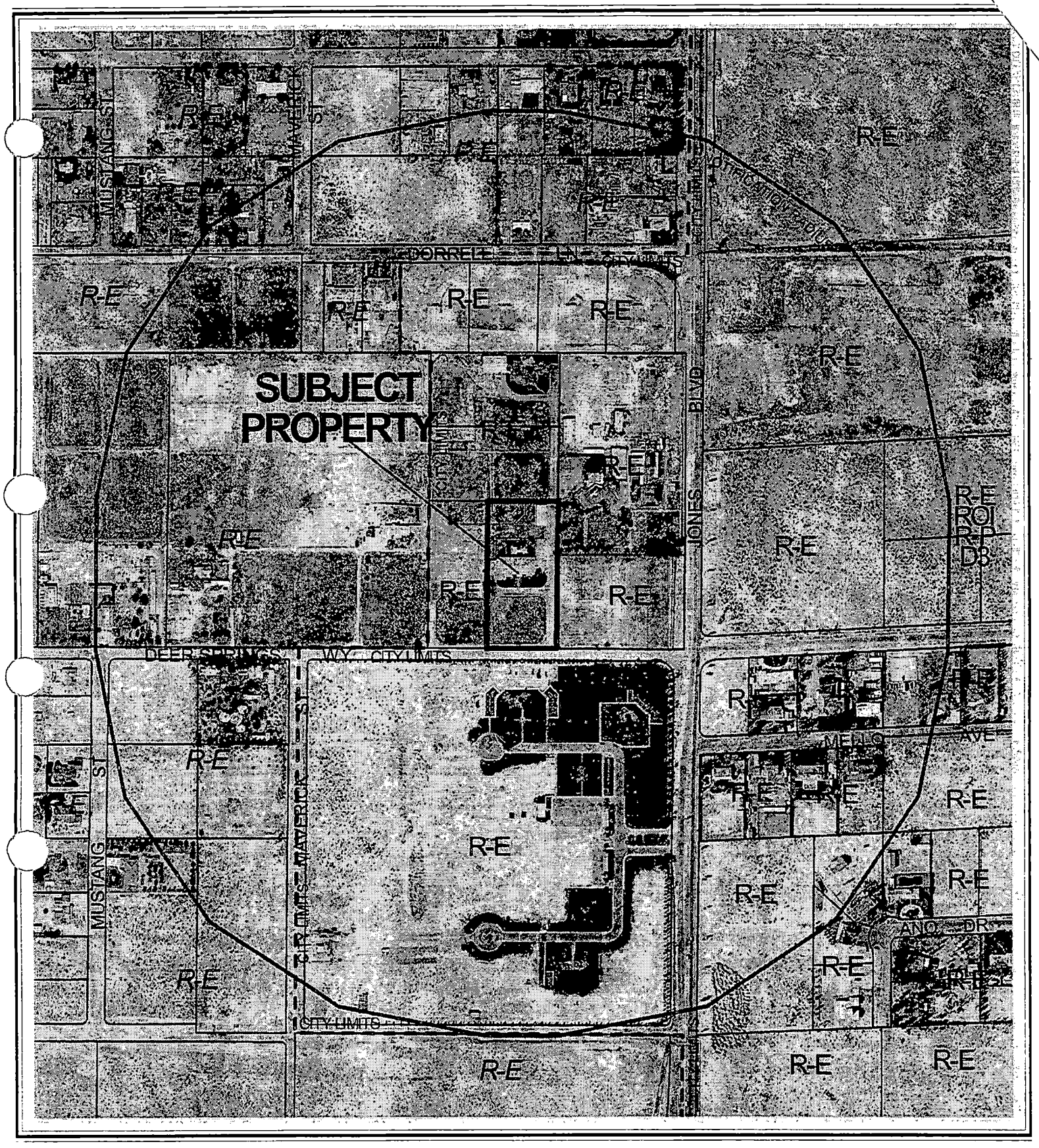


CASE: **VAR-3075**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 300 600 Feet

CASE: **VAR-3075**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3075 - JACOB A. BINGHAM

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, 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.

2. Conformance to the site plan and building elevations as submitted.

Public Works

3. 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, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance to allow a proposed garage addition to an existing single family residence to be 5 feet from the side property line where 10 feet is the minimum setback required at 6200 Deer Springs Way.

B) Applicant's Justification

The applicant's justification letter does not indicate a specific reason the required 10 foot side yard setback cannot be met or hardship that would be remedied by this application.

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history for this site.

B) Pre-Application Meeting

08/05/03 The applicant was advised of the requirements for a Variance application.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.76

MP

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Single Family Residence
South:	Cemetery
East:	Undeveloped and Single Family Residence
West:	Undeveloped

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	DR (Desert Rural Density Residential)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is not affected by any special plan areas or districts.

MP

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Square Feet	120,225 Square Feet. (Existing).	Y
Min. Lot Width	100 Feet	200 Feet (Existing)	Y
Min. Setbacks			
• Front	50 Feet	230 Feet (Existing)	Y
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	35 Feet	180 Feet (Existing)	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 15 Feet	Y

The proposed 5 foot side yard setback for the garage addition does not meet the minimum code requirement of 10 feet. The applicant has submitted this Variance request to allow the garage addition in its proposed configuration.

B) General Analysis and Discussion

The applicant is proposing to construct a garage addition on the west side of the existing single family dwelling. The addition will be located 5 feet from the side property line where 10 feet is the minimum set back required.

A recorded Parcel Map for this site, PM-26-93 (File 78 Page 49) indicates a 20 foot Private Drainage Easement centered on the western property line of this site. Allowing a five foot side yard setback would allow the proposed addition to encroach five feet into the existing easement, a violation of City policy. Since it is a private easement, no vacation from the City is required, but the Flood Control Section of Public Works will require the garage addition to be redesigned to not encroach into the easement or to provide additional information. If approved, the Department of Public Works recommends the following condition be imposed:

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, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

Since there are alternative layouts for the garage addition that would allow for conformance to the code, the proposed addition encroaches into a recorded private drainage easement and the applicant has not demonstrated a hardship, the variance is not warranted.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance 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."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, 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."

No evidence of à unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing the garage addition in a location where it does not meet the 10 foot setback requirement. With a lot size of 2.76 acres, alternative design would easily allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 53

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3075 APN: 125B60102 3

Name of Property Owner: Jacob D. Bingham

Name of Applicant: Jacob D. Bingham

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

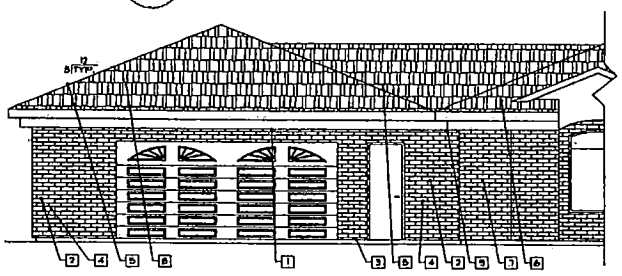
Print Name: Jacob D. Bingham

Subscribed and sworn before me

This 8th day of September, 2003

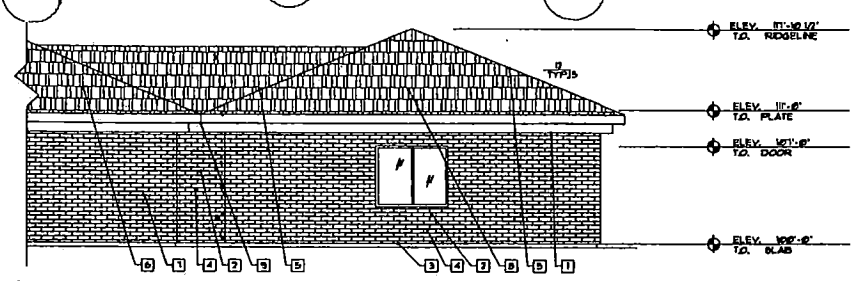
[signature]
Notary Public in and for said County and State

SUSAN M. SEPE
Notary Public - Nevada
No. 00-60231-1
My appt. exp. Jan. 4, 2004



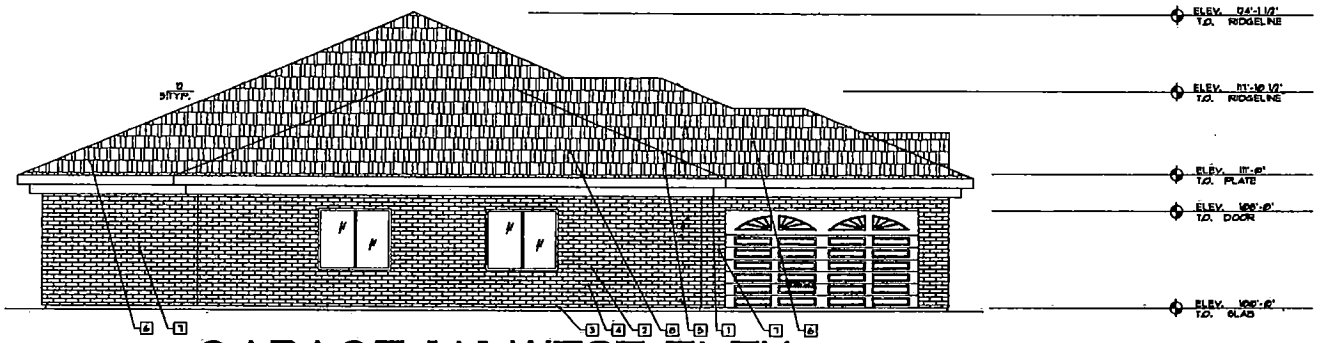
A A-3 GARAGE "A" SOUTH ELEV.

SCALE 1/4" = 1'-0"



B A-3 GARAGE "A" NORTH ELEV.

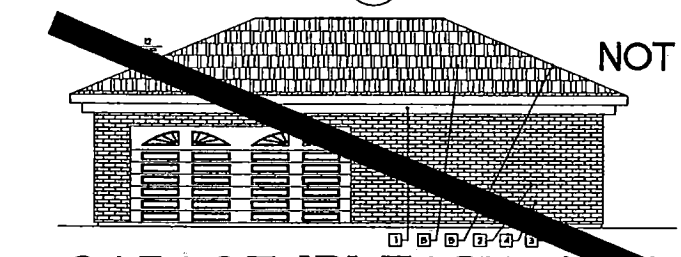
SCALE 1/4" = 1'-0"



C A-3 GARAGE "A" WEST ELEV.

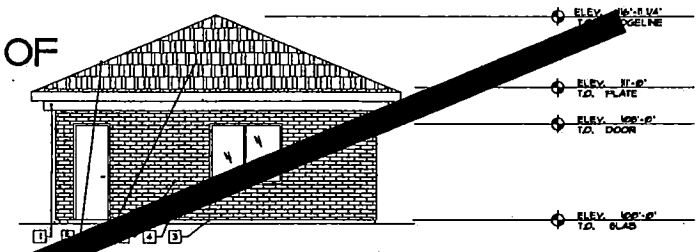
SCALE 1/4" = 1'-0"

NOT A PART OF



D A-3 GARAGE "B" EAST ELEV.

SCALE 1/4" = 1'-0"



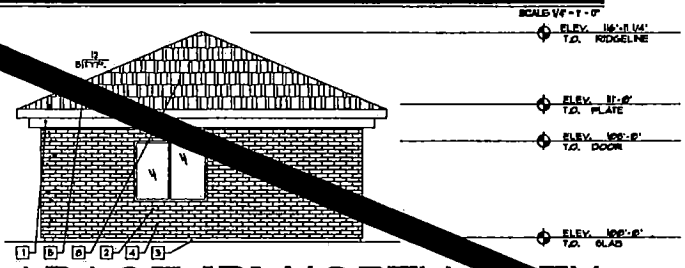
E GARAGE "B" SOUTH ELEV.

SCALE 1/4" = 1'-0"



F A-3 GARAGE "B" WEST ELEV.

SCALE 1/4" = 1'-0"



G A-3 GARAGE "B" NORTH ELEV.

SCALE 1/4" = 1'-0"

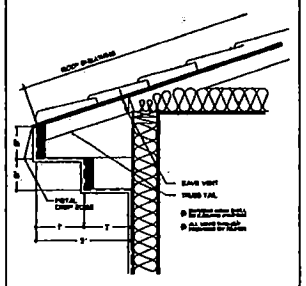
KEYNOTES

#	DESCRIPTION
1.	NEW 2" x 8" FASCIA (VERIFY AND MATCH W/ EXISTING FASCIA)
2.	NEW TYPICAL EXTERIOR WALL CONSTRUCTION: ONE COAT STUCCO O/ WIRE O/ 30# FELT O/ PLYWOOD SHEATHING (SEE FRAMING PLAN) O/ 2x4 STUDS @16" O.C. W/R-11 BATT INSULATION WITH 1" RIGID FOAM INSULATION (R-19 FOR 2"x6" WALLS) O/ 1/2" GYPSUM BOARD @ INTERIOR FACE. (PROVIDE LET-IN BRACING WHERE NEEDED)
3.	NEW CONT. BEEP SCREED TO BE MINIMUM 4" ABOVE GRADE OR 2" ABOVE CONCRETE SLAB
4.	NEW STONE VENEER (TO MATCH EXISTING HOUSE)
5.	NEW 24 GA. G.I. FLASHING @ ALL ROOF TO ROOF & ROOF TO WALL INTERSECTIONS.
6.	EXISTING ROOF SYSTEM (TO REMAIN)
7.	EXISTING RESIDENCE WALL (TO REMAIN)
8.	NEW ROOF CONSTRUCTION: ROOF TILE O/ 30# ROOFING FELT O/ PLYWOOD SHEATHING (SEE FRAMING PLAN) O/ TYP. - MANUFACTURER ROOF TRUSSES @24" O.C. O/R-30 BATT INSULATION.
9.	ATTACH LOWER AND UPPER FASCIA OF EXISTING RESIDENCE AND PROPOSED ADDITION

GENERAL NOTES

1. ALL SLIDING SWINGING DOORS, AND SHOWER ENCLOSURES, AND ANY GLASSING WITHIN A 24" ARC OF A DOOR SHALL BE TEMPERED.
2. ALL DOOR AND WINDOW SIZES SHALL BE VARIFIED WITH MANUF.
3. ALL T.O. VANITY MIRRORS SHALL BE 58" A.F.F.
4. ALL DIMENSIONS TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
5. ALL DOOR HEIGHTS, WINDOW HEIGHTS, AND PLATE HEIGHTS OF PROPOSED STRUCTURES ARE TO MATCH EXISTING STRUCTURE. CONTRACTOR TO FEILD VERIFY EXISTING HEIGHTS.

H A-3 NEW FASCIA DETAIL TO MATCH EXISTING ARCHITECTURE (FIELD VERIFY)



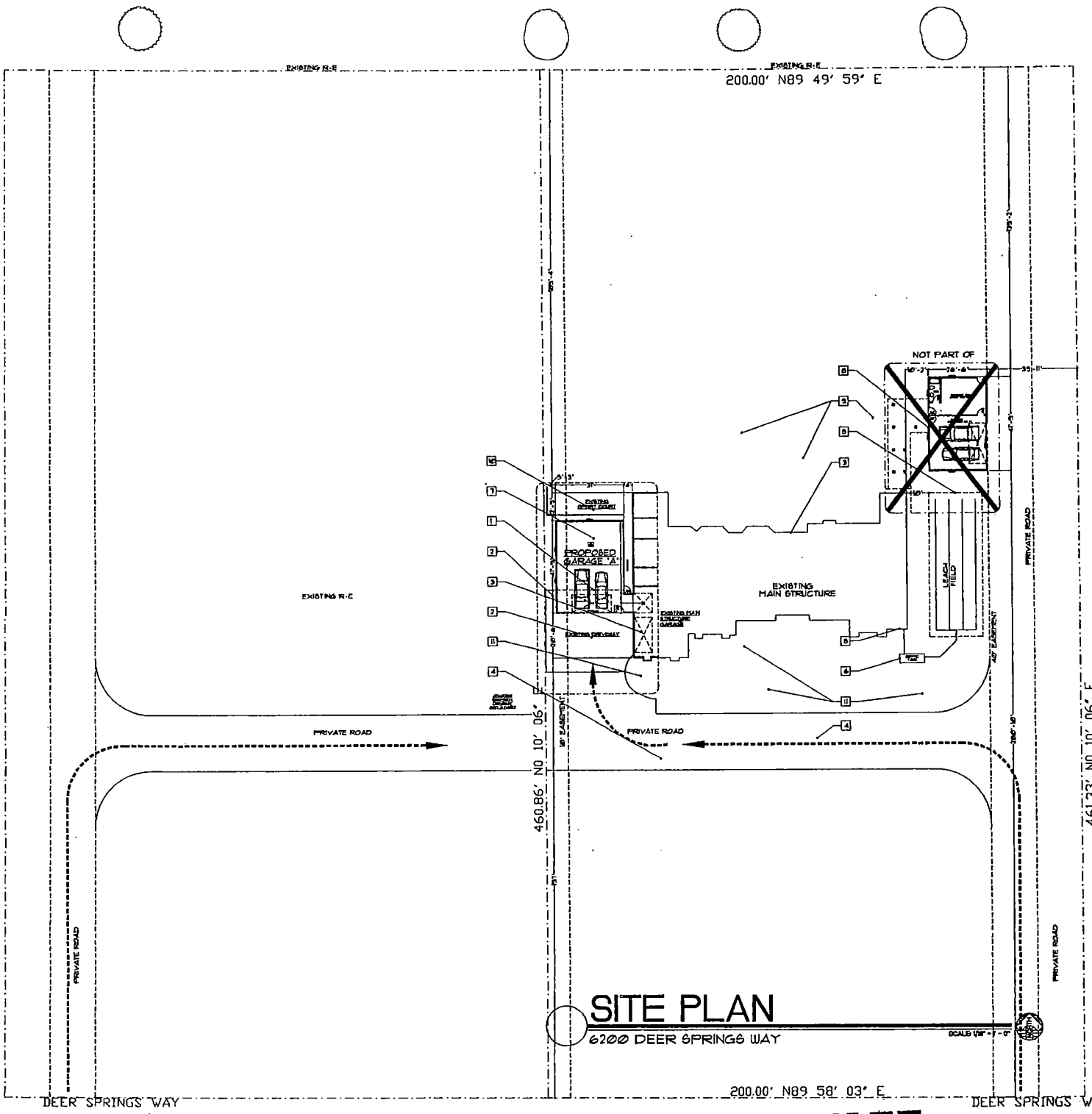
HOME BUILDING CONCEPTS
JOSHUA HOOVER
LICENSED RESIDENTIAL BUILDER
719-576-8822
BEST IN CONSTRUCTION, INC.

PROPOSED GARAGE ADDITIONS
6200 DEERSPRINGS

PROPOSED ELEVATIONS
MR. AND MRS. BINGHAM

3

STAFF VAR-3075 10-23-03 PC



SITE PLAN

6200 DEER SPRINGS WAY

SCALE: 1/16" = 1' - 0"

KEYNOTES	
#	DESCRIPTION:
1.	EXISTING CONCRETE SLAB (TO BE REPLACED BY NEW FOUNDATION)
2.	EXISTING CONCRETE DRIVEWAY (TO REMAIN)
3.	EXISTING RESIDENCE
4.	EXISTING PAVED ROAD (TO REMAIN)
5.	EXISTING LEACH FEILD (TO REMAIN)-FEILD VERIFY LOCATION
6.	EXISTING SEPTIC TANK (TO REMAIN)-FEILD VERIFY LOCATION
7.	NEW GARAGE ADDITION 'A'
8.	NEW GARAGE ADDITION 'B'
9.	EXISTING REAR YARD LANDSCAPING (TO REMAIN)-FEILD VERIFY LOCATION AND COMPLIANCE W/ PROPOSED BUILDING LOCATION
10.	EXISTING SPORT COURT (TO REMAIN)
11.	EXISTING FRONT YARD LANDSCAPING (TO REMAIN)

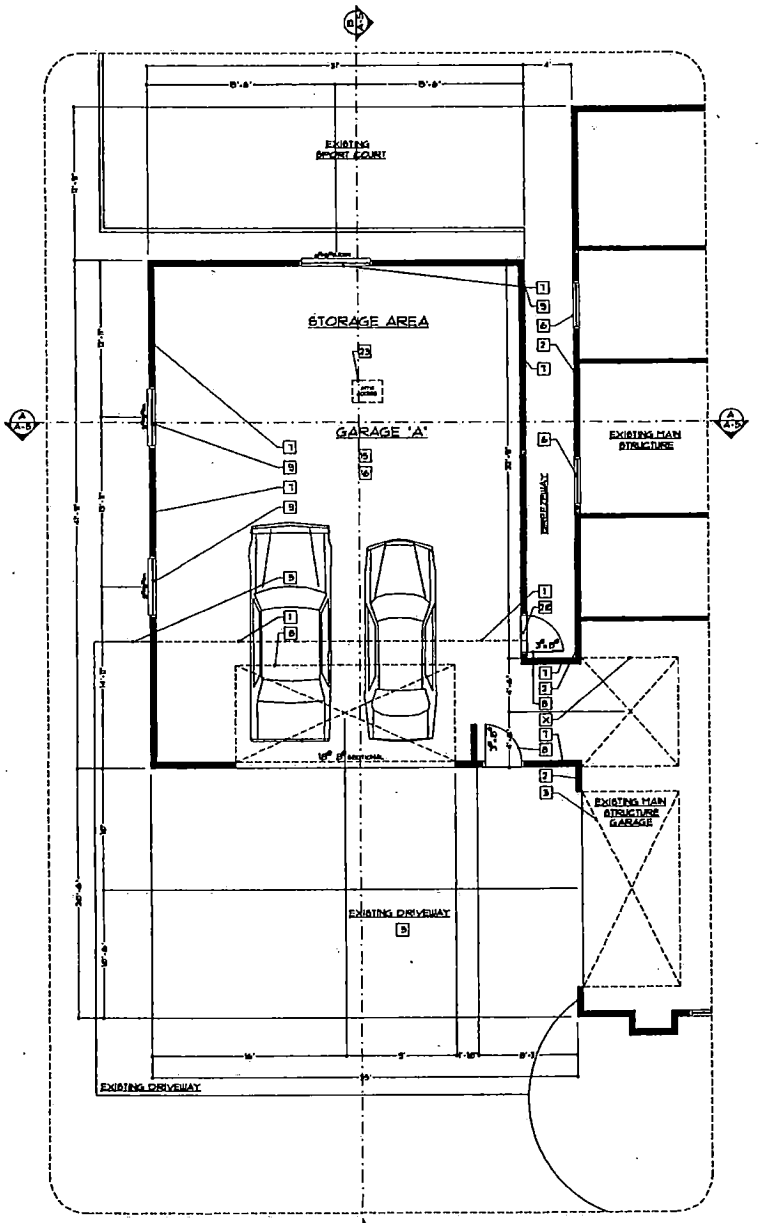
HOME BUILDING CONCEPTS
ARCHITECTURAL DESIGNERS, CONSULTANTS, ASSOCIATES, INC.
HBC
2351 S.E. JENSEN
PORTLAND, OREGON 97202
(503) 236-1200
Earth FRIENDLY DESIGN

PROPOSED GARAGE ADDITIONS
6200 DEERSPRINGS

PROPOSED SITE PLAN
MR. AND MRS. BINGHAM

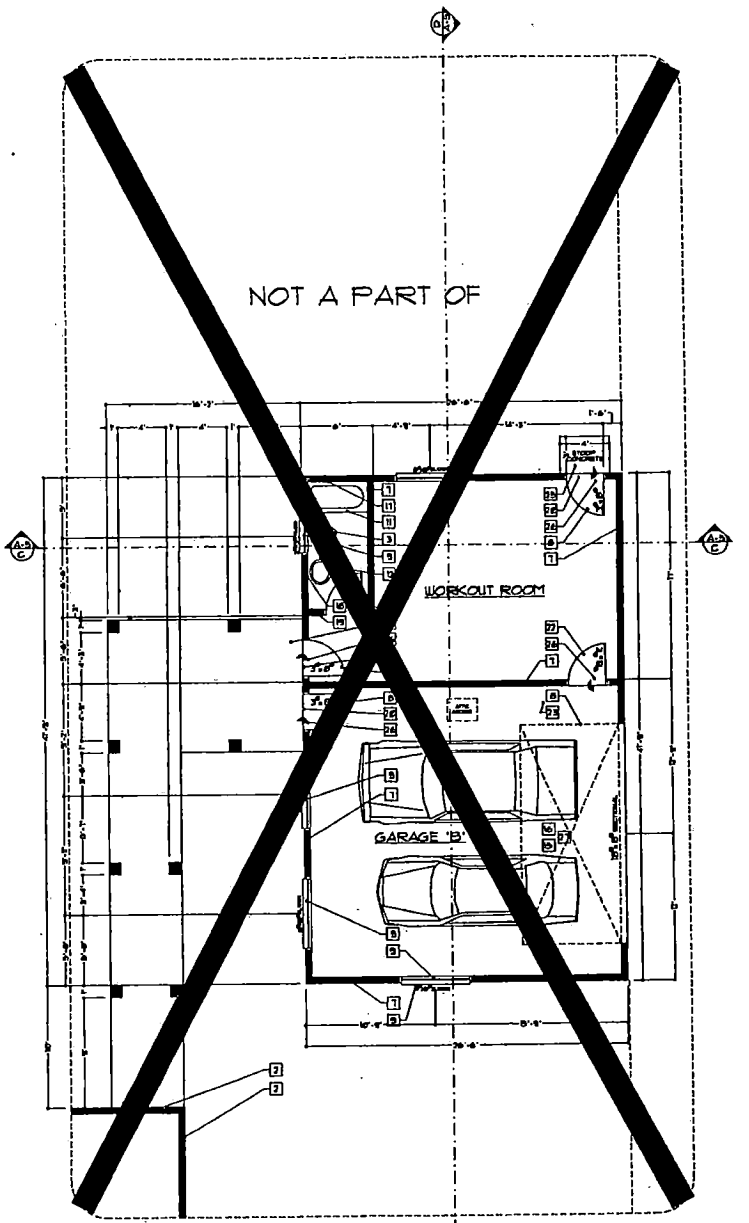
1

STAFF VAR-3075 10-23-03 PC



GARAGE "A" FLOORPLAN

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



GARAGE "B" FLOORPLAN

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

KEYNOTES

	DESCRIPTION
1.	EXISTING CONCRETE SLAB (TO BE REPLACED BY NEW FOUNDATION)
2.	EXISTING WALL (TO REMAIN)
3.	EXISTING DOOR (TO REMAIN)
4.	EXISTING DOOR (TO BE REMOVED)
5.	EXISTING CONCRETE SLAB (TO BE REMAIN)
6.	EXISTING WINDOW (TO REMAIN)
7.	NEW WALL (TO BE ADDED)
8.	NEW DOOR (TO BE ADDED)
9.	NEW WINDOW (TO BE ADDED)
10.	NEW SHOWER (TO BE ADDED AND CONNECTED WITH EXISTING SEWER SYSTEM)
11.	NEW TUB/SHOWER (TO BE ADDED AND CONNECTED WITH EXISTING SEWER SYSTEM)
12.	NEW PEDESTAL SINK (TO BE ADDED AND CONNECTED WITH EXISTING SEWER SYSTEM)
13.	NEW TOILET LOCATION (TO BE ADDED AND CONNECTED WITH EXISTING SEWER SYSTEM)
14.	NEW FOUNDATION SYSTEM (TO BE ADDED)
15.	NEW SLOPE DOWN 2" (TO BE ADDED)
16.	NEW 1 HOUR SEPARATION WALL AND CEILING WALL 1 LAYER-5/8" TYPE 'X' GYP. BD. @16"o/c WOOD STUDS AT 16" O.C. W/ R-11 BATTS INSULATION AND 5/8" TYPE 'X' GYP. BD. ON OPPOSITE SIDE.
17.	NEW CERAMIC TILE @ SHOWERS O/ WATERPROOF GYPSUM BOARD (TO BE ADDED)
18.	NEW MIRROR (TO BE ADDED)
19.	NEW MEDICINE CABINET (TO BE ADDED)
20.	NEW ALUMINUM THRESHOLD (TO BE ADDED)
21.	NEW R-19 BATT INSULATION IN ALL FLOORS ABOVE GARAGE AREAS (TO BE ADDED)
22.	DOOR TO BE 20 MIN. SELF CLOSING W/ TIGHT FITTING SMOKE & DRAFT CONTROL.
23.	NEW 22" X 36" ATTIC ACCESS. PROVIDE PLYWOOD WALKWAY TO HVAC UNIT.
24.	NEW SLAB (TO MATCH EXISTING SLABS IN HEIGHT)
25.	NEW SLOPE DOWN 1/4" PER FOOT.
26.	NEW STEP DOWN 8 1/2"
27.	NEW GRAVEL DRIVE SLOPE DOWN 1/4" PER FOOT, (VERIFY W/ HOMEOWNER)

GENERAL NOTES

1. ALL SLIDING SWINGING DOORS, AND SHOWER ENCLOSURES AND ANY GLAZING WITHIN A 24" ARC OF A DOOR SHALL BE TEMPERED.
2. ALL DOOR AND WINDOW SIZES SHALL BE VERIFIED WITH MANF.
3. ALL T.O. VANITY MIRRORS SHALL BE 66" A.F.F.
4. ALL DIMENSIONS TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

**5. ALL DOOR HEIGHTS, WINDOW HEIGHTS, AND PLATE HEIGHTS OF PROPOSED STRUCTURES ARE TO MATCH EXISTING STRUCTURE. CONTRACTOR TO FEILD VERIFY EXISTING HEIGHTS.

WALL LEGEND

	2X4 W.D. STUDS AT 16" O.C.
	2X4 WALL W/ FOTHERLVE AT 16"-0"
	2X6 W.D. STUDS AT 16" O.C.

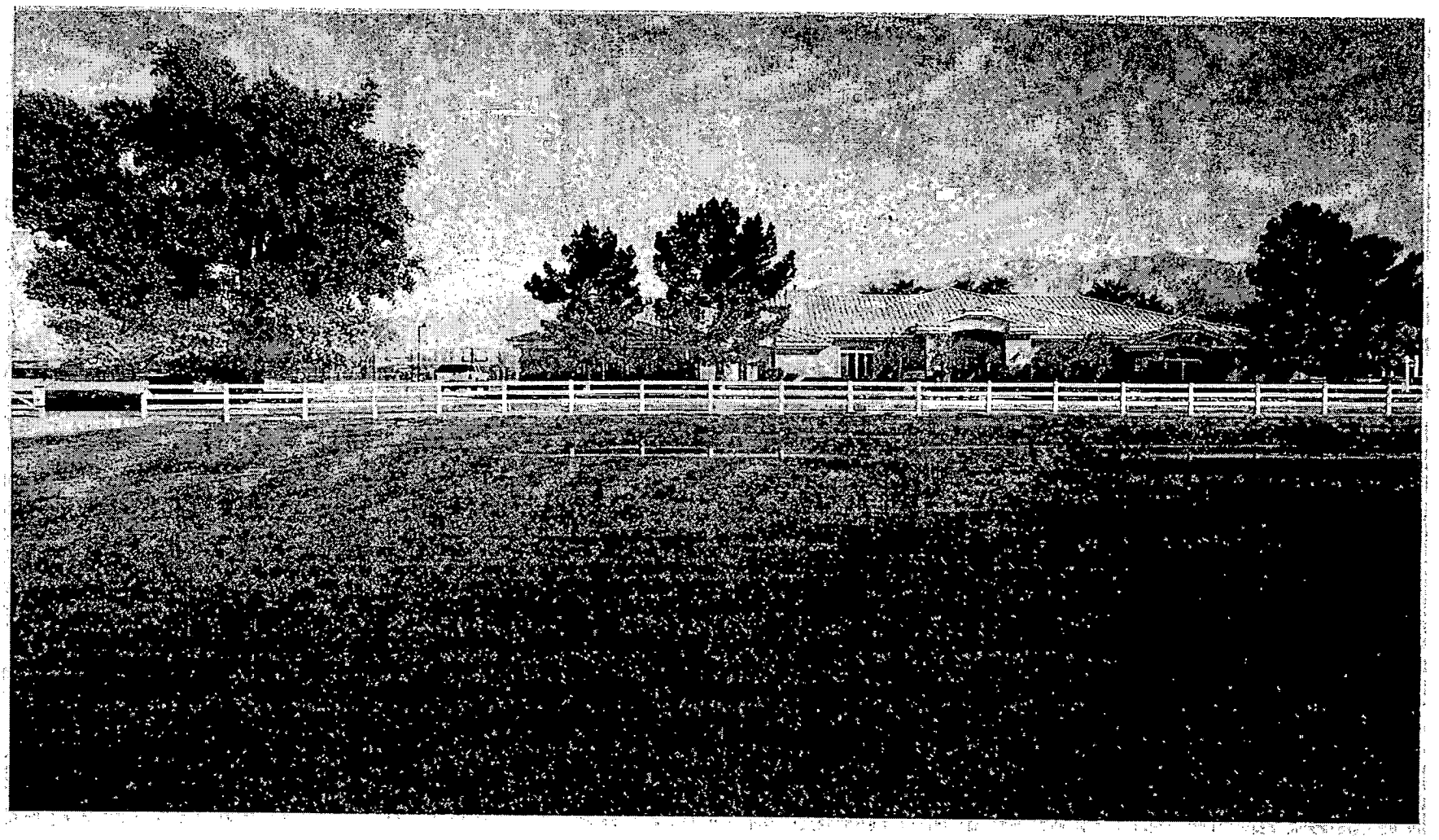
HOME BUILDING CONCEPTS

PROPOSED GARAGE ADDITIONS
6200 DEERSPRINGS

PROPOSED FLOOR PLANS
MR. AND MRS. BINGHAM

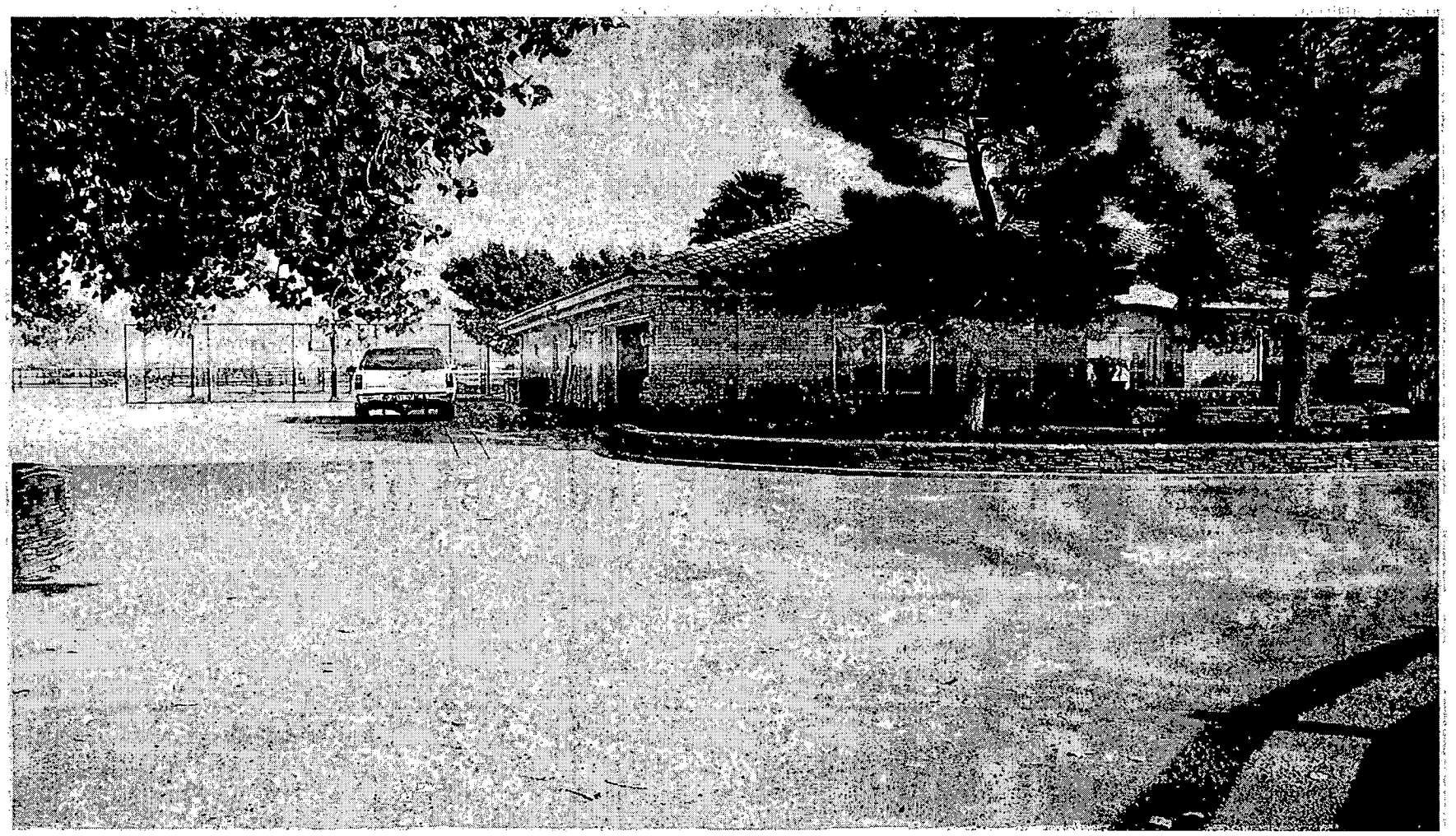
2

STAFF VAR-3075 10-23-03 PC



VAR-3075 - JACOB A. BINGHAM
6200 DEER SPRINGS WAY
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03



VAR-3075 - JACOB A. BINGHAM
6200 DEER SPRINGS WAY
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

October 22, 2003

City of Las Vegas
Planning and Development
731 South Fourth Street
Las Vegas, NV 89101

To Whom It May Concern:

I am writing this letter to express my full support of Mr. Bingham and his request for a five foot variance. I own the piece of land adjacent to Mr. Bingham's residence and would be the only one, other that Mr. Bingham himself, who would be affected by this request. Mr. Bingham has shown me the proposed plans and I find no objection to any part of them.

If you have any questions, please feel free to contact me at (702) 368-5800.

Thank You.

Fred Ahlstrom

Submitted at Planning Commission
Date 10/23/03 Item #60

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

VAR-3076 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 7,081 SQUARE FEET OF OPEN SPACE WHERE 21,554 SQUARE FEET IS REQUIRED on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Letters of support (4) from Christopher J. Rajczi, Dave and Linda Spackeen, Celia Ortiz, and Joe Clark

MOTION:

NIGRO – DENIED – UNANIMOUS

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, briefly went over the layout of the lots as exhibited by the Site Plan. He noted that the only open space shown is the required Multi-

MINUTES – Continued:

Use Transportation Trail outside the limits of the subdivision. Staff recommended denial of the open space variance seeing as there is no justification for the request or determining that any hardship exists.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He gave a brief description of the proposed project and noted that the property was previously zoned at R-PD3. On the overhead, he indicated other residential developments that do not have open space. He stated that this development is being built to be compatible with the other surrounding developments and meeting the character of the area. Using the overhead, ATTORNEY ROWE showed the casita-designed homes and was very proud with the product and how it would fit in with the area.

TODD FARLOW, 240 North 19th Street, was very pleased with the design of the homes. However, he objected to the lack of open space and stated this could not be permitted.

RICHARD GARLAND appeared in objection to the proposed development stating that it will increase the volume of traffic and detract from the rural feel. MICKY SCHUMACHER, 7185 West Regena Avenue, stated that there are adjacent homes from three quarters of an acre to one-acre lots. He was acceptable to the design of the homes, but urged the developer to comply with the open-space requirements. BEVERLY GARLAND, 7125 West Regena Avenue, objected to the number of homes that would back up against her property. JEFF SPECIAL, 6250 Rio Vista Street, owner/operator of the restaurant directly across the street, was concerned that if the project moves forward, the road construction would again impact his restaurant and its guests. He requested some assurance that the construction would be done in an efficient manner.

ATTORNEY ROWE pointed out that the property at the current time is not maintained, but assured that once approval is obtained, the developer will move to have the site cleared and prepared for development. With regard to homes backing up against existing residences, ATTORNEY ROWE stated only two homes would back up against the adjacent neighbors. He also assured that the developer will be willing to work with the neighbors prior to the applications moving forward to the City Council. With regard to MR. SPECIAL'S request, ATTORNEY ROWE stated that the construction of the roads will be done in such a way that would have the least impact on his business.

COMMISSIONERS McSWAIN and NIGRO both agreed that they would consider the open space variance if all of the homes were on larger sized lots, thus preserving the rural aspects of the area. COMMISSIONER NIGRO also attested to larger lots having more frontage, more landscaping adjacent to the streets and it lessens the impact to the adjacent property owners.

MINUTES – Continued:
COMMISSIONER EVANS stated that he would not support the reduction in the open space.

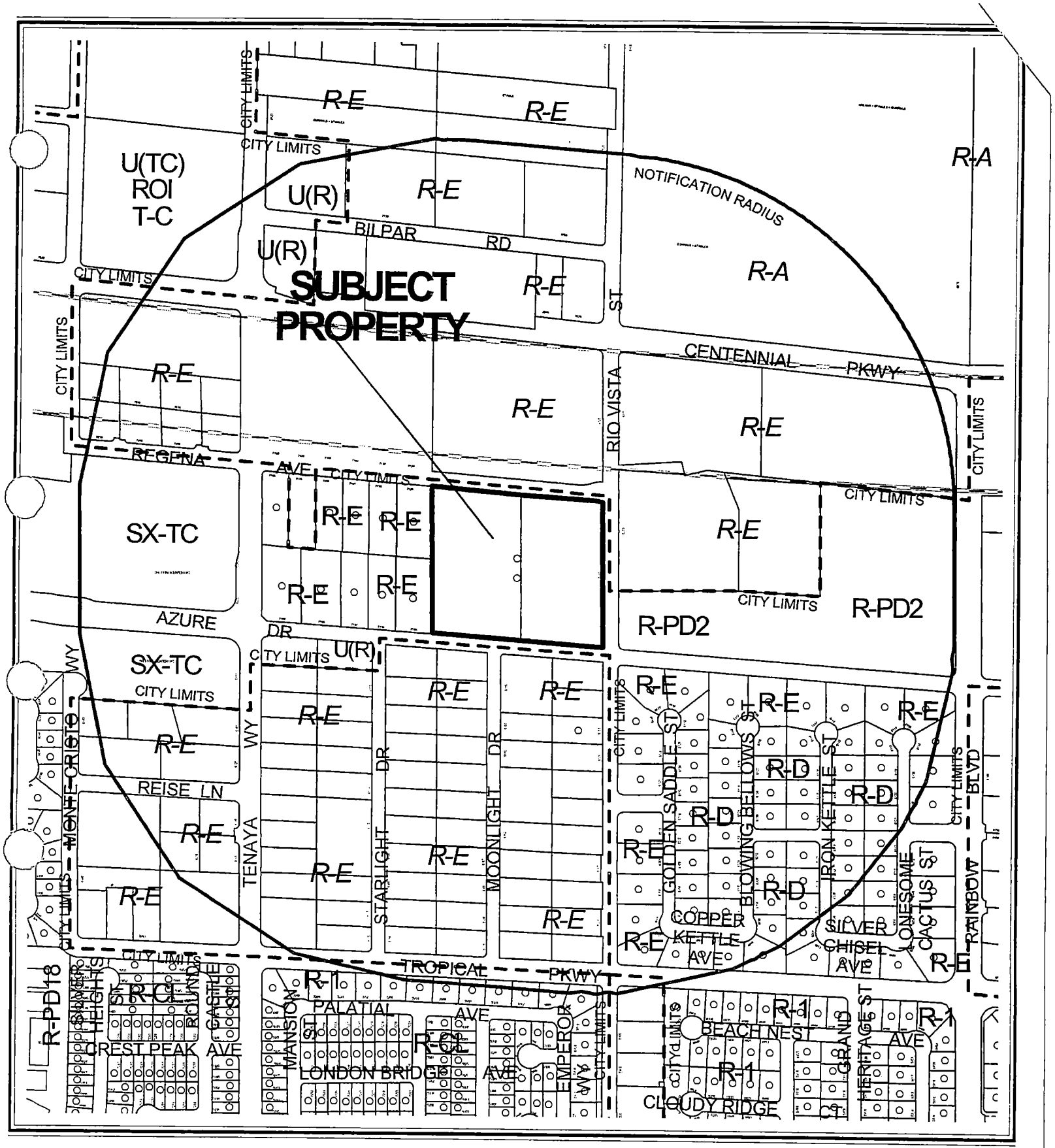
ATTORNEY ROWE, responding to CHAIRMAN TRUESDELL, informed that the lot sizes range from 10,800 to 12, 800 square feet on the RNP buffer and on the northern section, the range is 6200 square feet to 11,200 square feet. CHAIRMAN TRUESDELL stated that he would support the variance if the numbers were closer to what staff recommends. ATTORNEY ROWE stated that the applicant will take the Commission's comments into consideration and meet with the neighbors as well as see if the developer can work additional open space into the plan.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 61 [VAR-3076] and Item 62 [SDR-3078] was held under Item 61 [VAR-3076].

(10:08 – 10:26)



0 400 800 Feet

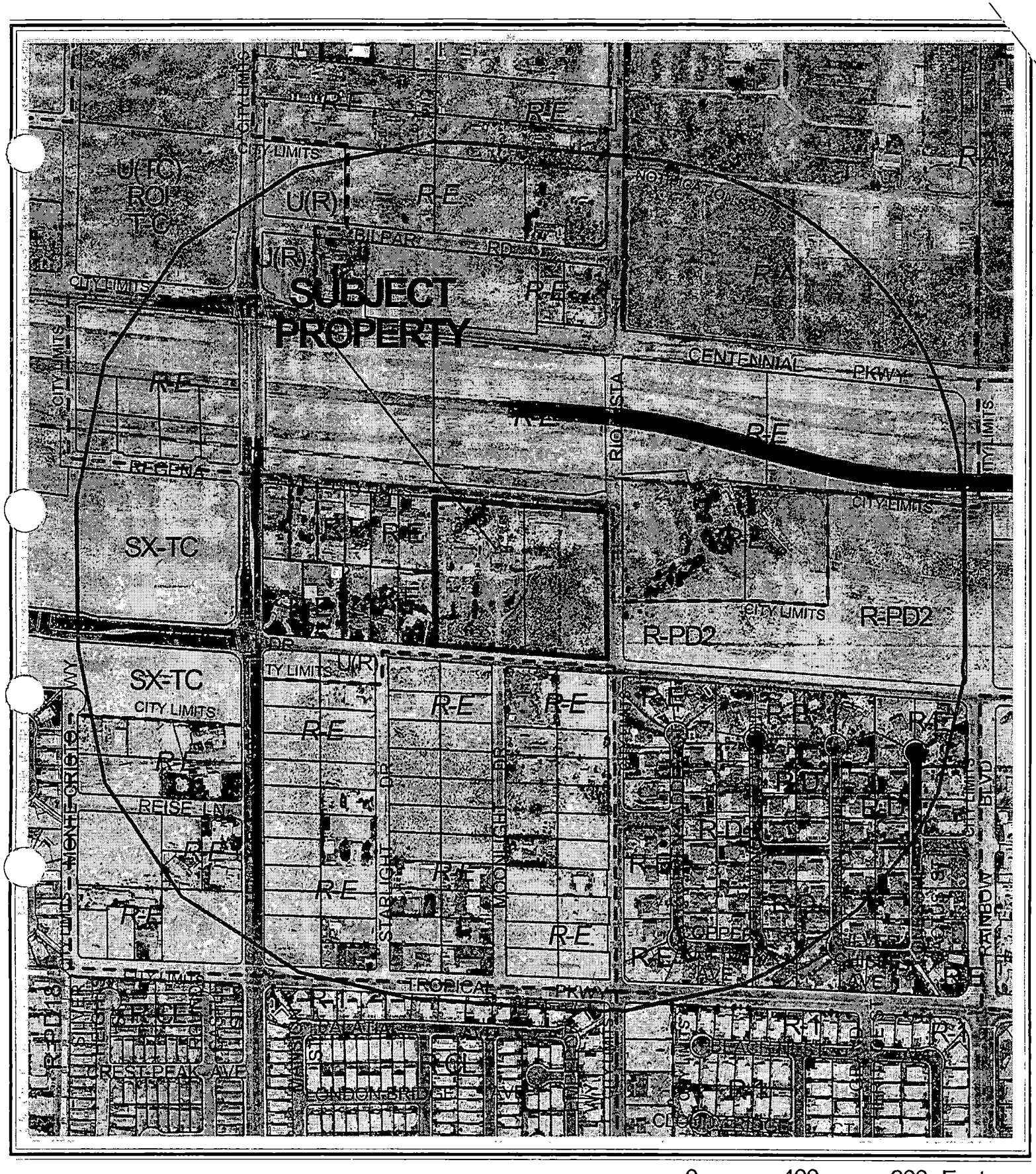
N

CASE: **VAR-3076**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



CASE: **VAR-3076**

RADIUS: 1320 FT

0 400 800 Feet

N

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



Case: VAR-3076 & SDR-3078

Rural Preservation Site Map

City of L.V. RPN Buffer

City of L.V. RPN Parcel

Clark County RPN Buffer

Clark County RPN Parcel

330 Buffer from Major Street

Subject Area

0.48 Parcel Size in Net Acres

8.16 Total Subject Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3076 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1855), and Site Development Plan Review (SDR-3078).

2. 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.

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $57,892.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 7,081 square feet of open space where 21,554 square feet is required for a proposed 30-lot single-family development on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street.

B) Applicant's Justification

The applicant's justification letter states that the site plan conforms to the neighborhood in lot size and style. The project will aid in the completion of the community and a consistency in residential development.

BACKGROUND INFORMATION

A) Previous Actions

04/19/00 The City Council approved an annexation (A-0044-99) for the subject site as part of a larger request. The Planning Commission recommended approval. The effective date was May 26, 2000.

03/27/03 The Planning Commission held Rezoning application (ZON-1855), Site Development Plan Review (SDR-1856), and Vacation (VAC-1857) in abeyance to the April 24, 2003 Planning Commission meeting to allow the applicant additional time to revise the site plan.

04/24/03 The Planning Commission approved a Rezoning application (ZON-1855) and held in abeyance a Site Development Plan Review (SDR-1856) to the May 22, 2003 Planning Commission meeting in an effort to provide the applicant an opportunity to meet with the neighbors and possibly redesign the site to provide open space. The Planning Commission voted to accept the applicant's request to Withdraw Without Prejudice a Vacation (VAC-1857) application.

05/21/03 The City Council approved a Rezoning (ZON-1855) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units Per Acre) on the subject site. The Planning Commission recommended approval on April 24, 2003.

AL

06/12/03 The Planning Commission voted to Withdraw Without Prejudice Site Development Plan Review (SDR-1856) and Variance (VAR-2275).

10/23/03 The Planning Commission will consider a related application, Site Development Plan Review (SDR-3078).

B) Pre-Application Meeting

08/29/03 The applicant presented a site plan and explained that an open space variance would be requested. The applicant was informed that Condition #3 on the approved Rezoning (ZON-1855) requires that density within the Rural Preservation Neighborhood (RPN) buffer be limited to 3.0 dwelling units per acre. A cross-section of the multi-use transportation trail was required, as were other minor revisions to the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.46
Net Acres: 7.77

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	The Beltway
South:	Single Family Dwellings and Undeveloped
East:	Restaurant/Tavern and Undeveloped
West:	Single Family Dwellings

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	ROW (Right of Way)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre)
North:	Clark County
South:	Clark County
East:	Clark County and R-PD2 (Residential Planned Development – 2 Units Per Acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X
County/North Las Vegas/HOA Notification	X	

TRAILS

A Multi-Use Transportation trail is required to be constructed along the west side of Rio Vista Street in accordance with Exhibit 1 of the Transportation Trails Element of the Las Vegas Master Plan. The site plan depicts the 15-foot wide trail in the correct location. The applicant will also be required to construct a 5-foot transition strip within the street right-of-way as part of the overall trail configuration.

RURAL PRESERVATION NEIGHBORHOOD

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre.

AL

CLARK COUNTY NOTIFICATION

Due to the site's proximity to a boundary with Clark County, the Clark County Planning Department was notified of this Variance request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-3078), a related item.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
9.46 acres	3.17	1.65	5.2 %	21,554 SF	1.7%	7,081 SF

The subject residential development is deficient in the amount of required open space, therefore this Variance application has been applied for. The subject deviation is 67%.

B) General Analysis and Discussion

The site plan depicts a 30-lot single-family development with a single access point. The lots will be accessed from 37-foot wide private streets. Lot sizes within the southern portion of the site are range from 10,880 square feet to 12,838 square feet in size. A multi-use trail is located along the west side of Rio Vista Street, as required by the Las Vegas Master Plan. The site plan represents an acceptable layout of lots and streets, but does not include the internal open space that is required for a R-PD development. The only open space depicted on the site plan is in the form of the required multi-use transportation trail. The proposed density of 3.17 units per acre is compatible with the current general plan designation, and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance 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."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, 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."

Based on the above criteria, there is no evidence of a unique or extraordinary circumstance associated with these parcels. In addition, the applicant has not demonstrated any hardship peculiar to this site. Alternative site layouts are possible that would allow construction in conformance to the open space requirements. A previous version of the site plan depicted open space that would meet the minimum open space requirements. In addition, the proposed deviation of sixty-seven (67%) is an excessive departure from the development standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 161 [Mailed with SDR-3078]

APPROVALS 0

PROTESTS 0

AL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-3076** APN: 125-27-503-013

Name of Property Owner: Azure Rio Vista LLC

Name of Applicant: Taney Engineering

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: 125-27-503-013 & 014

Signature of Property Owner/Authorized Agent: _____

Print Name: JAMES PINJUV

Subscribed and sworn before me

This 9th day of SEPT, 2003

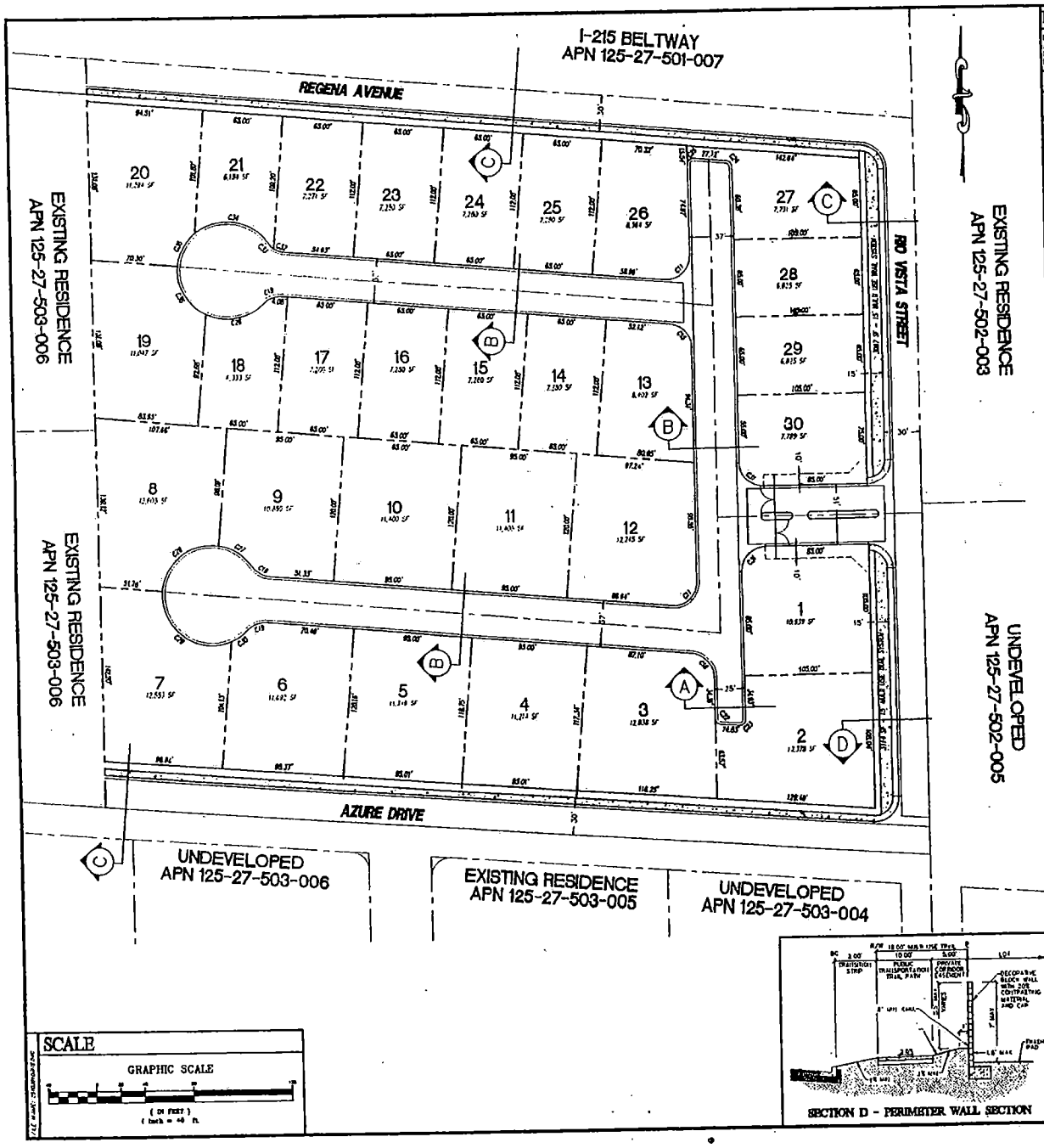
Deborah Guma

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBORAH GUMA
Appt. No. 98-3016-1
My Appt. Expires May 28, 2006

VAR-307[illegible]

STAFF 10-23-03 PC



SCALE

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

SECTION D - PERIMETER WALL SECTION

NOTES:

NO KNOW STORM DRAIN SYSTEMS EXIST ADJACENT TO THIS PROJECT SITE AND NO STORM DRAINS ARE PROPOSED WITH THIS DEVELOPMENT.

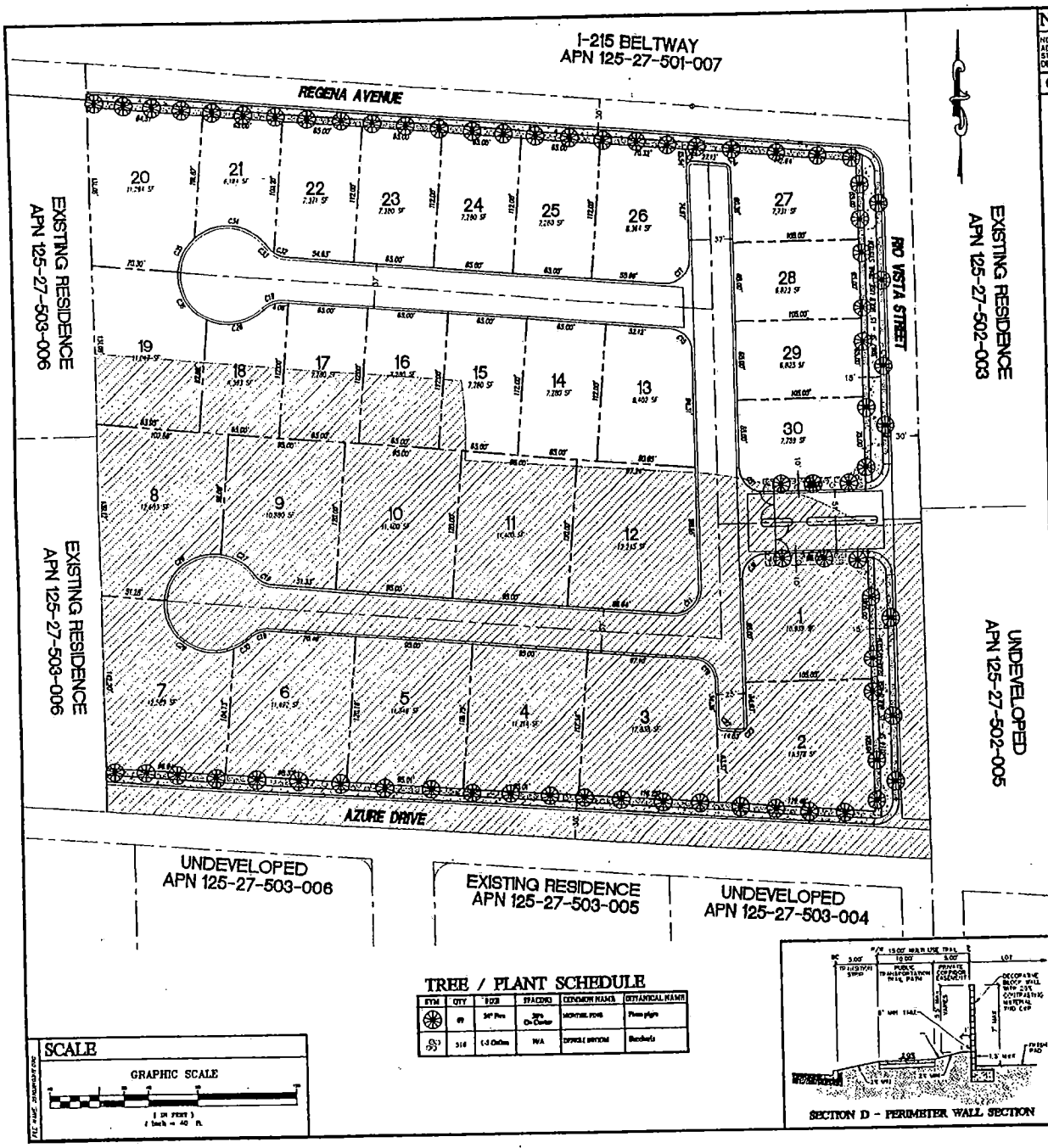
CURVE TABLE

Curve Table				
No.	Radius	Delta	Length	Tangent
C1	1.00	0°47'22"	0.77	0.41
C2	60.00	11°53'19"	12.45	6.25
C3	60.00	11°53'19"	12.45	6.25
C4	60.00	11°53'19"	12.45	6.25

VAR-3076

10-23-03 PC

STAFF

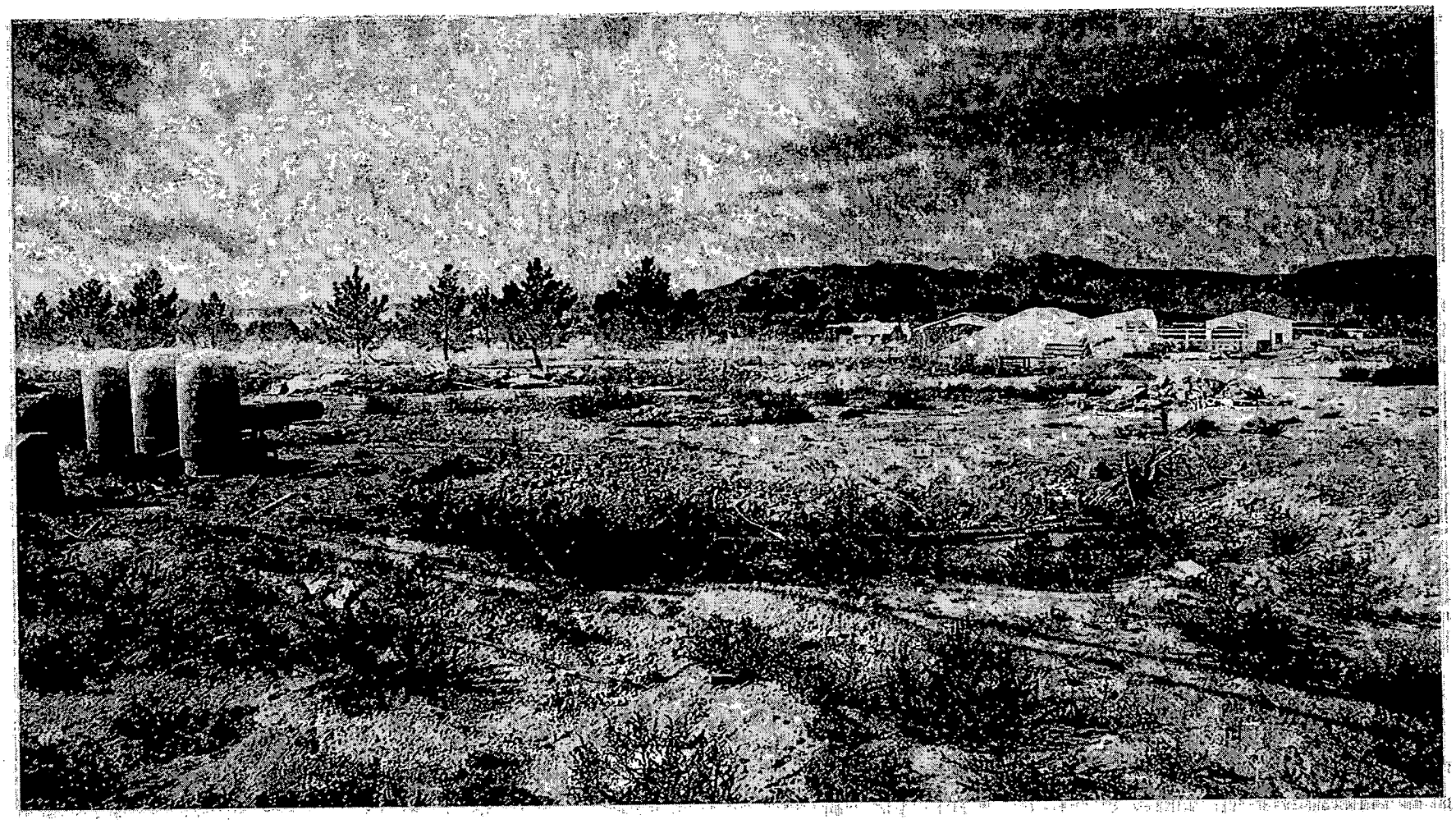


NOTES:

NO KNOW STORM DRAIN SYSTEMS EXIST ADJACENT TO THIS PROJECT SITE AND NO STORM DRAINS ARE PROPOSED WITH THIS DEVELOPMENT.

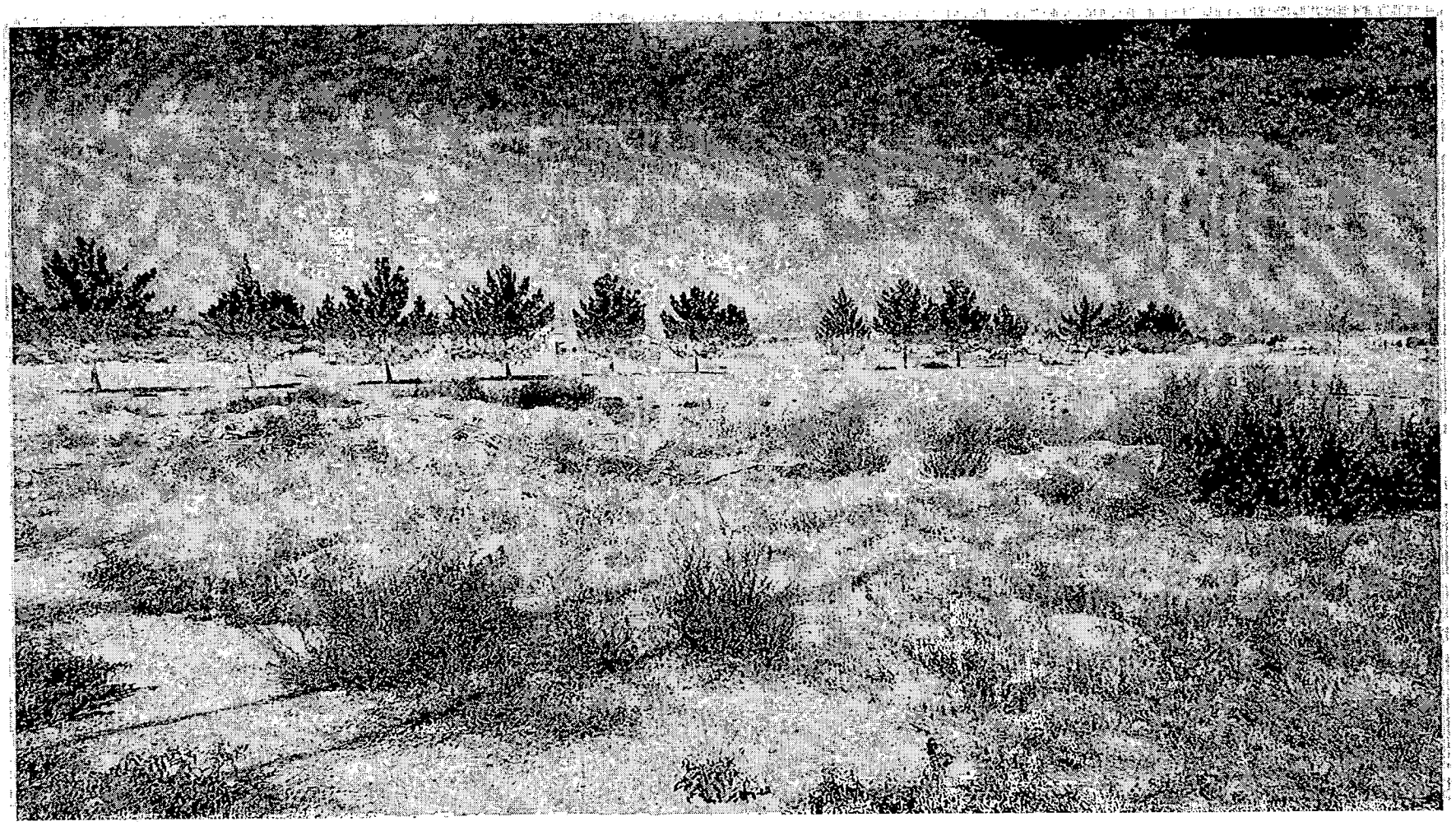
CURVE TABLE

Curve Table			
No.	Radius	Delta	Length
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C2	60.00	90°00'00"	94.25
C3	60.00	90°00'00"	94.25
C4	8.00	90°00'00"	12.57
C5	60.00	90°00'00"	94.25
C6	60.00	90°00'00"	94.25
C7	8.00	90°00'00"	12.57
C8	60.00	90°00'00"	94.25
C9	60.00	90°00'00"	94.25



VAR-3076 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF AZURE DRIVE AND RIO VISTA STREET
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03



VAR-3076 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF AZURE DRIVE AND RIO VISTA STREET
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

Date: 10/22/03

Name: Christopher J. RATCZI

Address: 7135 REGENA

Las Vegas, NV Zip Code:

To whom it may concern:

I have seen and support the site design of Distinctive Homes building single family homes on 31 lots on the property north of Azure and east of Rio Vista. Additionally, I support the variance waiver of open space requirements.

Sincerely,

Submitted at Planning Commission

Date 10/23/03 Item #61 and #62

Date: 10-21-03

Name: Dave & Linda Spackeen

Address: 7145 W. Regena Ave

Las Vegas, NV Zip Code: 89130

To whom it may concern:

I have seen and support the site design of Distinctive Homes building single family homes on 31 lots on the property north of Azure and east of Rio Vista. Additionally, I support the variance waiver of open space requirements.

Sincerely, David Spackeen

Submitted at Planning Commission

Date 10/23/03 Item #61 and #62

Date: 10.22.13

Name: Celia Ortiz

Address: 7130 Azure Dr

Las Vegas, NV Zip Code: 89130

To whom it may concern:

I have seen and support the site design of Distinctive Homes building single family homes on 31 lots on the property north of Azure and east of Rio Vista. Additionally, I support the variance waiver of open space requirements.

Sincerely,

Celia Ortiz

Submitted at Planning Commission

Date 10/23/03 Item #61 and #62

Date: 10/23/03

Name: JOE CLARK

Address: 6104 BLOWING BELLOWS

Las Vegas, NV Zip Code:

To whom it may concern:

I have seen and support the site design of Distinctive Homes building single family homes on 31 lots on the property north of Azure and east of Rio Vista. Additionally, I support the variance waiver of open space requirements.

J P Clark

Sincerely,

Submitted at Planning Commission

Date 10/23/03 Item #61 and #62

City of Las Vegas

Agenda Item No.: 62

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

SDR-3078 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 30 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Letters of support (4) from Christopher J. Rajczi, Dave and Linda Spackeen, Celia Ortiz, and Joe Clark (attached at Item 61 [VAR-3076])

MOTION:
NIGRO – DENIED – UNANIMOUS

To be heard by the City Council on 11/19/2003

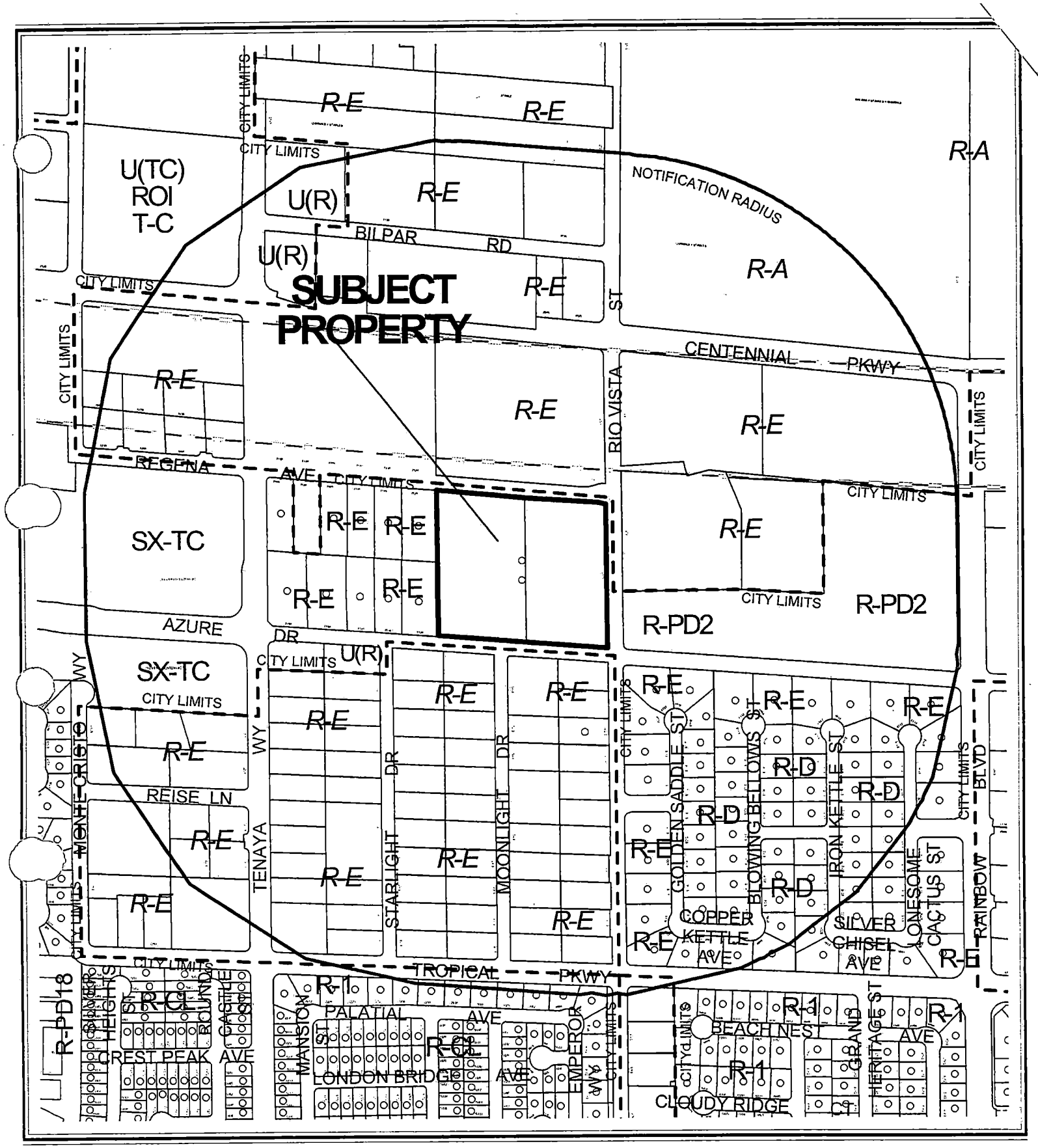
MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 61 [VAR-3076] and Item 62 [SDR-3078] was held under Item 61 [VAR-3076].

(10:08 – 10:26)



CASE: **SDR-3078**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



Case: VAR-3076 & SDR-3078

Rural Preservation Site Map

City of L.V. RPN Buffer

City of L.V. RPN Parcel

Clark County RPN Buffer

Clark County RPN Parcel

330 Buffer from Major Street

Subject Area

0.48 Parcel Size in Net Acres

8.16 Total Subject Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3078 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY

** CONDITIONS **

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. A multi-use transportation trail is required along the west side of Rio Vista Street. The trail shall be constructed in accordance with Exhibit One of the Transportation Trails Element of the 2020 Master Plan.

3. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for Tentative Map, to depict the minimum amount of open space required for a R-PD3 (Residential Planned Development – 3 Units Per Acre) development of this size or the applicant shall receive approval of a Variance to allow for reduced open space.

4. The building height shall not exceed two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.

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

7. Air conditioning units shall not be mounted on rooftops

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be a maximum of six feet in height and shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed shall be designed, located and constructed in accordance with Standard Drawing #222A.

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Site development to comply with all applicable conditions of approval for ZON-1855 and all other subsequent site-related actions.

16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 30-lot single-family development on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street.

B) Applicant's Justification

The applicant's justification letter states that the site plan conforms to the neighborhood in lot size and style. The project will aid in the completion of the community and a consistency in residential development.

BACKGROUND INFORMATION

A) Previous Actions

04/19/00 The City Council approved an annexation (A-0044-99) for the subject site as part of a larger request. The Planning Commission recommended approval. The effective date was May 26, 2000.

03/27/03 The Planning Commission held Rezoning application (ZON-1855), Site Development Plan Review (SDR-1856), and Vacation (VAC-1857) in abeyance to the April 24, 2003 Planning Commission meeting to allow the applicant additional time to revise the site plan.

04/24/03 The Planning Commission approved a Rezoning application (ZON-1855) and held in abeyance a Site Development Plan Review (SDR-1856) to the May 22, 2003 Planning Commission meeting in an effort to provide the applicant an opportunity to meet with the neighbors and possibly redesign the site to provide open space. The Planning Commission voted to accept the applicant's request to Withdraw Without Prejudice a Vacation (VAC-1857) application.

05/21/03 The City Council approved a Rezoning (ZON-1855) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units Per Acre) on the subject site. The Planning Commission recommended approval on April 24, 2003.

06/12/03 The Planning Commission voted to Withdraw Without Prejudice Site Development Plan Review (SDR-1856) and Variance (VAR-2275).

10/23/03 The Planning Commission will consider a related application, Variance (VAR-3076).

B) Pre-Application Meeting

08/29/03 The applicant presented a site plan and explained that an open space variance would be requested. The applicant was informed that Condition #3 on the approved Rezoning (ZON-1855) requires that density within the Rural Preservation Neighborhood (RPN) buffer be limited to 3.0 dwelling units per acre. A cross-section of the multi-use transportation trail was required, as were other minor revisions to the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.46
Net Acres: 7.77

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	The Beltway
South:	Single Family Dwellings and Undeveloped
East:	Restaurant/Tavern and Undeveloped
West:	Single Family Dwellings

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	ROW (Right of Way)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

AL

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre)
North:	Clark County
South:	Clark County
East:	Clark County and R-PD2 (Residential Planned Development – 2 Units Per Acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X
County/North Las Vegas/HOA Notification	X	

TRAILS

A Multi-Use Transportation trail is required to be constructed along the west side of Rio Vista Street in accordance with Exhibit 1 of the Transportation Trails Element of the Las Vegas Master Plan. The site plan depicts the 15-foot wide trail in the correct location. The applicant will also be required to construct a 5-foot transition strip within the street right-of-way as part of the overall trail configuration.

RURAL PRESERVATION NEIGHBORHOOD

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre.

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PROJECT DESCRIPTION

As detailed in the background information, a number of site plans have previously been submitted for the subject property. The current proposal takes into consideration the Rural Preservation Neighborhood (RPN) buffer that exists on approximately the southern half of the site. As required by Condition Number 3 of the approved Rezoning (ZON-1855), density within the RPN buffer is less than 3.0 dwelling units per acre. Fourteen lots are depicted within the 5.12-acre portion of the site that is within the buffer, resulting in a density of 2.73 dwelling units per acre.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.040, a site development plan review shall determine development standards, which will apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	6,393 SF	Y
Min. Lot Width	N/A	65 feet	Y
Min. Setbacks			
• Front	N/A	20 Feet	Y
• Side	N/A	5 Feet	Y
• Corner	N/A	10 Feet	Y
• Rear	N/A	20 Feet	Y
Max. Lot Coverage	N/A	Not Indicated	N/A
Max. Building Height	2 Stories / 35 Feet	2 Stories	Y

The proposed development standards are appropriate as they are consistent with similar developments.

AL

A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Single Family Dwelling	N/A	2 spaces per dwelling unit	60		60	

The submitted floor plans depict a minimum of a two-car garage for each plan in order to meet the required amount of parking.

A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**
Buffer: • Min. Trees	1 Tree/30 Linear Feet	18 Trees (along Azure Dr.) 22 Trees (along Regina Ave)	20 Trees (along Azure Dr.) 24 Trees (along Regina Ave.)
Multi-Use Transportation Trail	1 Tree/20 Linear Feet (within 5' Transition Strip)	25 Trees	7 Trees
• Min. Zone Width • Wall height	6 Feet 8 Feet		6 Feet Not indicated

Landscaped areas are depicted to surround the site on three sides. The buffers along Azure Drive and Regina Avenue are of the required width and as shown, include the appropriate amount and type of planting material. The multi-use transportation trail depicts the correct configuration, however the Transportation Trials Element of the Master Plan required deciduous shade trees spaced 20 feet on-center within the 5-foot transition strip. A condition has been included to require compliance with this requirement.

AL

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
9.46 acres	3.17	1.65	5.2 %	21,554 SF	1.7%	7,081 SF

The subject residential development is deficient in the amount of required open space, therefore the applicant has submitted a Variance (VAR-2076) application that will be considered on this agenda. A condition has been included requiring a revised site plan that includes the mandatory amount of open space or receive approval of a variance to allow for reduced open space.

B) General Analysis and Discussion

- Zoning

The existing R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning will allow for a planned development consistent with the general plan designation.

- Site Plan

The site plan depicts a 30-lot single-family development with a single access point. The lots will be accessed from 37-foot wide private streets. Lot sizes within the southern portion of the site are range from 10,880 square feet to 12,838 square feet in size. The proposed density of 3.17 units per acre is compatible with the current general plan designation, and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning. A multi-use trail is located along the west side of Rio Vista Street, as required by the Las Vegas Master Plan.

The site plan represents an acceptable layout of lots and streets, but does not include the internal open space that is required for a R-PD development. The only open space depicted on the site plan is in the form of the required multi-use transportation trail. A portion of the subject site is located within a Rural Preservation Neighborhood (RPN) buffer. As required by Condition Number 3 of the approved Rezoning (ZON-1855) and the Nevada Revised Statutes, density within the RPN buffer is less than 3.0 dwelling units per acre. In order to achieve the density of 2.73 dwelling units per acre, the applicant designed the site to include lots with a minimum of 10,000 square feet within the RPN buffer. Consequently, in order to maintain the desired amount of lots, the applicant has eliminated the required amount of open space from the site, necessitating a variance. Alternatively, the site could be designed to include the required amount of open space within the RPN buffer, thus eliminating the need for a Variance*.

---

*Taking into consideration the amount of open space provided by the Multi-Use Transportation Trail, an additional 14,473 square feet of open space is required to meet R-PD (Residential – Planned Development) standards. The removal of one lot and a slight reduction in the size of an additional lot within the RPN buffer would accommodate both the open space and RPN requirements.

- Landscape Plan

The proposed landscaping depicts an attractive plan for the adjacent public street. Landscape materials include Mondel Pine and Desert Broom ground covering. As the landscape plan does not indicate the amount of open space required for a R-PD development of this density, a condition has been included to require a revised site plan that depicts the required amount of open space or the applicant must receive approval of a variance to allow for reduced open space. Additionally, a multi-use transportation trail is required along the west side of Rio Vista Street. The design of the trail is depicted correctly, although the plant material within the transition strip is underprovided. A conditions is recommended to require the trail to be constructed in accordance with Exhibit One of the Transportation Trails Element of the 2020 Master Plan

- Elevation

The proposed elevations will utilize accents such as textured stone and are compatible with similar developments.

- Floor Plan

One floor plan depicts a home 55 feet wide and 65 feet in length. The minimum lot width, as depicted on the site plan is 65 feet wide. Lots range from 98 feet in length to 120 feet in length. With the proposed setbacks, the majority of the homes will fit on a majority of the lots. The Planning and Development Department will review each building permit to ensure compliance with development standards.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   While the surrounding area is largely undeveloped, the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning at 3.17 dwelling units per acre coincides with other development activity in the area, such as the new Beltway.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed project will be consistent with portions of Title 19 and the Landscape, Wall and Buffer Standards. However, the development does not comply with the open space requirements in Title 19 for the R-PD (Residential Planned Development) zoning district. Open space is an integral part of the R-PD (Residential Planned Development) zone, as the developer receives flexibility in design and density for the provision of amenities, such as open space. When open space is not provided, in effect the project does not meet the standards for the zoning district in which it is located. Essentially, the developer receives the bonuses inherent to the R-PD (Residential Planned Development) zone without providing the amenities. Conditions of approval are recommended that would require either a variance or a revised site plan that depicts the required amount of open space.

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

The subject site has access to Rio Vista Street, which will be developed as a 60-foot right-of-way. Rio Vista Street terminates at the newly developed Beltway north of the proposed development. Site access and circulation will not have a negative impact on neighborhood traffic.

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

The proposed project will incorporate appropriate building elevations, façade materials and landscaping materials that are appropriate for the 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;"**

The building elevations are aesthetically pleasing and will be harmonious and compatible with other single-family developments in the area.

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

The proposed development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 161 [Mailed with VAR-3076]

APPROVALS 0

PROTESTS 0

AL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3078 APN: 125-27-503-013

Name of Property Owner: Azure Rio Vista LLC

Name of Applicant: Taney Engineering

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: 125-27-503-013 & 014

Signature of Property Owner/Authorized Agent: _____

Print Name: JAMES RINJU

Subscribed and sworn before me

This 9th day of Sept, 2003

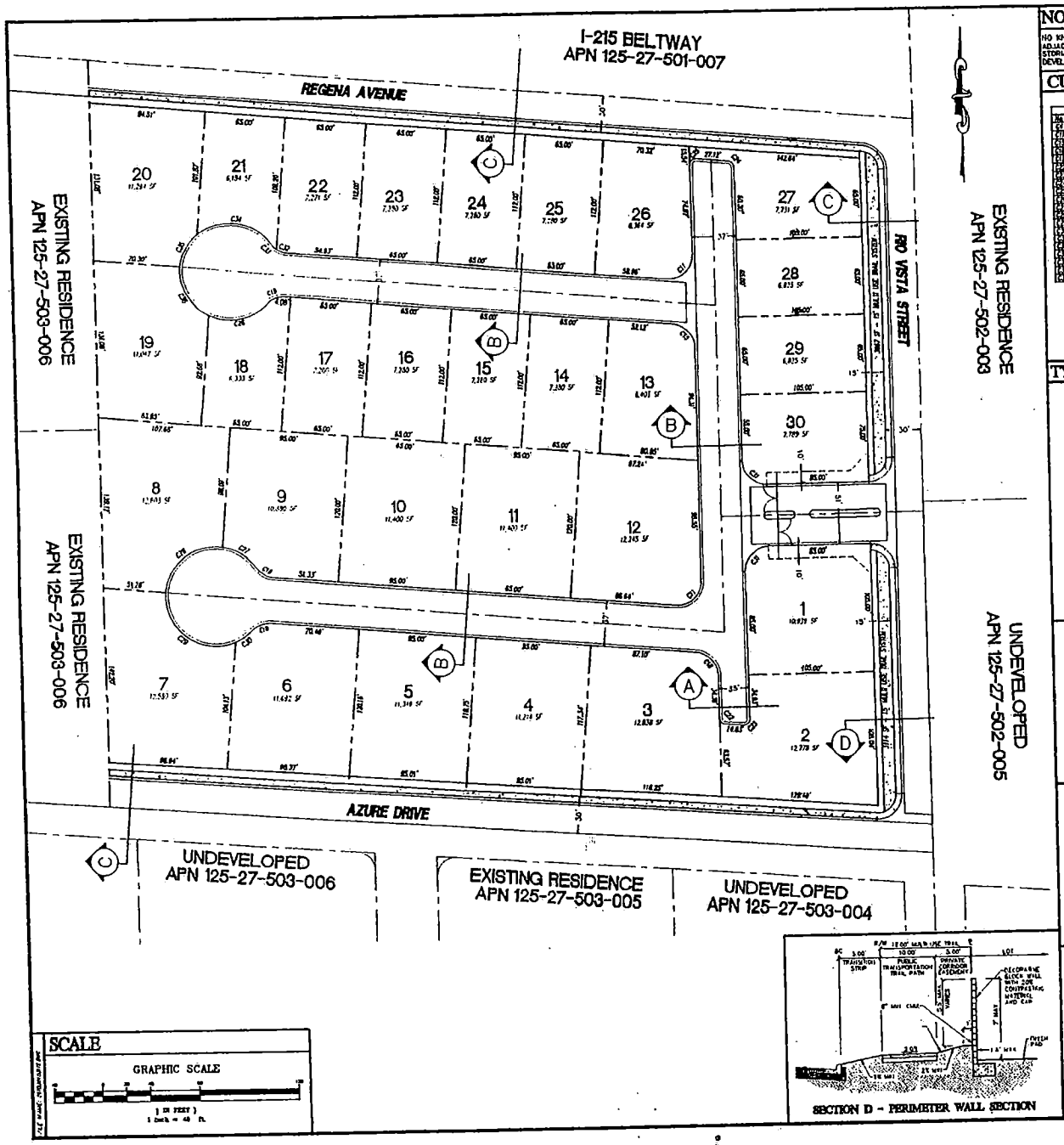
Deborah Guma

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBORAH GUMA
Appt. No. 98-3016-1
My Appt. Expires May 28, 2006

SDR-3078

STAFF 10-23-03 PC



NOTES:

NO KNOW STORM DRAIN SYSTEMS EXIST ADJACENT TO THIS PROJECT SITE AND NO STORM DRAINS ARE PROPOSED WITH THIS DEVELOPMENT.

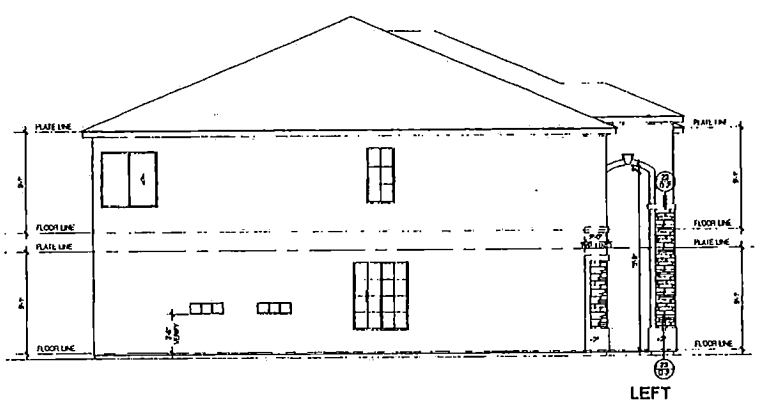
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C4	60.00	27°00'00"	28.27	14.40
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C6	60.00	27°00'00"	28.27	14.40

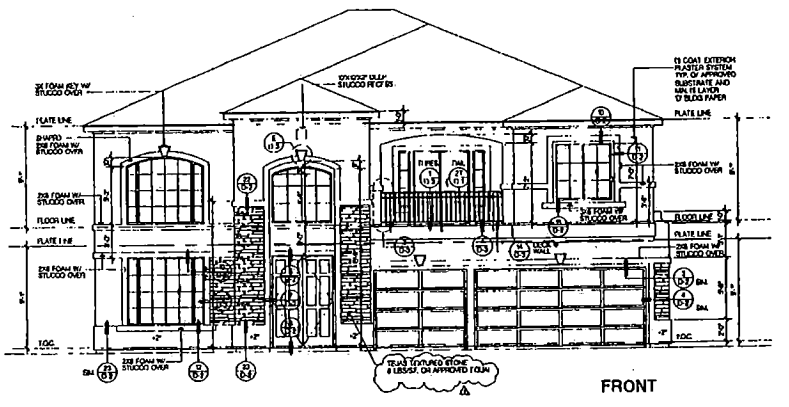
STAFF

REVISED
9.15.03

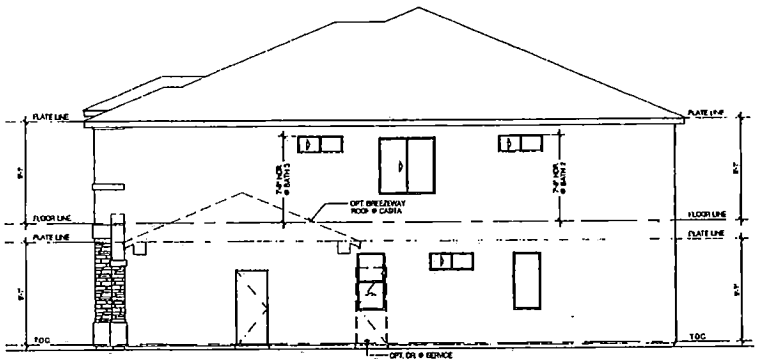
SUP-3078
10-23-03 PC



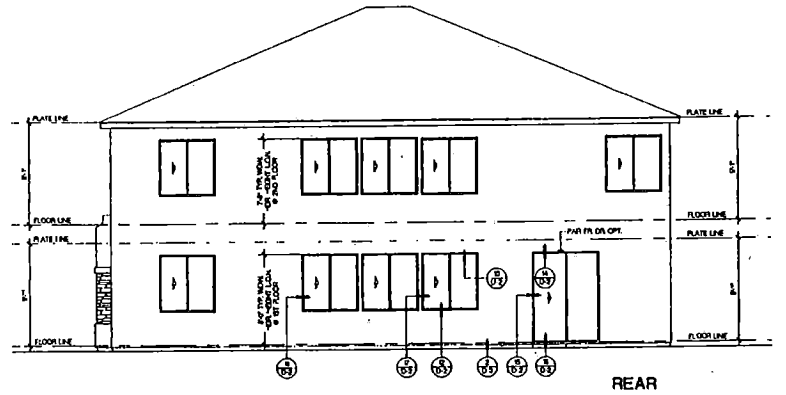
LEFT



FRONT

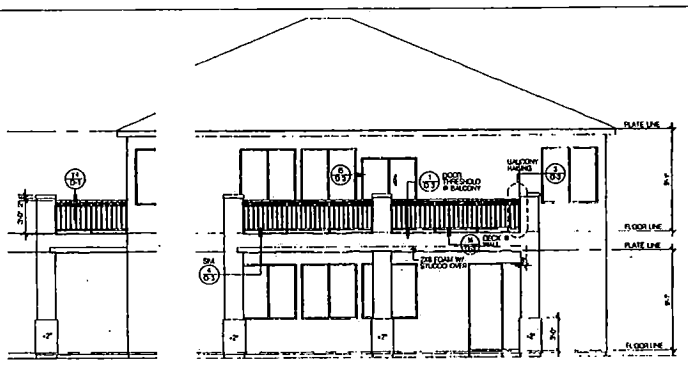


RIGHT



REAR

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



LEFT REAR

BALCONY OPTION | SCALE: 1/4" = 1'-0" | 3

ATTIC VENTILATION

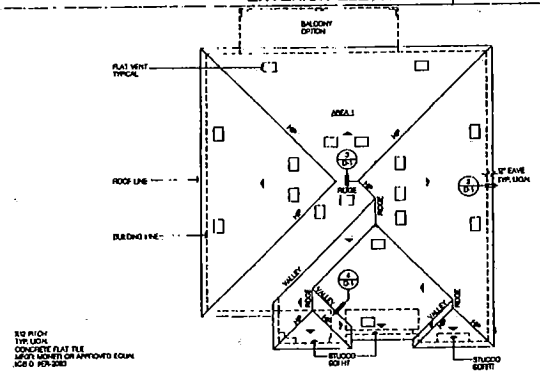
PER U.B.C. SEC. 1503 - PROVIDE A NET FREE VENTILATING AREA OF NOT LESS THAN 1/150 OF THE AREA OF THE SPACE VENTILATED PROVIDED AT LEAST 50 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED (AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS)

FLAT VENTS
MODEL BY OMNIVENT INC. ICBO NO. 5214
(79 SI NET FREE AREA)

ALL FLAT VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE
EAVE VENTS SHALL BE UNIFORMLY SPACED AT EAVES/ SOFFIT TO PROVIDE ADEQUATE CROSS VENTILATION

AREA I

ATTIC SQUARE FOOTAGE	1506 SF.
1506 SQ. FT. X 1/150	9.38 SF.
9.38 SQ. FT. X 144 SQ. IN (REQUIRED	1702 SI
HIGH VENTILATION	
68 FLAT TILE VENTS X 79 SI =	776 SI
PROVIDED	776 SI
LOW VENTILATION	
25 FLAT TILE VENTS X 79 SI =	853 SI
PROVIDED	853 SI
TOTAL PROVIDED	1264 SI



ROOF PLAN | SCALE: 1/8" = 1'-0" | 2

CASE: SDR-3078
OCT 23 2003
ADMIN.

No.	Date	Issue / Description
	01/22/03	50% PROGRESS SET
	02/05/03	75% PROGRESS SET
	02/15/03	90% PROGRESS SET
	04/09/03	BLDG DEPT. SUBMITTAL
1	04/22/03	BLDG DEPT COMMENTS
2	05/05/03	CLIENT REVISIONS

Consultants

Project:
SAN MARINO ESTATES II

DISTINCTIVE HOMES
LAS VEGAS, NEVADA

2002-416

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Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Architect: R. FLYNN
Project Designer: J. O'KEEFE
Checked By:

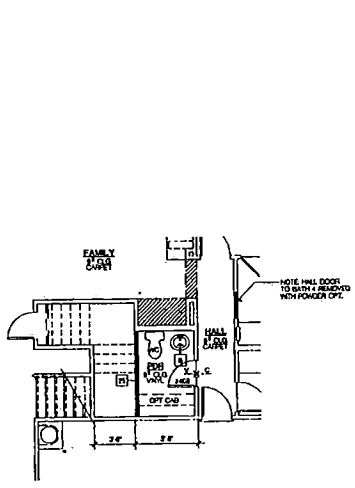
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PLAN 3 (3680)
"C" EXT. ELEV'S.
"C" ROOF PLAN

Sheet No.:
A-3.7

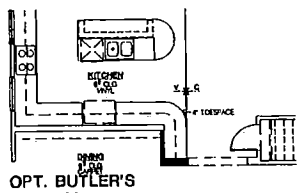
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SUP-3078
10-23-03 PC

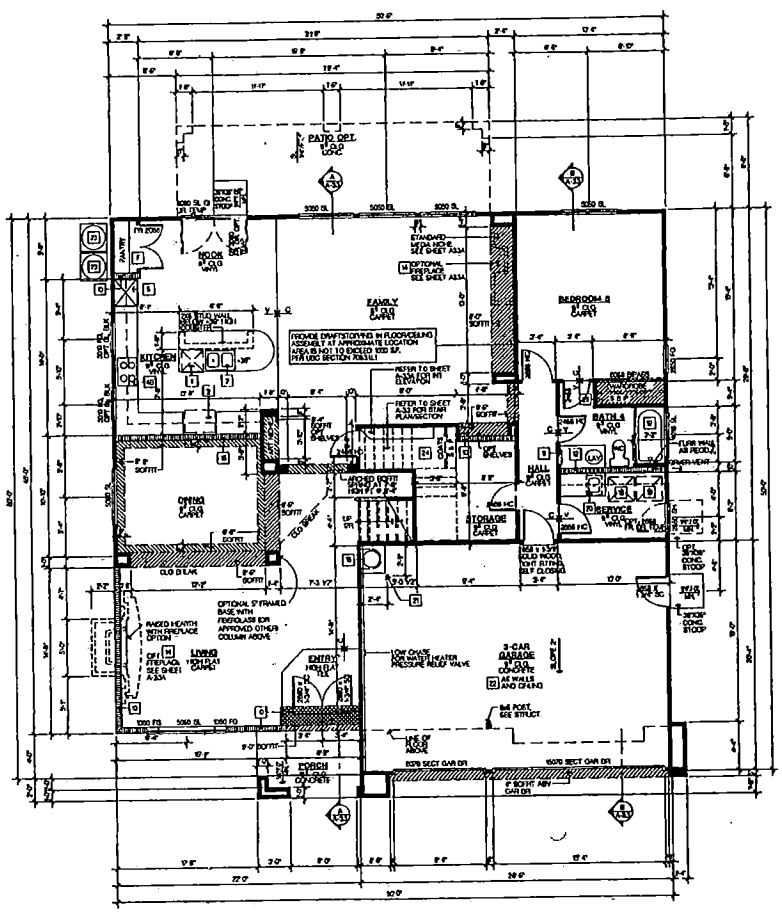
REVISED
9.15.03



OPT. POWDER



OPT. BUTLER'S PANTRY



FIRST FLOOR

KEYNOTES

1. DOUBLE BWL W/ I GARBAGE DISPOSAL W/ AIR GAP FOR DISHWASHER
2. DISHWASHER (24" WIDE X 24" DEEP W/ AIR GAP) VENT UNDER/HOME WITH MANUFACTURER
3. 36" CLEAR REFRIGERATOR SPACE PROVIDE RECESSED COLD WATER LINE AND SHUT-OFF FOR ICE MAKER)
4. 30" COOKTOP W/ SINGLE OVEN BELOW AND BUILT-IN MICROWAVE LIGHT AND FAN ABOVE VENT TO OUTSIDE
5. 30" COOKTOP W/ BUILT IN HOOD, LIGHT AND FAN ABOVE VENT TO OUTSIDE
6. 27" WIDE DOUBLE OVEN
7. LASCO DAYSEY 5'X5' MODEL NO. 1043-2P BATHTUB AND SHOWER SUITE WITH TEMPERED GLASS SHOWER ENCLOSURE (SHOWER CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC (SEE FLOOR PLAN FOR ALT PAN SIZE)
8. PANTRY WIDTH NOTED ON PLANS
9. PEDESTAL LAVATORY
10. RECESSED MEDICINE CABINET
11. 2 X 6 STUD WALL
12. 42"x60" FIBERGLASS OVAL TUB WITH TILE SURROUND, CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
13. 32" X 60" 5 PIECE CAST IRON TUB AND SHOWER WITH 6'-0" SURROUND AND CURTAIN ROD CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
14. 5'X6' FAN FIBERGLASS SHOWER PAN (SEE PLAN FOR SIZE) OVER 2x4" BLIND TILE SURROUND, OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
15. FIREPLACE: FACTORY BUILT 36" METAL FIREPLACE GAS ONLY. PROVIDE DIRECT VENTING. MFG.: MAJESTIC ICS 50 II SEE H/A PROVIDE HEARTH PER MANUFACTURERS SPECIFICATION AND UBC
16. WATER HEATER ON 18" HIGH PLATFORM W/ STRONG STRAPS TO RESIST PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE AND COMBUSTION AIR PER U.M.C., SEE M/D-1
17. 22"x 30" ATTIC ACCESS MIN. WITH 30" MIN CLEAR HEADROOM LOCATED PER MAY NOT BE THROUGH PRIVATE SWITCHED LIGHT, 110V OUTLET AND 24" PLATFORM TO F.U.
18. WASHER SPACE: PROVIDE RECESSED WATER AND DRAIN CONNECTIONS 1 RECESSED BOX IN GARAGE FIREWALL SHALL BE METAL OF SECOND FLOOR WASHER ROOM "SUITE" PAN & 18" DRAIN TO OUTSIDE
19. DRYER SPACE: PROVIDE SMOOTH METAL DRYER VENT DUCT TO OUTSIDE WITH BACKDRAFT DAMPER PER U.M.C. 4" DIA. BY MAX. LENGTH WITH 2 ELBOWS MAX. OR 9' WITH 1 MECHANICAL ELBOW
20. OPTIONAL LAUNDRY SINK
21. 3" DIA. STEEL PIPE - CONCRETE FILLED EXTENDING 36" ABOVE SLAB AND 24" INTO FOOTING. SEE S/D-3
22. OCCUPANCY SEPARATION PER U.B.C.: BETWEEN GARAGE & U & M AND U TO R-3 WALLS: 1 HR TYPE 'X' GYP. BOARD ON GARAGE SIDE OF WALLS ADJACENT LIVING AREAS AND AT ELEMENTS SUPPORTING SEPARATION ABOVE. CEILING: 1 LAYER 5/8" TYPE 'X' GYP. BD. ON UNDERSIDE OF FLOOR OR ROOF TRUSSES.
23. 4" CONCRETE SLAB ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WEATHERPROOF DISCONNECT AND WITH PIC TOY AND WEATHERPROOF OUTLET.
24. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT ENCLOSED USABLE SPACE UNDER STAIRS
25. 2x6 FLAT BLOCKING AT +42" ABOVE FINISHED FLOOR FOR 24" WIDE TOWEL BAR.
26. 30" BAR SINK

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH THE UNIFORM BUILDING CODE AND LOCAL ORDINANCES. REFER TO THE SPECIFICATION, THESE DRAWINGS FOR THE REQUIRED VALUE OF ALL GLAZING.
3. REFER TO GENERAL NOTE SHEET 0 FOR THE GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHT IF INDICATED ON PLANS ARE NOMINAL DIMENSIONS. CEILING HEIGHTS NOTED AS 7'-0" MIN. WORK TO FINISHED HEIGHT OF 6'-8" FOR CLEAR FINISHED OPENING IS REQUIRED PER UBC
6. EGRESS REQUIREMENTS AT ALL BEDROOMS WITH OPERABLE WINDOWS WITH A MIN. NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLEAR OPENABLE HEIGHT SHALL BE 24 IN. AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR FLOOR FINISHES
8. INTERIOR DOORS SHALL BE HOLLOW CORE AND DESIGN AS SELECTED BY OWNER UON

BUILDING DEPT. NOTES

1. E-E STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY VISIBLE FROM STREET FRONTING PROPERTY AND BE ILLUMINATED.
2. PROVIDE INSULATION R-13 IN R-19 EXTERIOR WALLS AND R-30 IN ATTIC ENERGY MAN. LOCAL ENERGY CODE
3. ALL FIREWORKS CONSTRUCTION NOTES (AS 1 TO 5) TO BE SHOWN ON PLANS AND SHALL BE CONSISTENT WITH CONSTRUCTION AS PROPERLY LISTED ON PLANS. INSTALLER THEIR EQUIVALENT, OR TO BE OTHERWISE ELECTRICAL APPLIANCES.
4. ONLY APPROVED EQUIVALENTS SHALL BE USED AND METHODS WILL BE ACCEPTABLE DURING CONSTRUCTION FOR APPROVAL
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER

2x4 STUDS AT 16" o.c. U.N.O.
2x6 STUDS AT 16" o.c. U.N.O.
INTERIOR SOFFIT
EXTERIOR SOFFIT
INTERIOR POTSHELF

SQUARE FOOTAGE

FLOOR AREA

FIRST FLOOR	1838 S.F.
SECOND FLOOR	1844 S.F.
TOTAL	3,680 S.F.
GARAGE	668 S.F.
PORCH "A"	56 S.F.
PORCH "B"	66 S.F.
PORCH "C"	66 S.F.
BALCONY ("C" ONLY)	63 S.F.

FIRST FLOOR PLAN — SCALE: 1/4" = 1'-0" — 1

No.	Date	Issue / Description
	01/22/03	50% PROGRESS SET
	02/05/03	75% PROGRESS SET
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2002-416

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Principal in Charge: J. TULLY
Project Director: M. FOWLER
Project Architect: R. FLYNN
Project Designer: J. O'KEEFE
Checked By:

Sheet Title:
PLAN 3 (3680)
FIRST FLOOR PLAN/
OPTIONS

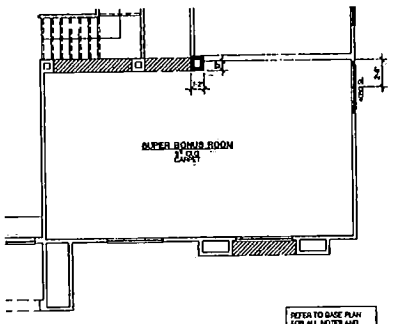
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CASE: SDR-3078
OCT 23 2003
PC
ADMIN

STAFF

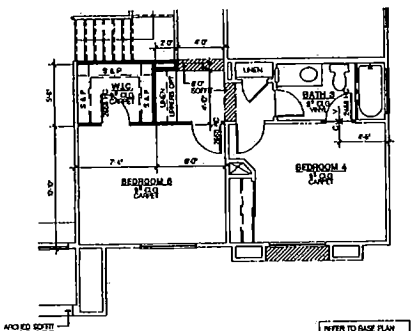
REVISED 9.15.03

SUP-3078
10-23-03 PC



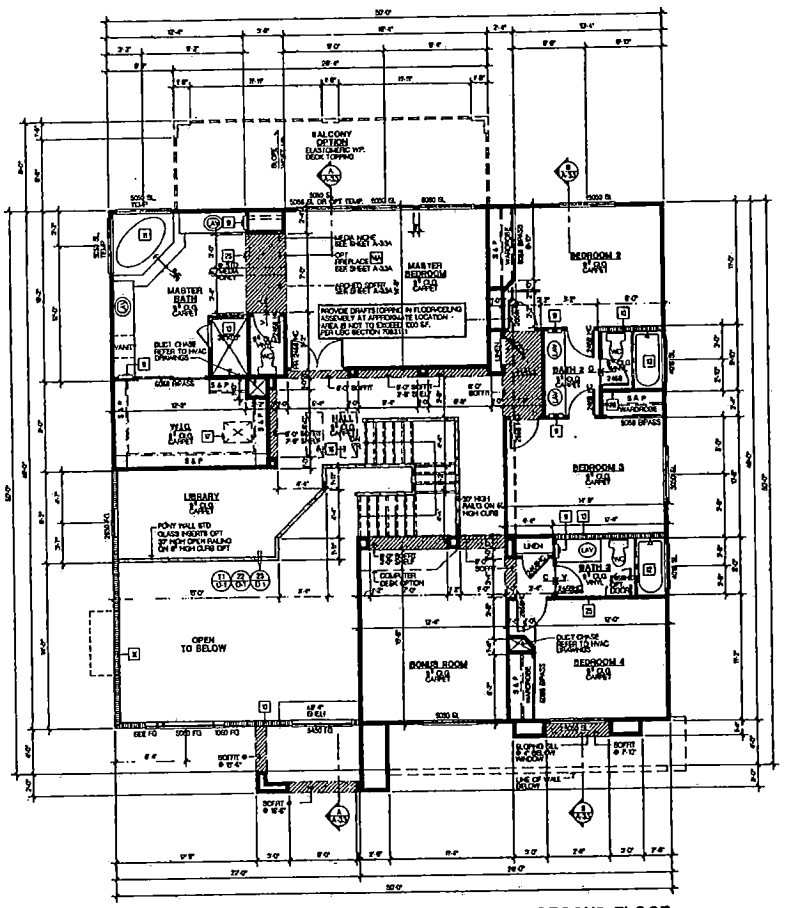
OPT. SUPER BONUS

REFER TO BASE PLAN FOR ALL NOTES AND DIMENSIONS NOT SHOWN HERE



OPT. BEDROOM 6

REFER TO BASE PLAN FOR ALL NOTES AND DIMENSIONS NOT SHOWN HERE.



SECOND FLOOR

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL W/ AIR GAP FOR DISHWASHER
2. DISHWASHER | 34" WIDE X 24" DEEP W/ AIR GAP VERIFY DIMENSIONS WITH MANUFACTURER
3. 36" CLEAR REFRIGERATOR SPACE PROVIDE RECESSED COLD WATER BIB AND SHUT-OFF FOR ICE MAKER
4A. 30" COOKTOP W/ SINGLE OVEN BELOW AND BUILT-IN MICROWAVE LIGHT AND FAN ABOVE VENT TO OUTSIDE
4B. 30" COOKTOP W/ BUILT-IN HOOD, LIGHT AND FAN ABOVE VENT TO OUTSIDE
5. 27" WIDE DOUBLE OVEN
6. LASCO DAISEY 1342 MODEL NO. 1342-36 BATHTUB AND SHOWER SUITE WITH TEMPERED GLASS SHOWER ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC SEE FLOOR FOR ACT. PAN SIZE
7. PANTRY WIDTH NOTED ON PLANS
8. PEDESTAL LAVATORY
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. 42"x60" FIBERGLASS OVAL TUB WITH TILE SURROUND CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
12. 32" X 60" X MEGA CAST IRON TUB AND SHOWER WITH 5'-0" SURROUND AND CURTAIN ROD CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
13. FIRE PAN FIREPLACE SHOWER PAN SEE PLAN FOR SIZE WITH 6'-0" MIN. TILE SURROUNDS OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
14. FIREPLACE - FACTORY BUILT 36" METAL FIREPLACE GAS ONLY PROVIDE DIRECT VENTING MFG.: MAJESTIC BCBQ # HEARTH PROVIDE HEARTH PER MANUFACTURER'S SPECIFICATION AND UBC
15. WATER HEATER ON 18" HIGH PLATFORM W/ SEISMIC STRAPS PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE, VENT TO OUTSIDE AND COMBUSTION AIR PER UMC - SEE 16/0-1
16. FAN IN ATTIC PER UMC PROVIDE LIGHT, POWER, GAS, ACCESS AND 30" MIN. WORK SPACE, PROVIDE CONDENSATE DRAIN LINE TO OUTSIDE, VENT TO OUTSIDE AND COMBUSTION AIR PER UMC
17. 22" X 30" ATTIC ACCESS MIN. WITH 30" MIN. CLEAR HEADROOM PROVIDED FAU MAY PASS THROUGH, PROVIDE SWITCHED LIGHT, 110V OUTLET AND 110 PLATFORM TO FAU
18. WASHER SPACE - PROVIDE RECESSED WATER AND DRAIN CONNECTIONS 1 RECESSED BOX IN GARAGE FIREWALL SHALL BE METAL AT SECOND FLOOR WASHER PROVIDE 18"x18"x3" PAN & 2" DRAIN TO OUTSIDE
19. DRYER SPACE - PROVIDE SMOOTH METAL DRYER VENT DUCT TO OUTSIDE WITH BACKDRAFT DAMPER PER UMC 4" DIA. MAX LENGTH WITH 2 ELBOWS MAX. OR 8" VENT W/ MECHANICAL CALCS
20. OPTIONAL LAUNDRY SINK
21. 3" DIA. STEEL PIPE - CONCRETE FILLED, EXTENDING 30" ABOVE SLAB AND 12" INTO FOOTING SEE 6/0-3
22. OCCUPANCY SEPARATION PER UBC: BETWEEN GARAGE & U.F. AND U.F. AND U.F. & U.F. WALLS - 5/8" TYPE 'X' GYP. BOARD ON GARAGE SIDE OF WALLS & FLOOR/CEILING AREAS AND AT ELEVATIONS SUPPORTING SEPARATION ABOVE, BOTTOM FLOOR OR ROOF TRUSSES
23. AC CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WEATHERPROOF DISCONNECT AND, WITHIN 25', 110V WEATHERPROOF OUTLET.
24. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT ENCLOSED USABLE SPACE UNDER STAIRS.
25. 2x6 FLAT BLOCKING AT +30" ABOVE FINISHED FLOOR FOR 24" WIDE TOWEL BAR.
26. 30" BAR SINK

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH THE UNIFORM BUILDING CODE AND LOCAL ORDINANCE. REFER TO THE "ENERGY CONSERVATION" NOTES FOR THE REQUIRED U-VALUE OF ALL GLAZING.
3. REFER TO GENERAL NOTE SHEETS FOR THE GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHTS INDICATED ON PLANS ARE NOMINAL DIMENSIONS. CEILING HEIGHTS NOTED AS "9'-0" CLG." SHALL BE FINISHED HEIGHT OF 9'-0". 7'-0" CLEAR FINISHED OPENING IS REQUIRED FOR U.B.C.
6. EGRESS REQUIREMENTS AT ALL BEDROOMS: MIN. 5.7 SQ. FT. MIN. NET CLEAR OPENING AREA OF 5.0 SQ. FT. AT GRADE FLOOR OPENINGS. MIN. 24" (610 MM) NET CLEAR OPENABLE HEIGHT SHALL BE 24" (610 MM), AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR FLOOR FINISHES
8. INTERIOR DOORS SHALL BE HOLLOW CORE AND DESIGN AS SELECTED BY OWNER U.O.N.

BUILDING DEPT. NOTES

1. ALL STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY VISIBLE FROM STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED
2. R-30 INSULATION EQUAL TO R-22 IN EXTERIOR WALLS AND R-38 IN ATTIC INSERT PER MODEL ENERGY CODE
3. ALL AREAS NOT CONFINED TO WITHIN ANY 1 UNIT IN RESIDENTIAL DWELLING UNITS TO CONTAIN 10 SQUARE FEET OR LESS OF COMBUSTIBLE CONTENT EXCLUSIVE OF ELECTRICAL APPLIANCES
4. ONLY APPROVED STUCCO MATERIALS AND METHODS WILL BE ACCEPTABLE SUBMIT SPECIFICATION FOR APPROVAL
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER

2x4 STUDS AT 16" o.c. U.N.O.
2x6 STUDS AT 16" o.c. U.N.O.
INTERIOR SOFFIT
EXTERIOR SOFFIT
INTERIOR FOTS/CLF

SQUARE FOOTAGE

FLOOR AREA	
FIRST FLOOR	1830 S.F.
SECOND FLOOR	1844 S.F.
TOTAL	3680 S.F.
GARAGE	668 S.F.
PORCH "A"	66 S.F.
PORCH "B"	66 S.F.
PORCH "C"	66 S.F.
BALCONY (C' ONLY)	53 S.F.

SECOND FLOOR PLAN — SCALE: 1/4" = 1'-0" — 1

No.	Date	Issue / Description
	01/22/03	50% PROGRESS SET
	02/05/03	75% PROGRESS SET
	02/19/03	90% PROGRESS SET
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Project Architect:	R. FLYNN
Project Designer:	J. O'KEEFE
Checked By:	

Sheet Title:
PLAN 3 (3680)
SECOND FLOOR PLAN/ OPTION

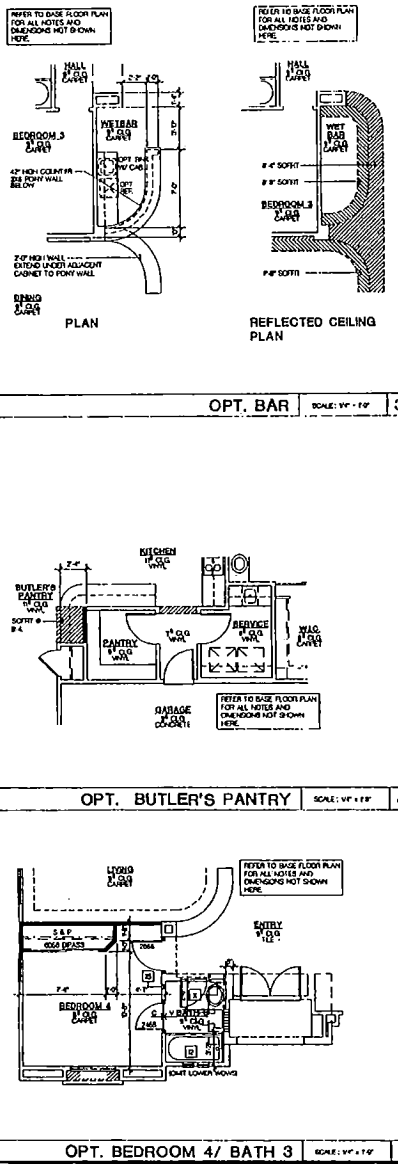
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CASE: SDR-3078
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STAFF

REVISED 9.15.03

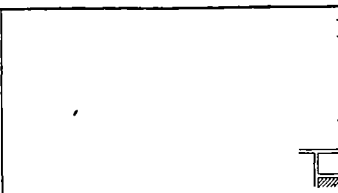
SUP-3078
10-23-03 PC



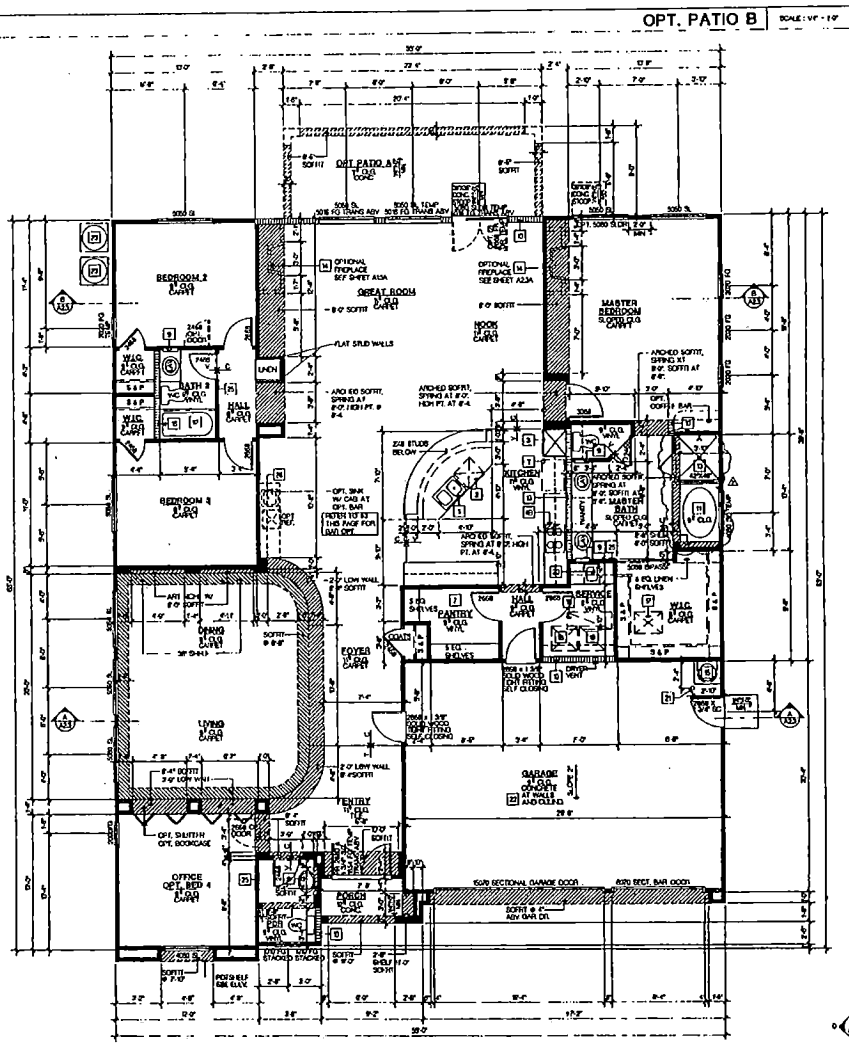
OPT. BAR | SCALE: 1/4" = 1'-0" | 3

OPT. BUTLER'S PANTRY | SCALE: 1/4" = 1'-0" | 4

OPT. BEDROOM 4/ BATH 3 | SCALE: 1/4" = 1'-0" | 5



OPT. PATIO 8 | SCALE: 1/4" = 1'-0" | 2



FIRST FLOOR PLAN | SCALE: 1/4" = 1'-0" | 1

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL W/ AIR GAP FOR DISHWASHER
2. DISHWASHER (24" WIDE X 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER
3. 36" CLEAR REFRIGERATOR SPACE PROVIDE RECESSED COLD WATER B/D AND SHUT-OFF FOR ICE-MAKER
4A. 30" COOKTOP W/ DOUBLE OVEN BELOW AND BUILT-IN MICROWAVE LIGHT AND FAN ABOVE, VENT TO OUTSIDE
4B. 30" COOKTOP W/ BUILT-IN HOOD, LIGHT AND FAN ABOVE, VENT TO OUTSIDE
5. 27" WIDE DOUBLE OVEN
6. LASCO DUFFEY 5'-0" MODEL NO. 942-2P, BATHTUB AND SHOWER SUITE WITH TEMPERED GLASS SHOWER ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC (SEE FLOOR PLAN FOR ALT. FAN SIZE)
7. PANTRY WIDTH NOTED ON PLANS
8. PEDESTAL LAVATORY
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. 42"x60" FIBERGLASS OVAL TUB WITH TILE SURROUND CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
12. 32" X 60" PRE-CAST CAST IRON TUB AND SHOWER WITH 8'-0" SURROUND AND CURTAIN ROD CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
13. PRE-FAB FIBERGLASS SHOWER PANS SEE PLAN FOR SIZE WITH 8'-0" WALL TILE SURROUND OVER WATER RESISTANT DRYWALL WITH TEMPERED GLASS SHOWER ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER UPC
14. FIREPLACE: FACTORY BUILT 32" METAL FIREPLACE GAS ONLY, PROVIDE DIRECT VENTING MFG: MAJESTIC DESD 1 NEW-BOA (PROVIDE HEARTH PER MANUFACTURERS SPECIFICATION AND UBC
15. WATER HEATER ON 18" HIGH PLATFORM W/ SEISMIC STRAPS, PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE, VENT TO OUTSIDE AND COMBUSTION AIR PER UMC, SEE 505.1
16. FAU IN ATTIC PER UMC PROVIDE LIGHT, POWER, GAS ACCESS AND 30" WIDE WORK SPACE, PROVIDE CONDENSATE DRAIN LINE TO OUTSIDE, VENT TO OUTSIDE AND COMBUSTION AIR PER UMC
17. 30" X 30" ATTIC ACCESS MIN WITH 30" MIN CLEAR HEADROOM FRAMED FAU MAY EXIST THROUGH, PROVIDE SWITCHED LIGHT, 10V OUTLET AND 6'-0" PLATFORM TO FAU
18. WASHER SPACE: PROVIDE RECESSED WATER AND DRAIN CONNECTIONS, RECESSED BOX IN GARAGE WALL SHALL BE METAL, AT SECOND FLOOR WASHER PROVIDE "SAFETY" PAN & 2" DRAIN TO OUTSIDE
19. DRYER SPACE: PROVIDE SMOOTH METAL DRYER VENT DUCT TO OUTSIDE WITH BACKDRAFT DAMPER PER UMC 6" DIA W/ MAX LENGTH WITH 2 ELBOWS MAX OR 8' VENT W/ MECHANICAL CALCS
20. OPTIONAL LAUNDRY SINK
21. 8" DIA STEEL PIPE, CONCRETE FILLED EXTENDING 36" ABOVE SLAB AND 1'-6" INTO FOOTING, SEE SD-3
22. GOOD HAND DEPARTURE PER UBC BETWEEN GARAGE AND LIVING AREA PROVIDE 1/2" GYP. BD. ON GARAGE SIDE OF WALLS ADJACENT LIVING AREAS AND AT ELEMENTS SUPPORTING SEPARATION ABOVE CEILING, 2 LAYERS 5/8" TYPE 'X' GYP. BD. ON BOTTOM OF FLOOR (W/ ROOF TRUSSES)
23. NO CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WEATHERPROOF DISCONNECT AND WITHIN 5'E 10V WEATHERPROOF OUTLET.
24. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT ENCLOSED USABLE SPACE UNDER STAIRS
25. 5/8" FLAT BLOCKING AT +60" ABOVE FINISHED FLOOR FOR 24" WIDE TOWEL BAR
26. 30" BAR SINK

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH THE UNIFORM BUILDING CODE AND LOCAL ORDINANCES. REFER TO THE RESIDENTIAL ENERGY SCHEDULE FOR THE REQUIRED U-VALUE OF ALL GLAZING.
3. REFER TO GENERAL NOTE SHEETS FOR THE GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHTS INDICATED ON PLANS ARE NOMINAL DIMENSIONS. ACTUAL HEIGHTS NOTED AS 7'-9" WILL HAVE A FINISHED HEIGHT OF 7'-9". 7'-9" CLEAR FINISHED OPENING IS REQUIRED PER UBC.
6. EGRESS REQUIREMENTS AT ALL BEDROOMS WITH OPERABLE WINDOW WITH A MIN NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. THE MIN NET CLEAR OPENABLE HEIGHT SHALL BE 24 IN. AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR FLOOR FINISHES
8. INTERIOR DOORS SHALL BE HOLLOW CORE AND DESIGN AS SELECTED BY OWNER U.O.N.

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING SO EVERY LOCATION TO BE EASILY VISIBLE FROM STREET FRONTING THE PROPERTY. MUST BE 12 NUMBERS
2. ROOM INSULATION (CAL. 10) R-13 IN EXTERIOR WALLS AND CEILING R-11 WITH VAULTED, ENERGY CODE
3. ALL FIRE-HEX CONSTRUCTION WITHIN AN 1 HR RATED WALL OR CEILING (INCLUDING DUCTS, CHASES, ETC.) SHALL BE PROTECTED WITH 5/8 GYPSUM BOARD ON THEIR EXPOSED SIDE OR TO BE OTHERWISE ELECTRICAL APPLIANCES.
4. ONLY APPROVED STUCCO MATERIALS AND METHODS SHALL BE ACCEPTABLE. SUBMIT SPECIFICATION FOR APPROVAL.
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER

2x4 STUDS AT 16" oc U.N.O.
2x6 STUDS AT 16" oc U.N.O.
INTERIOR SOFFIT
EXTERIOR SOFFIT
INTERIOR POP'D-ELF

SQUARE FOOTAGE

FLOOR AREA	
FIRST FLOOR	2,708 S.F.
TOTAL	2,708 S.F.
GARAGE	583 S.F.
PORCH @ 'A'	93 S.F.
PORCH @ 'B'	83 S.F.
PORCH @ 'C'	33 S.F.

No.	Date	Issue / Description
	01/22/03	50% PROGRESS SET
	02/05/03	75% PROGRESS SET
	02/15/03	90% PROGRESS SET
	04/08/03	BLDG. DEPT. SUBMITTAL
1	04/22/03	BLDG DEPT COMMENTS
2	05/05/03	CLIENT REVISIONS

Consultant:

Project:
SAN MARINO ESTATES II

DISTINCTIVE HOMES
LAS VEGAS, NEVADA

2002-416

KTGY GROUP, INC.
Architecture Planning
17992 MITCHELL SOUTH
IRVINE, CA 92614
PHONE 949-851-2133
FAX 949-851-2180
Irvine, California

License Stamp

Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Architect: R. FLYNN
Project Designer: J. O'KEEFE
Checked By:

Sheet Title:
PLAN 2 (2798)
FLOOR PLAN/
OPTION

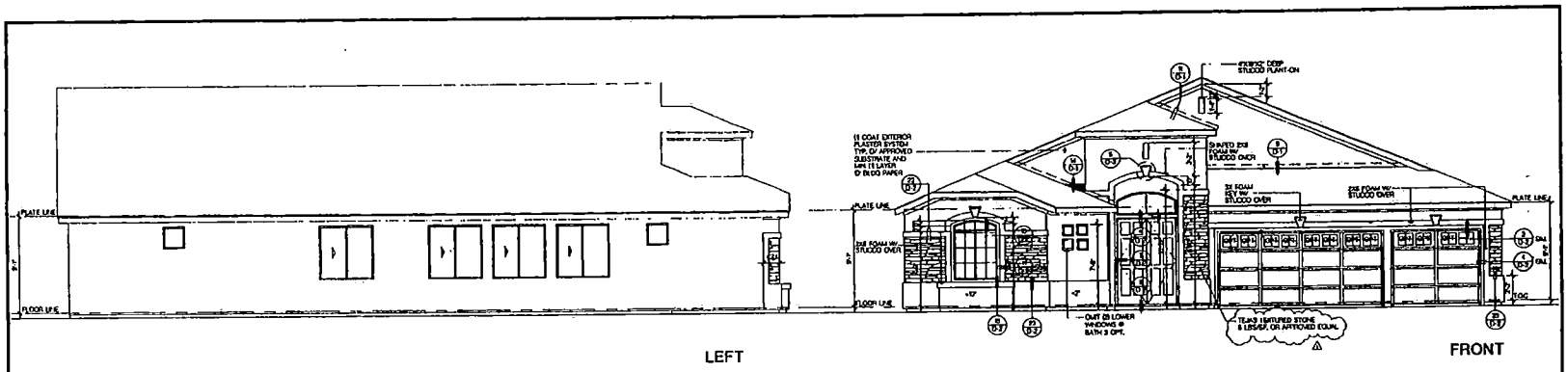
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A-2.1

CASE: SDR-3078
OCT 23 2003

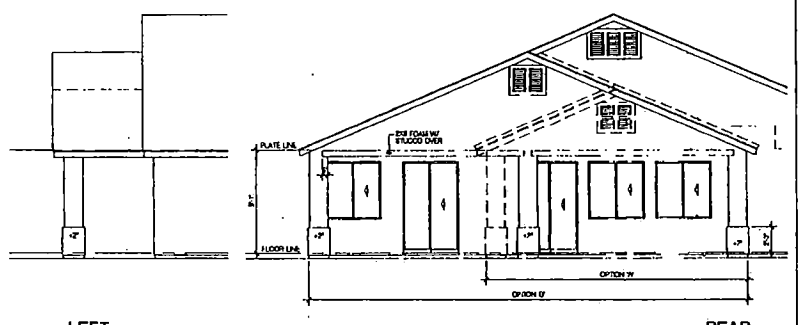
STAFF

REVISED 9.15.03

SUP-3078
10-23-03 PC



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



PATIO OPTION SCALE: 1/4" = 1'-0" 3

ATTIC VENTILATION

ROOF PLAN SCALE: 1/8" = 1'-0" 2

ATTIC VENTILATION

ATTIC SQUARE FOOTAGE	3436 SF.
3436 SQ. FT. X 1/150	1132 SF.
1132 SQ. FT. X 144 SQ. IN (REQUIRED)	1629 SI.
HIGH VENTILATION	
68 L-H24 GABLE VENTS X 147 SI. =	941 SI.
69 FLAT VENT X 79 SI. =	395 SI.
PROVIDED	836 SI.
LOW VENTILATION	
69 FLAT VENT X 79 SI. =	860 SI.
PROVIDED	860 SI.
TOTAL PROVIDED	1705 SI.
AREA 2 PATIO OPT. A	
ATTIC SQUARE FOOTAGE	126 SF.
126 SQ. FT. X 1/150	85 SF.
85 SQ. FT. X 144 SQ. IN (REQUIRED)	123 SI.
VENTILATION	
68 L-H24 GABLE VENTS X 147 SI. =	294 SI.
TOTAL PROVIDED	294 SI.
AREA 3 PATIO OPT. B	
ATTIC SQUARE FOOTAGE	715 SF.
715 SQ. FT. X 1/150	51 SF.
51 SQ. FT. X 144 SQ. IN (REQUIRED)	352 SI.
VENTILATION	
68 L-H24 GABLE VENTS X 147 SI. =	294 SI.
1 FLAT VENT X 79 SI. =	79 SI.
TOTAL PROVIDED	373 SI.

ROOF PLAN 2

ATTIC VENTILATION 3

CASE: SDR-3078
PC
OCT 23 2003
ADMIN.

No.	Date	Issue / Description
	01/22/03	50% PROGRESS SET
	02/05/03	75% PROGRESS SET
	02/19/03	90% PROGRESS SET
	04/08/03	BLDG DEPT. SUBMITTAL
1	04/22/03	BLDG DEPT COMMENTS
2	05/05/03	CLIENT REVISIONS

Consultants

Project:
SAN MARINO ESTATES II

DISTINCTIVE HOMES
LAS VEGAS, NEVADA

2002-416

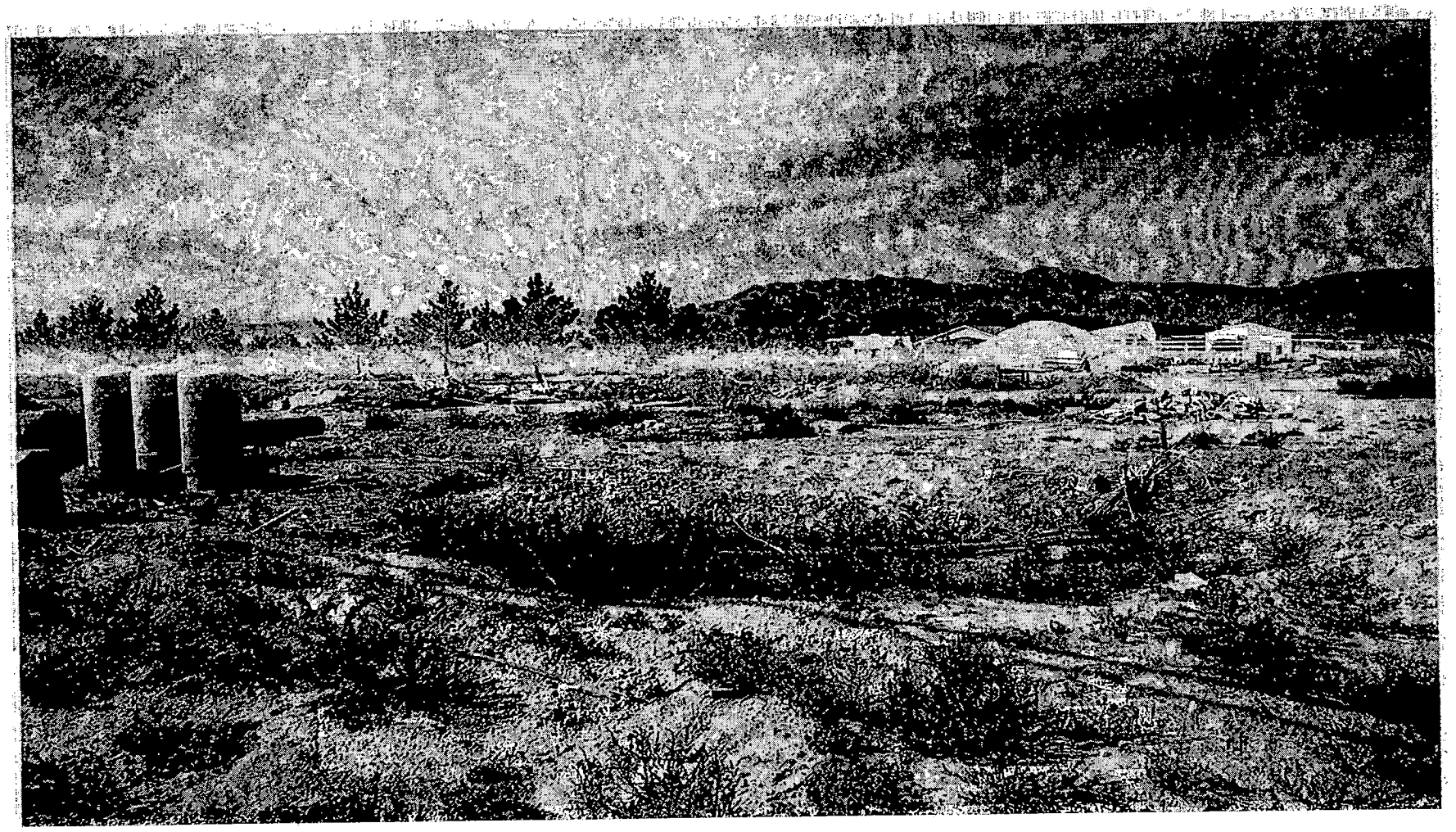
KTGY GROUP, INC.
17992 MITCHELL SOUTH
IRVINE, CA 92614
(949) 851-2133
(949) 851-8696 FAX
Irvine, California

License Stamp

Principal In Charge:	J. TULLY
Project Director:	M. FOWLER
Project Architect:	R. FLYNN
Project Designer:	J. O'KEEFE
Checked By:	

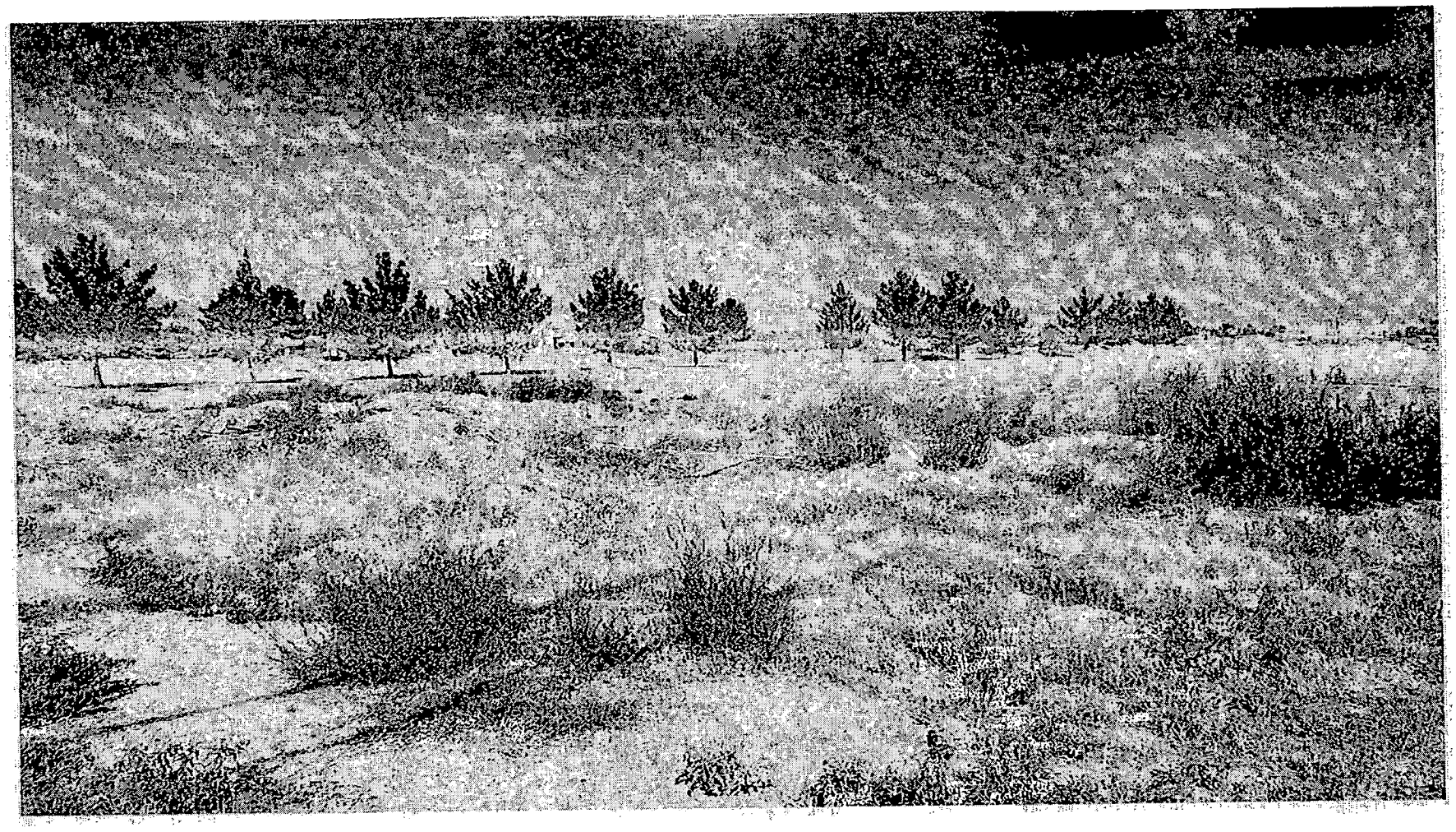
Sheet Title:
PLAN 2 (2798)
"C" EXT. ELEV'S.
"C" ROOF PLAN

Sheet No.:
A-2.7



SDR-3078 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF AZURE DRIVE AND RIO VISTA STREET
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03



SDR-3078 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF AZURE DRIVE AND RIO VISTA STREET
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

City of Las Vegas

Agenda Item No.: 63

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
RQR-3023 - MARSHALL FAMILY, LIMITED PARTNERSHIP - Required Review of an approved Special Use Permit (U-0126-94) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2330 Industrial Road (APN: 162-04-802-007), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item. COMMISSIONER NIGRO also disclosed that his firm has done work for the Marshall Family but have done no work recently and he would be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the sign meets the standards of the code and therefore staff's recommendation is for approval.

MINUTES – Continued:

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:26)

3-2020

CONDITIONS:

Planning and Development

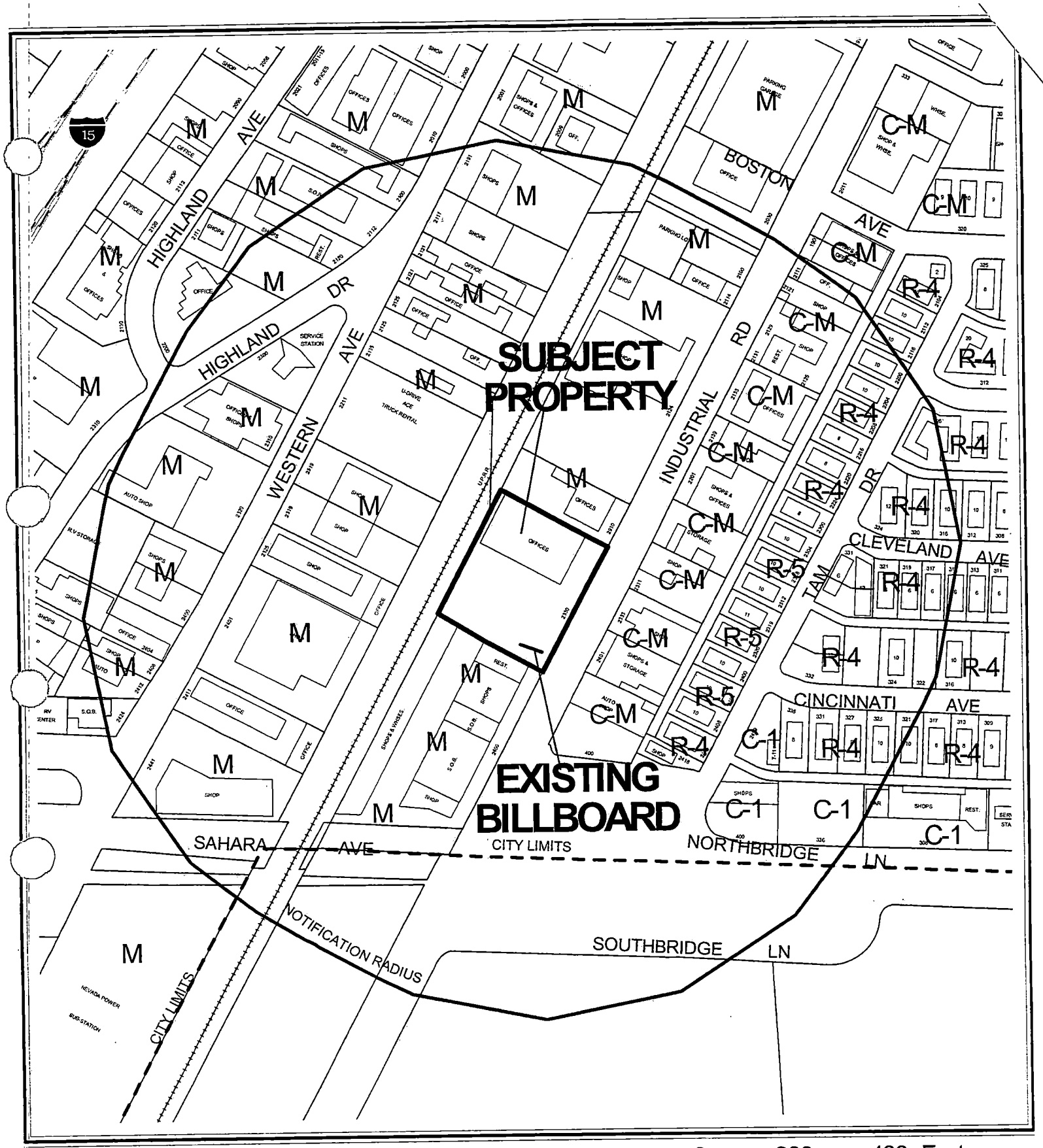
1. The Special Use Permit shall be reviewed in five years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 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.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

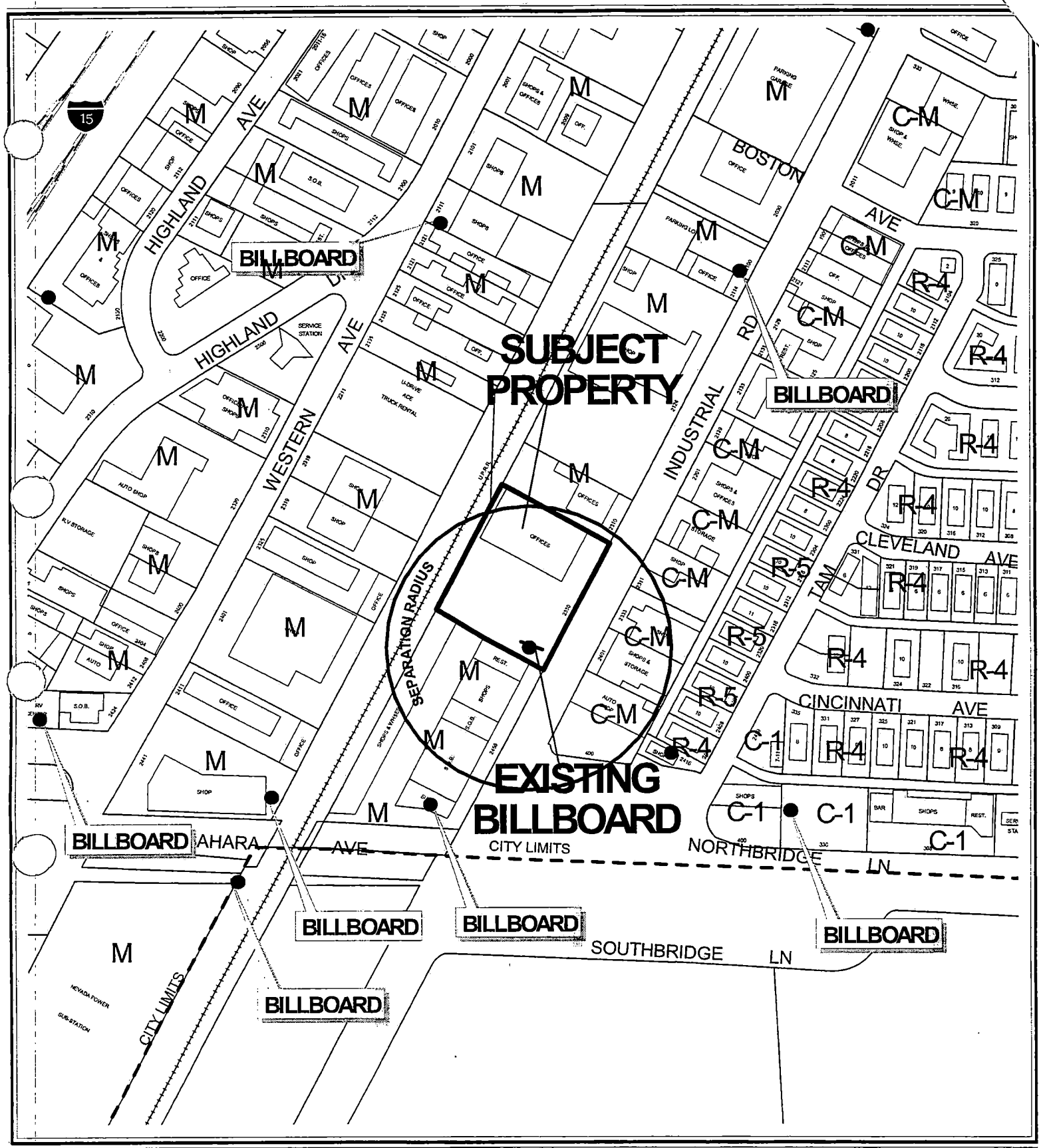
5. All City Code requirements and design standards of all City departments must be satisfied.



CASE: RQR-3023

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

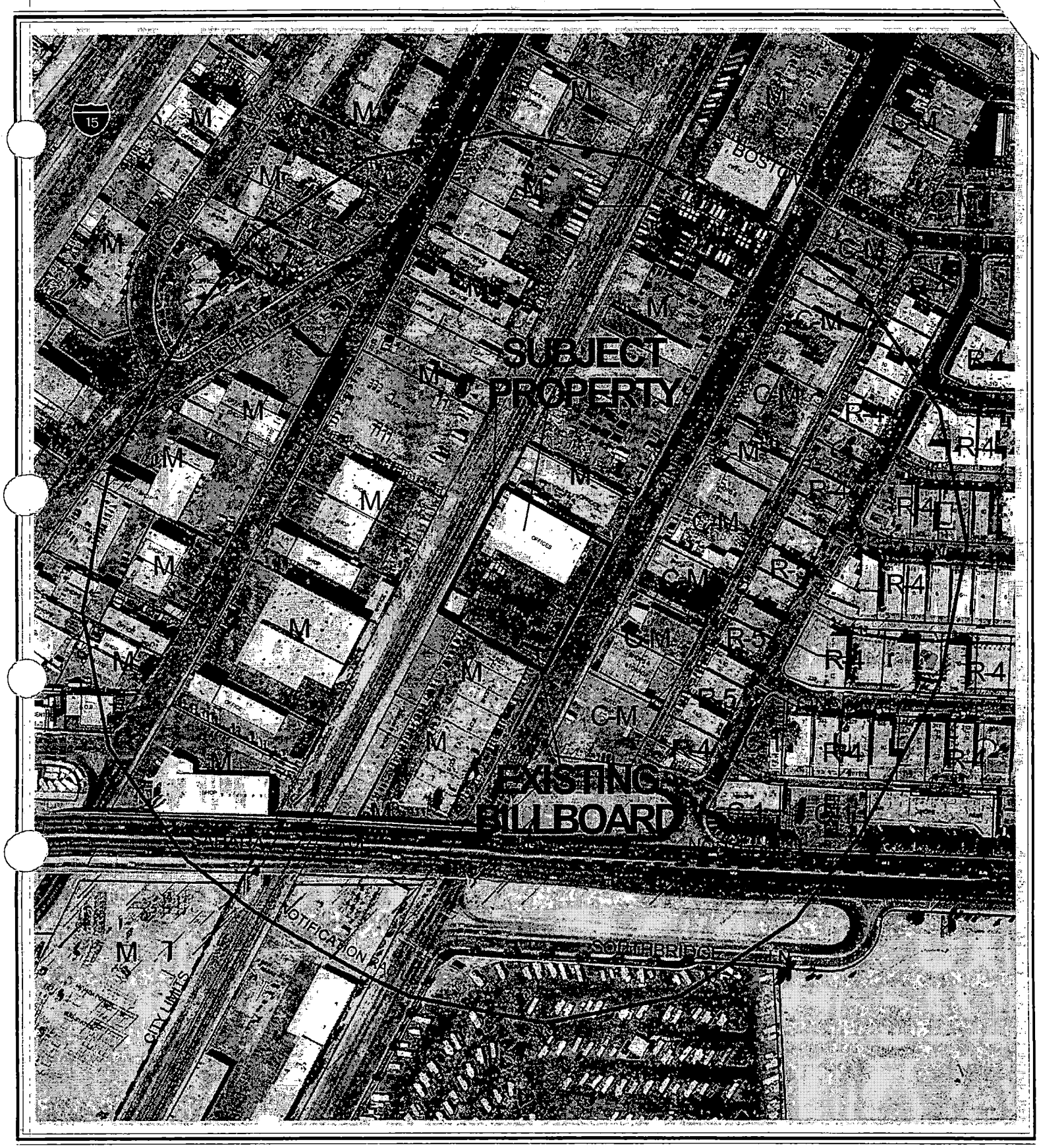


CASE: **RQR-3023**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

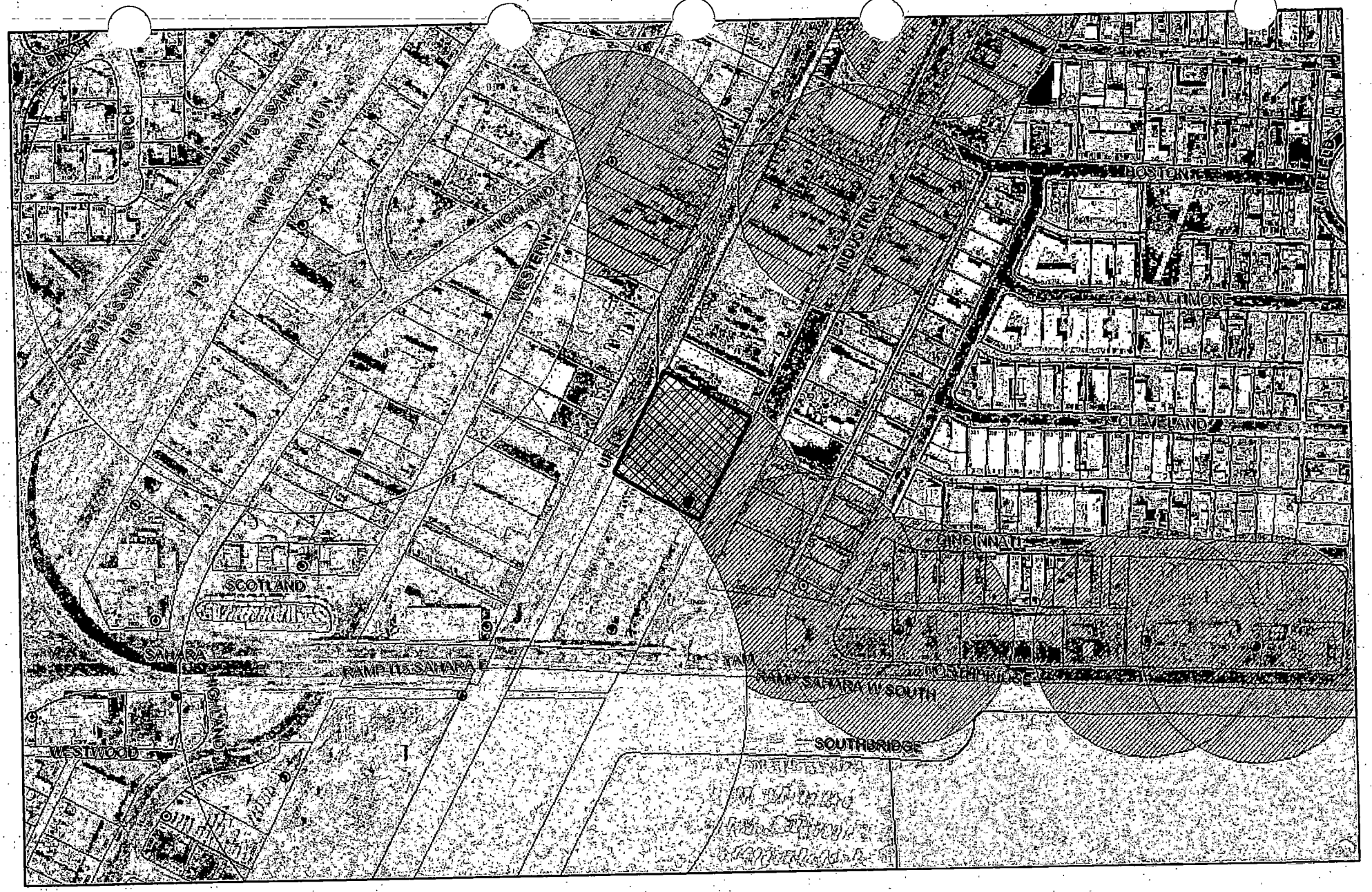
N



CASE: **RQR-3023**
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet

N



City of Las Vegas Billboard Data

RQR-3023

- Subject Parcel
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3023 - MARSHALL FAMILY, LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in five years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 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.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a five-year Required Review of an approved Special Use Permit (U-0126-94), which allowed a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 2330 Industrial Road.

B) Applicant's Justification

A justification letter is not required for a Required Review application.

BACKGROUND INFORMATION

A) Previous Actions

07/20/94 The City Council approved a Special Use Permit (U-0126-94) for 14 foot by 48 foot off-premise advertising (billboard) sign on the subject property. The Board of Zoning Adjustment recommended approval on June 28, 1994.

B) Pre-Application Meeting

A pre-application meeting is not required for a Required Review application, nor was one held for this application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.78

TB

B) Existing Land Use

Subject Property:	General Retail Sales (Clothing)
North:	Building Supplies Business
South:	Sexually-Oriented Business, Wrestling School, Retail shops.
East:	Office and Retail Store
West:	Building Supplies Business

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	LI/R (Light Industry/Research)
South:	LI/R (Light Industry/Research)
East:	LI/R (Light Industry/Research)
West:	LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	C-M (Commercial/Industrial)
West:	M (Industrial)

E) General Plan Compliance

The subject site is located in the Downtown Redevelopment Area of the General Plan. Within the Downtown Redevelopment Plan the site is designated as District Six: Northern Strip, which states that future evaluations will have to determine the highest and best land uses for this area. The General Plan Designation is LI/R (Light Industrial/Research). The existing M (Industrial) zoning designation and existing Off-Premise Advertising (Billboard) Sign are in conformance with the Downtown Redevelopment Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan		
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

TB

Downtown Centennial Plan
The Downtown Centennial Plan states that future evaluations will have to determine the highest and best land uses for this area. Therefore, at this time the proposed Off-Premise Advertising (Billboard) Sign complies.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 Feet from - another Off-Premise Advertising Sign and (R) and (U) Zoned Properties	375 Feet from nearest Off-Premise Advertising Sign and 325 Feet from (R) Zoned Property

The Off-Premise Advertising (Billboard) Sign is presently 375 Feet from the nearest Off-Premise Advertising Sign and 325 Feet from the nearest residential zoned property; therefore the subject sign sill meets minimum distance separation requirements.

B) General Analysis and Discussion

- Zoning

The subject site is zoned M (Industrial) which permits an Off-Premise Advertising (Billboard) Sign with the approval of a Special Use Permit. The subject site was approved for a billboard in 1994 through Special Use Permit U-0126-94. A billboard was constructed and is currently in use on the subject site. Condition number one of U-126-94 required that the City Council review the billboard five years after approval at which time the sign may be removed. The subject sign appears to have been properly maintained and the site surrounding the subject sign has not significantly changed since the original approval; therefore approval is being recommended on the Required Review with a recommendation that the sign be subject to another five year review.

TB

- Use

An Off-Premise Sign is defined by Title 19 as any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed. The subject sign is currently advertising a business located at 4635 West Flamingo Road, which meets the qualifications to be defined as an Off-Premise Advertising (Billboard) Sign.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding off-premise advertising signs:

1. No off-premise signs shall be erected in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).

3. Off-premise signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/ Industrial) and M (Industrial) Zoning Districts only.

3. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.

4. Off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

5. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.

6. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.

TB

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

The subject sign conforms to the minimum conditions of Title 19.14.100.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and 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 Off-Premise Advertising (Billboard) Sign use can continue to be harmonious and compatible with the future and existing surrounding land uses as the subject site is Industrial zoned and is located more than 300 feet from the nearest residential property. Further, the continued billboard use, at this time, is in conformance with the Downtown Centennial Plan District Six: Northern Strip.

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

   Physically, the subject sign does not occupy any required on-site parking areas or required landscape planter areas. In addition the sign location does not negatively impact on-site circulation or encroach into required setback areas; therefore the subject site is physically suitable for the intensity of the Off-Premise Advertising Sign 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."**

   The existing and continued use of an Off-Premise Advertising Sign will not create additional vehicular traffic; therefore the Street facilities providing access to the property are adequate in size for the billboard use.

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

TB

The existing billboard sign received construction permits and a final inspection approval from the Building and Safety Department to ensure the public health, safety, and welfare are not compromised. Further, the approval of this Required Review application will not compromise the overall objectives of the General Plan with recommended conditions of approval.

NOTICES MAILED 66

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-3023 APN: 162-04-802-007

Name of Property Owner: Marshall Family Limited Partnership

Name of Applicant: Marshall Family Limited Partnership

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

_X_ Yes _____ No

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

City Official: Michael Mack

Partner(s): Todd Marshall _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Todd Marshall, Trustee of General Partner

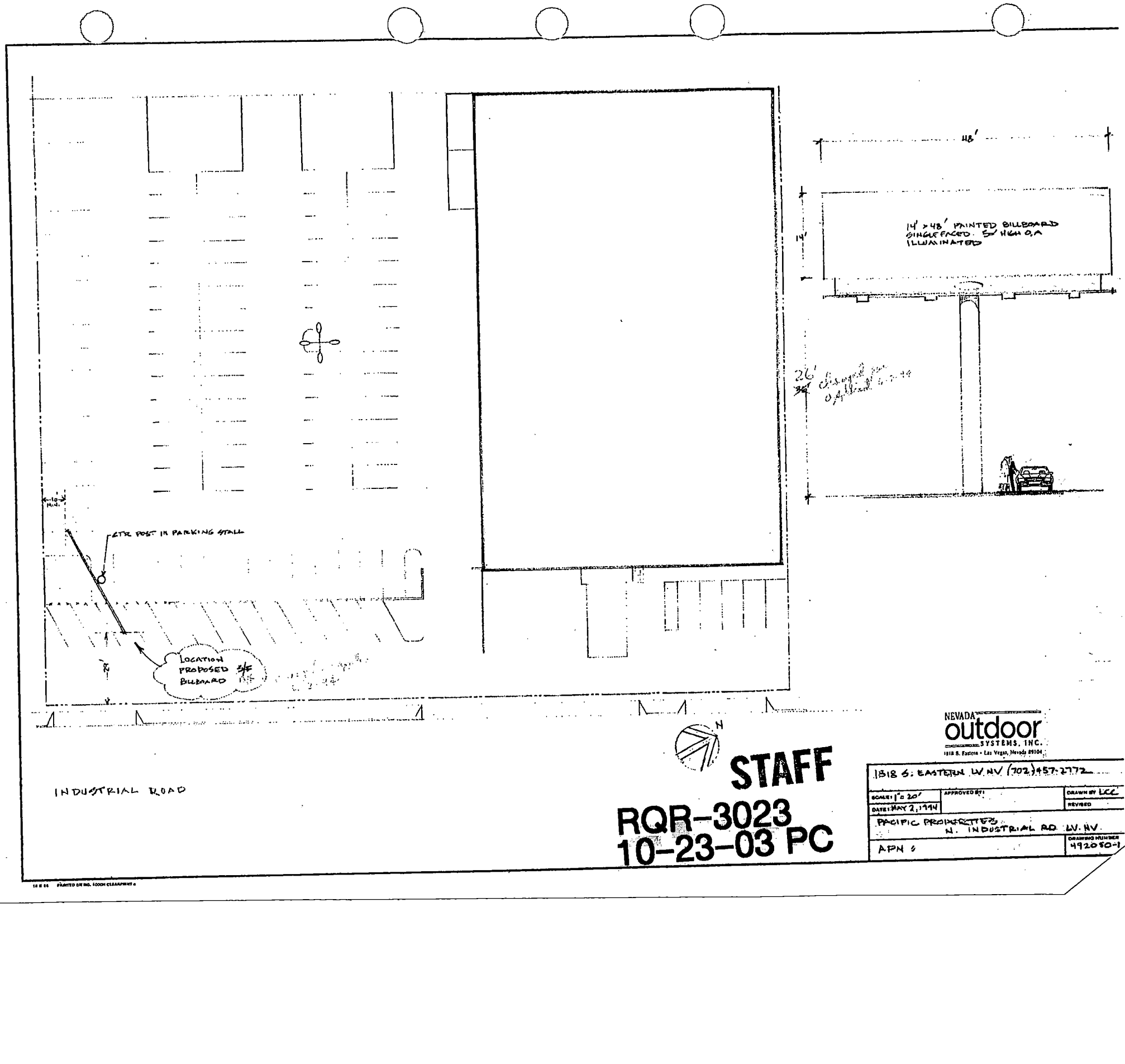
Subscribed and sworn before me

This 3rd day of ~~August~~ September, 2003

_____

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

KIMBERLY SCHROEDER
Notary Public - Nevada
No. 96-4320-1
My appt. exp. July 18, 2004



STAFF

RQR-3023
10-23-03 PC

NEVADA outdoor SYSTEMS, INC.
1818 S. Eastern • Las Vegas, Nevada 89104

1818 S. EASTERN LV. NV (702) 457-2772

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY LCC
DATE: MAY 2, 1994		REVISED

PACIFIC PROPERTIES
N. INDUSTRIAL RD. LV. NV.

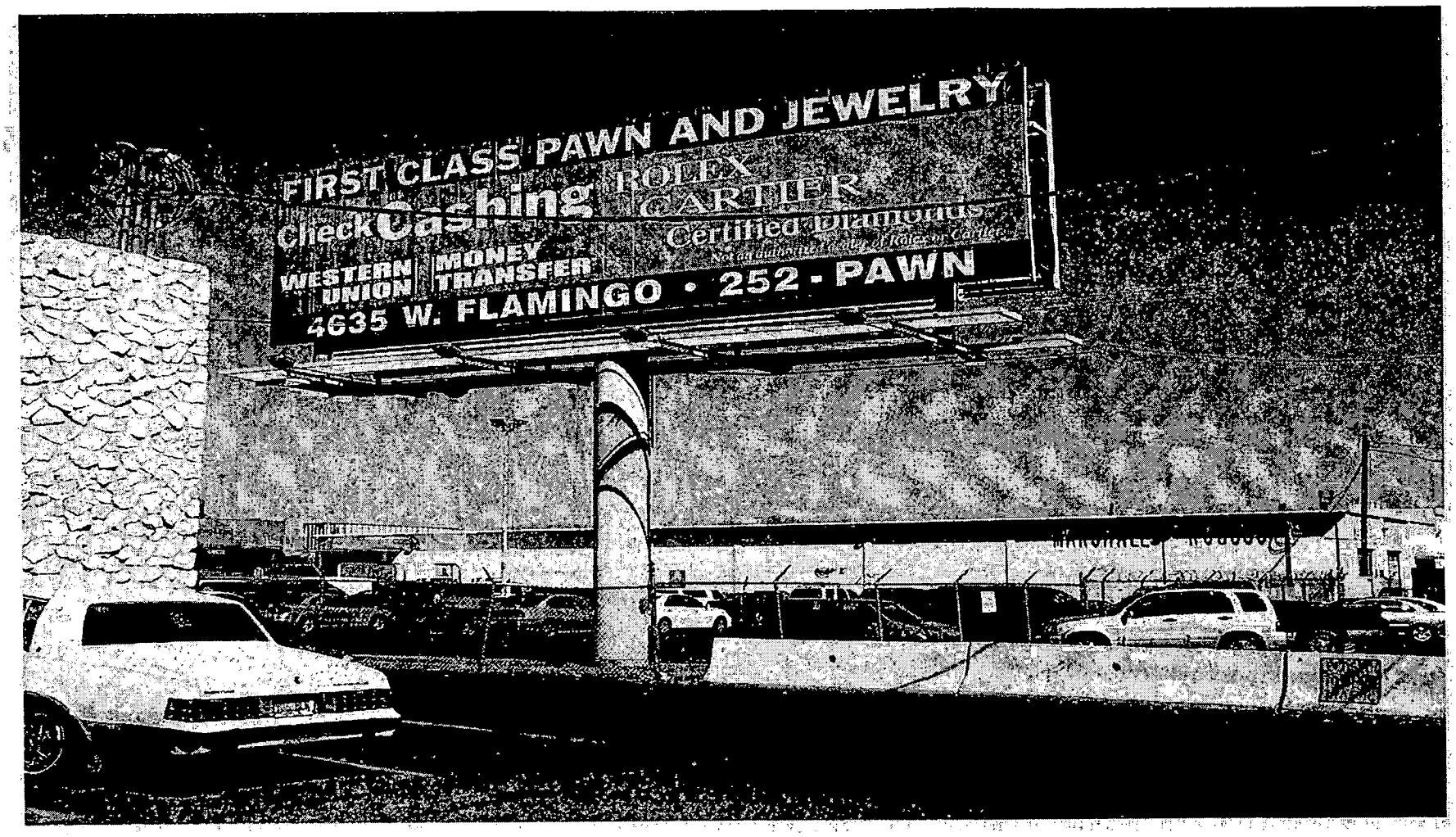
APN #

DRAWING NUMBER 492050-1



RQR-3023 - MARSHALL FAMILY, LIMITED PARTNERSHIP
2330 INDUSTRIAL ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



RQR-3023 - MARSHALL FAMILY, LIMITED PARTNERSHIP
2330 INDUSTRIAL ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

City of Las Vegas

Agenda Item No.: 64

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

RQR-3024 - GATEWAY MOTEL, INC. - Required One Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 40 FOOT HIGH, 28 FOOT BY 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN: 139-34-410-165), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – DENIED – UNANIMOUS with TRUESDELL abstaining because he has interest in a property that has a billboard on it that is affected by the Scenic Byway designation; therefore he would not be voting on this item.

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated that the billboard does not conform to the Downtown Centennial Plan or the Redevelopment Plan. Continuation of the use does not support redevelopment or rehabilitation of the neighborhood so staff has recommended denial. MR. WALTON added that the Las Vegas Boulevard, from Sahara Avenue to Washington Boulevard has attained a Scenic Byway designation from the State of Nevada. Plans to attain a National Scenic Byway designation are currently underway. He stated that according to the National Standards, billboards are not permitted.

MINUTES – Continued:

JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant. He explained that this billboard was approved on two separate occasions by the City Council. He asked for approval of the one-year review.

TODD FARLOW, 240 North 19th Street, disagreed that this billboard would have any positive benefit to the surrounding neighborhood. He also challenged the applicant's promise to maintain the property that he says has not been done.

RON DeCARR, owner of the Viva Las Vegas Wedding Chapel, 1205 Las Vegas Boulevard, explained that the City of Las Vegas will received $26 million per year to rehabilitate the downtown area if they conform to the rules of the Scenic Byways.

COMMISSIONER EVANS stated that a year ago, he believes the Planning Commission had recommended denial of the sign because of its size. MR. BROWN stated that to be true, but added that the applicant did reduce the size of sign.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that a study is underway based on the Federal rotational application period. She anticipated the designation in the year 2005. MS. WHEELER added that the State designation is already in place and the prohibition of billboards is already in effect. Anticipation of funding that will be potentially available for the City based upon the Federal designation will probably occur in 2005.

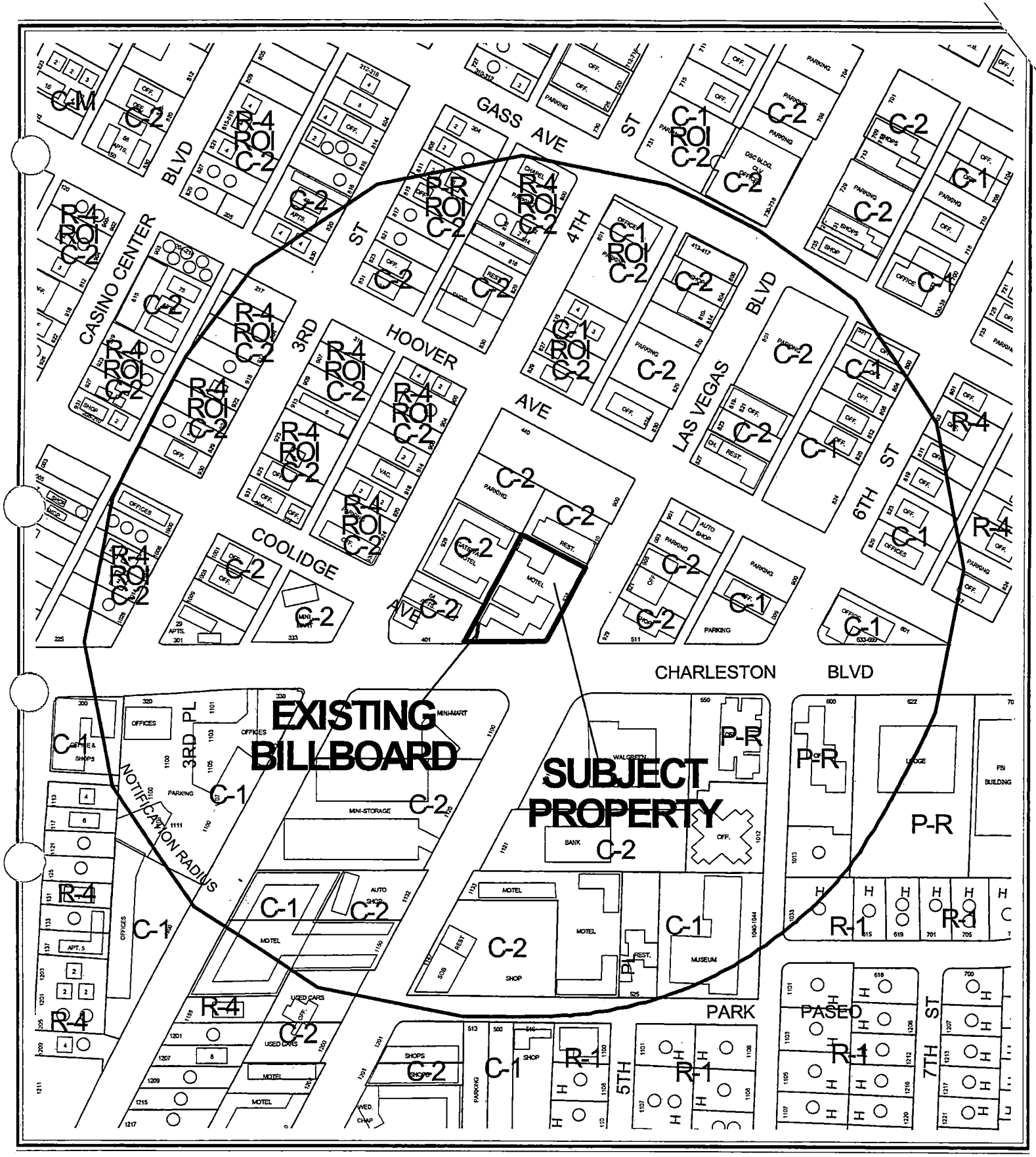
COMMISSION McSWAIN stated that consideration of the Scenic Byway designation is a valid reason to have the billboards removed.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:26 – 10:35)



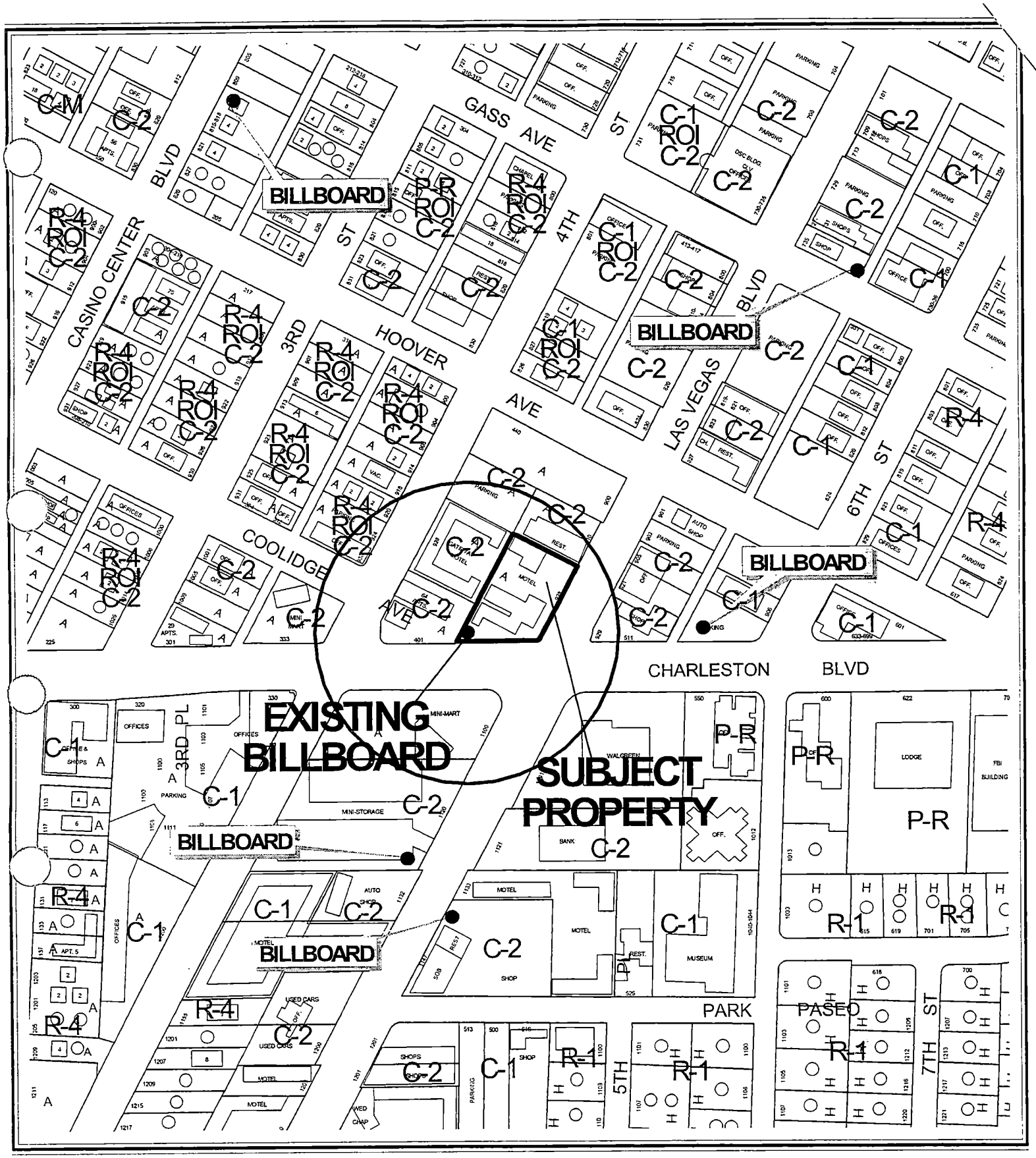
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CASE: **RQR-3024**

RADIUS: 750 FT

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

N



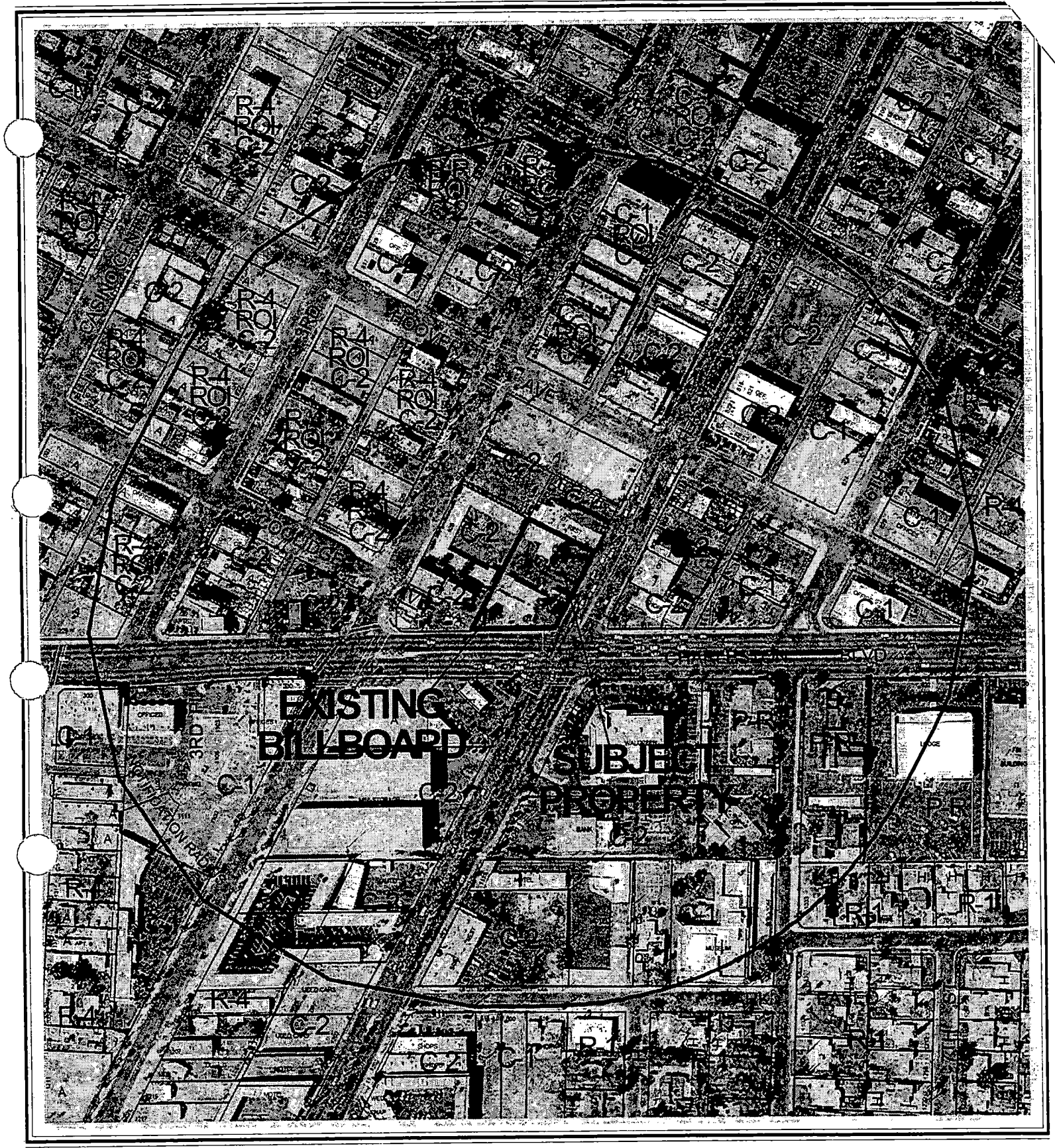
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CASE: RQR-3024

SEPARATION RADIUS: 300 FT

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

N



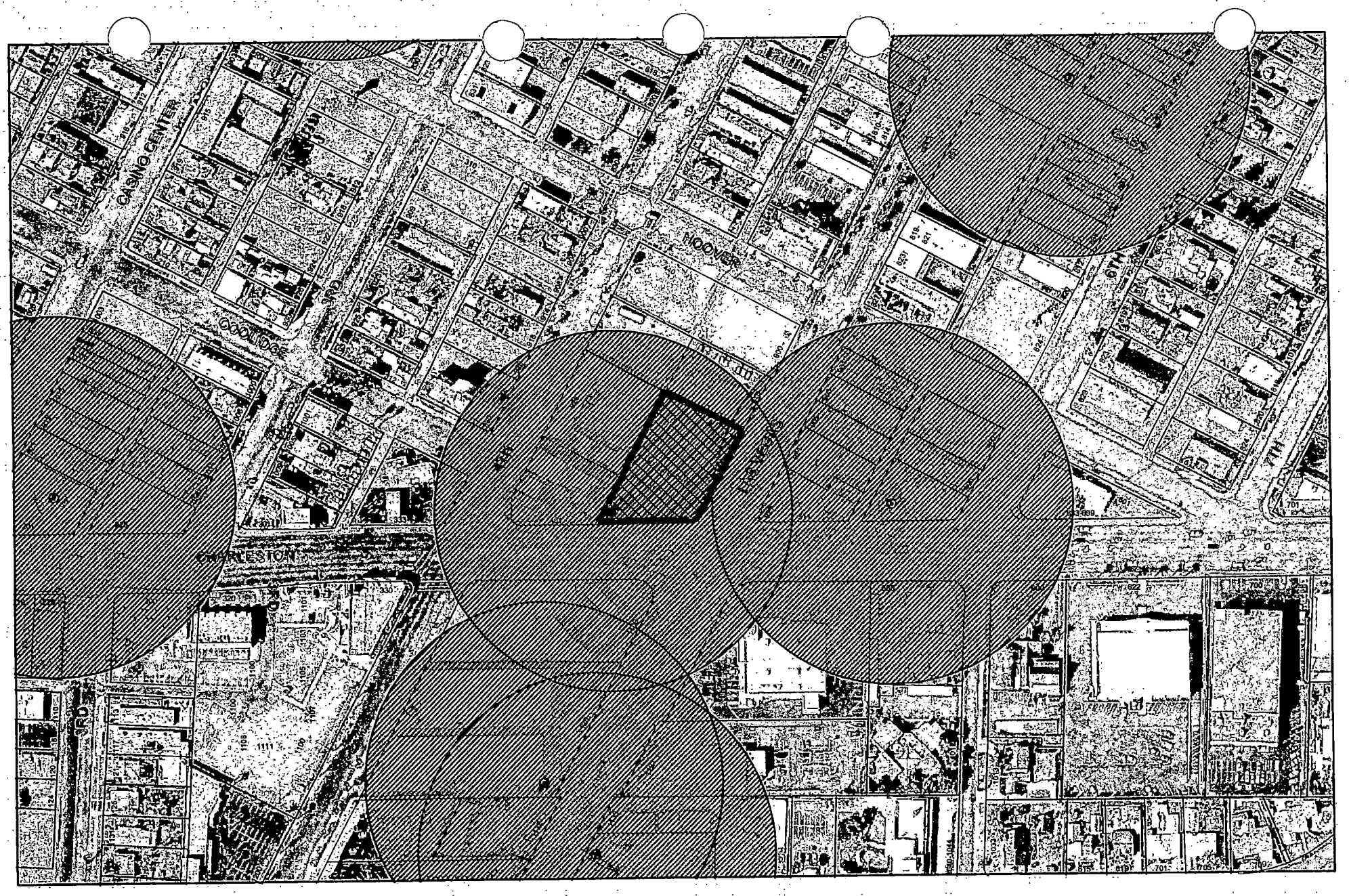
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CASE: **RQR-3024**

RADIUS: 750 FT

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

N



City of Las Vegas Billboard Data

RQR-3024

- Subject Parcel
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3024 - GATEWAY MOTEL, INC.

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

5. The chain-link fence enclosure shall be repaired and properly maintained, until removed.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a one-year Required Review of an approved Special Use Permit (U-0028-01) which allowed a 40-foot high, 28-foot by 24-foot Off-Premise Advertising (Billboard) Sign at 928 Las Vegas Boulevard South.

BACKGROUND INFORMATION

A) Previous Actions

05/16/01 The City Council Approved a Special Use Permit (U-0028-01) for a proposed 45-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject site. The Planning Commission and staff recommended denial.

08/09/02 The City Council Approved a Required One Year Review [U-0028-01(1)] of an approved Special Use Permit which allowed a 40-foot high, 28-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the subject site. The Planning Commission and staff recommended denial.

B) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.2

TB

B) Existing Land Use

Subject Property:	Motel
North:	Restaurant
South:	Convenience Store
East:	Payday and Title Loan Business
West:	Apartment Building

C) Planned Land Use

Subject Property:	DTR [Downtown Redevelopment Plan O (Office), SC (Service Commercial) and GC (General Commercial)]
North:	DTR [Downtown Redevelopment Plan - Mixed Use – L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial) GC (General Commercial) and PF (Public Facility)]
South:	DTR [Downtown Redevelopment Plan O (Office), SC (Service Commercial) and GC (General Commercial)]
East:	DTR [Downtown Redevelopment Plan O (Office), SC (Service Commercial) and GC (General Commercial)]
West:	DTR [Downtown Redevelopment Plan O (Office), SC (Service Commercial) and GC (General Commercial)]

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject site is located in the Downtown Redevelopment Area of the General Plan. The Redevelopment Plan identifies O (Office), SC (Service Commercial) and GC (General Commercial) General Plan designations for the subject site. The existing C-2 (General Commercial) zoning designation is not in conformance with the Redevelopment Plan designations. Further, the existing Off-Premise Advertising (Billboard) Sign is not in conformance with the Downtown Centennial Plan, as the continuation of such uses does not support redevelopment or rehabilitation efforts.

TB

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
State Scenic Byway Designation	X	
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Downtown Centennial Plan and Redevelopment Plan Area
Within the Downtown Centennial Plan the site is designated as District Three: Downtown South, which states the district is a mixed-use area containing a wide variety of land uses and density of existing utilitarian buildings and multi-family structures ripe for rehabilitation. The existing Off-Premise Advertising (Billboard) Sign is not in conformance with the Downtown Centennial Plan or the Redevelopment Plan Area, as the continuation of such uses does not support redevelopment or rehabilitation efforts.

State Scenic Byway Designation
Las Vegas Boulevard, from Sahara Avenue to Washington Boulevard, attained a State Scenic Byway designation on November 28, 2001. Plans are currently under way to attain a National Scenic Byway Designation. As part of this review the National Scenic Byways Guidelines state that no new outdoor advertising is permitted along a byway once designated as a State Byway. Accordingly, no new or extensions of previously approved Special Use Permits for Off-Premise Advertising (Billboard) Signs should be granted along this stretch of Las Vegas Boulevard. If Off-Premise Advertising continues to be approved or extended the attainment of a National Scenic Byway Designation will be jeopardized.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 Feet from - another Off-Premise Advertising Sign and (R) and (U) Zoned Properties	465 Feet from closest Off-Premise Advertising Sign and 730 Feet from closest Residential Zoned property

The Off-Premise Advertising (Billboard) Sign is presently 465 Feet from the nearest Off-Premise Advertising Sign and 730 Feet from the nearest Residential Zoned Property; therefore the subject sign sill meets minimum distance separation requirements.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-2 (General Commercial) which permits an Off-Premise Advertising (Billboard) Sign with the approval of a Special Use Permit. The subject site was approved for a billboard in 2001 through Special Use Permit U-0028-01. A billboard was constructed and is currently in use on the subject site. A Required One-Year Review [U-0028-01(1)] for the Billboard was approved by City Council on August 9, 2002. Condition number one of [U-0028-01(1)] required that the City Council shall review the billboard use one year after approval at which time the sign may require removal. As stated in the original Special Use Permit report and subsequent Required Review report, the continuation or proliferation of uses such as Off-Premise Advertising (Billboard) Signs does not positively impact Downtown Redevelopment efforts as outlined by the Downtown Redevelopment Plan and the Downtown Centennial Plan.

- Use

An Off-Premise Sign is defined by Title 19 as any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed. The subject sign is currently advertising a business located off-site which meets the qualifications to be defined as an Off-Premise Advertising Sign.

- Conditions

Title 19.14.100(C) specifies the following provisions regarding off-premise advertising signs:

1. No off-premise signs shall be erected in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).

3. Off-premise signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/ Industrial) and M (Industrial) Zoning Districts only.

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.

5. Off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

6. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.

7. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.

8. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.

9. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

The subject sign conforms to the minimum conditions of Title 19.14.100.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

TB

Off-Premise Advertising (Billboard) Signs are not harmonious and compatible with redevelopment efforts as the subject site is located in the Las Vegas Downtown Centennial Plan and the Downtown Redevelopment Plan. Further extending Off-Premise Advertising (Billboard) Signs along Las Vegas Boulevard will also threaten the ability for the Boulevard to attain a National Scenic Byway Designation. As stated in the Las Vegas 2020 Master Plan; the visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and visitor to Las Vegas.

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

Physically, the Billboard does not occupy any required on-site parking spaces, and with the previous approval additional landscaping was required around the Billboard. In addition, the Billboard meets minimum setback standards and does not negatively impact on-site circulation; therefore the subject site is physically suitable for the continuation of the Billboard use. As noted in the previous Required Review staff report, the chain link fence surrounding the Billboard sign has once again fallen into disrepair; a condition from the previous Required Review will be included on this application to repair and maintain the fence, if approved.

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 existing and continued use of an Off-Premise Advertising Sign will not create additional vehicular traffic; therefore the Street facilities providing access to the property are adequate in size for the billboard use.

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

The existing billboard sign received construction permits and a final inspection approval from the Building and Safety Department to ensure the public health, safety, and welfare are not compromised. The continuation of this Special Use Permit, however, does compromise the overall objectives of the Las Vegas Downtown Centennial Plan and Downtown Redevelopment Plan, as the continuation of such uses does not support redevelopment or rehabilitation efforts, which includes jeopardizing the ability to attain a National Scenic Byway Designation for Las Vegas Boulevard from Sahara Avenue to Washington Boulevard.

TB

NOTICES MAILED 91

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-3024 APN: 139-34-410-165

Name of Property Owner: Gateway Motel, INC

Name of Applicant: Reagan National Advertising

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: Andy Bilawski

Print Name: Andy Bilawski

Subscribed and sworn before me

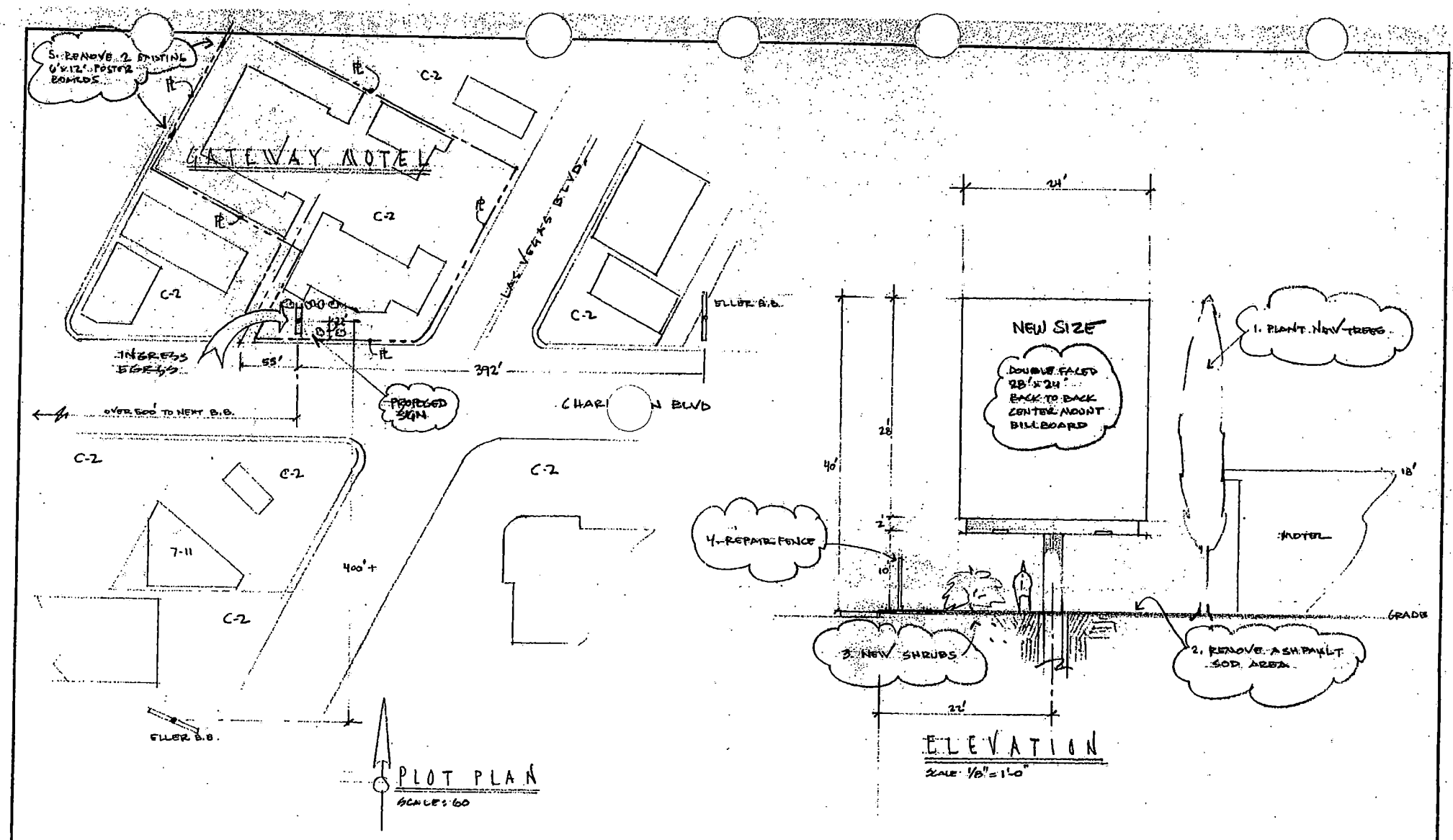
This 5th day of Sept., 2003

Carol Caldwell

Notary Public in and for said County and State

NOTARY PUBLIC
CAROL CALDWELL
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JUNE 20, 2007
No: 98-4678-1

[redacted]



REAGAN NATIONAL ADVERTISING

7181 S. INDUSTRIAL LV. NV 89118 • 702-361-3904

OWNER: GATEWAY MOTEL 924 LVBD. LV. NV. 89109

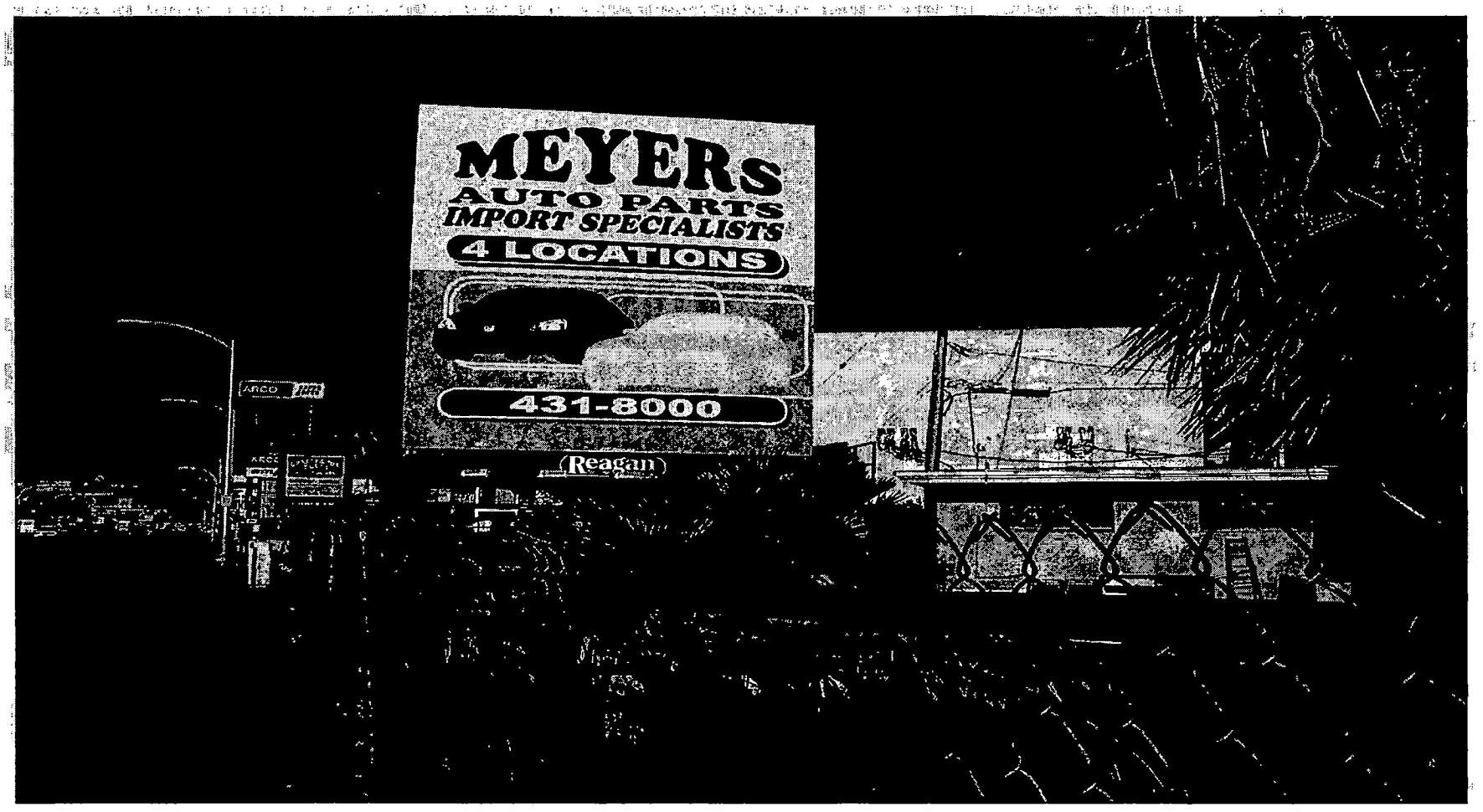
SCALE: NOTED | APPROVED BY: | DRAWN BY: LCC

DATE: 8-28-01 | REVISED

LOCATION: SE/NE

APN-139-34-410-165 | DRAWING NUMBER 103230-1

STAFF
RQR-3024
10-23-03 PC



RQR-3024 - GATEWAY MOTEL, INC.
928 LAS VEGAS BOULEVARD SOUTH
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



RQR-3024 - GATEWAY MOTEL, INC.
928 LAS VEGAS BOULEVARD SOUTH
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

City of Las Vegas

Agenda Item No.: 65

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2300 East Bonanza Road (APN: 139-35-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	307
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Petition with 307 signatures of approval

MOTION:
GOYNES - DENIED – Motion carried with NIGRO abstaining as his firm is currently negotiating with Koster Finance for one of his locations and McSWAIN and DAVENPORT voting No

This is Final Action.

NOTE: A prior Motion for Approval subject to conditions by DAVENPORT failed with EVANS, GOYNES and TRUESDELL voting No

NOTE: COMMISSIONER DAVENPORT disclosed that he is in the mortgage business but does not make signature loans.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, explained that the subject site is located within a commercial subdivision. He added that although the base conditions of approval have no separation distance standard, staff did analyze other like businesses located within the notification area. Staff recommended denial.

KIM KOSTER, CEO for Koster Finance, 602 South 10th Street, appeared on behalf of the applicant. She explained that the proposed financial institution does not offer check-cashing services, payday loans or car title loans. The Special Use Permit would be strictly for services that offer signature loans. MS. KOSTER submitted a petition of 307 signatures in support of the financial establishment.

TODD FARLOW, 240 North 19th Street, expressed his disapproval of this application and stated that this area is saturated with similar financial institutions.

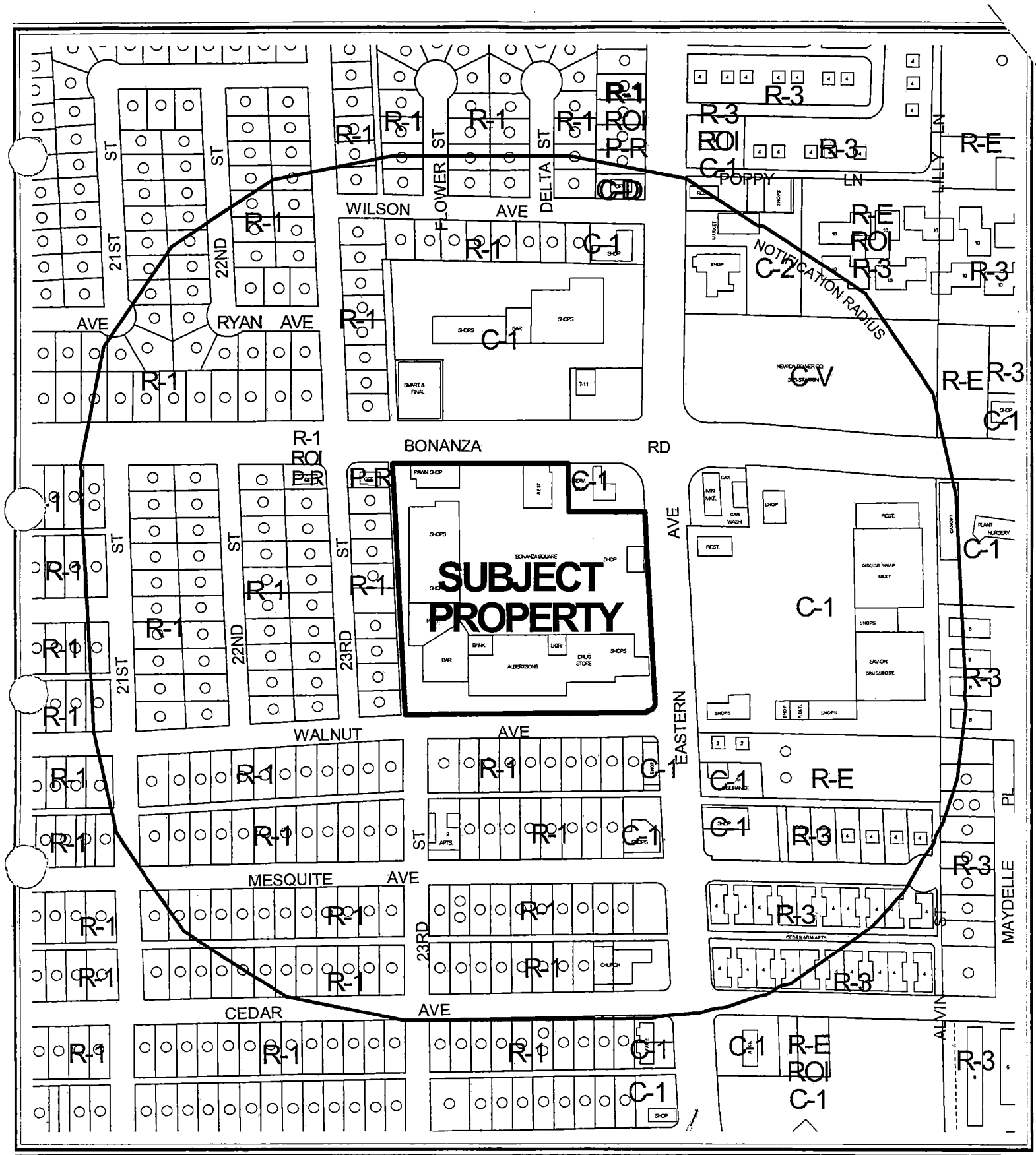
COMMISSIONER McSWAIN asked MS. KOSTER to differentiate between her service and those of other financial institutions. MS. KOSTER explained that her facility only promotes signature loans and for some reason her business was categorized that same as those establishments offering car title loans, check cashing and payday loans. COMMISSIONER DAVENPORT added that the applicant's license is only limited to one specific service and if she tried to operate otherwise, she would lose her license. MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that when the categories were established, staff had consulted Business Licenses for assistance.

MS. KOSTER briefly described for COMMISSIONER GOYNES the process her firm utilizes to grant customer loans.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

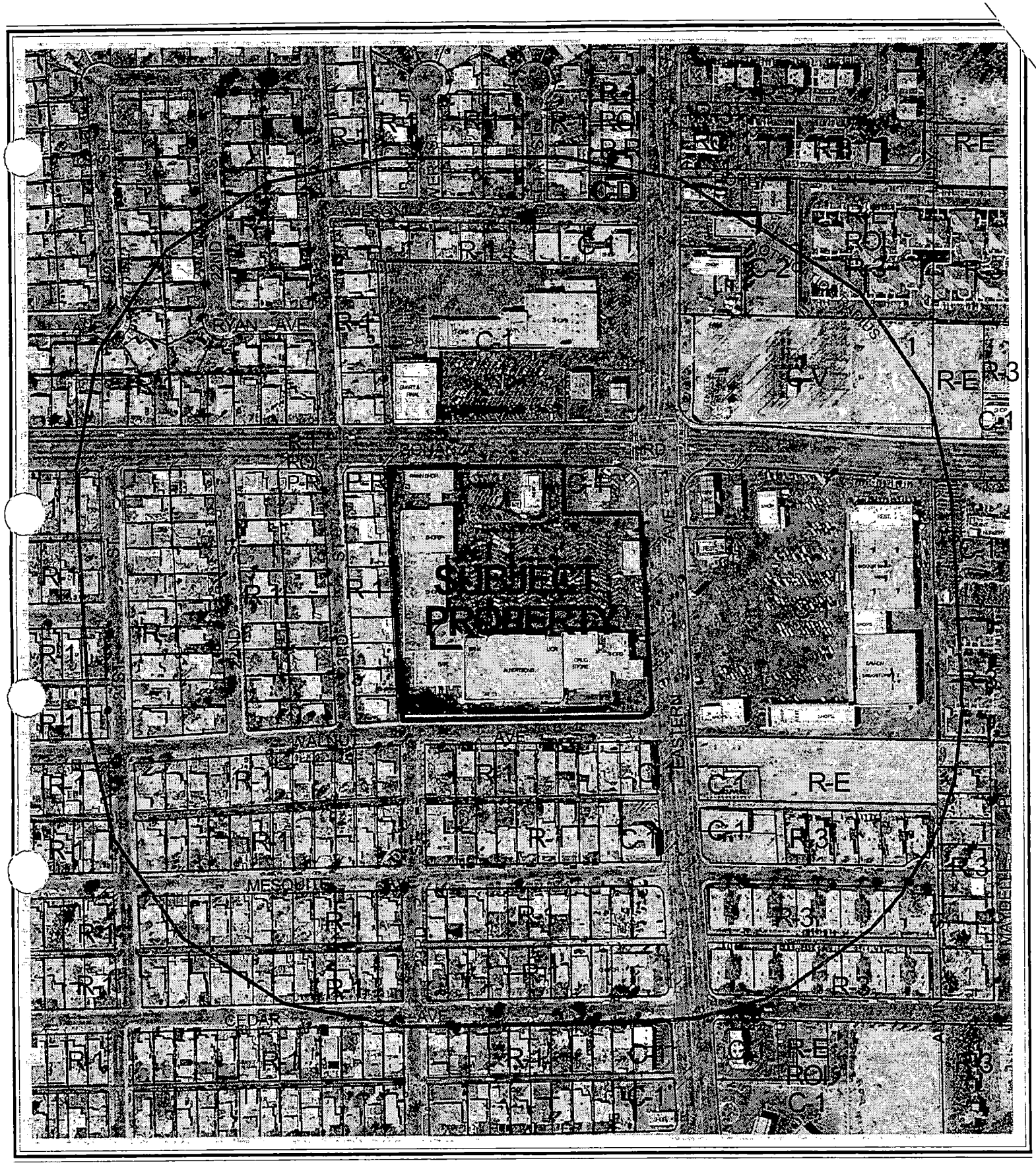
(10:35 – 10:46)



CASE: **SUP-2962**

RADIUS: 750 FT

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



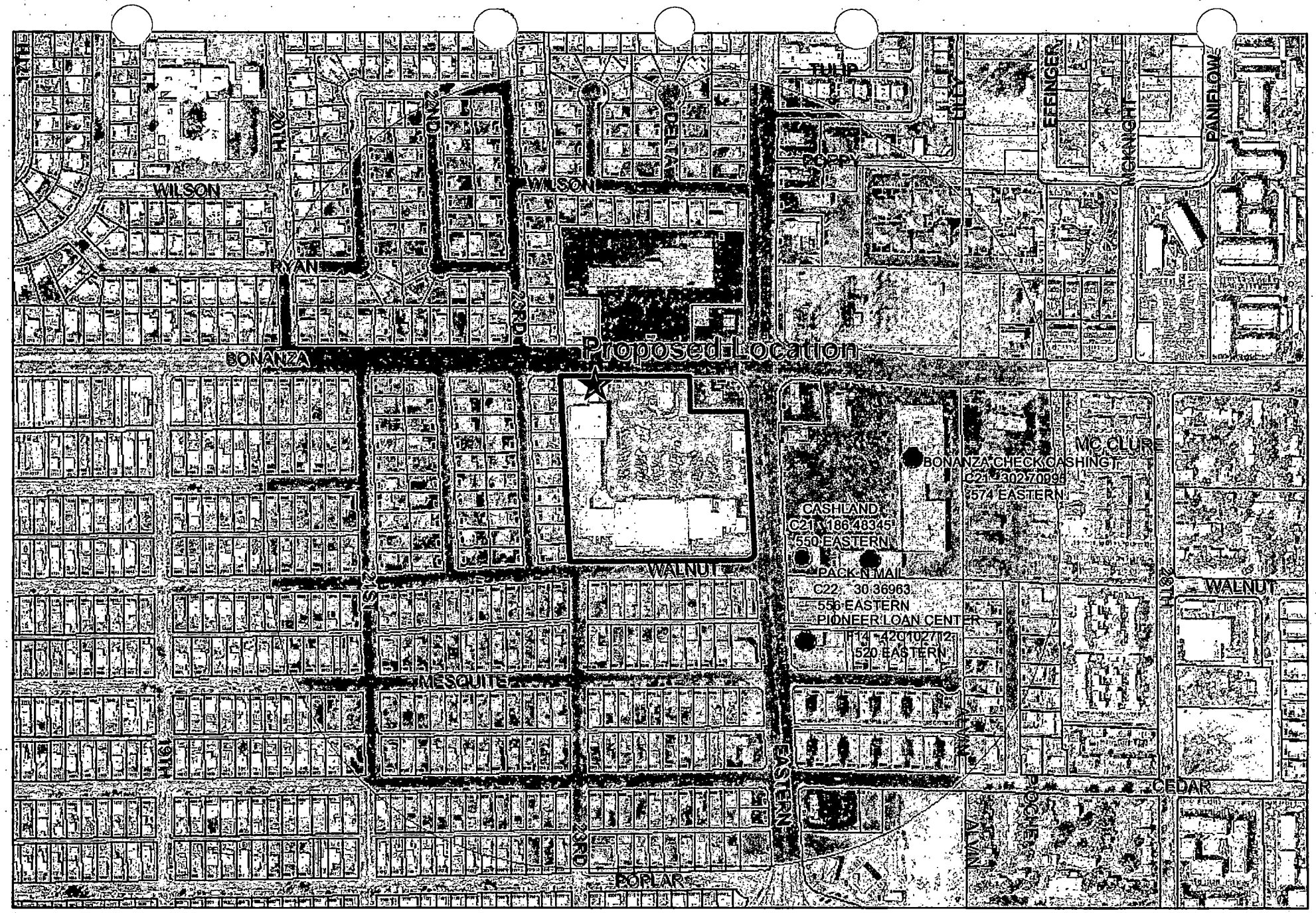
0 200 400 Feet

CASE: **SUP-2962**

RADIUS: 750 FT

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

N



SUP-2962 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- 1000 foot buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2962 - KOSTER FINANCE ON BEHALF OF C-EAGLE SPIRIT, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If approved, 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 use shall comply with all applicable requirements of LVMC Title 6.

3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified at 2300 East Bonanza Road.

B) Applicant's Justification

The applicant justifies this application by stating there is a great need for this type financial use in the area of the proposed location.

BACKGROUND INFORMATION

A) Previous Actions

There are no past actions by Planning Commission and City Council on record for the location of the proposed action and the commercial center in which the use will be located.

B) Pre-Application Meeting

08/22/03 During the pre-application conference with the applicant the following was discussed:

1. The business will not involve check cashing.
2. No collateral will be involved with the loans.
3. The business will involve signature loans.
4. Distance separation from three businesses of similar type.
5. Close proximity to residential uses.
6. Applicant asked to provide information about the signs that are planned.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 8.77

B) Existing Land Use

Subject Property:	Commercial/ Retail
North:	Commercial/ Retail
South:	Commercial/ Retail
East:	Commercial/ Retail
West:	Residential/ Office

C) Planned Land Use

Subject Property:	SC/ DTR (Service Commercial/ Downtown Redevelopment Plan)
North:	SC/ DTR (Service Commercial/ Downtown Redevelopment Plan)
South:	SC/ DTR (Service Commercial/ Downtown Redevelopment Plan)
East:	SC/ DTR (Service Commercial/ Downtown Redevelopment Plan)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	P-R (Professional Office/ Parking) R-1 (Single Family Residential)

E) General Plan Compliance

The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site is not subject to any special area plans, overlay districts, study area or trail requirements.

KCW

ANALYSIS

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	4,613 SF.	1/200 GFA, plus one lane for each drive-up window with stacking for six	23	See below	29	See below
Handicap Breakdown			22	1	29	0

The proposed use will be located in an existing commercial development. The former occupant of the building where this is to be located was an First Interstate Bank then a pawnshop. The parking required by the former bank would be same as what is expected for the proposed use; therefore the parking on-site will be sufficient.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there are two other financial uses within the notification distance. One of the uses is a check cashing business (by definition a Financial Institution, Specified). The other is a Financial Institution General as defined in Title 19.

B) General Analysis and Discussion

- Description of Site and Building

The applicant will remove all of the existing signage. All proposed signs would meet Title 19 requirements and the recommended conditions of approval for this case. No modifications to the landscaping or elevations have been proposed as part of this review. Pictures submitted with the application package reveal that the overall commercial development is well maintained.

KCW

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more that twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

This requirement is in conformance to the existing base conditions of approval.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

KCW

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."**

   Although the proposed use is to be located in a former bank building, the amount of traffic, both pedestrian and vehicular, is not harmonious with the residential uses directly behind the building where the proposed business will be located. The vehicular traffic around the building because of the drive-thru window and the associated speaker/ intercom that will be used for communication between patrons and employees are of particular concern. There is also a concern that an additional use of this type could lead to over saturation in this area of the City.

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

   The proposed location of the Financial Institution, Specified use is located in an existing commercial pad site within an existing commercial subdivision. The proposed Financial Institution, Specified use will not have a negative impact 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."**

   The location of the building causes a traffic burden on the flow of traffic along Bonanza Road. With a driveway access to Bonanza Road in front and at the back of the building traffic on Bonanza Road is slowed dramatically and becomes congested as vehicles slow to drive into the shopping center or enter traffic from the parking area. This is of particular concern when considering those that try to drive around the building must enter the traffic on Bonanza Road to do so.

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

   The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 266

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2962 APN: 139-35-501-001

Name of Property Owner: EAGLE SPIRIT, LLC

Name of Applicant: EZEPRO, INC. d.b.a. Koster Finance

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: c Eagle Spirit, L.L.C. x Mary Connolly Managing member ~~[illegible]~~ MARY CONNOLLY, Managing Member

Subscribed and sworn before me

This 12 day of Aug, 2003

Sara Shoys Alameda, CA
Notary Public in and for said County and State

SARA ELIZABETH SHOYS
Comm. # 1354175
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires April 29, 2006

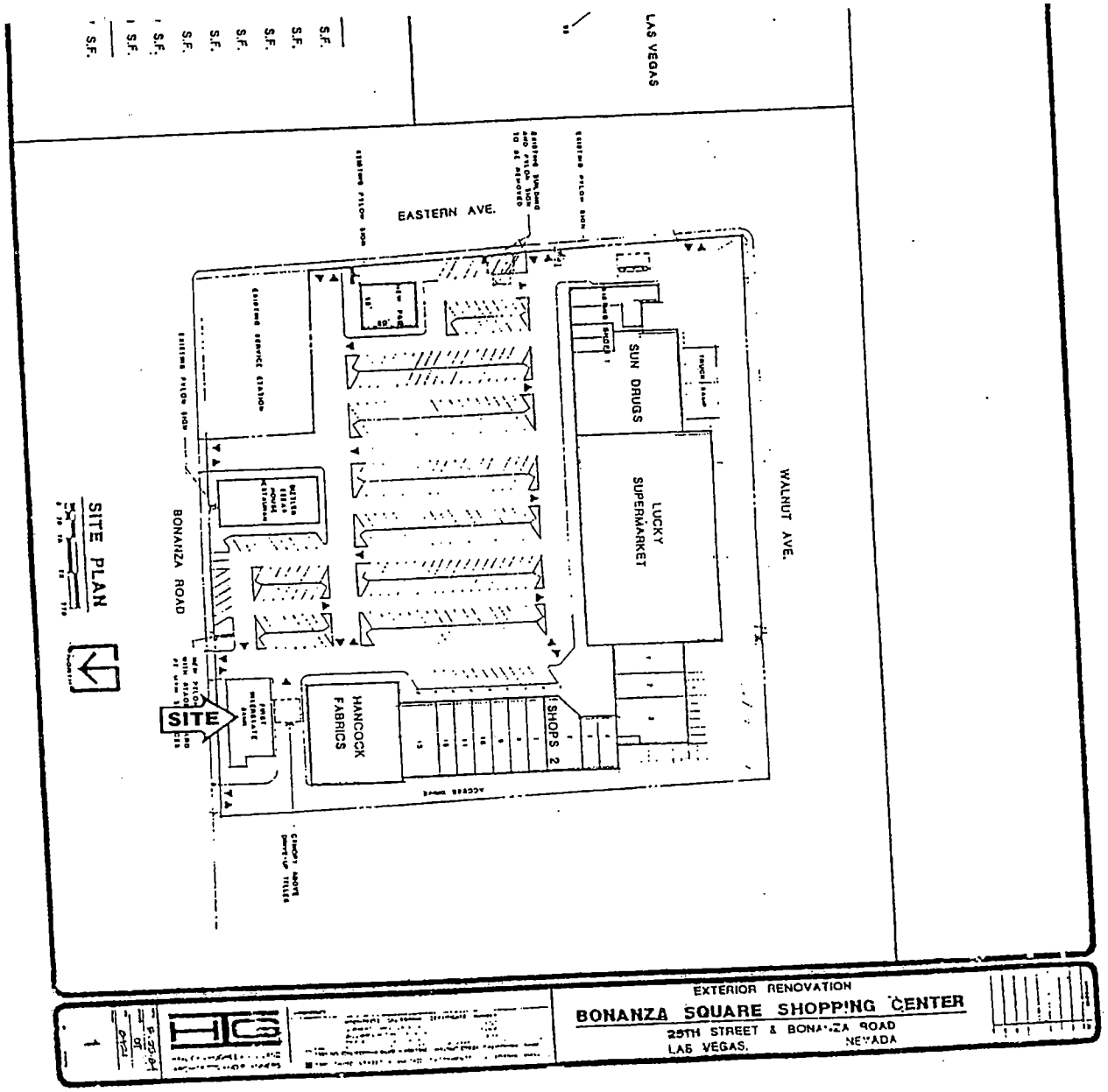
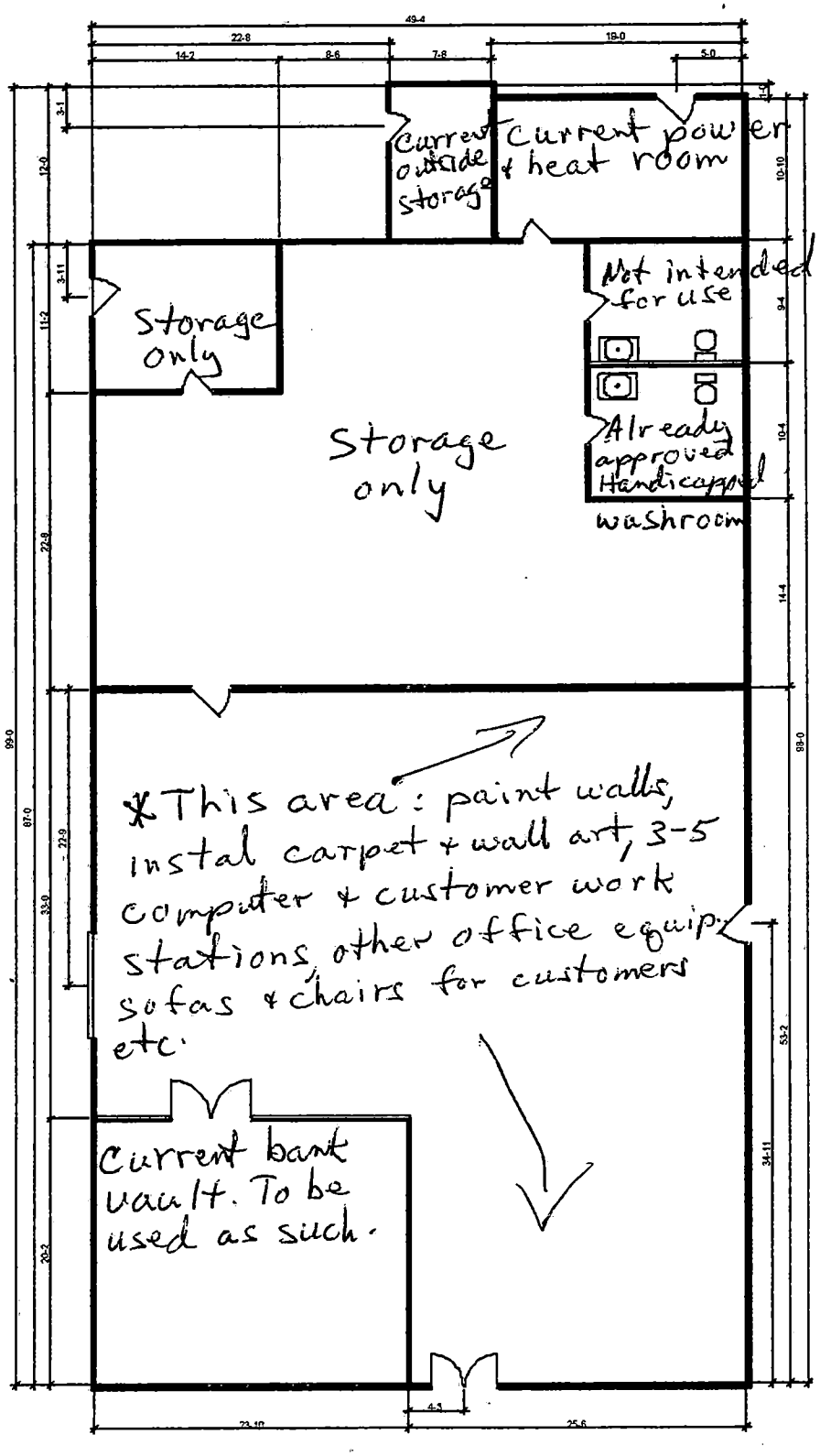


EXHIBIT A-1
Site Plan

LANDLORD RESERVES THE RIGHT TO

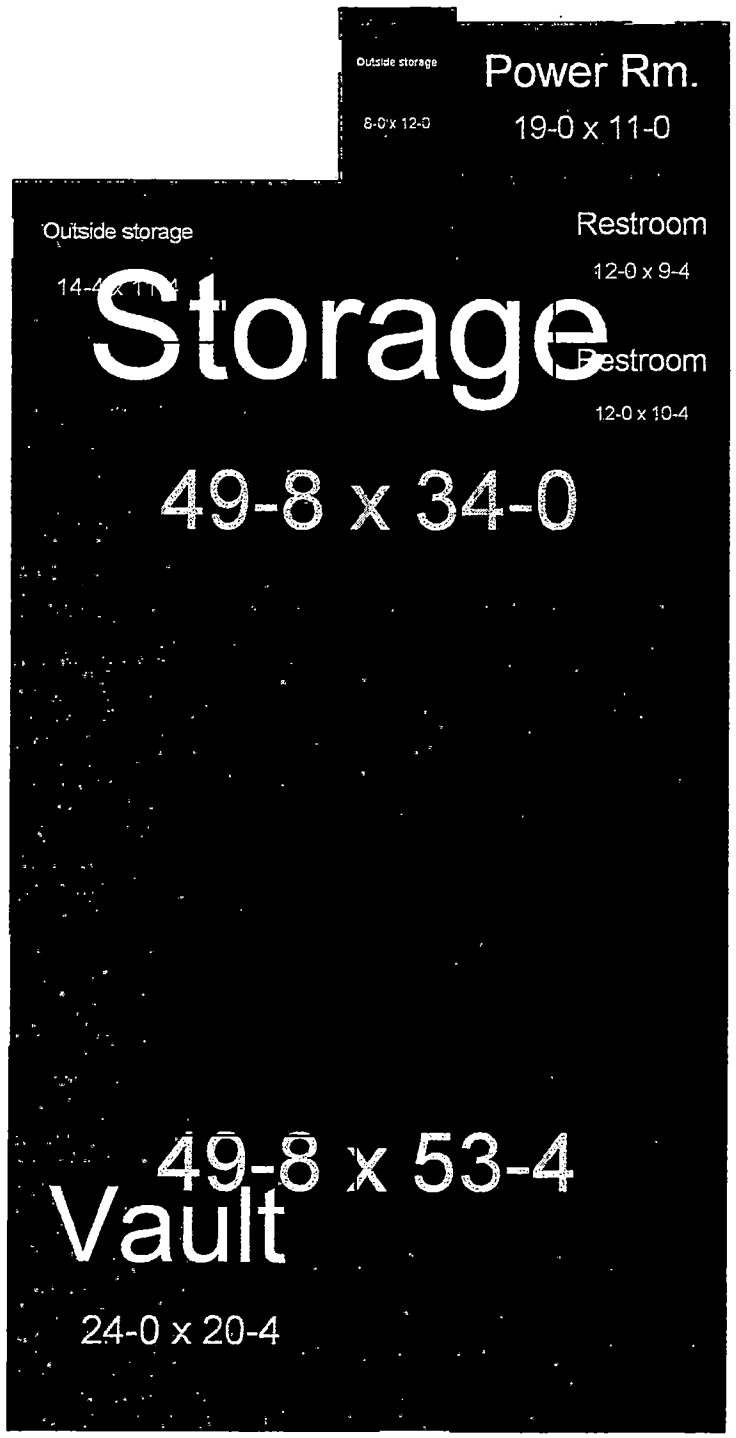
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SUP-2962
10-23-03 PC

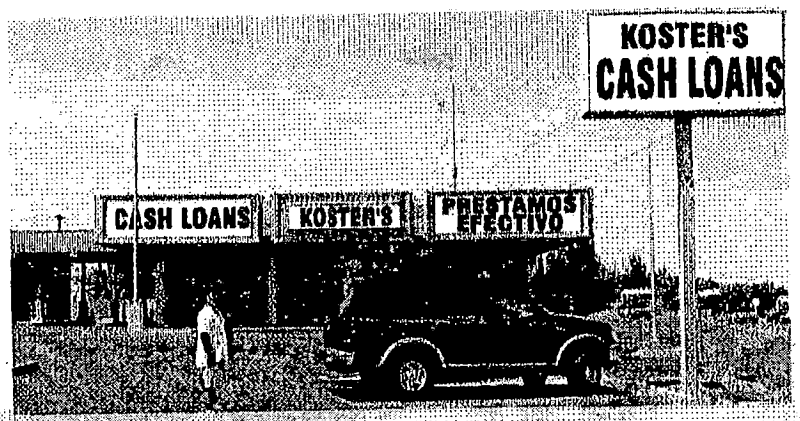


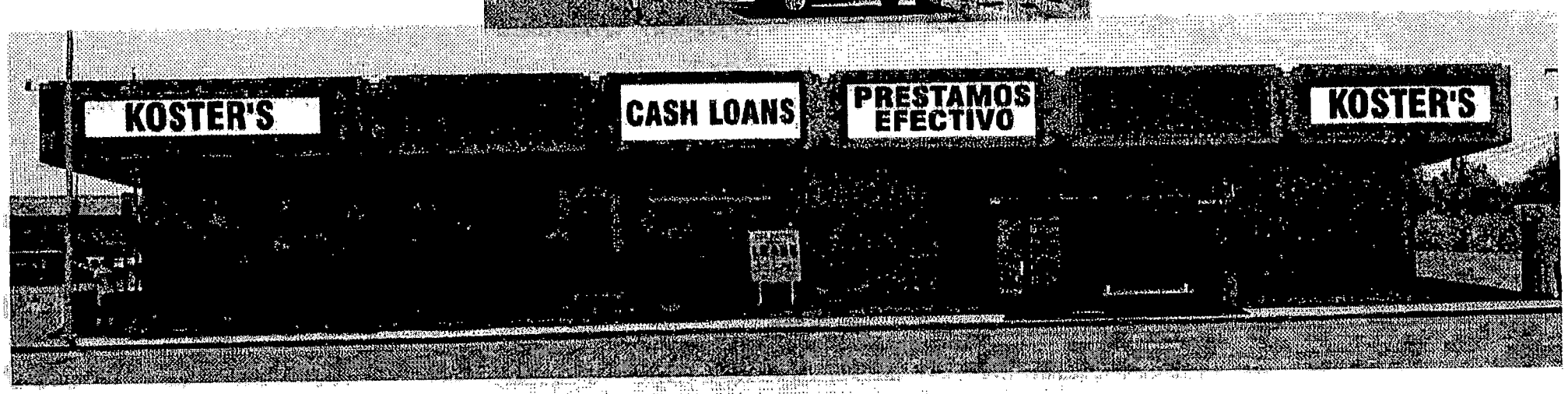
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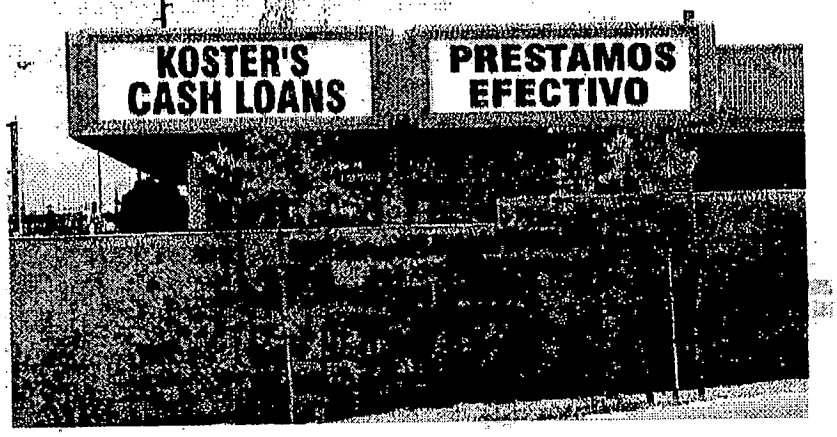
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SUP-2962
10-23-03 PC

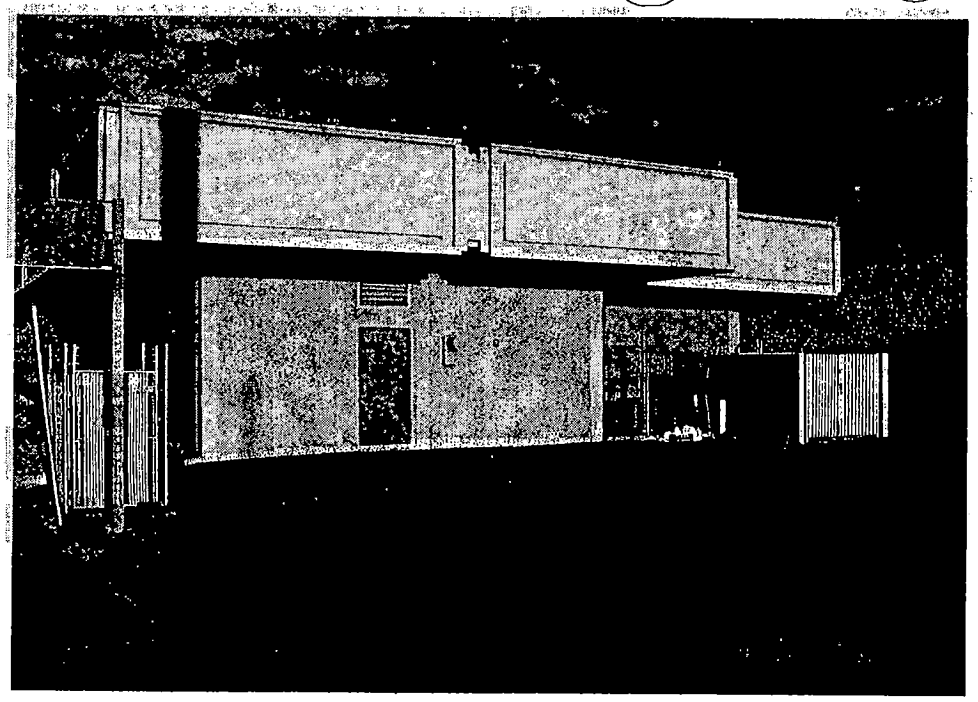


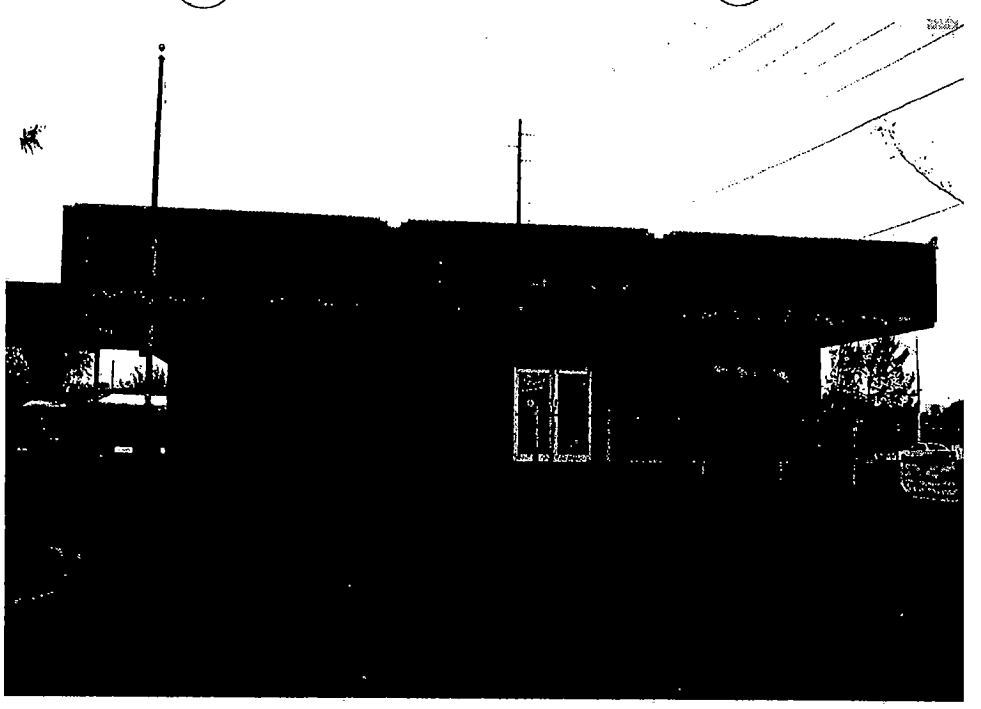




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SUP-2962
10-23-03 PC

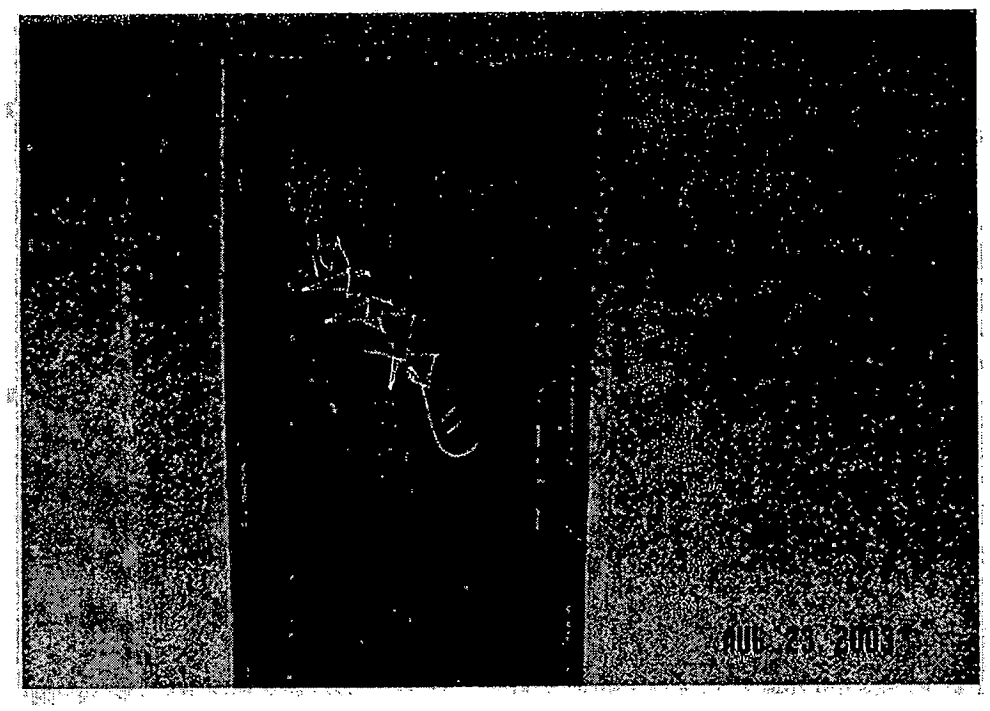




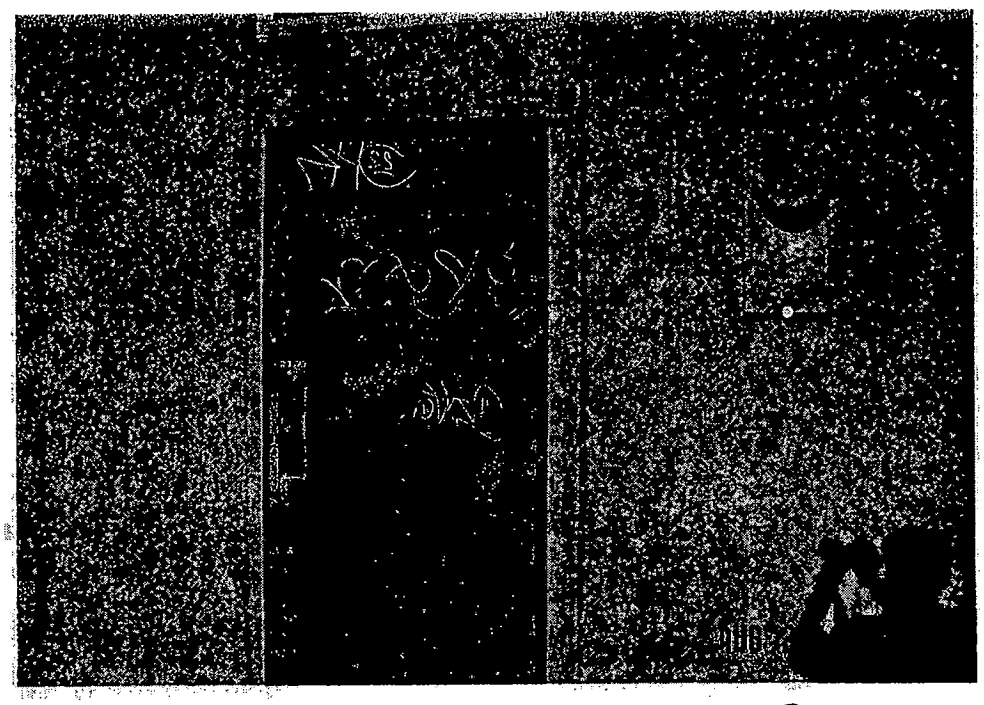




STAFFSUP-2962 10-23-03 PC







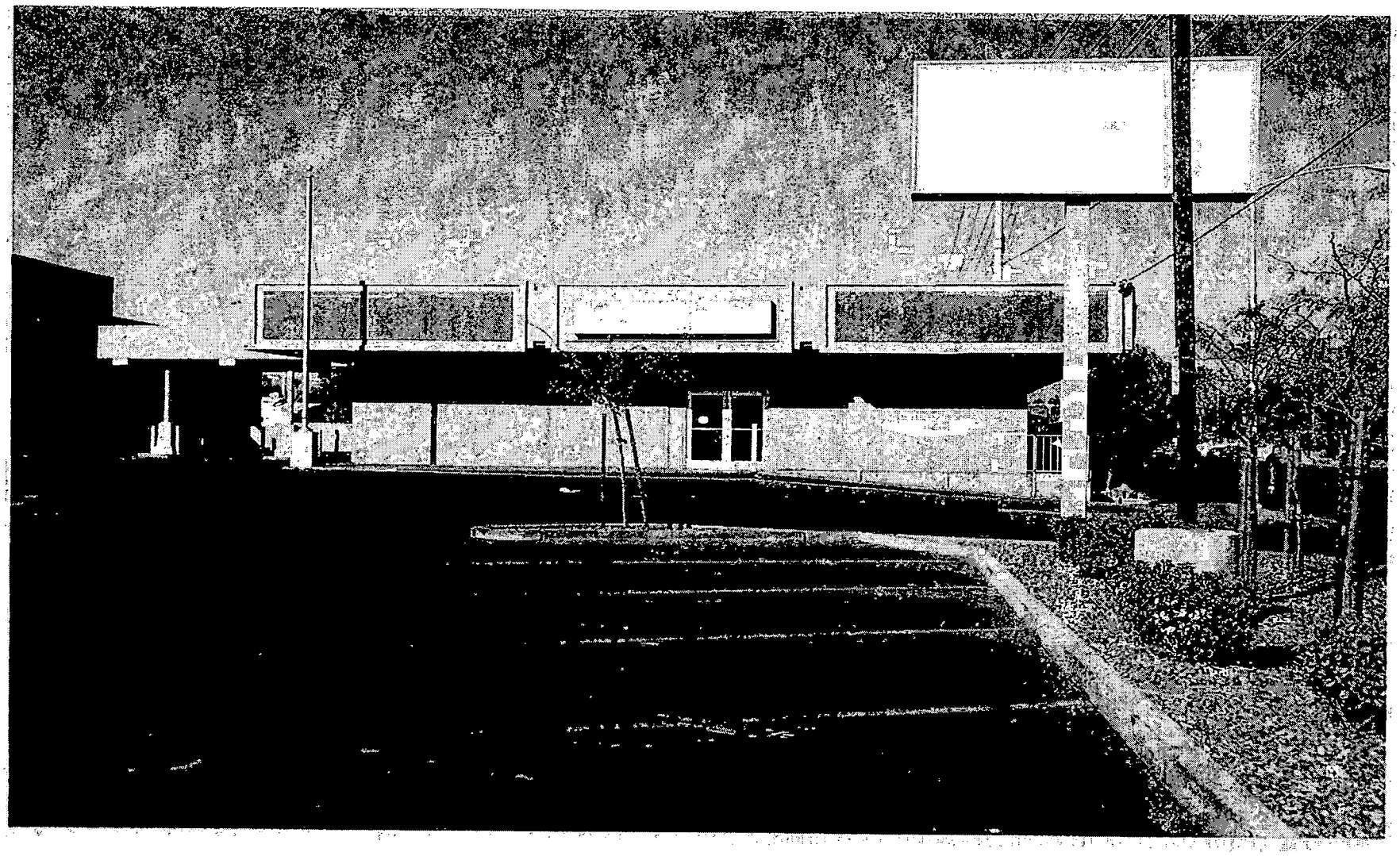


Current Mess STAFF 10-23-03 PC

2300 E. Bonanza Rd.

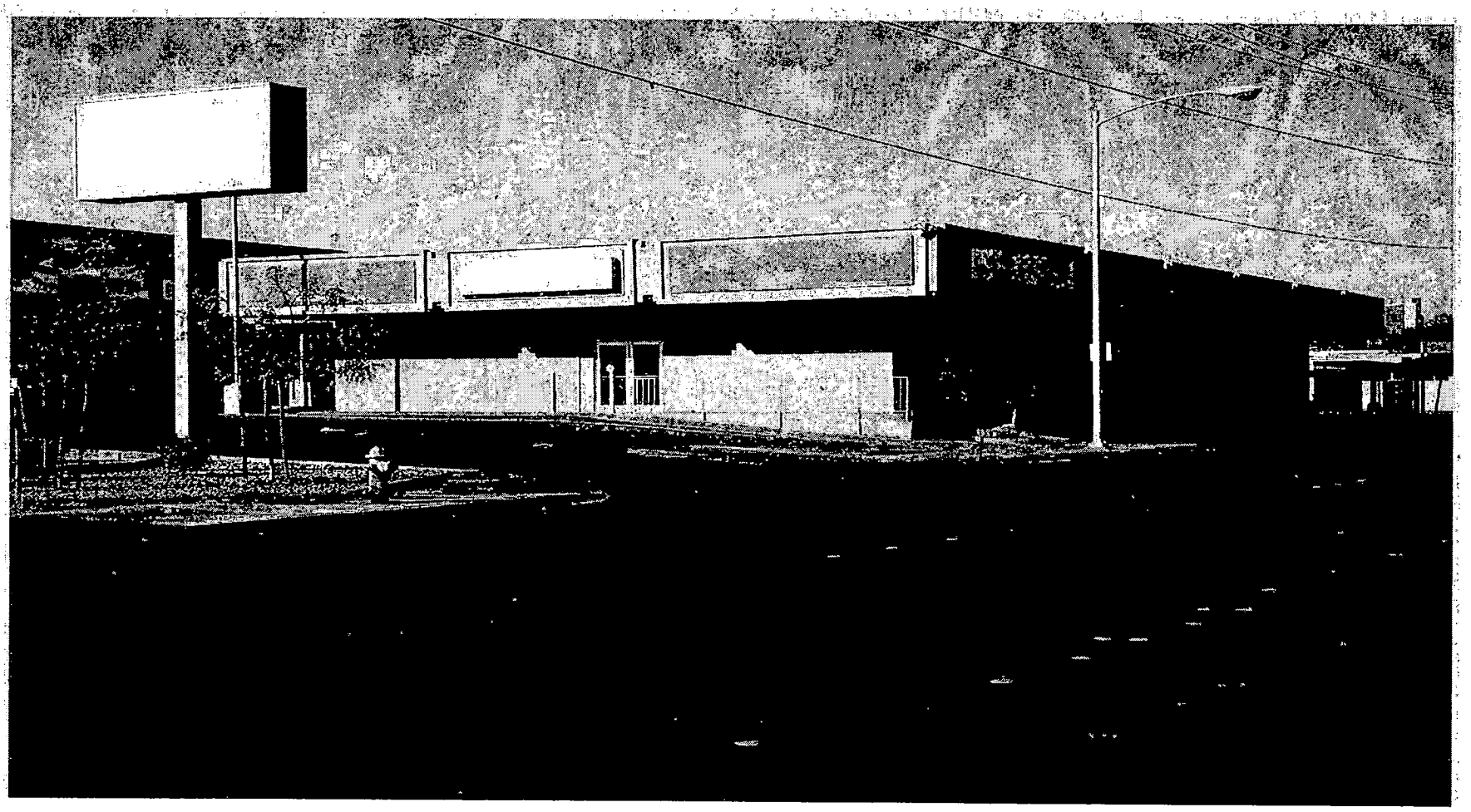
	BUILDING SQ. FT.	SIGN SQ. FT.	PERCENTAGE OF BUILDING	LETTERING SQ. FT.	PERCENTAGE OF SIGN	PERCENTAGE OF BUILDING
WEST SIDE:	960 sq. ft.	128 sq. ft.	13.33%	78.85	61.60%	0.08%
EAST SIDE:	960 sq. ft.	186 sq. ft.	19.38%	90 sq. ft.	48.38%	0.94%
NORTH SIDE:	2360 sq. ft.	232 sq. ft.	9.80%	116 sq. ft.	50.00%	0.05%

Please note that while these figures are not exact, they are very close to the actual figures.



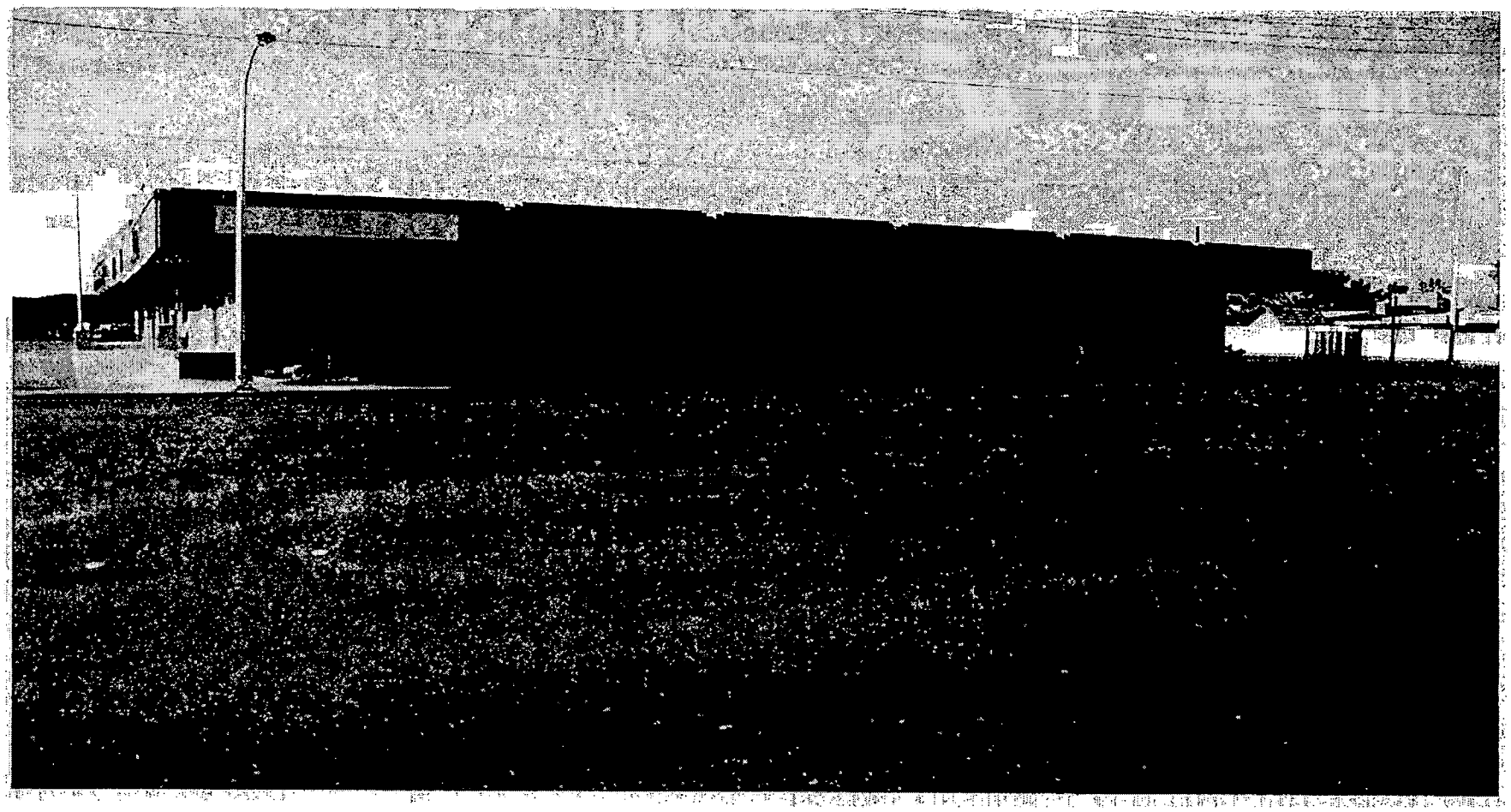
SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY
2300 EAST BONANZA ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY
2300 EAST BONANZA ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY
2300 EAST BONANZA ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
Daniel Escobar	2320 E. McWilliams	Daniel Escobar
M Ybarra	2300 E McWilliams	M Ybarra
Brian Burton	720 23 st.	B. Burton
Celestino Herrera	716 23st.	
Abel Segura	703 N 23 st	Abel Segura
Luis Linares	Colle N. 23 st	
Josefina Bautista	612 23 St.	
Rollie	2205 Ryan Ave	
Zackie Pollard	2208 Ryan ave	
Marquis Thomas	2201 Ryan ave	Marquis M. Thomas
Gary Dixon	2113 Ryan	Gary Dixon
Manuel Bayuelos	621 22nd St.	Manuel Bayuelos
Erika Oviedo	633 N 22nd st.	Erika Oviedo
Meredith Johnson	701 N. 22nd St.	
Veronica M.	705 N. 22nd St	Veronica Montes
Miguel Chaidez	2109 Margaret Ave.	MIGUEL CHAIDEZ
Kolleen Jimenez	2200 E. Bonanza	Kolleen Jimenez
Anthony Warren	625 N. 23RD	Anthony Warren

Submitted at Planning Commission

Date 10/23/03 Item: #65

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
MIKE HASSEL	3750 E. BONANZA RD. #192	Mike Hassel
Erika Wilson	3750 E. Bonanza 191	Erika Wilson
Zoila BLANCO	3750 E BONANZA #197	Zoila Blanco
DAVID Ortiz	3750 E. Bonanza Rd. # 197	David Ortiz
BENNY CORONADO	3750 E BONANZA #204	Benny Coronado
Ruby Bond	2801 Eguador	Ruby Bond
JAMES MOSLEY	3750 E. BONANZA APT#3	James Mosley
LORENZO EASLAND	3750 E. BONANZA	Lorenzo Eastland
ROBERT HARRIS	3750 E BONNAZO #21	Robert Harris
O.C. GREENE	3750 E BONNAZO #21	O.C Greene
Jesse Lopez	3750E BONANZA #19	Jesse Lopez
Jimmy D. Day	3750 E. BONANZA #18	Jimmy Day
DORIAN Benjamin	3750 E Bonanza	Dorian Benjamin
BRONSON HALE	3750E BONANZA	Bronson Hale
Michael Wilson	3750 Bonanza #34	Michael Wilson
Krystal Bolton	3750 E. BONANZA #33	Krystal Bolton
Aciena Howard	3750 E. Bonanza #17	Aciena Howard
Pashod Reed	3750. E Bonanza #45	

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NAME	ADDRESS	SIGNATURE
Shaka Shay	3750 E. Bonanza	
Miguel Aguilar	1462 Heirloom Av.	
Luis Carlos	1700 N Lamb #177	
Warnzie Thomas	1421 Linnbaker lane #202	
Natanda Jackson	3750 E Bonanza #43	
Joshua Jackson	3750 E. Bonanza #52	
David Owens	3750 E. Bonanza #57	
[illegible]	3750 E Bonanza #60	
Crystal Highfield	3750 E. Bonanza	
Tom Shelly	3750 E Bonanza #84	
Katrina Claiborne	3750 E. Bonanza #87	
Charles Cary	3033 Holly Hill	
Jose Dominguez	720 N. 10th St	
Jesse Dominguez	720 N 10th St	
Lazaro Herrera	~~3750 E Bonanza~~	
Miguel Ortiz	3661 S Bonanza	
Manuel Perez	3105 E. Sahara	
Brent Nitke	2752 Alicia	

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NAME	ADDRESS	SIGNATURE
DALILA BALANDRAN	704 DELTA ST.	
ABEL GAWAN	720 DELTA ST.	
ALFONSO BARAJAS	724 DELTA ST.	
Laura Lopez	705 DELTA ST.	Laura Lopez
Amalia Vazquez	701 Delta St	Amalia Vazquez
Robert T. Bernardino	2400 WILSON AVE.	
Samuel E. Bays	721 Flower Ave	Samuel E Bays
MARTIN RODRIGUEZ	717 FLOWER	Martin Rodriguez
AMADOR GALLARDO	709 FLOWER	Amador Gallardo
Javier Espinoza	701 FLOWER	
LUISA CASTILLO	2405 WILSON	Luisa Castillo
Richard Oneal	2409 E Wilson	Richard Oneal
Victor Contreras	2413 E. Wilson	Victor Contreras
Lee Bloom	2313 E McWilliams Ave	
Jose Cuevas	2317 E. McWilliams	Jose Cuevas
Froilan G. Sanchez	2413 E McWilliams	Froilan G Sanchez
Lula Perez	2421 McWilliams	
Sylvia Baumeister	2420 E McWilliams	Silvia Baumeister

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NAME	ADDRESS	SIGNATURE
Devon Douglas	8252 Dune	
William Sanchez	3129 Scarlet Oak Ave	William Sanchez
GABRIEL GOMEZ	5153 PARADISE S/T/ES	
Edwin Ipina	28.50 E.	Bonanza
ROBERT PAUL	520 H-TOWN	
CHUCKO BUSCH	520 H-TOWN ALSO	Chuckles Busch
Vashawn Brown	3750 E Bonanza	
Reena Miller	3750 E Bonanza APT 177	Reena Miller
Rachel Rice	4051 E Wyoming	
Mercedes Camacho	3750 E. Bonanza	Mercedes Camacho.
Rodney Gaines	3750 E Bonanza	
Helen Applaza	3750 E. Bonanza	Helen Applaza
Carrie Jackson	3750 E. Bonanza	Carrie Jackson
Gloria Conway	3750 E. Bonanza #153	Gloria Conway
Dorothy Gray	3750 E. BONANZA #155	Dorothy A. Gray
Adreanne Lucas	5927 Red dawn	Adreanne Lucas
Cay Boykin	4195 Tattersall Pl.	Cay Boykin
Marcus Grayson	3750 E Bonaza	Marcus Grayson

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NAME	ADDRESS	SIGNATURE
Roberto	721 23rd st Velasco	
George Krajeck	721 W. 23	
Abel Hernandez	709 23rd st.	
~~Eleut~~ Eleutcia Valencia	713 23rd st	
Hdalbelgo Gonzalvez	~~2103~~ 2104 Margaret	
LUCAS LOPEZ	2100 MARGARET	
LETICIA CARRANZA	705 21ST ST	
OLGA OROZCO	701 21ST ST	
BEN STEWART	625 21ST ST	
100 JENNY RUBIO	2009 RYAN AVE	
Douglas White	712 20th st.	
Juan Gonzalez	624 20th st.	
DOMINGO PASCUAL	1137 23rd ST	DOMINGO PASCUAL
LUIS RODRIGUEZ	429 23rd ST	

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NAME	ADDRESS	SIGNATURE
Tiffany Edwards	559 Julian 89108	TEdwards
AUDRA FOZO	1591 Charleston 89101	
Steve Barnett	6452 Birchcrest Ct	Steve Barnett
Aime	410 S 10th St	
Natosha Brown	321 Miller Ave	Natosha Brown
Ernesto Velazquez	600 E Mesquite apt. D LV NV 89101	
Charlene B. Watson	3216 Saxton Hill Ave	Charlene B. Watson
Cintia Mille	2309 Daisy Hill Ave	Cintia Mille
Ora Hooker	1116 Cowgirl Ave	Ora Hooker
Tom Duff	2021 Pinto Cir	Tom Duff
David Ochoa	2412 crawford ST	David Ochoa
Betty Walker	1900 Goodwill	Betty Walker
Evette Dorsey	826 Astro Ct	Evette Dorsey
Thi Phone	1315 1/2 A.S. Las Vegas NV 89104	
	7450 S. Eastern Ave #102 Las Vegas NV 89123	
Maria Cruz		Maria
Chadene Fortune	1832 Ridgefield	Chadene Fortune
Todd Aleen	3909 Logging Ct	Todd Aleen
Edith Brooks	4336 Erica Drive	Edith Brooks

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NAME	ADDRESS	SIGNATURE
Deysi Blanco		
Jonathan Honet	2205 LVBLVD SO.	
CURTIS WEEKS	2903 S IKI Ct #P	
Kevin Rivera	2309 Daisy Hill Ave	
Anthony Johnson	450 Fremont	
THOMAS SMITH	916 BRIDGER	
Chynethia Brown	3212 Wexford Hill Ct	
LaSandra Thom	1909 31st Place	
Katina S.	100 Virgil	
Christine S.	"	
RYBeltran		
Henry Santella	2606 S. Decatur #224	
Epsy Smith	P.O. Box 1221	
Earl Wells	211 N. 8TH ST LV NV	
Steve Tinson	325 E Tropicana	
Roberto Vazquez	916 N. 21st	
Cassandra Muehlemann	3550 E Lake Mead	
DANIEL BRYNER	9625 W RUSSELL	

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NAME	ADDRESS	SIGNATURE
Dorothy Roper	3704 Taylor	D.R.
Keith Miller	Dalite	K.M.
Tonia Bush		
Gwen Todd		
Damian Montenegro		
John C. Allen	1812 Panther PL.	
Jaylynn White	4515 Durango	
Geraldine Hall		
Sophia Seay	528 Clement Court	
Rodger Anders	415 S MAIN	
Manuel Yatton		
Pam Mcgeen		
James McGeen		
Ok Yon Stharbow	309-A-N-8TH	
Elois Thomas	1591 Chadered Cr. LVNV 89101	
Karoly Balogh	504 Tropicana	

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NAME	ADDRESS	SIGNATURE
Adrian Pickett	3920 W.L.V.B. #79	
Regina Cowins	1950 Simmons #140	
Mattie Wilson	1648 Stevens apt 1	
Gina R. Blanquart	4505 Paradise Rd.	
Barbara McDonald	2125 N Las Vegas Blvd #1056	
STEVEN ROGERS	4957 E. HARMON	
Maria Castaneda	912 E Carey #A	
Robbin Veal	213 N. 9th St 89101	
M. Miller	3040 E Charleston	
R Hall	2719 Basswood	
Graciela Saldito	508 Julian	
JUAN MARTINEZ	2801 COLOMBIA AVE	
Rhonda Stewart	3008 ST. GEORGE #	
HERMAN CABINETS	723 PERWINKLE DR	LVINV.
Bela Didi	4747 Redwood Ave	
Mr Kevin Clorkrom	4401 Ingress Cir	
Rainan Boone	1658 Britannia Av	
Bill Darling	1812 W. Bonanza	

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NAME	ADDRESS	SIGNATURE
Sandra De La Hoya		Sandra De La Hoya
Araceli G Flores	2131 Starr Ave #10 LV NV 89030	Araceli G Flores
[illegible]	1492 Lamb N. Las Vegas	[illegible]
Archie Dyer		
Tonya Hill	370 S. Maemon	Tonya Hill
Jorge Hoyos	1418 Carson Ave	
[illegible]	3312 Wexford	[illegible]
[illegible]	5370 E. Craig	[illegible]
Anthony Johnson	450 E Fremont St	[illegible]
Blanca Tapia	512 Rosa	Blanca Tapia
[illegible]	450 Fremont	[illegible]
Jeanette Flores	2368 N Red Rose	[illegible]
Julia Huggins	9369 Red Rose Ave	[illegible]
[illegible]	5438 Forsythia	[illegible]
Manuel Lopez	400 N. 21st.	[illegible]
Socorro Alfaro	1505 Henry Dr	[illegible]
Robbin Veal	213 N. 9th St	Robbin Veal
Barbara Nelson	P.O. Box 443 L.V. NV. 89125	[illegible]

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NAME	ADDRESS	SIGNATURE
Charles Caswell	525 E. Bonanza	Charles Caswell
Vera Harris	1508 S. Cleveland	Vera Harris
[illegible]	5396 Zole Ave	[illegible]
Bonnie Lindsay	300 S. 4th St	Bonnie Lindsay
MARC RANDALL	6055 W. HACIENDA	Marc Randall
200 LeVette Threats	2604 West	[illegible] 840 1/2
Marco T Reyna	2317 Hogsdon Dr LV	[illegible]
Amanda Bank	3750 E. Bonanza #97	Amanda Banks
LaTasha McCall	701 1st #105	LaTasha McCall
Vernie Johnson	400 Stone River Dr	[illegible]
Octavio Ramirez	2715 Mesa View, 89121	[illegible]
Donna's Key	1900 Tonopah Drive	Donna's Key
Crystal Thompson	1605 Splinter Rock Ave	Crystal Witherspoon
Martell Beaput	6159 Smoke	Martell Beaput
Curtis L Jenkins	1624 Palm	Curtis G. JENKINS
Dawn Knepper	1525 E. Fremont St #A102	Dawn Knepper
Anna Walworth	1700 Alta Dr #2131	Anna Walworth
Mary Ann	1700 Alta Dr 2131	Mary Ann

Store 5

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NAME	ADDRESS	SIGNATURE
Francisco Padilla	916 villa esperus	Francisco
Linda Washington	4850 Sphinx Way	Linda L Washington
Juana Zamora	5684 Ballinger	Juana Zamora
Phillip Mullins	2400 TOURNAMENT CT.	Phillip Mullins
Lodin Reyes	1171 Fall Breeze	
Tim Fravella	6650 W. Warm Springs #1090	
Veronica Boris	4650 E Carey Sp 29	Veronica Boris
Danita Toney	6017 Burlwood Way	Danita Toney
CAROL Robison	1881 Turtlerock	Carol Robison
John Robison	1881 Turtlerock	John B Robison Jr
Castro, Lidia V.	143 Bel Port Dr.	
Markus Coaston	1413 Lucia Dr	Markus Coaston
Chris Seaton	4855 Vegas Valley	CHRIS SEATON
Angelo Casalero	4600 Vegas Dr. #3 Las Vegas NV 89108	Angelo Casalero
Nate Lenkiori	2681 Lincoln Rd	
[illegible]	6185 E Carey	
Jorge Castaneda	4302 E. King Rd	
Alfonso Vargas	5175 Rappahannock	

Store 5

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NAME	ADDRESS	SIGNATURE
Denise Lieberman	2068 N Wells	
Linda Washington	4850 Sphinx Way #1086	L. Washington
Latonya Pope	1960 N. Walnut #230	Latonya Pope
Bridgette Graham	860 Desert Storm	Bridgette Graham
Tamera Fulch	4855 Vegas Valley Dr #111	
Erin Reuss	5550 Charleston #104	
	4851 Vegas Valley Dr	
Tina Concepcion	2356 Los Feliz St. LV	Tina Concepcion
Tina Monette	5531 Orchard Ln.	Tina Monette
Marquentabell	1220 Treeline Dr. #1102	
Diana Hudson	P.O. Box 43536 89116 LVN	
Pat Alvarez	P.O. Box 43536 LVN 89116	Pat Alvarez
Madison M.	2030 W, Russell Rd	
Carolyn Blanche	1944 No "D" St	Carolyn Blanche
Claudia Ruano	6857 Adobe Villa	Claudia Ruano
Paulette Adams	5439 Eastwick Ln	
Rigoberto Ochoa	4870 Spencer Way 2082	
Jeff Eastman	4217 Timpani Ln.	

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
Flonil de Guzman	5374 Walcott St.	
VICTORIA HARRIS	4609 Lone Wren	
Joel Ortiz	2040 5th Street	
Debbie Brown	5075 Spyglass #2035	
Carlton	6542 Shining Sand	Carolyn V Carlton
Delores Keithley	2855 Fremont #23	Delores Keithley
M. Stevens	1830 N. Pecos Rd.	Melinda Stevens
Lorna Washington	4923 Boulder	Lorna Washington
Elena Gonzalez	4653 Algonquin Lane	Elena J Gonzalez

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NAME	ADDRESS	SIGNATURE
Maria Vizcarra	7321 BROOKS	Maria Vizcarra
Marcella Mathews	3350 Hardisa	Marcella Y. Mathews
Juan Cuellos	508 San Pablo 89101	
Charlene Lewis	3355 Oquille St.	Lances Ann
[illegible]	Sogra 3749	
Ana Ramirez		Ana Ramirez
Guido Paravatti	3024 Turquoise Ln	
Maria del C. Vera	3149 E Desert Inn Apt 92	
Jose Ramirez	2908 Paloc Ave	Jose Ramirez
Victor Espillinfelipe		

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NAME	ADDRESS	SIGNATURE
Michelle Lopez	325 Lamont St	Michelle Lopez
Tobyn Tomlinson	4769 Mesquite Dr	Tobyn Tomlinson
Tony C Ruiz	6004 Lyons DR	Tony C Ruiz
M. Monge	147 GILBERT # 29	M Monge
Katie Willis	1011 N. 4th St. #23	Katie Willis
Sonnik Dawson	1135 EASTWOOD #C	Sonnik Dawson
R-T. ROLAND	3870 SWENSON ST.	Rick Roland
E. LOPEZ	3669 HAWAIIAN AVE	E. Lopez
W. BLACK	1905 N NELSON	W. Black
Rolando	1636 MAYFAIR PL	Rolando
Matt Miller	1500 KAREN Ave #204	Matt Miller
D. Goss	1816 Howard Ave	D. Goss
	4501 SPENCER 108	
Chris Bo	4005 Boulder Hwy	Las Vegas NV 8910
Victor Hurtado		

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
Ernestine Bass	5716 Indian Ridge	Ernestine Bass
MARTIN OREA	4924 ELMHURST LN	
José G López	2637 Ferguson AVE. N.	
Luis Mendez	2637 Ferguson AVE.	
Dan Hulett	0250 Sloman Las Vegas NV	
Bertha L. Ayala	4400 E. Owens #118 LV.	B Ayala
Hector Mendez	2725 Taylor Av.	Hector Mendez
Mary Lara	226 cervantes St	
Edna C. Urquia	4918 Chatham CIR #2	
Tisha Anderson	2653 Washington	
[illegible]	102 E. Washington Av.	
Myrna Byrd	1113 Starbuck Dr.	Myrna Byrd
EZ Ell Washington	58202 - Clerk	

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
Carol M. Cashman	117 N 14th St. #B Las Vegas NV 89101	Carol M Cashman
Cathy Wilson		Cathy Wilson
Cathy Wilson	1700 Atlanta	Cathy Wilson
Sharon Allen	1809 W Carter Ave	Sharon Allen

By signing this petition, I attest that I am not opposed to the opening of a Koster's Cash Loans location being opened at 2300 E. Bonanza Rd. I feel that this company offers a service that is valuable to the surrounding community, and the proposed location is much more convenient than having to travel out of my area, should I desire to patronize one of their offices.

NAME	ADDRESS	SIGNATURE
~~Daisy Hampton~~	1088 Hartsell	
300 ~~Josha J B~~	2951 Sierra Height Dr #7	
Antny R. Fish	609 LEONARD AVE	Antny R Fish
~~Anna Marie Bechmer~~ Green Valley Pkwy		Anna Marie Bechmer
Olivia James	1908 Hoskinson Ln 103	Olivia James
Rennae Humph	4225 S. 5th #40	R Humph
David C Cordova	9357 Black Bear Ln	
Krista Bowe	1820 Treeline	Krista Bowe

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NAME	ADDRESS	SIGNATURE
[illegible]	1320 N 22ST	[illegible]

City of Las Vegas

Agenda Item No.: 66

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

SUP-3002 - KATSUM, INC. ON BEHALF OF CHRISTOPHER & CYNTHIA HILL - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 9470 West Sahara Avenue (APN: 163-06-816-029), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting No

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY LAZOVICH'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the proposed financial institution will have less impact in terms of parking and traffic. Surveying the area, staff determined that there is one other financial institution but it is not in the same classification. Based on land use and impact to the area, staff recommended approval subject to conditions.

MINUTES – Continued:

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, objected to approval of this Special Use Permit.

COMMISSIONER McSWAIN stated she would support this application. She asked the applicant to give careful attention to the outside signage. MR. CLAPSADDLE remarked that there are standards to follow with regard to signage.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:46 – 10:50)

3-2932

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 use shall comply with all applicable requirements of LVMC Title 6.

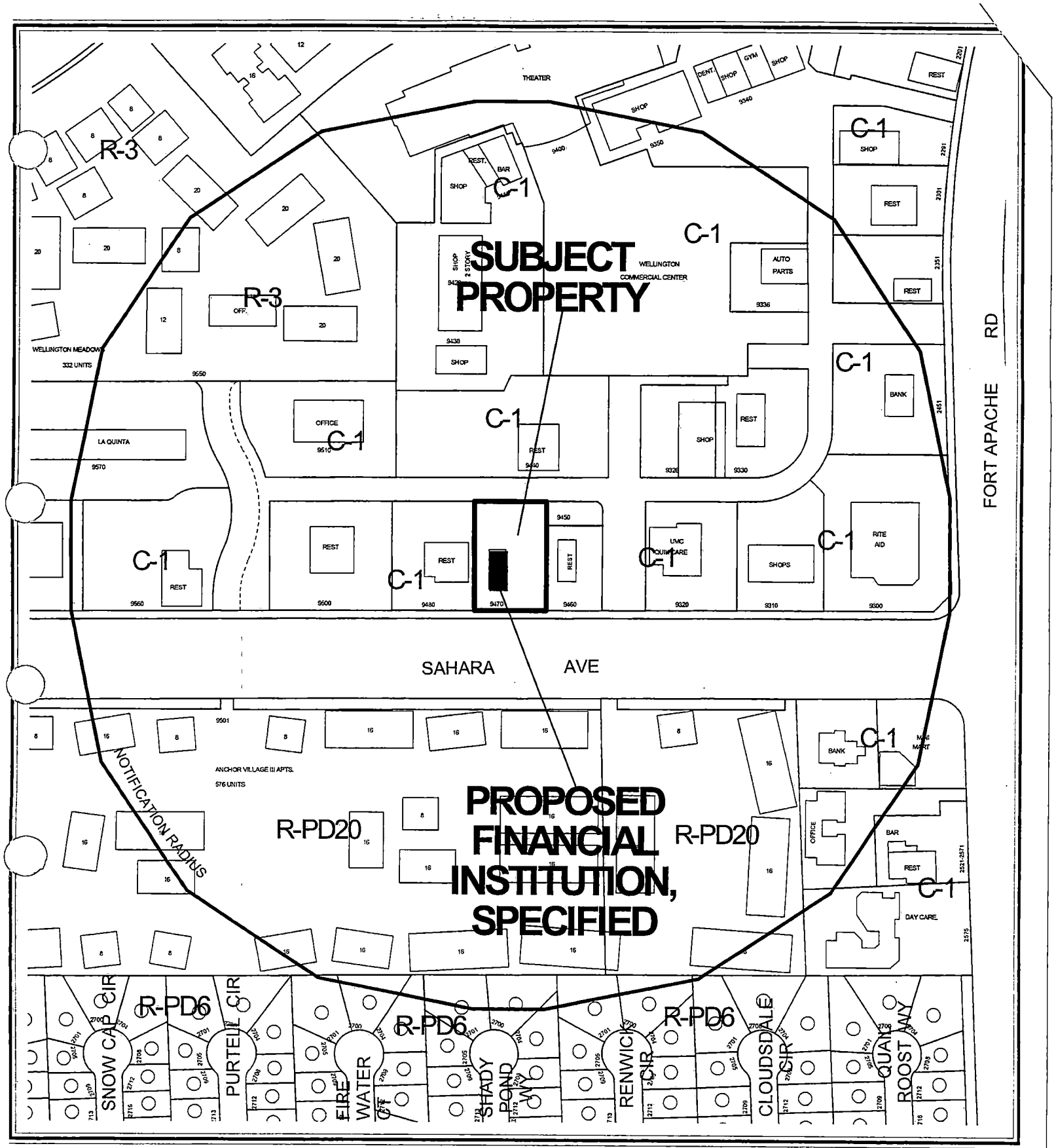
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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

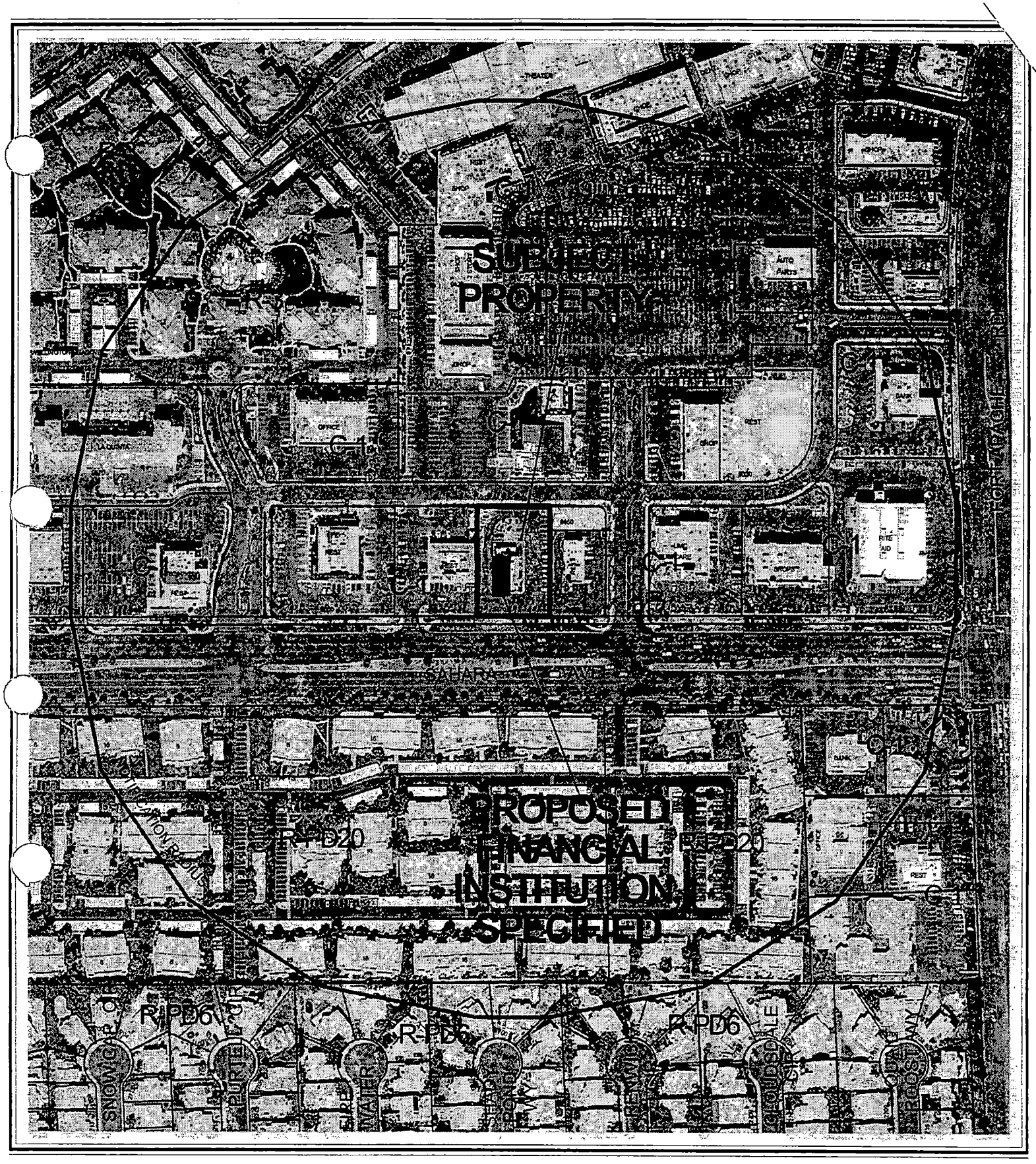


CASE: **SUP-3002**

RADIUS: 750 FT

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

N



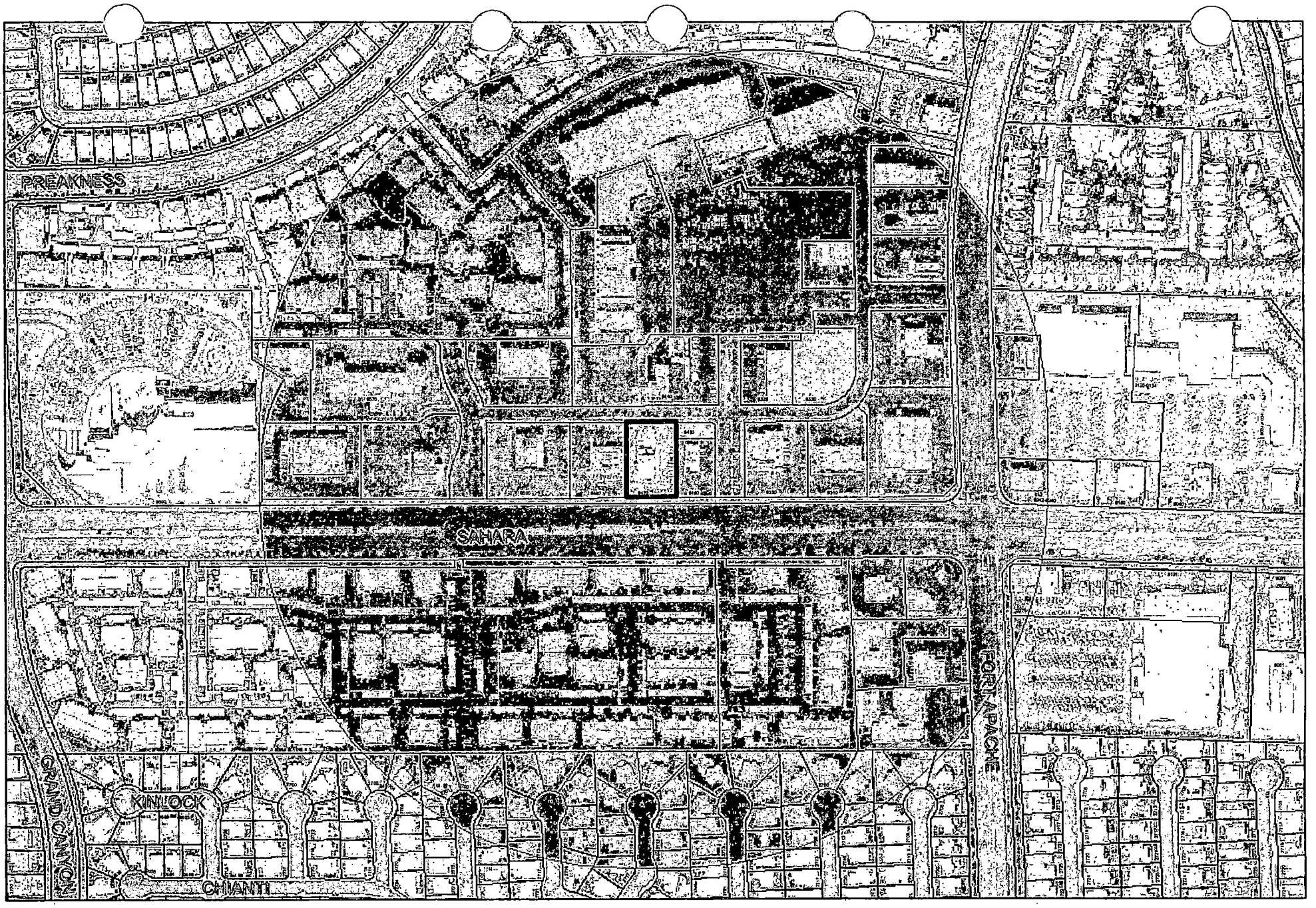
CASE: **SUP-3002**

RADIUS: 750 FT

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

0 200 400 Feet

N



SUP-3002 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- 1000 foot buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3002 - KATSUM, INC. ON BEHALF OF CHRISTOPHER & CYNTHIA HILL

** CONDITIONS **

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 use shall comply with all applicable requirements of LVMC Title 6.

3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified at 9470 West Sahara Avenue.

B) Applicant's Justification

The justification letter states that proposed remodel of the existing building and the business practices fits well within the character and objectives of all City regulations and uses. The use will have little, if any, negative impact on any of the surrounding and adjacent uses and will require no additional impact on public utilities or services.

BACKGROUND INFORMATION

A) Previous Actions

02/15/89 The City Council approved the rezoning (Z-0139-88) of the commercial development, where this proposal is located, from N-U (Non-urban) zoning under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial).

11/17/99 The City Council approved a site development plan review [Z-0139-88(35)] for a proposed restaurant on the subject property.

B) Pre-Application Meeting

08/18/03 The applicant was informed of the submittal requirements and timeline. Minor revisions; such as the addition of a north arrow and vicinity map were discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required.

KCW

DETAILS OF APPLICATION REQUEST

A) ***Site Area:*** 0.64 acres

B) ***Existing Land Use***

Subject Property:	Commercial Development
North:	Commercial Development
South:	Multi-family residential
East:	Commercial Development
West:	Commercial Development

C) ***Planned Land Use***

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	M (Medium Density Residential)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) ***Existing Zoning***

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-PD20 (Residential Planned Development - 20 Units Per Acre)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) ***General Plan Compliance***

The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site is not subject to any special area plans, overlay districts, study area or trail requirements.

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	2,692 SF.	1/200 GFA, plus one lane for each drive-up window with stacking for six	14	See below	34	See below
Handicap Breakdown			13	1	32	2

The proposed use will be located in an existing commercial development. The former occupant of the suite where the Financial Institution, Specified use is to be located was Schlotzsky's Deli restaurant. The parking generated by the former restaurant use is greater than the parking demand for the proposed use; therefore the parking on-site will be sufficient.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there is one other financial use within the notification distance. While the existing use is a financial institution, because of the nature of the business operations, it is not defined as "Financial Institution, Specified" land use.

B) General Analysis and Discussion

- Description of Site and Building

The applicant will remove all of the existing signage. All proposed signs will meet Title 19 requirements and the recommended conditions of approval for this case. No modifications to the approved landscaping or elevations have been proposed as part of this review. Pictures submitted with the application package reveal that the overall commercial development is well maintained and does include parking lot landscaping.

KCW

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

A Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more that twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

This request appears to conform to these standards.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

KCW

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."**

   As the proposed use by definition is similar to other financial uses the proposal is harmonious and compatible with the existing land uses around the site of the application.

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

   The proposed location of the Financial Institution, Specified use is located in an existing commercial pad site within an existing commercial subdivision. As it is like other financial uses it can be concluded that the Financial Institution, Specified use will not have a negative impact 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."**

   The subject site will be accessed from Sahara Avenue, a 100-foot wide primary arterial that can accommodate the expected traffic load of the proposed use.

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

   The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 35

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3002 APN: 163-06-816-029

Name of Property Owner: CHRISTOPHER & CYNTHIA HILL

Name of Applicant: KATSAM L.L.C.

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

X No

_____ Yes

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: CHRISTOPHER G. HILL

Print Name: Cynthia M. Hill

Subscribed and sworn before me

This 10th day of September 2003

Notary Public in and for said County and State

K:\pdr\Applications Packet\Statement of Financial Interest.doc

Revised 2/12/02

OFFICIAL SEAL
KAREN E. TERRY
Notary Public - State of Nevada
My Comm. Expires Aug. 21, 2004
No. 92-3802-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3002 APN: 163-06-816-029

Name of Property Owner: Katsam, LLC

Name of Applicant: Katsam, LLC

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: David E. Bassford

Print Name: David E. Bassford

Subscribed and sworn before me

This 12 day of August, 2003

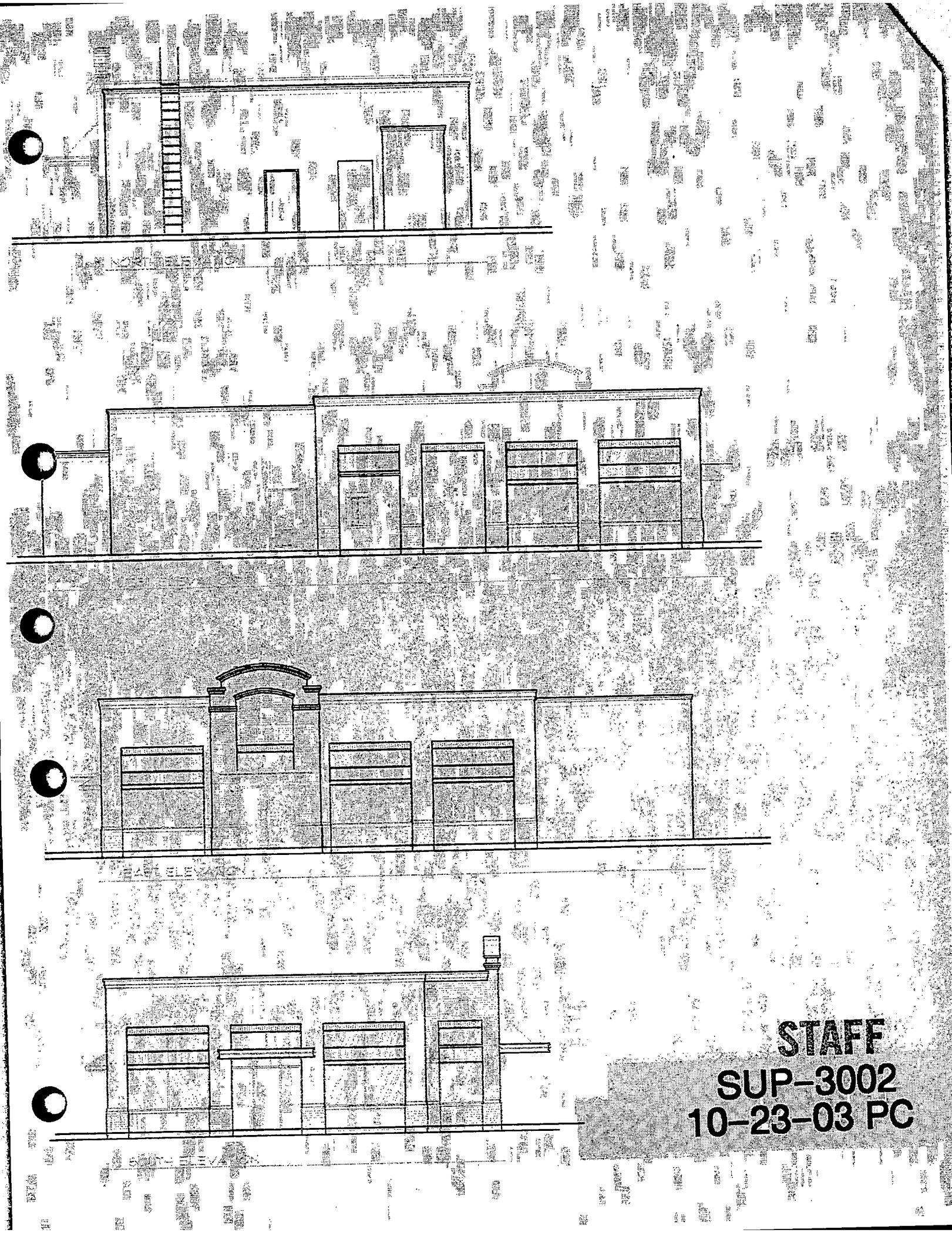
Kimberly E French

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

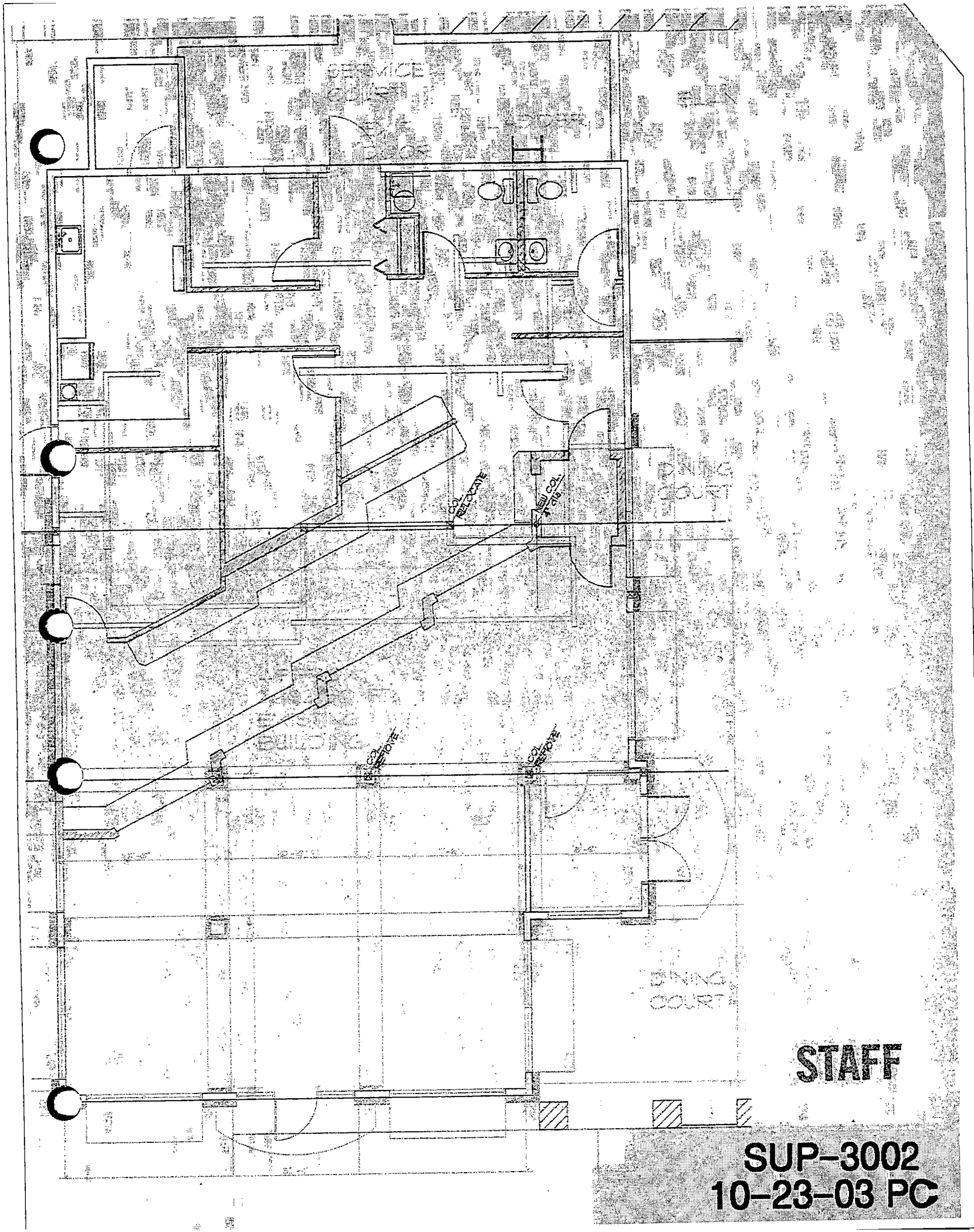
Kimberly E French

my appointment expires 8-19-04.

KIMBERLY E. FRENCH NOTARY PUBLIC STATE OF WASHINGTON



STAFF
SUP-3002
10-23-03 PC



SUP-3002
10-23-03 PC



Allowed 15% of the EBF: 49.5 X 16.38 = 820.71 X .15 = 123.10 > 87.00 proposed.

STAFF
SUP-3002
10-23-03 PC

CULBERTSON SIGNS
P.O. Box 18, Pacific WA 98047
Phone: 800.925.6011
WA Lic.# CULBESS062NZ

Customer: MONEYTREE

Address: 9470 West Sharah

Las Vegas

Nevada

Date: 08/13/03

Sales Rep:

Phone: 800.925.6011

Design by:

Landlord Approval:

Date:

Customer Approval:

Date:

PLEASE NOTE:
The information and design shown in this presentation is the property of Culbertson Sign Service L.L.C. until released by sale. We request that this information be kept within the business for which is



Allowed 15% of the EBF: 36.25 X 16.38 = 593.77 X .15 = 89.06 > 87.50 proposed.

STAFF
SUP-3002
10-23-03 PC

CULBERTSON SIGNS
P.O. Box 18, Pacific WA 98047
Phone: 800.925.6011
WA Lic.# CULBESS042N2

Customer: MONEYTREE

Address: 9470 West Sharah

Las Vegas

Nevada

Date: 08/13/03

Sales Rep:

Phone: 800.925.6011

Design by:

Landlord Approval:

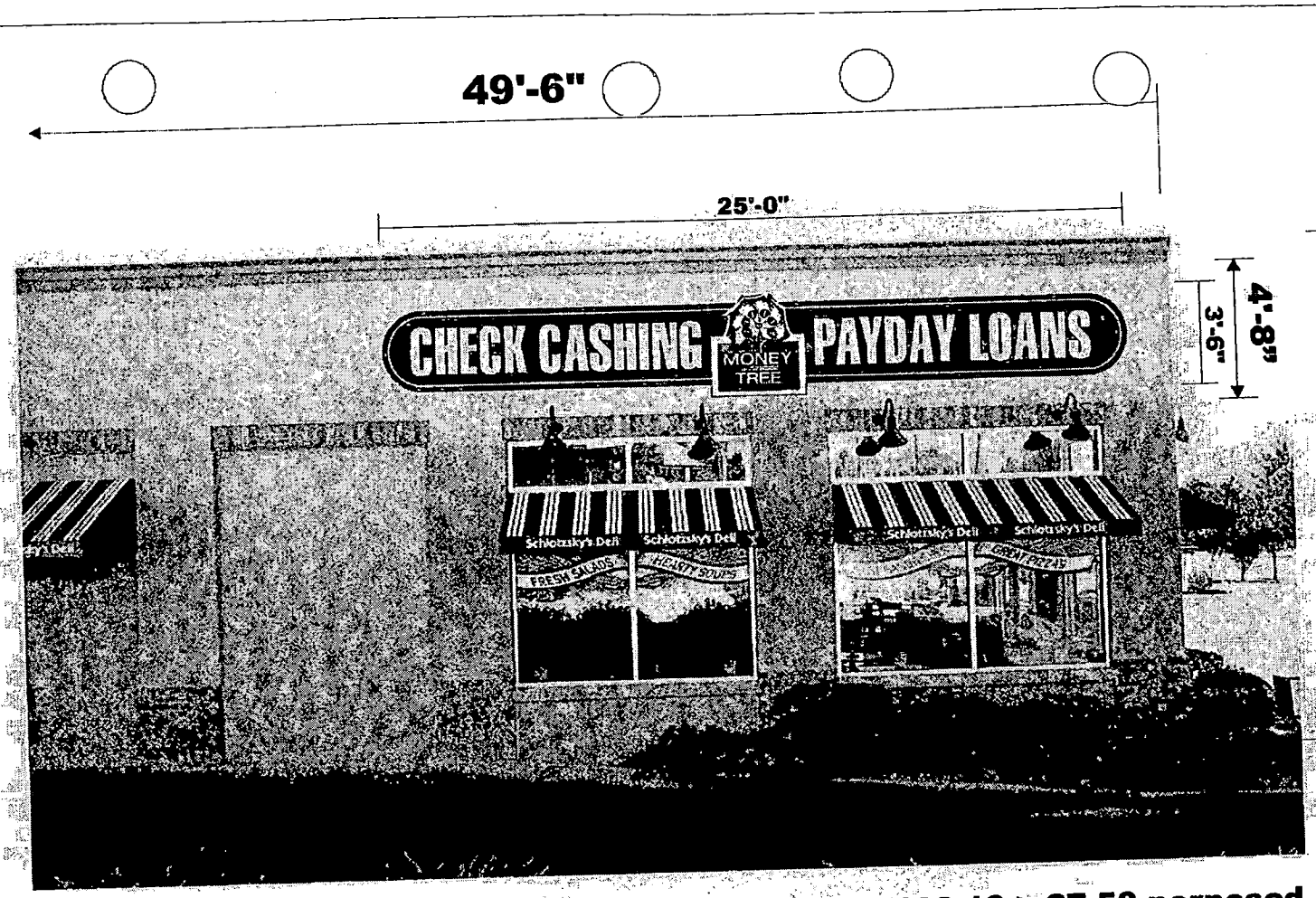
Date:

Customer Approval:

Date:

PLEASE NOTE:

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West Elevation EBF : 49.5 x 16.38 = 820.71 x .15 = 123.10 > 87.50 porposed



CULBERTSON SIGNS
P.O. Box 18, Pacific, WA 98047
Phone: 800.925.6011
WA Lic.# CULBES804212

Customer: MONEYTREE

Address: 9470 West Sharah

Las Vegas

Nevada

Date: 08/13/03

Sales Rep:

Phone: 800.925.6011

Design by:

Landlord Approval:

Date:

Customer Approval:

Date:

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STAFF
SUP-3002
10-23-03 PC



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Phone: 800.925.6011
WA Lic.# CULBES042B2

Customer: MONEYTREE

Address: 9470 West Sharah

Las Vegas

Nevada

Date: 08/13/03

Sales Rep:

Phone: 800.925.6011

Design by:

Landlord Approval:

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STAFF
SUP-3002
10-23-03 PC



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STAFF
SUP-3002
10-23-03 PC

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Design by:

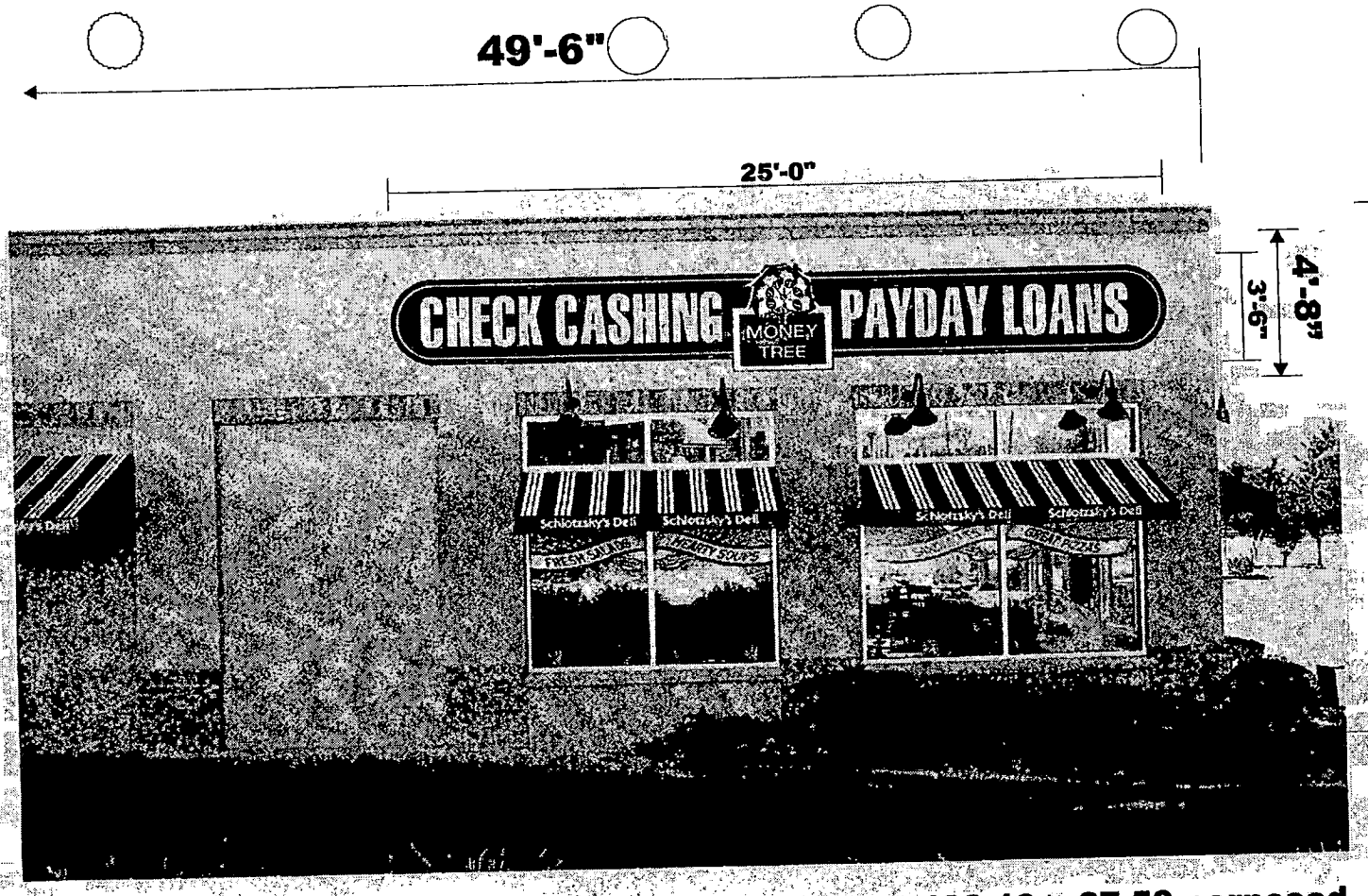
Landlord Approval:

Date:

Customer Approval:

Date:

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West Elevation EBF : 49.5 x 16.38 = 820.71 x .15 = 123.10 > 87.50 porposed



CULBERTSON SIGNS
P.O. Box 18, Pacific, WA 98047
Phone: 800.925.6011
WA LIC.# CULBESSO42N2

Customer: MONEYTREE

Address: 9470 West Sharah

Las Vegas

Nevada

Date: 08/13/03

Sales Rep:

Phone: 800.925.6011

Design by:

Landlord Approval:

Date:

Customer Approval:

Date:

STAFF
SUP-3002
10-23-03 PC

PLEASE NOTE:

The information and design shown in this presentation is the property of Culbertson Sign Service L.L.C. until released by sale. We request that this information be kept within the business for which is



SUP-3002 - KATSUM, INC. ON BEHALF OF CHRISTOPHER & CYNTHIA HILL
9470 WEST SAHARA AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03

City of Las Vegas

Agenda Item No.: 67

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SUP-3042 - BILOXI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF ARTHUR AND JEAN GRANT - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 1502 Western Avenue (APN: 162-04-602-011), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that there are no other protected uses in the subject area and conforms to the standards of the Code. Staff recommended approval subject to conditions.

MICHAEL BRADSHAW, 10814 Del Rudini Street, appeared on behalf of the applicant, and concurred with staff recommendations.

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:50 – 10:51)

3-3115

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar.

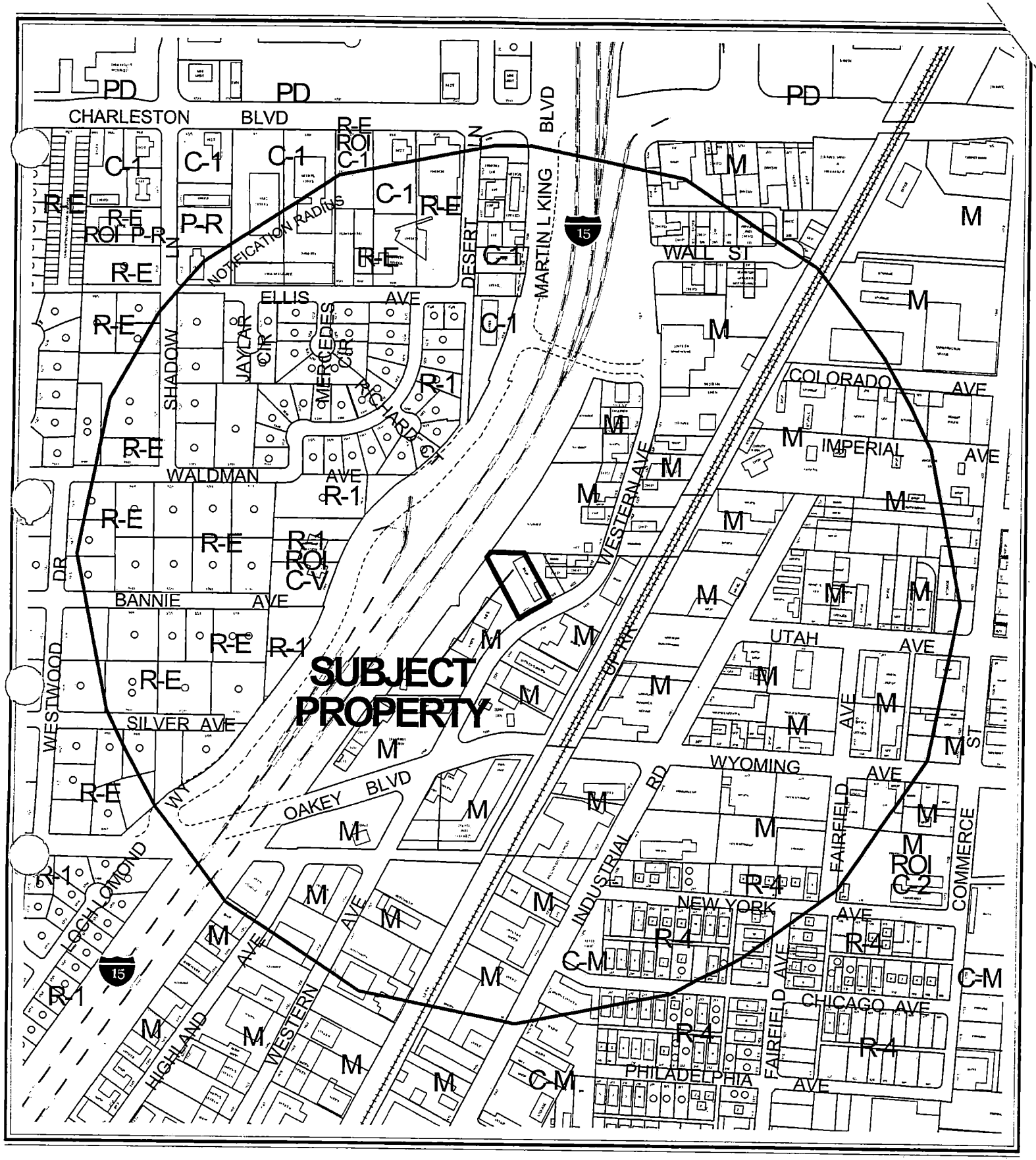
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



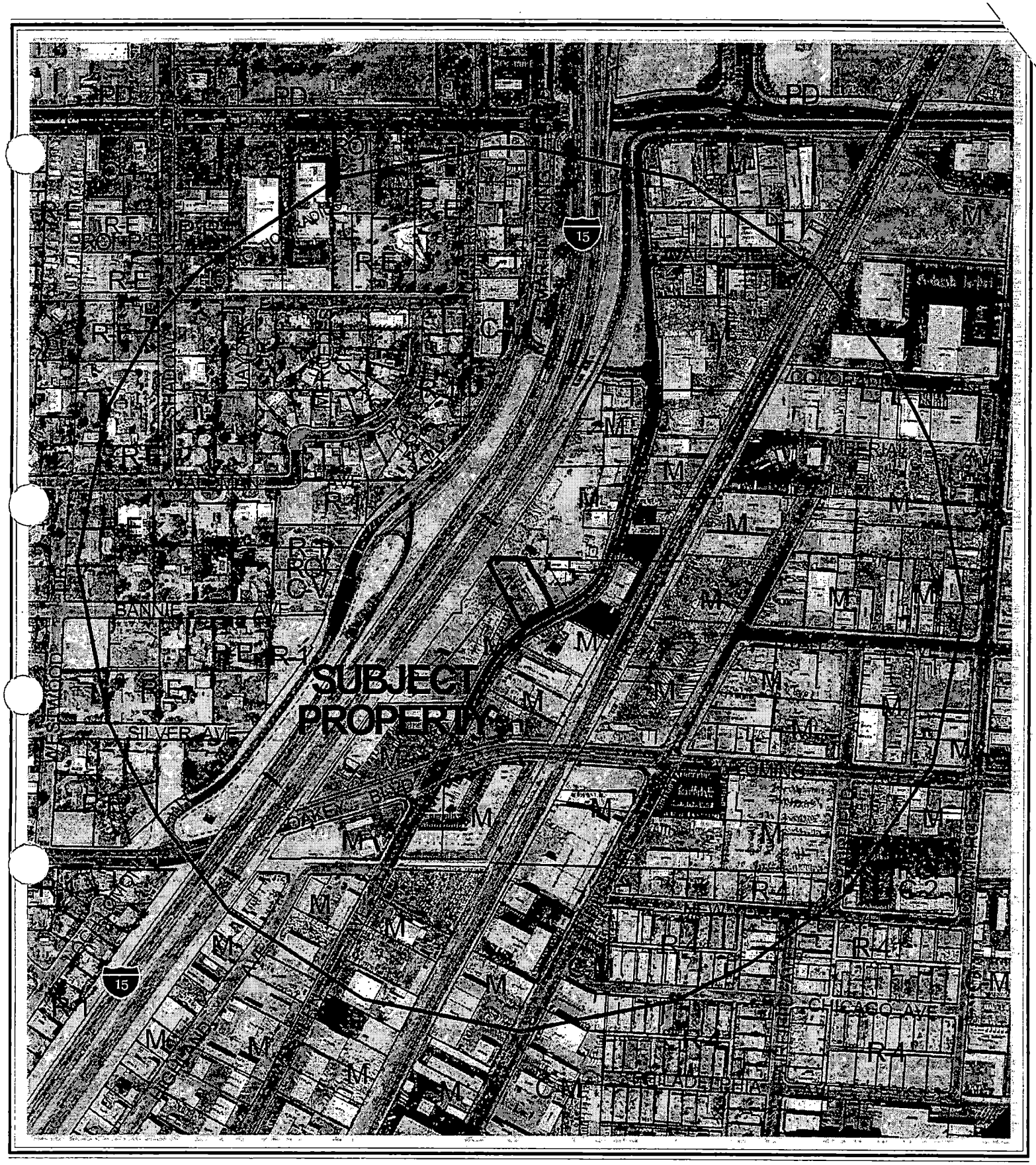
CASE: **SUP-3042**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet

N



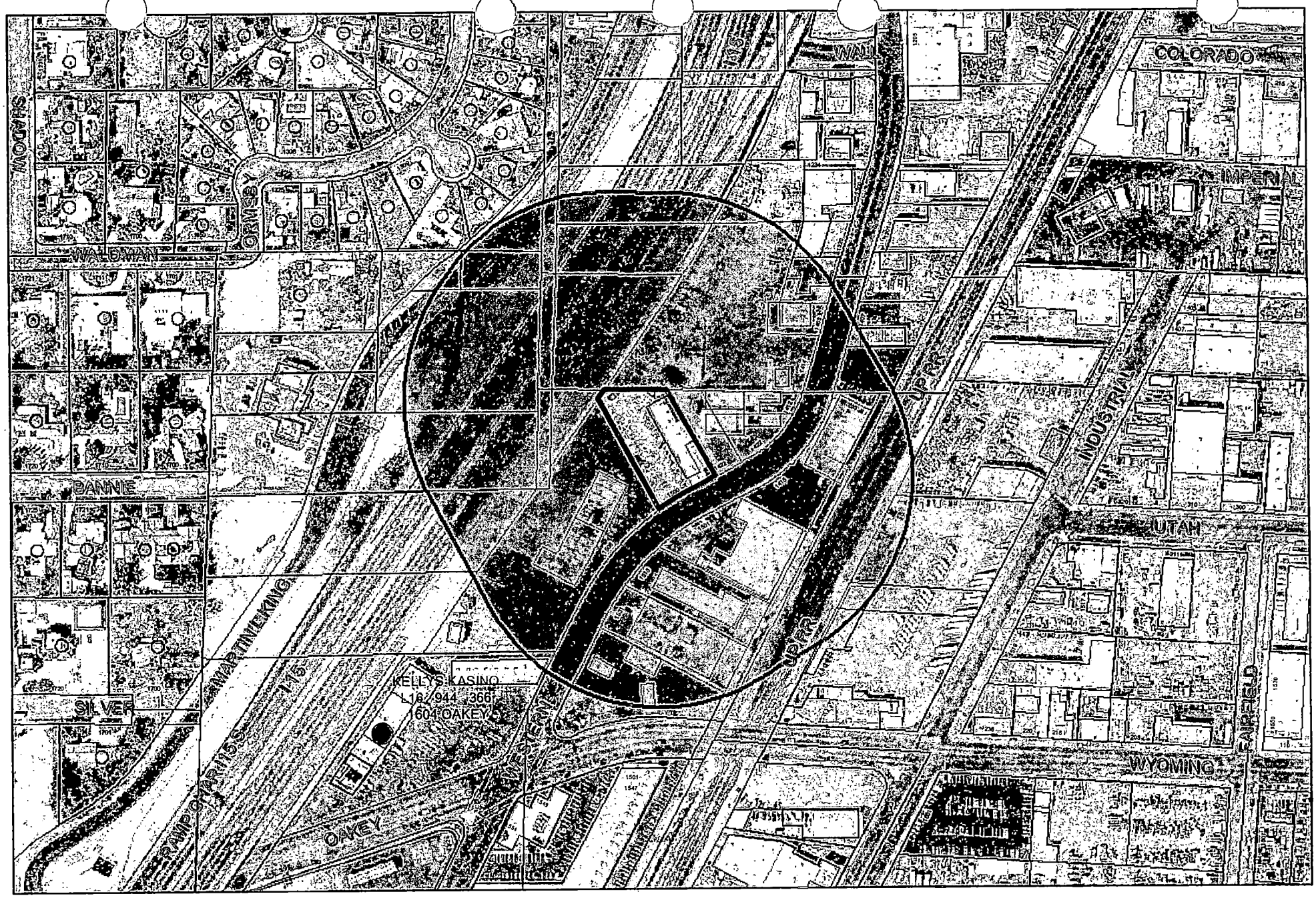
CASE: **SUP-3042**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet

N



SUP-3042

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3042 - BILOXI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF ARTHUR AND JEAN GRANT

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar.

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.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Special Use Permit for Restaurant Service Bar at 1502 Western Avenue.

B) Applicant's Justification

The applicant's justification letter indicates the service bar along with the restaurant will add a convenience to the area's surrounding business workers and customers as well as offer a variety of meals where choices are now limited.

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history for this site.

B) Pre-Application Meeting

08/25/03 A pre-application meeting was held and the applicant was advised of the distance separation requirements from protected uses for a restaurant service bar.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.7

MP

B) Existing Land Use

Subject Property:	Restaurant and Auto Repair
North:	Shops, Warehouse and Outdoor Storage
South:	Shops and Sexually Oriented Business
East:	Shops and Offices
West:	Interstate 15

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/Research)
North:	LI/R (Light Industrial/Research)
South:	LI/R (Light Industrial/Research)
East:	LI/R (Light Industrial/Research)
West:	ROW (Right-of-Way)

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial)
West:	Interstate 15

E) General Plan Compliance

The site is designated LI/R (Light Industrial/Research) on the Southeast Sector Future Land Use Plan Map of the General Plan. The existing M (Industrial) Zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is not affected by any special plan areas or districts.

MP

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Restaurant Service Bar	A minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Parks	No protected uses are within the required 400 foot distance separtion.

In this case, there are no protected uses known to be within the minimum distance requirement.

B) General Analysis and Discussion

- Zoning

The proposed Restaurant Service Bar is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this use 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 are no protected uses known to be within the minimum distance requirement. The use lies within an established commercial development and can be conducted in a manner that is harmonious and compatible with the surrounding development.

The proposed Restaurant Service Bar will be located within a tenant space that has previously been approved for a restaurant use. Issues related to parking were evaluated as part of the building permit process.

- Conditions

The following base Conditions of Approval are applicable to a Restaurant Service Bar:

1. No restaurant service bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

2. Except as other wise provided in Paragraph 3 below, the minimum distance referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closes to the proposed restaurant service bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term property line refers to property lines of fee interest parcels and does no include the property line of:

    a. Any leasehold parcel,;
    b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.

3. IN the case of a restaurant service bar proposed to be located on a parcel of at least eight acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

    a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
    b. In the case of a purposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

MP

5. The minimum distance requirement in Paragraph 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
6. *In the O District, a restaurant service bar is permitted only as an accessory use..
7. *All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 if

The request appears to meet these standards.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and 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 Service Bar will be an ancillary use to the approved 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."**

   The proposal will be located within an approved restaurant on this site. Therefore, the subject site is physically suitable for the type and intensity of land use proposed. The addition of beer/wine sales does not affect the parking requirement for this business.

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 abutting street network will be adequate for the traffic generated by the use since it is an ancillary use to the restaurant within the existing commercial development. Access to the site is via access an driveway from Western Avenue, a 60 foot wide public street.

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."**

It is an ancillary use to the approved restaurant on this site that will be subject to periodic 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.

NOTICES MAILED 218

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3042 APN: 162-09-1002-011

Name of Property Owner: ARTHUR + JEAN GRANT

Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Arthur Grant Jean Grant

Print Name: ARTHUR AND JEAN GRANT

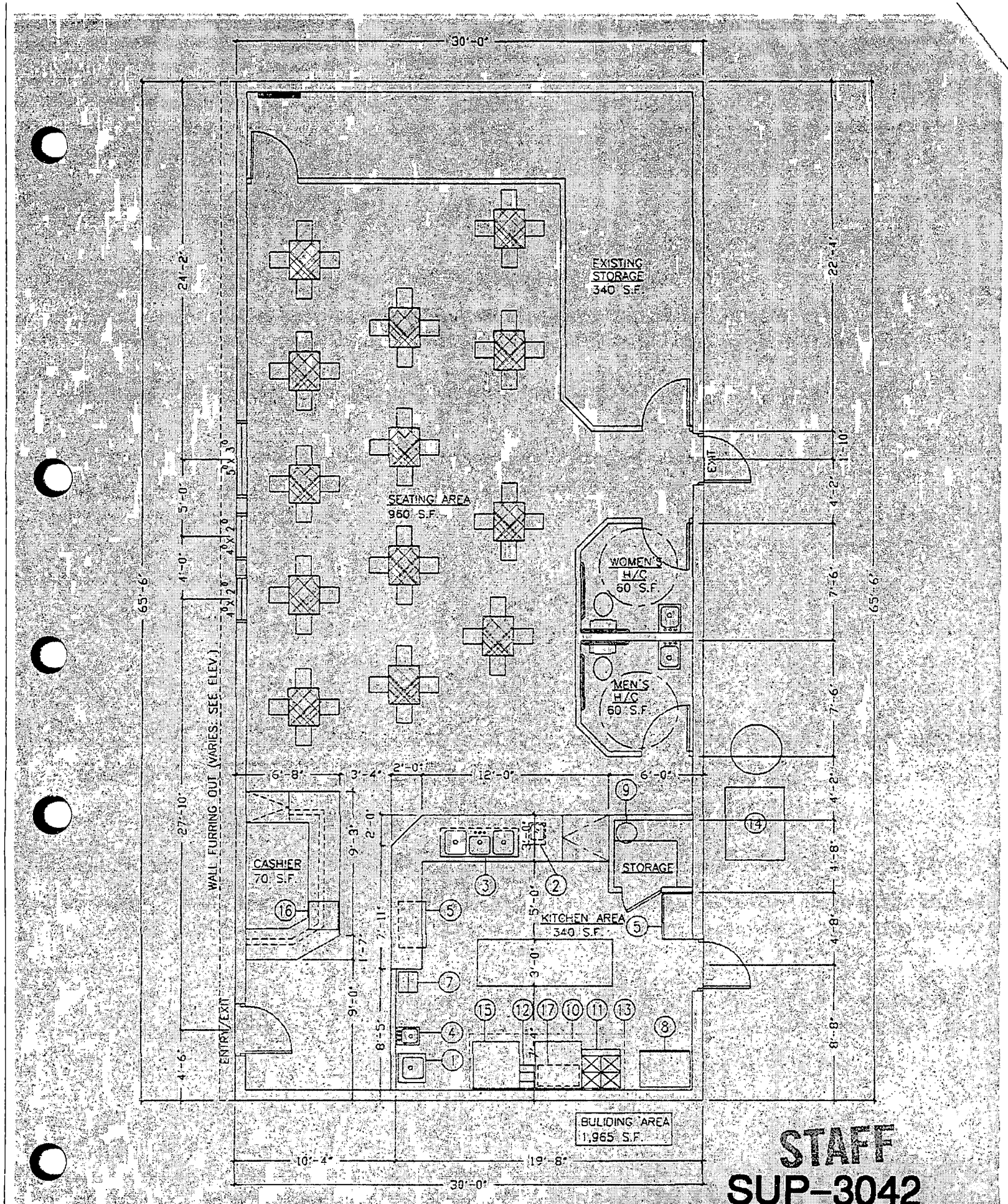
Subscribed and sworn before me

This 2nd day of July, 2003

Davone Reynolds

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DAVONE J. REYNOLDS
No: 03-81737-1
My Appointment Expires April 28, 2007


30'-0"
EXISTING STORAGE 340 S.F.
SEATING AREA 960 S.F.
WOMEN'S H/C 60 S.F.
MEN'S H/C 60 S.F.
EXIT
CASHIER 70 S.F.
STORAGE
KITCHEN AREA 340 S.F.
BULIDING AREA 1,965 S.F.
WALL FURRING OUT (VARIES: SEE ELEV.)
ENTRY/EXIT
21'-2"
22'-4"
65'-6"
27'-10"
5'-0"
4'-0"
4'-0"
5'-3"
4'-2"
1'-10"
7'-9"
7'-6"
6'-8"
3'-4"
2'-0"
12'-0"
6'-0"
9'-3"
2'-0"
3'-0"
5'-0"
1'-7"
7'-11"
9'-0"
8'-5"
7'-4"
4'-6"
4'-2"
4'-8"
4'-8"
8'-8"
10'-4"
19'-8"
30'-0"
FLOOR PLAN
STAFF
SUP-3042
10-23-03 PC



SUP-3042 - BILOXI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF ARTHUR AND JEAN GRANT
1502 WESTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03



SUP-3042 - BILOXI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF ARTHUR AND JEAN GRANT
1502 WESTERN AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

City of Las Vegas

Agenda Item No.: 68

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SUP-3059 - LAS VEGAS BILLBOARDS ON BEHALF OF THOMAS & BARBARA WALSH - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3640 Sirius Avenue (APN: 162-08-302-020), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions and amended Condition 1 as follows:
1. The Special Use Permit shall be reviewed in ***six months after the issuance of a Building Permit*** at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

And adding the following condition:
- ***The off-premise advertising (billboard) sign location shall conform to the landscaping requirements of Title 19.***

– UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, explained that the subject site is located in an industrial area of the City. It meets the required separation from residential and conforms to the distance separation from other off-premise advertising signs. Staff recommended approval subject to conditions.

JAY BROWN, 520 South 4th Street, and LUCY STEWART, 2754 Highland Avenue, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, argued against approving the special use permit and recommended the Commission require the applicant to clean up the site before requesting a special use permit. COMMISSIONER EVANS concurred with MR. FARLOW'S summation and questioned who would be responsible for enforcing the maintenance of the property. He stated that it is absurd for the applicant to request a special use permit being fully aware of the condition of the property. CHAIRMAN TRUESDELL stated that maintenance of the billboard and property are addressed in the conditions. MR. CLAPSADDLE confirmed that Condition 3 specifies maintenance of both the billboard sign and the supporting structure.

MS. STEWART acknowledged the condition requirements but stated that she represents the billboard company who has a lease with the property owner and until the special use permit is approved, they would be unable to access the property to do the required maintenance.

COMMISSIONER McSWAIN agreed with COMMISSIONER EVANS comments. DEPUTY CITY ATTORNEY BRYAN SCOTT remarked that the Commission could ask for whatever they felt would lessen the impact on the surrounding area. MR. CLAPSADDLE stated that the conditions are clear and if the applicant is not in compliance, the special use permit could be revoked at any time. COMMISSIONER McSWAIN was very specific as to what additional requirements should be conditioned with regard to maintenance and landscaping.

MR. BROWN replied that billboards can add to the appeal of certain areas. He stated that the applicant prefers not to spend additional money until such time as the special use permit is approved and would then commit to complying with the conditions. Responding to COMMISSIONER McSWAIN'S arguments, he felt it would be an unfair request to require the billboard company to clean the site being as the request could be denied by the Commissioner. DEPUTY CITY ATTORNEY SCOTT restated that in accordance with the terms of the special use permit, the Commission has the ability to determine what they feel would be appropriate to lessen the impact of the area, even if it requires cleaning up the property site.

MINUTES – Continued:

CHAIRMAN TRUESDELL suggested enumerating additional conditions and specifically spelling out the requirements of each. COMMISSIONER McSWAIN agreed but insisted that the review be accomplished in six months from the time the permit was pulled rather than two years as noted in the conditions.

COMMISSIONER GOYNES added that with the conditions clarified, the applicant would most likely be obligated to meet with the property owner and stress the need to comply with the standards of the Code as well as reiterate the fact that the property owner would benefit from the revenue generated if the billboard is approved. If all fails, he stated that the applicant would have the option of locating the billboard elsewhere.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:51 – 11:18)

3-3194/4-1

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. he off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

5. Only one advertising sign is permitted per sign face.

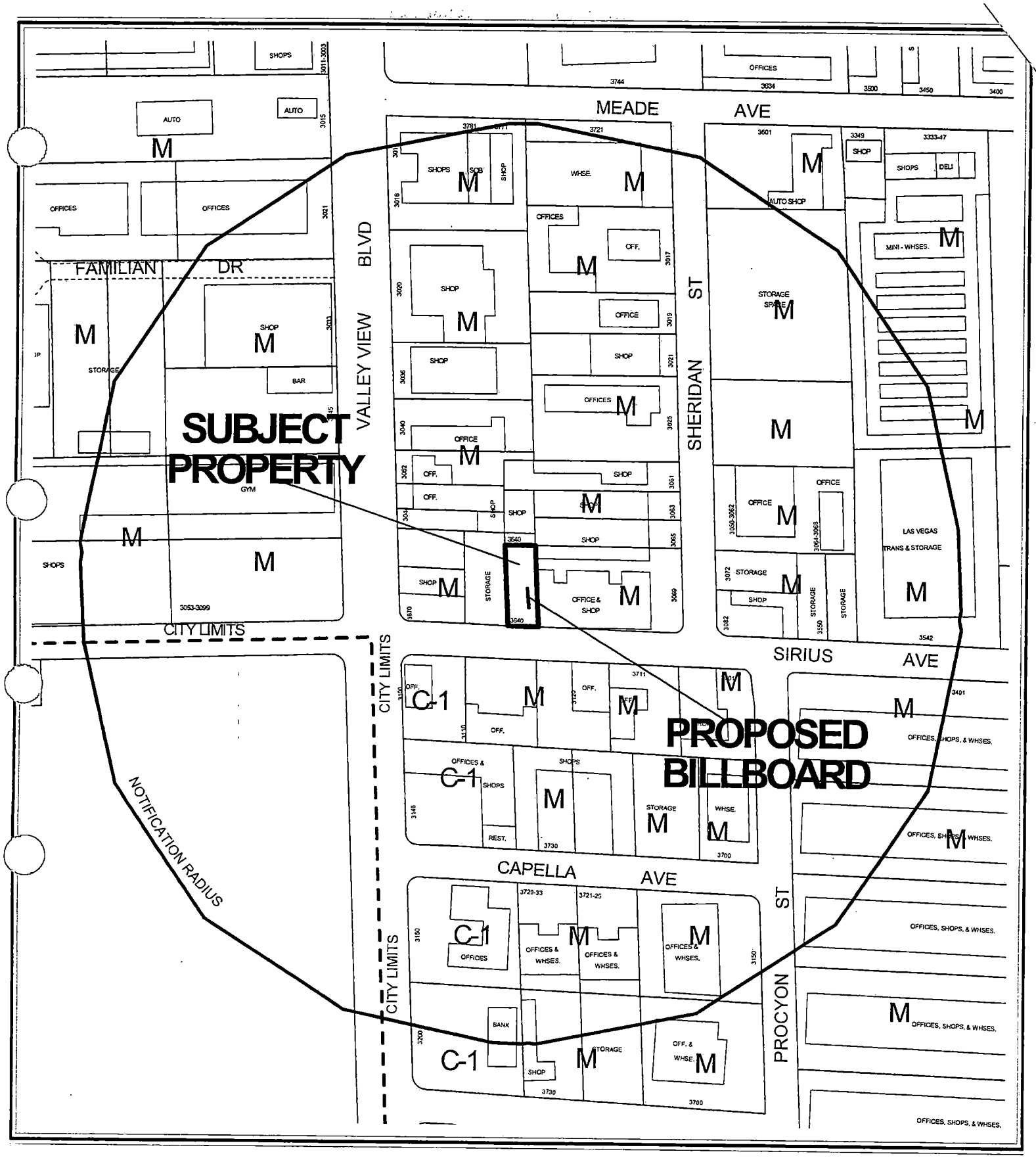
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 68 – SUP-3059

CONDITIONS – Continued:

7. If the 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 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. All City Code requirements and design standards of all City Departments shall be satisfied.



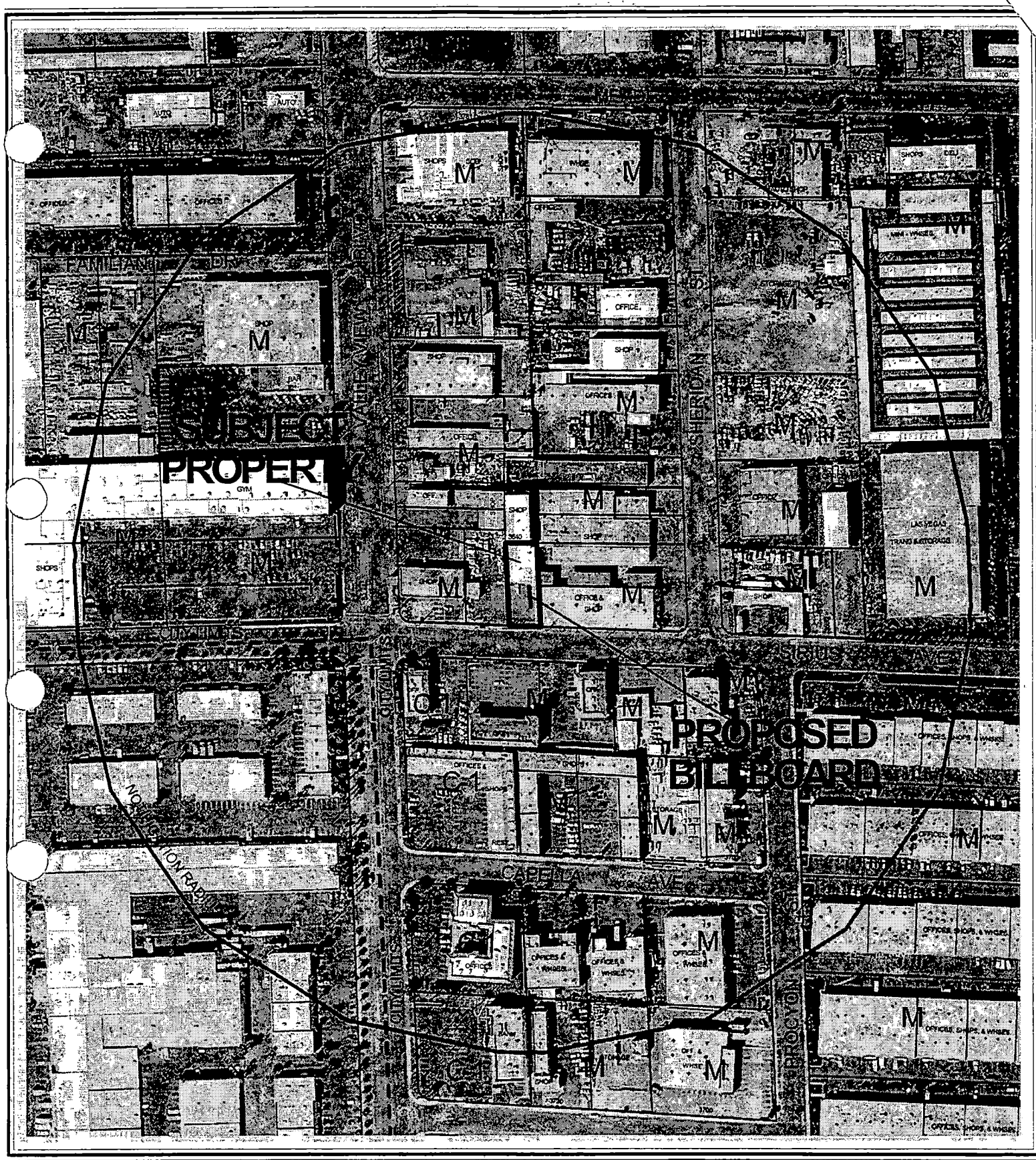
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CASE: **SUP-3059**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



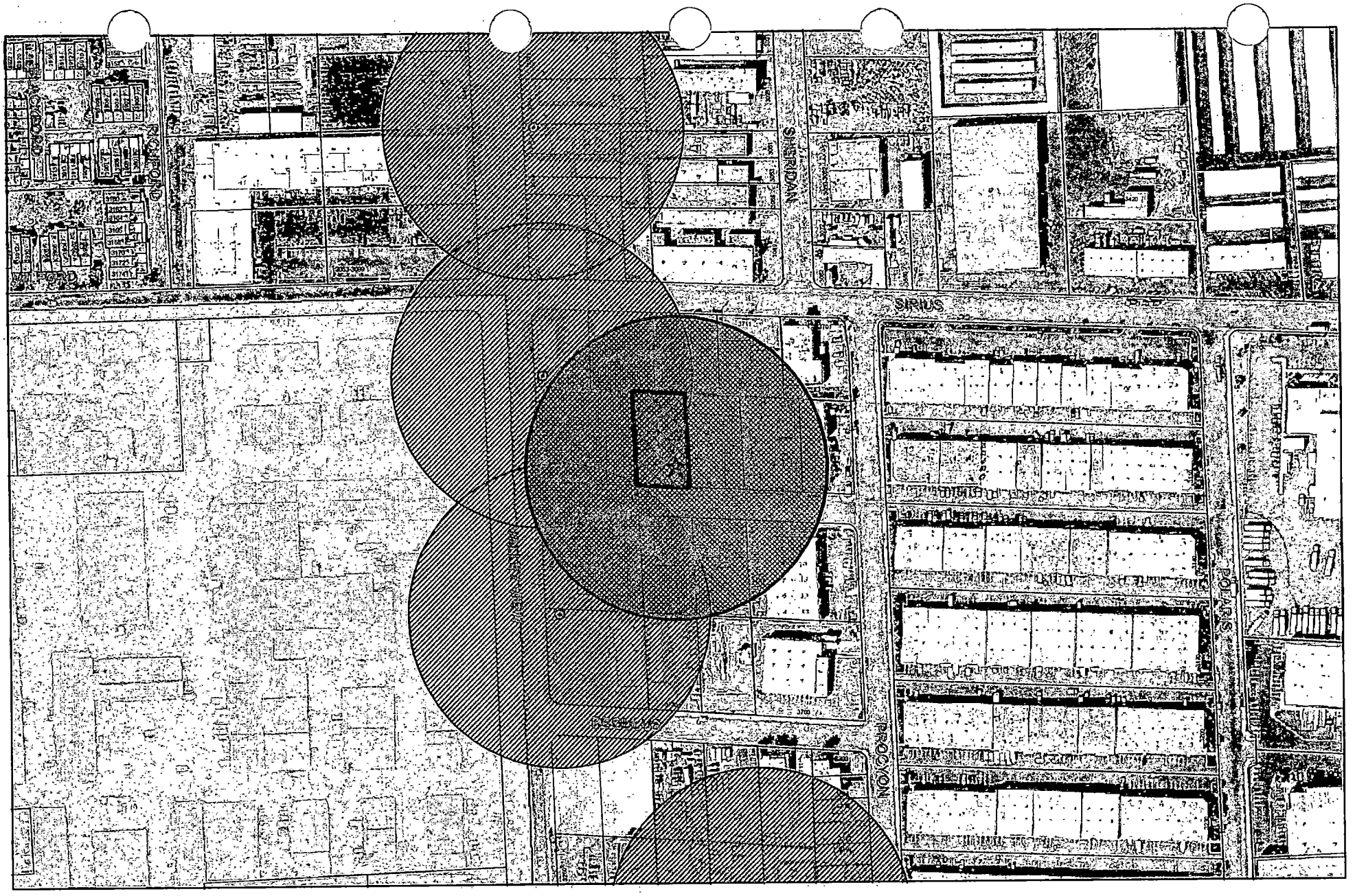
0 200 400 Feet

CASE: **SUP-3059**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-3059

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3059 - LAS VEGAS BILLBOARDS ON BEHALF OF THOMAS & BARBARA WALSH

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the 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 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed 40-foot tall, 12-foot by 24-foot off-premise advertising (billboard) sign at 3640 Sirius Avenue.

B) Applicant's Justification

This proposed location is within an M (Industrial) zoning district. It meets all required separations from residential neighborhoods. The location meets the spacing requirements from other off premise advertising signs. The location is in a manufacturing area and an off premise sign would not out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

There are no past actions by Planning Commission and City Council on record for the location of the proposed action and the industrial center in which the use will be located.

B) Pre-Application Meeting

08/19/03 The following was discussed:

- A Project of Regional Significance report is needed because of the proximity of the City/ County jurisdiction boundary
- The is no case history for the site
- No billboards appear to be within 300 feet of the proposed location of the sign
- Standard elements of an application for a Special Use Permit.

C) Neighborhood Meetings

A neighborhood meeting was not required as part of this application.

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

B) Existing Land Use

Subject Property:	Commercial/ Industrial
North:	Commercial/ Industrial
South:	Commercial/ Industrial
East:	Commercial/ Industrial
West:	Commercial/ Industrial

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/ Research)
North:	LI/R (Light Industrial/ Research)
South:	LI/R (Light Industrial/ Research)
East:	LI/R (Light Industrial/ Research)
West:	LI/R (Light Industrial/ Research)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance	X	

KCW

The Clark County Department of Comprehensive Planning has been notified of this action as the City/ County boundary is within the notification area.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500' of the Clark County/ City of Las Vegas jurisdictional boundary.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Las Vegas Valley Water District has determined that the proposal will not have an impact on the water system.
2) The City of Las Vegas Department of Public Works has determined that the proposal will not need a drainage study.
3) The Metropolitan Police Department has determined that the proposal has no significant law enforcement issues.
4) The Clark County School District has determined that the proposal has no impact on the services of the district.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100, the following Standards apply to the subject proposal:

KCW

Standards	Code Requirement	Provided
Location	• No off-premise signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in C-1 Zoning District
Off-premise sign area (max.)	672 SF	288 SF
Separation distance from other off-premise sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed billboard sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Site Plan

The center of the proposed billboard is located approximately 32 feet north of Sirius Avenue and 12 feet from the eastern property line of the subject site. The location of the sign is in the parking lot of a business at 3840 Sirius Avenue. The sign is supported by a single support pole located five feet from the east property line; the bottom of the sign 26 feet above the parking lot. The billboard has two 12 by 24 foot panels that face east and west. The position of the sign has the advertising face only visible from Sirius Avenue.

The closest existing billboards are located on the east side of Valley View Boulevard at 3100 South Valley View Boulevard, approximately 305 feet from the subject site and another billboard at 3052 South Valley View Boulevard, which is approximately 350 feet from the subject site. Both billboards are located outside of the minimum 300-foot distance separation requirement of Title 19.14.100.

Physically, the subject site is appropriate for the proposed use. The sign will be located outside of the right-of-way, extending over an existing parking lot.

KCW

- Zoning

An off-premise advertising (Billboard) sign is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit. The proposed billboard conforms to Title 19 requirements for minimum separation, size, and height requirements.

- Use

Off-premise signs are considered a principal not an incidental land use. Off-premise signs generally produce revenue to the property owner as a land use as compared to on-premise signs, which in return does not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The proposed sign is compatible with the surrounding area and fits properly on the subject site.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

KCW

a. An accurate site plan of the lot, at the scale the Director requires;
b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
c. An accurate indication of the location of all existing and proposed off-premise signs; and
d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

A condition has been recommended requires conformance to all minimum requirements. Additional conditions have been recommended to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and 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 off-premise sign conforms to the standards and intent of the LI/R (Light Industrial/ Research) General Plan designation and the M (Industrial) zoning district. Further, the proposed sign is located outside of the off-premise sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

   Physically, the subject site is appropriate for the proposed off-premise advertising (billboard) sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

KCW

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

   The subject site is located adjacent to Sirius Avenue, a minor street. The proposed use will not generate any additional traffic demand or induce traffic that will ingress or egress from the location where the sign will be built.

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."**

   This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 62

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3059 APN: 162-08-302-020

Name of Property Owner: Thomas & Barbara Walsh

Name of Applicant: Las VEgas Billboards- David Harris

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: _____

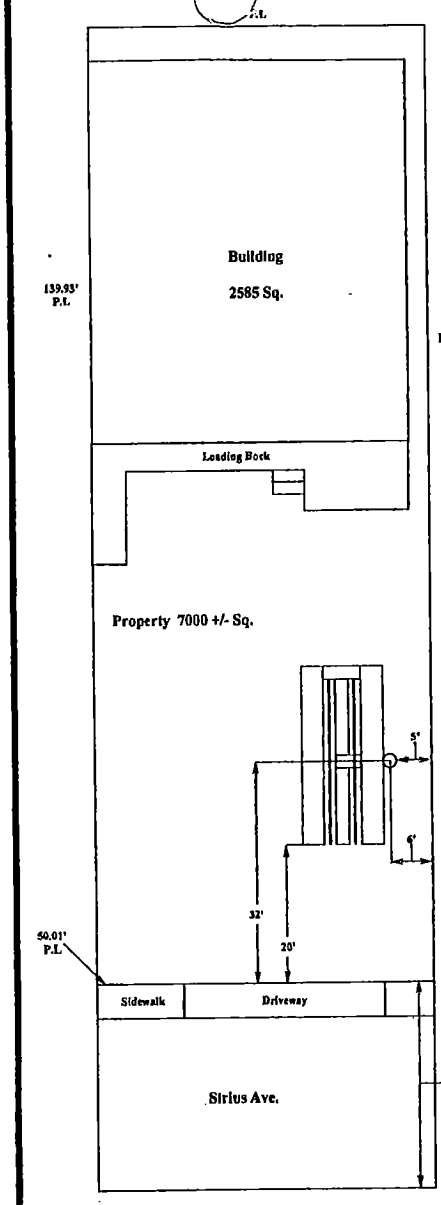
Print Name: LUCY STEWART

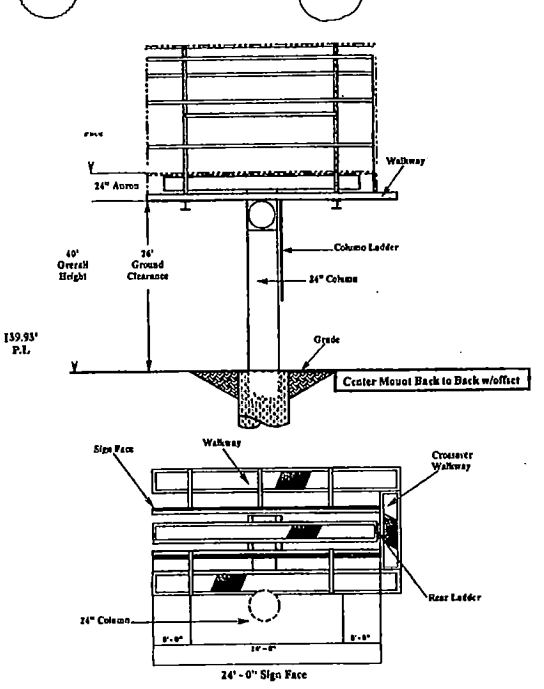
Subscribed and sworn before me

This 9 day of Sept., 2003

_____
Notary Public in and for said County and State

LINA R. MEISLER
Notary Public State of Nevada
No. 99-56546-1
My appt. exp. Apr. 3, 2007





PROPERTY OWNER:	THOMAS A. & [illegible]A A. WALSH 1194 RIDGELI[illegible] ORANGE, CA 9[illegible]2
PROPERTY ADDRESS:	3640 SIRIUS AVE. LAS VEGAS, NV 89102
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 4611 S. LAS VEGAS BLVD. LAS VEGAS, NV 89119 837-7822

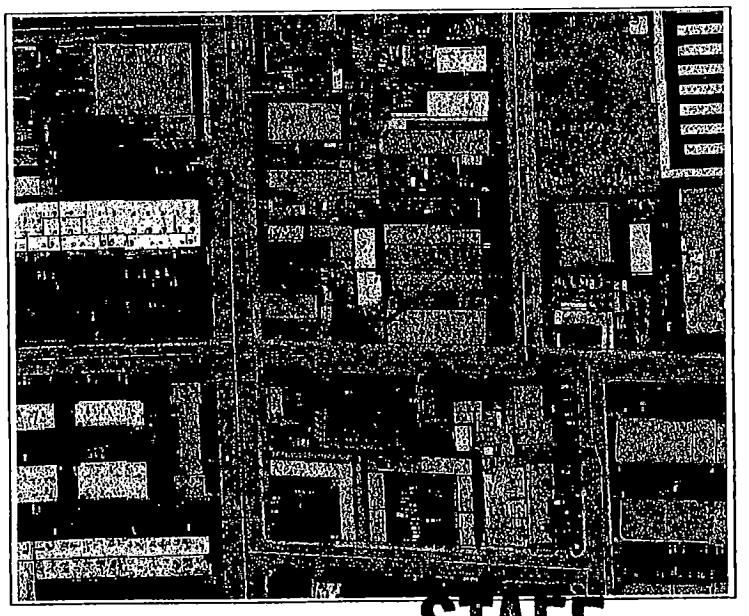
APN: 162-08-302-010
ZONED: M
12' x 24' CENTER MOUNT BACK TO BACK w/OFFSET
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R-E ZONE WITHIN 300'
SCALE 1" = 10'

NORTH

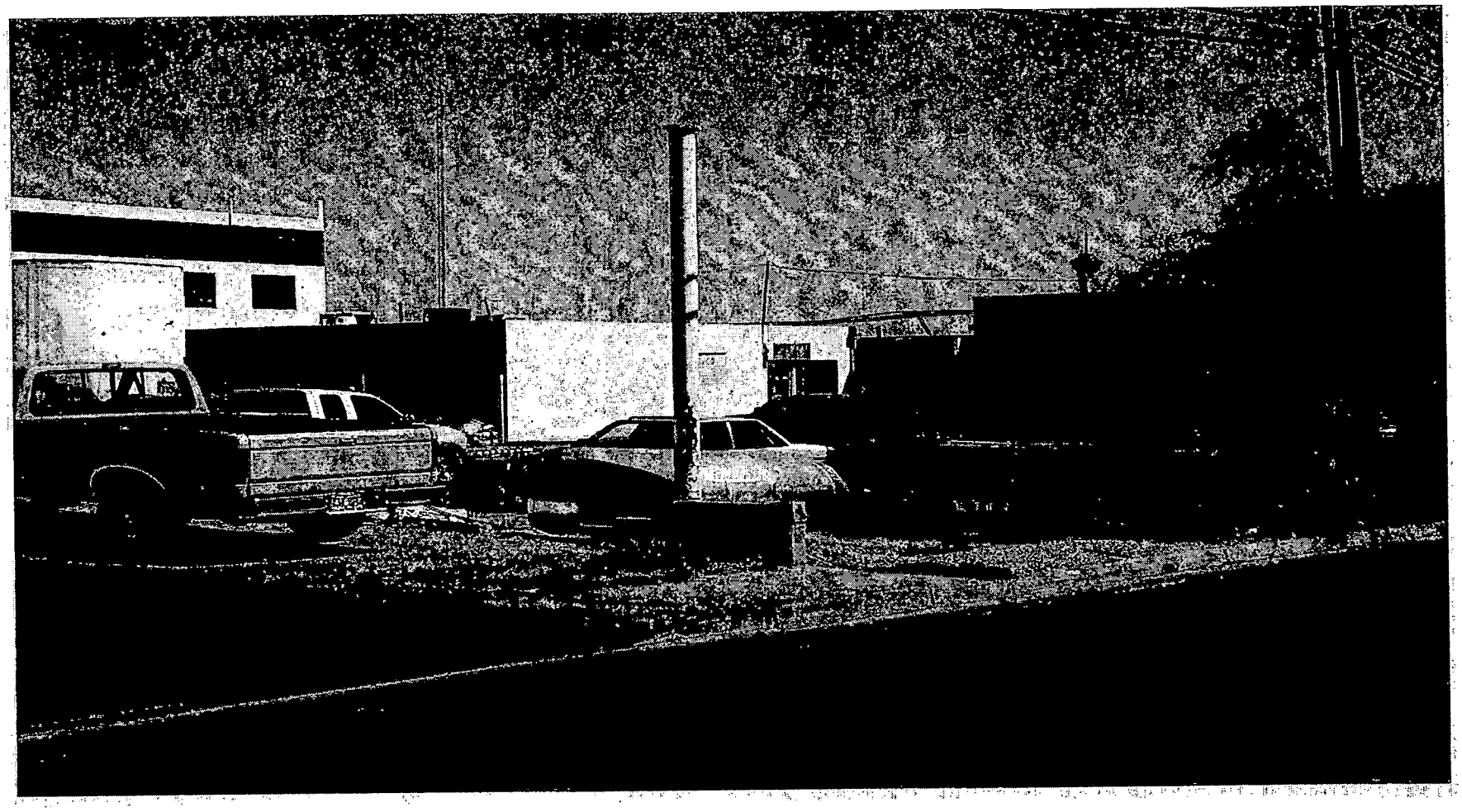
SIGN ANALYSIS TABLE

TYPE OF SIGN:	12' X 24' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	24' OVERALL WIDTH
SIGN AREA:	336' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
20' FRONT SETBACK FROM SIRIUS AVE. TO LEADING EDGE OF SIGN.
32' FROM SIRIUS AVE TO CENTER OF COLUMN.
5' SIDE SETBACK EAST PROPERTY LINE TO EDGE OF COLUMN.
6' FROM EAST PROPERTY LINE TO CENTER OF COLUMN



STAFF
SUP-3059
10-23-03 PC



SUP-3059 - LAS VEGAS BILLBOARDS ON BEHALF OF THOMAS & BARBARA WALSH
3640 SIRIUS AVENUE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

City of Las Vegas

Agenda Item No.: 69

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SUP-3061 - LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1571 North Decatur Boulevard (APN: 138-25-503-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/19/03
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN - DENIED – Motion carried with NIGRO not voting

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the billboard is located along Vegas Drive and meets the standards of the Code and is appropriate for the area. Staff recommended approval subject to conditions.

JAY BROWN, 520 South 4th Street, and LUCY STEWART, 2754 Highland Avenue, appeared on behalf of the applicant and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, objected to approval of the use permit and had a problem specifically with sites owned by out-of-state property owners. He argued that although Code Enforcement has the responsibility to enforce the Code, they do not have adequate manpower to stay on top of it.

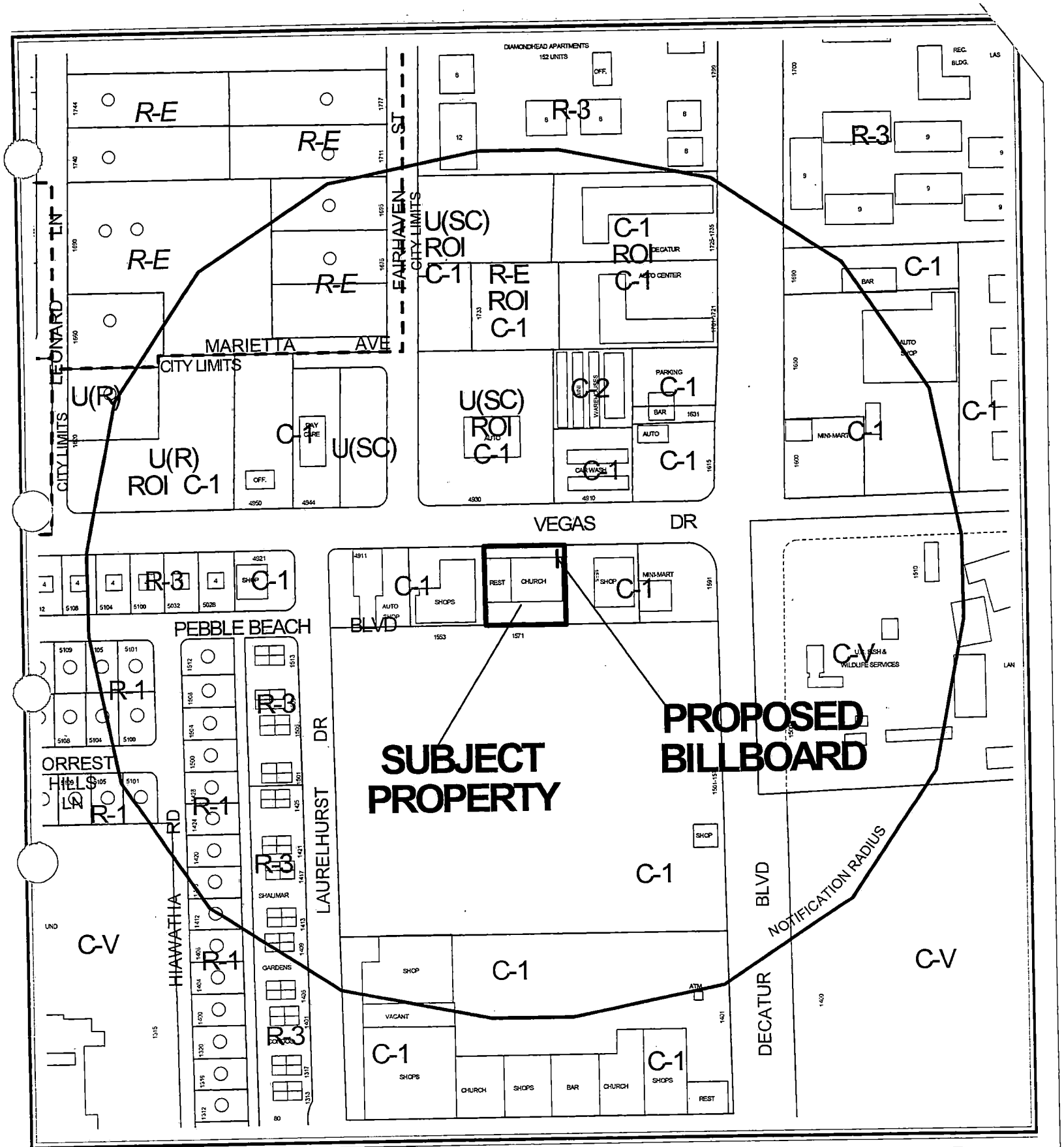
MINUTES – Continued:

CHAIRMAN TRUESDELL and COMMISSIONER McSWAIN both agreed with MR. FARLOW. CHAIRMAN TRUESDELL stated that the site is adjacent to the Redevelopment District and inasmuch as it is adjacent to a church, he felt the billboard would not be conducive with the character of the area.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

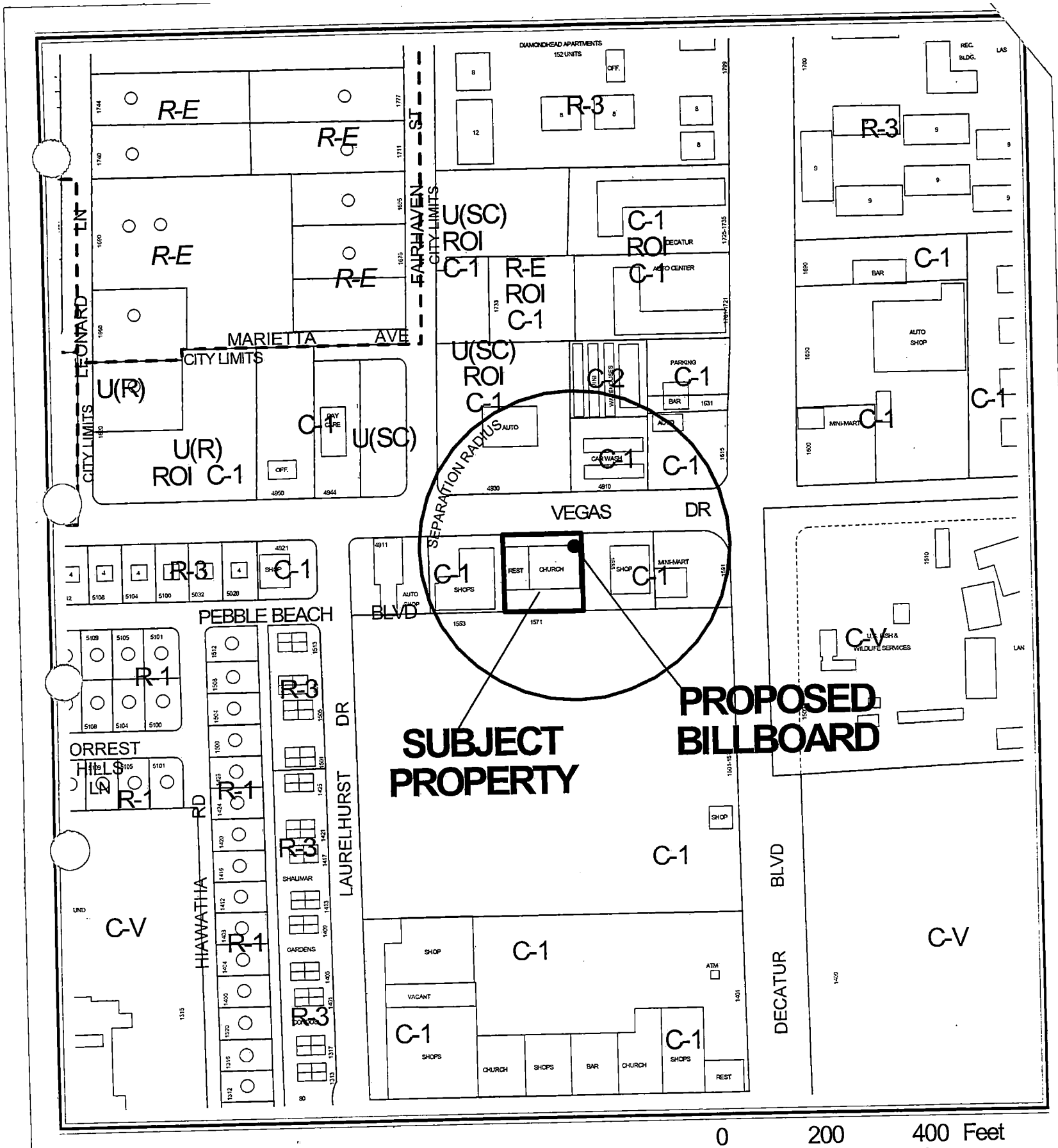
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CASE: **SUP-3061**

RADIUS: 750 FT

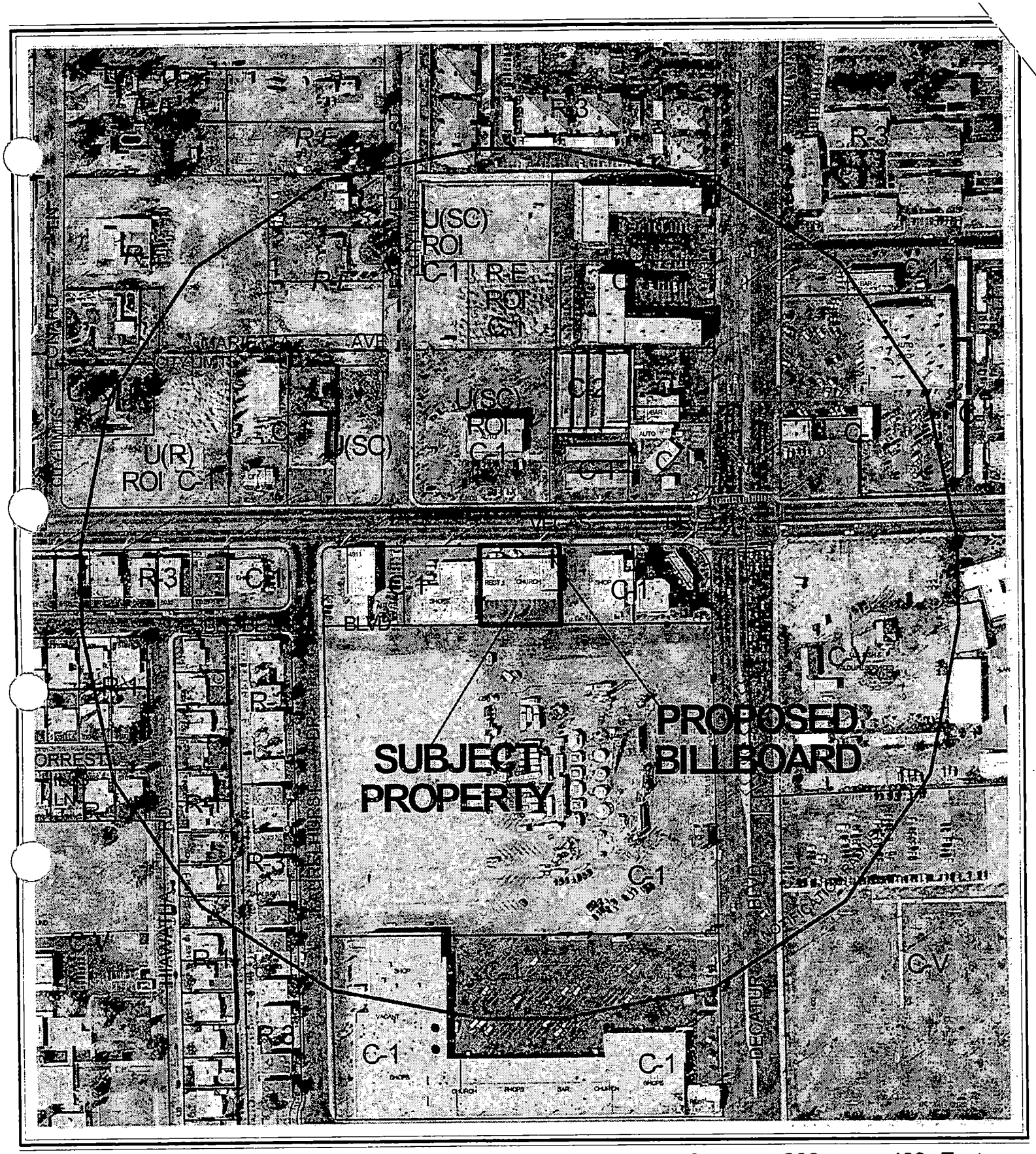
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-3061**

SEPARATION RADIUS: 300 FT

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



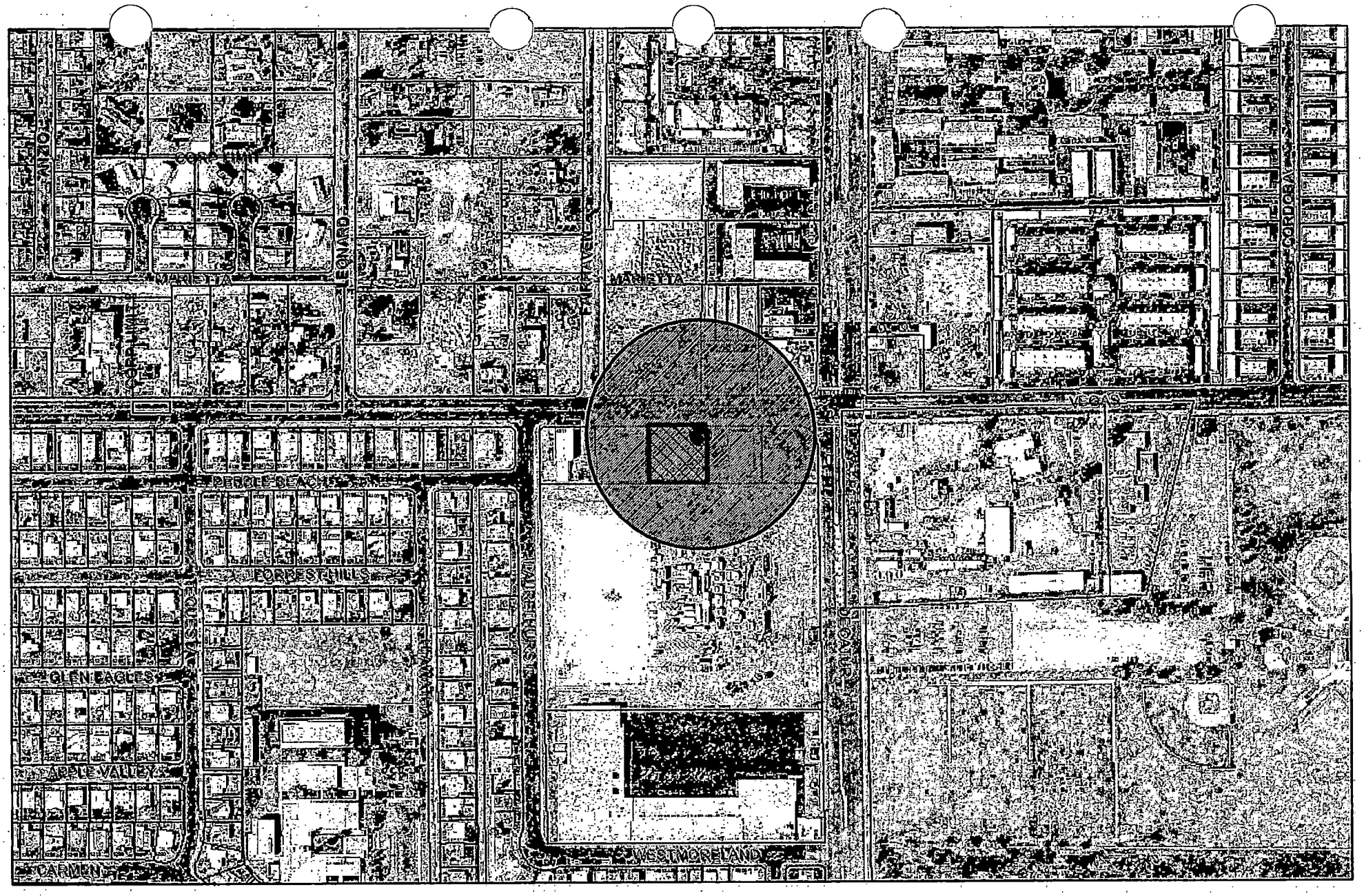
0 200 400 Feet

CASE: **SUP-3061**

RADIUS: 750 FT

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

N



SUP-3061

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3061 - LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the 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 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a special use permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 1571 North Decatur Boulevard.

B) Applicant's Justification

This off premise advertising (billboard) sign meets or exceeds all zoning requirements required by the City. Specifically the proposal meets or exceeds all setback requirements and separation distances from other off premise signs.

BACKGROUND INFORMATION

05/24/61 The Board of City Commissioners approved a rezoning (Z-0018-61) from R-1 (Single Family Residential) to C-1 (Limited Commercial) for the subject area.

B) Pre-Application Meeting

08/19/03 The applicant the following was discussed:

1. A Project of Regional Significance report is needed because of the proximity of the City/ County jurisdiction boundary
2. No billboards appear to be within 300 feet of the proposed location of the sign
3. Standard elements of an application for a Special Use Permit for an Off-Premise Advertising (Billboard) sign.

C) Neighborhood Meetings

A neighborhood meeting was not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0. 52

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Retail Commercial
South:	Retail Commercial
East:	Retail Commercial
West:	Retail Commercial

C) Planned Land Use

Subject Property:	SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
North:	SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
South:	SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
East:	SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
West:	SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	U [Undeveloped] (SC [Service Commercial- General Plan Designation]) under resolution of intent to C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance	X	

The Clark County Department of Comprehensive Planning has been notified of this action as the City/ County boundary is within the notification area.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500' of the Clark County / City of Las Vegas jurisdictional boundary.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Las Vegas Valley Water District has determined that the proposal will not have an impact on the water system.
2) The City of Las Vegas Department of Public Works has determined that the proposal will not need a drainage study.
3) The Metropolitan Police Department has determined that the proposal has no significant law enforcement issues.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Location	• No off-premise signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in C-1 Zoning District
Off-premise sign area (max.)	672 SF	288 SF
Separation distance from other off-premise sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed billboard sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Site Plan

The center of the proposed billboard is located approximately 27 feet south of Vegas Drive and 15 feet from the eastern property line of the subject site. The location of the sign is in the parking lot of a business with the address of 1571 West Vegas Drive, half of which will overhang the front of the building and the other half over the front parking lot. The sign is supported by a single support pole located 7 feet from the east property line; the bottom of the sign 26 feet above the parking lot. The billboard has two 12 by 24 foot panels that face east and west. The position of the sign has the advertising face only visible from Vegas Drive.

The closest existing billboard is located on the east side of Decatur Boulevard at 4701 West Lake Mead Boulevard, approximately 2,700 feet north of the subject site.

Physically, the subject site is appropriate for the proposed use. The sign will be located outside of the right-of-way, extending over the existing parking lot and the building on the same parcel.

- Zoning

An off-premise advertising (Billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The proposed billboard conforms to Title 19 requirements for minimum separation, size, and height requirements.

- Use

Off-premise signs are considered a principal not an incidental land use. Off-premise signs generally produce revenue to the property owner as a land use as compared to on-premise signs, which in return does not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The proposed sign is compatible with the surrounding area and fits properly on the subject site.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

a. An accurate site plan of the lot, at the scale the Director requires;
b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
c. An accurate indication of the location of all existing and proposed off-premise signs; and
d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

A condition has been recommended requires conformance to all minimum requirements. Additional conditions have been recommended to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and 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 off-premise sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the off-premise sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

   Physically, the subject site is appropriate for the proposed off-premise advertising (billboard) sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

   The subject site is located adjacent to Vegas Drive, an 80 foot Secondary Collector Street shown on the City of Las Vegas Mater Plan of Streets and Highways. The proposed use will not generate any additional traffic demand or induce traffic that will ingress or egress from the location where the sign will be built.

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."**

   This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 65

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3061 APN: 138-25-503-003

Name of Property Owner: ~~Wing Fong/ Ken Fong~~

Name of Applicant: Las VEgas Billboards- David Harris

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: LUCY STEWART

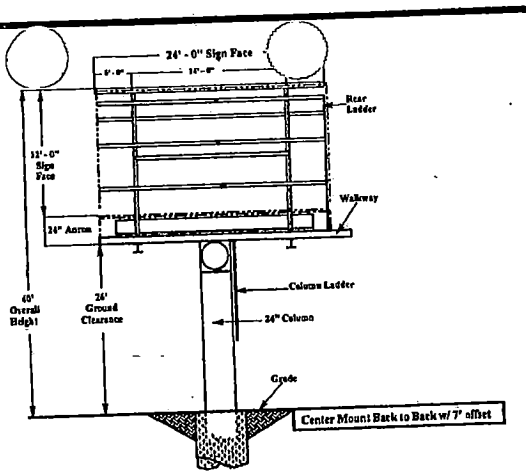
Subscribed and sworn before me

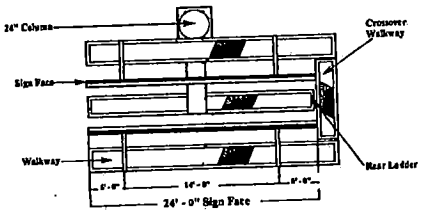
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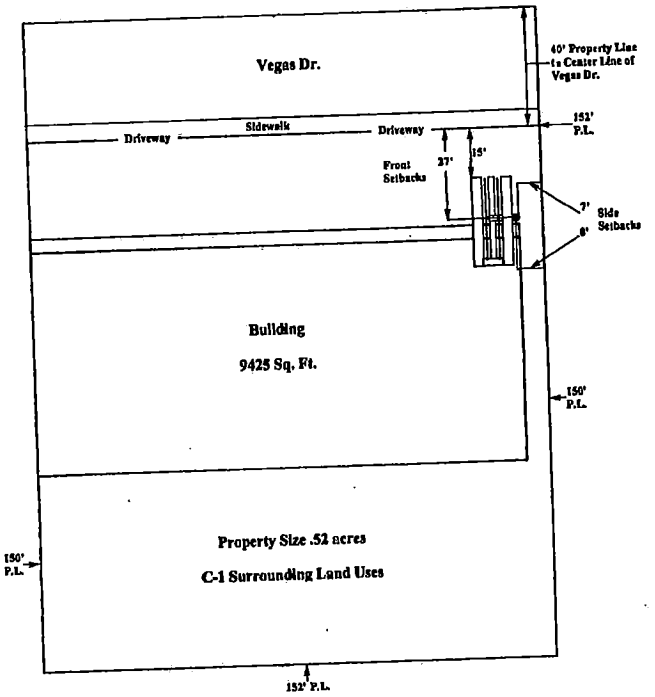
_____

Notary Public in and for said County and State

LINA R. HEISLER
Notary Public State of Nevada
No. 99-56546-1
My appt. exp. Apr. 3, 2007







PROPERTY OWNER:	WING GAY FONG TRUST 1553 N. DECATUR BLVD. LAS VEGAS, NV 89104
PROPERTY ADDRESS:	1571 N. DECATUR BLVD. LAS VEGAS, NV 89108
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 4611 S. LAS VEGAS BLVD. LAS VEGAS, NV 89119 837-7822

APN: 138-25-503-003
ZONED: C-1
12' x 24'
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R ZONE WITHIN 300'
SCALE 1" = 20'

NORTH

SIGN ANALYSIS TABLE

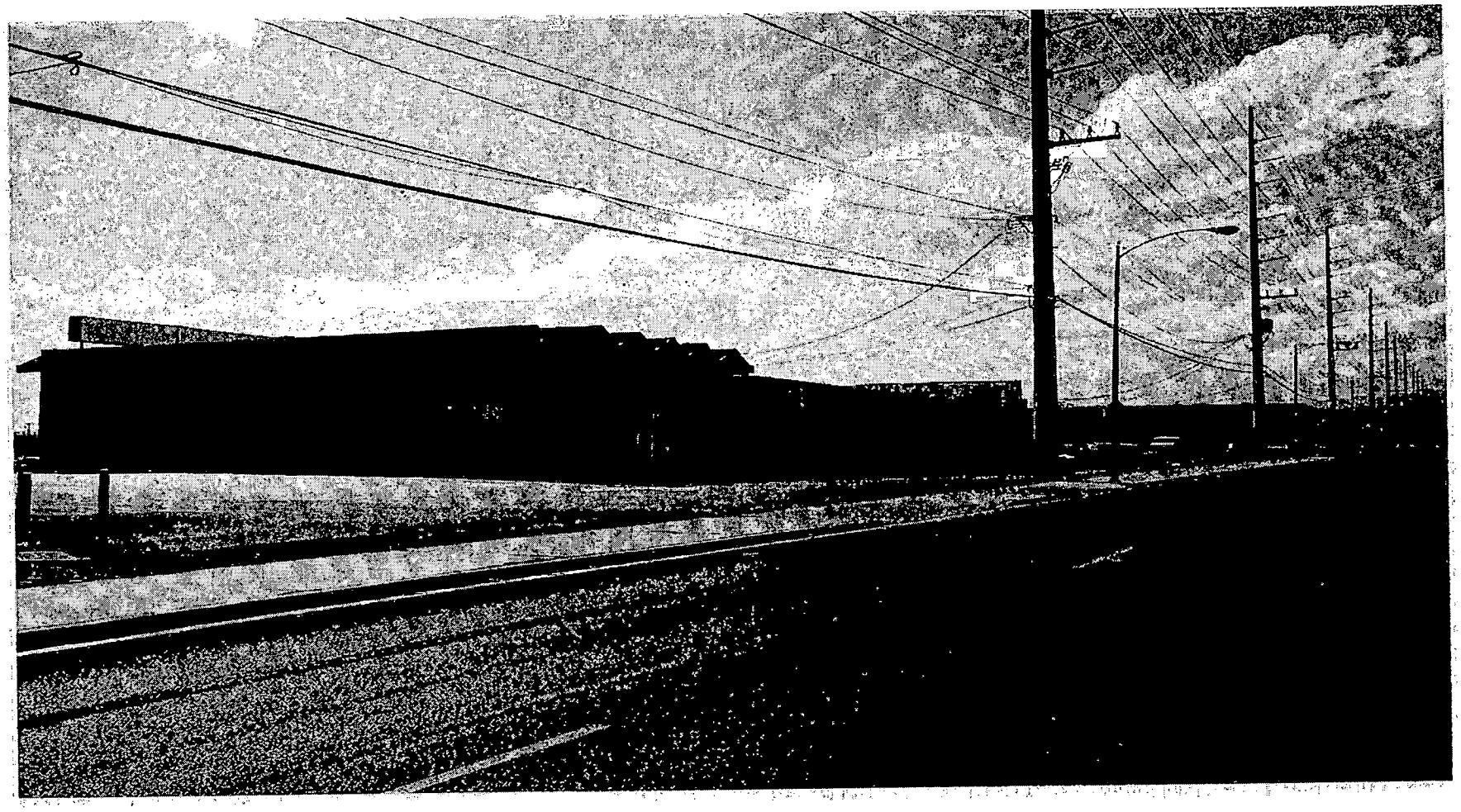
TYPE OF SIGN:	12' X 24' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	24' OVERALL WIDTH
SIGN AREA:	336' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
15' FRONT SETBACK FROM VEGAS DR. TO LEADING EDGE OF SIGN.
27' FRONT SETBACK FROM VEGAS DR. TO CENTER OF COLUMN.
7' SIDE SETBACK FROM EAST PROPERTY LINE TO EDGE OF COLUMN.
8' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN.



STAFF

SUP-3061
10-23-03 PC



SUP-3061 - LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG
1571 NORTH DECATUR BOULEVARD
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03

City of Las Vegas

Agenda Item No.: 70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

SDR-2997 - UNION LAND & DEVELOPMENT ON BEHALF OF HAROLD-RIYOKO LIVING TRUST - Request for a Site Development Plan Review FOR A 6,500 SQUARE FOOT GENERAL RETAIL BUILDING AND A REDUCTION OF THE FRONT YARD SETBACK TO ALLOW 10 FEET WHERE 20 FEET IS THE MINIMUM REQUIRED, A REDUCTION IN THE SIDE YARD SETBACK TO ALLOW 5 FEET WHERE 10 FEET IS THE MINIMUM REQUIRED, AND A REDUCTION IN THE REQUIRED AMOUNT OF PERIMETER LANDSCAPING on 0.44 acres adjacent to the east side of Decatur Boulevard, approximately 275 feet south of Lake Mead Boulevard (APN: 139-19-301-007), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
GOYNES – ABEYANCE to the 11/20/2003 Planning Commission meeting – UNANIMOUS

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the proposed building would occupy the last pad in a multi-tenant commercial center located at Decatur Boulevard between Lake Mead Boulevard and Concord Drive. He stated the placement of the building would diminish the setbacks and would impact the landscape. Staff recommended denial.

SHARON BULLOCK, 2009 Alta Drive, appeared on behalf of the applicant. She explained that the proposed building would mirror a building that is currently under construction. She asked that the waivers for the loading area and the trash enclosure be rescinded.

MINUTES – Continued:

ATTORNEY MARTIN WELSH, 199 Arroyo Grande, appeared on behalf of the owners of an adjacent building. Also in attendance were the owners, GARY HOPP and RICHARD SHINDLER. He agreed with staff's recommendation for denial. ATTORNEY WELSH remarked that the building is too large for the parcel and would negatively impact the parking at that commercial center. He mentioned that a parking agreement was never registered on the property deed of his clients. He recommended that if the applicant reduced the size of the building, he would not require a waiver.

TODD FARLOW, 240 North 19th Street, asked if employee parking would be provided and where it would be located. He also expressed that it should be a major concern if a shared parking agreement was not registered on the deed.

RICHARD SHINDLER, owner of the adjacent property, agreed with staff's recommendation for denial. He stated that he was informed by the Planning staff that the building currently under construction already maximized the building for the site and therefore, there could be no more building on the site.

COMMISSIONER McSWAIN remarked that the proposed building is too imposing for the site.

Questioned by CHAIRMAN TRUESDELL, MS. BULLOCK replied that although she knows a parking analysis was conducted, she did not have a copy of a parking agreement. CHAIRMAN TRUESDELL stated that construction of another building would contradict what was contemplated for this retail center.

DONNA BISHOP, representing the Equity Group, stated that her firm manages the center for the rear property owner. Using the overhead, she indicated that the two buildings are dirt pads that have no parking.

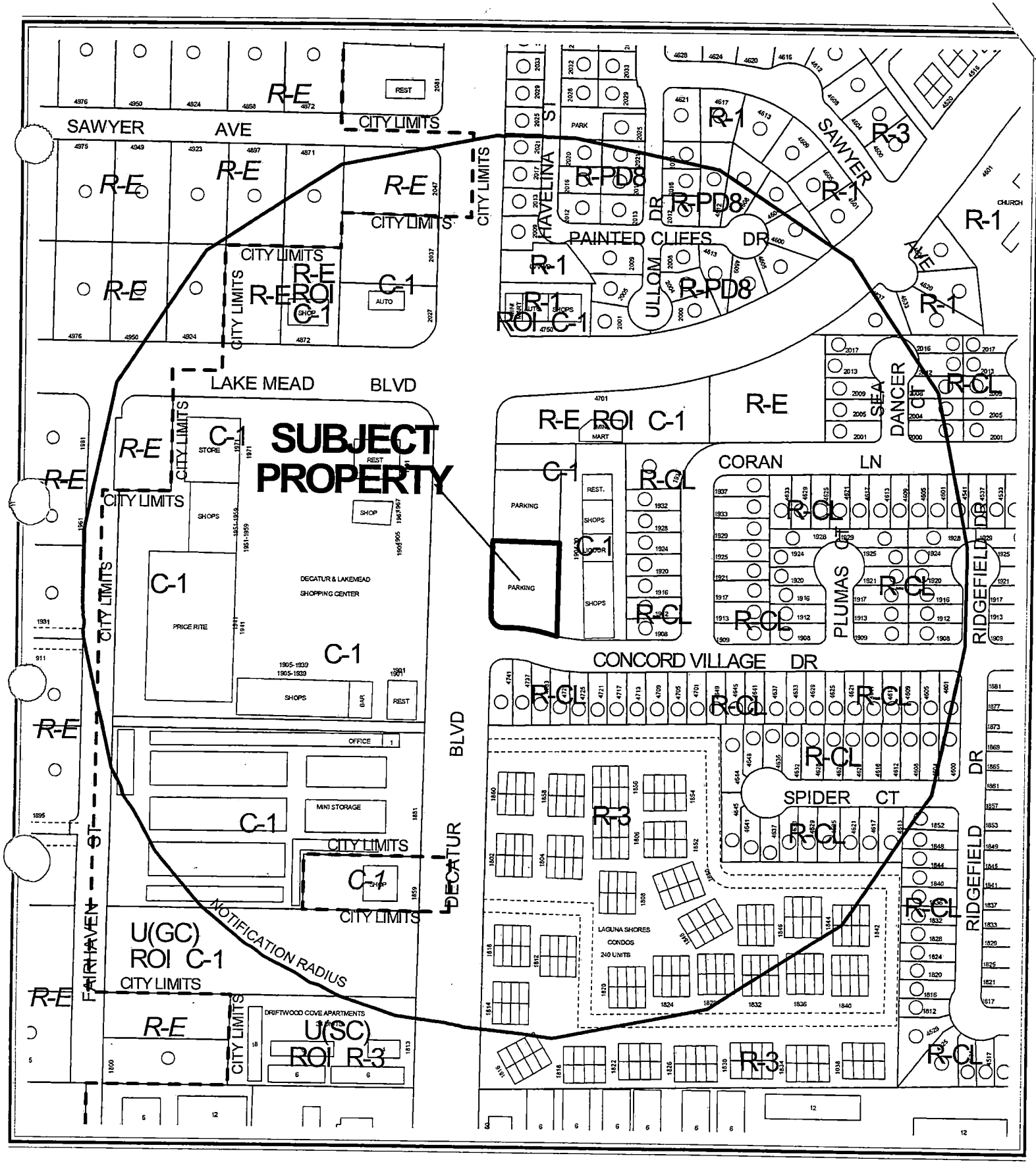
COMMISSIONERS NIGRO and GOYNES concluded that the very first building was constructed and deficient in parking to begin with. COMMISSIONER NIGRO agreed with COMMISSIONER GOYNES that a site plan would have to come particularly because of the size of the building and additional parking would have to be included. He asked the applicant if they would be acceptable to submitting a revised site plan. The applicant concurred.

Based on the amount of unresolved concerns, CHAIRMAN TRUESDELL suggested holding this item in abeyance for thirty days to the 11/10/2003 Planning Commission meeting to allow the applicant to submit a revised site plan.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 70 – SDR-2997

MINUTES – Continued:
There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(11:24 – 11:45)

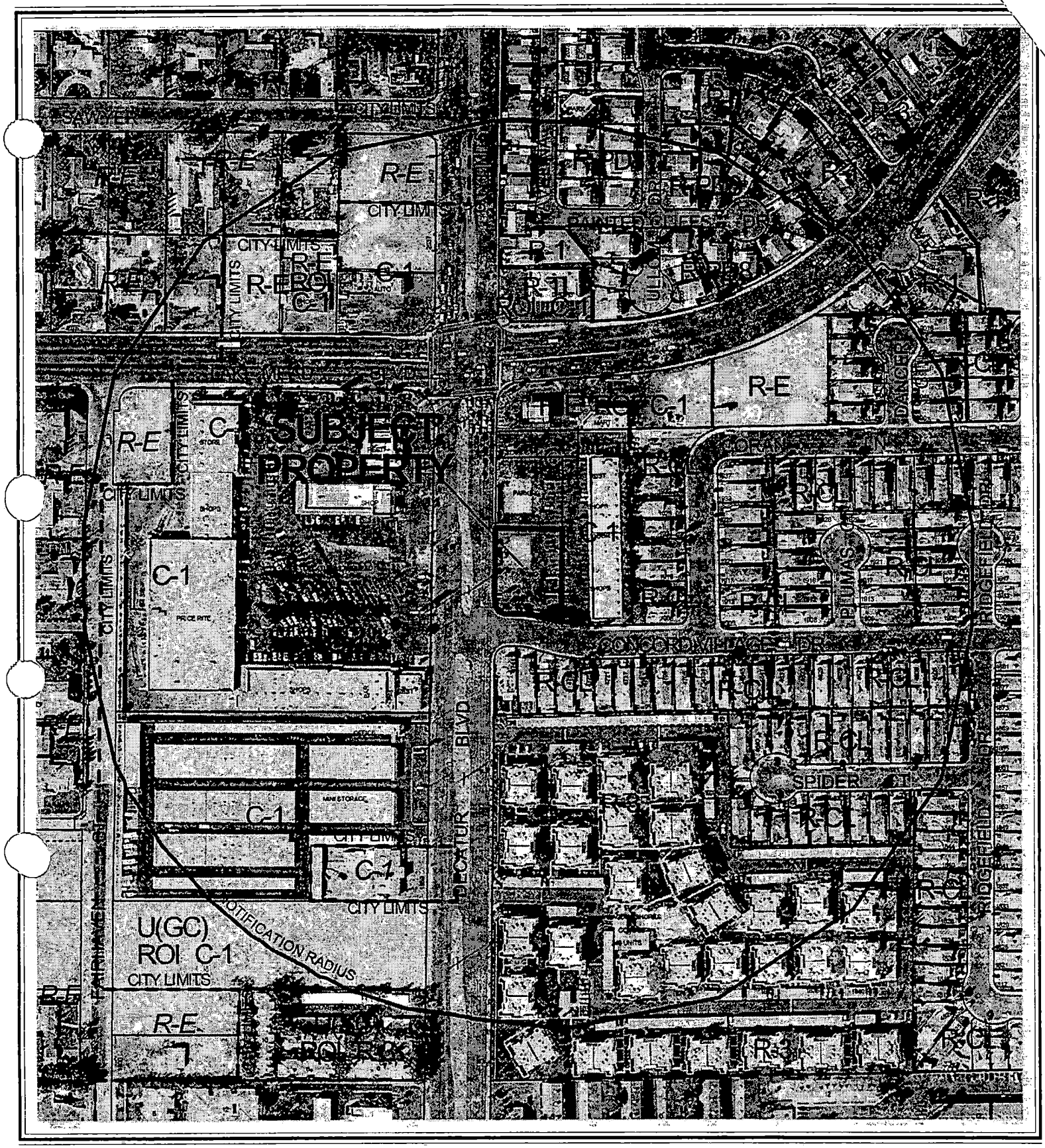


CASE: **SDR-2997**

RADIUS: 750 FT

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

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)



0 200 400 Feet

CASE: **SDR-2997**

RADIUS: 750 FT

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

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2997 - UNION LAND & DEVELOPMENT ON BEHALF OF HAROLD-RIYOKO LIVING TRUST

** CONDITIONS **

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 trash enclosure shall be provided in conformance the Commercial Design Standards.

3. The landscape planter along Concord Drive and Decatur Boulevard shall consist of 24-inch box trees a minimum of 20 feet on center as required by the Commercial Design Standards.

4. The parking lot landscaping shall consist of one 24-inch box tree for every six spaces in the parking area as required by the Commercial Design Standards.

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

8. 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.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Department of Public Works

14. 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.

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

16. This lot must legally connect to public sewer in Concord Village Drive, unless proper documentation is provided allowing on-site common sewers.

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

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 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. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or 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.

19. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Site Development Plan Review for a proposed 6,500 square foot retail building and a reduction of the front yard setback to allow 10 feet where 20 feet is the minimum required, a reduction in the side yard setback to allow 5 feet where 10 feet is the minimum required, and a reduction in the amount of perimeter landscaping on 0.44 acres adjacent to the east side of Decatur Boulevard, between Lake Mead Boulevard and Concord Drive.

B) Applicant's Justification

The proposed building is proposed to occupy the last pad in the commercial center. Due to off-sites and landscaping being approved years ago the waivers of the setbacks and landscaping are requested. Where possible the applicant will add more landscaping to meet current guidelines. The development is similar and will fir well with what presently exists. The new building could enhance the surroundings and real estate values.

BACKGROUND INFORMATION

A) Previous Actions

04/18/84	The City Council approved the rezoning of the site from R-E (Residence Estates) to C-1 (Limited Commercial).
03/18/87	The City Council approved a Plot Plan review of the subject site.
12/17/87	The City council approved SP-0002-87, a Shared parking agreement between the property owners of the commercial parcels around, and including, and the subject site. The agreement pertains to the commercial development that is located between lake Mead Boulevard to the north, Decatur Boulevard to the west, and Concord Drive to the south.
04/06/88	The City Council approved a Reinstatement and Extension of Time for the subject site.

KCW

07/25/02 The Planning Commission approved a Site Development and Plan review for the pad adjacent to the subject site.

B) Pre-Application Meeting

08/14/03 The following issues were discussed:

1. The site needs a detailed parking analysis that would include the new proposal.
2. One handicap accessible space is needed adjacent to the proposed building.
3. Waiver of front and side setbacks.
4. Reduction in landscaping.
5. Square footage of the entire center.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.80
Net Acres:	0.46

B) Existing Land Use

Subject Property:	Vacant
North:	Retail Commercial
South:	Concord Drive Right-of-Way, Single Family Homes
East:	Retail Commercial
West:	Decatur Boulevard Right-of-Way, Retail Commercial

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	ML (Medium Low Density Residential)
East:	SC (Service Commercial), ML (Medium Low Density Residential)
West:	SC (Service Commercial)

KCW

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-E (Residence Estates Residential) Under Resolution of intent to C-1 (Limited Commercial)
South:	R-CL (Residential Compact Lot)
East:	C-1 (Limited Commercial), R-CL (Residential Compact Lot)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning on this site is compatible with the SC (Service Commercial) designation. The proposed use complies with both the land use designation and the proposed zoning for the site.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no Special Districts or zones associated with this site.

PROJECT DESCRIPTION

A single-story retail building is proposed for this last undeveloped pad in this commercial center at the southeast corner of Lake Mead Boulevard and Decatur Boulevard. The square, box-like building is to be similar to a previously approved building planned and approved on the pad immediately to the north of the subject site. The proposed building is to be positioned back to back to the neighboring building.

The proposed project consists of a 6,500 square-foot multi-tenant retail building to be located on a 0.46-acre pad. Access to the site is from two existing driveways just south of the pad and immediately north of the pad spoken of above. The proposed one-story retail building is oriented toward the south portion of the commercial development with the parking lot area located to the south and along the east side of the building.

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.46 Acres	N/A
Min. Lot Width	100 Feet	119.96 Feet	N
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	10 Feet	N
Max. Lot Coverage	50 %	32 %	Y
Max. Building Height	None	1 Story/26.5 Feet	Y
Trash Enclosure	Must be covered	Not shown	N
Loading Zone	1	0	N
Mech. Equipment	Must be screened	Not shown	N

The proposed site plan does not meet the setback requirements for the C-1 (Limited Commercial) zoning district as established in Title 19. The applicant is asking for a waiver from the standards for the front setback and the side setback.

The proposal does not meet the minimum lot width expected in commercial development. No loading zone is indicated on the site plan and no indication for a trash enclosure has been provided for the proposed building. A condition has been added requiring a properly designed and accessible trash enclosure be added to the site plan that would put the enclosure near the new building.

A2) Residential Adjacency Standards

The residential adjacency requirements do not pertain to this application.

A3) Parking and Traffic Standards

A provision for joint parking and access established by SP-0002-87, added to the deeds of the parcels that encompass the development, guarantees that the parking provided by the development as a whole will satisfy the parking and access requirements of all of the pads and suites.

KCW

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 24-Inch Box Tree/6 spaces	10 Trees	3
Buffer: • Min. Trees	1 24-Inch Box Tree / 20 Linear Feet along the north property line	6 Trees	0
• Min. Zone Width	15 Feet along the street frontage, 8 feet long the sides and rear		10 Feet along the street frontages, 0 Feet along the north and east building fronts

The proposed landscape plan does not meet the minimum requirements of the Commercial Design Standards. The applicant is requesting a waiver of the standards to allow for a reduction of the landscape requirements.

A5) Sign Standards

No information was supplied by the applicant that may be used to evaluate signage for the site and related standards.

B) General Analysis and Discussion

- Zoning

The proposed 6,500 square-foot retail building use is allowed in the C-1 (Limited Commercial) Zoning District subject to conformance with applicable requirements of Title 19.

- Site Plan

Access to the site is from two existing driveways across the existing commercial property adjacent to this site. The proposed one-story retail building is oriented toward the south with parking lot area located to the south and east of the building.

KCW

- Waivers

The following waivers have been requested or are part of this application:

Elimination of the required six-foot planter adjacent to the building. There is no landscaping shown between the proposed building and the sidewalk areas as required by the standards.

Allow no loading space where 1 is required. Title 19 requires a minimum of one loading space for retail buildings up to 10,000 square feet. The applicant's justification is that the existing driveway north of the building is adequate for deliveries.

Ten feet of landscaping where 15 feet is required between the building and the front property line. The site plan shows the building along the edge of the east side of the parking area leaving no are for neither landscaping nor a sidewalk. The street side of the building is even with the front of the proposed building to the north, which is also 10 feet from the front property line.

There is no justification for approving this excessive number of waivers, since the proposed site plan is over-building this parcel. Clearly, alternate designs are available that would conform to the standards of the Code.

- Landscape Plan

The proposed landscape plan shows a 10-foot wide planter along the street frontage. There is also some landscaping shown in the parking area that is insufficient in terms of current standards. The minimum number of 24-inch box trees has not been provided. Conditions have been added requiring 24-inch box trees along the street frontages a minimum of 20 feet on center and one 24-inch box tree for every six spaces in the parking area.

- Elevation

The building elevations depict a one-story structure with a stucco exterior and a predominantly flat roof typical of commercial building of this type. The ends of building are designed in a similar manner as the front elevation.

- Floor Plan

The floor plan depicts a total of three tenant spaces with front and rear access.

KCW

FINDINGS

In order to approve a Site Development Plan Review application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed retail building is too large for the site, with an excessive number of waivers to setback and landscaping standards of the Code. This over-building of the site makes it incompatible with the development pattern of the surrounding area.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   The proposed use is consistent with the General Plan and the land use provisions of Title 19; however, the site plan as proposed does not meet many requirements of the Zoning Code, including the Commercial Design Guidelines and Standards. An excessive amount of deviation from the Code has been requested through the Waivers, making the proposed development inappropriate in this configuration.

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

   Access to the site is via driveways from Decatur Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The access and roadways are adequate to meet the needs of the proposed development.

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

   The building materials as proposed are appropriate for this type of commercial use in this area. The parking lot and perimeter landscaping are not close to meeting the minimum standards of the Code, and, therefore, are not appropriate.

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

The design, architecture and aesthetic features of the proposed development are satisfactory and should not have a negative impact on this site or on surrounding areas.

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

The proposed retail building will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 153

APPROVALS 0

PROTESTS 1

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2997 APN: 139-19-301-007

Name of Property Owner: Decatur Lk mead / Harold Ryko Trust

Name of Applicant: SAM Zeer

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: Sam Zeer

Print Name: SAM Zeer

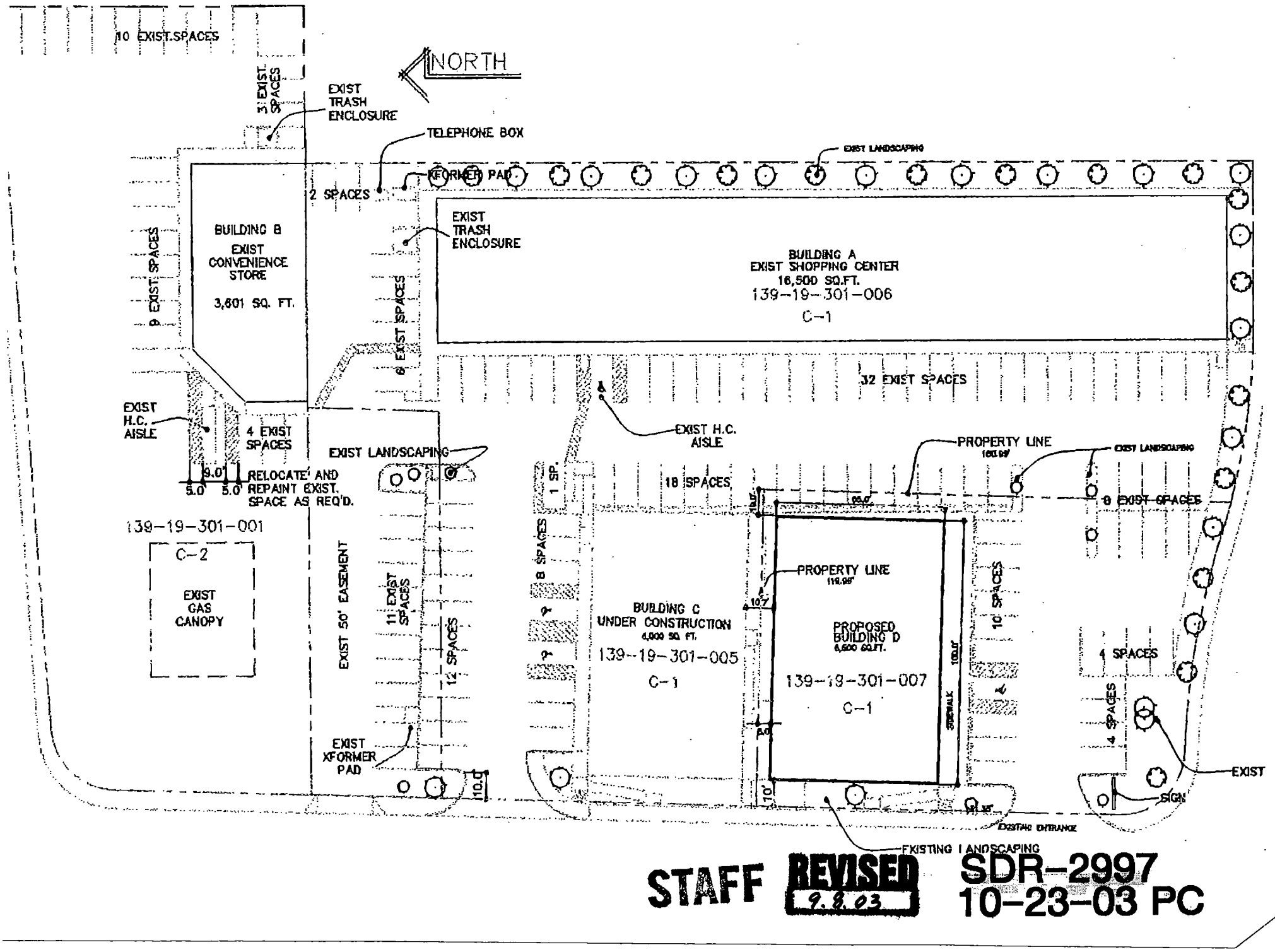
Subscribed and sworn before me

This 26th day of Aug, 2003

Alicia L Butler

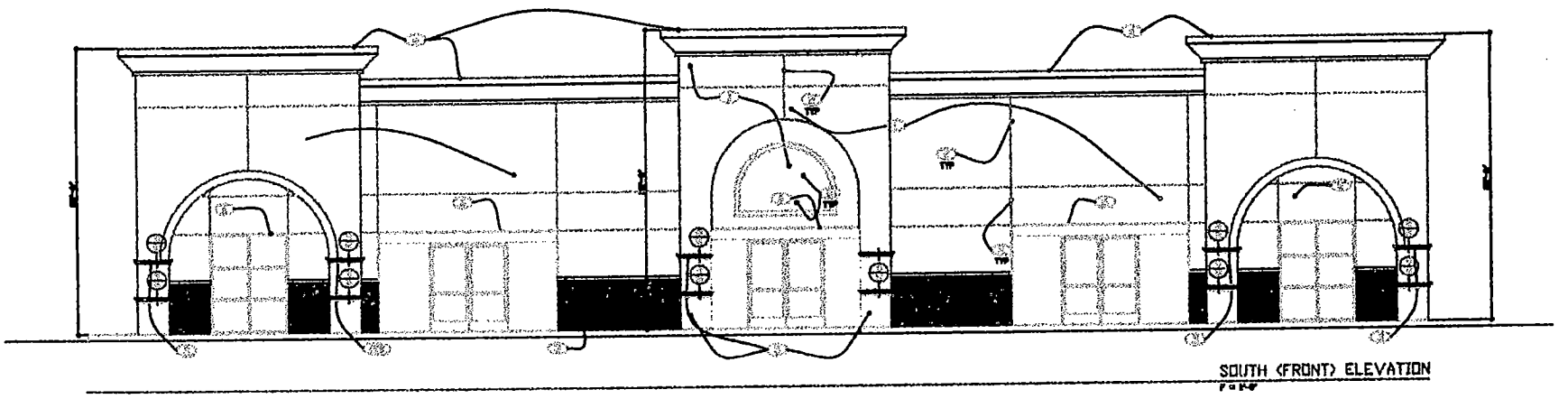
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ALICIA L. BUTLER
No: 02-78578-1
My Appointment Expires Nov. 1, 2006



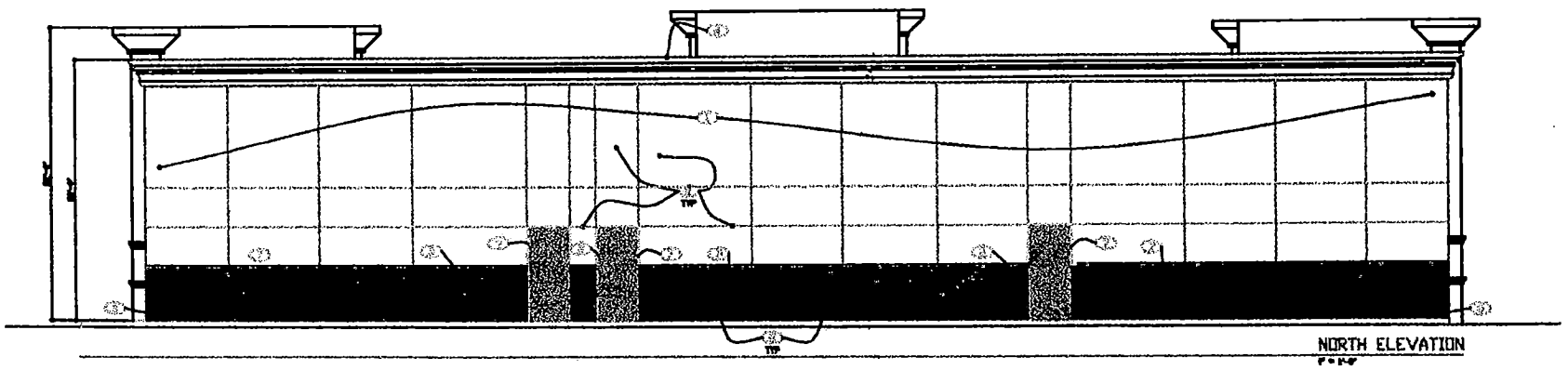
STAFF REVISED 9.8.03

SDR-2997
10-23-03 PC



SOUTH (FRONT) ELEVATION

KEY NOTES



NORTH ELEVATION

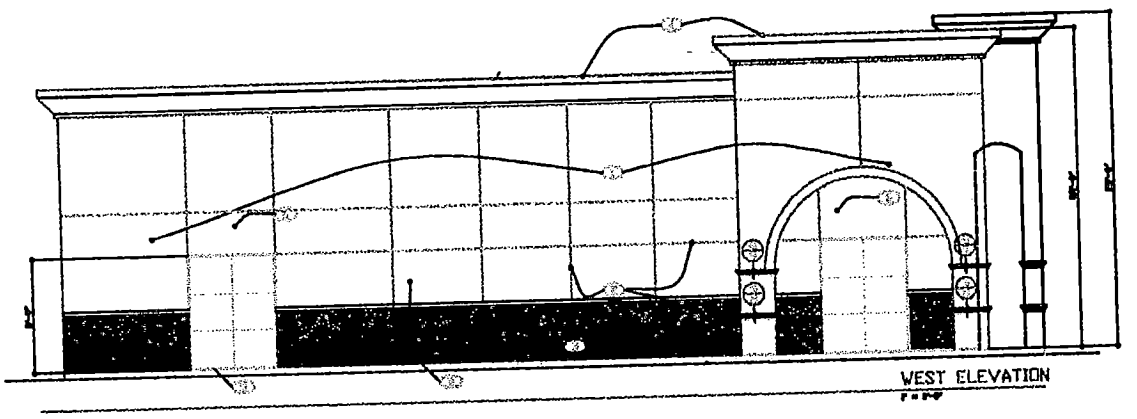
EXPRESS BUILDING & DEVELOPMENT

NEW RETAIL SALES BUILDING
SEC DECATUR & LAKE MEAD

AUGUST 06 2003

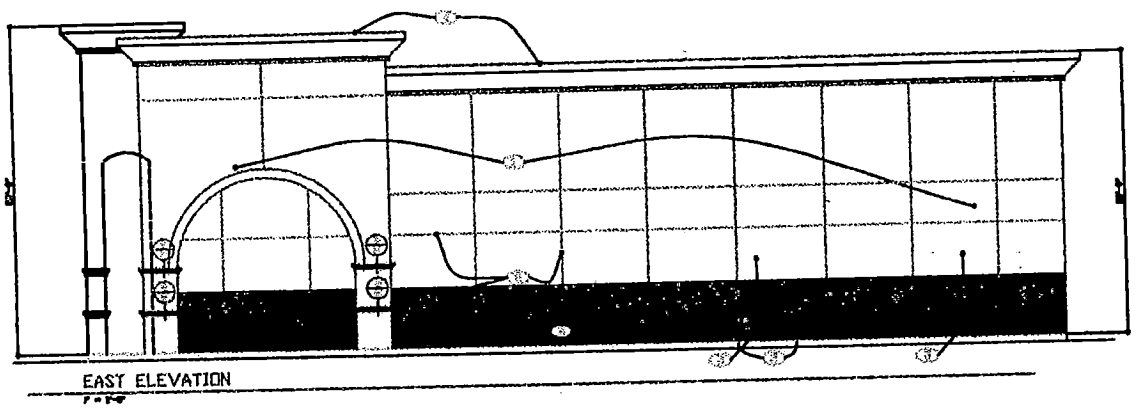
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SDR-2997
STAFF 10-23-03 PC



WEST ELEVATION

KEY NOTES



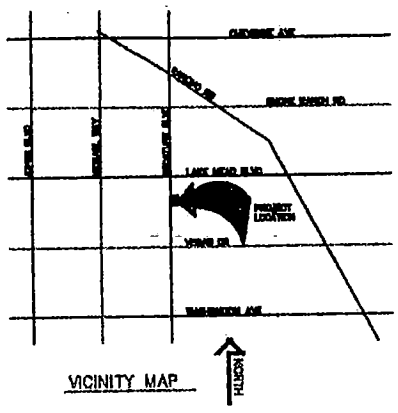
EAST ELEVATION

EXPRESS BUILDING & DEVELOPMENT

NEW RETAIL SALES BUILDING
SEC DECATUR & LAKE MEAD

4.

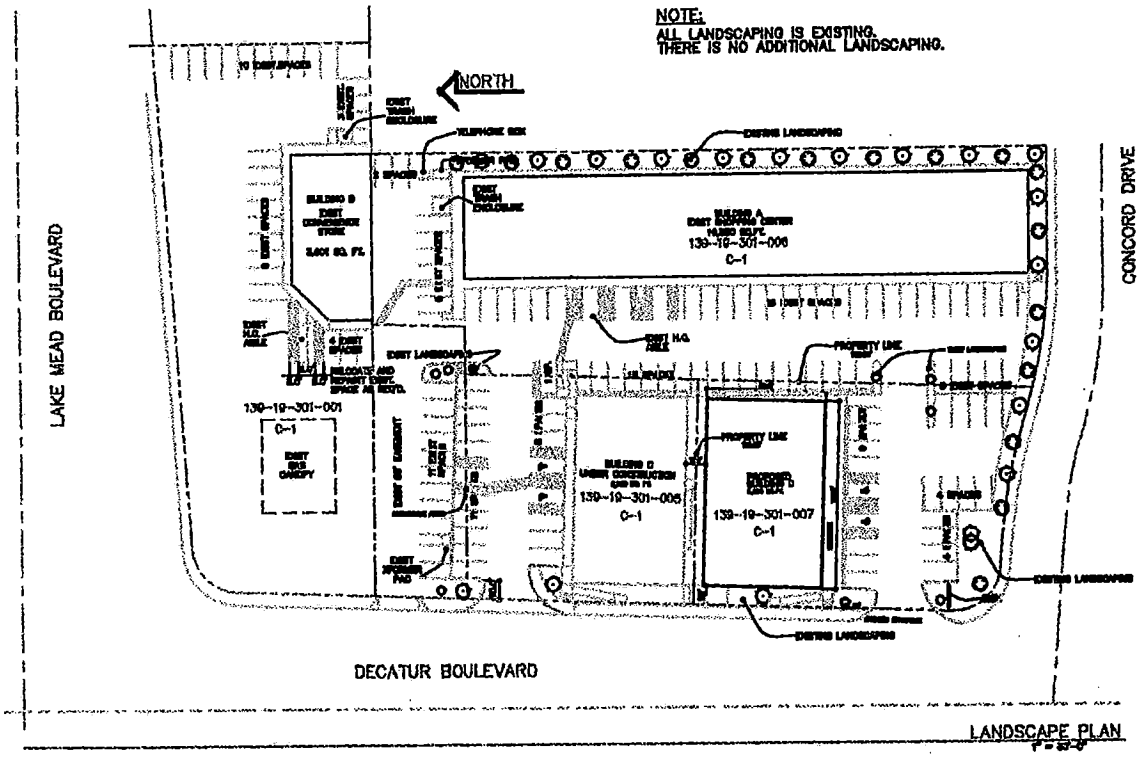
STAFF SDR-2997
10-23-03 PC



VICINITY MAP

EXISTING LANDSCAPE PLAN

NOTE:
ALL LANDSCAPING IS EXISTING.
THERE IS NO ADDITIONAL LANDSCAPING.



LANDSCAPE PLAN

EXPRESS BUILDING & DEVELOPMENT 5800 MEIKLE LANE LAS VEGAS, NEVADA 89156 (702) 437-0001
NEW RETAIL SALES BUILDING ● SEC LAKE MEAD BLVD AND DECATUR BLVD SAM ZEER – DEVELOPER

AUGUST 26 2003

5.

STAFF SDR-2997
10-23-03 PC

EXPRESS BUILDING & DEVELOPMENT

NEW RETAIL SALES BUILDING
SEC DECATUR & LAKE MEAD

A1

FLOOR PLAN

NORTH

SUITE A

SUITE B

SUITE C

BATH

BATH

BATH

SDR-2997

10-23-03 PC

STAFF

Decatur Square
1900 North Decatur Boulevard
M-19-5

	Suite	Address	Business Name	Use	Information	Parking Required
Building A	1	1930 N. Decatur Blvd.	Fairview Chinese Restaurant	Restaurant (25,000 sf or greater)	750 SF	15
	2	1930 N. Decatur Blvd.	Fairview Chinese Restaurant		850 SF	4.25
	3	1928 N. Decatur Blvd.	American General Finance	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	4	1926 N. Decatur Blvd.	Richard's Barber Shop	Barber/Beauty Parlor (25,000 sf or greater)	1100 SF	5.5
	5	1922 N. Decatur Blvd.	New U	Barber/Beauty Parlor (25,000 sf or greater)	1100 SF	5.5
	6	1920 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	7	1918 N. Decatur Blvd.	Decatur Finance	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	8	1916 N. Decatur Blvd.	H & H Discount Liquor	Liquor Establishment, Off-Premise	2200 SF	7.3
	9	1916 N. Decatur Blvd.	H & H Discount Liquor	(25,000 sf or greater)		
	10	1912 N. Decatur Blvd.	Use the Experts	Office, Other than Listed (25,000 sf or greater)	1100 SF	3.6
	11	1910 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	12	1908 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	1100 SF	4.4
	13	1906 N. Decatur Blvd.	Bob Chaney's Karate	General Personal Service (25,000 sf or greater)	2200 SF	7
	14	1906 N. Decatur Blvd.	Bob Chaney's Karate	1 Employee, 12 Students		
	15	1904 N. Decatur Blvd.	All Weapons Plus	General Retail Store (25,000 sf or greater)	1100 SF	4.4
Building B		4701 W. Lake Mead Blvd.	Fasty's	Convenience Store (25,000 sf or greater)	3601 SF	14.4
Building C		1950 N. Decatur Blvd.	Vacant	General Retail Store (25,000 sf or greater)	6000 SF	24
Building D		New Proposed		General Retail Store (25,000 sf or greater)	6500 SF	26
				Total =	32,001 SF	137.35

Total Sq. Ftg. Of Buildings	32,001
(Not Qualified for General Retail)	-3,800
Net Qualified for General Retail	28,201
Total Required Parking	137.35
Regular Parking Provided	136
Handicap Parking Provided	5
Total Parking Provided	141

SDR-2997

ELLIS REALTY
2330 Paseo del Prado, C307
Las Vegas, Nevada 89102
Telephone (702)873-4145
Fax (702)876-7614

July 31, 1998

Katherine Ellis Sax
% KB Morris & Associates
2920 N. Green Valley Pkwy, Ste. 711
Henderson, Nevada 89014

RE: 98120275-071-SR Escrow ("Land Purchase")

Dear Ms. Sax,

Information recently received reveals a competing and inappropriate use under zone application # Z-14-84 (smog inspection station) on Lot 4 of Parcel Map 57-79.

The Land Purchase contemplated in the above Escrow is not possible and must necessarily be canceled if the zone application referenced above is granted. Therefore, we urge you to expeditiously initiate steps to terminate the planned use and parking space confiscation. More specifically, any taking or use of parking spaces which are previously granted for the common use of all owners or tenants, such as an elimination of parking as requested in zone application #Z-14-84, violates the Joint Parking Agreement dated October 21, 1987. It is our view that an inconsistent use or elimination is prohibited absent authorization by the respective owners. The application is being made by a Mr. David Sanzo (U-Passed Smog), to open a smog inspection station on Lot 4.

We would greatly appreciate your immediate assistance. An Administrative decision shall be rendered on or by, August 13, 1998. This type of application does not warrant a public hearing and the decision is made Administratively at the City Planning Department. The person at the City handling this application is Mr. Andy Reed, telephone # 229-6882. I am enclosing a copy of the Satellite Parking Agreement which the City of Las Vegas required in 1987, due to the limited parking of the entire parcel. I have been informed that the City requested this Agreement to protect Lot 3 and Lot 4, ensuring future adequate parking. Therefore, eliminating even one parking space on Lot 4 is injurious to your property.

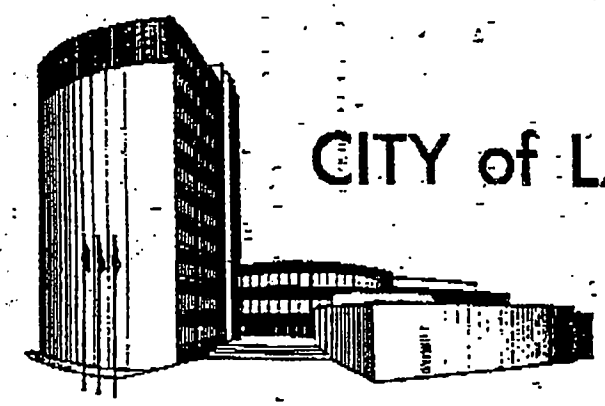
Should you need any additional information regarding this issue or if there is any way that I may assist you, please do not hesitate to contact me at 702-375-6672 or 702-873-4145.

Sincerely,

Nanette Ellis
Ellis Realty

copy: Andy Reed
copy: Ghassan Merhi

MAYOR RON LURIE
COUNCILMEN
BOB NOLEN
W. WAYNE BUNKER
STEVE MILLER
ARNIE ADAMSEN
CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

December 31, 1987

Mr. Jack Schwartz
Decatur Square General Partnership
6020 W. Flamingo Road - #A-14
Las Vegas, Nevada 89103

RE: SATELLITE PARKING
SP-2-87

Dear Mr. Schwartz:

The City Council at a Recessed Meeting held December 17, 1987, APPROVED the Satellite Parking for a proposed commercial building on property located on the east side of Decatur Boulevard, south of Lake Mead Boulevard, R-E Zone (under Resolution of Intent to C-1), subject to the following conditions:

1. Conformance with the conditions of approval for Zoning Application Z-14-84.

2. Record a provision in the Deeds to insure joint parking and access between the parcels as required by the Department of Community Planning and Development.

Sincerely,

Kathleen M. Tighe

KATHLEEN M. TIGHE
City Clerk

KMT:jp

cc: Dept. of Community Planning and Development
Dept. of Public Works
Dept. of Building and Safety
Dept. of Fire Services
Land Development Services
Mr. Brian Walsh, Kennedy/Jenks/Chilton
3233 W. Charleston Blvd., #110
Las Vegas, Nev. 89102

SDR-2997

CITY OF LAS VEGAS NEVADA

AGENDA

City of Las Vegas

RECESSED CITY COUNCIL MEETING - DECEMBER 17, 1987
AND
December 16, 1987

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM		Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
	F. SATELLITE PARKING		
1503	1. SP-2-87 - Decatur Square General Partnership Request to allow satellite parking for a proposed commercial building on property located on the east side of Decatur Boulevard, south of Lake Mead Boulevard, R-E Zone (under Resolution of Intent to C-1). Planning Commission voted (4-1) to recommend APPROVAL, subject to: 1. Conformance with the conditions of approval for Zoning Application Z-14-84. 2. Record a provision in the Deeds to insure joint parking and access between the parcels as required by the Department of Community Planning and Development. Staff Recommendation: APPROVAL	NOLEN - APPROVED as recommended. Unanimous	Clerk to Notify and Planning to proceed.

To: The City Council
Re: Community Planning and Development Agenda Item X.
December 17, 1987 City Council Agenda

F. SATELLITE PARKING

1. SP-2-87 - Decatur Square General Partnership

The request is to allow satellite parking within a proposed shopping center at the southeast corner of Lake Mead Boulevard and Decatur Boulevard. This is needed because the shopping center is being divided into several parcels and some of the required parking for a use that is proposed at the street corner will be on an adjoining parcel that was created by a recently approved parcel map. There will be a joint use agreement as recommended by staff and the Planning Commission to ensure perpetual use of these properties.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT

SDR-2997

PHASE 1

That portion of land over and across a portion of Section 19, Township 20 South; Range 61 East; M.D.M.; more particularly described by metes and bounds as follows:

BEGINNING at the West one-quarter corner of said Section 19 lying on the centerline of Decatur Boulevard;

Thence South 02°21'33" West along said centerline a distance of 490.53 feet to a point;

Thence South 87°38'27" East a distance of 60.00 feet to a point;

Thence North 02°21'33" East a distance of 55.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 02°21'33" East along the easterly right-of-way distance of 312.46 feet to a point;

Thence South 89°30'46" East a distance of 145.96 feet to a point;

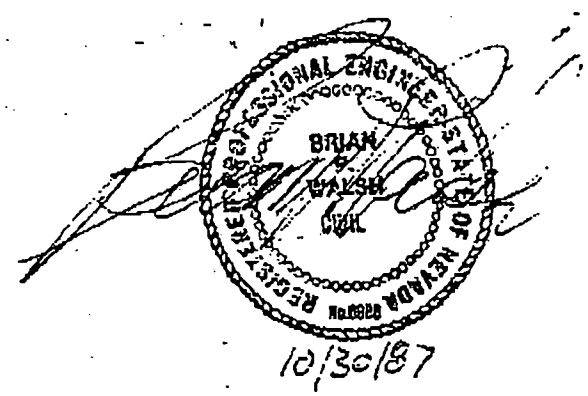
Thence South 00°29'14" West a distance of 365.00 feet to a point;

Thence North 89°30'46" West a distance of 61.25 feet to a point;

Thence from a tangent which bears North 89°30'46" West curving to the right through a central angle of 17°20'38" with a radius of 270.00 feet and an arc length of 81.73 feet to a point;

Thence from a tangent which bears North 72°10'08" West curving to the left through a central angle of 14°39'57" with a radius of 330.00 feet and an arc length of 84.46 feet to a point;

Thence from a tangent which bears North 86°50'05" West curving to the right through a central angle of 89°11'38" with a radius of 25.00 feet and an arc length of 38.92 feet to the TRUE POINT OF BEGINNING.



10/30/97

SDR-2997

PHASE II

That portion of land over and across a portion of Section 19; Township 20 South; Range 61 East; M.D.M.; more particularly described by metes and bounds as follows:

BEGINNING at the West one-quarter corner of said Section 19 lying on the centerline of Decatur Boulevard;

Thence North 02°21'33" East a distance of 19.67 feet to a point;

Thence North 86°39'30" East a distance of 77.94 feet along the centerline of Lake Mead Boulevard to a point;

Thence South 03°20'30" East a distance of 50.00 feet to the TRUE POINT OF BEGINNING;

Thence North 86°39'30" East a distance of 294.93 feet to a point;

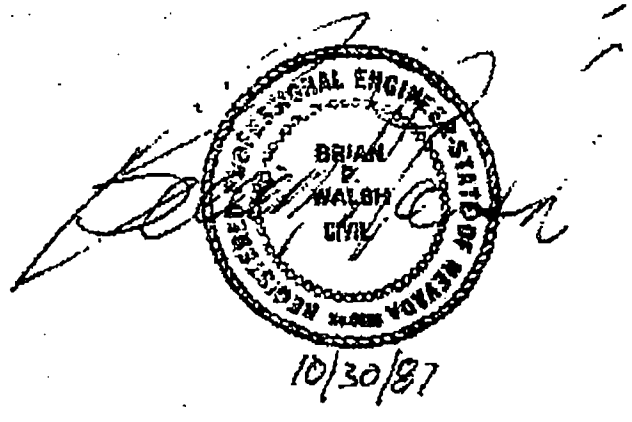
Thence from a tangent which bears North 86°39'30" East curving to the left through a central angle of 7°43'51" with a radius of 555.00 feet and an arc length of 74.89 feet to a point;

Thence South 02°21'33" West a distance of 129.75 feet to a point;

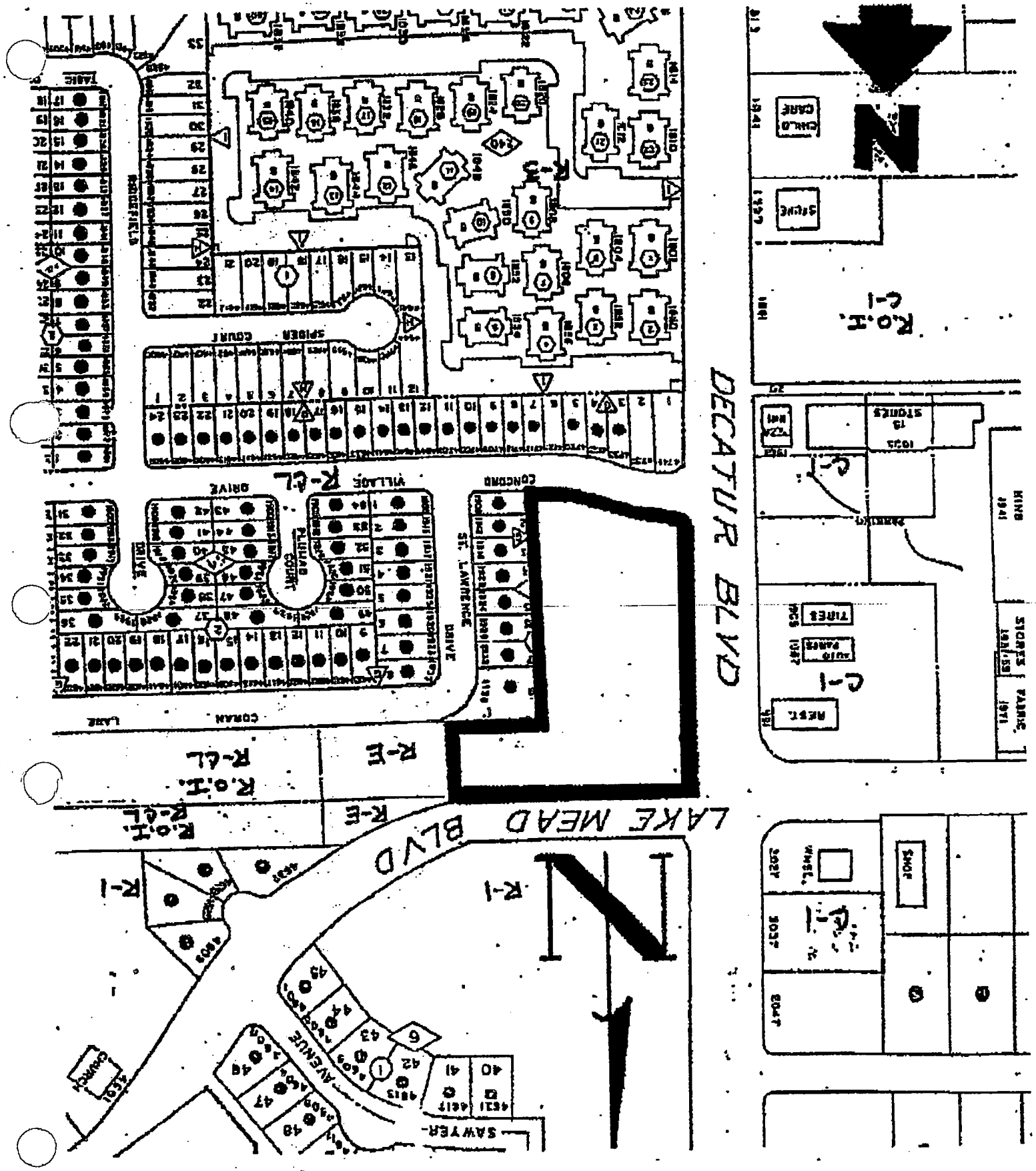
Thence North 89°30'46" West a distance of 389.99 feet to a point;

Thence North 02°21'33" East a distance of 75.85 feet to a point;

Thence from a tangent which bears North 02°21'33" East curving to the right through a central angle of 84°18'30" with a radius of 25.00 feet and an arc length of 36.79 feet to the TRUE POINT OF BEGINNING.



SDR-2997


DECATUR BLVD
LAKE MEAD BLVD
R-E
R-4L
R-1
C-1
C-2
VILLAGE DRIVE
SPIDER COURT
CONCORD
ST. LAWRENCE
DRIVE
CORAN LANE
AVENUE
SAWYER-
CHAPARRAL
CHARLO LANE
SPRING
STORES
TIRES
REST.
JONES

SDR-2997

JOINT USE PARKING AND DRIVEWAY AGREEMENT

This agreement, entered into this 21st day of October, 1987, between DECATUR SQUARE LIMITED PARTNERSHIP (Phase I), a Nevada Partnership, hereinafter referred to as "Phase I" and DECATUR SQUARE GENERAL PARTNERSHIP (Phase II), a Nevada Partnership, hereinafter referred to as "Phase II".

That "Phase I" owns or controls a parcel of land described

SEE ATTACHED LEGAL DESCRIPTION

That "Phase II" owns or controls a parcel of land described

SEE ATTACHED LEGAL DESCRIPTION

Whereas, "Phase I", and "Phase II" intend to or have developed the said parcels with commercial buildings and parking lots, and desire to merge the parking and driveway facilities together with joint use of the parking spaces and driveways, in general conformance with the plan prepared by Kennedy/Jenks/Chilton, attached hereto as "Exhibit A" and made a part hereof;

Now, therefore, the parties hereto do mutually agree and grant, each to the others, a mutual easement for ingress, egress, and use of the areas designated as driveways and parking spaces on the said "Exhibit A".

In witness whereof, the parties hereto have set their hands the day first above indicated in Las Vegas, Nevada.

DECATUR SQUARE LIMITED PARTNERSHIP
a Nevada Partnership (Phase I)

JACK P. SCHWARTZ, General Partner

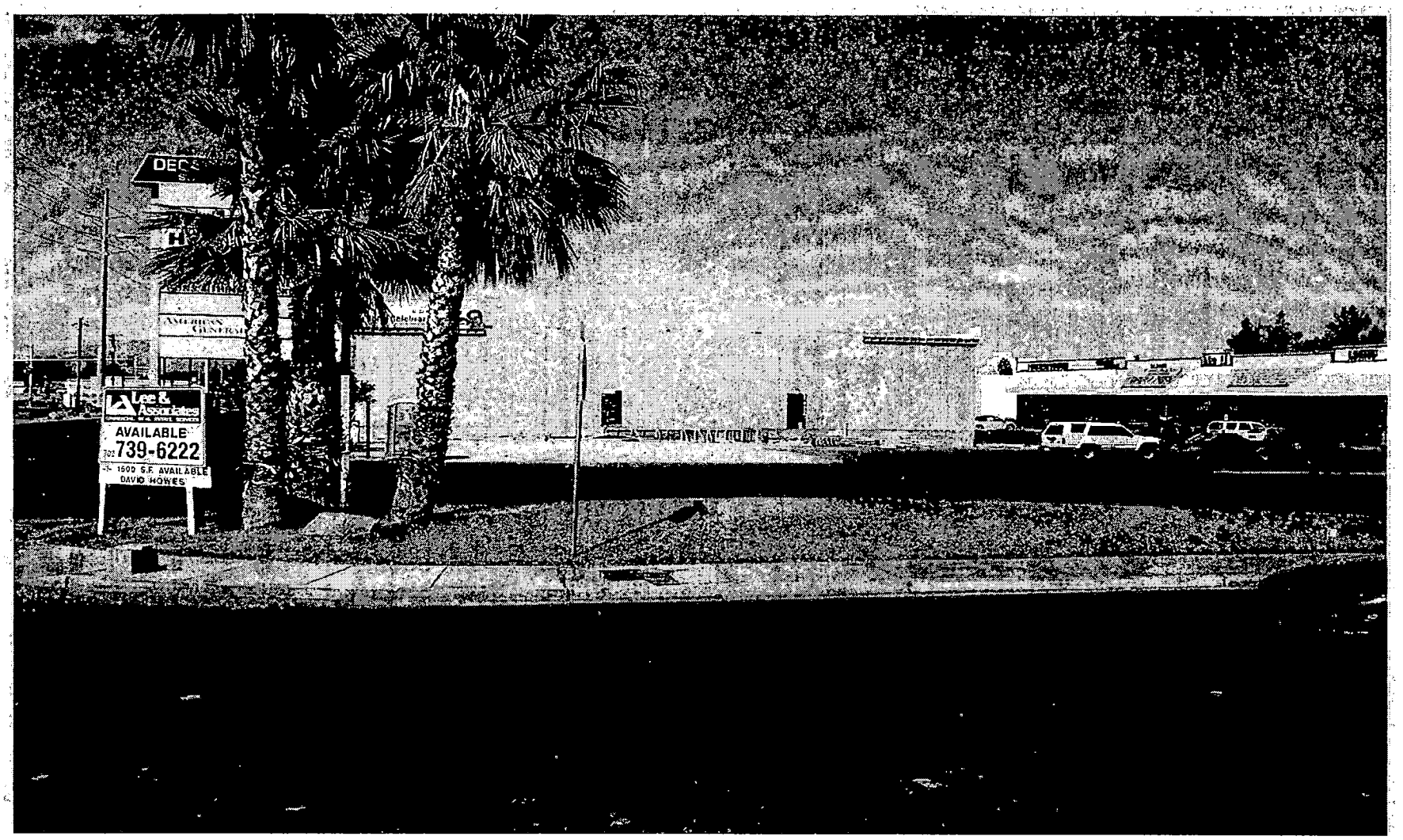
DECATUR SQUARE GENERAL PARTNERSHIP
a Nevada Partnership (Phase II)

JACK P. SCHWARTZ, General Partner

STATE OF NEVADA
: SS
COUNTY OF CLARK

On this 21 day of October personally appeared before

SDR-2997



SDR-2997 - UNION LAND & DEVELOPMENT ON BEHALF OF HAROLD-RIYOKO LIVING TRUST
EAST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 275 FEET SOUTH OF LAKE MEAD BOULEVARD
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03

City of Las Vegas

Agenda Item No.: 71

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
SDR-2952 - McKINLEY M & L 1993 LIVING TRUST, ET AL - Request for a Site Development Plan Review, A REDUCTION IN THE AMOUNT OF REQUIRED PERIMETER AND PARKING LOT LANDSCAPING, A ZERO FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, AND WAIVERS OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A PROPOSED 7,307 SQUARE-FOOT, ONE-STORY OFFICE BUILDING AT 2605 WEST CHARLESTON BOULEVARD; AND FOR MINOR EXTERNAL IMPROVEMENTS TO AN EXISTING 8,573 SQUARE-FOOT, ONE-STORY OFFICE BUILDING at 2603 West Charleston Boulevard (APN: 162-05-512-006 and 007), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – ABEYANCE to 11/6/2003 Planning Commission meeting – UNANIMOUS

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff recommended this application be held to the 11/6/2003 Planning Commission meeting in order to make minor changes to the site plan.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 71 – SDR-2952

MINUTES – Continued:

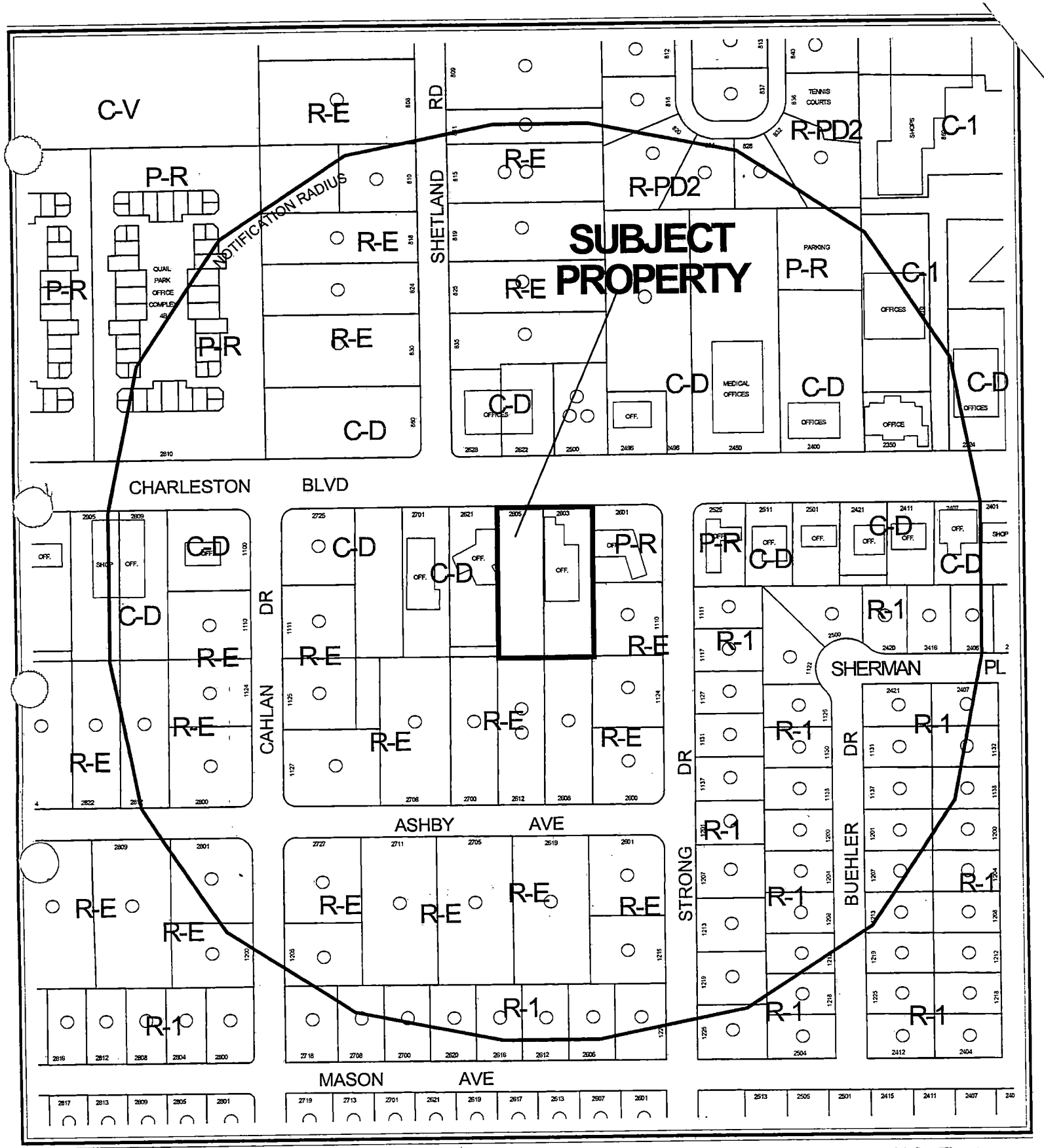
GIOVANNI PEZZI, 500 Pilot Road, appeared on behalf of the applicant and concurred with MR. CLAPSADDLE'S explanation.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

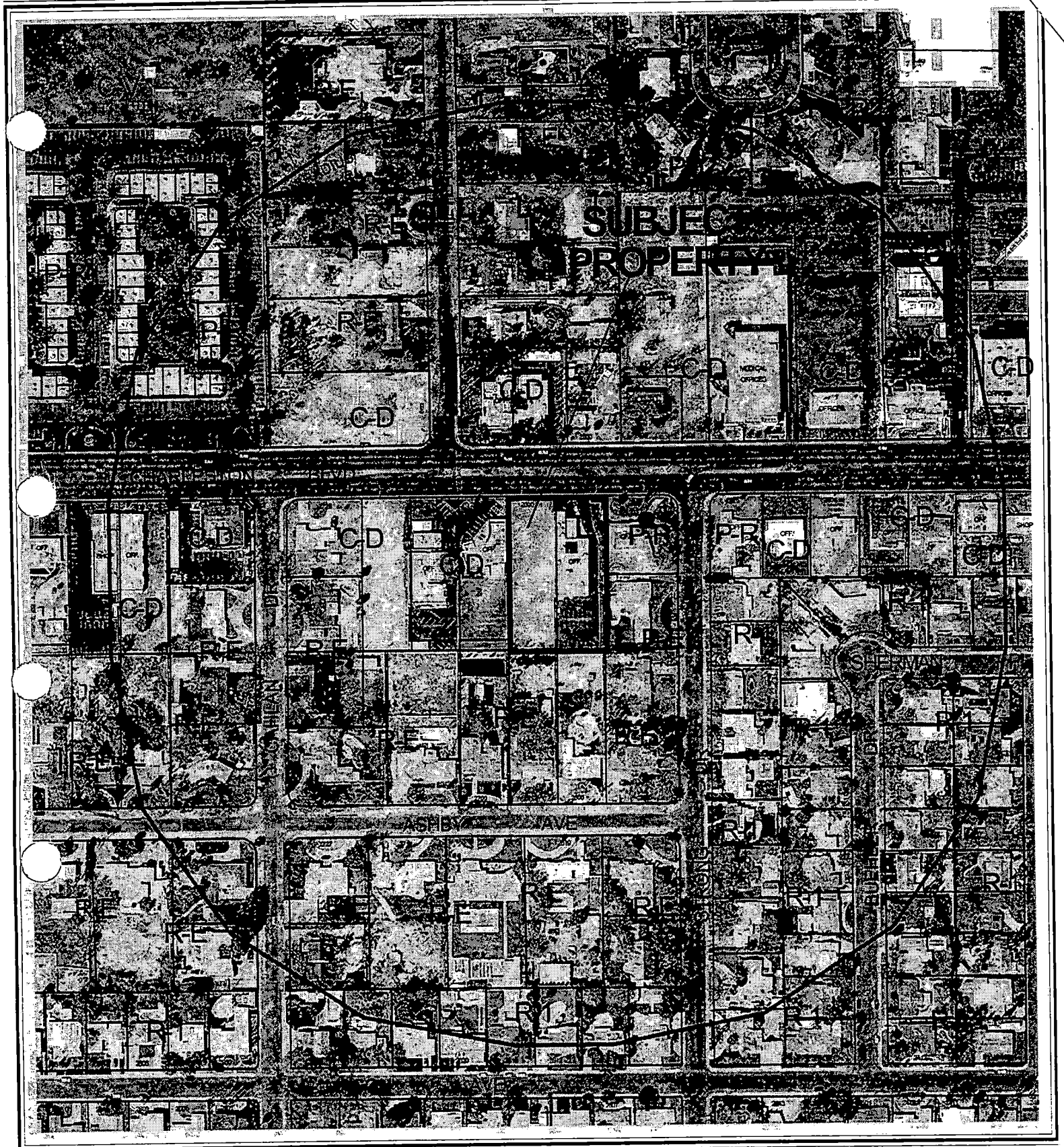
(6:24 – 6:25)



CASE: **SDR-2952**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)



0 200 400 Feet

CASE: **SDR-2952**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2952 - McKINLEY M & L 1993 LIVING TRUST, ET AL

** CONDITIONS **

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 trash enclosure shall be covered and screened as required by the Commercial Design Standards

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

4. 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.]

5. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.

6. 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.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

KCW

9. 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.

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

Fire Engineering

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

13. 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. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.

14. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits or occupancy, whichever may occur first.

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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or 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. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

17. An Occupancy Permit from the Nevada Department of Transportation must be obtained for all improvements in the Charleston Boulevard public right-of-way.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Site Development Plan Review for a proposed 7,307 square foot office building and a reduction in the side yard setback to allow 0 (Zero) feet where 10 feet is the minimum required, a waiver of landscaped fingers in the parking lot and a waiver of perimeter landscaping on 0.62 acres on a site located at 2605 West Charleston Boulevard.

B) Applicant's Justification

The proposed development consists of a one-story office building that will be located adjacent to existing building, creating a courtyard space between the new and existing building. The goal is to create an orderly and aesthetically pleasing environment that visually connects the two buildings.

BACKGROUND INFORMATION

A) Previous Actions

No background and history information is on file for this location.

B) Pre-Application Meeting

08/18/03 During the pre-application conference for this request the following was discussed:

- Buildings that front on Charleston between Rancho and Valley View are limited to one story or 20 feet in height, whichever is less.
- The Justification letter would include the setback and landscaping waiver requests.
- Applicant should talk to Rita about the mapping process.
- Drainage study and traffic analysis are possible.
- The Parking standard is based on the 1 space to 300 sq. ft of GFA.

KCW

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.62

B) Existing Land Use

Subject Property:	Vacant
North:	Offices
South:	Single Family residential
East:	Office, parking
West:	Office, parking

C) Planned Land Use

Subject Property:	O (Office)
North:	O (Office)
South:	DR (Desert Rural)
East:	O (Office)
West:	O (Office)

D) Existing Zoning

Subject Property:	C-D (Designed Commercial)
North:	C-D (Designed Commercial)
South:	R-E (Residence Estates)
East:	C-D (Designed Commercial)
West:	C-D (Designed Commercial)

E) General Plan Compliance

a) Southeast General Plan
The request conforms to the Southeast Sector Land Use Plan. The Plan requires that an office use be developed at the subject location.

b) General Plan
The request is in harmony with Policy B2 of the General Plan that encourages the utilization of infill parcels for development to make use of existing utilities, facilities, and services.

KCW

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Any other special area plans or districts do not pertain or affect this site.

PROJECT DESCRIPTION

It is proposed that one of the last infill parcels along south side of Charleston Boulevard be developed with a single story office building. The proposed building is to be positioned along side of the building immediately to the east in a manner that will create a common use courtyard between and behind the two buildings. The design characteristics and construction materials will be similar to the existing building, and will harmonize with the surrounding commercial properties.

The proposed project consists of a 7,307 square-foot building to be located on a 0.62-acre parcel. Access to the site is from Charleston Boulevard by means of a driveway along the west side of the building. The proposed one-story building will be oriented toward the north, positioned up to the street, with the parking lot area located to the south of the building.

The applicant is asking for a waiver of the perimeter and parking lot landscaping standards and a zero feet side-yard setback instead of the 100-foot side-yard standard of the Commercial Design Standards.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	25 Feet	25	Y
• Side	10 Feet	21'-4", 0	N
• Corner	15 Feet	N/A	N/A
• Rear	25 Feet	121'-5"	Y
Max. Lot Coverage	30 %	27%	Y
Max. Building Height	1 Story	1 Story/20 feet	Y
Trash Enclosure	Yes	Yes	Y
Loading Zone	N/A	N/A	N/A
Mech. Equipment	Screened	Screened	Y
Other …			

The proposal will need the wavier for the zero foot side-yard setback.

A2) Residential Adjacency Standards

The proposal conforms to residential adjacency standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	7,307 SF.	1/300 GFA	24	1	28	2

Provide statement whether the proposal meets parking standards.

The Department of Public Works conditioned the following about circulation and traffic issues:

> "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. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24 foot width to allow for two way vehicular traffic."

KCW

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	2 Trees/Space	2 Trees	0
Buffer: • Min. Trees	30 ft OC side yard 20 ft OC Rear yard	15 Trees	3
• Min. Zone Width • Wall height	8 Feet 6, 8 Feet		

The proposal requests a waiver from the requirement.

B) General Analysis and Discussion

- Zoning

The proposed 7,307 square-foot retail building use is allowed in the C-D (Designed Commercial) Zoning District subject to conformance with applicable requirements of Title 19.

- Site Plan

Access to the site is from a new along the west side of the parcel. The proposed one-story retail building is oriented toward the north with parking lot area located to the south of the building.

- Waivers

The following waivers have been requested or are part of this application:

Zero side yard setback where 10 feet is required. The proposed building will be positioned at the east property line up against the existing, neighboring, building to the east.

No tree buffer along the west and south property lines. The site plan shows the existing landscaping will be the only landscaping along the south and west property lines.

No trees in the parking lot fingers. The parking lot will only have the existing landscaped island near the trash enclosure.

KCW

- Landscape Plan

The proposed landscape plan shows a 25-foot wide planter along the street frontage. There is also some landscaping shown in the parking area near the trash enclosure and along the west property line. The existing landscaping will remain where shown on the plan along the south property line.

- Elevation

The building elevations depict a one-story structure with split face CMU block exterior and a predominantly flat roof typical of commercial building of this type. The ends of building are designed in a similar manner as the front elevation.

- Floor Plan

The floor plan depicts large open area for cubicles approximately 3300 square feet with support work areas at the rear being accessed from the front and rear.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed retail building will be a new structure on the subject site. The design of the building is compatible with development in the area, subject to meeting the requirements of Title 19.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   The proposed use is consistent with the General Plan and the land use provisions of Title 19.

KCW

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**
Access to the site is via driveways from Charleston Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The access and roadways are adequate to meet the needs of the proposed development.

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

The building materials as proposed are appropriate for this type of commercial use in this area. The amount of parking lot and perimeter landscaping as shown is below the minimum standard of the Zoning Code. The request for waivers to these requirements is part of this application.

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

The design, architecture and aesthetic features of the proposed development are satisfactory and will not have a negative impact on this site or on surrounding areas.

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

The proposed office building will be subject to inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 107

APPROVALS 0

PROTESTS 2

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-2952** APN: 162-05-512-007

Name of Property Owner: BMK Enterprises

Name of Applicant: Same as Owner

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

__X__ Yes _____ No

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

City Official: Craig S. Galati

Partner(s): N/A

APN: _____

Signature of Property Owner/Authorized Agent: Mark McKinley

Print Name: MARK McKINLEY

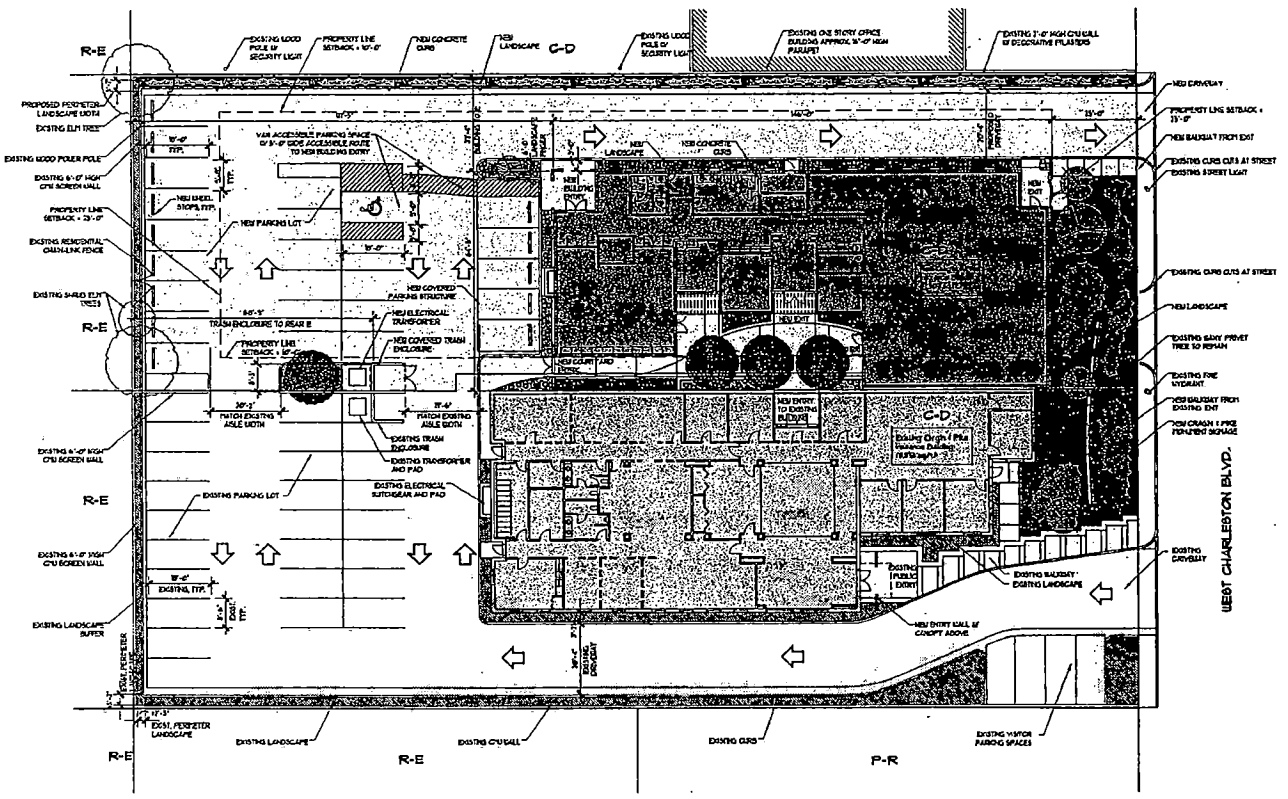
Subscribed and sworn before me

This 22nd day of September, 2003

Notary Public in and for said County and State

KAREN L. TRIMBLE
Notary Public - Nevada
No. 00-61826-1
My appt. exp. Mar. 23, 2004

KAREN L. TRIMBLE
Notary Public - Nevada
No. 00-61826-1
My appt. exp. Mar 23, 2004



LEGEND

SYMBOL	COMMON NAME	SIZE
	SHOESTRING ACACIA	24" BOX
	AFRICAN SUMAC	24" BOX
	PURPLE LEAF PLUM	15 GAL
	RED BUD FOREST PANSY	15 GAL

SYMBOL	COMMON NAME	SIZE
	DESERT CASSIA	5 GAL
	SILVER CLOUD TEXAS RANGER	5 GAL
	YELLOW BIRD OF PARADISE	5 GAL
	RED YUCCA	5 GAL
	CATS CLAW VINE	5 GAL ESPALIER
	BLUE BEDDER PENSTEMON	1 GAL
	INDIGO BUSH	1 GAL
	LANTANA	1 GAL
	STAR JASMINE	1 GAL
	VERBENA	1 GAL
	ROSEMARY	1 GAL
	AUTUMN SAGE	1 GAL
	DEER GRASS	1 GAL

DECOMPOSED GRANITE GROUNDCOVER IN ALL PLANTERS

RIVER ROCK AT MONUMENT SIGNAGE AND ROOF RAINWATER LEADERS

SITE DATA

TOTAL PROPERTY SIZE: +/- .62 ACRES GROSS (+/- 26,134 S.F.)
TOTAL BUILDING GROSS S.F.: 7,301 S.F.

FLOOR AREA RATIO: .21
CURRENT ZONING: C-D (DESIGNED COMMERCIAL)
APN: 162-05-512-006

SETBACKS (MINIMUM)		ACTUAL SETBACKS	
FRONT YARD:	25 FEET	FRONT YARD (FROM CHARLESTON)	25 FEET
SIDE YARDS:	10 FEET	SIDE YARDS (FROM EAST PROP.):	0 FEET
		SIDE YARDS (FROM WEST PROP.):	27 FEET
REAR YARD:	+25 FEET	REAR YARD (FROM SOUTH PROP.):	121 FEET

(+=RESIDENTIAL ADJACENCY STANDARD)
(-=DEVELOPMENT WAIVERS REQUESTED): 1. SIDE SETBACK; 2. PERIMETER LANDSCAPE; 3. PARKING LOT LANDSCAPING

(+=ADDITIONAL DEVELOPMENT WAIVERS REQUESTED): 4. 24'-0" WIDE PARKING LOT AISLE FOR 90° SPACES; 5. LOCATION OF HANDICAP PARKING SPACE

BUILDING HEIGHT
ALLOWED: 30'-0" MAX. (FOR PARCELS ON CHARLESTON BETWEEN RANCHO + VALLEY VIEW)
ACTUAL: 30'-0"

PARKING REQUIRED

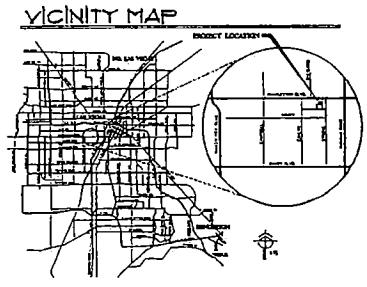
OFFICE:
(1 SPACE PER 300 SF)

TOTAL PARKING REQUIRED	24 SPACES
TOTAL HANDICAP PARKING REQUIRED	1 SPACE

PARKING PROVIDED

TOTAL PARKING PROVIDED FOR ENTIRE PROJECT	24 SPACES
TOTAL HANDICAP PARKING PROVIDED	1 SPACE

VICINITY MAP



N

CRAGIN & PIKE INSURANCE - OFFICE BUILDING

2603 W. CHARLESTON BLVD., LAS VEGAS, NV 89102

PROJECT NO. 0188-03-001

SITE PLAN

August 11, 2003
REVISED September 22, 2003

SCALE: 1/16" = 1'-0"

LUCCHESI •GALATI• ARCHITECTS

SDR-2952
10-23-03 PC
STAFF

Revised 9/22/03 SDR-29

RECEIVED
03 OCT 16 PM 4:21
PLANNING AND
DEVELOPMENT

City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth St.
Las Vegas, NV 89101

RE: SDR-2952

To Whom It May Concern:

Please deny this request for a zoning variance. As a long time resident of this area, we are disheartened to see the continual destruction of the natural history of this older area of Las Vegas.

In addition to the destruction of an older neighborhood, allowing this variance will create a real and perceived danger to the pedestrian traffic along Charleston Blvd. Charleston Blvd is a major traffic artery in this area and has a high volume of pedestrian traffic due to its proximity to local hospitals, physician and dental offices and business as well as the bus route.

Please in the interest of public safety and neighborhood preservation deny this zoning request.

Thank you for your attention and support in this matter.

Regards,

John Bishop
2420 Sherman Place
Las Vegas, NV 89102

P

RECEIVED
03 OCT 16 PM 4:22
PLANNING AND
DEVELOPMENT

City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth St.
Las Vegas, NV 89101

RE: SDR-2952

To Whom It May Concern:

Please deny this request for a zoning variance. As a long time resident of this area, we are disheartened to see the continual destruction of the natural history of this older area of Las Vegas.

In addition to the destruction of an older neighborhood, allowing this variance will create a real and perceived danger to the pedestrian traffic along Charleston Blvd. Charleston Blvd is a major traffic artery in this area and has a high volume of pedestrian traffic due to its proximity to local hospitals, physician and dental offices and business as well as the bus route.

Please in the interest of public safety and neighborhood preservation deny this zoning request.

Thank you for your attention and support in this matter.

Regards,

James Rice

James Rice
2421 Sherman Place
Las Vegas, NV 89102

P

City of Las Vegas

Agenda Item No.: 72

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL - Request for a Review of Condition No. 22 of an approved Rezoning (Z-0001-99) TO ALLOW ACCESS FOR THE DEVELOPMENT FROM O'HARE ROAD AND DURANGO DRIVE NORTH TO THE SOUTH EDGE OF THE SITE (APN: 125-04-001-001, 002, 003, 005, 006, 007, and 008), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is currently bidding work with D.R. Horton

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that this is a review of condition that was originally approved requiring access from the south from O'Hare Road. Since the original approval of the zoning, the existing City of Las Vegas Right of Way along portions of Durango Drive between Log Cabin Way and Iron Mountain Road have changed. This change requires approval of legal access by adjacent property owners, particularly the State of Nevada. Staff recommended approval.

MINUTES – Continued:

DAN McFADDEN, G.C. Wallace, Inc., 1555 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff's recommendation. However, the applicant has requested it be amended to allow an early grading permit because of the access problems.

BONNIE SHOMEE, 8500 Rocky Avenue, appeared in protest. She remarked that there is a school along Brent and Durango Drive and an elementary school proposed for Durango Drive and O'Hare Road. She stated a park is planned for the east side of Durango Drive. For the record, she stated that the neighbors were told that Moccasin would remain a thoroughfare. She stated that there needs to be another road for access in and out along Durango Drive and Farm Road when the construction commences.

LOUIS RUSKAMP, citizen of Las Vegas, agreed with staff's rewriting of the condition. She stated that access could be acquired along Durango Drive or along Mocassin Road. She objected to any consideration for early grading. She stressed the importance of having two full lanes of paving along Durango Drive or along Mocassin Road before any kind of work is done on that property.

GINA VENGLASS, Public Works Department, stated that staff has recommended two lanes of access paving, either along Mocassin Road or along Durango Drive. Until that is accomplished, no on-site activities may occur.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:45 – 11:57)

4-1659

CONDITIONS:

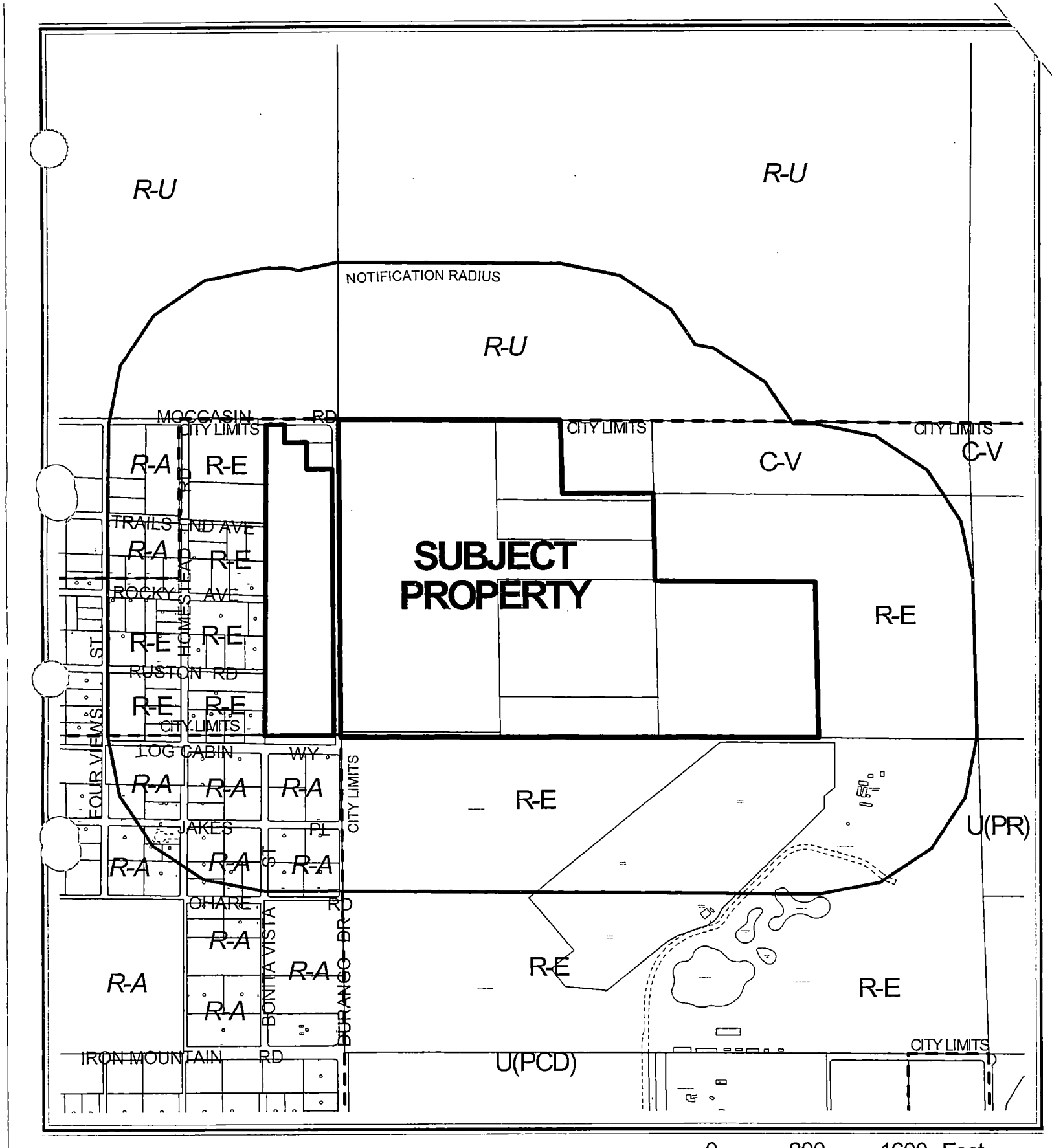
Public Works

1. Original Condition of Approval No. 22 of Z-1-99 is hereby revised to read as follows:

   Two lanes of access paving in accordance with Standard Drawing #209 shall be in place along a legal access corridor with a minimum width of 56-feet, to be obtained by the developer of this site (where such does not exist) on Durango Drive from the southern edge of this site to Brent Lane prior to the issuance of any building permits for any on-site activities, and proof of dedication, or a copy of recorded access easements or other permanent irrevocable access rights across the adjacent parcels must be provided to the City. If it is not possible to obtain legal access, two lanes of access paving in accordance with Standard Drawing #209 along a legal access corridor to be obtained by the developer of this site shall be in place on Mocassin Road from the west edge of this site westward to El Capitan Way or Fort Apache Road, and south on El Capitan Way or Fort Apache Road to the nearest existing paving prior to the issuance of any building permits for any on-site

CONDITIONS – Continued:

activities. If this access route is utilized, the applicant shall be required to have all construction-related traffic utilize this "back entrance" access corridor upon its completion. Also, construct a temporary barricade on Durango Drive at Log Cabin Way to prevent construction traffic from utilizing Durango Drive, until such time that the models are opened. Four lanes of access paving must be in place on Durango Drive and shall extend from the southern edge of this site to Brent Lane prior to the issuance of any building permits beyond seventy-five percent of the homes allowed within this project site. Non-compliance will result in the denial of further home building permits. Additional paved access routes may be required if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this project's traffic on the surrounding neighborhood.



0 800 1600 Feet

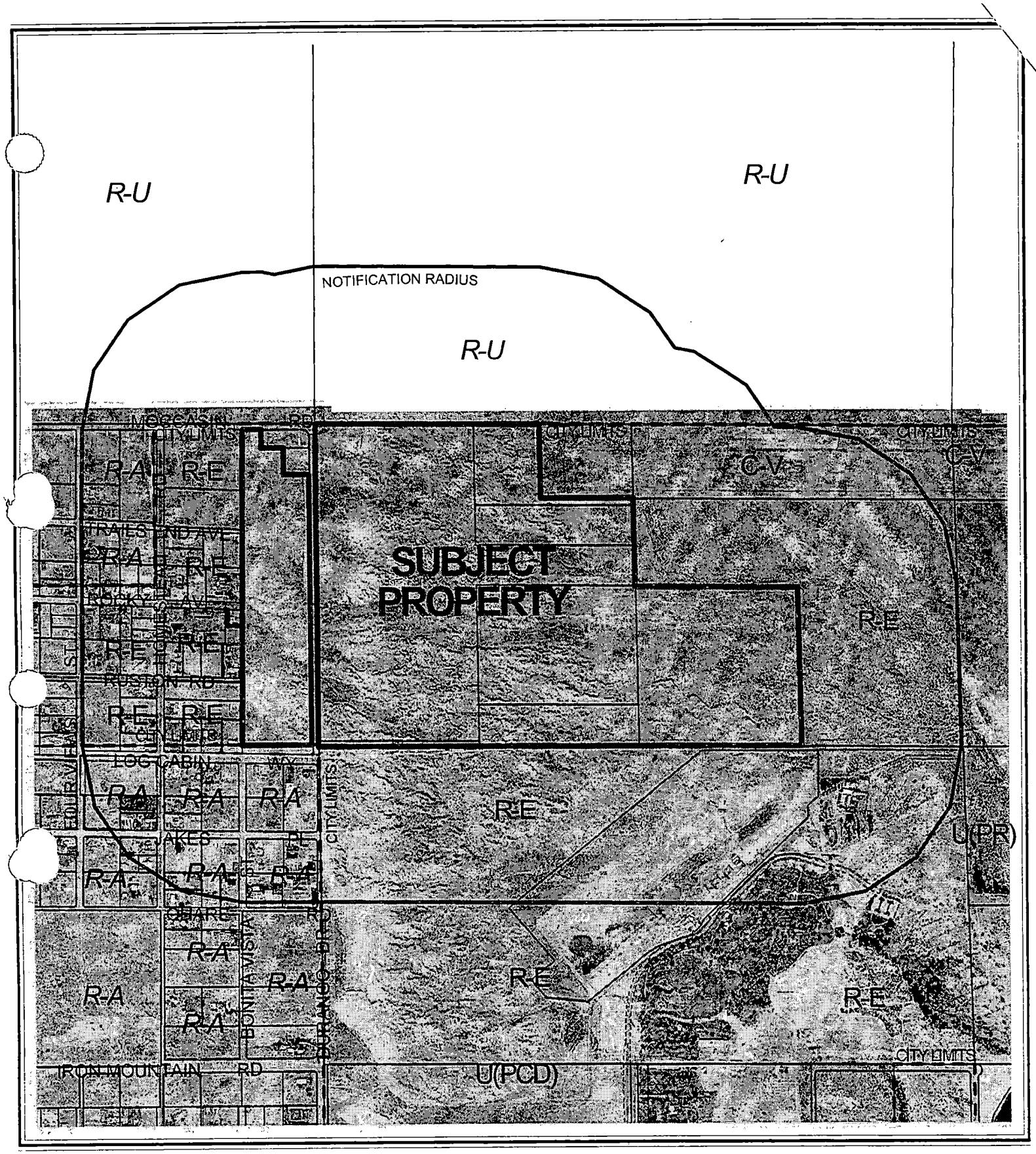
CASE: **ROC-3053**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

N



0 800 1600 Feet

CASE: **ROC-3053**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL

** CONDITIONS **

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

Public Works

1. **Original Condition of Approval No. 22 of Z-1-99 is hereby revised to read as follows:**

   Two lanes of access paving in accordance with Standard Drawing #209 shall be in place along a legal access corridor with a minimum width of 56-feet, to be obtained by the developer of this site (where such does not exist) on Durango Drive from the southern edge of this site to Brent Lane prior to the issuance of any building permits for any on-site activities, and proof of dedication, or a copy of recorded access easements or other permanent irrevocable access rights across the adjacent parcels must be provided to the City. If it is not possible to obtain legal access, two lanes of access paving in accordance with Standard Drawing #209 along a legal access corridor to be obtained by the developer of this site shall be in place on Mocassin Road from the west edge of this site westward to El Capitan Way or Fort Apache Road, and south on El Capitan Way or Fort Apache Road to the nearest existing paving prior to the issuance of any building permits for any on-site activities. If this access route is utilized, the applicant shall be required to have all construction-related traffic utilize this "back entrance" access corridor upon its completion. Also, construct a temporary barricade on Durango Drive at Log Cabin Way to prevent construction traffic from utilizing Durango Drive, until such time that the models are opened. Four lanes of access paving must be in place on Durango Drive and shall extend from the southern edge of this site to Brent Lane prior to the issuance of any building permits beyond seventy-five percent of the homes allowed within this project site. Non-compliance will result in the denial of further home building permits. Additional paved access routes may be required if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this project's traffic on the surrounding neighborhood.

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition Number 22 of an approved Rezoning (Z-0001-99) that required paved access in accordance with Standard Drawing Number 209 from the south side of the site southward to O'Hare Road.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting that the access to the site be taken on Durango Drive from the existing O'Hare Road north to the south edge of the site.

BACKGROUND INFORMATION

A) Previous Actions

04/26/99 The City Council approved a Rezoning (Z-0016-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended denial on February 11, 1999.

06/07/00 The City Council approved the first Extension of Time [Z-0001-99(1)] for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended approval on April 27, 2000.

06/06/01 The City Council approved the second Extension of Time [Z-0001-99(2)] for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended approval on April 26, 2001.

02/19/03 The City Council approved a Site Development Plan Review (SDR-1395) for a 565 lot single family residential development on this site. The Planning Commission recommended approval on January 23, 2003.

MP

08/06/03 The City Council approved the third Extension of Time (EOT-2454) for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF APPLICATION REQUEST

General Analysis and Discussion

The applicant is requesting to allow the access to the north from O'Hare Road to the south of the site rather than from the south edge of the site southward to O'Hare Road. This appears to be acceptable as long as the access is provided prior to the final inspection of any units in the development.

The existing City of Las Vegas right-of-way along portions of Durango Drive between Log Cabin Way and Iron Mountain Road has changed since the original approval of the rezoning. Although the Department of Public Works has no objection allowing access to the development be taken on Durango Drive from Brent Lane and Durango Drive north to the south edge of the site, existing City of Las Vegas right-of-way along Durango Drive within this corridor consists of a varying right-of-way width that will not facilitate four lanes of access paving that is required. Therefore, legal access must be obtained from adjacent property owners to facilitate the required 4 lanes of access paving. Also, Floyd Lamb State Park is adjacent along the east half of the proposed corridor; an access agreement would therefore have to be arranged with the State of Nevada. Based on these circumstances, approval of an amended condition is warranted.

NOTICES MAILED 76

APPROVALS 0

PROTESTS 1

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3053 APN: 125-04-001-002, 003, 005, 006 & 007

Name of Property Owner: Becker Trust Company

Name of Applicant: D.R. Horton

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Barry W Becker

Subscribed and sworn before me

This 5th day of Sept., 2003

E M Williamson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
E.M. WILLIAMSON
No: 94-1359-1
My Appointment Expires Jan. 10, 2006

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3053 APN: 125-04-001-008

Name of Property Owner: Las Vegas Dunes, Inc.

Name of Applicant: D.R. Horton

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Barry W Becker

Subscribed and sworn before me

This 8 day of Sept, 2003

E M Williamson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
E.M. WILLIAMSON
No: 94-1359-1
My Appointment Expires Jan. 10, 2006

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number ROC-3053 APN: 125-04-001-001

Name of Property Owner: D'NAL I LLC

Name of Applicant: D.R. Horton

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: Dana Rogers

Print Name: Dana Rogers - Manager

Subscribed and sworn before me

This 8TH day of September, 2003

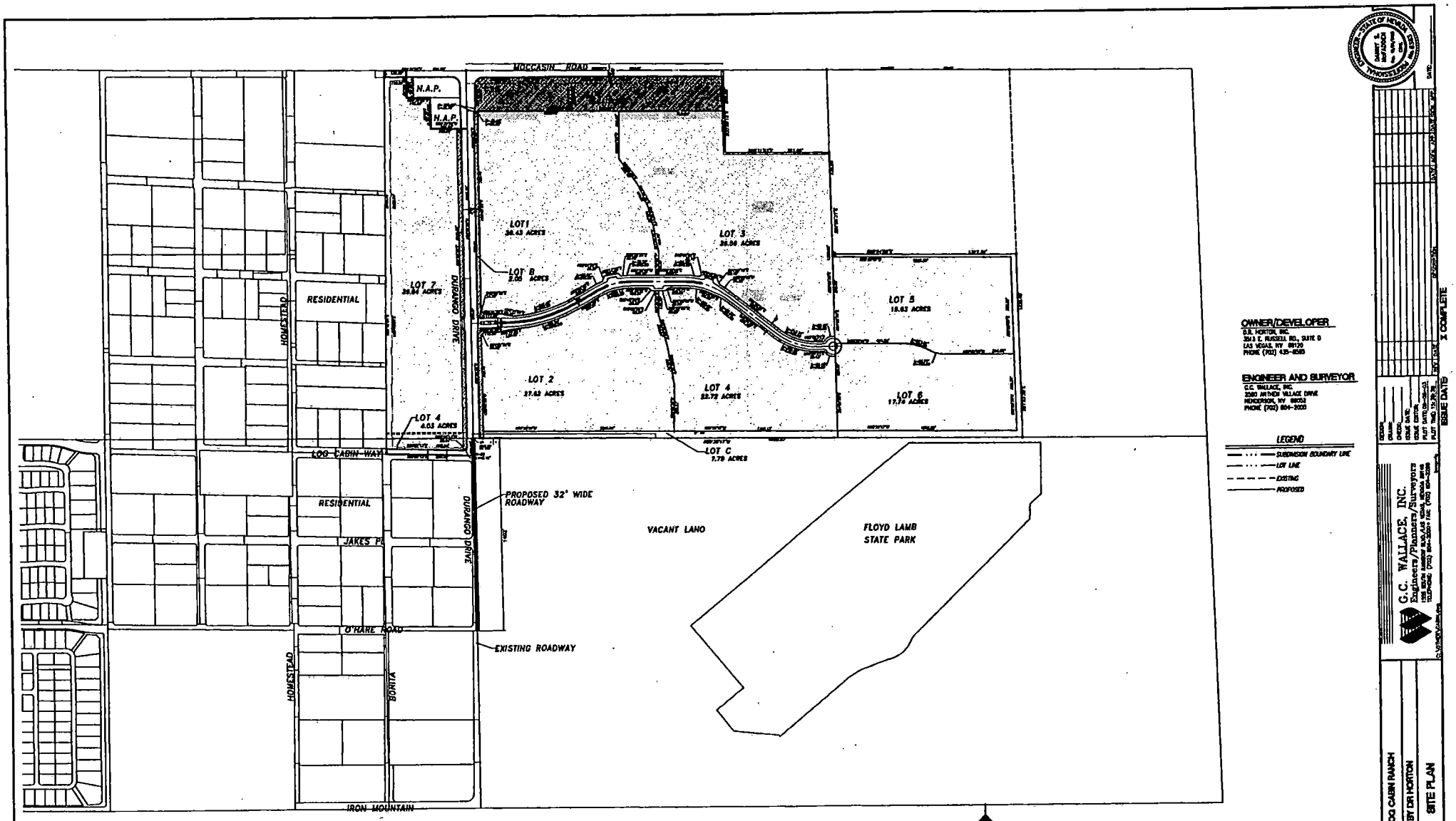
STATE OF NEVADA
COUNTY OF CLARK

Notary Public in and for said County and State

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

Notary Public - State of Nevada
County of Clark
THOMAS G. STREIT
My Appointment Expires
March 7, 2004
No: 96-1721-1



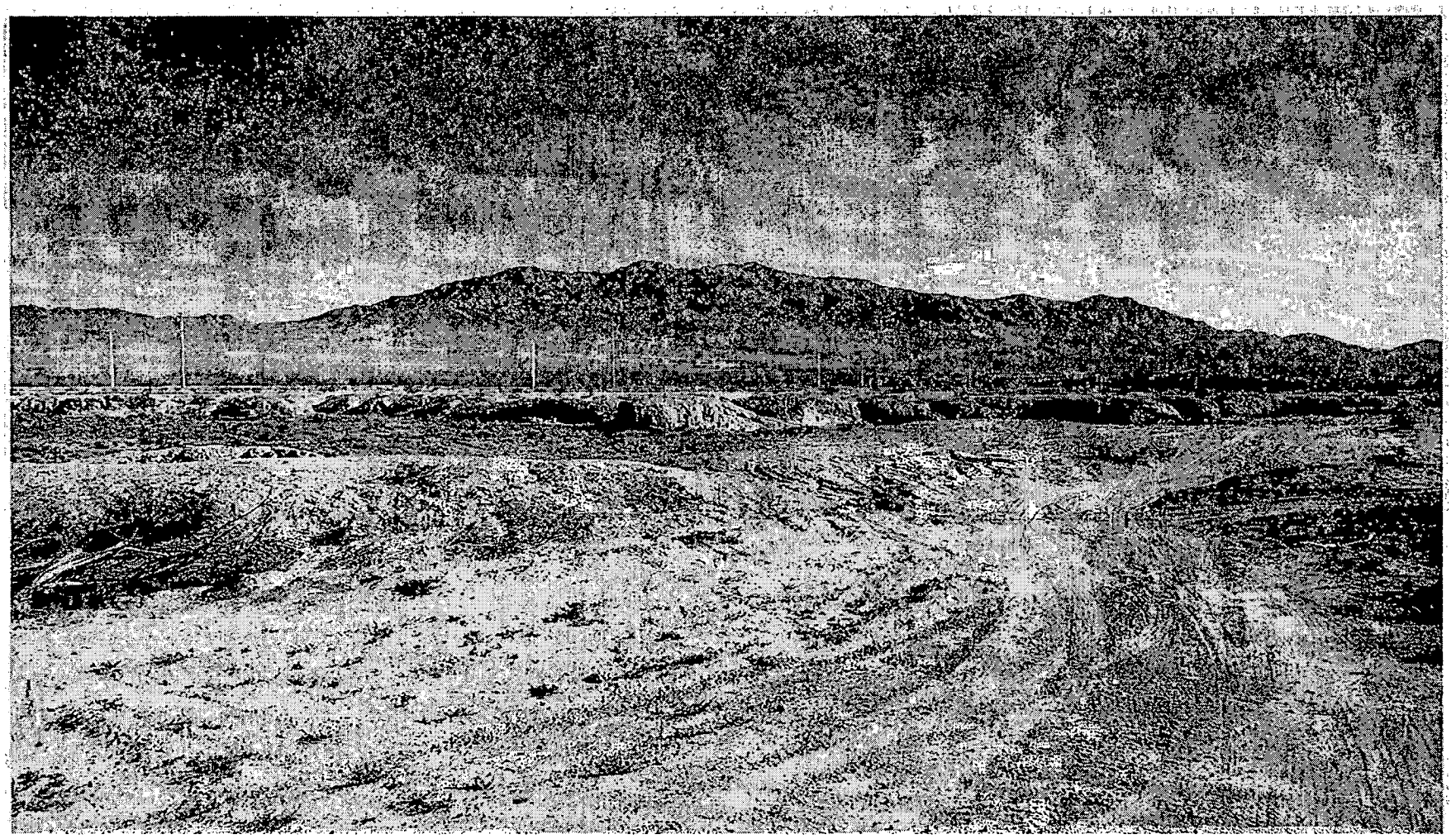
SITE MAP
FOR
LOG CABIN RANCH
(A RESIDENTIAL SUBDIVISION)

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

LOG CABIN RANCH
BY DR HORTON
SITE PLAN

DRAWING
C-1
1 OF 1 SHTS

ROC-3053
STAFF 10-23-03 PC



ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

Telephone Protest/ Approval Log

Meeting Date: 10-13-03 **Case Number:** RUC-3053

Date: 10-13-03 SATURDAY
Name: Kathy Simpson
Address: 9840 Homestead Rd LV NV 89143
Phone: 658-0929
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

P

City of Las Vegas

Agenda Item No.: 73

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

SNC-3092 - CITY OF LAS VEGAS - Request to rename certain public streets between Tropical Parkway on the south and Grand Teton Drive on the north, and between El Capitan Way on the west and Durango Drive on the east, to accommodate the revised alignment of Durango Drive incorporating the "S-Curve" between Tropical Parkway and Centennial Parkway, and to maintain continuity of street names across intersections, Ward 6 (Mack).

SET DATE: 11/05/03
C.C.: 11/19/03

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Letter of Opposition dated 10/22/03 from the Law Offices of Kermitt L. Waters, Esq.

MOTION:

GOYNES – APPROVED– UNANIMOUS with TRUESDELL abstaining as his firm represents property that one of these roads goes through

To be heard by the City Council on 11/19/2003

MINUTES:

COMMISSIONER NIGRO declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained the request is a result of the Town Center evolution. In order to modify the current mapping, staff recommends approval of revisions.

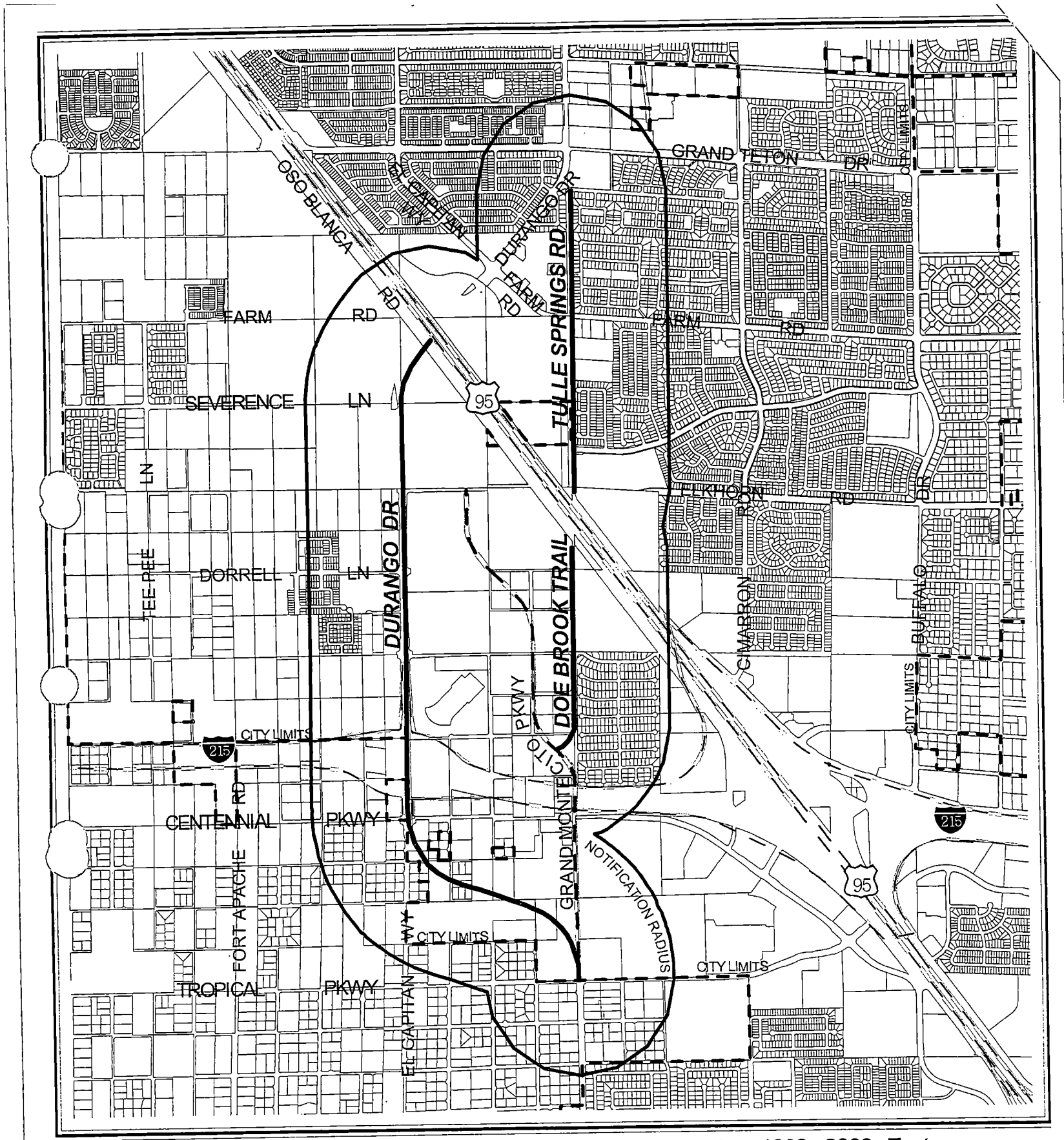
MINUTES – Continued:

ATTORNEY JAMES J. LEAVITT, appeared on behalf of MARY BARSTAS, who owns property on the southeast corner of Durango Drive and Centennial Drive. He submitted a letter of opposition for the record. ATTORNEY LEAVITT stated that with the renaming of the roadway, she will lose the name Durango on property she had purchased thirty years ago. ATTORNEY LEAVITT added that MS. BARSTAS believes the Durango has been known throughout the valley as a major thoroughfare, going from one end of the Valley to the next. With renaming to Monte Cristo Drive, she believes that will reduce the value of her property.

There was no further discussion.

COMMISSIONER NIGRO declared the Public Hearing closed.

(11:57)

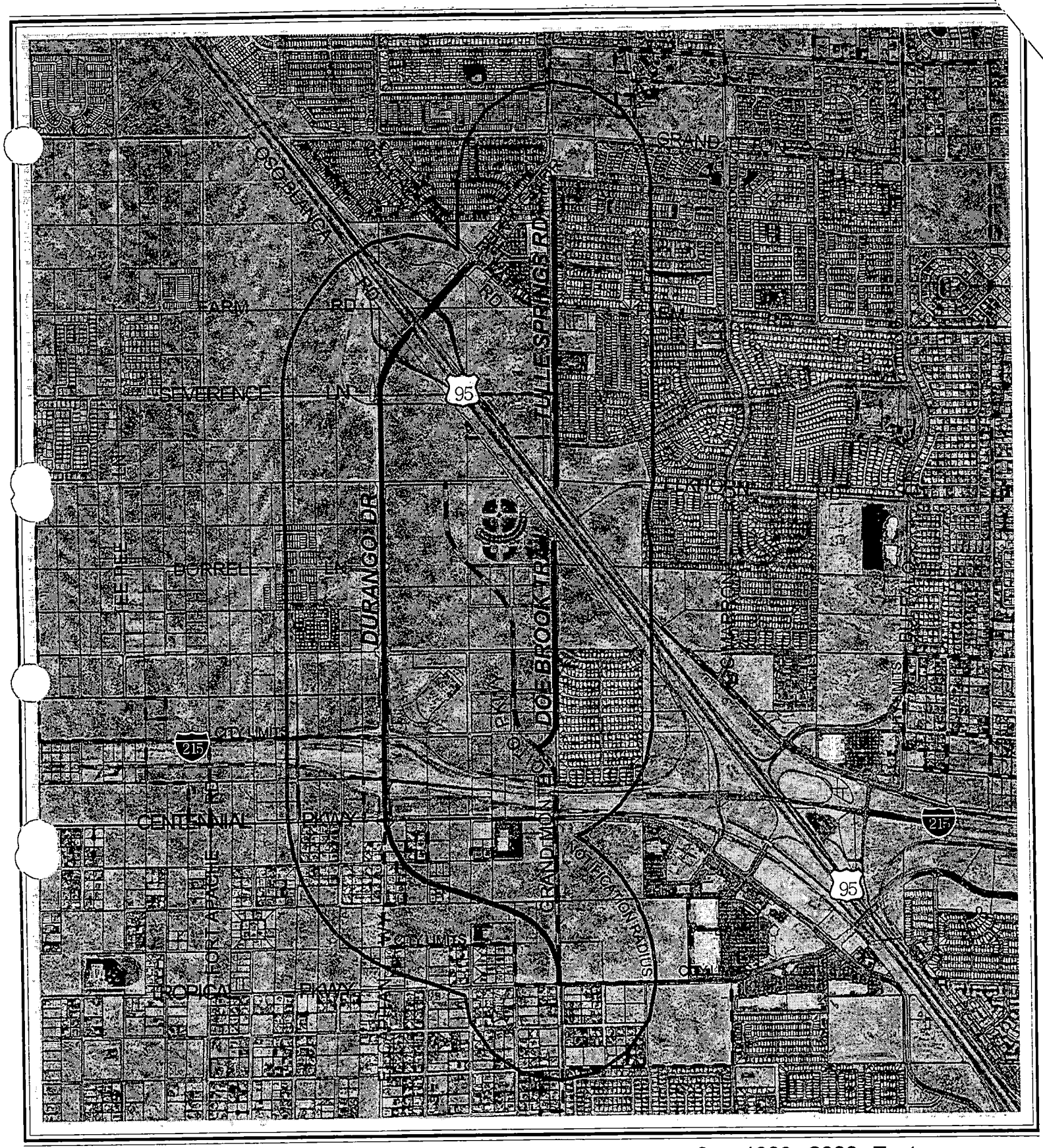


0 1000 2000 Feet

CASE: **SNC-3092**

RADIUS: 1500 FT

N



0 1000 2000 Feet

CASE: **SNC-3092**

RADIUS: 1500 FT

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SNC-3092 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL.**

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Street Name Change for certain public streets between Tropical Parkway on the south and Grand Teton Drive on the North, and between El Capitan Way on the west and Durango Drive on the east.

B) Applicant's Justification

The City of Las Vegas requests approval of a series of Street Name Changes to facilitate the alignment of Durango Drive in the area known as the "S-Curve". The intent of this request is to provide new street names to the existing portions of Durango Drive that will no longer be a part of the revised street alignment.

ANALYSIS

General Analysis and Discussion

This is a City of Las Vegas initiated request to reestablish and clarify the names for alignments of Durango Drive, Grand Montecito Parkway, Doe Brook Trail and Tule Springs Road. This is a result of the approved "S-Curve" that has been created as part of the Town Center Development.

The changes proposed changes are described as follows:

Change ***Durango Drive*** to ***Doe Brook Trail*** from Grand Montecito Parkway north to Rancho Drive (U. S. 95),

Change ***El Capitan Way*** to ***Durango Drive*** from the "S-Curve" north to Rancho Drive (U.S. 95),

Change ***Durango Drive*** to ***Grand Montecito Parkway*** from Centennial Parkway south to the "S-Curve",

Change ***Durango Drive*** to ***Tule Springs Road*** from Jo Marcy Drive south to Rancho Drive (U.S. 95).

MP

The Department of Public Works supports the Request for a Street Name Change application to change the "S" curve alignment of El Capitan Way to Durango Drive; to change Durango Drive north of U.S. 95 to Tule Springs Road; to change Durango Drive north of Centennial Parkway to Doe Brook Trail; and to change Durango Drive south of Centennial Parkway to Grand Montecito Parkway. The Department of Fire Services and Metro have also been advised of this request and offered no objections.

NOTICES MAILED 1,663

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SNC-3092 APN: N/A

Name of Property Owner: N/A

Name of Applicant: CITY OF LAS VEGAS

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 N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Barton T. Anderson

Print Name: BARTON T. ANDERSON

Subscribed and sworn before me

This 10TH day of SEPTEMBER, 2004

Notary Public in and for said County and State

Law Offices of Kermitt L. Waters, Esq.

Kermitt L. Waters, Esq.
Charles E. Springer, Esq., of Counsel
James Jack Leavitt, Esq.
Brian C Padgett, Esq.

*Michael Schneider, Esq.
(licensed to practice in Montana only)
*Autumn Waters, Esq.
(licensed to practice in Montana only)

October 22, 2003

City of Las Vegas Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

via hand delivery

Re: SNC - 3092 - STREET NAME CHANGE

This letter is sent on behalf of Mary Bartsas, the owner of the property located at the southwest corner of Durango Drive and the Las Vegas Beltway (APN 125-28-101-008), in opposition to SNC - 3092, which proposes to rename Durango Drive to Grand Montecito Parkway adjacent to Ms. Bartsas property. Ms. Bartsas strongly opposes this name change for the reasons stated herein.

Ms. Bartsas purchased the above referenced property approximately 32 years ago, because it was located at the corner of "Durango Drive" and "Centennial Parkway." Both Durango Drive and Centennial Parkway are two of the very few roadways in the Las Vegas valley that traverse the entire valley. Additionally, Durango Drive has historically been known as a major thoroughfare and, therefore, this name alone adds great value to Ms. Bartsas' property. Accordingly, any property located on the corner of these two major roadways is very valuable. The street name change proposed by SNC - 3092 will entirely eliminate the value which the name "Durango Drive" adds to Ms. Bartsas' property.

Additionally, SNC - 3092 proposes three separate names for the one roadway alignment where Durango Drive is currently located in the vicinity of Ms. Bartsas' property which will create confusion for those attempting to locate Ms. Bartsas property. This confusion created by SNC - 3092 will further devalue Ms. Bartsas' property.

Therefore, SNC - 3092 will create a deprivation of the common use of Ms. Bartsas' property, which is actionable under the Just Compensation Clause to the Fifth Amendment to the United States Constitution. *Moon v. North Idaho Farmers Assoc.*, 2003 WL 21640506 (Idaho Dist. 2003) (any destruction, interruption, or deprivation by the common, usual, and ordinary use of property is by the weight of authority a "taking" of one's property in violation of the constitutional guarantee). This devaluation to Ms. Bartsas' property is also actionable under NRS 37.110(3) (if property, though no part is taken, will be damaged by a government improvement a jury may assess these damages).

Las Vegas Office:
704 South 9th Street, Las Vegas, NV 89101
Phone: (702) 733-8877
Fax: (702) 731-1964

Reno Office:
333 Flint Street, Reno, NV 89509
Phone: 1 (877) 733-8877

Submitted at Planning Commission
Date 10/23/03 Item #73

For the reasons stated herein Ms. Bartsas strongly opposes SNC - 3092 and requests that the Planning Commission deny the application / petition for SNC - 3092.

Sincerely,

James J. Leavitt

cc: Planning Commissioners
Richard W. Truesdell, Chairman
Craig Galati
Byron Goynes
Laura McSwain
Steven Evans
Todd Nigro
Leo Davenport

400 Stewart Avenue
Las Vegas, Nevada 89101

City of Las Vegas

Agenda Item No.: 74

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
WVR-3030 - SAINT JANE'S CARE HOME ON BEHALF OF ROSITA SY - Request for a Waiver of Title 19.04.040 TO ALLOW A GROUP RESIDENTIAL CARE FACILITY TO BE LOCATED WITHIN 660 FEET FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY at 1412 Maria Elena Drive (APN: 162-02-204-014), R-1 (Single-Family Residential) Zone, Ward 3 (Reese).

C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
EVANS - DENIED – UNANIMOUS

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER EVANS disclosed that he lives in the neighborhood but does not reside in the notification area so there would be no reason for him not to vote on this application.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that previous applications for separation had been denied or tabled by City Council. He stated that policy prohibits waivers for the separation of these types of uses. With regard to the language that establishes the kind of use, there is a fear that too many will cluster together. Once concern deals with this location being in close proximity to the use on the other side of the block as well as a pre-existing use to the south that have been active until recently. MR. WALTON stated there is no hardship that would warrant a waiver. Staff recommended denial.

MINUTES – Continued:

JOSEPH SY, the applicant, 25 Wade Hampton Trail, stated that at the time the property was purchased he was aware that it was previously operated as a care home. South of the property also existed another care home facility that was shutdown due to foreclosure. MR. SY stated that he was advised when applying for his business license that he would have to come before the Planning Commission for approval because another care home existed 450 feet from his property. He justified approval of the waiver stating that the home was previously use as a care home facility.

TODD FARLOW, 240 North 19th Street, stated that this is R-1 and renting rooms is prohibited by that zoning, therefore the application is in violation. He argued that distance requirements were established to prevent saturation of this type of uses.

MICHAEL HALLOWAY, 1015 Becky Circle, an adjacent neighbor, appeared in opposition and asked the Commission to follow staff's recommendation for denial. He objected to the applicant renting out rooms and objected to the potential clustering of this type of use which would lower the value of the surrounding properties.

DAVID LEBAR, 1408 Maria Elena Drive, lives next door to this property. He objected to the number of people who occupy the residence and disapproved of the number of cars that are parked in the driveways and on the streets. Because most of the people living in the residence appear to have a transient lifestyle, he stated that they have no pride in the redevelopment of the area.

JAIME RICHARDS, 1404 Maria Elena Drive, appeared in opposition and agreed with MR. LEBAR that this is a beautiful neighborhood with residents who take pride in their homes. He also objected to the imposition of the tenants of that residence and asked the Commission to deny the applicant's request.

ROBERT GENZER, Director of Planning and Development Department, remarked that staff would submit the complaints that were voiced this evening to the Code Enforcement.

MR. SY maintained that the resident was run down when he purchased it. Since acquiring ownership he has improved the property and tried to enhance the yard to give it a pleasing appearance. He asked the Commission to consider this and approve his request for a waiver.

COMMISSIONER GOYNES stated that neighborhoods are for homes and families and remarked that it is a disgrace to the community to allow a care facility.

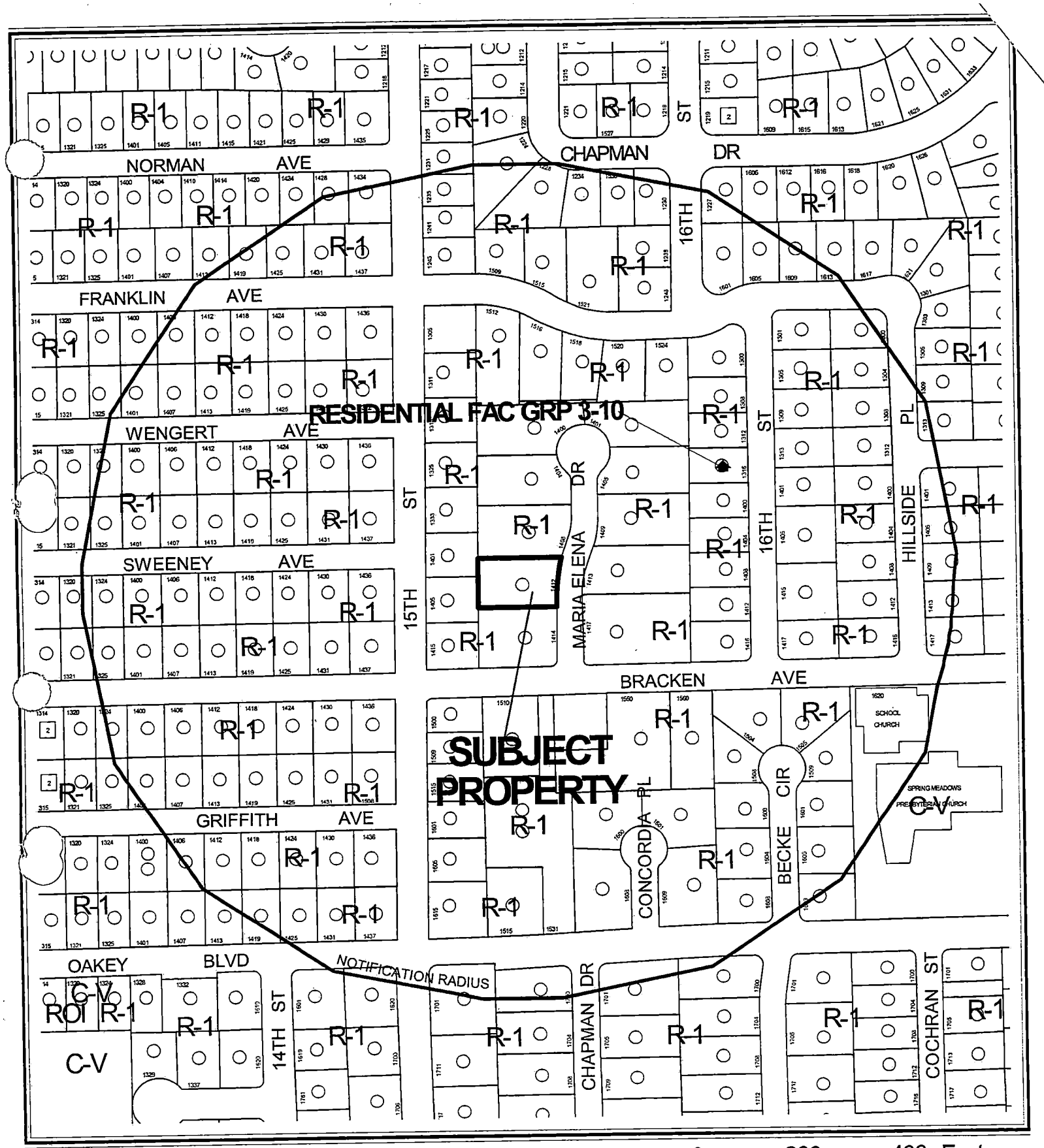
MINUTES – Continued:

MR. WALTON clarified that the owner of the original facility left the area and let the license expire.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:01 – 12:18)

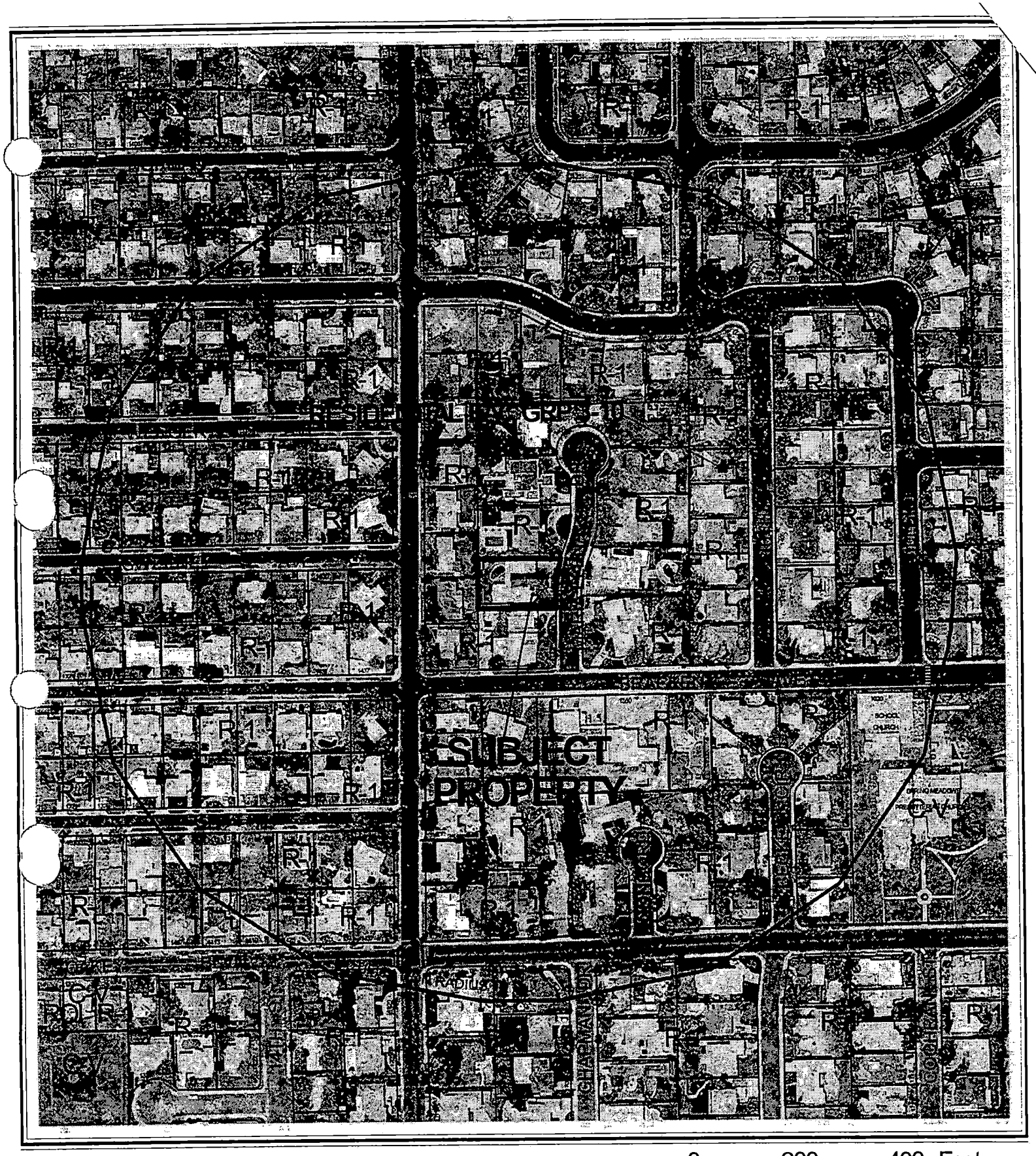


CASE: **WVR-3030**

RADIUS: 750 FT

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

N



CASE: **WVR-3030**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-3030 - SAINT JANE'S CARE HOME ON BEHALF OF ROSITA SY

** CONDITIONS **

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

Planning and Development

1. The facility shall comply with all governmental licensing requirements.

2. All City Code Requirements and all City Departments design standards shall be met.

3. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a waiver of Title 19.04.040 to allow a group residential care facility at 1412 Maria Elena Drive to be located within 660 feet from another group residential facility.

B) Applicant's Justification

According to the applicant the home at 1412 Maria Elena Drive has been a Group residential facility for 10 years. The use was suspended November 2002 due to the relocation of the previous owners. The use has not created any nuisances in the neighborhood and will provide a good service to the community.

BACKGROUND INFORMATION

A) Previous Actions

07/19/00	The City Council adopted a new Ordinance Number 5239, which requires that Residential Care Facilities be, located a minimum of 660 feet from each other.
11/01/00	The City Council unanimously voted to strike a request for a waiver-(WVR-0004-00) of the required 660-foot separation between group residential care facilities at 3820 Golf Lane.
06/19/02	The City Council denied a waiver (WVR-0002-02) of the 660-foot distance requirement between a proposed facility at 1005 Ironwood Drive and Group Care Facilities at 3817 Fairway Circle and 1104 Ironwood Drive.
07/15/02	A Cease and Desist Order was issued by the City for the neighboring property at 1414 Maria Elena Drive. The home was being used as a Group Care facility.

KCW

B) Pre-Application Meeting

08/20/03 The following recommendations and issues were discussed.

1. The applicant would need a waiver of the separation distance.
2. Conditions in Title 19 about the use.
3. The justification letter and how to address the conditions in the letter.
4. A previously denied variance to increase the number of persons.
5. The site and floor plans.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.35

B) Existing Land Use

Subject Property:	Single Family homes
North:	Single Family homes
South:	Single Family homes
East:	Single Family homes
West:	Single Family homes

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	L (Low Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential)
North:	R-1 (Single Family Residential)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

KCW

E) General Plan Compliance

The L (Low Density Residential) category allows low-density residential development. The Residential Group Home is allowed in these areas because the minimal impact of the use is similar to the homes that are the use's neighbors, that being traffic, noise, light and appearance.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site is not subject to any special area plans, overlay districts, study areas or trail requirements.

PROJECT DESCRIPTION

There is one existing group residential care facility located within 660 feet of this location. The owner of the proposed location at 1412 Maria Elena Drive is requesting the waiver from the 660-foot separation requirement from the existing use at 1316 16th Street.

The City of Las Vegas adopted Ordinance 5239 on July 27, 2000, which brought the City into compliance with State Law that governed group care facilities. Under this Ordinance, the first facility of up to ten residents must be approved in any given neighborhood. A neighborhood is thus defined as an area with a radius of 660 feet from the first approved residential care facility. If another such facility wants to operate within this 660-foot radius area, the applicant must obtain approval of a Waiver of the Separation requirement from the Planning Commission and the City Council.

ANALYSIS

Previous Waiver applications have been denied or withdrawn. The proposal is in conflict with the reason for the separation requirement. If permitted the undesired "clustering" of the uses will take place. Also, no unusual circumstances or hardships have been demonstrated to warrant this waiver.

KCW

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed use is not compatible with the neighborhood, as it will put two group homes too close together. The purpose of the separation requirement is to prevent clustering of group residential care facilities that could cause a neighborhood to become more institutional than residential.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   The proposal is in conflict with Ordinance Number 5239, which requires that Residential Care Facilities be located, a minimum of 660 feet from each other.

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

   As the use is residential in nature it will not negatively impact the road / circulation system.

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

   The residential building and landscape materials will remain unchanged. Therefore they will be appropriate for the 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;"**

   The residential building and landscape materials will remain unchanged. Therefore they will be harmonious and compatible with the area.

KCW

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

   It is not in the interest of the public health, safety and welfare of the community to allow group residential care facilities to cluster in neighborhoods.

NOTICES MAILED 195

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3030 APN: 162-02-204-014

Name of Property Owner: ROSITA SY

Name of Applicant: EXOTIC PET STORE INC dba SAINTJANE'S CAREHOME

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: Rosita Sy

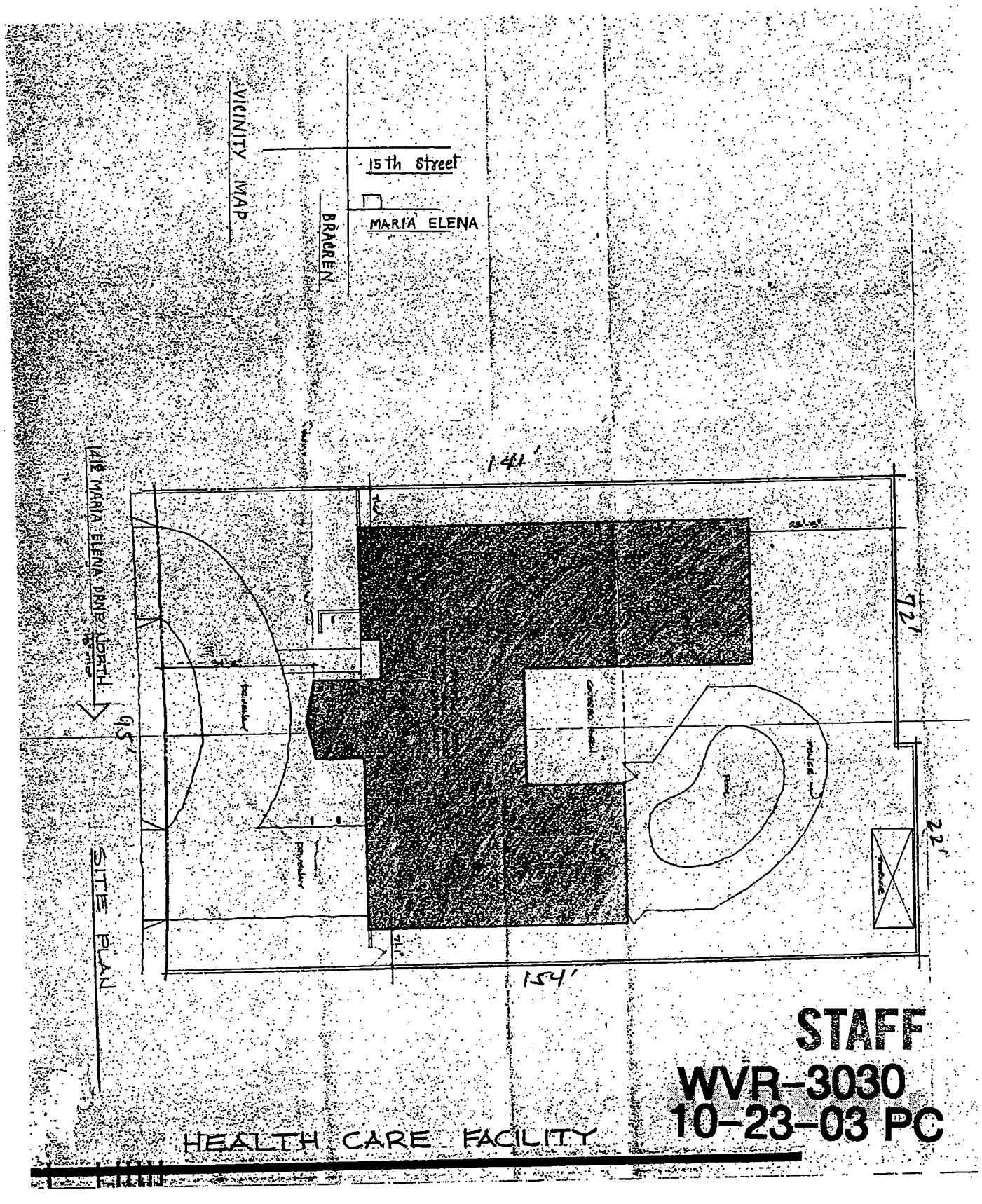
Print Name: ROSITA SY

Subscribed and sworn before me

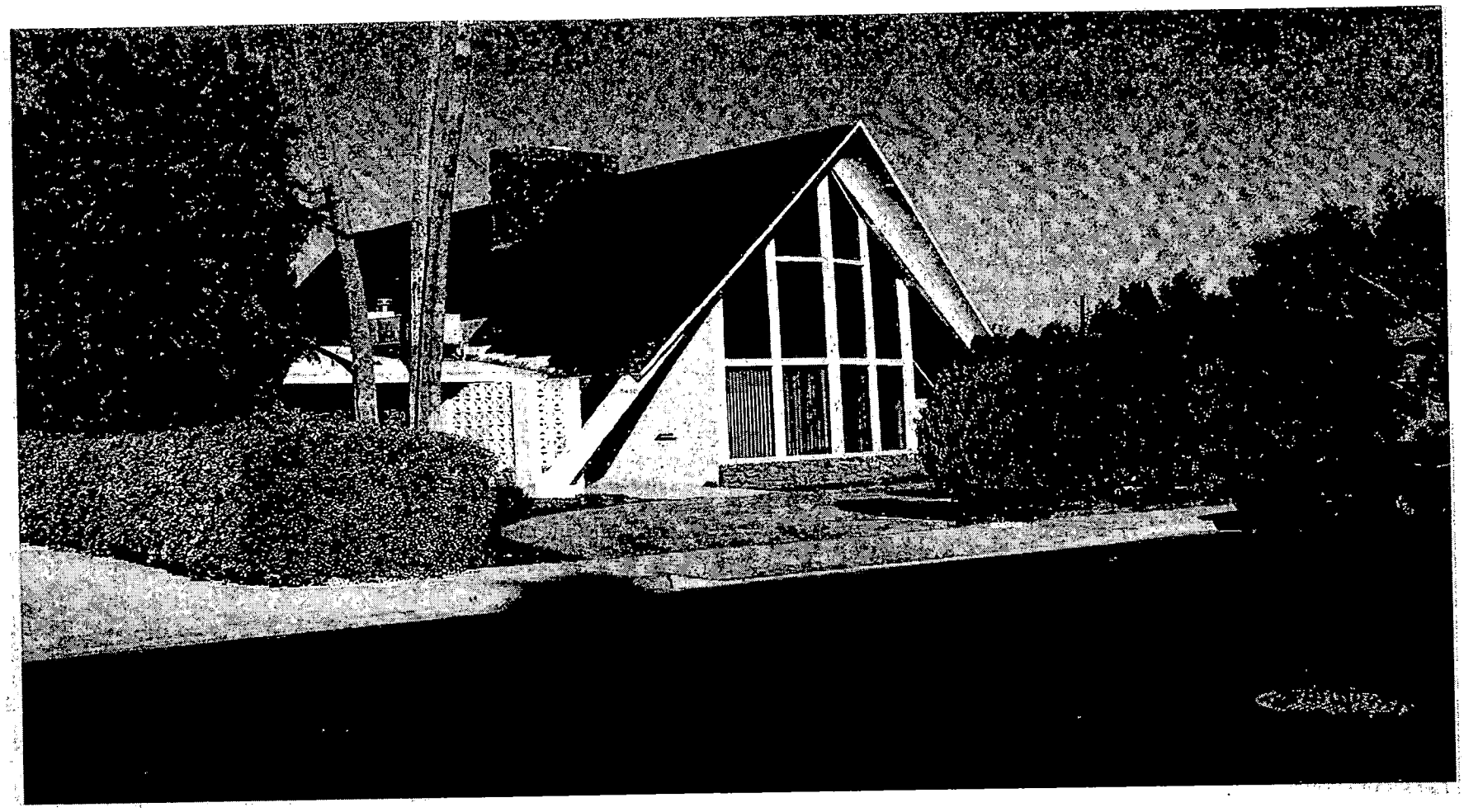
This 19th day of August, 2003

Notary Public in and for said County and State

MARJORIE K. THOMAS
Notary Public - Nevada
No. 92-3793-1
My appt. exp. Apr. 13, 2004



STAFF
WVR-3030
10-23-03 PC



WVR-3030 - SAINT JANE'S CARE HOME ON BEHALF OF ROSITA SY
1412 MARIA ELENA DRIVE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

City of Las Vegas

Agenda Item No.: 75

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAC-2946 - PULTE HOMES ON BEHALF OF PN II, INC. AND MEADOWBROOK MOUNTAIN SPA, LIMITED LIABILITY COMPANY - Request for a Petition to vacate the east half of Buffalo Drive between Brent Lane and Iron Mountain Road, Ward 6 (Mack).

SET DATE: 11/05/03
C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report (Not Applicable)

MOTION:
NIGRO – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with McSWAIN abstaining as her firm is currently doing work for Del Webb Corporation.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant requested this item be withdrawn without prejudice. A copy of the letter is on file.

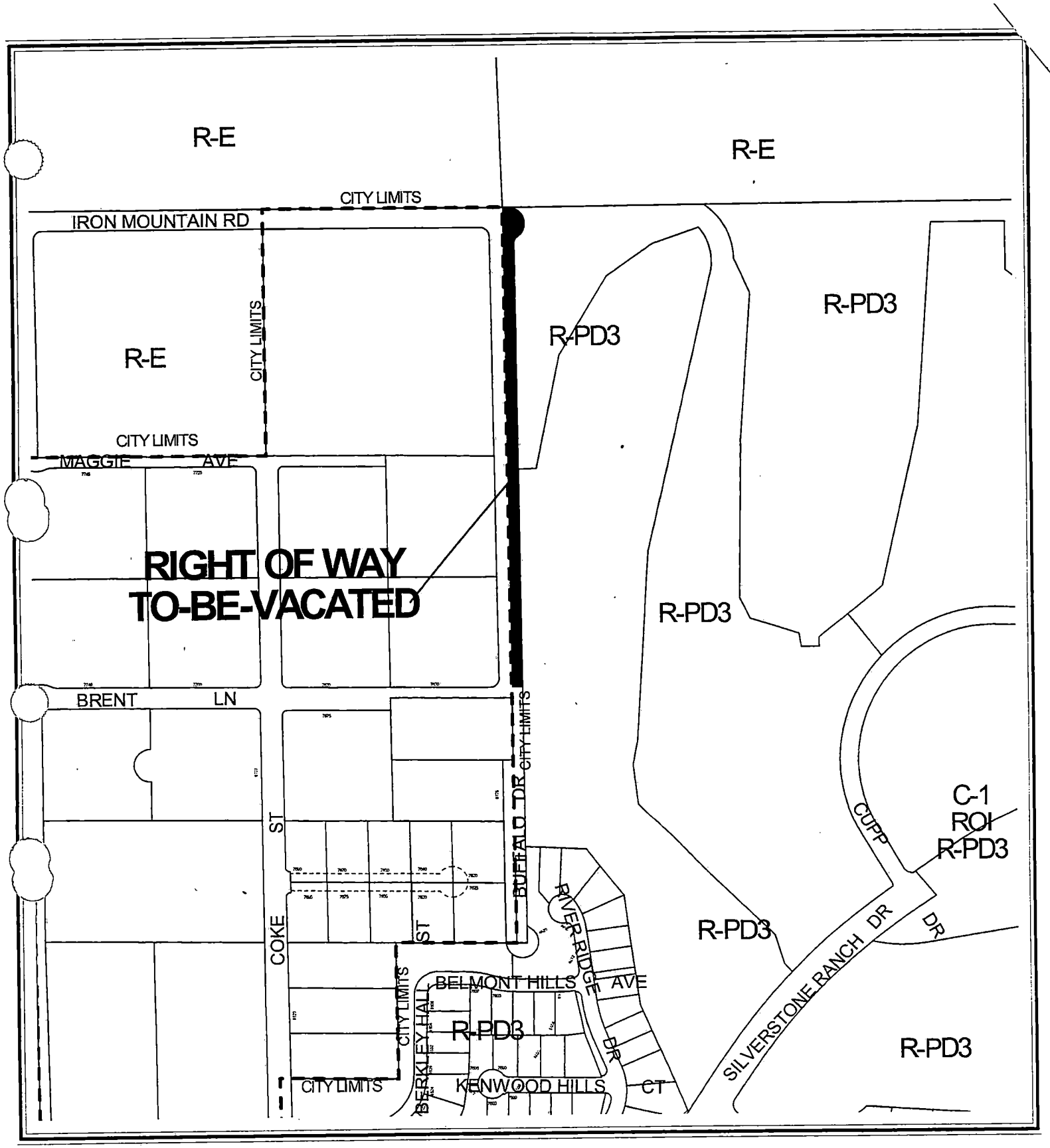
VALERIE POWERS, Stantec Consulting, 7251 West Charleston Boulevard, appeared on behalf of the applicant, and concurred with the withdrawal without prejudice. She stated that there are a number of issues still unresolved; therefore, the applicant desires to withdraw the application.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 75 – VAC-2946

MINUTES – Continued:
There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:25 – 6:27)



CASE: VAC-2946

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2946 - PULTE HOMES ON BEHALF OF PN II, INC. AND MEADOWBROOK MOUNTAIN SPA, LIMITED LIABILITY COMPANY

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Stantec Consulting Inc.
7251 West Charleston Boulevard
Las Vegas NV 89117
Tel: (702) 258-0115 Fax: (702) 258-4956
stantec.com

Stantec

20 October 2003
File: 88147064

Mr. Matt Pinjuv, Senior Planner
City of Las Vegas Planning & Development
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101

Reference: SILVERSTONE RANCH
VACATION OF BUFFALO NORTH OF BRENT (VAC-2946)

Dear Mr. Pinjuv:

On behalf of Pulte Homes, Stantec Consulting hereby requests withdrawal without prejudice of the application (VAC-2646) to vacate a portion of Buffalo Drive scheduled for the Thursday October 23, 2003 Planning Commission Agenda. In conjunction with this request, we are also requesting withdrawal without prejudice of VS-1326-03 from the Clark County Planning Commission agenda for November 4, 2003.

Withdrawal of this application is to allow the applicant the opportunity to pursue drainage options in connection with future development of the affected parcels.

Your favorable consideration of this request would be appreciated. Please contact us if you have any questions or need any additional information.

Buildings

Environment

Industrial

Transportation

Urban Land

Sincerely,

STANTEC CONSULTING INC.

Valerie L. Powers
Senior Engineering Coordinator
vpowers@stantec.com

Copy: Kyle Honeycutt, Pulte Homes
Maria Kaseko, CC Current Planning
Coordination File

TL:tl

w:\active\88147064\letters\vac-2946wdraw.doc

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2946 APN: 125-10-110-009

Name of Property Owner: Meadowbrook Mountain Spa LLC

Name of Applicant: Meadowbrook Mountain Spa LLC

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: Ron E. Jackson, Pres. CEO

Print Name: Ron E. Jackson

Subscribed and sworn before me

This 21 day of AUGUST, 2003

Elizabeth A. Alonzo

Notary Public in and for said County and State OSCEOLA CONTY FLORIDA

OFFICIAL SEAL
Elizabeth A. Alonzo
C.C.#957521
My Commission Expires July 27, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2946 APN: 125-10-110-009

Name of Property Owner: PN II Inc., d/b/a Pulte Homes

Name of Applicant: Pulte Homes

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: Don Boethcher

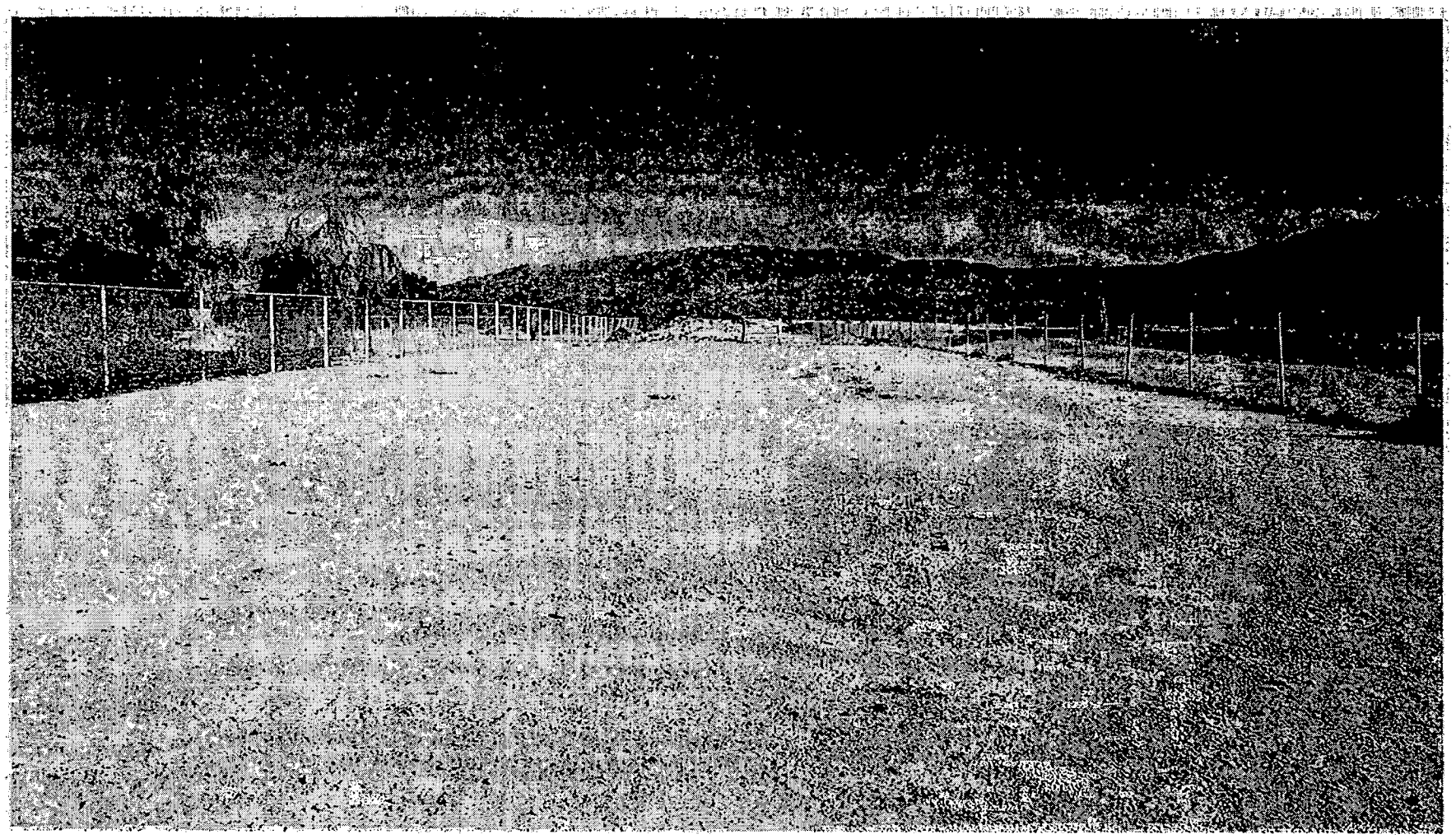
Subscribed and sworn before me

This 14 day of August, 2003

Flor M. Galarza

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
FLOR M. GALARZA
No: 00-61541-1
My Appointment Expires March 13, 2004



VAC-2946 - PULTE HOMES ON BEHALF OF PN II, INC. AND MEADOWBROOK MOUNTAIN SPA, LIMITED LIABILITY COMPANY
EAST HALF OF BUFFALO DRIVE BETWEEN BRENT LANE AND IRON MOUNTAIN ROAD
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

City of Las Vegas

Agenda Item No.: 76

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAC-3019 - R/S DEVELOPMENT ON BEHALF OF WESTVIEW LIMITED LIABILITY COMPANY - Request for a Petition to vacate U.S. Government Patent Reservations generally located south of Wittig Avenue, east of Grand Canyon Drive, Ward 6 (Mack).

SET DATE: 11/05/03
C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated the Vacation is in order.

BRENT WILSON, 2727 South Rainbow Boulevard, concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:18 – 12:19)

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 76 - VAC-3019

CONDITIONS:

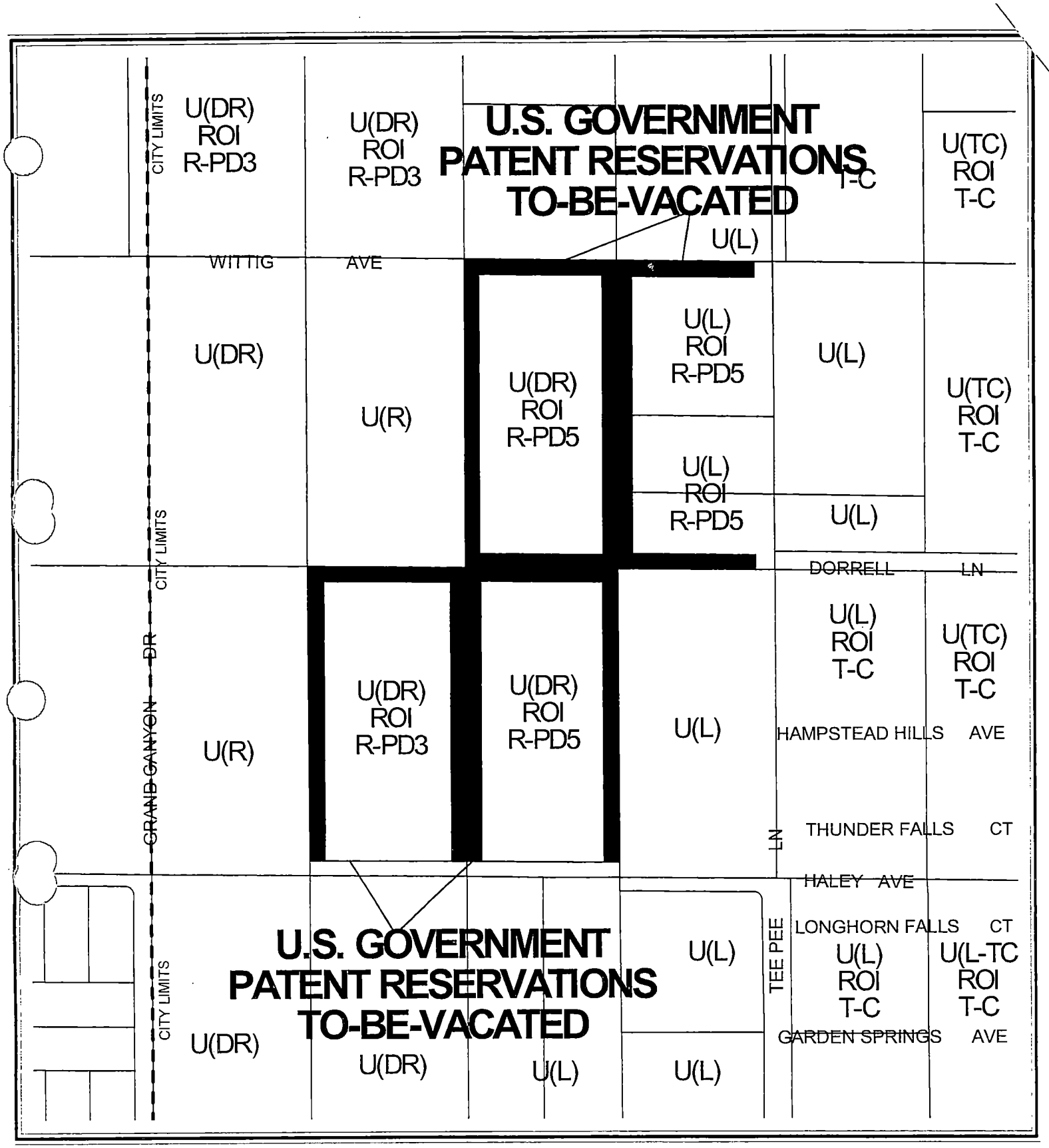
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations, the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The drainage study submitted for Z-58-01 may be used to satisfy this requirement provided that it includes a section covering the area to be vacated.

2. Prior to the recordation of an Order of Relinquishment of Interest 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, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

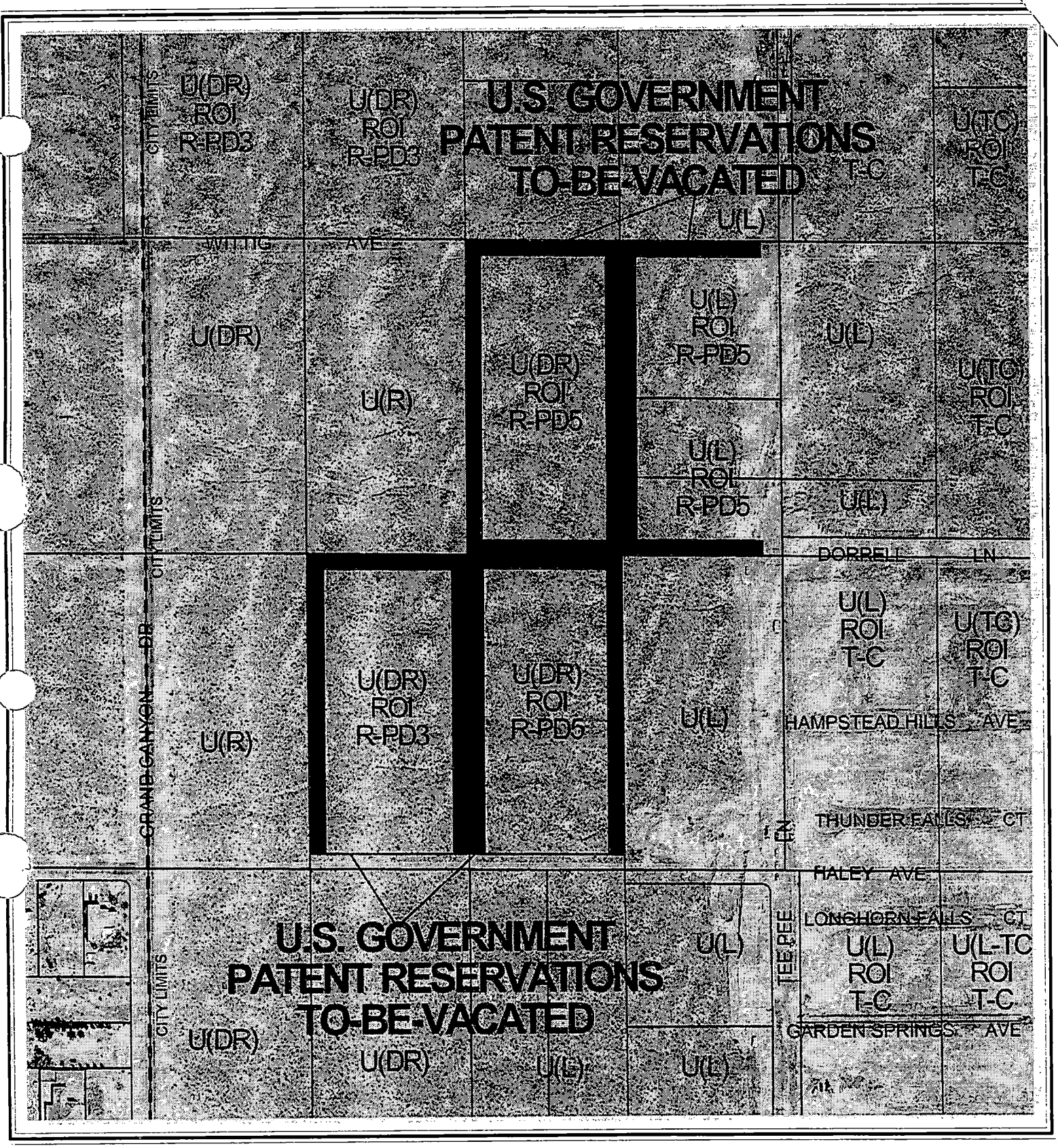
3. All development shall be in conformance with code requirements and design standards of all City departments.

4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met. 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 and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: **VAC-3019**



0 200 400 Feet

CASE: **VAC-3019**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3019 - R/S DEVELOPMENT ON BEHALF OF WESTVIEW LIMITED LIABILITY COMPANY

** CONDITIONS **

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations, the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The drainage study submitted for Z-58-01 may be used to satisfy this requirement provided that it includes a section covering the area to be vacated.

2. Prior to the recordation of an Order of Relinquishment of Interest 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, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

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. 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 and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate U.S. Government Patent Reservations generally located south of Wittig Avenue, east of Grand Canyon Drive.

B) Applicant's Justification

The applicant's justification letter indicates the vacation of the reservations is necessary to allow development of the site.

BACKGROUND INFORMATION

A) Previous Actions

10/03/01 The City Council approved a Rezoning (Z-0058-01) to R-PD3 (Residential Planned Development – 3 Units Per Acre) and R-PD5 (Residential Planned Development – 5 Units Per Acre) and a Site Development Plan Review [Z-0058-01(1)] for a 100 lot single family residential development on this site. The Planning Commission recommended approval on August 23, 2001.

04/24/03 The Planning Commission approved the Tentative Map for Ridgegate (TMP-2006) for a 100 lot single family residential subdivision on this site.

09/17/03 The City Council approved an Extension of Time (EOT-2653) for the Rezoning (Z-0058-01) to R-PD3 (Residential Planned Development – 3 Units Per Acre) and R-PD5 (Residential Planned Development – 5 Units Per Acre) and an Extension of Time (EOT-2652) for the Site Development Plan Review [Z-0058-01(1)] for a 100 lot single family residential development on this site. The Planning Commission recommended approval on August 14, 2003.

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the Northeast Quarter (NE¼) of Section 19, Township 19 South, Range 60 East.

MP

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the U. S. Government Patent Reservations into the subject parcels for development. This request is appropriate, as the subject reservations are not needed and will not result in reduced access or reduced traffic handling capability for the area

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located on the south side of Wittig Avenue, east of Grand Canyon Drive:

NOTICES MAILED 5

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3019 APN: 125-19-501-011-014, 125-19-601-002, 003

Name of Property Owner: Westview LLC

Name of Applicant: R/S Development

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

_____Yes ✓ 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: _____

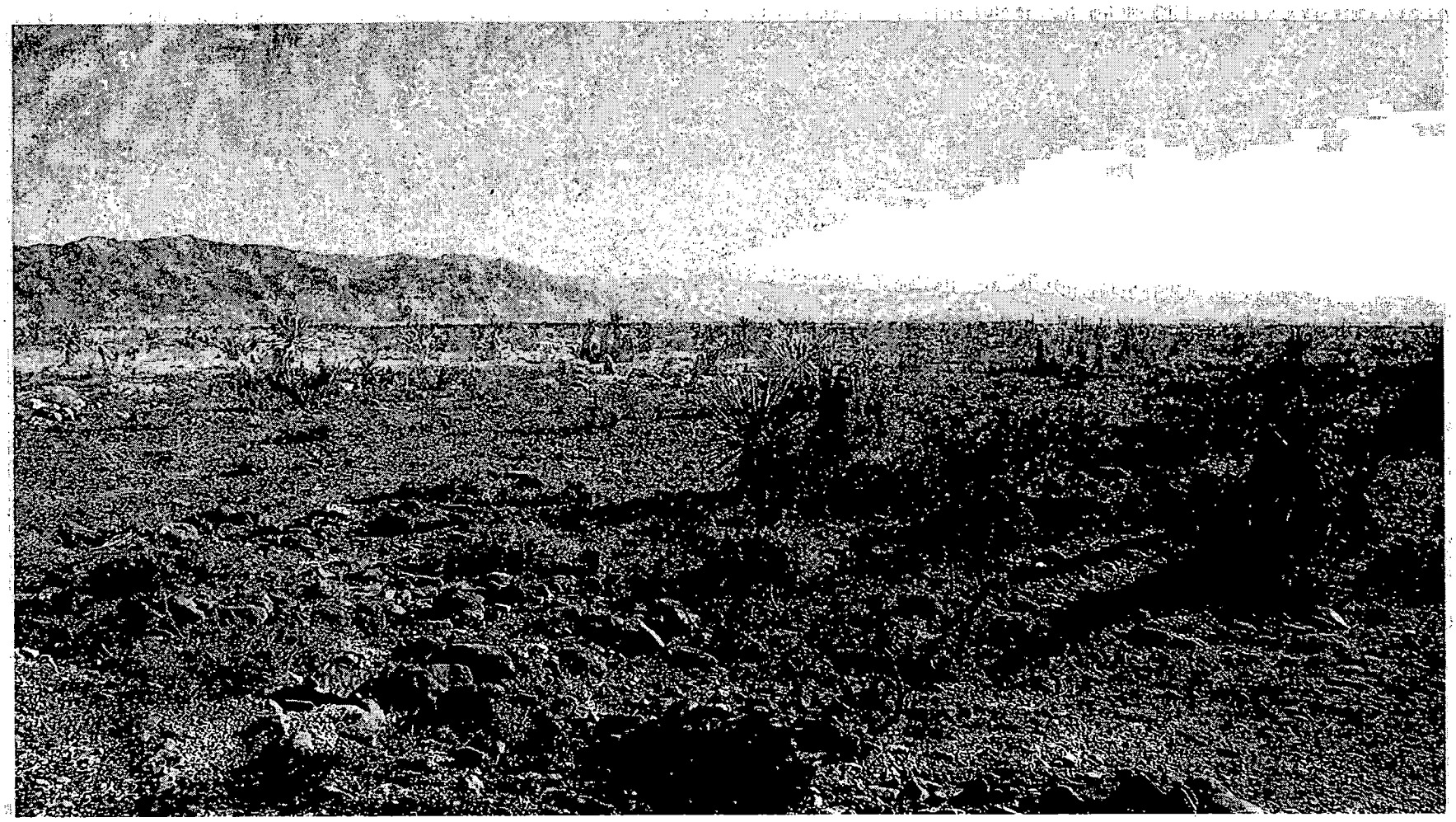
Print Name: Randall T. Schaefer

Subscribed and sworn before me

This 26 day of August, 2003

Susan Laschiazza Russell
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SUSAN LASCHIAZZA RUSSELL
Appt. No. 93-3012-1
My Appt. Expires April 1, 2005



VAC-3019 - R/S DEVELOPMENT ON BEHALF OF WESTVIEW LIMITED LIABILITY COMPANY
SOUTH OF WITTIG AVENUE, EAST OF GRAND CANYON DRIVE
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

City of Las Vegas

Agenda Item No.: 77

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
VAC-3057 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC) - Request for a Petition to vacate Valerie Street, generally located east of Tonopah Drive, Ward 5 (Weekly).

SET DATE: 11/05/03
C.C.: 11/19/03

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the applicant intends to incorporate the right-of-way. The applicant intends to construct a parking lot to be used temporarily for employee parking. Staff recommended approval subject to conditions.

JOHN DARIN, Daly Architects, 3960 Howard Hughes Parkway, appeared on behalf of the applicant and agree to staff conditions.

No one appeared in opposition.

There was no further discussion.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:19 – 12:20)

4-2996

CONDITIONS:

1. Prior to the recordation of the Order of Vacation, abandon, relocate, or provide a 20 foot wide sewer easement for the existing public sewer line in Valerie Street.

2. Prior to the recordation of the Order of Vacation legal access must be provided or retained to Assessor's Parcel Numbers 139-33-302-029 & 139-33-302-030.

3. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.

4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3054 may be used to satisfy this condition.

5. `Prior to the recordation of an Order of Vacation 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, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

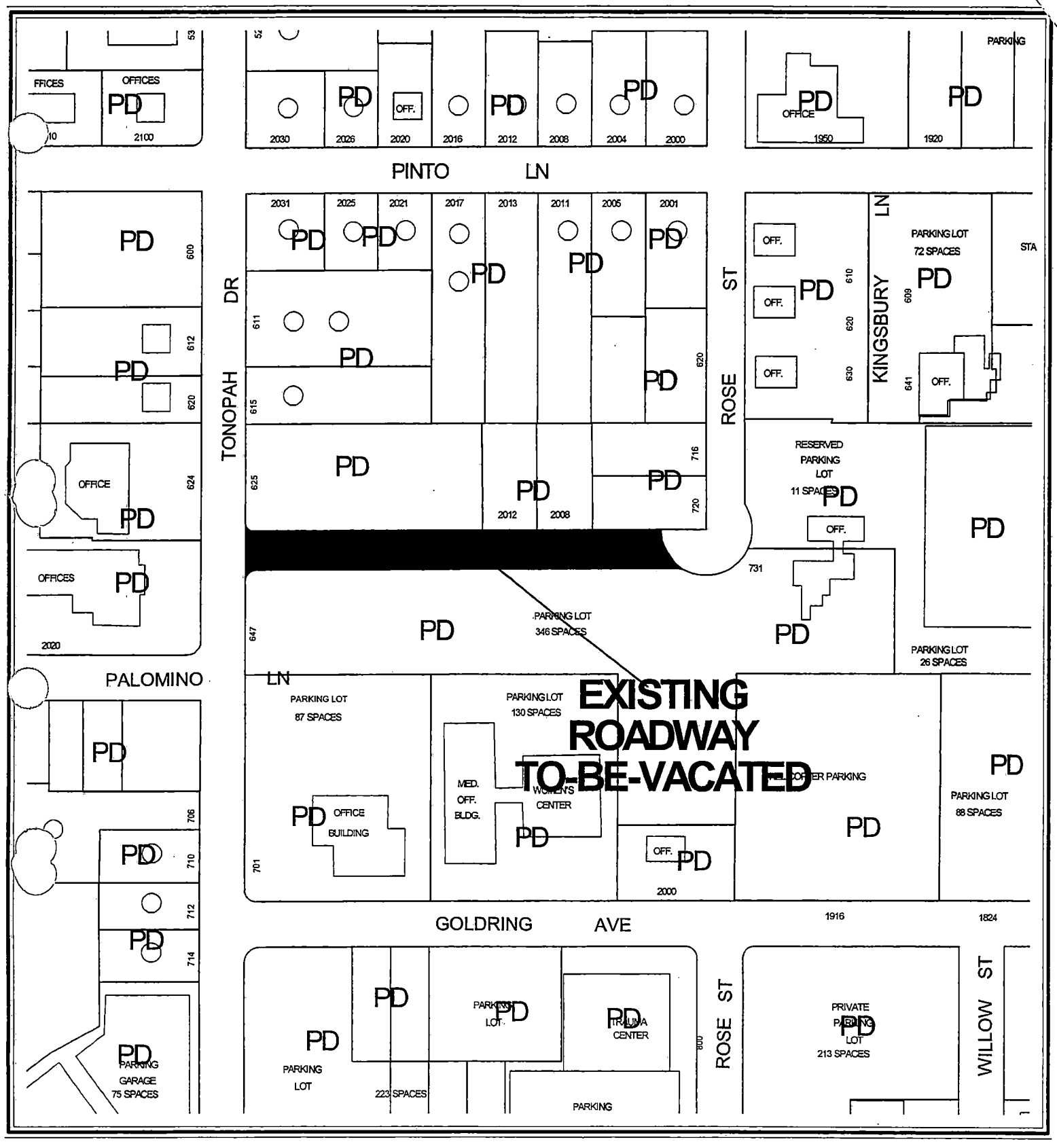
6. All development shall be in conformance with code requirements and design standards of all City departments.

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that modifications to public improvements 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.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 77 – VAC-3057

CONDITIONS – Continued:

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



CASE: **VAC-3057**

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3057 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC)

** CONDITIONS **

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

1. Prior to the recordation of the Order of Vacation, abandon, relocate, or provide a 20 foot wide sewer easement for the existing public sewer line in Valerie Street.

2. Prior to the recordation of the Order of Vacation legal access must be provided or retained to Assessor's Parcel Numbers 139-33-302-029 & 139-33-302-030.

3. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.

4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3054 may be used to satisfy this condition.

5. Prior to the recordation of an Order of Vacation 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, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

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

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that modifications to public improvements 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

MP

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.

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

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate Valerie Street, generally located east of Tonopah Drive, from Tonopah Drive to Rose Street.

B) Applicant's Justification

The applicant's justification letter indicates the vacation of Valerie Street will allow the construction of a temporary parking lot.

BACKGROUND INFORMATION

A) Previous Actions

05/27/97 The City Council approved a Rezoning (Z-0020-97) to PD (Planned Development) on the adjacent property as part of a larger request, which established the Las Vegas Medical District. The Planning Commission recommended approval on April 24, 1997.

10/23/03 The Planning Commission will consider a Site Development Plan Review (SDR-3054) for a temporary parking lot on the adjacent property.

DETAILS OF APPLICATION REQUEST

This vacation application is described as follows:

The subject Vacation proposes to vacate public right-of-way located in the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 33, Township 20 South, Range 61 East.

MP

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the public right-of-way for Valerie Street into the adjacent temporary parking lot development. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as it will completely eliminate Valerie Street east of Tonopah Drive.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, all properties fronting Valerie Street are currently vacant.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to eliminate Valerie Street so that in can be incorporated into the master plan of the U.M.C. campus.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the proposed temporary parking lot (SDR-3054) and the U.M.C. campus project.*

E. Does this vacation request eliminate public street access to any abutting parcel? *Yes, a condition to grant or maintain legal access is provided.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 6

APPROVALS 0

PROTESTS 1

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3057 APN: 13933302026, 027, 028, 029, 030, 031 and 032 (7 total lots)

Name of Property Owner: Clark County - University Medical Center

Name of Applicant: John J. Darin with Leo A Daly Company

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Michael T. Walsh
Interim Chief Executive Officer

State of Nevada
County of Clark
Subscribed and sworn before me

This 5th day of September, 2003

Claudette P. Myers
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CLAUDETTE P. MYERS
Appt. No. 93-2140-1
My Appt. Expires Oct. 21, 2004



VAC-3057 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC)
EAST OF TONOPAH DRIVE
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

ROBERT L. PETRONI
2001 Pinto Lane
Las Vegas, NV 89106
(702) 384-9676

RECEIVED
OCT 27 PM '03
CITY CLERK
LAS VEGAS, NEVADA

October 8, 2003

Mr. Kyle Walton
Senior Planner
731 S. Fourth St.
Las Vegas, NV 89101

RE: SDR-3054
~~VAC-3057~~

Dear Mr. Walton,

I reside at the Southwest corner of Pinto and Rose Street. I am concerned about the parking lot plan of UMC directly south of my home. I have reviewed the plan which includes an eight-foot high block wall across the south side of my property. I do not want my present six-foot block wall torn down and replaced. I do approve a two-foot extension if that is practical.

I am also concerned about the two access driveways on Rose, one of which is only a few feet from the edge of my property. These two driveways will cause a great deal of new traffic, day and night, on Pinto and Rose, which will create noise and smog. Since Valerie Street, south of me is being vacated, all access to the parking lot should be from Tonopah and Valerie. Valley Hospital presently has a parking lot adjacent to Valerie next to the UMC proposal. All access to Valley's lot is from Tonopah. With only Tonopah access, it will make security easier for UMC.

I do not like the idea of vacating Valerie since I use it on a daily basis. However, I would not object as long as there is no access to the parking lot on Rose Street. I do not know if I will be able to attend the Planning Commission meeting on October 23, 2003, so please accept this letter as my objections to the projects.

Thank you,

Robert Petroni

Robert Petroni

cc: Mr. Eddie Dichter, Senior Planner

2001 Panto Ln

SINGLE-FAMILY RESIDENTIAL

6'-0" CMU WALL

36" CMU WALL

TONOPAH DRIVE

VALERIE STREET

ROSE STREET

Valley Parking Lot

PLANTING LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	FRAXINUS VELUTINA 'RIO GRANDE' FAN TEX ASH	36" BOX
	RHUS LANCEA AFRICAN SUMAC	36" BOX
	PINUS ELDARICA MONDEL PINE	24" BOX
	CHITALPA TASHKENTENSIS 'PINK DAWN' CHITALPA	36" BOX

SDR-3054
STAFF-10-23-03

N

GRAPHIC SCALE
15 30 60 90
(IN FEET)
1 INCH = 30 FT.

UMC
TEMPORA
EMPLOYE
PARKING
AT VALERIE STREET
UNIVERSITY
1800 CHARL
LAS VEGAS,
LEGAD
CIVIL:
LANDSCAPING:
KEY PLAN
REVISIONS
FILE LOG
Job No.: 020802-01
Date: SEPT.

City of Las Vegas

Agenda Item No.: 78

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:

SDR-3054 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC) - Request for a Site Development Plan Review and Waivers of the Medical District Standards FOR A PROPOSED TEMPORARY PARKING LOT AND FOR A WAIVER OF INTERNAL PARKING LOT STANDARDS on 2.42 acres adjacent to the northeast corner of Tonopah Drive and Valerie Street (APN: 139-33-302-026, 027, 028, 029, 030, 031 and 032), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C.: 11/19/03

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions and amending Condition 8 as follows:

8. A Petition of Vacation, such as VAC-3057, for the purpose of vacating Valerie Street in a manner acceptable to the Department of Public Works, ***must be approved by City Council prior to*** the issuance of permits for this site. If said vacation is not approved, ***half-street improvements will be required on*** Valerie Street ***unless deferral of such improvements is approved by City Council.***.

- UNANIMOUS

To be heard by the City Council on 11/19/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

JOHN DARIN, Daly Architects, 3960 Howard Hughes Parkway, appeared on behalf of the applicant and agree to staff conditions. He accepted modification of Condition 8.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:20 – 12:23)

4-3071

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. Site development to comply with all applicable conditions of approval for Rezoning application Z-0020-97.

3. The Site Development Plan Review shall be reviewed in five (5) years.

4. Full landscaping improvements in compliance with the appropriate standards shall be installed if the parking lot is used beyond 5 years.

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

CONDITIONS – Continued:

Public Works

8. A Petition of Vacation, such as VAC-3057, for the purpose of vacating Valerie Street in a manner acceptable to the Department of Public Works, must record prior to the issuance of permits for this site. If said vacation is not approved, a new Site Development Plan shall be submitted acknowledging Valerie Street within the boundaries of this site.

9. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.

10. Construct half-street improvements on Tonopah Drive and Rose Street, including the proposed cul-de-sac bulb on Rose Street to current City Standards adjacent to this site concurrent with development.

11. 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.

12. 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.

13. Landscape and maintain all unimproved rights-of-way on Rose Street and Tonopah Drive adjacent to this site.

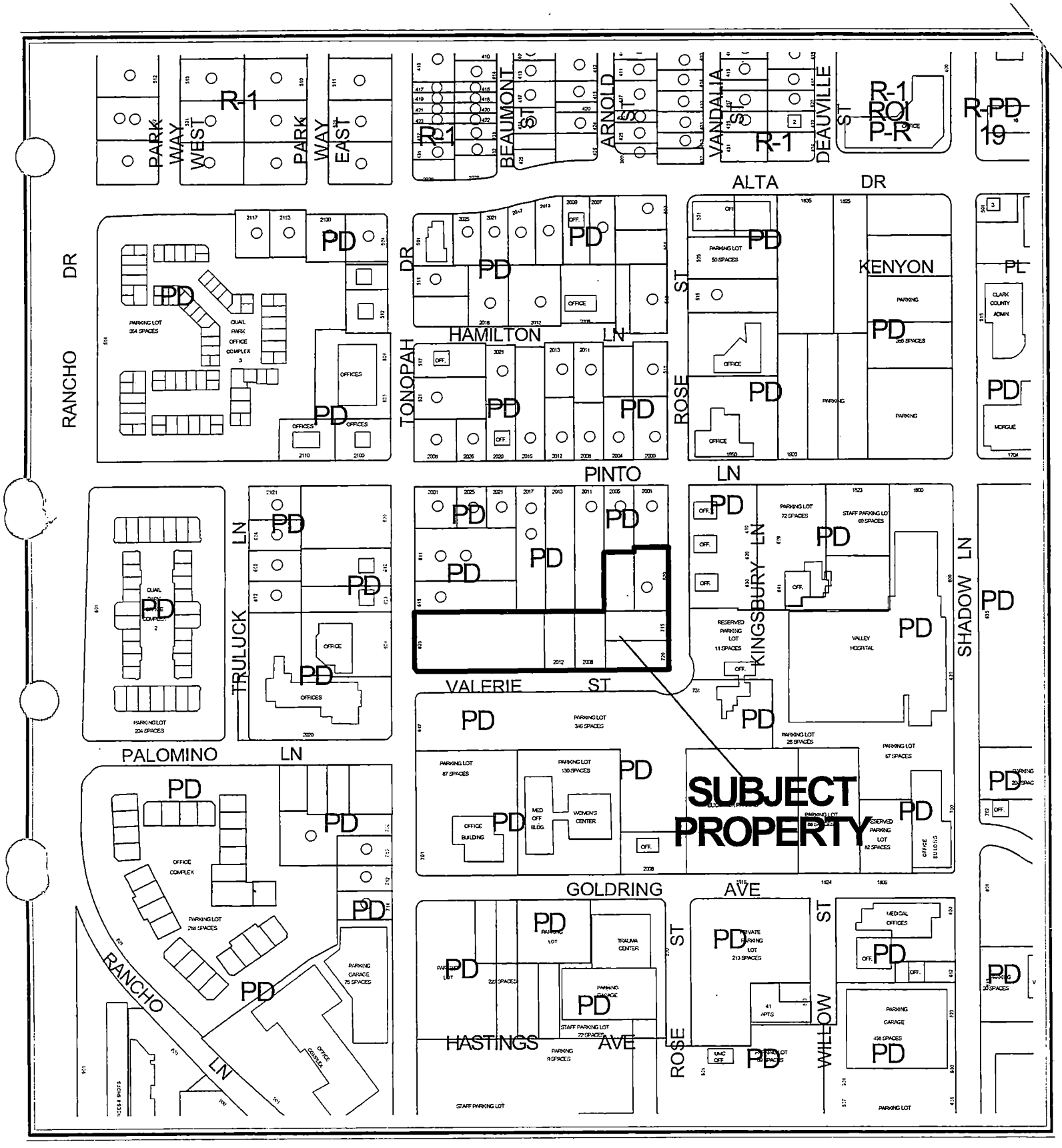
14. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to issuance of any permits for this site.

15. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

PLANNING COMMISSION MEETING OF OCTOBER 23, 2003
Planning and Development Department
Item 78 – SDR-3054

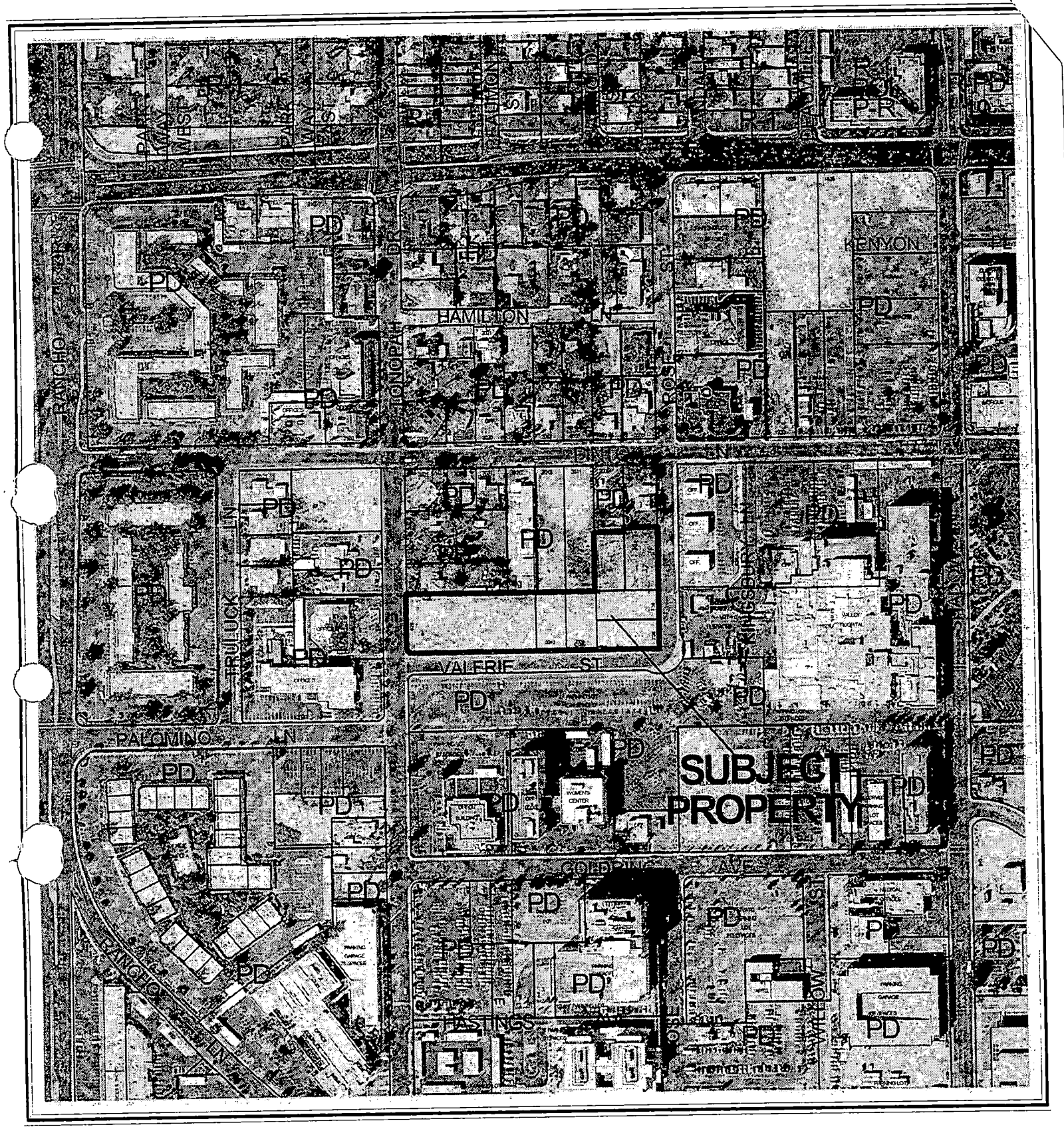
CONDITIONS – Continued:

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of 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 construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: SDR-3054

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: SDR-3054

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3054 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC)

** CONDITIONS **

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. Site development to comply with all applicable conditions of approval for Rezoning application Z-0020-97.

3. The Site Development Plan Review shall be reviewed in five (5) years.

4. Full landscaping improvements in compliance with the appropriate standards shall be installed if the parking lot is used beyond 5 years.

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

Public Works

8. A Petition of Vacation, such as VAC-3057, for the purpose of vacating Valerie Street in a manner acceptable to the Department of Public Works, must record prior to the issuance of permits for this site. If said vacation is not approved, a new Site Development Plan shall be submitted acknowledging Valerie Street within the boundaries of this site.

9. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.

10. Construct half-street improvements on Tonopah Drive and Rose Street, including the proposed cul-de-sac bulb on Rose Street to current City Standards adjacent to this site concurrent with development.

11. 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.

12. 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.

13. Landscape and maintain all unimproved rights-of-way on Rose Street and Tonopah Drive adjacent to this site.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to issuance of any permits for this site.

15. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of 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 construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review of a proposed temporary parking lot and a waiver of internal parking lot landscaping standards on 2.42 acres adjacent to the northeast corner of Tonopah Drive and Valerie Street.

B) Applicant's Justification

The applicant's justification letter indicates they intend to develop this site for use as an overflow employee parking lot. The applicant is requesting the waiver to the internal parking lot standards because strict adherence would be cost prohibitive at this time.

BACKGROUND INFORMATION

A) Previous Actions

05/27/97 The City Council approved a Rezoning (Z-0020-97) to PD (Planned Development) on this site as part of a larger request, which established the Las Vegas Medical District. The Planning Commission recommended approval.

10/23/03 The Planning Commission will consider a request for a Vacation (VAC-3057) of Valerie Street adjacent to this site.

B) Pre-Application Meeting

08/28/03 The applicant was advised of the requirements for a Site Development Plan Review. The applicant was also advised of the parking lot standards and opted to submit for a waiver in lieu of meeting the requirements. The Planning Commission recommended approval on 04/24/97.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.4

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped and Single Family Residential
South:	Parking Lot
East:	Parking Lot and Offices
West:	Offices

C) Planned Land Use

Subject Property:	MD-1 (Medical Support)
North:	MD-1 (Medical Support)
South:	MD-2 (Major Medical)
East:	MD-2 (Major Medical)
West:	P-O (Professional Office)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	PD (Planned Development)
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

This site is located within the Las Vegas Medical District Plan Area and is designated as MD-1 (Medical Support). The proposed temporary parking lot is an allowable use in this land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Las Vegas Medical District	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

MP

The proposed temporary parking lot is an allowable use the MD-1 (Medical Support) designation.

PROJECT DESCRIPTION

The site plan depicts a 268 space parking lot intended to be used as temporary parking for the employees of the University Medical Center. Access to lot is via driveways from Tonopah Drive and Rose Street. Landscape planters are shown along the north property line and the frontages for Tonopah Drive and Road Street. The planter along the north is a minimum of 8 feet wide with the street frontage planters meeting the streetscape requirements of the Medical District Plan. The applicant has request a waiver from the required landscape fingers within the parking lot area.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19, the proposed development is subject to the requirements of the Las Vegas Medical District Plan. The primary requirement established by the plan is for streetscape treatment along Tonopah Drive and Rose Street.

A2) Residential Adjacency Standards

This development is not subject to Residential Adjacency Standards as no structures are proposed on the site.

A3) Parking and Traffic Standards

The proposed temporary parking lot will not generate a need for additional parking. The intent is to provide temporary overflow parking for the employees of the University Medical Center.

The Department of Public Works notes that per the Las Vegas Medical District Neighborhood Plan design development standards, sidewalk on Rose Street and Tonopah Drive should be 10 feet wide; Conditions of Approval requiring pedestrian walkway easements for all public sidewalks not located within public right-of-way anticipate this requirement.

A4) Landscape and Open Space Standards

Pursuant to the Las Vegas Medical District Plan a minimum 8 foot planter is required along the north property line. The plan also requires landscaping for the streetscapes along Tonopah Drive and Rose Street. The applicant has request a waiver from the required landscape fingers within the parking lot area.

A5) Sign Standards

No signs are proposed for the temporary parking lot.

B) General Analysis and Discussion

- Zoning

The proposed temporary parking lot is allowed in the PD (Planned Development) zoning district and the MD-1 (Medical Support) land use designation of the Las Vegas Medical Plan.

- Site Plan

The site plan depicts a 268 space parking lot intended to be used as temporary parking for the employees of the University Medical Center. Access to lot is via driveways from Tonopah Drive and Rose Street. The plan is acceptable as submitted.

- Waivers

Due to the temporary nature of the parking lot, the requested waiver from the required landscape fingers within the parking lot area is appropriate. The applicant has indicated the lot will be used no longer than 5 years. Two conditions have been added to limit the use with the waiver of the landscaping requirements to five years. One requiring full landscaping improvements to be installed if the parking lot is used beyond 5 years. The second requiring a 5 year review.

- Landscape Plan

The proposed landscape plan is appropriate as shown subject to the approval of a waiver to the required parking lot landscaping.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed temporary parking lot is appropriate in this area of the Las Vegas Medical District and is compatible with adjacent development in the area.

2. **"The proposed development is consistent with the General Plan, Title 19, 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 19 and the Las Vegas Medical District Plan with the approval of the waiver parking lot landscaping.

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

   The site will have access to Tonopah Drive and Rose Street, which are adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   The submitted landscaping plan will demonstrate visual consistency with the surrounding developments within the Las Vegas Medical Plan 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;"**

   No new building or above ground structures are proposed on this site at this time.

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

MP

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 1

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3054 APN: 13933302026, 027, 028, 029, 030, 031 and 032 (7 total lots)

Name of Property Owner: Clark County - University Medical Center

Name of Applicant: John J. Darin with Leo A Daly Company

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

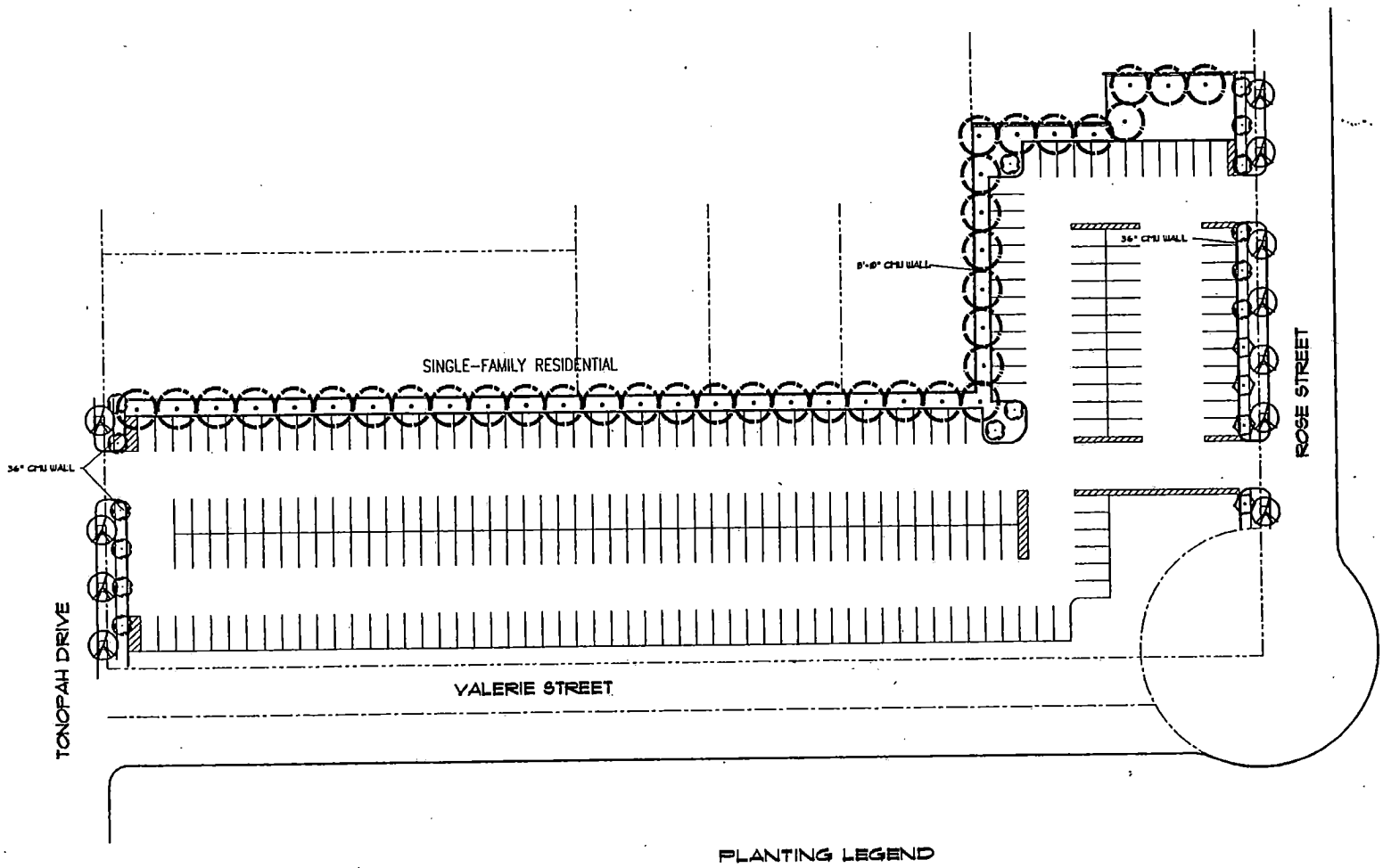
Print Name: Michael T. Walsh
Interim Chief Executive Officer

Subscribed and sworn before me

This 25TH day of July, 2003

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

NOTARY PUBLIC
STATE OF NEVADA
County of Nye
JEANNETTE E. BERTOCH
Appt. No. 86-1368-14
My Appt. Expires JULY 22, 2006



PLANTING LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	FRAXINUS VELUTINA 'RIO GRANDE' RIO GRANDE ASH	36" BOX
	KOELREUTERIA BIPINNATA CHINESE FLAME TREE	36" BOX
	PINUS ELDARICA MONDEL PINE	24" BOX
	CHITALPA TASHKENTENSIS 'PINK DAWN' CHITALPA	36" BOX

N

GRAPHIC SCALE

IN FEET)
INCH = 30FT.

SDR-3054
STAFF 10-23-03 PC

UNC
TEMPORARY
EMPLOYEE
PARKING

AT VALERIE STREET

UNIVERSITY MEDICAL CENTER
1800 CHARLESTON BLVD.
LAS VEGAS, NEVADA 89102

LEO A DALY

CIVIL
KENNEDY / JENKS Consultants, Inc.
540 Gier Drive, Suite 500
Las Vegas Nevada 89119 USA
Tel 702.270-3610 Fax 702.270.3611

LANDSCAPING
STANTEC Consulting Inc.
7191 West Charleston Blvd.
Las Vegas Nevada 89117 USA
Tel 702.968.0108 Fax 702.968.8647

KEY PLAN

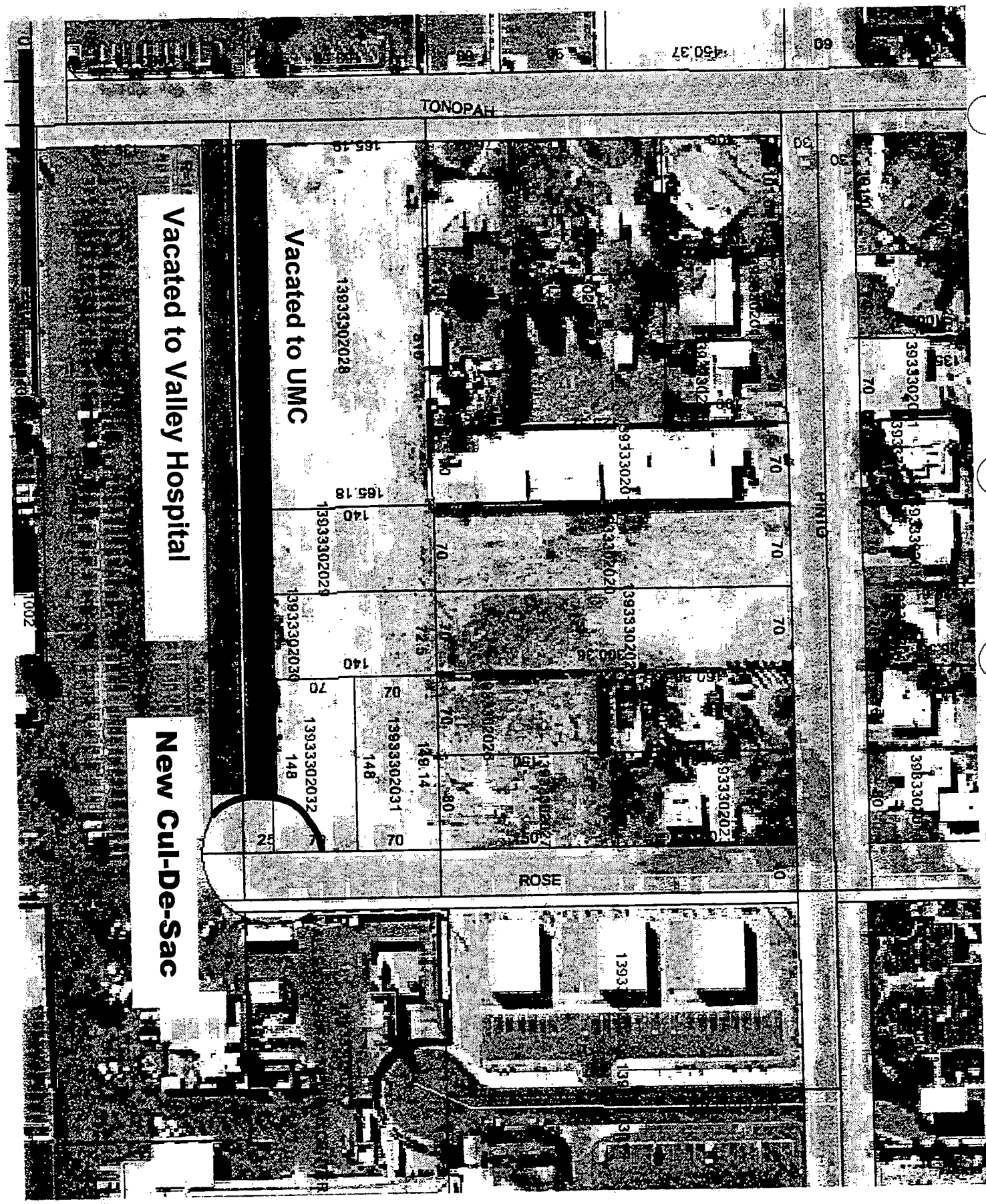
REVISIONS

NO.	DATE	DESCRIPTION
1	9-9-03	PLANNING DEPARTMENT SUBMISSION

FILE LOG

APPROVED	BY
DESIGNED	
DRAWN	
CHECKED	
QA/QC	
APPROVED	
SEALED	

Job No.: 020802-01
Date: SEPT. 9, 200



STAFF

SDR-3054
10-23-03 PC



SDR-3054 - LEO A. DALY - ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC)
NORTHEAST CORNER OF TONOPAH DRIVE AND VALERIE STREET
OCTOBER 23, 2003 PLANNING COMMISSION

9/26/03

ROBERT L. PETRONI
2001 Pinto Lane
Las Vegas, NV 89106
(702) 384-9676

RECEIVED
OCT 14 PM '03
PLANNING & DEVELOPMENT

October 8, 2003

Mr. Kyle Walton
Senior Planner
731 S. Fourth St.
Las Vegas, NV 89101

RE: SDR-3054
VAC-3057

Dear Mr. Walton,

I reside at the Southwest corner of Pinto and Rose Street. I am concerned about the parking lot plan of UMC directly south of my home. I have reviewed the plan which includes an eight-foot high block wall across the south side of my property. I do not want my present six-foot block wall torn down and replaced. I do approve a two-foot extension if that is practical.

I am also concerned about the two access driveways on Rose, one of which is only a few feet from the edge of my property. These two driveways will cause a great deal of new traffic, day and night, on Pinto and Rose, which will create noise and smog. Since Valerie Street, south of me is being vacated, all access to the parking lot should be from Tonopah and Valerie. Valley Hospital presently has a parking lot adjacent to Valerie next to the UMC proposal. All access to Valley's lot is from Tonopah. With only Tonopah access, it will make security easier for UMC.

I do not like the idea of vacating Valerie since I use it on a daily basis. However, I would not object as long as there is no access to the parking lot on Rose Street. I do not know if I will be able to attend the Planning Commission meeting on October 23, 2003, so please accept this letter as my objections to the projects.

Thank you,

Robert Petroni

Robert Petroni

cc: Mr. Eddie Dichter, Senior Planner

2001 Panto Ln

SINGLE-FAMILY RESIDENTIAL

6'-0" CMU WALL

36" CMU WALL

36" CMU WALL

ROSE STREET

TONOPAH DRIVE

VALERIE STREET

Valley Parking Lot

PLANTING LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	FRAXINUS VELUTINA 'RIO GRANDE' RIO GRANDE ASH	36" BOX
	RHUS LANCEA AFRICAN SUMAC	36" BOX
	PINUS ELDARICA MONDEL PINE	24" BOX
	CHITALPA TASHKENTENSIS 'PINK DAWN' CHITALPA	36" BOX

N

GRAPHIC SCALE

UMC TEMPORA EMPLOYEE PARKING

AT VALERIE STREET

UNIVERSITY MEDICAL 1800 CHARLE LAS VEGAS,

LEGEND

KEY PLAN

REVISIONS

FILE LOG

Job No.: 020802-01

Date: SEPT.

SDR-3054

STAFF 10-23-03 PC

City of Las Vegas

Agenda Item No.: 79

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 23, 2003

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

SUBJECT:
ABEYANCE - DIR-2950 - CITY OF LAS VEGAS - Election of a new Vice-Chairman to the Planning Commission.

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends NONE.

BACKUP DOCUMENTATION:
1. Location Map (Not Applicable)
2. Conditions For This Application (Not Applicable)
3. Staff Report (Not Applicable)

MOTION:
TRUESDELL – APPROVED the appointment of COMMISSIONER TODD NIGRO as Vice Chairman to the Planning Commission – Motion carried with GOYNES voting No.

MINUTES:
CHAIRMAN TRUESDELL recommended COMMISSIONER TODD NIGRO for the position of Vice Chairman to the Planning Commission.

COMMISSIONER GOYNES stated that he would not support the motion. He stated that he has been an elected official for 13 years, sitting on various boards and clarified that his objection is not directed to the person, but to the process. He stated that in the past, selection of the Chairman or the Vice Chairman was based on the terms that individuals served on a Board. That process has been consistent and applicable when he sat on the Board of Zoning Adjustment and likewise during the past three years with the Planning Board.

Based on his seniority with the Planning Commission, he felt that he would be the next person in line as previously dictated by past history and past practice. Being as this was not the case, with the latest selection, he disagreed with the process and felt slighted inasmuch as this would have been the very first time a representative from Ward 5 would have held the position of decision-making on the Board. He asked that his disapproval of the process be noted for the record.

(6:27 – 6:30)

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, stated that the position of CHAIRMAN and VICE CHAIRMAN should be based upon seniority.

COMMISSIONER TRUESDELL responded that everyone is concerned with the selection of Vice Chairman and seniority; however he objected to the insinuation that an appointment is a reflection on any one ward and stated that it is unacceptable and an apology is in order.

(12:23 – 12:24)

MEETING ADJOURNED AT 12:24 A.M.

Respectfully submitted:

unavailable
DIANA DAVIS, DEPUTY CITY CLERK

KRISTENE HONZIK, DEPUTY CITY CLERK

Deeny Araujo
DEENY ARAUJO, DEPUTY CITY CLERK