City of Las Vegas

Agenda Item No. 98

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
MASTER SIGN PLAN - PUBLIC HEARING - **MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP -** Request for a Master Sign Plan for an approved retail center on 8.26 acres adjacent to the southeast corner of Charleston Boulevard and Odette Lane (APN: 163-05-502-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
MONCRIEF – APPROVED subject to conditions and amending Condition 3 to read as follows:

3. The Master Sign Plan must be revised to include wall signage criteria for the three restaurant pads on this site. Prior to the issuance of a building permit for signage on this property, the site plan shall be revised to indicate the location of all signage covered by the Master Sign Plan.

– UNANIMOUS with GOODMAN excused

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

DARRYL SHOCK, Vision Sign Company, 3625 South Polaris Avenue, appeared on behalf of the applicant. He explained that the developer is constructing a retail center behind Carrabba's, Fleming's, and Roy's, which are located on West Charleston Boulevard. In order to provide visibility for the center from Charleston Boulevard, the applicant is requesting a freestanding pole sign to advertise the center as well as Carrabba's, Fleming's and Roy's. He requested clarification of Condition 3 with respect to the provision of drawings for the signs for

City of Las Vegas

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Planning and Development Department
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MINUTES – Continued:

Carrabba's, Fleming's and Roy's. He pointed out that those signs were in place and were neither manufactured nor installed by Vision Sign Company. Therefore, Vision Sign is not in possession of drawings to provide to staff.

ROBERT GENZER, Director, Planning and Development Department, stated he did not have a problem deleting that requirement from the last sentence of Condition 3. MAYOR PRO TEM REESE verified COUNCILWOMAN MONCRIEF'S agreement with the revision to Condition 3.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:49 – 1:52)

2-1383

CONDITIONS:

Planning and Development

1. Conformance to the sign criteria, sign elevations, and building elevations as submitted, except as amended by conditions herein.

2. All signage shall have proper permits obtained through the Building and Safety Department.

3. The Master Sign Plan must be revised to include wall signage criteria for the three restaurant pads on this site. Prior to the issuance of a building permit for signage on this property, the site plan shall be revised to indicate the location of all signage covered by the Master Sign Plan. In addition, elevations establishing sign criteria for the three pad sites shall be submitted for approval by the Planning and Development Department prior to the issuance of a sign permit on this site.

4. Address numbers shall be provided as required by the Planning and Development Department.

5. Temporary signage permitted by this Master Sign Plan shall not be allowed without the approval of a Temporary Sign Permit from the Planning and Development Department.

Public Works

6. Site development to comply with all applicable conditions of approval for Site Development Plan Reviews [Z-0071-00(1)], SDR-1307, and all other subsequent site-related actions.

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SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
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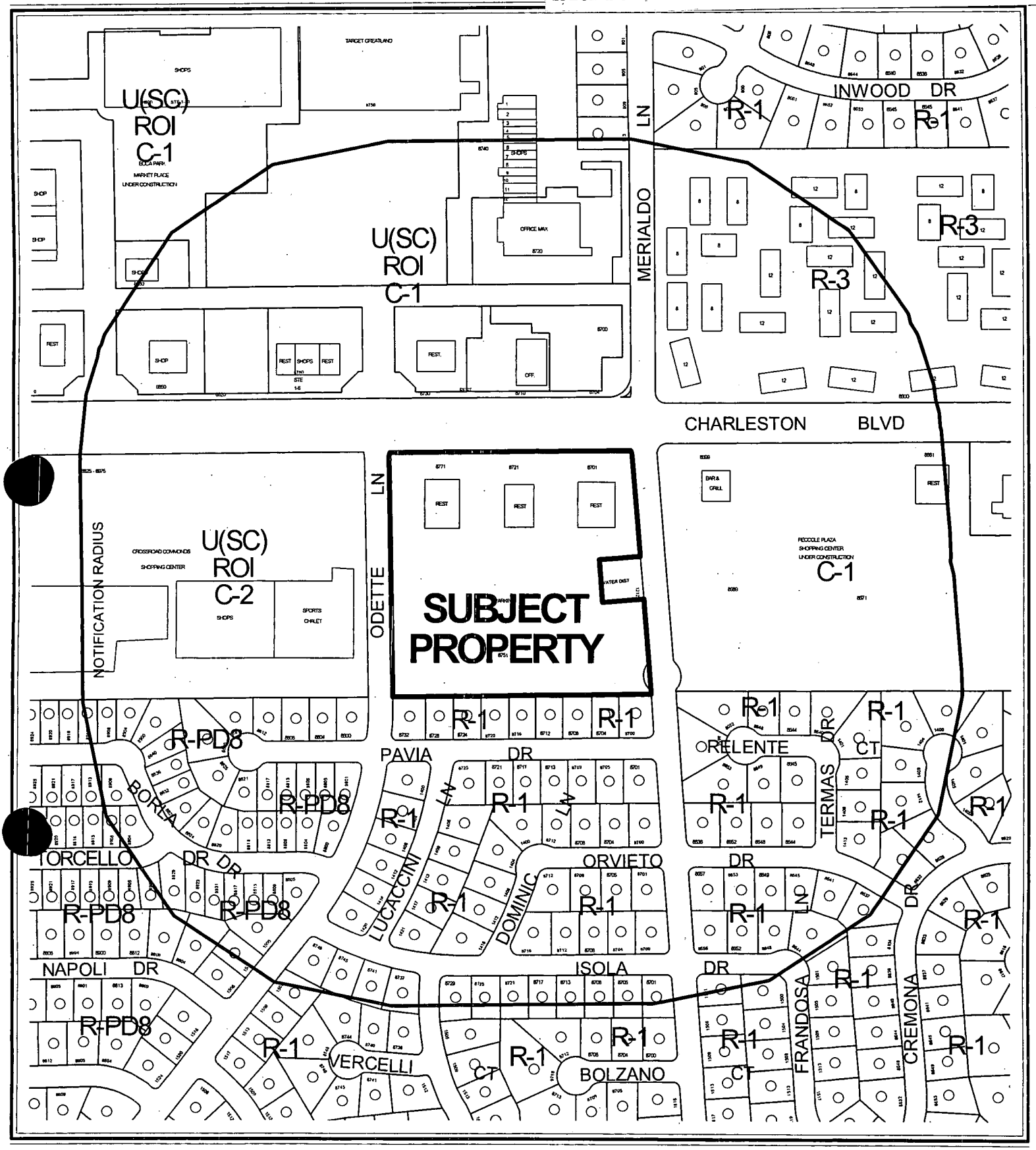
CONDITIONS – Continued:

7. Signs shall not be located within public rights-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: **MSP-2858**

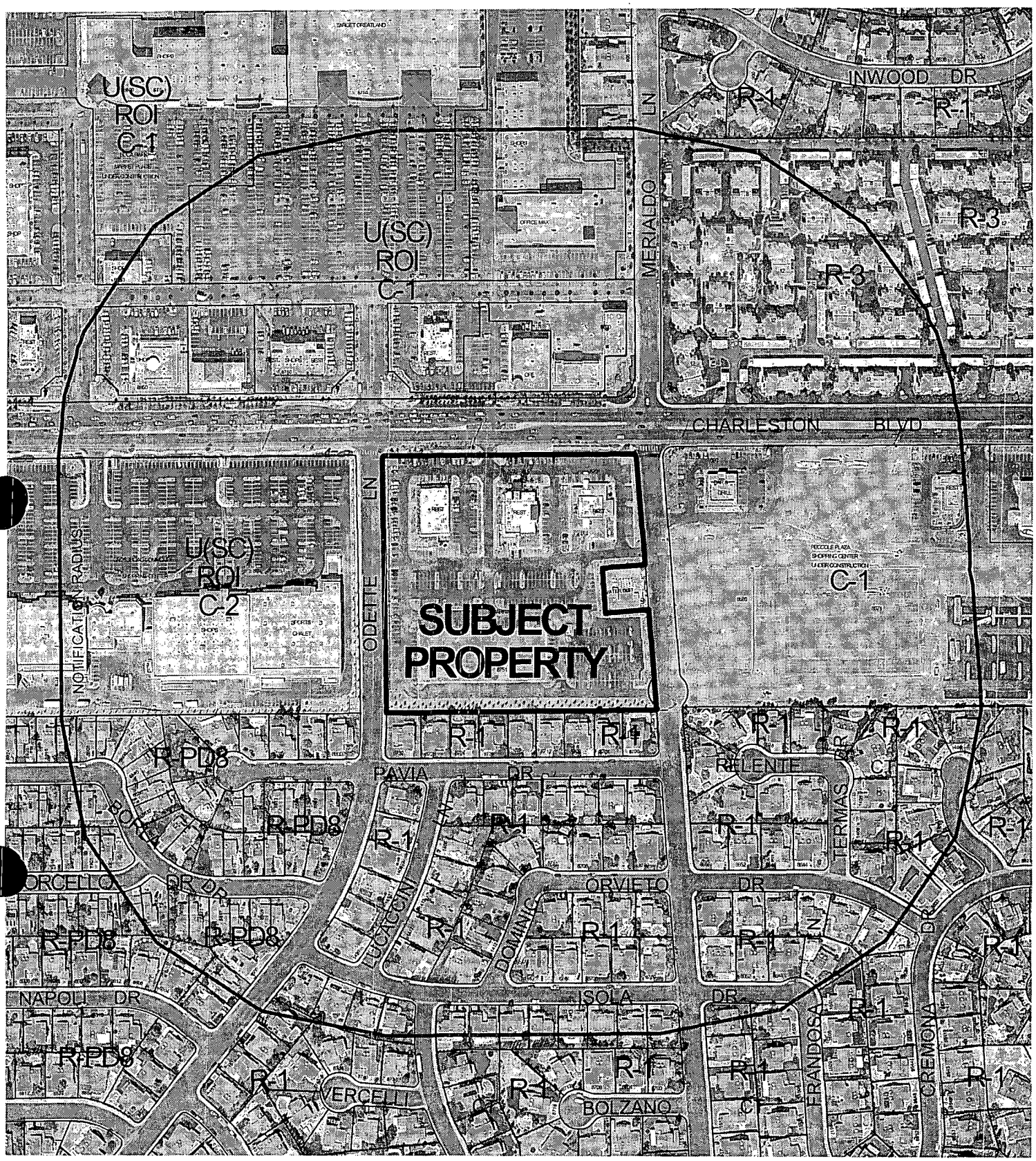
RADIUS: 750 FT

0 200 400 Feet

N

ZONING OF SUBJECT PROPERTY:

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



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

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP

** CONDITIONS **

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the sign criteria, sign elevations, and building elevations as submitted, except as amended by conditions herein.

2. All signage shall have proper permits obtained through the Building and Safety Department.

3. The Master Sign Plan must be revised to include wall signage criteria for the three restaurant pads on this site. Prior to the issuance of a building permit for signage on this property, the site plan shall be revised to indicate the location of all signage covered by the Master Sign Plan. In addition, elevations establishing sign criteria for the three pad sites shall be submitted for approval by the Planning and Development Department prior to the issuance of a sign permit on this site.

4. Address numbers shall be provided as required by the Planning and Development Department.

5. Temporary signage permitted by this Master Sign Plan shall not be allowed without the approval of a Temporary Sign Permit from the Planning and Development Department.

Public Works

6. Site development to comply with all applicable conditions of approval for Site Development Plan Reviews [Z-0071-00(1)], SDR-1307, and all other subsequent site-related actions.

7. Signs shall not be located within public rights-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

MSP-2858 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Master Sign Plan for an approved 58,683 square-foot retail center, including three stand-alone restaurants, on 8.26 acres adjacent to the southeast corner of Charleston Boulevard and Odette Lane.

This Master Sign Plan was required as a condition of Site Development Plan Review (SDR-1307), based on older codes that mandated such a request for all non-commercial developments larger than 2.5 acres.

B) Applicant's Justification

The applicant has justified this application by stating that a freestanding sign is necessary along Charleston to inform passers-by that a retail center exists behind the three restaurants on site.

BACKGROUND INFORMATION

A) Previous Actions

05/20/81 The City Council approved a request for a Rezoning (Z-0034-81) to P-R (Professional Office and Parking) Zone on this site as part of a larger request.

10/18/00 The City Council approved a Rezoning (Z-0071-00) to C-1 (Limited Commercial), a Site Development Plan Review [Z-0071-00(1)] for a proposed 58,683 square foot commercial center, a Special Use Permit (U-0145-00) for a supper club (Roy's), a Special Use Permit (U-0146-00) for a second supper club (Carrabbas), and a Special Use Permit (U-0147-00) for a third supper club (Fleming's) on this site. The Planning Commission recommended approval of all items on 09/14/00.

01/16/02 The City Council tabled a request for a Review of Condition [Z-0071-00(2)] on the approved Rezoning, Site Development Plan Review, and Special Use Permits, which restricted restaurant operating hours in conjunction with a 58,683 square foot retail shopping center on this site. The Planning Commission recommended approval on 10/04/01.

09/18/02 The City Council accepted a withdrawal without prejudice of a Review of Condition request [Z-0071-00(3)] on the approved Rezoning, Site Development Plan Review and Special Use Permits, which prohibited future parking variances on this site.

12/04/02 The City Council approved a request for a Site Development Plan Review (SDR-1307) for a proposed 51,718 square-foot, two-story retail/office building at the rear of this site.

09/11/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #39).

B) Pre-Application Meeting

07/08/03 The applicant was informed that the Master Sign Plan must include sign requirements for the three restaurant pads on site, and other additional submittal requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Master Sign Plan request.

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property:	Retail Commercial, Restaurants
North:	Retail Commercial, Dental Office
South:	Water District Pump Station and Single-Family Dwellings
East:	Restaurant, Retail Commercial
West:	Retail Commercial

B) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
South:	P-R (Professional Office and Parking) and R-1 (Single-Family Residential)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial)

C) General Plan Compliance

This site is located on the Southwest Sector Map of the General Plan. The site is designated as SC (Service Commercial), which allows low to medium intensity retail, office, and other commercial uses serving primarily local area patrons. The existing C-1 (Limited Commercial) zoning district is an appropriate zoning district within the SC (Service Commercial) land use designation.

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, zones, or studies associated with the subject property.

MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE		
THRESHOLD	**YES**	**NO**
Non-Residential project with a site larger than 15 acres		**X**
Non-Restricted Gaming Establishment		**X**
Residential project containing more than 500 units and/or 160 acres in area		**X**
To establish the requirements/limitations for signs located in the Gaming and Downtown Overlay Districts, and any uses not required elsewhere in 19.14 located in the "Planned Community" and "Planned Development" Districts		**X**
To establish requirements/limitations for signs in a specific development	**X**	

The proposed plan will establish sign criteria for the entire development, including three existing restaurants situated along Charleston Boulevard.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Protection Standards

An existing single-family residential development abuts this site directly to the south. However, the proposed freestanding signage is located more than 200 feet from this development; therefore, it is not subject to Residential Protection Standards as described in Title 19.14.070. No illuminated wall signs will be visible from any of the protected properties, and animated signs are prohibited under this Master Sign Plan.

A2) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Freestanding Signs: [(1) At entrance along Charleston Boulevard]

Standards	Allowed	Provided
Maximum Number	1 / 200 Feet of street frontage 3 total	1 / 590 Feet of street frontage 1 total
Maximum Area	2 SF per foot of street frontage (1,200 SF along Charleston Blvd.)	234 SF along Charleston Blvd.
Maximum Height	40 Feet	25 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Internal, External, Animated, and Electronic Message Unit	Internal

Wall Signs: [Along north elevation of Retail Building]

Standards	Allowed	Provided
Maximum Number	Maximum allowable under area requirement	9 total
Maximum Area	20 % of area of building elevation	624 SF total
Maximum Projection	4 Feet	Not provided
Illumination	Internal/External	Internal; no animation permitted

Incidental Signs: [Located in parking lot as necessary]

Standards	Allowed	Provided
Maximum Number	No specific limit	As allowed by landlord
Maximum Area	No specific maximum; review required if over 4 SF	3 SF each
Maximum Height	5 Feet	8 Feet
Illumination	Internal/External	None

The proposed freestanding and wall signage complies with all Title 19.14 sign standards, with the exception of the height of non-directional "no trespassing" and customer parking signs to be located in the parking lot. These signs are designed to be taller so that they can be read even when the parking spaces are filled by large sport-utility vehicles. Overall, the proposed criteria will have the effect of reducing the amount of signage which would normally be allowed in a commercial retail center.

B) General Analysis and Discussion

This Master Sign Plan was required by Condition No. 10 of Site Development Plan (SDR-1307), which established site standards for the retail building situated toward the rear of the subject property. This sign plan establishes criteria for the entire 58,683 square-foot retail center, which includes three existing restaurant pad sites situated along Charleston Boulevard. Proposed under this plan are one 25-foot tall freestanding sign at the entrance to the retail center and 624 square feet of wall signage on the retail building. The plan should also establish signage criteria for the three restaurant pad sites in order to maintain

uniformity across the site, while still keeping their unique business identities. No elevations or criteria were submitted for this purpose. A condition is therefore recommended requiring the applicant to submit elevation drawings establishing wall signage criteria for the three restaurant buildings, keeping in mind the overall theme of the development.

The proposed Master Sign Plan significantly reduces the amount of signage generally permitted under Title 19, helps to reduce visual clutter along Charleston Boulevard, and depicts signs that are aesthetically appealing. It also establishes stricter criteria for tenant wall signage, including a prohibition on roof signs, painted wall signs, temporary signs, or animated signs. Tenants must receive landlord approval prior to submittal to the City for sign permits.

NOTICES MAILED 156 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MSP-2858 APN: 178-03-310-009

Name of Property Owner: Lena Piccoli-Ostunio

Name of Applicant: Greenstreet Properties

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: Lena Piccoli Ostunio

Print Name: Lena Piccoli Ostunio

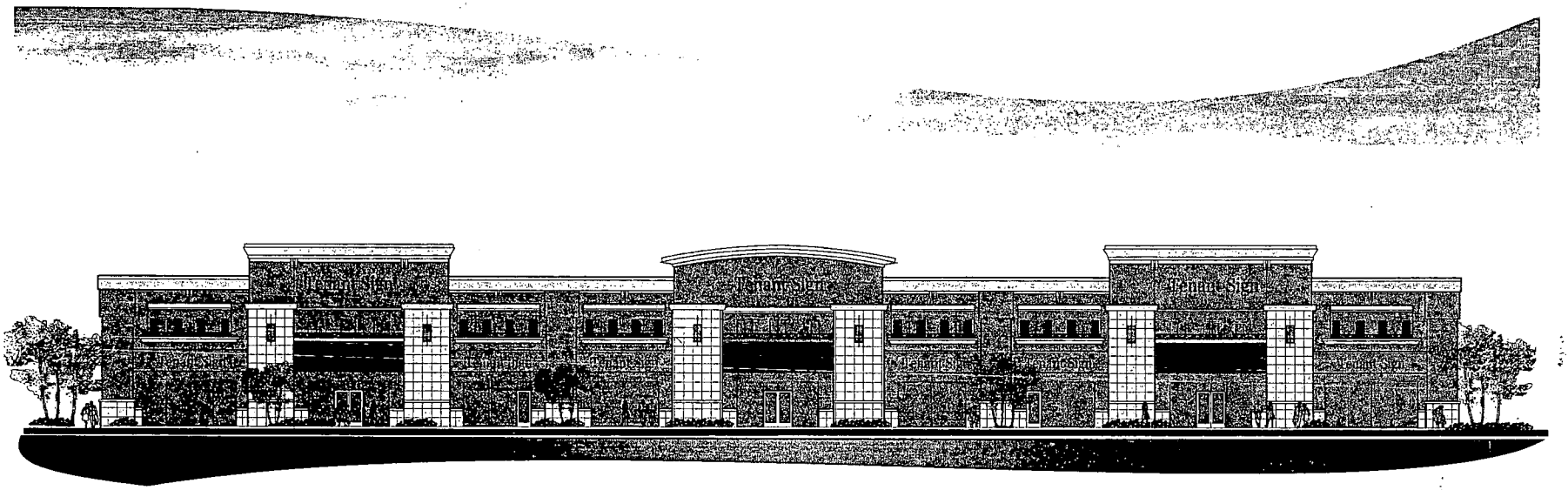
Subscribed and sworn before me

This 19th day of May, 2003

Herbert Joseph Santos SR.

Notary Public in and for said County and State

HERBERT JOSEPH SANTOS SR.
Notary Public - State of Nevada
Appointment Number 92-1494-2
My Appt. Expires Oct. 7, 2004



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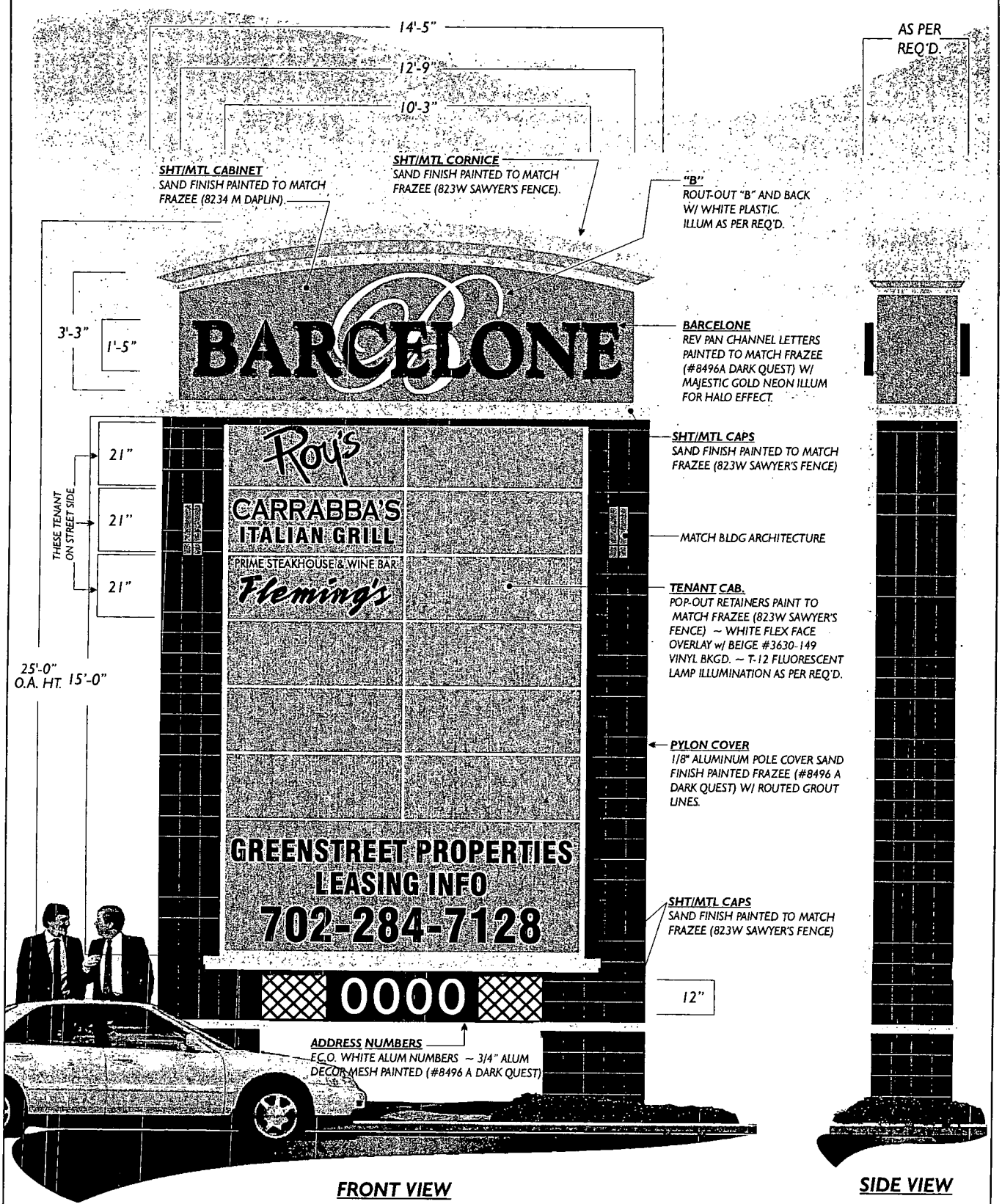
MASTER SIGN PLAN

W. CHARLESTON BLVD.

VISION SIGN

MSP-2858

09-11-03 PC



FRONT VIEW

SIDE VIEW

D/F PYLON SIGN DISPLAY 3/8"=1'-0"

NOTE: TENANT COPY NOT INCLUDED

MSP-2858
09-11-03 PC

JOB NO.	6535
DATE	07-17-2002
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	CDC6535.CDR
SHEET	

BARCELONE

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.130 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

REVISIONS	BY
07-22-02	DN
12-23-02	DN
01-02-03	DN
02-10-03	DN

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

Presented to: BARCELONE

VISION SIGN

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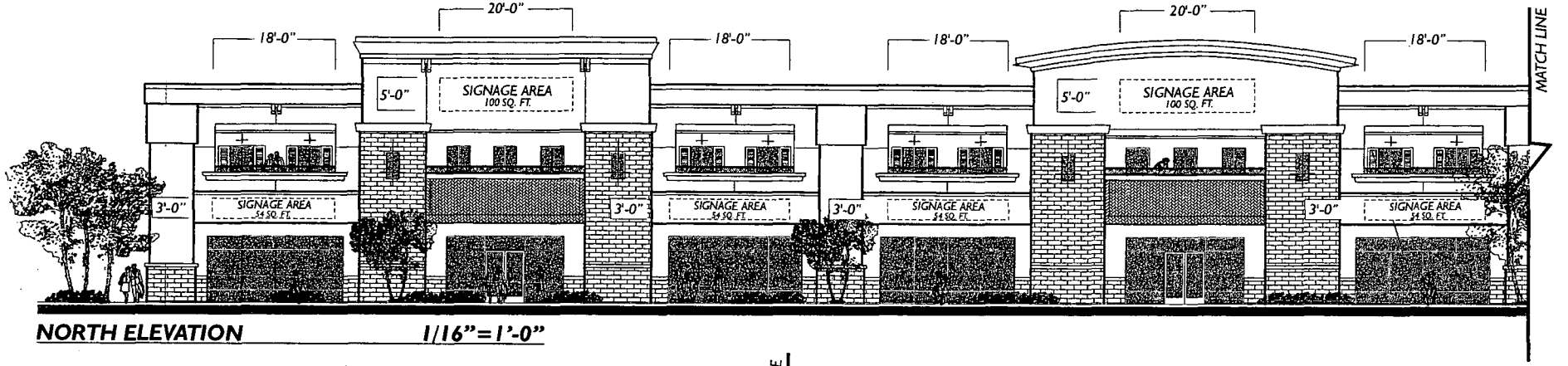
MSP-2858
09-11-03 PC



NORTH ELEVATION 1/16"=1'-0"

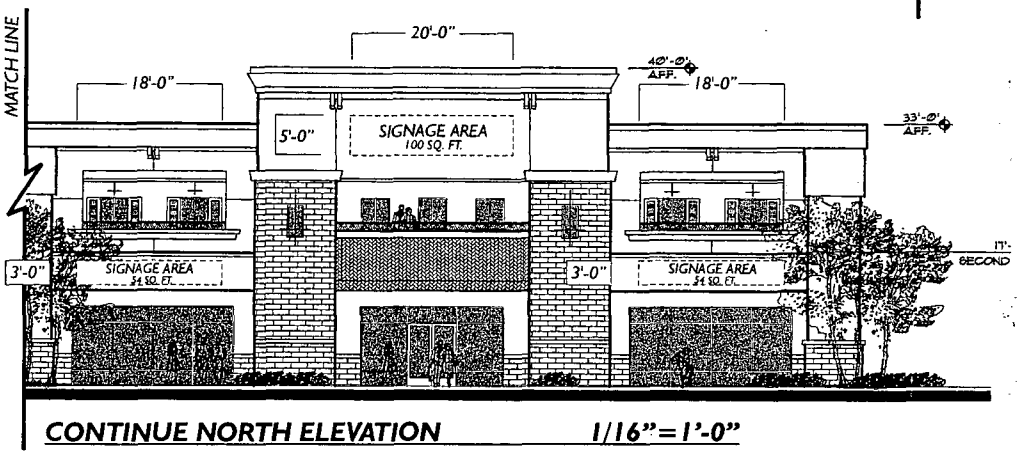
Individual Tenant Sign Size & Placement

- **LOGO SIZE** - 36" MAXIMUM HEIGHT (W/ 30" LTR.)
  30" MAXIMUM HEIGHT (W/ 24" LTR.)
- **LETTER HEIGHT** - 30" MAXIMUM (*SEE NOTE #2)
  24" MAXIMUM (*SEE NOTE #2)
  15" MINIMUM
- **LETTER STYLE** - BASED ON ESTABLISHED LETTER STYLE AND BY LANDLORD APPROVAL
- **ILLUMINATION** - 30 MA NEON
- **SIGNAGE AREA** - MAXIMUM USAGE IS 75% OF TENANTS LEASED AREA x MAXIMUM LETTER HEIGHT AS ALLOWED FOR NOTE #2
- **APPROVALS** - ALL SIGNAGE IS TO BE APPROVED BY THE LANDLORD AND IN WRITING PRIOR TO MANUFACTURING. ALL SIGNAGE IS TO BE APPROVED BY THE CITY BLDG. DEPARTMENT.

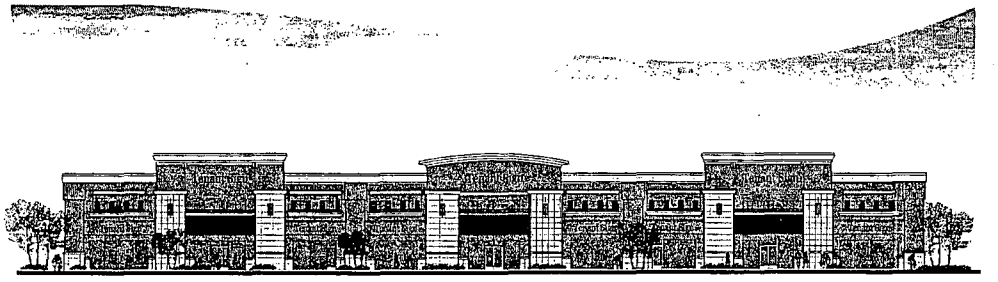
In-Line Tenant Spaces

- TENANT SIGNS ARE TO BE INDIVIDUALLY MOUNTED INTERNALLY ILLUMINATED CHANNEL LETTERS.

1. TENANTS SHALL BE ALLOWED A MAXIMUM LETTER HEIGHT OF 30" (IF GREATER THAN 2,500 SQ. FT.) FOR SINGLE LINE I.D. AND 24" (IF LESS THAN 2,500 SQ. FT.) AND 15" MINIMUM FOR 2-LINE I.D. MAXIMUM OVERALL HEIGHT OF STACKED COPY SHALL NOT EXCEED 48".
2. ALL SIGNS SHALL CONSIST OF INDIVIDUAL LETTERS. NO SIGN CANS SHALL BE PERMITTED.
3. TENANTS SHALL BE ALLOWED ONE (1) SIGN PER LEASED AREA, EXCEPT FOR CORNER TENANTS. ~ LOGO/SYMBOL CABINETS ARE SUBJECT TO LANDLORD APPRDVAL.
4. MAXIMUM LENGTH OF SIGNAGE SHALL NOT EXCEED 75% OF LEASED AREA OR ARCHITECTURAL FEATURE IN WHICH IT IS PLACED. NO SIGN SHALL BE CLOSER THAN TWO (2) FEET FROM BEGINNING OR END OF LETTERS TO EDGE OF BLDG. OR 18" FRDM EDGE OF ARCHITECTURAL FEATURE.
5. IF AN ACCOMPANYING LOGO/SYMBDL OR LARGER LEADING CAPITAL LETTERS IS USED ON TENANTS SIGN, IT MUST NOT EXCEED 48"



CONTINUE NORTH ELEVATION 1/16"=1'-0"



ELEVATION CONCEPTUAL DRAWING ONLY N.T.S.

JOB NO	6535
DATE	07-10-2002
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	CDC6535.CDR
SHEET	

BARCELONE

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

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NV CONTRACTOR LICENSE #42776

REVISIONS	BY
7-26-02	DN
12-23-02	DN

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MSP-2858
09-11-03 PC

Tenant Suite Number and Information Area

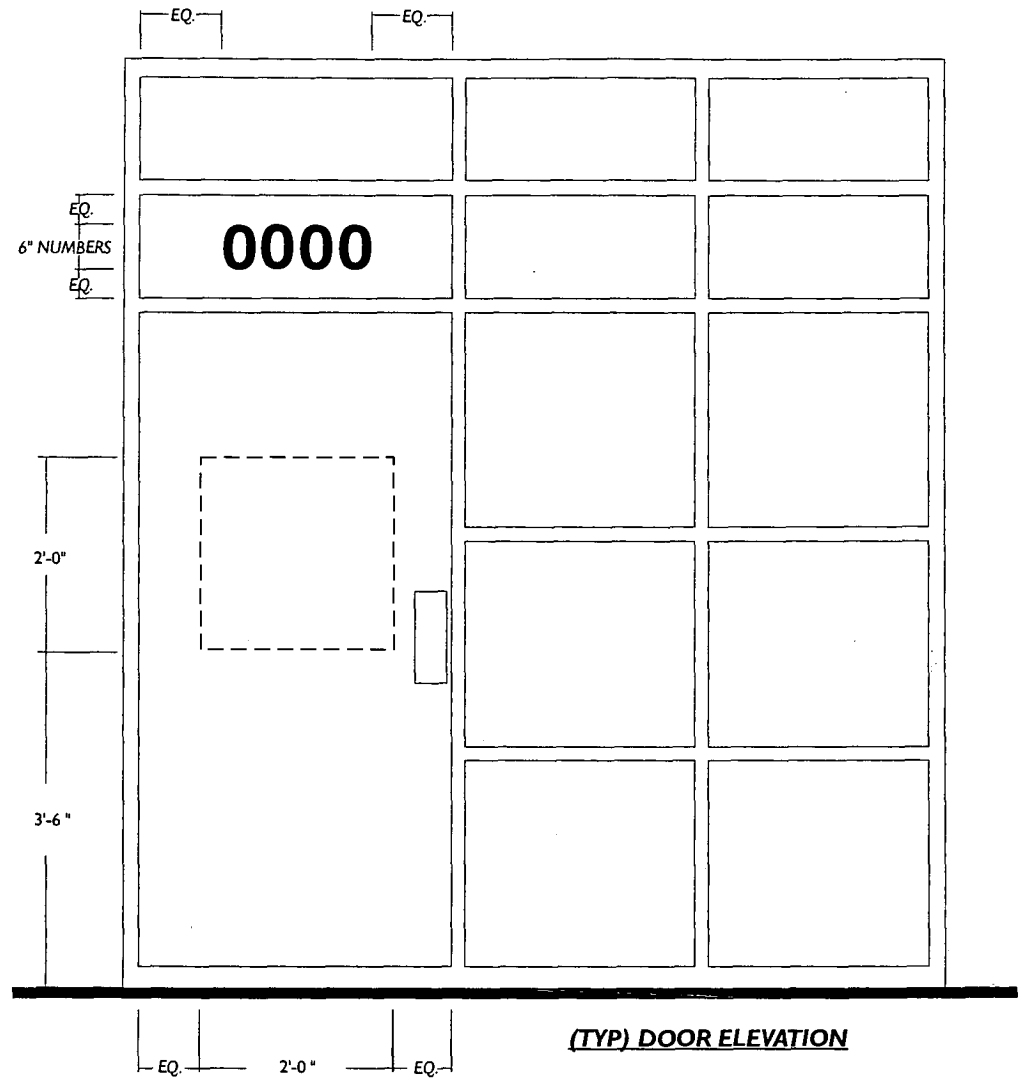
1. EACH TENANT MUST INSTALL A SUITE NUMBER AT THE TOP OF THE ENTRY DOOR. THESE NUMBERS MUST BE WHITE VINYL MACHINE-CUT NUMBERS, SIX INCHES (6") IN HEIGHT UTILIZING HELVETICA BOLD. THE NUMBERS ARE TO BE INSTALLED AS SHOWN TO THE RIGHT.

2. THERE SHALL BE NO SANDWICH BOARDS OR FREESTANDING SIGNS PERMITTED IN THE COMMON AREAS INCLUDING, BUT NOT LIMITED TO SIDEWALKS, DRIVEWAYS, LANDSCAPING, PARKING STALLS AND BUILDING APRONS.

3. THERE SHALL BE NO SIGNS, BANNERS, PENNANTS, BALLOONS OR WINDOW PAINTING PERMITTED ON OR IN FRONT OF BAY DOORS.

4. EACH OCCUPANT IS ALLOWED ONE (1) INFORMATION COPY AREA AT THE ENTRY TO ITS STORE. THE COPY FOR THIS SIGN IS LIMITED TO STORE NAME & PERTINENT BUSINESS INFORMATION SUCH AS STORE HOURS. TELEPHONE NUMBERS, EMERGENCY INFORMATION OR OTHER BUSINESS INSTRUCTION. MAX LETTER HEIGHT IS ONE INCH (1") SEE ILLUSTRATION TO THE RIGHT.

5. CREDIT CARD DECALS AND SIMILAR TYPES OF INFORMATION SHALL BE LIMITED TO A SIZE OF 3" X 5".



(TYP) DOOR ELEVATION

MSP-2858
09-11-03 PC

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FILE NAME	CDC6535.CDR
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REVISIONS	BY
12-23-02	DN

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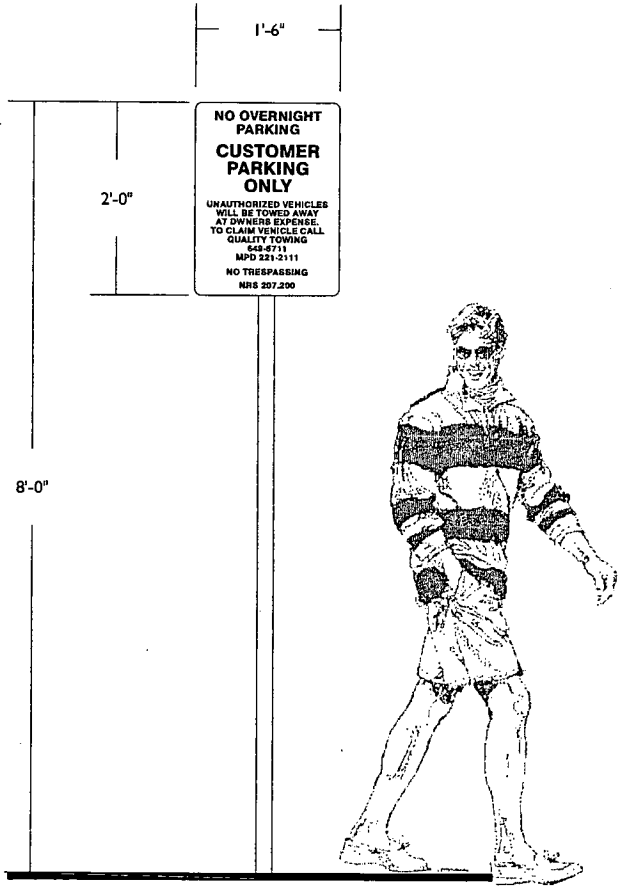
Parking Signage

ONLY AS ALLOWED BY LANDLORD



MSP-2858

09-11-03 PC

S/F NON-ILLUM. PARKING SIGN ***3/4" = 1'-0"***

JOB NO.	6535
DATE	07-10-2002
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	CDC6535.CDR
SHEET	

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12-23-02	DN

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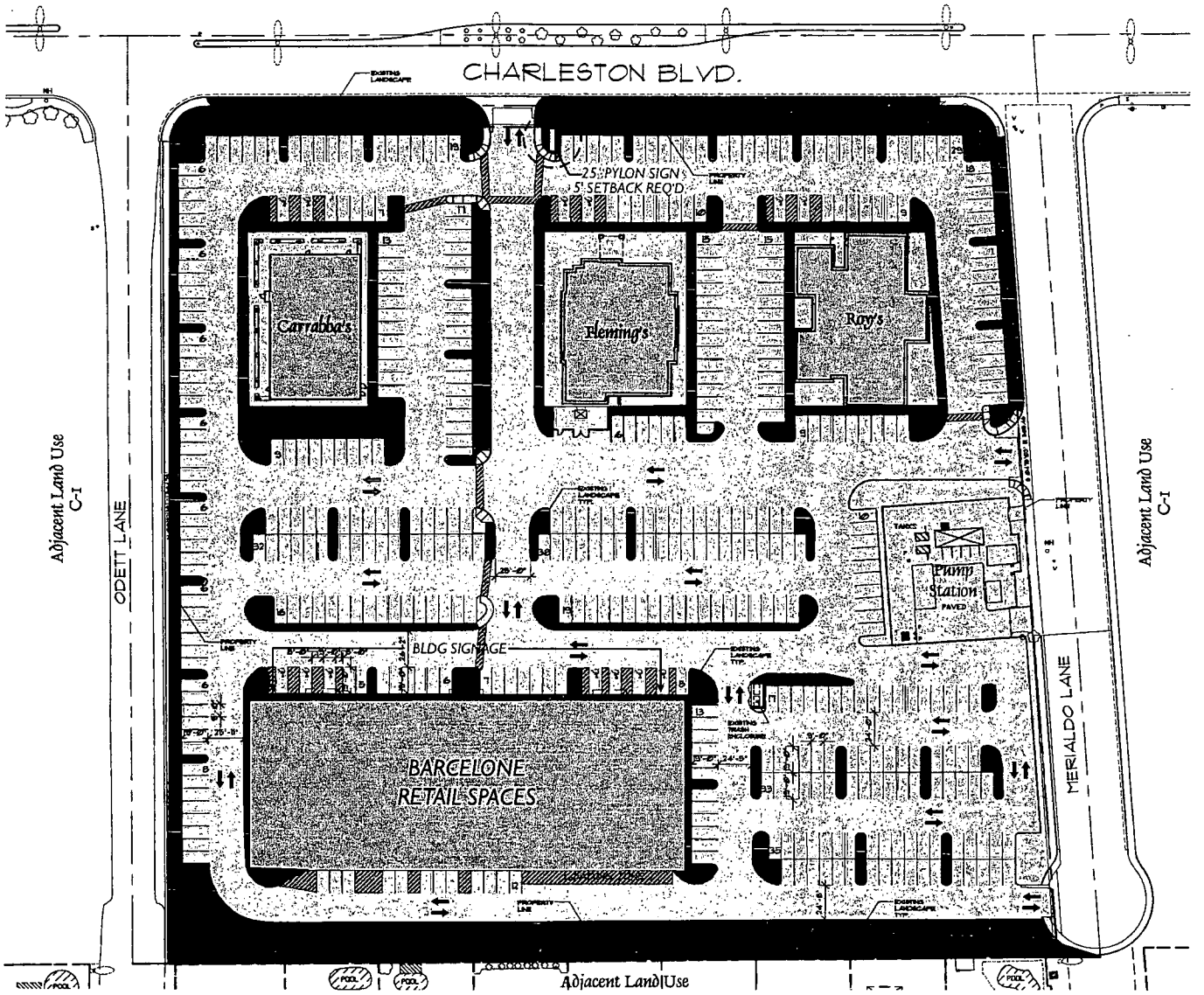

N

PLOT PLAN

1"=80'

JOB NO.	6535
DATE	07-10-2002
DRAWN	DERRICK
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MSP-2858
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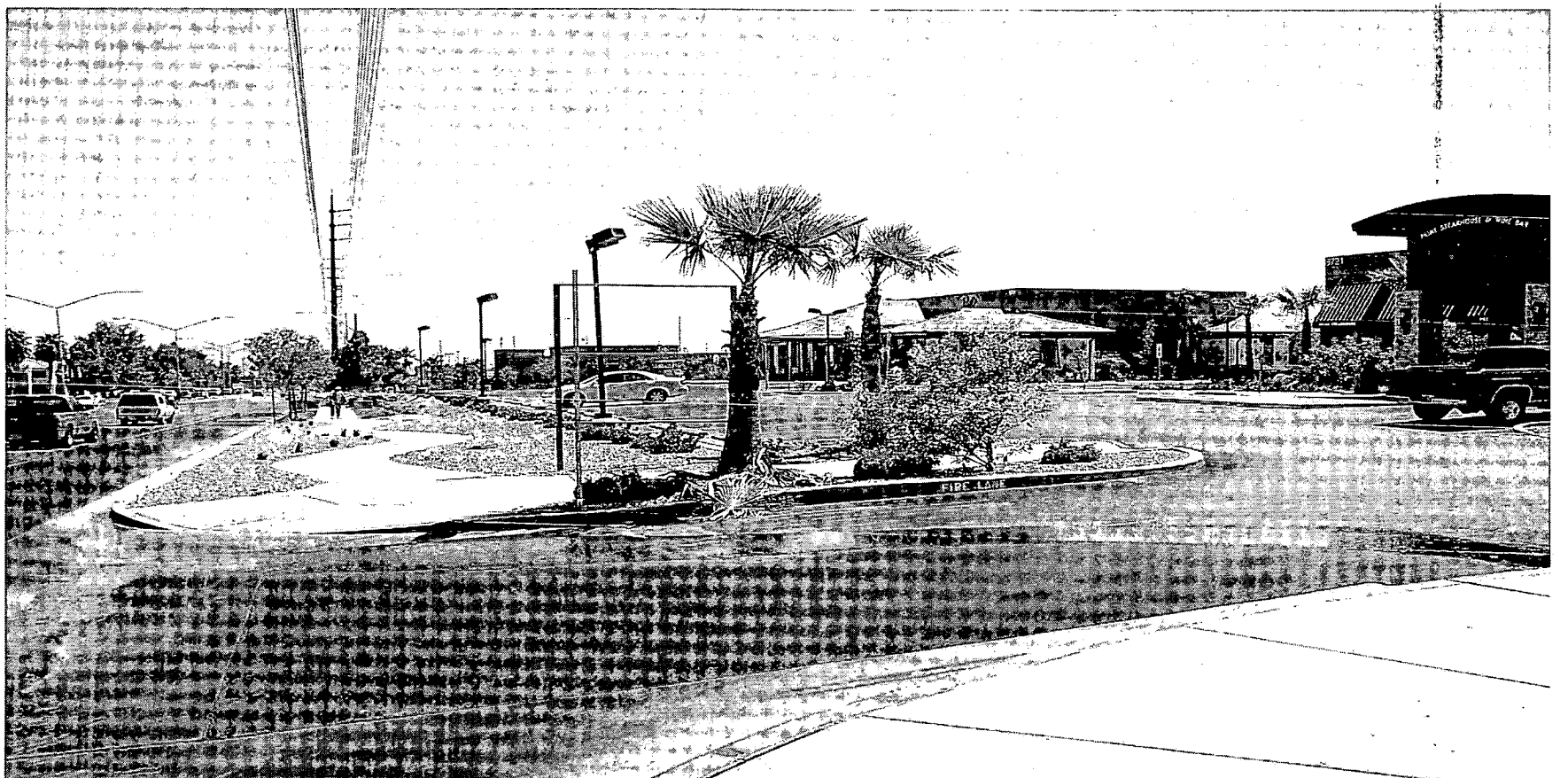
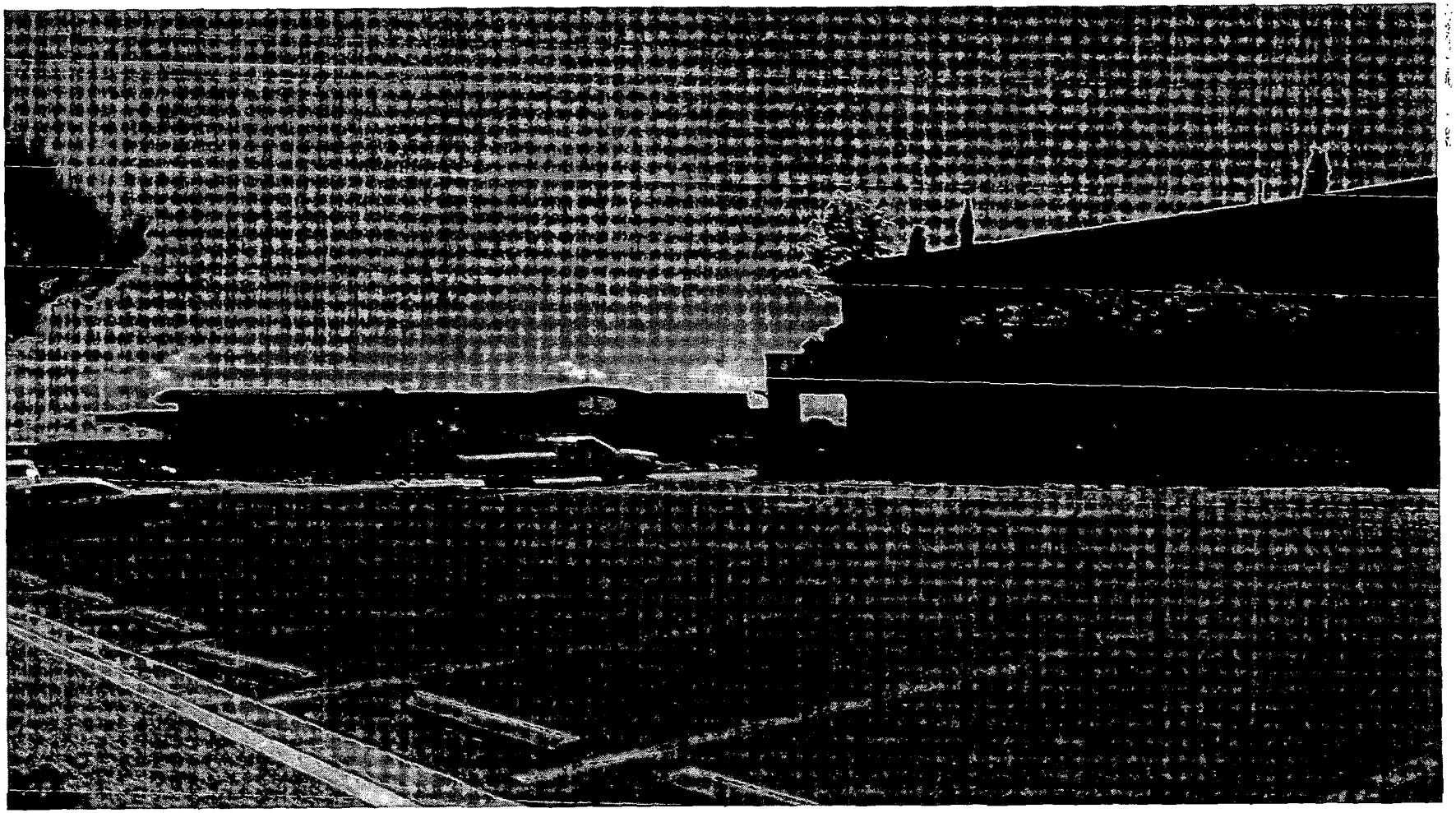


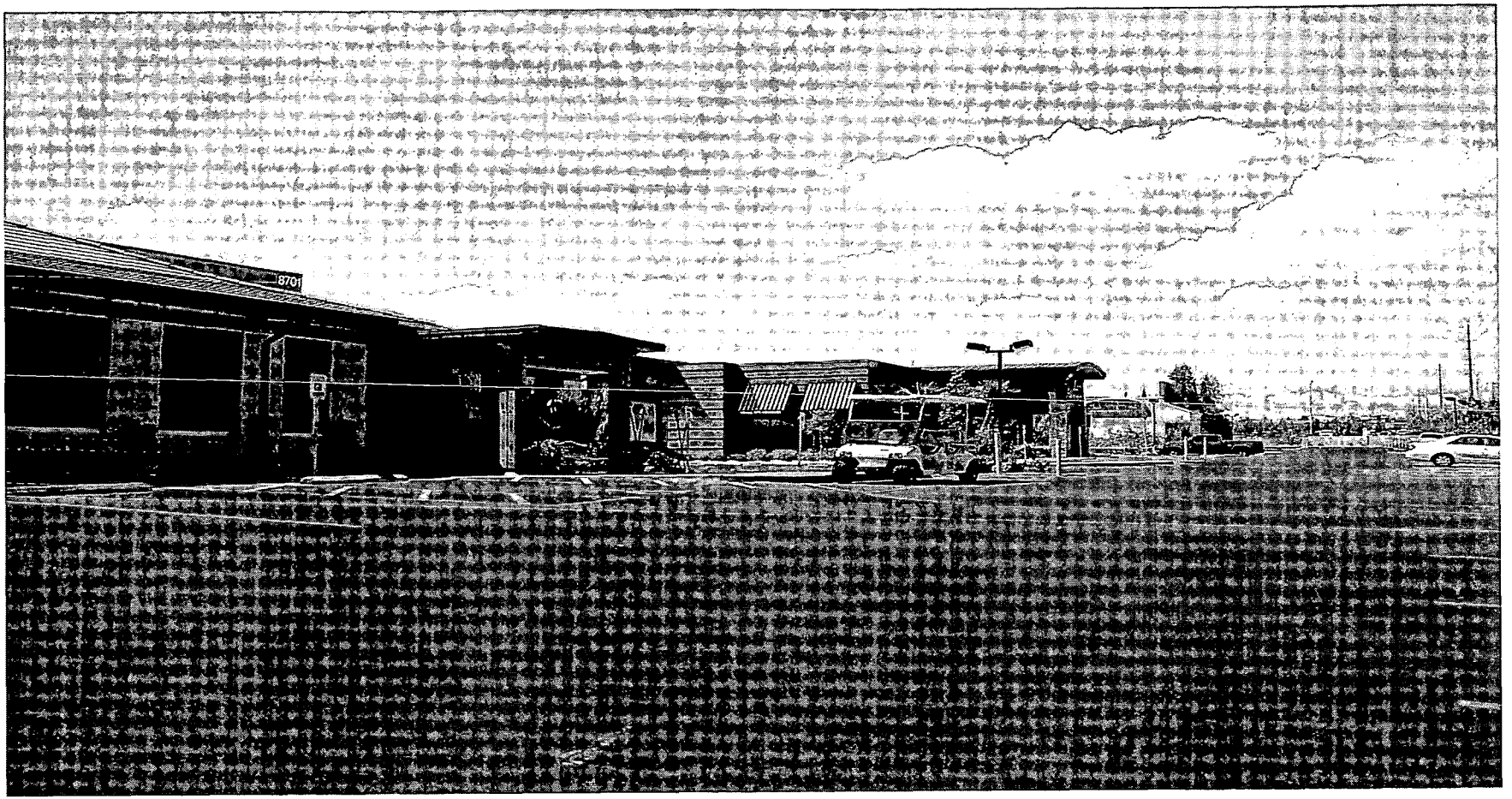
MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND ODETTE LANE
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03



MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND ODETTE LANE
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

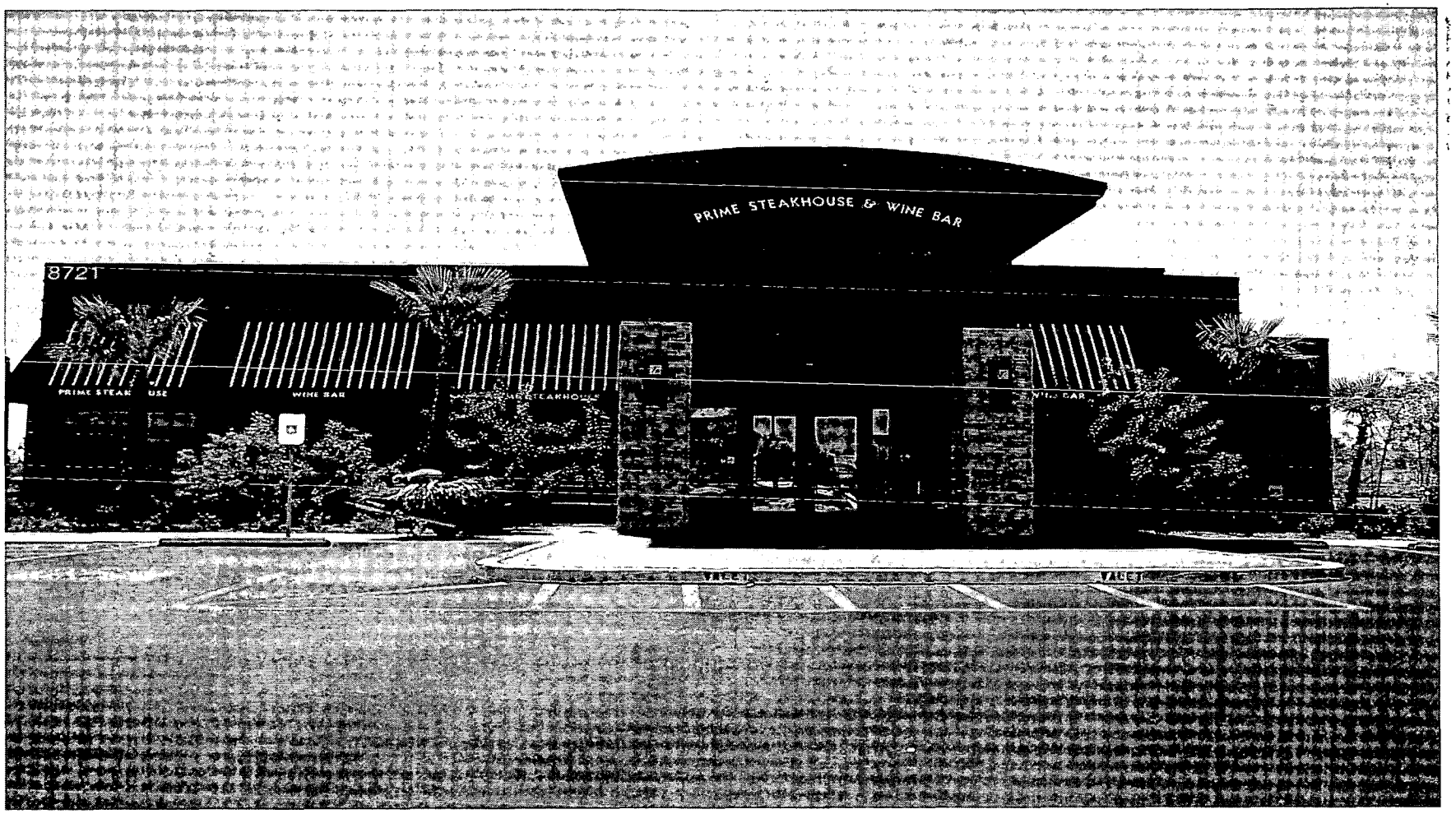


MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND ODETTE LANE
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND ODETTE LANE
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03



MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND ODETTE LANE
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 99

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2836 - PN II INC.** - Petition to Vacate public sewer and drainage easements located in Antibes Street and Nige Street, north and south of Monte Viso Drive; and south of Monte Viso Drive, west of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

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

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

VALERIE POWERS, Stantec Consulting, 7251 West Charleston Boulevard, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:52 – 1:53)

2-1489

CONDITIONS:
1. 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.

City of Las Vegas

Agenda Item No. 99

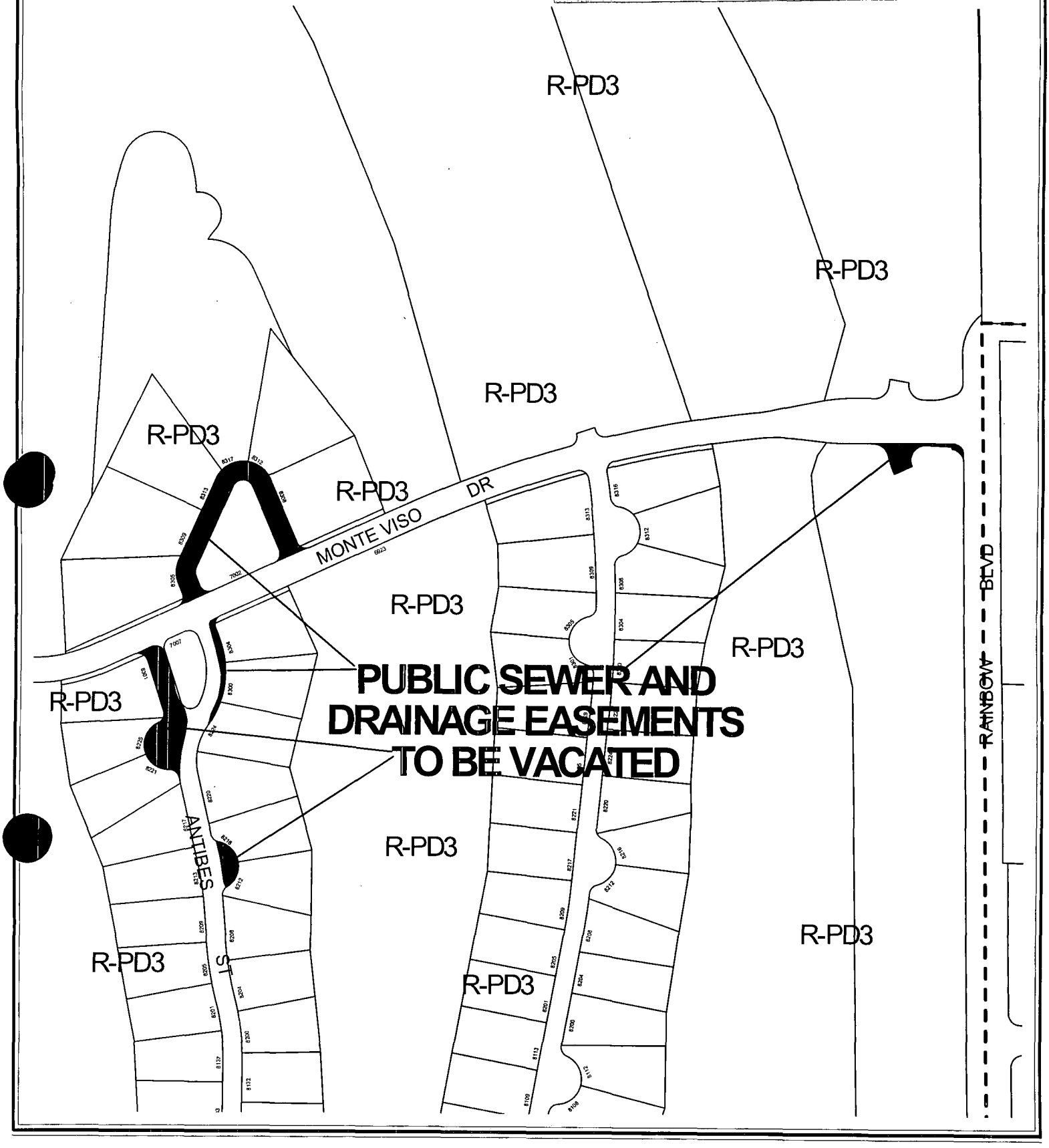
SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 99 – VAC-2836

CONDITIONS – Continued:

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

3. The Order of Vacation shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. 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.

4. 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-2836**

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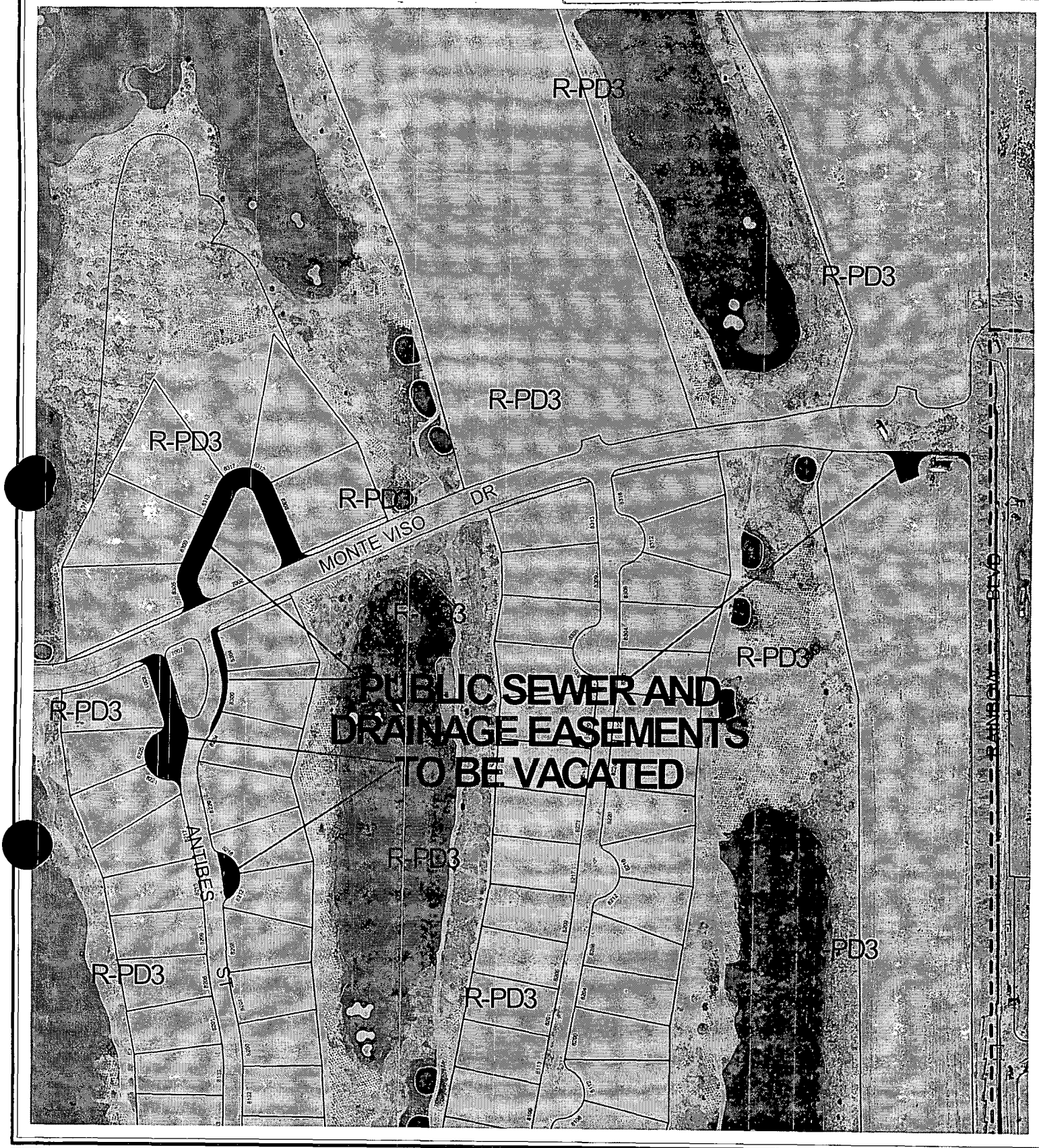
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CASE: VAC-2836
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City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2836 - PN II, INC.

** CONDITIONS **

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

1. 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.

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

3. The Order of Vacation shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. 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.

4. 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.

VAC-2836 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate public sewer and drainage easements located in Antibes Street, Nige Avenue and an unnamed private street, north and south of Monte Viso Drive.

B) Applicant's Justification

The applicant's justification letter states that the easements are no longer necessary in their current configuration and will be reestablished with new Final Maps on this property.

BACKGROUND INFORMATION

A) Previous Actions

10/02/91 The City Council approved a request for a Rezoning (Z-0075-91) to R-PD3 (Residential Planned Development - 3 Units Per Acre) on this site as part of a larger request. The Planning Commission recommended approval on September 12, 1991.

12/03/98 The Planning Commission approved the Final Map for Mountain Spa - Parcel 7 (FM-0095-98), which was subsequently recorded. This Final Map created the public sewer and drainage easements in Antibes Street and Nige Street.

10/31/01 The Planning and Development Department approved the Final Map for Mountain Spa (FM-0059-01), which was subsequently recorded. This Final Map created the public sewer and drainage easements in Monte Viso Drive.

09/11/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #40).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public sewer and drainage easements located in the North Half (N ½) of the Southeast Quarter (SE¼) of Section 10, Township 19 South, Range 60 East.

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the public sewer and drainage easements into the adjacent parcels for development. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to vacate only a City of Las Vegas sewer and drainage easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NOTICES MAILED Applicant Only

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2836 APN: 125-10-110-011; 125-10-611-005
125-10-710-006, 007 & 018

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: [signature]

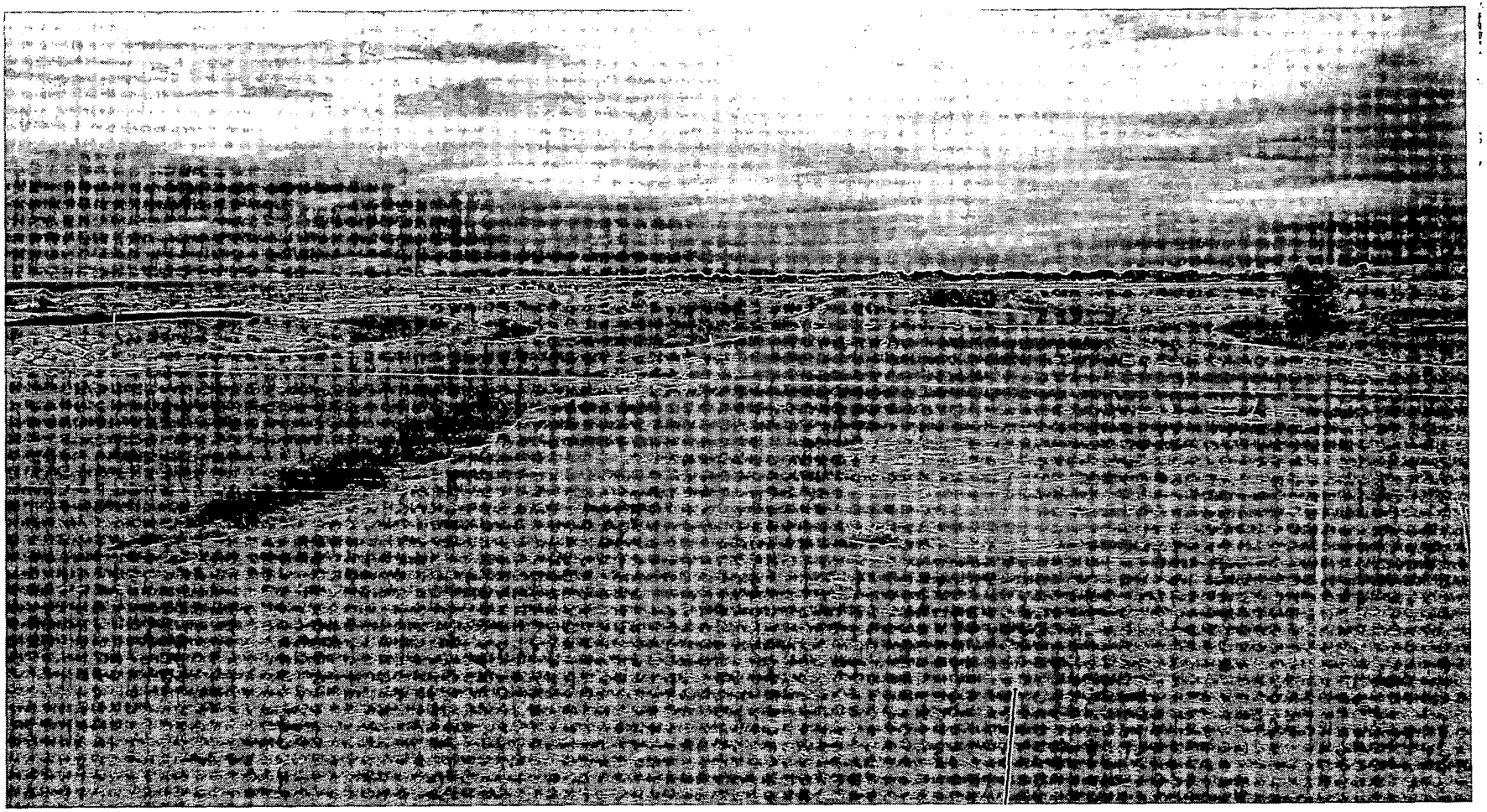
Print Name: Don Boettcher

Subscribed and sworn before me

This 24 day of July, 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-2836 - PN II, INC.
ANTIBES STREET AND NIGE STREET, NORTH AND SOUTH OF MONTE VISO DRIVE; AND SOUTH OF MONTE VISO DRIVE, WEST OF RAINBOW BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 100

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2847 - GREYSTONE NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY AND CS 4015, LIMITED LIABILITY COMPANY -** Petition to Vacate U.S. Government Patent Reservations generally located south of Lone Mountain Road, west of Cliff Shadows Parkway, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

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

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

DON RODRIGUEZ, 6655 South Bermuda, appeared on behalf of the applicant and indicated that U.S. patent easements are no longer needed for the development located south of Lone Mountain Road and west of Cliff Shadows Parkway.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:53 – 1:54)

City of Las Vegas

Agenda Item No. 100

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 100 – VAC-2847

CONDITIONS:

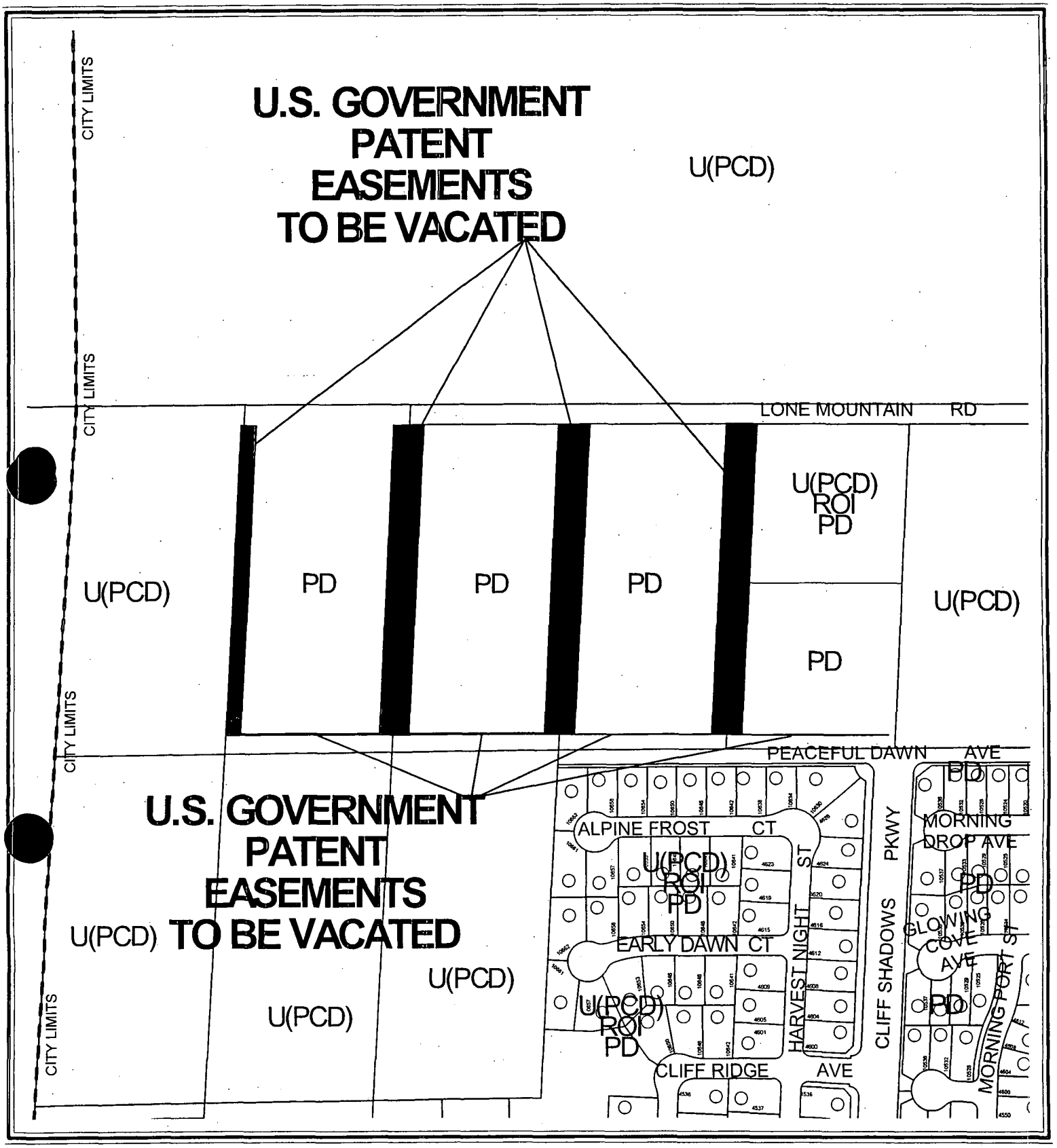
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the Vacation of these U.S. Government Patent Reservations, the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The drainage study submitted for ZON-1936 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.



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CASE: VAC-2847

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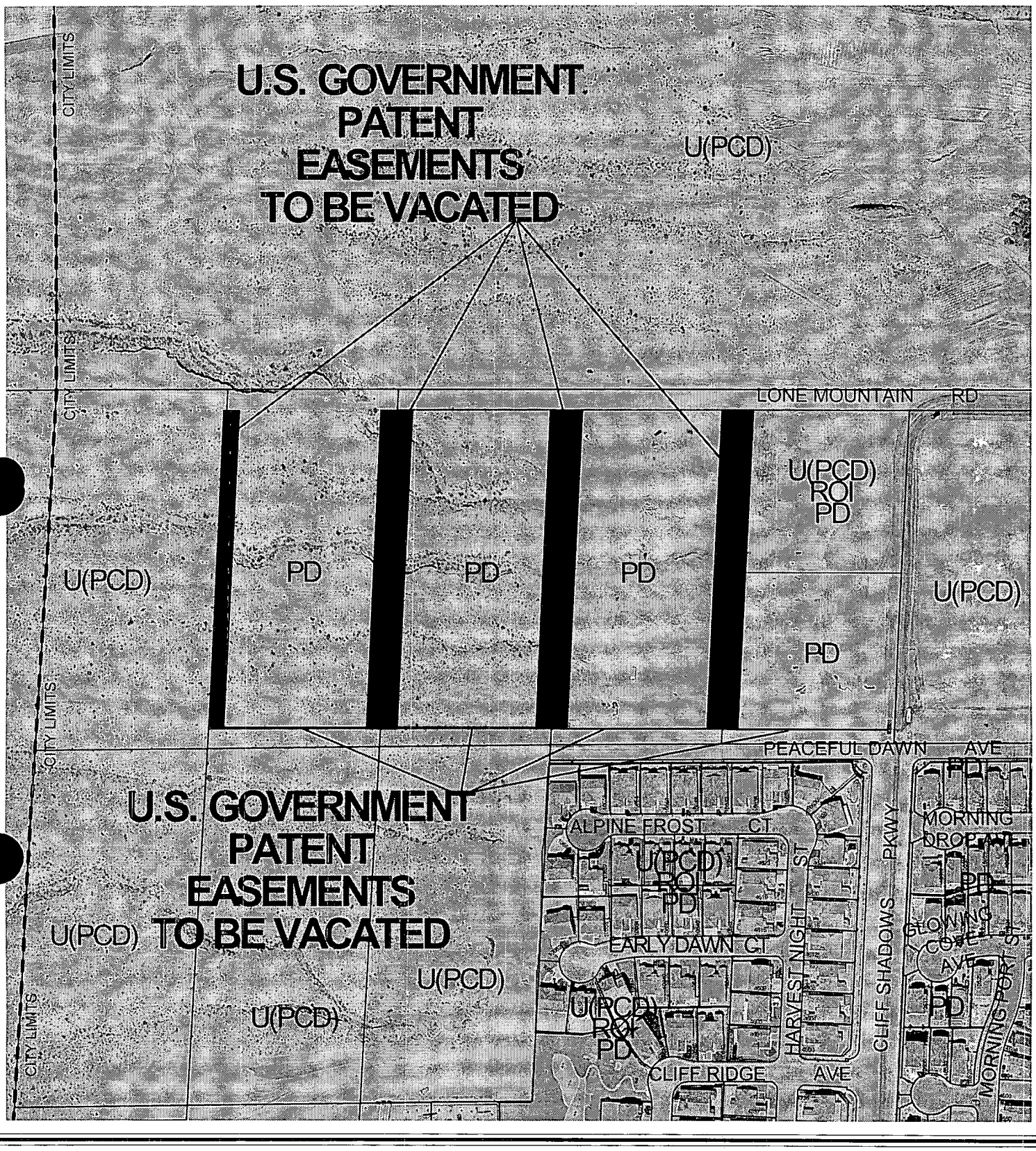

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CASE: VAC-2847

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City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2847 - GREYSTONE NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY AND CS 4015, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend 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 ZON-1936 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate U.S. Government Patent Reservations generally located south of Lone Mountain Road, west of Cliff Shadows Parkway.

B) Applicant's Justification

The applicant's justification letter states that the reservations are no longer necessary.

BACKGROUND INFORMATION

A) Previous Actions

11/01/00 The City Council approved a request for a Rezoning (Z-0067-99) to PD (Planned Development) on a portion of this site as part of a larger request. The Planning Commission recommended denial on October 28, 1999.

05/21/03 The City Council approved a request for a Rezoning (ZON-1936) to PD (Planned Development) and a Site Development Plan Review (SDR-1937) for a 171-lot single-family development this site. The Planning Commission recommended approval on April 24, 2003.

06/12/03 The Planning Commission approved a request for a Tentative Map (TMP-2296) to for a 171-lot single-family development this site.

09/11/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #42).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the North Half (N ½) of the Northwest Quarter (NW¼) of Section 1, Township 20 South, Range 59 East.

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the U. S. Government Patent Reservations into the adjacent parcels for development. This request is appropriate, as the subject reservations are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to vacate only a U. S. Government Patent Easement. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

The Department of Public Works has indicated that it has no objection to this Vacation request.

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2847 APN: **137-01-101-002,003,004**

Name of Property Owner: **Southwest Desert Equities**

Name of Applicant: **Greystone Nevada, 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 _____ 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: John A. Ritter

Print Name: John A. Ritter

Subscribed and sworn before me

This 28th day of July ,2003

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CAROL SNOW
Appt. No. 02-74416-1
My Appt. Expires Mar. 22, 2006

VAC-2847 - GREYSTONE NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF SOUTHWEST DESERT EQUITITES, LIMITED LIABILITY COMPANY AND CS 4015, LIMITED LIABILITY COMPANY
SOUTH OF LONE MOUNTAIN ROAD, WEST OF CLIFF SHADOWS PARKWAY
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 101

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **VAR-2538 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION** - Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Variance TO ALLOW A 50-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 3500 West Sahara Avenue (APN: 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by Show Media

MOTION:

MONCRIEF – STRICKEN – UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearings open for Item 101 [VAR-2538] and Item 102 [SUP-2537].

ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant and explained that the original application requested a special use permit to allow an off-premise billboard in addition to a variance to increase the height of the sign to 50 feet. He requested the formal withdrawal of the variance because the billboard will be 40 feet in height and will meet code. He requested approval of the special use permit.

TODD FARLOW, 240 North 19th Street, requested the date this item was heard before the Planning Commission. MARGO WHEELER, Deputy Director, Planning and Development Department, replied that the date was July 24, 2003. MR. FARLOW was of the opinion that the City of Las Vegas is saturated with billboard signs and they should be limited to on-premise as opposed to off-premise advertising.

City of Las Vegas

Agenda Item No. 101

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 101 – VAR-2538

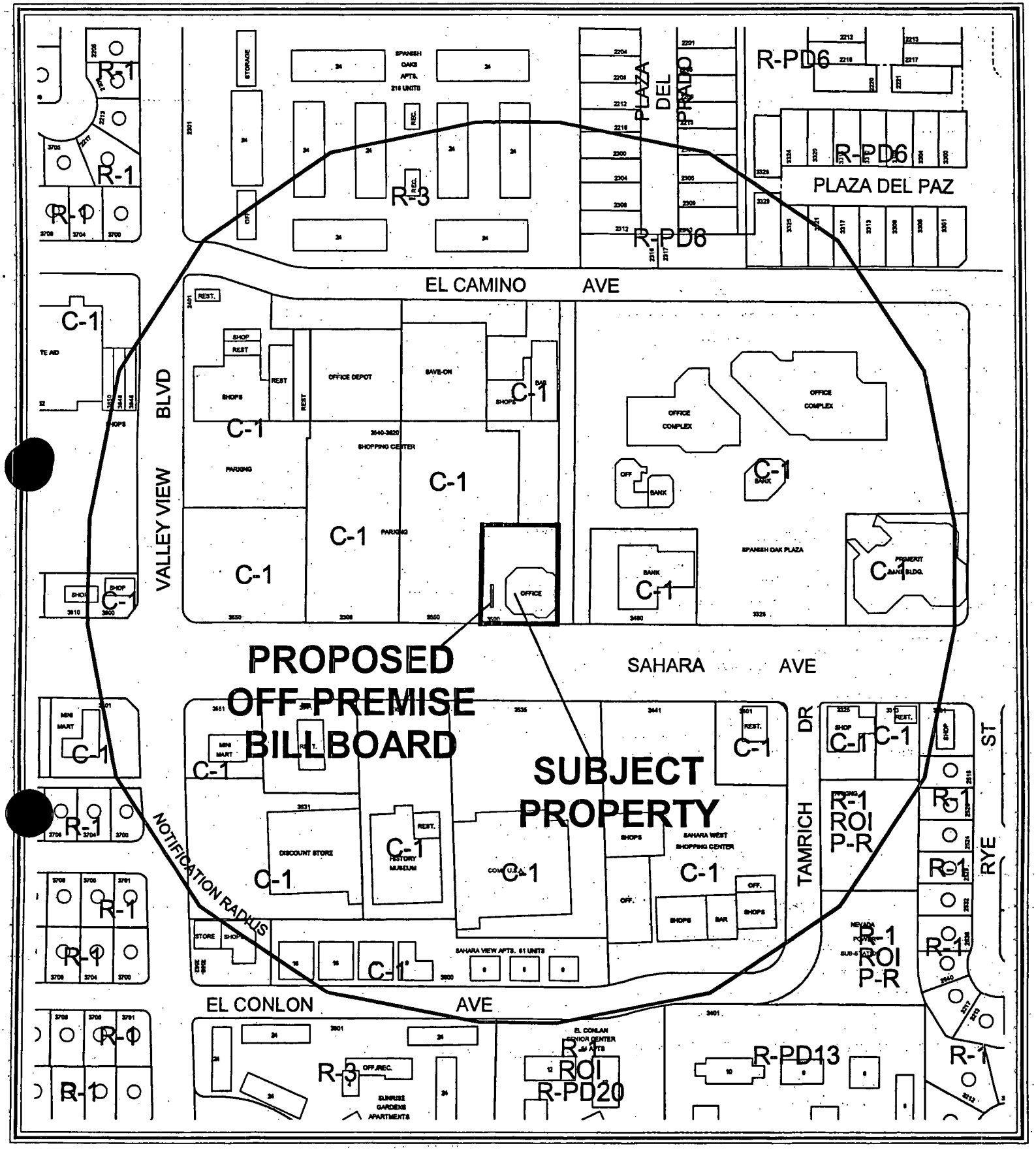
MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearings closed for Item 101 [VAR-2538] and Item 102 [SUP-2537].

NOTE: All discussion for Item 101 [VAR-2538] and Item 102 [SUP-2537] was held under Item 101 [VAR-2538].

(1:54 – 1:59)



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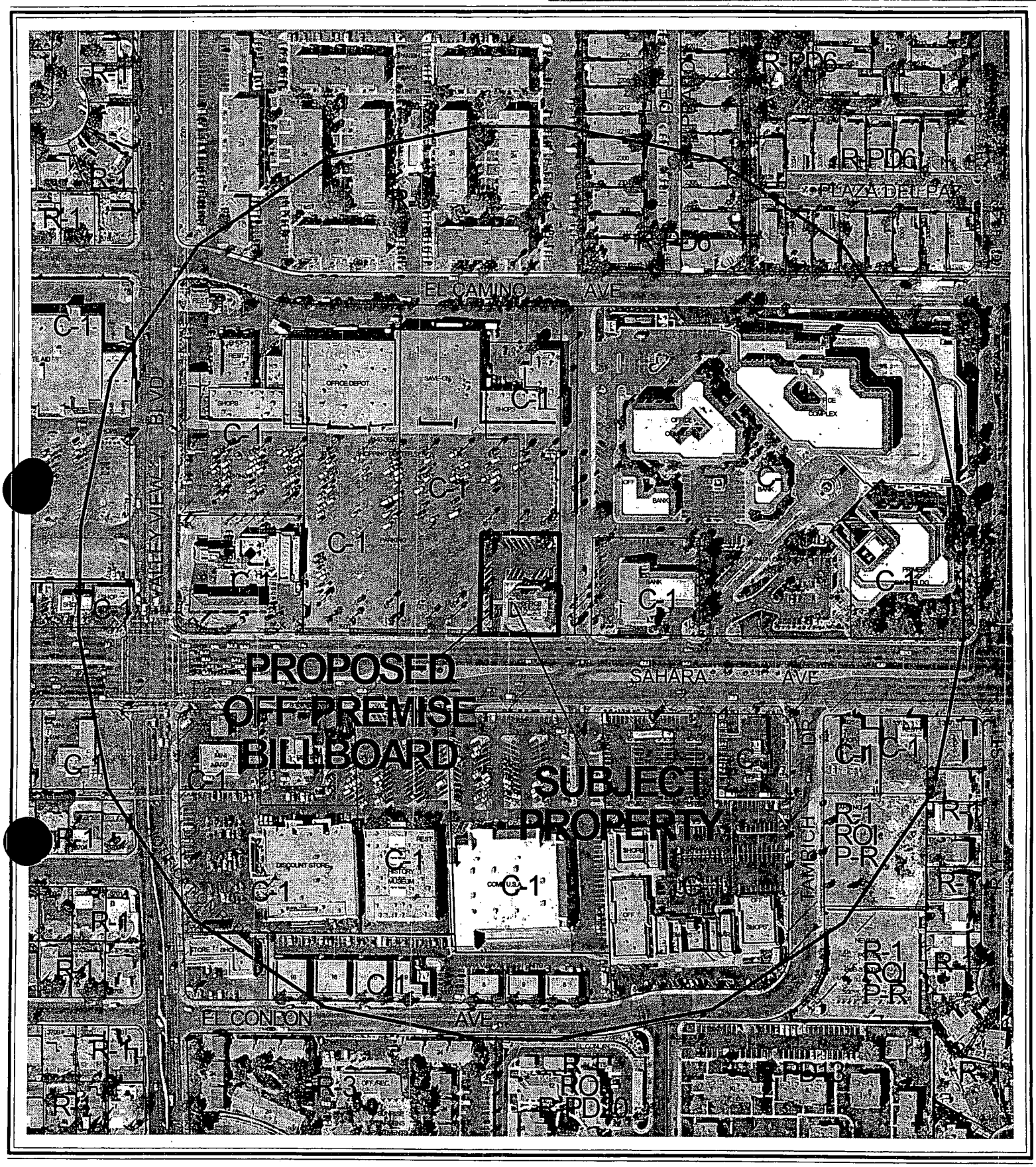
CASE: VAR-2538

RADIUS: 750 FT

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

N



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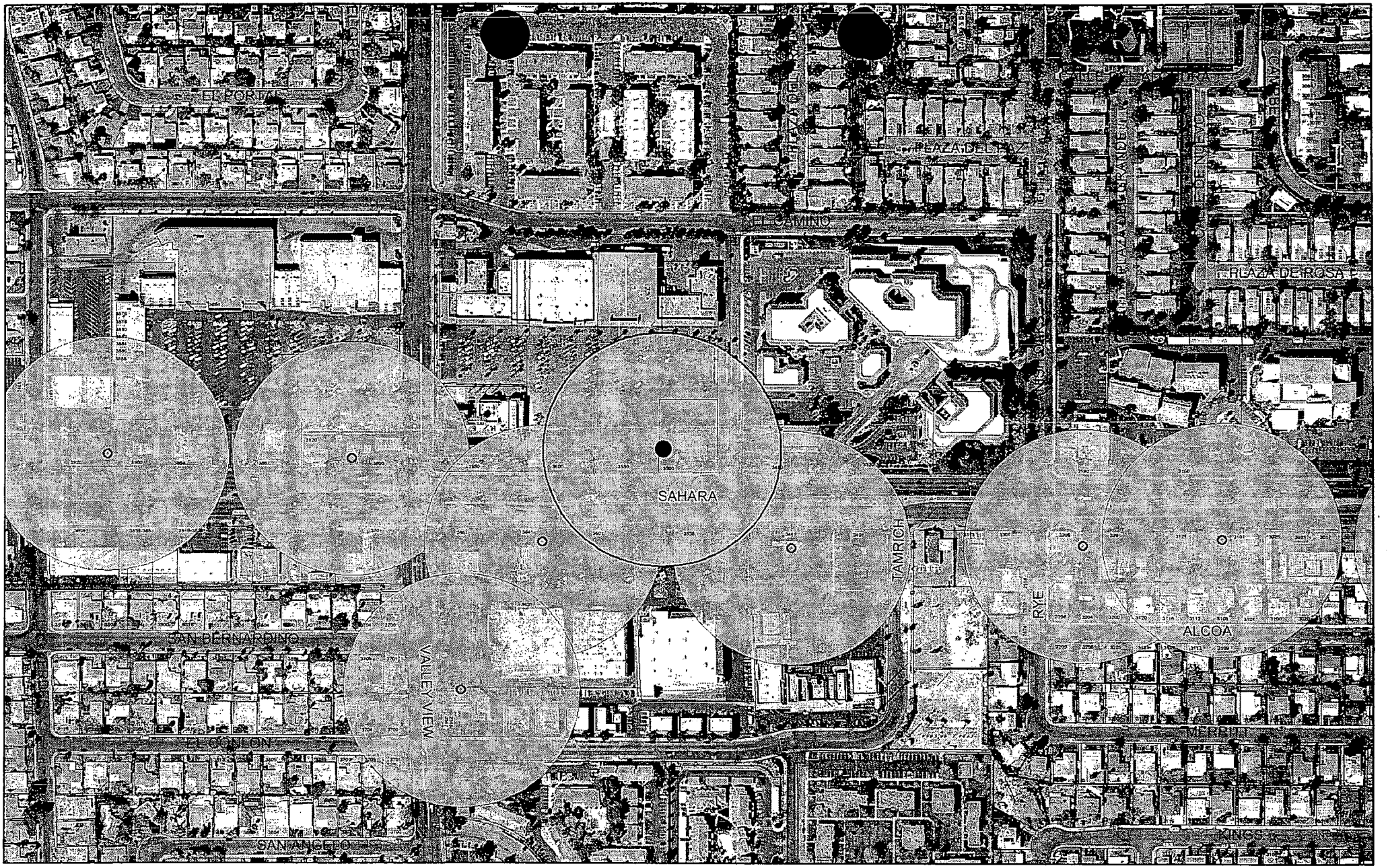
CASE: **VAR-2538**

RADIUS: 750 FT

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

N



SUP-2537 & VAR-2538

City of Las Vegas Billboard Data

- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- Subject Parcel 162-05-402-007
- Proposed Billboard Site

N

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SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1002

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - VAR-2538 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 17, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

The Planning Commission (5-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2537).

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.

VAR-2538 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Variance to allow a 50-foot tall, 14 foot by 48 foot off-premise advertising (Billboard) sign where 40 feet is the maximum height permitted at 3500 West Sahara Avenue.

B) Applicant's Justification

The location of the sign along Sahara Avenue is justified due to the extreme commercial area of Sahara Avenue. Off-premise signs currently exist along Sahara Avenue that have not negatively impacted the area or posed any burden on the surrounding area. This proposed sign is not located near any residential development and will be compatible with the surrounding uses. The variance for the increased height of the sign is also justified due to the location of the proposed sign. Other signs have been constructed higher than 40 feet in the immediate area and the proposed sign must be built to 50 feet in order to allow visibility along Sahara.

BACKGROUND INFORMATION

A) Previous Actions

06/25/96	The City Council approved a Special Use Permit (U-0040-96) to allow a 50 foot tall, 14 foot X 48 foot off-premise advertising sign (Billboard) sign at 3641 West Sahara Avenue. The Board of Zoning Adjustment denied the request for a 55 foot tall billboard but approved the billboard at 40 feet. The City Council voted to reduce the requested height from 55 to 50 feet.
11/21/01	The City Council approved a Required Five Year Review [(U-0040-96(1)] of an approved Special Use Permit which allowed a 50 foot tall, 14 foot X 48 foot off-premise advertising sign (Billboard) sign at 3641 West Sahara Avenue. The Planning Commission recommended approval.
04/16/03	The City Council approved a Variance (VAR-1698) to allow a 100 foot tall flag pole where 40 feet is the maximum height permitted at 3650 West Sahara Avenue which is west of this site. The Planning Commission's vote resulted in a tie, which is tantamount to a Denial. The applicant appealed the decision to the City Council.
07/24/03	The Planning Commission recommended denial of a related Special Use Permit (SUP-2357) to allow an off-premise advertising (billboard) sign on this site.
07/24/03	The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #64).

B) Pre-Application Meeting

05/16/03 The applicant was informed that a 50 foot tall billboard will require a variance and the billboard use would require a special use permit. Discussion occurred regarding the existing billboard across the street, which meets the standards of the Code. It was recommended to the applicant to lower the billboard to 40 feet.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.62

B) Existing Land Use

Subject Property:	Bank
North:	Commercial Center
South:	Commercial/Office
East:	Bank
West:	Commercial Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

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:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) within the Southeast Sector Plan of the General Plan, and the existing zoning is C-1 (Limited Commercial). Off-premise advertising (billboard) signs are allowed within this designation and Zoning District with the approval of a Special Use Permit.

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
Special Notification		X

There are no special districts or zones associated with this request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.14.100, the following Development Standard applies to the subject proposal:

Standards	Required	Requested	Compliance
Off premise sign height (maximum)	40 Feet	50 Feet	N

The proposed off-premise advertising (billboard) sign does not meet the maximum height standard. A Variance must be approved to allow the excessive height. The proposed height deviates 25% from the standard.

A2) Residential Adjacency Standards

The proposed off-premise advertising sign complies with the City's Residential Adjacency Standards.

B) General Analysis and Discussion

The applicant is requesting a Variance to construct an off-premise sign that is ten feet higher than the maximum height allowable by Title 19. According to Title 19.14.100 (C), an off-premise sign shall be no higher than 40 feet from grade at the point of construction, unless obscured from view from the travel lanes of the street to which it is oriented. In such cases, the City Council may authorize a maximum height of 55 feet for an off-premise sign. The applicant has not provided any substantial information suggesting that a 40 foot tall sign would be obscured from view. There is no justification for constructing a sign over 40 feet high at this location.

The subject site is on a paved parking lot in a commercial center and the sign is proposed to be located above five parking spaces. The proposed support column will be located within an

existing walking access aisle and will limit area for pedestrian access. This site is not physically suitable for this type of use. The sign should not be placed in a location that will reduce public access and placed above existing parking stalls.

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 19.18.070(L) states:

"L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission and City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property ... or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition... the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

In this case, no evidence of a unique or extraordinary circumstance has been presented that justifies raising the height of the proposed sign to 50 feet. Alternatives are clearly available that 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.

PLANNING COMMISSION ACTION

The Planning Commission concurred that the legal findings for a Variance could not be made.

NOTICES MAILED 48 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-2538 APN: 162 05 402 007

Name of Property Owner: VALLEY BANK

Name of Applicant: SHOW MEDIA 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 ✓ 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: Barry L. Hulin

Print Name: BARRY L. HULIN FOR VALLEY BANK

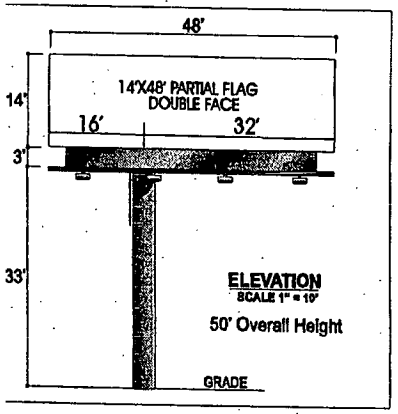
Subscribed and sworn before me

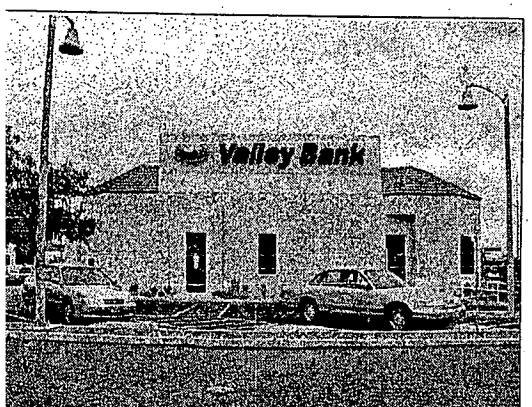
This 14TH day of APRIL, 2003

La Rae Mortensen

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LA RAE MORTENSEN
Appt. No. 92-1018-1
My Appt. Expires Aug. 11, 2005





147'±

TOP VIEW

SCALE 1" = 10'

DETAIL

N W E S

APN#16205402007

Zoning (C-1)

.61 ± acres

180'±

GRAVEL

CORNER COLUMN

VALLEY BANK SIGN

30'

EDGE OF SIGN

62'

CENTER OF COLUMN

10'

EDGE OF SIGN

VALLEY BANK
3500 W SAHARA

180'±

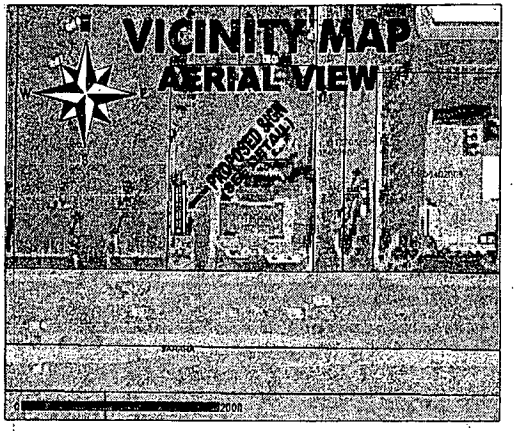
147'±

DRIVEWAY

SIDEWALK

60'
HALF ROW

SAHARA



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

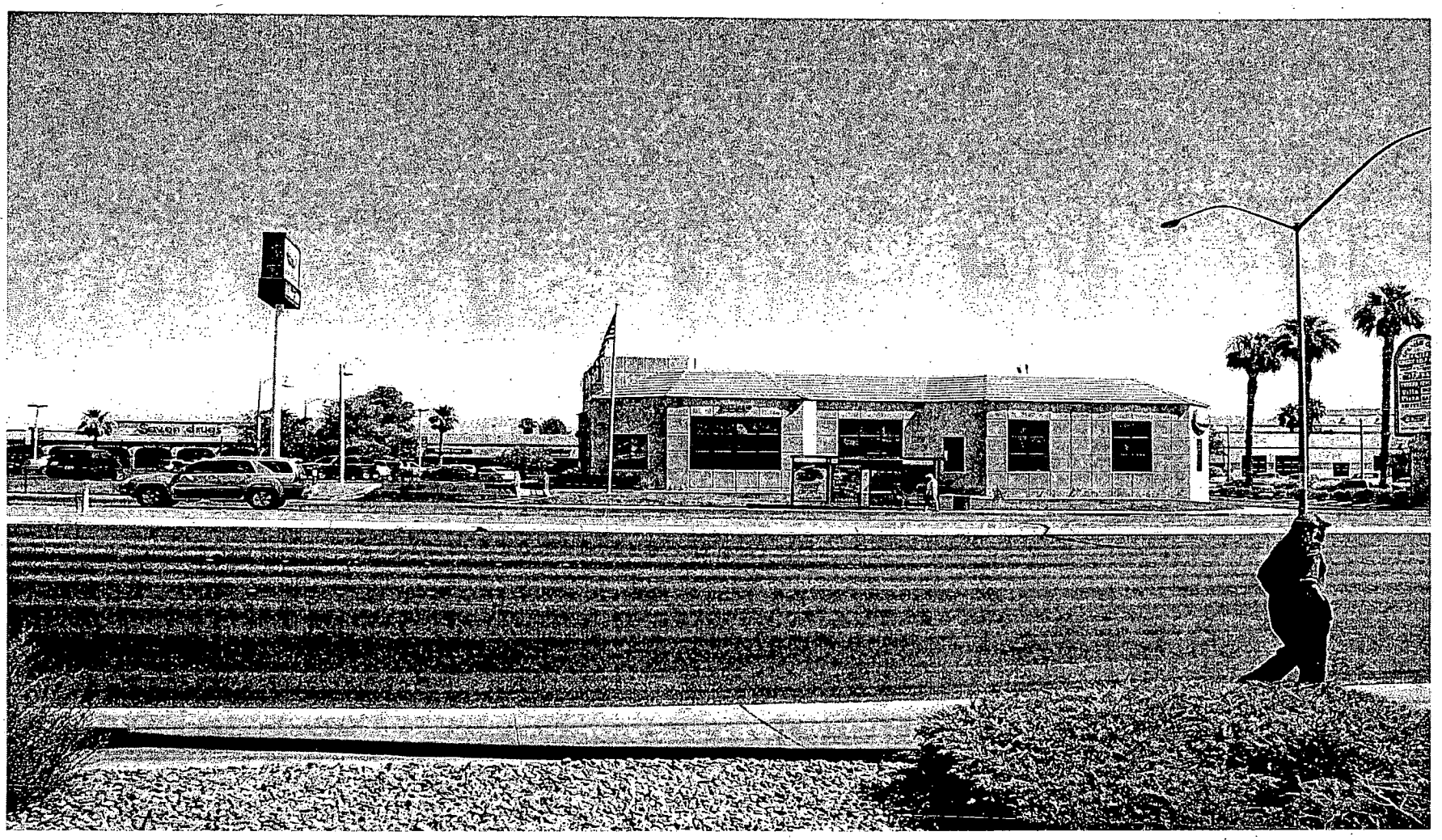
VAR-2538

STAFF 7-24-03 PC

SHOW MEDIA
CHRIS YERGENSEN
303-4688

TOM JONES
4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BANK VALLEY			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 4-29-03		REVISED:	
LOCATION: 3500 W SAHARA AVE 89102			
APN#16205402007		DRAWING NUMBER: 190	



VAR-2538 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION
3500 WEST SAHARA AVENUE
JULY 24, 2003 PLANNING COMMISSION

7/3/03

SHOW MEDIA

4680 S. Polaris, 3rd Floor

~~4577 South Industrial Rd., 1st Floor~~ • Las Vegas, NV 89103 • (702) 739-3002 • FAX (702) 739-0021

RECEIVED
CITY CLERK

2003 JUL 31 A 11:42

July 30, 2003

Ms. Barbara Jo Ronemus
City of Las Vegas City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

via fax & certified mail:
382-4803

RE: Notice of Appeal of SUP-2537 and VAR-2538

Dear Ms. Ronemus:

We, as the applicant, hereby give you written notice of our appeal of the Planning Commission's denial of SUP-2537 and VAR-2538 to the Las Vegas City Council.

Please take appropriate action to schedule the applications for the review and action of the Las Vegas City Council. We feel that the Planning Commission's action of denial was not reasonably justified nor appropriate given the circumstances of the applications.

You may reach me directly at 303-4688 if there are any questions or concerns.

Sincerely,

Chris Yergensen, Esq.
Show Media, LLC

CC: Eddie Dichter, Senior Planner
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

City of Las Vegas

Agenda Item No. 102

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-2538 - PUBLIC HEARING - **SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION** - Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 50-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 West Sahara Avenue (APN: 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by Show Media

MOTION:

MONCRIEF – APPROVED subject to conditions and deleting Condition 1 and adding the following condition:

- ***The maximum height of the off-premise advertising (billboard) sign shall be 40 feet.***

– UNANIMOUS with GOODMAN excused

MINUTES:

ROBERT GENZER, Director, Planning and Development Department, indicated that Condition 1 should be deleted since the variance request was stricken and a condition should be added limiting the height of the billboard to 40 feet. MAYOR PRO TEM REESE verified with the applicant that the revised conditions were acceptable.

NOTE: See Item 101 [VAR-2538] for related discussion.

(1:54 – 1:59)

City of Las Vegas

Agenda Item No. 102

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 102 – SUP-2537

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-2538) to allow the height of the proposed off-premise advertising (billboard) sign to exceed the 40-foot maximum height allowed by Title 19.14.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. 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.

4. 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.

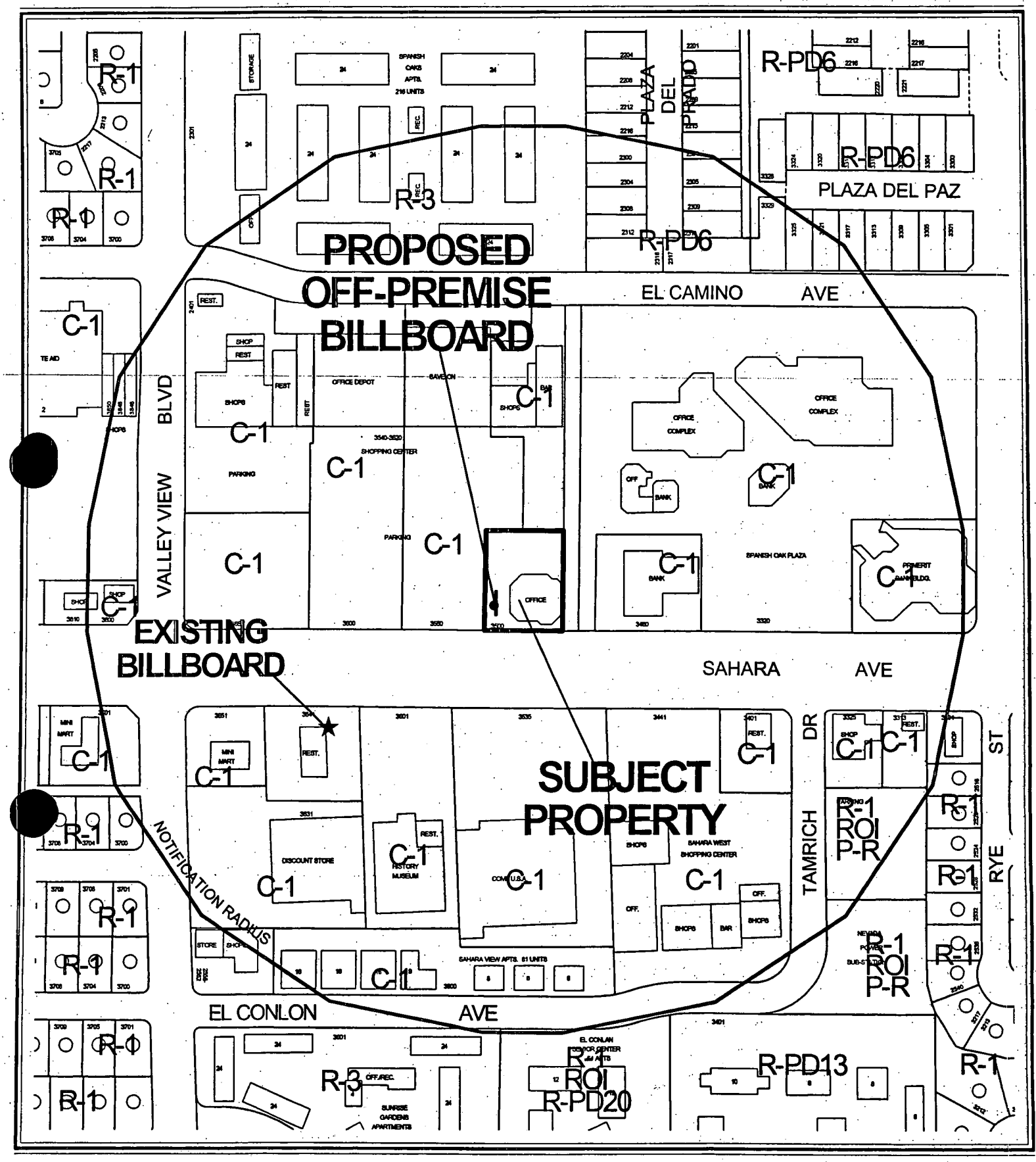
5. The off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building (Valley Bank).

6. Only one advertising sign is permitted per sign face.

7. 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.

8. 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 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.

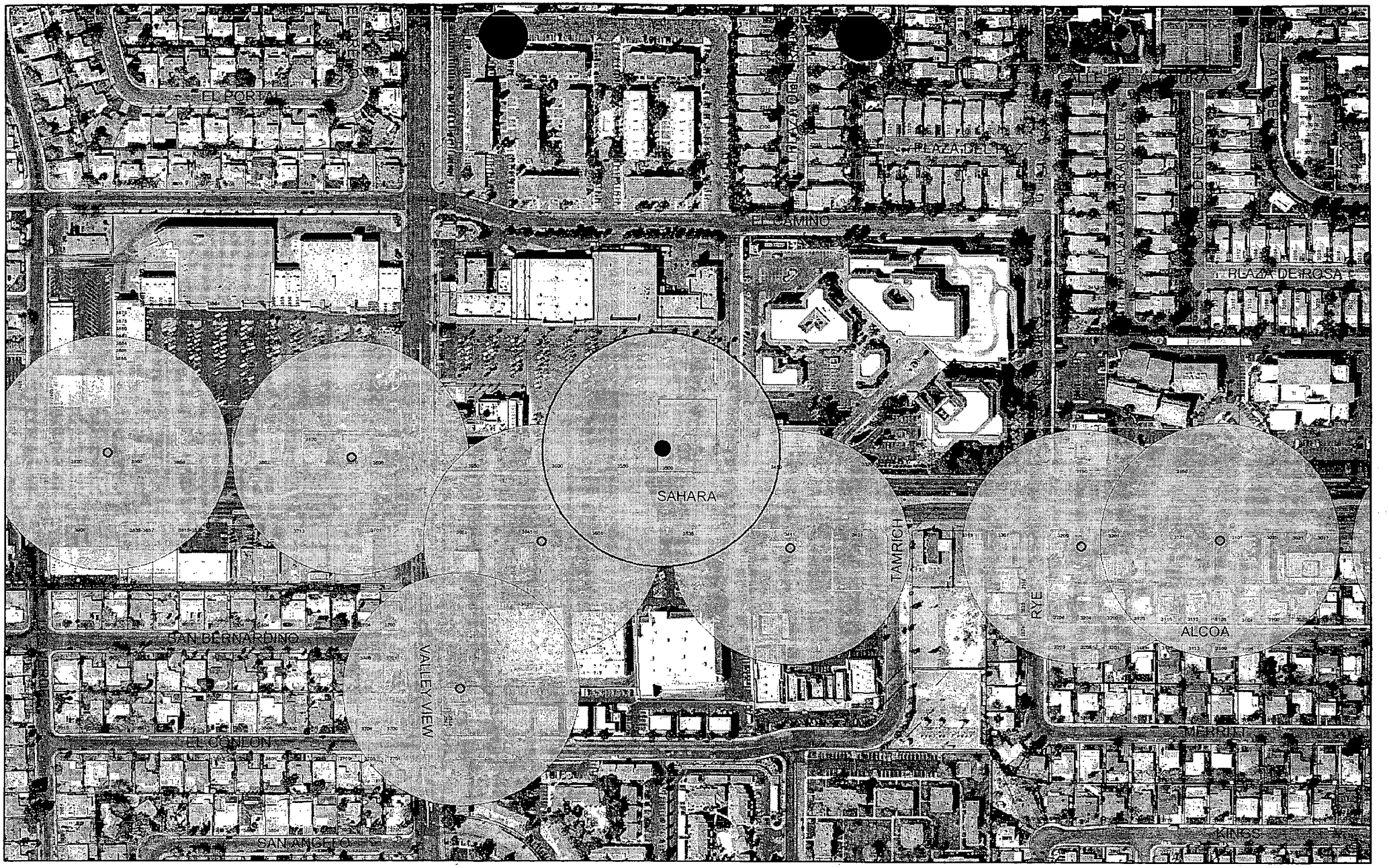
9. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: SUP-2537

SEPARATION RADIUS: 300 FT

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



SUP-2537 & VAR-2538

City of Las Vegas Billboard Data

- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area
- City of Las Vegas Billboard Location
- 300 Foot Buffer Around Billboard
- Subject Parcel 162-05-402-007
- Proposed Billboard Site

N

M:\Planning\GIS\projects\GIS\Current-Planning\billboards\billboard-site-map.mxd

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 17, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

The Planning Commission (5-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-2538) to allow the height of the proposed off-premise advertising (billboard) sign to exceed the 40-foot maximum height allowed by Title 19.14.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. 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.

4. 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.

5. The off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building (Valley Bank).

6. Only one advertising sign is permitted per sign face.

7. 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.

8. 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 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.

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

SUP-2537 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 50 foot tall, 14 foot by 48 foot off-premise advertising (Billboard) sign at 3500 West Sahara Avenue.

B) Applicant's Justification

The location of the sign along Sahara Avenue is justified due to the extreme commercial area of Sahara Avenue. Off-premise signs currently exist along Sahara that have not negatively impacted the area or posed any burden on the surrounding area. This proposed sign is not located near any residential development and will be compatible with the surrounding uses. The variance for the increased height of the sign is also justified due to the location of the proposed sign. Other signs have been constructed higher than 40 feet in the immediate area and the proposed sign must be built to 50 feet in order to allow visibility along Sahara Avenue.

BACKGROUND INFORMATION

A) Previous Actions

06/25/96	The City Council approved a Special Use Permit (U-0040-96) to allow a 50 foot tall, 14 foot X 48 foot off-premise advertising sign (Billboard) sign at 3641 West Sahara Avenue. The Board of Zoning Adjustment denied the request for a 55 foot tall billboard but approved the billboard at 40 feet. The City Council voted to reduce the requested height from 55 to 50 feet.
11/21/01	The City Council approved a Required Five Year Review [(U-0040-96(1)] of an approved Special Use Permit which allowed a 50 foot tall, 14 foot X 48 foot off-premise advertising sign (Billboard) sign at 3641 West Sahara Avenue. The Planning Commission recommended approval.
04/16/03	The City Council approved a Variance (VAR-1698) to allow a 100 foot tall flag pole where 40 feet is the maximum height permitted at 3650 West Sahara Avenue which is west of this site. The Planning Commission's vote resulted in a tie, which is tantamount to a Denial. The applicant appealed the decision to the City Council.
07/24/03	The Planning Commission recommended denial of a related Variance (VAR-2358) to allow a 50-foot tall off-premise advertising (Billboard) sign where 40-feet is the maximum permitted on this site.
07/24/03	The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #65).

B) Pre-Application Meeting

05/16/03 The applicant was informed that a 50 foot tall billboard will require a variance and the billboard use would require a special use permit. Discussed was the existing billboard located across the street to the west approximately 380 feet from the site. It was recommended to the applicant to lower the billboard to 40 feet. The applicant was advised that staff would recommend denial of the variance request.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.62

B) Existing Land Use

Subject Property:	Office
North:	Commercial Center
South:	Commercial/Office
East:	Bank
West:	Commercial Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

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:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) within the Southeast Sector Plan of the General Plan, and the existing zoning is C-1 (Limited Commercial). Off-premise advertising (billboard) signs are allowed within this designation and Zoning District with the approval of a Special Use Permit.

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
Special Notification		X

The subject parcel is not located within any special Districts or zones.

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	672 SF
Separation distance from an off-premise sign (min.)	300 Feet	360 Feet
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 150 feet of highway ROW when significantly obscured	50 Feet
Setbacks (min.)	• 10 Feet from highway ROW • 300 Feet from nearest property line in a U or R Zoning District	• 30 Feet from highway ROW • Over 300 feet

The proposed sign meets all requirements for an off-premise sign, with the exception of the height requirement; therefore, a Variance is required from this standard. A request has been made for this variance, which is part of this agenda

B) General Analysis and Discussion

Existing billboards are located at 3810 West Sahara Avenue, 3641 West Sahara Avenue, and 3209 West Sahara Avenue. All three billboards are located within an 1,800 foot section of Sahara Avenue. Adding another off-premise sign along this portion of Sahara Avenue will add to an area that already contains an abundant amount of billboards.

The subject location is within a paved parking lot in a commercial center with the sign proposed to be located above five parking spaces. The proposed support column will be located within an existing walking access aisle that will limit pedestrian access. This site is not physically suitable for this type of use. The sign should not be placed in a location that will reduce public access and above existing parking stalls.

Off-premise signs are considered a principal land use rather than incidental to an existing 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.

- Zoning

An off-premise sign (Billboard) is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Title 19 states that off-premise advertising 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, 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 maybe increased to a maximum of 55 feet when authorized by the City Council. The applicant has not provided information indicating the sign will be obscured from view and has applied for a companion Variance (VAR-1554) to allow an additional 10 feet of sign height.

- 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 which 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 that conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements which includes the above conditions. Additional conditions have been recommended if this application is approved 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. However, this sign would be constructed to a greater height than permitted by Title 19 and would add to the proliferation of billboards already along this portion of Sahara Avenue.

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

   The subject site is on a paved lot in a commercial center and the sign is proposed to be located above five parking spaces. The proposed support column will be located within an existing walking access aisle and will limit area for pedestrian access. This site is not physically suitable for this type of 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 subject site is located adjacent to Sahara Avenue, a 100-foot wide Primary Arterial, and the proposed use will not generate any additional traffic demand.

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 off-premise sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

PLANNING COMMISSION ACTION

The Planning Commission concurred that there was a proliferation of freestanding on- and off-premise signs in this area.

NOTICES MAILED 47 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2537 APN: 162 05 402 007

Name of Property Owner: VALLEY BANK.

Name of Applicant: SHOW MEDIA 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 ✓ 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: Barry L. Hulin

Print Name: BARRY L. HULIN FOR VALLEY BANK

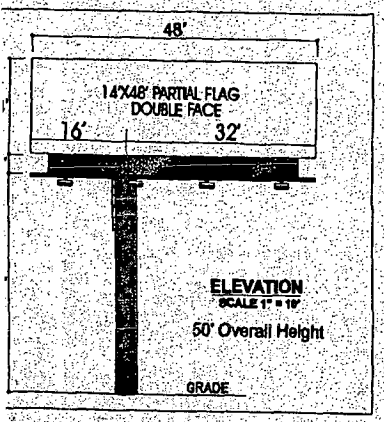
Subscribed and sworn before me

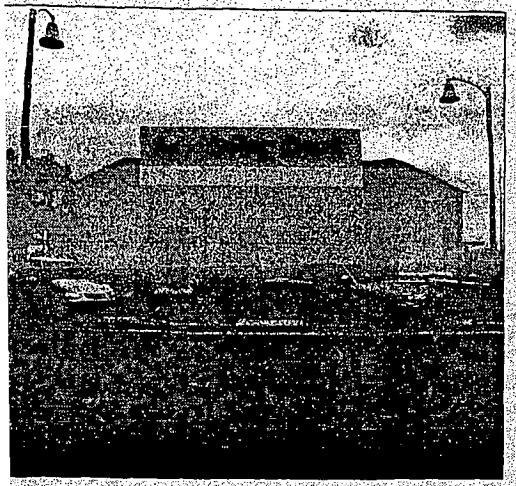
This 14TH day of APRIL, 2003

La Rae Mortensen

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LA RAE MORTENSEN
Appt. No. 92-1018-1
My Appt. Expires Aug. 11, 2005



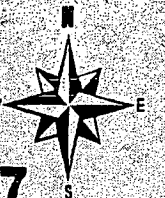


147'±

TOP VIEW

SCALE 1" = 10'

DETAIL



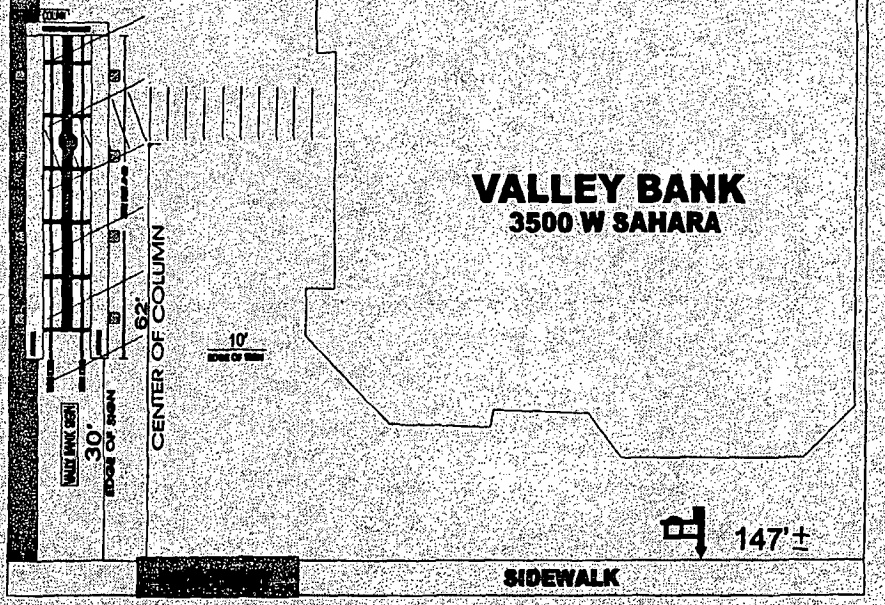
APN#16205402007

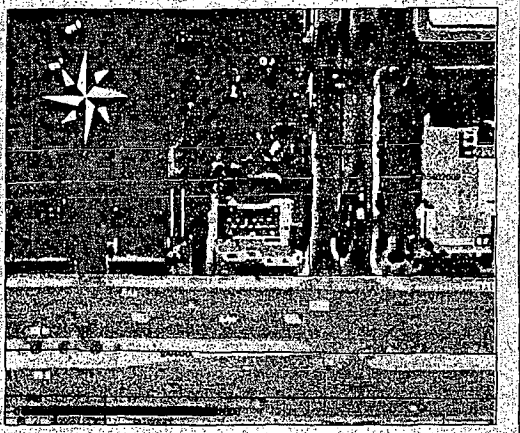
Zoning (C-1)

.61 ± acres

180'±

180'±





GENERAL NOTES

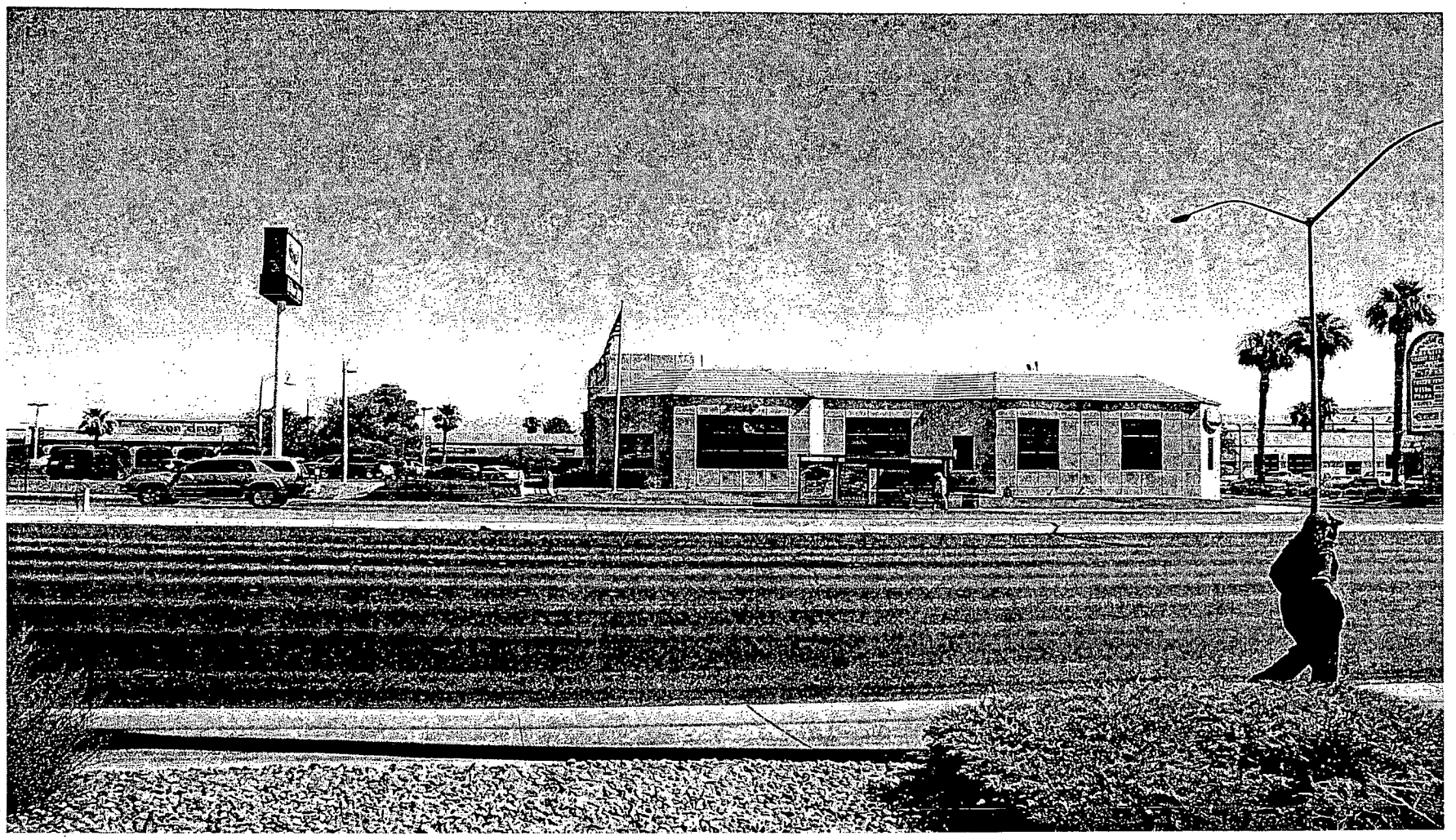
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

STAFF SUP-2537
7-24-03 PC

SHOW MEDIA
CHRIS YERGENSEN
303-4688

JONES
4145 W. TECO AVE./LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BANK VALLEY			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 4-29-03		REVISED:	
LOCATION: 3500 W SAHARA AVE 89102			
APN#16205402007		DRAWING NUMBER: 190	



SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION
3500 WEST SAHARA AVENUE
JULY 24, 2003 PLANNING COMMISSION

7/3/03

SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION
3500 WEST SAHARA AVENUE
JULY 24, 2003 PLANNING COMMISSION

7/3/03

SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION
3500 WEST SAHARA AVENUE
JULY 24, 2003 PLANNING COMMISSION

7/3/03

SHOW MEDIA

4680 S. Polaris, 3rd Floor
~~4577 South Industrial Rd., 1st Floor~~ • Las Vegas, NV 89103 • (702) 739-3002 • FAX (702) 739-0021

RECEIVED
CITY CLERK

2003 JUL 31 A 11:42

July 30, 2003

Ms. Barbara Jo Ronemus
City of Las Vegas City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

via fax & certified mail:
382-4803

RE: Notice of Appeal of SUP-2537 and VAR-2538

Dear Ms. Ronemus:

We, as the applicant, hereby give you written notice of our appeal of the Planning Commission's denial of SUP-2537 and VAR-2538 to the Las Vegas City Council.

Please take appropriate action to schedule the applications for the review and action of the Las Vegas City Council. We feel that the Planning Commission's action of denial was not reasonably justified nor appropriate given the circumstances of the applications.

You may reach me directly at 303-4688 if there are any questions or concerns.

Sincerely,

Chris Yergensen, Esq.
Show Media, LLC

CC: Eddie Dichter, Senior Planner
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

City of Las Vegas

Agenda Item No. 103

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

VARIANCE - PUBLIC HEARING - **VAR-2839 - A T & T WIRELESS ON BEHALF OF GARTH LAMB** - Appeal filed by JMK Development from the Denial by the Planning Commission of a request for a Variance to allow a 53-foot setback from a residential property where the residential adjacency standards require a 180-foot setback for a proposed 60-foot tall wireless communications facility, non-stealth design at 5000 North Jones Boulevard (APN: 125-36-302-005), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from JMK Development
5. Letter requesting withdrawal without prejudice from AT&T
6. Submitted after City Council – Protest letter from Jane Tarmu, Trustee of Jane Tarmu Living Trust

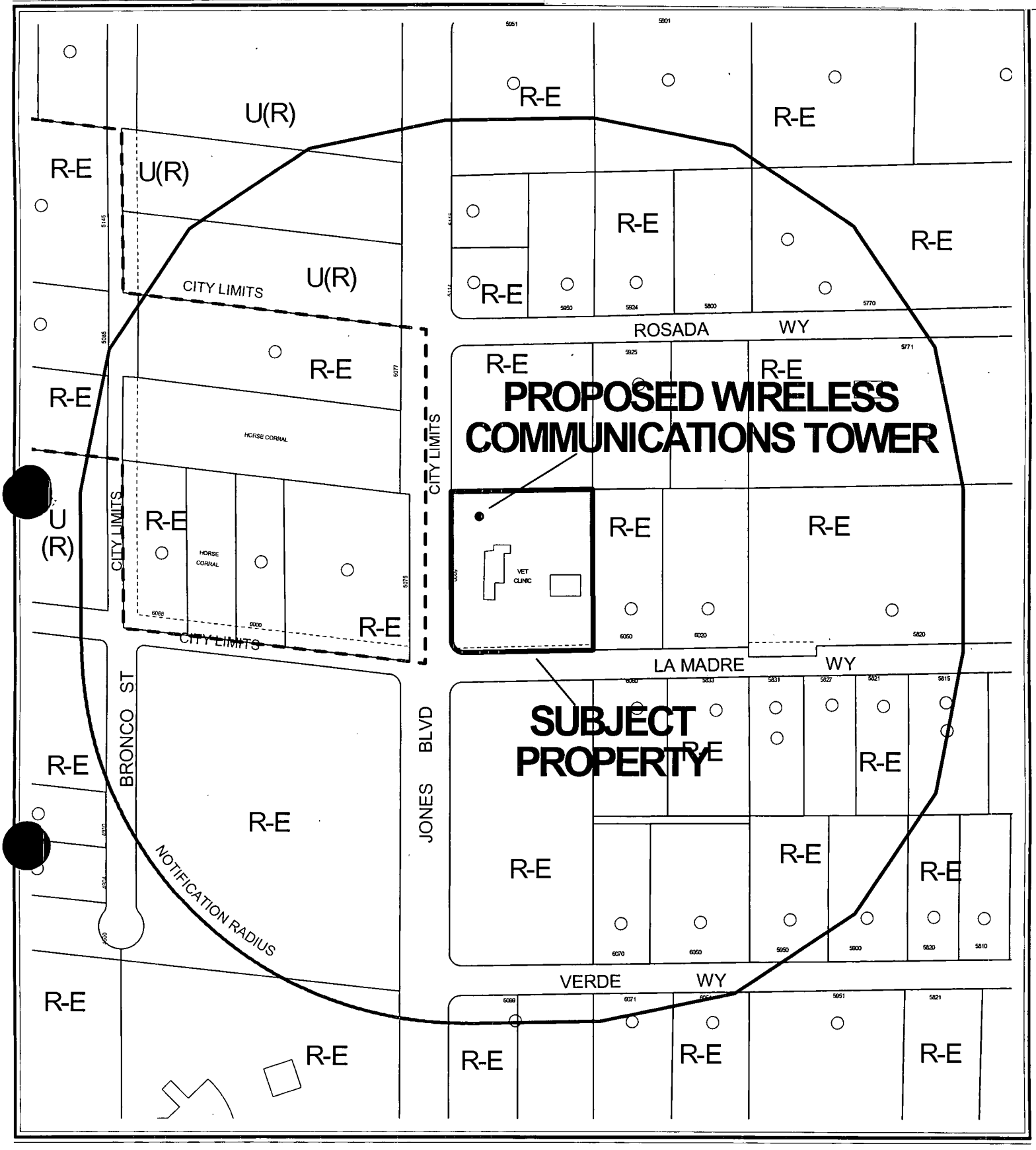
MOTION:

REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [VAR-2839] and Item 104 [SUP-2665] and HOLD IN ABEYANCE Item 107 [SUP-2759], Item 108 [SUP-2760] and Item 115 [SUP-2848] to 11/19/2003 – UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(1:08 – 1:10)



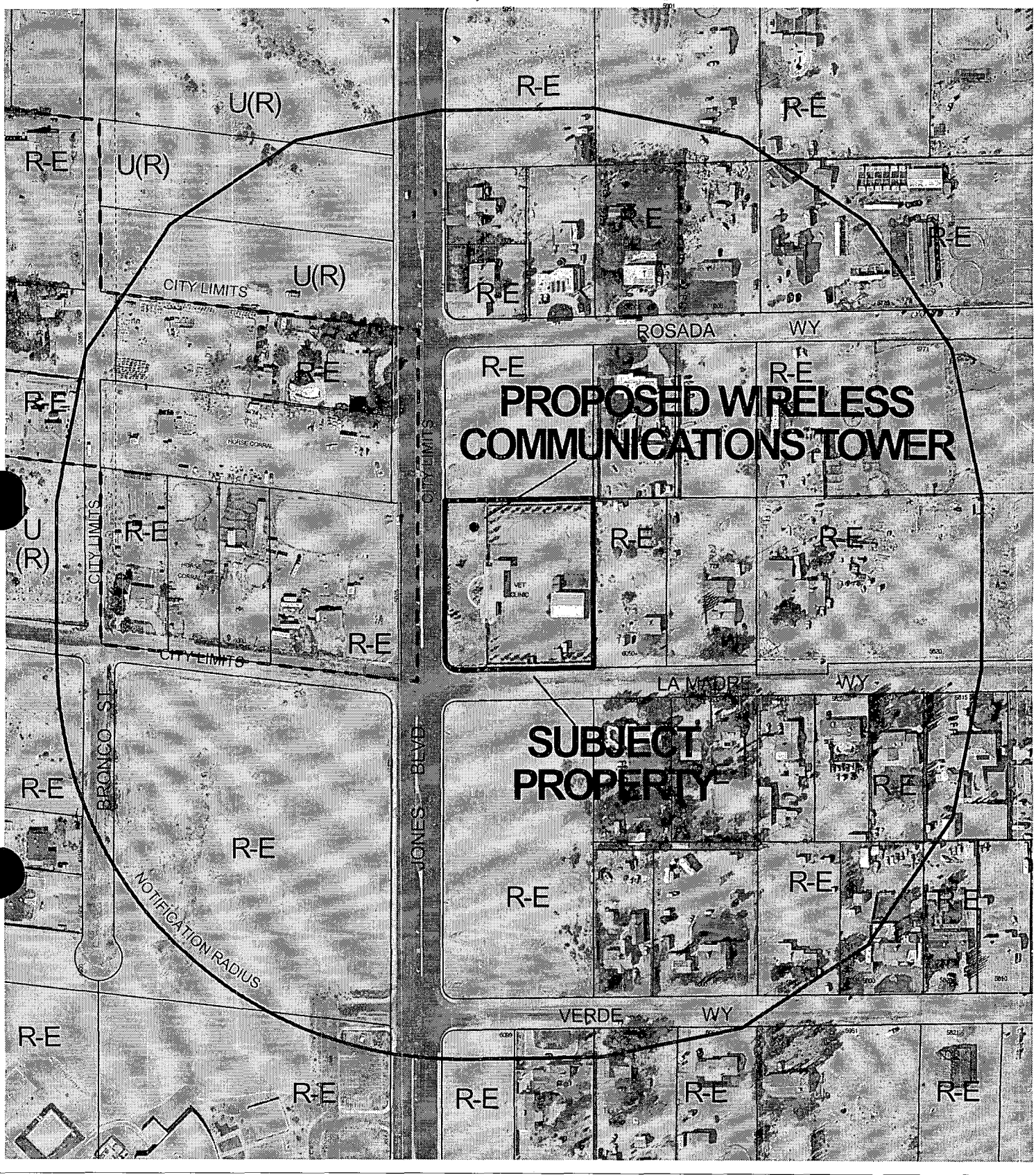
CASE: **VAR-2839**

RADIUS: 750 FT

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

0 200 400 Feet

N



CASE: **VAR-2839**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-2839 - A T & T WIRELESS ON BEHALF OF GARTH LAMB

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2664).

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by JMK Development from the Denial by the Planning Commission of a request for approval of a Variance to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback on 2.15 acres at 5000 North Jones Boulevard.

B) Applicant's Justification

The applicant states that there are no opportunities for collocation within the vicinity.

BACKGROUND INFORMATION

A) Previous Actions

08/27/96 The Board of Zoning Adjustment approved a Variance (V-009-96) to allow a veterinary clinic where such use on the subject site is not allowed.

09/11/03 The Planning Commission recommended denial of the related Special Use Permit (SUP-2664).

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #22).

B) Pre-Application Meeting

06/11/03 Discussions focused on the fact that the proposed array style, which is considered a non-stealth design, would require a Special Use Permit. Staff also explained that the Residential Adjacency Standards apply to cellular towers, and that a Variance application to allow this tower to be 53 feet from the north property line where 180 feet is the minimum setback would be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

2.15 Net Acres

B) Existing Land Use

Subject Property:	Veterinary Clinic
North:	Undeveloped
South:	Undeveloped
East:	Single Family Dwelling
West:	Horse Corral/Single Family Dwelling

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (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:	Clark County

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. A wireless communication facility is allowed in an R-E zoning district with the approval of a Special Use Permit.

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	

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope.
The proximity slope setback requires that all structures located on a nonresidential property adjacent to a residential property shall not exceed the height of a line drawn from the property line of a protected property (residential) at a 3:1 slope directly into the nonresidential property containing the subject structure.

A 60-foot tall wireless communication facility at this location would require a 180-foot setback. The existing setback to the nearest residential property line is 53 feet. At this distance, the proximity slope would intersect a structure at the height of 17 feet. The wireless communication facility fails to meet the proximity slope by 43 feet, a 72 percent proximity slope deviation.

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 place a cellular tower that does not comply with the residential adjacency standards. Alternative elevations and/or locations 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 outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 47 by City Clerk

APPROVALS 0

PROTESTS 2

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1036

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-2839 APN: 125-36-302-005

Name of Property Owner: GARTH LAMB

Name of Applicant: AT&T WIRELESS

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: Garth W Lamb

Print Name: GARTH W. LAMB

Subscribed and sworn before me

This 25 day of July, 20 03

Notary Public in and for said County and State

MATTHEW J. DAVIGNON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-65431-1
MY APPT. EXPIRES SEPT. 18, 2004

AT&T

AT&T WIRELESS SERVICES INC.

SITE NUMBER: LSVGNVL297

SITE NAME: LOS PRADOS

DRAWING INDEX

	REV.
A-LSVGNVL297B-Z01 TITLE SHEET	0
A-LSVGNVL297B-Z02 SITE PLAN & SITE DETAIL	0
A-LSVGNVL297B-Z03 ELEVATIONS	0

DIRECTIONS

FROM THE AT&T OFFICE LOCATED AT 3763 HOWARD HUGHES PKWY. SUITE 200 ON HOWARD HUGHES PKY (NORTH) .1 MILES TO SANDS AVE. TURN LEFT (WEST) ONTO SANDS AVE .8 MILES (ROAD NAME CHANGES TO SPRING MOUNTAIN RD). TAKE RAMP (RIGHT) ONTO I-15 TOWARD I-15/SALT LAKE CITY 3.4 MILES, AT I-15 EXIT 42A, TURN OFF ONTO RAMP TOWARDS US-95/RENO/MARTING L. KING BLVD .2 MILES. TAKE (LEFT) RAMP ONTO US-95 [LAS VEGAS EXPY] TOARDS US-95/RENO .9 MILES. AT US95- EXIT 77, KEEP RIGHT ONTO RANP TOWARDS RANCH DRIVE/US-95 BUSINESS .3 MILES. TAKE (RIGHT) RAMP ONTO US-95 BUS [ST-589] 5 MILES, TURN RIGHT (NORHT-EAST) ONTO N. JONES BLVD 1.1 MILES TO SITE AT 5000 N. JONES BLVD.

PROJECT INFORMATION

SCOPE OF WORK:	INSTALLATION OF AT&T WIRELESS EQUIPMENT IN A NEW AT&T COMPOUND. PLACEMENT OF 3 SECTOR ANTENNAS AT A 57' CENTERLINE, MOUNTED TO A NEW 80' MONOPOLE. GDAXIAL CABLE RUNS FROM RADIO EQUIPMENT TO ANTENNAS. A NEW 200A ELECTRIGAL SERVICE TO EQUIPMENT SHELTER
SITE ADDRESS:	5000 NORTH JONES BOULEVARD LAS VEGAS, NEVADA
PROPERTY OWNER:	SHARI L. AND GARTH W. LAMB 5161 MONTE CRISTO WAY LAS VEGAS, NEVADA 89149-5803
CONTACT PERSON:	GARTH LAMB PHONE: 702-845-2247
APPLICANT:	AT&T WIRELESS SERVICES 2729 PROSPECT PARK DRIVE RANCHO CORDOVA, CA 95670 CONTACT: PROPERTY MANAGEMENT: ANN WYATT PHONE: 1-800-890-9038
LATITUDE:	36° 15' 02.8"
LONGITUDE:	115° 13' 30.5"
ELEVATION:	2280 (FEET)
JURISDICTION:	LAS VEGAS
PARCEL NO.:	125-36-302-005
ACREAGE:	TOTAL PARCEL = 2.18 ACRES LEASE AREA = 825 SQ. FT.
CURRENT USE:	VETERINARY HOSPITAL & STABLES
PROPOSED USE:	TELECOMMUNICATIONS FACIUTY
CONSTRUCTION TYPE:	V-N
OCCUPANCY GROUP:	S-2
APPLICABLE CODES:	IBC 2000, NEC 2002

LEGAL DESCRIPTION

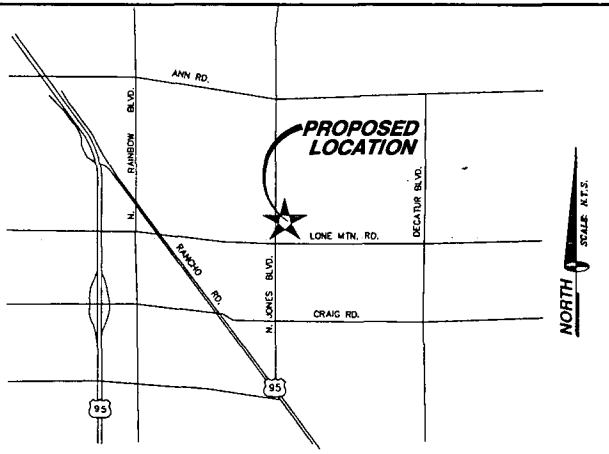
LANDS DESCRIBED IN A GRANT, BARGAIN, SALE DEED RECORDED SEPTEMBER 17, 1998 IN BOOK 980817, INSTRUMENT NO. 00223 IN THE CLARK COUNTY RECORDER'S OFFICE , CLARK COUNTY, NEVADA, THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE WEST 20.00 FEET AND A TRIANGULAR PARCEL OF LAND AS CONVEYED TO THE CITY OF LAS VEGAS BY GRANT DEED RECORDED JULY 28, 1971 IN BOOK 147 AS DOCUMENT NO. 117240, OF OFFICIAL RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE GITY OF LAS VEGAS BY GRANT DEED RECORDED JULY 11, 1997 IN BOOK 970711 AS DOCUMENT NO. 00885, OF OFFICIAL RECORDS.

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 36, THENCE ALONG THE WEST LINE OF SAID SECTION 36, SOUTH 00°25'04" WEST, 1056.06 FEET; THENCE DEPARTING SAID WEST LINE, SOUTH 89°34' 56" EAST, 114.74 FEET TO THE **POINT OF BEGINNING**; THENCE 89°54'53" EAST, 15.00 FEET; THENCE SOUTH 00°05'07" WEST, 15.00 FEET, THENCE NORTH 89°54'53" WEST, 15.00 FEET; THENCE NORTH 00°05'07" EAST, 15.00 FEET TO THE **POINT OF BEGINNING**.

VICINITY MAP



BASIS OF BEARINGS

BASIS OF BEARING
NORTH 00°25'04" EAST, BEING THE WEST LINE OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 11 OF SURVEYS, PAGE 39 IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK
CITY OF LAS VEGAS VERTICAL CONTROL DATUM - BENCHMARK NO. 8LV90 38SW8
A RIVET AND PLATE SET IN THE TOP OF CURB AT THE NORTHEAST CORNER OF LAMADRE AND JONES.

ELEVATION: 2268.78 (FEET) NAVD88
691.5265 (METERS)

SITE QUALIFICATION PARTICIPANTS

	NAME	COMPANY	NUMBER
A/E	CHRIS WENER	SPECTRUM	(702) 367-7705
SAC	BRENDAN THOMSON	BECHTEL	(702) 862-8087
RF	HAL MCEACHEN	AT&T	(702) 683-6011
CONSTRUCTION	ERNIE BEARD	BECHTEL	(702) 862-8085
LANDLORD	GARTH LAMB	OWNER	(702) 645-2247
OTHER	XXX	XXX	XXX

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3763 HOWARD HUGHES PARKWAY STE. 200
LAS VEGAS, NEVADA 89109

NO.	DATE	REVISIONS	BY	CHK	APP'D
0	07/11/03	ISSUED FOR ZONING APPROVAL	AM	DC	CW
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AM	DC	CW

DRAWN | DESIGNED | CHECKED

AT&T WIRELESS

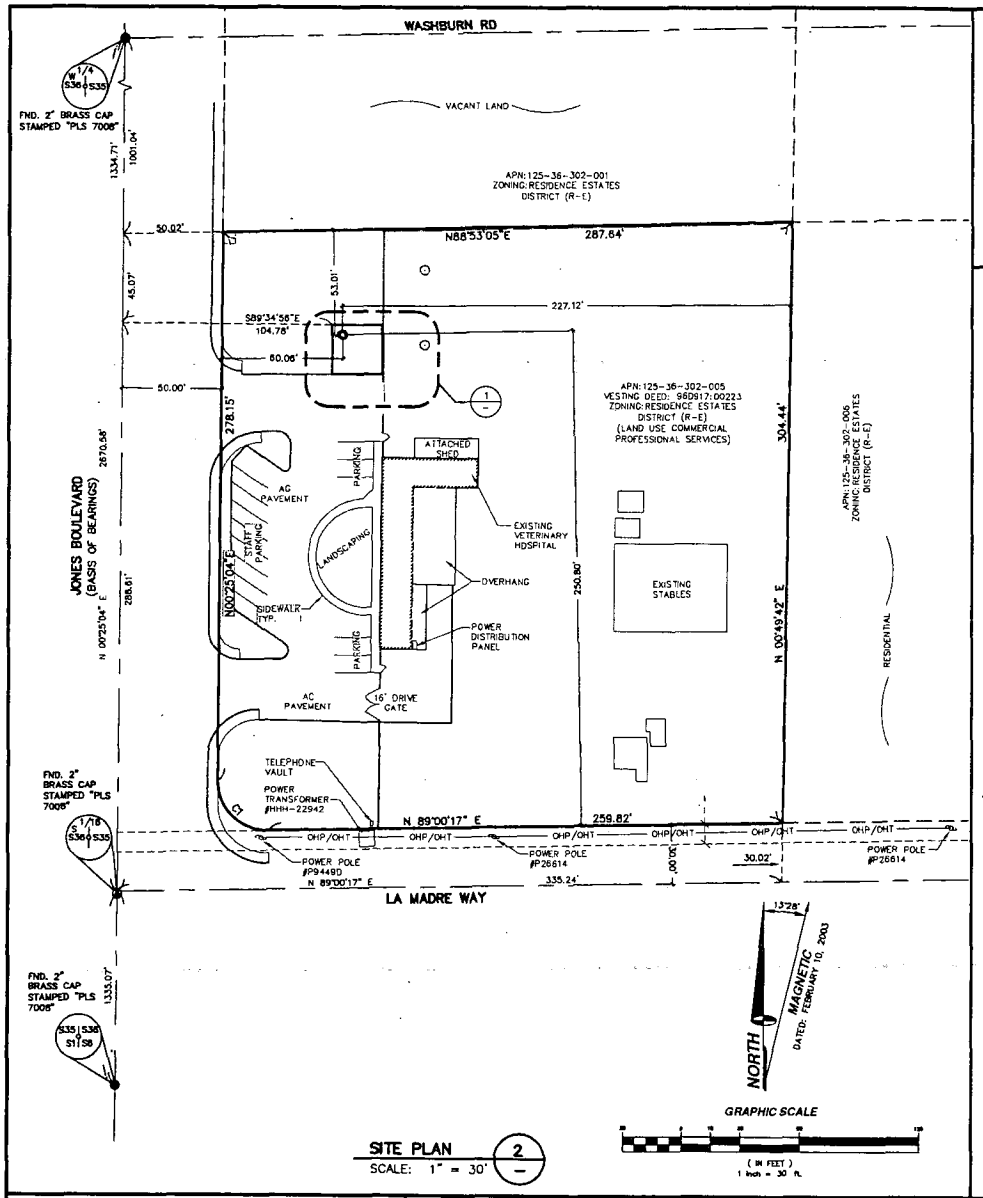
TITLE SHEET

JOB NUMBER	DRAWING NUMBER	REV.
24897-614	A-LSVGNVL297B-Z01	0

22 x 34 D SIZE

VAR-2839
- SUP-2664
09-11-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1037



SITE PLAN (2)
SCALE: 1" = 30'

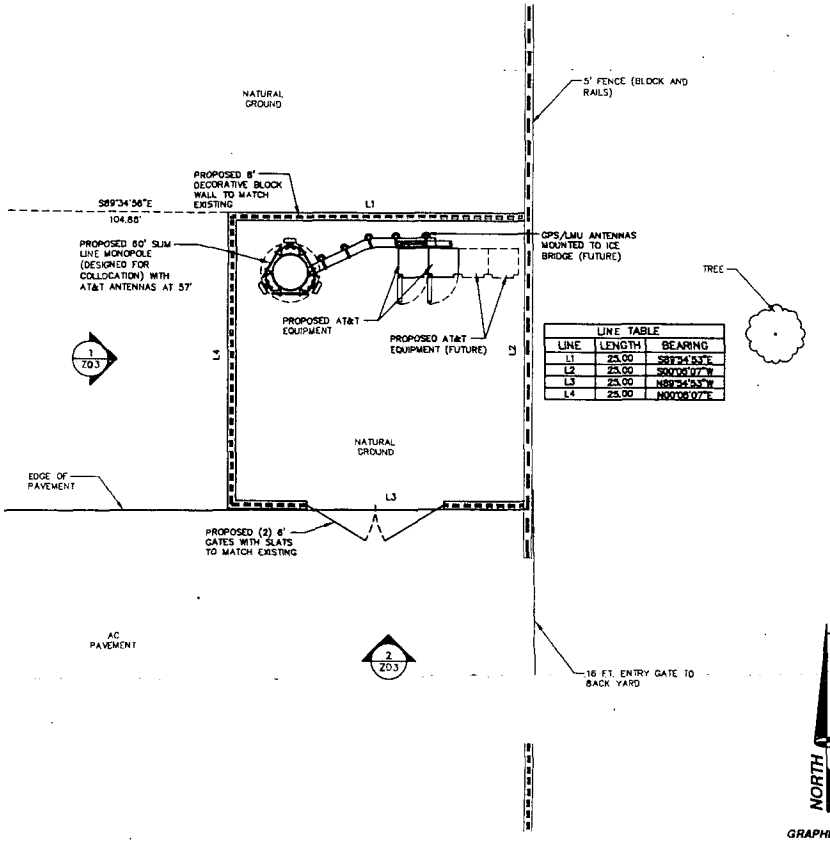
TITLE REPORT INFORMATION

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 03760087, DATED MARCH 26, 2003, PREPARED BY EQUITY TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

5. PATENT EASEMENT – NO DOCUMENT PROVIDED BY THE TITLE COMPANY
6. EASEMENT – POWER LINES – IN FAVOR OF NEVADA POWER COMPANY; BOOK 258, DOCUMENT NO. 209513. AFFECTS A PORTION OF THE SUBJECT PROPERTY AS SHOWN HEREON.
8. TERMS, CONVENANTS, CONDITIONS, AND PROVISIONS IN CC&R'S RUNNING WITH THE LAND. BOOK 981224, DOCUMENT NO. 01234. AFFECTS THE ENTIRE SUBJECT PROPERTY. NOTHING TO PLOT.
9. EASEMENT – WATER LINES – IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT; BOOK 980717, DOCUMENT NO. 01121. AFFECTS A PORTION OF THE SUBJECT PROPERTY AS SHOWN HEREON.

LEGEND

	CENTERLINE
	RIGHT-OF-WAY
	SECTION LINE
	PROPERTY LINE
OHP	OVERHEAD POWER
x	EXISTING FENCE
	FOUND MONUMENT AS NOTED
OR:	ORIGINAL RECORD
	TREE



LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00	S89°34'53"E
L2	25.00	S00°08'07"W
L3	25.00	N89°34'53"W
L4	25.00	N00°08'07"E

SITE DETAIL (1)
SCALE: 1" = 5'

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3783 HOWARD HUGHES PARKWAY STE. 200
LAS VEGAS, NEVADA 89109
(702) 734-1010

NO.	DATE	REVISIONS	BY	CHK	APP'D
0	07/11/03	ISSUED FOR ZONING APPROVAL	AM	DC	CW
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AM	DC	CW

SCALE AS SHOWN | DESIGNED | DRAWN

AT&T WIRELESS

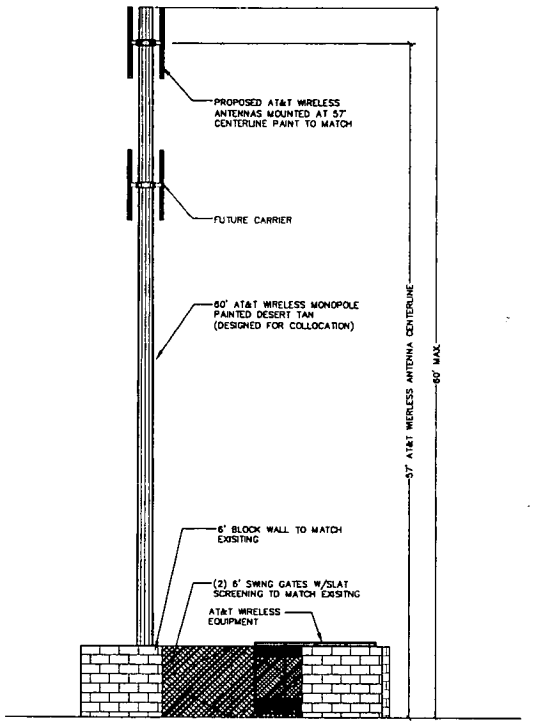
SITE PLAN & SITE DETAIL

JOB NUMBER	DRAWING NUMBER	REV
24897-614	A-LSVGNVL297B-Z02	0

22 x 34 D SIZE

6 5 3 2

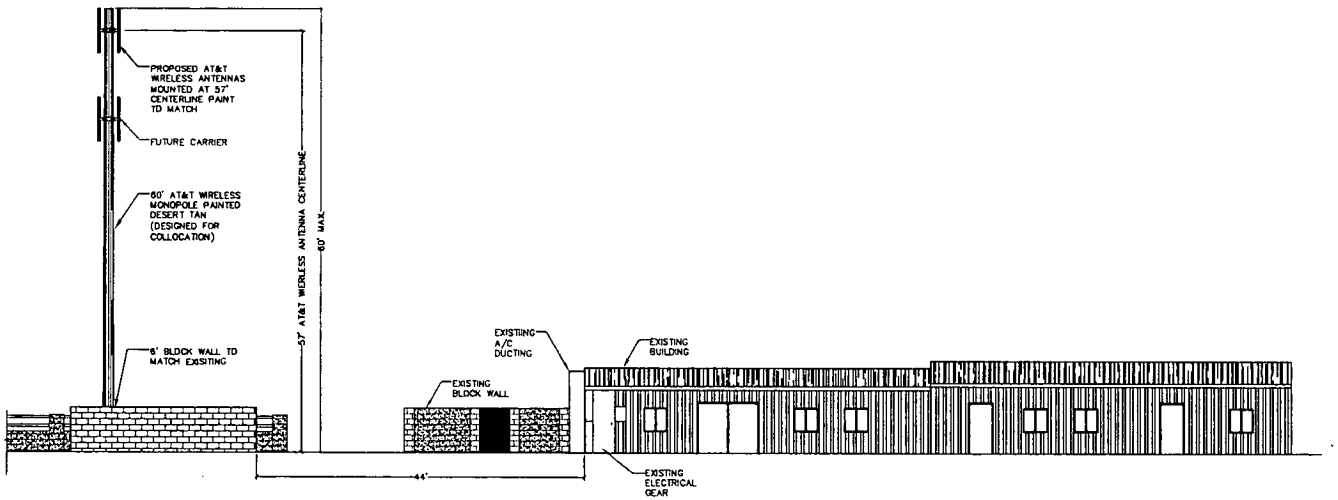
VAR-2839
SUP-2664
09-11-03 PC



GRAPHIC SCALE

(IN FEET)
1 inch = 8 ft.

EAST ELEVATION 2
SCALE: 1" = 5'



GRAPHIC SCALE

(IN FEET)
1 inch = 8 ft.

SOUTH ELEVATION 1
SCALE: 1" = 8'

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3753 HOWARD HUGHES PARKWAY, STE. 200
LAS VEGAS, NEVADA 89109
(702) 734-1010

NO.	DATE	REVISIONS	BY	CHK	APP'D
0	07/11/03	ISSUED FOR ZONING APPROVAL	AM	DC	CW
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AM	DC	CW

SCALE AS SHOWN | DESIGNED | DRAWN

AT&T WIRELESS

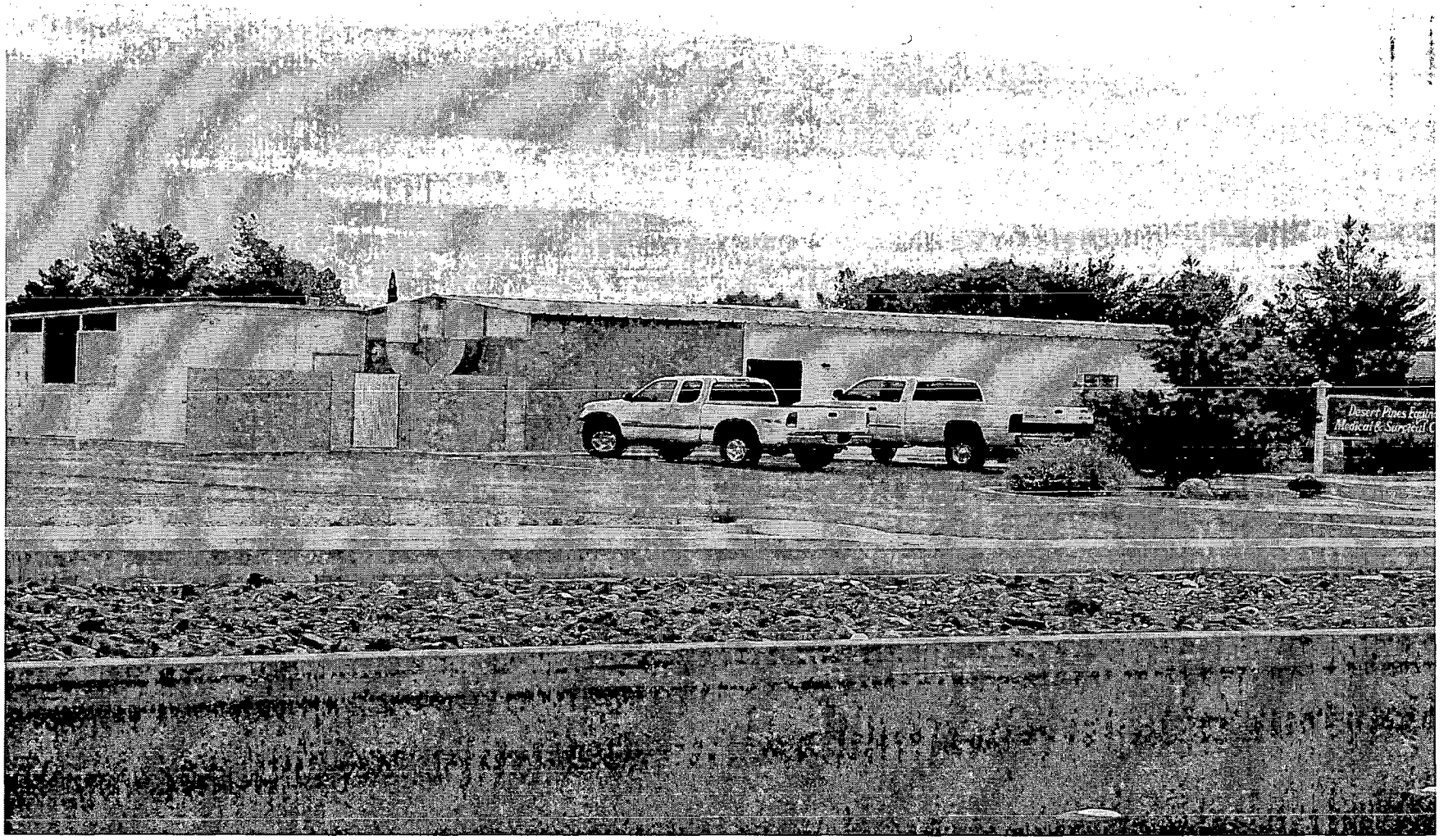
ELEVATIONS

JOB NUMBER	DRAWING NUMBER	REV
24897-614	A-LSVGNVL297B-Z03	0

12 x 24 "D" SIZE

VAR-2839
SUP-2664
09-11-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1039



VAR-2839 - A T & T WIRELESS ON BEHALF OF GARTH LAMB
5000 NORTH JONES BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

JMK DEVELOPMENT

SERVING THE WIRELESS INDUSTRY'S NEEDS

September 19, 2003

Reference: Special Use Permit 2664 and Variance 2839

Mr. Gary Leobold c/o City Clerk City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mr.Leobold:
On behalf of Mr. Garth Lamb and AT&T Wireless Services we would like to submit a request for an appeal to the denial of the Special Use Permit 2664 and Variance 2839 on September 11th 2003.

Request for appeal submitted to the city clerk's office September 19, 2003

Respectfully,

Paige Butler
JMK Development

RECEIVED
CITY CLERK
2003 SEP 19 P 2:48

2657 Windmill Parkway #103 Henderson, NV 89074 Ph: 702-493-3083 Fax: (702) 616-2639
Email: jmkdevelopment@aol.com

AT&T Wireless Services
Suite 200
3763 Howard Hughes Parkway
Las Vegas, NV 89109
702 734-1010

October 8, 2003

Reference: Sup- 2664 and Var-2839

RECEIVED
CITY CLERK
2003 OCT -9 A 9:25

Barbara Jo Ronemus
City Clerk City of Las Vegas
400 Stewart Ave.
Las Vegas, Nevada
89101

Dear Ms. Barbara Jo Ronemus:

On behalf of our clients AT&T Wireless and Mr. Garth Lamb we would like to respectfully withdraw without prejudice, our request for appeal regarding planning commission denial of SUP-2664 and VAR-2839 scheduled for City Counsel October 15th, 2003 at 1:00 P.M.

Should any further discussion be required please contact me at the number below.

Respectfully,
Paige Butler

702-493-3083
Senior Project Manager
JMK Development, Representing Bechtel Corp., AT&T Wireless Services, Mr. Garth Lamb

cc: Brendan Thomson, Bechtel Corp.
Leni Skarr, Councilman Mack's Office

Recycled Paper

RECEIVED
CITY CLERK

2003 OCT 30 A 11:03

Jane Tarmu, Trustee
9768 Lost Colt Circle
Las Vegas, NV 89117

To: Special City Council
Re: Meeting 1pm October 29th 2003

October 26, 2003

Re: SUP 2664 – A T and T Wireless on behalf of Garth Lamb filed by JM Development
VAR 2839 – A T and T Wireless on behalf of Garth Lamb filed by JM Development

Dear Sirs,

I am a 50% owner of property on the corner of Rosada and Jones (APN 125-36-302-001-03) and I strongly object to the request for permission to erect a wireless communication facility at 5000 N Jones Blvd (APN 125-36-302-004 and 005).

An erection of this type will be an eyesore as well as being a possible hazard. It will depreciate all the surrounding properties and this is a totally inappropriate location.

Sincerely,

Jane Tarmu, Trustee of Jane Tarmu Living Trust

Protest

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1043

City of Las Vegas

Agenda Item No. 104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO VAR-2839 - PUBLIC HEARING - **SUP-2664 - A T & T WIRELESS ON BEHALF OF GARTH LAMB** - Appeal filed by JMK Development from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 60-foot tall wireless communication facility, non-stealth design on property located at 5000 North Jones Boulevard (APN: 125-36-302-004), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

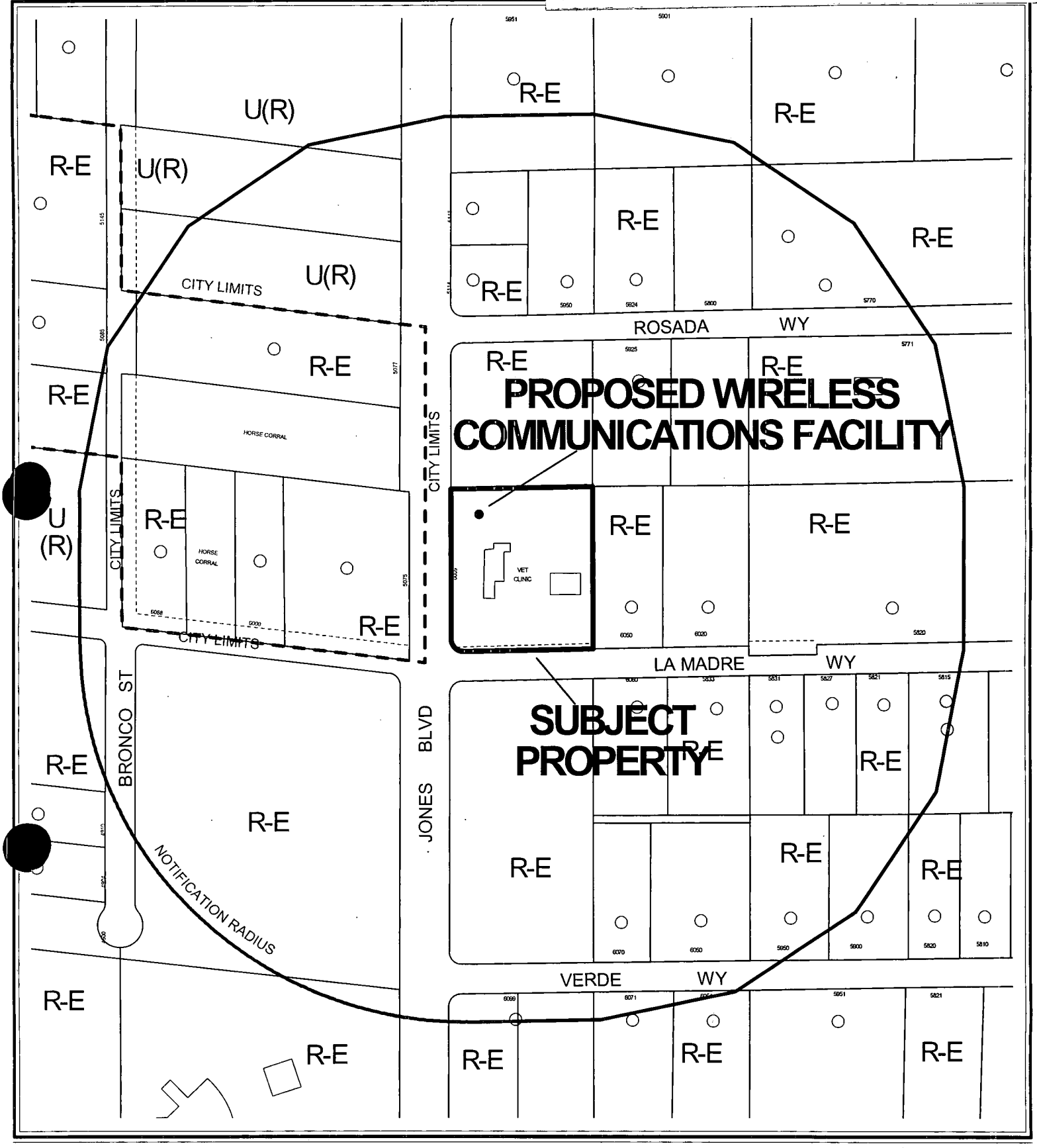
RECOMMENDATION:
The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from JMK Development
5. Letter requesting withdrawal without prejudice from AT&T
6. Submitted after City Council – Protest letter from Jane Tarmu, Trustee of Jane Tarmu Living Trust, filed under Item 103

MOTION:
REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [VAR-2839] and Item 104 [SUP-2665] and HOLD IN ABEYANCE Item 107 [SUP-2759], Item 108 [SUP-2760] and Item 115 [SUP-2848] to 11/19/2003 – UNANIMOUS with GOODMAN excused

MINUTES:
There was no discussion.

(1:08 – 1:10)



CASE: **SUP-2664**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2664 - A T & T WIRELESS ON BEHALF OF GARTH LAMB

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Variance application (VAR-2839) must be approved by the City Council or revised elevation plans meeting residential adjacency requirements must be submitted as set forth by Title 19.08.060.

2. Conformance to all Minimum Requirements under Title 19.04.050 for a wireless communication facility use.

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

4. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.

SUP-2664 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by JMK Development from the Denial by the Planning Commission of a request for approval of a Special Use Permit for a proposed 60-foot high non-stealth cellular communication tower.

B) Applicant's Justification

The applicant states that there are no opportunities for collocation within the vicinity.

BACKGROUND INFORMATION

A) Previous Actions

08/27/96 The Board of Zoning Adjustment approved a Variance (V-009-96) to allow a veterinary clinic where such use on the subject site is not allowed.

09/11/03 The Planning Commission recommended denial of the related Variance (VAR-2839).

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #23).

B) Pre-Application Meeting

06/11/03 Discussions focused on the fact that the proposed array style, which is considered a non-stealth design, would require a Special Use Permit. Staff also explained that the Residential Adjacency Standards apply to cellular towers, and that a Variance application to allow this tower to be 53 feet from the north property line where 180 feet is the minimum setback would be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

2.15 Net Acres

B) Existing Land Use

Subject Property:	Veterinary Clinic
North:	Undeveloped
South:	Undeveloped

East:	Single Family Dwelling
West:	Horse Corral/Single Family Dwelling

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (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:	Clark County

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. A wireless communication facility is allowed in an R-E zoning district with the approval of a Special Use Permit.

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	

INTERAGENCY ISSUES

Some sites within the application area fall within Clark County, and these property owners were notified. No complaints have been received from County owners to date.

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 Clark County or the City of North Las Vegas

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments have been received.

ANALYSIS

A) General Analysis and Discussion

- Zoning

  The proposed Wireless Communication Facility, Non-Stealth Design, is within the realm of permitted uses in the R-E (Residence Estate) zoning District with the approval of a Special Use Permit.

- Use

  A stealth-designed facility is designed to blend into the surrounding environment. Examples include roof-mounted antennas with appropriate screening, antennas designed to look like light poles, flagpoles, or other camouflaging techniques. The proposed facility is a standard antenna tower that is not camouflaged or designed to blend into the surrounding environment. This wireless communication facility, therefore, is a non-stealth design.

- Conditions

  The following lists the minimum conditions from Title 19.04.050 for wireless Communication Facility, Non-Stealth Design:

  1. No residential use may exist on the property.

  2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Subchapter 19.08.060.

  3. Except in the C-V Zoning District, no antenna tower that forms part of the facility may be located within 600 feet of:

     a. Any other antenna tower that forms part of a wireless communication facility; or

     b. Any pole or tower structure of any other type that has a height of at least 60 feet.

  4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.

5. Failure to perform necessary maintenance and repainting shall be grounds for administrative and other enforcement action, including action pursuant to Condition 9 below.

6. Any proposed antenna tower must be designed to accommodate at least two communication providers or, in the case of a tower that exceeds 80 feet in height, at least three communication providers.

7. No signals, lights, or other attention gaining devices are permitted on any antenna tower or antenna unless required by the Federal Communication Commission or the Federal Aviation Administration; provided, however, that this condition shall not be construed to prevent the mounting of an antenna on a signal, light or sign that has been legally permitted and installed.

8. All ground level equipment, buildings and the base of any antenna tower must be screened so as not be visible from streets and residences, with appropriate landscaping designed to ensure compatibility with surrounding uses.

9. Any abandoned or unused antenna tower, and the associated components of any facility, shall be removed within six months after operations at the site cease. In the event that removal is not timely performed, the City may remove, or cause the removal of, the antenna tower and associated components, and assess the costs of removal against the property. Before taking such action, the City must deliver or mail to the property owner a notice of the City's intent to do so. The property owner shall have 30 days from the date notice is delivered or mailed to request a hearing. The failure to request a hearing shall be deemed to be a waiver of the right to be heard, and the City may immediately cause the removal of the antenna tower and any associated components, and may assess the costs against the property.

The proposed tower does not meet the required residential adjacency condition, condition 2, listed above. A companion item VAR-2839, has been submitted.

The applicant has noted that there are no other towers or structures 60-foot tall within 600-feet of the existing structure which would satisfy condition 3 above.

If approved, a condition has been added that will require the antenna tower and associated components to be painted and thereafter repainted with a flat paint, using a color that will blend into the surrounding area to satisfy Condition 4 above.

The proposed tower complies with Condition Number 6 above by providing space to accommodate two communication providers.

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 60-foot tall tower does not comply with the Residential Adjacency Standards. The Residential Adjacency Standards are established to prevent commercial structures from negatively affecting the compatibility with neighboring residential uses. This tower will be compatible with the existing residentially zoned properties to the north only if it is redesigned in compliance with the Residential Adjacency Standards.

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

   A veterinary clinic currently operates on the subject site. A 60-foot cellular tower would not create intensity beyond reason for the subject site. Adjacent to the subject site, however, neighboring residential developments would be negatively impacted by an increased intensity. Unless the tower is redesigned so as to comply with the Residential Adjacency Standards, the proposed tower will create a visual intrusion into adjoining properties.

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."**

   Street or highway facilities would not be negatively affected by the proposed 60-foot tall wireless communication facility.

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 wireless communication facility will be inconsistent with the requirements of Title 19 with regards to minimum standards as set forth under chapter 19.04.050. The minimum standards are necessary for this project to be compatible with the surrounding neighborhood. Because these standards are not being met, a 60-foot high tower is inappropriate for the site unless the tower is redesigned so as to comply with the Residential Adjacency Standards.

NOTICES MAILED 151 by City Clerk

APPROVALS 0

PROTESTS 2

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1052

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2664 APN: 125-36-302-005

Name of Property Owner: GARTH LAMB

Name of Applicant: AT&T WIRELESS

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: Garth W. Lamb

Print Name: GARTH W. LAMB

Subscribed and sworn before me

This 10 day of June, 2003

Gayle Ruesch

Notary Public in and for said County and State

GAYLE RUESCH
Notary Public, State of Nevada
Appointment No. 02-76642-1
My Appt. Expires July 30, 2006

AT&T

AT&T WIRELESS SERVICES INC.

SITE NUMBER: LSVGNVL297

SITE NAME: LOS PRADOS

SUP-2664
08-14-03 PC

DRAWING INDEX

	REV.
A-LSVGNVL297A-Z01 TITLE SHEET	A
A-LSVGNVL297A-Z02 SITE PLAN & SITE DETAIL	A
A-LSVGNVL297A-Z03 ELEVATIONS	A

LEGAL DESCRIPTION

LANDS DESCRIBED IN A GRANT, BARGAIN, SALE DEED RECORDED SEPTEMBER 17, 1998 IN BOOK 980617, INSTRUMENT NO. 00223 IN THE CLARK COUNTY RECORDER'S OFFICE , CLARK COUNTY, NEVADA, THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE WEST 20.00 FEET AND A TRIANGULAR PARCEL OF LAND AS CONVEYED TO THE CITY OF LAS VEGAS BY GRANT DEED RECORDED JULY 28, 1971 IN BOOK 147 AS DOCUMENT NO. 117240, OF OFFICIAL RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF LAS VEGAS BY GRANT DEED RECORDED JULY 11, 1997 IN BOOK 970711 AS DOCUMENT NO. 00885, OF OFFICIAL RECORDS.

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 36; THENCE ALONG THE WEST LINE OF SAID SECTION 36, SOUTH 00°25'04" WEST, 1056.06 FEET; THENCE DEPARTING SAID WEST LINE, SOUTH 89°34' 56" EAST, 114.74 FEET TO THE POINT OF BEGINNING; THENCE 89°54'53" EAST, 15.00 FEET; THENCE SOUTH 00°05'07" WEST, 15.00 FEET; THENCE NORTH 89°54'53" WEST, 16.00 FEET; THENCE NORTH 00°05'07" EAST, 16.00 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS

BASIS OF BEARING

NORTH 00°25'04" EAST, BEING THE WEST LINE OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 11 OF SURVEYS, PAGE 38 IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

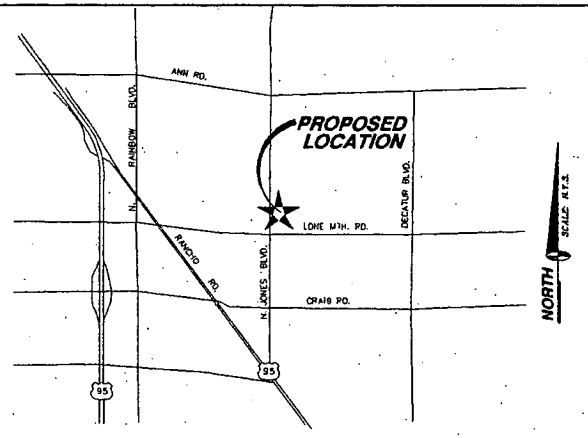
CITY OF LAS VEGAS VERTICAL CONTROL DATUM – BENCHMARK NO. BLV90 36SW8
A RIVET AND PLATE SET IN THE TOP OF CURB AT THE NORTHEAST CORNER OF LAMAGRE AND JONES.

ELEVATION: 2288.78 (FEET) NAVD88
697.5285 (METERS)

DIRECTIONS

FROM THE AT&T OFFICE LOCATED AT 3763 HOWARD HUGHES PKWY, SUITE 200 ON HOWARD HUGHES PKY (NORTH) .1 MILES TO SANDS AVE. TURN LEFT (WEST) ONTO SANDS AVE .8 MILES (ROAD NAME CHANGES TO SPRING MOUNTAIN RD). TAKE RAMP (RIGHT) ONTO I-15 TOWARD I-15/SALT LAKE CITY 3.4 MILES. AT I-15 EXIT 42A, TURN OFF ONTO RAMP TOWARDS US-95/RENO/MARTING L. KING BLVD .2 MILES. TAKE (LEFT) RAMP ONTO US-95 [LAS VEGAS EXPY] TOARDS US-95/RENO . .9 MILES. AT US95- EXIT 77, KEEP RIGHT ONTO RAMP TOWARDS RANCH DRIVE/US-95 BUSINESS .3 MILES. TAKE (RIGHT) RAMP ONTO US-95 BUS [ST-599] S MILES. TURN RIGHT (NORHT-EAST) ONTO N. JONES BLVD 1.1 MILES TO SITE AT 5000 N. JONES BLVD.

VICINITY MAP



PROJECT INFORMATION

SCOPE OF WORK:	INSTALLATION OF AT&T WIRELESS EQUIPMENT IN A NEW AT&T COMPOUND. PLACEMENT OF 3 SECTOR ANTENNAS AT A 57' CENTERLINE, MOUNTED TO A NEW 60' MONOPOLE. COAXIAL CABLE RUNS FROM RADIO EQUIPMENT TO ANTENNAS. A NEW 200A ELECTRICAL SERVICE TO EQUIPMENT SHELTER
SITE ADDRESS:	5000 NORTH JONES BOULEVARD LAS VEGAS, NEVADA
PROPERTY OWNER:	SHARI L. AND GARTH W. LAMB 5181 MONTE CRISTO WAY LAS VEGAS, NEVADA 89149-5803
CONTACT PERSON:	GARTH LAMB PHONE: 702-645-2247
APPLICANT:	AT&T WIRELESS SERVICES 2729 PROSPECT PARK DRIVE RANCHO CORDOVA, CA 95670 CONTACT: PROPERTY MANAGEMENT; ANN WYATT PHONE: 1-800-890-9038
LATITUDE:	36° 13' 02.8"
LONGITUDE:	115° 13' 30.5"
ELEVATION:	2288 (FEET)
JURISDICTION:	LAS VEGAS
PARCEL NO.:	125-36-302-005
ACREAGE:	TOTAL PARCEL = 2.18 ACRES LEASE AREA = 625 SQ. FT.
CURRENT USE:	VETERINARY HOSPITAL & STABLES
PROPOSED USE:	TELECOMMUNICATIONS FACILITY
CONSTRUCTION TYPE:	V-N
OCCUPANCY GROUP:	S-2
APPLICABLE CODES:	IBC 2000, NEC 2002

SITE QUALIFICATION PARTICIPANTS

	NAME	COMPANY	NUMBER
A/E	CHRIS WENER	SPECTRUM	(702) 367-7705
SAC	BRENDAN THOMSON	BECHTEL	(702) 862-8087
RF	HAL MCEACHEN	AT&T	(702) 863-6011
CONSTRUCTION	ERNIE BEARD	BECHTEL	(702) 862-8085
LANDLORD	GARTH LAMB	OWNER	(702) 645-2247
OTHER	XXX	XXX	XXX

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3763 HOWARD HUGHES PARKWAY STE. 200
LAS VEGAS, NEVADA 89109
(702) 734-1010

NO.	DATE	REVISIONS	BY	CHK	APP'L
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AU	DC	CW

SCALE: AS SHOWN | DESIGNED | DRAWN

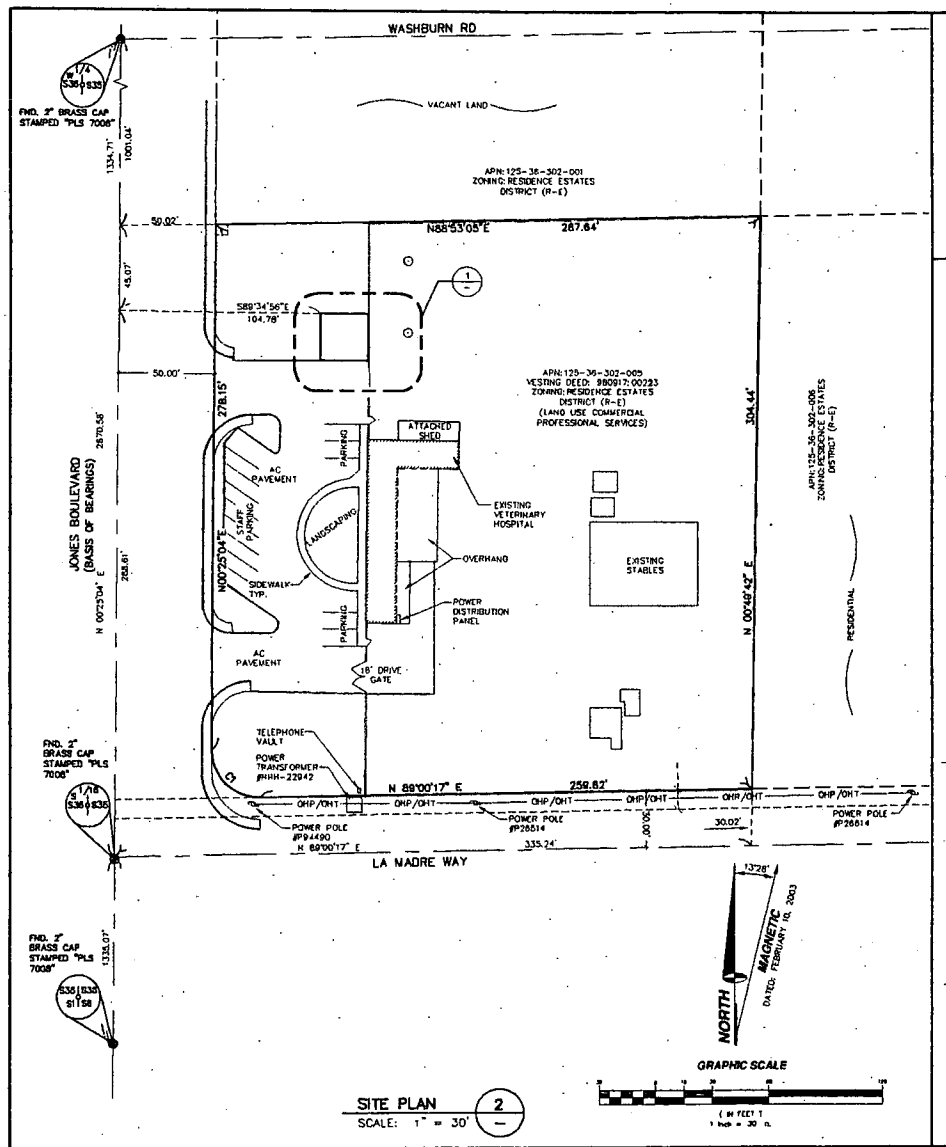
AT&T WIRELESS

TITLE SHEET

JOB NUMBER	DRAWING NUMBER	REV
24897-614	A-LSVGNVL297A-Z01	A

22 x 34 0 SCI

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1053



SITE PLAN (2) SCALE: 1" = 30'

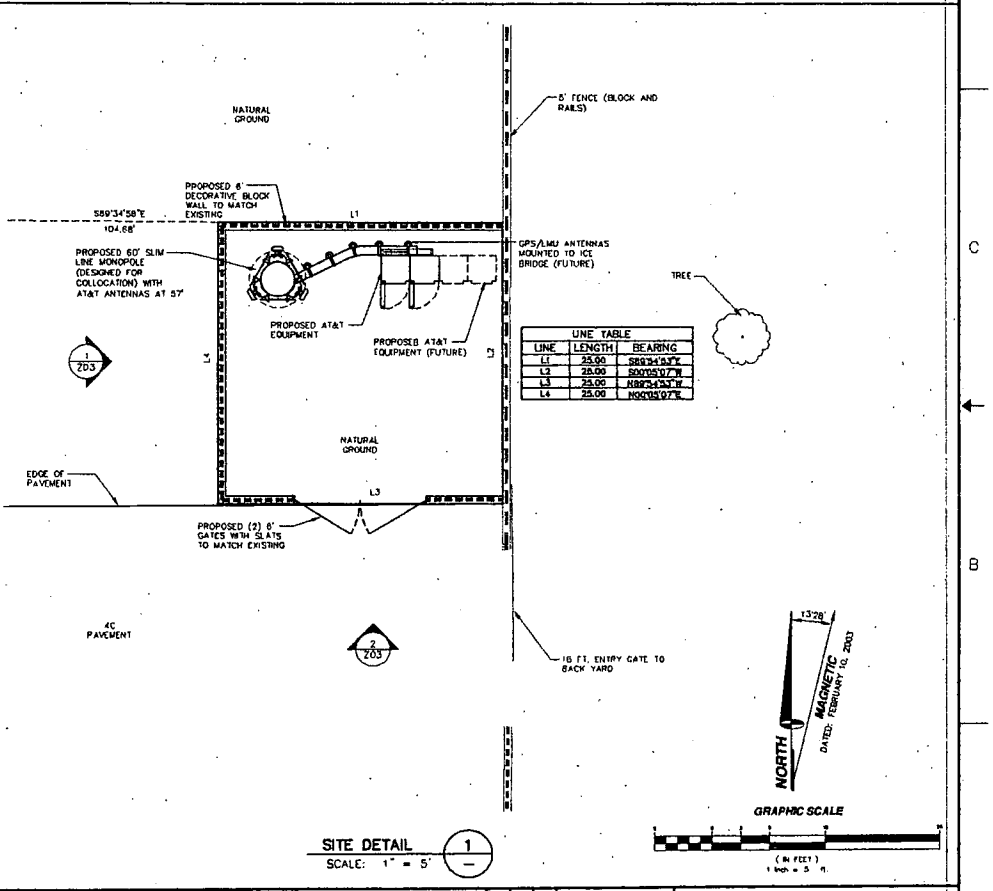
TITLE REPORT INFORMATION

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 03780067, DATED MARCH 28, 2003, PREPARED BY EQUITY TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

5. PATENT EASEMENT – NO DOCUMENT PROVIDED BY THE TITLE COMPANY
6. EASEMENT – POWER LINES – IN FAVOR OF NEVADA POWER COMPANY; BOOK 258, DOCUMENT NO. 208513. AFFECTS A PORTION OF THE SUBJECT PROPERTY AS SHOWN HEREON.
8. TERMS, CONVENANTS, CONDITIONS, AND PROVISIONS IN CC&R'S RUNNING WITH THE LAND, BOOK 981224, DOCUMENT NO. 01234. AFFECTS THE ENTIRE SUBJECT PROPERTY. NOTHING TO PLOT.
9. EASEMENT – WATER LINES – IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT; BOOK 980717, DOCUMENT NO. 01121. AFFECTS A PORTION OF THE SUBJECT PROPERTY AS SHOWN HEREON.

LEGEND

- CENTERLINE
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING FENCE
- FOUND MONUMENT AS NOTED
- OR: ORIGINAL RECORD
- TREE



LINE	LENGTH	BEARING
L1	25.00	S89°34'57"E
L2	25.00	S00°05'07"W
L3	25.00	N89°34'53"W
L4	25.00	N00°05'07"E

SITE DETAIL (1) SCALE: 1" = 5'

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3763 HOWARD HUGHES PARKWAY STE. 200
LAS VEGAS, NEVADA 89109
(702) 734-1010

NO.	DATE	REVISIONS	BY	CHK	APP'D
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AM	DC	CW

SCALE: AS SHOWN | DESIGNED | DRAWN

AT&T WIRELESS

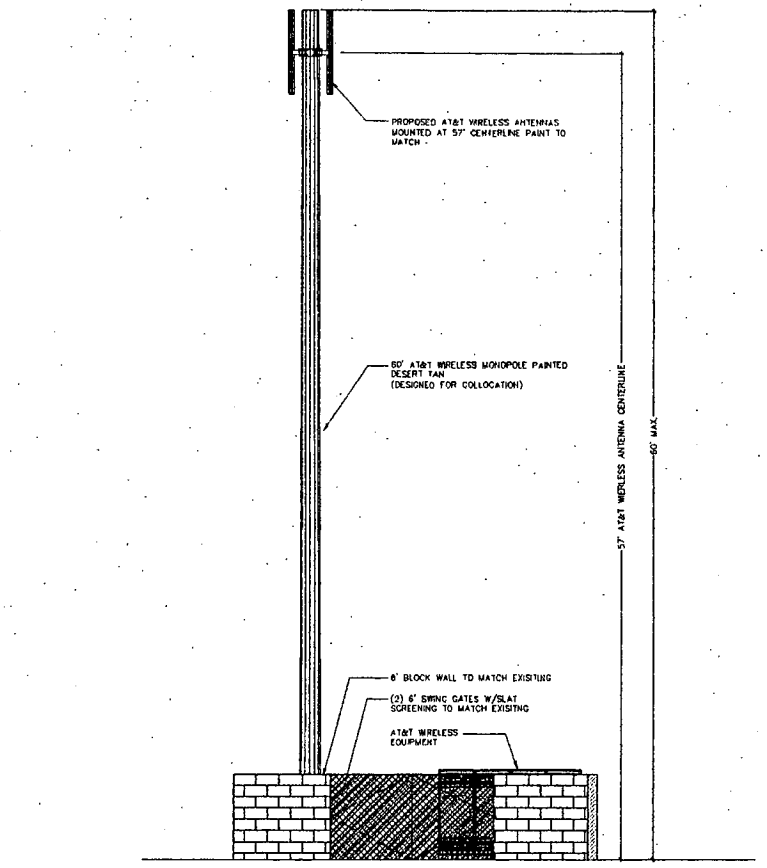
SITE PLAN & SITE DETAIL

JOB NUMBER	DRAWING NUMBER	REV
24897-614	A-LSVGNVL297A-Z02	A

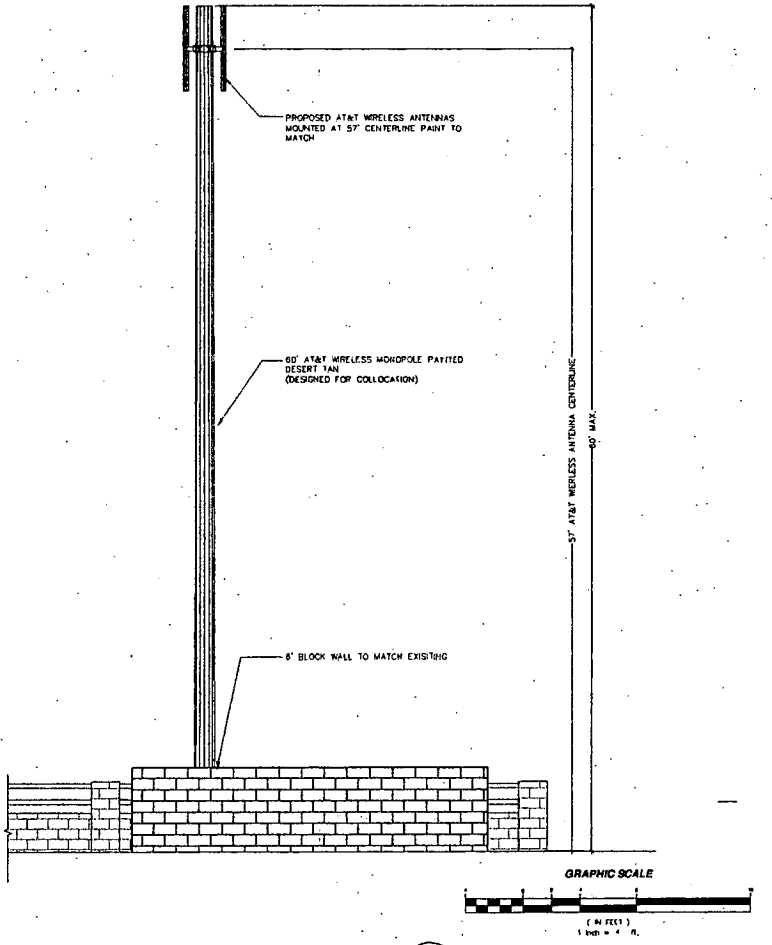
22 x 34 D SIZE

SUP-2664
08-14-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1054



EAST ELEVATION (2)
SCALE: 1" = 4'



SOUTH ELEVATION (1)
SCALE: 1" = 4'

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

SITE NAME: LOS PRADOS
SITE NUMBER: LSVGNVL297
5000 NORTH JONES BOULEVARD
LAS VEGAS, NEVADA 89130

AT&T
AT&T WIRELESS SERVICES, INC.
3763 HOWARD HUGHES PARKWAY STE. 200
LAS VEGAS, NEVADA 89109
(707) 734-1610

NO.	DATE	REVISIONS	BY	CHK	APP'D
A	05/15/03	ISSUED FOR REVIEW AND COMMENT	AM	DC	CW

SCALE: AS SHOWN | DESIGNED | DRAWN

AT&T WIRELESS

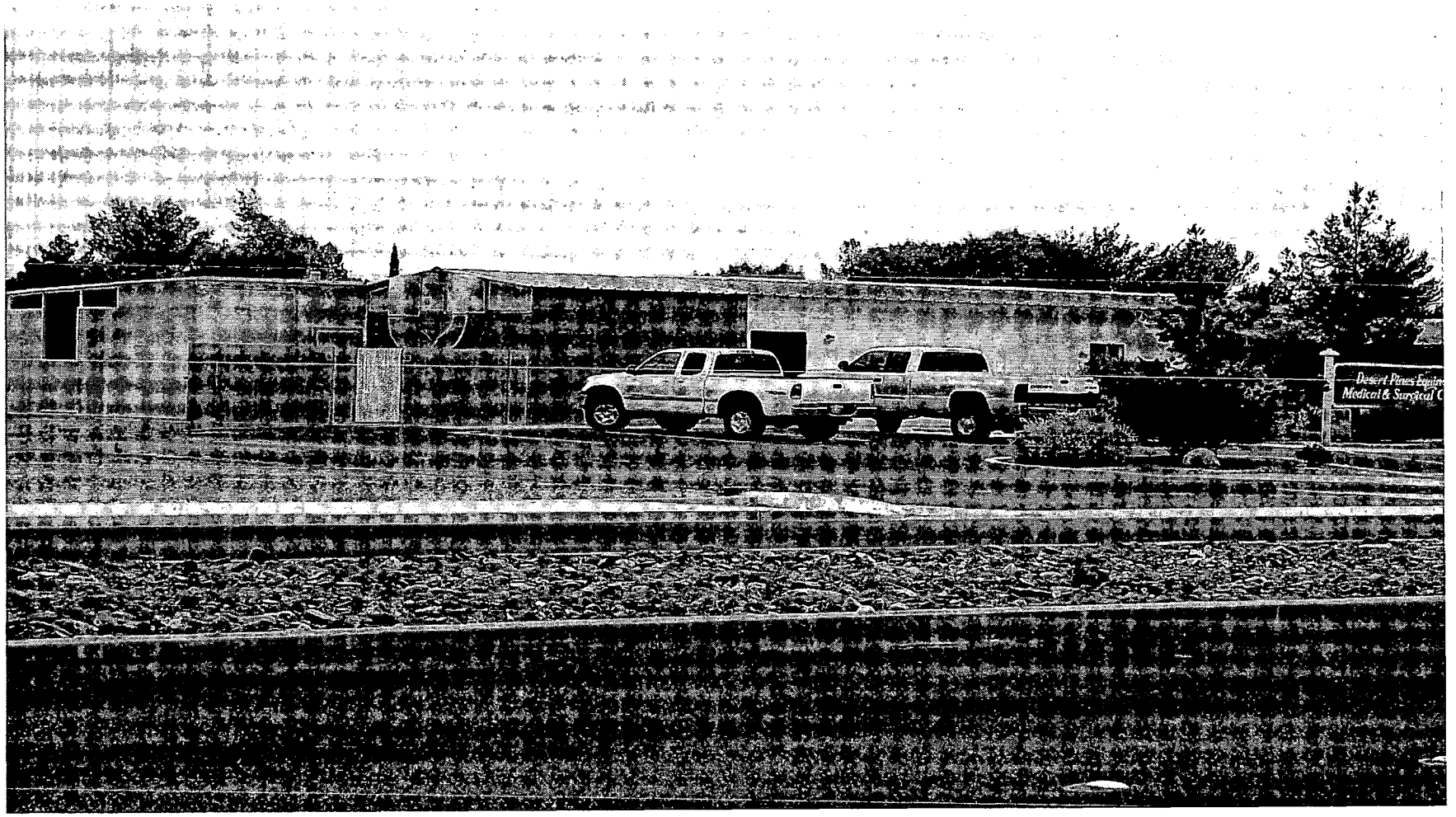
ELEVATIONS

JOB NUMBER	DRAWING NUMBER	REV
24897-614	A-LSVGNVL297A-Z03	A

22 x 34 0 SIZE

6 5 4 3

SUP-2664
08-14-03 PC



SUP-2664 - A T & T WIRELESS ON BEHALF OF GARTH LAMB
5000 NORTH JONES BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

JMK DEVELOPMENT

SERVING THE WIRELESS INDUSTRY'S NEEDS

September 19, 2003

Reference: Special Use Permit 2664 and Variance 2839

Mr. Gary Leobold c/o City Clerk City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mr.Leobold:
On behalf of Mr. Garth Lamb and AT&T Wireless Services we would like to submit a request for an appeal to the denial of the Special Use Permit 2664 and Variance 2839 on September 11th 2003.

Request for appeal submitted to the city clerk's office September 19, 2003

Respectfully,

Paige Butler
JMK Development

RECEIVED
CITY CLERK
2003 SEP 19 P 2:48

2657 Windmill Parkway #103 Henderson, NV 89074 Ph: 702-493-3083 Fax: (702) 616-2639
Email: jmkdevelopment@aol.com

AT&T Wireless Services
Suite 200
3763 Howard Hughes Parkway
Las Vegas, NV 89109
702 734-1010

October 8, 2003

Reference: Sup- 2664 and Var-2839

Barbara Jo Ronemus
City Clerk City of Las Vegas
400 Stewart Ave.
Las Vegas, Nevada
89101

RECEIVED
CITY CLERK
2003 OCT -9 A 9:25

Dear Ms. Barbara Jo Ronemus:

On behalf of our clients AT&T Wireless and Mr. Garth Lamb we would like to respectfully withdraw without prejudice, our request for appeal regarding planning commission denial of SUP-2664 and VAR-2839 scheduled for City Counsel October 15th, 2003 at 1:00 P.M.

Should any further discussion be required please contact me at the number below.

Respectfully,
Paige Butler

702-493-3083
Senior Project Manager
JMK Development, Representing Bechtel Corp., AT&T Wireless Services, Mr. Garth Lamb

cc: Brendan Thomson, Bechtel Corp.
Leni Skarr, Councilman Mack's Office

Recycled Paper

City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

ABEYANCE ITEM - REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON** - Required One Year Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions and amending Condition 1 to read as follows:

1. **This Special Use Permit shall be reviewed in *six (6) months*, at which time the City Council may require the open-air vending/transient sales lot use be discontinued. 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 use be discontinued.**

– UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DAVE MADDOX, 1060 Primavera Lane, appeared on behalf of the applicant and indicated that the plans had been revised and now meet all requirements of the code. He requested approval of the application.

City of Las Vegas

Agenda Item No. 105

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 105 – RQR-2792

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, indicated that the subject property should be cleaned up. He pointed out that a multi-use trail had not been constructed and the landscaping had not been installed. In response to MR. FARLOW'S comments, the applicant advised that the property he was referring to was located next door to the property involved in this application.

COUNCILMAN MACK stated he agreed with some of MR. FARLOW'S comments in that he has had concerns with this property, mainly with the appearance of the lot. He requested the status of the applicant's plans to move forward with the property improvements. MR. MADDOX replied that, according to the engineer, NDOT should return the plans on Monday and work could then begin.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed the applicant to have all staff conditions completed and the property brought into compliance at the time of the six-month review. He confirmed the applicant's agreement with the condition revision.

(1:59 – 2:02)

2-1749

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the open-air vending/transient sales lot use be discontinued. 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 use be discontinued.

2. Any outside storage kept in conjunction with this use shall conform to the requirements set forth in Title 19.04.040 of the Las Vegas Zoning Code.

3. The open air/transient sales lot use shall not be extended onto adjacent parcels

4. All parking areas shall be paved and appropriately marked in accordance with the requirements of Title 19.10 of the Las Vegas Zoning Code.

5. This condition replaces condition 6 of the original Special Use Permit (U-0052-02). 'A landscaping plan depicting the required Multi-Use Transportation Trail, along Rancho Drive, in accordance with the standards as outlined in the Master Plan Transportation Trails Element must be submitted to the Planning and Development Department within

City of Las Vegas

Agenda Item No. 105

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 105 – RQR-2792

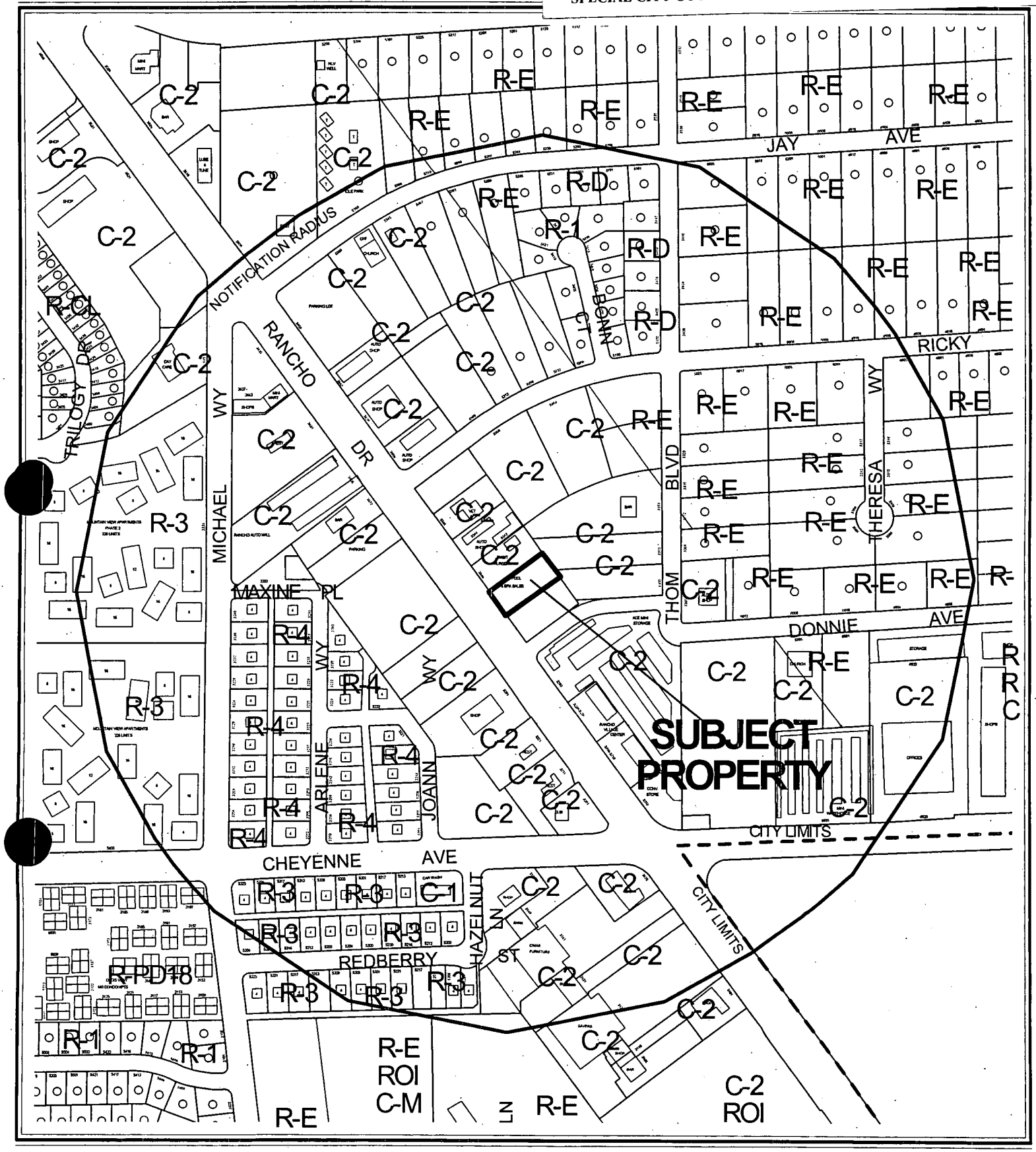
CONDITIONS – Continued:

90 days after City Council approval of this Required Review. The Civil Improvement Plans shall be modified to depict the required Multi-Use Transportation Trail.

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. Conformance to conditions of approval for Special Use Permit (U-0052-02).

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



CASE: RQR-2792

RADIUS: 1320 FT

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

CASE: RQR-2792

RADIUS: 1320 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON

THIS ITEM WAS HELD IN ABEYANCE AT THE OCTOBER 1, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the open-air vending/transient sales lot use be discontinued. 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 use be discontinued.

2. Any outside storage kept in conjunction with this use shall conform to the requirements set forth in Title 19.04.040 of the Las Vegas Zoning Code.

3. The open air/transient sales lot use shall not be extended onto adjacent parcels

4. All parking areas shall be paved and appropriately marked in accordance with the requirements of Title 19.10 of the Las Vegas Zoning Code.

5. This condition replaces condition 6 of the original Special Use Permit (U-0052-02). 'A landscaping plan depicting the required Multi-Use Transportation Trail, along Rancho Drive, in accordance with the standards as outlined in the Master Plan Transportation Trails Element must be submitted to the Planning and Development Department within 90 days after City Council approval of this Required Review. The Civil Improvement Plans shall be modified to depict the required Multi-Use Transportation Trail.

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. Conformance to conditions of approval for Special Use Permit (U-0052-02).

8. 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 one-year required review of an approved Special Use Permit (U-0052-02) which allowed an open-air vending/transient sales lot on property located at 3300 North Rancho Drive (east side of Rancho Drive, north of Donnie Avenue).

B) Applicant's Justification

A justification letter is not required for a Required Review.

BACKGROUND INFORMATION

A) Previous Actions

06/05/63 The subject site was Annexed (A-0003-63) and Zoned C-2 (General Commercial) as part of a larger request.

07/17/02 The City Council approved a Special Use Permit (U-0052-02) for an open-air vending/transient sales lot on property located at 3300 North Rancho Drive subject to a one-year required review. The Planning Commission recommended approval.

08/28/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #38).

B) Pre-Application Meeting

A pre-application meeting is not required.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.48

B) Existing Land Use

Subject Property:	Open Air/Transient Sales Lot
North:	Open Air/Transient Sales Lot
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	GC (General Commercial)
South:	GC (General Commercial)
East:	GC (General Commercial)
West:	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 GC (General Commercial) category of the Centennial Hills Sector Plan allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. It also allows service commercial uses, which generally are of a less intense nature.

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

The Interlocal Joint Use Planning Area Trails Map depicts a multi-use transportation trail along the east side of Rancho Drive. Installation of the trail was not required as a condition of approval for the Special Use Permit but has been added to this Required Review. The applicant should be responsible for the installation of the trail including the required amount of plantings per the Master Plan Transportation Trails Element.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The basis for most parking standards is the square footage of the building in which the use is located. Because open air vending/transient sales lots are conducted outside, no compatible parking standards can be applied. The site plan submitted as part of the original Special Use Permit review depicted 12 parking spaces on the subject site. For the Required Review application, a revised site plan was submitted. The revised plan shows an expansion of the use onto an adjacent lot not included in the Special Use Permit.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed open-air vending/transient sales lot use.

B) General Analysis and Discussion

- General Information

Prior to approval the business had been operating at the site for some time without the required Special Use Permit. The applicant received notice from the Department of Neighborhood Services (code enforcement) that a Special Use Permit had to be obtained.

- Zoning

An open-air vending/transient sales lot use is permitted in the General Commercial Zoning district with the approval of a Special Use Permit.

- Use

Title 19.20 defines open air vending/transient sales lot as an area that is used exclusively for the sale or taking of orders for any merchandise where such merchandise is displayed or sold in the open area; such activities are not part of the operation of an established business; and no permanent physical structures or facilities are used as integral parts of the sales or order taking operations. The term includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

- Conditions

No base conditions exist for an open-air vending/transient sales lot. However, several conditions of approval were placed upon the original approval of the Special Use Permit. A survey of the site discovered that several of the conditions of approval have not been met since the original approval. The following is a list of conditions that have not been implemented:

- All parking areas shall be paved and appropriately marked in accordance with the requirements of Title 19.10 of the Las Vegas Zoning Code.

- A minimum 15 foot wide landscape planter shall be placed along the Rancho Drive property line, and shall include minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the provided planter.

- 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.]

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

- Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site.

The Planning and Development Department records show that the applicant has submitted for an initial review of civil improvement plans, the first step to obtain permits for type of improvements required by the conditions of approval, however as of the time of this required review the civil improvement plans have not been approved. Typically, conditions of approval must be met prior to the time that business operations commence.

The Interlocal Joint Use Planning Area Trails Map depicts a multi-use transportation trail along the east side of Rancho Drive. Installation of the trail was not required as a condition of approval for the Special Use Permit but has been added to this Required Review. The applicant shall be responsible for the installation of the trail including the required amount of plantings per the Master Plan Transportation Trails Element. The recommended condition for the trail construction including the required plantings will replace condition 6 of the original Special Use Permit (U-0052-02).

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."**

   During the original review, it was thought that an open-air vending/transient sales lot could be conducted in a manner that is compatible with the current surrounding uses given that commercial properties in the immediate area was underutilized. Additionally,

a condition of approval was placed on the applicant requiring the placement of a 15-foot wide landscape planter adjacent to the street, to ensure compatibility with future development along Rancho Drive. A survey of the site discovered that several of the conditions of approval intended to create compatibility with the surrounding area have not been met since the original approval. A Multi-Use Transportation Trail is now required along the Rancho Drive frontage. Since the landscaping was never planted, a revised landscaping condition has been recommended to require the construction of the required trail in accordance with the standards as outlined in the Master Plan Transportation Trails Element.

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

The site presently does not contain any paved parking. Paved parking is required under Title 19.10.010(D) of the Las Vegas Zoning Code and by Condition #5 of Special Use Permit (U-0052-02). The Planning and Development Department records show that the applicant has submitted for an initial review of civil improvement plans; the first step to obtain permits for type of improvements required by the condition of approval. However as of the time of this required review the civil improvement plans have not been approved and the site remains unpaved with no striping or appropriate handicap marking.

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."**

Access to the site is via Rancho Drive (200-foot-wide Primary Arterial highway); staff finds such access to be adequate for the traffic generated by this 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 business is subject to regular inspection by the City for business licenses, permits, and compliance with required conditions of approval. As the applicant on this site has not completed conditions of approval required during the original approval, the proposed use with the lack of paved and striped parking is inconsistent with the public health, safety and welfare.

NOTICES MAILED 185 by City Clerk

APPROVALS 0

PROTESTS 1

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1070

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2792 APN: 138·12·810·005

Name of Property Owner: HOWARD JOHNSON

Name of Applicant: SENSATION SPAS of Nevada, Inc.

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Howard D. Johnson III

Print Name: Howard D. Johnson III

Subscribed and sworn before me

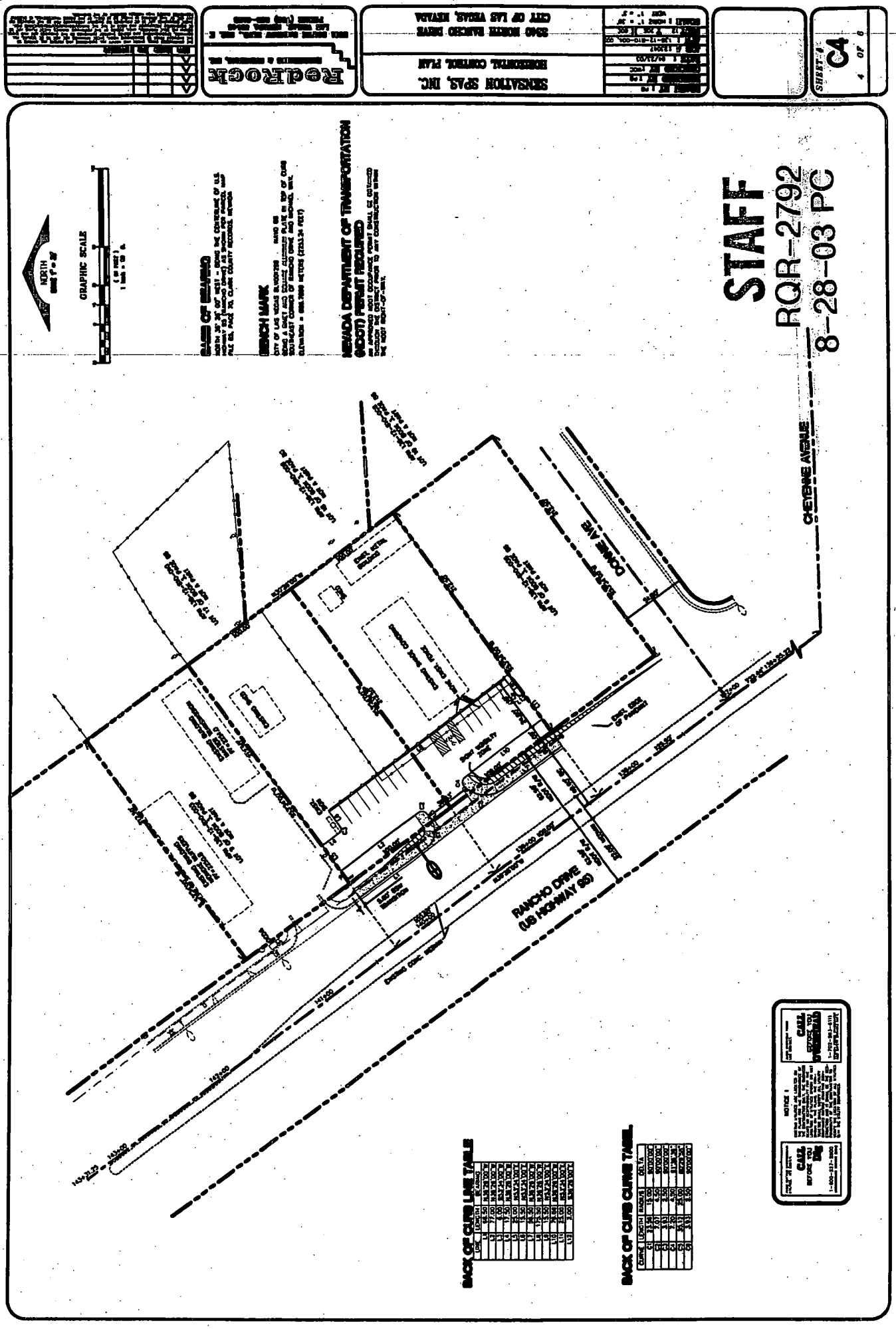
This 15th day of July, 2003

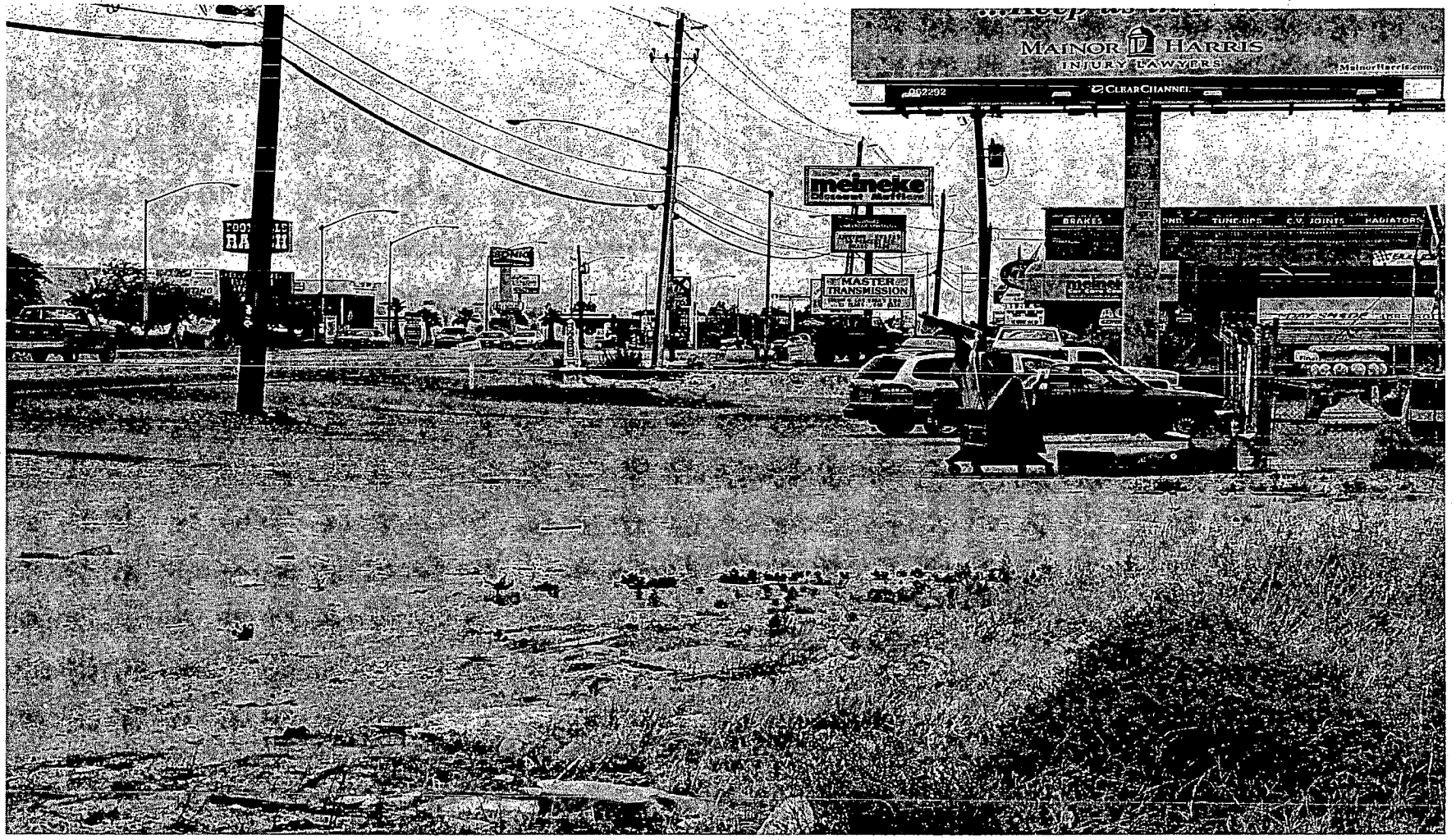
Amanda L. Henderson

Notary Public in and for said County and State

AMANDA L. HENDERSON

AMANDA L. HENDERSON
Notary Public State of Nevada
No. 02-78514-1
My appt. exp. Nov. 5, 2006


STAFF
RQR-2792
8-28-03 PC
SENSATION SPAS, INC.
CITY OF LAS VEGAS, NEVADA
C4
CHEYENNE AVENUE
RANCHO DRIVE
(US HIGHWAY 95)
COMBE AVE
NEVADA DEPARTMENT OF TRANSPORTATION
BENCH MARK
BASIS OF BEARING
GRAPHIC SCALE
NORTH
BACK OF CURB LINE TABLE
BACK OF CURB CURVE TABLE

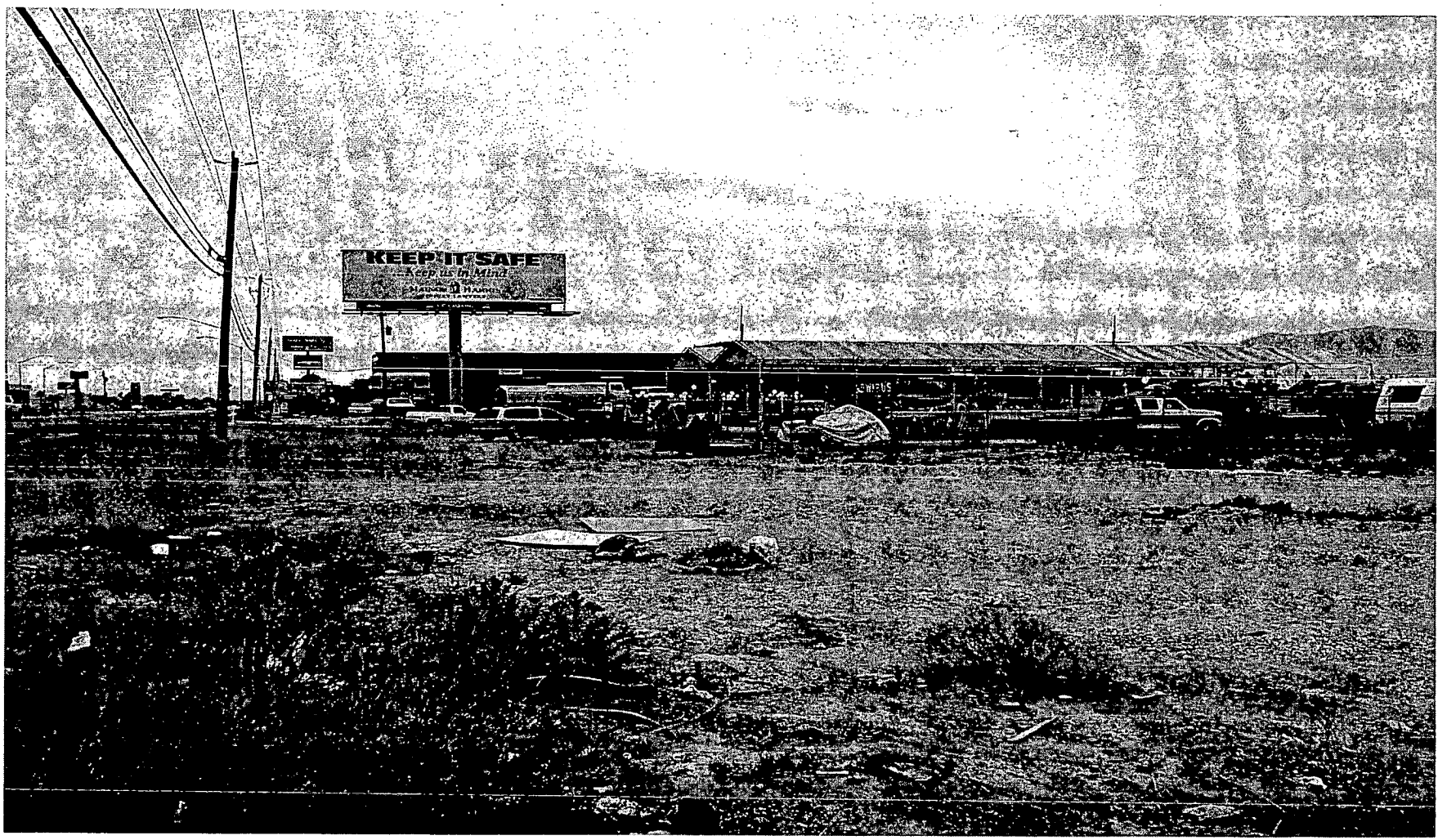


RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON
3200 NORTH RANCHO DRIVE
AUGUST 28, 2003 PLANNING COMMISSION

8/1/03

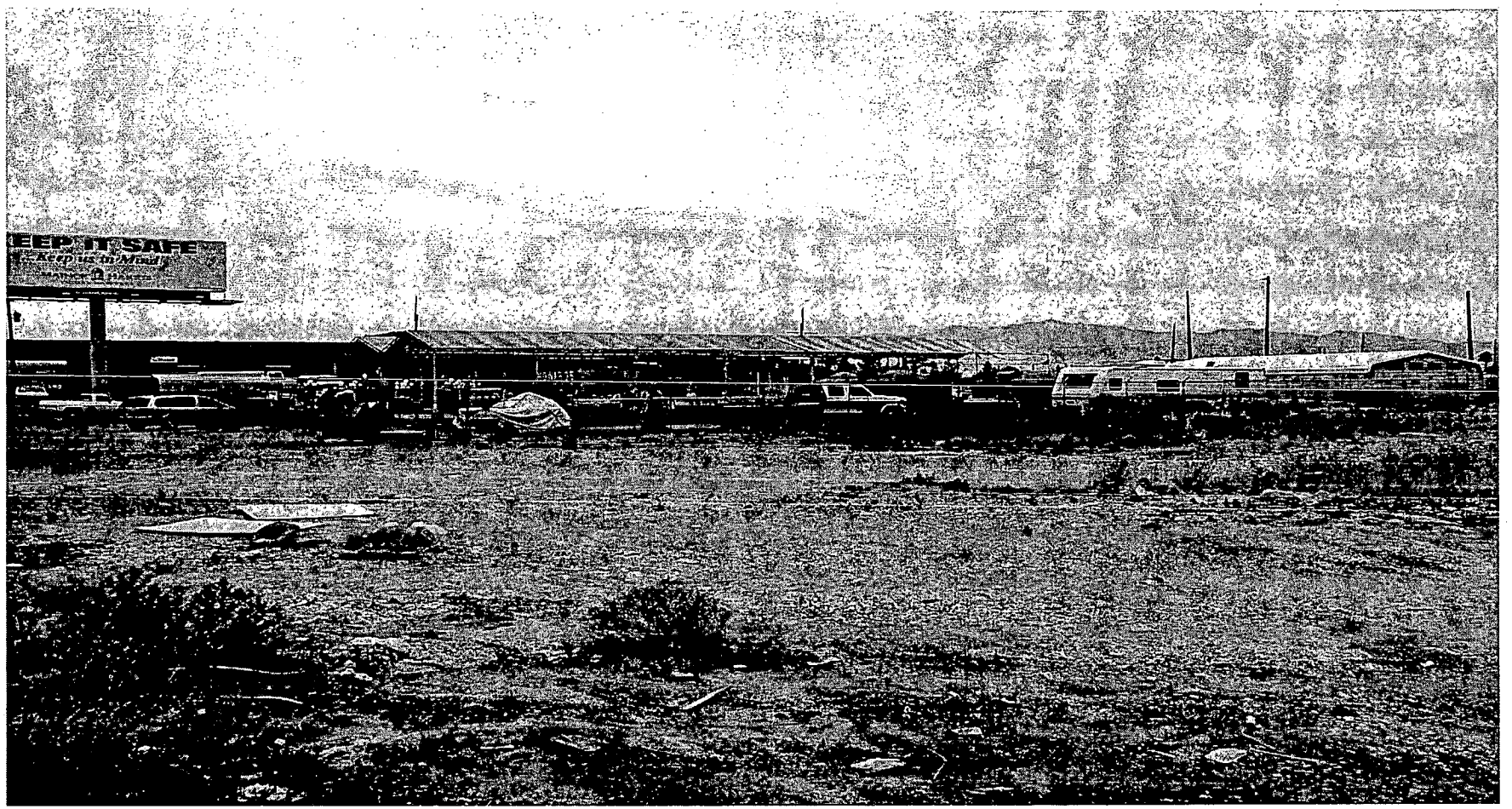
RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON
3200 NORTH RANCHO DRIVE
AUGUST 28, 2003 PLANNING COMMISSION

8/1/03



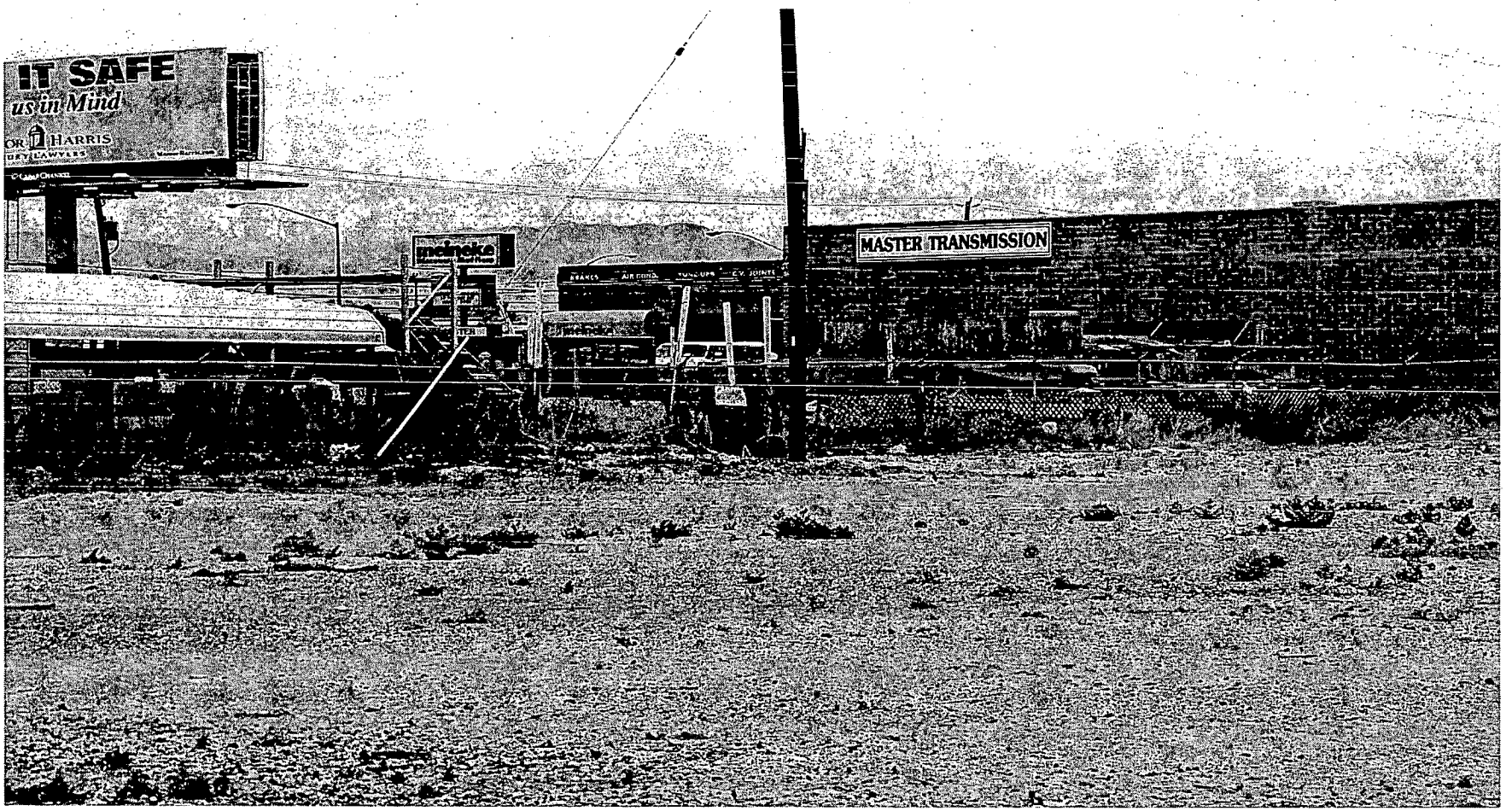
RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON
3200 NORTH RANCHO DRIVE
AUGUST 28, 2003 PLANNING COMMISSION

8/1/03



RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON
3200 NORTH RANCHO DRIVE
AUGUST 28, 2003 PLANNING COMMISSION

8/1/03



RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON
3200 NORTH RANCHO DRIVE
AUGUST 28, 2003 PLANNING COMMISSION

8/1/03

City of Las Vegas

Agenda Item No. 106

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - **RQR-3094 - LAS VEGAS RESCUE MISSION** - Required Two-Year Review of an approved Special Use Permit (U-0081-99) FOR A PROPOSED 8,000 SQUARE FOOT DORMITORY IN CONJUNCTION WITH THE EXISTING LAS VEGAS RESCUE MISSION at 480 West Bonanza Road (APN: 139-27-310-080 and 081), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

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

MOTION:
WEEKLY – APPROVED subject to condition and deleting Condition 1 – UNANIMOUS with GOODMAN excused

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

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He expressed appreciation to staff and the Planning Commission for their recommendations of approval. He noted there had been no problems with Metro, and the dormitories are appropriately located and screened. In addition, the building is architecturally designed to ensure compatibility with the surrounding area. He commented that the dormitories and rescue mission continue to advance the overall health, safety and welfare of the general public by providing a necessary community resource. He respectfully requested approval of the application.

ATTORNEY KAEMPFER requested that the two-year review period be removed from the conditions for this application in light of staff's comments, the findings, and the fact that the building is architecturally compatible and the use is compatible.

City of Las Vegas

Agenda Item No. 106

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 106 – RQR-3094

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

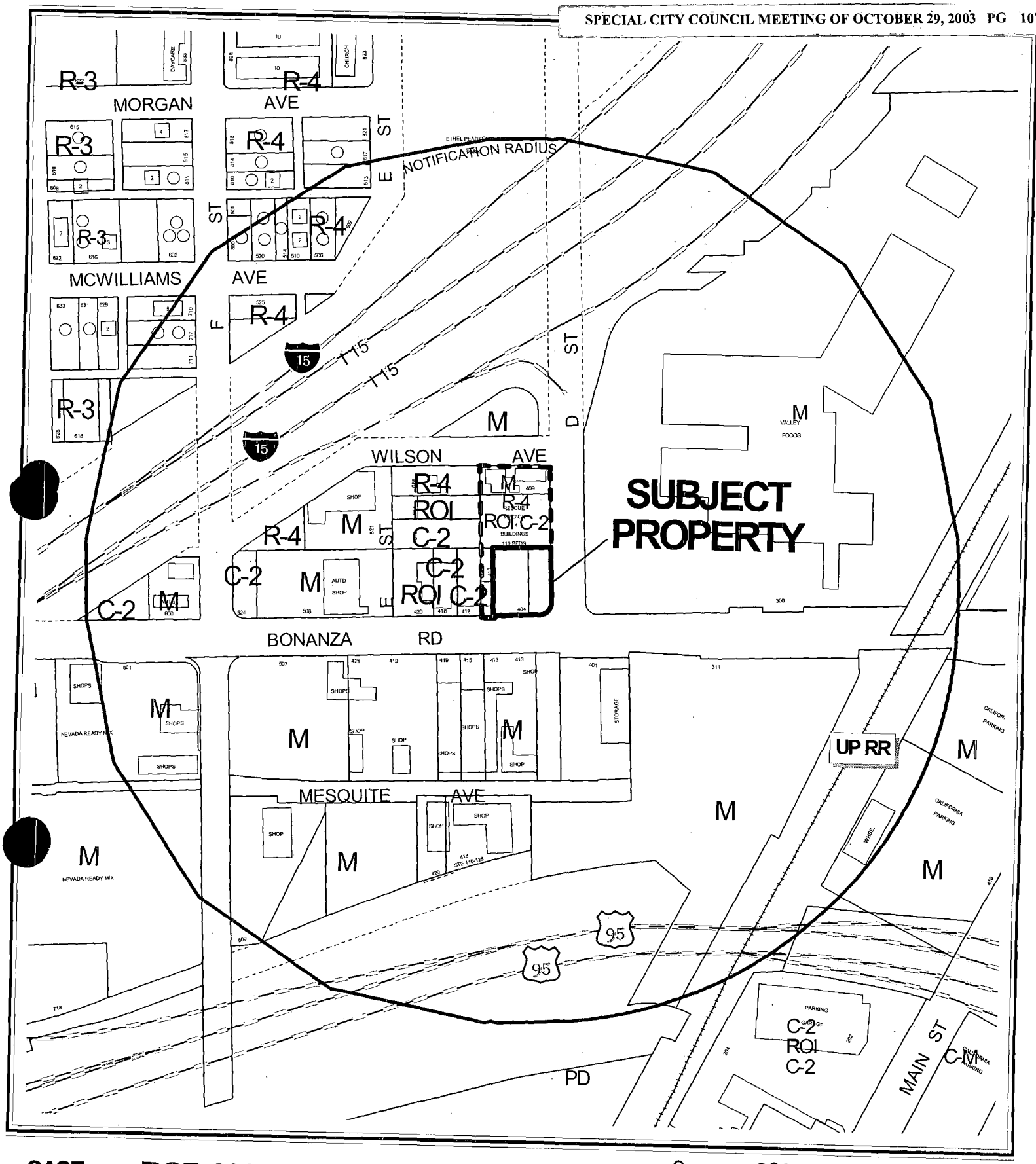
(2:02 – 2:05)

2-1876

CONDITIONS:

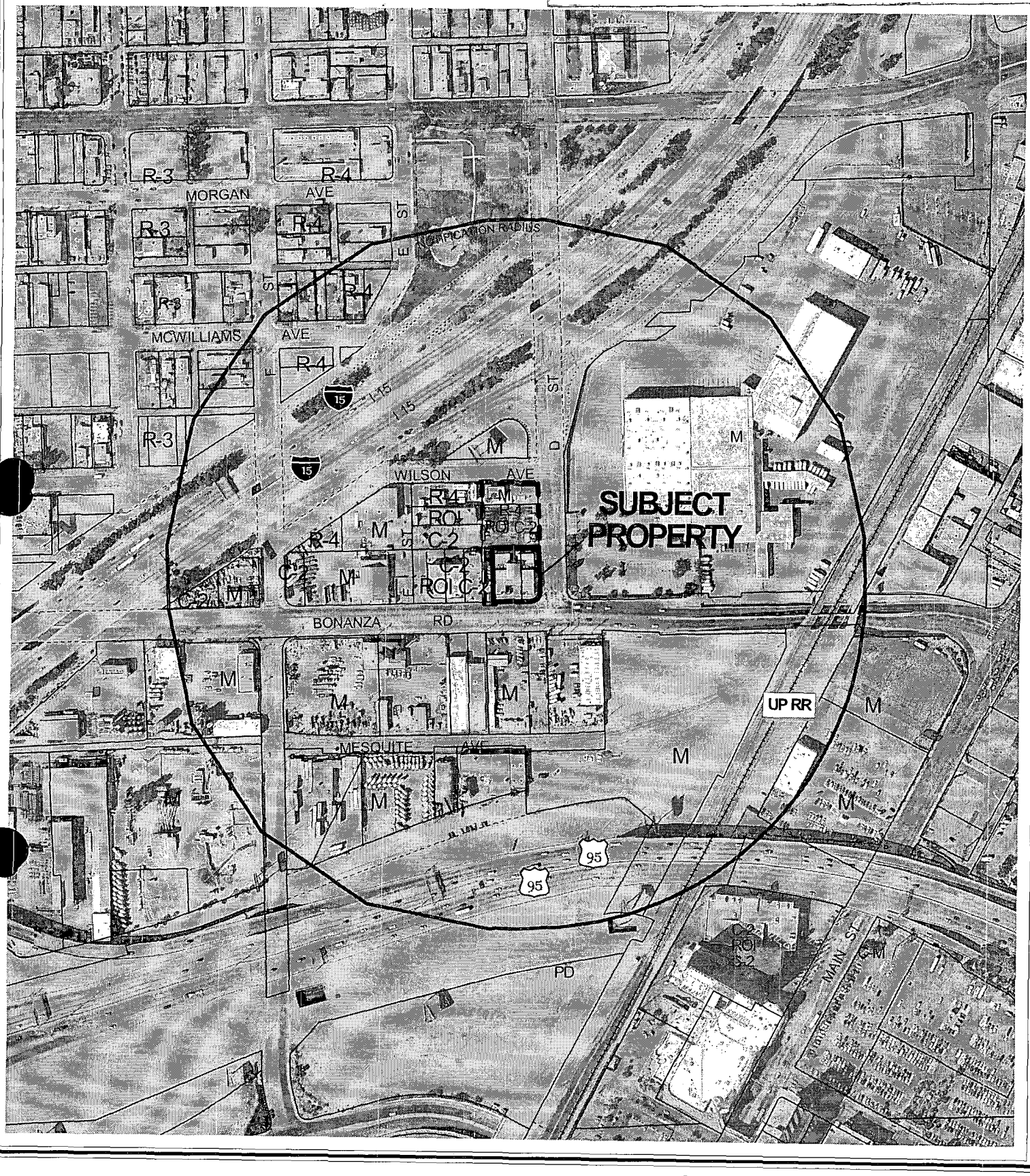
1. The use shall be reviewed in two years from the date of City Council approval of this required review, at which time the City Council may require the use to be discontinued or altered.

2. Conformance to all other conditions of approval for U-0081-99.



CASE: **RQR-3094**
RADIUS: 850 FT
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 200 400 Feet



CASE: **RQR-3094**

RADIUS: 850 FT

0 300 600 Feet

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

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: RQR-3094 - LAS VEGAS RESCUE MISSION

** CONDITIONS **

Staff recommends **APPROVAL,** subject to:

1. The use shall be reviewed in two years from the date of City Council approval of this required review, at which time the City Council may require the use to be discontinued or altered.

2. Conformance to all other conditions of approval for U-0081-99.

RQR-3094 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

This request is for approval of a Required Two-Year Review of a Special Use Permit (U-0081-99), for an 8,000 square foot dormitory in conjunction with the existing Las Vegas Rescue Mission at 480 West Bonanza Road.

BACKGROUND DATA

04/24/80	The Board of Zoning Adjustment approved a Variance to allow a homeless shelter on this property (V-0019-80).
05/22/86	The Board of Zoning Adjustment approved a Special Use Permit for a thrift store on this site (U-0036-86).
11/18/92	The City Council approved a Rezoning to C-2 (General Commercial) for an adjacent part of the overall Rescue Mission campus (Z-0078-92).
07/12/99	The City Council approved a vacation of public alleys within this site and a vacation of portions of "E" and "F" streets.
08/12/99	The Planning Commission recommended approval of this Special Use Permit to add the 8,000 square foot dormitory to the Rescue Mission site. Staff recommended approval of the request. (U-0081-99).
10/06/99	The City Council approved the subject Special Use Permit. The condition requiring this two-year review was added as a condition of approval at this time.

DETAILS OF APPLICATION REQUEST

Site Area:	32,810	Square Feet
Building Area:	15,178	Square Feet
Building Coverage:	28	Per Cent
Number of Sleeping Units:	41	
Required Parking:	31	Spaces
Parking Provided:	31	Spaces

This Rescue Mission dormitory was constructed directly on the northwest corner of the Bonanza Road and D Street. The new parking lot was placed directly north of the building. The gated entrance to the site is to D Street. The building is 27 feet, 11 inches to the roof.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-2 (General Commercial)	Rescue Mission Campus
South	M (Industrial)	Commercial Shops
East	M (Industrial)	Warehouse
West	C-2 (General Commercial)	Rescue Mission Campus

ANALYSIS & FINDINGS

At the October 6, 1999 City Council meeting, there were two persons appearing to protest the dormitory facility and three spoke in favor. The applicant stated that approval would increase capacity to accommodate an additional 22 persons and the complex is completely fenced and gated.

According to the Department of Neighborhood Services, METRO has not identified that the dormitories have created a nuisance to the surrounding area. There have been some homeless individuals, who are unwilling to follow rules and, therefore, have been denied the ability to enter the facility.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Title 19.18.050, the Planning Commission or City Council to affirm all of the following:

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

   The dormitories are a reasonable use as part of the overall rescue mission site. It is appropriated located and screened to ensure compatibility with 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 project continues to be consistent with goals objectives and policies of City plans and development related ordinances.

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

Continuing the use should not negatively neighborhood traffic or adjacent roadways, due, primarily, to the nature of rescue mission use, which does not generate significant traffic.

4. **"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 of the building is architecturally compatible with the overall rescue mission use and continues to be harmonious and compatible with the surrounding area.

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

   The dormitories and rescue mission continue to advance the overall health, safety and welfare of the general public, by providing a necessary community resource.

NOTICES MAILED 42 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ~~U-81-99~~ RQR-3094 APN: 139-27-310-080 and 081

Name of Property Owner: Las Vegas Rescue Mission

Name of Applicant: Las Vegas Rescue Mission

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: LAS VEGAS Rescue Mission, Inc By Harry E Hinderliter

Print Name: HARRY E HINDERLITER

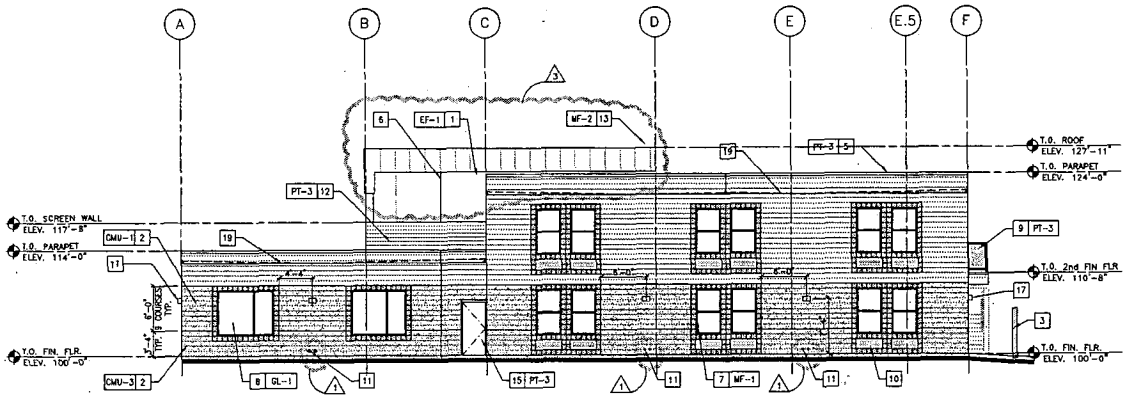
Subscribed and sworn before me

This 11th day of September, 2003

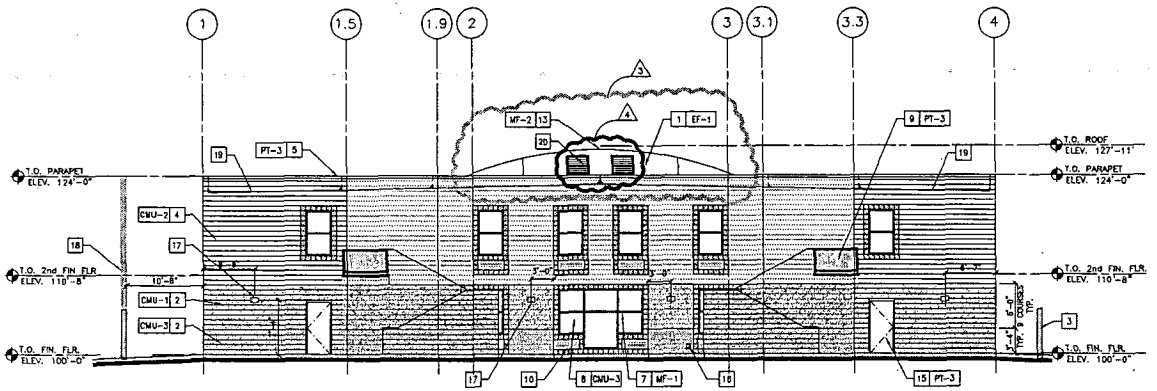
Phyllis Bedol

Notary Public in and for said County and State

PHYLLIS BEDOL
Notary Public, State of Nevada
Appointment No. 92-1226-1
My Appt. Expires June 19, 2004



EAST EXTERIOR ELEVATION (D)
1/8" = 1'-0"



NORTH EXTERIOR ELEVATION (C)
1/8" = 1'-0"

SHEET NOTES

A. ARCHITECTURAL FINISH FLOOR ELEVATIONS ASSUMED TO BE 100'-0" SEE CIVIL DRAWINGS FOR PAD ELEVATIONS.

B. ALL EXTERIOR CONDUIT PT-5

C. PROVIDE PENETRATING, SEALER ON ALL EXTERIOR CMU WALLS, REFER TO SPECIFICATIONS

D. REFER TO SHEET A10.20 FOR FINISH LEGEND (4)

KEYNOTE
1 | EF-1
FINISH TAG

KEY NOTES

1. EXTERIOR INSULATED FINISH SYSTEM SANDPEBBLE FINE
2. SPLIT FACE CMU
3. EXISTING CMU WALL
4. STANDARD SMOOTH CMU
5. COPING CAP
6. REVEAL
7. DOOR/WINDOW FRAME - REFER TO DOOR SCHEDULE SEE SHEET A11.1
8. GLAZING
9. WIRE MESH GUARDRAIL
10. THROUGH WALL HVAC UNIT - REFER TO MECHANICAL DRAWINGS
11. ROOF DRAIN & OVERFLOW DRAIN LEADERS (1)
12. MECHANICAL SCREEN
13. STANDING SEAM METAL ROOF
14. ALUMINUM CURTAIN WALL SYSTEM
15. EXTERIOR DOOR
16. HOSE BIB SEE PLUMBING
17. WALL SCONCE
18. LINE OF EXISTING BUILDING. NO OPENING THIS WALL
19. LINE OF ROOF
20. LOUVERS

1	7/7/03 PLANCHECK COMMENTS
2	8/25/03 PLANCHECK COMMENTS
3	9/12/03 PLANCHECK COMMENTS

owner:
THE LAS VEGAS RESCUE MISSION AND SHELTER OF HOPE
480 BONANZA ROAD
LAS VEGAS, NEVADA 89106
TEL (702) 382-1926
FAX (702) 382-1902
WWW.LVRESCUE.ORG

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(702) 362-1522 (FAX)
WWW.SWISHERHALL.COM

project title:
LAS VEGAS RESCUE MISSION

job no.:	00143.00
issue date:	12-12-01
drawn by:	GM/CS
checked by:	

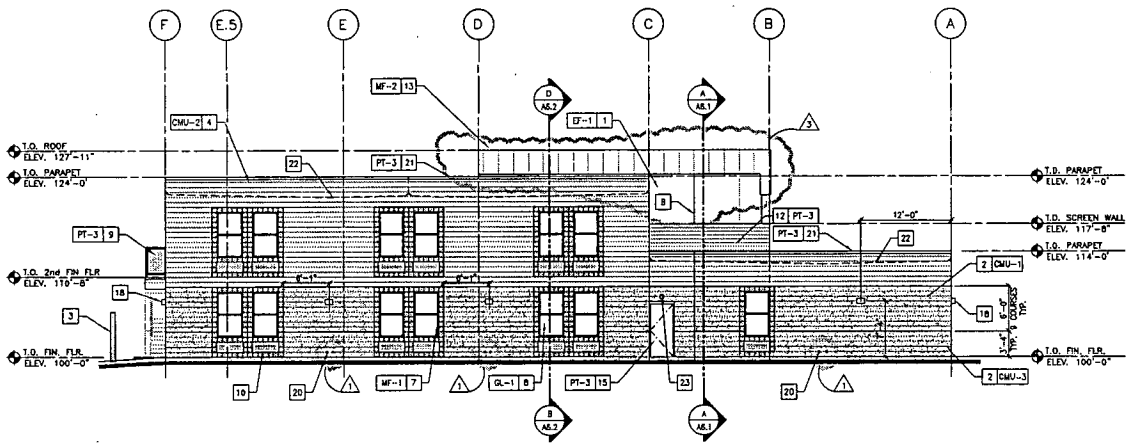
issued for:
PERMIT

sheet title:
EXTERIOR ELEVATIONS

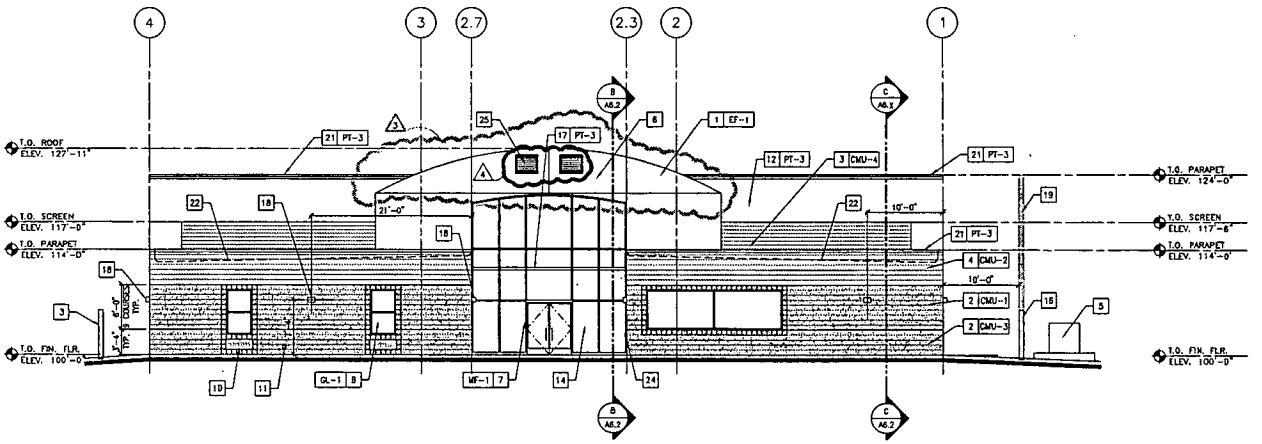
sheet no.:
A5.2

9/12/2003 9:16:28 AM, kreynolds

RQR-3094
10-15-03 CC



WEST EXTERIOR ELEVATION (B)
1/8" = 1'-0"



SOUTH EXTERIOR ELEVATION (A)
1/8" = 1'-0"

SHEET NOTES

A. ARCHITECTURAL FINISH FLOOR ELEVATIONS ASSUMED TO BE 100'-0" SEE CIVIL DRAWINGS FOR PAD ELEVATIONS.

B. ALL EXTERIOR CONDUIT PT-5

C. PROVIDE PENETRATING, SEALER ON ALL EXTERIOR CMU WALLS, REFER TO SPECIFICATIONS

D. REFER TO SHEET A10.20 FOR FINISH LEGEND

KEYNOTE
1 | EF-1
FINISH TAG

KEY NOTES

1. EXTERIOR INSULATED FINISH SYSTEM SANDPEOBLE FINE
2. SPLIT FACE CMU
3. EXISTING CMU WALL
4. STANDARD SMOOTH CMU
5. NEW TRANSFORMER
6. REVEAL
7. DOOR/WINDOW FRAME - REFER TO DOOR SCHEDULE SEE SHEET A11.1
8. GLAZING
9. WIRE MESH GUARDRAIL
10. THROUGH WALL HVAC UNIT - REFER TO MECHANICAL DRAWINGS
11. HOSE BIB
12. MECHANICAL SCREEN
13. STANDING SEAM METAL ROOF
14. ALUMINUM CURTAIN WALL SYSTEM
15. EXTERIOR DOOR
16. NEW CMU WALL
17. CANOPY
18. WALL SCONCE MOUNTED 7'-4" A.F.F.
19. EXISTING BUILDING NO OPENING THIS WALL
20. ROOF DRAINS & OVERFLOW DRAINS LEADERS
21. COPING CAP
22. LINE OF ROOF
23. FIRE ALARM
24. POWER ASSITED BUTTON FOR DOOR
25. LOUVERS

RQR-3094
10-15-03 CC

3/1/02 PLANCHECK COMMENTS
4/9/02 PLANCHECK COMMENTS
9/12/02 PLANCHECK COMMENTS

THE LAS VEGAS RESCUE MISSION AND SHELTER OF HOPE

SWISHER & HALL A.I.A., LIMITED

LAS VEGAS RESCUE MISSION

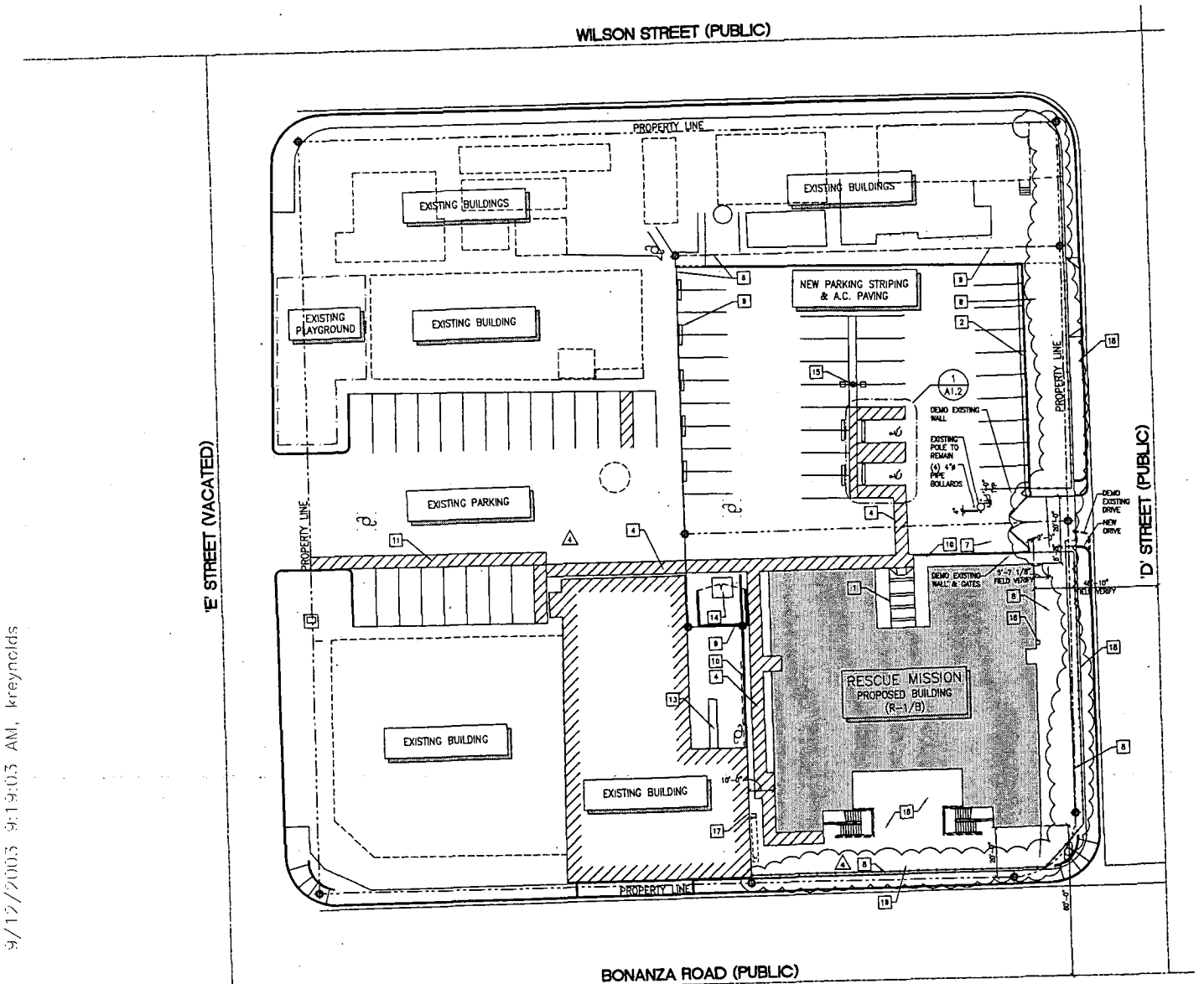
JOB NO. 00143.00
DATE 12-12-01
DRAWN BY GM/CS
CHECKED BY

PERMIT

EXTERIOR ELEVATIONS

A5.1

9/12/2003 9:17:38 AM, kreynolds



SHEET NOTES

A. THE GENERAL CONTRACTOR SHALL FIELD VERIFY EXISTING SITE CONDITIONS AND ADVISE THE ARCHITECT OF ANY DISCREPANCIES IN THE DIMENSIONS OR DRAWINGS PRIOR TO CONSTRUCTION.

B. SITE PLAN INCLUDED FOR REFERENCE ONLY. SEE CURRENT APPROVED CIVIL GRADING AND UTILITY DRAWINGS FOR ALL GRADING, PAVING, HORIZONTAL CONTROL AND SITE UTILITY INFORMATION. THE CONTRACTOR SHALL COORDINATE AND VERIFY ALL GRADE ELEVATIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.

C. ACCESSIBLE EXTERIOR ROUTES AND PARKING FACILITIES SHALL CONFORM TO APPENDIX CHAPTER 11 OF THE 1991 U.B.C. AND ANSI A117.1. FEDERAL LAW REQUIRES THAT CONSTRUCTION MEET ALL REQUIREMENTS OF THE AMERICAN WITH DISABILITIES ACT GUIDELINES.

D. ARCHITECTURAL FINISHED FLOOR ELEVATION ASSUMED TO BE 100'-0". REFER TO CIVIL DRAWINGS FOR PAD ELEVATIONS. TOPS OF CONCRETE SLABS TO BE A MINIMUM OF 8" ABOVE ADJACENT FINISH GRADE U.N.O.

SITE DATA

SITE TABULATION	
ASSESSOR'S PARCEL NUMBER	139-27-310-080 139-27-310-081
ZONING	C-2
SITE AREA (ACRES)	.75 ACRES (32,810 S.F.)
ALLOWABLE SITE COVERAGE	35%
ACTUAL SITE COVERAGE	20%

BUILDING	
OCCUPANCY TYPE	R1 - R
CONSTRUCTION TYPE	TYPE V, 1HR
SPRINKLERED	FULLY
ALLOWABLE BUILDING AREA	3 STORIES, 18,569 PER FLR
FIRST FLOOR	8,138 S.F.
SECOND FLOOR	8,048 S.F.
TOTAL SQUARE FOOTAGE	16,179 S.F.

PARKING REQUIRED	
PARKING REQUIRED	PER THE PLANNING DIRECTOR, BASED ON FACILITY USE
SLEEPING UNITS	41
EMPLOYEES	9
VISITING INSTRUCTORS	2
NEW ADDITIONAL PARKING	30
NEW ADDITIONAL ACCESSIBLE PARKING	1
TOTAL NEW ADDITIONAL PARKING PROVIDED	31

KEY NOTES

1. NEW SIDEWALK
2. NEW CURB AND GUTTER
3. NOT USED
4. ACCESSIBLE ROUTE NOT TO EXCEED 2% SLOPE
5. NOT USED
6. NEW PRECAST CONCRETE WHEEL STOPPER
7. EXISTING WROUGHT IRON GATE
8. NEW WROUGHT IRON FENCE
9. LIMITS OF NEW CONSTRUCTION
10. NEW CMU WALL
11. EXISTING ACCESSIBLE ROUTE
12. NOT USED
13. NEW 5'-0" CONCRETE SIDEWALK
14. 8'-0"x 8'-0" CONCRETE TRANSFORMER PAD
15. NEW PARKING LOT LIGHT FIXTURE WITH CONCRETE SEE ELECTRICAL
16. GAS METER
17. EXISTING CMU WALL - NO OPENINGS
18. LANDSCAPING

Goal

1	3/7/02	PLANCHECK COMMENTS
2	4/29/02	PLANCHECK COMMENTS
3	8/13/02	PLANCHECK COMMENTS

OWNER:
THE LAS VEGAS RESCUE MISSION AND SHELTER OF HOPE
480 BONANZA ROAD
LAS VEGAS, NEVADA 89101
(702) 383-7355
(702) 647-6545 (FAX)
WWW.RESCUEMISSION.ORG

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CARSON CITY, NEVADA 89706
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(775) 883-6888 (FAX)
WWW.SWISHERHALL.COM

PROJECT TITLE:
LAS VEGAS RESCUE MISSION

JOB NO.	00143.00
ISSUE DATE	12-12-01
DRAWN BY	CS
CHECKED BY	

ISSUED FOR:
PERMIT

SHEET TITLE:
SITE PLAN

SHEET NO.
A1.1

9/12/2003 9:19:03 AM, kreynolds

SITE PLAN
1" = 20'-0"

RQR-3094
10-15-03 CC

City of Las Vegas

Agenda Item No. 107

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 789 North Nellis Boulevard (APN: 140-29-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

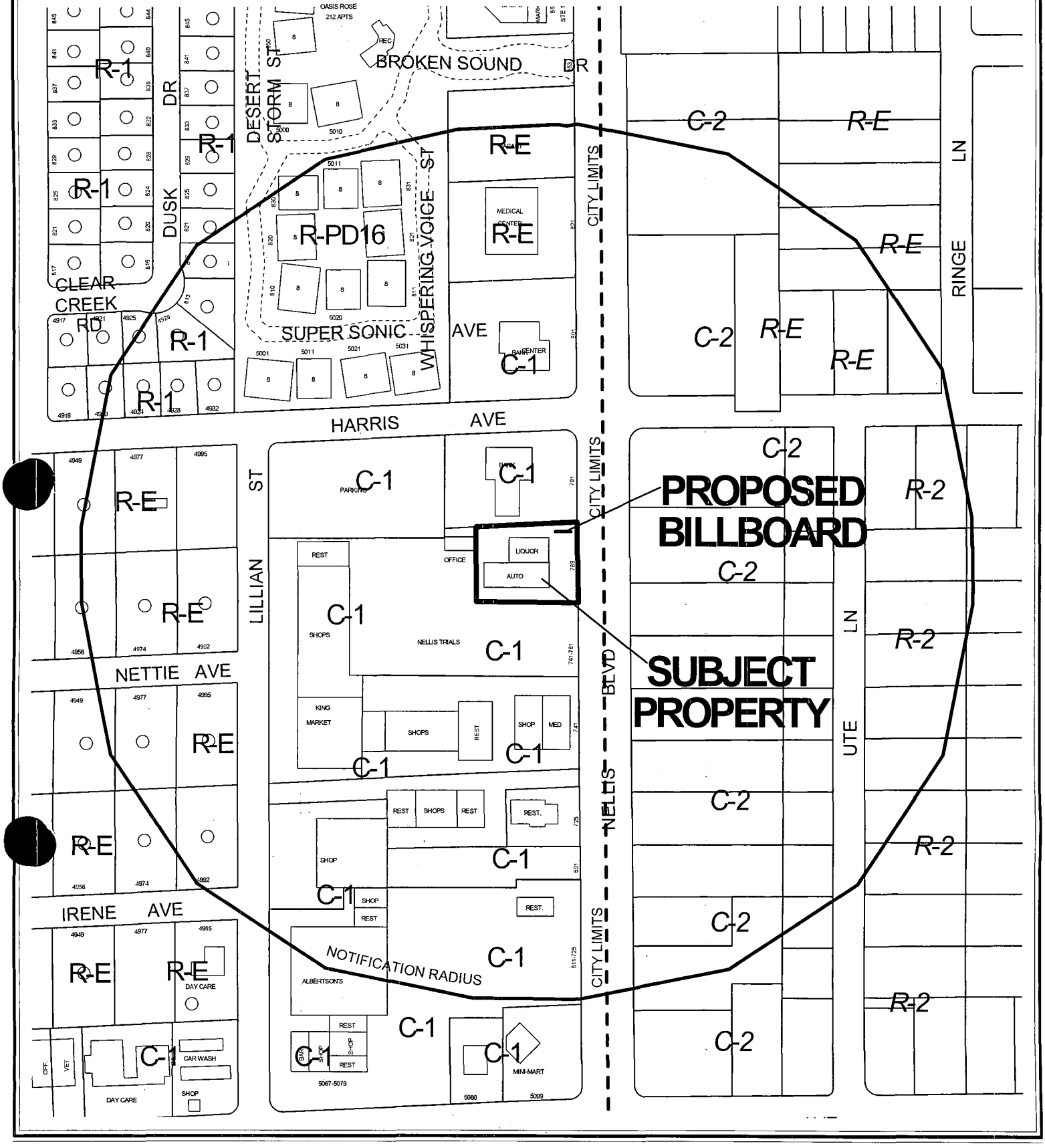
RECOMMENDATION:
The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Abeyance letter request from Singer & Brown
6. Submitted after final agenda -- Protest letters from William C. and Pauline B. McAnally, Trustees

MOTION:
REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [VAR-2839] and Item 104 [SUP-2665] and HOLD IN ABEYANCE Item 107 [SUP-2759], Item 108 [SUP-2760] and Item 115 [SUP-2848] to 11/19/2003 – UNANIMOUS with GOODMAN excused

MINUTES:
There was no discussion.

(1:08 – 1:10)

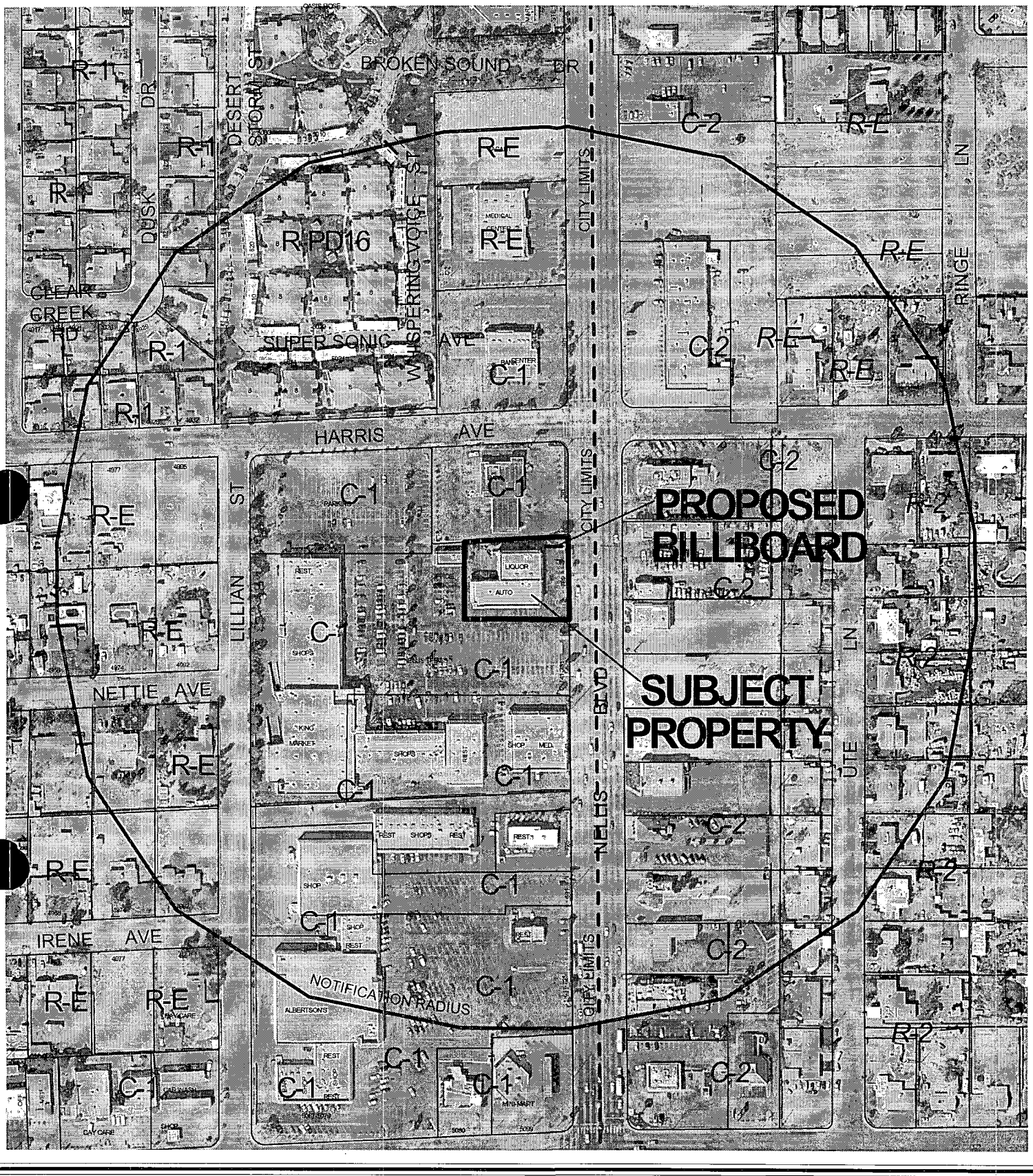


0 200 400 Feet

CASE: SUP-2759

RADIUS: 750 FT

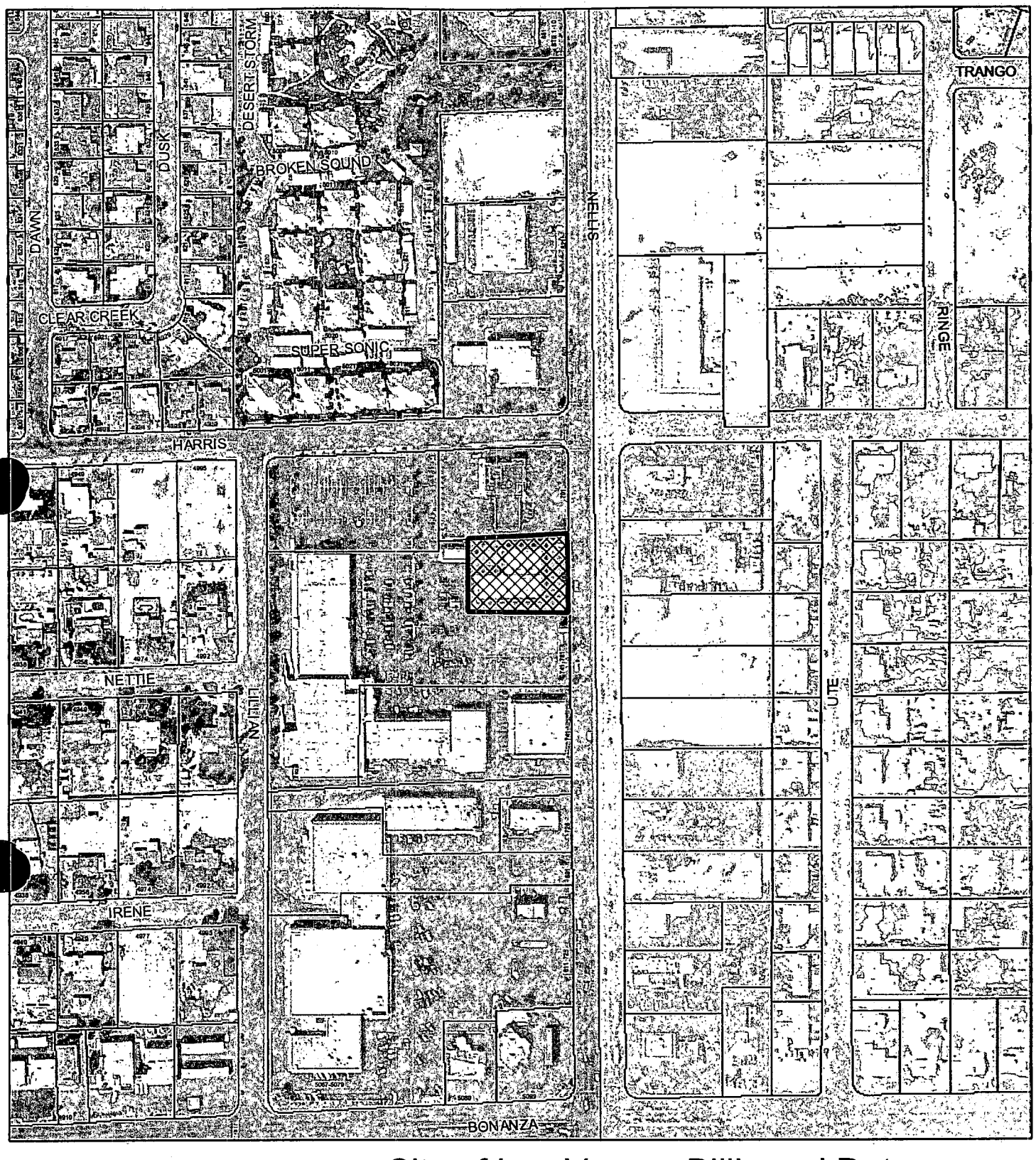
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-2759**

RADIUS: 750 FT

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



SUP-2759

City of Las Vegas Billboard Data

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

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
GEOGRAPHIC INFORMATION SYSTEMS
Planning and Development Department
702-229-6301

M:\Planning\GIS\projectsGIS\Current-Planning\billboards\billboard-site-map.mxd

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, 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. All existing landscaping shall remain unaltered, including the existing tree within the proposed billboard planter location.

3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

4. 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.

5. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

6. Only one advertising sign is permitted per sign face.

7. 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.

8. 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.

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

Public Works

10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

SUP-2759 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 789 North Nellis Boulevard.

This item was held at the 08/28/03 Planning Commission to allow time for the applicant to meet with staff.

The applicant met with staff on 09/06/03 to review the proposed billboard. Discussion about the location and the on-premise signs were discussed. No changes to the proposed billboard are proposed. The findings have not changed from the original report.

B) Applicant's Justification

The applicant believes that the proposed sign will greatly benefit the local businesses by providing economical advertising space. The location meets Title 19 regulations and that tourists regularly travel Nellis Boulevard to visit the Las Vegas Speedway.

BACKGROUND INFORMATION

A) Previous Actions

10/17/84 The City Council Approved a Rezoning (Z-0070-84) from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed Shopping Center located at the southwest corner of Nellis Boulevard and Harris Avenue.

02/21/96 The City Council Approved a Variance (V-0184-95) to allow a 14 foot by 48 foot advertising (billboard) sign approximately 144 feet from a residentially zoned property where 300 feet is the minimum separation required on property located at 4851 East Bonanza Road. The Board of Zoning Adjustment recommended approval. (This site is approximately 2,050 feet from the subject site)

01/22/97 The City Council Approved, then reconsidered and Denied a request for a Special Use Permit (U-0138-96) for a proposed 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 5099 East Bonanza Road. The Board of Zoning Adjustment action resulted in a tie, which is tantamount to denial.

02/21/01 The City Council approved a Required Five Year Review of an approved Variance, which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 4851 East Bonanza Road.

08/28/03 The Planning Commission voted to hold this item in Abeyance to allow the applicant time to meet with staff.

09/11/03 The Planning Commission recommended denial of a request for a Special Use Permit (SUP-2760) for a proposed 50 foot tall, 14-foot by 48-foot off-premise advertising (Billboard) sign at 745 North Nellis Boulevard, adjacent to the subject site.

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #14).

B) Pre-Application Meeting

06/25/03 The off-premise advertising (billboard) sign provisions were discussed including the restrictions on size, height, setbacks, and distance separation requirements. Special Use Permit submittal requirements were also discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.66

B) Existing Land Use

Subject Property:	Shopping Center
North:	Bank
South:	Shopping Center
East:	Commercial and undeveloped
West:	Shopping Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	Unincorporated Clark County
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	Unincorporated Clark County
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southeast 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	

Special Notification
The notification radius for the subject land use application includes areas of Unincorporated Clark County, therefore, special notification has been sent to the Clark County Planning Department.

Project of Regional Significance
A Special Use Permit application concerning property within 500 feet of the city boundary with Clark County is deemed a Project of Regional Significance. The subject property is located adjacent to North Nellis Boulevard, which, in this area, serves as a divider line between City and Unincorporated Clark County property.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reason:

1) Any Special Use Permit within 500' of the City boundary with Clark County.

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 Metropolitan Police Department has indicated no significant law enforcement issues.

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	Compliance
Location	• No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	• Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	2,050 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	315 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	• 50 Feet from nearest ROW intersection	200 Feet	Y

The location of the proposed billboard is approximately 315 feet from the nearest residential property line located northwest of the subject site at 853 North Nellis Boulevard and approximately 2,050 feet from the nearest billboard which is located southwest of the subject site at 4851 East Bonanza Road. The proposed billboard sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

*A separate Special Use Permit application (SUP-2760) will be heard on the same agenda for a proposed off-premise advertising (billboard) sign located at 745 North Nellis Boulevard, which is approximately 425 feet south of the subject site. The two proposed billboards are separated by a distance greater than 300 feet, which meets the minimum distance separation requirement between off-premise advertising (billboard) signs.

B) General Analysis and Discussion

- Site Plan

The proposed billboard is located approximately 180 feet south of Harris Avenue and 18 feet west of North Nellis Boulevard. This location places the sign at the northeastern corner of 789 North Nellis Boulevard. A single support pole located within a required landscape planter elevates the sign approximately 23 feet above a drive aisle within the center. Locating a billboard support pole within a required landscape planter and above a required drive aisle will visually create an unappealing environment. Upon site inspection it was noted that a mature shade tree is located within the same planter as the proposed billboard. It has not been indicated on the submitted site plan whether that tree will remain. If approved, a condition has been added requiring the existing tree to remain.

Physically, the subject site is not appropriate for the proposed use. The proposed billboard is located within the Nellis Trails shopping center, which has approximately 465 feet of linear frontage along Nellis Boulevard. This frontage allows the shopping center three on-premise advertising freestanding ground signs. The site currently has three on-premise advertising freestanding ground signs. While off-premise advertising signs do not count towards on-premise advertising sign regulations, the visual impact of additional signage would not be harmonious and compatible with the subject property or surrounding area. With this application and companion item SUP-2760, two additional off-premise advertising signs would saturate this corridor.

- 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 subject property is zoned C-1 (Limited Commercial) and is located on the west side of Nellis Boulevard, south of Harris Avenue, which is outside of the Off-Premise Sign Exclusionary Zone.

- Use

Off-premise signs are considered a principal land use not an incidental. 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. In this instance, the proposed off-premise sign does not fit properly onto the proposed site due to the location and overabundance of signage within the shopping center, which would create visual clutter and incompatibility on the property.

- 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 which 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.

If approved, a condition has been recommended requires conformance to all minimum requirements. Additional conditions have been recommended, if this application is approved to ensure the billboard and the property are properly maintained. 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. However, this sign would add to the proliferation of signage already along this portion of Nellis Boulevard, which would result in an unharmonious and incompatible land use on the subject property.

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

   The subject sign is proposed to be located within a required landscape planter and above a required drive aisle. Physically, there is adequate clearance below the sign to allow vehicles access through the drive aisle. However, the addition of a 40 foot tall 14-foot by 48-foot sign within a landscape planter that contains one of the few on-site trees would negatively impact the subject site. Additionally, the proposed use would add intensity, in the form of additional signage, which would produce visual clutter and result in incompatibility on-site. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The subject site is not physically suitable for this type of 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 subject site is located adjacent to Nellis Boulevard, a 100-foot wide Primary Arterial. The proposed use will not generate any additional traffic demand.

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 off-premise sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 69 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2759 APN: 140-29-802-004

Name of Property Owner: William Miguel ETAL

Name of Applicant: Reagan National Adv of Nevada

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Andy Bilanzich

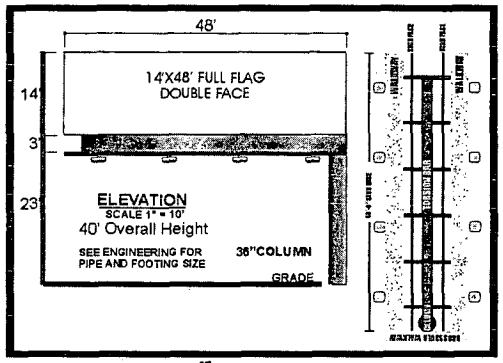
Print Name: Andy Bilanzich

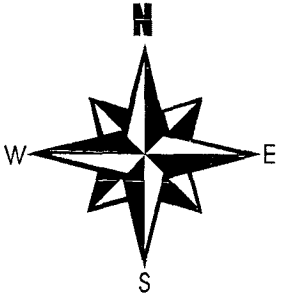
Subscribed and sworn before me

This 24th day of June, 2003

Notary Public in and for said County and State

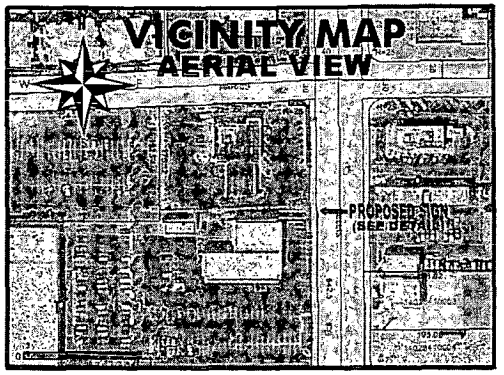
NOTARY PUBLIC
County of Clark-State of Nevada
SHAWN SCHROTT
No. 00-60577-1
My Appointment Expires Jan. 3, 2004

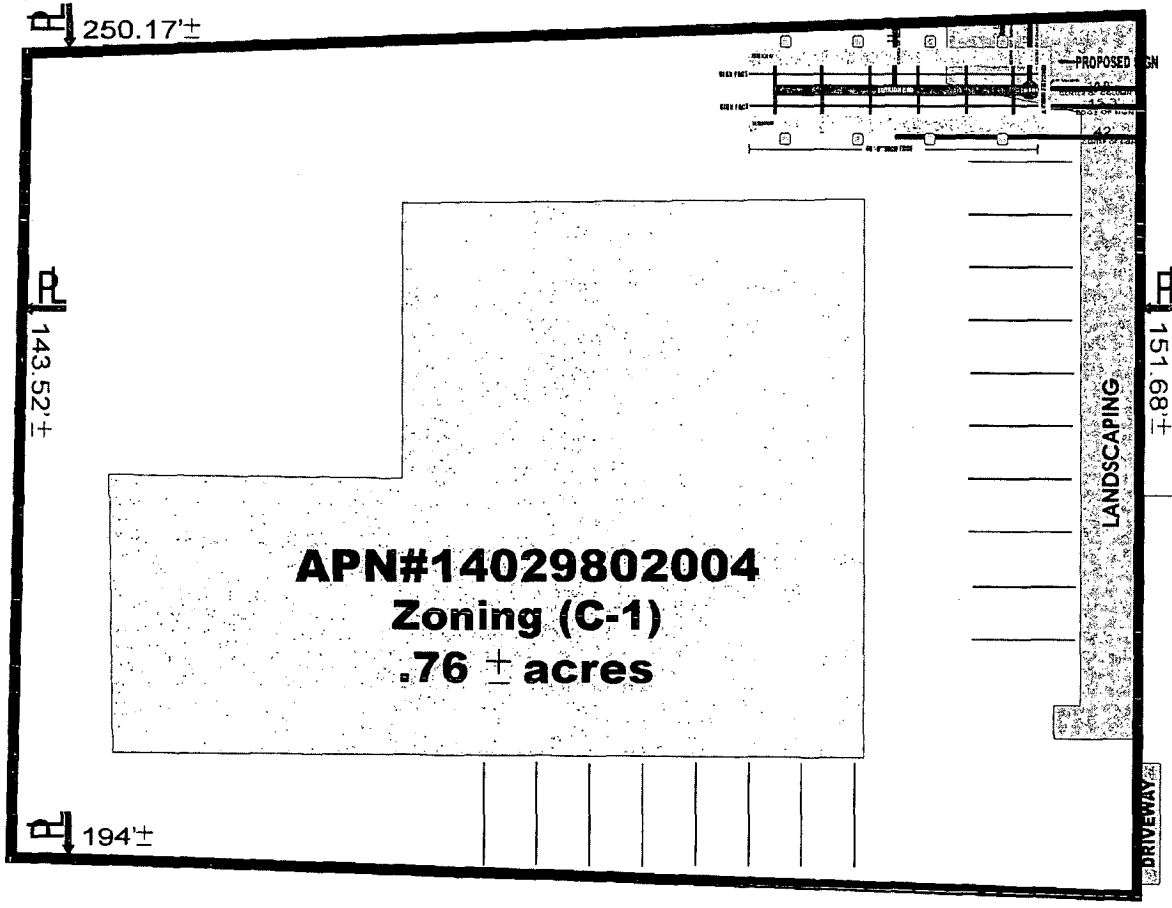




TOP VIEW
SCALE 1" = 10'

DETAIL





GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

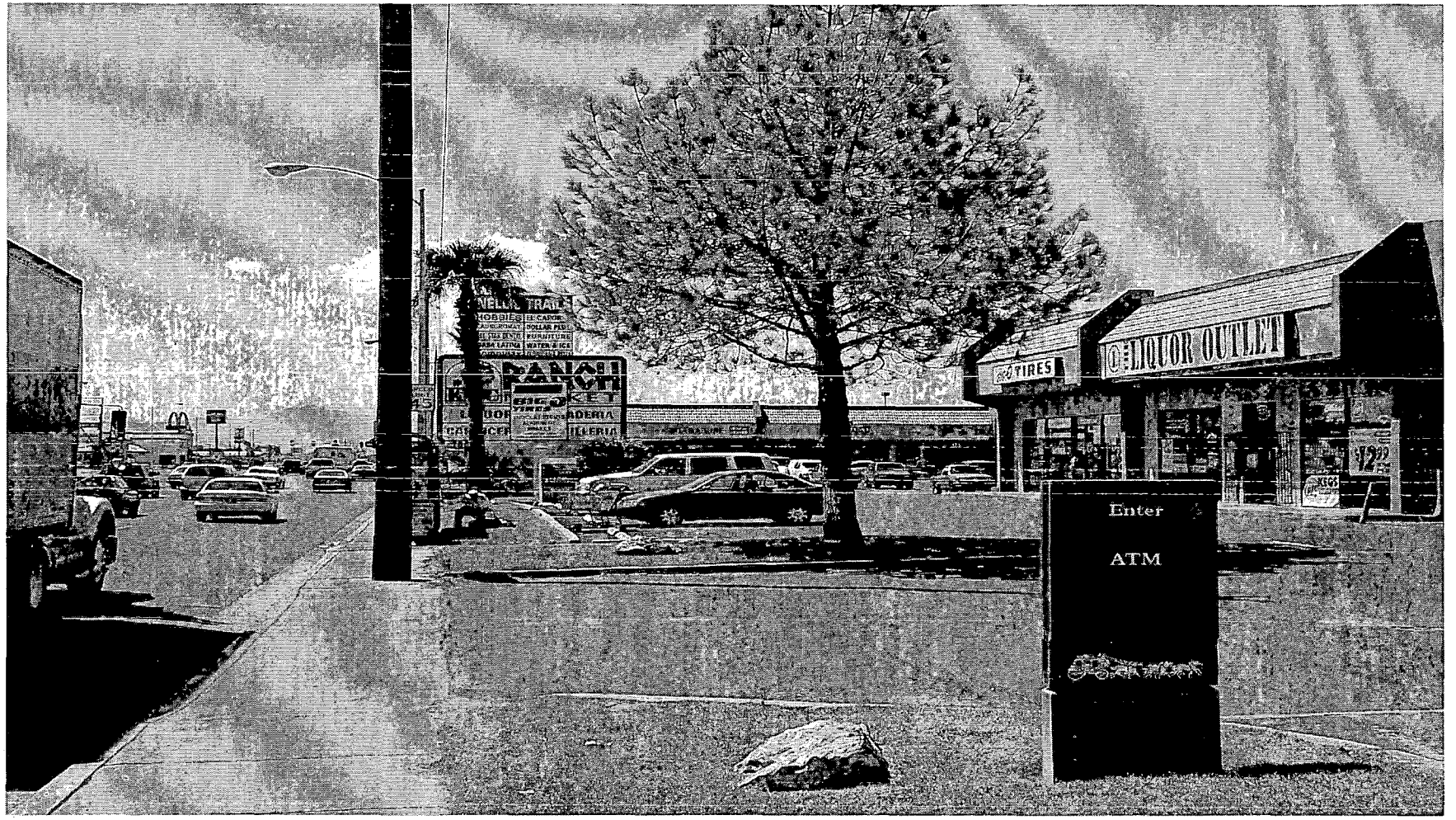
REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JONES
4145 W. FLAMINGO AVE / LAS VEGAS, NV 89118 / 702-565-0022

OWNER: MIGUEL WILLIAM P ETAL	
SCALE: NOTED / APPROVED BY: / DRAWN BY: TOM JONES	
DATE: 8-19-03 / REVISED:	
LOCATION: 789 N NELLIS 89110	
APN# 14029802004	DRAWING NUMBER: 206

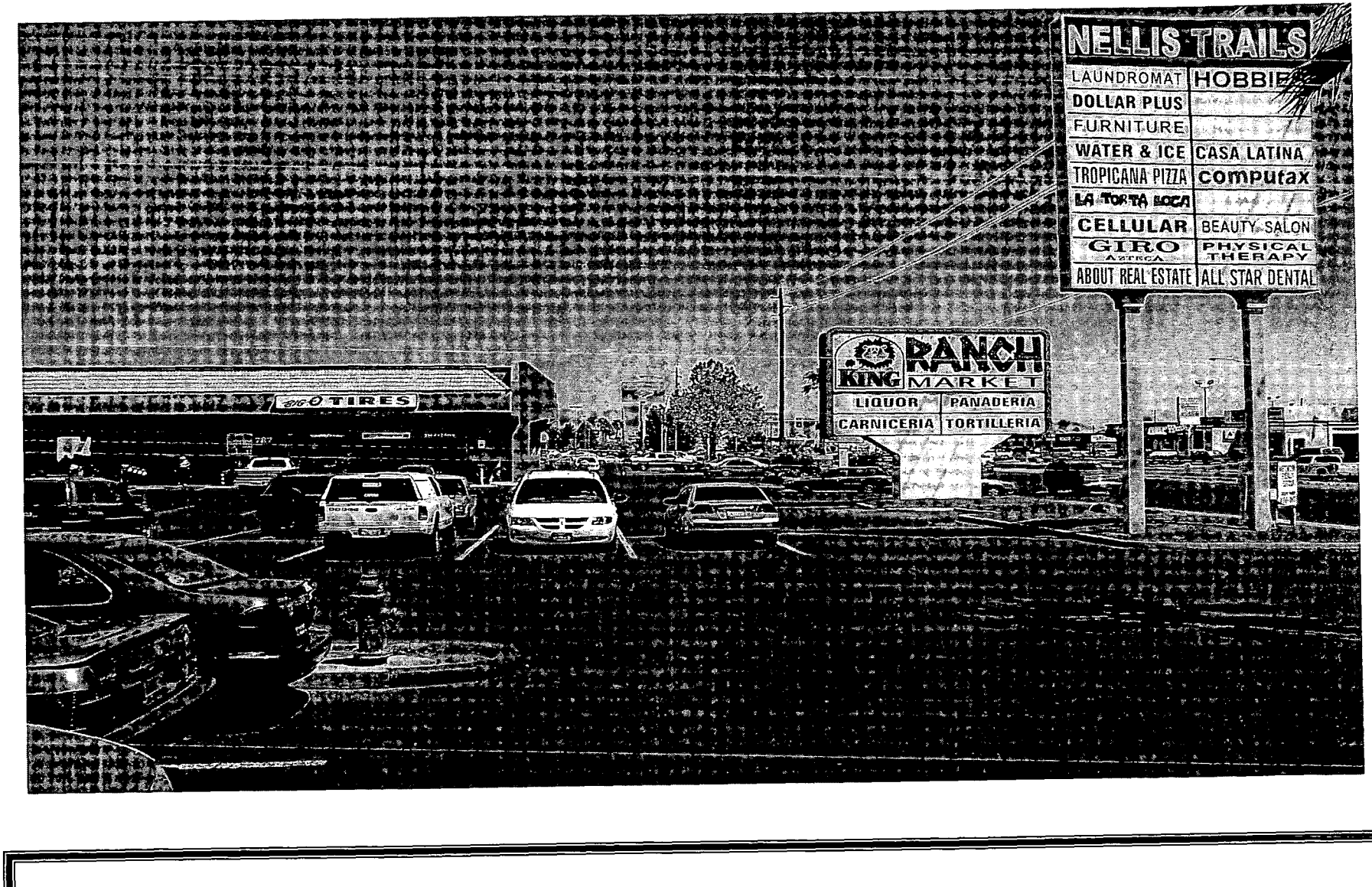
SUP-2759
8-28-03 PC

STAFF



SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
789 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03



SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
789 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 17, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: Abeyance – SUP-2759 – Special Use Permit (Reagan National Advertising)
APN: 140-29-802-004
William Miquel

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My clients wish to appeal the denial by the Planning Commission of SUP-2759.

Your assistance in this matter is sincerely appreciated.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 SEP 17 P 3:05

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

October 10, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

Re: Item No. 110, SUP-2759 – Reagan National Advertising on behalf of William P. Miquel

Item No. 111, SUP-2760 – Reagan National Advertising on behalf of William P. Miquel

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My client is requesting that the hearing on both SUP-2759 and SUP-2760 be continued from the October 15 City Council meeting to November 19, 2003.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 OCT 10 P 2:23

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

RECEIVED
2003 OCT -6 P 2:
CITY CLERK

AUNTODA LIVING TRUST
5193 HARRIS ST
LAS VEGAS NV 89110-2540

MEETING: CITY COUNCIL
DATE: OCTOBER 15, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-2759

APPEAL FILED BY SINGER & BROWN FROM THE DENIAL BY THE PLANNING COMMISSION OF A REQUEST BY REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL FOR A SPECIAL USE PERMIT FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT 789 NORTH NELLIS BOULEVARD (APN: 140-29-802-004), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

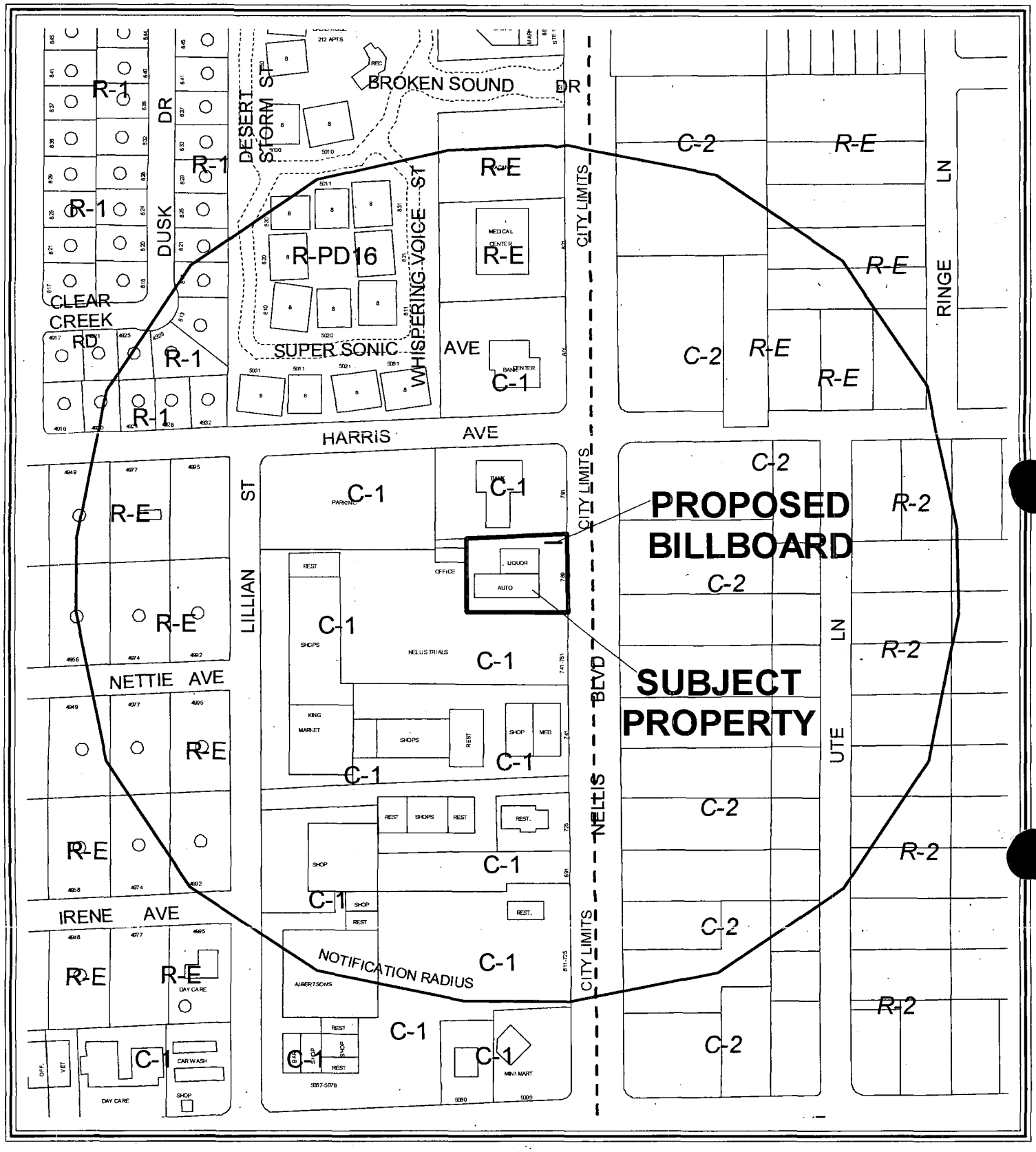
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

We Strongly Object. Kings Ranch Market already has a large sign in this area. We dont need any more.
William C. McCauley (Est)
Pauline B. McCauley (Est)

Protest

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE



CASE: **SUP-2759**

RADIUS: 750 FT

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

NOTICE OF PUBLIC HEARING

RECEIVED
CITY CLERK
2003 OCT 24 P 2:52

RECEIVED
CITY CLERK
2003 OCT 24 P 2:52

SPECIAL USE PERMIT

AUNTODA LIVING TRUST
5193 HARRIS ST
LAS VEGAS NV 89110-2540

MEETING: SPECIAL CITY COUNCIL
DATE: OCTOBER 29, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

RENOTIFICATION
SUP-2759

Protest

APPEAL FILED BY SINGER & BROWN FROM THE DENIAL BY THE PLANNING COMMISSION OF A REQUEST BY REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL FOR A SPECIAL USE PERMIT FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT 789 NORTH NELLIS BOULEVARD (APN: 140-29-802-004), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

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22 Oct 03
Again, we strongly oppose. Kings Ranch market already has a large sign in this area.
William C. McAnally (1st)
Pauline B. McAnally (1st)

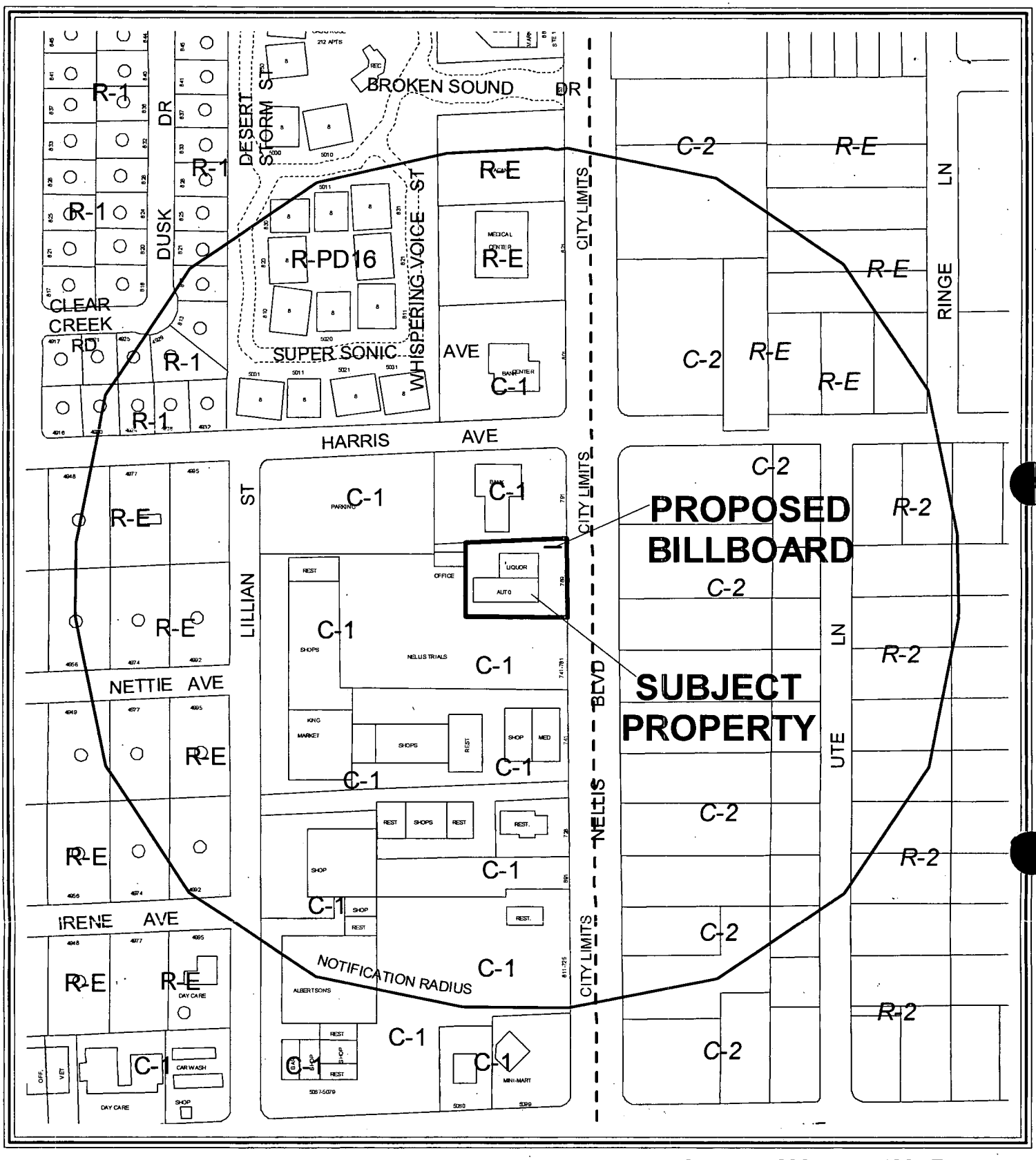
P.S. The place already looks like Mexico. Don't like it. Lets cater to Americans.

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

Submitted after final agenda

Date 10/24/03 Item # 107



CASE: **SUP-2759**

RADIUS: 750 FT

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

City of Las Vegas

Agenda Item No. 108

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign to be 50 feet tall where 40 feet is the maximum allowed unless the display surface is obscured from view at 745 North Nellis Boulevard (APN: 140-29-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Abeyance letter request from Singer & Brown
6. Submitted after final agenda -- Protest letters from William C. and Pauline B. McAnally, Trustees

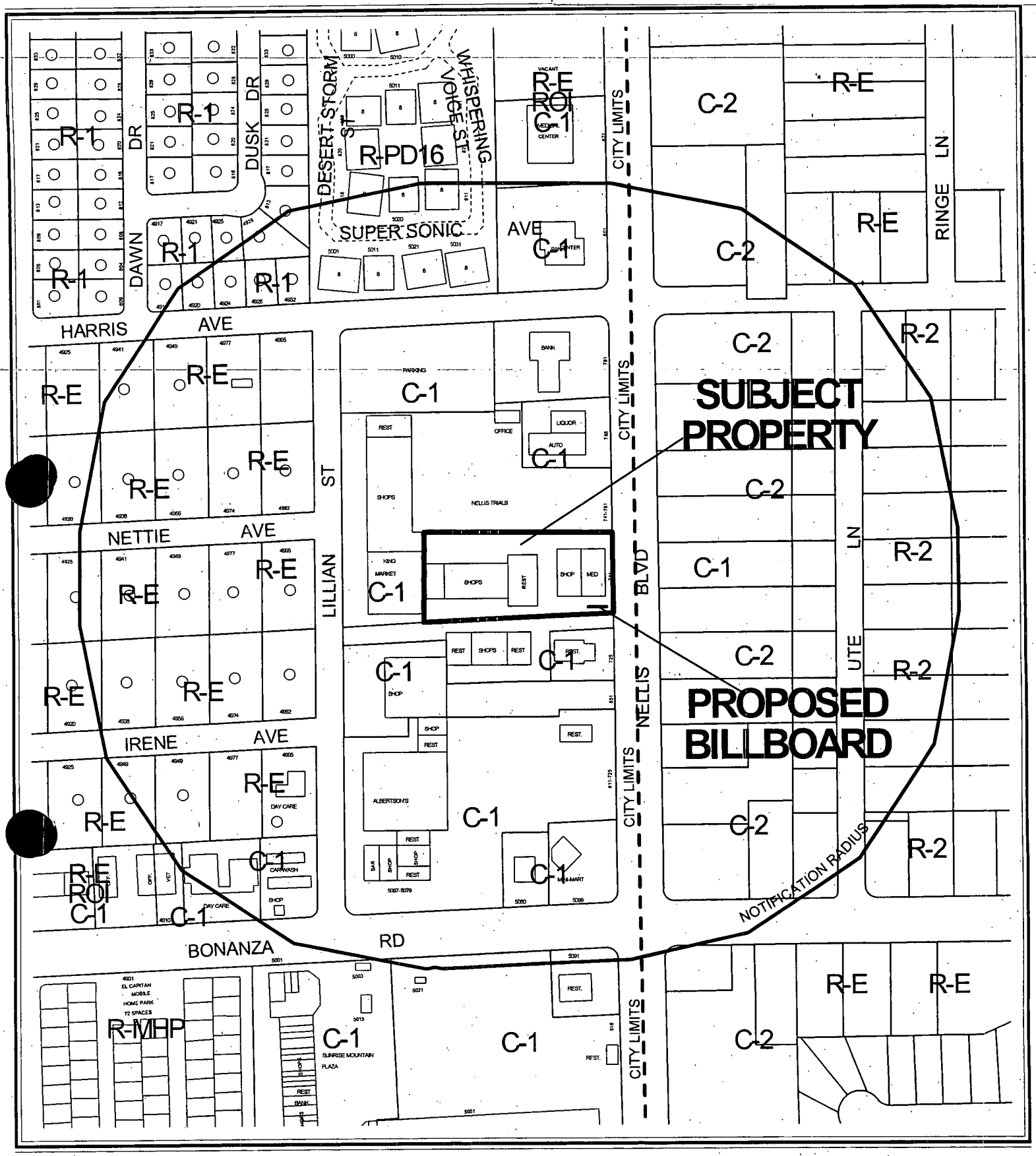
MOTION:

REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [VAR-2839] and Item 104 [SUP-2665] and HOLD IN ABEYANCE Item 107 [SUP-2759], Item 108 [SUP-2760] and Item 115 [SUP-2848] to 11/19/2003 – UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(1:08 – 1:10)

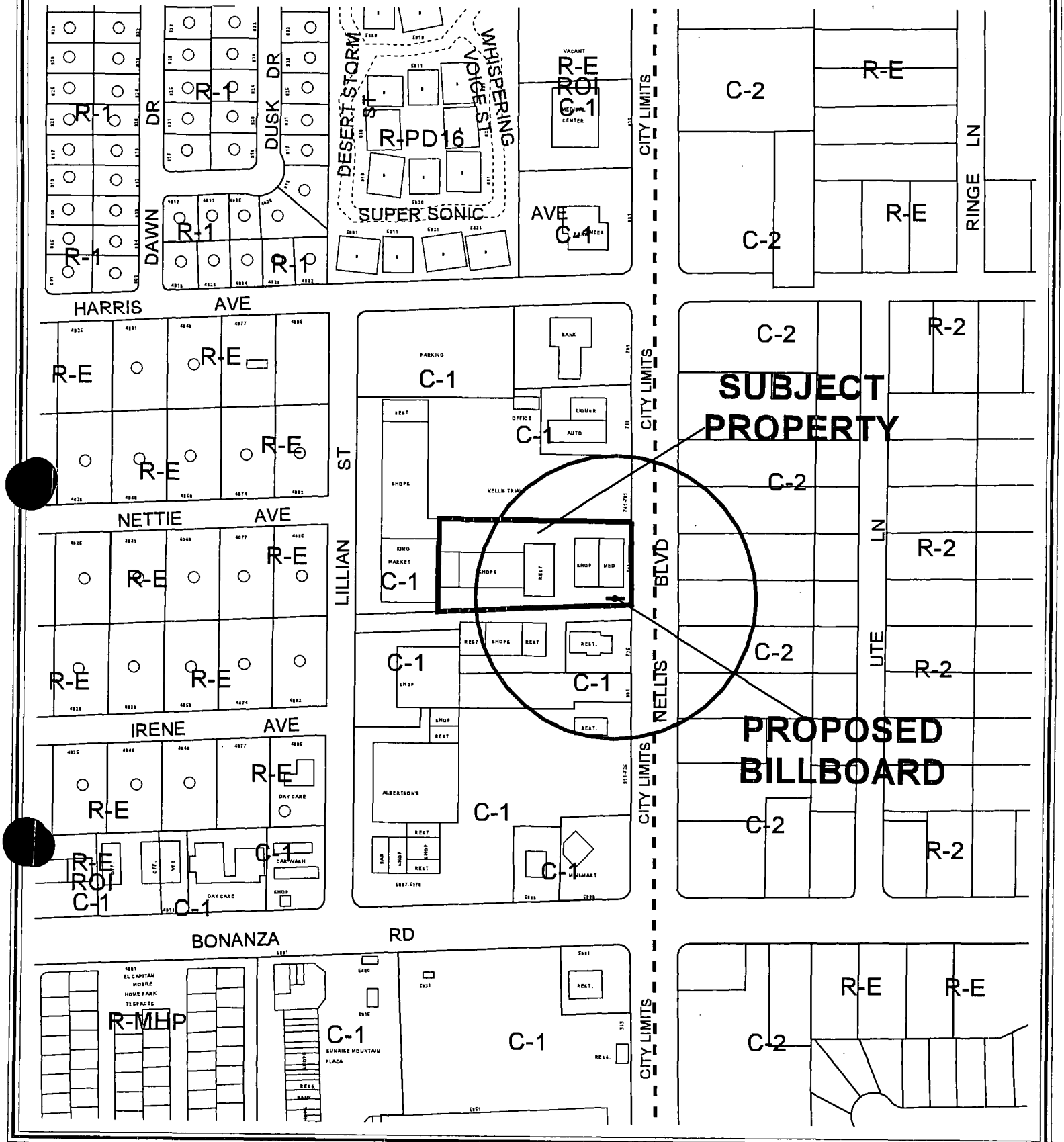


0 100 200 Feet

CASE: **SUP-2760**

RADIUS: 750 FT

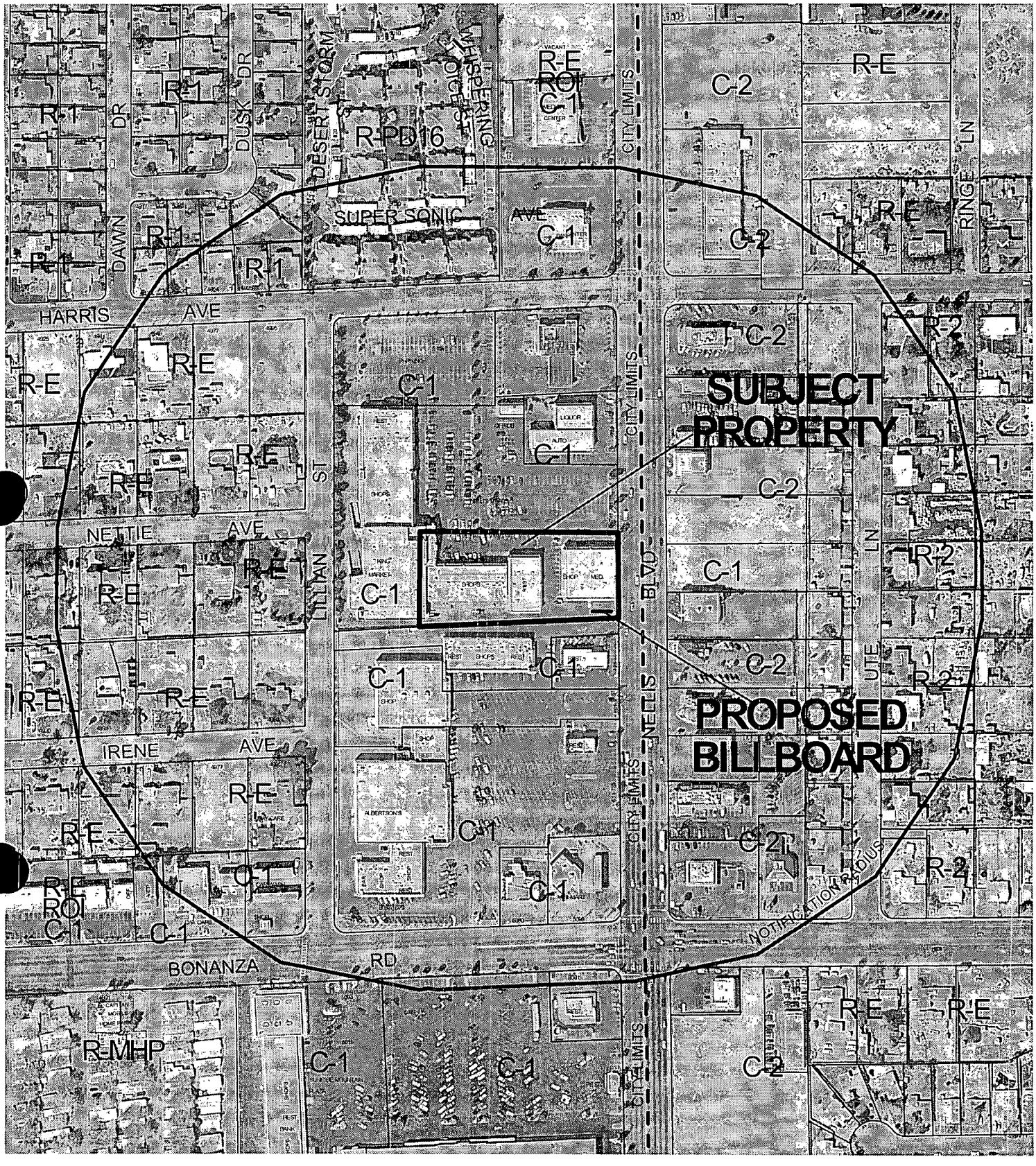
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-2760**

SEPARATION RADIUS: 300 FT

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



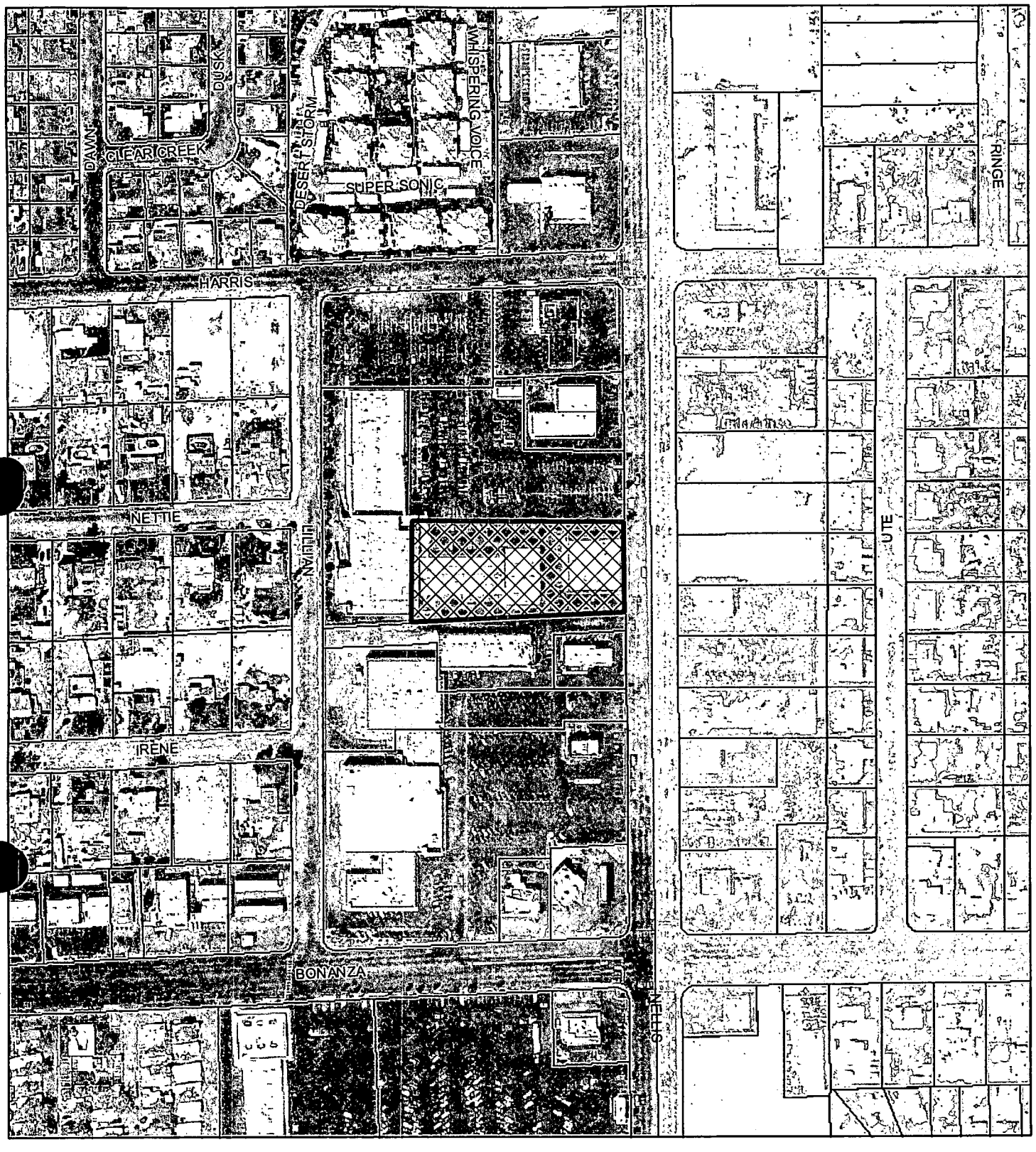
CASE: **SUP-2760**

RADIUS: 750 FT

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

0 100 200 Feet

N



SUP-2760

City of Las Vegas Billboard Data

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

N

M:\Planning\GIS\projectsGIS\Current-Planning\billboards\billboard-site-map.mxd

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

2. 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.

3. A parking analysis shall be submitted for review and approval by the Planning and Development Department staff, prior to the time an application is made for a building permit, depicting the required amount of on-site parking spaces for the subject site.

4. 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.

5. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

6. Only one advertising sign is permitted per sign face.

7. 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.

8. 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.

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

Public Works

10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

SUP-2760 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 745 North Nellis Boulevard.

The applicant met with staff on 09/06/03 to discuss the proposed billboard. Discussion about the location and the on-premise signs were discussed. No changes to the proposed billboard are proposed. The findings have not changed from the original report.

B) Applicant's Justification

The proposed sign will not affect the Arby's sign located approximately 76 feet to the south. It is stated the proposed sign needs to be 50 feet in height to allow visibility from Nellis Boulevard due to its location next to an existing building. The location meets Title 19 regulations and that tourists regularly travel Nellis Boulevard to visit the Las Vegas Speedway.

BACKGROUND INFORMATION

A) Previous Actions

10/17/84 The City Council Approved a Rezoning (Z-0070-84) from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed Shopping Center located at the southwest corner of Nellis Boulevard and Harris Avenue.

02/21/96 The City Council Approved a Variance (V-0184-95) to allow a 14 foot by 48 foot advertising (billboard) sign approximately 144 feet from a residentially zoned property where 300 feet is the minimum separation required on property located at 4851 East Bonanza Road. The Board of Zoning Adjustment recommended approval. (This site is 1,820 feet from the subject property)

01/22/97 The City Council Approved, then reconsidered and Denied a request for a Special Use Permit (U-0138-96) for a proposed 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 5099 East Bonanza Road. The Board of Zoning Adjustment action resulted in a tie, which is tantamount to denial.

02/21/01 The City Council approved a Required Five Year Review of an approved Variance, which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 4851 East Bonanza Road.

08/28/03 The Planning Commission voted to hold this item in Abeyance to allow the applicant time to meet with staff.

09/11/03 The Planning Commission recommended denial of a request for a Special Use Permit (SUP-2759) for a proposed 40 foot tall, 14-foot by 48-foot off-premise advertising (Billboard) sign at 789 North Nellis Boulevard, adjacent to the subject site.

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #15).

B) Pre-Application Meeting

06/25/03 The off-premise advertising (billboard) sign provisions were discussed including the restrictions on size, height, setbacks, and distance separation requirements. It was noted that the applicant was requesting a 50-foot height due to visibility restrictions. Staff requested a rendering of the proposed billboard superimposed on-site showing the existing building and the visibility problem.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.73

B) Existing Land Use

Subject Property:	Shopping Center
North:	Shopping Center
South:	Restaurant
East:	Commercial and undeveloped
West:	Shopping Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	Unincorporated Clark County
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	Unincorporated Clark County
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southeast 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	

Special Notification
The notification radius for the subject land use application includes areas of Unincorporated Clark County, therefore, special notification has been sent to the Clark County Planning Department.

Project of Regional Significance
A Special Use Permit application concerning property within 500 feet of the city boundary with Clark County is deemed a Project of Regional Significance. The subject property is located adjacent to North Nellis Boulevard, which, in this area, serves as a divider line between City and Unincorporated Clark County property.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reason:

1) Any Special Use Permit within 500' of the City boundary with Clark County.

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 Metropolitan Police Department has indicated no significant law enforcement issues.

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	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	1,820 Feet*	Y
Separation distance from "U" or "R" zoning district	300 Feet	615 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	50 Feet	N
Setbacks (min.)	50 Feet from nearest ROW intersection	610 feet	Y

*A separate Special Use Permit application (SUP-2759) will be heard on the same agenda as this application for a proposed off-premise advertising (billboard) sign located at 789 North Nellis Boulevard, which is approximately 425 feet north of the subject site. The two proposed billboards are separated by a distance greater than 300 feet, which meets the minimum distance separation requirement between off-premise advertising (billboard) signs.

The location of the proposed billboard is approximately 615 feet from the nearest residential property line located west of the subject site at 4995 Nettie Avenue and approximately 1,820 feet from the nearest billboard which is located southwest of the subject site at 4851 East Bonanza Road. The proposed billboard sign meets the minimum distance separation requirements in addition to area and setback requirements of Title 19.14.100.

The proposed height of 50 feet is inappropriate for this site. Title 19 states that off-premise advertising 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, 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 in which case the billboard height may be increased to a maximum of 55 feet when authorized by the City Council. The on-site conditions do not meet the requirements to add additional height to the proposed billboard. The location of the sign is adjacent to a single story building where, at a height of 40 feet, the sign would not have obstructed visibility from traffic along Nellis Boulevard. Upon site inspection, it was noted that several other on-premise signs located on site may

obstruct the visibility of the sign. This over saturation of signs, both on-premise and proposed off-premise advertising signs, does not warrant an increased sign height. Further, this over saturation of signage is the basis for the denial recommendation for the proposed off-premise advertising sign.

B) General Analysis and Discussion

- Site Plan

The proposed billboard is located approximately 610 feet south of Harris Avenue and 17 feet west of North Nellis Boulevard. This location places the sign on the southern side of a building at 741 North Nellis Boulevard. A single support pole located within a parking stall elevates the sign approximately 33 feet above finished grade in order to display a billboard face (two 14 by 48 foot panels) above the adjacent storefront, visible from north and south traffic along Nellis Boulevard. As noted above, there is no adequate justification for the sign elevation to be raised to an overall height of 50 feet.

Physically, the subject site is not appropriate for the proposed use. The proposed billboard is located within the Nellis Trails shopping center, which has approximately 465 linear feet of frontage along Nellis Boulevard. This frontage allows the shopping center three on-premise advertising freestanding ground signs. The site currently has three on-premise advertising freestanding ground signs. While off-premise advertising signs do not count towards on-premise advertising sign regulations, the visual impact of additional signage would not be harmonious and compatible with the subject property. With this application and companion item SUP-2759, two off-premise advertising signs would add an overabundance of signage along this corridor.

- 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 subject property is C-1 zoned and is located on the west side of Nellis Boulevard, south of Harris Avenue, which is outside of the Off-Premise Sign Exclusionary Zone.

- Use

Off-premise signs are considered a principal land use rather than incidental to an existing 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. In this instance, the proposed off-premise sign does not fit properly onto the proposed site due to the location and an overabundance of signage within the shopping center which would create visual clutter and incompatibility on the property.

- Conditions

Title 19.14.100(D) specifies the following additional 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 which 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.

If approved, a condition has been recommended that conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements which includes the above conditions. Additional conditions have been recommended if this application is approved 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. However, this sign would be constructed to a greater height than permitted by Title 19 and would add to the proliferation of signage already along this portion of Nellis Boulevard, which would result in an unharmonious and incompatible land use on the subject property.

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

   The subject site is on a paved lot in a commercial center and the sign is proposed to be located within one parking space and above five more parking spaces. The proposed support column, being located within a parking space, will reduce the area for on-site parking. Additionally, the proposed use would add intensity, in the form of additional signage, which would produce visual clutter and result in incompatibility on-site. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The subject site is not physically suitable for this type of 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 subject site is located adjacent to Nellis Boulevard, a 100-foot wide Primary Arterial. The proposed use will not generate any additional traffic demand.

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 off-premise sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 92 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2760 APN: 140-29-802-005

Name of Property Owner: William Miguel ETAL

Name of Applicant: Reagan National Adv. of Nevada

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Andy Bilanzich

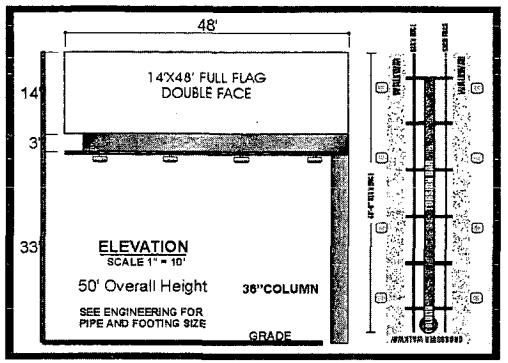
Print Name: Andy Bilanzich

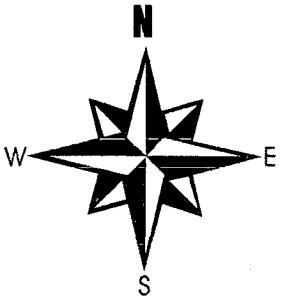
Subscribed and sworn before me

This 24th day of June, 2003

Notary Public in and for said County and State

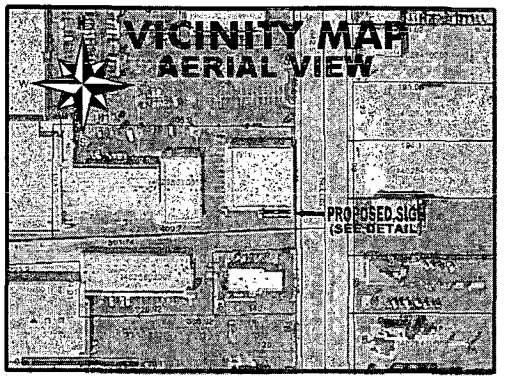
NOTARY PUBLIC
County of Clark-State of Nevada
SHAWN SCHROTT
No. 00-60577-1
My Appointment Expires Jan. 3, 2004

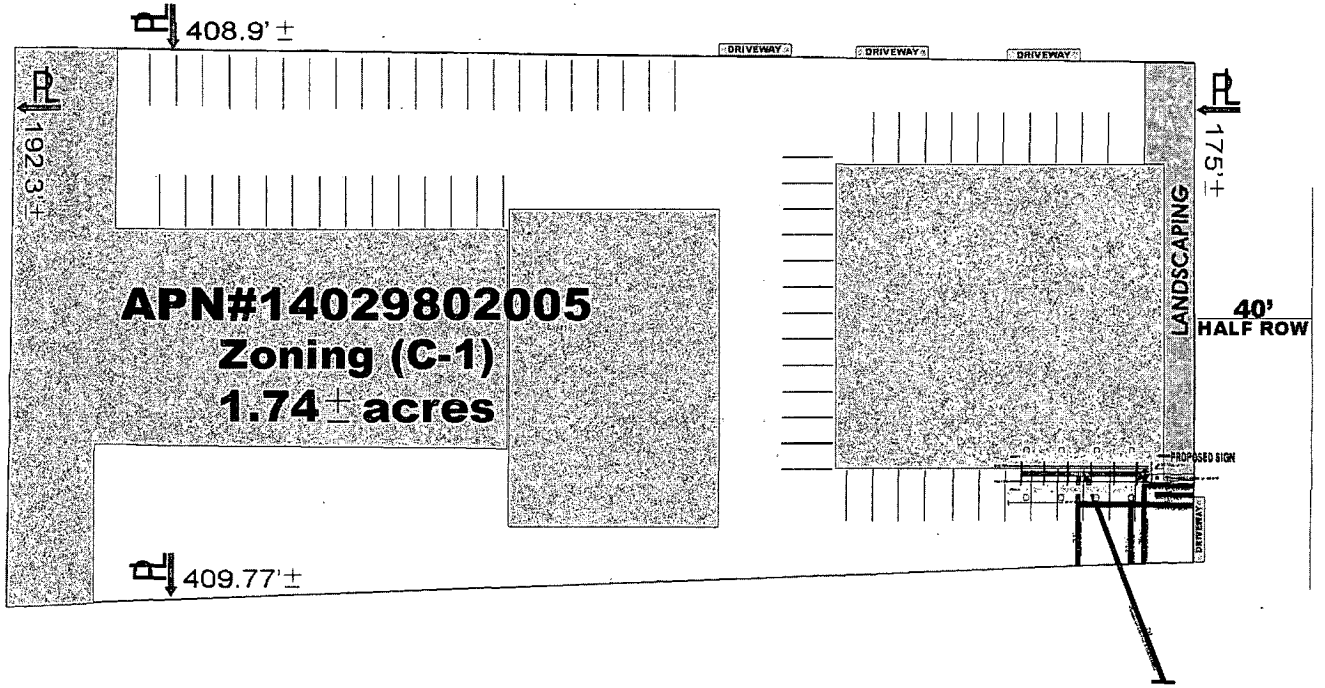




TOP VIEW
SCALE 1" = 20'

DETAIL





NELLIS

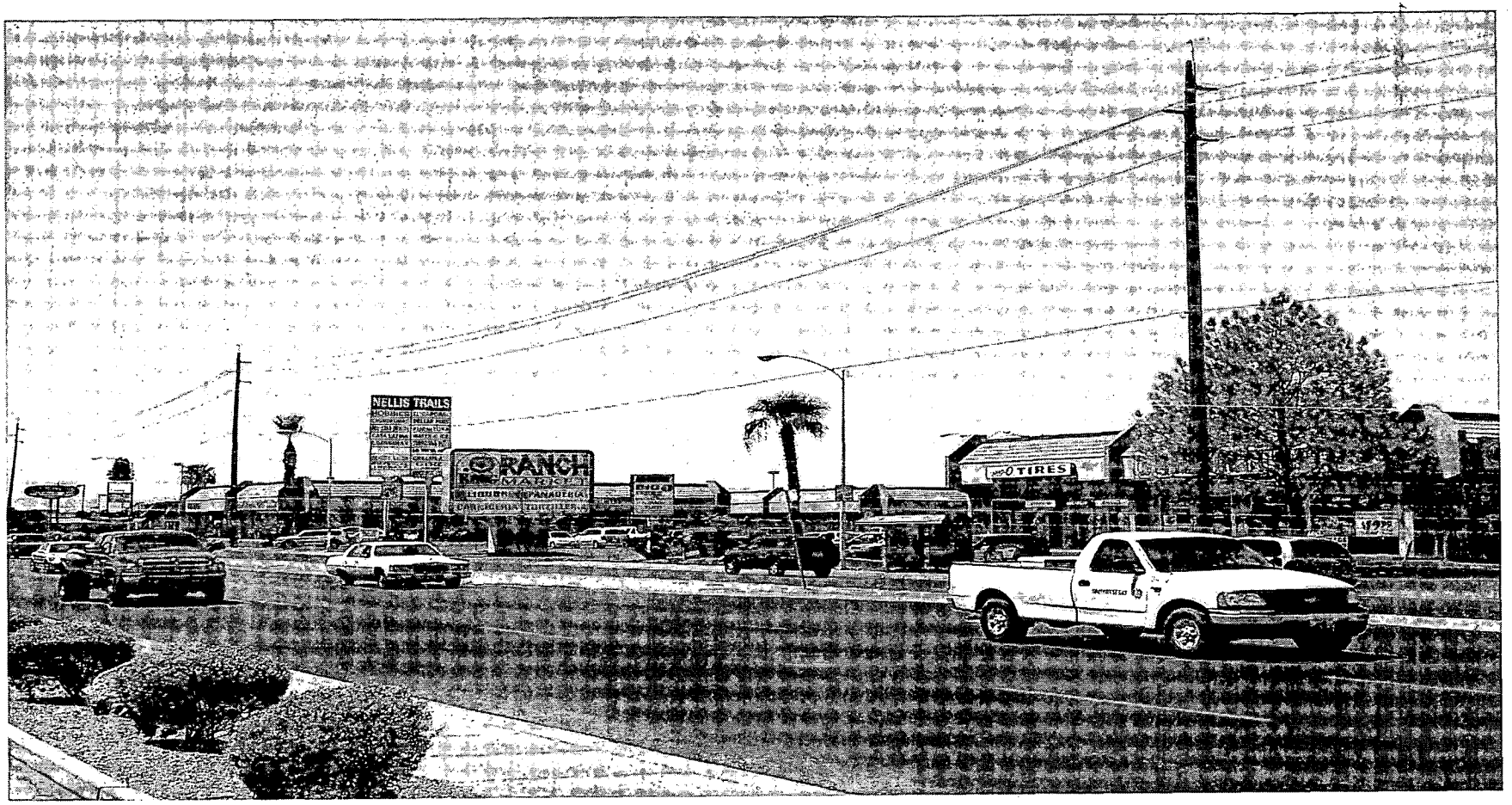
GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JONES DESIGN 4145 W. ESCO AVE / LAS VEGAS, NV 89118 / 702-645-0002

OWNER: MIGUEL WILLIAM P ETAL	
SCALE: NOTED	APPROVED BY:
DATE: 6-19-03	DRAWN BY: TOM JONES
REVISED:	
LOCATION: 745 N NELLIS 89110	
APN# 14029802005	DRAWING NUMBER: 205

STAFF SUP-2760
8-28-03 PC

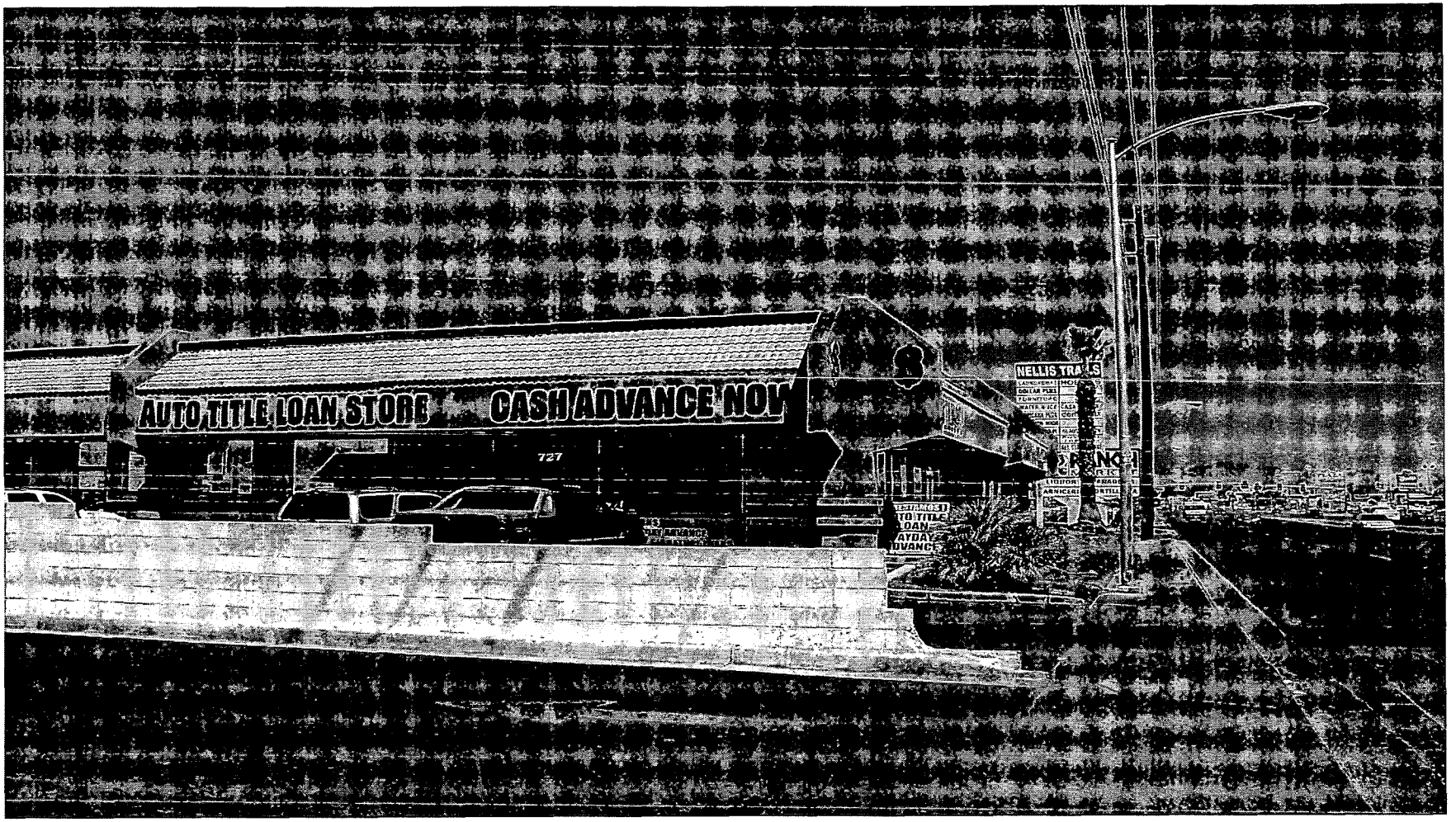


SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
745 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03

SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
745 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03



SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
745 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03

SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
745 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03

SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL
745 NORTH NELLIS BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/8/03

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 17, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: Abeyance – SUP-2760 – Special Use Permit (Reagan National Advertising)
APN: 140-29-802-005
William Miquel

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My clients wish to appeal the denial by the Planning Commission of SUP-2760.

Your assistance in this matter is sincerely appreciated.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 SEP 17 P 3:06

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

October 10, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

Re: Item No. 110, SUP-2759 – Reagan National Advertising on behalf of William P. Miquel

Item No. 111, SUP-2760 – Reagan National Advertising on behalf of William P. Miquel

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My client is requesting that the hearing on both SUP-2759 and SUP-2760 be continued from the October 15 City Council meeting to November 19, 2003.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 OCT 10 P 2:23

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

RECEIVED
2003 OCT -9 P
CITY CLERK

AUNTODA LIVING TRUST
5193 HARRIS ST
LAS VEGAS NV 89110-2540

MEETING: CITY COUNCIL
DATE: OCTOBER 15, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-2760

APPEAL FILED BY SINGER & BROWN FROM THE DENIAL BY THE PLANNING COMMISSION OF A REQUEST BY REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL FOR A SPECIAL USE PERMIT FOR A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE 50 FEET TALL WHERE 40 FEET IS THE MAXIMUM ALLOWED UNLESS THE DISPLAY SURFACE IS OBSCURED FROM VIEW AT 745 NORTH NELLIS BOULEVARD (APN: 140-29-802-005), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

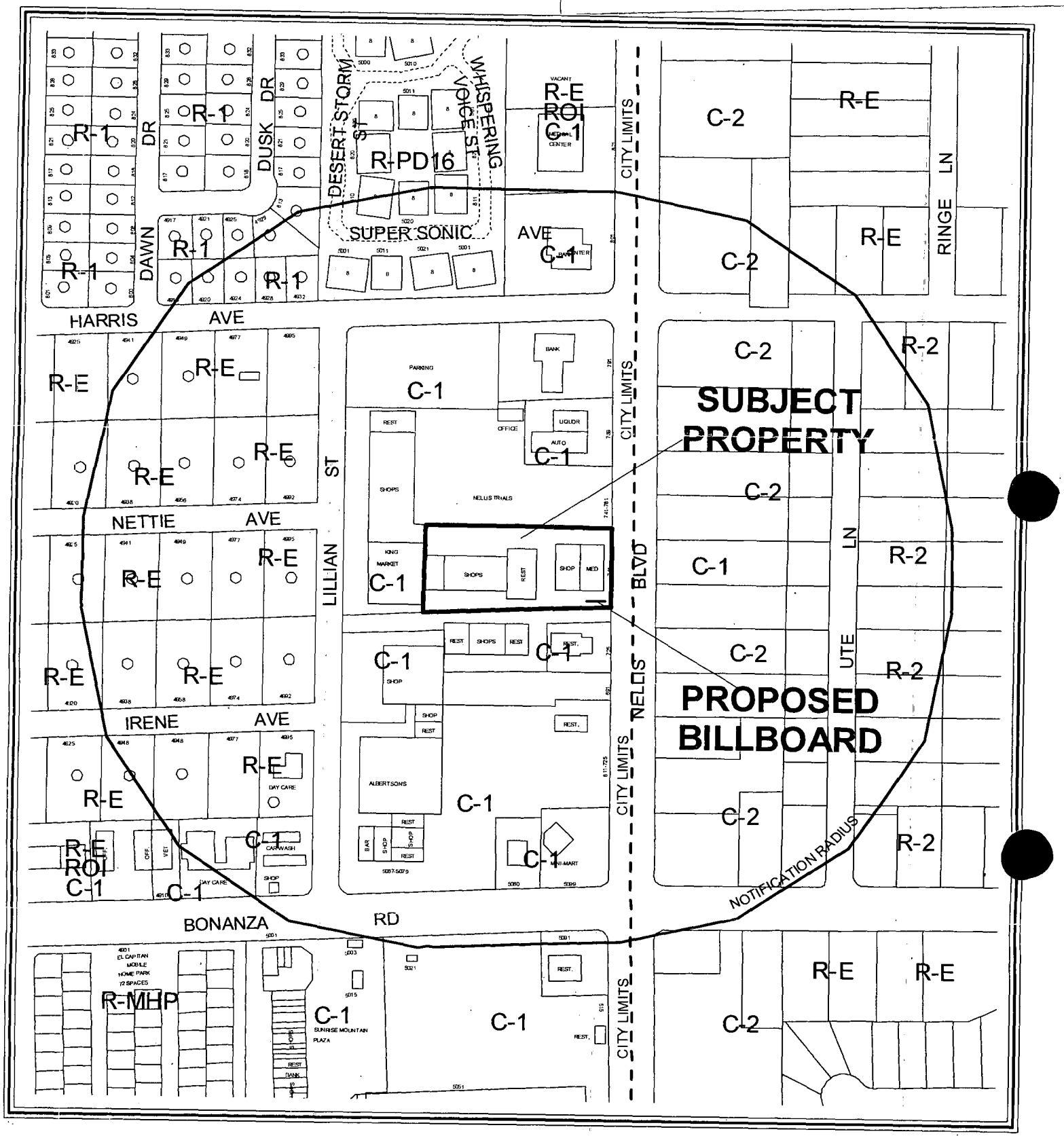
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

We strongly object. Kings Ranch Market already has a large sign in this area. We don't need any more.
William C. McAnally (1st)
Pauline B. McAnally (1st)

Protest

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE



CASE: **SUP-2760**

RADIUS: 750 FT

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

0 100 200 Feet

N

NOTICE OF PUBLIC HEARING

CITY CLERK

2003 OCT 24 P 2:52

SPECIAL USE PERMIT

AUNTODA LIVING TRUST
5193 HARRIS ST
LAS VEGAS NV 89110-2540

MEETING: SPECIAL CITY COUNCIL
DATE: OCTOBER 29, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

Protest

RENOTIFICATION
SUP-2760

APPEAL FILED BY SINGER & BROWN FROM THE DENIAL BY THE PLANNING COMMISSION OF A REQUEST BY REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL FOR A SPECIAL USE PERMIT FOR A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE 50 FEET TALL WHERE 40 FEET IS THE MAXIMUM ALLOWED UNLESS THE DISPLAY SURFACE IS OBSCURED FROM VIEW AT 745 NORTH NELLIS BOULEVARD (APN: 140-29-802-005), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

22 Oct 03

Again, we strongly oppose. Kings Ranch Market already has a large sign in this area.

William C. McAnally (tst)
Pauline B McAnally (tst)

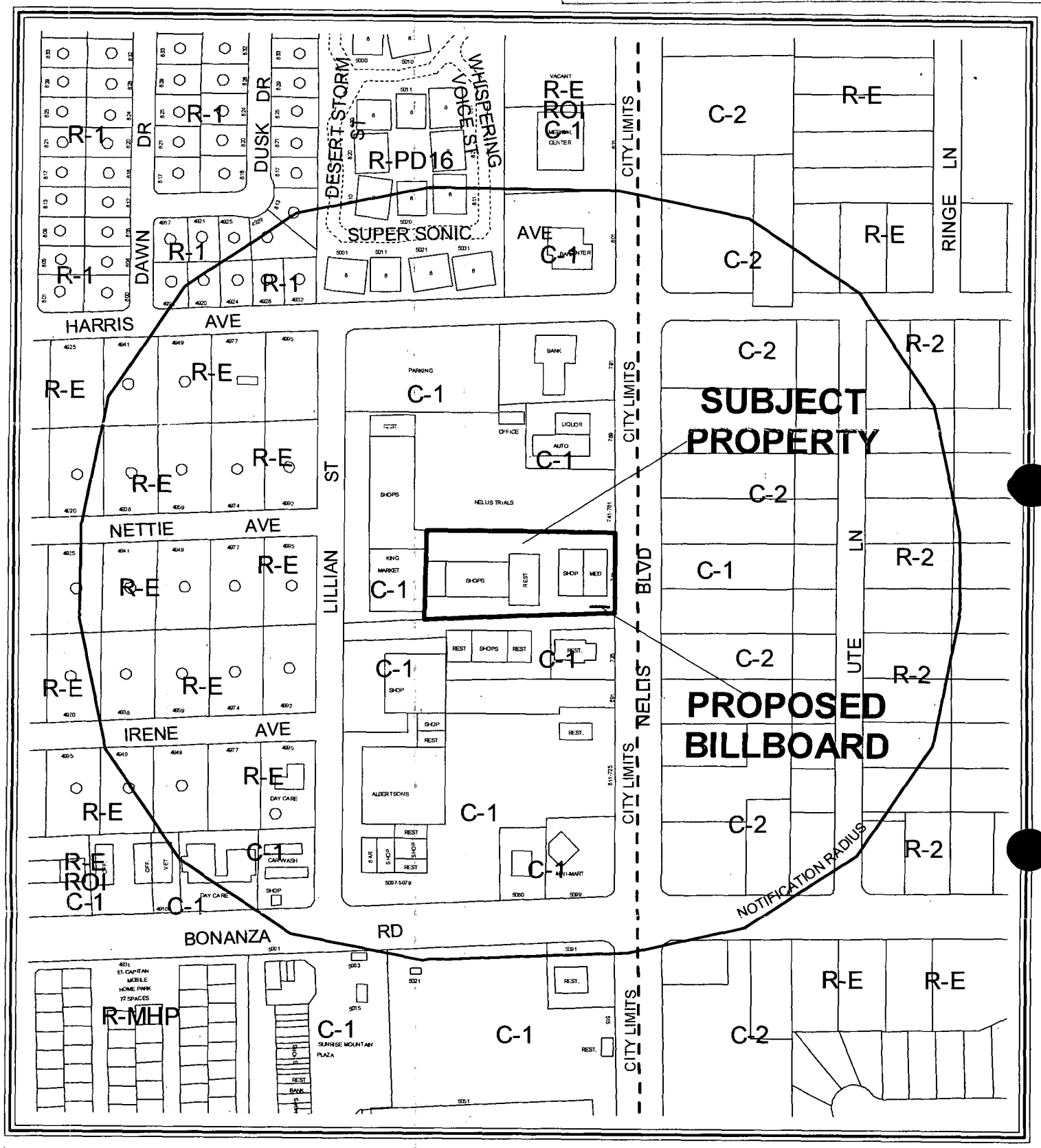
BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

P.S. The place already looks like Mexico. Dont like it. Lets cater to Americans.

Submitted after final agenda

Date 10/29/03 Item #108



CASE: **SUP-2760**

RADIUS: 750 FT

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

City of Las Vegas

Agenda Item No. 109

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2767 - VEGAS TREASURES, INCORPORATED ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit for a proposed supper club on a portion of 8.51 acres located at 8380 West Sahara Avenue, Suite 160 (APN: 163-04-416-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

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

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

ATTORNEY DAVE CROSBY appeared on behalf of the applicant and indicated he would answer any questions the Council may have.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:05 – 2:06)

City of Las Vegas

Agenda Item No. 109

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 109 – SUP-2767

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.

2. Approval of outdoor seating is contingent on the submittal of a parking analysis for the office/retail complex to the satisfaction of the Planning and Development Department.

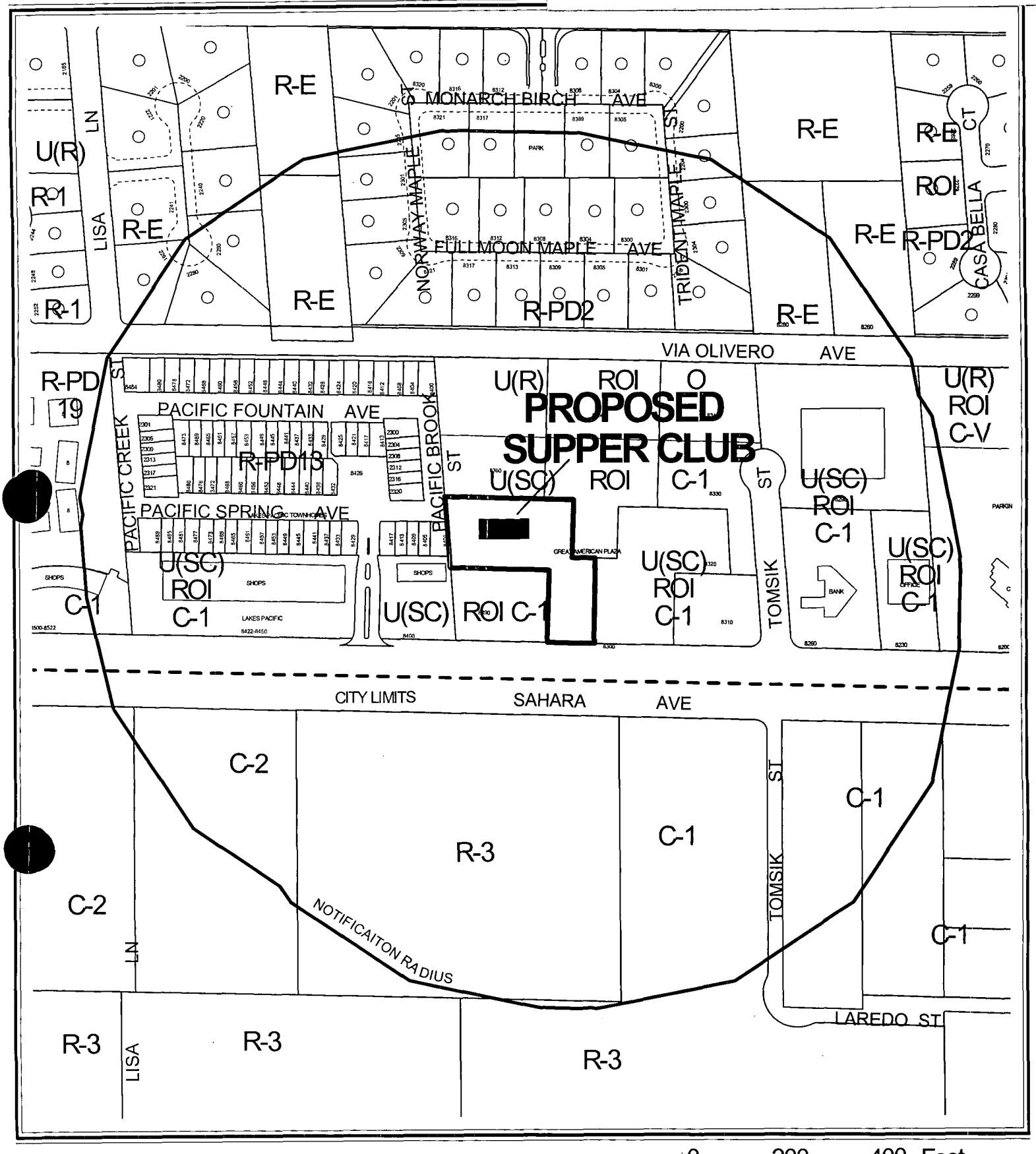
3. Conformance to applicable Conditions of Approval for Rezoning (Z-0035-02) and Site Development Plan Review [Z-0035-02(1)].

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

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

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

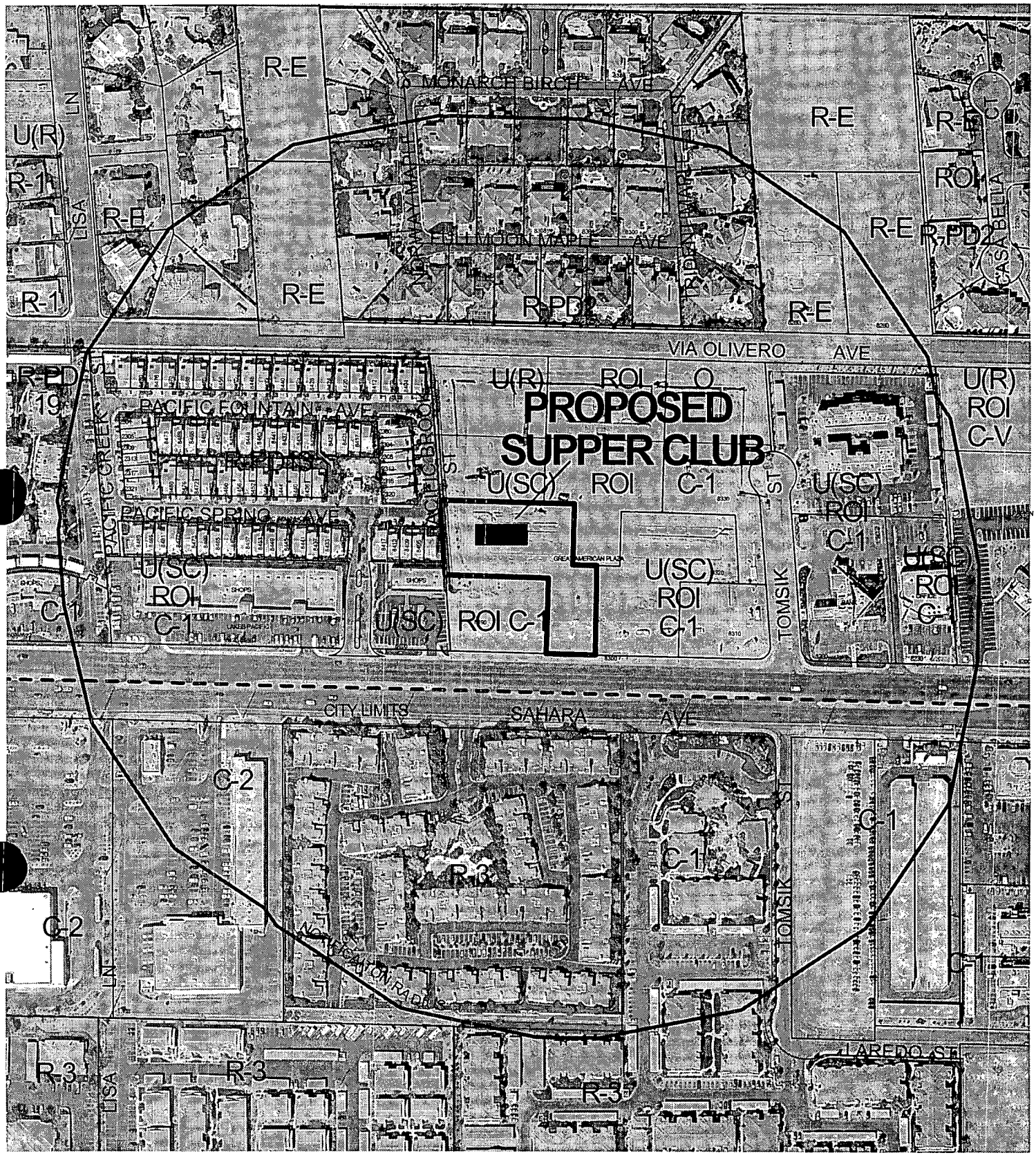
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-2767**

RADIUS: 750 FT

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



CASE: **SUP-2767**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2767 - VEGAS TREASURES, INC. ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.

2. Approval of outdoor seating is contingent on the submittal of a parking analysis for the office/retail complex to the satisfaction of the Planning and Development Department.

3. Conformance to applicable Conditions of Approval for Rezoning (Z-0035-02) and Site Development Plan Review [Z-0035-02(1)].

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

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

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

7. 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 a request for a Special Use Permit for a proposed Supper Club (Paymon's Café & Lounge) located at 8380 West Sahara Avenue, Suite 110.

B) Applicant's Justification

According to the applicant's justification letter, the applicant simply wishes to offer alcoholic beverages to complement the restaurant's Mediterranean cuisine. Parking is not anticipated to be a problem because offices within the commercial center will be closed during peak business hours for the restaurant.

BACKGROUND INFORMATION

A) Previous Actions

08/07/02 The City Council approved a request for a General Plan Amendment to amend a portion of the Southwest Sector of the General Plan (GPA-0013-02) from R (Rural) to O (Office) on the northern 200 feet of the subject site; a request for a Rezoning (Z-0035-02) from U (Undeveloped) Zone [SC (Service Commercial) and R (Rural) General Plan Designations] to C-1 (Limited Commercial) and O (Office) on the subject site; and a request for a Site Development Plan Review [Z-0035-02(1)] for a 103,133 square foot retail/office complex and a reduction in the amount of required parking lot landscaping on this site. The Planning Commission recommended approval on 07/11/02.

08/28/03 The Planning Commission recommended approval of a Special Use Permit (SUP-2734) for Secondhand Sales (Clothing) at 8320 West Sahara Avenue, Suite 160, which is located on the overall site. This item will be considered by the City Council on 10/01/03.

09/11/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #25).

10/09/03 The Planning Commission will consider a request for a Variance (VAR-2930) to allow 488 parking spaces where 540 is the minimum number of required spaces in the retail/office complex located on this site.

10/09/03 The Planning Commission will hear a request for a Special Use Permit (SUP-2975) for a Restaurant Service Bar at 8320 West Sahara Avenue, Suite 180, which is located on the overall site.

B) Pre-Application Meeting

07/07/03 The applicant was informed that the use may cause a possible parking deficiency on the office/retail site. A parking analysis should be submitted with plans for the restaurant that includes a breakdown of public and non-public areas and a count of the number of spaces on the lot in order for staff to determine parking requirements. The applicant plans to use additional spaces from adjacent parking areas to make up for a parking deficiency on the subject site, but must justify the belief that fewer parking spaces than required will actually be necessary.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	1.2 (entire office/retail site is 8.51 acres)

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Office
South:	Retail Commercial
East:	Retail Commercial
West:	Town Homes

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial) and O (Office)
South:	Clark County
East:	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
South:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
East:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
West:	R-PD13 (Residential Planned Development – 13 Units per Acre)

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	

Special Notification – Property located within the notification radius falls within sections of Unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

Project of Regional Significance – A Special Use Permit application concerning property within 500 feet of the city boundary with Clark County is deemed a Project of Regional Significance. The subject property is located adjacent to West Sahara Avenue which, in this area, serves as a divider line between City and Unincorporated Clark County property.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- Any Special Use Permit within 500'

A completed Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for review in the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

Area agencies and entities all found that this project would have a minimal impact on the environmental factors as outlined within the Environmental Impact Assessment questionnaire.

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
Supper Club – Public seating/waiting area	3,520 SF	1/50 SF GFA	68	3	---	---
Supper Club – Remaining floor area	3,600 SF	1/200 SF GFA	17	1	---	---
TOTAL	7,120 SF	---	85	4	474	14

Title 19 requires the provision of a minimum of 89 parking spaces for the proposed supper club. The office/retail complex provides 488 spaces, allowing for shared access across parcels. The parking requirement for the restaurant represents nearly one-fifth of the total number of spaces provided. The applicant assumes that lunch traffic will primarily consist of customers drawn from the nearby offices, and that more parking will be available in the evening, when these offices are closed.

A variance to allow fewer spaces than required in the office/retail center is scheduled to be heard by the Planning Commission on September 25, 2003. The current parking analysis shows that at least 540 spaces are required by Code, based on the office and retail uses. A restaurant service bar is proposed for another building within the complex, as well as a beauty spa; these more intense uses put further strain on the amount of available parking.

A dimensioned floor plan was not submitted, but the applicant indicates that the restaurant and lounge will contain approximately 7,120 square feet and will include outdoor seating, which extends the length of the restaurant on the south (front) and east sides. A floor plan showing accurate dimensions of all rooms must be submitted to the Planning and Development Department prior to the Variance hearing by the Planning Commission. It is recommended that outdoor seating be contingent upon the submittal of an accurate up-to-date parking analysis of the complex to the satisfaction of the Planning and Development Department.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Supper Club	400' from any church, synagogue, school, child care facility (12+ children), or city park	No protected uses within 400' of the subject property

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] and is under a Resolution of Intent to C-1 (Limited Commercial).

The proposed Supper Club is within the range of uses permitted, with approval of a Special Use Permit, in the C-1 (Limited Commercial) zoning district.

- Use

The proposed Supper Club is a 7,120 square-foot tenant improvement in a building approved under Site Development Plan Review [Z-0035-02(1)]. The parcel on which this use is located is more than 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or city park, and otherwise meets the conditions listed below for a Supper Club use. The applicant will offer beer, wine, and liquor for sale and consumption only within the restaurant and lounge.

- Conditions

Title 19.04.050 provides for a number of conditions for the approval of a Special Use Permit for a Supper Club. 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. development as an accessory use only in an O (Office) district; and
6. * compliance with Chapter 6.50 of the Las Vegas Municipal Code.

* Indicates that this is a non-waivable condition of Special Use Permit approval.

The proposed Supper Club complies with the applicable conditions listed 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."**

   The proposed Supper Club is suited to the office and commercial area encompassed by the Great American Plaza development and is adequately buffered from nearby residential uses to the west. This use is compatible with the future land uses projected by the General Plan.

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

   The approved office and retail complex primarily provides parking for office and general retail uses, allowing little leftover parking for more intense proposed commercial uses such as restaurants and beauty spas. This is the first restaurant proposed for the office/retail complex; however, future restaurants and other uses similar in intensity may not meet the parking requirements, given the reduced number of spaces available.

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."**

   Access to the site is via Sahara Avenue, designated as a 150-foot wide Primary Arterial on the Master Plan of Streets and Highways. This street will adequately serve the proposed Restaurant Service Bar 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 restaurant and Supper Club 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 137 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2767 APN: 163-04-416-001

Name of Property Owner: GREAT AMERICAN PLAZA, LLC

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: _____

Print Name: HASKELL IMY

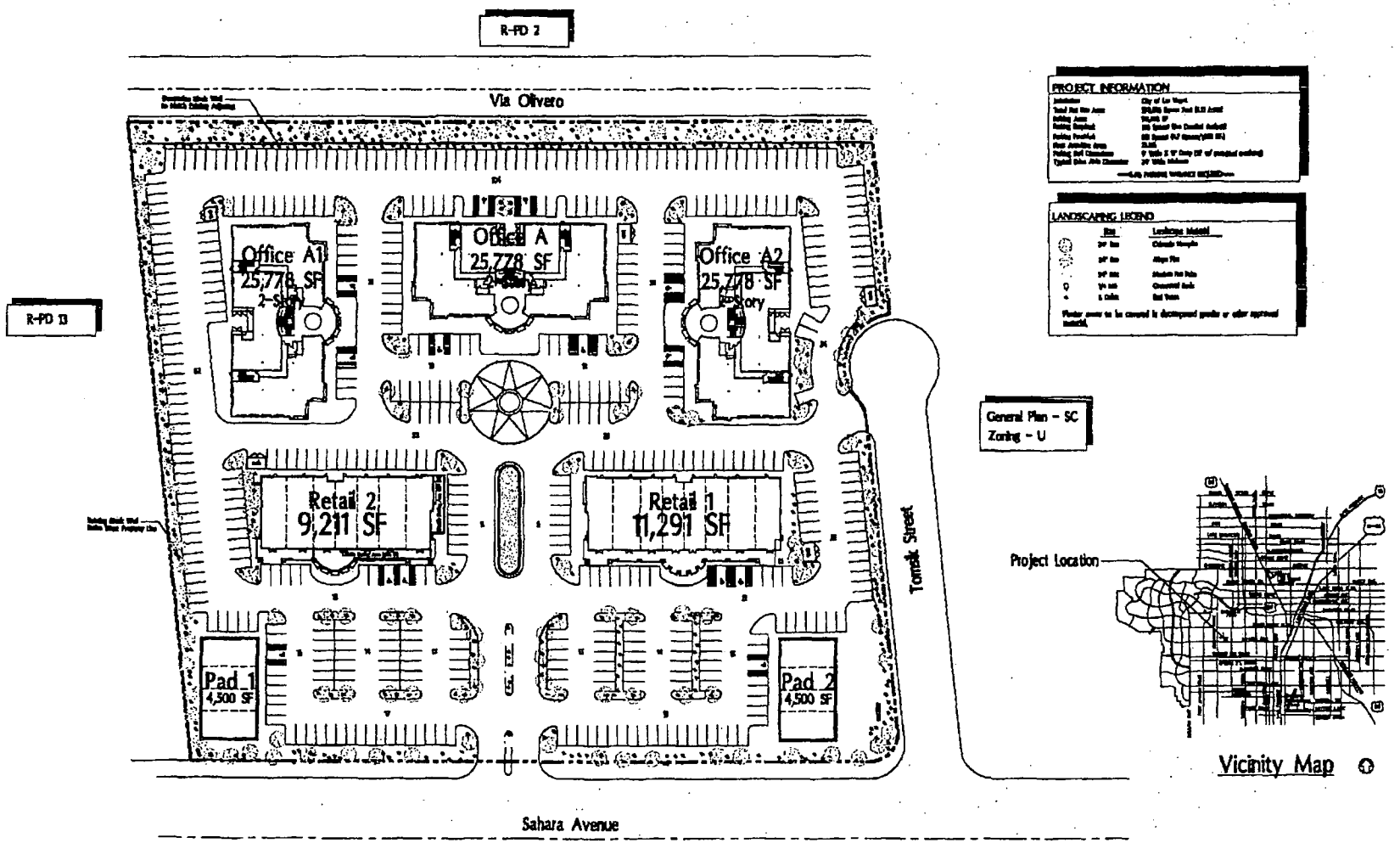
Subscribed and sworn before me

This 24 day of June, 2003

Jennifer L. Roberts

Notary Public in and for said County and State

JENNIFER L. ROBERTS
Notary Public State of Nevada
No. 97-4318-1
My appt. exp. Sept. 23, 2005



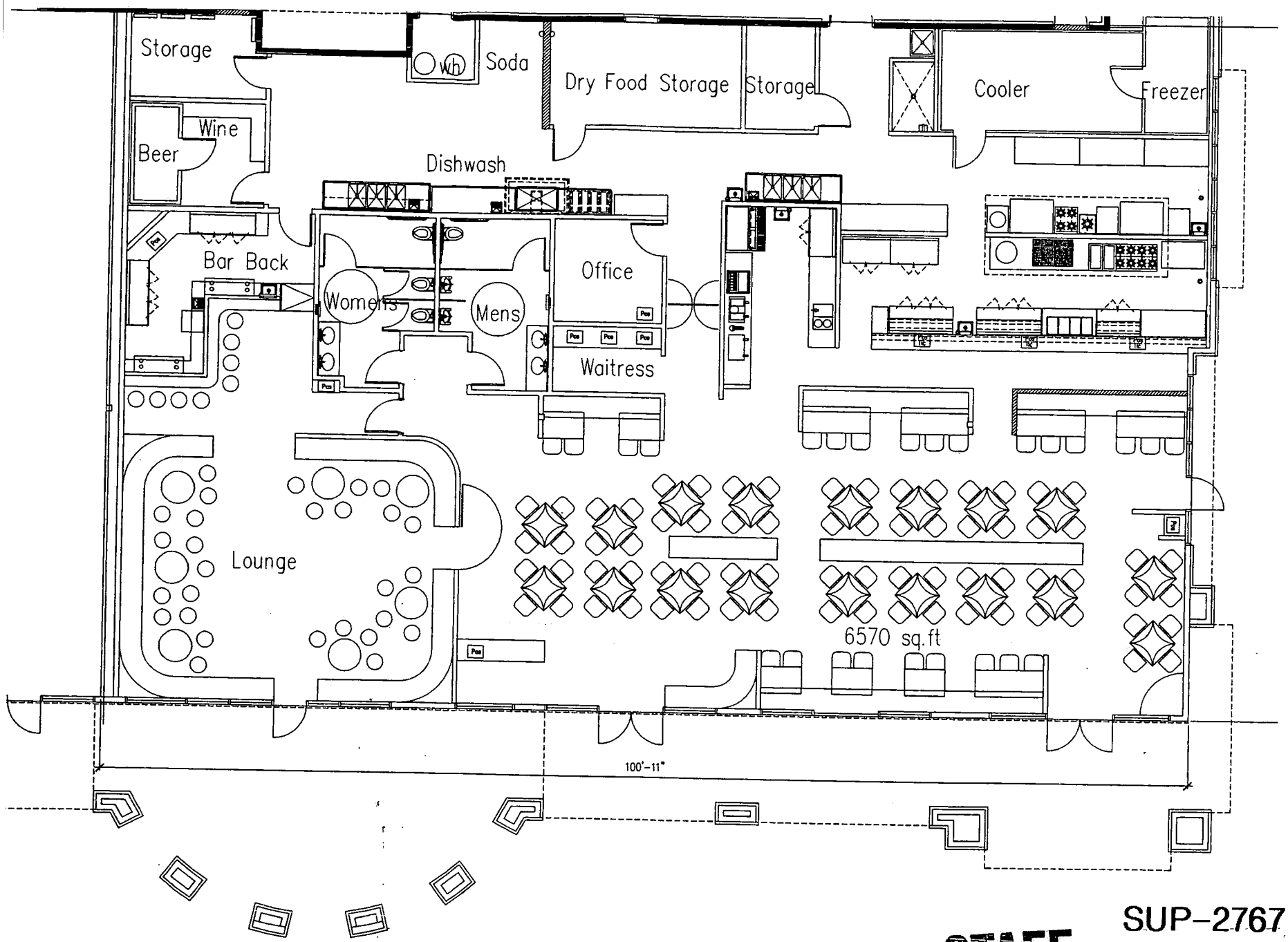
PRELIMINARY SITE PLAN/LANDSCAPE PLAN

Great American Plaza

SUP-2767

8-28-03 PC

STAFF



STAFF

SUP-2767
8-28-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1152

SUP-2767 - VEGAS TREASURES, INCORPORATED ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY
8380 WEST SAHARA AVENUE, SUITE 160
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 110

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2801 - STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL** - Appeal filed by Crosby & Turner from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed tavern and a Waiver of the 1,500-foot distance separation requirement from other Taverns at 1236 Las Vegas Boulevard South (APN: 162-03-112-012), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (3-2-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	1
City Council Meeting	1	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from Crosby & Turner
5. Protest letter from Geraldine Howard
6. Protest letter from Beverly Salhanick
7. Back up referenced from the 9/11/2003 Planning Commission meeting Item 27
8. Submitted after final agenda – Protest letter from Diane Fey Frost
9. Submitted after final agenda – Protest letter from Harold L. Earl
10. Submitted after final agenda – Protest letter from Nancy Baker

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos since Item 110 deals with a privileged license for alcohol and Station Casinos holds similar licenses. She advised she had not discussed this application with Station Casinos and would participate in the vote.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

City of Las Vegas

Agenda Item No. 110

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 110 – SUP-2801

MINUTES – Continued:

ATTORNEY DAVE CROSBY appeared on behalf of the applicant. He explained that the subject site, previously occupied by a barbecue facility, has been closed for some time. The proposed use will be an upscale exciting project that will turn on the lights in an area that is currently somewhat blighted. Many of the artifacts and memorabilia from the old Sahara Steakhouse were purchased for the motif of this facility. He expressed appreciation to staff for their recommendation of approval and believed all concerns and potential problems had been addressed. He concurred with staff conditions.

TODD FARLOW, 240 North 19th Street, wanted to know if the existing building would be bulldozed. ATTORNEY CROSBY replied that the building would be renovated with a whole new motif and would be a very nice facility. He indicated that the site plan would go before the Planning Commission on November 6. MR. FARLOW felt the building should be demolished and the entire parcel renovated. ATTORNEY CROSBY stated that the old boarded up hotel on site would be demolished and that portion of the parcel would be grassy until further development occurred.

TREASURE BALEN, 724 North Clayton, stated she represented the property perpendicular to the site on 4th Street. She felt any kind of upgrade to the community was a good idea. She indicated she had seen some of the plans and thought they were phenomenal.

LEE WAYNE HAYNES, Boulder City, spoke in support of the application. He indicated he is closely associated with two Las Vegas organizations and holds some business interests in the City. He stated that STEPHEN TURNER served in Vietnam with the First Calvary unit and performed admirably and very successfully. MR. TURNER is the father of three children, one of whom holds a Master's Degree in education and is a well-respected teacher.

MR. HAYNES commented that, when complete, this project would revitalize a significant portion of the area. Both MR. TURNER and MR. PISTOL are upstanding, honorable businessmen and run good, clean operations. Nothing would be done to jeopardize the property values in the area and, in fact, this project would upgrade the area.

In response to COUNCILWOMAN MONCRIEF'S inquiry, MR. PISTOL stated he owned three pieces of property in this area. For the record, she verified MR. PISTOL'S understanding that the liquor license applied only to the 1,500 square foot restaurant involved in this special use permit. MR. CROSBY indicated MR. PISTOL understood he could not expand the liquor license to include another establishment without obtaining another special use permit.

RAYMOND PISTOL, 631 Las Vegas Boulevard South, confirmed his understanding of the parameters of the liquor license.

There was no further discussion.

City of Las Vegas

Agenda Item No. 110

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 110 – SUP-2801

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:06 – 2:14)

2-2031

CONDITIONS:

Planning and Development

1. This approval is specifically limited to the 1,452 square-foot existing structure at 1236 Las Vegas Boulevard. No service of liquor will be allowed outside this existing building, or to any other building on the site. Any modification to the building housing the Tavern that would result in an increase in the size of the Tavern, or any action intended to move the Tavern elsewhere on the subject site, will require approval of a new Special Use Permit application.

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. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern) use.

4. The use shall conform to the provisions of LMVC Chapter 6.50.

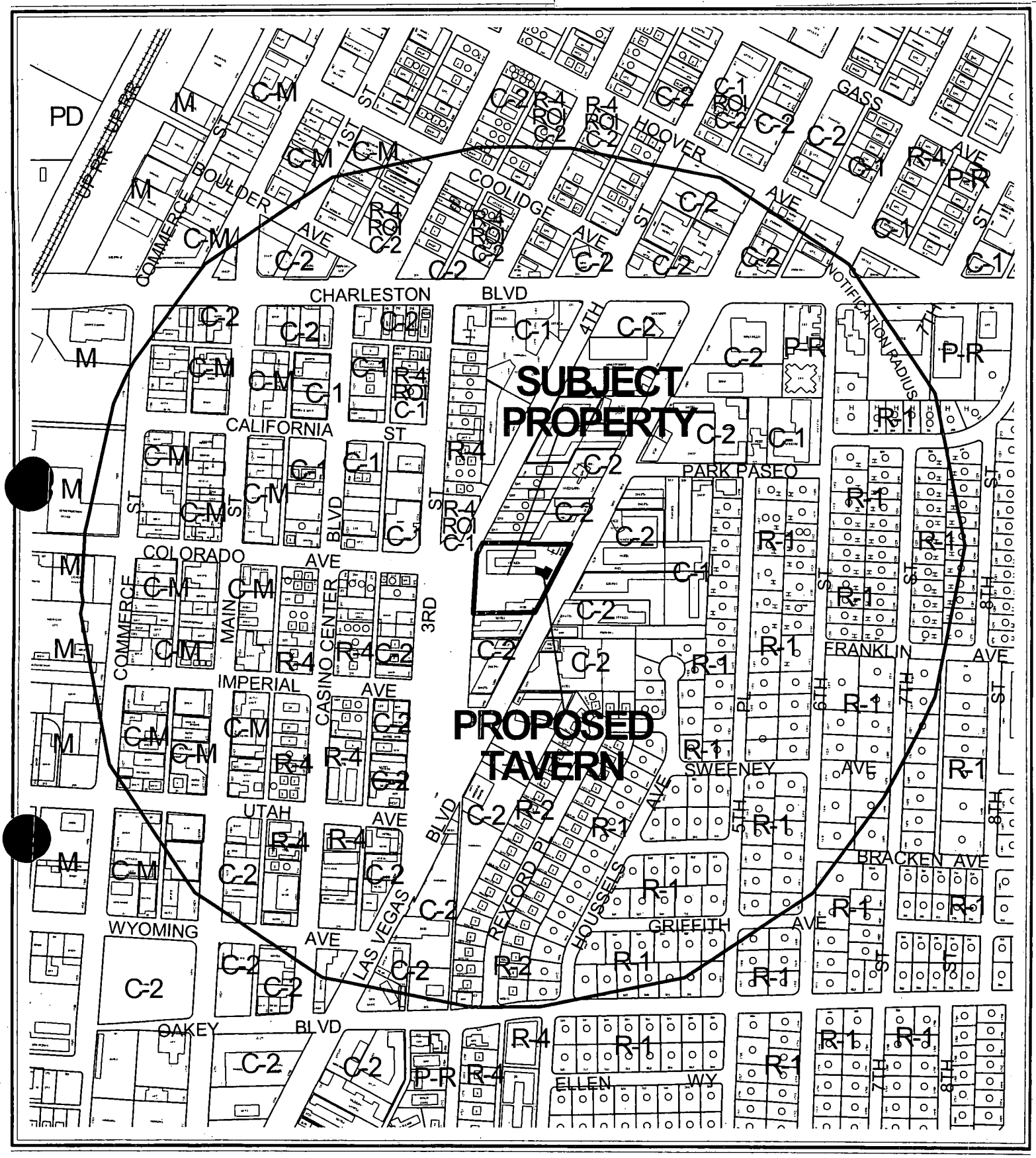
5. The waiver is approved for the distance separation from other taverns.

6. Parking shall be maintained at a minimum of 65 parking spaces including three handicapped accessible spaces. If the current parking lot configuration is modified, the applicant must submit a site plan, for review and approval by the Planning and Development Department, depicting the final parking lot configuration that adheres with all of Title 19 parking lot design standards.

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

Public Works

8. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard South adjacent to this site prior to occupancy of this site. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent private improvements within the area being requested for dedication.



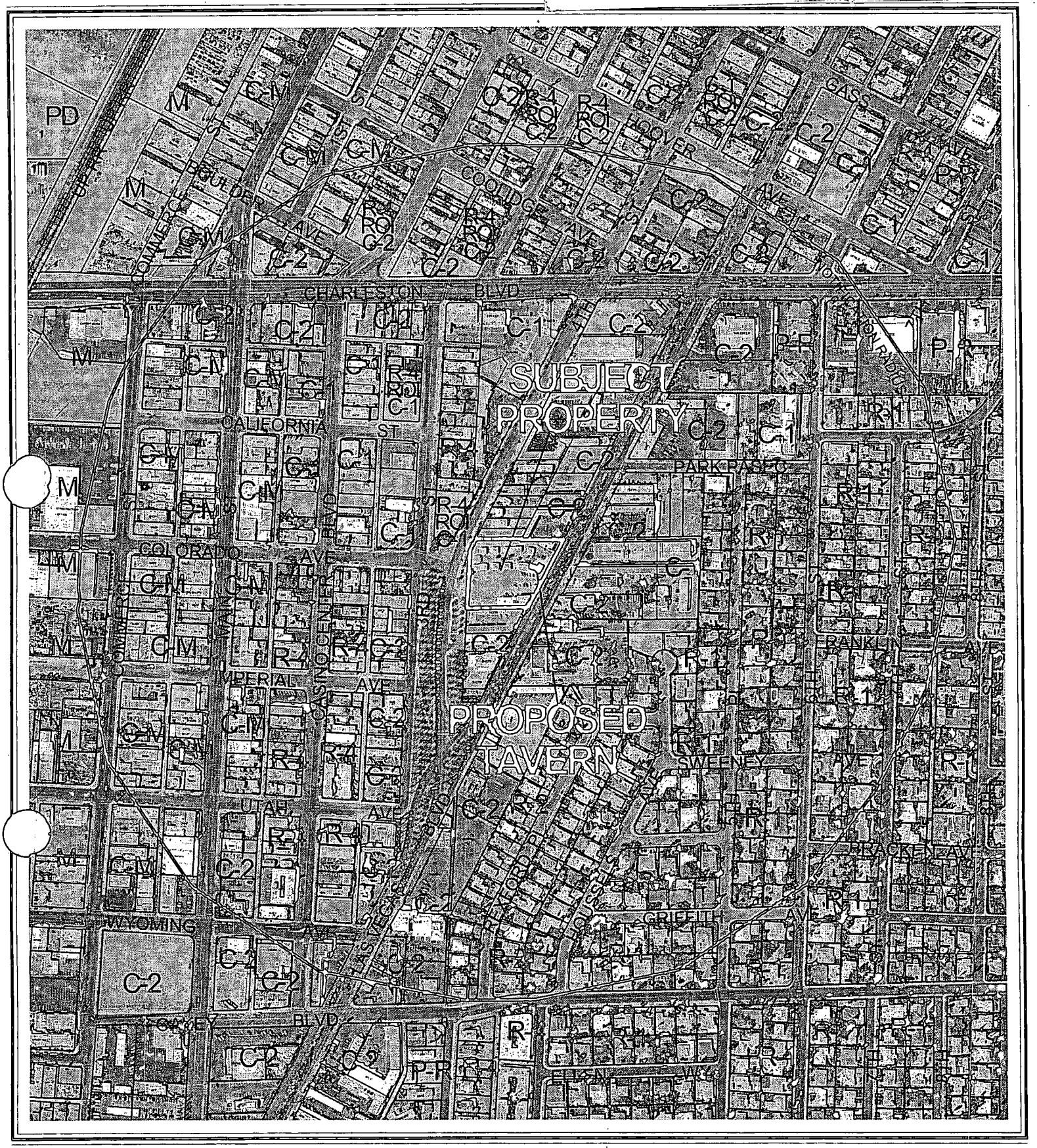
0 300 600 Feet

CASE: **SUP-2801**

RADIUS: 1500 FT

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

N



CASE: SUP-2801

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2801 - STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL

** CONDITIONS **

The Planning Commission (3-2-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. This approval is specifically limited to the 1,452 square-foot existing structure at 1236 Las Vegas Boulevard. No service of liquor will be allowed outside this existing building, or to any other building on the site. Any modification to the building housing the Tavern that would result in an increase in the size of the Tavern, or any action intended to move the Tavern elsewhere on the subject site, will require approval of a new Special Use Permit application.

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4. The use shall conform to the provisions of LMVC Chapter 6.50.

5. The waiver is approved for the distance separation from other taverns.

6. Parking shall be maintained at a minimum of 65 parking spaces including three handicapped accessible spaces. If the current parking lot configuration is modified, the applicant must submit a site plan, for review and approval by the Planning and Development Department, depicting the final parking lot configuration that adheres with all of Title 19 parking lot design standards.

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

Public Works

8. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard South adjacent to this site prior to occupancy of this site. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent private improvements within the area being requested for dedication.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Crosby & Turner from the Denial by the Planning Commission on a request for approval of a Special Use Permit to allow a 1,452-square-foot Tavern and a Waiver of the 1,500-foot distance separation from other Taverns at 1236 Las Vegas Boulevard South.

B) Applicant's Justification

The applicant's justification letter indicates the Tavern will be a neighborhood establishment within walking distance of other downtown uses.

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history on the site relevant to this request.

B) Pre-Application Meeting

07/15/03 The applicant was advised of the Code requirements for the approval of a Tavern and the standards to allow a Waiver of the 1,500 foot distance separation from other Taverns.

09/11/03 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #27).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.79

B) Existing Land Use

Subject Property: Commercial
North: Undeveloped and Motel

South:	Motel
East:	Motel, Casino and Commercial
West:	Commercial Shops

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment)
North:	DTR (Downtown Redevelopment)
South:	DTR (Downtown Redevelopment)
East:	DTR (Downtown Redevelopment)
West:	DTR (Downtown Redevelopment)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-3 (Medium Density Residential) and C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	R-4 (High Density Residential) under Resolution of Intent to C-1 (Limited Commercial), C-1 (Limited Commercial) and C-2 (General Commercial)

E) General Plan Compliance

This site is designated as DTR (Downtown Redevelopment) Area 7 on the Southeast Sector Map of the General Plan. The Las Vegas Redevelopment Plan establishes TC (Tourist Commercial) as the land use designation for this site. The C-2 (General Commercial) zoning on this site is compatible with the TC (Tourist Commercial) designation. The proposed use complies with both the land use designation and the existing zoning for the site.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Las Vegas Redevelopment Plan Area	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 located within Las Vegas Redevelopment Plan Area and is designated as TC (Tourist Commercial). Additionally, this site is within the Downtown Centennial Plan. At this time, no special requirements within these plans will affect this application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06.060, properties within the Downtown Overlay District are exempt from the automatic application of the standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from establishing standards for a land use application.

In this case, the site plan indicates there are 47 on-site parking spaces. The combination of uses on the site require approximately 55 spaces. Due to the pedestrian orientation of the neighborhood, the parking as shown should be adequate.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	1,500 from any church, synagogue, school, child care facility licensed for more than 12 children, or City Park *1,500 feet of any other liquor establishment (tavern) and can request a waiver if separated from the existing use by a street with a minimum right-of-way width of 100 feet	Did not locate any protected uses within 1,500 feet *Less than 1,500 feet from other Taverns and requesting waiver from one tavern separated from the proposed use by a min 100' ROW

* The proposed Tavern will require a Waiver from the required 1,500-foot distance separation requirement from several existing Taverns within 1,500 feet of the site. The following is a list of these existing Taverns:

Address	Name
910 Las Vegas Boulevard South	Dona Maria Tamales
906 South 6th Street, Suite 104	5th Avenue Pub
1201 Las Vegas Boulevard South, Suite E	The Bar
1215 Las Vegas Boulevard South	Thunderbird Lounge
1402 South 3rd Street	Snick's Place
1516 Las Vegas Boulevard South	Dinos
1511 South Main Street	Ginos II

Title 19.04.050 allows a waiver of the 1,500-foot distance separation requirement when the existing Tavern uses are separated by a right-of-way with a minimum width of 100 feet. All of the above Taverns are separated from the proposed Tavern by Charleston Boulevard, Las Vegas Boulevard or 3rd Street. These rights-of-way are all 100 feet wide or greater; therefore, the Waiver is appropriate for this request.

B) General Analysis and Discussion

- Zoning

A Tavern is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.20.020 defines a Liquor Establishment (Tavern) as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

The plans indicate the Tavern will occupy 1,452 square feet of the existing building on this site. The approval of this use is subject to conformance to the plans as submitted. Any future additions to the Tavern that would increase its size beyond 1,452 square feet will require a new Special Use Permit.

- Conditions

Listed are the applicable conditions as listed in Title 19.04.050 for a Liquor Establishment (Tavern):

(1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between Liquor Establishments (Tavern), and a minimum separation between a Liquor Establishment (Tavern) and certain other uses that should be protected from the impacts associated with a Liquor Establishment (Tavern). Therefore, except as otherwise provided below, no Liquor Establishment (Tavern) may be located within fifteen hundred feet of any other Liquor Establishment (Tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed Liquor Establishment (Tavern) 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 closest to the proposed Liquor Establishment (Tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

(3) For the purpose of Paragraph (2), and for that purpose only:

(a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of a Liquor Establishment (Tavern) refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed Liquor Establishment (Tavern) that:

(a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;
(b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or
(c) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.

(6) The use shall conform to the provisions of LVMC Chapter 6.50.

The proposed Tavern use meets the required conditions of approval with the approval of the waiver for distance separation from another Tavern. It also appears to meet the minimum separation distance from sensitive uses as listed in the Code. Although there are park-like streetscape improvements nearby along Las Vegas Boulevard and Fourth Street that are informally identified as "Gateway Park" in the Downtown Centennial Plan, these are median improvements within the road right-of-way, and are not listed as a City park on Map 1 of the Parks Element of the Las Vegas 2020 Master Plan. This map lists all City parks in the area, some as small as 0.1 acres.

There do not appear to be any churches, synagogues or child care operations within the required separation distance.

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 project is compatible with the General Plan land use designation subject to the approval of a waiver to the Minimum Distance Separation requirements. The project, located in an area with a substantial concentration of major commercial development, can be expected to be compatible with, and mutually supportive of, these other commercial uses.

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

   There is no evidence of any physical constraint to location of the proposed Tavern use on the subject site.

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

   The proposed Tavern use will be accessed from Las Vegas Boulevard, a 100-foot wide Primary Arterial on the Master Plan of Streets and Highways. The project will not have any negative traffic impact on residential neighborhoods in the area.

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

PLANNING COMMISSION ACTION

At the Planning Commission meeting there were two speakers. One in favor, and one against.

NOTICES MAILED 452 by City Clerk

APPROVALS 1

PROTESTS 3

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1166

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2801 APN: 162-03-122-012

Name of Property Owner: Raymond Pistol

Name of Applicant: STEPHEN TURNER

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: Raymond Pistol

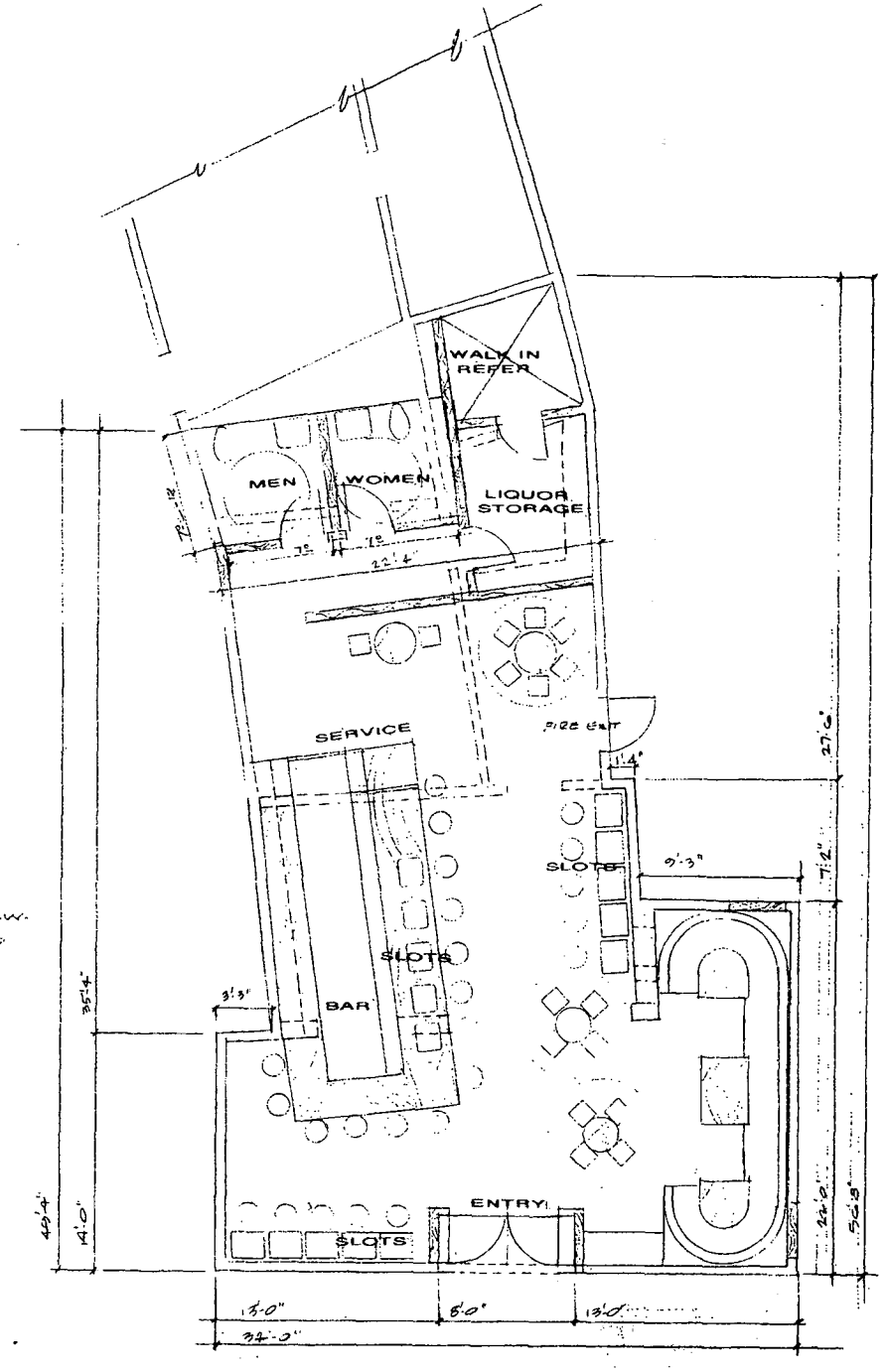
Subscribed and sworn before me

This 17th day of December, 2002

Kimberly Reid

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KIMBERLY REID
Appt. No. 94-4713-1
My Appt. Expires Jan. 31, 2005



FLOOR PLAN 1/4"

TOTAL AREA OF BAR 1452 SQ.FT.

SUP-2801

09-11-03 PC

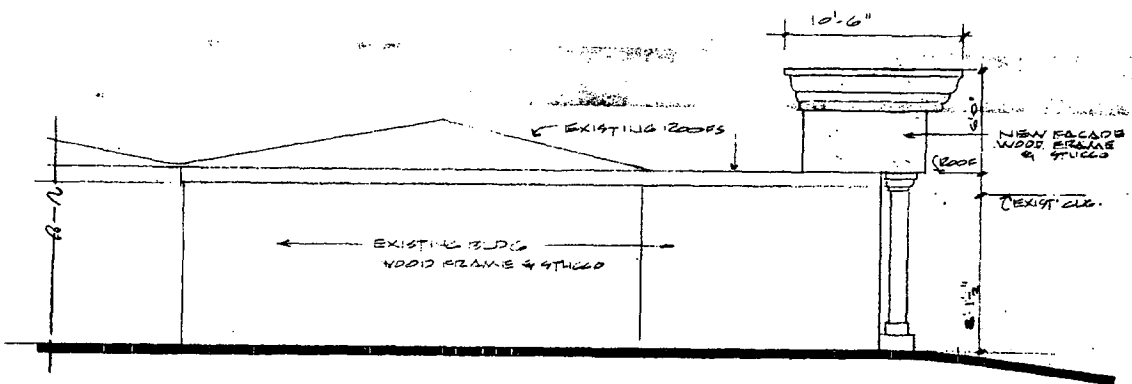
REVISIONS | BY

LEE LINTON - ARCHITECT
3711 REGULUS LAS VEGAS, NEVADA
702-877-1484 702-889-7887 FAX 702-255-8878

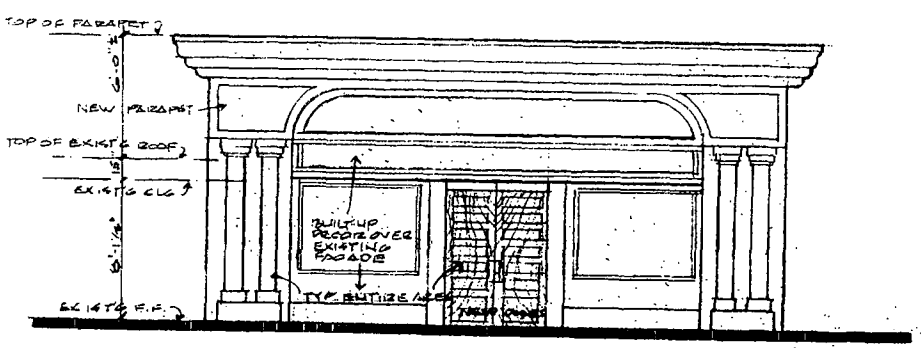
OWNER: STEPHEN E. TURNER
631 LAS VEGAS BLVD. SO. LAS VEGAS, 89101

LEGENDS BAR

Date
Scale
Drawn
Job
Sheet 3 of Sheets



SOUTH ELEVATION 1/4" N.ELEV. SIMILAR



EAST ELEVATION 1/4"

SUP-2801

09-11-03 PC

REVISIONS | BY

L LEE LINTON · ARCHITECT
3711 REGULUS LAS VEGAS, NEVADA
702-477-1464 702-838-7888 FAX 702-838-8578

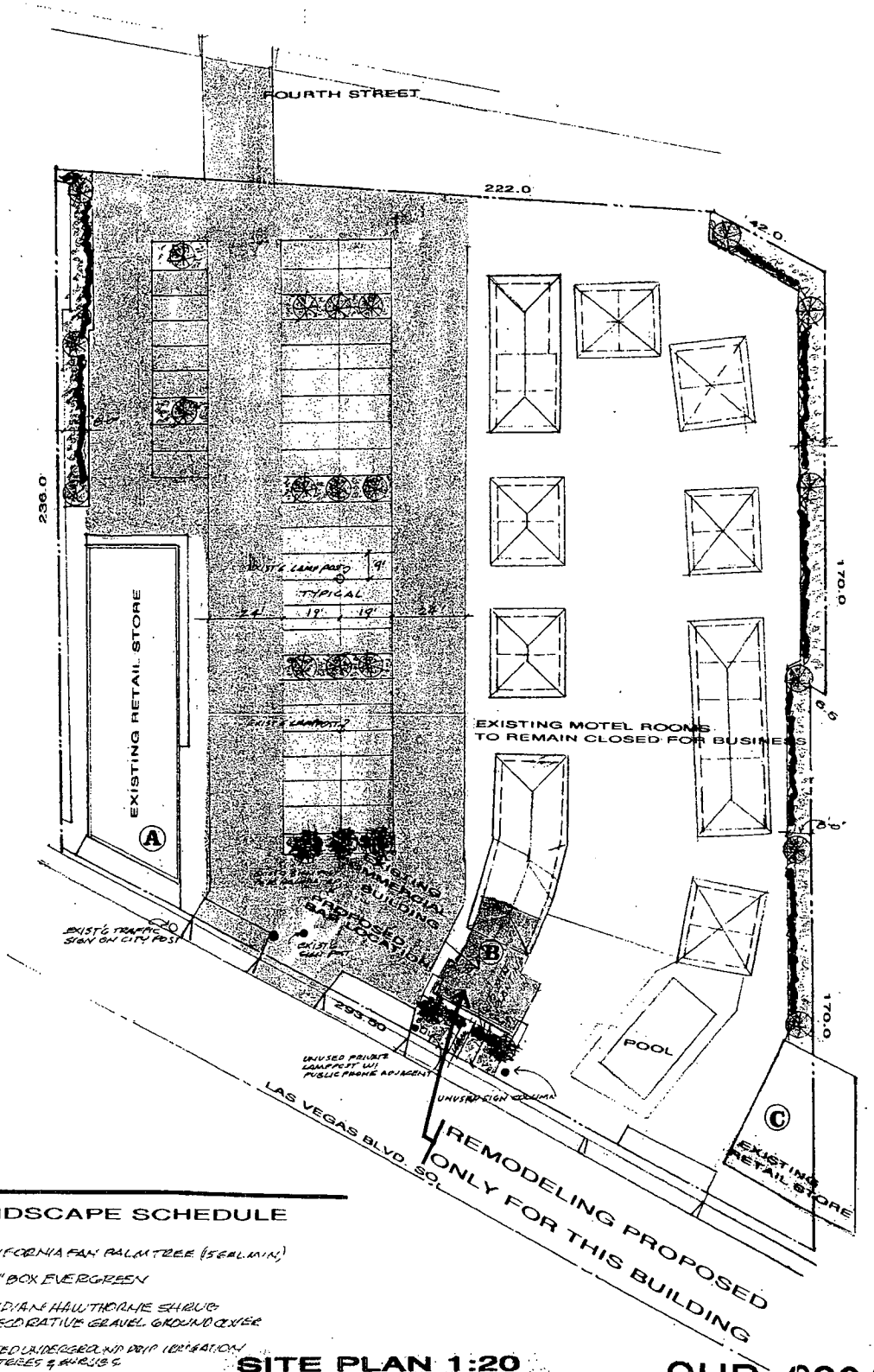
OWNER: STEPHEN E. TURNER
631 LAS VEGAS BLVD. SO. LAS VEGAS, NEVADA 89101

LEGENDS
BAR

Date
Scale
Drawn
Job
Sheet 2

PARKING ANALYSIS

EXISTING BOOK STORE	3800 SQ.FT	= 19 CARS
REMODELED BAR	1452 SQ.FT	= 9 CARS
EXISTING RETAIL	2288 SQ.FT	= 13 CARS
TOTAL SPACES REQUIRED		41 SPACES
TOTAL SPACES AVAILABLE		47 SPACES



LANDSCAPE SCHEDULE

- CALIFORNIA FAN PALM TREE (15 EA.MIN.)
- 24" BOX EVERGREEN
- INDIAN HAWTHORNE SHRUB
- DECORATIVE GRAVEL GROUND COVER

AUTOMATED UNDERGROUND DRIP IRRIGATION FOR ALL TREES & SHRUBS

SITE PLAN 1:20

SUP-2801
09-11-03 PC

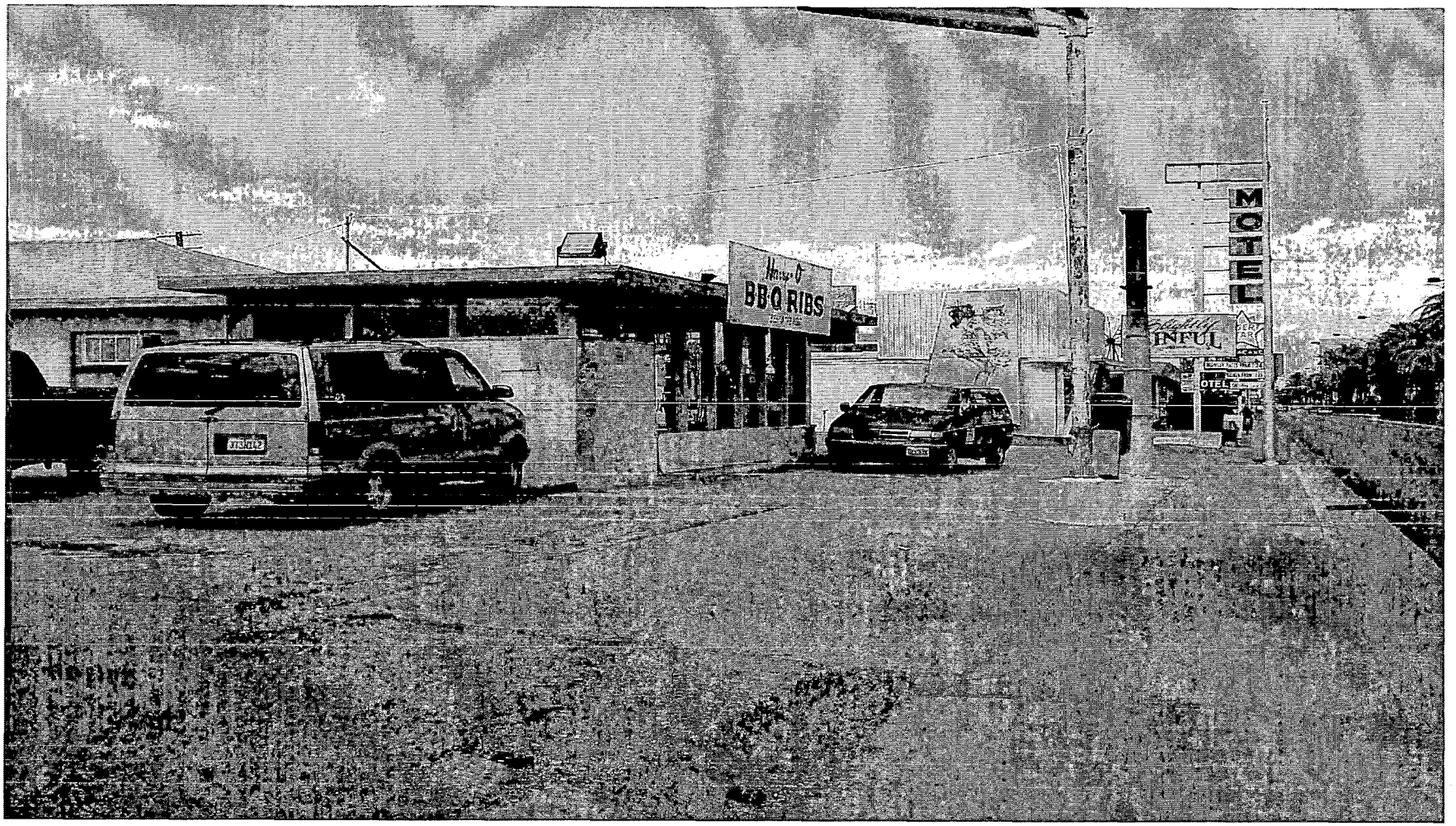
REVISIONS

LEE LINTON · ARCHITECT
8711 RENWICK LAS VEGAS, NEVADA 89101
702-877-1484 702-[illegible] FAX 702-[illegible]

OWNER: STEPHEN E. TURNER
631 LAS VEGAS BLVD. SO. LAS VEGAS, NEVADA 89101

LEGENDS
BAR

Date
Scale
Drawn
Job
Sheet 1 of Sheets



SUP-2801 - STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL
1236 LAS VEGAS BOULEVARD SOUTH
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1171

LAW OFFICES OF
CROSBY & TURNER
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
711 SOUTH EIGHTH STREET
LAS VEGAS, NEVADA 89101

DAVID M. CROSBY
JON R. TURNER

OF COUNSEL
MARY C. CRESS
(ARKANSAS BAR ONLY)

TELEPHONE
(702) 382-1007
BANKRUPTCY
(702) 382-2600

FAX
(702) 382-1921

September 18, 2003

Las Vegas City Clerk
Attn: Ronni Ronmus
Fax: (702) 382-4803

Re: SUP-2801
Applicant: Stephen E. Turner
Planning Commission Meeting September 11, 2003
Notice of Appeal

Pursuant to and in accordance with instruction from your office we are herewith faxing to you our **Notice of Appeal** of denial of the above application for special use permit at the September 11, 2003 meeting of the City of Las Vegas Planning Commission.

If you need anything further please advise, otherwise, we trust that we have met the appeal deadlines and have done all necessary to be placed on the next appropriate agenda for consideration by the Las Vegas City Council.

We appreciate your attention to this matter.

Best Regards,

David M. Crosby, Esq.

DMC/csv

RECEIVED
CITY CLERK
2003 SEP 18 A 9:28

F:\Licensing\Letters\Pistol Appeal.wpd

LAS VEGAS CITY HALL
ATT: CITY CLERK
400 Stewart Avenue
Las Vegas, Nevada 89101

subject: sup 2801

WE object to a special permit for another tavern.

As we have said in the past we have been bombarded with taverns and Strip Joints.

Our neighborhood has suffered with drunks and unsavory people roaming our neighborhood.

PLEASE VOTE NO

Thank You,
Mrs Geraldine Howard

Mrs Geraldine Howard
1101 S 6th Street
Las Vegas, Nevada 89104

Protest

RECEIVED
CITY CLERK
2003 OCT -8 A 10:03

Beverly Salhanick
7445 Constantinople
Las Vegas, NV 89129

RECEIVED
CITY CLERK

2003 OCT 16 P 3:29

October 13, 2003

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

Re: City Council Public Hearing item SUP-2801

To Whom It May Concern:

I own the property at 1217 South Fourth Street which is the closest residential parcel to the site of the proposed tavern in this application. I agree with the Planning Commission's decision to deny the request for a special use permit and for a waiver of the 1, 500 foot separation. The proposed tavern will not improve the neighborhood, will exacerbate crime and will detract from the improvements sought within the adjacent arts district. Please sustain the Planning Commission's decision.

Sincerely,

Beverly Salhanick

BJS/me

Protest

T:\OFFICE\WPWIN\WPDOCS\P.DIR\Personal\1217 S 4th\planning.ltr.jpg

RECEIVED
CITY CLERK

2003 OCT 24 P 2:58

Diane Fey Frost

8798 Colbath Avenue
Panorama City, CA 91402

Home Phone (818) 894-0789

October 22, 2003

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

Protest

Case: SUP-2801

Dear City Council,,

I have written to you in the past objecting to this case. I want to make sure that I also go on record as objecting to the appeal.

I am a co-owner of property at 1135 So. 5th Place which is extremely close to Las Vegas Blvd. I am hoping to retire to this home in the future. We have recently become part of the John S. Park Historical District.

This section of Las Vegas Blvd. is an eyesore and not an area that I feel safe. Another tavern will only further down grade this section of town. Las Vegas Blvd. is the namesake of this city. It should be a source of pride, from the end of the strip all the way to downtown. It should be a thoroughfare that is safe and attractive for the residents as well as the tourists. This area needs cleaning up to attract businesses that will be appealing to the tourists and well as the residents.

We do not need another tavern.

Sincerely,

Diane Fey Frost

Submitted after final agenda

Date 10/24/03 Item #110

NOTICE OF PUBLIC HEARING

RECEIVED
CITY CLERK

2003 OCT 23 P 4:52

SPECIAL USE PERMIT

EARL HAROLD L & HORTENSE C TR
1403 S 5TH PL
LAS VEGAS NV 89104-1419

MEETING: SPECIAL CITY COUNCIL
DATE: OCTOBER 29, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

RECEIVED
CITY CLERK
2003 OCT 23 P 4:52

RENOTIFICATION
SUP-2801

Protest

APPEAL FILED BY CROSBY & TURNER FROM THE DENAIL BY THE PLANNING COMMISSION OF A REQUEST BY STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL FOR A SPECIAL USE PERMIT FOR A PROPOSED TAVERN AND A WAIVER OF THE 1,500-FOOT DISTANCE SEPARATION REQUIREMENT FROM OTHER TAVERNS AT 1236 LAS VEGAS BOULEVARD SOUTH (APN: 162-03-112-012), C-2 (GENERAL COMMERCIAL) ZONE, WARD 1 (MONCRIEF).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

I am opposed to this special Use Permit

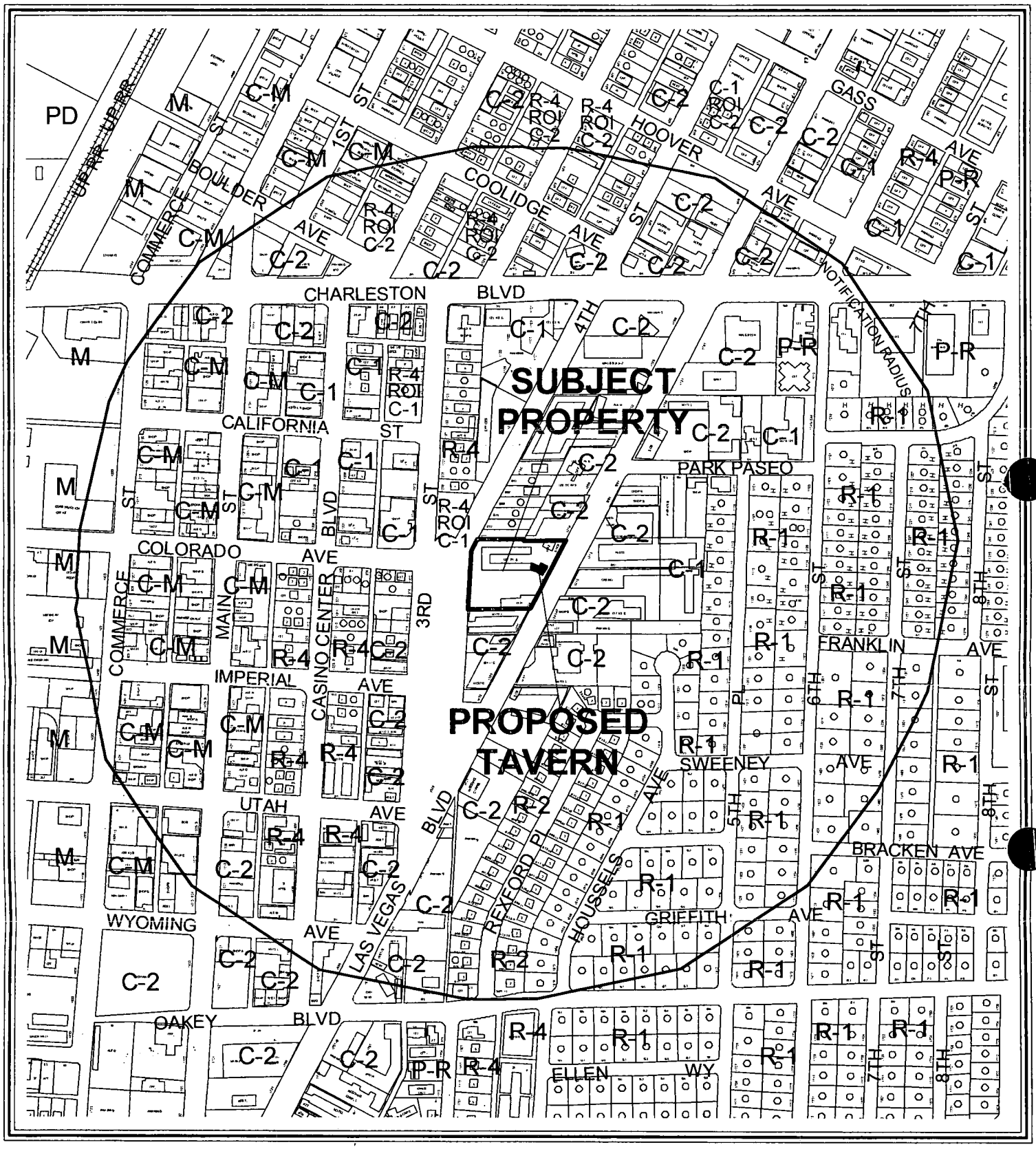
Harold L. Earl

BARBARA JO RONEMUS
CITY CLERK

Submitted after final agenda

Date 10/24/03 Item #110

SEE LOCATION MAP ON REVERSE SIDE



CASE: **SUP-2801**

RADIUS: 1500 FT

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

RECEIVED
CITY CLERK

2003 OCT 27 P 12:31

WILLIAMS COSTUME CO.
1226 S. THIRD ST.
LAS VEGAS, NEVADA 89104

CITY COUNCIL
ATTN: CITY CLERK
FIRST FLOOR – CITY HALL
400 STEWART AVE.
LAS VEGAS, NEVADA 89101

Support

DEAR SIRS,

REGARDING THE RENOTIFICATION OF SUP-2801 FOR MR. RAYMOND PISTOL FOR A SPECIAL USE PERMIT AT 1236 L.V. BLVD. S., PLEASE GIVE YOUR ATTENTION TO MY VIEWS ON THIS MATTER.

MY PROPERTY AT 1226 S. THIRD ST. LOOKS DIRECTLY ACROSS AT THE ABOVE PROPERTY. OVER MANY YEARS I HAVE OBSERVED THE WAY THAT BUSINESS IS OPERATED. MR. PISTOL'S PROPERTY HAS ALWAYS BEEN KEPT CLEAN AND ORDERLY. NO TRASH, NO LOITERING, NO UN-DESIRABLE BUSINESS PRACTICES. AT ALL TIMES IT IS OPERATED IN A PROFESSIONAL MANNER.

I HAVE PERSONALLY HELD A BUSINESS LICENSE IN THE DOWNTOWN SINCE 1952 AND HAVE SEEN A PARADE OF BUSINESSES COME AND GO IN THE AREA. MR. PISTOL HAS PROVEN TO BE SUCCESSFUL IN HIS OPERATIONS AND SHOULD BE GIVEN THE OPPORTUNITY TO SUCCEED IN THIS NEW VENTURE. HE IS A SOLID BUSINESS PERSON AND WILL BE AGAIN A GOOD OPERATOR FOR THE DOWNTOWN AREA.

I WOULD APPEAR PERSONALLY EXCEPT FOR THE FACT HALLOWEEN IS MY MOST IMPORTANT HOLIDAY AND I CANNOT LEAVE MY STORE AT THIS TIME EXCEPT FOR FIRE OR FLOOD.

THANK YOU FOR YOUR CONSIDERATION,

Nancy Baker

NANCY BAKER, PRESIDENT

BAKER NEWTON J AND NANCY J TR MGMT
1226 S. THIRD ST.
LAS VEGAS, NV. 89104 384-1384

RECEIVED
CITY CLERK
2003 OCT 27 P 12:31

Submitted after final agenda

Date 10/27/03 Item #110

City of Las Vegas

Agenda Item No. 111

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2802 - LIZBETH JOSEFINA CASTILLO ON BEHALF OF RINGSIDE LIQUORS INCORPORATED** - Request for a Special Use Permit for a proposed restaurant service bar at 1510 Las Vegas Boulevard South (APN:162-03-210-062), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 9/11/2003 Planning Commission meeting Item 28

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

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

LIZBETH JOSEFINA CASTILLO, the applicant, 2920 Meadow Flower, was present and concurred with staff conditions.

TODD FARLOW, 240 North 19th Street, indicated his objection to the design of the proposed signage for this site.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:14 – 2:15)

City of Las Vegas

Agenda Item No. 111

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 111 – SUP-2802

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Restaurant Service Bar use.

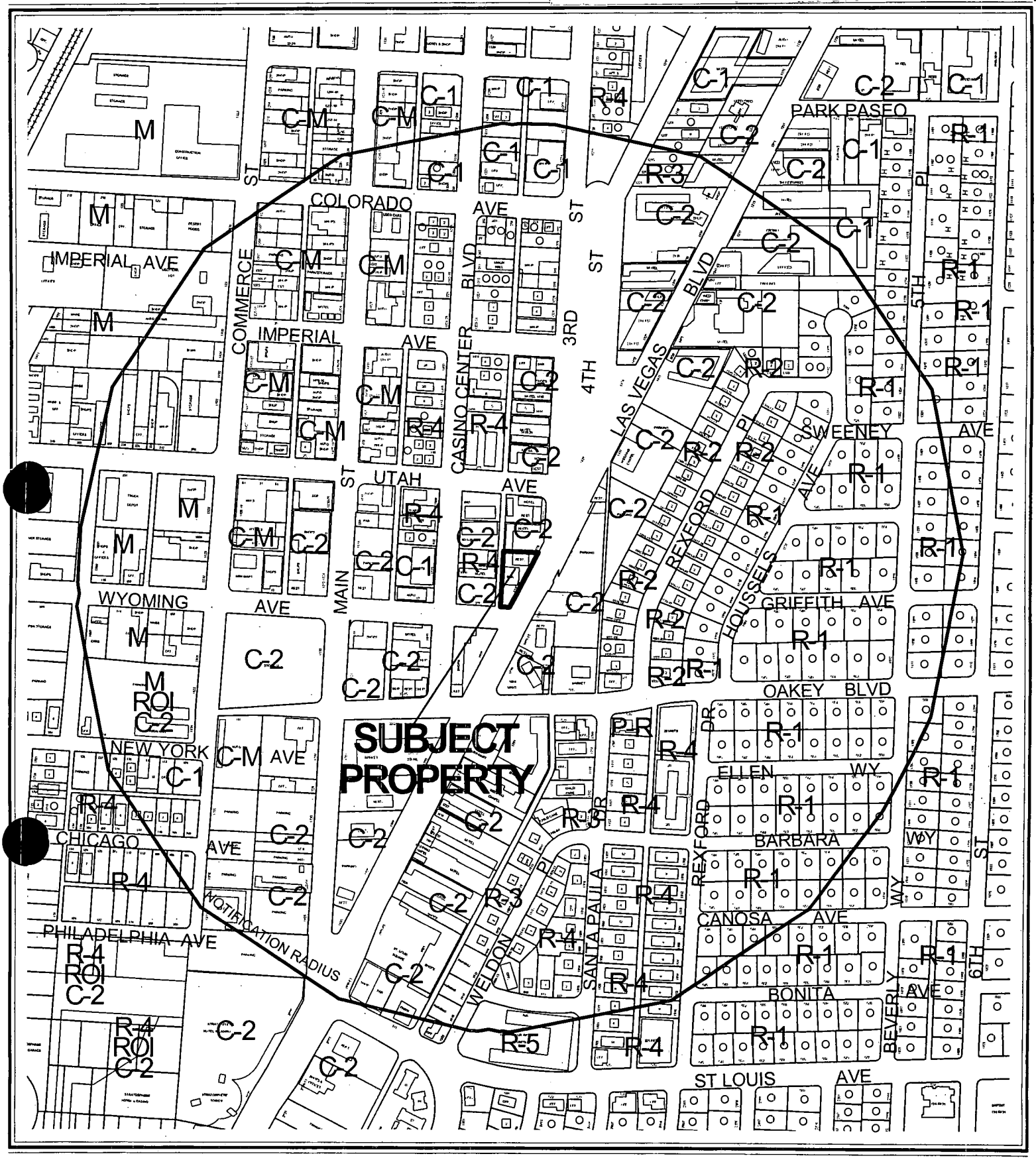
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

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

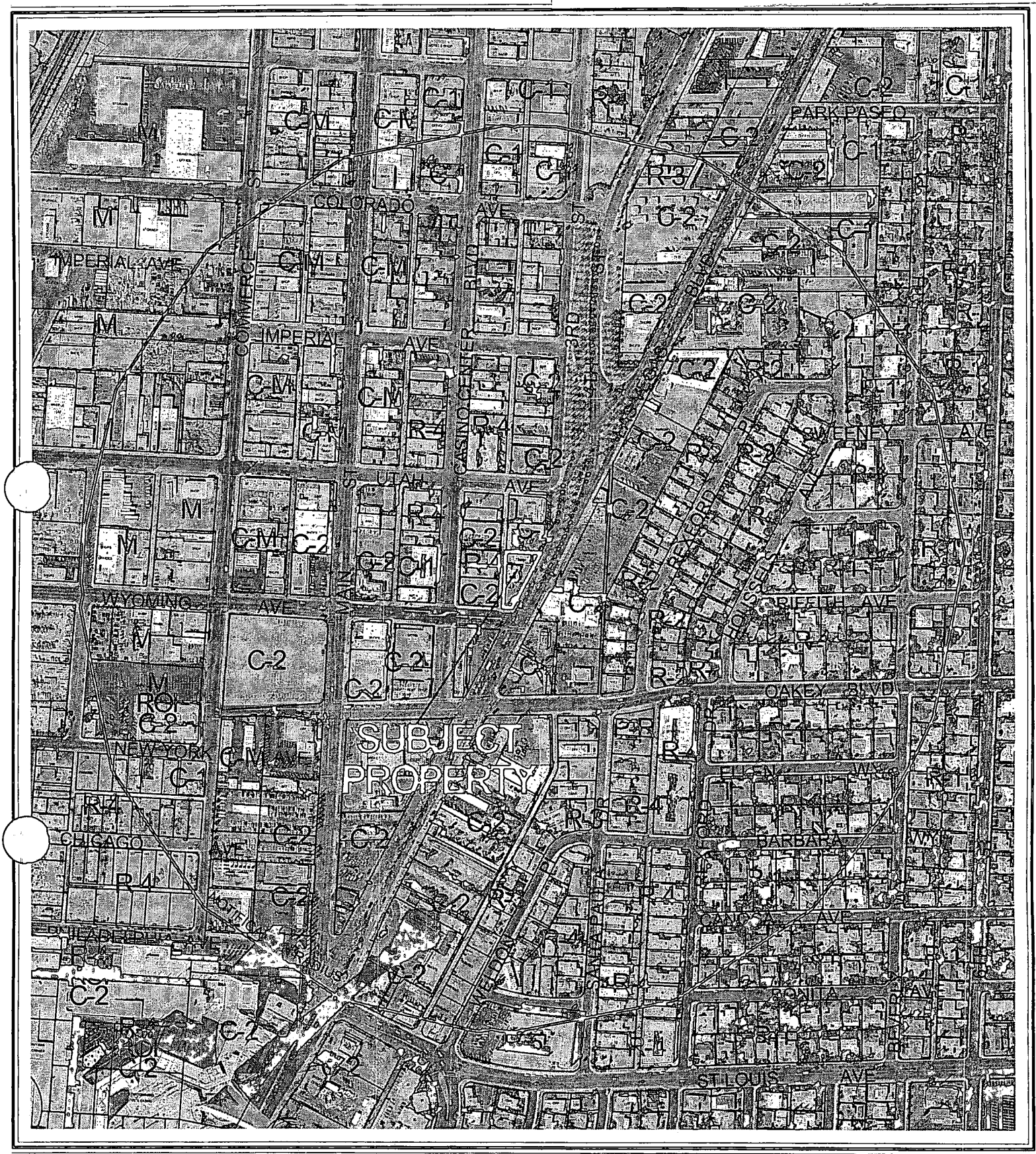


CASE: **SUP-2802**

RADIUS: 1500 FT

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

0 300 600 Feet



CASE: SUP-2802

RADIUS: 1500 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2802 - LIZBETH JOSEFINA CASTILLO ON BEHALF OF RINGSIDE LIQUORS INC.

** CONDITIONS **

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Restaurant Service Bar use.

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

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

4. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

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

SUP-2802 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Restaurant Service Bar on property located at 1510 Las Vegas Boulevard South.

B) Applicant's Justification

According to the applicant's justification letter, the restaurant features Salvadoran and Mexican food. The applicant would like to serve beer and wine with this type of cuisine. The applicant believes this project will offer another dining option to Downtown Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

08/18/93 The City Council approved a request for a Special Use Permit (U-0129-93) for on-premise beer and wine sales in conjunction with a Chinese restaurant at 1510 Las Vegas Boulevard South. The Board of Zoning Adjustment recommended approval on 07/27/93.

05/12/97 The City Council struck from the agenda a request for a Special Use Permit (U-0145-96) for on-premise beer and wine sales in conjunction with a restaurant at 1510 Las Vegas Boulevard South. The request was not acted upon because the applicant failed to attend the City Council meeting on several occasions.

06/22/98 The City Council approved a request for a Special Use Permit (U-0041-98) for the on-premise sale of beer and wine in conjunction with an existing restaurant at 1510 Las Vegas Boulevard South. The Planning Commission recommended approval on 05/14/98. The business license associated with this use expired in December 2001.

09/11/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #28).

B) Pre-Application Meeting

07/09/03 The applicant indicated that the restaurant has a shared parking agreement with the tavern to the south (Dino's) and the motel on the adjacent parcel to the north (Tod Motor Hotel). The applicant was assured that because this is a parking impaired development, no additional parking spaces would be required. Other issues discussed included meeting the submittal requirements and the required 400-foot separation distance from protected uses.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.35

B) Existing Land Use

Subject Property:	Restaurant, Tavern
North:	Hotel
South:	Retail Commercial
East:	Sexually Oriented Business
West:	Motel

C) Planned Land Use

Subject Property:	DTR (Las Vegas Boulevard Tourist Commercial, Area 7)
North:	DTR (Las Vegas Boulevard Tourist Commercial, Area 7)
South:	DTR (Las Vegas Boulevard Tourist Commercial, Area 7)
East:	DTR (Las Vegas Boulevard Tourist Commercial, Area 7)
West:	DTR (Las Vegas Boulevard Tourist Commercial, Area 7)

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) and R-4 (High Density Residential)

E) General Plan Compliance

The site is designated as TC (Tourist Commercial) and SC (Service Commercial) in Area 7 of the Las Vegas Redevelopment Plan. The current zoning designation of C-2 (General Commercial) is in conformance the Las Vegas Redevelopment Plan. The proposed Restaurant Service Bar use meets the qualifications for this district.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	**X**	
Downtown Centennial Plan	*X*	
Redevelopment Plan Area	*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**

Downtown Centennial Plan – The restaurant and the proposed Service Bar are located within the Downtown South District of the Downtown Centennial Plan. This is a distinct mixed-use area containing a variety of land uses and densities of existing utilitarian buildings and bungalows that are ripe for rehabilitation. It is expected to continue to redevelop into an area containing small professional offices, art galleries and workshops, and mixed residential/commercial buildings.

Las Vegas Redevelopment Plan Area – The subject site is located within the Las Vegas Redevelopment Plan Area 7 (Las Vegas Boulevard Tourist Commercial) and meets the Plan's goals for this area.

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	2,280 SF total, 1,170 SF public seating area	1/50 SF GFA of public seating and waiting area, with 1/200 SF GFA of the remaining area	27	2	24	1

The entire parcel, which contains both the restaurant and a tavern, is lacking the required number of parking spaces under the current version of Title 19. Only five spaces are located adjacent to the restaurant. However, the applicant has written confirmation of a shared parking agreement with the adjacent motel to the north and permission from the neighboring tavern to use its parking. As this site is part of the Downtown Centennial Plan, it is not subject to the automatic application of the parking requirements in Title 19.10. This is also a parking-impaired development. As this building was previously a restaurant and no alterations are proposed that would increase the building area, no additional parking will be required.

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	400' from any church, synagogue, school, child care facility (12+ children), or city park	No protected uses within 400' of the subject property

There are no protected uses within 400 feet of the subject site.

The following locations in the 1,500-foot radius surrounding this parcel have been licensed for alcohol- related uses:

Location	Name	License Type
1507 S. Las Vegas Blvd.	Boston Pizza	Beer/Wine/Cooler On Sale
1401 S. Las Vegas Blvd.	Florida Café	Beer/Wine/Cooler On Sale
17 E. Oakey Blvd.	O K Restaurant	Beer/Wine/Cooler On Sale
22 E. Oakey Blvd.	Myers Market	Package Liquor
30 W. Wyoming Ave.	7-Eleven	Package Liquor
515 E. Oakey Blvd.	Mighty Mart	Beer/Wine/Cooler Off Sale
1501 S. Las Vegas Blvd.	King Sejong Hong Restaurant	Beer/Wine/Cooler On Sale
1402 S. 3rd St.	Snick's Place	Tavern
1511 S. Main St.	Gino's	Tavern
1531 S. Las Vegas Blvd.	Olympic Garden	Tavern
1616 S. Las Vegas Blvd.	Oakey Discount Market	Beer/Wine/Cooler Off Sale
1619 S. Las Vegas Blvd.	Oakey AM/PM	Beer/Wine/Cooler Off Sale
1700 S. Las Vegas Blvd.	White Cross Drug	Package Liquor
1705 S. Las Vegas Blvd.	7-Eleven	Beer/Wine/Cooler Off Sale
1516 S. Las Vegas Blvd.	Dino's	Tavern

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-2 (General Commercial) Zone. The Restaurant Service Bar use is permitted in a C-2 zoning district with an approved Special Use Permit, subject to the conditions listed below.

- Use

The proposed Restaurant Service Bar will be part of an eating establishment that has moved into an existing building also previously used for restaurants. Most of these restaurants also served beer and wine on-premise. The parcel on which the restaurant is located is more than 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or city park, and otherwise meets the conditions listed below for a Restaurant Service Bar use. The previous Special Use Permit for on-premise beer and wine sales would have expired in December 2002.

- Conditions

Title 19.04.050 lists the following relevant conditions for this Restaurant Service Bar use:

1. No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

2. Except as otherwise provided in Subsection (3) below, the minimum distances referred to in Subsection (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 closest 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 not include the property line of:

    a. Any leasehold parcel; or

    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 Subsection (1).

3. The minimum distance requirement in Subsection (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

4. All businesses that sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code. (*)

* Indicates that this is a non-waivable condition of Special Use Permit approval.

The proposed Restaurant Service Bar complies with the applicable conditions listed 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."**

   The principal land use on the site is an existing restaurant; the Restaurant Service Bar is an ancillary use to this restaurant. As such, it will not negatively impact either current or future surrounding land uses.

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

   The proposed Service Bar will be located within an existing restaurant on this site. The subject site is therefore physically suitable for the type and intensity of land use proposed. The addition of beer and 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 the Service Bar is an ancillary use to the restaurant. Access to the site is via two driveways from the southbound lanes of Las Vegas Boulevard, which is designated as a Primary (100-foot wide) Arterial on the Master Plan of Streets and Highways.

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."**

   Both the restaurant and the sale of beer and wine 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 387 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2802 APN: _____

Name of Property Owner: Kristin Bartolo / Ringside Liquors Inc

Name of Applicant: Lizbeth Josefina Castillo

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: Kristin Bartolo

Print Name: KRISTIN D. BARTOLO

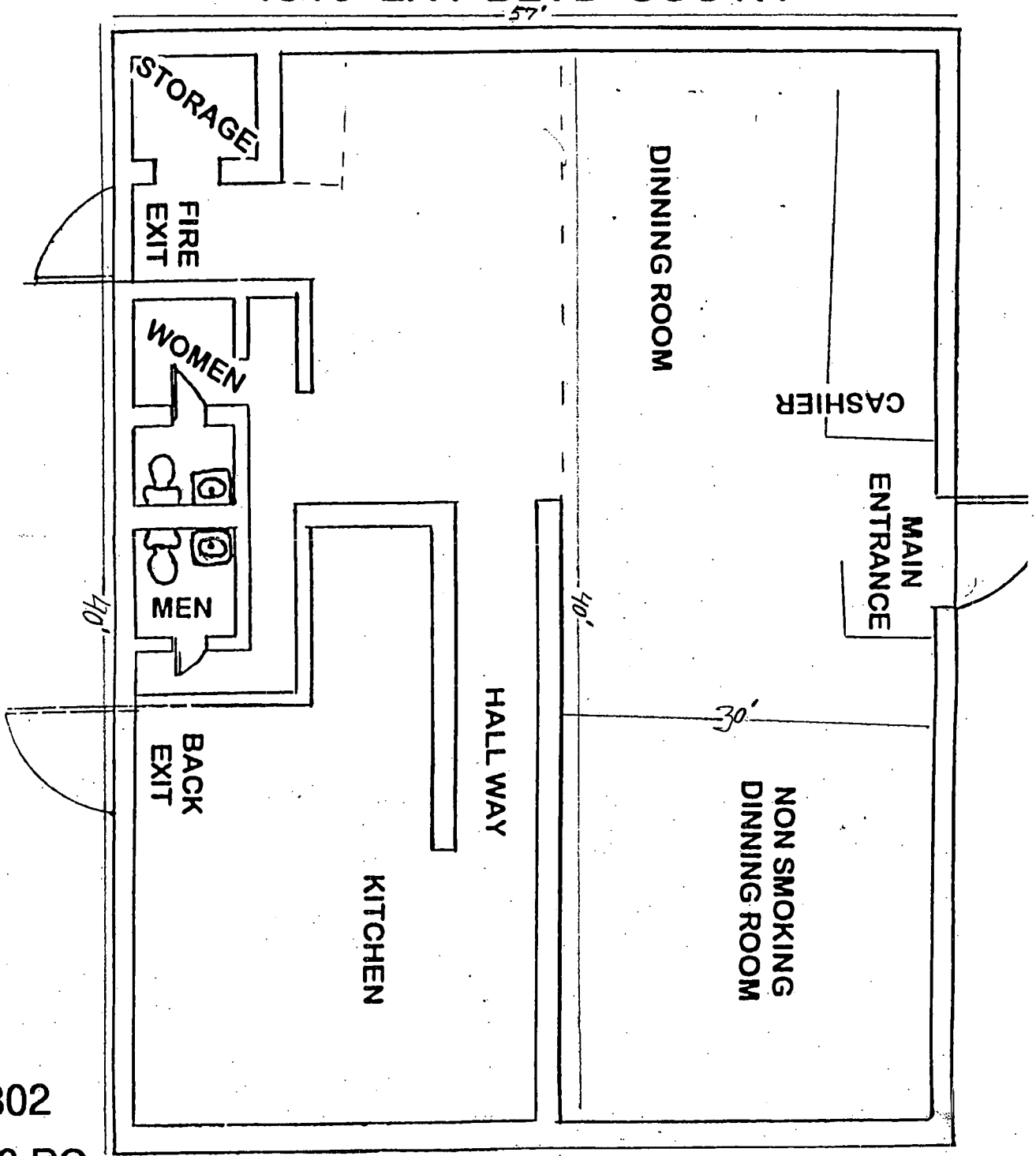
Subscribed and sworn before me

This 3rd day of JUNE, 2003

_____
Notary Public in and for said County and State

NOTARY PUBLIC
C. ASHWORTH
STATE OF NEVADA
COUNTY OF CLARK
MY APPOINTMENT EXPIRES
SEPTEMBER 9, 2003
No: 99-58106-1

LOS MANGUITOS
RESTAURANT
1510 L.V. BLVD SOUTH



SUP-2802

09-11-03 PC

NORTH

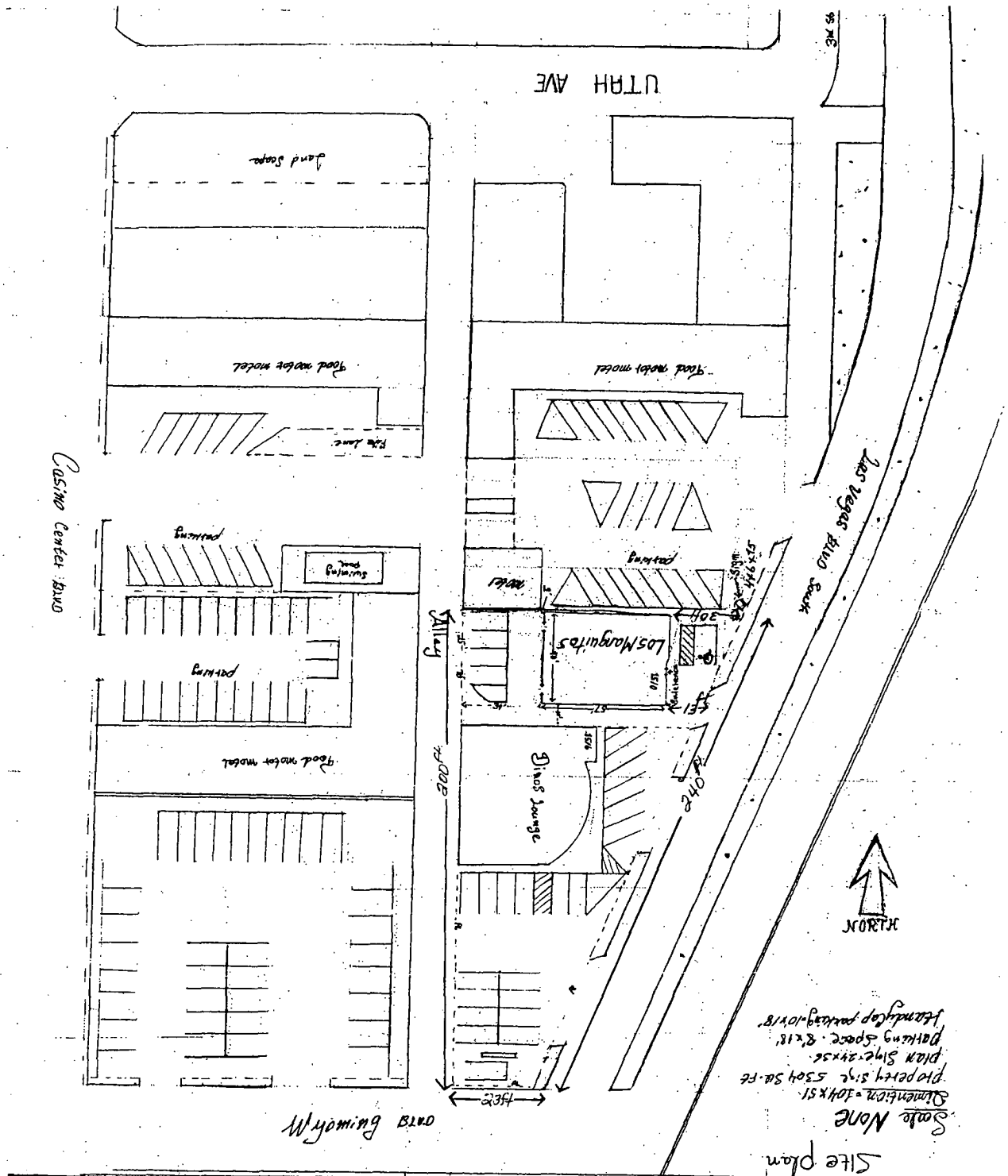
FLOOR PLAN
SCALE : NONE

DIMENTION = 57' X 40

FLOOR AREA = 2280 SQ FT

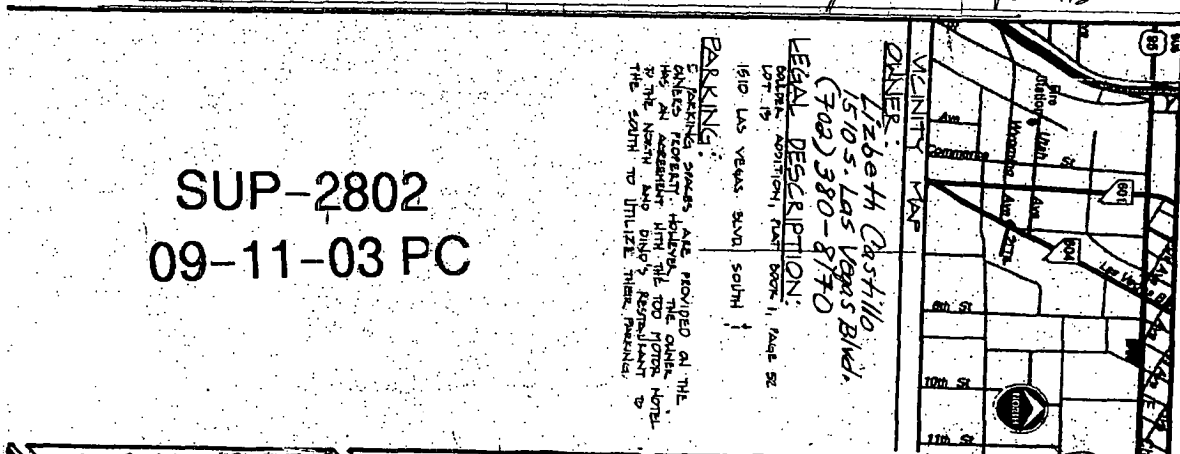
SEATING AREA= 1170 SQ FT

CAPACITY = 76



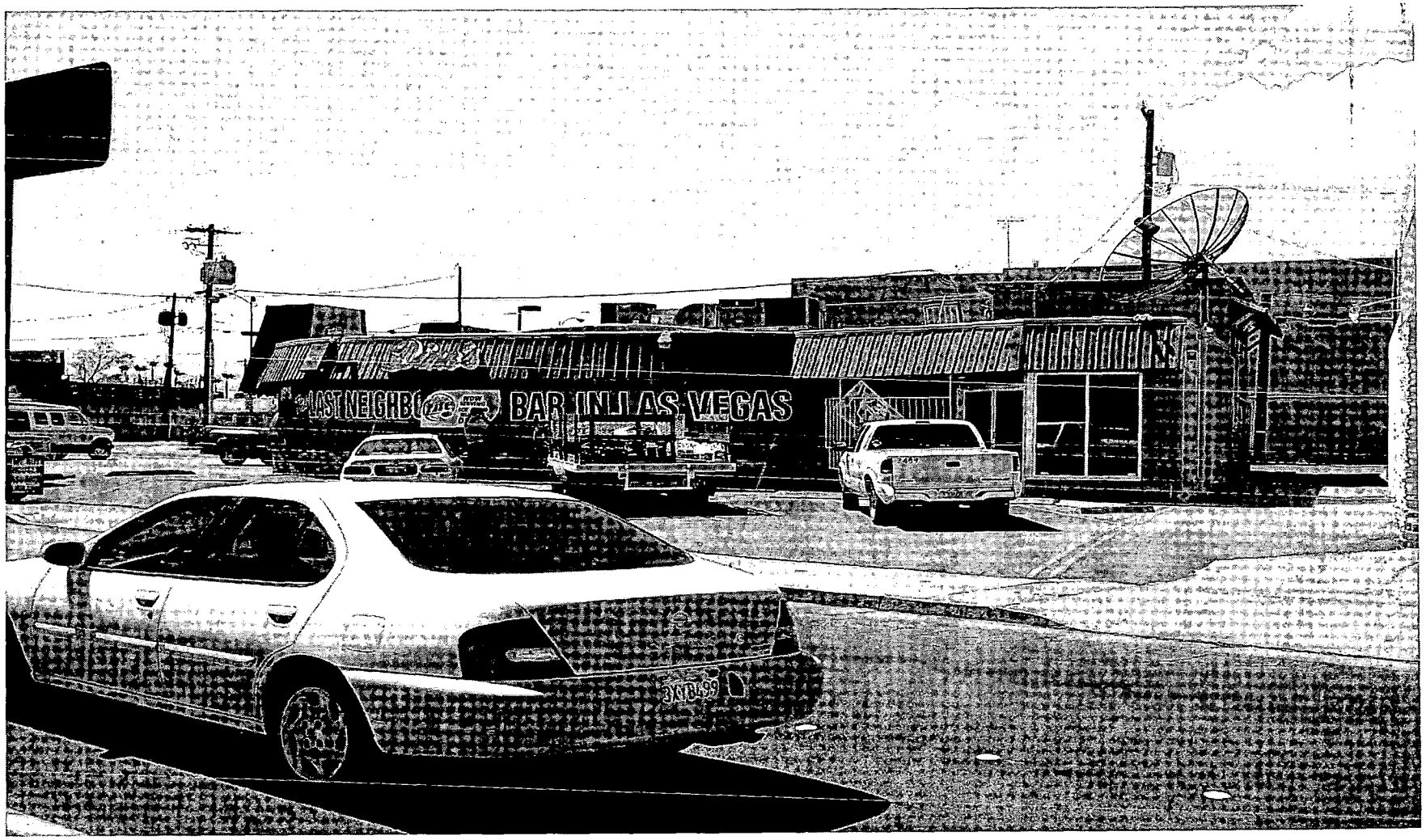
Setbacks: None
Property Size: 550 sq. ft
Main Bldg. Size: 24'x56'
Parking Space: 8'x18'
Handicap parking: 10'x18'

SUP-2802
09-11-03 PC



SUP-2802 - LIZBETH JOSEFINA CASTILLO ON BEHALF OF RINGSIDE LIQUORS INCORPORATED
1510 LAS VEGAS BOULEVARD SOUTH
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03



SUP-2802 - LIZBETH JOSEFINA CASTILLO ON BEHALF OF RINGSIDE LIQUORS INCORPORATED
1510 LAS VEGAS BOULEVARD SOUTH
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 112

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2833 - SIERRA FONDUE, LIMITED LIABILITY COMPANY ON BEHALF OF BOCA PARK PARCELS, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit for a proposed supper club on a portion of 0.90 acres located at 8704 West Charleston Boulevard, Suite 102 (APN: 138-32-818-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). **(NOTE: This item to be heard in conjunction with Morning Session Item #58).** The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the subject supper club would be leased from Triple Five, a client of MK^2, and he works for MK^2 as a subcontractor, and GOODMAN excused

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

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He concurred with staff recommendations and requested approval.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:15 – 2:17)

City of Las Vegas

Agenda Item No. 112

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 112 – SUP-2833

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.

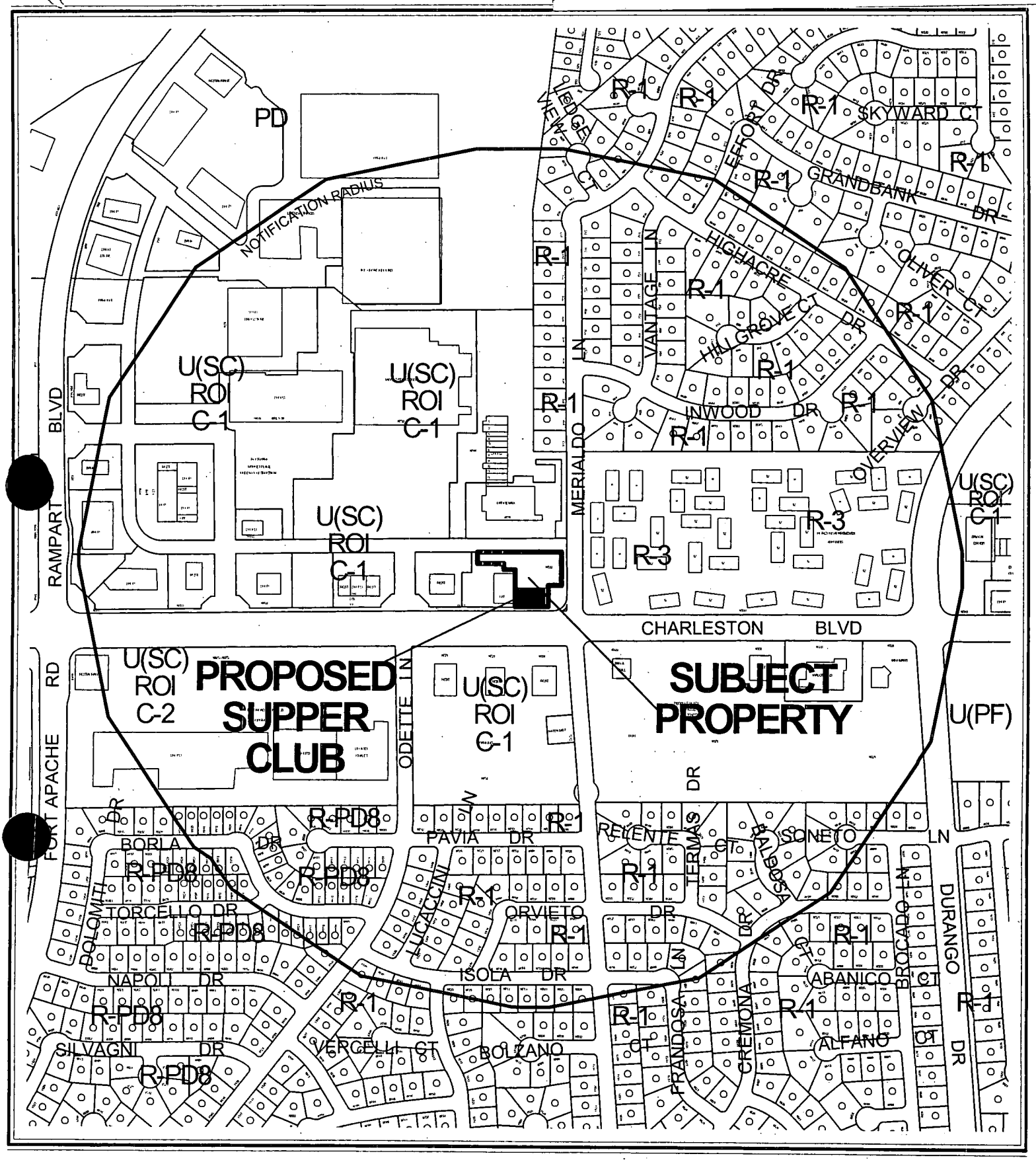
2. Approval of a Review of Condition No. 11 of Site Development Plan Review [Z-0030-92(5)] by the City Council prior to the issuance of a certificate of occupancy.

3. Conformance to applicable Conditions of Approval for Rezoning (Z-0030-92) and Site Development Plan Review [Z-0030-92(24)].

4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

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

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



CASE: **SUP-2833**

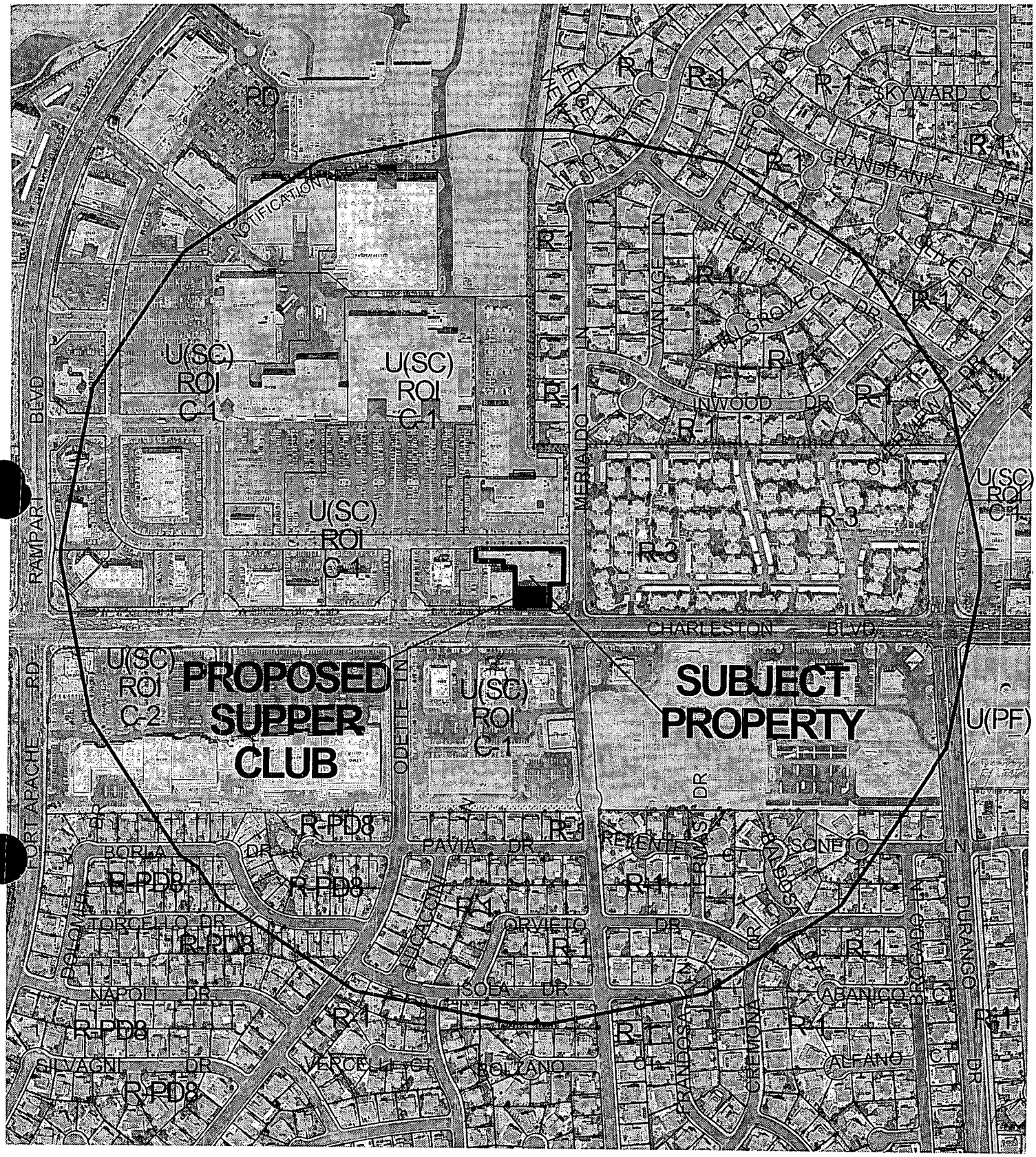
RADIUS: 1500 FT

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:

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

N



0 400 800 Feet

CASE: **SUP-2833**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2833 - SIERRA FONDUE, LIMITED LIABILITY COMPANY ON BEHALF OF BOCA PARK PARCELS, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.

2. Approval of a Review of Condition No. 11 of Site Development Plan Review [Z-0030-92(5)] by the City Council prior to the issuance of a certificate of occupancy.

3. Conformance to applicable Conditions of Approval for Rezoning (Z-0030-92) and Site Development Plan Review [Z-0030-92(24)].

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

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

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

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

SUP-2833 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Supper Club on a portion of 0.90 acres located at 8704 West Charleston Boulevard, Suite 102.

B) Applicant's Justification

The applicant justifies this application by stating that beer and wine is traditionally served with European-style fondue. As this restaurant would only be operating during dinner hours, on-site parking would be supplemented by available spaces on the adjacent dentist office and Office Max lots.

BACKGROUND INFORMATION

A) Previous Actions

12/17/80 The subject site was Annexed into the City of Las Vegas as part of a larger request (A-0018-80).

09/02/92 The City Council approved a Rezoning (Z-0030-92) from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request. The Planning Commission recommended approval on 06/25/92.

12/31/92 The District Court, Clark County, Nevada ordered a Writ of Mandate that modified the conditions of approval for the Rezoning case (Z-0030-92) pertaining to this site.

04/27/98 The City Council approved a Site Development Plan Review [Z-0030-92(5)] for a 433,240 square foot retail shopping center, which included 21 retail pad sites, including the subject site. The City Council also approved the related Peccole Town Center Master Development Plan and Development Standards. The Planning Commission recommended approval on 03/26/98.

04/24/02 Staff administratively approved a request for a Site Development Plan Review [Z-0030-92(24)] for two proposed buildings comprising 11,800 square feet on this site.

09/11/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #29).

09/17/03 The City Council approved a related Review of Condition (ROC-2963) to modify a condition of Site Development Plan Review [Z-0030-92(5)] prohibiting food service on this site.

B) Pre-Application Meeting

07/09/03 The applicant was asked to show the seating capacity and public seating area measurement in order for staff to determine parking requirements. In addition, a current parking analysis for the southern phase of the Boca Park development was requested. The parking issue should be discussed in more detail in the justification letter, as the applicant plans to use additional spaces from adjacent parking areas to make up for a parking deficiency on the subject site.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.90

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Retail Commercial
South:	Restaurants and Retail Commercial
East:	Multi-Family Dwellings
West:	Dental Office

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	M (Medium Density Residential)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
South:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
East:	R-3 (Medium Density Residential)
West:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning district is an appropriate zoning district within the SC (Service Commercial) land use designation. "Supper Club" is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

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, zones, or studies associated with the subject property.

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
Supper Club	3,383 SF	1/50 SF of public seating area +	65	3		
	1,879 SF	1/200 SF of remaining GFA	9	1		
TOTAL	5,262 SF		74	4	44	3

The proposed Supper Club does not meet the parking standards for eating and drinking establishments. The 47 spaces provided on the site plan must be divided among the uses for the two buildings on this parcel. The applicant has indicated that the Boca Park Center has negotiated cross-access easements and shared parking

agreements between all parcels in the center. The applicant plans to use the 46 spaces provided by the dentist office adjacent to the west to meet the parking requirement, since the office closes at 5:00 p.m., when the proposed supper club would open. Additional parking would be available on the parcel to the north, but this option is not recommended, since customers would have to cross an interior street to get to the restaurant.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Supper Club	400' from any church, synagogue, school, child care facility (12+ children), or city park	No protected uses within 400' of the subject property

The following locations in the 1,500 feet surrounding the subject parcel have been licensed for alcohol- related uses:

Location	Name	License Type
1000 S. Rampart Blvd #16	Tokyoto Japanese Sushi	Beer/Wine/Cooler On Sale
1050 S. Rampart Blvd.	Tre Restaurant	Supper Club
8580 W. Charleston Blvd.	Sav-On Drugs	Package Liquor
1100 S. Fort Apache Rd.	Claim Jumper Restaurant	Supper Club
8601 W. Charleston Blvd.	Grumpy's C-Store	Beer/Wine/Cooler Off Sale
8699 W. Charleston Blvd.	Bilbo's Bar & Grill	Tavern
8701 W. Charleston Blvd.	Roy's Restaurant	Supper Club
8721 W. Charleston Blvd.	Fleming's Restaurant	Supper Club
8730 W. Charleston Blvd.	Applebee's Bar & Grill	Supper Club
8751 W. Charleston Blvd.	Bleu Gourmet	Package Liquor, Wine tasting
8771 W. Charleston Blvd.	Carrabba's Italian Grill	Supper Club
8820 W. Charleston Blvd. Suite 105	Three Angry Wives Pub	Tavern
8855 W. Charleston Blvd.	Whole Foods Market	Beer/Wine/Cooler Off Sale, Special Event Beer/Wine

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Walled, gated

The existing building and site comply with conditions of approval for Site Development Plan Review [Z-0030-92(24)], which was approved prior to the adoption of the Commercial Development Standards requiring roofed trash enclosures. The restaurant will be a tenant improvement in the 6,800 square-foot building whose rear faces Charleston Boulevard.

B) General Analysis and Discussion

- Zoning

  The subject site is currently zoned U (Undeveloped) Zone, [SC (Service Commercial) General Plan Designation] and is under a Resolution of Intent to C-1 (Limited Commercial).

  The proposed Supper Club is within the range of uses permitted, with approval of a Special Use Permit, in the C-1 (Limited Commercial) zoning district.

- Use

  The proposed Supper Club is a 5,262 square-foot tenant improvement in a building approved under Site Development Plan Review [Z-0030-92(24)]. The parcel on which this use is located is more than 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or city park, and otherwise meets the conditions listed below for a Supper Club use. A condition of approval for Phase One of the Boca Park development [Z-0030-92(5)] prohibits food service in "Building N," in which this project is located. A Review of Condition application has been submitted and is scheduled for hearing by the City Council on 09/17/03.

- Conditions

  Title 19.04.050 provides for a number of conditions for the approval of a Special Use Permit for a Supper Club. 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. development as an accessory use only in an O (Office) district; and
  6. * compliance with Chapter 6.50 of the Las Vegas Municipal Code.

  * Indicates that this is a non-waivable condition of Special Use Permit approval.

  The proposed Supper Club complies with the applicable conditions listed 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."**

   The proposed Supper Club is suited to the commercial area encompassed by the Boca Park development and is adequately buffered from nearby residential uses to the east. This use is compatible with the future land uses projected by the General Plan.

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

   The proposed site lacks adequate parking for full-time eating and drinking establishment uses; however, the restaurant will utilize parking from the dental office to the west and retail building to the north at off-peak hours for those uses to meet its parking requirement. In this instance, the overall site will accommodate the Supper Club use, as it is not in danger of being over parked.

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 street network adjacent to the subject site also serves the overall Boca Park development; therefore, it is adequate for the amount of traffic that will serve the proposed Supper Club use. Access to the site is from an internal drive, which connects to one entrance on Merialdo Lane and two on Charleston Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Alternatively, the site may be accessed from Rampart Boulevard, also a Primary Arterial.

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 restaurant and Supper Club 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 289 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SNP-2833 APN: 138-32-818-004

Name of Property Owner: BOCA PARK PARCELS, LLC

Name of Applicant: Sierra Fondue, 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 ____✓____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: _____

BOCA PARK PARCELS, LLC

Signature of Property Owner/Authorized Agent: _____

Print Name: John M. McCall, Manager

Subscribed and sworn before me

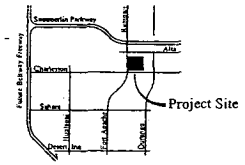
This 2nd day of July, 2003

Susan J. Azuse

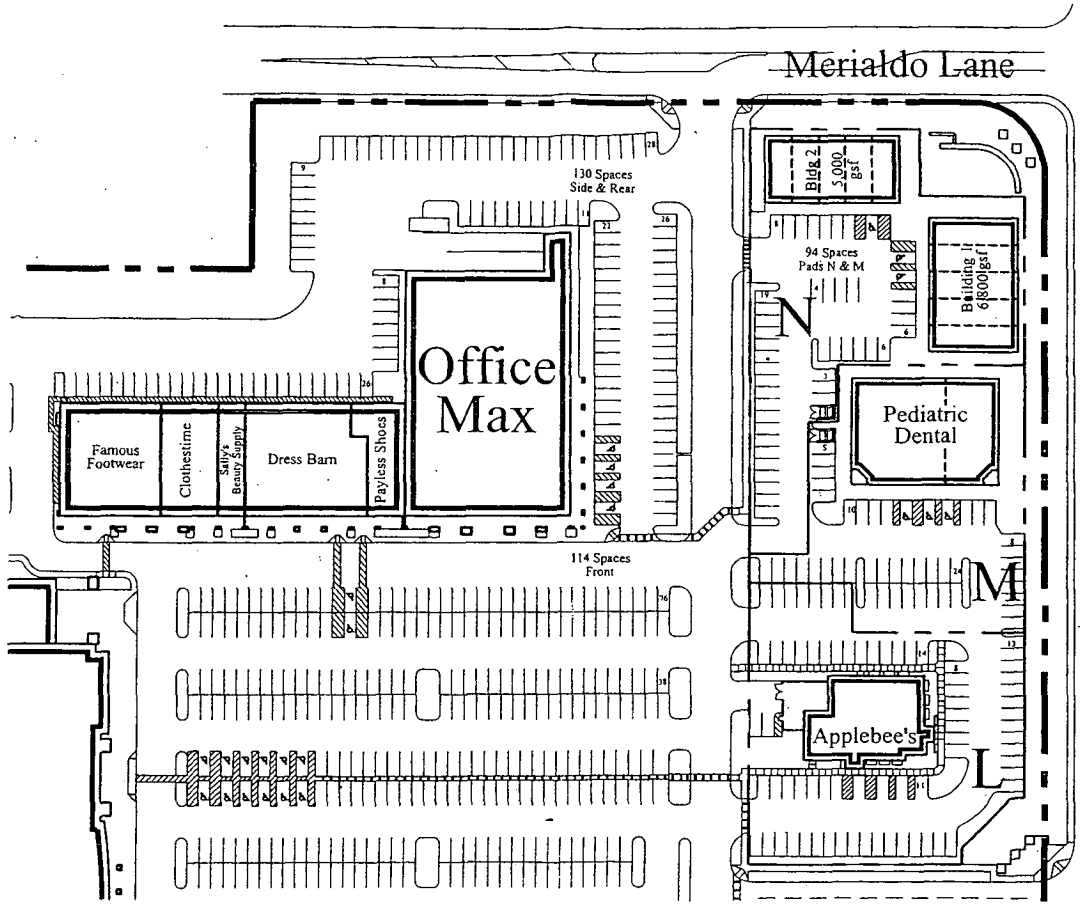
Notary Public in and for said County and State

SUSAN J. AZUSE
Notary Public - Nevada
No.99-50718-1 My appt. exp.01-09-2007

Boca Park Key Plan



Location Map



Boca Park Marketplace

Triple Five Nevada Development Corporation
9510 W. Sahara Ave., Suite 200, Las Vegas, NV 89117

Prepared for the Melting Pot
(702) 242-6937

Charleston Boulevard and Rampart Boulevard, Las Vegas, Nevada

Conceptual Site Plan

SITE INFORMATION

ZONING
C2- General Commercial District

AREA (Approximate)

Phase I - Net Area:	2,229,150 sf	51.17 acres
Phase II - Net Area:	133,446 sf	3.06 acres
Total Net Area:	2,362,596 sf	54.23 acres

Parking Calculations for Boca Park Phase I (East Sector)

October 2, 2002

Parcel	Tenant	Lot Area		Bldg Area		Parking Occupancies	Parking Ratio	Area Ratio	Parking Required	Parking Provided	Parking Available
M	Children's Dentist	31,565	sf	8,544	sf	Office	1 per 200	8,544	43	47	4
		0.72	acres								
N1	1 Quixote's Design	39,350	sf	1,360	sf	Retail	1 per 250	1,360	5	3	-2
	2 Melting Pot	0.90	acres	5,262		Kitchen, etc	1 per 200	1,639	8	30	-51
						Rest/Public	1 per 50	3,623	72		
N2	1 Bedtime Mattress			5,000	sf	Retail	1 per 250	5,000	20	10	-10
	Pad N Adjecent parking									63	0
	Office Max	n/a	sf	23,415	sf	Retail	1 per 250	23,415	94	100	6
	Payless Shoes	n/a	sf	2,521	sf	Retail	1 per 250	2,521	10	17	7
	Sally's Beauty Supply	n/a	sf	1,700	sf	Retail	1 per 250	1,700	7	12	5
	Clothestime	n/a	sf	3,680	sf	Retail	1 per 250	3,680	15	26	11
	Famous Footwear	n/a	sf	6,503	sf	Retail	1 per 250	6,503	26	30	4
	Totals for Pads			57,985	sf				301	338	37

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

North

Scale: 1" = 40'

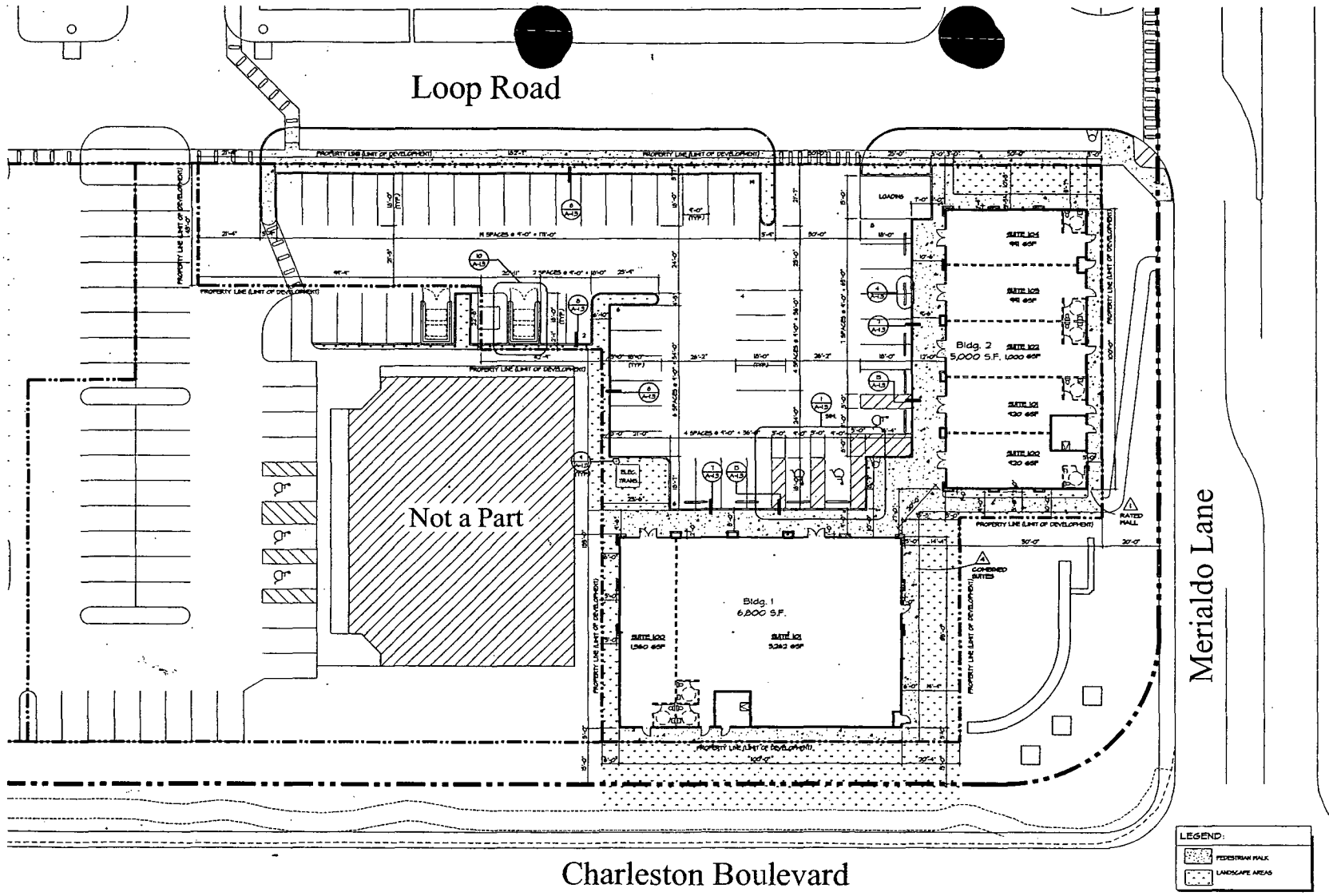
0 40 80

Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

©COPYRIGHT 2001 PERLMAN ARCHITECTS, INC.

Date: July 24, 2003
Project Number: 100050

SUP-2833
09-11-03 PC



PARTIAL ENLARGED SITE PLAN

SCALE 1/16"= 1'-0"

NORTH

SUP-2833
09-11-03 PC

102022
PAD N - BOCA PARK PHASE 1
Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

Seal

© COPYRIGHT 2002, HOWARD PERLMAN, A.I.A.

Rev	Date	By	Description
1	07/26/02	AH	BUILDING DEPT. SUBMITTAL
2	08/30/02	AH	PLNG. DEPT. COMMENTS
3	09/24/02	AH	OWNER COMMENTS

PAD N BULDING 1 & 2
BOCA PARK PHASE I
LAS VEGAS, NEVADA
TRIPLE FIVE DEVELOPMENT
LAS VEGAS, NEVADA

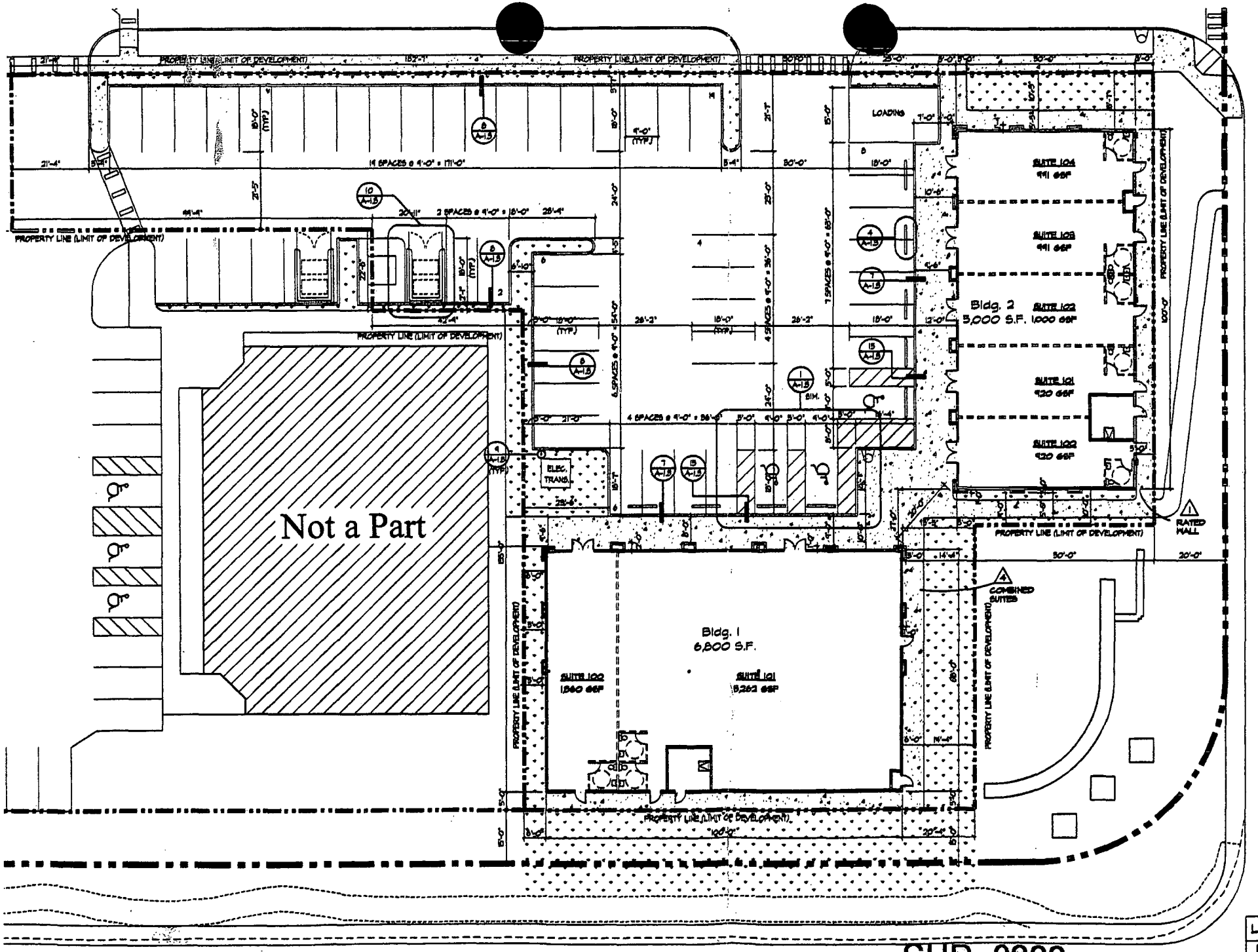
Drawn/Checked By: GH/JR

Date: 07/26/02

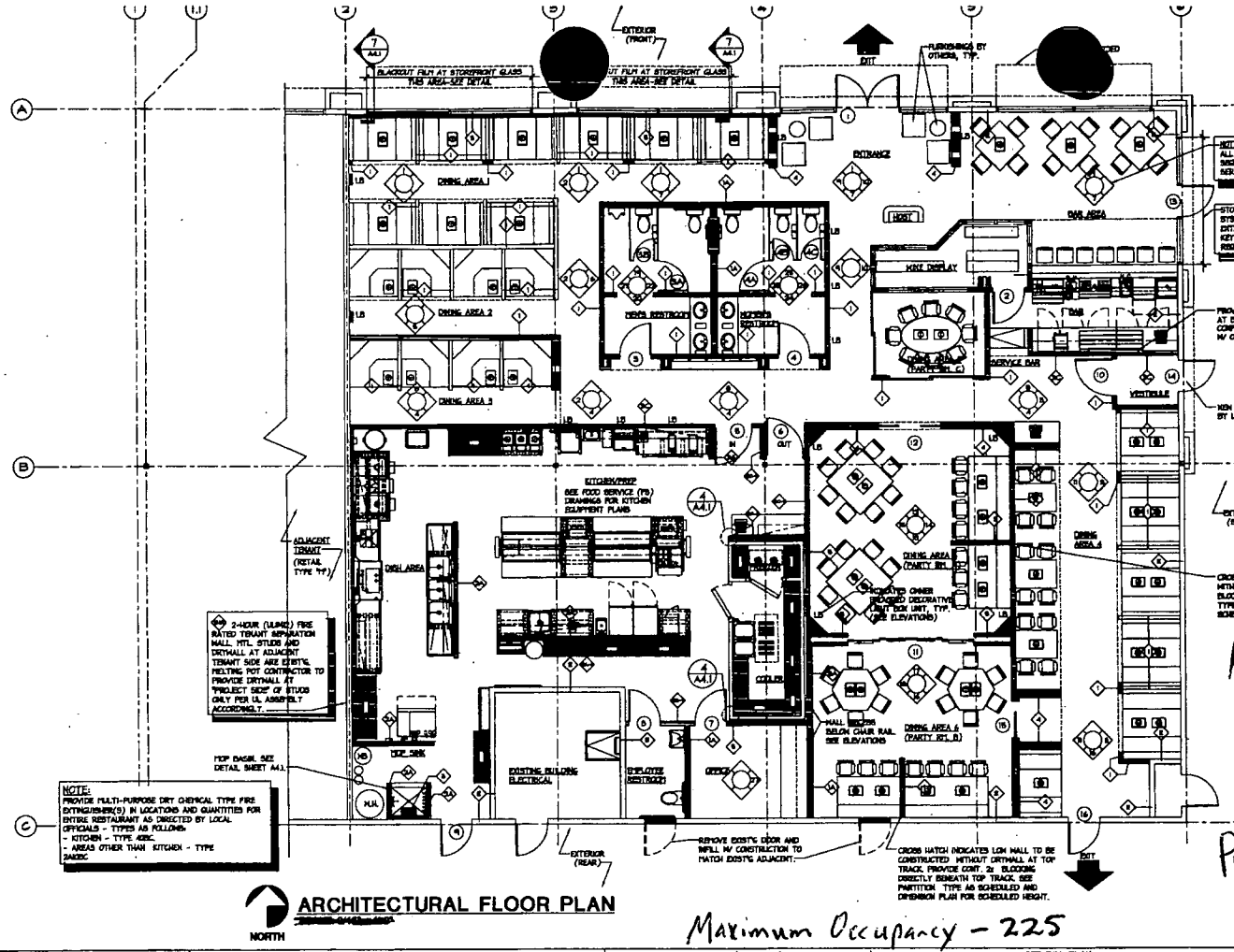
Project Number: 102022

Sheet Number: **A-1.2**

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1207

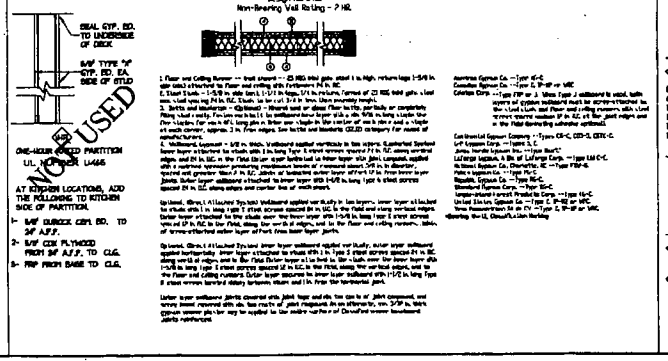


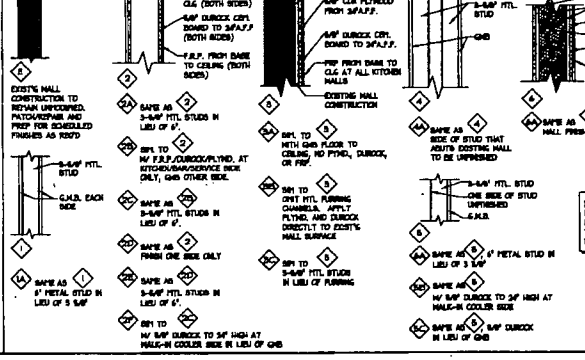
SUP-2833
09-11-03 PC



ARCHITECTURAL FLOOR PLAN

PARTITION TYPES





PARTITION NOTES

- THIS LEGEND IS GENERAL IN NATURE AND MAY INCLUDE ITEMS NOT APPLICABLE TO THIS PROJECT. REFER TO ARCHITECTURAL FLOOR PLAN FOR SPECIFIC APPLICATIONS AND SCHEDULED PARTITION TYPES.
- PARTITION TYPE DETAILS INTEND TO SHOW BASIC FRAMING AND WALL COMPOSITION ADDITIONAL FINISH INFORMATION SUCH AS BASE, TRIM, TILE, ETC. CAN BE FOUND ELSEWHERE THROUGHOUT THE DRAWINGS.
- PARTITION TYPE DESIGNATIONS WILL NOT DISTINGUISH BETWEEN FULL HEIGHT AND PARTIAL HEIGHT WALLS. SEE DIMENSION PLAN FOR HEIGHT INDICATIONS. WHERE WALLS ARE TO RECEIVE OWNER'S FILLMORE CAPING, CONTRACTOR TO SET TOP TRACK AT HEIGHT THAT WILL RESULT IN OVERALL HEIGHT AS INDICATED ON DIMENSION PLAN (INCLUDING OWNER'S FILLMORE CAP). WHERE PARTIAL HT. WALLS DO NOT RECEIVE FILLMORE CAP, CONTRACTOR TO FINISH TOP PORTION OF WALL W/ G.W.B.
- WHERE PLYWOOD AND OTHER WOOD BLOCKING MATERIALS ARE SCHEDULED FOR PARTITIONS, CONTRACTOR IS TO CONFIRM WHETHER OR NOT LOCAL BUILDING OFFICIALS WILL REQUIRE FIRE RETARDANT TREATED (FRT) WOOD TO BE USED.
- METAL STUDS AND FURRING SPACED @ 24" O.C. MAX., 25 GA. MIN.
- GYPSUM WALL BOARD (GWB) IS TO BE 1/2" FOR WALLS, 5/8" FOR CEILINGS/SOFFIT CONDITIONS, UNLESS OTHERWISE NOTED.
- USE MOISTURE RESISTANT G.W.B. IN LIEU OF STANDARD G.W.B. @ ALL FLUFFING WET WALL LOCATIONS IN TOILET ROOMS.
- WHERE SOUND INSULATION IS SCHEDULED, INSTALL THICKNESS TO MATCH STUD WIDTH (3 1/2 OR 6"). SOUND ATTENUATION BLANKETS (SAB) TYPICALLY INSTALLED AT THE FOLLOWING WALL LOCATIONS:
  A. WALLS SEPARATING TOILET ROOMS AND ADJACENT TOILET ROOMS AND OTHER SPACES.
  B. WALLS SEPARATING KITCHEN/SERVICE AREAS FROM ADJACENT DINING OR OTHER "PUBLIC" CUSTOMER AREAS.
  C. SEE C.L.G. PLAN FOR LOCATIONS WHERE SAB IS TO BE INSTALLED ABOVE CEILINGS.
- CONTRACTOR IS ADVISED TO COORDINATE ALL "IN-WALL" WORK REQUIRED BY OWNER'S VENDORS PRIOR TO INSTALLATION OF DRYWALL.
- SEE ROOF SECTION, SHT. A4.1 FOR ADDITIONAL PARTITION CONSTRUCTION INFORMATION.
- SEE SHT. A41 FOR ADDITIONAL WALL BLOCKING REQUIREMENTS.

FAH Fabian Wilkinson Hintz Architects
3336 Grand Blvd. Suite 102
Holiday, Florida 34690
Ph. 727. 815. 3336
Fax 727. 815. 3337

TO THE BEST OF THE KNOWLEDGE OF THE ARCHITECTS AND ENGINEERS, SAID PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS

scal

rev. no. | revision description | revision date

THE MELTING POT
A RESTAURANT PROJECT FOR
SIERRA FONDUE, L.L.C.
AT
BOCA PARK, PAD N, BUILDING 1, SUITE 102
CITY OF LAS VEGAS
NEVADA

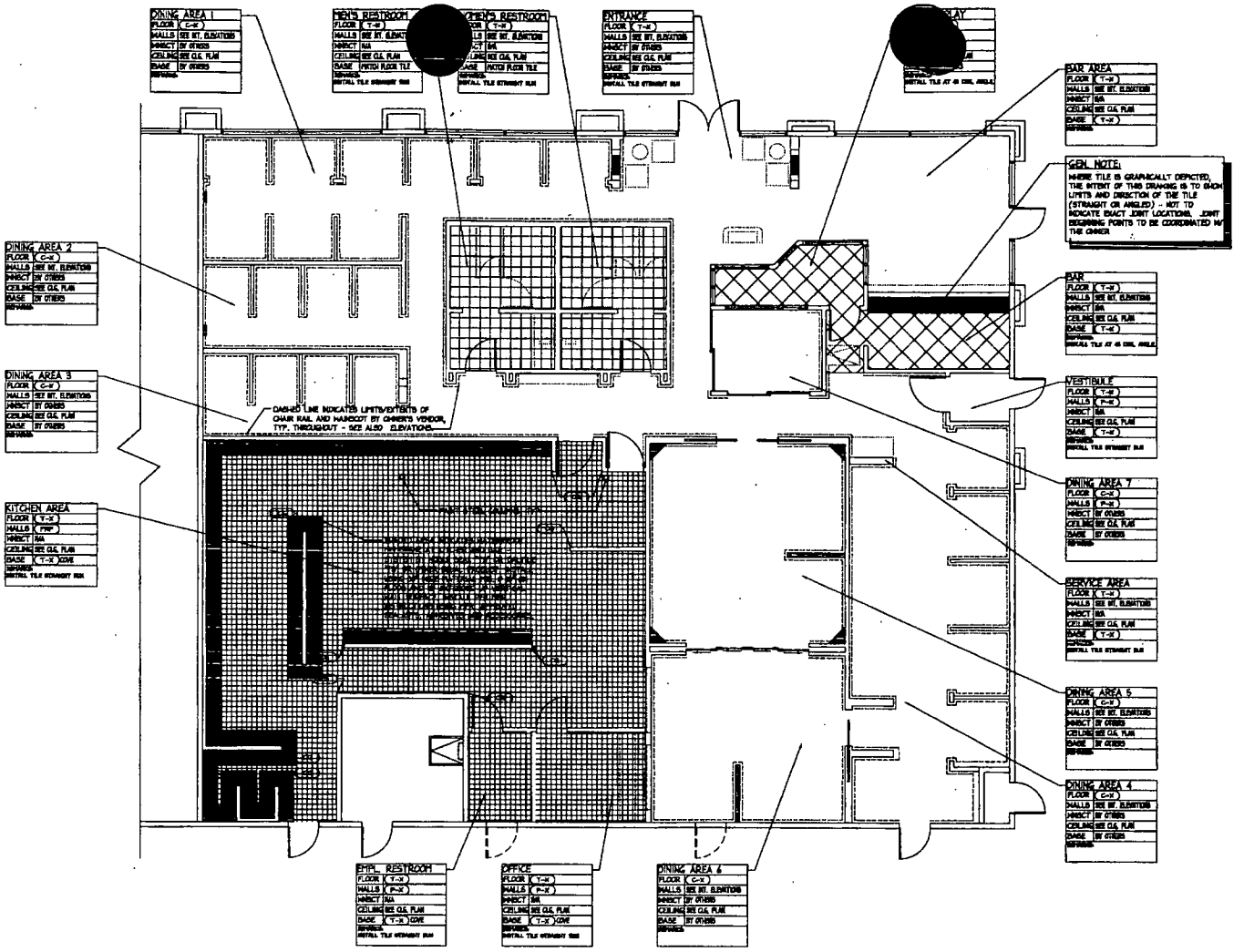
06.25.03
date

0346
project number

ARCHITECTURAL FLOOR PLAN

A1.1

SUP-2833
09-11-03 PC



FINISH PLAN

MELTING POT STILL TO EDIT FOR FINAL FINISH SELECTIONS

SUP-2833
09-11-03 PC

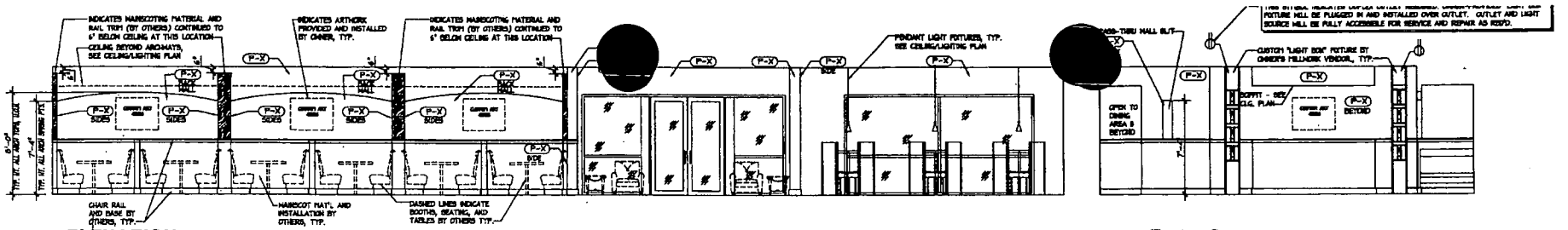
FWH Architects
3330 Grand Blvd. Suite 102
Holiday, Florida 34690
Ph. 727. 815. 3336
Fax 727. 815. 3337

THE MELTING POT
A RESTAURANT PROJECT FOR
SIERRA FONDUE, L.L.C.
AT
BOCA PARK, PAD N, BUILDING I, SUITE 102
CITY OF LAS VEGAS NEVADA

06.25.03
date
0346
project number

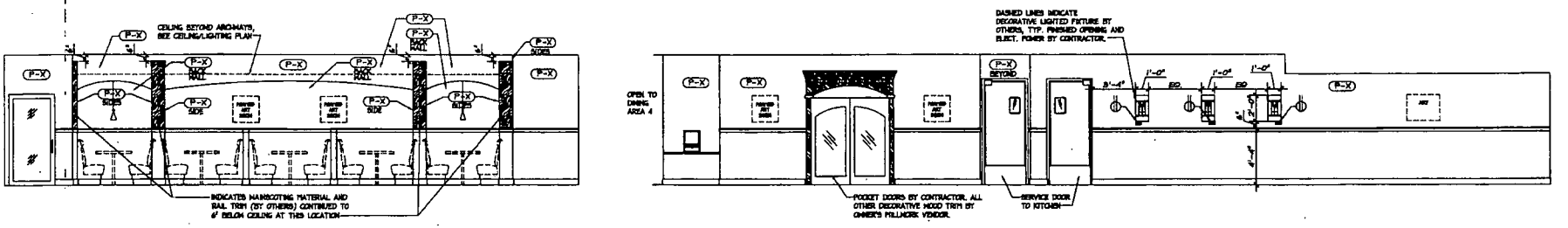
FINISH FLOOR PLAN

A1.4



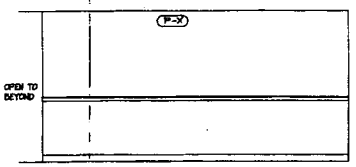
1 ELEVATION

2 ELEVATION

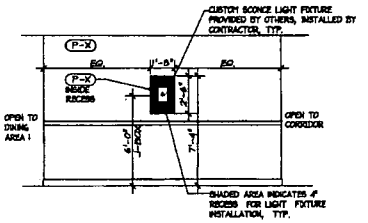


3 ELEVATION

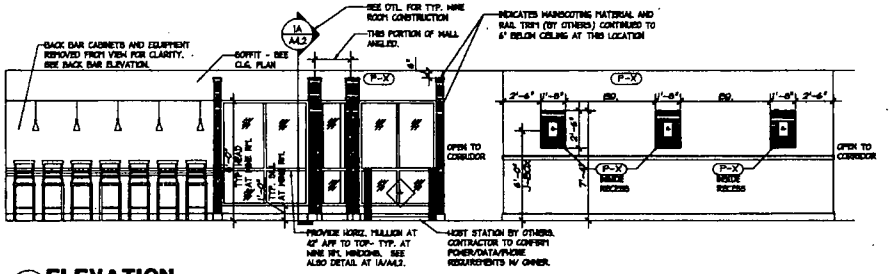
4 ELEVATION



5 ELEVATION



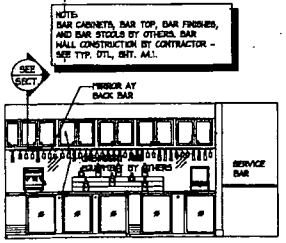
6 ELEVATION



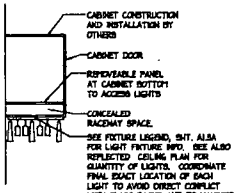
6 ELEVATION

7 ELEVATION

NOTE:
BAR CABINETS, BAR TOP, BAR FINISHES, AND BAR STOOLS BY OTHERS. BAR WALL CONSTRUCTION BY CONTRACTOR - SEE TYP. DTL, SHT. A4.1.

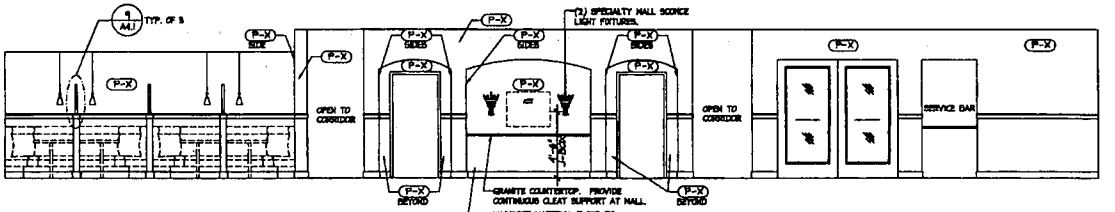


BACK BAR ELEVATION



SECTION AT BAR CABINET

NOTES:
1. BAR AND EQUIP. REMOVED FROM VIEW FOR CLARITY
2. SEE ELEVATION AND CEILING PLAN FOR HEIGHT OF CABINET BOTTOM.
3. SEE CEILING PLAN FOR CEILING HEIGHTS AT CABINET



6 ELEVATION

FWH Peter Wilson Hart Architects
3338 Grand Blvd, Suite 102
Holiday, Florida 34690
Ph. 727.813.3336
Fax 727.813.3337

TO THE BEST OF THE KNOWLEDGE OF THE ARCHITECTS AND ENGINEERS, SAID PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS

seal

rev. no.	revision date	revision description

THE MELTING POT
A RESTAURANT PROJECT FOR
SIERRA FONDUE, L.L.C.
AT
BOCCA PARK, PAD N, BUILDING 1, SUITE 102
CITY OF LAS VEGAS NEVADA

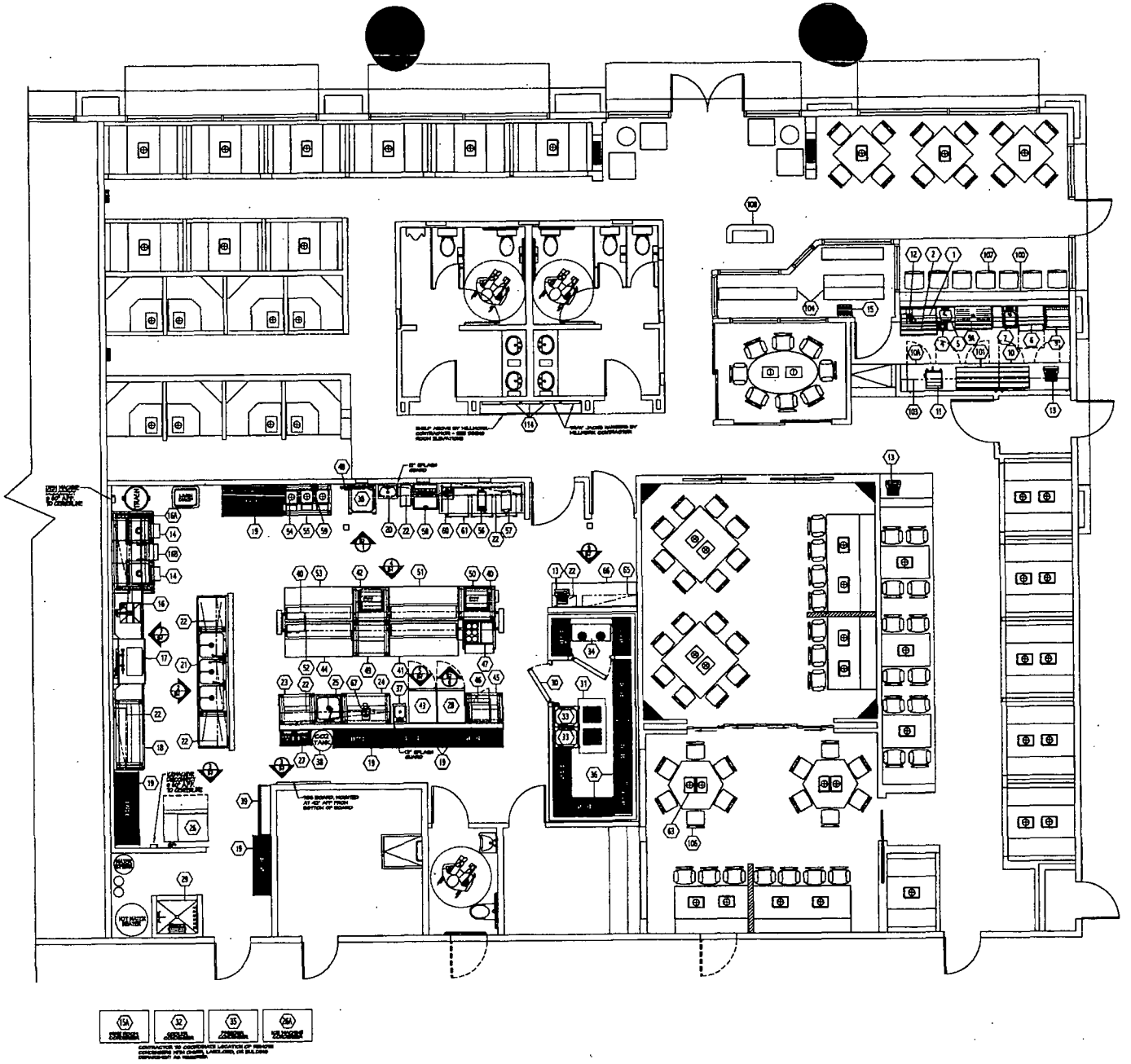
06.25.03
date

0346
project number

ELEVATIONS

A3.1

SUP-2833
09-11-03 PC



FWH Fisher Wilkens Hunt Architects
3338 Grand Blvd. Suite 102
Holiday, Florida 34690
Ph. 727. 815. 3336
Fx. 727. 815. 3337

TO THE BEST OF THE KNOWLEDGE OF THE ARCHITECTS AND ENGINEERS, SAID PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS

seal

revision descriptions

rev. no. | revision date

THE MELTING POT
A RESTAURANT PROJECT FOR
SIERRA FONDUE, L.L.C.
AT
BOCA PARK, PAD N, BUILDING 1, SUITE 102
CITY OF LAS VEGAS NEVADA

06.25.03
date

0346
project number

FOOD SERVICE FLOOR PLAN

FS-1

SUP-2833
09-11-03 PC

SUP-2833 - SIERRA FONDUE, LIMITED LIABILITY COMPANY ON BEHALF OF BOCA PARK PARCELS, LIMITED LIABILITY COMPANY
8704 WEST CHARLESTON BOULEVARD, SUITE 102
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 113

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2844 - MARCUS RITZ ON BEHALF OF WAGEMA, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit for a gaming establishment, general business related in conjunction with an existing supper club at 7290 West Lake Mead Boulevard, Suite 1 (APN: 138-22-601-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

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

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that Item 113 deals with a privileged license for alcohol, and she serves as an outside director for Station Casinos, which holds similar licenses. She advised she has not discussed this application nor will there be any impact on Station Casinos. Therefore, she would participate in the vote.

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

MARCUS RITZ, the applicant, 8115 Desert Cloud, was present and concurred with staff conditions.

COUNCILMAN BROWN asked DEPUTY CITY ATTORNEY BRYAN SCOTT if a special use permit would stay with the location or go with the owner/operator when a business is relocated. Also, if a business were sold would the new owner be required to obtain any type of license. DEPUTY CITY ATTORNEY SCOTT indicated that the new owner would be required to obtain a new business license. Further, if the time frame between the end of the previous

City of Las Vegas

Agenda Item No. 113

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 113 – SUP-2844

MINUTES -- Continued

business operation and the beginning of the new one is not greater than the 90-day period specified in the code the special use permit would still apply.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:17 – 2:20)

2-2546

CONDITIONS:

Planning and Development

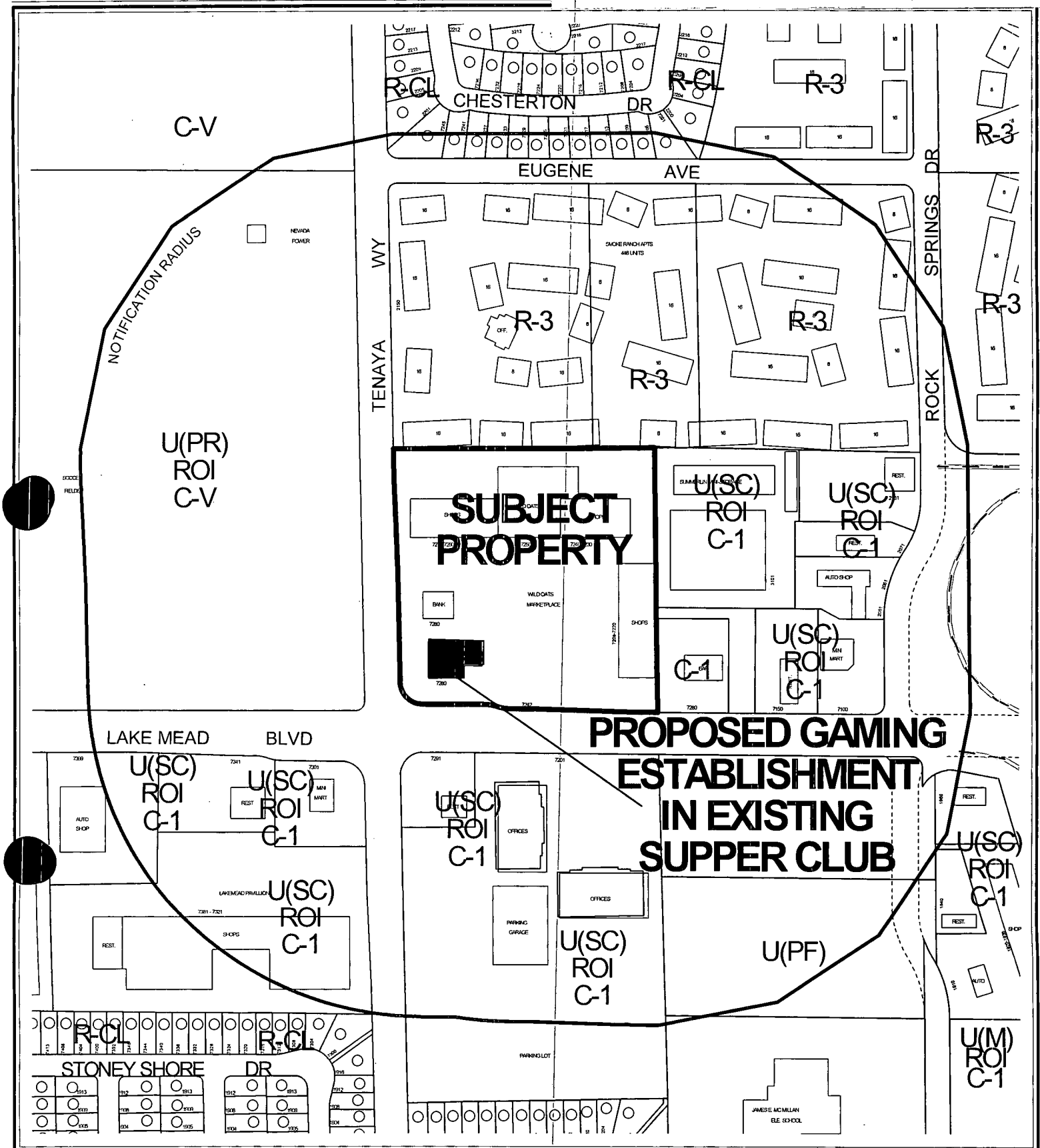
1. Conformance to the Conditions of Approval for Rezoning Z-0116-90 and Special Use Permit U-0046-02.

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 gaming license.

5. This business shall operate in conformance to Chapter 6.40 of the City of Las Vegas Municipal Code.



0 90 180 Feet

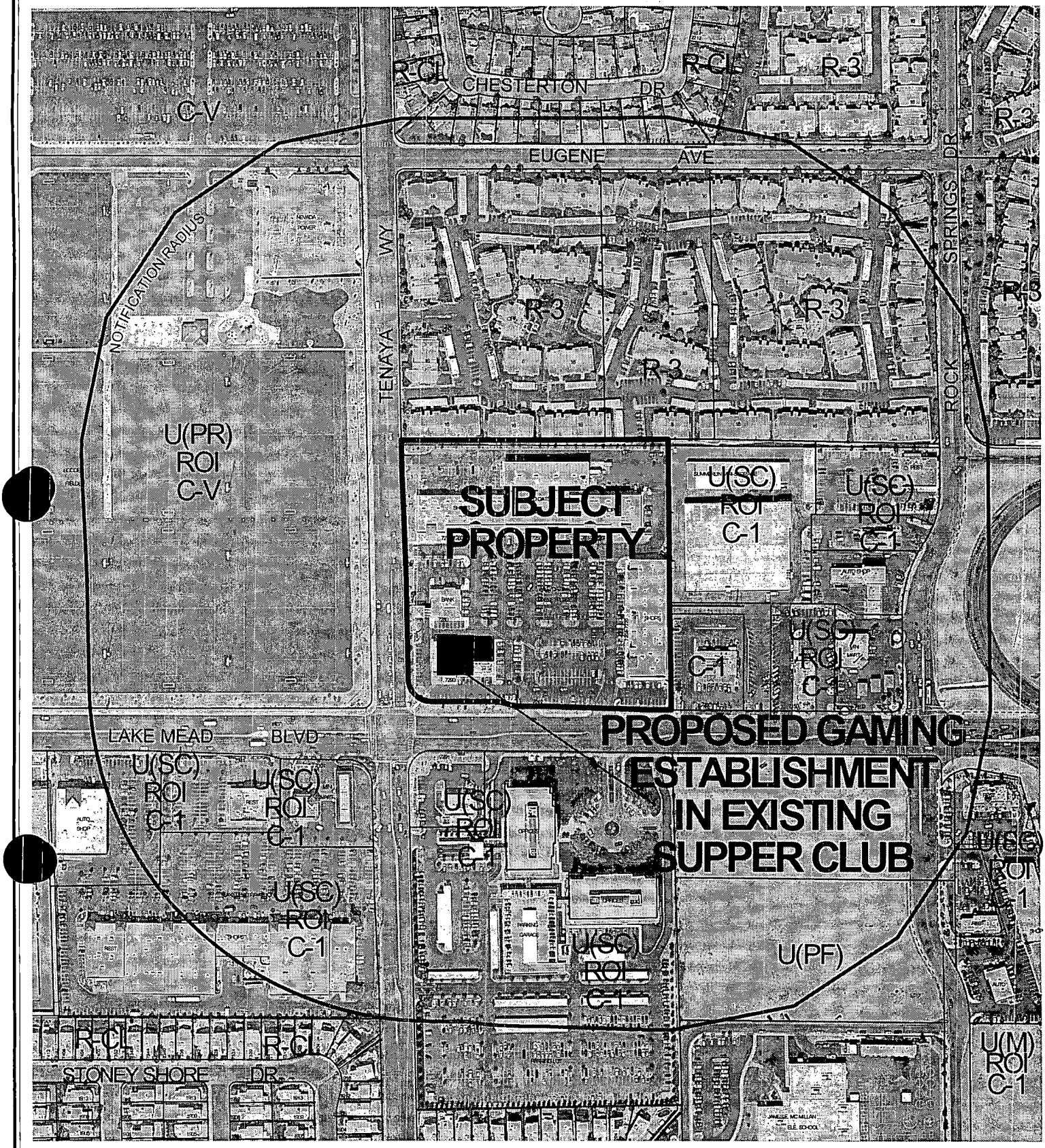
CASE: **SUP-2844**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N



0 90 180 Feet

CASE: **SUP-2844**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2844 - MARCUS RITZ ON BEHALF OF WAGEMA, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning Z-0116-90 and Special Use Permit U-0046-02.
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 gaming license.
5. This business shall operate in conformance to Chapter 6.40 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Gaming Establishment, General Business Related at 7290 West Lake Mead Boulevard, Suite #1.

B) Applicant's Justification

The justification letter indicates the request is being submitted because of the applicant's desire to increase revenues from his business. In addition, the applicant states that the business is located in a commercial area, and that the project would not have a detrimental effect on the surrounding neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

11/21/90 The City Council approved a Rezoning (Z-0116-90) to C-1 (Limited Commercial) zoning for this site.

11/09/98 The City Council approved a Special Use Permit (U-0112-98) for the sale of beer and wine in conjunction with a Restaurant Service Bar (Rubio's). Planning Commission recommended approval on October 8, 1998.

11/23/98 The City Council approved a Special Use Permit (U-0121-98) for the off-premise sale of beer and wine in conjunction with a proposed Wild Oats market. Planning Commission recommended approval on October 22, 1998.

01/11/99 The City Council approved a Special Use Permit (U-0138-98) in conjunction with a Supper Club (Market City Cafe). Planning Commission recommended approval on December 3, 1998.

04/12/99 The City Council approved a Special Use Permit (U-0018-99) for the sale of beer and wine in conjunction with a Restaurant Service Bar (Wok Masters). Planning Commission recommended approval on March 11, 1999.

06/19/02 The City Council approved a Special Use Permit (U-0046-02) for a Restaurant Service Bar (Sakura Sushi). Planning Commission recommended approval on May 23, 2002.

07/02/03 The City Council approved Ordinance No. 2003-54 to allow up to five gaming devices in a Supper Club with the approval of a Special Use Permit.

09/11/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #30).

B) Pre-Application Meeting

07/15/03 At the pre-application meeting, minor issues regarding the application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: .094 (4,100 SF)

B) Existing Land Use

Subject Property:	Supper Club
North:	Multi-family Residential
South:	Commercial Center
East:	Commercial Center
West:	City Park / Soccer Fields

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	M (Medium Family Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	PR (Parks / Recreation / Open Space)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) District
North:	R-3 (Medium Density Residential and Apartment District)
South:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) District
East:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) District
West:	U (Undeveloped) Zone [PR (Parks / Recreation / Open Space) General Plan Designation] under Resolution of Intent to C-V (Civic) District

E) General Plan Compliance

The property is located within the Southwest Sector of the General Plan, with an SC (Service Commercial) land use designation. The proposed C-1 (Limited Commercial) zoning district (Z-0116-90) is in compliance with the General Plan land use designation. The Gaming Establishment, General Business Related use is allowed with a Special Use Permit in the C-1 zoning district.

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 area plans, overlay districts or study areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Gaming Establishment, General Business Related use; however, there are three similar approved uses within the 750-foot notification distance:

7301 W. Lake Mead Blvd.	Terribles	Gaming Establishment, Restricted
7200 W. Lake Mead Blvd.	Beanos Casino	Gaming Non-Restricted, Limited
7100 W. Lake Mead Blvd.	Rebel Slots, Inc.	Gaming Establishment, Restricted

B) General Analysis and Discussion

- Zoning

The proposed Gaming Establishment, General Business Related is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 6 of the Municipal Code establishes the criteria for the approval of a Gaming Establishment, General Business Related when operated in conjunction with a restaurant. Title 6.40.140 restricts a Gaming Establishment, General Business Related in conjunction with a Supper Club to a maximum of five slot machines and that the gaming devices be mounted in a counter top or table top located within the bar area of the business operation. This title also establishes the requirement for a Special Use Permit to be approved in accordance with Title 19. The site intended for the proposed use lies within an established commercial zoning district and the use can be conducted in a manner that is harmonious and compatible with the surrounding development.

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 Gaming Establishment, General Business Related will be an accessory use to the existing Supper Club. 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 Gaming Establishment, General Business Related use will be located in an existing Supper Club developed on this site. Therefore, the subject site is physically suitable for the type and intensity of land use proposed.

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

   The abutting street network will be adequate for the traffic generated by the Gaming Establishment, General Business Related as an accessory use to the Supper Club. Access to the site is via access driveways from Lake Mead Boulevard, designated as a 100-foot wide Primary Arterial on the Master Plan Of Streets and Highways.

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 Gaming Establishment, General Business Related use, as an accessory use to the Supper Club on this site, 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 40 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2844 APN: 138-22-601-004

Name of Property Owner: Wagoma LLC

Name of Applicant: Marnell Rite

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: R. Phil Zobrist

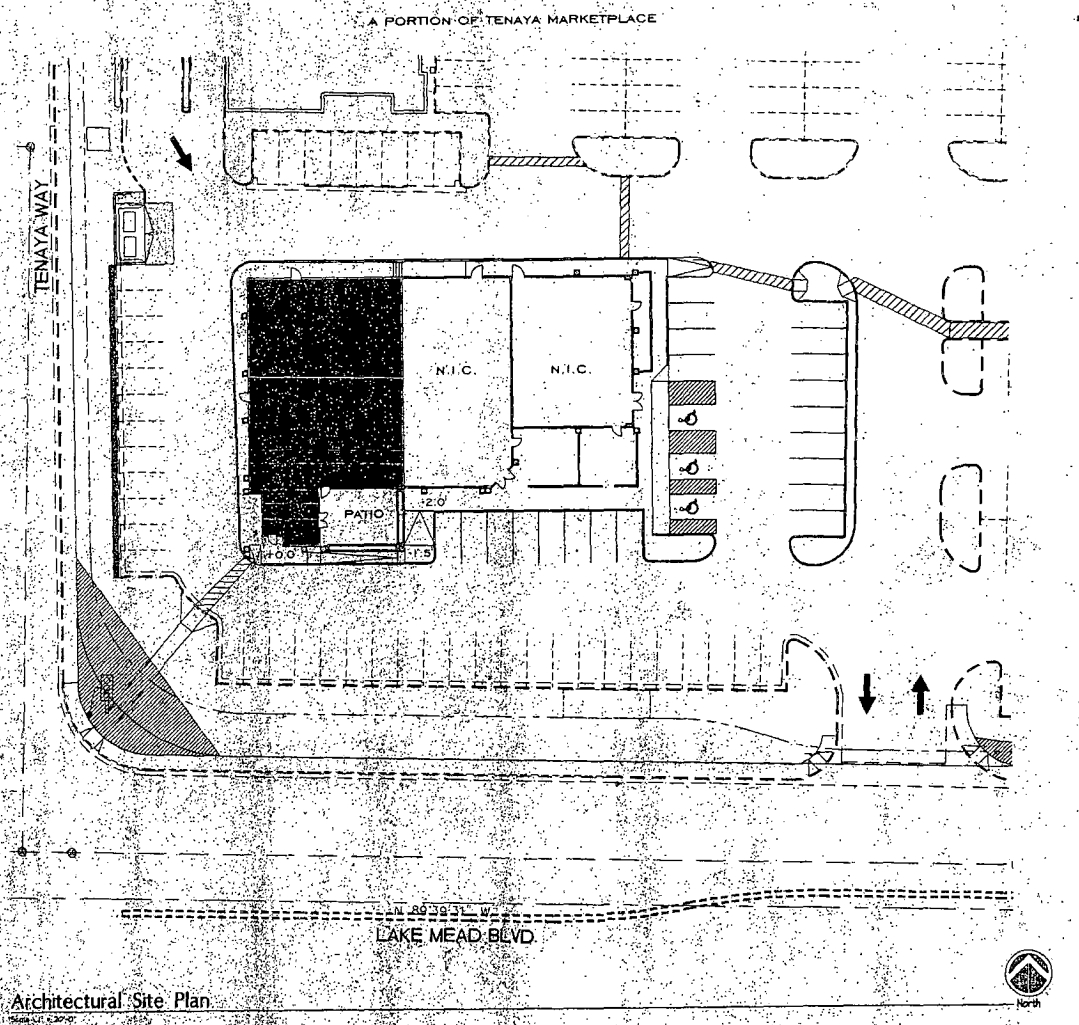
Print Name: R. Phil Zobrist

Subscribed and sworn before me

This 29th day of October, 2003

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEANNA M. BARNHART
Appt. No. 01-71392-1
My Appt. Expires Aug. 3, 2005



Architectural Site Plan

CONSULTANT

Architectural Site Plan

Marion

7390 West Lake Mead Boulevard

PURVIS ARCHITECTS
architecture planning

REV. DATE DESCRIPTION

DRAWN LMH CHECKED DGP

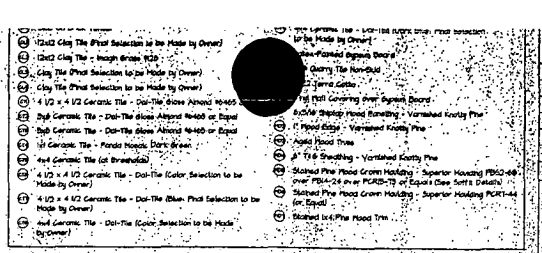
PROJECT DP-0606 DATE 12.18.06

SHEET

AS.1

SUP-2844

09-11-03 PC



Door No.	Room No.	Size Width	Size Height	Size Thick.	Type	Mat'l	Frame Mat'l	Frame Type	Details Head	Details Jamb / Sill	Hardware Set #
101	102	3'-0"	8'-0"	1 3/4"	C	HD	5'-1"			Door Types	
102	109	3'-0"	7'-0"	1 3/4"	A	HD	3'-1"			Door Types	
108	108	3'-0"	7'-0"	1 3/4"	A	HD	3'-1"			Door Types	
104	110	3'-0"	7'-0"	1 3/4"	A	HD	3'-0"	HD	See Door Types		
105	113	4'-0"	7'-0"	1 3/4"	BC	B				See Door Types	

AL - Aluminum; HM - Hollow Metal; HD - Wood; N.A. - Not Applicable

Door Notes:

1. All exit doors shall be openable from the inside without the use of a key or special knowledge or effort.
2. Padlocks are prohibited on all exit doors.
3. Unlocking of any pair of door leafs shall require not more than one operation.
4. At entrance doors, provide label on door head stating "This Door to be Remain Unlocked During Business Hours."

Hardware Schedule:

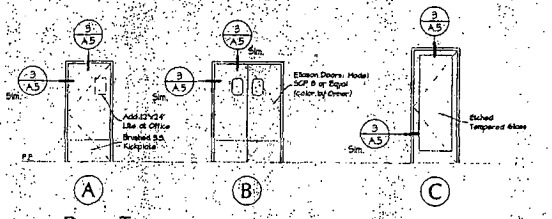
Kitchen - Supplied by Door Manufacturer

Solid Core Wood	Hollow Metal
1 1/2 Pr. Butts	1 1/2 Pr. Butts
1 Ea. Mall Stop	1 Ea. Lockset - Lever
1 Ea. Privacy - Lever	1 Ea. Threshold
5 Ea. Silencers	5 Ea. Silencers

No.		Mat'l	Base	Mat'l	Height	North	East	South	West	Remarks
101	Entry	TILE	TILE	LP66	10'-0"	See	Interior	Elevations		-
102	Private Dining	TILE	TILE	LP66	10'-0"	See	Interior	Elevations		-
103	Dining	TILE	TILE	LP66	Varies	See	Interior	Elevations		See Reflected Ceiling Plan
104	Main Dining	TILE	TILE	LP66	Varies	See	Interior	Elevations		See Reflected Ceiling Plan
105	Bar	TILE	TILE	LP66	11'-0"	See	Interior	Elevations		See Reflected Ceiling Plan
106	Bus	TILE	TILE	LP66	10'-0"	See	Interior	Elevations		-
107	Corridor	TILE	TILE	LP66	9'-0"	See	Interior	Elevations		-
108	Women	TILE	TILE	LP66	8'-0"	See	Interior	Elevations		-
109	Men	TILE	TILE	LP66	8'-0"	See	Interior	Elevations		-
110	Office	TILE	TILE	LP66	9'-0"	LP66	LP66	LP66	LP66	-
111	Pick-up Corridor	TILE	TILE	LP66	Varies	See	Interior	Elevations		See Reflected Ceiling Plan
112	Janitor	TILE	VB	LP66	9'-0"	LP66	LP66	LP66	LP66	-
113	Kitchen	TILE	TILE	LP66	Varies	LP66	LP66	LP66	LP66	See Reflected Ceiling Plan
114	Dry Storage	TILE	TILE	LP66	9'-0"	LP66	LP66	LP66	LP66	-
115	Patio Dining	TILE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	See Interior Elevations

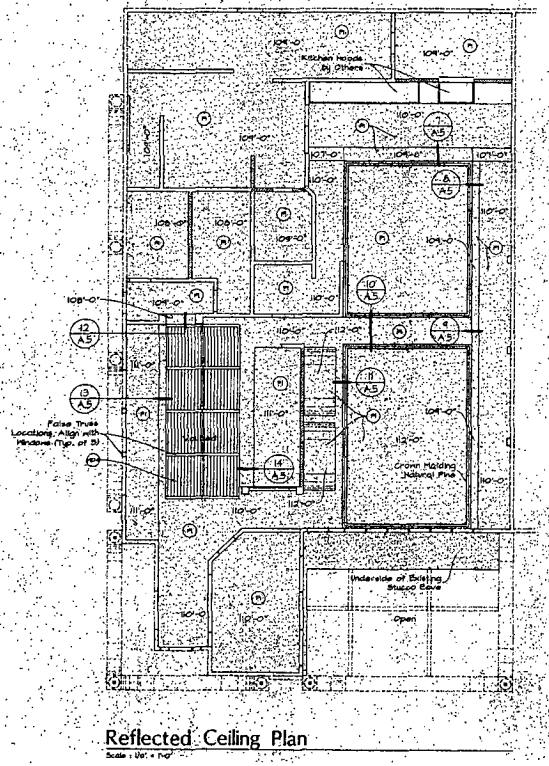
Abbreviations

ACPN.	Acoustical Wall Panels	PEX.	Painted Exposed Structure
AT.	Acoustical Ceiling Tile	PL.	Plastic Laminate
EIFS	Exterior Insulated Finish System	PLAS.	Cement Plaster
GPS	Fiberglass Wall System	S.	Stone
LP66	Latex-Painted Gypsum Board	SC.	Sealed Concrete
MAT.	Entry Mat	VB.	Vinyl Base
N/A	Not Applicable	VCT.	Vinyl Composition Tile



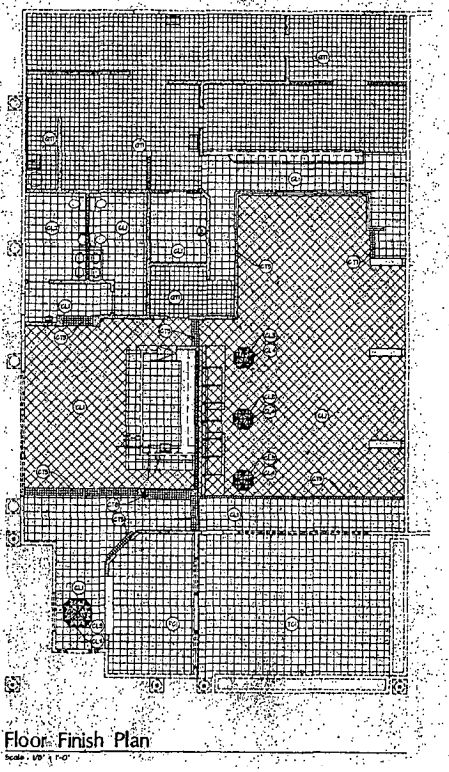
Door Types

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



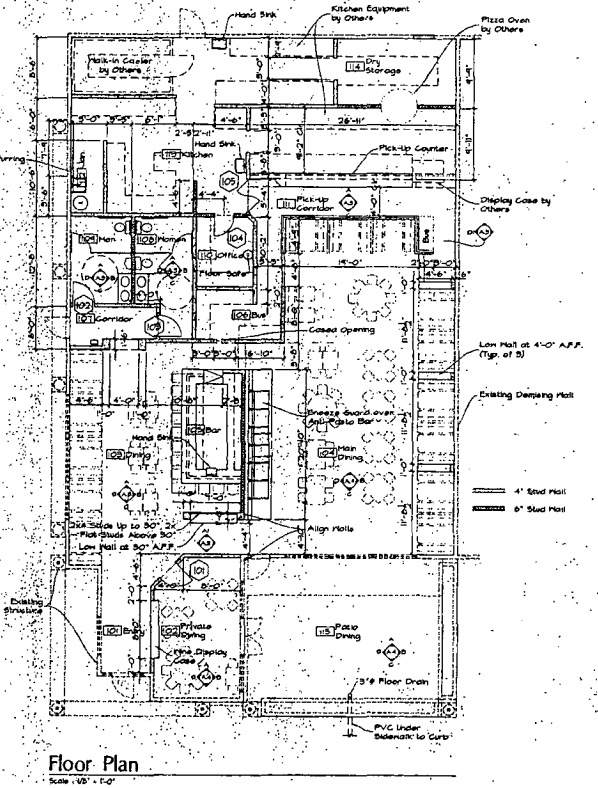
Reflected Ceiling Plan

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



Floor Finish Plan

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



Floor Plan

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

CONSULTANT

Plans and Schedules

MARRIOTT

7390 West Lake Mead Boulevard

PURVIS ARCHITECTS
architecture planning

3300 Meade Avenue Suite 205
Las Vegas, Nevada 89102
Tel: 702.876.7490 Fax: 702.876.7491

REV.	DATE	DESCRIPTION

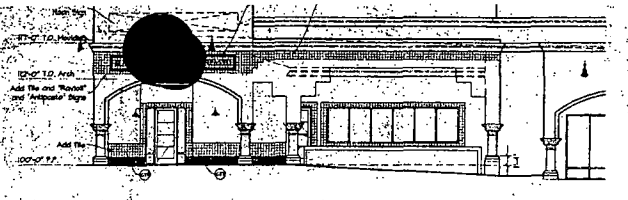
DRAWN: LMH CHECKED: DGP
PROJECT OP.9926 DATE: 12.16.99

SHEET
A.1

SUP-2844
09-11-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1226

West Elevation (Tenaya)
Scale : 1/8" = 1'-0"



South Elevation (Lake Mead)
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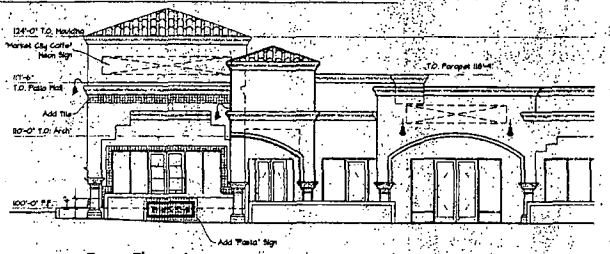

East Elevation
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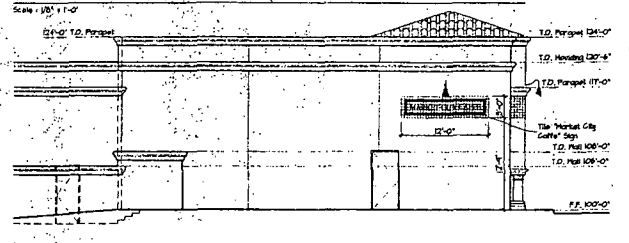

North Elevation (Rear)
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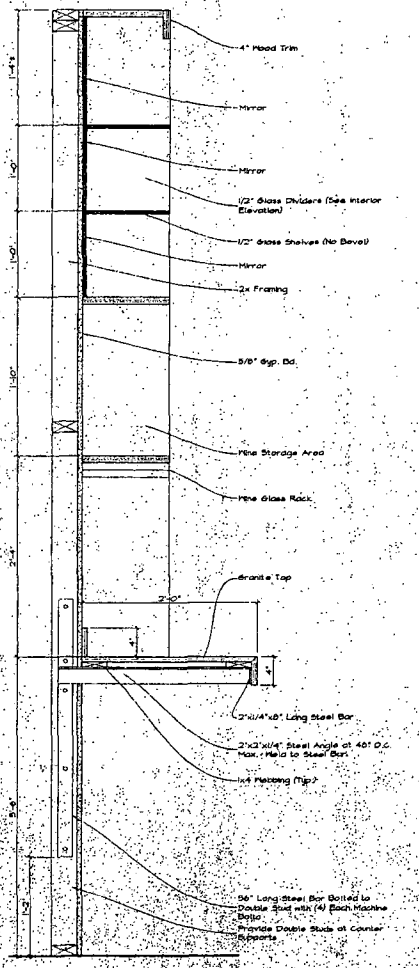
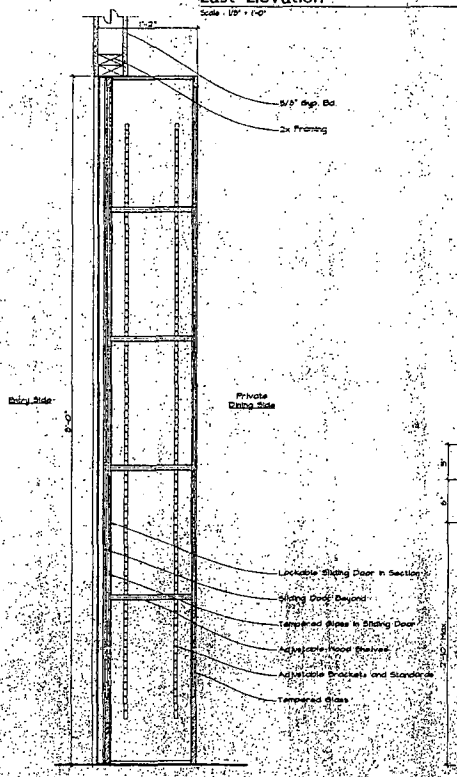
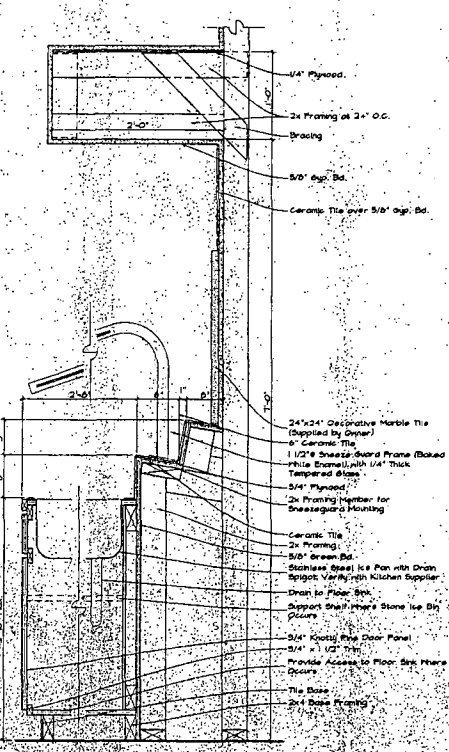


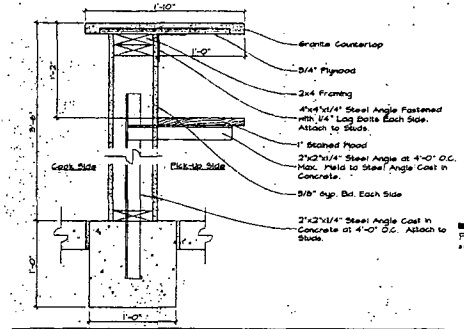
Section at Back Bar Scale: 1 1/2" = 1'-0" 5



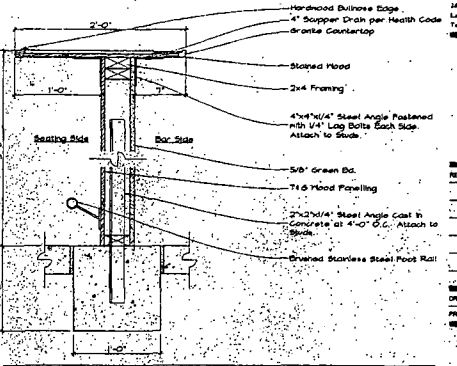
Section at Wine Display Scale: 1/2" = 1'-0" 4



Section at Anti-Pasta Bar Scale: 1 1/2" = 1'-0" 3



Sect. at Pick-Up Counter Scale: 1 1/2" = 1'-0" 1



Section at Bar Scale: 1 1/2" = 1'-0" 2

Without His Written Consent Is Strictly Prohibited. Drawings and Specifications Remain the Sole Property of the Design Professional. Unless Otherwise Agreed to, All Drawings and Specifications Delivered by the Client May be Used Only for the Use and for Occupying the Project for Which They were Prepared and not for the Completion of any Other Project. AIA© 1973 1988

CONSULTANT

Exterior Elevations and Sections

Marion

7390 West Lake Mead Boulevard

PURVIS ARCHITECTS
architecture planning

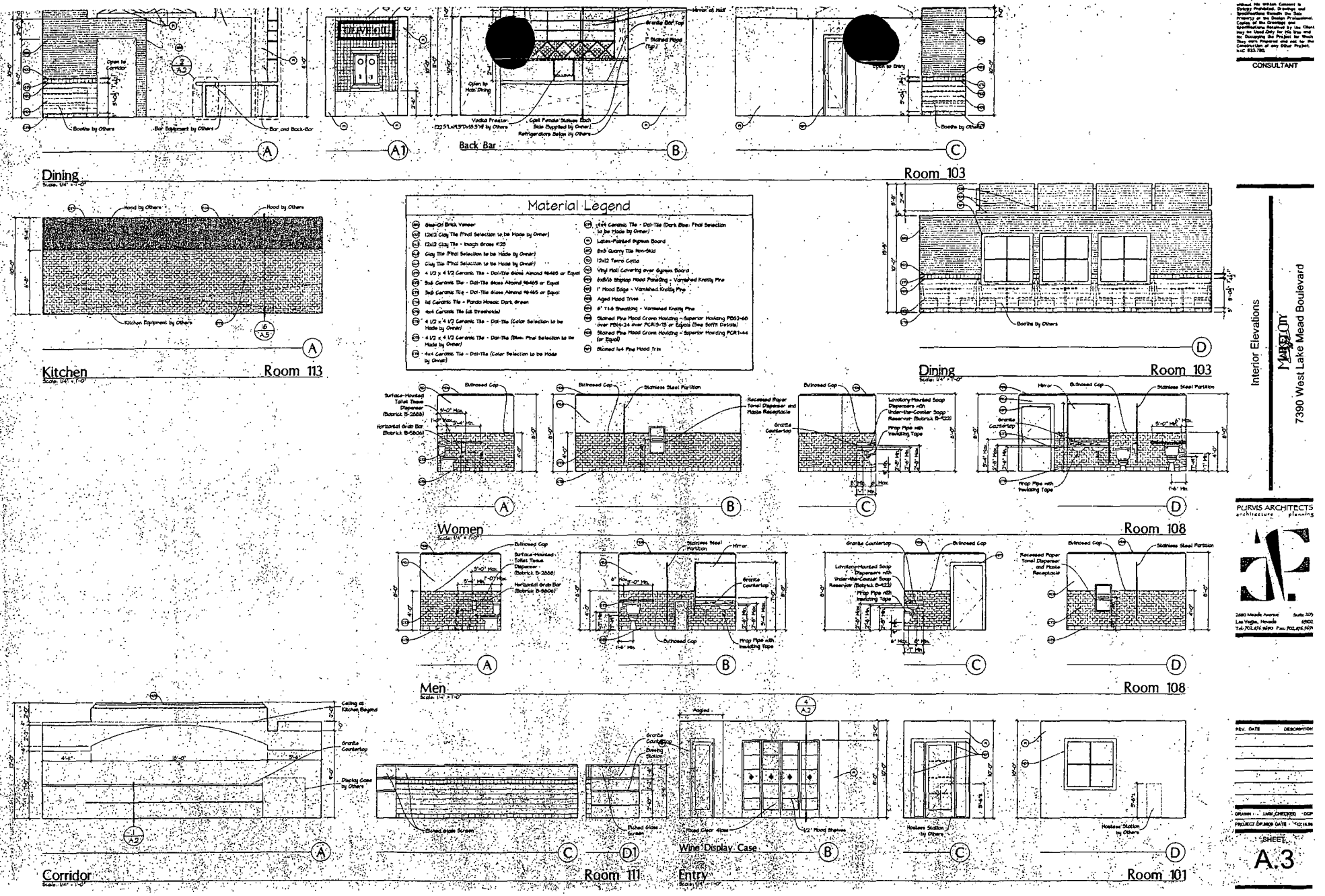
3660 Maple Avenue Suite 205
Las Vegas, Nevada 89102
Tel: 702.474.9400 Fax: 702.474.9401

REV.	DATE	*	DESCRIPTION

DRAWN: UNK CHECKED: DBP
PROJECT DP.3808 DATE: 12.15.88

SHEET
A.2

SUP-2844
09-11-03 PC



Interior Elevations

Mansion

7390 West Lake Mead Boulevard

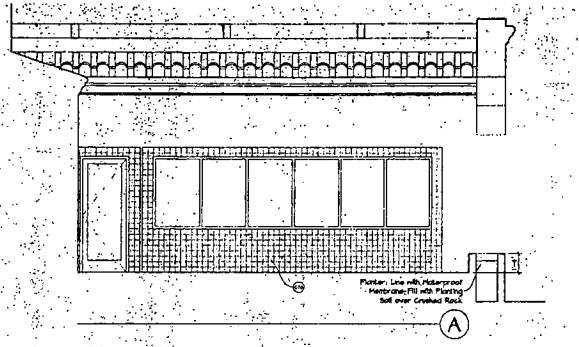
PURVIS ARCHITECTS
architecture planning

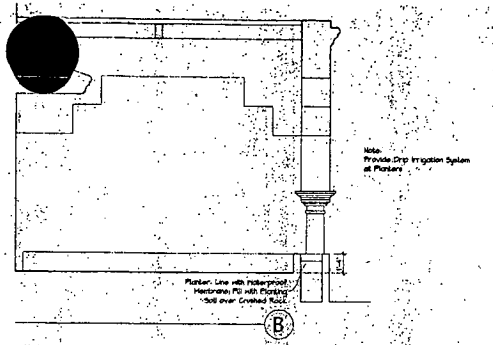
SHEET
A.3

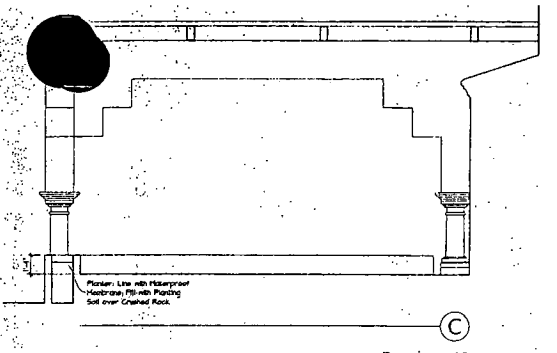
SUP-2844

09-11-03 PC

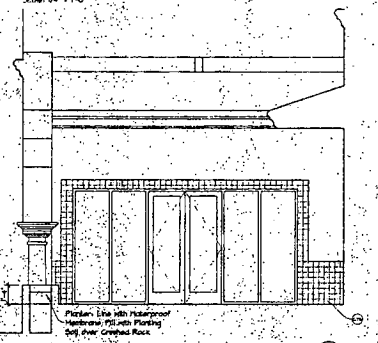
SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1228



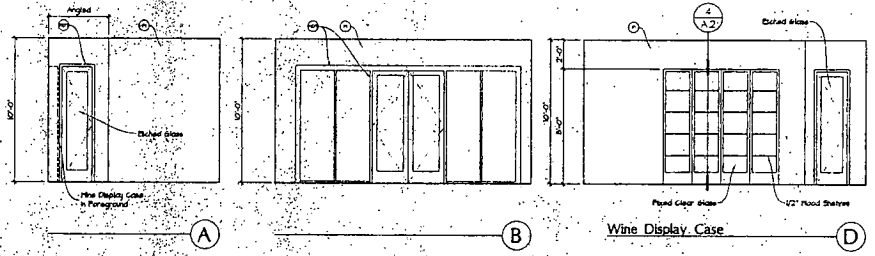




Patio Dining — Room 116



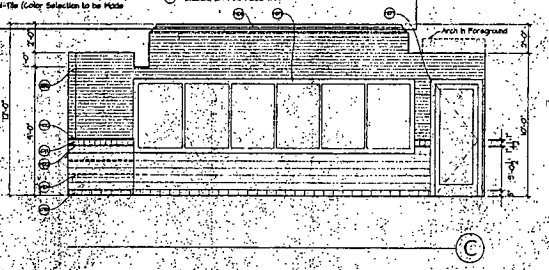
Patio Dining — Room 116



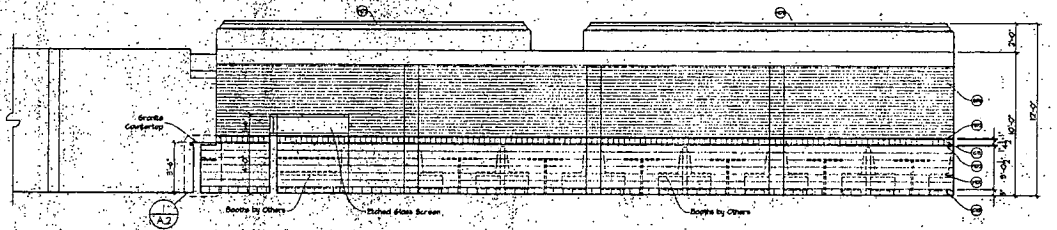
Private Dining — Room 102

Material Legend

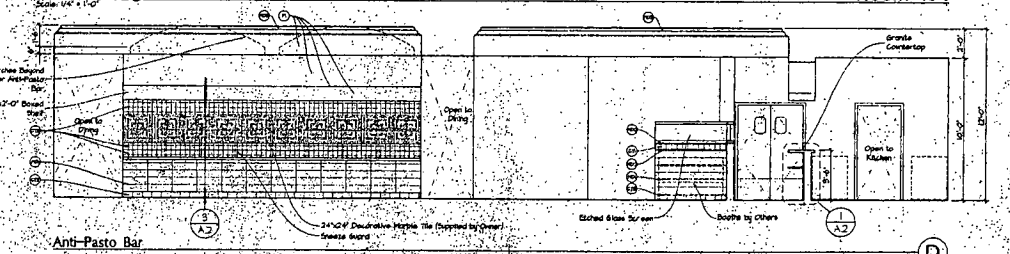
(B1) Blue-On Brick Veneer	(M1) 4x4 Ceramic Tile - Dal-Tile (Dark Blue; Final Selection to be Made by Owner)
(C1) 12x12 Clay Tile (Final Selection to be Made by Owner)	(M2) Latex-Painted Gypsum Board
(C2) 12x12 Clay Tile - Intaglio Brown #128	(M3) 8x8 Quarry Tile Non-Skid
(C3) Clay Tile (Final Selection to be Made by Owner)	(M4) 12x12 Terra Cotta
(C4) Clay Tile (Final Selection to be Made by Owner)	(M5) Vinyl Roll Covering over Gypsum Board
(C5) 4 1/2 x 4 1/2 Ceramic Tile - Dal-Tile Glaze Almond #4469 or Equal	(M6) 6x5/8 Shiplap Wood Panelling - Varnished Knotty Pine
(C6) 8x8 Ceramic Tile - Dal-Tile Glaze Almond #4469 or Equal	(M7) 1" Wood Edge - Varnished Knotty Pine
(C7) 3x8 Ceramic Tile - Dal-Tile Glaze Almond #4465 or Equal	(M8) Aged Wood Trees
(C8) Ist Ceramic Tile - Panda Mosaic Dark Green	(M9) 6",T&G Sheathing - Varnished Knotty Pine
(C9) 4x4 Ceramic Tile (at threshold)	(M10) Stained Pine Wood Crown Moulding - Superior Moulding PDS2-66 over PBM-24 over PCR25-T3 or Equal (See Soffit Details)
(C10) 4 1/2 x 4 1/2 Ceramic Tile - Dal-Tile (Color Selection to be Made by Owner)	(M11) Stained Pine Wood Crown Moulding - Superior Moulding PCR7-44 (or Equal)
(C11) 4 1/2 x 4 1/2 Ceramic Tile - Dal-Tile (Glaze; Final Selection to be Made by Owner)	(M12) Stained 1x4 Pine Wood Trim
(C12) 4x4 Ceramic Tile - Dal-Tile (Color Selection to be Made by Owner)	



Main Dining — Room 104



Main Dining — Room 104



Anti-Pasto Bar — Room 104

CONSULTANT

Interior Elevations

MARCOM

7390 West Lake Mead Boulevard

PURVIS ARCHITECTS
architecture planning

2880 Meade Avenue Suite 109
Las Vegas, Nevada 89102
Tel: 702.876.9490 Fax: 702.876.9491

REV.	DATE	DESCRIPTION

DRAWN: DMD CHECKED: DCP
PROJECT DATE: 12.18.98

SHEET
A.4

SUP-2844

09-11-03 PC

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1229

SUP-2844 - MARCUS RITZ ON BEHALF OF WAGEMA, LIMITED LIABILITY COMPANY
7290 WEST LAKE MEAD BOULEVARD, SUITE 1
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 114

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2845 - USA CASH SERVICES, LIMITED LIABILITY COMPANY ON BEHALF OF SAHARA RAINBOW, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit for a proposed financial institution, specified (payday loans) on a portion of 5.44 acres adjacent to the northeast corner of Sahara Avenue and Rainbow Boulevard (APN: 163-02-415-015), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 9/11/2003 Planning Commission meeting Item 31

MOTION:
MONCRIEF – DENIED – UNANIMOUS with MACK abstaining since the same service is provided at the SuperPawn stores owned by his brother, Steven Mack, and GOODMAN excused

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

ATTORNEY MATTHEW SALTZMAN, Kolesar & Leatham, 3320 West Sahara Avenue, appeared on behalf of the applicant with TOM DISPAIN, District Manager for the applicant. ATTORNEY SALTZMAN concurred with staff conditions and requested approval of the application.

TODD FARLOW, 240 North 19th Street, inquired as to whether or not there was a saturation issue in this area. MARGO WHEELER, Deputy Director, Planning and Development Department, indicated two similar businesses were located nearby, one immediately across the street, south on Sahara, and one on the southwest corner of Rainbow Boulevard and Sahara Avenue.

City of Las Vegas

Agenda Item No. 114

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 114 – SUP-2845

MINUTES -- Continued

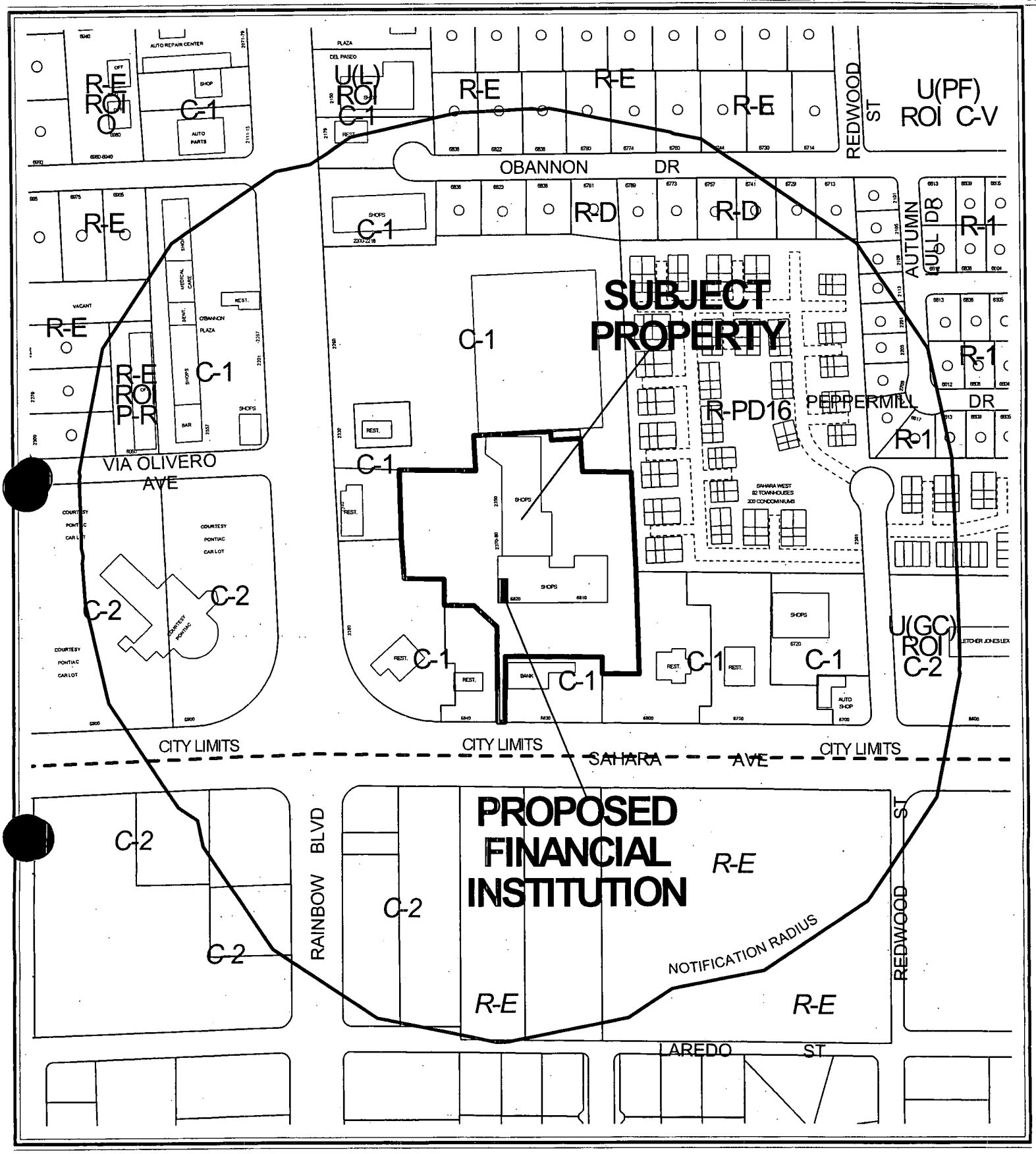
COUNCILWOMAN MONCRIEF expressed the opinion that there was an over saturation of this type of business in the area, especially in her ward which currently contains 31 such businesses.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

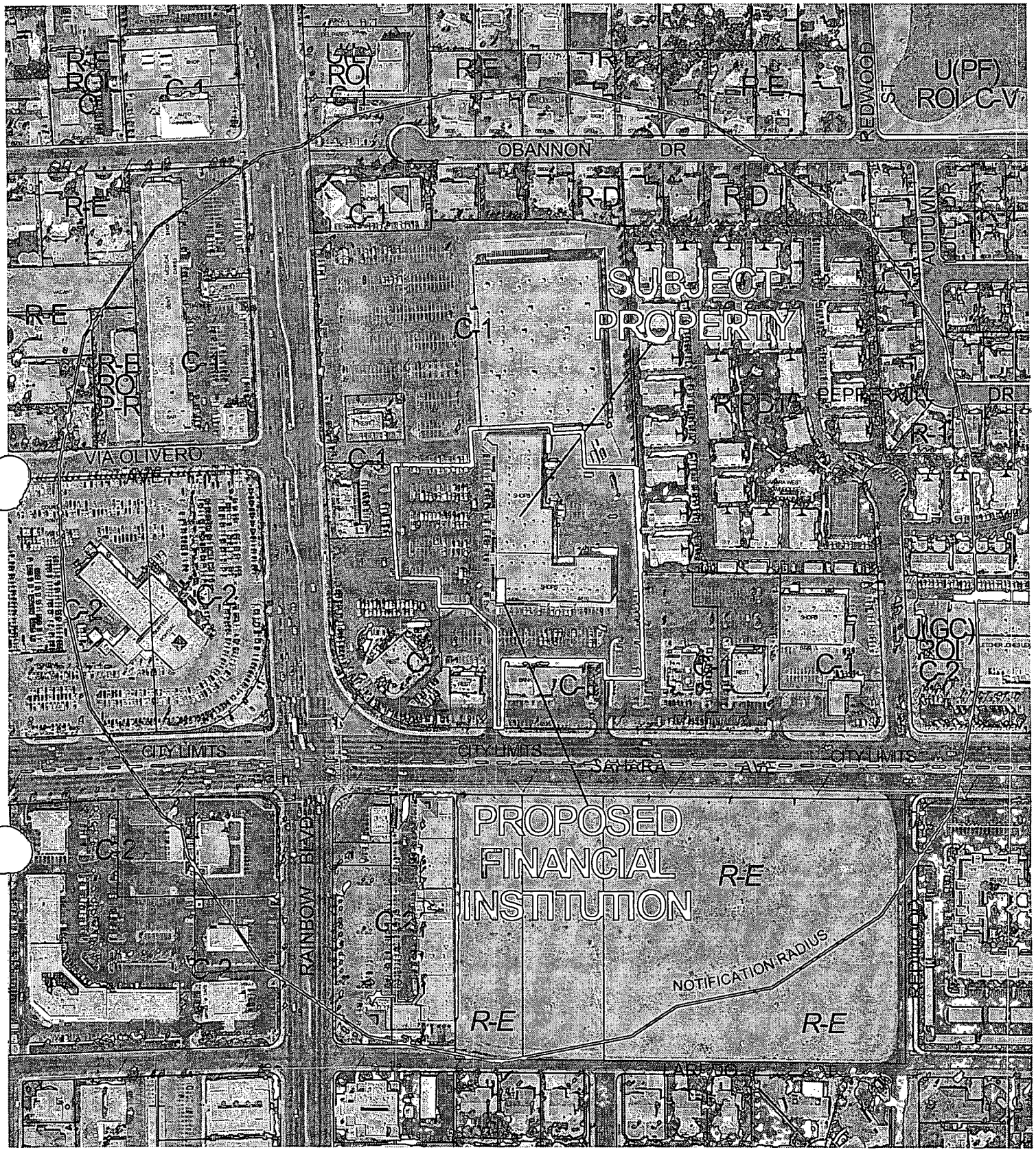
(2:20 – 2:22)



CASE: **SUP-2845**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: SUP-2845

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2845 - USA CASH SERVICES, LIMITED LIABILITY COMPANY ON BEHALF OF SAHARA RAINBOW, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

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

2. 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.

SUP-2845 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Special Use Permit for a Financial Institution, Specified at 6820 West Sahara Avenue, Suite 1.

B) Applicant's Justification

The applicant's justification letter indicates this suite previously was occupied by a payday loan business. Therefore, this request is compatible with the other businesses in the center.

BACKGROUND INFORMATION

A) Previous Actions

07/06/88 The City Council approved a request for a Rezoning (Z-0045-88) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission recommended approval on June 28, 1988.

09/11/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31).

B) Pre-Application Meeting

07/16/03 The applicant was advised of the requirements for a Special Use Permit application and that this request is a Project of Regional Significance.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.44

B) Existing Land Use

Subject Property:	Commercial Retail Center
North:	Single Family Residential and Commercial
South:	Undeveloped and Commercial
East:	Apartments and Commercial
West:	Automobile Dealership

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	R (Rural Density Residential) and Sc (Service Commercial)
South:	Unincorporated Clark County
East:	M (Medium Density Residential) and SC (Service Commercial)
West:	GC (General Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-D (Single Family Residential-Restricted) and C-1 (Limited Commercial)
South:	Unincorporated Clark County
East:	C-1 (Limited Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The 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 existing 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	

This request is also deemed to be a project of regional significance because the property is within 500 feet of unincorporated Clark County.

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 feet of unincorporated Clark County. In this case, there is County property on the east side of Rancho Drive approximately 390 feet away.

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:

No comments have been received that will affect this request.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

This request is located in an existing retail commercial center and no additional parking will be required for this use.

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; and there are no similar approved uses in the City of Las Vegas within 1,000 feet of the subject site.

B) General Analysis and Discussion

- 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 lists 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.

The proposed Financial Institution meets these Code 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."**

   An analysis of the surrounding area found no other 'Financial Institution, Specified' uses within a 1,000-foot radius of the subject property. With no other like businesses in the area this use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

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 a tenant space in an existing commercial center. With no other like uses within the area and its location in an established commercial site, 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 150-foot wide Primary Arterial and Rainbow Boulevard, a 100-foot wide Primary Arterial on the Master Plan of Streets and Highways 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 licensing, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 60 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP - 2845 APN: 163-02-415-015

Name of Property Owner: Sahara Rainbow, LLC

Name of Applicant: USA Cash Services, 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: Marna Rondeau

Print Name: Marna Rondeau

Subscribed and sworn before me

This 28th day of May, 2003

Kathleen A Bridge

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KATHLEEN A. BRIDGE
My Appointment Expires
April 9, 2006
No:02-75729-1

TRIPLE FIVE NEVADA DEVELOPMENT CORP.

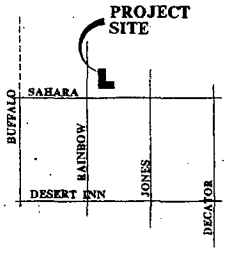
SAHARA-RAINBOW CENTER

LAS VEGAS, NEVADA

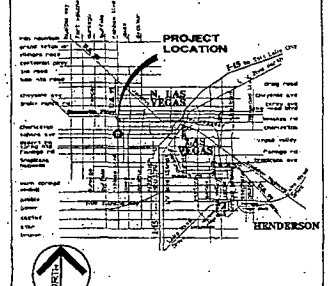
LOCATION

CORNER OF RAINBOW BLVD. AND SAHARA AVENUE

LOCATION MAP



VICINITY MAP



PROJECT INFORMATION

ZONING - City of Las Vegas

04 Commercial District

PARCEL AREA

Parcel A: 238,478 sf 9.473 acres

BUILDING AREAS

Commercial	Area
Retail A	16,100 sf
Retail B	1,285 sf
Retail C & D	6,078 sf
Retail E	8,660 sf
Retail G	2,000 sf
Total	54,879 sf

SETBACKS

From:	20 ft
Rear:	20 ft
Side:	0 ft
Corner Street Side:	0 ft

BUILDING HEIGHT

Allowed:	n/a
Provided:	1-Story - 40 Feet

LOT COVERAGE

Allowed:	50 %
Provided:	23 %

PARKING REQUIREMENTS (APPROX)

Retail

Code Required, 1 per 250 sf	54,879/ 250 =	220 Spaces
Provided:		35 Spaces
Ratio Provided, 1 per 175 sf		6.5 per 1000 sf

Total Parking Required:	220 spaces
Total Parking Provided:	35 Spaces
Handicapped Spaces Required:	6 Spaces
Provided:	6 Spaces

CODE INFORMATION SHELL ONLY

CODE: 1994 UBC

PROJECT TYPE: RETAIL/WAREHOUSE BLDG - SHELL ONLY

TYPE OF CONSTRUCTION: TYPE II-N

(UNGRADED - BUILT-UP ROOF SYS-FULLY SPRINKLERED (FIRE ALARM INCLUDED)

SQUARE FOOTAGE ALLOWABLE (Table 5B, UBC): 9,000 SF

AREA CALCULATIONS

AREA INCREASE - BASED ON 50 FT WIDTH: 10,000 SF

AREA INCREASE - FULLY SPRINKLERED BLDG. (UBC SEC 505.3): 10,000 X 3 = 30,000 SF

ACTUAL AREA

	16,100 SF
	1285 SF
	6,078 SF
	8,660 SF
	2,000 SF
TOTAL OF	54,879 SF

OCCUPANCY SEPARATION REQ'D: 1-HOUR

AREA 1: RETAIL - A + D 78,549 SF

AREA 2: RETAIL - C, D + E 75,488 SF

TOTAL 54,879 SF

OCCUPANCY

RETAIL "A" AREA ACTUAL: 16,100 SF

OFFICE: 2,760 sf @ (1/100) = 27 occupants

WAREHOUSE: 2,760 sf @ (1/500) = 5 occupants

*RETAIL: 10805 sf @ (1/30) = 361 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X .336 occup. load = 768" req'd. 576" prov'd.

RETAIL "B" AREA ACTUAL: 1285 SF

OFFICE: 1,285 sf @ (1/100) = 13 occupants

WAREHOUSE: 2,664 sf @ (1/500) = 6 occupants

RETAIL: 9,336 sf @ (1/30) = 280 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X 304 occup. load = 648" req'd. 144" prov'd.

RETAIL "C" AREA ACTUAL: 6,078 SF

OFFICE: 912 sf @ (1/100) = 9 occupants

WAREHOUSE: 594 sf @ (1/500) = 2 occupants

RETAIL: 4,653 sf @ (1/30) = 155 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X 166 occup. load = 29" req'd. 72 " prov'd.

RETAIL "D" AREA ACTUAL: 8660 SF

OFFICE: 1,523 sf @ (1/100) = 15 occupants

WAREHOUSE: 1,524 sf @ (1/500) = 4 occupants

RETAIL: 7,613 sf @ (1/30) = 240 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X 259 occup. load = 544" req'd. 756" prov'd.

RETAIL "E" AREA ACTUAL: 8,000 SF

OFFICE: 1,210 sf @ (1/100) = 13 occupants

WAREHOUSE: 1,210 sf @ (1/500) = 3 occupants

RETAIL: 8,360 sf @ (1/30) = 179 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X 195 occup. load = 75" req'd. 156" prov'd.

EXIT CORRIDOR CONSTRUCTION (UBC SECT. 1005.1): 1-HOUR P.R.

EXIT COURT

EXIT COURT OCCUPANT TOTAL RETAILS "A, B, C, D, E" 1,371 occupants

EXIT WIDTH (UBC SEC. 1003.3.3)

.63 X 1,371 occup. load = 864" req'd. 948" prov'd.

CONSULTANTS

owner
TRIPLE FIVE NEVADA DEVELOPMENT CORP.
9452 W. SAHARA AVENUE
LAS VEGAS, NEVADA 89117
702-242-6937 / LUIGI ZORZETTO

architectural
PERLMAN ARCHITECTS, INC.
2450 CHANDLER AVENUE, SUITE 21
LAS VEGAS, NEVADA 89120
702-261-0511 / NEIL BREEN

structural
MENDENHALL SMITH
4620 ARVILLE, STE A
LAS VEGAS, NEVADA 89103
702 367 6725 / FRAZER SMITH

civil
VTN
2727 S. RAINBOW
LAS VEGAS, NEVADA 89102
702.873.7550 / IAN ANDERSON

soils
TERRACON
4343 SOUTH POLARIS AVE.
LAS VEGAS, NEVADA 89103
702 597 9393 / DAVID DUPONT

mechanical, plumbing & electrical
DUNHAM ASSOCIATES
3024 RIGEL AVE.
LAS VEGAS, NEVADA 89102
702 222 9677 / GREG MAESTAS

landscape
JOHN HANNA
--
619 259 1967

SUP-2845
09-11-03 PC

SHEET INDEX

ARCHITECTURAL
G0 COVER SHEET
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GN-2 GENERAL NOTES
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AN-2 ANSI REQUIREMENTS
AN-3 ANSI REQUIREMENTS
A0 OVERALL SITE PLAN
A0.1 SITE DETAILS
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A3.3 WALLS + RATED ASSEMBLIES

STRUCTURAL
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S2 FOUNDATION PLAN
S3 FRAMING PLAN
S4 FOUNDATION DET
S5 FRAMING DET
S6 FRAMING DET

MECHANICAL / PLUMBING / ELECT
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M0.1 HVAC FLOOR PLAN
M2.2 HVAC FLOOR PLAN
P0 PLUMBING LEGEND, SPECS, DET + SCHED
P0.1 PLUMBING FLOOR PLAN
P2.2 PLUMBING FLOOR PLAN
E0.0 ELEC SPEC + SYMBOL LEGEND
E0.1 ELEC SITE PLAN
E0.2 ELEC POWER + LIGHTING PLAN
E0.3 RETAIL 'C' + 'D' POWER / LIGHTING PLAN
E0.4 MAGLE LINE WIRING DIAGRAM
E0.5 ELEC LOAD CALCULATIONS
E0.6 ELECTRICAL PANEL SCHEDULES

CIVIL
C1 COVER SHEET
C2 VICINITY, IMPROVEMENT PLAN
C3 GENERAL NOTES
C4 GRADING PLANS
C5 UTILITY + IMPROVEMENT PLANS
C6 STORM DRAIN PLAN + PROFILE

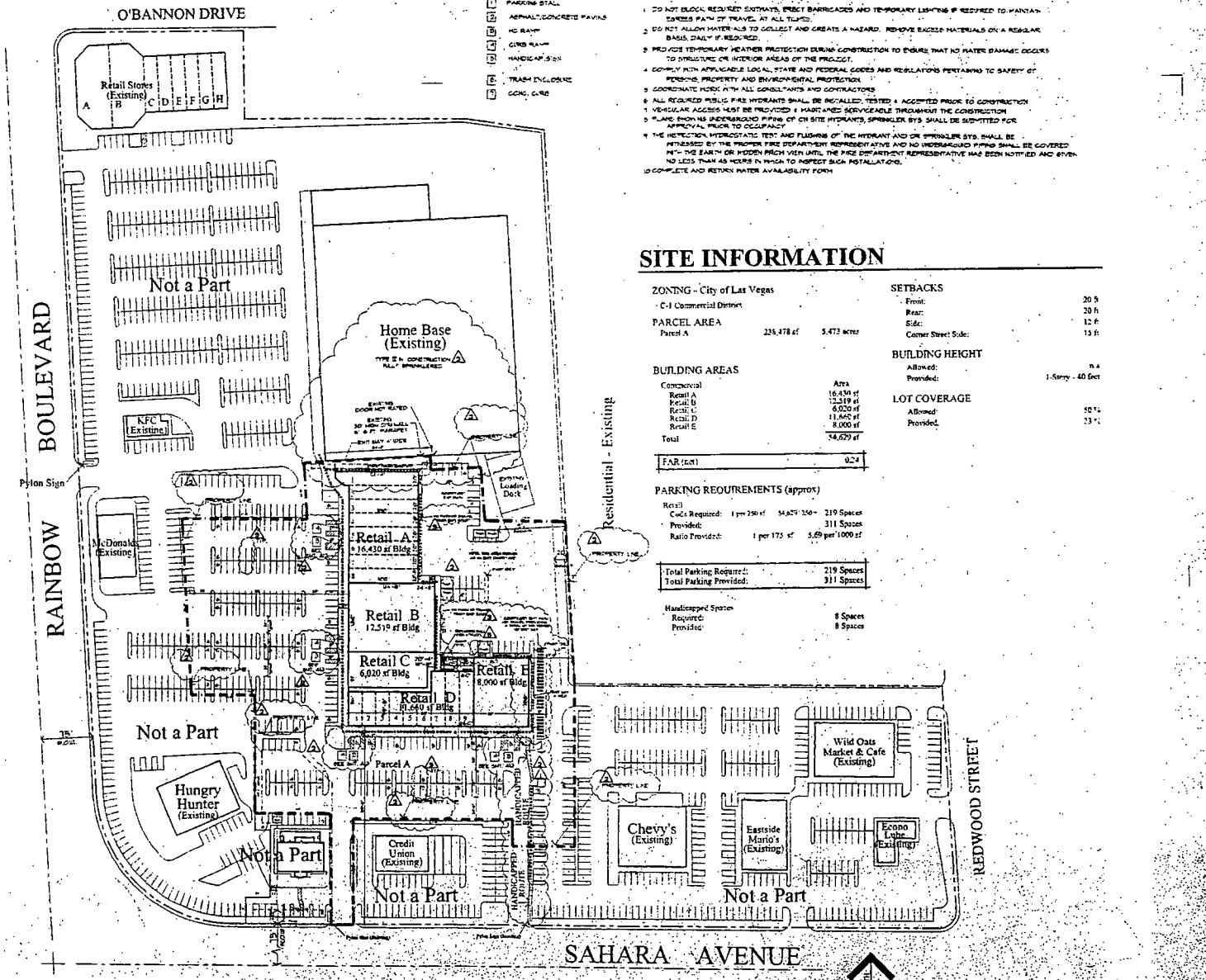
landscape
L1 LANDSCAPE PLAN

SAHARA-RAINBOW CENTER
TRIPLE FIVE NEVADA DEV. CORP.
CORNER SAHARA & RAINBOW, LAS VEGAS, NV.

Sheet Title: COVER SHEET

Project No.: 96128
Drawn By: HS
Checked By: NB
Date: 4/22/96
Sheet No.: CS

COVER SHEET



SITE PLAN

KEY NOTES

1. PARKING STALL
2. ASPHALT/CONCRETE PAVING
3. HC RAMP
4. CURB RAMP
5. HANDICAP SIGN
6. TRASH ENCLOSURE
7. CONC. CURB

GENERAL NOTES

1. DO NOT BLOCK REQUIRED EXITWAYS. ERECT BARRICADES AND TEMPORARY LIGHTING IF REQUIRED TO MAINTAIN SAFE PATH OF TRAVEL AT ALL TIMES.
2. DO NOT ALLOW WATER TO COLLECT AND CREATE A HAZARD. REMOVE EXCESS MATERIALS ON A REGULAR BASIS, DAILY IF REQUIRED.
3. PROVIDE TEMPORARY WEATHER PROTECTION DURING CONSTRUCTION TO ENSURE THAT NO WATER DAMAGE OCCURS TO STRUCTURE OR INTERIOR AREAS OF THE PROJECT.
4. COMPLY WITH APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS PERTAINING TO SAFETY OF PERSONS, PROPERTY AND ENVIRONMENTAL PROTECTION.
5. COORDINATE WORK WITH ALL CONSULTANTS AND CONTRACTORS.
6. ALL REQUIRED PUBLIC FIRE HYDRANTS SHALL BE INSTALLED, TESTED & ACCEPTED PRIOR TO CONSTRUCTION.
7. VEHICULAR ACCESS MUST BE PROVIDED & MAINTAINED SERVICEABLE THROUGHOUT THE CONSTRUCTION.
8. PLANS FOR ALL UNDERGROUND PIPING OF ON SITE HYDRANTS, SPRINKLER SYS. SHALL BE SUBMITTED FOR APPROVAL PRIOR TO OCCUPANCY.
9. THE INSPECTION, HYDROSTATIC TEST AND FLUSHING OF THE HYDRANT AND OR SPRINKLER SYS. SHALL BE WITNESSED BY THE PROPER FIRE DEPARTMENT REPRESENTATIVE AND NO UNDERGROUND PIPING SHALL BE COVERED WITH THE EARTH OR HIDDEN FROM VIEW UNTIL THE FIRE DEPARTMENT REPRESENTATIVE HAS BEEN NOTIFIED AND GIVEN NO LESS THAN 48 HOURS IN WHICH TO INSPECT SUCH INSTALLATIONS.
10. COMPLETE AND RETURN WATER AVAILABILITY FORM

SITE INFORMATION

ZONING - City of Las Vegas
- C-1 Commercial District

PARCEL AREA
Parcel A: 238,478 sf — 5.473 acres

BUILDING AREAS

Commercial	Area
Retail A	16,430 sf
Retail B	12,519 sf
Retail C	6,020 sf
Retail D	11,640 sf
Retail E	8,000 sf
Total	54,629 sf

FAR (Est)	0.24

PARKING REQUIREMENTS (approx)

Retail
Code Required: 1 per 250 sf — 54,629 / 250 = 219 Spaces
Provided: 311 Spaces
Ratio Provided: 1 per 175 sf — 5.69 per 1000 sf

Total Parking Required:	219 Spaces
Total Parking Provided:	311 Spaces

Handicapped Spaces
Required: 8 Spaces
Provided: 8 Spaces

SETBACKS

Front:	20 ft
Rear:	20 ft
Side:	12 ft
Corner Street Side:	15 ft

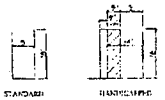
BUILDING HEIGHT

Allowed:	n.a.
Provided:	1-Story - 40 feet

LOT COVERAGE

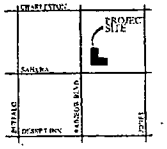
Allowed:	50 %
Provided:	23 %

Typical Parking Spaces

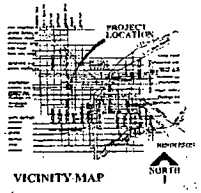


Typical Fire Turning Radius

LOCATION MAP



VICINITY MAP



96128
SAHARA-RAINBOW

Perlman Architects, Inc.
2230 Corporate Circle
Suite No. 200
Henderson, NV 89014
(702) 990-9900
(702) 932-3222 Fax

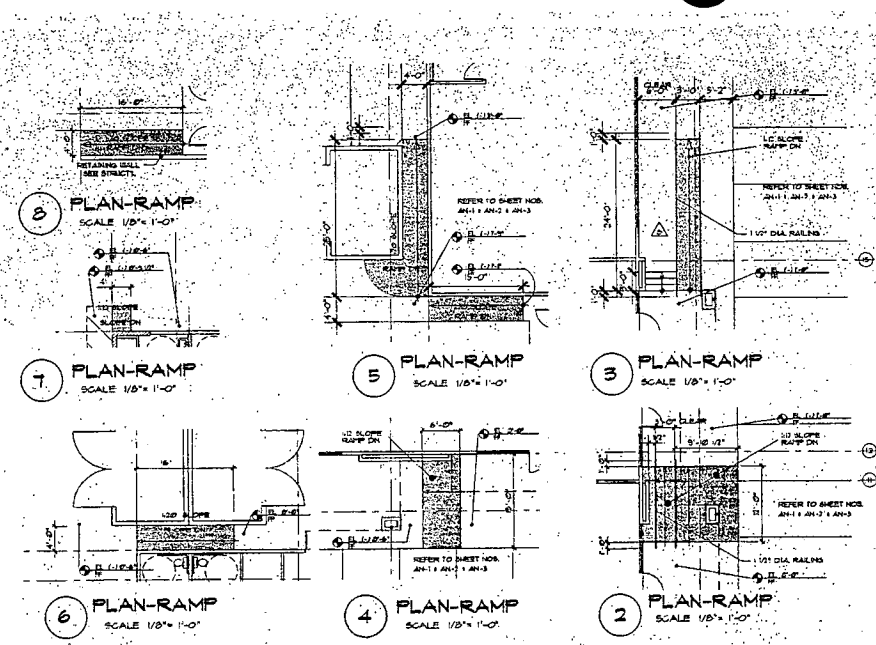
Description	Date
PLAN CHECK CORRECTIONS	4-14-03
PLAN CHECK CORRECTIONS	6-16-03
OWNER / BLDG. DEPT. REVISIONS	7-24-03

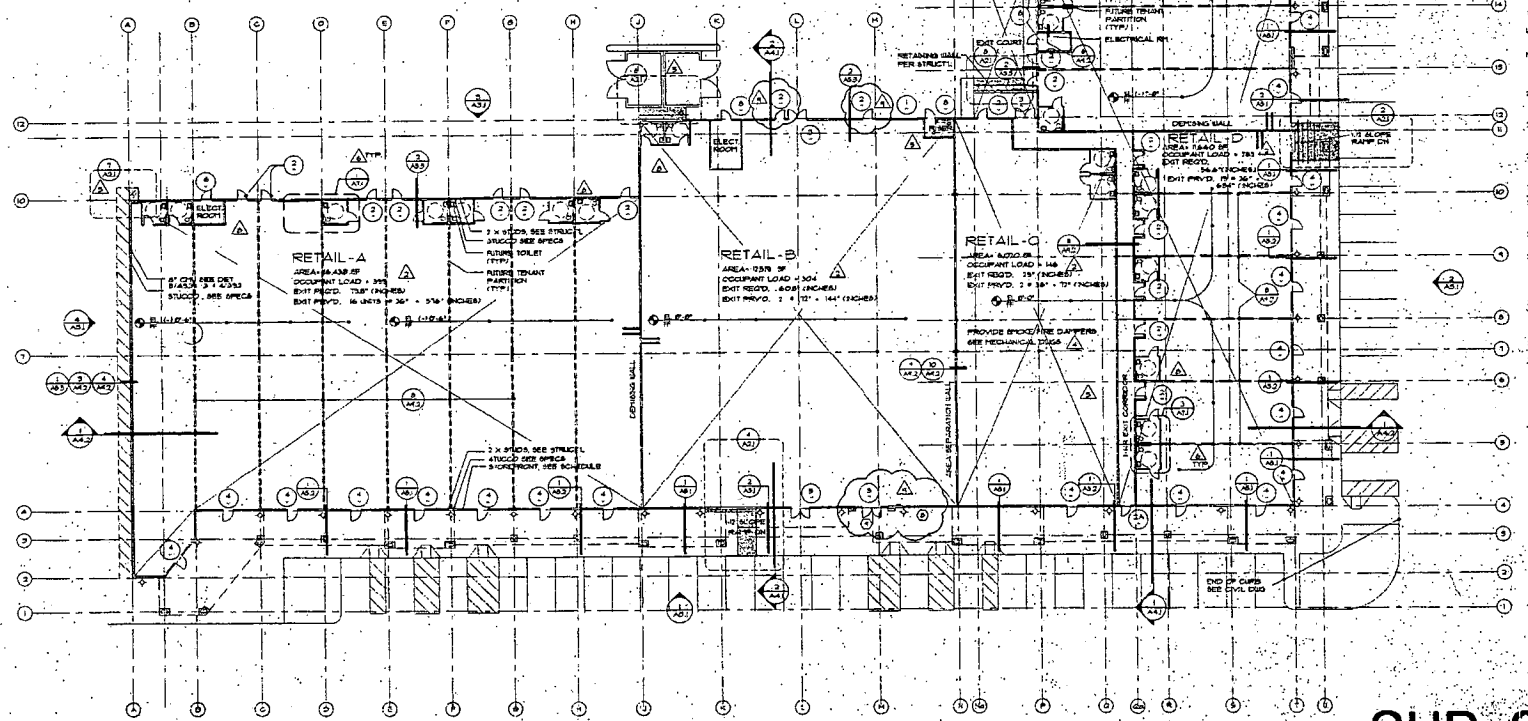
SAHARA-RAINBOW CENTER
TRIPLE FIVE NEVADA DEV. CORP.
CORNER SAHARA & RAINBOW, LAS VEGAS, NV

SITE PLAN

Project No. 96128
Drawn By AT
Checked By MB
Date 04/22/98
Sheet No. A1.1

SUP-2845
09-11-03 PC





PLAN GENERAL NOTES

1. ALL DIMENSIONS ARE FROM FACE OF STUDS, CMU UNLESS OTHERWISE NOTED.
2. ALL NEW DRYWALL SURFACES SHALL BE PRIMED PRIOR APPLICATION OF FINISH PAINTS.
3. THE CONTRACTOR TO VERIFY ALL DOOR AND WINDOW OPENINGS WITH MANUFACTURING SHOP DRAWINGS PRIOR TO FRAMING.
4. THE CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND "VERIFY" ALL DIMENSIONS AND FIELD CONDITIONS AND SHALL CONFIRM THAT WORK IS BUILDABLE AS SHOWN. ANY CONFLICTS OR OMISSIONS, ETC. SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PERFORMANCE OF ANY WORK IN QUESTION.
5. THE CONTRACTOR SHALL MAINTAIN FOR THE ENTIRE DURATION OF THE WORK, ALL EXITS, EXIT LIGHTING, FIRE PROTECTIVE DEVICES AND ALARMS IN CONFORMANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
6. PROVIDE PORTABLE FIRE EXTINGUISHERS WITH A RATING OF NOT LESS THAN 2-A:10-B:C WITHIN 75 FT. TRAVEL DISTANCE TO ALL POSITIONS. THE NUMBER, TYPE, AND LOCATION OF FIRE EXTINGUISHER WILL BE DETERMINED BY THE FIRE MARSHAL, AFTER THE CONSTRUCTION IS COMPLETED, BUT PRIOR TO OCCUPANCY.
7. WHEN THE CONTRACTOR ACCEPTS DELIVERY OF ALL ITEMS NOTED IN PLANS UNDER HIS CONTRACT, HE SHALL BE RESPONSIBLE FOR LOSS OR DAMAGE OF THESE ITEMS.
8. PROVIDE FIRE RESISTIVE BLOCKING IN PARTITIONS AS REQUIRED FOR WALL MOUNTED ITEMS.
9. FOR EXTERIOR PERIMETER CORNERS, PROVIDE CORNER BEAD.
10. THE EXISTING CONDITION IS CONTAINED IN THE CONSTRUCTION DOCUMENTS AND BASED ON EXISTING DRAWINGS. ANY DISCREPANCIES BETWEEN THESE DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE BROUGHT TO THE ARCHITECT BEFORE PROCEEDING WITH ANY WORK.
11. ALL SAW CUTTING AND CORING LOCATIONS SHALL BE REVIEWED IN FIELD BY OWNERS REPRESENTATIVE AND STRUCTURAL ENGINEER PRIOR TO CUTTING/CORING.
12. "TYP" SHOULD MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, UNO. DETAILS ARE USUALLY KEYED AND NOTED "TYP" ONLY WHEN THEY MUST OCCUR.
13. "SIM" SHALL MEAN COMPARABLE CHARACTERISTICS FOR CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATION ON PLANS AND ELEVATIONS.
14. "ALIGN" MEANS TO ACCURATELY LOCATE FINISHED FACES IN SAME PLANE.
15. DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS GOVERN. ALL PARTITION LOCATIONS, DOOR LOCATIONS AND DIMENSIONS SHALL BE SHOWN ON FLOOR PLAN. IN CASE OF CONFLICT, NOTIFY THE ARCHITECT BEFORE PROCEEDING. REFER PLAN BY ARCHITECT SUPERSEDES OTHER PLANS. ALL DIMENSIONS MARKED "CLEAR" SHALL BE MAINTAINED AND SHALL ALLOW FOR THICKNESS OF ALL FINISHES INCLUDING CARPET, TILE, VCT, ETC.
16. THE CONTRACTOR SHALL MARKED LOCATIONS OF PARTITIONS AND DOORS FOR REVIEW BY THE OWNER REPRESENTATIVE PRIOR TO INSTALLATION. REVIEW WILL BE FOR DESIGNER INTENT. SUB-CONTRACTOR SHALL COORDINATE AND VERIFY ALL CONDITIONS TO ENSURE PROPER FIT.
17. REFER TO DRAWING A61 FOR DOOR/WINDOW SCHEDULE.
18. ALL REQUIRED PERMITS MUST BE OBTAINED FROM THE FIRE PREVENTION BUREAU BEFORE THE BUILDING IS OCCUPIED.
19. ALL EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT, NO DEADBOLTS, NO SLIDING BOLTS, ETC. UBC SEC. 1004.3 AND UFC ART. 10.01 DIV. III.
20. SEPARATE PLANS FOR ALL FIXED AND PORTABLE FIRE PROTECTION EQUIPMENT, AND ALL FIRE ALARM SYSTEMS SHALL BE SUBMITTED TO THE FIRE MARSHAL FOR APPROVAL PRIOR TO INSTALLATION.
21. THE INSTALLATION OF AUTOMATIC FIRE SPRINKLER SYSTEM SHALL COMPLY WITH THE UBC, NO. 38-1 AND BE APPROVED BY PLUMBING DIVISION PRIOR TO INSTALLATION.
22. ALL FIRE ALARM SYSTEMS SHALL BE INSTALLED IN COMPLIANCE WITH CODES AS FOLLOWS (CCR, PART 3, 7-3-A, ARTICLE 3-300 AND UFC, ARTICLES 42)
23. INTERIOR FINISHES SHALL COMPLY WITH CODES, UBC, CHAPTER 8
24. ALL DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME RETARDANT CONDITION (CCR, T-19, SEC. 1A, 3.06 AND UFC, SEC. 1504, SEC. 25303, UBC, SEC. 2604)
25. BUILDING NUMBERS SHALL BE EASILY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, UFC, SEC. 10.208
26. THE HIGHEST OPERABLE PART OF ALL CONTROLS, DISPENSERS, RECEPTACLES, AND OTHER OPERABLE EQUIPMENT SHALL BE PLACED WITHIN 48 INCHES OR LESS, BUT NOT LESS THAN 15 INCHES IF A FORWARD APPROACH, AND WITHIN 54" BUT NOT LOWER THAN 9" IF SIDE APPROACHED. SEC. 1106.4
27. GROUND AND FLOOR SURFACES ALONG ACCESSIBLE ROUTES AND IN ACCESSIBLE ROOMS AND SPACES, INCLUDING FLOORS, WALKS, STAIRS, AND CURB RAMPS, SHALL BE STABLE FIRM AND SLIP RESISTANT. SEC. 2718 AND 1606.1
28. CONTROL AND OPERATING MECHANISMS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 POUNDS OF FORCE.
29. THE CENTER OF ELECTRICAL AND COMMUNICATION SYS. RECEPTACLE OUTLETS SHALL BE INSTALLED NOT LESS THAN 15" ABOVE THE FLOOR OR GROUND PLATFORM. SEC. 210.52A, AND 11A-VIII.

LEGEND

1-HR WALL
2-HR WALL
4-HR WALL (CMU)

PARTITION TYPES

1. NON-RATED PARTITION (P-01) NOTE: 3 5/8" 25 GA. METAL STUD 16" O.C. AND 5/8" GYP. BD. EACH SIDE TO 6"-4" ABV.
2. NON-RATED PARTITION NOTE: 3 5/8" 25 GA. METAL STUD 16" O.C. TO DECK WITH 5/8" GYP. BD. EACH SIDE, BALES SIDE TO UNDERSIDE OF DECK, OPPOSITE SIDE TO 6"-4" ABOVE CEILING.
3. NON-RATED PARTITION NOTE: 3 5/8" 25 GA. METAL STUD 16" O.C. SUPPORTED FROM DECK ABOVE WITH 5/8" GYP. BD. EACH SIDE TO 6" ABOVE FINISHED CEILING.

WALL MOUNTED EXTERIOR LIGHT

KEY PLAN

SAHARA-RAINBOW

Perlman Architects, Inc.
2321 Corporate Circle
Suite No.: 200
Henderson, NV 89014
(702) 990-9900
(702) 932-3222 Fax

SAHARA-RAINBOW CENTER

TRIPLE FIVE NEVADA DEV. CORP.
CORNER SAHARA & RAINBOW, LAS VEGAS, NV

KEY FLOOR PLAN

Project No.: 96128
Drawn By: AT
Checked By: NB
Date: 4/22/98
Sheet No.: A2.1

SUP-2845
09-11-03 PC

SUP-2845 - USA CASH SERVICES, LIMITED LIABILITY COMPANY ON BEHALF OF SAHARA RAINBOW, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SAHARA AVENUE AND RAINBOW BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

City of Las Vegas

Agenda Item No. 115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Abeyance request and revised request from Singer & Brown
6. Protest letter from Les Bruno
7. Back up referenced from the 9/11/2003 Planning Commission meeting Item 32
8. Submitted after final agenda – Protest letter from Mr. & Mrs. Lloyd S. Henry

MOTION:

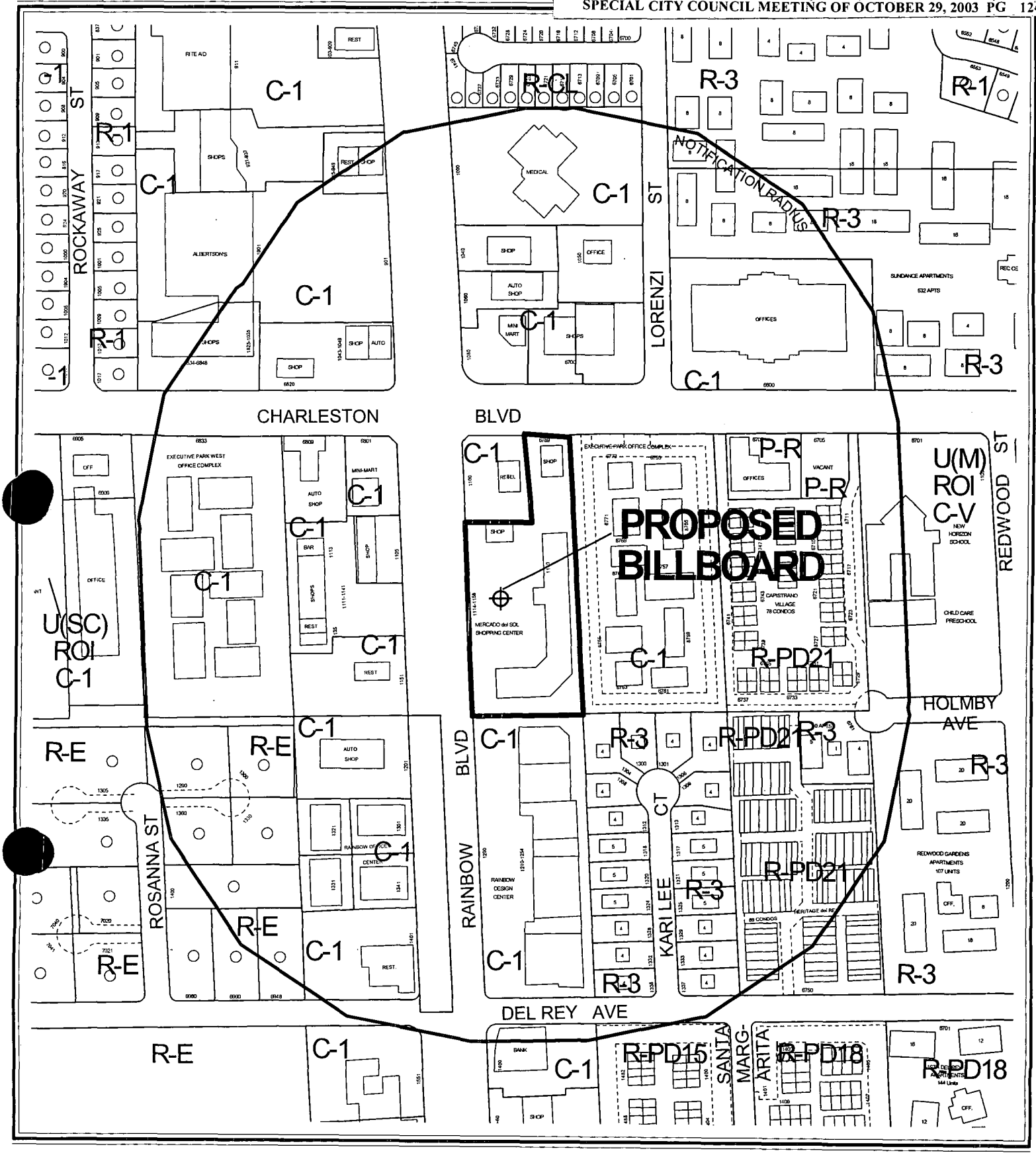
REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [VAR-2839] and Item 104 [SUP-2665] and HOLD IN ABEYANCE Item 107 [SUP-2759], Item 108 [SUP-2760] and Item 115 [SUP-2848] to 11/19/2003 – UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(1:08 – 1:10)

2-1

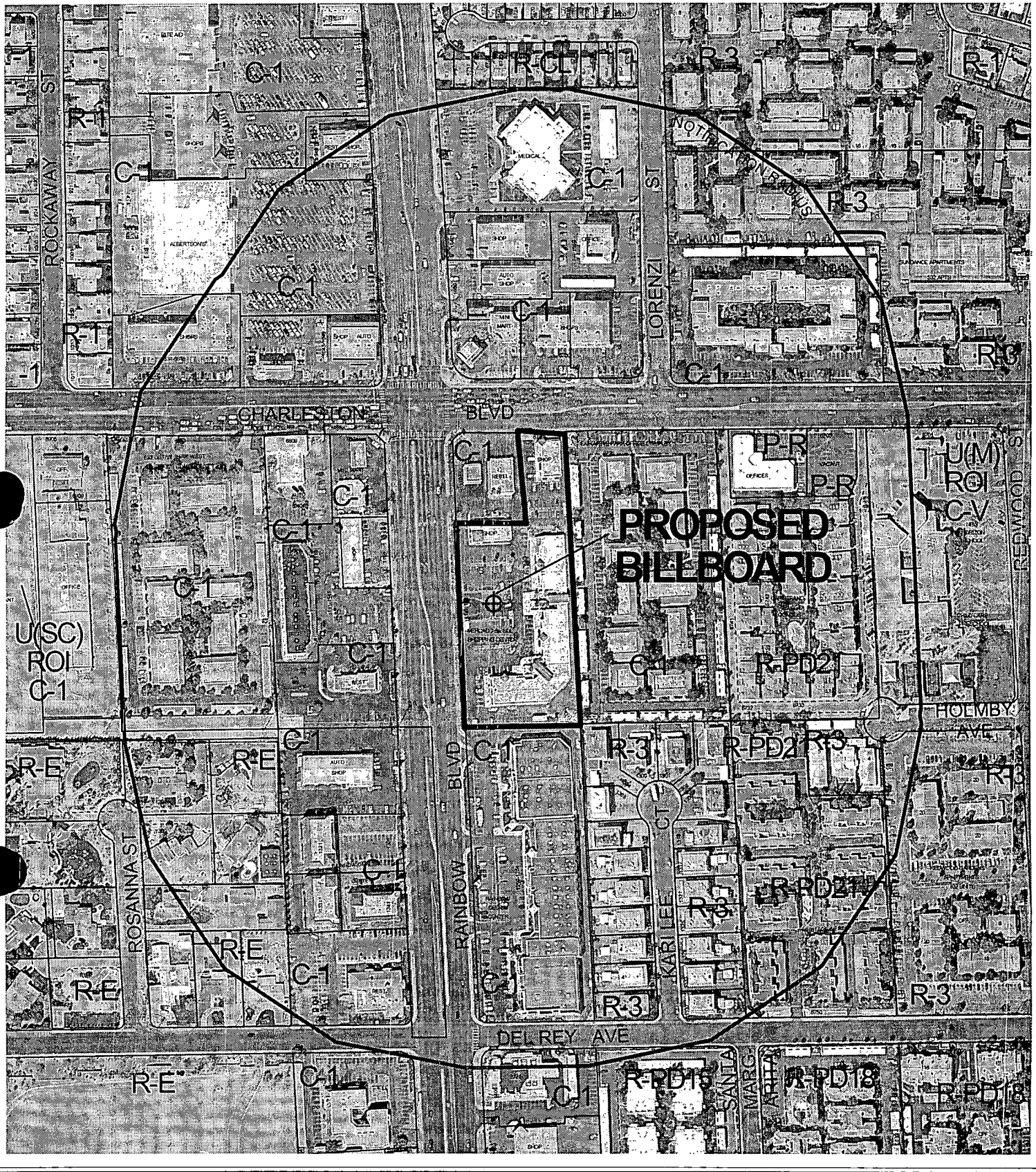


CASE: **SUP-2848**

RADIUS: 750 FT

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

0 200 400 Feet



CASE: **SUP-2848**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, 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-premises 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-premises advertising (billboard) sign be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.

3. The off-premises 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-premises advertising (billboard) sign.

4. The off-premises 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-premises 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-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises 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. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

SUP-2848 - Staff Report Page One
October 29, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for approval of a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premises Advertising (Billboard) Sign at 1110 South Rainbow Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the Off-Premises Advertising (Billboard) Sign will be oriented towards the north and south bound traffic on Rainbow Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

11/05/86	The City Council approved a request for a Rezoning (Z-0074-86) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on October 9, 1986.
02/23/95	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0074-86(1)] for a retail/commercial center on the subject site.
12/04/02	The City Council Approved a Special Use Permit (SUP-1005) for a proposed Pawn Shop on the subject site. The Planning Commission recommended Approval.
09/11/03	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #32).
10/01/03	The City Council approved a request for a Special Use Permit (SUP-2758) to allow a proposed 40-foot tall, 14-foot by 48-foot off-premises advertising (billboard) sign on the north portion of this site adjacent to Charleston Boulevard. The Planning Commission recommended denial on August 28, 2003.

B) Pre-Application Meeting

07/18/03	The applicant was advised to add the scale to the site plan and provided a signed notarized application from the property owner.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.03

B) Existing Land Use

Subject Property:	Commercial Retail Center
North:	Commercial Retail Center
South:	Commercial Retail Center
East:	Offices
West:	Commercial Retail Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

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:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning is compatible with this land use district and allows for light commercial and retail uses. The proposed Off-Premise Advertising (Billboard) Sign is allowed in this zoning district with the approval of a Special Use Permit.

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 area plans or districts.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The proposed Off-Premise Advertising (Billboard) Sign will not generate a requirement for additional parking on this site.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14, the following Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Minimum distance separation from "R" zoned property and any other off-premises advertising (billboard) sign	300 Feet	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal	N

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 390 feet from the Off-Premise Advertising (Billboard) Sign on the north portion of this site, adjacent to Charleston Boulevard proposed by Special Use Permit Application SUP-2758; it therefore complies nominally with Zoning Code standards.

B) General Analysis and Discussion

- Zoning

An Off-Premises Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising Sign to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation. However, due to existing signage on the site and the proposed Off-Premises Advertising (Billboard) sign along Charleston Boulevard, this proposed billboard would add to the visual clutter along Rainbow Boulevard and is not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development.

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 this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, existing on-premise signage is already located along this segment of Rainbow Boulevard and another billboard is proposed along Charleston Boulevard. Approval of this billboard in this context will create an urban landscape that is not harmonious and compatible with the surrounding uses in this area.

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

   The subject site is located in a commercial area and is adjacent to a major thoroughfare, which is one of the prerequisites to establish its suitability; however, the subject billboard sign is not appropriate along this segment of Rainbow Boulevard.

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."**

   This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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

   The proposed Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 301 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2848 APN: 163-02-101-002

Name of Property Owner: COG III LTD

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 __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: Andy Bilanzich

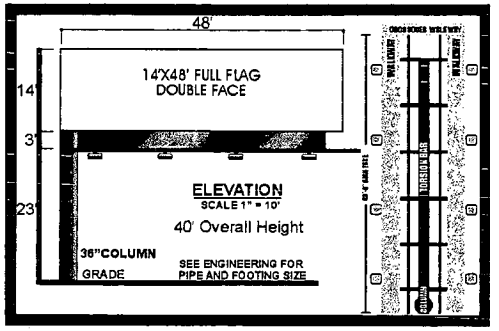
Print Name: Andy Bilanzich

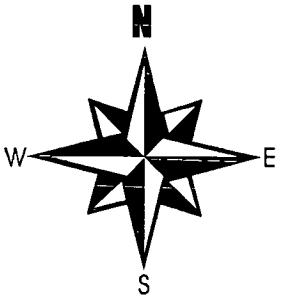
Subscribed and sworn before me

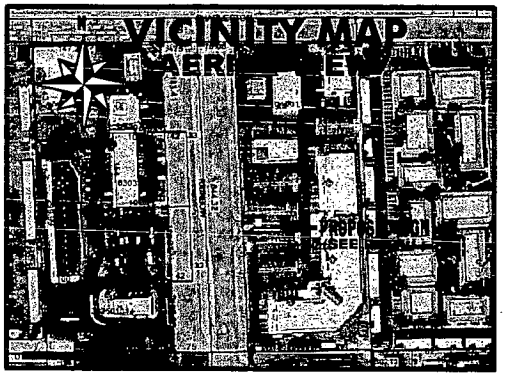
This 17TH day of JUNE, 2003

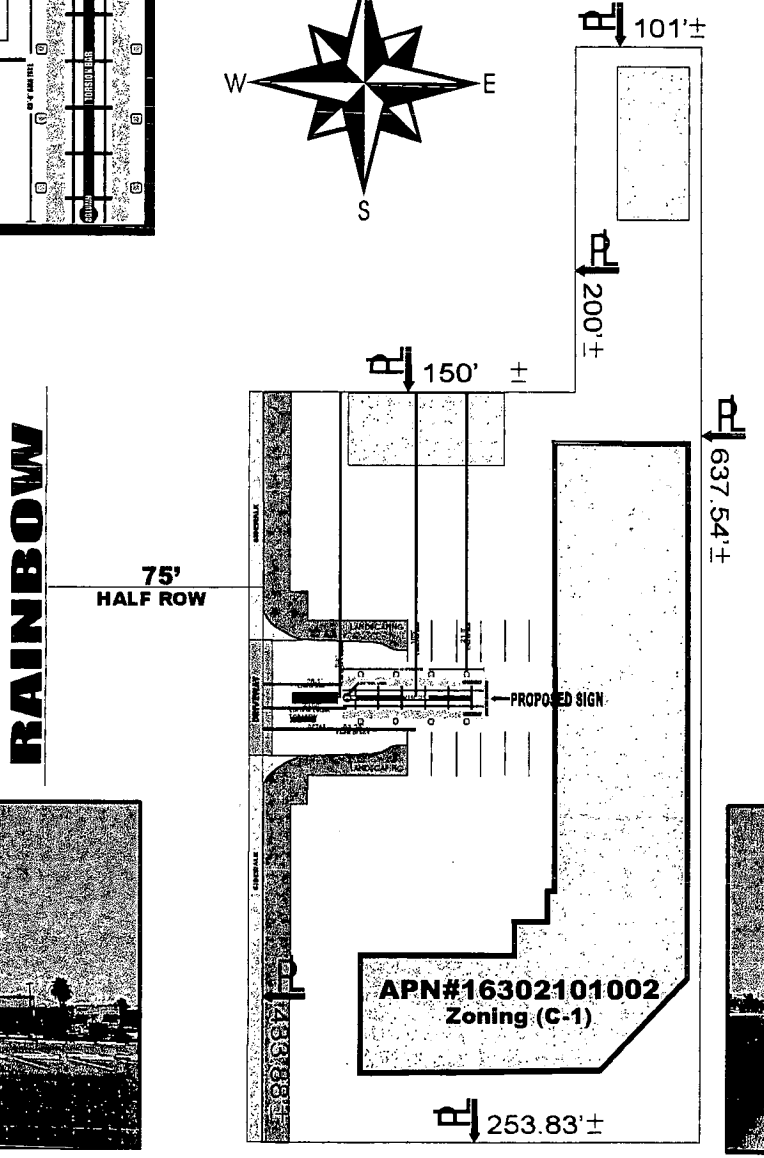
Notary Public in and for said County and State

STEVE OYATAYO
Notary Public State of Nevada
No. 01-66847-1
My appt. exp. Nov. 10, 2004

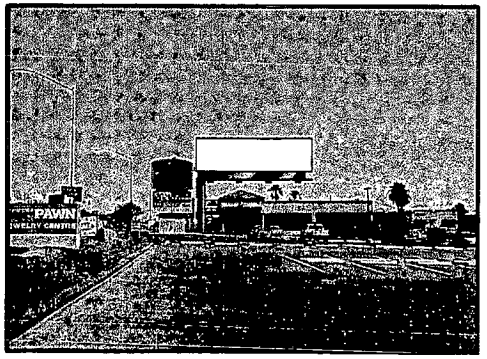








GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.



REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JONES Media 4145 W. TECO AVE / LAS VEGAS, NV 89118/ 702-645-0022

OWNER: C O G III LTD
SCALE: NOTED | APPROVED BY: | DRAWN BY: TOM JONES
DATE: 7-11-03 | REVISED:
LOCATION: 1110 S RAINBOW BLVD 89146
APN# 16302101002 | DRAWING NUMBER: 210

SUP-2848
09-11-03 PC

SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 SOUTH RAINBOW BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 SOUTH RAINBOW BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 SOUTH RAINBOW BOULEVARD
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/22/03

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 17, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: SUP-2848 – Special Use Permit (Reagan National Advertising)
APN: 163-02-101-002
COG III, Ltd.

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My clients wish to appeal the denial by the Planning Commission of SUP-~~2760~~ 2848.

Your assistance in this matter is sincerely appreciated.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 SEP 17 P 3:05

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1260

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 25, 2003

RECEIVED
CITY CLERK
2003 SEP 25 A 11:08

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: SUP-2848 – Special Use Permit (Reagan National Advertising)
APN: 163-02-101-002
COG III, Ltd.

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My client is requesting that the hearing on the appeal of SUP-2848 COG III, Ltd. be continued from the October 15 City Council meeting to November 5, 2003. I would appreciate it you would advise me as soon as possible if the matter has been pulled from the October 15 agenda.

Your assistance in this matter is sincerely appreciated.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003 PG 1261

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownlld@earthlink.net

October 16, 2003

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

Re: Item No. 118, SUP-2848, Reagan National Advertising on Behalf of COG III, Limited.

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My client is requesting that the hearing on SUP-2848 be continued from the October 15 and rescheduled to October 29 City Council meeting to November 19, 2003.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 OCT 16 A 11:38

10/8/03

From the Desk of . . .

Les Bruno

RECEIVED
CITY CLERK
2003 OCT -9 P 2:17

Please know that I support your denial of this appeal.

Thank you for your consideration

Les Bruno

Les Bruno
6723 W. Charleston Boulevard
Las Vegas, NV 89146-9225

Protest

RECEIVED
CITY CLERK

2003 OCT 23 P 4:51

September 22, 2003

City Of Las Vegas
City Clerk Office
400 Stewart Avenue
Las Vegas, Nevada 89101

S E C O N D R E P L Y 10-19-03

Attention: Ms. Barbara Jo Ronemus
City Clerk

Protest

Re: SUP-2758 & (10-19-03 SUP-2848 Applies)

Dear Ms. Ronemus,

Thank you for keeping us informed on the this situation.

We continue to support our original position on this subject.

We are not in favor, of yet another billboard. My wife and I come from the vantage point of well designed open space is more restful to the eye than visual chaos.

Please consider this letter a resounding "NO" on SUP-2758 & (as of 10-19-03 (SUP-2848), "NO"!

Sincerely,

Mr. & Mrs. L. S. Henry

Mr.& Mrs. Lloyd S. Henry

Mailing Address: 2039 ½ Montrose Avenue
Montrose, California 91020

Las Vegas Property Address:
6711 W. Charleston Blvd., #3
Las Vegas, Nevada 89107

Submitted after final agenda

Date 10/24/03 Item# 115

City of Las Vegas

Agenda Item No. 116

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:

REZONING - PUBLIC HEARING - **ZON-2735 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Revised Conceptual Site Plan submitted by Planning & Development

MOTION:

MACK – APPROVED subject to conditions and amending Conditions 1 and 3 to read as follows:

1. ***The zoning on these parcels shall be R-D with a maximum of five (5) homes on the west side of Bronco Street and six (6) homes on the east side of Bronco Street.***
3. **Construct *rural improvements on Bronco Street and Corbett Street adjacent to this site concurrent with development of this site. Rural improvements shall consist of two lanes of asphalt paving, centered on the centerline (where possible), with rolled curb and gutter on each side such that the back-of-curb to back-of-curb width is 39 feet. Streetlights are to be provided at street intersections. Other streetlighting will be stubbed out for later use with pullboxes at the base foundation locations, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Bronco Street and Corbett Street. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and***

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SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 116 – ZON-2735

MOTION -- Continued

to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundary of this site prior to construction of hard surfacing (asphalt or concrete).

– and adding the following conditions:

- ***No two-story homes shall be constructed on the lots on the west side of Bronco Street.***
- ***The developer shall provide separate written notice to each prospective home buyer that the area immediately adjacent to the homes within this development are zoned for the keeping of horses and other farm and domesticated animals.***

– UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearings open for Item 116 [ZON-2735] and Item 117 [SDR-2736].

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She indicated the site plan, originally seeking a zoning designation of R-PD3 with 13 lots and linear open space around the outer edges of the site, had been revised. The applicant is now requesting a reduction to R-D zoning, the removal of the linear open space along the outer edges of the development, and larger lots. Under R-D zoning, minimum lot sizes are 11,000 square feet and, with the redesign, all of the lots are at least 12,000 square feet in size.

ATTORNEY LAZOVICH indicated that a neighborhood meeting had been held and included some of the neighbors who would be most directly impacted by this project. As a result of this meeting, the applicant made several concessions, which included single story homes along the west side of Bronco; rural street standards, meaning no sidewalks or streetlights; the removal of the gated private cul-de-sacs, which will be public streets; and the removal of two lots, which allowed the remaining lot sizes to be increased. Lastly, no trees will be planted in a specified 15-foot radius in the development because of a well located on the property of an adjacent homeowner.

COUNCILMAN MACK thanked ATTORNEY LAZOVICH for meeting with the neighbors, listening to their concerns and revising the site plan accordingly. He felt the revisions would work well for the community and the adjacent neighbors.

DAVID GUERRA, Public Works Department, read revised Condition 3 into the record. COUNCILMAN MACK confirmed with ATTORNEY LAZOVICH that the revised conditions were acceptable for both the zoning and the site development plan review applications.

City of Las Vegas

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Planning and Development Department
Item 116 – ZON-2735

MINUTES -- Continued
No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearings closed for Item 116 [ZON-2735] and Item 117 [SDR-2736].

NOTE: All discussion for Item 116 [ZON-2735] and Item 117 [SDR-2736] was held under Item 116 [ZON-2735].

(2:22 – 2:31)
2-2788

CONDITIONS:
Planning and Development
1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works
3. Construct half-street improvements including appropriate overpaving and appropriate pavement transitions on Corbett Street and Bronco Street adjacent to this site concurrent with development of this site. Also, construct a minimum of two lanes of paved, legal access on either Corbett Street from the east edge of this site east to Jones Boulevard, or on Bronco Street from the south edge of this site south to El Campo Grande Avenue concurrent with development of this site.

4. Extend public sewer in Corbett Street to the west edge of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Map subdividing this site. Comply with

City of Las Vegas

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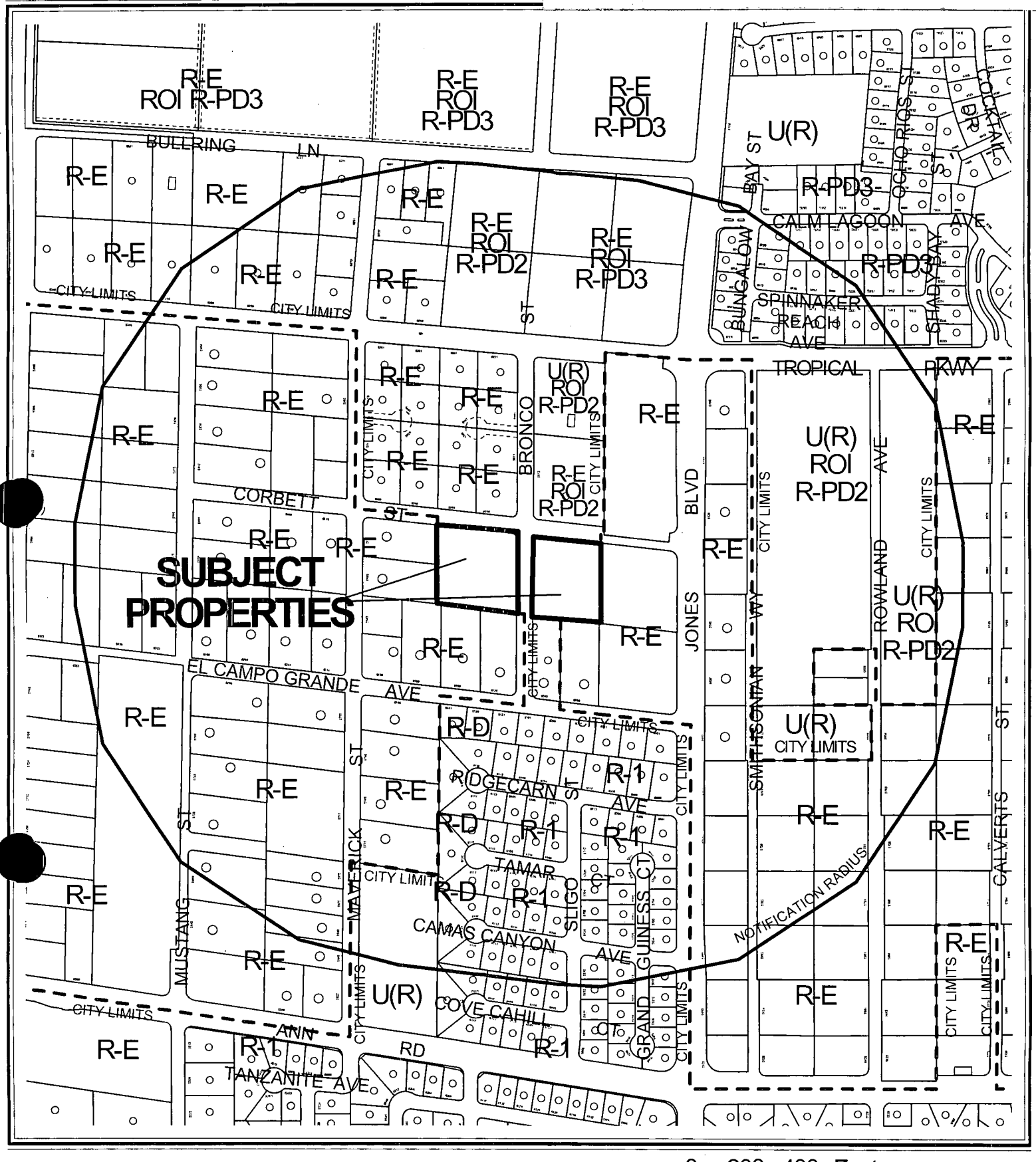
SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 116 – ZON-2735

CONDITIONS -- Continued

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 Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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.



0 200 400 Feet

CASE: **ZON-2735**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL)]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 200 400 Feet

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PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-2735 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements including appropriate overpaving and appropriate pavement transitions on Corbett Street and Bronco Street adjacent to this site concurrent with development of this site. Also, construct a minimum of two lanes of paved, legal access on either Corbett Street from the east edge of this site east to Jones Boulevard, or on Bronco Street from the south edge of this site south to El Campo Grande Avenue concurrent with development of this site.

4. Extend public sewer in Corbett Street to the west edge of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Map subdividing 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 Map subdividing 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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from U (Undeveloped) [R (Rural Density Residential) general plan designation] to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 4.56 acres adjacent to the southeast and southwest corners of Bronco Street and Corbett Street. Approval of this request will allow the applicant to develop a 13 lot residential development on the site.

Since the 08/28/03 Planning Commission meeting, staff has discussed the project with the applicant. The applicant has indicated they are proceeding with the current design of the project. Therefore, the findings of this report have not changed.

B) Applicant's Justification

The applicant's justification letter states that the proposed development is compatible with the surrounding area. Additionally, the proposed zoning district conforms to the master plan.

BACKGROUND INFORMATION

A) Previous Actions

04/16/03 The City Council approved Annexation (ANX-1343) for the subject property. The Planning Commission recommended approval. The effective date was April 25, 2003.

08/28/03 The Planning Commission held this and related Site Development Plan Review (SDR-2736) for a 13 lot residential development on the subject site in abeyance to the 09/11/03 meeting.

09/11/03 The Planning Commission recommended denial of a related Site Development Plan Review (SDR-2636).

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #10).

B) Pre-Application Meeting

07/02/03 A series of meetings resulted in the current proposal. Over the course of the meetings suggested revisions to the site plan included a reduction in the number of lots in order to meet Rural Preservation Neighborhood requirements and the inclusion of open space.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.56
Net Acres: 3.47

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

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	
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

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. The density of the proposed development is 2.85 within the parameters of a Rural Preservation Neighborhood buffer.

Clark County Notification
The Clark County Planning Department was notified of this request, as parcels within the notification radius are located within Clark County's jurisdiction.

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-2736), 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
4.56 acres	2.85	1.65	4.7%	9,340 SF	5.9%	11,760 SF

The submitted site plan depicts open space in excess of the required amount. In the context of the Rezoning application, the provision of the required amount of open space supports the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning, as the intent of an R-PD (Residential Planned Development) district is to provide amenities in exchange for an increase in density. However, another attribute to a R-PD (Residential Planned Development) project is innovation in design, which is not evident in the submitted site plan. The provision of open space as 20-foot wide, dead-end trails at the cul-de-sac bulbs is problematic, as the design and location limits resident's ability to effectively access and utilize the open space.

B) General Analysis and Discussion

This rezoning application is consistent with the R (Rural Density Residential) General Plan designation for the site. The proposed development will result in the construction of 13 lots on 4.56 acres, for a density of 2.85 dwelling units per acre. A 39-foot wide, private street will be provided with access off Bronco Lane. Open space, in the form of two 20-foot wide, dead-end trails at the cul-de-sac bulbs is provided in accordance with R-PD (Residential Planned Development) requirements. Over half the lots are proposed to be in the 11,000 square foot size range, with the lot sizes ranging from 8,750 square feet to 11,210 square feet. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the south and north of the subject site are rural, equestrian estates approximately one-half to one-acre in size.

The fact that no large, undeveloped tracts of land exist in the immediate area minimizes the potential for future large-scale, single-family development, as the acquisition of land becomes more difficult. A gated, walled subdivision is not appropriate, as the predominant single-family product consists of large, rural lots that face the existing street grid.

A more appropriate zoning district is the R-D (Single-Family Residential – Restricted) zone. The established development standards for the R-D zone, including 11,000 square foot minimum lot size and 90-foot minimum lot width requirements, are in proportion with patterns of development in the immediate area.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

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

   The proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district is compatible with the existing R (Rural Density Residential) general plan designation.

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

   The proposed development shown on the site plan complies with both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings immediately to the south, west and north of the subject site are rural, equestrian estates approximately one-half to one-acre in size. Approval of the request would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The rapid growth of the Centennial Hills area has not extended into this area, as only one resolution of intent exists in the area roughly bounded by Tropical Parkway to the north, El Campo Grande Avenue to the south, Jones Boulevard to the east and Torrey Pines Drive to the west. The Resolution of Intent that is approved within this area is to R-PD2 (Residential Planned Development – 2 Units Per Acre) in keeping with existing densities in the area.

No large tracts of land remain undeveloped in the surrounding area; the majority of the land is within Clark County's jurisdiction and contains one-half to one-acre home sites, thus creating a rural environment. This fact minimizes the potential for future large-scale, single-family development in the area, as the acquisition of land becomes more difficult. A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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

The subject site has access to Bronco Street, which will be developed as a 60-foot right-of-way with ultimate access to Jones Boulevard, a 100-foot primary arterial, which is adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 225 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-2735 APN: 125-26-707-001/125-26-706-003

Name of Property Owner: BRONCO/CORBETT LLC

Name of Applicant: /AGENT- FARUS FARMANALI

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: Farus Farmanali

Print Name: FARUS FARMANALI

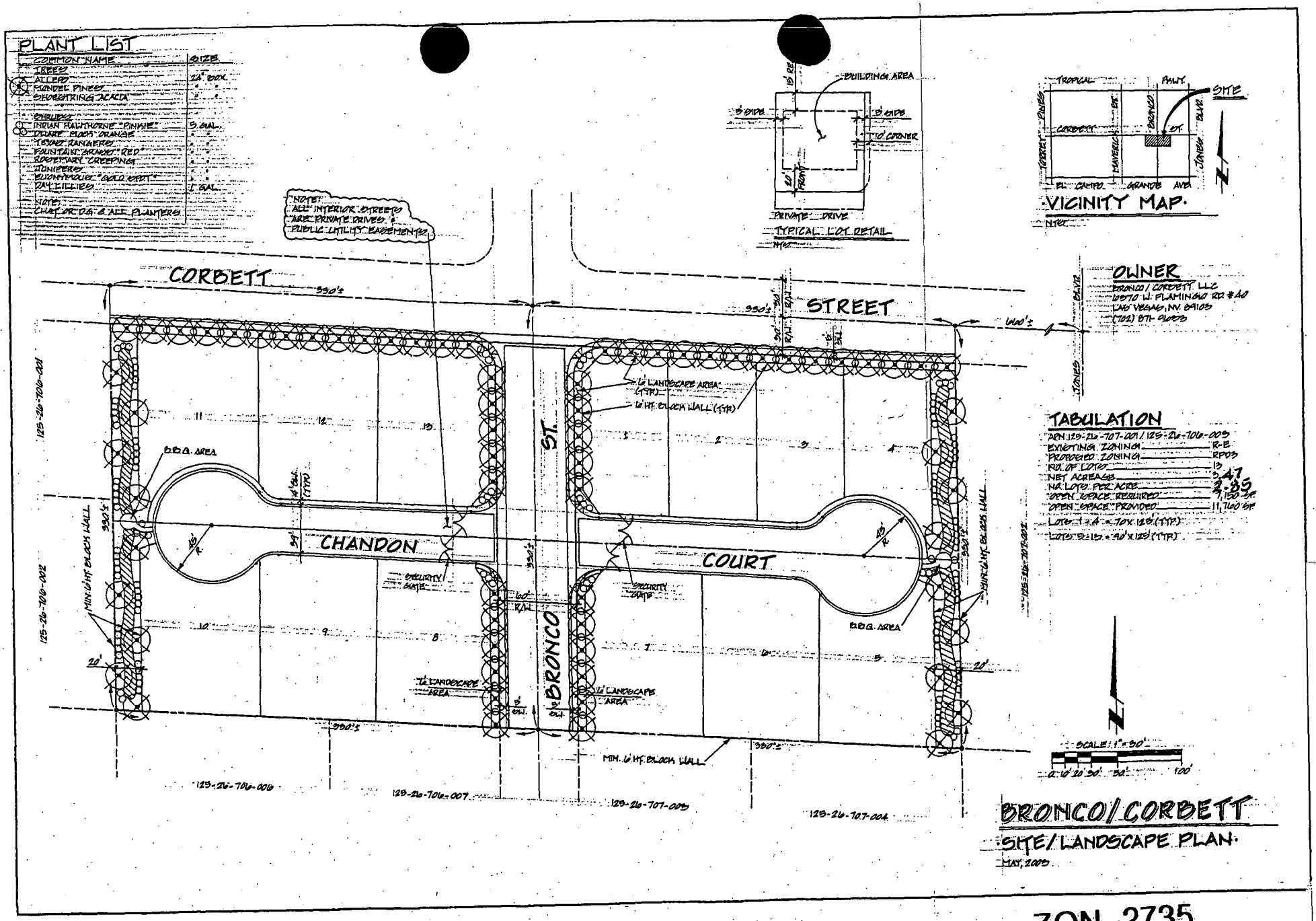
Subscribed and sworn before me

This 19th day of December, 2002

Patricia A Barnes Clark NV

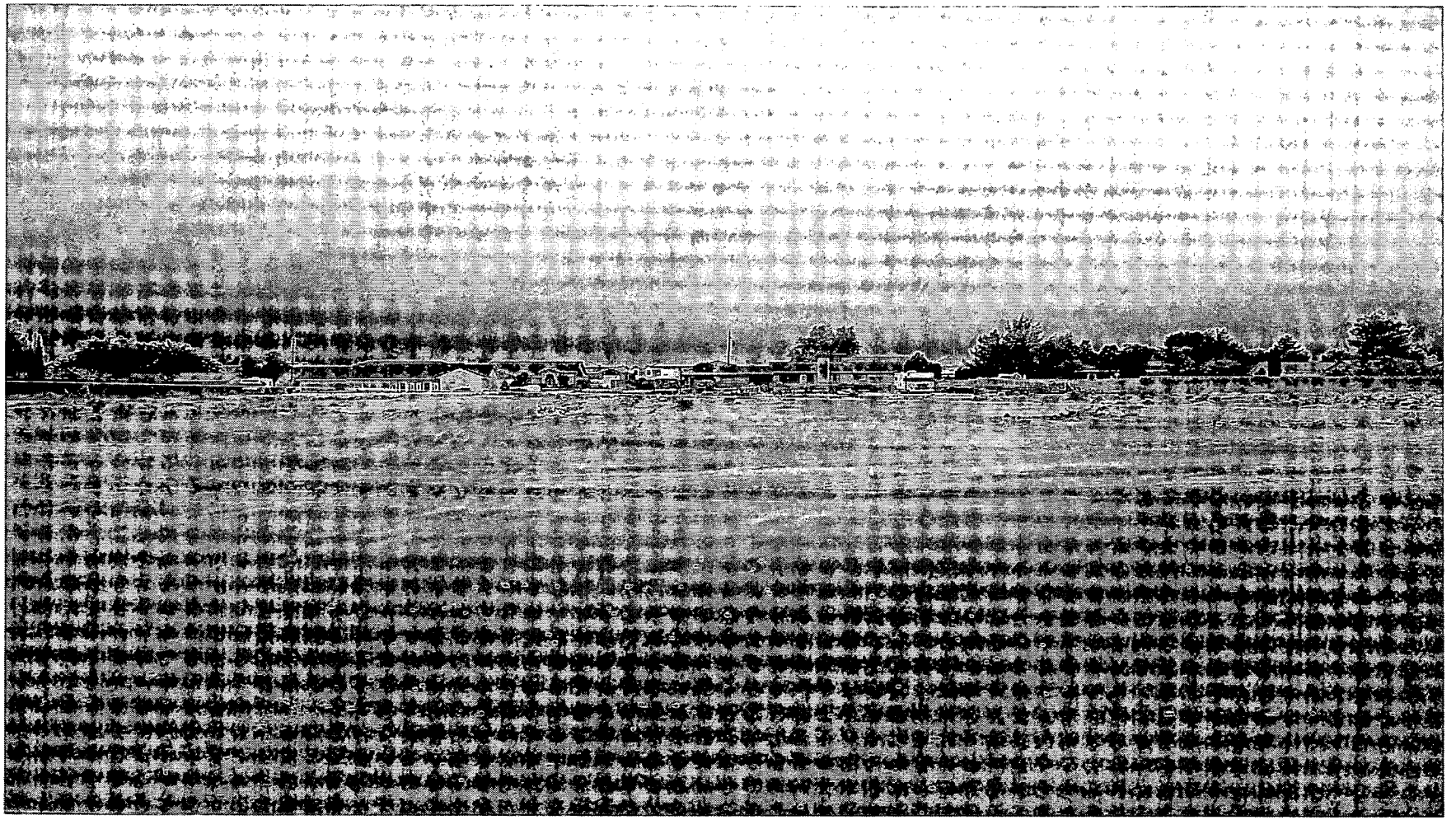
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PATRICIA A. BARNES
No: 01-71603-1
My Appointment Expires Oct. 30, 2005



ZON-2735
8-28-03 PC

STAFF



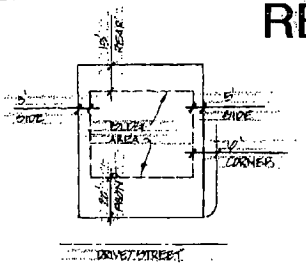
ZON-2735 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY
SOUTHWEST AND SOUTHEAST CORNERS OF CORBETT STREET AND BRONCO STREET
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/1/03

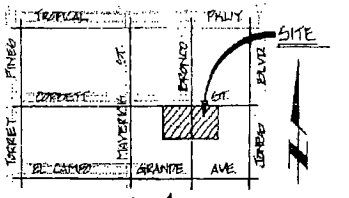
REVISED
10-1303

ZON-2735
10-15-03 CC

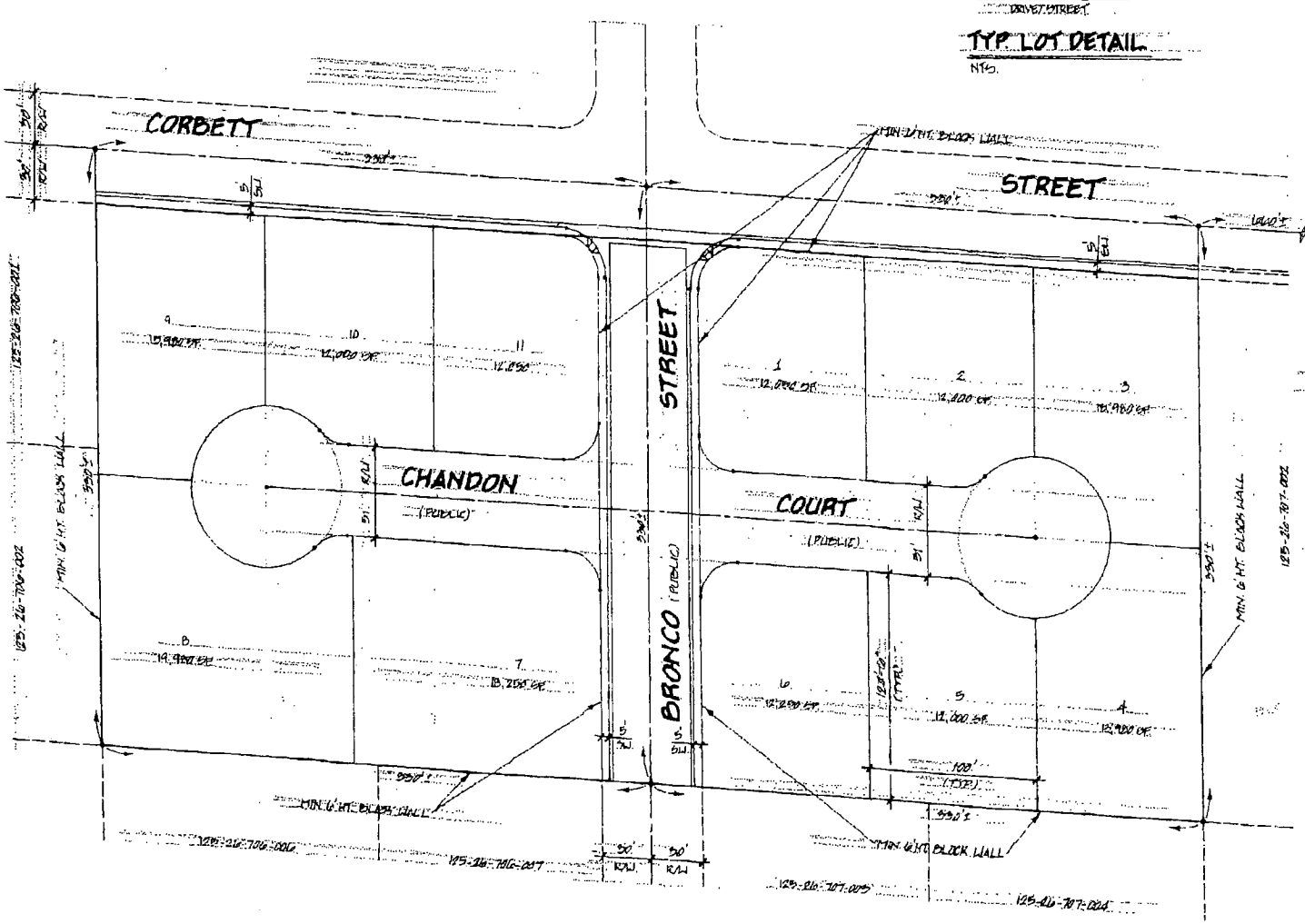
REVISED



TYP. LOT DETAIL
N.T.S.



VICINITY MAP
N.T.S.



TABULATION

APN:	125-26-707-001, 125-26-706-003
EXISTING ZONING	R-E
PROPOSED ZONING	RD
NET ACREAGE	5.47
GROSS ACREAGE	4.510
NO. LOTS PER ACRE	2.4 DUA.
TYP. MIN. LOT SIZE	12,000 s.f.
TOTAL NO. LOTS	11

OWNER

BRONCO/CORBETT, LLC
6030 W. FLAMINGO RD. #40
LAS VEGAS, NV. 89103
(702) 876-8883

SCALE: 1" = 30'

BRONCO/CORBETT
CONCEPTUAL SITE PLAN

City of Las Vegas

Agenda Item No. 117

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2735 - PUBLIC HEARING - **SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review for a proposed 13-lot single-family residential development on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

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

RECOMMENDATION:
The Planning Commission (6-0 vote) and staff recommend DENIAL.

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

MOTION:
MACK – APPROVED subject to conditions, deleting Conditions 3 and 13 and amending Conditions 1, 4, 5, 9 and 14 to read as follows:

1. **A Rezoning (ZON-2735) to *an R-D (Single Family Residential Restricted)* Zoning District approved by the City Council.**
4. **All development shall be in conformance with the *revised* site plan *dated October 29, 2003* and building elevations, except as amended by conditions herein.**
5. **Building height *on the east side of Bronco Street* shall not exceed two stories or 35 feet, whichever is less. *The west side of Bronco Street is limited to single-story homes.***
9. **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. No combination of perimeter screen wall and retaining wall shall exceed a height of eight feet without step backs in accordance with the Code or as approved by the Planning and Development Department. *The westernmost property line wall shall be eight (8) feet in height.***

City of Las Vegas

Agenda Item No. 117

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 117 – SDR-2736

MOTION – Continued

14. A Homeowner's Association *or other private maintenance organization* shall be established to maintain all 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.

– UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 116 [ZON-2735] for all related discussion.

(2:22 – 2:31)

2-2788

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-2735) to a R-PD3 (Residential Planned Development – 3 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 site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect pedestrian gates with access to Corbett Street for both linear park/trails.

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

5. Building height shall not exceed two stories or 35 feet, whichever is less.

6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear.

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.

City of Las Vegas

Agenda Item No. 117

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 117 – SDR-2736

CONDITIONS – Continued

9. 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. No combination of perimeter screen wall and retaining wall shall exceed a height of eight feet without step backs in accordance with the Code or as approved by the Planning and Development Department.

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, on site circulation and overall layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the gated entries shown on the submitted site plan does not meet standards and must be redesigned to meet current standards or the gates be deleted.

14. A Homeowner's Association shall be established to maintain all 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-2735 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.

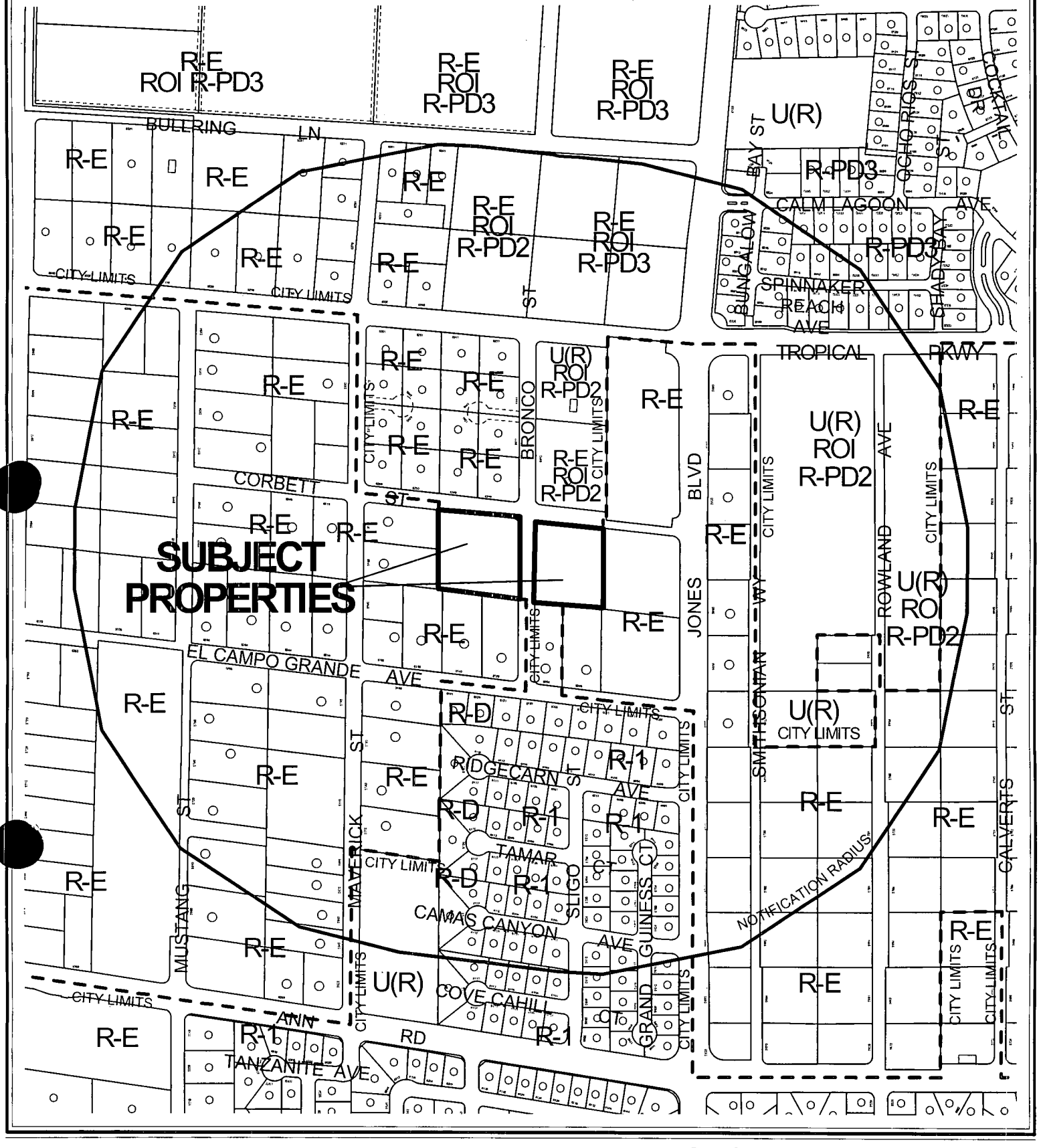
City of Las Vegas

Agenda Item No. 117

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Planning and Development Department
Item 117 – SDR-2736

CONDITIONS -- Continued

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.



0 200 400 Feet

CASE: **SDR-2736**

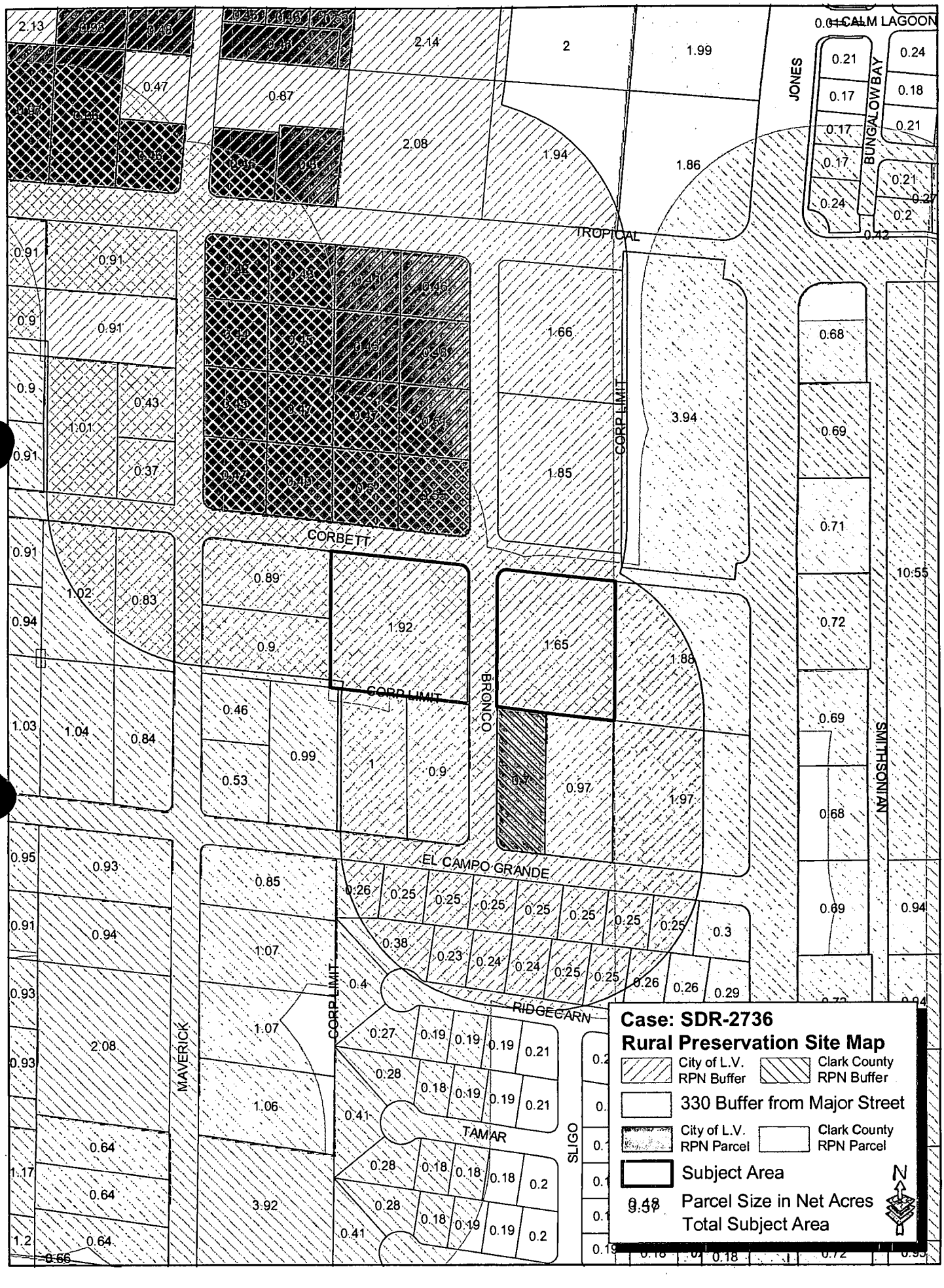
RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL)]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N


CALM LAGOON
JONES
BUNGALOW BAY
TROPICAL
CORBETT
CORR LIMIT
BRONCO
EL CAMPO GRANDE
RIDGECARN
MAVERICK
TAMAR
SLIGO
SMITHSONIAN
Case: SDR-2736
Rural Preservation Site Map
City of L.V. RPN Buffer
Clark County RPN Buffer
330 Buffer from Major Street
City of L.V. RPN Parcel
Clark County RPN Parcel
Subject Area
Parcel Size in Net Acres
Total Subject Area
N

City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: OCTOBER 29, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-2735) to a R-PD3 (Residential Planned Development – 3 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 site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect pedestrian gates with access to Corbett Street for both linear park/trails.

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

5. Building height shall not exceed two stories or 35 feet, whichever is less.

6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear.

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 measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. No combination of perimeter screen wall and retaining wall shall exceed a height of eight feet without step backs in accordance with the Code or as approved by the Planning and Development Department.

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, on site circulation and overall layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the gated entries shown on the submitted site plan does not meet standards and must be redesigned to meet current standards or the gates be deleted.

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15. Site development to comply with all applicable conditions of approval for ZON-2735 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 13-lot single-family development on 4.56 acres adjacent to the southeast and southwest corners of Bronco Street and Corbett Street.

Since the 08/28/03 Planning Commission meeting, staff has discussed the project with the applicant. The applicant has indicated they are proceeding with the current design of the project. Therefore, the findings of this report have not changed.

B) Applicant's Justification

The applicant's justification letter states that the proposed development is compatible with the surrounding area. Additionally, the proposed zoning district conforms to the master plan.

BACKGROUND INFORMATION

A) Previous Actions

04/16/03 The City Council approved Annexation (ANX-1343) for the subject property. The Planning Commission recommended approval. The effective date was April 25, 2003.

09/11/03 The Planning Commission recommended denial of a related Rezoning (ZON-2735) from U (Undeveloped) [R (Rural Density Residential) general plan designation] to R-PD3 (Residential Planned Development – 3 Units Per Acre).

09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #11).

B) Pre-Application Meeting

07/02/03 A series of meetings resulted in the current proposal. Over the course of the meetings suggested revisions to the site plan included a reduction in the number of lots in order to meet Rural Preservation Neighborhood requirements and the inclusion of open space.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.56
Net Acres: 3.47

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

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	
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

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. The density of the proposed development is 2.85, which is within the parameters of a Rural Preservation Neighborhood buffer.

Clark County Notification

The Clark County Planning Department was notified of this request, as parcels within the notification radius are located within Clark County's jurisdiction.

PROJECT DESCRIPTION

The proposed development will result in the construction of 13 lots on 4.56 acres, for a density of 2.85 dwelling units per acre. A 39-foot wide private street will be provided with access off Bronco Lane. Open space, in the form of two 20-foot wide dead-end trails at the cul-de-sac bulbs is provided in accordance with R-PD (Residential Planned Development) requirements. Over half the lots are proposed to be in the 11,000 square foot size range, with the lot sizes ranging from 8,750 square feet to 11,250 square feet. The proposed development is not compatible with the surrounding area, as homes immediately surrounding the subject site range from a half-acre to one-acre in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The applicant proposes the following Development Standards:

Standards	Proposed	R-D	R-1	Acceptable
Min. Lot Size	8,750 SF	11,000 SF	6,500 SF	N
Min. Lot Width	70 Feet	90 Feet	65 Feet	N
Min. Setbacks				
• Front	20 Feet	25 Feet	20 Feet	N
• Side	5 Feet	10 Feet	5 Feet	N
• Corner	10 Feet	15 Feet	15 Feet	N
• Rear	15 Feet	30 Feet	15 Feet	N
Max. Lot Coverage	Not Indicted	N/A	50%	N
Max. Building Height	Not Indicated	2 stories/35 Feet	2 stories/35 Feet	N

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The standards, namely lot width and setbacks, proposed by the applicant more closely resemble a R-1 (Single Family Residential) zone than what would typically be found on a rural homesite. As identified above, the R-D (Single-Family Residential – Restricted) zone provides standards more appropriate for a rural environment. The established development standards for the R-D zone; including 11,000 minimum lot size, 90-foot minimum lot width requirements, and larger setbacks that create open area between dwellings, are more in proportion with patterns of development in the immediate area.

A2) Parking and Traffic Standards

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

Uses	**Required**		**Provided**
	Ratio	Parking	Parking
Single Family, Detached	2 spaces/dwelling unit	2 spaces per lot	3-car garages

Submitted elevations and floor plans depict 3-car garages on the various models, thus meeting 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**		**Provided**
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	31 Trees	50 Trees
• Min. Zone Width (adj. to R.O.W.)	6 Feet		6 Feet

The landscape plan depicts 6-foot landscape planters along all rights-of-way. The landscape plan indicates that Shoestring Acacia and Mondel Pine trees will be placed every 20 feet on-center, exceeding the minimum amount required

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
4.56 acres	2.85	1.65	4.7%	9,340 SF	5.9%	11,760 SF

The submitted site plan depicts open space in excess of the required amount. In the context of the Rezoning application, the provision of the required amount of open space supports the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning, as the intent of an R-PD (Residential Planned Development) district is to provide amenities in exchange for an increase in density. However, another attribute to a R-PD (Residential Planned Development) project is innovation in design. The provision of open space as 20-foot wide dead-end trails at the cul-de-sac bulbs limits resident's ability to effectively access and utilize the open space.

B) General Analysis and Discussion

- Zoning

  The existing General Plan designation of the subject site is R (Rural Density Residential). The proposed rezoning to R-PD3 (Residential Planned Development - 3 Units Per Acre) is consistent with the current General Plan designation. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings immediately to the south, west and north of the subject site are rural, equestrian estates approximately one-half to one-acre in size.

- Site Plan

  The site plan depicts 13 lots with access to a 39-foot wide private street. The private street takes the form of two separate cul-de-sacs both taking access from Bronco Street. Gates are depicted at the entrance of each cul-de-sac. The Department of Public Works has indicated that the gates do not meet minimum standards, therefore a condition has been included to require the applicant to meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and overall layout. Perimeter landscaping is shown along Bronco Street and Corbett Street in accordance with Title 19. Open space is located at the end of each cul-de-sac and takes the form of 20-foot wide linear parks/trails.

- Waivers

  There are no waiver requests associated with this application.

- Landscape Plan

  The landscape plan depicts perimeter landscape planters adjacent to the right-of-way and two 20-foot wide linear parks/trails at the cul-de-sac bulbs as the required amount of open space. Because the open space trails do not connect to an established trail system or to a sidewalk; resident's ability to effectively access and utilize the open

space is limited. To increase the effectiveness of the proposed open space, a condition has been added to require gates at the Corbett Street end of the linear parks/trails to allow residents to access the sidewalk. Plant materials include 24-inch Allepo, Mondel Pines, Shoestring Acacia trees and 5-gallon Indian Hawthorne shrubs.

- Elevation

  Building materials, finishes and dimensions were not included in the submittal, however from the rendering it appears that the dwellings will consist of tile roofs and stucco exteriors. The homes will be two stories; because the dimensions were not included the overall height cannot be determined. A condition has been added limiting the building height to 2 stories or 35 feet, whichever is less.

- Floor Plan

  The submitted floor plans do not include dimensions; therefore staff is unable to perform a preliminary lot fit analysis to ensure the homes can be placed on the lot given the proposed setbacks. The lot fit analysis is a tool used to prevent future variance requests. As discussed in the development standards portion of the report, the setbacks in combination with what appears to be homes of considerable size, conflict with the rural character of the surrounding area.

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;"**

   No large tracts of land remain undeveloped in the surrounding area; the majority of the land is within Clark County's jurisdiction and contains one-half to one-acre home sites, thus creating a rural environment. This fact minimizes the potential for future large-scale, single-family development in the area, as the acquisition of land becomes more difficult. A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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 development is consistent with the General Plan as well as Title 19, Rural Preservation Neighborhood density limitations and other standards. However, in the context of the development in the area, the proposal is out of character with the existing one-half to one-acre home sites and primarily rural environment.

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

The subject site has access to Bronco Street, which will be developed as a 60-foot right-of-way with ultimate access to Jones Boulevard, a 100-foot primary arterial, which is adequate to meet the requirements of the proposed zoning district.

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

Landscape materials are appropriate for that area. Building materials were not specified by the applicant, however from the rendering, the dwellings appear to consist of tile roofs and stucco exteriors, materials typical of single-family dwelling in 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;"**

Design characteristics inherent with this type of single-family product are not conducive to the existing rural environment of the surrounding neighborhood. The immediate area is developed with large home sites that utilize the existing street network. The proposed design rotates the dwellings to face interior, private streets. Additionally, the proposed setbacks for the development resemble the development standards established for a R-1 (Single Family Residential) zone, a zoning district more appropriate for suburban areas than for the existing rural environment the surrounds the subject site. The proposal will result in discord between the existing dwellings and the proposed development.

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

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 225 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2736 APN: 125-26-707-001/125-26-706-003

Name of Property Owner: BRONCO/CORBETT LLC

Name of Applicant: /AGENT - FARUS FARMANALI

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: Farus Farmanali

Print Name: FARUS FARMANALI

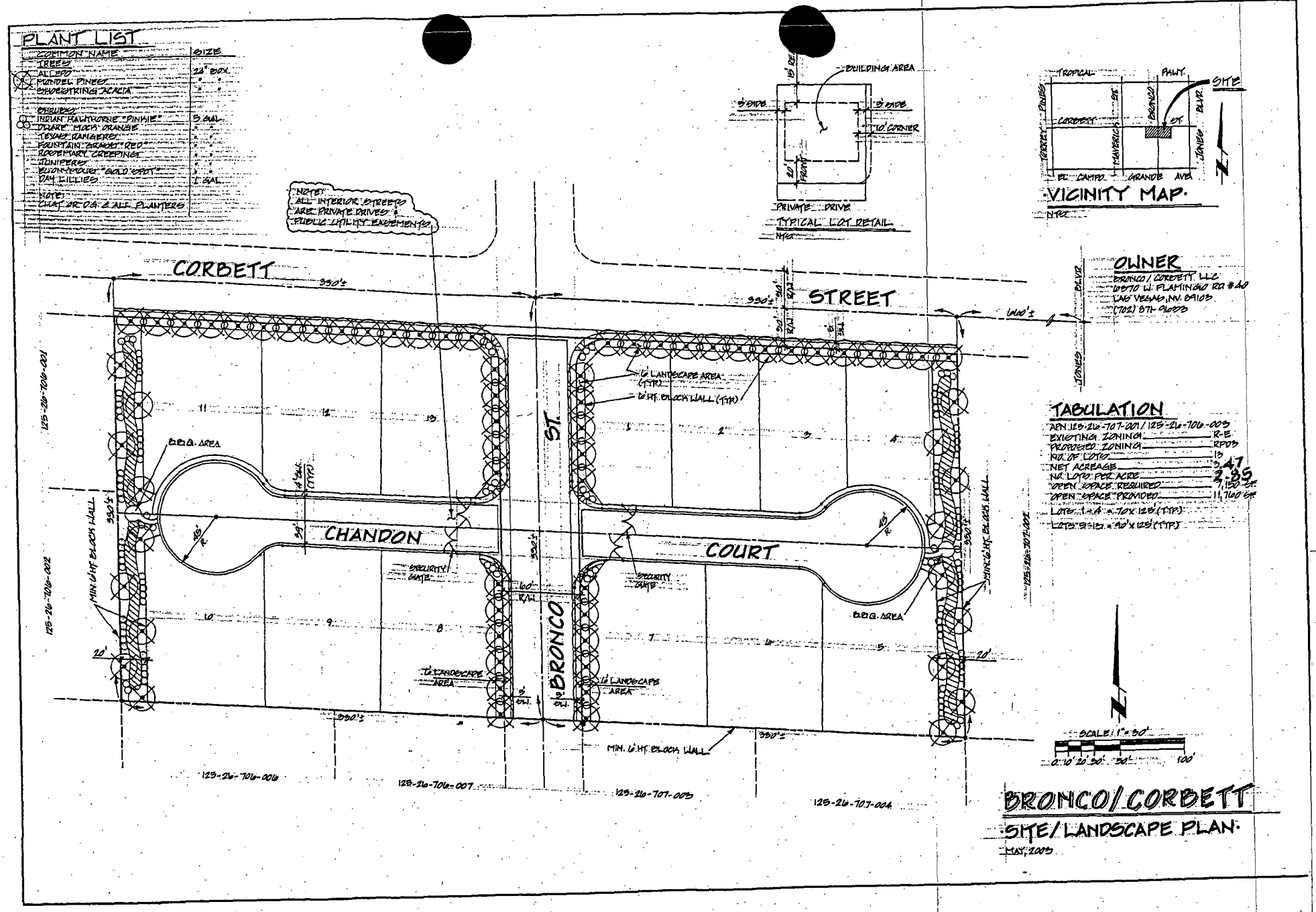
Subscribed and sworn before me

This 19th day of December, 2002

Patricia A. Barnes Clark NV

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PATRICIA A. BARNES
No: 01-71603-1
My Appointment Expires Oct. 30, 2005



SDR-2736

STAFF 8-28-03 PC

SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY
SOUTHWEST AND SOUTHEAST CORNERS OF CORBETT STREET AND BRONCO STREET
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/1/03

SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY
SOUTHWEST AND SOUTHEAST CORNERS OF CORBETT STREET AND BRONCO STREET
SEPTEMBER 11, 2003 PLANNING COMMISSION

8/1/03

City of Las Vegas

AGENDA SUMMARY PAGE

SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

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

SUBJECT:
ADDENDUM:

None.

City of Las Vegas

AGENDA SUMMARY PAGE
SPECIAL CITY COUNCIL MEETING OF: OCTOBER 29, 2003

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

COUNCILMAN REESE indicated he received a request from COUNCILMAN WEEKLY to announce, as Chairman of the Clark County Health Board, that particulate matter in the air is high as a result of the fires burning in California. He expressed the sentiment that everyone's hearts and prayers go out to the residents of southern California. He advised that questions and concerns regarding air quality should be directed to the Clark County Department of Air Quality, as the Health District no longer handles air quality issues. He further advised that everyone stay indoors as much as possible and not travel to southern California.

(2:30 – 2:31)

2-3219

AL GALLEGO, citizen of Las Vegas, stated that his cousin resides in Sandy Valley and advised him that residents could not see 100 yards in front of them due to the thickness of the smoke. He cautioned everyone about going outdoors, especially those with respiratory problems.

(2:31 – 2:32)

2-3296

COUNCILMAN BROWN announced that all fire stations in the City and throughout the entire Valley are accepting donations of bottled water to send to California to aid the firefighters. Relative to other types of donations, citizens should contact the Red Cross or Channel 8 directly to obtain a list of the items being accepted.

(2:32 – 2:33)

2-3337

MARIE FRANCIS, 8120 Bay Harbor Drive, indicated she is the owner of Marie Francis Productions in Las Vegas. She expressed her disappointment that the Production and Promotion Agreement for the Las Vegas Centennial Celebration was awarded to SFX Management, Inc., a subsidiary of Clear Channel Entertainment, a large California corporation. She indicated that Nevada companies should have been given the chance to compete for the $8,000,000 contract so that the monies could be utilized by local businesses and given back to the community. She also felt that the production company should be required to hire Nevada residents to work on this event.

City of Las Vegas

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Citizens Participation

MINUTES – Continued:

MS. FRANCIS advised that she spoke with MAYOR GOODMAN at a Rotary Club meeting in September. As a result of that conversation, she wrote a musical production covering the 100 years of the Centennial. She attempted to present the musical to the Mayor but was unsuccessful. However, she received a call from RICHARD HOOKER, who is in charge of the cultural events for the Centennial, and presented her production to him; he appeared to enjoy it. However, MR. HOOKER later advised her that the City was negotiating with a California corporation for the celebration production. She felt this was wrong and wanted to express that sentiment to the City Council today. She submitted a letter containing her musical production ideas to the City Clerk.

(2:33 – 2:37)
2-3367/3-1

STEPHEN "CAPTAIN TRUTH" DEMPSEY, indicated that his constituents have identified one of the major problems with bureaucrats, which is expressed most appropriately in a quote by Lenin: "We've been non-vigilant as far as the general public. We've allowed useful idiots and unwitting dolts to maintain office." He stated there was an interesting example of this today on the *Perfectly Frank* radio talk show on KLAV 1230 AM, from 11:00 a.m. to Noon; a medical advancement was announced concerning the causes of illness and disease. However, this medical breakthrough was never announced on the major news stations for the benefit of the public. The public is not being told the truth and elected officials are not listening.

MR. DEMPSEY went on to state that he has been appearing before the City Council for ten months attempting to obtain a show cause hearing for one of the gentlemen's clubs in Las Vegas. The business has generated 737 police calls resulting from individuals being beaten, robbed, and hospitalized. He indicated he has provided all pertinent information to the Council. He did not understand how the Council could allow this business to continue to operate.

(2:37 – 2:43)
3-7

LEE WAYNE HAYNES, Boulder City, stated that Ward 1 is faced with an unwanted State move to place a psychiatric hospital at the corner of Oakey and Jones Boulevards. There are day care centers, family homes, and retail businesses in this area that support this long-established neighborhood. He commented that there has been no organized support for this action but much organized opposition. He sat in on a meeting with the Charleston Neighborhood Preservation group, the Torrey Pines/Oakey Central group, and representatives of the State. The neighborhood organizations made it very clear that they did not want this hospital in the neighborhood. Further, the meeting participants were told unequivocally by the State that this hospital would have been completed prior to the election but for Councilman Michael McDonald's request that the issue be delayed until after the election. Secondly, they were told that the hospital would not be placed at this location without the consent of the City. He requested that the Council prevent the State from placing the hospital at the proposed location.

(2:43 – 2:46)
3-163

City of Las Vegas

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Citizens Participation

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commended the Mayor for a terrific *60 Minutes* interview; it was appreciated. He asked if Nevada was able to send personnel and equipment to California to aid in the firefighting efforts. MAYOR GOODMAN replied that four trucks had been sent.

(2:46)
3-260

JUANITA CLARK appeared on behalf of the Charleston Neighborhood Preservation, Neighborhood Alliance, Torrey Pines/Oakey Neighborhood, and Artesian Neighborhood groups. These organizations are concerned with the saturation of mental and physical services being offered in the Torrey Pines and Oakey area of Las Vegas and felt that the proposed State psychiatric hospital should be located in a less urban area than the City of Las Vegas. She requested that these types of services be planned for a variety of locations rather than a single location.

MS. CLARK announced an event to be held at the Lowden's Veterans Center in honor of Veterans' Day on Tuesday, November 11, at 11:00 a.m., at the corner of Desert Inn Road and Cambridge Street. One of the highlights of the event will be the original Elvis Army uniform modeled by an Elvis impersonator. There will also be musical entertainment.

MAYOR GOODMAN expressed his disappointment that this event would be held on Veterans' Day since a lot of effort was put into the planned Veterans' Day Parade, which will also be held on November 11. He hoped that the participants in the event at the Lowden's Center would attend the parade because he would like to see a united front as far as the veterans are concerned. He requested that MS. CLARK extend an invitation to attend the parade to those present at the Lowden's Center event. MS. CLARK, in turn, requested that the Mayor extend an invitation to the parade participants to attend the event at the Lowden's Center.

(2:46 – 2:50)
3-282

FRANK PERNA, County resident, commented that there is a large significance that has been forgotten regarding Veterans' Day; it was 11:00 a.m. when the Armistice was signed for World War I. The event at the Lowden's Veterans' Center is being held at 11:00 a.m. for this reason; it is not to interfere with the parade.

MR. PERNA commented it was gratifying to see generous donations of blankets to the homeless in light of the fact that the military is sending all blankets to Iraq and Afghanistan. However, he indicated that Nevada is using its justice system as a club against the weakest citizens, specifically the homeless. These individuals already have enough problems to handle; and at least half of them are mentally ill.

City of Las Vegas

SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
Citizens Participation

MINUTES – Continued:

Lastly, MR. PERNA indicated he has been watching the Las Vegas Convention and Visitors Authority television advertisements and felt they were geared to the lowest common denominator in the tourist population by portraying the Las Vegas Valley as an immoral playground. And, now, the Mayor is talking about legalizing prostitution. He requested that this issue be dropped because it is detrimental to the City's image.

(2:50 – 2:53)

3-406

At JUANITA CLARK'S request, the overhead picture she previously displayed was re-displayed for the benefit of the audience.

(2:53 – 2:54)

3-510

MEETING ADJOURNED AT 2:54 P.M.

Marie Frances Productions, Inc.
8120 Bay Harbor Drive
Las Vegas, NV 89128
304-0498

October 29, 2003

City Council

Gentlemen:

Today I visited the council meeting to discuss the contract for the Centennial being given to a California firm. To my surprise the big California conglomerate was also at the council meeting and they were approved as the company who would:

1. Produce all events for the Centennial
2. Produce all shows for the Centennial
3. Create all advertising – magazine, print, radio, and TV
4. Produce all TV shows
5. Initiate all celebrations
6. Plus many other advantages

The City Council represents the people of Las Vegas, why do you give our money to a California firm? Do you really believe that all your constituents are stupid business people unable to do execute the "Centennial"? Yes, All the volunteers will come from Nevada, yes, all the churches, schools, shopping centers, casinos, etc. will give money, effort, time, to promote the Centennial, but it will be the people of California who will walk away with their money and efforts. The amount I was told this company would receive in 8 Million dollars. We business people in Las Vegas could use that money and we give back to our community. Will the Californians give back to Las Vegas, or just take the money that we Las Vegas residents have paid in taxes and leave.

The City council should always be on the side of the people of Las Vegas. They elected you. Many businesses in Las Vegas are more than capable of producing shows, creating advertising, and working on an International basis.

My disappointment in the City Council is overwhelming.

On September 4, 2003, Mayor Oscar Goodman came and spoke to my Rotary Club. His personality cannot be beat. What charisma! After the meeting I went up to him to talk to

Submitted at City Council
Date 10/29/03 Item Citizen's Participation

him. At that time I mentioned that I was producing an "OFF BROADWAY" show. He immediately told me to call his office that they needed a show for the centennial.

What Centennial? I had not heard a word about a centennial. So I called the mayor's office.

Nothing is more important to any business than the person who answers the telephone in an office. I was amazed when the voice was annoyed and hostile. I explained that I was told to call about the Centennial. She said," You can not see the Mayor about this call Stacy." So I called Stacy. I could not see her either. She had no information about the centennial. She did not even have a piece of paper with anything written on it to send me. Nothing. How strange!

So, I called back to the Mayor's office again and told them that Stacy had no information. Nothing. No fliers, pamphlets, suggestions, nothing! I felt my name and telephone number.

Because the mayor had said that they wanted a musical show I started to write one about him. It is easy to write about someone with lots of personality and an exciting past. It was now Sept. 20 and I received a call from Richard Hooker, the man in charge of the cultural events for the Centennial. He was willing to see me. How great!

I finished the musical and went in to see him. We sat and went over the musical together. He loved it and laughed and laughed. His exact comment was," Marie you have captured the personality of the Mayor" But further he told me that the Centennial was setting up Grants for the people of Las Vegas to come in with ideas as I had. I needed now to get the theater, dates and budget. I was amazed! What? He also had no paper for me. No grant papers, no information written down on any paper. Just talk.

I thought Mr. Hooker was a wonderful man. He really wanted to help me and he told me all that he knew. Everyone is busy. I always appreciate when someone gives me their time and tries to help me. Mr. Hooker advised me that the Centennial really wanted a musical about the entire Centennial. Could I do that? I was leaving for New York that Thursday but I'd think about it.

My friend told me that the Mayor was having a Coffee on Friday Sept. 25 so I postponed my trip to New York to give the Mayor my Musical about him. I went to the coffee and presented the musical to the mayor. I then left for New York to produce my show there.

While on my flight to New York my mind kept thinking about the musical, "Celebration!"
On the plane I figured out how to write the story and began writing the first songs. When I arrived in New York I called Mr. Hooker and told him that I had the beginning of the centennial musical," Celebration". He said to fax it to him. I did. When I called him back he said that he thought it was time for me to meet the Centennial committee. I told him I'd be back in October and I'd love to meet with them.

Upon my return back, I called Mr. Hooker. He told me that everything had changed. That a big conglomerate from California was negotiating with Stacy. That she did not allow him to attend the meetings and he did not know what was happening. But he still had no printed information about the centennial.

Why was the contract going to a California firm? That means that everything will be created by their friends, Californians, the actors will be Californians, the producers, the directors, etc. All the creative artists would be from California. Why? The City council is not watching what is happening, they are not protecting their people from outside interest.

I am enclosing what I have created for the centennial. My company has put in many hours of work and I will continue to do so. As far as I know, the Centennial Committee did not talk to any Las Vegas company. They didn't even invite their own people like Mr. Hooked to the negotiations.

My company is an International Production Company. I have worked all over this world creating TV, live stage, and events. I will send the council my press clippings from all over the world just for the records. I have worked for, "That's Incredible!" "Ripley's believe it or Not", "You Asked for It" and many others. I started the Miss Egypt Universe in Cairo Egypt and the Pyramids Marathon. I am still producing, "The Mount Kilimanjaro Marathon" in Tanznaia, Africa. Now That I live in Las Vegas I thought I'd produce some events and shows here. This council is stopping me from doing that.

It may seem that a large company is best, but that is not always true. The top executives get very big salaries and they hire unskilled personnel at very low salaries to do the job. I am very disappointed in the way this company was chosen and approved. No one on the council asked them one question and the amount they were being paid was not even mentioned. I was there. I saw how easy it was for them to get the money from Las Vegas.

I have enclosed a number of events I am producing. I am not giving the names of the casinos or theaters because I really do not know what is really happening here in Las Vgeas.
I sincerely feel that the council is against the residents of Las Vegas and for the Californians.

This agreement should be renegotiated in favor of Las vegas residents.

Yours truly,

Marie Frances

Marie Frances

MARIE FRANCES PRODUCTIONS, INC.
8120 BAY HARBOR DRIVE
LAS VEGAS, NV 89128
702-304-0498

NEW WEBSITE

LAS VEGAS CENTENNIAL.US

1. **MUSICAL, "CELEBRATION" A MUSICAL STORY THAT COVERS THE HISTORY OF LAS VEGAS FROM 1905 -2005. (C) 2003 Marie Frances Productions, Inc. All rights reseved**

Story, Music, and Lyrics composed by Marie Frances. Besides the original music composed by Marie Frances, there are the popular songs of the period. In 1905 Railroad songs were popular such as, "I've been Working on the Railroad", and many Irish songs that we sing today were popular, such as, "I'll take you Home again The Kathleen." The musical story contains original songs expressing how the people who lived through these times felt, plus what they themselves were singing. All historical music has been carefully researched and reflects the times they were composed. 15 original songs have been added starting with:

"Who would do It?" a song about the people who first came to the Las Vegas area and their struggle here in the desert. The sacrifices they had to make to survive and build the city of Las Vegas.

"Love Me" a song sung by a 'Lady of the Night' in a brothel asking for true love.

"The Yanks are going!" A parody on the WWI song ,"Over There"

"Jolly Oscar" a song about our happy mayor, Oscar Goodman.

"Ask Steve Wynn" a song that demonstrates how great the ideas were that gave us,"The Mirage". "The Bellagio", "Treasure Island", etc. If you want something great," Ask Steve Wynn'.

"He is the man!" a song about Howard Hughes' genius and his attitude towards himself as, "The Man"

"Celebration" to be staged May 2005. Negotiations are in progress. If any person is interested in this project contact Marie Frances productions, Inc. For more information. T. 304-0498

2. "The Most Happy Mayor" (C) 2003 Marie Frances Productions, Inc. All Rights reserved. Story, music and Lyrics by Marie Frances. A musical comedy that tells the story of Oscar Goodman's life here in Las Vegas. A show as happy and clever as our mayor is. The show captures the mayor's lively joyous personality while showing his brain power. It was especially created for the centennial and the mayor. Negotitaions are in progress for production in May 2005. If anyone is interested in this project and wants more information call Marie Frances productions, Inc.
Six original songs: Show runs 1 hour 15 minutes.
"He figured it Out!" Obviously, this song is sung by the jury. Who is amazed at how Oscar can defend and get defendants freed. Four part harmony among 12 men.
"I've Got Personality Plus" sung by the mayor when he is running for the office of Mayor.
"My Town" sung my the mayor during his election campaign.
"My Memories" sung by the mayor's wife to him. It is a love song filled with memories of the past and their life together.
"Mayor's Promise", The song the mayor sings when he has won the election as mayor of Las vegas and states how he will improve Las Vegas.
"Downtown", A song sung by the children of the mayor to express the mayor's favorite project.

3. "The Centennial Marathon" (C) 2003 Marie Frances Productions, Inc. All rights reserved. The Centennial Marathon will take place Sunday, November 15, 2005 at 8AM. Contract to be signed Nov. 2003.

4. "The Centennial Car Show" (C) 2003 Marie Frances Productions, Inc. All Rights reserved. The Centennial Car show will take place from May 2005 to July 2005. Contract to be signed Nov. 2003.

More events and celebrations to come. Keep your eye on this page and jion in the fun of the "Las Vegas Centennial".

5. "Miss Las Vegas Centennial" – (c) 2003 Marie Frances Productions,Inc. All rights reserved. To take place December 2004. Negotiations under way.

7. Exhibits –"The History of Las Vegas in Photos" © 2003 Marie Frances productions, Inc.

8. "Las Vegas on Broadway" © 2003 Marie Frances Productions, Inc. A musical production on "OFF BROADWAY" A showcase on Broadway. Cost $50,000.

9. Books:
"Happy 100th Birthday Las Vegas" © 2003 Marie Frances Productions, Inc. a children's book with 50 old photos from the Library of congress.

"The History of Las Vegas in Pictures" © 2003 Marie Frances Productions, Inc. © 2003 Marie Frances Productions, Inc.

THE OCTOBER 15, 2003 CITY COUNCIL MEETING WAS CANCELLED ON OCTOBER 14, 2003 DUE TO AN INCOMPLETE POSTING NOTIFICATION.

ALL ITEMS FROM THE OCTOBER 15 MEETING WERE EITHER HANDLED ADMINISTRATIVELY OR RESCHEDULED TO ONE OF TWO SPECIAL CITY COUNCIL MEETINGS, OCTOBER 23, 2003 AND OCTOBER 29, 2003.

City of Las Vegas

CANCELLATION OF CITY COUNCIL MEETING
COUNCIL CHAMBERS
400 STEWART AVENUE
CITY OF LAS VEGAS INTERNET ADDRESS:
http://www.LasVegasNevada.gov
WEDNESDAY, OCTOBER 15, 2003
9:00 A.M.

CANCELLED

THE WEDNESDAY, OCTOBER 15, 2003 CITY COUNCIL MEETING HAS BEEN CANCELLED DUE TO A POSTING NOTIFICATION ERROR AND RESCHEDULED TO WEDNESDAY, OCTOBER 29, 2003 COMMENCING AT 9:00 A.M.

THIS NOTICE HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizens Center, 450 E. Bonanza
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **14th** day of **October, 2003**, a copy of NOTICE, the attached of which is a true and correct copy of the Notice – re: **Cancelled City of Las Vegas City Council Meeting** to be held on the **15th day of October, 2003,** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Eva Cotton

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

15th day of October, 2003

Beverly K Bridges

NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton, Sharon Kuhns, and Donna Willey, employees of the City of Las Vegas, Nevada being first duly sworn, depose and say that on the **14th** day of **October, 2003** at the hour of **4:30 P.M.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **Cancelled City of Las Vegas, City Council Meeting** to be held on the **15th day of October, 2003,** at **9:00 A.M.,** Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

SK 1. In the Clark County Library, 833 Las Vegas Blvd., No.

SK 2. In the Senior Citizens Center, 450 E. Bonanza Road

DW 3. Clark County Government Center, 500 S. Grand Central Parkway

4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (near the entrance to the Court Clerk's Office);

5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court).

Eva Cotton Sharon Kuhns Donna Willey
Signature

City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 15th day of October, 2003

Beverly K Bridges
NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Kristene Honzik, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **9th** day of **October, 2003**, a copy of NOTICE, the attached of which is a true and correct copy of the Notice – re: **City of Las Vegas City Council Meeting** to be held on the **15th day of October, 2003,** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Kristene Honzik
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this
14th day of October, 2003

Beverly K Bridges
NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **14th** day of **October, 2003** at the hour of **12:30 P.M.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **City of Las Vegas, City Council Meeting** to be held on the **15th day of October, 2003,** at **9:00 A.M.,** Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

1. In the Clark County Library, 833 Las Vegas Blvd., No.,(Faxed)
2. In the Senior Citizens Center, 450 E. Bonanza Road, (Faxed)
3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (near the entrance to the Court Clerk's Office);
5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court).

Signature

City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 20th day of October, 2003

NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

City of Las Vegas

CITY COUNCIL AGENDA

OCTOBER 15, 2003
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City of Las Vegas

CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011
CITY OF LAS VEGAS INTERNET ADDRESS: http://www.LasVegasNevada.gov
OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)
COUNCILMEMBERS: LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),
LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1)

Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

OCTOBER 15, 2003

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF $3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF $5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND CYNDI DeLONG, RELIGIOUS SCIENCE
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF BRIAN KRAL AND THE RAINBOW COMPANY
- RECOGNITION OF THE PALO VERDE HIGH SCHOOL BASEBALL TEAM
- SPECIAL PRESENTATION BY THE CLARK COUNTY HEALTH DISTRICT
- RECOGNITION OF POLICE AND FIRE GAMES CHAMPION SWIMMER RYAN WYNN

BUSINESS ITEMS

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

2. Approval of the Final Minutes by reference of the Regular City Council Meeting of September 17, 2003

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

ADMINISTRATIVE - CONSENT

3. Approval of professional services agreement with Kirchhoff & Associates for an organizational and management study ($63,700 - General Fund)

4. Approval of the Production and Promotion Agreement between SFX Management, Inc. a subsidiary of Clear Channel Entertainment (CCE), and the Commission for the Las Vegas Centennial to provide development, creation, production and promotion of all aspects of the Las Vegas Centennial Celebration – All Wards

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

6. Approval of modification to the Parks in Progress listing to remove projects and to allocate $50,000 to the Charleston Heights Community School Modular project ($50,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)

7. Approval of a new Family Child Care Home License, Sandra Hansen, 3612 Crescent Canyon Street, Sandra Hansen, 100% - Ward 4 (Brown)

8. Approval of a new Family Child Care Home License, Rebecca Ann Mallet, 5704 Alta Drive, Rebecca A. Mallet, 100% - Ward 1 (Moncrief)

9. Approval of a new Family Child Care Home License, Rachael Painter, 3925 Prospect Street, Rachael Painter, 100% - Ward 6 (Mack)

10. Approval of a new Family Child Care Home License, Erika Thompson, 3680 Copper Cactus Drive, Erika Thompson, 100% - Ward 4 (Brown)

11. Approval of License Holder for a Child Care Center/Nursery License, Childtime Childcare, Inc., dba Childtime Children's Center, 555 Page Street, From: Taylor Ward, VP, License Holder, To: Susan Brisbane, Area Mgr, License Holder - Ward 3 (Reese)

12. Approval of License Holder for a Child Care Center/Preschool License, Solid Rock Learning Center, 2929 Cedar Avenue, From: Douglas Oliverius, Administrator, License Holder, To: Mark L. Lebsack, Pastor, License Holder - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of a Special Event License for Society of St. Mary - Our Lady of Las Vegas, Location: Our Lady of Las Vegas School Grounds, 3050 Alta Drive, Date: October 18, 2003, Type: Special Event General, Event: Harvest Festival, Responsible Person in Charge: Gregory G. Smith - Ward 1 (Moncrief)

14. Approval of a Special Event License for Northshore Entertainment Group, Location: Steiner's "A Nevada Style Pub", 8410 West Cheyenne Avenue, Suite 107, Date: October 25, 2003, Type: Special Event General, Event: Oktoberfest 2003, Responsible Person in Charge: Linda Gagliardi - Ward 4 (Brown)

15. Approval of a Special Event License for Nana B's Trattoria, Location: 510 South Rampart Boulevard, Dates: October 24-26 and 28-31, 2003, Type: Special Event General, Event: Halloween Festival, Responsible Person in Charge: John Bengimina - Ward 2 (L.B. McDonald)

16. Approval of Liquor Caterer License, B & R, Inc., dba Timbers, 2200 North Rainbow Boulevard, Andrew B. Donner, Dir, Pres, Secy, Treas, Timbers Hospitality Group, Inc., 100%, Donner Investment Trust, 52.542%, Andrew B. Donner, Trustee, Gregory A. Bank, 11.017%, Jack L. Breslin, 8.475%, Robert O'Neil, 8.475%, Michael D. Donner, 4.237% - Ward 6 (Mack)

17. Approval of Change of LLC Name and Business Name for a Tavern License, From: L.V.B.L. Las Vegas Bar & Liquor, LLC, dba Las Vegas Bar & Liquor, To: My Cousin Vinny, LLC, dba My Cousin Vinny, 1600 East Sahara Avenue, Robert J. A. Ferranti, Sr., Mgr, Mmbr, 100% - Ward 3 (Reese)

18. Approval of a new Restricted Gaming License for 7 slots subject to approval by the Nevada Gaming Commission, Assahouri & Assahouri, dba S & A Mart, 8490 Westcliff Drive, Abdel K. Assahouri and Mona A. Assahouri, 100% jointly as husband and wife - Ward 2 (L.B. McDonald)

19. Approval of Change of Location for a Locksmith License subject to the provisions of the planning & fire codes, A & B Security Group, Inc., dba A & B Security Group, Inc., From: 3400 West Desert Inn Road, Suites 14 & 40, To: 3201 West Sahara Avenue, Gary W. Schaff, Dir, Pres, Secy, 100% - Ward 1 (Moncrief)

20. Approval of Contract No. 040060-LW, Water Pollution Control Facility information technologies planning - Department of Public Works - Award recommended to: MWH AMERICAS, INC. ($566,950 – Sanitation Enterprise Fund)

21. Approval of award of Contract No. 040099-CW, Electronic Document Management Implementation Services - Department of Information Technologies - Award recommended to: IMERGE CONSULTING, INC. ($521,104 – Internal Service Fund)

22. Approval of award of Bid Number 03.15341.01-CW, Charleston Heights Community School Modular Office Building and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: FEDERAL GENERAL, INC. ($255,788 - Capital Projects Fund) - Ward 1 (Moncrief)

23. Preapproval of award of Bid Number 040069-LED, Demolition of Bishop Hall, First Baptist Church to the lowest responsive and responsible bidder and approve the construction conflicts and contingency reserve set by Finance and Business Services - Neighborhood Services ($90,000 - Capital Projects Fund) - Ward 5 (Weekly)

24. Approval of revision number two to purchase order 214815 for Emergency Medical Services (EMS) Transport Claims Processing, Filing and Management - Department of Fire and Rescue - Award to: MEDICLAIMS, INC. ($50,000 - General Fund)

25. Approval of issuance of a purchase order for an annual requirements contract for John Deere OEM parts and service - Department of Field Operations - Award recommended to: BLAINE EQUIPMENT CO., INC. (Estimated annual amount of $50,000 - Internal Service Fund)

26. Approval of issuance of a purchase order for an annual requirements contract for International OEM parts and service - Department of Field Operations - Award recommended to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (Estimated annual amount of $50,000 - Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

27. Approval of award of Contract No. 040074-LW for the development and implementation of a Maintenance Optimization Program - Department of Public Works - Award recommended to: COMPUTATIONAL SYSTEMS, INC. ($35,294 - Enterprise Fund)

28. Approval of revision number two to purchase order 216081 for paging services - Department of Information Technologies - Award to: METROCALL, INCORPORATED ($10,000 - General Fund)

HUMAN RESOURCES DEPARTMENT - CONSENT

29. Approval to contract with Lumenos as provider for Consumer Driven Health Care as a third option to the City Health Insurance Plan (CHIP) and Health Plan of Nevada (HPN)

LEISURE SERVICES DEPARTMENT - CONSENT

30. Approval of the expenditure of $40,000 (General Fund) for artistic services to create a public sculpture for Mary Dutton Park - Ward 3 (Reese)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

31. Approval of an allocation of $22,000 Community Development Block Grant funding to Clark County Legal Services Program, Inc for office expansion at 800 South Eighth Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

32. Approval of a Third Supplemental Interlocal Contract reducing funding for construction of Local Drainage Improvements in Crystal Water Way between Lake South Drive and Desert Inn Road ($209,979 reduction - Clark County Regional Flood Control District) - Ward 2 (L.B. McDonald)

33. Approval of a Dedication from the City of Las Vegas, for portions of the Northwest Quarter of Section 28, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way located on Durango Drive "S" Curve alignment from Tropical Parkway northwesterly to Centennial Parkway - Ward 6 (Mack)

34. Approval of Interlocal Agreement #108442 between the City of Las Vegas and Las Vegas Valley Water District for Special Improvement District No.1493 on Alexander Road and Hualapai Way between Cheyenne Avenue and Cimarron Road - Ward 4 (Brown)

35. Approval of a First Amendment to the Engineering Design Services Agreement with The Louis Berger Group for design of the CAM 10 Detention Basin ($125,000 - Clark County Regional Flood Control District) - Wards 4 and 6 (Brown and Mack)

36. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Stantec Consulting Inc. on behalf of White Horse Estates, LLC, owner (southeast corner of Torrey Pines Boulevard and Farm Road, APN 125-14-701-001) - County (near Ward 6 – Mack)

37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - JPL Engineers, Inc. on behalf of Joseph D. Levin and James R. York and L'Donna York, owners (north of Helena Avenue, between Tomsik Street and Cimarron Road, APN 138-04-303-005 and 138-04-303-006) - County (near Ward 4 – Brown)

38. Approval of an Encroachment Request from Southwest Engineering on behalf of Southwest Homes, LLC, owner (northeast corner of Campbell Road and Elkhorn Road) - Ward 6 (Mack)

39. Approval of an Encroachment Request from Chad Vellinga, P.E., on behalf of Rancho Courtyard, LLC, owner (Rancho Drive south of Charleston Boulevard) - Ward 1 (Moncrief)

PUBLIC WORKS DEPARTMENT - CONSENT

40. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Paul M. Christopher, owner (northwest corner of El Capitan Way and Helena Avenue, APN 138-05-301-049) - County (near Ward 4 – Brown)

41. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Mary Irby, owner (northwest corner of Tropical Parkway and Bonita Vista Street, APN 125-29-610-001) - County (near Ward 6 – Mack)

42. Approval of an Encroachment Request from PMK, LLC, on behalf of Mark James, LLC, owner (6th Street between Lewis Avenue and Clark Avenue) - Ward 1 (Moncrief)

RESOLUTIONS - CONSENT

43. R-138-2003 - Approval of a Resolution Amending Schedules 25-II, 35 MPH Speed Limits, and 25-IV, 45 MPH Speed Limits, to change the speed limit from 35 to 45 MPH on Ann Road from US 95 to the East City Limits - Ward 6 (Mack)

44. R-139-2003 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to add a speed limit of 35 MPH on Elkhorn Road from Decatur Boulevard to Sky Pointe Drive - Ward 6 (Mack)

45. R-140-2003 - Approval of a Resolution concerning a proposed special improvement district for Cliffs Edge and approving the form of a deposit agreement - Ward 6 (Mack)

46. R-141-2003 – Approval of a Resolution Adopting a Schedule of Traffic Signal Impact Fees And Related Traffic Signal System Component Costs

47. R-142-2003 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

48. R-143-2003 - Approval of a Resolution approving the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

49. R-144-2003 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Seventh Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

50. R-145-2003 - Approval of a Resolution approving the Forty-Seventh Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

51. R-146-2003 - Approval of a Resolution directing the City Treasurer to prepare the Second Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

52. R-147-2003 - Approval of a Resolution approving the Second Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

53. R-148-2003 - Approval of a Resolution directing the City Treasurer to prepare the Third Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

54. R-149-2003 - Approval of a Resolution approving the Third Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

55. R-150-2003 - Approval of a Resolution directing the City Clerk to notify the Clark County Debt Management Commission (DMC) of a proposal to amend the use of proceeds and pledged funding source for the City of Las Vegas General Obligation $25,000,000 Parking Bonds (Additionally Secured by Pledged Revenues) Series 2002A - Ward 3 (Reese)

REAL ESTATE COMMITTEE – CONSENT

56. Approval of a Lease Agreement with Lukegroup, LLC dba Jiffy Smog for approximately two thousand square feet of free-standing building space and approximately six parking spaces located at 1501 North Decatur Boulevard ($2,000 revenue/month - Miscellaneous Rentals) - Ward 1 (Moncrief)

57. Approval of a Quitclaim Deed in favor of the United States of America from the City of Las Vegas pertaining to 10 acres of Bureau of Land Management land located in the vicinity of Rockmoss Street and Westcliff Drive, APN 138-28-801-002- Ward 2 (L.B. McDonald)

DISCUSSION / ACTION ITEMS

CITY ATTORNEY - DISCUSSION

58. Discussion and possible action on Appeal of Work Card Denial: Juliette Adriana Gil, 7785 Spanish Lake Drive, Las Vegas, NV 89113

59. Discussion and possible action regarding the Victims of Crime Act (VOCA) Sub-grant Award ($138,000 3-year period - Multipurpose Special Revenue Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

60. Discussion and possible action on the expenditure of funds for emergency purchases of supplies and services for damage repairs resulting from the August 19, 2003 flood - Various Departments - Award recommended to: VARIOUS SUPPLIERS AND CONTRACTORS ($478,676.04 - Various Funds)

61. Discussion and possible action regarding a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Sierra Fondue, LLC, dba The Melting Pot, 8704 West Charleston Boulevard, Suite 102, Bret D. Burkinshaw, Mmbr, Mgr, 75.6%, Kirk G. Hansen, Mmbr, Mgr, 4% [NOTE: Item to be heard in the afternoon session in conjunction with Item #115 - SUP-2833] - Ward 2 (L.B. McDonald)

62. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Food Marts, Inc., dba Oasis Mini Mart, Eli Applebaum, Dir, Pres, 29.5%, Alan Sklar, Dir, VP, Secy, 29.5%, Dennis Harrison, Dir, Treas, 17.2%, Stuart Warren, Dir, 16.4%, Marshall Cohen, Dir, 7.4%, Robert B. Harrison, Mgr, To: Spickler-Olenak, LLC, dba Munchies, 6390 West Lake Mead Boulevard, Steven R. Spickler, Mmbr, Mgr, 25%, Paula G. Spickler, Mmbr, 25%, Jason W. Olenak, Mmbr, 25%, Kimberly A. Olenak, Mmbr, 25% - Ward 6 (Mack)

63. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler On-sale License, Inno International, Inc., dba Tokyoto Sushi & Roll Japanese Restaurant, 1000 South Rampart Boulevard, Suite 16, Do Y. Kim, Dir, Pres, Secy, Treas, 100% - Ward 2 (L.B. McDonald)

64. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)

65. Discussion and possible action regarding an Appeal of Denial of Business License for an Ice Cream Truck, Cleofus Thergood, dba Mr. Freeze Ice Cream, 8924 Napoli Drive, Cleofus Thergood, 100% - Ward 2 (L.B. McDonald)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

66. Discussion and possible action regarding a purchase order with Rocky Mountain Institute to conduct a two day charrette for the design of a sustainable community as part of the Kyle Canyon Gateway Master Plan project - Planning & Development ($32,160 - General Fund) - Ward 6 (Mack)

RESOLUTIONS - DISCUSSION

67. R-151-2003 – Discussion and possible action regarding a Resolution to Give Notice and Set Public Hearing Date Regarding Proposed Sewer Connection and Service Fee Increases and Rights-of-Way Assessment Fee

BOARDS & COMMISSIONS - DISCUSSION

68. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Cheryl S. Polk, Term Expiration 6-2005 (Resigned)

69. ABEYANCE ITEM - CIVIL SERVICE BOARD OF TRUSTEES – Theodore Parker, Term Expiration 9-20-2003

REAL ESTATE COMMITTEE - DISCUSSION

70. Discussion and possible action regarding a Purchase and Sale Agreement between the City of Las Vegas and On the Web Marketing, Inc., for the purchase of a 2.942-acre parcel located on Crimson Canyon Drive, South of Peak Drive, with Assessor's Parcel Number 138-15-310-013 (Gain $1,089,131 - Industrial Revenue Fund) - Ward 4 (Brown)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

71. Bill No. 2003-76 – Ordinance Creating Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III Sponsored by: Step Requirement

72. Bill No. 2003-81 – Ordinance authorizing the issuance of City of Las Vegas General Obligation (Limited Tax) Medium-Term Recreation Bonds, Series 2003, not to exceed $20,000,000 - Ward 4 (Brown)

73. Bill No. 2003-82 – Establishes a traffic signal impact fee program for the City pursuant to State law. Proposed by: Richard D. Goecke, Director of Public Works

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

74. Bill No. 2003-75 – Includes time-share projects, hotels, motels, bed and breakfast establishments, lodging houses, apartment hotels, apartment houses, recreational vehicle parks and campground establishments within the transient lodging room rent tax provisions and licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services

75. Bill No. 2003-77 – Amends child care facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board. Proposed by: Mark Vincent, Director of Finance and Business Services

76. Bill No. 2003-78 – Establishes locational restrictions for the uses "auto pawn," "auto title loan," and "specified financial institution." Proposed by: Robert S. Genzer, Director of Planning and Development

77. Bill No. 2003-79 – Establishes zoning requirements for facilities that provide testing, treatment, or counseling for drug or alcohol abuse or for sex offenses, and updates zoning provisions regarding similar and related uses. Proposed by: Robert S. Genzer, Director of Planning and Development

78. Bill No. 2003-80 – Updates enforcement measures and remedies regarding abandoned and inoperable vehicles that are left on private property under certain circumstances. Sponsored by: Councilwoman Janet Moncrief

NEW BILLS

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

79. Bill No. 2003-83 – Adopts the 2003 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

80. Bill No. 2003-84 – Amends the City's version of the Uniform Administrative Code to adapt it to the City's adoption of the International Building Code and International Residential Code as the City's Building Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

81. Bill No. 2003-85 – Adjusts the building height, lot coverage, and on-site parking requirements and limitations applicable to senior citizen apartments, and adjusts the lot coverage limitations applicable to certain mixed-use developments that include a residential component. Proposed by: Robert S. Genzer, Director of Planning and Development

82. Bill No. 2003-86 – Makes minor corrections to the maps that depict the boundaries of the downtown area as described in the Downtown Las Vegas Centennial Plan, the Las Vegas 2020 Master Plan, and the Downtown Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

83. Bill No. 2003-87 – Requires all massage therapists and independent massage therapists to have their business licenses on their persons while performing massages, and changes the qualifying criteria for such licensing. Proposed by Mark Vincent, Director of Finance and Business Services

84. Bill No. 2003-88 – Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement District No.1502 (Grand Montecito Parkway) not to exceed $6,000,000 - Ward 6 (Mack)

85. Bill No. 2003-89 – Ordinance providing for the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Housing Note, Series 2003 not to exceed $2,000,000 - Ward 2 (Moncrief)

86. Bill No. 2003-90 – Amends Ordinance No. 5616, pertaining to drought conservation measures, to adjust the exemption provisions relating to the prohibition of fountains and water features. Proposed by: Douglas Selby, City Manager

87. Bill No. 2003-91 – Increases sewer connection and user service fees by forty percent over two years and institutes a new five percent assessment on sewer users for the City's use, improvement and maintenance of its rights-of-way utilized to provide sewer services. Proposed by Mark Vincent, Director of Finance and Business Services

1:00 P.M. - AFTERNOON SESSION

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

HEARINGS - DISCUSSION

89. Public hearing on proposed local improvement district for Special Improvement District No. 1493 - Hualapai Way/Alexander Road ($968,158.54 - Capital Projects Fund - Special Assessments) - Ward 4 (Brown)

PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

90. EXTENSION OF TIME - EOT-2835 - PETER PIPER INCORPORATED ON BEHALF OF CENTENNIAL HOLDINGS, LIMITED LIABILITY COMPANY - Request for an Extension of Time for an approved Special Use Permit (U-0074-02) which allowed a restaurant service bar at 7981 West Tropical Parkway (APN: a portion of 125-28-713-002), T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) land use designation, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

91. DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-2863 - G T V, LIMITED LIABILITY COMPANY ON BEHALF OF ANTELOPE, LIMITED LIABILITY COMPANY - Request for a Development Agreement for Grand Teton Village on approximately 160 acres generally located east of Hualapai Way and west of Grand Canyon Drive, between Farm Road and Grand Teton Drive (APN: multiple), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

92. REVIEW OF CONDITION - PUBLIC HEARING - ROC-2872 - D.R. HORTON, INCORPORATED - Request for a Review of Condition No. 2 of an approved Site Development Plan Review (SDR-1836), which required conformance to a zero-lot line pattern of development; and Condition No. 3 of an approved Site Development Plan Review (SDR-1836), which required a side yard setback of five (5) feet for a 101-lot single-family residential development on 15.00 acres adjacent to the southeast corner of Elkhorn Road and Campbell Road (APN: 125-20-101-004, 005, and 006), T-C (Town Center) Zone [ML (Medium-Low Density Residential - Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

93. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS - Request for a Site Development Plan Review for a proposed 9,955 square foot Family Dollar Retail Store and a reduction in the amount of perimeter and parking lot landscaping on 0.99 acres adjacent to the west side of Martin L. King Boulevard, approximately 400 feet south of Washington Avenue (APN: 139-28-304-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

94. MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN - PUBLIC HEARING - MOD-2851 - GREAT AMERICAN CAPITAL ON BEHALF OF HUALAPAI HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Major Modification to the Lone Mountain Master Development Plan to change the land use designation FROM: Neighborhood Commercial TO: Medium-Low Attached Density Residential on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

95. VARIANCE RELATED TO MOD-2851 - PUBLIC HEARING - VAR-2864 - GREAT AMERICAN CAPITAL ON BEHALF OF HUALAPAI HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow 4,244 square feet of open space where 23,430 square feet is the minimum required on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend DENIAL

96. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-2851 AND VAR-2864 - PUBLIC HEARING - SDR-2853 - GREAT AMERICAN CAPITAL ON BEHALF OF HUALAPAI HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review for a proposed 71-lot single-family residential development on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend DENIAL

97. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2840 - CVS/PHARMACY ON BEHALF OF JOHNSON FAMILY TRUST, ET AL - Request for a Modification to an existing Master Sign Plan (MSP-0004-02) for an existing retail complex on 2.11 acres adjacent to the southeast corner of Martin Luther King Boulevard and Lake Mead Boulevard (APN: 139-21-701-009 and 010), R-E (Residence Estates) and C-1 (Limited Commercial) Zones under Resolution of Intent to C-1 (Limited Commercial) Zone; and C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

98. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2841 - CVS 3172 LAS VEGAS, LIMITED LIABILITY COMPANY - Request for a Modification to an existing Master Sign Plan (MSP-0005-01) for an existing retail store on 1.94 acres located at 4391 East Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

99. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2842 - CVS/PHARMACY ON BEHALF OF S C P 2002E-40, LIMITED LIABILITY COMPANY - Request for a Modification to an existing Master Sign Plan (MSP-0003-01) for an existing retail store on 1.84 acres located at 3290 South Fort Apache Road (APN: 163-08-421-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

100. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2856 - COURTESY PONTIAC ON BEHALF OF JOSEPH SCALA - Request for a Master Sign Plan for an existing auto dealership on 4.43 acres at 7100 West Sahara Avenue (APN: 163-03-806-002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

101. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2858 - GREENSTREET PROPERTIES ON BEHALF OF MICAH 6:8 HOLDING, LIMITED PARTNERSHIP - Request for a Master Sign Plan for an approved retail center on 8.26 acres adjacent to the southeast corner of Charleston Boulevard and Odette Lane (APN: 163-05-502-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

102. VACATION - PUBLIC HEARING - VAC-2836 - PN II INC. - Petition to Vacate public sewer and drainage easements located in Antibes Street and Nige Street, north and south of Monte Viso Drive; and south of Monte Viso Drive, west of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

103. VACATION - PUBLIC HEARING - VAC-2847 - GREYSTONE NEVADA, LIMITED LIABILITY COMPANY ON BEHALF OF SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY AND CS 4015, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Reservations generally located south of Lone Mountain Road, west of Cliff Shadows Parkway, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

104. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-2538 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION - Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Variance TO ALLOW A 50-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 3500 West Sahara Avenue (APN: 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

105. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-2538 - PUBLIC HEARING - SUP-2537 - SHOW MEDIA ON BEHALF OF VALLEY BANK CORPORATION - Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 50-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 West Sahara Avenue (APN: 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

106. VARIANCE - PUBLIC HEARING - VAR-2839 - A T & T WIRELESS ON BEHALF OF GARTH LAMB - Appeal filed by JMK Development from the Denial by the Planning Commission of a request for a Variance to allow a 53-foot setback from a residential property where the residential adjacency standards require a 180-foot setback for a proposed 60-foot tall wireless communications facility, non-stealth design at 5000 North Jones Boulevard (APN: 125-36-302-005), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

107. SPECIAL USE PERMIT RELATED TO VAR-2839 - PUBLIC HEARING - SUP-2664 - A T & T WIRELESS ON BEHALF OF GARTH LAMB - Appeal filed by JMK Development from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 60-foot tall wireless communication facility, non-stealth design on property located at 5000 North Jones Boulevard (APN: 125-36-302-004), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

108. ABEYANCE ITEM - REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON - Required One Year Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

109. REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3094 - LAS VEGAS RESCUE MISSION - Required Two-Year Review of an approved Special Use Permit (U-0081-99) FOR A PROPOSED 8,000 SQUARE FOOT DORMITORY IN CONJUNCTION WITH THE EXISTING LAS VEGAS RESCUE MISSION at 480 West Bonanza Road (APN: 139-27-310-080 and 081), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

110. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 789 North Nellis Boulevard (APN: 140-29-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

111. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign to be 50 feet tall where 40 feet is the maximum allowed unless the display surface is obscured from view at 745 North Nellis Boulevard (APN: 140-29-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

112. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2767 - VEGAS TREASURES, INCORPORATED ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for a proposed supper club on a portion of 8.51 acres located at 8380 West Sahara Avenue, Suite 160 (APN: 163-04-416-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

113. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2801 - STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL - Appeal filed by Crosby & Turner from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed tavern and a Waiver of the 1,500-foot distance separation requirement from other Taverns at 1236 Las Vegas Boulevard South (APN: 162-03-112-012), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (3-2-1 vote) recommends DENIAL. Staff recommends APPROVAL

114. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2802 - LIZBETH JOSEFINA CASTILLO ON BEHALF OF RINGSIDE LIQUORS INCORPORATED - Request for a Special Use Permit for a proposed restaurant service bar at 1510 Las Vegas Boulevard South (APN:162-03-210-062), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

115. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2833 - SIERRA FONDUE, LIMITED LIABILITY COMPANY ON BEHALF OF BOCA PARK PARCELS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for a proposed supper club on a portion of 0.90 acres located at 8704 West Charleston Boulevard, Suite 102 (APN: 138-32-818-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). (NOTE: This item to be heard in conjunction with Morning Session Item #61). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

116. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2844 - MARCUS RITZ ON BEHALF OF WAGEMA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for a gaming establishment, general business related in conjunction with an existing supper club at 7290 West Lake Mead Boulevard, Suite 1 (APN: 138-22-601-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2845 - USA CASH SERVICES, LIMITED LIABILITY COMPANY ON BEHALF OF SAHARA RAINBOW, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for a proposed financial institution, specified (payday loans) on a portion of 5.44 acres adjacent to the northeast corner of Sahara Avenue and Rainbow Boulevard (APN: 163-02-415-015), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard. (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

119. REZONING - PUBLIC HEARING - ZON-2735 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

120. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2735 - PUBLIC HEARING - SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review for a proposed 13-lot single-family residential development on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

121. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board