City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2878 - HDB, LIMITED LIABILITY COMPANY** - Request for a Petition to Vacate a portion of Canyon Run Drive approximately 2,000 feet west of Rampart Boulevard, Ward 2 (L.B. McDonald). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

GIA NGUYEN, G.C Wallace, 1555 South Rainbow Boulevard, appeared on behalf of the applicant.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:25 – 1:26)

4-558

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. 125

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 125 – VAC-2878

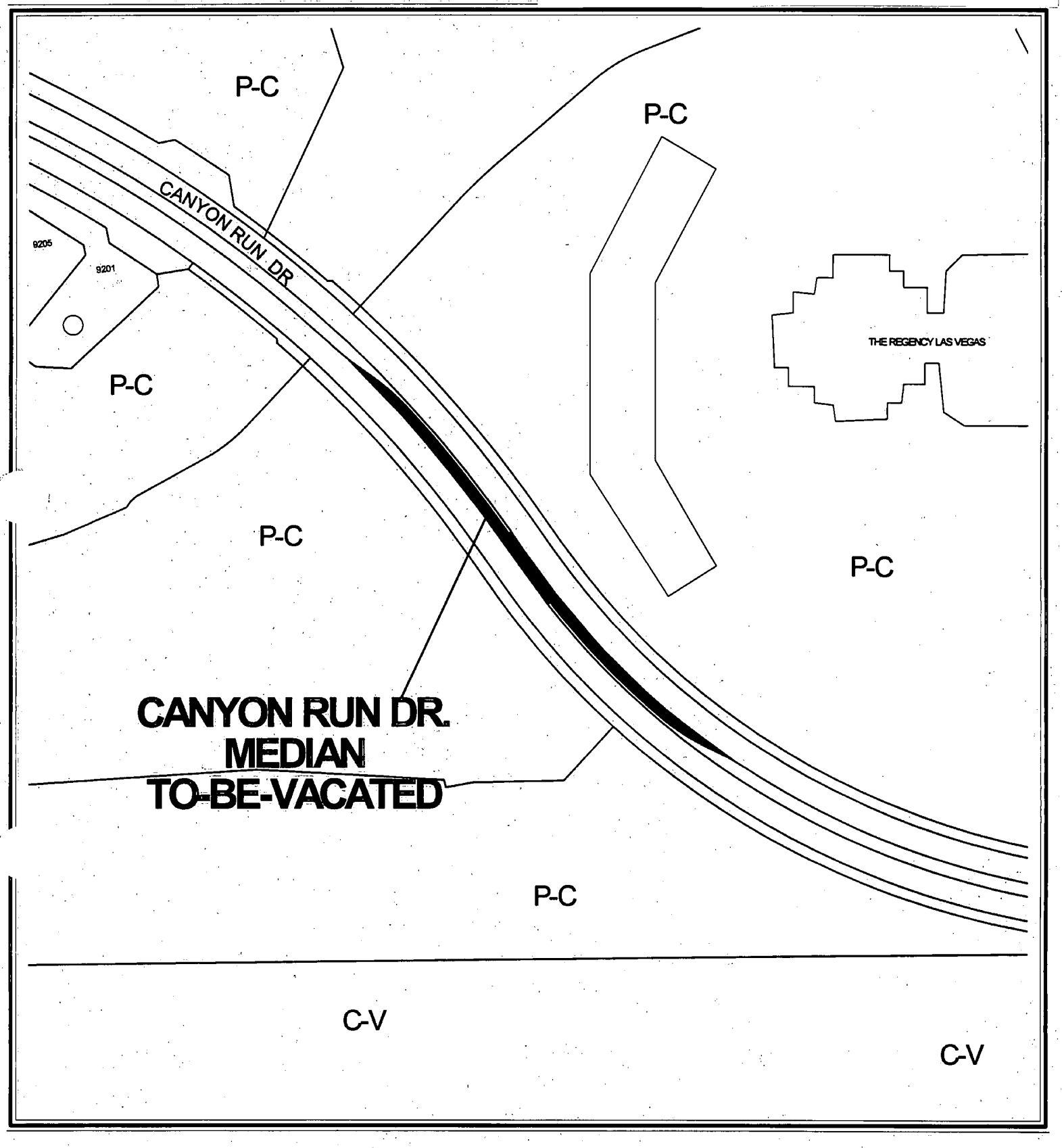
CONDITIONS - Continued:

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

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

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

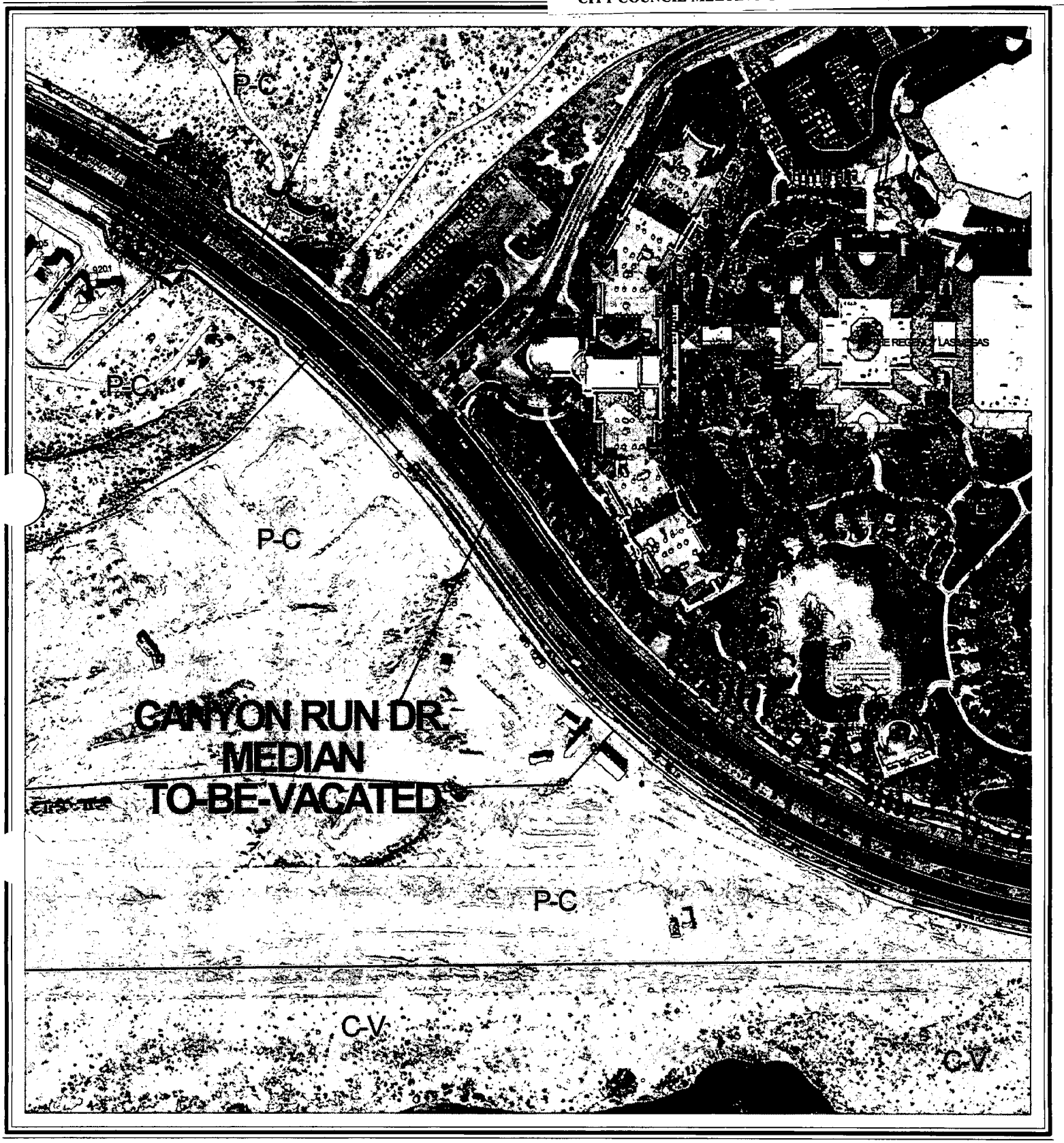
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-2878

N



0 100 200 Feet

CASE: VAC-2878

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2878 - HDB, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (7-0 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. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

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

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

5. 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate a portion of Canyon Run Drive approximately 2,000 feet west of Rampart Boulevard.

B) Applicant's Justification

The requested vacation is necessary for a left turn in and left turn out lane for the Mira Villa Condominiums project. This work will require cutting of existing median, vacating the street and dedicating a new common lot.

BACKGROUND INFORMATION

A) Previous Actions

06/26/02	The City Referral Group approved a Summerlin Site Development Plan Review (SV-0005-02) on property located adjacent to the south side of Canyon Run Drive, approximately 1,300 feet west of Rampart Boulevard for a proposed condominium development.
08/08/02	The Planning Commission approved a Tentative Map (TM-0048-02) for a 240 unit condominium development on 22.34 acres located adjacent to the south side of Canyon Run Drive, approximately 1,300 feet west of Rampart Boulevard.
01/13/03	The Planning and Development Department administratively approved a Final Map (FMP-1434) for a 66 unit condominium complex (Mira Villa Condominiums – Unit 1) on property located on Canyon Run Drive.
09/25/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35).

DETAILS OF APPLICATION REQUEST

Request for a petition to Vacate a portion of Canyon Run Drive approximately 2,000 feet west of Rampart Boulevard.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate a portion of Canyon Run Drive while still maintaining its vehicular use. Due to the location of the entrance drive for the new Mira Villa Condominiums – Unit 1 project, the location of existing medians within Canyon Run Drive must be realigned. The relocation of the Canyon Run Drive medians is necessary to allow for proper left turn in and left turn out access to and from the Condominium project. Because of this, portions of Canyon Run Drive must be vacated, while other sections will be dedicated.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? N/A as it is to vacate a portion of right-of-way to be used for modifications to an existing median island.

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? No, since there is no roadway width reduction.

C. Does it appear that the vacation request involves only excess right-of-way? No, it is for modifications to an existing median island.

D. Does this vacation request coincide with development plans of the adjacent parcels? Yes, the Mira Villas Condominium site requests the vacation for ingress and egress from their site.

E. Does this vacation request eliminate public street access to any abutting parcel? No.

F. Does this vacation request result in a conflict with any existing City requirements? No.

G. Does the Department of Public Works have an objection to this vacation request? No.

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2878 APN: 138-29-497-005

Name of Property Owner: ~~City of Las Vegas~~ HDB, LLC

Name of Applicant: ~~HDB, LLC~~ HDB, 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: _____

Please Sign & Return

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Mark A. Diness

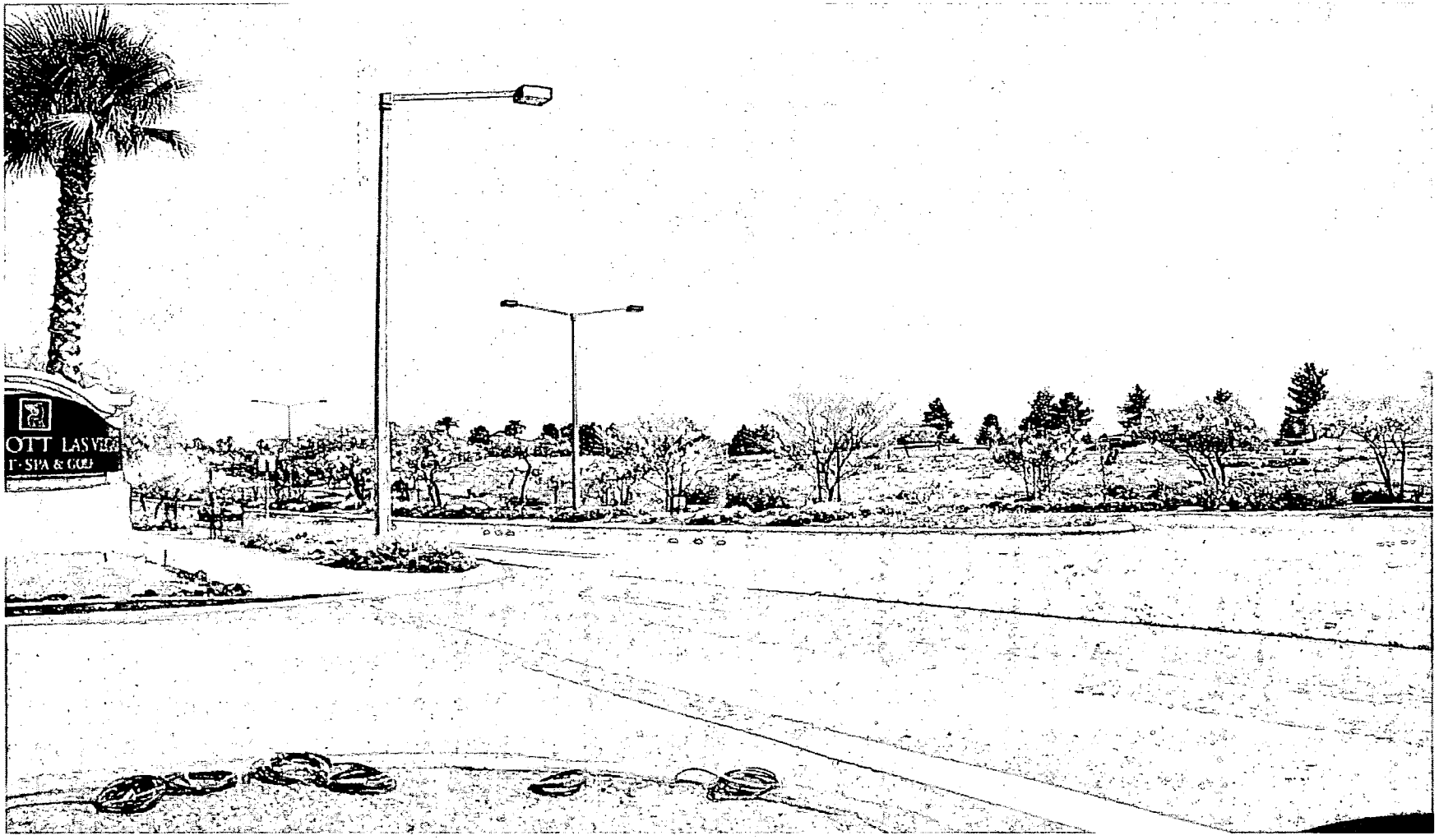
Subscribed and sworn before me

This 24 day of July, 2003

[signature]

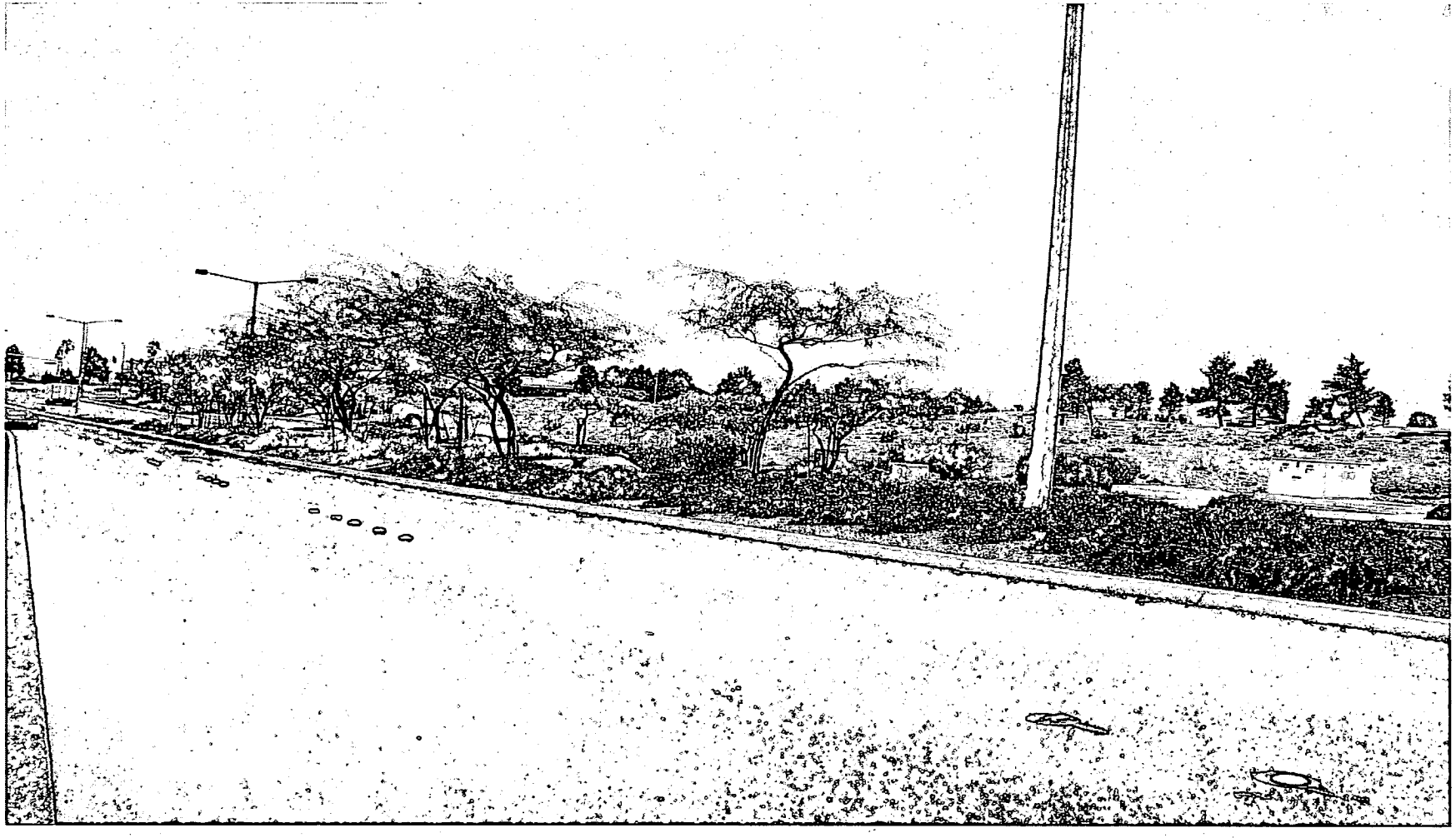
Notary Public in and for said County and State

Notary Public State Of Nevada
COUNTY OF CLARK
LINDA HENDERSON
My Appointment Expires
Sept. 04, 2006
No. 98-3849-1



VAC-2878 - HDB, LIMITED LIABILITY COMPANY
CANYON RUN DRIVE APPROXIMATELY 2,000 FEET WEST OF RAMPART BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



VAC-2878 - HDB, LIMITED LIABILITY COMPANY
CANYON RUN DRIVE APPROXIMATELY 2,000 FEET WEST OF RAMPART BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2887 - KB HOME NEVADA, INC.** - Petition to Vacate U.S. Government Patent Easements generally located south of Gilmore Avenue, east of Ashling Street, and west of Ocean Waters Street, Ward 4 (Brown). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:26 – 1:27)

4-585

CONDITIONS:
1. 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.

City of Las Vegas

Agenda Item No. 126

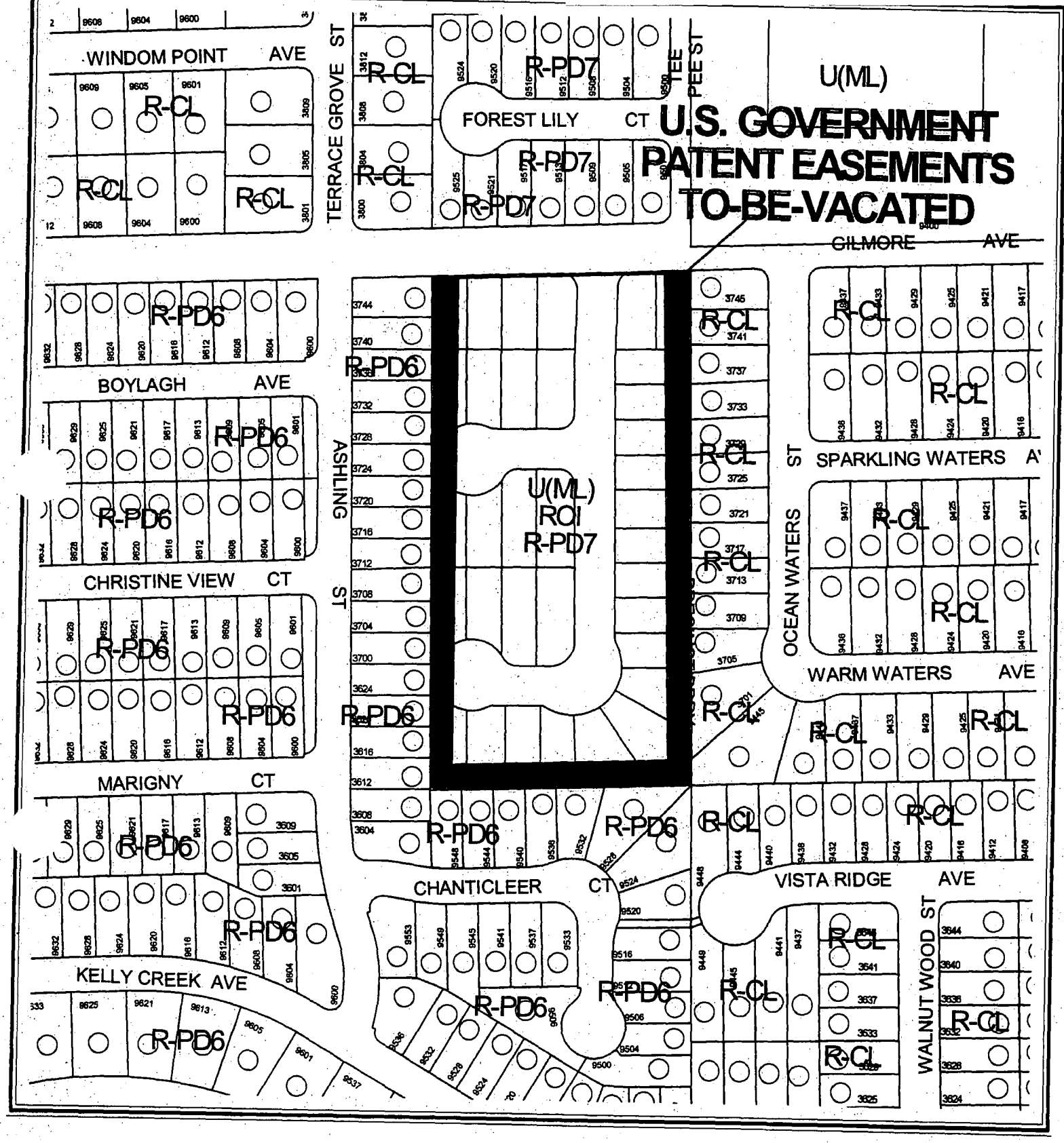
CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 126 – VAC-2887

CONDITIONS - Continued:

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

3. 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.

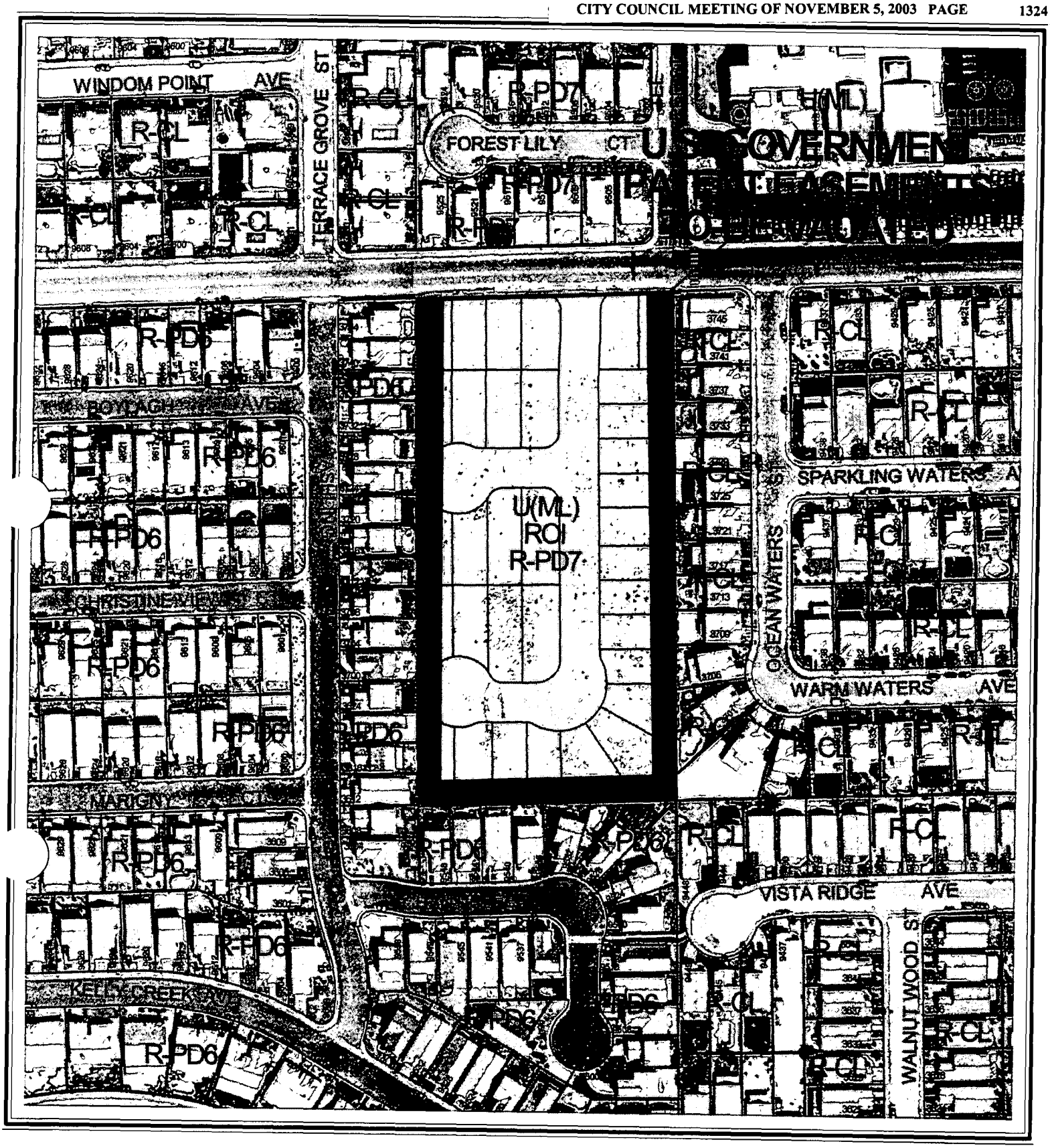
4. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-2887

0 100 200 Feet

N



CASE: VAC-2887

0 100 200 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2887 - KB HOME NEVADA, INC.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. 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.

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

3. 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.

4. 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 for a Petition to Vacate U.S. Government Patent Easements generally located south of Gilmore Avenue, east of Ashling Street, and west of Ocean Waters Street.

B) Applicant's Justification

This application is necessary to vacate portions of existing 33-foot wide Patent Easements that will no longer be needed within the Cheyenne Ridge Estates subdivision. This Vacation application is in support of the Cheyenne Ridge Estates Final Map, FMP-1819, which recorded May 29, 2003 as Book 110, Page 80 of Plats.

BACKGROUND INFORMATION

A) Previous Actions

11/06/02 The City Council approved a Rezoning (Z-0076-02) From: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] To: R-PD7 (Residential Planned Development - 7 Units Per Acre) on 5.0 acres located adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive. The Planning Commission recommended approval.

11/06/02 The City Council approved a Site Development Plan Review (SDR-1022) for a 34-lot single-family residential development on 5.0 acres adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive. The Planning Commission recommended approval.

12/05/02 The Planning Commission approved a Tentative Map (TMP-1163) for a 34-lot single-family residential subdivision on 5.0 acres adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive.

05/13/03 The Planning and Development Department staff administratively approved a Final Map (Cheyenne Ridge Estates) for a single-family subdivision located on Gilmore Avenue.

DETAILS OF APPLICATION REQUEST

Petition to Vacate U.S. Government Patent Easements generally located south of Gilmore Avenue, east of Ashling Street, and west of Ocean Waters Street.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS THE NORTH, SOUTH, EAST, AND WEST THIRTY-THREE FEET (33') EXCEPTING THE NORTH THREE FEET (30') OF THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

ANALYSIS

A) Planning discussion

The applicant's intent to incorporate the government patent reservations into this parcel for development is appropriate, as the subject government patent reservations are not needed for roadway purposes and therefore will not result in reduced traffic handling capability for the area. The area will be incorporated into an already approved residential development.

B) Public Works discussion

This Vacation application proposes to vacate only U. S. Government Patent 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 request to the utility companies and franchise holders. Since only City easements are involved, utility company interests will not be affected.

NOTICES MAILED 37 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2887 APN: 138-07-624-001, 003 to 019, 026, 027 & 034

Name of Property Owner: KB HOME Nevada Inc.

Name of Applicant: KB HOME Nevada Inc.

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

____ Yes X No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Randall J. Tarr

Print Name: Randall J. Tarr, VP/Forward Planning for KB HOME Nevada Inc.

Subscribed and sworn before me

This 5th day of August, 2003

C. Squillante

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
C. SQUILLANTE
Appt. No. 99-56809-1
My Appt. Expires July 8, 2007

INTERDEPARTMENT ROUTING ORDER LIST

1. PLAT CHECKED
By: Date:
CH 10.15.02

2. SUBDIVISION TO SURVEY FOR CHECK
By: Date:
CH 11.4.02

3. CHECKED SUBDIVISION RETURNED TO
CH
FOR CORRECTIONS
By: Date:
JCK 11.5.02

4. CORRECTIONS MADE
By: Date:
CH 11.8.02
JCK 11.8.02

5. SHEETS PRINTED
By: Date:
JCK 11.26.02

6. SHEETS TO SURVEY FOR BACK CHECK
By: Date:
JCK 11.26.02

7. MADE CHECK MADE
By: Date:

8. SURVEYOR BOND
By: Date:

9. FILE INFORMATION
File Name: CHE-MTG1,2,3.DWG
Plotted: JCK 11.26.02
Time: 03:03:43

814.001
CHEYENNE RIDGE ESTATES

FINAL MAP
CHEYENNE RIDGE ESTATES

BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

OWNER'S CERTIFICATE & DEDICATION

KB HOME NEVADA INC.

DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PARCEL OF LAND WHICH IS SHOWN UPON THIS MAP OF:

"CHEYENNE RIDGE ESTATES"

AND DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PLAT AND DOES HEREBY OFFER AND DEDICATE THE PUBLIC RIGHTS-OF-WAY, STREETS (EXCEPT PRIVATE STREETS) AND GRANT THE PUBLIC UTILITY EASEMENTS AND PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY INDICATED AND OUTLINED HEREON TO CITY OF LAS VEGAS, NEVADA FOR THE USE OF THE PUBLIC.

FURTHERMORE, THE UNDERSIGNED OWNER OF THE WITHIN PLATTED LANDS, HEREBY GRANTS AND CONVEYS TO THE NEVADA POWER COMPANY, SPRINT, COX COMMUNICATIONS LAS VEGAS, INC., LAS VEGAS VALLEY WATER DISTRICT AND SOUTHWEST GAS CORPORATION, JOINTLY AND SEVERALLY, AND TO THEIR SUCCESSORS AND ASSIGNS, AN EASEMENT OVER ALL AREAS INDICATED HEREON AS "PUBLIC UTILITY EASEMENT", A THREE FOOT WIDE EASEMENT ON ALL SIDE LOT LINES AND ALONG UNDERGROUND SERVICES TO METER PANELS, A FIVE FOOT WIDE EASEMENT ON ALL PROPERTY LINES ABUTTING PUBLIC AND PRIVATE STREETS, WHERE NO SIDEWALK EXISTS, THE WIDTH OF SAID EASEMENT SHALL BE DEFINED BY A LINE RUNNING PARALLEL TO AND TEN FEET DISTANT, MEASURED AT RIGHT ANGLES, FROM THE BACK OF CURB WITHIN SAID PUBLIC OR PRIVATE STREET, WHERE SIDEWALK EXISTS, THE WIDTH OF SAID EASEMENTS SHALL BE DEFINED BY A LINE RUNNING PARALLEL TO AND FIVE FEET DISTANT, MEASURED AT RIGHT ANGLES, FROM THE BACK OF ANY STREET FRONTAGE SIDEWALK FOR WATER FACILITIES, ABOVE GROUND TRANSFORMER PADS AND ABOVE GROUND TELEPHONE EQUIPMENT PADS, AND AN ADDITIONAL TWO FEET AROUND TRANSFORMER PADS, ELECTRICAL EQUIPMENT PADS AND TELEPHONE EQUIPMENT PADS WITHIN THE PLATTED LANDS FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, AND FINAL REMOVAL OF UNDERGROUND POWER AND TELEPHONE LINES AND APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS THERETO.

FURTHER, THE UNDERSIGNED OWNER HEREBY GRANTS AND CONVEYS TO THE CITY OF LAS VEGAS AND TO ITS SUCCESSORS AND ASSIGNS A FIVE FOOT WIDE EASEMENT ADJACENT TO ALL PROPERTY LINES WHERE LOTS OR COMMON AREAS ABUT PUBLIC STREETS FOR PURPOSES OF PLACING PUBLIC FIRE HYDRANTS AND PUBLIC STREET LIGHTS AND AN ADDITIONAL EASEMENT OF UP TO TWO FEET IN RADIUS FROM EACH FIRE HYDRANT AND STREET LIGHT, TO EXTEND BEYOND THE FIVE FOOT EASEMENT IF NECESSARY, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THESE EASEMENTS.

KB HOME NEVADA INC.

BY: RANDALL J. TARR — 5/1/03 DATE
VICE PRESIDENT FORWARD PLANNING

BY: DONALD A. DELGORNO — 5/1/03 DATE
SENIOR VICE PRESIDENT LAND DEVELOPMENT

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEVADA } SS
COUNTY OF CLARK }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON May 1, 2003 BY RANDALL J. TARR AS VICE PRESIDENT FORWARD PLANNING OF KB HOME NEVADA INC.

NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 7/9/03

NOTARY PUBLIC STATE OF NEVADA County of Clark C. SQUILLANTE Appt. No. 94-4000-1 My Appt. Expires July 9, 2003

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEVADA } SS
COUNTY OF CLARK }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON May 1, 2003 BY DONALD A. DELGORNO SENIOR VICE PRESIDENT LAND DEVELOPMENT OF KB HOME NEVADA INC.

NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 7/9/03

NOTARY PUBLIC STATE OF NEVADA County of Clark C. SQUILLANTE Appt. No. 94-4000-1 My Appt. Expires July 9, 2003

SURVEYOR'S CERTIFICATE

I, JASON PAUL HIGGINS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF KB HOME NEVADA INC.
2. THE LANDS SURVEYED LIE WITHIN SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON NOVEMBER 26, 2002.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT WILL BE OF THE CHARACTER SHOWN, AND OCCUPY THE POSITIONS INDICATED BY 6-15-04 AND AN APPROPRIATE FINANCIAL GUARANTEE WILL BE POSTED WITH THE GOVERNING BODY BEFORE RECORDATION TO ASSURE THE INSTALLATION OF THE MONUMENTS.

JASON PAUL HIGGINS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 13801
EXPIRES JUNE 30, 2003

EXPIRES: 30 JUNE 2003
21 APRIL 2003

LEGAL DESCRIPTION

ALL OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 6.18 ACRES.

UTILITY / AGENCY APPROVALS

WE, THE HEREIN NAMED PUBLIC UTILITY COMPANIES AND AGENCIES, APPROVE THE GRANT OF THE DESIGNATED EASEMENTS.

LAS VEGAS VALLEY WATER DISTRICT - Gary Lange — 04/29/03 DATE

SOUTHWEST GAS CORPORATION — Pamela T. Valdez — 5-1-03 DATE

NEVADA POWER COMPANY — Roger Tantalo — 4/29/03 DATE

SPRINT — Patricia K. Richardson — 4-29-03 DATE

COX COMMUNICATIONS LAS VEGAS, INC. — Maria L. Tapia — 4/30/03 DATE

CITY ENGINEER — Charles Harkness, JR. PE 4784 — 5/14/2003 DATE

BASIS OF BEARINGS

SOUTH 0°13'51" EAST, BEING THE CENTERLINE OF GRAND CANYON DRIVE AS SHOWN BY MAP THEREOF ON FILE IN BOOK 83, PAGE 77 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

CERTIFICATE OF CITY SURVEYOR

I, RITA M. LUNDS, CITY SURVEYOR OF THE CITY OF LAS VEGAS, NEVADA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE FINAL SUBDIVISION MAP OF:

"CHEYENNE RIDGE ESTATES"

AND AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT. MONUMENTS HAVE NOT BEEN SET, BUT A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED TO GUARANTEE THEIR SETTING ON OR BEFORE THE 5th DAY OF April, 2004.

RITA M. LUNDS P.L.S. 8084
CITY SURVEYOR
CITY OF LAS VEGAS, NEVADA — 4/24/03

DISTRICT BOARD OF HEALTH CERTIFICATE

THIS FINAL MAP IS APPROVED BY THE CLARK COUNTY DISTRICT BOARD OF HEALTH. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY, AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

WAYNE O. BOSS — 05/05/03 DATE

DIVISION OF WATER RESOURCES CERTIFICATE

THIS FINAL MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO THE REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

DIVISION OF WATER RESOURCES — ROBERT COACHE, P.E. — 5-9-03 DATE

CERTIFICATE OF DIRECTOR OF PLANNING AND DEVELOPMENT APPROVAL

I CERTIFY THAT THIS FINAL MAP SUBSTANTIALLY COMPLIES WITH THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT THE MAP COMPLIES WITH APPLICABLE STATUTORY AND ORDINANCE PROVISIONS; THAT ALL CONDITIONS IMPOSED UPON THE FINAL MAP HAVE BEEN MET; AND THAT THE MAP WAS APPROVED AND THE PARCELS HEREON WERE ACCEPTED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE CITY OF LAS VEGAS, NEVADA ON THE 20TH DAY OF May, 2003.

ROBERT S. GENZER
DIRECTOR OF PLANNING AND DEVELOPMENT
CITY OF LAS VEGAS, NEVADA — 5/20/2003 DATE

COUNTY RECORDER'S NOTE:

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX.
R.U.S. 278.5555

FMA-1819
814.001
CHEYENNE RIDGE ESTATES

INSTRUMENT NO. 045580
OFFICIAL RECORDS
BOOK NO. 20030529
FILED AT THE REQUEST OF
G.C. WALLACE INC.
DATE 5-29-03 AT 15:57 P.M.
BOOK 110 PAGE 80
OF PLATS
CLARK COUNTY, NEVADA RECORDS
FRANCES DEANE, RECORDER
FEE $ 1.00 DEPUTY

VAC-2887
STAFF 9-25-03 PC

SHEET 1 OF 3

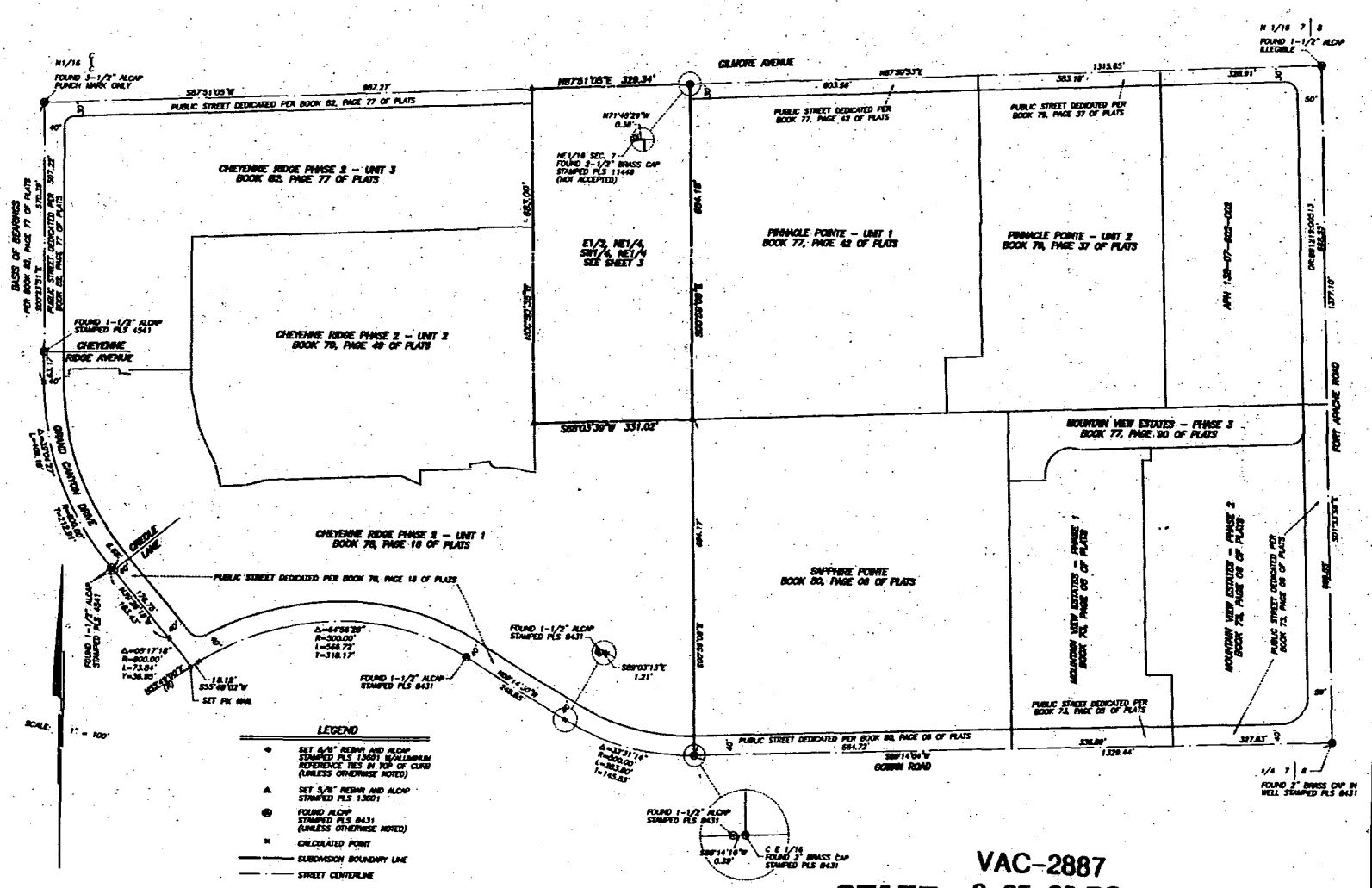
BOOK 110 PAGE 80

814.001

FINAL MAP

CHEYENNE RIDGE ESTATES

BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

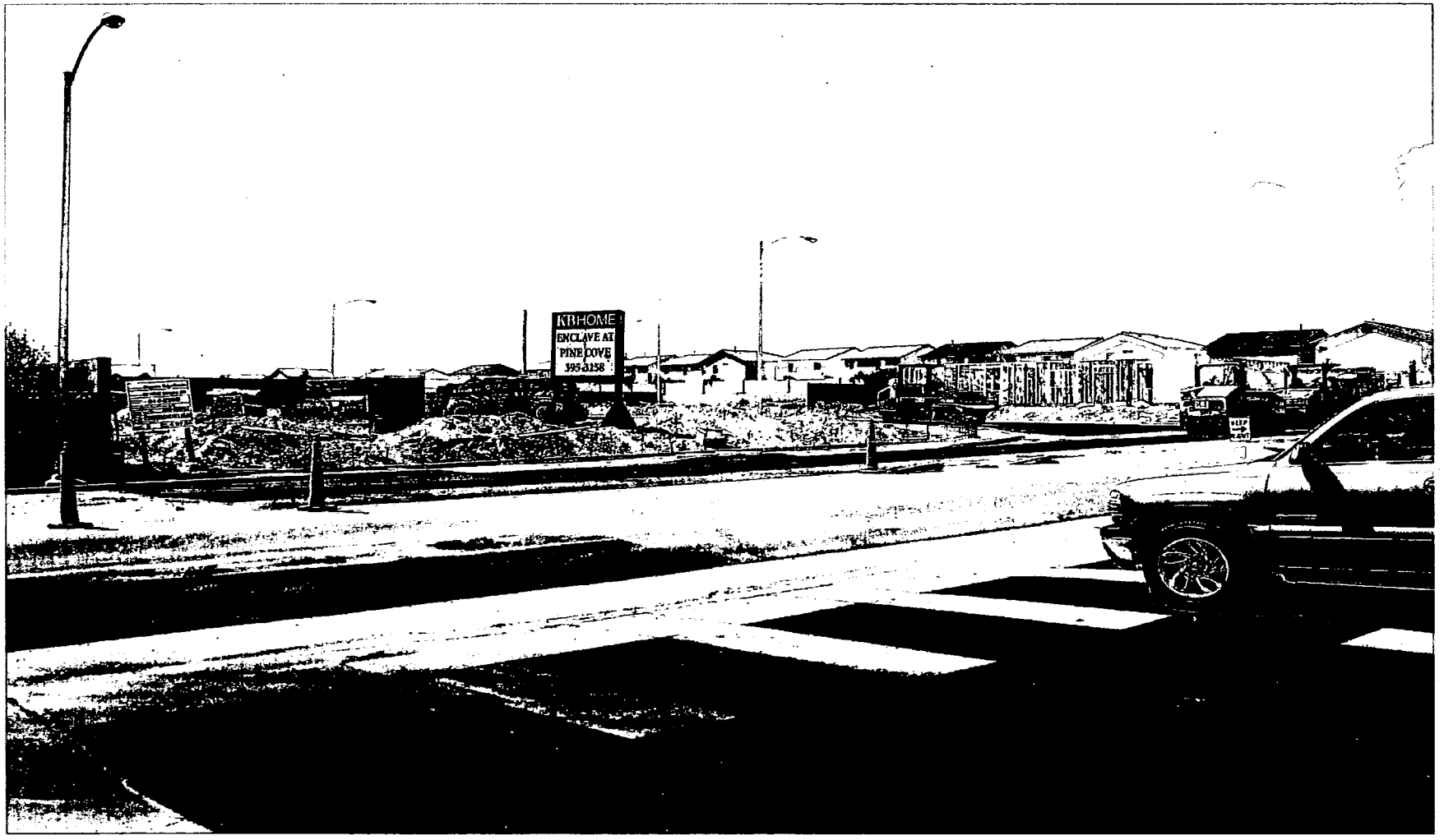


VAC-2887
9-25-03 PC
STAFF

814.001

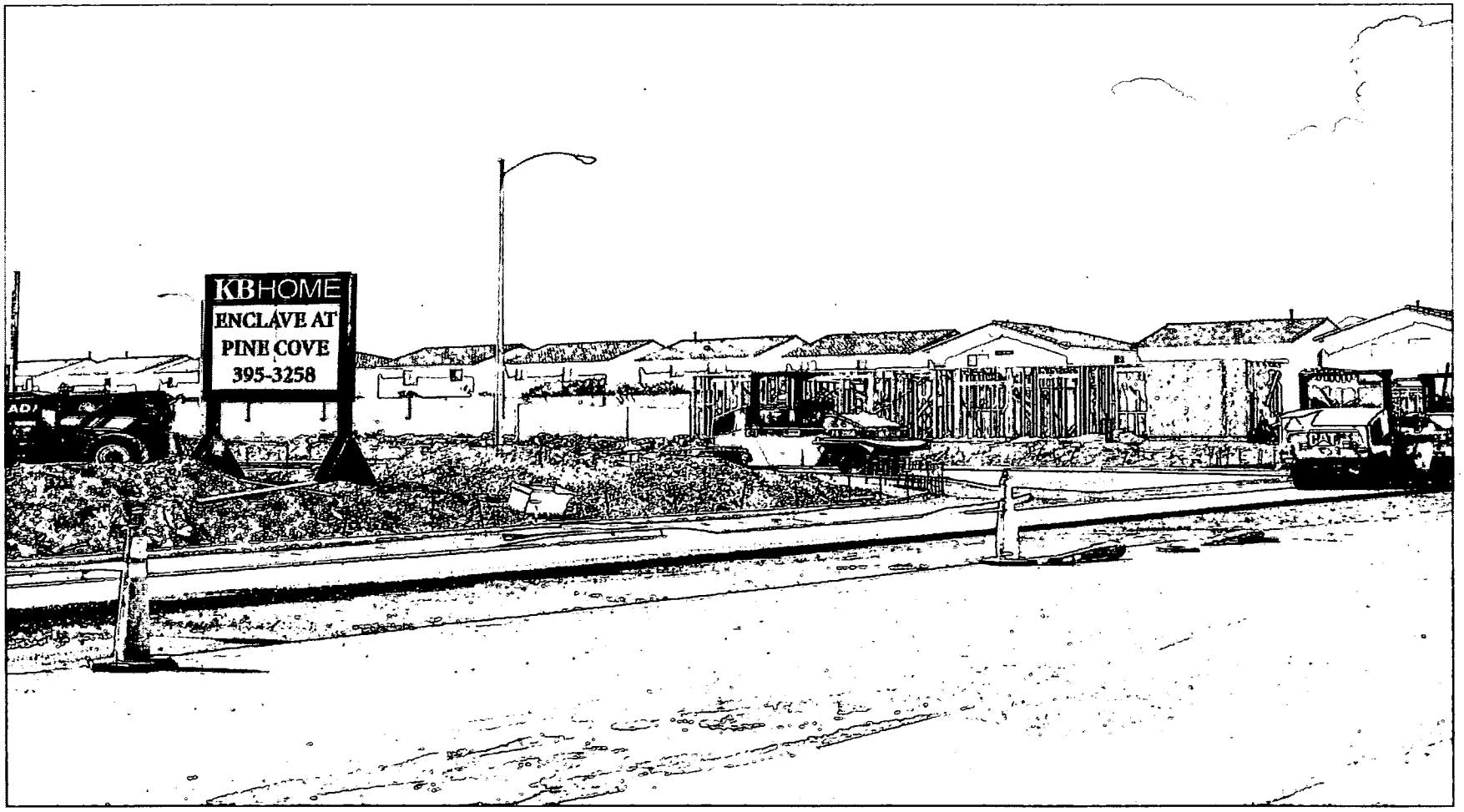
SHEET 2 OF 3

Book 110 Page 80



VAC-2887 - KB HOME NEVADA, INC.
SOUTH OF GILMORE AVENUE, EAST OF ASHLING STREET, AND WEST OF OCEAN WATERS STREET
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/3/03



VAC-2887 - KB HOME NEVADA, INC.
SOUTH OF GILMORE AVENUE, EAST OF ASHLING STREET, AND WEST OF OCEAN WATERS STREET
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/3/03

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2940 - NEVADA HOMES ON BEHALF OF DAY STAR VENTURES, LIMITED LIABILITY COMPANY** - Petition to Vacate U.S. Government Patent Easements generally located adjacent to the south side of Alexander Road, east of Fort Apache Road, Ward 4 (Brown). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

BRENT WILSON, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:27 – 1:28)

City of Las Vegas

Agenda Item No. 127

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 127 – VAC-2940

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-2415 may be used to satisfy this requirement.

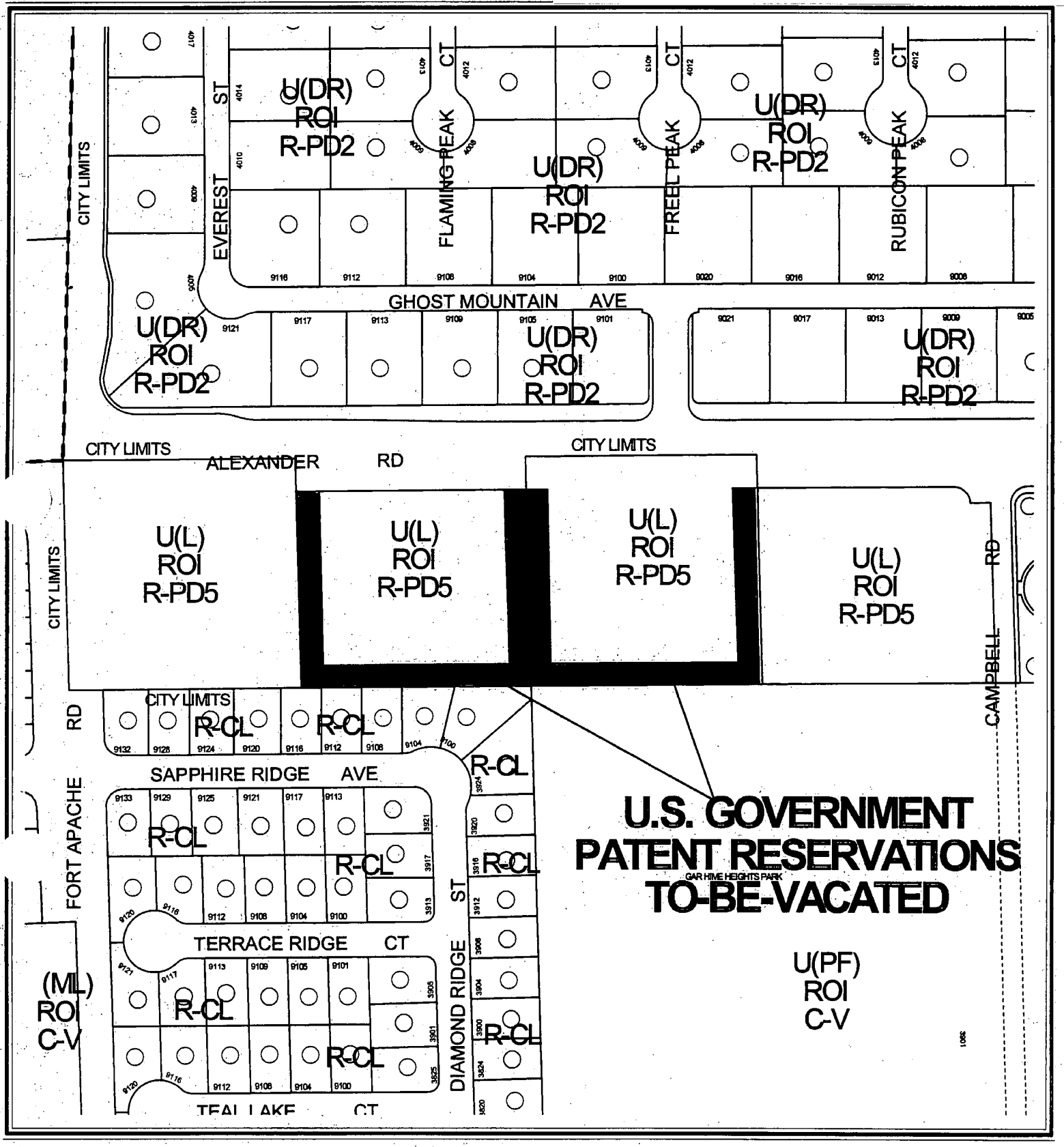
2. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security 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. Development of these sites shall comply with all applicable conditions of approval Zoning Reclassification ZON-2415 and Site Development Plan Review SDR-2418.

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

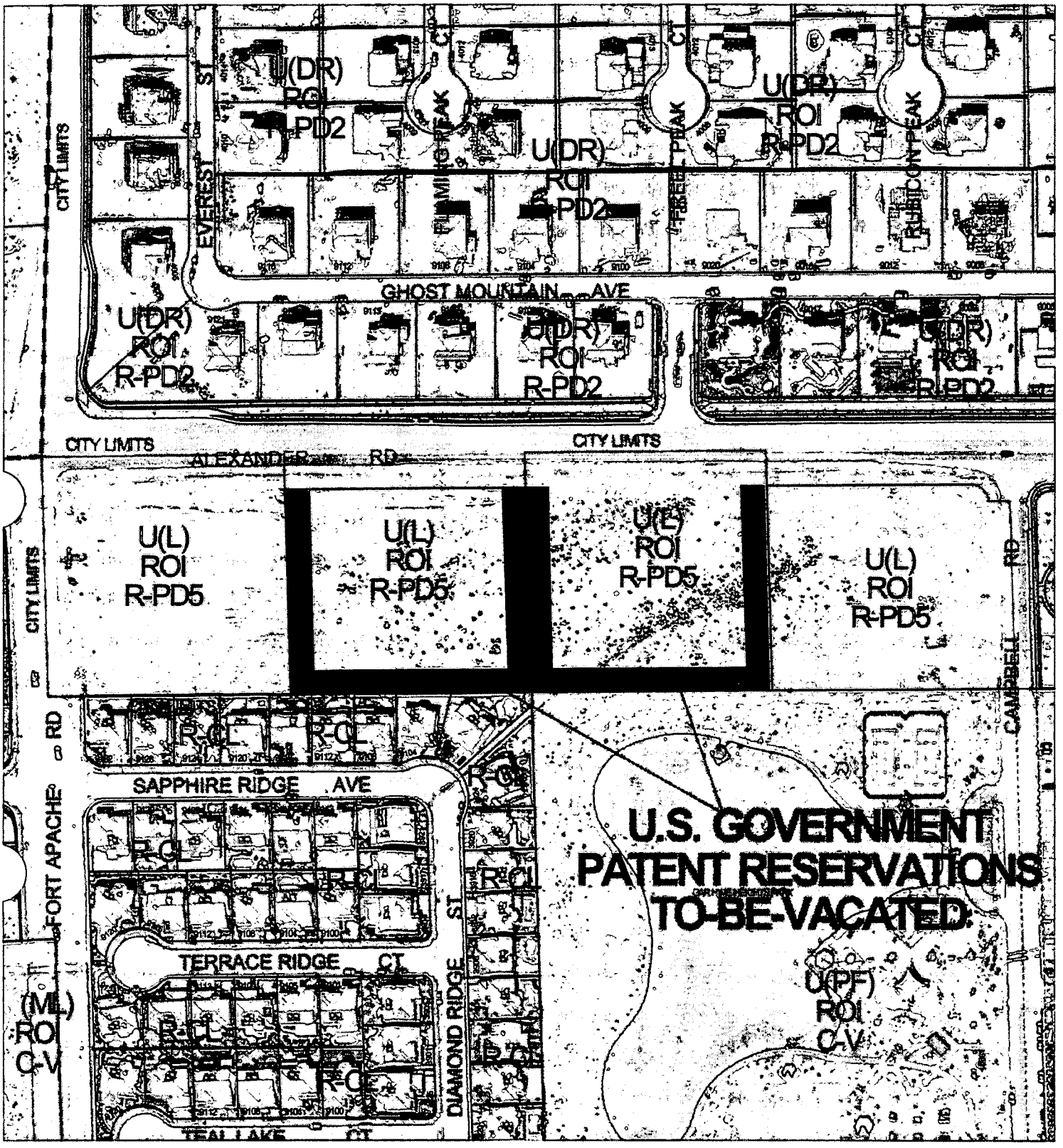
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-2940

N



0 100 200 Feet

CASE: VAC-2940

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2940 - NEVADA HOMES ON BEHALF OF DAY STAR VENTURES, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-2415 may be used to satisfy this requirement.

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. Development of these sites shall comply with all applicable conditions of approval Zoning Reclassification ZON-2415 and Site Development Plan Review SDR-2418.

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

6. 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.

VAC-2940 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate U.S. Government Patent Reservations generally located south of Alexander Road, east of Fort Apache Road.

B) Applicant's Justification

The applicant's justification letter states that the reservations are no longer necessary, and will be used as part of a proposed single-family residential development.

BACKGROUND INFORMATION

A) Previous Actions

08/06/03 The City Council approved a Rezoning (ZON-2415) from U (Undeveloped) [L (Low Density Residential) General Plan Designation] to R-PD5 (Residential Planned Development – 5 Units per Acre) on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road. The Planning Commission recommended approval on 06/26/03.

08/06/03 The City Council approved a Site Development Plan Review (SDR-2418) for a proposed 57-lot single-family residential development on this site. The Council also approved a Variance (VAR-2419) to allow no open space where 41,164 square feet of open space was required for this site. The Planning Commission recommended approval of these items on 07/10/03.

10/09/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #59).

10/23/03 The Planning Commission will consider a request for a Tentative Map (TMP-3068) for a proposed 57-lot single-family residential subdivision (Day Dawn Fusion) on this site.

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 08, Township 20 South, Range 60 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. Furthermore, this vacation will not result in any landlocked parcels.

B) Public Works discussion

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

PLANNING COMMISSION ACTION

The Planning Commission amended Conditions as shown.

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2940 APN: 138-08-101-002, 003

Name of Property Owner: Day Star Ventures

Name of Applicant: Nevada Homes

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

____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Paul Wagner

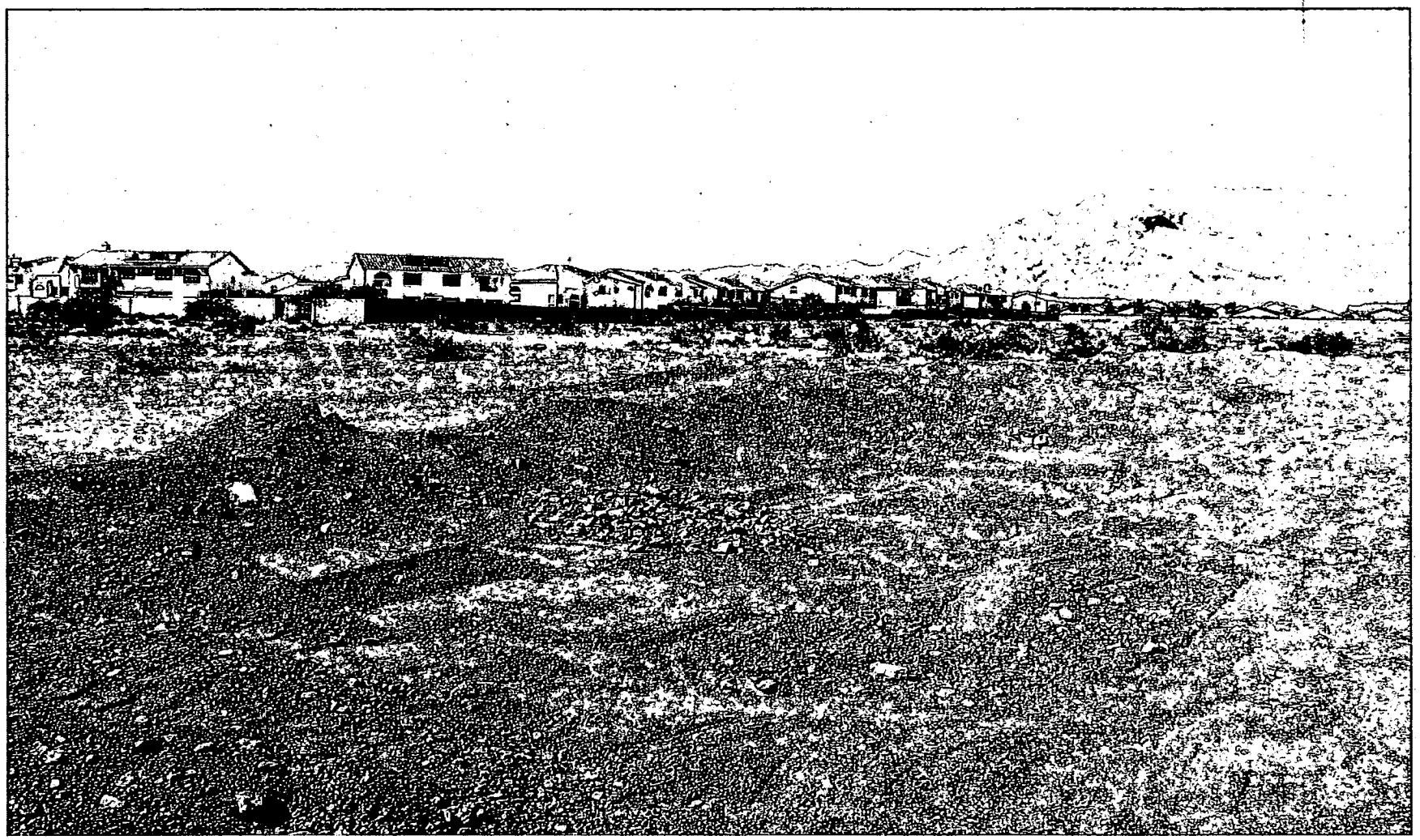
Subscribed and sworn before me

This 18th day of August, 2003

LaRae Obenauf

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LARAE OBENAUF
No: 99-54758-1
My Appointment Expires Dec. 4, 2006



VAC-2940 - NEVADA HOMES ON BEHALF OF DAY STAR VENTURES, LIMITED LIABILITY COMPANY
SOUTH SIDE OF ALEXANDER ROAD, EAST OF FORT APACHE ROAD
OCTOBER 9, 2003 PLANNING COMMISSION

9/15/03

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2942 - PARADISE DEVELOPMENT ON BEHALF OF CITY PARKWAY IV A, INCORPORATED** - Petition to Vacate a ten-foot wide portion of a drainage easement generally located adjacent to the northeast corner of Grand Central Parkway and "F" Street, Ward 5 (Weekly). The Planning Commission (6-0-1 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 (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

SUZANNE SANDERS, Paradise Development, 3111 South Maryland Parkway, appeared on behalf of the applicant and concurred with all conditions.

AL GALLEGO, citizen of Las Vegas, expressed confusion between this item and Real Estate Item 66. MS. SANDERS clarified that this item involves the vacation of 10 feet of the drainage easement at the rear of the future IRS building. The current 60-foot easement will be reduced to 50 feet. A drainage study was done and approved to support that reduction. Item 66 is the dedication of 10 feet to the City for a future right-of-way on Grand Central Parkway and F Street that may be a fast lane should a freeway onramp be constructed.

MR. GALLEGO questioned the impact of existing drainage from the north through an opening on this site and whether the opening would be closed. MS. SANDERS replied that the opening will not be closed.

City of Las Vegas

Agenda Item No. 128

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 128 – VAC-2942

MINUTES - Continued:

MR. GALLEGO protested that the area is very dangerous due to an exposed pipeline from California. That pipeline may need to be rerouted and protected from the elements. Something could be dropped on the pipe during construction, causing a serious incident. MS. SANDERS assured him that there is no exposed pipeline on this particular parcel. The pipeline is off-site. MR. GALLEGO argued that the pipeline or drainage ditch exists at the back of the property.

MR. GALLEGO also described how the man who killed those children in this neighborhood went through the pipeline and that there is a pipeline that runs parallel with the railroad tracks. MS. SANDERS agreed, but clarified that it is north of this property. Similarly, there is a structure, but it is not on this property.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:29 – 1:32)

4-648

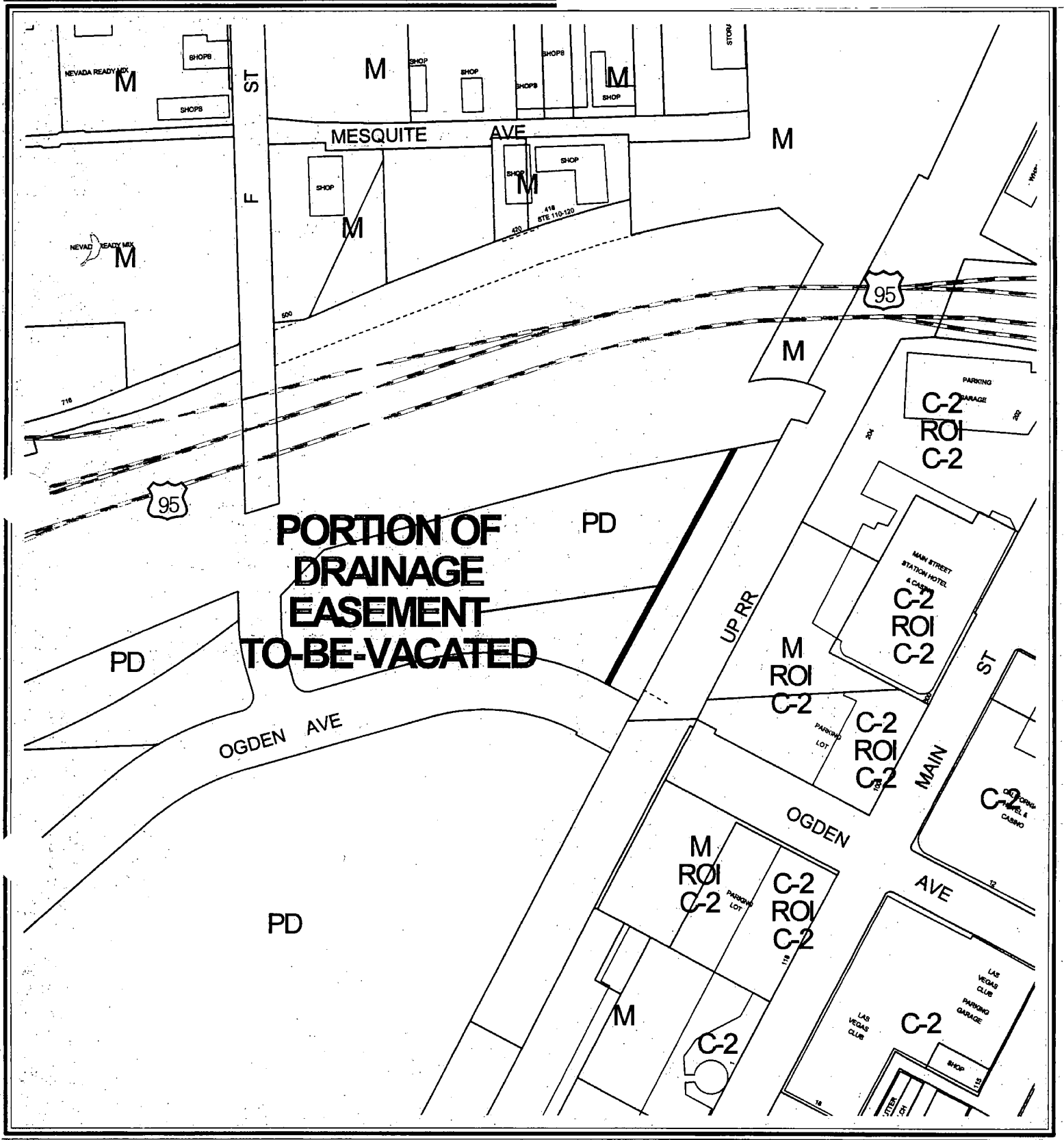
CONDITIONS:

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

2. 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.

3. 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.

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

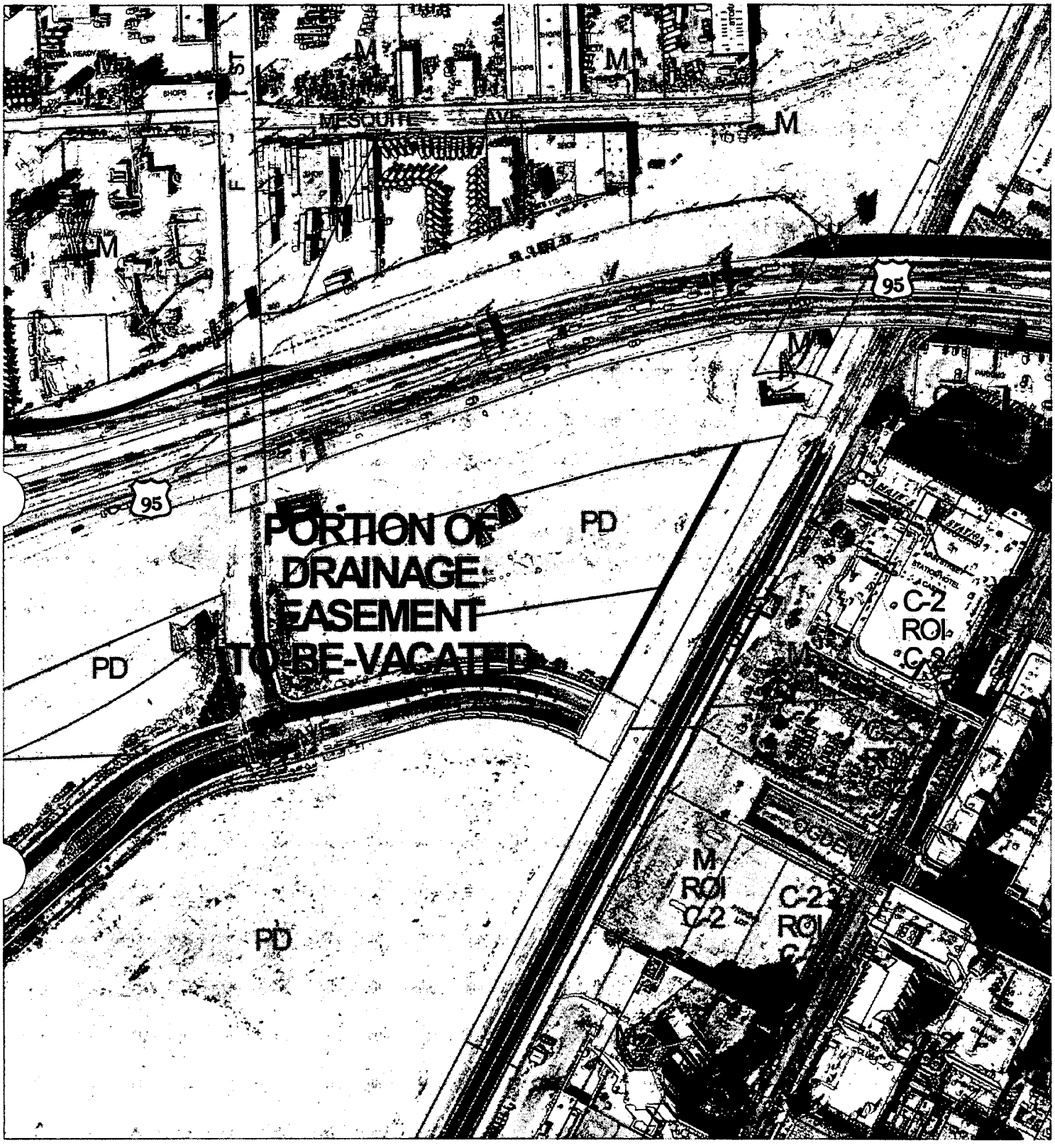


0 200 400 Feet

CASE: VAC-2942

128

N



0 200 400 Feet

CASE: VAC-2942

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2942 - PARADISE DEVELOPMENT ON BEHALF OF CITY PARKWAY IV A, INC.

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

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

2. 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.

3. 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.

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

VAC-2942 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is to vacate a ten-foot wide portion of a drainage easement generally located adjacent to the northeast corner of Grand Central Parkway and "F" Street.

B) Applicant's Justification

Due to site constraints, the width of the easement needs to be reduced by ten feet in order to accommodate the proposed IRS District Building configuration. The approved drainage study conducted by the Department of Public Works concludes that the proposed 50-foot width is adequate to convey flows through the site.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission recommended approval on May 25, 1998.

01/02/02 The City Council adopted a general development plan and development standards for the Parkway Center as a discussion item on the Business Development portion of the agenda.

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) for a 73,218 square foot office building on 5.11 acres.

05/21/03 The City Council approved a Required Review (RQR-1974) for 12 off-premise advertising (billboard) signs. One of the billboard signs approved is located on the subject site. Planning Commission recommended approval on April 24, 2003.

10/09/03 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #60).

DETAILS OF APPLICATION REQUEST

The subject Vacation request is generally described as the west ten feet of a 60-foot wide drainage easement located on the west side of the Union Pacific Railroad Right-of-Way, extending northerly approximately 480 feet from the north Right-of-Way line of Grand Central Parkway; said property being a portion of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant's intent to eliminate 10 feet of the existing 60-foot drainage easement, which is in conflict with the layout of the approved IRS Service Center (SDR-2037), is appropriate. In addition, a drainage study conducted by the City of Las Vegas Public Works Department concludes that the remaining 50-foot drainage easement will adequately convey flows through the site.

B) Public Works discussion

This proposed Petition of Vacation was the result of an approved drainage study submitted by the adjacent developer. The study proposed vacating the west 10 feet of an existing drainage easement and to incorporate it into their site. The City of Las Vegas Flood Control Section of Public Works subsequently approved the vacation subject to formal approval by the City of Las Vegas.

Since this Vacation application proposes to vacate only a City of Las Vegas drainage easement, no right-of-way is proposed to be vacated. Therefore, no franchise rights are involved and it is not necessary to send this 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 4 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2492 APN: 139-27-410-002

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Paradise Development

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

_____Yes X_____No

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

City Official: Susan Corder

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Susan Corder 7-30-03

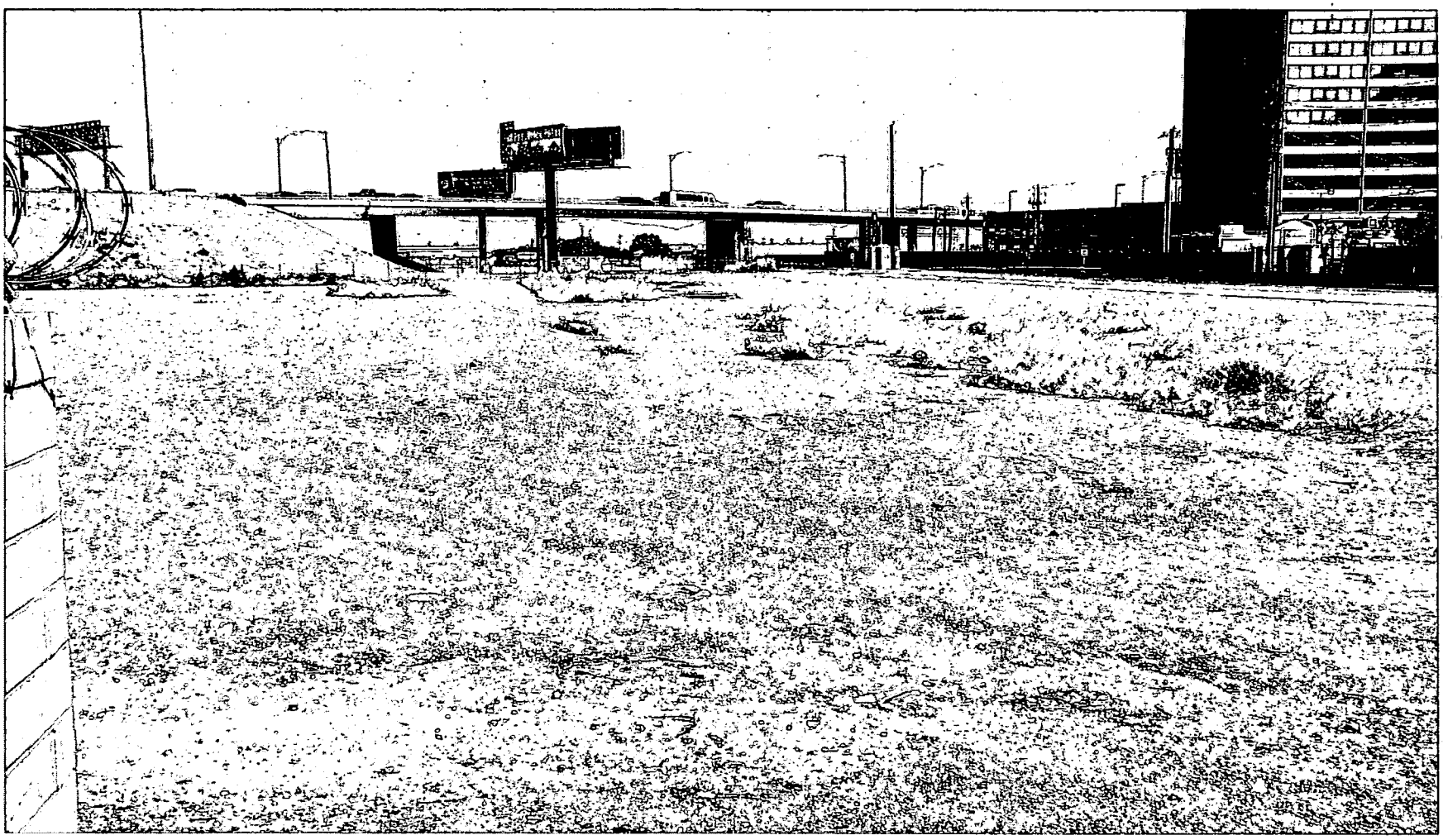
Print Name: President, City Parkway IV & V LLC Susan Corder

Subscribed and sworn before me

This 30th day of July, 2003

Susan L Lonborg
Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
SUSAN L. LONBORG
My Appointment Expires
June 18, 2005
No. 97-2239-1



VAC-2942 - PARADISE DEVELOPMENT ON BEHALF OF CITY PARKWAY IV A, INCORPORATED
NORTHEAST CORNER OF GRAND CENTRAL PARKWAY AND "F" STREET
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-2948 - CENTENNIAL & DURANGO, LIMITED LIABILITY COMPANY** - Petition to Vacate a portion of Durango Drive between Centennial Parkway and Darling Road, Ward 6 (Mack). The Planning Commission (6-0-1 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 (6-0-1 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 BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

RUSSELL SKEWS, Tetra Tech Engineering, 401 North Buffalo Drive, Suite #100, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:29 – 1:32)

4-759

CONDITIONS:
1. Meet with the Flood Control section of Public Works to coordinate the overall drainage of the area prior to the recordation of the Order of Vacation.

City of Las Vegas

Agenda Item No. 129

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 129 – VAC-2948

CONDITIONS - Continued:

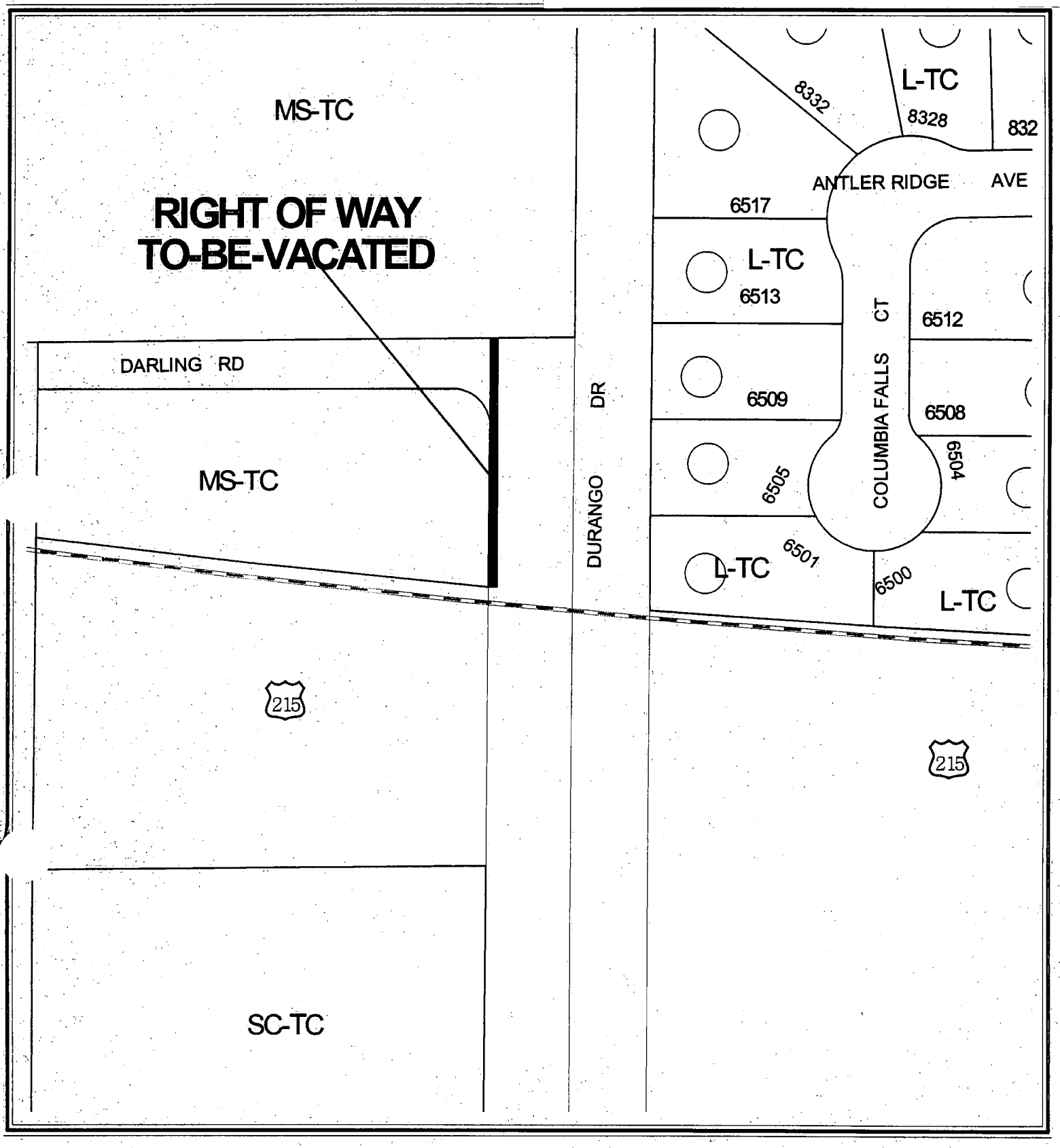
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

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

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

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

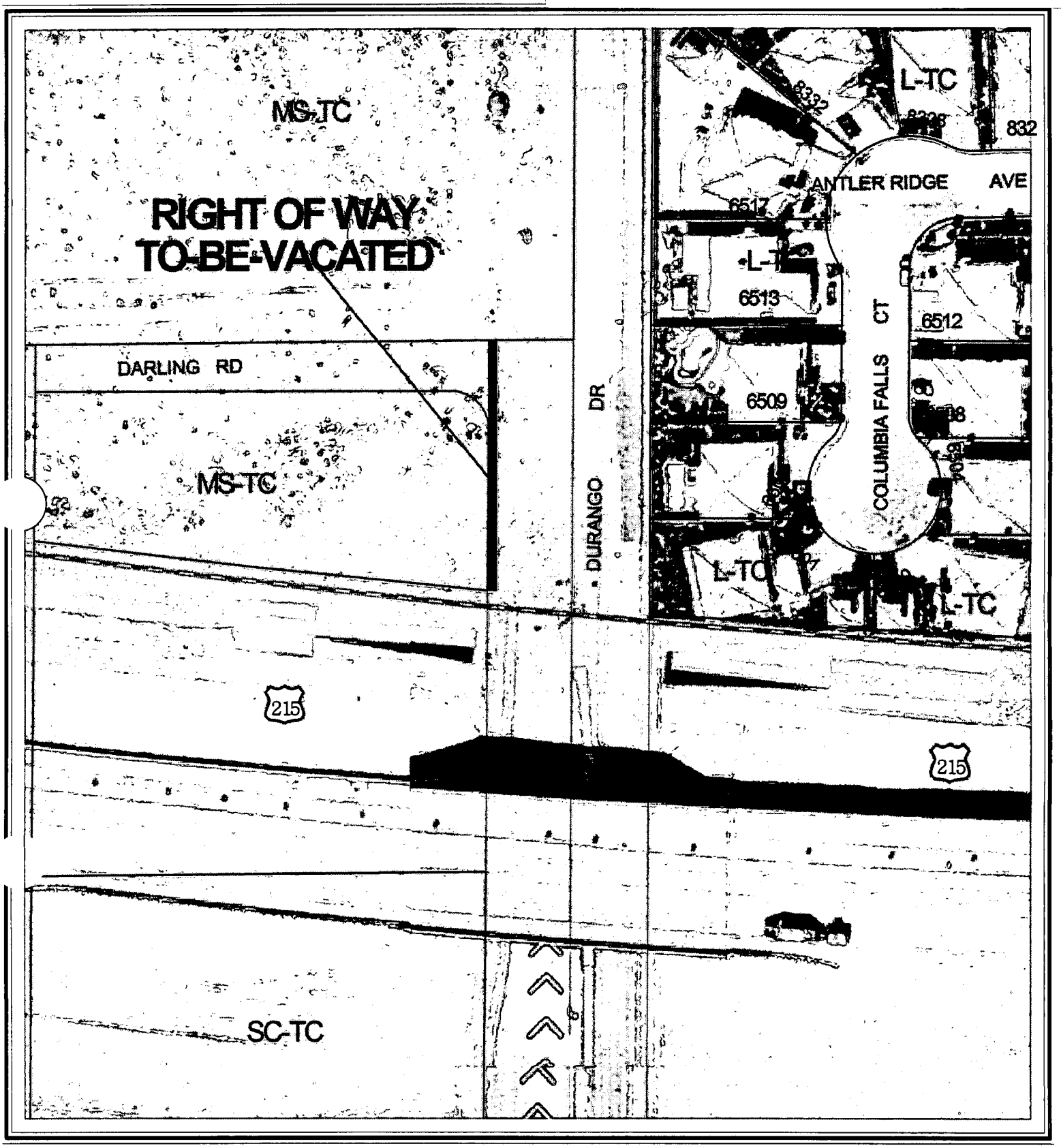
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 60 120 Feet

CASE: VAC-2948

N



0 60 120 Feet

CASE: VAC-2948

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-2948 - CENTENNIAL & DURANGO, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

1. Meet with the Flood Control section of Public Works to coordinate the overall drainage of the area prior to the recordation of the Order of Vacation.

2. 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.

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

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

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

6. 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-2948 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Vacation for a portion of Durango Drive between Centennial Parkway and Darling Road.

B) Applicant's Justification

The applicant's justification letter indicates that the western 5 feet of Durango Drive between Darling Road and Centennial Parkway will be added to the adjacent parcel, and the overall Right-of-Way width for Durango Drive will be reduced to 45 feet.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved a Petition to annex (A-0038-02) undeveloped property located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including the adjacent parcel for which this annexation request is being proposed. The Planning Commission recommended approval on 10/24/02 and the effective date was 02/14/03.

08/06/03 The City Council approved a Vacation (VAC-2420) for a Petition to Vacate a portion Darling Road, west of Durango Drive. The Planning Commission recommended approval on 06/26/03.

10/09/03 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #61).

DETAILS OF APPLICATION REQUEST

A request has been received from Centennial & Durango, Limited Liability Company to Vacate a portion of Durango Drive between Centennial Parkway and Darling Road.

The above property is legally described as the west five feet (5') of Durango drive, commencing at the centerline of Darling Road, extending southerly approximately 135 feet; said property being a portion of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 20, Township 19 south, Range 60 east, M.D.M.

ANALYSIS

A) Planning discussion

This request is a petition to Vacate the western 5 feet of Durango Drive from the centerline of Darling Road south to Centennial Parkway. A previous Vacation application, VAC-2420, was approved by City Council on August 6, 2003 to vacate 280 feet of Darling Road west from Durango Drive. For this reason, the proposed vacation will not eliminate access to a public street; therefore there is no objection to the proposed vacation.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform right-of-way width of 90 feet.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the road is currently unused and is part of an overall master plan.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes, it will reduce Durango Drive from 100 feet to 90 feet.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Montecito Town Center Master Plan.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-2948 1/2 APN: 125-20-803-009

Name of Property Owner: CENTENNIAL & DURANGO LLC

Name of Applicant: CENTENNIAL & DURANGO 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: Dana McDaniel Kanne, manager

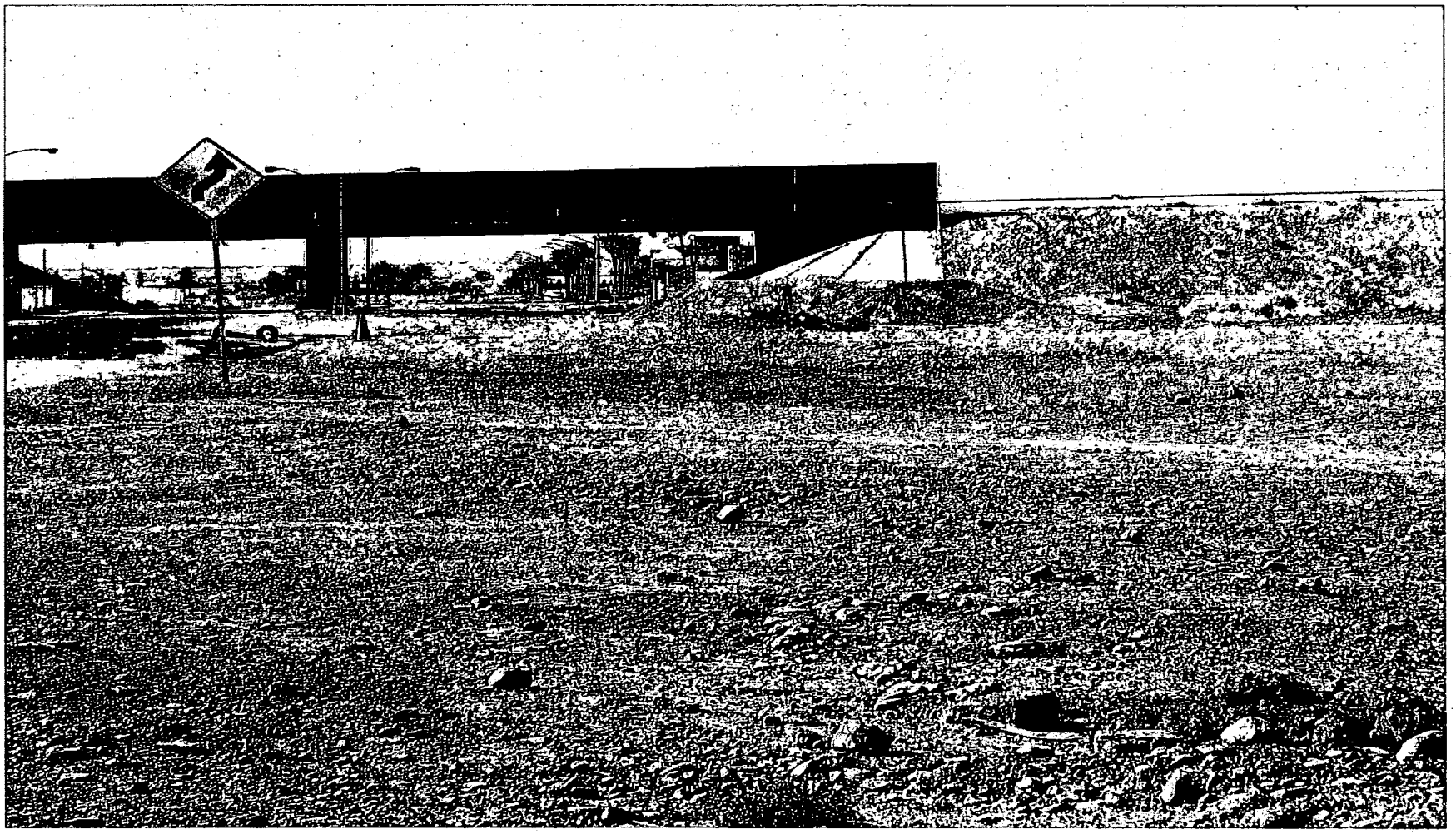
Print Name: Dana McDaniel Kanne, manager
Dana McDaniel Kanne, manager

Subscribed and sworn before me

This 30th day of JULY, 2003

Teresa Joy Pastorelli
Notary Public in and for said County and State

TERESA JOY PASTORELLI
Notary Public - Nevada
No. 95-0016-1
My appt. exp. Aug. 30, 2003



VAC-2948 - CENTENNIAL & DURANGO, LIMITD LIABILITY COMPANY
A PORTION OF DURANGO DRIVE BETWEEN CENTENNIAL PARKWAY AND DARLING ROAD
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VARIANCE - PUBLIC HEARING - **VAR-2901 - LODGE YMCA ASSOCIATION OF LAS VEGAS** - Request for a Variance to allow 319 parking spaces where 409 parking spaces are required for an expansion of an existing YMCA facility at 4141 Meadows Lane (APN: 139-31-601-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 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 (6-0-1 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 – UNANIMOUS with BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 130 [VAR-2901} and Item 131 [SDR-2900].

The applicant was not present.

COUNCILWOMAN MONCRIEF stated that the outdoor pool is welcomed in Ward 1 and will be utilized by the public for a small fee, without being YMCA members.

TODD FARLOW, 240 North 19th Street, pointed out that the parking agreement with Sprint included a 90-day notice to terminate and asked if this issue had been addressed. ROBERT GENZER, Director, Planning and Development, clarified that Condition #3 under the Variance indicates that if the existing agreement with Sprint were to go away, the applicant would have to apply for a new parking Variance within 30-days of termination of that agreement.

City of Las Vegas

Agenda Item No. 130

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 130 – VAR-2901

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed on Item 130 [VAR-2901] and Item 131 [SDR-2900].

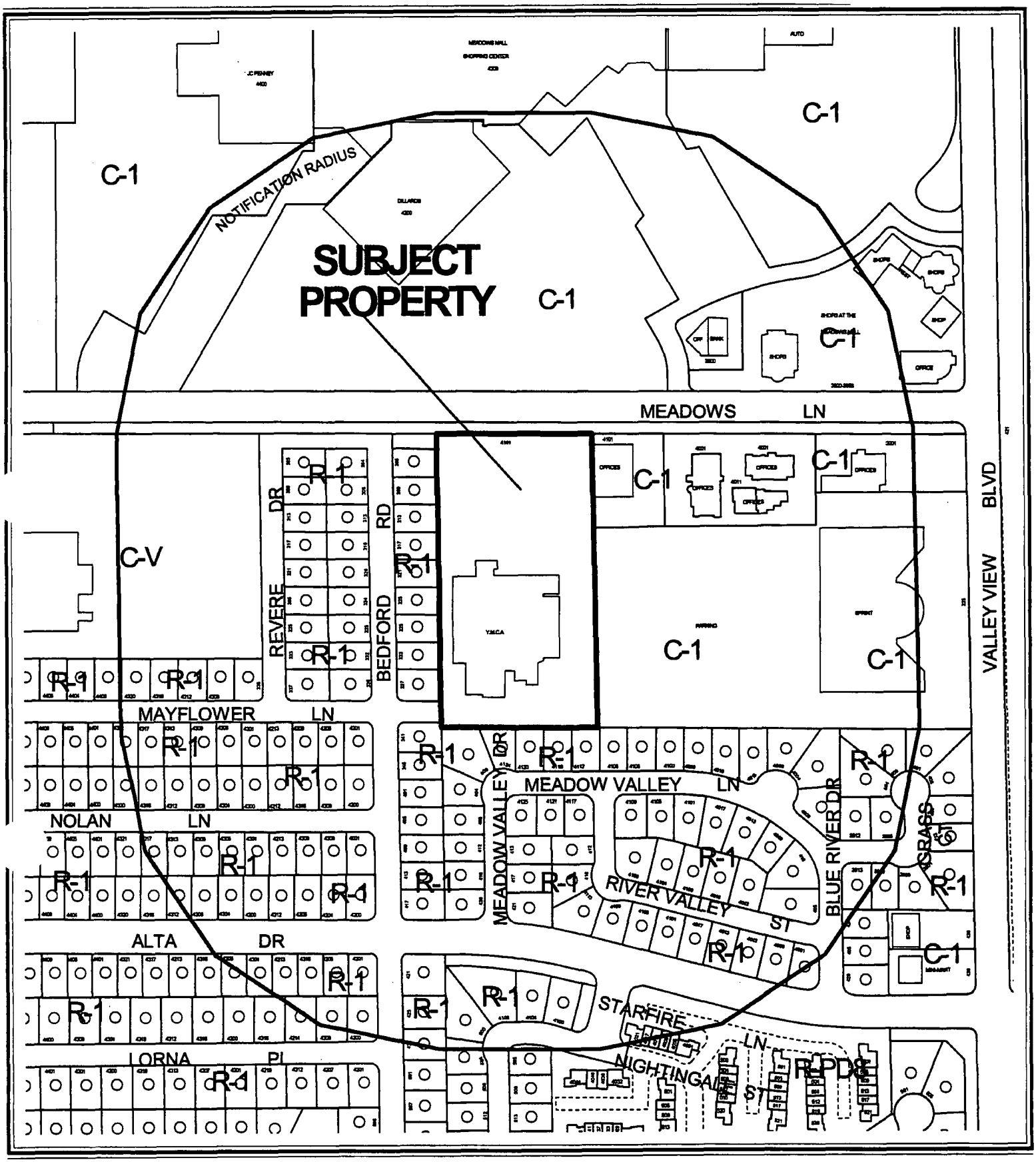
NOTE: All discussion for Items 130 and 131 took place under Item 130.
(1:33 – 1:36)
4-789

CONDITIONS:
Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2900).

3. If the parking agreement with Sprint or subsequent property owner is terminated, then a new parking Variance application shall be submitted within 30 days of termination for review and approval by the Planning Commission and City Council.



CASE: VAR-2901

RADIUS: 750 FT

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

130

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-2901 - LODGE YMCA ASSOCIATION OF LAS VEGAS

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2900).

3. If the parking agreement with Sprint or subsequent property owner is terminated, then a new parking Variance application shall be submitted within 30 days of termination for review and approval by the Planning Commission and City Council.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a variance to allow 319 parking spaces where 409 spaces are required for an expansion of an existing YMCA facility.

B) Applicant's Justification

The redesign of the overall site to include a water recreation facility, bath house, jogging trail and play area will require the relocation of the existing parking lot to the front of the lot. With the redesign of the site the amount of required parking spaces increased to 138 spaces. The applicant states that an agreement has been made with the neighboring Sprint facility to share a portion of Sprint's available parking to increase the number of spaces on the site to 319.

BACKGROUND INFORMATION

A) Previous Actions

06/16/76	The Board of City Commissioners approved the rezoning of the subject parcel from R-1 (Single Family Residential) to C-1 (Limited Commercial) to permit the YMCA.
01/23/79	The Board of City Commissioners approved a Site Plan Review for the YMCA.
07/15/87	The City Council approved a Site Plan Review for a Retirement Complex proposed to be located on the north third of the subject parcel.
11/03/99	The City Council approved a Special Use Permit for a 55-foot Cellular Communication Tower to be located at the rear of the lot.
09/25/03	The Planning Commission recommended approval of a related Site Development Plan Review (SDR-2900) for this site.
09/25/03	The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #14).

B) Pre-Application Meeting

07/13/03 The following was discussed:

1. Calculation of the parking requirement based on one space per 200 sq. ft. of building the current 70,000 sq. ft. YMCA would need 350 spaces. The lot currently has 99 spaces.
2. Addition of the water facility will increase the number of required parking spaces.
3. The variance request will need to be based on previous variances.
4. It was suggested that a neighborhood meeting be held to inform the neighbors.
5. The applicant was to research the possibility for a written shared parking agreement with Sprint located to the east of the site.

C) Neighborhood Meetings

09/15/03 A neighborhood meeting was held with respect to this application, one person attended and no concerns were raised.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.02

B) Existing Land Use

Subject Property:	YMCA with jogging path and tennis courts
North:	Shopping Mall
South:	Single family dwellings
East:	Parking lot and office buildings
West:	Single family dwellings

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	L (Low Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The proposed action will not change the intensity of the existing use. The addition of a water facility to the existing YMCA will potentially improve the quality of life of the neighboring population.

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

The site is not located within any special districts or zones.

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	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Community Facility	70,300 SF.	1 per 200 SF of GFA	352	9	138 plus 181 shared spaces	8
New Pool	8,500 SF	50 SF per person capacity =170 people **1 space per 3 people**	57 spaces			

The YMCA has a shared parking agreement with SPRINT, the adjacent landowner, and the agreement permits the YMCA to use 181 parking spaces on the adjacent parcel. The proposed site plan shows that the amount of parking spaces will increase to 138 spaces, an increase of 39 spaces more than the current lot design. Since the proposal will not incorporate modification of the existing building, the parking agreement with Sprint for peak periods has been made, and the seasonal nature of the water facility and the amount of parking is sufficient for the site.

B) General Analysis and Discussion

The subject site is a rectangular lot that has one of the narrow sides facing Meadows Lane. Primary access to the site will shift from the current location east of the Sprint offices to the east to a new access from Meadows Lane. Three of the four tennis courts will be replaced by a new parking lot with the access to Meadows Lane. The current parking along the east side of the YMCA will be replaced by the proposed water facility.

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."

The proposal is considered appropriate, as it would promote the public good and not substantially impair the intent and purpose of any ordinance or resolution.

PLANNING COMMISSION ACTION

The Planning Commission recommended approval with the addition of Condition #3.

NOTICES MAILED 179 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-2901 APN: 139-31-601

Name of Property Owner: YMCA OF SOUTHERN NEVADA

Name of Applicant: JMA ARCHITECTURE STUDIOS - JOHN LOPEMAN

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: Michael A Lubbe

Print Name: Michael A Lubbe

Subscribed and sworn before me

This 21 day of May, 2003

Sonia Snow
Notary Public in and for said County and State

SONIA SNOW
Notary Public - Nevada
No. 99-56694-1
My appt. exp. July 19, 2003

Sprint

6100 Sprint Parkway
Overland Park, KS 66251

July 24, 2003

Mr. Michael Lubbe
President and Chief Executive Officer
YMCA of Southern Nevada
4141 Meadows Lane
Las Vegas, Nevada 89107

Dear Mr. Lubbe:

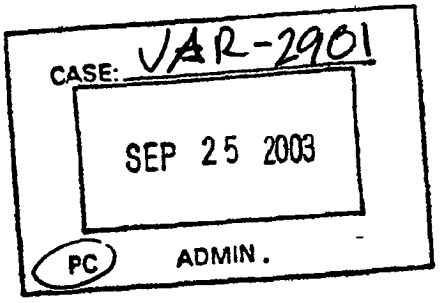
This letter grants permission to the YMCA of Southern Nevada ("YMCA"), effective as of August 15, 2003 to use 181 parking spaces leased by Sprint Communications Company L.P. ("Sprint") behind its leased office building at 330 S. Valley View Boulevard, Las Vegas, Nevada, subject to the terms and conditions described herein.

The parking spaces to be used are only those contained in the last four single rows of parking in the western-most part of Sprint's parking lot behind its building. No parking by the YMCA will be permitted on Sprint's property other than in this designated area.

The use of the parking will be non-exclusive in common with Sprint personnel and Sprint visitors, and will continue until the termination or expiration of Sprint's lease. Notwithstanding the foregoing, Sprint reserves the right to terminate this agreement upon 90 days written notice if Sprint's increased occupancy of the building requires use of the subleased parking spaces.

The YMCA agrees to indemnify, hold harmless and defend Sprint, its agents, employees, contractors, and directors, from any and all claims, demands, causes of action, losses, expenses or liabilities, including costs and reasonable attorney's fees, against Sprint on account of injury to or death of any person or loss or damage to any property arising directly or indirectly out of the acts or omissions of the YMCA, its employees, agents, representatives, contractors, members, or invitees in connection with the use or occupancy of parking spaces under this Agreement.

In addition, the YMCA agrees to comply with the insurance requirements applicable to subtenants under paragraphs 12 through 17 of the lease between Sprint and Meadow View Associates ("Landlord"), a copy of which are attached hereto, except that the general liability insurance coverage requirement has been reduced by the Landlord to $1,000,000 per occurrence and $2,000,000 aggregate. The YMCA will provide to Landlord, prior to commencement of this agreement, a certificate of insurance naming both the Landlord and Sprint as additional insureds.



ARN 119762; PRN 267737

Please sign both copies of this letter and return one to this office. If you have any questions or require any additional information, please contact Diane Pritchett at (913) 315-4558.

Sincerely,

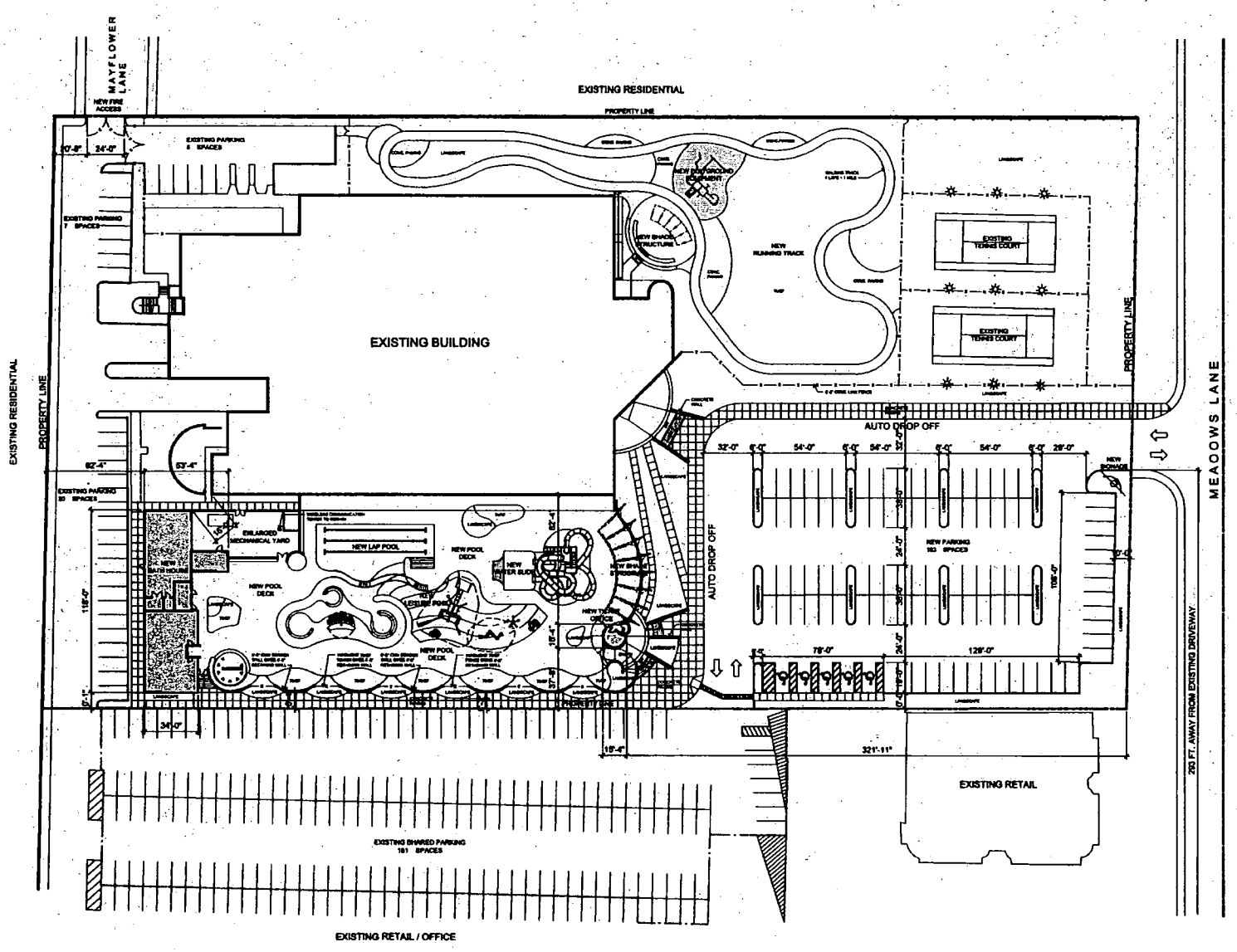
Connee Scott
Senior Real Estate Negotiator

Agreed to and accepted this 7th day of July, 2003.

YMCA OF SOUTHERN NEVADA

By: Michael Lubbe
Mr. Michael Lubbe
President and Chief Executive Officer

ARN 119762; PRN 267737



ARCHITECTURAL SITE PLAN

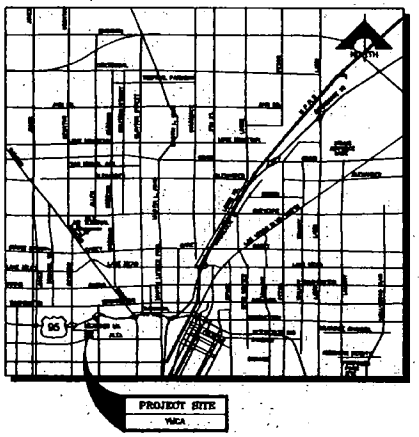
YMCA AQUATICS FACILITY

JMA ARCHITECTURE STUDIOS

SITE DATA

A.P.N.		139-31-601-001
SITE AREA		
	NET AREA	6.77 AC.
	EXISTING BUILDING	54,382 S.F.
	NEW BATH HOUSE	4,000 S.F.
	TOTAL BUILDING FOOTPRINT	58,382 S.F.
FLOOR AREA RATIO		21 %
OUTDOOR FACILITIES		
	EXISTINGTENNISBLEACHERS	20,479 S.F.
	NEW RUNNING TRACK	11,310 S.F.
	NEW PLAY SURFACE	1,367 S.F.
	NEW POOL DECK	16,400 S.F.
	NEW POOL	8,600 S.F.
PARKING ANALYSIS		
EXISTING BUILDING		
	1ST FLOOR GROSS FLOOR AREA	54,382 S.F.
	2ND FLOOR GROSS FLOOR AREA	15,926 S.F.
	TOTAL GROSS FLOOR AREA	70,308 S.F.
	PARKING REQ'D	352 SPACES (1 SPACE PER 200 S.F. OF G.F.A.)
NEW POOL		170 OCC. (8,600 S.F. / 50)
	PARKING REQ'D	57 SPACES (1 SPACE PER 3 OCC.)
	TOTAL PARKING REQ'D	409 SPACES
	H.C. PARKING REQ'D	9 SPACES (401-600 SPACES)
	TOTAL PARKING PROV'D	319 SPACES (136 SPACES ON-SITE PLUS 181 SPACES SHARED PARKING WITH SPRINT)
	H.C. PARKING PROV'D	9 SPACES
ZONING:	C-1	
OCCUPANCY CLASSIFICATION:		
NEW BATH HOUSE	GROUP A-5	1,926 S.F.
	GROUP S-2	2,074 S.F.
NEW TICKET OFFICE	GROUP A-5	387 S.F.
CONSTRUCTION:	TYPE V-N	
BASIC ALLOWABLE AREAS: TABLE 503	A-5 OCCUPANCY	UNLIMITED
	S-2 OCCUPANCY	13,500 S.F.
MAX. HEIGHT: TABLE 503	A-5 OCCUPANCY	UNLIMITED
	S-2 OCCUPANCY	40'-0".

VICINITY MAP



10190 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2033 FAX: (702) 731-3038 WWW.JMARCH.COM

PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 8, 2003

0 15 30 60
SCALE: 1" = 30'-0"
NORTH

STAFF

REVISED 9.3.03

VAR-2901
9-25-03 PC

CITY COUNCIL MEETING OF NOVEMBER 5, 2003 PAGE 1370



VAR-2901 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



VAR-2901 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-2901 - PUBLIC HEARING - **SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS** - Request for a Site Development Plan Review for a new aquatic center, running track, playground, a 750 square foot addition to the existing building, and parking lot at 4141 Meadows Lane (APN: 139-31-601-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 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 (6-0-1 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 – UNANIMOUS with BROWN excused

MINUTES:
NOTE: See Item 130 [VAR-2901] for all related discussion.

(1:33 – 1:36)

4-789

City of Las Vegas

Agenda Item No. 131

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 131 – SDR-2900

CONDITIONS:

Planning and Development

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

2. Parking lot shall be screened from Meadows Lane by a decorative wall, landscaped berm, or combination thereof.

3. All development shall be in conformance with the site plan and building elevations and conditions of VAR-2901, except as amended by conditions herein, including redesign as necessary to show required trees.

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center for the perimeter buffer area along the west property line.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of Meadow Lane and neighboring properties.

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

8. Any property line wall along the perimeter of the overall site shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron fence with decorative concrete or stone pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.

City of Las Vegas

Agenda Item No. 131

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 131 – SDR-2900

CONDITIONS – Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

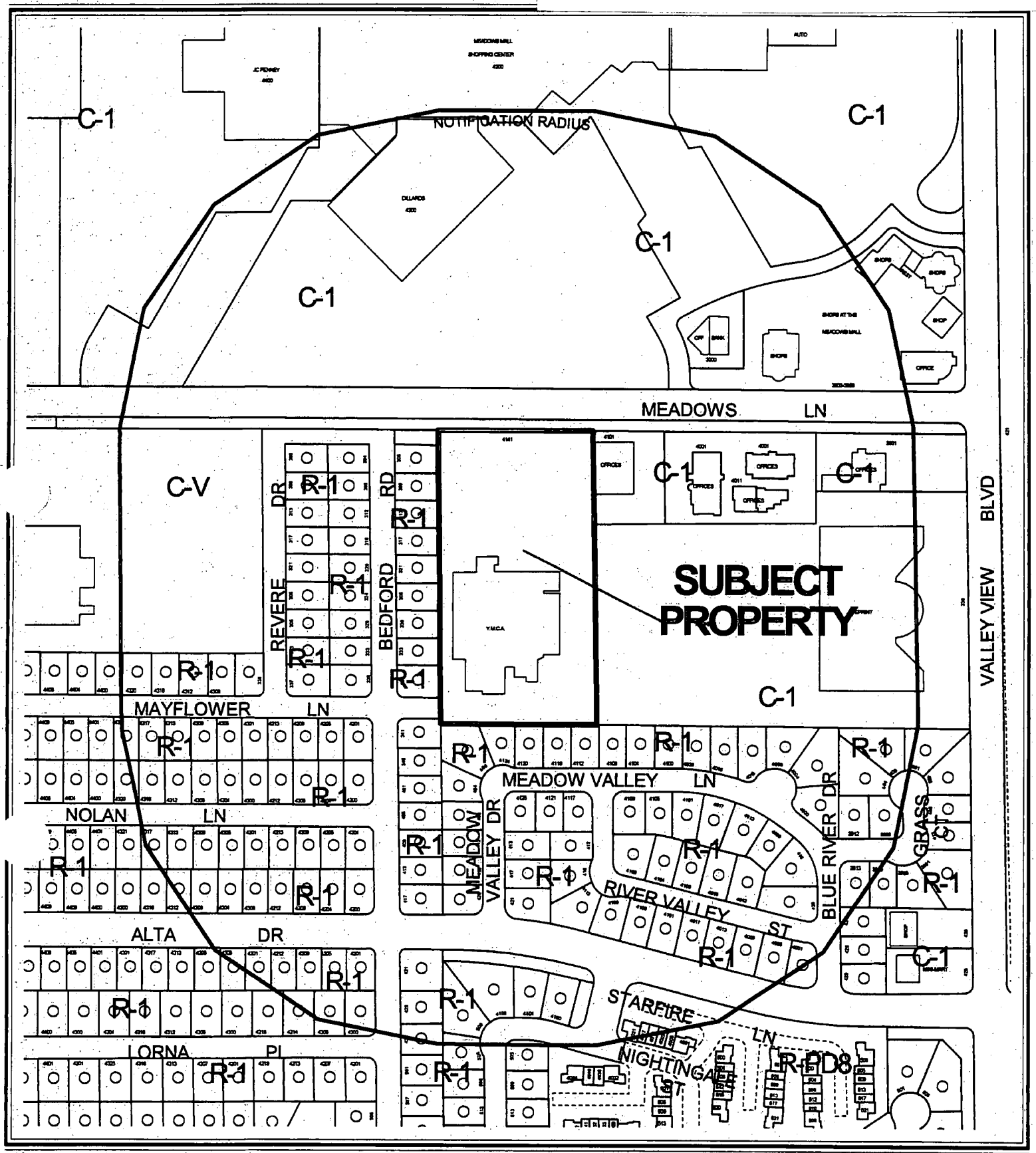
12. Provide a copy of a recorded access easement or other permanent, irrevocable access rights across Assessor's Parcel Number 139-31-510-008 in favor of this site for access to Meadows Lane through the proposed new driveway prior to the issuance of any permits for this site. If such rights cannot be obtained, the site must be redesigned to provide alternative legal access.

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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

15. Provide an additional 10 feet for the existing 10-foot wide public sewer easement for a total public sewer easement width of 20 feet 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. This easement shall be centered about the public sewer main.

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

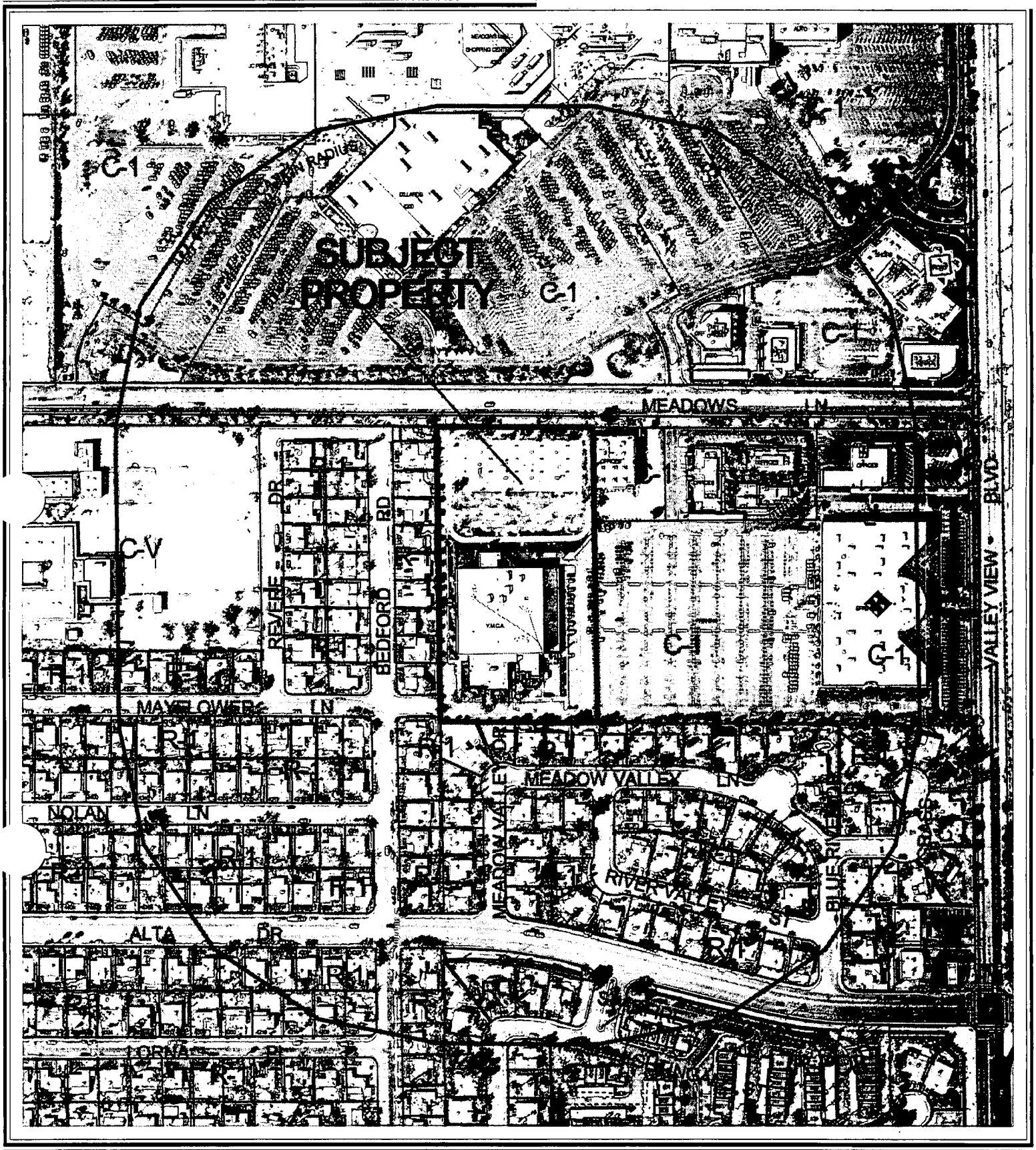


0 200 400 Feet

CASE: **SDR-2900**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **VAR-2901**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Parking lot shall be screened from Meadows Lane by a decorative wall, landscaped berm, or combination thereof.

3. All development shall be in conformance with the site plan and building elevations and conditions of VAR-2901, except as amended by conditions herein, including redesign as necessary to show required trees.

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center for the perimeter buffer area along the west property line.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of Meadow Lane and neighboring properties.

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

8. Any property line wall along the perimeter of the overall site shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron fence with decorative concrete or stone pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

12. Provide a copy of a recorded access easement or other permanent, irrevocable access rights across Assessor's Parcel Number 139-31-510-008 in favor of this site for access to Meadows Lane through the proposed new driveway prior to the issuance of any permits for this site. If such rights cannot be obtained, the site must be redesigned to provide alternative legal access.

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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

15. Provide an additional 10 feet for the existing 10-foot wide public sewer easement for a total public sewer easement width of 20 feet 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. This easement shall be centered about the public sewer main.

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review to approve a site redesign of the YMCA along the south side of Meadows Lane, across from the Meadows Mall and near the intersection of Valley View Boulevard and Meadows Lane. The proposed design will relocate the primary parking area from the east side of the parcel to the north end of the parcel, remove three of the four tennis courts, and add a water recreation facility.

B) Applicant's Justification

The new design will increase the number of parking spaces up to 138, enhance visibility and access to Meadows Lane, improve the open space areas, and add water recreation to the existing use.

BACKGROUND INFORMATION

A) Previous Actions

06/16/76	The Board of City Commissioners approved the rezoning of the subject parcel from R-1 (Single Family Residential) to C-1 (Limited Commercial) to permit the YMCA.
01/23/79	The Board of City Commissioners approved a Site Plan Review for the YMCA.
07/15/87	The City Council approved a Site Plan Review for a Retirement Complex proposed to be located on the north third of the subject parcel.
11/03/99	The City Council approved a Special Use Permit for a 55-foot Cellular Communication Tower to be located at the rear of the lot.
09/25/03	The Planning Commission recommended approval of a companion item Variance (VAR-2901) application for a reduction in the amount of required parking on this site.
09/25/03	The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #15).

B) Pre-Application Meeting

07/13/03	The following issues were discussed:

1. Calculation of the parking requirement based on one space per 200 sq. ft. of building the current 70,000 sq. ft. YMCA would need 350 spaces. The lot currently has 99 spaces.
2. Addition of the water facility will increase the number of required parking spaces.
3. The variance request will need to be based on previous variances.
4. It was suggested that a neighborhood meeting be held to inform the neighbors.
5. The applicant was to research the possibility for a written shared parking agreement with Sprint located to the east of the site.

C) Neighborhood Meetings

09/15/03 A neighborhood meeting was held with respect to this application, one person attended and no concerns were raised.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.02 Acres

B) Existing Land Use

Subject Property:	YMCA with jogging path and tennis courts
North:	Shopping Mall
South:	Single family dwellings
East:	Parking lot and office buildings
West:	Single family dwellings

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	L (Low Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The proposed action will not change the intensity of the existing use. The addition of a water facility to the existing YMCA will potentially improve the quality of life of the neighboring population.

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 DESCRIPTION

The subject site is a rectangular lot that has one of the narrow sides facing Meadows Lane. With this proposal primary access to the site will shift from the current location east of the Sprint offices to the east to a new access from Meadows Lane. Three of the four tennis courts will be replaced by a new parking lot with the access to Meadows Lane. The current parking along the east side of the YMCA will be replaced by the proposed water facility. The shared parking granted by Sprint will be parallel to the east property line of the subject parcel.

The water facility will have a slide and "plunge" pool, a leisure pool, and a bathhouse. The water facility will have an independent entrance from the main YMCA building. The entrance will direct access to the new parking lot located to the north of the water facility.

The jogging track will be relocated and designed around new playground equipment and a new shade structure. This recreation area will be located between the two tennis courts that remain and the YMCA building, with a portion of the area extending south along the west property line between the YMCA and the perimeter wall.

A cellular antenna tower approved previously by a Special Use Permit will remain at its current location, the southeast corner of the YMCA building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development will need to comply with the standards in Title 19.08 for a C-1 (Limited Commercial) zone. The plan as submitted complies with required building setbacks.

A2) Residential Adjacency Standards

The Residential Adjacency Standards of Title 19.08 do not apply to the subject proposal. Since the proposed bathhouse is less than 15 feet in height.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Community Facility	70,300 SF.	1 per 200 SF of GFA	352	9	138 plus 181 shared spaces	8
New Pool	8,500 SF	50 SF per person capacity =170 people **1 space per 3 people**	57 spaces			

The YMCA has a shared parking agreement with SPRINT, the adjacent landowner, and the agreement permits the YMCA to use 181 parking spaces on the adjacent parcel. The proposed site plan shows that the amount of parking spaces will increase to 138 spaces, an increase of 39 spaces more than the current lot design. Since the proposal will not incorporate modification of the existing building, the parking agreement with Sprint for peak periods has been made, and the seasonal nature of the water facility the amount of parking is sufficient for the site.

With the redesign of the parking and circulation areas the applicant should meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	6 Trees/Space	12 Trees	16
Buffer: • 24 inch box Trees	30 foot O.C.	47 Trees	32
• Min. Zone Width	8 Feet		12
• Wall height	8 Feet		

The landscaping of the site exceeds the standards of Title 19.

A5) Sign Standards

The signage for this application will be evaluated under a separate review.

B) General Analysis and Discussion

- Zoning

With the approval of the accompanying Variance (VAR-2901), the proposed Site Development Plan will conform to the zoning standards of the site.

- Site Plan

The site plan is consistent with standards.

- Waivers

There are no other issues with the site plan that would require some kind of waiver.

- Landscape Plan

The applicant is required to submit a revised plan addressing the number of trees along the western edge of the parcel.

- Elevation

The design of the elevation is consistent with the existing building.

- Floor Plan

The floor plan is consistent with the existing design.

FINDINGS

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

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

   The proposed development will be compatible with existing businesses and commercial uses.

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;"**

   With the implementation of the recommended conditions of approval and as redesigned, the proposed development will be consistent with the General Plan and Title 19.

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

   The subject site has access to Meadows Lane that has sufficient capacity for the development of the proposed project.

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

   The landscaping and materials proposed for this development, as they will be similar to the surrounding development, will be appropriate for the commercial character of the area.

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

   The proposed public use development will be appropriate for the area.

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

   The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

PLANNING COMMISSION ACTION

The Planning Commission recommended approval with the addition of Condition #2.

NOTICES MAILED 177 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2900 APN: 139-31-601

Name of Property Owner: YMCA OF SOUTHERN NEVADA

Name of Applicant: JMA ARCHITECTURE STUDIOS - JOHN LOPEMAN

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: Michael A Lubbe

Print Name: Michael A Lubbe

Subscribed and sworn before me

This 21 day of May, 2003

Sonia Snow

Notary Public in and for said County and State

SONIA SNOW
Notary Public - Nevada
No. 99-56694-1
My appt. exp. July 9, 2003



RECEIVED
03 AUG 35 AM 7:36
PLANNING AND
DEVELOPMENT

6100 Sprint Parkway
Overland Park, KS 66251

July 24, 2003

Mr. Michael Lubbe
President and Chief Executive Officer
YMCA of Southern Nevada
4141 Meadows Lane
Las Vegas, Nevada 89107

Dear Mr. Lubbe:

This letter grants permission to the YMCA of Southern Nevada ("YMCA"), effective as of August 15, 2003 to use 181 parking spaces leased by Sprint Communications Company L.P. ("Sprint") behind its leased office building at 330 S. Valley View Boulevard, Las Vegas, Nevada, subject to the terms and conditions described herein.

The parking spaces to be used are only those contained in the last four single rows of parking in the western-most part of Sprint's parking lot behind its building. No parking by the YMCA will be permitted on Sprint's property other than in this designated area.

The use of the parking will be non-exclusive in common with Sprint personnel and Sprint visitors, and will continue until the termination or expiration of Sprint's lease. Notwithstanding the foregoing, Sprint reserves the right to terminate this agreement upon 90 days written notice if Sprint's increased occupancy of the building requires use of the subleased parking spaces.

The YMCA agrees to indemnify, hold harmless and defend Sprint, its agents, employees, contractors, and directors, from any and all claims, demands, causes of action, losses, expenses or liabilities, including costs and reasonable attorney's fees, against Sprint on account of injury to or death of any person or loss or damage to any property arising directly or indirectly out of the acts or omissions of the YMCA, its employees, agents, representatives, contractors, members, or invitees in connection with the use or occupancy of parking spaces under this Agreement.

In addition, the YMCA agrees to comply with the insurance requirements applicable to subtenants under paragraphs 12 through 17 of the lease between Sprint and Meadow View Associates ("Landlord"), a copy of which are attached hereto, except that the general liability insurance coverage requirement has been reduced by the Landlord to $1,000,000 per occurrence and $2,000,000 aggregate. The YMCA will provide to Landlord, prior to commencement of this agreement, a certificate of insurance naming both the Landlord and Sprint as additional insureds.

ARN 119762; PRN 267737

REVISED 9.3.03

SDR-2900
9-25-03 PC

Please sign both copies of this letter and return one to this office. If you have any questions or require any additional information, please contact Diane Pritchett at (913) 315-4558.

Sincerely,

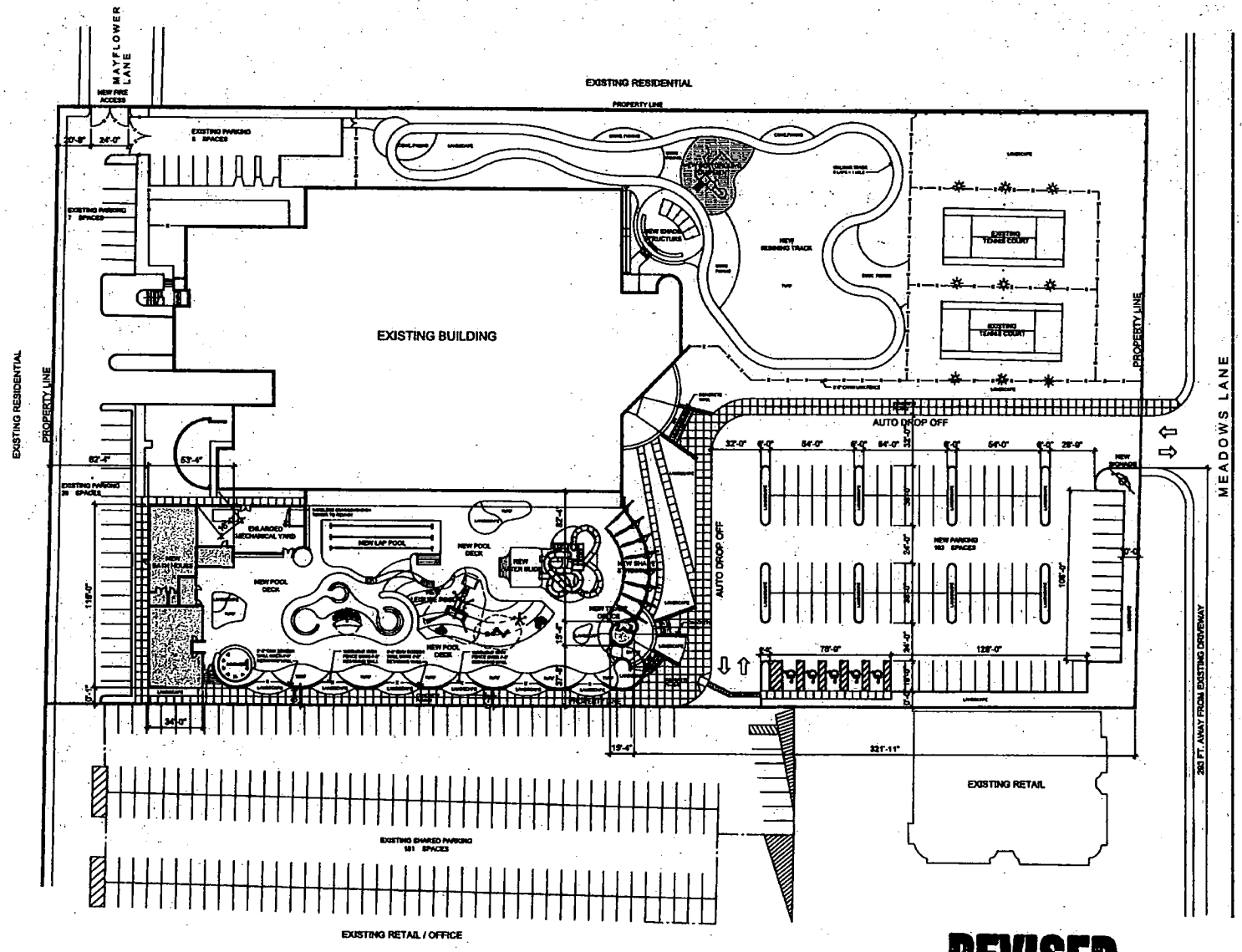
Connee Scott
Senior Real Estate Negotiator

Agreed to and accepted this 30th day of July, 2003.

YMCA OF SOUTHERN NEVADA

By: _____
Mr. Michael Lubbe
President and Chief Executive Officer

ARN 119762; PRN 267737

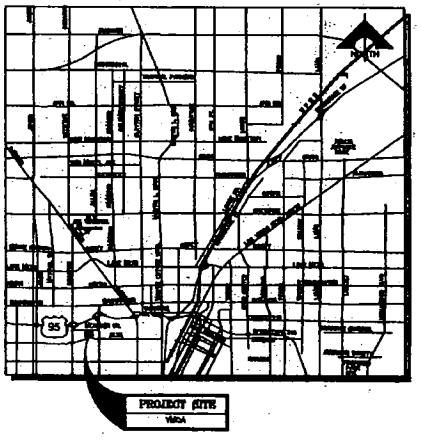


JMA ARCHITECTURE STUDIOS

SITE DATA

A.P.N.		139-31-801-001
SITE AREA		
	NET AREA	5.77 AC.
	EXISTING BUILDING	54,382 S.F.
	NEW BATH HOUSE	4,000 S.F.
	TOTAL BUILDING FOOTPRINT	58,382 S.F.
FLOOR AREA RATIO		23 %
OUTDOOR FACILITIES		
	EXISTINGTENNIS/BLEACHERS	20,479 S.F.
	NEW RUNNING TRACK	11,310 S.F.
	NEW PLAY SURFACE	1,867 S.F.
	NEW POOL DECK	16,400 S.F.
	NEW POOL	8,500 S.F.
PARKING ANALYSIS		
EXISTING BUILDING		
	1ST FLOOR GROSS FLOOR AREA	54,382 S.F.
	2ND FLOOR GROSS FLOOR AREA	15,929 S.F.
	TOTAL GROSS FLOOR AREA	70,311 S.F.
	PARKING REQ'D	352 SPACES (1 SPACE PER 200 S.F. OF G.F.A.)
NEW POOL		175 OCC. (8,500 S.F. / 50)
	PARKING REQ'D	57 SPACES (1 SPACE PER 3 OCC.)
	TOTAL PARKING REQ'D	409 SPACES
	H.C. PARKING REQ'D	8 SPACES (401-500 SPACES)
	TOTAL PARKING PROV'D	319 SPACES (138 SPACES ON-SITE PLUS 181 SPACES SHARED PARKING WITH SPRINT)
	H.C. PARKING PROV'D	8 SPACES
ZONING:	C-1	

VICINITY MAP



REVISED 9.3.03

ARCHITECTURAL SITE PLAN

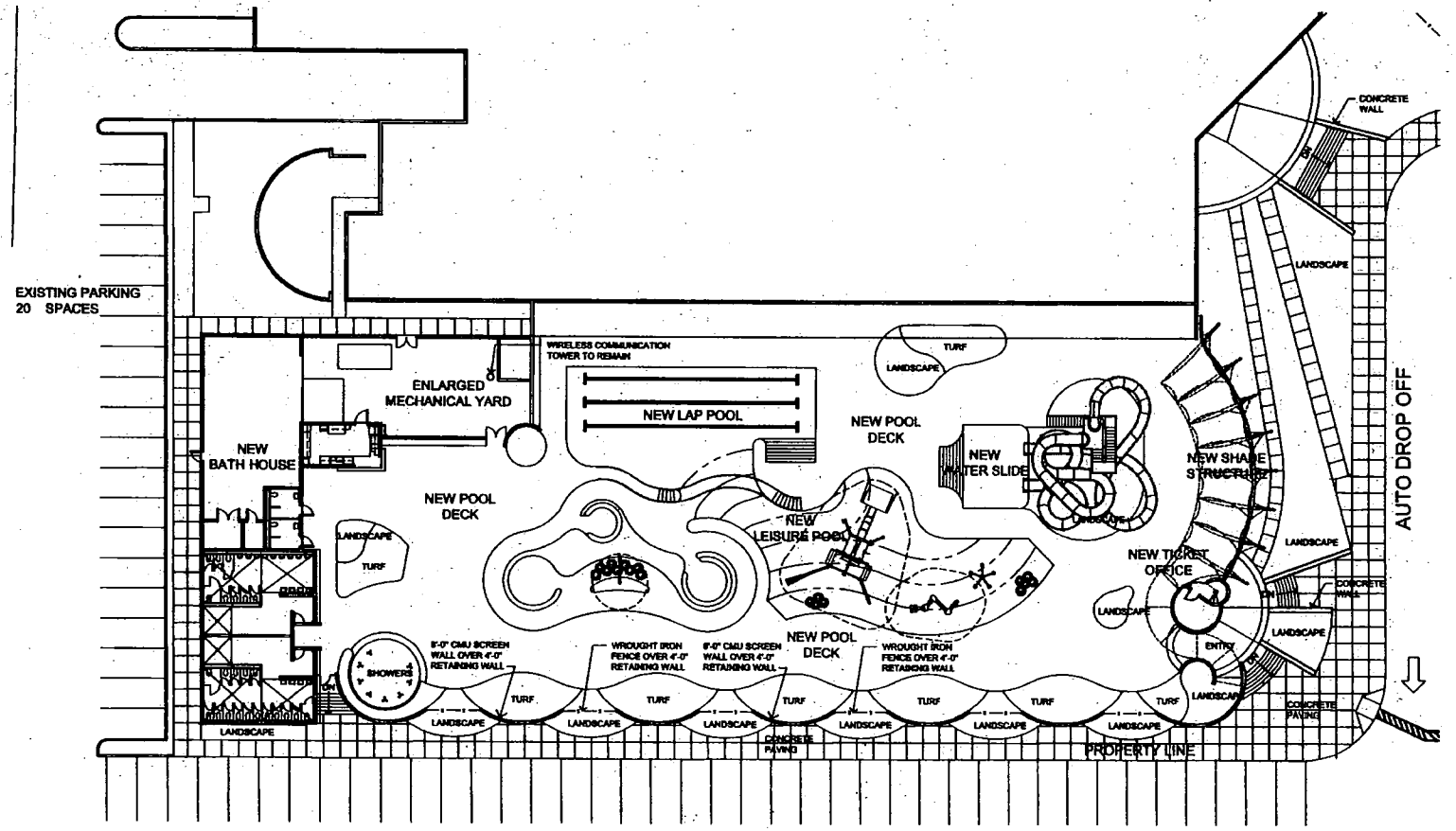
YMCA AQUATICS FACILITY

STAFF
SDR-2900
9-25-03 PC

10120 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE (702) 731-3033 FAX (702) 731-3039 WWW.JMAARCH.COM

PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 8, 2003
0 15 30 60
SCALE: 1" = 30'-0"
NORTH

JMA ARCHITECTURE STUDIOS



OUTDOOR POOL FACILITY

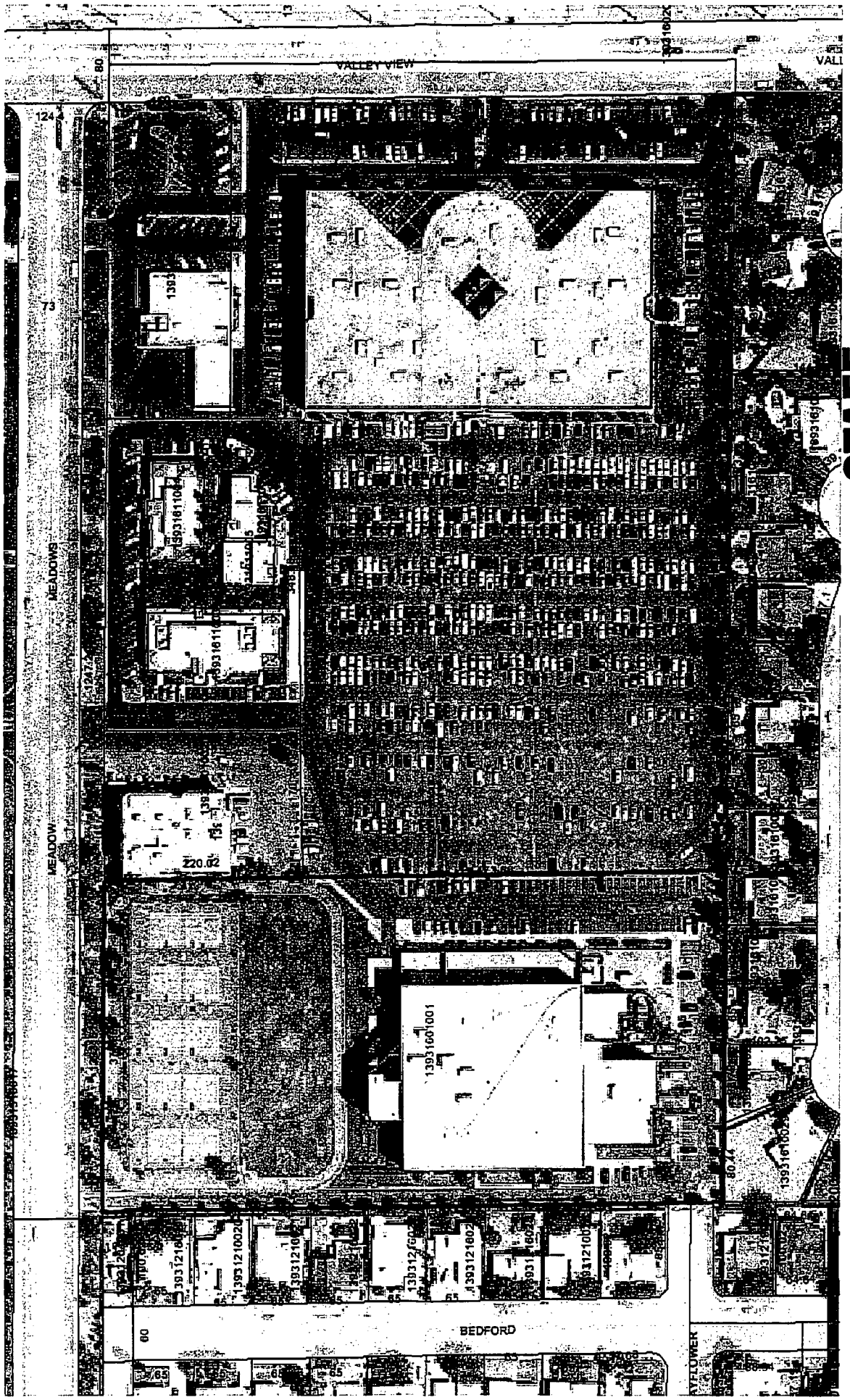
YMCA AQUATICS FACILITY

REVISED 9303 STAFF

10120 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3933 FAX: (702) 731-3938 WWW.JMAARCH.COM

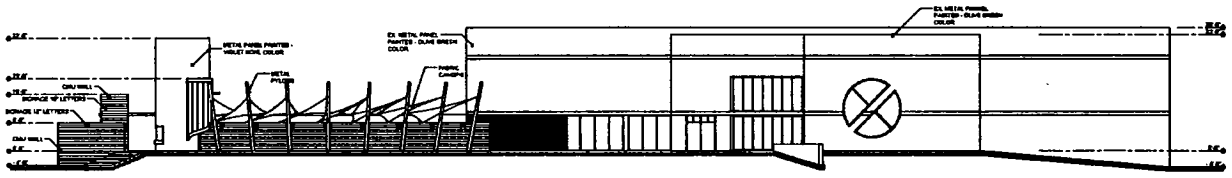
PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 8, 2003
0 8 16 32
SCALE: 1/16" = 1'-0"

SDR-2900
9-25-03 PC

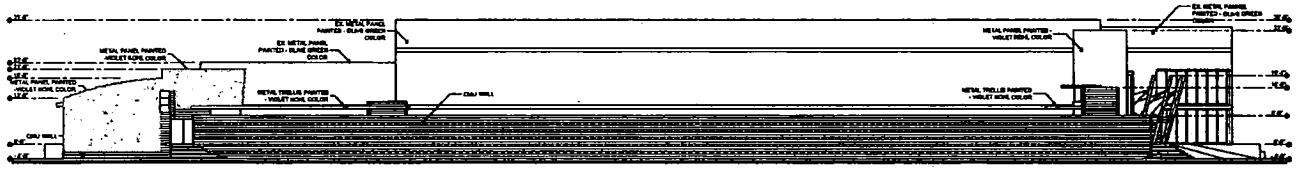


STAFF SDR-2900
9-25-03 PC
REVISED 9.3.03

JMA ARCHITECTURE STUDIOS



NORTH ELEVATION



EAST ELEVATION

BUILDING ELEVATIONS

YMCA AQUATICS FACILITY

10190 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3033 FAX: (702) 731-3038 WWW.JMAARCH.COM

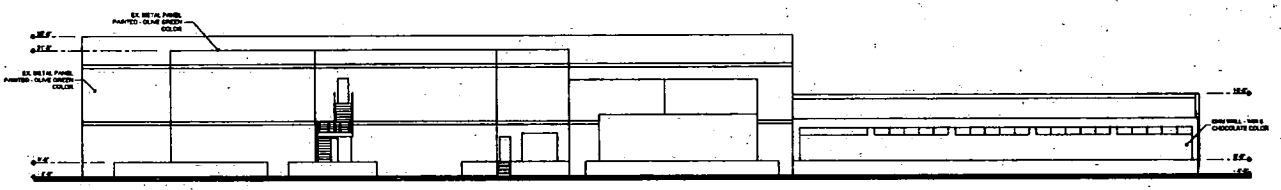
PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 6, 2003

0 8 16 32
SCALE: 1/16" = 1'-0"

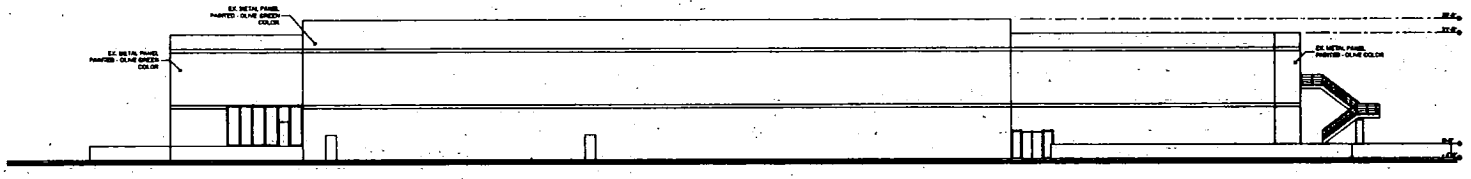
SDR-2900
9-25-03 PC

STAFF

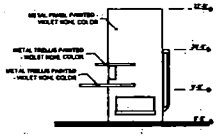
JMA ARCHITECTURE STUDIOS



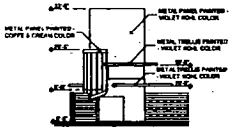
SOUTH ELEVATION



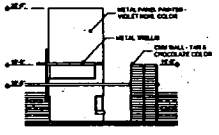
WEST ELEVATION



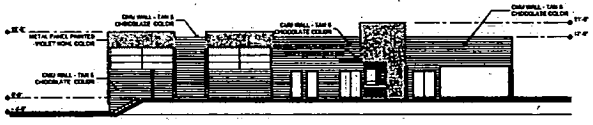
EAST ELEVATION



NEW TICKET OFFICE
WEST ELEVATION



SOUTH ELEVATION



NEW BATH HOUSE
NORTH ELEVATION

BUILDING ELEVATIONS

YMCA AQUATICS FACILITY

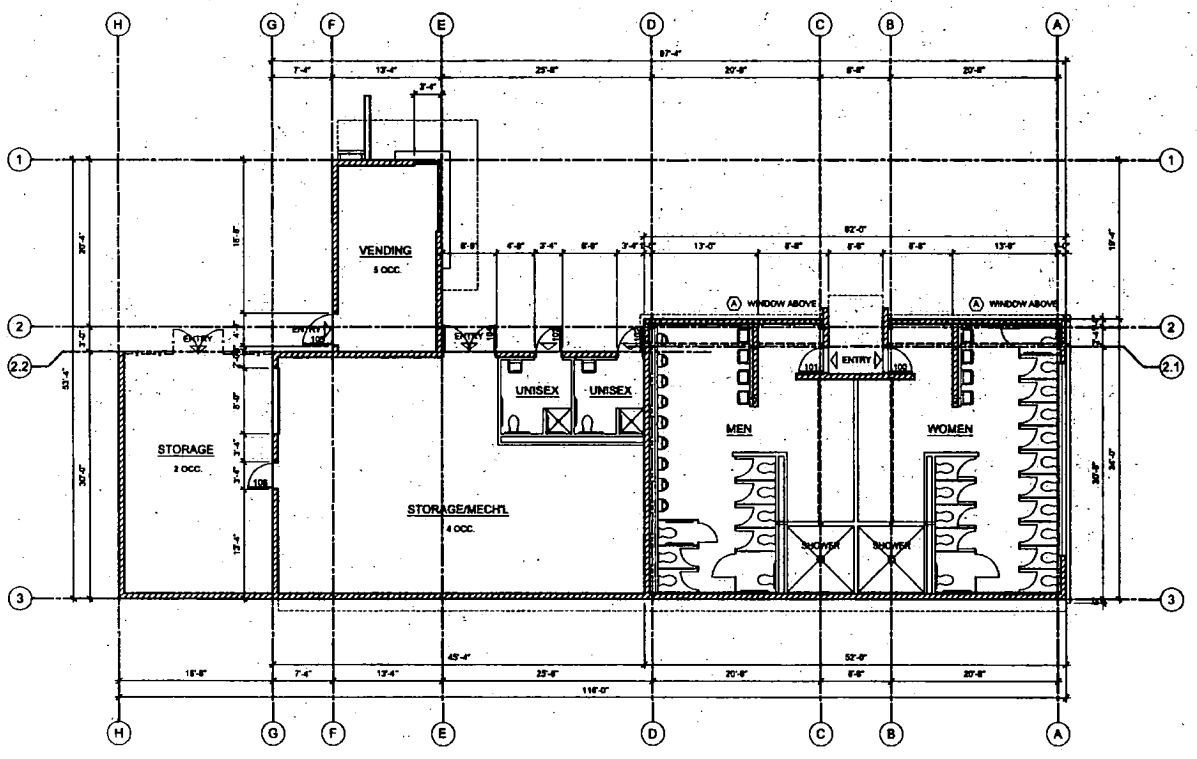
10150 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3033 FAX: (702) 731-3636 WWW.JMARCH.COM

PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 8, 2003

0 8 16 32
SCALE: 1/16" = 1'-0"

SDR-2900
STAFF 9-25-03 PC

JMA ARCHITECTURE STUDIOS



BATH HOUSE - FLOOR PLAN

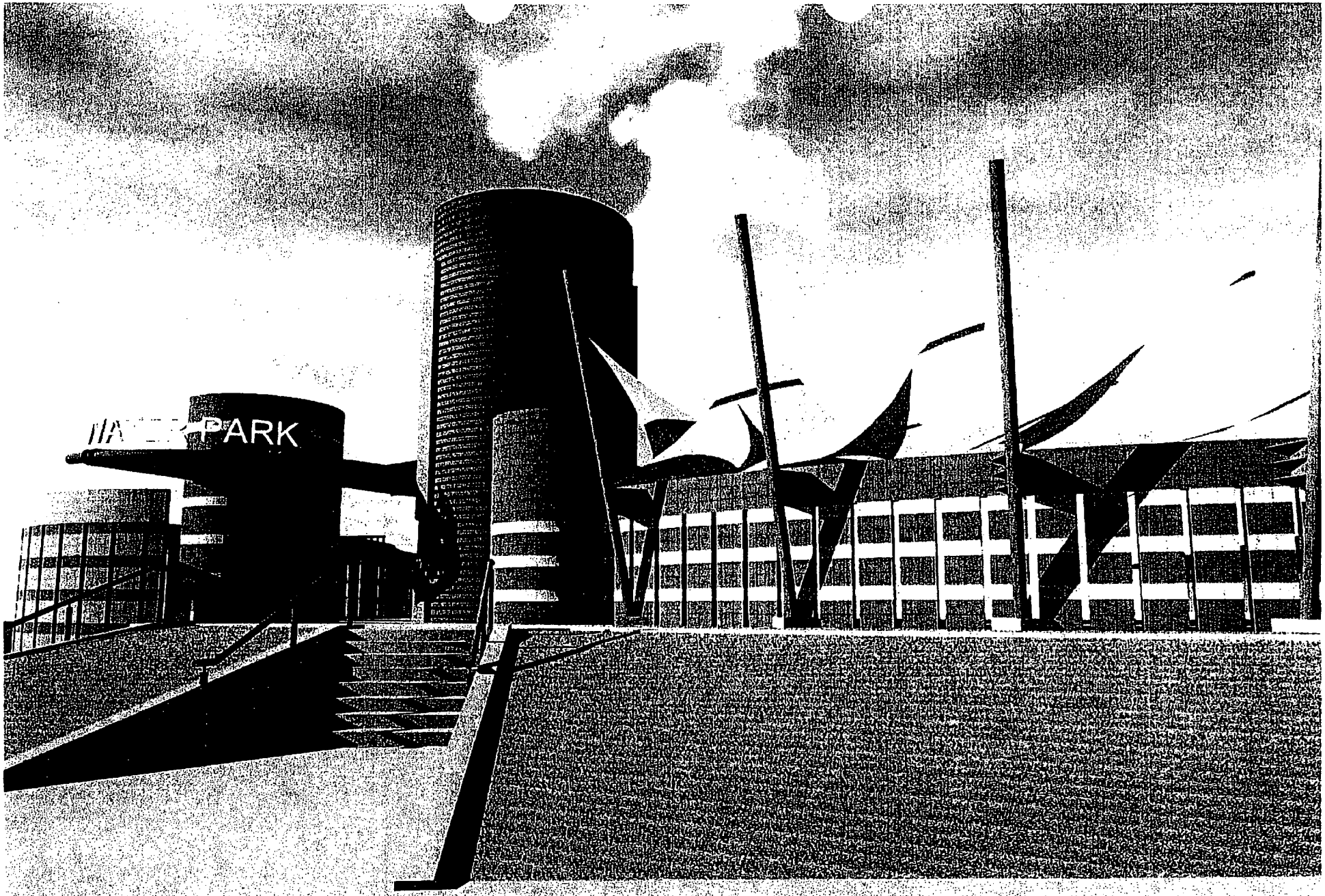
YMCA AQUATICS FACILITY

10180 CORPORATE CIRCLE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3833 FAX: (702) 731-3839 WWW.JMARCH.COM

PROJECT NO: YMCA AQUATICS FACILITY
DATE: August 8, 2003
SCALE: 1/8" = 1'-0"
NORTH

STAFF

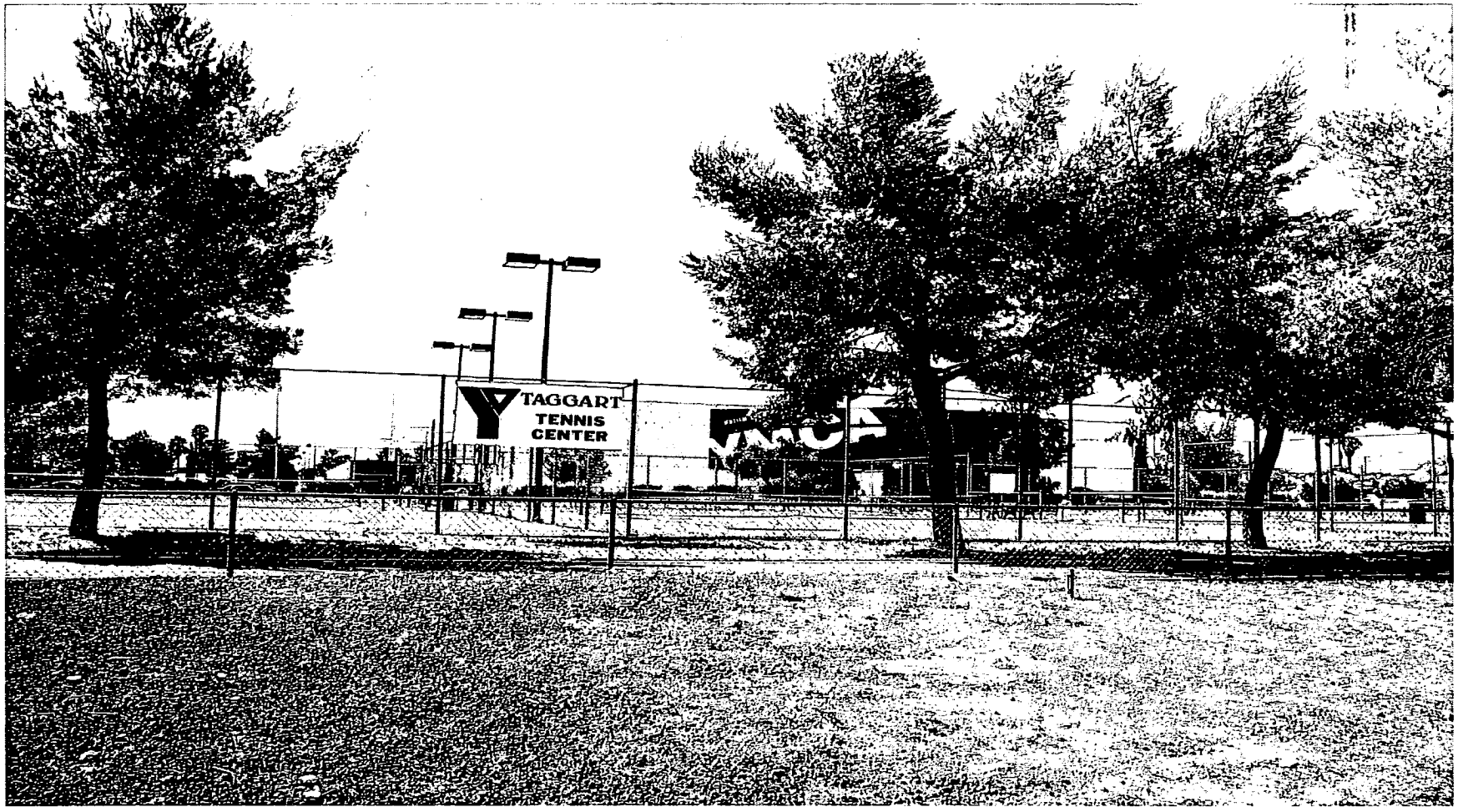
SDR-2900
9-25-03 PC



STAFF

REVISED
9.3.03

SDR-2900
9-25-03 PC



SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



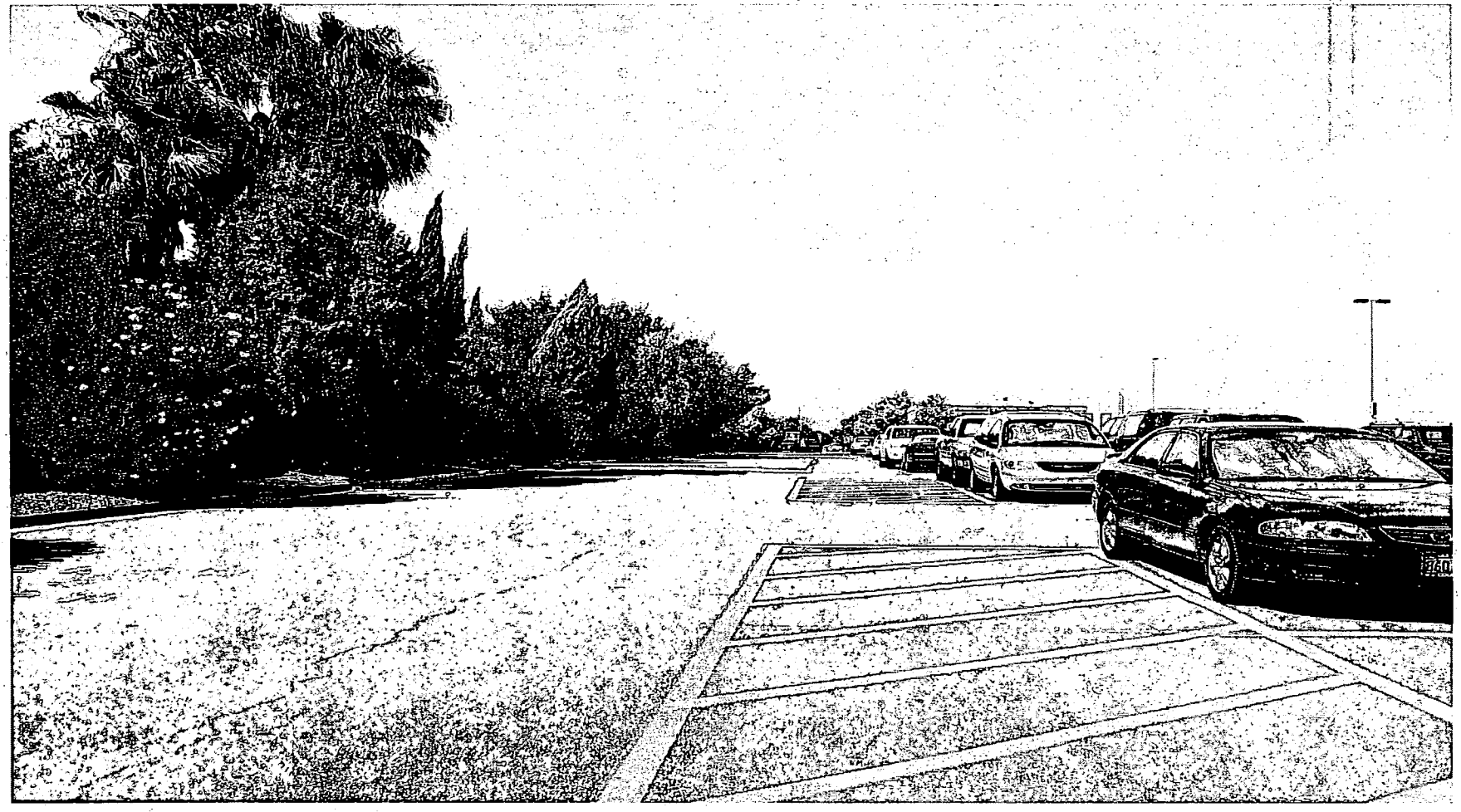
SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



SDR-2900 - LODGE YMCA ASSOCIATION OF LAS VEGAS
4141 MEADOWS LANE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
VARIANCE - PUBLIC HEARING - **VAR-2905 - TERRIBLE HERBST OIL COMPANY ON BEHALF OF McDONALD'S CORPORATION** - Request for a Variance to allow a 100-foot tall flag pole where a 40-foot tall flag pole is the maximum height permitted adjacent to the southwest corner of Centennial Parkway and Durango Drive (APN: 125-29-510-007), T-C (Town Center) Zone [GC-TC (General Commercial – Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

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 (6-0-1 vote) and staff recommend DENIAL.

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

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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

SEAN HIGGINS appeared on behalf of the applicant and stated that JERRY HERBST has a 100-foot flagpole on every site, as allowed. This flagpole is appropriate at this particular location because there are no adjacent residences. MR. HIGGINS discussed with COUNCILMAN WEEKLY that the final sign design for the project at Bonanza and Rancho is being finalized and that he would let him know the expected completion date.

TOM MCGOWAN indicated that the issue is the flagpole's height, not its location. He asked that the City Council deny the request and any other future over 100 feet flagpoles.

City of Las Vegas

Agenda Item No. 132

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 132 – VAR-2905

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, pointed out the flagpole advertises Terrible Herbst's locations. Additionally, the applicant should adhere to Town Center Standards.

MAYOR GOODMAN clarified with ROBERT GENZER, Director, Planning and Development Department, that there have been a number of requests for 100-foot flagpoles, which have been denied, including requests by Terrible Herbst. He recalled that a request by a car dealership south of Ann Road on the east side of the US 95 corridor was recently denied. Further, a flagpole request by Terrible Herbst at Sahara Avenue and Valley View Boulevard was denied because of its proximity to single-family residences. MR. GENZER further discussed with MAYOR GOODMAN that staff's recommendation on this particular application is that the height remain at 40 feet because 100 feet at this location is out of character with anything that currently exists, in terms of height. The hardship is self-imposed.

COUNCILMAN MACK remarked that the previous request was from Vista Chevrolet for a 100-foot flagpole adjacent to residential, which many residents protested. However, there have been 100-foot flagpoles approved at different locations throughout the Valley. He is reassured by the fact that there has been no opposition from the neighborhood adjacent to this particular application. Additionally, the flagpole is adjacent to the freeway and the homes to the northeast are underneath the raised beltway.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:36 – 1:43)

4-890

CONDITIONS:

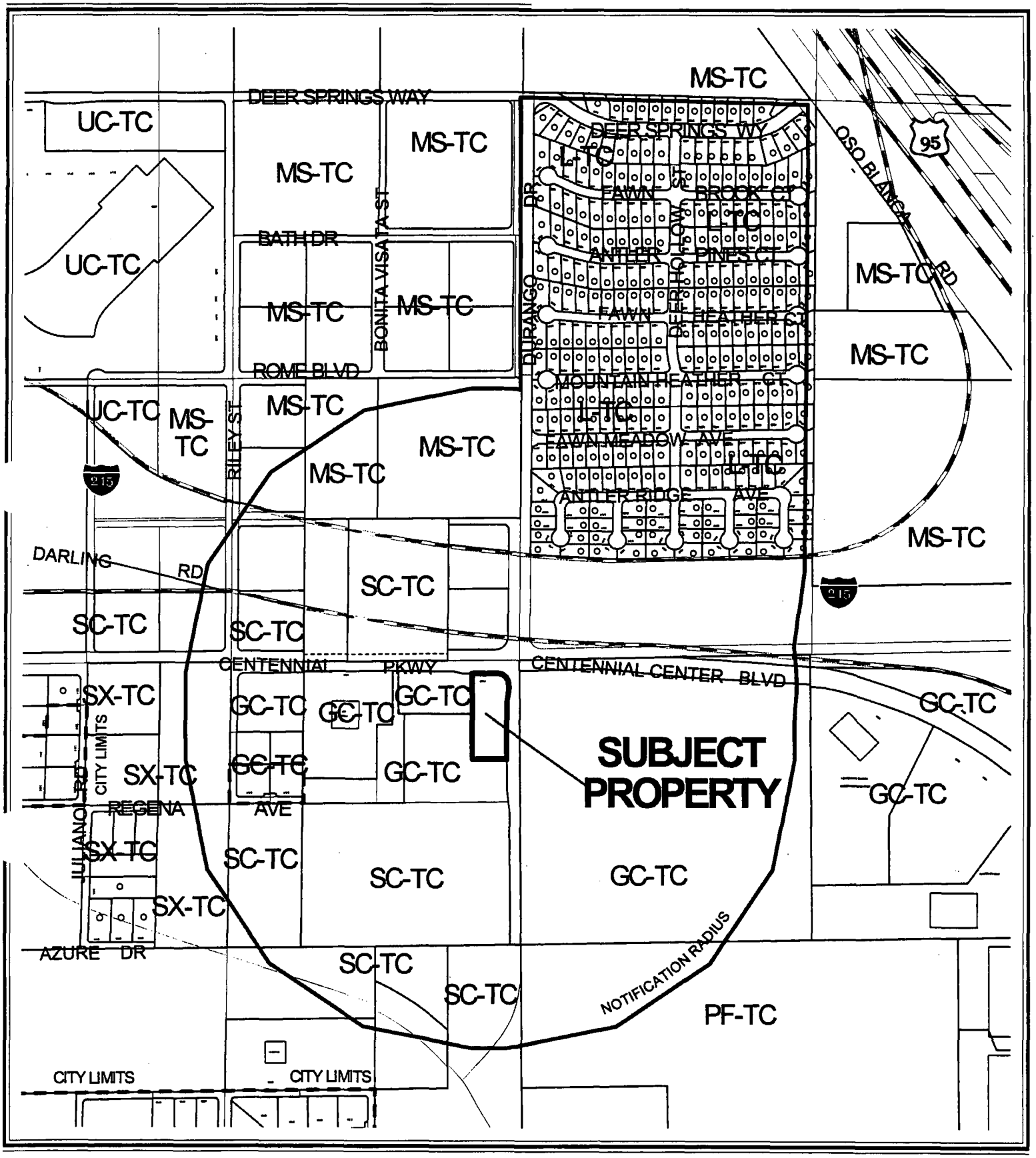
Planning and Development

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

2. No more than one flag for any one governmental unit or nation is permitted on each parcel of land.

3. No more than four flags are permitted on the same parcel of land.

4. Conformance to the Conditions of Approval for Site Development Plan Review (SD-0034-02) and Special Use Permits (U-0097-02 and U-0098-02).



0 400 800 Feet

CASE: **VAR-2905**

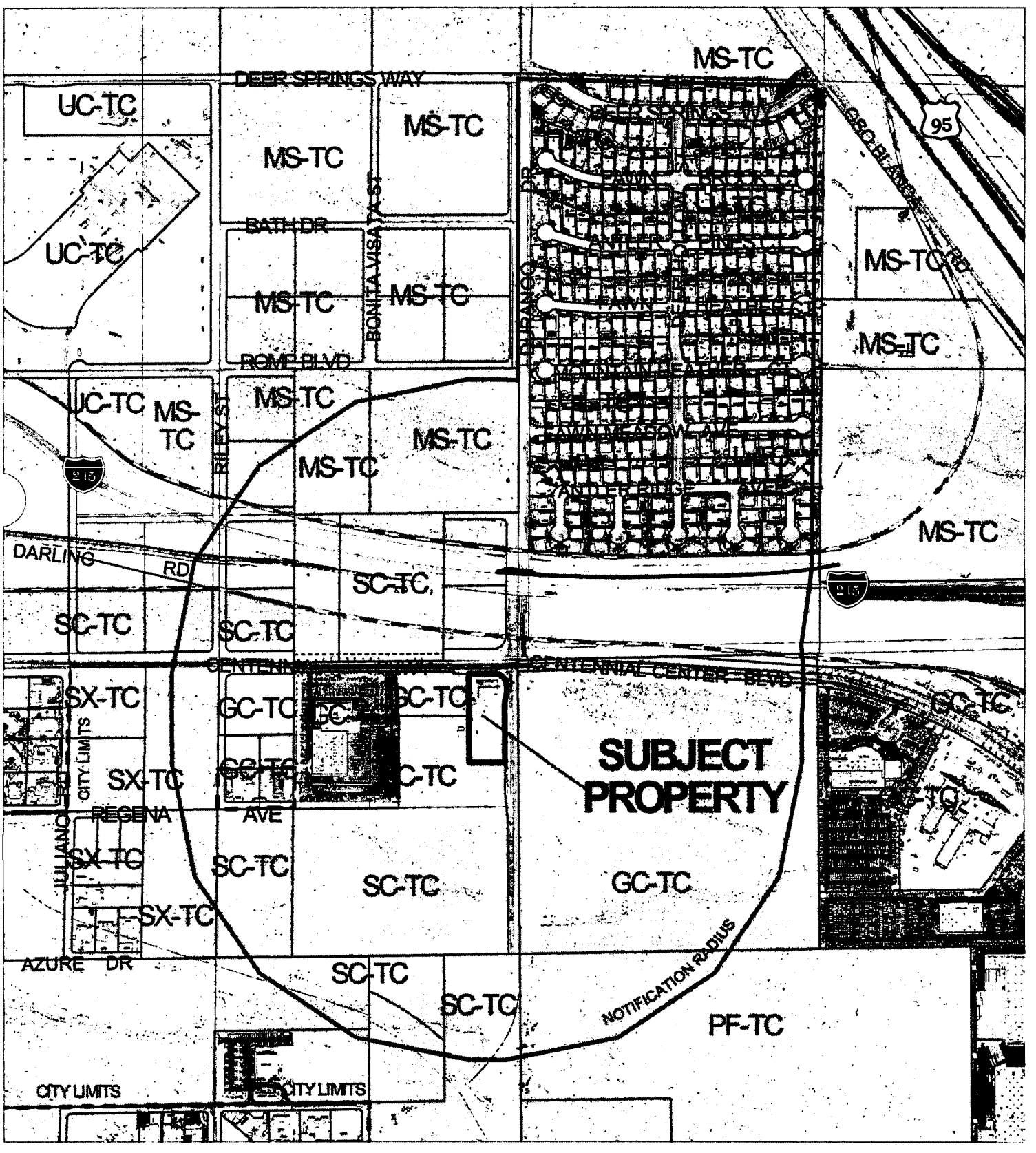
RADIUS: 1320 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) GC-TC (GENERAL COMMERCIAL - TOWN CENTER) LAND USE DESIGNATION

132

N



CASE: **VAR-2905**

0 400 800 Feet

RADIUS: 1320 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) GC-TC (GENERAL COMMERCIAL - TOWN CENTER) LAND USE DESIGNATION

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-2905 - TERRIBLE HERBST OIL COMPANY ON BEHALF OF McDONALD'S CORPORATION

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

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

2. No more than one flag for any one governmental unit or nation is permitted on each parcel of land.

3. No more than four flags are permitted on the same parcel of land.

4. Conformance to the Conditions of Approval for Site Development Plan Review (SD-0034-02) and Special Use Permits (U-0097-02 and U-0098-02).

VAR-2905 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Request for a Variance to allow a 100-foot tall flagpole, where 40 feet is the maximum height allowed at 8425 West Centennial Parkway (Terrible Herbst).

B) Applicant's Justification

The applicant's justification letter states that the project conforms with the existing uses in the immediate vicinity and other commercial developments on Centennial Parkway.

BACKGROUND INFORMATION

A) Previous Actions

09/01/99	The subject property was Annexed (A-0010-98) into the City of Las Vegas with a Zoning of U (Undeveloped) under Resolution of Intent to T-C (Town Center).
10/06/99	The City Council approved a Site Development Plan Review (SD-0020-99) for a proposed new car dealership on this site as part of larger request. The Planning Commission recommended approval.
10/04/01	The Planning Commission approved a Site Development Plan Review (SD-0058-01) for a proposed temporary bank building and a permanent bank building on this site as part of a larger request.
07/25/02	The City Council approved a General Plan Amendment (GPA-0019-02) to amend a portion of the southern boundary of the Centennial Hills Sector Town Center Plan to match the alignment of the proposed S Curve; and to amend the future land use within the revised boundary area FROM: ML (Medium Low Density Residential), L (Low Density Residential), GC (General Commercial) and SC-TC (Service Commercial - Town Center) TO: GC-TC (General Commercial - Town Center), SX-TC (Suburban Mixed Use - Town Center), SC-TC (Service Commercial - Town Center) and PF-TC (Public Facilities - Town Center). The Planning Commission recommended approval.
09/18/02	The City Council approved a Site Development Plan Review (SD-0034-02), a Special Use Permit (U-0097-02) for a restaurant with drive through and a Special Use Permit (U-0098-02) for fuel pumps in conjunction with a proposed convenience store on this site. The Planning Commission recommended approval.
09/25/03	The Planning Commission voted 6-0-1 to recommend DENIAL (PC Agenda Item #16).

B) Pre-Application Meeting

07/15/03 The applicant was informed of the submittal process and requirements, as well as the fact that upon submittal, a review of the site conditions will be done to determine suitability.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.47

B) Existing Land Use

Subject Property:	Convenience Store
North:	Beltway
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	GC-TC (General Commercial – Town Center)
North:	SC-TC (Service Commercial – Town Center)
South:	GC-TC (General Commercial – Town Center)
East:	GC-TC (General Commercial – Town Center)
West:	GC-TC (General Commercial – Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	Beltway
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses. As the Town Center Development Standards Manual does not specifically address flagpole heights, Title 19 standards apply.

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The following standards apply to the request.

Title 19.14.040 - Sign Permitted Without a Certificate

Flags of the United States are permitted in every zoning district, provided that:
The flag is not flown from a pole, the top of which is more than 40 feet in height;
No more than one flag for any one governmental unit or nation is permitted on each parcel of land; and
No more than four flags are permitted on the same parcel of land.

B) General Analysis and Discussion

The proposed flagpole will be located within an approved convenience store development, which includes gasoline sales. The submitted site plan depicts the pole positioned on the northern portion of the site near the principle structure, separated approximately 570 feet from residential property by the Beltway. The proposed height of 100 feet is well in excess of the permitted height of 40 feet.

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 erect a flagpole that is two and a half times greater than what is allowed by Title 19. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 387 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-2905 APN: _____

Name of Property Owner: McDonalds Corp

Name of Applicant: Terrible Herbst / Joe Greco

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Benjamin J. Graf

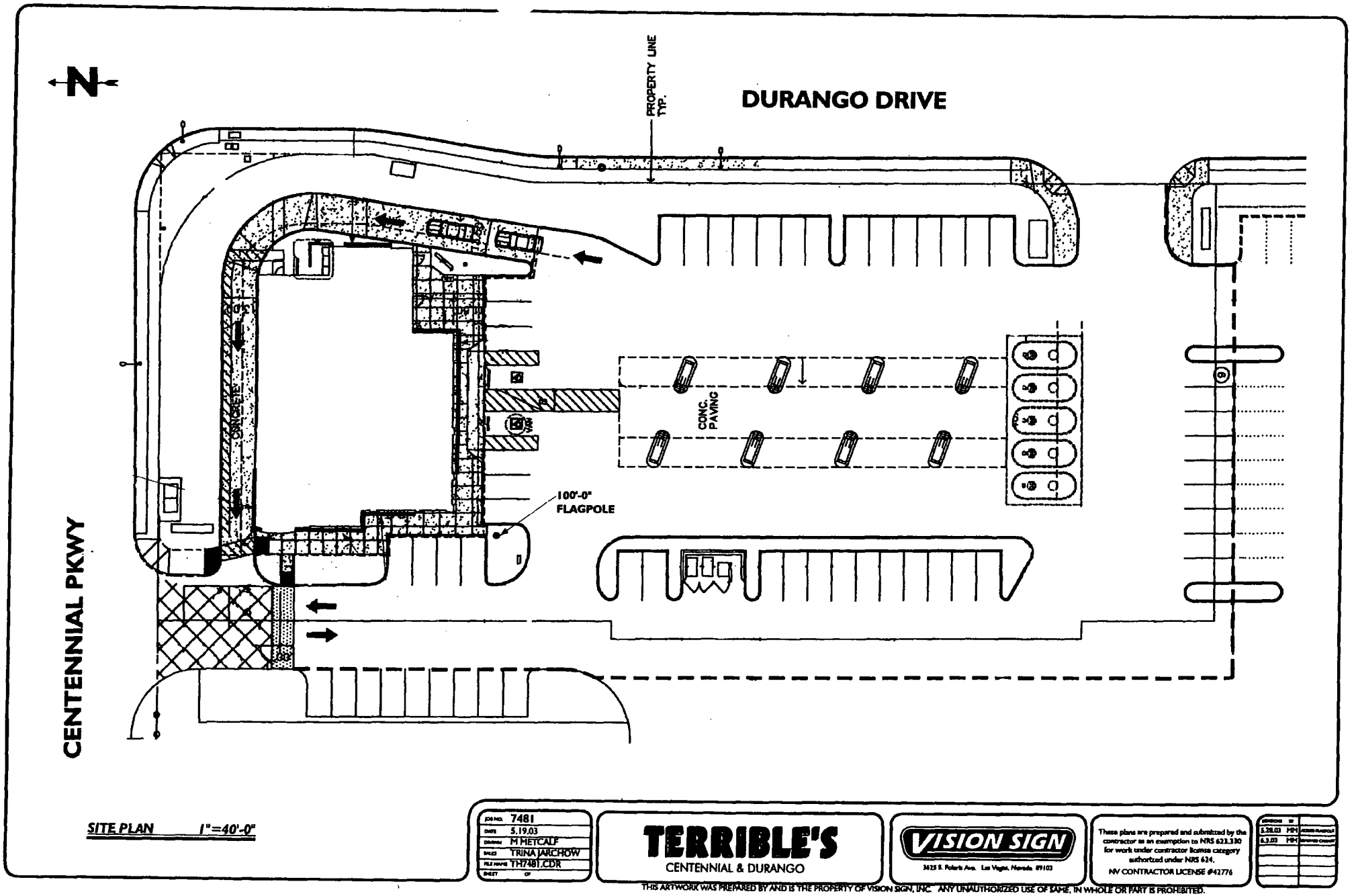
Subscribed and sworn before me

This 8 day of August, 2003

Debra G. Martin

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
DEBRA G. MARTIN
My Appointment Expires
February 25, 2006
No: 98-0896-1



SITE PLAN 1"=40'-0"

JOB NO.	7481
DATE	5.19.03
DRAWN	M METCALF
SALES	TRINA JARCHOW
FILE NAME	TH7481.CDR
SHEET	OF

TERRIBLE'S
CENTENNIAL & DURANGO

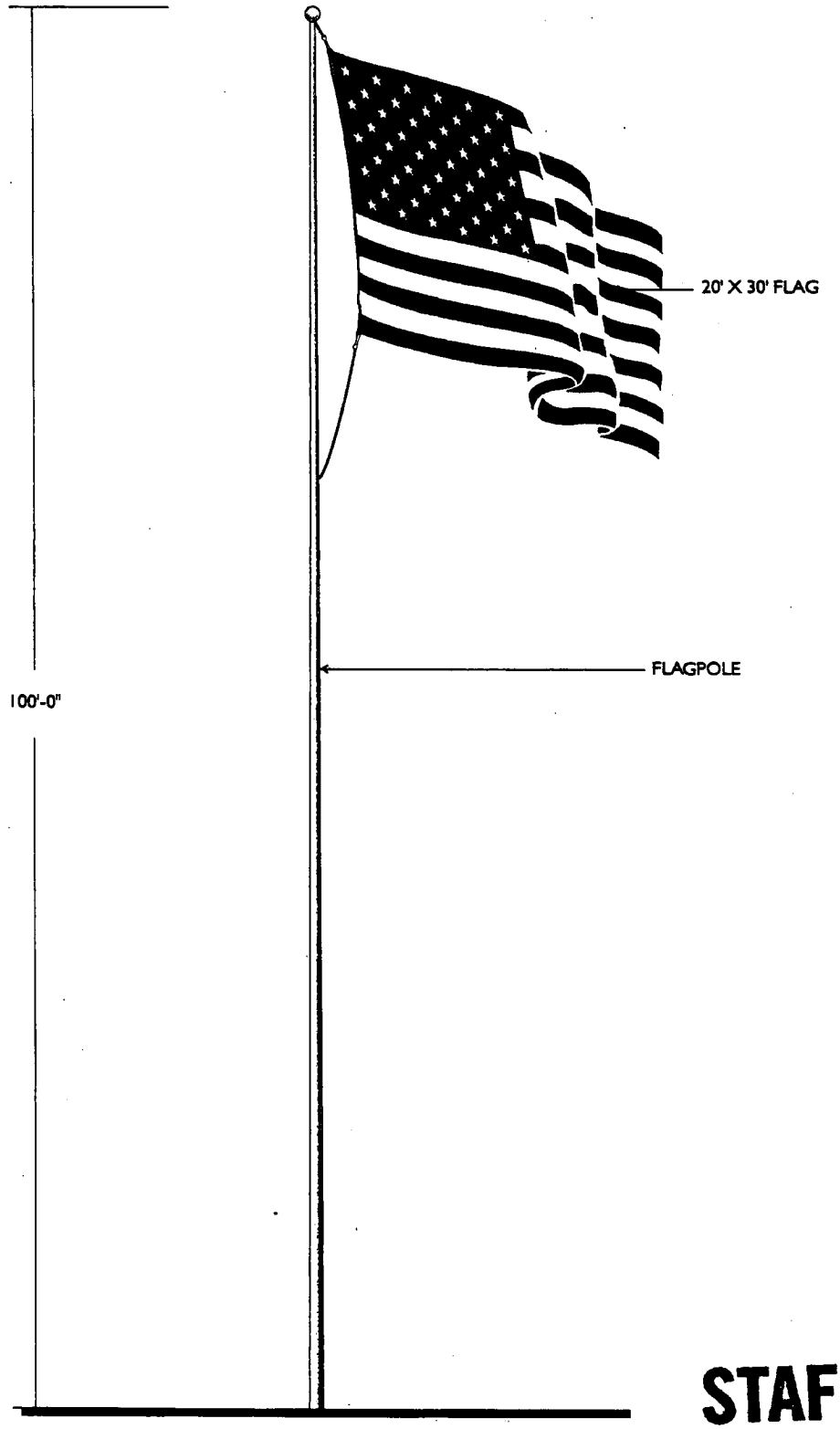
VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

5.28.03	MH	ADDED FLAGPOLE
6.9.03	MH	APPROVED COPY

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

VAR-2905
STAFF 9-25-03 PC



(1) FLAGPOLE 1/8"=1'-0"

STAFF
VAR-2905
9-25-03 PC

JOB NO.	7481
DATE	5.28.03
DESIGNER	M METCALF
SALES	TRINA/ARCHOW
FILE NAME	TH7481.CDR
SHEET	OF

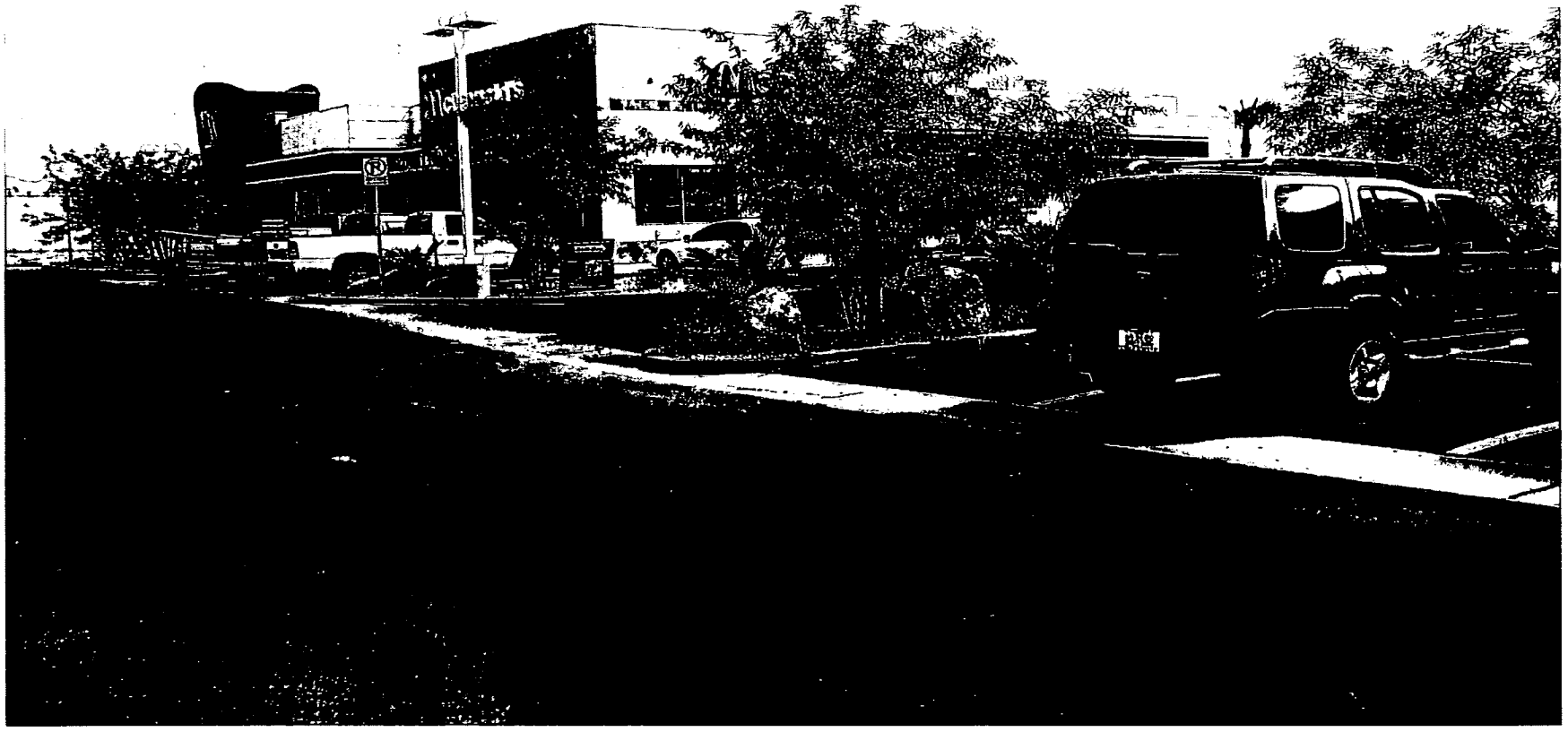
TERRIBLE'S
CENTENNIAL & DURANGO

VISION SIGN
3425 S. Polaris Ave. Las Vegas, Nevada 89102

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

REVISIONS	BY

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



VAR-2905 - TERRIBLE HERBST OIL COMPANY ON BEHALF OF MCDONALD'S CORPORATION
CENTENNIAL PARKWAY AND DURANGO DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03

City of Las Vegas

Agenda Item No. 133

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2793 - STEVEN TRAISMAN** - Required One Year Review of an approved Special Use Permit (U-0069-02) which allowed a banquet facility at 4250 East Bonanza Road, Suite #10 (APN: 140-30-802-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 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 (7-0 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 9/25/2003 Planning Commission meeting Item 19

MOTION:
REESE – APPROVED subject to conditions and the following added condition:
- ***The Special Use Permit shall be reviewed by the City Council in one year.***

- UNANIMOUS with BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN REESE pointed out that there are no concerns with this business and imposed a one-year review.

No one appeared in opposition.

City of Las Vegas

Agenda Item No. 133

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 133 – RQR-2793

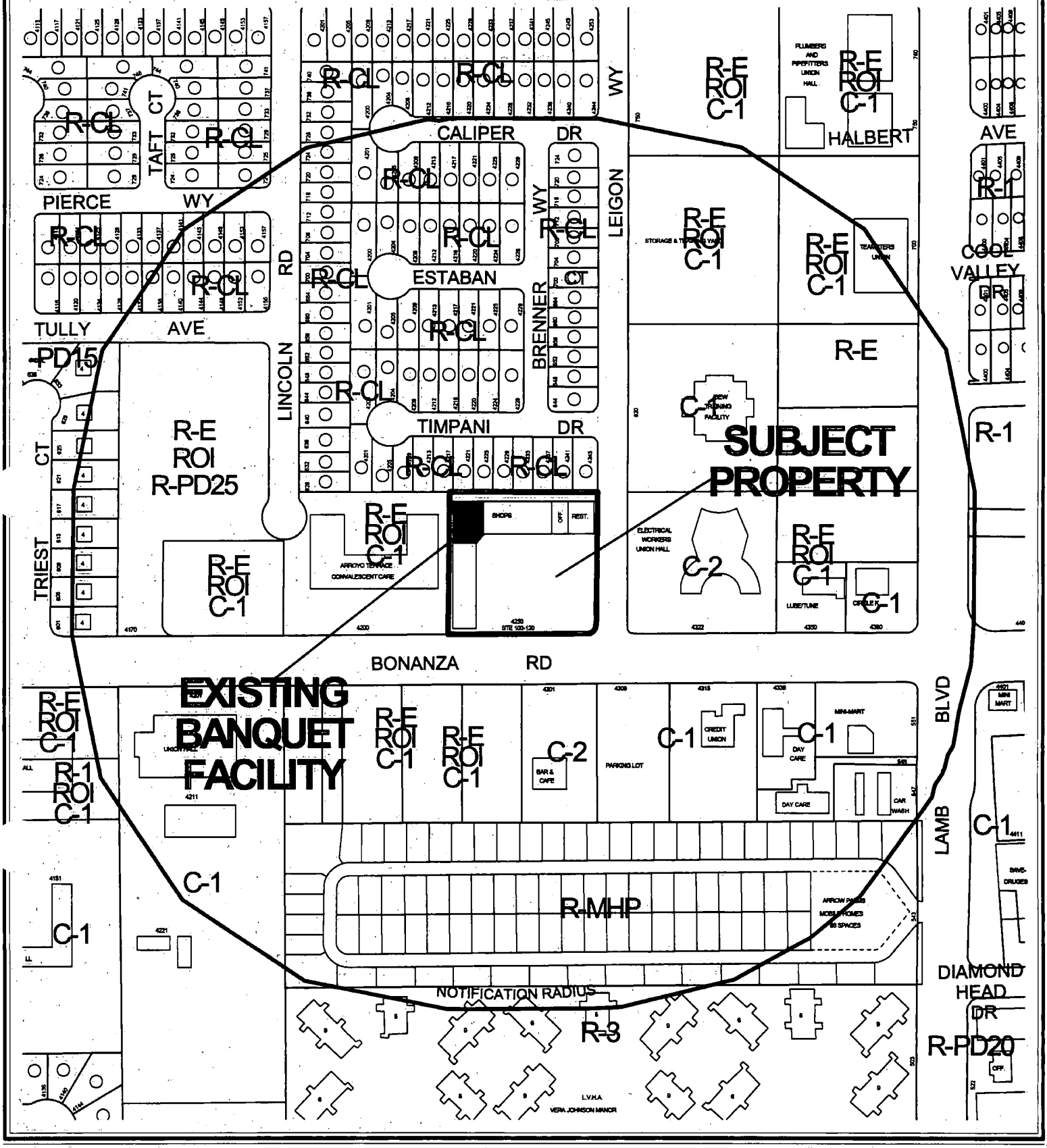
MINUTES – Continued:
There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.
(1:43 – 1:44)
4-1146

CONDITIONS:
Planning and Development

1. Conformance to conditions of approval for Special Use Permit (U-0069-02) and Site Development Plan Review [Z-0090-97(10)].

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

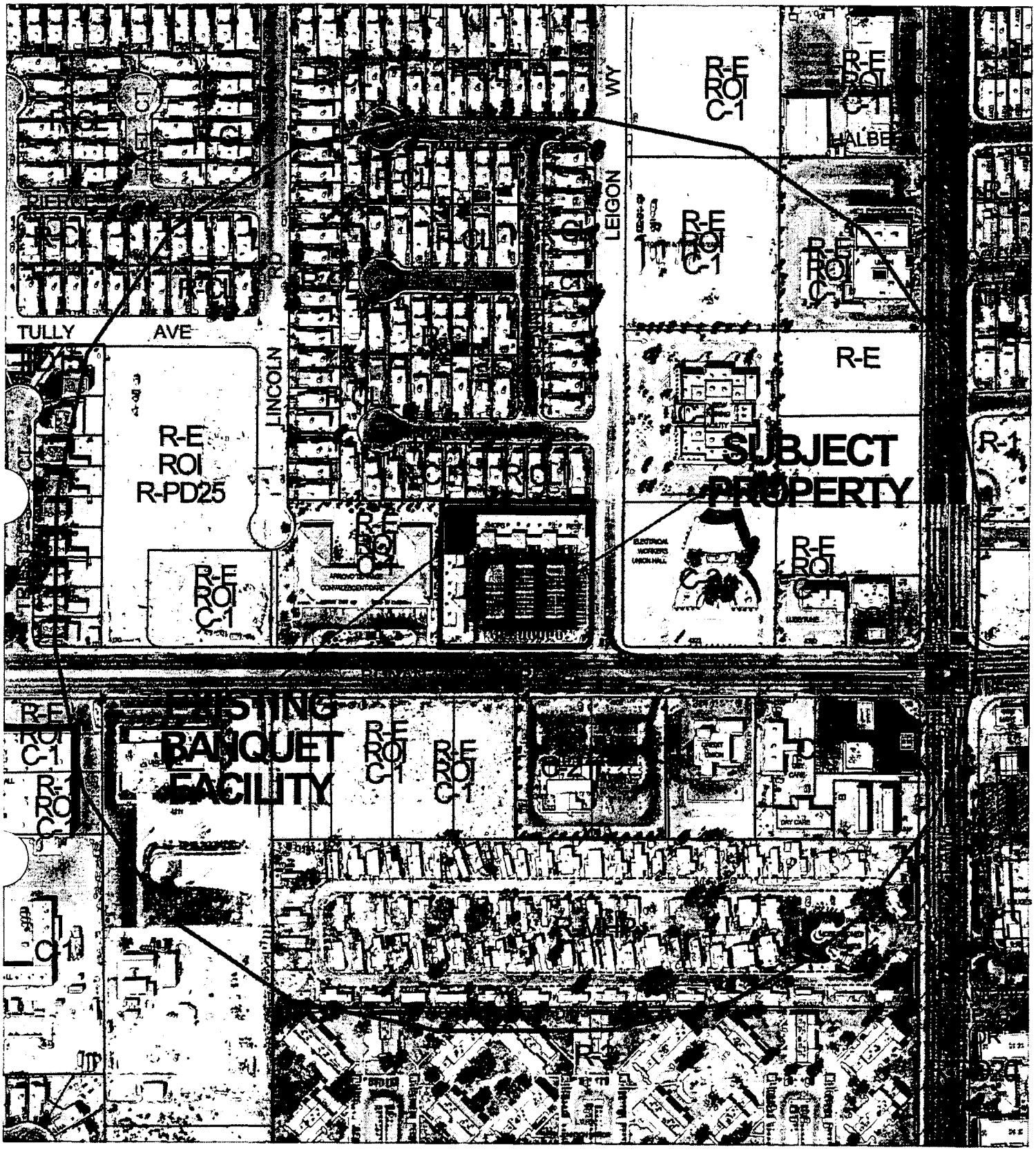


CASE: RQR-2793

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: **RQR-2793**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-2793 - STEVEN TRAISMAN

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to conditions of approval for Special Use Permit (U-0069-02) and Site Development Plan Review [Z-0090-97(10)].

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

RQR-2793 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a one-year required review of a Special Use Permit, which allowed a Banquet Facility at 4250 East Bonanza Road, Suite 10.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

11/24/97	The City Council approved a Rezoning (Z-0090-97) from R-E (Residence Estates) to C-1 (Limited Commercial) of the subject site as part of a larger request.
07/29/99	The Planning Commission approved a Site Development Plan Review [Z-0090-97(1)] for a proposed 21,940-square-foot commercial center on 2 acres.
09/07/99	The Board of Zoning Adjustment approved a Variance (V-0077-99) for a reduction to 5 feet of the required 10-foot side yard setback for the subject retail building.
08/07/02	The City Council approved the original Special Use Permit (U-0069-02) for the Banquet Facility for this location, subject to a one year review. The Planning Commission recommended approval.
09/25/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #19).

B) Pre-Application Meeting

A pre-application meeting was not required.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.96

B) Existing Land Use

Subject Property:	Commercial Center
North:	Single Family Dwellings
South:	Undeveloped and Restaurant/Tavern
East:	Union Hall
West:	Convalescent Care Facility

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ML (Medium Low Density Residential)
South:	SC (Service Commercial) and GC (General Commercial)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-CL (Residential – Compact Lot)
South:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

The site is not subject to any special area plans, overlay districts, study area or trail requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to a Banquet Facility use.

B) General Analysis and Discussion

- Zoning

A Banquet Facility is allowed within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit

- Use

Title 19.20 defines a Banquet Facility as an establishment, which is rented, by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during an event, and 3) outdoor gardens or reception facilities.

- Conditions

Title 19.04 contains no minimum conditions of approval for a Banquet Facility. However, the following conditions were approved as part of the original Special Use Permit (U-0069-02):

3. In accordance with Chapter 19.20 of the Las Vegas Zoning Code, alcoholic beverages shall not be sold except during special events; and in no case shall alcoholic beverages be sold without approval of a Special Use Permit for such.
4. Door at the rear (north) side of the subject business space(s) shall remain closed during the duration of every banquet event, except for loading/unloading and other immediate access needs.
5. No outdoor activities shall be conducted on this site.

The applicant will be required to abide by the original conditions of approval.

FINDINGS

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

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."**

   To determine if the Banquet Facility has been operating in manner that is compatible with the surrounding area, the Crime Analysis Section of The Las Vegas Metropolitan Police Department was contacted. Metro was unable to report any calls specific to the suite in which the banquet facility operates. In the past year, three police calls have been made concerning other businesses in the shopping center and five calls to the shopping center as a whole have been made.

   During the original approval, there were concerns that live and/or amplified music as part of the banquet activities may generate adverse noise impacts on the adjacent residences, especially during the evening hours. In light of the absence of any specific police calls concerning the Banquet Facility, it appears that the conditions placed on the original approval have mitigated the potential noise impact. It can be concluded that the banquet Facility is operating in a manner that is harmonious with the surrounding land uses.

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

   The fully developed commercial center has adequate parking and site access to accommodate the Banquet Facility.

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."**

   Site access is via Bonanza Road (a 100-foot-wide Primary Arterial roadway), and the site is served half-hourly by CAT bus route 215 (Bonanza Road). The transportation facilities are adequate to accommodate traffic generated by 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 banquet facility is subject to ongoing City, State, and Health District regulation, licensing and enforcement and therefore will not compromise the public health, safety, and welfare.

NOTICES MAILED 118 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2793 APN: 140-30-802-002

Name of Property Owner: STEVEN TRAISMAN

Name of Applicant: Gloria Pulido

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: Margaret R Landry

Print Name: MARGARET R. LANDRY

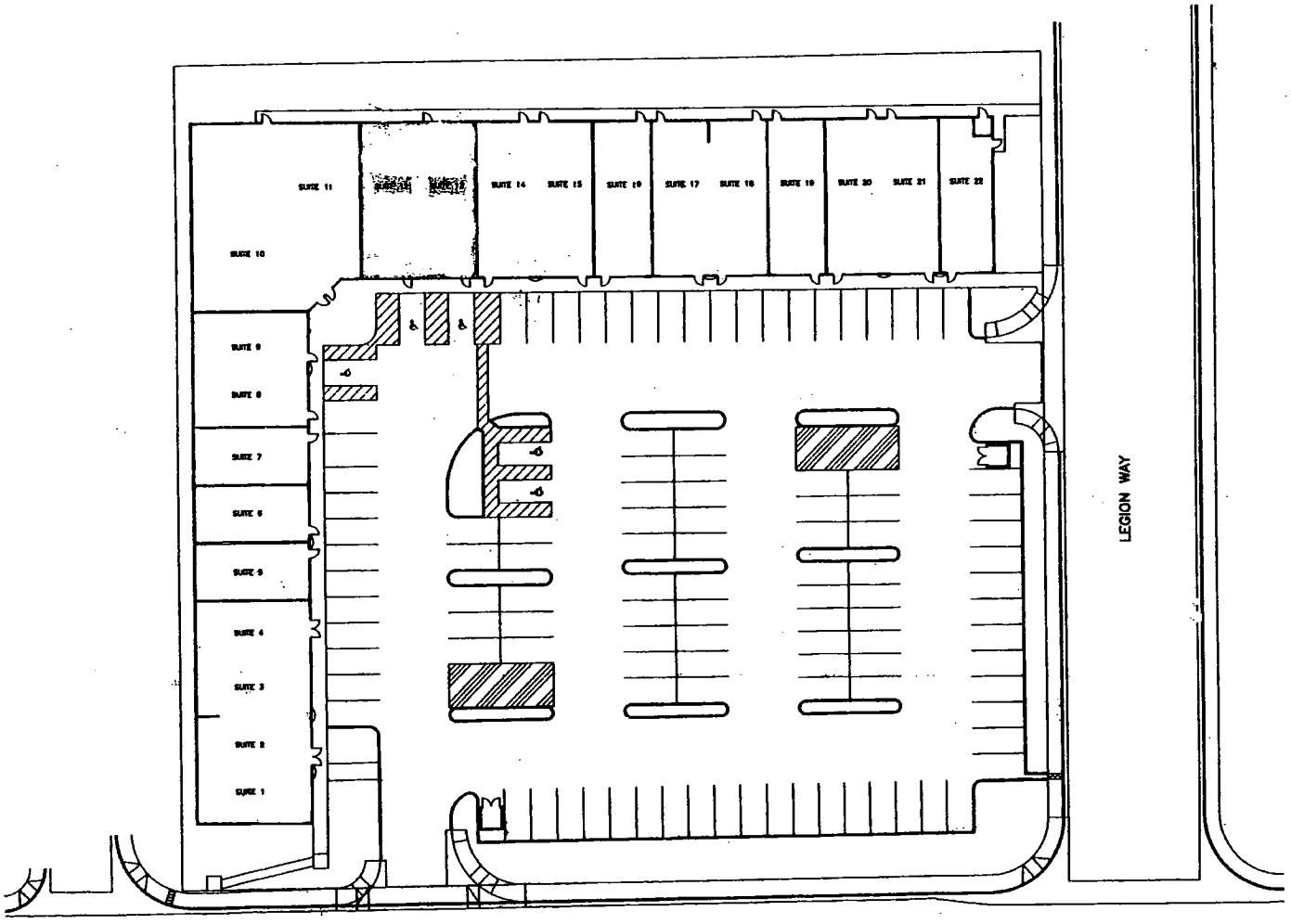
Subscribed and sworn before me

This 15 day of July, 2003

Kathleen Fallon

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHLEEN FALLON
Appt. No. 98-49629-1
My Appt. Expires Nov. 5, 2006



E. BONANZA ROAD

1 A0.1 SITE PLAN
SCALE: 1"-20'-0"

NORTH

STAFF

RQR-2793
9-25-03 PC

A design architects & designers inc.
701 NORTH GREEN VALLEY PARKWAY, SUITE 200, # 20053
HENDERSON, NV 89014-6178
TELEPHONE: 702.656.2169
FACSIMILE: 702.656.2118

ANGELA K. GARDNER
AIA
(LIC. NO. 130-P).

DARRELL A. GARDNER
ASSOCIATE AIA
(LIC. NO. 134-P)

ROBERT W. LORD
NCARB
(LIC. NO. 4508)

TENANT IMPROVEMENT

CLOTHING STORE & OFFICE LEASE
SUITE 112 & 113
4250 E. BONANZA ROAD
LAS VEGAS, NV 89110

SITE PLAN

ISSUED: DATE:
BLDG DEPT 8 FEB 2003
PROJECT NO.: 02030
DRAWN BY: D.GARDNER

A0.1



RQR-2793 - STEVEN TRAISMAN
4250 EAST BONANZA ROAD, SUITE #10
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03

City of Las Vegas

Agenda Item No. 134

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2860 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY** - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit [U-0043-94(4)] which allowed a 55 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign at 3900 West Charleston Boulevard (APN: 139-31-801-012), 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.	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 Lamar Advertising Company

MOTION:
MONCRIEF – Granted the Appeal; thereby, APPROVED the Required One Year Review subject to conditions – UNANIMOUS with GOODMAN abstaining because his current law partner, DAVID CHEZNOV and MARTY KEACH, a former law partner are negotiating to put up billboard signs throughout the community, and although he has no interest, the partners could benefit from approval of the application, and BROWN excused

NOTE: COUNCILMAN MACK disclosed that Lamar has a contract with SuperPawn to lease ground for a billboard at a site in the County. He performs work as a consultant for his brother, STEVEN MACK, who owns SuperPawn. He stated that he does not have a contractual relationship with Lamar, has not discussed this with his brother, and would not benefit in any way from approval of the application. Therefore, he will be voting on the item.

MINUTES:
MAYOR GOODMAN read Item 134 and declared his abstention. MAYOR PRO TEM REESE declared the Public Hearing open.

City of Las Vegas

Agenda Item No. 134

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 134 – RQR-2860

MINUTES - Continued:

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with all staff conditions.

TODD FARLOW, 240 North 19th Street, pointed out the proximity of the sign to the Las Vegas Springs Preserve and asked that the sign be removed when the Springs open to the public.

COUNCILWOMAN MONCRIEF stated that she has had no complaints from constituents on this issue.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:43 – 1:44)

4-1183

CONDITIONS:

Planning and Development

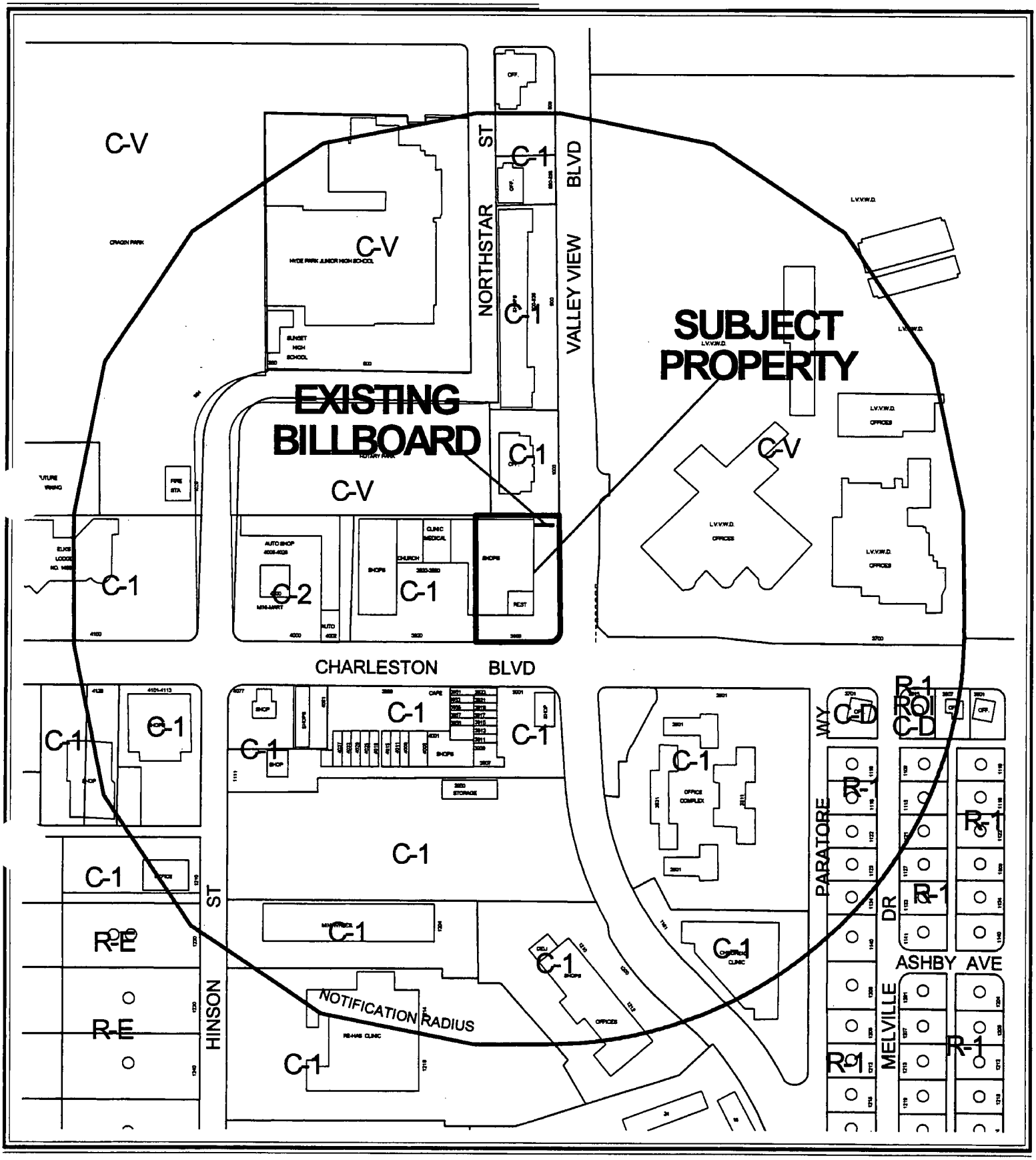
1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising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

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

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

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

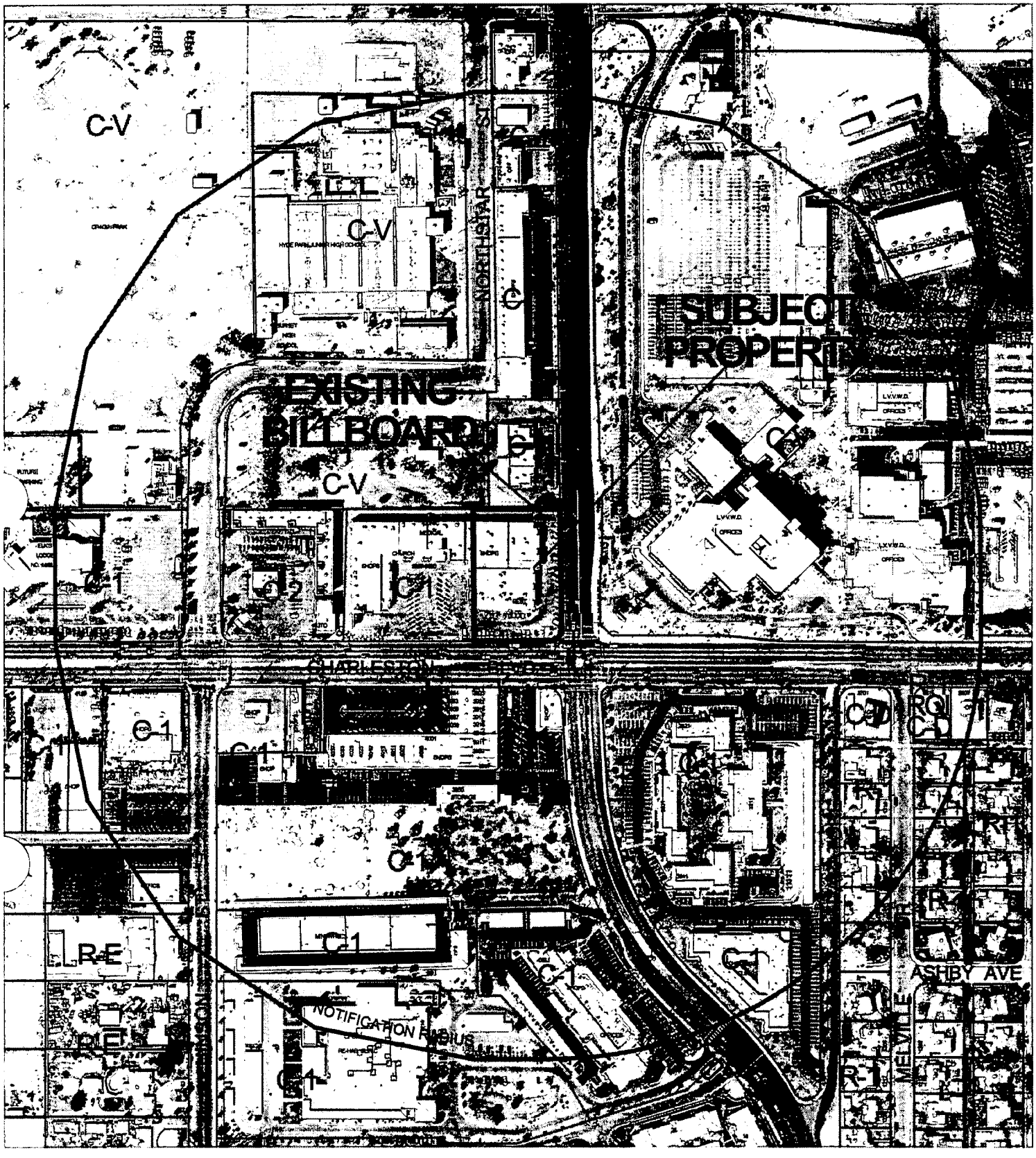
5. All City Code requirements and design standards of all City departments must be satisfied.

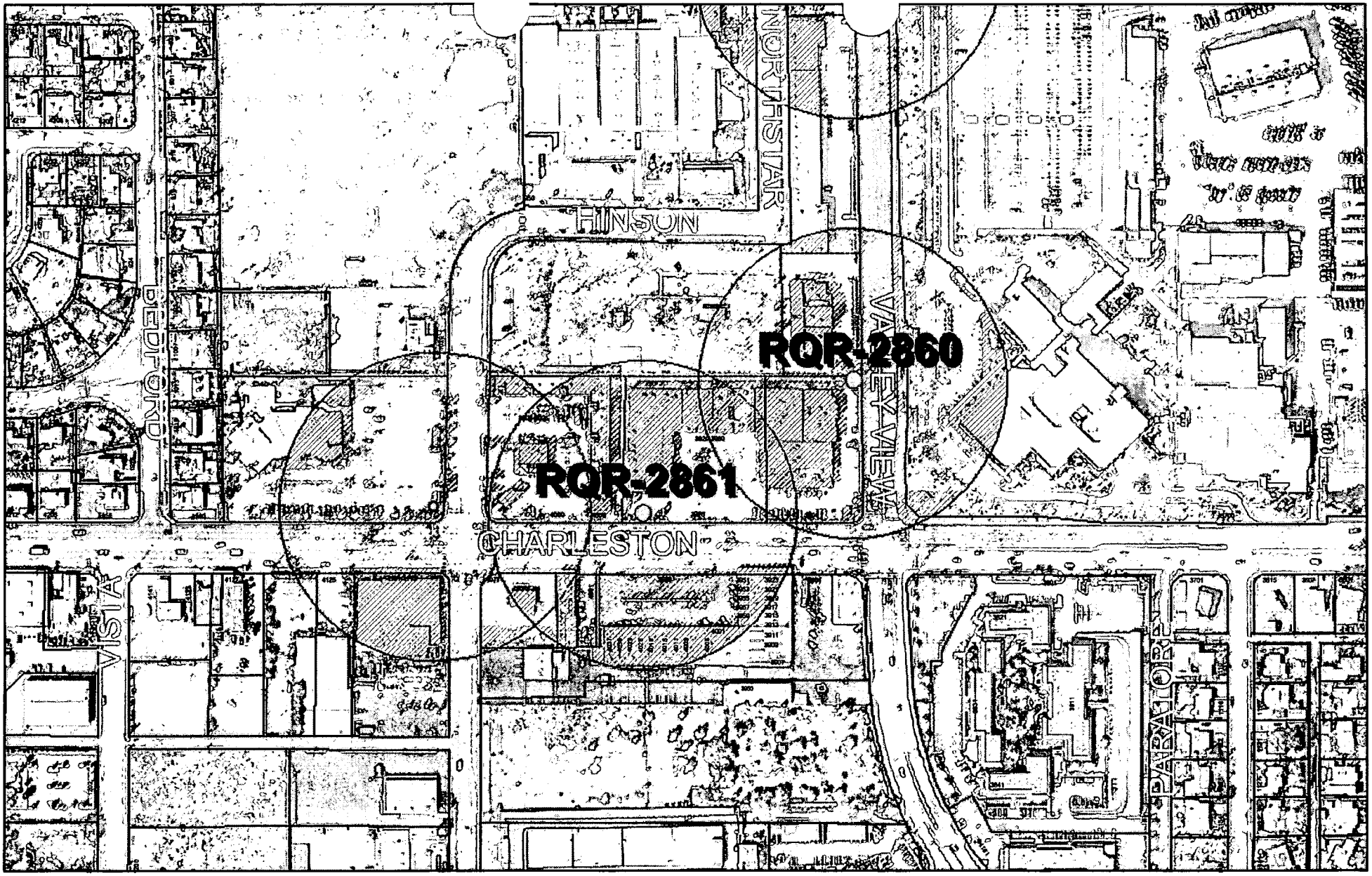


CASE: RQR-2860

RADIUS: 900 FT

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


C-V
C-V
C-V
C-1
C-2
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
R-E
R-E
R-1
R-1
R-1



RQR-2860
RQR-2861

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-2860 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY

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

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

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

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

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

RQR-2860 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a request for a required one-year review on an approved Special Use Permit [U-0043-94(4)], which allowed a 55-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign at 3900 West Charleston Boulevard

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
08/21/02	The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
09/25/03	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #20).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.23 Acres

B) Existing Land Use

Subject Property:	Existing Retail
North:	Existing Retail
South:	Existing Retail
East:	Las Vegas Valley Water District
West:	Existing Retail

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	PF (Public Facility)
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-V (Civic)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

The site does not fall within any special districts or zones.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

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

- Use

Section 19.14.100 of the City of Las Vegas Zoning Code permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of the recent approval of plans for the development of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing substantial change in the immediate area.

- Current Condition of the Sign

A site visit of the parcel found the sign in conformance with Conditions of U-0043-94(4).

Conditions from the last review U-0043-94(4):

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

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

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

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

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."**

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The approval of the Las Vegas Springs Preserve may significantly change the nature of the area. This use is not compatible and harmonious with the future land uses as projected by the General Plan and does not support this use.

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

   There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect existing public rights-of-way adjacent to this request.

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

   This billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

PLANNING COMMISSION ACTION

The Planning Commission unanimously recommended denial with comment on the recent changes of the fire that destroyed the center and the imminent Las Vegas Springs project.

NOTICES MAILED 36 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2860 APN: 139-31-801-012

Name of Property Owner: Z Properties LLC

Name of Applicant: Lamar Outdoor Advertising

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

_____ Yes _____ ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Scott Naftzger (for owner)

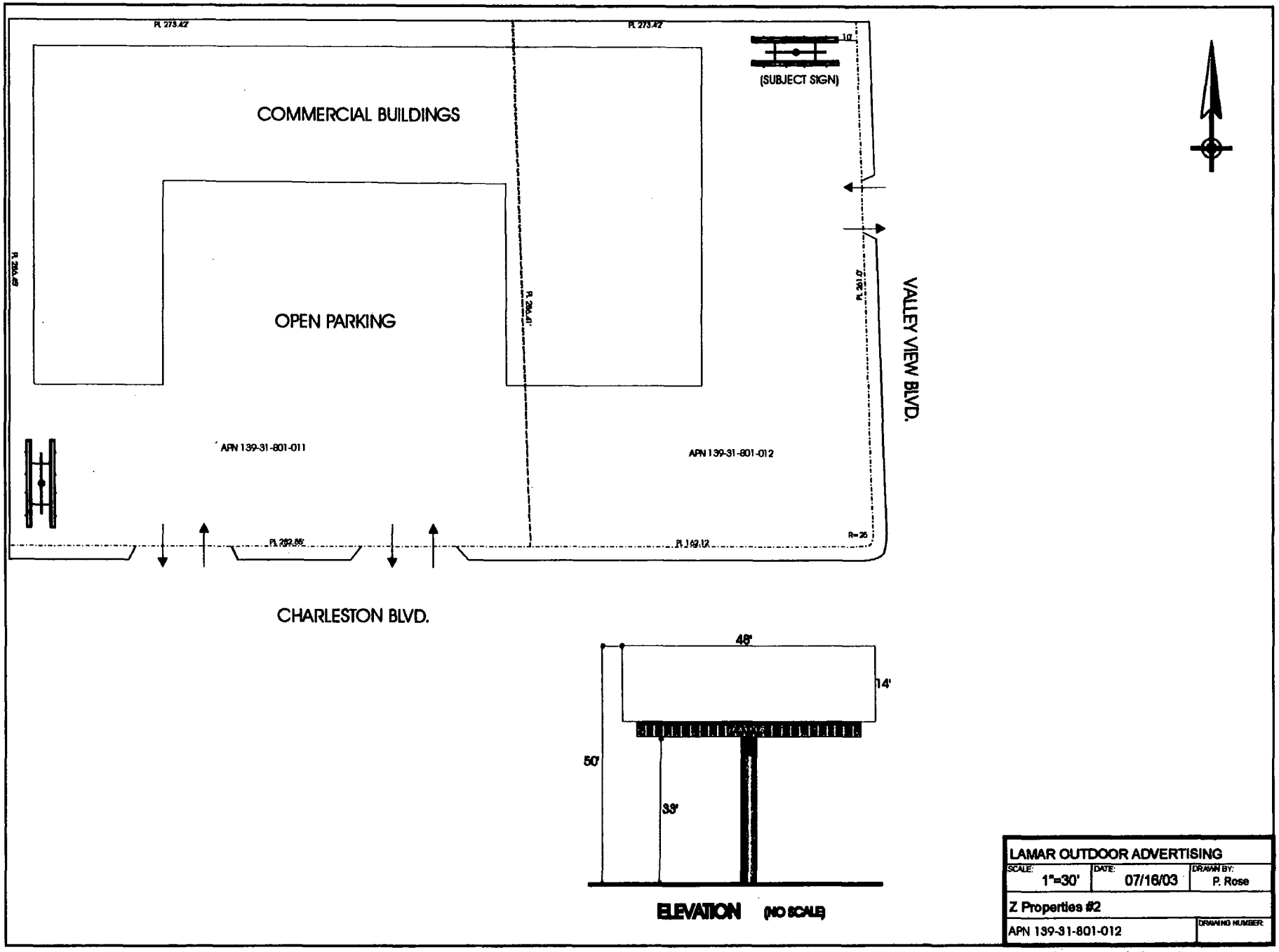
Subscribed and sworn before me

This 21 day of July, 2003

Deborah S. Barone

Notary Public in and for said County and State

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



STAFF RQR-2860
9-25-03 PC



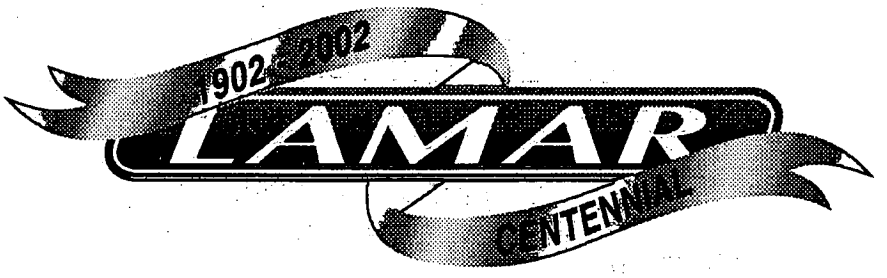
RQR-2860 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3900 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



RQR-2860 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3900 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



LAMAR ADVERTISING COMPANY

September 26, 2003

RECEIVED
CITY CLERK
2003 SEP 26 P 2:55

City Clerk
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

Dear Sir or Madam:

Lamar Outdoor Advertising is respectfully appealing the Planning Commission's decision to deny RQR-2860, a required one-year review for an approved use permit for an off-premise sign at 3900 W. Charleston Blvd. It is Lamar Advertising's belief that the Planning Commission's decision is without merit and arbitrary and capricious in nature.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger,
Project Coordinator, Lamar Outdoor Advertising

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

City of Las Vegas

Agenda Item No. 135

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY** - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit [U-0043-94(3)] which allowed a 55 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign at 3920 West Charleston Boulevard (APN: 139-31-801-011), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

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 (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising Company

MOTION:
MONCRIEF – Granted the Appeal; thereby, APPROVED the Required One Year Review subject to conditions – UNANIMOUS with GOODMAN abstaining because his current law partner, DAVID CHEZNOV and MARTY KEACH, a former law partner are negotiating to put up billboard signs throughout the community and although he has no interest, the partners could benefit from approval of the application, and BROWN excused

NOTE: COUNCILMAN MACK disclosed that Lamar has a contract with SuperPawn to lease ground for a billboard at a site in the County. He performs work as a consultant for his brother, STEVEN MACK, who owns SuperPawn. He stated that he does not have a contractual relationship with Lamar, has not discussed this with his brother, and would not benefit in any way from approval of the application. Therefore, he will be voting on the item.

MINUTES:
MAYOR GOODMAN opened the Public Hearing and declared his abstention.

City of Las Vegas

Agenda Item No. 135

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 135 – RQR-2861

MINUTES - Continued:

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and stated that this billboard has been in place for ten years and remains appropriate

TODD FARLOW, 240 North 19th Street, pointed out the proximity of the sign to the Las Vegas Springs Preserve and asked that the sign be removed when the Springs open to the public.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:44 – 1:48)

4-1324

CONDITIONS:

Planning and Development

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

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

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

4. The support pole of the off-premise advertising (billboard) sign shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

City of Las Vegas

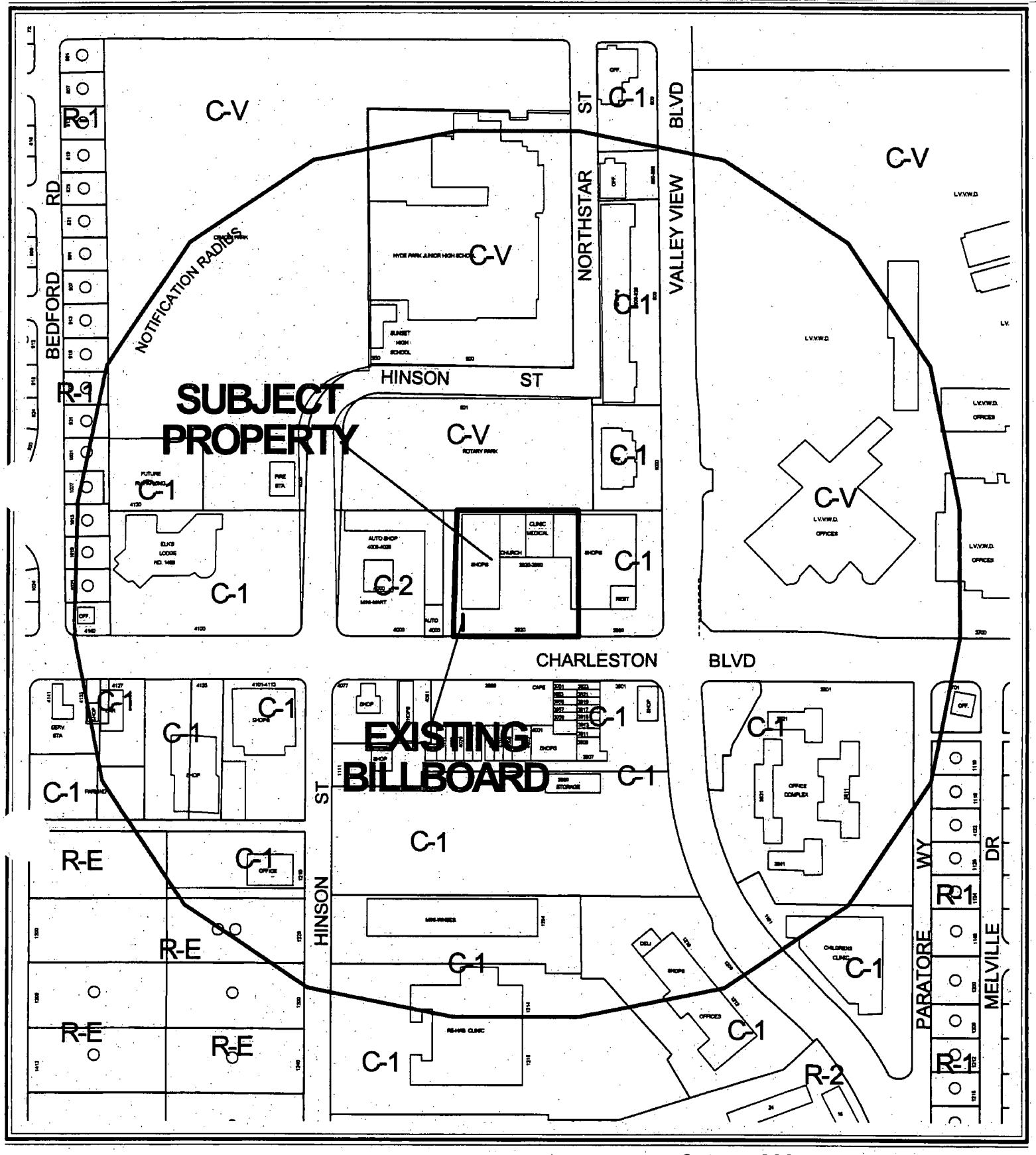
Agenda Item No. 135

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 135 – RQR - 2861

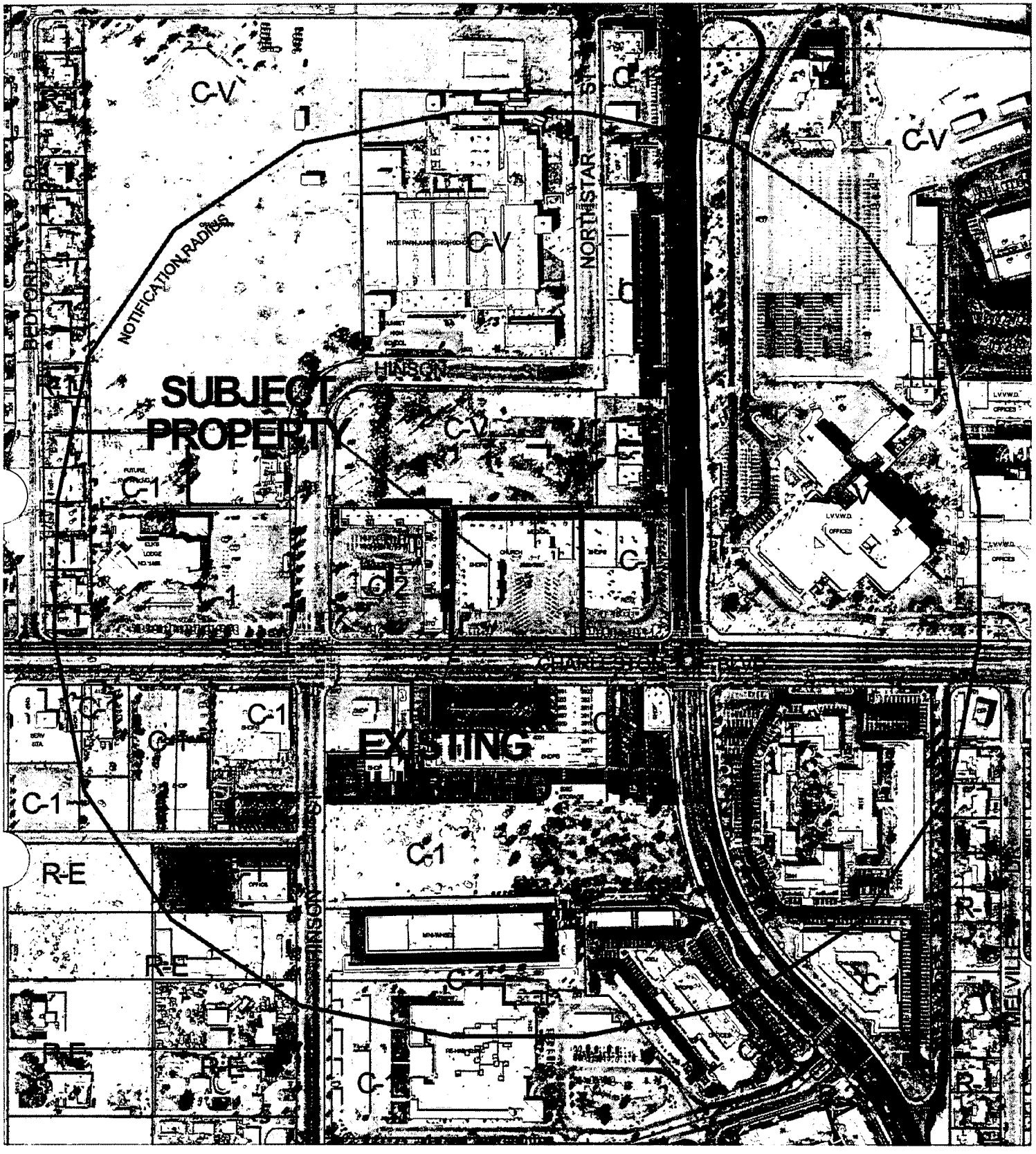
CONDITIONS – Continued:

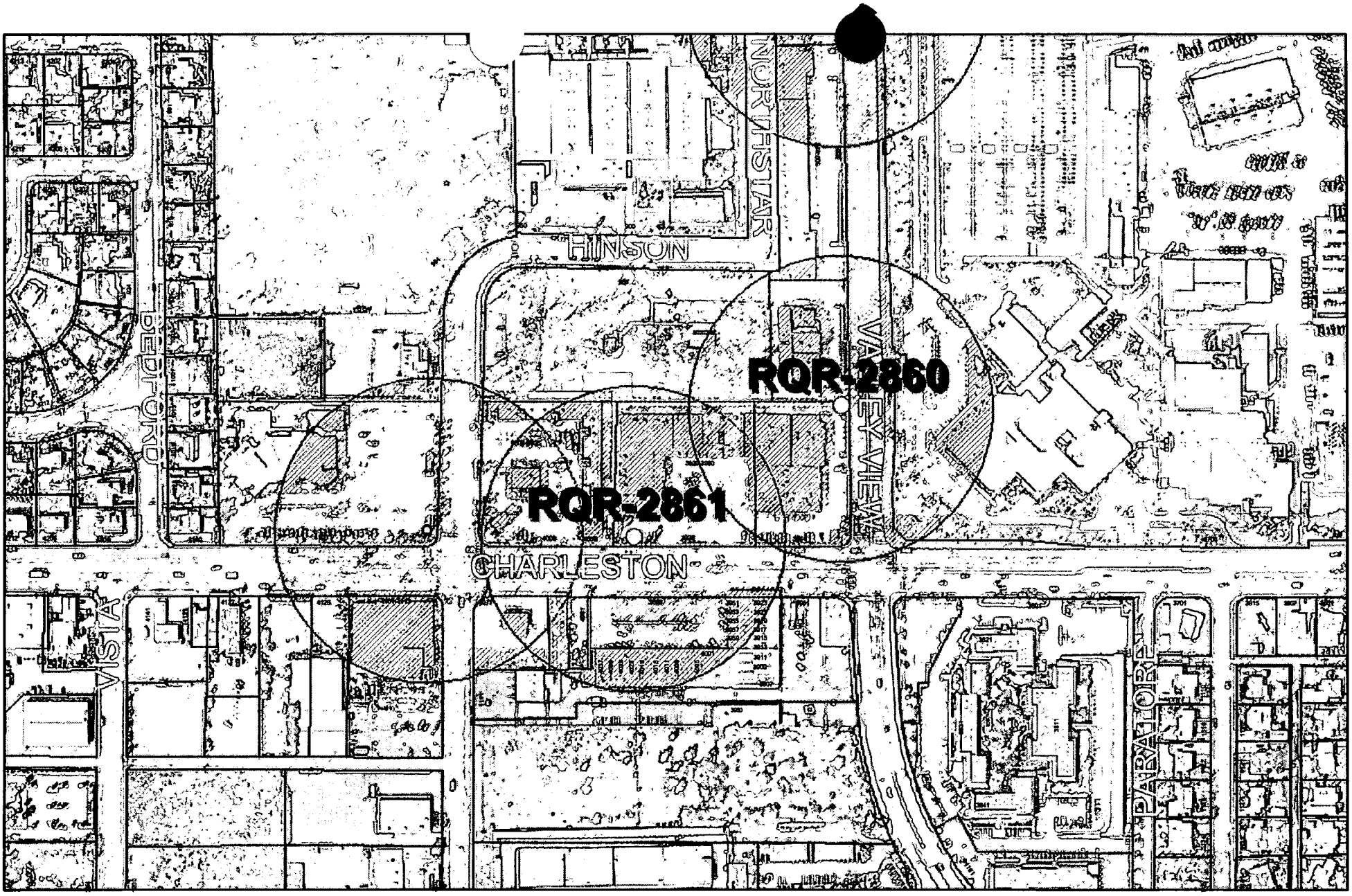
6. The applicant shall install bird deterrent devices on the off-premise advertising sign within 30 days of final approval.

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



CASE: RQR-2861
RADIUS: 850 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)


C-V
C-V
C-V
C-V
C-V
C-1
C-1
C-1



RQR-2860
RQR-2861

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

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

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

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

4. The support pole of the off-premise advertising (billboard) sign shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

6. The applicant shall install bird deterrent devices on the off-premise advertising sign within 30 days of final approval.

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

RQR-2861 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a request for a required one-year review on an approved Special Use Permit [U-0043-94(3)], which allowed a 55-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign at 3920 West Charleston Boulevard.

B) Applicant's Justification

A letter is not required as part of this review.

BACKGROUND INFORMATION

A) Previous Actions

04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot by 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
08/21/02	The City Council heard an appeal of the denial by the Planning Commission and approved the two-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
09/25/03	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #21).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this submittal.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.83 acres

B) Existing Land Use

Subject Property:	Existing Retail
North:	Park
South:	Existing Retail
East:	Existing Retail
West:	Existing Retail

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-V (Civic)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

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

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, staff finds the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of the recent approval of plans for the development of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing substantial change in the immediate area.

- Current Condition of the Sign

A site visit of the parcel found the sign not in conformance with conditions of Special Use Permit [U-0043-94(3)]. The support pole of the sign and the ground around the sign show that bird deterrent devices need to be installed to prevent birds from roosting within the structure of the sign and to prevent the birding droppings around the base of the sign. The support pole will need to be repainted and the parking lot around the billboard sign to be cleaned.

- The Conditions from U-0043-94(3):

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

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

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

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

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."**

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The approval of the Las Vegas Springs Preserve may significantly change the nature of the area. This use is not compatible and harmonious with the future land uses as projected by the General Plan and does not support this use.

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

   There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect existing public rights-of-way adjacent to this request.

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

   This billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

PLANNING COMMISSION ACTION

The Planning Commission believes that recent changes require the removal of the subject billboard.

NOTICES MAILED 42 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2861 APN: 139-31-801-011

Name of Property Owner: Z Properties

Name of Applicant: Lamar Outdoor Advertising

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Scott Naftzger

Print Name: Scott Naftzger (on behalf of owner)

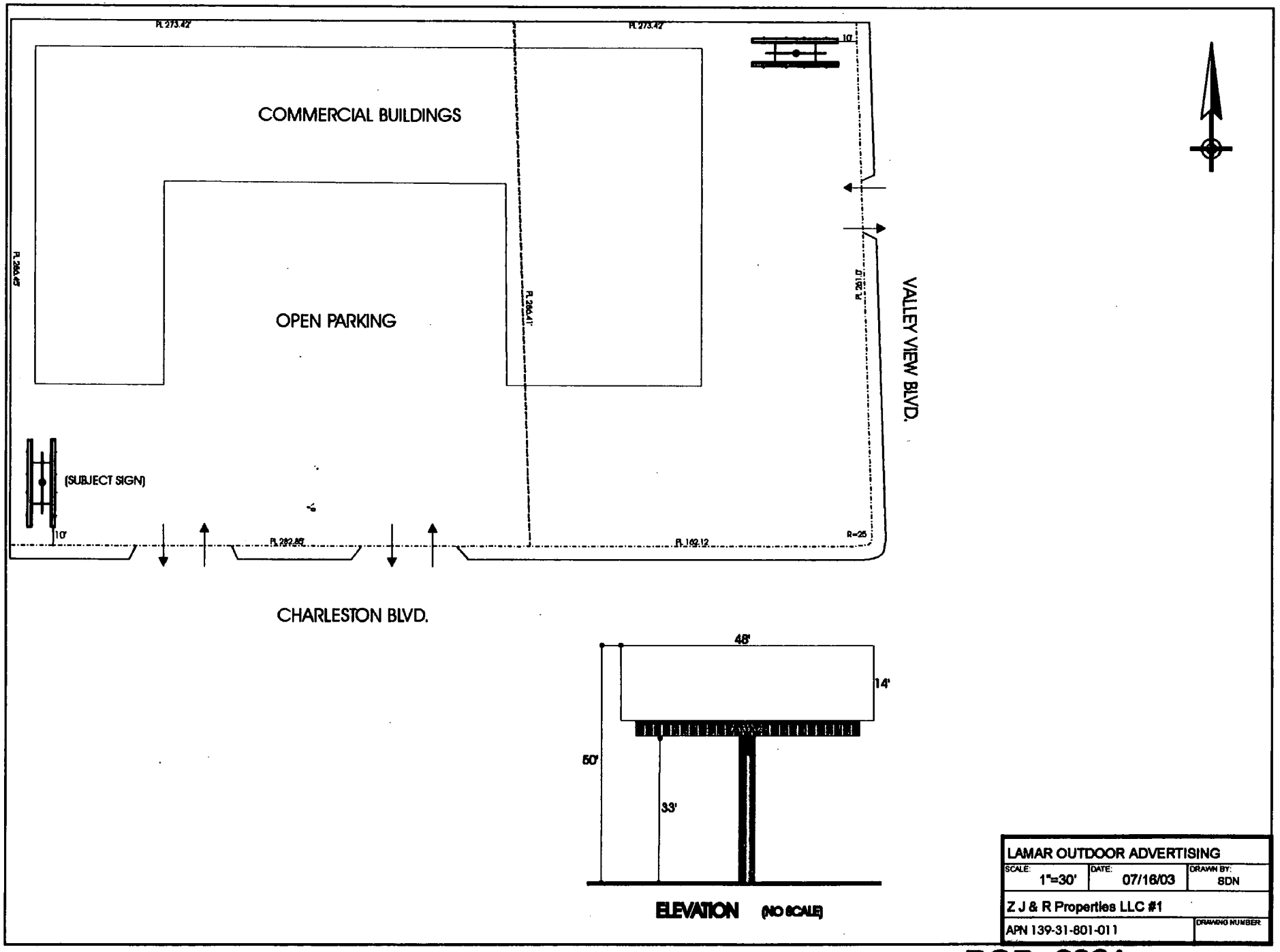
Subscribed and sworn before me

This 21ST day of July, 2003

Deborah S. Brune

Notary Public in and for said County and State

DEBORAH S. [illegible]
Notary Public, State of Nevada
Appointment No. 00668771
My Appt. Expires Jan. 15, 2004

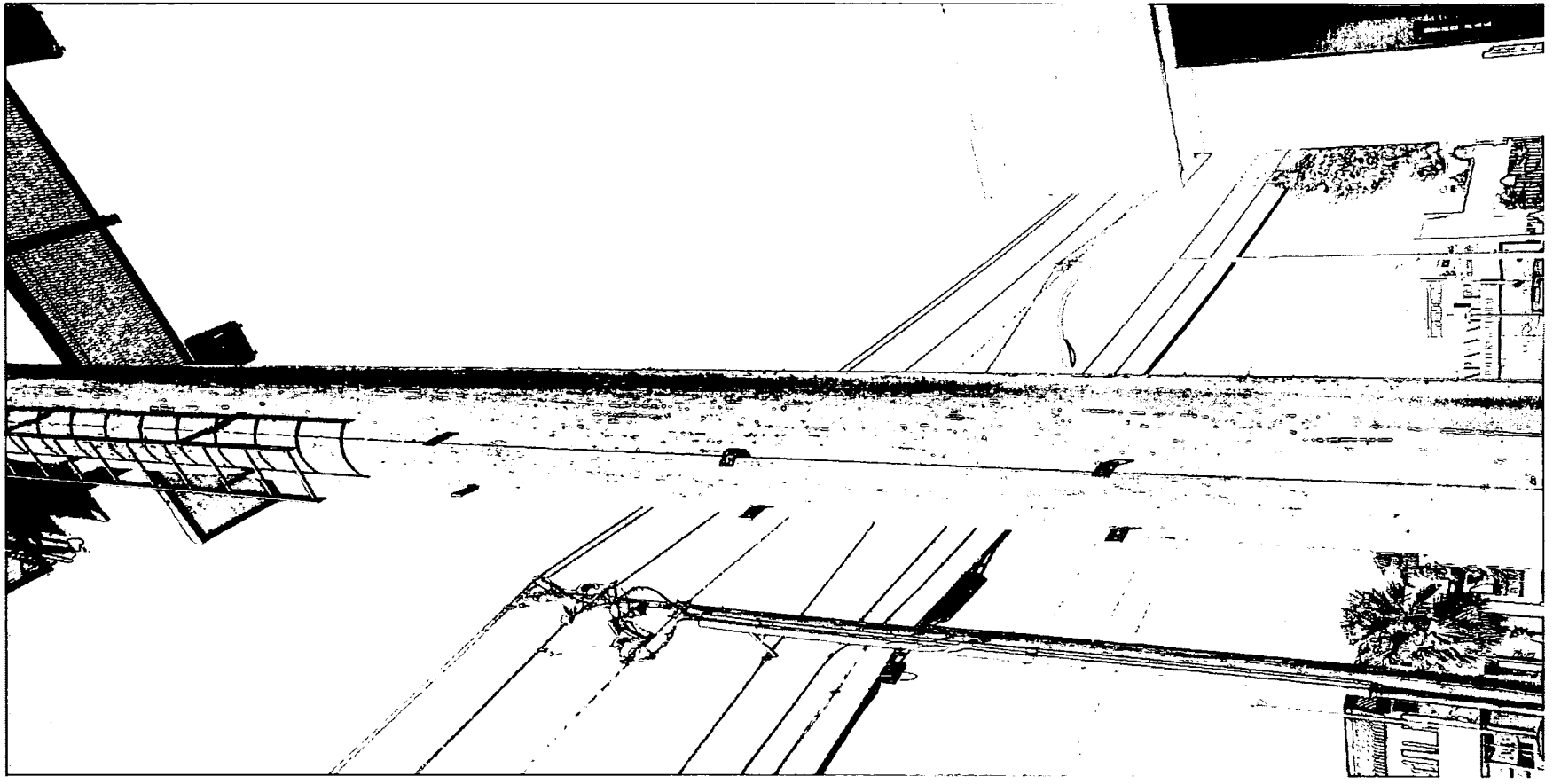


STAFF RQR-2861
9-25-03 PC



RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3920 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3920 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



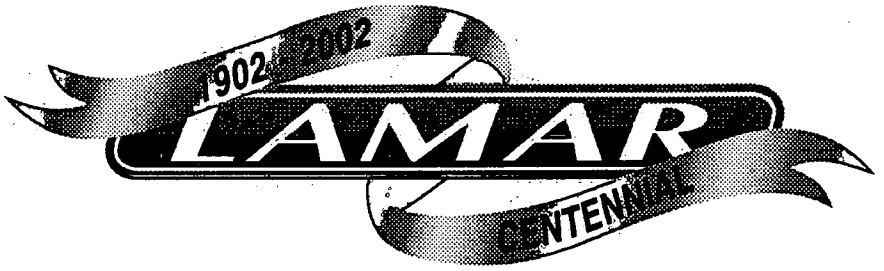
RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3920 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



RQR-2861 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF Z PROPERTIES, LIMITED LIABILITY COMPANY
3920 WEST CHARLESTON BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



LAMAR ADVERTISING COMPANY

September 26, 2003

City Clerk
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2003 SEP 26 P 2:55

Dear Sir or Madam:

Lamar Outdoor Advertising is respectfully appealing the Planning Commission's decision to deny RQR-2861, a required one-year review for an approved use permit for an off-premise sign at 3920 W. Charleston Blvd. It is Lamar Advertising's belief that the Planning Commission's decision is without merit and arbitrary and capricious in nature.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger
Project Coordinator, Lamar Outdoor Advertising

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

City of Las Vegas

Agenda Item No. 136

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2903 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF WORD OF LIFE CHRISTIAN CENTER** - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit [U-0027-93(3)] which allowed a 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign at 4800 Alpine Place (APN: 138-36-802-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

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 (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION: AMENDMENT ATTACHED

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising Company

MOTION:
MONCRIEF – Granted the Appeal; thereby, APPROVED the Required One Year Review subject to conditions – UNANIMOUS with GOODMAN abstaining because his current law partner, DAVID CHEZNOV and MARTY KEACH, a former law partner are negotiating to put up billboard signs throughout the community, and although he has no interest, the partners could benefit from approval of the application, and BROWN excused

NOTE: COUNCILMAN MACK disclosed that Lamar has a contract with SuperPawn to lease ground for a billboard at a site in the County. He performs work as a consultant for his brother, STEVEN MACK, who owns SuperPawn. He stated that he does not have a contractual relationship with Lamar, has not discussed this with his brother, and would not benefit in any way from approval of the application. Therefore, he will be voting on the item.

MINUTES:
MAYOR GOODMAN opened the Public Hearing and declared his abstention.

City of Las Vegas

Agenda Item No. 136

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 136 – RQR-2903

MINUTES - Continued:

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant.

AL GALLEGO, citizen of Las Vegas, questioned the existence for the Planning Commission and staff because the City Council does not consider their recommendations. Lengthy discussions are held at Planning Commission meetings, but when the item comes before the City Council the item is approved. Too many signs are approved, even though the Planning Commission recommends denial. TODD FARLOW, 240 North 19th Street, concurred with MR. GALLEGO'S comments. He added that this particular sign is in a residential area and it should be removed.

COUNCILWOMAN MONCRIEF pointed out that there have been no complaints from constituents regarding this existing billboard.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:50 – 1:53)

4-1387

CONDITIONS:

Planning and Development

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

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

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

City of Las Vegas

Agenda Item No. 136

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 136 – RQR-2903

CONDITIONS - Continued:

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

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

Amendment to Final Minutes

Office of the City Clerk

City Council Meeting Minutes of November 5, 2003

Date Submitted: April 10, 2006

Amendment to Item #136 – RQR-2903

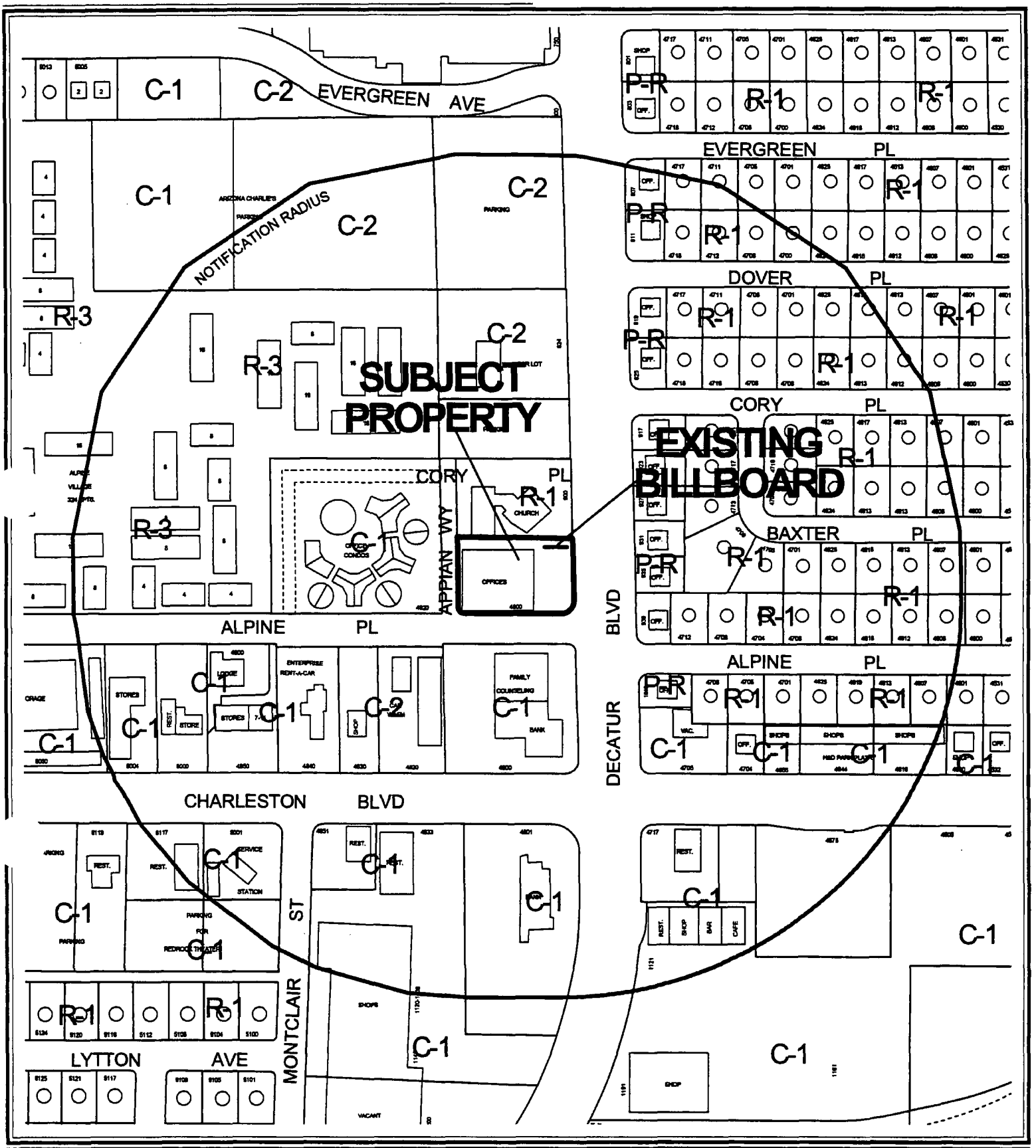
NOTE: Subsequent to finalization of the Minutes, a Verbatim Transcript was made a part of the Final Minutes

Submitted By: Brenda K Bridges

Signature: Barbara L Rumm

City Clerk or Chief Deputy

Date: 4/20/06

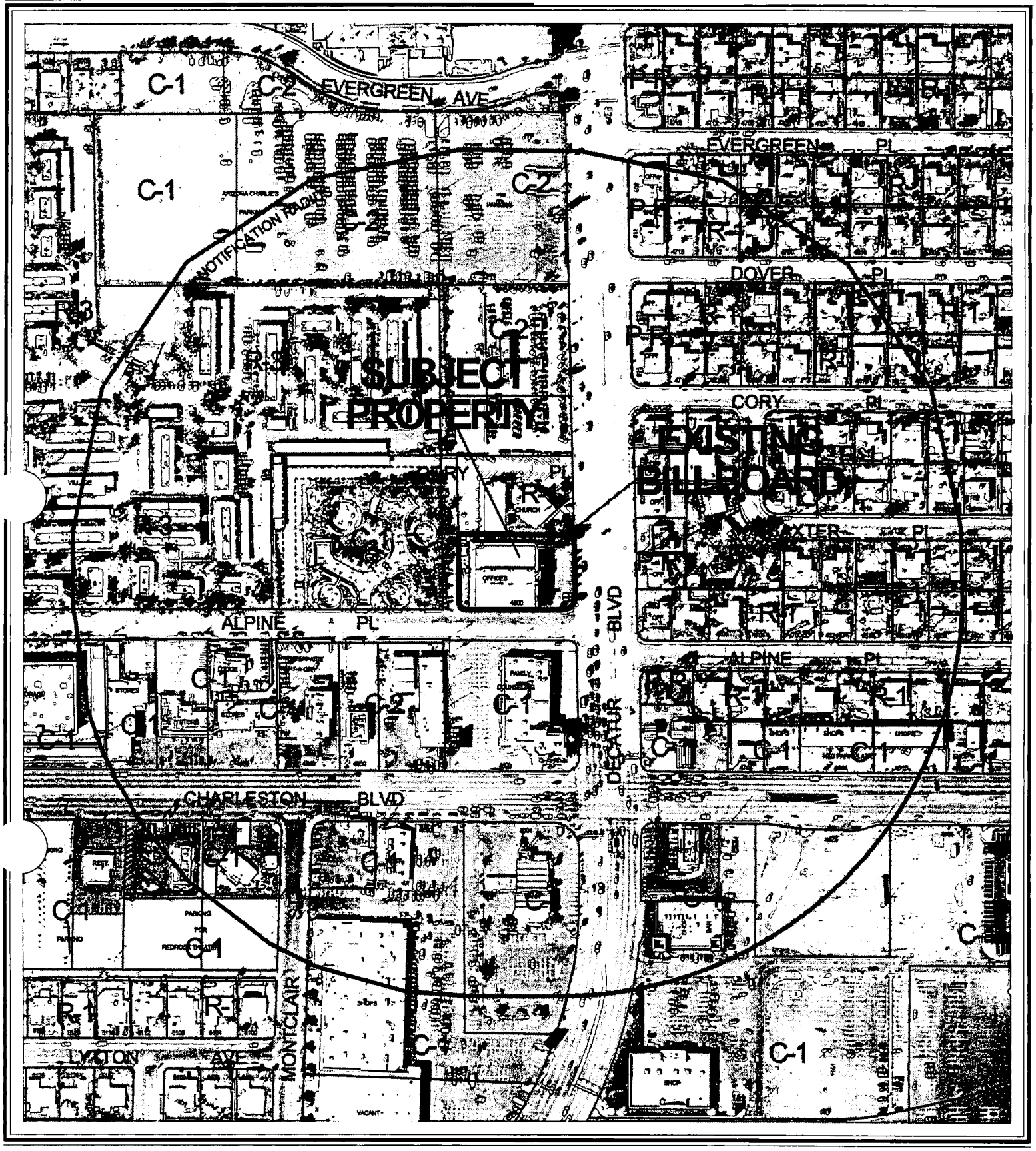


0 200 400 Feet

CASE: RQR-2903

RADIUS: 750 FT

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



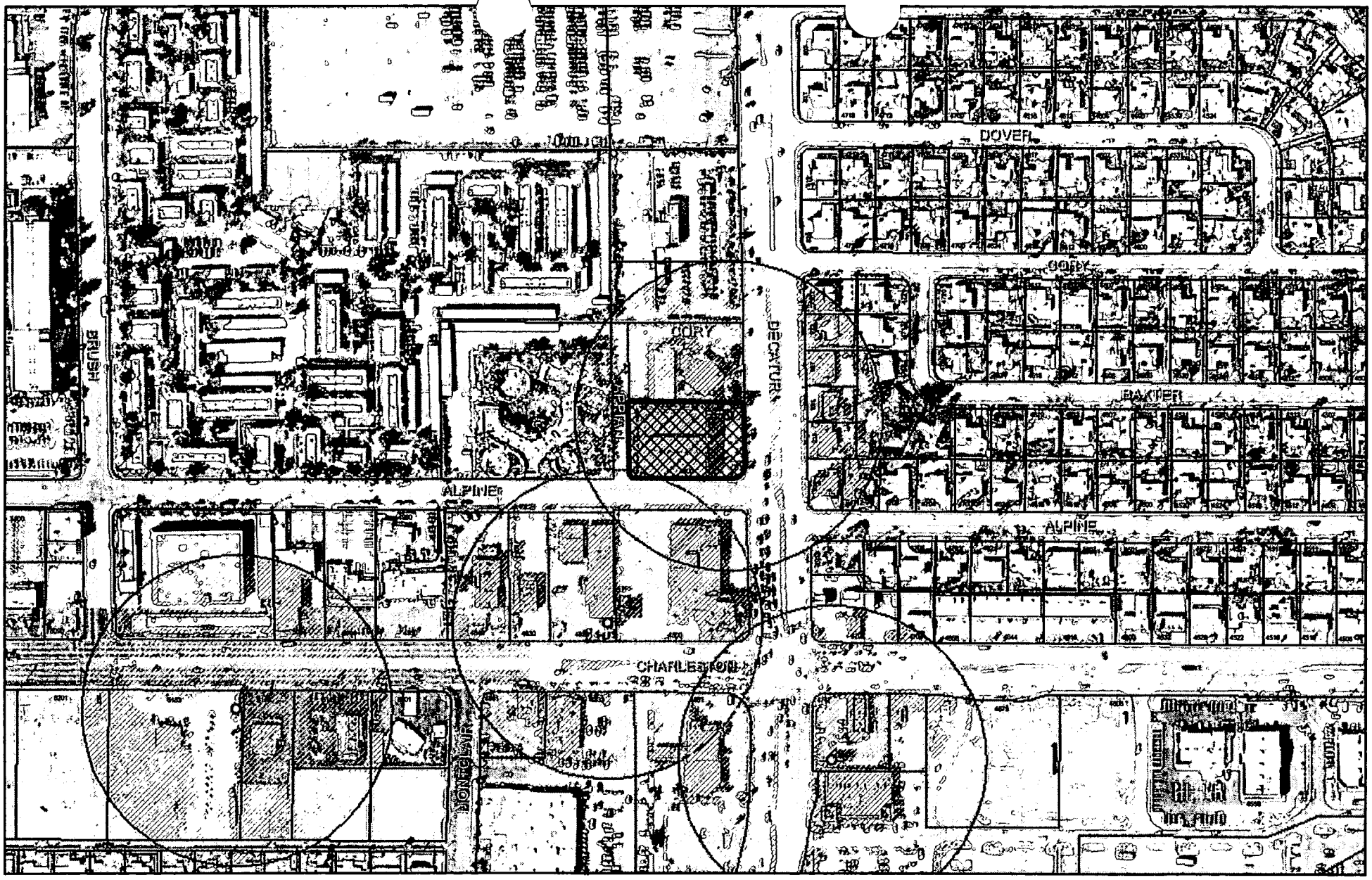
0 200 400 Feet

CASE: RQR-2903

RADIUS: 750 FT

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

N



RQR-2903

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-2903 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF WORD OF LIFE CHRISTIAN CENTER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

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

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

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

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

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

RQR-2903 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a request for a Required Two-Year Review for an approved Special Use Permit, which allowed a 40-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign at 940 South Decatur Boulevard.

B) Applicant's Justification

A justification letter is not required for this review.

BACKGROUND INFORMATION

04/21/93	The City Council approved a Special Use Permit (U-0027-93) for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 940 South Decatur Boulevard.
06/22/98	The City Council approved a Five-Year Review [U-0027-93(1)] on a Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 940 South Decatur Boulevard.
08/02/00	The City Council approved a Two-Year Review [U-0027-93(2)] on a Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 940 South Decatur Boulevard. The Planning Commission recommended approval.
09/18/02	The City The City Council reviewed the appeal of the denial of the Planning Commission for an Extension of Time [U-0027-93(3)] of a Special Use Permit and approved the Two-Year Review for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on this site.
09/25/03	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #23).

B) Pre-Application Meeting

A pre-application meeting is not required for this review.

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.78

B) Existing Land Use

Subject Property:	Office Building
North:	Church
South:	Retail
East:	Offices
West:	Condominiums

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:	R-1 (Single Family Residential)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Southwest Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons that do not include more intense general commercial characteristics.

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

The subject site is not located within any Special districts or Zones.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial), and an off-premise advertising (billboard) sign is a permitted use within the C-1 (Limited Commercial) district with the approval of a Special Use Permit. A Special Use Permit (U-0027-93) was approved by the City Council in 1993 and has been subject to three prior reviews.

- Use

Title 19.14.010 allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The off-premise advertising (billboard) sign use is inappropriate, in that it is in close proximity to residentially zoned property. Specifically, it is located adjacent to an R-1 (Single Family Residential) zoning district to the north and east, and approximately 160 feet from an R-3 (Medium Density Residential) zoning district to the northwest. According to the requirements of the zoning code, off-premise advertising (billboard) signs are not permitted within 300 feet of any residentially zoned properties. Off-premise advertising (billboard) signs are generally not conducive to economic revitalization as they are more typically associated with declining commercial and industrial areas. Therefore the use may conflict with future development along this segment of Decatur Boulevard and Charleston Boulevard. A site inspection of the billboard found that the sign was in conformance with the conditions of Special Use Permit [U-0027-93(3)].

- Conditions of U-0027-93(3):

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

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

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

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

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 continued off-premise advertising (billboard) sign use is inappropriate adjacent to the existing residentially zoned property to the north, and in close proximity to the existing residentially zoned and developed properties to the northwest and the east.

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

   There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect Decatur Boulevard or Charleston Boulevard, fully developed streets adjacent to this request.

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

The off-premise advertising (billboard) sign will be subject to regular inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 97 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2903 APN: 138-36-802-009

Name of Property Owner: Word of Life Christian Center

Name of Applicant: Lamar Outdoor Advertising

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Scott Naffziger

Print Name: Scott Naffziger on behalf of owner

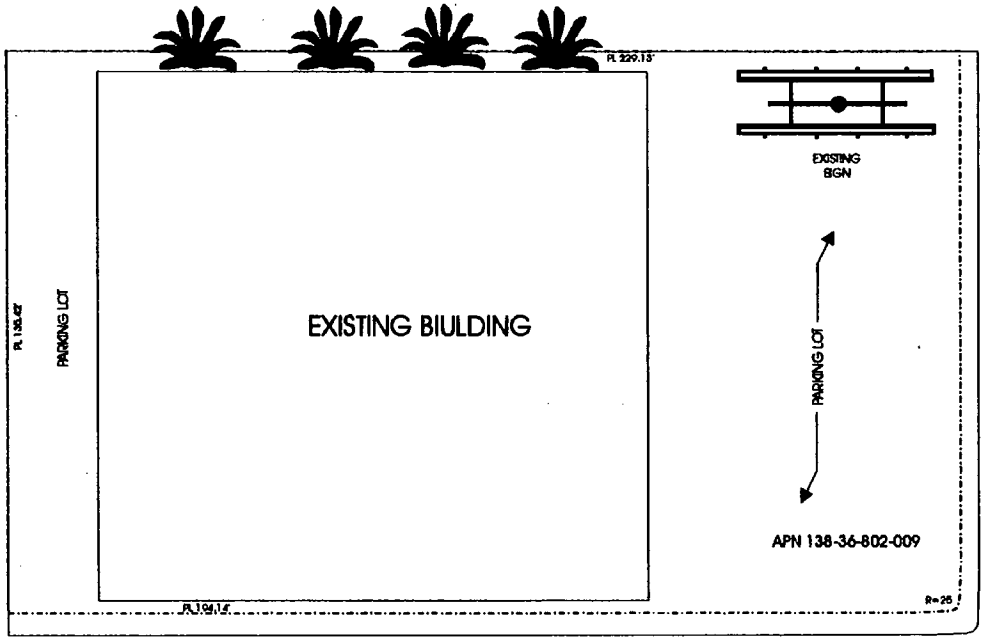
Subscribed and sworn before me

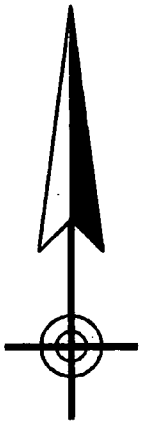
This 4th day of August, 2003

Deborah S. Barone

Notary Public in and for said County and State

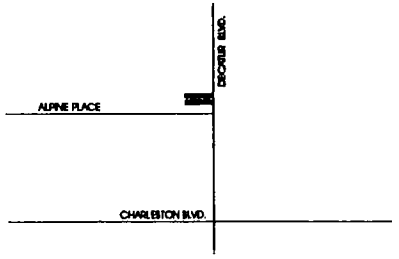
DEBORAH S. BARONE
Notary Public, State of Nevada
Appointment No. 00608771
My Appt. Expires Jan. 15, 2004







ELEVATION (NO SCALE)



VICINITY MAP (NO SCALE)

STAFF

RQR-2903

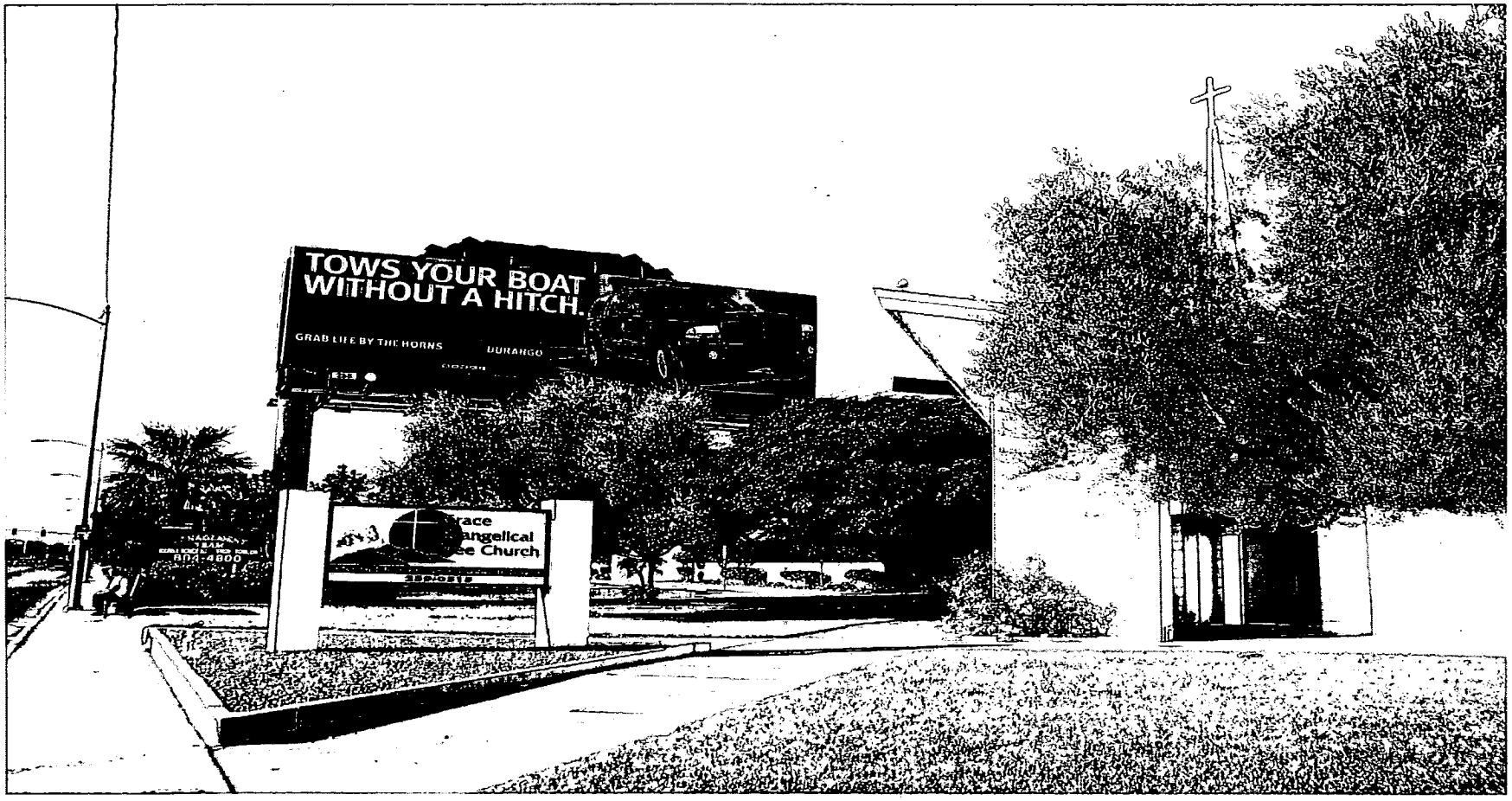
9-25-03 PC

LAMAR OUTDOOR ADVERTISING		
SCALE: 1" = 20'	DATE: 08/01/03	DRAWN BY: S.NAFTZGER
WORD OF LIFE CHRISTIAN CHURCH		
APN 138-36-802-009		DRAWING NUMBER:



RQR-2903 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF WORD OF LIFE CHRISTIAN CENTER
4800 ALPINE PLACE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



RQR-2903 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF WORD OF LIFE CHRISTIAN CENTER
4800 ALPINE PLACE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03

LAMAR ADVERTISING COMPANY

September 26, 2003

RECEIVED
CITY CLERK
2003 SEP 26 P 2:55

City Clerk
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

Dear Sir or Madam:

Lamar Outdoor Advertising is respectfully appealing the Planning Commission's decision to deny RQR-2903, a required one-year review for an approved use permit for an off-premise sign at 940 S. Decatur Blvd. It is Lamar Advertising's belief that the Planning Commission's decision is without merit and arbitrary and capricious in nature.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger,
Project Coordinator, Lamar Outdoor Advertising

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344

CITY COUNCIL MEETING OF
November 5, 2003

VERBATIM TRANSCRIPT – ITEM 136 – RQR-2903

RQR-2903 - LAMAR OUTDOOR ADVERTISING COMPANY ON BEHALF OF WORD OF LIFE CHRISTIAN CENTER - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit [U-0027-93(3)] which allowed a 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign at 4800 Alpine Place (APN: 138-36-802-009), C-1 (Limited Commercial) Zone

Appearance List:
OSCAR GOODMAN, Mayor
GARY REESE, Mayor Pro Tem
SCOTT NAFTZGER, Lamar Advertising Company, 1863 Helm Drive
AL GALLEGO, Las Vegas resident
TODD FARLOW, 240 North Nineteenth Street
JANET MONCRIEF, Councilwoman

(1:50 - 1:53)
4-1387
3 minutes

Typed by: Vicky Darling
Proofed by: Angela Crolli

VERBATIM TRANSCRIPT – ITEM 136 – RQR-2903

MAYOR GOODMAN

Item 136 is a public hearing on RQR-2903, Lamar Outdoor Advertising Company on behalf of Word of Life Christian Center. Appeal filed by Lamar Advertising Company from the denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit which allowed a 40-foot high, 14 foot by 48 foot off-premise advertising billboard sign at 4800 Alpine Place, also in Ward 1. And the Planning Commission and staff recommend denial. It's a public hearing, I now declare it open. Once again, I'm going to have to abstain on the same basis as I did on the prior two agenda items.

MAYOR PRO TEM REESE

Thank you. Mr. Naftzger?

SCOTT NAFTZGER

Scott Naftzger, Lamar Advertising, 1863 Helm Drive. This particular location's also been here for about ten years. It's located on Decatur, just north of Charleston, very heavy commercial corridor, and we continue to believe this is an appropriate place.

MAYOR PRO TEM REESE

Thank you very much. This is a public hearing, I declare it open.

AL GALLEGO

Yes. Al Gallego, citizen of Las Vegas. I've been wondering for quite a while now why we have the Planning Commission and staff, when you don't, people do not take their advice. At the Planning Commission, they discuss it and discuss it and discuss it. And all, there's a lot of people that come to those meetings. They don't come to these meetings because you people have a tendency to approve everything. Take the advice of the Com, of the Planning Commission and your staff. They know, I think they might know a little more than you do why it was, they're denying it. And not – because, you know, they know more than you or what have you, but please, start taking their advice once in a while so the citizens of Las Vegas can start understanding you, what is happening to this town. You're approving everything, Signs, I hate signs.

Somebody, from now on, I think I'm gonna start calling, emailing you every single day and I'm gonna start voicing my opinions about signs.

MAYOR PRO TEM REESE

Mr. – Gallego, are you talking about 136 now or you (inaudible) –

AL GALLEGO

I'm talking about all signs and regular.

MAYOR PRO TEM REESE

You – have – do you have a recommendation on 136?

AL GALLEGO

Well, I – was looking at the ones before was denied too, so it doesn't make a difference.

MAYOR PRO TEM REESE

Okay. What's – your –

AL GALLEGO

You're gonna approve it.

MAYOR PRO TEM REESE

Thank you. Mr. Gallego.

TODD FARLOW

Thank you. Todd Farlow, 240 North Nineteenth Street. I concur completely with what Al just said. This is within 100, or 300 feet of a residential. The area's in a great deal of change up there and it's time for this sign to go. Thank you.

MAYOR PRO TEM REESE

Thank you. Anyone else wishing to be heard? Seeing no one, we'll close the public hearing. Councilwoman?

COUNCILWOMAN MONCRIEF

Again, it's an existing billboard. I've had no complaints from constituents. **Make a motion for approval.**

MAYOR PRO TEM REESE

You've heard the motion, please cast your vote. Please post. Motion carries. **(Motion carried unanimously with GOODMAN abstaining because his current law partner, DAVID CHEZNOV and MARTY KEACH, a former law partner are negotiating to put up billboard signs throughout the community, and although he has no interest, the partners could benefit from approval of the application, and BROWN excused.)**

SCOTT NAFTZGER

Thank you very much.

MAYOR PRO TEM REESE

Thank you.

(END OF DISCUSSION)

/vwd;ac

City of Las Vegas

Agenda Item No. 137

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2891 - CHIP AND HELEN JOHNSON FAMILY TRUST** - Required Two Year Review of an approved Special Use Permit [U-0109-94(2)] which allowed a 40 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign at 1767 North Rancho Drive (APN: 139-19-812-018), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because his current law partner, DAVID CHEZNOV and MARTY KEACH, a former law partner are negotiating to put up billboard signs throughout the community, and although he has no interest, the partners could benefit from approval of the application, and BROWN excused

MINUTES:
MAYOR GOODMAN opened the Public Hearing and declared his abstention.

ATTORNEY TOM AMICK, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions.

TODD FARLOW, 240 North 19th Street, stated that the site is kept clean and asked that a two-year review, be imposed rather than the 5 year review.

City of Las Vegas

Agenda Item No. 137

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 137 – RQR-2891

MINUTES – Continued:

MAYOR GOODMAN explained that the Mayor and Council is briefed before every City Council meeting by Planning staff and the City Manager's Office. Every item on the afternoon agenda and all matters concerning Planning in the morning agenda are addressed, and explanation is given as to the reason for denials, approvals and any pending issues regarding each item. When a vote is taken quickly at City Council meetings it is because those issues have been resolved.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:53 – 1:56)

4-1498

CONDITIONS:

Planning and Development

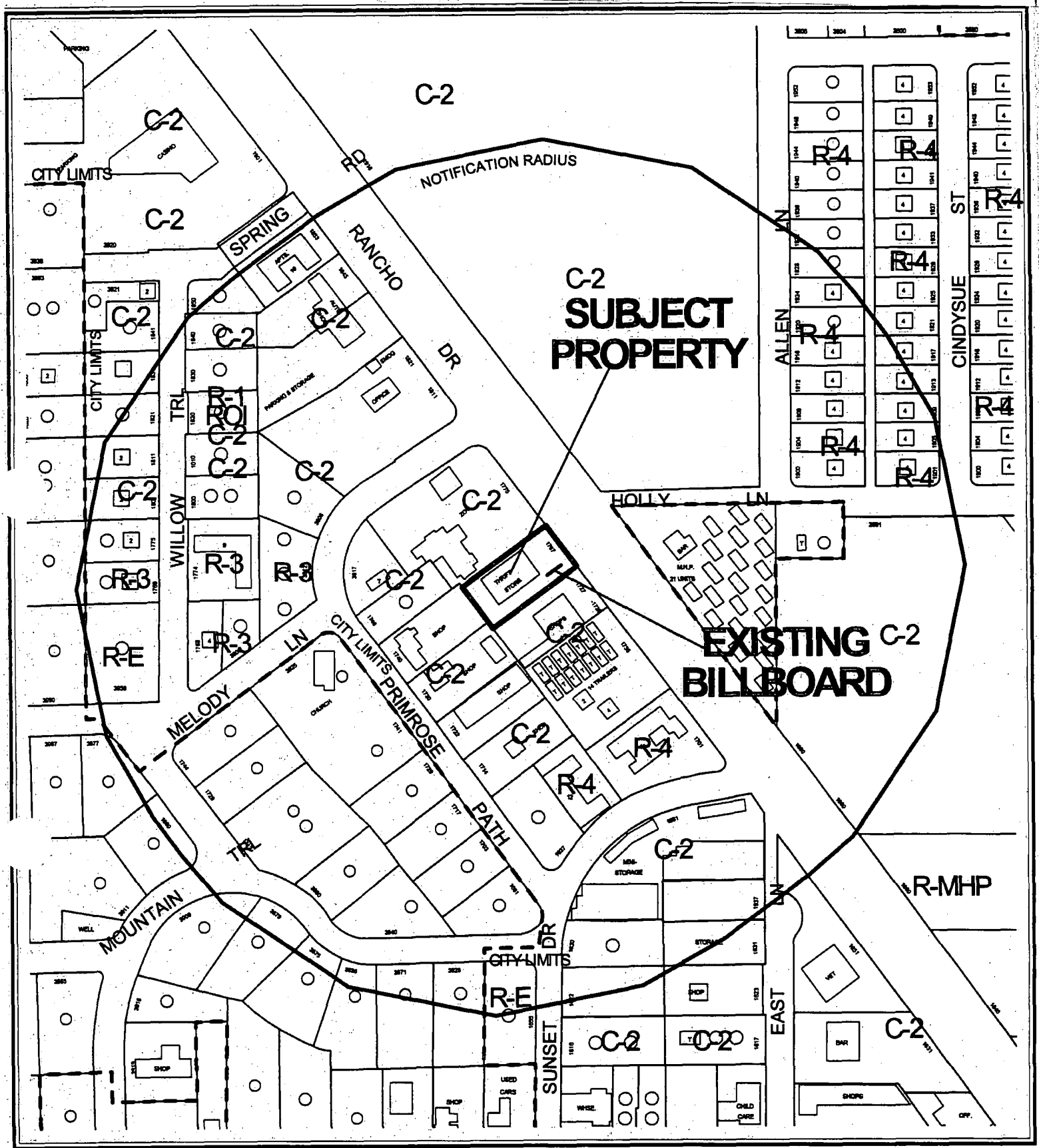
1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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

5. All City code requirements and design standards of all City Departments shall be satisfied.

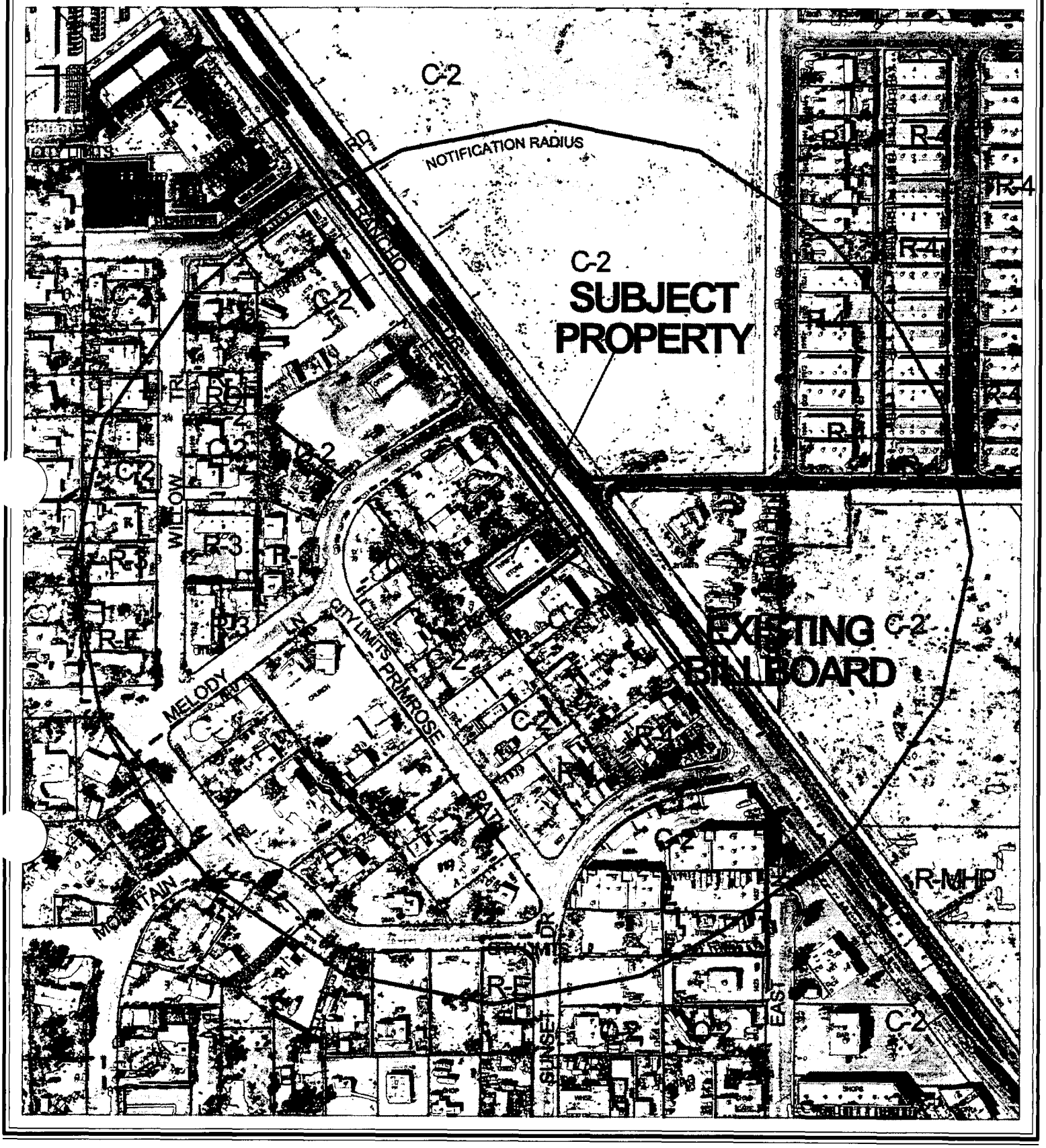


0 200 400 Feet

CASE: RQR-2891

RADIUS: 750 FT

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



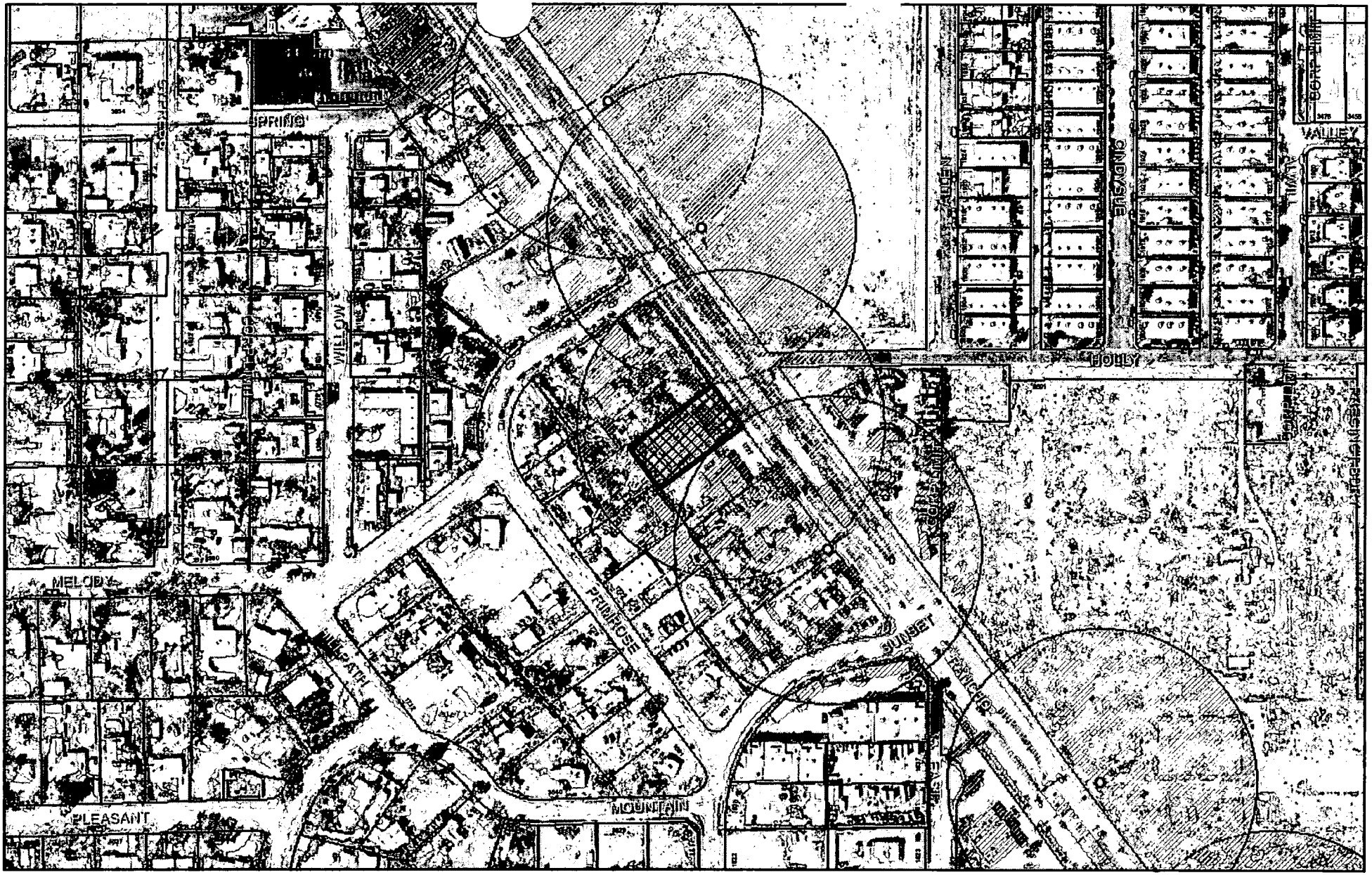
CASE: **RQR-2891**

RADIUS: 750 FT

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

0 200 400 Feet

N



RQR-2891

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-2891 - CHIP AND HELEN JOHNSON FAMILY TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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

5. All City code requirements and design standards of all City Departments shall be satisfied.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two-year review of an approved Special Use Permit (U-0109-94), which allowed a 14-foot by 48-foot off-premise advertising (billboard) sign at 1767 North Rancho Drive.

B) Applicant's Justification

A letter of justification is not required for this review.

BACKGROUND INFORMATION

A) Previous Actions

06/15/94	The City Council approved the Special Use Permit (U-0109-94), which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a 5-year review.
07/26/99	The City Council approved the Special Use Permit [U-0109-94(1)] 5-year review, which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a 2-year review. The Planning Commission recommended approval.
08/01/01	The City Council approved the Special Use Permit [U-0109-94(2)] 2-year review, which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a 2-year review. The Planning Commission recommended approval.
09/25/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22).

B) Pre-Application Meeting

A pre-application meeting is not required for this review.

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.47 acres

B) Existing Land Use

Subject Property:	Existing Retail
North:	Existing Retail
South:	Existing Retail
East:	Existing Mobile Home Park, Vacant
West:	Existing Retail

C) Planned Land Use

Subject Property:	G-C (General Commercial)
North:	G-C (General Commercial)
South:	G-C (General Commercial)
East:	S-C (Service Commercial)
West:	G-C (General Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The GC (General Commercial) category of the Centennial Hills Interlocal Land Use Plan allows retail, services, wholesale sales, 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
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The Clark County Planning Department was notified of this project since parcels across Rancho Drive are located within unincorporated Clark County and are within the notification area.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Rancho Drive, similar to the subject sign, is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-2 (General Commercial). An off-premise advertising (billboard) sign is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued off-premise advertising (billboard) sign use on the subject site is appropriate, since the vicinity has not changed substantially in the past two years. Another review in five years is appropriate.

- Current Condition of the Sign

A site visit of the site found that the sign is in conformance with the conditions of approval for Special Use Permit [U-0109-94(2)].

- Conditions from U-0109-94(2)

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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."**

   Title 19.14.100 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. Since the area immediately surrounding the subject site has not changed for quite some time it is recommended that this approval be increased to a five-year review.

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

   There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect existing public rights-of-way adjacent to this request.

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

   The off-premise advertising (billboard) sign will be subject to regular City inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 68 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-2891 APN: 139-19-812-018

Name of Property Owner: Chip and Helen Family Trust

Name of Applicant: Chip and Helen Family Trust

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

_____ 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]

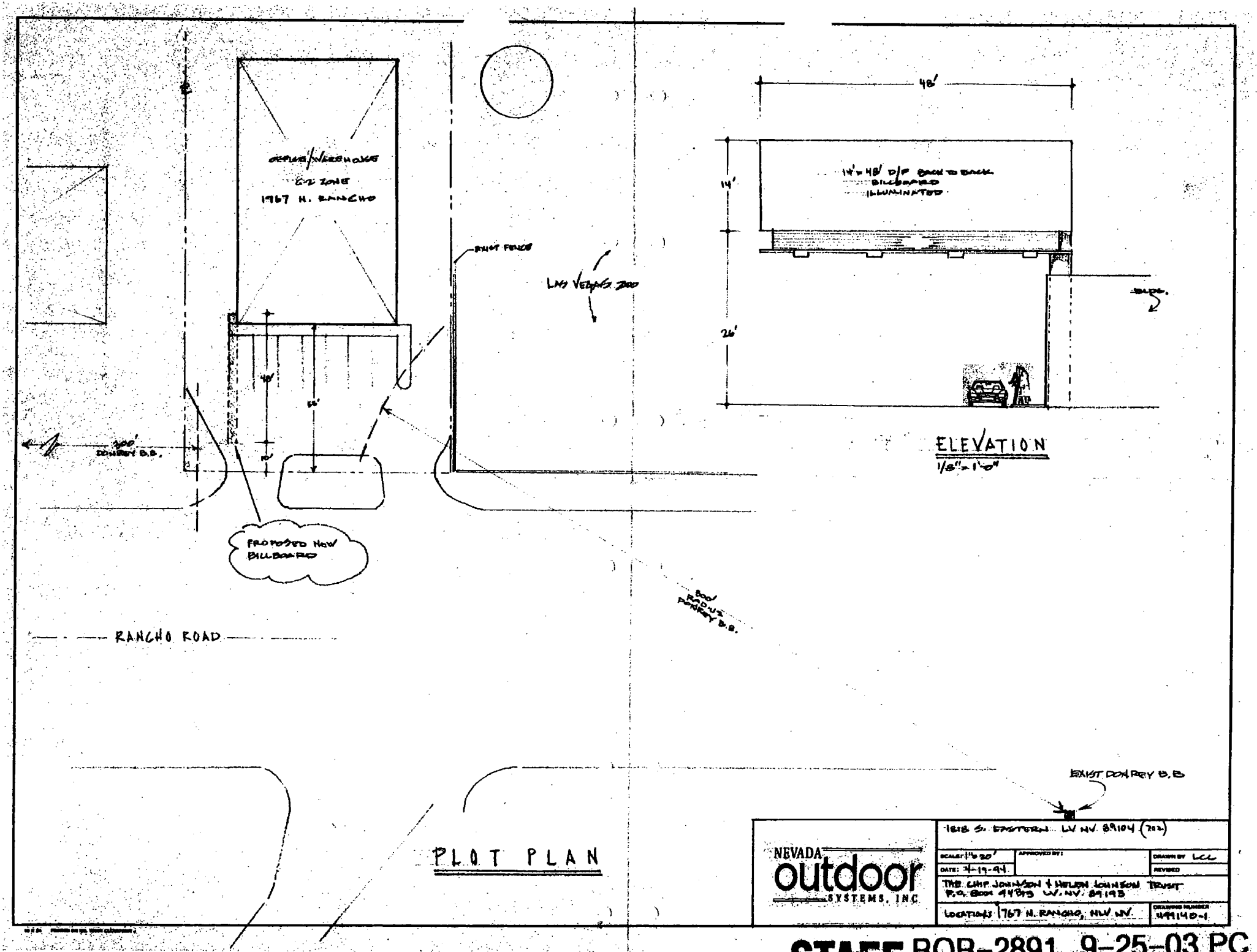
Print Name: C B JOHNSON

Subscribed and sworn before me

This 6 day of August, 20 03

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

ANN PIERCE
Notary Public - Nevada
No. 93-4798-1
My appt. exp. Nov. 4, 2003



STAFF RQR-2891 9-25-03 PC



RQR-2891 - CHIP AND HELEN JOHNSON FAMILY TRUST
1767 NORTH RANCHO DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03



RQR-2891 - CHIP AND HELEN JOHNSON FAMILY TRUST
1767 NORTH RANCHO DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/9/03

City of Las Vegas

Agenda Item No. 138

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A TAVERN adjacent to the south side of Deer Springs Way, approximately 200 feet east of El Capitan Way (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], 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 and amending Conditions No. 2 and 5 as follows:

2. **This Special Use Permit for *a supper club* 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. **Conformance to all relevant Minimum Requirements under the Montecito Town Center Development Agreement for a "Liquor Establishment (*Supper Club*)" use.**

– UNANIMOUS with BROWN excused

NOTE: On Items 138 and 139, COUNCILWOMAN MCDONALD disclosed that although she is an outside director for Station Casinos that holds privileged alcohol licenses, she has not discussed these items with the company, nor will her affiliation impact her judgment nor will these items have material impact on the company. She will therefore be voting on the items. Additionally, COUNCILMAN MACK clarified for MAYOR GOODMAN that MR. WERNER was not representing the Montecito Company on these two applications.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Items 138 [SUP-2777] and Item 139 [SDR-2776].

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 138 – SUP-2777

MINUTES – Continued:
MATT WERNER, 6600 West Charleston, appeared on behalf of the applicant.

MAYOR GOODMAN informed the public that the Council requires a document be filed with each planning application called a Statement Of Financial Interest. This identifies any of partners or shareholders of the applicant and allows the Council and DEPUTY CITY ATTORNEY BRYAN SCOTT to determine whether there is a conflict of interest. MR. WERNER assured the Council that there was no business relationship or conflict with this application.

COUNCILMAN MACK expressed concern about the number of taverns in the immediate area. Under Town Center Standards the goal is to group taverns. COUNCILMAN MACK opined that in light of the relationship with other uses in the specific area, it would be premature to approve another tavern. Therefore, he requested that this be a supper club and not a tavern.

TODD FARLOW, 240 North 19th Street, commented that Town Center was supposed to have multi-story facilities. He observed a two-story front, but the remainder of the building appeared to be one-story. He does not see the high density that was proposed for Town Center.

ROBERT GENZER, Director, Planning and Development Department, recommended Conditions 2 and 5 need to be amended to reflect the change from tavern to supper club.

Regarding Item 139 [SDR-2776], COUNCILMAN MACK amended Condition 1 from tavern to supper club and recommended an additional condition stating that the submitted revised floor plan shall be in compliance with the Supper Club Standards for approval by the Planning and Development Department prior to submittal of an application for a building permit. MR. GENZER clarified that the applicant has not submitted the revised floor plan and recommended that the added condition reflect that wording.

MR. WERNER concurred with the amendments and additional condition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed on Items 138 [SUP-2777] and Item 139 [SDR-2776].

NOTE: All discussion for Items 138 and 139 took place under Item 138.
(1:52 – 1:55)

City of Las Vegas

Agenda Item No. 138

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 138 – SUP-2777

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2482).

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

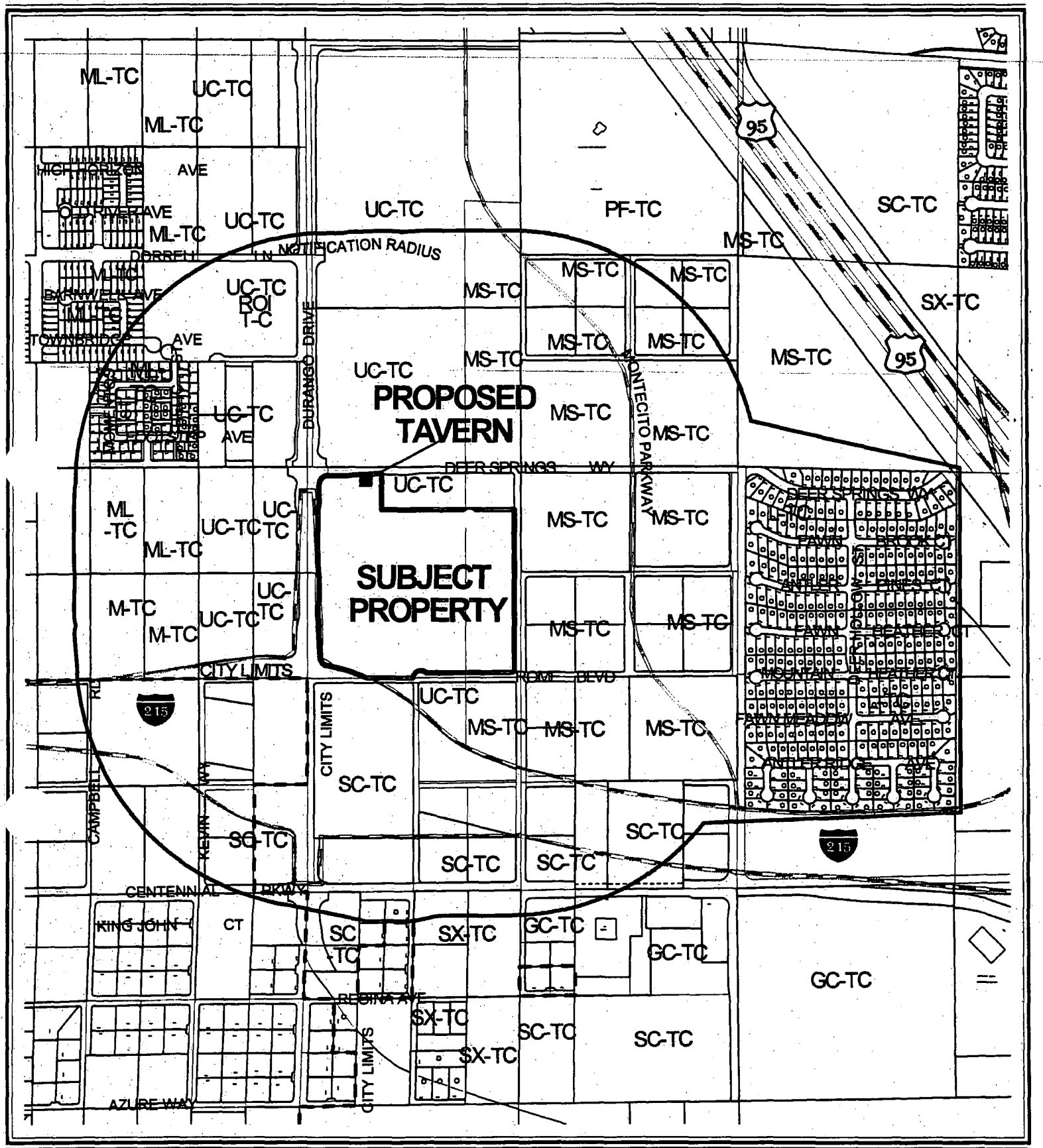
3. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

5. Conformance to all relevant Minimum Requirements under the Montecito Town Center Development Agreement for a "Liquor Establishment (Tavern)" use.

6. All development shall conform to the Conditions of Approval for the Tentative Map and all other subsequent site related actions.

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



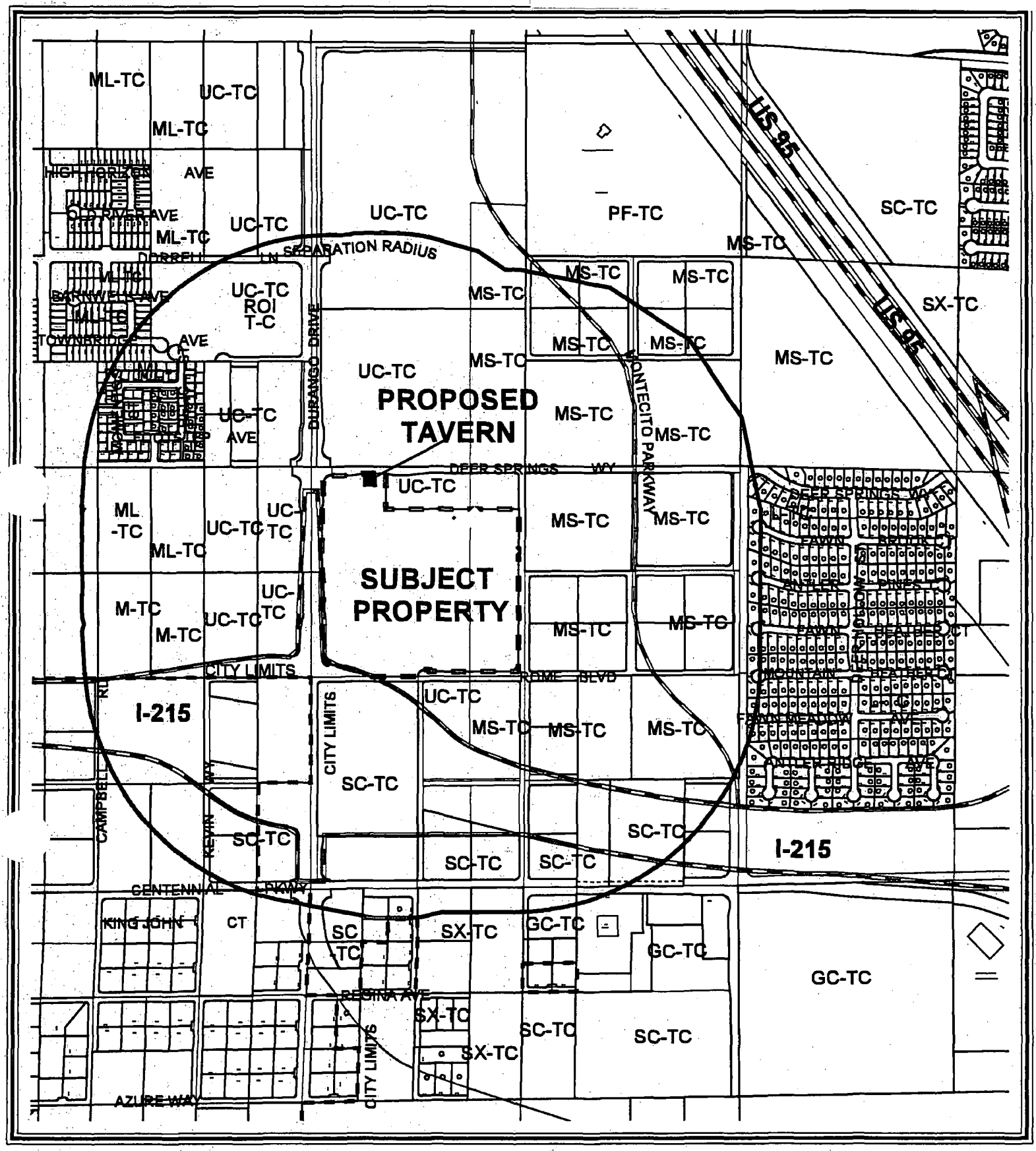
0 500 1000 Feet

CASE: **SUP-2777**

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) LAND USE DESIGNATION],

N



0 500 1000 Feet

CASE: **SUP-2777**

SEPARATION RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY

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

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2482).

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

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

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

5. Conformance to all relevant Minimum Requirements under the Montecito Town Center Development Agreement for a "Liquor Establishment (Tavern)" use.

6. All development shall conform to the Conditions of Approval for the Tentative Map and all other subsequent site related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a Proposed Tavern on property adjacent to the south side of Deer Springs Way, approximately 200 feet east of Durango Drive. A companion Site Development Plan Review for a 5,000 square-foot Tavern (SDR-2776) will be reviewed concurrently.

B) Applicant's Justification

The Tavern use is permitted and in conformance with the Town Center standards, and promotes the goal of the Montecito Crossing as a retail and dining focal point for the neighborhood. The proposed project will be in conformance with all applicable zoning and health regulations.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on November 5, 1998.

12/19/01 The City Council approved a request for a Site Development Plan Review [Z-0076-98 (24)] for a proposed 361,560 square-foot retail commercial center on 38.78 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on November 1, 2001.

02/06/02 The City Council approved a request for a Master Sign Plan (MSP-0013-01) for the Montecito Town Center on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on December 20, 2001.

03/06/02 The City Council approved a request for a Development Agreement (DA-0002-01) to establish a set of development standards for portions of the UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) land use districts within the Town Center Zoning District on 172.46 acres of property generally located north of Centennial Parkway, west of Durango Drive, south of Elkhorn Road, and east of El Capitan Way. The Planning Commission recommended approval on January 10, 2002.

03/14/02 The Planning Commission approved a request for a Tentative Map (TM-0007-02) for one lot on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. This was a final action by the Planning Commission.

08/23/02 The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0076-98 (34)] for a proposed 344,120 square-foot retail commercial center on 39.5 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way.

04/02/03 The City Council approved a Special Use Permit (SUP-1525) for a Tavern located near the northeast corner of Durango Drive and the 215 Beltway.

08/06/03 The Planning Commission approved a Special Use permit (SUP-2478) for a proposed 5,000 square foot Tavern within the Montecito Crossing development west of this site.

08/28/03 The Planning Commission recommended approval of a companion request for a Site Development Plan Review (SDR-2776) for this proposed Tavern on this site.

08/28/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #45).

B) Pre-Application Meeting

A pre-application meeting was held with the applicant on July 2, 2003. The following was discussed:

1. Standards were discussed; in particular those from the Kohl's review Z-76-98 (24).
2. Landscape plan looked OK
   a. Design of Deer Springs to follow the standards for a Town Center Arterial.
   b. 15 foot Landscape buffer between street and building. Add building access through buffer.
3. Parking requirements discussed.
4. Adjacent pad was discussed.
   a. Layout not shown because no definitive plan is known.
   b. Cross access circulation discussed.
5. Parking table needed to be revised.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.77

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Shopping Center (Under Construction)
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center)
North:	UC-TC (Urban Center Mixed Use - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and Beltway
East:	MS-TC (Main Street Mixed Use - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The site is located on the Centennial Hills Sector Plan Map of the General Plan. Although the site is designated as UC-TC (Urban Center Mixed Use - Town Center) in the Town Center Development Standards Manual, the provisions of the Montecito Town Center Development Agreement supercede regulations associated with Town Center, unless the Agreement is silent on a particular issue.

The Montecito Development Agreement, approved on March 6, 2002, fulfils the requirement for a development agreement in the Town Center Development Standards Manual. In the Montecito Development Agreement, the site is identified as "Montecito Town Center Mixed Use Commercial" on Figure 3 of that document. Within the Montecito Town Center Development Agreement, the Montecito Town Center Mixed Use Commercial area is further divided into six "Activity Areas". Although these Activity Areas are not specifically identified on a map or in the text of the Agreement, the retail commercial center approved at the southeast corner of Durango Drive and Deer Springs Way, identified as the Montecito Lifestyles Center, and the location of the proposed Tavern, is intended to function as the "Regional Center" Activity Area. This category allows a "...full variety..." of "...retail, office and service uses". As a result, the proposed Tavern complies with the relevant land use regulations.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails	X	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 Area Plan:
As mentioned above, the site is located within the Centennial Hills Town Center area, and within the portion of that Plan area affected by the Montecito Development Agreement.

Trails:
The northern limit of the Montecito Crossing site (Deer Springs Way) is bordered by the Town Center Arterial trail alignment.

HOA Notification:
This site mandates the notification of the Timberlake (Deer Springs Ranch) subdivision, which is located approximately 1,400 feet to the east. The notification area for this Special Use Permit was expanded to include all property owners within that subdivision.

ANALYSIS

A) Zoning Code Compliance

There is a minimum distance separation requirement in Section B.3.B.32 of the Town Center Development Standards Manual of 400 feet between Taverns and uses such as churches, parks, schools and child card facilities; however, the Montecito Town Center Development Agreement (Section 2.3) exempts Taverns from any Minimum Distance Separation Requirement.

The following Special Use Permits are located within the overall Montecito Crossing commercial development that will allow similar uses:

Case	Use	Action
SUP-1525	Tavern (Buffalo Wild Wings)	Approved - 04/02/03 City Council
SUP-2298	Supper Club (Mimi's Cafe)	Approved - 07/16/03 City Council
SUP-2471	Supper Club (Applebee's)	Approved - 08/06/03 City Council
SUP-2478	Tavern	Approved - 08/06/03 City Council

B) General Analysis and Discussion

- Zoning

The site is currently zoned as T-C (Town Center) and designated as Montecito Town Center Mixed Use Commercial through the Montecito Development Agreement. Taverns are allowed within the Montecito Town Center Mixed Use Commercial designation and within the T-C (Town Center) zoning district with the approval of a Special Use Permit by City Council.

- Use

The use of a portion of the approved site for a Tavern is appropriate, given the nature of development in the area, which will include a variety of restaurants, entertainment, and retail activities. The addition of this project will add to the variety of these activities in the area. The revision to the approved site plan will be addressed with the companion Site Development Plan Review (SDR-2482). The applicant has not identified a tenant for this location.

- Conditions

Section B.4.B.32 of the Town Center Development Standards Manual sets out five conditions for the development in Town Center. The application appears to conform to all requirements so listed.

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 and Development Agreement conditions for the area and is not subject to Minimum Distance Separation requirements. The project, located in a substantial commercial development in an area where a substantial concentration of major commercial development is to occur, 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 Deer Springs Way (Town Center Arterial - 80 feet). These roads have adequate capacity to serve the proposed development. 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.

NOTICES MAILED 382 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2777 APN: _____

Name of Property Owner: 36 ACRE, LLC

Name of Applicant: 36 ACRE, 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: _____

Print Name: TODD HOLZER

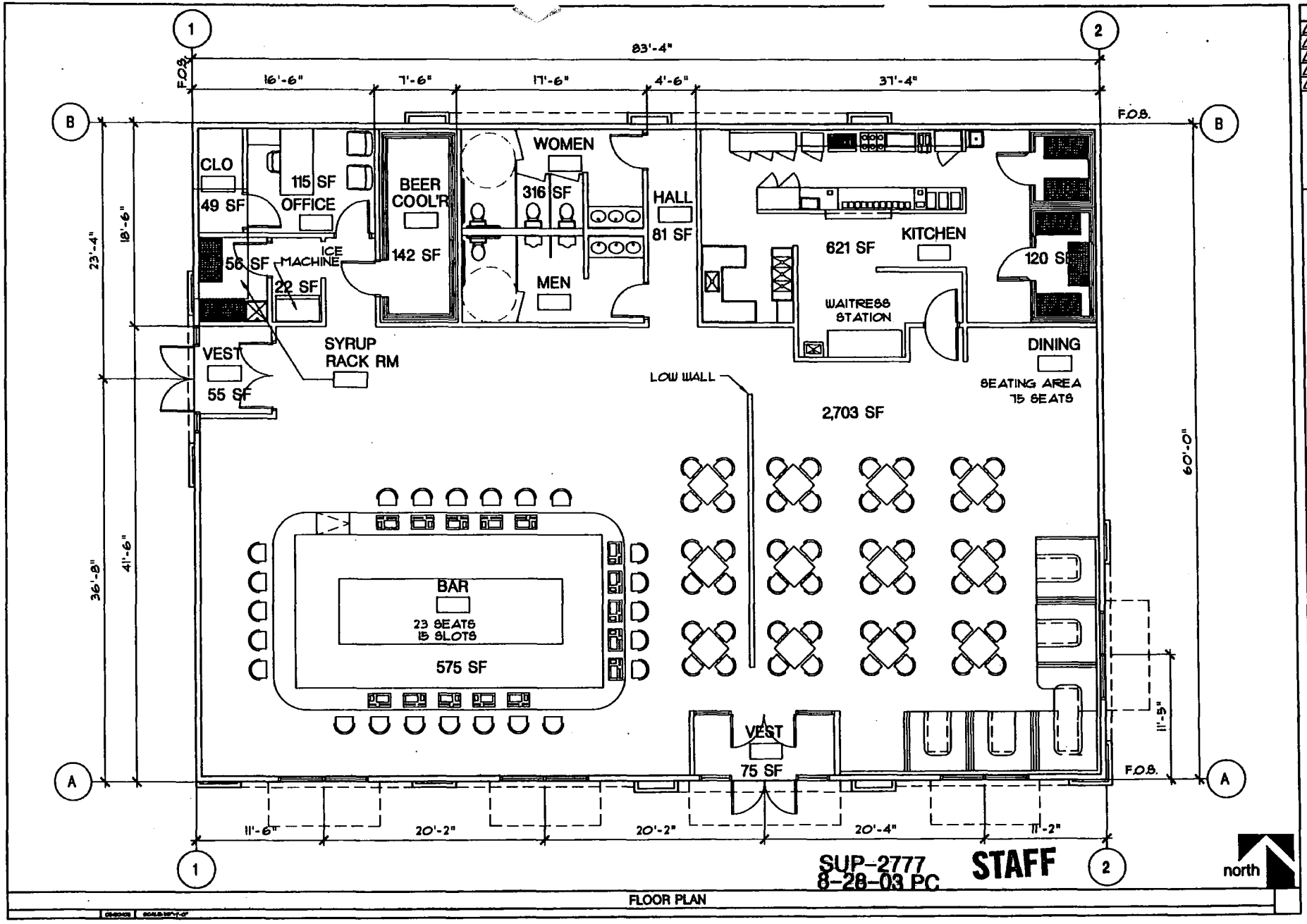
Subscribed and sworn before me

This 10 day of July, 2003

_____

Notary Public in and for said County and State

OFFICIAL SEAL
NANCY G. HUG
NOTARY PUBLIC-Arizona
MARICOPA COUNTY
My Comm. Expires June 9, 2006



SUP-2777
8-28-03 PC
STAFF

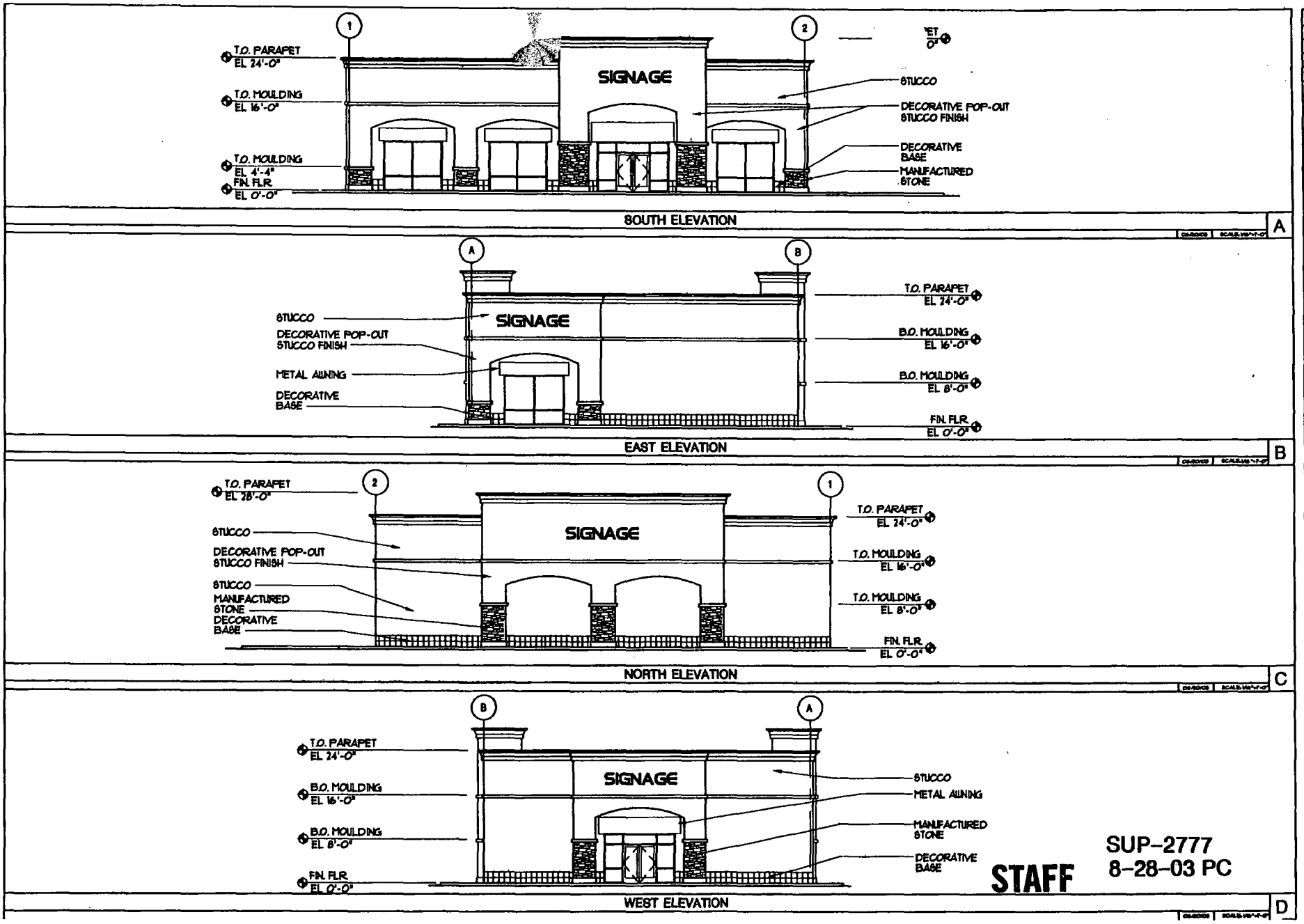
FLOOR PLAN

REVISIONS

Perkowitz+Ruth Architects
Architecture/Planning/Store Design
3980 Howard Hughes Parkway, Suite 450 Las Vegas, NV 89109 Tel (702)892-4500

PROJECT:
PAD #7
MONTECITO CROSSING
SEC N. DURANGO & DEER SPRINGS
LAS VEGAS, NV

BID DATE:
JOB NUMBER: 03-1003
PLOT DATE: 07/08/03
DRAWN BY:
CHK'D:
SHEET TITLE: FLOOR PLAN
SHEET NO: A-1



STAFF

SUP-2777
8-28-03 PC

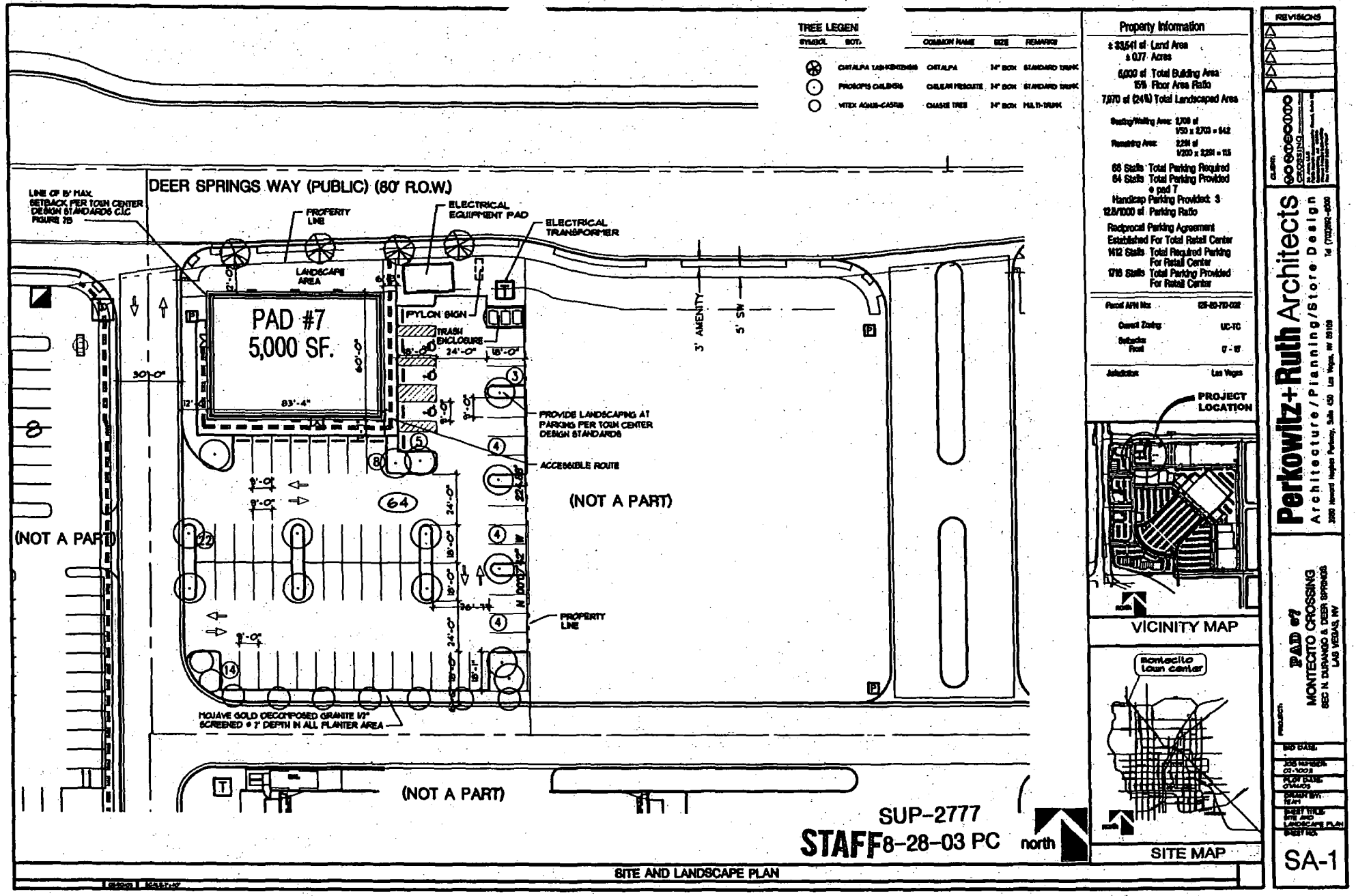
REVISIONS

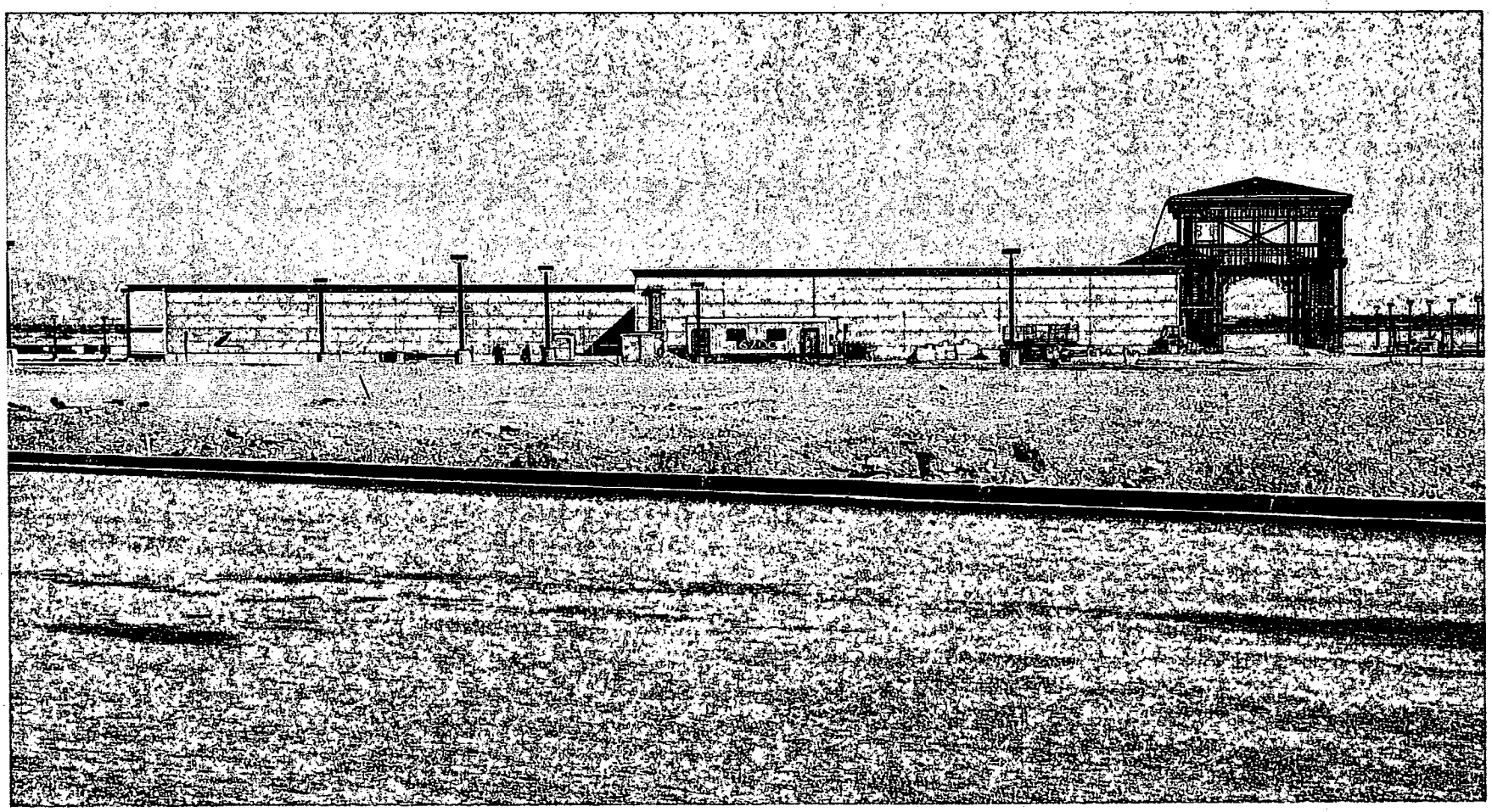
CLIENT:

Perkowitz+Ruth Architects
Architecture/Planning/Store Design
3960 Howard Hughes Parkway, Suite 450 Las Vegas, NV 89109
Tel (702)892-4500

PROJECT:
PAD #7
MONTECITO CROSSING
SEC N. DURANGO & DEER SPRINGS
LAS VEGAS, NV

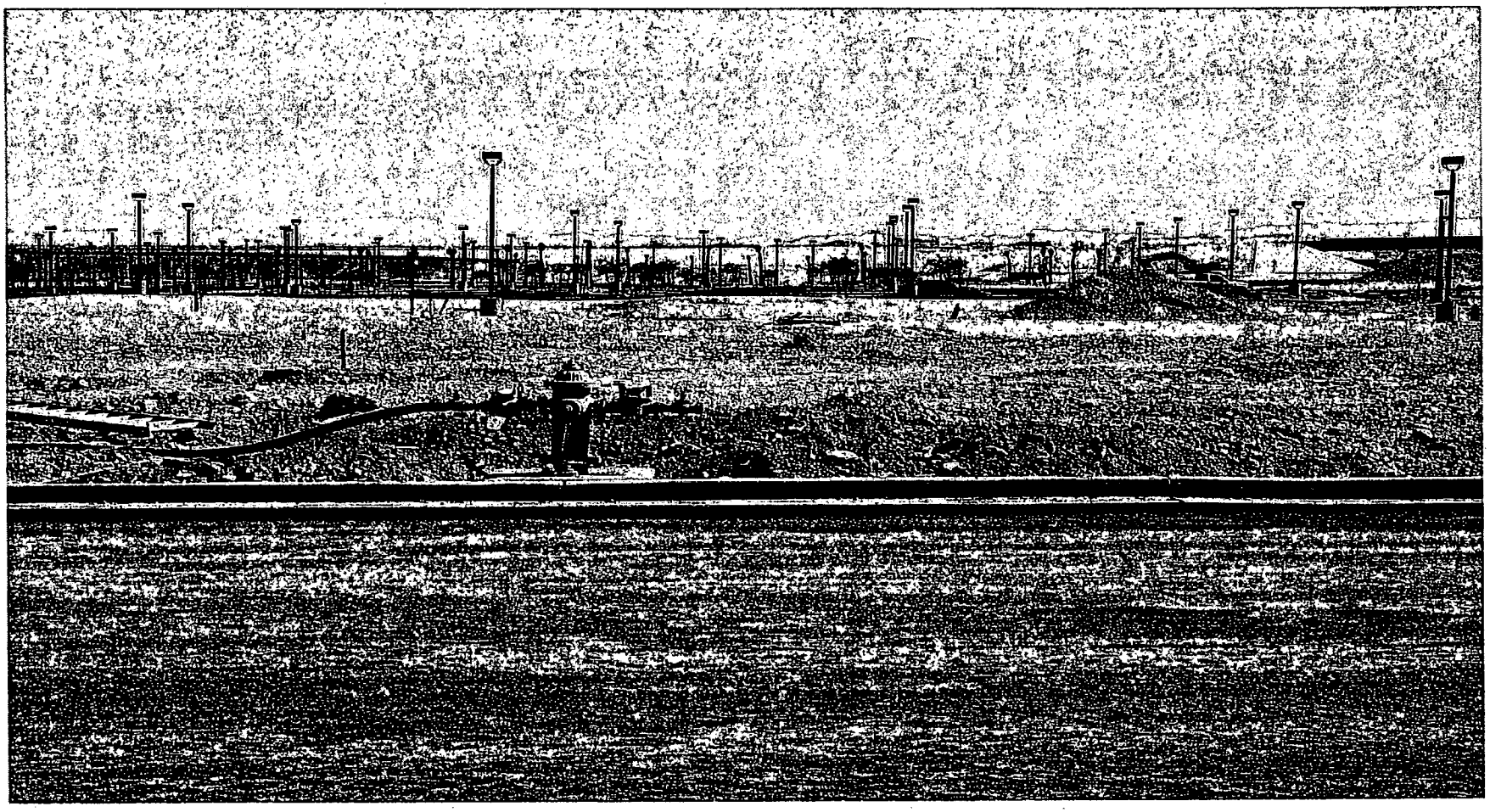
BID DATE:
JOB NUMBER:
03-100.8
PLOT DATE:
07/01/03
DRAWN BY:
TRAFI
SHEET TITLE:
ELEVATIONS
SHEET NO.
A-4.0


TREE LEGEND
SYMBOL
BOT.
COMMON NAME
SIZE
REMARKS
CHITALPA TASHKENTENSIS
CHITALPA
24" BOX
STANDARD TRUNK
PROSOPIS CHILENSIS
CHILEAN MESQUITE
24" BOX
STANDARD TRUNK
VITEX AGNUS-CASTUS
CHASTE TREE
24" BOX
MULTI-TRUNK
Property Information
± 33,541 sf Land Area
± 0.77 Acres
6,000 sf Total Building Area
15% Floor Area Ratio
7,970 sf (24%) Total Landscaped Area
Seating/Waiting Area: 2,703 sf
1/50 x 2,703 = 54.2
Remaining Area: 3,291 sf
1/200 x 3,291 = 16.5
66 Stalls Total Parking Required
64 Stalls Total Parking Provided
@ pad 7
Handicap Parking Provided: 3
12.8/1000 sf Parking Ratio
Reciprocal Parking Agreement
Established For Total Retail Center
1412 Stalls Total Required Parking
For Retail Center
1716 Stalls Total Parking Provided
For Retail Center
Parcel APN No:
125-33-701-002
Current Zoning:
UC-TC
Setbacks:
Front
0' - 15'
Jurisdiction:
Las Vegas
PROJECT LOCATION
VICINITY MAP
DEER SPRINGS WAY (PUBLIC) (80' R.O.W.)
LINE OF 5' MAX. SETBACK PER TOWN CENTER DESIGN STANDARDS C.I.C. FIGURE 7B
PROPERTY LINE
ELECTRICAL EQUIPMENT PAD
ELECTRICAL TRANSFORMER
LANDSCAPE AREA
PAD #7
5,000 SF.
83'-4"
60'-0"
30'-0"
PYLON SIGN
TRASH ENCLOSURE
24'-0"
15'-0"
3' AMENITY
5' SW
PROVIDE LANDSCAPING AT PARKING PER TOWN CENTER DESIGN STANDARDS
ACCESSIBLE ROUTE
(NOT A PART)
(NOT A PART)
(NOT A PART)
64
22
14
PROPERTY LINE
MOJAVE GOLD DECOMPOSED GRANITE 1/2" SCREENED @ 2" DEPTH IN ALL PLANTER AREA
SUP-2777
STAFF 8-28-03 PC
north
SITE MAP
SITE AND LANDSCAPE PLAN
REVISIONS
Perkowitz+Ruth Architects
Architecture/Planning/Store Design
PAD #7
MONTECITO CROSSING
SEC N. DURANGO & DEER SPRINGS
LAS VEGAS, NV
SHEET TITLE
SITE AND LANDSCAPE PLAN
SHEET NO.
SA-1



SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY
SOUTH SIDE OF DEER SPRINGS WAY, APPROXIMATELY 200 FEET EAST OF EL CAPITAN WAY
AUGUST 28, 2003 PLANNING COMMISSION

8/5/03



SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY
SOUTH SIDE OF DEER SPRINGS WAY, APPROXIMATELY 200 FEET EAST OF EL CAPITAN WAY
AUGUST 28, 2003 PLANNING COMMISSION

8/5/03

City of Las Vegas

Agenda Item No. 139

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2777 - PUBLIC HEARING - **SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the Town Center Build-To-Line Development Standard FOR A PROPOSED 5,000 SQUARE FOOT RESTAURANT/TAVERN on 0.77 acres adjacent to the south side of Deer Springs Way, approximately 200 feet east of Durango Drive (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], 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 and amending condition 1 as follows:
1. A Special Use Permit (SUP-2777) for a *Supper Club* approved by the City Council.
And the following condition:
- ***The applicant shall submit a revised floor plan in compliance with the Supper Club Standards for approval by the Planning and Development Department prior to submittal of an application for a building permit for tenant improvements.***

– UNANIMOUS with BROWN excused and L.B. McDonald not voting

NOTE: COUNCILWOMAN MCDONALD disclosed that although she is an outside director for Stations Casinos that holds privileged alcohol licenses, she has not discussed these items with the company nor will her affiliation impact her judgment, nor will they have material impact on the company, she will therefore be voting on the items.

MINUTES:
See Item 138 [SDR-2777] for all related discussion.

(1:52 – 1:55)

City of Las Vegas

Agenda Item No. 139

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 139 – SDR-2776

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-2777) for a Tavern is 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. Construct a Town Center Arterial Trail along Deer Springs Way as required by the Montecito Development Standards.

4. The building elevations shall meet Montecito Town Center Development Agreement Standards, particularly along the Deer Springs Way frontage. The tile and stone veneer shall cover a minimum of ten percent of the building elevation as required by the Montecito Development Agreement. The north elevation of the building shall be designed to have the appearance of windows/ doors as shown on the other three elevations. The revised elevations shall be approved by the Planning and Development Department prior to the submittal of building permits for this development.

5. The site plan shall be amended to demonstrate conformance to the parking standards. The Trash Enclosure shall be located at the southwest corner of the parcel to facilitate access and compliance with the Montecito Development Agreement. Pedestrian access ways shall be shown from the southern boundary of the parcel to the street and use. Provide building access from the street.

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

7. Pursuant to the Montecito Town Center Development Agreement, compliance with approved Master Sign Plan MSP-0013-01 is required for on-premise signs in the Development Agreement area, and the Centennial Hills Town Center Architectural Review Committee (CHARC) must approve such signs.

8. 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 should be cause for revocation of a business license.] The number and types of trees along Deer Springs shall conform to the Town Center Arterial Street landscape standards.

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

City of Las Vegas

Agenda Item No. 139

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 139 – SDR-2776

CONDITIONS – Continued:

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

12. 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.

13. 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.

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

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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

17. If not already constructed by the Master Developer, construct the full width of the proposed driveways accessing this site and construct appropriate on-site paving to allow for two-way vehicular traffic concurrent with development of this site.

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.

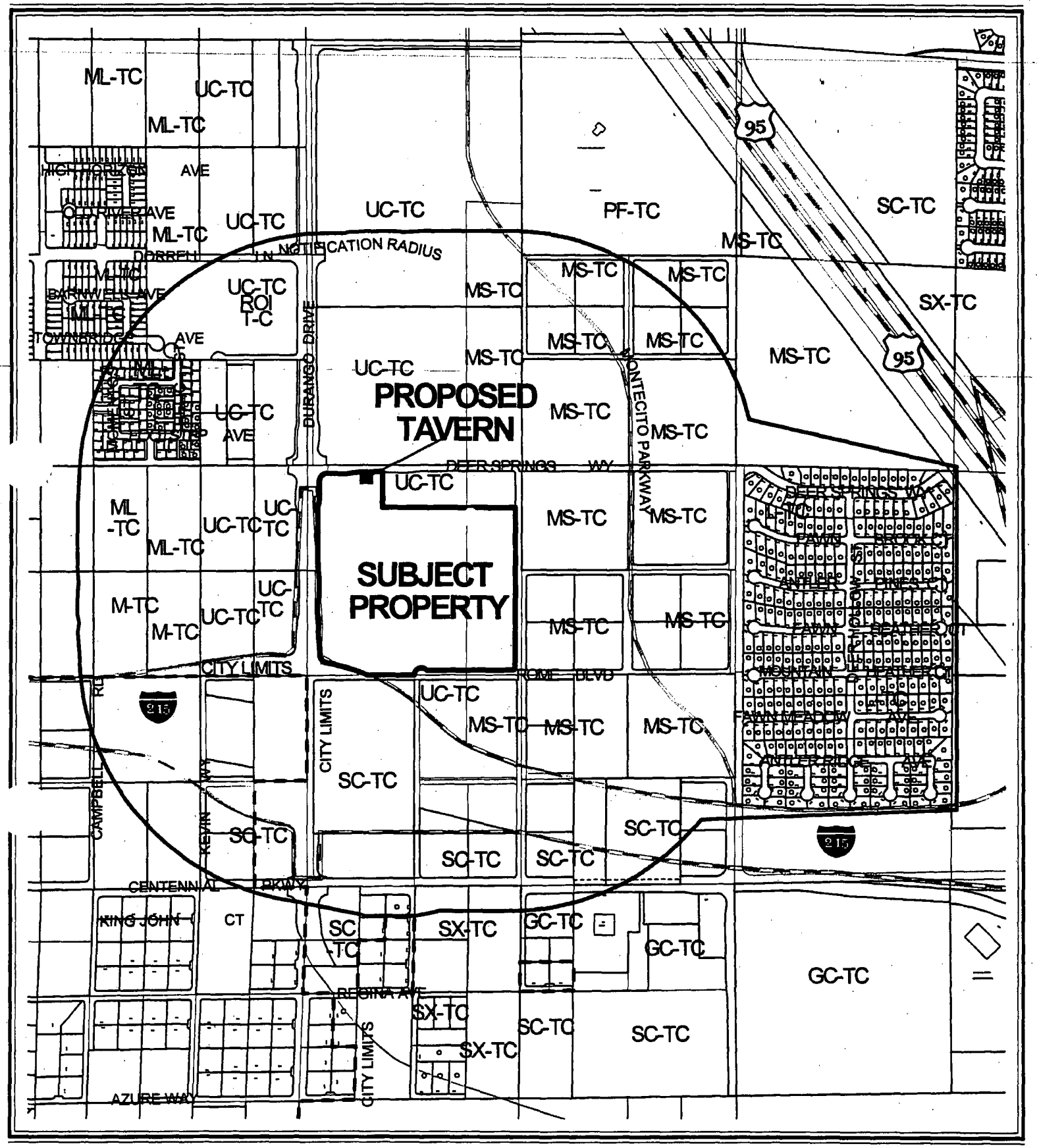
City of Las Vegas

Agenda Item No. 139

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 139 – SDR-2776

CONDITIONS – Continued:

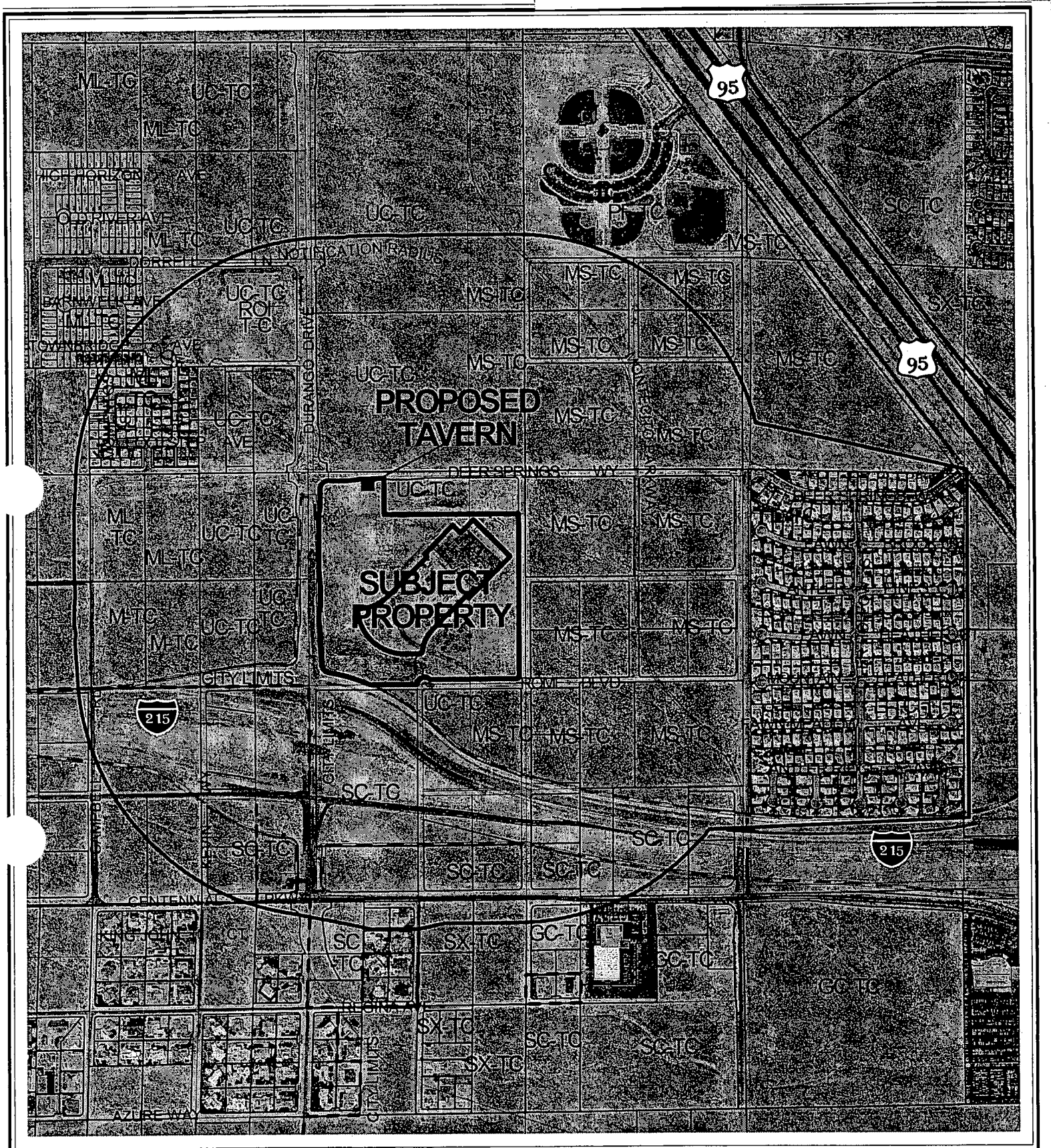
19. Site development to comply with all applicable conditions of approval for Z-0076-98, the Montecito Lifestyle Center (Commercial Subdivision) and all other subsequent site-related actions.



CASE: SDR-2776

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) LAND USE DESIGNATION]



0 500 1000 Feet

CASE: **SDR-2776**

RADIUS: 1500 FT & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY

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

** CONDITIONS **

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

Planning and Development

1. A Special Use Permit (SUP-2777) for a Tavern 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. Construct a Town Center Arterial Trail along Deer Springs Way as required by the Montecito Development Standards.
4. The building elevations shall meet Montecito Town Center Development Agreement Standards, particularly along the Deer Springs Way frontage. The tile and stone veneer shall cover a minimum of ten percent of the building elevation as required by the Montecito Development Agreement. The north elevation of the building shall be designed to have the appearance of windows/ doors as shown on the other three elevations. The revised elevations shall be approved by the Planning and Development Department prior to the submittal of building permits for this development.
5. The site plan shall be amended to demonstrate conformance to the parking standards. The Trash Enclosure shall be located at the southwest corner of the parcel to facilitate access and compliance with the Montecito Development Agreement. Pedestrian access ways shall be shown from the southern boundary of the parcel to the street and use. Provide building access from the street.
6. All other development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
7. Pursuant to the Montecito Town Center Development Agreement, compliance with approved Master Sign Plan MSP-0013-01 is required for on-premise signs in the Development Agreement area, and the Centennial Hills Town Center Architectural Review Committee (CHARC) must approve such signs.
8. 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 should be cause for revocation of a business license.] The number and types of trees along Deer Springs shall conform to the Town Center Arterial Street landscape standards.

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

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

12. 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.

13. 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.

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

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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

17. If not already constructed by the Master Developer, construct the full width of the proposed driveways accessing this site and construct appropriate on-site paving to allow for two-way vehicular traffic concurrent with development of this site.

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.

19. Site development to comply with all applicable conditions of approval for Z-0076-98, the Montecito Lifestyle Center (Commercial Subdivision) and all other subsequent site-related actions.

SDR-2776 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a Proposed 5,000 square foot Tavern on property adjacent to the south side of Deer Springs Way, approximately 200 feet east of Durango Drive (formerly El Capitan Way). The Special Use Permit application (SUP-2777) for the tavern will also be considered on this agenda.

B) Applicant's Justification

The Tavern use is permitted and in conformance with the Town Center standards, and promotes the goal of the Montecito Crossing as a retail and dining focal point for the neighborhood. The proposed project will be in conformance with all applicable zoning and health regulations.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on November 5, 1998.

12/19/01 The City Council approved a request for a Site Development Plan Review [Z-0076-98 (24)] for a proposed 361,560 square-foot retail commercial center on 38.78 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval November 1, 2001.

02/06/02 The City Council approved a request for a Master Sign Plan (MSP-0013-01) for the Montecito Town Center on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on December 20, 2001.

03/06/02 The City Council approved a request for a Development Agreement (DA-0002-01) to establish a set of development standards for portions of the UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) land use districts within the Town Center Zoning District on 172.46 acres of property generally located north of Centennial Parkway, west of Durango Drive, south of Elkhorn Road, and east of El Capitan Way. The Planning Commission recommended approval on January 10, 2002.

03/14/02 The Planning Commission approved a request for a Tentative Map (TM-0007-02) for one lot on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. This was a final action by the Planning Commission.

08/23/02 The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0076-98 (34)] for a proposed 344,120 square-foot retail commercial center on 39.5 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way.

08/06/03 The Planning Commission approved a Site Development Plan Review (SDR-2482) for a proposed 5,000 square foot Tavern within the Montecito Crossing development west of this site.

08/06/03 City Council approved a Special Use Permit for a Tavern 500 ft east of Durango Drive.

08/28/03 The Planning Commission recommended approval of a companion request for a Special Use Permit (SUP-2777) for the proposed Tavern on this site.

08/28/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #46).

B) Pre-Application Meeting

On July 2, 2003, the following issues were discussed:

1. Standards were discussed; in particular those from the Kohl's review Z-76-98(24).
2. Landscape plan.
   a. Design of Deer Springs to follow the standards for a Town Center Arterial.
   b. 15 foot Landscape buffer between street and building. Add building access through buffer.
3. Parking requirements discussed.
4. Adjacent pad was discussed.
   a. Layout not shown because no definitive plan is known.
   b. Cross access circulation discussed.
5. Parking table needed to be revised.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.77

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Shopping Center (Under Construction)
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center)
North:	UC-TC (Urban Center Mixed Use - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and Beltway
East:	MS-TC (Main Street Mixed Use - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The site is located within Town Center of the Centennial Hills Interlocal Land Use Plan Map of the General Plan. Although the site is designated as UC-TC (Urban Center Mixed Use - Town Center) in the Town Center Development Standards Manual, the provisions of the Montecito Town Center Development Agreement supercede regulations associated with Town Center, unless the Agreement is silent on a particular issue.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails	X	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 Area Plan:
As mentioned above, the site is located within the Centennial Hills Town Center area, and within the portion of that Plan area affected by the Montecito Development Agreement.

Trails:
The northern limit of the Montecito Crossing site (Deer Springs Way) is bordered by the Town Center Arterial trail alignment.

HOA Notification:
Development on this site mandates the notification of the Timberlake (Deer Springs Ranch) subdivision, which is located approximately 1,400 feet to the east. The notification area for this Site Development Plan Review was expanded to include all property owners within that subdivision.

PROJECT DESCRIPTION

The proposed project consists of a 5,000 square-foot Tavern to be located on a 0.77-acre pad site within the 38-acre Montecito Crossing shopping center. The pad site is located along the Deer Springs Way frontage of the overall site. The proposed one-story Tavern building is oriented south toward the parking lot, and backs up to Deer Springs Way, with parking located to the south and east of the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

This application meets the applicable Development Standards of Section 3 of the Montecito Town Center Development Agreement, Site Development Guidelines. Most of these requirements are design and site planning considerations that were addressed as part of the approval of the overall site plan for the Montecito Lifestyles center, of which this application, for a pad site within the overall site plan, is a part.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

Section 5.1.5 of the Montecito Town Center Development Agreement states that parking lot requirements shall meet or exceed the standards of the Town Center Development Standards Manual. The Manual calls for parking to comply with the requirements of Title 19.10 (as listed below) as well as a series of other conditions including screening and landscaping of parking areas, continuous internal pedestrian walkways, berming and other design features.

Uses	GFA	**Required** Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Tavern	5,000 sq. ft. (2,709 public seating; 2,291 sq. ft. remaining g.f.a.)	1 space/50 sq. ft. of public seating area + 1 space/200 sq. ft. of remaining g.f.a.	54spaces 12 spaces			
Totals			66 spaces	3 spaces	64 spaces	3 spaces

The site plan for the Tavern pad site provides only 64 of the 66 spaces required. Additionally the three required handicap accessible spaces are also provided.

A condition of approval will require the developer to show how all required on-site parking will be satisfied for this proposed pad site development in the context of all the other approved/ anticipated uses on the overall site, to ensure that there is adequate on-site parking for the development.

A4) Landscape and Open Space Standards

Pursuant to the Town Center Development Standards Manual and Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**	**Complies**
Parking Area	1 tree/ 6 spaces	12 trees	15 trees	**Y**
Buffer: • Min. Trees	1 tree/ 20 linear feet (along street frontage)	8 trees	8 trees	**Y**
• Min. Zone Width	0 to 15 feet in front		15 feet	**Y**
• Wall height	Not required		Not provided	**Y**
• Perimeter berming of parking area	Required		Not provided	**N**

The proposal complies with the requirements from the Development Standards Manual with regards to perimeter/street frontage and parking lot landscaping.

A5) Sign Standards

There is an approved Master Sign Plan (MSP-0013-01) that applies to the entire Montecito Lifestyles Center site. Signage on the subject pad site will be required to comply with the conditions of the approved Master Sign Plan, as follows:

1. This application (total for entire 38-acre site) shall be limited to nine monument signs.
2. This application (total for entire 38-acre site) shall be limited to three monument signs along Durango Drive, unless the applicant can furnish proof that there is a minimum of 1,200 feet of lineal street frontage along Durango Drive.
3. Address numbers shall be a minimum of twelve inches tall.
4. All signage shall be situated so as to not interfere with Sight Visibility Restriction Zones. Final location of signage shall be subject to approval by the Traffic Engineer.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use - Town Center) General Plan designation on the west portion of the overall site and a MS-TC (Main Street Mixed Use - Town Center) designation on the east portion of the overall site. The proposed use on the pad site is located wholly in the UC-TC portion of the overall site.

The proposed Tavern is within the range of uses permitted, with approval of a Special Use Permit, in the Montecito Town Center Mixed Use Commercial Area designation.

- Site Plan

The proposed Tavern is sited on approximately the northeast corner of the pad site, with parking provided on the south and east sides of the building. Access to the pad site parking area will be from Deer Springs Way and via the internal circulation drive within the overall shopping center.

The site plan indicates 64 of the required 66 parking spaces for the Tavern use on the pad site. A condition of approval will require the developer to show how all required on-site parking will be satisfied for this proposed pad site development in the context of all the other approved/ anticipated uses on the overall site, to ensure that there is adequate on-site parking for the development.

The Trash Enclosure shall be located at the southwest corner of the parcel to facilitate access and compliance with the Montecito Development Agreement.

The electrical equipment and transformer pads shall be screened from view to comply with the Montecito Development Agreement.

Pedestrian access ways shall be shown from the southern boundary of the parcel to the street and use. Provide building access from the street.

- Waivers

A waiver of the Build To Line requirement of the TCDS is required. The Build To Line requirement is 60% of the building. With an 83 foot wide building on a 162-foot wide lot the Build To Line as designed is 51%.

- Landscape Plan

The submitted landscape plan depicts landscaping in a 12-foot wide landscape planter along Deer Springs Way. Some landscaping is also provided in three parking lot islands. Both perimeter and parking lot landscaping as indicated is in compliance with the required minimum standard of the Zoning Code.

Plant materials indicated include 24-inch box Chitalpas and Chilean Mesquite Trees, as well as 24-inch box Chaste Trees. No plants are listed as shrubs and under story plantings and ground cover.

The number and types of trees along Deer Springs shall conform to the Town Center Arterial Street landscape standards.

- Elevation

The submitted elevations depict a flat-roofed building with a cornice detail and a pitched roof accent. Building materials include a stucco exterior with stone veneer, tile wainscot and concrete roofing tiles.

The tile and stone veneer shall cover a minimum of ten percent of the building elevation as required by the Montecito Development Agreement.

The north elevation shall be designed to have the appearance of windows / doors as shown on the other three elevations.

- Floor Plan

The floor plan indicates a bar with service on four sides on the west side of the building with a dining area on the east side. The kitchen, coolers and storage areas are located in the northern portion of the building.

FINDINGS

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

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

   The proposed Tavern fits within the context of the previously approved site plan for the entire Montecito Crossing project, and is suited to the overall development plan that has evolved within the Montecito Town Center Development Agreement area. There are no surrounding existing uses, other than other commercial uses within the shopping center. This is one of the first sites in the area to develop, and the project is compatible with planned land uses for the area.

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

   Upon completion of the modifications detailed in the conditions, the proposed site plan for the Tavern is consistent with the design requirements of the Montecito Town Center Development Agreement, and with the design parameters of the approved overall site plan for the Montecito Lifestyles center project, of which this application is a part.

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

The site is directly adjacent to Deer Springs Way which is designated as a Town Center Arterial (80-foot) on Map 4A of the Town Center Development Standards Manual. When completed, these roadways will provide adequate access to the subject site.

Access is also available to the site from the development interior via internal commercial drive aisles

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

The building materials for the proposed Tavern meet the requirements of Town Center Development Standards Manual. The type of landscaping materials as proposed is appropriate, and meets the minimum standards for perimeter area landscaping.

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

The exterior appearance of the proposed Tavern generally presents an aesthetically pleasing design that will contribute in a positive manner to the appearance of the overall Montecito Crossing project; however, a condition has been added requiring the elevations to be revised to meet the Montecito Town Center Development Agreement Standards. This project will be harmonious with the future development in the area.

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

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.

NOTICES MAILED 379 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2776 APN: _____

Name of Property Owner: 36 ACRE, LLC

Name of Applicant: 36 ACRE, 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: Todd E Holzer

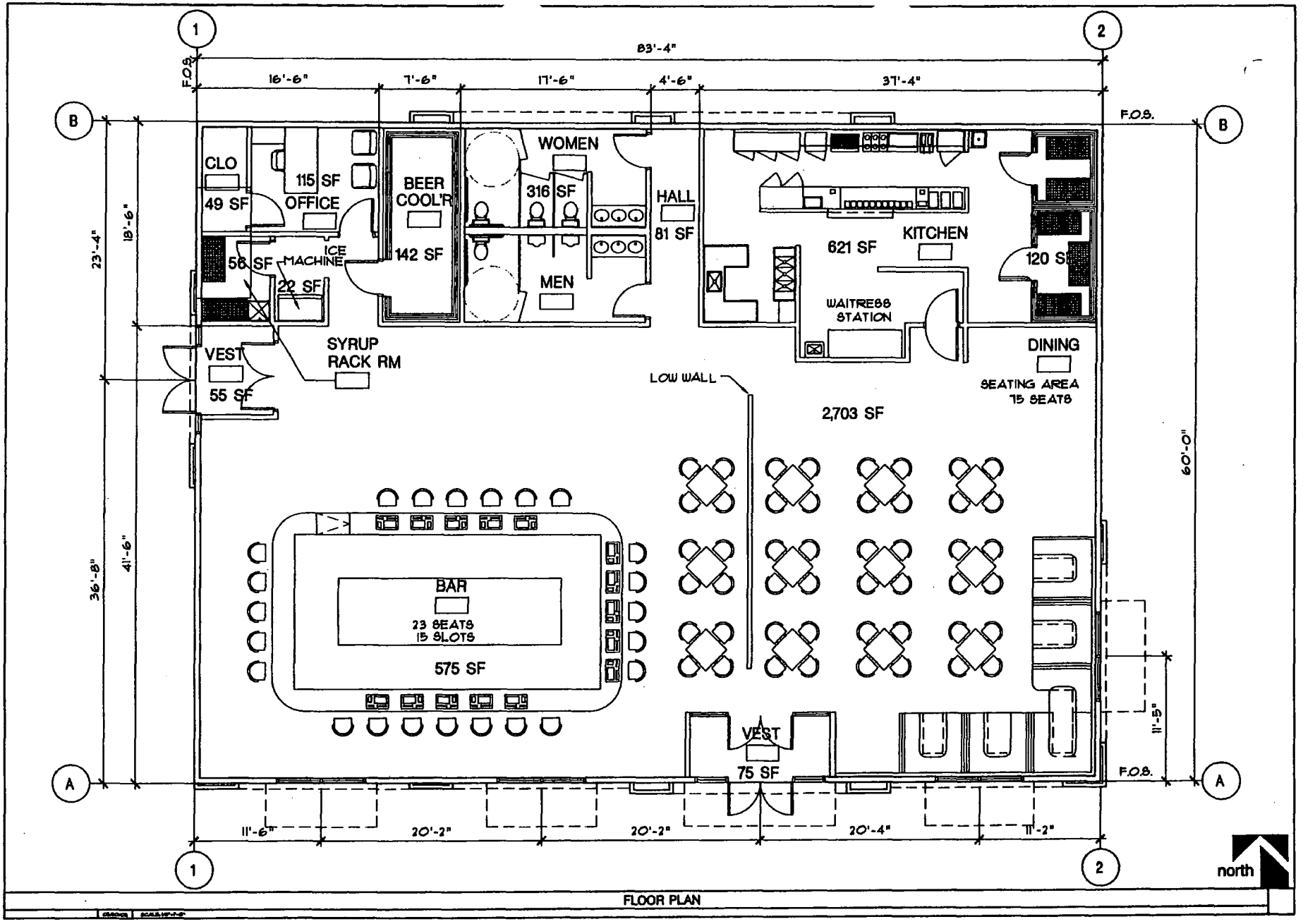
Print Name: TODD HOLZER

Subscribed and sworn before me

This 15 day of July, 2003

Peter Lowenstein
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PETER LOWENSTEIN
No. 03-80708-1 My Appointment Expires Feb. 27, 2007



REVISIONS

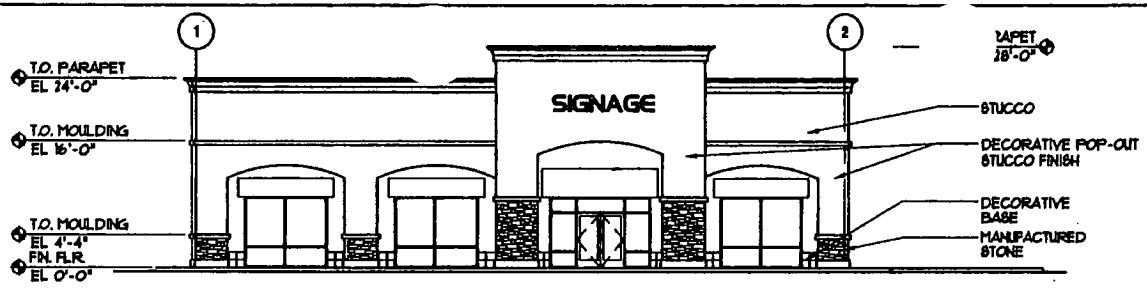
Perkowitz+Ruth Architects
Architecture/Planning/Store Design
3980 Howard Hughes Parkway, Suite 450 Las Vegas, NV 89109
Tel (702)932-8500

PROJECT:
PAD #7
MONTECITO CROSSING
SEC N DURANGO & DEER SPRINGS
LAS VEGAS, NV

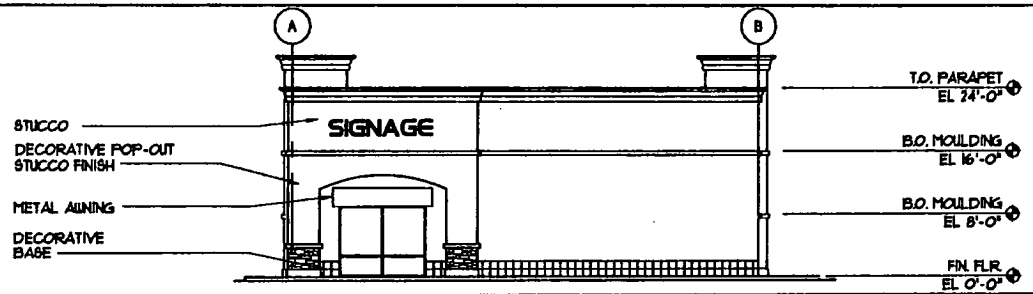
BID DATE:
JOB NUMBER: 03-1003
PLOT DATE: 07/14/03
DRAWN BY:
CHK'D:
SHEET TITLE: FLOOR PLAN
SHEET NO.: A-1

CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1527

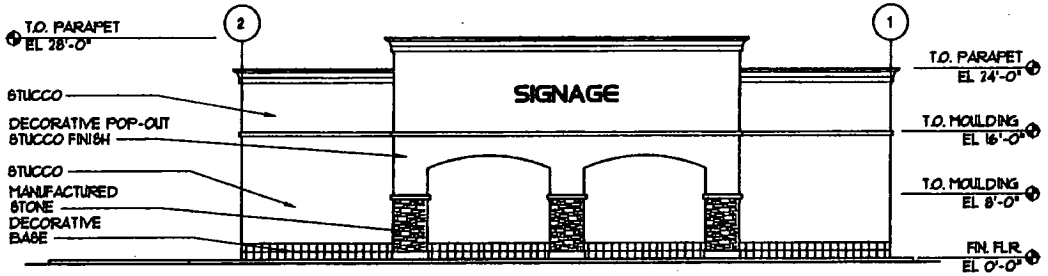
STAFF SDR-2776 8-28-03 PC



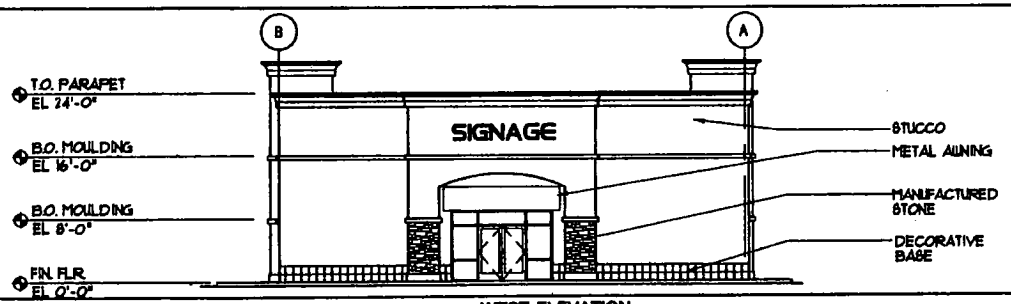
SOUTH ELEVATION A



EAST ELEVATION B



NORTH ELEVATION C



WEST ELEVATION D

REVISIONS

CLIENT: MONTECITO CROSSING

Perkowitz+Ruth Architects
Architecture / Planning / Store Design
3200 Howard Hughes Parkway, Suite 450 Las Vegas, NV 89109 Tel (702)892-8500

PROJECT: PAD #7
MONTECITO CROSSING
SEC N. DURANGO & DEER SPRINGS
LAS VEGAS, NV

BID DATE:
JOB NUMBER: 03-1003
PLOT DATE: 07/01/03
DRAWN BY:
TEAM
SHEET TITLE: ELEVATIONS
SHEET NO.: A-4.0

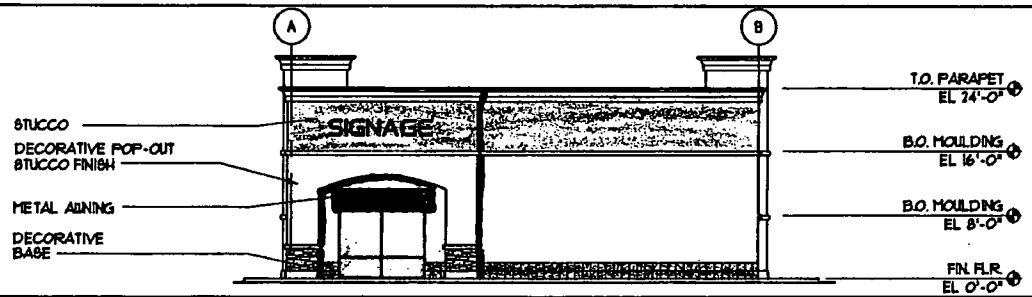
CITY COUNCIL MEETING OF NOVEMBER 5, 2003 PAGE 1528

STAFF

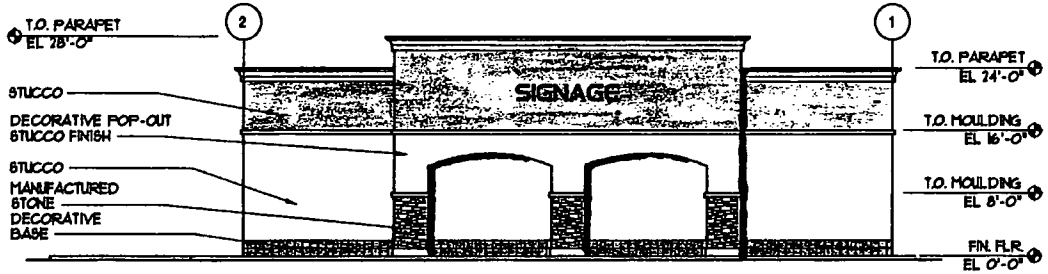
SDR-2776
8-28-03 PC



SOUTH ELEVATION A



EAST ELEVATION B



NORTH ELEVATION C



WEST ELEVATION D

REVISIONS

CLIENT:

Perkowitz+Ruth Architects
Architecture/Planning/Store Design
3990 Howard Hughes Parkway, Suite 450 Las Vegas, NV 89109 Tel (702)952-8300

PROJECT:
PAD 67
MONTECITO CROSSING
SEC N. DURANGO & DEER SPRINGS
LAS VEGAS, NV

BID DATE:

JOB NUMBER:
01-1003

PLOT DATE:
07/09/03

DRAWN BY:
TEAM

SHEET TITLE:
ELEVATIONS

SHEET NO.
A-4.0

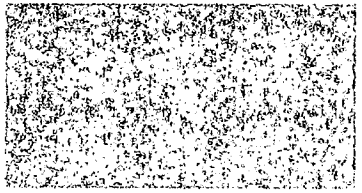
CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1529

STAFF

SDR-2776
8-28-03 PC

WALL FINISH: CEMENT PLASTER

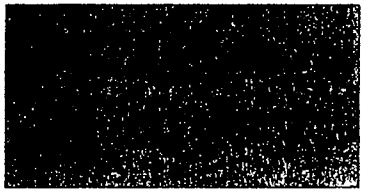
TO MATCH DRYVIT
#473A SAND



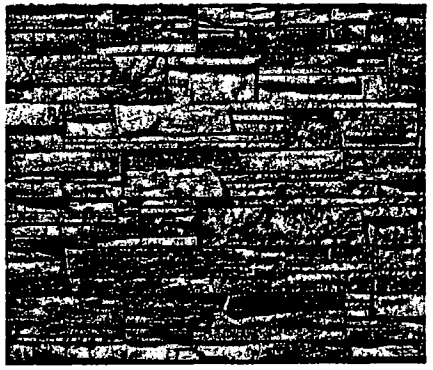
TO MATCH DRYVIT
#430 HOT CHOCOLATE



TO MATCH DRYVIT
#339A CARIBOU



TO MATCH DRYVIT
#389 SOUTHERN TAN



STONE:
CULTURED STONE
CORP PRO-FIT
AUTUMN
LEDGESTONE OR
EQUAL

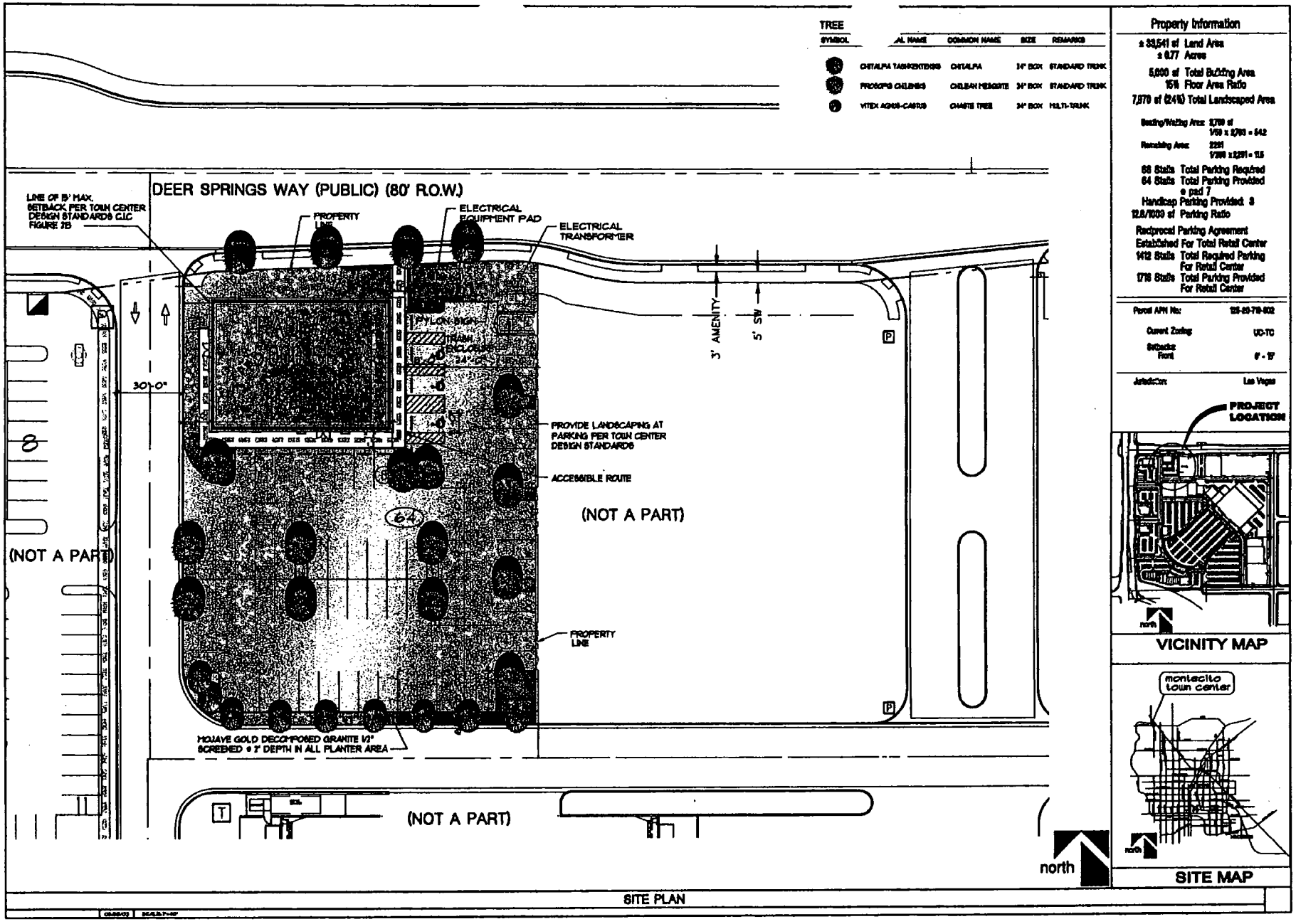
STAFF

SDR-2776
8-28-03 PC

Perkowitz+Ruth architects
Architecture / Planning / Interiors
3580 Howard Hughes Pkwy., Suite 450 Las Vegas, NV 89109 Tel (562)628-8000 Fax (562)628-8001

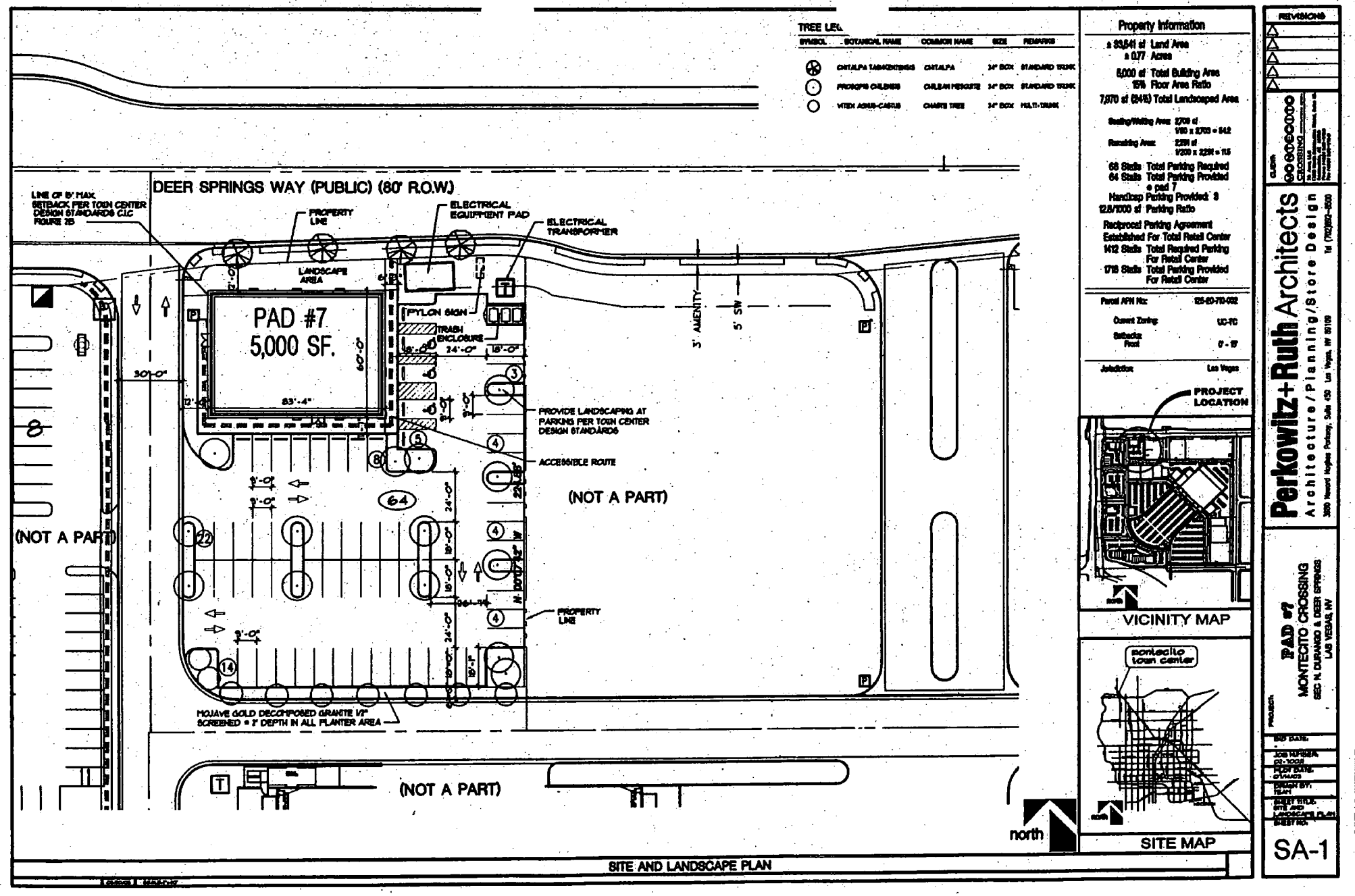
PAD #7
MONTECITO CROSSING
SITE AND BUILDING DESIGN

TITLE: COLOR/MATERIAL SELECTION			CB.1
DATE: 07-01-03	SCALE: NTS	DRAWN BY: TEAM	



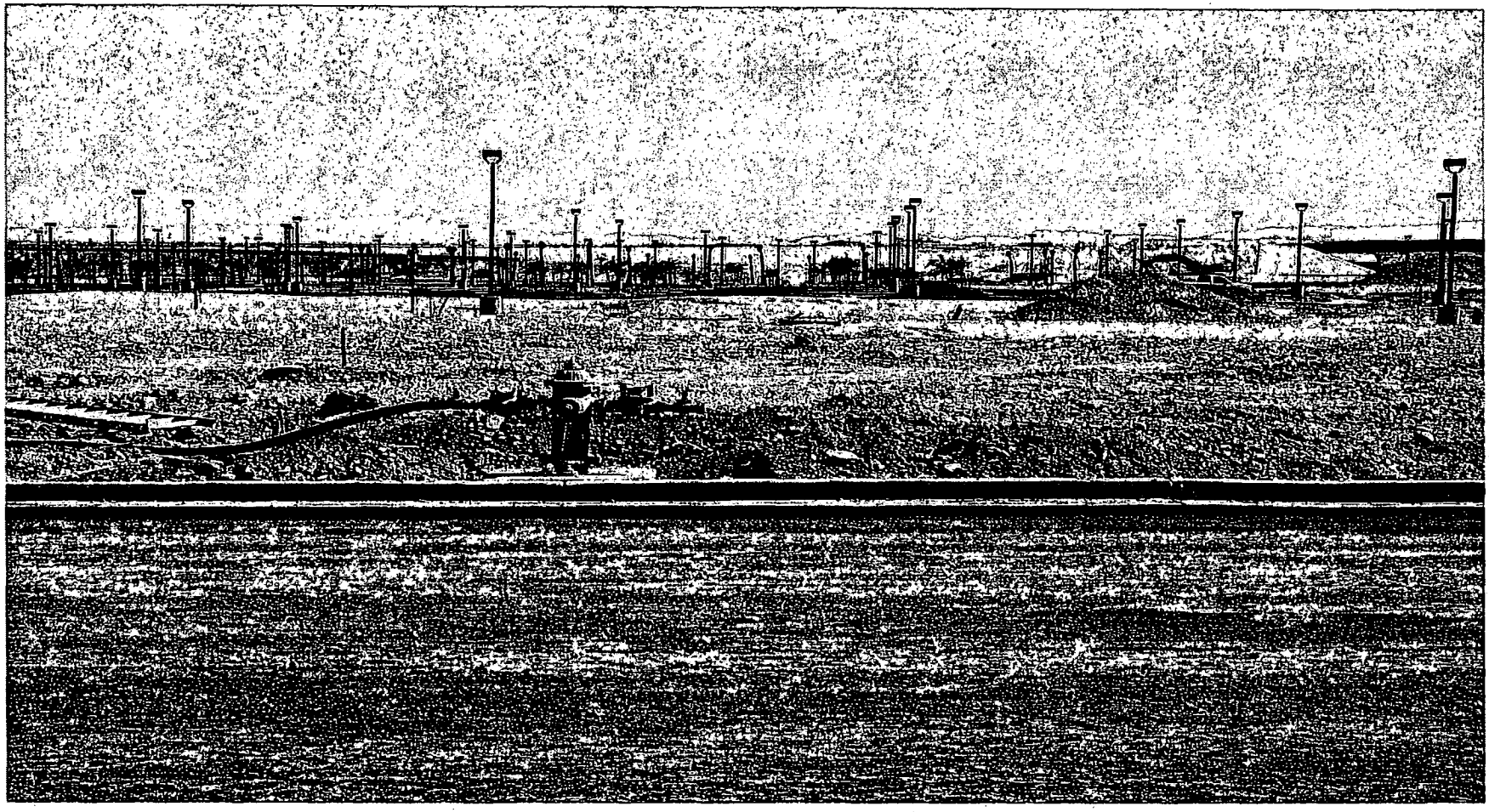
STAFF

SDR-2776
8-28-03 PC



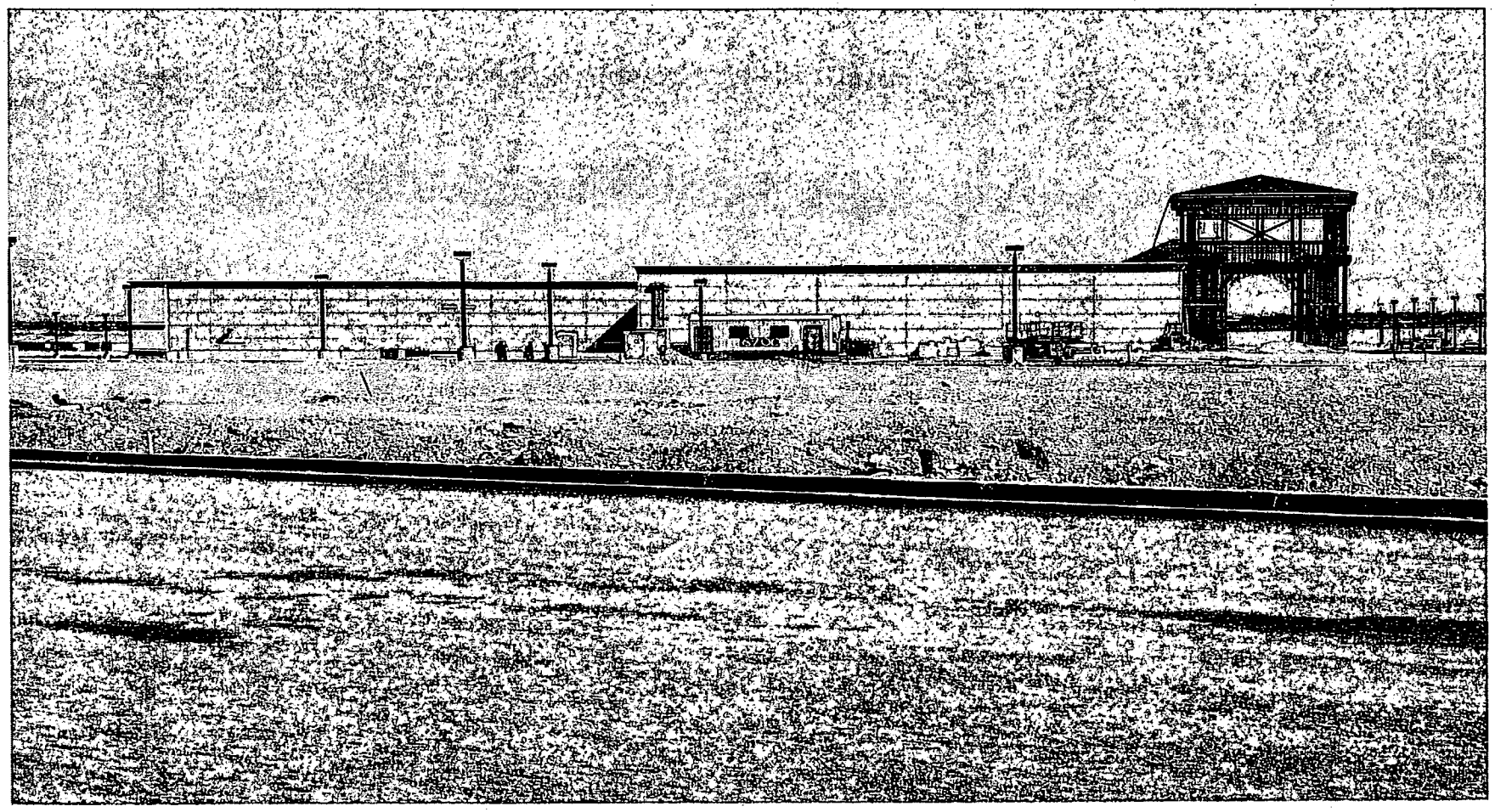
STAFF

SDR-2776
8-28-03 PC



SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY
SOUTH SIDE OF DEER SPRINGS WAY, APPROXIMATELY 200 FEET EAST OF EL CAPITAN WAY
AUGUST 28, 2003 PLANNING COMMISSION

8/5/03



SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY
SOUTH SIDE OF DEER SPRINGS WAY, APPROXIMATELY 200 FEET EAST OF EL CAPITAN WAY
AUGUST 28, 2003 PLANNING COMMISSION

8/5/03

City of Las Vegas

Agenda Item No. 140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-1018 - ROGER FOSTER** - Request for a Special Use Permit for a proposed mini-warehouse development adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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 (7-0 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 9/25/2003 Planning Commission meeting Item 9

MOTION:
REESE – approved subject to conditions - UNANIMOUS with BROWN excused

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, owns a Timbers Bar and Grill next to the site referred to in the item. He was not approached on this issue and since this would have no impact on the business, he feels comfortable voting on Items 140, 141 and 142.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Items 140 [SUP-1018], Item 141 [SUP-1454] and Item 142 [SDR-2871].

ROGER FOSTER, 7770 Eldora Street, concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, verified that one of the conditions requires a 12-foot perimeter wall around the proposed project.

City of Las Vegas

Agenda Item No. 140

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 140 – SUP-1018

MINUTES – Continued:
There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed on Items 140 [SUP-1018], Item 141 [SUP-1454] and Item 142 [SDR-2871].

NOTE: All discussion for Items 140 and 141 took place under Item 140.
(1:55 – 2:01)
4-1599

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1017), Site Development Plan Review (SDR-2871) and Special Use Permit (SUP-1454).

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

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

4. No more than one manager's security residence shall be permitted.

5. All storage shall be within an enclosed building except for the storage of recreational vehicles and boats, which shall be completely screened from view from surrounding properties and abutting streets.

6. No business shall be conducted from or within a mini-storage facility.

7. Retail sale of stored items on the premises is prohibited.

8. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.

9. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.

10. The production, fabrication or assembly of products shall be prohibited.

City of Las Vegas

Agenda Item No. 140

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 140 – SUP-1018

CONDITIONS – Continued:

11. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

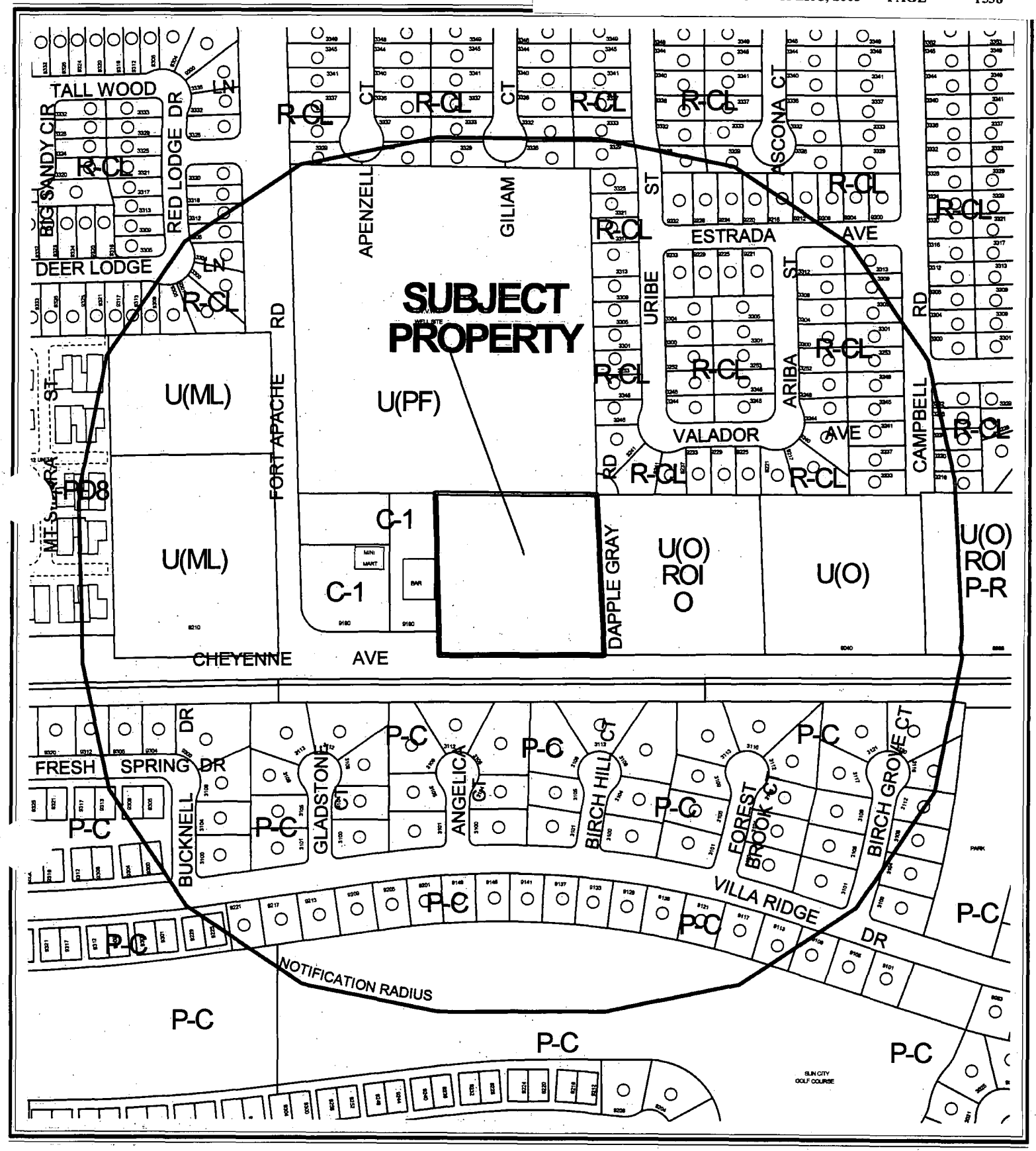
12. Truck and trailer storage shall be screened from the street and adjacent property.

13. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

Public Works

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

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.



CASE: **SUP-1018**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO N-S (NEIGHBORHOOD SERVICE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-1018 - ROGER FOSTER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1017), Site Development Plan Review (SDR-2871) and Special Use Permit (SUP-1454).

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

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

4. No more than one manager's security residence shall be permitted.

5. All storage shall be within an enclosed building except for the storage of recreational vehicles and boats, which shall be completely screened from view from surrounding properties and abutting streets.

6. No business shall be conducted from or within a mini-storage facility.

7. Retail sale of stored items on the premises is prohibited.

8. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.

9. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.

10. The production, fabrication or assembly of products shall be prohibited.

11. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

12. Truck and trailer storage shall be screened from the street and adjacent property.

13. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

Public Works

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

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.

SUP-1018 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed mini-warehouse facility on property located adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road.

B) Applicant's Justification

The applicant's justification letter states that the proposed mini-warehouse facility is appropriate for this site as it creates little traffic.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02 The City Council approved a General Plan Amendment (GPA-0011-02) to O (Office) and a Rezoning from U (Undeveloped) to O (Office) on the subject parcel as part of a larger request. The Planning Commission recommended approval.

03/27/03 The Planning Commission heard a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) and tabled two Special Use Permits (SUP-1018 and SUP-1454) to allow a mini-warehouse facility and the storage of recreational vehicles on the subject site. The Planning Commission recommended the zoning request be modified to N-S (Neighborhood Service).

04/16/03 Ordinance #5589 was adopted amending Title 19 to allow mini-warehouse and the storage of recreational vehicles in the N-S (Neighborhood Service) zoning district with approval of a Special Use Permit. The Planning Commission recommended approval.

05/21/03 The City Council approved a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) on the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service). The Planning Commission recommended approval on March 27, 2003.

09/25/03 The Planning Commission recommended approval of two related items, a Special Use Permit (SUP-1454) for the storage of recreational vehicles, and a Site Development Plan Review (SDR-2871) for a mini-warehouse facility on the subject site.

09/25/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9).

B) Pre-Application Meeting

08/29/02 The applicant explained the proposal and presented a conceptual site plan. The applicant was advised that a site development plan review would be required.

12/12/02 A second meeting was held to discuss the need for additional applications. The applicant decided to submit a special use permit application for RV parking. The applicant indicated that he was working on a detailed site plan, elevations, and floor plans for submittal of a future Site Development Plan Review application.

09/03/03 Several design issues were discussed during a meeting concerning the Site Development Plan Review application. The Planning and Development Department recommended several revisions to the site plan, including the elimination of parallel parking within the primary access aisle from the entrance and the relocation of the trash enclosure away from the existing single-family dwellings. The applicant accommodated the revisions by submitting revised plans on September 11, 2003.

C) Neighborhood Meetings

A neighborhood meeting was held on December 18, 2002 for the previously approved General Plan Amendment application. The five persons that attended were not in opposition to a mini-storage facility but objected to the two-story aspect of the development and the fact that it would degrade their views. They had questions about signage, lighting, hours of operation, grading or filling of the site to balance or level it for construction and access off of Cheyenne.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	2.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Las Vegas Valley Water District Well Site
South:	Single Family Dwellings
East:	Tavern
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PF (Public Facilities)
South:	ML (Medium Low Density Residential)
East:	O (Office)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) under Resolution of Intent to N-S (Neighborhood Service)
North:	Clark County
South:	PC (Planned Community)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) under Resolution of Intent to O (Office)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

A Special Use Permit application concerning property within 500 feet of the City boundary with Clark County is deemed a Project of Regional Significance. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment.

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 a boundary with Clark County.

Therefore, the proposal is subject to an Environmental Impact Assessment. 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 City of Las Vegas Flood Control Division requires a technical drainage study for the mini-warehouse development to address and mitigate the drainage impact to the vicinity. A drainage study is a condition of approval for the companion Rezoning (ZON-1017) application. If approved, this application must conform to the conditions of approval for the related Rezoning (ZON-1017) application.

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
Mini-warehouse	77,000 SF 600 Units	1/50 storage units, spread throughout the development. An additional 5 spaces shall be provided on the exterior side of the security fence for customers	12	See below	17	See below
Handicap Breakdown			11	1	16	1

The site plan exceeds the required amount of parking as it depicts 12 parking spaces within the gated portion of the development and five spaces on the exterior.

B) General Analysis

- Discussion

The site plan depicts three 1-story buildings; two 2-story buildings; and an office with manager's apartment on the site. The one-story mini-storage buildings are located on the perimeter of the site providing a courtyard effect to the development. The design also serves to screen the two-story buildings, which are centrally located on the site. Recreational vehicle and boat storage is shown along the north property line. While the site plan does not indicate carports on the RV storage area, typically this type of development includes carports in the building permit submittal. The Planning and Development Department will review all building permit applications for height, setbacks, and materials to ensure potential carports remain consistent with the approved development.

- Zoning

A mini-warehouse facility is allowed in the N-S (Neighborhood Service) zoning district with approval of a Special Use Permit.

- Use

As defined in Title 19, a mini-warehouse is a facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

While the definition allows businesses to store materials within a mini-warehouse facility, it is not an appropriate location from which to conduct a business.

- Conditions

The following base conditions exist for this Special Use Permit:

1. No more than one manger's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.
9. Truck and trailer storage shall be screened from the street and adjacent property.
10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

In recommending the approval of a Special Use Permit, the Planning Commission may impose any conditions, restrictions or limitations as the Commission may determine to be necessary to meet the general purpose and intent of Title 19 and to ensure the public health, safety, and welfare are being maintained.

FINDINGS

In order to approve a Special Use Permit application, per Las Vegas Municipal Code Section 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 mini-storage facility can be operated in a manner that is harmonious or compatible with the surrounding residential land uses with the approval of N-S (Neighborhood Service) zoning for the site.

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

   The intensity of the proposed use is appropriate on the subject site due to its location on a primary arterial.

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 City of Las Vegas Master Plan of Streets and Highways indicates Cheyenne Avenue as a 100-foot wide Primary Arterial. The access provided to the site by this roadway will be adequate in size to meet the requirements of the subject site

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

   The proposed mini-storage facility will be consistent with the overall objectives of the General.

NOTICES MAILED 276 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-1018 APN: 138-08-401-013

Name of Property Owner: ROGER FOSTER

Name of Applicant: ROGER FOSTER

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: ROGER FOSTER

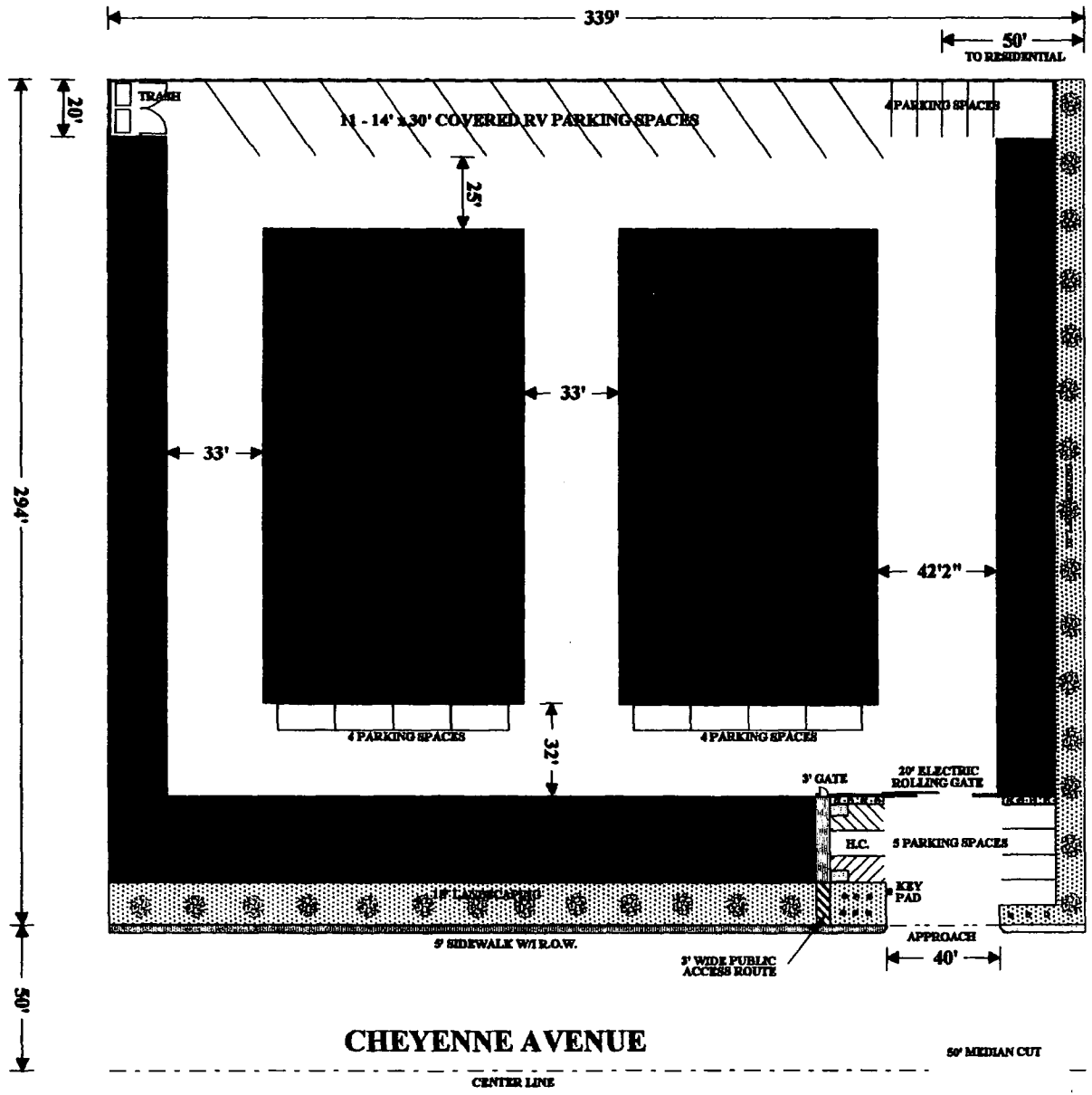
Subscribed and sworn before me

This 25th day of June, 2002

Michell G. Moore Clark County, Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MICHELL G. MOORE
Appt. No. 02-73991-1
My Appt. Expires Jan. 25, 2006



MINI-STORAGE

BUILDING LEGEND

BLDG.	SQ.FT.
1	6,240
2	4,600
3	4,560
4	29,700
5	29,700
OFFICE	1,100
APT.	1,100
TOTAL	77,000 S.F.

SITE INFORMATION

APN 138-08-401-013
GROSS AREA: 116,687 S.F.
NET AREA: 99,733 S.F.
BUILDING TOTAL: 77,000 S.F.
BUILDING 1st FLOOR: 47,300 S.F.
LOT COVERAGE: 47.4%

PARKING REQUIREMENTS

ONE PARKING SPACE PER 50 STORAGE UNITS
600 UNITS DIVDED BY 50 = 12 SPACES
12 PARKING SPACES PROVIDED

FIVE SPACES ON EXTERIOR OF SECURITY FENCE FOR CUSTOMERS
FIVE SPACES PROVIDED

LANDSCAPING

24" BOX ELM TREES
5 GALLON PRIVOTS
ROCK GROUND COVER

7,490 S.F. OF LANDSCAPING AREA

NORTH

SITE PLAN

SCALE FIT TO PAGE

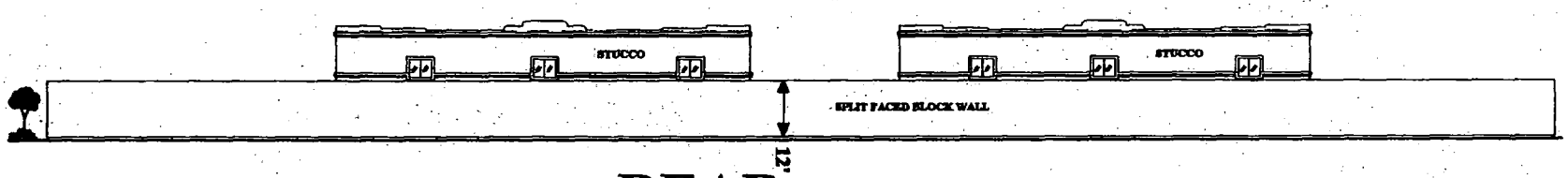
REVISED 9.11.03

STAFF

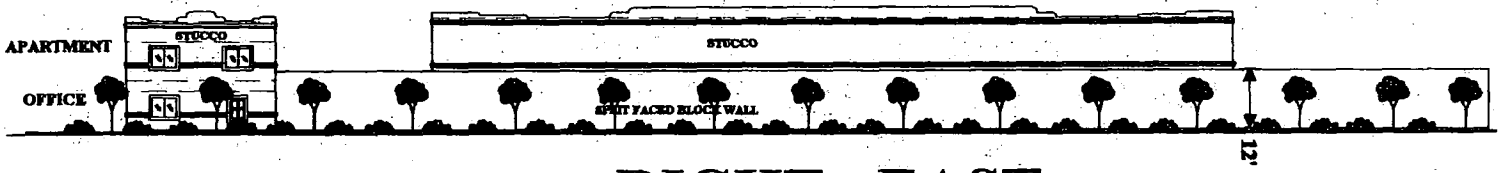
SUP-1018
9-25-03 PC



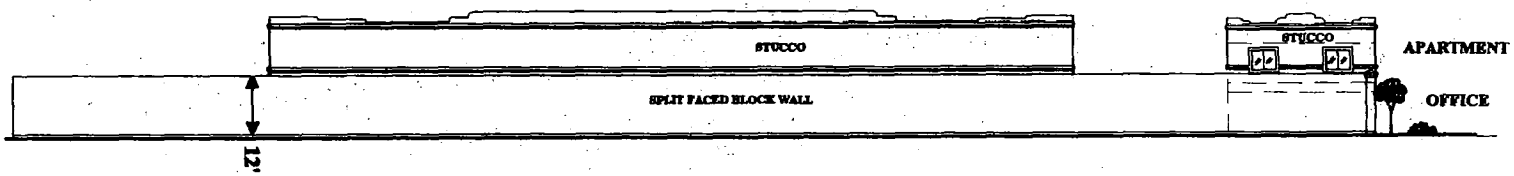
FRONT



REAR



RIGHT - EAST



LEFT - WEST

SITE EXTERIOR ELEVATIONS

SCALE: FIT TO PAGE

REVISED 9.11.03

SUP-1018

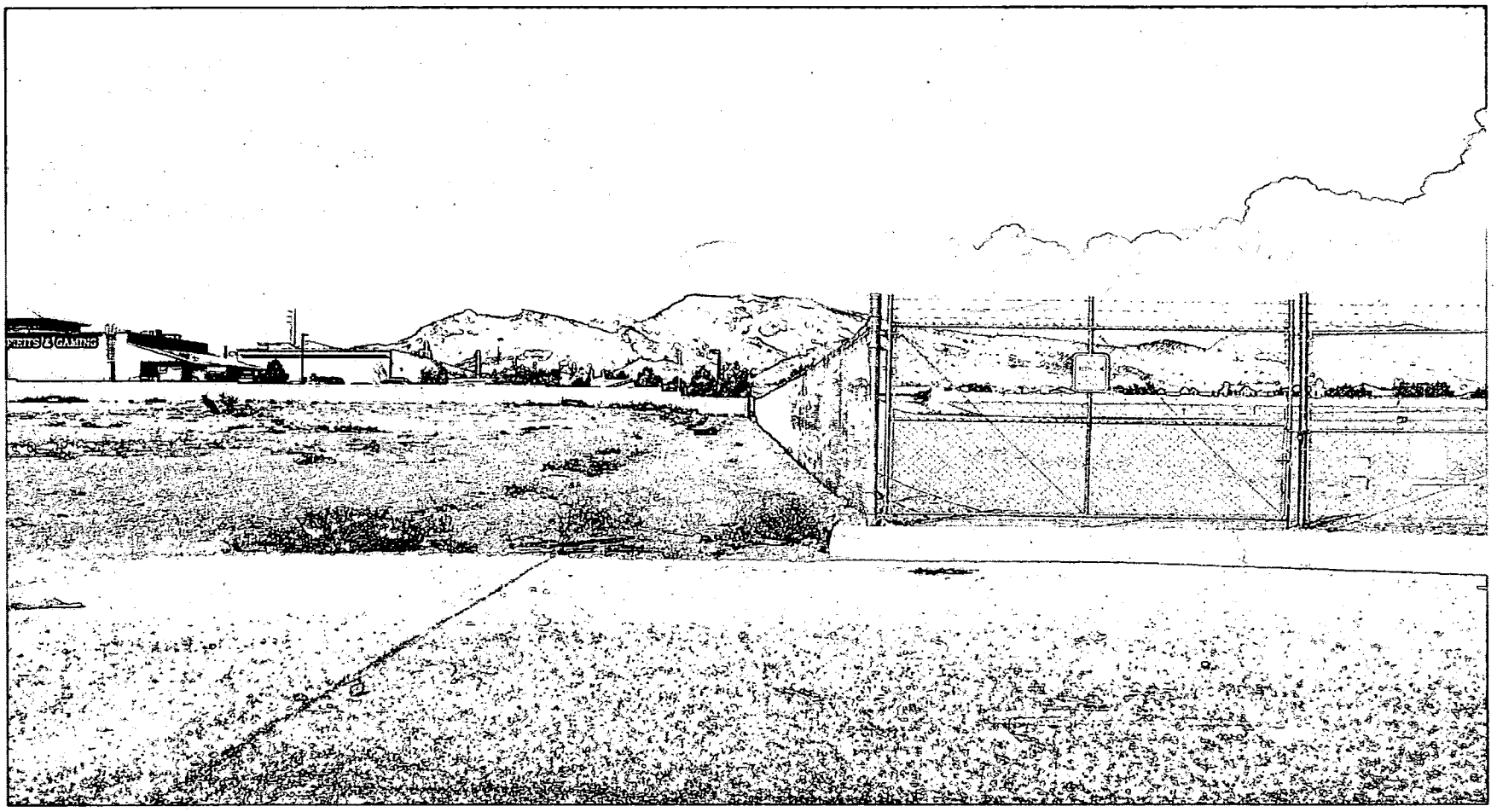
STAFF 9-25-03 PC

CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1549



SUP-1018 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03



SUP-1018 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03

City of Las Vegas

Agenda Item No. 141

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO SUP-1018 - PUBLIC HEARING - **SUP-1454 - ROGER FOSTER** - Request for a Special Use Permit for a proposed recreational vehicle and boat storage in conjunction with a mini-warehouse development and a waiver to allow storage within a required setback/buffer area adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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 (7-0 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 9/25/2003 Planning Commission meeting Item 10

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

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, owns a Timbers Bar and Grill next to the site referred to in the item. He was not approached on this issue and since this would have no impact on the business, he feels comfortable voting on Items 140, 141 and 142.

MINUTES:
NOTE: See Item 140 [SUP-1018] for all related discussion.

(2:01 – 2:04)

4-1841

CONDITIONS:
Planning and Development
1. Storage of recreational vehicles and boats is not permitted within fifty feet of property zoned for residential use.

City of Las Vegas

Agenda Item No. 141

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 141 – SUP-1454

CONDITIONS – Continued:

2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height.

3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

4. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1017), Special Use Permit (SUP-1018) and Site Development Plan Review (SDR-2871).

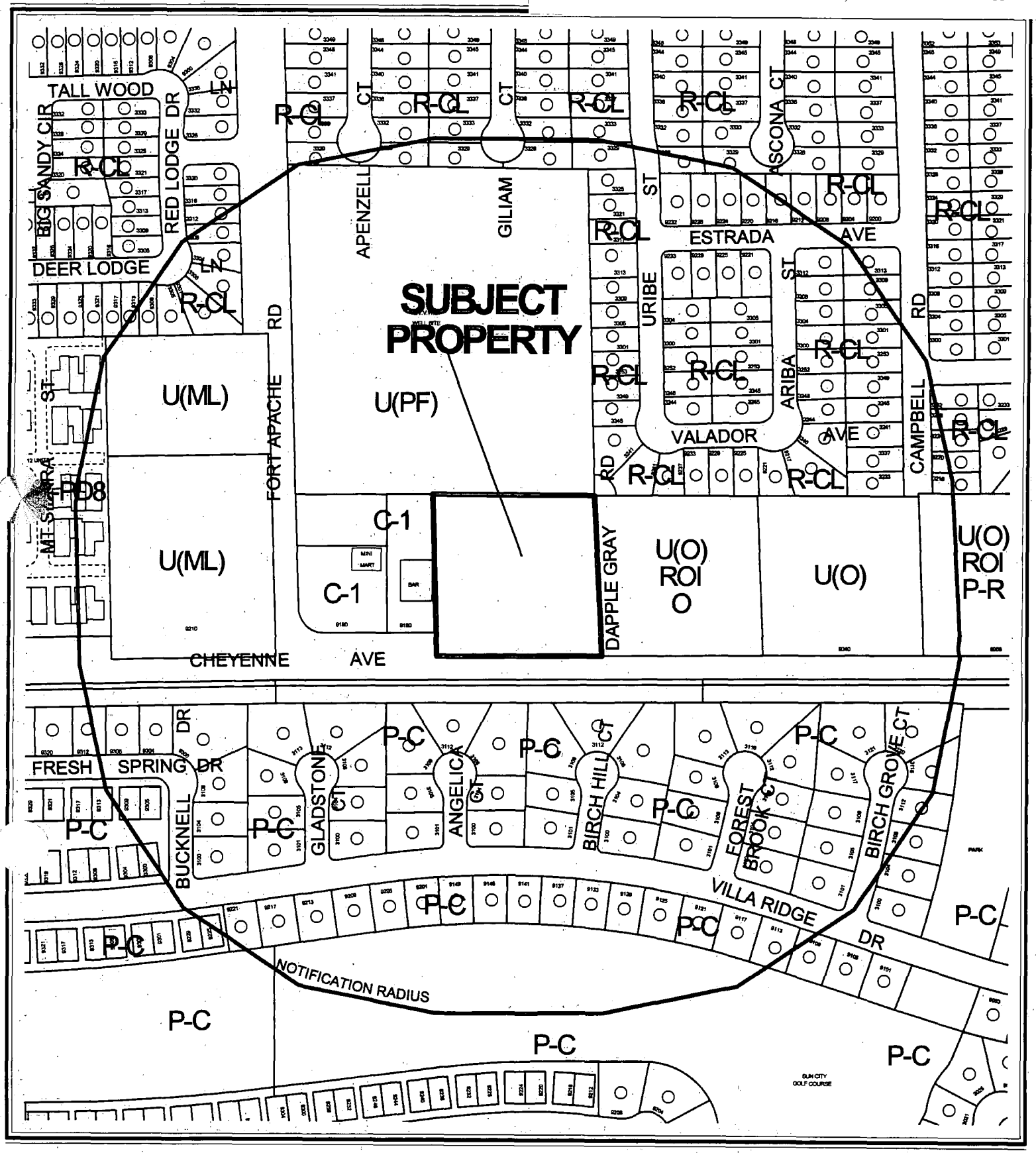
5. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

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

8. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.



CASE: **SUP-1454**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO N-S (NEIGHBORHOOD SERVICE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-1454 - ROGER FOSTER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Storage of recreational vehicles and boats is not permitted within fifty feet of property zoned for residential use.

2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height.

3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

4. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1017), Special Use Permit (SUP-1018) and Site Development Plan Review (SDR-2871).

5. 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.

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

Public Works

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

8. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.

SUP-1454 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for Recreational Vehicle and Boat Storage in conjunction with a proposed mini-warehouse facility on property located adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road.

B) Applicant's Justification

The applicant's justification letter states that the proposed RV parking is necessary to generate revenue from a portion of the site that cannot be built upon due to a sewer easement.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02 The City Council approved a General Plan Amendment (GPA-0011-02) to O (Office) and a Rezoning from U (Undeveloped) to O (Office) on the subject parcel as part of a larger request. The Planning Commission recommended approval.

03/27/03 The Planning Commission heard a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) and tabled two Special Use Permits (SUP-1018 and SUP-1454) to allow a mini-warehouse facility and the storage of recreational vehicles on the subject site. The Planning Commission recommended the zoning request be modified to N-S (Neighborhood Service).

04/16/03 Ordinance #5589 was adopted amending Title 19 to allow mini-warehouse and the storage of recreational vehicles in the N-S (Neighborhood Service) zoning district with approval of a Special Use Permit. The Planning Commission recommended approval.

05/21/03 The City Council approved a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) on the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service). The Planning Commission recommended approval on March 27, 2003.

09/25/03 The Planning Commission recommended approval of two related items, a Special Use Permit (SUP-1018) and a Site Development Plan Review (SDR-2871) for a mini-warehouse facility on the subject site.

09/25/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10).

B) Pre-Application Meeting

08/29/02 The applicant explained the proposal and presented a conceptual site plan. The applicant was advised that a site development plan review would be required.

12/12/02 A second meeting was held to discuss the need for additional applications. The applicant decided to submit a special use permit application for RV parking. The applicant indicated that he was working on a detailed site plan, elevations, and floor plans for submittal of a future Site Development Plan Review application.

09/03/03 Several design issues were discussed during a meeting concerning the Site Development Plan Review application. The Planning and Development Department recommended several revisions to the site plan, including the elimination of parallel parking within the primary access aisle from the entrance and the relocation of the trash enclosure away from the existing single-family dwellings. The applicant accommodated the revisions by submitting revised plans on September 11, 2003.

C) Neighborhood Meetings

A neighborhood meeting was held on December 18, 2002 for the previously approved General Plan Amendment application. The five persons that attended were not in opposition to a mini-storage facility but objected to the two-story aspect of the development and the fact that it would degrade their views. They had questions about signage, lighting, hours of operation, grading or filling of the site to balance or level it for construction and access off of Cheyenne Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Las Vegas Valley Water District Well Site
South:	Single Family Dwellings
East:	Tavern
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PF (Public Facilities)
South:	ML (Medium Low Density Residential)
East:	O (Office)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) under Resolution of Intent to N-S (Neighborhood Service)
North:	Clark County
South:	PC (Planned Community)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) under Resolution of Intent to O (Office)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

A Special Use Permit application on property within 500 feet of the City boundary with Clark County is deemed a Project of Regional Significance. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment.

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 a boundary with Clark County.

Therefore, the proposal is subject to an Environmental Impact Assessment. 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 City of Las Vegas Flood Control Division requires a technical drainage study for the mini-warehouse development to address and mitigate the drainage impact to the vicinity. A drainage study is a condition of approval for the companion Rezoning (ZON-1017) application. If approved, this application must conform to the conditions of approval for the related Rezoning (ZON-1017) application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Las Vegas Zoning Code Section 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	77,000 SF 600 Units	1/50 storage units, spread throughout the development. An additional 5 spaces shall be provided on the exterior side of the security fence for customers	12	See below	17	See below
Handicap Breakdown			11	1	16	1

The site plan exceeds the required amount of parking as it depicts 12 parking spaces within the gated portion of the development and five spaces on the exterior.

B) General Analysis and Discussion

- Discussion

The site plan depicts three 1-story buildings; two 2-story buildings; and an office with manager's apartment on the site. The one-story mini-storage buildings are located on the perimeter of the site providing a courtyard effect to the development. The design also serves to screen the two-story buildings, which are centrally located on the site. Recreational vehicle and boat storage is shown along the north property line. While the site plan does not indicate carports on the RV storage area, typically this type of development includes carports in the building permit submittal. The Planning and Development Department will review all building permit applications for height, setbacks, and materials to ensure potential carports remain consist with the approved development.

- Zoning

Recreational vehicles and boats storage is a permitted use in the N-S (Neighborhood Service) zone with approval of a Special Use Permit.

- Use

Title 19 defines recreational vehicle and boat storage as the storage of recreational vehicles, boats, or any combination thereof.

- Conditions

Certain conditions are required for approval for a Special Use Permit for Recreational Vehicle and Boat Storage:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas. Within the N-S (Neighborhood Services) District, no such storage is permitted within fifty feet of property zoned for residential use.

2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M (Commercial – Industrial) or M (Industrial).

3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

- Waivers

The applicant has requested a waiver from a portion of the first condition. The applicant proposes to store the Recreational Vehicles along the north property line, within both the required landscape planter and rear yard setback. The impact of allowing storage within this area is relatively minor, as the property directly abuts a 10-acre Las Vegas Valley Water District site, which is not accessible to or open for the public. The waiver request is acceptable, however the remaining language of the condition concerning the proximity to residential uses shall remain in effect to protect existing dwellings to the northeast of the subject site.

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 mini-storage facility can be operated in a manner that is harmonious or compatible with the surrounding residential land.

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

   The intensity of the proposed use is appropriate on the subject site due to its location on a primary arterial.

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 City of Las Vegas Master Plan of Streets and Highways indicates Cheyenne Avenue as a 100-foot wide Primary Arterial. The access provided to the site by this roadway will be adequate in size to meet the requirements of the subject site

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

   The proposed mini-storage facility will be consistent with the overall objectives of the General Plan.

NOTICES MAILED 276 by City Clerk

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-1454 APN: _____

Name of Property Owner: ROGER FOSTER

Name of Applicant: ROGER FOSTER

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: _____

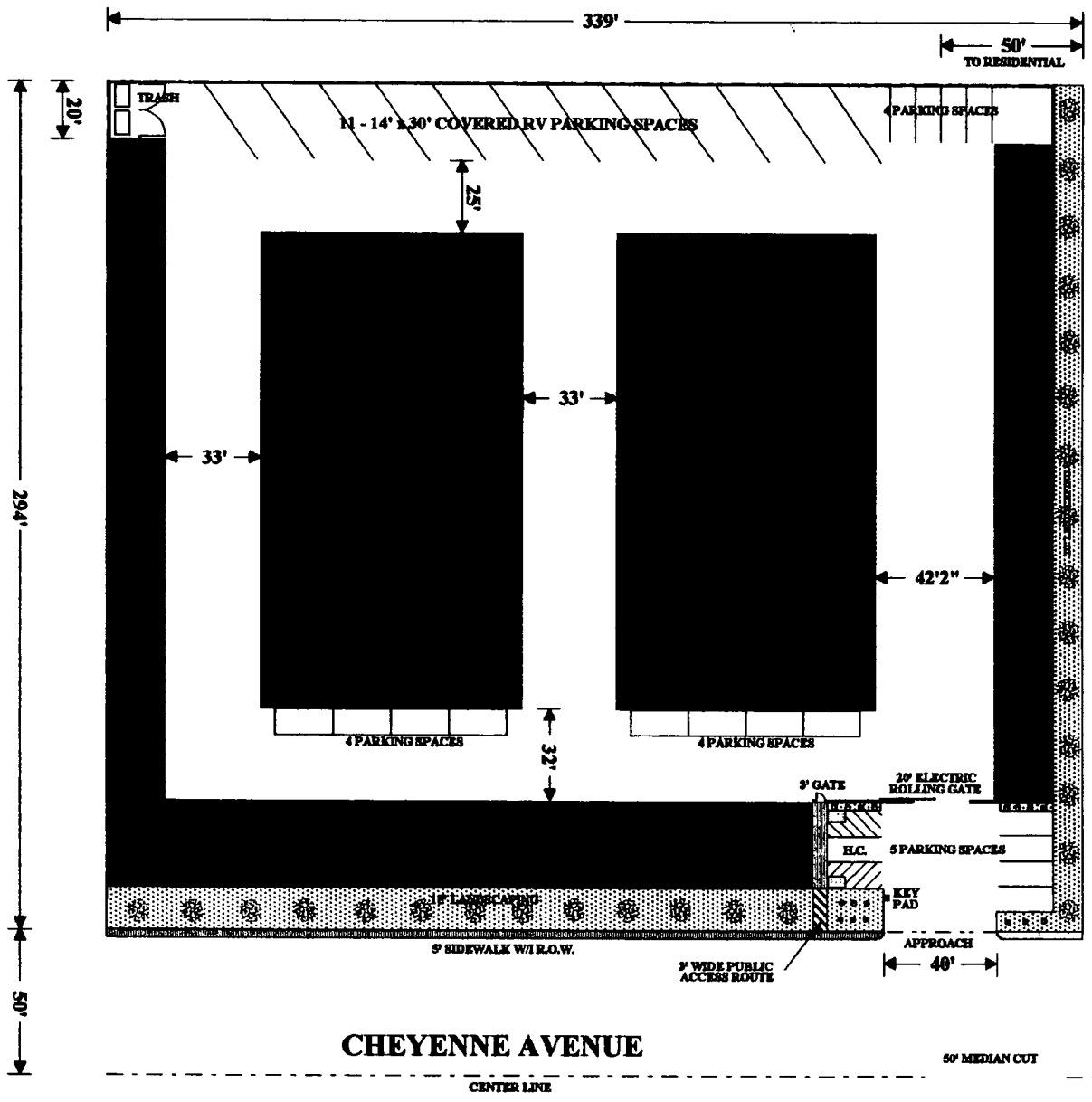
Print Name: ROGER FOSTER

Subscribed and sworn before me

This 12TH day of DECEMBER 2002

Linda Hartman-Maynard
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
LINDA HARTMAN-MAYNARD
No. 00-61134-1 My Appointment Expires Feb. 3, 2004



MINI-STORAGE

BUILDING LEGEND

BLDG.	SQ.FT.
1	6,240
2	4,600
3	4,560
4	29,700
5	29,700
OFFICE	1,100
APT.	1,100
TOTAL	77,000 S.F.

SITE INFORMATION

APN 138-06-401-013
GROSS AREA: 116,687 S.F.
NET AREA: 99,733 S.F.
BUILDING TOTAL: 77,000 S.F.
BUILDING 1st FLOOR: 47,300 S.F.
LOT COVERAGE: 47.4%

PARKING REQUIREMENTS

ONE PARKING SPACE PER 50 STORAGE UNITS
600 UNITS DIVDED BY 50 = 12 SPACES
12 PARKING SPACES PROVIDED

FIVE SPACES ON EXTERIOR OF SECURITY FENCE FOR CUSTOMERS
FIVE SPACES PROVIDED

LANDSCAPING

24" BOX ELM TREES
5 GALLON PRIVOTS
ROCK GROUND COVER
7,490 S.F. OF LANDSCAPING AREA

NORTH

SITE PLAN

SCALE: FIT TO PAGE

STAFF

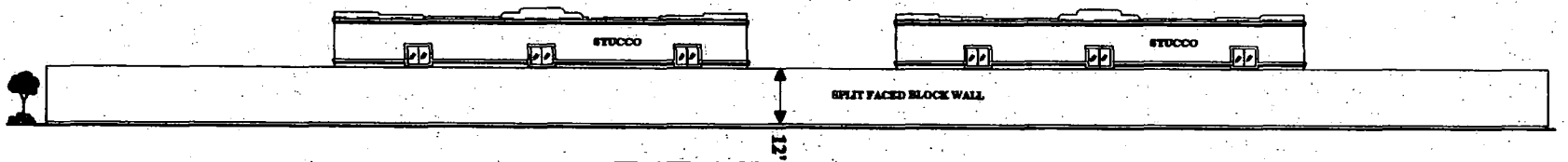
SUP-1454

REVISED 9.11.03

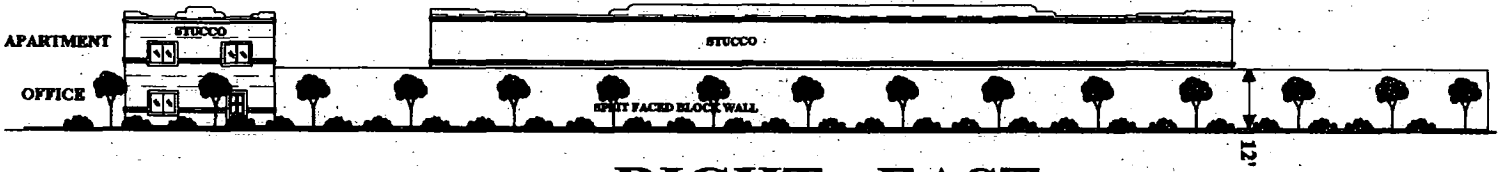
9-25-03 PC



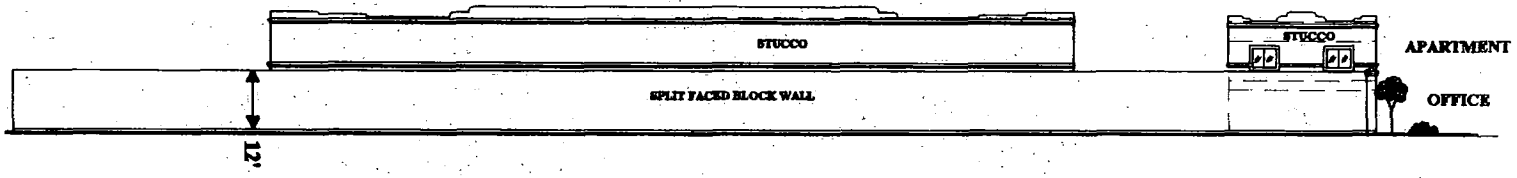
FRONT



REAR



RIGHT - EAST



LEFT - WEST

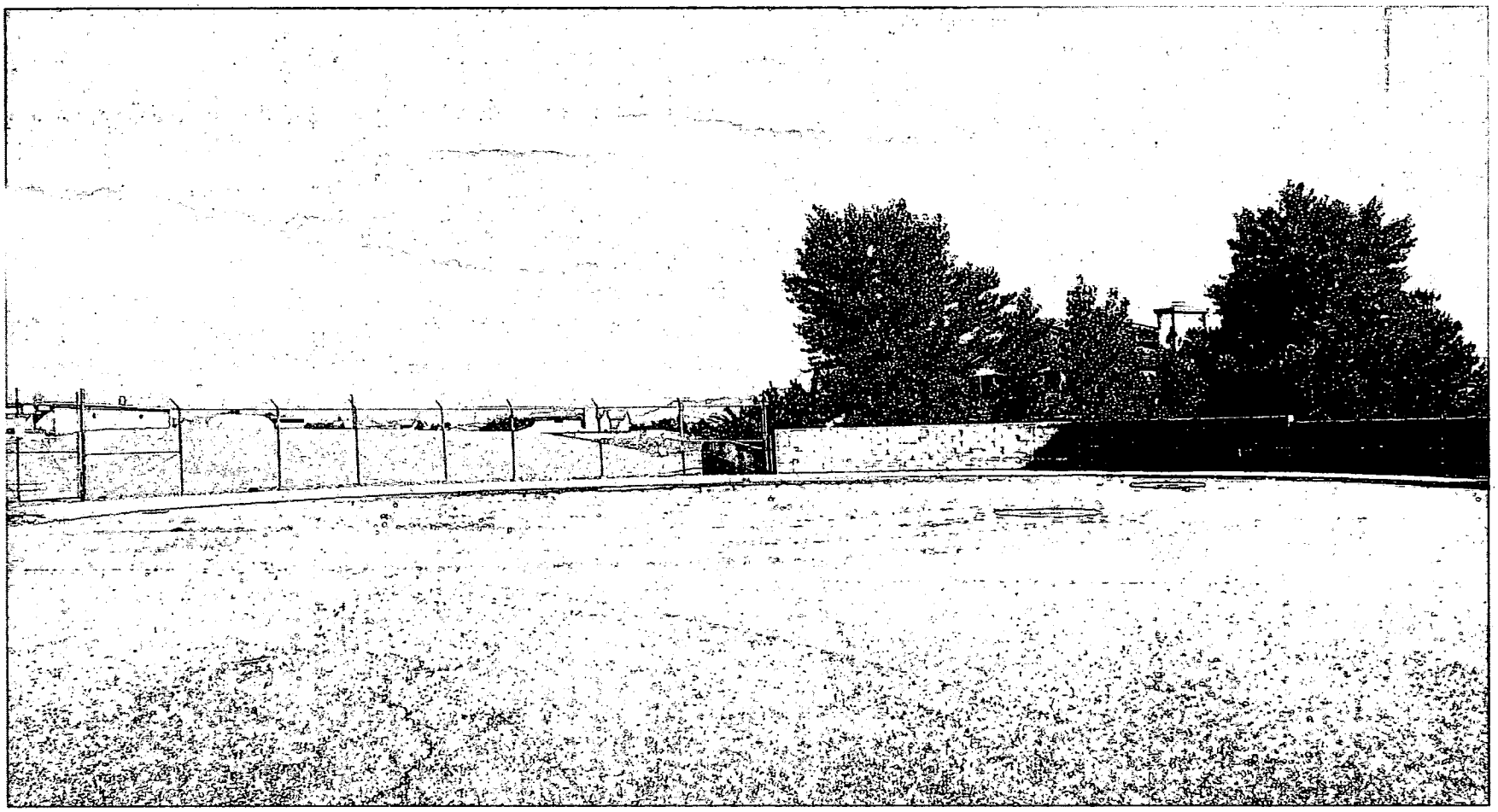
SITE EXTERIOR ELEVATIONS

SCALE: FIT TO PAGE

STAFF SUP–1454

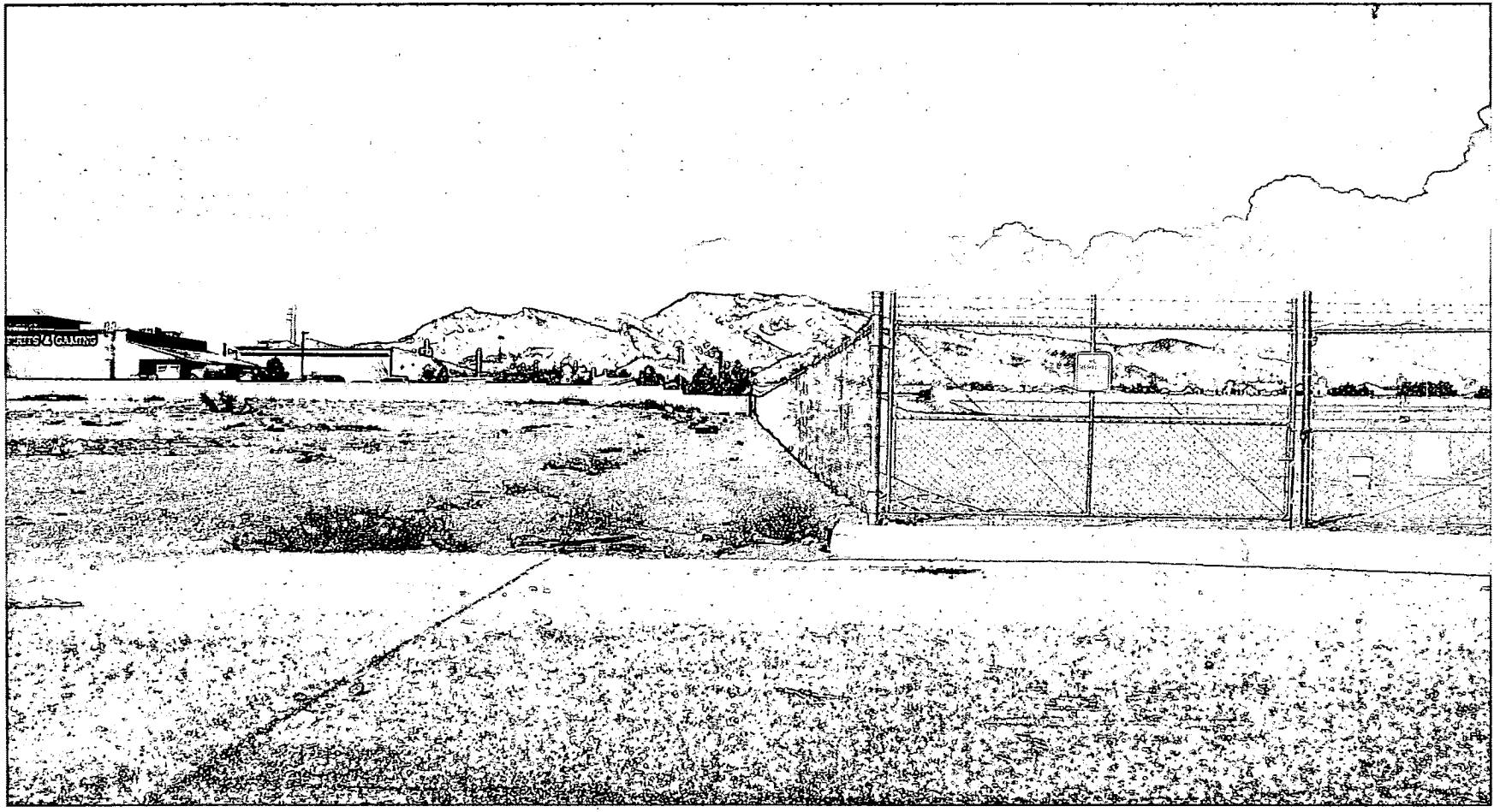
REVISED 9–25–03 PC

9.11.03



SUP-1454 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03



SUP-1454 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03

City of Las Vegas

Agenda Item No. 142

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-1018 AND SUP-1454 - PUBLIC HEARING - **SDR-2871 - ROGER FOSTER** - Request for a Site Development Plan Review for a proposed mini-warehouse development with recreational vehicle and boat storage and waivers to the side and rear setback requirements, and perimeter and parking lot landscaping requirements adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service), Ward 4 (Brown). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

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

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, owns a Timbers Bar and Grill next to the site referred to in the item. He was not approached on this issue and since this would have no impact on the business, he feels comfortable voting on Items 140, 141 and 142.

MINUTES:
NOTE: See Item 140 [SUP-1018] for all related discussion.
(2:01 – 2:04)

City of Las Vegas

Agenda Item No. 142

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 142 – SDR-2871

CONDITIONS:

Planning and Development

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

2. Any recreational vehicle and boat storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height.

3. Conformance to all Minimum Requirements under Title 19.04.040 for Mini-Warehouse and Recreational Vehicle and Boat Storage use.

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

5. Exterior finishes and materials shall be consistent with the requirements contained in Title 19.08.045.

6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect a enhanced landscaping at the entry to the development. A minimum of two 24-inch box trees with four five-gallon shrubs for each tree shall be provided.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall include a roof.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

City of Las Vegas

Agenda Item No. 142

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 142 – SDR-2871

CONDITIONS – Continued:

11. 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.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

14. 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.

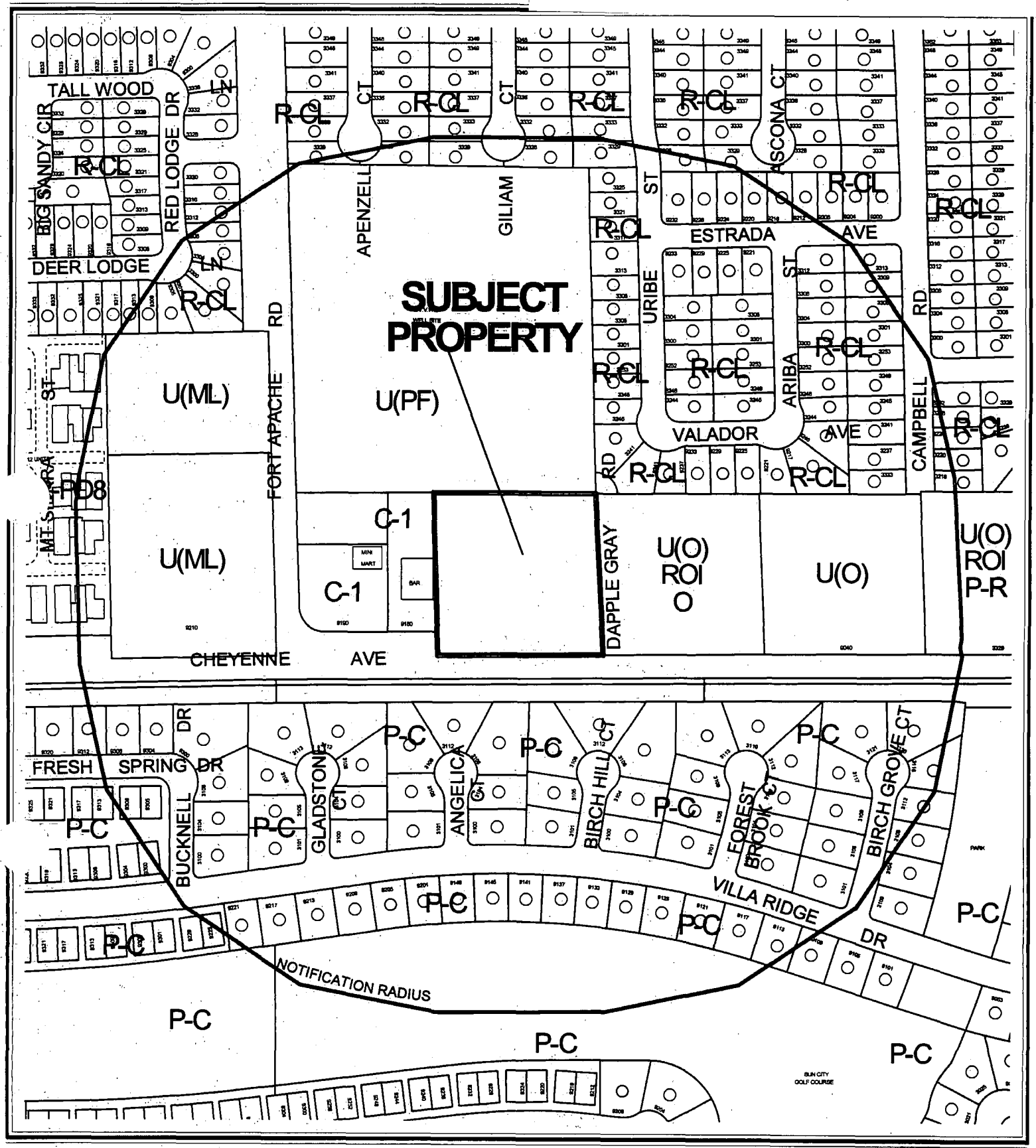
Public Works

15. A Vacation Application to vacate the existing portion of Dapple Gray Road at the northeast corner of this site must be submitted and approved prior to approval of improvement drawings or of issuance of any permits. If the order of vacation cannot record or is not recorded prior to the start of construction this site shall be redesigned to acknowledge and improve the public street. Unless an alternative plan is accepted by the City Engineer.

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

17. Provide an additional 5 feet for the existing 15 foot wide public sewer easement for a total public sewer easement width of 20 feet 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 have been granted to the City. This easement shall be centered about the public sewer main.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.



CASE: **SDR-2871**

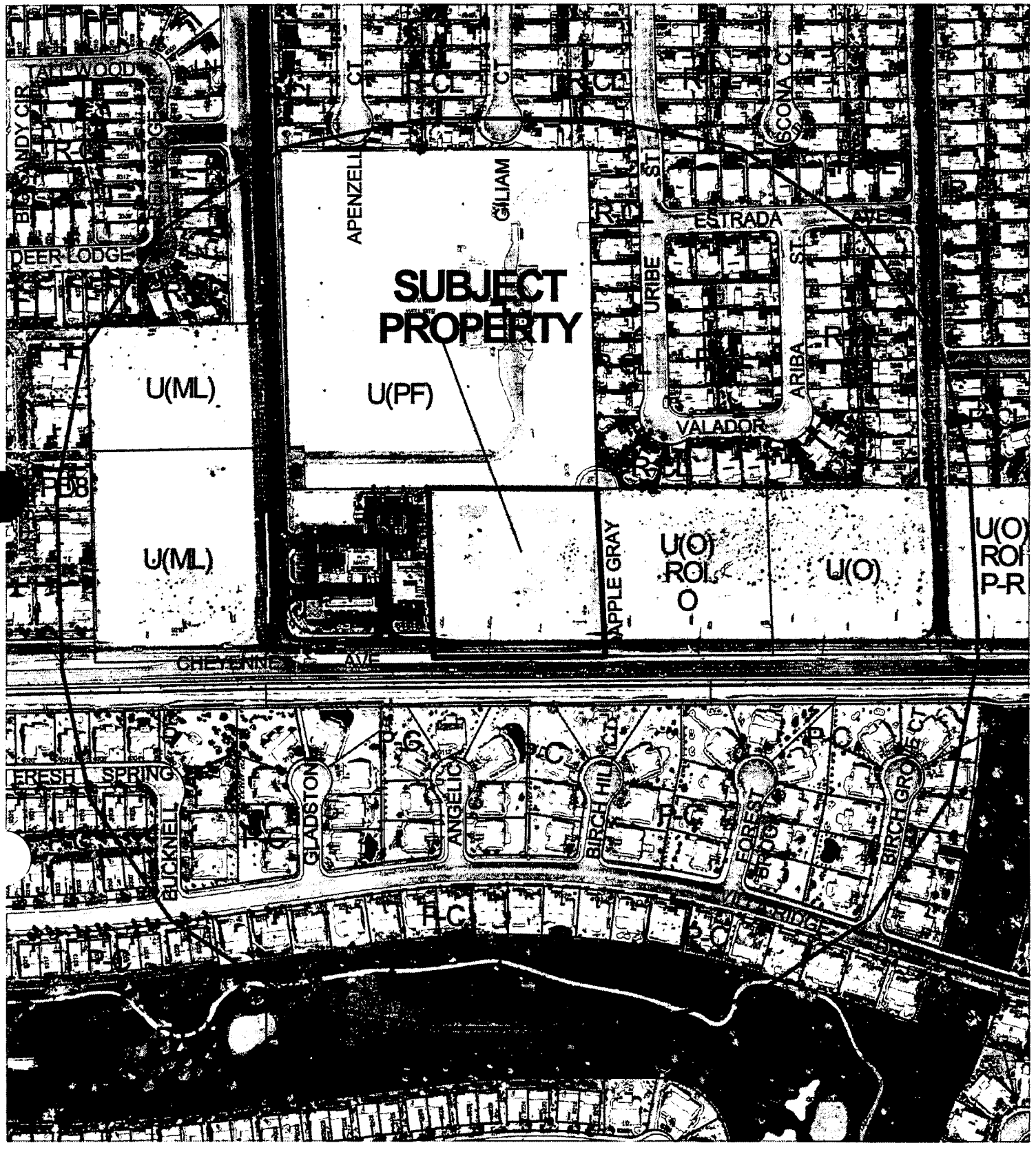
RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO N-S (NEIGHBORHOOD SERVICE)

N



CASE: **SDR-2871**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO N-S (NEIGHBORHOOD SERVICE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2871 - ROGER FOSTER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Any recreational vehicle and boat storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height.

3. Conformance to all Minimum Requirements under Title 19.04.040 for Mini-Warehouse and Recreational Vehicle and Boat Storage use.

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

5. Exterior finishes and materials shall be consistent with the requirements contained in Title 19.08.045.

6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect a enhanced landscaping at the entry to the development. A minimum of two 24-inch box trees with four five-gallon shrubs for each tree shall be provided.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall include a roof.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. 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.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

14. 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

15. A Vacation Application to vacate the existing portion of Dapple Gray Road at the northeast corner of this site must be submitted and approved prior to approval of improvement drawings or of issuance of any permits. If the order of vacation cannot record or is not recorded prior to the start of construction this site shall be redesigned to acknowledge and improve the public street. Unless an alternative plan is accepted by the City Engineer.

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

17. Provide an additional 5 feet for the existing 15 foot wide public sewer easement for a total public sewer easement width of 20 feet 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 have been granted to the City. This easement shall be centered about the public sewer main.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1017 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a proposed 77,000 square foot mini-warehouse facility with Recreational Vehicle and Boat Storage located adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road.

B) Applicant's Justification

The applicant justifies the request by stating that the property is well suited for this type of use. Additionally, the applicant asks for waivers of the perimeter landscaping requirements and to allow the building to be built to the side property line because of the potential safety hazard that could be caused by setting the building back from an existing block wall.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02 The City Council approved a General Plan Amendment (GPA-0011-02) to O (Office) and a Rezoning from U (Undeveloped) to O (Office) on the subject parcel as part of a larger request. The Planning Commission recommended approval.

03/27/03 The Planning Commission heard a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) and tabled two Special Use Permits (SUP-1018 and SUP-1454) to allow a mini-warehouse facility and the storage of recreational vehicles on the subject site. The Planning Commission recommended the zoning request be modified to N-S (Neighborhood Service).

04/16/03 Ordinance #5589 was adopted amending Title 19 to allow mini-warehouse and the storage of recreational vehicles in the N-S (Neighborhood Service) zoning district with approval of a Special Use Permit. The Planning Commission recommended approval.

05/21/03 The City Council approved a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) on the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service). The Planning Commission recommended approval.

09/25/03 The Planning Commission recommended approval of two related items, Special Use Permits (SUP-1018 and SUP-1454) for a mini-warehouse facility and the storage of recreational vehicles on the subject site.

09/25/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11).

B) Pre-Application Meeting

08/29/02 The applicant explained the proposal and presented a conceptual site plan. The applicant was advised that a site development plan review would be required.

12/12/02 A second meeting was held to discuss the need for additional applications. The applicant decided to submit a special use permit application for RV parking. The applicant indicated that he was working on a detailed site plan, elevations, and floor plans for submittal of a future Site Development Plan Review application.

09/03/03 Several design issues were discussed during a meeting concerning the Site Development Plan Review application. The Planning and Development Department recommended several revisions to the site plan, including the elimination of parallel parking within the primary access aisle from the entrance and the relocation of the trash enclosure away from the existing single-family dwellings. The applicant accommodated the revisions by submitting revised plans on September 11, 2003.

C) Neighborhood Meetings

12/18/02 The five persons that attended were not in opposition to a mini-storage facility but objected to the two-story aspect of the development and the fact that it would degrade their views. They had questions about signage, lighting, hours of operation, grading or filling of the site to balance or level it for construction and access off of Cheyenne.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Las Vegas Valley Water District Well Site
South:	Single Family Dwellings
East:	Tavern
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PF (Public Facilities)
South:	ML (Medium Low Density Residential)
East:	O (Office)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) under Resolution of Intent to N-S (Neighborhood Service)
North:	Clark County
South:	PC (Planned Community)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) under Resolution of Intent to O (Office)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

A Special Use Permit application on property within 500 feet of the City boundary with Clark County is deemed a Project of Regional Significance. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment.

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 a boundary with Clark County.

Therefore, the proposal is subject to an Environmental Impact Assessment. 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 City of Las Vegas Flood Control Division requires a technical drainage study for the mini-warehouse development to address and mitigate the drainage impact to the vicinity. A drainage study is a condition of approval for the companion Rezoning (ZON-1017) application. If approved, this application must conform to the conditions of approval for the related Rezoning (ZON-1017) application.

PROJECT DESCRIPTION

The proposed mini-storage facility consists of three, one-story buildings and two, two-story buildings. The buildings range in size from 4,560 square feet to 29,700 square feet in size. The site plan incorporates a 15-foot landscape planter adjacent to Cheyenne Avenue. However, the applicant is requesting a waiver from other perimeter as well as parking lot landscaping and building setback requirements. The buildings are arranged on the site with the one-story buildings surrounding the perimeter as to create a courtyard for the larger, two-story buildings. The waiver requests are a result of this courtyard design.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	340 Feet	Y
Min. Setbacks			
• Front	25 Feet	15 Feet	N
• Side	10 Feet	0 Feet (west)	N
		10 Feet (east)	Y
• Corner	15 Feet	N/A	N/A
• Rear	25 Feet	51 Feet	Y
Max. Lot Coverage	30 %	47%	N
Max. Building Height	2 Stories / 35 Feet	25 Feet	Y
Trash Enclosure	> 50 Feet from Residential, Screened, and Covered with a Roof	> 50 from Residential, screening method not indicated	N
Mech. Equipment	Screened	Not Indicated	N

The proposed development does not meet the development standards, including the minimum side and rear yard setbacks and the maximum lot coverage. The applicant has requested a waiver from these requirements. The location of the trash enclosure is appropriate, however adequate screening and a roof, in conformance to the Commercial Design Standards, will be required. The setback waiver request will be evaluated in the general analysis section of the report.

The maximum lot coverage standard is intended to reduce the intensity of proposed developments by limiting their scope and accordingly the impact on adjacent residential areas. Characteristics of a mini-storage facility, such as a low number of average daily trips, make the

30% standard impracticable as the use, by nature, has minimal impact on surrounding areas. For example, it would take a 1,200,000 square foot mini-warehouse facility to equal the same number of average daily trips that a 30,000 square foot supermarket generates*. Because of the minimal impact in terms of traffic generation and the location of the site on a primary arterial, increasing the lot coverage to 47% is acceptable.

A2) Residential Adjacency Standards

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

a) Proximity slope and Building setback: The proposed project is in compliance with residential adjacency requirements as the tallest building proposed by this application is 25 feet, which requires a setback of 75 feet according to the 3 to 1 residential adjacency proximity slope. The only portion of the site that is adjacent to residential property is the northeast corner of the parcel. From that point the two-story building is setback 90 feet. A one-story building is located closer to the single-family dwelling. However, because the height is 12 feet, residential adjacency standards do not apply.

A3) 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
Mini-warehouse	77,000 SF 600 Units	1/50 storage units, spread throughout the development. An additional 5 spaces shall be provided on the exterior side of the security fence for customers	12	See below	17	See below
Handicap Breakdown			11	1	16	1

The site plan exceeds the required amount of parking as it depicts 12 parking spaces within the gated portion of the development and five spaces on the exterior.

* Average daily trip figures derived Institute of Transportation Engineers publication Trip Generation, 6th Edition and the San Diego Association of Governments publication Brief Guide of Vehicular Traffic Generation Rates.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	3 Trees	0 Provided
Buffer:			
• Min. Trees (south)	1 Tree/20 Linear Feet	15 Trees	14 Trees
• Min. Trees (north)	1 Tree/30 Linear Feet	12 Trees	15 Trees
• Min. Trees (east)	1 Tree/30 Linear Feet	10 Trees	0 Trees
• Min. Trees (west)	1 Tree/30 Linear Feet	10 Trees	0 Trees
• Min. Zone Width (adj. to ROW)	15 Feet		15 Feet
• Min. Zone Width (side & rear)	8 Feet		0 Feet (north & west) 10 Feet (east)

As indicated in the above table, the request is deficient in perimeter and parking lot landscaping, the applicant has requested a waiver from those requirements. However, the applicant has not entirely eliminated landscaping from the site. Landscaping will be provided along the front and east property line in order to improve the aesthetic quality of the development.

B) General Analysis and Discussion

- Zoning

The proposed mini-warehouse facility with recreational vehicles and boats storage is a permitted use in the N-S (Neighborhood Service) zoning district with approval of a Special Use Permit.

- Site Plan

The site plan depicts three one-story buildings; two two-story buildings; and an office with manager's apartment on the site. The one-story mini-storage buildings are located on the perimeter of the site providing a courtyard effect to the development. The design also serves to screen the two-story buildings, which are centrally located on the site. Recreational vehicle and boat storage is shown along the north property line. While the site plan does not indicate carports on the RV storage area, typically this type of development includes carports in the building permit submittal. The Planning and Development Department will review all building permit applications for height, setbacks, and materials to ensure potential carports remain consist with the approved development.

- Waivers

This application contains the following waiver requests:

1. Side and front setback

The applicant describes the design of the proposed projects as a courtyard. A one-story building is proposed to be located on the side property line. The remaining one-story buildings are setback, but not in the amount required. The positioning will allow the exterior walls of the buildings to act as screening of the interior two-story buildings and allows for improved on-site circulation. To be located on a property line, the buildings must comply with Department of Building and Safety and Fire and Rescue requirements. With implementation of adequate measures to protect the public safety, the waivers are acceptable.

2. Perimeter landscaping

Due to the design of the project with buildings located on the property lines, much of the perimeter landscaping has been eliminated. This is acceptable as it allows the perimeter buildings to provide screening.

3. Parking lot landscaping

Due to the relative small number of parking spaces associated with this development and the scattered location of the spaces, this request is within reason. It should be noted that the entry, as well as the parking spaces near the office are to contain adequate landscaping that creates an enhanced appearance from the right-of-way.

- Landscape Plan

The submitted landscape plan features perimeter landscaping along the Cheyenne Avenue frontage and the east property line. To enhance the visual quality of the project a condition has been recommended to provide two additional trees and shrubs along the entry. The applicant has requested waivers to both the perimeter and parking lot landscaping requirements. Those request are analyzed in the previous section of this report. The majority of the perimeter landscaping can be waived due to the project's design. The proposed plant material consists of 24-inch Elm trees. Specific types of shrubs and ground coverings have not been indicated.

- Elevation

The elevations depict a two-story rental office with residence unit approximately 25 feet in height. Features such as a decorative CMU block wall function to provide screening for the interior two-story buildings. The color palette is unknown at this time, the Department of Planning and Development will review all applications for building permits to ensure the development is consistent with the neighborhood, as well as the preferred exterior finishes and materials contained in Title 19.08.045.

FINDINGS

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

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

   The proposed Mini-Warehouse Facility with Recreational Vehicle and Boat Storage require a Special Use Permit within a N-S (Neighborhood Service) zone. Therefore with compliance to the base conditions and conditions of approval specific to this application, the proposed uses can be conducted in a manner that is harmonious with surrounding commercial uses.

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

   The proposed project will be consistent with Title 19 and applicable City plans, policies and standards with the approval of the reduction in required perimeter landscaping, parking lot landscaping and the required setbacks.

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

   The proposed site access will not negatively impact adjacent roadways as the proposed development will have access to Cheyenne Avenue, a 100-foot wide primary arterial.

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

   The proposed building elevations and landscaping will be appropriate for the surrounding neighborhood.

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

   The building elevations proposed depict appropriate site and building design, as they are comparable to similar developments.

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

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

NOTICES MAILED 274 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2871 APN: 138-08-401-013

Name of Property Owner: ROGER FOSTER

Name of Applicant: ROGER FOSTER

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: ROGER FOSTER

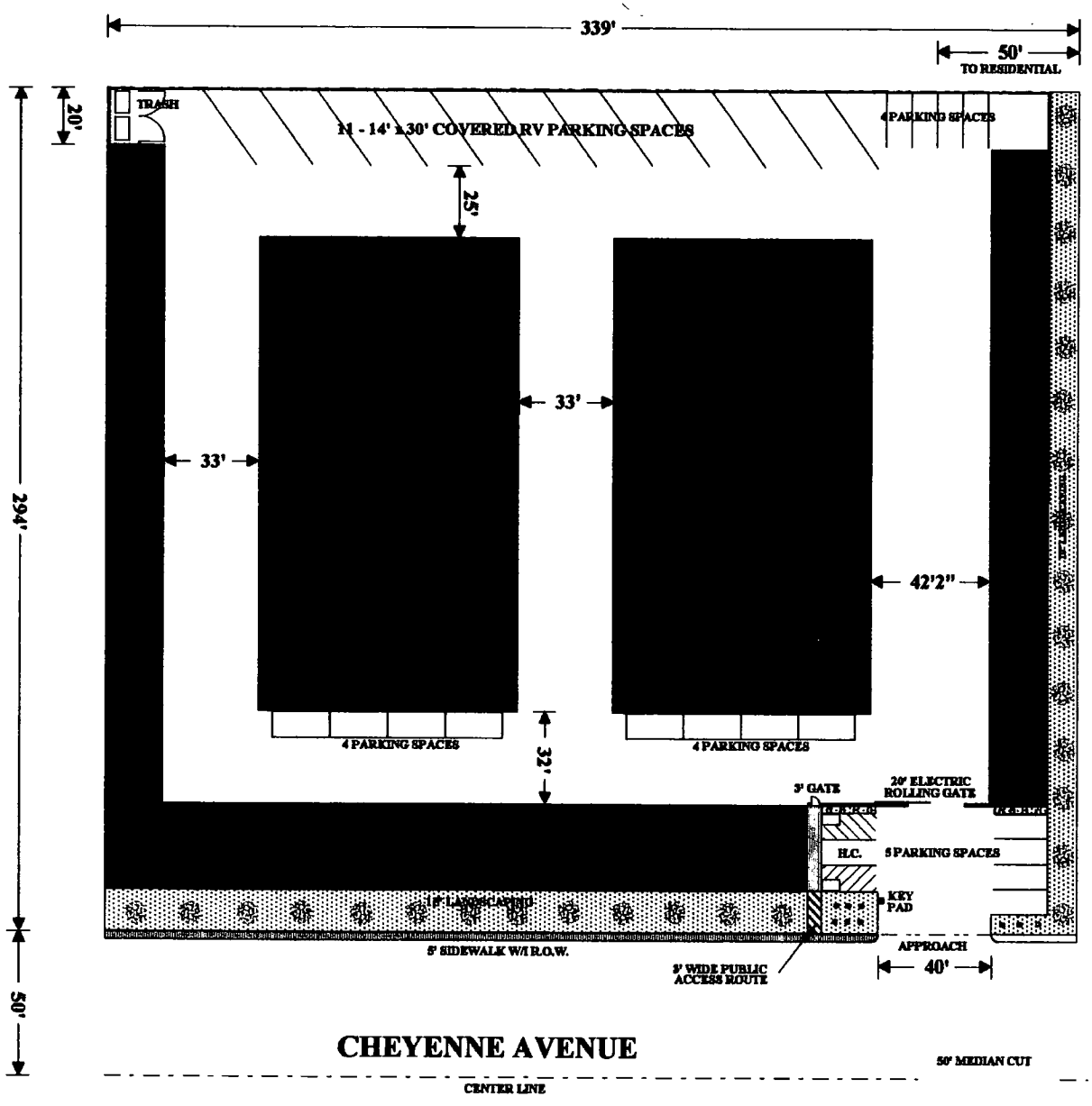
Subscribed and sworn before me

This 31st day of July, 2003

Billie M Gugino

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BILLIE M. GUGINO
Appt. No. 94-3648-1
My Appt. Expires April 1, 2006



MINI-STORAGE

BUILDING LEGEND

BLDG.	SQ.FT.
1	6,240
2	4,600
3	4,560
4	29,700
5	29,700
OFFICE	1,100
APT.	1,100
TOTAL	77,000 S.F.

SITE INFORMATION

APN 136-08-401-013
GROSS AREA: 116,687 S.F.
NET AREA: 99,733 S.F.
BUILDING TOTAL: 77,000 S.F.
BUILDING 1st FLOOR: 47,300 S.F.
LOT COVERAGE: 47.4%

PARKING REQUIREMENTS

ONE PARKING SPACE PER 50 STORAGE UNITS
600 UNITS DIVDED BY 50 = 12 SPACES
12 PARKING SPACES PROVIDED

FIVE SPACES ON EXTERIOR OF SECURITY FENCE FOR CUSTOMERS
FIVE SPACES PROVIDED

LANDSCAPING

24" BOX ELM TREES
5 GALLON PRIVOTS
ROCK GROUND COVER

7,490 S.F. OF LANDSCAPING AREA

NORTH

SITE PLAN

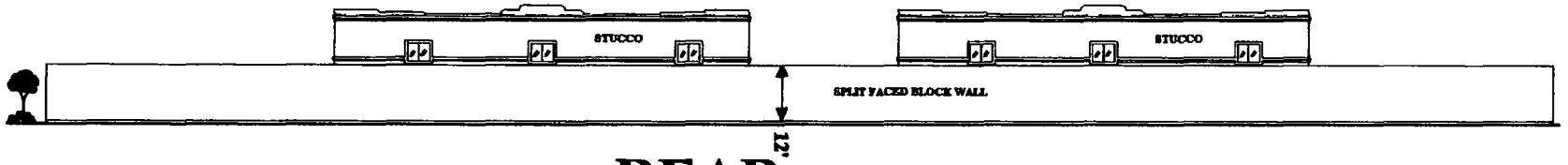
SCALE: FIT TO PAGE

STAFF
REVISED 9.11.03

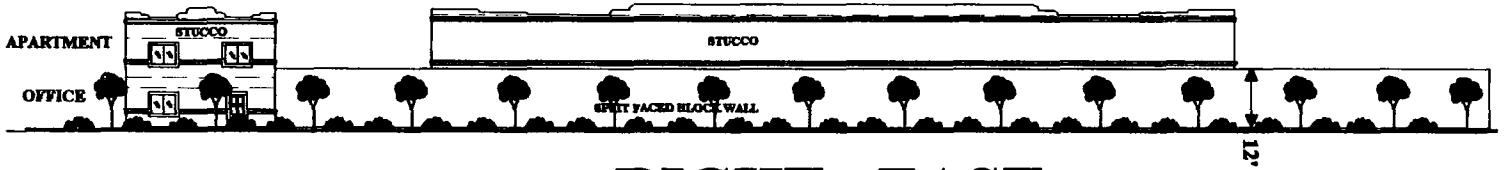
SDR-2871
9-25-03 PC



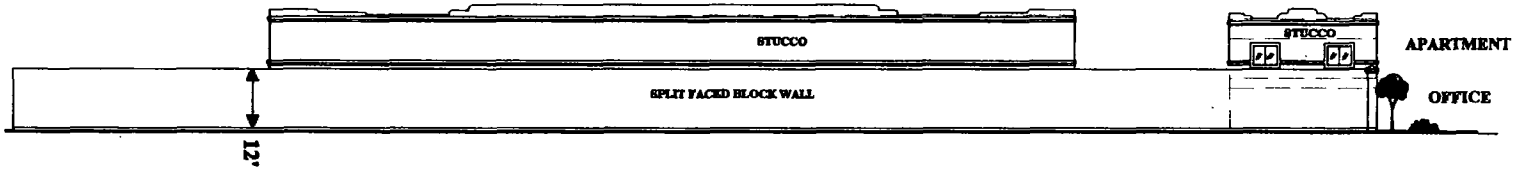
FRONT



REAR



RIGHT - EAST



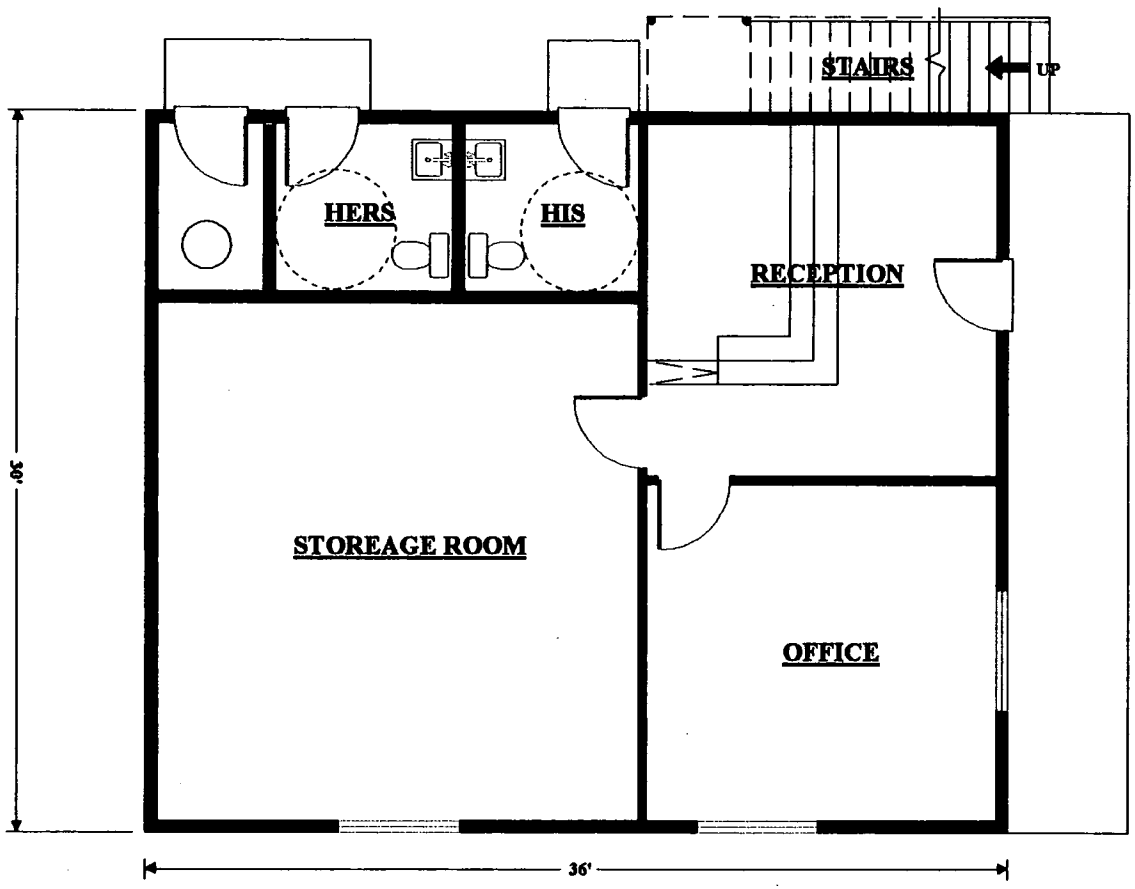
LEFT - WEST

SITE EXTERIOR ELEVATIONS

SCALE: FIT TO PAGE

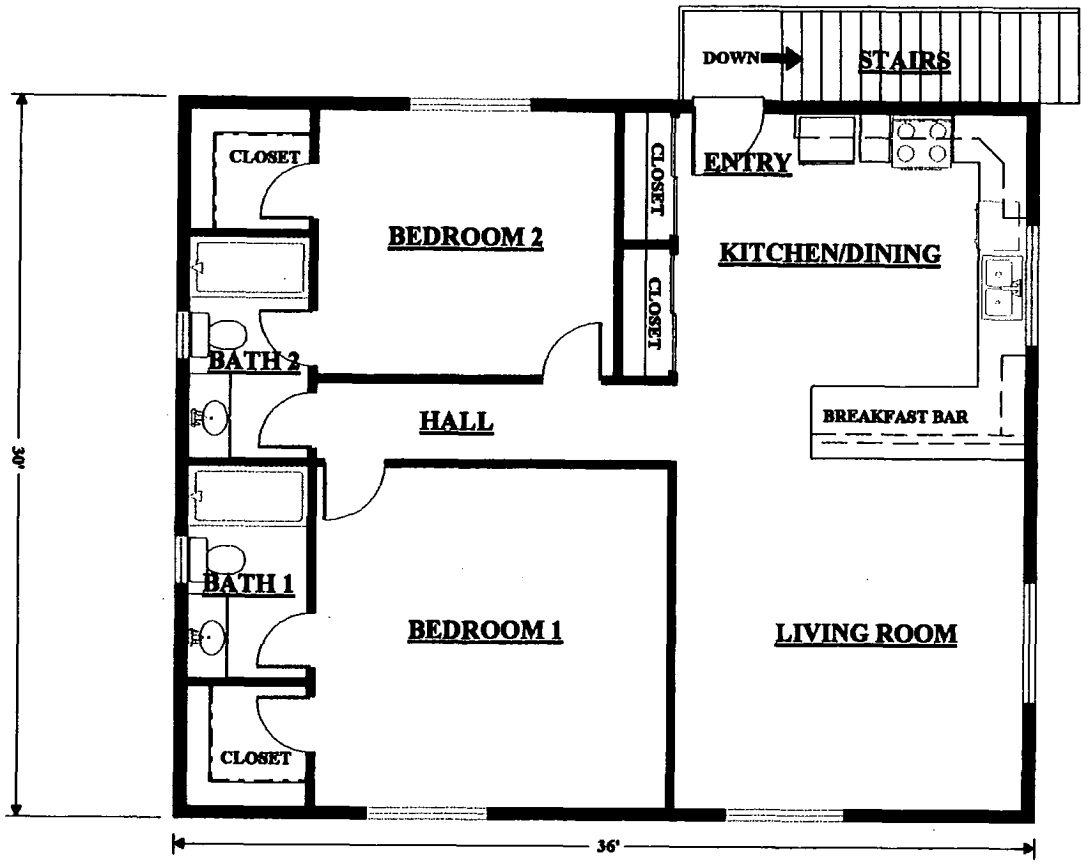
STAFF
REVISED 9.11.03

SDR-2871
9-25-03 PC



FIRST FLOOR PLAN
SCALE: 1/8"= 1'- 0"

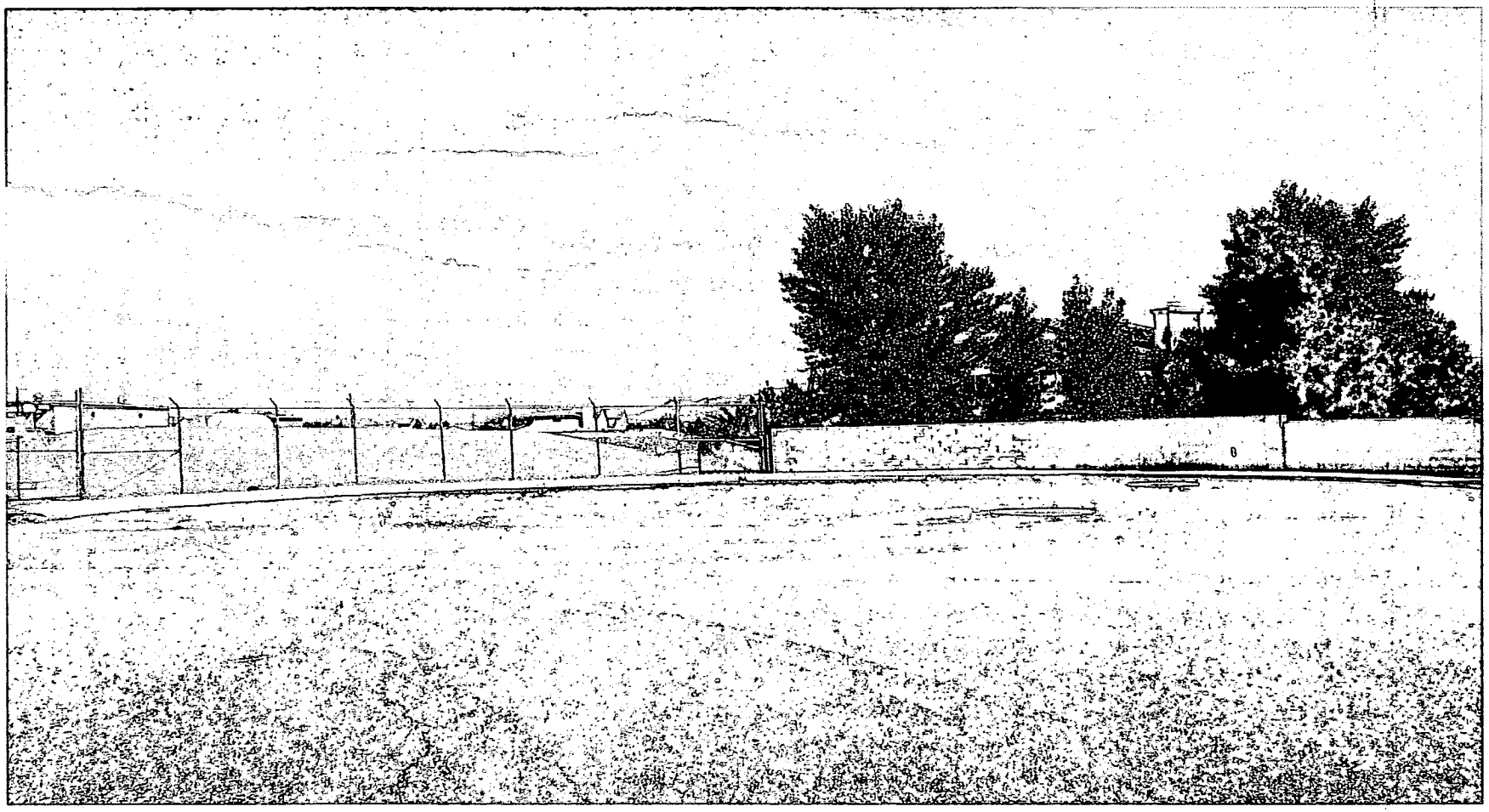
STAFF SDR-2871
9-25-03 PC



SECOND FLOOR PLAN

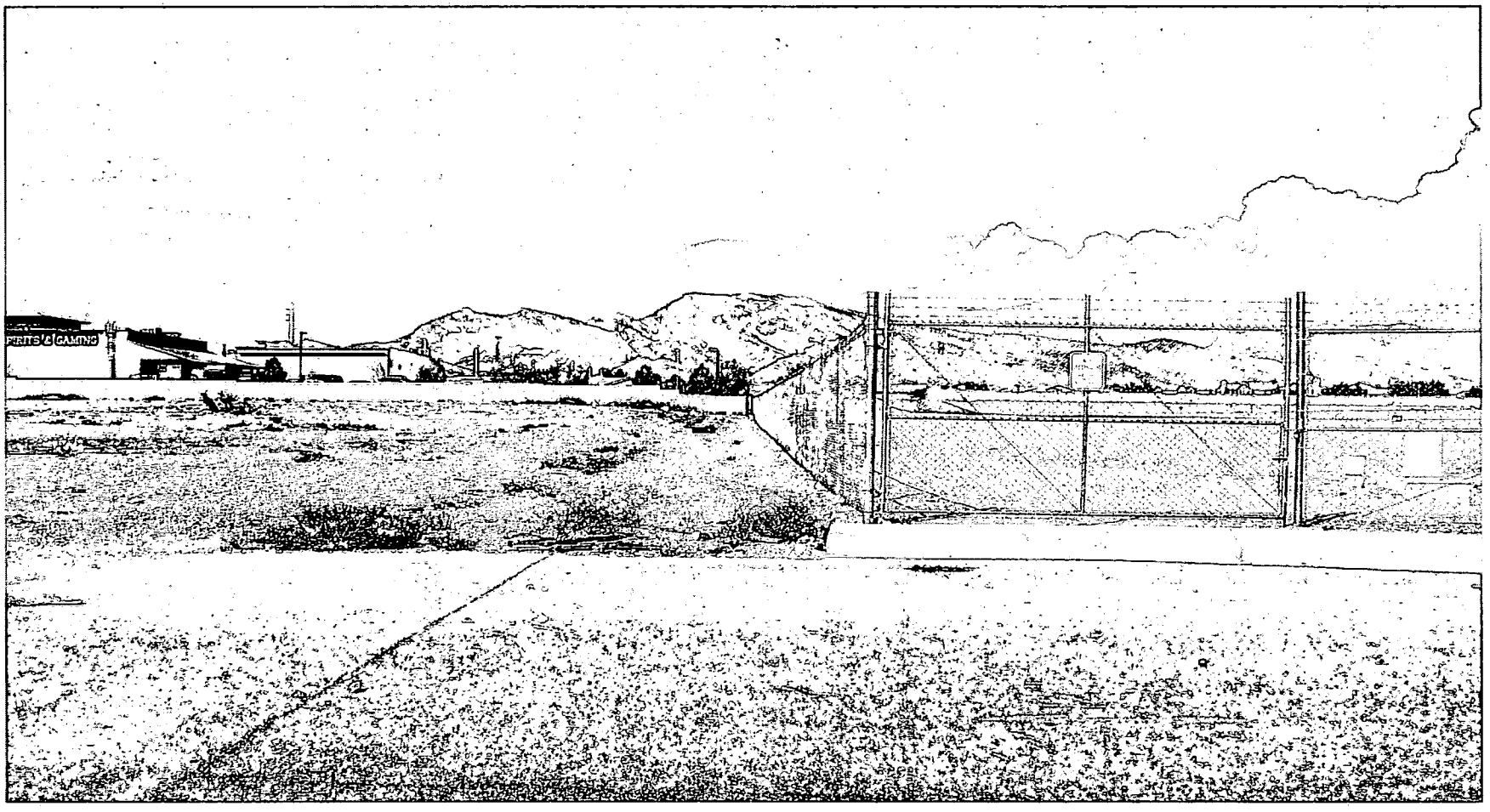
SCALE: 1/8"= 1'- 0"

STAFF SDR-2871
9-25-03 PC



SDR-2871 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03



SDR-2871 - ROGER FOSTER
ADJACENT TO THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 340 FEET EAST OF FORT APACHE ROAD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/4/03

City of Las Vegas

Agenda Item No. 143

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2885 - CLASSIC & COLLECTIBLE CARS ON BEHALF OF LARRY L. NICHOLL FAMILY TRUST -** Request for A Special Use Permit FOR MOTOR VEHICLE SALES (USED) AND TO ALLOW THE USE ON A 12,632 SQUARE FOOT SITE WHERE A 25,000 SQUARE FOOT SITE IS THE MINIMUM SIZE REQUIRED at 3063 Sheridan Street (APN: 162-08-302-014), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 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 (7-0 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 BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

MIKE NICHOLL from Classic and Collectable Cars concurred with conditions.

COUNCILWOMAN MONCRIEF verified with MR. NICHOLL that he understood that Condition 6 requires that no cars would be displayed within the public right-of-way.

No one appeared in opposition.

There was no further discussion.

City of Las Vegas

Agenda Item No. 143

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 143 – SUP-2885

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing closed.
(2:04 – 2:05)
4-1971

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for a Motor Vehicle sales, Used use.

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

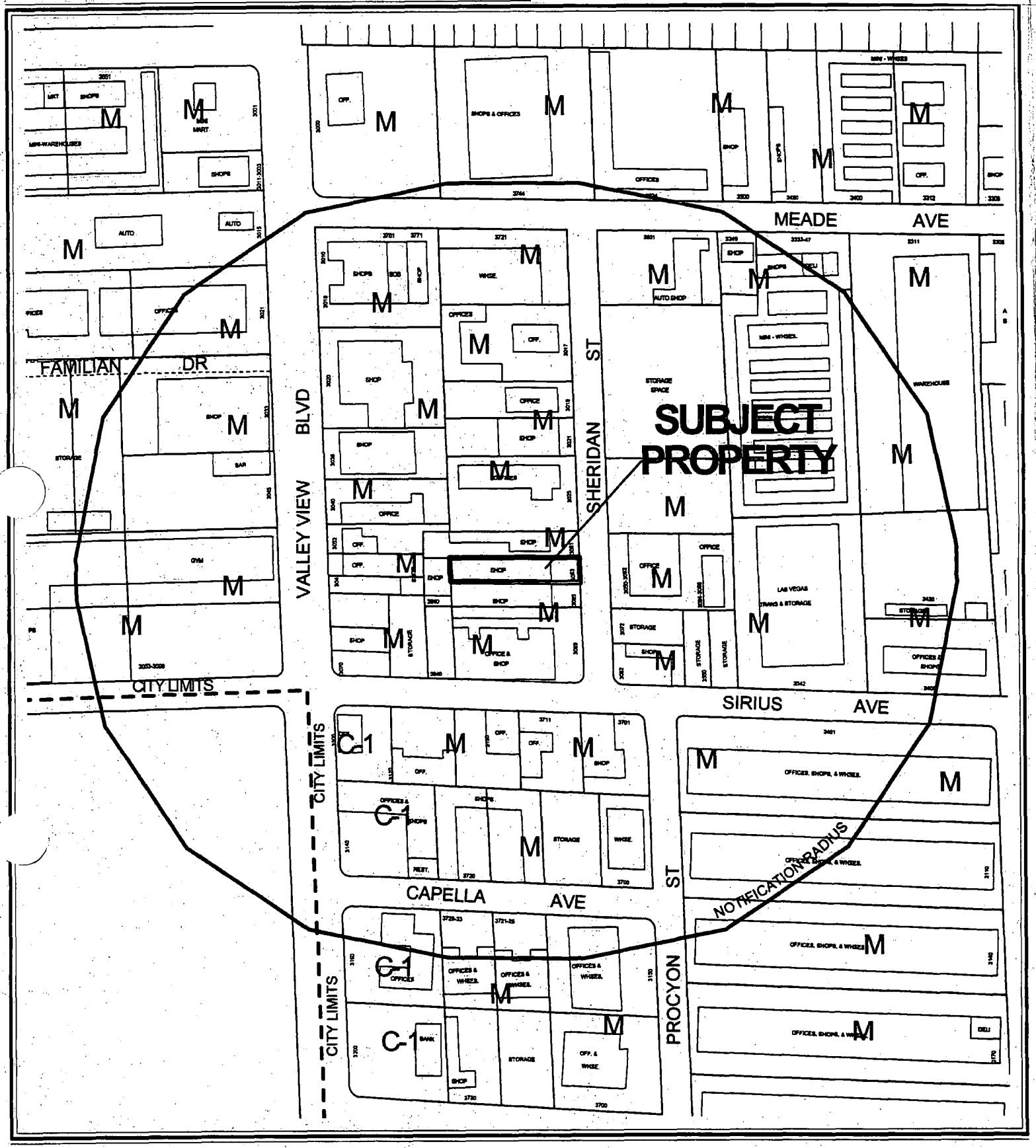
3. All City Code requirements and design standards of all City departments must be satisfied.

4. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.

Public Works

5. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Sheridan Street adjacent to this site prior to the issuance of any permits.

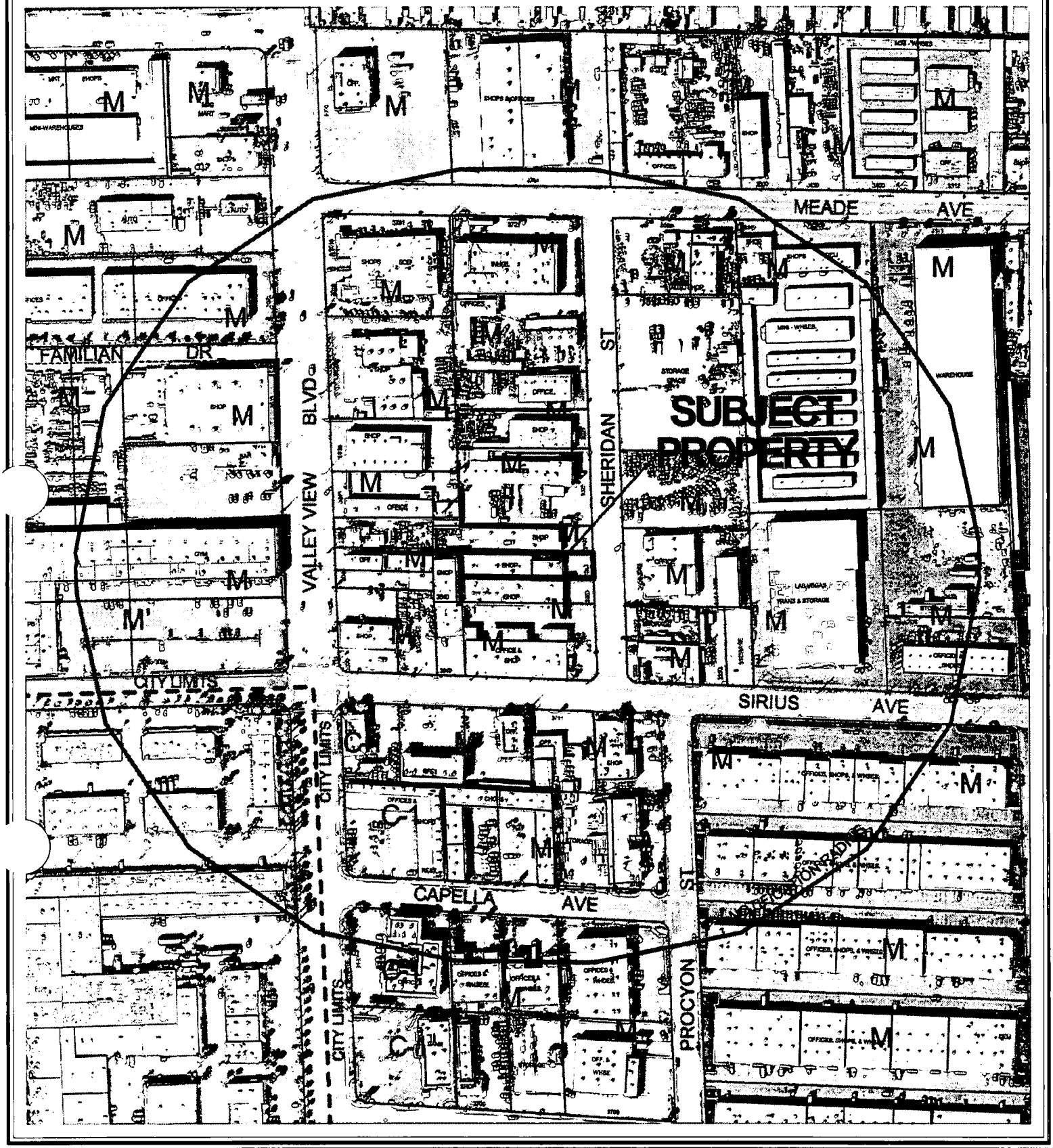
6. No vehicles may be stored or displayed within the public right-of-way.



CASE: **SUP-2885**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **SUP-2885**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2885 - CLASSIC & COLLECTIBLE CARS ON BEHALF OF LARRY L. NICHOLL FAMILY TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for a Motor Vehicle sales, Used use.

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

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

4. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.

Public Works

5. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Sheridan Street adjacent to this site prior to the issuance of any permits.

6. No vehicles may be stored or displayed within the public right-of-way.

SUP-2885 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit to allow the storage and sales of special interest vehicles on a 12,632 square foot lot at 3060 Sheridan Lane.

B) Applicant's Justification

The applicant has indicated there will be between 30 to 40 cars kept on the site. Only two to three will be displayed during daylight hours. The applicant has moved the business from 3542 Cyrus, where it operated for approximately three years.

BACKGROUND INFORMATION

A) Previous Actions

There are no relevant previous actions on this property.

10/09/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #19).

B) Pre-Application Meeting

08/01/03 The applicant was informed of the SUP requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Site Area:	12,632	Square Feet
Building Area	9,400	Square Feet

B) Existing Land Use

Subject Property:	Commercial (Classic & Collectible Cars)
North:	Commercial (Shops)
South:	Industrial (Shops/Storage)
East:	Industrial (Office/Storage)
West:	Industrial (Shops/Storage)

C) Planned Land Use

Subject Property:	LI/R	Light Industrial/Research
North:	LI/R	Light Industrial/Research
South:	LI/R	Light Industrial/Research
East:	LI/R	Light Industrial/Research
West:	LI/R	Light Industrial/Research

D) Existing Zoning

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

E) General Plan Compliance

This site is designated LI/R (Light Industry/Research) on the Southeast Sector Map of the General Plan. The entire area east of Valley View Boulevard south of Sirius has the same designation.

This site does not lie within any Special Plan Area or District.

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
Motor Vehicle Sales	9,400 Square Feet	1/500 Feet of enclosed area	18	1	18	1

Due to the established nature of the use and area, the applicant was not required to submit a site development plan, but submitted photographs instead. There is sufficient area to meet the parking standards of the Code.

A2) Minimum Distance Separation Requirements

There are no minimum distance separation requirements.

B) General Analysis and Discussion

- Zoning

  The sale of used automobiles is allowed with the approval of a Special Use Permit in the M (Industrial) zoning District.

- Use

  The applicant will operate the business within an existing structure in an industrially developed area of the City.

- Conditions

  The sale of used motor vehicles is a conditional use in the M (Industrial) zoning district. These conditions are:

  1. The minimum site area shall be 25,000 square feet.
  2. The installation and use of an outside public address or bell system is prohibited.
  3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
  4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
  5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
  6. Access automobile rental is permitted.

  The applicant was required to file this Special Use Permit application since the lot size does not meet the 25,000 square foot minimum. The request is appropriate since the established development pattern is industrial, shops and storage on similar sized lots.

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 proposal is within an established industrial area of the City. The only reason for this Special Use Permit is due to the small size of the parcel. The sale of used automobiles is well suited to this area and should not result in any conflicts with abutting properties.

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

   The site is physically suited for this use. There is ample space to display two to three cars and provide adequate parking.

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 closest major arterials to this site are Valley View Boulevard and Sirius Avenue, both adequate to accommodate the 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 use will not hinder health safety or the general public welfare or conflict with goals, objectives and policies of the General Plan.

NOTICES MAILED 47 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2885 APN: 162-08-302-014

Name of Property Owner: Larry L. Nichols

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: Larry L. Nichols

Print Name: Larry L. Nichols

Subscribed and sworn before me

This 5 day of August, 2003

Kami D. Perkins

Notary Public in and for said County and State

State of Nevada
County of Clark

KAMI D. PERKINS
Notary Public State of Nevada
No. 01-67320-1
My appt. exp. Feb. 28, 2005

STAFF

SUP-2885
9-25-03 PC

STAFF
SUP-2885
9-25-03 PC



SUP-2885 - LARRY L. NICHOLL ON BEHALF OF C F T #1 TRUST
3063 SHERIDAN STREET
OCTOBER 9, 2003 PLANNING COMMISSION

9/5/03

City of Las Vegas

Agenda Item No. 144

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2909 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS** - Request for a Special Use Permit for a recording studio and television broadcasting & other communication services adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive (a portion of APN: 139-21-313-007 and 008), R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Tom McGowan's written comments

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because his son, ROSS GOODMAN, is the attorney for Centerstaging, LLC, MACK abstaining because ROSS GOODMAN, the attorney for Centerstaging, is his partner on a new venture, Las Vegas Previews, and BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Items 144 [SUP-2099] and Item 145 [SDR-2908] and declared his abstention.

A brief recess was taken and when the meeting resumed, STAN ANDREOTTI, Architect, Dana Point, California, appeared on behalf of the applicant and thanked Planning staff for their work, as well as BILL ARENT who helped them through the entire process.

City of Las Vegas

Agenda Item No. 144

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 144 – SUP-2909

MINUTES Continued:

TOM McGOWAN, Las Vegas resident, stated that Centerstaging failed to provide detailed information that he requested. He agreed that this facility is long overdue and needed in the community, but asked that the application be denied pending the disclosure information he requested.

BILL ARENT, City of Las Vegas, Office of Business Development, indicated that his office is overseeing the development agreement with the developer, which was approved by the City Council on September 17, 2003. The City is excited at the expediency with which the developer is moving forward.

TODD FARLOW, 240 North 19th Street, stated the project is beautiful, and, he is grateful to anyone who brings employment to this city.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed on Items 144 [SUP-2099] and Item 145 [SDR-2908].

NOTE: All discussion for Items 144 and 145 took place under Item 144.
(2:05 – 2:09/2:33 – 2:38)
4-2017/4-3321

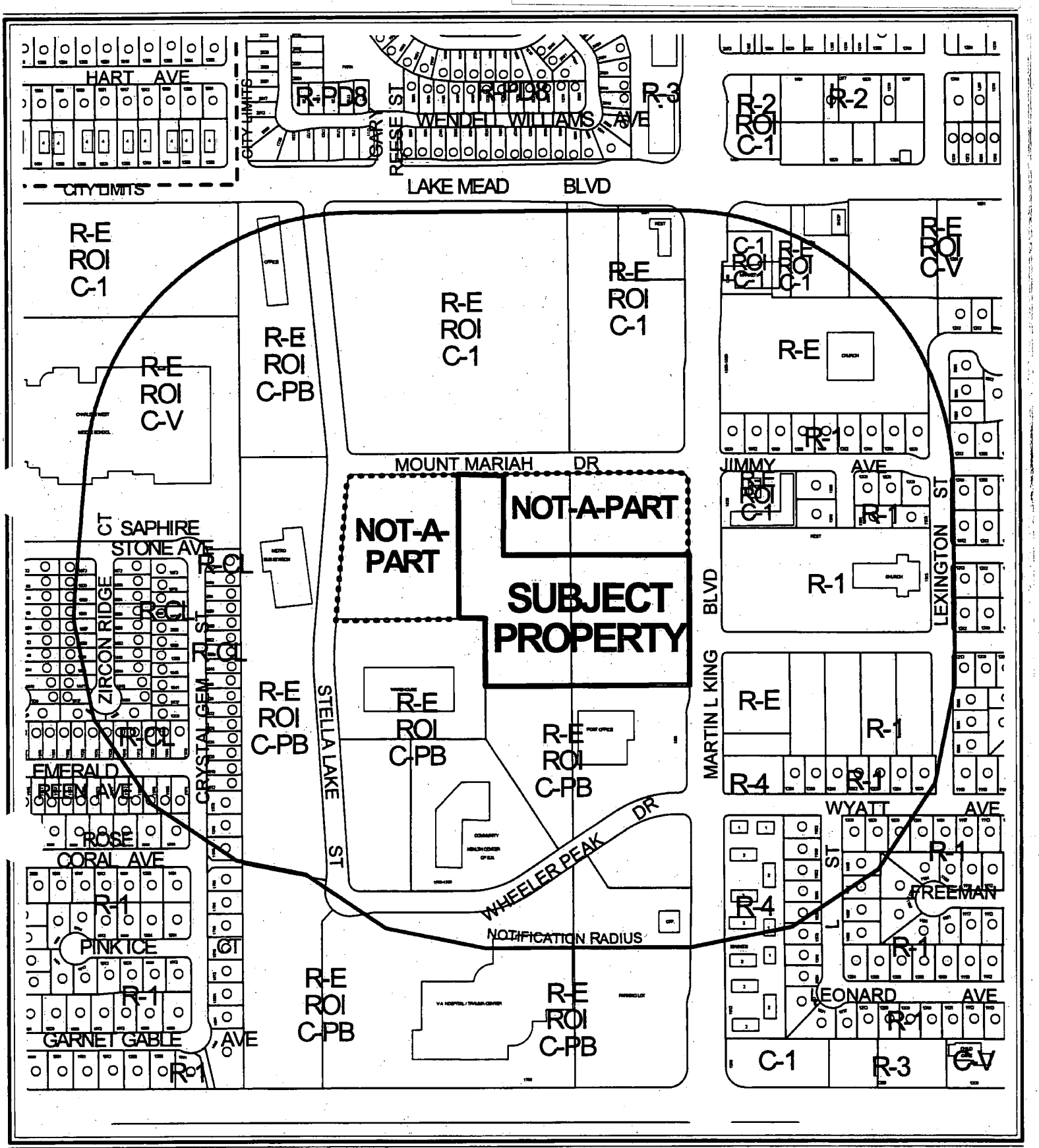
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2908).

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

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



0 300 600 Feet

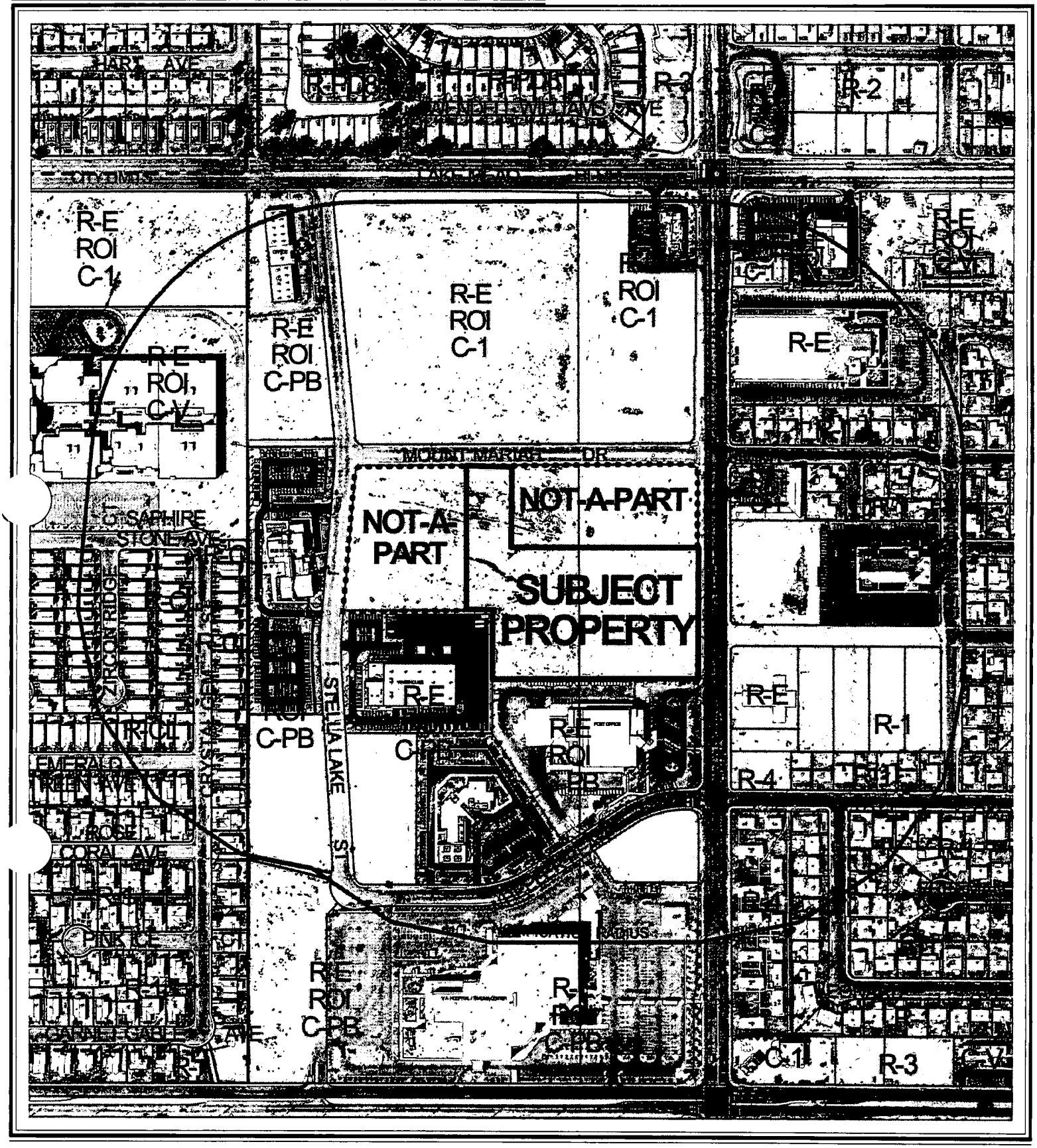
CASE: **SUP-2909**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-PB (PLANNED BUSINESS PARK)

N


R-E
ROI
C-1
R-E
ROI
C-PB
R-E
ROI
C-1
R-E
ROI
C-1
R-E
ROI
C-PB
R-E
ROI
C-PB
R-E
ROI
C-PB

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2909 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2908).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

SUP-2909 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Special Use Permit for a Recording Studio and Television Broadcasting & Other Communication Services adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive. This site is located within the Las Vegas Enterprise Park.

B) Applicant's Justification

The project will include two buildings, a Main Stage Building and a Corporate Office Building. The four-story Main Stage Building consists of an 18,000 square foot sound stage for TV productions along with supporting offices, dressing rooms, and production control rooms. The two-story Corporate Office Building consists of company offices, rehearsal studios, and rental offices with storage facilities for musical equipment that will be rented for events at the facility and other locations. The project was reviewed and approved by the Enterprise Park Architectural Review Committee. The Committee allowed the fourth story of the Main Stage Building for the purpose of equipment storage and the required access to the catwalk located 40 feet above the main stage floor. In addition, the committee approved the 65-foot tall architectural tower element. All site requirements have been met for parking, landscaping and fire access. For events that may require a large audience (500 or more people), bus parking has been provided to allow audiences to be bussed in from various pick-up locations. This project will provide production facilities not currently available in Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

12/21/94	The City Council approved a Rezoning (Z-0136-94) from R-E (Residence Estates) to C-PB (Planned Business Park) on this site as part of a larger request.
08/20/03	The Las Vegas Enterprise Park Architectural Review Committee has reviewed the proposed development and approved the site plan as conforming to the Covenants, Conditions, and Restrictions of the Las Vegas Enterprise Park.
09/25/03	The Planning Commission recommended approval of a related Site Development Plan Review (SDR-2908) for a Sound Stage and a Corporate Office Building for this site.
09/25/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25).

B) Pre-Application Meeting

07/16/03 The proposal was for two buildings and a parking structure on a 4.9 acre site. The applicant was informed that a Special Use Permit would be required for Studio/Broadcasting uses within the C-PB (Planned Business Park) zoning District. Landscape was deficient and the applicant indicated they would redesign to meet landscaping requirements. Discussed the parking demands and requested additional information on the parking demand for this type of project and provide a parking analysis. A second meeting would be required.

07/29/03 The applicant presented revised plans that met the landscaping requirements, removal of the parking structure, and provided a parking analysis. Everyone agreed that the 182 on-site parking spaces would not be enough for this project. Several ideas were discussed and the applicant indicated they would attempt to acquire additional land adjacent to the site for additional parking. The fourth floor will only be used for storage and access to the catwalk around the stage area. One portion of the building is over 55 feet tall but this portion will be an architectural structure and therefore meets the code requirements. The applicant was informed to request a Special Use Permit for two uses: TV Broadcasting & Other Communication Services and Recording Studio.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.89 (proposed project area)

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Post Office
East:	Church
West:	Warehouse & Metro Substation

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment Area)
North:	DTR (Downtown Redevelopment Area)
South:	DTR (Downtown Redevelopment Area)
East:	DTR (Downtown Redevelopment Area)
West:	DTR (Downtown Redevelopment Area)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park)
North:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South:	R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park)
East:	R-1 (Single Family Residential) and R-E (Residence Estates)
West:	R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park)

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
West Las Vegas Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas Enterprise Park	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 Redevelopment Area
The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

Las Vegas Enterprise Park

The Las Vegas Enterprise Park is intended to be utilized as a mixed-use business park under the City's zoning standard. The standard provides for an environment exclusively for and conducive to the development and protection of modern administrative facilities, research institutions, and specialized manufacturing operations. The essence of the business park is to provide for an aesthetically attractive working environment.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Parking requirements will be addressed as part of the related Site Development Plan Review (SDR-2908).

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in Title 19 applicable to the proposed uses.

B) General Analysis and Discussion

- Zoning

The subject site is zoned R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park). The proposed Recording Studio and Television Broadcasting & Other Communication Services uses are permitted within the C-PB (Planned Business Park) Zoning District, with approval of a Special Use Permit.

- Architectural Review Committee

This site falls within the boundaries of the Las Vegas Enterprise Park. Consequently, all development that is proposed within the Enterprise Park is required to obtain approval of the proposed project from the Las Vegas Enterprise Park Architectural Review Committee. The Architectural Review Committee conditionally approved this development project on August 20, 2003.

- Use

Title 19 provides the following definitions for the proposed uses:

Recording Studio.
A building or portion of a building used as a place to record music and videos. The term does not include broadcasting facilities.

TV Broadcasting & Other Communication Service.
A building or portion of a building used as a place for television broadcasting and similar activities.

- Conditions

There are no conditions listed in Title 19 for the proposed uses.

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 development and uses are compatible with the General Plan land use designation and is located within the Las Vegas Enterprise Park. The two proposed uses can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The subject site is located within the Las Vegas Enterprise Park and the subject property is physically suitable for the proposed uses.

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

   The site will have access to Martin Luther King Boulevard and to Mount Mariah Street. The existing street network will be adequate to serve the proposed uses.

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 the Uniform Building Code and city inspections therefore the development will not compromise the public health, safety or welfare or the overall objectives of the General Plan.

NOTICES MAILED 128 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2909 APN: 139-21-313-007 & 008

Name of Property Owner: _____

Name of Applicant: Center Staging Las Vegas 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 except as may be disclosed by Mayor or Council

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: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 20th day of August, 2003

Cecili C. Green

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
No. 96-1693-1 My Appointment Expires Mar. 7, 2004

Revised 2/1[illegible]/02

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2909 APN: 139-21-313-007 & 008

Name of Property Owner: _____

Name of Applicant: Center Staging Las Vegas LCC

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: Jan P. Parent

Print Name: JAN P. PARENT

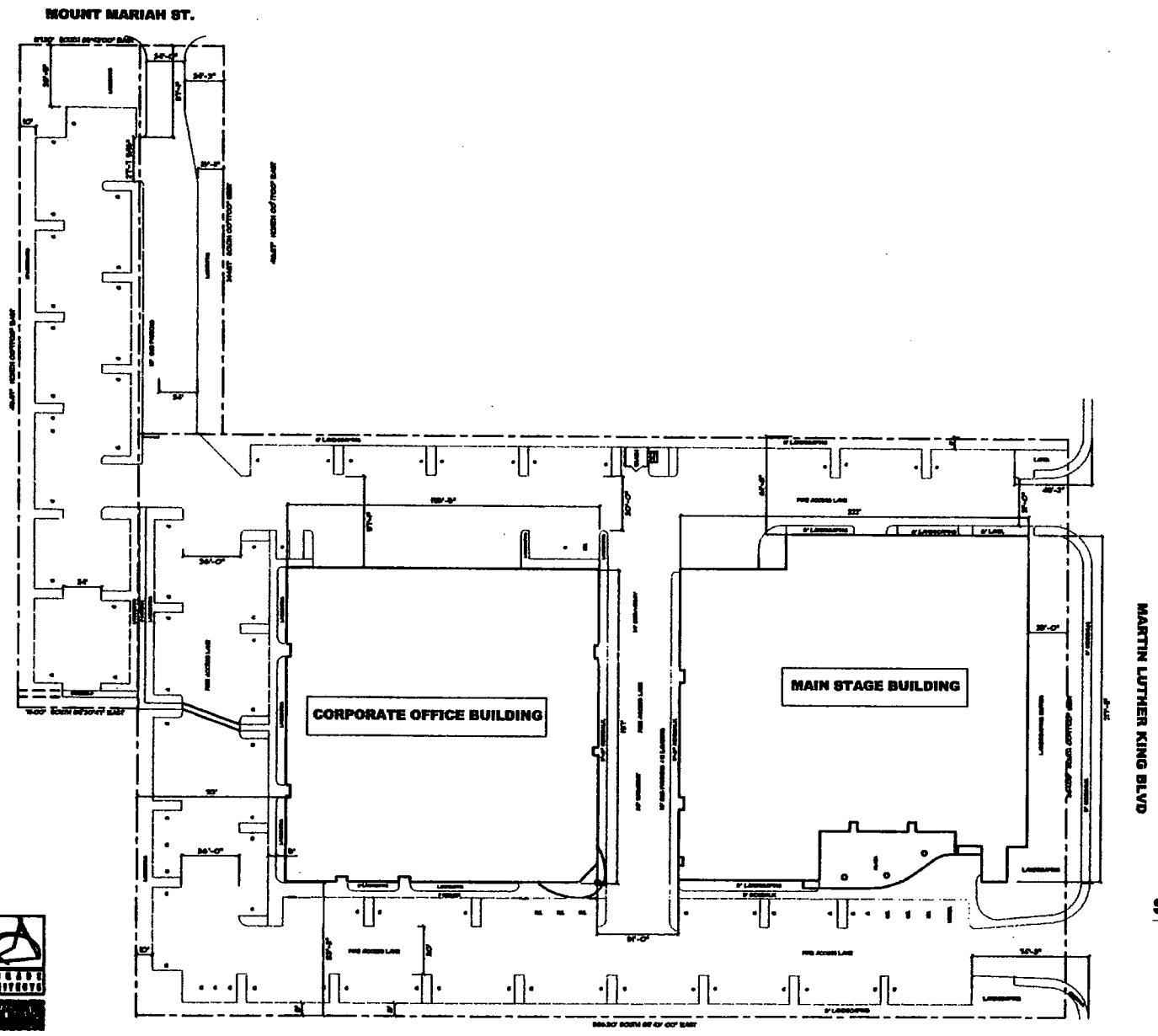
Subscribed and sworn before me

This 12th day of August, 2003

Hina Azam

Notary Public in and for said County and State

HINA AZAM
COMM. #1411640
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires May 14, 2007



PROJECT DATA

OWNER
CenterStaging, Las Vegas LLC
3401 WINONA AVE.
BURBANK, CA 91504
818-558-4333

ARCHITECT
ANDRADE ARCHITECTS
24581 DANA POINT HARBOR DRIVE
DANA POINT, CA 92629
949-248-2681

PARCEL NUMBERS
139-21-313-007 & -008

PARCEL SIZE

FRONT LOT SIZE: 213,444 SQ. FT.
REAR PARKING/EASEMENT LOT SIZE: 43,388 SQ. FT.

LOT COVERAGE

FRONT LOT SIZE:	213,444 SQ. FT.
MAIN STAGE BUILDING:	43,388 SQ. FT.
CORPORATE OFFICE BUILDING:	38,310 SQ. FT.
	81,668. SQ. FT.
	38% COVERAGE
REAR PARKING/EASEMENT LOT SIZE:	43,388 SQ. FT.
	0% COVERAGE

FLOOR AREA RATIO

MAIN STAGE BUILDING:	71,323 SQ. FT.
CORPORATE OFFICE BUILDING:	53,287 SQ. FT.
TOTAL FLOOR AREA:	124,610 SQ. FT.

RATIO (MAIN PARCEL): 124,610/213,444= 58.4%
RATIO (W/ PARKING ADDITION): 124,610/256,799= 48.5%

PARKING

REQUIRED PARKING : 251

TOTAL AUTO PARKING: 263 SPACES
- 181 STANDARD SPACES (9'x18')
- 76 COMPACT SPACES (8'x18')
- 6 H.C. SPACES (14'x18')
- 1 VAN H.C. SPACES (11'x18')

TOTAL BUS PARKING: 8 SPACES (40'x10')

BUILDING AREA

MAIN STAGE BUILDING:	71,323 SQ. FT.
CORPORATE OFFICE BUILDING:	53,287 SQ. FT.

SITE PLAN
SCALE 1"= 30'-0"

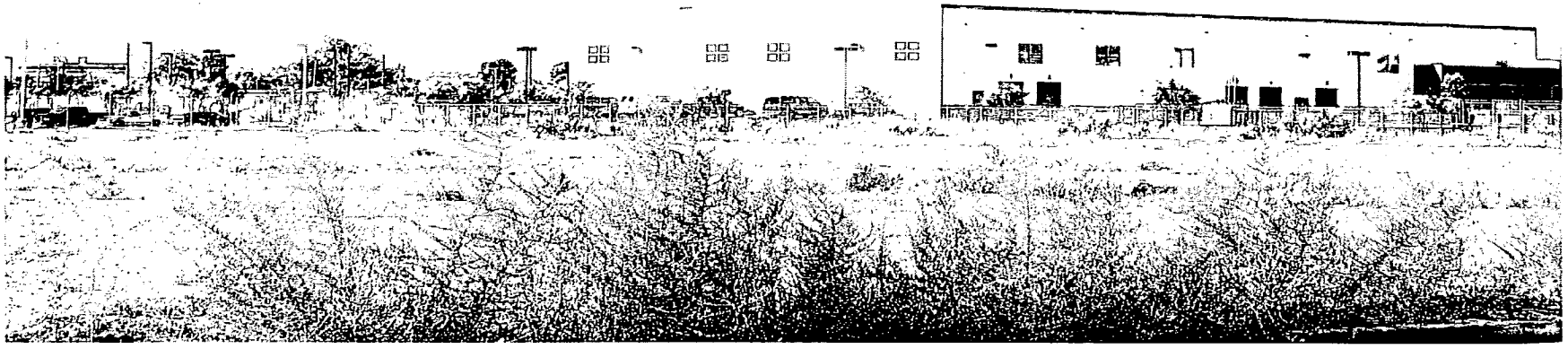
N

CENTERSTAGING LAS VEGAS LLC

STAFF

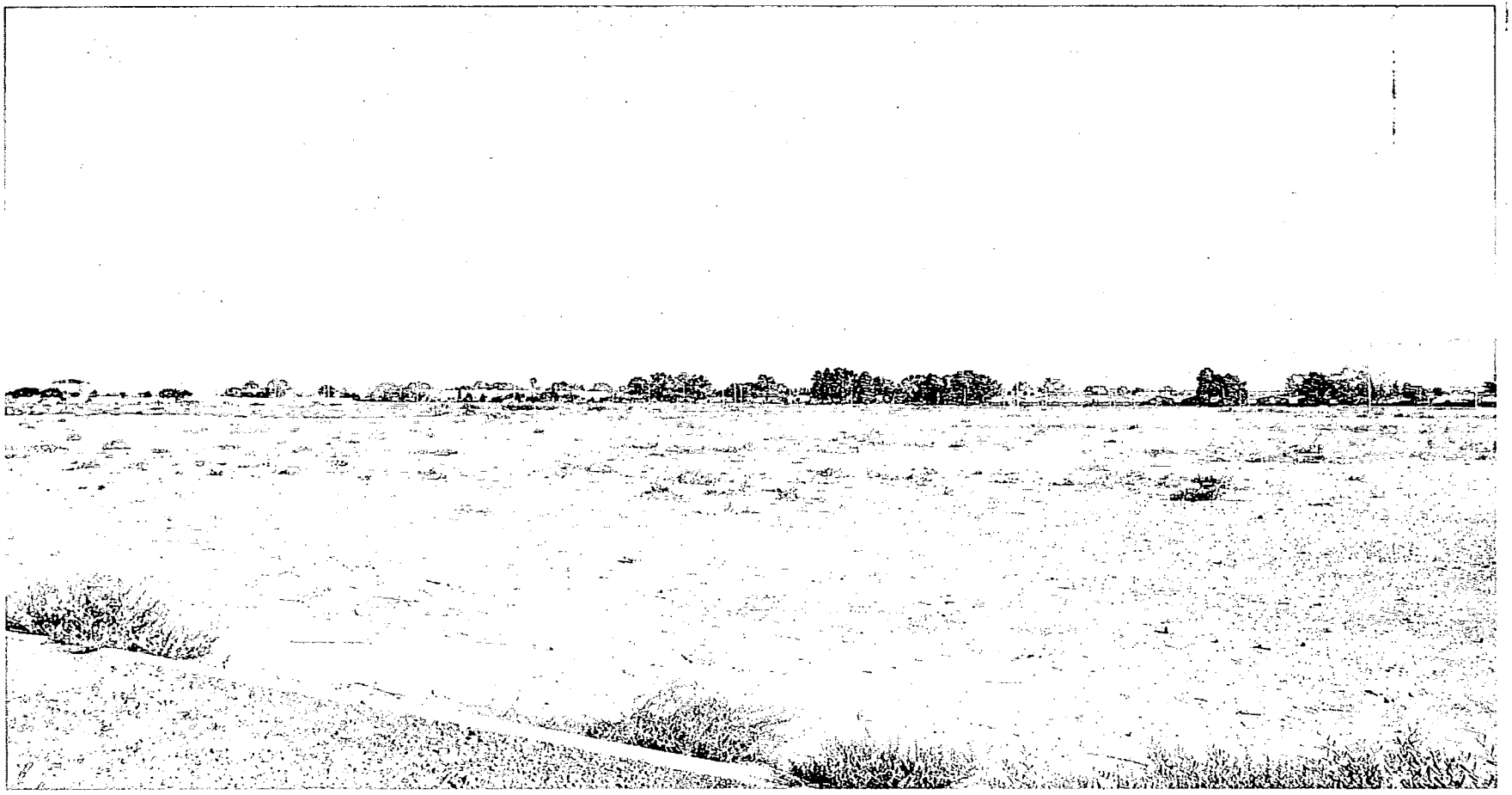
REVISED 8.19.03

SUP-2909
9-25-03 PC



SUP-2909 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS
MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 330 FEET NORTH OF WHEELER PEAK DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



SUP-2909 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS
MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 330 FEET NORTH OF WHEELER PEAK DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03

Tom McGowan. Las Vegas Resident-

Item #144

- Centex Staging of Las Vegas, and their Attorney, Ross Goodman, have failed to provide the detailed information I previously and repeatedly requested pursuant to disclosure of the full range of physical plant inventory, the scope of capabilities assisting to the local origination of all media productions in the City of Las Vegas, by Independent Producers, and the rates applicable to those services, for 'costing purposes.

That failure causes protracted delay in the planning and development of production budgets, and scheduling of the onset of multiple productions of local origination, and places in jeopardy the prospect of full-time permanent employment training and placement, as well as related business development opportunities for diverse residents of the City of Las Vegas, and delays the planning and development of a non-gaming-dependanced alternative industry comprised of the local origination of all-media entertainment and edu-info productions, marketing, distribution and merchandising, locally, regionally, nationally and worldwide, headquartered in the City of Las Vegas, and of particular significance as applicable to and enhancive of the City of Las Vegas Centennial Celebration, and Beyond, in perpetuity.

Further more, - The Mayor has refused to meet and discuss my proposed Independent productions for local origination of substantial benefit to the City of Las Vegas.

Therefore, - I recommend you Deny the applicants request, pending timely disclosure of the requested fully-detailed information, on the public record, and pending the Mayor's scheduling of a meeting pursuant to a presentation, closure and discussion of these productions, and the development of an all-media Entertainment Productions Industry Headquartered in the City of Las Vegas.

Thank You! /-

Submitted at City Council.

Date 11/5/03 Item #144

City of Las Vegas

Agenda Item No. 145

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2909 - PUBLIC HEARING - **SDR-2908 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS** - Request for a Site Development Plan Review for a 71,323 square foot sound stage and a 53,287 square foot corporate office building on 5.89 acres adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive (a portion of APN: 139-21-313-007 and 008), R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because his son ROSS GOODMAN, is the attorney for Centerstaging, LLC, MACK abstaining because, ROSS GOODMAN, the attorney for Centerstaging, is his partner on a new venture, Las Vegas Previews, and BROWN excused

MINUTES:
NOTE: See Item 144 [SUP-2909] for all related discussion.

(2:05 – 2:09)

4-2017

CONDITIONS:
Planning and Development

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

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

City of Las Vegas

Agenda Item No. 145

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 145 –SDR-2908

CONDITIONS – Continued:

3. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

4. The applicant shall submit a revised landscape plan to provide for a mix of tree types within each perimeter landscape planter prior to submittal of any building permits for the site. The landscape plan must be approved by the Planning and Development Department.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. All mechanical equipment, air conditioners and trash enclosures shall be fully screened in views from the abutting streets. Trash enclosures shall include a roof.

7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

City of Las Vegas

Agenda Item No. 145

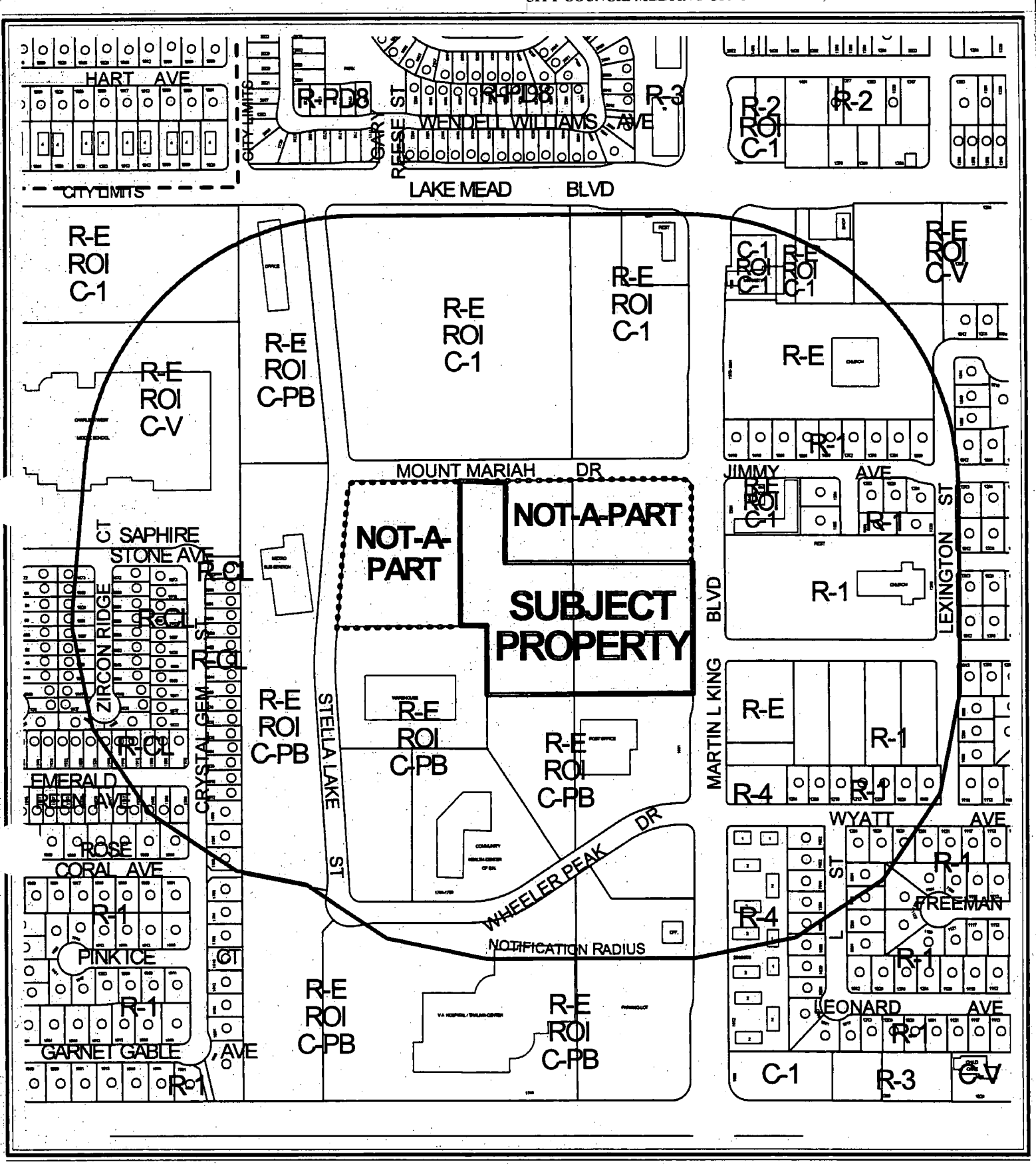
CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 145 – SDR-2908

CONDITIONS – Continued:

12. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

13. 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.

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0136-94, the Las Vegas Enterprise Park (commercial subdivision), and all other subsequent site-related actions.



0 300 600 Feet

CASE: **SDR-2908**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-2908 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

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

3. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

4. The applicant shall submit a revised landscape plan to provide for a mix of tree types within each perimeter landscape planter prior to submittal of any building permits for the site. The landscape plan must be approved by the Planning and Development Department.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. All mechanical equipment, air conditioners and trash enclosures shall be fully screened in views from the abutting streets. Trash enclosures shall include a roof.

7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

12. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

13. 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.

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0136-94, the Las Vegas Enterprise Park (commercial subdivision), and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Site Development Plan Review for a 71,323 square foot sound stage and a 53,287 square foot corporate office building on 5.89 acres adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive.

B) Applicant's Justification

The project will include two buildings, a Main Stage Building and a Corporate Office Building. The four-story Main Stage Building consists of an 18,000 square foot sound stage for TV productions along with supporting offices, dressing rooms, and production control rooms. The two-story Corporate Office Building consists of company offices, rehearsal studios, and rental offices with storage facilities for musical equipment that will be rented for events at the facility and other locations. The project was reviewed and approved by the Enterprise Park Architectural Review Committee. The Committee allowed the fourth story of the Main Stage Building for the purpose of equipment storage and the required access to the catwalk located 40 feet above the main stage floor. In addition, the committee approved the 65-foot tall architectural tower element. All site requirements have been met for parking, landscaping and fire access. For events that may require a large audience (500 or more people), bus parking has been provided to allow audiences to be bussed in from various pick-up locations. This project will provide production facilities not currently available in Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

12/21/94	The City Council approved a Rezoning (Z-0136-94) from R-E (Residence Estates) to C-PB (Planned Business Park) on this site as part of a larger request.
08/20/03	The Las Vegas Enterprise Park Architectural Review Committee has reviewed the proposed development and approved the site plan as conforming to the Covenants, Conditions, and Restrictions of the Las Vegas Enterprise Park.
09/25/03	The Planning Commission recommended approval of a related Special Use Permit (SUP-2909) for a Recording Studio and Television Broadcasting & Other Communication Services on this site.
09/25/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26).

B) Pre-Application Meeting

07/16/03 The proposal was for two buildings and a parking structure on a 4.9 acre site. The applicant was informed that a Special Use Permit would be required for Studio/Broadcasting uses within the C-PB (Planned Business Park) zoning District. Landscape was deficient and the applicant indicated they would redesign to meet landscaping requirements. Discussed the parking demands and requested additional information on the parking demand for this type of project and provide a parking analysis. A second meeting would be required.

07/29/03 The applicant presented revised plans that met the landscaping requirements, removal of the parking structure, and provided a parking analysis. Everyone agreed that the 182 on-site parking spaces would not be enough for this project. Several ideas were discussed and the applicant indicated they would attempt to acquire additional land adjacent to the site for additional parking. The fourth floor will only be used for storage and access to the catwalk around the stage area. One portion of the building is over 55 feet tall but this portion will be an architectural structure and therefore meets the code requirements. The applicant was informed to request a Special Use Permit for two uses: TV Broadcasting & Other Communication Services and Recording Studio.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.89 (proposed project area)

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Post Office
East:	Church
West:	Warehouse & Metro Substation

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment Area)
North:	DTR (Downtown Redevelopment Area)
South:	DTR (Downtown Redevelopment Area)
East:	DTR (Downtown Redevelopment Area)
West:	DTR (Downtown Redevelopment Area)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park

North:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South:	R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park
East:	R-1 (Single Family Residential) and R-E (Residence Estates)
West:	R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
West Las Vegas Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas Enterprise Park	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 Redevelopment Area
The subject site is located within the Downtown Redevelopment Area on the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain standards for redevelopment.

Las Vegas Enterprise Park
The Las Vegas Enterprise Park is intended to be utilized as a mixed-use business park under the City's zoning standard. The standard provides for an environment exclusively for and conducive to the development and protection of modern administrative facilities, research institutions, and specialized manufacturing operations. The essence of the business park is to provide for an aesthetically attractive working environment.

PROJECT DESCRIPTION

The project will consist of two buildings, a 71,323 square foot Main Stage Building and a 53,287 square foot Corporate Office Building. The four-story Main Stage Building will consist of an 18,000 square foot sound stage for TV productions along with supporting offices, dressing rooms, and production control rooms. The two-story Corporate Office Building will consist of

company offices, rehearsal studios, and rental offices with storage facilities for musical equipment. The Main Stage building will be located adjacent to the front landscape planter along Martin Luther King Boulevard with the Corporate Office Building setback 51 feet to the west of the Main Stage building. There will be a 30-foot driveway (outside of the bus parking area) between the two buildings. The buildings will be located towards the center of the site with parking on the north, south, and west sides of the buildings. The site will have two access points onto Martin Luther King Boulevard and one access to Mount Mariah Street.

The Enterprise Park Architectural Review Committee has approved a fourth story to the Main Stage Building for the purpose of mechanical equipment and for the required access to the catwalk located 40 feet above the main stage floor. In addition, the Enterprise Park Architectural Review Committee has approved the 65-foot tall architectural tower element. For events that require a large audience (500 or more people), bus parking has been provided to allow audiences to be transported to the site by bus from various pick-up locations. The bus parking zones are located between the two buildings and along the west side of the access road to Mount Mariah Street.

Landscaping has been provided in the required perimeter landscape planters and in planters between parking stalls throughout the parking areas. Six-foot wide landscape planters are provided around portions of the two buildings.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	61 Feet min.	Y
• Corner	20 Feet	38 Feet	Y
• Rear	15 Feet	93 Feet min.	Y
Max. Lot Coverage	50 %	38%	Y
Max. Building Height	3 Stories / 55 Feet	*4 Stories / 55 Feet	*Y
Trash Enclosure	Shall be screened and have a roof	1	Can not determine if it has a roof
Loading Zone	2	2	Y
Mech. Equipment	Screened from view	Screened from view	Y

The Las Vegas Enterprise Park Covenants, Conditions, and Restrictions for development require a 25-foot front setback, ten-foot side setback for buildings and parking areas, and a ten-foot rear for buildings and parking areas. The plan depicts conformance to these setbacks except for the side setback. The plan provides an eight-foot wide landscape planter between the side property lines and the parking stalls. The Enterprise Park Architectural Review Committee has approved a waiver to permit the eight-foot wide planter/setback for the parking stalls. The plan is adhering to all other required setbacks as required in Title 19 and the Las Vegas Enterprise Park Covenants, Conditions, and Restrictions document.

*The Enterprise Park Architectural Review Committee has approved a fourth story to the Main Stage Building for the purpose of mechanical equipment and for the required access to the catwalk located 40 feet above the main stage floor. The overall height of the main stage building will be 55-feet. In addition, the Enterprise Park Architectural Review Committee has approved a 65-foot tall architectural tower element that will be located at the southeast corner of the main building. The Corporate Office Building will be two-story and have an overall height of 27-feet.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to this project. The two parcels located to the east of the site and on the other side of Martin Luther King Boulevard are zoned for residential but are not designated as such in the General Plan. Both parcels are located within the Redevelopment Plan Area. One site contains a church and the other site is owned by a church organization.

A3) Parking

The applicant has submitted a parking analysis for the proposed project. The parking analysis provides a breakdown of the different uses for each floor of the buildings, provides the parking factor, and the required amount of parking spaces. The analysis indicates 251 parking spaces are required. The site plan depicts a total of 263 parking spaces including seven handicapped accessible spaces. During large events it will be necessary to bring people to the facility by bus. The site plan provides for bus parking/unloading between the two buildings and along the access driveway to Mount Mariah Street. Both buildings provide for loading zones on the north side of the buildings, which includes loading bays within the building. The Main Stage Building provides for an interior truck parking area of 62 feet by 55 feet. The parking appears to be sufficient for the proposed uses for the site.

A4) Landscape Standards

The C C & R's provide for a different landscaping scheme along all public rights-of-ways than what is required by Title 19. The document indicates the streetscape theme shall consist of trees planted 30 foot on center. An alternative maybe approved by the Enterprise Park Architectural Review Committee to allow for groupings of trees. Groupings shall consist of three to five trees with an average of one tree for each thirty feet of street frontage. The plan provides for trees in groups of three and five and exceeds the required amount of trees. The landscape plan provides for a 25-foot wide planter along Martin Luther King Boulevard, a 38-foot wide planter adjacent to Mount Mariah Street, eight-foot wide planters along the north and south property lines, and a ten-foot wide planter along the west property line. Ground cover is required and shall include a minimum of four (4) shrubs of a minimum five (5) gallon size per each tree.

The plan is providing the necessary amount of plantings and in some areas is exceeding the planting requirements as listed in Title 19. The Enterprise Park Architectural Review Committee has approved the overall landscape plan.

It is recommended that a mix of trees be used within each planter instead of one specific type of tree. This would provide for a mix of trees where some evergreen, deciduous, and flowering trees could be used and would provide some variation in the appearance of the site and provide for a healthier environment. A condition has been recommended that the applicant revise the landscape plan to provide for a mix of tree types within each perimeter planter.

B) General Analysis and Discussion

- Zoning

The proposed development is consistent with the C-PB (Planned Business Park) zoning district.

- Site Plan

The site plan has been approved by the Enterprise Park Architectural Review Committee for compliance with the requirements of the Covenants, Conditions, and Restrictions of the Las Vegas Enterprise Park. The site plan is in compliance with Title 19 requirements.

- Waivers

No waivers from Title 19 have been requested.

- Landscape Plan

The proposed landscaping plan is meeting the intent of Title 19 standards. The planting variation along Martin Luther King Boulevard is acceptable since the quantity of trees exceeds Title 19 requirements and is adhering to the planting requirements of the Las Vegas Enterprise Park Covenants, Conditions, and Restrictions. A condition has been recommended that the applicant submit a revised landscape plan to provide for a mix of tree types within each perimeter landscape planter prior to submittal of any building permits for the site.

- Floor Plan

The Main Stage Building will consist of an 18,000 square foot sound stage for TV productions along with supporting offices, dressing rooms, and production control rooms. The two-story Corporate Office Building will consist of company offices, rehearsal studios, and rental offices with storage facilities for musical equipment. The floor plans provide for an effective layout for the proposed uses.

FINDINGS

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

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

   The proposed development will operate at a level of intensity comparable to the development along this portion of Martin L. King Boulevard and within the Las Vegas Enterprise Park. This proposed development would be appropriate, in terms of the type and intensity of uses for the area.

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

   The proposed project is consistent with the General Plan, Title 19, the Landscape, Wall and Buffer standards, the Las Vegas Enterprise Park Covenants, Conditions, and Restrictions in that the proposed development meets or exceeds the requirements of those documents.

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

   The site will have access to Martin Luther King Boulevard and to Mount Mariah Street. The existing street network will be adequate to serve the proposed uses. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   The submitted building elevations and landscaping plan will demonstrate visual consistency with the surrounding developments within the Las Vegas Enterprise Park and along Martin Luther King Boulevard. The submitted plans depict appropriate façade design and adequate landscape buffering. A condition has been recommended that the tree selection within the perimeter landscape planters be modified to depict a mix of tree types.

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

   The submitted building elevations and landscaping will demonstrate visual consistency with the surrounding developments, in that the submitted materials depict appropriate façade design and adequate landscape buffering. The development will be harmonious and compatible with development in the area.

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

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 126 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2908 APN: 139-21-313-007 & 008

Name of Property Owner: _____

Name of Applicant: Center Staging Las Vegas 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 except as might be disclosed by Mayor or Council.

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: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 20th day of August, 2003

Cecili C. Green

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
No. 96-1693-1 My Appointment Expires Mar. 7, 2004

Revised 2/12/03

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2908 APN: 139-21-313-007 & 008

Name of Property Owner: _____

Name of Applicant: Center Staging Las Vegas LCC

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: Jan P. Parent

Print Name: JAN P. PARENT

Subscribed and sworn before me

This 12th day of August, 2003

Hina Azam

Notary Public in and for said County and State

HINA AZAM
COMM. #1411640
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires May 14, 2007

CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1635

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2908 APN: 139-21-313-007 & 008

Name of Property Owner: _____

Name of Applicant: Center Staging Las Vegas 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: [signature]

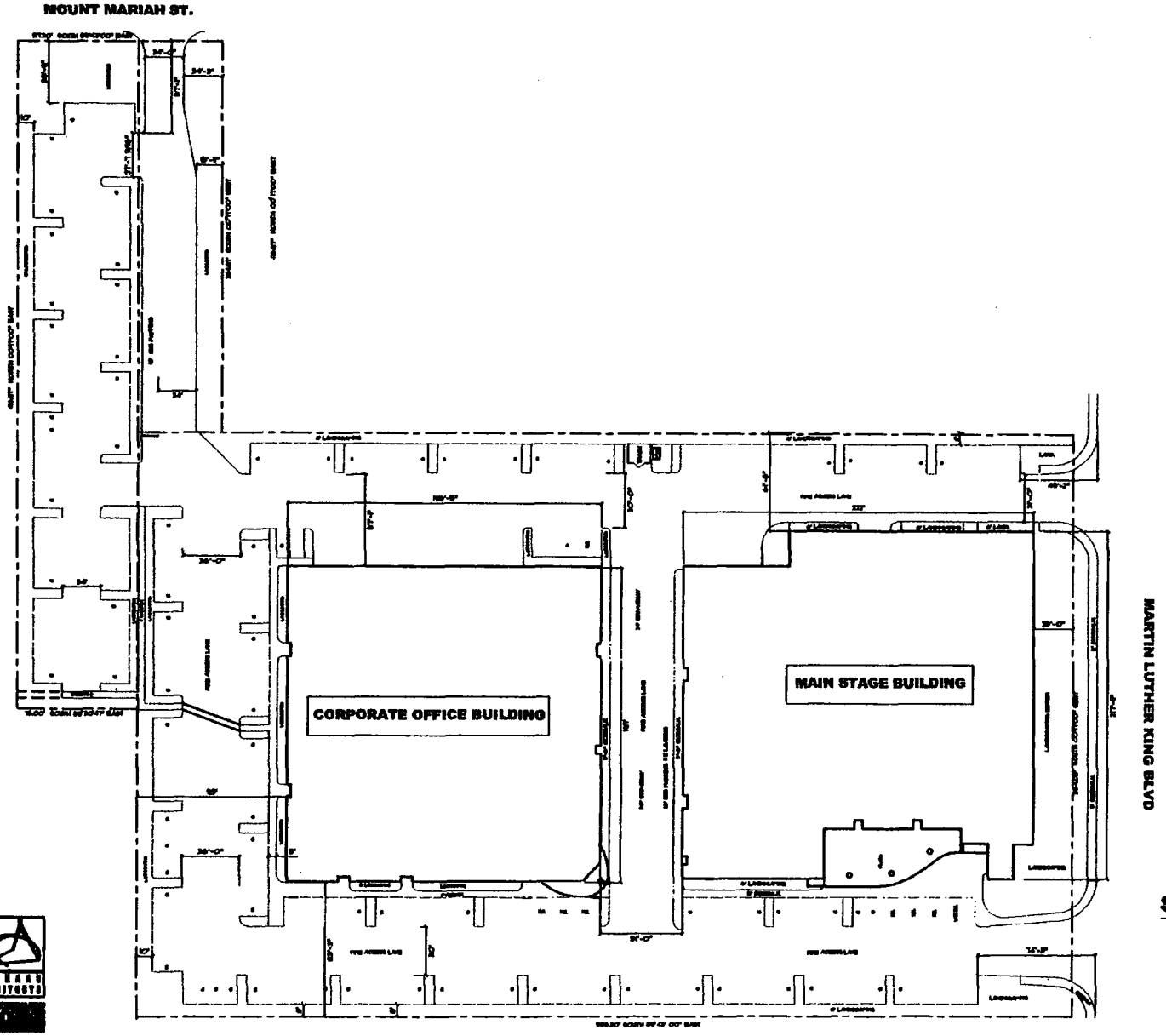
Print Name: JAN P. PARENT

Subscribed and sworn before me

This 12th day of August, 2003

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

HINA AZAM
COMM. #1411640
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires May 14, 2007



PROJECT DATA

OWNER
CenterStaging, Las Vegas LLC
3401 LIMONA AVE.
BURBANK, CA 91504
818-569-4333

ARCHITECT
ANDRADE ARCHITECTS
24881 DANA POINT HARBOR DRIVE
DANA POINT, CA 92629
949-248-2681

PARCEL NUMBERS
139-21-313-001 & -009

PARCEL SIZE

FRONT LOT SIZE: 213,444 SQ. FT.
REAR PARKING/EASEMENT LOT SIZE: 43,358 SQ. FT.

LOT COVERAGE

FRONT LOT SIZE: 213,444 SQ. FT.
MAIN STAGE BUILDING: 43,358 SQ. FT.
CORPORATE OFFICE BUILDING: 38,310 SQ. FT.
81,668 SQ. FT.
38% COVERAGE
REAR PARKING/EASEMENT LOT SIZE: 43,358 SQ. FT.
0% COVERAGE

FLOOR AREA RATIO

MAIN STAGE BUILDING: 71,323 SQ. FT.
CORPORATE OFFICE BUILDING: 53,287 SQ. FT.
TOTAL FLOOR AREA: 124,610 SQ. FT.
RATIO (MAIN PARCEL) 124,610/213,444= 58.4%
RATIO (W/ PARKING ADDITION) 124,610/256,798= 48.5%

PARKING

REQUIRED PARKING : 291
TOTAL AUTO PARKING: 263 SPACES
182 STANDARD SPACES (9'x18')
78 COMPACT SPACES (8'x18')
6 H.C. SPACES (14'x18')
1 VAN H.C. SPACES (11'x18')
TOTAL BUS PARKING: 8 SPACES (40'x10')

BUILDING AREA

MAIN STAGE BUILDING: 71,323 SQ. FT.
CORPORATE OFFICE BUILDING: 53,287 SQ. FT.

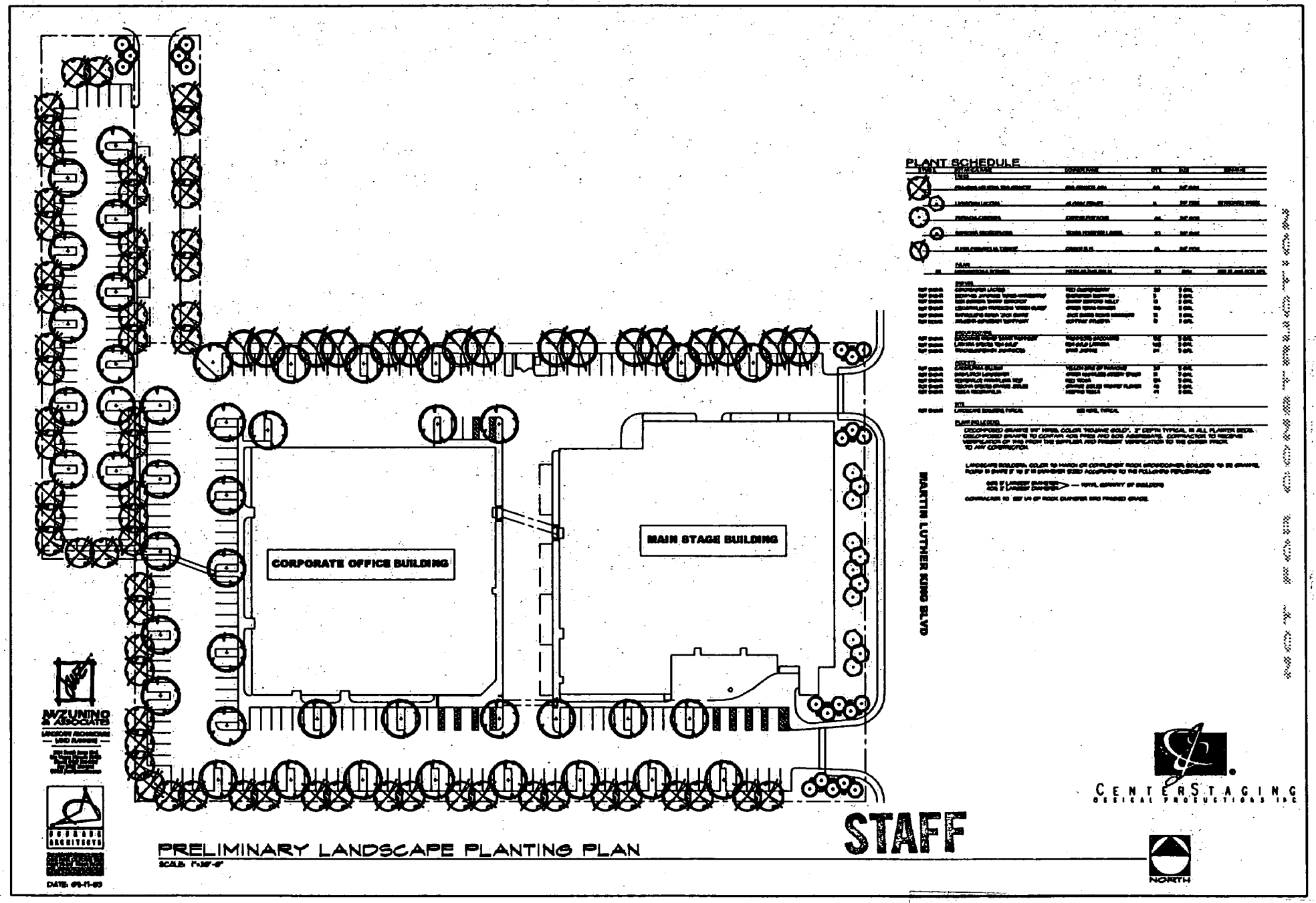
SITE PLAN

CENTERSTAGING LAS VEGAS L.L.C.

STAFF

REVISED
8.19.03

SDR-2908
9-25-03 PC



PRELIMINARY LANDSCAPE PLANTING PLAN

STAFF

REVISED 9.18.03

SDR-2908
9-25-03 PC

CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1637

CENTER STAGING
LAS VEGAS
7/31/03

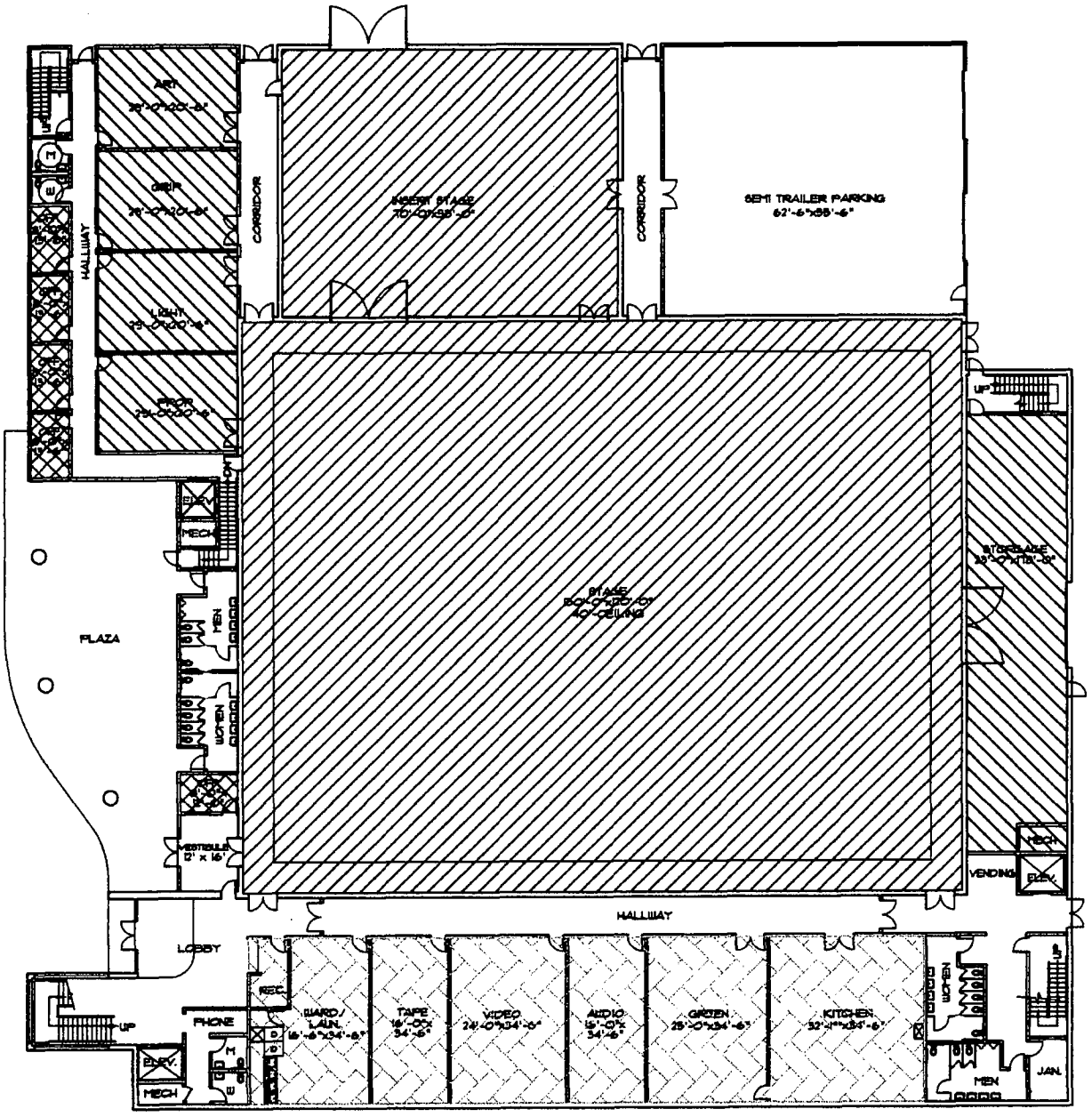
	AREA (S.F.)	PARKING FACTOR	REQUIRED SPACES
MAIN STAGE BUILDING	71,323		
First Floor Area	43,355		
Main Stage	18,000	250	72
Insert Stage	3,850	250	15.4
Stage Storage	1,860	1000	1.9
Control Truck Parking	2,844	N/A	0
Production Support (kitchen, laundry, a/v)	4,862	250	19.4
Hallways/Restrooms/ Stairs		N/A	0
Stage Support Storage (grip, light, art prop)	2,422	1000	2.4
Stage Support Office	548	300	1.8
Second Floor Area	11,840		
Insert Stage Offices	2,533	300	8.4
Executive Offices	5,837	300	19.5
Hallways/Restrooms/Stairs	3,566	N/C	0
Third Floor Area	10,310		
Executive Offices	1,202	300	4
Dressing Rooms	5,740	300	19.1
Hallways/Restrooms/Stairs	3,368	N/A	0
Fourth Floor Area	8,078		
Hallway/Restrooms/Stairs	2,561	N/C	0
Storage	5,517	1,000	5.5
BUILDING TOTAL			**169.4**

SDR-2908

CENTER STAGING
LAS VEGAS
7/31/03

	AREA (S.F.)	PARKING FACTOR	REQUIRED SPACES
CORPORATE OFFICE BUILDING	53,287		
First Floor Area	38,310		
Corporate Offices	2,512	300	8.4
Rental Offices	973	300	3.3
Rehersal Studios	17,442	500	34.9
Maintenance	1,255	250	5
Gear Loading	2,350	250	9.4
Gear Storage	2,773	1000	2.8
Halls/Restroom/Stairs	11,005	N/A	
Second Floor	14,977		
Celebrity Lounges	2,045	2/unit	8
Instrument Storage	7,884	1000	7.8
Storage Offices	320	300	1.1
Utility/Storage	865	1000	0.9
Halls/Restroom/Stairs	3,863	N/A	
BUILDING TOTAL			**81.6**
SITE TOTAL			**251**

SDR-2908



OFFICE AREA, DRESSING ROOMS
PARKING FACTOR 1/300 SF

STAGE STORAGE, PROP/LIGHTING/ART/GRIP STORAGE
PARKING FACTOR 1/1000 SF

MAIN STAGE, INSERT STAGE
PARKING FACTOR 1/250 SF

PRODUCTION SUPPORT
PARKING FACTOR 1/250 SF

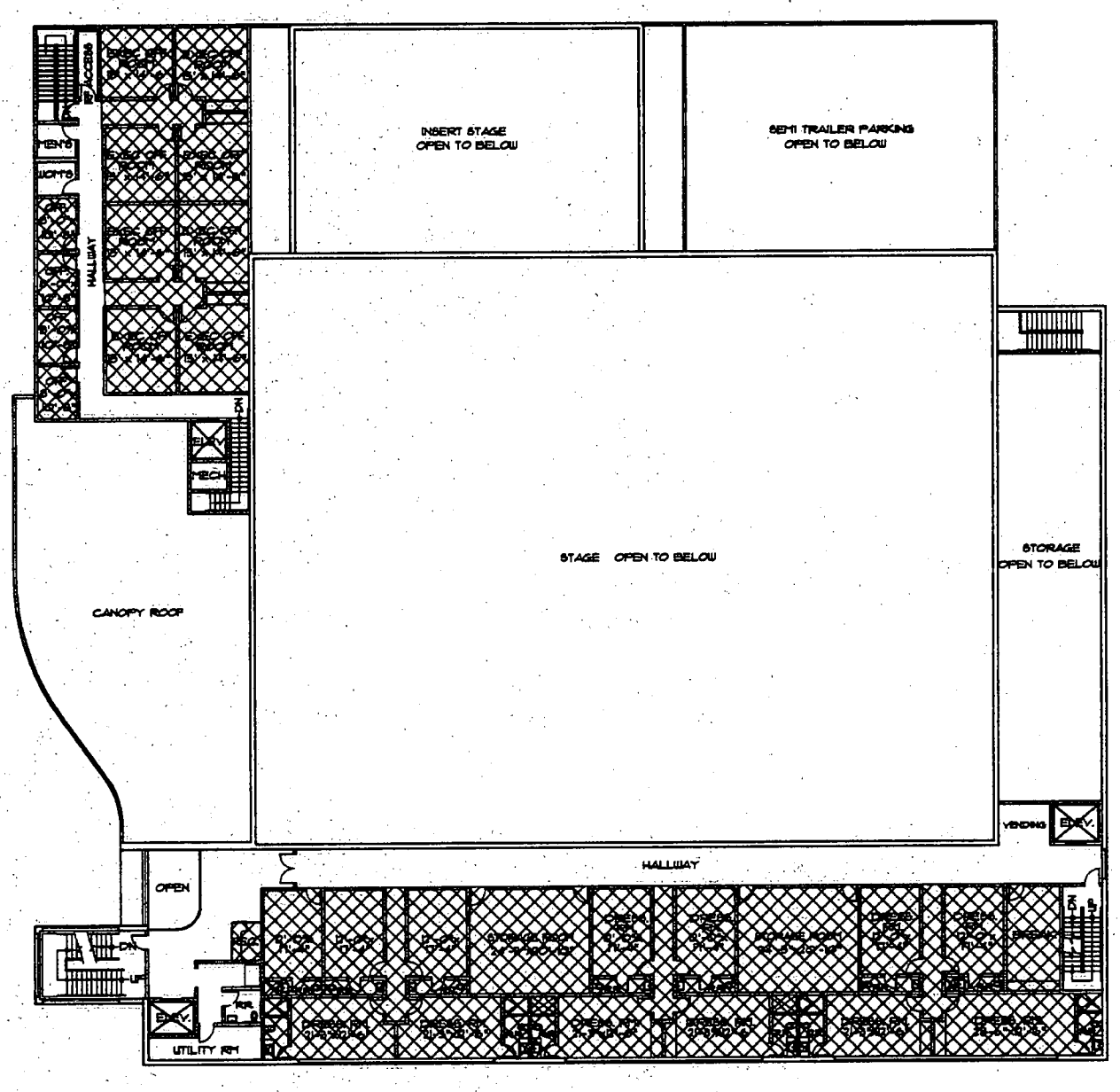
HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR: N/A

1ST FLOOR PLAN

1/16"=1'

MAIN STAGE BUILDING

SDR-2908



OFFICE AREA, DRESSING ROOMS
PARKING FACTOR 1/300 SF

STAGE STORAGE, PROP/LIGHTING/ART/GRIP STORAGE
PARKING FACTOR 1/1000 SF

MAIN STAGE, INSERT STAGE
PARKING FACTOR 1/250 SF

PRODUCTION SUPPORT
PARKING FACTOR 1/250 SF

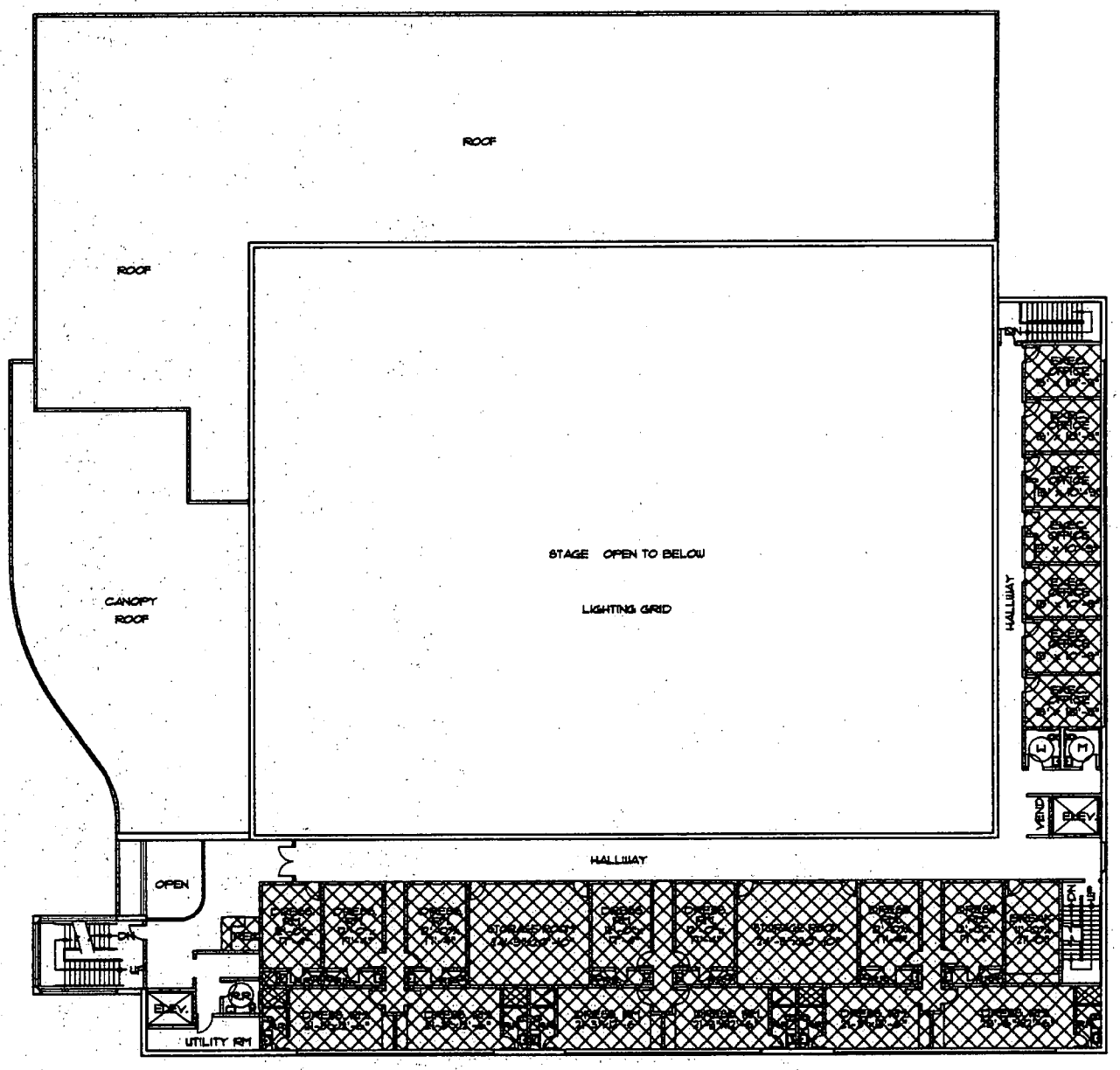
HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR: N/A

2ND FLOOR PLAN

1/16"=1'

MAIN STAGE BUILDING

SDR-2908



OFFICE AREA, DRESSING ROOMS
PARKING FACTOR 1/300 SF

STAGE STORAGE, PROP/LIGHTING/ART/GRIP STORAGE
PARKING FACTOR 1/1000 SF

MAIN STAGE, INSERT STAGE
PARKING FACTOR 1/250 SF

PRODUCTION SUPPORT
PARKING FACTOR 1/250 SF

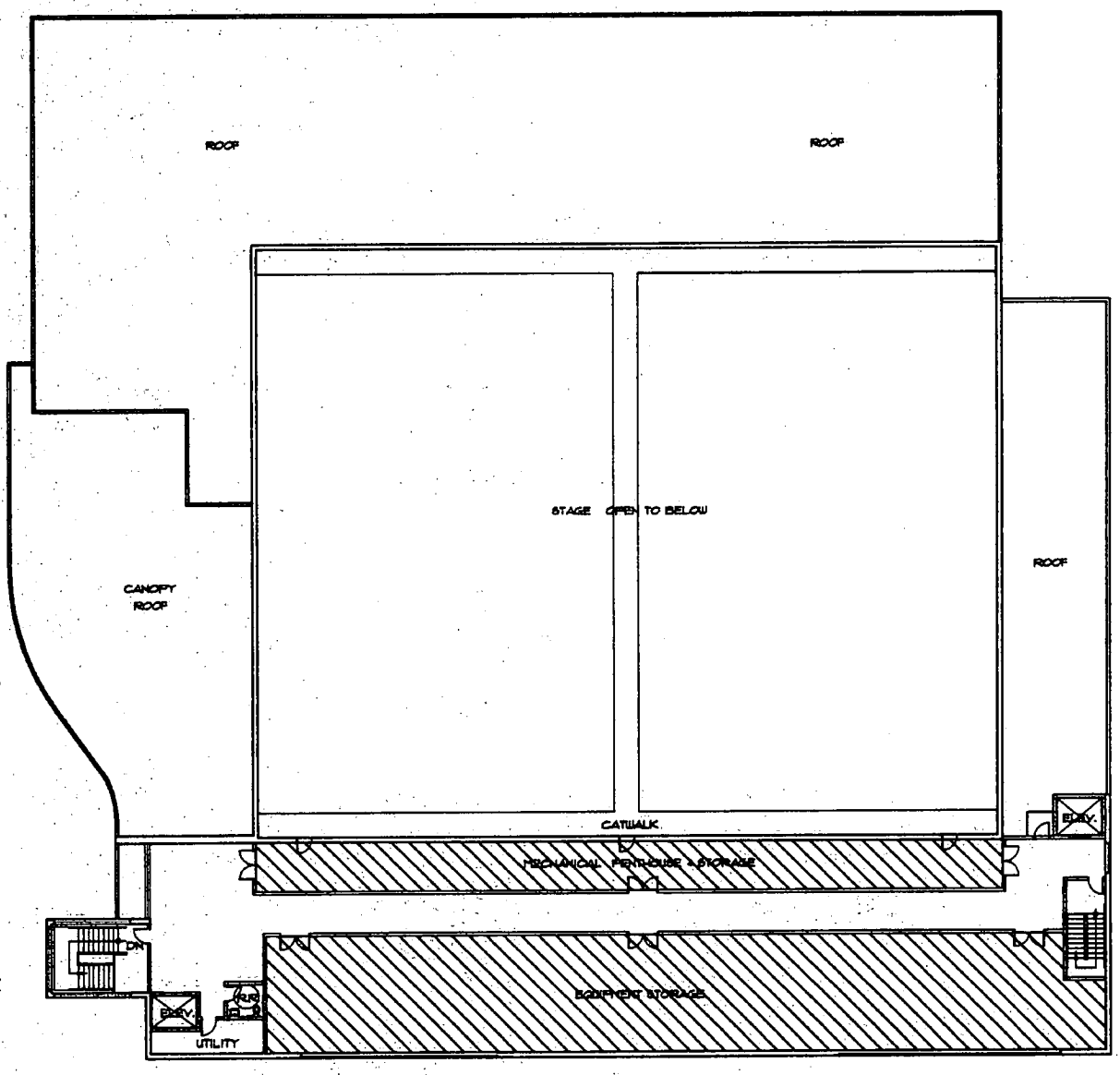
HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR: N/A

3RD FLOOR PLAN

1/16"=1'

MAIN STAGE BUILDING

SDR-2908



OFFICE AREA, DRESSING ROOMS
PARKING FACTOR 1/300 SF

STAGE STORAGE, PROP/LIGHTING/ART/GRIP STORAGE
PARKING FACTOR 1/1000 SF

MAIN STAGE, INSERT STAGE
PARKING FACTOR 1/250 SF

PRODUCTION SUPPORT
PARKING FACTOR 1/250 SF

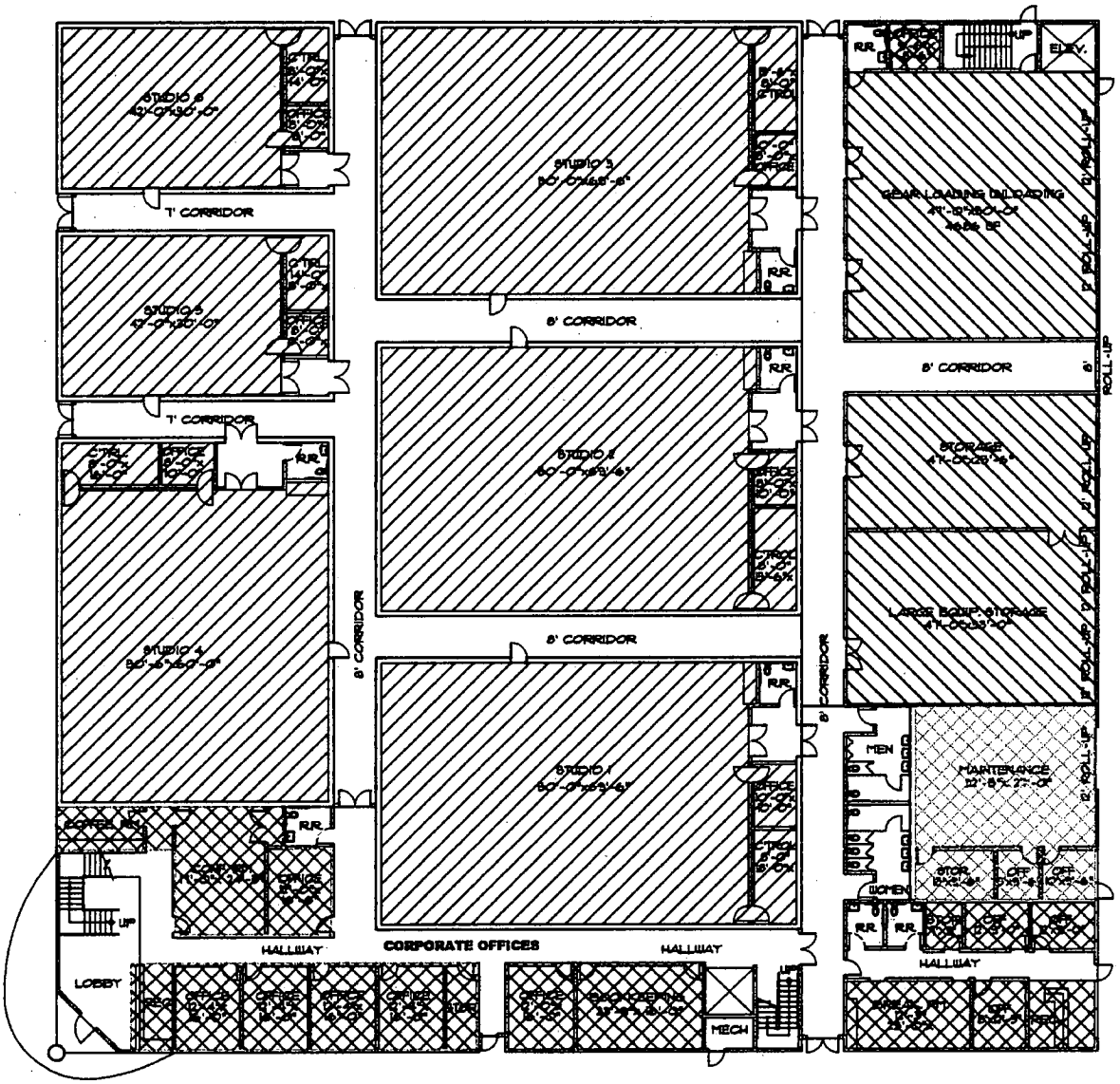
HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR N/A

4TH FLOOR PLAN

1/16"=1'

MAIN STAGE BUILDING

SDR-2908



1ST FLOOR PLAN

1/16"=1'

OFFICE AREA
PARKING FACTOR: 1/300 SF

EQUIPMENT STORAGE, LOADING UNLOADING
PARKING FACTOR 1/1000 SF

REHERSAL STUDIOS
PARKING FACTOR: 1/250 SF

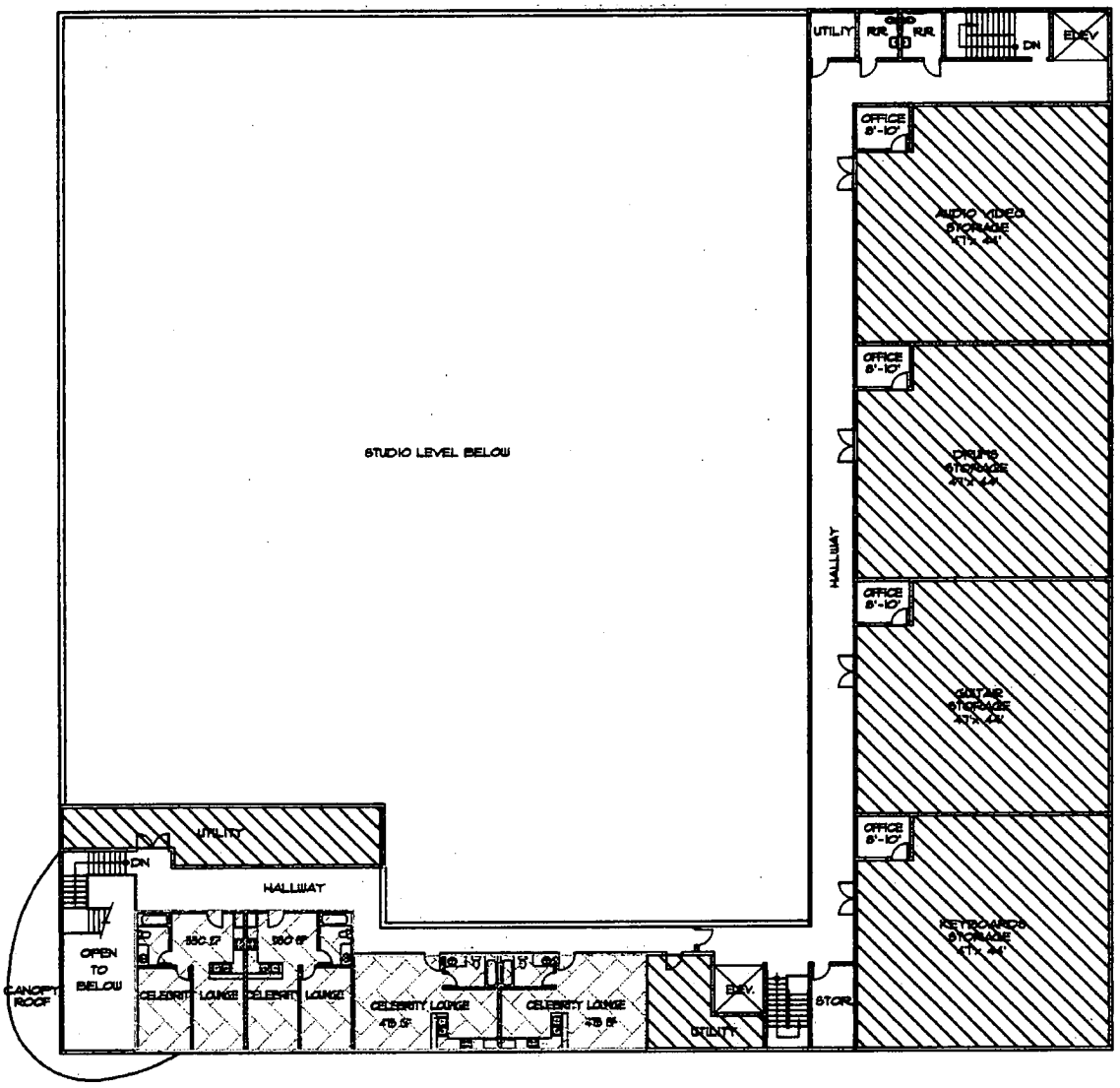
CELEBRITY LOUNGES
PARKING FACTOR: 2 PER UNIT

MAINTENANCE
PARKING FACTOR: 250

HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR: N/A

CORPORATE OFFICE BUILDING

SDR-2908



2ND FLOOR PLAN

1/16"=1'

OFFICE AREA
PARKING FACTOR: 1/300 SF

EQUIPMENT STORAGE, LOADING UNLOADING
PARKING FACTOR 1/1000 SF

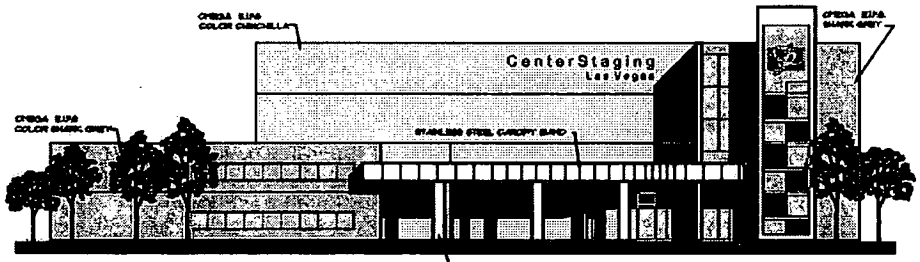
REHERSAL STUDIOS
PARKING FACTOR: 1/250 SF

CELEBRITY LOUNGES
PARKING FACTOR: 2 PER UNIT

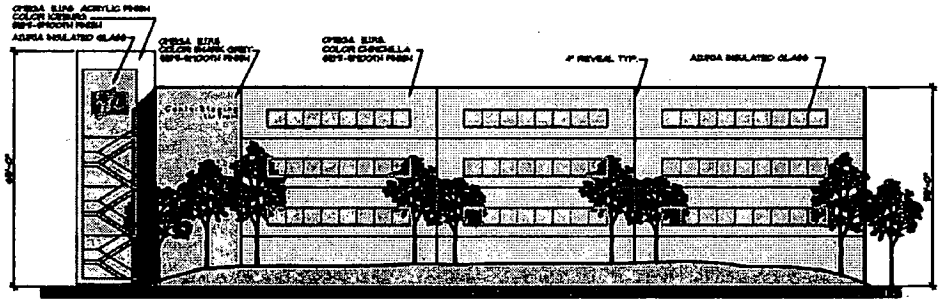
HALLWAYS/STAIRS/ELEVATORS/RESTROOMS
PARKING FACTOR: N/A

CORPORATE OFFICE BUILDING

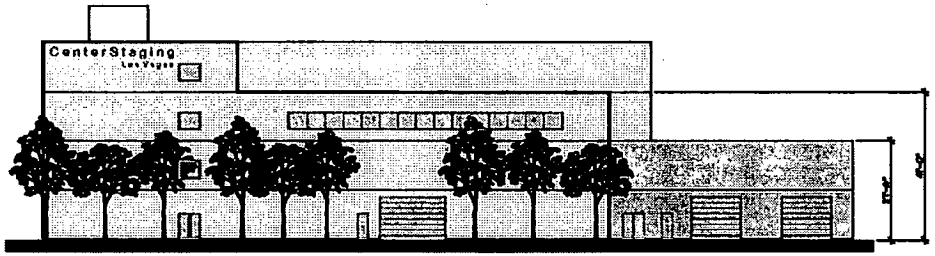
SDR-2908



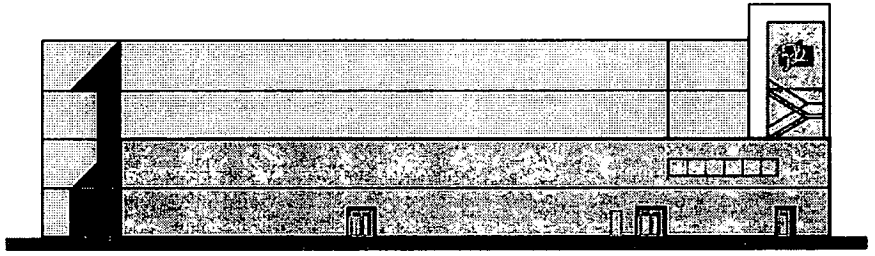
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

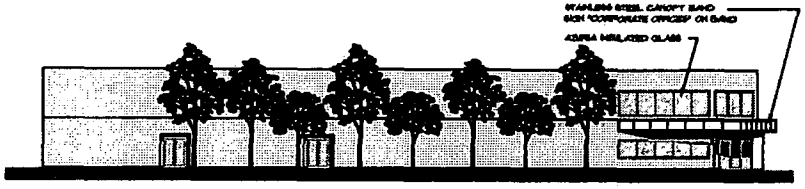
MAIN STAGE BUILDING

SDR-2908

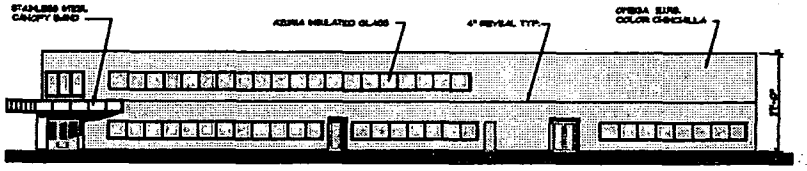
STAFF 9-25-03 PC

CENTERSTAGING
LAS VEGAS L.C.C.

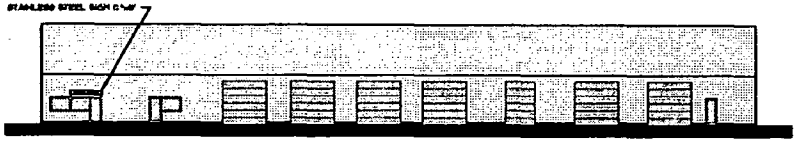
CITY COUNCIL MEETING OFNOVEMBER 5, 2003 PAGE 1646



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

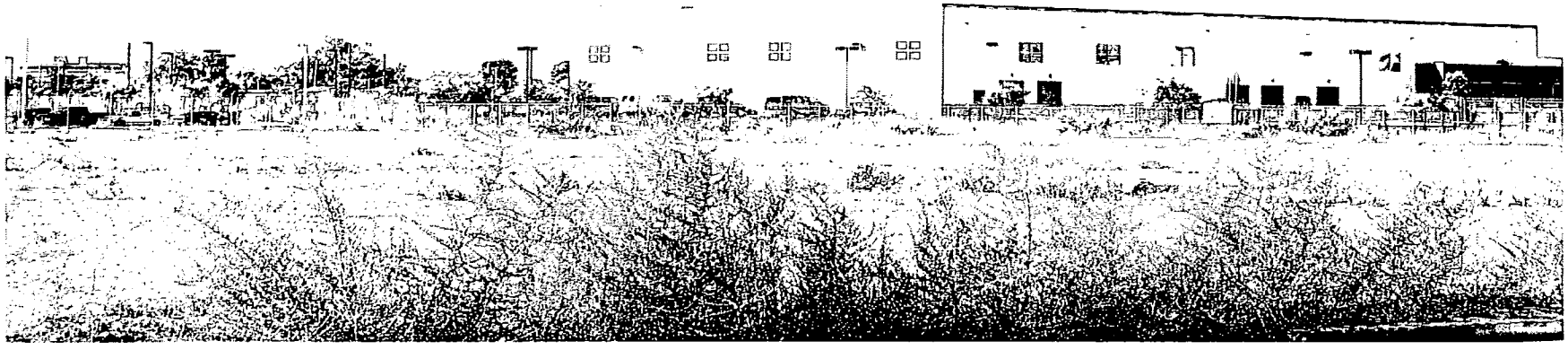
CORPORATE OFFICE BUILDING

SDR-2908

STAFF 9-25-03 PC

CENTERSTAGING LAS VEGAS L.L.C.

STAFF
SDR-2908
9-25-03 PC



SDR-2908 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS
MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 330 FEET NORTH OF WHEELER PEAK DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03



SDR-2908 - CENTERSTAGING LAS VEGAS, LIMITED LIABILITY COMPANY ON BEHALF OF CITY OF LAS VEGAS
MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 330 FEET NORTH OF WHEELER PEAK DRIVE
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/5/03

City of Las Vegas

Agenda Item No. 146

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2911 - CASHBACK PAYDAY LOANS ON BEHALF OF NORTH RANCH PARKWAY, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit for a financial institution, specified adjacent to the southwest corner of Craig Road and Decatur Boulevard (APN: 138-01-712-008), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
REESE – APPROVED subject to conditions – Motion carried with MACK abstaining because his brother STEVEN MACK owns SuperPawn, which provides the same services, and could benefit, MONCRIEF voting NO and BROWN excused

NOTE: An initial motion for abeyance by REESE carried with MACK abstaining because his brother STEVEN MACK owns SuperPawn, which provides the same services, and BROWN excused. That motion was reconsidered upon motion by REESE, which carried with MACK abstaining because his brother STEVEN MACK owns SuperPawn, which provides the same services, and could benefit, L.B. McDONALD not voting and BROWN excused. UNANAMOUS

NOTE: MAYOR GOODMAN disclosed that his son, ERIC GOODMAN, represents companies in this type of business, but has had no relationship with this particular company. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed for MAYOR GOODMAN that he is able to vote on this item as his son represents Check City and Rapid Cash regarding the City's proposed distance separation ordinance between these types of businesses, and this item does not involve either Rapid Cash or Check City.

City of Las Vegas

Agenda Item No. 146

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 146 – SUP 2911

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

TODD FARLOW, 240 North 19th Street, stated that these types of businesses are in the area because banks gouge the working people, as they only want to deal with large depositors, forcing borrowers to seek loans from these businesses.

MAYOR GOODMAN commented that COUNCILWOMAN MONCRIEF'S staff is researching into these types of businesses for innovative proposals. He suggested that MR. FARLOW contact her staff to share his ideas.

COUNCILMAN REESE pointed out that the Council is aware of the proliferation of these businesses in all the Wards and shares the same concerns. However, without the applicant's presence all pertinent questions cannot be answered. He requested that the item be held in abeyance. COUNCILMAN REESE then recalled the item because HAROLD FOSTER, 3230 Polaris Avenue, representing the applicant, arrived. MR. FOSTER apologized for his tardiness and concurred with all conditions and asked for approval.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.
(2:09 – 2:13/2:38 – 2:40)
4-2156/4-3617

CONDITIONS:
Planning and Development

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

2. The use shall comply with all applicable requirements of LVMC Title 6.

3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

City of Las Vegas

Agenda Item No. 146

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 146 – SUP 2911

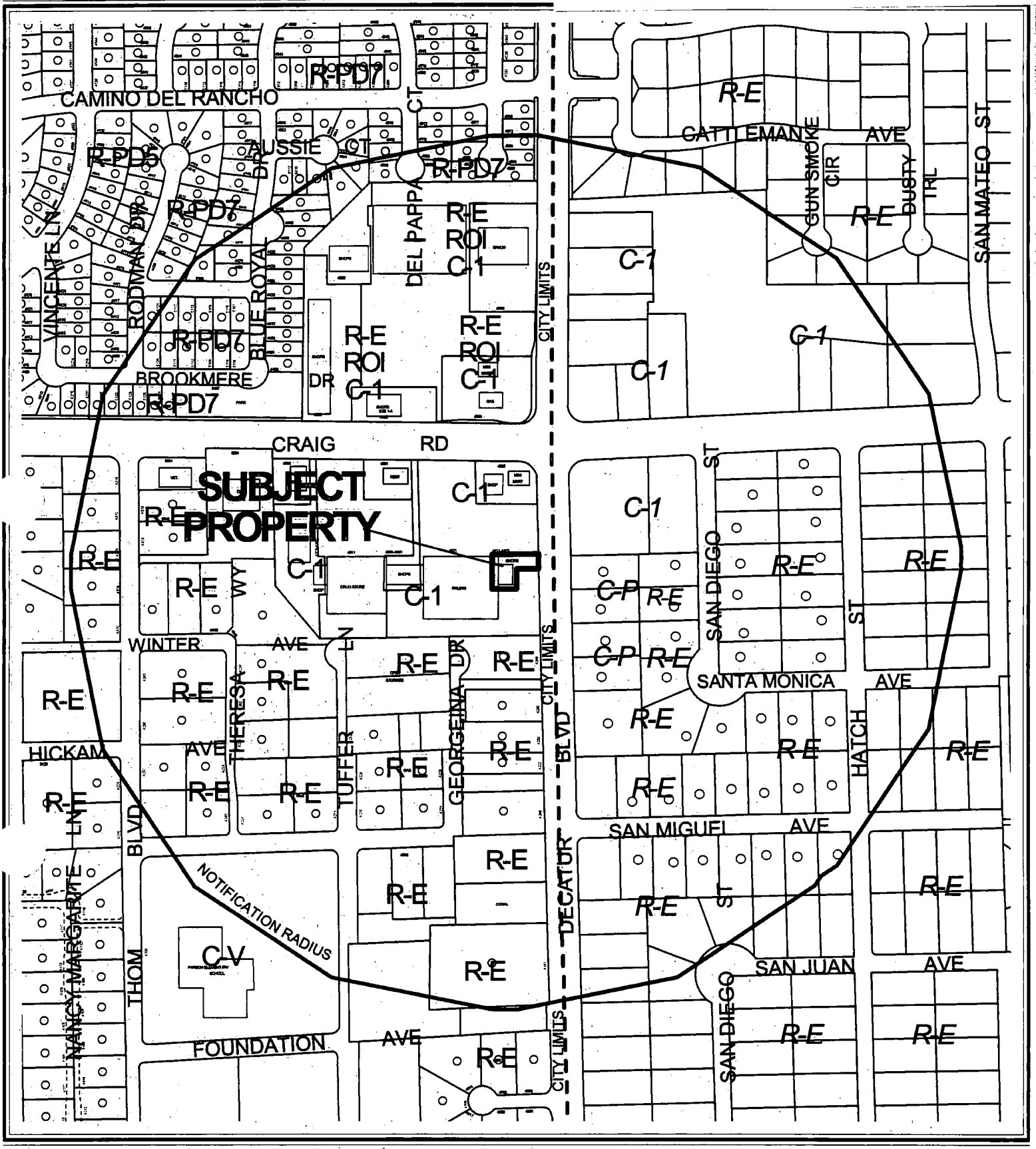
CONDITIONS – Continued:

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.

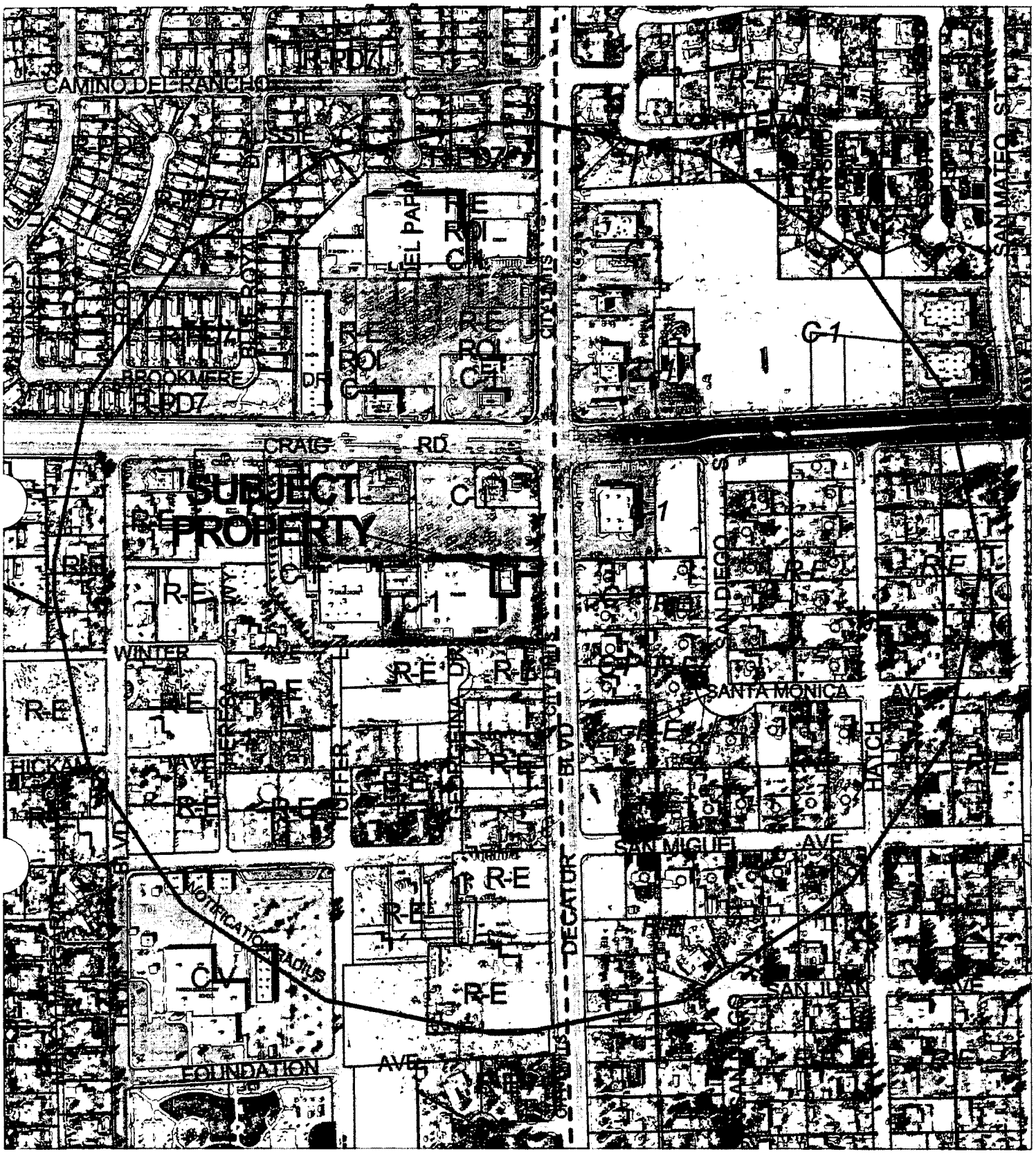


0 300 600 Feet

CASE: **SUP-2911**

RADIUS: 1320 FT

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



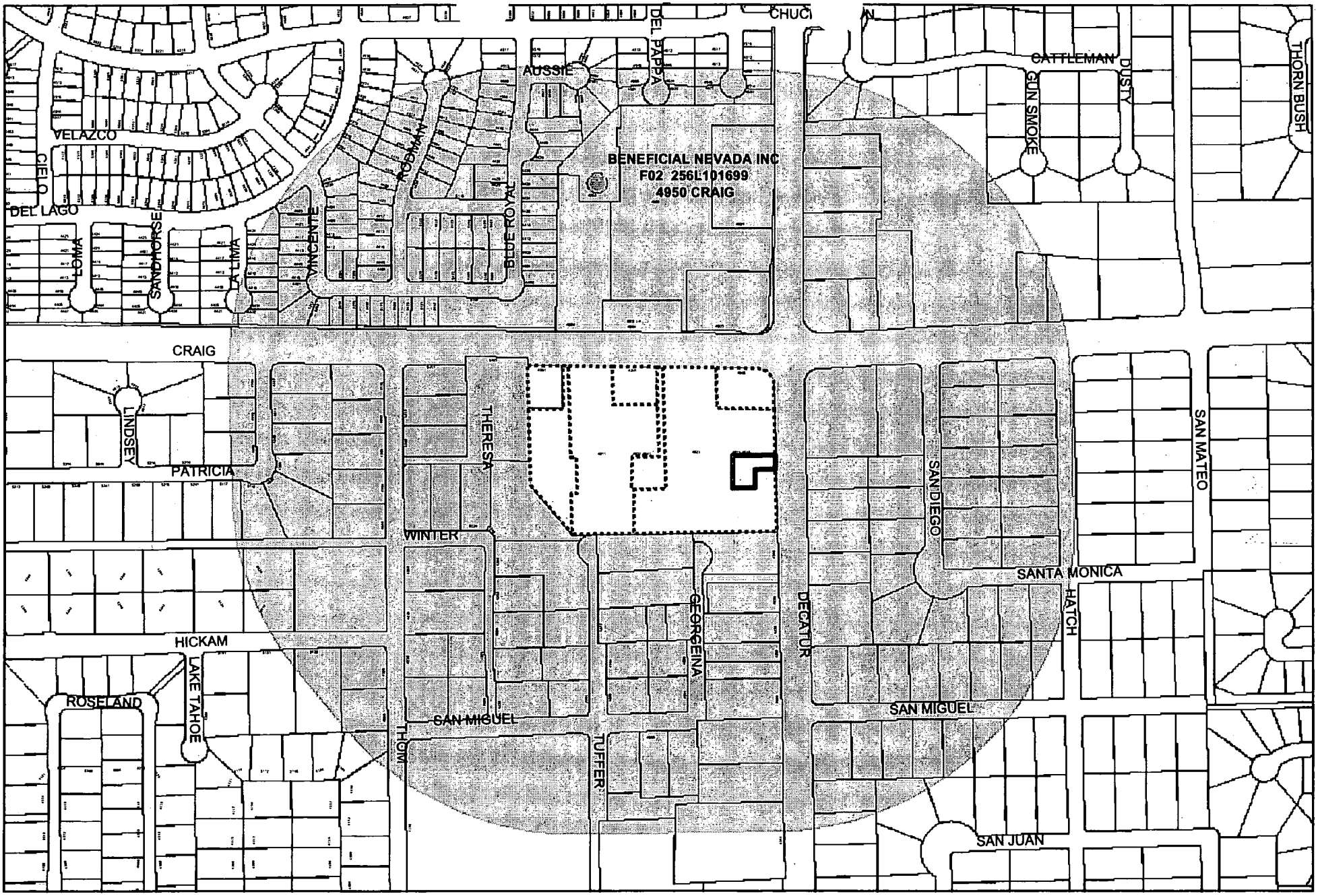
0 300 600 Feet

CASE: **SUP-2911**

RADIUS: 1320 FT

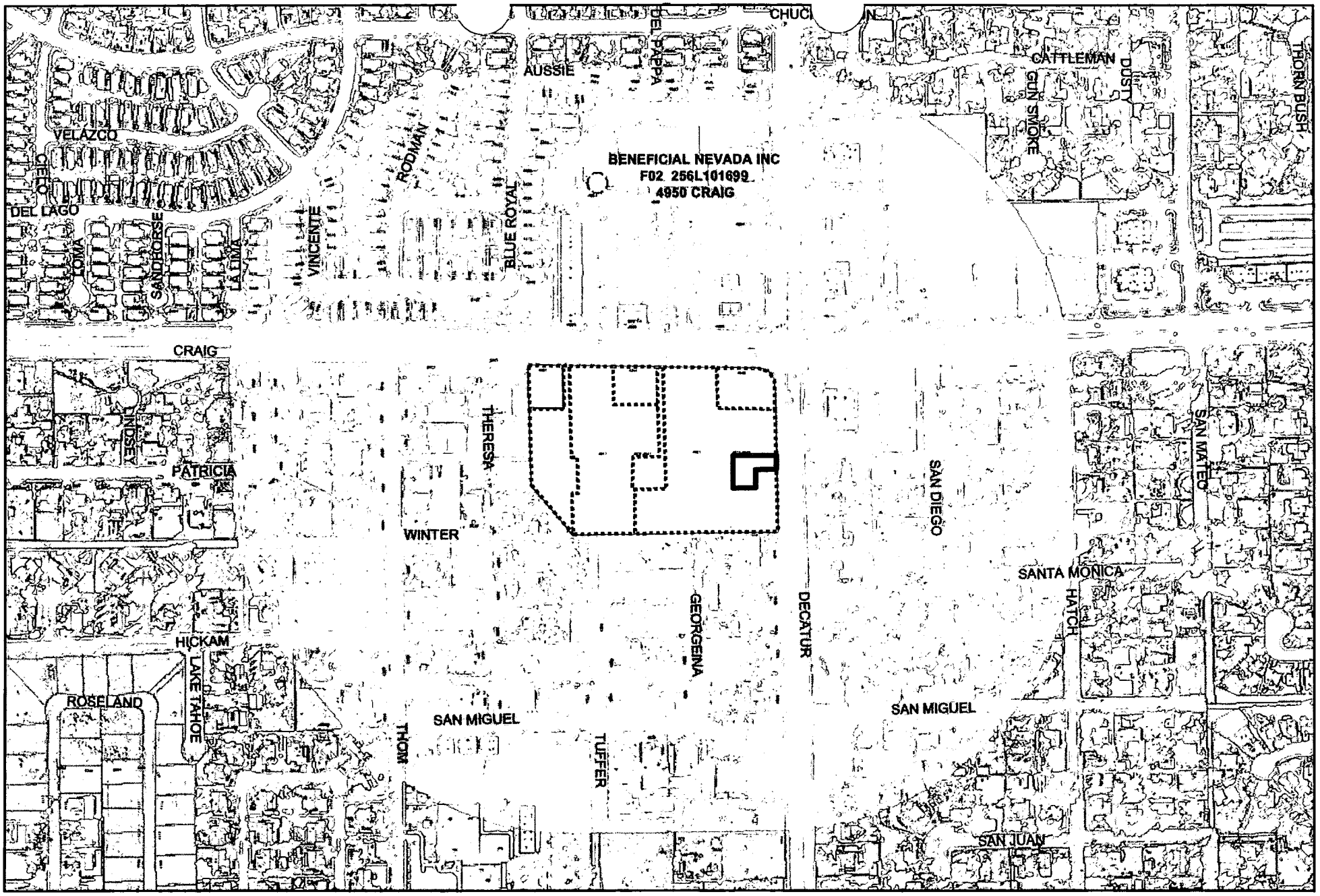
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



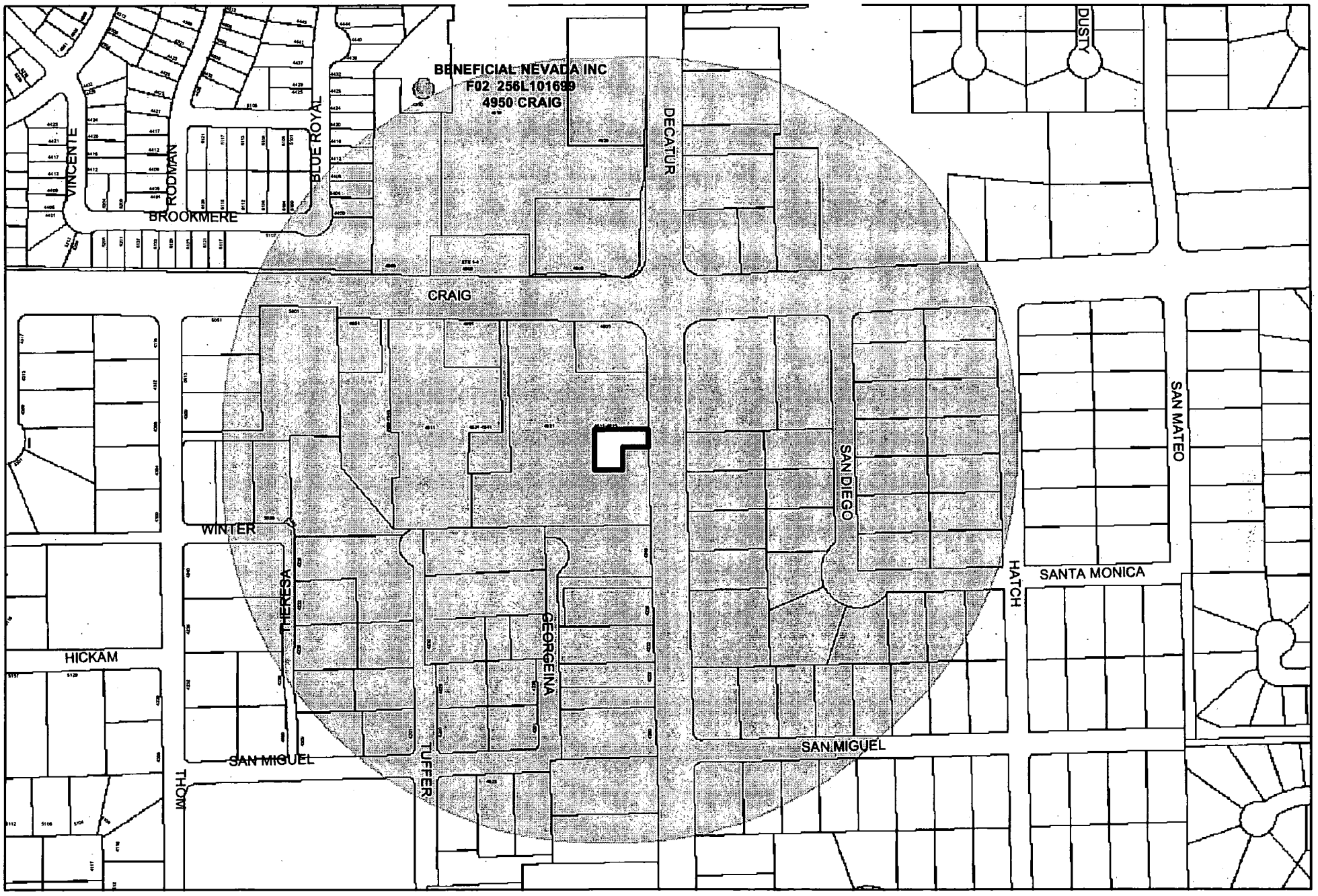
SUP-2911 Financial Business Locations

- Finance Institution, Specified *(Check Cashing Service)*
- Finance Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Commercial Subdivision
- 1000 foot buffer from commercial subdivision
- N



SUP-2911 Financial Business Locations

- Finance Institution, Specified *(Check Cashing Service)*
- Finance Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Commercial Subdivision
- 1000 foot buffer from commercial subdivision
- N



SUP-2911 Financial Business Locations

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2911 - CASHBACK PAYDAY LOANS ON BEHALF OF NORTH RANCH PARKWAY, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. 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-2911 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Financial Institution, Specified on property located at the southwest corner of Decatur Boulevard and Craig Road.

B) Applicant's Justification

The justification letter states that there is not another payday loan business in the area and that the business is to locate within an existing commercial center with ample parking and landscaping.

BACKGROUND INFORMATION

A) Previous Actions

11/21/90 The City Council approved a Rezoning (Z-0115-90) from R-E (Residence Estates) to C-1 (Limited Commercial) on the subject site as part of a larger request. The Planning Commission recommended approval.

05/19/93 The City Council approved a Special Use Permit (U-0321-91) to allow the sale of beer and wine and granted an appeal of a Board of Zoning Adjustment denial thereby allowing gasoline sales in conjunction with a convenience store on this site.

09/25/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27).

B) Pre-Application Meeting

07/31/03 The applicant was informed of the submittal requirements and timeline. Minor revisions; such as the addition of a north arrow, building size, and handicap parking spaces, were suggested to the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.03 (overall commercial center)

B) Existing Land Use

Subject Property:	Commercial Center
North:	Commercial Center
South:	Single-Family Dwellings
East:	Commercial Building and Single-Family Dwelling
West:	Child Care Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	DR (Desert Rural Residential)
East:	North Las Vegas
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South:	R-E (Residence Estates)
East:	North Las Vegas
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Centennial Hills Sector Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

Special Notification
The North Las Vegas Planning Department was notified of this application since parcels within their jurisdiction are within the notification area.

Project of Regional Significance
This request is a Project of Regional Significance, due to the proximity to a boundary with North Las Vegas. An Environmental Impact Assessment was submitted as part of the Special Use Permit application and sent to affected agencies for comment. A summary of comments from affected agencies is included below.

INTERAGENCY ISSUES

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

1) A Special Use Permit within 500' of the boundary with North Las Vegas.

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) Las Vegas Metropolitan Police Department – No significant law enforcement issues.
2) Clark County School District – No impact to the school district.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	1,800 SF.	1/200 GFA, plus one lane for each drive-up window with stacking for six	9	See below	537	Not specified
Handicap Breakdown			8	1	537	Not Specified

The proposed use will be located in an existing commercial development. The parking generated by the proposed use is generally less than the parking demand for retail uses; therefore the parking should be sufficient.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use; however, there is one other financial use within the notification distance. While this existing company is a Financial Institution, because of the nature of its business operations, it is not defined as "Financial Institution, Specified" land use.

B) General Analysis and Discussion

- Description of Site and Building

The applicant has not submitted any sign renderings or modifications to the existing building elevations. However, the applicant's justification letter indicates that the only new sign proposed as part of the business operation will be constructed over the door and will consist of the business' name. All proposed signs would have to meet Title 19 requirements and the recommended conditions of approval for this case. No modifications to the approved landscaping or elevations have been proposed as part of this review. Pictures submitted with the application package reveal that the overall commercial development is well maintained and does include parking lot landscaping.

- Zoning

The proposed Financial Institution, Specified use 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.

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 an existing commercial pad site within an existing commercial subdivision. 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 Decatur Boulevard and Craig Road, both of which are 100-foot wide primary thoroughfares that can accommodate the expected traffic load of the proposed use.

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

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

NOTICES MAILED 205 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2911 APN: 138-01-712-008

Name of Property Owner: North Ranch Parkway, LLC

Name of Applicant: Cashback Payday Loans

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Janet K Pendleton

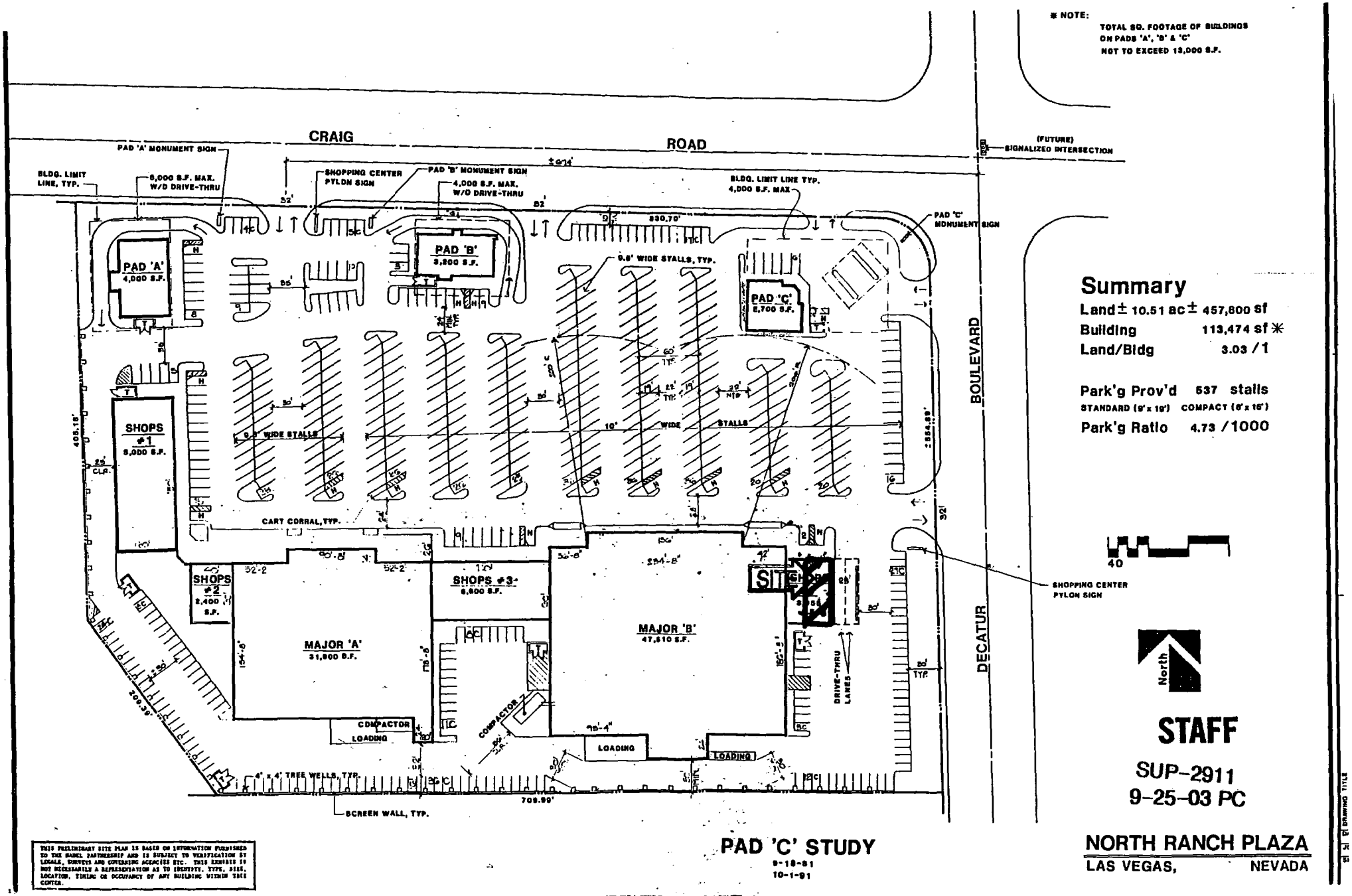
Subscribed and sworn before me

This 18th day of August, 2003

K Scott English

Notary Public in and for said County and State

K. SCOTT ENGLISH
COMM. # 1399253
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
COMM. EXP. FEB. 8, 2007



Summary

Land ± 10.51 ac ±	457,800 sf
Building	113,474 sf *
Land/Bldg	3.03 /1
Park'g Prov'd	537 stalls
STANDARD (9' x 19') COMPACT (8' x 16')	
Park'g Ratio	4.73 /1000

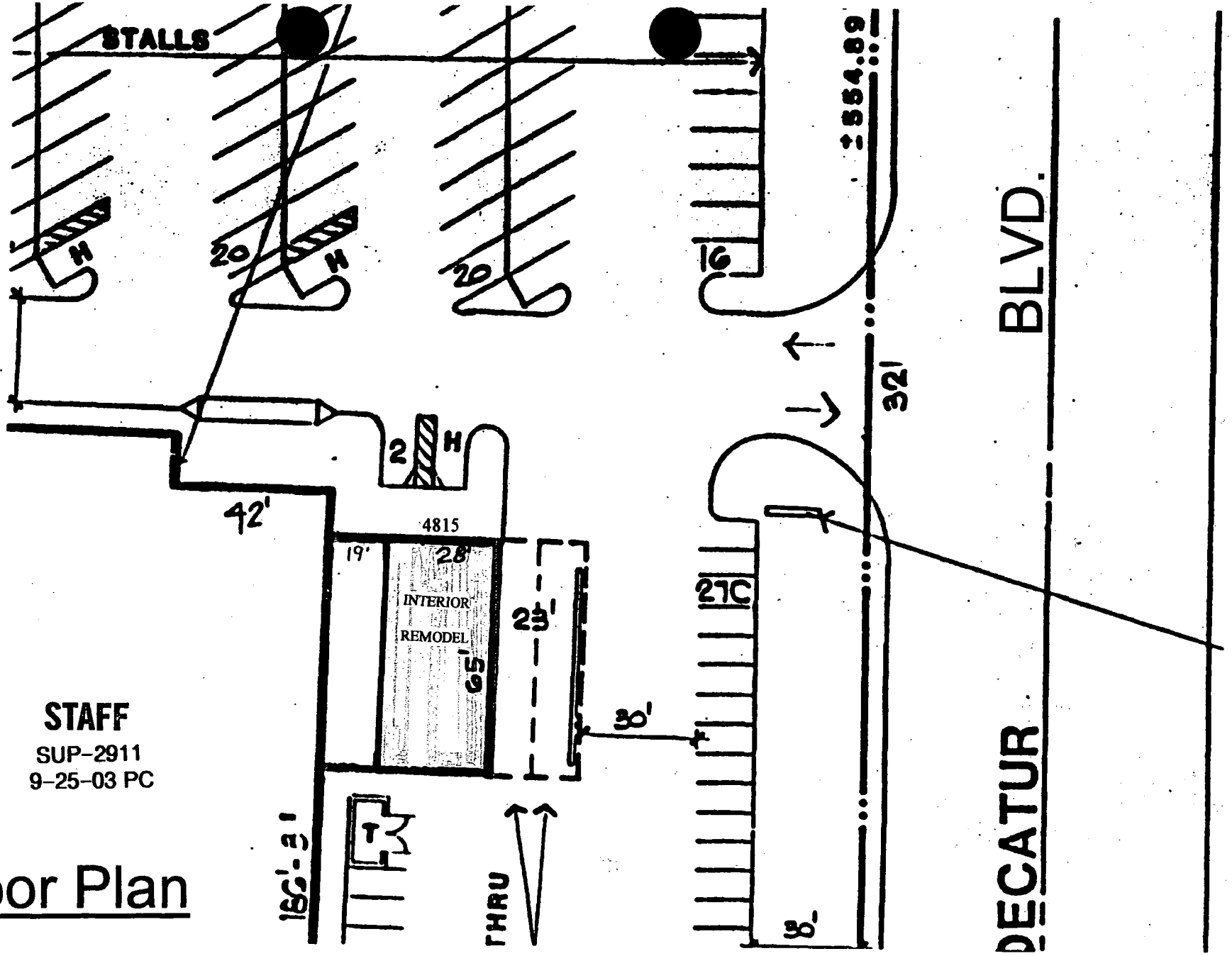
STAFF

SUP-2911
9-25-03 PC

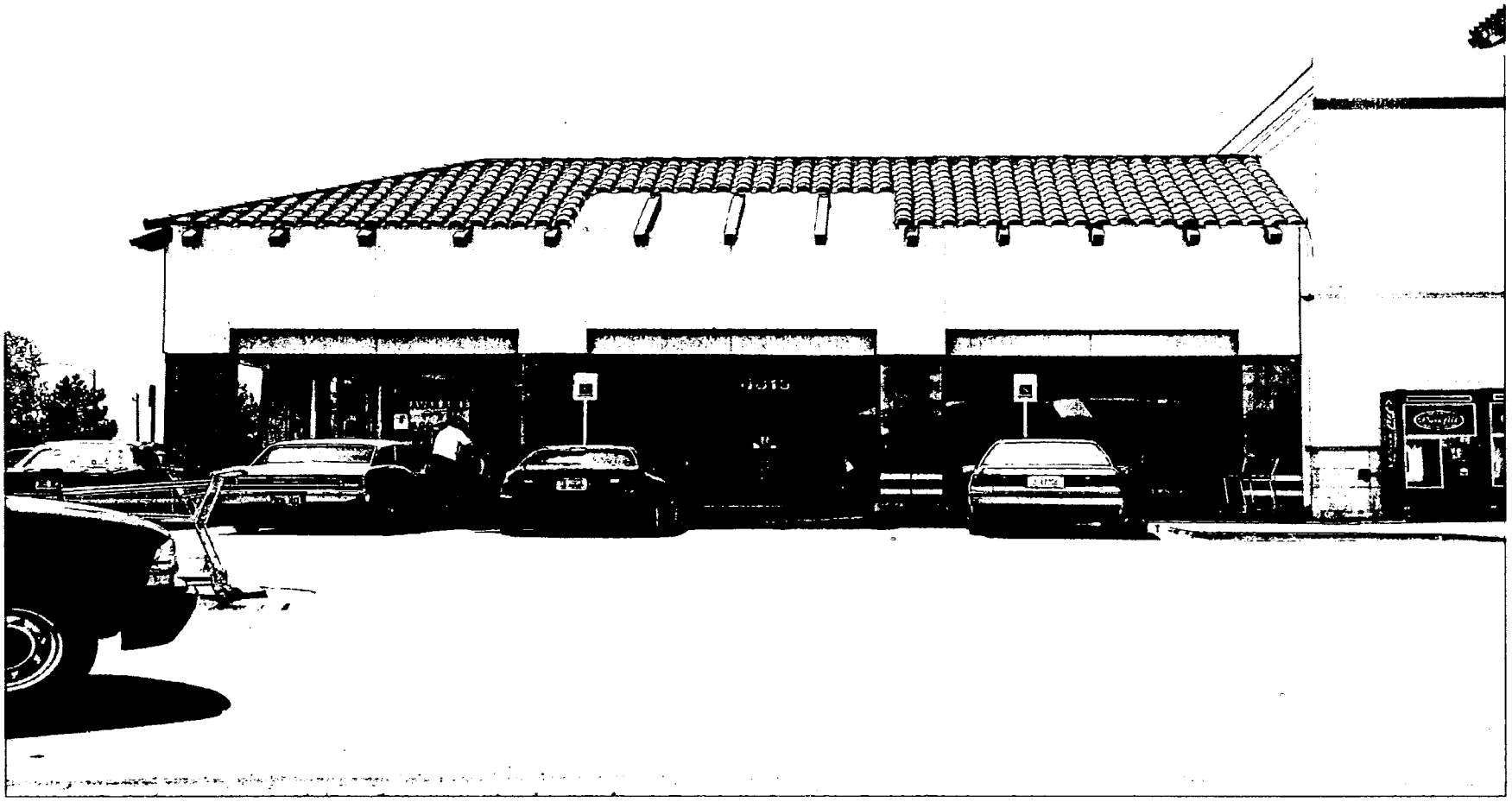
THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO THE SADEL PARTNERSHIP AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES ETC. THIS EXHIBIT IS NOT RECOGNIZABLE A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

PAD 'C' STUDY
9-18-91
10-1-91

NORTH RANCH PLAZA
LAS VEGAS, NEVADA


STALLS
20
20
20
154.89
BLVD.
32'
2
H
42'
4815
19'
28'
INTERIOR
REMODEL
95'
23'
38'
27C
DECATUR
18'
THRU
STAFF
SUP-2911
9-25-03 PC

Floor Plan



SUP-2911 - CASHBACK PAYDAY LOANS ON BEHALF OF NORTH RANCH PARKWAY, LIMITED LIABILITY COMPANY
CRAIG ROAD AND DECATUR BOULEVARD
SEPTEMBER 25, 2003 PLANNING COMMISSION

9/25/03

City of Las Vegas

Agenda Item No. 147

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2960 - JERALD L. LANDWEHR** - Request for a Special Use Permit FOR ANIMAL KEEPING AND HUSBANDRY (GOATS) on 0.44 acres located at 4809 Ricky Road (APN: 138-12-710-090), R-E (Residence Estates) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	1
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/9/2003 Planning Commission meeting Item 48

MOTION:
MACK – APPROVED subject to conditions and adding the following condition:

- ***Animal Control will make quarterly visits to ensure that only five female goats are kept and that the area is kept clean; and that the concerns of the neighbors be addressed.***

– UNANIMOUS with BROWN excused

NOTE: Subsequent to the meeting it was clarified with the maker of the motion that intent was to allow five female goats.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicants, KAY and JERALD LANDWEHR, 4809 Ricky Road, showed photographs of children and Cashmere goats on her property in Seattle. Other photographs depicted her current property where she keeps goats from South Africa for educational purposes, as well as milk goats. MRS. LANDWEHR read a support letter from the Northwest Area Residents Association, NARA. MRS. LANDWEHR compared goat droppings to rabbit pellets. She further commented that there is a solid 6-foot block wall adjacent to the property to the right.

City of Las Vegas

Agenda Item No. 147

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 147 – SUP-2960

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, alleged that the male goats would smell, unlike the female goats that do not smell.

MRS. LANDWEHR stated that she does not keep a buck, but that she does her own artificial insemination. MAYOR GOODMAN confirmed with MRS. LANGWEHR that her representation to the Council was that only female goats are kept. He also pointed out that he was informed that the adjacent neighbors indicated that the odor is awful.

TOM McGOWAN, Las Vegas resident, suggested that the Council evaluate the applicants, not the goats. The applicants are ideal for this kind of venture.

EDNA REID, 4805 Ricky Road, protested that the goats draw flies and smell horrible. The droppings blow into her pool. She further asserted that everyone in the area must abide by the rules of three dogs, three cats or three horses. The goats run loose over the property, and the property behind them. The applicant should have checked to see if the goats were permitted in this area. She asked that the Council deny the application.

AL GALLEGO, citizen of Las Vegas, commented that goats do not smell.

RON LEACH, 4901 Ricky Road, pointed out that the LANDWEHRS have male goats that smell and are allowed to roam the property.

MAYOR GOODMAN asked if the Code allows goats in this area. ROBERT GENZER, Director, Planning and Development Department, explained that the Code does not specifically address goats. This is the first time that this particular animal has caused an issue. Staff determined that anything more than three animals would require a Special Use Permit because three is the standard that has generally been set for other types of animals.

COUNCILWOMAN MONCRIEF verified with MR. GENZER that three horses are allowed per three acres.

COUNCILMAN MACK commented that he saw feces on the property. He is concerned about the size of the lots and the adjacent neighbors' concerns. Referring to the staff report, he pointed out that the .44-acre site is not physically suitable for keeping of more than the allowed three animals on premise. An Animal Control officer report dated August 13, 2003 stated that the officer observed 13 goats of varying age and size in an area approximately 25 feet by 90 feet and the goats were lying in and on their own feces. The feces and straw cover the whole area. A person cannot walk without stepping on feces. This indicates the property is inadequate and cannot accommodate the number of animals requested by the application.

City of Las Vegas

Agenda Item No. 147

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 147 – SUP-2960

MINUTES – Continued:

MS. REED confirmed that the LANDWEHRS are breeding goats and selling them. If three goats are allowed, they will multiply rapidly. She further asserted that MR. LANDWEHRS waters the droppings after raking them, and the 100-degree weather intensifies the smell.

MAYOR GOODMAN summarized that there are two different viewpoints regarding the smell.

COUNCILMAN MACK followed the Planning Commission's recommendation of allowing five goats with a one-year review. He added that animal control will make quarterly visits to ensure that only five goats are on the property, that the area is kept clean, and that the neighbors are kept advised. He confirmed with MS. LANDWEHR that currently she only has three goats on the property.

MAYOR GOODMAN declared the Public Hearing closed.

(2:13 – 2:39)

4-2364

CONDITIONS:

Planning and Development

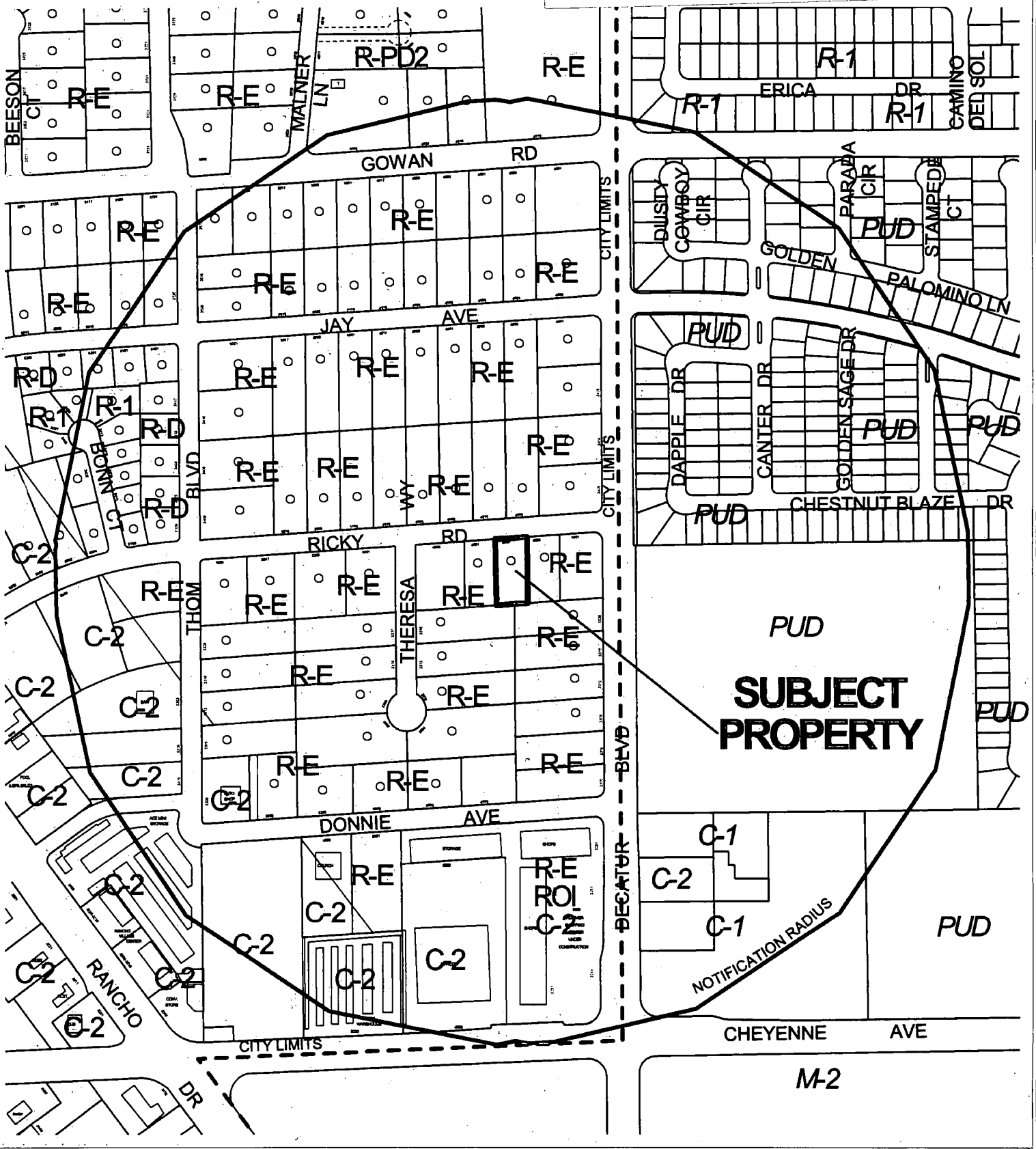
1. This Special Use Permit shall be subject to a one-year review.

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

3. Submittal to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.

4. All operations and activities be in accordance with Las Vegas Municipal Code Title 7.

5. The maximum number of goats allowed on this site shall be five.

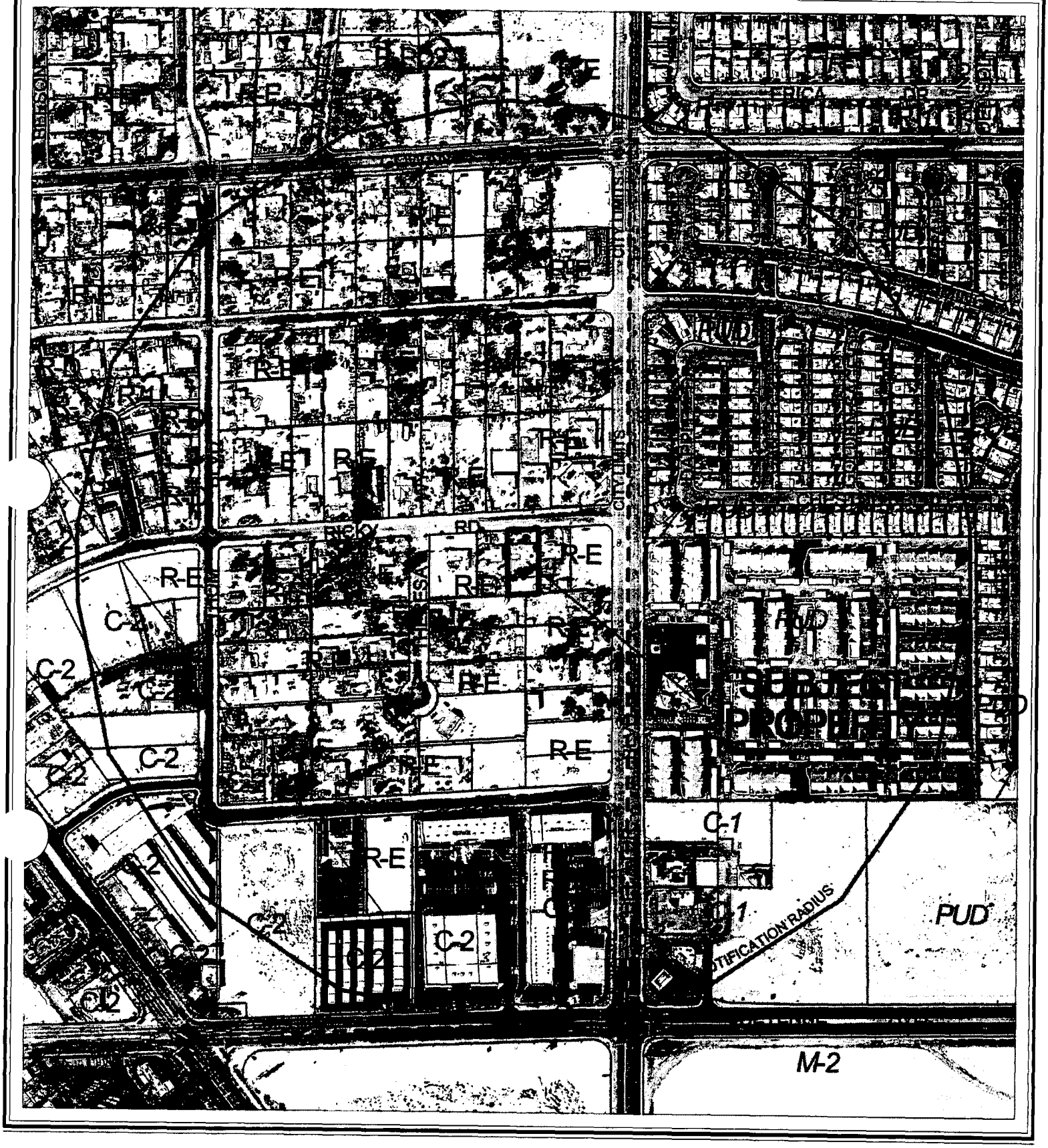


0 300 600 Feet

CASE: **SUP-2960**

RADIUS: 1320 FT

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



CASE: **SUP-2960**

RADIUS: 1320 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2960 - JERALD L. LANDWEHR

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be subject to a one-year review.

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

3. Submittal to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.

4. All operations and activities be in accordance with Las Vegas Municipal Code Title 7.

5. The maximum number of goats allowed on this site shall be five.

SUP-2960 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for Animal Keeping and Husbandry on 0.44 acres located at 4809 Ricky Road.

B) Applicant's Justification

The applicant states that goats have less of an environmental impact than other farm animals such as chickens, pigs, and horses. Goats are not noisy and do not sweat, so they do not have an unpleasant odor like other farm animals.

BACKGROUND INFORMATION

A) Previous Actions

There are no current Previous Actions.

10/09/03 The Planning Commission voted 4-3 to recommend APPROVAL (PC Agenda Item #48).

B) Pre-Application Meeting

08/15/03 It was determined that the project would need to comply with Title 7 of the Las Vegas Municipal Code, and obtain a Special Use Permit to allow the housing of more than three goats.

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit Applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.44

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

D) General Plan Compliance

This site has a DR (Desert Rural Density Residential) General Plan designation. The existing R-E (Residence Estates) zoning district is in compliance with the General Plan. The proposed Animal and Husbandry use is a conditional use in the R-E 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	

The subject site is not located within any special district or zone.

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'

A Development Impact Notice and Assessment was distributed and no comments were received from affected agencies.

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 Animal Keeping and Husbandry use. There are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

- Zoning

"The proposed Animal Keeping and Husbandry use is a Conditional Use in the R-E (Residence Estates) zoning district. A Conditional Use Permit to allow this request was denied by staff on July 10, 2003, for the following reasons:

1. Although a site plan was submitted as required, the number of goats on the premises, 30, has been determined by the Planning Department to be excessive. Administratively, staff is able to approve no more than three goats for the site. This is in conformance with existing policies that allow your property to house three horses or three dogs.

2. The goats are currently allowed to roam the entire rear yard as opposed to being confined to a pen area to minimize the distribution of animal waste.

3. The Animal Control Officer issued a citation on June 10, 2003. The issuance of the citation indicates the site is not in conformance with Title 7 of the Las Vegas Municipal Code as required.

Staff denied the conditional use permit after discussing the site plan with the applicant. Staff encouraged the applicant to reduce the number of goats on the property. Title 19 and Title 7 of the Las Vegas Municipal Code do not place numeric limits on the number of goats one may keep on a residential lot.

Staff recognizes the R-E (Residence Estates) zoning district is designed to convey a rural environment. However, staff must also be cognizant of the residential uses adjacent to the subject parcel and the applicant's right to keep and raise animals as a hobby. Staff has determined three goats would be the maximum number of goats this site can support based on existing city policies which limit the number of horses to three for this lot

Staff contacted the Nevada State Veterinarian, Dr. David Thain, to discuss this application. Dr. Thain agreed limiting the number of goats to three was prudent based on the existing code, lot size, and the proximity to other residential units. He also stated the goats should be limited to a portion of the site to restrict the distribution of solid animal waste.

The applicant is currently scheduled to attend a court proceeding on October 28th. The applicant has plead not guilty on two separate citations issued by the City of Las Vegas Animal Control Unit. The applicant has been cited twice for failure to remove animal solid waste. The two cases will be heard consecutively in Department 5 on October 28th. The two case numbers are C-564295A and C-557913A.

- Use

The Animal Keeping and Husbandry use involves raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes. A Special Use Permit is required to house more than three animals on the site in the R-E (Residence Estates) zoning district.

- Conditions

If the Special Use Permit is approved, the applicant must submit to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.

All operations and activities shall be in accordance with the Las Vegas Municipal Code Title 7.

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 Animal Keeping and Husbandry of more than three goats cannot be conducted in a manor that is harmonious and compatible with the existing single-family residencies adjacent to the east, west, and south of the property. The noise, odors, and waste associated with the keeping of more than three animals is not compatible with the surrounding residential uses, or the DR (Desert Rural Density Residential) General Plan land use designation.

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

As Evidenced by the sanitation violations issued, the 0.44-acre site is not physically suitable for the keeping of more than the allowed three animals on premises. An Animal Control Officer Report dated August 13, 2003 states, "I observed 13 goats of varying age

and size, in an area approximately 25 feet by 90 feet, and the goats were lying in and on there own feces. Feces and straw covered the whole area; a person could not walk without stepping on feces." This indicates that the property is inadequate and cannot accommodate the number of animals requested with this application.

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 use will not generate additional traffic, and access is adequate to the subject site.

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

   The issuance of sanitation violations by the City Animal Control Unit for the amount of goat feces on the property is indicative of possible health, safety, and welfare issues to the surrounding landowners and general public.

PLANNING COMMISSION ACTION

There were several speakers opposed to the project testifying at the Planning Commission hearing. Testimony varied as to whether 20-50 goats were present on the premises.

The Planning Commission recommended approval of the Special Use Permit with the condition of a maximum of 5 goats on the site at any time.

NOTICES MAILED 259 by City Clerk

APPROVALS 1

PROTESTS 4

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2960 APN: 138-12-710-090

Name of Property Owner: KAY LANDWEHR

Name of Applicant: SAME AS ABOVE

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: Kay C. Landwehr

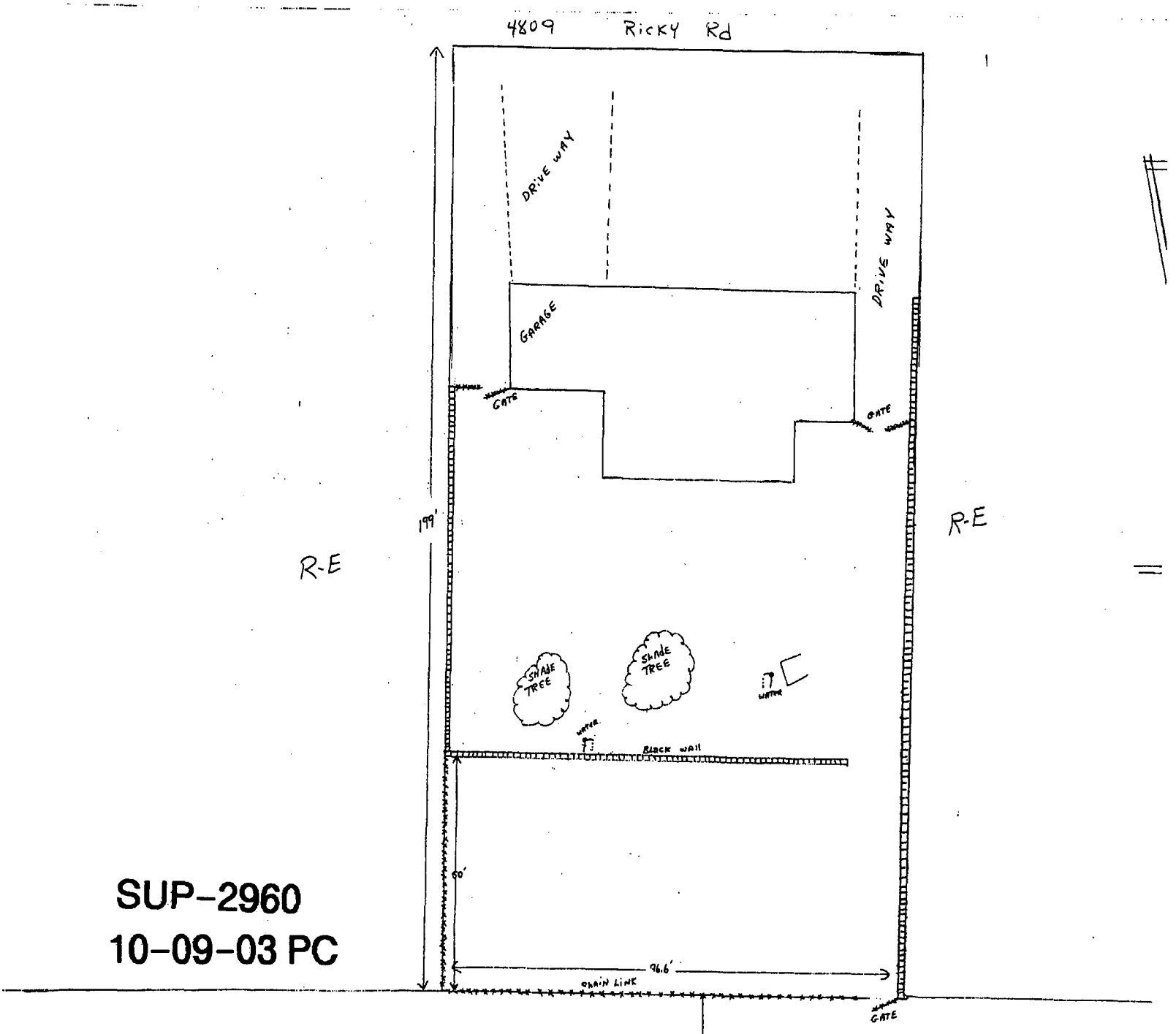
Print Name: KAY C. LANDWEHR

Subscribed and sworn before me

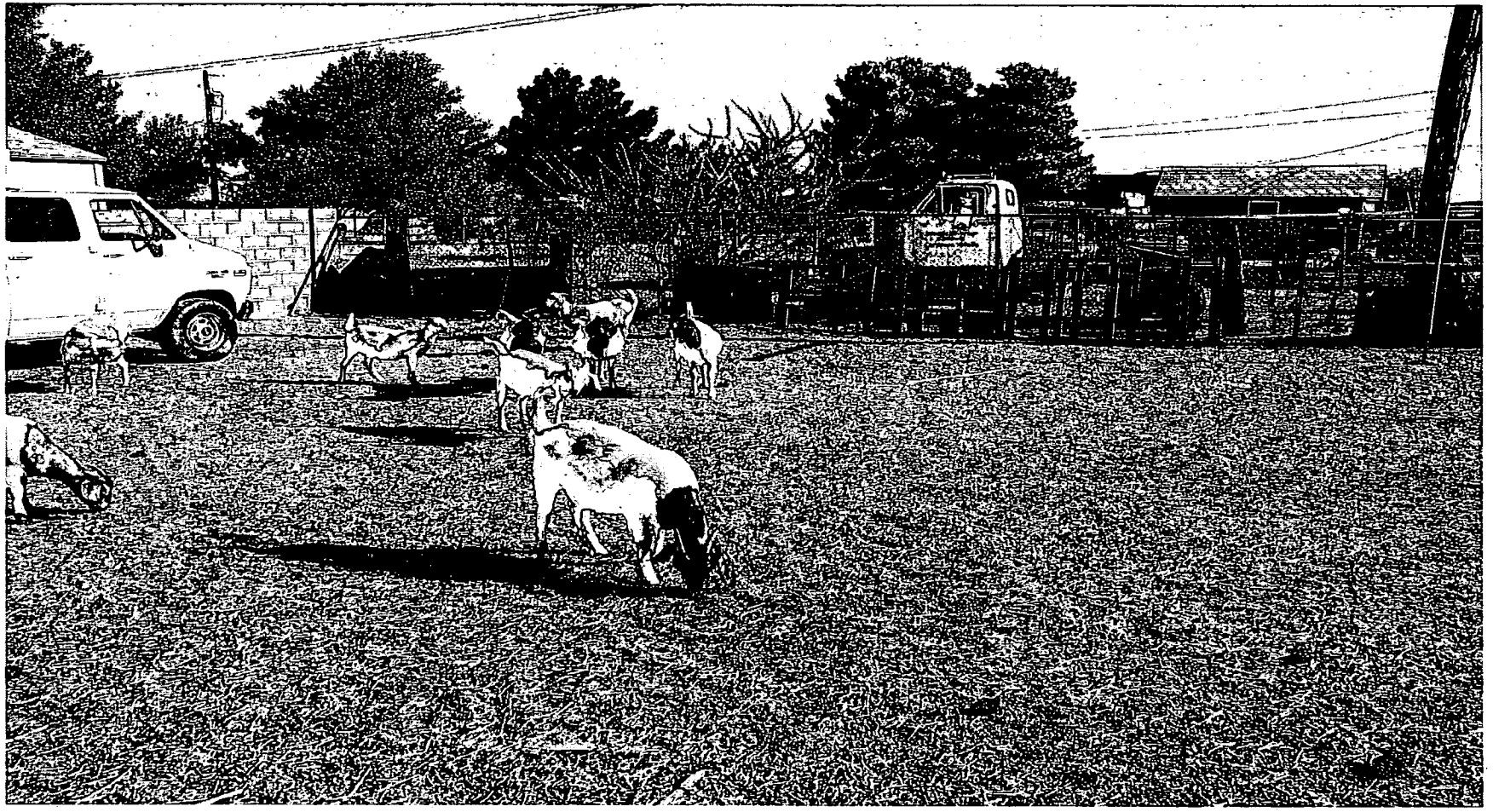
This 15TH day of AUGUST, 2003

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
DAVID BRATCHER
No. 00-61132-1 My Appointment Expires Feb. 3, 2004



SUP-2960
10-09-03 PC



SUP-2960 - JERALD L. LANDWEHR
4809 RICKY ROAD
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03



SUP-2960 - JERALD L. LANDWEHR
4809 RICKY ROAD
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 148

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2983 - GAMESTOP, INCORPORATED ON BEHALF OF PAN PACIFIC DEVELOPMENT (CHEYENNE COMMONS), INC.** - Request for a Special Use Permit FOR A SECOND HAND DEALER (COMPUTER SOFTWARE, VIDEO GAMES AND ACCESSORIES) on 32.50 acres at 3115 North Rainbow Boulevard, Suite B (APN: 138-15-502-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack). **[NOTE: This item to be heard in conjunction with Morning Session Item #82.]** The Planning Commisssion (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that he is a consultant for SuperPawn, owned by his brother, STEVEN MACK. A SuperPawn is located nearby but because he does not feel this request would impact his brother's business or store, he feels comfortable voting.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ROBERT GENZER, Director, Planning and Development Department, noted that the ward number on related Item 82 was incorrectly stated. It should reflect Ward 6.

DAVID BENJAMIN, 4530 Meadows Lane, was present representing the applicant and concurred with all conditions.

No one appeared in opposition.

City of Las Vegas

Agenda Item No. 148

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 148 – SUP 2983

MINUTES – Continued:
There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion related to Item 148 [SUP-2983] and Item 82 [Class II Secondhand Dealer License Gamestop, Inc.] was held under Item 148 [SUP-2983].

(2:39 – 2:41)

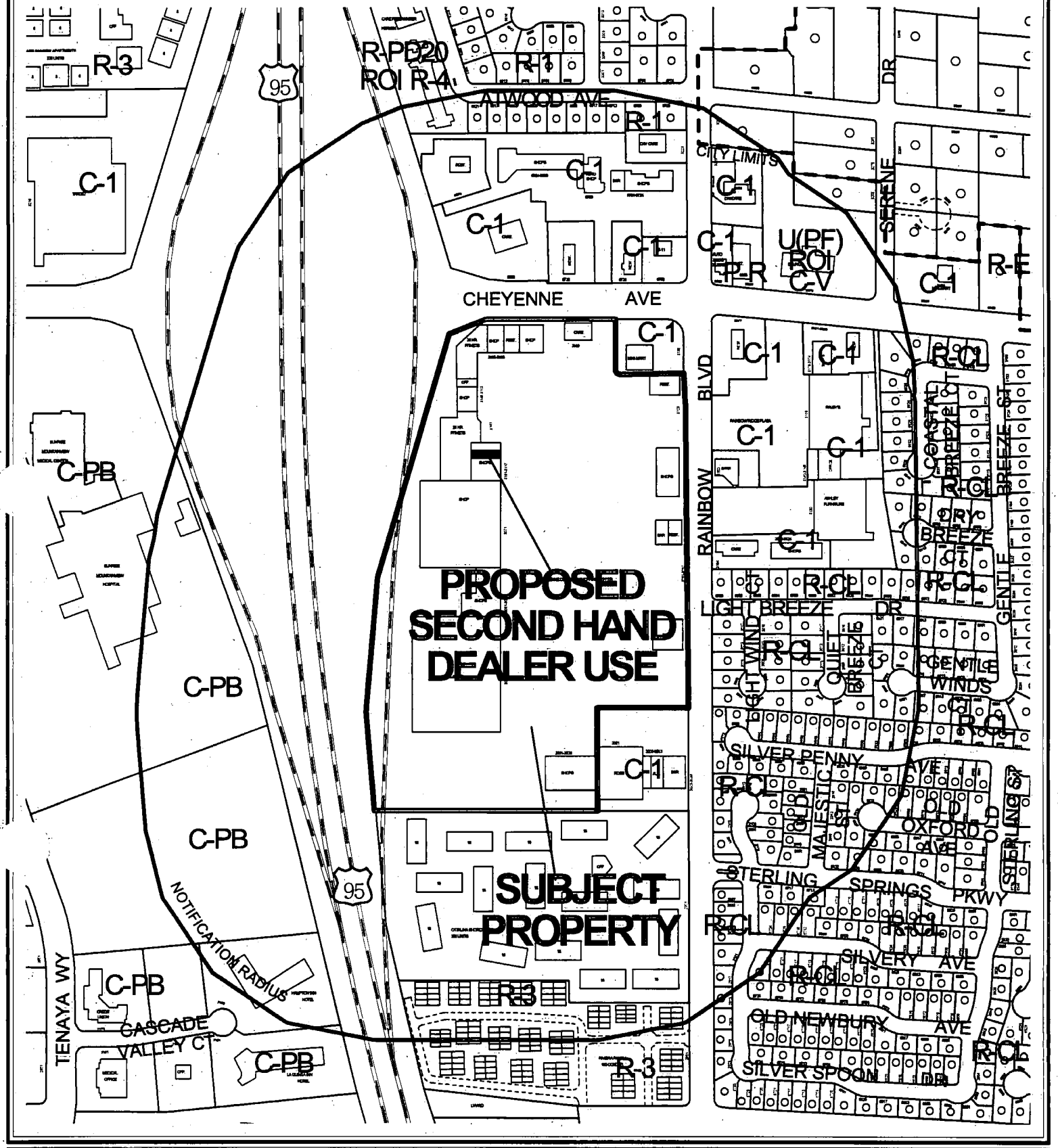
5-45

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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



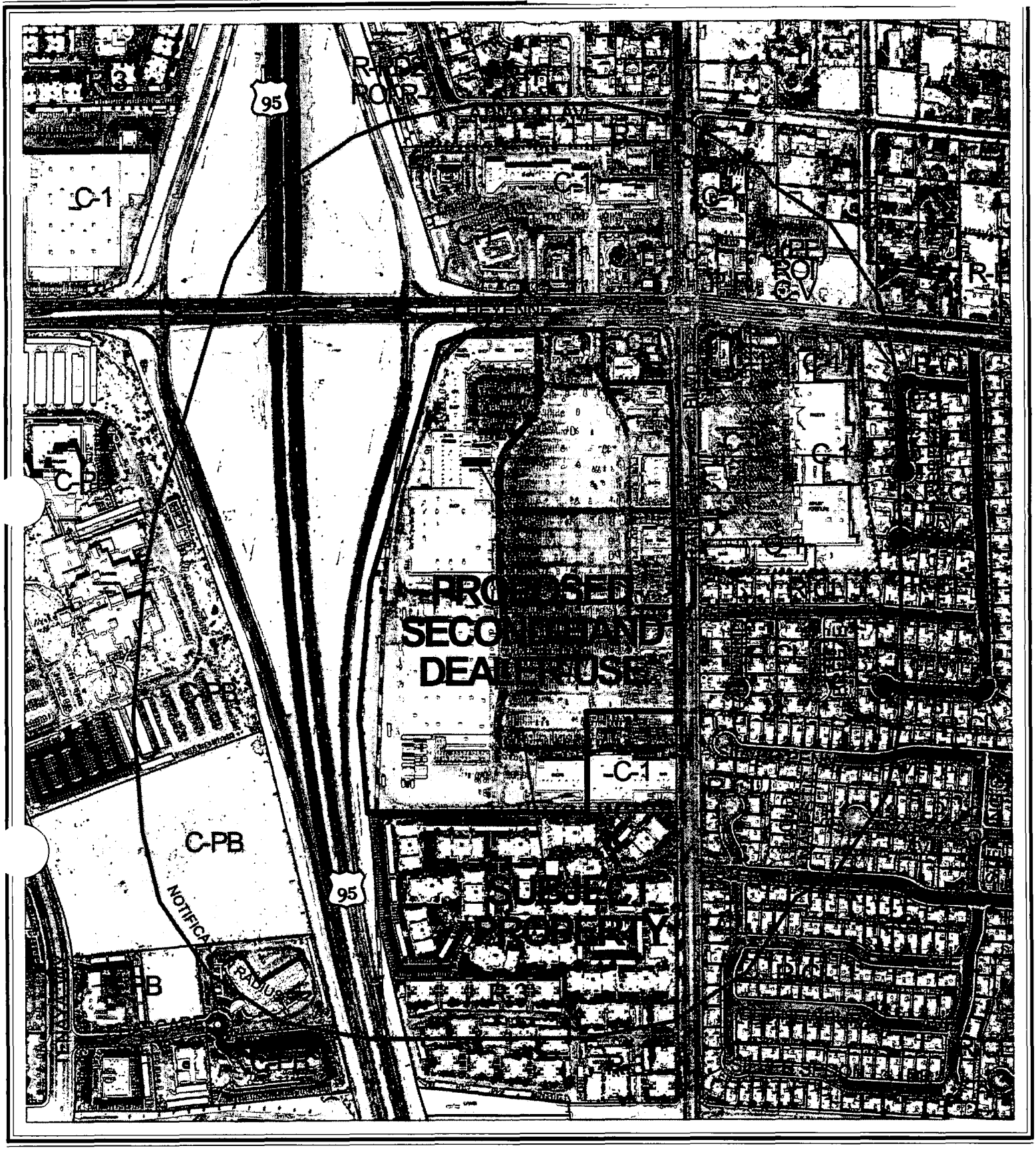
0 300 600 Feet

CASE: **SUP-2983**

RADIUS: 750 FT

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

N


95
C-1
C-PB
C-1
C-1
C-1

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2983 - GAMESTOP, INCORPORATED ON BEHALF OF PAN PACIFIC DEVELOPMENT (CHEYENNE COMMONS), INC.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Secondhand Dealer (video games) located at 3115-B North Rainbow Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates that the proposal is to buy, sell, and trade new and used computer software, video games, video game systems and accessories. The business hours of operation will be from the hours of 10:00 am to 9:00 pm Monday thru Saturday and 11:00 am to 6:00 pm on Sundays.

BACKGROUND INFORMATION

A) Previous Actions

12/06/89 The City Council approved a Rezoning (Z-0114-89) from N-U (Non-Urban) under resolution of intent to R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) to C-1 (Limited Commercial) on property located at the southwest corner of Rainbow Boulevard and Cheyenne Avenue, including the subject site. The Planning Commission recommended approval on 11/09/89.

02/18/00 The City Council approved a Special Use Permit (U-0017-00) for a proposed Secondhand Dealer (furniture) at 3071 North Rainbow Boulevard, which is within the subject commercial center. The Planning Commission recommended approval on 03/23/00.

05/08/03 The Planning Commission approved a Site Development Plan Review (SDR-2086) for a proposed 10,296 square foot stock room addition to an existing 118,902 square-foot retail store (Wal-Mart) on the subject site.

06/04/03 The City Council approved a Special Use Permit (SUP-2081) for a proposed Restaurant Service Bar and a Waiver of the minimum distance requirement from a protected use (Religious Facility) on property located at 3059 North Rainbow Boulevard, which is within the subject commercial center. The Planning Commission recommended approval on 05/08/03.

10/09/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #51).

B) Pre-Application Meeting

08/15/03 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed.

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

Gross Acres: 32.53 (overall center)

B) Existing Land Use

Subject Property:	Video Game Retail Store
North:	Retail Shopping Center
South:	Retail Shopping Center
East:	Retail Shopping Center
West:	R.O.W. (Interstate 95)

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	R.O.W.

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:	R.O.W.

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. The proposed Secondhand Dealer 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

County Notification
Property located within the notification radius falls within sections of Unincorporated Clark County. The Clark County Planning Department and Clark County property owners within the notification radius have been notified of the land use application. At the time of this report no comments have been received from the respective parties.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The addition of secondhand video game sales will not change the on-site parking requirements of the subject site because the retail business is already established.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed secondhand sales use.

B) General Analysis and Discussion

- Zoning

A secondhand dealer business is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject site has been operating a retail store with a business license to sell and rent new video games and software which is a permitted use within the C-1 (Limited Commercial) zoning district.

- Use

A secondhand dealer use is defined as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For the purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. The proposed used video game sales falls within the secondhand dealer use as defined.

- Conditions

Pursuant to Title 19.04.050, a Secondhand Dealer use requires the approval of a Special Use Permit, within a C-1 (Limited Commercial) zoning district with three non-waivable conditions;

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The subject site appears to be meeting all conditions as 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 secondhand sales of video games and software can be conducted in a manner that is harmonious and compatible with surrounding commercial properties with the inclusion of Title 19.04.050 conditions and licensing requirements.

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

   Currently, the subject site is licensed and operating as a retail video games and software sales business. The addition of a secondhand dealer license will not physically alter the intensity of land use on the subject property.

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 within an established commercial shopping center with access to Rainbow Boulevard and Cheyenne Avenue which are adequate in terms of right-of-way carrying capacity to meet the requirements of a general retail sales business with secondary sales of used video games.

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 159 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2983 APN: _____

Name of Property Owner: _____

Name of Applicant: Gamestop, Dmc

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: Brenda Thanepohn

Print Name: Brenda Thanepohn

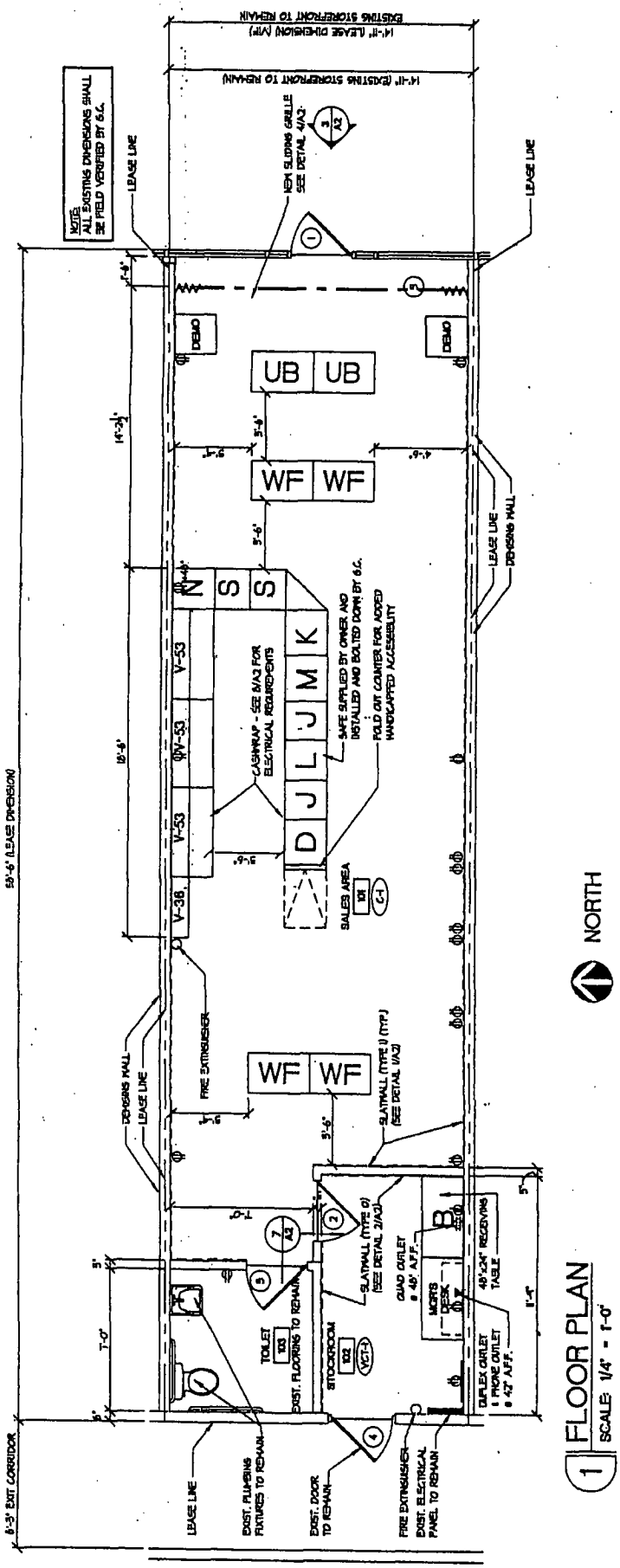
Subscribed and sworn before me

This 24th day of April, 2003

Heather Lambert

Notary Public in and for said County and State

HEATHER LAMBERT
Notary Public, State of Nevada
Appointment No. 03810121
My Appt. Expires March 26, 2007



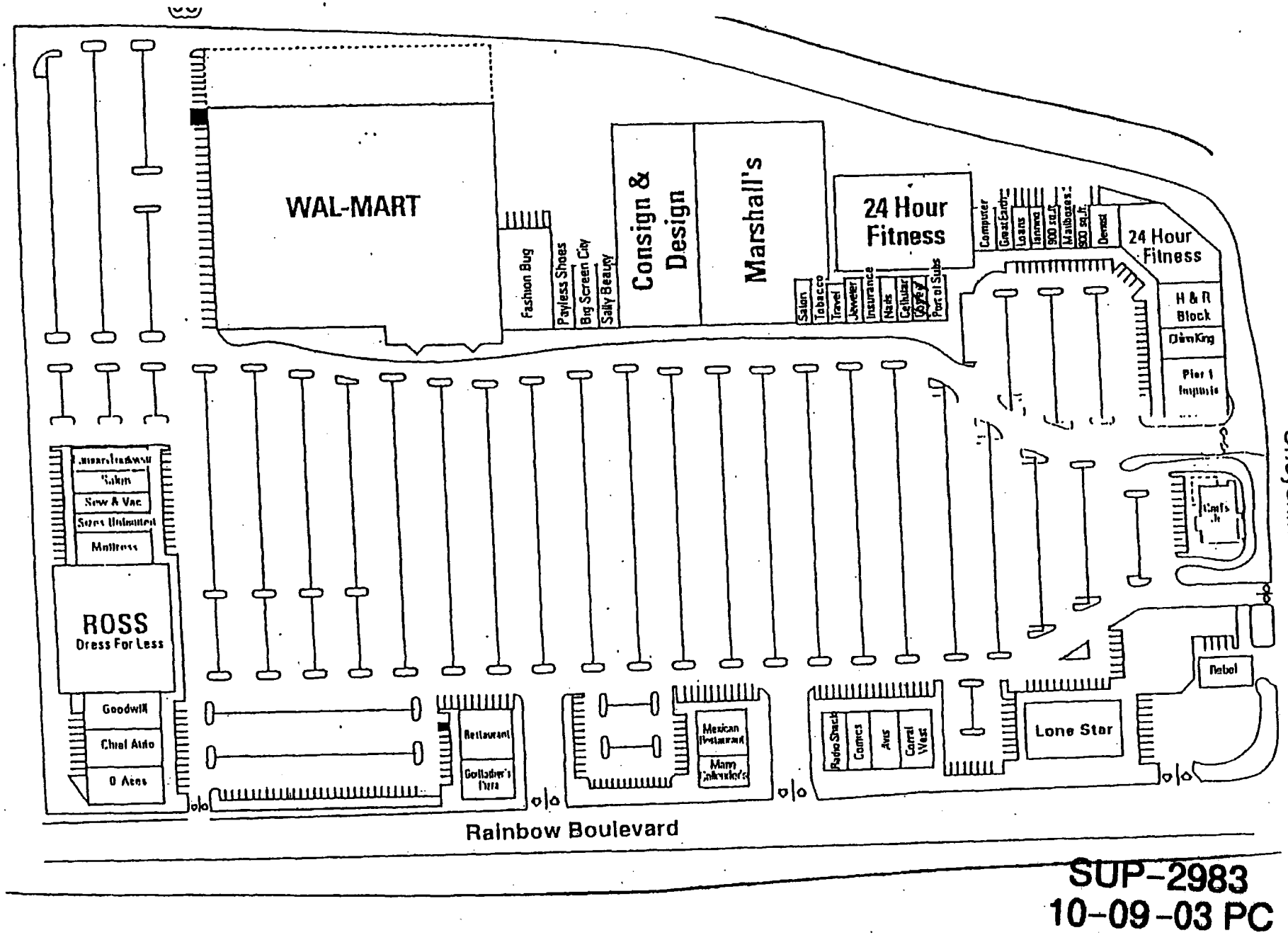
1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

SUP-2983
10-09-03 PC

1695

EXHIBIT B

SITE PLAN OF THE SHOPPING CENTER AND GENERAL CROSS HATCHING OF PREMISES



SUP-2983
10-09-03 PC



SUP-2983 - GAMESTOP, INCORPORATED ON BEHALF OF PAN PACIFIC DEVELOPMENT (CHEYENNE COMMONS), INC.
3115 NORTH RAINBOW BOULEVARD, SUITE B
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 149

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2984 - GAMESTOP, INCORPORATED ON BEHALF OF WING FONG & ASSOCIATES – FREMONT LIMITED PARTNERSHIP** - Request for a Special Use Permit FOR A SECOND HAND DEALER (COMPUTER SOFTWARE, VIDEO GAMES AND ACCESSORIES) on 1.38 acres at 4530 MEADOWS LANE C-2 (APN: 139-31-110-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). **[NOTE: This item to be heard in conjunction with Morning Session Item #80.]** The Planning Commission (7-0 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 (7-0 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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

DAVID BENJAMIN, 4530 Meadows Lane, was present representing the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion related to Item 149 [SUP-2984] and Item 80 [Class II Secondhand Dealer License, Gamestop, Inc.] was held under Item 149 [SUP-2984].

(2:41 – 2:43)

City of Las Vegas

Agenda Item No. 149

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 149 – RQR-2984

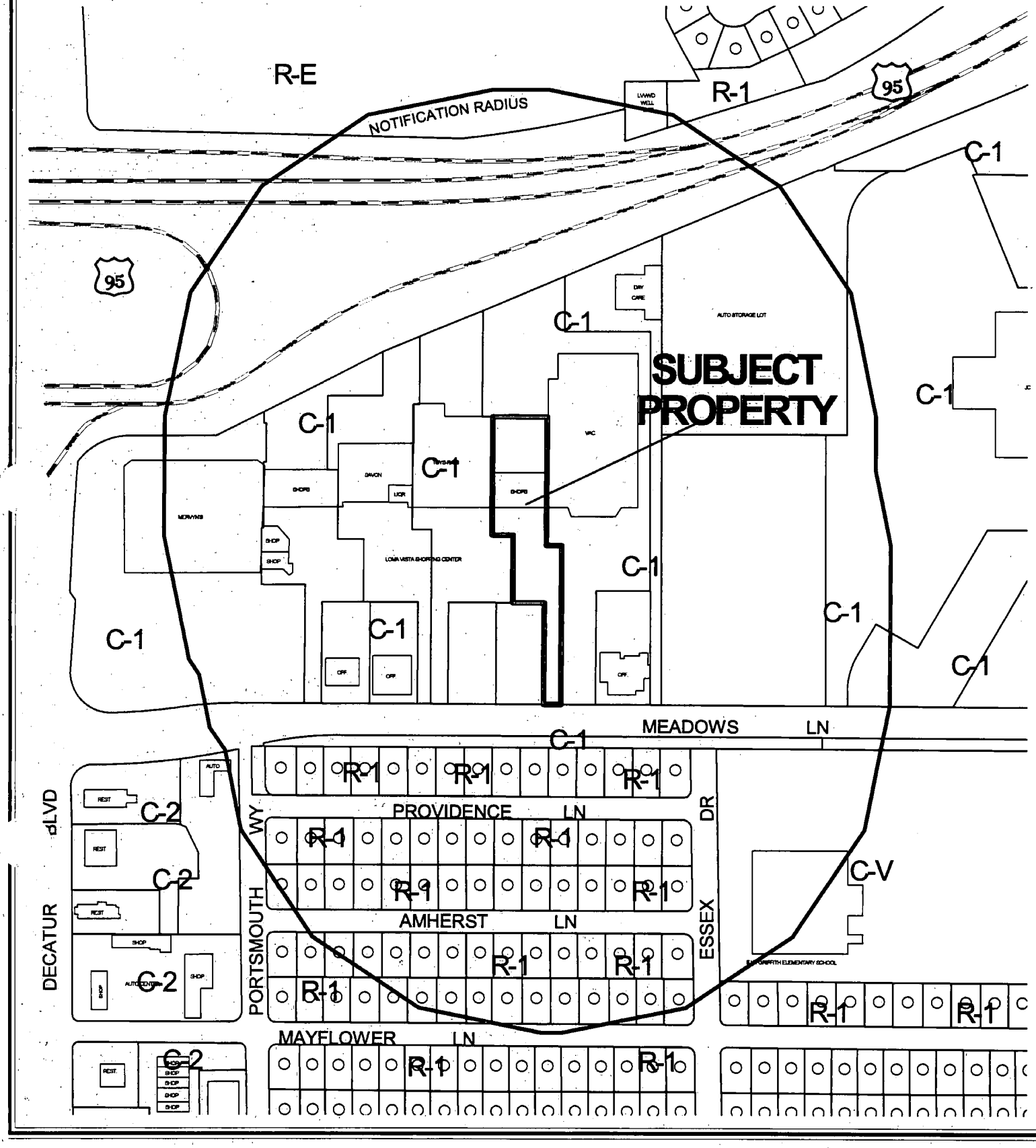
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

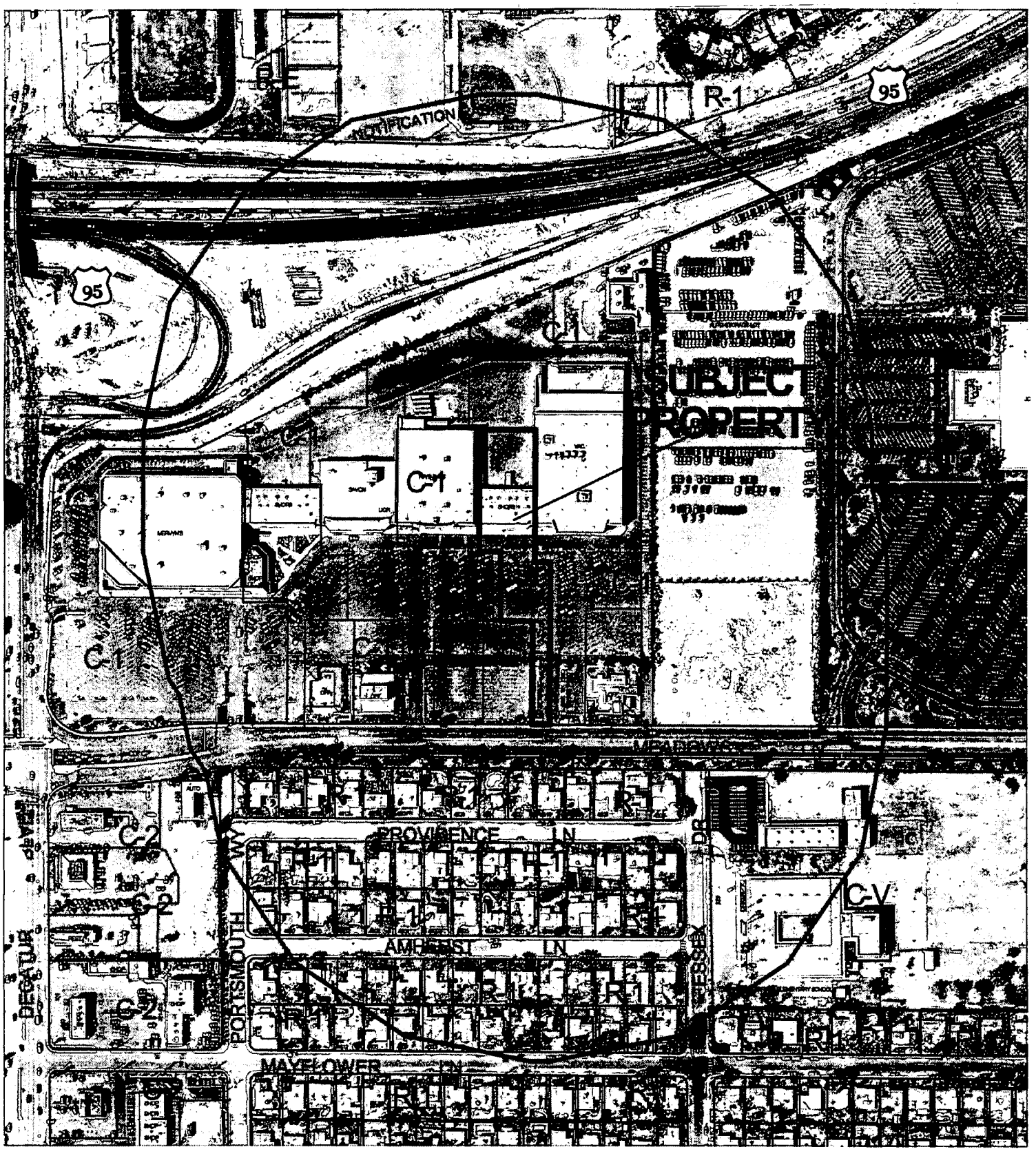


0 200 400 Feet

CASE: **SUP-2984**

RADIUS: 750 FT

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



CASE: **SUP-2984**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2984 - GAMESTOP, INCORPORATED ON BEHALF OF WING FONG & ASSOCIATES – FREMONT LIMITED PARTNERSHIP

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

SUP-2984 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Secondhand Dealer (video games) located at 4530 Meadows Lane Suite C-2.

B) Applicant's Justification

The applicant's justification letter indicates that the proposal is to buy, sell, and trade new and used computer software, video games, video game systems and accessories. The business hours of operation will be from the hours of 10:00 am to 9:00 pm Monday thru Saturday and 11:00 am to 6:00 pm on Sundays.

BACKGROUND INFORMATION

A) Previous Actions

01/23/74 The City Council denied (later overturned through court action) a rezoning (Z-0102-73) from R-1 (Single Family Residence) and C-V (Civic) to C-1 (Limited Commercial) on property including the subject site. The Planning Commission recommended approval on 01/16/74.

11/20/02 The City Council approved a Special Use Permit (U-0125-02) for a Non-Profit Thrift Shop at 4530 Meadows Lane Suite #1, which is within the same commercial subdivision as the subject site. The Planning Commission recommended approval on 10/24/02.

10/09/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #52).

B) Pre-Application Meeting

08/15/03 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed.

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: 1.38

B) Existing Land Use

Subject Property:	Video Game Retail Store
North:	R.O.W. (Oran K Gragson Expressway)
South:	Single Family Dwellings
East:	Commercial Shopping Center
West:	Commercial Shopping Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	R.O.W.
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R.O.W.
South:	R-1 (Single Family Residence)
East:	C-1 (Limited Commercial)
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. The proposed Secondhand Dealer 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

The subject site is not located within any special districts, overlays or special study areas.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The addition of secondhand video game sales will not change the on-site parking requirements of the subject site because the retail business is already established.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed secondhand sales use.

B) General Analysis and Discussion

- Zoning

A secondhand dealer business is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject site has been operating a retail store with a business license to sell and rent new video games and software which is a permitted use within the C-1 (Limited Commercial) zoning district.

- Use

A secondhand dealer use is defined as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For the purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. The proposed used video game sales falls within the secondhand dealer use as defined.

- Conditions

Pursuant to Title 19.04.050, a Secondhand Dealer use requires the approval of a Special Use Permit, within a C-1 (Limited Commercial) zoning district with three non-waivable conditions;

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The subject site appears to be meeting all conditions as 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 secondhand sales of video games and software can be conducted in a manner that is harmonious and compatible with surrounding commercial properties with the inclusion of Title 19.04.050 conditions and licensing requirements.

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

   Currently, the subject site is licensed and operating as a retail video games and software sales business. The addition of a secondhand dealer license will not physically alter the intensity of land use on the subject property.

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 within an established commercial shopping center with access to Meadows Lane which is adequate in terms of right-of-way carrying capacity to meet the requirements of a general retail sales business with secondary sales of used video games.

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 92 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2984 APN: 139-31-110-004

Name of Property Owner: Wing Fong and Associates- Fremont

Name of Applicant: Gamestop Dmc

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: Kenneth W Fong

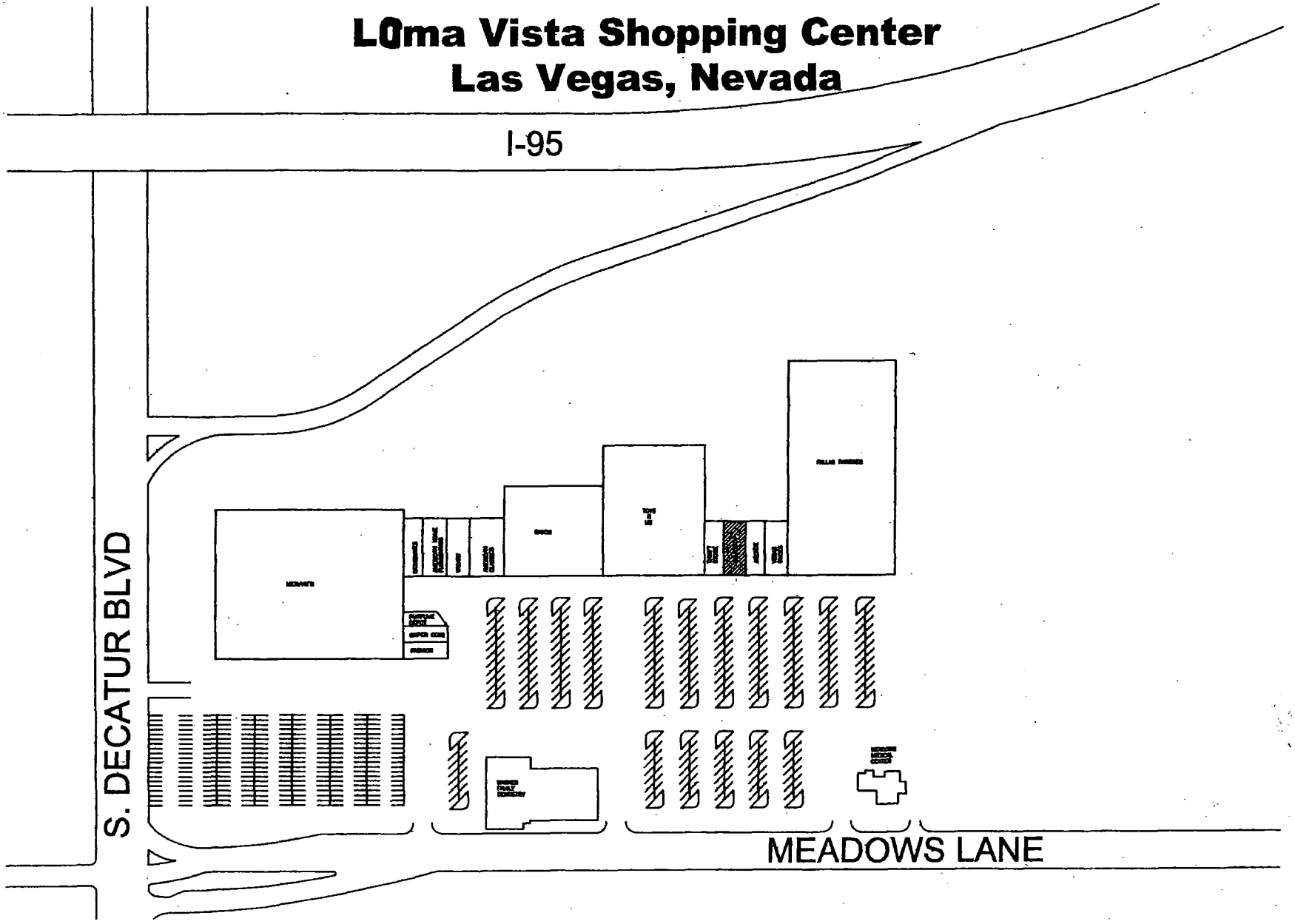
Print Name: Kenneth W. Fong, Partner-Manager

Subscribed and sworn before me

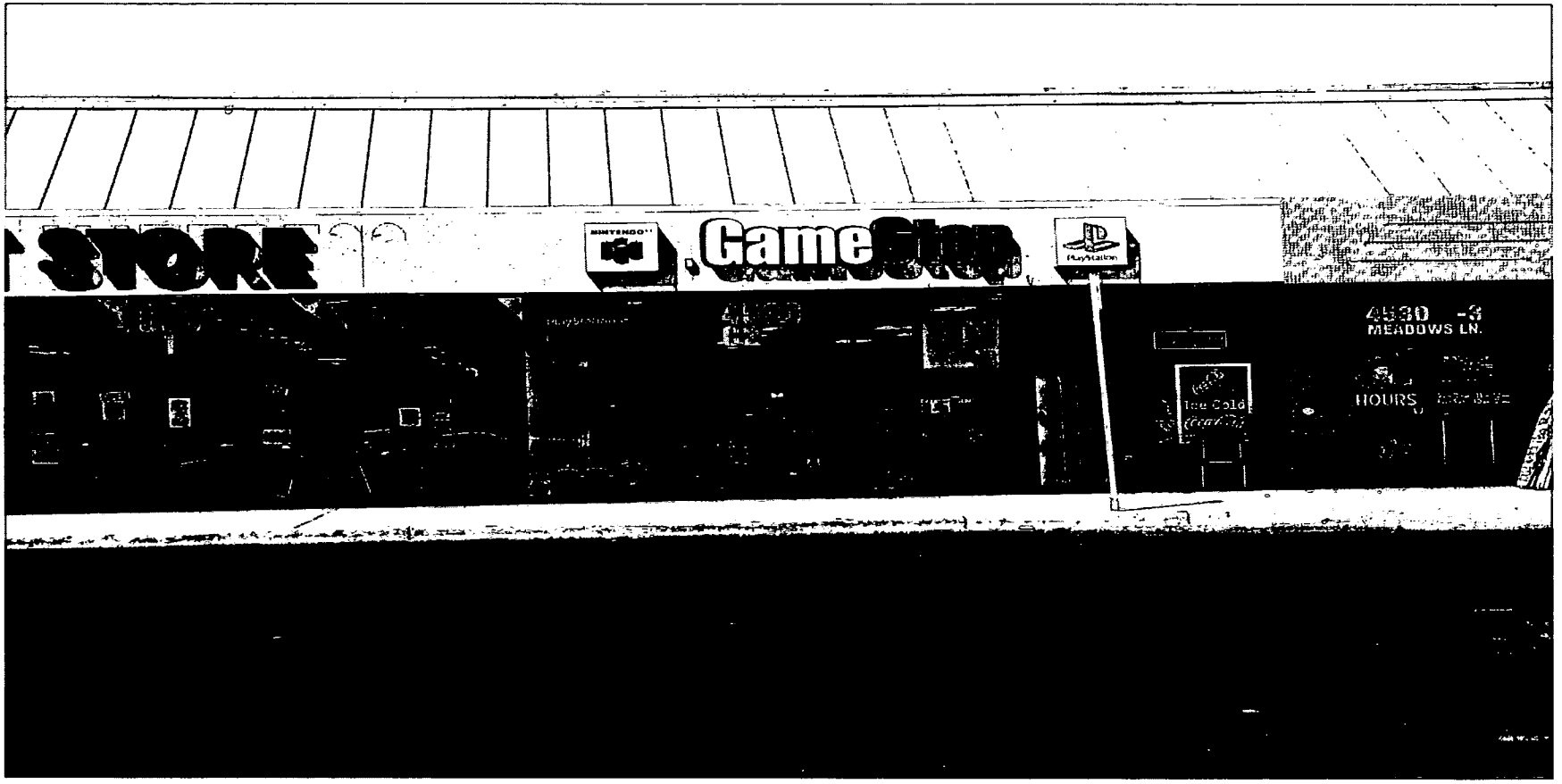
This 23 day of April, 2003

Notary Public in and for said County and State

JUDY BACHMAN
Notary Public State of Nevada
No. 99-50720-1
My appt. exp. Dec. 2, 2006



SUP-2984
10-09-03 PC



SUP-2984 - GAMESTOP, INCORPORATED ON BEHALF OF WING FONG & ASSOCIATED - FREMONT LIMITED PARTNERSHIP
4530 MEADOWS LANE
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 150

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2985 - GAMESTOP, INCORPORATED ON BEHALF OF WEINGARTEN NOSTAT, INC.** - Request for a Special Use Permit FOR A SECOND HAND DEALER (COMPUTER SOFTWARE, VIDEO GAMES AND ACCESSORIES) on 0.48 acres located at 947 South Rainbow Boulevard (APN: 138-34-814-004), C-1 (Limited Commercial District) Zone, Ward 1 (Moncrief). **[NOTE: This item to be heard in conjunction with Morning Session Item #78.]** The Planning Commission (7-0 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 (7-0 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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

DAVID BENJAMIN, 4530 Meadows Lane, was present representing the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion related to Item 150 [SUP-2985] and Item 78 [Class II Secondhand Dealer License, Gamestop, Inc.] was held under Item 150 [SUP-2985].

(2:43 – 2:44)

City of Las Vegas

Agenda Item No. 150

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 150 – SUP-2985

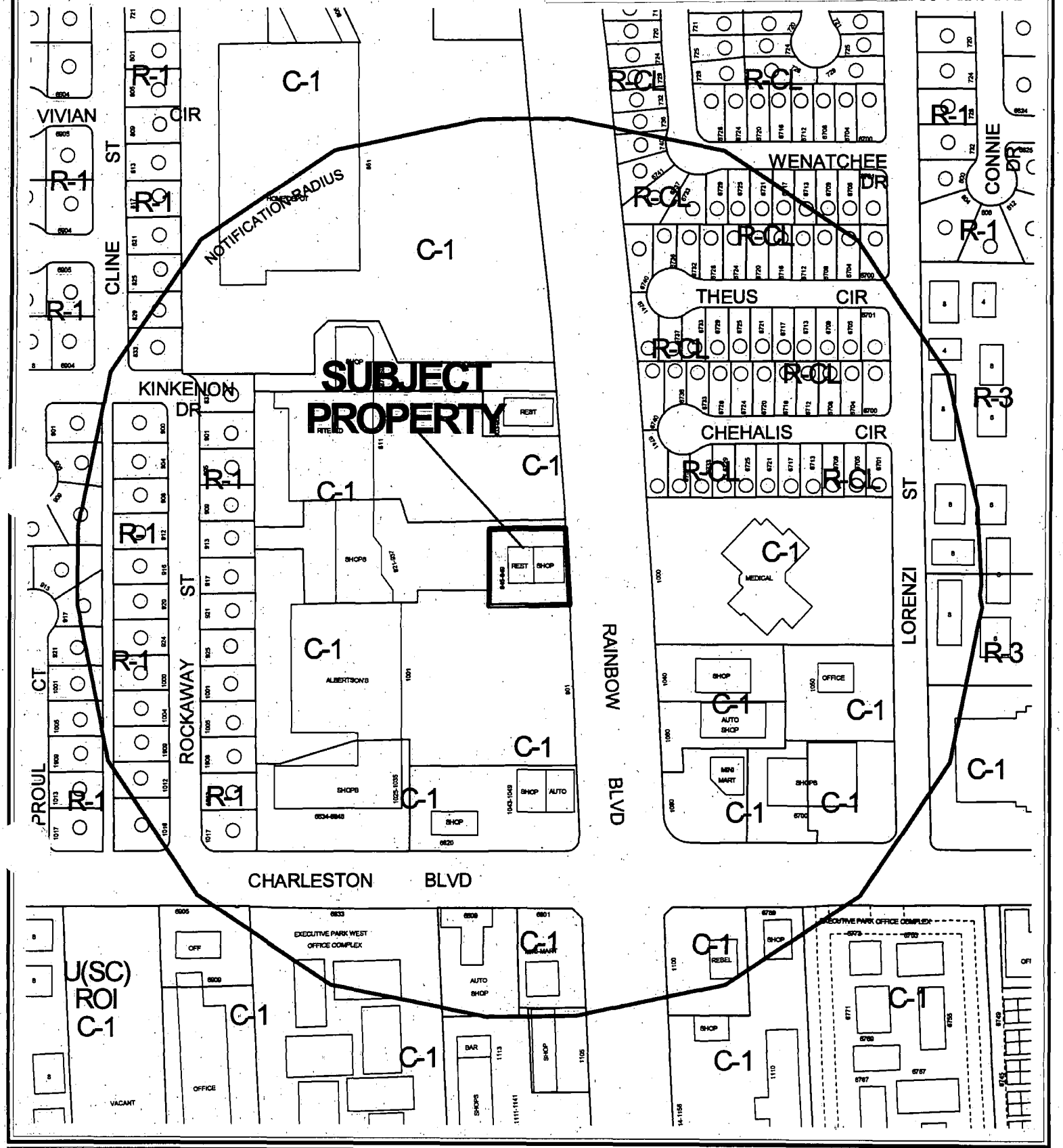
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

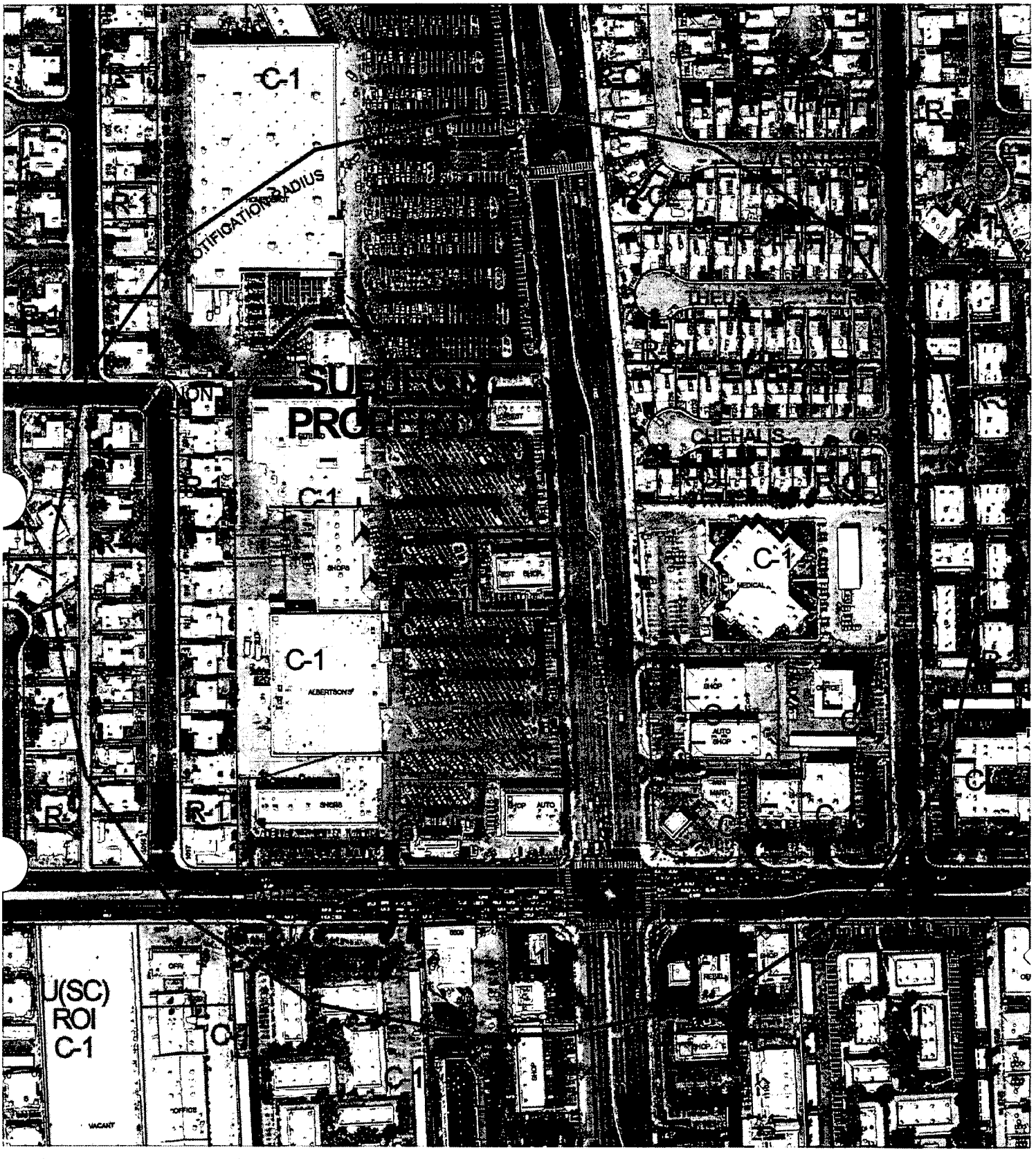
3. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **SUP-2985**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-2985**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2985 - GAMESTOP, INCORPORATED ON BEHALF OF WEINGARTEN NOSTAT, INC.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

SUP-2985 - Staff Report Page One
November 5, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Secondhand Dealer (video games) located at 947 South Rainbow Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates that the proposal is to buy, sell, and trade new and used computer software, video games, video game systems and accessories. The business hours of operation will be from the hours of 10:00 am to 9:00 pm Monday thru Saturday and 11:00 am to 6:00 pm on Sundays.

BACKGROUND INFORMATION

A) Previous Actions

11/15/78 The City Council approved a rezoning (Z-0080-78) from R-E (Residence Estates) to R-1 (Single Family Residence) and C-1 (Limited Commercial) on property including the subject site. The Planning Commission recommended approval on 10/24/78.

10/09/03 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #53).

B) Pre-Application Meeting

08/15/03 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed.

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: 0.48

B) Existing Land Use

Subject Property:	Video Game Retail Store
North:	Commercial Shopping Center
South:	Commercial Shopping Center
East:	Office/Medical Building and Single Family Dwellings
West:	Commercial Shopping Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial) and ML (Medium-Low Density Residential)
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) and R-CL (Single-Family Compact-Lot)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan. The proposed Secondhand Dealer 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

The subject site is not located within any special districts, overlays or special study areas.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The addition of secondhand video game sales will not change the on-site parking requirements of the subject site because the retail business is already established.

A2) Minimum Distance Separation Requirements
There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed secondhand sales use.

B) General Analysis and Discussion

- Zoning

A secondhand dealer business is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject site has been operating a retail store with a business license to sell and rent new video games and software which is a permitted use within the C-1 (Limited Commercial) zoning district.

- Use

A secondhand dealer use is defined as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For the purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. The proposed used video game sales falls within the secondhand dealer use as defined.

- Conditions

Pursuant to Title 19.04.050, a Secondhand Dealer use requires the approval of a Special Use Permit, within a C-1 (Limited Commercial) zoning district with three non-waivable conditions;

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The subject site appears to be meeting all conditions as 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 secondhand sales of video games and software can be conducted in a manner that is harmonious and compatible with surrounding commercial properties with the inclusion of Title 19.04.050 conditions and licensing requirements.

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

   Currently, the subject site is licensed and operating as a retail video games and software sales business. The addition of a secondhand dealer license will not physically alter the intensity of land use on the subject property.

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 within an established commercial shopping center with access to Rainbow Boulevard which is adequate in terms of right-of-way carrying capacity to meet the requirements of a general retail sales business with secondary sales of used video games.

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 108 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2985 APN: _____

Name of Property Owner: Deingarten Realty

Name of Applicant: Gamestop, Inc.

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____ _____

Signature of Property Owner/Authorized Agent: Christie Thomas

Print Name: Christie Thomas

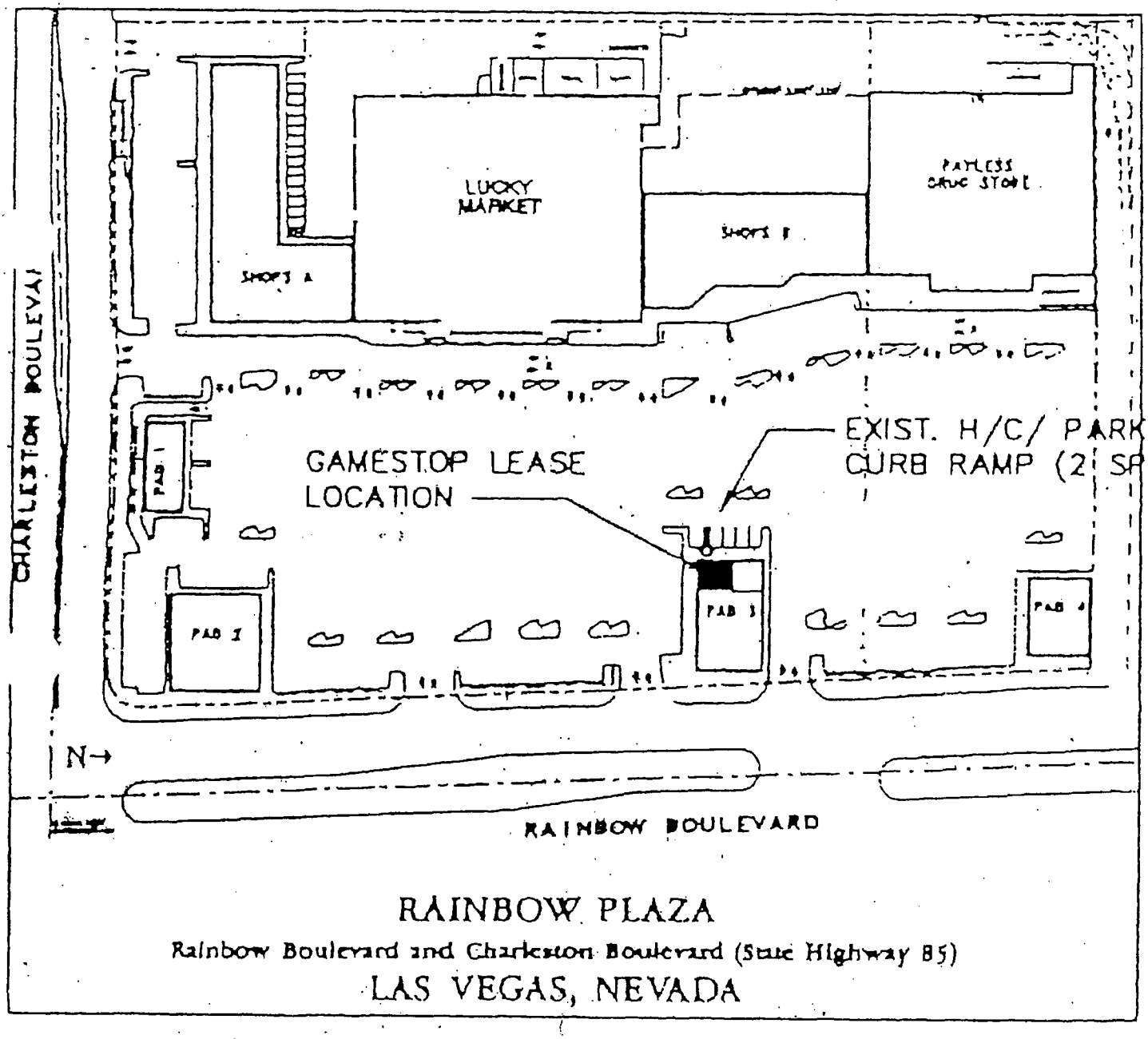
Subscribed and sworn before me

This 7th day of May, 2003

Ethelyn Williams

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
ETHELYN WILLIAMS
No. 00-62129-1 My Appointment Expires April 4, 2004



RAINBOW PLAZA

Rainbow Boulevard and Charleston Boulevard (State Highway 85)

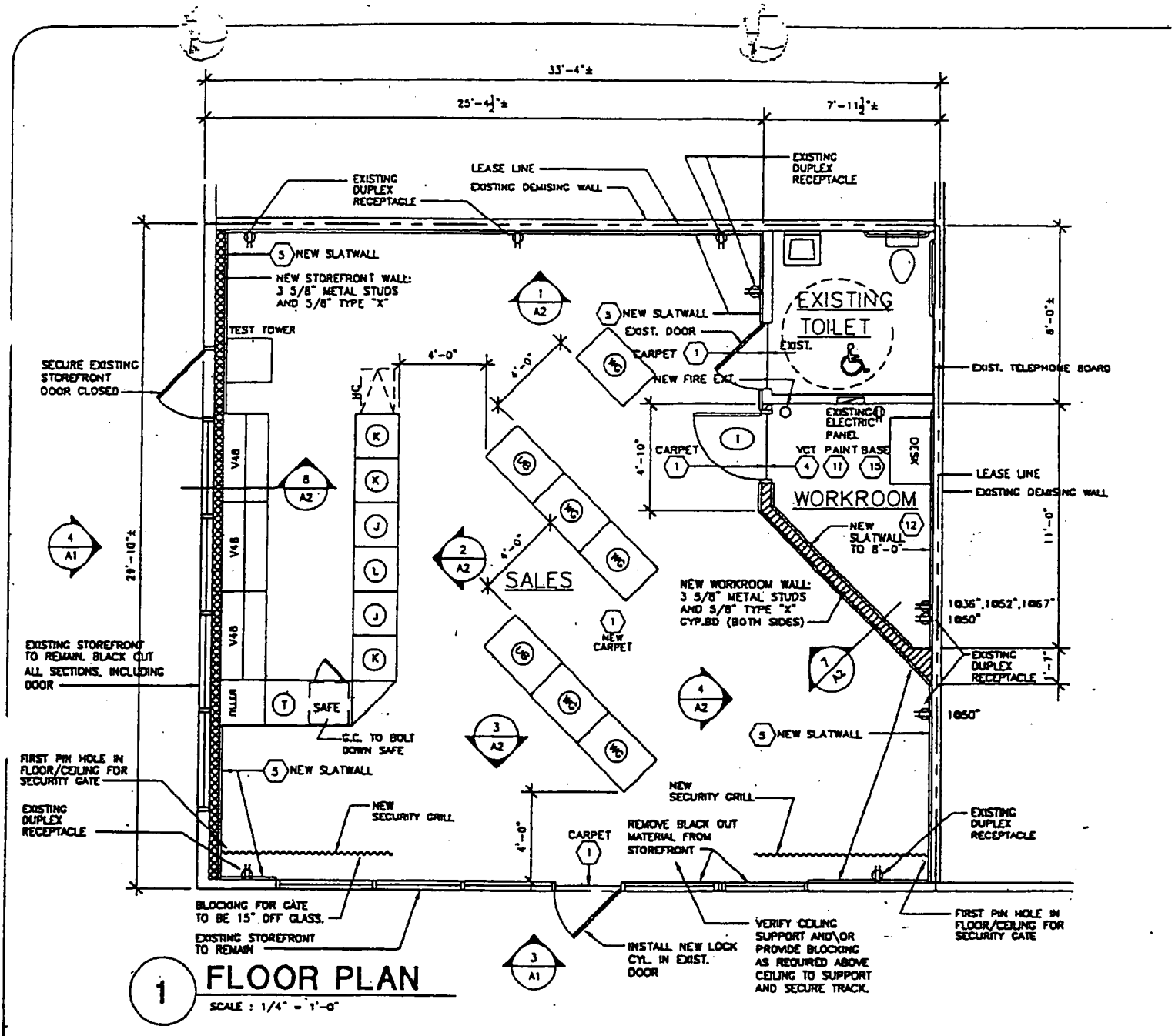
LAS VEGAS, NEVADA

SITE PLAN

NO SCALE

SUP-2985

10-09-03 PC



1 FLOOR PLAN

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

SUP-2985
10-09-03 PC



SUP-2985 - GAME STOP, INCORPORATED ON BEHALF OF WEINGARTEN NOSTAT, INC.
947 SOUTH RAINBOW BOULEVARD
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 151

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 5, 2003

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2987 - GAMESTOP, INCORPORATED ON BEHALF OF SAHARA PAVILION NORTH US, INC.** - Request for a Special Use Permit FOR A SECOND HAND DEALER USE (COMPUTER SOFTWARE, VIDEO GAMES, AND ACCESSORIES) on 29.40 acres at 4750 West Sahara Avenue, Suite 1 (APN: 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). **[NOTE: This item to be heard in conjunction with Morning Session Item #79.]** The Planning Commission (7-0 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 (7-0 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

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

DAVID BENJAMIN, 4530 Meadows Lane, was present representing the applicant and concurred with all conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See All discussion related to Item 151 [SUP-2987] and Item 79 [Class II Secondhand Dealer License, Gamestop, Inc.] was held under Item 151 [SUP-2987].

(2:44 – 2:45)

City of Las Vegas

Agenda Item No. 151

CITY COUNCIL MEETING OF NOVEMBER 5, 2003
Planning and Development Department
Item 151 – RQR-2987

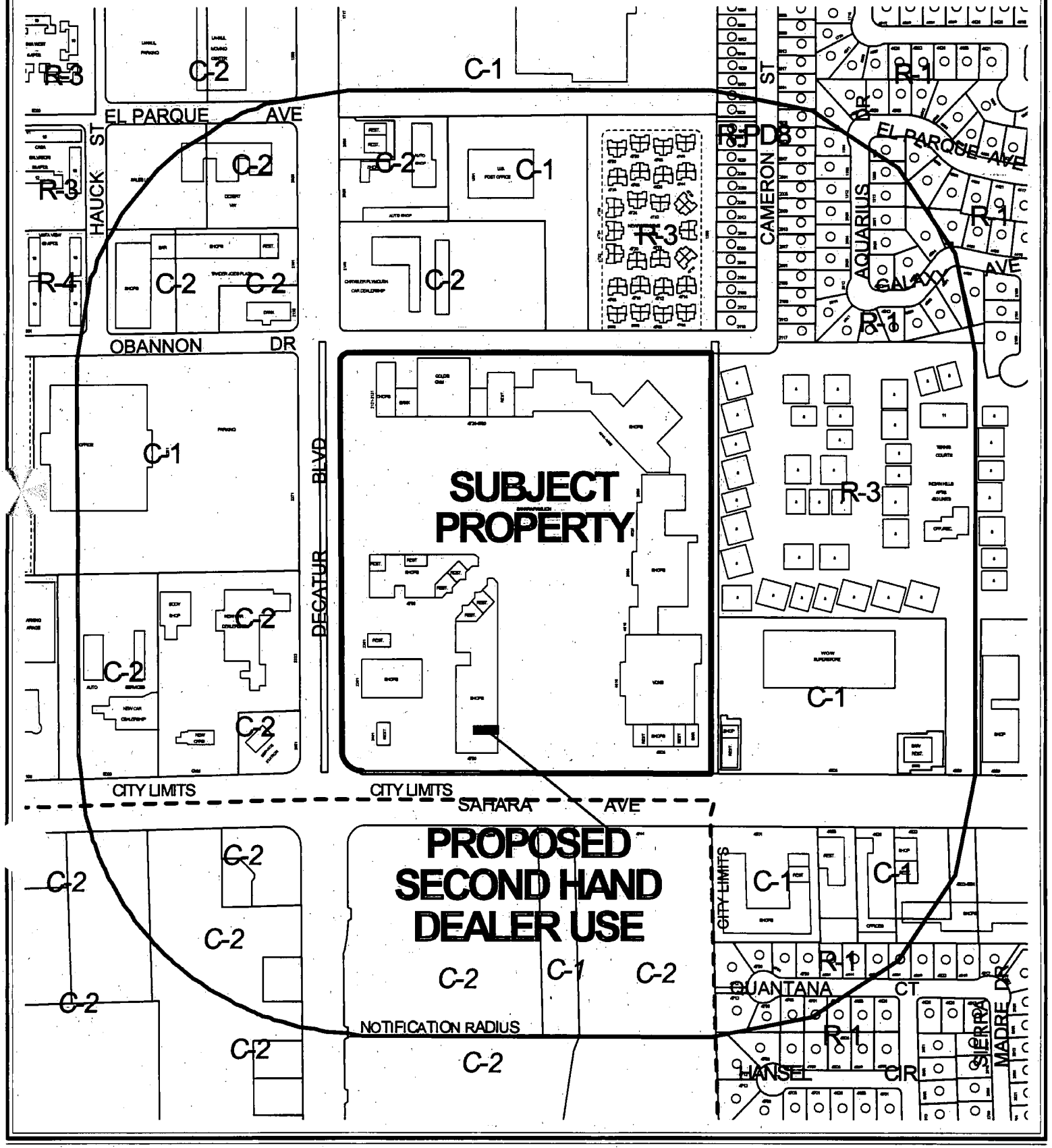
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

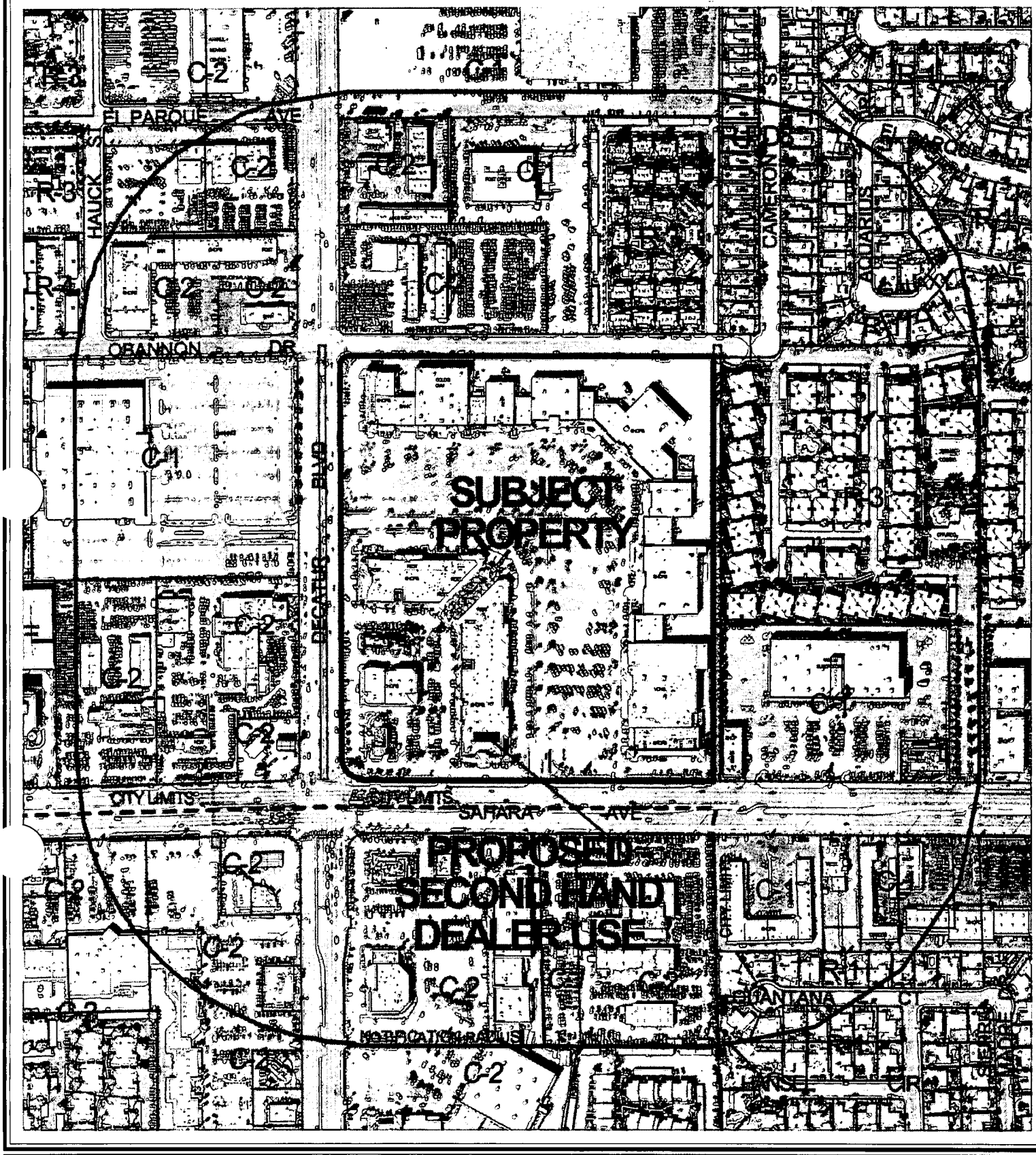


0 300 600 Feet

CASE: SUP-2987

RADIUS: 750 FT

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



0 300 600 Feet

CASE: **SUP-2987**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2987 - GAMESTOP, INCORPORATED ON BEHALF OF SAHARA PAVILION NORTH US, INC.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Secondhand Dealer use.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Secondhand Dealer (video games) located at 4750 West Sahara Avenue Suite 1.

B) Applicant's Justification

The applicant's justification letter indicates that the proposal is to buy, sell, and trade new and used computer software, video games, video game systems and accessories. The business hours of operation will be from the hours of 10:00 am to 9:00 pm Monday thru Saturday and 11:00 am to 6:00 pm on Sundays.

BACKGROUND INFORMATION

A) Previous Actions

08/05/87	The City Council approved a Rezoning (Z-0057-87) from R-1 (Single Family Residence), R-3 (Limited Multiple Residence), C-1 (Limited Commercial) to C-1 (Limited Commercial) on property including the subject site.
06/09/97	The City Council approved a Special Use Permit (U-0031-97) for a Secondhand Dealer (used computers) in conjunction with an existing retail computer store at 4624 West Sahara Avenue. The Planning Commission recommended approval on 05/08/97.
01/26/98	The City Council approved a Special Use Permit (U-0127-97) for a Secondhand Dealer (jewelry) in conjunction with an existing jewelry sales business at 4624 West Sahara Avenue, which is located within the same commercial subdivision as the subject site. The Planning Commission recommended approval on 12/18/97.
10/01/03	The City Council will consider a Special Use Permit (SUP-2655) for a Financial Institution, Specified at 2121 South Decatur Boulevard, Suite 2, which is located within the same commercial subdivision as the subject site. The Planning Commission recommended approval on 08/14/03.
10/09/03	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #54).

B) Pre-Application Meeting

08/15/03 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed. In addition, it was noted that this project would be deemed 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

Gross Acres: 29.40 (overall commercial subdivision)

B) Existing Land Use

Subject Property:	Video Game Retail Store
North:	Commercial Shopping Center
South:	Commercial Shopping Center
East:	Commercial Shopping Center
West:	Commercial Shopping Center

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	Unincorporated Clark County
East:	C-1 (Limited Commercial)
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. The proposed Secondhand Dealer 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	

Special Notification
Property located within the notification radius falls within sections of Unincorporated Clark County. The Clark County Planning Department and Clark County property owners within the notification radius have been notified of the land use application. At the time of this report no comments have been received from the respective parties.

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' 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. 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.

  The Planning Commission shall 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

The addition of secondhand video game sales will not change the on-site parking requirements of the subject site because the retail business is already established.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed secondhand sales use.

B) General Analysis and Discussion

- Zoning

A secondhand dealer business is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject site has been operating a retail store with a business license to sell and rent new video games and software which is a permitted use within the C-1 (Limited Commercial) zoning district.

- Use

A secondhand dealer use is defined as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For the purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. The proposed used video game sales falls within the secondhand dealer use as defined.

- Conditions

Pursuant to Title 19.04.050, a Secondhand Dealer use requires the approval of a Special Use Permit, within a C-1 (Limited Commercial) zoning district with three non-waivable conditions;

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The subject site appears to be meeting all conditions as 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 secondhand sales of video games and software can be conducted in a manner that is harmonious and compatible with surrounding commercial properties with the inclusion of Title 19.04.050 conditions and licensing requirements.

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

   Currently, the subject site is licensed and operating as a retail video games and software sales business. The addition of a secondhand dealer license will not physically alter the intensity of land use on the subject property.

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 within an established commercial shopping center with access to Decatur Boulevard and Sahara Avenue which is adequate in terms of right-of-way carrying capacity to meet the requirements of a general retail sales business with secondary sales of used video games.

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 198 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2987 APN: _____

Name of Property Owner: _____

Name of Applicant: Gamestop, Inc.

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Brenda Thanepohn

Print Name: Brenda Thanepohn

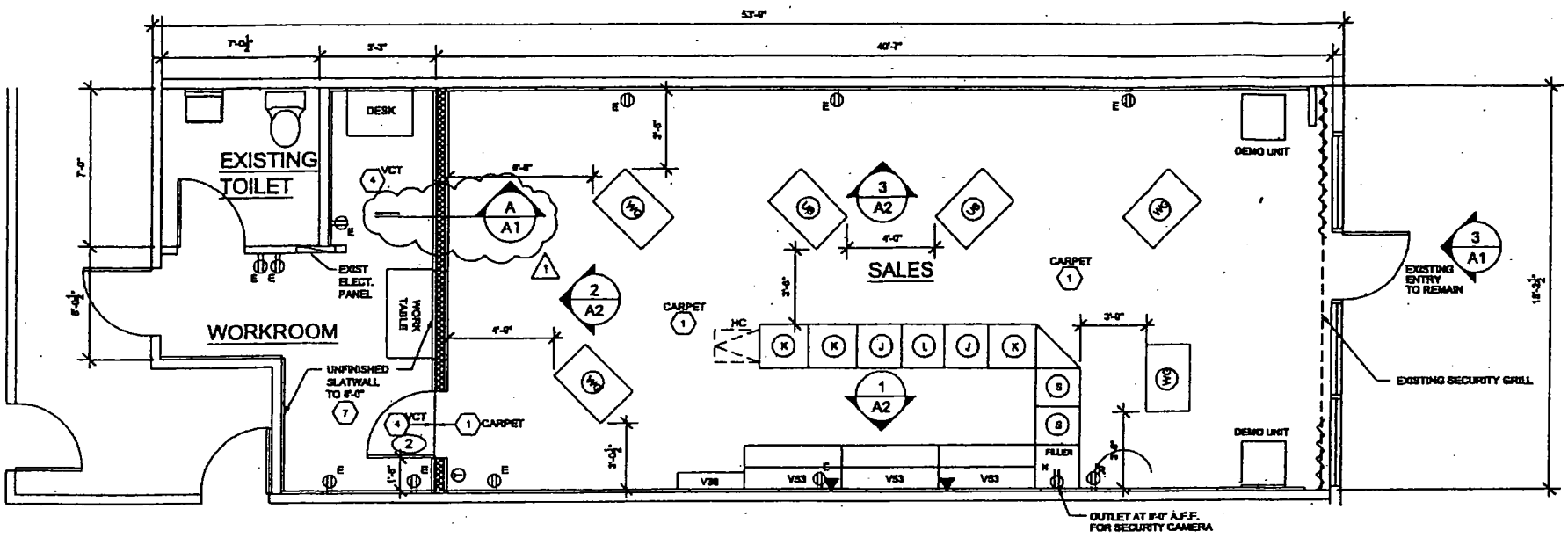
Subscribed and sworn before me

This 24th day of April, 2003

Heather Lambert
Notary Public in and for said County and State

HEATHER LAMBERT
Notary Public, State of Nevada
Appointment No. 03810121
My Appt. Expires March 26, 2007

457



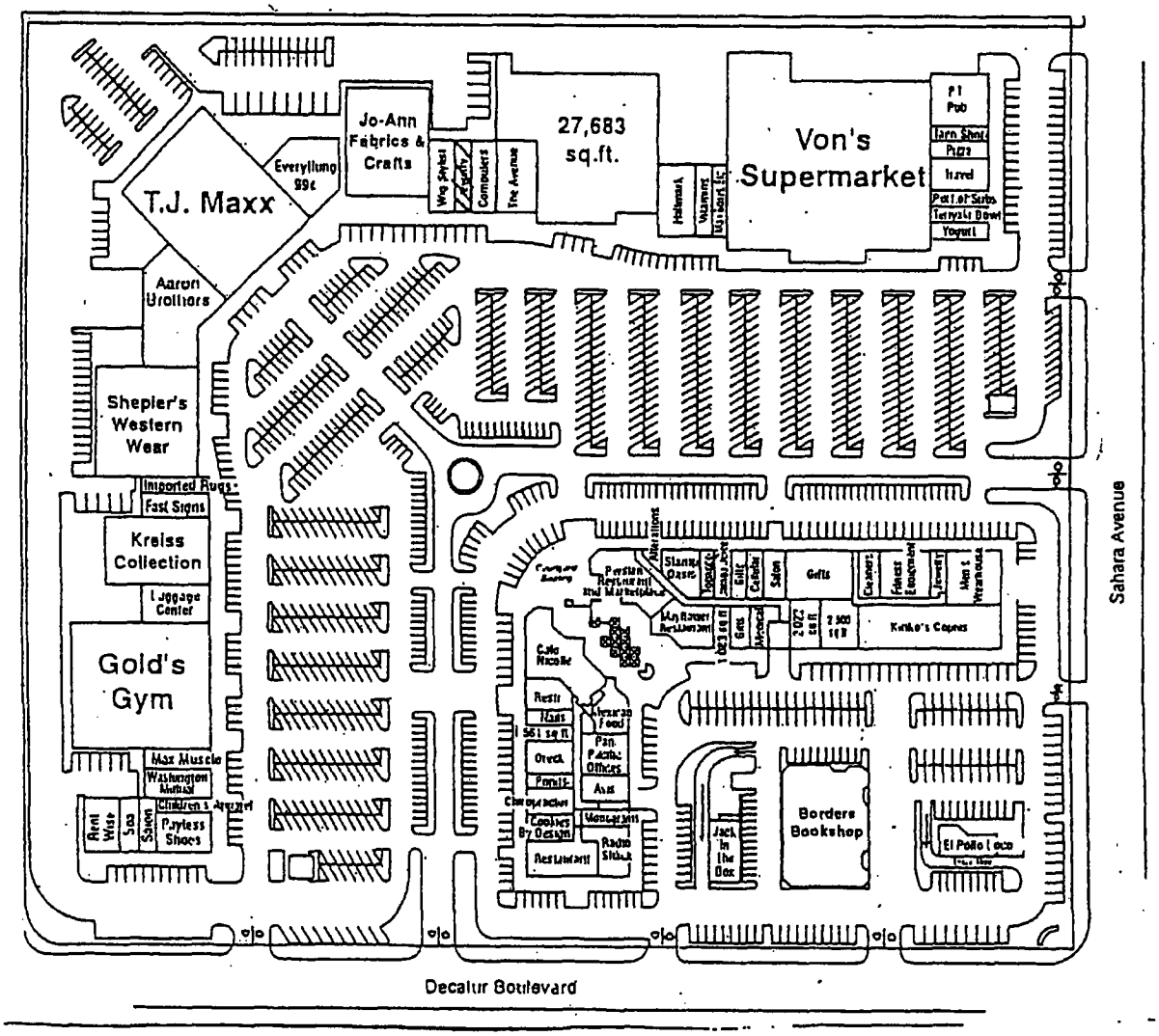
1 FLOOR PLAN
SCALE : 1/4" = 1'-0"

SUP-2987
10-09-03 PC

157

EXHIBIT B

SITE PLAN OF THE SHOPPING CENTER AND GENERAL CROSS HATCHING OF PREMISES



SUP-2987
10-09-03 PC

(end of document)



SUP-2987 - GAMESTOP, INCORPORATED ON BEHALF OF SAHARA PAVILLION NORTH US, INC.
4750 WEST SAHARA AVENUE
OCTOBER 9, 2003 PLANNING COMMISSION

9/12/03