

City of Las Vegas

Agenda Item No. 93

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEUMUS** ☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 117 [ZON-3080], Item 118 [SDR-3082], Item 127 [GPA-3066], Item 128 [ZON-3071], Item 129 [SUP-3073] and Item 130 [SDR-3079] to 12/17/2003 and Item 112 [SUP-2904], Item 113 [SUP 3114], Item 119 [ZON-3031], Item 120 [VAR-3040], Item 121 [SUP-3038] and Item 122 [SDR-3035] to 1/7/2004 - UNANIMOUS with MACK excused

NOTE: The initial motion to abey Items 119 through 122 to 12/17/2003 was modified to 1/7/2004 pursuant to the request of the applicant upon motions by Reese to reconsider and modify, both of which carried unanimously with Mack excused

MINUTES:

NOTE: COUNCILMAN REESE brought forward for discussion Items 94-97.

ROBERT GENZER, Director, Planning and Development Department, indicated that the applicant spoke with COUNCILMAN MACK and requested that Item 127 [GPA-3066], Item 128 [ZON-3071], Item 129 [SUP-3073], and Item 130 [SDR-3079] be held in abeyance to 12/17/2003.

MR. GENZER further clarified with COUNCILMAN REESE that Item 112 [SUP-2904] would be held in abeyance to 1/7/2004. ATTORNEY SCOTT HOLPER, Moran and Associates, 630 South 4th Street, confirmed the abeyance.

MAYOR GOODMAN disclosed that he would be abstaining on Item 113 [SUP-3114] due to the fact that his law partners are negotiating with the billboard company, which could benefit his law firm.

(1:21 – 1:27)

4-1

City of Las Vegas

Agenda Item No. 94

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 6237 Bellota Drive. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)

Fiscal Impact☒ **No Impact****Amount:**☐ **Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐ **Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to Las Vegas Municipal Code 6.58.040G, the outdoor pay phone was deemed a nuisance at a presentation to City Council June 4, 2003 by Metro Police (Item 49). The Integrated Service Team area called Sierra Oeste was plagued with criminals dealing in narcotics, prostitution, and other illegal activities. Pay phones in the neighborhood were used for drug activity, nuisance loitering, and 911 disconnects. A letter was mailed to the licensees on October 30, 2003, requesting removal of the phone.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice of Outdoor Pay Telephone Violations
4. Notice of Appeal
5. Appeal Letter from Property Owner
6. Submitted after final agenda – Abeyance request by Custom Communication Network

MOTION:

BROWN – ABEYANCE to 1/7/2004 with direction to turn off the phone, analyze the usage with Metro and report back on January 7, 2004 - UNANIMOUS with MACK excused

NOTE: An initial motion for a two-week abeyance on Items 94, 95, 96 and 97 by GOODMAN failed with BROWN, L.B. McDONALD, WEEKLY and MONCRIEF voting No

NOTE: COUNCILMAN REESE brought forward for discussion Items 94-97.

City of Las Vegas

Agenda Item No. 94

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Neighborhood Services Department
Item 94 – 6237 Bellota Drive

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A combined Verbatim Transcript of Items 94, [6237 Bellota Drive] 95, [1916 Lirio Way] 96, [525 Fremont Street] and 97, [northeast corner of 19th Street and Stewart Avenue] was made part of the Final Minutes.

APPEARANCES:

OSCAR B. GOODMAN, Mayor
GARY REESE, Councilman
TODD FARLOW, 240 North 19th Street
ILBERT MEDNICOFF, Custom Communications Network
DAN STILL, Deputy City Attorney
LARRY BROWN, Councilman
DAVE SEMENZA, Manager, Neighborhood Response
JOHN FARRELL, Sergeant, Las Vegas Metropolitan Police Department
DAVID FRICKER, Officer, Las Vegas Metropolitan Police Department
UNIDENTIFIED FEMALE
LAWRENCE WEEKLY, Councilman
ERIC FRICKER, Sergeant, Las Vegas Metropolitan Police Department
SANDRA SELLMAN, area resident
ROBERT WILLIAMS, Officer Las Vegas Metropolitan Police Department
BEATRICE TURNER, West Las Vegas Resident
BARBARA JO RONEMUS, City Clerk
JIM DiFIORE, Manager, Business Service Division
STEVE MEDNICOFF, Custom Communications Network

MAYOR GOODMAN declared the Public Hearing closed.

(1:20-1:25/1:30-2:20)

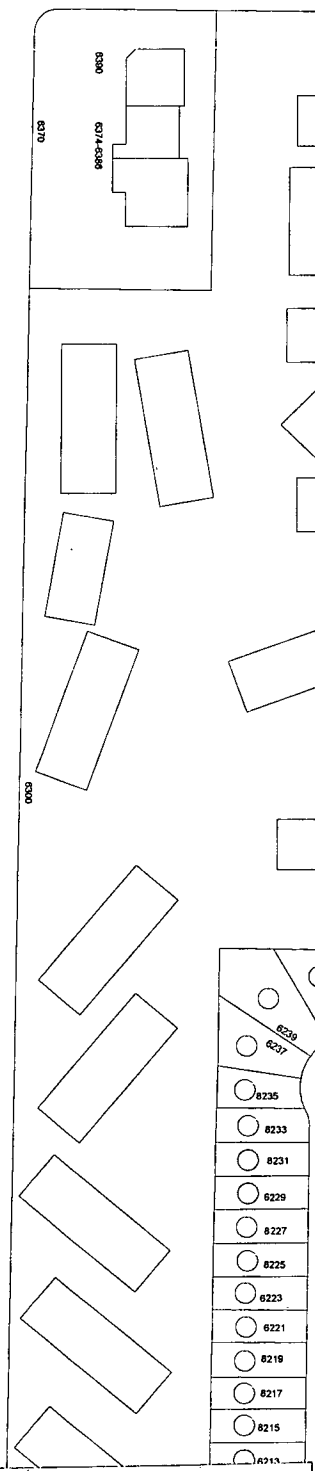
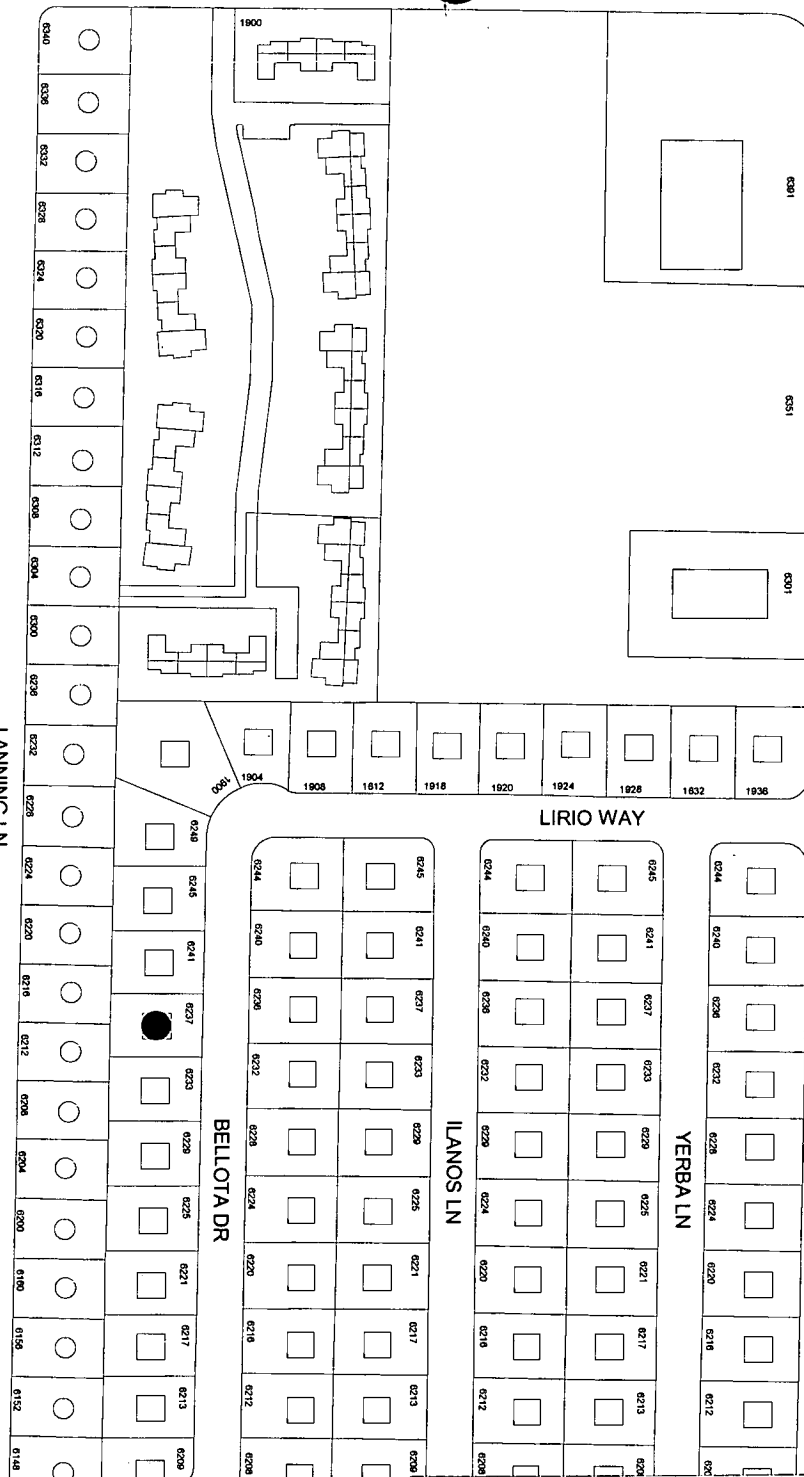
4-1/4-132/4-310

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 3, 2003****DEPARTMENT: Neighborhood Services****ITEM DESCRIPTION: Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 6237 Bellota Drive.****PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)**

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Codes 6.58.040(g) and 6.58.090 – Outdoor Pay Telephone Sections dealing with nuisances and removal. Codes state it is unlawful for any person to install, construct, or maintain an outdoor pay telephone on any property or at any location which has been determined by Metro, Finance and Business Services, or Neighborhood Services to create a nuisance under this Chapter based upon prior actual use. Outdoor pay telephones determined to be a nuisance are to be removed within fourteen days after notification to the licensees. On October 30, 2003 a notice, was mailed to the licensees requesting removal of the phones.

Today's hearing is to consider the appeal of the notice of "Outdoor Pay Telephone Violations" at 6237 Bellota Drive, filed by Ibert Mednicoff, President, Custom Communications Network.

TORREY PINES DR





October 30, 2003

Custom Communications Network
5000 West Oakey Blvd. Suite B-6
Las Vegas, NV 89146

ATTN: Ilbert and Steven Mednicoff
RE: Outdoor pay telephone violations
6237 Bellota Drive and 1916 Lirio Way

Dear Mssrs. Mednicoff:

Per the letter dated September 24, 2003 the above referenced outdoor pay telephones were requested to be **removed** from these locations. The outdoor pay telephones owned by Custom Communications Network at the aforementioned locations have been determined to be a nuisance due to the reported criminal activity that is associated with the location placement of these outdoor pay telephones. Pursuant to Las Vegas Municipal Code 6.58—Outdoor Pay Telephone Section .040 entitled **Prohibited where**, it states:

"It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

....(G) On any property or at any location which has been determined by Metro, The Department of Finance and Business Services or the Department of Neighborhood Services to create a nuisance under this Chapter based upon prior actual use."

Las Vegas Municipal Code 6.58.090 requires the removal of outdoor pay telephones determined to be a nuisance within **fourteen** days after notification to the licensee.

Please consider this as a formal notification and request to have the aforementioned outdoor pay telephones removed within fourteen days of the date of this letter. You may appeal this notification subject to the provisions of Las Vegas Municipal Code 9.04.070 (attached), however, if you fail to meet the requirements to appeal this decision the City will proceed with the removal of these outdoor pay telephones following the required time period subject to this notification. I appreciate your cooperation in this matter.

Sincerely,


Jim DiFiore, Manager
Business Services Division
Finance & Business Services

CC: Officer David Fricker, LVMPD Downtown Area Command
David Semenza
Wendy Smith
Lon Grasmick

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LEE B. McDONALD
LORRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

9.04.070 Appeal procedures.

Within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

10-30-03

Custom Communication Network
would like to appeal in 10
expressed time frame.

filed here by
President.

RECEIVED
CITY CLERK

2003 OCT 30 A 10:59



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
PATTE B. McDONALD
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 21, 2003

CERTIFIED & REGULAR MAIL

Custom Communications Network
Mr. Steve Mednicoff
5000 West Oakey Blvd, Ste. B-6
Las Vegas, Nevada 89146

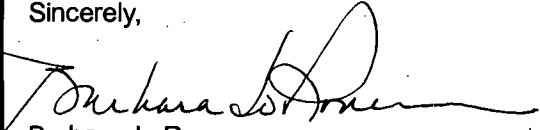
Re: Notice of Appeal Hearing – 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street, and the northeast corner of 19th Street and Stewart Avenue

Dear Mr. Mednicoff:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3rd day of December 2003, at the hour of 1:00 p.m. This hearing is in response to your appeal letters concerning the removal of outdoor pay telephones at 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street; and the northeast corner of 19th Street and Stewart Avenue.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Stephen Harsin, Acting Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Loretta Arrington, Ward 3 Liaison
Ricky Barlow, Ward 5 Liaison
Leni Skarr, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Custom Communications Network
Mr. Steve Mednicoff
5000 West Oakey Blvd, Ste. B-6
Las Vegas, Nevada 89146

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

L. V. ... 12/2/03

C. Signature

x [Signature]

☐ Agent
☐ Addressee
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 1670 0010 0573 7754

CUSTOM COMMUNICATIONS NETWORK

5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229

November 26, 2003

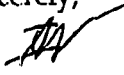
RE: Abeyance Request

To Whom It May Concern:

This letter is to serve as a request for an abeyance for the hearing on December 3, 2003 regarding a pay telephone located at 6237 Bellota Drive. We would like to reschedule this appeal hearing for December 17, 2003. Because of the holiday season, several people are off of work and we only had three business days to prepare.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Ilbert Mednicoff

RECEIVED
CITY CLERK
2003 NOV 26 A 10:52

Submitted after final agenda

Date

11/26/03 Item #94

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 6237 Bellota Drive; Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 1916 Lirio Way; Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 525 Fremont Street; Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at the northeast corner of 19th Street and Stewart Avenue.

Appearance List:

OSCAR GOODMAN, Mayor
GARY REESE, Councilman
TODD FARLOW, 240 North 19th Street
ILBERT MEDNICOFF, Custom Communications Network
DAN STILL, Deputy City Attorney
LARRY BROWN, Councilman
DAVE SEMENZA, Manager, Neighborhood Services Department
JOHN FARRELL, Sergeant, Las Vegas Metropolitan Police Department
DAVID FRICKER, Officer, Las Vegas Metropolitan Police Department
UNIDENTIFIED FEMALE
LAWRENCE WEEKLY, Councilman
ERIC FRICKER, Sergeant, Las Vegas Metropolitan Police Department
SANDRA SELLMAN, area resident
ROBERT WILLIAMS, Officer, Las Vegas Metropolitan Police Department
BEATRICE TURNER, West Las Vegas resident
BARBARA JO RONEMUS, City Clerk
JIM DiFIORE, Manager, Business Services Division
STEVE MEDNICOFF, Custom Communications Network

(1:20 – 1:25/1:30 – 2:20)

4-1/4-141/4-310

One hour

Typed by: Angela Crolli
Proofed by: Vicky Darling/

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

45 **MAYOR GOODMAN**

46 We'll start with our afternoon agenda and I'll call Item – Number 93. 93 is any items from the
47 afternoon session that the Council, staff and/or the applicant wish to be stricken or held in
48 abeyance to a future meeting may be brought forward and acted upon at this time. Mayor Pro
49 Tem?

50

51 **COUNCILMAN REESE**

52 Yes, Your Honor – we have a few items here. We have Items 94-97, is removal of outdoor pay
53 phone (sic) at 6237 Bellota Drive, 1960, 1916 Liorio Drive (sic), 525 Fremont Street and the
54 Northeast corner of 19th and Stewart Street. The applicant, the owners of these phones asked to
55 hold this in abeyance until our December 17, 2003 meeting.

56

57 **END RELATED DISCUSSION – RESUMED RELATED DISCUSSION**

58

59 **MAYOR GOODMAN**

60 Right, and before we vote, Mayor Pro Tem, I'd like to call 94 to 97 forward, please.

61

62 **COUNCILMAN REESE**

63 90 –

64

65 **MAYOR GOODMAN**

66 94 to 97 forward.

67

68 **COUNCILMAN REESE**

69 Okay. Is the representative here from Custom Communications Network?

70

71 **MAYOR GOODMAN**

72 Or the, is anybody here?

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

73 **COUNCILMAN REESE**

74 He's –

75

76 **MAYOR GOODMAN**

77 Oh, you are. Okay. Very good.

78

79 **TODD FARLOW**

80 Your Honor, I'd like to speak on Item 97 also.

81

82 **MAYOR GOODMAN**

83 Okay. Let's – see what we're going to do on it first.

84

85 **ILBERT MEDNICOFF**

86 Yes, I'm representing Custom Communications.

87

88 **MAYOR GOODMAN**

89 Okay. I understand that letters were written to our Clerk's Office, received by us on November
90 the 26th asking that this matter be abeyed.

91

92 **ILBERT MEDNICOFF**

93 Yes, Sir.

94

95 **MAYOR GOODMAN**

96 Why?

97

98 **ILBERT MEDNICOFF**

99 For a couple of reasons. One –

100

101 **MAYOR GOODMAN**

102 Have you given us your name yet? I'm sorry.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

103 **ILBERT MEDNICOFF**

104 I'm sorry. My name is Ilbert Mednicoff. I'm the President of Custom Communications.

105

106 **MAYOR GOODMAN**

107 Okay.

108

109 **ILBERT MEDNICOFF**

110 We received the, I received the mail on Tuesday of last week. As we know, the holidays came in
111 right after that. Time to prepare for this was very small and very little, and I can't say very little.

112 We've been working diligently to get prepared for this.

113

114 **MAYOR GOODMAN**

115 All right. The only problem that I have, I've got every robber in town is out robbing people now
116 because Metro's here. And I understand that there're also some folks in the audience who are
117 here to speak on this and I hate to inconvenience the people. But it would appear to me that
118 that's, do you really need the time to prepare?

119

120 **ILBERT MEDNICOFF**

121 Yes. I probably have about 70% of the pay phones in Southern Nevada represented by now.

122

123 **MAYOR GOODMAN**

124 What – does that mean?

125

126 **ILBERT MEDNICOFF**

127 From the other companies that are competitors to us, are – be here and, you know, looking
128 towards the future and to have their reconsitation (sic) behind us, as an association, more or less.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

129 **MAYOR GOODMAN**

130 Well, we could take judicial notice of that, that you would have a lot of people who are making
131 money from pay phones objecting to us considering this at that time. If that's sufficient, we
132 could make that part of the record.

133

134 **COUNCILMAN REESE**

135 I – would like to hear the one on, Item Number 97 in my Ward.

136

137 **MAYOR GOODMAN**

138 That's a problem. I don't want to put you at a disadvantage, as far as not being able to make a
139 presentation. If you're telling me you can't make a presentation, then I'll accept your word.

140

141 **ILBERT MEDNICOFF**

142 Yes.

143

144 **MAYOR GOODMAN**

145 If you – just saying that you need a lot of people in the audience to look at us and say that you
146 shouldn't do this, that doesn't impress us too much.

147

148 **ILBERT MEDNICOFF**

149 No.

150

151 **MAYOR GOODMAN**

152 Okay.

153

154 **ILBERT MEDNICOFF**

155 No. I'm not saying that.

156

157 **MAYOR GOODMAN**

158 All right.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

159 **DAN STILL**

160 Your Honor?

161

162 **MAYOR GOODMAN**

163 Yes.

164

165 **COUNCILMAN REESE**

166 Dan Still.

167

168 **DAN STILL**

169 What we could do, I – was concerned with holding it in – abeyance, hearing from Metro and then
170 holding in abeyance. But since there's a representative present from the corporation, it, it's your
171 discretion, obviously, but to accommodate, you know, we've had a lot of people prepared for this
172 today, we could hear the testimony today from everyone, and then they could come back on
173 whenever you decide, the 17th or January, and they could make their presentation so that we
174 don't inconvenience these guys that come all, they spent a lot of time and effort on this, this
175 meeting.

176

177 **MAYOR GOODMAN**

178 Mr. Still, I think that's a good – idea. So, we will, we'll go forward on these, however, you'll
179 have the opportunity before we vote to come back at a subsequent meeting and present any kind
180 of testimony or evidence in support of your position.

181

182 **ILBERT MEDNICOFF**

183 I really didn't come in here to, in more or less, try this.

184

185 **MAYOR GOODMAN**

186 Well, you're not trying it.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

187 **ILBERT MEDNICOFF**

188 I – do have a recommendation, but I'll start from the beginning and when I follow up, I would
189 ask that again, is that there is a committee that we can talk to and give you an example –.

190

191 **MAYOR GOODMAN**

192 Well, this is what we're going to do. We're going to take the testimony of the people who are
193 today and then you'll either go forward today or you'll present your position at some subsequent
194 meeting. We will not vote, however, until you have an opportunity to be prepared.

195

196 **ILBERT MEDNICOFF**

197 Thank you.

198

199 **MAYOR GOODMAN**

200 Okay?

201

202 **COUNCILMAN BROWN**

203 Your Honor, just –

204

205 **MAYOR GOODMAN**

206 Yes.

207

208 **COUNCILMAN BROWN**

209 I am monitoring 94 and 95, but as far as the, maybe that'll be explained by staff, but as far as the
210 process and this phone being deemed a nuisance and then a letter mailed to the licensees on
211 October 30th '03, when was – the letter requesting abeyance sent? I didn't get that.

212

213 **MAYOR GOODMAN**

214 It was received by the Clerk's Office November 26th.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

215 **COUNCILMAN BROWN**

216 Okay. Thank you.

217

218 **MAYOR GOODMAN**

219 Right. All right. So, with that in mind, why don't we vote on 112 and the balance and then we'll
220 call 94 to 97.

221 **END RELATED DISCUSSION - RESUMED RELATED DISCUSSION**

222

223 **MAYOR GOODMAN**

224 All right, Item Number 94 is hearing and possible action to consider the appeal regarding the
225 removal of the outdoor pay telephone at 6237 Bellota Drive. The property owner is Customs
226 (sic) Communications Network and this is in Ward 6. And the recommendation is that the City
227 Council approve the removal of the outdoor pay phone. Mr. Semenza?

228

229 **DAVID SEMENZA**

230 Good afternoon, Your Honor, members of the Council. Dave Semenza, Neighborhood Response
231 Manager. I'd like to take Items 94 and 95 together.

232

233 **MAYOR GOODMAN**

234 All right. I'll read 95. 95 is a hearing and possible action to consider the appeal regarding the
235 removal of the outdoor pay telephone at 1916 Lirio Way. The property owner is Custom
236 Communications Network. This too is in Ward 6 and the recommendation is the City Council
237 approve the removal of the outdoor pay telephone.

238

239 **DAVE SEMENZA**

240 In a present, in a presentation to the City Council earlier – this year concerning the Integrated
241 Service Team, Metro followed up with one of the target areas known as Sierra Oeste. Some of
242 the problems causing decay in the area were identified as prostitution, drug trafficking, loitering,
243 street gangs, and other illegal activity, as well as down, as well as run down apartment buildings
244 comprised of four-plexes. Four neighborhood pay phones were identified as contributing to the

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

245 illegal activities. In addition to that, there were many 911 disconnects, which tie up the 911
246 phone lines.

247 Neighborhood Response and Business License were requested by Metro to remove these
248 telephone as nuisances, citing their use for drug trafficking, prostitution, loitering and conduct
249 unbecoming to the tranquility of the neighborhood. Jim DiFiore, the Manager of Business
250 License, sent letters to the owners of each phone proclaiming them nuisances under Title 6,
251 Chapter 6.58.090 and giving them proper notice to remove them or file an appeal pursuant to
252 Title 9, Chapter 9.04.070. The owner of these two phones filed an appeal. Metro officer,
253 Sergeant John Farrell, is here to provide a differ, additional information to you on these phones.

254

255 **MAYOR GOODMAN**

256 All right. Now, are these phones, they're in two different streets, of course, but were, are your
257 representations the same as to each of those phones?

258

259 **DAVE SEMENZA**

260 For both of these phones, yes.

261

262 **MAYOR GOODMAN**

263 All right. Very good. And the officer is whom?

264

265 **DAVE SEMENZA**

266 Sergeant Farrell.

267

268 **MAYOR GOODMAN**

269 Sergeant, why don't you come up?

270

271 **DAVE SEMENZA**

272 Sergeant John Farrell from the Northwest Command.

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

273 **MAYOR GOODMAN**

274 Sergeant, you, are you going to be addressing both of the phones?

275

276 **JOHN FARRELL**

277 Yes.

278

279 **MAYOR GOODMAN**

280 Very good. Please tell us who you are and what you do?

281

282 **JOHN FARRELL**

283 I'm Sergeant John Farrell and I'm the Community Policing Sergeant at the Northwest Area
284 Command.

285

286 **MAYOR GOODMAN**

287 Very good.

288

289 **JOHN FARRELL**

290 And, I've actually been working in the Northwest in this area for two and a half years and I also
291 worked at two years back in the late 80s. So, I've been in this neighborhood for four and a half
292 years. And throughout the whole years, as Mr. Semenza was saying, the decay of the
293 neighborhood's been declining and we needed help. Officer Pacifico represented me on my
294 behalf, in front of you, I believe at the end of June, July asking for help, and that's how we got
295 involved with the Integrated Service Team.

296 We were discussing ways on how we can help reduce the crime in the area. We looked at all the
297 calls for service for the last two years, 2002 as well as all 2003, currently through November.
298 Out of the four pay phones, there are four that we're talking about, we grouped them all together
299 and, you know, but the – man's here for the two. The two, the four pay phones combined had a
300 hundred and thirty-nine 911 disconnects that were false throughout 2002 and 2003. Out of all
301 the other phone calls placed to Metro on the, these phones, there were 32 other phone calls to
302 Metro and only six of them were anywhere where they needed to be required for a report. The

**CITY COUNCIL MEETING OF
December 3, 2003**

COMBINED VERBATIM TRANSCRIPT – ITEMS 94, 95, 96 AND 97

303 average time for a 911 disconnect is 10 minutes, is an average time that the dispatcher that has to
304 maintain on calling back, trying to make sure that there isn't an emergency. And it's about 30
305 minutes from dispatch time for the officers to drive to the neighborhood, as well as clear the call
306 and make sure there is no other real emergency in the neighborhood. And we don't send one
307 officer; we send two because if it is something extreme we need to make sure he has the backup.
308 So, it ends up being an hour and 10 minutes per call for every 911 disconnect.

309 Throughout the last two years, that's 9,730 minutes or a hundred and sixty-two and a half hours.
310 And looking at manpower and trying to help reduce calls so that we can put the police officers in
311 the right places at the right time, we needed help from the City and asked them to help remove
312 the pay phones for us.

313

314 **MAYOR GOODMAN**

315 Thank you very much, Sergeant. Any questions of Sergeant Farrell?

316

317 **COUNCILMAN BROWN**

318 Yes, Your Honor.

319

320 **MAYOR GOODMAN**

321 Yes, Councilman Brown.

322

323 **COUNCILMAN BROWN**

324 Sergeant, the statistics, as far as the 162 hours, those were calendar year and for all, cumulative
325 for all four phones?

326

327 **JOHN FARRELL**

328 That would be cumulative for all four all phones for 2002 and 2003, currently through the month
329 of November.

330

331 **COUNCILMAN BROWN**

332 Thank you.

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333 **MAYOR GOODMAN**

334 What does that translate into dollars?

335

336 **JOHN FARRELL**

337 Well, I mean, if you figure out average the, I bet you're paying \$50 per an hour times that by 162
338 and, I can't do the math, but –

339

340 **MAYOR GOODMAN**

341 About \$8,000. Okay.

342

343 **JOHN FARRELL**

344 Exactly.

345

346 **MAYOR GOODMAN**

347 All right. Very good. All right, thank you. All right. Are we ready to call 96 and 97?

348

349 **DAVE SEMENZA**

350 Thank you. I'd like to add that there were four phones, only two of 'em were appealed, and
351 these two phones originally were on public property, they were on the City right-of-way. And I
352 asked the owners to remove them and they said they would, but they just moved them back onto
353 private property when I thought they had been completely removed.

354

355 **MAYOR GOODMAN**

356 All right. Would you –

357

358 **DAVE SEMENZA**

359 Yes, we're ready to go to Items 96.

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360 **MAYOR GOODMAN**

361 Okay. Item Number 96 is hearing and possible action to consider the appeal regarding the
362 removal of the outdoor pay telephone at 525 Fremont Street. The property owner is Customs
363 Communication Network. This is in Ward 5 and the recommendation is that the City Council
364 approve the removal of the outdoor pay phone.

365

366 **DAVE SEMENZA**

367 At 525 Fremont Street, Neighborhood Response and Business License were again requested by
368 Metro to remove these three telephones as nuisances citing the use for, again for drug trafficking,
369 prostitution, loitering and conduct unbecoming to the tranquility of a neighborhood. Jim
370 DiFiore, the Manager of the Business License, sent letters to the owners of each phone
371 proclaiming them nuisances under, again, Title 6, Chapter 6.58.090 and giving them proper
372 notice to remove them or file an appeal pursuant to Title 9, Chapter 9.04.070. The owner of
373 these phones has filed an appeal. Metro Officer David Fricker is here to – provide additional
374 information to you and also, Sergeant Fricker is here.

375

376 **MAYOR GOODMAN**

377 All right. Will the Officer –

378

379 **DAVID FRICKER**

380 Good afternoon, Your Honor.

381

382 **MAYOR GOODMAN**

383 Tell us who you are, Mr. Fricker.

384

385 **DAVID FRICKER**

386 David Fricker with the Las Vegas Metropolitan Police Department, City Council.

387

388 **MAYOR GOODMAN**

389 Right.

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390 **DAVID FRICKER**

391 The reason why I'm here today is phones at 525 Fremont. There's three phones that are at that
392 location. The problems that we've seen is in the last year, as everybody knows we've done a lot
393 of enforcement down on Fremont Street, in the last year we've done over 2,000 arrests down
394 there. And a lot of those were done from covert type of operations and what we've noticed is
395 that these pay phones, a lot of the drug dealers will hang out at that location. They'll hang out on
396 the street corner, they'll loiter, they'll just put their drugs up inside the – in –

397

398 **UNIDENTIFIED FEMALE**

399 The change (inaudible).

400

401 **DAVID FRICKER**

402 Thank you. Inside the change booth. So, we've got other people here who know about it too.
403 And there's, there're the blue boxes around the pay phones, they'll use those to hide the drugs
404 and the narcotics. Another thing that we've seen is that when patrol officers drive by, all of the
405 sudden your drug dealer will reach over, pick up the phone and get on the phone and start talking
406 to nobody, after dialing for nothing. So, those are a couple of the basic problems that we've
407 seen.

408 There have been 13 911 disconnects from that area, as the Sergeant has said, it can be a problem
409 for us. There have been a total of 40 calls so far this year to the police. And the problem that we
410 see there is, out of those 40 only four of these have had any type of police interaction or
411 intervention. The other 36 calls, there was nobody around, absolutely nothing, a huge waste of
412 our time. So, we've got a lot of people loitering in the area. We've got, not a high number of
413 911 disconnects, but enough to really waste our time.

414 What we also did was – prior to just deciding to yank the phones out, we stopped in at 525
415 Fremont and we talked to the owner. If you're familiar with the own, with that store, it's right on
416 the corner of Sixth and Fremont, they sell triple X videos, they've got blow-up dolls in the
417 window, now after talking to the owner, he said he doesn't want to take the pay phones inside.
418 And he doesn't want them taken inside because there's drug dealers outside using 'em. So, he's
419 benefiting from the dollar of the drug dealer, but he doesn't want to take it inside to monitor his

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420 phone. And I kind of have a problem with that. He doesn't want to police something or take
421 care of something that – he's actually com, contributing to.

422 At the – corner of Sixth and Fremont, that's right smack in the middle of the new Entertainment
423 District and we're trying to clean that area up. And in order to get new ideas and new people and
424 new businesses inside, we've got do some radical things and some of those things are going to be
425 having to remove pay phones or – remove bus benches and things like that in order to revitalize
426 that area. We need to take the areas where these drug dealers can hide in plain sight and take
427 them out and start bringing in the new – businesses. And that's pretty much all I have.

428

429 **MAYOR GOODMAN**

430 Officer, my – only concern is, what is the alternative for some legitimate person who's not
431 involved with drug dealing or prostitution out there, as far as having accessibility to a pay phone
432 or to make a phone call, because that really is in the heart of Fremont Street.

433

434 **DAVID FRICKER**

435 Sure, absolutely. Kitty corner across the street is the El Cortez. El Cortez is open 24-hours a
436 day. You move two doors down, just to the west, and there's the Western Union. The Western
437 Union has two phones outside and we've already made contact with them and they're going to
438 bring their phones inside. So –

439

440 **MAYOR GOODMAN**

441 So, the police – theory then, if there's a phone inside, there has to be a proprietor, somebody who
442 is responsible for the inside.

443

444 **DAVID FRICKER**

445 Absolutely.

446

447 **MAYOR GOODMAN**

448 And that they will monitor and protect their own interests by not having illegal activity take
449 place –

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450 **DAVID FRICKER**

451 Correct.

452

453 **MAYOR GOODMAN**

454 – in their premises. Is that, that's the theory?

455

456 **DAVID FRICKER**

457 Correct. And – there's – one – good thing like that up at Fremont and the Boulevard on the
458 northeast corner. There's three phones up there also. That's where that parking lot is. They've
459 got a 24-hours attendant there, and – we've sat outside and I, I've monitored that phone as well
460 and there isn't a single problem there. Everybody that comes up, they come across the
461 Experience, use the phone and go back to the Experience. So, it's a radical difference by moving
462 one single block down, you, is where you've got the drugs and the narcotics and the problems
463 where the phone isn't monitored.

464

465 **MAYOR GOODMAN**

466 Very good. Any questions of Officer Fricker? All right. Thank you very much. Are we ready
467 for Item Number 97?

468

469 **DAVE SEMENZA**

470 I don't know. Eric, would, did you have any additional information you'd like to add?

471

472 **COUNCILMAN WEEKLY**

473 Were we – voting on 94?

474

475 **MAYOR GOODMAN**

476 No, we're going abey it. We're just taking the testimony.

477

478 **COUNCILMAN REESE**

479 I wanted to –

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480 **COUNCILMAN WEEKLY**

481 Well, I do – have a comment.

482

483 **ERIC FRICKER**

484 Sergeant Eric Frick (sic) from the Downtown Area Command.

485

486 **COUNCILMAN REESE**

487 I want ‘em, get it out of there.

488

489 **COUNCILMAN WEEKLY**

490 I – thought we were getting rid of ‘em.

491

492 **MAYOR GOODMAN**

493 All right, then, I’ll make the motion and you vote against it. That’s fine. Yes, Sir.

494

495 **ERIC FRICKER**

496 My intention was not to speak today, but I directed these officers to surveil (sic) these phones for
497 dozens and dozens of hours, and they surveilled this phone and realized we have a bad property
498 owner with phones in a bad location, with phones nearby with a legitimate property owner,
499 making legitimate money – that are outside. This is simply a matter of an irresponsible person
500 making a lot of money off of a phone that shouldn’t be doing it. And we have made hundreds of
501 arrests on that particular corner, and – I’m sure everybody is familiar with, just east of that is
502 Sixth Street and that – corner is one of our prime locations for criminal activity. But across the
503 street we have somebody who monitors his own phones and is a good proprietor. So, that’s kind,
504 you know, I think David did an excellent job covering all points, so I don’t want to beat a dead
505 horse, but that’s my prospective (sic).

506

507 **MAYOR GOODMAN**

508 All right. Thank you, Sergeant.

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509 **COUNCILMAN WEEKLY**

510 Your Honor?

511

512 **MAYOR GOODMAN**

513 Yes, Councilman?

514

515 **COUNCILMAN WEEKLY**

516 I think I just wanted to point out that I think it's great that, you know, we've looked at 525
517 Fremont Street, but I know myself, Councilman Reese and Councilman Mack have shared some
518 concerns about certain areas where pay phones are located that are not being utilized for the right
519 reasons. And I think what we've been talking about are case-by-case scenarios, not going in and
520 waging a war on all pay phones. But we all know our – Wards and we know specific areas, and
521 as this lady, as Ms. Turner pointed out, I mean, children in the neighborhood can tell you what
522 pay phones are used for in certain areas of town. And so, I appreciate Metro very much in doing
523 what they did at, on Fremont Street, but I'd also like to take mine a step further because I have a
524 lot of troubled pay phones in my district, and I'd like to see a lot of them removed. And so, I'm
525 not sure how we're dealing with this today. I'm not sure if this was just a report only, but I don't
526 know about anybody else's ward, but on 96 I'd love for mine to go away today.

527

528 **MAYOR GOODMAN**

529 All right. Did you want to speak on 96?

530

531 **TODD FARLOW**

532 On 97.

533

534 **MAYOR GOODMAN**

535 All right.

536

537 **DAVE SEMENZA**

538 Your Honor, going, can, may I go back to 94 and 95 just for a minute?

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539 **MAYOR GOODMAN**

540 Yes.

541

542 **DAVE SEMENZA**

543 Sandy Sellman, who lives right across the street from those pay phones is here and she like to
544 come up and speak.

545

546 **MAYOR GOODMAN**

547 Sure.

548

549 **COUNCILMAN BROWN**

550 Your Honor, as the speaker approaches, I'd ask counsel, is there a difference between a pay
551 phone on public right-of-way or private property in a commercial designation versus a residential
552 or can these phones, by ordinance, be put anywhere?

553

554 **DAN STILL**

555 Well, they – can't actually be put anywhere. They've got have, they're going to go on private
556 property, they got to get permission of the owner. They can't go on properties that are, have
557 abandoned buildings, they can't go on vacant property. There's a whole list of places they
558 cannot go. In general, there's a distinction between a private and a public outdoor pay phone,
559 but the – net result is you still have the same enforcement authority on either type, whether it's
560 on private property or on public property. Except, the private property has to be accessible from
561 the right-of-way. So, somebody walking into a – business or something, that's a little different
562 than having it just moved back off the right-of-way a short distance, but still accessible.
563 Somebody could walk up use it, come off the right-of-way and go back onto the right-of-way.

564

565 **COUNCILMAN BROWN**

566 And, Mr. Semenza, in your comments, you mentioned that only two of the four phones were
567 appealed.

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568 **DAVE SEMENZA**

569 Were appealed; yes.

570

571 **COUNCILMAN BROWN**

572 And are these the two phones that you said, when asked to be removed, simply moved them back
573 onto the private property?

574

575 **DAVE SEMENZA**

576 That's correct.

577

578 **COUNCILMAN BROWN**

579 So, that if someone lives in a house, occupies the house, they can put a pay phone right at the
580 edge of their property and go from there?

581

582 **DAN STILL**

583 Well, theoretically, but if – they did, there are a number of conditions that they would have to
584 meet and more than likely they couldn't meet the conditions so the phone, if – the phone was
585 installed, it would probably be removed quite quickly.

586

587 **COUNCILMAN BROWN**

588 If it's on the public right-of-way, which I'm – trying to find out if these two phones even have
589 standing, because they were on the public right-of-way?

590

591 **DAVE SEMENZA**

592 Yes, Sir.

593

594 **COUNCILMAN BROWN**

595 They were noticed and they moved them back. Do they – have to ask permission or get a
596 different permit or a business license if they move it from the original location a few feet back?

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597 **DAVE SEMENZA**

598 They have to have a contract with the owner of the property.

599

600 **COUNCILMAN BROWN**

601 And these two relocated phones, do we have a copy, and we, the City, have to have a copy of
602 that?

603

604 **DAVE SEMENZA**

605 It goes to Business Licensing. I don't know if they have a copy of that agreement.

606

607 **COUNCILMAN BROWN**

608 Thank you. I apologize.

609

610 **MAYOR GOODMAN**

611 Yes, Ma'am.

612

613 **SANDRA SELLMAN**

614 Okay. Good afternoon, Mr. Mayor and members of Council. My name is Sandra Sellman. I've

615 lived in the area, five-block area and I've lived off Bellota for the last eight years. I have two

616 phones kitty corner from my properties that I manage, and one is 6237 and the other one is 6241.

617 They've been a great cont, distention of drug calls, we have a lot of activity out there. The kids

618 constantly play. They don't have anything to do, so they turn around and pay with the phones.

619 At 9, at 6201, I was there when, 1921 Arpa, 6201 Bellota and the one at 6241 Bellota were put

620 in. They were supposed to have, supposedly have been a year contract, from what I understand,

621 from, you know, the ex-manager who's no longer around. And, you know, I was asked before

622 that, to try to get them removed. I have tried to get a hold of Nevada telephone, Nevada Bell and

623 get rid of them.

624 But they – constantly are used for, and I – will say this to anybody, anybody out there too, for

625 drug calls. We have a distention out there right now. You people have been great to us. You

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626 came out there, you helped the owners set up their buildings, but we still have some distentions
627 that Metro's been working with us very closely. But these tele, these telephones are just pains.

628

629 **MAYOR GOODMAN**

630 Thank you very much.

631

632 **SANDRA SELLMAN**

633 Thank you, Your Honor.

634

635 **MAYOR GOODMAN**

636 Yes?

637

638 **DAVE SEMENZA**

639 One last thing, I might add, on, if these four phones are removed from this neighborhood, there
640 are two other phones within a hundred yards outside the neighborhood that are accessible to the
641 people that live there.

642

643 **MAYOR GOODMAN**

644 Okay. Before we take any more public comment, I'd like to resolve 97 and then I'll hear from
645 the public.

646

647 **DAVE SEMENZA**

648 Yes.

649

650 **MAYOR GOODMAN**

651 97 is hearing and possible action to consider the appeal regarding the removal of the outdoor
652 telephone at the northeast corner of 19th Street and Stewart Avenue. The property owner is
653 Custom Communications Network. This is in Ward 3 and the recommendation is that the City
654 Council approve the removal of the outdoor pay telephone.

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655 **DAVE SEMENZA**

656 It's the same thing. Neighborhood Response and Business License were requested by Metro to
657 remove these phones as nuisances, citing their use for drug trafficking, prostitution, loitering and
658 conduct unbecoming the tranquility of a neighborhood. Jim DiFiore, the Manager of Business
659 License, sent letters to the owners of the phone proclaiming them nuisances under Title 6,
660 Chapter 6.58.090 and giving them proper notice to remove them or file an appeal pursuant to
661 Chapter 9, excuse me, to Title 9, Chapter 9.040.070. The owner of this phone has filed an
662 appeal. Metro Officer Robert Williams is here to provide additional information for you.

663

664 **MAYOR GOODMAN**

665 All right. Officer Williams.

666

667 **ROBERT WILLIAMS**

668 Good afternoon, Your Honor and the Council. Officer Robert Williams, Downtown Area
669 Command for five years. A brief history of this phone, 1901, I was on bikes for about three
670 years. During that three year period we conducted a lot of narcotic activities stops over there.
671 Reason being everybody knows down here that 19th and Stewart is known for heroin. That pay
672 phone in particular, I would observe a lot of people use the phone, hang up the phone and
673 approximately five or ten minutes later a car would come up, pull up and the hand transaction
674 would take place, car would take off. At that time our bikes (inaudible) would stop that person
675 and on their person they'd have heroin, needles and also narcotic priors.

676 I seen, about two, three months, I think it was three months ago I was contacted by the
677 Neighborhood Service watch coordinator that's in that area and she sent me an e-mail stating that
678 that phone in particular, which is 1901 Stewart, the drug activity started back up again. At that
679 time, again, I would surveil and I observed the same thing that I previously observed for three
680 years. I would do the same stops. About 200 yards down the road there's about, from Bruce,
681 actually to Eastern, there's another, there's four other phones. However, they're located on
682 private property, which has no trespassing signs for us. I would also look at those phones and
683 there would actually good citizens using the phone; i.e. people in complexes. And that reason
684 being there was no trespassing sign already posted on that property. So, the narcotic offenders

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685 would not use the property at all. And that's about it. And also, basic taking, backing off with
686 Officer Fricker and Sergeant Fricker (sic) also said.

687

688 **MAYOR GOODMAN**

689 Okay. Any questions of Officer Williams? All right, thank you, Officer. We appreciate it. Mr.
690 Semenza, do you have any other witnesses before I hear from the public?

691

692 **DAVE SEMENZA**

693 No, Your Honor.

694

695 **MAYOR GOODMAN**

696 All right. Fine. Anybody from the public like to be heard?

697

698 **BEATRICE TURNER**

699 Beatrice Turner, West Las Vegas. You know, this officer just talk, about that address on Stewart
700 and 19th Street, I had a patient that lived over in that area, and he's right, that is a heroin
701 (inaudible). That's where you, they go and purchase heroin in that – area over there, and he's
702 right about that. But I want to say about these pay phones, they put up a pay phone on my
703 Godfather's property, we sent them several certified notices to come take the phone down. One,
704 because the building was boarded up, the people had moved out and he had boarded the building
705 up. They would never come and take the phone down. You know how the phone came down?
706 When they realized they wasn't making any money from the phone, because we got up on the
707 building, cause we owned it and we could, and disconnect the phone so it wasn't no dial to the
708 phone so they wasn't making no money. So, they finally came on and took their phone. But if
709 you ride through West Las Vegas and you look in some of them areas where they done came and
710 stuck up them phones, you know what those phones, why, cause the average person that live
711 there, most of them have phones in their homes. But you ride through West Las Vegas and see
712 where they done stuck some of them phones at. They stuck them phones there for the drug
713 dealers. They know what they did.

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714 **TODD FARLOW**

715 Thank you. Todd Farlow, 240 North 19th Street – This is my corner, and what Mr. Semenza
716 didn't mention is that this complaint actually was initiated by our Neighborhood Association, the
717 Church and Neighborhood Association. From the very day that they put this thing in, we have
718 been trying to get this thing off, out of here. If they want to do legitimate business, all they have
719 to do is walk down to Stewart's market, but they won't go down to Stewart's market because
720 Stewart's market has security guards. That's why. So, they come in there, they make their drug
721 deals, they go under the freeway, do their transactions, but we're the ones that have to suffer
722 from this. And you're not, like I say, we've been on this from day one, and to have this go on
723 another day is outrageous. Get that thing outta here. Thank you.

724

725 **MAYOR GOODMAN**

726 All right. Mayor Pro Tem?

727

728 **COUNCILMAN REESE**

729 Yes. We have a representative here from Custom Communications Network. He told us that he
730 would like to hold this in abeyance for two weeks. I would just ask him that he monitor this
731 telephone at 19th and Stewart the next two weeks. And I – definitely have a lot of questions I
732 want to ask him, but I will certainly respect your decision to do what we're doing here today, but
733 I was ready to make a motion for upholding the recommendation of Metropolitan Police
734 Department and our Neighborhood Services. I think that when you have an area where you have
735 a lot crime, there's always pay telephone right in the middle of it, and this is an area here where
736 I've had many, many calls. I've had many, many – visits to my barbershop, why don't you
737 remove this telephone? And so, I was ready to make a motion for removal today. And, but I
738 will respect your –

739

740 **MAYOR GOODMAN**

741 Well, and I appreciate what you're saying, Mayor Pro Tem. What I could do, I told the
742 gentleman I would move for an abeyance, if you want to vote against me, that's certainly your
743 prerogative.

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744 **COUNCILMAN REESE**

745 Well, no. I'm saying, I – will respect that because you told the gentleman. But I – think he's
746 had plenty of time, knowing that the problems at this location and probably the other locations
747 too, that we was gonna have this hearing and I don't feel – like that his request for the abeyance
748 for reason enough, or the reasons he gave was reason enough to hold this in abeyance. I think he
749 could've got up here and – told was why he felt the pay phones should stay there. And for him
750 to say that he wanted have the association representatives here, he could have this jammed
751 packed here. I – feel like that this is a location where I have problems and they say that, Metro
752 has told me in two different meetings that the problem is the pay phone here.

753

754 **COUNCILMAN WEEKLY**

755 And –

756

757 **COUNCILMAN REESE**

758 So, I'm – just going ask him that if he watches this for the next two weeks, I'll certainly respect
759 your – decision, Mayor.

760

761 **COUNCILMAN WEEKLY**

762 Well, Your Honor, I disagree with, in a sense with Councilman Reese. I do not want to support
763 the motion because I – too believe that this gentleman should understand that it doesn't matter
764 whether he holds it for two weeks or two months, he's not going to get any support on it. And
765 when districts like mine and Reese's Ward, who are begging for law enforcement in our –
766 communities and – we finally get, we get some help to alleviate some of these problems that
767 we're having, I – don't understand what – we give these abeyances for, for purposes of this
768 nature that this gentleman here is standing here for. And so, I don't – support him getting an
769 abeyance on my item. I don't know if it was a package deal?

770

771 **MAYOR GOODMAN**

772 Well, I'm going to move on the package deal and then everybody can vote as they want to.

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773 **COUNCILMAN WEEKLY**

774 Okay. Okay. Well, I don't support it. So –

775

776 **MAYOR GOODMAN**

777 Okay. I'm going to move for a two-week abeyance. All, please, vote. Post.

778

779 **BARBARA JO RONEMUS**

780 It's on all four items?

781

782 **MAYOR GOODMAN**

783 On all four items. All right. Motion does not carry. (Motion failed with Brown, L.B.

784 McDonald, Weekly and Moncrief voting No) So, we'll go forward.

785

786 **COUNCILMAN WEEKLY**

787 I want to make a motion that –

788

789 **MAYOR GOODMAN**

790 No, let the gentleman – respond.

791

792 **COUNCILMAN WEEKLY**

793 Okay.

794

795 **ILBERT MEDNICOFF**

796 I was trying to find out what nuisance really meant, okay? Because this was said to us and said it
797 was a nuisance and, from, and I looked at what it, statute read and I read out everything from that
798 statute. I feel that, as our company and as an association, we're good neighbors, okay? And we
799 want to work with staff. And if there's a proposal out there, and I can start from the stop and I'm
800 going to ask for this and after I'm finished, I'm going to ask for it again.

801 Is that every one of these phones out there are all custom type of phones. They all have their
802 little, from idiosyncrasies to good things, because a lot of times a lot of people miss all the good

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803 things. They see the bad thing that happened but they forget about the good things. Example, if
804 everybody knows the power outage that happened in New York City, pay phone, public
805 telephones revenues went up 300% because they could not use the cell phones, cause of the
806 power outage. Okay, we have to think of the public. And by the way, these are called public
807 telephones, not pay telephones, not revenue-producing telephones, these are public telephones
808 that are out there for the general public to use. Now, we both serve the public and, you know,
809 my – recommendation is let's have a committee that we both talk. We've, we went and spoke to
810 everybody over here. They said this was a nuisance. There's so many things that we can look at
811 and do together and collectively.

812 And I'll take one as – an example. We had 1300 calls from the year of two thousand and one
813 and two thousand and two. I brought printing, printouts of every call in the last two months, and
814 it wasn't prepared for a year, but I can go back a year. I show how many calls were made to, I
815 said to the computer, do me a favor, print out all the calls that go to 911. Print out all calls that
816 go to 311. And shall we take Bellota, that was a high one? Okay. I said a few more things.
817 Here, give me all the calls and I also said, computer, give me the most frequently called number.
818 Okay. So, look at Bellota right here, and I only went back two months because I didn't know
819 what to get, and I show on this phone it generated 753 calls in a two-month period of time.
820 Okay. That's like a \$1.25 a day, not a big phone. But it also generated, this report here is 311,
821 we had one call at two minutes and 14 seconds. So, that kind of tells me, well there's not too
822 many hang ups there. So, then I said, let's look at 911 calls. I had zero out of 553 calls. So,
823 then when I asked, hey, where, you know, what's the most frequently called number, your staff
824 up here, I used to be on staff with Pacific Telephone, in fact, I go back to public communications
825 for 25 years. I've seen everything. Okay? A pay phone doesn't cause drugs, but anyway, I go
826 back and say what's the most frequently called number. Anybody have an idea?

827

828 **COUNCILMAN BROWN**

829 1212.

830

831 **ILBERT MEDNICOFF**

832 Pardon me?

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833 **COUNCILMAN BROWN**

834 555-1212.

835

836 **ILBERT MEDNICOFF**

837 That's a good ans, I mean, there's no wrong answer.

838

839 **COUNCILMAN WEEKLY**

840 911.

841

842 **COUNCILWOMAN McDONALD**

843 (inaudible)

844

845 **ILBERT MEDNICOFF**

846 Welfare Department. These are people over there with low income that don't have residence

847 phones, they're good people. These are public telephones. Now, what I come back, what I said

848 before, I have a printout of everything. You want a year, I can get that for you for a year. And

849 there's stuff that, you know what, I agree with you. We're good, we're a good neighbor. If

850 there's drug deals, my daughter goes to school over here, but you're penalizing us too for not

851 even working. We're sitting here, hey guys, Metro, here's all the – files immediately. We'll be

852 glad to work with you. And you know what the cost is? Nothing. For the years that I've been

853 here, and I've been here full time since 1989, I've had two request, one was on a kidnapping and

854 one was on a murder. I was down there in the office at two o'clock in the morning getting

855 information on the murder.

856 We're sitting here and saying we're, let's make it right, you know, and you know I – look at the

857 owner of, I'm – bouncing around, I'm sorry because I've never been in front of staff like this

858 here before, and you know, I'm beating a little bit here.

859

860 **MAYOR GOODMAN**

861 Doing fine.

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862 **ILBERT MEDNICOFF**

863 At the address of 525, and if I've asked Jim, or I should say, one of employees have asked him
864 what's been going on. 'Cause if I see a drug deal going out there, I'll walk out there with my
865 cane and ch, chase them away. And, you know, I mean, maybe there's certain numbers that are
866 called. I've had, I have the reports. Let's scre, let's walk it. I can do that immediately. I could
867 say, okay, if they're, if these are out of here for a while, like maybe take an handset off and let
868 them go, here they're down for a while. But, you know, I – brought in some articles for
869 everybody to – read it. I didn't know how to get prepared for this, but some in the articles people
870 forget the good side. I mean, all of these things here are call detail report. The ones on Fremont
871 Street, here, I'm going to put an example from that. We all said that there wasn't a lot of hang-
872 ups from it. On a two-month period of time, this is just a, these are just, every call that went out
873 for two months from those phones. On one of them it generated, now these are calls, attempts
874 did not answer, ringing –

875

876 **MAYOR GOODMAN**

877 Speak into the mike.

878

879 **ILBERT MEDNICOFF**

880 I'm sorry. Twenty-two hundred and ninety six calls in a two-month period of time. 911 three
881 calls in the same period of time. One lasted for a minute 47 seconds, one lasted for 40 seconds,
882 and one lasted for 32 seconds. And so, now I went to 311 because that's a new service that isn't
883 out there and I saw the same thing. These phones have been out there for four years, and all of
884 the sudden they've been – a nuisance. We're happy to work with you, but let's do it right. Let's
885 work together onto it. Let's set up a little committee, one person to call to. I mean, we went
886 over there and said Metro deemed this was a nuisance. Okay, what's the nuisance? Okay. We
887 hear that. Well, now we have reports, let's get rid of the problem. The real problem, not have it
888 go migrate some place else or maybe, you know, lighting. I believe there's an issue to get more
889 lighting in this some of these areas from the – power company. Lights would help with –
890 vandalism and/or loitering or everything else that's over there.

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891 I'm just, here you go, I told the computers what to do, all detail. Little things that we could.
892 There was a little article that was out. I can come back with probably more good stuff that's
893 happened than a couple of the things they're saying, 911 hang-ups or this or that. You know,
894 maybe if we're taking 911 and let's redirect it someplace, which we could do, that is just a hang-
895 up. Because we're here the same reason as you are, to serve our, to serve the City.

896

897 **MAYOR GOODMAN**

898 Excuse me, one second. Councilman Reese.

899

900 **COUNCILMAN REESE**

901 Before we get too much further, I just wanted to have Dan Still, I've worked with Dan, I worked
902 with Councilman Brown's liaison on pho, phone ordinances. We've had many, many meetings
903 that I've attended with different representatives of all the phone companies that have these pay
904 phones. I think if I can go back and get records also, I could show you the – problem phones that
905 we've had, that we talked about nuisance phones that have been removed, we have cleaned up
906 the area. And going back nine years that I have been here, there've been many, many phones
907 removed or relocated, and we have worked with the group, the – phone organization. And Mr.
908 Sill (sic), I think has been leading a task force for many, many, many months. This is not
909 something that was just dreamed up to target you or your – company. This is something that has
910 been an on-going problem at the City for many, many years and we do have many success
911 stories, like I said, that, where the phones was removed the area was cleaned up. Thank you.

912

913 **MAYOR GOODMAN**

914 Yes.

915

916 **ILBERT MEDNICOFF**

917 You know, I don't totally disagree with that, but when you have a phone that's 25 yards next to
918 you, you makes us feel that you're picking on us. I mean, it's not far away. And – you know, I
919 look at twenty two hundred and ninety six calls out of a two-month period of time, the phone

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920 next to it did over three thousand calls in a period of time. These are public telephones that are
921 needed. I mean, what's going to happen then? I – don't know, if they're removed. I'm sorry.

922

923 **DAVE SEMENZA**

924 There are other phones in the areas where – these phones are located. And I just want to mention
925 in the Sierra Oeste, it's been two months or longer since the IST was implemented in that area,
926 and that has cleaned up the neighborhood quite a bit.

927

928 **MAYOR GOODMAN**

929 Okay.

930

931 **COUNCILMAN BROWN**

932 Your Honor?

933

934 **MAYOR GOODMAN**

935 Yeah, Councilman.

936

937 **COUNCILMAN BROWN**

938 Since, the referencing, I guess, we're in order, 94 and 95, I just, again, need to understand.
939 These two phones that are indicated with 94 and 95, they're the ones that were moved from the
940 public right-of-way –

941

942 **DAVE SEMENZA**

943 From the public right-of-way to private property.

944

945 **COUNCILMAN BROWN**

946 – to the property.

947

948 **DAVE SEMENZA**

949 Yes, Sir.

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950 **COUNCILMAN BROWN**

951 Do we have the ability to find if they're official licensed or permitted on the private property?

952

953 **DAVE SEMENZA**

954 You can ask the owner.

955

956 **ILBERT MEDNICOFF**

957 Before we install a public telephone anywhere we get permission and a contractual agreement

958 with the either the property owner or with the businesssee (sic).

959

960 **COUNCILMAN BROWN**

961 Okay.

962

963 **MAYOR GOODMAN**

964 Mr. DiFiore, can you shed some light on the Councilman's question?

965

966 **JIM DiFIORE**

967 Yes, I can.

968

969 **MAYOR GOODMAN**

970 Yes.

971

972 **JIM DiFIORE**

973 Mayor and Councilman Brown, to answer your question, these are licensed pay phones. The

974 requirement by the pay phone company is to submit to us the locations of each of the pay phonea

975 that they either install or remove, every quarter. And, so they are properly licensed. We do not

976 require, the code does not require them to submit agreements with those that are on private

977 property.

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978 **COUNCILMAN BROWN**

979 And these two addresses of Bellota Drive and Lirio Way, they are on residential property that is
980 developed with fewer than eight dwelling units?

981

982 **JIM DiFIORE**

983 They are on residential property that I believe is –

984

985 **DAVE SEMENZA**

986 They're four plexes.

987

988 **JIM DiFIORE**

989 They're all four plexes.

990

991 **DAVE SEMENZA**

992 Yes.

993

994 **COUNCILMAN BROWN**

995 So, by our ordinance, at least from the legal standpoint, the moving of the two phones is okay?

996

997 **JIM DiFIORE**

998 I believe so. And I – think, just to emphasize what the officers have testified today, we have no
999 problem with Mr. Mednicoff and his son as operators. It's the use and the location of the pay
1000 phones, and I think that's what we're going to find on all of the issues that we have.

1001

1002 **COUNCILMAN BROWN**

1003 Okay. I appreciate that.

1004

1005 **MAYOR GOODMAN**

1006 Okay. And I appreciate that. And Mr. Mednicoff, I sort of a sense as to the way this is going to
1007 be going today. I want –

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1008 **ILBERT MEDNICOFF**

1009 So, do I.

1010

1011 **MAYOR GOODMAN**

1012 – what – you – say to me, however, makes an awful lot of sense and I think Metro's smart
1013 enough that they're gonna wanna take the information that you have there and make an analysis
1014 to see what is happening on those phones and how we could apply that to other phones
1015 throughout the community here. This is information that's invaluable to us and I would really
1016 hope that a dialogue is started between you and them because, as you, I – don't know who said it,
1017 you're not the bad guy. You're – placing these phones and there are bad guys who are using the
1018 phones and Metro feels that in order to help us and our desire as a City, because we're – thirsting
1019 to have these neighborhood cleaned up and to have commerce and productivity take place there
1020 and get rid of the – pimps and the drug dealers who are really, a scourge upon us, I would hope
1021 that you can work with them so we don't have this in the future, that there will be the dialogue.

1022

1023 **ILBERT MEDNICOFF**

1024 I have just one other thing to say.

1025

1026 **MAYOR GOODMAN**

1027 All right.

1028

1029 **ILBERT MEDNICOFF**

1030 Okay. We've been in time here full time operating since 1989. I've seen a lot that's happening
1031 on public telephones. I've been back with Pacific Bell and my other background's been with
1032 AT&T. So, I seen local, long distance and stuff like that. And, you know, these are all public
1033 communications type of things, each one should be looked at individually.

1034

1035 **MAYOR GOODMAN**

1036 I agree.

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1037 **ILBERT MEDNICOFF**

1038 And – I look at this here and I'm seeing everybody's looking for new ways and remedies and
1039 stuff, that's where I go back to staff, and just like, you know, you say here's one, I know money
1040 has a root to a lot of stuff. Now, we pay our licensing fees, which has gone up probably about
1041 500% since 1989, but we're sitting here getting taxed upon the service that we pay for, 911, that
1042 these public people need that type of a service that's out there. We don't want to jeopardize all
1043 that stuff. But I looked at other things that's happened through the – industry. And about 10
1044 years ago the drug dealers, the prostitutes, all of those people went away from pay phones. Not
1045 all of them. Each one, you can't standardize this, and what they've gone to are these. Now,
1046 here's a tool for you. You can use it, you, do you know where most of the 911 calls come from?
1047 Forty percent of them? Right here. Okay. Good, bad, indifference. I mean, I called when I've
1048 seen it (inaudible)

1049

1050 **MAYOR GOODMAN**

1051 Well, as I say, I think you have a wealth of knowledge and I know Sergeant Fricker is not a
1052 dumb fellow, and he's going wanna take advantage of that. So, I'm going suggest that the two of
1053 you work together.

1054

1055 **ILBERT MEDNICOFF**

1056 I would love to.

1057

1058 **MAYOR GOODMAN**

1059 Okay.

1060

1061 **ILBERT MEDNICOFF**

1062 I would love to and take, you know, there's some locations, I agree with you. Each one –

1063

1064 **MAYOR GOODMAN**

1065 Okay. But I – think that you could of great assistance to the City and to Metro and some good
1066 could come out of what has so far as been a bad situation. Did you want to be heard?

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1067 **STEVE MEDNICOFF**

1068 Steve Mednicoff, and I agree. We have no problems working with the, with Metro, if we can in
1069 turn assist in any type of information, such as the – call detail. Feel free. We have no problems
1070 of getting together with you, telling us what – your needs might be. If you would like, we have
1071 no problems of turning the phone down for a period of time, if that will help and assist in – a
1072 good communication amongst all of us right now. That's fine, but you have to let us know what
1073 the problem is.

1074

1075 **MAYOR GOODMAN**

1076 I – think that's fair.

1077

1078 **STEVE MEDNICOFF**

1079 That's – all we're asking for.

1080

1081 **MAYOR GOODMAN**

1082 You would agree with that, wouldn't you, Sergeant? That that's a fairly good –

1083

1084 **ERIC FRICKER**

1085 Yes. I was going to make that commitment, to the Council and to you guys, is that we're looking
1086 for responsible pay phone owners.

1087

1088 **MAYOR GOODMAN**

1089 Good.

1090

1091 **ERIC FRICKER**

1092 We had the Nevada Pay Phone Association years ago that was those responsible. This industry
1093 is an out of control industry right now. It's no different than the wedding chapel wars that are
1094 going on. It's identical in the downtown area command. So, we – can work with anybody –

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1095 **MAYOR GOODMAN**

1096 Good.

1097

1098 **ERIC FRICKER**

1099 – and especially if we can, we can make them even more successful by guiding them in the right
1100 direction and working together, especially with Dave. I mean, it's very easy to do.

1101

1102 **MAYOR GOODMAN**

1103 I – think you could really help each other, to be quite frank with you. All right. Thank you,
1104 gentlemen. I appreciate it.

1105

1106 **COUNCILMAN BROWN**

1107 Your – Honor?

1108

1109 **MAYOR GOODMAN**

1110 Yeah?

1111

1112 **COUNCILMAN BROWN**

1113 Mr. Mednicoff, how – many phones do you, your company, how many do they currently have?

1114

1115 **ILBERT MEDNICOFF**

1116 In southern Nevada, about 600.

1117

1118 **COUNCILMAN BROWN**

1119 Okay. Well, on – 94 and 95 of, just basing it on the report and the testimony from Metro, this
1120 has been declared a nuisance. The act, the recommended action is to remove them, but I would –
1121 just ask, since these are the only two in question in Ward 6, if, you mentioned the ability to
1122 maybe not remove the phone, but shut the phone off?

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1123 **STEVE MEDNICOFF**

1124 That could be done.

1125

1126 **COUNCILMAN BROWN**

1127 And – I would, at least on 94 and 95, if they have evidence that we haven't seen, but they can go
1128 over the next two weeks or 30 days, whatever's reasonable, and demonstrate and work with
1129 Metro, that these two sites could be good phones, then that certainly can come back to Council
1130 and – address it at that point. But if – the removal of the phone is going to be, certainly an
1131 expense to the company, if you're willing to just deactivate the phones while you convince, at
1132 least on these two sites, I would support that type of recommendation.

1133

1134 **STEVE MEDNICOFF**

1135 May I make one mention, on both 94 and 95, it was mentioned there's a total of four phones,
1136 which we own two, and just to address the other two, we're only talking in a – 25 feet away,
1137 there's another phone right there. So, I'm trying to dec, you know, how are they deciphering,
1138 you know, Custom Communications phone is the problem, as opposed to the phone that's –

1139

1140 **DAVE SEMENZA**

1141 The – other phones weren't appealed, which means that they will be removed.

1142

1143 **MAYOR GOODMAN**

1144 Oh. Okay. That's the answer, then.

1145

1146 **STEVE MEDNICOFF**

1147 Okay.

1148

1149 **ILBERT MEDNICOFF**

1150 There's – other things. This – is called communication with everybody. If somebody said there
1151 was a nuisance at two o'clock in the morning, 'cause, you know, it's by apartments, okay. We

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1152 turn off the phone at one o'clock. It doesn't, I mean, and signage. We brought in different types
1153 of sign that we could do for the public.

1154

1155 **MAYOR GOODMAN**

1156 Okay. All right. Well, I think we have a motion on the floor, as far as Item Number 94, that you
1157 would turn off the phone, analyze the usage with Metro and if there's a change of heart by
1158 Metro, then perhaps we'll turn the phone back on and we can abey this. Let's do it for a month.
1159 All right, because our agenda is just jammed up for the 17th. **So, the motion is to turn off the**
1160 **phone until January the 7th and work with Metro in the meantime and then report back to**
1161 **us on January the 7th. Fair enough?**

1162

1163 **ILBERT MEDNICOFF**

1164 Fair enough.

1165

1166 **MAYOR GOODMAN**

1167 That's on 94. Let's vote on that, please. Post, please. Motion carries. **(Motion carried**
1168 **unanimously with MACK excused.)** On 95, the same motion, Councilman?

1169

1170 **COUNCILMAN BROWN**

1171 Yes, Your Honor.

1172

1173 **MAYOR GOODMAN**

1174 Thank you. Let's vote on that, please. Post, please. Motion carries. **(Motion carried**
1175 **unanimously with MACK excused.)** Thank you. As to 96, this is Councilman Weekly's Ward.

1176

1177 **COUNCILMAN WEEKLY**

1178 **Item Number 96, Your Honor, move to follow staff's recommendation for removal, please.**

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1179 **MAYOR GOODMAN**

1180 All right, let's vote on that, please. Post, please. Motion carries. (**Motion carried unanimously**
1181 **with MACK excused.**) And, did I miss one? 97.

1182

1183 **COUNCILMAN REESE**

1184 And Item 97, this is one a little bit different than the other, I think the other two phones, Item 9,
1185 Number, Item Number 94 and 95. This is in the residential area. This is backed up to residential
1186 homes. I think a lot of those people that live in this area already have their own phones. **So, my**
1187 **motion is to follow staff's recommendation also.**

1188

1189 **MAYOR GOODMAN**

1190 All right. Let's vote on that, please. Post, please. Motion carries. (**Motion carried**
1191 **unanimously with MACK excused.**) And, gentleman, I'm looking forward to hearing what
1192 comes out of this. Thank you.

1193

1194 **JIM DiFIORE**

1195 Mayor, before we go on, can I question of interpretation, maybe the City Attorney can help me
1196 with this. On the two items that were voted to have the pay phones removed, we determined that
1197 that's a bad a location, a nuisance location. And I believe, you know, it doesn't, it – gives an
1198 opportunity for another pay phone company to say, well, they're removing them so I'm going to
1199 go put a new one in. Can we extend the – motion on those pay phones to include that no new
1200 pay phones can go into these locations?

1201

1202 **COUNCILMAN REESE**

1203 I'll add that to the my motion.

1204

1205 **MAYOR GOODMAN**

1206 Is that permissible, Mr. Still?

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1207 **DAN STILL**

1208 Yes. I mean, it would be implied within the motion that – you're making, if – it's already been
1209 declared a nuisance area or – location, there's no way that someone else could come and install a
1210 phone behind them, because we'd create the same problem all over again.

1211

1212 **MAYOR GOODMAN**

1213 All right. So, that's implicit. There need – not be another vote then?

1214

1215 **DAN STILL**

1216 Correct.

1217

1218 **MAYOR GOODMAN**

1219 All right. Thank you.

1220 **(END OF DISCUSSION)**

1221 /ac;vwd

City of Las Vegas

Agenda Item No. 95

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: **STEPHEN HARSIN (ACTING)** ☐ **CONSENT** ☒ **DISCUSSION**
SUBJECT:

Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 1916 Lirio Way. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)

Fiscal Impact

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division: Neighborhood Services/Response
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Pursuant to Las Vegas Municipal Code 6.58.040G, the outdoor pay phone was deemed a nuisance at a presentation to City Council June 4, 2003 by Metro Police (Item 49). The Integrated Service Team area called Sierra Oeste was plagued with criminals dealing in narcotics, prostitution, and other illegal activities. Pay phones in the neighborhood were used for drug activity, nuisance loitering, and 911 disconnects. A letter was mailed to the licensees on October 30, 2003, requesting removal of the phone.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice of Outdoor Pay Telephone Violations
4. Notice of Appeal
5. Appeal Letter from Property Owner
6. Submitted after final agenda – Abeyance request by Custom Communication Network

MOTION:

BROWN - ABEYANCE to 1/7/2004 with direction to turn off phone, analyze the usage with Metro and report back on January 7, 2004 - UNANIMOUS with MACK excused

NOTE: An initial motion for a two-week abeyance on Items 94, 95, 96 and 97 by GOODMAN failed with BROWN, L.B. McDONALD, WEEKLY and MONCRIEF voting No



Agenda Item No. 95

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Neighborhood Services Department
 Item 95 – 1916 Lirio Way

MOTION Continued:

NOTE: COUNCILMAN REESE brought forward for discussion Items 94-97.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A combined Verbatim Transcript of Items 94, [6237 Bellota Drive] 95, [1916 Lirio Way] 96, [525 Fremont Street] and 97, [northeast corner of 19th Street and Stewart Avenue] was made part of the Final Minutes.

APPEARANCES:

OSCAR B. GOODMAN, Mayor
 GARY REESE, Councilman
 TODD FARLOW, 240 North 19th Street
 ILBERT MEDNICOFF, Custom Communications Network
 DAN STILL, Deputy City Attorney
 LARRY BROWN, Councilman
 DAVE SEMENZA, Manager, Neighborhood Response
 JOHN FARRELL, Sergeant, Las Vegas Metropolitan Police Department
 DAVID FRICKER, Officer, Las Vegas Metropolitan Police Department
 UNIDENTIFIED FEMALE
 LAWRENCE WEEKLY, Councilman
 ERIC FRICKER, Sergeant, Las Vegas Metropolitan Police Department
 SANDRA SELLMAN, area resident
 ROBERT WILLIAMS, Officer Las Vegas Metropolitan Police Department
 BEATRICE TURNER, West Las Vegas Resident
 BARBARA JO RONEMUS, City Clerk
 JIM DiFIORE, Manager, Business Service Division
 STEVE MEDNICOFF, Custom Communications Network

MAYOR GOODMAN declared the Public Hearing closed.

(1:20-1:25/1:30-2:20)

4-1/4-132/4-310

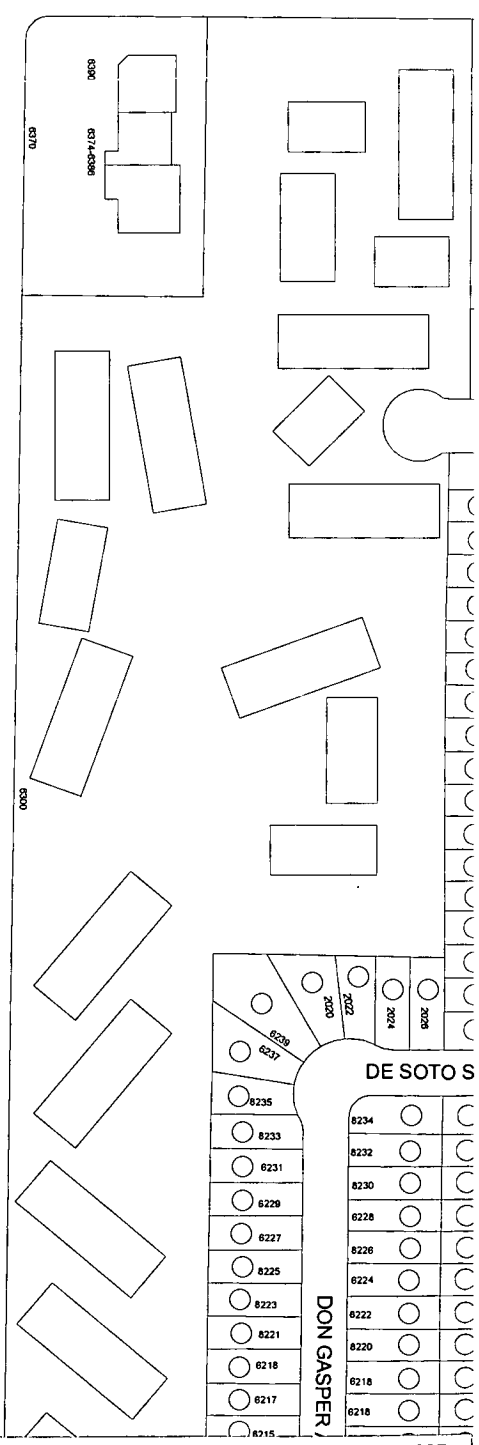
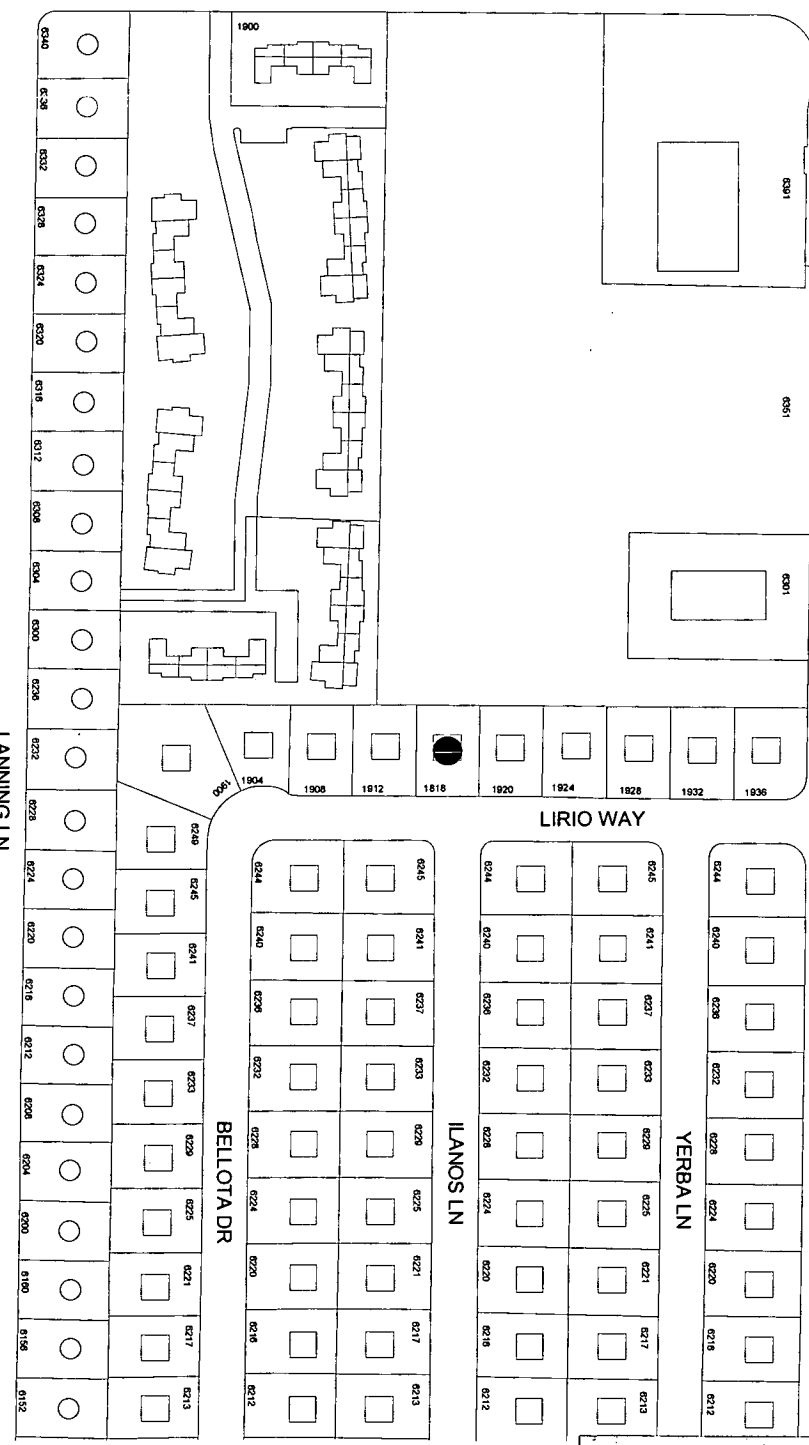
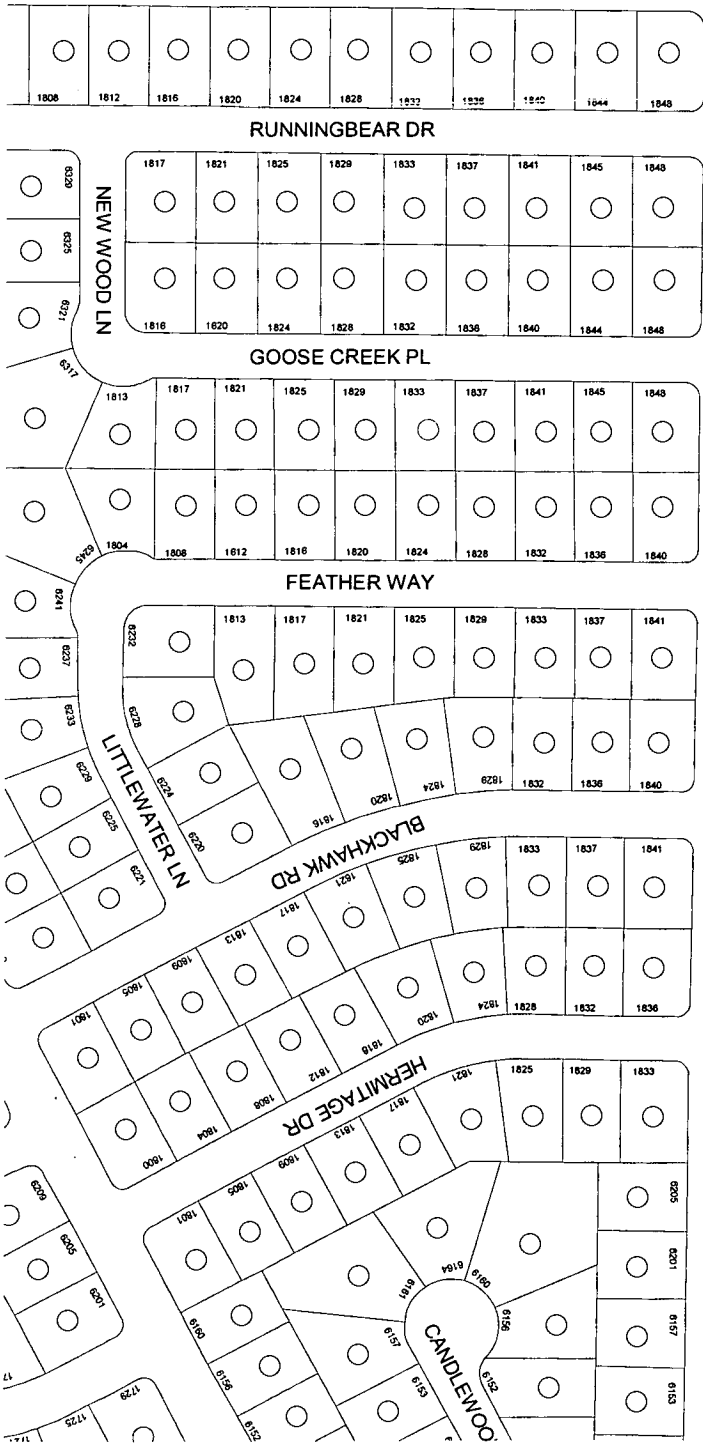
*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 3, 2003****DEPARTMENT: Neighborhood Services****ITEM DESCRIPTION: Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 1916 Lirio Way.****PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)**

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Codes 6.58.040(g) and 6.58.090 – Outdoor Pay Telephone Sections dealing with nuisances and removal. Codes state it is unlawful for any person to install, construct, or maintain an outdoor pay telephone on any property or at any location which has been determined by Metro, Finance and Business Services, or Neighborhood Services to create a nuisance under this Chapter based upon prior actual use. Outdoor pay telephones determined to be a nuisance are to be removed within fourteen days after notification to the licensees. On October 30, 2003 a notice, was mailed to the licensees requesting removal of the phones.

Today's hearing is to consider the appeal of the notice of "Outdoor Pay Telephone Violations" at 1916 Lirio Way, filed by Ibert Mednicoff, President, Custom Communications Network.

TORREY PINES DR

TOI





MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)

ARRY BROWN
L. WHITE B. McDONALD
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

October 30, 2003

Custom Communications Network
5000 West Oakey Blvd. Suite B-6
Las Vegas, NV 89146

ATTN: Ilbert and Steven Mednicoff
RE: Outdoor pay telephone violations
6237 Bellota Drive and 1916 Lirio Way

Dear Mssrs. Mednicoff:

Per the letter dated September 24, 2003 the above referenced outdoor pay telephones were requested to be removed from these locations. The outdoor pay telephones owned by Custom Communications Network at the aforementioned locations have been determined to be a nuisance due to the reported criminal activity that is associated with the location placement of these outdoor pay telephones. Pursuant to Las Vegas Municipal Code 6.58—Outdoor Pay Telephone Section .040 entitled **Prohibited where**, it states:

"It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

....(G) On any property or at any location which has been determined by Metro, The Department of Finance and Business Services or the Department of Neighborhood Services to create a nuisance under this Chapter based upon prior actual use."

Las Vegas Municipal Code 6.58.090 requires the removal of outdoor pay telephones determined to be a nuisance within **fourteen** days after notification to the licensee.

Please consider this as a formal notification and request to have the aforementioned outdoor pay telephones removed within fourteen days of the date of this letter. You may appeal this notification subject to the provisions of Las Vegas Municipal Code 9.04.070 (attached), however, if you fail to meet the requirements to appeal this decision the City will proceed with the removal of these outdoor pay telephones following the required time period subject to this notification. I appreciate your cooperation in this matter.

Sincerely,


Jim DiFiore, Manager
Business Services Division
Finance & Business Services

CC: Officer David Fricker, LVMPD Downtown Area Command
David Semenza
Wendy Smith
Lon Grasmick

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

9.04.070 Appeal procedures.

Within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

10-30-03

Custom Communication Network
would like to appeal in the
expressed time frame.

filed here by
Residents.

RECEIVED
CITY CLERK

2003 OCT 30 A 10:59



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
PATRICIA B. McDONALD
JENNIFER WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 21, 2003

CERTIFIED & REGULAR MAIL

Custom Communications Network
Mr. Steve Mednicoff
5000 West Oakey Blvd, Ste. B-6
Las Vegas, Nevada 89146

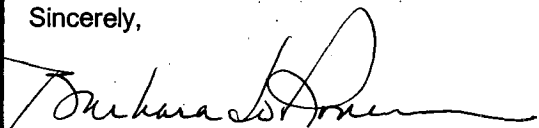
Re: Notice of Appeal Hearing – 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street, and the northeast corner of 19th Street and Stewart Avenue

Dear Mr. Mednicoff:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3rd day of December 2003, at the hour of 1:00 p.m. This hearing is in response to your appeal letters concerning the removal of outdoor pay telephones at 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street; and the northeast corner of 19th Street and Stewart Avenue.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Stephen Harsin, Acting Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Loretta Arrington, Ward 3 Liaison
Ricky Barlow, Ward 5 Liaison
Leni Skarr, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

CUSTOM COMMUNICATIONS NETWORK

5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229

November 26, 2003

RE: Abeyance Request

To Whom It May Concern:

This letter is to serve as a request for an abeyance for the hearing on December 3, 2003 regarding a pay telephone located at 1916 Lirio Way. We would like to reschedule this appeal hearing for December 17, 2003. Because of the holiday season, several people are off of work and we only had three business days to prepare.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Ilbert Mednicoff

2003 NOV 26 A 10:52

RECEIVED
CITY CLERK

Submitted after final agenda

Date 11/26/03 Item #95

City of Las Vegas

Agenda Item No. 96

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: STEPHEN HARSIN (ACTING)** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 525 Fremont Street. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to Las Vegas Municipal Code 6.58.040G the outdoor pay phones in the area were deemed a nuisance by Metro. Pay phones in the neighborhood were being used for nuisance loitering and illegal activities, as witnessed by Officer David Fricker, LVMPD Downtown Area Command. A letter was mailed to the licensees on November 5, 2003 requesting removal of the phones.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice of Outdoor Pay Telephone Violations
4. Notice of Appeal
5. Appeal Letter from Property Owner
6. Submitted after final agenda – Abeyance request by Custom Communication Network

MOTION:

WEEKLY – Denying the appeal; thereby APPROVING the removal of the outdoor payphone at 525 Fremont Street – UNANIMOUS with MACK excused

NOTE: An initial motion for a two-week abeyance on Items 94, 95, 96 and 97 by GOODMAN failed with BROWN, L.B. McDONALD, WEEKLY and MONCRIEF voting No

NOTE: COUNCILMAN REESE brought forward for discussion Items 94-97.

City of Las Vegas

Agenda Item No. 96

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Planning and Development Department
 Item 96 - 525 Fremont Street

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A combined Verbatim Transcript of Items 94, [6237 Bellota Drive] 95, [1916 Lirio Way] 96, [525 Fremont Street] and 97, [northeast corner of 19th Street and Stewart Avenue] was made part of the Final Minutes.

APPEARANCES:

OSCAR B. GOODMAN, Mayor
 GARY REESE, Councilman
 TODD FARLOW, 240 North 19th Street
 ILBERT MEDNICOFF, Custom Communications Network
 DAN STILL, Deputy City Attorney
 LARRY BROWN, Councilman
 DAVE SEMENZA, Manager, Neighborhood Response
 JOHN FARRELL, Sergeant, Las Vegas Metropolitan Police Department
 DAVID FRICKER, Officer, Las Vegas Metropolitan Police Department
 UNIDENTIFIED FEMALE
 LAWRENCE WEEKLY, Councilman
 ERIC FRICKER, Sergeant, Las Vegas Metropolitan Police Department
 SANDRA SELLMAN, area resident
 ROBERT WILLIAMS, Officer Las Vegas Metropolitan Police Department
 BEATRICE TURNER, West Las Vegas Resident
 BARBARA JO RONEMUS, City Clerk
 JIM DiFIORE, Manager, Business Service Division
 STEVE MEDNICOFF, Custom Communications Network

MAYOR GOODMAN declared the Public Hearing closed.

(1:20-1:25/1:30-2:20)

4-1/4-132/4-310

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at 525 Fremont Street.

PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 5 (Weekly)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Codes 6.58.040(g) and 6.58.090 – Outdoor Pay Telephone Sections dealing with nuisances and removal. Pursuant to codes, it is unlawful for any person to install, construct, or maintain an outdoor pay telephone on any property or at any location which has been determined by Metro, Finance and Business Services, or Neighborhood Services to create a nuisance under this Chapter based upon prior actual use. Outdoor pay telephones determined to be a nuisance are to be removed within fourteen days after notification to the licensees. A letter was mailed to the licensees on November 5, 2003 requesting removal of the phones

Today's hearing is to consider the appeal of the notice of "Outdoor Pay Telephone Violations" at 525 Fremont Street, filed by Steve Mednicoff on behalf of Custom Communications Network.





MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNNE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 10, 2003

Custom Communications Network
5000 West Oakey Blvd. Suite B-6
Las Vegas, NV 89146

ATTN: Ilbert and Steven Mednicoff
RE: Outdoor pay telephone violations
525 Fremont Street

Dear Mssrs. Mednicoff:

The three outdoor pay telephones owned by Custom Communications Network at the above-referenced location have been determined to be a nuisance due to the reported criminal activity that is associated with the location placement of these outdoor pay telephones. Pursuant to Las Vegas Municipal Code 6.58—Outdoor Pay Telephone Section .040 entitled **Prohibited where**, it states:

"It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

....(G) On any property or at any location which has been determined by Metro, The Department of Finance and Business Services or the Department of Neighborhood Services to create a nuisance under this Chapter based upon prior actual use."

Las Vegas Municipal Code 6.58.090 requires the removal of outdoor pay telephones determined to be a nuisance within **fourteen** days after notification to the licensee.

Please consider this as a formal notification and request to have the aforementioned outdoor pay telephones removed within fourteen days of the date of this letter. You may appeal this notification subject to the provisions of Las Vegas Municipal Code 9.04.070 (attached), however, if you fail to meet the requirements to appeal this decision the City will proceed with the removal of these outdoor pay telephones following the required time period subject to this notification. I appreciate your cooperation in this matter.

Sincerely,


Jim DiFiore, Manager
Business Services Division
Finance & Business Services

CC: Officer David Fricker, LVMPD Downtown Area Command
David Semenza
Wendy Smith
Lon Grasmick

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

NOV 11 2003
CITY OF LAS VEGAS

CUSTOM COMMUNICATIONS NETWORK

**5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229**

November 5, 2003

RE: City Request for Removal dated 11-10-03

To Whom It May Concern:

This document is to serve as a written request for an appeal. Custom Communications Network would like to appeal in an expressed time frame the formal notification and request to remove a pay telephone sent to us by the City of Las Vegas. The pay telephone in question is located at 525 Fremont Street.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Steve Mednicoff

RECEIVED
CITY CLERK
2003 NOV 13 A 10:16



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
PATTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 21, 2003

CERTIFIED & REGULAR MAIL

Custom Communications Network
Mr. Steve Mednicoff
5000 West Oakey Blvd, Ste. B-6
Las Vegas, Nevada 89146

Re: Notice of Appeal Hearing – 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street, and the northeast corner of 19th Street and Stewart Avenue

Dear Mr. Mednicoff:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3rd day of December 2003, at the hour of 1:00 p.m. This hearing is in response to your appeal letters concerning the removal of outdoor pay telephones at 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street; and the northeast corner of 19th Street and Stewart Avenue.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Stephen Harsin, Acting Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Loretta Arrington, Ward 3 Liaison
Ricky Barlow, Ward 5 Liaison
Leni Skarr, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

CUSTOM COMMUNICATIONS NETWORK

5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229

November 26, 2003

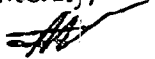
RE: Abeyance Request

To Whom It May Concern:

This letter is to serve as a request for an abeyance for the hearing on December 3, 2003 regarding a pay telephone located at 525 Fremont Street. We would like to reschedule this appeal hearing for December 17, 2003. Because of the holiday season, several people are off of work and we only had three business days to prepare.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Ilbert Mednicoff

2003 NOV 26 A 10:52

RECEIVED
CITY CLERK

Submitted after final agenda

Date

11/24/03 Item #96

City of Las Vegas

Agenda Item No. 97

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: STEPHEN HARSIN (ACTING)** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at the northeast corner of 19th Street and Stewart Avenue. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 3 (Reese)

Fiscal Impact

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division: Neighborhood Services/Response
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Pursuant to Las Vegas Municipal Code 6.58.040G the outdoor pay phones in the area were deemed a nuisance by Metro. Pay phones in the neighborhood were being used for nuisance loitering and illegal activities, as witnessed by Officer Robert Williams, LVMPD Downtown Area Command. A letter was mailed to the licensees on November 5, 2003 requesting removal of the phones.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice of Outdoor Pay Telephone Violations
4. Notice of Appeal
5. Appeal Letter from Property Owner
6. Submitted after final agenda – Abeyance request by Custom Communication Network

MOTION:

RESSE – Denying the appeal; thereby APPROVING the removal of the outdoor payphone at the northeast corner of 19th Street and Stewart Avenue - UNANIMOUS with MACK excused

NOTE: An initial motion for a two-week abeyance on Items 94, 95, 96 and 97 by GOODMAN failed with BROWN, L.B. McDONALD, WEEKLY and MONCRIEF voting No

NOTE: COUNCILMAN REESE brought forward for discussion Items 94-97.



Agenda Item No. 97

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Neighborhood Services Department
 Item 97 – Northeast corner of 19th Street and Stewart Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A combined Verbatim Transcript of Items 94, [6237 Bellota Drive] 95, [1916 Lirio Way] 96, [525 Fremont Street] and 97, [northeast corner of 19th Street and Stewart Avenue] was made part of the Final Minutes.

APPEARANCES:

MAYOR GOODMAN
 GARY REESE, COUNCILMAN
 TODD FARLOW, 240 North 19th Street
 ILBERT MEDNICOFF, Custom Communications Network
 DAN STILL, Deputy City Attorney
 LARRY BROWN, Councilman
 DAVE SEMENZA, Manager, Neighborhood Response
 JOHN FARRELL, Sergeant, Las Vegas Metropolitan Police Department
 DAVE FRICKER, Officer, Las Vegas Metropolitan Police Department
 UNIDENTIFIED FEMALE
 LAWRENCE WEEKLY, Councilman
 ERIC FRICKER, Sergeant, Las Vegas Metropolitan Police Department
 SANDRA SELLMAN, area resident
 ROBERT WILLIAMS, Officer Las Vegas Metropolitan Police Department
 BEATRICE TURNER, West Las Vegas Resident
 BARBARA JO RONEMUS, City Clerk
 JIM DiFIORE, Manager, Business Service Division
 STEVEN MEDNICOFF, Custom Communications Network

MAYOR GOODMAN declared the Public Hearing closed.
 (1:20-1:25/1:30-2:20)
4-1/4-132/4-310

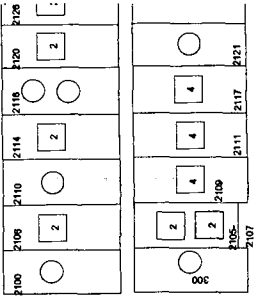
*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 3, 2003****DEPARTMENT: Neighborhood Services****ITEM DESCRIPTION: Hearing and possible action to consider the appeal regarding the removal of the outdoor pay telephone at the northeast corner of 19th Street and Stewart Avenue. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 3 (Reese)**

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Codes 6.58.040(g) and 6.58.090 – Outdoor Pay Telephone Sections dealing with nuisances and removal. Pursuant to codes, it is unlawful for any person to install, construct, or maintain an outdoor pay telephone on any property or at any location which has been determined by Metro, Finance and Business Services, or Neighborhood Services to create a nuisance under this Chapter based upon prior actual use. Outdoor pay telephones determined to be a nuisance are to be removed within fourteen days after notification to the licensees. A letter was mailed to the licensees on November 5, 2003 requesting removal of the phones

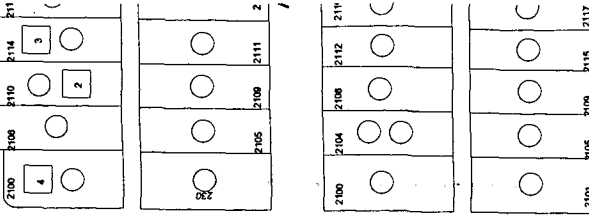
Today's hearing is to consider the appeal of the notice of "Outdoor Pay Telephone Violations" at the northeast corner of 19th Street and Stewart Avenue, filed by Steve Mednicoff, on behalf of Custom Communications Network.

TWENTY-FIRST ST

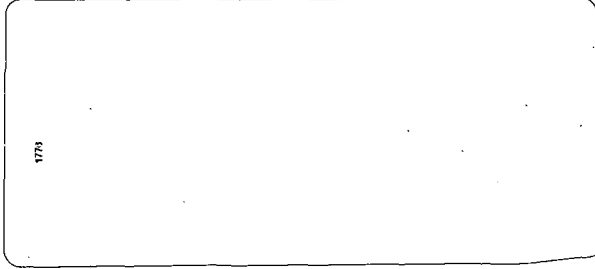
MARLIN AVE INTERSTATE RC



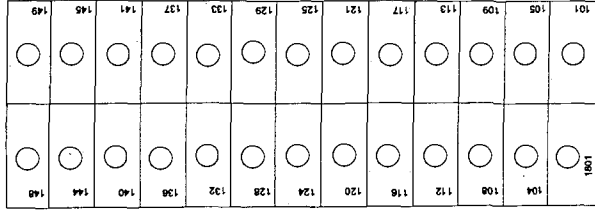
STEWART AVE



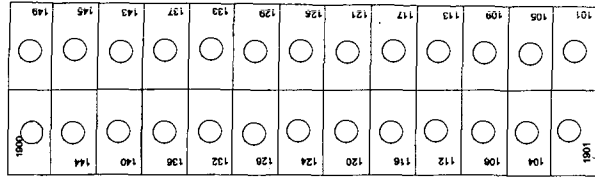
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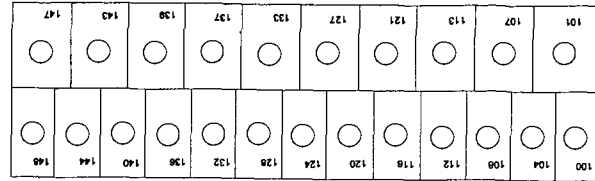
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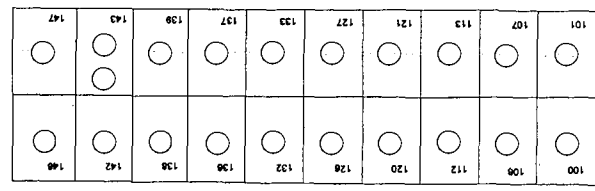
TWENTIEETH ST



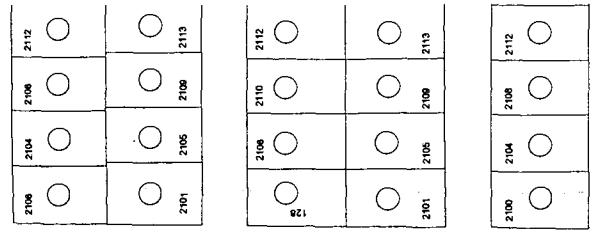
CERVANTES ST



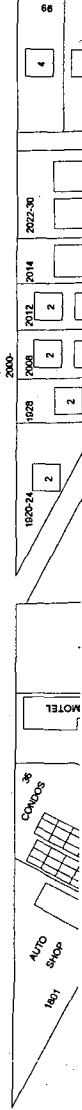
TWENTY-FIRST ST



OGDEN AVE



SUNRISE AVE





MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 4, 2003

Custom Communications Network
5000 West Oakey Blvd. Suite B-6
Las Vegas, NV 89146

ATTN: Ilbert and Steven Mednicoff
RE: Outdoor pay telephone violations
NE corner 19th Street and Stewart Avenue

Dear Mssrs. Mednicoff:

The outdoor pay telephone owned by Custom Communications Network at the above-referenced location has been determined to be a nuisance due to the reported criminal activity that is associated with the location placement of this outdoor pay telephones. Pursuant to Las Vegas Municipal Code 6.58—Outdoor Pay Telephone Section .040 entitled **Prohibited where**, it states:

"It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

....(G) On any property or at any location which has been determined by Metro, The Department of Finance and Business Services or the Department of Neighborhood Services to create a nuisance under this Chapter based upon prior actual use."

Las Vegas Municipal Code 6.58.090 requires the removal of outdoor pay telephones determined to be a nuisance within **fourteen** days after notification to the licensee.

Please consider this as a formal notification and request to have the aforementioned outdoor pay telephones removed within fourteen days of the date of this letter. You may appeal this notification subject to the provisions of Las Vegas Municipal Code 9.04.070 (attached), however, if you fail to meet the requirements to appeal this decision the City will proceed with the removal of these outdoor pay telephones following the required time period subject to this notification. I appreciate your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim DiFiore".

Jim DiFiore, Manager
Business Services Division
Finance & Business Services

CC: Officer Robert Williams, LVMPD Downtown Area Command
David Semenza
Wendy Smith
Lon Grasmick

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.ci.las-vegas.nv.us

NOV 10 2003
RECEIVED
FINANCE & BUSINESS SERVICES

CUSTOM COMMUNICATIONS NETWORK

**5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229**

RECEIVED
CITY CLERK
2003 NOV -6 A 9:25

November 5, 2003

RE: City Request for Removal dated 11-4-03

To Whom It May Concern:

This document is to serve as a written request for an appeal. Custom Communications Network would like to appeal in an expressed time frame the formal notification and request to remove a pay telephone sent to us by the City of Las Vegas. The pay telephone in question is located on the NE corner of 19th Street and Stewart Avenue.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Steve Mednicoff



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
PATTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

November 21, 2003

CERTIFIED & REGULAR MAIL

Custom Communications Network
Mr. Steve Mednicoff
5000 West Oakey Blvd, Ste. B-6
Las Vegas, Nevada 89146

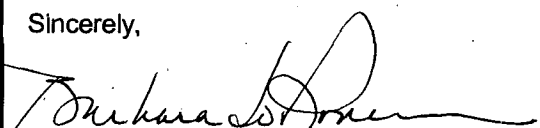
Re: Notice of Appeal Hearing – 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street, and the northeast corner of 19th Street and Stewart Avenue

Dear Mr. Mednicoff:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3rd day of December 2003, at the hour of 1:00 p.m. This hearing is in response to your appeal letters concerning the removal of outdoor pay telephones at 6237 Bellota Drive; 1916 Lirio Way; 525 Fremont Street; and the northeast corner of 19th Street and Stewart Avenue.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus
City Clerk

BJR/bkb

cc: Stephen Harsin, Acting Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Loretta Arrington, Ward 3 Liaison
Ricky Barlow, Ward 5 Liaison
Leni Skarr, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

CUSTOM COMMUNICATIONS NETWORK

5000 W. Oakey, Ste. B-6
Las Vegas, Nevada 89146
Phone (702) 822-1225
Fax (702) 822-1229

November 26, 2003

RE: Abeyance Request

To Whom It May Concern:

This letter is to serve as a request for an abeyance for the hearing on December 3, 2003 regarding a pay telephone located on the northeast corner of 19th Street and Stewart. We would like to reschedule this appeal hearing for

December 17, 2003. Because of the holiday season, several people are off of work and we only had three business days to prepare.

If you have any questions please feel free to contact me at (702) 822-1225.

Sincerely,



Ilbert Mednicoff

RECEIVED
CITY CLERK

2003 NOV 26 A 10:52

Submitted after final agenda

Date 11/26/03 Item #97

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

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EXTENSION OF TIME - SPECIAL USE PERMIT

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- 99 EOT-3126 - Eckeley M. Keach on behalf of Eckeley M. Keach, et al and Joseph Bravo, et al
- 100 EOT-3127 - Eckeley M. Keach on behalf of Eckeley M. Keach, et al and Joseph Bravo, et al

EXTENSION OF TIME RELATED TO EOT-3126 AND EOT-3127 - REZONING AND SITE DEVELOPMENT PLAN REVIEW

- 101 EOT-3230 - Eckeley M. Keach on behalf of Eckeley M. Keach, et al and Joseph Bravo, et al

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- 103 ROC-3301 - David Lockard

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- 105 SDR-2936 - Patrick H. Meads
- 106 SDR-2952 - McKinley M & L 1993 Living Trust, et al
- 107 SDR-3108 - Peter Papas on behalf of Buffalo Pads, Limited Liability Company
- 108 SDR-3132 - Anthony L. Pollard Foundation on behalf of Anthony & Diane Pollard

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- 109 MSP-3063 - Superior Electrical Advertising on behalf of Great American Plaza, Limited Liability Company, et al

SPECIAL USE PERMIT - PUBLIC HEARING

- 110 ABEYANCE ITEM - SUP-3061 - Las Vegas Billboards on behalf of Wing Gay Fong
- 111 SUP-2975 - Masae Akamine on behalf of Great American Plaza, Limited Liability Company
- 112 SUP-2904 - Liborio Market on behalf of Triple A, Limited Liability Company

City of Las Vegas

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City Council Meeting of December 3, 2003

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- 114 SUP-3115 - Show Media on behalf of Riverpark IV, Limited Liability Company
- 115 SUP-3117 - James Marchesi on behalf of Centennial Court, Limited Liability Company
- 116 SUP-3131 - Rubi Valbuena on behalf of Aner Iglesias Trust, 1997, et al

REZONING - PUBLIC HEARING

- 117 ABEYANCE ITEM - ZON-3080 - Carina Corporation, et al

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3080 - PUBLIC HEARING

- 118 ABEYANCE ITEM - SDR-3082 - Carina Corporation, et al

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VARIANCE RELATED TO ZON-3031 - PUBLIC HEARING

- 120 VAR-3040 - Thomas & Judith Miller

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- 121 SUP-3038 - Thomas & Judith Miller

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- 122 SDR-3035 - Thomas & Judith Miller

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- 123 ZON-3138 - Citation Homes on behalf of Carl W. & Ruth Heavin and Desert Mobile Home Park, Limited Liability Company

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- 124 TABLED ITEM - GPA-2570 - SF Investments on behalf of Mas Trading Company

REZONING RELATED TO GPA-2570 - PUBLIC HEARING

- 125 ZON-3119 - SF Investments, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2570 AND ZON-3119 - PUBLIC HEARING

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City of Las Vegas

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City Council Meeting of December 3, 2003

- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 127 **GPA-3066** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- REZONING RELATED TO GPA-3066 - PUBLIC HEARING
- 128 **ZON-3071** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING
- 129 **SUP-3073** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING
- 130 **SDR-3079** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership

City of Las Vegas

Agenda Item No. 98

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3096 - ST. GEORGE ROMANIAN ORTHODOX CHURCH - Request for an Extension of Time of an approved Special Use Permit (U-0045-01) FOR A PROPOSED 6,000 SQUARE FOOT CHURCH, HOUSE OF WORSHIP WITH A 7,000 SQUARE FOOT RECREATION HALL on 2.59 acres located on the east side of Redrock Street approximately 330 feet north of Del Rey Avenue (APN: 163-01-102-010), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 98 [EOT-3096], Item 99 [EOT-3126], Item 100 [EOT-3127] and Item 101 [EOT-3230] subject to conditions - UNANIMOUS with MAYOR GOODMAN abstaining on Items 99-101, because his law partner, DAVID CHESNOFF, represents the applicant and MACK excused -

MINUTES:

There was no discussion.

(2:23 - 2:25)

4-2107

CONDITIONS:

Planning and Development

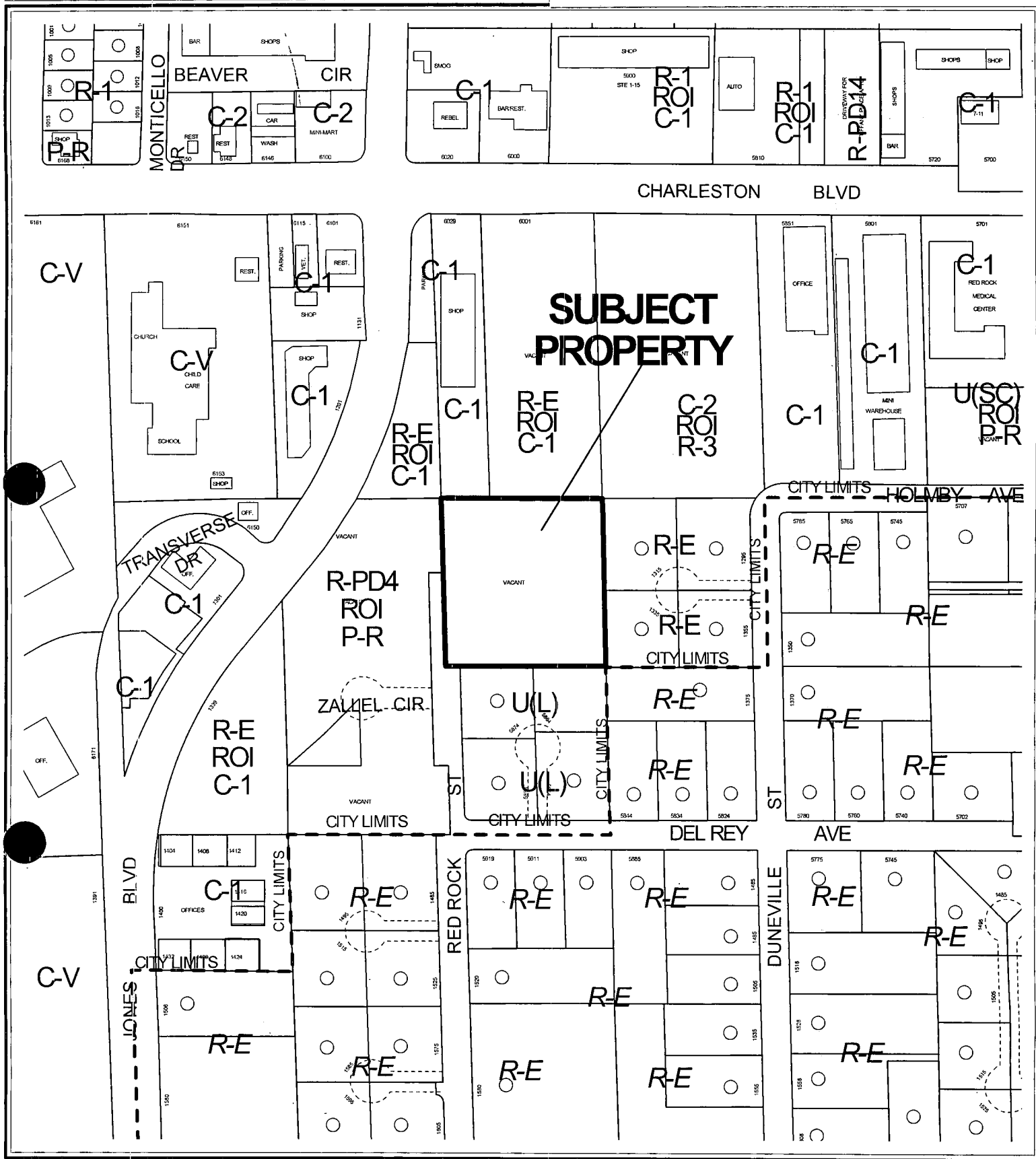
1. This Reinstatement and Extension of Time will expire on October 3, 2005 unless another Extension of Time is approved by the City Council.

*City of Las Vegas***Agenda Item No. 98**

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 98 – EOT-3096

CONDITIONS - Continued:

2. Conformance to the conditions of approval for Special Use Permit (U-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: EOT-3096

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [L (LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]^N



U (UNDEVELOPED) ZONE [L (LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] N



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-3096 - ST. GEORGE ROMANIAN ORTHODOX CHURCH

**** CONDITIONS ****

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

Planning and Development

1. This Reinstatement and Extension of Time will expire on October 3, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Special Use Permit (U-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

EOT-3096 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for an Extension of Time on an approved Special Use Permit (U-0045-01) for a proposed Church/House of Worship on 2.59 acres adjacent to the east side of Red Rock Street, approximately 330 feet north of Del Rey Avenue. The approval expired October 3, 2003.

B) *Applicant's Justification*

The applicant justifies this request by stating that more time is needed to complete site development plans for the church and social hall, which must be submitted under a separate application. The applicant is negotiating for a perpetual access agreement with the adjacent property owner to the north, which would satisfy one of the conditions of approval.

BACKGROUND INFORMATION

A) *Previous Actions*

- 08/05/81 The Board of City Commissioners denied a request to rezone the subject property to R-PD9 (Residential Planned Development – 9 Units per Acre) as part of a larger request (Z-0045-81).
- 04/07/82 The Board of City Commissioners denied a request to rezone the subject property to R-1 (Single-Family Residential) as part of a larger request (Z-0007-82).
- 08/17/94 The City Council denied a request to rezone (Z-0073-94) this property to R-CL (Single-Family Compact-Lot).
- 10/03/01 The City Council approved a Special Use Permit (U-0045-01) for the church use.
- 11/06/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #4).

B) *Pre-Application Meeting*

A pre-application meeting is not required for an Extension of Time application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for an Extension of Time application.

EOT-3096 - Staff Report Page Two
December 3, 2003 City Council Meeting

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.62
Net Acres 2.59

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped, Retail Commercial
South: Single-Family Dwellings
East: Single-Family Dwellings
West: Undeveloped

C) *Planned Land Use*

Subject Property: L (Low Density Residential)
North: M (Medium Density Residential), SC (Service Commercial)
South: L (Low Density Residential)
East: DR (Desert Rural)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [L (Low Density Residential) General Plan Designation]
North: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), C-1 (Limited Commercial)
South: U (Undeveloped) [L (Low Density Residential) General Plan Designation]
East: R-E (Residence Estates)
West: R-PD4 (Residential Planned Development – 4 Units per Acre) under Resolution of Intent to P-R (Professional Office and Parking)

E) *General Plan Compliance*

This site is designated L (Low Density Residential) on the Southwest Sector Map of the General Plan. While this category allows residential development having densities of 3.6 to 5.5 dwelling units per gross acre, it also permits parks, churches, schools, and other public and quasi-public uses. The proposed church use is therefore compatible with the L (Low Density Residential) designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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	

EOT-3096 - Staff Report Page Three
December 3, 2003 City Council Meeting

Under the provisions of Ordinance No. 5477, this development qualifies as a Project of Regional Significance by virtue of its location within 500 feet of the City's boundary with Clark County. However, the Special Use Permit was approved prior to the implementation of the ordinance. No comments from the various City and County agencies will therefore be solicited.

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
Church	6,000 SF	1 / 4 fixed seats or 1 / 100 SF of non-fixed seating in gathering room	72 (Based on 300 seats)	3	---	---
Social Hall	7,000 SF	1 / 200 SF GFA	33	2	---	---
TOTAL	13,000 SF	---	105	5	70	5

According to Title 19.10.010.E, parking shall be calculated separately for each different use area in a building or on a site, including any ancillary use. The social hall is an ancillary use to the church; therefore, it has a separate parking requirement. The requirement ratio is based upon the closest comparable use, a community recreational facility. Phase I of the church project provides 75 parking spaces where 105 would be required by Title 19. No additional parking spaces are indicated on the site plan as part of future phases. Any future Site Development Plan Review should address this parking deficiency.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Church/House of Worship use.

EOT-3096 - Staff Report Page Four
December 3, 2003 City Council Meeting

B) General Analysis and Discussion

- Zoning

The property is currently zoned U (Undeveloped) [L (Low Density Residential) General Plan Designation], which allows religious facilities with approval of a Special Use Permit. However, a non-residential use in a residential zoning district must conform to all of the development criteria for that zoning district.

- Use

Typically, a religious facility use is compatible with a residential neighborhood. Peak usage would generally occur during weekend services, with various activities happening during the week.

This application was originally presented as a combination Special Use Permit and Site Development Plan Review. The proposal was for development of the site within three phases. Phase I would include a 7,000 square foot social hall and parking, Phase II would include construction of the church, and Phase III includes a landscaped area that may also be used for expansion. The City Council decided to strike the Site Development Plan Review for the church and allow Phase I development to occur with the approval of the Special Use Permit. The most important issue is the need for primary access to the property from either Charleston Boulevard or Jones Boulevard. Before permits can be issued for the social hall, the applicant must secure a perpetual access agreement with adjacent landowners that would provide primary access to the site from those two arterial streets. A separate Site Development Plan Review is required for the church building as a condition of the approval of this Special Use Permit.

It appears that the site is too small to accommodate the proposed buildings if the current expansion phasing is followed. The applicant must show in the future Site Development Plan Review for the church building that adequate parking and circulation on the site can be achieved to meet the demands of all on-site uses.

- Conditions

Title 19.04.050 requires the following minimum requirements to be met in order to gain approval of a Special Use Permit for a Church/House of Worship use, unless a waiver is requested:

1. The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.
2. Functions, such as child care facilities, formal educational programs, pre-school classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.

EOT-3096 - Staff Report Page Five
December 3, 2003 City Council Meeting

3. If, after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.
- *4. Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.
- *5. Churches on sites larger than five acres shall not be permitted in the U District or an R-prefixed district.

*Items prefixed by an asterisk indicate conditions that cannot be waived.

The proposed church meets the minimum requirements of the Church/House of Worship use for approval of a Special Use Permit. The church and social hall are the only buildings proposed for this property. Any future expansion would involve only these buildings.

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 church use can be conducted in a manner that is harmonious and compatible with surrounding single-family residential land uses both existing and projected by the General Plan. However, the scale of this proposal is too intense for the subject site in terms of type of proposed uses and size of the proposed facilities.

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

With a recorded joint access agreement, the subject site will provide adequate access to meet the requirements of the proposed church facilities. However, the proposed development is too intense for the subject site in terms of type and size of the proposed facilities. Therefore, the site is not physically suitable for the intensity of land use proposed.

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

Red Rock Street is not sufficient in size to provide exclusive access to this site. Primary access from either Jones Boulevard or Charleston Boulevard is necessary to meet the requirements of the proposed church and ancillary uses on the subject site.

EOT-3096 - Staff Report Page Six
December 3, 2003 City Council Meeting

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 safety and welfare of the general public in the vicinity of this proposal could be compromised because of the intensity of the proposed uses onsite and the limited access to the site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-3096 APN: 163-01-102-010

Name of Property Owner: ST. GEORGE ROMANIAN ORTHODOX CHURCH

Name of Applicant: ST. GEORGE ROMANIAN ORTHODOX CHURCH

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: _____

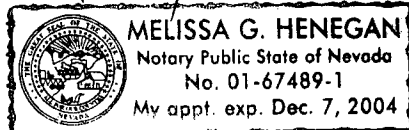
Signature of Property Owner/Authorized Agent: _____

Print Name: AURELIA LIA ROBERTS

Subscribed and sworn before me

This 12TH day of SEPTEMBER, 2003

Notary Public in and for said County and State

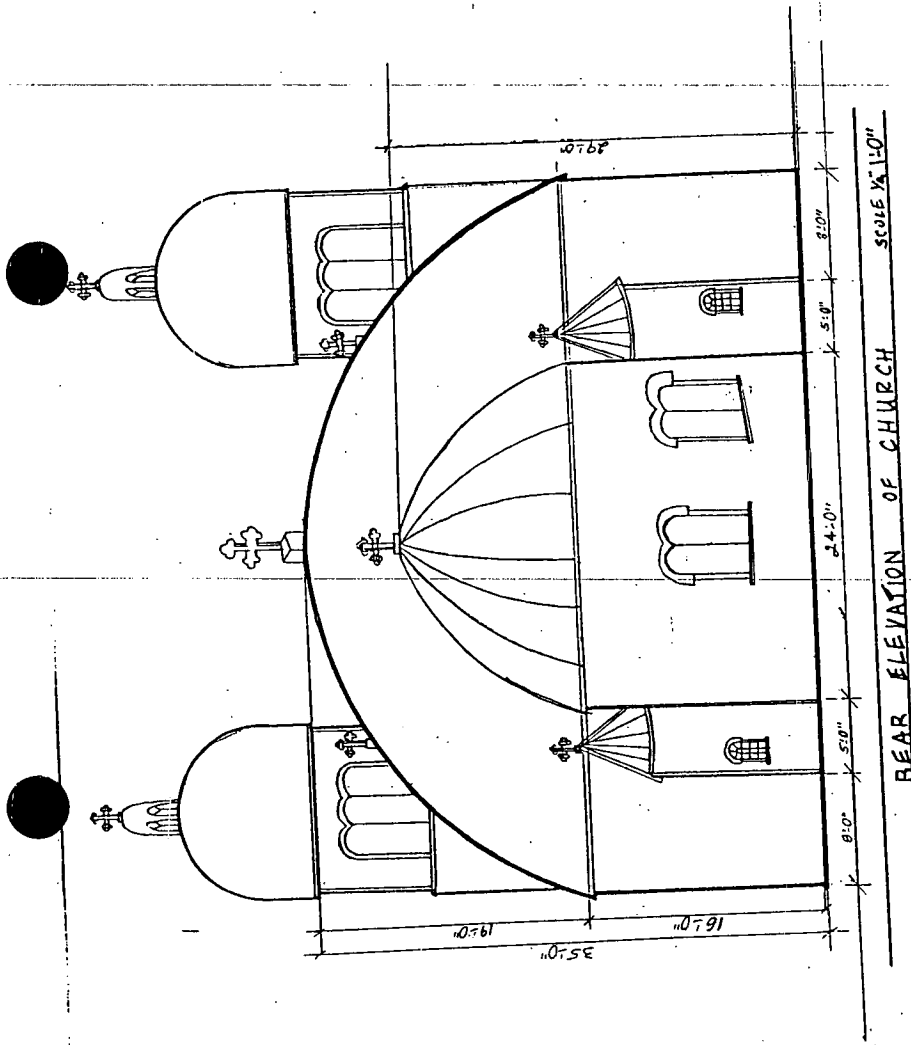


PROJECT INFO:

CONCRETE FOOTING
CONCRETE SLAB
8" x 16" CONCRETE SLAB
WALLS SPARTANITE BRANN
ALL DOWNS WOOD FRAMED
COVERED WITH METAL
OR CONCRETE CONCRETE
ALL DOORS AND WINDOWS
ALUMINUM WITH BROWN COLOR

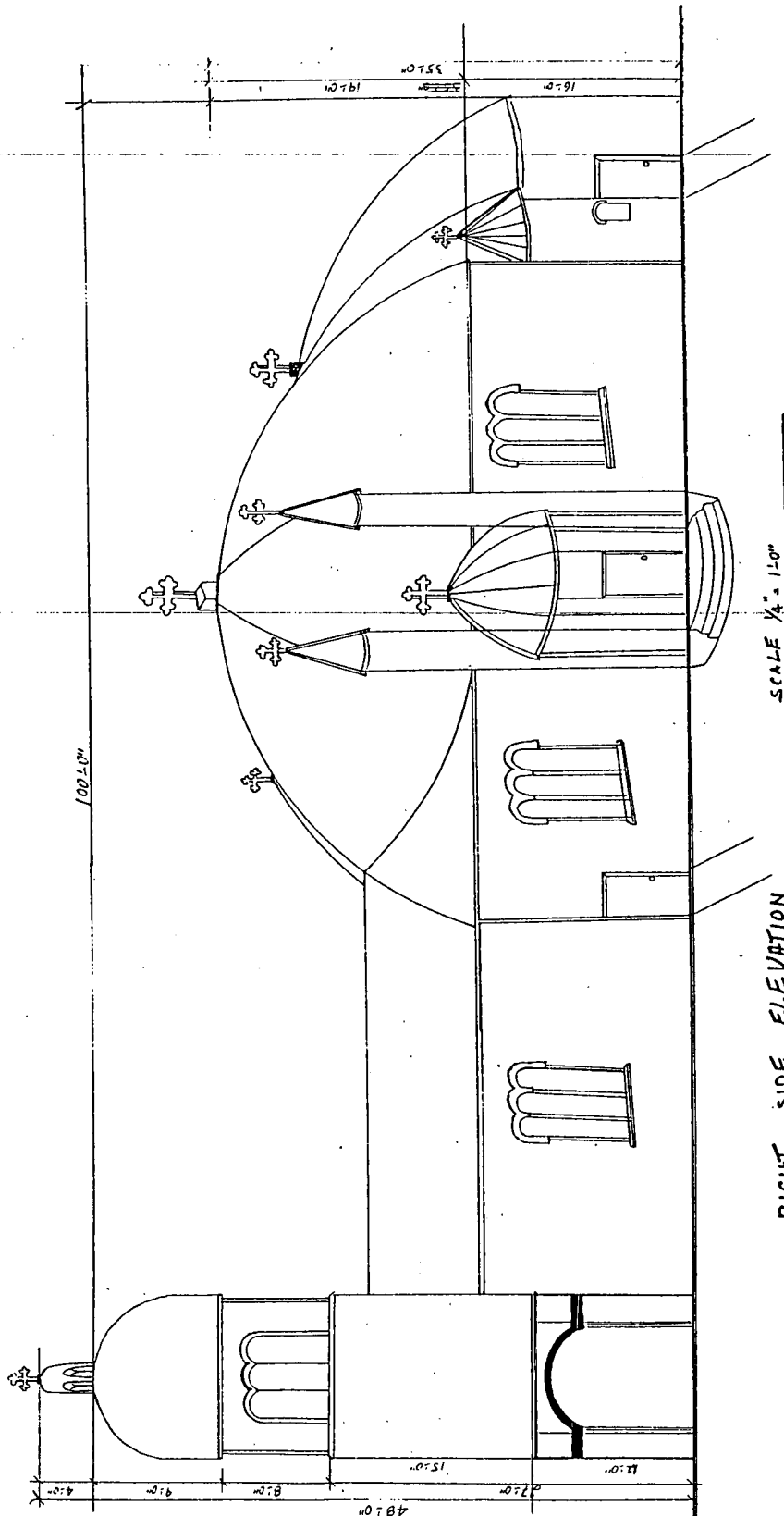
INTERIOR:

2" x 4" WOOD FRAMING
3 1/2" INSULATION
1/2" GYPSUM BOARD
PAINTING



STAFF

EOT-3096
11-06-03 PC

PROJECT INFO:

CONCRETE FOOTING
 CONCRETE SLAB
 8"x16" CONCRETE BLOCK
 WALLS SPITFALE BROWN
 ALL DOMES WOOD FRAMED
 COVERED WITH METAL
 OR UPPER WORKER COLOR
 ALL DOORS AND WINDOWS
 ALUMINUM WITH BROWN
 COLOR

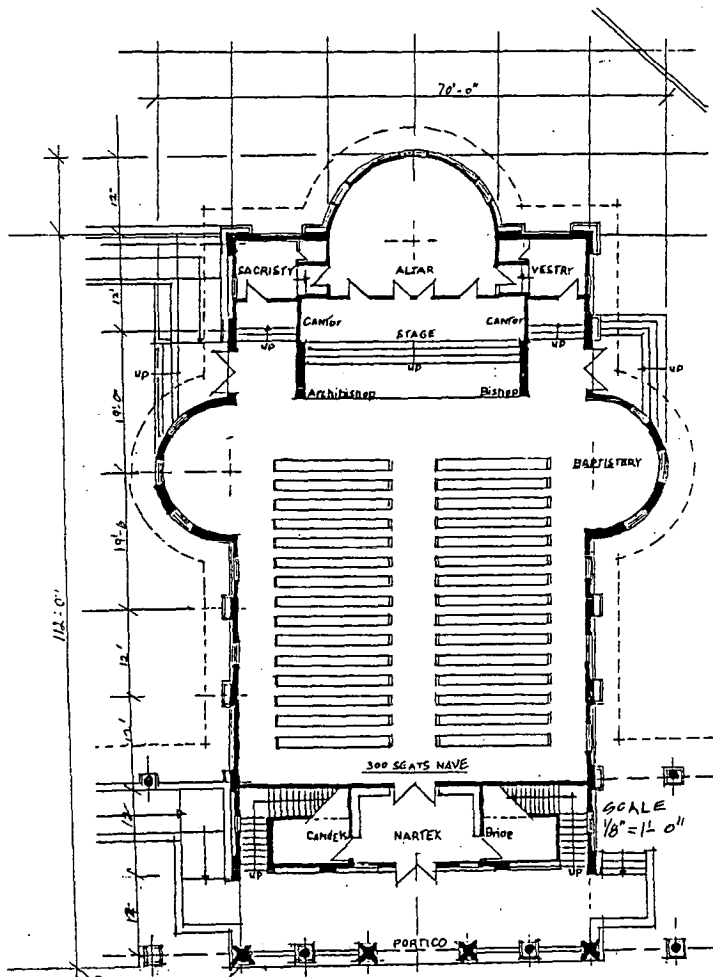
INTERIOR:

2"x4" WOOD FRAMING
 3 1/2" INSULATION
 1/2" GYPSUM BOARD
 PAINTING

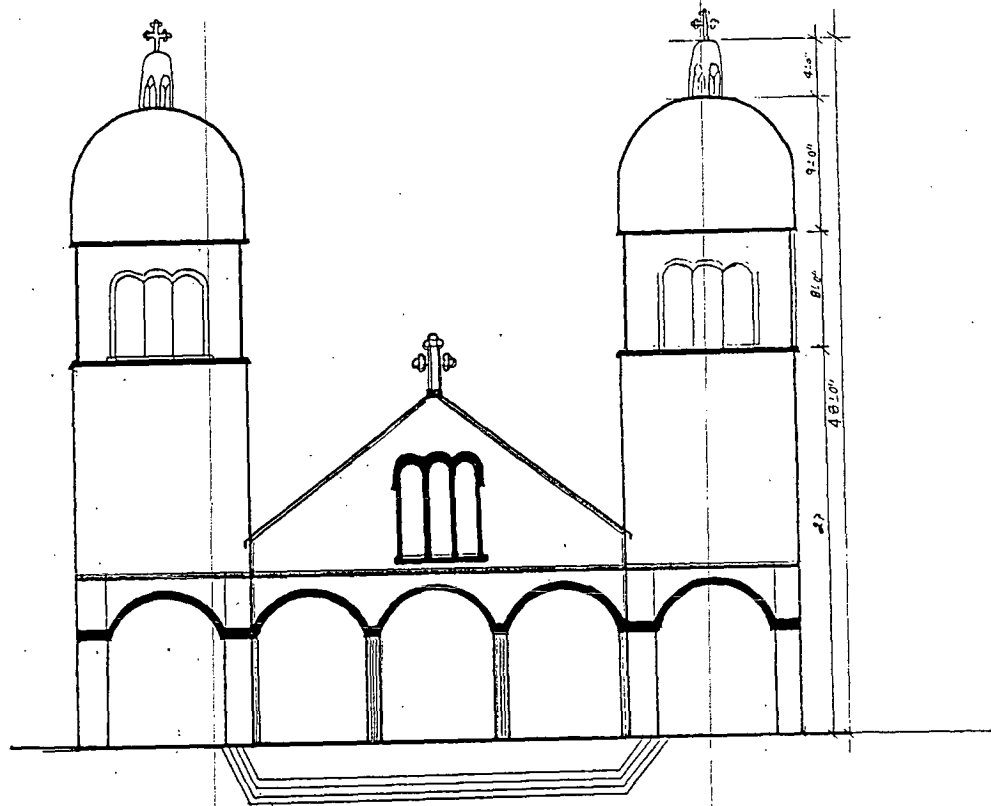
STAFF

EOT-3096

11-06-03 PC



CHURCH FLOOR PLAN SCALE 1/8" = 1'-0"



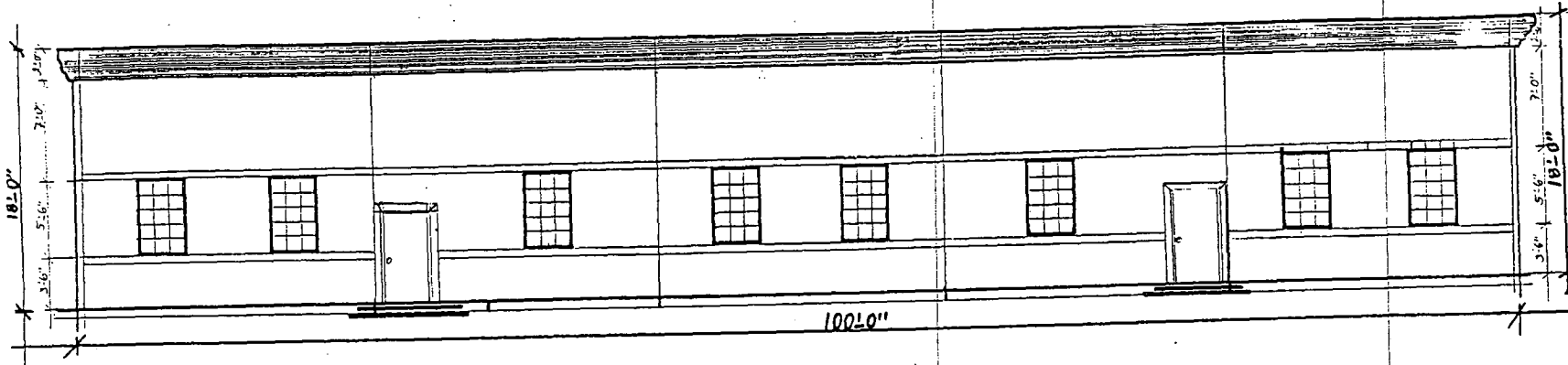
PROJECT INFO:

CONCRETE FOOTING
 CONCRETE SLAB
 8" x 16" CONCRETE BLOCKS
 SPLITFACE BROWN
 WOOD FRAMED DOME WITH
 LOWER LOWER BRONZE COLOR
 ALL DOORS ALUMINUM
 WITH INSULATION GLASS
 BRONZE COLOR
 ALL WINDOWS WHITE

INTERIOR:

2 x 4 3 1/2" INSULATION
 1/2" GYPSUM BOARDS
 PAINTING WHITE

STAFF
 EOT-3096
 11-06-03 PC



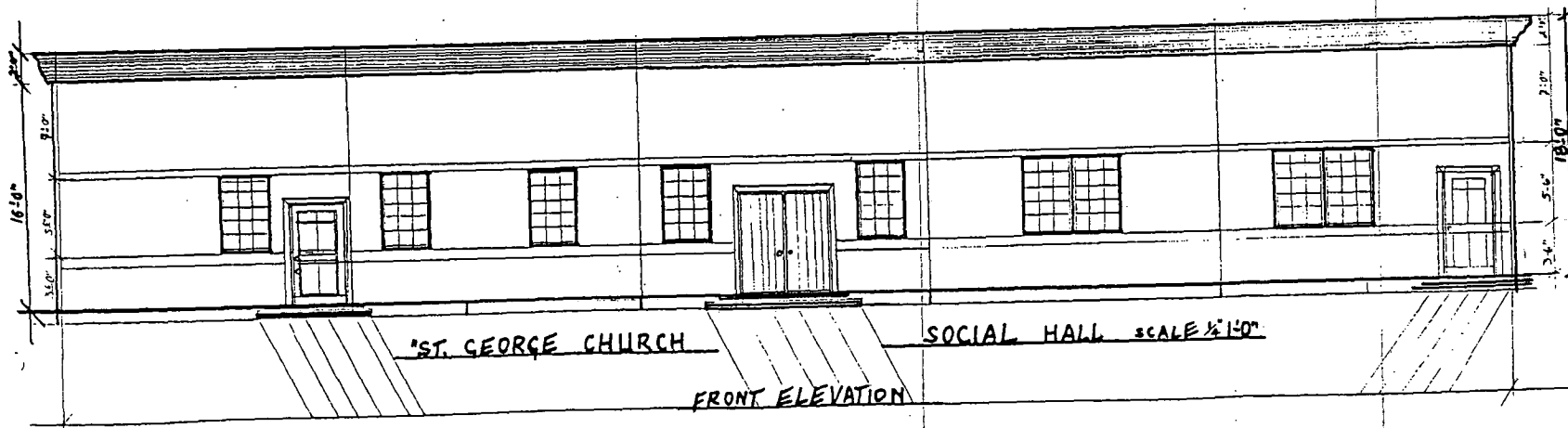
SOCIAL HALL REAR ELEVATION SCALE 1/4" = 1'-0"

PROJECT INFO:

CONCRETE FOOTING
 CONCRETE SLABS
 8"X16" SPLICE BLOCKS BROWN
 FLAT ROOF WITH TRUSSES
 1/8" ROOFING SHEATHING
 RUBBER ROOF WITH 30 FELT PAPER
 ROOF COLOR SILVER
 STEEL DOORS ALUMINUM WINDOW
 ALL COLOR BROWN

INTERIOR:

2X4 3 1/2" INSULATION
 1/2" GYPSUM BOARD



"ST. GEORGE CHURCH

FRONT ELEVATION

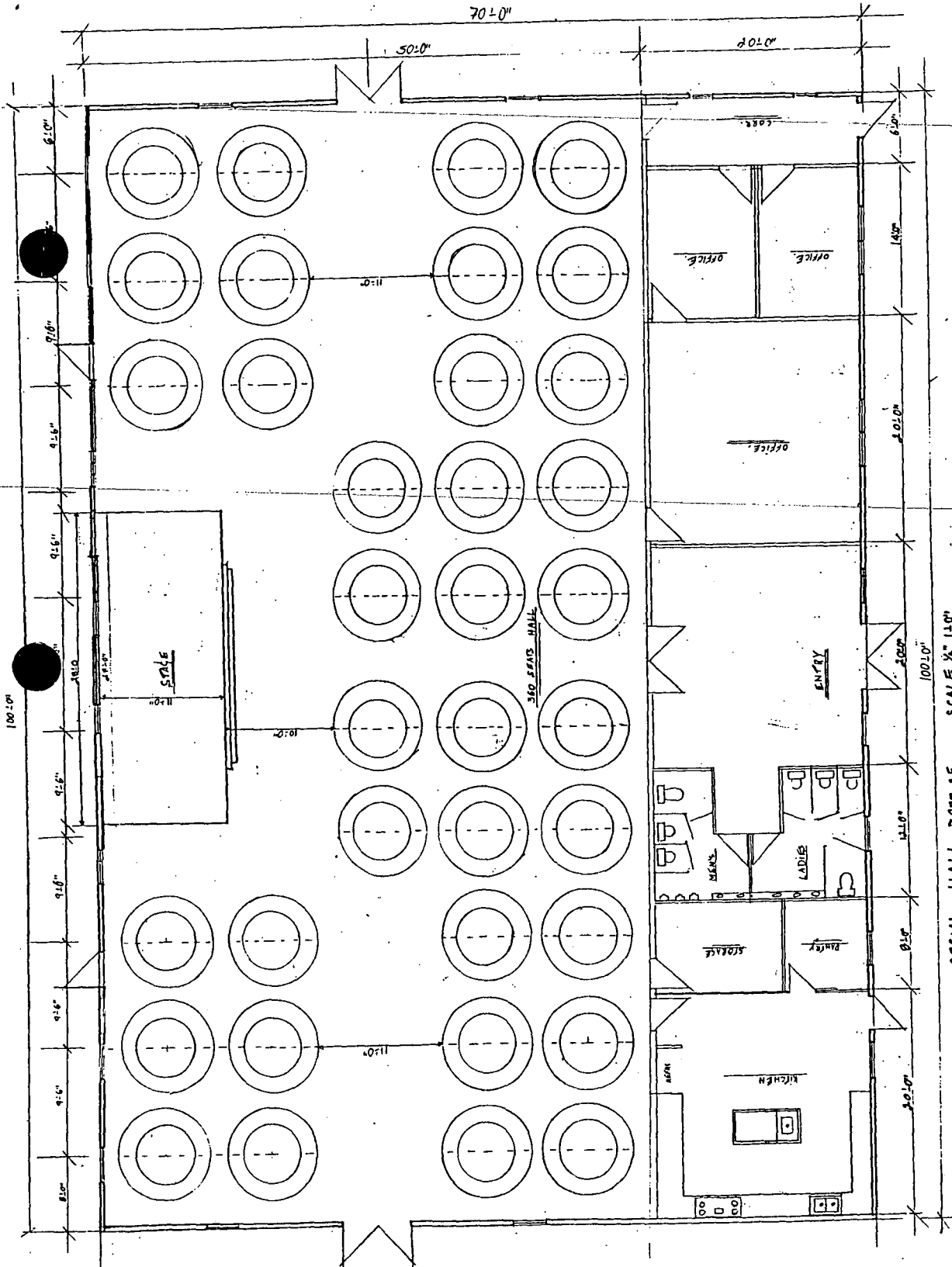
SOCIAL HALL SCALE 1/4" = 1'-0"

STAFF

EOT-3096

11-06-03 PC

STAFF
EOT-3096
11-06-03 PC

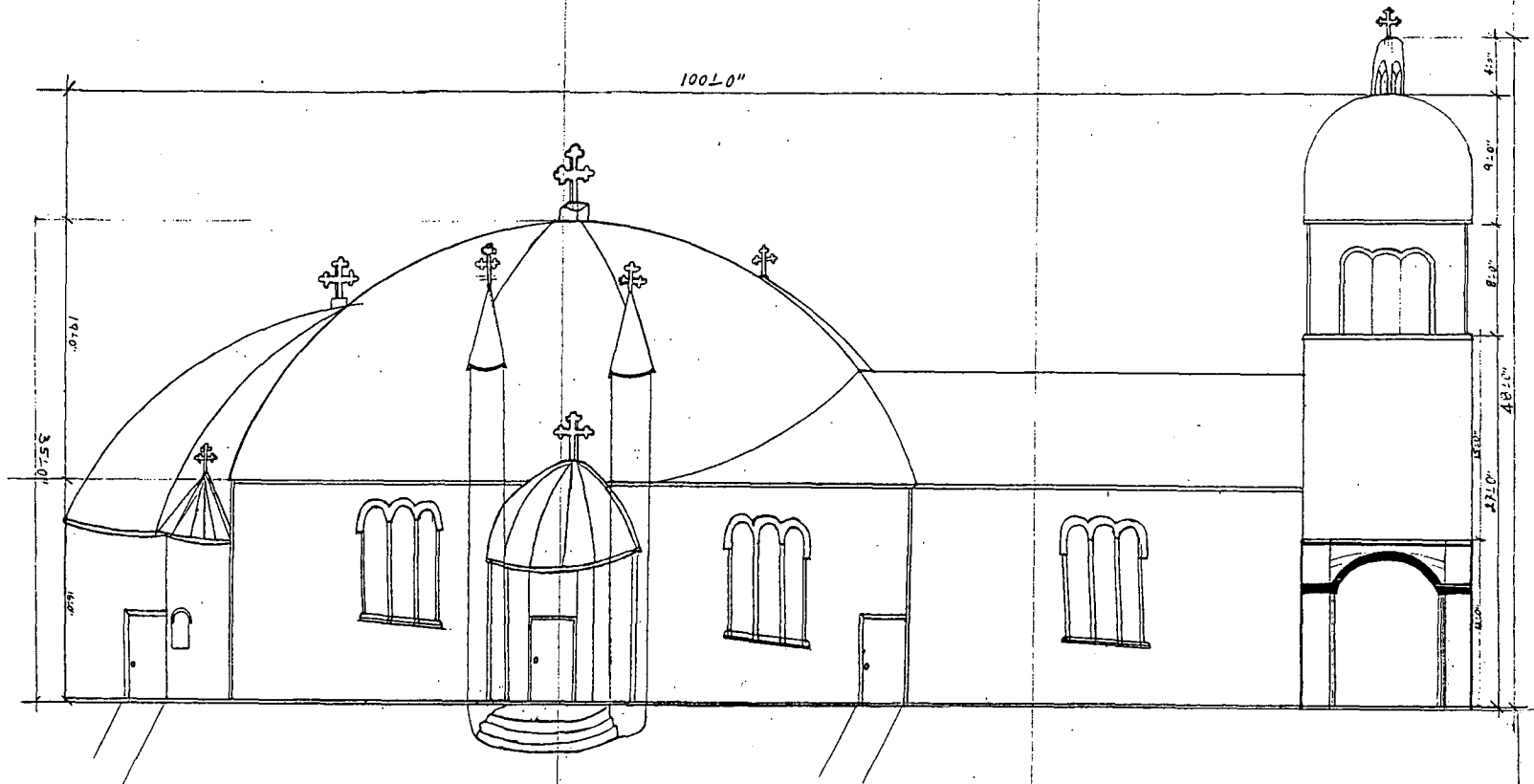


PROJECT INFO:

CONCRETE FOOTING
CONCRETE SLAB
8"x8" 16" CONCRETE BLOCK WALLS
SPITFACE BROWN
ALL DOMES WOOD FRAMED
COVERED WITH METAL
OF COPPER COPPER COLOR
ALL DOORS AND WINDOWS
ALUMINUM WITH BROWN
COLOR

INTERIOR:

2"x4" WOOD FRAMING
3 1/2" INSULATION
1/2" GYPSUM BOARD
PAINTING

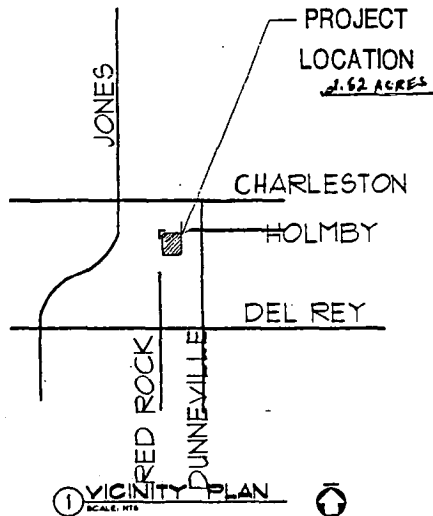


LEFT SIDE ELEVATION OF THE CHURCH SCALE 1/8" = 1'-0"

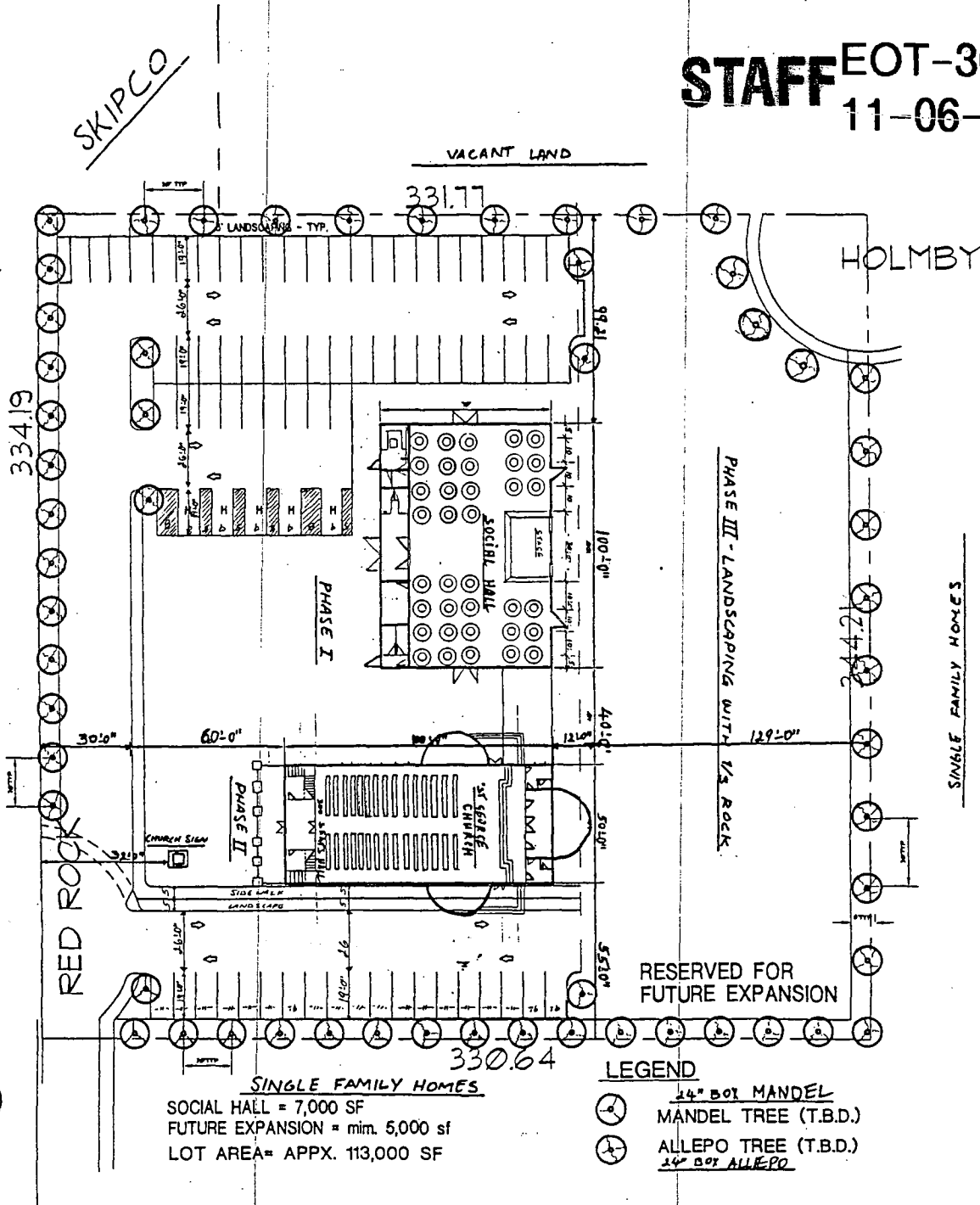
STAFF
EOT-3096
11-06-03 PC

STAFF EOT-3096
11-06-03 PC

PARKING ANALYSIS :
 REQ'D: 1 PARKING @ 100
 SF/OR 60 PK. PLCS. FOR
 240
 PERSONS (PER LAS VEGAS
 PLANNING COMMISSION
 RECOMMENDATION.)
 PROVIDED -72 PARKING
 PLCS.



① SITE PLAN
 SCALE: 1" = 75'

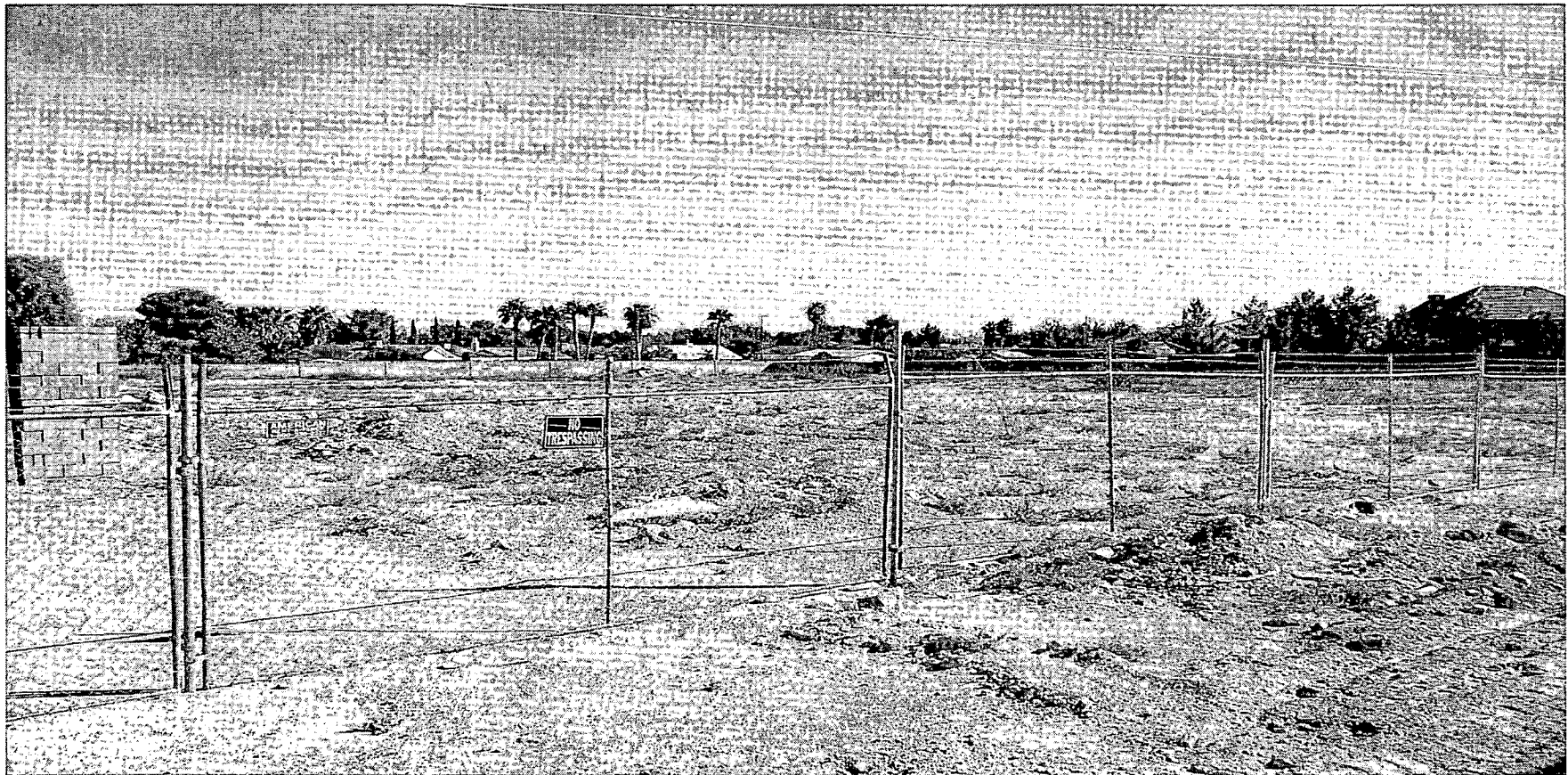


SANT GEORGE
 ROMANIAN
 ORTHODOX CHURCH

CHURCH SAINT GEORGE
 LAS VEGAS, NV

sheet title:
SITE PLAN
 revisions:

sheet no. 1



EOT-3096 - ST. GEORGE ROMANIAN ORTHODOX CHURCH
EAST SIDE OF REDROCK STREET APPROXIMATELY 330 FEET NORTH OF DEL REY AVENUE
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

City of Las Vegas

Agenda Item No. 99

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3126 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Special Use Permit (U-0041-01) WHICH ALLOWED A PROPOSED NEW AND USED BOAT & TRAILER DEALERSHIP on the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 98 [EOT-3096], Item 99 [EOT-3126], Item 100 [EOT-3127] and Item 101 [EOT-3230] subject to conditions - UNANIMOUS with MAYOR GOODMAN abstaining on Items 99-101, because his law partner, DAVID CHESNOFF, represents the applicant and MACK excused -

MINUTES:

There was no discussion.

(2:23-2:25)

4-2107

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.

*City of Las Vegas***Agenda Item No. 99**

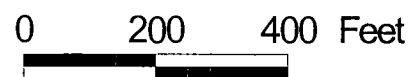
CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 99 – EOT-3126

CONDITIONS - Continued:

2. Conformance to the conditions of approval for Special Use Permit (U-0041-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.

(2:23 – 2:25)

4-2107



99





0 200 400 Feet

CASE: EOT-3126

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-3126 - ECKELEY M. KEACH ON BEHALF OF
ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Special Use Permit (U-0041-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.

EOT-3126 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0041-01) which allowed a proposed New and Used Boat and Trailer Dealership on the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

The applicant's justification letter states that the request is a two-year Extension of Time for the approved Special Use Permits of used car sales and new and used boat sales. An Extension of Time application was approved for a third Special Use Permit, which permitted Minor Auto Repair on the subject site in August of 2003, with the assumption that all three Special Use Permits were being extended.

BACKGROUND INFORMATION

A) Previous Actions

- 1986 The subject property was annexed into the City of Las Vegas (A-0003-86).
- 05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan from SC (Service Commercial) to GC (General Commercial) on this site. The Planning Commission recommended denial on 04/12/01. The City Council also approved a Rezoning (Z-0014-01) from U (Undeveloped) to C-2 (General Commercial); a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot Used Motor Vehicle, Boat and Trailer Sales Facility; and Special Use Permit requests for a Minor Auto Repair Garage with service bays that face a public right-of-way (U-0040-01), for a new and Used Boat and Trailer Dealership (U-0041-01), and for Used Motor Vehicle Sales (U-0042-01) on this site. The Planning Commission had no recommendation for these items at its 04/12/01 meeting because it had recommended denial of the General Plan Amendment. Staff recommended DENIAL of this application.
- 08/06/03 The City Council approved an Extension of Time (EOT-2448) of an approved Special Use Permit (U-0040-01) which allowed a Minor Auto Repair Garage with service bays that face a public right-of-way on the subject site. The Planning Commission recommended approval on July 10, 2003. Staff recommended DENIAL of this application.

EOT-3126 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 11/06/03 The Planning Commission recommended approval of related Extension of Time (EOT-3127, EOT-3230) requests of an approved Rezoning and Site Development Plan Review [Z-0014-01 and Z-0014-01(1)] and Special Use Permit (U-0042-01) which approved C-2 (General Commercial) zoning, a 11,400 square-foot New and Used Motor Vehicle, Boat and Trailer Sales Facility, and Minor Auto Repair Garage on the subject site.
- 11/06/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #5).

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application, nor was one held for this application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.62

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped, Restaurant, and Bank
South: Single Family Dwellings
East: Plant Nursery
West: Undeveloped, Single Family Dwelling and Used Car Dealership

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) under Resolution of Intent to C-2 (General Commercial)
North: C-1 (Limited Commercial) and R-1 (Single-Family Residence) under Resolution of Intent to C-1 (Limited Commercial)
South: R-1 (Single-Family Residence)
East: C-1 (Limited Commercial)
West: Unincorporated Clark County - C-2 (General Commercial) and R-E (Residence Estates)

EOT-3126 - Staff Report Page Three
December 3, 2003 City Council Meeting

E) General Plan Compliance

This site is designated as GC (General Commercial) on the Southwest Sector Map of the General Plan. The existing C-2 (General Commercial) zoning designation is in compliance with the General Plan designation. The approved Minor Auto Repair Garage, Used Motor Vehicle Sales, and New and Used Boat and Trailer Dealership are permitted uses with the approval of a Special Use Permit within the C-2 (General Commercial) zoning district.

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

Rural Preservation Neighborhood

A portion of the subject site is within a Rural Preservation Neighborhood 330-foot buffer area. According to NRS 278.261, lands within 330 feet of an established Rural Preservation Neighborhood must maintain a maximum residential density of three units per acre. The northern portion of this site also falls within a 330-foot street buffer zone; lands within this area are exempt from the density requirements of NRS 278.261. The subject site currently maintains a commercial zoning designation; therefore, these buffers have no effect on this Extension of Time request.

ANALYSIS

A) General Analysis and Discussion

- Zoning**

The subject site is under Resolution of Intent to C-2 (General Commercial) and is compatible with the GC (General Commercial) General Plan Designation. The approved New and Used Boat and Trailer Dealership is a permitted use within the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use**

Boat and Trailer Sales Dealerships (New and Used) is defined by Title 19 as the use of any building or lot for the display and sale of new or used boats, jet skis, or other marine vessels and trailers. In addition the subject site has been approved for Used Motor Vehicle Sales and a Minor Auto Repair Garage.

EOT-3126 - Staff Report Page Four
December 3, 2003 City Council Meeting

- Conditions

There are no base conditions for a Boat and Trailer Sales Dealership (New and Used) in a C-2 (General Commercial) zoning district. There are, however, 17 conditions from the original Special Use Permit (U-0041-01) approval that will be required on the subject site if this Extension of Time application is approved.

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."**

Staff has consistently determined a New and Used Boat and Trailer Dealership is too intense a use for the subject site due to the close proximity of the commercial use to existing residential dwelling units to the south and west. Denial was recommended under the original Special Use Permit application and site characteristics have not changed since the original application; therefore, denial is also being recommended for this Extension of Time request.

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

The subject site is of adequate size to meet minimum setback and on-site parking requirements for the proposed 11,400 square-foot Used Motor Vehicle, Boat and Trailer Sales Facility; however, due to the close proximity of the subject site to existing single-family residential dwellings the intensity of the facility is not compatible with adjacent 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 subject site will have direct access from Charleston Boulevard, a Primary (100-foot wide) Arterial designated on the Master Plan of Streets and Highways, and therefore will have adequate capacity to accommodate traffic generated by the proposed development. Lindell Road is proposed to be 80 feet wide and would also accommodate traffic to the site once improved.

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."**

EOT-3126 - Staff Report Page Five
December 3, 2003 City Council Meeting

The proposed development will be subject to the Department of Building and Safety requirements for all necessary building permits and inspections, in addition to regular inspections for licensing; therefore, the development will not compromise the public health, safety or welfare if approved.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-3126 APN: 163-01-501-001 and 002

Name of Property Owner: Felcher Keach, David Chesnoff, Joseph Brann

Name of Applicant: Fikley Head

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): _____

APN: _____

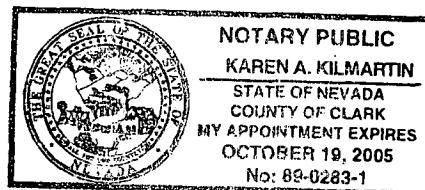
Signature of Property Owner/Authorized Agent: _____

Print Name: A. Fisher Kuch

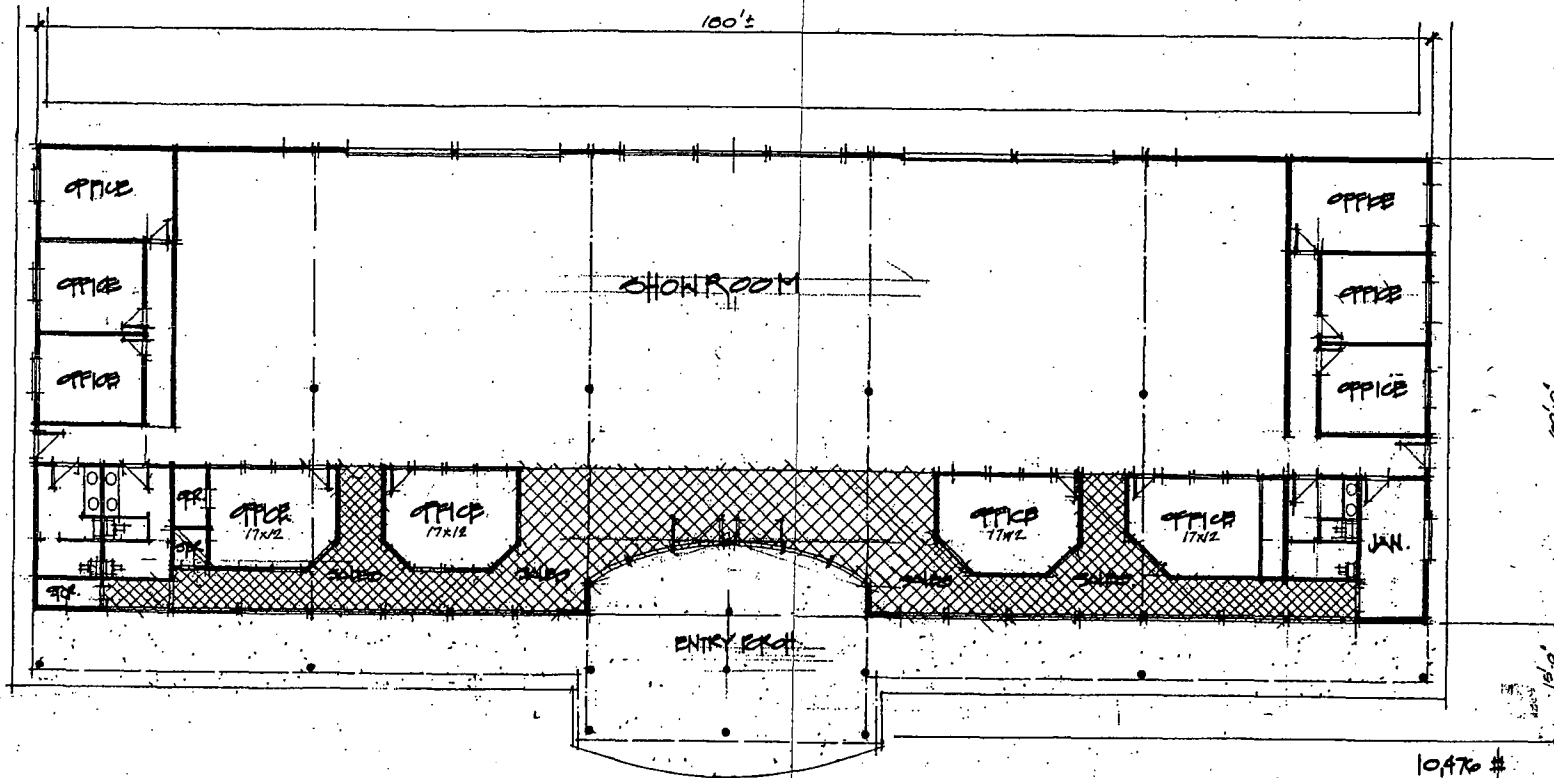
Subscribed and sworn before me

This, 2nd day of September, 2003

Notary Public in and for said County and State



EOT-3126
11-06-03 PC



Auto Marine RV Sales

For: Joe Bravo

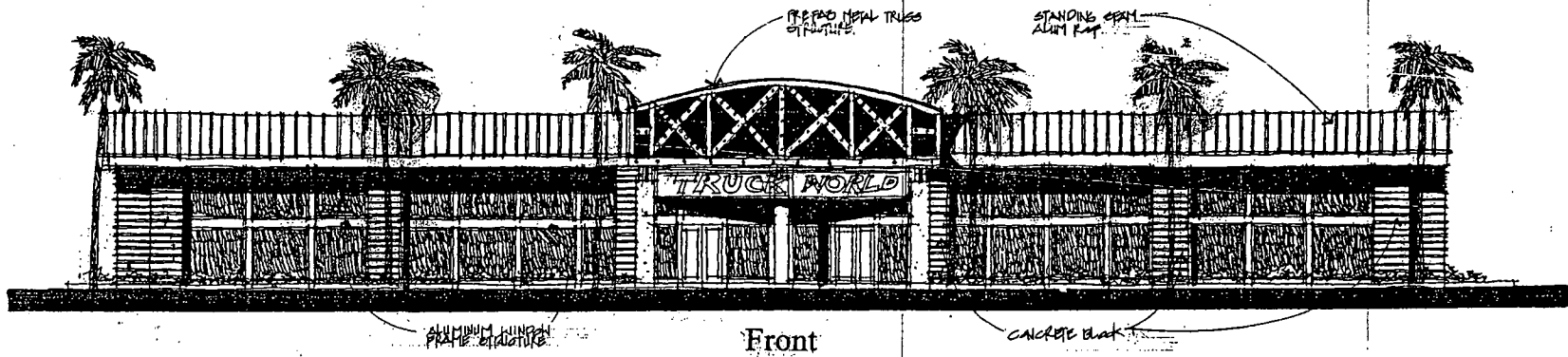


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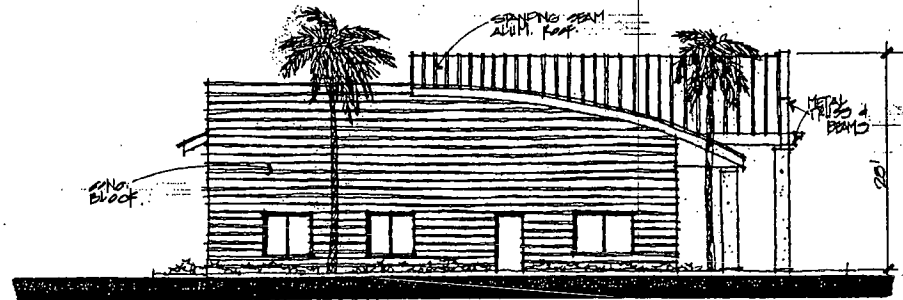
Perlm
ARCHITECTS
PERLMAN ARCHITECTS
2230 CORPORATE CIRC
HENDERSON, NEVA
702.990.9900 702.990.9900

Conceptual Floor Plans

Date: January 08, 2001
Project Number: 100310

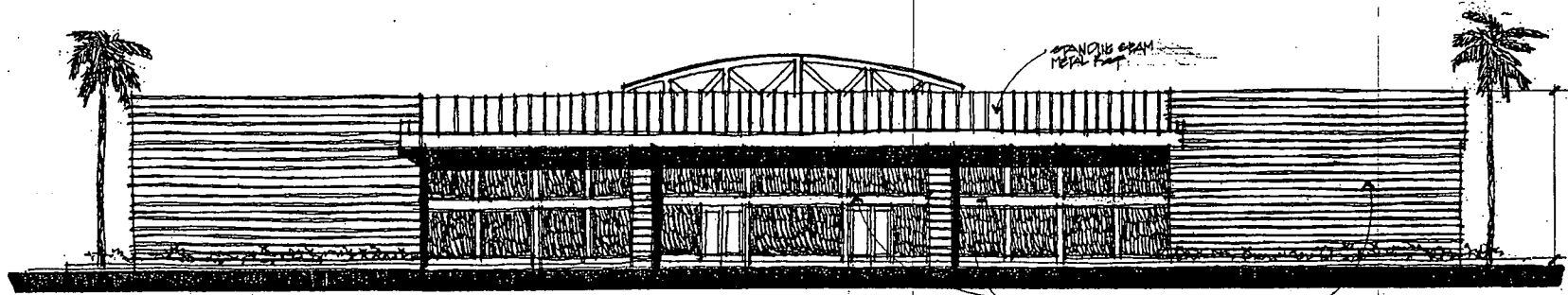


Front



Typical Side

EOT-3126
11-06-03 PC



Rear

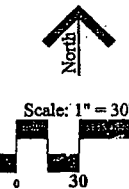
ito Marine RV Sales

ston Boulevard and Lindell Road, Las Vegas, Nevada

For: Joe Bravo

Conceptual Elevations

Date: January 08, 2001
Project Number: 100310

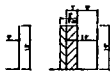


Perlman
ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.890.8900 702.832.3222 fax

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Typical Street/Landscape Section A-A



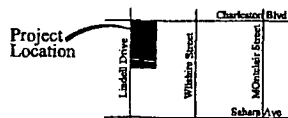
Typical Parking Spaces



CMU Wall B-B



Typical Fire Turning Radius



Location Map



Vicinity Map

Site Area

EOT-3126

11-06-03 PC

SITE INFORMATION

ZONING	CC-Community Commercial District
AREA (Approximate)	201,365 sf
Net Area:	4.62 acres
BUILDING AREA	
Showroom	10,400 sf
Service	1,000 sf

Total Building Area	11,400 sf
FAR	0.065

PARKING REQUIREMENTS	Req.	Provide
Auto Sales	1 per 20 Display Cars = 118 / 20 = 5.9	8
	2 per 1000 sf = 11.4 * 2 = 22.8	23
		42

LANDSCAPE AREA (Approximate)
Landscape buffer adjacent to Residential per 30.64-12

SETBACKS	
Front:	10 ft
Side:	10 ft
Corner:	10 ft
Rear:	10 ft

BUILDING HEIGHT	
Maximum Allowed:	50 ft
Provided:	1 Story - 35 ft

BUILDING COVERAGE	
Maximum Allowed:	35 %
Provided:	26.1 %

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
1	15	24" Box	30' x 30' On Center	MODERN TO ARB	Prostrate juniper "Blue Star"
2	45	24" Box	30' x 30' On Center	MONDRIAN PINE	Flame pine
3	7	1 1/2" Vase	30' x 30' On Center	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
4	18	24" Box	30' x 30' On Center	FLOWERING PLUM	Prunus Mume
5	40	1-1/2" Offset	N/A	Ornamental Ground Sucker and Cover	
6		N/A	N/A	Xanthoxylum / Yucca	

Charleston Blvd

Lindell Drive

Showroom
10,400 sf

Oversize
Parking

100' No Build Zone

320'
Building Setback

Storage Yard

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



Scale: 1" = 30'

Perlman
ARCHITECT

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 2
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

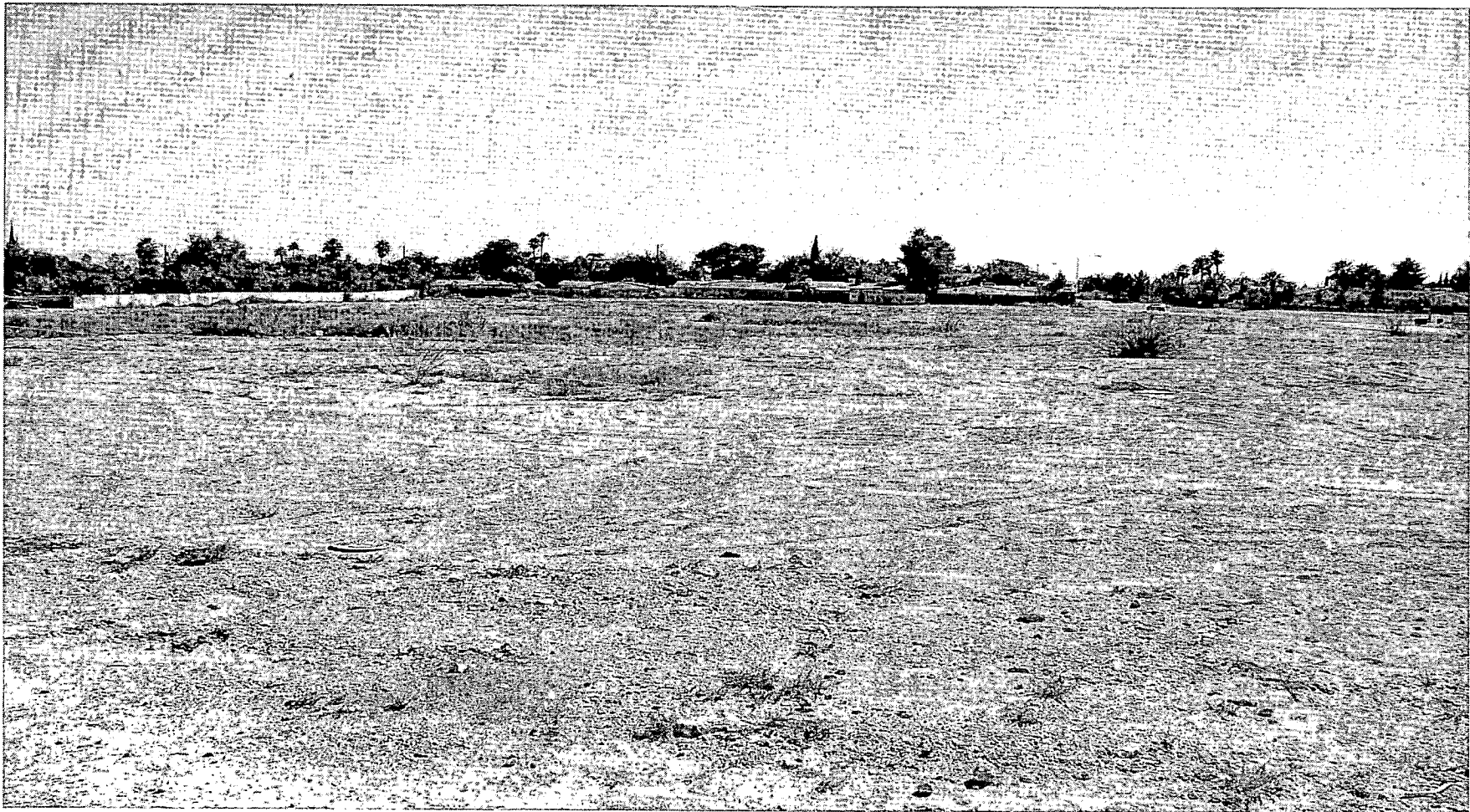
© COPYRIGHT 2001, PERLMAN ARCHITECTS, INC.

uto Marine RV Sales

Charleston Boulevard and Lindell Road, Las Vegas, Nevada

Conceptual Landscape Plan - Scheme A

Date: March 12, 2001
Project Number: 100310



EOT-3126 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

City of Las Vegas

Agenda Item No. 100

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒ X

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3126 - SPECIAL USE PERMIT - EOT-3127 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Special Use Permit (U-0042-01) WHICH ALLOWED A PROPOSED USED MOTOR VEHICLE SALES adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation], under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 98 [EOT-3096], Item 99 [EOT-3126], Item 100 [EOT-3127] and Item 101 [EOT-3230] subject to conditions - UNANIMOUS with MAYOR GOODMAN abstaining on Items 99-101, because his law partner, DAVID CHESNOFF, represents the applicant and MACK excused -

MINUTES:

There was no discussion

(2:23-2:25)

4-2107

CONDITIONS:

Planning and Development

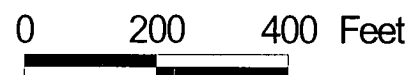
1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.

*City of Las Vegas***Agenda Item No. 100**

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 100 – EOT-3127

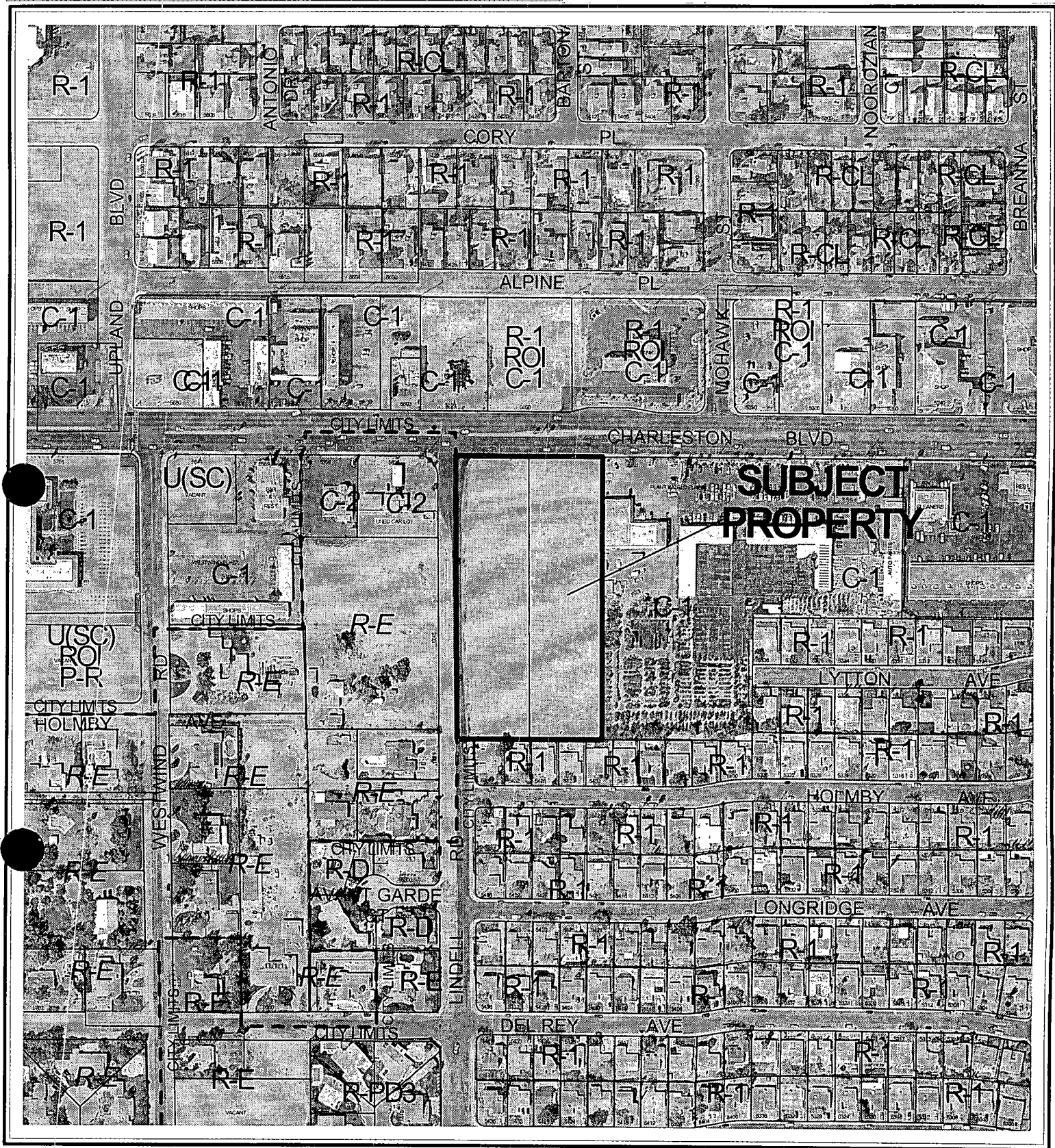
CONDITIONS - Continued:

2. Conformance to the conditions of approval for Special Use Permit (U-0042-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.



100





0 200 400 Feet

CASE: EOT-3127**ZONING OF SUBJECT PROPERTY:**

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



*City of Las Vegas***AGENDA MEMO**

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-3127 - ECKELEY M. KEACH ON BEHALF OF
ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Special Use Permit (U-0042-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.

EOT-3127 - Staff Report Page One
December 3, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0042-01) which allowed a proposed Used Motor Vehicle Sales Dealership on the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

The applicant's justification letter states that the request is a two-year extension of time for the approved Special Use Permits of Used Car Sales and New and Used Boat Sales. An Extension of Time application was approved for a third Special Use Permit, which permitted Minor Auto Repair on the subject site in August of 2003, with the assumption that all three Special Use Permits were being extended.

BACKGROUND INFORMATION

A) Previous Actions

- 1986 The subject property was annexed into the City of Las Vegas (A-0003-86).

- 05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan from SC (Service Commercial) to GC (General Commercial) on this site. The Planning Commission recommended denial on 04/12/01. The City Council also approved a Rezoning (Z-0014-01) from U (Undeveloped) to C-2 (General Commercial); a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot Used Motor Vehicle, Boat and Trailer Sales Facility; and Special Use Permit requests for a Minor Auto Repair Garage with service bays that face a public right-of-way (U-0040-01), for a New and Used Boat and Trailer Dealership (U-0041-01), and for Used Motor Vehicle Sales (U-0042-01) on this site. The Planning Commission had no recommendation for these items at its 04/12/01 meeting because it had recommended denial of the General Plan Amendment. Staff recommended DENIAL of this application.

- 08/06/03 The City Council approved an Extension of Time (EOT-2448) of an approved Special Use Permit (U-0040-01) which allowed a Minor Auto Repair Garage with service bays that face a public right-of-way on the subject site. The Planning Commission recommended approval on July 10, 2003. Staff recommended DENIAL of this application.

EOT-3127 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 11/06/03 The Planning Commission recommended approval of related Extension of Time (EOT-3126, EOT-3230) requests of an approved Rezoning and Site Development Plan Review [Z-0014-01 and Z-0014-01(1)] and Special Use Permit (U-0042-01) which approved C-2 (General Commercial) zoning, a 11,400 square-foot New and Used Motor Vehicle, Boat and Trailer Sales Facility, and Minor Auto Repair Garage on the subject site.
- 11/06/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #6).

B) *Pre-Application Meeting*

A pre-application meeting is not required for an extension of time application, nor was one held for this application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for an extension of time application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.62

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped, Restaurant, and Bank
South: Single Family Dwellings
East: Plant Nursery
West: Undeveloped, Single Family Dwelling and Used Car Dealership

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: U (Undeveloped) under Resolution of Intent to C-2 (General Commercial)
North: C-1 (Limited Commercial) and R-1 (Single-Family Residence) under Resolution of Intent to C-1 (Limited Commercial)
South: R-1 (Single-Family Residence)
East: C-1 (Limited Commercial)
West: Unincorporated Clark County - C-2 (General Commercial) and R-E (Residence Estates)

EOT-3127 - Staff Report Page Three
December 3, 2003 City Council Meeting

E) General Plan Compliance

This site is designated as GC (General Commercial) on the Southwest Sector Map of the General Plan. The existing C-2 (General Commercial) zoning designation is in compliance with the General Plan designation. The approved Minor Auto Repair Garage, Used Motor Vehicle Sales, and New and Used Boat and Trailer Dealership are permitted uses with the approval of a Special Use Permit within the C-2 (General Commercial) zoning district.

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

Rural Preservation Neighborhood

A portion of the subject site is within a Rural Preservation Neighborhood 330-foot buffer area. According to NRS 278.261, lands within 330 feet of an established Rural Preservation Neighborhood must maintain a maximum residential density of three units per acre. The northern portion of this site also falls within a 330-foot street buffer zone; lands within this area are exempt from the density requirements of NRS 278.261. The subject site currently maintains a commercial zoning designation; therefore, these buffers have no effect on this Extension of Time request.

ANALYSIS

A) General Analysis and Discussion

- Zoning**

The subject site is under Resolution of Intent to C-2 (General Commercial) and is compatible with the GC (General Commercial) General Plan Designation. The approved Used Motor Vehicle Sales Dealership is a permitted use within the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use**

Motor Vehicle Sales (Used) is defined by Title 19 as a facility or area used primarily for the display of used automobiles, motorcycles and motor scooters. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

EOT-3127 - Staff Report Page Four
December 3, 2003 City Council Meeting

- Conditions

There are no base conditions for a Used Motor Vehicle Sales Dealership in a C-2 (General Commercial) zoning district. There are, however, 17 conditions from the original Special Use Permit (U-0042-01) approval that will be required on the subject site if this Extension of Time application is approved.

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."**

Staff has consistently determined a Used Motor Vehicle Sales Dealership is too intense a use for the subject site due to the close proximity of the commercial use to existing residential dwelling units to the south and west. It should be noted that there is an existing Used Motor Vehicle Sales Dealership west of the subject site; however, the use is located in Unincorporated Clark County. Denial was recommended under the original Special Use Permit application and site characteristics have not changed since the original application; therefore, denial is also being recommended for this Extension of Time request.

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

The subject site is of adequate size to meet minimum setback and on-site parking requirements for the proposed 11,400 square-foot Used Motor Vehicle Sales Dealership; however, due to the close proximity of the subject site to existing single-family residential dwellings the intensity of the facility is not compatible with adjacent 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 subject site will have direct access from Charleston Boulevard, a Primary (100-foot wide) Arterial designated on the Master Plan of Streets and Highways, and therefore will have adequate capacity to accommodate traffic generated by the proposed development. Lindell Road is proposed to be 80 feet wide and would also accommodate traffic to the site once improved.

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."**

EOT-3127 - Staff Report Page Five
December 3, 2003 City Council Meeting

The proposed development will be subject to the Department of Building and Safety requirements for all necessary building permits and inspections, in addition to regular inspections for licensing; therefore, the development will not compromise the public health, safety or welfare if approved.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-3127 APN: 163-01-501-00/and 002

Name of Property Owner: Felchey Keach, David Chesnoff, Joseph Brann

Name of Applicant: Fukley Head

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): _____

APN: _____

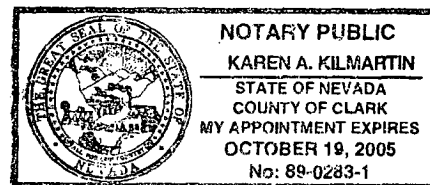
Signature of Property Owner/Authorized Agent: _____

Print Name: J. Felchey Knoch

Subscribed and sworn before me

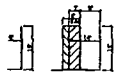
This 22 day of September, 2003

Notary Public in and for said County and State





Typical Street/Landscape Section A-A



Typical Parking Spaces



CMU Wall B-B



Typical Fire Turning Radius



Location Map



Vicinity Map

Site Area

EOT-3127
11-06-03 PC

SITE INFORMATION

ZONING
CC Community Commercial District
AREA (Approximate)
Net Area: 201,365 sf 4.62 acres
BUILDING AREA
Showroom: 10,400 sf
Service: 1,000 sf

Total Building Area 11,400 sf
FAR 0.065

PARKING REQUIREMENTS
Auto Sales: 1 per 20 Display Cars = 118 / 20 = 5.9
2 per 1000 sf = 11.4 * 2 = 22.8
Req. Provide: 28 42

LANDSCAPE AREA (Approximate)
Landscape buffer adjacent to Residential: per 30.64-12

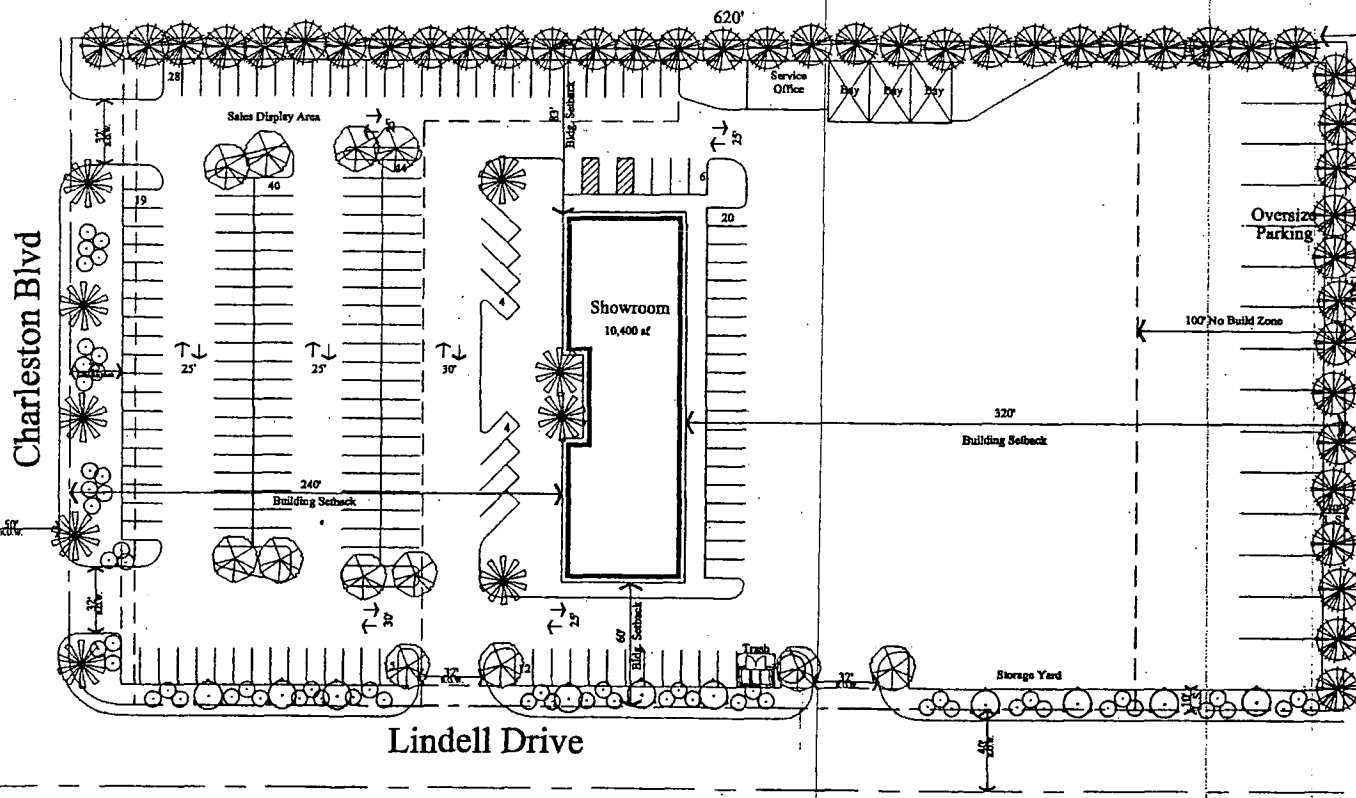
SETBACKS
Front: 10 ft
Side: 10 ft
Corner: 10 ft
Rear: 10 ft

BUILDING HEIGHT
Maximum Allowed: 50 ft
Provided: 1 Story - 35 ft

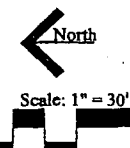
BUILDING COVERAGE
Maximum Allowed: 35 %
Provided: 26.1 %

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
15	15	24" Box	20' x 20' On Center	MODERN ARB	Persea palustris
41	41	24" Box	20' x 20' On Center	MONDOLINE	Platanus
7	7	12' High Yucca	10' x 10' On Center	MEXICAN FAN PALM	Washingtonia robusta
18	18	24" Box	20' x 20' On Center	FLORISSING PLUM	Prunus melanocarpa
48	48	1-5 Gallon	N/A	Ornamental Ground Cover	
		N/A	N/A	Shrubbery / Tree	



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



PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 2
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

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uto Marine RV Sales

Charleston Boulevard and Lindell Road, Las Vegas, Nevada

Conceptual Landscape Plan - Scheme A

Date: March 12, 2001
Project Number: 100310

ston Boulevard and Lindell Road, Las Vegas, Nevada

Conceptual Elevations

Date: January 08, 2001
Project Number: 100310

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ato Marine RV Sales

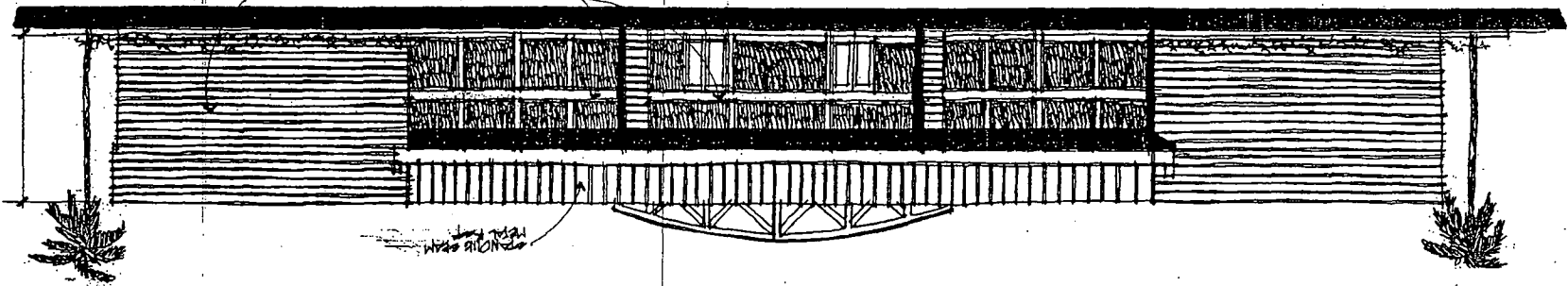
For: Joe Bravo

Scale: 1" = 30'

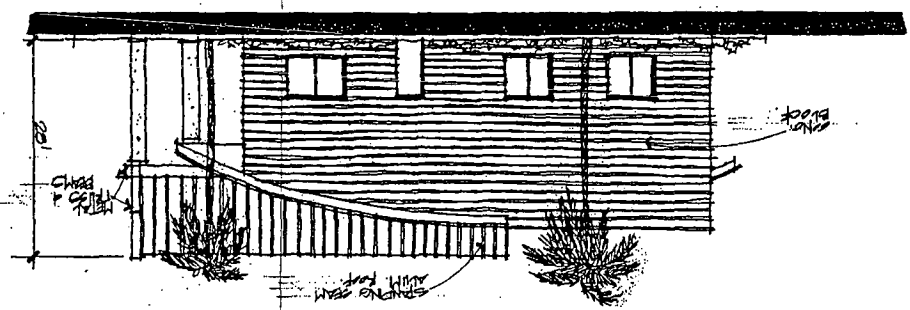


Perlmán
A R C H I T E C T S
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.890.8900 702.892.3222 fax

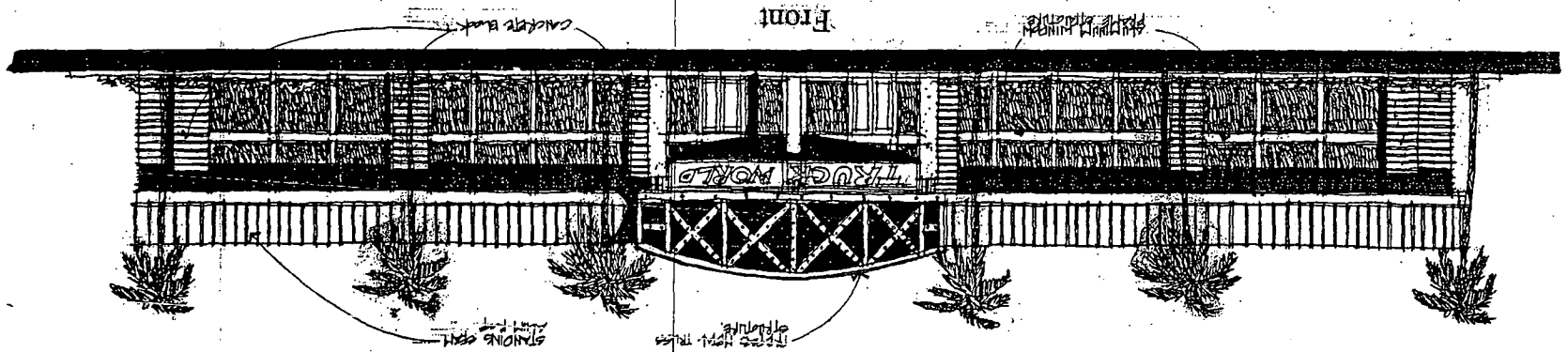
Rear



Typical Side

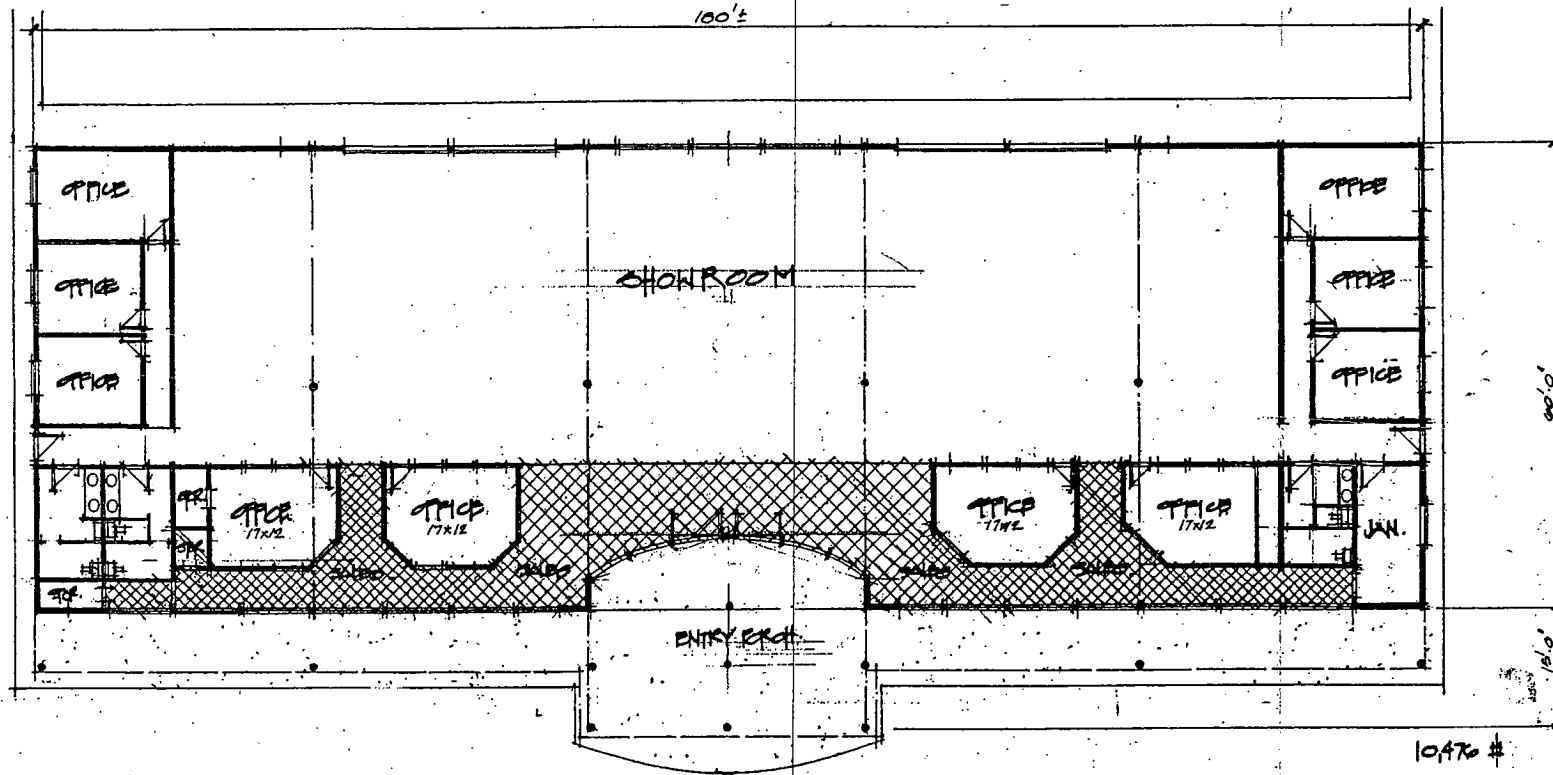


Front



EOT-3127
11-06-03 PC

EOT-3127
11-06-03 PC



Auto Marine RV Sales

For: Joe Bravo

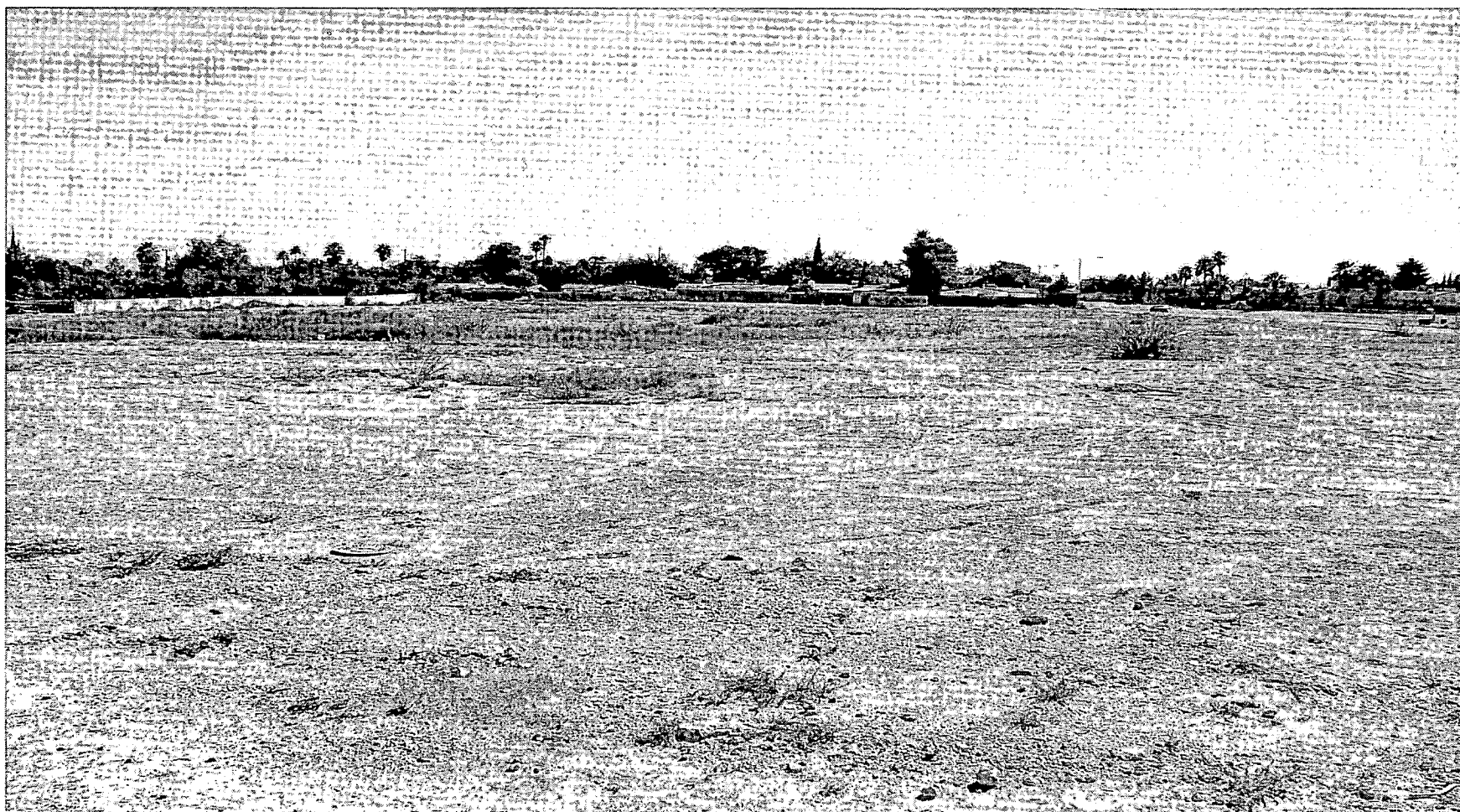


Scale: 1" = 30'

Perlm
ARCHITECT
PERLMAN ARCHITECT
2230 CORPORATE CIRCL
HENDERSON, NEVAD
702.990.9900 702.931.1111

Conceptual Floor Plans

Date: January 08, 2001
Project Number: 100310



EOT-3127 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

City of Las Vegas

Agenda Item No. 101

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3126 AND EOT-3127 - REZONING - EOT-3230 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Rezoning (Z-0014-01) FROM: U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] TO: C-2 (General Commercial) and of an approved Site Development Plan Review [Z-0014-01(1)] FOR AN 11,400 SQUARE FOOT COMMERCIAL BUILDING on 4.62 acres located at the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 98 [EOT-3096], Item 99 [EOT-3126], Item 100 [EOT-3127] and Item 101 [EOT-3230] subject to conditions - UNANIMOUS with MAYOR GOODMAN abstaining on Items 99-101, because his law partner, DAVID CHESNOFF, represents the applicant and MACK excused -

MINUTES:

There was no discussion.

(2:23-2:25)

4-2107

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.

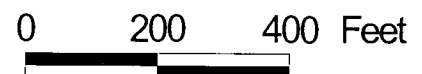
City of Las Vegas

Agenda Item No. 101

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 101 – EOT-3230

CONDITIONS - Continued:

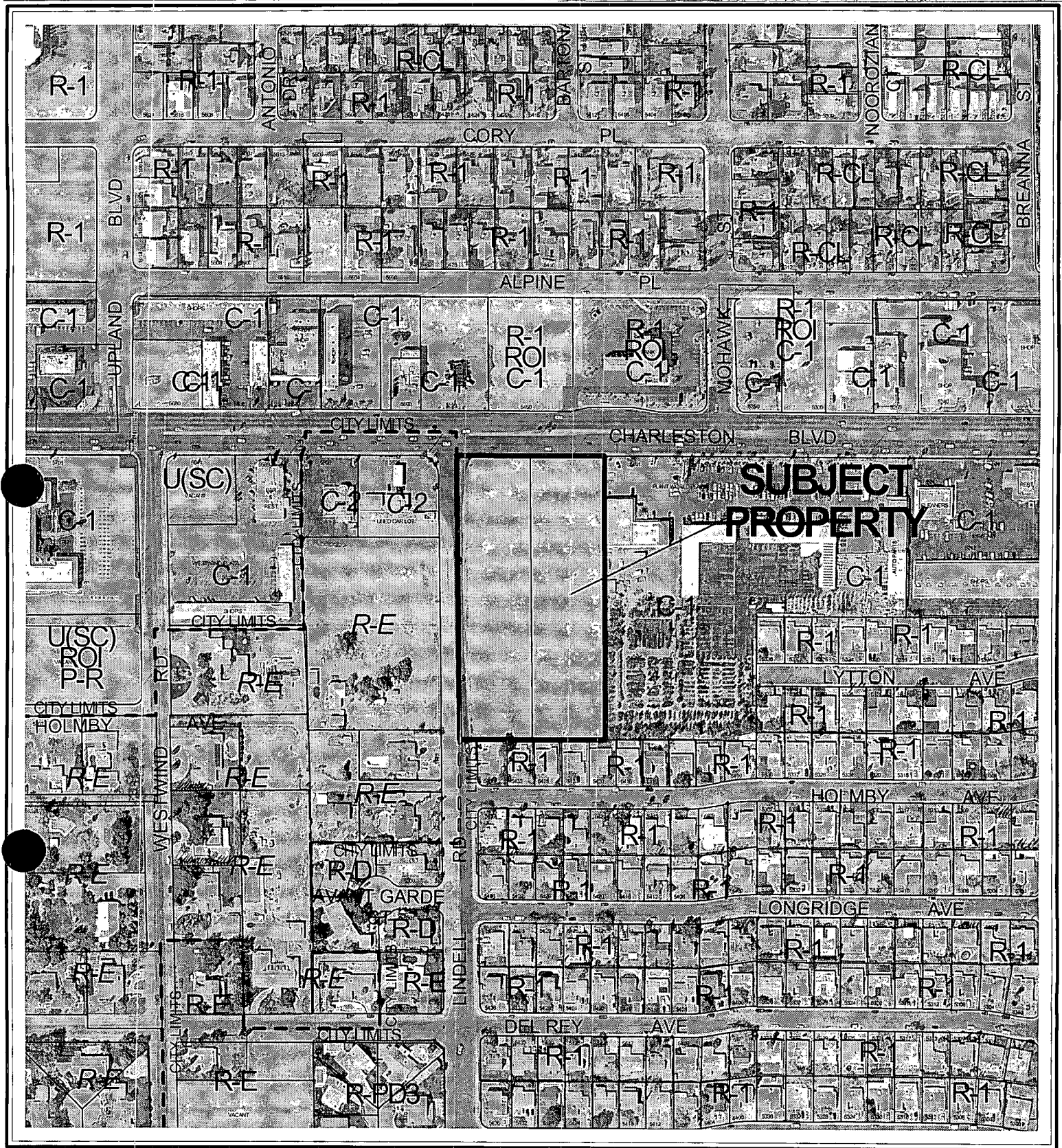
2. Conformance to the conditions of approval for Rezoning (Z-0014-01), Site Development Plan Review [Z-0014-01(1)] and all site-related actions as required by the Planning and Development Department and Department of Public Works.



101

N





0 200 400 Feet

CASE: EOT-3230**ZONING OF SUBJECT PROPERTY:**

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 3, 2003****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: EOT-3230 - ECKELEY M. KEACH ON BEHALF OF
ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0014-01), Site Development Plan Review [Z-0014-01(1)] and all site-related actions as required by the Planning and Development Department and Department of Public Works.

EOT-3230 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Rezoning (Z-0014-01) From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: C-2 (General Commercial) and Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building and a Waiver of the landscaping requirements to allow a reduction in the amount of perimeter and parking lot landscaping on the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

The applicant's justification letter states that the request is a two-year Extension of Time for the approved Rezoning and Site Development Plan Review. An Extension of Time application was approved for a Special Use Permit application on the subject site, in August of 2003, with the assumption that all three Special Use Permits, the Rezoning, and the Site Development Plan Review applications were all being extended.

BACKGROUND INFORMATION

A) Previous Actions

- 1986 The subject property was annexed into the City of Las Vegas (A-0003-86).
- 05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan from SC (Service Commercial) to GC (General Commercial) on this site. The Planning Commission recommended denial on 04/12/01. The City Council also approved a Rezoning (Z-0014-01) from U (Undeveloped) to C-2 (General Commercial); a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot Used Motor Vehicle, Boat and Trailer Sales Facility; and Special Use Permit requests for a Minor Auto Repair Garage with service bays that face a public right-of-way (U-0040-01), for a New and Used Boat and Trailer Dealership (U-0041-01), and for Used Motor Vehicle Sales (U-0042-01) on this site. The Planning Commission had no recommendation for these items at its 04/12/01 meeting because it had recommended denial of the General Plan Amendment. Staff recommended DENIAL of this application.
- 08/06/03 The City Council approved an Extension of Time (EOT-2448) of an approved Special Use Permit (U-0040-01) which allowed a Minor Auto Repair Garage with service bays that face a public right-of-way on the subject site. The Planning Commission recommended approval on July 10, 2003. Staff recommended DENIAL of this application.

EOT-3230 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 11/06/03 The Planning Commission recommended approval of related Extension of Time (EOT-3126, EOT-3127) requests of approved Special Use Permits (U-0041-01 and U-0042-01) which approved a New and Used Boat and Trailer sales Dealership, and a Used Motor Vehicle Sales dealership. Staff recommended DENIAL of this application.
- 11/06/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #7).

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application, nor was one held for this application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application, nor was one held for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.62

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped, Restaurant, and Bank
South: Single Family Dwellings
East: Plant Nursery
West: Undeveloped, Single Family Dwelling and Used Car Dealership

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) under Resolution of Intent to C-2 (General Commercial)
North: C-1 (Limited Commercial) and R-1 (Single-Family Residence) under Resolution of Intent to C-1 (Limited Commercial)
South: R-1 (Single-Family Residence)
East: C-1 (Limited Commercial)
West: Unincorporated Clark County - C-2 (General Commercial) and R-E (Residence Estates)

EOT-3230 - Staff Report Page Three
December 3, 2003 City Council Meeting

E) General Plan Compliance

This site is designated as GC (General Commercial) on the Southwest Sector Map of the General Plan. The existing C-2 (General Commercial) zoning designation is in compliance with the General Plan designation. The approved Minor Auto Repair Garage, Used Motor Vehicle Sales, and New and Used Boat and Trailer Dealership are permitted uses with the approval of a Special Use Permit within the C-2 (General Commercial) zoning district.

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

Rural Preservation Neighborhood

A portion of the subject site is within a Rural Preservation Neighborhood 330-foot buffer area. According to NRS 278.261, lands within 330 feet of an established Rural Preservation Neighborhood must maintain a maximum residential density of three units per acre. The northern portion of this site also falls within a 330-foot street buffer zone; lands within this area are exempt from the density requirements of NRS 278.261. The subject site currently maintains a commercial zoning designation; therefore, these buffers have no effect on this Extension of Time request.

ANALYSIS

A) General Analysis and Discussion

- Zoning**

Rezoning Z-0014-01 was approved by City Council on May 16, 2001 with a Resolution of Intent with a two-year time limit. Title 19.18.040 states that the Rezoning approval expires at the end of the Resolution of Intent time limit unless the City Council extends the approval period. Extension of an approval period, or Reinstatement and Extension, may be granted only if:

- Application therefore is made no later than six months after the approval has expired;
- The applicant demonstrates good cause; and
- The applicant conforms to the additional requirements set forth in Subsection 6 below.

EOT-3230 - Staff Report Page Four
 December 3, 2003 City Council Meeting

Subsection 6 states; if a time-limited zoning approval that is sought to be extended (or reinstated and extended) continues to conform to the use and density classifications of the General Plan, the applicant must demonstrate that the rezoning remains consistent with the surrounding area and the pattern of development in the area. If the rezoning sought to be extended (or reinstated and extended) no longer conforms to the use and density classifications of the General Plan, the Extension of Time, if granted, shall be limited to a one-year period. If, within that period, the zoning approval is not exercised by means of the recordation of a final subdivision map or by the commencement of actual construction, the approval terminates.

The Extension of Time request was requested within six months of the expiration date of May 16, 2003. The applicant states in the justification letter that the delay was due in part to the economic downturn of "post September 11th". As noted in the original rezoning report the rezoning is not consistent with the surrounding area and the pattern of development in the area. The subject site is adjacent to single-family residential dwellings. A C-2 (General Commercial) zoning designation does not lend to a harmonious transition between residential and commercial uses. Because of this incompatibility, the original staff recommendation was for denial of the Rezoning application; therefore, denial is also being recommended on this Extension of Time request.

- **Site Plan**

As noted above and on the companion Extension of Time applications (EOT-3126 and EOT-3127), the approved 11,400 square-foot Used Motor Vehicle, Boat and Trailer Sales Facility and Minor Auto Repair Garage is not compatible with existing single-family residential dwellings to the south and west. The pattern of development since the original approval has not changed to allow for such a use to be compatible with surrounding properties; therefore denial is being recommended on this Extension of Time request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. "The proposal conforms to the General Plan."**

The current General Plan designation of GC (General Commercial) is in conformance with the approved C-2 (General Commercial) zoning designation. At the time of the original application a General Plan Amendment was submitted to change the designation from SC (Service Commercial) to GC (General Commercial) with a staff recommendation of denial.

- 2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

EOT-3230 - Staff Report Page Five
December 3, 2003 City Council Meeting

The approved Minor Auto Repair Garage, New and Used Boat and Trailer Dealership, and Used Motor Vehicle Sales Dealership uses are too intense a use for the subject site due to the close proximity of the commercial use to existing residential dwelling units to the south and west. Denial was recommended under the original Rezoning and Site Development Plan Review applications and site characteristics have not changed since the original application; therefore, denial is also being recommended for this Extension of Time request.

3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."

Under the original Rezoning application it was noted that the proposed rezoning will provide for a use that is not compatible with the development of the surrounding properties. Additionally, it was determined that the rezoning request would result in a spot zoning, which is a rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan. In this regard, site characteristics remain unchanged; therefore denial is also being recommended for this Extension of Time request.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

The subject site will have direct access from Charleston Boulevard, a Primary (100-foot wide) Arterial designated on the Master Plan of Streets and Highways, and therefore will have adequate capacity to accommodate traffic generated by the proposed development. Lindell Road is proposed to be 80 feet wide and would also accommodate traffic to the site once improved.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-3230 APN: 163-01-501-002
Name of Property Owner: Edley "MARTY" KRAEHL, DAVID Chesnoff, Joseph Bravo
Name of Applicant: MARTY KRAEHL

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: _____

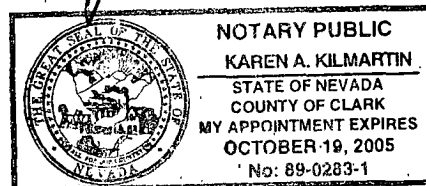
Signature of Property Owner/Authorized Agent:

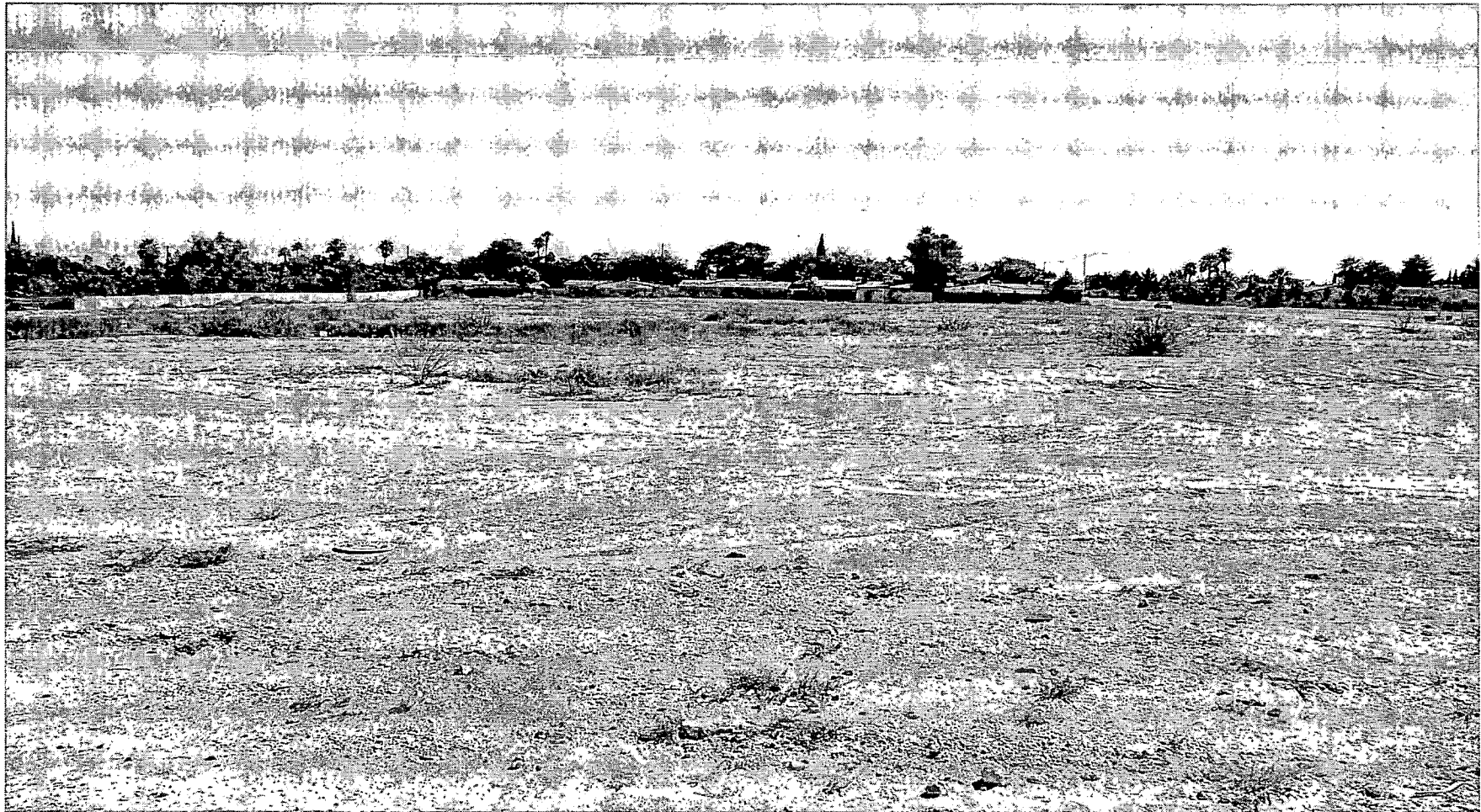
Print Name:

Subscribed and sworn before me

This 13th day of October, 2003

Heidi A. Helmer
Notary Public in and for said County and State





EOT-3230 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

City of Las Vegas

Agenda Item No. 102

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL** - Request for a Review of Condition No. 22 of an approved Rezoning (Z-0001-99) TO ALLOW ACCESS FOR THE DEVELOPMENT FROM OHARE ROAD AND DURANGO DRIVE NORTH TO THE SOUTH EDGE OF THE SITE (APN: 125-04-001-001, 002, 003, 005, 006, 007, and 008), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/6/2003 Planning Commission meeting Item 25

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

IAN DOLMAN, G.C. Wallace, 1555 South Rainbow Boulevard, was present and concurred with all conditions.

No one appeared in opposition.

There was no further discussion.

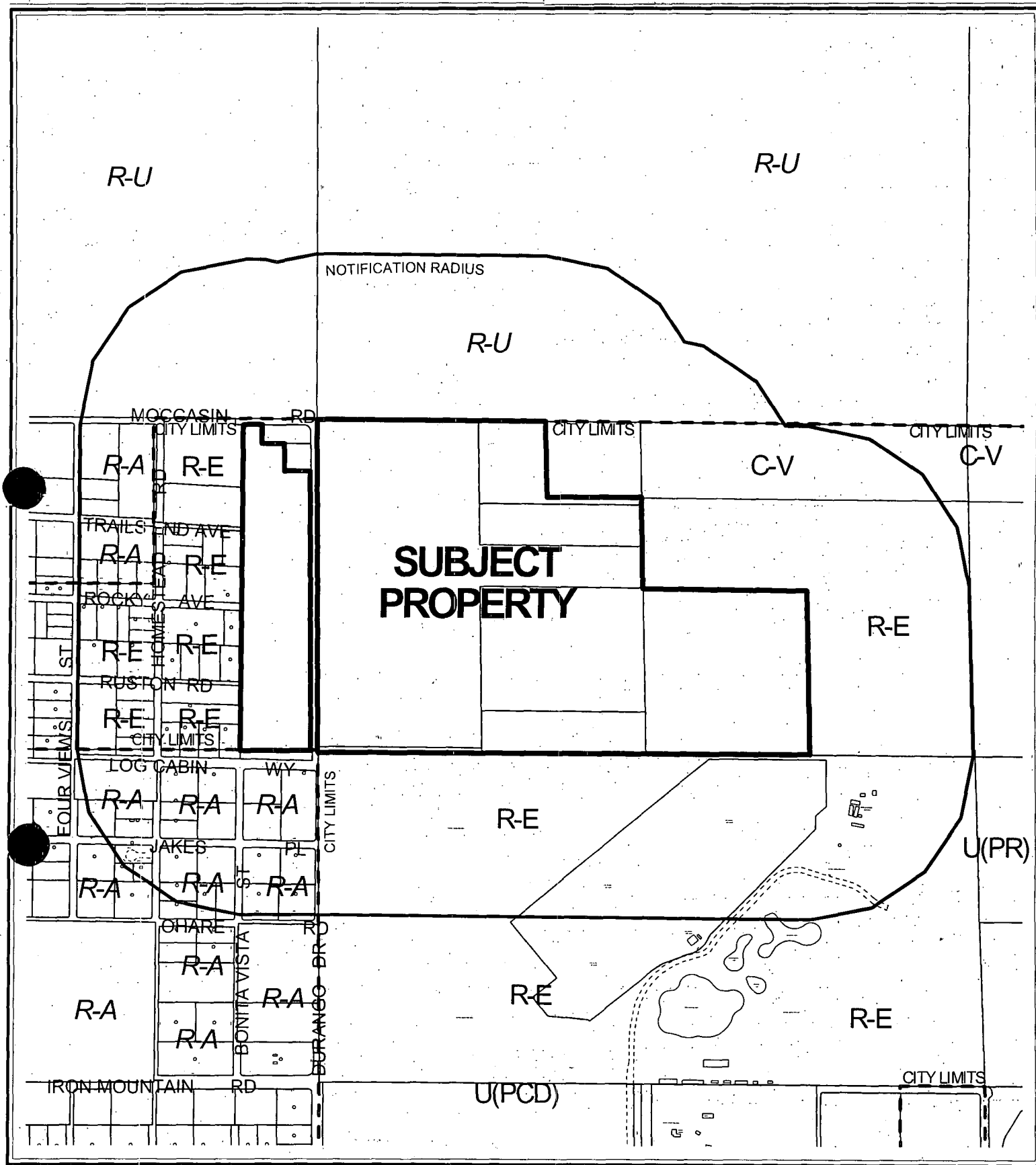
CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 102 – ROC-3053

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:23-2:24)
4-2153

CONDITIONS:

1. Original Condition of Approval No. 22 of Z-1-99 is hereby revised to read as follows:
Two lanes of access paving in accordance with Standard Drawing #209 shall be in place along a legal access corridor with a minimum width of 56-feet, to be obtained by the developer of this site (where such does not exist) on Durango Drive from the southern edge of this site to Brent Lane prior to the issuance of any building permits for any on-site activities, and proof of dedication, or a copy of recorded access easements or other permanent irrevocable access rights across the adjacent parcels must be provided to the City. If it is not possible to obtain legal access, two lanes of access paving in accordance with Standard Drawing #209 along a legal access corridor to be obtained by the developer of this site shall be in place on Mocassin Road from the west edge of this site westward to El Capitan Way or Fort Apache Road, and south on El Capitan Way or Fort Apache Road to the nearest existing paving prior to the issuance of any building permits for any on-site activities. If this access route is utilized, the applicant shall be required to have all construction-related traffic utilize this "back entrance" access corridor upon its completion. Also, construct a temporary barricade on Durango Drive at Log Cabin Way to prevent construction traffic from utilizing Durango Drive, until such time that the models are opened. Four lanes of access paving must be in place on Durango Drive and shall extend from the southern edge of this site to Brent Lane prior to the issuance of any building permits beyond seventy-five percent of the homes allowed within this project site. Non-compliance will result in the denial of further home building permits. Additional paved access routes may be required if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this project's traffic on the surrounding neighborhood.



CASE: ROC-3053

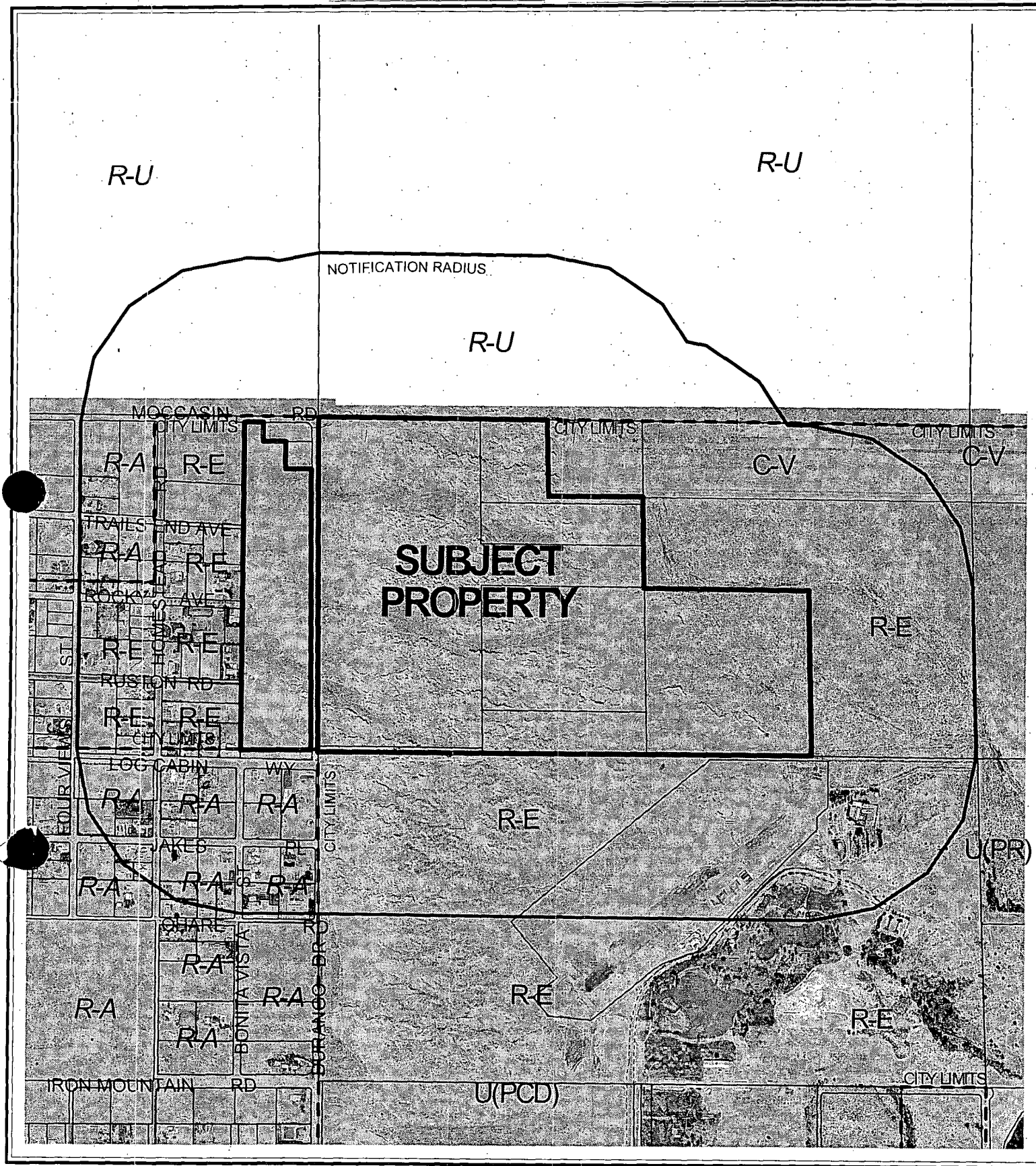
RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

102





CASE: ROC-3053

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ROC-3053 - D.R. HORTON ON
BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 19, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

1. **Original Condition of Approval No. 22 of Z-1-99 is hereby revised to read as follows:**

Two lanes of access paving in accordance with Standard Drawing #209 shall be in place along a legal access corridor with a minimum width of 56-feet, to be obtained by the developer of this site (where such does not exist) on Durango Drive from the southern edge of this site to Brent Lane prior to the issuance of any building permits for any on-site activities, and proof of dedication, or a copy of recorded access easements or other permanent irrevocable access rights across the adjacent parcels must be provided to the City. If it is not possible to obtain legal access, two lanes of access paving in accordance with Standard Drawing #209 along a legal access corridor to be obtained by the developer of this site shall be in place on Mocassin Road from the west edge of this site westward to El Capitan Way or Fort Apache Road, and south on El Capitan Way or Fort Apache Road to the nearest existing paving prior to the issuance of any building permits for any on-site activities. If this access route is utilized, the applicant shall be required to have all construction-related traffic utilize this "back entrance" access corridor upon its completion. Also, construct a temporary barricade on Durango Drive at Log Cabin Way to prevent construction traffic from utilizing Durango Drive, until such time that the models are opened. Four lanes of access paving must be in place on Durango Drive and shall extend from the southern edge of this site to Brent Lane prior to the issuance of any building permits beyond seventy-five percent of the homes allowed within this project site. Non-compliance will result in the denial of further home building permits. Additional paved access routes may be required if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this project's traffic on the surrounding neighborhood.

ROC-3053 - Staff Report Page One
December 3, 2003 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition Number 22 of an approved Rezoning (Z-0001-99) that required paved access in accordance with Standard Drawing Number 209 from the south side of the site southward to O'Hare Road.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting that the access to the site be taken on Durango Drive from the existing O'Hare Road north to the south edge of the site.

BACKGROUND INFORMATION

A) Previous Actions

- 04/26/99 The City Council approved a Rezoning (Z-0016-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended denial on February 11, 1999.

- 06/07/00 The City Council approved the first Extension of Time [Z-0001-99(1)] for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended approval on April 27, 2000.

- 06/06/01 The City Council approved the second Extension of Time [Z-0001-99(2)] for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site. The Planning Commission recommended approval on April 26, 2001.

- 02/19/03 The City Council approved a Site Development Plan Review (SDR-1395) for a 565 lot single family residential development on this site. The Planning Commission recommended approval on January 23, 2003.

- 08/06/03 The City Council approved the third Extension of Time (EOT-2454) for the approved Rezoning (Z-0001-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site.

- 10/23/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #72).

ROC-3053 - Staff Report Page Two
December 3, 2003 City Council Meeting

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

General Analysis and Discussion

The applicant is requesting to allow the access to the north from O'Hare Road to the south of the site rather than from the south edge of the site southward to O'Hare Road. This appears to be acceptable as long as the access is provided prior to the final inspection of any units in the development.

The existing City of Las Vegas right-of-way along portions of Durango Drive between Log Cabin Way and Iron Mountain Road has changed since the original approval of the rezoning. Although the Department of Public Works has no objection allowing access to the development be taken on Durango Drive from Brent Lane and Durango Drive north to the south edge of the site, existing City of Las Vegas right-of-way along Durango Drive within this corridor consists of a varying right-of-way width that will not facilitate four lanes of access paving that is required. Therefore, legal access must be obtained from adjacent property owners to facilitate the required 4 lanes of access paving. Also, Floyd Lamb State Park is adjacent along the east half of the proposed corridor; an access agreement would therefore have to be arranged with the State of Nevada. Based on these circumstances, approval of an amended condition is warranted.

NOTICES MAILED 76 by Planning Department

APPROVALS 0

PROTESTS 3

Sep 02 03 02:02p

7024354931

SEP-02-2003 TUE 10:46 AM G WALLACE INC

FAX NO. 70280-96

P. 05/07



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-3053** APN: 125-04-001-002, 003, 005, 006 & 007

Name of Property Owner: Becker Trust Company

Name of Applicant: D.R. Horton

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

Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

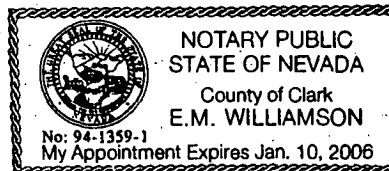
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 8th day of Sept, 2003

Em Williams
Notary Public in and for said County and State



Sep 02 03 02:01p

D R HORTON

7024354931

p. 4

SEP-02-2003 TUE 10:46 AM G O'ALLACE INC

FAX NO. 702804778

P. 03/07



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-3053** APN: 125-04-001-008

Name of Property Owner: Las Vegas Dunes, Inc.

Name of Applicant: D.R. Horton

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

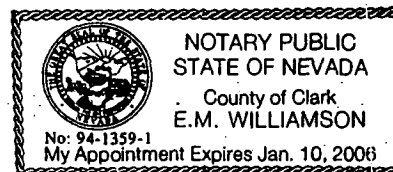
Signature of Property Owner/Authorized Agent:

Print Name: _____

Subscribed and sworn before me

This 8 day of Sept, 2003

EM Williamson
Notary Public in and for said County and State



SEP-02-2003 TUE 10:46 AM G C WALLACE INC

FAX NO. 702804106

P. 07/07

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number **ROC-3053** APN: 125-04-001-001

Name of Property Owner: D'NAL I LLC

Name of Applicant: D.R. Horton

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

Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

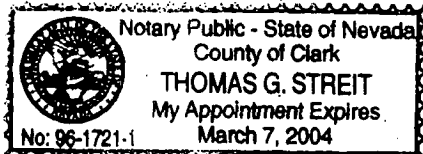
Print Name: Dana Rogers - Manager

Subscribed and sworn before me

This 8TH day of September, 2003

Notary Public in and for said County and State

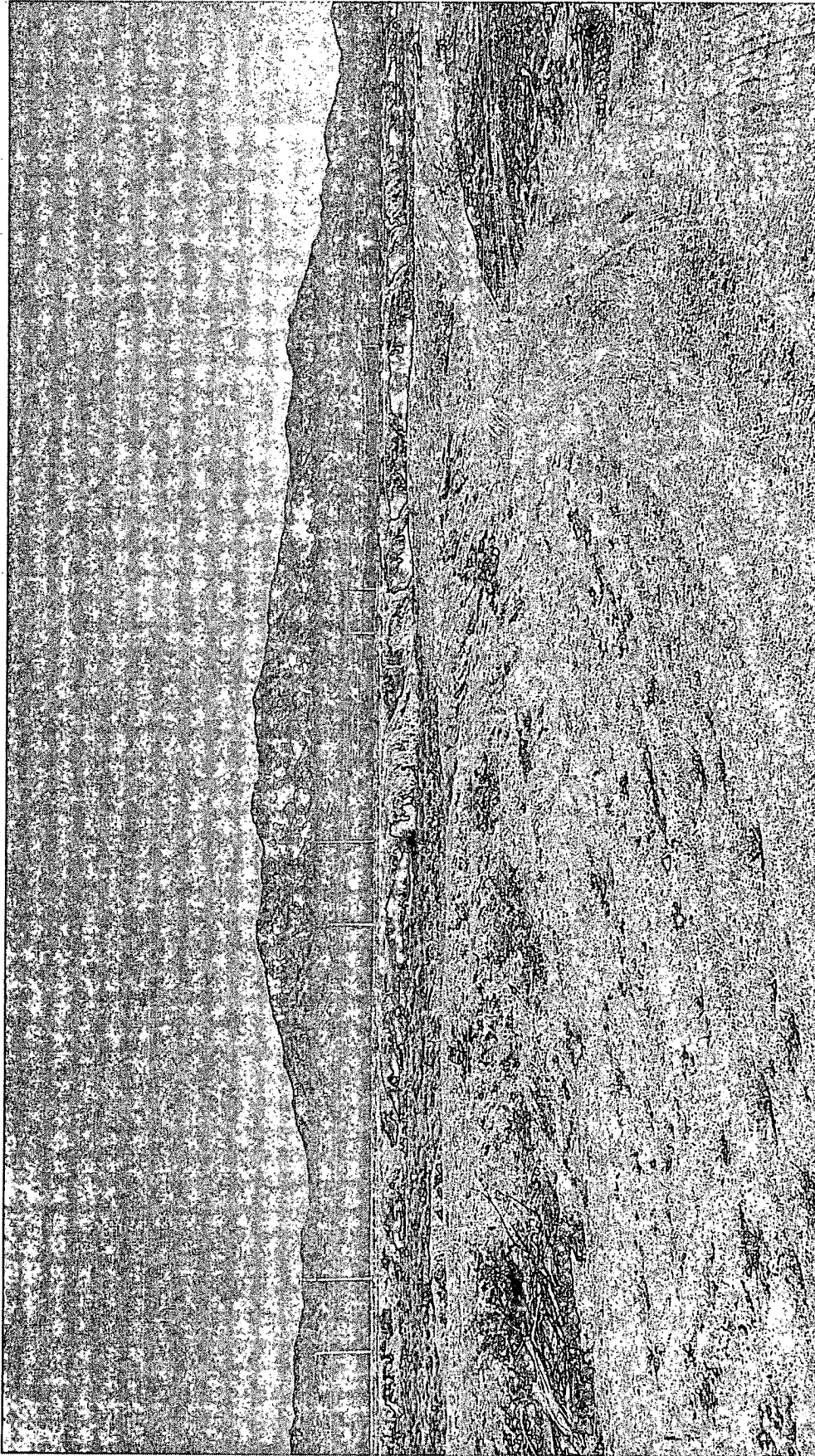
STATE OF NEVADA
COUNTY OF CLARK





DRAWING
C-1

ROC-3053
STAFF 10-23-03 PC



ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL
OCTOBER 23, 2003 PLANNING COMMISSION

10/01/03

City of Las Vegas

Agenda Item No. 103

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

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

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3301 - DAVID LOCKARD - Request for a Review of Condition Number 1 of an approved Rezoning (Z-0055-69) which required a 6-foot high decorative block wall along Yale Street on property located at 1101 North Decatur Boulevard (APN: 138-25-617-051), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - ABEYANCE to 1/7/ 2004 - UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VICKY LOCKHARD appeared on behalf of DAVID LOCKHARD, the applicant. She explained that they purchased the building a year ago and remodeled it. The wall was removed after it was damaged by a tenant.

COUNCILWOMAN MONCRIEF indicated that she wished to discuss this item with the neighbors and the applicant.

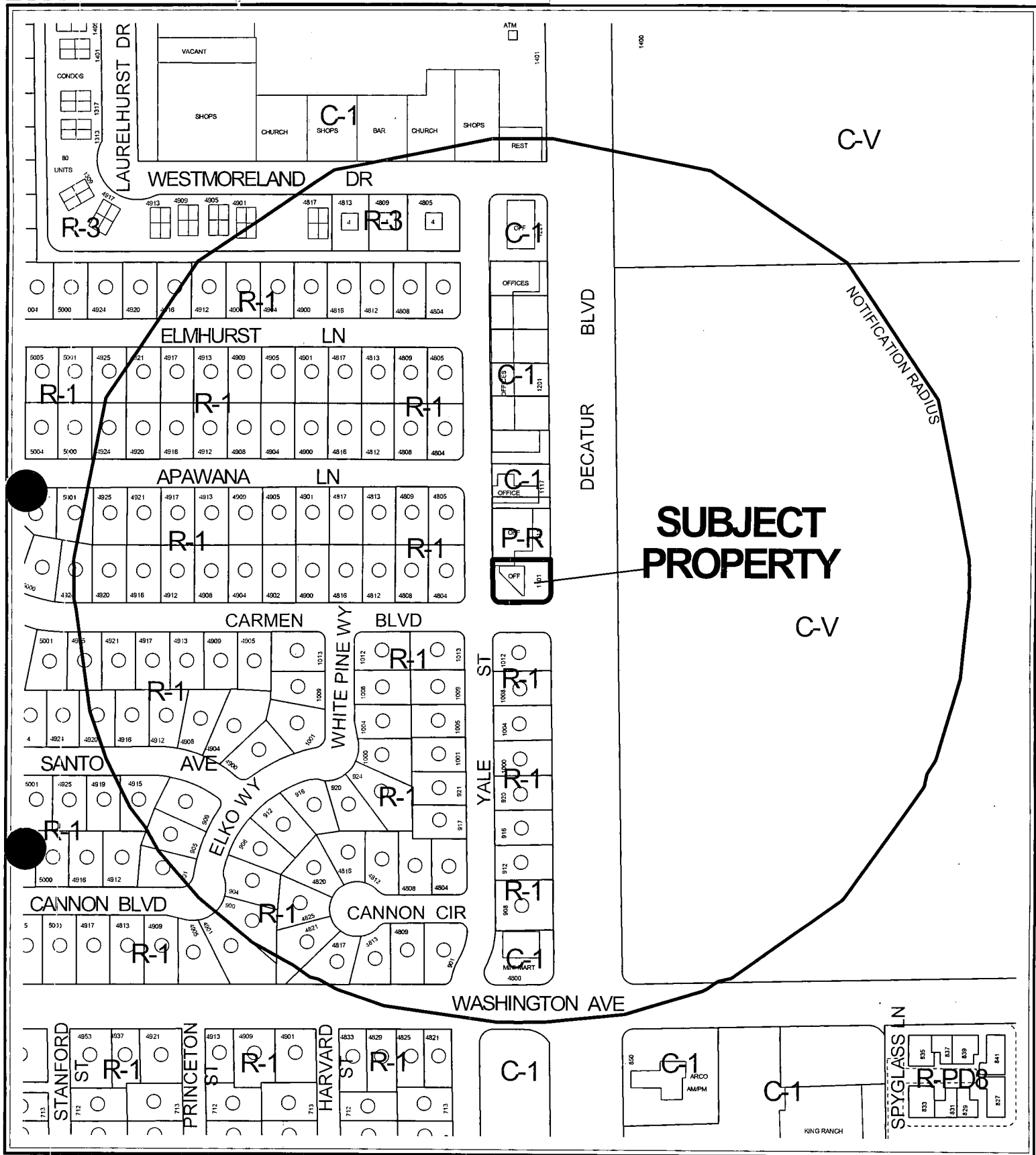
No one appeared in opposition.

There was further no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:26 - 2:27)

4-2206

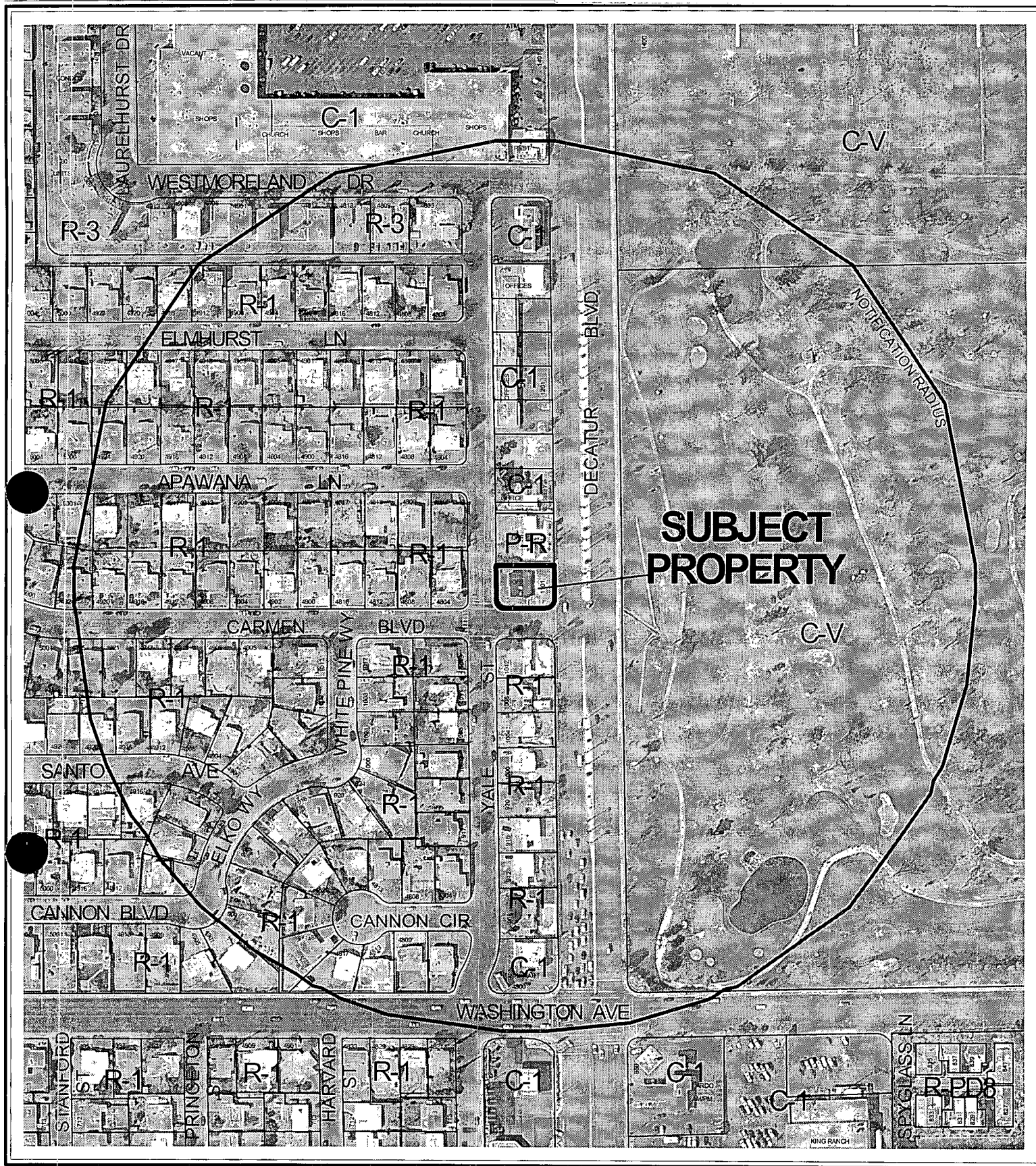


CASE: ROC-3301

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)





CASE: **ROC-3301**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 100 200 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: ROC-3301 - DAVID LOCKARD

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

1. A landscaping plan shall be submitted for review and approval by Planning and Development Department staff to reflect compliance with Title 19.12, including a minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all right-of-ways.
2. All mechanical equipment shall be fully screened in views from the abutting streets and neighboring properties
3. The existing retaining wall along the perimeter of the property shall be finished in a decorative material or color.

ROC-3301 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for approval of a Review of Condition of Rezoning (Z-0055-69), Condition number 1, which required a six-foot high decorative block wall along Yale Street in conjunction with a single-family conversion to an office land use on property located at 1101 North Decatur Boulevard.

BACKGROUND DATA

09/17/69 The Board of Commissioners of the City of Las Vegas approved a Rezoning From: R-1 (Single-Family Residence) to P-R (Professional Office and Parking) on the subject site. The Planning Commission recommended denial on September 11, 1969.

DETAILS OF APPLICATION REQUEST

Condition number one of Rezoning Z-0055-69 reads: "Being in accord with the plot plan amended to provide access to the parking area from Decatur Boulevard only, and to include a six-foot high decorative block wall along Yale Street."

The applicant is requesting that the six-foot high decorative block wall requirement along Yale Street be omitted. Currently, the site is being utilized as a law office with parking access along Decatur Boulevard only. The site plan depicts a driveway entrance along Yale Street that was not built and is not proposed to be constructed according to the applicant. The justification letter states that during the building's recent renovations the existing 32 year-old block wall along Yale Street was demolished due to its deteriorating status and overall eyesore appearance. In addition, the applicant states that the subject property has a history of being vandalized and with the elimination of the perimeter block wall the property will be more open to adjacent neighbors resulting in less opportunities for vandalism. Lastly, it is noted that the adjacent commercial property to the north does not have a six-foot wall along Yale Street, rather both properties have identical two-foot retaining walls.

The subject Review of Condition request resulted from a neighbor complaint and inspection request made to the City of Las Vegas Code Enforcement Department which conducted an inspection on October 17, 2003. Upon inspection, it was noted that the wall was being removed. The applicant was advised to meet with the Building and Safety Department and the Planning and Development Department to determine what permits would be required. The Planning and Development Department determined that a Review of Condition request would be required in order to eliminate the condition requiring the six-foot block wall along Yale Street.

ROC-3301 - Staff Report Page Two
December 3, 2003 City Council Meeting

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: R-1 (Single Family Residence)
East: C-V (Civic)
West: R-1 (Single Family Residence)

Existing Land Use

Subject Property: Law Office
North: Dental Office
South: Single-Family Dwellings
East: CLV Golf Course
West: Single-Family Dwellings

ANALYSIS & FINDINGS

ZONING

The subject site is zoned P-R (Professional Office and Parking) which permits a law office as a principal use by right. The P-R district is designed to be a transitional zone to allow low intensity administrative and professional offices.

SITE PLAN

Title 19.08 requires a six-foot high minimum solid wall measured from the finished grade of the property to be constructed on the property line(s) between any commercial development which abuts residential development. Per Title 19 definitions, this property does not abut a residential property due to the location of Yale Street; therefore, the elimination of this block wall would be in compliance with Title 19. Typically, block walls are not required for commercial property along a right-of-way line, which is usually the front of the property. This property, however, is bounded on three sides by right-of-way, the front, side, and rear. The transition from commercial to residential occurs along the rear and corner side of the subject lot heading south and westward. The original condition to construct a block wall along Yale Street, which is the rear property line, was required to serve as a buffer between a commercial use and residential properties.

LANDSCAPE PLAN

A landscaping plan was not submitted as a part of this application; however, a site inspection was conducted on November 13, 2003 and it was determined that the subject property does not meet minimum landscape buffer standards. The site contained one shrub at the corner of Carmen Boulevard and Yale Street, and zero landscaping along Decatur Boulevard.

ROC-3301 - Staff Report Page Three
December 3, 2003 City Council Meeting

ELEVATIONS

Tenant improvement plans were submitted and approved by the Department of Building and Safety on the subject site, with a final inspection completion date of February 20, 2003. The exterior improvements included constructing an ADA compliant access route and ramp from the parking lot to the Carmen Boulevard sidewalk, and a new window and stucco finish to the exterior of the building.

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council to affirm all of the following:

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

The existing office building use is consistent with the P-R (Professional Office and Parking) zoning district. The P-R district is designed to be a transitional zone to allow low intensity administrative and professional offices. The subject property, however, must properly transition and buffer between the existing single-family residential subdivision across Yale Street that has been established since 1960. The six-foot decorative block wall condition was established under the initial Rezoning review to assure a proper buffer between commercial and residential uses. Properties within the area have not changed land uses since this original condition; therefore, it is recommended that the six-foot decorative screen wall condition continue to be required on the subject site.

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

The existing office building is consistent with the General Plan and Zoning District designation; however the site does not meet current requirements for perimeter and parking lot landscaping. If approved, a condition has been included requiring the applicant to install landscaping as required by Title 19.12 to assure a proper buffer, transition, and overall aesthetically pleasing site.

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

This Review of Condition request will not eliminate the portion of condition 1 from (Z-0055-69) requiring Decatur Boulevard to be the only access point into the subject site. Access will remain prohibited along Yale Street onto the site. Currently there is no driveway access but rather a two-foot retaining wall along the entire length of Yale Street.

ROC-3301 - Staff Report Page Four
December 3, 2003 City Council Meeting

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

The recently constructed building improvements are appropriate for this area and for the City. With the elimination of the perimeter walls; however, the lack of landscape materials is more noticeable due to the lot's openness to the neighborhood. Maintaining one shrub on the property is not appropriate on the subject site.

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

With the elimination of the perimeter block wall, certain building and property features that may have previously been screened are now unsightly and undesirable, including the unfinished lawn, the mechanical equipment along Carmen Boulevard that is not enclosed by a screen wall or buffered by landscaping, and the unfinished look to the remaining retaining wall along the perimeter of the property.

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

The existing office building is subject to the Department of Building and Safety requirements for all necessary building permits and inspections, in addition to regular inspections for licensing; therefore, the development will not compromise the public health, safety or welfare if approved.

NOTICES MAILED 127 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: KDC-3301 APN: 138-25-617-051

Name of Property Owner: DAVID LOCKARD, LTD.

Name of Applicant: DAVID LOCKARD

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: _____

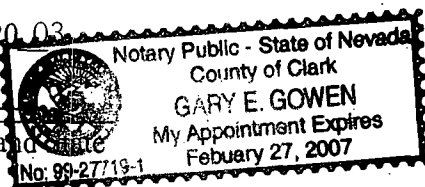
Signature of Property Owner/Authorized Agent:

Print Name: DAVID LOCKARD

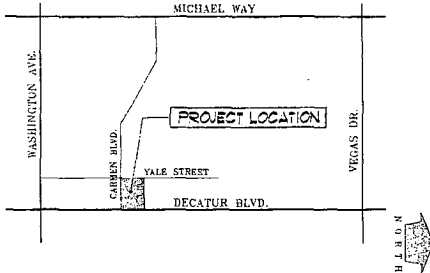
Subscribed and sworn before me

This 22 day of OCTOBER, 2003

Notary Public in and for said County and State



VICINITY MAP



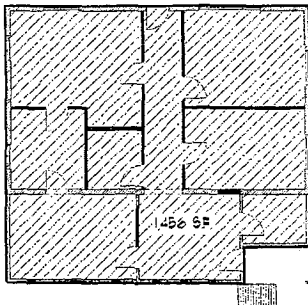
SHEET INDEX

- A1 SITE PLAN, PROJECT DATA
- A2 EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN
- A3 REFLECTED CEILING PLAN, ROOF PLAN
- A4 EXTERIOR ELEVATIONS
- A5 FOUNDATION PROFILE, BUILDING SECTION, DETAILS

GENERAL NOTES

1. THESE DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFETY OF ALL PARTIES PRESENT ON THE JOBSITE IS THE CONTRACTOR'S JURISDICTION.
2. WRITTEN DIMENSIONS ALWAYS TAKE PRECEDENCE OVER SCALE ON THE CONSTRUCTION DOCUMENTS. DO NOT SCALE.
3. ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE CONDITIONED, USED, APPLIED, INSTALLED, CONNECTED, ERECTED, AND CLEANED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN SPECIFICATIONS OR INSTRUCTIONS.
4. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION AND/OR INSTALLATION METHODS, SEQUENCES, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATION OF ALL PORTIONS OF THE REQUIRED WORK.
5. UNLESS NOTED OTHERWISE, THE GENERAL CONTRACTOR SHALL PAY FOR ALL FEES, LICENSES, PERMITS AND INSPECTIONS REQUIRED FOR PROPER EXECUTION OF THE WORK.
6. UNLESS NOTED OTHERWISE, THE GENERAL CONTRACTOR SHALL PROVIDE AND PAY FOR ALL LABOR, MATERIALS & EQUIPMENT, TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY, PERMITS, TRANSPORTATION AND OTHER SERVICES AND FACILITIES NECESSARY FOR PROPER AND TIMELY EXECUTION OF THE REQUIRED WORK.

PROJECT AREA



BUILDING TOTAL
1,456 SQ. FT.



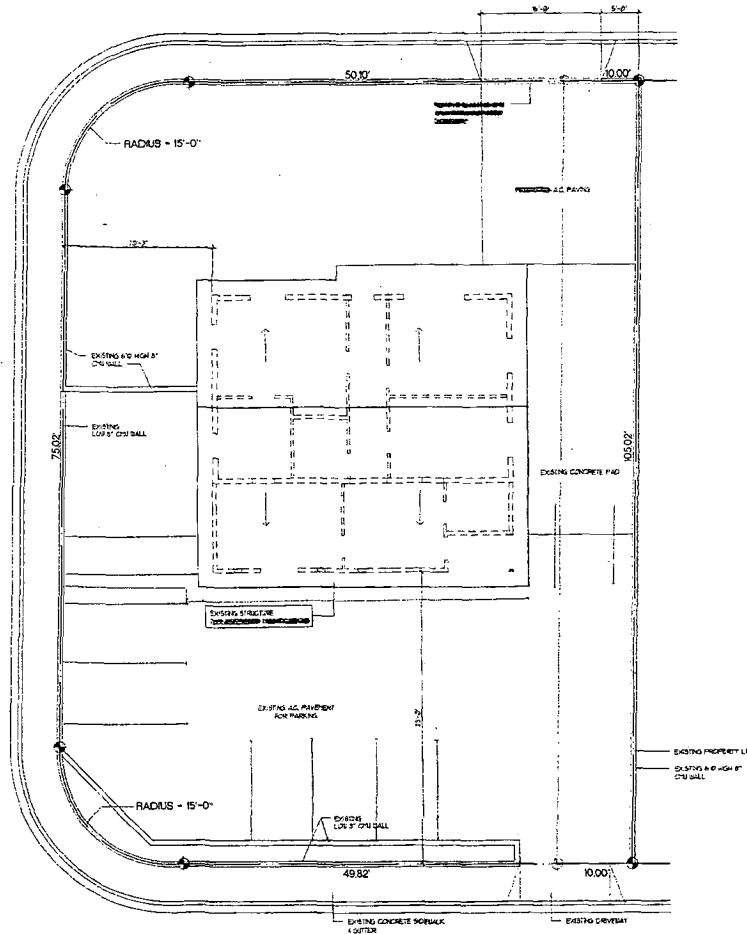
ROC-3301

12-03-03 CC

STAFF

YALE ST.

CARMEN BLVD.



DECATUR BLVD.

A1 SITE PLAN

NOTE: THE OWNER IS RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS AND LEGAL AUTHORIZATIONS THAT HAVE BEEN REQUIRED DUE TO CONSTRUCTION OF THESE PLANS. PROTECTION OF THESE PLANS IS THE RESPONSIBILITY OF THE OWNER.

THESE PLANS HAVE BEEN PREPARED BY THE ARCHITECT OR ENGINEER OR OTHER PROFESSIONAL PERSON WHOSE NAME AND LICENSE NUMBER ARE SHOWN HEREON. THE ARCHITECT OR ENGINEER OR OTHER PROFESSIONAL PERSON IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE ARCHITECT OR ENGINEER OR OTHER PROFESSIONAL PERSON IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE CONSTRUCTION OF THESE PLANS.

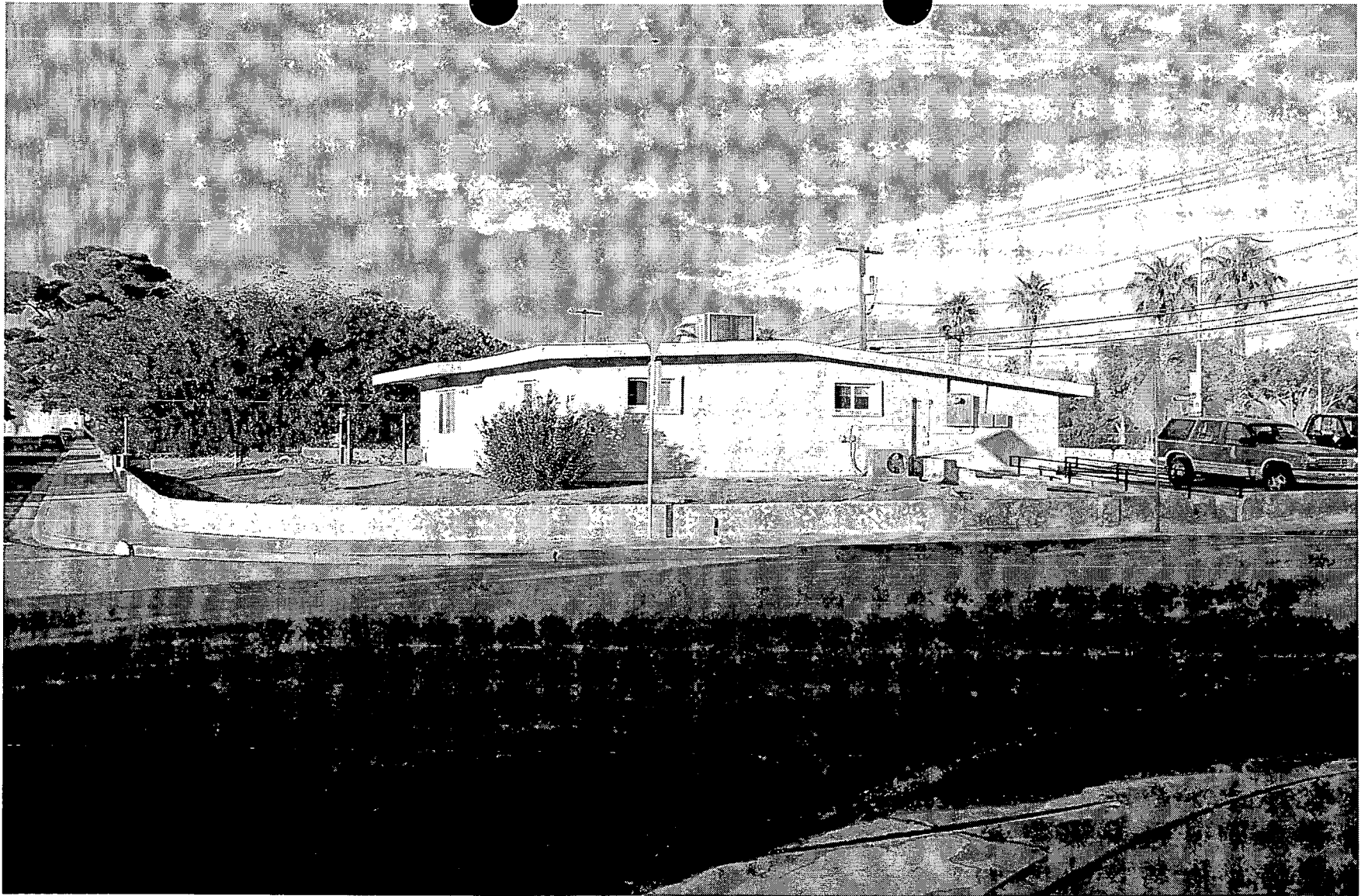
1. THE ARCHITECT OR ENGINEER OR OTHER PROFESSIONAL PERSON SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE PLANS. THE ARCHITECT OR ENGINEER OR OTHER PROFESSIONAL PERSON SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE PLANS.

High Desert Construction and Development Co.
1101 N. DECATUR BLVD.
PHOENIX, ARIZONA 85007

PROPOSED TENANT IMPROVEMENT FOR:
DAVID LOCKARD, LTD.
1101 N. DECATUR BLVD.
PHOENIX, ARIZONA 85007

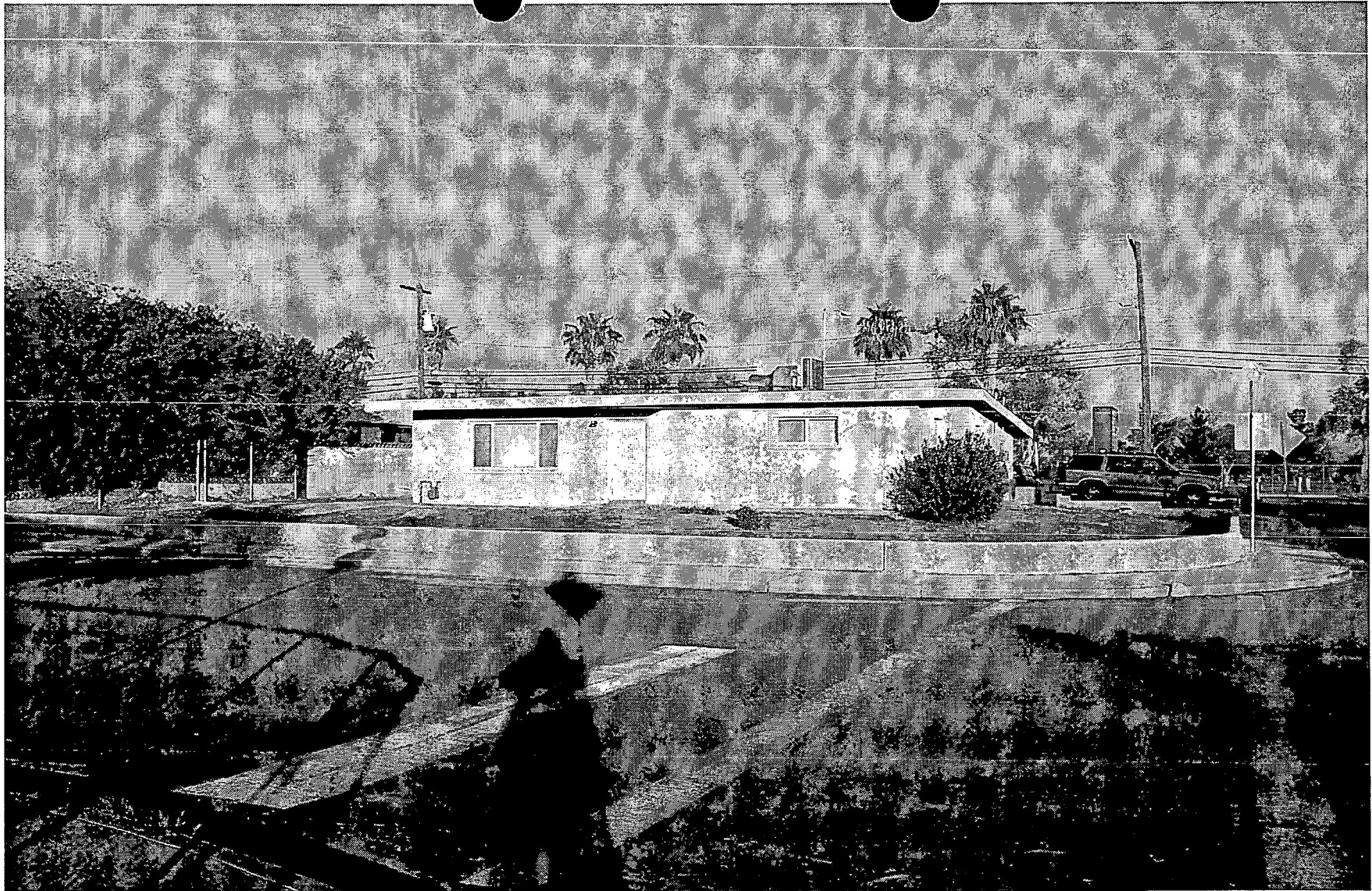
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A1



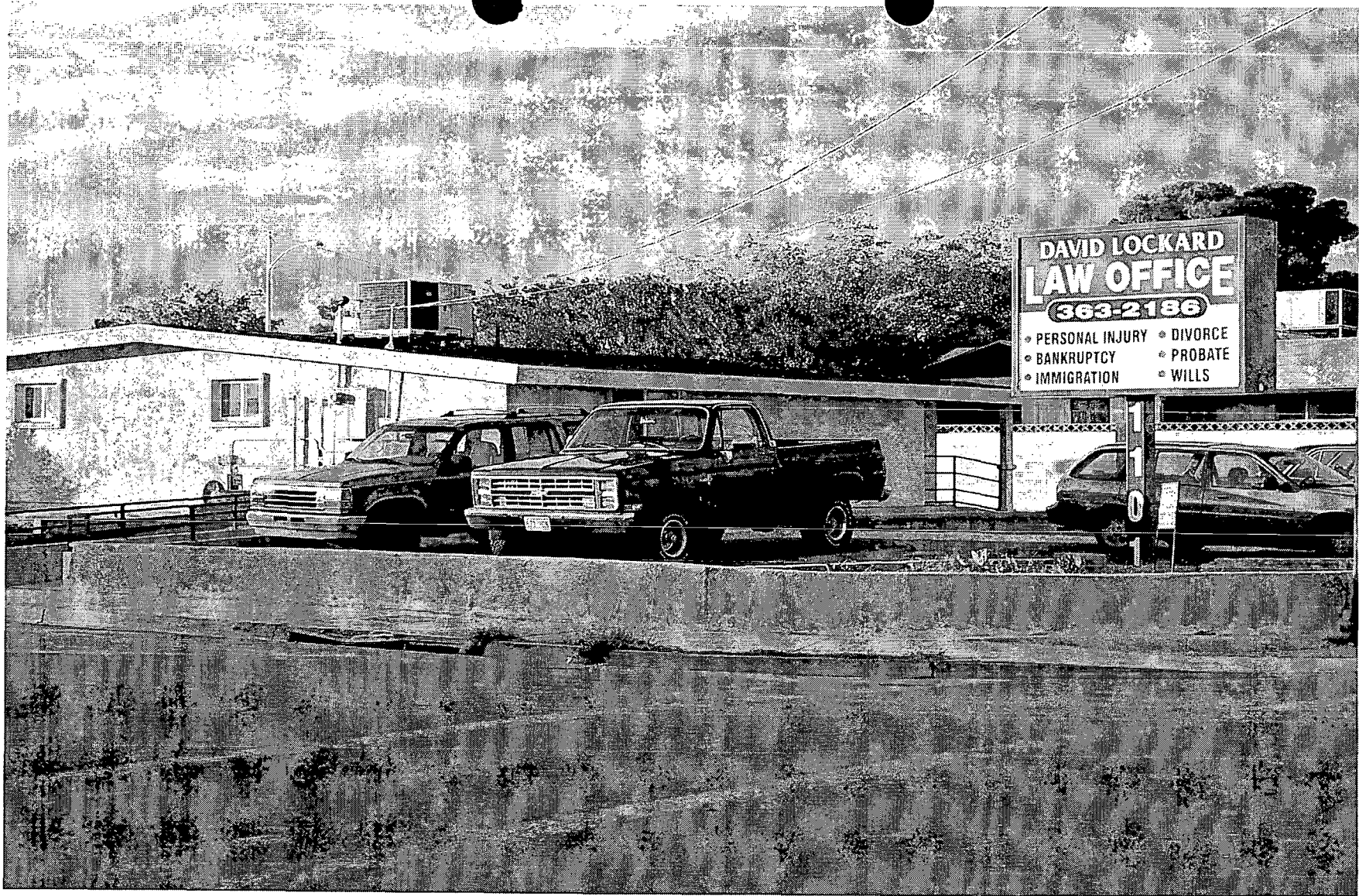
ROC-3301 - DAVID LOCKARD
1101 North Decatur Boulevard
DECEMBER 3, 2003 CITY COUNCIL MEETING

Picture taken 11/13/03



ROC-3301 - DAVID LOCKARD
1101 North Decatur Boulevard
DECEMBER 3, 2003 CITY COUNCIL MEETING

Picture taken 11/13/03



ROC-3301 - DAVID LOCKARD
1101 North Decatur Boulevard
DECEMBER 3, 2003 CITY COUNCIL MEETING

Picture taken 11/13/03



ROC-3301 - DAVID LOCKARD
1101 North Decatur Boulevard
DECEMBER 3, 2003 CITY COUNCIL MEETING

Picture taken 11/13/03

City of Las Vegas

Agenda Item No. 104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS - Request for a Site Development Plan Review for a proposed 9,955 square foot Family Dollar Retail Store and a reduction in the amount of perimeter and parking lot landscaping on 0.99 acres adjacent to the west side of Martin L. King Boulevard, approximately 400 feet south of Washington Avenue (APN: 139-28-304-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions, amending Condition 10 as follows:

10. A decorative block wall, with at least 20 percent contrasting materials is required along the entire length of the southern and western property lines, *unless superseded by the wall already installed southerly at the northwest corner of Sunny Place and Martin Luther King*. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

And the following added condition:

- *Submit a Master Streetlight Plan for public streetlights on Sunny Place adjacent to this site. Two public streetlights meeting current City standards shall be constructed on this site facing Sunny Place, with cut-outs in the perimeter wall or fence for such streetlights. Appropriate easements shall be granted for said public streetlights where located on private property.*

– UNANIMOUS with MACK excused

City of Las Vegas

Agenda Item No. 104

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 104 – SDR 2587

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

FRAZIER SMITH, appeared on behalf of Green, Harrington & Howell, 3751 Red Rock Street, and stated that at the request of COUNCILMAN WEEKLY a neighborhood meeting was held on November 20, 2003. The residents requested two City standard streetlights instead of the one proposed. The applicant is willing to comply with that request because it would improve security along the rear of the store. MR. SMITH indicated that the applicant is willing to place large rocks in the front of the building along the landscape area to discourage vagrancy. He concurred with staff's recommended conditions.

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that a condition already exists to address the lighting. COUNCILMAN WEEKLY pointed out that the lighting be moved to Sunny Place for security purposes to benefit the residents on that side of the street. BART ANDERSON, Public Works Department, commented that the right-of-way at Sunny Place is unusually narrow. There is no sidewalk provided for on the eastside of Sunny Place and there may not be physical room to put a public light standard. He asked if the lighting is requested on private property overlooking Sunny Place. MR. FRAZIER explained that the public streetlights would be on private property but built to City standards. MR. ANDERSON requested that the streetlights meet the spacing requirements.

BEATRICE TURNER, 1300 Ralston Drive, stated that she did not receive any notice concerning this project. She is concerned about traffic congestion at this intersection. COUNCILMAN WEEKLY pointed out this item was purposely held in abeyance so that area residents could attend the neighborhood meeting and give their input.

MACON JACKSON, 709 Sunny Place, suggested that the plan be similar to the existing AM/PM convenience store located on the south corner. He felt this is a good project.

MR. ANDERSON read into the record an additional condition stipulating the public streetlights. MR. FRAZIER indicated that he would rather have the cut-outs in masonry to make them more durable. MR. ANDERSON replied that that is an aesthetic issue and deferred to Planning staff. ROBERT GENZER, Director, Planning and Development Department, was amenable to carrying out the fence approved for the AM/PM along that street. Staff would need to look at that design to ensure that they follow through. Therefore, MS. WHEELER recommended amending Condition 10 relating to the decorative block wall by adding a phrase after the first sentence stating "unless superseded by the wall already installed southerly on the northwest corner of Sunny Place and Martin Luther King". This would allow staff to do the code, except where that standard is different, in which case they would adhere by that standard. MR. FRAZIER concurred with both the added and amended conditions.

City of Las Vegas

Agenda Item No. 104

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 104 – SDR 2587

MINUTES - Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:27 – 2:38)

4-2317

CONDITIONS:

Planning and Development

1. The applicant shall construct a six foot high combination decorative block wall and wrought iron fence along the north property line.
2. No direct access shall be permitted to Sunny Place.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The elevations shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to extend the architectural features as depicted on the front elevation around the entire building.
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. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential zoned properties. The trash enclosure shall include a roof that matches the building materials of the main building.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 104 – SDR-2587

CONDITIONS – Continued:

10. A decorative block wall, with at least 20 percent contrasting materials is required along the entire length of the southern and western property lines. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
12. The freestanding ground sign must adhere to Title 19 requirements for freestanding/monument signs.
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. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard adjacent to this site prior to the issuance of any permits.
16. Construct all incomplete half-street improvements on Martin L. King Boulevard adjacent to this site concurrent with development of this site. Construct curb and gutter immediately adjacent to the east right-of-way line and half street paving plus appropriate overpaving on Sunny Place concurrent with development of this site. No parking shall be allowed adjacent to this site on Sunny Place; the curbing shall be painted red and appropriate signage shall be installed prior to occupancy of this site as required by the Department of Public Works.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access to Sunny Place from this site will not be allowed.
18. Landscape and maintain all unimproved rights-of-way on Martin L. King Boulevard and Sunny Place adjacent to this site.

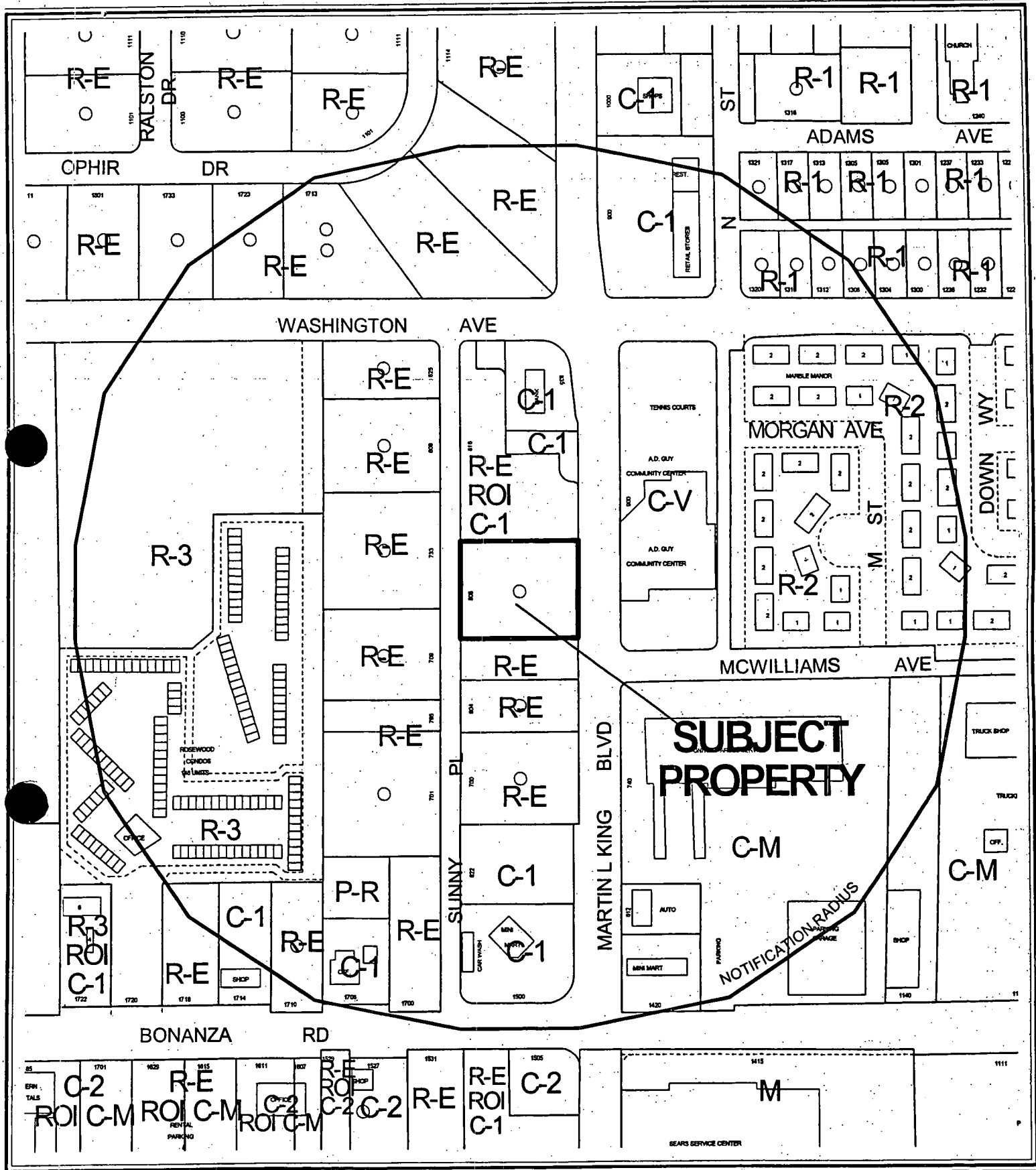
**Agenda Item No. 104**

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 104 – SDR-2587

CONDITIONS – Continued:

19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Martin L. King Boulevard and Sunny Place public rights-of-way adjacent to this site prior to occupancy of this site.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
21. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.



CASE: **SDR-2587**

RADIUS: 750 FT

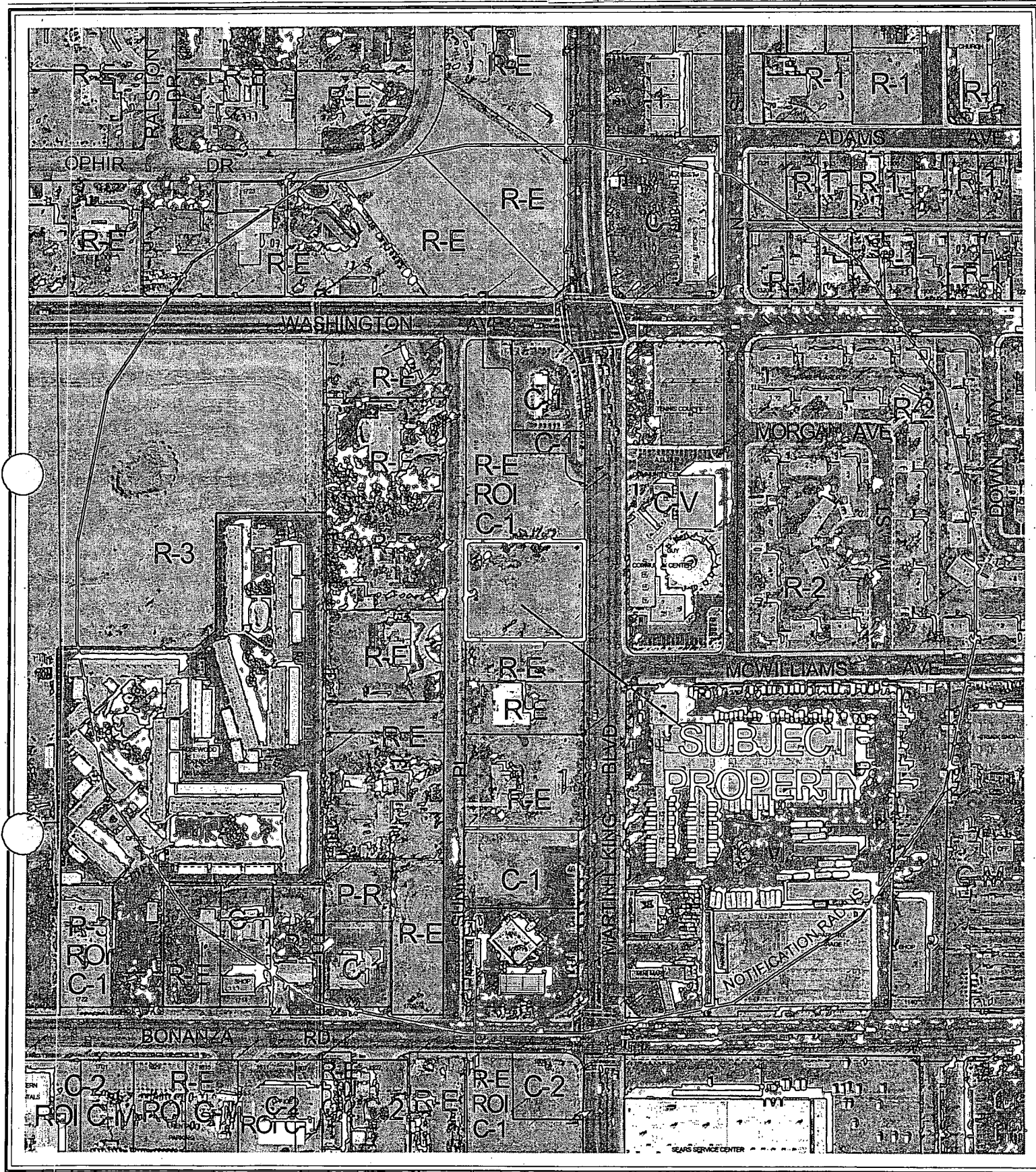
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES) UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



104





CASE: SDR-2587

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES) UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



City of Las Vegas

AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS

THIS ITEM WAS HELD IN ABEYANCE AT THE NOVEMBER 19, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. The applicant shall construct a six foot high combination decorative block wall and wrought iron fence along the north property line.
2. No direct access shall be permitted to Sunny Place.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The elevations shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to extend the architectural features as depicted on the front elevation around the entire building.
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. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential zoned properties. The trash enclosure shall include a roof that matches the building materials of the main building.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

SDR-2587 - Conditions Page Two
December 3, 2003 City Council Meeting

10. A decorative block wall, with at least 20 percent contrasting materials is required along the entire length of the southern and western property lines. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
12. The freestanding ground sign must adhere to Title 19 requirements for freestanding/monument signs.
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. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard adjacent to this site prior to the issuance of any permits.
16. Construct all incomplete half-street improvements on Martin L. King Boulevard adjacent to this site concurrent with development of this site. Construct curb and gutter immediately adjacent to the east right-of-way line and half street paving plus appropriate overpaving on Sunny Place concurrent with development of this site. No parking shall be allowed adjacent to this site on Sunny Place; the curbing shall be painted red and appropriate signage shall be installed prior to occupancy of this site as required by the Department of Public Works.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access to Sunny Place from this site will not be allowed.
18. Landscape and maintain all unimproved rights-of-way on Martin L. King Boulevard and Sunny Place adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Martin L. King Boulevard and Sunny Place public rights-of-way adjacent to this site prior to occupancy of this site.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact

SDR-2587 - Conditions Page Three
December 3, 2003 City Council Meeting

Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

21. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.

SDR-2587 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review, a reduction in the amount of perimeter and parking lot landscaping and a waiver request to allow a trash enclosure closer than 50 feet to a residential property line, for a proposed 9,955 square foot Family Dollar Retail Store.

Subsequent to the 08/28/03 Planning Commission meeting, the applicant met with the Departments of Planning and Development, Public Works and Fire Engineering regarding a revised site development plan. Changes made to the site plan include:

- 1) The building has been reduced in size from 9,955 to 9,180 square feet in area. Based on the new building, 53 parking spaces are required and provided. Therefore, the parking variance is no longer required.
- 2) A 15 foot by 25 foot loading zone and covered trash enclosure has been relocated next to the southwest corner of the building.
- 3) The landscaped planter along the west side of the site has been increased from 8 to 15 feet in width.
- 4) The buffer area has been increased along the south side of the site.
- 5) A decorative block wall has been added to the south side of the property. A combination decorative block wall and wrought iron fence with pilasters is proposed along the Sunny Place frontage.
- 6) The right-of way dedication has been increased as requested by the Department of Public Works.

B) Applicant's Justification

The applicant's justification letter states that the project will enhance the neighborhood and will be welcomed by residents in the area. The store is approximately 9,955 square feet, single-story and below 15 feet in height. Inventory will be related to household goods and hazardous materials will not be sold.

SDR-2587 - Staff Report Page Two
December 3, 2003 City Council Meeting

BACKGROUND INFORMATION

A) Previous Actions

- 07/12/99 The City Council approved a Rezoning (Z-0023-99) from R-E (Residence Estates) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval.
- 06/01/99 The Board of Zoning Adjustment approved a Variance (V-0033-99) to allow a proposed 31.5-foot high office building to be 36 feet from the south property line where the residential adjacency standards require a minimum setback of 94.5 feet in conjunction with a proposed 11,000 square foot commercial building on the subject property.
- 11/03/99 The City Council approved a Review of Condition [Z-0023-99(1)] on an approved rezoning (Z-0023-99) relating to R.O.W. dedication.
- 08/15/01 The City Council approved the request to rescind thereby approving an Extension of Time Request [Z-0023-99(2)] on an approved rezoning on the subject site. The Planning Commission recommended approval.
- 07/02/03 The City Council approved an Extension of Time (EOT-2197) on an Approved Rezoning [Z-0023-99(2)] of 0.99 Acres From R-E (Residence Estates) To C-1 (Limited Commercial) on the subject property. The Planning Commission recommended approval.
- 07/24/03 The Planning Commission voted to hold this item and a companion Variance (VAR-2588) for a reduction in the required parking on the subject property in Abeyance until the 08/28/03 Planning Commission to allow time for the applicant to submit modified site plans.
- 08/28/03 The Planning Commission held this and related Variance (VAR-2588) for a reduction in the required parking on the subject property in abeyance to the 09/11/03 meeting.
- 09/11/03 The Planning Commission accepted the request for Withdrawal Without Prejudice of the related Variance (VAR-2588) for a reduction in the required parking on the subject property.
- 09/11/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9).

B) Pre-Application Meeting

- 06/06/03 The applicant was advised to either reduce the size of the building or redesign the site plan to accommodate all on-site parking requirements. Several waivers would be required if the site plan remained unchanged including trash enclosures within 50-feet of residential property and landscape planter widths along Martin L King Boulevard.

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December 3, 2003 City Council Meeting

09/03/03 The applicant met with the Departments of Planning and Development, Fire Services and Public Works regarding the subject revised site development plan.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.99

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Single-Family Residence (Vacant)
East: Boys and Girls Club (Teen Center)
West: Single-Family Residence

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: DTR-PR (Redevelopment Plan Area – Public Facility, Parks, Recreation, Open Space)
West: R (Rural Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South: R-E (Residence Estates)
East: C-V (Civic)
West: R-E (Residence Estates)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) in the Southeast Sector Plan of the General Plan. The C-1 (Limited Commercial) zoning designation and proposed Family Dollar retail store are both in compliance with the General Plan designation.

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December 3, 2003 City Council Meeting

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
West Las Vegas Plan		
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X*	
Development Impact Notification Assessment		X
Project of Regional Significance		X
Special Notification		X

Rural Preservation Neighborhood

The subject site is located within a Rural Preservation Neighborhood Buffer Zone. The subject property, however, is also entirely located within a 330-foot street buffer zone measured from the centerline of Martin L King Boulevard. Because the subject property has already obtained a commercial zoning designation and the property is fully encompassed by the 330-foot street buffer zone, Rural Preservation Neighborhood restrictions do not apply to the subject site.

Special Area Plan

West Las Vegas Plan

This property is located in the West Las Vegas Plan with a Service Commercial future land use designation. The Resolution of Intent Zoning to C-1 (Limited Commercial) conforms to the West Las Vegas Plan Designation.

The subject site is located adjacent to Martin L. King Boulevard, which is the western limit for a Redevelopment planned area. Because, however, the subject site is located to the west of Martin L King Boulevard, it is outside of the Redevelopment Plan Area, and therefore not affected by Redevelopment Plan regulations.

PROJECT DESCRIPTION

The subject property was originally approved for a two-story, 11,173 square foot office building under Rezoning case Z-0023-99. The property has received several extensions of time with the most recent one being July of this year (EOT-2197). This most recent extension of time request (EOT-2197) included a new site plan that depicted a Family Dollar Retail Store. The Extension of Time had a condition requiring a separate Site Development Plan Review approval.

The submitted site plan depicts a one-story (14-foot tall), 9,180 square foot Family Dollar Retail Store. The building is located toward the rear part of the parcel. There is one driveway to Martin L. King Boulevard. Access to Sunny Place is prohibited under Condition #4 of the original rezoning case Z-0023-99. The site plan shows no direct access to this street.

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December 3, 2003 City Council Meeting

A 15-foot landscape planter is proposed on both the east and west sides of the site, next to the street frontages. Eight foot wide planters are shown along the north and south property. A total of 45 parking spaces are provided, including six parallel spaces along the north side of the site and three handicapped spaces. A trash enclosure and loading zone have been placed on the northwest corner of the building.

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 Width	100 Feet	187.6	Y
Min. Setbacks			
• Front	20 Feet	93 Feet	Y
• Side (north)	10 Feet	41 Feet	Y
• Side (south)	15 Feet	53 Feet	Y
• Rear	20 Feet	20.0 Feet	Y
Max. Lot Coverage	50 %	23%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / *19 Feet	Y
Trash Enclosure	50-Foot from residential	50	Y
Loading Zone	1	1	Y
Mech. Equipment	Incorporated into Building design and screened	Not depicted	Cannot determine

The minimum development standards including lot width, setbacks, lot coverage, and building height are in compliance with Title 19.08. The 19-foot height of the building is to the top of the front parapet wall that will provide screening of any roof mounted mechanical equipment. The remainder of the building does not exceed 14 feet.

A2) Residential Adjacency Standards

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

The proposed 14 foot high building meets these standards of the Code.

A3) Parking and Traffic Standards

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

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December 3, 2003 City Council Meeting

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store, Other Than Listed (Less than 25,000 SF)	9,180 SF.	1/175 SF of GFA	50	3	50	3

The submitted site plan meets the parking standard of the Code.

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	8 Trees	1 Tree
Buffer:			
• Min. Trees (Along R.O.W. and Residential property lines)	1 Tree/ 20 Linear Feet	25 Trees	26 Trees
• Min. Trees (Along commercial property lines)	1 Tree/ 30 Linear Feet	7 Trees	7 Trees
• Min. Zone Width (Along R.O.W.)	15 Feet		15 Feet
• Min. Zone Width (Along side property lines)	8 Feet		8-15 Feet
• Wall height	N/A		6 Feet along the south property line.

The parking lot area requires one landscape finger located at the end of each parking row in addition to one finger every six parking spaces. The submitted landscaping plan depicts one landscape finger along the northern property line and one landscape finger at the end of the parking row along the front of the building. The submitted plan is deficient approximately 6 landscape fingers. Additional trees have been added to compensate for the parking lot planters.

A5) Sign Standards

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

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December 3, 2003 City Council Meeting

The submitted elevations depict a 5-foot by 35-foot wall sign along the front elevation facing Martin L. King Boulevard. This sign is in general conformance with Title 19.14 regarding wall signage requirements.

One freestanding sign is depicted at the southeast corner of the site approximately five feet from the southern property line. Sign type, dimensions, and design were not submitted as part of this application. A condition has been added to require the freestanding ground sign to meet Title 19 requirements for freestanding/monument signs.

B) General Analysis and Discussion

- Zoning

The proposed Family Dollar Retail Store is a typical use found in C-1 (Limited Commercial) Zoned districts. Title 19 permits Retail Stores, other than listed in C-1 (Limited Commercial) Zones with no special provisions.

The subject property is located in an area surrounded by a mix of various zones and uses. To the north exists additional commercial C-1 (Limited Commercial) zoned properties, to the east a Boy's and Girl's Club exists on a Civic (C-V) zoned property, and to the south and west single-family dwellings are built upon R-E (Residence Estates) zoned properties. The proposed Family Dollar Retail Store, which is now in conformance to the parking and landscaping standard of the Code is compatible with the surrounding area. The previously imposed condition, prohibiting access to Sunny Place, is being implemented

- Site Plan

The proposed Family Dollar Store plan has been scaled back to a degree that is now appropriate for this site and area of the City. too large for this site and requires a variance from the parking standards of the Code. The overall design of the building, location of the trash enclosure and landscaping are compatible with the surrounding area. The lack of direct access to Sunny Place restricts traffic from intruding into the neighborhood.

- Waivers

The only waiver required is the lack of parking landscaped finger areas. The additional trees in the planter along Martin L. King Drive and along Sunny Place compensates for this deficiency.

- Elevation

The elevations are typical of a stand alone retail store. A parapet exists along the front elevation including an E.I.F.S. cap. In order to create a uniform theme, either the parapet and E.I.F.S. cap should be continued around the entire building to provide

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December 3, 2003 City Council Meeting

screening of the roof mounted mechanical equipment or to extend the architectural features (cornice) as depicted on the front elevation around the entire building. This will also further enhance the elevations for the residential uses to the south and west of the subject site. Revising the location of the building to the northeastern area of the site will also further soften the elevations of the building in relation to adjacent residential properties.

- Floor Plan

The floor plan depicts one open sales area with a storage room located in the rear of the building. Conflicts with adjacent residential properties could be avoided with deliveries being made in the rear of the building if the building were to be relocated further to the northeastern portion of the site. Also, if on-site parking requirements could not be met, it is recommended that the floor area of the Family Dollar Retail Store be reduced.

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 request is compatible with the surrounding area. It is of a size and scale that is appropriate for this site and area of the City.

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

The proposed development is in conformance with the General Plan and Zoning designations. The Family Dollar Retail Store use is a permitted use on the subject site.

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

Site access and circulation will not negatively impact neighborhood traffic, given the limitation of access to Sunny Place.

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

The addition of enhanced building elevations would make the materials more compatible with the area.

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December 3, 2003 City Council Meeting

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;”**

With enhanced building elevations, the building should not pose a nuisance to the neighborhood, and is harmonious and compatible with the surrounding area.

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

This development will be required to obtain all the necessary building permits and inspections prior to the issuance of a certificate of occupancy, therefore the public health, safety and general welfare will be secure.

NOTICES MAILED 37 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-2587 APN: 139-28-304-002

Name of Property Owner: Sherry Sobel Harris

Name of Applicant: Green ~~How~~ Herrington & Howell, 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: 139-28-304-002

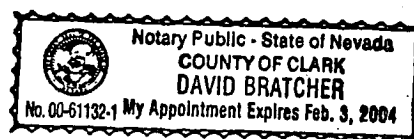
Signature of Property Owner/Authorized Agent:

Print Name: Fraser Smith

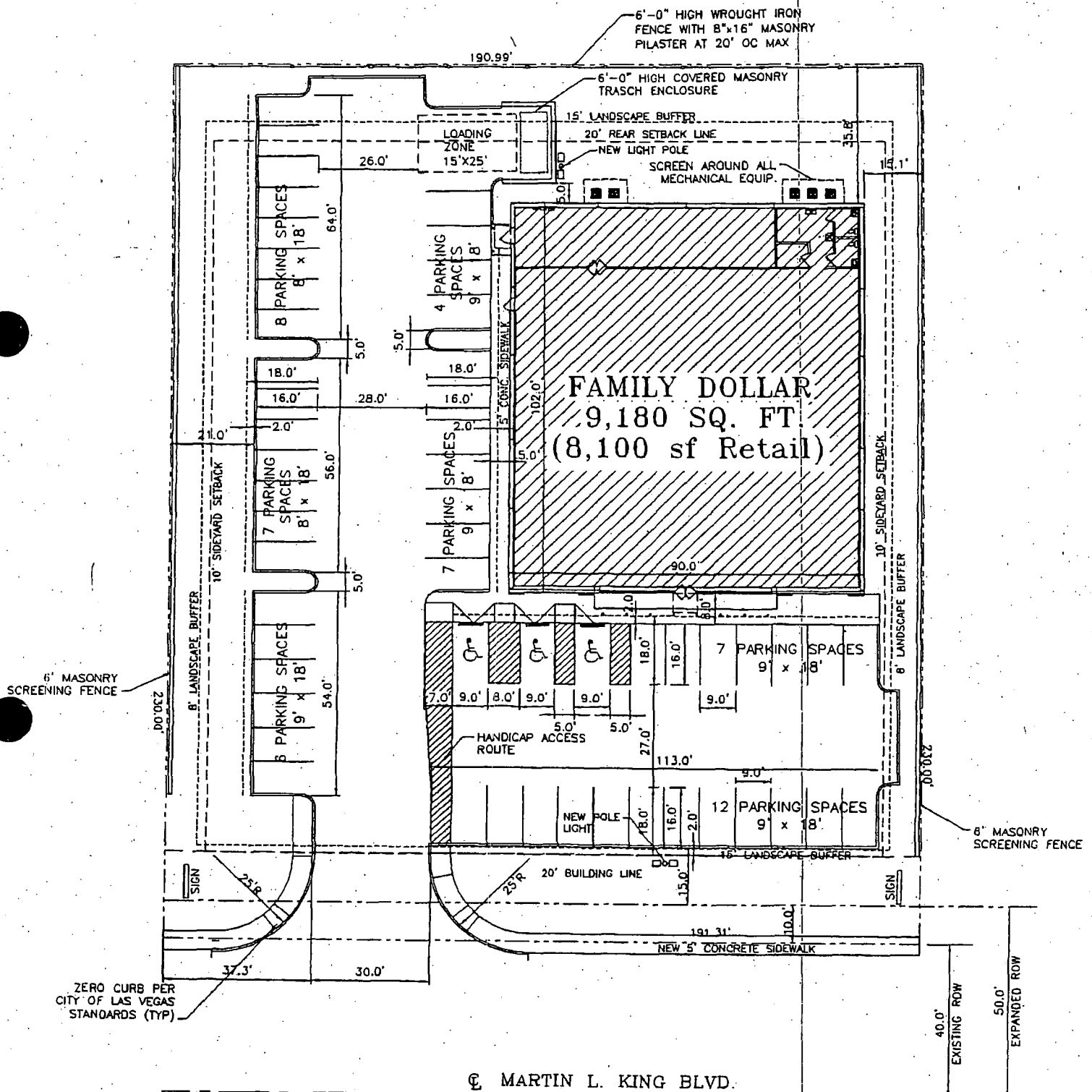
Subscribed and sworn before me

This 6th day of June, 20 02

Notary Public in and for said County and State



SUNNY PLACE



MARTIN L. KING BLVD.

SDR-2587

09-11-03 PC

REVISED 09-03-03



SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS
WEST SIDE OF MARTIN L. KING BOULEVARD, APPROXIMATELY 400 FEET SOUTH OF WASHINGTON AVENUE
SEPTEMBER 11, 2003 PLANNING COMMISSION

7/9/03

City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2936 - PATRICK H. MEADS - Request for a Site Development Plan Review and a Waiver of the perimeter and parking lot landscaping standards and parking lot location standards, a Waiver of side yard setback requirements to six feet and eight feet where a 10-foot side yard setback is required, and a Waiver of the Commercial Development Standards FOR A PROPOSED 2,255 SQUARE-FOOT, ONE-STORY COMMERCIAL BUILDING (DRY CLEANING) on 0.17 acres located at 1377 Miller Avenue (APN: 139-21-510-081), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

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

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends 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 MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PATRICK MEADS, 1377 Miller Avenue, indicated that his lot was not quite 100 feet and requested a waiver. He indicated that there is an eight-foot side yard setback east of the building where the code requires a 10-foot setback. He moved the trash container, covered it and enclosed it. Three palm trees were added to address the landscaping problem.

MARGO WHEELER, Deputy Director, Planning and Development, discussed with COUNCILMAN WEEKLY that the number of parking spaces required are four, which

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MINUTES - Continued:

the applicants provide. However, it is the location of the parking lot that requires the waiver.

BEATRICE TURNER, 1300 Ralston Drive, appeared in support of the application because a dry cleaner is needed in the community.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:38 – 2:42)

4-2823

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect six-foot (6') perimeter walls along the south, east, and west property lines. Parking on the site shall be striped according to Title 19.10 standards. The trash enclosure shall be roofed in accordance with Commercial Development Standards (Title 19.08.045).
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

*City of Las Vegas***Agenda Item No. 105**

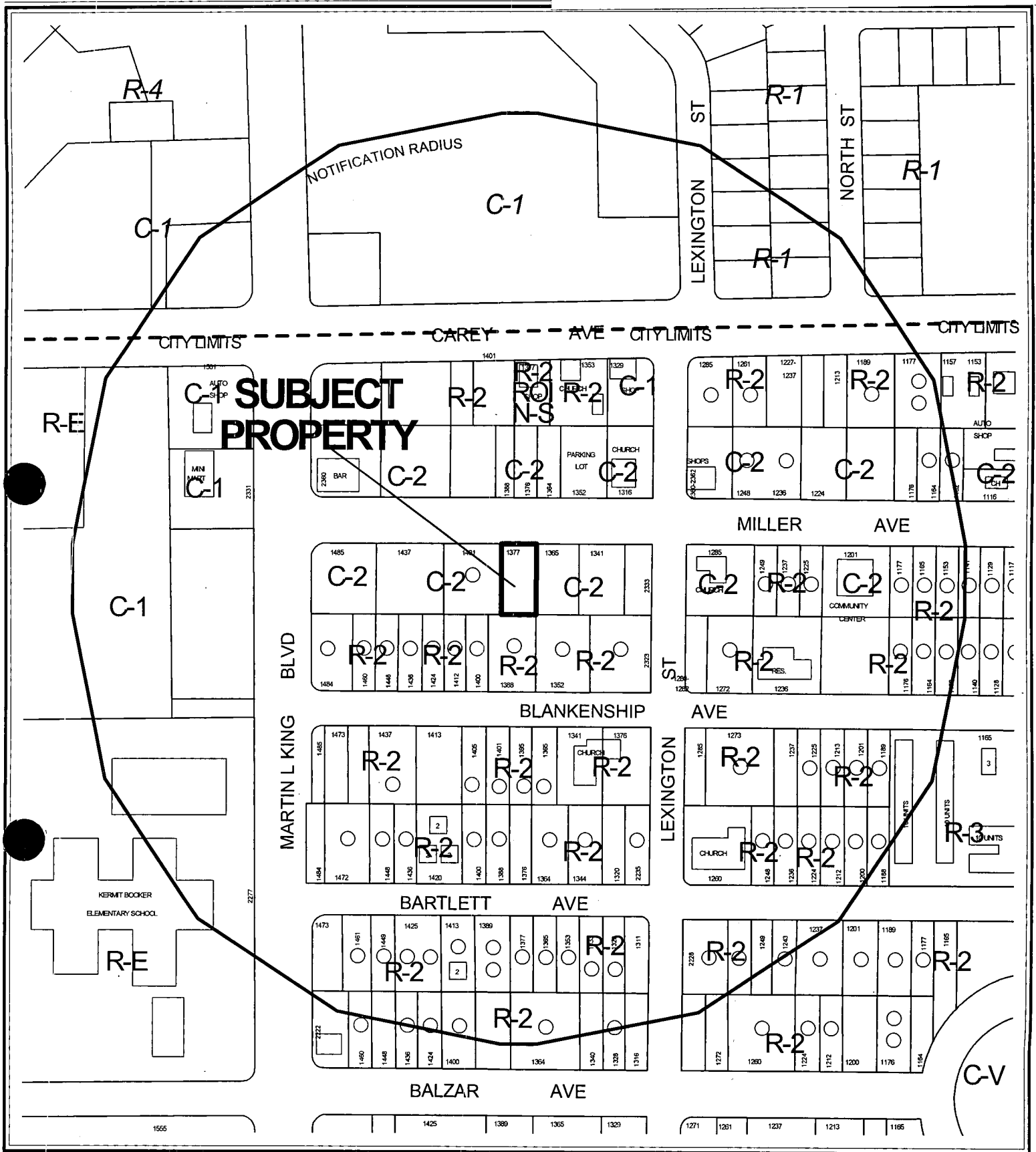
CITY COUNCIL MEETING OF DECEMBER 3, 2003
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CONDITIONS - Continued:

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

Public Works

9. 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.
10. 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.
11. Meet with the Flood Control Section of Public Works for assistance with finished floor elevations of any proposed buildings and drainage flows in the area prior to the submittal of civil construction drawings or issuance of building permits.

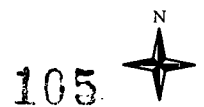


CASE: **SDR-2936**

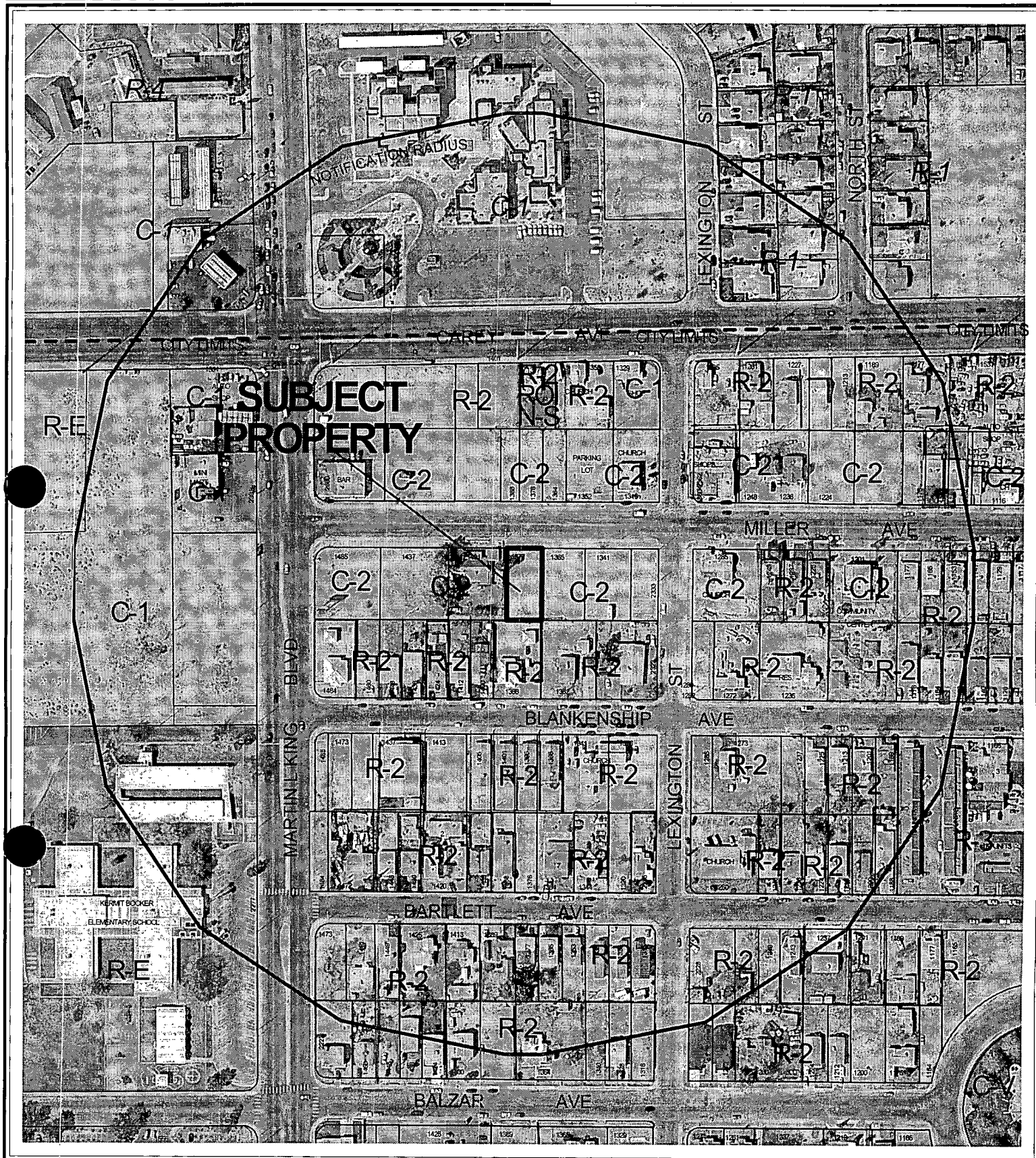
RADIUS: 750 FT

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

0 200 400 Feet



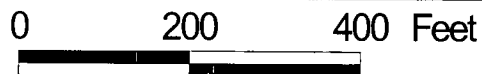
105



CASE: SDR-2936

RADIUS: 750 FT

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



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
 DEPARTMENT: PLANNING AND DEVELOPMENT
 ITEM DESCRIPTION: SDR-2936 - PATRICK H. MEADS

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect six-foot (6') perimeter walls along the south, east, and west property lines. Parking on the site shall be striped according to Title 19.10 standards. The trash enclosure shall be roofed in accordance with Commercial Development Standards (Title 19.08.045).
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
7. 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.
8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. 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.

SDR-2936 - Conditions Page Two
December 3, 2003 City Council Meeting

10. 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.
11. Meet with the Flood Control Section of Public Works for assistance with finished floor elevations of any proposed buildings and drainage flows in the area prior to the submittal of civil construction drawings or issuance of building permits.

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December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a proposed 2,255 square-foot, one-story commercial building on 0.17 acres at 1377 Miller Avenue. The applicant is also requesting Waivers of the perimeter and parking lot landscaping standards, parking lot location standards, and additional commercial development standards, specifically, to allow a five-foot side setback where 10 feet is required and an eight foot setback where 10 feet is required.

B) *Applicant's Justification*

The letter submitted by the applicant justifies this application by stating that the proposed building would not be used for industrial dry-cleaning purposes, and thus meets zoning requirements.

BACKGROUND INFORMATION

A) *Previous Actions*

- 10/09/03 The Planning Commission voted to abey this request to its 11/06/03 meeting to give the applicant an opportunity to discuss the conditions of approval with staff.
- 11/06/03 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #27).

B) *Pre-Application Meeting*

- 07/28/03 The applicant was asked to consider redesigning the parking on the site. The justification letter should include various waiver requests and emphasize that the proposed dry cleaning facility would not be a commercial-type cleaners. The applicant was advised of changes to be made to the submitted plans and of possible conditions that could be imposed on the proposal if approved.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.17

SDR-2936 - Staff Report Page Two
December 3, 2003 City Council Meeting

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single-Family Dwelling
East: Undeveloped
West: Single-Family Dwelling

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: R-2 (Medium-Low Density Residential)
East: C-2 (General Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. This land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed building to be used for dry cleaning services is in conformance to the characteristics of the SC (Service Commercial) General Plan designation, although the current C-2 (General Commercial) zoning district could allow more intense commercial uses on the site in the future.

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

West Las Vegas Plan – The subject property is within an area identified as a Local Shopping Center with neighborhood scale commercial facilities within the West Las Vegas Plan. Sites having this designation should provide convenience goods and personal services to meet the daily needs of an immediate neighborhood area. The proposed dry cleaning establishment conforms to the goals of the West Las Vegas Plan for this area.

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PROJECT DESCRIPTION

Initially, the proposed site was to contain a one-story, 2,255 square-foot building intended to be used as a commercial dry cleaning operation with a customer service area of 250 square feet, with the remainder of the area to be used for restrooms, storage, and dry cleaning equipment. After meeting with staff, the applicant prepared a revised site plan that contained the following changes:

- Four parking spaces in front of the building were realigned with the result that six spaces are now available. The one handicap space is still not van accessible, although this can be rectified if the adjacent five-foot sidewalk is converted into parking area;
- The loading zone which was located on the east side of the building, serviced by a 15-foot drive aisle has been eliminated. Deliveries will be handled in a space in front of the building;
- A trash enclosure will continue to be located at the northeast corner of the property, and will be walled, gated and roofed;
- Landscaping has now been added on both the east and west property lines of the site;
- The building has been made squarer, with the result that there is a five-foot setback on the west side adjacent to a residential use. Due to this distance, Residential Adjacency Standards are now met, although the Waiver of the 10-foot side yard setback in the C-2 zone is still part of the application. The building setback on the east side will now be eight feet;
- Block wall heights will be adjusted to meet standards.

All remaining features of the project, including a 14-foot building height, suede-colored stucco walls, and small windows around the building near the ceiling, have not changed from the original request. Storefront features include a fabric awning over a glass door and a picture window.

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	7,517 SF	N/A
Min. Lot Width	100 Feet	60 Feet	N
Min. Setbacks			
• Front	20 Feet	48 Feet	Y
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	23 Feet	Y
Max. Lot Coverage	50 %	30 %	Y

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Max. Building Height	None	19.5 Feet (14 feet to ceiling)	Y
Trash Enclosure	Walled, gated, roofed, screened from ROW and located away from front	Walled, gated, in front, and not screened from ROW	N
Loading Zone	1 Space	1 Space	Y
Mech. Equipment	Screened from view	Screened by walls and parapet	Y
Min. Block Wall Height	6 Feet when adjacent to residential property; 8 Feet when adjacent to loading zones	6 Feet adjacent to residential; loading zone now eliminated	Y
Parking Lot Location	Side or rear of building	Front of building	N

The site is located on a substandard parcel for development in a C-2 (General Commercial) zoning district, having a width of 60 feet where 100 feet is required by Title 19. The west side yard setback is now proposed to be five feet where 10 feet is the minimum setback. The revised east side yard setback is now eight feet. A trash enclosure is located along the street front and is not screened from view from the Miller Avenue right-of-way. The proposed block walls around the perimeter of the site now show conformance with the Zoning Code. The parking lot is located to the front of the building, where a side or rear location is preferred if possible. Waivers are requested for these deviations from the Code, as they are part of the Commercial Design Standards.

A2) Residential Adjacency Standards

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

- a) Proximity slope. Submitted elevations show the roofline of the proposed building to be 14 feet tall. Additional height above 15 feet on the structure is used for visual screening of mechanical equipment and shall not be counted in the proximity slope calculation. The proposed building therefore meets the proximity slope.
- b) Building setback. The subject property is adjacent to single-family residential development on the south and west sides. The required rear setback in the adjacent R-2 (Medium-Low Density Residential) zoned parcel is 20 feet; the submitted site plan for the subject property shows a 23-foot rear setback. The side yard setback for the existing residential property to the west of the subject site is five feet; the site plan now meets this minimum and therefore meets Residential Adjacency Standards. The Waiver request for a five-foot setback where a minimum of 10 feet is necessary is still required.

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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
Commercial Uses Not Listed	250 SF	1/250 SF GFA	1	0	1	0
Industrial/ Warehousing	2,005 SF	1/1000 SF GFA	2	1	2	1
TOTAL	2,255 SF		3	1	3	1

The "Industrial" parking standard is used for the dry cleaning portion of the building, since the intended use of the property is for a neighborhood cleaners and the only commercial activity will take place within the 250 square-foot customer area. The proposal meets Title 19 parking standards.

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	1 Tree	None
Buffer:			
• Min. Trees – adjacent to right-of-way	1 – 24" Box Tree / 20 Linear Feet [60 – 32 Feet (driveway) = 28 Feet] + 1 Tree	2 Trees	None
• Min. Trees – perimeter adjacent to residential use	1 – 24" Box Tree / 20 Linear Feet (185 Feet) + 1 Tree	10 Trees	5 Trees
• Min. Trees - perimeter adjacent to commercial uses/zoning districts	1 – 24" Box Tree / 30 Linear Feet (125 Feet) + 1 Tree	5 Trees	4 Trees

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• Min. Zone Width – adjacent to right-of-way	15 Feet	15 Feet
• Min. Zone Width – side and rear perimeter	8 Feet	8 Feet
• Wall height	2 Feet 8 Inches – 6 Feet, except where abutting residential	2 Feet 8 Inches – 6 Feet, except where abutting residential

As a result of revised plans, some perimeter landscaping will now be included. The requested Waivers of parking lot and perimeter landscaping standards will still be required to provide the landscaping as shown below the approved standard.

A5) Sign Standards

No freestanding or wall signage is indicated on the submitted plans. Before obtaining sign permits, the applicant must demonstrate that all signage will comply with Title 19.14 requirements for the C-2 (General Commercial) zoning district.

B) General Analysis and Discussion

• Zoning

The current zoning of the subject property is C-2 (General Commercial). The neighborhood service dry cleaning operation proposed for this property, where services would be geared exclusively for individual households, conforms to the intent of the C-2 (General Commercial) zoning district. Although the current zoning is more compatible with a GC (General Commercial) General Plan designation, the proposed dry-cleaning operation is well-suited for the current designation of SC (Service Commercial) because it is intended as a neighborhood service.

• Site Plan

Although the site plan depicts a building that is too large for this site, which is already substandard for commercial use, the redesign as submitted addresses, at least in part, many of the deficiencies with respect to parking, loading, setbacks and landscaping. This is an acceptable site for a neighborhood service, but is difficult to develop, given its proximity to existing residential dwellings.

• Waivers

The following waivers of the Commercial Development Standards for the proposal are requested on behalf of the applicant:

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Waiver for five-foot (5') side yard setback where ten feet (10') is required – The applicant has modified the previous three-foot request to five feet. The building now will be far enough from the residential use to avoid the need for a Residential Adjacency Variance, although the waiver of the 10-foot minimum side yard setback on both sides of the property will still be necessary.

Waiver for a parcel width of 60 feet, where 100 feet is the minimum for a C-2 (General Commercial) zoned parcel – The site actually comprises two lots whose width equals 60 feet. The waiver is appropriate, as the site is nonconforming as a result of subdivision prior to the enforcement of the current 100-foot lot width requirement. Clearly, the intent of the General Plan and the West Las Vegas Plan is for neighborhood commercial land uses in this area, a category that fits the proposed use of the building. It is recommended that the lots be remapped or administratively joined to ensure the integrity of the site.

Waiver for the location of the trash enclosure along the street frontage and without screening – Although situated along the street frontage, the proposed trash enclosure is in the only place it can be located without being within 50 feet of existing residential property. That scenario would require a variance from residential adjacency standards. The request is therefore appropriate. In addition, the Commercial Development Standards require trash enclosures to be screened from the right-of-way by either a wall or some landscaping. The applicant has now agreed to wall, gate and roof the enclosure.

Waiver for a five-foot (5') block wall where a minimum height of six feet (6') is required when adjacent to residential property – The applicant has revised the site plan to comply with this requirement; as a result, this Waiver is no longer necessary. A condition of approval will require perimeter walls six feet (6') in height along the south and west property lines.

Waiver for a five-foot (5') block wall where a minimum height of eight feet (8') is required adjacent to a loading zone – Due to the change in the location of the loading zone, this Waiver is no longer necessary.

Waiver for location of the parking lot in front of the building, where parking on the side or rear is preferred – This site, with the placement of the building as proposed, will not allow for two-way traffic or adequate turning radius required for parking in the rear. Therefore, in this case, parking in the front is acceptable. The handicapped parking is now accurately striped for van accessibility. The site redesign now includes an additional parking space beyond that originally proposed.

Waiver of the parking lot and perimeter landscaping standards (Landscape, Wall, and Buffer Standards) – Although a Waiver of parking lot and perimeter landscaping standards is still necessary, the revised plan now provides some landscaping on the property. As the site is too small to accommodate a building of this size along with legal parking and landscaping, the request is appropriate.

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- Landscape Plan

With the site plan revisions, some landscaping is now proposed as part of this site. Waivers of the parking lot and perimeter landscaping standards are still necessary and are requested as detailed above.

- Elevation

The submitted elevations feature a monotonous box-like structure with few architectural features to visually enhance facades, giving the building an industrial look. Some striping or tile accents are recommended. The elevations are otherwise appropriate for the area and the use 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 development to be used as a neighborhood-scale dry cleaning establishment is compatible with the C-2 (General Commercial) zoning district and with adjacent and nearby development in terms of its use; however, the small size of the site means that the design can only be accommodated with the Waiver of a number of standards in the Code; however, the applicant has reduced the scope of these waivers through redesign of the project.

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 dry cleaning establishment is consistent with the General Plan; however, the approval of a number of Waivers, including Waivers of the parking lot and perimeter landscaping standards, are necessary if this project is to be approved.

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

Access to this site is provided via Miller Avenue, a fully developed 60-foot wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities.

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

Building materials used in this project are appropriate for this area. Landscaping materials will be sparse on this site, as there is little room to accommodate just the building and parking for the development.

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;"**

Building elevations and architectural features are not obnoxious in appearance and will be harmonious with development in the area with the implementation of the listed conditions.

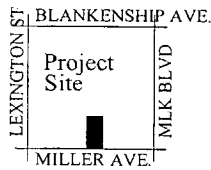
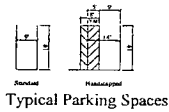
6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The business within the proposed dry cleaning establishment will be subject to regular inspections for licensing, and therefore the development will not compromise the public health, safety or welfare.

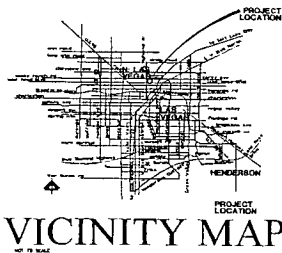
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APPROVALS 0

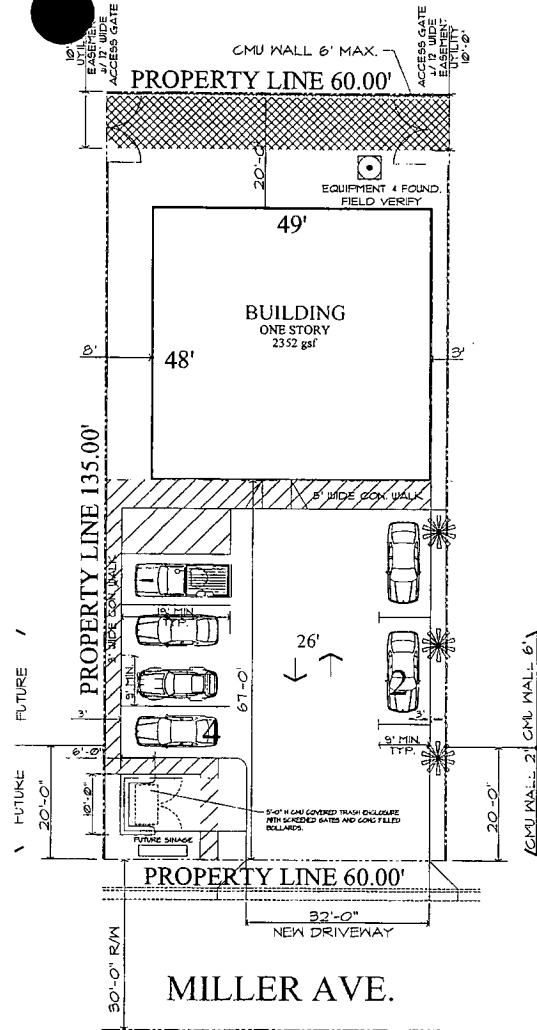
PROTESTS 0



Location Map



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



MEAD BUILDING
1337 MILLER AVE.
Las Vegas, Nevada

SITE INFORMATION

ZONING

C-2

AREA (Approximate)

Gross Area: 8100.00 sf
Building Area: 2,352 sf

0.19 acres

PARKING REQUIREMENTS

Parking Required:

INDUSTRIAL USE (DRY CLEANING PLANT)

= 1 SPACE PER 1000 GROSS S.F.
= 2352 GSF - 250 GSF FOR STORE = 2102 / 1000 = 3 SPACES

COMMERCIAL/RETAIL USE (FRONT STORE)

= 1 SPACE PER 250 GROSS S.F.
= 2352 GSF - 2102 GSF FOR PLANT = 250 / 1 = 1 SPACE

TOTAL

Future Parking Provided

Covered 0

Open Parking 6

TOTAL 6

H.C. Parking Required (1 TO 25 SPACES)

H.C. Parking Provided 1

EXISTING SETBACKS

Front 20' ft

Rear 20' ft

Corner Side 0' ft

Side 5' ft

BUILDING SPACING

Landscape 15' ft Avg

Minimum Building Spacing 10' ft

EXISTING HEIGHT

Principal Structure 1 stories / 20 ft

SITE PLAN

Scale 1" = 10'-0"

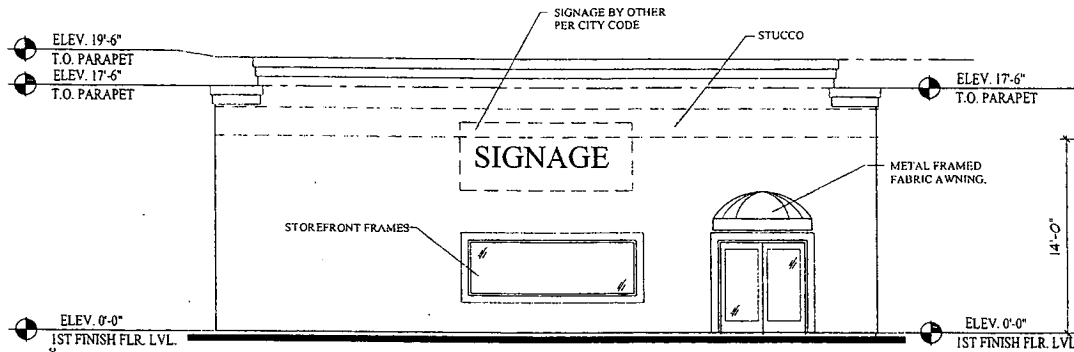
TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	-	24" Box	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	-	24" Box	20'-30' On Center	CALIFORNIA LAUREL	Umbellularia californica
	-	24" Box	20'-30' On Center	TEXAS JUNIPER	Ligustrum japonicum "Texanum"
	-	24" Box	20'-30' On Center	MEXICAN PINE	Pinus nigra
	3	Height Varies	Varies, See Spacing Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	-	24" Box	Varies, See Spacing Requirements	FLOWERING PLUM	Prunus bieriana
	-	1-5 Gallons	N/A	Ornamental Ground Shrubs and Cover	
	-	N/A	N/A	Xeriscape / Turf	

SDR-2936

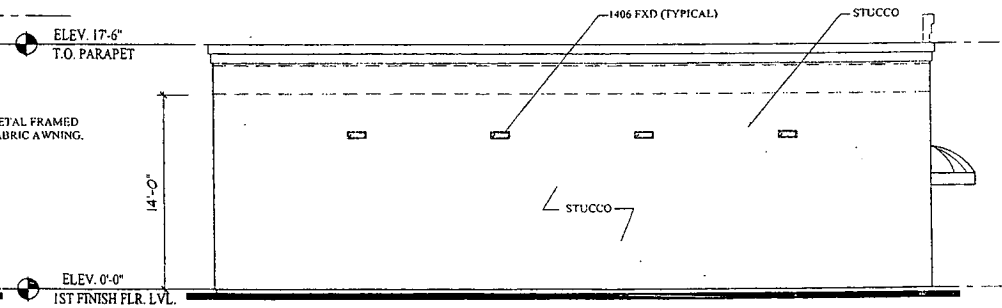
11-06-03 PC

REVISED 10-20-03



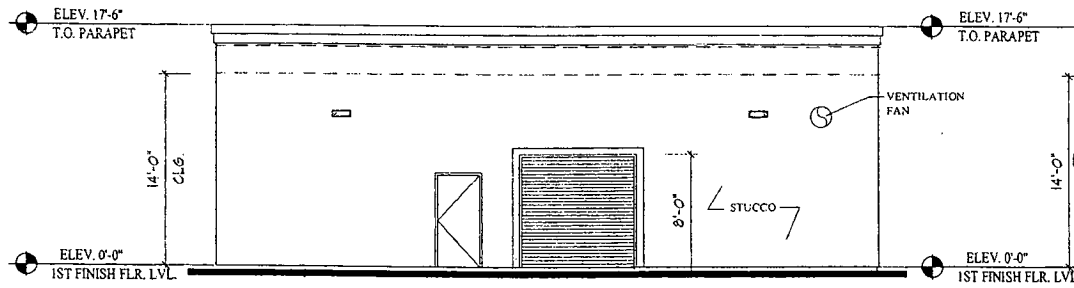
OPT. FRONT "B" ELEVATION

Scale 1/4" = 1'-0"



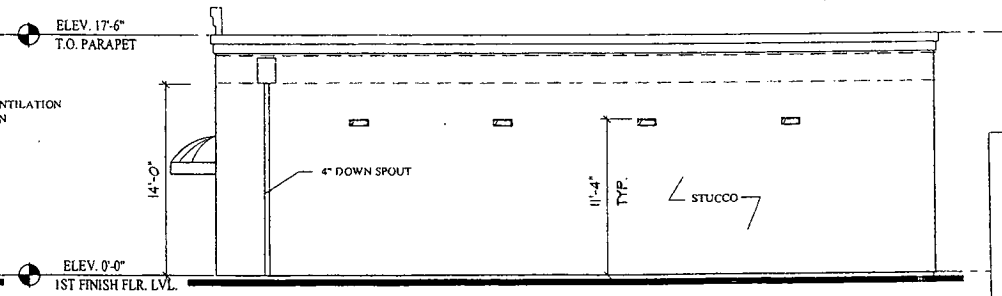
LEFT SIDE ELEVATION

Scale 1/4" = 1'-0"



REAR ELEVATION

Scale 1/4" = 1'-0"

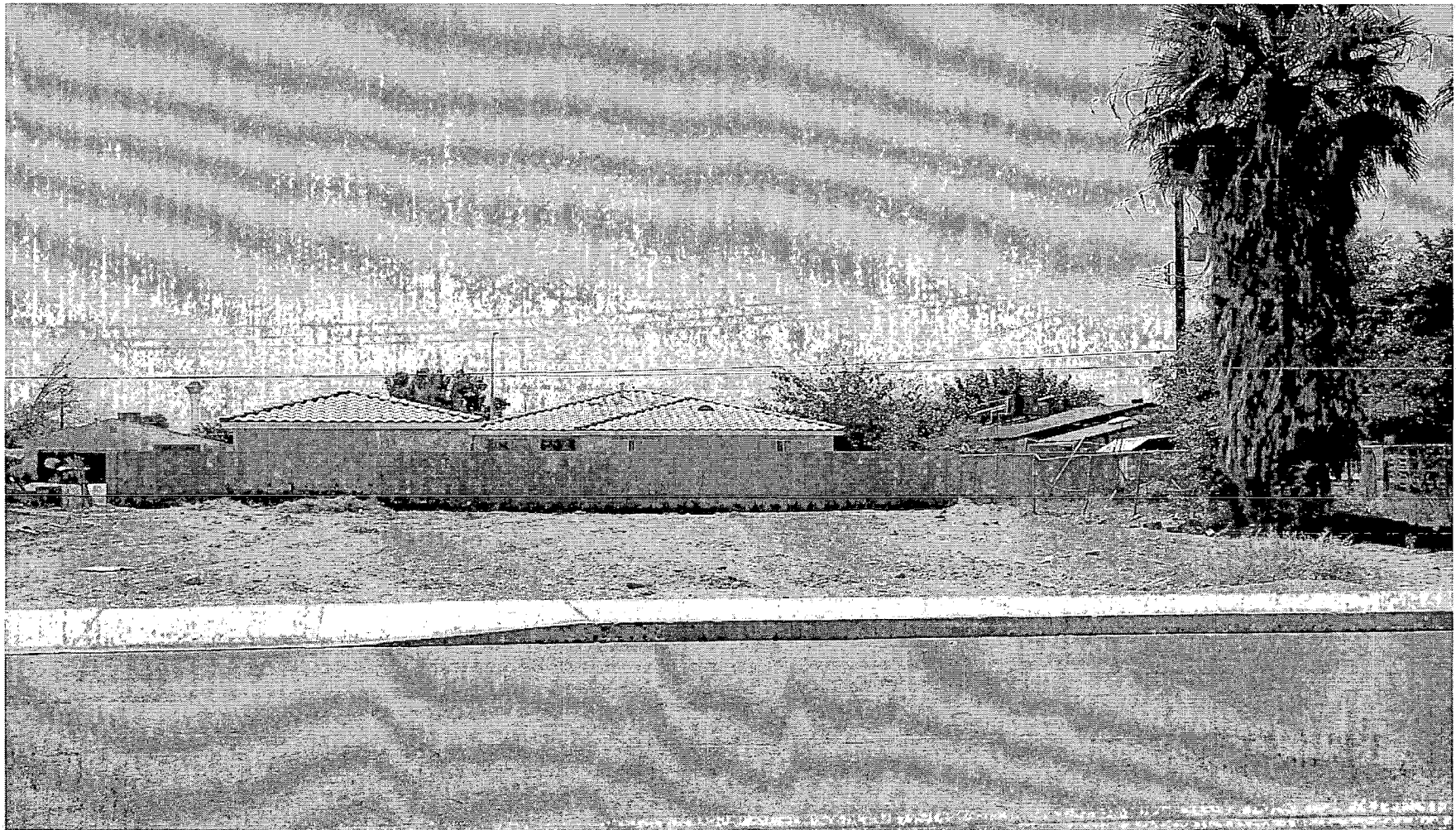


RIGHT SIDE ELEVATION

Scale 1/4" = 1'-0"

MEADS BUILDING
1377 MILLER AVE.
 Las Vegas, Nevada

SDR-2936
11-06-03 PC
REVISED 10-20-03



SDR-2936 - PATRICK H. MEADS
1377 MILLER AVENUE
NOVEMBER 6, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 106

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2952 - McKINLEY M & L 1993 LIVING TRUST, ET AL** - Request for a Site Development Plan Review, a Reduction in the amount of required perimeter and parking lot landscaping, a zero foot side yard setback where 10 feet is the minimum setback required, and Waivers of the commercial development standards for a PROPOSED 7,307 SQUARE-FOOT, ONE-STORY OFFICE BUILDING AT 2605 WEST CHARLESTON BOULEVARD; AND FOR MINOR EXTERNAL IMPROVEMENTS TO AN EXISTING 8,573 SQUARE-FOOT, ONE-STORY OFFICE BUILDING at 2603 West Charleston Boulevard (APN: 162-05-512-006 and 007), C-D (Designed Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – revised site plan from Planning & Development
5. Submitted at Council meeting – revised site plan
6. Back up referenced from the 11/6/2003 Planning Commission meeting Item 28

MOTION:

MONCRIEF – APPROVED subject to conditions and replacing Condition 1 to read as follows: –

1. *The approval is pursuant to the plan submitted December 2, 2003 and that the handicapped parking shall comply with the requirements of the 1997 UBC, Chapter 11.*
- UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.



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MINUTES - Continued:

GIOVANNI PEZZI, Lucchesi & Galati Architects, 500 Pilot Road, appeared on behalf of the applicant and concurred with all conditions. He explained that in order to meet Condition 14, an agreement was reached with Traffic Engineering representatives on an acceptable driveway redesign. He submitted a copy of the approved design plan for the record.

MR. PEZZI explained for COUNCILWOMAN MONCRIEF that the original intention was for the owner to have covered parking closer to the building and for the rear parking area to be used by employees only. His client is willing to accept the condition to move the handicap spaces closer to the building.

MARGO WHEELER, Deputy Director, Planning and Development Department, read into the record the replacement for Condition 1, to which MR. PEZZI concurred.

NOTE: Even though Condition 14 was mentioned, there were no amendments made.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:42-2:46)

4-3079

CONDITIONS:

Planning and Development

1. Approval of this Site Development Plan Review is contingent upon the approval of a variance to the handicap location requirement of Title 19.10.010.G.3.c that requires that handicap parking stalls shall be within three feet of a building's primary accessible entrance.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The trash enclosure shall be covered and screened as required by the Commercial Design Standards. Waivers for the proposed zero-foot side-yard setback where a 10-foot setback is required, and for reductions in perimeter and parking lot landscaping, as indicated on revised site plans submitted by the applicant, are granted as part of this approval.

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CONDITIONS - Continued:

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
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. 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.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of construction drawings 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.

CITY COUNCIL MEETING OF DECEMBER 3, 2003
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CONDITIONS - Continued:

Public Works

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. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits or occupancy, whichever may occur first.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased approval imposed by the Planning Commission or the City Council on the development of this site.

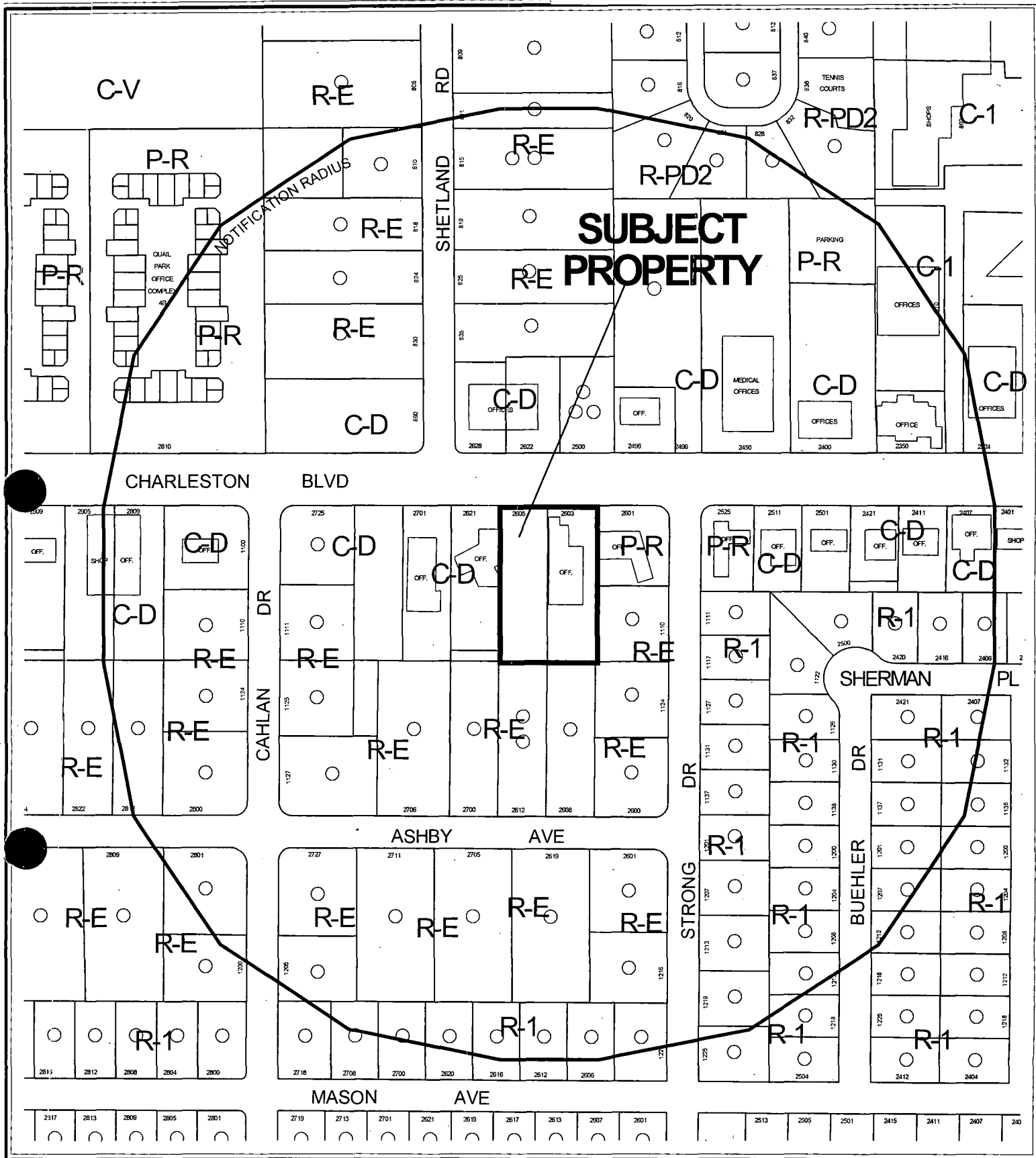
CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 106 – SDR-2952

CONDITIONS - Continued:

compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

17. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
18. An Occupancy Permit from the Nevada Department of Transportation must be obtained for all improvements in the Charleston Boulevard public right-of-way.

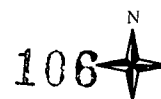


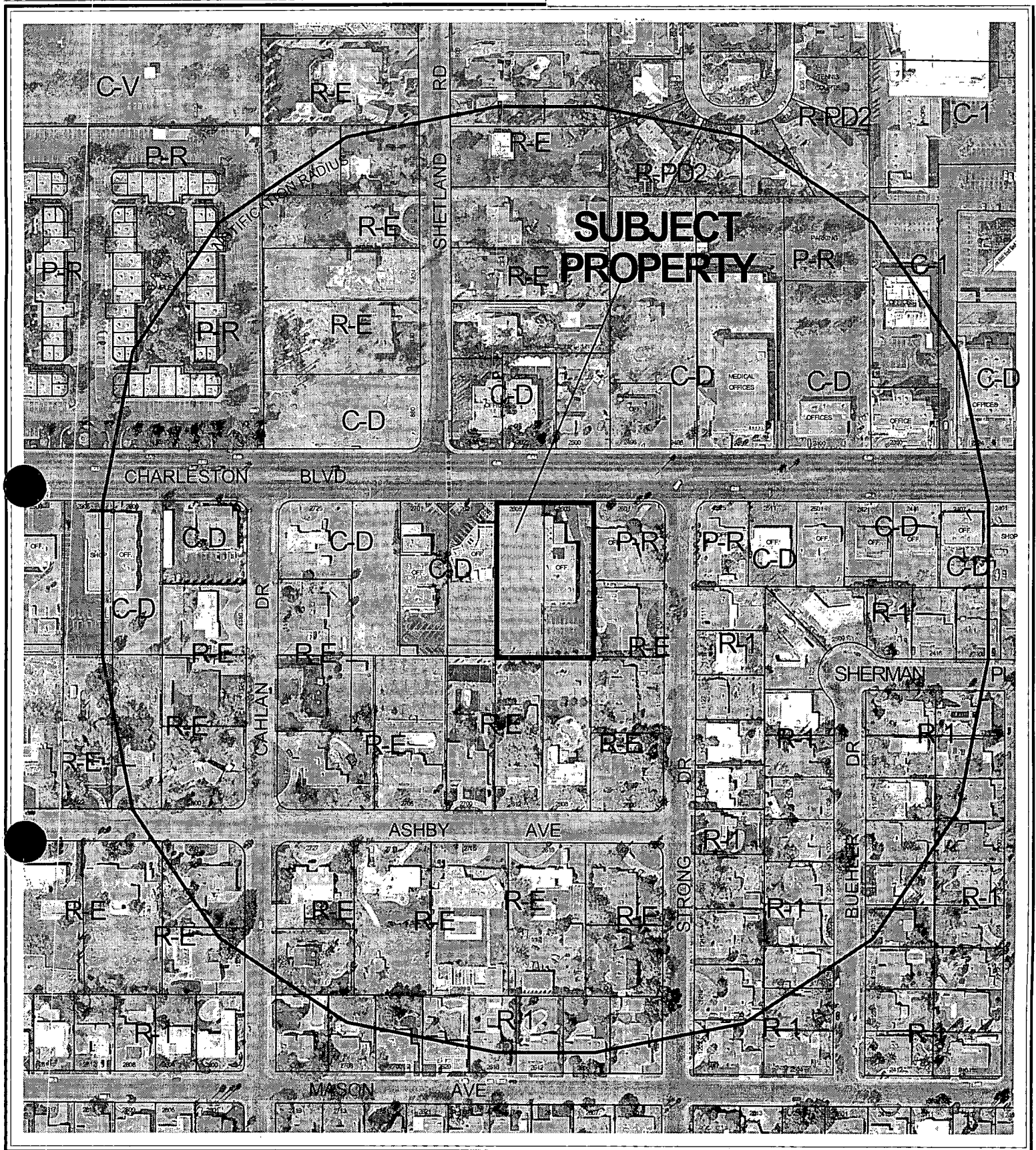
CASE: SDR-2952

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

0 200 400 Feet





CASE: **SDR-2952**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-2952 - MCKINLEY M & L 1993 LIVING TRUST, ET AL

**** CONDITIONS ****

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

Planning and Development

1. Approval of this Site Development Plan Review is contingent upon the approval of a variance to the handicap location requirement of Title 19.10.010.G.3.c that requires that handicap parking stalls shall be within three feet of a building's primary accessible entrance.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The trash enclosure shall be covered and screened as required by the Commercial Design Standards. Waivers for the proposed zero-foot side-yard setback where a 10-foot setback is required, and for reductions in perimeter and parking lot landscaping, as indicated on revised site plans submitted by the applicant, are granted as part of this approval.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
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.

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9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

13. 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. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits or occupancy, whichever may occur first.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically

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December 3, 2003 City Council Meeting

noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

17. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
18. An Occupancy Permit from the Nevada Department of Transportation must be obtained for all improvements in the Charleston Boulevard public right-of-way.

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December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Site Development Plan Review for a proposed 7,307 square foot office building and a reduction in the side yard setback to allow 0 (Zero) feet where 10 feet is the minimum required, a waiver of landscaped fingers in the parking lot and a waiver of perimeter landscaping on 0.62 acres on a site located at 2605 West Charleston Boulevard.

B) Applicant's Justification

The proposed development consists of a one-story office building that will be located adjacent to existing building, creating a courtyard space between the new and existing building. The goal is to create an orderly and aesthetically pleasing environment that visually connects the two buildings.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 10/23/03 | The Planning Commission abeyed this application to the 11/06/03 Planning Commission so the applicant can submit a new site plan. |
| 11/06/03 | The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #28). |

B) Pre-Application Meeting

- | | |
|----------|---|
| 08/18/03 | <p>During the pre-application conference for this request the following points were raised:</p> <ul style="list-style-type: none"> • Buildings that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard are limited to one story or 20 feet in height, whichever is less; • The Justification Letter would include the setback and landscaping waiver requests; • Applicant should talk to Public Works about the mapping process; • Drainage study and traffic analysis are possible; and • The applied parking standard is based on the one space to 300 square feet of gross floor area. |
|----------|---|

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December 3, 2003 City Council Meeting

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.62

B) Existing Land Use

Subject Property: Vacant
North: Offices
South: Single Family residential
East: Office, parking
West: Office, parking

C) Planned Land Use

Subject Property: O (Office)
North: O (Office)
South: DR (Desert Rural)
East: O (Office)
West: O (Office)

D) Existing Zoning

Subject Property: C-D (Designed Commercial)
North: C-D (Designed Commercial)
South: R-E (Residence Estates)
East: C-D (Designed Commercial)
West: C-D (Designed Commercial)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan and is designated as O (Office). The existing zoning district is C-D (Designed Commercial) which conforms to the O (Office) land use designation. The site plan as proposed conforms to the land use and density provisions of both the General Plan land use designation and the zoning district currently in place. The request conforms to Policy B.2 of the General Plan that encourages the utilization of infill parcels for development to make use of existing utilities, facilities, and services.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X

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Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Any other special area plans or districts do not pertain or affect this site.

PROJECT DESCRIPTION

It is proposed that one of the last infill parcels along south side of Charleston Boulevard be developed with a single story office building. The proposed building is to be positioned along side of the building immediately to the east in a manner that will create a common use courtyard between and behind the two buildings. The design characteristics and construction materials will be similar to the existing building, and will harmonize with the surrounding commercial properties.

The proposed project consists of a 7,307 square-foot building to be located on a 0.62-acre parcel. Access to the site is from Charleston Boulevard by means of a driveway along the west side of the building. The proposed one-story building will be oriented toward the north, positioned up to the street, with the parking lot area located to the south of the building.

The applicant is asking for a waiver of the perimeter and parking lot landscaping standards and a zero feet side-yard setback instead of the 10-foot side-yard standard of the Commercial Design Standards.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	25 Feet	25	Y
• Side	10 Feet	21'-4", 0	N
• Corner	15 Feet	N/A	N/A
• Rear	25 Feet	121'-5"	Y
Max. Lot Coverage	30 %	27%	Y
Max. Building Height	1 Story	1 Story/20 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

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A condition of approval will address the need for a Waiver to allow a zero-foot side-yard setback where a 10-foot setback is required.

A2) Residential Adjacency Standards

The proposal conforms to residential adjacency standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	7,307 SF.	1/300 GFA	24	1	24	1

The Department of Public Works has suggested that the applicant meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. It is noted that the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	2 Trees/Space	2 Trees	None
Buffer:	30 ft OC side yard		
• Min. Trees	20 ft OC Rear yard	15 Trees	3 Trees
• Min. Zone Width	8 Feet		Not indicated
• Wall height	6, 8 Feet		Not indicated

The proposal requests a Waiver from perimeter and parking lot landscaping standards. This request is addressed as a condition of approval.

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B) General Analysis and Discussion

- Zoning

The proposed 7,307 square-foot retail building use is allowed in the C-D (Designed Commercial) Zoning District subject to conformance with applicable requirements of Title 19.

- Site Plan

Access to the site is from a new driveway along the west side of the parcel. The proposed one-story retail building is oriented toward the north with parking lot area located to the south of the building.

- Waivers

The following Waivers have been requested or are part of this application:

Zero side yard setback where 10 feet is required. The proposed building will be positioned at the east property line up against the existing, neighboring, building to the east.

No tree buffer along the west and south property lines. The site plan shows the existing landscaping will be the only landscaping along the south and west property lines.

No trees in the parking lot fingers. The parking lot will only have the existing landscaped island near the trash enclosure.

These Waiver requests have been determined to be acceptable and appropriate given the site configuration in relation to the site design and are included as part of the conditions of approval of this Site Development Plan Review request.

- Landscape Plan

The proposed landscape plan shows a 25-foot wide planter along the street frontage. There is also some landscaping shown in the parking area near the trash enclosure and along the west property line. The existing landscaping will remain where shown on the plan along the south property line.

- Elevation

The building elevations depict a one-story structure with split face CMU block exterior and a predominantly flat roof typical of commercial building of this type. The ends of building are designed in a similar manner as the front elevation.

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- Floor Plan

The floor plan depicts large open area for cubicles approximately 3300 square feet with support work areas at the rear being accessed from the front and rear.

FINDINGS

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

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

The proposed retail building will be a new structure on the subject site. The design of the building is compatible with development in the area, subject to meeting the requirements of Title 19.

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

The proposed use is consistent with the General Plan and the land use provisions of Title 19.

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

Access to the site is via driveways from Charleston Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The access and roadways are adequate to meet the needs of the proposed development.

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

The building materials as proposed are appropriate for this type of commercial use in this area. The amount of parking lot and perimeter landscaping as shown is below the minimum standard of the Zoning Code. The request for Waivers to these requirements is part of this application.

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

The design, architecture and aesthetic features of the proposed development are satisfactory and will not have a negative impact on this site or on surrounding areas.

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

The proposed office building will be subject to inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

The Planning Commission approved the project with the request that the applicant work with staff to improve the project's rear landscaping.

NOTICES MAILED 107 by Planning Department

APPROVALS 0

PROTESTS 2



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-2952** APN: 162-05-512-007Name of Property Owner: BMK EnterprisesName of Applicant: Same as Owner

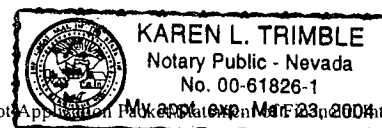
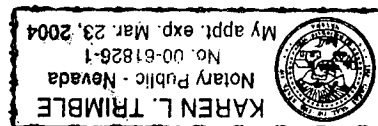
To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited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

 X Yes No

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

City Official: Craig S. GalatiPartner(s): N/AAPN: Signature of Property Owner/Authorized Agent: *Mark McKinley*Print Name: MARK MCKINLEY

Subscribed and sworn before me

This 22nd day of September, 2003
Karen L. Trimble
 Notary Public in and for said County and State


PLANTING LEGEND

SYMBOL	COMMON NAME	SIZE	SYMBOL	COMMON NAME	SIZE
	DESERT CANNA	9 GAL		SILVER CHOLD TEXAS RANGER	9 GAL
	SILVER CHOLD TEXAS RANGER	9 GAL		YELLOW BIRD OF PARADISE	9 GAL
	YELLOW BIRD OF PARADISE	9 GAL		RED YUCCA	9 GAL
	RED YUCCA	9 GAL		CAT'S CLAW VINE	9 GAL
	CAT'S CLAW VINE	9 GAL		BLUE BEEDER PENSTEMON	1 GAL
	BLUE BEEDER PENSTEMON	1 GAL		INDIGO BUSH	1 GAL
	INDIGO BUSH	1 GAL		LANTANA	1 GAL
	LANTANA	1 GAL		STAR JASMINE	1 GAL
	STAR JASMINE	1 GAL		VERBENA	1 GAL
	VERBENA	1 GAL		ROSEMARY	1 GAL
	ROSEMARY	1 GAL		AUTUMN SAGE	1 GAL
	AUTUMN SAGE	1 GAL		DEER GRASS	1 GAL

DISCONTINUED GRASS COVERAGE
IN ALL PLANTERS

REVER ROCK AT POINTEMENT SIGNAGE
AND ROOF PLANTER LEADERS

SITE DATA

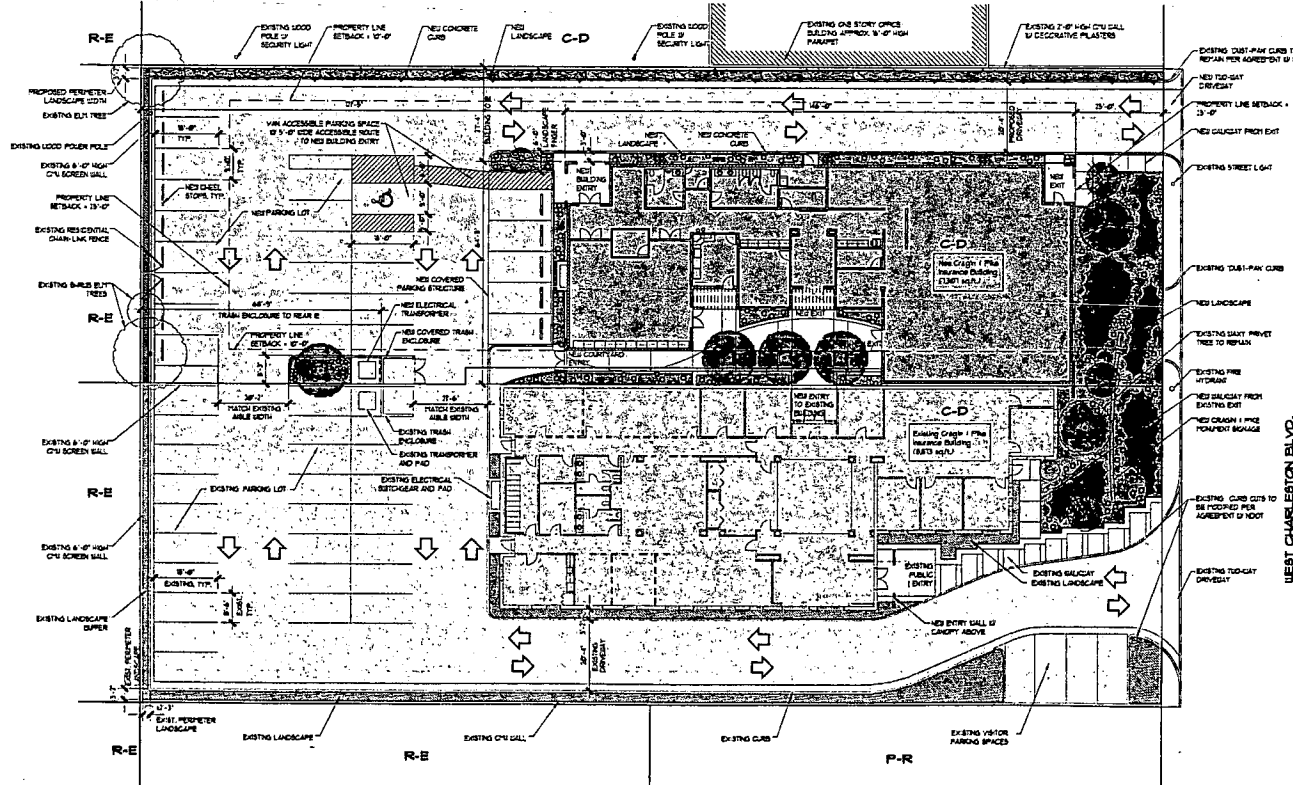
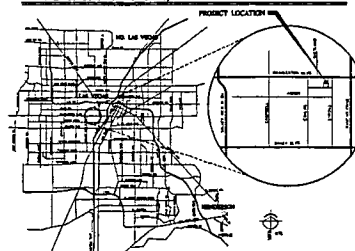
TOTAL PROPERTY SIZE	4.47 ACRES GROSS (4.47 ACRES)
TOTAL BUILDING GROSS SF	1,307 SF
FLOOR AREA RATIO	2.71
CURRENT ZONING	C-D (DESIGNED COMMERCIAL)
APN	162-09-00-006
SETBACKS (FEET)	FRONT YARD (FROM CHARLESTON) 25 FEET SIDE YARDS (FROM EAST PROPA) 6 FEET SIDE YARDS (FROM WEST PROPA) 31 FEET REAR YARD (FROM SOUTH PROPA) 31 FEET
(RESIDENTIAL ADJACENCY STANDARD)	1.5 SIDE SETBACK
(DEVELOPMENT LAUNERS REQUESTED)	2. PERIMETER LANDSCAPE 3. PARKING LOT LANDSCAPING 4. 14'-0" WIDE PARKING LOT AILE FOR 80' SPACES 5. 24'-0" WIDE DRIVEWAYS
(VARIANCE REQUESTED)	LOCATION OF HANDICAP PARKING SPACE

BUILDING HEIGHT
ALLOWED: 20'-0" MAX. FROM PARCELS ON CHARLESTON BETWEEN
RANGE 10 & VALLEY VIEW

PARKING REQUIRED

OFFICE (1 SPACE PER 300 SF)	
TOTAL PARKING REQUIRED	24 SPACES
TOTAL HANDICAP PARKING REQUIRED	1 SPACE
PARKING PROVIDED	
TOTAL PARKING PROVIDED FOR ENTIRE PROJECT	24 SPACES
TOTAL HANDICAP PARKING PROVIDED	1 SPACE

VICINITY MAP



CRAGIN & PIKE INSURANCE - OFFICE BUILDING

2603 W. CHARLESTON BLVD., LAS VEGAS, NV. 89102

PROJECT NO. 0188-03-001

SITE PLAN

August 11, 2003
REVISED October 21, 2003

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

LUCCHESI
GALATI
ARCHITECTS

SDR-2952
11-06-03 PC
REVISED 10-29-03

SDR-2952
12-3-03 CC

Approved by:
City of Las Vegas
Traffic Engineering Division

Jan 11/26/03

PLANTING LEGEND

<u>SYMBOL</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>SYMBOL</u>	<u>COMMON NAME</u>	<u>SIZE</u>
	BACOSTRIS ACACIA	24" BOX		DESERT CASSIA	9 GAL
	AFRICAN BUMAC	24" BOX		SILVER CLOUD TEXAS RANGER	9 GAL
	PURPLE LEAF PLUM	15 GAL		YELLOW BIRD OF PARADISE	9 GAL
	RED BUD FOREST PANSY	15 GAL		RED YUCCA	9 GAL
				CAT'S CLAW VINE	9 GAL ESPALIER
				BLUE BEEDER PENSTEMON	1 GAL
				INDIGO BUSH	1 GAL
				LANTANA	1 GAL
				STAR JASMINE	1 GAL
				VERBENA	1 GAL
				ROSEMARY	1 GAL
				AUTUMN GAGE	1 GAL
				DEER GRASS	1 GAL

DECOMPOSED GRANITE GROUNDCOVER
IN ALL PLANTERS

RYER ROCK AT MONUMENT SIGNAGE
AND ROOF RAINWATER LEADERS

SITE DATA

TOTAL PROPERTY SIZE 4.62 ACRES GROSS (4.26,314 S.F.)
TOTAL BUILDING GROSS S.F. 13,071 S.F.

FLOOR AREA RATIO
CURRENT ZONING
APN

<u>SETBACKS MINIMUMS</u>		<u>ACTUAL SETBACKS</u>	
FRONT YARD:	25 FEET	FRONT YARD (FROM CHARLESTON):	25 FEET
SIDE YARD:	10 FEET	SIDE YARD (FROM EAST PROP.):	0 FEET
		SIDE YARD (FROM WEST PROP.):	27 FEET
REAR YARD:	30 FEET	REAR YARD (FROM SOUTH PROP.):	21 FEET

(**RESIDENTIAL ADJACENCY STANDARD)
(***DEVELOPMENT WAIVERS REQUESTED)

1. SIDE SETBACK
2. PERIMETER LANDSCAPE
3. PARKING LOT LANDSCAPING

4. 24'-0" WIDE PARKING LOT AISLE FOR 50' SPACES
5. LOCATION OF HANDICAP PARKING SPACE

BUILDING HEIGHT
ALLOWED: 20'-0" MAX. (FOR PARCELS ON CHARLESTON BETWEEN
RANCHO & VALLEY VIEW)

ACTUAL: 28'-0"

PARKING REQUIRED

PARKING REQUIRED

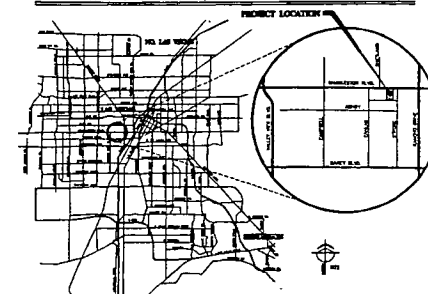
OFFICE:
(1 SPACE PER 300 SF)

TOTAL PARKING REQUIRED	24 SPACES
TOTAL HANDICAP PARKING REQUIRED	1 SPACE

PARKING PROVIDED

TOTAL HANDICAP PARKING PROVIDED	1 SPACE
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VICINITY MAP



Submitted after final agenda
Date 12/1/03 Item # 10



CRAGIN & PIKE INSURANCE OFFICE BUILDING

2803 W CHARLESTON BLVD EAS VEGAS NV 89119

PROJECT NO. 0188-03-001

SITE PLAN

August 11, 2003
 DEAR Mr. [redacted] :

SCALE: 1" = 20'

LUCCHESI
• GALATI •
ARCHITECTS

CITY COUNCIL MEETING OF DECEMBER 3, 2003

PAGE

1001

Approved by:
City of Las Vegas
Traffic Engineering Division

Jan 11/26/03

PLANTING LEGEND

SYMBOL	COMMON NAME	SIZE	SYMBOL	COMMON NAME	SIZE
	WEeping AGAVE	14" BOX		DESERT CANNA	8 GAL
	AFRICAN IRIS	12" BOX		SILVER CLOUD TEXAS RANGER	8 GAL
	PURPLE LEAF PLUM	8 GAL		YELLOW BIRD OF PARADISE	8 GAL
	RED BIRD FOREST FAIRY	8 GAL		RED YUCCA	8 GAL
				CATTLEYA	8 GAL
				BLUE BIRD OF PARADISE	1 GAL
				SILVER BIRCH	1 GAL
				LANTANA	1 GAL
				STAR JASMINE	1 GAL
				VERBENA	1 GAL
				ROSEMARY	1 GAL
				AUTUMN SAGE	1 GAL
				DESERT GRASS	1 GAL

DESIGNATED GRAVITY DRAINAGE
IN ALL PLANTERS
RIVER ROCK AT HIGHEST ELEVATION
AND ROCK SANDWICH LEAKERS

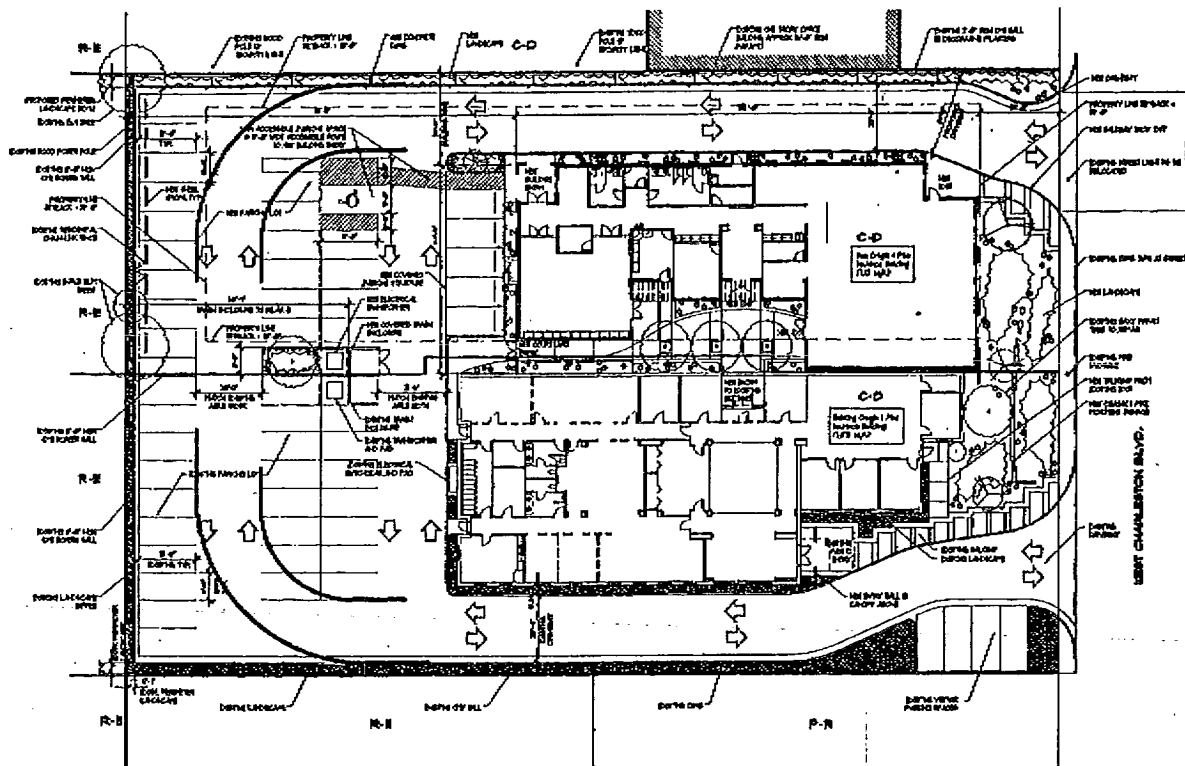
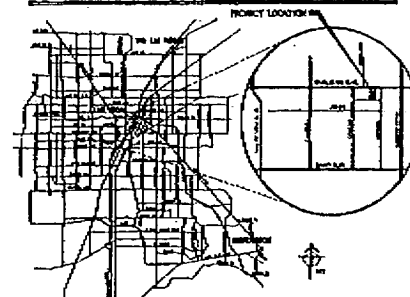
SITE DATA

TOTAL PROPERTY SIZE	4.27 ACRES (184,872 S.F.)
TOTAL BUILDING AREA	130,757 S.F.
FLOOR AREA RATIO	3.1
CURRENT ZONING	C-2 (COMMERCIAL)
SETBACKS (FEET)	FRONT YARD 25 FEET SIDE YARD 5 FEET REAR YARD 5 FEET
ACTUAL SETBACKS	FRONT YARD 25 FEET SIDE YARD 5 FEET REAR YARD 5 FEET
ADJACENT PROPERTIES	1. SIDE SETBACK 2. FRONT SETBACK 3. REAR SETBACK
DEVELOPMENT WASTES REQUESTED	4. 14" x 14" SIDE PARKING LOT SPACES FOR 24 SPACES 5. LOCATION OF HANDICAP PARKING SPACES

PARKING REQUIRED

OFFICE	11 SPACES PER 100 S.F.
TOTAL PARKING REQUIRED	24 SPACES
TOTAL HANDICAP PARKING REQUIRED	1 SPACE
PARKING PROVIDED	24 SPACES
TOTAL PARKING PROVIDED FOR ENTIRE PROJECT	24 SPACES
TOTAL HANDICAP PARKING PROVIDED	1 SPACE

VICINITY MAP



GRAGIN & PIKE INSURANCE OFFICE BUILDING

300 W. CHARLESTON BLVD. LAS VEGAS, NV 89102

PROJECT NO. 0188-03-001

SITE PLAN

As per
SHEPHERD & ASSOCIATES

Submitted at City Council

SCALE: 1" = 20'

Date 11/23/03 Item #106



City of Las Vegas

Agenda Item No. 107

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3108 - PETER PAPAS ON BEHALF OF BUFFALO PADS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver from the perimeter buffer and parking lot landscaping requirements and Commercial Design Standards FOR A ONE-STORY COMMERCIAL BUILDING on 0.64 acres adjacent to the south side of Charleston Boulevard, approximately 275 feet west of Buffalo Drive (APN: 163-04-514-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions and deleting Condition 19 - UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID.W. STRAIT, D.W. Strait Architecture, 101 West Brooks Avenue, appeared with the applicant, PETER PAPAS, and agreed to conditions. He explained that due to the configuration of the site, trees could not be planted between the parking lot and the building. Adjustments were made according to staff's recommendations. He pointed out that the commercial buildings would have mixed uses.

No one appeared in opposition.



Agenda Item No. 107

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 107 – SDR-3108

MINUTES - Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:46 – 2:48)

4-3269

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. Conformance to the Conditions of Approval for Rezoning (Z-0004-97) and all applicable conditions of approval of Site Development Plan Review [Z-0004-97(3)] which includes freestanding signage restrictions.
3. All development shall be in conformance with the site plan, building elevations, and landscape plan except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the deletion or relocation of the proposed ornamental tower to meet minimum setback standards without reducing the required on-site parking or required landscape planter areas.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect conformance with Title 19.10.020, On-Site Loading Standards.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff 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.
7. 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 a minimum of four five-gallon shrubs for each tree within provided planters.

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 107 – SDR-3108

CONDITIONS - Continued:

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 shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties. Trash enclosures are not required to contain roofs.
11. 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.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.

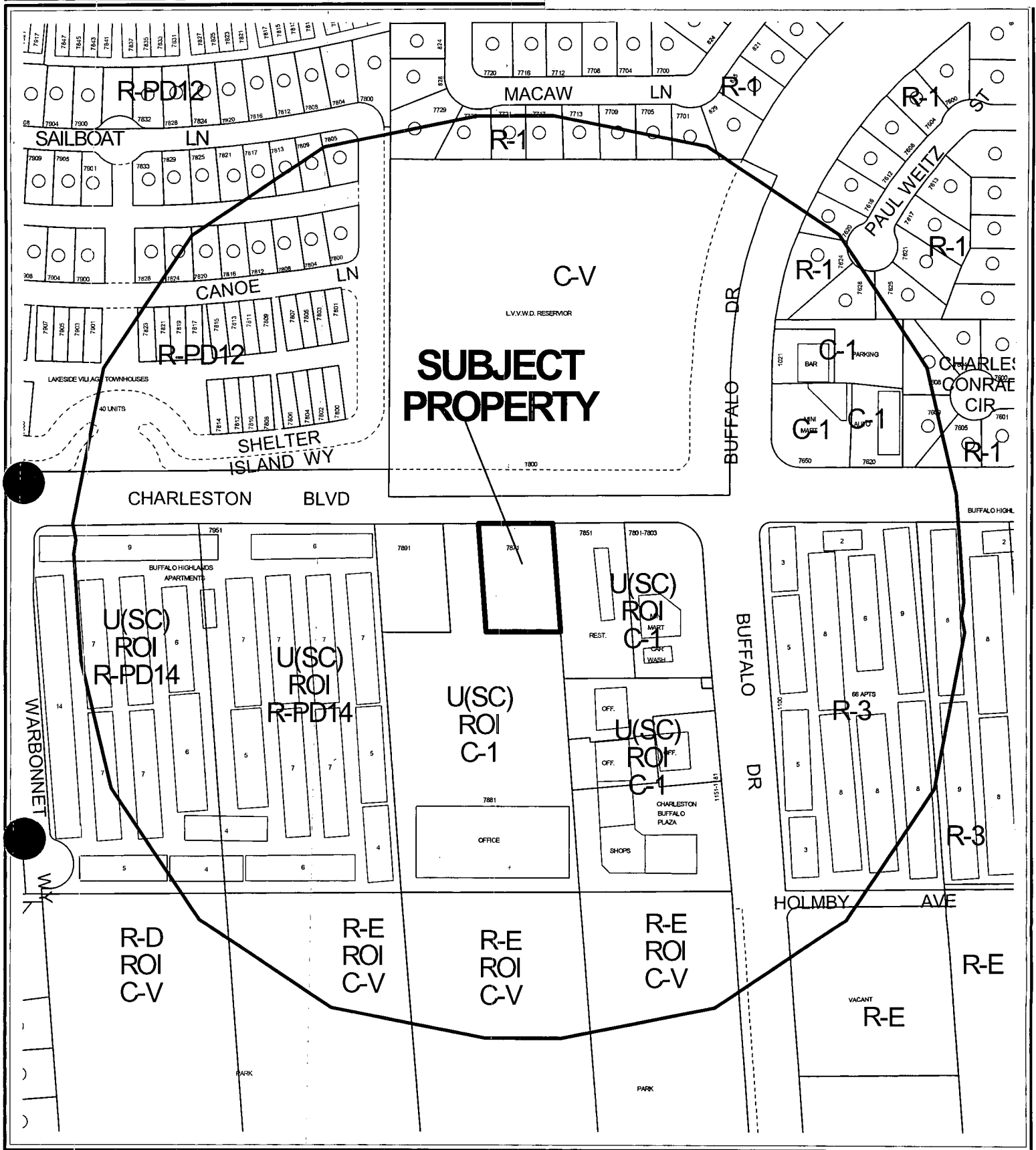
Public Works

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 107 – SDR-3108

CONDITIONS - Continued:

- 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. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
 18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits for work within Nevada Department of Transportation right-of-way.
 19. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the southwest prior to the issuance of any permits.
 20. Site development to comply with all applicable conditions of approval for the Buffalo-Charleston (A Commercial Subdivision), Zoning Reclassification Z-4-97 and all other subsequent site-related actions.



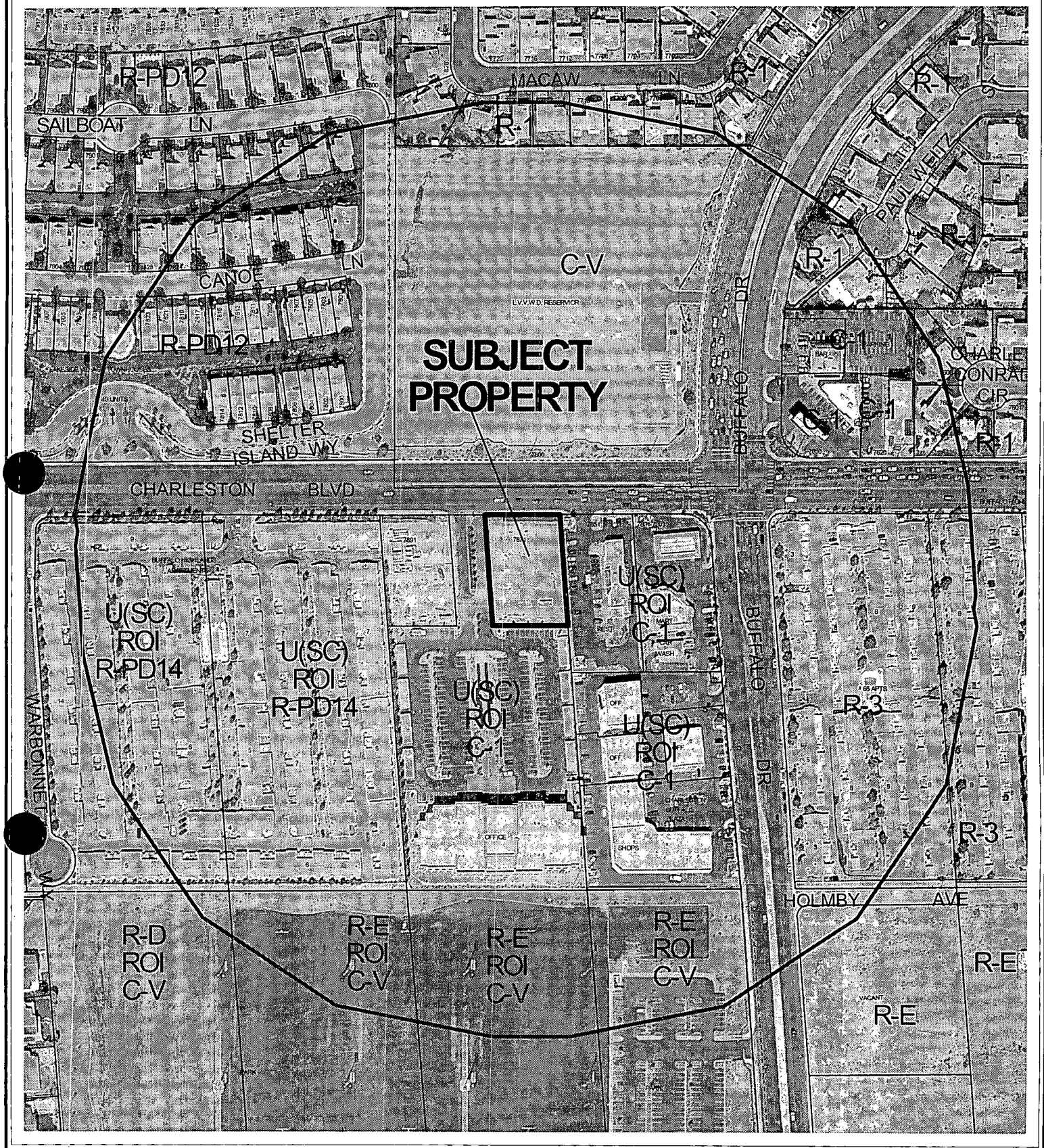
CASE: SDR-3108

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: **SDR-3108**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 3, 2003****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-3108 - PETER PAPAS ON BEHALF OF BUFFALO PADS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (6-0 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. Conformance to the Conditions of Approval for Rezoning (Z-0004-97) and all applicable conditions of approval of Site Development Plan Review [Z-0004-97(3)] which includes freestanding signage restrictions.
3. All development shall be in conformance with the site plan, building elevations, and landscape plan except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the deletion or relocation of the proposed ornamental tower to meet minimum setback standards without reducing the required on-site parking or required landscape planter areas.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect conformance with Title 19.10.020, On-Site Loading Standards.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff 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.
7. 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 a minimum of four five-gallon shrubs for each tree within provided planters.
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 shall be cause for revocation of a business license.]

SDR-3108 - Conditions Page Two
December 3, 2003 City Council Meeting

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties. Trash enclosures are not required to contain roofs.
11. 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.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits for work within Nevada Department of Transportation right-of-way.

SDR-3108 - Conditions Page Three
December 3, 2003 City Council Meeting

19. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the southwest prior to the issuance of any permits.
20. Site development to comply with all applicable conditions of approval for the Buffalo-Charleston (A Commercial Subdivision), Zoning Reclassification Z-4-97 and all other subsequent site-related actions.

SDR-3108 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review and a Waiver from the perimeter buffer and parking lot landscaping requirements and commercial design standards for a one story commercial building on 0.64 acres adjacent to the south side of West Charleston Boulevard, approximately 275 feet west of Buffalo Drive.

B) Applicant's Justification

The applicant's justification letter indicates that the development is proposed on a pad within a commercial subdivision with a joint use of common area parking and amenities as set forth in covenants. Waiver requests include landscape buffer requests, and roof mounted trash enclosures due to pre-existing conditions as this project is the last phase of the commercial subdivision.

BACKGROUND INFORMATION

A) Previous Actions

- 03/10/97 The City Council approved a Rezoning (Z-0004-97) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 5.50 acres including the subject site. The Planning Commission recommended approval on February 13, 1997.
- 09/28/00 The Planning Commission approved a Tentative Map (TM-0039-00) for a one lot commercial subdivision on 5.50 acres including the subject site.
- 11/01/00 The City Council approved a Reinstatement and Extension of Time [Z-0004-97(2)] of an approved Rezoning from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 5.50 acres including the subject site. The Planning Commission recommended approval on September 28, 2000.
- 02/04/02 The Planning and Development Department administratively approved a Site Development Plan Review [Z-0004-97(3)] for a proposed 58,528 square foot office building on property within the commercial subdivision including the subject site.
- 06/06/02 The Planning and Development Department administratively approved a Site Development Plan Review [Z-0004-97(4)] for a proposed 6,735 square foot veterinary clinic on 0.59 acres located on property within the commercial subdivision including the subject site.

SDR-3108 - Staff Report Page Two
December 3, 2003 City Council Meeting

11/06/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #44).

B) Pre-Application Meeting

09/09/03 At the pre-application meeting it was determined that an overall parking analysis would be required for the overall commercial subdivision. Landscaping and screening requirements were also discussed including parking lot landscaping and the screening and covering of trash enclosures. Waivers were required to be identified in the justification letter.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.64

B) Existing Land Use

Subject Property: Undeveloped
North: Las Vegas Valley Water District
South: Office building
East: Fast Food Restaurant
West: Veterinary Clinic

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
North: C-V (Civic)
South: U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
East: U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
West: U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)

SDR-3108 - Staff Report Page Three
December 3, 2003 City Council Meeting

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning designation is in compliance with the General Plan designation. The proposed retail/office building is a permitted use within the C-1 (Limited Commercial) zoning district.

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

The subject site is not located within any Special Planned Areas or Special Overlay Districts.

PROJECT DESCRIPTION

The proposed building is located on the final undeveloped pad site for the 'Buffalo Charleston Office Building' commercial subdivision. The pad site is adjacent to West Charleston Boulevard but accessed through the internal commercial subdivision drive. The subject site is surrounded by developed commercial property in addition to a Las Vegas Valley Water District site on the opposite side of West Charleston Boulevard. The proposed 9,250 square foot single-story building is listed as a general retail building, including seven separate tenant spaces.

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	9-Foot 11-inches	N
• Side (East)	10 Feet	10-Foot 1-inch	Y
• Side (West)	10 Feet	221 Feet	Y
• Rear	20 Feet	490 Feet	Y
Max. Lot Coverage	50 %	41 % (Total Site)	Y
Max. Building Height	None	37 Feet	Y
Trash Enclosure	Screened / Covered	Not covered	N
Loading Zone	1 (15'x25')	1 (11'x22')	N
Mech. Equipment	Screened	Not depicted	N/A

SDR-3108 - Staff Report Page Four
December 3, 2003 City Council Meeting

A 39-foot tall tower structure is proposed at the northwest corner of the retail building approximately 9-foot 11-inches from the front property line along West Charleston Boulevard. The minimum setback, as required by Title 19.08 is 20 feet from the front property line of a C-1 Zoned property. This structure is not in compliance with minimum setback standards. In addition, the proposed loading zone space does not meet minimum code size requirements of 15 feet by 25 feet. The submitted site plan depicts a space 11 feet by 20 feet in size. Trash enclosures and mechanical equipment are not depicted on the site plan. Title 19.08 states trash enclosures must be screened and covered while mechanical equipment mounted on rooftops must be screened from view from the right-of-way and surrounding properties. The proposed trash enclosure does not contain a cover.

A2) Residential Adjacency Standards

The subject site is not adjacent to property which is either developed for sale or designated for such development in the General Plan; therefore, residential adjacency standards do not apply to the subject site.

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
General Retail Store (other than listed)	9,291 SF	1/250 GFA *	36	2	241	10
Office	58,528 SF	1/300	189	6		
Veterinary Clinic	6,500 SF	(1:2 employees) (1:doctor) (1:examining room)	10	1		
TOTAL			235	9		

*The General Retail Store (Other than listed 25,000 square feet or greater) parking standard is being used for the subject site due to the fact that the pad site is located within a recorded commercial subdivision, the 'Buffalo Charleston Office Building', which includes a commercial shopping/business center with a total square footage greater than 25,000 square feet.

SDR-3108 - Staff Report Page Five
December 3, 2003 City Council Meeting

Because the subject site is part of a recorded commercial subdivision a cross-access and parking agreement for the entire subdivision is used to satisfy on-site parking standards for the subject pad site. In total, the commercial subdivision includes 241 standard parking spaces and 10 accessible parking spaces. The subject site demands 36 standard parking spaces and 2 accessible spaces. The total on-site parking required including the subject site, Veterinary Clinic and Office building is 235 standard spaces and nine accessible spaces. Overall, the commercial subdivision contains an additional six standard spaces and one accessible space than required by code.

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	4 Trees	20
Buffer: Min. Trees			
• (R.O.W.)	1 Tree/ 20 Linear Feet	7 Trees	9 Trees
• (East P.L.)	1 Tree/ 30 Linear Feet	8 Trees	10 Trees
• Min. Zone Width			
(R.O.W)	15 Feet		8-18 Feet
(East Property Line)	8 Feet		10-17 Feet

The submitted landscaping plan meets minimum tree spacing and tree size requirements per Title 19.12. With the exception of a portion of the landscape planter at the northwest corner of the site along Charleston Boulevard, the minimum perimeter planter widths are also in conformance with Title 19.12. The portion of the planter width that is reduced along Charleston Boulevard is acceptable due to the fact that the area is being used as an open plaza area for the first tenant space of the building. The parking lot area is missing one required landscape planter finger; however, this is also acceptable due to the fact that three 24-inch box hexagon shaped planter boxes are located in front of the parking spaces along the building where the landscape finger would be required.

The landscaping plan is deficient in the number and sizes of required shrubs; therefore, a condition has been included requiring that a minimum of four five-gallon shrubs be planted in each planter per required tree.

A5) Sign Standards

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

The first Site Development Plan Review [Z-0004-97(3)] on the subject commercial subdivision, which reviewed the office building on the southern portion of the site,

SDR-3108 - Staff Report Page Six
December 3, 2003 City Council Meeting

conditioned the signage along Charleston Boulevard to be limited to one monument sign with a maximum height of eight feet. The submitted site plan does not depict any additional freestanding signage along Charleston Boulevard. Wall signage area is depicted on the submitted building elevations. The wall signage is limited to 20 percent maximum building elevation coverage. The elevation plans appear to meet this standard, as signage is depicted on the north and west elevations centered over each tenant space entrance.

B) General Analysis and Discussion

- **Zoning**

The subject site is under Resolution of Intent to a C-1 (Limited Commercial) zone. A commercial subdivision has recorded on the subject site; therefore, the resolution of intent zoning should be ordinance. The proposed General Retail use is a permitted use within the C-1 (Limited Commercial) zone with no base conditions.

- **Site Plan**

The subject site is located on the last pad site of a previously approved commercial subdivision, the 'Buffalo Charleston Office Building' which includes two additional buildings totaling 65,028 square feet. The submitted site plan meets minimum on-site parking and setback standards with the exception of a proposed tower structure located at the northwest corner of the main building. The proposed tower is depicted as an ornamental tower and appears to serve only aesthetic purposes; therefore, a condition has been included requiring that the tower either be removed or relocated so as to meet the minimum 20-foot front yard setback requirements. The tower shall not be relocated so as to eliminate any required on-site parking spaces or required landscape planter areas.

- **Waivers**

Waiver requests include a reduction in the required perimeter landscape planter width along a portion of Charleston Boulevard from 15 feet to 8 feet. As previously noted this waiver is acceptable because a plaza space is being proposed in this section of the planter which is encouraged by the Commercial Design Standards. Also, the elimination in the required parking lot landscape finger is appropriate as the applicant has included additional landscape planters along the front of the parking spaces abutting the building.

The reduction in the required loading zone size from 15-foot by 25-foot down to 11-foot by 22-foot is not acceptable as there is enough room to meet the minimum 25-foot depth for the space. In addition, if the building were moved up to the 20-foot setback line from West Charleston Boulevard, the loading zone width could be expanded 2-foot 8-inches, which would bring it to within a useable size area of 13-foot 8-inches by 25-foot.

As previously noted the reduction in the required front yard setback from 20 feet to 9-foot 11-inches for the proposed tower structure is unjustified; therefore a condition has been included requiring its removal or relocation.

SDR-3108 - Staff Report Page Seven
December 3, 2003 City Council Meeting

Lastly, the proposed trash enclosure does not contain a roof as required under current code standards. The previous development in the commercial center was built under the previous code requirements which did not require trash enclosures to be covered; therefore, the applicant is proposing to match the existing trash enclosures. This request is acceptable due to the previously approved trash enclosures.

- Landscape Plan

The landscaping plan as submitted is sufficient in terms of the number of required trees, tree spacing and landscape planter areas. The waiver request to reduce the landscape planter width along a portion of Charleston Boulevard is acceptable due to the fact the area is proposed to be used as a plaza space for one of the tenants. A condition has been included requiring four five-gallon shrubs per each required tree within the landscape planter areas to meet minimum code requirements.

- Elevation

The submitted elevations depict varying rooflines, off-set façade elements, and balcony features which properly break up the building mass. The varied roofline accents and stucco finish are continued around all sides of the building to create a coherent design. Four variations of desert tan stucco are proposed for the building finish with seven different accent/trim colors in order to provide visual interest. The proposed ornamental tower meets accessory structure requirements to be of the same character as the main building by using similar design and materials. As previously noted the ornamental tower does not meet minimum front setback requirements; therefore, a condition has been included to remove or relocate the proposed structure.

- Floor Plan

The floor plan depicts seven tenant spaces ranging in size from 1,080 to 1,632 square feet in size with a total floor area of 9,250 square feet. All tenant spaces include a rear door access along with an exterior main entrance adjacent to the on-site parking spaces. All tenant spaces are noted as General Retail, Other than Listed; therefore, if any tenant space is proposed to be more parking intense than the General Retail standard, a variance may be required prior to a Certificate of Occupancy.

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;"**

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December 3, 2003 City Council Meeting

The proposed building is located on the final undeveloped pad site for the 'Buffalo Charleston Office Building' commercial subdivision which includes two additional buildings totaling 65,028 square feet. The subject site is surrounded by developed commercial property in addition to a Las Vegas Valley Water District site on the opposite side of West Charleston Boulevard. The proposed 9,250 square foot general retail building is compatible with adjacent development and development in the area.

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

The proposed general retail building is in conformance with the SC (Service Commercial) General Plan designation, in addition to the Resolution of Intent C-1 (Limited Commercial) zoning designation. With the exception of minimal landscape waiver requests the proposal is also in conformance with Title 19 with the inclusion of recommended conditions of approval.

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

The subject site is accessed from West Charleston Boulevard which is designated as a Primary Arterial Street on the Master Plan of Streets and Highways. The pad site will utilize an existing access drive for the 'Buffalo Charleston Office Building' commercial subdivision which will not further impact access to and from West Charleston Boulevard.

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

Building and landscape materials are appropriate for this area as the submitted landscape and building elevations depict desert tolerant landscaping and architectural designs and materials similar to the previously approved commercial subdivision buildings on site.

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

The submitted elevations depict varying rooflines, off-set façade elements, and balcony features which properly break up the building mass. The varied roofline accents and stucco finish are continued around all sides of the building to create a coherent design and overall aesthetically pleasing environment.

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

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December 3, 2003 City Council Meeting

The proposed development will be subject to the Department of Building and Safety requirements for all necessary building permits and inspections, in addition to regular inspections for licensing; therefore, the development will not compromise the public health, safety or welfare if approved.

NOTICES MAILED 69 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3108 APN: 163-04-514-004

Name of Property Owner: BUFFALO PADS LLC

Name of Applicant: PETER PAPA

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: _____

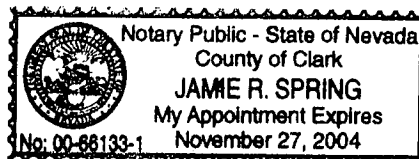
Signature of Property Owner/Authorized Agent:

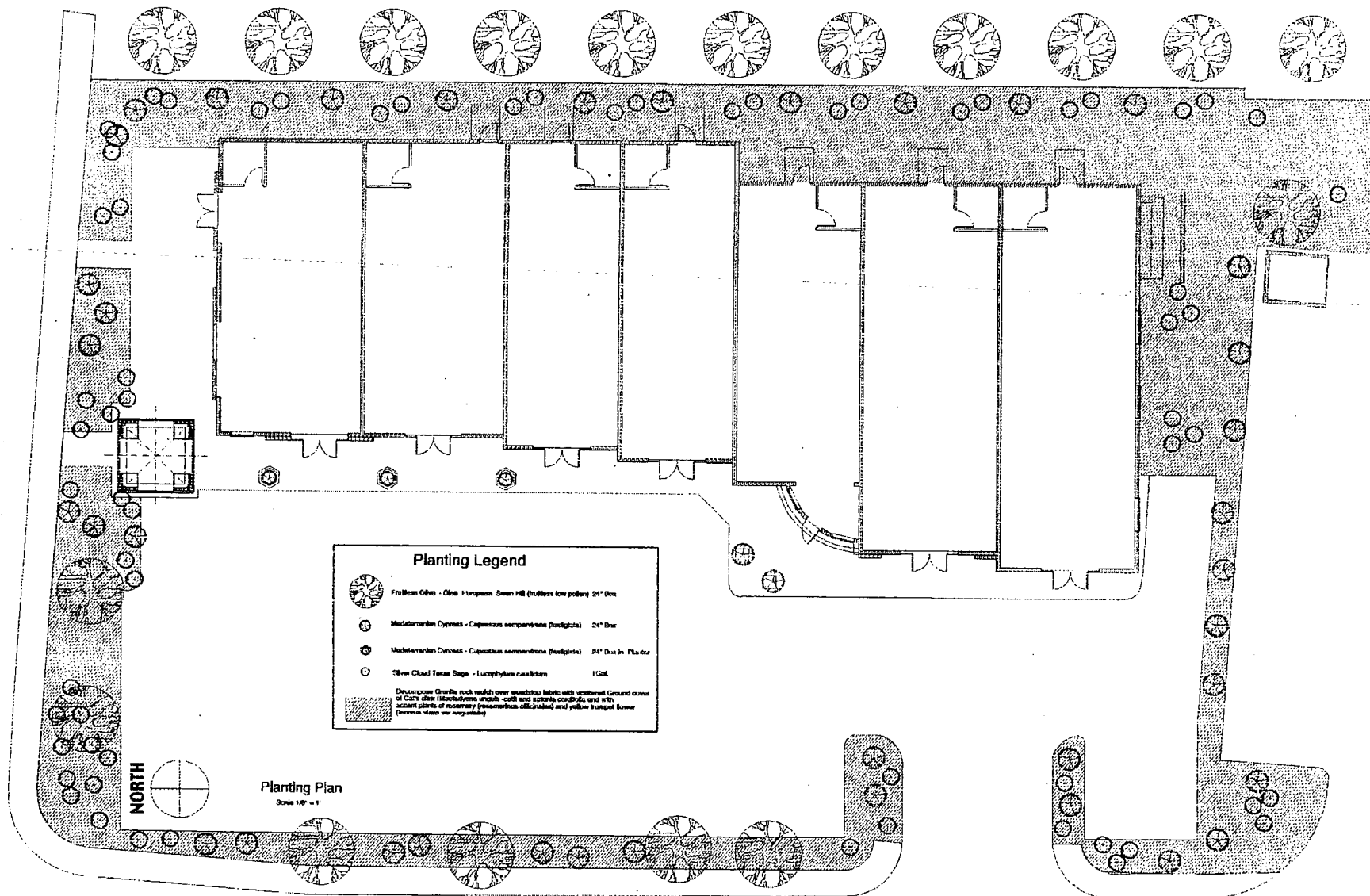
Print Name:

Subscribed and sworn before me

This 17th day of Sept., 2003

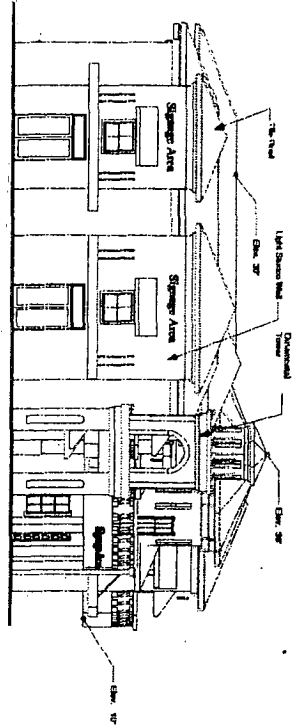
Notary Public in and for said County and State



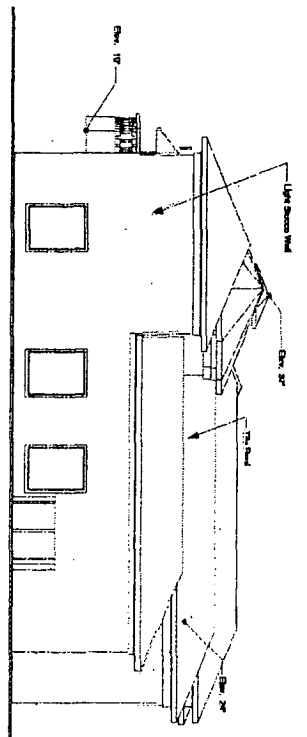


SDR-3108
11-06-03 PC

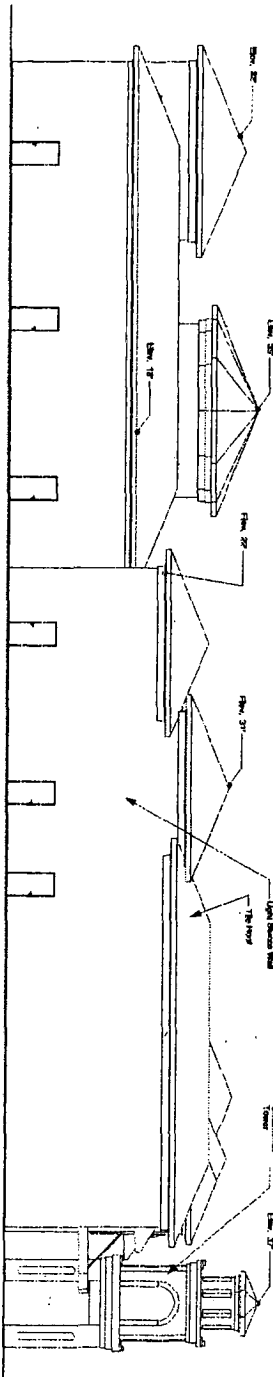
Lou Christian Argand Isle APN 183-04-314-004 7881 West Charleston (at Buffalo), Las Vegas 89104		D. W. Strait, AIA Architecture & Planning 1211 171 W. Eureka Ave. Suite C Las Vegas, NV 89102 (702) 887-1384 FAX (702) 887-1389
Landscape Planting Plan		LS1



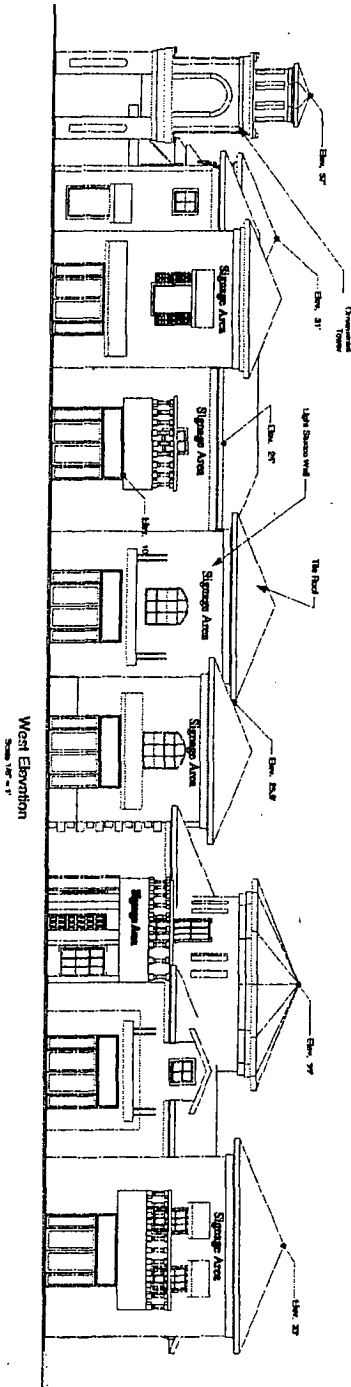
North Elevation
Scale 1/8" = 1'



South Elevation
Scale 1/8" = 1'



East Elevation
Scale 1/8" = 1'



West Elevation
Scale 1/8" = 1'

D. W. Strait, AIA
Architecture & Planning
P2111
101 W. Phoenix Ave. Suite C
No. Las Vegas, NV 89030
(702) 967-3880
FAX (702) 967-3830

Loa Christian Aegean Isle
APN 163-04-514-004
7881 West Charleston (@ Buffalo), Las Vegas
SHEET TITLE
Elevations

REV.	NO.	DESCRIPTION	DATE	BY

DATE: 2/20/03	DESIGNED: DWS
SCALE: 1/8" = 1'	CHECKED: DWS
PROJECT: 163-04-514-004	SHEET: A2

SDR-3108

11-06-03 PC

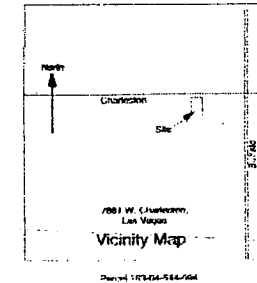
Lou Christian Aegean Isle

Design Review and Waivers Application

APN 163-04-514-004

7881 West Charleston (@ Buffalo), Las Vegas

Applicant: Peter Papas - Tel. (702) 256-1825



D. W. Strait, AIA
Architecture & Planning

101 W. Zerkow Ave. Suite C,
No. Las Vegas, NV 89030
(702) 337-6841
Fax (702) 337-6038

Lou Christian Aegean Isle
APN 153-04-514-004
7881 West Charleston (@ Buffalo), Las Vegas

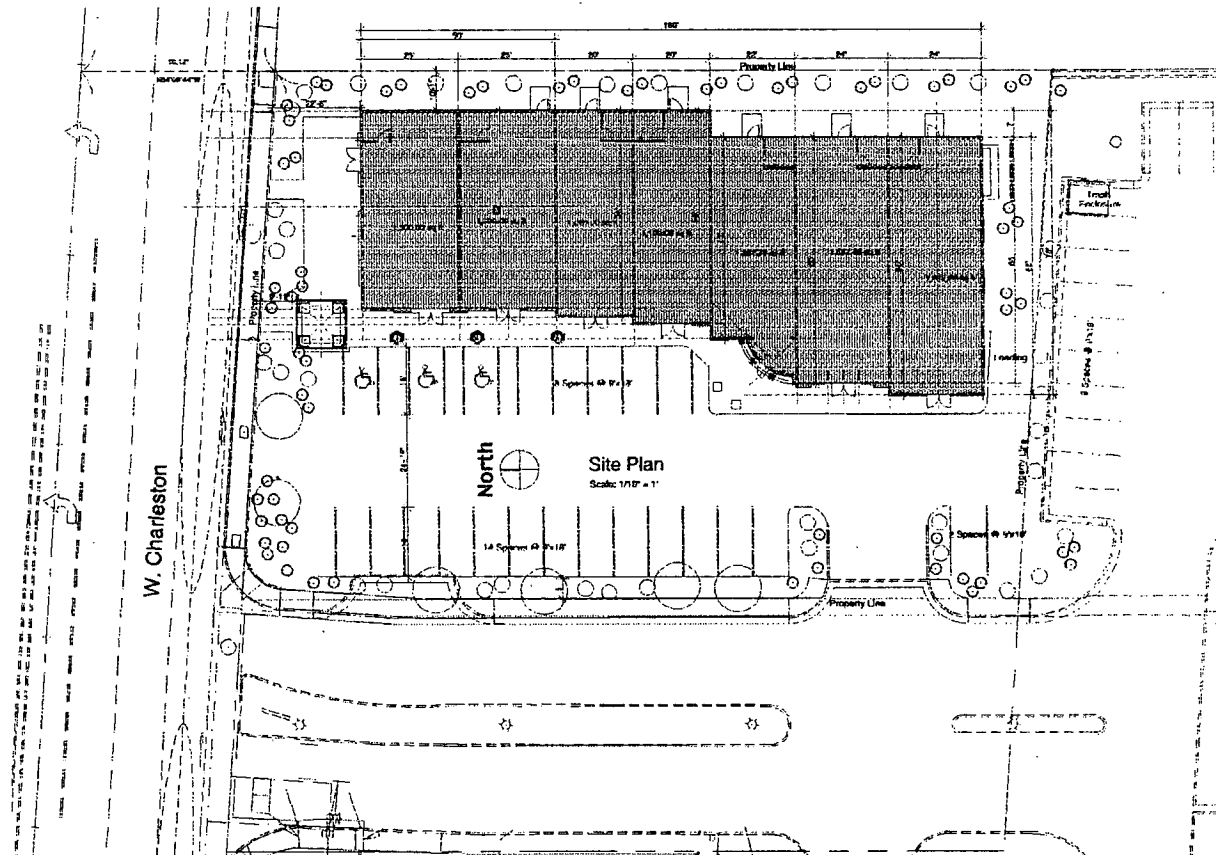
Site Plan

CITY COUNCIL MEETING OF DECEMBER 3, 2003

PAGE

1024

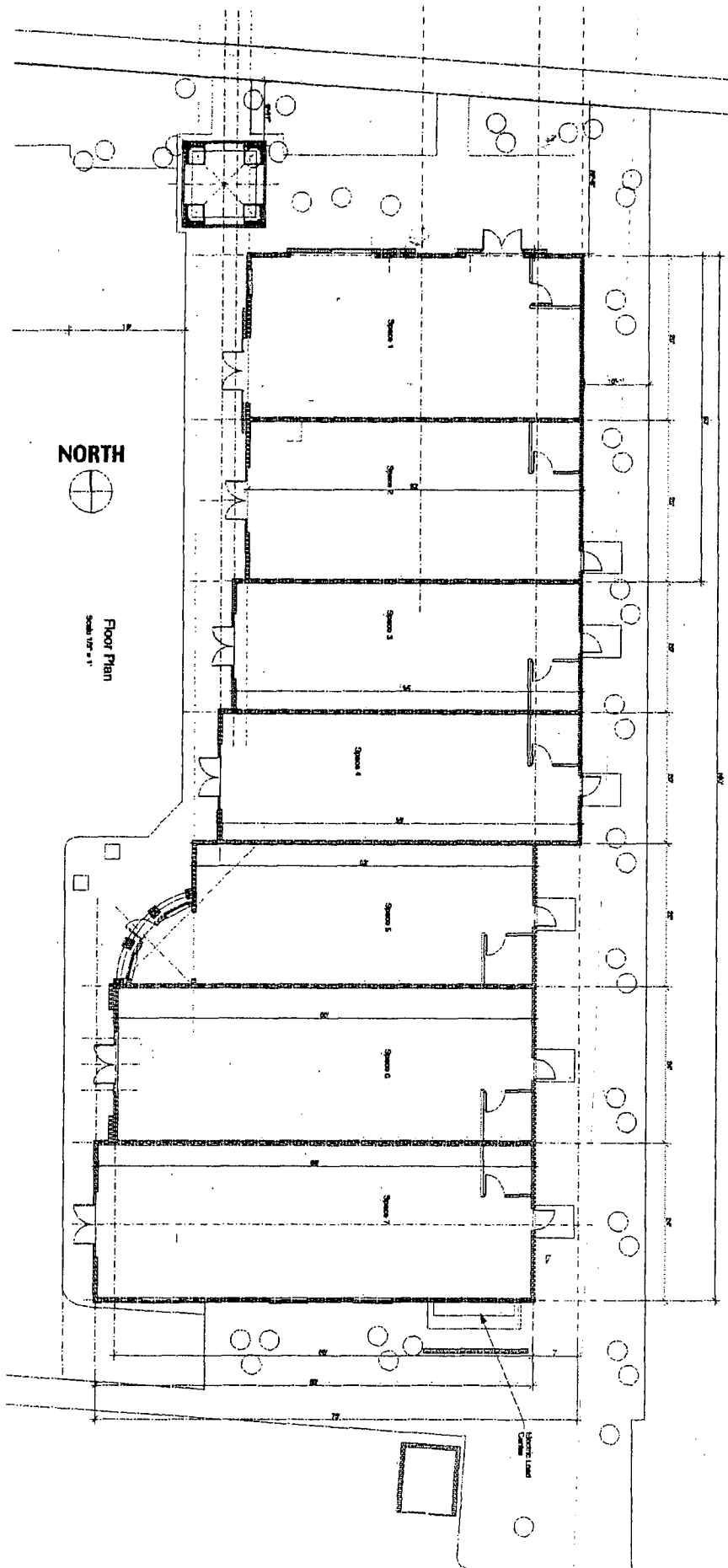
Parking Analysis

[illegible]

SDR-3108
11-06-03 PC

DATE: 12/10/11
JOB # 123
SCALE:
DRAWN:
DESIGNED:
CHECKED:
SHEET 1

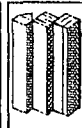
A1



Floor Plan
Scale 1/8" = 1"

SDR--3108

11-06-03 PC

DATE: 11/06/03 SCALE: 1/8" = 1" DRAWN BY: [blank] CHECKED BY: [blank] SHEET: 1		REV. NO. DESCRIPTION DATE BY _____ _____ _____	Lon Christian Aegean Isle APN 153-04-514-004 7881 West Charleston (@ Buffalo), Las Vegas SHEET TITLE Floor Plan	 D. W. Strait, AIA Architecture & Planning #2541 101 W. Brooks Ave., Suite C. No. Lee, Vegas, NV 89030 (702) 857-2864 FAX (702) 857-2558
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City of Las Vegas

Agenda Item No. 108

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3132 - ANTHONY L. POLLARD FOUNDATION ON BEHALF OF ANTHONY & DIANE POLLARD -
 Request for a Site Development Plan Review FOR A PRIVATE SCHOOL, PRIMARY on 1.34 acres adjacent to the northwest corner of Lake Mead Boulevard and La Salle Street (APN:139-21-612-053 thru 055 and 139-21-612-074 thru 079), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with COUNCILMAN WEEKLY abstaining due to a personal relationship with the POLLARDS and MACK excused

NOTE: MAYOR GOODMAN disclosed that the POLLARDS are friends of his and send their children to the Meadows School, where MAYOR GOODMAN'S wife is the President, but he does not believe that will affect his ability to vote on this matter.

COUNCILWOMAN McDONALD disclosed that she was in Alpha Kappa Alpha Sorority with MRS. POLLARD but this will not affect her judgment on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MELVIN GREEN, Melvin Green Architect Limited, 3305 West Spring Mountain Road, Suite 92, was present with the applicant and concurred with conditions.

City of Las Vegas

Agenda Item No. 108

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Planning and Development Department
 Item 108 – SDR-3132

MINUTES - Continued:

BEATRICE TURNER, 1300 Ralston Drive, supported the project and verified with MR. GREEN that the school will be located across from the Andre Agassi building and the library.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:48 – 2:51)

4-3377

CONDITIONS:

Planning and Development

1. Pursuant to LVMC 19.04.040, adequate pick-up and drop-off areas shall be provided on-site.
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. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff 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.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the addition of required perimeter landscaping along the east property line on the northern portion of the site.
6. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict wall and sign elevations.

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 108 – SDR-3132

CONDITIONS - Continued:

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. 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.
14. 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.
15. 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.

City of Las Vegas

Agenda Item No. 108

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Planning and Development Department
 Item 108 – SDR-3132

CONDITIONS - Continued:

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

Public Works

17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary for this Site Development Review; if such map is required it should record prior to the issuance of any building permits for this site.
18. Dedicate a 15-foot radius on the southwest corner of Hart Avenue and LaSalle Street and dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of LaSalle Street and Lake Mead Boulevard prior to the issuance of any permits.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. Landscape and maintain all unimproved rights-of-way on Hart Avenue and LaSalle Street adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hart Avenue, LaSalle Street public rights-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall

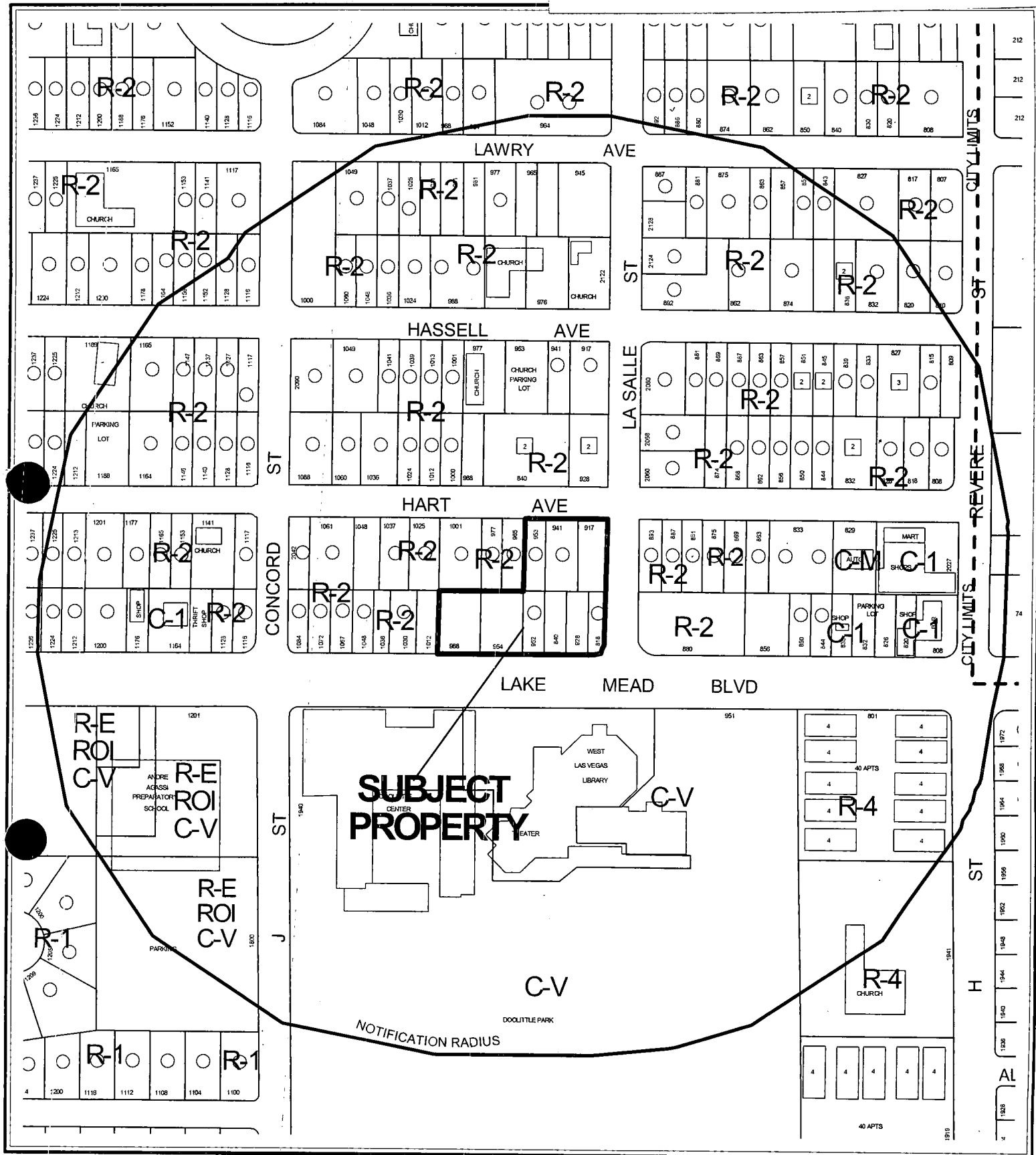
CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 108 SDR-3132

CONDITIONS - Continued:

be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

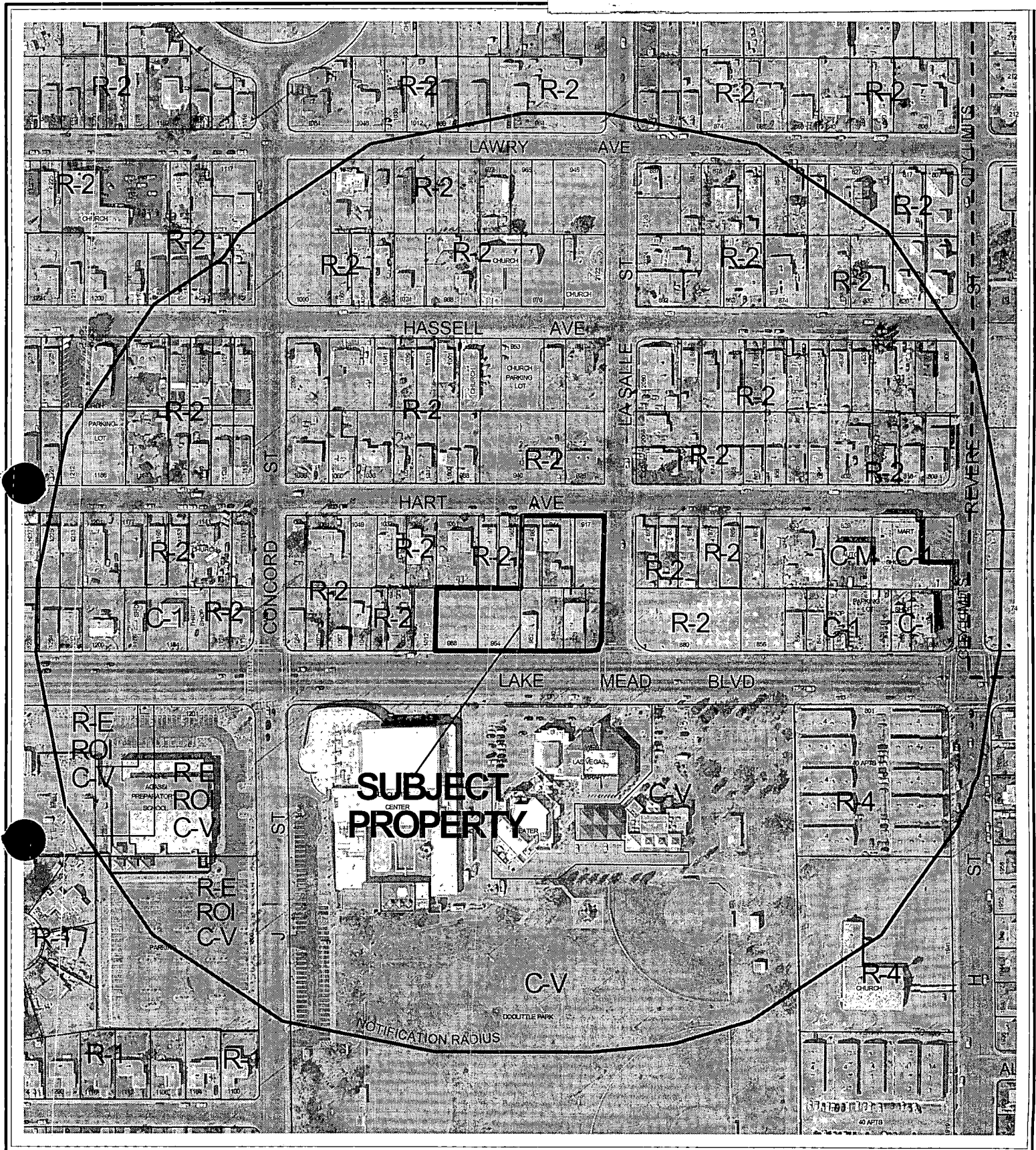
Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

24. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

CASE: **SDR-3132**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)



CASE: **SDR-3132**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3132 - ANTHONY L. POLLARD FOUNDATION ON BEHALF OF ANTHONY & DIANE POLLARD

**** CONDITIONS ****

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

Planning and Development

1. Pursuant to LVMC 19.04.040, adequate pick-up and drop-off areas shall be provided on-site.
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. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff 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.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the addition of required perimeter landscaping along the east property line on the northern portion of the site.
6. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict wall and sign elevations.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

SDR-3132 - Conditions Page Two
December 3, 2003 City Council Meeting

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. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. 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.
14. 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.
15. 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.
16. All City Code requirements and design standards of all City departments must be satisfied

Public Works

17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary for this Site Development Review; if such map is required it should record prior to the issuance of any building permits for this site.
18. Dedicate a 15-foot radius on the southwest corner of Hart Avenue and LaSalle Street and dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of LaSalle Street and Lake Mead Boulevard prior to the issuance of any permits.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. Landscape and maintain all unimproved rights-of-way on Hart Avenue and LaSalle Street adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hart Avenue, LaSalle Street public rights-of-way adjacent to this site prior to occupancy of this site.

SDR-3132 - Conditions Page Three
December 3, 2003 City Council Meeting

22. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
24. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

SDR-3132 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for Site Development Plan Review for a Private School, Primary on 1.5 acres adjacent to the northwest corner of Lake Mead Boulevard and La Salle Street.

B) *Applicant's Justification*

The proposed school is compatible with surrounding uses, and will comply with all design standards. In addition, the school is designed to assist at-risk children attain a superior education in a culturally supportive environment.

BACKGROUND INFORMATION

A) *Previous Actions*

10/01/03 The City Council approved a General Plan Amendment request (GPA-2497) to update the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan. The Planning Commission recommended approval on July 24, 2003.

11/06/03 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #46).

B) *Pre-Application Meeting*

A pre-application meeting was held on September 9, 2003 and a number of issues were discussed including Residential Adjacency Standards, redesign of the drop-off area, the possibility of a map revision, and the need for a separate landscape plan.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for Site Development Plan Review applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.5

SDR-3132 - Staff Report Page Two
December 3, 2003 City Council Meeting

B) Existing Land Use

Subject Property: Single Family Residence
North: Single Family Residence
South: Civic - Library
East: Single Family Residence
West: Single Family Residence

C) Planned Land Use

Subject Property: DTR (Downtown Redevelopment) / MXU (Mixed Use); ML (Medium-Low Density Residential)
North: ML (Medium-Low Density Residential)
South: DTR (Downtown Redevelopment) / PF (Public Facilities)
East: ML (Medium-Low Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-2 (Medium-Low Density Residential) District
North: R-2 (Medium-Low Density Residential) District
South: C-V (Civic) District
East: R-2 (Medium-Low Density Residential) District
West: R-2 (Medium-Low Density Residential) District

E) General Plan Compliance

The site is located within the Southeast Sector of the General Plan with DTR (Downtown Redevelopment) / MXU (Mixed Use) and ML (Medium-Low Density Residential) land use designations. The existing R-2 (Medium-Low Density Residential) is in compliance with the General Plan. The proposed Private School, Primary is a Conditional Use in the R-2 zoning district.

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

The southern portion of the site is located within the Las Vegas Downtown Redevelopment Area.

SDR-3132 - Staff Report Page Three
December 3, 2003 City Council Meeting

PROJECT DESCRIPTION

The proposed development will consist of a Private School, Primary on 1.5 acres. The 12,048 square-foot school will be comprised of seven classrooms, and will initially serve Kindergarten, First and Second grades in a full day classroom environment. Access to the site will be from a drive off Lake Mead Boulevard. A total of 43 parking spaces are provided in addition to a loading and unloading area for students. A play area occupies the northern part of the site.

Building height varies between 15 and 24 feet, and the exterior consists of earthen colored split face concrete block and three-coat stucco. Perimeter landscaping consists of 6-foot wide planters along Lake Mead Boulevard, La Salle Street, and Hart Street, and the play area is landscaped with turf. The landscape plan does not indicate perimeter landscaping along the east property line on the northern part of the site, which results in a deficiency of five required trees.

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	6,500 Feet	65,310 Feet	Y
Min. Setbacks			
• Front	20 Feet	32 Feet	Y
• Side	5 Feet	60 Feet	Y
• Corner	5 Feet	6 Feet	Y
• Rear	20 Feet	39 Feet	Y
Max. Building Height	2 Stories / 35 Feet	24 Feet	Y

The project meets or exceeds all Title 19 requirements.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards apply to only the northern portion of the subject proposal, as the portion of the site fronting on to Lake Mead Boulevard is within the Las Vegas Redevelopment Plan boundary and is therefore exempt from Residential Adjacency Standards.

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December 3, 2003 City Council Meeting

The proposed school facility is adjacent to a residential zone along the west property line on the northern portion of the site which is not within the Las Vegas Redevelopment Plan boundary. The building height at this location is 20 feet, and the 3:1 Proximity Slope requires a minimum building setback of 60 feet. The proposed building is in compliance with the required slope, and therefore meets Residential Adjacency Standards.

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
Private School, Primary	12,000 SF.	20 for Staff / 2 Per Classroom	34	2	41	2

The proposed project meets or exceeds all Title 19 parking requirements.

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	6 Trees/Space	7 Trees	8 Trees
Buffer:			
• Min. Trees	1 Tree/ 30 Linear Feet along the north, east, and south property lines.	25 Trees	30 Trees
	1 Tree/ 20 Linear Feet along the west and north property lines.	14 Trees	9 Trees
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		Not Provided

The Landscape, Wall, and Buffer Standards require a 6-foot landscape buffer along the adjacent residential property along the east side of the site. The landscape plan does not indicate perimeter landscaping in this area, which results in a deficiency of five required trees. This deficiency will be addressed through a condition of approval.

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December 3, 2003 City Council Meeting

B) General Analysis and Discussion

- Zoning

A Private School, Primary is a Conditional Use within the R-2 (Medium-Low Density Residential) zoning district.

- Site Plan

The site plan depicts a 12,048 square-foot Private School, Primary on a 1.5-acre site. Access to the site is provided by a drive off Lake Mead Boulevard. A total of 43 parking spaces are provided in addition to a loading and unloading area for students. A play area occupies the northern part of the site.

- Waivers

No waivers are being requested with this application.

- Landscape Plan

The Landscape Plan depicts 6-foot wide planters along Lake Mead Boulevard, La Salle Street, Hart Street, and a portion of the east property line. The Landscape, Wall, and Buffer Standards require a 6-foot landscape buffer along the adjacent residential property along the east side of the site as well. The landscape plan does not indicate perimeter landscaping in this area, which results in a deficiency of five required trees as noted above. Parking area landscaping is adequate for the number of spaces provided.

- Elevation

The elevations depict varying building height between 15 and 24 feet, generally flat roofs, and an exterior facade of earthen colored split face concrete block and three-coat stucco.

- Floor Plan

The floor plan depicts seven primary school classrooms, two offices, a multi-purpose room, library, break room, kitchen, and bathrooms. The total building floor area is approximately 12,048 square feet.

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;"**

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The project is compatible with the General Plan land use designation and is located across the street from the existing West Las Vegas Library, Doolittle Center, and other community uses. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding 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 development is deficient in the perimeter landscaping provided. The Landscape, Wall, and Buffer Standards require a 6-foot landscape buffer along the east property line of the northern portion of the site. The landscape plan does not indicate perimeter landscaping in this area, which results in a deficiency of five required trees.

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

The proposed site access and circulation will not negatively impact adjacent roadways or neighborhood traffic. All traffic will access the site via a drive from Lake Mead Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

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

The building elevations and design characteristics of the proposed building are well-suited for a Private School and would be harmonious with the design of the surrounding residential and community uses.

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

The proposed Private School building will be subject to the provisions of the Uniform Building Code; therefore, the use will not compromise the public health, safety, and welfare.

NOTICES MAILED 116 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3132 APN: _____

Name of Property Owner: Diane & Anthony Pollard

Name of Applicant: Anthony L. Pollard Foundation

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: _____

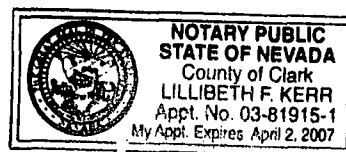
Print Name: _____

Diane Pollard

Subscribed and sworn before me

This 9th day of SEPTEMBER, 2003

Lillibeth F. Kern
Notary Public in and for said County and State

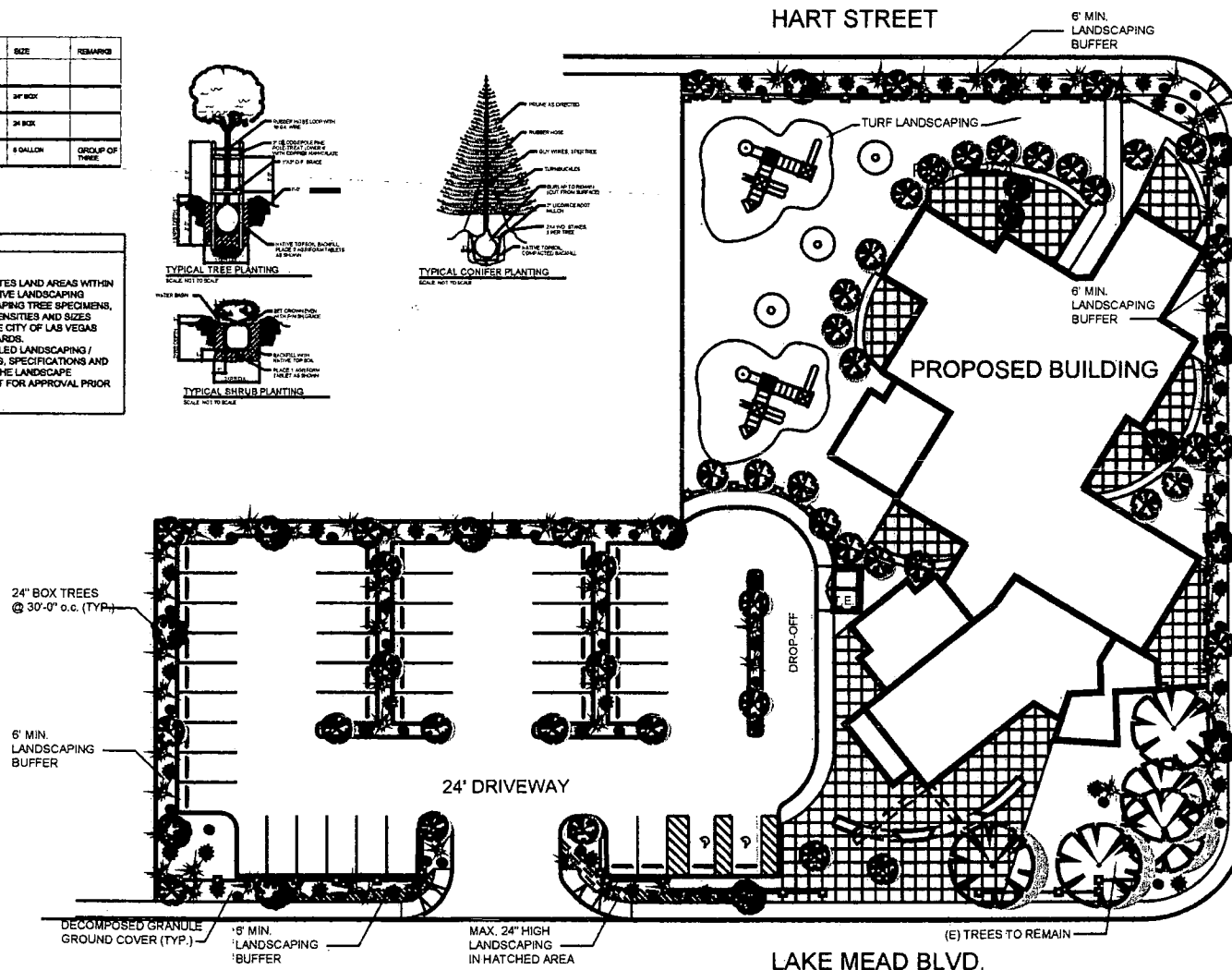
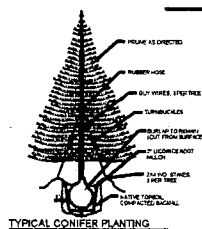
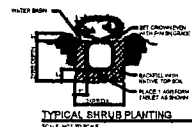
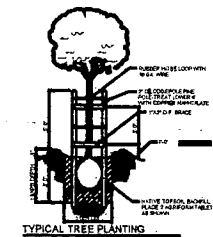


LANDSCAPING

LANDSCAPE / IRRIGATION NOTES:

THE CONCEPTUAL LANDSCAPING INDICATES LAND AREAS WITHIN THE PROJECT LIMITS THAT ARE TO RECEIVE LANDSCAPING AND IRRIGATION SYSTEMS. ALL LANDSCAPING TREE SPECIMENS, SHRUBS, GROUND-COVER, INCLUDING DENSITIES AND SIZES SHALL BE IN FULL COMPLIANCE WITH THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS.

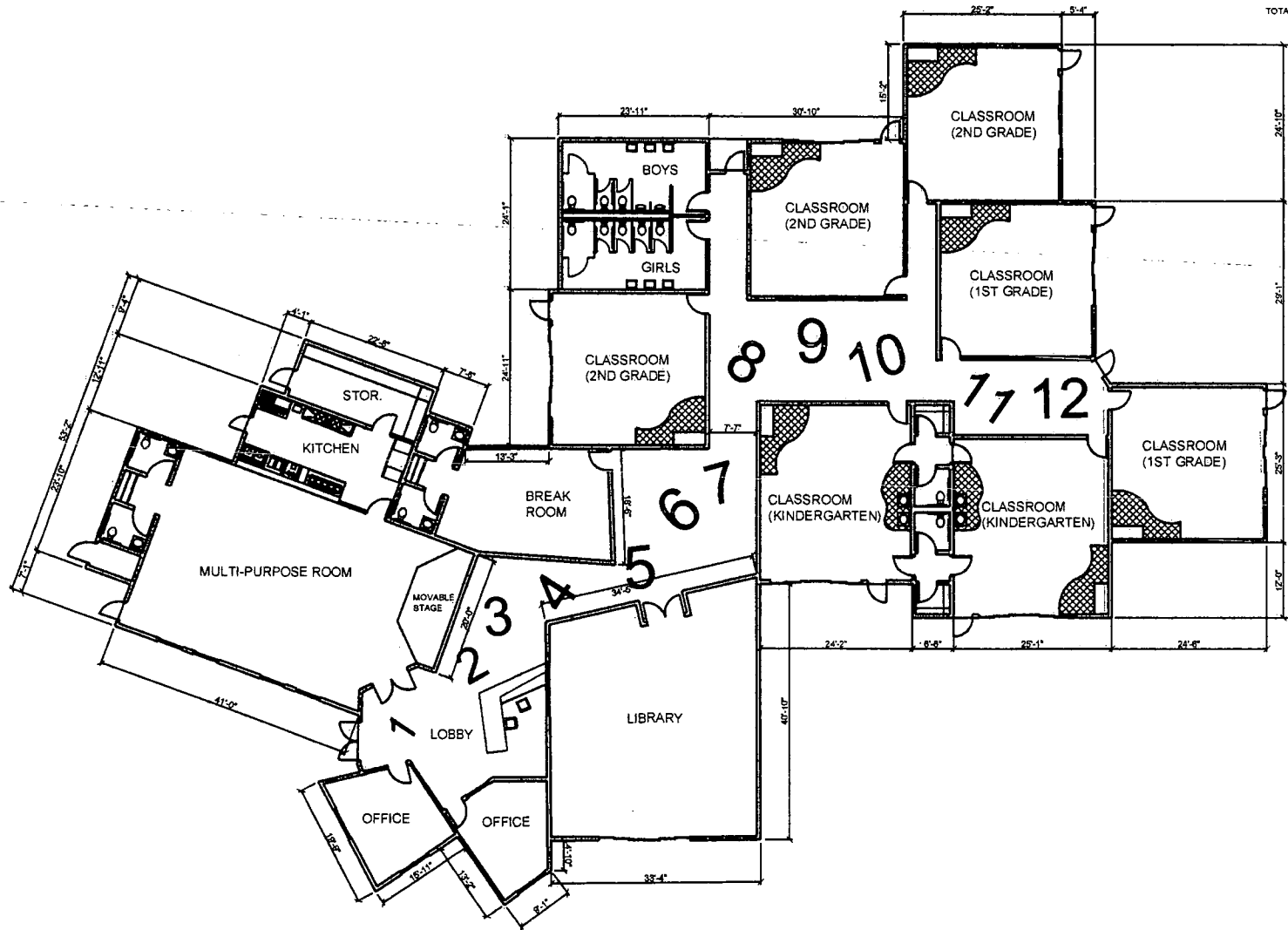
THE OWNER SHALL SUBMIT FULLY-DETAILED LANDSCAPING / IRRIGATION CONSTRUCTION DOCUMENTS, SPECIFICATIONS AND LANDSCAPING PALETTE, PREPARED BY THE LANDSCAPE ARCHITECT, TO A BUILDING DEPARTMENT FOR APPROVAL PRIOR TO INSTALLATION.



OVERALL LANDSCAPE PLAN
SCALE: 1/16" = 1'-0"

SDR-3132
11-06-03 PC
REVISED 10-20-03

DATE: 08-23-00 SCALE: 1" = 80'-0" DRAWN: MORTON/B FOR NO: 1001		PROJECT: ACADEMY OF AFRICAN AMERICAN STUDIES CORNER OF LAKE MEAD BLVD. AND LASALLE STREET LAS VEGAS, NEVADA	SHEET TYPE: OVERALL LANDSCAPE PLAN
SHEET L1.01		OF SHEETS	

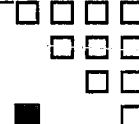


TOTAL OCCUPANCY CUMULATIVE = 404

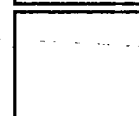
CONCEPTUAL FLOOR PLAN
1/8" = 1'-0"



SDR-3132
11-06-03 PC
REVISED 10-20-03



REVISION	BY

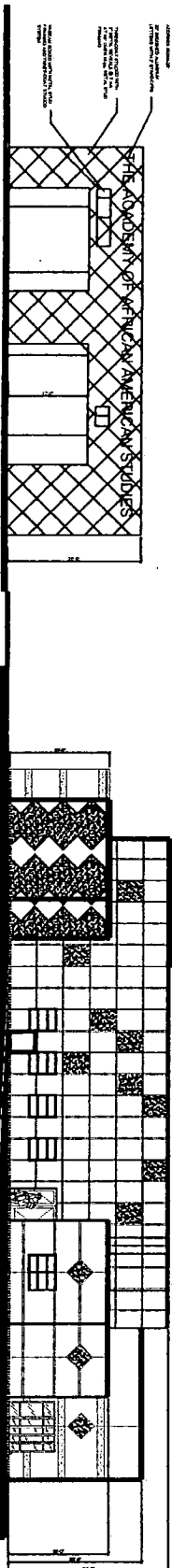
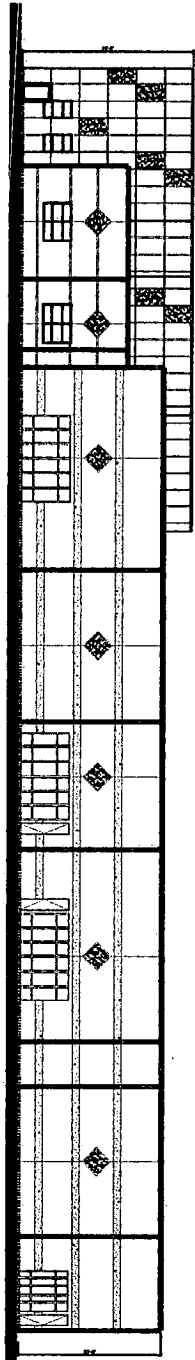
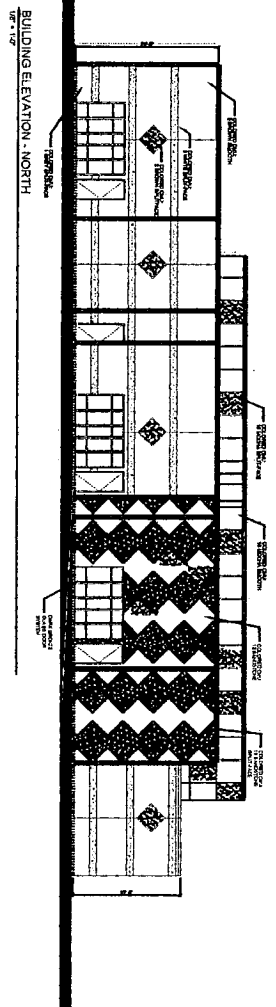


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PROJECT: ACADEMY OF AFRICAN AMERICAN STUDIES
CORNER OF LAKE MEAD BLVD. AND
LASALLE STREET
LAS VEGAS, NEVADA
SHEET TITLE: CONCEPTUAL FLOOR PLAN

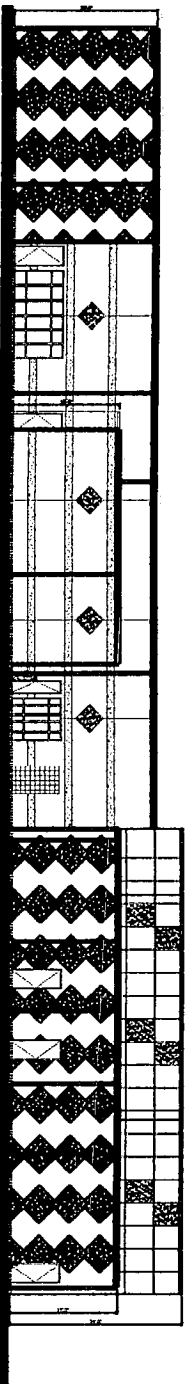
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DRAWN: MORGAN
JOB NO: 001

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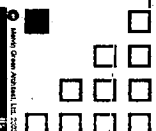


CURVED FRONT ELEVATION - SOUTH

BUILDING ELEVATION - SOUTH



BUILDING ELEVATION - WEST



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ARCHITECTURAL, INTERIOR, AND LANDSCAPE ARCHITECTURE
3000 W. Spring Mountain Rd., Suite 102 • Las Vegas, NV 89102 • (702) 362-8874
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PROJECT: ACADEMY OF AFRICAN AMERICAN STUDIES
CORNER OF LAKE MEAD BLVD. AND
LASALLE STREET
LAS VEGAS, NEVADA
SHEET TITLE:
CONCEPTUAL BUILDING ELEVATIONS

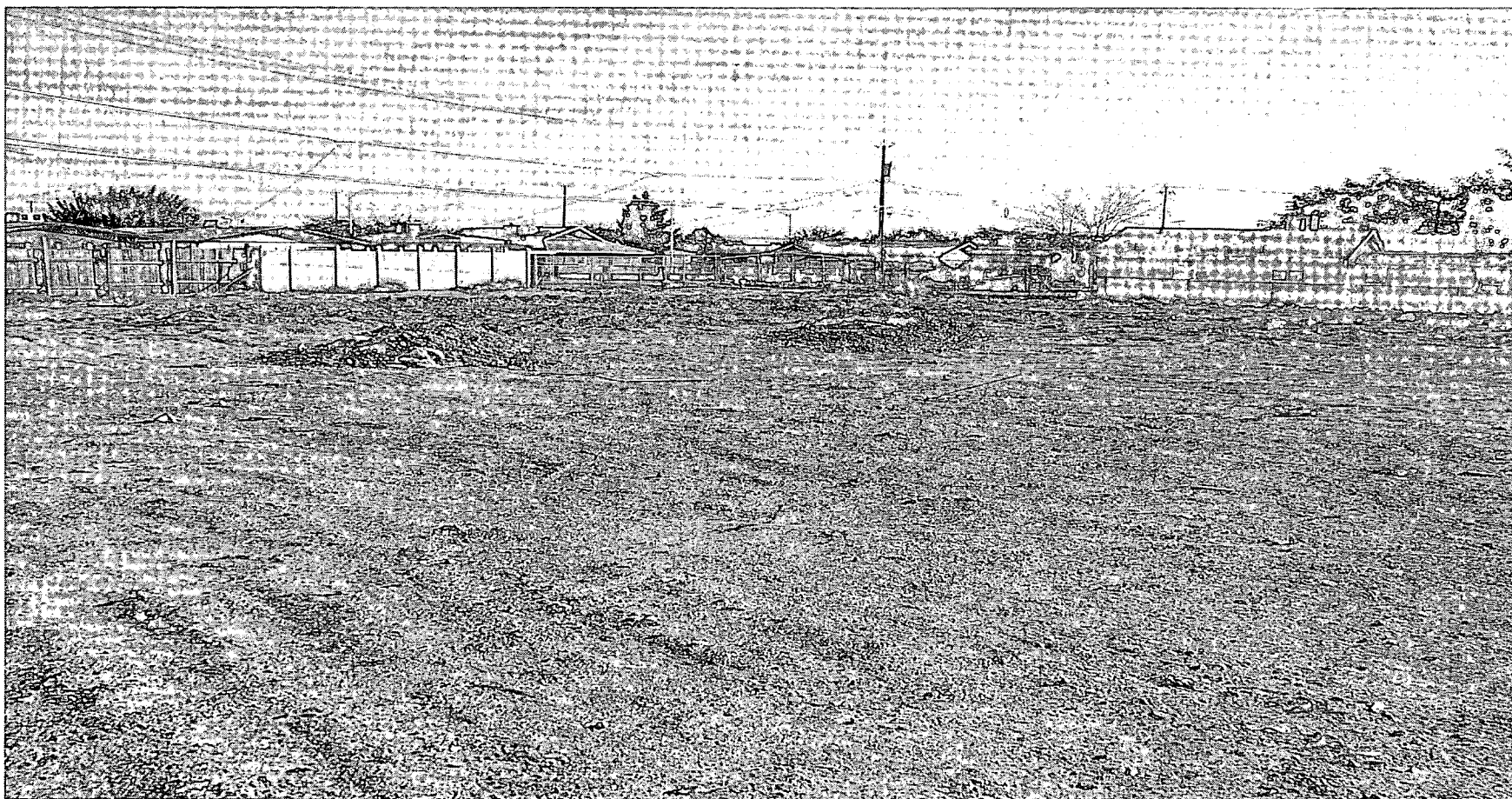
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DRAWN BY: SDR
CHECKED BY: SDR
JOB NO.: 001

SHEET
A6.01
OF SHEETS

SDR-3132

11-06-03 PC

REVISED 10-20-03



SDR-3132 - ANTHONY L. POLLARD FOUNDATION ON BEHALF OF ANTHONY & DIANE POLLARD
NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND LA SALLE STREET
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

City of Las Vegas

Agenda Item No. 109

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MASTER SIGN PLAN - PUBLIC HEARING - MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY, ET AL - Request for a Master Sign Plan for Great American Plaza adjacent to the northwest corner of Sahara Avenue and Tomsik Street (APN: 163-04-416-002 through 008), U (Undeveloped) Zone [SC (Service Commercial) and O (Office) General Plan Designations] under Resolution of Intent to C-1 (Limited Commercial) and O (Office) Zones, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – 13 revised diagrams from Planning & Development

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PATTI SKOGLUND, Superior Electrical Advertising, 1700 West Anaheim Street, Long Beach, CA 90813, appeared on behalf of the applicant, Great American Capital. Revised drawings were submitted reflecting the required changes requested by the Planning Commission. She concurred with conditions.

No one appeared in opposition.

City of Las Vegas

Agenda Item No. 109

CITY COUNCIL MEETING OF DECEMBER 3, 2003
 Planning and Development Department
 Item 109 – MSP-3063

MINUTES - Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:51 – 2:53)

4-3535

CONDITIONS:

Planning and Development

1. All signage shall have proper permits obtained through the Building and Safety Department.
2. Conformance to the sign criteria, sign elevations, and building elevations as submitted, except as amended by conditions herein.
3. Prior to the issuance of a building permit for signage on this property, the applicant shall submit a revised plan for review and approval by the Planning and Development Department detailing the illumination of all signs, including window signs; and replacing the Type "B" sign on the corner with a Type "A" sign, having a maximum sign area of 75 square feet.
4. Flags on the parcel adjacent to the corner of Sahara Avenue and Tomsik Street shall be limited to one governmental flag and one private flag.
5. Signage on either of the two corner pad sites will require a minor amendment to this Master Sign Plan.
6. Any additional modifications to the Master Sign Plan shall require approval in accordance with Title 19.14.130.
7. No temporary signage shall be allowed on the site without the approval of a Temporary Sign Permit from the Planning and Development Department.
8. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

9. Site development to comply with all applicable conditions of approval for the Great American Plaza (Commercial Subdivision) and all other subsequent site-related actions.

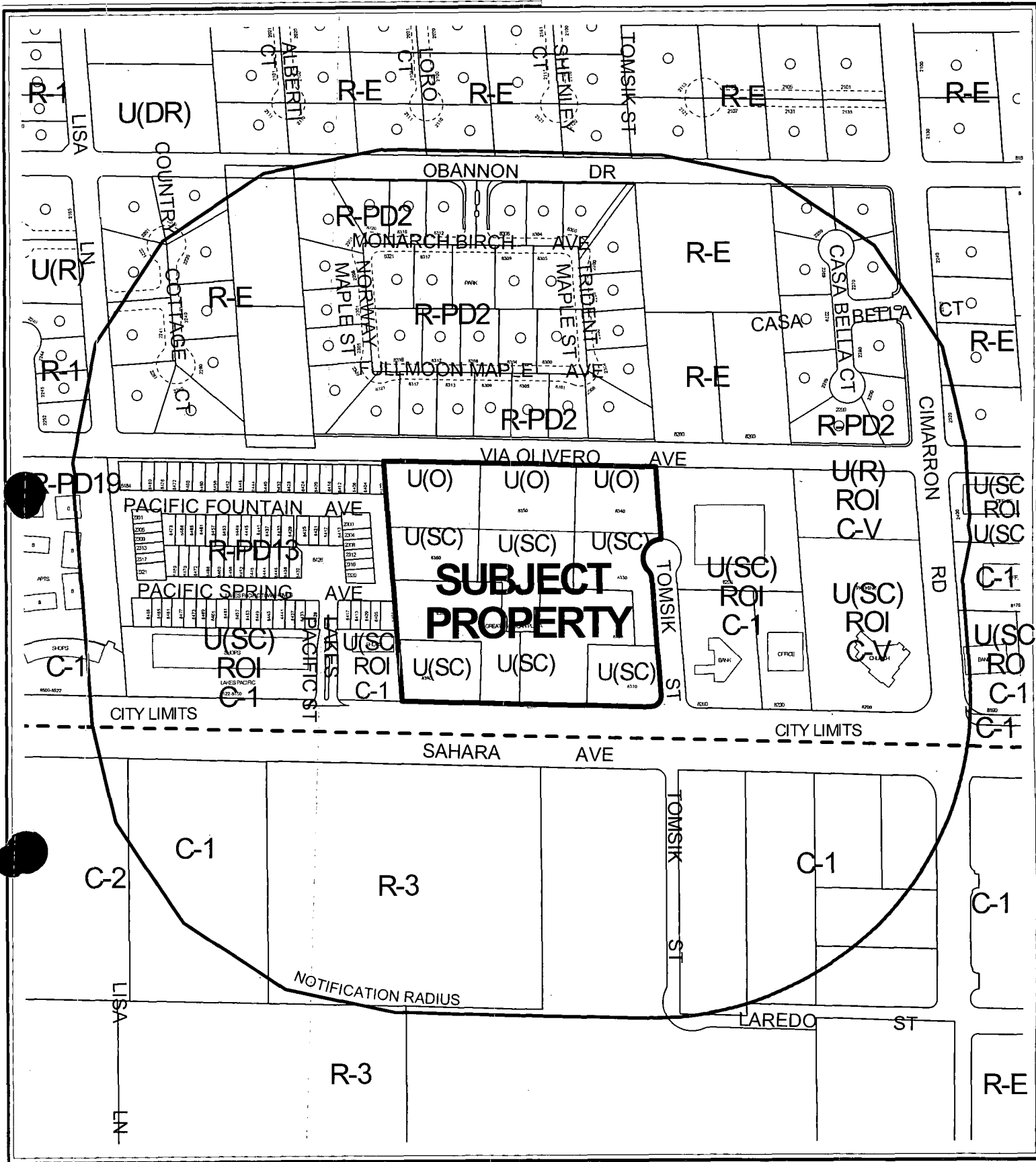
City of Las Vegas

Agenda Item No. 109

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 109 - MSP-3063

CONDITIONS - Continued:

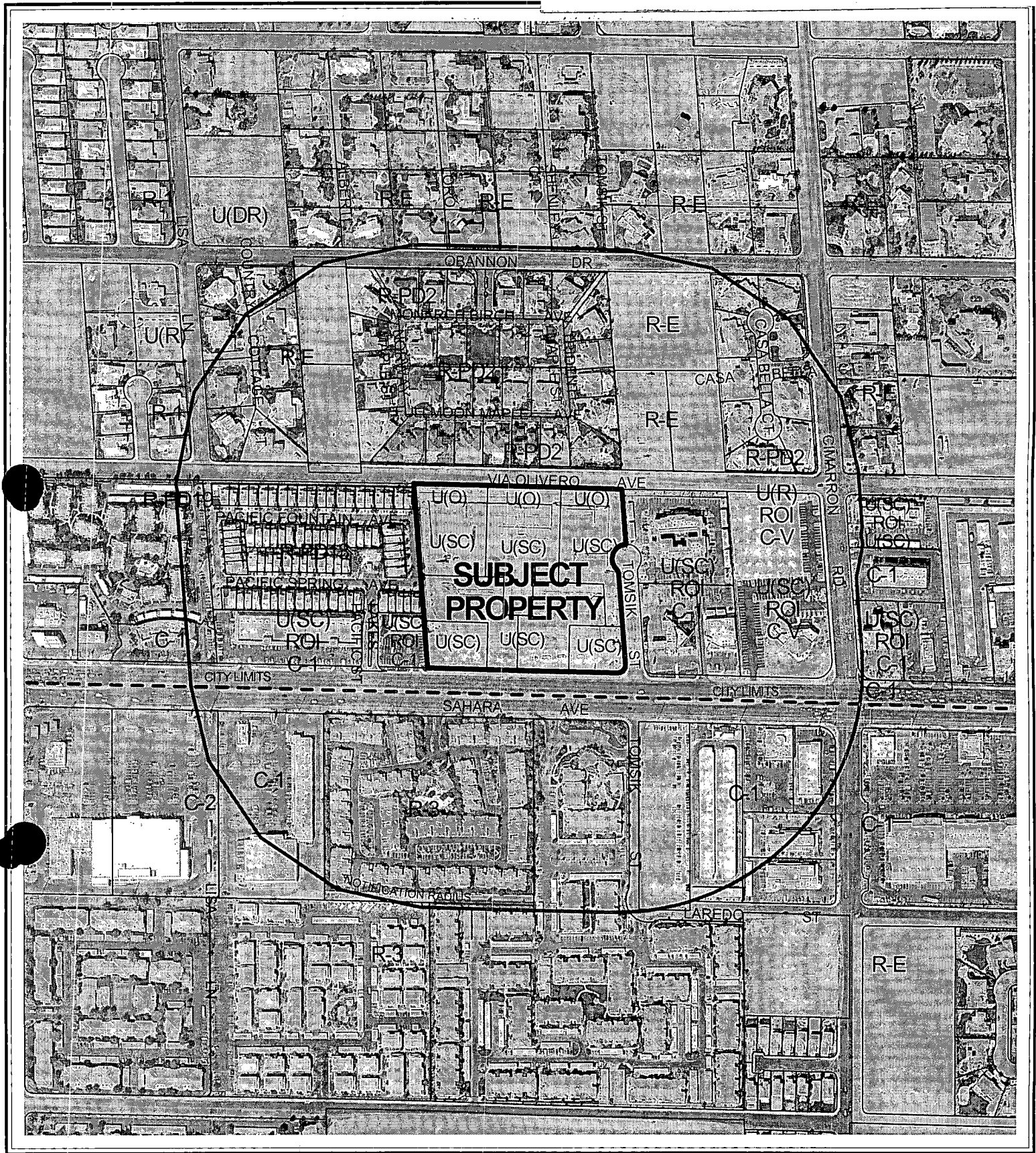
10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: MSP-3063

RADIUS: 750 FT

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



CASE: MSP-3063

RADIUS: 750 FT

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

0 400 800 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON
BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY, ET AL**

**** CONDITIONS ****

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

Planning and Development

1. All signage shall have proper permits obtained through the Building and Safety Department.
2. Conformance to the sign criteria, sign elevations, and building elevations as submitted, except as amended by conditions herein.
3. Prior to the issuance of a building permit for signage on this property, the applicant shall submit a revised plan for review and approval by the Planning and Development Department detailing the illumination of all signs, including window signs; and replacing the Type "B" sign on the corner with a Type "A" sign, having a maximum sign area of 75 square feet.
4. Flags on the parcel adjacent to the corner of Sahara Avenue and Tomsik Street shall be limited to one governmental flag and one private flag.
5. Signage on either of the two corner pad sites will require a minor amendment to this Master Sign Plan.
6. Any additional modifications to the Master Sign Plan shall require approval in accordance with Title 19.14.130.
7. No temporary signage shall be allowed on the site without the approval of a Temporary Sign Permit from the Planning and Development Department.
8. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

9. Site development to comply with all applicable conditions of approval for the Great American Plaza (Commercial Subdivision) and all other subsequent site-related actions.
10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

MSP-3063 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Master Sign Plan for a proposed office and retail complex (Great American Plaza) on 8.51 acres at 8300 West Sahara Avenue. The Plan, required as a condition of the Site Development Plan Review for the overall site [Z-0035-02(1)], will provide signage criteria for all proposed buildings onsite.

B) *Applicant's Justification*

The applicant justifies this application by stating that a Master Sign Plan is required on this site to comply with the City's policies.

BACKGROUND INFORMATION

A) *Previous Actions*

- 08/07/02 The City Council approved a request for a General Plan Amendment to amend a portion of the Southwest Sector of the General Plan (GPA-0013-02) from R (Rural) to O (Office) on the northern 200 feet of the subject site; a request for a Rezoning (Z-0035-02) from U (Undeveloped) Zone [SC (Service Commercial) and R (Rural) General Plan Designations] to C-1 (Limited Commercial) and O (Office) on the subject site; and a request for a Site Development Plan Review [Z-0035-02(1)] for a 103,133 square foot retail/office complex and a reduction in the amount of required parking lot landscaping on this site. The Planning Commission recommended approval on 07/11/02.
- 10/01/03 The City Council approved a Special Use Permit (SUP-2734) for Secondhand Sales (Clothing) at 8320 West Sahara Avenue, Suite 160, which is located on the overall site. The Planning Commission recommended approval on 08/28/03.
- 10/09/03 The Planning Commission voted to approve the applicant's request to withdraw without prejudice a Variance request (VAR-2930) to allow 488 parking spaces where 540 is the minimum number of required spaces. The applicant has revised the on-site parking area and the building footprints and square footage to eliminate the need for this Variance request.
- 10/29/03 The City Council will consider a Special Use Permit (SUP-2767) for a proposed Supper Club (Paymon's Café & Lounge) located at 8380 West Sahara Avenue, Suite 110, located on the overall site. The Planning Commission recommended approval on 09/11/03.

MSP-3063 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 11/06/03 The Planning Commission recommended approval of a Special Use Permit (SUP-2975) for a proposed Restaurant Service Bar (Sushi-Mon) located at 8320 West Sahara Avenue, Suite 180 and a waiver of the minimum distance separation requirements from protected uses.
- 11/06/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #43).

B) Pre-Application Meeting

- 08/28/03 The applicant was informed of minimum City signage requirements as a guideline to preparation of a master sign plan. A setback for all freestanding signs should be indicated within the plan. Elevations showing allowable signage areas should be provided for the office buildings.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property: Retail Commercial and Office
North: Single-Family Dwellings
South: Condominium and Apartment Dwellings (Clark County)
East: Retail Commercial and Bank
West: Retail Commercial and Town Homes

B) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
North: R-PD2 (Residential Planned Development – 2 Units per Acre)
South: R-3 (Multiple-Family Residential – Clark County)
East: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
West: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and R-PD13 (Residential Planned Development – 13 Units per Acre)

C) General Plan Compliance

This property is designated as SC (Service Commercial) and O (Office) on the Southwest Sector Plan Map of the General Plan. The O (Office) category provides for business, professional and financial offices, as well as offices for individuals, civic, social, and fraternal and other non-profit organizations. The SC (Service Commercial) category

MSP-3063 - Staff Report Page Three
December 3, 2003 City Council Meeting

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) and O (Office) zoning designations on the subject site are in conformance with the General Plan.

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

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 this application.

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

This master sign plan was required by Condition No. 9 of the Site Development Plan Review [Z-0035-02(1)] for the subject property in order to regulate signage on the site.

ANALYSIS

A) Zoning Code Compliance

This Master Sign Plan establishes criteria for the design and placement of signs within the 8.51-acre Great American Plaza development. The site includes three office buildings situated at the rear of the development, two speculative retail buildings, and two smaller pad sites located at each of the corners along Sahara Avenue.

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December 3, 2003 City Council Meeting

All signage locations are noted on the submitted site plan, including those for flag poles and real estate signs advertising space for lease on the property. Blank areas on the elevations indicate the location of and maximum area for wall signage.

A1) Residential Protection Standards

Proposed freestanding signs and flag poles will be located further than 200 feet from property to the west zoned for attached single-family residential use and will not be subject to Residential Protection Standards.

A2) Sign Standards

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

Freestanding Signs: [Type "B" – Project Identification Sign]

Standards	Allowed	Provided
Maximum Number (includes monument signs)	1 / 200 feet Street frontage 640 feet – Sahara Avenue 4 total 387 feet – Tomsik Street 2 total	4 total – Sahara 2 total - Tomsik
Maximum Area	2 SF / foot street frontage 1280 SF total - Sahara 774 SF total - Tomsik	928 SF total – Sahara 72 SF total - Tomsik
Maximum Height	40 Feet	40 Feet
Minimum Setback	5 Feet	5 Feet
Minimum Separation Distance Between Signs	100 Feet	Approx. 100 Feet
Illumination	Internal, External, Animated/Electronic message unit	Internal

Monument Signs: [Type "A" – Project Entry; Type "C" – Tenant ID]

Standards	Allowed	Provided
Maximum Area	75 SF /sign	36 SF
Maximum Height	10 Feet	8 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Internal/External/Animated and Electronic Message Unit	Internal

MSP-3063 - Staff Report Page Five
December 3, 2003 City Council Meeting

Wall Signs: [All building exteriors]

Standards	Allowed	Provided
Maximum Number	No limit	1 per storefront
Maximum Area	20 % of building elevation / 20 % of leased tenant area	Less than 20 % of building elevation or leased tenant area
Maximum Projection	2 Feet	4.5 inches
Illumination	Internal/External	Internal

Window Signs: [Tenant storefronts]

Standards	Allowed	Provided
Maximum Number	No limit	Varies per storefront
Maximum Area	25 % of all windows on elevation; combined wall and window signs not to exceed 20 % of building elevation	20 % of each pane
Illumination	Internal/External/Animated Electronic Message Unit	Internal only

Incidental Signs: [Type "D" – Directional; Type "H" – Regulatory]

Standards	Allowed	Provided
Maximum Number	No limit	As needed
Maximum Area	12 SF – directional No limit – non-directional	12 SF – directional 9 SF – non-directional
Maximum Height	7 Feet – directional 5 Feet – non-directional	7 Feet – directional 5 Feet – non-directional
Illumination	Internal/External	Internal/None

Real Estate Signs: [Type "J" – Real Estate]

Standards	Allowed	Provided
Maximum Number	1 per property for sale or lease per street frontage + 1 per additional 5 acres of parcel area	1 per property for sale or lease per street frontage + 1 per additional 5 acres of parcel area
Maximum Area	32 SF (unimproved lots) 64 SF (improved lots) Not to exceed 300 SF total for all signs	32 SF (unimproved lots) 64 SF (improved lots)
Maximum Height	18 Feet	18 Feet
Illumination	Not permitted	None

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December 3, 2003 City Council Meeting

Flag Poles: [Type "K" – Flag Poles]

Standards	Allowed	Provided
Maximum Number (flags)	4 unique governmental flags per parcel; 1 private flag per parcel	2 on corner parcel; type not indicated
Maximum Area	Flag – 60 SF	Flag – max. 60 SF
Maximum Height	40 Feet	40 Feet

The proposed signs will conform to the maximum number of signs permitted, height, area, setback, separation, and illumination requirements. The collective maximum area of the freestanding and monument signs indicated in the Master Sign Plan should not exceed the maximum allowed by Title 19 on each street frontage. A combination of one government flag and one private flag are allowed on the same parcel.

B) General Analysis and Discussion

The Master Sign Plan has been presented in conjunction with the development of the Great American Plaza office and retail complex. The stated purpose of the plan is to establish sign design standards and general guidelines in order to assure consistency in quality and produce a visually integrated development.

The proposed signs conform to the Las Vegas Zoning Code. The maximum number of freestanding signs (6) allowable by Code are provided, but the area displayed by these signs is much less than the maximum area allowed. All signs will be reviewed and approved in writing by the Landlord/Developer prior to submittal for review by the City of Las Vegas. Those signs not covered by the Master Sign Plan must also be approved by the Landlord/Developer and must conform to the provisions of the Las Vegas Zoning Code.

Two Type "B" or "Project Identification Signs" are indicated on the site plan. They are not intended to be identical in appearance, but instead are meant to allow signs with the same tenant signage areas, about 400 square feet each. The applicant has indicated that the easternmost Type "B" sign may change to a Type "A" monument sign showing the name of a single tenant. This would reduce the sign to a more natural scale and allow for greater visibility of the corner pad site.

The two corner pad sites depicted on the site plan are still in the planning stage and are subject to change. Elevations for these buildings were therefore not submitted. A revised Master Sign Plan showing wall sign elevations for the pads will be required when finalized plans become available.

NOTICES MAILED 351 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-3063** APN: _____

Name of Property Owner: Great American Plaza, LLC

Name of Applicant: _____

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

_____ Yes

_____ 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: _____

Great American Plaza, LLC
By Great American Homes, Inc., It's Manager

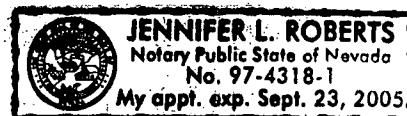
Signature of Property Owner/Authorized Agent: _____

Print Name: Noam Schwartz, Treasurer

Subscribed and sworn before me

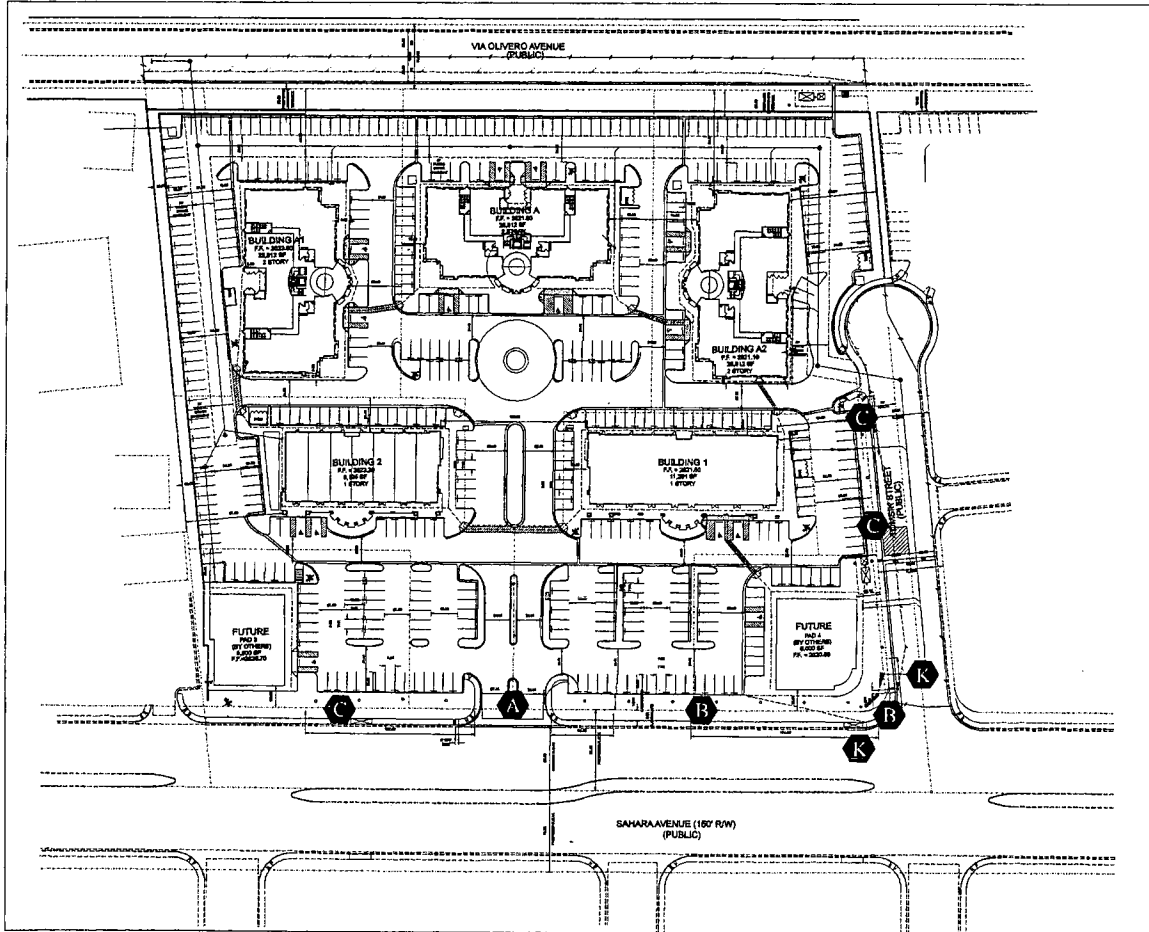
This 8th day of September, 2003

Jennifer L. Roberts
Notary Public in and for said County and State



Great American Plaza ~ Master Sign Program

560'-0" LINEAR FRONT FOOTAGE



SITE PLAN

Scale: 1" = 140'-0"

640'-0" LINEAR FRONT FOOTAGE

LEGEND

- A** Sign Type A - Project Entry Monument Sign
- B** Sign Type B - Project and Tenant Identification Sign
- C** Sign Type C - Monument Signs
- D** Sign Type D - Directional Signs
- E** Sign Type E - Tenant Primary Identification
- F** Sign Type F - Window Signs
- G** Sign Type G - Service Door Signs
- H** Sign Type H - Regulatory Signs
- I** Sign Type I - Address Numbers
- J** Sign Type J - Real Estate Signs
- K** Sign Type K - Flag Poles

Note:

Setback requirement on all freestanding signs to be a minimum of 5'-0" from property line.

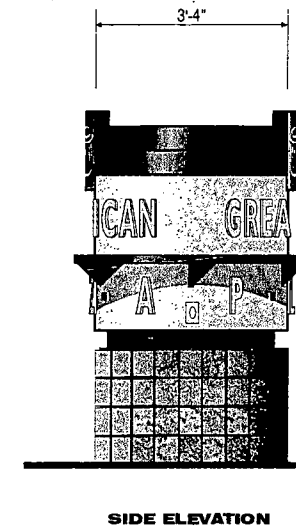
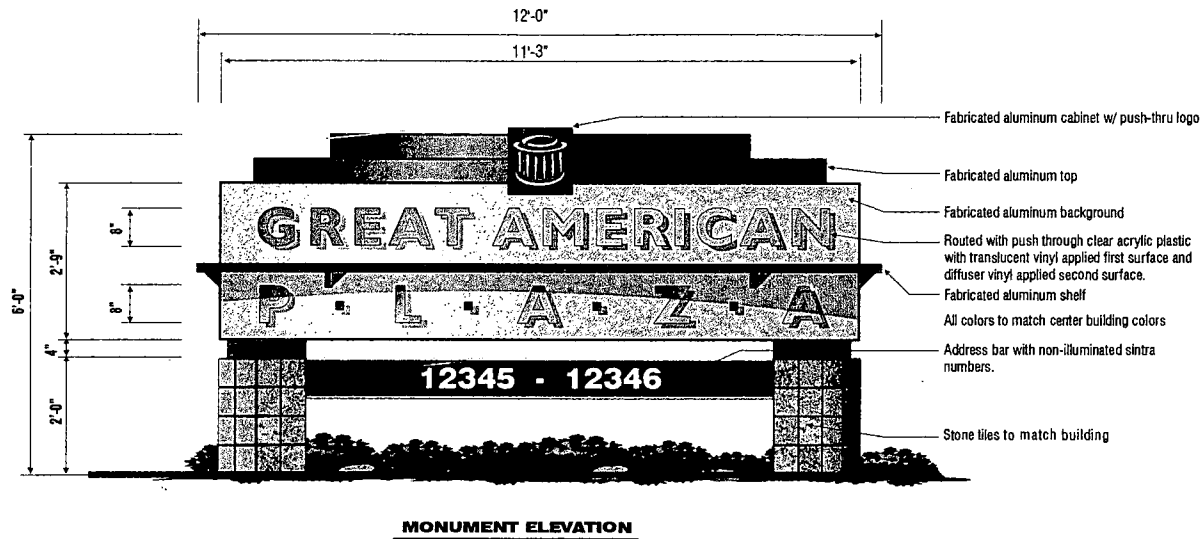
MSP-3063

11-06-03 PC

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Great American Plaza ~ Master Sign Program



Note:
Disconnect switch to be mounted
on the opposite side from the street.

A SIGN TYPE A (Project Entry Monument Sign)

Scale: 3/8" = 1'-0"

Quantity: One (1) Required

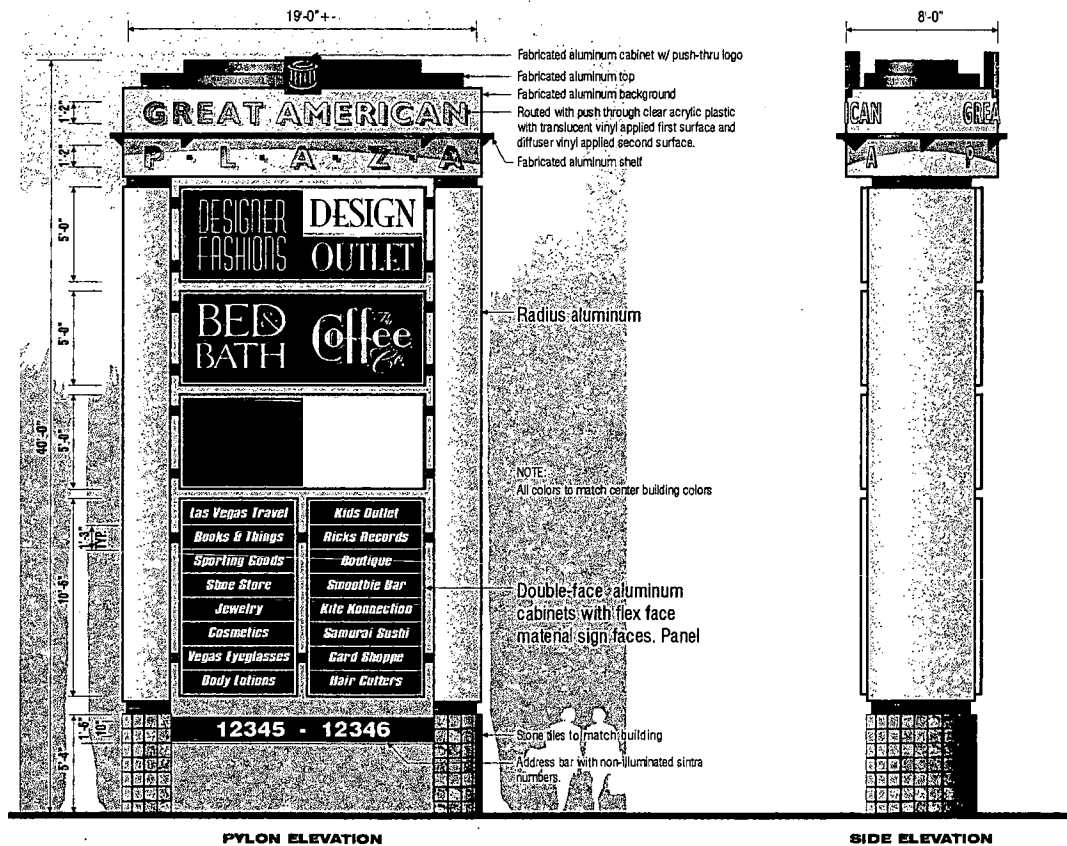
GENERAL SPECIFICATIONS

- Location: Sahara Driveway Entrance
- Maximum Number Allowed: One (1)
- Sign base: Constructed of stone tiles (matching project stone)
- Sign shall be custom fabricated from welded square tube aluminum frame.
- "Great American Plaza" copy to be routed out of sign face with acrylic push-thru letters and first surface translucent vinyl.
- Sign background shall be painted (color TBD in keeping with project colors to be provided) with a light stucco finish.
- Illumination shall be provided by T12 high output fluorescent lamps on centers for even lighting which shall be powered by 800 mA ballasts.
- All signage shall conform to all UL specifications and bear a UL label.
- Maximum size: 100 square feet

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Great American Plaza ~ Master Sign Program



GENERAL SPECIFICATIONS

- Location: Major Project Entries
- Maximum Number Allowed: One (1)
- Maximum Size: 350 square feet tenant area
- Sign base: Constructed from 12" x 12" stone tiles
- Sign shall be custom fabricated from aluminum square tube frame.
- Sign background shall be painted with a light stucco finish. "Great American Plaza" copy to-be routed out of sign face with 1/2" thick acrylic push-thru letters and first surface translucent vinyl
- Tenant panels Flexible face material with applied translucent vinyl copy and graphics. Letters can be reversed out from dark background.
- Illumination shall be provided by T12 high output fluorescent lamps on centers for even lighting which shall be powered by 800 mA ballasts or HID Lamps..
- All signage shall conform to all UL specifications and bear a UL label.

SIGN TYPE B (Project and Tenant Identification Sign)

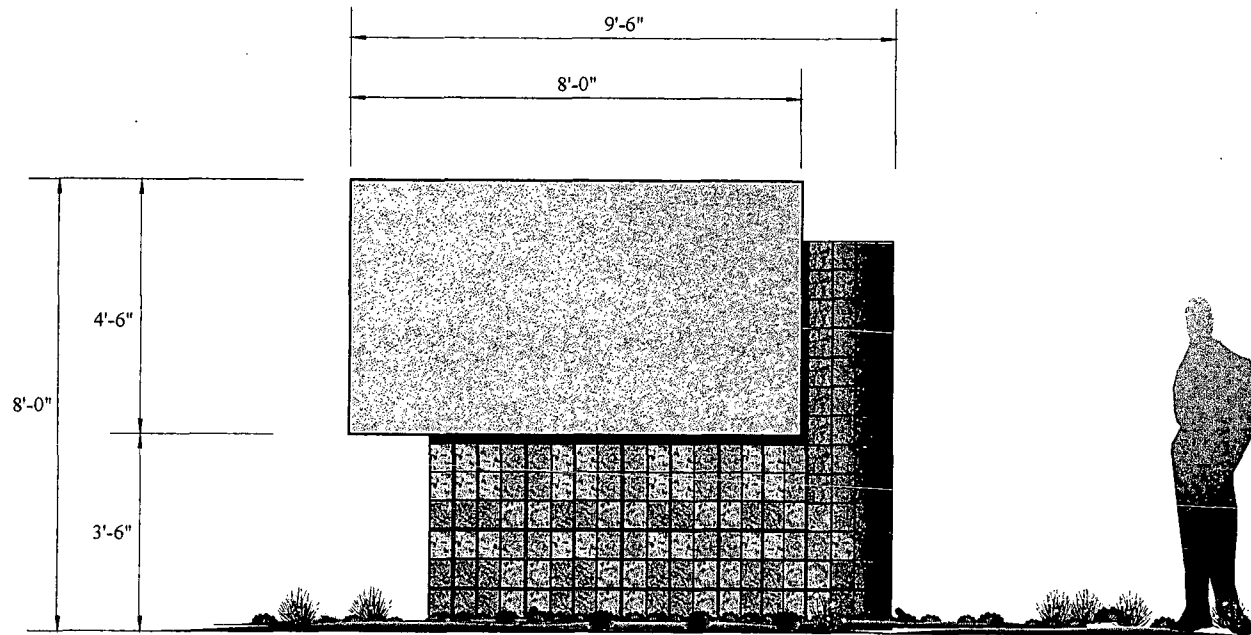
Scale: 1/8" = 1'-0"

Quantity: One (1) Required

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Great American Plaza ~ Master Sign Program



SIGN TYPE C (Tenant Monument Sign)

Scale: 3/8" = 1'-0"

Quantity: To be determined - based on site development

GENERAL SPECIFICATIONS

- Location: Street Frontage
- Sign base: Constructed from materials to match Project
- Sign cabinet: Custom fabricated interior illuminated sign cabinet.
- Maximum Sign Height: 8'-0" above lowest adjacent grade.
- Maximum Sign Area : 36 square feet
- Setback: 5'-0" minimum from property line.

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11-06-03 PC

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Diagram illustrating the dimensions and components of a single pole disconnect switch assembly:

- Dimensions:**
 - Top section height: 4"
 - Section below top: 1'-3"
 - Section below that: 2'-0"
 - Overall width: 3'-0"
- Labels:**
 - ENTRANCE** (with arrow pointing left)
 - COPY WILL VARY** (pointing to the top section)
 - SINGLE POLE U/L APPROVED DISCONNECT SWITCH** (pointing to the main switch assembly)
 - 6" x 6" TILE TO MATCH CENTER.** (pointing to the tiled base)

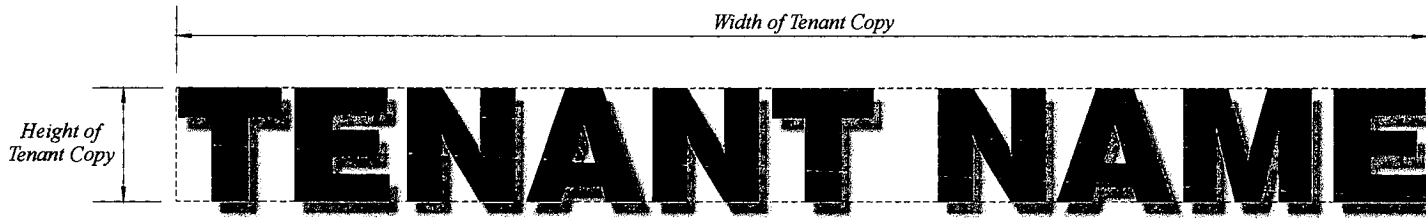
Quantity: To be determined - based on site development

- **Location:** Drive-thru entries and exits, as applicable.
- **Sign base:** Constructed from materials, to match site stone tiles.
- **Sign cabinet:** Constructed as per Tenant's sign specifications.
- **Maximum Size:** 4'-0" high x 3'-0" wide
- **Maximum Sign Area (including base):** 12 square feet
- **One (1) allowed per individual tenant driveway.**

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Great American Plaza ~ Master Sign Program



SIGN TYPE E (Tenant Primary Identification)

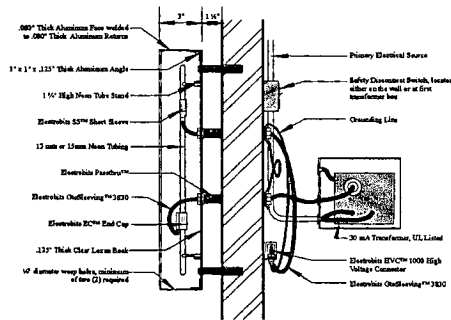
Illuminated Reverse Channel Letter Option

Not to Scale

Quantity: One (1) set allowed

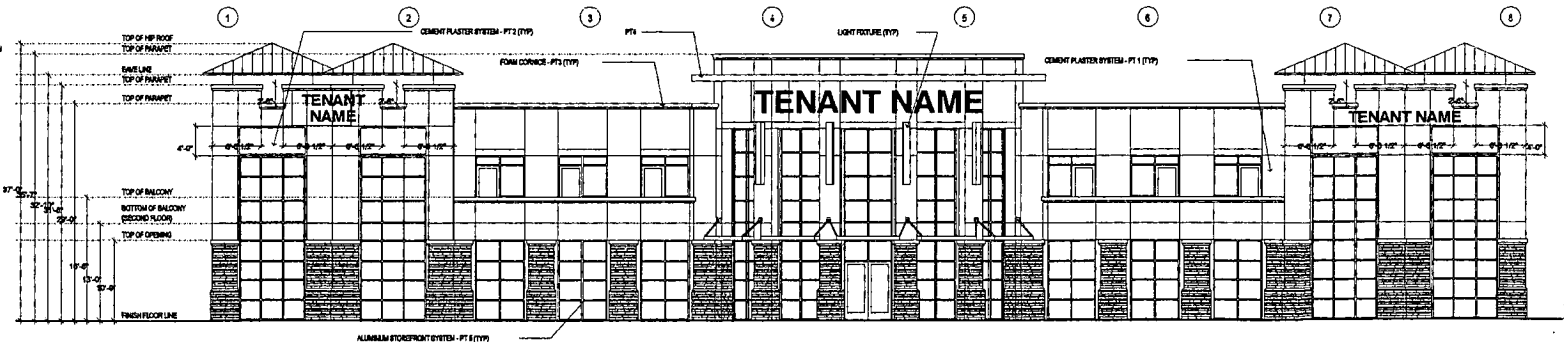
GENERAL SPECIFICATIONS

- Location: Tenant Storefront Fascia
- Number Allowed: One (1)
- Letters shall be illuminated - reverse channel letters (if reverse, they shall mount 1 1/2" off of wall fascia).
- Letters shall be custom fabricated aluminum construction. Reverse halo faces shall be welded to aluminum returns, painted in the tenant's colors as required. Reverse channels shall receive clear lexan backs.
- Illumination shall be provided by a minimum of 13 mm neon tubing (color neon to be determined by tenant's corporate colors). Neon tubing shall be powered by 30 mA transformers which shall be remotely installed behind wall fascia.
- All letters shall conform to all UL specifications and bear a UL label.
- Maximum length of sign to be 80% of storefront.
- Maximum letter height to be 3'-0".



REVERSE CHANNEL LETTER DETAIL

Not to Scale



SOUTH EXTERIOR ELEVATION (Rear Office Building)

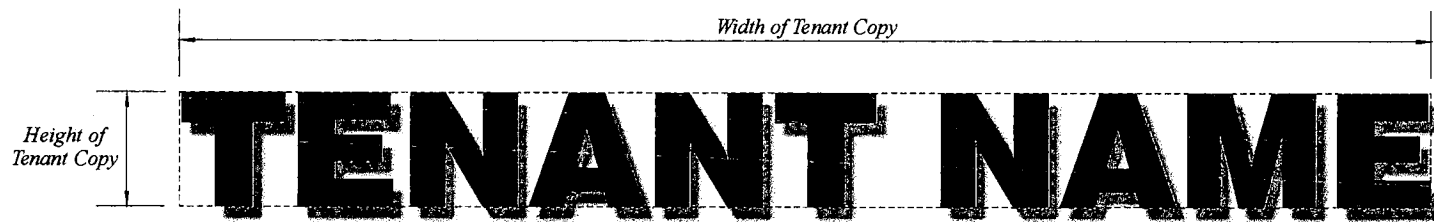
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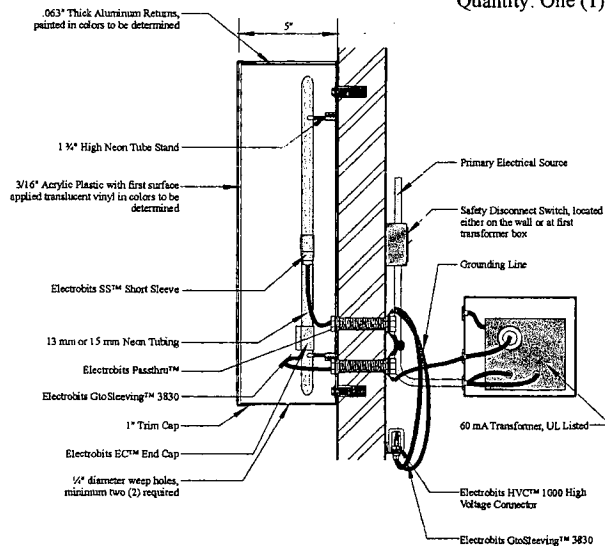


SIGN TYPE E (Tenant Primary Identification)

Internally Illuminated Channel Letter Option

Not to Scale

Quantity: One (1) set allowed

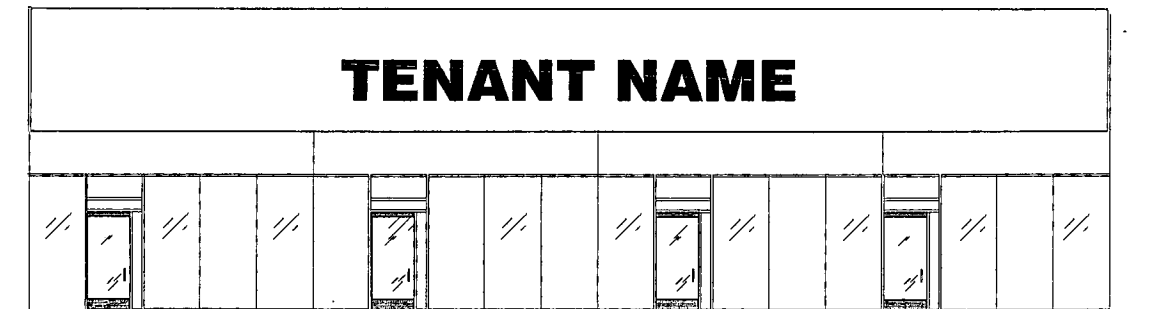


CHANNEL LETTER SECTION

Not to Scale

GENERAL SPECIFICATIONS

- Location of letters shall be at the Major Tenant Entry.
- Letters shall be internally illuminated channel letters mounted flush to wall fascia.
- Letters shall be 5" deep custom fabricated aluminum channel with acrylic faces and trimcap. Determination of paint and acrylic color shall be contingent upon Tenant's corporate specifications.
- Illumination shall be provided by a minimum of 13 mm neon tubing (color to be determined by the tenant's corporate specifications). Neon tubing shall be powered by 30 mA transformers which shall be remotely installed behind wall fascia.
- All letters shall conform to all UL specifications and bear a UL label.
- Maximum length of sign to be 80% of storefront.
- Maximum letter height to be 3'-0".

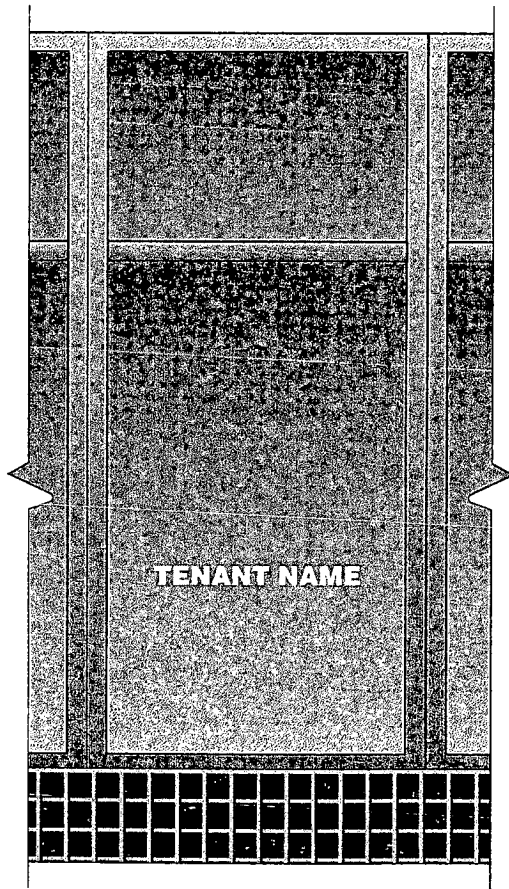


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SIGN TYPE F (Window Vinyl Graphics)

Scale: 3/4" = 1'-0"

GENERAL SPECIFICATIONS

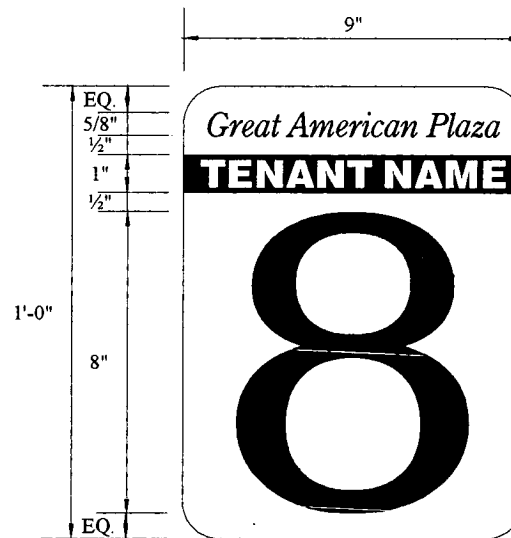
- Location of Window Vinyl Graphics: Tenant Storefront
- Intent: Window signage and graphics are included in these criteria to assist and guide reasonable design of identification and marketing graphics in a tasteful and controlled manner consistent with the design of the project.
- Approval: Separate review and approval of window graphic design is specifically required of each tenant desiring a window program. Failure to process the program is considered a violation of these criteria. Tenant shall immediately remove window graphics installed without express written approval of the Landlord/Developer upon written demand by Landlord/Developer. Review and approval by Landlord/Developer is at his sole and absolute discretion.
- Number allowed: varies by design of tenant storefront condition.
- Maximum size: No more than 20% of any storefront pane may be used for window graphics.
- Sign Type: Individualized design may consist of applied decal, vinyl, painted, etched or otherwise permanently installed graphics directly applied to the window glass. Designs may reflect corporate signage programs and colors where appropriate. All designs shall be organized in a coordinated and tasteful manner.
- Restrictions: It is the intent of these criteria not to allow temporary and nonprofessional graphics from storefront windows including, but not limited to, paper flyers, lists of services and products, hand lettered messages, "going out of business", "liquidation" and other such distress sale type messages and continuous use of window banner graphics for longer than one (1) week per month for a special product, service or event.

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11-06-03 PC

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SIGN TYPE G (Service Door Signs)

Scale: 3" = 1'-0"

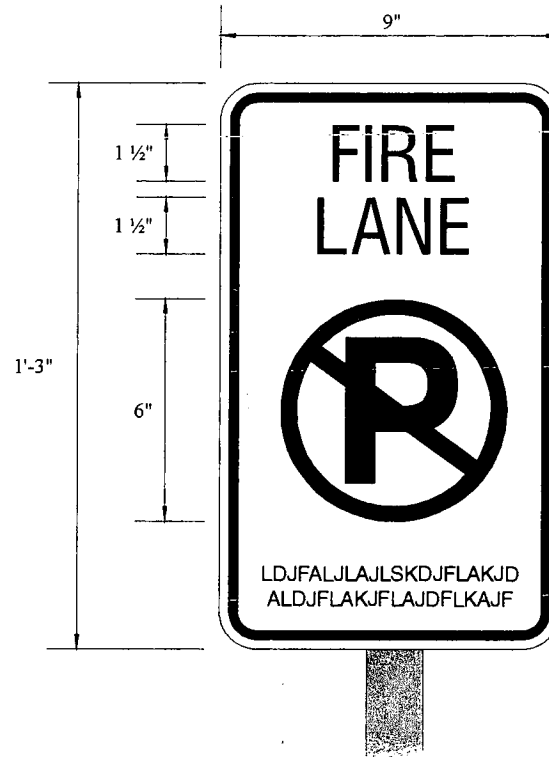
GENERAL SPECIFICATIONS

- Location: Rear Service Doors (if applicable)
- Number Allowed: One (1) per tenant
- Maximum letter height: 1 1/4" high Tenant Name, 8" high Suite Number
- Sign construction: .080" thick flat aluminum with 1" radius corners painted in colors to be determined and opaque vinyl graphics.
- Mounting Method: Flush to wall/ door

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SIGN TYPE H (Regulatory Signs)

Scale: 3" = 1'-0"

GENERAL SPECIFICATIONS

- Location: As required by ordinance, convenience, or safety.
- Number Allowed: As required
- Maximum letter height: As required
- Sign Type: Regulatory traffic and safety signage

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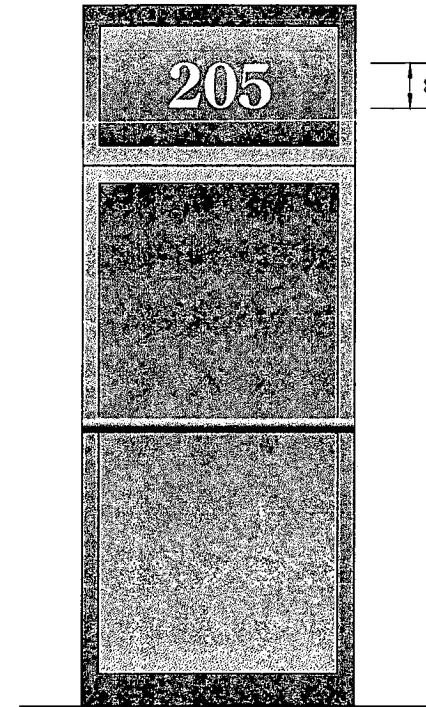
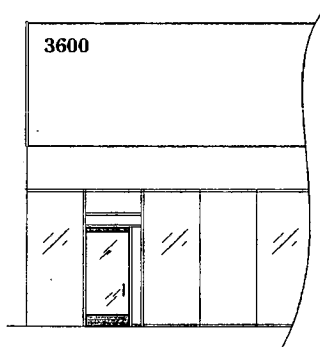
1'-0" **3600**

SIGN TYPE I.1 (Individual Address Numbers)

Scale: 3/4" = 1'-0"

GENERAL SPECIFICATIONS

- Location: Building wall facing street
- Number Allowed: One (1) allowed
- Maximum Letter Height Allowed: 12"
- Letter Construction: 1/4" thick flat cut out aluminum plate painted to match bronze.
- Illumination: Indirectly lit by site or architectural lighting to provide suitable contrast from background allowing visibility from neighboring street.
- Letter Installation: Flush to wall



SIGN TYPE I.2 (Suite Addresses)

Not to Scale

GENERAL SPECIFICATIONS

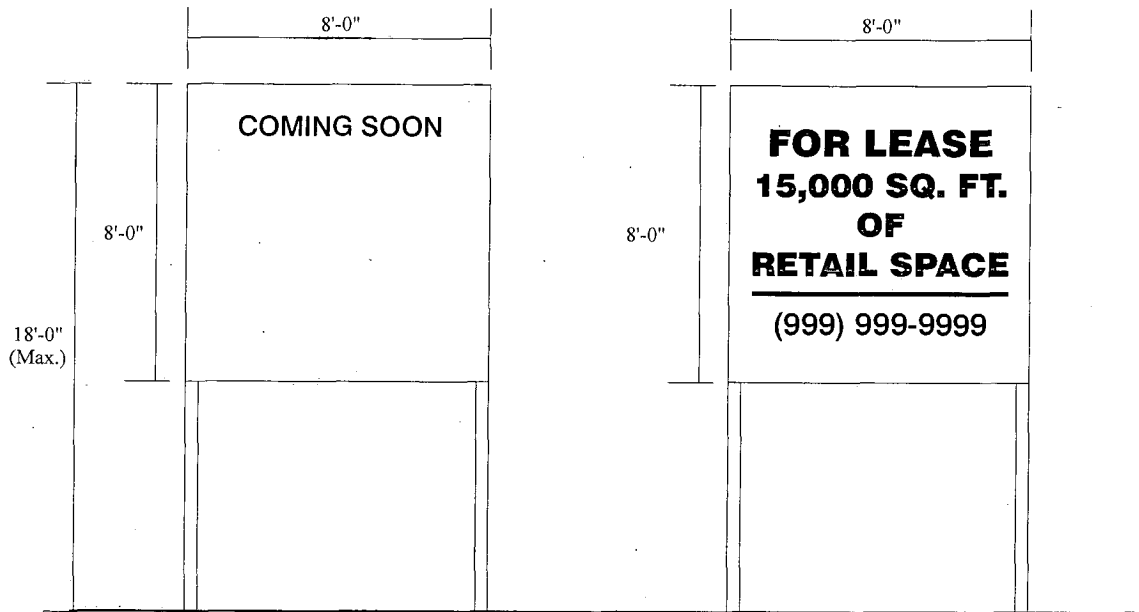
- Location: Storefront transom glass above primary entry door
- Number Allowed: One (1) allowed
- Maximum Letter Height Allowed: 8"
- Letter Construction: Reverse cut opaque white vinyl letters
- Letter Installation: Flush to glass

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11-06-03 PC

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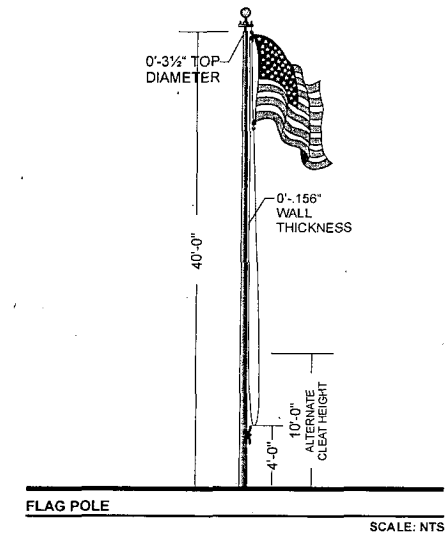
Great American Plaza ~ Master Sign Program



SIGN TYPE J (Real Estate Signs)
Not to Scale

GENERAL SPECIFICATIONS

- Location: Vacant Land
- Number Allowed: One (1) per property per Street Frontage plus One (1) additional for 5 acres of parcel area.
- Maximum Size Allowed: 32 Square Feet - Unimproved Lots 64 Square Feet - Improved Lots
- Maximum Letter height: 18"
- Construction: Post mounted plywood or wood panel with painted graphics



Note: 40'-0" Maximum height
Flags not to exceed 60 Square Feet

SIGN TYPE K (Flag Poles)
Not to Scale

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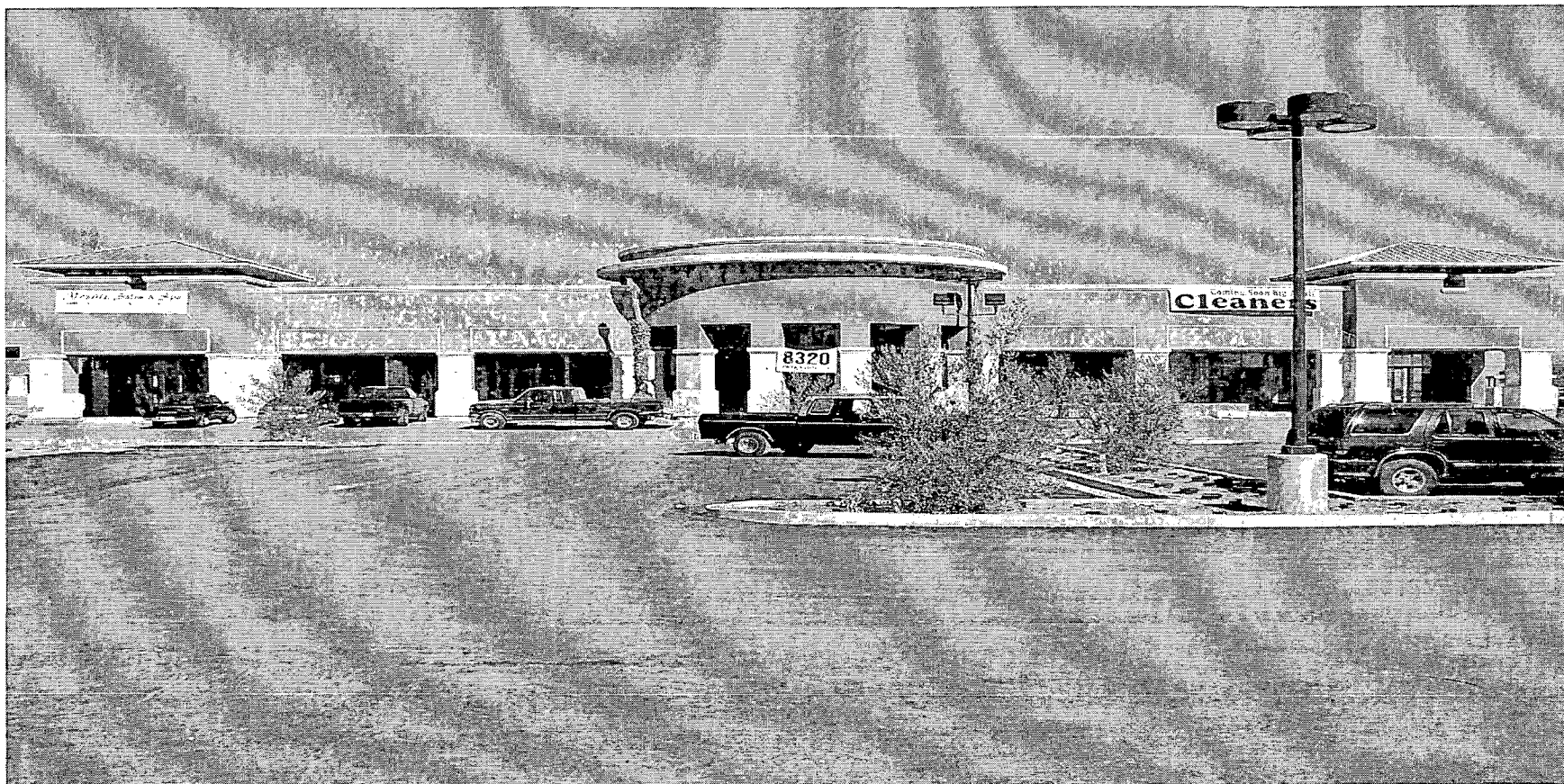
MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON BEHALF OF GREAT AMERICAN PLAZA,
LIMITED LIABILITY COMPANY, ET AL
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03



MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON BEHALF OF GREAT AMERICAN PLAZA,
LIMITED LIABILITY COMPANY, ET AL
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

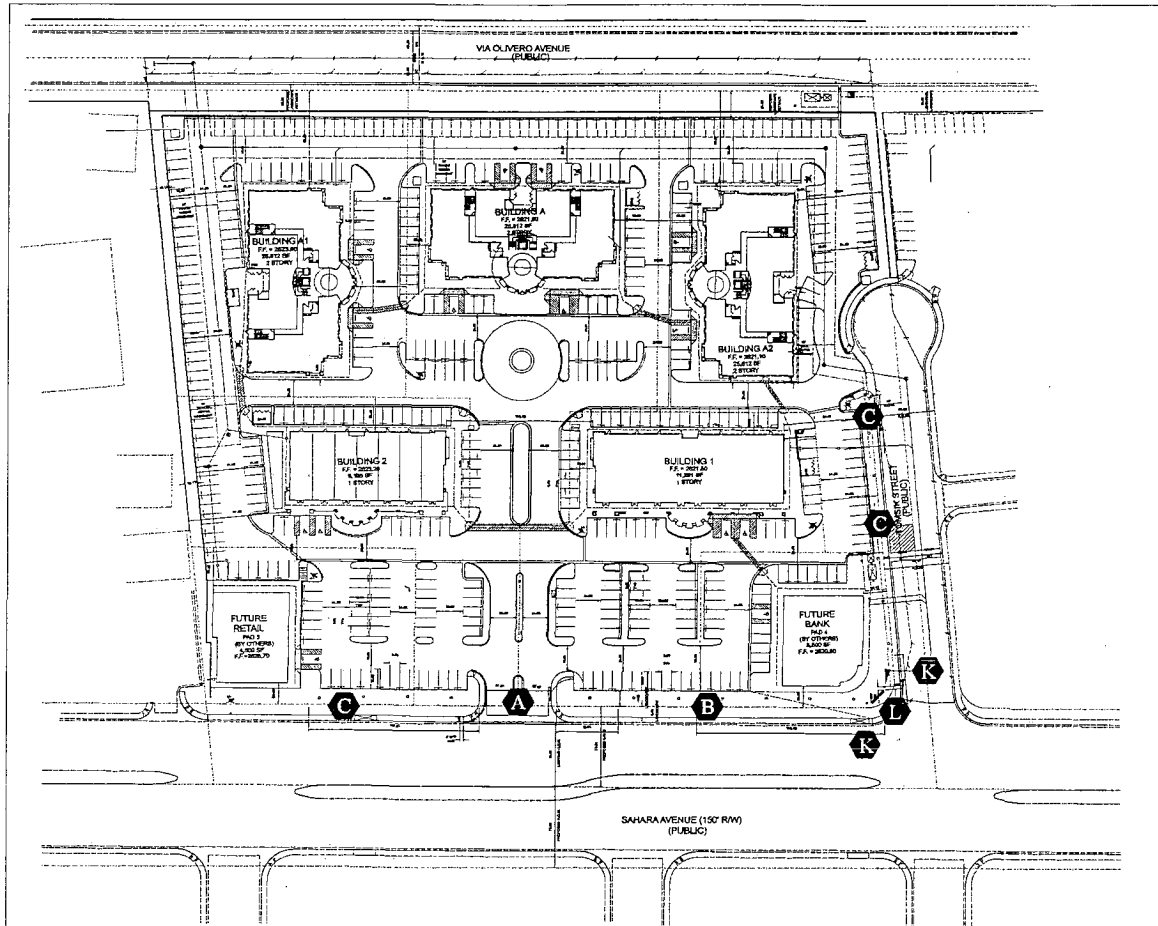


MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON BEHALF OF GREAT AMERICAN PLAZA,
LIMITED LIABILITY COMPANY, ET AL
NOVEMBER 6, 2003 PLANNING COMMISSION

10/17/03

Great American Plaza ~ Master Sign Program

560'-0" LINEAR FRONT FOOTAGE



SITE PLAN

Scale: 1" = 140'-0"

640'-0" LINEAR FRONT FOOTAGE

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LEGEND

- A** Sign Type A - Project Entry Monument Sign
- B** Sign Type B - Project and Tenant Identification Sign
- C** Sign Type C - Monument Signs
- D** Sign Type D - Directional Signs
- E** Sign Type E - Tenant Primary Identification
- F** Sign Type F - Window Signs
- G** Sign Type G - Service Door Signs
- H** Sign Type H - Regulatory Signs
- I** Sign Type I - Address Numbers
- J** Sign Type J - Real Estate Signs
- K** Sign Type K - Flag Poles
- L** Sign Type L - Individual Tenant ID

Note:

Setback requirement on all freestanding signs to be a minimum of 5'-0" from property line.

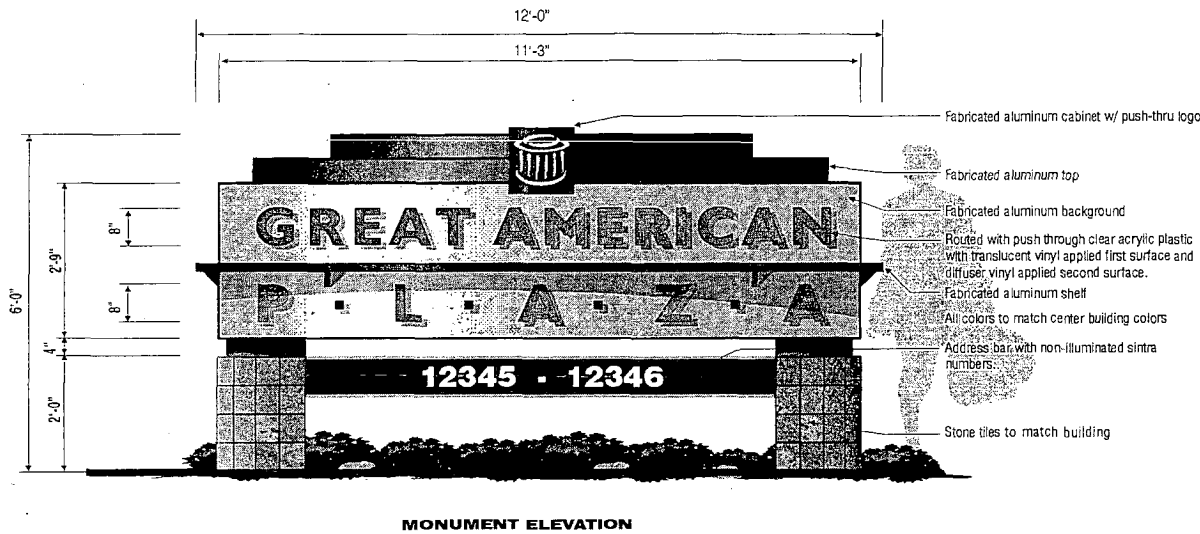
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REVISED
11-25-03

MSP-3063
12-3-03 CC

Submitted after final agenda
Date 12/1/03 Item # 109

Great American Plaza ~ Master Sign Program



Note:
Disconnect switch to be mounted
on the opposite side from the street.

A SIGN TYPE A (Project Entry Monument Sign)

Scale: 3/8" = 1'-0"

Quantity: One (1) Required

GENERAL SPECIFICATIONS

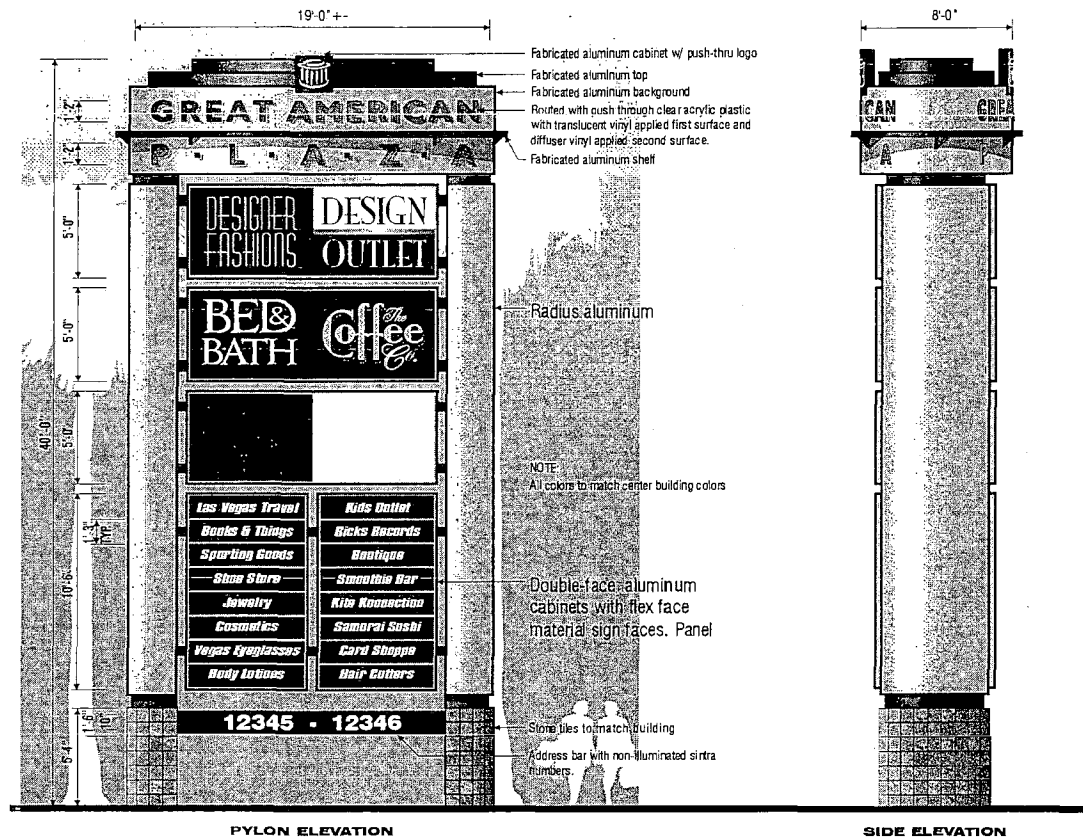
- Location: Sahara Driveway Entrance
- Maximum Number Allowed: One (1)
- Sign base: Constructed of stone tiles (matching project stone)
- Sign shall be custom fabricated from welded square tube aluminum frame.
- "Great American Plaza" copy to be routed out of sign face with acrylic push-thru letters and first surface translucent vinyl.
- Sign background shall be painted (color TBD in keeping with project colors to be provided) with a light stucco finish.
- Internal illumination shall be provided by T12 high output fluorescent lamps on centers for even lighting which shall be powered by 800 mA ballasts.
- All signage shall conform to all UL specifications and bear a UL label.
- Maximum size: 100 square feet

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MSP-3063
12-3-03 CC

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11-25-03

Great American Plaza ~ Master Sign Program



GENERAL SPECIFICATIONS

- Location: Major Project Entries
- Maximum Number Allowed: One (1)
- Maximum Size: 400 square feet tenant area
- Sign base: Constructed from 12" x 12" stone tiles
- Sign shall be custom fabricated from aluminum square tube frame.
- Sign background shall be painted with a light stucco finish. "Great American Plaza" copy to be routed out of sign face with 1/2" thick acrylic push-thru letters and first surface translucent vinyl
- Tenant panels Flexible face material with applied translucent vinyl copy and graphics. Letters can be reversed out from dark background.
- Internal illumination shall be provided by T12 high output fluorescent lamps on centers for even lighting which shall be powered by 800 mA ballasts or HID Lamps.
- All signage shall conform to all UL specifications and bear a UL label.

B SIGN TYPE B (Project and Tenant Identification Sign)

Scale: 1/8" = 1'-0"

Quantity: One (1) Required

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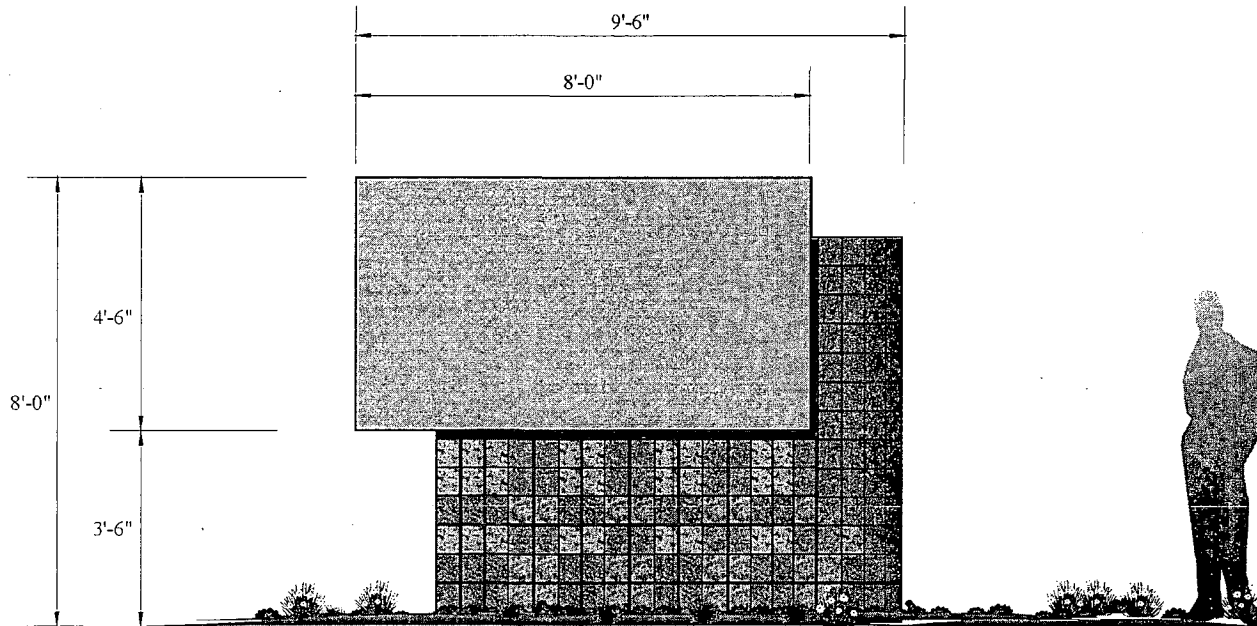
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REVISED
11-25-03

Great American Plaza ~ Master Sign Program



GENERAL SPECIFICATIONS

- Location: Street Frontage
- Sign base: Constructed from materials to match Project
- Sign cabinet: Custom fabricated interior illuminated sign cabinet
- Maximum Sign Height: 8'-0" above lowest adjacent grade.
- Maximum Sign Area : 36 square feet
- Setback: 5'-0" minimum from property line.

C SIGN TYPE C (Tenant Monument Sign)

Scale: 3/8" = 1'-0"

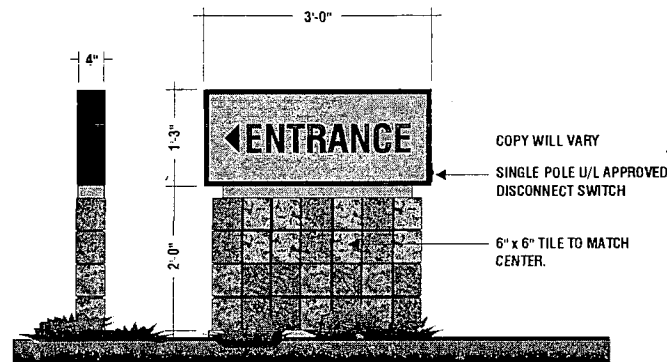
Quantity: To be determined - based on site development

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11-25-03

MSP-3063
12-3-03 CC

Great American Plaza ~ Master Sign Program



D SIGN TYPE D (Directional Signs)

Scale: 1/2" = 1'-0"

Quantity: To be determined - based on site development

GENERAL SPECIFICATIONS

- Location: Drive-thru entries and exits, as applicable.
- Sign base: Constructed from materials, to match site stone tiles.
- Sign cabinet: Constructed as per Tenant's sign specifications.
- Maximum Size: 4'-0" high x 3'-0" wide
- Maximum Sign Area (including base): 12 square feet
- One (1) allowed per individual tenant driveway.

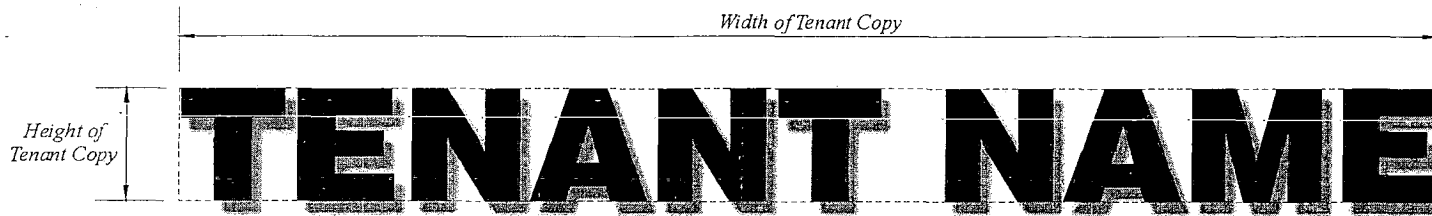
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REVISED
11-25-03

MSP-3063
12-3-03 CC

Great American Plaza ~ Master Sign Program



GENERAL SPECIFICATIONS

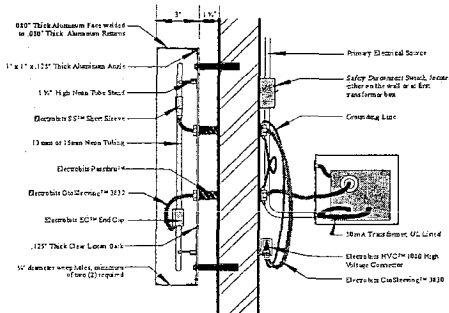
- Location: Tenant Storefront Fascia
- Number Allowed: One (1)
- Letters shall be illuminated - reverse channel letters (if reverse, they shall mount 1 1/2" off of wall fascia).
- Letters shall be custom fabricated aluminum construction. Reverse halo faces shall be welded to aluminum returns, painted in the tenant's colors as required. Reverse channels shall receive clear lexan backs.
- Illumination shall be provided by a minimum of 13 mm neon tubing (color neon to be determined by tenant's corporate colors). Neon tubing shall be powered by 30 mA transformers which shall be remotely installed behind wall fascia.
- All letters shall conform to all UL specifications and bear a UL label.
- Maximum length of sign to be 80% of storefront.
- Maximum letter height to be 3'-0".

E SIGN TYPE E (Tenant Primary Identification)

Illuminated Reverse Channel Letter Option

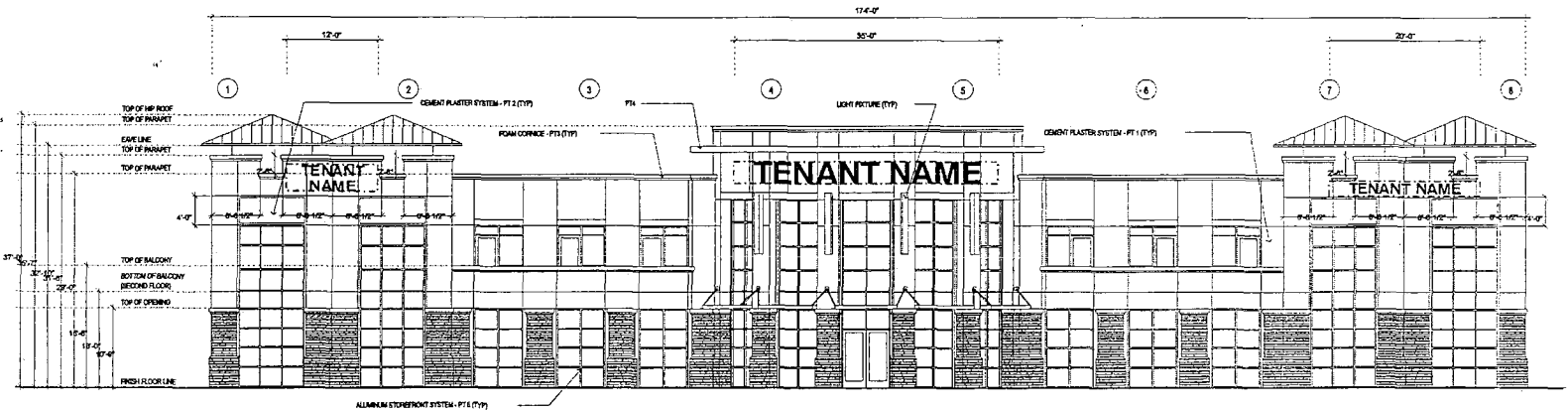
Not to Scale

Quantity: One (1) set allowed



REVERSE CHANNEL LETTER DETAIL

Not to Scale



SOUTH EXTERIOR ELEVATION (Rear Office Building) - Typical Elevation for Buildings A, A1 and A2

1\"/>

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GENERAL SPECIFICATIONS

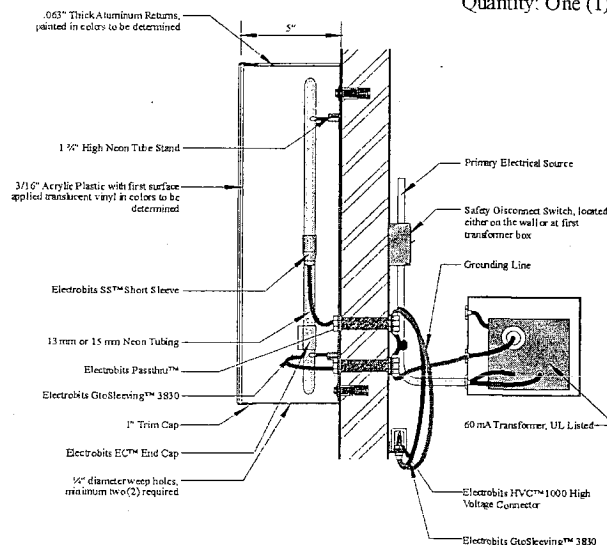
- Location of letters shall be at the Major Tenant Entry.
- Letters shall be internally illuminated channel letters mounted flush to wall fascia.
- Letters shall be 5" deep custom fabricated aluminum channel with acrylic faces and trimcap. Determination of paint and acrylic color shall be contingent upon Tenant's corporate specifications.
- Illumination shall be provided by a minimum of 13 mm neon tubing (color to be determined by the tenant's corporate specifications). Neon tubing shall be powered by 30 mA transformers which shall be remotely installed behind wall fascia.
- All letters shall conform to all UL specifications and bear a UL label.
- Maximum length of sign to be 80% of storefront.
- Maximum letter height to be 3'-0".

E SIGN TYPE E (Tenant Primary Identification)

Internally Illuminated Channel Letter Option

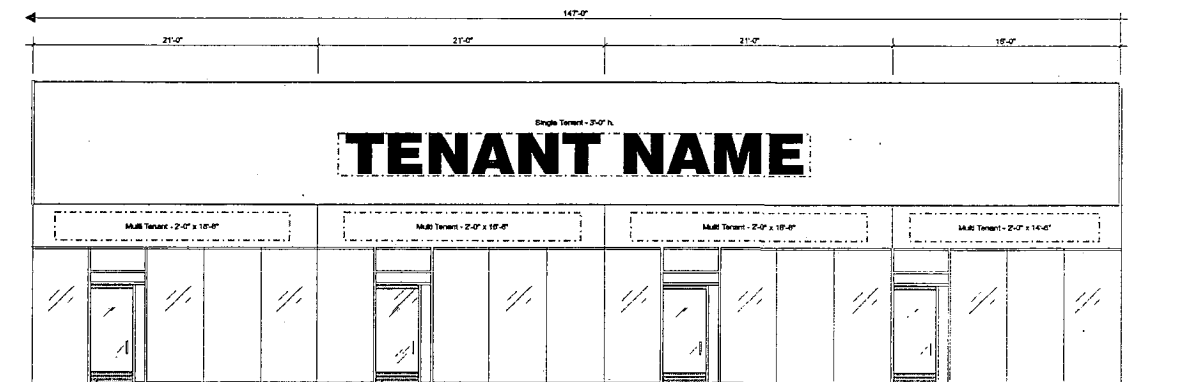
Not to Scale

Quantity: One (1) set allowed



CHANNEL LETTER SECTION

Not to Scale

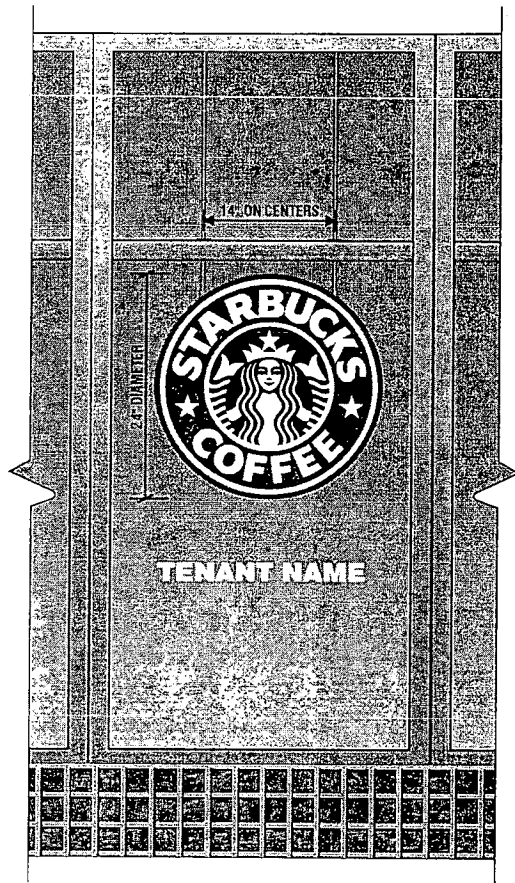


Typical Building 1 and 2

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F SIGN TYPE F (Window Vinyl Graphics and Hanging window logos)
Scale: $\frac{3}{4}" = 1'-0"$

GENERAL SPECIFICATIONS

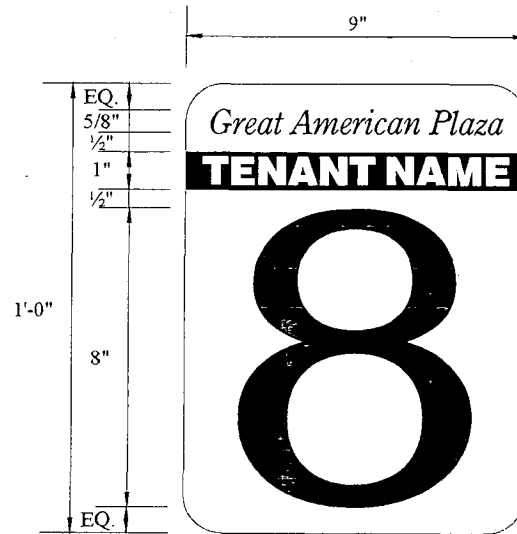
- Location of Window Vinyl Graphics: Tenant Storefront
- Intent: Window signage and graphics are included in these criteria to assist and guide reasonable design of identification and marketing graphics in a tasteful and controlled manner consistent with the design of the project. Internal illuminated Hanging window logo signs to be allowed.
- Approval: Separate review and approval of window graphic design is specifically required of each tenant desiring a window program. Failure to process the program is considered a violation of these criteria. Tenant shall immediately remove window graphics installed without express written approval of the Landlord/Developer upon written demand by Landlord/Developer. Review and approval by Landlord/Developer is at his sole and absolute discretion.
- Number allowed: varies by design of tenant storefront condition.
- Maximum size: No more than 20% of any storefront pane may be used for window graphics. Hanging window logos, no more than 24" diameter.
- Sign Type: Individualized design may consist of applied decal, vinyl, painted, etched or otherwise permanently installed graphics directly applied to the window glass. Designs may reflect corporate signage programs and colors where appropriate. All designs shall be organized in a coordinated and tasteful manner.
- Restrictions: It is the intent of these criteria not to allow temporary and nonprofessional graphics from storefront windows including, but not limited to, paper flyers, lists of services and products, hand lettered messages, "going out of business", "liquidation" and other such distress sale type messages and continuous use of window banner graphics for longer than one (1) week per month for a special product, service or event.

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G SIGN TYPE G (Service Door Signs) Scale: 3" = 1'-0"

GENERAL SPECIFICATIONS

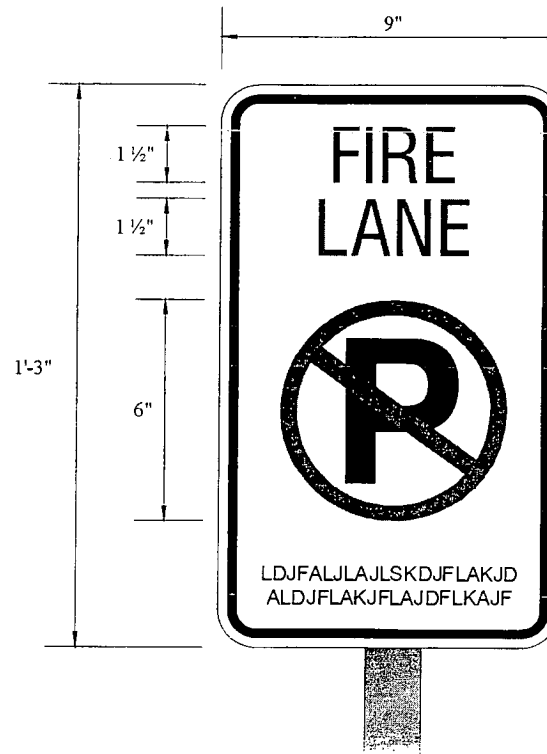
- Location: Rear Service Doors (if applicable)
- Number Allowed: One (1) per tenant
- Maximum letter height: 1 1/4" high Tenant Name, 8" high Suite Number
- Sign construction: .080" thick flat aluminum with 1" radius corners painted in colors to be determined and opaque vinyl graphics.
- Mounting Method: Flush to wall/ door

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9 Square foot Maximum
12 Square foot for Directional signs

Non-Directional Signs - Maximum height = 5'-0"
Directional Signs - Maximum height = 7'-0"

H SIGN TYPE H (Regulatory Signs) Scale: 3" = 1'-0"

GENERAL SPECIFICATIONS

- Location: As required by ordinance, convenience, or safety.
- Number Allowed: As required
- Maximum letter height: As required
- Sign Type: Regulatory traffic and safety signage

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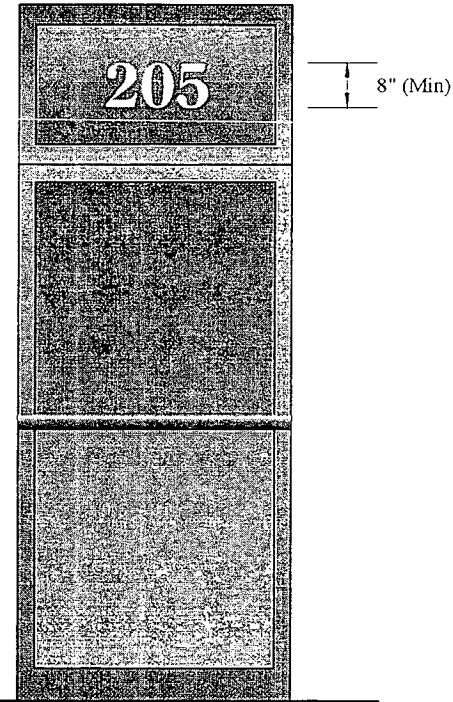
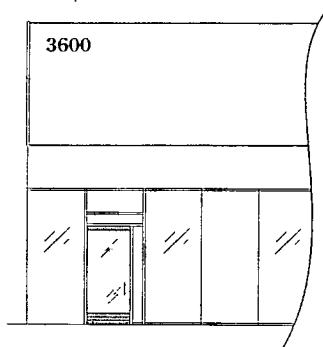
1'-0" **3600**

1 SIGN TYPE I.1 (Individual Address Numbers)

Scale: 3/4" = 1'-0"

GENERAL SPECIFICATIONS

- Location: Building wall facing street
- Number Allowed: One (1) allowed
- Minimum Letter Height Allowed: 12"
- Letter Construction: 1/4" thick flat cut out aluminum plate painted to match bronze.
- Illumination: Indirectly lit by site or architectural lighting to provide suitable contrast from background allowing visibility from neighboring street.
- Letter Installation: Flush to wall



T SIGN TYPE I.2 (Suite Addresses)

Not to Scale

GENERAL SPECIFICATIONS

- Location: Storefront transom glass above primary entry door
- Number Allowed: One (1) allowed
- Minimum Letter Height Allowed: 8"
- Letter Construction: Reverse cut opaque white vinyl letters
- Letter Installation: Flush to glass

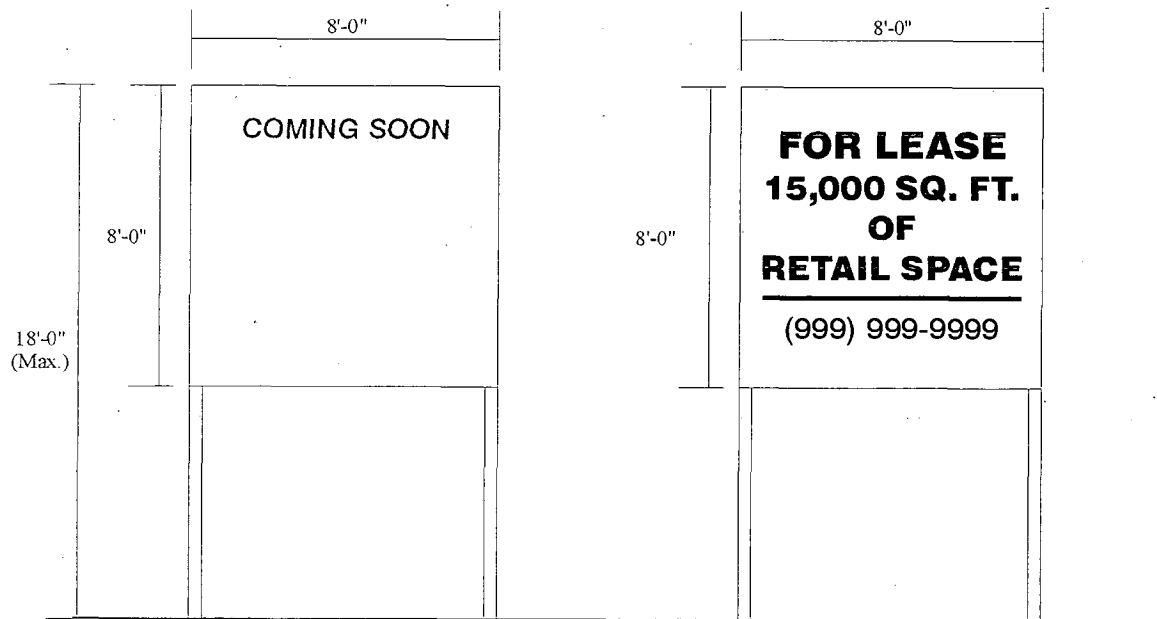
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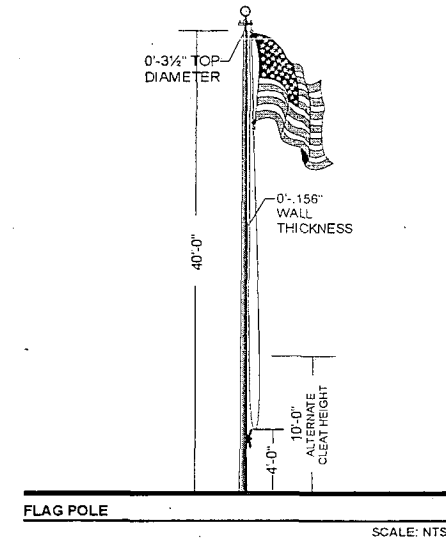
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J SIGN TYPE J (Real Estate Signs) Not to Scale

GENERAL SPECIFICATIONS

- Location: Vacant Land
- Number Allowed: One (1) per property per Street Frontage plus One (1) additional for 5 acres of parcel area.
- Maximum Size Allowed: 32 Square Feet - Unimproved Lots 64 Square Feet - Improved Lots
- Maximum Letter height: 18"
- Construction: Post mounted plywood or wood panel with painted graphics



K SIGN TYPE K (Flag Poles) Not to Scale

Note: 40'-0" Maximum height
Flags not to exceed 60 Square Feet

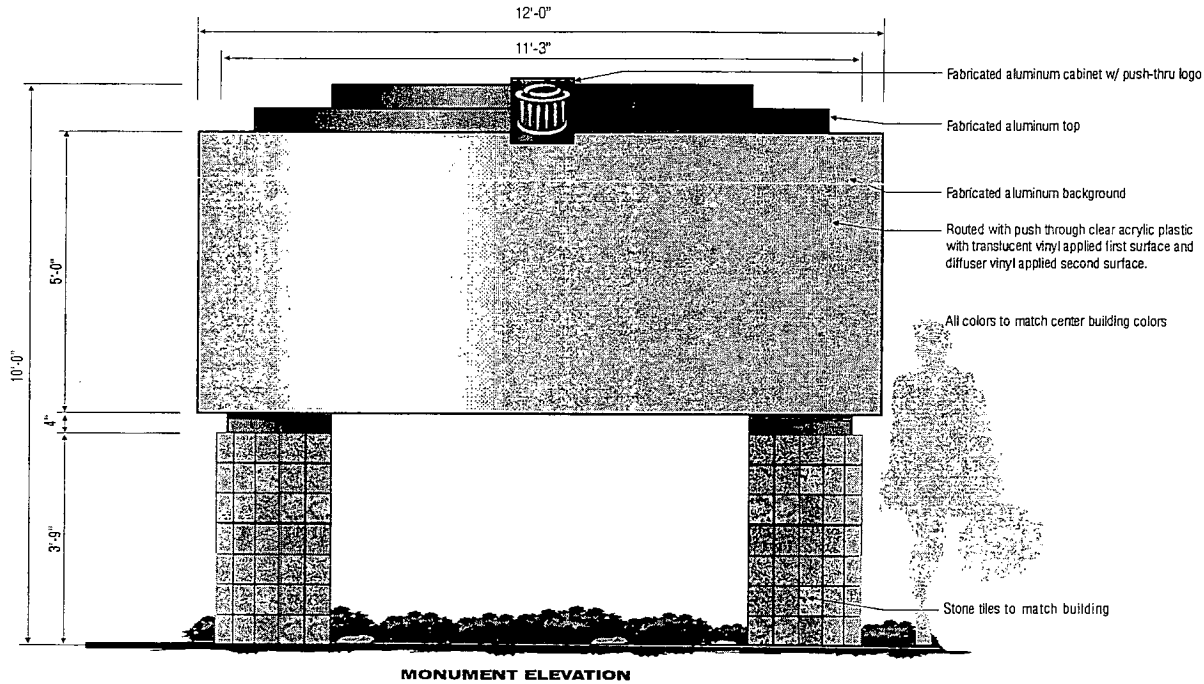
Each parcel can have One (1) governmental flag plus
One (1) private flag.

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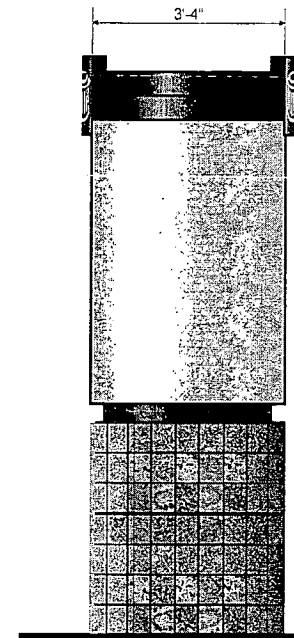
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MONUMENT ELEVATION



SIDE ELEVATION

Note:
Disconnect switch to be mounted
on the opposite side from the street.

L SIGN TYPE L (Individual Tenant ID Monument Sign)

Scale: 3/8" = 1'-0"

Quantity: To be determined - based on site development

GENERAL SPECIFICATIONS

- Location: Sahara Driveway Entrance
- Maximum Number Allowed: To be determined - based on site development
- Sign base: Constructed of stone tiles (matching project stone)
- Sign shall be custom fabricated from welded square tube aluminum frame.
- Copy to be routed out of sign face with acrylic push-thru letters and first surface translucent vinyl.
- Sign background shall be painted (color TBD in keeping with project colors to be provided) with a light stucco finish.
- Internal illumination shall be provided by T12 high output fluorescent lamps on centers for even lighting which shall be powered by 800 mA ballasts.
- All signage shall conform to all UL specifications and bear a UL label.
- Maximum size: 100 square feet

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MSP-3063
12-3-03 CC

City of Las Vegas

Agenda Item No. 110

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 3, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3061
 - **LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG** - Appeal filed by Las Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1571 North Decatur Boulevard (APN: 138-25-503-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.

MOTION:

MONCRIEF – Granted the Appeal; thereby **APPROVING** the Special Use Permit subject to conditions – **UNANIMOUS** with **GOODMAN** abstaining as a member of his firm is negotiating a potential business relationship with a sign company and **MACK** excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention

LUCY STEWART, 2754 Highland, was present with former COMMISSIONER PAUL CHRISTENSEN and concurred with conditions.

TODD FARLOW, 240 19th Street, disagreed and stated that revenue generated by billboards should be used to upgrade the property. He asked that landscaping be installed.



Agenda Item No. 110

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 110 – SUP-3061

MINUTES - Continued:

JOHNNY VENTURA, 601 Raintree Lane, verified with MS. STEWART that the billboard would be 40 feet high. He felt that billboards are a good way of advertising.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:53–2:56)

4-3635

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the

City of Las Vegas

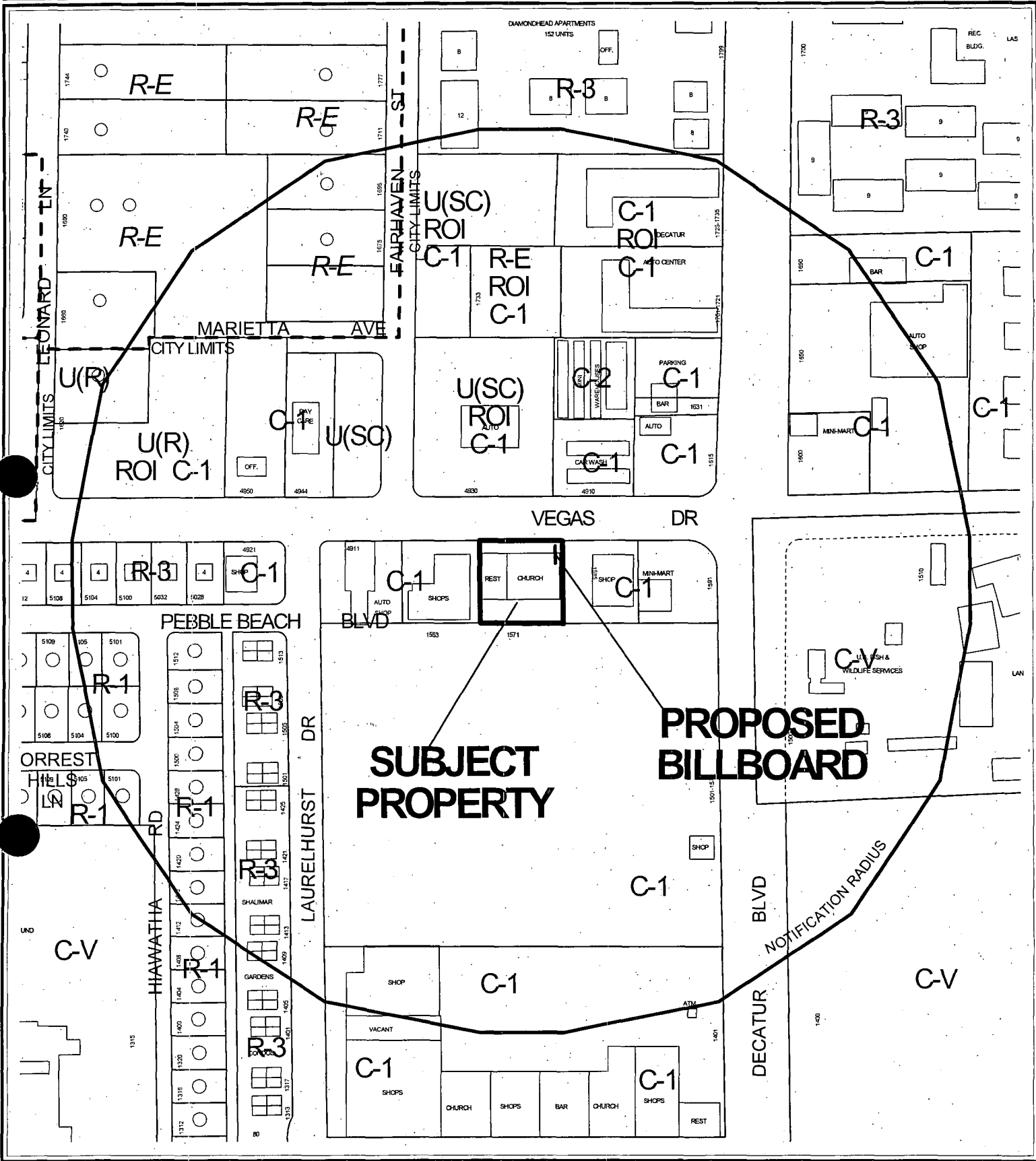
Agenda Item No. 110

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 110 – SUP-3061

CONDITONS - Continued:

applicable standards of Title 19 has been approved for the new structure by the City Council.

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

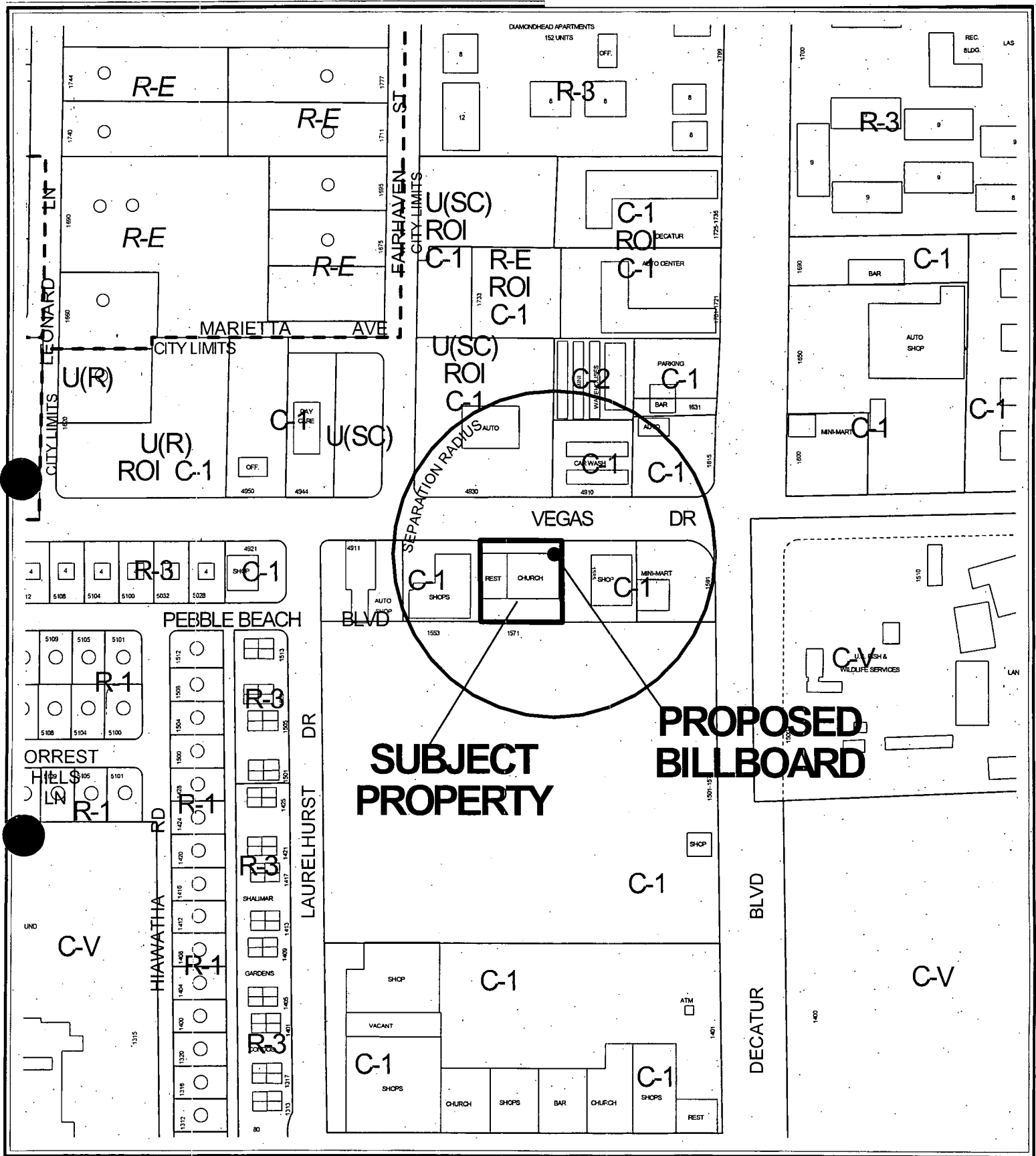


CASE: SUP-3061

RADIUS: 750 FT

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



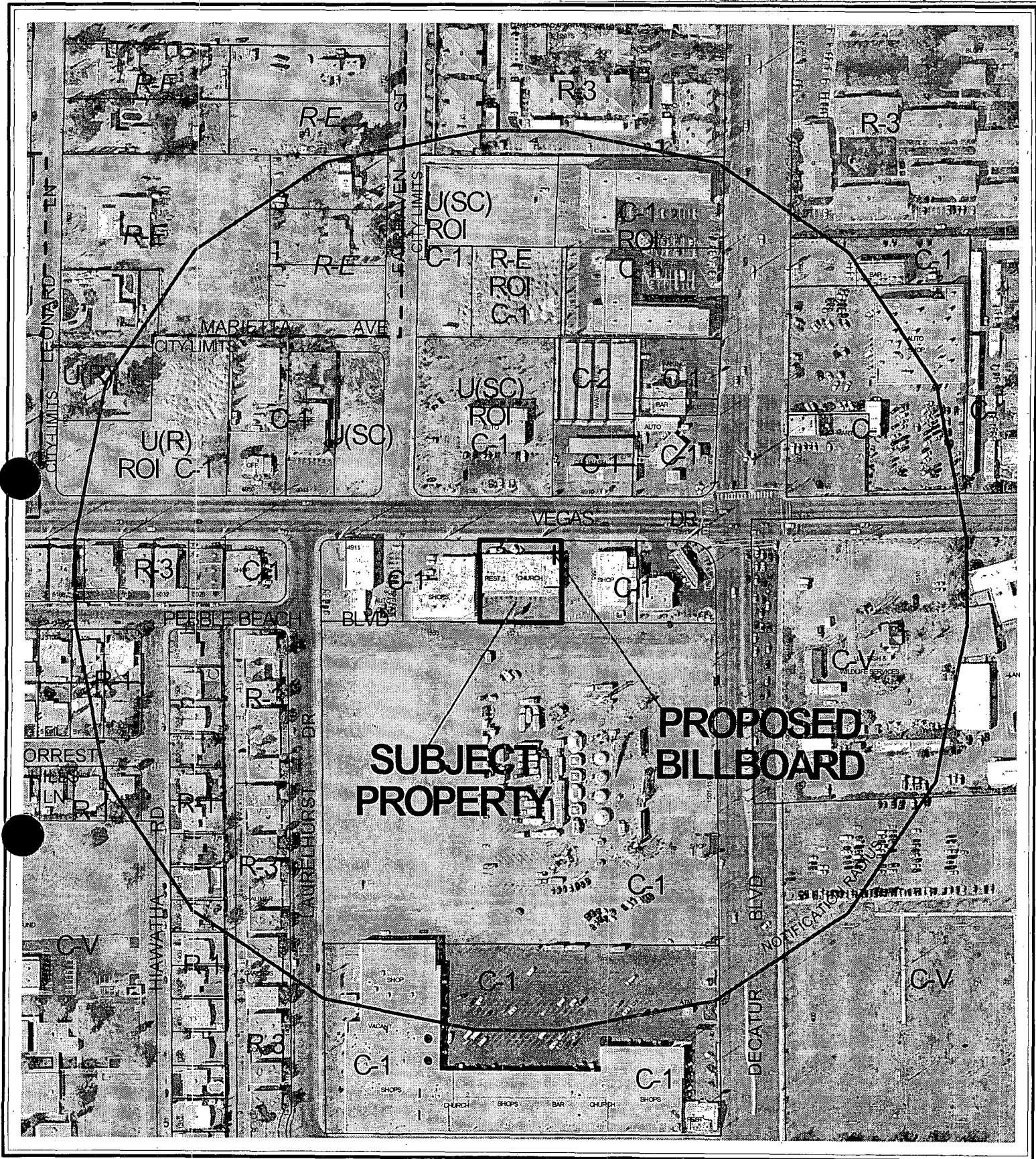


CASE: SUP-3061

SEPARATION RADIUS: 300 FT

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





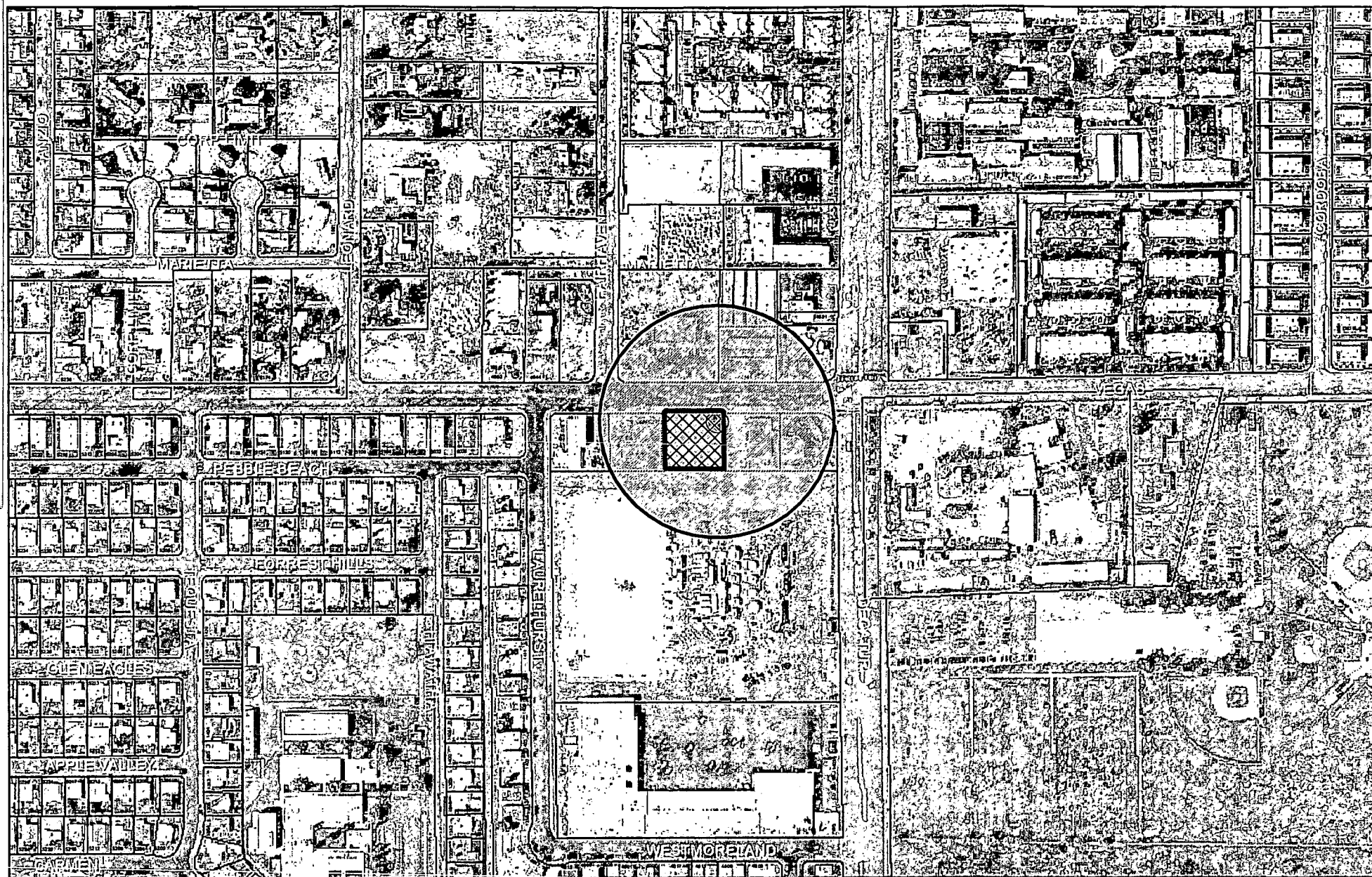
CASE: SUP-3061

RADIUS: 750 FT

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

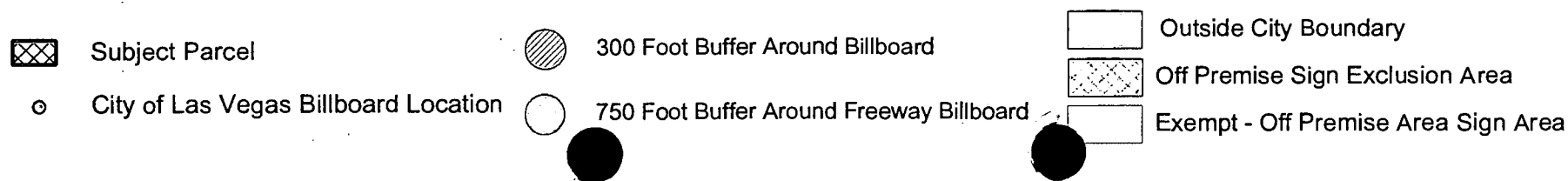
0 200 400 Feet





SUP-3061

City of Las Vegas Billboard Data



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3061 - LAS VEGAS BILLBOARDS
ON BEHALF OF WING GAY FONG

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 19, 2003 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

SUP-3061 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a special use permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 1571 North Decatur Boulevard.

B) Applicant's Justification

This off premise advertising (billboard) sign meets or exceeds all zoning requirements required by the City. Specifically the proposal meets or exceeds all setback requirements and separation distances from other off premise signs.

BACKGROUND INFORMATION

05/24/61 The Board of City Commissioners approved a rezoning (Z-0018-61) from R-1 (Single Family Residential) to C-1 (Limited Commercial) for the subject area.

10/23/03 The Planning Commission voted 5-0-1 to recommend DENIAL (PC Agenda Item #69).

B) Pre-Application Meeting

08/19/03 The applicant the following was discussed:

1. A Project of Regional Significance report is needed because of the proximity of the City/ County jurisdiction boundary
2. No billboards appear to be within 300 feet of the proposed location of the sign
3. Standard elements of an application for a Special Use Permit for an Off-Premise Advertising (Billboard) sign.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.52

SUP-3061 - Staff Report Page Two
December 3, 2003 City Council Meeting

B) Existing Land Use

Subject Property: Retail Commercial
North: Retail Commercial
South: Retail Commercial
East: Retail Commercial
West: Retail Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
North: SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
South: SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
East: SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)
West: SC (Service Commercial)/ DTR (Downtown Redevelopment Plan)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: U [Undeveloped] (SC [Service Commercial- General Plan Designation]) under resolution of intent to C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan.

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

The Clark County Department of Comprehensive Planning has been notified of this action as the City/ County boundary is within the notification area.

INTERAGENCY ISSUES

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

SUP-3061 - Staff Report Page Three
December 3, 2003 City Council Meeting

- 1) Any Special Use Permit within 500' of the Clark County / City of Las Vegas jurisdictional boundary.

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

- 1) The Las Vegas Valley Water District has determined that the proposal will not have an impact on the water system.
- 2) The City of Las Vegas Department of Public Works has determined that the proposal will not need a drainage study.
- 3) The Metropolitan Police Department has determined that the proposal has no significant law enforcement issues.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Location	- No off-premise signs in the right-of-way - Permitted only in C-1, C-2, C-M, M Zoning Districts	- Sign is not in right-of-way - Sign is in C-1 Zoning District
Off-premise sign area (max.)	672 SF	288 SF
Separation distance from other off-premise sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed billboard sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

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December 3, 2003 City Council Meeting

B) General Analysis and Discussion

- Site Plan

The center of the proposed billboard is located approximately 27 feet south of Vegas Drive and 15 feet from the eastern property line of the subject site. The location of the sign is in the parking lot of a business with the address of 1571 West Vegas Drive, half of which will overhang the front of the building and the other half over the front parking lot. The sign is supported by a single support pole located 7 feet from the east property line; the bottom of the sign 26 feet above the parking lot. The billboard has two 12 by 24 foot panels that face east and west. The position of the sign has the advertising face only visible from Vegas Drive.

The closest existing billboard is located on the east side of Decatur Boulevard at 4701 West Lake Mead Boulevard, approximately 2,700 feet north of the subject site.

Physically, the subject site is appropriate for the proposed use. The sign will be located outside of the right-of-way, extending over the existing parking lot and the building on the same parcel.

- Zoning

An off-premise advertising (Billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The proposed billboard conforms to Title 19 requirements for minimum separation, size, and height requirements.

- Use

Off-premise signs are considered a principal not an incidental land use. Off-premise signs generally produce revenue to the property owner as a land use as compared to on-premise signs, which in return does not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The proposed sign is compatible with the surrounding area and fits properly on the subject site.

- Conditions

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

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

SUP-3061 - Staff Report Page Five
December 3, 2003 City Council Meeting

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.
3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.
4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the lot, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
 - c. An accurate indication of the location of all existing and proposed off-premise signs; and
 - d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.
5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

A condition has been recommended requires conformance to all minimum requirements. Additional conditions have been recommended to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building.

FINDINGS

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

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

The proposed off-premise sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the off-premise sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

SUP-3061 - Staff Report Page Six
December 3, 2003 City Council Meeting

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

Physically, the subject site is appropriate for the proposed off-premise advertising (billboard) sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

The subject site is located adjacent to Vegas Drive, an 80 foot Secondary Collector Street shown on the City of Las Vegas Master Plan of Streets and Highways. The proposed use will not generate any additional traffic demand or induce traffic that will ingress or egress from the location where the sign will be built.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

PLANNING COMMISSION ACTION

The Planning Commission determined the billboard was incompatible with the City's goals of revitalization.

NOTICES MAILED 67 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3061** APN: 138-25-503-003

Name of Property Owner: Wing Fong/ Ken Fong

Name of Applicant: Las Vegas Billboards- David Harris

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

 Yes 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: _____

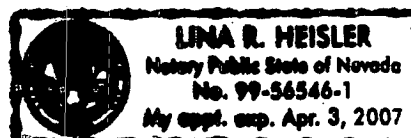
Signature of Property Owner/Authorized Agent: [Signature]

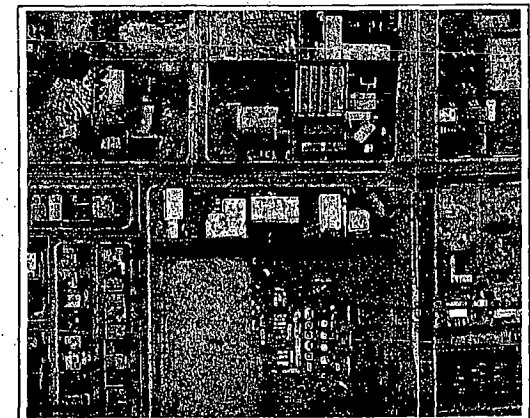
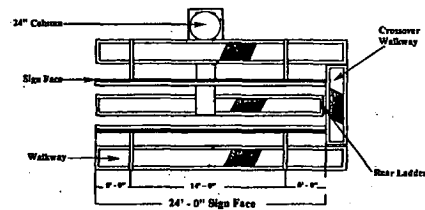
Print Name: LOLY STEWART

Subscribed and sworn before me

This 9 day of SEPT., 2003

Notary Public in and for said County and State



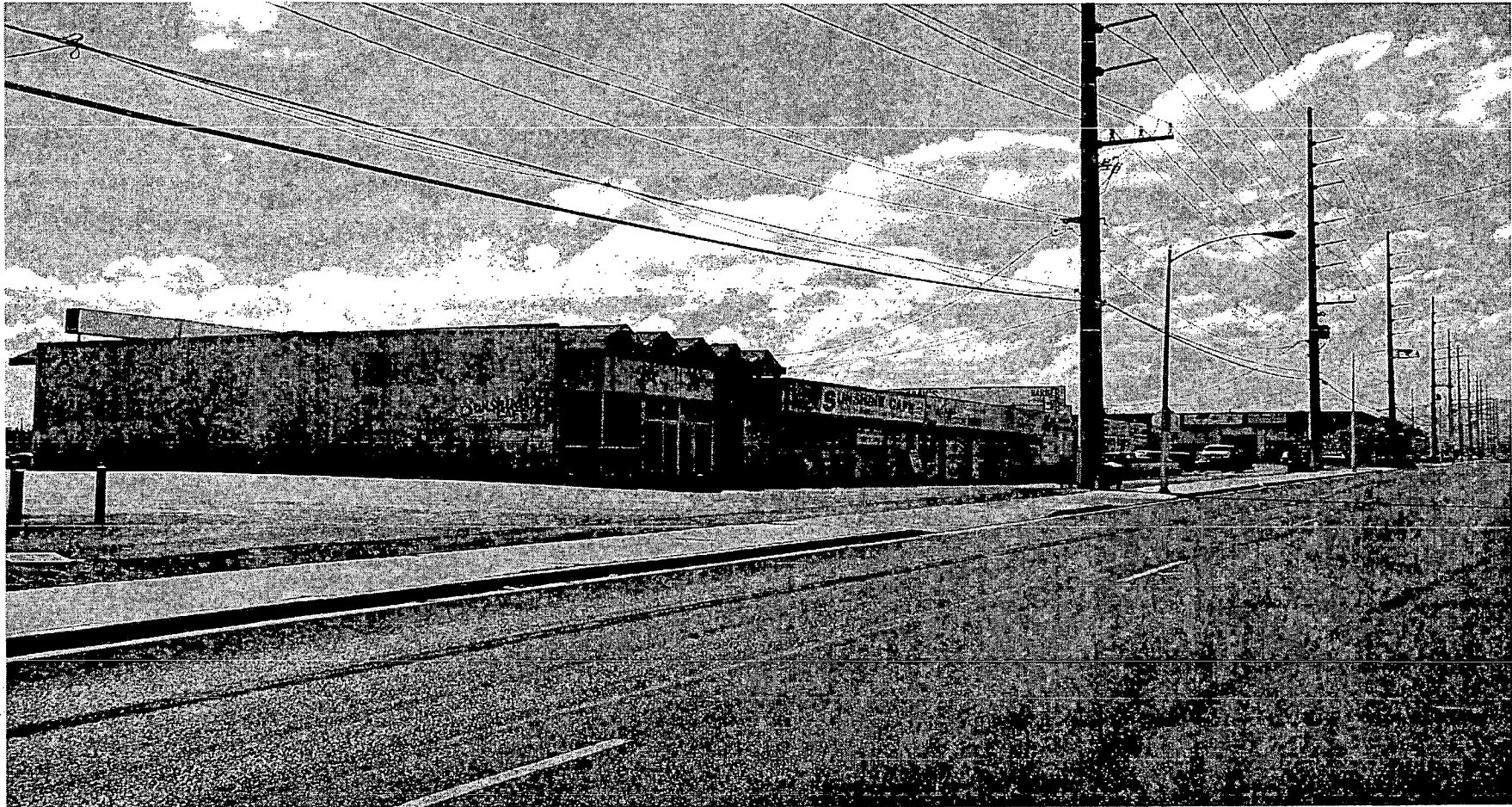


LOCATION:
15' FRONT SETBACK FROM VEGAS DR. TO LEADING EDGE OF SIGN.
27' FRONT SETBACK FROM VEGAS DR. TO CENTER OF COLUMN.
7' SIDE SETBACK FROM EAST PROPERTY LINE TO EDGE OF COLUMN.
8' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN.



STAFF

SUP-3061
10-23-03 PC



SUP-3061 - LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG
1571 NORTH DECATUR BOULEVARD
OCTOBER 23, 2003 PLANNING COMMISSION

9/30/03

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV. 89109
Ofc. (702) 889-2879
Fax: (702) 889-3122

City of Las Vegas, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101
Fax: (702) 382-4803

RECEIVED
CITY CLERK

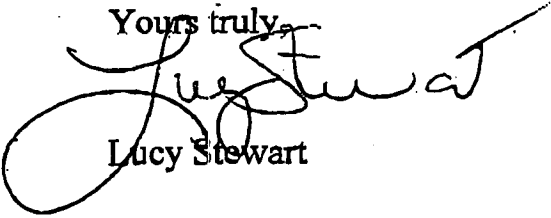
2003 OCT 30 PM 4:21

RE: SUP-3061
1571 N. Decatur, APN-138-25-503-003, PC agenda item #69

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the 10/23/03 Planning Commission meeting. I would like to appeal it to be heard on the November 19, 2003 City Council meeting. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

City of Las Vegas

Agenda Item No. 111

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 3, 2003

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

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2975 - MASAE AKAMINE ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY -
 Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR and a Waiver of the 400-foot distance separation requirement from protected uses at 8320 West Sahara Avenue, Suite 180 (APN: 163-04-416-007), U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - Approved subject to conditions -UNANIMOUS with MACK excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

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

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:31 - 2:34)

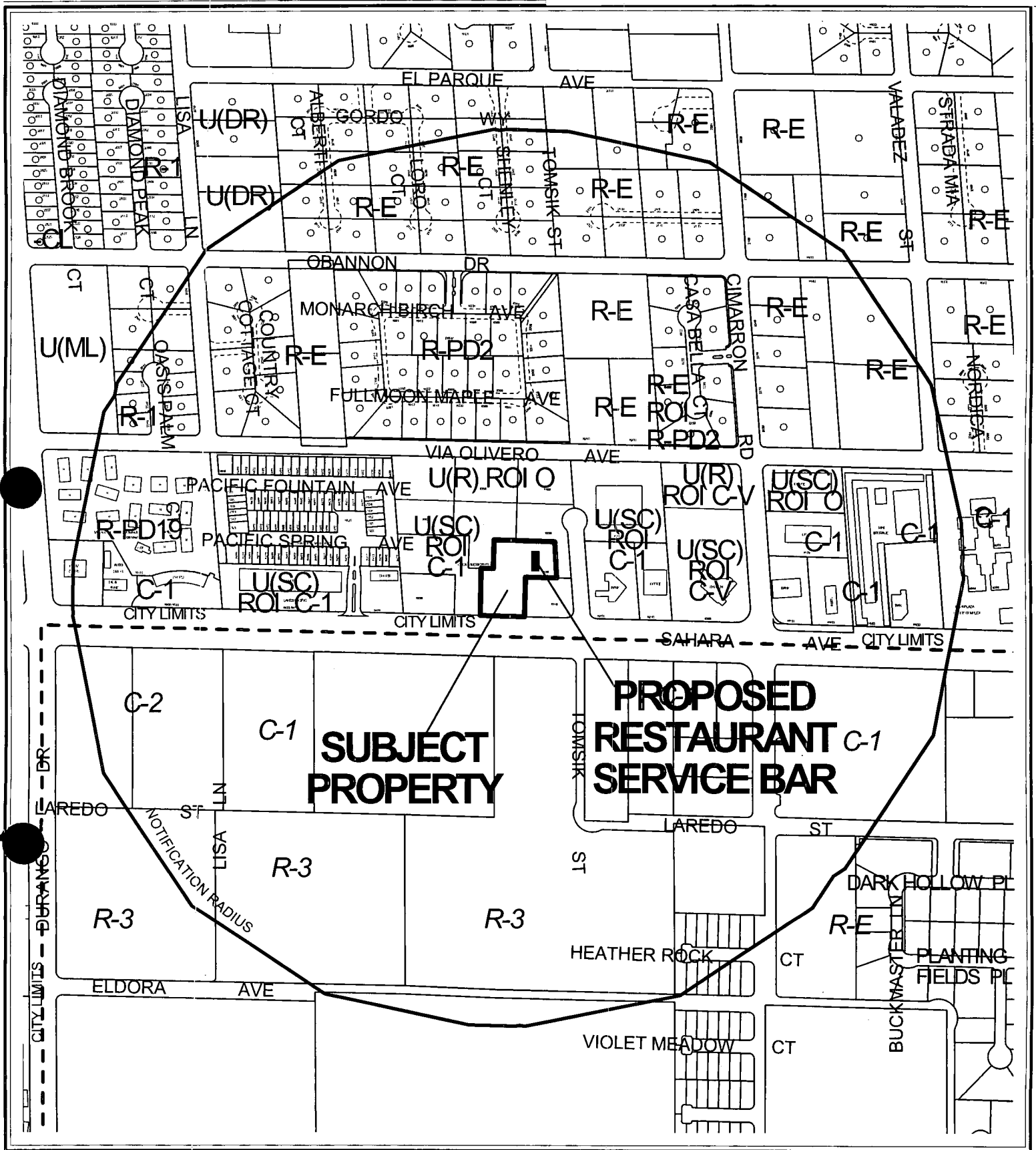
3-3620

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 111 – SUP-2975

CONDITIONS:

Planning and Development

1. A Waiver to the 400 foot separation distance is approved. Conformance to all other Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Conformance to applicable Conditions of Approval for Rezoning (Z-0035-02) and Site Development Plan Review [Z-0035-02(1)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



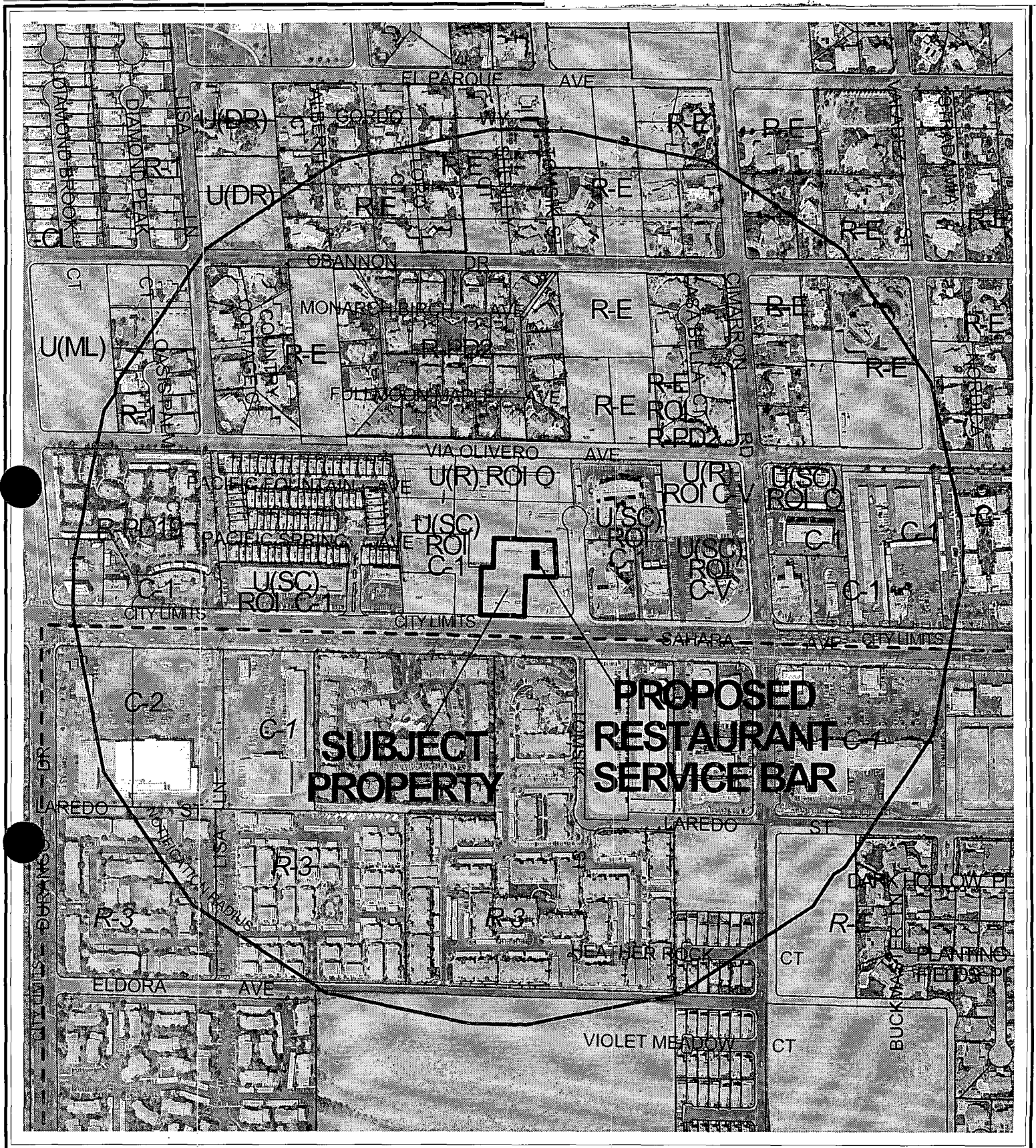
CASE: SUP-2975

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: SUP-2975

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-2975 - MASEA AKAMINE ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A Waiver to the 400 foot separation distance is approved. Conformance to all other Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Conformance to applicable Conditions of Approval for Rezoning (Z-0035-02) and Site Development Plan Review [Z-0035-02(1)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

SUP-2975 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit and a Waiver of the 400-foot minimum distance separation requirements from protected uses for a proposed Restaurant Service Bar (Sushi-Mon) located at 8320 West Sahara Avenue, Suite 180.

B) Applicant's Justification

The applicant's justification letter indicates that they presently operate two other restaurants in Clark County that serve beer and wine with no past problems regarding the privilege license. It is stated that the restaurant service will be enhanced by offering customers beer and wine to augment their meals. The overall commercial shopping center has a mix of uses creating a day-time/ night-time synergy allowing for appropriate parking at the various hours of the day. Additionally, a waiver has been requested from the minimum 400-foot minimum distance separation requirements from an existing church at 8200 West Sahara Avenue. It is noted that the actual building that will house the Restaurant Service Bar is outside the 400-foot separation distance and only the property limits are within the distance separation area.

BACKGROUND INFORMATION

A) Previous Actions

- 08/07/02 The City Council approved a request for a General Plan Amendment to amend a portion of the Southwest Sector of the General Plan (GPA-0013-02) from R (Rural) to O (Office) on the northern 200 feet of the subject site; a request for a Rezoning (Z-0035-02) from U (Undeveloped) Zone [SC (Service Commercial) and R (Rural) General Plan Designations] to C-1 (Limited Commercial) and O (Office) on the subject site; and a request for a Site Development Plan Review [Z-0035-02(1)] for a 103,133 square foot retail/office complex and a reduction in the amount of required parking lot landscaping on this site. The Planning Commission recommended approval on 07/11/02.
- 08/28/03 The Planning Commission recommended approval of a Special Use Permit (SUP-2734) for Secondhand Sales (Clothing) at 8320 West Sahara Avenue, Suite 160, which is located on the overall site. This item was considered by the City Council on 10/01/03, but the outcome was unavailable at the time of this report.
- 09/11/03 The Planning Commission recommended approval of a Special Use Permit (SUP-2767) for a proposed Supper Club (Paymon's Café & Lounge) located at 8380 West Sahara Avenue, Suite 110, which is located within the same commercial subdivision as the subject site. This item was approved by the City Council on 10/29/03.

SUP-2975 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 10/09/03 The Planning Commission voted to approve the applicant's request to withdraw without prejudice a Variance request (VAR-2930) to allow 488 parking spaces where 540 is the minimum number of required spaces. The applicant has revised the on-site parking area and the building footprints and square footage to eliminate the need for this Variance request.
- 11/06/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #26).

B) Pre-Application Meeting

- 08/05/03 The applicant was informed of the requirements for a project deemed to be a Project of Regional Significance and that parking would be an issue on-site due to another restaurant use within the center. It was noted that a parking Variance was being submitted for the overall commercial subdivision. It was also noted that no tenant improvement plans had yet been submitted to the Building and Safety Department, nor was a business license applied for.

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: 1.28 (entire commercial subdivision is 8.51 acres)

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

SUP-2975 - Staff Report Page Three
December 3, 2003 City Council Meeting

North: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to O (Office)

South: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

East: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

West: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and R-PD13 (Residential Planned Development – 13 Units per Acre)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan. The requested Restaurant Service Bar is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit with conditions.

<i>SPECIAL DISTRICTS/ZONES</i>	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.

SUP-2975 - Staff Report Page Four
December 3, 2003 City Council Meeting

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 considers 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

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant/Bar – Public seating/waiting area	800 SF	1/50 SF GFA	15	1	---	---
Restaurant/Bar – Remaining floor area	1,024 SF	1/200 SF GFA	6		---	---
TOTAL	1,824 SF	---	21	1	474	14

Title 19 requires the provision of a minimum of 22 parking spaces for the proposed supper club. The office/retail complex provides 488 spaces, allowing for shared access across parcels. The parking requirement for the restaurant represents approximately five percent of the total number of spaces provided.

The subject Restaurant Service Bar was originally planned for a retail use under the approved Site Development Plan Review [Z-0035-02(1)].

SUP-2975 - Staff Report Page Five
December 3, 2003 City Council Meeting

On September 25, 2003 the Planning Commission heard a Variance to allow 488 parking spaces where 540 is the minimum number of required spaces. The applicant has since revised the on-site parking area and the overall building floor areas for the entire commercial subdivision in order to eliminate the need for a parking variance for the commercial subdivision. The parking area and building size revisions have not modified the size or location of the subject Restaurant Service Bar.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Restaurant Service Bar	400' from any church, synagogue, school, child care facility (12+ children), or city park	(see below)

No restaurant service bar business use is to be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

This is an in-line building as part of the overall commercial subdivision. While the location of this restaurant service bar does not meet the strict interpretation of the Code, it will not pose a nuisance to the church or surrounding area since beer and wine are only served with meals.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation] and is under Resolution of Intent to a C-1 (Limited Commercial) zoning designation. The proposed Restaurant Service Bar is permitted, with approval of a Special Use Permit, in the C-1 (Limited Commercial) zoning district. A commercial Final Map, Great American Plaza, has recorded on the subject site; therefore, the Resolution of Intent should be ordinances to a C-1 (Limited Commercial) zoning district.

- Use

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

SUP-2975 - Staff Report Page Six
December 3, 2003 City Council Meeting

The submitted floor plan depicts a 1,824 square foot tenant space located within an existing building approved under Site Development Plan Review [Z-0035-02(1)]. The floor plan appears to meet the requirements as defined for a Restaurant Service Bar including offering drinks only in the dining area and not containing a separate bar area, other than the sushi bar, serving alcoholic drinks.

- **Conditions**

When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the 400 foot distance separation, the Planning Commission is to take into consideration the distance policy and as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the waiver. The waiver can be supported in this instance due to its location within an existing shopping center.

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 Restaurant Service Bar is situated within an office and commercial center, the Great American Plaza development, and is adequately buffered from nearby residential uses to the west and north. Approval should not have a negative impact on the existing church to the east of the site.

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

With the modification to the on-site parking areas and the revision to building sizes the applicant has physically created enough land area to meet the intensity in terms of required parking and on-site circulation for the proposed Restaurant Service Bar. The addition of the restaurant service bar does not add to the parking impacts of the restaurant.

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

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

SUP-2975 - Staff Report Page Seven
December 3, 2003 City Council Meeting

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

The proposed Restaurant Service Bar 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 428 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2975 APN: Part of 163-04-416-007

Name of Property Owner: GREAT AMERICAN PLAZA, LLC

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

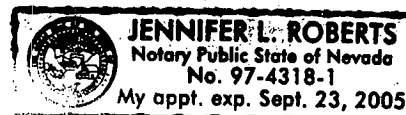
Signature of Property Owner/Authorized Agent: _____

Print Name: Hosker, Iny

Subscribed and sworn before me

This 21st day of July, 2003

Jennifer L. Roberts
Notary Public in and for said County and State



CODE ANALYSIS

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BLDG CODE:                2000 U.B.C.
OCCUPANT GROUP:           RESTAURANT: A-3
CONSTRUCTION TYPE:        TYPE V-A, (EXIST, BLDG, SPRINKLED)
BUILDING HEIGHT:          16'-0" (EXIST, BLDG)
STORIES:                   1 (EXIST, BLDG.)
FLOOR AREA:               1,824 SQ.FT.
OCCUPANT LOAD:            60 (SEE OCCUP. TABULATION BELOW)

REQ'D EXTER. WALL FIRE RESISTANCE:
                           NR (EXIST. BLDG. EXCEED 20' FROM PROPERTY LINE)

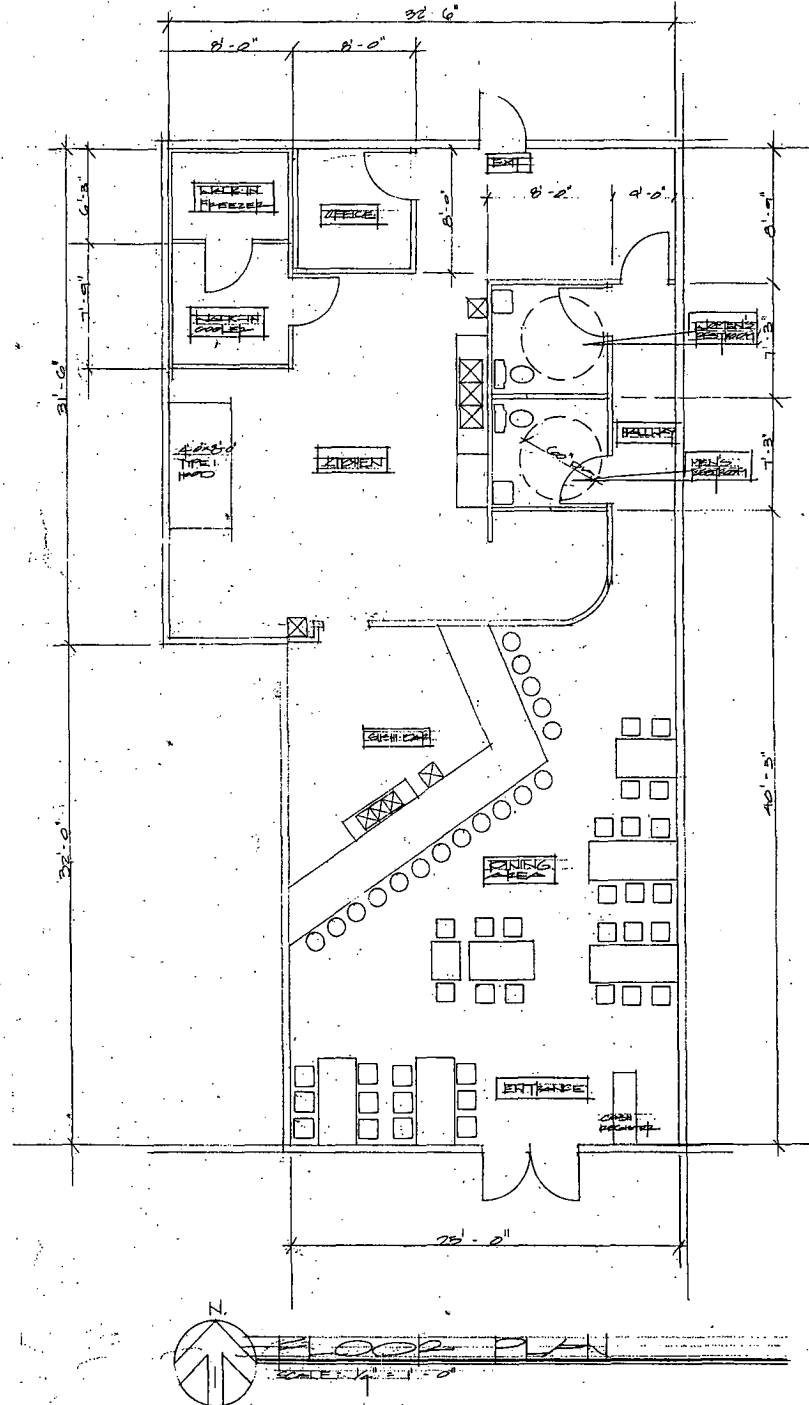
FIRE RESISTIVE CONSTRUCTION REQUIREMENTS: NONE

TENANT AREA:              DINING AREA:                600 SQ.FT.
                           KITCHEN AREA:              756 SQ.FT.
                           OFFICE, HALLWAY & RESTROOMS: 266 SQ.FT.
                           TOTAL:                    1,624 SQ.FT.

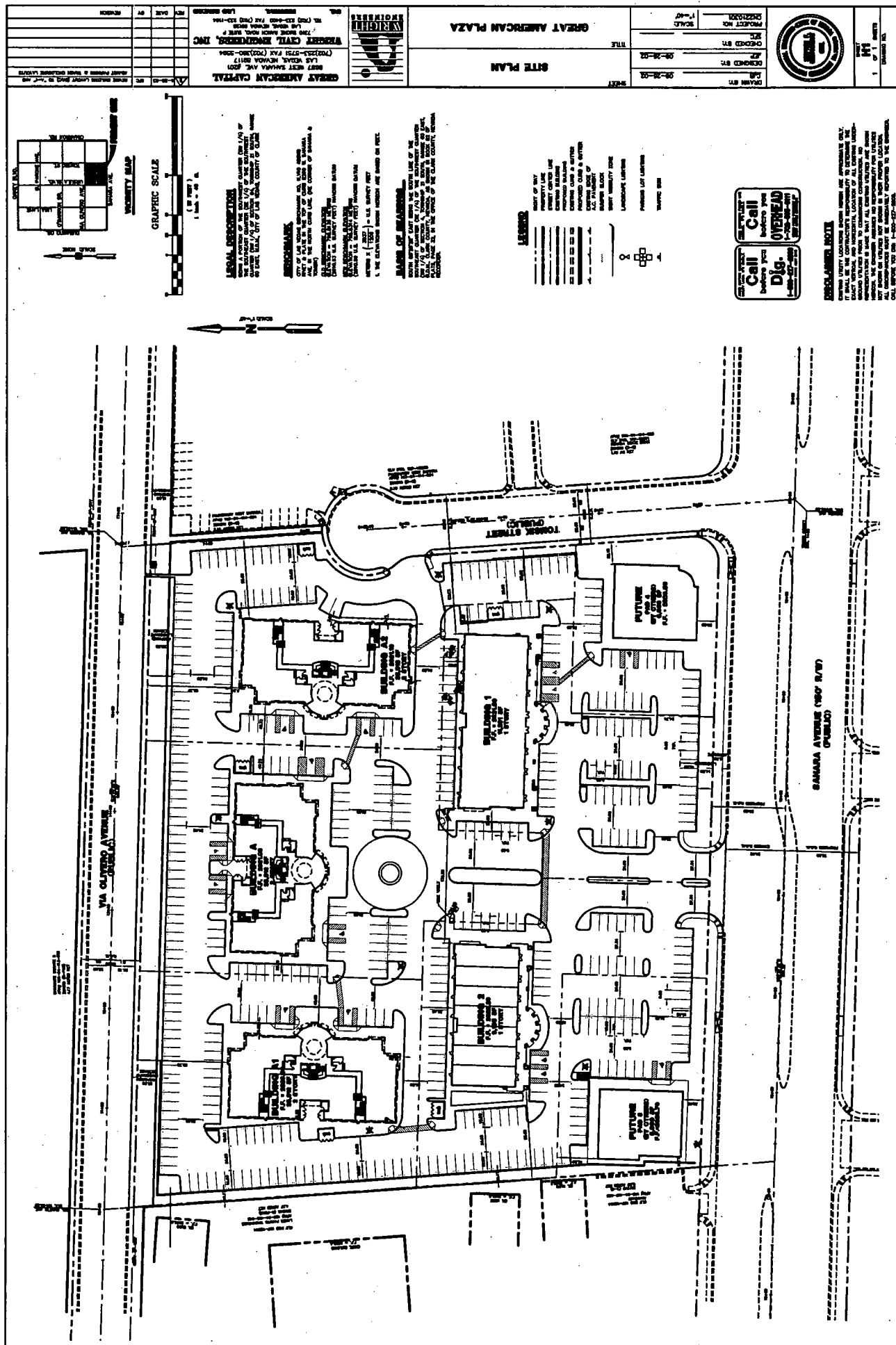
DINING AREA OCCUPANT LOAD (115): 53.33
KITCHEN AREA OCCUPANT LOAD (100): 3.78
OTHERS (110):             2.68
TOTAL OCCUPANT LOAD:      59.79

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MAXIMUM OCCUPANCY: 60
SEATING CAPACITY: 64



SUSHIMON WEST
WEST SAHARA AVE.



SUP-2975
10-09-03 PC



SUP-2975 - MASAE AKAMINE ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY

8320 WEST SAHARA AVENUE, SUITE 180

NOVEMBER 6, 2003 PLANNING COMMISSION

9/12/03

City of Las Vegas

Agenda Item No. 112

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 3, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2904 - LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR SLAUGHTER AND PROCESSING OF LIVE POULTRY and Waivers to allow deliveries from the hours of 4:00 a.m. to 8:00 p.m., where 8:00 a.m. to 8:00 p.m. are required; to permit the delivery of up to 300 chickens at one time, where the limit is 50 chickens per day; to permit the keeping of chickens on-site during over-night hours where no over-night storage of live chickens is permitted at 930 North Lamb Boulevard (APN:140-30-601-016), R-MHP (Residential Mobile/Manufactured Home Park) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

12

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers, all subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Moran & Associates
5. Submitted after final agenda – 17 Protest letters

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 117 [ZON-3080], Item 118 [SDR-3082], Item 127 [GPA-3066], Item 128 [ZON-3071], Item 129 [SUP-3073] and Item 130 [SDR-3079] to 12/17/2003 and Item 112 [SUP-2904], Item 113 [SUP 3114], Item 119 [ZON-3031], Item 120 [VAR-3040], Item 121 [SUP-3038] and Item 122 [SDR-3035] to 1/7/2004 - UNANIMOUS with MACK excused

**Agenda Item No. 112**

CITY COUNCIL MEETING OF DECEMBER 3, 2003
Planning and Development Department
Item 112 SUP-2904

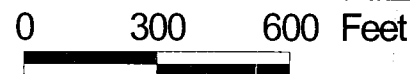
MINUTES:

MR. GENZER further clarified with COUNCILMAN REESE that Item 112 [SUP-2904] would be held in abeyance to 1/7/2004. ATTORNEY SCOTT HOLPER, Moran and Associates, 630 South 4th Street, confirmed the abeyance.

There was no discussion.

(1:21-1:27)

4-1



R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) ZONE UNDER RESOLUTION
OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: SUP-2904

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-2904 - LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; Staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers; all subject to:

Planning and Development

1. No waivers shall be granted to these base conditions required to approve a Special Use Permit:
 - a) The slaughtering and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry is prohibited.
 - b) The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
 - c) The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
 - d) The sale of poultry on the site shall be limited to retail sales of processed poultry.
 - e) There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.
 - f) All live poultry shall be stored within an enclosure structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, state and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
 - g) The maximum number of live birds allowed to be kept or maintained on site at any one time is three hundred.
 - h) The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 4:00 am to 8:00 pm.

SUP-2904 - Conditions Page Two
December 3, 2003 City Council Meeting

- i) The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
 - j) Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
 - k) All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 am to 8:00 pm.
 - l) No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
 - m) All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
 - n) The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.
2. Conformance with all standards of applicable regulatory agencies.
3. This Special Use Permit shall be reviewed in two years after permits are issued for the poultry processing as a public hearing before the Planning Commission and City Council.

SUP-2904 - Staff Report Page One
December 3, 2003 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to permit the slaughter and processing of live poultry as an accessory use in conjunction with the Liborio Market located at 930 North Lamb Boulevard. The application also requests a waiver to the requirement that delivery and unloading of live poultry take place between the hours of 8:00 am and 8:00 pm.

B) Applicant's Justification

The letter states that the waiver to the hours of delivery of live birds is reasonable and harmonious with their future business model. The applicant infers that permitting deliveries to take place at 4 am will be in the best interest of the health, safety and welfare of the community.

BACKGROUND INFORMATION

A) Previous Actions

- 08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial).
- 12/17/86 The City Council approved a rezoning from R-MHP (Residential Mobile Home Park) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval.
- 03/12/92 The Planning Commission approved the three Land Use Sector maps of the General Plan.
- 09/06/99 The City Council approved GPA-0010-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion and match actions since 1996.
- 09/19/01 The City Council approved a rezoning to C-1 (Limited Commercial) on this site. The portion of the rezoning for M (Industrial) was deleted from the request. The Planning Commission had recommended approval.
- 01/23/03 The Planning Commission tabled a request for an amendment to the General Plan from SC (Service Commercial) (GPA-1616) and a rezoning to M (Industrial) (ZON-1618) pending the outcome of a text amendment to allow this use with the approval of a Special Use Permit.

SUP-2904 - Staff Report Page Two
December 3, 2003 City Council Meeting

- 07/02/03 The City Council approved Bill No. 2003-57, to allow the slaughtering and processing of live chickens as an accessory use to a commercial facility as an accessory use, subject to conformance of several base conditions of approval.
- 11/06/03 The Planning Commission voted 6-0 to recommend APPROVAL of the Special Use Permit; and voted 4-2 to recommend APPROVAL of the Waivers (PC Agenda Item #25).

B) Pre-Application Meeting

- 08/11/03 The base conditions of approval were discussed. The applicant was informed that any waivers would need to be identified in the justification letter and that a full set of floor plans would be needed to ensure conformance to the Code.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.09 Acres
Net Acres:

B) Existing Land Use

Subject Property: Liborio Market Grocery Store
North: Sunrise Oaks Mobile Home Park
South: CVS Pharmacy, Mobile Home Park
East: Auto Shop and Mini-Market
West: Quadraplex Multi-Family

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: Las Vegas Wash, Medium Low Density Residential
South: SC (Service Commercial)
East: SC (Service Commercial)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-MHP (Mobile Home Park) under Resolution of Intent to C-1 (Limited Commercial)
North: R-MHP (Mobile Home Park)
South: C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-3 (Medium Density Residential)

SUP-2904 - Staff Report Page Three
December 3, 2003 City Council Meeting

E) General Plan Compliance

Southeast General Plan

This site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. This land use category allows those uses associated with the C-1 (Limited Commercial) zoning district. The slaughtering and processing of poultry, as an accessory use in conjunction with a commercial business, is permitted 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

The site is not affected by any special districts or zones.

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
Market	37,280	1/200	167	6	197	6

The existing supermarket meets the parking standards of the Code. The commencement of slaughtering and processing chickens as an accessory use will not add to the parking demand.

A2) Minimum Distance Separation Requirements

The text amendment allowing this as a special use required a minimum separation distance of 1,500 feet between these facilities. The applicant has stipulated that there are no other such uses within this distance.

SUP-2904 - Staff Report Page Four
December 3, 2003 City Council Meeting

B) General Analysis and Discussion

- Zoning

This property is zoned C-1 (Limited Commercial) The proposed use is allowed with the approval of a Special Use Permit.

- Use

Prior to the approval of the text amendment to allow the slaughtering and processing of live chickens as an accessory use to a commercial operation, properties had to be zoned M (Industrial) In their deliberations on the text amendment, the City Council determined that in some instances, it would be preferable to allow limited poultry processing in a commercial area, under strictly controlled conditions, than requiring industrial zoning, which permits uses that could be contrary to the health, safety and welfare of a neighborhood.

- Conditions

In approving the text amendment allowing this proposal as a special use, the City Council imposed the following base conditions, any or all of which can be waived only by the City Council following a public hearing:

1. The slaughtering and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry is prohibited.
2. The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
3. The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
4. The sale of poultry on the site shall be limited to retail sales of processed poultry.
5. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.
6. All live poultry shall be stored within an enclosure structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, state and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.

SUP-2904 - Staff Report Page Five
December 3, 2003 City Council Meeting

7. The maximum number of live birds allowed to be kept or maintained on site at any one time is fifty.
8. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 am to 8:00 pm.
9. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
10. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
11. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 am to 8:00 pm.
12. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
13. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
14. No live poultry shall remain on-site overnight. Any live poultry not sold by 4:00 pm must be slaughtered, processed and packaged for sale with other poultry products.
15. The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.

The applicant has requested the following waivers:

1. Waiver of Condition Number 7, to allow the delivery of up to 300 birds at one time, at the beginning of the week. Therefore, there will be more than 50 birds on site.
2. Waiver of Condition Number 8, to allow deliveries from the hours of 4:00 am to 8:00 pm.
3. Waiver of Condition Number 14, to allow poultry to remain on-site on an overnight basis.

SUP-2904 - Staff Report Page Six
December 3, 2003 City Council Meeting

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 purpose of the text amendment was to permit limited slaughtering of poultry for on-site sale with a commercial operation as an accessory use. The fifteen base conditions of approval were adopted to ensure that such a use not become a nuisance to the surrounding area. If Liborio Market operates in conformity to the Code, it can be harmonious and compatible with the surrounding area. However, the applicant is the first to request approval of a Special Use Permit for this use. There is no history, or evidence, therefore, that can be used to approve the Waivers to the standards. The only way this use should be approved is in conformance to all standards of the Code and those imposed by the Clark County Health District. Since this is the first Special Use Permit in the City for this use, a required review by the Planning Commission and City Council, as a public hearing should take place two years from the date of issuance of permits for this facility.

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

If operated in conformance to all regulatory standards, the site is physically suitable for this use. There is a loading dock provided for delivery of poultry. Adequate access is provided to ensure that the use is compatible with the area.

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

The site is located on the northwest corner of Washington Avenue and Lamb Boulevard. Both streets are adequate to meet the needs of this use. It is not anticipated that the addition of the sale of recently processed poultry will significantly increase traffic.

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

If operated in conformance to all applicable regulatory criteria, the use need not compromise the public health, safety and welfare of the area. It will be subject to extensive inspections by applicable Federal, State and local regulatory agencies. It is also appropriate, at this time, to approve this request given the lifting of the quarantine imposed on the importation of poultry due bird diseases.

SUP-2904 - Staff Report Page Seven
December 3, 2003 City Council Meeting

PLANNING COMMISSION ACTION

Staff recommended approval of the Special Use Permit. Condition #1 recommended by staff required compliance with all standards of the Code with no waivers. The Planning Commission amended Condition #1 sections "g" & "h" and eliminating original Condition #1n. These changes allowed:

- 300 birds instead of 50
- 4:00 a.m. deliveries instead of 8:00 a.m.
- live poultry allowed overnight.

There were four speakers against the project at the Planning Commission meeting and two speakers in favor.

NOTICES MAILED 1,622 by City Clerk

APPROVALS 4

PROTESTS 12



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-2904 APN: 140-30-601-016

Name of Property Owner: Triple A LLC

Name of Applicant: John Alejo or Tony Alamo

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

 Yes X No

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

City Official: _____

Partner(s): _____

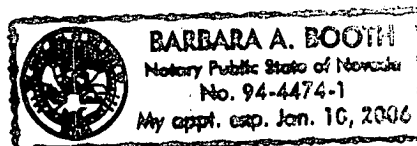
APN: _____

Signature of Property Owner/Authorized Agent: Imp. Plans

Subscribed and sworn before me

This 29th day of July, 2003

Barbara A. Boehm
Notary Public in and for said County and State



Adopted 7/2/03
CC

BILL NO. 2003-57

ORDINANCE NO. _____

AN ORDINANCE TO ALLOW THE SLAUGHTER AND PROCESSING OF LIVE POULTRY BY MEANS OF SPECIAL USE PERMIT IN THE C-1, C-2, AND C-M ZONING DISTRICTS, AND AS A PERMITTED USE IN THE M ZONING DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer,
Director of Planning and Development

Summary: Allows the slaughter and processing of live poultry by means of special use permit in the C-1, C-2, and C-M Zoning Districts, and as a permitted use in the M Zoning District.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to require a Special Use Permit for the use "Slaughter and Processing of Live Poultry" in the C-1, C-2, and C-M Zoning Districts and to provide that the use is a permitted use in the M Zoning District. In order to reflect the amendments, a new row shall be added to the "Industrial & Manufacturing" Element of the Land Use Tables, to read as follows:

INDUSTRIAL & MANUFACTURING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Slaughter and Processing of Live Poultry					S	S		S	P

SECTION 2: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled "SLAUGHTER AND PROCESSING OF LIVE POULTRY," reading as follows:
SLAUGHTER AND PROCESSING OF LIVE POULTRY [C-1, C-2, C-M]

- (1) The slaughter and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.
- (2) The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
- (3) The slaughter and processing of poultry shall occur only as an accessory use to a retail

1 commercial establishment.

2 (4) The sale of poultry on the site shall be limited to retail sales of processed poultry.

3 (5) There shall be no sale of live poultry from the site and no use of the site for the distribution
4 of live or processed poultry for sale off-site.

5 (6) All live poultry shall be stored within an enclosed structure on the site where the processing
6 will take place. The slaughter and processing of poultry shall take place in an enclosed structure that
7 is operated in accordance with all Federal, State and local regulatory criteria, including without
8 limitation all applicable regulations of the Clark County Health District. The processing facility must
9 be available at any time for inspection by any and all regulatory agencies with jurisdiction.

10 (7) The maximum number of live birds allowed to be kept or maintained on site an any one time
11 is fifty.

12 (8) The delivery and unloading of live poultry shall be at a designated sealed loading dock and
13 shall take place only between the hours of 8:00 a.m. and 8:00 p.m.

14 (9) The exterior and interior of a processing facility shall be maintained in an attractive, safe and
15 sanitary condition at all times, and all on-site activity must be conducted so as not to create noise,
16 dust, debris, odors or other similar nuisances to surrounding property owners.

17 (10) Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be
18 located in an area not readily available to the public.

19 (11) All waste and debris shall be removed from the processing facility on a daily basis in
20 accordance with all Federal, State and local regulatory criteria, including without limitation applicable
21 regulations of the Clark County Health District. Waste removal shall take place only between the
22 hours of 8:00 a.m. and 8:00 p.m.

23 (12) No slaughtering or butchering waste of any kind may be stored outside at any time. All such
24 waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature-
25 controlled, sealed room.

26 (13) All glass viewing areas to be used by customers for bird selection shall be installed a minimum
27 of 48 inches above floor level.

28 (14) No live poultry shall remain on-site overnight. Any live poultry not sold by 4:00 p.m. must

1 be slaughtered, processed and packaged for sale with other poultry products.

2 (15) The processing facility shall be landscaped and screened as required in connection with Site
3 Development Plan Review.

4 SECTION 3: In Section 2 of this Ordinance, the brackets that follow the title of the
5 subdivision being added are not intended to indicate deleted matter, but instead are used as the means
6 of indicating the applicable districts.

7 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
8 and 19.04.050 are deemed to be subchapters rather than sections.

9 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
10 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
11 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
14 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
15 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
16 invalid or ineffective.

17 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

21 APPROVED:

22 By _____
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Head 5-21-03
28 _____
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2003, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2003, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11
12 APPROVED:

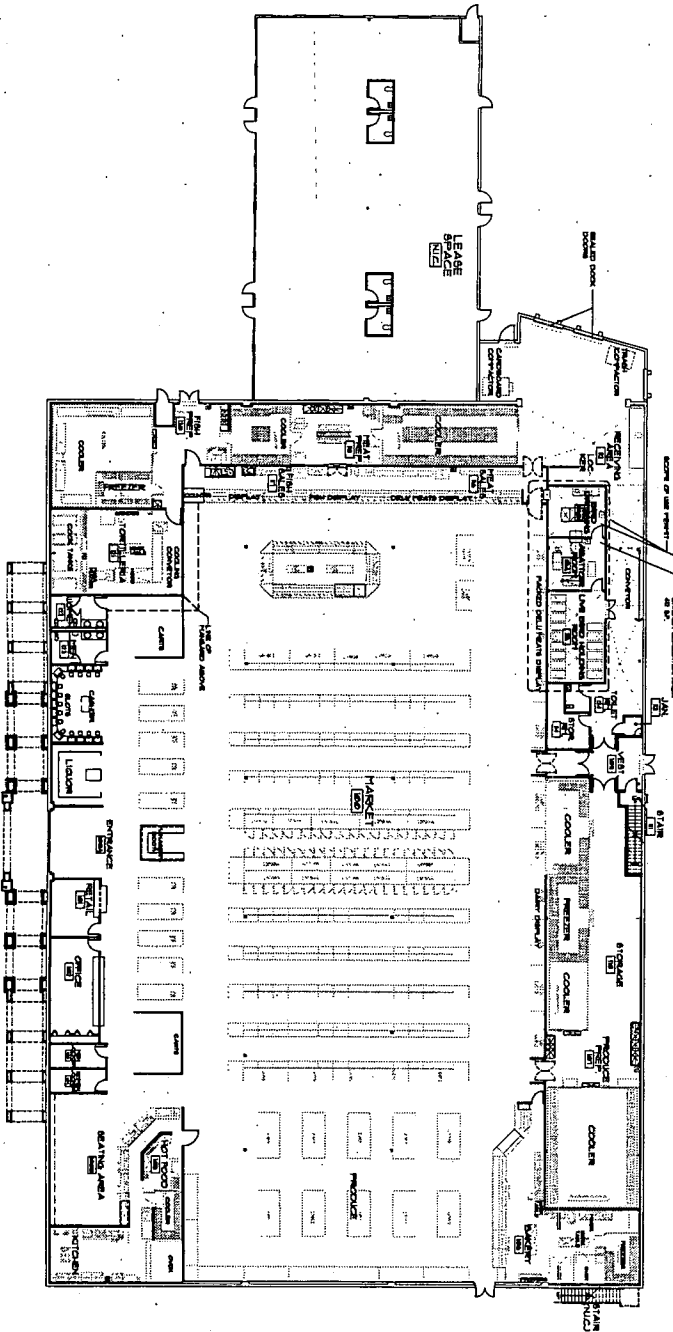
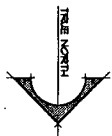
13
14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST: .

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17 BARBARA JO RONEMUS, City Clerk
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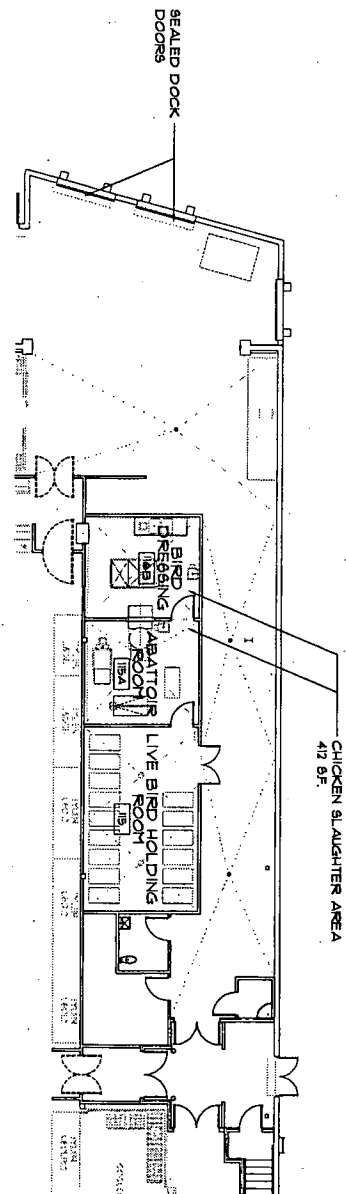
1 OVERALL FLOOR PLAN

ALSO SCALE: 1/8" = 1'-0"



2 ENLARGED FLOOR PLAN

ALSO SCALE: 1/8" = 1'-0"



SUP-2904

10-09-03 PC

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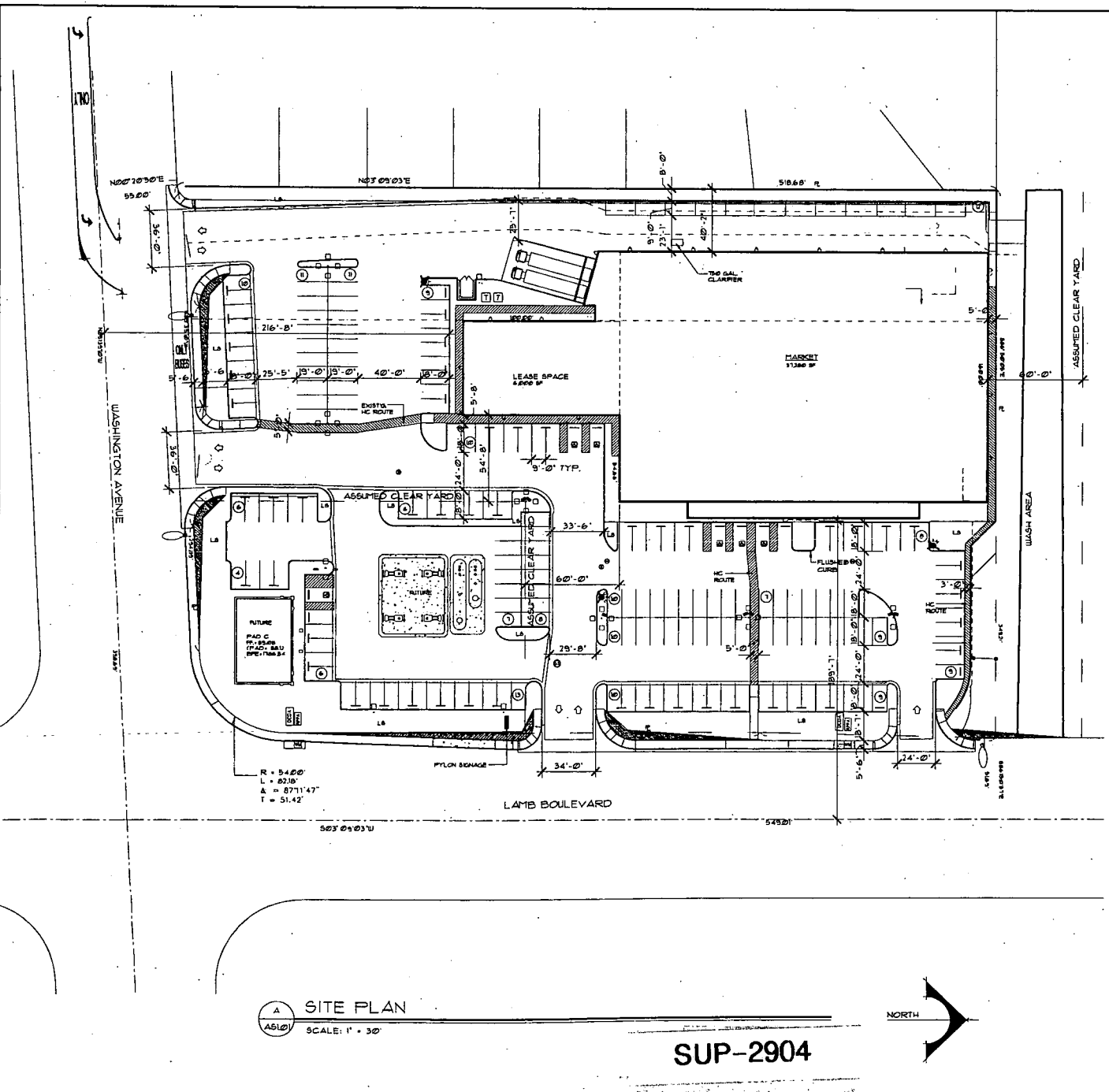
PROJECT NO.	10-09-03
DATE	10-09-03
DESIGNED BY	ALSO
DRAWN BY	ALSO
CHECKED BY	ALSO
APPROVED BY	ALSO
SCALE	1/8" = 1'-0"
SHEET NO.	1141
TOTAL SHEETS	1141

sheet title
FLOOR PLANS

project title
LIBORIO'S MARKET T.I.

WASHINGTON AND LAMB
LAS VEGAS, NEVADA

ARCHITECT
GERALD GARAPICH • AIA • LLC
10 COMMERCIAL CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5842 FAX (702) 454-7842



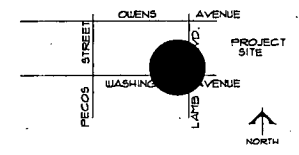
PARKING SUMMARY

MARKET	37,280 SQ. FT.
MEZZANINE	6,226 SQ. FT.
RETAIL	6,000 SQ. FT.
PARKING REQUIRED FOR MARKET • 4 PER 1000 SQ. FT.	149
PARKING REQUIRED FOR RETAIL • 4 PER 1000 SQ. FT.	24
TOTAL	173
TOTAL PARKING PROVIDED FOR (C-P) 1 (C-2) INCLUDING 6 HANDICAP PARKING SPACES (6 HC PER 200 PARKING SPACES)	
	203

GENERAL NOTES

1. SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION.
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIMENSIONS, CURBS, GUTTERS, AND PLANTERS.
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
4. SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION.
5. SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS, IF DISCREPANCIES EXIST, THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
6. ALL SITE CONCRETE SHALL RECEIVE WEAKENED PLANE JOINTS • 15'-0" O.C. AND TOOLED JOINTS • 5'-0" O.C.
7. ALL CONCRETE WALKS, LANDINGS, ETC. SHALL BE BROOM FINISH.
8. SLOPE ALL PLANTER AREAS AWAY FROM BUILDING 2% MINIMUM.
9. SLOPE ALONG ACCESSIBLE ROUTE WILL NOT EXCEED 5% IN THE DIRECTION OF TRAVEL AND 2% CROSS SLOPE.

VICINITY MAP



ARCHITECT
GERARD GADADICH • AIA • LLC
 10 COMMERCE CENTER DRIVE
 HENDERSON, NEVADA 89014
 (702) 454-5842 FAX (702) 454-7842

Project Title
LIBORIO'S MARKET T.I.
 WASHINGTON AND LAMB
 LAS VEGAS, NEVADA

ARCHITECTURAL
SITE PLAN

Scale 0/10" = 1'-0"

Drawn by _____

Checked by _____

Project no. _____

Revisions _____

Sheet no. **AS1.01**

of _____

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SUP-2904

10-09-03 PC

MORAN & ASSOCIATES

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101

JOHN T. MORAN, JR.
JILL M. LYNNE
LEW BRANDON, JR.
JEFFERY A. BENDAVID
SHAWN R. HUGGINS
J. T. MORAN III

TELEPHONE (702) 384-8424

TELECOPIER (702) 384-6568

MORANLAWFIRM.COM

December 1, 2003

VIA FACSIMILE & HAND DELIVERY
(702) 382-4803

Ms. Barbara Jo (Roni) Ronemus
CITY CLERK, LAS VEGAS
400 East Stewart Avenue
Las Vegas, Nevada 89101

RE: SUP-2904
Lamb Boulevard/Washington Avenue
LIBORIO MARKET, INC.

Dear Ms. Ronemus:

In regard to the aforementioned application, please consider this correspondence our formal request for a continuance of the December 3, 2003, Las Vegas City Council Meeting. We are at this time requesting that said application be held till the next regularly scheduled Las Vegas City Council Meeting.

Your anticipated cooperation in this matter is greatly appreciated.

Should you have any questions and/or comments with regard to any matter, please do not hesitate to contact me personally. I remain,

Very truly yours,

John T. Moran III, Esq.
MORAN AND ASSOCIATES

JT3/rdg

2003 DEC - 2 A 10: 12

RECEIVED
CITY CLERK

Submitted after final agenda

Date 12/2/2003 Item #112

WOMEN'S DEVELOPMENT CENTER

November 26, 2003

Barbara Jo Ronemus
City Hall, 1st Floor
400 Stewart Avenue
Las Vegas, NV 89101

Re: SUP-2904, Liborio Market

Dear Ms. Ronemus:

Women's Development Center (WDC) would like to file a written objection to the proposed special use permit SUP-2904.

We own six 4-plexs; 4200, 4208, 4225, 4233, 4236, 4240 on Middlesex Avenue, and one 4-plex at 920 Snug Harbor Street.

As a Landowner we have many apprehension with Liborio Market's requests.

First, we have many concerns with the special use permit for slaughter and processing of live poultry. Live animals carry many germs and bacteria's. The slaughtering and processing brings up many health questions due to unsanitary conditions presented by such activities. Due to the fact that Liborio Market is located in a primary residential area with family and children we must take their health and well being into consideration before granting this request.

The next area of concern is the adjustment of delivery times. Liborio Market is requesting an increase of four hours to their usual 12 hour delivery time. Furthermore, they want to start delivery times at 4:00 AM instead of the usual 8:00 AM. Deliveries this early in a residential area definitely pose a problem. Not only the traffic but also the noise would be increased during the majority of individuals rest hours.

Lastly, we object to the increase of chickens being delivered as well as the overnight storage. Storage of chickens in this amount does not belong in a residential area. Once again the health hazards and unsanitary nature created is unacceptable and unfair to the many families that reside in neighboring areas.

Not only would these requests be better suited for an industrial area, but also the revised zoning would make leasing undesirable and decrease the property value. As an owner of multiple 4-plexs we wish to ensure the integrity of the area as well as the original master plan.

For the above-mentioned reasons we strongly encourage you as well as the rest of the city council to vote against this proposed special use permit.

Thank you for taking the time to review and consider our position on the proposal of special use permit SUP-2904.

Sincerely,

Candace Ruisi
Executive Director

2003 DEC-1 P 12:19
RECEIVED
CITY CLERK

953
East
Sahara
Avenue
Suite 201
Las Vegas
Nevada
89104
(702) 796-7770
Fax
(702) 796-3007

Protest

Submitted after final agenda

Date 12/1/03 Item #112

STOP

RECEIVED
CITY CLERK
2003 NOV 26 P 2:48

STOP

LIBORIO MARKET

CALL THE CITY CLERK AT (702)

229-6301, SAY YOU WISH TO
OBJECT TO SUP-2904 LIBORIO
MARKETS REQUEST TO KILL
CHICKENS IN THEIR MARKET.
GO TO THE DEC, 3 COUNCIL
MEETING AT 400 STEWARD
AVE. AT 1.P.M. TO VOICE YOUR
OBJECTION.

MORE DETAILS CALL KEVIN
MENARD AT 453-3676 # 227

Protest

LIBORIO MARKET

WE THE UNDERSIGNED DO
OBJECT TO THIS PROPOSAL

1. IT IS A HEALTH HAZARD
2. THIS IS RESIDENTIAL AREA
3. WILL CAUSE NOISE POLUTION

NAME THOMAS E. Gilmore

ADDRESS 825 N Lamb BLVD

SPACE # 200

LAS VEGAS, NV, 89110

STOP LIBORIO MARKET

WE THE UNDERSIGNED DO OBJECT TO

SUP-2904

- 1. IT IS A HEALTH HAZARD**
- 2. THIS IS A RESIDENTIAL AREA**
- 3. THIS WILL CAUSE NOISE POLLUTION**

SIGNED: JAMES MILFORD

825 N. LAMB

SPACE #6

LAS VEGAS, NEVADA 89110

2003 DEC - 1 P 12:43

RECEIVED
CITY CLERK

Protest

**STOP
LIBORIO MARKET
WE THE UNDERSIGNED DO
OBJECT TO SUP-2904**

1. IT IS A HEALTH HAZARD
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USE FAX MACHINE IN EL ADOBE OFFICE
SO THAT THIS OBJECTION WILL GET TO THE
CITY COUNCIL BEFORE THE DEC. 3, 2003
1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME Ted Ingrassia
ADDRESS; 825 N LAMB BLVD,
SPACE # 203
LAS VEGAS, NV, 89110

Protest

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CITY CLERK
2003 DEC -2 A 9:01

**STOP
LIBORIO MARKET
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CITY COUNCIL BEFORE THE DEC. 3, 2003

1 P.M. DEADLINE. CITY COUNCIL FAX # IS

7023824803

NAME CAROL JONES

ADDRESS; 825 N LAMB BLVD,

SPACE # 203 -

LAS VEGAS, NV, 89110

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2003 DEC -2 A 9:01

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**STOP
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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803**

NAME MEYER K. MAZON
ADDRESS; 825 N LAMB BLVD,
SPACE # 63
LAS VEGAS, NV, 89110

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME Mr & Mrs William Roto

ADDRESS; 825 N LAMB BLVD,

SPACE # 307 -

LAS VEGAS, NV, 89110

Protest

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803**

NAME SCOTT D. PAASCHE

ADDRESS; 825 N LAMB BLVD,

SPACE # 97-A -

LAS VEGAS, NV, 89110

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS

7023824803

NAME Gerald B. Davidson (GERALD B. DAVIDSON)

ADDRESS; 825 N LAMB BLVD,

SPACE # 291 -

LAS VEGAS, NV, 89110

Protest

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME CLARENCE M. McFLIDE

ADDRESS; 825 N LAMB BLVD,

SPACE # 113

LAS VEGAS, NV, 89110

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME August A. Mills
ADDRESS; 825 N LAMB BLVD,
SPACE # 36
LAS VEGAS, NV, 89110

Protest

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME

Katharina Brookshine
Richard Brookshine

ADDRESS; 825 N LAMB BLVD,

SPACE #

3

LAS VEGAS, NV, 89110

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

Protest

NAME Steve Gibson

ADDRESS; 825 N LAMB BLVD,

SPACE # 286

LAS VEGAS, NV, 89110

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7023824803

Protest

NAME Jewison Werner
ADDRESS; 825 N LAMB BLVD,
SPACE # 35 -
LAS VEGAS, NV, 89110

[Signature]

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME Cristal Yoder

ADDRESS; 825 N LAMB BLVD,

SPACE # 1

LAS VEGAS, NV, 89110

Protest

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1 P.M. DEADLINE. CITY COUNCIL FAX # IS
7023824803

NAME Denise Reyes
ADDRESS; 825 N LAMB BLVD,
SPACE # 117 -
LAS VEGAS, NV, 89110

Protest

NOTICE OF PUBLIC HEARING**SPECIAL USE PERMIT**

MEETING: CITY COUNCIL
DATE: DECEMBER 3, 2003
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-2904

REQUEST BY LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY FOR A SPECIAL USE PERMIT FOR SLAUGHTER AND PROCESSING OF LIVE POULTRY AND WAIVERS TO ALLOW DELIVERIES FROM THE HOURS OF 4:00 AM TO 8:00 PM, WHERE 8:00 AM TO 8:00 P.M. ARE REQUIRED; TO PERMIT THE DELIVERY OF UP TO 300 CHICKENS AT ONE TIME, WHERE THE LIMIT IS 50 CHICKENS PER DAY; TO PERMIT THE KEEPING OF CHICKENS ON-SITE DURING OVER-NIGHT HOURS WHERE NO OVER-NIGHT STORAGE OF LIVE CHICKENS IS PERMITTED AT 930 NORTH LAMB BOULEVARD (APN:140-30-601-016), R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M.

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



BARBARA JO RONEMUS
CITY CLERK

Protest

SEE LOCATION MAP ON REVERSE SIDE